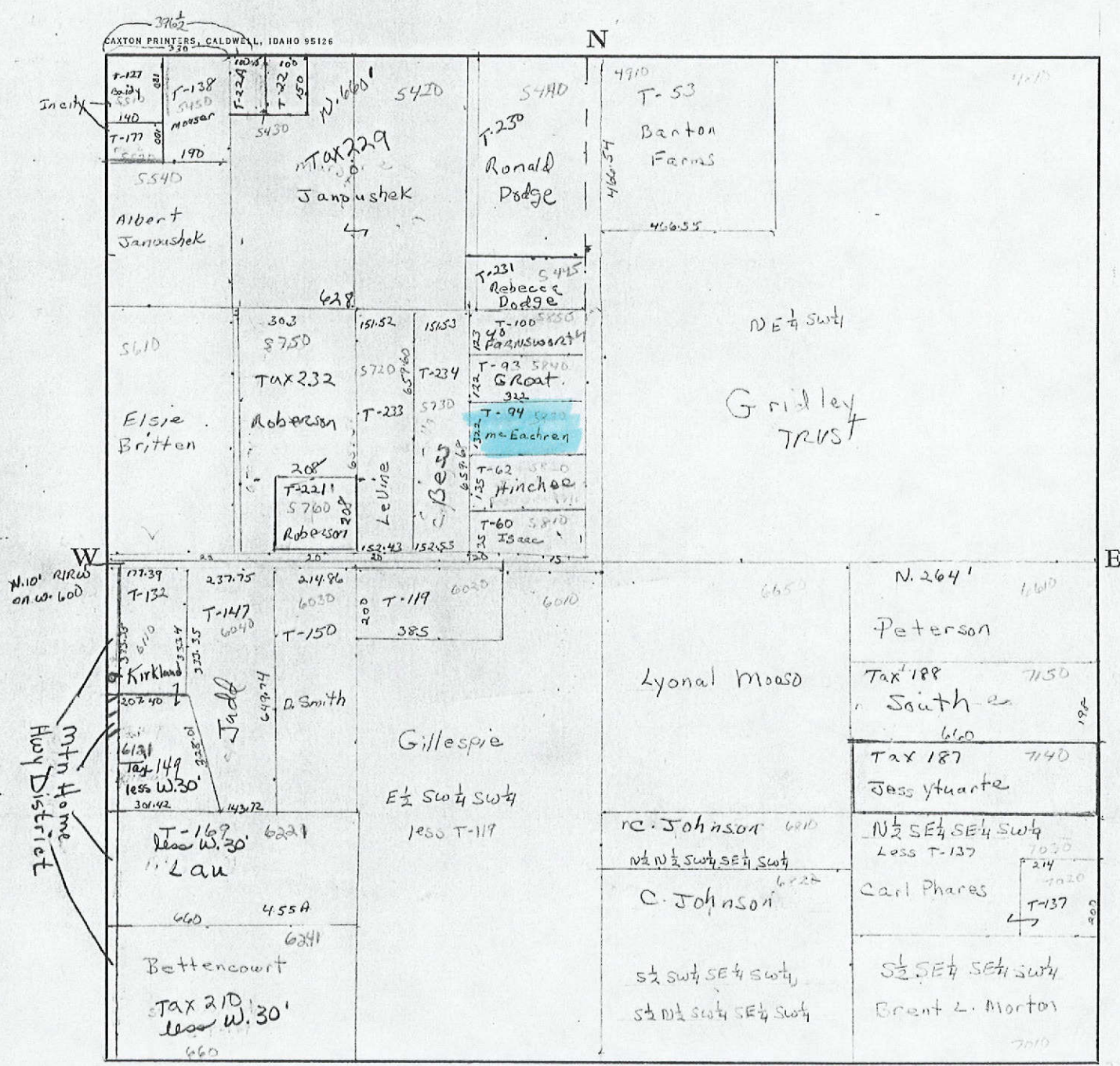
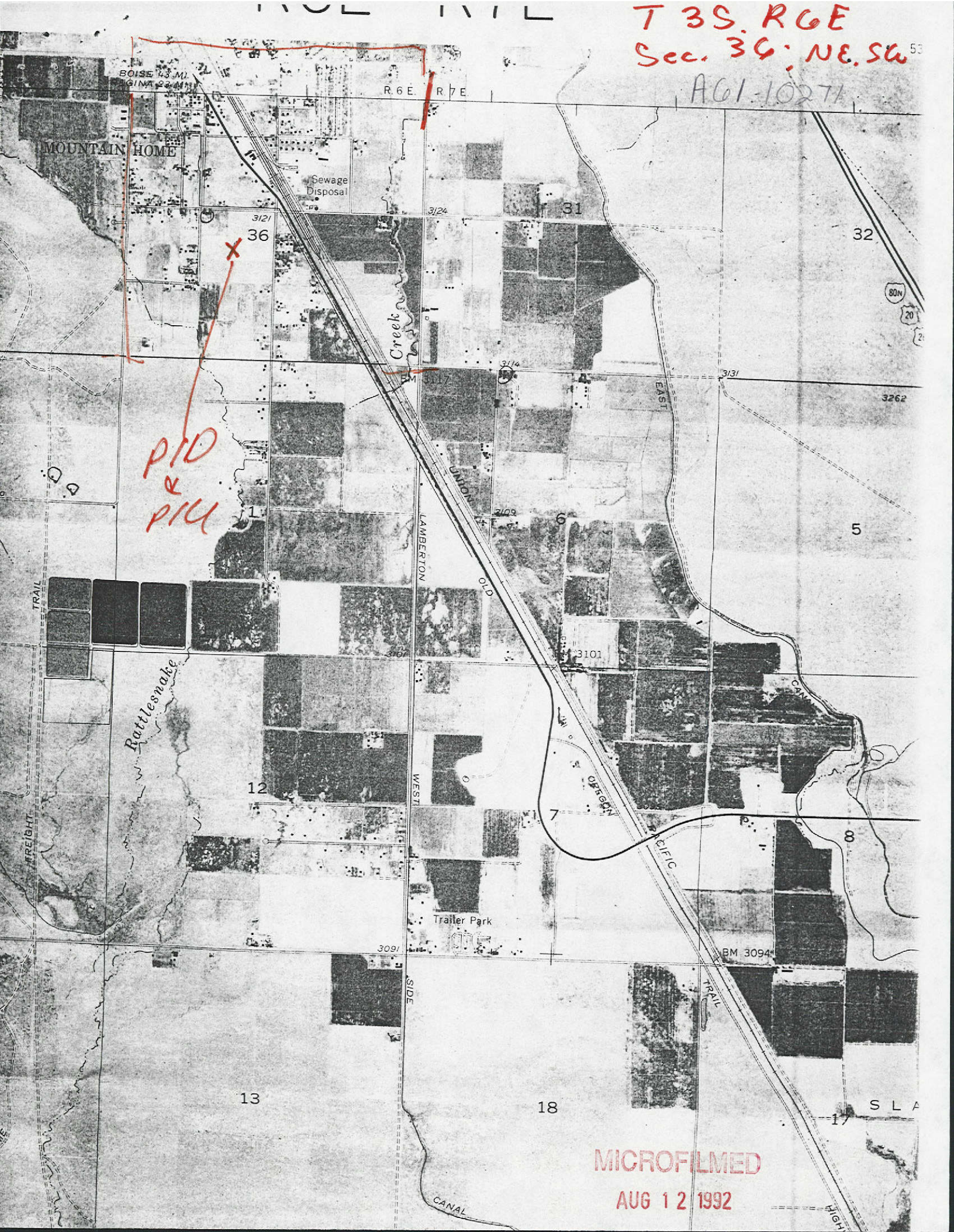


Section 36 Township 33 Range 6E



T 3S. R 6E
Sec. 36: NE. SW 53

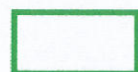
AG 1-10271



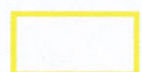
MICROFILMED
AUG 12 1992

Claim No. A61-10271

1987 NAPP

 **Place of Use**

 **Section Lines**

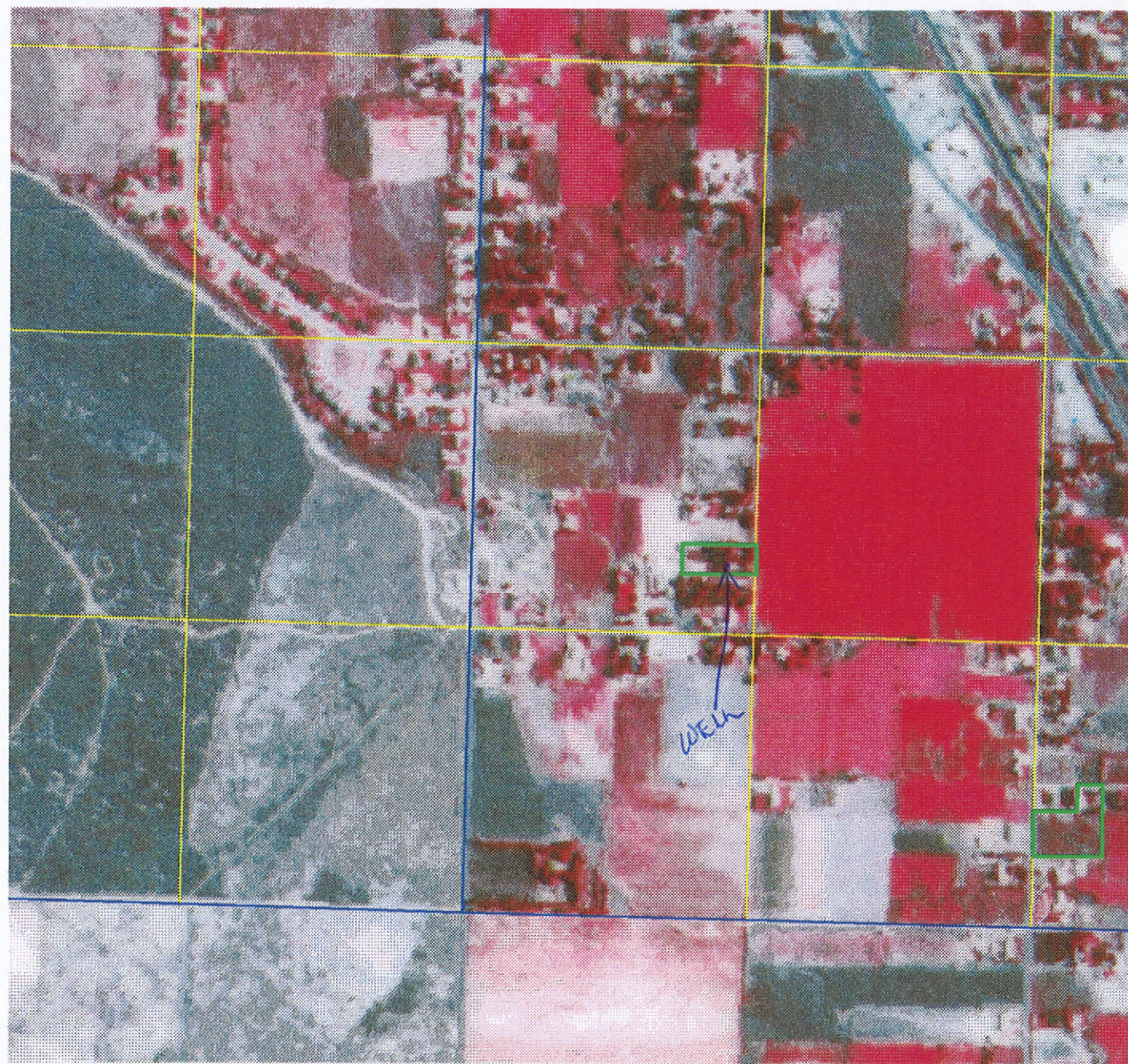
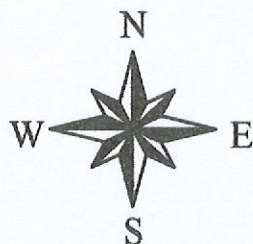
 **View1**

T03S, R06E, S36, NWSW

Owners: Mc Eachren

Prepared by: Jan Shurte

Date: 11-20-1998



0 0.25 0.5 Miles



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: **A61-10271**
Date Received: 11/ 7/1989
Receipt No: M005157
Received By: _____

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

1. Name: JANET MC EACHREN 208-587-3486
Address: 1430 S 3RD WEST A ST
MOUNTAIN HOME ID 83647

2. Date of Priority: JAN 1, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	06E	36	NW	SW			ELMORE

5. Description of diverting works:
DUG WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	06E	36	NW	SW		IRR	1.0
Section Acres							1.0

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
A61-10269, A61-10270

14. Remarks:

THERE ARE TWO WELLS IN THE SAME QUARTER, QUARTER. ONE WAS DUG TO REPLACE/SUPPLEMENT THE FIRST WELL. SECOND WELL WAS DUG 8/89 . POD AND POU CHANGED PER CLAIMANT'S DEED OF TRUST. 3/17/98 BY SB PRIORITY DATE CHANGED TO 1/1/1954 PER CLAIMANT'S AFFIDAVIT FROM PAULINE ISAAC.

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): Janet M. McEachern Date: 3/17/98

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of March 19 98

Seal

[Signature]
Notary Public

Residing at Mevichian ID
My Commission Expires 9-14-2000

THIS DEED OF TRUST, Made this 1st day of June, 1982,
BETWEEN JANET M. McEACHREN, A Single Woman,

herein called GRANTOR,

whose address is 1430 South 3rd West A, Mountain Home, Idaho,
GUARANTY TITLE INC., an Idaho corporation, herein called TRUSTEE, and DERL D. FOX
and ELEANOR J. FOX, Husband and Wife, herein called BENEFICIARY.

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 Elmore
State of Idaho, described as follows, either located within an incorporated city or village at the date hereof, or
containing not more than twenty acres:

A tract of land commencing at a point which is 40
feet West and 270 feet North of the Southeast corner
of the NW 1/4 SW 1/4, Section 36, Township 3 South,
Range 6 East, Boise Meridian, Elmore County, Idaho,
and running thence
North 137.2 feet; running thence
West 322 feet; running thence
South 137.2 feet; running thence
East 322 feet to the Real Point of Beginning.

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

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by
Grantor in the sum of Ten Thousand and No/100 Dollars, (\$10,000.00),

final payment due June 1, 1992

and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor
herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instru-
ments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein
provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Bene-
ficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing
security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore
promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay
when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requir-
ing any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit
any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the
character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The
amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and
in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be
released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate
any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Bene-
ficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in
any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances,

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: A61-10271
Date Received: 11/07/1989
Receipt No: M005157
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JANET MCEACHREN 208-587-3486
Address: 1430 S. 3RD WEST A ST.
MOUNTAIN HOME, ID 83647

2. Date of Priority: MAY 20, 1949

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03S	06E	36	NE	SW			ELMORE

5. Description of diverting works:
DUG WELL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03S	06E	36	NE	SW		IRR	1.0

Section Acres 1.0

Total Acres 1.0

A61-10271 Page 1 Date: 11/07/89

MICROFILMED

AUG 12 1992

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

A61-10269, A61-10270

14. Remarks:

THERE ARE TWO WELLS IN THE SAME QUARTER, QUARTER. ONE WAS DUG TO REPLACE/SUPPLEMENT THE FIRST WELL. SECOND WELL WAS DUG 8/89 .

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): X Janet M. McEachren Date: X 11/7/89
Date:

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 7 day

of Nov. 19 89

Linda Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994

「

49

AG-100-77

23

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Pick

10

LAMBERTON

WES:

SPECIFIC

REF ID: A66053

Trillet Park

3091

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MICROFILMED

AUG 12 1992

November 20, 1998

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 61-10271

JANET MC EACHREN
1430 S 3RD WEST A ST
MOUNTAIN HOME ID 83647

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12/10/98 SIGNATURE: *Janet M. McEachren*
Please print your name: JANET M. MCEACHREN

IDWR Western Regional Office, 2735 Airport Way, Boise, ID 83705-5082, (208) 334-2190

AJ0749NP
No. R61-10271

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 11/20/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JANET MC EACHREN 1430 S 3RD WEST A ST MOUNTAIN HOME ID 83647 (208) 587-3486	05/20/1954	IRRIGATION	03-15 11-15	0.03 CFS	4.00 AFA
TOTAL DIVERSION:					0.03 CFS	4.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T03S R06E S36 NWSW

ELMORE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
03S	06E	36	:					:					:			01		:					:	1.0
TOTAL ACRES																							1.0	

POU County: ELMORE

Other Rights: A61-10269, A61-10270

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 11/20/98 JSHURTE

Pole ID = 4116

Claim No. A61-10271

1987 NAPP

 **Place of Use**

 **Section Lines**

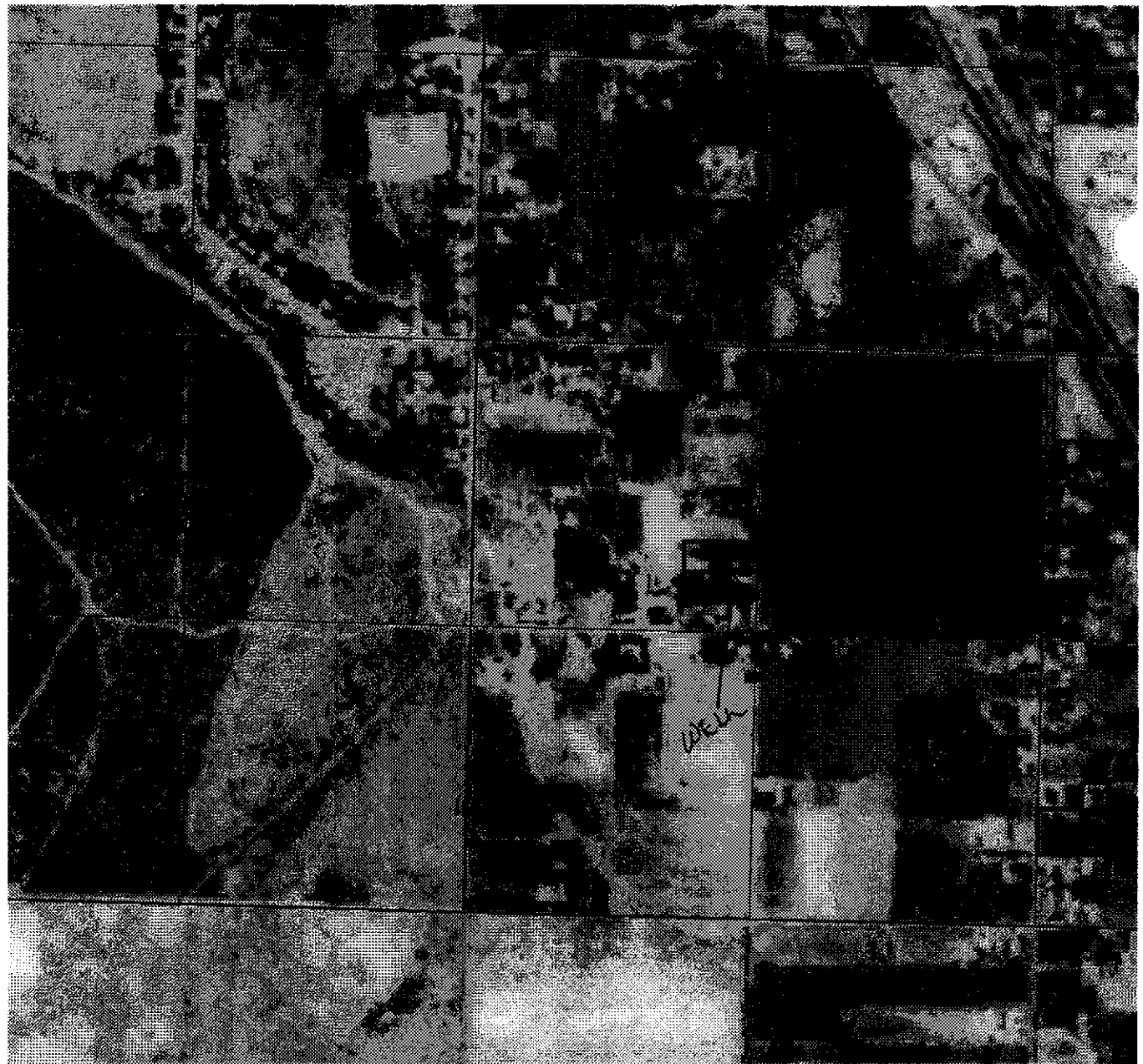
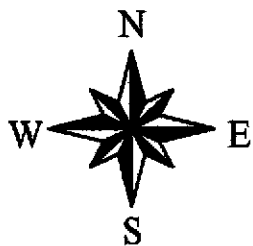
 **View1**

T03S, R06E, S36, NWSW

Owners: Mc Eachren

Prepared by: Jan Shurte

Date: 11-20-1998



0 0.25 0.5 Miles



IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

61-10271)

State of Idaho)
County of _____)

AFFIDAVIT

RECEIVED

MAR 3 1 1998

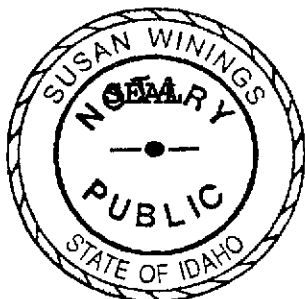
WATER RESOURCES
WESTERN REGION

Pauline Isaac being first duly sworn,

deposes and says: In 1954, Art Shaw
purchased one acre of property
from Ed and Helen Markham
and dug a shallow well. To
my knowledge there has been
water used on the property
every since.

Pauline Isaac
(Signature)

Pauline Isaac
Subscribed and sworn to before me this
day 27 of March, 1998.



Susan Winings
(Notary Public)

Residing at Mountain Home.

My Commission Expires 8-1-2003.

3/17/98 Returned to claimant
to have notary sign

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))

201-10271)
_____)
_____))

State of Idaho)
County of _____)

AFFIDAVIT

Pauline Isaac being first duly sworn,

deposes and says: In 1954, Art Shaw
purchased one acre of property
from Ed and Helen Markham
and dug a shallow well. To
my knowledge there has been
water used on the property
every since.

Pauline Isaac
(Signature)

Subscribed and sworn to before me this
day _____ of _____, 19____.

SEAL

(Notary Public)

Residing at _____.

My Commission Expires _____.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

January 28, 1993

Re: Claim No(s). AL-10271

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JANET MC EACHREN
1430 S 3RD WEST A ST
MT HOME ID 83647

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area should be conducted this summer by Department personnel. Prior to conducting the field exams, we will contact you to discuss details and schedule a time convenient for you.

Please submit the required evidence supporting the priority date(s) by March 15, 1993, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the toll-free number listed on the back page of the pamphlet or the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

MICROFILMED

SEP 27 1996