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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: 65-01158
DATE RECEIVED: 12-18-89
RECEIPT NO: X999999
RECEIVED BY: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
DEC 18 1989

1. NAME: LOUIE GORROND
ADDRESS: 105 N. HAYES
EMMETT, ID

83617

Department of Water Resources

2. DATE OF PRIORITY: MAY 01, 1950

3. SOURCE: GROUNDWATER

TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
06N	01W	8	SE		NW		GEM

5. DESCRIPTION OF DIVERTING WORKS:

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		1.20

7. TOTAL QUANTITY APPROPRIATED IS:
0.040 C.F.S. (AND/OR)

1.20 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
06N	01W	8	SE	NW		DOMEST	

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? ~~YES~~ NO

13. OTHER WATER RIGHTS USED:

14. REMARKS:

LOTS 8 & 9, BLOCK 1, MAYLOR ADDITION.

*I sold the property & conveyed the
title to Jim Kariola, 96 Presidents' Cafe
111 W. Main St. Emmett, Idaho 83617
SOLD ABOUT 1977-1978 -*

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

A & C CORP., ET AL.
VS
DECREE DEFENDANT

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): *Jim Kariola* DATE: 12-15-89

DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF

TITLE

_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF

TITLE

AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)

) SS.

COUNTY OF Gem)SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 15th DAYOF December 1989Mary Ellen Stevens
NOTARY PUBLIC

SEAL

RESIDING AT Elmer, IdahoMY COMMISSION EXPIRES 10-20-94

01/09/2001

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

RIGHT NUMBER: 65-1158

NAME AND ADDRESS: BETTY J POTTS
1016 E 2ND ST
EMMETT, ID 83617

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS
1.2 AFY

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

PRIORITY DATE: 05/01/1950

POINT OF DIVERSION: T06N R01W S8 SENW Within GEM County

PURPOSE AND
PERIOD OF USE:

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

PLACE OF USE:

DOMESTIC Within GEM County
T06N R01W S8 SENW

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

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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

PROPERTY IS ALSO KNOWN AS LOT9 AND WEST 1/2 OF LOT 8, BLK
1, NAYLOR ADDITION.

WR5809NP
No. 65-01158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/07/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOUIE GORROND 105 N. HAYES EMMETT ID 83617	05/01/1950	DOMESTIC	01/01 12/31	0.040 CFS	1.20 AFA
TOTAL DIVERSION:					0.040 CFS	1.20 AFA

Water Source: GROUNDWATER Tributary to: Stage: DECREED
Point(s) of Diversion: T06N R01W S08 SENW GEM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
---	---	---	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
06N	01W	8	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

Pou County: GEM

Remarks: GEN LOTS 8 & 9, BLOCK 1, NAYLOR ADDITION.

Dates: App. Received: Priority Date: 05/01/1950
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

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 65-1158
Date Received: 12/18/89
Receipt No:
Received By:

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

1. Name of Claimant(s): BETTY J POTTS
1016 E 2ND ST
EMMETT ID USA 83617

Phone: (208) 365-2186

2. Date of Priority: 05/01/1950

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
06N	01W	8	SE NW	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 1.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06N	01W	8	SE NW		DOMESTIC	

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

DUPLICATE CLAIMS WERE FILED FOR THIS RIGHT AS FOLLOWS: A65-01158A - LOUIE GORRONO
- ENTIRE RIGHT

A65-01158B - JAMES OR ELSALEE SPRAGUE - ENTIRE RIGHT

This claim is the result of the "A" and "B" portions being disallowed and combined into the whole number. DB
1/5/2001.

Property also known as lot 9 and W 1/2 of Lot 8, Block 1, Naylor Addition.

15. Basis of Claim: Decreed

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

SEP 15 2000

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

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
	65-0158				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. *No Fee Required*
- 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)

Louie Garyano
105 N Hayes Emmett, ID 83617

4. New Owner/Claimant(s)

Betty J Potts
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1016 E 2nd St

City, State and ZIP Code

Emmett, ID 83617-3306

New Telephone Number

(208) 365-2186

5. Date you acquired the property

May 23, 1990

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	_____	_____
Stock	_____	_____
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) Betty J. Potts
(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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received James A. Sprague and Elsabee V. Sprague
husband and wife

the grantors, do hereby grant, bargain, sell and convey unto
Floyd C. Potts and Betty J. Potts,
husband and wife

the grantees, whose current address is 1016 East 2nd Street
Emmett, Idaho 83617

the following described premises, in Gem County Idaho, to-wit:

Lot 9 and the West half of Lot 8, in Block 1 of NAYLOR ADDITION,
to the City of Emmett, Idaho, according to the official plat thereof,
filed in Book 1 of Plats at Page 48, records of Gem County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
their heirs and assigns forever. And the Grantors do hereby covenant to and
with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all
encumbrances except current years taxes, irrigation district assessments, public utility
easements, subdivision restrictions and U. S. Patent Reservations.

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 17, 1990

X James A. Sprague
James A. Sprague

Elsabee V. Sprague
Elsabee V. Sprague

STATE OF ~~IDAHO~~ ^{Oregon}, COUNTY OF Lincoln
On this 21st day of May, 1990,
before me, a notary public in and for said State, personally
appeared James A. Sprague.

known to me to be the person whose name he
subscribed to the within instrument, and acknowledged to me
that he executed the same.

Donna King
Notary Public
Residing at Neotsu, Oregon
Comm. Expires 10-10-90

STATE OF IDAHO, COUNTY OF Gem
On this 23rd day of May, 1990,
before me, a notary public in and for said State, personally
appeared Elsabee V. Sprague.

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that she executed the same.

Dorothy J. Smith
Notary Public
Residing at Emmett, Idaho
Comm. Expires 7/13/94



First American Title Company of Idaho

166269

Gem County IDAHO) ss.
Recorded on request of
First American Title
Time 3:52 PM
Date May 24, 1990
Instru. No. 166269
Recorded as a Deed
Thelma R. Kolodziej, Clerk
Ex-officio Recorder
By: Judy Lephart
Deputy
Fees \$ 3.00