

1995 SEP 21 AM 11: 23

DISTRICT COURT-SRBA
TWINFALLS CO., IDAHO
FILED _____

**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

Case No. 39576

) Subcase No.: 36-15487
)
) ORDER GRANTING MOTION TO
) FILE A LATE CLAIM
)
)

A hearing on the *Motion to File a Late Notice of Claim* filed by Marilyn Andrew was held September 19, 1995.

There was no opposition to the motion. For good cause appearing, IT IS ORDERED that the *Motion to File a Late Notice of Claim* is GRANTED.

IT IS SO ORDERED.

DATED September 21, 1995



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

SNAKE RIVER BASIN ADJUDICATION (SRBA)

09/21 1995

DISTRICT COURT OF THE STATE OF IDAHO
PO BOX 2707
253 3 RD AVE NORTH
TWIN FALLS, ID 83303-2707

736-3011

***** RECEIPT # 00528

DATE: 06/20 1995

FROM: MARILYN ANDREW

FOR: LATE CLAIM FEE FOR IDWR

PAID: \$ 25.00 CHK SENT TO IDWR 03313

CASH: \$ 25.00 CHANGE: \$ 0.00

IWATRS: R070

BY 

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 36-15487

Date Received _____

Receipt Number _____

per Danni cat
IDWRNOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) MARILYN L. (MOLLER) ANDREW Phone (208) 436-9553Mailing Address Rt #5, Box 5260, Rupert ID Zip 833502. Date of Priority (Only one per claim) July 12, 1966 166 w. Baseline
Month/Day/Year3. Source of water supply (Check one) (☒) Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source4. Location of point of diversion is: Township 9S Range 24 E, B.M.
Section 19 SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot _____, B.M.,
County of MENIDOKA More particularly described
per attachment!
Additional points of diversion if any: _____5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Domestic well approx 40' deep

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from Jan 1 ^{Month/Day} to December 31 ^{Month/Day} amount .04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic 1 home

10. Place of use is: Township: 9 S Range 24 E,
Section 19, SE 1/4 of SW 1/4, Govt. Lot _____, B.M.,

for (Circle One) Domestic
Additional places of use, if any

Stock

Domestic and Stock

See attachment for more particular description.

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

12. 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.

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

X None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake 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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Marilyn L. (Mallin) Andrew Date 6-14-95
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Minidoka) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 14th day of June 19 95

SEAL

Notary Public Kathleen Hawkins

Residing at Boise, Idaho

My Commission Expires 6-15-98

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

WARRANTY DEED

For Value Received

ROBERT J. MALONEY and JANELL MALONEY, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto

MARILYN L. MOLLER, a single person
the grantee, whose current address is

Rt. #5 Box 526, Rupert, Idaho 83350
the following described premises, to-wit:

Lot 3 in Block 1 of the A-1 Subdivision, according to the official
plat thereof, now on file in the office of the County Recorder,
Minidoka County, Idaho, recorded July 12, 1966 as Document No.
185245, Minidoka County records.

SUBJECT TO:

1. An Easement for Erection and Maintenance of Power Line, dated
May 8, 1962, executed by Adam Iils, to Rural Electric Company,
a cooperative association, recorded May 10, 1962 as Document
No. 157498, Minidoka County records, granting a right of way and
easement for the erection and continued maintenance of electrical
transmissions lines and other equipment over, on and across the
following location in Minidoka County, Idaho: Section 9, Range
24, East Boise Meridian; together with all rights of ingress and
egress.
(Affects the herein described and other real property.)
2. A Utility Easement as shown by Plat of A-1 Subdivision executed
by Adam Iils, et al, to The Public, recorded July 12, 1966 as
Document No. 185245, Minidoka County records.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said
Grantee, her heirs and assigns forever. And the said Grantors do
hereby covenant to and with the grantee that they the owners in fee of
said premises, that said premises are free from all encumbrances, and given
subject to the taxes and assessments for the year 1989 and subsequent years,

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: August 24, 1989

Robert J. Maloney
ROBERT J. MALONEY

Janelle Maloney
JANELL MALONEY

STATE OF Idaho, COUNTY OF Minidoka SS

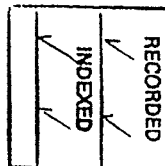
On this 25th day of August, 1989,
before me, a notary public in and for said State, per-
sonally appeared

Robert J. Maloney and Janelle Maloney

known to me to be the persons whose name
are subscribed to the within instrument, and ac-
knowledged to me that they executed the same.

Charles R. Dineen
Notary Public

Residing at Rupert, Idaho
Comm. Expires 5/26/94



Aug 25 9 55 AM '89
R.H. Co.
322

387267

MARILYN L. (MOLLELR) ANDREW PROPERTY DESCRIPTION

Lot 3 in Block 1 of the A-1 Subdivision, according to the official plat thereof, now on file in the office of the County Recorder, Minidoka County, Idaho, recorded July 12, 1966 as Document No. 185245, Minidoka County records.

More particularly described as:

PART OF SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 19, T.9S, R 24 E., B.M., Minidoka County

Beginning at a point on the south boundary and 40.0 feet West of the SE Corner of the SW $\frac{1}{4}$ of Section 19, T. 9S., R. 24 E., B.M. which point shall be known as the True Point of Beginning;

Thence West along the South Boundary of said SW $\frac{1}{4}$ of Section 19 for a distance of 1,037.40 feet;

Thence N 1° 03' W along the Center line of an irrigation lateral for a distance of 631.0 feet to a point in the centerline of Rupert irrigation "C" Canal;

Thence N 85° E along the approximate centerline of said "C" Canal for a distance of 1053.35 feet;

Thence South for a distance of 723.10 feet to the True Point of Beginning.