

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: A74-00615
Date Received: / /
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: SHAWN P LIVINGSTON 208-756-2096
Address: 610 LINCOLN ST
SALMON ID 83467
AND/OR
Name: CONNIE L LIVINGSTON 208-756-2096
Address: 610 LINCOLN ST
SALMON ID 83467

2. Date of Priority: JUN 1, 1911

3. Source: WASTEWATER Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	8	NE	NE			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	0.150		

7. Total Quantity Appropriated is:
0.150 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
21N	22E	5	SE	SE		IRR	3.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
		8	NE	NE	IRR	2.0
					Section Acres	2.0
					Total Acres	5.0

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.=4.9.

SOURCE FROM MILL DITCH.

CHANGED OWNERSHIP 6/27/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

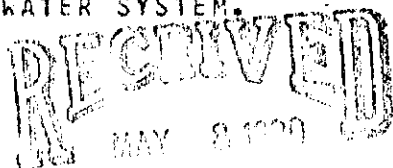
Decree Defendant

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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: 74-00615
DATE RECEIVED: 5-8-90
RECEIPT NO: X999999/00
RECEIVED BY: -----

Department of Water Resources
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: JESSE L. ALLEN
ADDRESS: RT. 1
SALMON, ID 83467

NAME: LAURA E. ALLEN
ADDRESS: RT. 1
SALMON, ID 83467

2. DATE OF PRIORITY: JUN 01, 1911

3. SOURCE: WASTEWATER TRIB. TO: LEMHI RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
21N	22E	8	NE	NE			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	0.150		

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

A7400615



10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
21N	22E	5	SE	SE		IRR	3.0
						SECTION ACRES	3.0
		8	NE	NE		IRR	2.0
						SECTION ACRES	2.0
						TOTAL ACRES	5.0

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.=4.9.

SOURCE FROM MILL DITCH.

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 DCKET 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): Jesse E. Allen DATE: Apr 30, 1990
Laura E. Allen DATE: April 30, 1990

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 LENAHI) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 8TH DAY
OF MAY 19 90

[Signature]
NOTARY PUBLIC

SEAL

RESIDING AT SALMON

MY COMMISSION EXPIRES 2-19-91
DATE: 02/08/90

74-00615

PAGE 3

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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

JUNE 27, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SHAWN P LIVINGSTON
610 LINCOLN ST
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A74-00615

Dear Mr. Livingston:

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.

Enclosed is a typed Notice 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 this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

JUN 23 1995

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

Department of Water Resources
Eastern District Office

DATE OF CLOSING: 5-26-95

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. See Attached Exhibit A

- ☐ 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: 174-00615 OK
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Laura Ellen McQuade Allen and
Paul J. Allen and Betty Allen
- ☐ New Owner/Claimant (Purchaser): 212 Lemhi Street, Salmon, Idaho 83467
Shawn P. Livingston and Connie L. Livingston
- ☐ New Mailing Address: 610 Lincoln Street, Salmon, Idaho 83467
- ☐ New Telephone Number: (208) 756 . 2096
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: See attached recorded Warranty Deed
(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) Shawn P. Livingston Date 5/26/95
Connie Livingston Date 5/26/95
- ☐ 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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WARRANTY DEED

For Value Received, LAURA ELLEN MCQUADE ALLEN, a widow, and PAUL J. ALLEN and BETTY ALLEN, husband and wife, the Grantors, do hereby Grant, Bargain, Sell and Convey unto SHAWN P. LIVINGSTON and CONNIE L. LIVINGSTON, husband and wife, the Grantees, whose current address is 610 Lincoln Street, Salmon, Idaho 83467, those premises in Lemhi County, Idaho, more particularly described on Exhibit "A" annexed hereto and by this reference made a part hereof.

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 Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances except the following:

1. General taxes for the year 1995 and subsequent years, which are an accruing lien, not yet due and payable.
2. Easement to County of Lemhi, State of Idaho and United States of America for riprap and incidental purposes and ingress and egress, recorded January 24, 1985 as Instrument No. 174780, records of Lemhi County, Idaho.
3. Any rights, interests or claims which may exist or arise by reason of a power pole and lines and incidental purposes running across the above described property.
4. Any adverse claim based on the assertion that the location of the Lemhi River has moved.
5. Any rights, interests, claims or easements in favor of the public which exist or are claimed to exist over any part of the land covered by water.

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6. The right, title and interest of the public in and to those portions of the above described premises falling within the bounds of roads or highways, dedicated and or otherwise used by the public, and subject to all easements and restrictions attendant and pertinent to said highways.

7. Restrictions and reservations contained in the United States patent to said land. Subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights as may be recognized by the local customs, laws and decisions of the courts.

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

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals this 26th day of May, 1995.


LAURA ELLEN MCQUADE ALLEN


PAUL J. ALLEN


BETTY ALLEN

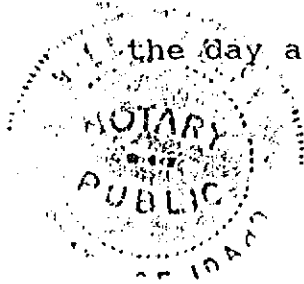
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NOV 15 1996

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 26th day of May, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared LAURA ELLEN MCQUADE ALLEN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



Tim Allen
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 2-19-97

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 26th day of May, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared PAUL J. ALLEN and BETTY ALLEN, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



Tim Allen
Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: 2-19-97

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NOV 15 1996

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE SE1/4, SECTION 5, THE NE1/4, SECTION 8, T. 21 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SE CORNER OF SAID SECTION 8, FROM WHICH THE SE CORNER OF SECTION 9, BEARS N. 89 DEGREES 03' 59" E. 5252.46 FT., RUN THENCE N. 15 DEGREES 22' 05" W. A DISTANCE OF 5384.51 FT. TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF THE OLD LEMHI ROAD AND THE POINT OF BEGINNING;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY;

N. 03 DEGREES 56' 52" E. 85.86 FT.; N. 07 DEGREES 36' 44" E. 247.83 FT.; 184.13 FT. ALONG A CURVE TO THE RIGHT HAVING A CHORD BEARING OF N. 20 DEGREES 13' 23" E. 182.64 FT., A RADIUS OF 418.28 FT.; N. 32 DEGREES 50' 07" E. 56.30 FT. TO A POINT IN THE CENTER OF THE LEMHI RIVER;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE;

S. 46 DEGREES 01' 03" E. 103.84.; S. 34 DEGREES 41' 56" E. 533.97 FT.; S. 89 DEGREES 31' 57" E. 79.71 FT.;

THENCE S. 70 DEGREES 08' 42" E. A DISTANCE OF 100.50 FT.;

THENCE N. 89 DEGREES 55' 18" E. A DISTANCE OF 93.50 FT.;

THENCE S. 71 DEGREES 34' 42" E. A DISTANCE OF 303.00 FT.;

THENCE S. 21 DEGREES 24' 39" W. A DISTANCE OF 201.01 FT.;

THENCE N. 71 DEGREES 04' 54" W. A DISTANCE OF 97.46 FT.;

THENCE N. 70 DEGREES 22' 33" W. A DISTANCE OF 195.62 FT.;

THENCE N. 76 DEGREES 16' 23" W. A DISTANCE OF 351.92 FT.;

THENCE N. 76 DEGREES 41' 55" W. A DISTANCE OF 286.87 FT.;

THENCE N. 3 DEGREES 38' 44" W. A DISTANCE OF 3.62 FT.;

THENCE N. 73 DEGREES 28' 19" W. A DISTANCE OF 99.30 FT. TO THE POINT OF BEGINNING.

226313

Boise, Idaho

This instrument was filed for record at the request of

American Land Title

at 3:50 o'clock p.m. June 2 1996

and duly filed and indexed in the records of Lemhi County

Alberta Wiedemick

Debra J. Salton Deputy

12 NOV 15 1996

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EXHIBIT "A"

FUREY & FUREY
CHARTERED
ATTORNEYS AT LAW
116 N. CENTER STREET
SALMON, IDAHO 83467

RECEIVED

JUN 23 1995

SHERMAN F. FUREY, III

SHERMAN F. FUREY, JR.
OF COUNSEL

Department of Water Resources
Eastern District Office

TELEPHONE
(208) 756-2577

FAX
(208) 756-4545

June 21, 1995

Idaho Department of Water Resources
Eastern Region Office
900 N. Skyline
Idaho Falls, Idaho 83402

Re: Snake River Basin Adjudication

Gentlemen:

You are notified that Laura Ellen McQuade Allen, a widow, and Paul J. Allen and Betty Allen, husband and wife, have conveyed to Shawn P. Livingston and Connie L. Livingston, husband and wife, the real estate described in the enclosed copy of Warranty Deed between said parties and, as a result, Shawn P. Livingston and Connie L. Livingston, husband and wife, are now the owners of this real estate.

All notices and other communications regarding the water rights on those lands should now be addressed as follows:

Shawn P. and Connie L. Livingston
610 Lincoln Street
Salmon, ID 83467

If you need any further information from us to satisfy your requirements, I would appreciate it if you would let me know as soon as possible.

Thank you.

Sincerely yours,

FUREY & FUREY, Chartered


Sherman F. Furey III

SFIII:ps

Enclosures

cc: Paul and Betty Allen
Shawn and Connie Livingston

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RECEIVED
MAY 8 1990
Department of Water Resources

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. No.

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

Please type or print clearly:

Name of Claimant(s) Jesse L. Allen or
Laura E. Allen or
or Paul J. Allen or Betty Allen
(Jesse L. Allen)
Mailing Address RT. 1
(include Zip Code) Salmon, Idaho 83467

Phone Number (208) 756-3268 or 756-2453 DE/gd

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