

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: **A43-00212**
Date Received: 11/18/1994
Receipt No: S017557
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MICHAEL J MITTEN JR
Address: 2184 S ELBA ALMO ROAD
MALTA ID

208-638-5581

83342

2. Date of Priority: APR 1, 1894

3. Source: GREEN CANYON CREEK

Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14S	24E	11	NW	SE	SE		CASSIA

5. Description of diverting works:
DAM EARTH DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.200		

7. Total Quantity Appropriated is:
1.200 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
14S	25E	8	SE	SW		IRR	35.0
						Section Acres	35.0
		17	NE	NW		IRR	31.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14S	25E	17	SE NW		IRR	17.0
Section Acres						48.0
Total Acres						83.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

43-0211 43-07083

14. Remarks:

6-1-98: OWNERSHIP CHANGE BECKETT TO MITTEN PER NOTICE REC'D
5-20-98 - VH

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.

Decree Plaintiff

JOBE ADAMS ET AL

vs Decree Defendant

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) 43-0211, 43-0212 and 43-7083

Adjudication Claim Number(s) _____

MAY 20 1998

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE**, or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a **USDA Farm Service Agency** (formerly **ASCS**) **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Raymond L. Beckett and Alice F. Beckett

3331 W. Monterosa, Phoenix, Arizona 85017

4. New Owner/Claimant(s) Michael J. Mitten, Jr.

Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR

New Mailing Address 2184 S. Elba Almo Road

City, State and ZIP Code Malta, Idaho 83342

New Telephone Number (208) 438-5581

5. Date you acquired the property May 18, 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Michael J. Mitten, Jr.
 Michael J. Mitten, Jr.

Date 5-18-98

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 1, 1998

Michael J. Mitten Jr.
2184 S. Elba Almo Road
Malta, Idaho 83342

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): A43-00211, A43-00212
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

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

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

255623

WARRANTY DEED

#EC-857

For Value Received

RAYMOND L. BECKETT and ALICE F. BECKETT, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

MICHAEL J. MITTEN, JR. a married man dealing in his sole and separate property
Address: 21845 Elba-Almo Road, Malta, Idaho 83342

Hereinafter called the Grantee, the following described premises situated in CASSIA County, Idaho, to-wit:

TOWNSHIP 14 SOUTH, RANGE 25 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHOSection 8: Beginning 14.72 rods South of the Northeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, running Thence South 65.28 rods; thence West 80 rods; Thence North 65.28 rods; Thence East 80 rods to the Point of BeginningSection 17: NW $\frac{1}{4}$ Section 18: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Lots 2 and 3, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant there to including but not limited to Water licenses #43-0211, #43-0212 and #43-7083 of the Idaho Department of Water Resources

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Accruing taxes, levies and assessments; easements and rights of way of record if any.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 18, 1998

Raymond L. Beckett
Raymond L. BeckettAlice F. Beckett
Alice F. Beckett

STATE OF IDAHO

COUNTY OF CASSIA

} ss.

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROWFILM 299

1998 MAY 18 P 4: 08

255623

CASSIA COUNTY, IDAHO
DAFNELL M. ROSKELLEY
RECORDERFEE 3.00 DEPUTY dlm **LAND TITLE & ESCROW**

On this 18th day of May, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Raymond L. Beckett and Alice F. Beckett, 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.

LARRY ROBERTS
★ NOTARY PUBLIC ★
STATE OF IDAHONotary Public
Residing at: Burley
My Commission expires: 6-30-03RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-03

SEE W30 HI LOW FOR REMAINING
FIELDS

T1426

7 8

18 17

371

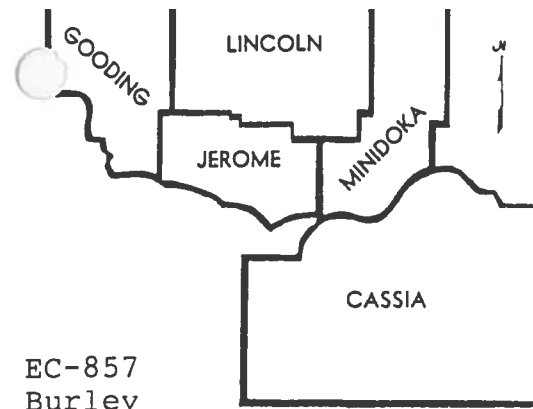
2 17.2

15 28.1

T16

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: EC-857
OFFICE: Burley

May 19, 1998

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

MAY 20 1998

Department of Water Resources
Southern Region

Dear Sir or Madam:

Enclosed please find an original executed Notice of Change of Water Right Ownership for property located in Cassia Co., ID.

Would you please make the necessary changes in your records to indicate the new owners as Michael J. Mitten, Jr. for future water assessments. Please send a receipted copy to this office.

Should you have any questions concerning this letter, please do not hesitate to contact this office.

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. see below

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 Kelly K Christensen

DATE

February 10, 1995 3:45pm

CUSTOMER

UNKNOWN

SUBJECT: REVIEW OF A43-00211, 00212, & 11134

The couple wanted to discuss the rights held by Beckett. We discussed them, the delivery system, and the water use from Green Creek in general. They are considering purchasing the property.

COMMUNICATION DOCUMENTATION

A43-00211
A43-00212Claim No. A43-11134

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 Jeanie Robertson Date 2/10/95Contact Person(s) unknown Western coupleNature of Contact office visit

Substance of Communication they may be interested in buying Beckett's place out by Elba and were doing some research. Have them copies of AJ and WR proofs and did some queries on the Green Canyon Creek to see who else was claiming it. Then it turned out KKC is very familiar with the area so he was able to talk to them specifically about the ditch system and property. We also gave them an O/C form in case they buy the place and a claim form and instructions in case they decide to file on the storage reservoir on the property...

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: A43-00212
Date Received: 11/18/1994
Receipt No: S017557
Received By: Kkc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAYMOND L BECKETT
Address: PO BOX 492
ELBA ID 83326

AND/OR

Name: ALICE F BECKETT
Address: PO BOX 492
ELBA ID 83326

2. Date of Priority: APR 1, 1894

3. Source: GREEN CANYON CREEK Trib. to: CASSIA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	24E	11	NW	SE	SE		CASSIA

5. Description of diverting works:
DAM EARTH DITCH TO P/U

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	1.200		

7. Total Quantity Appropriated is:
1.200 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 of	Lot	Use	Acres
14S	25E	8	SE	SW		IRR	35.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	35.0
		17	NE	NW	IRR	31.0
			SE	NW	IRR	17.0
					Section Acres	48.0
					Total Acres	83.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
43-0211 43-07083

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 10/18/1928

ALBION-IDAHO LAND CO.
Decree Plaintiff

JOBE ADAMS ET AL
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: _____

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): Raymond L. Buckett Date: 11-18-94

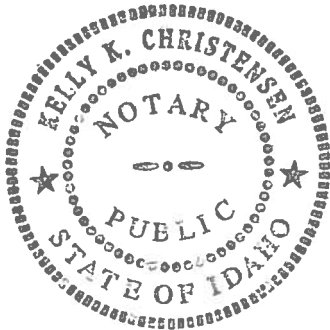
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of Nov 19 94

Kelly K. Christensen
Notary Public

Seal



Residing at Kimberly Rd
My Commission Expires 3-2-98

03/08/2001

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

RIGHT NUMBER: 43-212

NAME AND ADDRESS: MICHAEL J MITTEN JR
2184 S ELBA ALMO ROAD
MALTA, ID 83342

SOURCE: GREEN CREEK

TRIBUTARY: DRY CREEK

QUANTITY: 1.2 CFS

VERIFIED BY KKC

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION: T14S R24E S11

NWSWSE

Within CASSIA County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
1.20 CFS

PLACE OF USE:

IRRIGATION Within CASSIA County
T14S R25E S17

NENW

31

T14S R25E S8

SESW

29

60 ACRES TOTAL

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 60 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS. 43-211 AND 43-212.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM -

THE COMBINED FLOW RATE FOR THE RIGHTS LISTED BELOW INCLUDES
0.16 CFS FOR CONVEYANCE LOSS BETWEEN THE POINT OF DIVERSION
AND THE FIELD HEADGATE. COMBINED RIGHTS: 43-211 and 43-212.

SOURCE IS ALSO KNOWN AS GREEN CANYON CREEK