

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: **A75-04305**
Date Received: 5/ 2/1990
Receipt No: M006846
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ALAN D HARBER 208-756-3531
Address: PO BOX 194
CARMEN ID 83462
AND/OR
Name: VICTORIA M HARBER 208-756-3531
Address: PO BOX 194
CARMEN ID 83462

2. Date of Priority: APR 1, 1949

3. Source: FREEMAN CREEK Trib. to: CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	22E	36		NW	SW		LEMHI

5. Description of diverting works:
DITCH, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	22E	3	SW	SW		IRR	

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10. Place of Use: Continued

Section Acres 5.0

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:

NONE

14. Remarks:

MY FILE COPY OF ORIGINAL STATUTORY CLAIM SHOWS 11 ACRES IN THE
SE4SE4, SEC. 3, HOWEVER, THE ADDITIONAL SIX (6) ACRES WERE
BEING LEASED AND WERE NOT OWNED EITHER AT THAT TIME OR PRESENTLY.
CHANGED OWNERSHIP 6/6/96/JT/GT

15. Basis of Claim: STATUTORY CLAIM

\$55.00

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: A75-04305
Date Received: 5/02/1990
Receipt No: 1066846
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLADYS O. MONTERO 208-756-2358
Address: 717 LEMHI AVE.
SALMON, ID 83467

2. Date of Priority: APR 01, 1949

3. Source: FREEMAN CREEK Trib. to: CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	22E	36		NW	SW		LEMHI

5. Description of diverting works:
DITCH, PUMP & PIPELINE

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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	22E	3	SW	SW		IRR	5.0

Section Acres 5.0

Total Acres 5.0

A75-04305

Page 1

Date: 05/02/90

A7504305



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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:

NONE

14. Remarks:

MY FILE COPY OF ORIGINAL STATUTORY CLAIM SHOWS 11 ACRES IN THE SE4SE4, SEC. 3, HOWEVER, THE ADDITIONAL SIX (6) ACRES WERE BEING LEASED AND WERE NOT OWNED EITHER AT THAT TIME OR PRESENTLY.

15. Basis of Claim: STATUTORY CLAIM

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): Gladys O. Montero Date: 5-2-90
Date: _____

State of Idaho)
County of Lenhi) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of May 19 90
Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

DEC 15 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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JUNE 6, 1996

ALAN D HARBER
PO BOX 194
CARMEN ID 83462

RE: CHANGE IN OWNERSHIP FOR A75-04305

Dear Mr. Harber:

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 copy of the Notice(s) 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 this Notice for your records.

Respectfully submitted,


Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

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RECEIVED

JUN 03 1996

Department of Water Resources
Eastern District OfficeNEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type
(see instructions on back of page)DATE OF CLOSING: 5-17-90LEGAL DESCRIPTION OF PROPERTY: Township 22N Range 22E
Section 3, SW 1/4 of SW 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ 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: A75-04305^{OK}
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Gladys Montero
717 Lemhi Ave
Salmon ID 83467
- ☐ New Owner/Claimant (Purchaser): Alan D. and Victoria M Harber
- ☐ New Mailing Address: PO Box 194
Carmen Idaho 83462
- ☐ New Telephone Number: (208) 756-3531
- ☐ 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
(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) Alan D Harber Date 5-30-96
Victoria M Harber Date 5-30-96
- ☐ Signature of Former Owner/Claimant(s): See attached 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 18 1996

WARRANTY DEED

For Value Received

GLADYS O. MONTERO, a single woman

the grantor , does hereby grant, bargain, sell and convey unto

ALAN D. HARBER AND VICTORIA M. HARBER, husband and wife

whose current address is

P.O. BOX 194
CARMEN, ID 83462

the grantee s, the following described premises, in LEMHI County Idaho

All of Lot 3 of YOUNGSTROM'S Subdivision to Lemhi County
Idaho as recorded in the office of the Lemhi County
Recorder's office.

RECEIVED

JUN 03 1996

Department of Water Resources
Eastern District Office

STATE OF IDAHO
COUNTY OF LEMHI
I, ALBERTA WIDERRICK, CLERK OF THE DISTRICT COURT
OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF LEMHI, DO HEREBY CERTIFY
THAT THE PROCEEDING IS A TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE
IN WITNESS WHEREOF I HAVE HEREunto SET MY
HAND AND SEAL OF OFFICE, THIS 8th day
of May, 1996
ALBERTA WIDERRICK
Clerk of District Court

Together with all water, water rights, ditches and ditch rights
appurtenant thereto and used in connection therewith, to be
transferred with the property.

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

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

Dated: MAY 17, 1990

Gladys O. Montero
GLADYS O. MONTERO

STATE OF IDAHO, COUNTY OF LEMHI
On this 17th day of MAY, 1990,
before me, a notary public in and for said State, personally
appeared

GLADYS O. MONTERO, a single
woman

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Laurie M. Santee
LAURIE M. SANTEE Notary Public
Residing at SALMON, Idaho
Comm. Expires 6-19-1995

State of Idaho) ss No. 206511
County of Lemhi)

This instrument was filed for record at
the request of American Land All
at 1:26 o'clock P.M. 5-17-1990
and duly filmed and indexed in the
records of Lemhi County

Alberta Widerrick
Ex-Officio Recorder
By Terri J. Morton Deputy
Fees: 3.00

Transmitted by the AMERICAN LAND TITLE CO., RECORDING DEPARTMENT

FILMED
8 1996

AJ5807NP
(00-117)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJ. LISTING OF WATER RIGHTS

DATE: 02/27/96
PAGE: 412

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A75-04305	GLADYS O MONTERO 717 LEMHI AVE SALMON ID 83467	04/01/1949	IRRIGATION	04-01 11-01	0.10 CFS	STATUTORY CLAIM

TOTAL DIVERSION RATE: 0.10 CFS
TOTAL DIVERSION VOLUME: 0.00 AFA
CONSUMPTIVE USE: 12.5 AFA

SOURCE: FREEMAN CREEK

TRIBUTARY: CARMEN CREEK

POINT OF DIVERSION:
T23N R22E S36 NWSW

PLACE OF USE: IRRIGATION
T22N R22E S03 SWSW 5.0
5.0 ACRES TOTAL

DIVERSION MEANS: DITCH, PUMP & PIPELINE

REMARKS: MY FILE COPY OF ORIGINAL STATUTORY CLAIM SHOWS 11 ACRES IN THE
SE4SE4, SEC. 3, HOWEVER, THE ADDITIONAL SIX (6) ACRES WERE
BEING LEASED AND WERE NOT OWNED EITHER AT THAT TIME OR PRESENTLY.

OTHER RIGHTS: NONE

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NOV 18 1996