

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 45-11902
Date Received: 8/14/1989
Receipt No: S008843
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CLAUDETTE BRAY Phone: (208) 654-2808
554 SPRING CREEK RD
BURLEY ID 83318

JUNE G CAREY Phone: (208) 678-2901
462 E HWY 81
BURLEY ID 83318

2. Date of Priority: 01/01/1916

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11S	24E	6	NE NW	CASSIA	

5. Description of diverting works:

60' WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.16	

7. Total Quantity Appropriated is:
0.16 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	24E	6	NE	NW	IRRIGATION	8
Section Acres						8
Total Acres						8

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

SPRINGDALE SCHOOL.

15. Basis of Claim: Beneficial Use

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

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 (under the "split" heading), 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
45-11901					
45-11902					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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) is 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)

D. S. Evans Bank

4. New Owner/Claimant(s)

PO Box 87 Twin Falls, Id. 83303

Claudette Bray + June Carey

Name Connector (Check one) ☐ and, ☐ or, ☐ and/or

New Mailing Address

554 Spring Creek Rd

City, State and ZIP Code

Burley, Id 83318

New Telephone Number

208-654-2808

5. Date you acquired the property

May 04

RECEIVED

NOV 10 2000

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) X Claudette Bray
(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 _____

QUITCLAIM DEED

THIS INDENTURE, made this 5 day of may, 2004, between D.L. Evans Bank of P.O. Box 1188, Burley, Idaho 83318, herein called the "Grantor," and Claudette Bray of 554 Spring Creek Road, Burley, Idaho 83318 and June Carey of 462 E Hwy 81, Burley, Idaho 83318, herein called the "Grantees."

WITNESSETH:

The said Grantor, for and in consideration of the sum of ten dollars (\$10.00) and other lawful money of the United States of America, and other valuable consideration to Grantor in hand paid by the Grantees, the receipt whereof is hereby acknowledged but not recited, does by these presents remise, release and forever quitclaim unto the Grantees and to the successors and assigns of the Grantees, all of the interest of the Grantor in that certain lot, piece or parcel of land situated, lying and being in the County of Cassia, State of Idaho, bounded and particularly described as follows, to-wit:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE
BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 6: Part of Government Lot 3, more particularly described as follows:

Beginning at the Northeast corner of said Lot 3;
Thence West 396 feet;
Thence South 440 feet;
Thence East 396 feet;
Thence North 440 feet to the Point of Beginning

Note: The street address of 490 East 200 South, Burley, Idaho 83318 is sometimes associated with said property.

MEMORANDUM AGREEMENT

THIS AGREEMENT made this 5 day of May, 2004, between D.L. Evans Bank of P.O. Box 1188, Burley, Idaho 83318, hereinafter called the "Bank," and Claudette Bray of 554 Spring Creek Road, Burley, Idaho 83318 and June Carey of 462 E Hwy 81, Burley, Idaho 83318, hereinafter called the "Purchasers."

The Bank is the owner of that certain property identified on Exhibit "A" attached herein and incorporated by reference commonly associated sometimes with the street address of 490 East 200 South, Burley, Idaho 83318. The Bank is in possession of the property pursuant to a Trustee's Deed dated the 17th day of October, 2003, and recorded as instrument number 292081 in the records of the Cassia County Recorder.

This Memorandum memorializes and merges all prior discussions, negotiations, and agreements wherein the Bank has agreed to convey to the Purchasers the property identified on Exhibit "A," for the purchase price of \$27,500.00. Said transfer shall be by Quitclaim Deed and the parties hereby agree and acknowledge that the Bank has made no warranty, representation, promise, or guarantee to the Purchasers, with respect to the property. The Purchasers agree and acknowledge that the Bank shall convey the property by Quitclaim Deed, with all the legal implications associated with a Quitclaim Deed.

Said transfer shall also include all water rights associated with the property described on Exhibit "A," and the Bank makes no representation with respect to any

1 and all water rights identified therein as a result of the pending Snake River Basin
2 Adjudication and/or any other legal action constituting or concerning the water rights.

3 The Bank shall cooperate with and assist Purchasers in obtaining a notice of
4 change in water right ownership with Purchasers.

5 IN WITNESS WHEREOF the Bank and the Purchasers acknowledge and
6 agree to the above terms and conditions.
7
8

9 D.L. EVANS BANK

10
11 By: Roger M. Jacer
12 Its: V.P. + mgr.

13 PURCHASERS

14
15
16 Claudette Bray
17 Claudette Bray

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19 June Carey
20 June Carey
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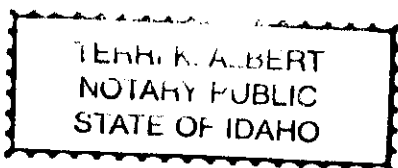
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NOV 30 2004

Department of Administration
Bureau of Notary Publics

STATE OF IDAHO)
) ss.
County of Cassia)

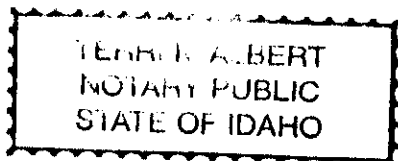
On this 5th day of May, in the year 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared ROGER FACER, known or identified to me to be the Vice President of D.L. Evans Bank, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Terri K. Albert
Notary Public for Idaho
Residing at Burley
My commission expires on 01-30-07

STATE OF IDAHO)
) ss.
County of Cassia)

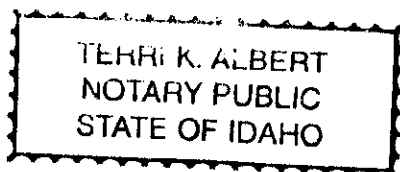
On this 5th day of May, in the year of 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared CLAUDETTE BRAY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Terri K. Albert
Notary Public for Idaho
Residing at Burley
My Commission expires 01-30-07

STATE OF IDAHO)
) ss.
County of Cassia)

On this 5th day of May, in the year of 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared JUNE CAREY, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



Terri K. Albert
Notary Public for Idaho
Residing at Burley
My Commission expires 01-30-07

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TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE
BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 6: Part of Government Lot 3, more particularly described as follows:

Beginning at the Northeast corner of said Lot 3;
Thence West 396 feet;
Thence South 440 feet;
Thence East 396 feet;
Thence North 440 feet to the Point of Beginning

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 45-11902
Date Received: 8/14/1989
Receipt No: S008843
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

D L EVANS BANK Phone: (208)736-7300
PO BOX 87
TWIN FALLS ID 83303

2. Date of Priority: 01/01/1916

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot		County	Type
11S	24E	6	NE	NW	CASSIA	

5. Description of diverting works:

60' WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.16	

7. Total Quantity Appropriated is:
0.16 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11S	24E	6	NE	NW	IRRIGATION	8
Section Acres						8
Total Acres						8

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

SPRINGDALE SCHOOL.

15. Basis of Claim: Beneficial Use

100

RECEIVED
DEC 31 2003
Department of Water Resources
Southern Region

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

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 (under the "split" heading), 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
<u>45-11902</u>	<u>45-11902</u>	☐	_____	_____	☐
_____	<u>45-11901</u>	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐
_____	_____	☐	_____	_____	☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
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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) is 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) Casey L. Osterhout & Camille H. Osterhout
490 East 200 South, Burley, ID 83318
4. New Owner/Claimant(s) D.L. Evans Bank
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 87
- City, State and ZIP Code Twin Falls ID 83301
- New Telephone Number (208) 736-7300
5. Date you acquired the property October 17, 2003

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 _____		
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Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

[Handwritten Signature]
JUP & M. W. Meyer

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 <i>[Signature]</i>	Date 12/31/03	Fee _____	
Received by _____	Date _____	Receipt No. _____	
Processed by _____	AJ Date _____	WR _____	Date _____

WARRANTY DEED

258523

For Value Received

JOINT SCHOOL DISTRICT 151, CASSIA, TWIN FALLS AND ONEIDA COUNTIES
STATE OF IDAHO, successor in interest to The Board of Trustees of School
District No. 30

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

CASEY L. OSTERHOUT and CAMILLE H. OSTERHOUT, husband and wife

Address: Box 566
Rupert, ID 83350

Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho, to-wit:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of Government Lot 3, more particularly described as follows:

Beginning at the Northeast corner of said Lot 3;
Thence West 396 feet;
Thence South 440 feet;
Thence East 396 feet;
Thence North 440 feet to the Point of Beginning.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

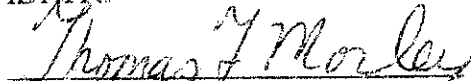
Taxes for 1998 and subsequent years.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

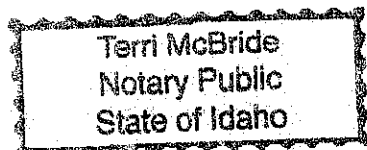
Dated: October 20, 1998

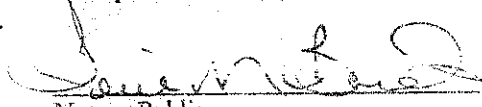
JOINT SCHOOL DISTRICT 151, CASSIA, TWIN FALLS AND ONEIDA COUNTIES, STATE OF
IDAHO


Thomas F. Morley, Superintendent

STATE OF IDAHO)
) ss.
COUNTY OF CASSIA)

On this 21ST day of October, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas F. Morley, known or identified to me to be the Superintendent of Joint School District 151, Cassia, Twin Falls and Oneida Counties, State of Idaho that executed the same.




Notary Public
Residing at: Reper
My Commission expires: 2/5/2002

RECORDED AT THE REQUEST OF

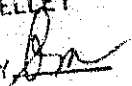
LAND TITLE & ESCROW

FILM 304

1998 OCT 23 P 1:58

258623

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER

FEE 600 DEPUTY 

292081

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PARSONS, SMITH & STONE, LLP
LAWYERS
BURLEY, IDAHO

TRUSTEE'S DEED

LAND TITLE AND ESCROW, INC., ("Trustee"), does hereby bargain, sell, and convey, without warranty to D.L. Evans Bank, whose address is P.O. Box 87, Twin Falls, Idaho 83301, ("Grantee"), all of the real property situated in the County of Cassia, State of Idaho, described as follows:

TOWNSHIP 11 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 6: Part of Government Lot 3, more particularly described as follows:

Beginning at the Northeast corner of said Lot 3;
Thence West 396 feet;
Thence South 440 feet;
Thence East 396 feet;
Thence North 440 feet to the Point of Beginning.

Note the street address of 490 East 200 South, Burley, Idaho 83318, is sometimes associated with said property.

This conveyance is made pursuant to the powers conferred upon the Trustee by the Deed of Trust between Casey and Camille Osterhout, as Grantors, The Trustee, and D.L. Evans Bank, as Beneficiary, particularly described as follows:

Deed of Trust dated July 2, 1999, and recorded on the 12th day of July, 1999, as instrument number 263865 in the office of the County Recorder for Cassia County, Idaho

The conditions set forth in the Deed of Trust were fulfilled, to-wit:

1. Notice of Default was recorded as Instrument number 289178 in the office of the County Recorder of the County of Cassia, State of Idaho, on the 6th day of June, 2003. The nature of the default was set forth in the Notice of Default and the

1 acts constituting the default still existed at the time of sale.

2 2. After the Notice of Default was recorded the Trustee gave notice of
3 the time and place of sale of said property by certified mail, by personal service, by
4 posting in a conspicuous place on the premises and by publishing in a newspaper of
5 general circulation in the County where the property is situated, all of which appears
6 in the Affidavits recorded at least twenty (20) days prior to the date of the sale as
7 Instrument numbers 289908, 289909, and 289910, on the records of Cassia County,
8 State of Idaho. The provisions, recitals and contents of the Notice of Default, the
9 Affidavits and Notices hereby referred are incorporated herein by reference as though
10 set forth at length.
11

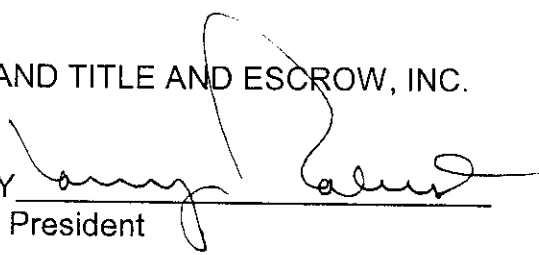
12 3. All requirements of law regarding the mailing, personal service,
13 posting, publication and recording have been complied with.
14

15 4. The Trustee, at the time and place fixed by the Notice sold the
16 property, previously described herein, to the Grantee, who was the highest bidder for
17 the property for the sum of \$56,136.20 credit on the indebtedness, subject to all prior
18 liens and encumbrances. No person offered to take any part of the property less than
19 the whole thereof for an amount of principal, interest, advances and costs.
20

21 IN WITNESS WHEREOF, the Trustee has executed this Deed this
22 17th day of October, 2003.



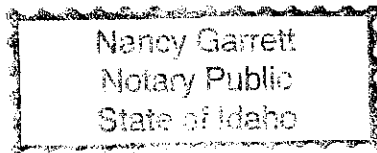
LAND TITLE AND ESCROW, INC.

BY 
President

PARSONS, SMITH & STONE, LLP
LAWYERS
BURLEY, IDAHO

STATE OF IDAHO)
County of Cassia) ss.

On this 17 day of October, in the year 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared LARRY ROBERTS, known or identified to me to be the President of Land Title & Escrow, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.



Nancy Garrett
Notary Public for Idaho
Residing at Burley, ID
My commission expires on 2-5-08

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

03 OCT 20 PM 2 47

CASSIA COUNTY, IDAHO
LARRY A. MICKELSEN
RECORDER
FEE 9.00 DEPUTY [Signature]

292081

RECEIVED
DEC 31 2003
Department of Water Resources
Southern Region

Lance A. Loveland
PARSONS, SMITH & STONE, LLP
137 West 13th Street
P.O. Box 910
Burley, Idaho 83318
(208) 878-8382
(208) 878-0146 - fax
Idaho State Bar #5787
Attorneys for D.L. Evans Bank

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

)
) Subcase No. 45-11901
) 45-11902
)

Case No. 39576,

) NOTICE OF APPEARANCE
)
)
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)

TO: The Clerk of the Court

YOU WILL PLEASE TAKE NOTICE that the firm of Parsons,
Smith & Stone, LLP appears on behalf of the Claimant, D.L. Evans
Bank.

DATED this 30 day of December, 2003.

PARSONS, SMITH & STONE, LLP



Lance A. Loveland
Attorneys for D.L. Evans Bank
P.O. Box 910
Burley, Idaho 83318

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: A45-11902
Date Received: 8/14/1989
Receipt No: S008843
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOINT SCHOOL DISTRICT #151 208-678-6600
Address: 237 E. 19TH ST.
BURLEY, ID 83318

2. Date of Priority: JAN 01, 1916

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	24E	6	NE	NW			CASSIA

5. Description of diverting works:
60' WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.160		

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

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	24E	6	NE	NW		IRR	8.0

Section Acres 8.0

Total Acres 8.0

A45-11902

Page 1

Date: 08/14/89

MICROFILMED

MAR 10 1993

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
NONE

14. Remarks:
SPRINGDALE SCHOOL.

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 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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A45-11902
Date Received _____
Receipt Number _____

RECEIVED

JUN 28 1989

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUL 28 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Joint School Dist No. 151 Phone (208) 678-6600

Mailing Address 237 E 19th St. Burley, Idaho Zip 83318

2. Date of Priority (Only one (1) per claim) ~~1916~~ 1/1/1916

3. Source of water supply (a) groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11 S Range 24 E Section 6,
NE 1/4 of NW 1/4 of _____ 1/4, Govt. Lot, 3 B.M., County of Cassia

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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, 60 feet deep

COPY

MICROFILMED

MAR 1 1993

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3-15 to 11-15 amount .14 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .14 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 24 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11S	24E	6					8												8

Total number of acres irrigated 8

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

12. Do you own the property listed above as place of use? Yes X 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.
_____ or None ()

14. Remarks:

MICROFILMED

MAR 10 1993

Last Name School Dist No 151 Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Sec. 6 Township 11S Range 24E

place of use	
pt of distn	

Last Name School Dist No 151

Ident No. _____

Copies: White-State, Yellow-**MAR 1 9 1993** Mainland

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

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

of School Dist. #151 _____, that I have signed the foregoing
Organization

document in the space below as Superintendent of School Dist #151
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Norman F. Hurst

Title and Organization Superintendent Date 6/27/89

State of Idaho/or _____)
County of CASSIA) SS.

Subscribed and sworn (or affirmed) before me this 27 day of June 1989

SEAL

Notary Public Deanna J. Jones

Residing at BURLEY, ID

My Commission Expires 11-90

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Douglas R. Whipple will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Douglas R. Whipple

Address P.O. Box 249, Burley, Id.

Date _____

MICROFILMED

MAR 10 1993

Last Name School Dist No 151 Ident. Number _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug. 23, 1989

.DOUGLAS R WHIPPLE
.P O BOX 249
.BURLEY ID 83318

Dear Claimant(s):

A45-07208
A45-07236
A45-07207
A45-11900
Re: A45-11901
A45-11902 -
A45-11903
A45-11904
A43-10598
A43-10599
A43-10600

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of you claim(s), please contact this office.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Judy'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 1 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

25-Jan-1993

R. KEITH HIGGINSON
Director

A45-11902
DOUGLAS R. WHIPPLE
P.O. BOX 249
BURLEY

ID 89318

RE: Evidence of Priority

RESPONSE DEADLINE

APRIL 1, 1993

Dear Claimant:

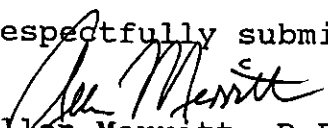
The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will at a later date conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.

Please find enclosed a computer printout of your Notice and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date by April 1, 1993, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,


Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 1 1993

RECEIVED
FEB 28 2005
DEPARTMENT OF
WATER RESOURCES

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)

A. Subcase

45-11902

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Claudette Bray

Address:

554 Spring Creek Rd
Burley, Id. 83318

Daytime Phone:

208-654-2808

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Claudette Bray and June Carey

Address:

554 Spring Creek Rd
Burley, Id. 83318

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point of Diversion**
Should be: _____
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☒ **I object because:**
☐ This water right Should not exist.

☒ This water right was not recommended, but Should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTIONS(S):

The previous claimants didn't get the paperwork sent in - The property was tied up at the bank - It should be reconsidered now!

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Cassia)

CLAUDETTE BRAY, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

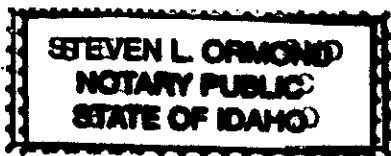
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

x Claudette Bray
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

February 25, 2005



Steven L. Ormond
Notary Public for Idaho
Residing at: Burley, Idaho
My Commission Expires: 10-04-06

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on Feb. 26th, 2005, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: NA

Address: _____

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

x Claudette Bray
Signature of objector or attorney
mailing on Objector's behalf

COPY

2004 DEC 17 PM 1:10
FILED
TWIN FALLS CO., IDAHO

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	)	Subcase No. 45-11901, 45-11902
	)	
Case No. 39576	)	
	)	NOTICE OF COMPLETED
_____	)	ADMINISTRATIVE PROCEEDING

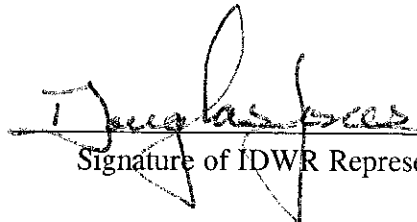
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated: 12/3/04



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 12/19, 2004, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
Lance Loveland
Parsons Smith & Stone LLP
PO Box 910
Burley ID 83318
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Claudette Bray June Carey
554 Spring Creek Rd 462 E Hwy 81
Burley ID 83318 Burley ID 83318
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

12/02/2004

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DEC 17 PM 1:10

RIGHT NUMBER: 45-11901
NAME AND ADDRESS: CLAUDETTE BRAY
554 SPRING CREEK RD
BURLEY ID 83318

JUNE G CAREY
462 E HWY 81
BURLEY ID 83318

DISTRICT CLERK - SRBA
TWIN FALLS CO., IDAHO
FILED

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
2,500 GALLONS PER DAY.

PRIORITY DATE: 01/01/1916

POINT OF
DIVERSION: T11S R24E S6 NENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within CASSIA County

T11S R24E S06 NENW

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 - Beneficial Use

PARCEL NO. RP11S24E062400

12/2/2004

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
45-11902	CLAUDETTE BRAY 554 SPRING CREEK RD BURLEY ID 83318	Disallowed	NO BENEFICIAL USE FOUND.
	JUNE G CAREY 462 E HWY 81 BURLEY ID 83318		



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 17, 2004

CLAUDETTE BRAY
554 SPRING CREEK RD
BURLEY ID 83318

RE: SRBA Claim(s) 45-11901, 45-11902

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records, Specialist

cc: June Carey
462 E Hwy 81
Burley ID 83318

Lance Loveland
Parsons Smith & Stone LLP
PO Box 910
Burley ID 83318

08/28/2003

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

RIGHT NUMBER: 45-11902
NAME AND ADDRESS: CASSIA COUNTY JOINT SCHOOL DISTRICT # 151
237 E 19TH ST
BURLEY ID 83318

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.160 CFS

PRIORITY DATE: 01/01/1916

POINT OF DIVERSION:

T11S R24E S6 NENW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

0.160 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County

T11S R24E S06 NENW 8.0

8 ACRES TOTAL

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

NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

NO BENEFICIAL USE FOUND.

EXPLANATORY MATERIAL: Beneficial Use

DISALLOWED
VERIFIED BY KKC



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Wednesday, December 31, 2003

DL EVANS BANK
PO BOX 87
TWIN FALLS ID 83301

Re: SRBA Claim #45-11901, #45-11902

To whom it may concern:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownerships to you. Please find the enclosed copies of the computer records of the claims noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact me at this office, (208) 736-3033.

Sincerely,

Carrie Hahn
Office Specialist

Enc. (5)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

DEPT INTERNET WEB SITE: www.idwr.state.id.us

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 28, 2003

CASEY OSTERHOUT
490 E 200 S
BURLEY ID 83318

RE: SNAKE RIVER BASIN CLAIM 45-11902

Dear Casey

I checked with the Cassia County assessor and they informed me that you have purchased the Springdale School and 4 acres surrounding the school. The claim filed by the school district was a beneficial use claim for the irrigation of 8 acres.

Based upon the information available at this time it appears that you should be listed as owner for at least a portion of that right.

As the claim currently stands, I am required to recommend it for disallowal as evidence of priority has not been submitted for this right.

If you do have an interest in this right you need to submit a change of ownership indicating the extent of your ownership. Once the claim is in your name you will be required to submit evidence of priority before I can recommend this right as a valid right

If you have any questions please give me a call at the number listed above.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchrste@idwr.state.id.us



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

DEPT INTERNET WEB SITE: [www/idwr.state.id.us](http://www.idwr.state.id.us)

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 18, 2003

CASEY OSTERHOUT
490 E 200 S
BURLEY ID 83318

RE: SNAKE RIVER BASIN CLAIM 45-11902

Dear Casey

I checked with the Cassia County assessor and they informed me that you have purchased the Springdale School and 4 acres surrounding the school. The claim filed by the school district was a beneficial use claim for the irrigation of 8 acres.

Based upon the information available at this time it appears that you should be listed as owner for at least a portion of that right.

As the claim currently stands, I am required to recommend it for disallowal as evidence of priority has not been submitted for this right.

If you do have an interest in this right you need to submit a change of ownership indicating the extent of your ownership. Once the claim is in your name you will be required to submit evidence of priority before I can recommend this right as a valid right. I have enclosed a change of ownership form for your use. Please review the instructions especially those regarding splitting the right.

If you have any questions please give me a call at the number listed above.

Sincerely

A handwritten signature in black ink that reads 'Kelly K Christensen'. The signature is written in a cursive, flowing style.

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchriste@idwr.state.id.us

Enclosure

Current owner

Casey Osterhout

490 E 200 S

BURLEY ID 83318

Phone # listed in
phone book is disconnected
as of 3-18-03.

per Cassia County Assessor.
Purchased 4 acres.

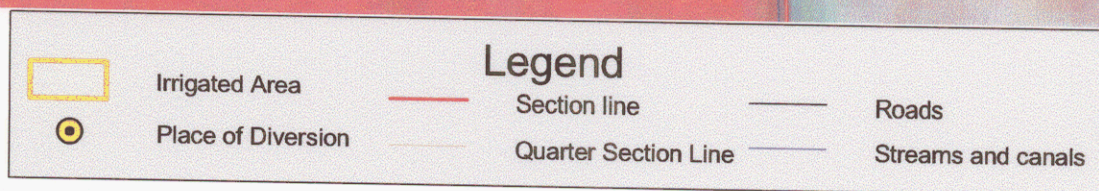
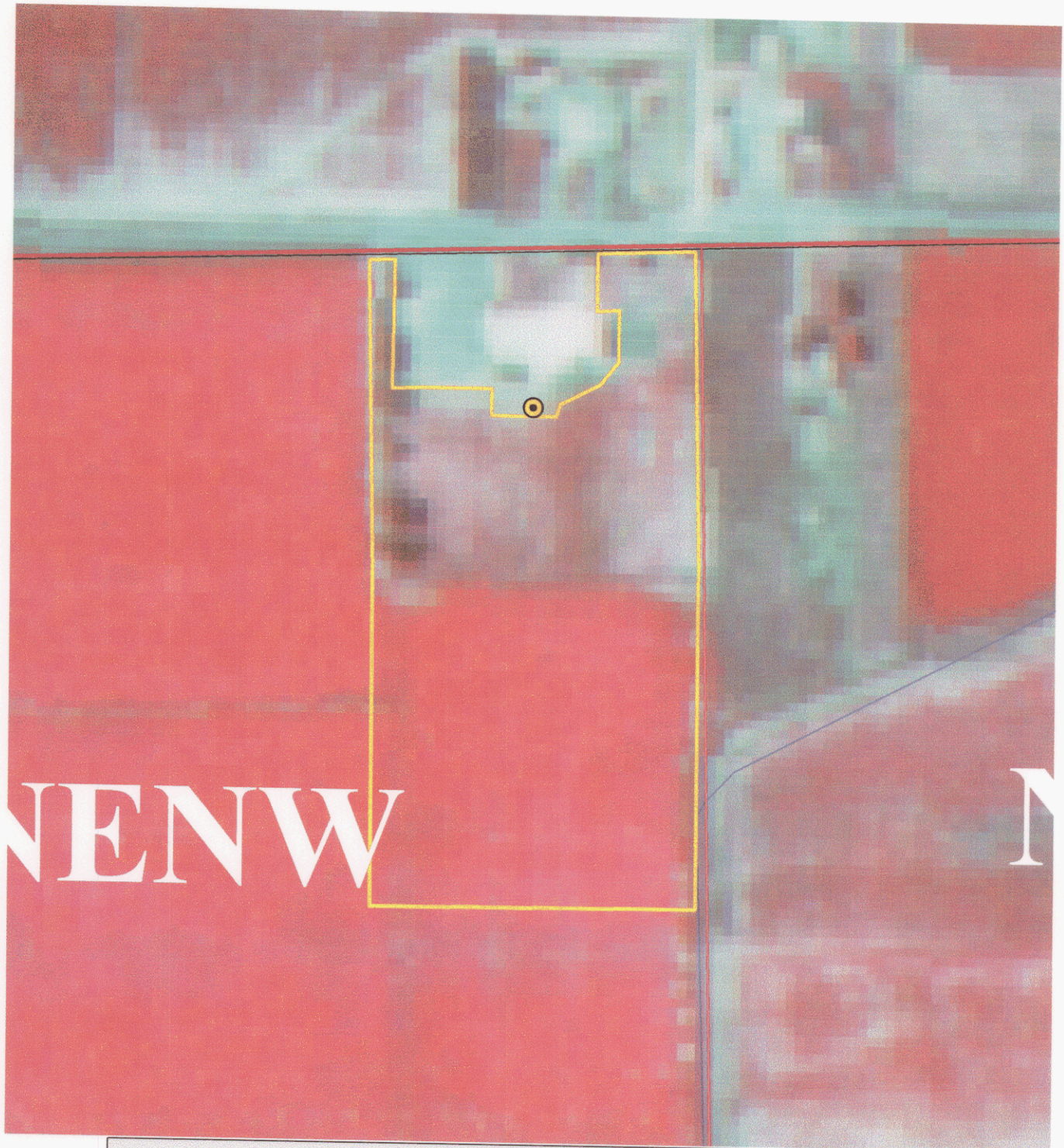
Log for claim A45-11902

Spatial Dynamics AMH

6/5/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s24e	6	NENW	8	6.4	
Totals:			8	6.4	

Townships , 10S24E, 11S24E



BYINGTON, HOLLOWAY,
WHIPPLE & JONES

— CHARTERED —

ATTORNEYS AT LAW

DOUGLAS R. WHIPPLE
DENNIS R. BYINGTON
STANLEY HOLLOWAY
KAY R. JONES
KERRY D. McMURRAY*

P.O. BOX 188
111 WEST 15TH STREET
BURLEY, IDAHO 83318
(208) 678-0404

*LICENSED IN UTAH & IDAHO

RECEIVED
APR 01 1993
Department of Water Resources
Southern Region Office

March 30, 1993

Allen Merritt, P.E.
Department of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Re: Evidence of Priority
Claim No. A45-11900
Claim No. ~~11900~~

Dear Mr. Merritt:

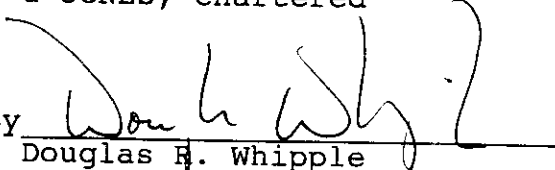
Enclosed please find the Affidavits of Norman F. Hurst, as documentation for the School District's water rights to the groundwater for the above referenced Claims.

If I can be of further assistance in this matter, please don't hesitate to contact me.

Sincerely,

BYINGTON, HOLLOWAY, WHIPPLE
& JONES, Chartered

By


Douglas R. Whipple

DRW/rw
Enclosures

PC: file

MICROFILMED
OCT 28 1994

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES

ADJUDICATION CLAIMS

APR 01 1993

Department of Water Resources
Southern Region Office

AFFIDAVIT of
NORMAN F. HURST

Notice No. A45-11902

STATE OF IDAHO)
 ss.
County of Cassia)

Norman F. Hurst, being first duly sworn, deposes and states as follows:

1. That your Affiant, Norman F. Hurst, is the Superintendent of the Cassia County Joint School District No. 151.
2. That your Affiant is the custodian of all school records for Joint School District No. 151 and its predecessor School Districts.
3. That concerning Notice of Claim No. A45-11902 your Affiant has located the attached documents marked Exhibit "A", hereby fully incorporated hereto, indicating that the Springdale School that is located on the real property described in Notice of Claim No. A45-11902, was in operation on September 13, 1913, and thereafter to and including the present.
4. That your Affiant, as Superintendent, has records in his possession and has been informed by other parties that indicate or have stated that a school with a water well, as represented by said District's Notice of Claim, was in operation on January 1, 1916.

DATED This 31st day of March, 1993.

Norman F. Hurst
NORMAN F. HURST

SUBSCRIBED AND SWORN To before me this 31st day of March, 1993.

Sharon K. Hanson
Notary Public
Residing at:
My Commission Expires:
MICROFILMED
OCT 28 1994

POOR ORIGINAL

17161

School District No. 30

COUNTY OF Carson
STATE OF IDAHO.

Copy of
Census Marshal's Report
For 1916

Approved and Filed

Dec. 6, 1916

Mar. Low
County Superintendent of Public Instruction.

N. B.—This form is authorized by the State Board of Education in accordance with Sec. 22b, Revised School Code.

STATE-1025 CH. No. 115

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OCT 28 1994

POOR ORIGINAL

SCHOOL CENSUS MARSHAL'S REPORT

NAMES AND ADDRESSES OF CHILDREN

Of Census for School District No. 30, County of Cassia, State of Idaho, to the District School Trustees, and to the State Superintendent of Public Instruction, for the school year commencing the first Tuesday of September, 1916, and ending September 19, 1916.

NAME AND ADDRESS OF PARENT OR GUARDIAN	NAME OF CHILDREN	No. Children Between Ages 5 and 21 Years			REMARKS
		Boys	Girls	Total	
C. C. Livingston	Livingston		1		
	Elizabeth		1		
	David L.		1		
	Emma		1		
	William Rasmussen		1		
N. P. Rasmussen	August Emil	1			
	Henry	1			
	Julius	1			
	Frank	1			
	Florence		1	5	7
A. B. McFarland	Niels P. Jr.	1		7	19
	Dorothy R.		1		10
	Anna L.		1	2	6
James Bronson	Bryan Bronson	1			19
	Gladys		1		16
E. S. Olson	Ora		1	3	14
	Vivian Olson		1		16
	Varian	1			12
	Vaughn	1		3	10
John H. Zmish	John B. Zmish	1			10
	Elmer B.	1		2	7
J. W. Wixom	Earl Wixom	1			16
	Kenneth	1			14
	Calvin	1			13
	Carroll	1			9
	Joseph	1		5	7
J. N. Dayley	Lula C. Dayley		1		15
	Silas D.	1			12
	Iva		1		10
	Thelma		1	4	7
P. D. Pace	Emma Judd		1		
	La Paul Pace		1	2	
	Marshall Tolman	1			
	Laurence	1			
C. O. Tolman	Welda		1	3	

Stanley March

H. H. Farland

H. H. Farland

H. H. Farland

H. H. Farland

H. H. Farland

H. H. Farland

H. H. Farland

H. H. Farland

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H. H. Farland

H. H. Farland

MICROFILMED

OCT 28 1994

L. J. Nulce

Ike Jensen

POOR ORIGINAL

NAMES AND ADDRESSES OF PARENTS OR GUARDIANS	NAMES OF CHILDREN	No. Children Between Ages 5 and 21 Years			NATIONALITY	Age of Each Child
		Boys	Girls	Total		
Stanley Marchant	Gerald Marchant	1				12
	Olga		1	2		10
G. W. Field	Paul W. Field	1				17
Vernice	Vernice	1				13
"	Alton	1				8
	Bernice		1	4		6
P. P. Pratt	Lona Pratt		1			17
	Orien	1				15
	Ariel	1				13
	Ray	1				9
	Nina		1	5		7
L. W. Bray	Ethel Bray		1			18
	Stanley	1		2		16
M. M. Kelley	Irene Kelley		1			15
	Eutra		1			11
	Bryan	1		3		8
O. R. Simplot	Margaret Simplot		1			10
	Myrtle		1			9
	Jack	1		3		6
Robert Galbraith	Merle Galbraith		1			10
	Joseph	1				9
	Clifton	1		3		7
James Lee	Lester Lee	1				18
	Frances		1			16
	Franklin	1				14
	Velma		1	4		10
Wm Manning	Horace Manning	1				9
	Viola		1	2		6
F. L. Kirkade	Minnie Kirkade		1			15
	Leone	1				12
	William	1				10
	James	1		4		7
Frank Fredrick	Frank Fredrick	1				16
	Elsie		1			13
	Ethel		1	3		8
L. J. Hulce	Gladys Hulce					13
	Merle	1				10
	Galun	1				7
Ike Jensen	Florence Jensen		1			12
	Eddie	1		2		8
B. Madsen	Magnus Madsen	1				13
	Robert	1		2		10

MICROFILMED

OCT 28 1994

OUR ORIGINAL

SCHOOL CENSUS MARSHAL'S REPORT

Of Census for School District No. 132, County of Boise, State of Idaho, to the District
 School Trustees and to the State Superintendent of Public Instruction, for the school year beginning
 the first day of September, 1917, and ending September 19, 1918.

NAME AND ADDRESS OF PARENTS	NAME OF CHILDREN	No. Children Between Ages 5 and 21 (1917)			REMARKS
		Boys	Girls	Total	
L. Heiselt	Paul Heiselt		1		
	Martha M. "	1		2	
W. N. Draper	Marcel L. Draper		1		
	Martha M. "		1		
	Elmer B. "	1			
	William L. "	1			
	Harold D. "	1			
	Lyman "	1			
C. A. Ammons	Edwina L. Ammons	1			
	Bernice M. "		1	2	
L. J. Hulce	Eather Hulce		1	1	
L. M. Goffan	Lee Goffan	1		1	
E. Ranson	Wm Ranson	1			19
	David "	1			18
	Vera "		1		12
	Farrell "	1			10
	Neta "		1	5	6
E. A. Stephenson	Henry Stephenson	1			12
	John "	1			9
	Arnold "	1		3	6
R. L. Johnson	Pearl Johnson		1	1	7
Roy Sheldon	George Sheldon	1		1	7
Joseph Dayley	Hyrum Dayley	1			19
	Roy "	1			18
	Laura "		1		14
	Bora "	1	1		12
	Walter "		1	5	12
A. E. Johnson	Raymond Johnson	1			14
	Helen "		1		11
	Christof "	1		3	
Tom Dayley					
Tom Nelson	Homar Nelson	1			14
	Eva "		1		12
	Gladys "		1	3	16
	Bernice Dayley	1			8
	Lloyd "	1		2	

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POOR ORIGINAL

NAME AND ADDRESSES OF PARENTS OR OWNERS	NAMES OF CHILDREN	No. Children Between Ages 0 and 21 Years			NATIONALITY	Age of Each Child
		Boys	Girls	Total		
Jm Stegers	Robert Stegers	1				20
	Harvey S. ..	1				18
	Emmett E.	1				16
	Almon E.	1		4		17
Albert Hay	David M. Corbit	1				16
Margatha Ellen Smith	Emma L. Hay		1	2		17
	Jesse T. Smith	1				17
	Jessie ..		1	2		15
		6	2	8		
Thos. & Nellie Dayley	Fredrick	+				12
	Orenia		1			13
	Ivan	1				11
	Elzina		1			9
	Harold	1				6
		+				12

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OCT 28 1994

ROOF ORIGINAL		DEAF AND BLIND			
NAMES AND ADDRESSES OF PARENTS OR GUARDIANS	NAMES OF CHILDREN	Age	Sex	AFFLI	Total or Partial
None					

FEEBLE MINDED				
NAMES AND ADDRESSES OF PARENTS OR GUARDIANS	NAMES OF CHILDREN	Age	Sex	REMARKS
None				

REMARKS:

CERTIFICATE TO COPY OF CENSUS REPORT

School District No. 30 basia County, Idaho, Sept 19, A. D. 1916.

L. L. Livingston THIS CERTIFIES, That the foregoing is a true copy of the census taken by a Census Marshal duly appointed and sworn for School District No. 30, in the County of basia, in the State of Idaho; that said report contains the names of no children who are not bona fide residents of said district; that said Census Marshal has faithfully performed his duties; that the taking of said census was commenced on the 18 day of Sept, A. D. 1916, and that the original report thereof was received by the Board of Trustees of said District on the 19 day of Sept, 1916, at a meeting of said Board duly called and held for that purpose; that said Census Report is true and correct; that a true summary thereof is as follows:

Number of boys in said district of school age (white) 68
 Number of girls in said district of school age (white) 53
 Number of boys in said district of school age (colored)
 Number of girls in said district of school age (colored)
 Total (white and colored)
 Total number of children in said district between the ages of 8 and 18 years 81
 The Board of Trustees of School District No. 30, in basia County, State of Idaho,

By L. L. Livingston, Clerk.

NOTES.—Trustees must execute this certificate on the copy of Census Marshal's Report and forward same to the County Superintendent. Please examine your School Laws thoroughly.
 Census-enumeration must begin on the first Tuesday of September (Revised School Code, Sec. 58k, page 86.)

MICROFILMED
OCT 28 1994

POOR ORIGINAL

Certificate to Copy of School Census Report.

School District No. 30, Cassia County, Idaho.A. D. 1932

THIS CERTIFIES That the foregoing is a true copy of the census taken by P. P. Pratt, Clerk of School District No. 30 in the County of Cassia, in the State of Idaho; that said report contains the names of no children who are not bona fide residents of said District; that said P. P. Pratt has faithfully performed his duties; that the taking of said census was commenced on the second day of September A. D. 1932, and that the original report thereof was received by the Board of Trustees of said District on the day of Sep A. D. 1932 at a meeting of said Board, duly called and held for that purpose; that said Census Report is true and correct; that a true summary thereof is as follows:

Number of boys in said District of school age 32Number of girls in said District of school age 35Total 67

Total number of children in said District between the ages of 8 and 14, who reside within two miles of the school house by the nearest traveled road 29

THE BOARD OF TRUSTEES OF SCHOOL DISTRICT NO. 30In Cassia County, State of Idaho.By P. P. Pratt Clerk.

NOTE.—Trustees must execute this certificate on the copy of Census Report and forward same to County Superintendent.

MICROFILMED
OCT 28 1994C. J. Smith
10/28/94

FOUR ORIGINAL

SCHOOL CENSUS REPORT

Census for school district No. ³⁰ Cassia County

Idaho Report from the trustees to the County Superintendent.

The school year begins on the second Monday in September, which date is Sept. 191, and ends on the day of Sept., 191 .

Name of parent or Guardian. Name Both	Names of children	Age
Mrs. Livingston	Earnest Livingston	19
Mrs. L. L.	Edward	17
	Hellie	15
	Varian	12
	Lizzie	10
	Loveda	8
	Erna	6
J. V. Layley	Marie	17
Mrs. J. V.	Bern	15
	Lila	12
	Silas	9
	Ira	7
Wm. Christopherson	Colie	18
Mrs. Wm.	Lila	16
	Hearn	14
	Olina	6
J. D. Pace Guardian	Emma Judd	9
Mrs. J. D. Pace		
Lynna Tolman	Lawrence Tolman	7
Mrs. L.		
A. R. Simplot	Margaret	7
Mrs. A. R.	Myrtle	6
E. D. Olsen	Vivian	13
Mrs. E. D.	Varian	9
	Wagner	7
Bert Burgess	Joseph Burgess	
Guardian		

MICROFILMED
OCT 28 1994

POOR ORIGINAL

SCHOOL CENSUS REPORT

Census for school district No. Cassia County
Idaho Report from the trustees to the County Superintendent.
The school year begins on the second Monday in September, which
date is Sept. 191, and ends on the day of Sept., 191 .

Name of parent or Guardian. Name Both	Names of children	Age
E. G. Lockren	Howland Lockren	7
P. M. Roach	Charles Roach	13
Mrs.	Louie	"
	Leah	9
	Joseph	7
	Violet	6
P. M. Roach	(Marie August)	
Mrs. Guardian	(Katie Brady)	7
J. H. Field	Res. Fields	13
	Verness	10
H. J. Rasmussen	Torval Rasmussen	20
Mrs.	Heilo	16
	Helba	14
	Emil	"
	Henry	9
	Julius	9
	Frank	7
P. J. Chatt	Ethel Chatt	16
Mrs. Ellen Chatt	Eva	11
	Erin	12
	Orill	9
	Ray	6
James Bronson	Bryant Bronson	16
	Shady	14
	Ora	12
Martha Stobacken	Louie Stobacken	16
Arnel E. Johnson	Edwin Johnson	8
Mrs.	Raymond	"
Whe Jensen		
Mrs.	Florance Jensen	9

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OCT 28 1994

POOR ORIGINAL

1900 1901

1902 1903

1904 1905

1906 1907

1908 1909

1910 1911

1912 1913

Parents	Children	Age
J. L. Kinkadee	Minnie Kinkadee	13
	Cornelius "	9
	William "	7
J. H. Kinkadee	Kamer Helcox	19
Bert Matson	Magness Matson	10
Mrs. "	Gilbert "	8
William Fisher	Hazel Fisher	12
Mrs.	Bessie "	10
Stanley Marchant	Gerald Marchant	9
	Olar	7
J. H. Bray	Ethel Bray	16
Mrs.	Stanley "	14
Anthony Blackburn	Lishe Blackburn	17
M. G. Myers	Lizzie Myers	20
	Minnie	18

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OCT 28 1994