



## State of Idaho

### DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

June 11, 1999

ZANE & CINDY ABEGGLEN  
844 HIDDEN ESTATES LN  
ST ANTHONY ID 83445

RE: CHANGE IN OWNERSHIP FOR A21-00039D, A21-00053E

Dear Mr. and Mrs. Abegglen:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A21-00039E, 0.61 cfs on 20.32 acres, Cole  
A21-00039F, 0.41 cfs on 13.68 acres, Abegglen

A21-00053F, 0.154 cfs on 13.42 acres, Cole  
A21-00053G, 0.156 cfs on 13.68 acres, Abegglen

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

*Jennifer Hoagland*  
Jennifer Hoagland  
Technical Records Specialist

Enclosure

DELOG AR 5/21/99

STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES  
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAY 19 1999

Department of Water Resources  
Eastern 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 Number(s) \_\_\_\_\_  
Adjudication Claim Number(s) AZ1-00039D ; AZ1-00053E
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 on file with the county.)  
OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Sherman + Nancy L. Cole  
P.O. Box 128 Cheater ID. 83421
4. New Owner/Claimant(s) Zane + Cindy Abegglen  
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR  
New Mailing Address 844 Hidden Estates LN. St. Anth.  
City, State and ZIP Code St. Anthony ID 83445  
New Telephone Number (208) 624 - 4105
5. Date you acquired the property 3/24/99
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 actually irrigated 13.68 Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
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/Claimant(s)  Date 5/19/99  
\_\_\_\_\_  
Date \_\_\_\_\_
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)  
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

A21-00039D  
A21-00053E

13.6867 ac

SE 1/4 SW 1/4 (Lot 10) T8N, R41E

## WARRANTY DEED

FOR VALUE RECEIVED, Sherman Cole and Nancy Cole, husband and wife, hereinafter referred to as the Grantors, do hereby grant, bargain, sell and convey unto W. Zane Abegglen and Cindy Lynn Abegglen, whose mailing address is 844 Hidden Estates Lane, St. Anthony, Idaho 83445 hereinafter referred to as Grantees the following property located in Fremont County, State of Idaho, particularly described as follows, to-wit:

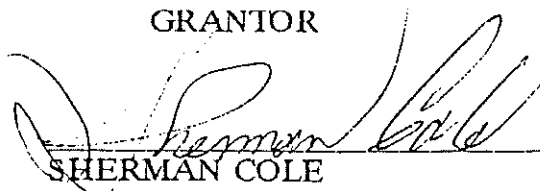
A tract of land in the SW1/4 of Section 13, Township 8 North, Range 41 E.B.M., Fremont County, Idaho, being more particularly described as: Commencing at the S1/4 corner of said Section 13 and running W. 1288.83 feet along the section line to the center of the county road; thence N. 0°34'20" E., 463.00 feet along the county road; thence E. 1286.64 feet to the <sup>East</sup> line of the SE1/4; thence S. 0°18'00" W. 463.00 feet to the point of beginning together with an easement for 60 feet in width for ingress and egress which is not exclusive described as follows: A 60 foot road and utility easement along the Northwestern boundary of said tract, being further described as: Commencing at the S 1/4 corner of said section 13 and running thence N. 0°34'20" E. 463.00 feet and W. 540 feet to the point of beginning of the easement; thence W. 746.64 feet to the county road centerline; thence S. 0°34'20" W. 60.0 feet, thence E. 747.24 feet; thence N. 60.0 feet to the point of beginning. **LESS AND EXCEPTING THE COUNTY ROAD RIGHT OF WAY. THESE PREMISES ARE SUBJECT TO:** A 60 foot road and utility easement, which is non-exclusive, along the Northwestern boundary of said tract, being further described as: Commencing at the S 1/4 corner of said section 13 and running thence N. 0°34'20" E. 463.00 feet and W. 540 feet to the point of beginning of the easement; thence W. 746.64 feet to the county road centerline; thence S. 0°34'20" W. 60.0 feet, thence E. 747.24 feet; thence N. 60.0 feet to the point of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or anyway appertaining.

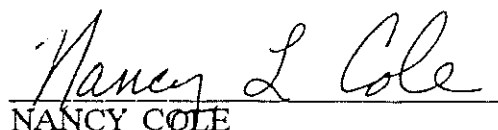
SUBJECT HOWEVER, to all easements, roadways and rights-of-way which are visible and all patent reservations, easements and rights of way for highways, roads, railroads, ditches, canals, pole, power and transmission lines as they exist; and to all existing zoning ordinances and applicable building codes, laws and regulations.

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

GRANTOR

  
SHERMAN COLE

GRANTOR

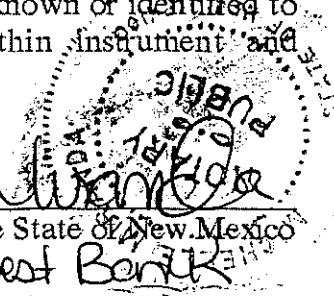
  
NANCY COLE

STATE OF NEW MEXICO

County of DONA ANA

) ss.  
)

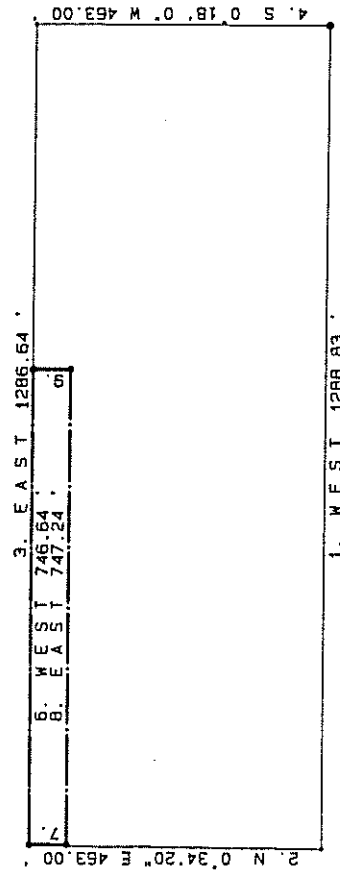
On this: 18 day of March, 1999, before me the undersigned, a notary public for the State of Idaho, personally appeared Sherman Cole and Nancy Cole known or identified to me to be the persons whose name are subscribed to the within instrument and acknowledged to me that they subscribed their names hereto.

  
Michelle Munk  
Notary Public for the State of New Mexico  
Residing at: Norwest Bank  
Commission Exp: 6-18-2000

Microfilm No. 456738  
5 Day Apr 19 99  
At 15:36 O'clock P M  
MICKIE FUNKE  
FREMONT CO. RECORDER  
Fee \$ 6- Deputy  
Recorded At Request of  
First American Title Company

03/10/99

T: /FASTMAP3/  
261108



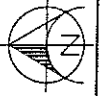
Township  
Section

261108

Range  
Corner

| Shot | Direction          | Distance | E-X Total  | N-Y Total |
|------|--------------------|----------|------------|-----------|
|      | Point of beginning |          | 0.0000     | 0.0000    |
| 1.   | W E S T            | 1288.830 | -1288.8300 | -0.0000   |
| 2.   | N 0°34'20" E       | 463.000  | -1284.2060 | 462.9769  |
| 3.   | E A S T            | 1286.640 | 2.4340     | 462.9769  |
| 4.   | S 0°18'0" W        | 463.000  | 0.0097     | -0.0167   |
| 5.   | N 49°8'50" W       | 707.814  | -535.3760  | 462.9760  |
| 6.   | W E S T            | 746.640  | -1282.0160 | 462.9760  |
| 7.   | S 0°34'20" W       | 60.000   | -1282.6152 | 402.9799  |
| 8.   | E A S T            | 747.240  | -535.3752  | 402.9799  |
| 9.   | N O R T H          | 60.000   | -535.3752  | 462.9799  |

SCALE: 1" = 300.00'



Sqr. Ft. = 596193.84

Acres = 13.6867

ESCROW NUMBER: 5699

TODAY'S DATE: 3/24/99

PROPERTY:

CLOSING DATE: 3/24/99

St. Anthony, ID. 83445

A portion of S13, T8N, R41E8M, Fremont Co. Idaho

ESCROW CLOSING STATEMENT OF:

W. ZANE ABEGGLEN

CINDY LYNN ABEGGLEN

OTHER PARTY:

SHERMAN COLE

NANCY COLE

ESTIMATED BUYER'S CLOSING STATEMENT

| DESCRIPTION                                          | DEBITS    | CREDITS   |
|------------------------------------------------------|-----------|-----------|
| Purchase Price                                       | 24,000.00 |           |
| Earnest Money Deposit                                |           | 500.00    |
| Closing Fee 1/2 Each to First American Title Company | 75.00     |           |
| Recording Fees                                       | 6.00      |           |
| Subtotals                                            | 24,081.00 | 500.00    |
| Balance Due From Buyer                               |           | 23,581.00 |
| TOTALS                                               | 24,081.00 | 24,081.00 |

Date 4/8/99

Statement approved for Buyer by:

First American Title Co.

By: Loma Bair

W. Zane Abegglen  
W. ZANE ABEGGLEN

Cindy Lynn Abegglen  
CINDY LYNN ABEGGLEN

SCANNED

AUG 01 2001

To: Curr Ditch Claims, Basin 21  
cc: Paola Worrell  
Fr: Bryce A. Contor  
Date: 5/8/2000

Re: Data supplied by Curr Ditch manager.

Curr Ditch is an informal delivery organization in Basin 21, whose members are holders of individual decreed rights. The manager, Mr. Paola Worrell, came in today with some questions regarding the rights and adjudication claims.

I will be sending him copies of the proof reports of the claims and split claims on the attached list. The list was made by referring to Tony's new WD 01 decree book. Any decreed right that had a split in the Curr Ditch per Tony's book, I searched using WRQ11 on the database. Any AJ split from those original decrees, I included on this list. Therefore there will be some claims on this list that are not Curr Ditch, but all the Curr Ditch claims ought to be on the list.

Mr. Worrell will compare these claims with his records, and notify those water users who may need to split, amend, or file additional claims. Mr. Worrell's help will likely be very valuable as we come to claims investigation.

Also attached to the copy of this memo in file A21-00028 are two lists Mr. Worrell gave me of shareholders in the ditch, one from 1980 and one from 1987. These should also be very helpful.

Mr. Worrell's address and phone number are:

Paola P. Worrell  
P.O. Box 43  
Chester, Idaho 83421  
208 624 7737

SD-1158-1

Idaho Department of Water Resources  
Selection File Reporting

Date: 05/08/00  
Time: 16:09:36

Report Number: 08--Proof Report

Selection File Name: \_\_\_\_\_ Delete Sel. File (Y/N): Y

Report File Name : \_\_\_\_\_

Printer: LANDSCAPE Auto Delete (Y/N): Y Hold Batch Job (Y/M/N): N

```
=====
A21-00028_ A21-00029_ A21-00033A_ A21-00033B_ A21-00033C_
A21-00039A_ A21-00039B_ A21-00039C_ A21-00039D_ A21-00039E_
A21-00039F_ A21-00039G_ A21-00039H_ A21-00053A_ A21-00053B_
A21-00053C_ A21-00053C_ A21-00053D_ A21-00053E_ A21-00053F_
A21-00053G_ A21-00053H_ A21-00053J_ A21-00054A_ A21-00060B_
A21-00060C_ A21-00060D_ A21-00060E_ A21-00061A_ A21-00131A_
A21-00131B_ A21-00132A_ A21-00132B_ A21-00132C_ _____
_____-_____-_____-_____-_____-
_____-_____-_____-_____-_____-
_____-_____-_____-_____-_____-
=====
```

Claim No. 2536

Document Checklist

☐ Copy License/Decree

*could not find anything for  
license. looked everywhere.*

☐ Copy Transfer

☐ Copy Licensing Field Exam

*could not find anything*

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☒ Generate Arcview Map

SD-0607-2 Prefix: A Basin: 21 Starting Water Right: 00053 STATE

Water Right No. Name Last, First W Priority Stg/ Date Sts Source Use Code Desc

|            |                    |   |            |    |             |    |       |
|------------|--------------------|---|------------|----|-------------|----|-------|
| A21-00053  | SPLIT RIGHT,       | C | 06/01/1989 | /Z | FALLS RIVER | 01 | IRR   |
| A21-00053A | PEARRELL, JAMES P  | C | 06/01/1989 | D/ | FALLS RIVER | 01 | IRR   |
| A21-00053B | WILSON SR, JACK    | C | 06/01/1989 | D/ | FALLS RIVER | 01 | IRR   |
| A21-00053C | WILSON SR, ANNA    | C | 06/01/1989 | D/ | FALL RIVER  | 01 | IRR   |
| A21-00053D | BLANCHARD, DAREN B | C | 06/01/1989 | D/ | FALLS RIVER | 04 | STOCK |
| A21-00053E | BLANCHARD, GAY N   | C | 06/01/1989 | D/ | FALLS RIVER | 01 | IRR   |
| A21-00053F | ALLEN, JACK C      | C | 06/01/1989 | /Z | FALLS RIVER | 01 | IRR   |
| A21-00053G | ALLEN, LAURA       | C | 06/01/1989 | L/ | FALLS RIVER | 01 | IRR   |
| A21-00053H | SPLIT RIGHT,       | C | 06/01/1989 | L/ | FALLS RIVER | 01 | IRR   |
| A21-00053I | COLE, SHERMAN      | C | 06/01/1989 | L/ | FALLS RIVER | 01 | IRR   |
| A21-00053J | COLE, NANCY L      | C | 06/01/1989 | L/ | FALLS RIVER | 01 | IRR   |
| A21-00053K | ABEGGLEN, ZANE     | C | 06/01/1989 | D/ | FALLS RIVER | 01 | IRR   |
| A21-00053L | ABEGGLEN, CINDY    | C | 06/01/1989 | D/ | FALLS RIVER | 01 | IRR   |
| A21-00053M | DOUGLAS, NORMAN D  | C | 06/01/1989 | D/ | FALLS RIVER | 01 | IRR   |

(Enter=Continue)

(GOLD7=This Query)

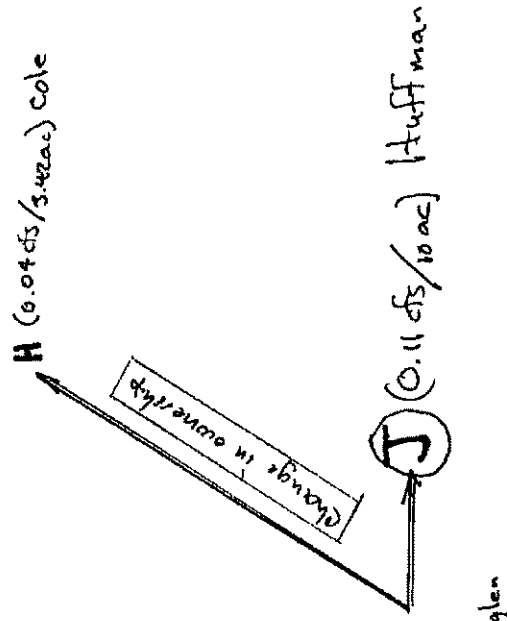
(Menu)

Water Rights:

21-00053 A (3.9 cfs/ ac) Farnsworth  
B (0.09 cfs/10 ac) Blanchard

Adjudication:

A 21-00053 (4.00 cfs/ ? ac)  
A (0.04 cfs/2 ac) Pearrell  
B (0.35 cfs/8 ac) Wilson  
C (0.09 cfs/10 ac) Blanchard  
D (0.46 cfs/65.5 ac) Allen  
E (0.31 cfs/27.1 ac) Cole  
F (0.15 cfs/13.42 ac) Cole  
G (0.15 cfs/13.63 ac) Abegglen



Change in Ownership

Rexburg Decree

21-39

Joseph Curr 21-39 240 in 6-10-1887

decreed Land

8N 41E

Sec 13 S $\frac{1}{2}$  SE

Sec 24 N $\frac{1}{2}$  NE

160 acres total

Claimant owns

12 acres in lot 10  
accomplished change

Sec 13 (Abe G. Le.)

# Rexburg Decree 21-53

A.T. and R.J. Farnsworth 21-53 acc'd 6-1-1889

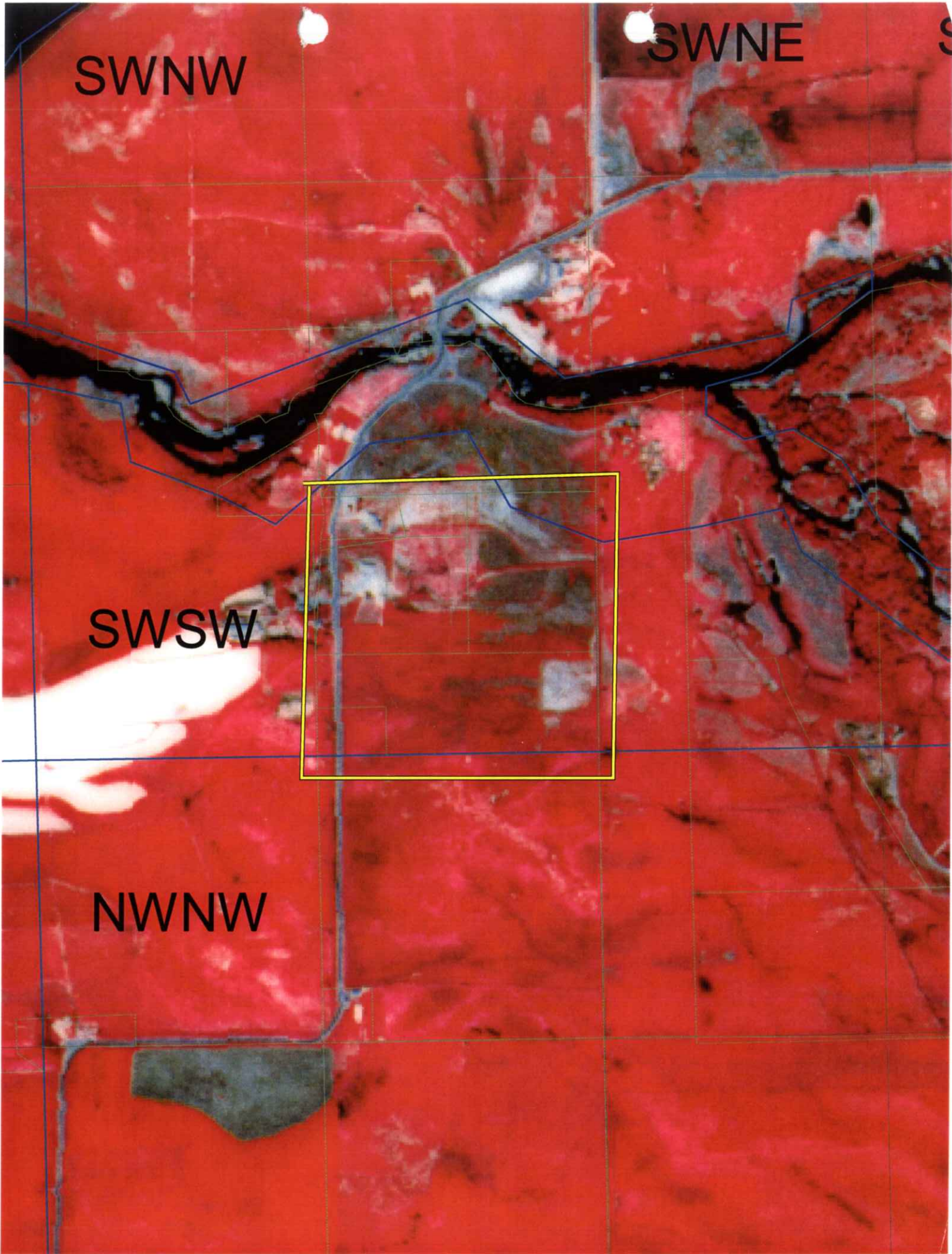
## Decreed Land

81V 41E

lot 1, 4, 5 and 10 and SE SW Sec 13  
lot 2, 3 and SE SE Sec 14  
NE NW ~~Sec~~ Sec 24

## Claimants own

12 acres in lot 10 Sec 13 (A Bebbelen)



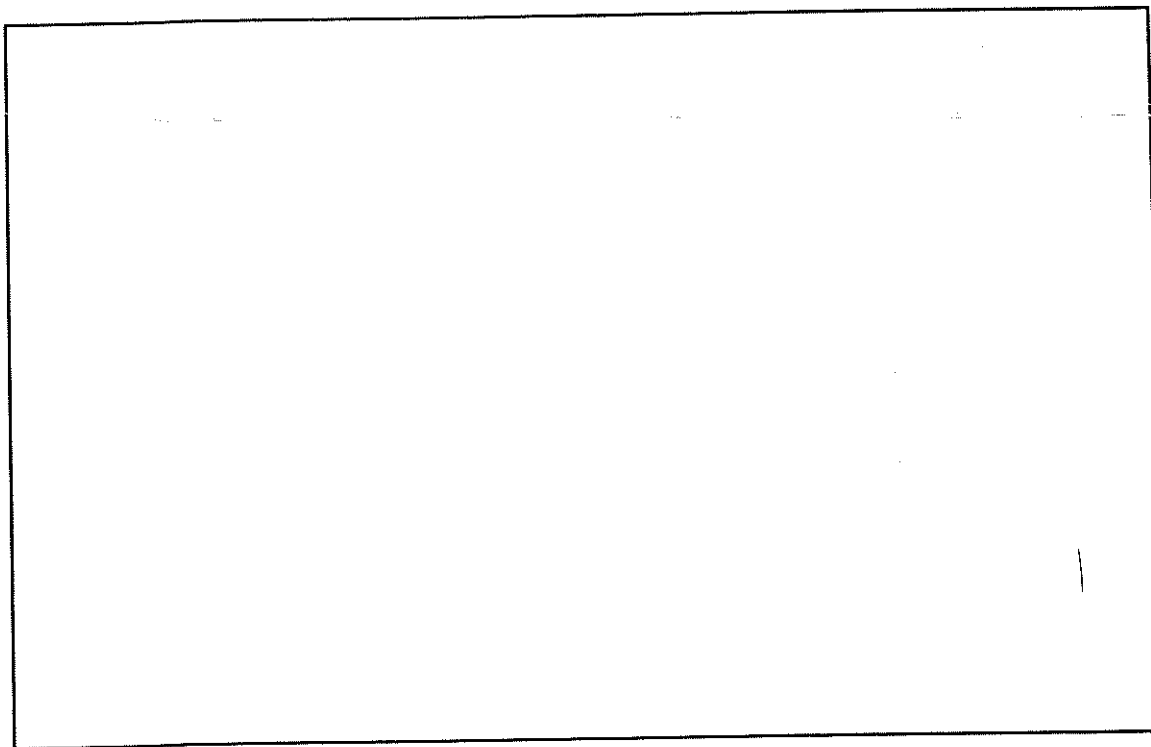
SWNW

SWNE

SWSW

NWNW

Water Right No(s). 21-000536.



**GPS DATA:**

Tag # \_\_\_\_\_ Location: \_\_\_\_\_

**Diversion Data:**

Source: FALLS RIVER Trib to: HENILTS FORK

**MOTOR**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Hp: \_\_\_\_\_  
SN: \_\_\_\_\_

**PUMP**

Make: \_\_\_\_\_ Model: \_\_\_\_\_ Disch: \_\_\_\_\_  
SN: \_\_\_\_\_

**NOTES:**

P.O.D. VERIFIED DURING INSPECTION OF 21-00039F  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Field Exam Date: \_\_\_\_\_ Agent: \_\_\_\_\_

## Point of Diversion and Source Data Entry Form

Claim Number: 21-000536Water Right Point(s) of diversion and Source. Curr Ditch

Water Right Point of Diversion: T \_\_\_\_\_, R \_\_\_\_\_, Sec. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary to: \_\_\_\_\_

Water Right Point of Diversion: T \_\_\_\_\_, R \_\_\_\_\_, Sec. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, County: \_\_\_\_\_

Source: \_\_\_\_\_ Tributary to: \_\_\_\_\_

Claimed Point(s) of Diversion and Source.

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source | Tributary to |
|-----|-----|-----|---------|----------------|--------|--------|--------------|
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |

Recommended Point(s) of Diversion and Source.

| Twp | Rge | Sec | Gov Lot | QQQ of QQ of Q | County | Source | Tributary to |
|-----|-----|-----|---------|----------------|--------|--------|--------------|
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |
|     |     |     |         |                |        |        |              |

Other rights from this POD? \_\_\_\_\_

Transfers Pending or approved: \_\_\_\_\_

Document how the POD and Source were verified:P.O.D VERIFIED BY INSPECTION OF 21-00039F - CURR DITCHReviewer: SHAI Date: 5-24-05

## Place Of Use Data Entry Form

Claim Number: 21-000539Claimed Place Of Use

| Twp | Rge | Sec | QQ | Q  | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|----|--------|---------|-------|----------------|
| 8N  | 41E | 13  | SE | SW | ME     |         | 13.7  | IRIR           |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |

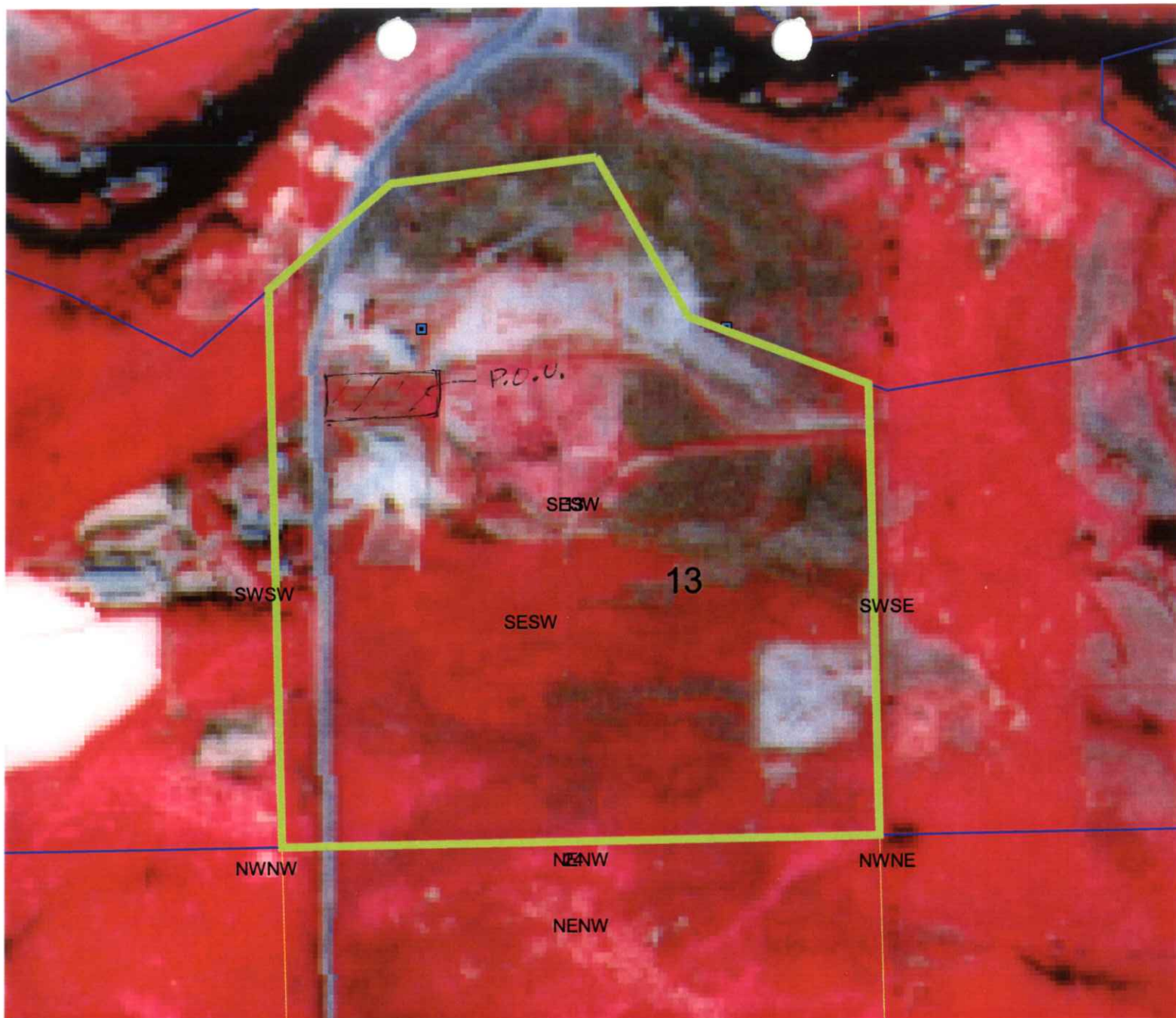
Total acres 13.7Recommended Place of Use

| Twp | Rge | Sec | QQ | Q  | County | Lot Num | Acres | Purpose of Use |
|-----|-----|-----|----|----|--------|---------|-------|----------------|
| 8N  | 41E | 13  | SE | SW | ME     |         | 13.7  | IRIR           |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |
|     |     |     |    |    |        |         |       |                |

Total acres 13.7

Pending or approved Transfers: \_\_\_\_\_

Overlapping rights: 21-00039FDocument how the POU was verified:P.O.U. VERIFIED BY INSPECTION ON 5-24-05Reviewer: SHM Date: 5-24-05



**21-00053G**  
**T08N R42E**