

RECEIVED
SEP 19 2012
DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA Fifth Judicial District County of Twin Falls - State of Idaho	
SEP 18 2012	
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

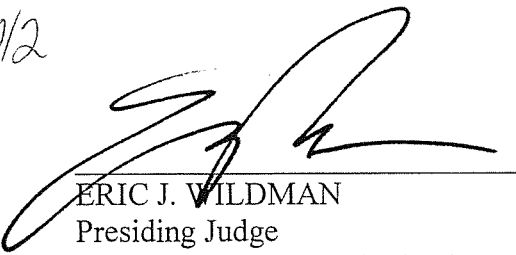
In Re SRBA	) WATER RIGHT NO: 63-33667
	)
Case No. 39576	) ORDER CONDITIONALLY GRANTING
	) LATE NOTICE OF CLAIM
	)
	)
	)
	)
	)
	)
	)

On June 25, 2012, the Charles Madenford Family Trust, by and through Gary A. Madenford, Trustee, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. A Hearing on the *Motion* was held on September 18, 2012. No party appeared in opposition to the *Motion*. However at the hearing an issue was raised with respect to the quantity element, specifically with respect to the acre-feet claimed. The Claimant indicated that it desired to amend the quantity element to conform with the quantity limitations associated with a deferrable domestic claim. Following a review of the file and after hearing the comments made in open court, the Court finds that good cause exists for granting the instant *Motion*, provided that the Claimant first file and serve, as required by *SRBA Administrative Order 1* ("AOI") section 6, an *Amended Late Notice of Claim* with respect to the above-captioned water right claim that corrects the claimed quantity.

THEREFORE, IT IS HEREBY ORDERED that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **conditionally granted** subject to the filing and service, as required by *AOI* section 6, by the Claimant of an *Amended Late Notice of Claim* with respect to the above-captioned water right correcting the claimed quantity. Upon receipt by this

Court of an *Amended Late Notice of Claim*, this Court will forward the *Amended Late Notice of Claim* to the Idaho Department of Water Resources for processing.

Dated September 18, 2012

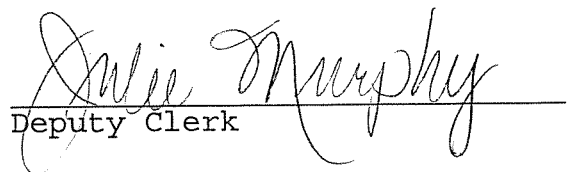

ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER CONDITIONAL GRANTING LATE NOTICE OF CLAIM was mailed on September 18, 2012, with sufficient first-class postage to the following:

THE CHARLES MADENFORD FAMILY
TRUST
GARY A MADENFORD, TRUSTEE
3605 N POLLARD LN
STAR, ID 83669
Phone: 208-830-9911

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

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

Julie Murphy

From: Clelland, Steve <Steve.Clelland@idwr.idaho.gov>
Sent: Monday, June 25, 2012 12:06 PM
To: Sherman, Sally; Julie Murphy
Subject: RE: Madenford Late Claim

Hi Julie,

Here is the next claim number – 63-33667

From: Sherman, Sally
Sent: Monday, June 25, 2012 10:53 AM
To: Clelland, Steve
Subject: FW: Madenford Late Claim

From: Julie Murphy [<mailto:JMurphy@idcourts.net>]
Sent: Monday, June 25, 2012 10:36 AM
To: Sherman, Sally
Subject: Madenford Late Claim

Hi Sally –

Today, the attached *Notice of Claim to a Water Right* was filed with the court, along with an *SF4 Motion to File Late Notice of Claim*. Could you please get a water right number assigned to this and let me know as soon as possible so I can get it processed.

Thanks so much!

Julie Murphy, Deputy Clerk
SRBA District Court
PO Box 2707
Twin Falls, ID 83303
(208) 736-3011
Fax: (208) 736-2121
33667

DISTRICT COURT - SRDA
Fifth Judicial District
County of Twin Falls - State of Idaho

JUN 25 2012

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 COEUR D'ALENE-SPOKANE RIVER
BASIN WATER SYSTEM

CIVIL CASE NUMBER: 49576

ID Number: 113-331014

Date Received: 9-19-12

Receipt No: C096915

Amount: \$25.00 By: JAV

NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) The Charles Madenford Family Trust Phone (208) 830-9911
Mailing address 3605 N. Pollard Ln. Star Idaho ZIP 83669
Street or Box City State
2. Date of priority (only one (1) per claim) October 31, 1982
Month Day Year (yyyy)
3. Source of water supply (check one) Ground Water (x) or Other () (a) _____
which is tributary to (b) _____
4. a. Location of point of diversion is: Township 5N, Range 1W, Section 33,
NW 1/4 of SW 1/4, or Govt. Lot _____, B.M., County of Ada
Parcel (PIN) no. R5455720020
Additional points of diversion if any: _____
If available, GPS coordinates: _____
- b. If instream flow, beginning point of claimed instream flow is: Township _____, Range _____,
Section _____, _____ 1/4 of _____ 1/4, or Govt. Lot _____, B.M., County of _____
ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4 or
Govt. Lot _____, B.M., County of _____
5. Description of existing diversion works (dams, reservoirs, ditches, wells, pumps, pipelines, headgates, 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.
Well, pump, and pipelines.

6. Water is claimed for the following purposes:

(both dates are inclusive mm-dd) (cfs) (acre-feet)

For Domestic purposes from 01 - 01 to 12 - 31 amount 0.02 or _____

For Storage purposes from 01 - 01 to 12 - 31 amount _____ or 19

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 cfs (cfs) and/or (b) 19 acre-feet (acre-feet)

8. Non-irrigation uses; describe fully (e.g. Domestic: give number of households served; Stockwater: type and number of livestock, etc.): Domestic (1 household), Storage (recreation, fisheries, aesthetics, irrigation)

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (e.g. D for domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5N	1W	33										D,S							D, S

Parcel (PIN) no(s). R5455720020 Total number of acres irrigated 0

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

11. 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.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None (x)

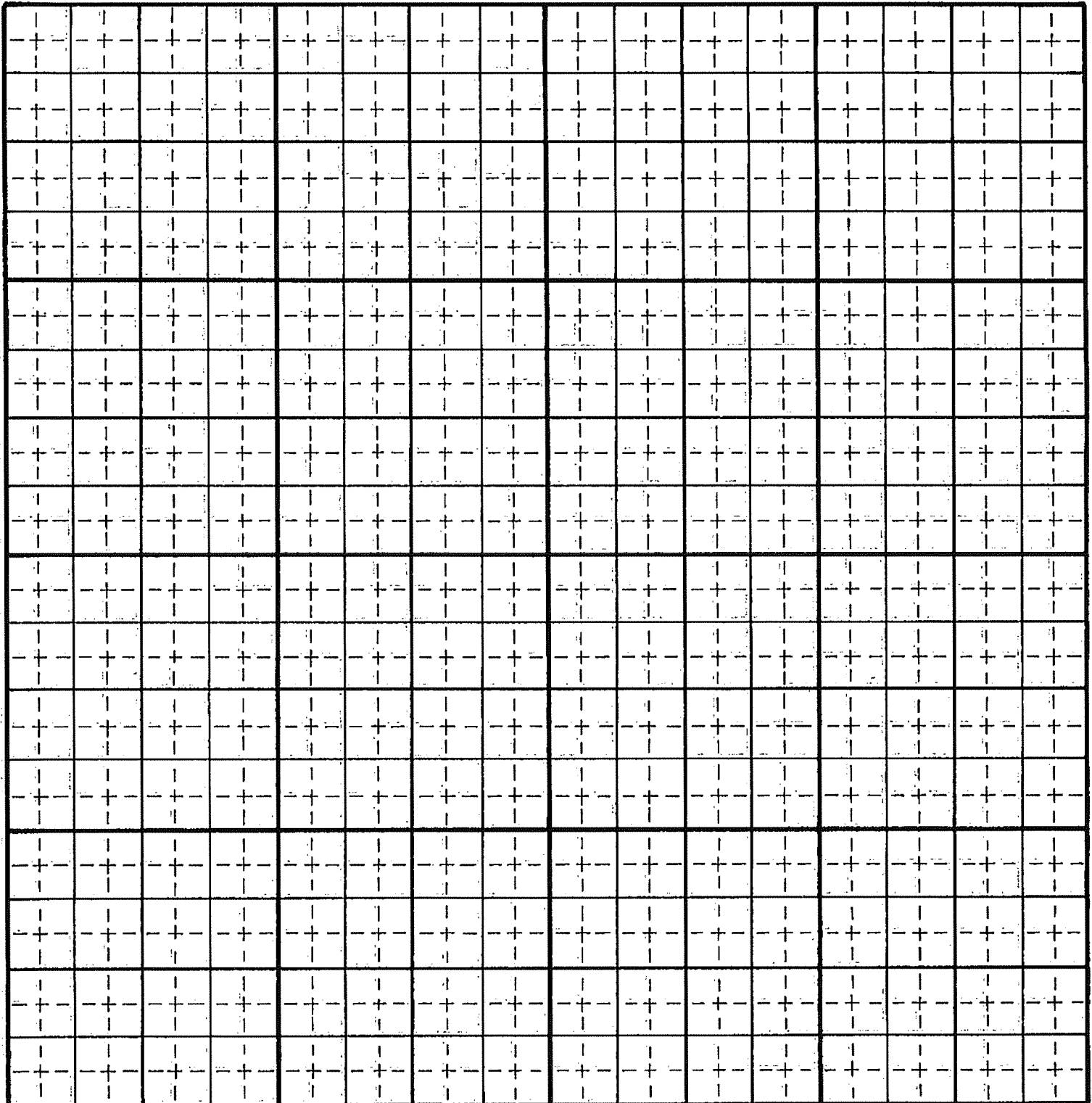
13. Remarks:

This claim is for a domestic beneficial use on a second residential building located on the same property and
for water storage. The beneficial use for water storage is recreation, fisheries, aesthetics, and irrigation
storage. A separate domestic claim has been previously filed for the first residential building, stockwater, and
up to 1/2 acre of irrigation (63-33605). The 10 acres of irrigation on the property is supplied through shares
from the Farmers' Union Ditch Company, Ltd. (63-297).

Last name Madenford Identification no. _____

Map of project: Attach aerial photograph or topographic map showing clearly the point of diversion, place of use, section number, township, and range number, unless unavailable. Otherwise sketch the elements above on the grid below.

Scale: 2 inches equals 1 mile *See Attached Maps*



Last name Madenford Identification no. _____

14. Basis of claim (check one) Beneficial Use (X) Posted Notice () License () Permit () Decree ()

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable, provide IDWR water right number _____

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 notices in the Coeur d'Alene-Spokane 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: 7

For individuals:

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

Signature of claimant(s) _____ Date: _____

_____ Date: _____

For organizations:

I do solemnly swear or affirm under penalty of perjury that I am

Trustee of The Charles Madenford Family Trust

Title Organization

that I have signed the foregoing document in the space below as

Title of Organization

Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of authorized agent *Harry A. Madenford* Date June 21, 2012

Title and organization Trustee, The Charles Madenford Family Trust

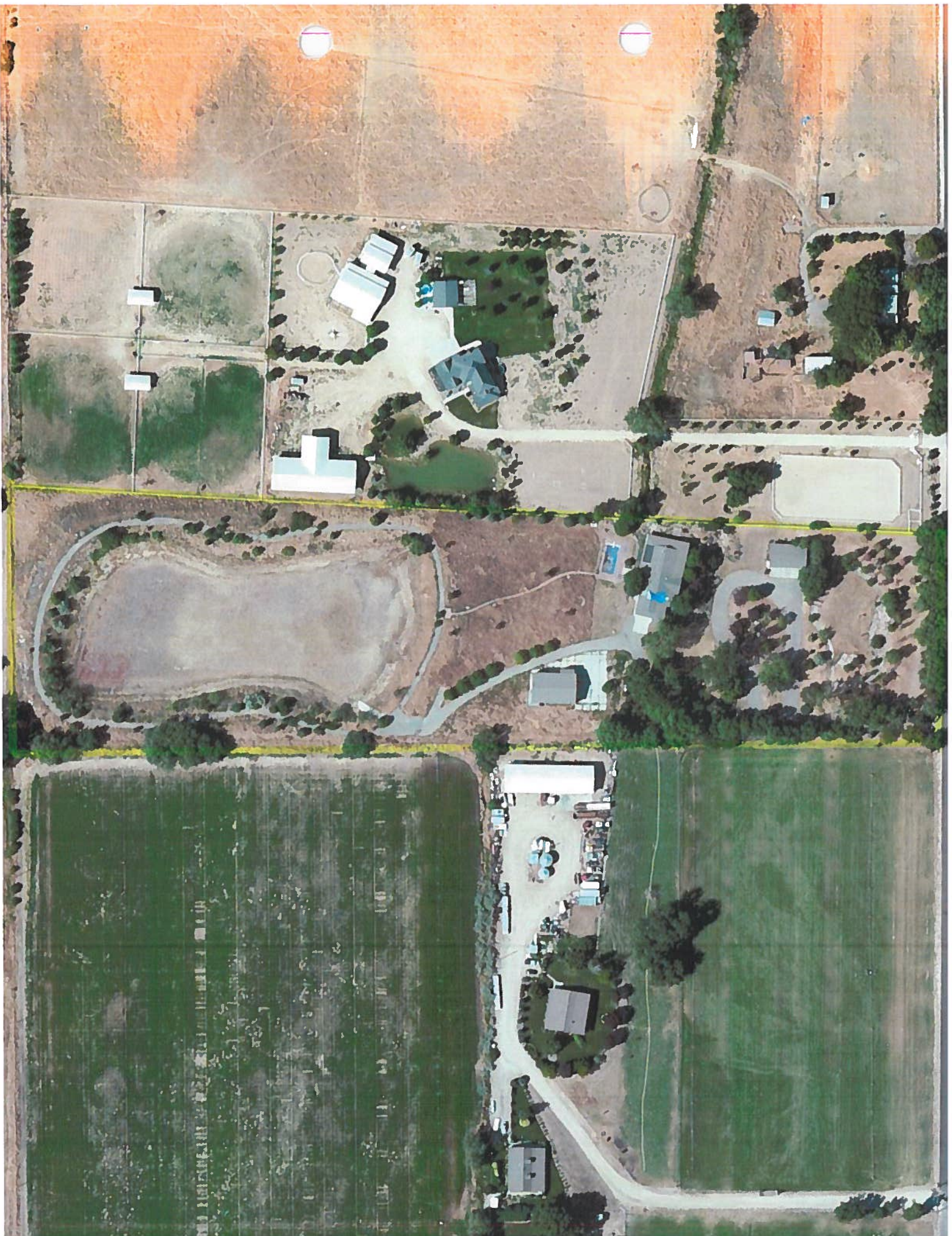
16. Notice of appearance:

Notice is hereby given that I, _____, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Last name Madenford Identification no. _____



Untitled Map



THIS MAP NOT INTENDED FOR NAVIGATIONAL USE



AFTER RECORDING MAIL TO:

Gary A Madenford
3605 North Pollard Lane
Star, ID 83669

DOCUMENTS HEREBY
READ AND APPROVED



SPECIAL CORPORATE WARRANTY DEED

FOR VALUE RECEIVED,

BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing, LP, organized and existing under the laws of the United States of America a corporation duly organized and existing under the laws of the State of **Delaware**, grantor, does hereby Grant, Bargain, Sell and Convey unto

Gary A Madenford, a married man

whose address is: **3605 North Pollard Lane, Star, ID 83669**
grantee, the following described real estate, to-wit:

LEGAL DESCRIPTION: Real property in the County of Ada, State of Idaho, described as follows:

LOT 1 IN BLOCK 1 OF MANTECA SUBDIVISION, ACCORDING TO THE PLAT THEREOF, FILED IN BOOK 60 OF PLATS AT PAGES 5854 AND 5855, RECORDS OF ADA COUNTY, IDAHO.

APN: R5455720020

SUBJECT TO current years taxes, irrigation district assessment, public utility easements, subdivision restrictions and U.S. patent reservations.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in a fee simple of said premises; that they are free from all encumbrances and that it will warrant and defend the same from all lawful claims whatsoever, except as to the reservations from and exceptions to warranty when the claim is by, through or under Grantor, but not otherwise.

BASES OF BEARINGS - R.R.S. 1527

PLAT OF
MANTECA SUBDIVISION

A PORTION OF THE NW 1/4 SW 1/4, SECTION 33,
T.54N., R.1W., B.M.
ADA COUNTY, IDAHO
1992

GRAPHIC SCALE

(附 录)

READ AND APPROVED

NOTES

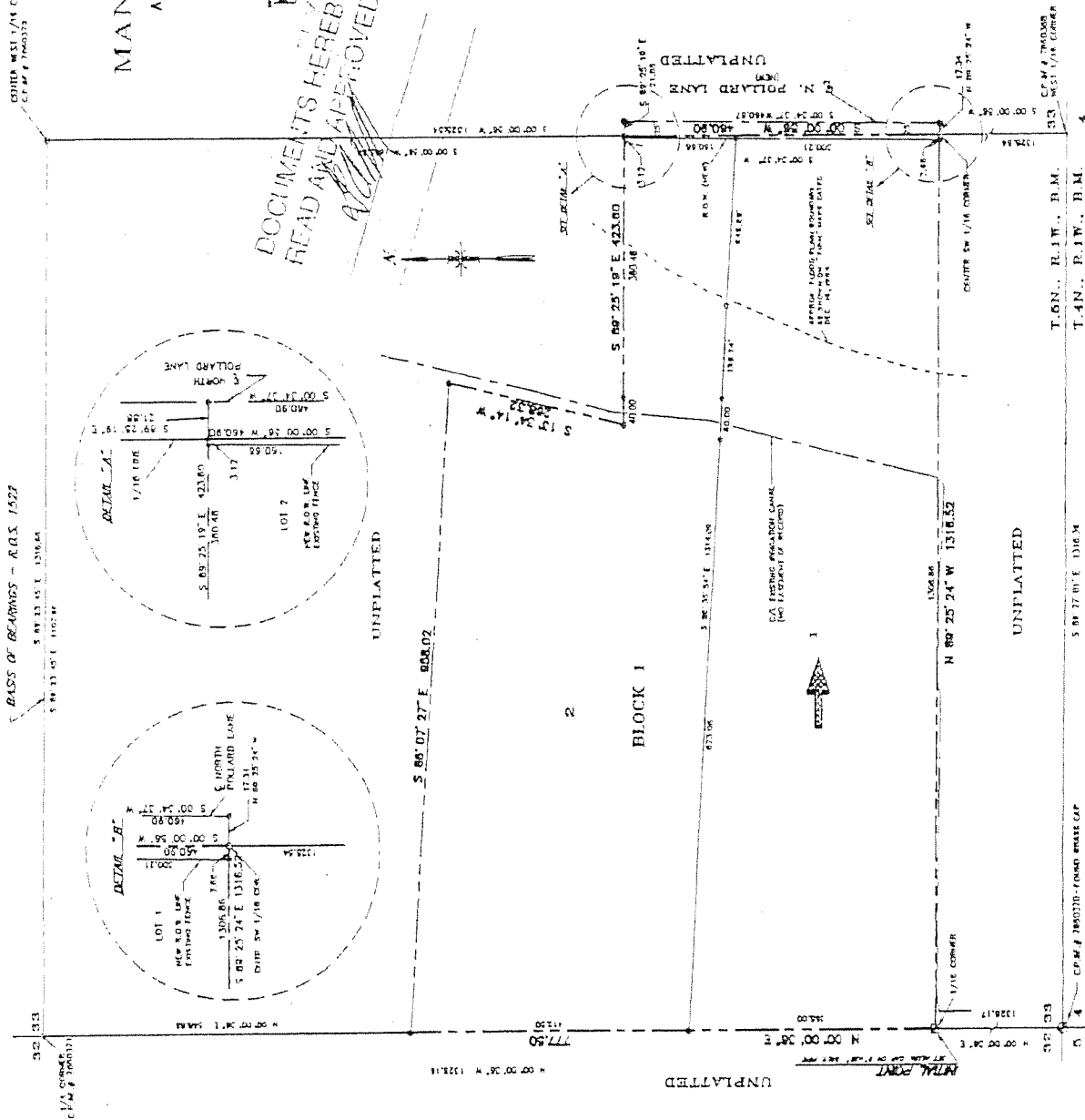
- [illegible]

LEGEND

BOUNDARY LINE	TO	ALLEGED MOMENT	FOUND S/S	FROM PSI	SET 8/8" X 30" FROM FIN W/CLAP	FROM PSI	SET 1/2" X 24" FROM FIN W/CLAP
	•						
	•						
	•						

TEALEY'S LAND SURVEYING

THE NEW YORK PUBLIC LIBRARY
ASTOR LENOX TILDEN FOUNDATIONS
155 E. 42ND STREET
NEW YORK 17, N.Y.

PROJECT NO. 648
 SHEET 1 of 2



Quit Claim Deed

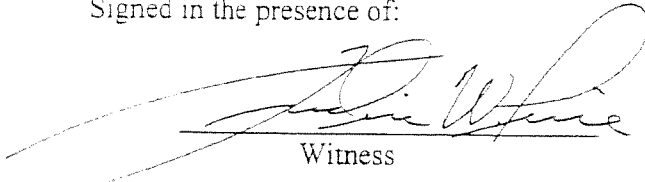
Gary A. Madenford, Grantor of 3605 N. Pollard Ln, Star, Idaho 83669, County of Ada, State of Idaho, hereby QUIT-CLAIM to The Charles Madenford Family Trust, Gary A. Madenford, Trustee, Grantee for the sum of TEN DOLLARS (\$10.00) the following described tract of land in Ada County, State of Idaho, subject to the encumbrances owed thereon, to-wit:

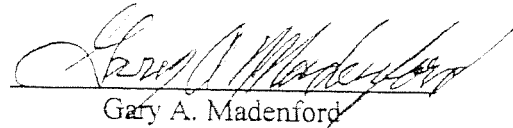
See Attached Legal Description and Plat.

THE SURVIVING TRUSTEE AND SUCCESSOR TRUSTEES HAVE FULL RIGHTS TO
SELL OR ENCUMBER THE PROPERTY HEREIN SET FORTH.

Witness the hand of said grantor, this 28 day of November, 2011.

Signed in the presence of:

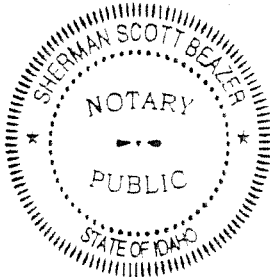

Witness

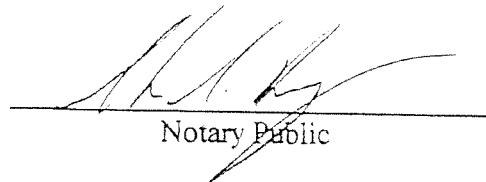

Gary A. Madenford

STATE OF Idaho

COUNTY OF Ada

On the 28th day of November, 2011, personally appeared before me
Sherman Scott Beazer, the signer(s) of the within instrument, who
duly acknowledged to me that they executed the same.




Notary Public

Ada County, Idaho
Residing At

12/10/2015
My Commission Expires

Legal Description

Property Address:

3605 N. Pollard Ln.
Star, Idaho 83669

Location:

Lot 1 in Block 1 of Manteca Subdivision, according to the plat thereof, filed in book 60 of plats at pages 5854 and 5855, records of Ada County, Idaho.

Ada County Parcel Number: R5455720020

10.010 Acres located in NW 1/4, SW 1/4, Section 33, T5N, R1W, Boise Meridian.