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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: A61-11890
Date Received: 8/25/1998
Receipt No: W024304
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: AARON C CORNELL
Address: 4730 S 18TH W
MOUNTAIN HOME ID 83647
AND
Name: ERIBERTA E CORNELL
Address: 4730 S 18TH W
MOUNTAIN HOME ID 83647

2. Date of Priority: MAY 1, 1995

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	06E	14	SW	NW			ELMORE

5. Description of diverting works:
8' - 6' CASING DOWN TO 555' WITH PUMP AND PIPELINE TO HOME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		

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 WITH LAWN IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	06E	14	SW	NW		DOMEST	

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:
NONE

14. Remarks:
AKA LOT 1, BLOCK 1, POLLEYANNA SUBDIVISION.
OWNERSHIP CHANGED BY DB 10/7/98.

15. Basis of Claim: BENEFICIAL USE

**STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES**

RECEIVED

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

SEP 02 1998

WATER RESOURCES
WESTERN 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).: _____
Adjudication Claim No(s).: Alc1-11890

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 for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: ROY O EDWARDS
2206 S CHICAGO WAMPAR ID 83681

4. New Owner/Claimant(s): AARON C. CORNELLE & RIBERTAE
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address: 4730 S. 18th WEST ST.
 City, State and ZIP Code: Mtn. Hm. ID 83647
 New Telephone Number: () _____

5. Date you acquired the property: 08/27/98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS .08 Number of homes 1 Other uses _____
 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.

7. Signature of New Owner or Claimant(s): Aaron C. Cornelle
 (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..

WARRANTY DEED

FOR VALUE RECEIVED

Roy D. Edwards aka Roy Dean Edwards and Rheta A. Edwards aka Rheta Ann Edwards, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

Aaron C. Cornell and Eriberta E. Cornell, husband and wife

GRANTEE(S), whose current address is: 4730 South 18th West
the following described real property in Elmore
more particularly described as follows, to wit:

Mountain Home, Id 83647

County, State of Idaho,

Lot 1, Block 1, Polleyanna Subdivision, Mountain Home, Elmore County, Idaho,
according to the official plat thereof on file and of record in the office of
the County Recorder of Elmore County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever, except those of record.

Dated: August 27, 1998

Roy D Edwards

Roy D. Edwards

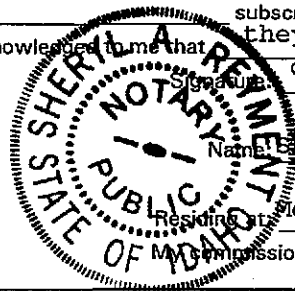
Rheta A Edwards

Rheta A. Edwards

STATE OF Idaho, County of Elmore, ss.

On this 27th day of August
in the year of 1998, before me, the undersigned, a Notary
Public in and for said State, personally appeared
Roy D. Edwards, Rheta A. Edwards

known or identified to me to be the person s whose name
are _____ subscribed to the within instrument, and
acknowledged to me that they executed the same.



Name: Sheri A Reymont

(type or print)

Residing at: Mountain Home

My Commission expires: 12/27/99

310042

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

Time 4:08 P M
Date August 28, 1998
Book _____ Page _____

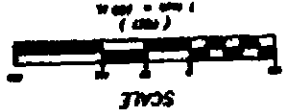
DOLORES ROBISON
Recorder

By [Signature]
Deputy

Fee \$3.00

POLLEYANNA SUBDIVISION

BEING A PORTION OF THE S 1/2 OF THE SW 1/4 OF THE NW 1/4
OF SECTION 14, TOWNSHIP 4 SOUTH, RANGE 6 EAST OF THE B.M.
ELMORE COUNTY, IDAHO
MARCH 1998



- LEGEND**
- FOUND POINT OR MONUMENT OR
 - FOUND BUT NOT IDENTIFIED OR
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 - 1/53919882410689597686968574402080796160070044341768832" DASHED LINE OF MONUMENT
 - 1/107839764821379195373937148804161593200140088683537664" DASHED LINE OF MONUMENT
 - 1/215679529642758390747874296008323186400280177367075328" DASHED LINE OF MONUMENT
 - 1/431359059285516781495748592016646372800560354734150752" DASHED LINE OF MONUMENT
 - 1/862718118571033562991497184033292745601120709468301504" DASHED LINE OF MONUMENT
 - 1/1725436237142067125982994368066585491202241418936603008" DASHED LINE OF MONUMENT
 - 1/345087247428413425196598873613317098240448283787320608" DASHED LINE OF MONUMENT
 - 1/690174494856826850393197747226634196480896567574641216" DASHED LINE OF MONUMENT
 - 1/1380348989713653700786395494453268392961791135149282304" DASHED LINE OF MONUMENT
 - 1/2760697979427307401572790988906536785923582270298564608" DASHED LINE OF MONUMENT
 - 1/5521395958854614803145581977813073571847164540597129216" DASHED LINE OF MONUMENT
 - 1/11042791917709229606291163955626147436894329081194258432" DASHED LINE OF MONUMENT
 - 1/22085583835418459212582327911252294873788658162388516864" DASHED LINE OF MONUMENT
 - 1/44171167670836918425164655822504589747577316324777033728" DASHED LINE

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: A61-11890

Date Received: 8/25/1998

Receipt No: W0245304

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROY EDWARDS 208-587-5304
Address: 4730 S 18TH W
MOUNTAIN HOME ID 83647

2. Date of Priority: MAY 1, 1995

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	06E	14	SW	NW			ELMORE

5. Description of diverting works:
8' - 6' CASING DOWN TO 555' WITH PUMP AND PIPELINE TO HOME.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		

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 WITH LAWN IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	06E	14	SW	NW		DOMEST	

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:
NONE

14. Remarks:
AKA LOT 1, BLOCK 1, POLLEYANNA SUBDIVISION.

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 X 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): Roy D Elwood Date: 8-25-98

Date: _____

State of Idaho)
County of ADA) SS.

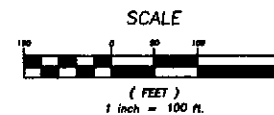
Subscribed and sworn (or affirmed) before me this 25th day
of August 19 98
Jan O Thute
Notary Public

Seal

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

BOOK _____ PAGE _____

+



LEGEND

- (●) FOUND BRASS OR ALUMINUM CAP
 (○) FOUND 5/8" REBAR W/ PLASTIC CAP MARKED
 "WMT PACIFIC LS 7314"
 (●) SET 5/8" REBAR W/ PLASTIC CAP MARKED
 "LS 7314"
 (Δ) CALCULATED POINT, NO PIN SET
 _____ BOUNDARY LINE
 _____ LOT LINE
 _____ ROADWAY EASEMENT LINE

NOTES

1. ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
2. ALL LOTS ARE HEREBY DESIGNATED AS HAVING A 8 FOOT WIDE PUBLIC UTILITY EASEMENT ON EACH SIDE OF THE SIDE LOT LINES, ALONG THE REAR LOT LINES AND ADJACENT TO THE NORTH LINE OF THE ROADWAY EASEMENT.
3. SUBDIVIDER WILL COMPLY WITH THE DISCLOSURE REQUIREMENTS OF SECTION 31-3805 OF THE IDAHO CODE.
4. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS OF ELMORE COUNTY, IDAHO.
5. EACH LOT IN THIS SUBDIVISION SHALL HAVE INDIVIDUAL SEPTIC SYSTEMS AND INDIVIDUAL DOMESTIC WATER SYSTEMS.
6. RIGHT TO FARM ACT - CITIES/COUNTIES/POLITICAL SUBDIVISIONS SHALL NOT ADOPT ANY RESOLUTIONS/ORDINANCES WHICH DECLARE AGRICULTURE OPERATIONS OPERATED ACCORDING TO GENERALLY RECOGNIZED AGRICULTURE PRACTICES TO BE A NUISANCE NOR FORCE CLOSURE OF SAME. I.C. 22-4504.
7. SUBJECT TO ELMORE COUNTY ZONING AND DEVELOPMENT ORDINANCE SECTIONS: K.21-1, E.8-1; E.8-1a, and I.

Anderson-David & Associates, Inc.
Land Surveying Services
1003 Broadway Avenue, Suite 1013
Boise, Idaho 83706
(208) 363-0088

November 20, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

DEC 21 1998

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

**WATER RESOURCES
WESTERN REGION**

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: 61-11890

AARON C CORNELL
ERIBERTA E CORNELL
4730 S 18TH W
MOUNTAIN HOME ID 83647

Daytime Telephone Number: (208) 828-6112 - AARON
Evening Telephone Number: (208) 587-17080 - ERIBERTA
(208) 580-0570

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: Dec 18 98 SIGNATURE: ERIBERTA E. CORNELL
Please print your name: ERIBERTA E. CORNELL

AJ0749NP
No. R61-11890

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	AARON C CORNELL	05/01/1995	DOMESTIC	01-01 12-31	0.08 CFS	
C	ERIBERTA E CORNELL					
	4730 S 18TH W					
	MOUNTAIN HOME ID 83647			TOTAL DIVERSION:	0.08 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R06E S14 SWNW

ELMORE 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	:
04S	06E	14	:																	:

POU County: ELMORE

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 PROPERTY ALSO KNOWN AS LOT 1, BLOCK 1, POLLEYANNA SUBDIVISION.
PARCEL NO. RP04S06E143640

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 11/20/1998 User-ID: JSHURTE Subject: COPIED FROM REMARKS
AKA LOT 1, BLOCK 1, POLLEYANNA SUBDIVISION.
OWNERSHIP CHANGED BY DB 10/7/98.

Audit: 11/20/98 JSHURTE

AJ0749NP
No. R61-11890

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

DATE: 11/20/98
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	4730 S 18TH W					
	MOUNTAIN HOME ID 83647			TOTAL DIVERSION:	0.08 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T04S R06E S14 SWNW

ELMORE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE							
T	R	S	: Lt Ac	NENE	NWNE	SWNE	SENE	: Lt Ac	NENW	NWNW	SWNW	SENW	: Lt Ac	NESW	NWSW	SWSW	SESW	: Lt Ac	NESE	NWSE	SWSE	SESE	: Lt Ac
04S	06E	14	:					:					:					:					:
			:					:					:					:					:

POU County: ELMORE

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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AKA LOT 1, BLOCK 1, POLLEYANNA SUBDIVISION.
OWNERSHIP CHANGED BY DB 10/7/98.

Audit: 11/20/98 JSHURTE

Parcel No.
RP 04S06E143040
from Elmore
Co. taxlots.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

October 7, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A61-11890

Aaron C Cornell
Eriberta E Cornell
4730 S 18th W
Mountain Home ID 83647

Dear Mr. & Mrs. Cornell:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure