

DELOG
AR
2/9/05

RECEIVED
FEB 08 2005

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.

Department of Water Resources
Eastern Region

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, 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
<u>A22-10649</u>	<u>39576</u>				

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) are 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) Cleo Kirkham
Blanche Kirkham
4. New Owner/Claimant(s) Cary L Curtis and Brett B. Curtis
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 97 N. Hwy 33
- City, State and ZIP Code Driggs, Id 83422
- New Telephone Number (208) 354-2534
5. Date you acquired the property Feb 5, 1991

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	0.800 CFS	_____
Stock	0.020 CFS	_____
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)

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

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: A22-10649
Date Received: 8/04/1988
Receipt No: E001077
Received By: SAV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLEO KIRKHAM 208-356-6675
Address: 162 W. 9000 S.
REXBURG, ID 83440
OR
Name: BLANCHE KIRKHAM 208-356-6675
Address: 162 W. 9000 S.
REXBURG, ID 83440



2. Date of Priority: APR 01, 1968

3. Source: SPRINGS Trib. to: UNNAMED STREAM

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	45E	27	NE	NE	NW		TETON
			SE	NE	NW		TETON

5. Description of diverting works:
SPRINGS RISE ON PROPERTY/DRAIN DITCHES USED TO IRR. PASTURE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	04/15	10/15	0.800	
STOCKWATER	04/15	10/15	0.020	

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

8. Total consumptive use is 80.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 40 HEAD OF RANGE CATTLE

A22-10649

Page 1

Date: 08/04/88

MICROFILMED

NOV 05 1992

July 23, 2004

To whom it may concern:

My husband and I established the ditches on the following property: Township 5 North, Range 45 East, Section 27, NE 1/4, NW 1/4 in Teton County. The ditches were established in 1968 for the purpose of irrigating the pasture and providing water for livestock. Water rights were filed on 8/04/1988; id # A22-10649 and Receipt # E001077.

A handwritten signature in cursive script, reading "Blanche Kirkham". The signature is written in dark ink and is positioned above the printed name.

Blanche Kirkham

TETON Co. Id.
Clerk Recorder

WARRANTY DEED

For Value Received

CLEO KIRKHAM AND BLANCHE KIRKHAM, husband and wife

the grantors, do hereby grant, bargain, sell, and convey unto

CARY L. CURTIS AND BRETT B. CURTIS, both single men
97 North Highway 33
Driggs, Idaho 83422

the grantees, the following described premises, to-wit:

TOWNSHIP 5 NORTH, RANGE 45 EAST, BOISE MERIDIAN, TETON COUNTY, IDAHO.

Section 27: NE1/4NW1/4

TOGETHER with all Oil and Mineral rights now owned by Grantor.

AND TOGETHER with all appurtenant Water Rights.

Subject to reservations in United States and State Patents; existing and recorded Right-of-ways, Easements, Zoning, Building and Subdivision ordinances; Taxes and Assessments as prorated between the parties hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: Feb. 5, 1991

Cleo Kirkham
Cleo Kirkham

Blanche Kirkham
Blanche Kirkham

STATE OF IDAHO,
COUNTY OF Madison

On this 5th day of Feb. 1991 before me, a notary public in and for said State, personally appeared

Cleo Kirkham and Blanche Kirkham, husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Marlene J. Lyle
Notary Public
Residing at *Driggs*, Idaho
Comm. Expires. *3/24/94*

107479

FILED

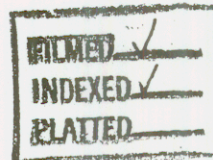
AT THE REQUEST OF

Julina Curtis
AT 05 MINUTES PAST 3 P. M.

DATE *Feb. 6, 1991*

Asa J. Drake
CLERK OF RECORDER

BY *Rora Hill*
DEPUTY



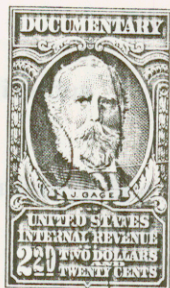
THIS INDENTURE, Made this 4th day of May
in the year of our Lord one thousand nine hundred and Sixty-seven, between

D. M. BALER & ELLA V. BALER, his wife,
of Tetonia, County of Teton, State of Idaho
the parties of the first part, and

CLEO KIRKHAM & BLANCHE KIRKHAM, his wife,
of Thornton, County of Madison, State of Idaho
the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
One Dollar and other valuable consideration ----- DOLLARS,
lawful money of the United States of America,
to them in hand paid by the said
parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
of the second part, and to their heirs and assigns forever, all of the following described real estate,
situated in, County of Teton, State of Idaho, to-wit:

The Northeast Quarter of the Northwest
Quarter of Section 27, Township 5 North, Range
45 E.B.M., together with all water rights of
every kind and nature thereunto belonging or
in anywise appertaining.



TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto
belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, 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 parties of the first part.

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 their heirs and assigns forever,
and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable
possession of the said parties of the second part, their heirs and assigns, against the said parties
of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

THIS INSTRUMENT Made the 4th day of May, 1967, in the year of our Lord one thousand nine hundred and sixty-seven between D. M. Baler & ELLA V. Baler, his wife, State of Idaho Teton County of the first part and the parties of the first part and

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

_____ } D. M. Baler [Seal]
_____ } Ella V. Baler [Seal]
_____ } [Seal]
_____ } [Seal]

STATE OF IDAHO,

ss.

COUNTY OF Madison.

On this 4th day of May in the year 1967, before me the undersigned, a Notary Public

in and for said State, personally appeared

D. M. BALER & ELLA V. BALER, his wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Mary Smith

Notary Public for the State of Idaho,
Residing at Rexburg, Idaho.

FILMED

INDEXED ✓✓✓

PLATTED No. 64654

WARRANTY DEED

D. M. BALER

et ux

— TO —

CLEO KIRKHAM

et ux

Dated May 4, 1967

STATE OF IDAHO,

COUNTY OF TETON } ss.

I hereby certify that this instrument was filed for record at request of

D. M. Baler

at 55 minutes past 3

o'clock P. M., this 5th day

of May 1967, A. D. 1967

in my office, and duly recorded in Book

of 111 page

By William D. Dayley

Ex-Officio Recorder.

Duty.

Fees, \$ 1.50

Mail to Cleo Kirkham

Hammond, Idaho