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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

Identification No. A75-10942

Date Received

Receipt Number E015050/90



JUL 27 1990

Department of Water Resources
Eastern District Office

**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.**

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) H.C. & I.V. Havens Trust Phone (208) 756-2111

Mailing Address P.O. Box E, Salmon, ID Zip 83467

2. Date of Priority (Only one per claim) September, 1939 Month/Day/Year

3. Source of water supply (Check one) (X) Groundwater or Other () (a) _____
which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 21N Range 22E
Section 8 NW 1/4 of NW 1/4 of 1/4, Govt. Lot _____, BM.,
County of Lemhi

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well

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>	amount <u>0.04</u> (cfs)
	(Both dates are inclusive)	
For _____ purposes from	Month/Day _____ to Month/Day _____	amount _____

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single type and Number of livestock) 1-Domestic; 1/2 acre irrigation

A7510942



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10. Place of use is: Township: 21N Range 22E
Section 8 1/4 of 1/4, Govt. 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? Idaho

12. Do you own the property listed above as place of use? Yes XX 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.
() 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

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

Signature of Claimant (s)

Date

Date

For Organizations: I do solemnly swear or affirm that I am trustee

of H & IV Havens Trust
Organization

document in the space below as trustee

Title

trustee, that I have signed the foregoing

of H & IV Havens Trust
Organization

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

Signature of Authorized Agent

Date 7/13/90

Title and Organization trustee of H & IV Havens Trust

State of Idaho/or

County of Idaho

ss.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 13th day of July, 19 90

SEAL

Notary Public Susan E. Ziegler

Residing at Salmon, Idaho

My Commission Expires 9-4-93

Last Name Havens Trust

Ident No.

Copies: White-State, Yellow

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4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

HAVENS TRUST

CLAIM IDENT. NO.

175-10942

DATE RECEIVED

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited
to domestic and stockwater uses with direct diversion. All claims that
include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A
- Is the consumptive use correct? ☒ YES ☐ NO N/A
9. 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 stated. If not under single ownership, see
Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO
14. If required, are remarks correct? (If the claimant does not own
the place of use, authority for filing the claim must be
explained in the remarks.) ☒ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed?
(If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate?
Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the
identification number been entered? ☒ YES ☐ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by: JtDate: 1-31-91

Claim must be returned to claimant:

☐ (Yes) ☐ (No)

Claimant must be notified of modifications:

☐ (Yes) ☐ (No)

Receipt Prepared by:

Date:

Claim data entered by:

Date:

Sent to claimant by:

Date:

Checked by:

Date:

Comments: #2 Code 30th; Code #10 like #4 #13: NoneSend D.E.V. LTK.

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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: A75-10942
Date Received: 3/ 2/1993
Receipt No: E015050
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: H.C. & I.V. HAVENS TRUST 208-756-2111
Address: H. DENNIS HAVENS, TRUSTEE
1107 MAIN ST.
SALMON ID 83467

2. Date of Priority: SEP 30, 1939

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	8	NW	NW			LEMHI

5. Description of diverting works:
WELL AND PUMP

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, 1/2 ACRE IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	8	NW	NW		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 _____

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

12/01/98 12:55:08
Page 1

Water Right Number - R75-10942

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
ASPLUND

PATRICIA J

1 - 901 UNION AVE
2 -
3 -

City- SALMON
Phone - 208-756-4807

State- ID Zip- 83467

*** O - ORIGINAL OWNER ***
HC & IV HAVENS TRUST

1 - H DENNIS HAVENS TRUSTEE
2 - 1107 MAIN ST
3 -

City- SALMON
Phone - 208-756-2111

State- ID Zip- 83467

+ - - Priority Date - - +
09/30/1939

+ - - - Region - - - +
15 EASTERN

+ - - - Stage - - - +
J - BENEFICIAL USE

+ - - - Status - - - +

+ - - - - Source - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

21N 22E 8 NW NW (59) LEMHI

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

21N 22E 8 NW NW 43 DOMESTIC (59) LEMHI

Total Acres:

+ - - Diversion Means - WELL AND PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

EXP PROPERTY ALSO KNOWN AS LOTS 1-5, BLOCK 19 FINSTUR'S SUBDIVISION

Water right number - R75-10942

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - 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.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

12/01/98 DSMITH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 12/01/1998	Old Judicial District	-
Claim Received Date	- 07/27/1990	Last Amended Date	- 03/02/1993	Temporary Right	- P
		Receipt Number	- E015050	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

AJ5856NP

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

DATE: FEB-12-1998
PAGE: A-159

RIGHT NUMBER: 75-10942

NAME & ADDRESS: HC & IV HAVENS TRUST *Patricia Asplund*
H DENNIS HAVENS TRUSTEE *901 Union Ave*
1107 MAIN ST *Salmon ID 83467*
SALMON ID 83467

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 09/30/1939

POINT OF DIVERSION: T21N R22E S08 NWN Within LEMHI County

PURPOSE AND	PURPOSE OF USE	PERIOD OF USE	QUANTITY
PERIOD OF USE:	DOMESTIC DOMESTIC, 1 HOME, 1/2 ACR	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within LEMHI County
T21N R22E S08 NWN

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

LOTS 1-6 Block 19 Rinsler Sub

Verified by *Robert E. Jule* Date: *9/29/98*
Verification Source: *Lentz Co. Assessor*

RECEIVED

NOV 25 1998

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.

1. Water Right or Adjudication Claim No(s): 75-10942
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 ILA V. HAVENS
901 Union Ave, Salmon ID 83467
4. New Owner/Claimant(s) PATRICIA J. ASPLUND
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 901 Union Ave Salmon ID 83467
City, State and ZIP Code _____
New Telephone Number (208) 756-4807
5. Date you acquired the property OCT 22, 1991
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 _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ 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) Patricia J. Asplund
- 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.

DEED OF DISTRIBUTION
BY TRUSTEES

THIS DEED, made by JOSEPH A. PROKSCH and H. DENNIS HAVENS, Trustees of the HAVENS FAMILY TRUST and HAVENS SURVIVOR'S TRUST, created pursuant to that certain TRUST AGREEMENT, dated June 1, 1971, Grantor, to PATRICIA J. ASPLUND, Grantee, whose address is 100 Westwood, Columbia, MO 65201.

WHEREAS, Grantor are the qualified Trustees of said trusts; and

WHEREAS, Grantee is entitled to distribution of the herein-after described real property pursuant to an ORDER GRANTING LEAVE TO CONSERVATOR TO EXERCISE POWERS OF APPOINTMENT AND TO TERMINATE TRUSTS entered September 23, 1991, in Lemhi County Case No. SP-91-0249;

THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee, the following described real property in Lemhi County, Idaho:

Lots 1-5, Block 19 of Finstun's Subdivision, City of Salmon, Lemhi County, Idaho.

with all appurtenances.

EXECUTED this 22ND day of October, 1991.


Joseph A. Proksch, Trustee


H. Dennis Havens, Trustee

STATE OF IDAHO)
) SS
County of Lemhi)

On this 27th day of October, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared JOSEPH A. PROKSCH and H. DENNIS HAVENS, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Jordan P. Smith
Notary Public for Idaho
Residing at Salmon, Idaho
Commission: 10/8/94

State of Idaho)
County of Lemhi) ss No. 212361

This instrument was filed for record at
the request of Jordan P. Smith
at 8:19 o'clock AM 10-25 1991
and duly filmed and indexed in the
records of Lemhi County
Alberta Wiadernick
Ex-Officio Recorder
By Lennie J. Morten Deputy
Fees: 6.00

FINSTURS SUBDIVISION OF THE SALMON CITY TOWNSITE

State of Idaho, } ss:
County of Lemhi, }

Be It Known that I, Thomas Kane of Salmon, Idaho, the owner of the tract of land described allows, to-wit: Situated in the original Salmon City Townsite, Lemhi County, State of Idaho, and as described as follows, that is to say, beginning at the Initial Point, whence the A Section is on the south boundary of Section 6, Township 21 North, Range 22 East of the Boise Meridian, bears $34^{\circ}30'W$ 1163.4 ft., and running thence $N.26^{\circ}24'30"E$ 1137 ft.; thence $S.61^{\circ}30'E$ 216.54 ft.; thence $N.0^{\circ}E$ 14.44 ft.; thence $S.36^{\circ}28'30"E$ 2381.84 ft.; thence $S.26^{\circ}30'W$ 33.11 ft.; thence $N.58^{\circ}31'50"W$ 80.01 ft.; thence $N.36^{\circ}28'30'W$ 1745.2 ft.; thence $S.42^{\circ}01'W$ 647.42 ft.; thence West 134.07 ft.; thence $N.0^{\circ}02'W$ 1316.7 ft.; thence $S.89^{\circ}54'30"W$ 1532 ft., to the place of beginning, have caused the same to be surveyed and plat- as represented on this plat and hereby designated as "FINSTURS SUBDIVISION OF THE SALMON TOWNSITE," and that I do hereby donate, deed and dedicate to the use of the public, all streets, avenues and alleys included within the above described land. Dated this 6th day May, 1908.

Thomas Kane
Thomas Kane

On this 11th day of May, 1908, before me, W.C. Smith, Recorder in and for said County and State, personally appeared Thomas Kane, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

WITNESS my hand and official seal the day and year in this certificate first written

W.C. Smith
W.C. Smith
County Recorder of Lemhi County, Idaho.

State of Idaho, } ss:
County of Lemhi, }

Be It Known that the Estate of George L. Shoup, Limited, an Idaho corporation, the owner of a portion of the land represented on this plat as "UNION AVENUE" and "CHURCH STREET," acting herein its President and Secretary, by authority of its Board of Directors, does hereby grant, donate, deed and dedicate to the use of the public, all land represented by said Union Avenue and Church Street, said Estate of George L. Shoup, Limited, may be possessed of.

George L. Shoup
George L. Shoup
President.
W.C. Shoup
W.C. Shoup
Secretary.

On this 15th day of May, 1908, before me, W.C. Smith, Recorder in and for said County and State, personally appeared W.L. Shoup and W.C. Shoup, known to me to be the President and Secretary, respectively, of the Estate of George L. Shoup, Limited, a corporation, and acknowledged to me that said corporation executed said instrument and that they by authority of its Board of Directors, caused the name and seal of said corporation to be affixed thereunto.

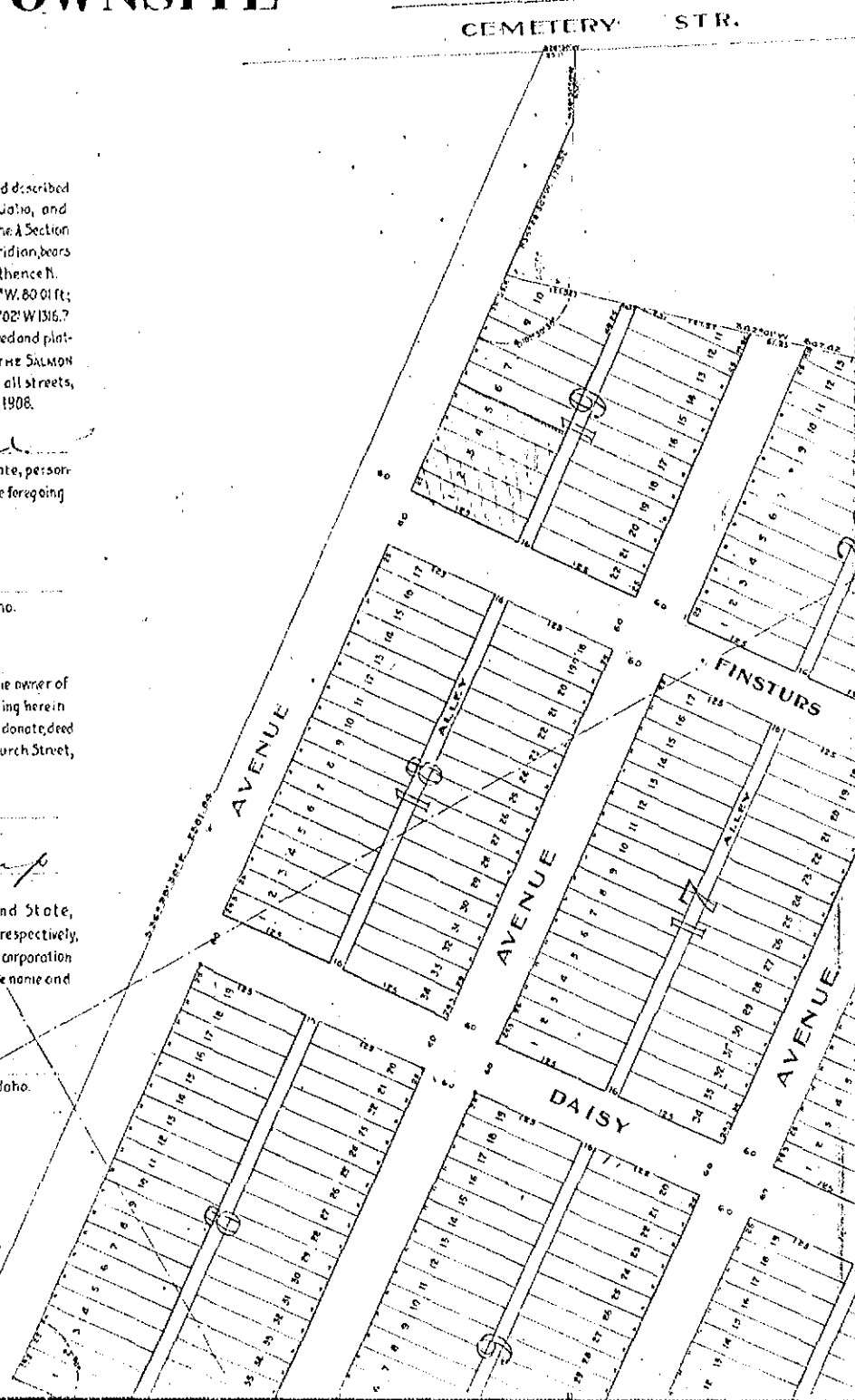
WITNESS my hand and official seal the date in this certificate first written.

W.C. Smith
W.C. Smith
County Recorder of Lemhi County, Idaho.

Be It Known that a meeting of the Board of Village Trustees of the Village of Salmon was duly held on the 6th day of May, 1908, and thereat the matter of accepting the Plat of Finsturs Subdivision of the Salmon City Townsite was up for consideration; a yeas and nays vote was called and said plat was unanimously accepted and approved and the Clerk and Chairman were authorized to sign the acceptance thereof on the plat for record.

WITNESS our hands and seal of said Village this 11th day of May, 1908:

Geor. Smith
Geor. Smith
Clerk.
William C. Shoup
William C. Shoup
Chairman.





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 22, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PATRICIA ASPLUN
901 UNION AVE
SALMON ID 83467

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 75-10942

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,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Clerical Specialist
Adjudication Bureau

/jg

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