

RECEIVED

JUN 22 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
JUN 21 2011	
By _____	Clerk
_____	Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase: 86-11997

Case No. 39576

)
) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)
)
)

On March 31, 2011, Marc and Phyllis Manni filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on June 21, 2011. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. The fees for this claim were paid directly to IDWR by the claimants. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated: June 21, 2011.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on June 21, 2011, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

MARC MANNI
PHYLLIS MANNI
1010 CORRAL CREEK ROAD
HELMER, ID 83823
Phone: 208-596-1874

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line.

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: 86-11997

Date Received: 8/5/2009

Receipt No: N021643

Received By:

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

1. Name of Claimant(s)

MARC MANNI Phone:(208) 877-1555
1010 CORRAL CREEK RD
HELMER ID 83823

PHYLLIS MANNI Phone:(208) 877-1555
1010 CORRAL CREEK RD
HELMER ID 83823

2. Date of Priority: 12/31/1936

3. Source: GROUND WATER Tributary to:

4. Point of Diversion:

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>	<u>Type</u>
40N	01W	21	SW NW		LATAH	

5. Description of diverting works:

6. Water is used for the following purposes:

<u>Purpose</u>	<u>From</u>	<u>To</u>	<u>C.F.S.</u>	<u>(or) A.F.A</u>
DOMESTIC	1 / 1	12/31	0.04	0
STOCKWATER	1 / 1	12/31	0.02	0

7. Total Quantity Appropriated is: 0.06 C.F.S. and/or 0 A.F.A

8. Non-irrigation uses:

Number of Homes: 1	<u>Water Use</u>	<u>Type Of Stock</u>	<u>Number Of Stock</u>
	STOCKWATER	Chickens	25

9. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
40N	01W	21	SW NW		DOMESTIC	

Section Acres

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
40N	01W	21	SW NW		STOCKWATER	

Section Acres

Total Acres

10. Place of use in counties: LATAH

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

12. Other Water Rights Used:

13. Remarks:

Priority date description:

Description of use:	Water Use	Description
	DOMESTIC	
	STOCKWATER	

14. Basis of Claim: Beneficial Use

15. 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.

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

Signature of Claimant(s): Marc A Mann Date: 22 Feb 2011
Phyllis M. Mann Date: 22 Feb 2011

For Organizations: I do solemnly swear or affirm under penalty or perjury that I am

_____, of _____,
 Title Organization

That I have signed the foregoing 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: _____

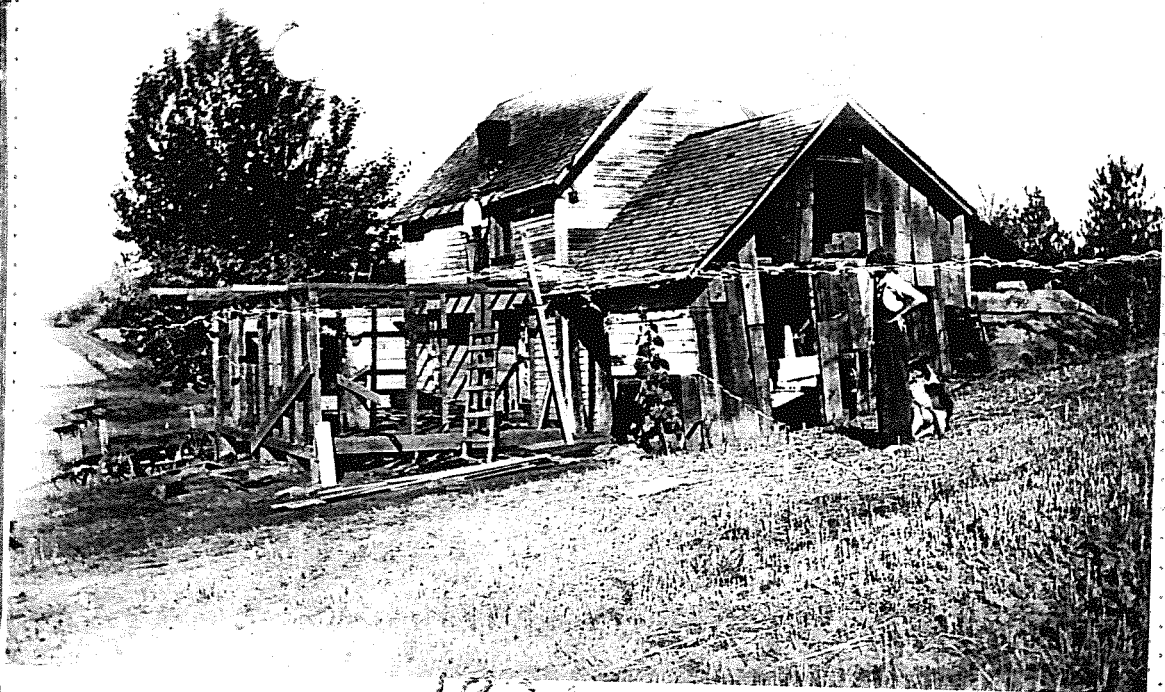
Title and Organization _____

Please print name

PM 5:30

PM 5:40

THE THOMAS
OF THE 1934 221A



1936

attachment 1

copy of original pictures from Mrs. Ruth Springer (a Perry)

1010 Cornell Creek Rd. Helmer, ID



95-4058
1010
TAMMARA-30
WATER RESERVOIR

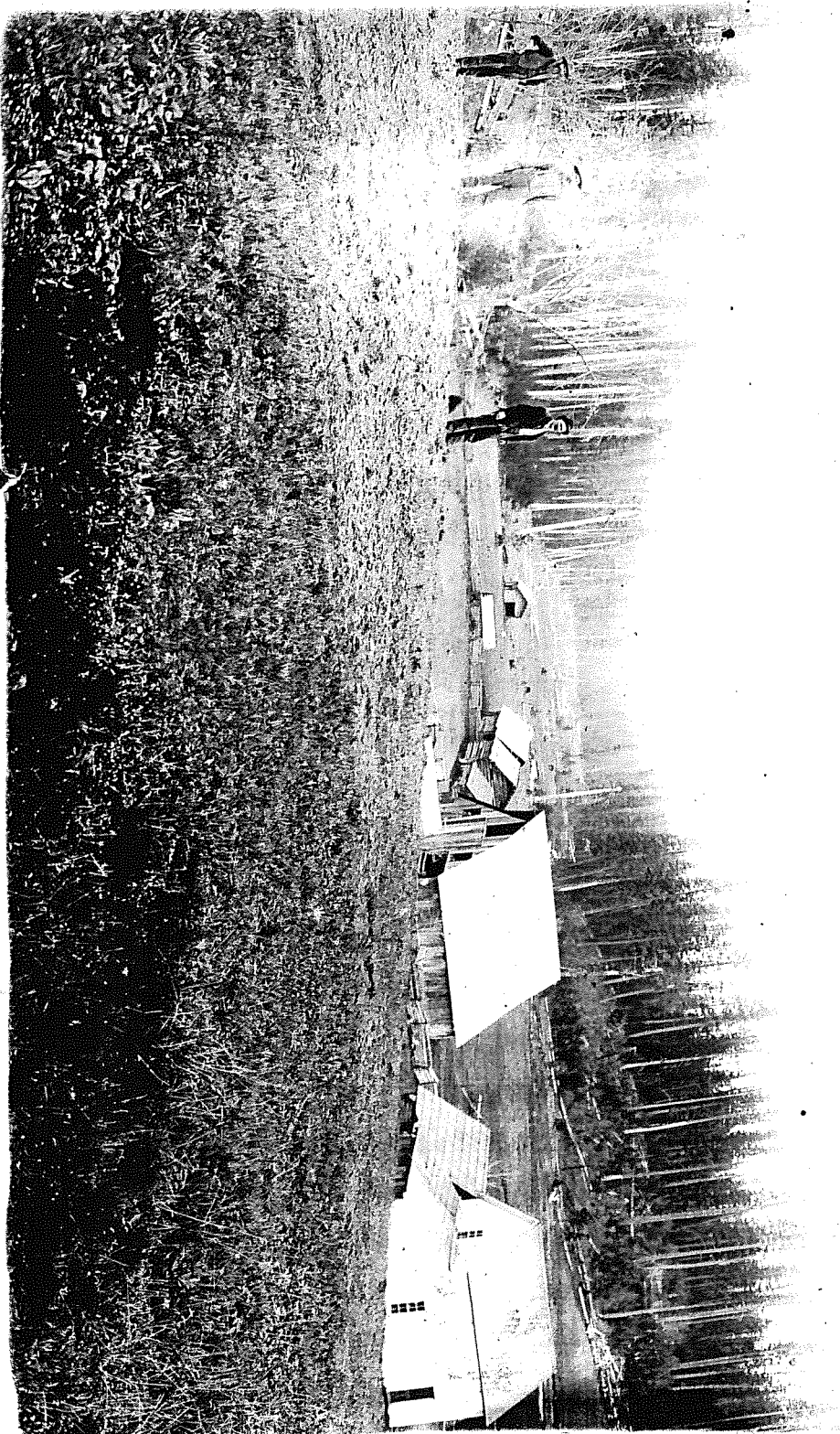


attachment 3

1937

Barn still standing and in use today

copy of original picture from Mrs. Edith Spinner (ie Perry) 1010 Corral Creek Rd
Helmer, ID



Copy of original picture given to me by Mrs. Ruth Springer, niece of
Marian Perry who homesteaded this property, believed to be early 1900's.
1010 Cornell Creek Rd, Helmer, ID

(we still live in original farmhouse. Barn still standing and in use today.
Valley has not changed much since this picture was taken early 1900's
after harvest 4



MLS #: 53170
 Status: ACT
 Type: Rural Acreage
 Address: 1010 CORRAL CREEK ROAD
 City: HELMER
 ZIP: 83843
 Area: Helmer
 Agent: O'Brien, Jennifer - (208)883-1219; O'Brien Real Estate, Inc. - (208)883-1219

Class: LOT 1 LAND
 Price: \$5,700
 For Sale

Acres: 11.40
 Lot Size: See A

General

Asking Price:	\$57,000	Commission-Broker Fee:	4
Number of Acres:	38.00	Listing Date:	05/18/2002
Commission-List Agent %:	4	Legal Description:	TBD
Commission-Co-Op Agent %:	4	Original Price:	\$5,700
Commission-Buyer's Agent %:	4	DOM:	12

Features

* ACCESS	* WATER SUPPLY	* EXTRAS
Easement	Well Private	Barn
Private	Spring	Corral
State/County Highway	* SEWER	Fencing
County Road	Sewer Available	
	Septic Tank Needed	
	Perk Test Needed	

Financial

Property Tax:	0.00	Financing Terms:	POSSIBLE OWNER CONTRACT
Property Tax Year:	2001		

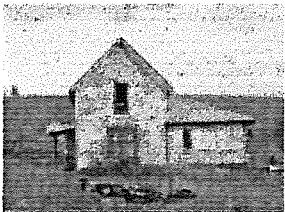
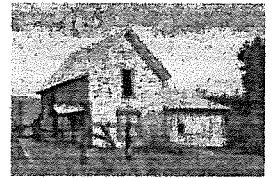
Remarks

BEAUTIFUL PIECE OF LAND WITH ACCESS FROM HIGHWAY 8...OLDER FARMHOUSE MAY HAVE POTENTIAL FOR RESTORATION OR BUILD YOUR OWN PLACE ON THE TIMBERED KNOLL OVERLOOKING THE CREEK! POSSIBLE TERMS TO QUALIFIED BUYER....MISC. FARM EQUIPMENT AND VEHICLES WILL BE

Addendum

REMOVED FROM PROPERTY PRIOR TO CLOSING...FARMHOUSE CURRENTLY RENTED FOR \$350/MO...PLEASE CALL PRIOR TO SHOWING!

Additional Pics



This information is deemed reliable but not guaranteed.

05/30/2002 09:35 AM

1

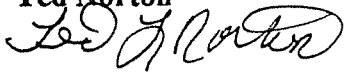
attachment to

June 13, 2002

Latah County Building and Zoning

We acknowledge that the existing home site (building site) under the current rules of Planning and Zoning will be conveyed and stay with the property being sold to Marc and Phyllis Manni. This property is approximately 35 acres and includes an older house and barn and is part of NWNW; SWNW; Section 21; T40N; R1WBM.

Ted Norton



Date:

6-13-02

Bessie Norton



Date:

6-13-02

06/19/02

LATAH COUNTY ESCROW COMPANY

MASTER FILE LISTING

ACCOUNT NO:

2238

Total pymt:

PAGE 1
\$352.10

* SELLER FIELDS *

Project:

Name: TEDDY.LYNN NORTON
 Name2: BESSIE NORTON
 Addr1: BOX 28
 Addr2: KAHLOTUS WA 99335
 Phone: 000-000-0000
 Seller Fee: 4.00 Fee Date:

* BUYER FIELDS *

Name: MARC.F. MANNI
 Name2: PHYLLIS.M. MANNI
 Addr1: 2302 SAND RD
 Addr2: MOSCOW ID 83843
 Phone: 000-000-0000
 Buyer Fee: 4.00 Fee Date:

* CONTRACT FIELDS *

Reserve pymt:	.00	P&I pymt:	554.10	Type code:	
Tax due dt1:		Payment due dt:	7/19/02	Nbr of coupons:	12
Tax due dt2:		Payment freq:	M	Coupon print month:	
Interest rate:	8.500	Original bal:	38500.00	Delinquency notice?	N
Int start dt:	6/19/02	Lte chg:	.00	Disb other than seller?	Y
30 Day int?	N	LC days/deduct:	.00	Disbursement amt:	.00
Add unpaid int?	N	Buyer receipt?	Y	Disbursement pct:	.000
Interest only?	N	Pymt notice/seller?	Y	Disbursement type:	C

* BALANCE FIELDS *

Account status:		No of payments:	
Late charge bal:	.00	Date last pymt:	
Reserve balance:	.00	Princ last pymt:	.00
Trust balance:	.00	Interest last pymt:	.00
Princ balance:	38500.00	Date int paid to:	6/19/02
YTD principal:	.00	Accrued interest:	.00
YTD interest:	.00	Reference:	

* MEMOS *

Date	Code	Note	Amount	ID
061902	DPE	D/T MAY PP	.00	ALL

* DISBURSEMENTS *

Name and Address	Instructions	DT/PN	Amount/Pct
LATAH COUNTY ESCROW CO.	SELLER FEE	F N	\$0.00 .000
LATAH FED CREDIT UNION		C N	\$0.00 100.000

PO BOX 9286
 912 S WASHINGTON
 MOSCOW ID 83843
 208-882-0232

* 1098s *

Name and Address	Control	Tax ID Number	Points Paid	Amount/Pct
MARC.F. MANNI	MANN		\$0.00	100.000
PHYLLIS.M. MANNI		Reportable		
2302 SAND RD				
MOSCOW	ID 83843			

* 1099s *

Name and Address	Control	Tax ID Number	Fed W/H Amt	Amount/Pct
TEDDY.LYNN NORTON	NORT		\$0.00	100.000
BESSIE NORTON		Reportable		
BOX 28				
KAHLOTUS	WA 99335			

LATAH COUNTY ESCROW COMPANY
Serving Latah County since 1900

Underwritten by First American Title Insurance Co., Santa Ana, Ca.

Phone: 208-882-4822
Fax : 208-882-4255
106 East Second
Moscow, Idaho 83843

* Member: American Land Title
Idaho Land Title
*Title Insurance
* Closings

June 19, 2002

Marc F. Manni
Phyllis M. Manni
2302 Sand Road
Moscow, ID 83843

RE: Escrow 2238

Dear Mr. and Mrs. Manni:

This will acknowledge receipt of the new escrow as set forth above. I have enclosed a Master File Listing of the escrow and ask that you check to make sure the highlighted information is accurate. If there is a correction or change to be made, please contact me immediately.

BUYER: Please make your check payable to Latah County Escrow Company. Coupons are enclosed or will be mailed at a later date and payment amount includes your monthly escrow fee.

SELLER: Your check will be sent out as you have instructed on the escrow instructions. If your check is being deposited to a bank account, please check the Master File Listing to see that your account number is entered correctly. Your escrow fee will be deducted from the payment amount received.

INTEREST: is computed on a daily basis (balance x interest divided by 365 days x days since last payment or to date interest previously paid to).

TAX INFORMATION: Monthly statements and a year end statement showing interest paid/received will be mailed to both buyer and seller. Be sure to check the Master File Listing to see that the correct social security number is listed.

Thank you for placing your escrow account with Latah County Escrow. Your file is available for inspection in our office during business hours - 8:30 a.m. to 5:00 p.m. Monday through Friday.

Sincerely,



Mary Manderscheid
Long Term Escrow Manager

encl

DEED OF RECONVEYANCE

LATAH COUNTY TITLE COMPANY, an Idaho corporation, as Trustee in the deed of trust executed by: **MARC F. MANNI AND PHYLLIS M. MANNI**

Recorded on: **June 19, 2002**

Fee: **466542**

in the records of Latah County, Idaho, pursuant to the written request of the beneficiary, does hereby GRANT AND CONVEY unto the present parties entitled thereto, without warranty, all the estate and interest derived to it by or through said Deed of Trust, in the lands therein described.

The corporate name subscribed by its Vice President pursuant to a resolution authorizing the execution of this reconveyance duly adopted by its Board of Directors.

DATED: January 23, 2008

LATAH COUNTY TITLE CO., TRUSTEE

BY: *Dave Kiblen*
Vice President

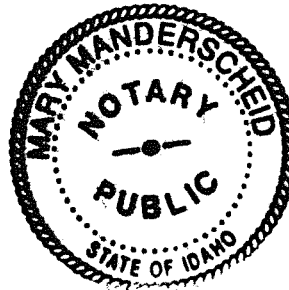
STATE OF IDAHO)
 : ss
County of Latah)

On this 23rd day of January, 2008, before me, the undersigned, a Notary Public in and for said state, DAVE KIBLEN, known to me to be the vice president of the corporation that executed the within instrument, acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal on the date last above written.

Mary Manderscheid
NOTARY PUBLIC in and for Idaho
Residing at Moscow
My commission expires 06/03/09

Legal: 21/40/1
Mail: Manni



NO. 519680
AT THE REQUEST OF:
LATAH COUNTY TITLE CO.
DATE & HOUR: 01.23.08 4:17pm
SUSAN PETERSEN
LATAH COUNTY RECORDER
FEE \$ 3.00 BY C. Sohns
Deputy

Receipt Details for N021643

Status	Adjustment Type	Version
		1

General Information

Date Received	Date Deposited	Region	Total Amount	Payment Type
8/5/2009 11:25:32 AM	8/5/2009 1:57:46 PM	NORTHERN	\$25.00	Check
Payer	MANNI, PHYLLIS M			

Account Information:

Check Number:	1054
---------------	------

Comment

Fee Details:						
Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	NORTHERN ID ADJUDICATION FILING FEE	75503	0337	1		1155

