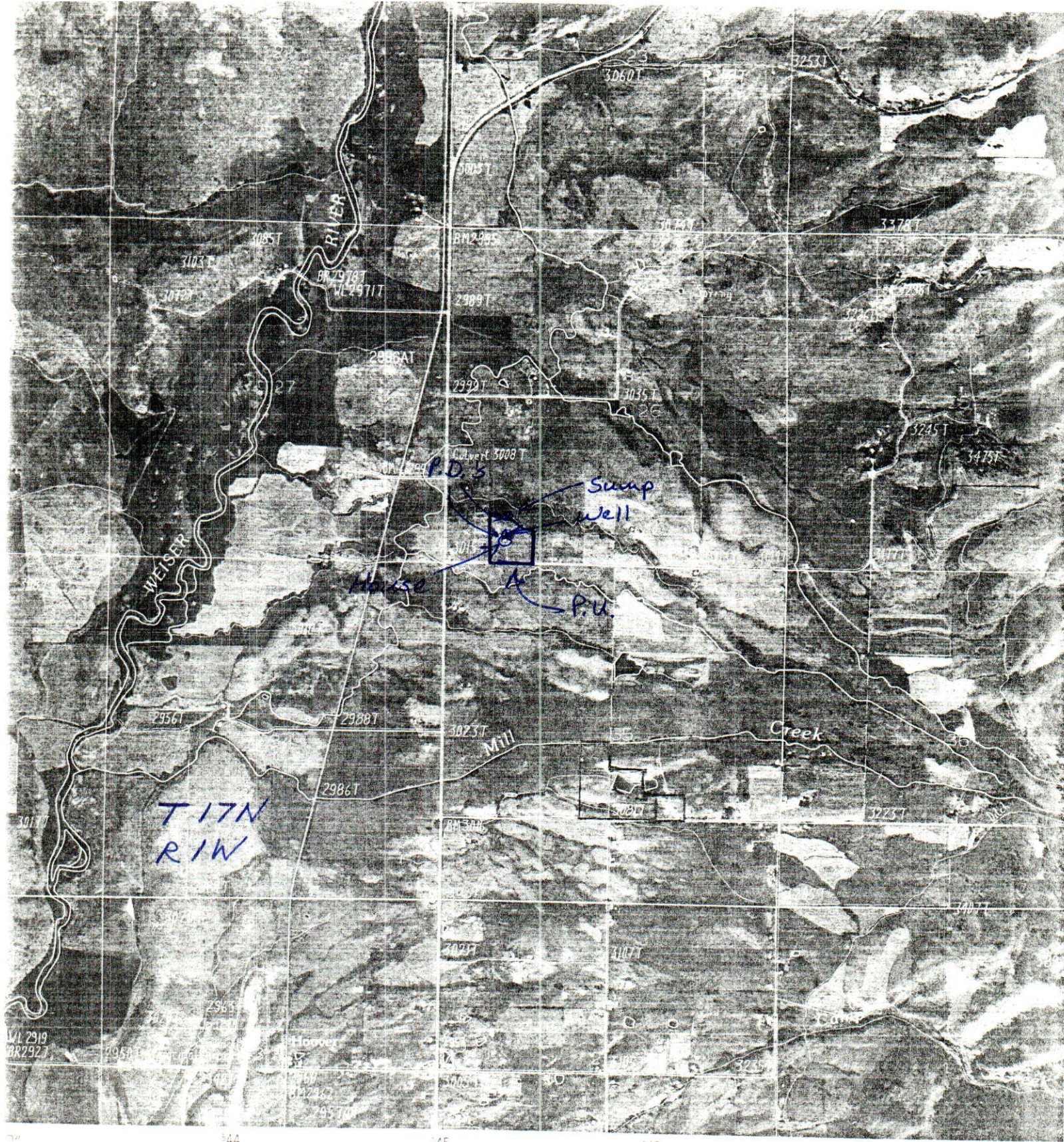




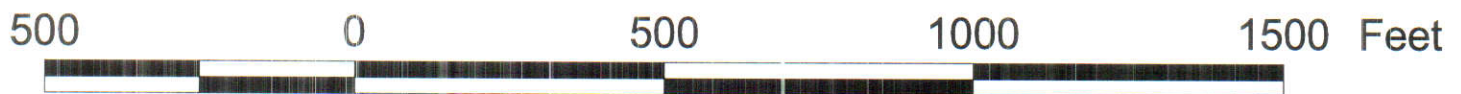
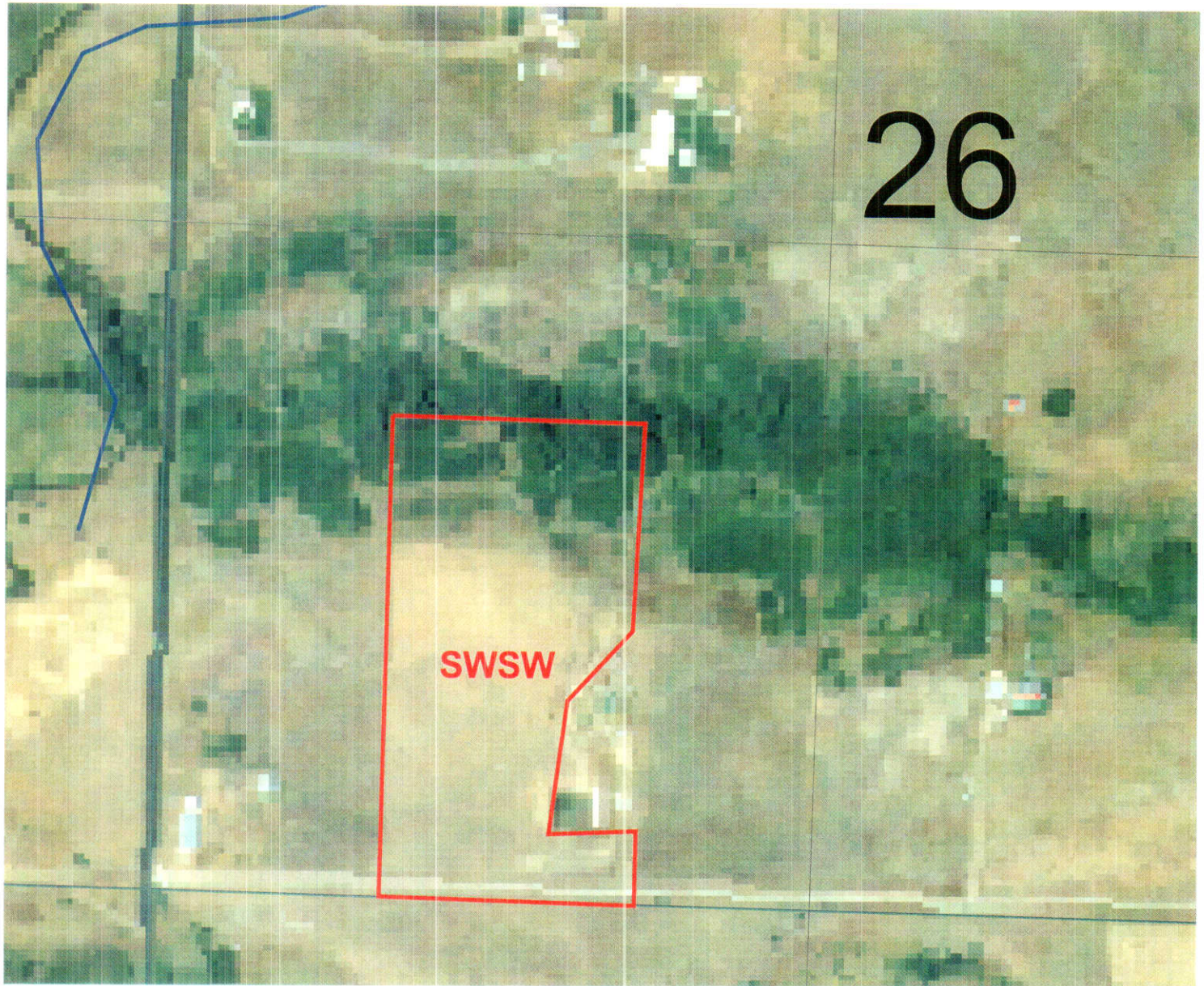
A67-07060

MICROFILMED

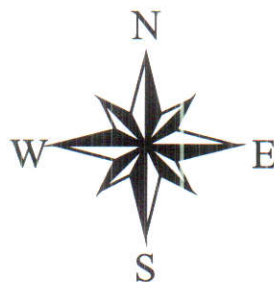
OCT 02 1992

Idaho Department of Water Resources

67-7060



T17N, R01W, S26



Prepared by Anita L. Warntjes
February 17, 2004
1993/94 True Color Photo

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: **A67-07060**
Date Received: 11/ 1/1989
Receipt No: C012629
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: KENNETH E NELSON
Address: 2314 LAPPIN LN
PO BOX 227
COUNCIL ID

83612

2. Date of Priority: AUG 3, 1971

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	26	NE	SW	SW		ADAMS
			SE	SW	SW		ADAMS

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.140		
DOMESTIC	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME AND FARMSTEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
17N	01W	26	SW	SW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	26	SW	SW		DOMEST	
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
67-04460

14. Remarks:

THERE ARE TWO POINTS OF DIVERSION FOR THE IRRIGATION PORTION OF THIS WATER RIGHT. THE WELL IS USED FOR IRRIGATION AND DOMESTIC PURPOSES. THE WELL HAS AN 8" CASING FROM THE SURFACE TO THE 225' DEPTH, 6" CASING FROM THE 225' DEPTH TO THE 245' DEPTH (DEEPENED IN 1989). IT HAS A 5 HP SUBMERSIBLE PUMP. THE OTHER POINT OF DIVERSION IS THE SUMP DESCRIBED IN WATER RIGHT 67-04460. THE SUMP IS 30' X 30' X 15' WITH A CENTRIFUGAL PUMP (POWER FROM A TRACTOR PTO SHAFT). THE LAND IS SPRINKLER IRRIGATED. OWNERSHIP CHANGED BY LH 8/1/97.

15. Basis of Claim: LICENSE

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

RECEIVED

APR 24 1997

WATER RESOURCES
WESTERN REGION

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 Number(s) A67-07060
Adjudication Claim Number(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 on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Harriet Hale / Howard L. Hale

4. New Owner/Claimant(s) Kenneth E. Nelson
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 2314 Cuppin Lane, P.O. Box 227
City, State and ZIP Code Cowacil, ID 83612
New Telephone Number () _____
5. Date you acquired the property 4/11/97
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 actually irrigated N/A Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s) Kenneth E. Nelson Date 4/11/97

_____ Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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, and, if a required claim for the water right has not been filed, to file the needed claim.

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 IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

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 believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of 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. If the property you have purchased is only a portion of the property owned by the former owner/seller, 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, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (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

COPY

RECEIVED

APR 24 1997

WATER RESOURCES
WESTERN REGION

For Value Received, HOWARD L. HALE and HARRIET HALE, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

KENNETH E. NELSON, an unmarried man

the grantee, whose current address is, 2314 Lappin Lane, Council, ID 83612
~~P.O. Box 987, Payette, ID 83661~~

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

and that they will warrant and defend the same from all lawful claims whatsoever.

Date: April 11, 1997

Howard L. Hale
Howard L. Hale

Harriet Hale
Harriet Hale

STATE OF IDAHO
COUNTY OF WASHINGTON

On this 11th day of April in the year of 1997, before me a Notary Public, personally appeared HOWARD L. HALE & HARRIET HALE known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title & Escrow

at 35 minutes past 3 o'clock P.M.
this 11 day of April, 1997, in my office, and duly recorded in Book of Deeds at page

John D. Edman
Notary Public
Residing at Idaho
Commission expires: 3/27/2003

MICHAEL FISK
Ex-Officio Recorder

By: Peggy Linkel
Deputy

Fees \$6.00
Mail to: Timberline Title & Escrow

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 26: A parcel of land in said section more particularly described as follows:

Commencing at the Section corner common to Sections 26, 27, 34 and 35 of said Township;

Thence South $89^{\circ}55'00''$ East 995.169 feet to the REAL POINT OF BEGINNING;

Thence North $00^{\circ}00'00''$ East 939.709 feet;

Thence North $89^{\circ}54'58''$ West 542.386 feet;

Thence South $00^{\circ}15'35''$ East 939.730 feet;

Thence South $89^{\circ}55'00''$ East 538.126 feet to the REAL POINT OF BEGINNING;

AND ALSO

Commencing at the Section corner common to Sections 26, 27, 34 and 35 of said Township;

Thence South $89^{\circ}55'00''$ East 1320.000 feet to the REAL POINT OF BEGINNING;

Thence North $00^{\circ}00'00''$ East 939.709 feet;

Thence North $89^{\circ}55'00''$ West 324.831 feet;

Thence South $00^{\circ}00'00''$ West 939.709 feet;

Thence South $89^{\circ}55'00''$ East 324.831 feet to the REAL POINT OF BEGINNING.

EXCEPTING the County Road right-of-way and any easements and public rights-of-way for state and/or County road rights-of-way.

RECEIVED

APR 24 1997

WATER RESOURCES
WESTERN REGION

race, color, religion, sex, marital status, or national origin are hereby deleted to the extent that such restrictions violate 42 USC §604 (c).

4 chains



COMPLIMENTS OF

Timberline Title & Escrow
THIS CURTAIN IS FURNISHED TO ASSIST IN
FEDERAL LOCATION AND THE OCCUPANT
DOES NOT GUARANTEE ACCURACY

SWSW-40A.
1811.87
50.00' W 10.00' N

[1320]

One descr. 85065
38m/363
1321.17

Schwartz, AL M & Derona
to 11-12-83
9.40 ac
except 2.25 ac Highway waste
S252 NWSW ex. N18
1321.17
N 89° 55' 00" W 1320.
1321.17
1321.17

42M-128
10-18-89

Tax # 802
19.656 acres
Highway Waste - .62 acres
County Rd. Waste - .14 acres

Lastick, Roy
& Shirley
Combs,
Roger & Marcille
#82272
7-8-92

Howard L. Hale
11.6548 ac
37 ac Road Waste

Howard L. Hale
7.0074 ac
22 ac Road Waste

Tax # 300

Tax # 201

W3W 25E SW-1/4
22A County Rd. Waste

Alice F. Heater
22A County Rd. Waste

Raymond & Linda Walker
22A County Rd. Waste

W3W 25E SW-1/4
1/4 Rd. Waste

6400 7-17-46
1.02 ac
27 waste
Raney
John B. & Doreen
8-16-45

RECEIVED

APR 24 1997

WATER RESOURCES
WESTERN REGION

Doc. 11

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: A67-07060
Date Received: 11/01/1989
Receipt No: C012629
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HARRIET HALE 208-253-4386
Address: P.O. BOX 563
COUNCIL, ID 83612
OR
Name: HOWARD L. HALE 208-253-4386
Address: P.O. BOX 563
COUNCIL, ID 83612

2. Date of Priority: AUG 03, 1971

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	26	NE	SW	SW		ADAMS
			SE	SW	SW		ADAMS

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.140		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME AND FARMSTEAD

A67-07060

Page 1

Date: 11/01/89

MICROFILMED

OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
17N	01W	26	SW	SW		IRR	10.0
			SW	SW		DOMEST	

Section Acres 10.0

Total Acres 10.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
67-04460

14. Remarks:

THERE ARE TWO POINTS OF DIVERSION FOR THE IRRIGATION PORTION OF THIS WATER RIGHT. THE WELL IS USED FOR IRRIGATION AND DOMESTIC PURPOSES. THE WELL HAS AN 8" CASING FROM THE SURFACE TO THE 225' DEPTH, 6" CASING FROM THE 225' DEPTH TO THE 245' DEPTH (DEEPEMED IN 1989). IT HAS A 5 HP SUBMERSIBLE PUMP. THE OTHER POINT OF DIVERSION IS THE SUMP DESCRIBED IN WATER RIGHT 67-04460. THE SUMP IS 30' X 30' X 15' WITH A CENTRIFUGAL PUMP (POWER FROM A TRACTOR PTO SHAFT). THE LAND IS SPRINKLER IRRIGATED.

15. Basis of Claim: LICENSE

MICROFILMED

OCT 02 1992

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): *Harold A. Hall* Date: 11-1-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 1st day
of November 19 89 *Carter Fritschle*
Notary Public

Seal

Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



467-57060

FILED

1967



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

August 1, 1997

Re: Notices of Claim to a Water Right Nos. A67-04460, A67-07060

KENNETH E NELSON
2314 LAPPIN LN
PO BOX 227
COUNCIL ID 83612

Dear Mr. Nelson:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

Also during our review of this ownership change and appurtenant land we found another water right for which no claim has been filed. A computer report of this water right is enclosed for your review. Please review this right carefully to decide whether or not it is a water source you are beneficially using at this time. If so, complete the enclosed claim to a water right form and return it to this office with the appropriate fees.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

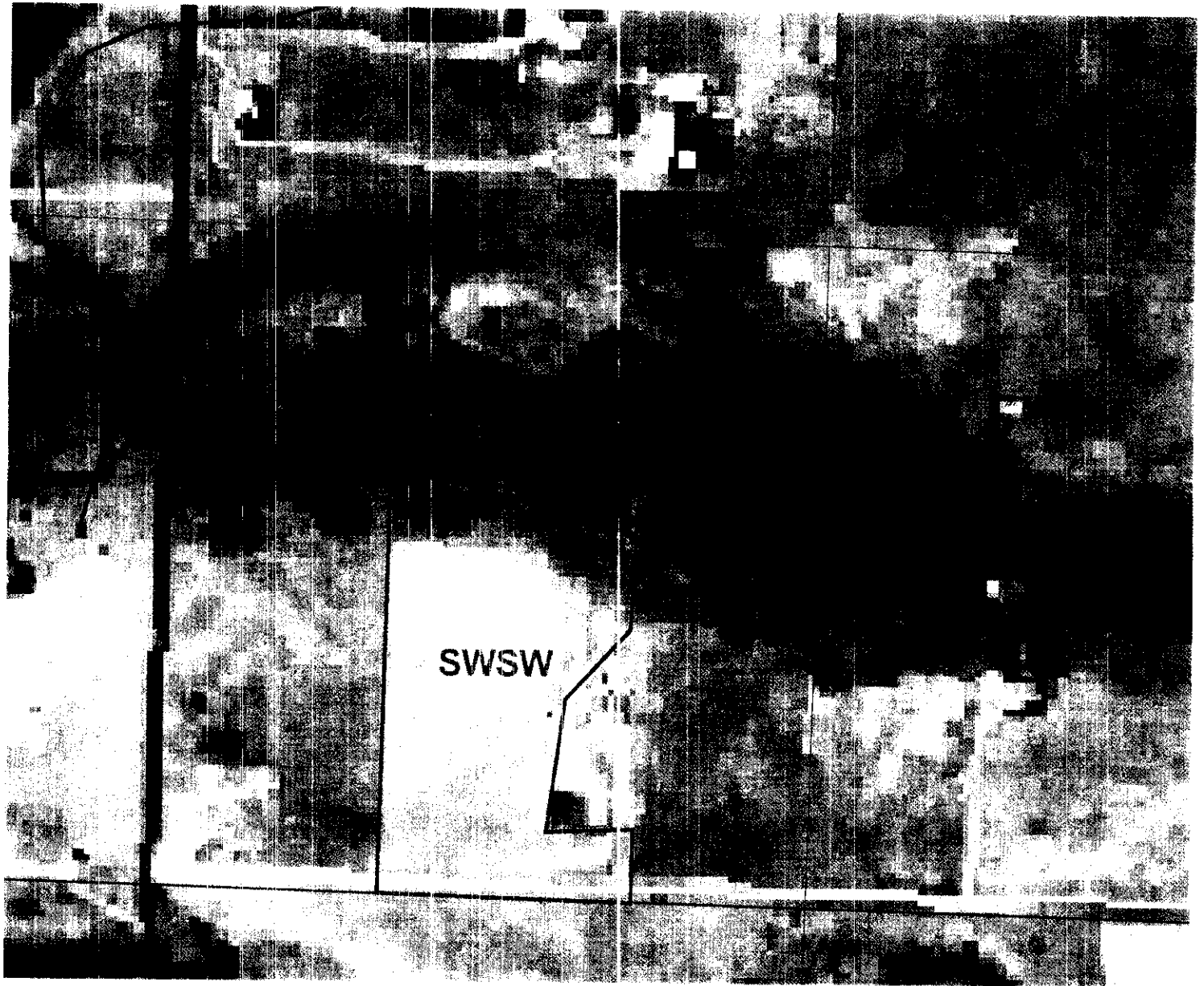
Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

LH:1

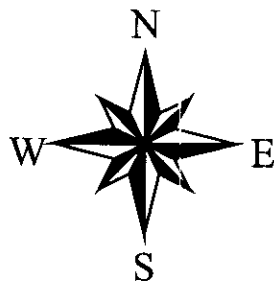
Enclosures

Idaho Department of Water Resources

67-7060



T17N, R01W, S26



Prepared by Anita L. Warntjes
February 17, 2004
1993/94 True Color Photo

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from Jan. 1 to Dec. 31	at 0.02 cfs and	0.6 acre feet
Irrigation	from May 1 to Oct. 15	at 0.14 cfs and	40 acre feet or
	from _____ to _____	at _____ cfs and	4.0 af per acre

(both dates inclusive)

Twp. 17 N, Rge. 1 W, B. M. in the County of Adams

[illegible]

May 19 76

Director