

08/22/2003

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 45-13592

NAME AND ADDRESS: ELIZABETH NEYMAN ESTATE
1836 S 2000 E
GOODING ID 83330

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.040 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1957

POINT OF DIVERSION:

VERIFIED BY KKC

T12S R25E S28 SESENE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
01/01 12/31

QUANTITY
0.040 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T12S R25E S28 SENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

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 45-13592
Date Received: 8/21/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

ELIZABETH NEYMAN ESTATE Phone:
1836 S 2000 E
GOODING ID USA 83330

2. Date of Priority: 07/01/1957

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12S	25E	28	SE NE	CASSIA	

5. Description of diverting works:

spring box pipeline to stock tank

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 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
12S	25E	28	SE NE	STOCKWATER	

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

stockwater system is a developed spring diverting water to a stocktank.

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 Organizations:

I do solemnly swear or affirm that I am Personal Representative of Elizabeth Neyman Estate that I have signed the foregoing document in the space below as Personal Representative of Elizabeth Neyman Estate and that the statements contained in the foregoing document are true and correct.

James T. Northcott
Signature of Authorized Agent
Personal Representative of Elizabeth Neyman Estate
Title and Organization

8-21-03

Date

State of Idaho

County of Twin Falls

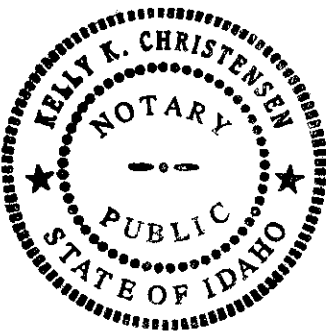
SS.

Subscribed and sworn (or affirmed) before me this 21st day of Aug 2003

Kelly K. Christensen
Notary Public

Residing at
My commission Expires

Twin Falls, ID
3-11-04



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13592 V1

WATER RIGHT NUMBER: 45-13592 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOLENE NORTHCOTT 1836 S 2000 E GOODING, ID 83330 (208)934-4170
Current Owner	DEBORAH BROADIE 222 PICABO CUTOFF RD CAREY, ID 83320 (208)788-4455
Current Owner	MARY MAY POTTER PO BOX 993 KETCHUM, ID 83340 (208)788-3413
Current Owner	ELIZABETH STUHLBERG 938 4TH AVE DR JEROME, ID 83338 (208)324-4855
Original Owner	ELIZABETH NEYMAN ESTATE 1836 S 2000 E GOODING, ID 83330

Priority Date: 07/01/1957

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

SPRING	SE1/4SE1/4NE1/4	Sec. 28, Twp 12S, Rge 25E, B.M.
CASSIA County		

Place of Use

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	25E	28				X													

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 45-13592 V1

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. n05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. n08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Remarks:

Comments:

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
45-256A		<u>no fee due</u>			
45-284C					
45-286					
45-2663					
45-13592					
45-13593					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Elizabeth Neyman Estate

4. New Owner/Claimant(s)

See attached sheet for owners

Name Connector (Check one): ☐ and, ☒ for, and/or

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

() Sept 2003

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MAY 27 2004
Department of Water Resources
Southern Region

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Jolene Y. Northcott

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

Jolene NorThcott Ph. 934-4170
1836 S 2000 E
Gooding Idaho 83330

Mary May Potter 788-3413
Box 993
Ketchum Id 83340

Elizabeth Ann ~~Stutberg~~ Stuhlberg
938 4th Avenue Drive
Jerome Id 83338 Ph 324-4855

Deborah Broadie
~~Po Box 706 222 Picabo Cutoff Road~~
~~Picabo Id. 83348 Ph. 788-4455~~
Carey. Id. 83320

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MAY 27 2004
Department of Water Resources
Southern Region

2015

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PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by MARY MAY POTTER, ELIZABETH ANN STUHLBERG, JOLENE NORTHCOTT, and DEBORAH BROADIE, as co-personal representatives of the Estate of Elizabeth Neyman, deceased, Grantor, to , MARY MAY POTTER, ELIZABETH ANN STUHLBERG, JOLENE NORTHCOTT, and DEBORAH BROADIE, % Jolene Northcott, 1836 S 2000 E, Gooding, ID 83330, Grantees;

WHEREAS, Grantors are the qualified co-personal representatives of said estate, filed as Probate Number SP 00-2236, in Blaine County, Idaho;

THEREFORE, for valuable consideration received, Grantors sell and convey to Grantee the following described real property in Cassia County, Idaho:

TOWNSHIP 12 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 21: E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 22: That portion of the W $\frac{1}{2}$ lying West of Albion
Conner Creek Highway. (Highway 77)

Section 27: That portion of the NW $\frac{1}{4}$ lying West of Albion
Conner Creek Highway. (Highway 77)

Section 27: That portion of the SW $\frac{1}{4}$ lying South and West
of Albion Conner Creek Highway (Highway 77)
North and West of Howell Creek Road.

Section 28: E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$

TOGETHER WITH all water and ditch rights appurtenant thereto.
TOGETHER WITH 143 AUM'S of BLM Grazing Rights.
with all appurtenances.

EXECUTED this 23rd day of September, 2003.

ESTATE OF ELIZABETH NEYMAN

Mary May Potter
MARY MAY POTTER

Elizabeth Ann Stuhberg
ELIZABETH ANN STUHLBERG

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Department of Water Resources
Southern Region

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Co-Personal Representative of the
Estate of Elizabeth Neyman, deceased.

Jolene Northcott
JOLENE NORTHCOTT

Co-Personal Representative of the
Estate of Elizabeth Neyman, deceased.

Co-Personal Representative of the
Estate of Elizabeth Neyman, deceased.

Deborah Broadie
DEBORAH BROADIE

Co-Personal Representative of the
Estate of Elizabeth Neyman, deceased.

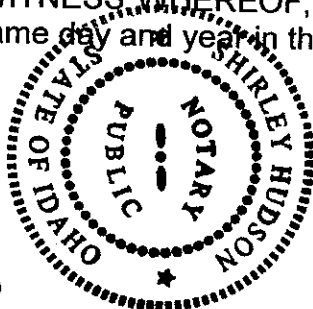
STATE OF IDAHO

County of Twin Falls

)
) ss.
)

On this 26th day of August, 2003, before me, the undersigned, a notary public in and for said county and state, personally appeared MARY MAY POTTER, known to me to be the person whose name is subscribed to the foregoing instrument as personal representative and acknowledged to me that she executed the same as personal representative.

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



Shirley Hudson
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl Idaho
My Commission Expires: 8-26-05

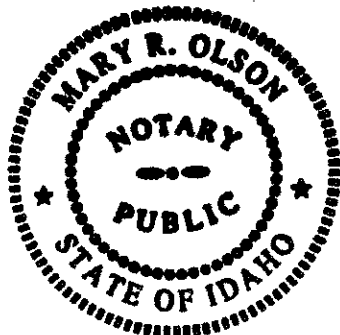
STATE OF IDAHO

County of Twin Falls

)
) ss.
)

On this 5th day of September, 2003, before me, the undersigned, a notary public in and for said county and state, personally appeared ELIZABETH ANN STUHLBERG, known to me to be the person whose name is subscribed to the foregoing instrument as personal representative and acknowledged to me that she executed the same as personal representative.

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



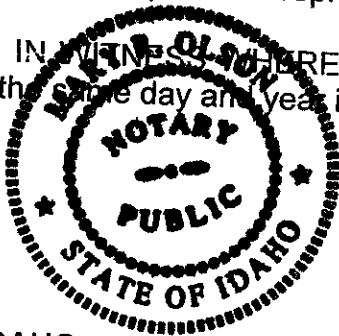
Mary R. Olson
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, ID
My Commission Expires: 08/13/2009

Copy

STATE OF IDAHO)
County of Twin Falls) ss.

On this 5th day of September, 2003, before me, the undersigned, a notary public in and for said county and state, personally appeared JOLENE NORTHCOTT, known to me to be the person whose name is subscribed to the foregoing instrument as personal representative and acknowledged to me that she executed the same as personal representative.

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

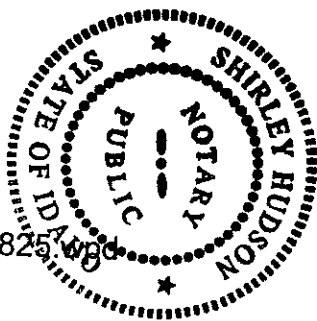


Mary R. Olson
NOTARY PUBLIC FOR IDAHO
Residing at: Twin Falls, ID
My Commission Expires: 08/13/2009

STATE OF IDAHO)
County of Twin Falls) ss.

On this 23rd day of September, 2003, before me, the undersigned, a notary public in and for said county and state, personally appeared DEBORAH BROADIE, known to me to be the person whose name is subscribed to the foregoing instrument as personal representative and acknowledged to me that she executed the same as personal representative.

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



Shirley Hudson
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl Idaho
My Commission Expires: 8-26-05

Neyman\PRD030825.wpd

291571
CLERK OF COURT, IDAHO
LARRY A. JOHNSON
RECORDER
FEE 9.00 DEPUTY LM
'03 SEP 25 AM 10 17
RECORDED AT THE REQUEST OF
Deborah Broadie
K4 Bat 389
Twin Falls, ID