

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: A74-00742
Date Received: 4/30/1990
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: LYNN A HERBST
Address: PO BOX 21
TENDON ID 83468
OR
Name: ROBIN R HERBST
Address: PO BOX 21
TENDON ID 83468

208-756-2584

208-756-2584

2. Date of Priority: JUN 1, 1871

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	24E	29	SE	NW			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	0.380		

7. Total Quantity Appropriated is:
0.380 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
19N	24E	17	SE	NW		IRR	12.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	12.0
					Total Acres	12.0

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. = 12.5.

WATER HAS BEEN USED ON AN EXCHANGE BASIS FROM AN UNNAMED STREAM
LOCATED WITHIN NENW, S29, 19N, 24E.

DIV. L-31.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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: A74-00742
Date Received: 4/30/1990
Receipt No: X999999
Received By: RAT

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYNN A. HERBST 208-756-2584
Address: P.O. BOX 21 83468
TENDON, ID
OR
Name: JOHN F. HERBST 208-756-3107
Address: BOX 259, RT. 1 83467
SALMON, ID
OR
Name: EMMA HERBST 208-756-3107
Address: BOX 259, RT. 1 83467
SALMON, ID

A7400742



2. Date of Priority: JUN 01, 1871

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	24E	29	SE	NW			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	0.380		

7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A74-00742

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Date: 04/30/90

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DEC 14 1992

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: 74-00742
DATE RECEIVED: 4-30-90
RECEIPT NO: X999999
RECEIVED BY: RAY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: JOHN F. HERBST
ADDRESS: P.O. BOX 21
TENDUY, ID 83468

NAME: EMMA HERBST
ADDRESS: P.O. BOX 21
TENDUY, ID 83468

2. DATE OF PRIORITY: JUN 01, 1871

3. SOURCE: LEMHI RIVER TRIB. TO: SALMON RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
19N	24E	29	SE	NW			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	0.380		

7. TOTAL QUANTITY APPROPRIATED IS:
0.380 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
19N	24E	17	SE	NW		IRR	12.0
SECTION ACRES							12.0
TOTAL ACRES							12.0

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. = 12.5.

WATER HAS BEEN USED ON AN EXCHANGE BASIS FROM AN UNNAMED STREAM
LOCATED WITHIN NENW, S29, 19N, 24E.
DIV. L-31.

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): John F. Herbst DATE: 4-30-90

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 Lamhi) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 30th DAY

OF April 19 90

Helen Harrington
NOTARY PUBLIC

SEAL

RESIDING AT Helen Harrington, Notary Public
Residing at Boise, Idaho

MY COMMISSION EXPIRES My Commission Expires December 1, 1994

74-00742

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DATE: 02/08/90

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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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

AUGUST 16, 1993

SHERMAN F FUREY III
116 N CENTER ST
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A74-00250, -00735, -00736,
-00737, -00739, -00740, -00741, -00742, AND -07147

Dear Mr. Furey:

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

Enclosed are typed Notices with your clients' names shown as the current owners. 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 clients' records.

Respectfully submitted,

Jo Thompson

for Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

File: P

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POC ORIGINAL

Form 42-1409(7)



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: July 16, 1993

AUG 13 1993

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM. Eastern District Office
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

SEE EXHIBIT "A" ANNEXED HERETO.

- [] 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:

A74-00250, A74-00735, ~~00736~~, 00737, 00739, 00740,
00741, 00742, 07147

- [] Name and Address of Former
Owner/Claimant(s)(Seller):

John F. Herbst and Emma H. Herbst

Route 1, Box 259

Salmon, Idaho 83467

- [] New Owner/Claimant
(Purchaser):

Lynn A. Herbst and Robin R. Herbst

- [] New Mailing Address:

P. O. Box 21

Tendoy, Idaho 83468

- [] New Telephone Number:

(208) 756-2584

- [] 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 Warranty Deed annexed hereto

(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)

Lynn A. Herbst
Robin R. Herbst

Date

7/16/93

Date

7/16/93

- [] Signature of Former
Owner/Claimant(s):

John F. Herbst
Emma H. Herbst

Date

7/16/93

Date

7/16/93

(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:

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

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. A74-00742

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

Please type or print clearly:

Name of claimant(s) John F. or Emma or Lynn A. Herbst

Mailing Address
(including zip code)

(John F. or Emma)

Box 259, Route 1

Salmon, Idaho 83467

(Lynn)

P.O. Box 21

Tendoy, ID 83468

(208) 756-2584

Phone Number

(208) 756-3107

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