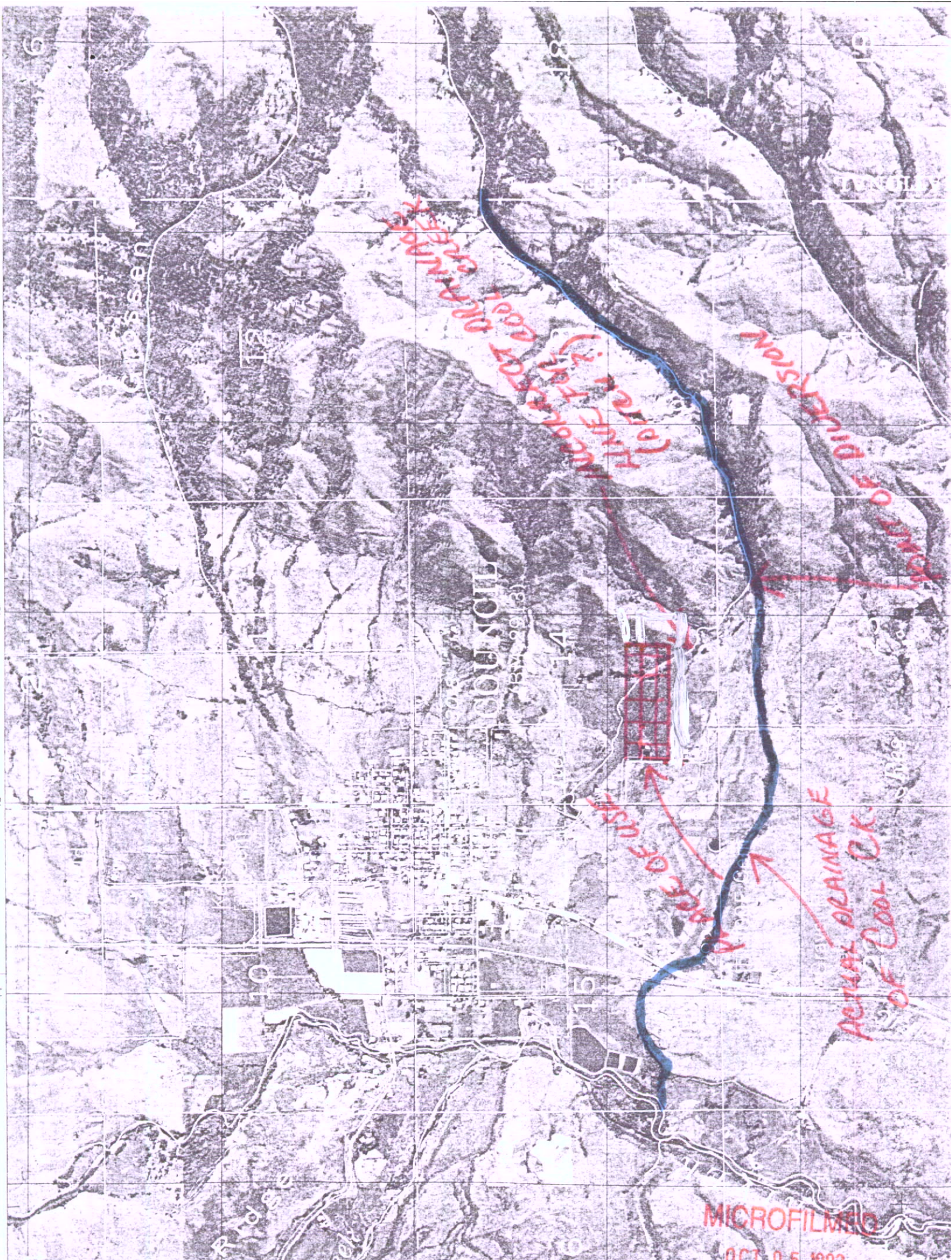




MICROFILMED

OCT 05 1992

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: A67-11489
Date Received: 5/ 1/1990
Receipt No: W012323
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID F LAWRENCE
Address: PO BOX 445
COUNCIL ID 83612

AND

Name: VONDA LAWRENCE
Address: PO BOX 445
COUNCIL ID 83612

2. Date of Priority: JUN 5, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	23	NE	NW	NE		ADAMS

5. Description of diverting works:

SMALL DIV. DAM, HEADGATE, GRAVITY FLOW DITCH, FLOOD IRRIGATION.

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 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, INCIDENTAL TO IRRIGATION.

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	14	NE	SW	IRR	2.5
			NW	SW	IRR	2.5
			SW	SW	IRR	5.0
			SE	SW	IRR	10.0
					Section Acres	20.0
					Total Acres	20.0

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:

CLAIM NO. A67-11487/A67-04099/SORENSEN-RINEHART DTICH CO. RT

14. Remarks:

THIS CLAIM IS FOR FLOOD WATER ONLY - USED PRIOR TO WHEN THE SORENSON-RINEHART DITCH CO. BEGINS DIVERTING FROM THE NORTH FORK COTTONWOOD CREEK INTO COOL CREEK IN THE SPRING.
OWNERSHIP CHANGED BY LH 11/9/95.

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): _____ Date: _____

Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 10/27/95

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LEGAL DESCRIPTION OF PROPERTY: Township 16N Range 01W Section 14, 1/4 of 1/4 of 1/4, Govt. Lot _____, BM. Department of Water Resources
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

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WATER RESOURCES
WESTERN REGION

☐ 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:

A67-11489

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Nello Jenkins or Margaret Jenkins
P.O. Box 185
Council, ID 83612

☐ New Owner/Claimant
(Purchaser):

David F. Lawrence + Vonda Lawrence

☐ New Mailing Address:

P.O. Box 445
Council, ID 83612

☐ 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:

Copy of recorded Warranty Deed

(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)

David F. Lawrence
Vonda Lawrence

Date 10-27-95

Date 10-27-95

☐ Signature of Former
Owner/Claimant(s):

Date _____

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: 11-9-95 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 11-9-95 By: [Signature]

Claim Numbers of Split, if any:

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

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INSTRUCTIONS

NOV 2 1991

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. 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.

INSTRUMENT NO. 89003
WARRANTY DEED

For Value Received NELLO JENKINS and MARGARET JENKINS, husband and wife

COPY

the grantors , do hereby grant, bargain, sell and convey unto
DAVID F. LAWRENCE and VONDA LAWRENCE, husband and wife

the grantees, whose current address is, P.O. Box 445, Council, ID 83612

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

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

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NOV 09 1995

Department of Water Resources

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

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

Date: October 27, 1995

Nello Jenkins
NELLO JENKINS

Margaret Jenkins
MARGARET JENKINS

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WATER RESOURCES
WESTERN REGION

STATE OF Idaho)
) ss
COUNTY OF Adams

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

On this 27th day of Oct, in the year of 1995, before me
a Notary Public, personally appeared
NELLO JENKINS & MARGARET JENKINS
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

at 15 minutes past 9 o'clock A.M.
this 30th day of Oct, 1995, in my
office, and duly recorded in Book
of Deeds at page

Christy A. Drury
Notary Public
Residing at Franklin, Idaho
Commission expires: 8/4/98

MICHAEL FISK
Ex-Officio Recorder

By: Leahy Link
Deputy

Fees \$6.00
Mail to: Timberline Title & Escrow



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OCT 23 1996

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 14: A parcel of land situated within the SW1/4 of said section, township and range more particularly described as follows:

Beginning at the SE corner of the NE1/4SW1/4 of Section 14, T16NR1W;

Thence North a distance of 325 feet along the East line of said SW1/4;

Thence West a distance of 1865 feet, more or less, to a point 775 feet East of the West line of said SW1/4;

Thence South a distance of 201 feet, more or less, to an iron pipe, which point is on the East right-of-way of an existing County Road known as Exeter Lane;

Thence East a distance of 350 feet, more or less, to an iron pipe;

Thence South a distance of 250 feet, more or less, to an iron pipe;

Thence West a distance of 350 feet, more or less, to an iron pipe, which point is on the East right-of-way of said Exeter Lane;

Thence South parallel to and 775 feet East of the West line of said Section 34 a distance of 249 feet, more or less, to a point on a line which is 375 feet South of the South line of the N1/2SW1/4 of said Section 14;

Thence East a distance of 1865 feet, more or less, to a point on the East line of said SW1/4;

Thence North a distance of 375 feet along the East line of said SW1/4 to the POINT OF BEGINNING.

TOGETHER WITH all water rights to the property except two (2) shares of Sorenson-Rinehart water; to be stored in the lower pond for garden and yard use through the headgate from April 1st to November 1st yearly.

GRANTOR RESERVES the improved spring located above the upper pond for domestic use.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1995 which are a lien but not yet due or payable.

POWERLINE EASEMENT granted to IDAHO POWER COMPANY, recorded November 6, 1946 in Book 4 Miscs. page 471.

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NOV 09 1995

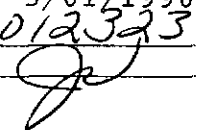
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OCT 23 1996

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NOV 09 1995
WATER RESOURCES
WESTERN REGION

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: A67-11489
Date Received: 5/01/1990
Receipt No: 4012323
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NELLO JENKINS 208-253-4782
Address: P.O. BOX 185
COUNCIL, ID 83612

OR
Name: MARGARET JENKINS 208-253-4782
Address: P.O. BOX 185
COUNCIL, ID 83612

2. Date of Priority: JUN 05, 1902

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	01W	23	NE	NW	NE		ADAMS

5. Description of diverting works:
SMALL DIV. DAM, HEADGATE, GRAVITY FLOW DITCH, FLOOD IRRIGATION.

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 60.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION.

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
16N	01W	14	NE	SW		IRR	2.5
			NW	SW		IRR	2.5
			SW	SW		IRR	5.0
			SE	SW		IRR	10.0

Section Acres 20.0

Total Acres	20.0
-------------	------

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:

CLAIM NO. A67-11487/A67-04099/SORENSEN-RINEHART DTICH CO. RTS.

14. Remarks:

THIS CLAIM IS FOR FLOOD WATER ONLY - USED PRIOR TO WHEN THE SORENSON-RINEHART DITCH CO. BEGINS DIVERTING FROM THE NORTH FORK COTTONWOOD CREEK INTO COOL CREEK IN THE SPRING.

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): Nella W Jenkins Date: 5-1-90
Date:

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 1ST day
of May 19 90 Jan Schulte
Notary Public

Seal

Residing at Meridian, ID
My Commission Expires 9-14-94

27° 30'

544

545

546 25'

330,000 FEET

548

549

K. I. VV. K. I. E.



MICROFILM

OCT 05 1992



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

November 9, 1995

Re: Notice of Claim to a Water Right No. A67-11489

David F. Lawrence
Vonda Lawrence
P.O. Box 445
Council, ID 83612

Mr. & Mrs. Lawrence:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

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

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

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:l
Enclosure

cc: Nello & Margaret Jenkins

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OCT 23 1996

DATE: 5-8-90 & 9-11-90(A67-11737)

TO: CLAIM FILES FOR NO. A67-11488, A67-11489, A67-11491,
A67-11493, A67-11495, & A67-11737

FROM: JAN SHURTE

SUBJECT: REASON FOR NO LATE FEE

THE ABOVE CLAIMS WERE FILED AFTER THE DEADLINE FOR ADAMS CO. FOR FLOOD WATER RIGHTS ON COOL CREEK AND GROSSEN CREEK. I DID NOT CHARGE A LATE FEE BECAUSE ALL OF THE CLAIMANTS ALSO HAVE SORENSON-RINEHART DITCH CO. RIGHTS WHICH WERE FILED TIMELY AND UNTIL I SPOKE WITH THEM ABOUT THOSE DITCH RIGHTS WAS IT DISCOVERED THEY SHOULD HAVE FILED ON THEIR FLOOD RIGHTS ALSO.

NORMALLY, THE SORENSON RINEHART DITCH CO. DIVERTS WATER FROM THE NO. FORK COTTONWOOD CREEK AND DUMPS IT INTO BOTH COOL CK. AND GROSSEN CK. AS A MEANS OF CONVEYANCE. CLAIMANTS THOUGHT WHAT THEY WERE DIVERTING, EVEN DURING THE FLOOD SEASON, WOULD THEN BE SORENSON RINEHART DITCH CO. RIGHTS. HOWEVER, THROUGH CONVERSATION WITH THE DITCH CO. OFFICIALS, I FOUND THAT THEY DO NOT DIVERT DURING THE EARLY SPRING FROM N. FORK COTTONWOOD BECAUSE THERE IS STILL ICE IN THE DITCH, SINCE THE NO. FORK IS FURTHER UP LAND FROM GROSSEN OR COOL CK. BUT, DURING THE EARLY SPRING SOME OF THE WATERUSERS BEGIN DIVERTING FROM GROSSEN OR COOL CK. BEFORE THE DITCH CO. DIVERTS FROM COTTONWOOD CK. THEREFORE, THEY ARE DIVERTING FLOOD WATERS WHICH ORIGINATE IN GROSSEN & COOL CK. AND NEEDED A FILING FOR THAT TIME PERIOD. THEY CONTINUE TO DIVERT ALL THROUGH THE SUMMER, AND SINCE IT WOULD BE IMPOSSIBLE TO TELL WHEN GROSSEN OR COOL CK. WATER IS GONE AND ONLY THE DITCH WATER FROM NO. FORK COTTONWOOD CK. IS RUNNING IN THESE TWO CREEKS, I HAVE PUT THE SEASON OF USE FOR THE ENTIRE IRRIG. SEASON.

BECAUSE THIS IS SUCH A COMPLICATED FLOOD WATER SITUATION, I FELT THESE CLAIMANTS SHOULD NOT BE CHARGED A LATE FEE FOR THESE FLOOD WATER CLAIMS SINCE THEY HAD BELIEVED ALL THEY NEEDED TO FILE WAS THEIR DITCH CO. RIGHTS AND THOSE WERE FILED TIMELY.

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OCT 05 1992