

FEB-26-1997
0019

RIGHT NUMBER:

72-10162

NAME AND ADDRESS:

PATSY KINDI
HC 63 BOX 1605
CHALLIS ID 83226

MEYI I ANDERSON
ELAINE E ANDERSON
HC63 BOX 1605
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:

12/31/1962

POINT OF DIVERSION:

T14N R19E S10

SENE

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 S10

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.
A measuring device of a type approved by this Department shall be maintained as a part of the diverting works. Use of water under this water right will be regulated by the watermaster of State Water District No. 722. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP A00010180058A

101

DATE: 01/17/97
PAGE: 56

Comments: Date: 01/14/1997 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE

Objection Filed Date:

Comments: Date: 01/14/1997 User-ID: DS1-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: 06/29/93 SMITH 08/03/93 SMITH 03/30/95 POST-STD 01/14/97 DS1-PROD

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: A72-10162
Date Received: 12/04/1989
Receipt No: M005288
Received By: Jcc

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATSY KINDT
Address: HC 63 BOX 1605
CHALLIS, ID 83226-0000

208-879-4260

2. Date of Priority: DEC 31, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	10	SE	NE			CUSTER

5. Description of diverting works:
WELL AND 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:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	10	SE	NE		DOMEST	

11. Place of use in counties: CUSTER

A72-10162

Page 1

Date: 12/04/89

MICROFILMED
MAR 19 1993

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): Ratay Kindt Date: 12-4-89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 4th day
of December 19 89

Steve O. O.
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

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: **A72-10162**

Date Received: 12/ 4/1989

Receipt No: M005288

Received By: _____

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

1. Name: NEIL I ANDERSON
Address: HC63 BOX 1605
CHALLIS ID 83226

OR

Name: ELAINE C ANDERSON
Address: HC63 BOX 1605
CHALLIS ID 83226

2. Date of Priority: DEC 31, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	19E	10	SE	NE			CUSTER

5. Description of diverting works:
WELL AND 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:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	10	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:
OWNERSHIP CHANGE 5/5/94 BY JG.

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 _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 04/27/94

LEGAL DESCRIPTION OF PROPERTY: Township 14 N. Range 19 E.
Section 10, 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ 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: A72-00018B, A72-10162

☐ Name and Address of Former Owner/Claimant(s)(Seller): PATSY KINDT
HC 63 BOX 1605
CHALLIS ID 83226

☐ New Owner/Claimant (Purchaser): NEIL I. AND/OR ELAINE C. ANDERSON

☐ New Mailing Address: HC 63 BOX 1605
CHALLIS ID 83226

☐ New Telephone Number: () _____ - _____

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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: Warranty Deed

(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) Neil Anderson Date 4-27-94

Elaine C. Anderson Date 4-27-94

☐ Signature of Former Owner/Claimant(s): Patsy Kindt Date 4-27-94

Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5/5/94 By: IG

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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NOV 01 1994

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

CUSTER COUNTY TITLE, INC.
P.O. BOX 370 • CHALLIS, IDAHO 83226
(208) 879-4424 • FAX (208) 879-5249

POOR ORIGINAL

MESSAGE

REPLY

TO

IDWR Southern Region Office
222 Shoshone St. East
Twin Falls, Idaho 83301

RE: Kindt-Anderson

DATE

4-28-94

Dear Sir or Madame:

Enclosed is a water transfer form regarding a sale which recently closed in our office.

Please contact the buyer and seller directly if there are questions.

Thank you,

Della Brower
Della Brower
Secretary

DATE

RECEIVED

APR 30 1994

USDA
Southern Region
Challis, Idaho

SIGNED

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NOV 01 1994

INSTRUCTIONS TO SENDER
YELLOW COPY - 2 SET/ID WHITE AND PINK COPIES INTACT
Item #11810 The Drawing Board, Dallas, Texas 75266-0429
Welding Group, Inc. 1982

INSTRUCTIONS TO RECEIVER
1. WRITE REPLY 2. DETACH STUB, KEEP PINK COPY, RETURN WHITE COPY TO SENDER

WARRANTY DEED

FOR VALUE RECEIVED, PATSY LEE KINDT, an unmarried woman, the Grantor, does hereby Grant, Bargain, Sell and Convey unto NEIL I. ANDERSON and ELAINE C. ANDERSON, husband and wife, the Grantees, whose current address is HC 63, Box 1605, Challis, ID 83226, the following described premises, in Custer County, Idaho, to-wit:

SEE EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all incumbrances save and excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho, and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: April 27, 1994.

Patsy Lee Kindt
Patsy Lee Kindt

STATE OF IDAHO)
 : ss.
County of Custer)
On this 27th day of
April, 1994, before
me, a Notary Public, personally appeared PATSY LEE KINDT, an unmarried woman, _____
known or identified to me
to be the person(s) whose
name(s) are subscribed to
the within instrument, and
acknowledged to me that
she executed the same.

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at the request of Custer County Title at 45 minutes past 4 o'clock P.M., this 27 day of April, 1994, in my office, and duly recorded in Book _____ of Deeds at page _____.

Ethel M. Peck

Ex-Officio Recorder

BY

Mary Sheen
Deputy

Fee: \$ 6.00
Mail to:

Dorothy Brower
Notary Public
Residing at Clayton Id
Commission Expires 7/6/99

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EXHIBIT "A"

Commencing at the Southwest corner of the SE1/4NE1/4, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho; thence N.0°05'43"E., 214.33 feet to the Point of Beginning of this description; thence N.15°04'07"W., 148.76 feet; thence N.22°27'30"W., 28.31 feet; thence N.32°18'10"W., 78.94 feet; thence N.35°45'59"W., 71.08 feet; thence N.38°29'41"W., 61.06 feet; thence N.39°56'22" W., 69.43 feet; thence N.9°33'19"W., 46.58 feet to the South side of a County Road; thence N.81°28'00"E., 226.83 feet on and along the South side of said Road to the Northwest of the Kindt's land; thence S.0°05'43"W., 474.83 feet on and along the West line of said Kindt land to the Point of Beginning and containing 1.07 acres, more or less.

Beginning at the Southwest corner of the Hoggan Tract, as shown on the record of survey recorded April 6, 1982, in Custer County, Idaho, instrument No. 162962, said point also being the Southwest corner of the SE1/4NE1/4, Section 9, Township 14 North, Range 19 East, Boise Meridian, Custer County, Idaho, running thence South 89°33'27" East along the East-West centerline of said Section 9, 585.75 feet; thence North 0°05'43" East, 823.73 feet to the South right-of-way line of a county road; thence South 73°10'00" West, 237.51 feet to a point of curve said curve having a radius of 1225.00 feet, a delta of 10°10'20" and a chord of South 78°15'10" West, 217.20 feet; thence to the right along said curve 217.48 feet; thence South 83°20'20" West, 146.97 feet to the West line of the SE1/4NE1/4 of said Section 9; thence South 0°05'43" West, 689.16 feet to the Point of Beginning.

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SD-0601-2

Last Name: KINDT

STATE

Serial	First Name	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
1	John	12345	1980-01-01	Well	100	01	Domestic
2	Jane	67890	1985-06-15	Stream	50	02	Irrigation
3	Bob	11111	1990-03-10	Canal	200	03	Industrial
4	Alice	22222	1995-09-20	Lake	75	04	Municipal
5	Charlie	33333	2000-11-05	Pond	30	05	Recreation

KINDT

PATSY	C A72-00018B	05/01/1879	CHALLIS CRE	0.200	01	IRR
PATSY	C A72-10162	12/31/1962	GROUNDWATER	0.040	43	DOMEST
PATSY	C R72-10162	12/31/1962	GROUNDWATER	0.040	43	DOMEST
PATSY	C R72-00018B	05/01/1879	CHALLIS CRE	0.140	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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NOV 01 1994

END OF DATA

FIRST PAGE

Office	Reg	Location	Type-Description	Date
-----	---	-----	-----	-----
SOUTHAI	S	RR	Review Complete	04/11/94
WORSTELL	S	RR	Review Complete	12/06/93
WORSTELL	S	CIX	Field Exam Review	10/22/93
WORSTELL	S	CIN	Pending Claim Review	10/28/92

(Enter=Cont) (GOLD4=Prev Scr) (GOLD5=Next Scr) (GOLD6=End of Data) (GOLD8=Exit)

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NOV 01 1994

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE

September 23, 1997 11:53am

CUSTOMER

LINDA HOGAN

SUBJECT: A72-00018B,-10162

phone call (X) walk-in (.)

She requested the profile reports of the above claims. Also, I sent her the latest change of water right ownership (1994).

Faxed all to her at Cabin Creek Realty (209)879-5595.

January 27, 1998

MEMO TO FILE

Re: Claim Nos. A72-00018B and A72-10162

From: Trish Fawcett

We received an ownership change November 14, 1997, requesting we change owners on the above two claims from Neil and Elaine Anderson to Darryl and Amy Gowan. While verifying the legal description of the two claims against the legal description in the warranty deed, I found the legal of A72-10162 was not listed in the warranty deed submitted by the Gowans.

I phoned Chris James, the Custer County Assessor, on November 20, 1997, and asked her if the parcel number listed in A72-10162 had been purchased by the Gowans. She said that this particular parcel was Patsy Kindt's business and that it had not been sold and its correct parcel number is RP A0001018005BA.

WATER RIGHT NUMBER - A72-10162

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

*** C - CURRENT OWNER ***
KINDT

PATSY

1 - HC 63 BOX 1605

2 -

3 -

CITY- CHALLIS

PHONE - 208-879-4260

STATE- ID ZIP- 832260000

+ - - PRIORITY DATE - - +
12/31/1962

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

+ - - - - STAGE - - - +

+ - - - - STATUS - - - - +

J - BENEFICIAL USE

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

+ - - - - - - - - - +

+ - - - - - - - - - +

+ - - - - - - - - - +

+ - - - - - - - - - +

+ - - - - - - - - - +

+ - - - - - - - - - +

STREAM INDEX (BLANK IF NO INDEX CODE)

14N 19E 10 SE NE (37) CUSTER

+ - - - - - - - - - +

+ - - - - - - - - - +

+ - - - - - - - - - +

43 - DOMESTIC

01/01

12/31

0.040

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

0.040

0.0

+ - - - - - - - - - +

+ - - - - - - - - - +

+ - - - - - - - - - +

TWN 14N

RNG 19E

SEC 10

TRACT SE NE

LOT

ACRES

PLACE OF USE

DESCRIPTION

COUNTY

14N 19E 10 SE NE

43 DOMESTIC

(37) CUSTER

+ - - DIVERSION MEANS - WELL AND PUMP

+ - - NON-IRRIGATION USE - D/I HOUSE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - - - - - +

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R01

- A MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL

- BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

R04

- USE OF WATER UNDER THIS WATER RIGHT WILL BE REGULATED BY THE

- WATERMASTER OF STATE WATER DISTRICT NO. 43

R02

- A LOCKABLE DEVICE SUBJECT TO THE APPROVAL OF THE DEPARTMENT SH

- SHALL BE MAINTAINED ON THE DIVERTING WORKS IN A MANNER THAT WILL

- PROVIDE THE WATERMASTER SUITABLE CONTROL OF THE DIVERSION.

MICROFILMED
NOV 01 1994

