

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

IDENT. NUMBER: 74-00085

DATE RECEIVED: 5/3/90

RECEIPT NO: X96999

RECEIVED BY: DK-----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: IRA D. BROWN
ADDRESS: P.O. BOX 17
LEMHI, ID

83465

NAME: BENITA A. BROWN
ADDRESS: P.O. BOX 17
LEMHI, ID

83465

2. DATE OF PRIORITY: APR 25, 1910

3. SOURCE: TEXAS CREEK

TRIB. TO: LEMHI RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
14N	26E	2	NW	NE		2	LEMHI

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.390		

7. TOTAL QUANTITY APPROPRIATED IS:
0.390 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:



10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
15N	26E	35	NW	NE		IRR	15.0

SECTION ACRES 15.0

TOTAL ACRES 15.0

11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

AC. IRR.=14.9.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE:

DECREE PLAINTIFF

VS

DECREE DEFENDANT

16. SIGNATURE(S)

(A.) BY SIGNING BELOW, I/WE ACKNOWLEDGE THAT I/WE HAVE RECEIVED, READ AND UNDERSTAND THE FORM ENTITLED "HOW YOU WILL RECEIVE NOTICE IN THE SNAKE RIVER BASIN ADJUDICATION." (B.) I/WE DO ____ DO NOT ☒ WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: _____

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): _____ DATE: _____
_____ DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM PERMANENT OF
TITLE

MOORE CREEK RANCH _____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION

DOCUMENT IN THE SPACE BELOW AS PRAWER _____ OF
TITLE

MOORE CREEK RANCH _____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION

FOREGOING DOCUMENT ARE TRUE AND CORRECT.

Dennis R. Studebaker
SIGNATURE OF AUTHORIZED AGENT

MOORE CREEK RANCH _____
TITLE AND ORGANIZATION

5/1/1990 _____
DATE

STATE OF IDAHO)
COUNTY OF LEMHI) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 1ST DAY

OF MAY 19 90

Melissa G. Cole
NOTARY PUBLIC

SEAL

RESIDING AT Salmon, Id _____

MY COMMISSION EXPIRES 3/7/94 _____

DATE: 02/08/90 233

74-00085

PAGE 3

MICROFILMED

DEC 14 1992

AJ0749NP
No. A74-00085

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/23/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KLT FOUNDATION PO BOX 16025 MISSOULA MT 59808 (406) 721-2438	04/25/1910	IRRIGATION	03-15 11-15	0.390 CFS	
TOTAL DIVERSION:					0.390 CFS	

Water Source: TEXAS CREEK

Tributary to: LEMHI RIVER

Stage: DECREED

Point(s) of Diversion: T14N R26E S02 Lot02(NWNE)

LEMHI County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
15N	26E	35	:		15			:					:					:					:	15.0
TOTAL ACRES																							15.0	

POU County: LEMHI

Remarks: GEN AC. IRR.=14.9.
CHANGED OWNERSHIP PER REQUEST/JH/8-23-99

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 23, 1999

KLT FOUNDATION
PO BOX 16025
MISSOULA MT 59808

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A74-00086,
A74-00107, A74-00085, A74-00087, A74-00098,
A74-00100, A74-00130, A74-00131

Dear Sir:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Claims A74-00147 and A74-02307B were not changed. Our records show these in the name of Milton and Helen Slavin. If you have documents that show you bought their property, please submit another change of ownership and we will process this change as soon as possible. A blank form is enclosed. If you have questions about this matter, please contact Senior Water Agent Dave Carlson at (208) 525-7161.

Respectfully yours,

Jennifer Hoagland
Jennifer Hoagland
Technical Records Specialist

Enclosures

DELOG DC
8/6/99

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP RECEIVED

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

AUG 06 1999

Department of Water Resources
Eastern Region

1. Water Right Number(s) 74-0086, 74-0107, 74-0085, 74-0087, 74-0098, 74-0100,
74-0130, 74-0131, 74-0147, 74-2307B
Adjudication Claim Number(s) X X X X X X
2. The following REQUIRED information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
- AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Michael and Meridee Overacker
1510 Hwy. 93 N. Salmon, Id 83467
4. New Owner/Claimant(s) KLT Foundation
Name connector (check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 16025
City, State and ZIP Code Missoula Montana 59808
New Telephone Number (406) 721-2438
5. Date you acquired the property Aug. 3, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Paul L. Linnell, Trustee Date 8/02/99
PLEASE SIGN _____ Date _____
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

AUG 06 1999

WARRANTY DEED

Department of Water Resources
Eastern Region

For Value Received DENNIS R. STUDEBAKER AND LEAH F. STUDEBAKER
HUSBAND AND WIFE 93.75% AND MICHAEL J. OVERACKER III AND MERIDEE S. OVERACKER
HUSBAND AND WIFE 6.25%

the grantor s, do hereby grant, bargain, sell and convey unto

KLT FOUNDATION
P.O. BOX 16025
MISSOULA, MONTANA 59808

the grantee s, the following described premises, in Lemhi

County Idaho, to wit:

LOT 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ AND THE SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 2, TOWNSHIP 14 NORTH, RANGE
26 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee^s,
their heirs and assigns forever. And the said Grantor^s do hereby covenant to
and with the said Grantee s, that they are the owner^s in fee simple of said premises; that they
are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: JULY 21, 1999

Dennis R. Studebaker

DENNIS R. STUDEBAKER

Leah F. Studebaker

LEAH F. STUDEBAKER

Michael J. Overacker III

MICHAEL J. OVERACKER III

Meridee S. Overacker

MERIDEE S. OVERACKER

STATE OF IDAHO, COUNTY OF LEMHI

On this 31st day of AUGUST, 1999,
before me, a notary public in and for said State, personally appeared MICHAEL J. OVERACKER III AND
MERIDEE S. OVERACKER

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

[Signature]
Notary Public

Residing at SALMON, Idaho
Comm. Expires 1/10/2004

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of Lemhi Title

at 16 minutes past 4 o'clock p.m.,
this 31st day of August
1999, in my office, and duly recorded in Book
of Deeds at page

[Signature]
Ex-Officio Recorder

By _____ Deputy.

Fees \$ 600
Mail to:

WARRANTY DEED

RECEIVED

AUG 06 1999

Department of Water Resources
Eastern Region

For Value Received MICHAEL J. OVERACKER III AND MERIDEE
OVERACKER, HUSBAND AND WIFE

the grantor s, do hereby grant, bargain, sell and convey unto

KLT FOUNDATION

P.O. BOX 16025

MISSOULA, MONTANA 59808

the grantee s, the following described premises, in LEMHI

County Idaho, to wit:

THE NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ AND LOT 1, SECTION 2, TOWNSHIP 14 NORTH, RANGE 26
EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

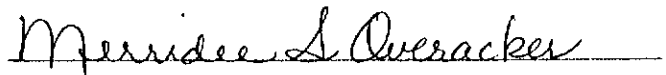
THE W $\frac{1}{2}$, W $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{4}$ SE $\frac{1}{4}$ AND THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 35, TOWNSHIP 15 NORTH, RANGE
26 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to
and with the said Grantee s, that they are the owners in fee simple of said premises; that they
are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: JULY 21, 1999


MICHAEL J. OVERACKER III


MERIDEE S. OVERACKER

STATE OF IDAHO, COUNTY OF LEMHI

On this 3rd day of AUGUST, 1999,
before me, a notary public in and for said State, personally appeared MICHAEL J. OVERACKER III AND
MERIDEE S. OVERACKER

known to me to be the persons whose names ARE
subscribed to the within instrument, and acknowledged
to me that THEY executed the same.

Residing at SALMON

Comm. Expires 1/10/2004

Notary Public

, Idaho

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of Lemhi Title

at 15 minutes past 4 o'clock p. m.,
this 3rd day of August
1999, in my office, and duly recorded in Book
of Deeds at page


Ex-Officio Recorder

By Deputy.

Fees \$ 3⁰⁰

Mail to:

INSTRUMENT NO. 241494

74-00095

X

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER
FROM THE SNAKE RIVER BASIN
WATER SYSTEM

CIVIL CASE NUMBER: 3956
Ident. No.

**ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly:

Name of claimant(s) MOORE CREEK RANCH

Mailing Address
(including zip code) MOORE CREEK RANCH

1510 Highway 93 North

SALMON, IDAHO 83467

Phone Number (208) 756 - 2809
756 - 3035

MICROFILMED

DEC 14 1992