

06/06/2001

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

RIGHT NUMBER: **43-10321**

NAME AND ADDRESS: LYLE ADAMS
3443 SUBLETT RD
MALTA, ID 83342

SOURCE: GROUND WATER

QUANTITY: 0.24 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 01/01/1947

POINT OF DIVERSION: T13S R29E S7 SESWNW Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01-01 12-31	0.20 CFS
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE:

STOCKWATER Within CASSIA County		
T13S R29E S7	SWNW	T13S R29E S7
T13S R29E S7	SWSW	NWSW
DOMESTIC Within CASSIA County		
T13S R29E S7	NWSW	

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.

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 - Beneficial Use

STOCKWATER, 1200 BEEF PARCEL NO. RP13S29E073600A

05/07/2001

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: June 15, 2001

Water right number: 43-10321

BETTY ADAMS
3443 SUBLETT RD
MALTA ID 83342
Telephone Number: (208) 645-2238

LYLE ADAMS
3443 SUBLETT RD
MALTA ID 83342
Telephone Number: (208) 645-2238

Change ownership to Lyle Adams

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

6-6-01

SIGNATURE:

Lyle Adams

Please print your name: _____

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

COO filed 6/6/01 sc

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

RECEIVED

JUN 06 2001

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

Department of Water Resources
 Southern Region

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
<u>4</u>	<u>43-4235C</u>				
	<u>43-10321</u>				

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)

Lyle & Betty Adams

4. New Owner/Claimant(s)

Lyle Adams

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

(same)

3443 SUBLETT RD

City, State and ZIP Code

MALTA ID 83342

New Telephone Number

() 695-2238

5. Date you acquired the property

~~SPLIT~~

* Removing Betty Adams from Ownership.
 per Quit Claim Deed

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) X Lyle Adams
(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	<u>SCC</u>	Date	<u>6/6/01</u>
Receipted by	_____	Date	_____
Processed by	_____	Date	_____
		Fee	<u>N/A</u>
		Receipt No.	_____
		WR	_____
		Date	_____

QUITCLAIM DEED

FOR VALUE RECEIVED, BETTY ADAMS, does hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto LYLE ADAMS, whose present address is 3443 East Sublett Road, Malta, Idaho. 83342, the following described premises, located in Cassia County, Idaho, to wit:

PARCEL #1.a:

TOWNSHIP 13 SOUTH, RANGE 28 EAST, BOISE MERIDIAN,
CASSIA COUNTY, STATE OF IDAHO

Section 12: Part of the E $\frac{1}{2}$ NE $\frac{1}{4}$, described as follows:

Beginning at the East Quarter corner of said
Section 12;
Thence South 89°48'27" West for 1321.66 feet;
Thence North 00°17'38" East for 724.52 feet;
Thence South 77°19'25" East for 545.31 feet;
Thence South 66°42'25" East for 209.55 feet;
Thence North 14°18'05" East for 1013.04 feet;
Thence North 89°18'05" East for 351.20 feet;
Thence South 00°18'13" West for 1503.49 feet
to the Point of Beginning

LESS an existing gravel road right-of-way.

PARCEL 1.b:

TOWNSHIP 13 SOUTH, RANGE 28 EAST, BOISE MERIDIAN,
CASSIA COUNTY, STATE OF IDAHO

Section 12: That part of the W $\frac{1}{2}$ SE $\frac{1}{4}$, lying North
of the following described line:

Beginning at a point that is 1559.96 feet
South 00°19'32" West from the Northeast corner
of the W $\frac{1}{2}$ SE $\frac{1}{4}$; thence North 77°51'57" West
1349.26 feet to a point that is 1271.90 feet
South 00°17'04" West from the Northwest corner
of the W $\frac{1}{2}$ SE $\frac{1}{4}$.

PARCEL #1.c:

QUITCLAIM DEED

PAGE 1

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TOWNSHIP 13 SOUTH, RANGE 28 EAST, BOISE MERIDIAN,
CASSIA COUNTY, STATE OF IDAHO

Section 12: That part of the E $\frac{1}{2}$ SE $\frac{1}{4}$, lying North
of the following described line:

Beginning at a point that is 1749.96 feet
South 00°22' West from the East $\frac{1}{4}$ corner of
Section 12; thence South 86°32'09" West for
309.32 feet; thence North 81°42'36" West for
516.80 feet; thence North 77°31'34" West for
269.01 feet; thence North 73°09'05" West for
247.11 feet to a point that is 1559.96 feet
South 00°19'32" West of the Northwest corner
of the E $\frac{1}{2}$ SE $\frac{1}{4}$.

TOGETHER WITH an easement for ingress and egress
over and across the E $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 12,
described as follows:

Beginning at the E $\frac{1}{2}$ corner of said Section 12,
said point marked by a U.S. Government Brass
Cap; thence South 00°22' West (Basis of
Bearing) along Section line for 1749.96 feet
to a $\frac{1}{2}$ " rebar, which shall be the Point of
Beginning:

Thence South 00°22' West along Section line
for 80.18 feet to a point;
Thence North 88°50'52" West for 310.63 feet to
a point;
Thence North 81°42'36" West for 524.47 feet to
a point;
Thence North 77°31'34" West for 273.12 feet to
a point;
Thence North 73°09'05" West for 232.90 feet to
a point on the 1/16th Section line;
Thence North 00°19'32" East along said 1/16th
Section line for 57.36 feet to a $\frac{1}{2}$ " rebar;
Thence South 73°09'05" East for 247.11 feet to
a $\frac{1}{2}$ " rebar;
Thence South 77°31'34" East for 269.01 feet to
a $\frac{1}{2}$ " rebar;
Thence South 81°42'36" East for 516.80 feet to
a $\frac{1}{2}$ " rebar;

Thence North 86°32'09" East for 309.32 feet to
the Point of Beginning.

PARCEL #2:

TOWNSHIP 13 SOUTH, RANGE 29 EAST, BOISE MERIDIAN,
CASSIA COUNTY, STATE OF IDAHO:

Section 6: Lots 1, 2, 3, S½NE¼, SE½NW¼, E½SW¼, SE¼.
Section 7: N½N½, S½NW¼, SW¼.
Section 18: NW¼

EXCEPTING THEREFROM the following described parcel:

Part of Lot 3 of Section 7 of Township 13
South, Range 29 East of the Boise Meridian,
Cassia County, State of Idaho.

BEGINNING at the SW corner of Section 7 of Township 13
South, Range 29 East, Boise Meridian, said corner
marked by a U.S. General Land Office pipe with brass
cap; thence North 18°34'06" East for 2596.37 feet to
a ½" rebar which shall be the Point of Beginning, said
rebar also lying South 79°20'54" East for 824.25 feet
from the West ¼ Section corner of Section 7 said
corner marked by a U.S. General Land Office pipe with
brass cap; thence North 73°39'20" West for 80.99 feet
to a ½" rebar; thence 51°30'00" West for 32.39 feet to
a ½" rebar; thence North 09°22'27" East for 113.24
feet to a ½" rebar in the center of Sublett Canyon
Road, thence South 80°39'00" East along Sublett Canyon
Road for 201.12 feet to a ½" rebar; thence South
08°02'52" West for 131.33 feet to a ½" rebar; thence
North 85°12'00" West for 95.78 feet to the Point of
Beginning. Contains 0.62 acre more or less and is
subject to an existing county road right-of-way along
the North side.

TOGETHER WITH any and all water rights appurtenant
thereto.

PARCEL #3:

TOWNSHIP 13 SOUTH, RANGE 29 EAST, BOISE MERIDIAN,
CASSIA COUNTY, STATE OF IDAHO

Lots 3 and 4; the E $\frac{1}{2}$ SW $\frac{1}{4}$; and the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 18.

This deed is executed pursuant to a Property Settlement Agreement between the parties in Ada County Case No. CVDR 9902036D.

PARCELS #1.a, #1.b and #1.c are referred to as "The Zollinger
Parcels"

PARCEL #2 is referred to as "The Adams Parcel"

PARCEL #3 is referred to as "The State of Idaho Parcel"

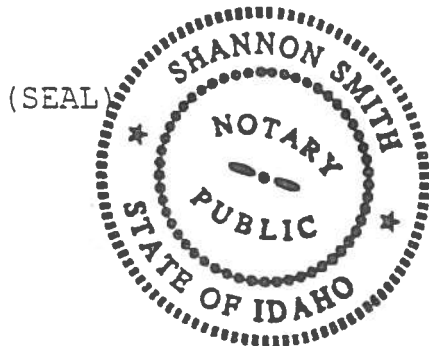
DATED this 20th day of ~~November~~^{DECEMBER}, 1999.

Betty Adams
Betty Adams

STATE OF IDAHO)
County of Ada) ss.

On this 20 day of ~~November~~^{DECEMBER}, in the year of 1999,
before me the undersigned notary public in and for said state,
personally appeared BETTY ADAMS, known or identified to me to
be the person whose name is subscribed to the within
instrument and acknowledged to me that she executed the same.

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



Shannon Smith
Notary Public
Residing at Boise, Idaho
My Commission expires 10/08/05