

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 79-13995
Date Received: 7/9/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

DANNY LEE CLARK
HC 01 BOX 57H
WHITE BIRD ID USA 83554

Phone: (208)839-2608

2. Date of Priority: 01/01/1951

3. Source: SPRING Trib. to: SLATE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
27N	02E	33	SE SE SE	IDAHO	

5. Description of diverting works:

PIPELINE 300 FT ABOVE HOUSE. USED FOR TWO HOMES AND IRRIGATION FOR 1/2 ACRE OF
FRUIT TREES. PRIVATE USE ONLY. SYSTEM HAS BEEN IN PLACE SINCE 1951.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 2

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
27N	02E	33	SE SE	DOMESTIC	

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

NON-IRRIGATION USE IS FOR TWO HOUSEHOLDS, NO STOCKWATER USED AT THIS TIME.

15. Basis of Claim: Beneficial Use

79-13995

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	79-13995				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
 Owner/Claimant(s)

4. New Owner/Claimant(s)

New Mailing Address

City, State and ZIP Code

New Telephone Number

5. Date you acquired the property

DANNY LEE CLARK
 Name Connector (Check one): [] and, [] or, [] and/or
HCOI, Box 57H (SLATE CREEK)
WHITE BIRD, ID 83554
(208) 839-2608
9-11-03 (NOTARY STAMP/DATE)
 my email: CLARKDL@FRONTIER.NET.NET

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by [Signature] Date 9-13-06 Fee N/A
 Receipted by [Signature] Date _____ Receipt No. _____
 Processed by [Signature] AJ Date _____ WR _____ Date 9-13-06

WARRANTY DEED

COMPUTER ☒
INDEXED ☐
SCANNED ☐

0431412

Warranty deed made this 13 day of August, 2003, between JAMES T. WELSH and KATHERINE WELSH herein referred to as "Grantors," and DANNY LEE CLARK and CHERIE CLARK, whose address is 1374 Caliente Loop, Chula Vista, California 91910 herein referred to as "Grantees," witnesseth:

That Grantors, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, do, by these presents, grant bargain, sell, convey, and confirm unto Grantees and their successors and assigns forever, all of the following described real estate situated in the County of Ada, State of Idaho:

Idaho,
All of the real property described on Exhibit "A" attached hereto and incorporated herein by this reference

Together with all and singular tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof; and all estate, right, title, and interest in and to the property, as well in law as in equity;

Subject to any and all easements, covenants, rights of way, restrictions and reservations of record or appearing on the land.

Grantors hereby covenant with the Grantees that the premises are free from encumbrances done, made or suffered by the Grantors, or any person claiming under Grantors and that they will warrant and defend Grantees, their successors, and assigns against all lawful claims whatsoever; subject to reservations or restrictions in federal patents or state deeds or in laws providing for such patents or deeds and to all easements and restrictions of record or appearing on the land.

IN WITNESS WHEREOF, this Warranty Deed has been duly executed by the Grantors as of the day and year first above written.

James T. Welsh
James T. Welsh
Katherine Welsh
Katherine Welsh

STATE OF IDAHO	
County of Idaho	
Recorded at request of	
INLAND TITLE CO	
at 3:05 P	on 7-11-03
ROSE E GEHRING	
By <u>[Signature]</u>	Recorder
Fees \$ <u>9.00</u>	Deputy

STATE OF ~~IDAHO~~ Washington

County of Chehalis

)ss.

On this 8th day of August, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared James T. Welsh and Katherine Welsh, known or identified to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

NOTARY PUBLIC
STATE OF WASHINGTON
EMILY COWARDIN

My Appointment Expires April 26, 2005

Emily Cowardin

NOTARY PUBLIC FOR IDAHO

Residing at Wenatchee

My Commission expires: 4/26/05

FIRST AMERICAN TITLE INSURANCE COMPANY

Commitment Number: 18876 3091

SCHEDULE C
PROPERTY DESCRIPTION

The land referred to in this Commitment is described as follows:

Township 27 North, Range 2 East, Boise Meridian, Idaho County, Idaho.
Section 33: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
LESS a strip of land 50 feet in width which is 25 feet on each side of the following described centerline:
Commencing at the S $\frac{1}{4}$ Corner of said Section 33;
Thence N.0°32'01"W., 983.19 feet to THE TRUE POINT OF BEGINNING;
Thence the following courses and distances:
Thence S.54°53'49"E., 29.45 feet;
Thence S.66°37'24"E., 168.86 feet;
Thence S.66°08'58"E., 103.87 feet;
Thence S.82°00'54"E., 446.33 feet;
Thence N.80°22'08"E., 167.36 feet;
Thence N.69°18'44"E., 152.86 feet;
Thence N.84°55'50"E., 124.49 feet;
Thence N.67°26'34"E., 281.54 feet;
Thence N.19°33'07"E., 113.55 feet;
Thence N.75°45'00"E., 260.00 feet;
Thence N.49°37'27"E., 192.96 feet;
Thence N.61°21'40"E., 160.65 feet;
Thence N.88°29'33"E., 114.04 feet;
Thence N.74°48'39"E., 229.00 feet;
Thence N.70°26'18"E., 209.07 feet;
Thence N.61°17'29"E., 121.95 feet to the POINT OF TERMINUS, which point lies N.01°44'29"W., 1,564.94 feet
from the SE Section Corner of said Section 33.

ALTA Commitment
Schedule C

(18876 3091.PFD/18876 3091/28)

Jan
KW

12/19/2004

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-13995

NAME AND ADDRESS: KATHERINE M WELSH
1611 LOVE LN
WENATCHEE WA 98801

JAMES T WELSH
1611 LOVE LN
WENATCHEE WA 98801

SOURCE: SPRING

TRIBUTARY: SLATE CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1951

POINT OF DIVERSION:

T27N R02E S33 SESESE Within IDAHO County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC Within IDAHO County

T27N R02E S33 SESE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

RECEIVED

JUL 20 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO WATER RESOURCES
IN AND FOR THE COUNTY OF TWIN FALLS WESTERN REGION

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 79-13995
Date Received: 7/9/2001
Receipt No: C054600
Received By:

COPY FOR YOUR FILE

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES T WELSH Phone: (509) 662-8365

1611 LOVE LN
WENATCHEE WA USA 98801

KATHERINE M WELSH Phone: (509) 662-8365

1611 LOVE LN
WENATCHEE WA USA 98801

2. Date of Priority: 01/01/1951

3. Source: SPRING Trib. to: SLATE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
27N	02E	33	SE	SE	SE	IDAHO	

5. Description of diverting works:

PIPELINE 300 FT ABOVE HOUSE. USED FOR TWO HOMES AND IRRIGATION FOR 1/2 ACRE OF
FRUIT TREES. PRIVATE USE ONLY. SYSTEM HAS BEEN IN PLACE SINCE 1951.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 2

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
27N	02E	33	SE	SE	DOMESTIC	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

NON-IRRIGATION USE IS FOR TWO HOUSEHOLDS, NO STOCKWATER USED AT THIS TIME.

15. Basis of Claim: Beneficial Use

RECEIVED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE JUL - 2 2001
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No.

Date Received

Receipt Number

79-13995

7-2-01

0654600

NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) JAMES T. WELSH / KATHERINE M. WELSH Phone (509) 662-8365
Mailing Address 1611 Sore Lane, Winatachee WA Zip 98801
2. Date of Priority (Only one per claim) January 1, 1951 Month/Day/Year
3. Source of water supply (Check one) () Groundwater or Other () (a) SURFACE (SPRING)
which is tributary to (b) SLATE CREEK Name or kind of source
4. Location of point of diversion is: Township 22 NORTH Range 2 EAST BOISE MERIDIAN, IDAHO
Section 33: S2 S2, NE4 SE1/4, of N2 N2 SE 1/4 SE 4 County, IDAHO Govt. Lot _____ BM.,
County of IDAHO
Additional points of diversion if any: LESS COUNTY ROAD RIGHT OF WAY
5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. PIPE LINE 300 FT. ABOVE HOUSE, USED FOR TWO HOMES AND IRRIGATION FOR 1/2 AC OF FRUIT TREES - PRIVATE USE ONLY. SYSTEM HAS BEEN IN PLACE SINCE 1951.
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount .04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed .04 (cfs)
8. Total consumptive use claimed is de minimus
9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) TWO HOUSEHOLDS - NO STOCKWATER USED AT THIS TIME

10. Place of use is: Township: 27 NORTH Range 2 EAST, BOISE MERIDIAN, IDAHO,
Section 33: S¹/₂ S¹/₂, NE ¹/₄ SE 1/4 of N¹/₂ N¹/₂ SE ¹/₄ SE Govt. Lot _____ B.M.,
County of IDAHO for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any None

11. In which county (ies) are lands listed above as place of use located? IDAHO

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
None

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jones T. Welsh Date 6-28-01
Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or WA)
County of Chelan) SS.

Subscribed and sworn (or affirmed) before me this 28th day of June 2001

SEAL
CLAUDIA COCKERHAM
STATE OF WASHINGTON
NOTARY --- PUBLIC
MY COMMISSION EXPIRES 8-19-02

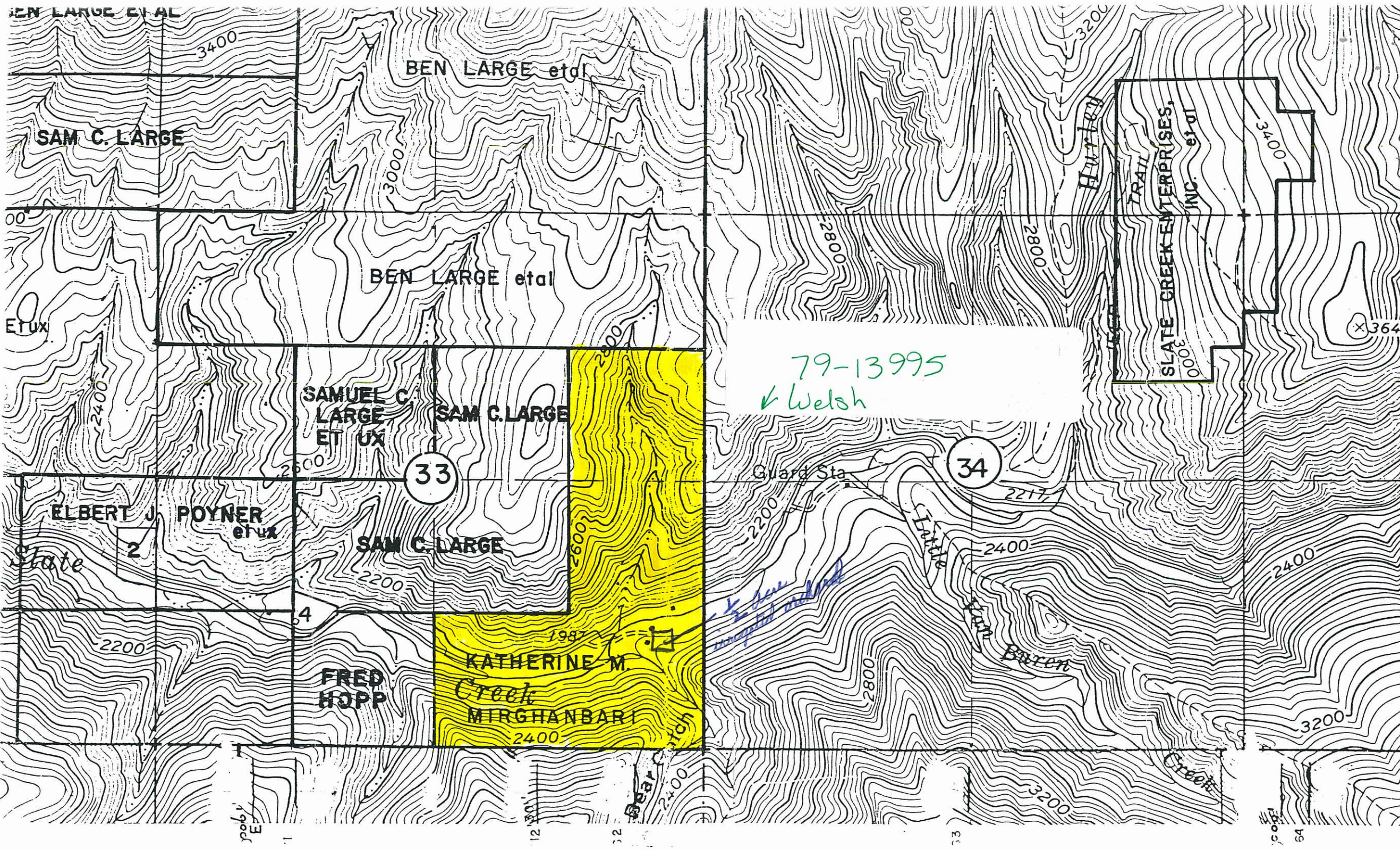
Notary Public Claudia Cockerham

Residing at Wenatchee

My Commission Expires 8/19/02

Last Name Welsh Ident No. 79-13995

CLAUDIA COCKERHAM



CLAIMANT'S NAME Welsh, James T. / Katherine M. CLAIM IDENT. NO. 79-13995

DATE RECEIVED 7-2-01 CK # C054600 AMOUNT \$ 25.-

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates?	☒	☐	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
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.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
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.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
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.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☐	

Claim checked by: D. Sherman Date: 7-9-01

Claim must be returned to claimant: (Yes) ☒ (No) ☐

Claimant must be notified of modifications: (Yes) ☒ (No) ☐

Receipt Prepared by: J. Mezi Date: 7-2-01
 Claim data entered by: Gregg Mezi Date: 7-9-01
 Sent to claimant by: D. Sherman Date: 7-10-01 Checked by: D. Sherman Date: 7-9-01

Comments: _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 10, 2001

James or Katherine Welsh
1611 Love Ln.
Wenatchee WA 98801

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #79-13995

Dear Mr. and Mrs. Welsh:

Enclosed for your file is a computer-generated copy of Notice of Claim #79-13995 with your receipt #C054600 attached for the filing fees you paid. Please keep these documents for your records.

Please contact us if you have an address or owner change to ensure you receive important water right information in the future. Please contact me at 1/208-327-7862 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sally'.

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region ✓

Enclosures:

Notice of Claim #79-13995

Receipt #C054600