

POOR ORIGINAL

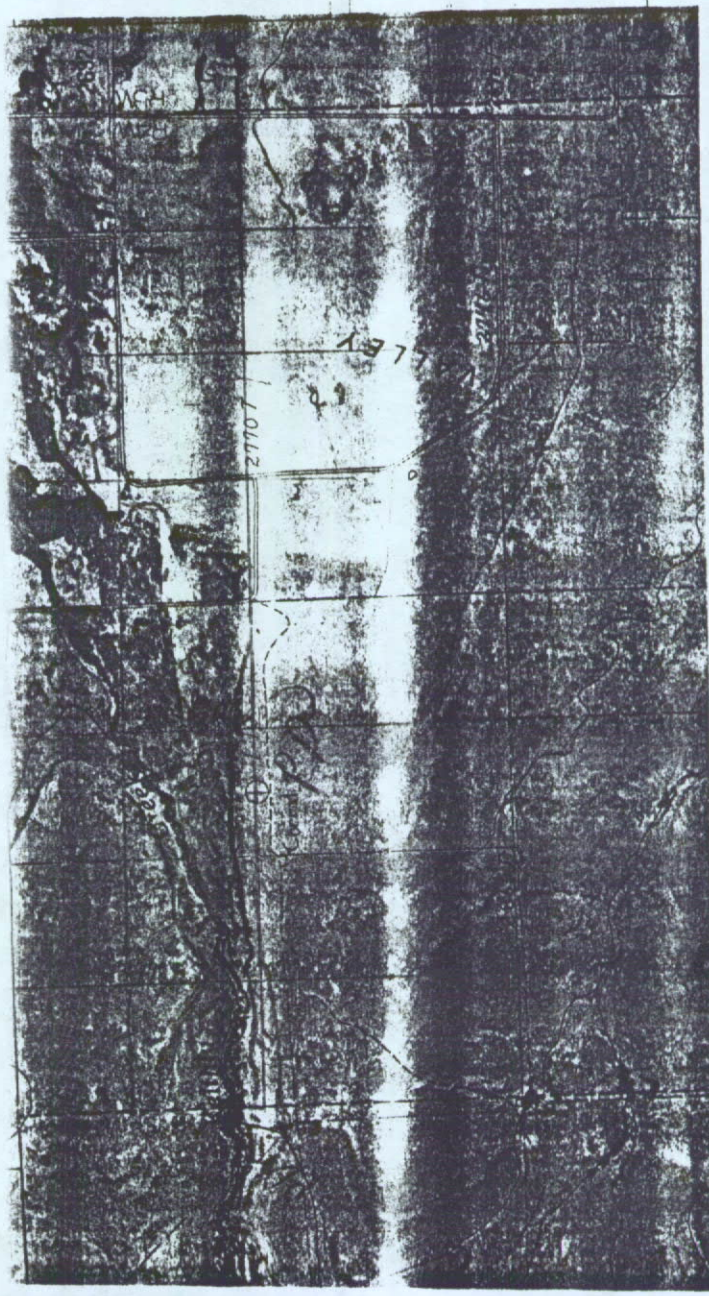
U4

MANN CREEK NE ORTHOPHOTOQUAD
IDAHO

230 000 FEET
116°45'
R4W R3W
44°30'

T14N
T13N

1 030 000
FEET

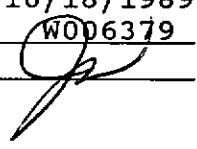


MICROFILMED
AUG 0 5 1994

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: A67-00156
Date Received: 10/18/1989
Receipt No: W006379
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARLYN R TOWELL 208-355-2648
Address: 2311 TOWELL RD
MIDVALE ID 83645

AND/OR

Name: YVONNE TOWELL 208-355-2648
Address: 2311 TOWELL RD
MIDVALE ID 83645

2. Date of Priority: MAY 15, 1882

3. Source: KEITHLEY CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	04W	2	NE	SW	NE		WASHINGTON

5. Description of diverting works:
PUMPED FROM KEITHLEY CREEK WITH SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is 390.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	04W	1	NW	NE	2	IRR	35.0
			NE	NW	3	IRR	35.0
			NW	NW	4	IRR	32.0
			SW	NW		IRR	28.0
						Section Acres	130.0
						Total Acres	130.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-00157.

14. Remarks:

PLACE OF USE, EXCEPTING 6AC IN LOT NWNW SEC. 01
STOCK USE IS INCIDENTAL 160 HD BEEF CATTLE.
POINT OF DIV.MAY VARY AT TIMES OF THE YEAR DURING DRY SEASONS
OWNERSHIP CHANGED PER CHANGE OF OWNERSHIP FORM 6-14-93. JS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs 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: _____

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AUG 05 1994

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: _____

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 _____

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

Rec'd from So
on 4-21-92

DATE OF CLOSING: 1/16/92

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: _____
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): GRACE HEATHCO

- ☐ New Owner/Claimant (Purchaser): ARLYN R. TOWELL AND YVONNE TOWELL
- ☐ New Mailing Address: RT. 1, BOX 64, MIDVALE, IDAHO 83645

- ☐ New Telephone Number: () _____ - _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: SEE ATTACHED WARRANTY DEED AND MORTGAGE

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Arlyn R Towell Date 12/31/91
Yvonne Towell Date 12-31-91
- ☐ Signature of Former Owner/Claimant(s): Otis Potter Date _____
Gay Potter Pa. Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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AUG 05 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

WARRANTY DEED

FOR VALUE RECEIVED, GRACE HEATHCO, a widow, the Grantor, does hereby convey and warrant unto ARLYN R. TOWELL and YVONNE TOWELL, husband and wife, whose address is Route 1 Box 64, Midvale, Idaho 83645, the Grantees, the following described premises located in Washington County, Idaho, to-wit:

Lots Two (2), Three (3), Four (4) and the Southwest Quarter of the Northwest Quarter of Section One (1), Township Thirteen (13) North, Range Four (4) West of Boise Meridian, Washington County, Idaho, EXCEPTING therefrom that portion of Lot Four (4) lying North of Keithley Creek and comprising approximately six (6) acres. Containing in all 154 acres more or less.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining to the property, including all existing fixtures; SUBJECT TO any and all easements, rights-of-way, or restrictions of record, and the exceptions, provisions and reservations contained in patents or deeds from the United States of America, or the State of Idaho, or in other deeds of record.

RESERVING UNTO Grantor a life estate in the residential premises including the house, reasonable parking and ingress and egress.

TO HAVE AND TO HOLD the said premises, with its improvements and appurtenances unto the said Grantees, their heirs and assigns forever.

DATED This 16th day of Jan., 1994

Grace Heathco.
by Otis Potter
Grace Heathco by Otis Potter
Attorney in Fact

Grace Heathco.
by Ray Potter, P.A.
Grace Heathco by Ray Potter
Attorney in Fact

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AUG 05 1994

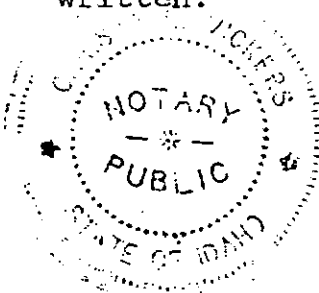
STATE OF IDAHO

)
:
SS.
)

COUNTY OF WASHINGTON

On this 16th day of January, 1992, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared OTIS POTTER and RAY POTTER, known to me to be the persons executing the within instrument as Attorneys in Fact for Grace Heathco, and acknowledged to me that they executed the same as such Attorneys in Fact for Grace Heathco for and on her behalf.

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



Christy L. Vick
Notary Public
Residing at Weiser, Idaho
My Commission expires: 11/4/97
DUPLICATE

INSTRUMENT NO. 153588
STATE OF IDAHO, COUNTY OF WASHINGTON ss.
Filed for record at the request of

WEISER VALLEY TITLE

56 Min. past 2:00 o'clock P.M.

This 16TH day of JANUARY 19 92

INDEX TO DEEDS

MARY KALITZ, Recorder. Fee: \$6.00

By Carol K. Kutz Deputy

WEISER VALLEY TITLE

☒ Cmp. Index
☒ Cmp. Rel.
☒ Film
☒ Compare
☒ Card Rel.
☒ Bk. Rel.
☒ Up-date
☒ Return

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AUG 05 1994

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
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IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number: A67-00156
Date Received: 10/18/1989
Receipt No: W006379
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: REX W TOWELL
Address: RT 1 BOX 64
MIDVALE ID

208-355-2422

83645

2. Date of Priority: MAY 15, 1882

3. Source: KEITHLEY CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	04W	2	NE	SW	NE		WASHINGTON

5. Description of diverting works:
PUMPED FROM KEITHLEY CREEK WITH SPRINKLER IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is 390.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
13N	04W	1	NW	NE	2	IRR	35.0
			NE	NW	3	IRR	35.0
			NW	NW	4	IRR	32.0
			SW	NW		IRR	28.0

A67-00156

Page 1

Date: 02/24/93

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AUG 05 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	130.0
					Total Acres	130.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-00157.

14. Remarks:
PLACE OF USE, EXCEPTING 6AC IN LOT NWNW SEC. 01
STOCK USE IS INCIDENTAL 160 HD BEEF CATTLE.
POINT OF DIV.MAY VARY AT TIMES OF THE YEAR DURING DRY SEASONS

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs

Decree Defendant

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
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CIVIL CASE NUMBER: 39576

RECEIVED
OCT 18 1989

Ident. Number: A67-00156
Date Received: 10/03/1989
Receipt No: W0016379
Received By: _____

Department of Water Resources
Western Regional Office

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

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MIDVALE, ID 83645
2. Date of Priority: MAY 15, 1882
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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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A67-00156

Page 1

Date: 10/03/89

MICROFILMED

AUG 05 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
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Section Acres 130.0

Total Acres 130.0

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Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

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: _____

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): Rex W. Howell Date: 10-3-89

Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 3 day
of Oct 19 89

John Dal Corno
Notary Public

Seal

Residing at Blaine ID
My Commission Expires 6/2/94

POOR ORIGINAL

U4

MANN CREEK NE ORTHOPHOTOQUAD
IDAHO

116°45'

230 000 FEET

R4W R3W

44°30'

T14N

T13N

1 030 000
FEET



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AUG 0 5 1994