

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
DEC 21 1998
Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: R 72-10059, 72-10060
Adjudication Claim No(s).: _____

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Dennis & Lindy James
PO Box 308, Challis, Idaho 83226

4. New Owner/Claimant(s) Donald W. & Debra J. Peters
Name Connector (Check one): ☒ and ☐ or, ☐ and/or
New Mailing Address P.O. Box 766
City, State and ZIP Code Challis, Idaho 83226
New Telephone Number (208) 829-4394

5. Date you acquired the property 8/24/98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 2 Number and type of stock 2 COWS
 Diversion rate in CFS .04 Number of homes 1 Other uses none
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Donald W. Peters Debra J. Peters 12/18/98
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

C216438

WARRANTY DEED

For Value Received DENNIS L. JAMES AND CINDY A. JAMES, husband and wife

The grantors, do hereby grant, bargain, sell and convey unto
DONALD W. PETERS AND DEBRA J. PETERS, husband and wife.

the grantee s, whose current address is

the following described premises, in CUSTER

County Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee, that they the owner in fee simple of said premises; that they are free
from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: AUGUST 24, 1998

Dennis L. James
DENNIS L. JAMES

Cindy A. James
CINDY A. JAMES

STATE OF IDAHO, COUNTY OF CUSTER

On this 24th day of August, 1998,
before me, a notary public in and for the said State, personally
appeared DENNIS L. JAMES AND CINDY A.
JAMES, husband and wife.

known or identified to me as the persons whose names
subscribed to the within instrument, and acknowledged to me
that they executed the same.

Patsy Kinell
Residing at Challis, Idaho
Comm. Expires 3/12/2004
Notary Public

STATE OF IDAHO, COUNTY OF Custer

I hereby certify that this instrument was filed for record at the
request of Custer County Title

at 5 minutes past 2 o'clock P.M.,
this 24th day of August
1998, in my office, and duly recorded in Book
of Deeds at Page

Ethel M. Peck
Ex-Officio Recorder

By *Wendy Murphy* Deputy.
Fees \$ 3⁰⁰
Mail to:

INSTRUMENT NO.

29
cf.

EXHIBIT "A"

A portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the corner common to Sections 8, 9, 16 & 17, Township 14 North, Range 19 East, Boise Meridian, running thence West along the North boundary line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, 1320 feet to the northwest corner thereof, thence South 0° 03' East, along the West boundary line of said E $\frac{1}{2}$ NE $\frac{1}{4}$, 89.6 feet; thence North 80° 34' East, 326.7 feet, thence South 5° 34' East, 150.2 feet thence South 37° 23' East, 124.4 feet thence South 4° 39' East, 110.5 feet, thence South 17° 34' West, 158.0 feet, thence South 20° 45' East, 309.0 feet to the REAL POINT OF BEGINNING, and running thence South 49° 07' East, 80.53 feet to a point on the North boundary line of existing road right of way; thence South 40° 53' West, 30.0 feet; thence South 49° 07' East, 30.43 feet; thence South 89° 14' West, 281.76 feet; thence North 0° 03' West, 190.15 feet; thence North 89° 14' East, 182.23 feet; thence South 20° 45' East, 100.00 feet to the REAL POINT OF BEGINNING. Subject to an easement 30 feet in width; Commencing at the Section corner to said Sections 8, 9, 16 & 17, thence South, 729.0 feet; thence South 75° 05' West, 775.0 feet; thence North 49° 07' West, 30 feet, more or less, thence returning on a course of 30 feet North and West and parallel to the above right of way boundary.

A parcel of land located in the E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 17, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at the Northeast Corner of said Section 17, a distance of 1193.97 feet on a bearing of South 44° 29' 12" West, thence South 49° 07' 00" East, 80.53 feet to the REAL POINT OF BEGINNING, thence South 49° 07' 00" East, 1.36 feet to a point on the Westerly right of way of county road;
thence a distance of 13.78 feet along a curve concave to the Northeast having a radial of North 74° 21' 00" East, 57.00 feet and a central angle of 13° 51' 17" along said right of way;
thence South 29° 30' 18" East, 177.77 feet along said right of way
thence South 89° 14' 00" West, 372.14 feet;
thence North 00° 03' 00" West, 126.91 feet;
thence North 89° 14' 00" East, 281.76 feet;
thence North 49° 07' 00" West, 30.43 feet;
thence North 40° 53' 00" East, 30.00 feet to the REAL POINT OF BEGINNING.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST SUITE 200
TWIN FALLS ID 83301
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

January 12, 1999

DONALD W PETERS
DEBRA J PETERS
PO BOX 766
CHALLIS ID 83226

RE: SRBA Claim(s) 72-10059
Decreed Water Right 72-10060

Dear Mr. and Mrs. Peters:

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, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

FEB-28-1997
0054

VERIFIED BY

8 2/28/97

RIGHT NUMBER:

72-10060

NAME AND ADDRESS:

DENNIS L JAMES
CINDY A JAMES
PO BOX 308
CHALLIS ID 83226

SOURCE:

GROUNDWATER

QUANTITY:

0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE:

08/20/1980

POINT OF DIVERSION:

T14N R19E S17

NWSENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC 1 HOME

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T14N R19E S17

Within CUSTER County
SENE

OTHER MATTERS 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.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP14N19E170080T

AJ5809NP
No. R72-10060

Stage: BENEFICIAL USE
CUSTER County

Tributary to:

CUSTER COUNTY

ENSENE

T14N R19E S17

point(s) of Diversion:

place of use | legal description for: DOMESTIC

[illegible]

POW County: CUSTER

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP14N19E170080T

Exam Made Date: Verified Date:

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

Objection Filed Date:

Comments: Date: 01/14/1997 User-ID: DSI-PROD Subject: D&S 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit:	06/15/93 SMITH	06/28/93 SMITH	08/03/93 SMITH	03/30/95 POST-STD
	01/14/97 DS1-PROD			

Black & Davis

\$25

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: A72-10060

Date Received: 5-18-92

Receipt No: 6023937 6024182

Received By: hat B

RECEIVED
APR 27 1992

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS L. JAMES 208-879-4258
Address: P.O. BOX 308
CHALLIS, ID 83226

AND/OR

Name: CINDY A. JAMES 208-879-4258
Address: P.O. BOX 308
CHALLIS, ID 83226

2. Date of Priority: AUG 20, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	17	NW	SE	NE		CUSTER

5. Description of diverting works:
WELL, 260' DEEP, 6" CASING, SUBM. PUMP

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		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC ONE HOUSE

A72-10060

Page 1

Date: 11/15/89

MICROFILMED

MAR 19 1993

Copy made for
Ken Dunn
Anna

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	19E	17	SE NE		DOMEST	

11. Place of use in counties: CUSTER

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

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 X 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): Dennis L James Date: 11-15-89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 15th day
of November 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public

My Commission Expires Residing at Boise, Idaho
My Commission Expires December 1, 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
(208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 4, 1992

RECEIVED
MAY 18 1992

Dennis L. James
P.O. Box 308
Challis, ID 83226

RE: Snake River Basin Adjudication (SRBA)
Custer County - #A72-10060 & A72-10059

Department of Water Resources

Dear Mr. James:

As you know, your Request for Extension of Time to File an Adjudication Claim was denied, and you have not paid the required late fee.

We will suspend the processing of your claims for 14 days (May 18, 1992) from the date of this letter until late fees in the amount of \$100.00 (\$50.00 per claim) are paid. Without payment after that time, your claims will be returned and the money you have paid will be refunded. Please enclose a copy of this letter with your late fee.

Please contact this office if you have any questions or concerns.

Sincerely,

Anna Baumhoff
Sr. Water Resource Agent
Adjudication Bureau

ALB:sf:state:south:tf
Enclosure:

Copy of This Letter

MICROFILMED
MAR 19 1993

banie
Two new Basin
12 claims
Hana

RECEIVED
APR 27 1992

Date Received _____

Department of Water Resources

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

DENNIS L. JAMES (208) 879-4258
Name of Claimant Phone Number

P.O. Box 308 Challis ID 83226
Mailing Address City State Zip

CLUSTER 1-12-90
County(s) where place of use is located Date claim originally due

A72-10059 AND A72-10060
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

ON NOVEMBER 15, 1989 I MET WITH MS. HARRINGTON HERE IN CHALLIS
TO FILE CLAIMS FOR WELL AND IRRIGATION ON OUR TWO ACRE PARCEL. AFTER
THE MEETING, I HAD THE MISTAKEN UNDERSTANDING I WOULD BE RECEIVING
SOME ADDITIONAL FORMS TO SUBMIT. MS. BAUMHOFF WAS EXTREMELY HELPFUL AND
INFORMATIVE BOTH IN LETTER AND ON THE PHONE TO FULLY EXPLAIN MY IGNORANCE.
PLEASE ACCEPT MY CHECK, WITH CLAIMS, AND MY THANKS FOR TAKING THE TIME
Claimant requests an extension to _____, 19 _____
TO CONSIDER THIS REQUEST.

Dennis L James 4-21-92, 19 _____
Signature Date of request

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [_____ granted] [X denied] for the following reasons:

Proper notice was mailed to this address on 9/18/89.

and if granted the filing deadline is extended to _____, 19 _____

Signed this 27 day of April, 19 92

DAVID B. SHAW
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED
MAR 19 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

February 13, 1992

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MR. DENNIS JAMES
PO BOX 308
CHALLIS, ID 83226

RE: Snake River Basin Adjudication - Custer County
Notice of Claim #A72-10059 and #A72-10060

Dear Mr. James:

Our records indicate you met with an IDWR agent on November 15, 1989 and a notice of claim to a water right was developed, but has not been filed as of this date.

Enclosed for your convenience is a computer generated notice of claim for each claim number listed above. If the claim(s) represent water rights which you own, and have not otherwise been claimed, these claim(s) must be completed and returned for these rights to be considered by the court in decreeing the water rights for the basin. If you wish to have these rights considered in the SRBA process, please return your notice of claim and filing fees to this office by May 1, 1992.

If the notice of claim correctly describes your water right as you wish to claim it, then all you need to do is:

1. Sign the notice of claim on the signature blanks at the end of the notice and have your signature(s) notarized.
2. Enclose the appropriate filing fees as described below and return to this office.

Since your notice of claim was not received at IDWR by your county deadline, Idaho Code 42-1409(8) requires late fees be assessed at \$50.00 or 15% of the original filing fee, whichever is greater, per claim. If you feel you have a compelling reason for not complying with your county deadline, please contact our office.

The appropriate filing fee for all enclosed notice of claim forms would be \$177.00 (\$77.00 filing fee, plus \$100.00 late fee).

Thank you for your cooperation in this matter. If you have any questions or concerns do not hesitate to contact this office at 1-800-451-4129.

Yours truly,

Anna Baumhoff
Sr. Water Rights Agent

Enc: Notice of Claim
#A72-10059 and #A72-10060

MICROFILMED
MAR 19 1993

WATER RIGHT NUMBER - A72-10060

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (0) NUMBER -

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

*** C - CURRENT OWNER ***
JAMES

DENNIS L.

1 - P.O. BOX 308
2 -
3 -

CITY- CHALLIS
PHONE - 208-879-4258

STATE- ID ZIP- 83226

JAMES

CINDY A.

1 - P.O. BOX 308
2 -
3 -

CITY- CHALLIS
PHONE - 208-879-4258

STATE- ID ZIP- 83226

+ - - - - PRIORITY DATE - - - - +
08/20/1980

+ - - - - REGION - - - - +
17 SOUTHERN

+ - - - - STAGE - - - - +
J - BENEFICIAL USE

+ - - - - STATUS - - - - +

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

+ - - - - TRIBUTARY - - - - - +

+ - - - - POINT OF DIVERSION - - - - - +
COUNTY

STREAM INDEX (BLANK IF NO INDEX CODE)

(37) CUSTER

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

43 - DOMESTIC

01/01 12/31

0.040

+ - - - - TOTAL DIV. RATE - - - - + + - - - - TOTAL DIV. VOLUME - - - - + + - - - - TOTAL CONSUMPTIVE USE - - - - + + - - - - KW USAGE - - - - +
0.040

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

14N 19E 17 SE NE

43 DOMESTIC

(37) CUSTER

+ - - - - DIVERSION MEANS - WELL, 260' DEEP, 6" CASING, SUBM. PUMP

+ - - - - NON-IRRIGATION USE - DOMESTIC ONE HOUSE

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

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

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

+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

MICROFILMED
NOV 7 1994

