

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No.

Date Received

Receipt Number

A75-10621

5-7-90

E014281/90

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

RECEIVED

MAY - 7 1990

Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Roger and Betsy Nottested Phone (208) 865-2465Mailing Address box 1697 Selmon, Id 83467 Zip 834672. Date of Priority (Only one per claim) 3/1/82 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source4. Location of point of diversion is: Township 24 North Range 22 East
Section 31 NE 1/4 of SE 1/4 of 1/4 Govt. Lot _____
County of Lemhi

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the date changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. 24" culvert 16' deep 1/2 horse submersible pump & pipe to house

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For <u>Domestic</u> purposes from	Month/Day <u>1/1</u> to Month/Day <u>12/31</u>	(cfs) amount <u>104</u>
	(both dates are inclusive)	
For _____ purposes from	Month/Day _____ to Month/Day _____	(cfs) amount _____

7. Total quantity claimed 104 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) domestic - 1

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A7510621



10. Place of use is: Township: 24 N Range 22 E
Section 31 SE 1/4 of 1/4, Gov. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Lemhi
12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Elyse R. Notestad Date 4-24-90
Elyse R. Notestad Date 4-24-90

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____)
County of _____) ss. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 2 day of May 19 90

SEAL

Notary Public John M. Blayden
Residing at Salmon, Idaho
My Commission Expires 7/2/92

Last Name Blayden Ident No. _____

Copies: White-State, Yellow-C
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1. Is the name and address complete with zip code? ☐ YES ☐ NO ☐ MISSING
2. Is a telephone date entered? ☐ YES ☐ NO ☐ MISSING
3. Is the company date acceptable in view of subsidiary filing date? ☐ YES ☐ NO ☐ MISSING
4. Is the information from #1 and #2 to determine if a patent is required? ☐ YES ☐ NO ☐ MISSING
5. (a) Is a source entered? ☐ YES ☐ NO ☐ MISSING
- (b) Is a subsidiary to entered? (if required) ☐ YES ☐ NO ☐ MISSING
6. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ MISSING
7. Is there a description of the diverting water? ☐ YES ☐ NO ☐ MISSING
8. Are the water uses appropriate for the form? The short form is limited to domestic and agricultural uses with direct diversion. All claims that include storage or instream structures must use long form. ☐ YES ☐ NO ☐ MISSING
- Is the period of use included? ☐ YES ☐ NO ☐ MISSING
- Is a quantity claimed for each use? ☐ YES ☐ NO ☐ MISSING
9. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ MISSING
10. Is required is a consumptive use entered? ☐ YES ☐ NO ☐ MISSING
- Is the consumptive use correct? ☐ YES ☐ NO ☐ MISSING
11. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single owner-ship must be secured. If and under single ownership, see adjudication memo # 4. ☐ YES ☐ NO ☐ MISSING
12. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ MISSING
13. Is (are) the country(ies) entered? ☐ YES ☐ NO ☐ MISSING
14. Is the ownership of p.d. checked? ☐ YES ☐ NO ☐ MISSING
15. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ MISSING
16. Is required, are remarks correct? (If the claimant does not own the water of use, authority for listing the claim must be explained in the remarks.) ☐ YES ☐ NO ☐ MISSING
17. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ MISSING
18. Is the claimant requested a monthly check stamp, is payment enclosed? (If yes, domestic payment return to "Comments" below.) ☐ YES ☐ NO ☐ MISSING
19. Is the claim signed by the claimant, and is the signature appropriate? Organization must complete the organization check. ☐ YES ☐ NO ☐ MISSING
20. Has the claim been signed, sealed, and dated by a county? ☐ YES ☐ NO ☐ MISSING
21. Was this claim filed on time, or was an extension granted? ☐ YES ☐ NO ☐ MISSING
22. Is the fee enclosed correct? ☐ YES ☐ NO ☐ MISSING
23. Is this claim based on an existing water right, has the adjudication number been entered? ☐ YES ☐ NO ☐ MISSING
24. Should this claim be data entered? ☒ YES ☐ NO ☐ MISSING

POOR ORIGINAL

Claim checked by: JS Date: 12-11-90

Claim must be returned to claimant: ☒ Yes ☐ No

Claimant must be notified of modifications: ☒ Yes ☐ No

Remarks prepared by: _____ Date: _____

Claim data entered by: _____ Date: _____

Filed to claimant by: _____ Date: _____

Checked by: _____ Date: _____

Comments: Code #10: NR SE

Send yellow Copies

Send D.E.V.

<<send data entered version>>

para 4.10 @

Review

Send yellow Copies

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APR 19 1994

MARCH 25, 1993

ROGER NOTTESTAD
BOX 1697
SALMON ID 83467

RE: DOMESTIC ADJUDICATION NOTICE A75-10621

Dear Mr. Nottestad:

Please find enclosed a computer generated copy of your Notice of Claim to a Water Right, A75-10621. In review of the original claim, the following discrepancy was noted.

The Place of Use in Item #10, has been modified to describe the same 40-acre tract you listed for the Point of Diversion in Item #4. You should verify this information is correct.

Please review the Notice for accuracy. In a few cases, modifications were made by the Department for clarity. Should you determine certain items need to be changed, make the necessary changes on this form, sign it, having your signature notarized, and return it to this office by April 26, 1993. If there are no changes simply keep this Notice for your records.

The enclosed yellow copies of the adjudication filing are for your records. Comparison, as filed, can be also be made to the changes mentioned above.

If you should have any questions regarding this matter please feel free to contact me at (208) 525-7161.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Agent - Adjudications

Enclosures: Notice of Claim A75-10621

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APR 19 1994

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: A75-10621
Date Received: 3/18/1993
Receipt No: E014281
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROGER NOTTESTAD 208-865-2465
Address: BOX 1697
SALMON ID 83467

AND

Name: BETSY NOTTESTAD 208-865-2465
Address: BOX 1697
SALMON ID 83467

2. Date of Priority: MAR 1, 1982

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	22E	31	NE	SE			LEMHI

5. Description of diverting works:

24" CULVERT, 16' DEEP, 1/2 HP SUB PUMP, PIPE TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	22E	31	NE SE		DOMEST	

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:

15. Basis of Claim: BENEFICIAL USE

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 _____

AJ0749NP
No. R75-10621

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/01/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOSEPH H SCHOLL III	03/01/1982	DOMESTIC	01-01 12-31	0.04 CFS	
C	DIANNE M SCHOLL					
	HC 10 BOX 36					
	CARMEN ID 83642					
	(208) 865-2307					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T24N R22E S31 NESE

LEMHI County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T R S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
24N 22E 31	:		:		:		:		:		:		:		:	
	:		:		:		:		:		:		:		:	

POU County: LEMHI

Non-Irrigation Uses: ONE HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP RP24N22E313602

Dates: Exam Made Date:

Verified Date:

12/01/1998

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

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

RECEIVED
NOV 18 1998
Department of Water Resources

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

1. Water Right or Adjudication Claim No(s): A 75-1062-1
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 Roger + Betsy Nodastad (Box 1697) ^{Salmon}
119 10th St. Salmon, Idaho 83467
4. New Owner/Claimant(s) Joseph H. Scholl III + Dinne M. Scholl
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address HC-10, Box 36
City, State and ZIP Code CARMEN, Idaho 83462
New Telephone Number (208) 865-2307
5. Date you acquired the property Oct 22, 1993
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 5 Number and type of stock 6-8 cows
Diversion rate in CFS _____ Number of homes 1 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) Joseph H. Scholl III
Dinne M. Scholl
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this 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.

Warranty Deed

For Value Received

ROGER NOTTESTAD and ELIZABETH R. NOTTESTAD husband and wife

the grantor(s) do hereby grant, bargain, sell and convey unto

JOSEPH M. BOHGE and LINDA M. BOHGE husband and wife

whose current address is

PO BOX 182
CARMEN, ID 83462

the grantees, the following described premises, in

LEWIS

County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO: all existing patent regulations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

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 they're 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:

October 21, 1993

Roger Nottestad
ROGER NOTTESTAD

Elizabeth R. Nottestad
ELIZABETH R. NOTTESTAD

STATE OF IDAHO, COUNTY OF LEWIS
On this 21st day of OCT, 1993.
before me, a Notary Public in and for said State, personally appeared



Reading at
Comm. Expires

State of Idaho)
County of Lewis) ss. No. 220317

To a instrument was filed by request of American Land Title at 2:49 p.m. Oct 22, 1993 and duly filed and indexed the records of said county.
By *John A. Smith* Notary Public
No. 600

Handled by American Land Title Company, Inc.

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE SE 1/4 OF SECTION 31, T. 24 N., R. 22 E., D.M., TETON COUNTY, IDAHO, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 31, FROM WHICH THE NORTHEAST SECTION CORNER OF SECTION 31 BEARS N. 0 DEGREES 02' 48" W., A DISTANCE OF 1201.77 FEET ON A BEARING OF S. 74 DEGREES 15' 47" W. TO THE REAL POINT OF BEGINNING. FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 1317.55 FEET ON A BEARING OF S. 0 DEGREES 10' 59" W.;
THENCE N. 89 DEGREES 45' 23" W., 496.02 FEET;
THENCE N. 00 DEGREES 10' 59" E., 1317.05 FEET;
THENCE S. 89 DEGREES 48' 53" E., 496.02 FEET TO THE REAL POINT OF BEGINNING.

be sold

FAD

17



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

October 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JOSEPH H SCHOLL III
DIANNE M SCHOLL
HC-10 BOX 36
CARMEN ID 83462

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 75-10621

Dear Claimant(s):

We have been advised you may be the new owner(s) of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please return the form, documentation and proof of domestic use to me attention at this office no later than November 9, 1998.

Please call this office toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Judy Givens
Clerical Specialist
Adjudication Bureau

/jg

Encl: Form 42-248/42-1409(6)
Water Right Profile Report

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-12-1998
PAGE: A-97

RIGHT NUMBER: 75-10621

NAME & ADDRESS: ROGER NOTTESTAD
BETSY NOTTESTAD
BOX 1697
SALMON ID 83467

Joseph H. Schell III
Hwy 101 St
Dianne M. Schell
HC-10 Box 36
Cannon ID 83462

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 03/01/1982

POINT OF DIVERSION: T24N R22E S31 NESE ✓ Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC, 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within LEMHI County
T24N R22E S31 NESE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP24N22E 313602

Verified by *Robert E. Jock* Date *9/24/98*
Verification Source *Lemhi Co. Assessor*