

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: A22-11385
Date Received: 4/03/1989
Receipt No: E001821
Received By: SL

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MERLA NELSON
Address: 443 E. 1ST N.
REXBURG, ID

83440

208-356-4194

OR

Name: KWENDEN NELSON
Address: 443 E. 1ST N.
REXBURG, ID

83440

208-356-4194

2. Date of Priority: DEC 31, 1888

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	30		SE	NW	2	MADISON

5. Description of diverting works:
PUMP IN 35'WELL TO HOME/IRR.

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		
IRRIGATION	04/01	10/31	0.045		

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

A.F.A.

8. Total consumptive use is

6.2 Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOME

A22-11385

Page

1

Date: 04/03/89

A2211385



INDEXED

NOV 00 00 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	40E	30	SE	NW	2	IRR	2.5
			SE	NW	2	DOMEST	

Section Acres 2.5

Total Acres 2.5

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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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 t 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): Trevendon Nelson Date: 4-11-89
_____ Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of April 19 89 Cecilia Wray
Notary Public

Seal

Residing at Idaho Falls
My Commission Expires 5/29/1991

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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: 39356

Ident. Number

A22-11385

Date Received

8-8-88

Receipt Number

E001821

RECEIVED

AUG 8 1988

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s)

Kwenden Nelson And/or Merda Nelson Phone (208) 356-4194

Mailing Address

443 East 1st North Rexburg Idaho Zip 83440

2. Date of Priority (Only one (1) per claim)

1888

3. Source of water supply (a)

GROUND WATER

which is tributary to (b)

4. a. Location of existing point of diversion is: Township

06N

Range

40E

Section

30SE

1/4 of

NW

1/4 of

1/4, Govt. Lot,

2

B.M., County of

MADISON

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township

Range

Section

1/4 of

1/4 of

1/4,

Govt. Lot

B.M., County of

ending point is: Township

Range

Section

1/4 of

1/4 of

1/4, Govt. Lot

B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

PumpDepth About 35 Feet

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 1.04 or _____

For IRRIGATION purposes from 4-1 to 10-31 amount 1.045 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.085 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
06N	40E	30				2011 D													
						2 1/2													

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? Madison

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

or None (✓)

14. Remarks:

NOV 06 1992

Last Name Nelson Ident No. _____

Copies: White - State, Yellow - Claimant

Rwenden Nelson AND/OR Merla Nelson 443 East 1st North Rexburg, Idaho

Scale: 2 inches equals 1 mile

A 16x16 grid of squares, each containing a crosshair pattern. A small handwritten mark 'x 30' is visible near the center of the grid.

Last Name

Ident No.

KEENEADEN NELSON AND/OR MERLA NELSON 443 EAST 1st NORTH REXBURG, IDAHO

15. Basis of Claim (check one) ☒ Beneficial Use ☐ Posted Notice ☐ License ☐ Permit

Decree

If applicable provide IDWR Water Right Number

Court Case Number Decree Date

Plaintiff vs Defendant

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

Signature of Claimant (s) Kwenden Nelson Date 8-5-88

Date

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

Title and Organization Date

State of Idaho/or)
County of) SS.

Subscribed and sworn (or affirmed) before me this 5 day of Aug 19 88

SEAL

Notary Public E. Oline Summers

Residing at Replung

My Commission Expires 7-27-93

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Address

Date

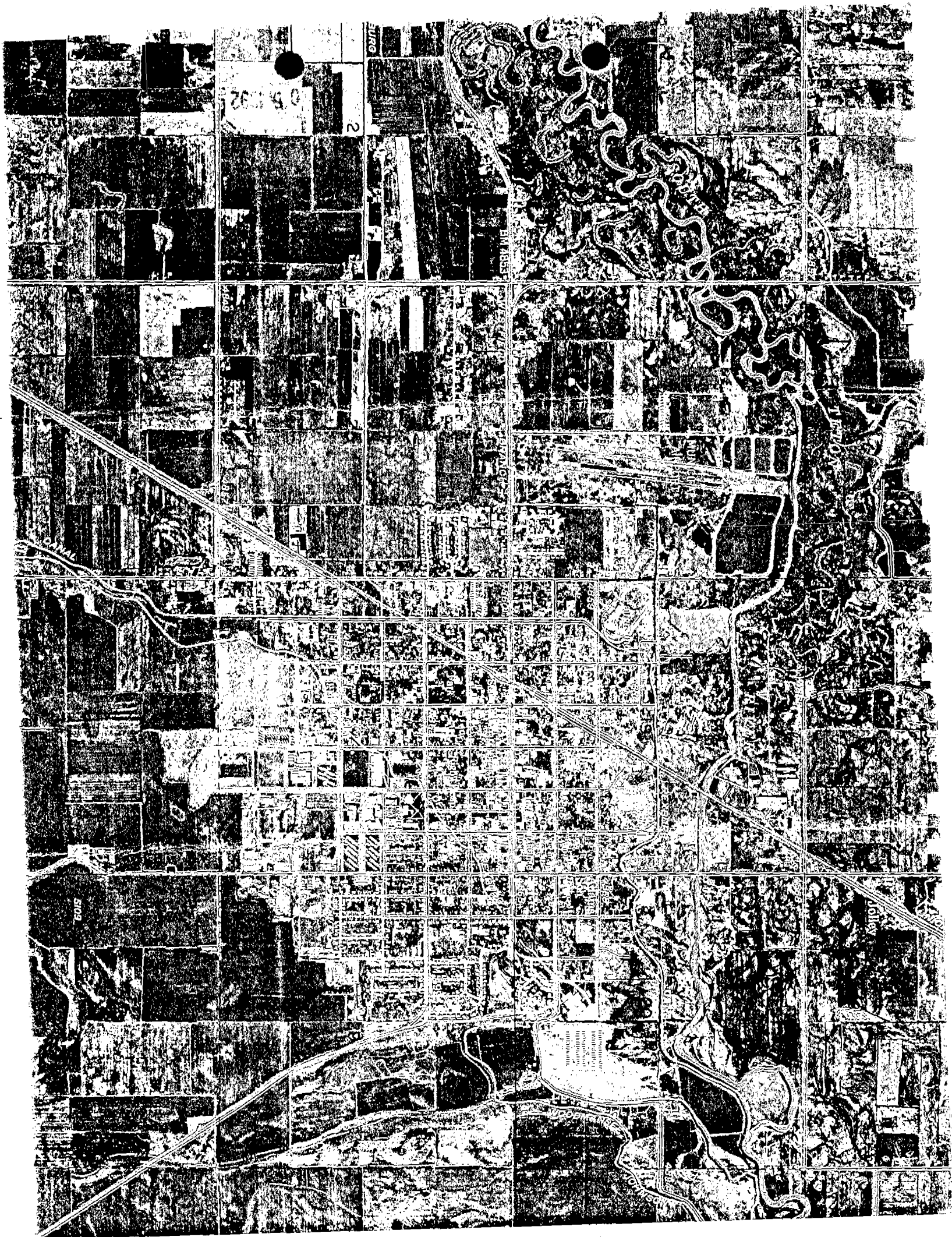
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Last Name Nelson Ident. Number

Copies White-State, Yellow-Claimant

KWENDEN NELSON AND/OR MERLA NELSON 443 EAST 1st North Rexburg Idaho



Log for claim 22-11385

Spatial Dynamics BTD

7/16/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06n40e	30	SEnw	2.5	2.5	
Totals:			2.5	2.5	

April 3, 1989

Mr. Kwenden Nelson
443 E. 1st N.
Rexburg, Idaho 83440 *W*

RE: Notice of Claim to a Water Right no. A22-11385

Dear Mr. Nelson:

Thank you for submitting the Notice of Claim for your water use. Please find enclosed a receipt for the filing fee. During the review of your claim we discovered a couple of items that need to be clarified. Enclosed is an amended claim that can be used to make the necessary clarifications.

An item on the claim you should be aware of is the priority date (item 2). This is the date (month, day & year) when water from the source started being used for the use you claim. The claim you submitted designated a year only. The priority date will be recorded as December 31, 1888 unless you designate some other date.

On items 4 and 10, you need to list, to the nearest 40 acre tract, the location of your well and home. Generally on domestic and/or stockwater claims, they are close enough to be in the same 40 acre subdivision. You have indicated the location of your well (item no. 4) correctly according to the map. However, in item 10 you indicate a different location (SE1/4 NE1/4). I assumed this was an error and have corrected the legal land description of your home to be the same as the well (item 4).

Should you determine that any of this is wrong the enclosed claim can be used to initiate a correction. To change any of the items, line-thru the error, write the correction and initial the change. When you are satisfied with the claim please sign / notarize the form and return it to our office. There is no fee for filing the amended claim.

The amended claim can be submitted anytime prior to January, 1990. There is no fee for this amendment. Please contact Eric Verner at this office if you have any questions regarding this matter.

Sincerely;

Ernest Carlsen
Water Rights Supervisor

Enclosure

...PROFILING
NOV 06 1992

Rexburg Abstract Company

SUCCESSOR TO MADISON ABSTRACT CO., LTD.
BONDED ABSTRACTERS OF TITLE
TO LANDS IN MADISON COUNTY

POOR ORIGINAL

Instrument No. 59029.

Entry No. 5.

Probate Judge's Deed.

F. L. Davis,
Probate Judge of the County of
Madison, State of Idaho,
(Probate Court Seal),
Grantor,

to

Rudolph Dietrich,
Grantee.

Recorded June 16th, 1936,

at 4:00 P. M

IN BOOK 136 of Deeds,

page

DATED April 30th, 1936,

CONS. \$3.00

No. of Witnesses ~~~~~

Acknowledged April 30th, 1936,
before J. T. Elliott, Recorder
of Madison County, Idaho,
Auditor's and Recorder's Seal.

Granting Words:- does hereby sell, grant and convey,-forever.
Conveys:-

Lot One (1) of Block Ten (10) South End Addition to the
Rexburg Townsite (City of Rexburg.)

Shows that whereas on July 11th, 1895, the United States of
America, by patent, granted to R. H. Hopkins, Probate Judge of
Bingham County, Idaho, in trust for the occupants of the South End
Addition to the Rexburg Townsite the following described land:
SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lot 2 of Section 30, Twp 6 N. R. 40 E. B. M., and on
March 9th, 1888, F. M. Shoemaker, Probate Judge of Bingham County,
Idaho, issued to one Christian Aeschbacher a Bond for Deed of Lot
One of Block Ten of said South End Addition and thereafter, on
March 12th, 1914, said Christian Aeschbacher and Elizabeth Aes-
chbacher, as husband and wife, executed a Warranty Deed of said
property to Jacob Aeschbacher, and by means of conveyance Rudolph
Dietrich has acquired all right, title and interest of said Christ-

A22-11385

*Copied from land's Title Abstract
16 March 1994*

APR 11 1994

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Instrument No. 59029, continued.

Entry No. 5, continued.

ian and Jacob Aeschbacher and Elizabeth Aeschbacher, and is in the possession of said Lot and has made application to said probate Judge for a deed of said lot, Now therefore, in consideration of the premises and sum of \$3.00 etc. To have and to hold all and singular the above described premises unto the said party of the second part, his heirs and assigns forever, as fully and completely as the said party of the first part, by virtue of the said trust can grant and convey.

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