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Documents
In File

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: **A57-10820**
Date Received: 3/17/1989
Receipt No: C005887
Received By: _____

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

1. Name: JEFF HAYLETT 208-337-3820
Address: RT 1 BOX 1087
HOMEDALE ID 83628

2. Date of Priority: JAN 10, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	16		NW	NE		OWYHEE

5. Description of diverting works:
WELL

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		

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:
D/1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	16	NW	NE		DOMEST	

11. Place of use in counties: OWYHEE

OCT 8 6 1992

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

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGE OF OWNERSHIP PROCESSED 11-13-91 RMC.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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A57-10820

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NOV 13 1991



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

Department of Water Resources

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: _____

☐ Name and Address of Former Owner/Claimant(s)(Seller): NORMA E HINGTON

RT 1 BOX 1289
HOMEDALE ID 83628

☐ New Owner/Claimant (Purchaser): JEFF HAYLETT

☐ New Mailing Address: RT 1 BOX 1087
HOMEDALE ID 83628

☐ New Telephone Number: (208) 337-3820

☐ 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: _____

(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) Jeff Haylett Date 11-8-91

Date _____

☐ Signature of Former Owner/Claimant(s): _____ Date _____

Date _____

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

#57-10820

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11-13-91 By: RM

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

copy

DEED OF TRUST

THIS DEED OF TRUST, made this 23rd day of March, 1989, between JEFF HAYLETT and MARCIA HAYLETT, husband and wife, hereinafter called GRANTORS, of Homedale, Owyhee County, Idaho, IHLLI TITLE & ESCROW COMPANY, an Idaho corporation, herein called TRUSTEE, whose address is 210 Basey Street, Murphy, Idaho 83650, and NORMA ETHINGTON, a widow, herein called BENEFICIARY, of Homedale, Owyhee County, Idaho.

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of Owyhee, State of Idaho, described as follows, and containing not more than twenty (20) acres:

This parcel is a portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, Township 3 North, Range 5 West of the Boise Meridian and is more particularly described as follows: Beginning at the Northwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$; Thence South 89°53'00" East along the northerly boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 365.29 feet; Thence South 0°01'44" East parallel with the westerly boundary of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ a distance of 596.24 feet; Thence North 89°53'00" West parallel with said northerly boundary a distance of 365.29 feet to a point on the said westerly boundary; Thence North 0°01'44" West along said westerly boundary a distance of 596.24 feet to the POINT OF BEGINNING. This parcel contains 5.00 acres and is subject to a county road right-of-way along the northerly boundary.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to

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FILE IN AS7-10820 *CP*

AS7-10817, 10818, 10819, 10820
4/16 SW 4/16 SW 4/16 SW 3/16 SW
S. 31 S. 31 S. 31 S. 16

AGREEMENT FOR SALE OF REAL ESTATE

THIS AGREEMENT, made and entered into this 22nd day of February, 1989, by and between NORMA L. ETHINGTON, a widow, hereinafter referred to as Seller, and JEFF HAYLETT and MARCIA HAYLETT, husband and wife, hereinafter referred to as Buyers.

W I T N E S S E T H

In consideration of the mutual covenants and agreements hereinafter contained, Seller agrees to sell and Buyers agree to buy that certain parcel of real property, together with its improvements and fixtures, situated in Owyhee County, Idaho, and more particularly described as follows, to-wit:

IN TOWNSHIP 3 NORTH, RANGE 5 WEST, B.M. OWYHEE COUNTY, IDAHO, Section 16: NW $\frac{1}{4}$ NE $\frac{1}{4}$ Less the following described parcel: Commencing at the Northeast corner of Sec. 16, T3N, R5W, B.M., thence South 89°43' West 1295.4 feet along the North line of said Section 16, to the Northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 16, the REAL POINT OF BEGINNING; thence South 0°21' East 437.41 feet along the East line of the said NW $\frac{1}{4}$ NE $\frac{1}{4}$; thence North 59°42' West 859.70 feet, to a point in the North line of said Sec. 16; thence North 89°43' East 739.6 feet along the said North line to the REAL POINT OF BEGINNING.

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BUYERS COPY

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: A57-10820
Date Received: 1/19/1989
Receipt No: C005887
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORMA ETHINGTON 208-337-3440
Address: RT 1, BOX 1289
HOMEDALE, ID 83628

2. Date of Priority: JAN 10, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	05W	16	NW	NE			OWYHEE

5. Description of diverting works:
WELL

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		

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:
D/1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	05W	16	NW	NE		DOMEST	

11. Place of use in counties: OWYHEE

A57-10820

Page 1

Date: 11/21/89

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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: _____

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: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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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 FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. A57-10820Date Received 11-14-89 CAReceipt Number C005887NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day

RECEIVED

JAN 19 1989

Department of Water Resources

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Norma Ethington Phone (208) 337-3440Mailing Address Rt 1 Bx 1289 Homedale, Idaho Zip 836282. Date of Priority (Only one per claim) 1940, Jan 10 Month/Day/Year3. Source of water supply (Check one) () Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 3 W Range 5 WSection 16, NW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.,County of Owyhee

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Well

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Jan 1st to Dec 31st amount .04 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic 1 house

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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

10. Place of use is: Township: 3 N Range 5 W

Section 16, NW 1/4 of NE 1/4, Govt. Lot _____, B.M.,

County of Oneida for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Oneida

12. Do you own the property listed above as place of use? Yes No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. None (✓)

14. Remarks: ~~Adverse~~ 7 & E.

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) E. Allen Ethington Date 1-18-89
Norma Ethington Date 11-14-89

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
document in the space below as _____ of _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14th day of November 19 89
Norma Ethington only

SEAL

Notary Public Carter Fritschle

Residing at Carter Fritschle, Notary Public

My Commission Expires Residing at Eagle, Idaho

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

DATE RECEIVED 1-19-89

CK # 2427

AMOUNT \$ 100.00

YES

NO

1. Is the name and address complete with zip code? ☒ YES ☐ NO
2. Is a priority date entered? ☒ YES ☒ NO
- Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued?
A Permit is required: (1) for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd), or (2) for surface water developed after May 20, 1971 (except for instream stockwater). USE CARE IF CLAIM IS RETURNED. REFER TO ADJUDICATION MEMOS # 1 (ADJ. CLAIMS/APPLICATIONS) AND # 9 (REJECTION OF CLAIMS). EXPLAIN IN COMMENTS. ☒ YES ☐ NO
3. (a) Is a source entered? ☒ YES ☒ NO
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☒ NO
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO
5. Is there a description of the diverting works? ☒ YES ☒ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☒ NO
- Is the period of use included? ☒ YES ☒ NO
- Is a quantity claimed for each use? ☒ YES ☒ NO
7. Is a total quantity claimed entered? ☒ YES ☒ NO
8. If required is a consumptive use entered? N/A ☒ YES ☒ NO
- Is the consumptive use correct? N/A ☒ YES ☒ NO
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ YES ☒ NO
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☒ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☒ NO
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. Is the claim signed by the claimant, and is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?) ☒ YES ☐ NO
- Has the claim been signed, sealed, and dated by a notary? ☒ YES ☒ NO
- Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO
- Is the fee enclosed correct? Exempt ☒ YES ☒ NO
- If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO
- Should this claim be receipted and data entered? ☒ YES ☐ NO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

1996 DEC -3 AM 10:50
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR DISTRICT COURT - SRBA
Water Right 57-10820 TWIN FALLS CO., IDAHO

NAME & ADDRESS: JEFF HAYLETT
RT 1 BOX 1087
HOMEDALE ID 83628

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/10/1940

POINT OF DIVERSION: T03N R05W S16 NWNE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE DOMESTIC 1 HOME	PERIOD OF USE 01-01 12-31	QUANTITY 0.04 CFS
-------------------------------	-----------------------------------	------------------------------	----------------------

PLACE OF USE: DOMESTIC Within Owyhee County
T03N R05W S16 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.

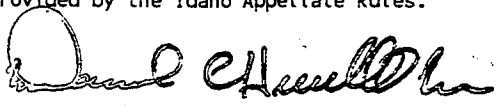
DATED: DEC - 3 1996


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DATED: DEC - 3 1996

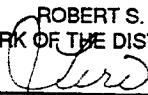

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

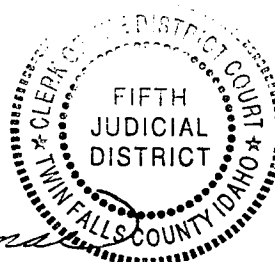
MICROFILMED

JUN 06 1997

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 57-10820

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the above entitled
action.

By 
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
DEPUTY CLERK



AJ5809NP
No. R57-10820

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/20/96
PAGE: 52

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEFF HAYLETT RT 1 BOX 1087 HOMEDALE ID 83628 (208) 337-3820	01/10/1940	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T03N R05W S16

NWNE

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
03N	05W	16	:			D													

POU County: OWYHEE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP0033501

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 11/13/1991 User-ID: MCCARTHY Subject: CHANGE OF OWNERSHIP
CHANGE OF OWNERSHIP PROCESSED 11-13-91 RMC

Date: 10/14/1996 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 10/18/96 DSHAFF

JUN 06 1997
MICROFILMED

OLD (O) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 208-337-3440

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +

03N 05W 16 NW NE (73) DWYHEE

0.040

0.040

COUNTY.

(73) OWYHEE

+ - - OTHER RIGHTS FOR SAME USE - NONE

NO REMARKS FOUND.

- - - OLD WATER RIGHT NUMBERS - -
NO OLD WATER RIGHT NUMBERS FOUND.

- - - CONDITIONS OF APPROVAL - -
NO CONDITIONS OF APPROVAL FOUND.

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 11/21/89 FRITSCHL

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OCT 06 1992

PREFIX TRANSLATION: ADJUDICATION CLAIM

- - -COMMENTS- -
NO COMMENTS FOUND

ADJUDICATION RIGHTS DATES AND FLAGS AREA

COURT REPORT FILING	-	00/00/0000	FIELD INSPECTION MADE	-	00/00/0000	CIVIL CASE NUMBER	-	39576
OBJECTION FILED DATE	-	00/00/0000	FIELD INSPECTION FLAG	-		OLD CASE NUMBER	-	
RESPONSE FILED DATE	-	00/00/0000	VERIFIED DATE	-	00/00/0000	OLD JUDICIAL DISTRICT	-	
CLAIM RECEIVED DATE	-	03/17/1989	LAST AMENDED DATE	-	00/00/0000	TEMPORARY RIGHT	-	P
PROOF DUE DATE	-	00/00/0000	PROOF MADE DATE	-	00/00/0000	WATER DISTRICT	-	
LICENSED DATE	-	00/00/0000	RECEIPT NUMBER	-	C005887	FEDERAL/STATE INDICATOR	-	S
CLAIMS TAPE ERROR FLG	-		PDU OWNERSHIP FLAG	-	Y	PRESUMPTION FLAG	-	
FEE EXEMPT FLAG	-		NAME CONNECTOR	-				

RP 0033561

c/o Haylett, Jeff & Marvin

Box 12

Homedale, Id 83628

March
change of letter
sent 10/29/91
DMS

CHECKED 11/29/91 del

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
APR - 1991

CERTIFIED
APR 27 1991
WATER EXAMINER

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OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

- Jeff + Marcia Haylett
- Box 12
- Homedale, Id. 83628

RECEIVED
OCT 31 1991
CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MAILING DATE: Oct. 29, 1991

RESPONSE DATE: Nov. 12, 1991

Department of Water Resources
Western Regional Office

RE: NOTICE OF CLAIM NO[S]: A57-10820

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

- Norma Ethington
- Rt. 1 Box 1289
- Homedale ID 83628

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

- Change of Ownership Form
- Change of Address Form

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OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 27, 1989

Ms. Norma Ethington
Rt. 1 Box 1289
Homedale, ID 83628

Re: Snake River Basin Adjudication SRBA
Owyhee County

Dear Ms. Ethington:

We are returning your Notice of Claims to a Water Right filed for your property in Owyhee County. We are also enclosing Receipt #C005887 in the amount of \$100.00, for the filing fees. We have noted some problems with your claims which we would like you to correct.

Please see the attached pages for the appropriate corrections to be made. The attached pages are in order by the date of the well.

Please return the documents to this office at the attention of the adjudication bureau. If you will make these corrections before December 1, 1989, you will not be assessed a late filing fee. Do not hesitate to contact this office if you have any questions or desire an appointment to obtain assistance in completing the form.

Yours Truly,

Donald V. Shaff
Manager, Adjudication Section

DVS:cp:state

Enclosures:

Notice of Claim

Receipt #C005887

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OCT 6 1992

Priority Date _____

A critical item of the water right, the date of priority, was left off your claim in Item #2. This is the date that the water was first placed to beneficial use to the best of your knowledge.

At item #3 you need to check whether the source is groundwater or other.

Description of the diverting works, Item #5, needs to be completed.

The period of use at Item #6, on this form refers to a month and day within the calendar year when you actually use the water. If you use the water all year long, please note "1/1" to "12/31". If your use of the water is seasonal, you might want to note "6/1" to "9/1", or whatever dates apply to your particular situation.

Also at Item #6, you have omitted the amount of water you actually use. Please refer to the instruction booklet for the Department's recommendations for cfs of use. (I have enclosed a copy for your use.) Item #7 is the total diversion capacity or total of the lines for cfs from Item #6, whichever is less.

If there are other uses of the water besides irrigation, please list them in Item #9. Describe fully the non-irrigation uses, i.e. for domestic give number of households served if single ownership. For stockwater give the type and number of livestock.

Please indicate if you own the property listed as place of use (Item #12). If your answer is No, describe in Remarks below the authority you have to claim this water right.

Item #13 was left blank. If you do not have other water rights used at this location for irrigation or domestic, please enter "none". If other water rights are used, please enter the water right numbers or description of the water rights, here.

The notary public's seal of the verification of the signature of the claimant is a required element of the claim form. After you have obtained the notary public's seal at the bottom of the last page, we will be able to process this claim.

Enclosures:
Notice of Claim
Instruction Booklet (Short)

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OCT 06 1992