

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 74-14984  
Date Received: 8/28/00  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Name: KENNETH J NUTT Phone: (208) 585-2642

Address: 9525 E GLORIA RD  
MIDDLETON ID USA 83644-5045

Name: JERI J NUTT Phone: (208) 585-2642

Address: 9525 E GLORIA RD  
MIDDLETON ID USA 83644-5045

2. Date of Priority: 05/01/1885

3. Source: SANDY CREEK Trib. to:

4. Point of Diversion:

| Township | Range | Section 1/4 of 1/4 of 1/4 | Lot | County |
|----------|-------|---------------------------|-----|--------|
| 20N      | 24E   | 18 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 | 0.23   |            |

7. Total Quantity Appropriated is:  
0.23 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

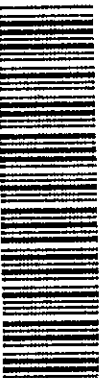
| Township      | Range | Section 1/4 of 1/4 | Lot | Use        | Acres |
|---------------|-------|--------------------|-----|------------|-------|
| 20N           | 24E   | 19 NW NW           | 1   | IRRIGATION | 18    |
| Section Acres |       |                    |     |            | 18    |
| Total Acres   |       |                    |     |            | 18    |

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:

A7414984



14. Remarks:

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

August 28, 2000

KENNETH & JERI NUTT  
9525 E GLORIA RD  
MIDDLETON ID 83644-5045

RE: CHANGE IN OWNERSHIP FOR A74-00201

Dear Mr. & Mrs. Nutt:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A74-00201 SPLIT INTO:  
A74-14983, 0.97 CFS ON 74 ACRES, STAHL  
A74-14984, 0.23 CFS ON 18 ACRES, NUTT

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

  
Jennifer Crabtree  
Technical Records Specialist

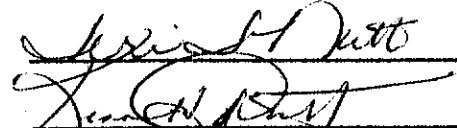
Enclosure

DELOG EC  
7/8/00STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

## NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP JUL 03 2000

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Department of Water Resources  
Incomplete forms will be returned. Eastern Region

1. Water Right No(s).: A74-00201  
Adjudication Claim No(s).: \_\_\_\_\_
2. The following REQUIRED information must be submitted with this form:
  - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.  
AND
  - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant CRAIG STAHL  
RR 1 BOX 35-15, SALMON 83467
4. New Owner/Claimant(s) Kenneth J and/or Jeri J Nutt  
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or  
New Mailing Address 9525 E Gloria Rd  
City, State and ZIP Code Middleton ID 83644-5045  
New Telephone Number (208) 585-2642
5. Date you acquired the property May 26, 2000
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.  
Number of acres you irrigate ≈ 20 Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s)   
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

RECEIVED

JUL 03 2000

Department of Water Resources  
Eastern Region

June 28, 2000

Ernest Carlsen  
IDWR Eastern Region  
900 N Skyline Drive  
Suite A  
Idaho Falls ID 83402-1718

526.113.62 ↔  
439 458.68 ↑  
NW corner  
Sec 24 & N 24th

Dear Mr. Carlsen:

Hi. Dave Tuthill from the Boise office IDWR gave us your name. We need some help determining the exact water rights and transfer thereof on a piece of property we purchased last month in Lemhi County.

We thought we had it all figured out, but..... The land we bought is in two parcels equaling roughly 20 acres. All is irrigatable. The water right for one of the two parcels is fairly straightforward, but we need some help with the other. I have enclosed a plat map, the water right we have determined and the survey records for both parcels. As you will find, the water right fitting Section 19 should be okay, but parcel B is in both Section 19 and Section 24. There are numerous water rights with reference to Section 24, and we have no idea which proportionate share belongs to the acreage we have purchased, and therefore we don't know what to do about a change of ownership. Also, I don't know exactly how all of this works, but we would like to keep the rights to each parcel separate since the split is already in effect.

I have also included the form to change the water right ownership for the water right we have determined.

We would greatly appreciate your help in getting this "stuff" figured out. Please call me if you have any questions or need any other information that would assist you in determining what we need to do.

Thank you for your help. Our number is 208-585-2642, or if you miss us, please leave a message on Ken's business line at 585-6618.

Sincerely,



Jeri J Nutt

Return Address:

9525 E Gloria Rd  
Middletown ID 83244

30-00-0290-L

# Warranty Deed

For Value Received

CRAIG R. STAHL aka CRAIG ROY STAHL,  
a single person,

the grantor S, do hereby grant, bargain, sell and convey unto

KENNETH J. NUTT AND JERI J. NUTT, husband and wife,

whose current address is 9525 E. Gloria Rd,  
Middleton ID 83644

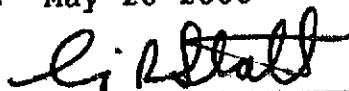
the grantee s, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantee S, that he is the owner in fee simple of said premises; that they are free from all incumbrances

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

Dated: May 26 2000



CRAIG R. STAHL



244435

LEGAL DESCRIPTION  
EXHIBIT 'A'

**PARCEL A:**

A PARCEL OF LAND LOCATED IN THE NW1/4, SECTION 19, T. 20 N., R. 24 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID SECTION 19 FROM WHICH THE W1/4 OF SAID SECTION BEARS SOUTH 2626.98 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 89° 26' 36" E. A DISTANCE OF 1258.49 FT. TO A POINT ON THE CENTERLINE OF SANDY CREEK ROAD; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE:

S. 34° 02' 09" W., 116.14 FT.; S. 43° 30' 04" W., 749.66 FT.;

THENCE N. 46° 04' 57" W. A DISTANCE OF 940.35 FT. TO THE POINT OF BEGINNING.

**PARCEL B:**

A PARCEL OF LAND LOCATED IN THE NE1/4, SECTION 24, T. 20 N., R. 23 E. AND THE NW1/4, SECTION 19, T. 20 N., R. 24 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NW CORNER OF SAID SECTION 19 FROM WHICH THE W1/4 OF SAID SECTION BEARS SOUTH 2626.98 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 46° 04' 57" E. A DISTANCE OF 940.35 FT. TO A POINT ON THE CENTERLINE OF SANDY CREEK ROAD;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE:

S. 52° 10' 23" W., 382.71 FT.; S. 46° 51' 47" W., 257.77 FT.;

S. 43° 44' 38" W., 344.70 FT. TO A POINT ON THE CENTERLINE OF LEMHI COUNTY ROAD AND THE EASTERLY BOUNDARY OF DUNFORD SUBDIVISION;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE AND BOUNDARY:

62.79 FT. ALONG A CURVE TO THE LEFT HAVING A CHORD OF N. 17° 15' 31" E., 61.90 FT., A DELTA OF 33° 30' 11" AND A RADIUS OF 107.37 FT.; N. 00° 30' 25" E., 1210.67 FT.; N. 04° 34' 33" W., 42.62 FT. TO A POINT ON THE NORTHERLY BOUNDARY OF SAID SECTION 24;

THENCE N. 89° 57' 53" E. ALONG SAID BOUNDARY A DISTANCE OF 25.68 FT. TO THE POINT OF BEGINNING.

The above conveyance is made free and clear of all other encumbrances except: Rights of way and easements, reservation in Federal patents and state deeds, or other restrictions imposed by law, building and use restrictions of records, building and zoning regulations and ordinances of any governmental unit whether of sight or of record.

# WADE SURVEYING

P.O. Box 1175  
Salmon, Idaho 83467

Phone (208) 756-3070

May 13, 1999

## PARCEL "B"

A parcel of land located in the NE 1/4, Section 24, T. 20 N., R. 23 E. and the NW 1/4, Section 19, T. 20 N., R. 24 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the NW Corner of said Section 19 from which the W 1/4 of said section bears South 2626.98 ft., the Basis Of Bearing of this description, run thence S 46°04'57" E a distance of 940.35 ft. to a point on the centerline of Sandy Creek Road;

Thence the following courses and distances along said centerline:

S 52°10'23" W 382.71 ft.; S 46°51'47" W 257.77 ft.;

S 43°44'38" W 344.70 ft. to a point on the centerline of Lemhi County Road and the easterly boundary of Dunford Subdivision;

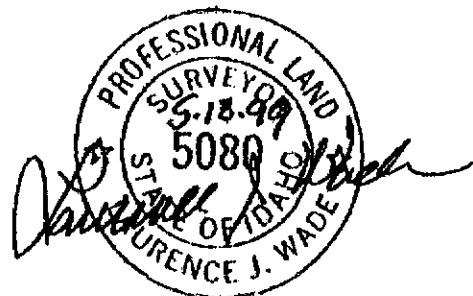
Thence the following courses and distances along said centerline and boundary:

62.79 ft. along a curve to the left having a chord of N 17°15'31" E 61.90 ft., a delta of 33°30'11" and a radius of 107.37 ft.; N 00°30'25" E 1210.67 ft.;

N 04°34'33" W 42.62 ft. to a point on the northerly boundary of said Section 24;

Thence N 89°57'53" E along said boundary a distance of 25.68 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 10.28 ACRES



# WADE SURVEYING

P.O. Box 1175  
Salmon, Idaho 83467

Phone (208) 756-3070

May 13, 1999

## PARCEL "A"

A parcel of land located in the NW 1/4, Section 19, T. 20 N., R. 24 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the NW Corner of said Section 19 from which the W 1/4 of said section bears South 2626.98 ft., the Basis Of Bearing of this description, run thence S 89°26'36" E a distance of 1258.49 ft. to a point on the centerline of Sandy Creek Road; Thence the following courses and distances along said centerline:

S 34°02'09" W 116.14 ft.; S 43°30'04" W 749.66 ft.;

Thence N 46°04'57" W a distance of 940.35 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 9.49 ACRES



