

VERIFIED BY *JK* 9/10/97

AJ5856NP

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

DATE: SEP-10-1997
PAGE: A-33

RIGHT NUMBER: 43-10412

NAME & ADDRESS: LYNN HEWARD
ANITA HEWARD
295 EAST 300 SOUTH
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.16 CFS

PRIORITY DATE: 12/17/1959

POINT OF DIVERSION: T11S R26E S12 NWNWNE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	11-15 04-01	0.12 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T11S R26E S12 NWNE

DOMESTIC Within CASSIA County
T11S R26E S12 NWNE

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

See remarks for additional conditions of approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 11S26E120000A
STOCKWATER, 500 BEEF

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. R43-10412

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/09/97
PAGE: 38

=====
Comments: Date: 09/30/1994 User-ID: AMERRITT Subject: CORRECTED SPELLING OF MATTHEWS
IT WAS SPELLED MATHEWS BUT SHOULD BE MATTHEWS.

Date: 10/10/1996 User-ID: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE MATTHEWS TO HEWARD PER WARRANTY DEED.

Audit: 04/13/92 SMITH 09/30/94 JROBERTS 03/30/95 POST-STD 10/10/96 TFAWCETT

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: A43-10412
Date Received: 6/ 8/1989
Receipt No: S007659
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LYNN HEWARD 208-678-0680
Address: 295 EAST 300 SOUTH
BURLEY ID 83318

AND/OR

Name: ANITA HEWARD 208-678-0680
Address: 295 EAST 300 SOUTH
BURLEY ID 83318

2. Date of Priority: DEC 17, 1959

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
200' WELL W/ 1 HP CENTR. PUMP AND 180' STATIC WATER LEVEL

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	11/15	04/01	0.120		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOUSE HOLD AND 500 HEAD BEEF IN WINTER

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	26E	12	NW	NE		DOMEST	
			NW	NE		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:
NONE

14. Remarks:
10/10/96 TF; OWNERSHIP CHANGE MATTHEWS TO HEWARD. WARRANTY DEED INCLUDED.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 21315



222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033

GOVERNOR

KARL J DREHER
DIRECTOR

October 22, 1996

LYNN AND ANITA HEWARD
295 EAST 300 SOUTH
BURLEY ID 83318

RE: SRBA Claim(s) A43-02492, A43-10412

Dear Mr. and Mrs. Heward:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Trish Fawcett".

Trish Fawcett
Technical Records Specialist

enc.



NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type

(see instructions on back of page)

DATE OF CLOSING: June 18, 1996

JUN 21 1996

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resource
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM. Southern Region
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.
See attached Exhibit "A" for legal description

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A43-02492 and A43-10412

☐ Name and Address of Former Owner/Claimant(s)(Seller): G. T. Matthews and G. H. Matthews
Star Route Box 10A
Declo, Idaho 83323

☐ New Owner/Claimant (Purchaser): Lynn Heward and Anita Heward

☐ New Mailing Address: 295 East 300 South
Burley, Idaho 83318

☐ New Telephone Number: (208) 678 - 0680

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: recorded Warranty Deeds

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) Lynn Heward Date 6-18-96
Lynn Heward

☐ Signature of Former Owner/Claimant(s): G. H. (Pete) Matthews, Personal Representative of Estate of G. T. Matthews Date 6-18-96
G. H. (Pete) Matthews Date 6-18-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

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: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

COPY

#27222

243479

For Value Received

G. H. MATTHEWS and LINDA MATTHEWS, husband and wife

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

LYNN HEWARD and ANITA HEWARD, husband and wifeAddress: 295 East 300 South
Burley, Idaho 83318

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

**TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**Section 12: NE $\frac{1}{4}$ **TOWNSHIP 11 SOUTH, RANGE 27 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 7: Lots 1 and 2, EXCEPTING THEREFROM the following described parcel:

Beginning at the Northeast corner of said Section 7; Thence South 89°43' West for 5268.47 feet along section line to a point that is 415.12 feet East of the Northwest corner of said Lot 1, which said point shall be known as the True Point of Beginning;
Thence South 0°06' East for 2644.07 feet, more or less, to a point on the quarter section line, which said point is 430.96 feet East of the Southwest corner of said Lot 2;
Thence North 89°44'30" East along the quarter section line for 1289.00 feet to a point on the 1/16th section line, said point being the Southeast corner of said Lot 2;
Thence North 0°06' West along the 1/16th section line for 2644.77 feet, more or less, to a point on the North section line of said Section 7, said point being the Northeast corner of said Lot 1;
Thence South 89°43' West for 1289.00 feet along the North section line to the True Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Water Adjudication No. A43-02492 and A43-10412.

SUBJECT TO:

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

Taxes for 1996 and subsequent years, a lien, but not yet due or payable.

Permit to Use Right-of-Way between the Raft River Highway District and the Intermountain Gas Company, an Idaho corporation, dated July 11, 1962 and recorded August 24, 1962 as Instrument No. 8605 on Film No. 15, records of Cassia County, Idaho.

Right-of-Way from H. C. Matthews, a single man, to Salt Lake Pipe Line Company, a Nevada Corporation, dated November 4, 1963 and recorded November 13, 1963 as Instrument No. 15559 on Film No. 23, records of Cassia County, Idaho.

Right-of-Way contained in Quitclaim Deed from G. T. Matthews and Ruth Matthews, husband and wife to G. H. Matthews and Linda Matthews, husband and wife, dated September 29, 1976 and recorded September 29, 1976 as Instrument No. 93543 on Film No. 104, records of Cassia County, Idaho.

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: June 18, 1996

G.H. Matthews
G. H. Matthews

Linda Matthews
Linda Matthews

STATE OF IDAHO)
COUNTY OF Cassia) ss.

On this 18th day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared G. H. MATTHEWS and LINDA MATTHEWS, 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 IDAHO

RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97

Larry Roberts
Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-97

LAND TITLE & ESCROW

CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE 6.00 DEPUTY MD

1996 JUN 19 P 3:13

243479

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 278

243480

WARRANTY DEED

COPY

#27221

For Value Received

G. H. MATTHEWS, as Personal Representative of the ESTATE OF G. T. MATTHEWS, deceased, and RUTH MATTHEWS, a widow, by and through G. H. MATTHEWS, her Attorney-in-Fact

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

LYNN HEWARD and ANITA HEWARD, husband and wife
Address: 295 East 300 South
Burley, Idaho 83318

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

TOWNSHIP 11 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 12: SE $\frac{1}{4}$

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to Water Adjudication No. A43-02492.

SUBJECT TO:

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

Taxes for 1996 and subsequent years, a lien, but not yet due or payable.

Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Tim Matthews and Ruth Matthews, as Consumer, dated April 1, 1977 and recorded March 21, 1979 as Instrument No. 115137 on Film No. 124, records of Cassia County, Idaho.

Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and Tim Matthews and Ruth Matthews, as Consumer, dated April 1, 1969 and recorded May 5, 1979 as Instrument No. 116535 on Film No. 125, records of Cassia County, Idaho.

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: June 18, 1996

ESTATE OF G. T. MATTHEWS

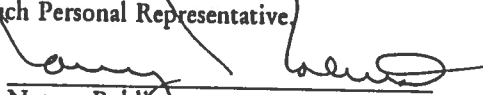
By: D.H. "Pete" Matthews
G. H. (Pete) Matthews, Personal Representative

Ruth Matthews
Ruth Matthews

By: D.H. "Pete" Matthews
G. H. (Pete) Matthews, her Attorney-in-Fact

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

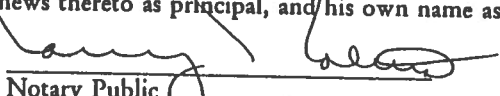
On this 18th day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared G. H. (Pete) MATTHEWS, known or identified to me to be the person whose name is subscribed to the within instrument as Personal Representative of the Estate of G. T. Matthews, and acknowledged to me that he executed the same as such Personal Representative.


Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-97

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 18th day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared G. H. (Pete) MATTHEWS, known or identified to me to be the person whose name is subscribed to the within instrument, as the Attorney-In-Fact of Ruth Matthews and acknowledged to me that he subscribed the name of Ruth Matthews thereto as principal, and his own name as Attorney-In-Fact.


Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-97

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 278
1996 JUN 19 P 3:14
CASSIA COUNTY, IDAHO
DARRELL M. ROSKELLEY
RECORDER
FEE 6.00 DEPUTY 
LAND TITLE & ESCROW
243480

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: A43-10412
Date Received: 6/08/1989
Receipt No: 500 7659
Received By: DAS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: G. T. MATHEWS
Address:

DECLO, ID

83323

OR

Name: G. H. MATHEWS
Address:

DECLO, ID

83323

2. Date of Priority: DEC 17, 1959

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

200' WELL W/ 1 HP CENTR. PUMP AND 180' STATIC WATER LEVEL

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	11/15	04/01	0.120		

7. Total Quantity Appropriated is:

0.160 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

ONE HOUSE HOLD AND 500 HEAD BEEF IN WINTER

A43-10412

Page 1

Date: 06/08/89

MICROFILMED
MAR 05 1993

10. Place of Use:

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

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 21315

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: 0

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): X.D.H. Matthews Date: June 8, 89
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 8 day
of June 19 89 Bruce A. Schuld
Notary Public
Seal

Residing at _____
My Commission Expires BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES APRIL 11, 1995

Water Right Number - R43-10412

Prefix Translation: RESEARCH

Old (D) Number - 21315

*** C - CURRENT OWNER ***
MATTHEWS
Last Name - + First Name - + Address - +
G T
1 - STAR RT
2 -
3 -
City- DECLO
Phone - 208-000-0000
State- ID Zip- 83323

MATTHEWS

G H

1 -
2 -
3 -
City- DECLO
Phone - 208-000-0000

State- ID Zip- 83323

Priority Date - + 12/17/1959 + Region - + 17 SOUTHERN + Stage - + J - BENEFICIAL USE + Status - +

Source - + GROUNDWATER + Tributary - +

Twn Rng Sec Tract Lot Rflg County Point of Diversion - +

11S 26E 12 NW NW NE (31) CASSIA

Code Description Period From Water Use Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 11/15 04/01 0.120

Total Div. Rate - + 0.160 + Total Div. Volume - + + Total Consumptive Use - + + KM Usage - +

Twn Rng Sec Tract Lot Acres Place of Use Code Description County
11S 26E 12 NW NE 04 STOCKWATER (31) CASSIA
11S 26E 12 NW NE 43 DOMESTIC (31) CASSIA

Total Acres:

- - - Diversion Means - 200' WELL W/ 1 HP CENTR. PUMP AND 180' STATIC WATER LEVEL

- - - Non-Irrigation Use - DOMESTIC, 1 HOME, STOCKWATER, 500 BEEF

- - - Other Rights for Same Use - NONE

PARCEL NO. 11S26E120000A

Remarks

Water right number - R43-10412 Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +
+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
016 - See remarks for additional conditions of approval.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 09/30/1994 User Id: AMERRITT Subject: CORRECTED SPELLING OF MATTHEWS
IT WAS SPELLED MATHEWS BUT SHOULD BE MATTHEWS.

+ - - Audit Fields - - - +
09/30/94 AMERRITT

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +
Court Report Filing - 00/00/0000 Field Inspection Made - 00/00/0000 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - 00/00/0000 Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 06/08/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - S007659 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - OR Presumption Flag -
Notice of Error Flag -

WATER RIGHT NUMBER - 443-10+12

PREFIX TRANSLATION: ADJUDICATION, CLAIM

OLD (D) NUMBER - 21315

+ - - - - LAST NAME - - - - + - - - - FIRST NAME - - - - + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
MATHEWS

G. T.

1 -
2 -
3 -

CITY- DECLO
PHONE - 208-000-0000

STATE- ID ZIP- 83323

MATHEWS

G. H.

1 -
2 -
3 -

CITY- DECLO
PHONE - 203-000-0000

STATE- ID ZIP- 83323

+ - - - - PRIORITY DATE - - - - + - - - - REGION - - - - + - - - - STAGE - - - - + - - - - STATUS - - - - +
12/17/1959 17 SOUTHERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + - - - - TRIBUTARY - - - - - +
GROUNDWATER

+ - - - - TWN RNG SEC TRACT LOT RFLG COUNTY POINT OF DIVERSION - - - - - STREAM INDEX (BLANK IF NO INDEX CODE) - - - - -

11S 26E 12 NW NW NE (31) CASSIA

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

43 - DOMESTIC
04 - STOCKWATER

01/01 12/31
11/15 04/01

0.040
0.120

+ - - - - TOTAL DIV. RATE - - - - + - - - - TOTAL DIV. VOLUME - - - - + - - - - TOTAL DIV. CAPACITY - - - - + - - - - TOTAL CONSUMPTIVE USE - - - - + - - - - KW USAGE - - - - +
0.160

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

11S 26E 12 NW NE
11S 26E 12 NW NE

04 STOCKWATER
43 DOMESTIC

(31) CASSIA
(31) CASSIA

+ - - - - DIVERSION MEANS - 200' WELL W/ 1 HP CENTR. PUMP AND 180' STATIC WATER LEVEL

+ - - - - NON-IRRIGATION USE - ONE HOUSE HOLD AND 500 HEAD BEEF IN WINTER

+ - - - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED
MAR 5 1993

