

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 47-17376
Date Received: 1/4/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JEANETTE BYRNE Phone: (208)342-1617
2848 STARLINGTON DR
BOISE ID 83712

CHARLES LINAK Phone: (208)342-1617
2848 STARLINGTON DR
BOISE ID 83712

2. Date of Priority: 08/15/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	14E	30	NW SE	TWIN FALLS	

5. Description of diverting works:

WELL, VALVE & PIPELINE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
HEATING	01/01	12/31	0.016	2.02
DOMESTIC	01/01	12/31	0.016	0.6
RECREATION	01/01	12/31	0.016	1.34

7. Total Quantity Appropriated is:

0.016 C.F.S. and/or 3.96 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
08S	14E	30	NW	SE		RECREATION	
			NW	SE		HEATING	
			NW	SE		DOMESTIC	

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:

14. Remarks:

See remarks for additional conditions of approval.

THIS WELL IS AKA #3.

P/D AKA LOT 13A, SALMON RIVER RANCHES, REVISED SUBD.

P/U AKA LOTS 13B SALMON RIVER RANCHES

This right is a split from former right 47-7426.

15. Basis of Claim: License

Lot 13B

RECEIVED
OCT 20 2005
Department of Water Resources
Southern Region

**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.

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
47-7426					

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)

ROBERT & ELVA RING

4890 N. 1000 E., BUHL, ID 83316

4. New Owner/Claimant(s)

CHARLES LINAK AND JEANNETTE BYRNE

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

New Mailing Address

2848 STARLINGTON DR

City, State and ZIP Code

BOISE, ID 83712

New Telephone Number

208 342-1617

5. Date you acquired the property

SEPT. 27, 2005

9-27-05

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)

Charles T Linak / JM Byrne

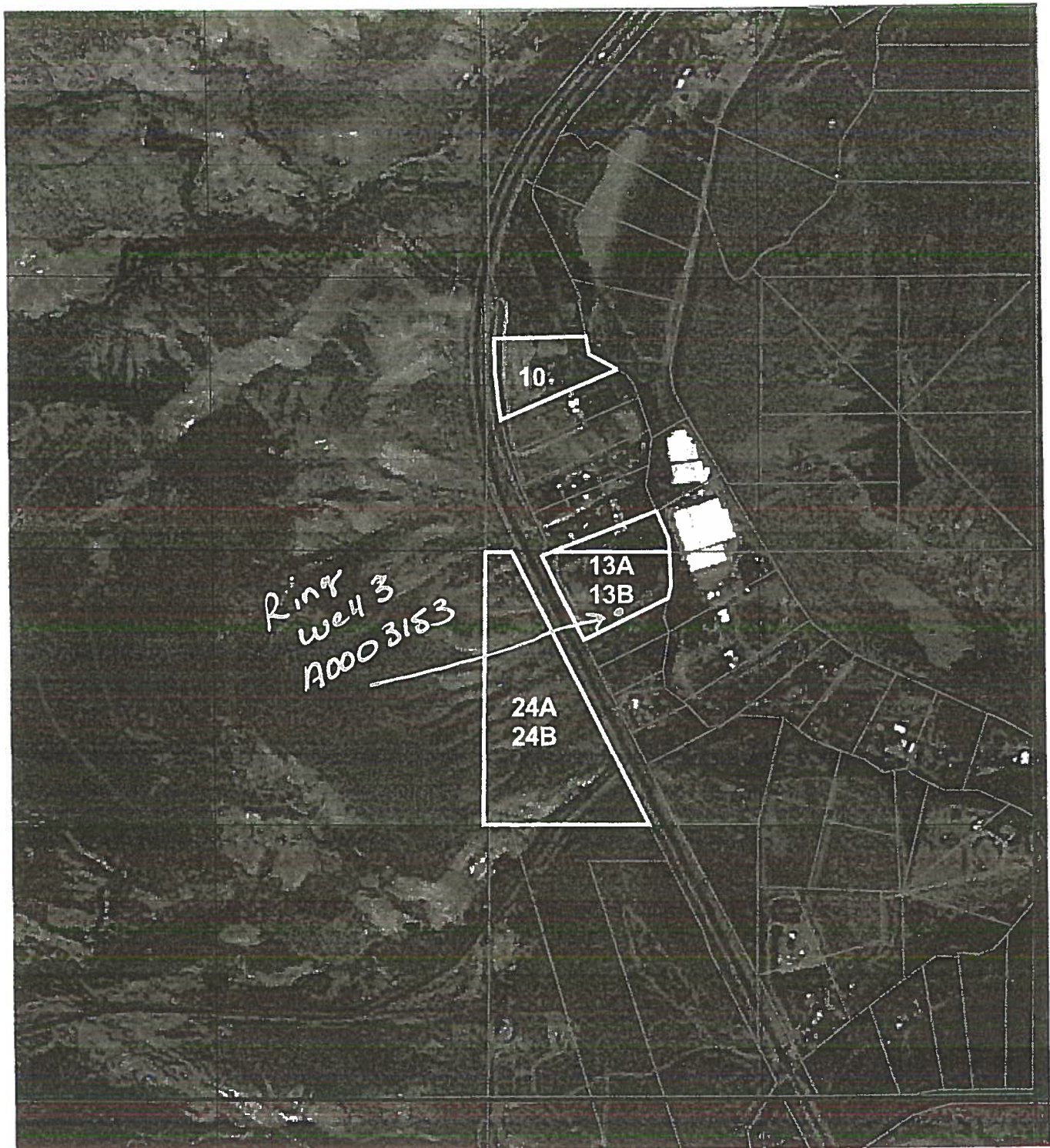
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

47-7426

TWP 8S, RNG 14E
SE SE, NESE SECTION 30



 TF COUNTY TAXLOT BOUNDARIES - SALMON RIVER RANCHES SUBD.

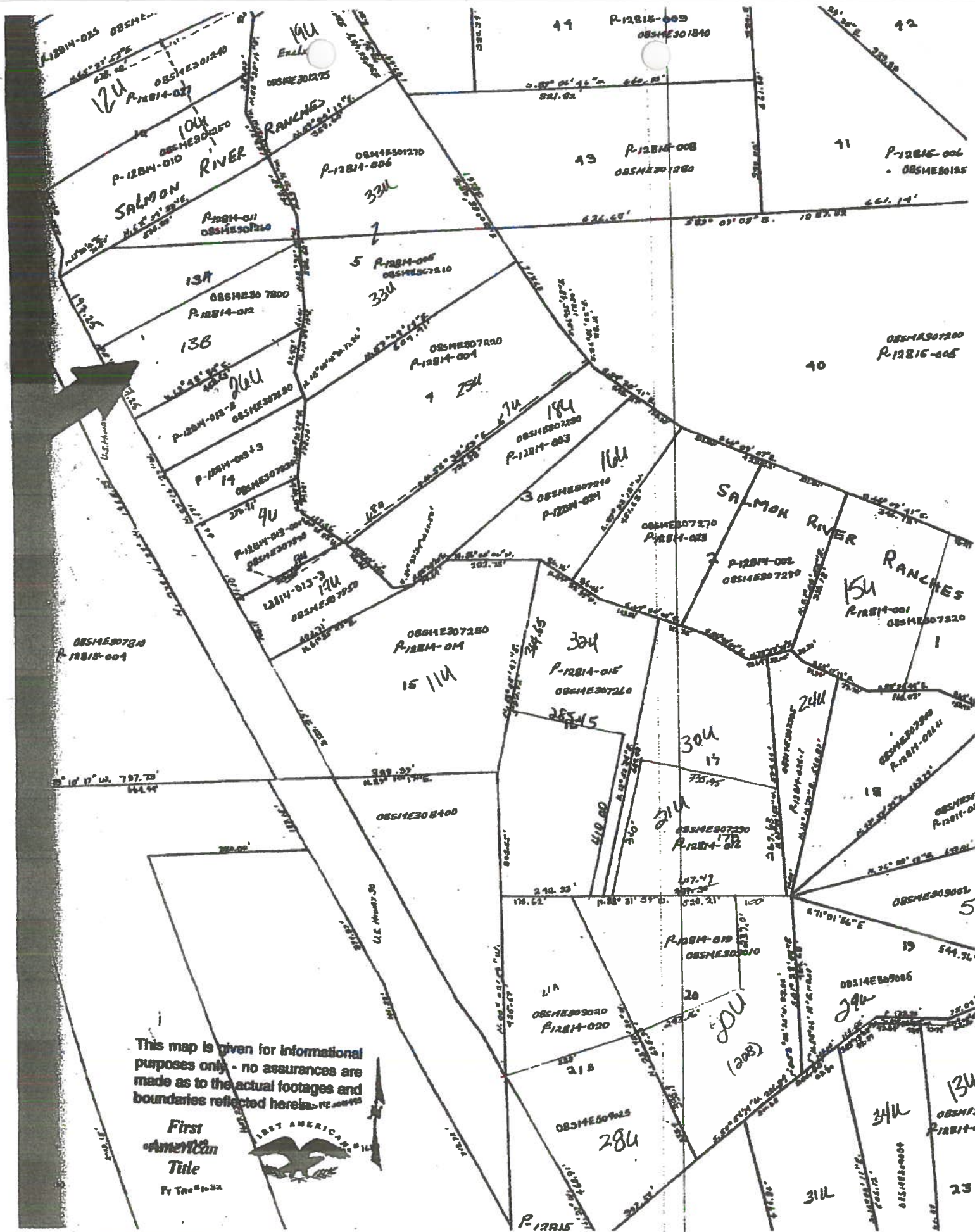
2003 AERIAL
PHOTO

IDWR
02/07/05

This map is given for informational purposes only - no assurances are made as to the actual footages and boundaries reflected herein.

First
American
Title

PLT 100-103



RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
260 Third Avenue North
Twin Falls, ID 83303

APPROVED: 

Dated: 9/27/05

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 131869-TF (1b)

Date: September 08, 2005

For Value Received, **Robert W. Ring and Elva June Ring, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Charles T. Linak and Jeanette M. Byrne, husband and wife**, hereinafter called the Grantee, whose current address is **2848 Starlington Dr., Boise, ID 83712**, the following described premises, situated in **Twin Falls County, Idaho**, to-wit:

A PARCEL OF LAND LOCATED IN THE EAST HALF OF SECTION 30, TOWNSHIP 8 SOUTH, RANGE 14 EAST, BOISE MERIDIAN, TWIN FALLS COUNTY, IDAHO BEING GENERALLY DESCRIBED AS LOT 13-B ON A RECORD OF SURVEY TITLE "PROPERTY DIVISION SURVEY FOR BOB RING, A DIVISION OF LOTS 13, 16, 17, 20 AND 21, SALMON RIVER RANCHES FILING 1" AND BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

**COMMENCING AT THE EAST ONE QUARTER CORNER OF SECTION 30, TOWNSHIP 8 SOUTH RANGE 14 EAST, BOISE MERIDIAN;
THEN SOUTH 89°09'08" WEST, 2327.87 FEET ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 30 TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF US HIGHWAY 30;
THEN ALONG SAID RIGHT-OF-WAY THE FOLLOWING TWO COURSES;
SOUTH 13°32'16" WEST, 76.50 FEET;
SOUTH 27°16'27" EAST, 197.25 FEET TO THE REAL POINT OF BEGINNING;
THEN NORTH 62°24'03" EAST, 558.15 FEET TO THE CENTER OF SALMON FALLS CREEK;
THEN ALONG THE CENTER OF SALMON FALLS CREEK THE FOLLOWING TWO COURSES,
SOUTH 03°39'13" EAST, 167.13 FEET,
SOUTH 11°54'19" WEST, 61.01 FEET;
THEN SOUTH 62°43'34" WEST, 452.63 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 30;
THEN NORTHWESTERLY ALONG SAID RIGHT-OF-WAY NORTH 27°16'27" WEST, 197.25 FEET TO THE REAL POINT OF BEGINNING.**

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

File No.: 131869-TF (lb)

Elva June Ring

STATE OF Idaho)
SS.
COUNTY OF Twin Falls)

On this day of September, 2005, before me, a Notary Public in and for said State, personally appeared **Robert W. Ring and Elva June Ring**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

Notary Public for the State of Idaho
Residing at: Twin Falls, ID
My Commission Expires: 11/06/06

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
260 Third Avenue North
Twin Falls, ID 83303

TWIN FALLS COUNTY
RECORDED FOR:
FIRST AMERICAN TITLE CO.
12:15:35 pm 10-03-2005
2005-022298
NO. PAGES: 2 FEE: \$6.00
KRISTINA GLASCOCK
COUNTY CLERK
DEPUTY: COLUMBIA

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 131869-TF (1b)

Date: September 08, 2005

For Value Received, **Robert W. Ring and Elva June Ring, husband and wife**, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Charles T. Linak and Jeanette M. Byrne, husband and wife**, hereinafter called the Grantee, whose current address is **2848 Starlington Dr., Boise, ID 83712**, the following described premises, situated in **Twin Falls County, Idaho**, to-wit:

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THEN NORTHWESTERLY ALONG SAID RIGHT-OF-WAY NORTH 27°16'27" WEST, 197.25 FEET TO THE REAL POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Date: 09/08/2005

Warranty Deed
- continued

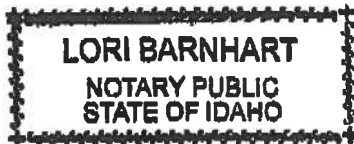
File No.: 131869-TF (lb)

Robert W. Ring
Robert W. Ring

Elva June Ring
Elva June Ring

STATE OF Idaho)
COUNTY OF Twin Falls)
SS.

On this 29th day of September, 2005, before me, a Notary Public in and for said State, personally appeared Robert W. Ring and Elva June Ring, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Lori Barnhart
Notary Public for the State of Idaho
Residing at: Twin Falls, ID
My Commission Expires: 11/06/06

08/28/2006

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: see cover letter

Water right number: 47-17376

JEANETTE BYRNE
2848 STARLINGTON DR
BOISE ID 83712
Telephone Number: (208)342-1617

CHARLES LINAK
2848 STARLINGTON DR
BOISE ID 83712
Telephone Number: (208)342-1617

RECEIVED
NOV 09 2006
DEPT. OF WATER RESOURCES
SOUTHERN REGION

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:

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

DATE: 11-3-06 SIGNATURE: Charles Linak

Please print your name: CHARLES LINAK

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

08/28/2006

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

RIGHT NUMBER: 47-17376

NAME AND ADDRESS: JEANETTE BYRNE
2848 STARLINGTON DR
BOISE ID 83712

CHARLES LINAK
2848 STARLINGTON DR
BOISE ID 83712

VERIFIED BY KKC

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.016 CFS
3.960 AFY

PRIORITY DATE: 08/15/1977

POINT OF DIVERSION:

T08S R14E S30 NWNWSE Within TWIN FALLS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.016 CFS
RECREATION	01/01 12/31	0.016 CFS
HEATING	01/01 12/31	0.016 CFS
		2.02 AFY

PLACE OF USE: HEATING Within TWIN FALLS County

T08S R14E S30 NWSE

DOMESTIC Within TWIN FALLS County

T08S R14E S30 NWSE

RECREATION Within TWIN FALLS County

T08S R14E S30 NWSE

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.

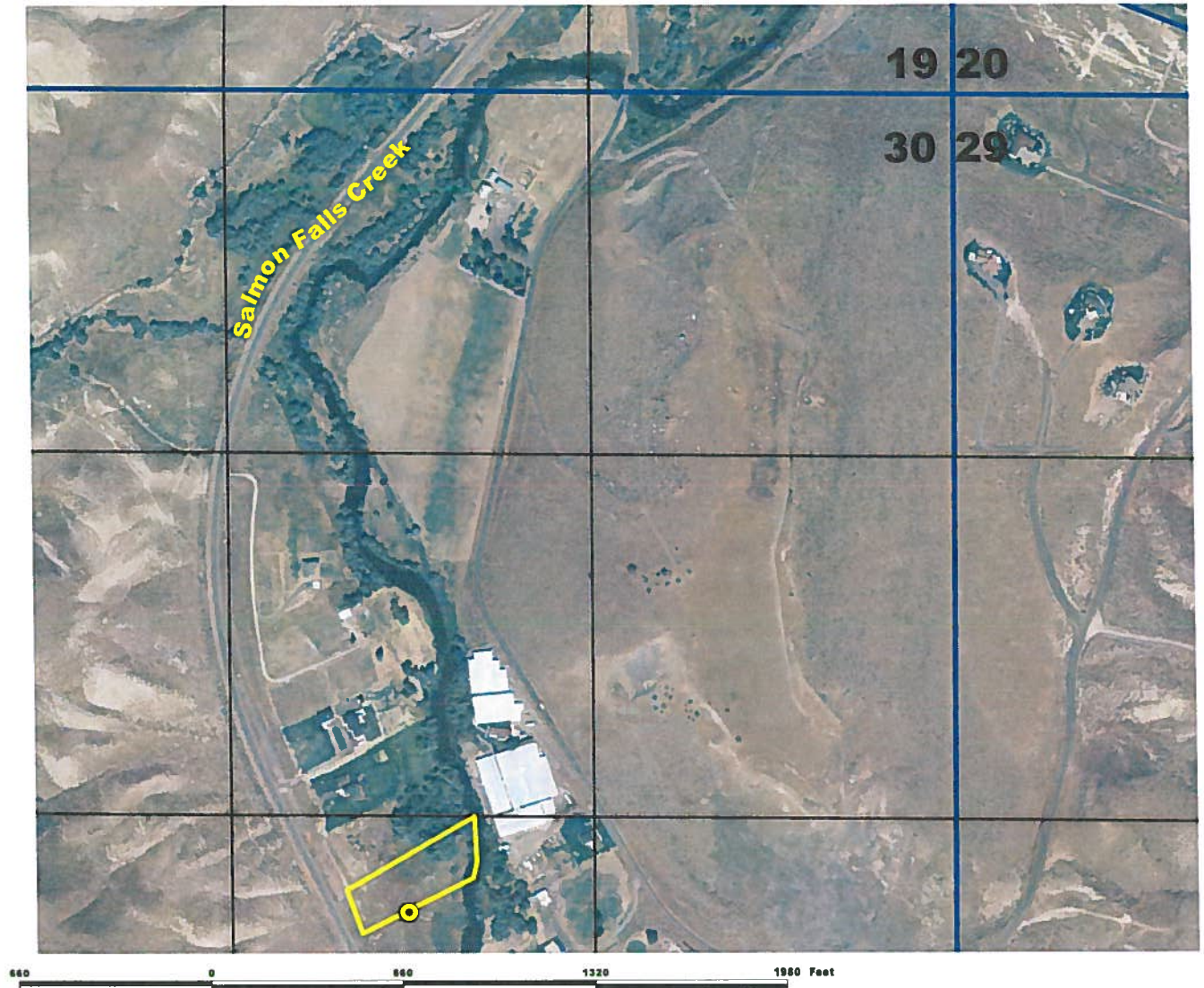
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

DOMESTIC USE FOR 1 HOME

PROPERTY IS ALSO KNOWN AS LOT 13B, OF SALMON RIVER RANCHES
SUBDIVISION REVISED

This right is a split from former right 47-7426 .

RECOMMENDED PLACE OF USE FOR 47-17376



PLACE OF USE
TWP 9S, RNG 14E, SEC 30
Data entry on August 28, 2006

- RECOMMENDED POINT OF DIVERSION
- RECOMMENDED PLACE OF USE
- TOWNSHIP LINES
- SECTION LINES
- QUARTER/QUARTER LINES



LOCATION IN BASIN

GIS PLACE OF USE PRESENTATION
2004 AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN

