

10/10/2000

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

RIGHT NUMBER: 72-10290

NAME AND ADDRESS: MARK FITZGERALD
MELISSA FITZGERALD
HC 68 BOX 306
CLAYTON, ID 83227

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 03/01/1981

POINT OF DIVERSION: T11N R18E S35 SWNW Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE:

DOMESTIC Within CUSTER County
T11N R18E S35 SWNW

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.

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. RP11N18E353622A

Water Right Number - R72-10290

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

FITZGERALD	MELISSA	1 - HC 68 BOX 306 2 - 3 - City- CLAYTON State- ID Zip- 83227 Phone - 208-000-0000
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FITZGERALD	MARK	1 - HC 68 BOX 306 2 - 3 - City- CLAYTON State- ID Zip- 83227 Phone - 208-000-0000
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*** O - ORIGINAL OWNER ***

WOOLLEY	BRETT	1 - PO BOX 23 2 - 3 - City- STANLEY State- ID Zip- 83278 Phone - 208-774-2208
PHILLIPS	GERALDINE	1 - 2 - 3 - City- CLAYTON State- ID Zip- 83227 Phone - 208-838-2396

+ - - Priority Date - - +	+ - - - Region - - - +	+ - - - Stage - - - +	+ - - - Status - - - - +
03/01/1981	17 SOUTHERN	J - BENEFICIAL USE	

+ - - - - Source - - - - - +	+ - - - - Tributary - - - - - +
GROUNDWATER	

+ - - - - Point of Diversion - - - - - +						
Twn	Rng	Sec	Tract	Lot	RFlg	County
11N	18E	35	SW NW		(37)	CUSTER

+ - - - - Water Use - - - - - +						
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
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	

+ - - - - Place of Use - - - - - +						
Twn	Rng	Sec	Tract	Lot	Acres	County
11N	18E	35	SW NW		43 DOMESTIC	(37) CUSTER

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use - 1 HOME

Run with it

Prefix Translation: RESEARCH

[illegible]

+ - - - -	Old Water Right Numbers	- - - - +
-----------	-------------------------	-----------

+ - - - - - Conditions of Approval - - - - - +

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

+-----Comments-----

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 04/27/1998	Old Judicial District	-
Claim Received Date	- 01/08/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- C013862	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

APR 22 1998

Department of Water Resources
Southern Region

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: A72-10290
Date Received: 1/ 8/1990
Receipt No: C013862
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: MARK T FITZGERALD 208-838-2672
Address: HC 68 BOX 306
CLAYTON ID 83227

AND/OR

Name: MELISSA P FITZGERALD 208-838-2672
Address: HC 68 BOX 306
CLAYTON ID 83227

2. Date of Priority: MAR 1, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	18E	35	~~NE~~	~~NE~~	~~SW~~		CUSTER

5. Description of diverting works: *MPF* *MPF*
WELL, 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
11N	18E	35	~~NE~~ ~~SW~~ SW NW		DOMEST	

11. Place of use in counties: CUSTER *✓ MTF*

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

13. Other Water Rights Used:
NONE

14. Remarks:

CHANGE OF OWNERSHIP COMPLETED BASED UPON A SUBMITTED FORM 1409(6)
AND PHONE CONVERSATIONS WITH THE FORMER OWNERS. THE QUARTER/
QUARTER IS INCORRECT AND REQUIRES AN AMENDMENT TO CORRECT.
KKC 4-6-98.

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): *William L. L. Fitzgerald* Date: *4/20/98*
Mark Fitzgerald Date: *4/20/98*

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of April 19 98

[Signature]
Notary Public

Seal

Residing at Stanley, Idaho

My Commission Expires 9-13-99

Kelly K. Christensen
State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-330

RECEIVED

APR 22 1998

Idaho Department of Water Resources
Southern Region

April 20, 1998

Re: Notice of Claim to Water Right # A72-10290

Dear Kelly,

As per our phone conversation today, I have enclosed the notarised "Notice of Claim" Form. Sorry for the delay, but as I mentioned Notarys are few and far between. I hope that this will assist the completion of this process. I thank you for all you help.

Sincerely,



Melissa Perkins Fitzgerald
HC 68, Box 306
Clayton, ID 83227
(208) 838-2672



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 7, 1998

MARK FITZGERALD
HC 68 BOX 306
CLAYTON ID 83226

RE: CHANGE OF OWNERSHIP FOR A72-10290

Dear Mark

I have completed the change of ownership for the above claim based upon your change of ownership form and conversations with the former owners.

There is a problem with the place of use. The warranty deed identifies the place of use as;

part in, TNS 11N; RNG 18E; SEC 35; SW $\frac{1}{4}$ NW $\frac{1}{4}$ B.M.

part in, TNS 11N; RNG 18E; SEC 35; SE $\frac{1}{4}$ NW $\frac{1}{4}$ B.M.

The claim identifies

the P/U as; TNS 11N; RNG 18E; SEC 35; NE $\frac{1}{4}$ SW $\frac{1}{4}$ B.M.

The correct legal description depends on the location of the well and home. If they are located in the northwest segment of the property, then the first legal description is correct. If they are located in the southeast segment, then the second legal is correct. The claim needs to be amended to correct this problem.

I have enclosed a claim form identified as an 'AMENDED' claim that has the current (and incorrect) data. Once the correct legal description has been determined for both the point of diversion and the place of use, please cross out the incorrect data and write in the correct data, (initialing the changes). I have also enclosed a copy of the plat map submitted with the change of ownership and I have identified the northwest and southeast segments as described above. Once the changes have been made to the claim you need to sign the claim form before a notary.

If my explanation is not clear please give me a call.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

SCANNED IMAGE OF PLAT MAP FOR PLACE OF USE FOR:
A72-10290

QUARTER/
QUARTER
LINE

SEC 35,
SWNW

SEC 35,
SENW

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 Kelly K Christensen

CUSTOMER:
GERALDINE PHILLIPS 879-5997

DATE: April 7, 1998 11:39 am

SUBJECT: CHANGE OF OWNERSHIP FOR A72-10290
phone (X) walk-in()

I called the Wooleys and discussed the property conflict. He referred me to his mother, as listed above. He indicated that she is in Boise but will be back Thurs Apr. 9 or Fri Apr. 10 and that I could call her at that time.

He felt that the only home owned by his mother went to the Fitzgeralds and that no other home exists that could be associated with that claim.

RECEIVED

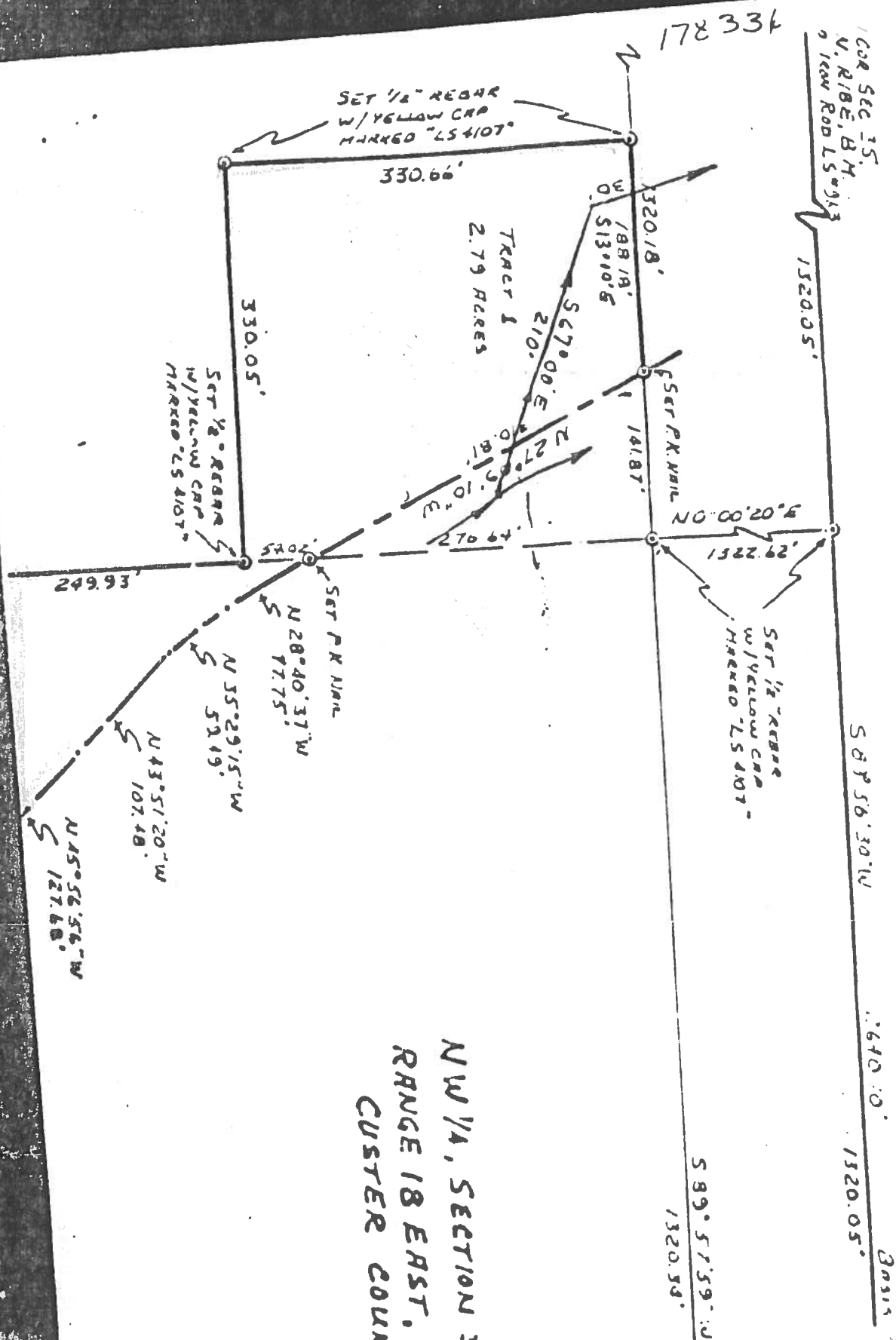
FEB 12 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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).: _____
Adjudication Claim No(s).: A72-10290
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 until 6/96 Laron D. Loynd until 1997 (Geraldine) Teri Woolley Phillips sp!
HC 67, Box 2097 (address unknown)
4. New Owner/Claimant(s) Challis, ID 83226 Challis, ID 83226
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address Mark T. & Melissa P. Fitzgerald
City, State and ZIP Code HC 68 Box 306, Clayton, ID 83227
New Telephone Number (208) 838-2672
5. Date you acquired the property 6/4/96
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 _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
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) Mark Fitzgerald
Melissa P. Fitzgerald
(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..



(DESCRIPTION)

A fractional parcel of land in the NW 1/4 of Section 35, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, and more particularly described as: Commencing at the Northwest corner of said Section 35; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section to the NW 1/16th corner; thence South 0°00'20" West, 1322.62 feet to the NW center 1/16th corner; thence South 89°57'59" West, 141.87 feet to the Point of Beginning of this description and the center of a County Road; thence continuing South 89°57'59" West, 188.18 feet to a 1/2" rebar marked L.S. 4107; thence South 0°00'20" West, 330.66 feet to another 1/2" rebar; thence North 89°57'59" East, 330.05 feet to another 1/2" rebar marked L.S. 4107; thence South 0°00'20" West, 249.93 feet to another 1/2" rebar and the Northwest corner of Tract No. 2; thence North 84°57'26" East, 239.04 feet to the Northeast corner of Tract 2 and the center of said County Road; thence the following 5 courses on and along said County Road North 45°56'56" West, 127.68 feet; thence North 43°51'20" West, 107.48 feet; thence North 35°29'15" West, 59.49 feet; thence North 28°40'37" West, 77.75 feet; thence North 27°09'10" West, 310.81 feet to the Point of Beginning.



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 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK AND MELISSA FITZGERALD
HC 68 BOX 306
CLAYTON ID 83226

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A72-10290

Dear Mr. and Mrs. Fitzgerald:

Thank you for your call of February 2 inquiring about the status of your ownership change on the above referenced adjudication claim. Kelly Christensen has asked me to respond.

The warranty deeds you submitted last year are sufficient to document you do indeed own the property described in adjudication claim A72-10290. However, we still need a plat or survey map along with your signatures before the change can be completed.

I am enclosing a Notice of Change of Water Right Ownership form. Please complete items 3 and 4, attach the plat or survey map and sign where highlighted under item 7 and return the entire packet to me in the enclosed self-addressed envelope. As soon as I receive this information, I will update our records and notify you by mail when the changes have been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

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 Kelly K Christensen

CUSTOMER:
MELISSA FITZGERALD
HC 68 BOX 306
CLAYTON ID 83227

DATE: February 2, 1998 11:32 am

SUBJECT: CHANGE OF OWNERSHIP FOR A72-10290
phone (X) walk-in()

She called to check the status of the change of ownership for this right. It appears that no change has occurred since February of last year. She asked that new paperwork be sent to her.



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 24, 1997

MARK FITZGERALD
HC 68 BOX 306
CLAYTON ID 83227

RE: CHANGE OF OWNERSHIP FOR A72-10290

Dear Mark

The warrants were sufficient to establish that you did indeed purchase the property described in this claim. However, as this claim represents a pleading in the Snake River Basin Adjudication, your or your wife's signature is required before I can update the record to show you as current owner.

I have enclosed a partly completed change of ownership form with three entries highlighted. Please complete those areas and return the form to me.

I apologize for not informing you of the signature requirement.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosure

elly,

ref: A72-10290

Hope this is what you needed

would like it to read, if possible
ark and for Melissa and our address is:

Mark + Melissa Fitzgerald

HC 68 BOX 306

Clayton, Id 83227

Thanks

Mark

FEB 18 1997

FEB 18 1997

Warranty Deed

Department of Water Resources

THIS WARRANTY DEED is made on this 4th day of June, 1996, between the GRANTORS, LAVON D. LOYND AND JAN TAYLOR LOYND, husband and wife of Custer County, Idaho, owners in fee simple of the below described property;

WE HEREBY GRANT, BARGAIN, SELL and CONVEY unto the Grantees, MARK T. FITZGERALD and MELISSA PERKINS FITZGERALD, husband and wife, of P.O. Box 73, Stanley, Idaho 83278, GRANTEES, the following described premises located in Custer County, State of Idaho, to wit:

PROPERTY DESCRIPTION

PARCEL 1: A fractional parcel of land in the NW 1/4 of Section 35, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, and more particularly described as: Commencing at the Northwest corner of said Section 35; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section to the NW 1/16th corner; thence South 0°00'20" West, 1322.62 feet to the NW center 1/16th corner; thence South 89°57'59" West, 141.87 feet to the Point of Beginning of this description and the center of a County Road; thence continuing South 89°57'59" West, 188.18 feet to a 1/2" rebar marked L.S. 4107; thence South 0°00'20" West, 330.66 feet to another 1/2" rebar, thence North 89°57'59" East, 330.05 feet to another 1/2" rebar marked L.S. 4107; thence South 0°00'20" West, 249.93 feet to another 1/2" rebar and the Northwest corner of Tract No. 2; thence North 84°57'26" East, 239.04 feet to the Northeast corner of tract 2 and the center of said County Road; thence the following 5 courses on and along said County Road North 45°56'56" West, 127.68 feet; thence North 43°51'20" West, 107.48 feet; thence North 35°29'15" West, 59.49 feet; thence North 28°40'37" West, 77.75 feet; thence North 27°09'10" West, 310.81 feet to the Point of Beginning.

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof but subject to the easement in favor of J-P Ranch, Inc., for ditch maintenance as previously recorded (#178336) and contained in the deed of September 15, 1986.

TO HAVE AND TO HOLD, the said premises, together with the appurtenances, unto the said Grantees and their heirs and assigns forever. The Grantors shall and do warrant and by these presents now attest that said property is free from all encumbrances and will forever defend the said premises in the quiet and peaceful possession of the Grantees and their heirs and assigns against all and every person and persons who lawfully claim a title to the property.

IN WITNESS WHEREOF, the said Grantors have signed this deed and have executed and delivered this document on this 4th day of June, 1996, in the presence of a notary public for Idaho, while being under oath:

Lavon D. Loynd and *Jan Taylor Loynd*
Lavon D. Loynd and Jan Taylor Loynd, Grantors

SUBSCRIBED AND SWORN TO BEFORE ME by the above named Grantors who are known to me or proven to me to be the persons whose names are subscribed to the within instrument:

Charles D. [Signature]
Notary Public for Idaho, Residing at:

Charles, ID
Custer County

Commission Exp: 7/27/98

0211169

Custer County Reg. of
Cabin Creek Realty

3:11 P.M.

6:4 1996
Emel M. Peck, CLK
Barbara C. [Signature]
600
Deputy

Warranty Deed

0209571

THIS WARRANTY DEED is made on this 9th day of September, 1995, by GERALDINE M. (WOOLLEY) PHILLIPS and CLAUDE M. PHILLIPS, husband and wife, owners and Co-Trustees of the Claude and Geraldine Phillips Trust Agreement dated June 17, 1992, the Grantors and owners in fee simple of the below described property:

THE GRANTORS HEREBY GRANT, BARGAIN, SELL and convey unto JAN T. LOYND and LAVON D. LOYND, husband and wife, the Grantees, the following described premises located in Custer County, Idaho, to wit:

PROPERTY DESCRIPTION

PARCEL 1: A fractional parcel of land in the NW 1/4 of Section 35, Township 11 North, Range 18 East, Boise Meridian, Custer County, Idaho, and more particularly described as: Commencing at the Northwest corner of said Section 35; thence North 89°56'30" East, 1320.05 feet on and along the North line of said Section to the NW 1/16th corner; thence South 0°00'20" West, 1322.62 feet to the NW center 1/16th corner; thence South 89°57'59" West, 141.87 feet to the Point of Beginning of this description and the center of a County Road; thence continuing South 89°57'59" West, 188.18 feet to a 1/2" rebar marked L.S. 4107; thence South 0°00'20" West, 330.66 feet to another 1/2" rebar, thence North 89°57'59" East, 330.05 feet to another 1/2" rebar marked L.S. 4107; thence South 0°00'20" West, 249.93 feet to another 1/2" rebar and the Northwest corner of Tract No. 2; thence North 84°57'26" East, 239.04 feet to the Northeast corner of tract 2 and the center of said County Road; thence the following 5 courses on and along said County Road North 45°56'56" West, 127.68 feet; thence North 43°51'20" West, 107.48 feet; thence North 35°29'15" West, 59.49 feet; thence North 28°40'37" West, 77.75 feet; thence North 27°09'10" West, 310.81 feet to the Point of Beginning.

TOGETHER, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof but subject to the easement in favor of J-P Ranch, Inc. for ditch maintenance as previously recorded (#178336) and contained in the deed of September 15, 1986.

TO HAVE AND TO HOLD, the above described property unto the said GRANTEES, and to their heirs and assigns forever. The Grantors hereby warrant and by these presents will forever defend the said premises in the quiet and peaceful possession of the Grantees and the Grantees' heirs and assigns against all and every person and persons whomsoever lawfully claiming the same and now attest that said property is free from all encumbrances.

STATE OF IDAHO
NOTARY PUBLIC
County of Custer

IN WITNESS WHEREOF, the said GRANTORS have signed this deed and have Executed and Delivered this document on this 9 day of September, 1995 in the Presence of a notary public for Idaho, while being under oath:

Geraldine M. Phillips
Geraldine M. Phillips

Claude M. Phillips
Claude M. Phillips

SUBSCRIBED AND SWORN TO BEFORE ME, by the above named GRANTORS who are personally known to me, the undersigned Notary Public for Idaho:

Alinda J. Nogger
Notary for Idaho, Residing at: Challis
Commission Exp: 7/27/98

DATE: 01/17/97
PAGE: 60

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.

Verified Date:

Field Inspection Flag:

Presumption Flag:

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.

Comments: Date: 01/14/1997 User-ID: DS1-PROD Subject: D&S 1 HOME UPDATE
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Audit: 07/01/93 SMITH 07/07/93 SMITH 03/30/95 POST-STD 01/14/97 DS1-PROD

2-10-97 Geraldine Phillips - 879-5997

1. noted no box no for. Geraldine Phillips
2. called 838-2396 (# disconnected)
3. called 774-2208 & talked to Tracy Woolley
she stated that the prop has been sold. New owners are
Mark & Missy Fitzgerald. they are the 2nd owners of the Phillips
Geraldine now lives in Challis. # 879-5997.
4. Called Fitzgerald @ 838-2672 left msg on machine.
5. Mark returned call. I explained necessity of ownership change
& process. He indicated that he would contact court house to
obtain warranty deed trail & return them to the dept.

KKC - 2-10-97

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: A72-10290

Date Received: 12/11/1989

Receipt No: C013862

Received By: J. Davison

RECORDED
JAN 8 1990

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERALDINE PHILLIPS 208-838-2396
Address: CLAYTON, ID 83227
AND/OR
Name: BRETT WOOLLEY 208-774-2208
Address: BOX 23
STANLEY, ID 83278

2. Date of Priority: MAR 01, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	18E	35	NE	NE	SW		CUSTER

5. Description of diverting works:
WELL, 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

A72-10290

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Date: 12/11/89

MICROFILMED
MAR 19 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	18E	35	NE SW		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 ☒ 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): *Scott W. Valley* Date: 12-11-89

Date: _____

State of Idaho)
County of tf) SS.

Subscribed and sworn (or affirmed) before me this 11 day
of Dec 19 89
Lois W. White
Notary Public

Seal

Residing at tf
My Commission Expires 5/94

