

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: A74-00358
Date Received: 4/24/1990
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: KARL TYLER CHEVROLET INC 406-721-2438
Address: 3219 N RESERVE
MISSOULA MT 59803

2. Date of Priority: JUN 1, 1884

3. Source: LITTLE EIGHTMILE CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	25E	2	NW	NW		4	LEMHI
			SW	NW			LEMHI
17N	25E	35	SW	SW		4	LEMHI
			NW	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	2.720		

7. Total Quantity Appropriated is:
2.720 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
16N	25E	2	NE	NW	3	IRR	7.0
			NW	NW	4	IRR	10.0

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NOV 15 1990

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	25E	2	SW	NW		IRR	32.0
			SE	NW		IRR	3.0
			NE	SW		IRR	19.0
			NW	SW		IRR	26.0
			SW	SW		IRR	5.0
			SE	SW		IRR	6.0
			Section Acres				108.0
		3	SE	NE		IRR	10.0
			NE	SE		IRR	15.0
			Section Acres				25.0
			Total Acres				133.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = 133.6.

CHANGED OWNERSHIP 2/16/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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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: 74-00358
DATE RECEIVED: 4-24-90
RECEIPT NO: X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: FRANKLIN JACK POWERS
ADDRESS: LEADORE, ID

83464

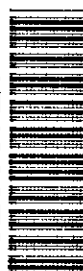
RECEIVED
APR 24 1990

NAME: ELIZABETH M. POWERS
ADDRESS: LEADORE, ID

83464

Department of Water Resources

A7400358



2. DATE OF PRIORITY: JUN 01, 1884

3. SOURCE: LITTLE EIGHTMILE CREEK TRIB. TO: LEMHI RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
16N	25E	2	NW	NW		4	LEMHI
			SW	NW			LEMHI
17N	25E	35	SW	SW		4	LEMHI
			NW	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	2.720		

7. TOTAL QUANTITY APPROPRIATED IS:
2.720 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
16N	25E	2	NE		NW	3	IRR	7.0
			NW		NW	4	IRR	10.0
			SW		NW		IRR	32.0
			SE		NW		IRR	3.0
			NE		SW		IRR	19.0
			NW		SW		IRR	26.0
			SW		SW		IRR	5.0
			SE		SW		IRR	6.0

SECTION ACRES 108.0

3	SE	NE	IRR	10.0
	NE	SE	IRR	15.0

SECTION ACRES 25.0

TOTAL ACRES 133.0 133.6

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. = 133.6.

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): Franklin Jack Coover DATE: 04/03/90
Elizabeth M. Pounier DATE: 04/03/90

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 Leah) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 3 DAY
OF April 19 90

Carol
NOTARY PUBLIC

SEAL

RESIDING AT Salmon

MY COMMISSION EXPIRES 9-5-1991
DATE: 02/08/90

74-00358

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1017
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DEC 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

FEBRUARY 21, 1995

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

KARL TYLER CHEVROLET INC
3219 N RESERVE
MISSOULA MT 59803

RE: CHANGE IN OWNERSHIP FOR WATER RIGHTS IN THE SNAKE
RIVER BASIN ADJUDICATION

Dear Mr. Tyler:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

While reviewing the Notices of Claim, it has been determined Claim No. A74-01667 was disallowed in the Lemhi Decree, and A74-01128 has been claimed in the SRBA by the Department of Interior and owned by them in the Lemhi Decree.

Additionally, 74-07304, 74-07312, and 74-07313 are Permits, not Adjudication claims, and therefore, require an "Assignment for Permit" form, which I have enclosed for your use. There is a fee of \$25 to have each water right assigned to you. Send the completed form and your check in the amount of \$75 to the State office in Boise.

Enclosed are typed Notices for the remaining Notices of Claim with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notices of Claim

cc: Jordon P Smith/copy of letter

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NOV 15 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 1/17/96

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet. ~~Please see attached~~
Warranty Deed dated January 9, 1995.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)

Assigned by IDWR:

See attached Exhibit "A"

☐ Name and Address of Former Owner/Claimant(s)(Seller):

Franklin Jack Powers and Elizabeth H. Powers

P.O. Box 203, Leadore, ID 83404

☐ New Owner/Claimant (Purchaser):

Karl Tyler Chevrolet, Inc., a Delaware corporation

☐ New Mailing Address:

3212 L. Reserve

Missoula, MT 59803

☐ New Telephone Number:

(406) 721 - 2433

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached:

Warranty Deed dated January 9, 1995

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s)

Date 1-30-95

Date 2-5-96

☐ Signature of Former Owner/Claimant(s):

Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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RECEIVED
FEB 13 1995
Department of Water Resources

EXHIBIT "A"

Water Right Numbers Assigned by IDWR:

• 74-0336, 74-0358, 74-0359, 74-0360, 74-1065, 74-1119, 74-1125,
• 74-1126, 74-1128, 74-1140, 74-1141, 74-1142, 74-1143, 74-1144,
• 74-1145, 74-1146, 74-1147, 74-1148, 74-1667, 74-0382, 74-1852,
74-7304, 74-7312, 74-7313, 74-10213, 74-10214, 74-10215, X
74-10216, 74-10217 and 74-10219 KX

Stop
NOT IN
2-17-95
ASD

Not listed
US. Dept. Interior
Current owner

reputed
disallowed
filed AS

25

74-7304 - Permit
7312 - Permit
7313 - Permit

74

74-1025/D
1583/I Lemhi
1584
1586 - Lemhi B15 S.
1590
1591

} Still under
Powers Name

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NOV 15 1996

475/1929

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME PowersCLAIM IDENT. NO. A74-00358DATE RECEIVED 4-24-90

CK # _____

AMOUNT \$ exempt

YES

NO Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☐ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☐ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO *
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO H/A *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO *
5. Is there a description of the diverting works? ☐ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☐ YES ☐ NO *
- Is the period of use included? ☐ YES ☐ NO *
- Is a quantity claimed for each use? ☐ YES ☐ NO *
7. Is a total quantity claimed entered? ☐ YES ☐ NO *
8. If required is a consumptive use entered? ☐ YES ☐ NO H/A *
- Is the consumptive use correct? ☐ YES ☐ NO H/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☐ YES ☐ NO H/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO *
12. Is the ownership of p.u. checked? ☐ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☐ YES ☐ NO H/A *
15. Is the basis of the claim indicated? ☐ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO H/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☐ YES ☒ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☐ NO H/A *
22. Should this claim be data entered? ☐ YES ☐ NO *

Claim checked by: RAADate: 5-8-90Claim must be returned to claimant: ☐ (Yes) ☒ (No)Claimant must be notified of modifications: ☐ (Yes) ☒ (No)

Receipt Prepared by: _____

Claim data entered by: xxxx ydcSent to claimant by: xxxx ydc

Date: _____

Date: _____

Date: _____

Checked by: RAADate: 6/14/90

Comments: _____

DEC 14 1992