

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 43-10278 V1

WATER RIGHT NUMBER: 43-10278 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	C RUTH ANDERSON PO BOX 613 MALTA, ID 83342 (208)645-2466
Original Owner	SIDNEY D ANDERSON PO BOX 613 MALTA, ID 83342 (208)645-2466
Current Owner	GARTH RIEBE PO BOX 71 MALTA, ID 83342
Current Owner	LUANN RIEBE PO BOX 71 MALTA, ID 83342

Priority Date: 01/05/1940

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
STOCKWATER	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4NW1/4	Sec. 11, Twp 12S, Rge 26E, B.M.
CASSIA County		

Place of Use

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
12S 26E 11						X											

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
12S 26E 11						X											

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 43-10278 V1

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. C18 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.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

1. Explanatory PARCEL NO. 12S26E113000A STOCKWATER, 25 BEEF CATTLE

Comments:

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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.

RECEIVED
MAR 11 2003

RECEIVED
MAR 05 2003
Department of Water Resources
Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if adjudication claim number(s) are 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
43-2377B					
43-10278					

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**.

Name and Address of Former Owner/Claimant(s) SIDNEY D. AND CLARA RUTH ANDERSON FAMILY TRUST
P.O. Box 613 Malta, ID 83342

New Owner/Claimant(s) GARTH RIEBE and LUANN RIEBE
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address P.O. Box 71

City, State and ZIP Code Malta, ID 83342

New Telephone Number ()

Date you acquired the property February 13, 2003

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.

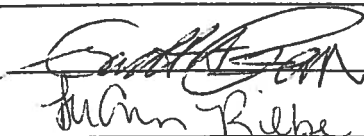
DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

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)

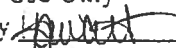
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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


Susan Riehe

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 	Date 3/7/03	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

286604

WARRANTY DEED

#EC1241

For Value Received

SIDNEY D. ANDERSON and CLARA RUTH ANDERSON as trustees of the SIDNEY D. AND CLARA RUTH ANDERSON FAMILY TRUST created January 15, 1998

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

GARTH RIEBE and LUANN RIEBE, husband and wife

Address: P.O. Box 71 Malta, ID 83342

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

**TOWNSHIP 12 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

**Section 11: N $\frac{1}{2}$ NW $\frac{1}{4}$ lying West of the State Highway Right of Way, EXCEPTING
therefrom the North 350 feet**

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

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: January 13, 2003

SIDNEY D. AND CLARA RUTH
ANDERSON FAMILY TRUST

BY: Sidney D. Anderson
SIDNEY D. ANDERSON, Trustee

BY: Clara Ruth Anderson
CLARA RUTH ANDERSON, Trustee

286604
CASSIA CO. IDAHO
LARRY A. HORNSEED
RECORDER
FEE \$00 DEPUTY Plus
03 FEB 13 PM 1 33
RECORDED AT THE OFFICE OF
CASSIA COUNTY CLERK

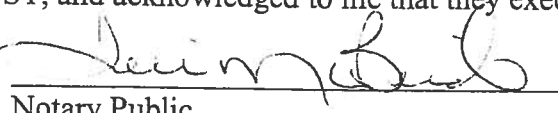
STATE OF IDAHO)

) ss.

COUNTY OF CASSIA)

On this 13th day of January, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared SIDNEY D. ANDERSON and CLARA RUTH ANDERSON, known or identified to me to be the person whose name is subscribed to the within instrument as Trustees of the SIDNEY D. AND CLARA RUTH ANDERSON FAMILY TRUST, and acknowledged to me that they executed the same as such Trustees.

Terri McBride
Notary Public
State of Idaho


Notary Public

Residing at:

My Commission expires: 2-5-08

Map CCI8

Section 11.2
Range 26

Track

Sid Anderson

T1521

T1520

T9447

SEE MAP CCI8

8
77.8
9
9.4

10.6
3
2
16.8

2
44.7

8
154.0

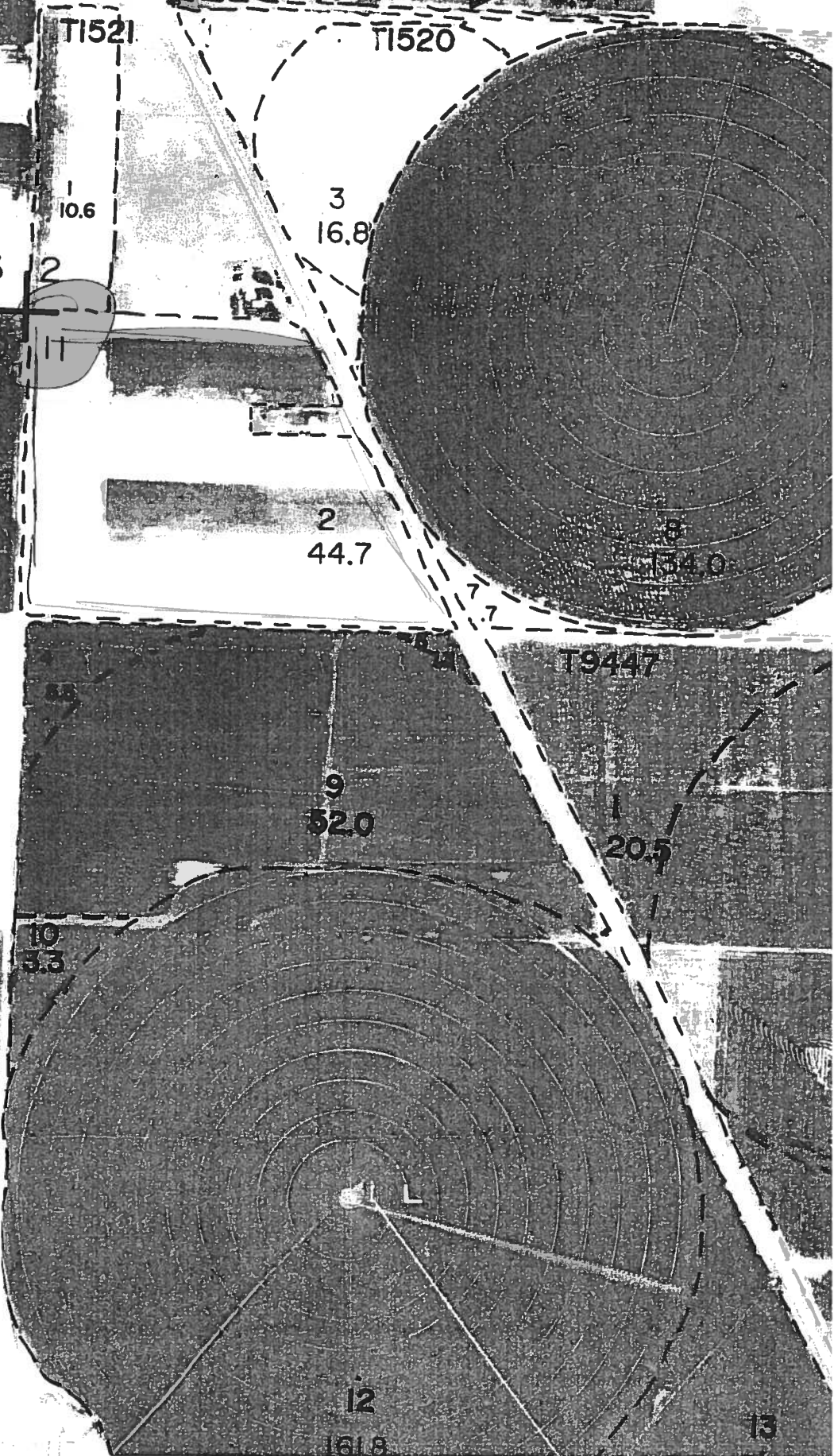
9
52.0

20.5

10
3.3

12
161.8

13



AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-18-1997
PAGE: A-126

RIGHT NUMBER: 43-10278

NAME & ADDRESS: SIDNEY D ANDERSON
C RUTH ANDERSON
STAR RT BOX 19
DECLO ID 83323

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 01/05/1940

POINT OF DIVERSION: T12S R26E S11 SWNEW Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE:	STOCKWATER	Within CASSIA County
	T12S R26E S11	NWNW
	DOMESTIC	Within CASSIA County
	T12S R26E S11	NWNW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 12S26E113000A
STOCKWATER, 25 BEEF CATTLE

Claim proofread by: KJ
Date: 9-5

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 43-10278
Date Received: 5/30/89
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

C RUTH ANDERSON Phone: (208) 645-2466
PO BOX 613
MALTA ID 83342

SIDNEY D ANDERSON Phone: (208) 645-2466
PO BOX 613
MALTA ID 83342

2. Date of Priority: 01/05/1940

3. Source: GROUND WATER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
12S	26E	11	SW NE' NW	CASSIA

5. Description of diverting works:

16" CASING 1.0HP. MOTOR 225' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.02	
DOMESTIC	1/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12S	26E	11	NW	NW	STOCKWATER	
			NW	NW	DOMESTIC	

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:

14. Remarks:

15. Basis of Claim: Beneficial Use



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

SOUTHERN REGION

September 20, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

C RUTH ANDERSON
SIDNEY D ANDERSON
PO BOX 613
MALTA ID 83342

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A43-02377b, A43-10278
Change of Address Notification

Dear Claimant(s):

Thank you for notifying us of your change in
Address on the water right claim(s) referenced above.
Our records have been updated accordingly.

If you have any questions, please feel free to
contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

SEP 19 2000

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s):

A43-02377B

A43-10278

☐ Old Mailing Address:

Star Route

Box 19

Declo ID 83323

☐ New Mailing Address:

P.O. Box 613.

Malta ID 83342

☐ New Telephone Number: (208) 645-2466 same

☐ Signature of Claimant(s):

C. Ruth Anderson

Date:

9/14/00

FOR IDWR USE ONLY

Initial Review and Data Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data Entry

Date: 9/20/00

By: [signature]

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: AUG-8-1997

PAGE: A-131

RIGHT NUMBER: 43-10278

NAME & ADDRESS: SIDNEY D ANDERSON
C RUTH ANDERSON
STAR RT BOX 19
DECLO ID 83323

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 01/05/1940

POINT OF DIVERSION: T12S R26E S11 SWNENW Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC DOMESTIC, 1 HOME; STOCKWA	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T12S R26E S11 NWNW

DOMESTIC Within CASSIA County
T12S R26E S11 NWNW

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

PARCEL NO. 12S26E113000A

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Claim data entry by: KST

Date: 8/13/97

Data entry verified by: [Signature]

Date: 8-15-97

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: A43-10278
Date Received: 5/30/1989
Receipt No: M003759
Received By: Joe

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. RUTH ANDERSON 208-645-2466
Address: STAR RT. BOX 19
DECLO, ID 83323

AND/OR

Name: SIDNEY D. ANDERSON 208-645-2466
Address: STAR RT. BOX 19
DECLO, ID 83323

2. Date of Priority: JAN 05, 1940

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12S	26E	11	SW	NE	NW		CASSIA

5. Description of diverting works:
16" CASING 1.0HP. MOTOR 225' DEEP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE, S/ 25 HD. BEEF CATTLE.

A43-10278

Page 1

Date: 05/30/89

MICROFILMED
MAR 05 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	26E	11	NW	NW		DOMEST	
			NW	NW		STOCK	

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:
A4302377B.

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 22664

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: 1

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): C. Ruth Anderson Date: 5-30-89
Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of May 19 89

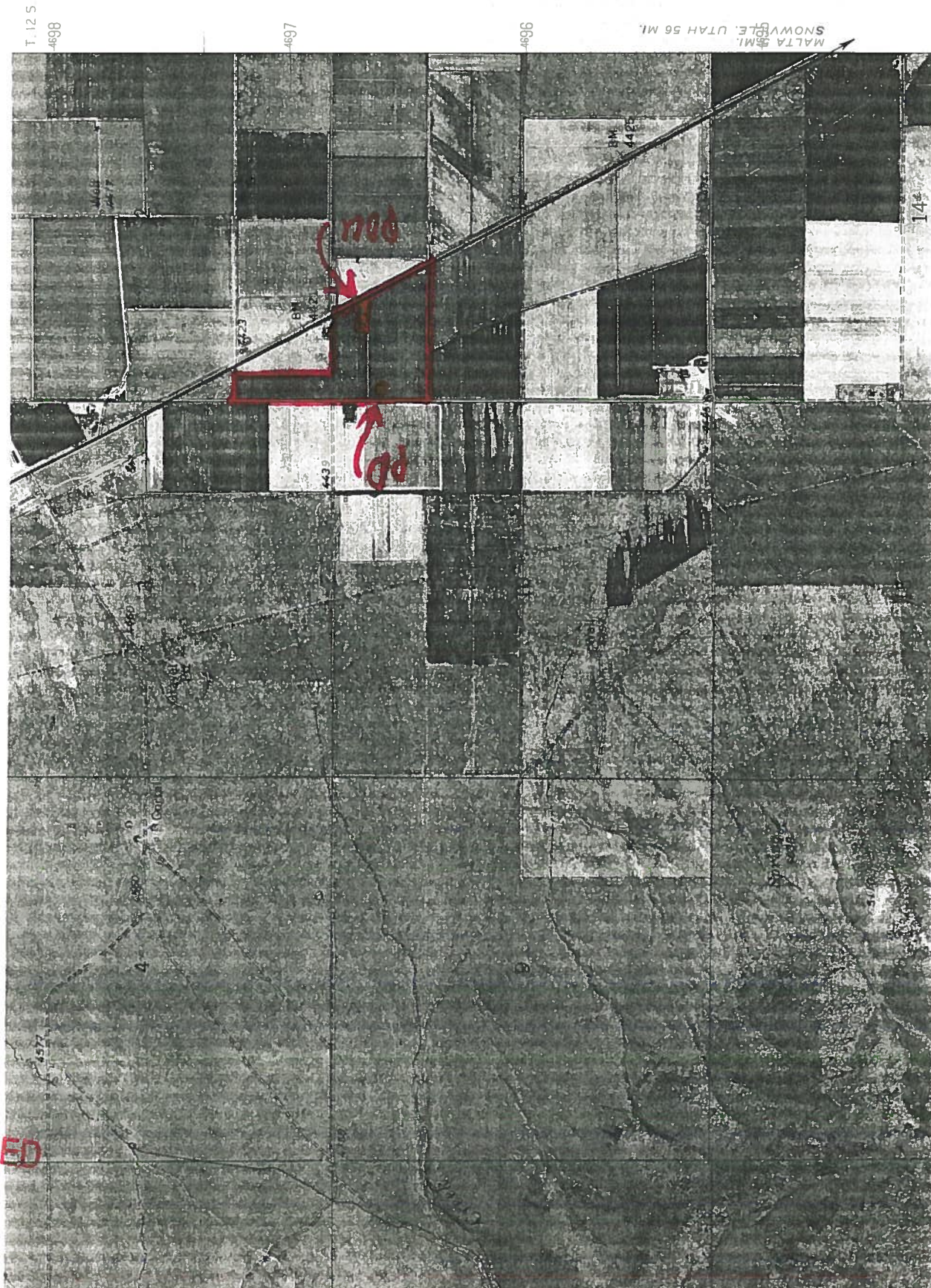
[Signature]
Notary Public

Seal

Residing at Kilsenly, ID
My Commission Expires 6/30/92

T12S

102TB



MICROFILMED
MAR 05 1993

WATER RIGHT NUMBER - A43-10278

PREFIX TRANSLATION: ~ ADJUDICATION CLAIM

OLD (D) NUMBER - 22564

[illegible]

*** C - CURRENT OWNER ***
ANDERSON

C. RUTH

1 - STAR RT. BOX 19

25

UNITED STATES

STATE- ID ZIP- 83323

CITY- DE CLO
PHONE - 208-545-2466

SIDNEY D.

1 - START. BOX 19

22

11

STATE- ID ZIP- 83323

CITY- DECD
PHONE - 208-645-2466

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - +
01/05/1940 17 SOUTHERN J - BENEFICIAL USE

[illegible][illegible]

(31) CASSIA

MAN MS

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	DIVERSION RATE	DIVERSION VOLUME

43 - DOMESTIC
04 - STOCKWATER

01/01	12/31
01/01	12/31

0.040
0.020

[illegible]

TWN	RNG	SEC	TRACT	LOT	ACRES	PLACE OF USE	DESCRIPTION	COUNTY
-----	-----	-----	-------	-----	-------	--------------	-------------	--------

125	26E	11	NW
125	26E	11	NW

04 STOCKWATER
43 DOMESTIC

(31) CASSIA

+ - - DIVERSION MEANS - 16" CASING 1.0HP. MOTOR 225' DEEP

+ - - NON-IRRIGATION USE - 0/ 1 HOUSE, S/ 25 HD. BEEF CATTLE.

+ - - OTHER RIGHTS FOR SAME USE - A43023775.

	REMARKS
	NO REMARKS FOUND.

NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED
MAR 05 1993

