

12/29/2000

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

RIGHT NUMBER: 31-10496

NAME AND ADDRESS: MYRA CONNOLLEY
2099 N OLD BUTTE HWY
HAMER, ID 83425

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
2,500 GALLONS PER DAY.

PRIORITY DATE: 09/01/1948

POINT OF DIVERSION: T07N R36E S22 NWNE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	1-01 12-31	0.04 CFS
DOMESTIC	1-01 12-31	0.04 CFS

PLACE OF USE:

COMMERCIAL Within JEFFERSON
County
T07N R36E S22 NWNE
DOMESTIC Within JEFFERSON County
T07N R36E S22 NWNE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10496

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MYRA CONNOLLEY 2099 N OLD BUTTE HWY HAMER, ID 83425
Original Owner	AVIS SANDERS 705 SOUTH SKYLINE NO 2 IDAHO FALLS, ID 83402 (208)522-2023
Original Owner	COLLEEN GEORGE
Original Owner	JOHN PEARSON C/O CORNER BAR CAFE 2099 N BUTTE HWY HAMER, ID 83425 (208)662-5253

Priority Date: 09/01/1948
Basis: Beneficial Use
Status: Valid

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
COMMERCIAL	1/01	12/31	0.04 CFS		
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.04 CFS		

Location of Point(s) of Diversion:

GROUND WATER NWNWNE Sec. 22 Township 07N Range 36E JEFFERSON County

Place(s) of use:

Place of Use Legal Description: COMMERCIAL JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	22		NWNE										

Place of Use Legal Description: DOMESTIC JEFFERSON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
07N	36E	22		NWNE										

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N06 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 2,500 GALLONS PER DAY.
3. 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.

Comments:

Author	Date	Subject	Comment
csaxton	12/29/00	POD AND POU	POD and POU legal description is claimed in the NWNW. Actual location of POD and POU is NWNE. Map provided by claimant shows POD and POU location in NWNE. Based on the map provided by the claimant, I did not request and amended claim to fix the claimed legal.

Dates:

Licensed Date:
 Claim Received Date: 11/23/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Decreed Date:
 Date Filed with Court:
 Objection Filed Date:
 SF5 Filed:
 Special Master Recom Signed Date:

Element Reviewed/Verified Dates:

Element	Last Review Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	12/29/00 11:24:15 AM	csaxton			In Process
Summary	12/29/00 11:44:48 AM		12/29/00 11:44:48 AM	csaxton	Complete

Other Information:

Receipt Number(s):
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:
 Civil Case Number:
 Old Case Number:
 Decree Plaintiff:
 Decree Defendant:
 PresumptionFlag:
 Notice of Error Flag:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Cary Act Number:
 Mitigation Plan: False

Verification Log:

Element	Date Time Stamp	Reviewer	Log Text
Contacts	12/29/00 11:24:14 AM	csaxton	1. Appointment has not been scheduled. Comment for 1: DESKTOP REVIEW Edited point location
POD	12/29/00 11:31:59 AM	csaxton	1. (YES) The basis of the claim is beneficial use.
Summary	12/29/00 11:44:46 AM	csaxton	2. (YES) All the water being used for all the purposes is being claimed and to the extent it was claimed. 5. (NO) General remark was not required. 6. (NO) Explanatory remark was not required. 7. (YES) Additional condition was required. 8. (YES) Wanted to view the recommended right. 9. (NO) This is not a split right. 10. (NO) This is not a combined right. 11. (NO) Documents were not linked or attached to this file. 12. (YES) Set the verification date.

IN THE DISTRICT COURT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TETON

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER OF
THE SNAKE RIVER BASIN WATER

CIVIL CASE NUMBER: 39576

NOTICE TO APPEAR AND ANSWER
TO THE COMPLAINT

1. Name of Claimant(s)

MYRA CONNOLLEY Phone:

2099 N OLD BUTTE HWY
HAMER ID USA 83425

2. Date of Priority: 09/01/1948

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
07N	36E	22	NW NW	JEFFERSON

5. Description of diverting works:

WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A.
COMMERCIAL	1/01	12/31	0.04	
DOMESTIC	1/01	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
07N	36E	22	NW NW	DOMESTIC	
			NW NW	COMMERCIAL	

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

THIS WATER RIGHT DOES NOT USE MORE THAN 2500 GALLONS PER DAY

NAME CHANGED PER NOTICE OF CHANGE OF OWNERSHIP 9/29/2000. SEE FILE FOR NOTES ABOUT CHAIN OF TITLE. BCONTOR.

15. Basis of Claim: 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: **A31-10496**
Date Received: 11/23/1988
Receipt No: E004351
Received By: _____

AMENDED

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

AMENDED

1. Name: JOHN PEARSON 208-662-5253
Address: C/O CORNER BAR CAFE
2099 N BUTTE HWY
HAMER ID 83425

AND/OR

Name: COLLEEN GEORGE 208-662-5253
Address: C/O CORNER BAR CAFE
2099 N BUTTE HWY
HAMER ID 83425

2. Date of Priority: SEP 1, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07N	36E	22	NW	NW			JEFFERSON

5. Description of diverting works:
WELL & PUMP

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		
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME, COMMERCIAL - STORE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	22	NW	NW		DOMEST	
			NW	NW		COMMER	

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS WATER RIGHT DOES NOT USE MORE THAN 2500 GALLONS PER DAY.

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 Individuals:

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

Signature of Claimant(s): [Signature] Date: 4-9-93

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of April 19 93

Betty J. Thompson
Notary Public

Seal

Residing at BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires RESIDING AT IDAHO FALLS, IDAHO
MY COMMISSION EXPIRES: 6-30-94

MICROFILMED

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: A31-10496
Date Received: 11/23/1988
Receipt No: E004351
Received By: S.A.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: AVIS SANDERS 208-522-2023
Address: 705 SOUTH SKYLINE NO. 2
IDAHO FALLS, ID 83402

2. Date of Priority: SEP 01, 1948

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	36E	22	NW	NW	NW		JEFFERS

5. Description of diverting works:
WELL & PUMP

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		
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC - 1 HOME, COMMERCIAL - STORE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	36E	22	NW	NW		DOMEST	
			NW	NW		COMMER	

A31-10496

Page 1

Date: 11/23/88

MICROFILMED

NOV 17 1992



11. Place of use in counties: JEFFERSON

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

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: -1-

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): _____ Date: _____

Mrs Sanders

Date: 11-23-88

State of Idaho)
County of Banner Mts) SS.

Subscribed and sworn (or affirmed) before me this 23 day

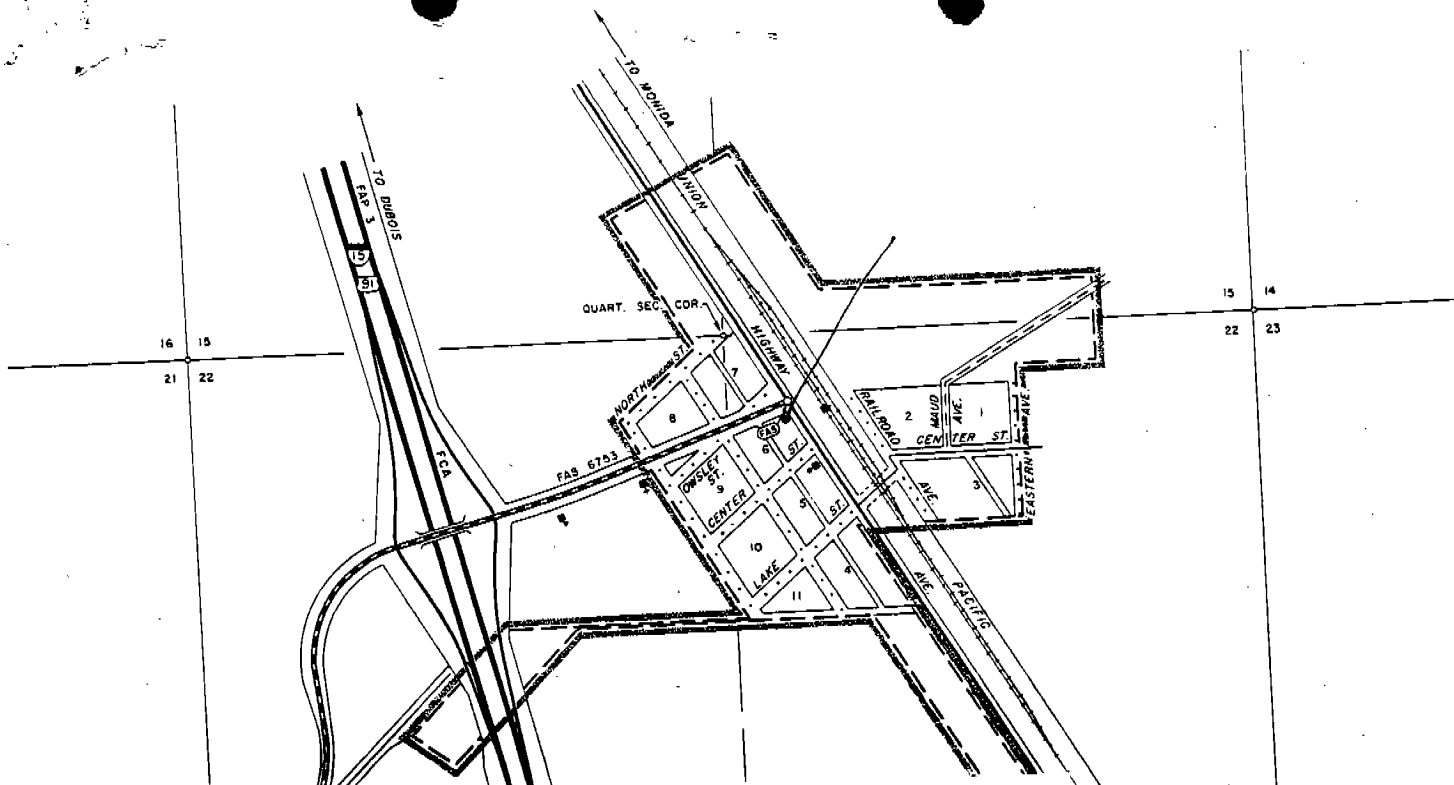
of Nov 19 88

Betty J Thompson
Notary Public

Seal

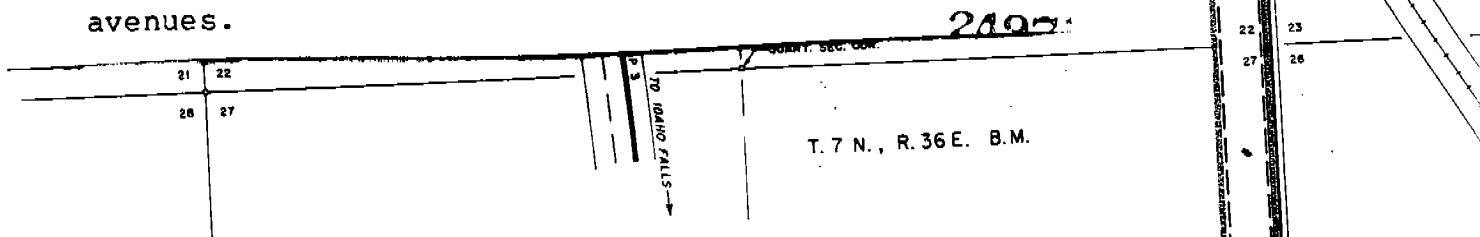
Residing at Idaho Falls

My Commission Expires 6/30/1994



Lots 3 and 4 in Block 6 of the City of Hamer, Jefferson County, Idaho, according to the duly recorded plat thereof.

ALSO: Beginning at the Northwestern Corner of Lot 3, Block 6, Townsite of Hamer; thence 10 feet along the North line of said Lot 3 extended Southwesterly; thence Southeasterly parallel with the Westerly line of Lot 3 and 4 of Block 6, Hamer Townsite, 50 feet; thence Northeasterly 10 feet to the Southwest corner of said Lot 4; thence Northwesternly along the West line of said Lots 3 and 4, 50 feet to the Point of Beginning. Said property acquired by that certain Ordinance No. 5, given by the City of Hamer, abandoning city streets and avenues.



LEGEND

STREETS FORMING URBAN EXTENSIONS OF
FEDERAL-AID, PRIMARY STATE AND U.S. ROUTES

- UNIMPROVED
- GRADED AND DRAINED
- GRAVEL OR STONE
- BITUMINOUS SURFACED-LOW TYPE
- PAVED STREET

OTHER CITY STREETS

- PAVED OR SURFACE TREATED
- SURFACED-(non dustless)
- UNIMPROVED

MICROFILMED

NOV 7 1992

AB1-10496



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

October 6, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MYRA CONOLLEY
2099 N OLD BUTTE HWY
HAMER ID 83425

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 31-10496

Dear Ms. Connolley:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

To: Change of Ownership A31-10496
Fr: Bryce Contor
Date: 9/27/2000

Re: Deed/Probate

The AJ claim is in the name of Colleen George and John Pearson. The Deed is from Randy L. Johnson to Myra Connolley.

I called Myra Connolley requesting completion of the chain of title, from George and Pearson to Johnson. She said George and Pearson are Johnson's deceased parents.

She is not sure it is worth the hassle. This is a de-minimus domestic (under 2,500 gallons per day for commercial and domestic uses) and therefore deferrable.

She will try to contact Johnson. He may call collect here; he lives in Post Falls, Idaho.

9/98/00

Ms. Johnson called Jennifer. It is unlikely Johnson will be willing to provide additional documentation. Inasmuch as this is a deferrable, de-minimus claim, and the objection, ~~seems~~ offers due process, if George & Pearson had conveyed the property to Johnson w/o the WR, I will proceed w A ownership.

B. Contor

DE LOG
BC/6-7-00OK
Bac
9/28/00
RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

JUN 05 2000
Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A31-10496 (Bac)
Adjudication Claim No(s): _____
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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim 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 COLLEEN George (Deceased)
2099 N. Old Butte Hwy.
4. New Owner/Claimant(s) Myra Connolly Hamer Ed - 83425
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 2099 N. Old Butte Hwy.
City, State and ZIP Code Hamer Id 83425
New Telephone Number 808 662-5253
5. Date you acquired the property Dec. 14 1994
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) Myra Connolly President

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

For Value Received **RANDY L. JOHNSON**, as his sole and separate property

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

MYRA CONNOLLEY, a married woman

whose address is: 1080 E. 1500 N. #6, TERRETON, ID, 83450

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

Lots 3 and 4, Block 6, of the City of Hamer, Jefferson County, Idaho, according to the recorded plat thereof.

ALSO: Beginning at the Northwesterly Corner of Lot 3, Block 6, TOWNSITE OF HAMER; thence 10 feet along the North line of said Lot 3 extended Southwesterly; thence Southeasterly parallel with the Westerly line of Lot 3 and 4 of Block 6, HAMER TOWNSITE, 50 feet; thence Northeasterly 10 feet to the Southwest corner of said Lot 4; thence Northwesterly along the West line of said Lots 3 and 4, 50 feet to the Point of Beginning. Said property acquired by that certain Ordinance No. 5 given by the City of Hamer, abandoning city streets and avenues.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantor's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner 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 Grantor will warrant and defend the same from all claims whatsoever.

Dated: DECEMBER 14, 1994

Randy L. Johnson
RANDY L. JOHNSON

STATE OF IDAHO Washington
COUNTY OF Spokane

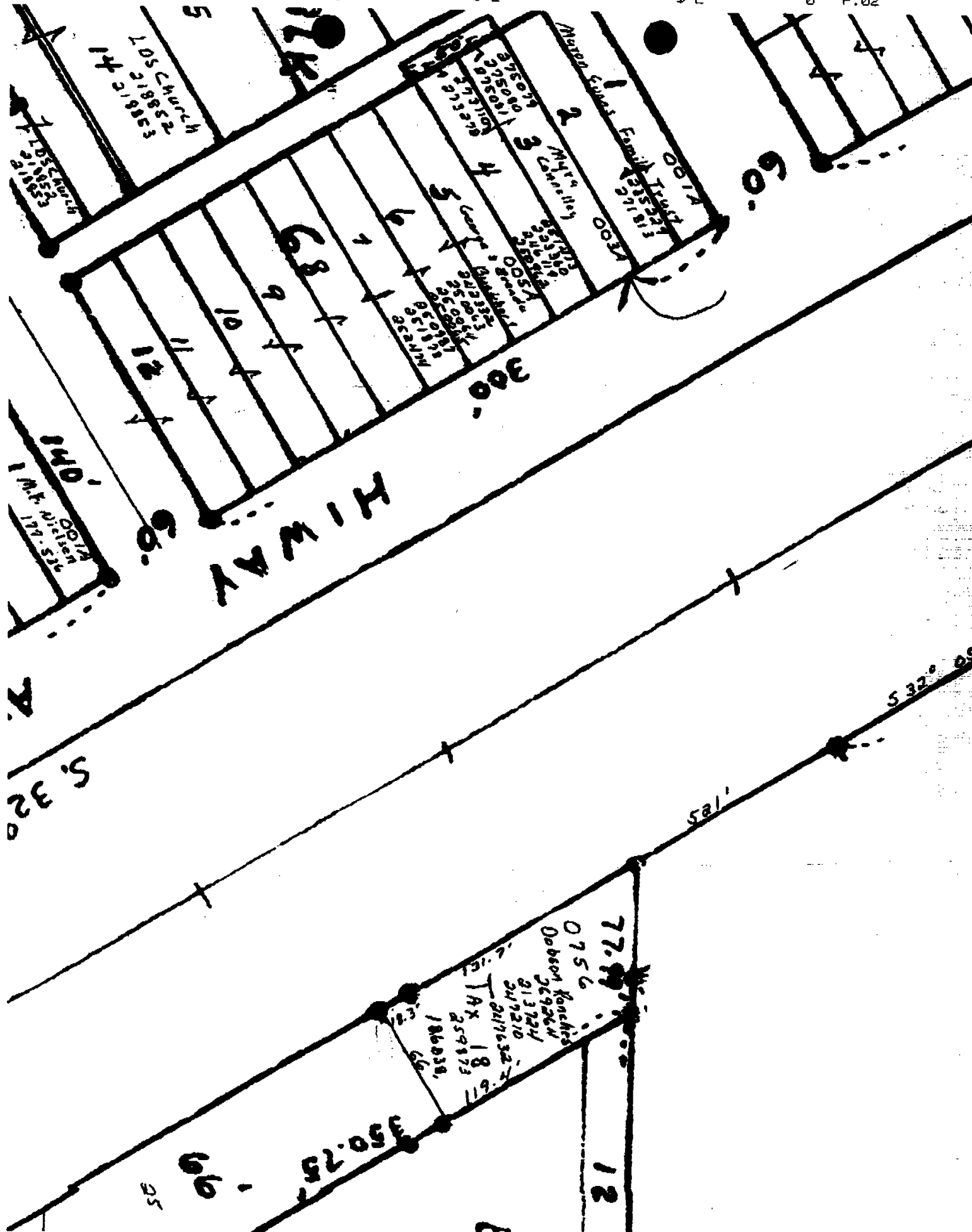
On this 16 day of DECEMBER, in the year 1994, before me, a Notary Public in and for said State, personally appeared **RANDY L. JOHNSON**, known or identified to me to be the person(s) whose name(s) is subscribed to the within Instrument, and acknowledged to me that he executed the same.

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

Instrument No. 275081
do. Per December 14 1994
A 329 O'Clock P.M.
By CONNIE M. KELLER
Interpacer Co., Recorder
Fee \$ 3.00 ss Deputy
Recorded at Request of John

Carroll L. Gage
Notary Public

Residing at: Spokane, WA
Commission Expires: 2-1-95





NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) Assigned by IDWR: 10496
A31- ~~10496~~
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): AVIS SANDERS
705 S SKYLINE #2
IDAHO FALLS ID 83402
- ☐ New Owner/Claimant (Purchaser): ~~JOHN PEARSON~~ Colleen George
- ☐ New Mailing Address: C/O CORNER BAR CAFE
HAMER ID 83425
- ☐ New Telephone Number: () 662-5253
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Warranty Deed
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) Colleen George Date _____
- ☐ Signature of Former Owner/Claimant(s) _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

MICROFILMED

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

APR 4 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FEBRUARY 12, 1993

Pearson
JOHN PIERCE
C/O CORNER BAR CAFE
HAMER ID 83425

RE: CHANGE IN OWNERSHIP FOR A31-10496

Dear Mr. Pierce:

The Department of Water Resources sent a letter to the former owner of your property, Mrs. Avis Sanders. Mrs. Sanders told me she sold the property to you about 12 years ago. A copy of the letter we sent to her is enclosed. Since you are now the owner of this property, it is your responsibility to carry out the requirements stated in the enclosed letter in order to protect your water rights.

Also enclosed is a Change in Ownership form. This form is used by our office when a person owning a water right sells the property to someone else. I have entered some of the information; some you must enter. This form must be accompanied by a Warranty Deed showing you as the new owner.

Please return the Change in Ownership form as soon as possible so that we may change our records to show you as the owner of this property and the water right appurtenant to the property.

Please do not disregard the enclosed letter on "Evidence of Priority" for this water right on your property.

If you have any questions, please do not hesitate to call 525-7161 and ask for me.

Respectfully submitted,

Jo Thompson

Jo Thompson
Adjudications Secretary

Enclosure: Evidence of Priority Letter
Change in Ownership Form

4-9-93

Mr. Pearson came into this office & we changed the ownership. also Item 7 was changed to .04 & in remarks "Does not use more than 2500 GPD". No EOP necessary now!
Jo

MICROFILMED

APR 14 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7161

POOR ORIGINAL

EASTERN REGION

FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RE: EVIDENCE OF PRIORITY

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

EVIDENCE OF PRIORITY

Page - 2 -

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on "Evidence of Priority"
Proof Report

Other Water Right Numbers Needing Evidence of Priority

MICROFILMED

APR 14 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

FEBRUARY 9, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

*

RE: EVIDENCE OF PRIORITY

A31- 10496

Dear Claimant(s):

The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

MICROFILMED

APR 14 1994

POOR ORIGINAL

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

The Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.

Please submit the required evidence supporting the priority date by MARCH 9, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted.



Eric Verner
Senior Water Agent

EV:jt

Enclosure: Brochure on
Proof Repoi

Other Water Right Num

4-9-93

claim was
amended in Item
7 # 14 - Name changed
to New owner - no letter
needed on EOP - Chgd
EOP Book - No letter
needed to mail on
change ownership

APR 14 1994

POOR ORIGINAL

COPY

WARRANTY DEED

Microfilm No. 673-633
3 Day March 19 89
At 215 O'Clock PM
TAMRA K. SMITH
Jefferson Co. Recorder
Fee \$ 6.00 SK Deputy
Recorded at Request of
First American Title

THIS INDENTURE, made this 1ST day of MARCH, 1989, between AVIS SANDERS, a single woman of 705 South Skyline, Idaho Falls, Bonneville County, Idaho, Party of the First Part, and JOHN PEARSON, a single man, as his sole and separate property and COLLEEN GEORGE, a single woman, as her sole and separate property, both of 2075 North Old Butte Highway, Hamer, Idaho 83425, Parties of the Second Part.

WITNESSETH, that the said Party of the First Part, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00), lawful money of the United States of America and other good and valuable consideration, to Party of the First Part in hand paid by the Parties of the Second Part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, and by these presents does grant, bargain, sell and convey and confirm unto the said Parties of the Second Part, and to Parties of the Second Part's heirs and assigns, forever, all of the following real estate situated in Jefferson County, Idaho, to-wit:

Lots 3 and 4 in Block 6 of the City of Hamer, Jefferson County, Idaho, according to the duly recorded plat thereof.

ALSO: Beginning at the Northwestern Corner of Lot 3, Block 6, Townsite of Hamer; thence 10 feet along the North line of said Lot 3 extended Southwesterly; thence Southeasterly parallel with the Westerly line of Lot 3 and 4 of Block 6, Hamer Townsite, 50 feet; thence Northeasterly 10 feet to the Southwest corner of said Lot 4; thence Northwesternly along the West line of said Lots 3 and 4, 50 feet to the Point of Beginning. Said property acquired by that certain Ordinance No. 5, given by the City of Hamer, abandoning city streets and avenues.

SUBJECT TO all existing easements and rights-of-way, covenants, restrictions, reservations, applicable building and zoning ordinances, use regulations and restrictions, and accruing taxes.

TOGETHER with and all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said Party of the First Part.

MICROFILMED RECEIVED BY

APR 14 1989

1 - WARRANTY DEED

ASSESSOR

For PLATTING

Date 3-3-89 Time 3:58

POOR ORIGINAL

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the Parties of the Second Part, and to Parties of the Second Part's heirs and assigns forever. And the said Party of the First Part, and said Party of the First Part's heirs shall and will warrant and by these presents forever defend the said premises in the quiet and peaceable possession of the said Parties of the Second Part, and Parties of the Second Part's heirs and assigns, against the said Party of the First Part, and Party of the First Part's heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same.

In construing this deed and where the context so requires, the singular includes the plural.

IN WITNESS WHEREOF, the said Party of the First Part hereunto has set her hand.

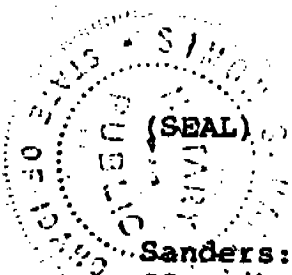
Avis Sanders
Avis Sanders

STATE OF IDAHO)
) ss.
County of Bonneville)

On this 1ST day of MARCH, in the year 1989, before me, Simon S. Martin, an Idaho notary public, personally appeared AVIS SANDERS, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

[Signature]
Notary Public for Idaho
Residing at Idaho Falls, Idaho
My commission expires 6-7-92



Sanders:7992
SSM:njh:89-032
8313h