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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

Ident. Number: A29-04269
Date Received: 5/01/1990
Receipt No: E 013914
Received By: HWA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOME ACRES WATER ASSN. 208-237-0155
Address: 1734 COTTAGE AVE.
POCATELLO, ID 83201

2. Date of Priority: SEP 01, 1945

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	34E	16	SE	NW			BANNOCK

5. Description of diverting works:
WELL, PUMP & LINES TO 5 HOMES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.100		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/2 HORSES, D/5 HOMES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	34E	16	SE	NW		STOCK	
			SE	NW		DOMEST	

A29-04269

Page 1

Date: 05/01/90

32x10

25x10

32x10

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11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
FT. HALL IRRIG. SHARES

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 X 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): *James P. Blay* Date: 5-1-90
SECH Date:

State of Idaho)
County of Bonville) SS.

Subscribed and sworn (or affirmed) before me this 1st day

of May 19 90

Seal

Betty J. Thompson
Notary Public

Residing at BETTY J. THOMPSON, NOTARY PUBLIC
RESIDING AT 100 FALLS, IDAHO
My Commission Expires 6-30-94

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(8) Remarks



State of Idaho

County of Bennett

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 7th day of May, 1982

Samuel [Signature]
(Claimant)

32x1

25x1

32x1

POOR ORIGINAL

MILTON E. ZENER
ATTORNEYMILTON E. ZENER
ATTORNEY AT LAW
POBATELLO, IDAHO

TRUST AGREEMENT.

THIS AGREEMENT, made and entered into this First day of September, 1938, by and between Joseph E. Foxall and Lydia Caroline Foxall, his wife, and Lorin J. Hatch and Leatha Hatch, his wife, and P. L. Dayley and Bessie Dayley, his wife, William L. Clesie and Mary Ann Clesie, his wife, Emory J. Ward and Wanda Lee Ward, his wife, Merrill W. Hammond and Sarah Hammond, his wife, M. M. Parkinson and Edna Parkinson, his wife, Irene M. Brady, a widow, Hildreth P. Anderson and Esther Anderson, his wife, W. O. Rhodes and Elizabeth Rhodes, his wife, Alvin Schiess, Margaret M. Lee, a widow, Joseph Dunn and _____ Dunn, his wife, and E. F. Brookman and Corinne Brookman, his wife,

WITNESSETH:

WHEREAS, All parties to this agreement are owners of certain tracts of land hereinafter fully described, and located in First Addition to Home Acres Subdivision as the same is shown on the recorded plat thereof filed and of record in the office of the County Recorder of Bannock County, State of Idaho. That all of the property owned and occupied by the parties hereto formerly belonged to Irene M. Brady, and is now being sold on contract to the parties to this agreement. That in connection with the development of the Subdivision herein referred to, there was installed a water system, consisting generally of a well, pump and connecting pipes running to all of the property hereinafter described, which said water system was installed by the said Irene M. Brady, the well and pump used in connection with said water system being located within said Subdivision upon land particularly described as follows, to-wit:

Beginning at the southeast corner of Lot One (1) Block One (1), of the First Addition to Home Acres Subdivision, the same as is platted on the official plat thereof on file in the office of the County Recorder, Bannock County, State of Idaho, running thence north along the east line of said Lot One (1)

POOR ORIGINAL

ALFONSO M. GENE
DIVISION OF LAND
POBATELLA, IDAHO

1 for a distance of fifteen (15) feet; thence at right
2 angles west for a distance of fifteen (15) feet;
3 thence at right angles south for a distance of fifteen
4 (15) feet to the south line of said Lot One (1);
5 thence at right angles east along the said south line
6 of said Lot One (1) for a distance of fifteen (15)
7 feet to the place of beginning, the same including
8 what is known as the pumping plant used for culinary
9 water purposes on said First Addition to Home Acres
10 Subdivision.

11 Prior to the making of this agreement, the said Irene M.
12 conveyed all of her right, title and interest in and
13 to the above described land, together with the well, pumping
14 plant, pipes and other appurtenances of said water system to
15 Norman, Myrtle M. Hammond and Mildred P. Hammond
16 as trustees for the use and benefit of the persons named
17 in this agreement and for the use and benefit of the
18 said coparties and being purchased by the said parties as here-
19 in after described, it being the intention of the said Irene M.
20 and all parties to this agreement that the right in and
21 to the said water system should be appurtenant to the land
22 and properties hereinafter described, and should not constitute
23 an encumbrance on the property of the individuals named in this
24 agreement or the trustees named in said deed, except for the
25 purposes hereinafter expressed, and that all rights to said
26 water system should go with and follow the title to the real
27 property hereinafter described in whomever title shall in the
28 future vest; and

29 WHEREAS, it is the desire of the parties to this
30 agreement to nominate and appoint the above named trustees to
31 act for them in the management and control of said water system,
32 and to make arrangements for the proper maintenance and manage-
33 ment of said water system;

34 NOW, THEREFORE, for and in consideration of the
35 mutual promises and agreements herein expressed by and between
36 the parties hereto, it IS AGREED that the parties to this
37 agreement hereby nominate and appoint as trustees for the