

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: A75-04389
Date Received: 5/10/1990
Receipt No: M007027
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID D VAN NESS 208-756-4764
Address: PO BOX 104
SALMON ID 83467

AND/OR

Name: HELEN L VAN NESS 208-756-4764
Address: PO BOX 104
SALMON ID 83467

2. Date of Priority: MAR 21, 1904

3. Source: WASTEWATER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	7		NW	NE		LEMHI

5. Description of diverting works:
HEADGATE, DITCH & SPREADER DIKES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.040		
STOCKWATER	04/01	10/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 CATTLE OR 5 HORSES

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	6	SW	SE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

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:

N/A

14. Remarks:

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): _____ Date: _____
_____ Date: _____

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State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

RECEIVED
MAY 10 1990

Ident. Number: A75-04389
Date Received: 5/10/1990
Receipt No: M-70-27
Received By: AB

Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARY R. SCHWARZ 208-756-2858
Address: P.O. BOX 734
SALMON, ID 83467

2. Date of Priority: MAR 21, 1904

3. Source: WASTEWATER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	22E	7	NW	NE			LEMHI

5. Description of diverting works:
HEADGATE, DITCH & SPREADER DIKES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.040		
STOCKWATER	04/01	10/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/5 CATTLE OR 5 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
21N	22E	6	SW	SE		IRR	2.0

Section 6 2.0

A75-04389

Page 1

Date: 05/10/90

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DEC 15 1992

A7504389

10. Place of Use: Continued

Total Acres 2.0

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:
N/A

14. Remarks:

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): X Betty J. Thompson

Date: 10 MAY 90

Date: _____

State of Idaho)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 10 day

of May 19 90

Seal

Betty J. Thompson
Notary Public

BETTY J. THOMPSON, NOTARY PUBLIC
Residing at RESIDING AT IDAHO FALLS, IDAHO

My Commission Expires 6-30-94

175. 04/3/89

T. 21N
R. 22E

MON

PLACE OF
USE

POINT OF
DIVERSION

RIVER

010715 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

NOVEMBER 13, 1992

DAVID D VAN NESS
PO BOX 104
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-04389

Dear Mr. Van Ness:

The request for Change in Ownership concerning your Notice of Claim in the above reference has been processed and the Notice changed to show you 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
Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosures: Copies of Notice/Change/Ownership Form

cc: Cary R Schwarz/letter

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DEC 15 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: _____

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.

☐ 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: A 75-04389

☐ Name and Address of Former
Owner/Claimant(s)(Seller): CARY R. SCHWARTZ

☐ New Owner/Claimant
(Purchaser): DAVID D AND/OR HELEN L. VAN NESS

☐ New Mailing Address: P.O. Box 104
Salmon, ID 83467

☐ New Telephone Number: (208) 756-4764

☐ 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): David D and Helen Van Ness Date 11-2-92

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

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

WARRANTY DEED

For Value Received CARY SCHWARZ AND ROSE SCHWARZ, husband & wife

the grantors , do hereby grant, bargain, sell and convey unto

DAVID D. VAN NESS AND HELEN L. VAN NESS, husband and wife.

the grantees , the following described premises, in 3418 COTTAGE ST., EUREKA, CALIFORNIA 95501 Lemhi, County Idaho, towit:

Commencing at the place of beginning which is the S. E. Corner of Block 12 of Young's Subdivision of the Salmon City Townsite, run thence S. 54° 35' East 274.4 feet; thence S. 29° 02' West 134.25 feet; thence N. 70° 54' West 277.95 feet; thence N. 26° 40' East 214.0 feet to the point of beginning as platted on the plat of the Salmon City Townsite filed in the office of the County Recorder of said county of Lemhi, January 11, 1911, and recorded in Book of Tax Numbers at page 9 designated as No. 13.

Also, Tax#15, more particularly described as follows, to-wit: All of that certain lot as follows: From the Southeast corner of Block 12 of Young's Subdivision of said Salmon City Townsite run thence South 26° 30' West 214 feet to the place of beginning of the description of the lot hereby conveyed; thence South 71° 30' East 338.0 feet; thence South 24° 15' West 119.0 feet; thence North 85° 53' West 361.44 feet; thence North 26° 30' East 214.0 feet to the place of beginning, and being the same lot heretofore conveyed by Sarah Cole to M. A. Bausch by deed dated March 21, 1904.

Also, All of Block 6 of and in Young's Subdivision of the Townsite of Salmon City as the same appears of record upon the plat of said subdivision now on file and of record in Plat Book 1 at page 10 in the office of the County Recorder of Lemhi County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee , that they are the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: January 7, 1992

Cary Schwarz
CARY SCHWARZ

Rose Schwarz
ROSE SCHWARZ

STATE OF IDAHO, COUNTY OF LEMHI

On this 7th day of January , 19 92, before me, a Notary Public in and for said State, personally appeared Cary and Rose Schwarz

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Carol J. Adams
Notary Public
Residing at Salmon, Idaho
Comm. Expires 1/10/98

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of Lemhi Title

at 47 minutes past 1 o'clock P. M.,
this 6th day of January
1991, in my office, and duly recorded in Book
of Deeds at page

Allerta Wiederrick
Ex-Officio Recorder

By *Lerrin J. Morton*
Deputy.

Fees \$3⁰⁰
Mail to: