

SEP 22 1992

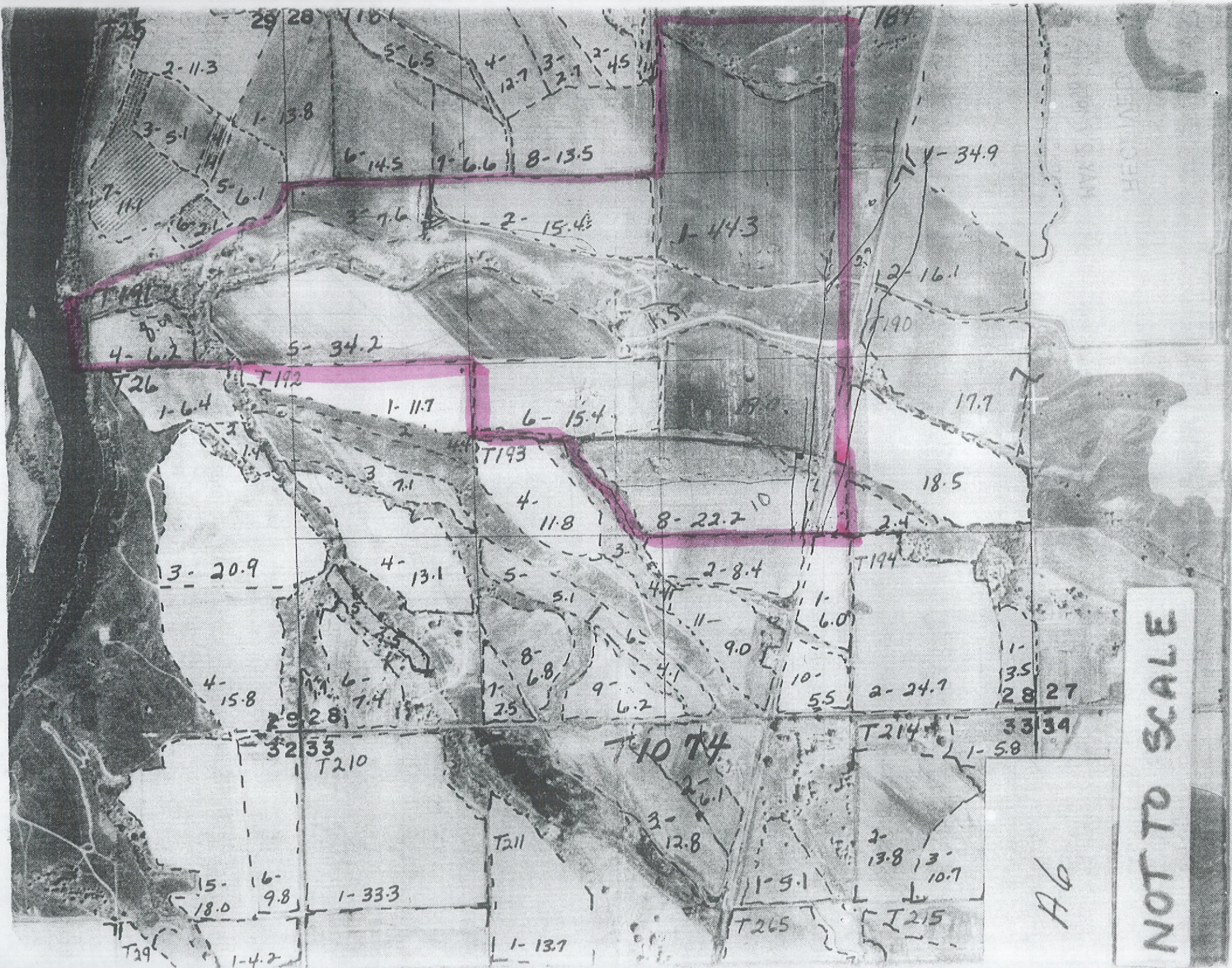
16

Island

Hurd

Ashlock

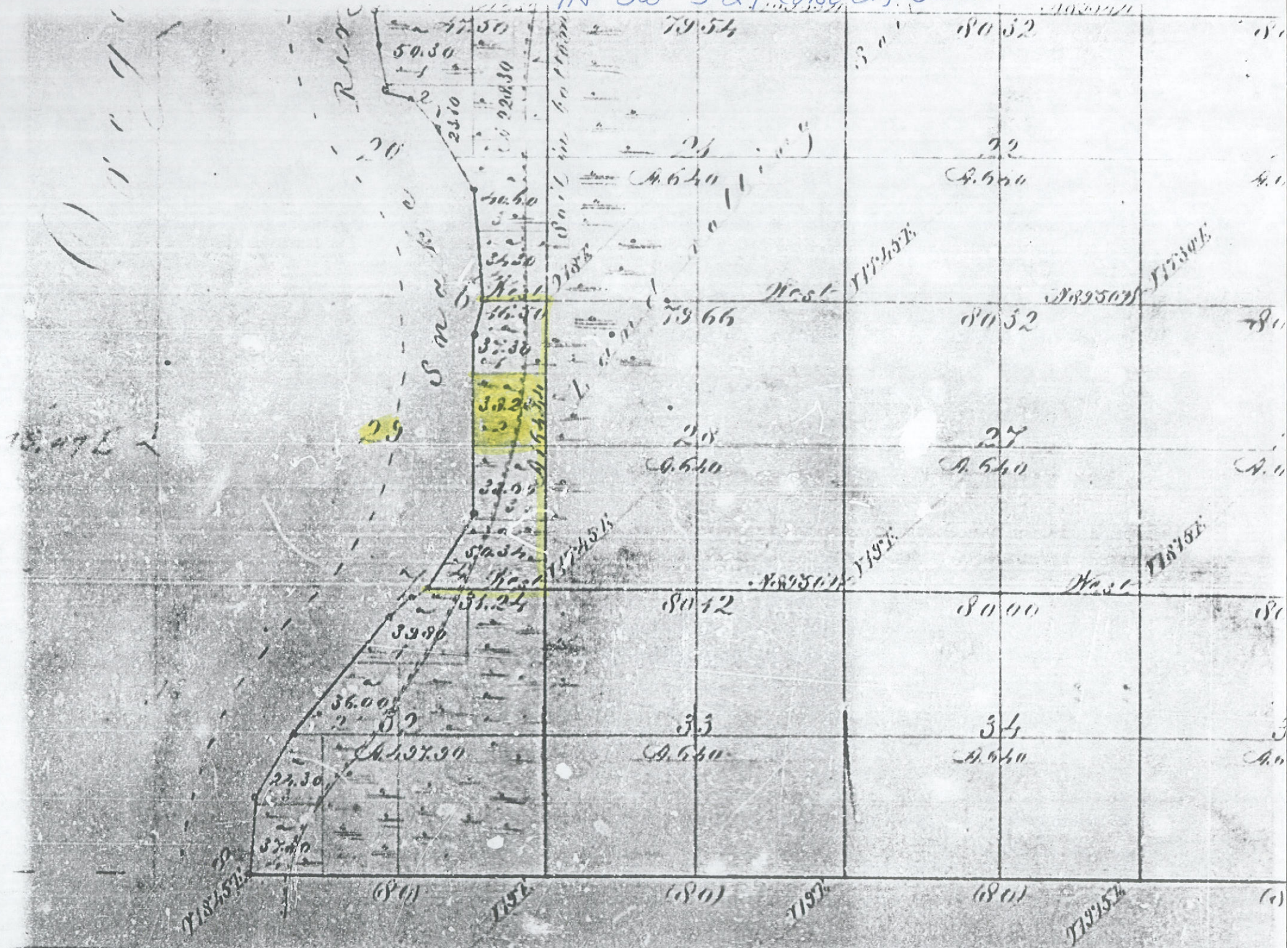
TTN, R5W, Sec. 28 A65-3894



NOT TO SCALE

A6

7N 50 S 29 (Hot 2) SENE



Map of Survey

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: A65-03894
Date Received: 3/26/1990
Receipt No: X999999
Received By: la

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANTONE J. MELL 208-452-3640
Address: 725 S. PENNSYLVANIA AVE.
FRUITLAND, ID 83619

OR

Name: EDITH M. MELL 208-452-3640
Address: 725 S. PENNSYLVANIA AVE.
FRUITLAND, ID 83619

2. Date of Priority: APR 01, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	28	SE	NW			PAYETTE

5. Description of diverting works:
160' DEEP, 4" CS, 1/2 HP 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		2.40

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 2.40 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC-2 HOMES

A65-03894

Page 1

Date: 03/26/90

MICROFILMED
SEP 22 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	28	SE	NW		DOMEST	

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
IRR. WATER

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: 1

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): Devin M. Mee Date: 3-26-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of March 19 90

Linda Werner
Notary Public

Seal

LINDA WERNER
Residing at RESIDING AT EAGLE, IDAHO
My Commission Expires MY COMMISSION EXPIRES DEC. 8, 1994

11N, R5W Sec. 28

465-3877



AJ0749NP
No. 65-03894

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

DATE: 07/23/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANTONE A MELL	04/01/1951	DOMESTIC	01-01 12-31	0.04 CFS	2.40 AFA
C	JAMES L TUCKER					
C	JANIS E OSGOOD					
	1556 N 5TH ST			TOTAL DIVERSION:	0.04 CFS	2.40 AFA
	PAYETTE ID 83661					
	(208) 642-4287					

D ANTONE JOSEPH MELL
D EDITH M MELL
725 S PENNSYLVANIA AVE
FRUITLAND ID 83619
(208) 452-3640

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion: T07N R05W S28 SENW

PAYETTE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
07N	05W	28	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: PAYETTE

Non-Irrigation Uses: 2 HOMES

Other Rights: IRR. WATER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-04100 A65-03894

Other Water Rights Listing Overlapping Place(s) of Use:
A63-04100 A65-0290021

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.

Remarks: EXP PARCEL NO. 1097 37

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. 65-03894

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

DATE: 07/23/98
PAGE: 2

=====

Comments: Date: 07/23/1998 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: 07/23/98 DBUFFING

AJ0749NP
No. R65-03894

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

DATE: 01/08/98
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANTONE J MELL	04/01/1951	DOMESTIC	01-01 12-31	0.04 CFS	2.40 AFA
C	EDITH M MELL					
	725 S PENNSYLVANIA AVE					
	FRUITLAND ID 83619			TOTAL DIVERSION:	0.04 CFS	2.40 AFA
	(208) 452-3640					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R05W S28

SENE

PAYETTE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
07N	05W	28	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: PAYETTE

Non-Irrigation Uses: 2 HOMES

Other Rights: IRR. WATER

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.

Remarks: EXP PARCEL NO. 1097 37

Dates: Exam Made Date: Verified Date: 01/08/1998 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 01/08/98 KWATERS

AJ5809NP
No. R65-03894

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/31/97
PAGE: 12

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANTONE J MELL	04/01/1951	DOMESTIC	01-01 12-31	0.04 CFS	2.40 AFA
C	EDITH M MELL					
	725 S PENNSYLVANIA AVE			TOTAL DIVERSION:	0.04 CFS	2.40 AFA
	FRUITLAND ID 83619					
	(208) 452-3640					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R05W S28 SENW

PAYETTE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
07N	05W	28	:																	:

POU County: PAYETTE

Non-Irrigation Uses: 2 HOUSES

Other Rights: IRR. WATER

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.

Remarks: EXP 1097 37

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 03/07/97 CORR1

in 3
spaces

WR5809NP
No. 65-03894

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/30/97
PAGE: 11

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANTONE J. MELL	04/01/1951	DOMESTIC	01/01 12/31	0.040 CFS	2.40 AFA
C	EDITH M. MELL					
	ROUTE 2			TOTAL DIVERSION:	0.040 CFS	2.40 AFA
	PARMA ID 83660					

Water Source: GROUNDWATER

Tributary to:

Stage: DECREED

Point(s) of Diversion:

T07N R05W S28

SENW

PAYETTE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	:
07N	05W	28	:																	:

Pou County: PAYETTE

Dates:	App. Received:	Priority Date:	04/01/1951
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

WATER RIGHT NUMBER - A65-03894

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
MELL

ANTONE J.

1 - 725 S. PENNSYLVANIA AVE.

2 -

3 -

CITY- FRUITLAND

STATE- ID ZIP- 83619

PHONE - 208-452-3640

MELL

EDITH M.

1 - 725 S. PENNSYLVANIA AVE.

2 -

3 -

CITY- FRUITLAND

STATE- ID ZIP- 83619

PHONE - 208-452-3640

+ - - PRIORITY DATE - - +
04/01/1951+ - - - REGION - - - +
14 WESTERN+ - - - STAGE - - - +
D - DECREED

+ - - - STATUS - - - - +

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

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

07N 05W 28 SE NW (75) PAYETTE

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.040 2.40+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 2.40 0.0+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
07N 05W 28 SE NW 43 DOMESTIC (75) PAYETTE

+ - - DIVERSION MEANS - 160' DEEP, 4" CS, 1/2 HP PUMP

+ - - NON-IRRIGATION USE - DOMESTIC-2 HOMES

+ - - OTHER RIGHTS FOR SAME USE - IRR. WATER

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

CERTIFIED
NOV 24 1992
WATER EXAMINER

RECEIVED

MAY 27 1998

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.1. Water Right No(s).: 65-05807 65-03894

Adjudication Claim No(s).: _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually 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/ClaimantAntone Joseph Moll Edith M. Moll735 S. Pennsylvania Ave Maitland, Id

4. New Owner/Claimant(s)

Antone A. Moll, James L. Tucker, Janis E. OsgoodName Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

1556 N. 5th St

City, State and ZIP Code

Payette, Idaho 83661

New Telephone Number

(208) 642 4287

5. Date you acquired the property

65-05807 65-03894
6/23/94 6-28-96

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

65-03894 0.042

Diversion rate in CFS

Number of homes

Other uses

65-05807 0.041

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)Antone A. MollJanis E. OsgoodJames L. Tucker by Sue Moll, P.O.A.

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

262741

EXHIBIT "A"

PARCEL NO. 1:

All that part of Government Lot 2 in Section 29, Twp. 7 N. Rge. 5 W., of the Boise Meridian, lying South of the following described line;

Beginning on the East side line of aforesaid Government Lot 2 at a point 350 feet South of the Northeast corner thereof; run thence South 74 degrees 17 minutes West a distance of 685.7 feet; thence South 6 degrees West 164.4 feet; thence South 76 degrees 30 minutes West 975.1 feet to the Easterly bank of the Snake River, which Easterly bank is the Westerly boundary line of said Government Lot 2.

Together with all water, water rights, ditches, ditch rights, and any and all irrigation rights used in connection with the irrigation of said lands.

PARCEL NO. 2:

The South half of the Northwest quarter of Section 28, Twp. 7 N., Rge. 5 W., of the Boise Meridian.

Together with all water, water rights, ditches, ditch rights, and any and all irrigation rights used in connection with said lands or the irrigation thereof.

PARCEL NO. 3:

Approximately 21 irrigable acres in the Northeast Quarter of the Southwest Quarter of Section 28, Twp. 7 N., Rge. 5 W., of the Boise Meridian, which acreage lies North and East of the natural drainway of the Black Canyon Irrigation District (which drainway runs

from the South side line of the NE1/4 of the SW1/4 to a certain Black Canyon Irrigation District turnout) and North of said Turnout; said tract of land being described as follows;

Beginning at the Southeast corner of the NE1/4 of the SW1/4 of said Section 28; run thence West following the South side line of said NE1/4 of the SW1/4 to the center of the natural drainway of the Black Canyon Irrigation District at the point where said natural drainway intersects said South side line; thence in a Northwesterly direction following the center of said natural drainway to the North side of the Black Canyon Irrigation District turnout; thence following the North side line of the turnout lateral to the West side line of said NE1/4 of the SW1/4; thence North following said West side line to the Northwest corner of said NE1/4 of the SW1/4; thence East following the North side line of said NE1/4 of the SW1/4 to the Northeast corner of said NE1/4 of the SW1/4; thence South following the East side line of said NE1/4 of the SW1/4 to the point of beginning.

Together with all water, water rights, ditches, ditch rights, and any and all irrigation rights used in connection with said lands or the irrigation thereof.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

262741

State of Idaho, County of Payette

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

Time 2:12 P M Date July 17, 1996 Instrument #

Laura L. Stigile, Ex-Officio Recorder by

Deputy Fee

\$6.00

GIFT DEED

FOR NO VALUE RECEIVED, Antone J. Mell, Trustee of the Antone J. Mell Trust, UTA dated the 7th day of December, 1993, and any amendments thereto, as Grantor, does hereby gift, convey, release, remise and forever gift unto Antone A. Mell, James L. Tucker and Janice Osgood, all married persons, dealing with their sole and separate property, including all income, rents, issues, profits, gains and appreciation of property distributed to each individual grantee as separate property shall also be the separate property of each such Grantee, as tenants in common, as the Grantees, whose current address is c/o Janice Osgood, P. O. Box 116, Middleton, Idaho 83644, the following described premises, in **Payette** County, Idaho, attached as Exhibit "A" and incorporated fully by reference herein as if fully set forth, together with any appurtenances.

This gift is subject to Antone J. Mell, retaining a Life Estate interest in this property and the Grantees have a remainder interest.

DATED this 28 day of June, 1996.

Antone J. Mell

Antone J. Mell, Trustee, of the
Antone J. Mell Trust, UTA dated the
7th day of December, 1993

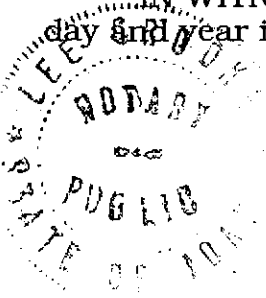
STATE OF IDAHO)

CANYON : SS.

County of Ada)

On this 28th day of June, 1996 before me personally appeared Antone J. Mell, Trustee, of the Antone J. Mell Trust, UTA dated the 7th day of December, 1993, and any amendments thereto, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in has capacity as Trustee of said Trust.

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



Lee Crooke
Notary Public in and for Idaho
Residing at Boise, Idaho.
My commission expires Oct 22, 1997.

TAX INQUIRY

TAXINQ3P

PAGE 1 OF 2

* PARCEL #: 2165

STATUS CODE A CODE AREA 3 TAX ROLL 1 MH-

TOTAL ACRES HOMEOWNERS EXEMP OVER-RIDE AMT PREPAID TAX BANKRUPT

1.76

Y

NO

NAME AND OSGOOD, JANIS E., ETAL

PROP BLK 21 LESS W 963'

ADDRESS % OTTO, JOHN HENRY, LIFE EST.

DESC & LESS MELL ADDN

725 S PENN. AV

SEC. 27-8-5

AGAIN?_ FRUITLAND, ID 83619

PRINT?

LOC 725 S PENN AV

F

YR/	MARKET/	EXEMPT/	HALF	BILLED	DATE	PENALTY	INTEREST TO	TAX, PEN,
CD	CB.TAX	SPECIAL		TAX	PAID	DUE	02121997	INT DUE
1996	80,569	840.00	1ST	133.18	121296			
3	1,088.36	18.00	2ND	133.18				133.18
			TOT	266.36				133.18
1995	71,317	460.00	1ST	311.17	121395			
3	1,064.34	18.00	2ND	311.17	061796			
			TOT	622.34				
1994	63,607	740.00	1ST	205.35	120294			
3	1,132.70	18.00	2ND	205.35	061695			
			TOT	410.70				
1993	61,771	740.00	1ST	141.64	120993			
3	1,005.28	18.00	2ND	141.64	061394			
			TOT	283.28				

NOTE: INFORMATION SHOWN ON THIS SCREEN IS SUBJECT TO CHANGE WITHOUT NOTICE!

TAX INQUIRY

TAXINQ3P

PAGE 1 OF 2

* PARCEL #: 1097 STATUS CODE A CODE AREA 37 TAX ROLL 1 MH-
TOTAL ACRES HOMEOWNERS EXEMP OVER-RIDE AMT PREPAID TAX BANKRUPT
102.40 N NO

NAME AND OSGOOD, JANIS L., ETAL PROP S1/2NW - TAX 1,
ADDRESS % MELL, ANTONE J., LIFE ESTATE DESC SEC.28-7-5
1556 N 5TH ST

AGAIN?_ PAYETTE, ID 83661

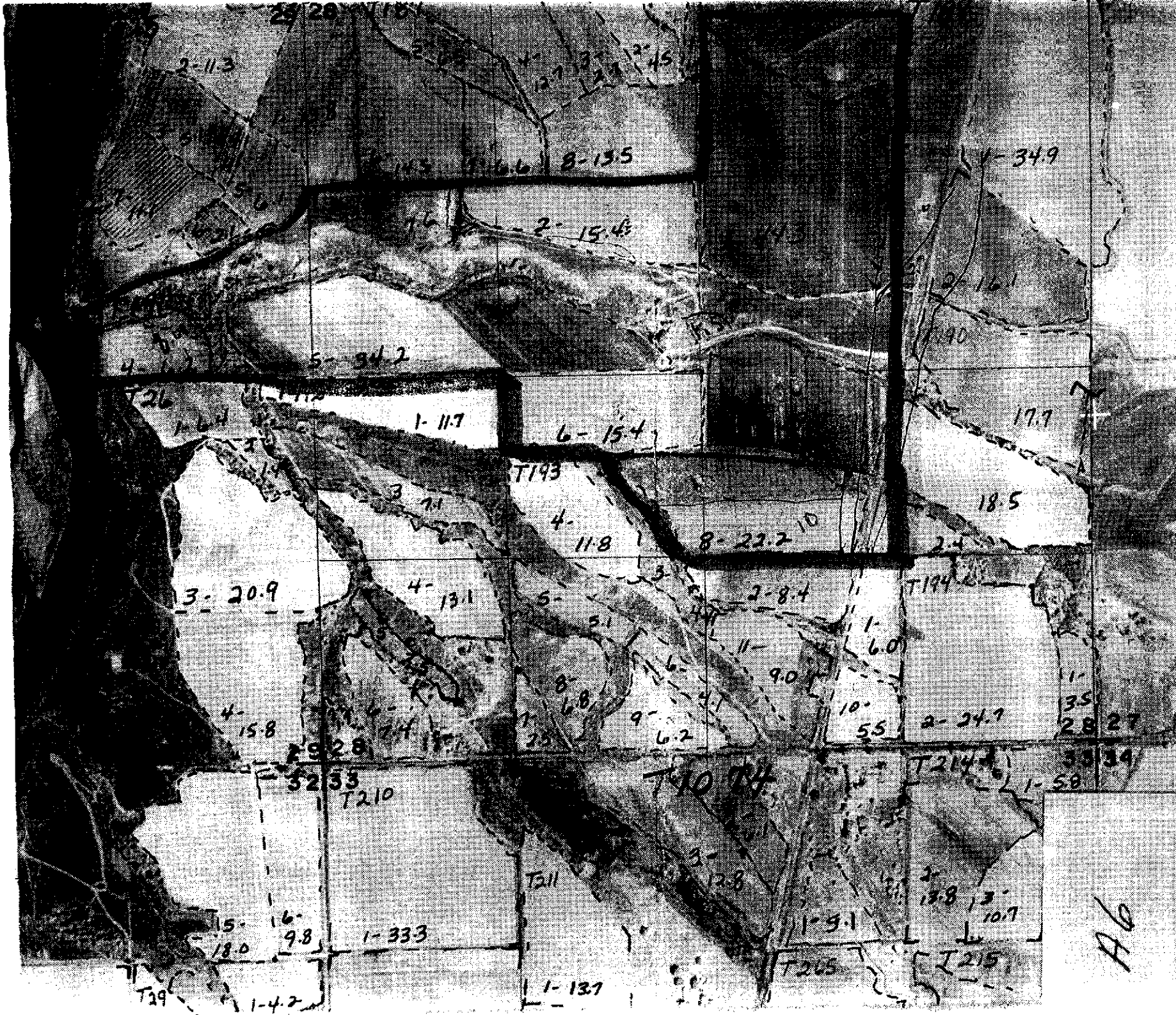
PRINT?

LOC 4255 HWY 95

F

YR/ CD	MARKET/ CB.TAX	EXEMPT/ SPECIAL	HALF	BILLED TAX	DATE PAID	PENALTY DUE	INTEREST TO 02121997	TAX,PEN, INT DUE
1996	98,277		1ST	780.67	121896			
37	1,489.34	72.00	2ND	780.67				780.67
			TOT	1,561.34				780.67
1995	92,857		1ST	788.33	121395			
37	1,504.66	72.00	2ND	788.33	121395			
			TOT	1,576.66				
1994	87,936		1ST	868.81	121394			
37	1,665.62	72.00	2ND	868.81	121394			
			TOT	1,737.62				
1993	80,599		1ST	632.56	121593			
37	1,193.12	72.00	2ND	632.56	121593			
			TOT	1,265.12				

NOTE: INFORMATION SHOWN ON THIS SCREEN IS SUBJECT TO CHANGE WITHOUT NOTICE!



NOT TO SCALE

AG

7N SW S 29. (Hot, 2) SENE

