



MICROFILMED

OCT 21 1986
FOOR ORIGINAL

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Younger, H. A. West. B. 1852.

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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: A67-11156B
Date Received: 10/26/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MARY ANN MASTERS 208-347-2662
Address: PO BOX 514
NEW MEADOWS ID 83654
OR
Name: ROBERT E MASTERS 208-347-2662
Address: PO BOX 514
NEW MEADOWS ID 83654

2. Date of Priority: JUL 1, 1905

3. Source: WASTEWATER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	3	SE	SE	NE		ADAMS

5. Description of diverting works:
DITCH FROM EAST FORK DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.500		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	3	NE	NE	1	IRR	15.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	3	NW	NE	2	IRR	30.0
			SW	NE		IRR	30.0
Section Acres							75.0
Total Acres							75.0

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:
A67-11154

14. Remarks:

THIS WATER IS DIVERTED FROM EAST FORK DITCH AND IS WASTEWATER FROM THE BARKER LAND.

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION OF CLAIM NO. A67-11156, FEE PAID UNDER RECEIPT NO. C012544.
10/05/1994. MM

15. Basis of Claim: BENEFICIAL USE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 6/8/94

RECEIVED

JUN 24 1994

LEGAL DESCRIPTION OF PROPERTY: Township 16N Range 01W Department of Water Resources
 Section 3, 1/4 of 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.

RECEIVED

JUN 27 1994

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:

A67-11156

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

Leila A. Holcomb or Clifford E. Holcomb
HC 62, Box 1470
Council, ID 83612

☐ New Owner/Claimant
(Purchaser):

Robert E. Masters or Mary Ann Masters

☐ New Mailing Address:

P.O. Box Box 514
New Meadows, ID 83654

☐ New Telephone Number:

(208) 347-2662

☐ 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:

.50 cfs

☐ Attach proof of
ownership, describe
proof attached:

copy of recorded 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):

Robert E. Masters
Mary Ann Masters

Date 6/8/94Date 6/8/94

☐ 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: 10/04/1994 By: MT

Further Action Needed:

splitting claim

Further Action Taken

Date: 10/05/1994 By: MT

Final Review and Data-Entry

Date: 10/05/1994 By: MT

Claim Numbers of Split, if any:

A67-11156A & A67-11156B

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

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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 of 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.

COPY

INSTRUMENT NO 86053

WARRANTY DEED

For Value Received CLIFFORD EMERSON HOLCOMB and LEILA ANN HOLCOMB, husband and wife the grantors , do hereby grant, bargain, sell and convey unto ROBERT E. MASTERS and MARY ANN MASTERS, husband and wife the grantees, whose current address is, P.O. Box 514, New Meadows, ID 83654 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 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: June 3, 1994

Clifford Emerson Holcomb
Leila Ann Holcomb
Clifford Emerson Holcomb

Leila Ann Holcomb
Leila Ann Holcomb

STATE OF IDAHO)
COUNTY OF ADAMS) ss)

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

On this 8th day of June, in the year of 1994, before me a Notary Public, personally appeared CLIFFORD EMERSON HOLCOMB & LEILA ANN HOLCOMB 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

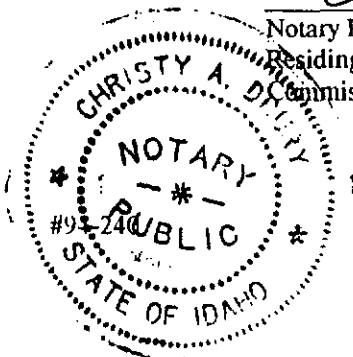
Timberline Title & Escrow
at 42 minutes past 3 o'clock PM.
this 8th day of June , 19 94 , in my office, and duly recorded in Book ----- of Deeds at page -----

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

MICHAEL FISK
Ex-Officio Recorder

By: *Leggy Linkal*
Deputy

Fees \$ 6.00
Mail to: Timberline Title & Escrow



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EXHIBIT "A"

INSTRUMENT NO. 86053

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho, Section 3: all that part of Lot 2 and SW1/4NE1/4 lying East of the Union Pacific Railroad right of way. EXCEPTING from the SW1/4NE1/4 more particularly described as follows:

COMMENCING at a point on the South line of said SW1/4NE1/4 where it is intersected by the East line of the right of way of the Union Pacific Railroad;

thence North 00 degrees 20' East 208.75 feet;

thence North 89 degrees 50' East 208.75 feet;

thence South 00 degrees 20' West 208.75 feet to the 1/4 Section line;

thence South 89 degrees 50' West 208.75 feet to the PLACE OF BEGINNING.

ALSO the S1/2 Lot 1 EXCEPTING a portion more particularly described as follows:

Commencing at the Southeast corner of said Lot 1, which point is also the Westerly boundary of U.S. Highway 95 right of way and the REAL POINT OF BEGINNING;

thence North along said right of way a distance of 373 feet;

thence West a distance of 585 feet;

thence South a distance of 373 feet to a point on the South line of Lot 1;

thence East 585 feet more or less to the REAL POINT AND PLACE OF BEGINNING.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1994 which are a lien but not yet due or payable.

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a document granted to MOUNTAIN STATES TELEPHONE AND TELEGRAPH CO. (no representation is made as to present ownership of easement), recorded in Book 4M of Misc. at page 128 as Instr. No. 25756, records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental thereto as set forth in a document granted to IDAHO POWER COMPANY (no representation is made as to present ownership of easement), recorded January 28, 1975 in Book 8M of Misc. at page 216 as Instr. No. 53387, records of Adams County, Idaho.

EXCEPTING the County Road known as Hoover lane and Highway 95 right-of-way as now established.

SUBJECT TO all existing easements and rights-of-way for ditches, canals, and pipelines.

EXHIBIT "A"

INSTRUMENT NO. 86053

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho, Section 3: all that part of Lot 2 and SW1/4NE1/4 lying East of the Union Pacific Railroad right of way. EXCEPTING from the SW1/4NE1/4 more particularly described as follows:

COMMENCING at a point on the South line of said SW1/4NE1/4 where it is intersected by the East line of the right of way of the Union Pacific Railroad;

thence North 00 degrees 20' East 208.75 feet;

thence North 89 degrees 50' East 208.75 feet;

thence South 00 degrees 20' West 208.75 feet to the 1/4 Section line;

thence South 89 degrees 50' West 208.75 feet to the PLACE OF

BEGINNING.

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Commencing at the Southeast corner of said Lot 1, which point is also the Westerly boundary of U.S. Highway 95 right of way and the REAL POINT OF BEGINNING;

thence North along said right of way a distance of 373 feet;

thence West a distance of 585 feet;

thence South a distance of 373 feet to a point on the South line of Lot 1;

thence East 585 feet more or less to the REAL POINT AND PLACE OF BEGINNING.

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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: A67-11156
Date Received: 10/26/1989
Receipt No: 2012544
Received By: RAJ

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLIFFORD E. HOLCOMB 208-253-4368
Address: HC 62, BOX 1470
COUNCIL, ID 83612
OR
Name: LEILA A. HOLCOMB 208-253-4368
Address: HC 62, BOX 1470
COUNCIL, ID 83612

2. Date of Priority: JUL 01, 1905

3. Source: WASTEWATER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	3	SE	SE	NE		ADAMS

5. Description of diverting works:
DITCH FROM EAST FORK DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A67-11156

Page 1

Date: 10/26/89

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	01W	3	NE		NE		IRR	20.0
			NW		NE		IRR	30.0
			SW		NE		IRR	30.0
							Section Acres	80.0
							Total Acres	80.0

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:

A67-11154, A67-11157, 64.

14. Remarks:

THIS WATER IS DIVERTED FROM EAST FORK DITCH AND IS WASTEWATER FROM THE BARKER LAND.

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: 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): Clifford E. Holcomb Date: 10-26-89

Date: _____

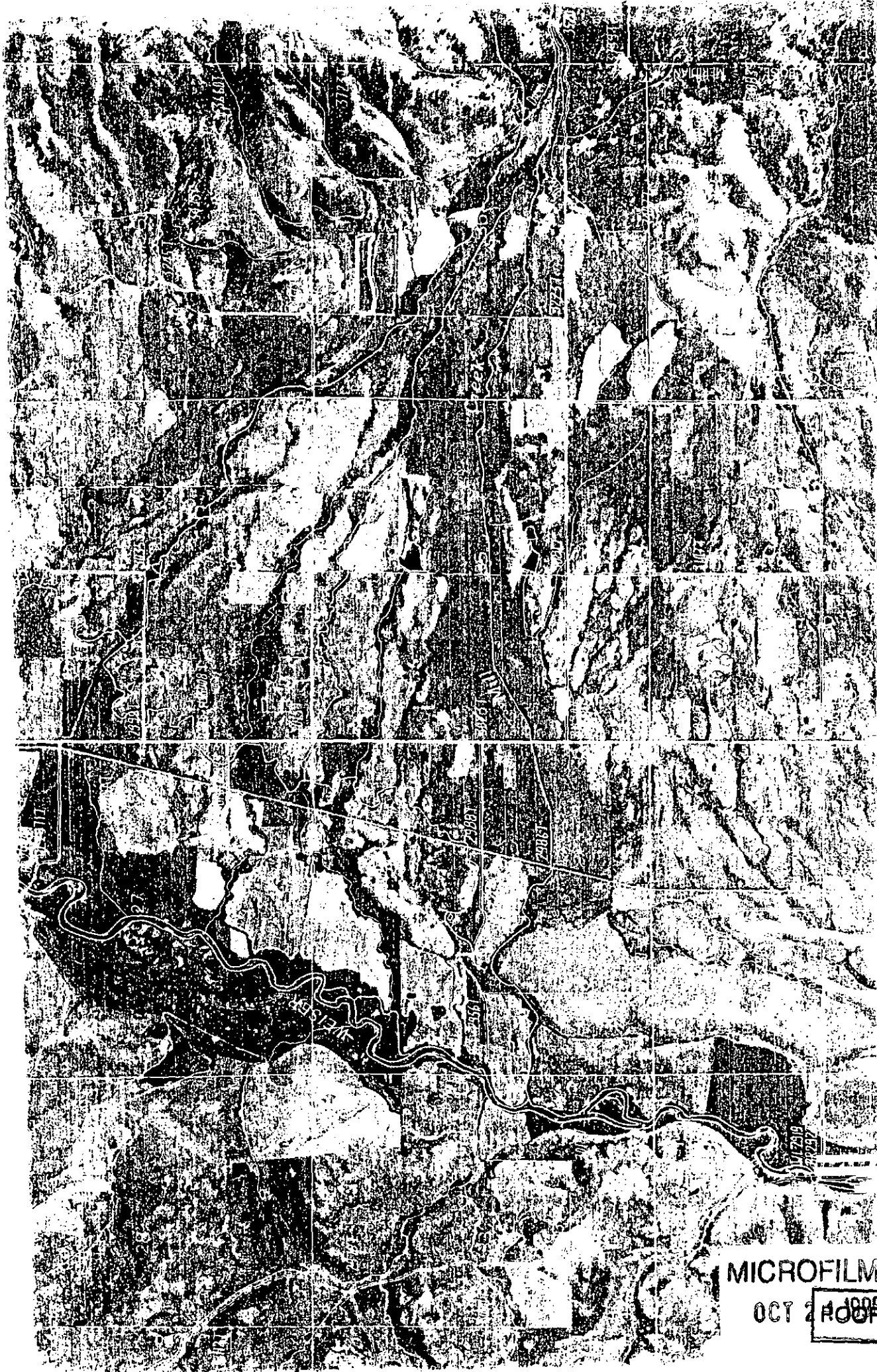
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of October 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994



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OCT 2 1986
FOR ORIGINAL



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

October 5, 1994

R. KEITH HIGGINSON
DIRECTOR

MARY ANN MASTERS
ROBERT E MASTERS
PO BOX 514
NEW MEADOWS ID 83654

RE: Notice of Claim to a Water Right Nos: A67-11154 A67-11156B A67-11157

Dear Ms. and Mr. Masters:

We have received and processed a Change of Ownership form submitted on the original Notice of Claim to a Water Right Number A67-11156. This change of ownership required a split of the original claim, resulting in the renumbering of the original claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right Number for your portion is A67-11156B. The right holders of the remaining portion have also been notified of this split and renumbering of their original claim.

Please note that it does not appear that you own the point of diversion for this water right. If you intend to move or add a new point of diversion please contact this office. A Transfer may be required before an point of diversion can be added or moved.

Enclosed is a copy of this new claim which now reflects your portion of the original water right. Please keep this copy for your files and refer to the new claim number when corresponding with our office.

Research for this change of ownership uncovered two other claims which are appurtenant to the property. The claim numbers are referenced above. Reports which summarize these claims, which were originally filed by the Holcombs, are enclosed. Please note that these are Beneficial Use claims, and have not yet been investigated by IDWR. Please review these reports carefully to determine if the ownership should be changed on the claims. A Change of Ownership form is enclosed for your convenience.

Claim number A67-11154 is of special note. This claim is a combination of two decreed rights, 67-00117 and 67-00139. Reports which summarize these decreed rights are attached to the report for A67-11154. Several issues regarding this claim need to be addressed.

First, please be advised that East Fork Ditch Co., LTD. has also filed claims on these same decreed rights. Ownership of the rights must be determined. If you are going to claim these water rights, please submit some documentation of your ownership of these decreed rights. The same request is being made of East Fork Ditch Co., LTD.

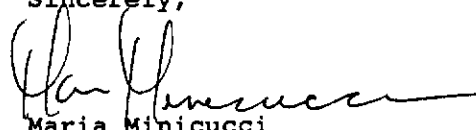
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The second issue is that the claim was filed on a place of use not previously decreed for the water rights. Neither 61-00117 or 61-00139 is appurtenant to Twp. 16N, Rge. 01W, section 3, SWNE. The owner of the water right will be required to submit the date these additional acres were irrigated by the water represented by claim number A67-11154, and some evidence tending to support that date.

If you have any questions or need additional information, please contact this office.

Sincerely,



Maria Minicucci
Water Agent, Adjudication Bureau

MM:m

Encs: Notice of Claim No. A67-11156B
Notice of Change of Water Right Ownership form
Profile Reports: A67-11154, 67-00139, 67-00117, A67-11157

cc: Holcomb

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OCT 21 1996

MEMO TO SRBA CLAIM FILE NO. A67-11156 A & B

CLAIMANT'S NAME: Masters (Holcomb)

DATE: 10/05/1994

COUNTY: Elmore

EMPLOYEE: MTMINICUCCI

The change of ownership from Holcomb to Masters results in a split of the claim. The new owner (Masters) submitted a warranty deed which describes the property slightly different than claimed. The discrepancy is along the south edge of the SWNE S.3. Holcomb did not claim acres down to the southern line of SWNE but Masters' warranty deed describes all lands east of the RR (approx 30 acres) minus a one acre tract in the corner of the property. ~~This is~~ This situation may have developed if the Holcombs knew they had 30 acres in the SWNE but did not realize that the RR tracks are not along the N/S center line of section 3.

Regardless of the reason, this discrepancy should be addressed at the time of the field exam. See CgO documents & attached maps.

CFS split based on CgO form submitted by Masters.

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T16N R 01W (1880)

A67-11156

Handwritten: Mary Blum

POORHORN

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