

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 37-21353
Date Received: 9/23/2004
Receipt No: 5027066
Received By: UPL

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

1. Name of Claimant(s)

KERRY T ROBINSON Phone: [775] 664-2204

PO BOX 2442
WEST WENDOVER NV USA 89883

ROSEANNA J ROBINSON Phone:

PO BOX 2442
WEST WENDOVER NV USA 89883

2. Date of Priority: 11/07/1887

3. Source: UPPER WADDINGTON SPRING Trib. to: STODDARD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	13E	27	NW NW	GOODING	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.07	

7. Total Quantity Appropriated is:
0.07 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	13E	27	SE	NW	IRRIGATION	0.4
			NE	SW	IRRIGATION	1.8
Section Acres						2.2
Total Acres						2.2

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

CLAIMED POINT OF DIVERSION IS UPPER WADDINGTON SPRING. DIVERSION RATE BASED ON APPROX .03 CFS PER ACRE. CLAIMANT HAS NO KNOWLEDGE AT THIS TIME OF HISTORICAL DIVERSION RATE AND RESERVES RIGHT TO CHANGE CLAIM IF ADDITIONAL INFORMATION COMES TO LIGHT.

POU PER GOODING COUNTY TAXLOTS IN ARCVIEW.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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): Kary T. Baker Date: 9.23-04
 _____ Date: _____

State of Idaho)
 County of Swain Falls) SS.

Subscribed and sworn (or affirmed) before me this 23rd day of Sept 2004



Vikie Hancock

Notary Public

Residing at Buhl, Id

My commission Expires 5-7-2009

Idaho Department of Water Resources Receipt

Receipt ID S027066

Payment Amount \$50.00 Date Received 9/23/2004 12:19:40 PM Region Southern Status ☒

Payment Type

Check

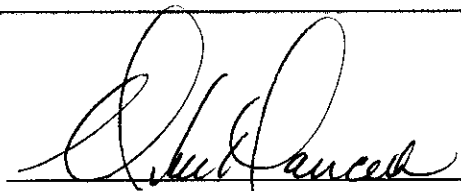
Check Number 5694

Payer ROBINSON, KERRY T

Comment NEW SRBA CLAIM 37-~~21253~~ 21353 ACRES PREVIOUSLY PAID

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	ADJUDICATION FILING FEE	0337	44503	1155	



Signature Line (Dept. Representative)

94-8014-3212 5694

KERRY T. ROSEANN
P.O. BOX 2442
WENDOVER, NV 89401
775-664-2767

9-23-04

Pay to the order of Greater Nevada Credit Union \$50.00

GREATER NEVADA CREDIT UNION
P.O. BOX 2128
CARSON CITY, NV 89702-2128

Memo Water Rights Filing

⑆321280143⑆ 0000000422⑈ 5694

© THE COCA-COLA COMPANY

under the terms of this policy, the Company shall not be liable for any loss or damage, other than the payments required to terminate, including any liability or obligation to defend, prosecute or continue any litigation.

thereby concede liability or waive any provision of this policy. If the Company exercises its rights under this paragraph, it shall do so diligently.

(c) Whenever the Company shall have brought an action or interposed a defense or permitted by the provisions of this policy, the Company may pursue any

paragraphs (b)(1) or (b)(2) of the policy, the Company shall not be liable for any loss or damage, other than the payments required to terminate, including any liability or obligation to defend, prosecute or continue any litigation.

Order No. G020378

WARRANTY DEED

For Value Received

JOHN R. WILKINS, A MARRIED MAN

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

KERRY T. ROBINSON and ROSEANNA J. ROBINSON, HUSBAND AND WIFE

the grantee(s), whose current address is

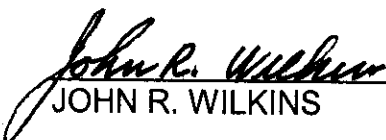
P. O. Box 764, Wells, NV 89835

the following described premises, to-wit:

Lot 1 in Block 2 of MALAD ESTATES SUBDIVISION, Gooding County, Idaho, according to the plat thereof, recorded August 22, 1975 as Instrument No. 55997, in the Office of the County Recorder of said County.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: October 15, 2002

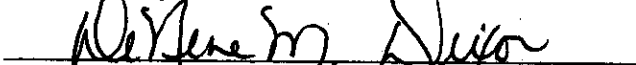

JOHN R. WILKINS

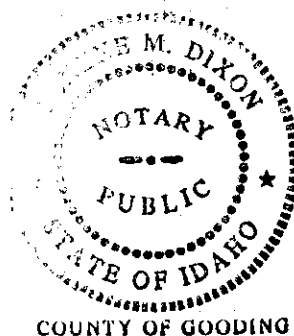
STATE OF IDAHO
: SS
COUNTY OF GOODING

Instrument # 197319
GOODING, GOODING, IDAHO
2002-10-15 03:25:50 No. of Pages: 1
Recorded for : GOODING TITLE
HELEN EDWARDS
Ex-Officio Recorder Deputy 

On This 15th day of October, in the year 2002, before me, a Notary Public in and for said State, personally appeared **JOHN R. WILKINS**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.


Notary Public of Idaho
Residing at Wendell, Idaho
Commission Expires: 3-13-2004



WARRANTY DEED

INSTRUMENT # 202206
GOODING, GOODING, IDAHO
2003-08-15 03:17:38 No. of Pages: 1
Recorded for : GOODING TITLE
HELEN EDWARDS
Ex-Officio Recorder Deputy *H. Edwards*

For Value Received

JOHN R. WILKINS, an unmarried man

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

KERRY ROBINSON AND ROSEANNA J. ROBINSON, husband and wife

the grantee(s), whose current address is

P.O. BOX 2442 West Wendover, NV 89883

the following described premises, to-wit:

Lot 2 in Block 2 of MALAD ESTATES SUBDIVISION, Gooding County, Idaho,
according to the plat thereof, recorded August 22, 1975 as Instrument No. 55997, in
the Office of the County Recorder of said County.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

Dated: August 15, 2003

John R. Wilkins
JOHN R. WILKINS

STATE OF IDAHO

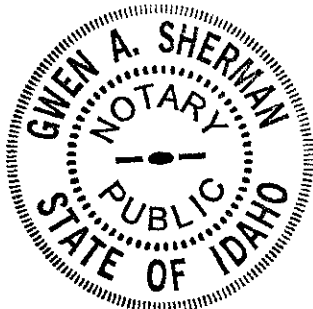
: ss

COUNTY OF GOODING

On This 15 day of August, in the year 2003, before me, a Notary Public in and for said State, personally appeared JOHN R. WILKINS, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Gwen A. Sherman
Notary Public of Idaho
Residing at Buhl, Idaho
Commission Expires: March 27, 2006



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Department of Water Resources
Southern Region

WARRANTY DEED

#GG-03384

For Value Received

Instrument # 194557

GOODING, GOODING, IDAHO

2002-03-28 04:26:20 No. of Pages: 2

Recorded for : LAND TITLE

HELEN EDWARDS

Ex-Officio Recorder Deputy

Fee: \$5.00

John R. Wilkins and Gay Wilkins, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Kerry T. Robinson and Roseanna J. Robinson, husband and wife

Address: P. O. Box 764, Wells, NV 89835

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

Lot 3 in Block 2 of Malad Estates Subdivision, Gooding County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 2002 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments levied or to be levied by any local irrigation district.

Easement for erecting and maintaining poles and transmission lines over the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian, contained in Judgement in the case of The Beaver River Power Company, a corporation, Plaintiff, vs. Ida Bell Waddington Frost, John Doe Frost, her husband, John William Waddington, a minor, and Andrew Jackson Waddington, a minor, Defendants, dated July 18, 1912, recorded July 18, 1912 in Book 2 Page 34, Gooding County records.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 24, 1955, recorded November 26, 1955 in Book 46 Page 329 as Instrument Number 128569, Gooding County records, affecting the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian.

Conditions and restrictions contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, first parties, to the State of Idaho, second party, dated August 6, 1957, recorded October 16, 1957 in Book 49 Page 124 as Instrument Number 133379, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{2}$ of Section 27, Township 6 South, Range 13, East Boise Meridian.

Conditions and restrictions contained in Quitclaim Deed by and between the Idaho Department of Highway, acting by and through the Idaho Board of Highway Directors, party of the first part, and Fred Leach and Nettie M. Leach, husband and wife, parties of the second part, dated June 26, 1957, recorded March 26, 1958 in Book 49 Page 226 as Instrument Number 134666, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 6 South, Range 13, East Boise Meridian.

Reservation for easement to convey domestic water through pipeline contained in Warranty Deed given by Fred Leach and Nettie M. Leach, husband and wife, parties of the first part, to Wilbert B. Cline and Ruth C. Cline, husband and wife, parties of the second part, dated December 17, 1958, recorded February 3, 1959 in Book 49 Page 443 as Instrument Number 136711, Gooding County records, pertaining to the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a Tract of land in Lot 1 of Section 27, Township 6 South, Range 13, East Boise Meridian.

Reservation for a domestic spring located over the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 2 of Section 27, Township 6 South, Range 13, East Boise Meridian, as contained in Quitclaim Deed dated August 15, 1975, recorded September 8, 1975 as Instrument Number 56218, Gooding County records, and Warranty Deed dated December 11, 1972, recorded October 20, 1978 as Instrument Number 72869, Gooding County records.

Power Line Easement given by W. B Cline and Ruth C. Cline, husband and wife to Idaho Power Company, a corporation, dated February 17, 1976, recorded November 15, 1976 as Instrument Number 61948, Gooding County records, affecting the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and a tract of land in Lot 1 of Section 27, Township 6 South, Range 13, East Boise Meridian.

Power Line Easement given by John Wilkins for Malad Development Co. to Idaho Power Company, a

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Department of Water Resources
Southern Region

corporation, dated August 20, 1976, recorded April 5, 1977 as Instrument Number 64050, Gooding County records, affecting Lots 1 to 7 inclusive, Block 2, Malad Estates Subdivision located in Section 27, Township 6 South, Range 13, East Boise Meridian.

Declaration of Protective Covenants recorded July 27, 1979 as Instrument No. 77995, Gooding County records but omitting any covenant, condition, or restriction based on race, color, religion, sex, handicap, familial status, or national origin to the extent that such covenants, conditions or restrictions violate 42 USC 3604(c). Amendment to said Covenants recorded September 18, 1979 as Instrument No. 78881, Gooding County records. Amendment to said Covenants recorded June 6, 1984 as Instrument No. 108608, Gooding County records. Amendment to said Covenants recorded May 23, 1988 as Instrument No. 132268, Gooding County records.

Easements as shown on the recorded plat.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

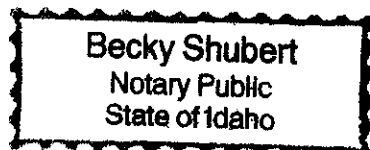
Dated: March 29, 2002

John R. Wilkins
John R. Wilkins

Gay Wilkins
Gay Wilkins

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

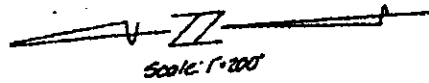
On this 27th day of March, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared John R. Wilkins and Gay Wilkins, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Becky Shubert
Notary Public
Residing at: Wendell, ID
My Commission expires: 02-23-05

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SECTION 27, T6S, R13E, BM. GOODING COUNTY, IDAHO



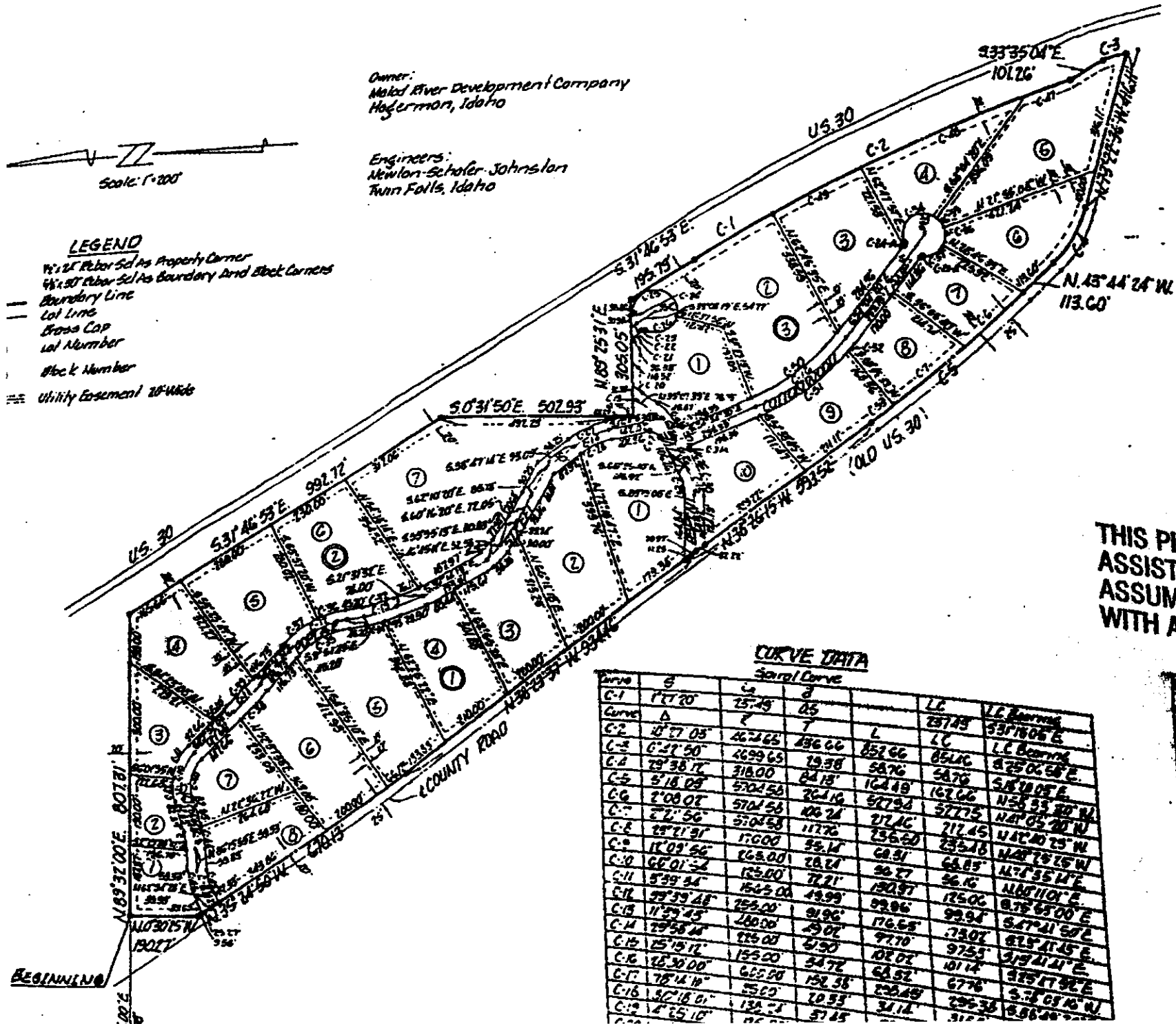
Scale: 1"=200'

LEGEND

- W 1/4 Section 27 as Property Corner
- W 1/4 Section 27 as Boundary and Block Corners
- Boundary Line
- Lot Line
- Grass Cap
- Lot Number
- Block Number
- Utility Easement 20' Wide

Owner:
Moked River Development Company
Hagerman, Idaho

Engineers:
Newton-Scholer-Johnston
Twin Falls, Idaho



BLK 2 lots 1, 2, 3
37-21353

THIS PLAT IS MADE
ASSISTING IN LC
ASSUMES NO LI
WITH AN ACTUAL

CURVE DATA

Curve	Δ	LC	Δ	LC	LC Bearing
C-1	1° 17' 20"	25.49	05	25.49	53° 16' 06" E
C-2	4° 27' 05"	46.24	7	46.24	53° 16' 06" E
C-3	6° 27' 50"	46.99	63	46.99	53° 16' 06" E
C-4	2° 38' 17"	318.00	23.38	318.00	53° 16' 06" E
C-5	5° 18' 09"	570.45	24.18	570.45	53° 16' 06" E
C-6	2° 03' 07"	570.45	24.18	570.45	53° 16' 06" E
C-7	2° 1' 56"	570.45	24.18	570.45	53° 16' 06" E
C-8	2° 1' 56"	570.45	24.18	570.45	53° 16' 06" E
C-9	1° 02' 56"	265.00	28.24	265.00	53° 16' 06" E
C-10	6° 01' 52"	125.00	28.24	125.00	53° 16' 06" E
C-11	5° 39' 54"	154.30	72.21	154.30	53° 16' 06" E
C-12	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-13	11° 23' 45"	255.00	43.99	255.00	53° 16' 06" E
C-14	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-15	15° 15' 17"	155.00	43.99	155.00	53° 16' 06" E
C-16	15° 30' 00"	665.00	34.72	665.00	53° 16' 06" E
C-17	7° 14' 14"	250.00	152.38	250.00	53° 16' 06" E
C-18	3° 16' 01"	132.24	20.33	132.24	53° 16' 06" E
C-19	1° 25' 16"	75.00	31.14	75.00	53° 16' 06" E

Curve	Δ	LC	Δ	LC	LC Bearing
C-20	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-21	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-22	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-23	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-24	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-25	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-26	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-27	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-28	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-29	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-30	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-31	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-32	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-33	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-34	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-35	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-36	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-37	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-38	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-39	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-40	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-41	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-42	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E
C-43	2° 33' 45"	255.00	43.99	255.00	53° 16' 06" E