

67-00383B

POD



Hornet

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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: **A67-00383B**
Date Received: 1/ 3/1990
Receipt No: C013780
Received By: _____

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

1. Name: LARRY WALLING 208-253-4726
Address: PO BOX 356
COUNCIL ID 83612
OR
Name: ANNA WALLING 208-253-4726
Address: PO BOX 356
COUNCIL ID 83612

2. Date of Priority: JUN 30, 1883

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	02W	15	SW	NW	SW		ADAMS

5. Description of diverting works:
DAM IN CREEK, TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.860		

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

8. Total consumptive use is 177.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
07/22/94

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	02W	15	SE	SW		IRR	3.0
			SW	SE		IRR	22.0
					Section Acres		25.0
		22	NE	NE		IRR	12.0
			NW	NE		IRR	22.0
					Section Acres		34.0
					Total Acres		59.0

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:

50 SHARES OF HORNET CREEK RES., A6704065

14. Remarks:

CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 7/22/94.

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: _____

RECORDED
OCT 22 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 _____

RECORDED
OCT 22 1996

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

RECEIVED

Ident. Number: A67-00383B
Date Received: 1-3-90
Receipt No: C013780
Received By: _____

JAN 03 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: CLARENCE KING 208-253-4513
Address: BOX 533
COUNCIL, ID 83612
AND/OR
Name: LOUISE KING 208-253-4513
Address: BOX 533
COUNCIL, ID 83612

2. Date of Priority: JUN 30, 1883
3. Source: HORNET CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	02W	15	SW	NW	SW		ADAMS

5. Description of diverting works:
DAM IN CREEK, TO DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.860		

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

8. Total consumptive use is 177.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A67-00383B

Page 1

Date: 12/14/89

RECEIVED
JAN 02 1990

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	02W	15	SE	SW		IRR	3.0
			SW	SE		IRR	22.0
					Section Acres		25.0
		22	NE	NE		IRR	12.0
			NW	NE		IRR	22.0
					Section Acres		34.0
					Total Acres		59.0

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:

50 SHARES OF HORNET CREEK RES., A6704065

14. Remarks:

15. Basis of Claim: DECREED

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): Clarence King Date: 12/28/89
Louise King Date: 12/28/89

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of December 19 89

Karen Poulson
Notary Public

Seal

Residing at Council, Idaho
My Commission Expires April 11, 1994

67-00383B

POD

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Hanson

Sommer

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27/27

4/5/1989

SRDA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

King

CLAIM IDENT. NO.

A67-00383B

DATE RECEIVED

1/3/90

CK # 003780

AMOUNT \$ 109.00

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: BDate: 4/2/90Claim must be returned to claimant: (Yes) ☒ (No) ☐Claimant must be notified of modifications: (Yes) ☐ (No) ☒

Receipt Prepared by: _____
 Claim data entered by: 1/4
 Sent to claimant by: _____

Date: _____

Date: _____

Date: 10-5-90

Checked by: _____

Date: _____

MICROFILMED

Comments: _____

OCT 01 1992

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. AG7-00383B, 384,
406, 407, 4065, 11326, 11327,
11328

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Linda Werner Date 7-22-94

Contact Person(s) Larry & Anna Walling

Nature of Contact Chg. of ownership

Substance of Communication Ownership changed on the
above rights based on distribution decree.
In file no. AG7-00383B.

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OCT 22 1996

IRA T. BURTON
BURTON & KROLL
P. O. Box 367
Weiser, Idaho 83672
(208) 549-1652

Certified
Copy

FILED	
NOV 16 1992	
11:55 A.M.	P.M.
MICHAEL FISK	
Marlena Stovner	
	CLERK DEPUTY

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADAMS

MAGISTRATE DIVISION

IN THE MATTER OF THE ESTATE OF)	Case No. P-352
MINNIE LOUISE KING a/k/a)	
LOUISE WALLING KING and)	ORDER APPROVING FINAL ACCOUNT
CLARENCE H. KING.)	AND DECREE OF DISTRIBUTION
Deceased.)	

The petition of Bud Gross for settlement and distribution of the above named estate having come before the Court for hearing, the Court makes the following findings:

I.

Bud Gross is the duly appointed, qualified and acting Personal Representative of the above named estate.

II.

Notice to Creditors has been published and the time for presenting claims that arose prior to the death of the decedent has expired.

III.

All debts of the decedent and of the estate, and all expenses of administration, and all taxes that have attached to

** 1 DECREE OF DISTRIBUTION

RECORDED
OCT 22 1992

or accrued against the estate have been paid.

IV.

The Personal Representative has filed a Final Accounting, and the Estate is in a condition to be closed.

V.

Proof of service of the notice of the time for filing objections to the Final Account and Petition for Distribution has been filed herein. No objections have been filed.

VI.

Minnie Louise King a/k/a Louise Walling King died testate on the 25th day of September, 1991, and Clarence H. King died testate on the 15th day of October, 1991. The following persons are entitled to distribution of the remaining estate property:

Mobile home, outbuildings and approximate 8 acres located in Adams County, Idaho, to Robert Walling.

Balance of estate to Larry Walling.

IT IS THEREFORE HEREBY ORDERED AND DECREED:

1. The Final Account is allowed and settled.
2. That the following distributions shall be made to the following:

- A. Mobile home, outbuildings and approximate 8 acres located in Adams County, Idaho, more particularly described as follows is hereby decreed absolutely to ROBERT WALLING.

Beginning at the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section 15, Township 17 North, Range 2 West, Boise Meridian, Adams County, Idaho, and running from thence in a westerly direction along the Southern edge of the County Road a distance of approximately 700 feet, thence South a distance of approximately 500 feet

RECORDED
OCT 22 1996

to the existing fence on the Southern edge of the creek, thence in an Easterly direction following the fence line a distance of approximately 700 feet to the quarter section line, thence North along said line a distance of approximately 500 feet to the place of beginning; containing approximately 8.0 acres, more or less.

- B. The balance of the estate is hereby decreed absolutely to LARRY WALLING in accordance with decedent's will. Said property consists of the following:

REAL PROPERTY:

The following described real property situate in Adams County, Idaho:

Township 16 North, Range 1 West, Boise Meridian
Section 10: A tract of land located in the SE1/4SE1/4 of said Section, Township and Range more particularly described as follows:

Commencing at the Northwest corner of said SE1/4SE1/4 which corner is assumed to be in the center of the County Road leading North from Council, Idaho; thence East along the North line of said SE1/4SE1/4 365 feet; thence South, at right angles, 507 feet; thence West, at right angles, 90 feet to the POINT AND PLACE OF BEGINNING; thence South, at right angles, 100 feet; thence West, at right angles, 195 feet, more or less, to the East boundary line of County Road above described; thence North 22°25' West on and along the East boundary line of said County Road 112 feet, more or less, to a point directly West of the point and place of beginning; thence East 208 feet, more or less, to the POINT AND PLACE OF BEGINNING.

The following described real property situate in Adams County, Idaho:

A parcel of land situated in Adams County, Idaho, and more particularly described as follows:

In Township 17 North, Range 2 West, Boise Meridian, Adams County, Idaho.

The Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast Quarter of Section Sixteen (16); and

Lots one, two, three, five and six, the Northwest Quarter of the Southeast Quarter, the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section Twenty-one (21); and

The North half of the Southwest Quarter, the Northwest Quarter, the East half of the Northeast Quarter and the West half of the Northeast Quarter of the Northeast Quarter of Section Twenty-two (22); and

The Southwest Quarter of the Southeast Quarter of Section Fifteen (15);

EXCEPTING THEREFROM the following:

Beginning at the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section 15, Township 17 North, Range 2 West, Boise Meridian, Adams County, Idaho, and running from thence in a westerly direction along the Southern edge of the County Road a distance of approximately 700 feet, thence South a distance of approximately 500 feet to the existing fence on the Southern edge of the creek, thence in an Easterly direction following the fence line a distance of approximately 700 feet to the quarter section line, thence North along said line a distance of approximately 500 feet to the place of beginning; containing approximately 8.0 acres, more or less.

AND

Also in Section 15:

A tract of land described as beginning at the Southeast corner of the Southeast Quarter of the Southwest Quarter of Section 15 in Township 17 North, Range 2 West, Boise Meridian, and running North along the East line of said subdivision 200 feet; thence West and parallel to the South line of said subdivision 400 feet; thence South 200 feet to the South line of said subdivision; thence East 400 feet along said South line to the point and place of beginning.

PERSONAL PROPERTY:

Bank Account Balance

Furniture & Appliances

1972 Ford Van ID#E22GHP-66,246

1957 Cardinal trailer house ID#16,571,702

1965 Keno Trailer ID#FH55518

1960 Rambler, ID#C184023

1965 Chevrolet, 4Dr. - ID#156695S-149,722

3. The Personal Representative is directed to make distribution of the remaining estate property and any other property of the decedent or the estate not now known or discovered to the persons in the manner set forth above.

4. That upon distribution of the remaining estate property, the Personal Representative is discharged from any further duties, obligations or liabilities in the above referenced estate.

DATED this 16 day of November, 1992.

Gregory M. Culet

Magistrate

INSTRUMENT NO. 83147

State of Idaho)
County of Adams) ss.

Filed for record at the request of
Ira Burton

59 min. past 11 o'clock A.M.
this 16 day of November 1992

MICHAEL FISK, RECORDER
by Sarah Wilson
Deputy Indexed

Fee \$15.00

State of Idaho }
County of Adams } ss.

I, the undersigned Recorder and Clerk of the District Court of Adams County, State of Idaho, do hereby certify that the foregoing instrument is a true and correct copy of the original on file in my office and in my custody.

IN WITNESS WHEREOF, I have set my hand and affixed my official seal on this 16 day of November 1992.

MICHAEL FISK

Clerk of the District Court
and County Recorder

Marlene Stowers
Deputy

OCT 27 1992

