

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: A75-07300
Date Received: 4/16/1990
Receipt No: C016292
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHNNA EISENBARTH 308-384-4875
Address: 4130 LIBERTY LANE
GRAND ISLAND, NE 68803
AND/OR
Name: ROYCE EISENBARTH 308-384-4875
Address: 4130 LIBERTY LANE
GRAND ISLAND, NE 68803
2. Date of Priority: JUN 21, 1982
3. Source: HUGHES CREEK Trib. to: SALMON RIVER, NORTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 25N | 21E | 8 | SW | SE | | | LEMHI |
5. Description of diverting works:
PUMP, MOTOR & SPRINKLERS
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 10/15 | 0.040 | | 9.00 |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | 0.20 |
7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) 9.20 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
25N	21E	8	SW	SE		IRR	3.0

Section Acres 3.0

Total Acres 3.0

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:

P/U ALSO KNOWN AS LOT 5A, HUGHES CREEK SUBD.

15. Basis of Claim: LICENSE

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: _____

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 _____

\$53.00

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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APR 16 1990

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

1. Name: ROYCE EISENBARTH 308-384-4875
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GRAND ISLAND, NE 68803
AND/OR
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Address: 4130 LIBERTY LANE
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2. Date of Priority: JUN 21, 1982
3. Source: HUGHES CREEK Trib. to: SALMON RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	8	SW	SE			LEMHI
5. Description of diverting works:
PUMP, MOTOR & SPRINKLERS
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A
IRRIGATION	04/01	10/15	0.040		9.00
STOCKWATER	01/01	12/31	0.020		0.20
7. Total Quantity Appropriated is:
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9. Non-irrigation uses:

A75-07300

Page 1

Date: 02/14/90

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DEC 15 1992

A7507300



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	8	SW	SE		IRR	3.0
Section Acres							3.0
Total Acres							3.0

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:

P/U ALSO KNOWN AS LOT 5A, HUGHES CREEK SUBD.

15. Basis of Claim: LICENSE

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: _____

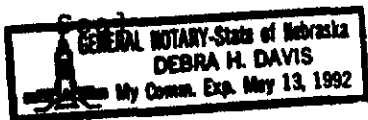
For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Royce Eisenbath Date: 4-11-90
Shirley Eisenbath Date: 4-11-90

State of ~~Idaho~~ Nebraska)
County of Hall) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of April 19 90 Debra H. Davis
Notary Public



Residing at Grand Island NE
My Commission Expires May 13, 1992

DATE: 12/30/98
PAGE: 1

Field Inspection Flag:
Presumption Flag:



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

December 30, 1998

MICHAEL & PATRICIA MOLTER
7740 S 450 E
LA FAYETTE IN 47905

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A75-07300

Dear Mr. & Mrs. Molter:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Hoagland
Technical Records Specialist

Enclosure

DE LOG SVH 12-22-98
OK SVH 12-30-98

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

1. Water Right Number(s) A75-07300 DEC 22 1998
Adjudication Claim Number(s) _____ Department of Water Resources
Eastern Region

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 on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Royce and Johnna Eisenbarth
4130 Liberty Lane Grand Island, NE 68803

4. New Owner/Claimant(s) Michael and Patricia Molter
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR
New Mailing Address 7740 South 450 East
City, State and ZIP Code Lafayette IN. 47905
New Telephone Number (765) 523-2392

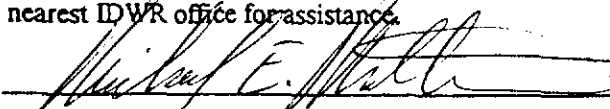
5. Date you acquired the property November 3, 98

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. Does Not Apply

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

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/Claimant(s)  Date 12-16-98

Date _____

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

ALLIANCE

TITLE & ESCROW CORP.

LETTER OF CLOSING INSTRUCTIONS TO ALLIANCE TITLE & ESCROW

ESCROW NO. E-2828-LMB

DATE: November 3, 1998

We, the undersigned, hereby instruct ALLIANCE TITLE & ESCROW hereinafter referred to as the "Closing Agent", when in receipt of all documents and monies as set out herein, to close this transaction according to the following instruction and information:

The parties have entered into a contract for the purchase and sale of the subject property entitled, SALE AGREEMENT dated JULY 31, 1998, hereinafter referred to as the contract. The closing agent is hereby instructed to close the transaction in accordance with the terms of the Contract as well as these instructions. HOWEVER, in the event the terms of the contract and the terms of these instructions shall conflict, the terms of these instructions shall control.

PROPERTY: LOT 5A HUGHES CREEK SUB NORTH FORK, IDAHOBUYER: MICHAEL MOLTER AND PATRICIA MOLTERSELLER: ROYCE A. EISENBARTH AND JOHNNA D. EISENBARTH

TERMS:

Sales Price \$ 25,000.00

Payable as follows:

Earnest Money Deposit	\$ <u>312.50</u>	held by <u>ALLIANCE TITLE & ESCROW</u>
Cash (approximate)	\$ <u>24,687.50</u>	
Assumption of	\$ _____	
approx. balance owing to	\$ _____	
New Loan amount	\$ _____	from _____
Deed of Trust (Mortgage)	\$ _____	
in favor of	_____	

In the event more than one deed of trust or mortgage is to be recorded in connection with this transaction, said liens shall be recorded in the following order of priority:

1st lien shall be in favor of _____ in the amount of \$ _____
2nd lien shall be in favor of _____ in the amount of \$ _____

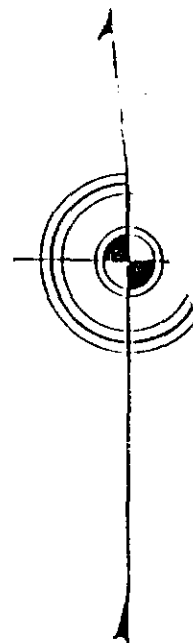
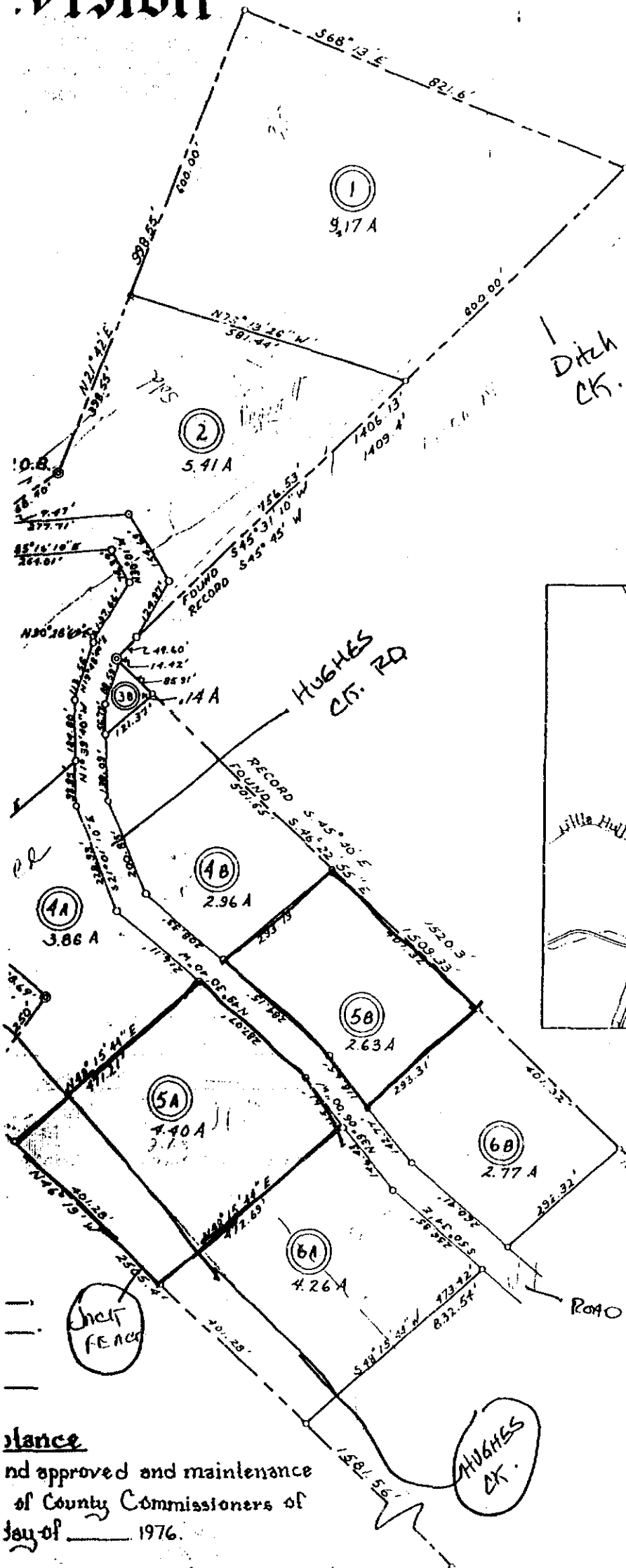
In the event this transaction involves a new loan or assumption of existing loan, the instructions must conform to the instructions of that lender.



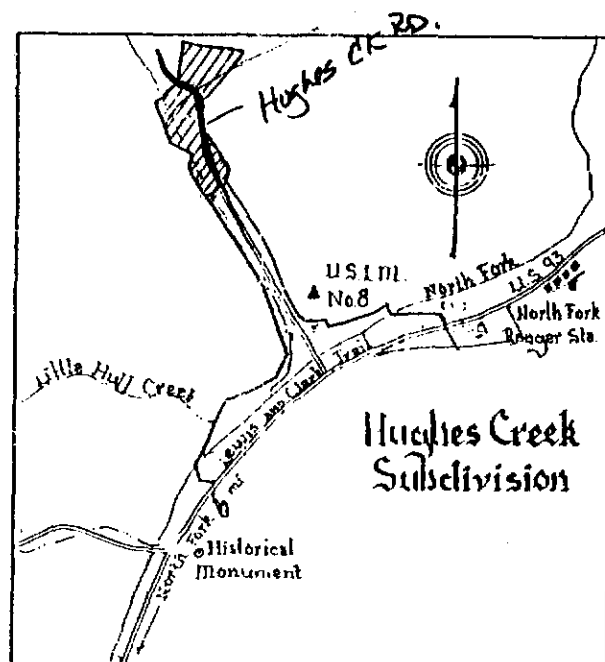
205 COURTHOUSE DRIVE • P.O. BOX 1109 • SALMON, ID 83467

208.756.4231 • FAX 208.756.4232

וועבלינקען



Scale: 1 inch = 200 ft.



Vicinity Map

Legend

- Brass Caps
- 5/8" Rebar
- Boundary Line
- Lot Line
- ③ Lot Number

stance

nd approved and maintenance
of County Commissioners of
day of _____ 1976.

Chairman

Drawn by
Berni McFadden

Thomas Creek Subdr.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

February 15, 1990

Mrs. Johnna Eisenbarth
4130 Liberty Lane
Grand Island, NE 68803

RE: Snake River Basin Adjudication (SRBA)
Lemhi County - #A75-07300

Dear Johnna,

Thank you for your call yesterday. It's a pleasant change to have someone plan ahead vs. waiting until deadline day! You were almost correct when you said that you had paid a fee and "everything was taken care of". However, what was taken care of was your license, not the filing of a Claim to a Water Right. In other words, as you will note on Item 15 of the Notice of Claim, this is a licensed water right, not a decreed water right.

Enclosed is a computer-generated Notice of Claim to a Water Right. Please review the enclosed claim to assure it is correct, sign it, have your signature notarized, and return it to us with your fee of \$53.00 (\$50.00 filing fee plus \$1.00 per acre) by May 10, 1990 to avoid late fees.

If you believe our data is incorrect and you make any changes to this Notice of Claim, please initial the changes.

Please don't hesitate to contact me if you have any questions.

Sincerely,

Sally Frazee
Secretary, Adjudication Section

SF:state:tf

Enclosure:

Notice of Claim #A75-07300

"How You Will Receive Notice ..."

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DEC 15 1992