

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: A74-01148
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: OCT 23, 1889

3. Source: LEMHI BIG SPRING CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	25E	13	NE	NE	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	6.740		

7. Total Quantity Appropriated is:
6.740 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	10	NE	NE		IRR	3.0

Section Acres 10 3.0

11 NW NE IRR NOV 7.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	25E	11	SW	NE		IRR	32.0
			SE	NE		IRR	11.0
			NE	NW		IRR	18.0
			NW	NW		IRR	11.0
			SW	NW		IRR	22.0
			SE	NW		IRR	39.0
			NE	SW		IRR	34.0
			NW	SW		IRR	5.0
			SE	SW		IRR	1.0
			NE	SE		IRR	39.0
			NW	SE		IRR	33.0
			SW	SE		IRR	29.0
			SE	SE		IRR	36.0
						Section Acres	317.0
		14	NE	NE		IRR	18.0
						Section Acres	18.0
						Total Acres	338.0

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. = 337.1.

DIV. LBSC-1.

CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER
COURT-AUTHORIZED STIPULATION.

CHANGED OWNERSHIP 2/17/95/JT

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: 74-01148
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

NAME: ELIZABETH M. POWERS
ADDRESS: LEADORE, ID 83464

RECEIVED
APR 24 1990

Department of Water Resource

2. DATE OF PRIORITY: OCT 23, 1889

3. SOURCE: LEMHI BIG SPRING CREEK TRIB. TO: LEMHI RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4 OF	LOT	COUNTY
16N	25E	13	NE	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	6.740		

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

A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

74-01148

PAGE 1

DATE: 02/08/90

3157

MICROFILMED
DEC 14 1982



10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
16N	25E	10	NE	NE		IRR	3.0 ✓

SECTION ACRES 3.0

11	NW	NE	IRR	7.0 ✓
	SW	NE	IRR	32.0 ✓
	SE	NE	IRR	11.0 ✓
	NE	NW	IRR	18.0 ✓
	NW	NW	IRR	11.0 ✓
	SW	NW	IRR	22.0 ✓
	SE	NW	IRR	39.0 ✓
	NE	SW	IRR	34.0 ✓
	NW	SW	IRR	5.0 ✓
	SE	SW	IRR	1.0 ✓
	NE	SE	IRR	39.0 ✓
	NW	SE	IRR	33.0 ✓
	SW	SE	IRR	29.0 ✓
	SE	SE	IRR	36.0 ✓

SECTION ACRES 317.0

14	NE	NE	IRR	18.0 ✓
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SECTION ACRES 18.0

TOTAL ACRES 338.0 ✓

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. = 337.1.

DIV. LBSC-1.

CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE:

DECREE PLAINTIFF

VS

DECREE DEFENDANT

74-01146

PAGE

2

DATE: 02/08/90

MICROFILMED 138

DEC 14 1992

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 Power DATE: 3/27/90
Elizabeth M. Power DATE: 3/27/90

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 19 90

Cary Cook
NOTARY PUBLIC

SEAL

RESIDING AT Salmon

MY COMMISSION EXPIRES 2-5-1991



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 J. 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:

RECORDED

NOV 15 1995

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

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, Xx
74-10216, 74-10217, and 74-10219 Xx

Stop
NOT IN
2-17-95
ASQ 7

Not listed
US. Dept. Interior
Current owner

rejected
disallowed
filed AS

74-7304 - Permit

7312 - Permit

7313 - Permit

25

74.

74-1025/D

1583/1 Lemhi

1584

1586 - Lemhi B19 S.

1590

1591

} Still under
Powers Name

RECEIVED
NOV 15 1994

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME PowersCLAIM IDENT. NO. A7401148DATE 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.
3. (a) Is a source entered? ☐ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☐ YES ☒ N/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 ☒ N/A
- Is the consumptive use correct? ☐ YES ☒ 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. ☐ YES ☒ N/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 ☒ N/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 ☒ N/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 ☒ Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☐ YES ☒ N/A
22. Should this claim be data entered? ☐ YES ☐ NO

Claim checked by: RAVDate: 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: RAV JPCSent to claimant by: RAV

Date:

Date:

Date:

Checked by: RAVDate: 6/14/90

MICROFILMED

Comments:

DEC 14 1992