

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 75-7032
Date Received: 4/25/1990
Receipt No: M006733
Received By:

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

1. Name of Claimant(s)

SUNSET HEIGHTS WATER DISTRICT Phone: (208) 752-4914

PO BOX 4
SALMON ID USA 83467

2. Date of Priority: 08/29/1972

3. Source: SPRINGS Trib. to: ELI CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
20N	22E	17	NE	NE	NE 1	LEMHI	

5. Description of diverting works:

HEADBOX, PIPELINE & TANKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.4	
DOMESTIC	1/01	12/31	0.4	

7. Total Quantity Appropriated is:
0.4 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	22E	8	NE	NE	IRRIGATION	2
			NW	NE	IRRIGATION	2

SW	NE	IRRIGATION	2
SE	NE	IRRIGATION	2
NE	SE	IRRIGATION	4
NW	SE	IRRIGATION	14
SW	SE	IRRIGATION	28

Section Acres 54

Total Acres 54

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:

REINSTATED 9-18-1978

P/U SUNSET HGTS

USE OF THIS RT. IN NENE, S17, T20N, R22E IN EXCHANGE FOR BENEFICIAL USE RT. OF S.
FK. 7MILE CK. SEE AGREEMENT 5-9-1973

A measuring device of a type approved by the Department shall be permanently installed and maintained as part of the diverting works.

See remarks for additional conditions of approval.

15. Basis of Claim: Permit

50⁰⁰
40⁰⁰
12⁰⁰
102

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: A75-07032
Date Received: 4/25/1990
Receipt No: 11006133
Received By: EAC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SUNSET HEIGHTS WATER CO. 208-756-3611
Address: C/O RALSTON ADAMS
RT. 1 BOX 224-50
SALMON, ID 83467

2. Date of Priority: AUG 29, 1972

3. Source: SPRINGS Trib. to: ELI CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	22E	17	NE	NE	NE	1	LEMHI

5. Description of diverting works:
HEADBOX, PIPELINE & TANKS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		
DOMESTIC	01/01	12/31	0.400		

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

8. Total consumptive use is 130.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/100 HOMES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	22E	8	NE	NE		IRR	2.0

A75-07032

Page 1

Date: 04/25/90

MICROFILMED

DEC 15 1992



10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
20N	22E	8	NW		NE		IRR	2.0
			SW		NE		IRR	2.0
			SE		NE		IRR	2.0
			NE		SE		IRR	4.0
			NW		SE		IRR	14.0
			SW		SE		IRR	28.0

Section Acres 54.0

Total Acres 54.0

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:

IRRIGATION OF 42 ACRES ALSO UNDER A75-04029.

14. Remarks:

REINSTATED 9-18-1978.

P/U SUNSET HGTS.

USE OF THIS RT. IN NENE, S17, T20N, R22E IN EXCHANGE FOR
BENEFICIAL USE RT. OF S. FK. 7MILE CK. SEE AGREEMENT 5-9-1973.

15. Basis of Claim: PERMIT

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 Organizations:

I do solemnly swear or affirm that I am President of

Sunset Heights Water Co
Organization

Title

document in the space below as President of

Title

Sunset Heights Water Co
Organization

and that the statements contained in the foregoing document are true and correct.

Ralston Hildam
Signature of Authorized Agent

Pres.
Title and Organization

4/25/90
Date

State of Idaho)
County of Latah) SS.

Subscribed and sworn (or affirmed) before me this 25 day

of April 19 90.

Ernest Carter
Notary Public

Seal

Residing at State Falls, ID

My Commission Expires 6-14-1994

T. 20 N.

T2C



5"

(SALMON SE)
(318-4 I)

Spring

REPROFILMED
DEC 15 1992

230"



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

September 24, 2001

SUNSET HEIGHTS WATER DISTRICT
PO BOX 4
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-07032

Dear Claimant:

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(s).

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,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

JC 9/24/01
OK
RECEIVED

SEP 07 2001

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

Department of Water Resources
Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
75-07032					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

Ralston Adams
is deceased
+ it should be
Water District not
Water Co.

nt **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your
and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

(necessary to clarify division of water rights or other complex property descriptions):
(or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of
adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

if or adjudication claim(s) is for ten or more acres of irrigation, you must submit a **USDA Farm
AL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The
id be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Sunset Heights Water Co. % Ralston Adams
Rt 1 Box 224.52 Salmon ID, 83462
4. New Owner/Claimant(s) Sunset Height Water District
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 4
- City, State and ZIP Code Salmon ID 83462
- New Telephone Number (208) 752-4914
5. Date you acquired the property 11-7-2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Juan Schaffner

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney. If you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

LEMHI COUNTY DISTRICT COURT

FILED 12-1-00

TIME 3:00 PM

LEMHI COUNTY CLERK

246732

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE

STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

In the Matter of)
SUNSET HEIGHTS)
WATER DISTRICT)
_____)

Case No. 2000-81

FINDINGS OF FACT,
CONCLUSIONS OF LAW,
ORDER AND DECREE
ESTABLISHING WATER DISTRICT

The report of the election proceedings of the election held at the American Legion Hall in Salmon, Idaho for the proposed Sunset Heights Water District was submitted to the County Clerk immediately following the election on November 7, 2000 by the election judges, to-wit: Daniel Lansford, Gerald Craig and Kathy Hightree. A copy was been provided to the Court for review.

FINDINGS OF FACT

After review of the report of the election officials, the Court makes the following findings:

1. That an election was held on this matter on the 7th day of November, 2000 at the American Legion Hall in Salmon, Idaho, the regular precinct polling place for residents of the proposed District. Voters in the county's general election were also able to participate in the District election.

2. That the results in said election are as follows:

Total number of ballots:	61
Total voting in favor of the organization of the District:	49
Total voting against the organization of the District:	12

Electors receiving the highest number of votes for directors to serve as follows:

One director until first bi-annual election:	Dave Tuck	
	Number of Votes:	51
Two directors until second bi-annual election:	Lou Binik	
	Number of Votes:	24

Ralston Adams
is now deceased
Individuals listed
in the minutes are
now Sunset Heights
Board members.

Thank You
Susan
Schaffner

246732

Greg Mills
Number of Votes: 39

Steve Jepperson
Number of Votes: 34

Steve Nafus (write-in)
Number of Votes: 1

Two directors until third bi-annual election: Susan Shaffner
Number of Votes: 45

Ken Thompson
Number of Votes: 49

Dallas Wheeler (write-in)
Number of Votes: 1

Steve Jepperson (write-in)
Number of Votes: 1

CONCLUSIONS OF LAW

1. That the election held in this matter was proper and correct and according to the Statutes of the State of Idaho, and was held in accordance with the Statutes and Constitution of the State of Idaho.

2. That the election held on November 7, 2000, for the organization of said district, carried and the organization of said district has been authorized by a majority of the electors voting at said election.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED That the organization of the Sunset Heights Water District is hereby ordered, that said district shall be known as the Sunset Heights Water District and shall comprise all the lands within "Sunset Heights Subdivision, Units 1, 2, 3 and 4", according to the recorded plats thereof, which are recorded in the records of Lemhi County, Idaho as follows:

FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER AND DECREE ESTABLISHING WATER DISTRICT - Page 2

Unit 1- Book 3 of plats. Page 18, filed October 7, 1971.

Unit 2- Book 4 of plats, Page 5, filed July 9, 1973

Unit 3- Book 4 of plats. Page 42, filed January 10, 1975

Unit 4- Book 4 of plats. Page 52, filed April 13, 1976

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the following persons be and they are hereby declared to be the elected directors of said water district to serve the terms as follows:

One director for two years

Dave Tuck

Two directors for four years

Greg Mills
Steve Jepperson

Two directors for six years

Susan Shaffner
Ken Thompson

DATED. Nov. 27, 2000.

[Signature]
District Judge

State of Idaho
County of Lemhi

SS No. 246732

This instrument was filed for record at the request

of Lemhi County

at 2:24 o'clock P.m. 9-23-01 2001

and duly filed and indexed in the records of Lemhi County

Trent J. Morton
Ex-Officio Recorder

By Trent J. Morton Recorder

Fee — 0 —

Return to _____

STATE OF IDAHO
COUNTY OF LEMHI
I, TRENT J. MORTON, CLERK OF SAID COUNTY, DO HEREBY
CERTIFY THAT THE FOREGOING INSTRUMENT IS A TRUE AND
CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
IN WITNESS WHEREOF I HAVE HEREunto SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS 23 DAY
OF SEP YEAR 2001

TRENT J. MORTON, CLERK
BY [Signature]

FINDINGS OF FACT, CONCLUSIONS OF LAW,
ORDER AND DECREE ESTABLISHING WATER DISTRICT - Page 3

Sunset Heights Water District Board of Directors

February 8, 2001

Meeting was Called to order at 7:07 those present were Ken Thompson, Dave Tuck, Greg Mills, Susan Schaffner, Christa Craig, Matt Hightree, and Pat Fitzgerald.

Susan made motion to approve the minutes from the meeting of January 11, 2001 Dave seconded the motion and the motion carried.

Susan made motion to buy Quick Books computer accounting program for the Water District, Greg Seconded the motion passed unanimously. Susan made motion to approve the financial statement Greg seconded that carried.

Susan Suggested forgiving back bills. Susan made motion to forgive back debts prior to becoming a district on January 1st. also part of her motion she volunteered to go visit people about it. Dave seconded the motion and it passed.

Susan made motion that the bills are due on the 1st of each month past due after the 15th and delinquent after the 30th. Dave second and it carried also.

The form letters were tabled for another month to see what the quick books program has in it.

Susan will check what Idaho Power does with their Project share.

Dave made motion to accept the water master's report. Greg second and that passed.

Susan made motion to accept the Technical Services Agreement and the Task Order No. 1 Watermaster Services as presented by Hightree Consulting. Greg seconded and it passed and Ken Signed as well as Matt.

Susan made motion to pay Board members \$5.00 per meeting and Dave seconded. And it passed unanimously.

Ken Passed out Bond Application for Corporate Surety Bond for Board members in amount of \$1000.00 and a Corporate Fidelity Bond for Treasurer in the amount of \$5000.00. It is in the Idaho State Code that we have to be bonded. Hopefully we can get it for \$100.00 a year; otherwise it will cost us \$600.00 a year.

Management assignments for board members are:

Water Quality	Greg
Financial	Steve
Legal	Susan
Facilities	Dave

Suggested Budget Heading or Items:

A	Budget Salary
B	Annual Bonding

Office Supplies
Postage
Water Treatment
Chemicals
Water Quality Control
Tests
Utilities
Electricity
Telephone
Maintenance Equipment
Facilities
Consultant & Research
Legal Fees
Building and improving
Contingency Fund
Sinking Fund

It was decided to send out an information letter to inform the people of the new meeting day of the month and the new address of the P.O. Box # also maybe mention to look for the information Box at the entrance of the Subdivision.

Susan moved to adjourn and Dave second Greg agreed it was 9:38pm.

Respectfully Submitted

Pat Fitzgerald, Secretary