

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: A74-01125
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: APR 3, 1922

3. Source: UNNAMED STREAM Trib. to: CANYON CREEK
HOOD GULCH CREEK CANYON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	27E	28	NW	SW			LEMHI
		32	NW	NE		1	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	1.800		
STOCKWATER	03/15	11/15	0.040		

7. Total Quantity Appropriated is:
1.800 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 of	Lot	Use	Acres
17N	27E	28	NW	SW		IRR	11.0
			SW	SW		IRR	NOV 35 50.000

10. Place of Use: Continued

Township 17N	Range 27E	Section 28	1/4 of SE	1/4 of SW	Lot	Use IRR	Acres 1.0
						Section Acres	47.0
		29	SE	SE		IRR	1.0
						Section Acres	1.0
		32	NE SE	NE NE		IRR IRR	26.0 3.0
						Section Acres	29.0
		33	NW	NW		IRR	14.0
						Section Acres	14.0
						Total Acres	91.0

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:

SOURCES ARE UNNAMED STREAM & HOOD GULCH CK., TRIB. CANYON CK.
AC. IRR.=90.
CHANGED OWNERSHIP 2/16/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

89-36

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: 74-01125

DATE RECEIVED: 4-24-90

RECEIPT NO: X999977

RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: FRANKLIN JACK POWERS

ADDRESS: LEADORE, ID

83464

NAME: ELIZABETH M. POWERS

ADDRESS: LEADORE, ID

83464

RECEIVED
APR 24 1990

Department of Water Resources

A740125



2. DATE OF PRIORITY: APR 03, 1922

3. SOURCE: UNNAMED STREAM
HOOD GULCH CREEK

TRIB. TO: CANYON CREEK
CANYON CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
17N	27E	28	NW	SW			LEMHI
		32	NW	NE	1		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	1.800		
STOCKWATER	03/15	11/15	0.040		

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

74-01125

PAGE 1

DATE: 02/08/90

3096

MICROFILMED
DEC 14 1992

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
17N	27E	28	NW	SW		IRR	11.0
			SW	SW		IRR	35.0
			SE	SW		IRR	1.0
			SECTION ACRES				47.0
		29	SE	SE		IRR	1.0
			SECTION ACRES				1.0
		32	NE	NE		IRR	26.0
			SE	NE		IRR	3.0
			SECTION ACRES				29.0
		33	NW	NW		IRR	14.0
			SECTION ACRES				14.0
			TOTAL ACRES				91.0

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:

SOURCES ARE UNNAMED STREAM & HOGG GULCH CK., TRIB. CANYON CK.
AC. IRR.=90.

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 Powers DATE: 03/27/90
Ely Smith M. Powers DATE: 03/27/90

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 Lemhi) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 3 DAY

OF April 1990

Cary Cook
NOTARY PUBLIC

SEAL

RESIDING AT Salmon

MY COMMISSION EXPIRES 9-5-1991

74-01125

PAGE 3

DATE: 02/08/90

3098

MICROFILMED

DEC 14 1992

COPY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

COPY

A. GENERAL INFORMATION

Permit No. 74-073041. Owner: KARL TYLER CHEVROLET INC. Phone No. (406) 721-2438Current Address: 3219 N. RESERVE, MISSOULA, MT 598022. Accompanied by: N/A EXAM DATE: 4/29/96Address: N/A Phone No. N/ARelationship to Permit Holder: N/A3. Source: ~~HOOD CREEK~~ ^(SPRINT) HOOD CREEK + CANYON CREEK tributary to LEMHI RIVER
~~HOOD CREEK~~ unnamed stream Canyon Creek

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 74-011252. Other water rights with the same point of diversion: 74-01125

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1	L-3	SW	NE	SW	28	17N	27E	LEMHI	U.S.G.S. TOPO MAP / NAAPP PHOTO
#2	HES	NW	NW	SW	28	17N	27E	LEMHI	" " " " "

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	27E	28											22	16					38
"	"	32	10			10													20
"	"	33					1	31	1										33
								L-1	L-2										
																			91

Land lot differs from A74-01125
Just

TOTAL

T17N, R27E

R27E
CANYON
CREEK

WINDAMED CREEK

WINDAMED CREEK
HOOD GULCH

DIVERSION #2

DIVERSION #1
THIS PERMIT
74-07304

DITCH
CORALS

T?

29 28
32 33

OLD RAILROAD GRADE
AREA THAT CAN BE
COVERED BY DITCH
FROM THIS POD

NO IRRIGATION

T?

Hwy 29

FS
boundary
yellow

74-07304



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

NOV 15 1995



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 1/9/95

RECEIVED
FEB 13 1995

Department of Water Resources

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"

Department of Water Resources
Eastern District Office

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

Franklin Jack Powers and Elizabeth M. Powers

P.O. Box 203, Leadore, ID 83464

☒ New Owner/Claimant
(Purchaser):

Karl Tyler Chevrolet, Inc., a Delaware corporation

☒ New Mailing Address:

3219 N. Reserve

Missoula, MT 59803

☒ New Telephone Number:

(406) 721 - 2438

☒ 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)

Karl Tyler Chev By Karl Tyler Pres Date 1-30-95

Donna L. Tyler Date 2-5-95

☐ 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

NOV 15 1995

RECEIVED

FEB 13 1995

Department of Water Resource

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

NOT IN
ASQ 7

Not listed
US. Dept. Interior
Current owner

rejected
disallowed
filed AS

25

74-7304 - Permit
7312 - Permit
7313 - Permit

74.

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

} Still under
Powers Name

NOV 15 1996

4/5/1992

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME POWERSCLAIM IDENT. NO. A74-01125DATE RECEIVED 4-24-90

CK # _____

AMOUNT \$ exempt

YES

NO Required Info? *

1. Is the name and address complete with zip code? _____
2. Is a priority date entered? _____
Is the priority date acceptable in view of mandatory filing dates? _____
See Adjudication Memos #1 and #4 to determine if a Permit is required. _____
3. (a) Is a source entered? _____
(b) Is a tributary to entered? (If required) _____ N/A _____
4. Is the legal description of the p.d. sufficient? _____
5. Is there a description of the diverting works? _____
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. _____
Is the period of use included? _____
Is a quantity claimed for each use? _____
7. Is a total quantity claimed entered? _____
8. If required is a consumptive use entered? _____ N/A _____
Is the consumptive use correct? _____ N/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. _____ N/A _____
10. Is (are) the place(s) of use and purpose(s) indicated? _____
11. Is (are) the county(ies) entered? _____
12. Is the ownership of p.u. checked? _____
13. Are other water rights listed or "none" indicated? _____
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.) _____ N/A _____
15. Is the basis of the claim indicated? _____
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) _____ N/A _____
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. _____
18. Has the claim been signed, sealed, and dated by a notary? _____
19. Was this claim filed on time, or was an extension granted? _____
20. Is the fee enclosed correct? _____ Exempt _____
21. If this claim is based on an existing water right, has the identification number been entered? _____ N/A _____
22. Should this claim be data entered? _____

Claim checked by: RAJDate: 5-8-90

Claim must be returned to claimant: _____

(Yes) (No)

Claimant must be notified of modifications: _____

(Yes) (No)

Receipt Prepared by: _____
 Claim data entered by: xxx R JVC
 Sent to claimant by: xxx

Date: _____
 Date: _____
 Date: _____

Checked by: RAJDate: 6/14/90

Comments: _____

MICROFILMED

DEC 14 1992