

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: **A22-07023B**
Date Received: 8/ 8/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: GALE W HARDING 208-356-3700
Address: PO BOX 761
REXBURG ID 83440

AND/OR

Name: DR. CRAIG HEINER 208-356-3700
Address: PO BOX 761
REXBURG ID 83440

2. Date of Priority: JUN 26, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	40E	19	NW	NW			MADISON

5. Description of diverting works:
WELL & PUMP TO SPRINKLER SYSTEM

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		

7. Total Quantity Appropriated is:
0.400 C.F.S. (and/or) 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
05N	40E	18	SE	SW		IRR	20.0

A2207023B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
					Total Acres	20.0

11. Place of use in counties: MADISON

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

CHANGE IN OWNERSHIP 1-15-99 GJT

15. Basis of Claim: LICENSE

Log for claim 22-07023B

Spatial Dynamics BTD

7/3/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
05n40e	18	SESW	20	40	POD placement? / Indiscernible
Totals:			20	40	



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

January 20, 1999

GALE HARDING
DR CRAIG HEINER
PO BOX 761
REXBURG ID 83440

RE: CHANGE IN OWNERSHIP FOR A22-07023

Dear Ms. Harding & Dr. Heiner:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A22-07023A, 0.40 cfs on 20 acres, Smith
A22-07023B, 0.40 cfs on 20 acres, Harding & Heiner

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

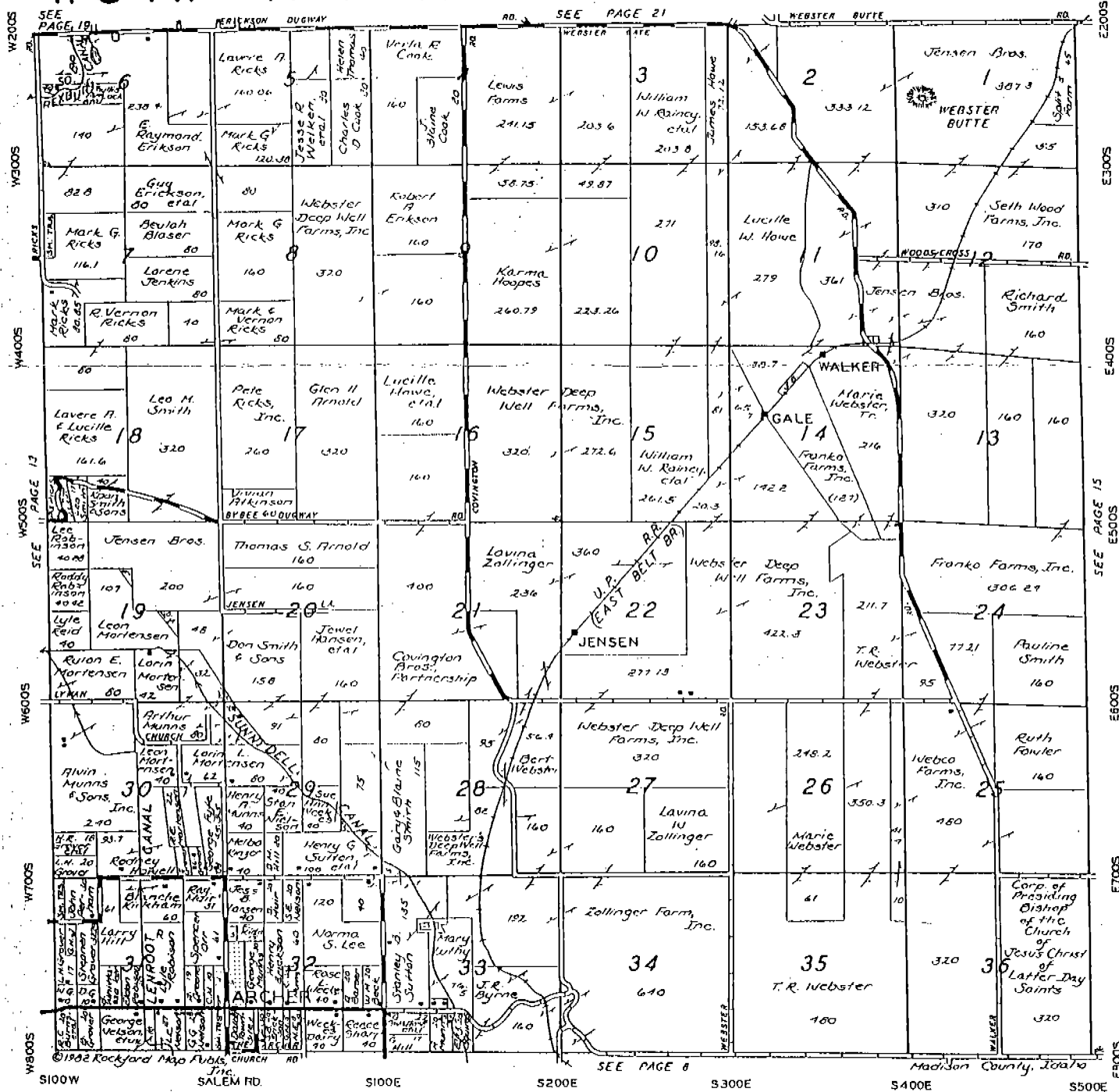
Incomplete forms will be returned.

RECEIVED

NOV 18 1998

Department of Water Resources
Eastern Region

1. Water Right Number(s) A
Adjudication Claim Number(s) A22-0700-1B
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) Garry Smith and Sharon Smith
1829 meadowview Ave. Rexburg, ID 83440
4. New Owner/Claimant(s) Gale W. Harding / Dr. Craig Heman
Name connector (Check one) ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 761
City, State and ZIP Code Rexburg, ID 83440
New Telephone Number (208) 356-3700
5. Date you acquired the property Nov. 10, 1998
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 actually irrigated 20 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) Gale W. Harding Date Nov. 10, 1998
Dr. Craig Heman Date Nov. 10, 1998
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
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.



The Bank

P.O. BOX 125 - REXBURG, IDAHO 83440

ALLIANCE

5-13027-2
ALLIANCE TITLE & ESCROW
P.O. BOX 732
REXBURG, ID 83440

WARRANTY DEED

For Value Received

GARRY SMITH and SHARON SMITH, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto
Just Gale W. Harding and/or Judy Harding
REED D. NORD

D. Craig Heiner and/or Debby Heiner
whose current address is

*P.O. Box 761
Rexburg, Idaho 83440*

the grantee(s), the following described premises, in **MADISON County IDAHO**, to wit:

THE W1/2 OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 5 NORTH, RANGE 40 EAST, BOISE MERIDIAN, MADISON COUNTY, IDAHO

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Subject to all existing patent reservations, easements, right of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations.

and that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: November 9, 1998

Garry Smith
GARRY SMITH

Sharon Smith
SHARON SMITH

STATE OF ID, COUNTY OF MADISON

On this 10TH day of NOVEMBER, 1998

before me, a Notary Public in and for said State, personally appeared

GARRY SMITH
SHARON SMITH

known to me to be the person(s) whose name(s)
subscribed to the within instruments and acknowledged to
me that they executed the same.

Alison Banta
Notary Public,
Residing at ST. ANTHONY, ID
Comm. Expires 11/23/99

ALISON BANTA
NOTARY PUBLIC, STATE OF IDAHO
COMMISSION EXPIRES: 11-23-99

Microfilm No. **275113**
Day **NOV 12 1998**
At **1006** O'clock **—** m
MARILYN R. RASMUSSEN
MADISON COUNTY RECORDER
Fee \$ **3-52** Deputy
Recorded At Request of
ALLIANCE TITLE & ESCROW