

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: 74-00147
DATE RECEIVED: 4/19/90
RECEIPT NO: X999999
RECEIVED BY: QC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: MILTON E. SLAVIN
ADDRESS: P.O. BOX 331
SALMON, ID

83467

NAME: HELEN G. SLAVIN
ADDRESS: P.O. BOX 331
SALMON, ID

83467

2. DATE OF PRIORITY: MAY 14, 1920

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	11	NE	SE			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	0.280		

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

A7400147



10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
14N	26E	2	SW	SE		IRR	11.0
			SE	SE		IRR	36.0
SECTION ACRES							47.0
TOTAL ACRES							47.0

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.=47.2.

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 X 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): Forrest E. Luthy DATE: 11/12/90

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____, AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF LEMHI) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 19th DAY
OF APR 1990

Forrest E. Luthy
NOTARY PUBLIC

SEAL

Forrest E. Luthy, Notary Public
RESIDING AT Boise, Idaho
My Commission Expires Nov. 8, 1994
MY COMMISSION EXPIRES _____

74-00147

PAGE 3

DATE: 02/08/90

374

MICROFILMED
DEC 14 1992

AJ0749NP
No. A74-00147

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

DATE: 09/29/99
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	05/14/1920	IRRIGATION	03-15 11-15	0.280 CFS	
TOTAL DIVERSION:					0.280 CFS	

Water Source: TEXAS CREEK

Tributary to: LEMHI RIVER

Stage: DECREED

Point(s) of Diversion: T14N R26E S11 NESE

LEMHI County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
14N	26E	2	:																
																11	36	:	47.0
																TOTAL ACRES			47.0

POU County: LEMHI

Remarks: GEN AC. IRR.=47.2.
CHANGED OWNERSHIP PER REQUEST/JC/9-29-99

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

September 29, 1999

KLT FOUNDATION
PO BOX 16025
MISSOULA MT 59808

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A74-00147,
A74-02307B

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.

Respectfully yours,

Jennifer Crabtree
Jennifer Crabtree
Technical Records Specialist

Enclosure

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

DELOG 9/23/99
AUG 06 1999

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.
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) _____
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.

(NO CHANGE) Belong to Stavio?
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. Humble, 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.

WARRANTY DEED

For Value Received, Namely, SIXTY THOUSAND AND NO/100s (\$60,000.00)

DOLLARS,

MILTON E. SLAVIN and HELEN G. SLAVIN, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

M. J. OVERACKER and FERNE A. OVERACKER, husband and wife,

the grantees, the following described premises, in Lemhi County Idaho, to-wit:

The South Half of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$), The Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), The Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$), and Lot Two (2), all in Section Two (2), Township Fourteen (14) North, Range Twenty-six (26) East, Boise Meridian.

Together with all water and water rights, ditches and ditch rights appertaining thereto or used in connection therewith.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said grantors.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby convenant to and with the said Grantees, 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: April 2, 1976.

Milton E. Slavin
Helen G. Slavin

STATE OF IDAHO, COUNTY OF Lemhi
On this 5th day of April, 1976,
before me, a notary public in and for said State, personally
appeared

Milton E. Slavin and Helen G. Slavin,
husband and wife,

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, Idaho
Comm. Expires 4/10/1979

NOTARY
PUBLIC

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record
at the request of M. J. Overacker

at 46 minutes past 3 o'clock P.
this 2nd day of April
19 86 in my office, and duly recorded in ~~XXX~~ file
of Deeds ~~XXXX~~

Alberta Wiederrick
Ex-Officio Recorder

By *Deborah A. Lang* Deputy.

Fees \$ 2.00 pd

Mall to: 1506 HWY 93 No. Salmon, Idaho

RECORDER-HERRING - SALMON, IDAHO

INSTRUMENT NO. 1795526

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, towit:

THE NE¹/₄SE¹/₄, SE¹/₄NE¹/₄ AND LOT 1, SECTION 2, TOWNSHIP 14 NORTH, RANGE 26
EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

THE W¹/₄, W¹/₄NE¹/₄, W¹/₄SE¹/₄ AND THE SE¹/₄SE¹/₄ 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 Grantees ,
their heirs and assigns forever. And the said Grantors 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
MICHAEL J. OVERACKER III

Meridee S. Overacker
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

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for re-
cord 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

Terry J. Morton
Ex-Officio Recorder

By _____ Deputy.

Fees \$ 3⁰⁰
Mall to:

INSTRUMENT NO. 241494

WARRANTY DEED

RECEIVED
AUG 06 1999

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%

Department of Water Resources
Eastern Region

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

KLT FOUNDATION
P.O. BOX 16025
MISSOULA, MONTANA 59808
County Idaho, towit:

the grantee s, the following described premises, in Lemhi

LOT 2, SW1/4, W1/2, AND THE SE1/4, 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 Grantees, their heirs and assigns forever. And the said Grantors 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

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

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

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

Teri J. Morton
Ex-Officio Recorder

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

By _____ Deputy.
Fees \$600
Mail to:

INSTRUMENT NO. 241495



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

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

RECEIVED
AUG 06 1999
Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

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) _____
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
Date _____
- PLEASE SIGN**
8. (Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
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.