

10/08/2003

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

RIGHT NUMBER: 2-10229

NAME AND ADDRESS: KAROLYN J HALL
1873 JOE KING RD
HAMMETT ID 83627

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.070 CFS
20.000 AFY

USE OF THIS RIGHT WITH RIGHT NO. 61-7216 FOR IRRIGATION IS LIMITED TO
A TOTAL COMBINED DIVERSION RATE OF 0.08 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 20.0 AF.

PRIORITY DATE: 09/16/1970

POINT OF DIVERSION:

T06S R08E S3 SWNE Lot 2 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.070 CFS 20.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER
15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED.
THE USE OF WATER BEFORE APRIL 1 AND AFTER
OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER
RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE
AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS
ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within ELMORE County

T06S R08E S03 Lot 2 SWNE 4.0

4 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 61-7216 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 4.0 ACRES IN A SINGLE
IRRIGATION SEASON.

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.

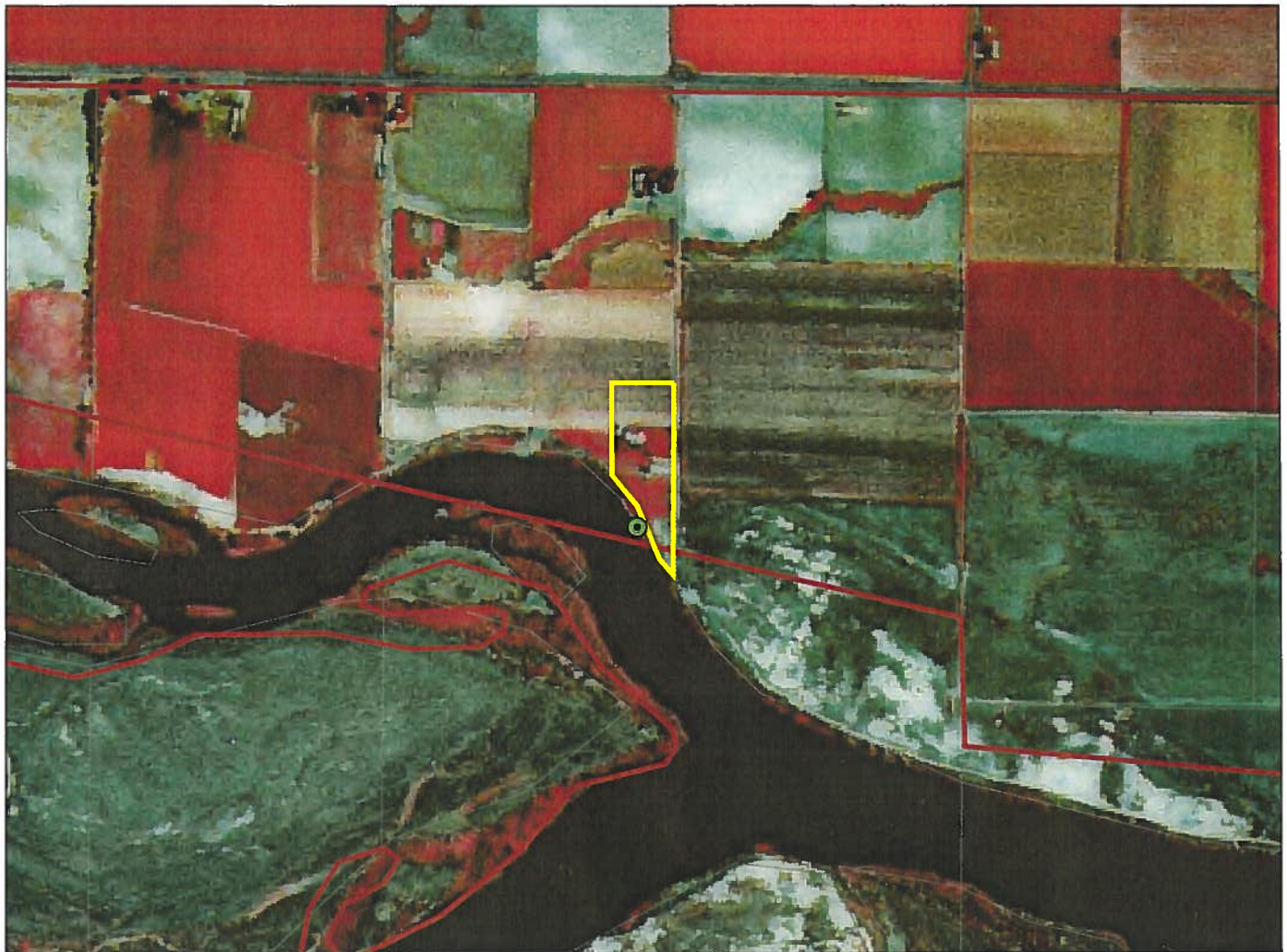
EXPLANATORY MATERIAL: License

RIGHT NO. 02-10228 IS ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 2-7070A.

Idaho Department of Water Resources

Place of Use Layout 2-10229



0 0.25 0.5 Miles

Township 6S Range 8E Section 3 Lot 2



GIS Place of Use Presentation
1987 NAPP photography.
Map prepared by: Scott King
Date prepared: October 7, 2003

	Point of Diversion
	Place of Use
	PLSS Township
	PLSS Section Lines
	PLSS quarter-quarter lines

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 2-10229

1. No Change NAME IS SAME

NEW OWNER: _____

No Change ADDRESS

NEW ADDRESS: _____

2. No Change - DATE OF PRIORITY: Completed evidence submitted
Incomplete - Claimant should be asked during the exam when was water first
used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. No Change SAME SOURCE

Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION

Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

2-7070 A split
by ownership
change.

2-10228 & 2-10229
Now have same
POD.

5. No Change - DESCRIPTION OF DIVERTING WORKS

Incomplete description, list below:

POD share based on Contractor's POD share.

POD: overlap 61-7216 1 acre of irrigation & domestic
use. Combined use limits included w/ 2-10229

6. No Change - WATER USES

Different uses, (list uses found):

As licensed w/ shoulder remarks

Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____
 Use _____ From _____ To _____ Amount _____ CFS _____ AFA _____

7. No Change - TOTAL VOLUME

As licensed, 5 afa/acre

Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

Changes found, the new total is, Amount _____ CFS _____ AFA _____

8. No Change - NON-IRRIGATION USES:

Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. No Change — PLACE OF USE: (If changed, list below.)

Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
 Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
 Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
 Use: _____ Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

Remarks: (Comments pertinent to field examination)

See additional attachment

		Cfs	AF	Acres	* Transfer vol. at 4afa. License @ 5.0
2-7070	2-7070B	0.03	7.2*	1.8	
23 acres					
0.42 cfs	2-10228	0.32	86	17.2	
115 acre feet	2-10229	0.07	20	4	
		0.42✓	113.2✓	23✓	

SYSTEM DIAGRAM INCLUDED

NA

Shown on GIS Layout

CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 10/7/2003

FIELD EXAMINER:

Scott King
 Print Name

Signature

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 2-10229
Date Received: 9/4/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

KAROLYN J HALL
1873 JOE KING RD
HAMMETT ID USA 83627

Phone:

2. Date of Priority: 09/16/1970

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	08E	3	SW NE 2	ELMORE	

5. Description of diverting works:

PUMP IN RIVER, PIPED TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.07	20

7. Total Quantity Appropriated is:

0.07 C.F.S. and/or 20 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
06S	08E	3	SW NE 2	IRRIGATION	4
Section Acres					4
Total Acres					4

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 2-7070A.

15. Basis of Claim: License

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

RECEIVED

AUG 26 2003

RECEIVED

AUG 22 2003

WATER RESOURCES
WESTERN REGION

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

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
2-2051 <i>supplied</i>					
~~2-2107~~ <i>by Western</i>					
2-7070A		☒			
(SNK)					
2-10228 = <i>IR Investments</i>					
2-10229 = <i>Hall</i>					

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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)

4. New Owner/Claimant(s)

Karolyn J. Hall

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

1873 Joe King Road

City, State and ZIP Code

Hammett, Id 83627

New Telephone Number

() _____

5. Date you acquired the property

8-20-03

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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)

*Barbara J. Hall Davis by
Richard Rapp, her attorney in fact*

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>SH</u>	Date <u>8-22-03</u>	Fee <u>1/00</u>	
Received by _____	Date _____	Receipt No. _____	
Processed by <u>John AJ</u>	Date <u>9-9-03</u>	WR _____	Date _____

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AUG 28 2003

27070A

WARRANTY DEED

This warranty deed is made this 8th day of August, 2003, between William Chase Robertson, a single man, and Conrad E. Thomas and Jeremy Thomas, husband and wife, of P. O. Box 62, Hammett, Idaho 83627, hereinafter referred to as the Grantors, and Karolyn Hall-Davis, a single woman, of 1873 Joe King Road, Hammett, Idaho 83627, hereinafter referred to as the Grantee.

Grantors, for and in consideration of the sum of Ten Dollars, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, have granted, bargained, and sold, and, by this deed, grant, bargain, sell, convey, and confirm to Grantee and Grantee's heirs and assigns forever, all of the following-described real estate situated in Elmore County, Idaho:

A parcel of land being part of Lot 3, Block 23, Fruitland Subdivision located in the West Half of the Northeast Quarter, Section 3, Township 6 South, Range 8 East, Boise, Meridian, Elmore County, Idaho, more particularly described as follows:

Beginning at the Northeast corner of said Section 3;
Thence North 89°59'27" West a distance of 1317.33 feet along the northerly boundary of said Section 3 to the northeast corner of said W2 NE4;
Thence South 00°26'53" East a distance of 937.20 feet along the easterly boundary of said W2 NE4;
Thence North 89°59'27" West a distance of 25.00 feet to the northeast corner of said Lot 3, Block 23;
Thence South 00°26'53" East a distance of 467.15 feet along the easterly boundary of said Lot 3 to the True Point of Beginning;
Thence South 00°26'53" East a distance of 879.42 feet along the easterly boundary of said Lot 3 and the extension thereof to the high water line of the Snake River;
Thence North 30°02'39" West a distance of 68.61 feet along said high water line;
Thence North 29°37'58" West a distance of 384.98 feet along said high water line;
Thence North 43°47'56" West a distance of 72.69 feet along the southerly boundary of said Lot 3;
Thence North 00°26'53" West a distance of 432.96 feet parallel with the easterly boundary of said Lot 3;
Thence South 89°59'27" East a distance of 271.52 feet to the True Point of Beginning.

Containing 4.00 acres more or less.

2-7070A

Together with all and singular the tenements, hereditaments, and appurtenances belonging to the described property or in any manner appertaining to the property, the reversion and reversions, remainder and remainders, rents, issues, and profits of the property; and all estate, right, title, and interest in and to the property, as well in law as in equity.

To have and to hold, all and singular the described property together with the appurtenances to Grantee and Grantee's heirs and assigns forever.

And Grantors and Grantors' heirs shall and will warrant and, by theses presents, forever defend the above-described property in the quiet and peaceable possession of Grantee, Grantee's heirs, and assigns against Grantors and Grantors' heirs and against all and every person and persons whomever, lawfully claiming the same.

It is understood by the Grantee that the above-described property is adjacent to Mesa View Estates Subdivision and that the Covenants, Conditions and Restrictions for Mesa View Estates Subdivision generally prohibit any business activity that is not conducted entirely within the residence and prohibit any signs, other than a temporary sign advertising the property for sale or rent. In pursuance of the general plan for the protection and benefit of the Grantee, her heirs, successors and assigns, and the owners of the lots in Mesa View Estates Subdivision together with those who may hereafter become owners, and as part consideration for this conveyance, Grantee, for herself, her heirs, successors and assigns, does hereby covenant with Grantors, and their heirs, successors and assigns, to hold the above-described property upon the following terms and subject to the following conditions, restrictions, agreements, covenants, obligations and charges: There shall be no display or maintenance of any physical evidence of any business operation whatsoever on the above-described property, including, but not limited to, any signs, banners, or advertisements, other than signs used to rent or sell said property. Further, no machinery or equipment of any kind whatsoever shall be visible on the above-described property, except for those items necessary for the physical maintenance thereof. By acceptance of this deed the Grantee, Grantee's heirs, successors and assigns, covenant and agree not to use the above-described property for any purpose prohibited herein.

These covenants, restrictions and prohibitions shall run with the land for the benefit of Grantors, their heirs, successors and assigns and all of the owners of the lots in Mesa View Estates Subdivision, and may be enforced by the Grantors, the Grantors' heirs, the Grantors' successors in interest, and all adjacent landowners benefiting from said restrictions and prohibitions, including the owner or owners of any property in Mesa View Estates Subdivision. Any breach of such covenants, restrictions and prohibitions may be enjoined, abated, or remedied by appropriate proceedings by any of the above at law or in equity; or the entities or individuals named above may seek to recover damages for the violation of such covenants, restrictions and prohibitions.

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SEP 16 2003

2-7070A

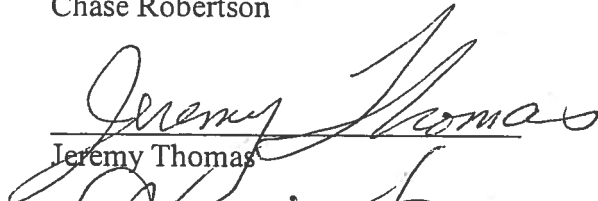
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AUG 28 2003

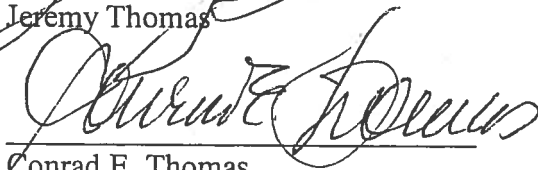
IN WITNESS WHEREOF, the Grantors have set their hands on the date first written above.



Chase Robertson



Jeremy Thomas



Conrad E. Thomas

SCANNED
SEP 16 2003

SCANNED
AUG 28 2003

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STATE OF IDAHO)
) ss.
COUNTY OF ELMORE)

On this 8 day of August, 2003, before me, the undersigned, a Notary Public in and for said state, personally appeared Chase Robertson, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

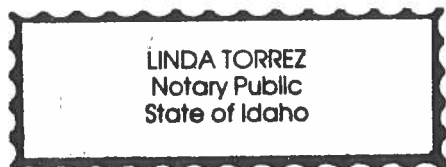


Linda Torrez
Notary Public for Idaho,
Residing at: *Glenns Ferry*
My commission expires: *5-8-05*

STATE OF IDAHO)
) ss.
COUNTY OF ELMORE)

On this 8 day of August, 2003, before me, the undersigned, a Notary Public in and for said state, personally appeared Conrad E. Thomas and Jeremy Thomas, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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



Linda Torrez
Notary Public for Idaho,
Residing at: *Glenns Ferry*
My commission expires: *5-8-05*

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SEP 16 2003

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