

\$25⁰⁰

PD

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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: A31-10967
Date Received: 3/ 8/1993
Receipt No: ED18328
Received By: ES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TRACTOR SALES & AUTO INC. 208-522-7291
Address: C/O TERRIE KILLIAN, SEC
PO BOX 50250 ID 83405

2. Date of Priority: DEC 8, 1965

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	34E	22		NW	NW		JEFFERSON

5. Description of diverting works:
WELL AND PUMP TO HOME AND BUSINESS

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE; FARM IMPLEMENT BUSINESS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06N	34E	22		NW	NW	DOMEST	

11. Place of use in counties: JEFFERSON

A310967



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APR 15 1994

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

13. Other Water Rights Used:
31-04074

14. Remarks:

POINT OF DIVERSION IS SHARED WITH ESTHER TAYLOR BY AGREEMENT.
SEE DOCUMENTS ATTACHED.

USE OF WATER DOES NOT EXCEED 2500 GALLONS PER DAY.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am SECRETARY of
Title

TRACTOR SALES & AUTO, INC. that I have signed the foregoing
Organization

document in the space below as SECRETARY of
Title

TRACTOR SALES & AUTO, INC. and that the statements contained in the
Organization

foregoing document are true and correct.

James Killian
Signature of Authorized Agent

SECRETARY, TRACTOR SALES & AUTO, INC.
Title and Organization

3-8-93
Date

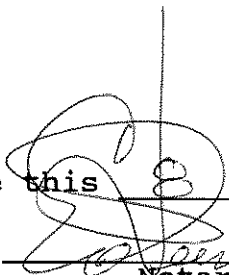
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APR 15 1994

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 8 day
of MARCH 19 93

Seal


Notary Public

Residing at

Lake Falls, Id.

My Commission Expires

22 Aug 1994

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APR 15 1994

WARRANTY DEED

THIS INDENTURE, Made this 8th day of December 1965,
by and between ESTHER TAYLOR, a widow

of the County of Jefferson, State of Idaho, the part Y of the first
part, and KEITH S. DOUGLASS and IMOGENE DOUGLASS, husband and wife,

of the County of Bonneville, State of Idaho, the part ies of the second
part.

WITNESSETH, That the said part Y of the first part, for and in consideration of the sum of
TEN AND NO/100 DOLLARS
lawful money of the United States of America, and other valuable considerations
to her in hand paid by part ies of the second
part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these
presents do grant, bargain, sell, convey and confirm unto the said part ies of the second part
and to their heirs and assigns forever, all the following described real estate, situate in the
County of Jefferson, State of Idaho, to wit:



Beginning at a point 40 feet South and 229 feet East
from the Northwest Corner of the Northwest Quarter
of the Northwest Quarter of Section 22, Township 6
North, Range 34, EBM; and running thence East 270 feet;
thence South 665 feet; thence West 270 feet; thence
North 665 feet to the point of beginning, situate in
Jefferson County, Idaho.

Together with but not limited to Four (4) shares of
the Common Stock of the Owsley Canal Company.

The Grantees their heirs, successors and assigns are hereby given
a perpetual easement to the use of the domestic well situate on the
Grantors property, which is adjoining the aforesaid described property
on the East, together with the rights of ingress and egress for the pur-
poses of making any repairs necessary in the event of the absence of the
Grantor, her heirs, successors or assigns. The Grantees are obligated
herein to construct, maintain and repair the water line from the point of
the distribution to their property line adjoining Grantors property.
The Grantees are not obligated for maintenance, repair or replacement of
the domestic pump, well and water line in so far as it is situated on
Grantors property. For the above services, Grantees are obligated to pay
\$5.00 per month so long as they shall use the well and pump facilities.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto be-
longing or in anywise appertaining, and the reversion or reversions, remainder and remainders, rents,
issues and profits thereof, and all estate, right, title and interest in and to the said property as well in
law as in equity, of the said part Y of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, to-
gether with the appurtenances, unto the part ies of the second part, and to their heirs and
assigns forever. And the said part Y of the first part, and her heirs, the said premises
in the quiet and peaceable possession of the said part ies of the second part, and their heirs
and assigns against the said part Y of the first part and her heirs and against all and
every person and persons, whomsoever lawfully claiming or to claim the same, shall and will WAR-
RANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part Y of the first part has hereunto set her
hand and seal the day and year first above written.

Signed, sealed and delivered in the
presence of

Esther Taylor (SEAL)
____ (SEAL)
____ (SEAL)
____ (SEAL)

POOR ORIGINAL

MICROFILMED
APR 15 1994

STATE OF IDAHO

County of Harrison

ss.

On this 8 day of December, in the year 1965 before me

Idaho W. Smith, a Notary Public in and for the State of Idaho, personally appeared Ernest Taylor a widow

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first written.

Idaho W. Smith
Notary Public

Residing at Phillips, Idaho

My Commission Expires 3-3, 1969

No. 139932

WARRANTY DEED

TO

Dated 8 1965

STATE OF IDAHO } ss.
County of

I hereby certify that this instrument was filed for record at the request of

Ernest Taylor

at 4:55 minutes past 3 o'clock P M., this 8th day of December, 1965 in my office and duly recorded in Book 184 of 133 at

By Idaho W. Smith Ex-Officio Recorder

Deputy

Fees \$ 1.80

PLATINUM 31
VEARL & CRYSTAL, Assessor

By Idaho W. Smith Deputy

POOR ORIGINAL

MICROFILMED

APR 15 1984

WARRANTY DEED

THIS INDENTURE, Made this 1st day of May, 1967
by and between KEITH S. DOUGLASS and IMOGENE DOUGLASS, Husband and Wife,

POOR ORIGINAL

of the County of Bonneville, State of Idaho, the part ies of the first
part, and TRACTOR SALES & AUTO INC., an Idaho corporation, with its
principal place of business in Idaho Falls.

of the County of Bonneville, State of Idaho, the part y of the second
part.

WITNESSETH, That the said part ies of the first part, for and in consideration of the sum of
TEN AND NO/100 (\$10.00) DOLLARS
lawful money of the United States of America, to them in hand paid by part y of the second
part, the receipt whereof is hereby acknowledged, ha ve granted, bargained and sold, and by these
presents do grant, bargain, sell, convey and confirm unto the said part y of the second part
and to its successors ~~heirs~~ and assigns forever, all the following described real estate, situate in the
County of Jefferson, State of Idaho, to wit:

Beginning at a point 40 feet South and 364 feet East from the
Northwest Corner of the Northwest Quarter of the Northwest
Quarter of Section 22, Township 6 North, Range 34 E.B.M.; and
running thence East 135 feet; thence South 665 feet; thence
West 135 feet; thence North 665 feet to the point of beginning,
situate in Jefferson County, Idaho.

Grantee, its successors and assigns are hereby given a per-
petual easement to use that certain water line going through
the property conveyed herein, which is also being used by the
Grantors and said Grantors are given the right of ingress and
egress for the purpose of making any repairs necessary.



TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto be-
longing or in anywise appertaining, and the reversion or reversions, remainder and remainders, rents,
issues and profits thereof, and all estate, right, title and interest in and to the said property as well in
law as in equity, of the said part ies of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, to-
gether with the appurtenances, unto the part y of the second part, and to its successors
and assigns forever. And the said part ies of the first part, and their heirs, the said premises
in the quiet and peaceable possession of the said part y of the second part, and its ~~heirs~~ successors
and assigns against the said part ies of the first part and their heirs and against all and
every person and persons, whomsoever lawfully claiming or to claim the same, shall and will WAR-
RANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part ies of the first part ha ve hereunto set their
hand s and seal s the day and year first above written.

Signed, sealed and delivered in the
presence of

[Signature]

[Signature] (SEAL)
[Signature] (SEAL)
[Signature] (SEAL)
[Signature] (SEAL)

MICROFILMED

APR 15 1994

STATE OF IDAHO

County of BONNEVILLE

On this 1st day of May, in the year 1967 before me
the undersigned, _____, a Notary Public in and for the State of Idaho, personally
appeared KEITH S. DOUGLASS and IMOGENE DOUGLASS,

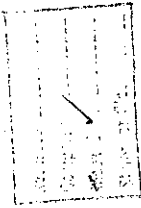
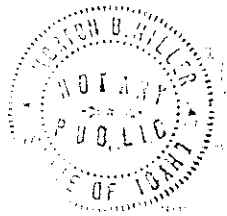
known to me to be the person s_____ whose name s_____ are subscribed to the within instrument, and
acknowledged to me that _____ t. he y_____ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the
day and year in this certificate first written.

Notary Public

Residing at Idaho Falls, Idaho

My Commission Expires 11/1, 1968



No. 114216

WARRANTY DEED

Keith S. Douglass

TO

Tractor Sales & Leasing

Dated 5-1-, 1967

STATE OF IDAHO } ss.
County of Jeff

I hereby certify that this instrument
was filed for record at the request of

at 00 minutes past 3:00
o'clock P. M., this 1st
day of May, 1967
in my office and duly recorded in

Book _____ of _____
page microfilm

Otis R. Lamm

Ex-Officio, Recorder

By Betty L. Lamm Deputy

Fees \$ _____

PLATED BY

PEARL C. CRYSTAL, Assessor

By C. C.

MICROFILMED
APR 15 1994

INTER-DEPARTMENT MEMO

POOR ORIGINAL

TO: A31-10967SUBJECT: FEEFROM: ERIC VERDERDATE: 3/8/93

USE UNDER THIS RIGHT ORIGINALLY CLAIMED UNDER A31-04074 AS
A SOLE FILING W/ ESTHER TAYLOR. I ASKED FOR EOP FOR A31-04074
ON 3/3/93. MRS. KILLIAN SUBMITTED INFORMATION THAT SHOWED
MRS. TAYLOR'S HOME & WELL WENT IN 1961. THE TRACTOR SALES BUSINESS
WENT IN, IN 1965. RATHER THAN KEEP ONE CLAIM W/ 1965 PRIORITY, THE
CLAIMANT ASSURED A31-04074 TO SHOW MRS. TAYLOR'S USE AND
TRACTOR SALES FILED A NEW CLAIM A31-1089 A31-10967 FOR
THEIR USE. SINCE TRACTOR SALES HAD FILED TIMELY ON ~~THEIR~~
THEIR USE, I DID NOT CHARGE A LATE FEE. CONSIDER A31-10967
AS AN AMENDMENT TO A31-04074.

APR 15 1994

() For your information

() Response required

signature

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/22/98 10:52:29
Page 1

Water Right Number - R31-10967

Prefix Translation:

RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
TRACTOR SALES & AUTO INC

1 - C/O TERRIE KILLIAN SEC
2 -
3 - PO BOX 50250
City- IDAHO FALLS
Phone - 208-522-7291
State- ID Zip- 83405

Priority Date - 12/08/1965
Region - 15 EASTERN
Stage - J - BENEFICIAL USE
Status -

Source - GROUNDWATER
Tributary -

Twn Rng Sec Tract Lot RFlg County Point of Diversion
06N 34E 22 NW NW (51) JEFFERSON

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040

Total Div. Rate - 0.040
Total Div. Volume - 0.040
Total Consumptive Use - 0.0
KW Usage -

Twn Rng Sec Tract Lot Acres Code Description County
06N 34E 22 NW NW 43 DOMESTIC (51) JEFFERSON

Total Acres:

Diversion Means - WELL AND PUMP TO HOME AND BUSINESS

Non-Irrigation Use - 1 HOME

Other Rights for Same Use - 31-04074

Remarks

EXP FARM IMPLEMENT BUSINESS
PARCEL NO. RP 06N34E223020

No Old Water Right Numbers Found
Old Water Right Numbers

Conditions of Approval
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Prefix Translation: RESEARCH

+ : Decree Date - +
00/00/0000

POINT-OF-DIVERSION IS SHARED WITH ESTHER TAYLOR BY AGREEMENT. SEE DOCUMENTS ATTACHED.

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+ + + + + - - - - - Adjudication Rights Dates and Flags Area - - - - - +
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Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
Objection Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	-	00/00/0000	Verified Date	-	01/22/1998	Old Judicial District	-	
Claim Received Date	-	03/08/1993	Last Amended Date	-	00/00/0000	Temporary Right	-	P
			Receipt Number	-	E0183328	Water District	-	
			POU Ownership Flag	-	Y	Federal/State Indicator	-	S
			Name Connector	-		Presumption Flag	-	
						Notice of Error Flag	-	

AJ5856NP

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

DATE: AUG-22-1997

PAGE: A-78

RIGHT NUMBER: 31-10967

NAME & ADDRESS: TRACTOR SALES & AUTO INC
C/O TERRIE KILLIAN SEC
PO BOX 50250 ID-83405

SOURCE: *Idaho Falls, ID 83405*
GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/08/1965

POINT OF DIVERSION: T06N R34E S22 NWNW Within JEFFERSON County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC USE; FARM IMPL	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC ✓ Within JEFFERSON County
T06N R34E S22 ✓ NWNW ✓

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

POINT OF DIVERSION IS SHARED WITH ESTHER TAYLOR BY AGREEMENT.
SEE DOCUMENTS ATTACHED.
USE OF WATER DOES NOT EXCEED 2500 GALLONS PER DAY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 06N34E223020

improvements

H. L. Owens

Verified by *Sandy* Date: *9-24-97*
Verification Source: *Alpha roll*

ecur

12/15/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 31-10967

Owner Type Name and Address
Current Owner TRACTOR SALES & AUTO INC
 C/O TERRIE KILLIAN SEC
 PO BOX 50250
 IDAHO FALLS, ID 83405
 (208)522-7291

Priority Date: 12/08/1965
Basis: Beneficial Use
Status: Valid

Source Tributary to
GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
DOMESTIC	1/01	12/31	0.04 CFS		
Total Diversion			0.04 CFS		

Point(s) of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
06N 34E 22 NW NW 0 JEFFERSON

Place(s) of use:
Place of Use Legal Description: DOMESTIC JEFFERSON County

<u>Townsh</u>	<u>Rang</u>	<u>Secti</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>	<u>Lo</u>	<u>Tract</u>	<u>Acres</u>
<u>ip</u>	<u>e</u>	<u>on</u>	<u>t</u>			<u>t</u>			<u>t</u>			<u>t</u>		
06N	34E	22		NWNW										

Conditions of Approval:

1. ~~N13~~ ^{N06} ✓ THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. ~~N11~~ ^{N06} ✓ THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory FARM IMPLEMENT BUSINESS PARCEL NO. RP 06N34E223020

Comments:

<u>Author</u>	<u>Date</u>	<u>Subject</u>	<u>Comment</u>
SEGBERT	1/22/98	COPIED FROM REMARKS	POINT OF DIVERSION IS SHARED WITH ESTHER TAYLOR BY AGREEMENT. SEE DOCUMENTS ATTACHED. USE OF WATER DOES NOT EXCEED 2500 GALLONS PER DAY.

Dates:

Licensed Date:
Claim Received Date: 03/08/1993
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

f.e. done
gc
12/28/00
✓

Water Right 31-10967