

No Color
Documents
In File

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-20681
Date Received: 2/06/1990
Receipt No: NOV 5762
Received By: *[Signature]*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EMMA M. SMITH 208-466-3757
Address: 11104 DALE LN.
NAMPA, ID 83651
2. Date of Priority: MAY 01, 1916
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 03N | 02W | 18 | SE | SE | NE | | CANYON |
5. Description of diverting works:
WELL REPLACED IN 1955, 80' DEEP, WITH A PUMP
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:
D/ ONE HOUSEHOLD
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 03N | 02W | 18 | SE | NE | | DOMEST | |
11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
PIONEER IRRIGATION DIST.

14. Remarks:
THIS WELL ALSO SUPPLIES WATER TO A63-20682

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Emma M Smith Date: Feb 6th 1990

Date: _____

State of Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of February 1990

Anna Baunert
Notary Public

Seal

Residing at _____
My Commission Expires _____
My Commission Expires December 7, 1994

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 63-20681

NAME & ADDRESS: MARY LOU FINCH
11126 W FLAMINGO AVE
Nampa ID 83651-8254

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/01/1916

POINT OF DIVERSION: T03N R02W S18 SESENE Within CANYON County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CANYON County
T03N R02W S18 SENE

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

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. 1R31434-000-0

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) NOTICE OF COMPLETED
) ADMINISTRATIVE PROCEEDINGS
Case No. 39576)
) Water Right 63-20681
)

IDWR has completed the following Administrative Proceeding:

<u>1</u>	Change of Address
<u>X</u>	Substitution of Party
<u>1</u>	I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

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

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 63-20681

From (Claimant/Seller):

Name of Claimant: EMMA M SMITH
Address: 11104 DALE LN
NAMPA ID 83651
Phone: (208) 466-3757

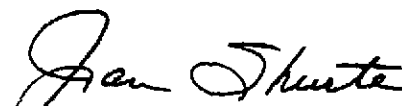
To (Claimant/Purchaser):

Name of Claimant: MARY LOU FINCH
Address: 11126 W FLAMINGO AVE
NAMPA ID 83651-8254
Phone: (208) 466-1377

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 Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 10, 1999



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on *June 10, 1999* 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
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

EMMA M SMITH
11104 DALE LN
NAMPA ID 83651
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

MARY LOU FINCH
11126 W FLAMINGO AVE
NAMPA ID 83651-8254
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Denise Buffington

Signature of person or attorney mailing the form

RECEIVED

NOV 25 1998

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

NOV 21 1998

Department of Water Resources
Adjudication BureauPlease print or type. Attach pages with additional information. Instructions are on the back of this form.
Incomplete forms will be returned.1. Water Right or Adjudication Claim No(s): 63-206812. The following **REQUIRED** information must be submitted with this form:A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

EMMA M. SMITH Deceased11104 DALE LN NAMPA, ID 83651-8254

4. New Owner/Claimant(s)

MARY LOU FINCHName Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

11126 W. FLAMINGO AVE

City, State and ZIP Code

NAMPA, IDAHO 83651-8254

New Telephone Number

208 466-1377

5. Date you acquired the property

2/28/97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Mary Lou Finch

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region
2735 Airport Way
Boise, ID 83705-5082
(208) 334-2190

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

Attorney for Petitioner

PERSONAL PROPERTY:

Home Federal Savings Certificate of Deposit # 0162019054	22,000.00
Home Federal Savings Certificate of Deposit # 0162007934	20,000.00
First Security Bank M.M.I.T.D. # 008-155-1142473	25,000.00
First Security Bank M.M.I.T.D. # 008-155-2208077	54,330.00
First Security Bank Checking account # 00815135 58	10,594.00
First Security Bank Savings account # 008 33804 42	10,982.00
Cash rent due on 15 acres	1,875.00
Household furniture:	5,500.00
Loveseat, coffee table and end tables, Magnavox Television, two lamps, lounge chair, Lane swivel rockers, Walnut chair, mirror, wall clock, Walnut bedroom set, chair, mirror, Maple bedroom set, table television, Hotpoint range, refrigerator, toaster oven, microwave, convection oven, stand and cart, washer and dryer, stereo, couch, divider, round table and four chairs, stack tables, television table, china hutch, lawn furniture, dishes, cookware, utensils, and miscellaneous items.	

DATED: _____

APPROVED:

By _____
MAGISTRATE JUDGE

Attorney for Petitioner

Personal Representative is hereby authorized, ordered and directed to deliver and distribute title and possession of the assets of the estate to the distributees in the amount and the manner set forth in the annexed Schedule of Distribution; upon making such delivery and distribution, and duly filing receipts with this Court, the Personal Representative shall be fully and finally released and discharged from her trust, and together with her surety, shall be released and discharged from her bond and any and all liability arising in connection with the performance of her duties as Personal Representative; and the administration of this estate shall be closed.

2. The decedent died intestate. The heirs of the decedent and their respective interest in the decedent's estate are set forth in the attached Determination of Heirship.

3. It is further ordered that any other property of the decedent not now known or discovered, or in which said estate may have an interest, be and the same is hereby distributed to MARY LOU FINCH, the said heir of decedent.

DATED this 28 day of February, 1997.

GARY D. DE MEYER

Magistrate Judge

1

**DIVERSION
VOLUME**

(208) 466-1377

(208) 466-3757

Stage: BENEFICIAL USE

CANYON County

NE

101

“

”

63-20682 A63-20681 A63-20682

A63-02276

A63-05237

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000

Objection Filed Date:

Presumption Flag:

AJ0749NP
No. 63-20681

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

DATE: 06/07/99
PAGE: 2

Comments: Date: 02/20/1997 User-ID: CORR2 Subject: COPIED FROM REMARKS
THIS WELL ALSO SUPPLIES WATER TO A63-20682

Date: 06/07/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 06/07/99 DBUFFING



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 10, 1999

RE: Water Right No. 63-20681

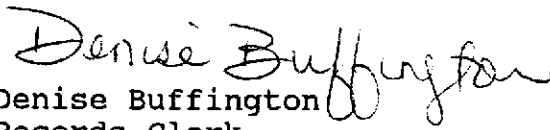
MARY LOU FINCH
11126 W FLAMINGO AVE
NAMPA ID 83651-8254

Dear Property Owner:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,


Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

DATE: 06/20/98
PAGE: 1

(REGIONAL)

PRIORITY
DATE

05/01/1916 DOMESTIC

TOTAL DIVERSION: 0.04 CFS

Tributary to:

Stage: BENEFICIAL USE

T03N R02W S18

SESENE

CANYON County

三

MS

[illegible]

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.

Objection Filed Date:

**Field Inspection
Presumption Flag:**

Subject: CO
-20682

IOAHD DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A63-20681 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -
+ - - - - LAST NAME - - - - + + - - - - FIRST NAME - - - + + - - - - ADDRESS - - - - -

*** C - CURRENT OWNER ***
SMITH

EMMA M.

1 - 11104 DALE LN.

2 -

3 -

CITY- NAMPA

PHONE - 208-466-3757

STATE- ID ZIP- 83651

+ - - - - PRIORITY DATE - - - + + - - - - REGION - - - + + - - - - STAGE - - - + + - - - - STATUS - - - +
05/01/1916 14 WESTERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + + - - - - TRIBUTARY - - - - - + + - - - - TRIBUTARY - - - - - +
GROUNDWATER

+ - - - - TRACT - - - - - + + - - - - POINT OF DIVERSION - - - - - + + - - - - STREAM INDEX (BLANK IF NO INDEX CODE)

TWN RFLG COUNTY

03N 02W 18 SE SE NE (27) CANYON

+ - - - - CODE DESCRIPTION PERIOD FROM PERIOD TO WATER USE DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

01/01 12/31

0.040

+ - - - - TOTAL DIV. RATE - - - + + - - - - TOTAL DIV. VOLUME - - - + + - - - - TOTAL DIV. CAPACITY - - - + + - - - - TOTAL CONSUMPTIVE USE - - - + + - - - - KW USAGE - - - +
0.040

+ - - - - TWN RNG SEC TRACT LOT ACRES PLACE OF USE CODE DESCRIPTION COUNTY

03N 02W 18 SE NE

43 DOMESTIC

(27) CANYON

+ - - - - DIVERSION MEANS - WELL REPLACED IN 1955, 80' DEEP, WITH A PUMP

+ - - - - NON-IRRIGATION USE - D/ ONE HOUSEHOLD

+ - - - - OTHER RIGHTS FOR SAME USE - PIONEER IRRIGATION DIST.

+ - - - - REMARKS - - - - - +
THIS WELL ALSO SUPPLIES WATER TO A63-20682

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - - - - DECREE DATE - - - +
00/00/0000

+ - - - - AUDIT FIELDS - 02/06/90 BAUMHOFF

[illegible]

1 R31434 - 000 - 0

CERTIFIED
JUL 12 1991
WATER EXAMINER

VERIFIED
JUL - 1991

"Verified By"
 Topo Map/Ortho-PQ
 ASCS Map
 Watermaster Records
 NAPP Photos
 Field Exam
 Other (See Remarks)
 County Records
 Witness Statement
 Project Records
 IDWR Records

DATA ENTRY
ENTERED
CHECKED