

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 37-20546
Date Received: 10/5/2001
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT J MEYERS Phone: (208)733-4952
3024 WOODRIDGE DR
TWIN FALLS ID 83301

KATHI L MEYERS Phone: (208)733-4952
3024 WOODRIDGE DR
TWIN FALLS ID 83301

2. Date of Priority: 05/15/1899

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	15E	15	NE NW NE	GOODING	

5. Description of diverting works:

DIVERSION DAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.95	

7. Total Quantity Appropriated is:
0.95 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
05S	15E	20	SW	NE		IRRIGATION	2
			SW	NW		IRRIGATION	35
			SE	NW		IRRIGATION	35
						Section Acres	72
						Total Acres	72

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

10/5/01 tf; this claim is a portion of 37-133A per 1409(6) and deeds received 6/22/01.

15. Basis of Claim: Decreed



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

SOUTHERN REGION

October 5, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD D FLYNN
MARILYN FLYNN
1956 E 1550 S
GOODING ID 83330

RE: SRBA Claim(s) 37-133A and 37-868

Dear Claimants:

Pursuant to the notification that you sold a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims. Your portion has been renumbered to A37-20545 and A37-20547, while the portion you sold to the Meyers was numbered A37-20546 and A37-20548.

Enclosed please find your copies of the computer generated claims. Review these documents and should you have any questions or corrections, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

enc.

cc: Robert and Kathi Meyers

Form 62 248412-1 (NP) (6) July, 2000

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.

RECEIVED
JUN 22 2001
 Department of Water Resources
 Southern Region

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
37-133A		X			
37-868		X			

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) Marilyn Flynn and Richard D. Flynn
1956 E 1550 S, Gooding, ID 83330
4. New Owner/Claimant(s) Robert J. Meyers and Kathi L. Meyers
 Name Connector (Check one): [] and, [] or, [] and/or
 New Mailing Address 3024 Woodridge Dr.
 City, State and ZIP Code Twin Falls, ID 83301
 New Telephone Number ()
5. Date you acquired the property _____

Form 42-34842-1-097(4) July, 2000

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 <u>37-133A</u> <u>.95cfs</u>		
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 <u>37-868</u> <u>.64 cfs</u>		
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)

Robert J. Meyers
Robert J. Meyers
Kathi L. Meyers
Kathi L. Meyers

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 <u>[Signature]</u>	Date <u>4/22/01</u>	Fee <u>[Signature]</u>	
Received by <u>[Signature]</u>	Date <u>10/5/01</u>	Receipt No. _____	
Processed by <u>[Signature]</u>		WR _____	Date _____

WARRANTY DEED

#GG-02746

Instrument # 190987 *Rerecorded*
 GOODING, GOODING, IDAHO
 2001-06-25 11:33:40 No. of Pages: 2
 Recorded for: LAND TITLE
 HELEN EDWARDS Fee: 6.00
 Ex-Officio Recorder Deputy *Helen Edwards*
 Index to: DEED, WARRANTY

For Value Received

Joe D. Storey and Nancy E. Storey, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Robert J. Meyers and Kathi L. Meyers, husband and wife
 Address: 3024 Woodridge Dr., Twin Falls, ID 83301

RECEIVED

JUN 29 2001

Department of Water Resources
Southern Region

Hereinafter called the Grantee, the following described premises situated in Gooding County, Idaho, to-wit:

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING COUNTY, IDAHO

Section 20: SW $\frac{1}{4}$ NW $\frac{1}{4}$ and that part of the ~~SE $\frac{1}{4}$ NW $\frac{1}{4}$~~ ^{SE $\frac{1}{4}$ /4NW $\frac{1}{4}$} and that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, lying West of the following described line, described as follows:

Commencing at the West quarter corner of Section 20;
 Thence South 89°21'35" East, 2020.01 feet to the TRUE POINT OF BEGINNING;
 Thence North 0°04'15" West, 25.00 feet to a point on the North County Road Right of Way intersecting with a culvert of the old "Ray Harding Ditch";
 Thence North 34°17'18" East, 180.83 feet to a point;
 Thence North 42°55'39" East, 57.64 feet to a point;
 Thence North 53°58'38" East, 119.12 feet to a point;
 Thence North 45°33'36" East, 217.51 feet to a point;
 Thence North 41°10'03" East, 243.64 feet to a point;
 Thence North 38°00'00" East, 118.00 feet to a point;
 Thence North 14°27'52" West, 42.00 feet to a point;
 Thence North 34°49'29" East, 169.46 feet to a point;
 Thence North 21°13'01" East, 97.38 feet to a point;
 Thence North 9°27'23" East 285.00 feet to a point;
 Thence South 89°25'15" East, 68.82 feet to a point at the approximate center of the "Union Lateral" Canal;
 Thence North along the center of the "Union Lateral" Canal to the North boundary of the SW $\frac{1}{4}$ NE $\frac{1}{4}$;

SUBJECT TO:

Instrument # 190876
 GOODING, GOODING, IDAHO
 2001-06-15 01:33:01 No. of Pages: 2
 Recorded for: LAND TITLE
 HELEN EDWARDS Fee: 6.00
 Ex-Officio Recorder Deputy *Henry Archibald*
 Index to: DEED, WARRANTY

All reservations in patents or deeds in the chain of title.

Taxes for 2001 and subsequent years, taxes are an accruing lien, not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Right of Way Deed by and between Salem Carpenter and Hannah Carpenter, his wife and Idaho Irrigation Company, Limited, a corporation dated May 9, 1910, recorded October 10, 1911 in Book 20 at Page 386 as Instrument Number 24172, Gooding County records, affecting SE $\frac{1}{4}$ NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 5 South, Range 15, E.B.M.

Easement to construct, operate, maintain, replace and remove a communication systems given by the Big Wood Canal Company to the American Telephone and Telegraph Company of Wyoming dated September 1, 1941, recorded January 5, 1942 in Book 5 of Miscellaneous at Page 43 as Instrument Number 82563, Gooding County records, affecting Section 20, Township 5 South, Range 15, E.B.M.

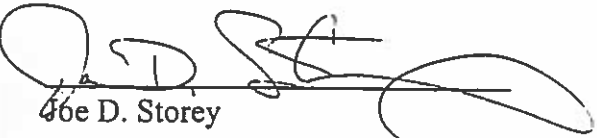
Power Line Easement given by Richard D. Flynn and Marilyn C. Flynn, his wife to Idaho Power Company,

a corporation, dated November 16, 1972, recorded April 5, 1973 as Instrument Number 044943, Gooding County records, affecting the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20, Township 5 South, Range 15, E.B.M.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 36.00 shares of Stock in Big Wood Canal Company, 39 acres of American Falls No. 2 water (2.0 acres of River %59 and 37 acres of River %79) and also including but not limited to .95 cfs of Water Right No. 37-133A with priority date 05-15-1899 and .64 cfs of Water Right No. 37-868 with priority date of 02-10-1906.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 15, 2001


Joe D. Storey

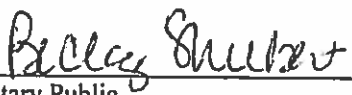

Nancy E. Storey

STATE OF IDAHO)

) ss.

COUNTY OF Gooding)

On this 15th day of June, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Joe D. Storey and Nancy E. Storey, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public

Residing at: Wendell, ID

My Commission expires: 02-03-05

Becky Shubert
Notary Public
State of Idaho

Re-recorded to correct legal description
QUITCLAIM DEED

GG-02746

For Value Received

RICHARD D. FLYNN and MARILYN C. FLYNN, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

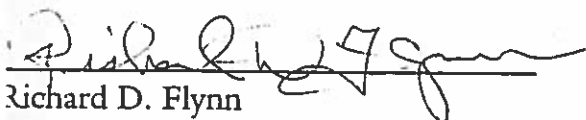
JOE D. STOREY AND NANCY E. STOREY, husband and wife
ADDRESS: 1554 South 2000 East, Gooding, ID 83330

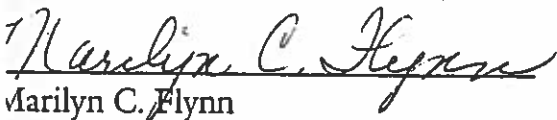
Hereinafter called the grantee, the following described premises, in Gooding County, Idaho to-wit:

See attached EXHIBIT A

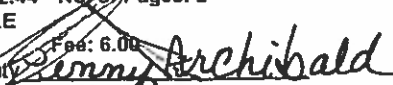
TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: June 15, 2001


Richard D. Flynn


Marilyn C. Flynn

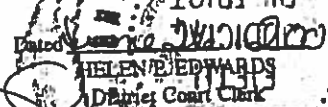
Instrument # 190875

GOODING, GOODING, IDAHO
2001-06-15 01:32:44 No. of Pages: 2
Recorded for: LAND TITLE
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder Deputy 
Index to: DEED, QUIT-CLAIM

STATE OF IDAHO

COUNTY OF GOODING

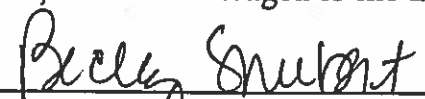
I hereby certify that the foregoing is a true copy
of the original instrument on file in my office.

Dated: 
HELEN EDWARDS
Deputy Court Clerk

By 
Deputy Clerk

STATE OF IDAHO)
) ss.
COUNTY OF Gooding)

On this 15th day of June, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard D. Flynn and Marilyn C. Flynn, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public Wendell, ID
Residing at: 822305
My Commission expires:

Instrument # 191008

GOODING, GOODING, IDAHO
2001-06-26 02:01:03 No. of Pages: 2
Recorded for: LAND TITLE
HELEN EDWARDS Fee: 6.00
Ex-Officio Recorder 

Re-Recorded

Becky Shubert
Notary Public
State of Idaho

EXHIBIT A

TOWNSHIP 5 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN, GOODING
COUNTY, IDAHO

SE1/4NW1/4

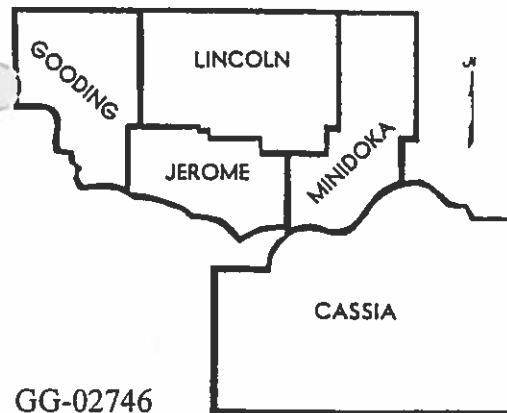
Section 20: SW1/4NW1/4 and that part of the ~~SE1/4NE1/4~~ and that part of the SW1/4NE1/4, lying
West of the following described line, described as follows:

Commencing at the West quarter corner of Section 20;
Thence South 89°21'35" East, 2020.01 feet to the TRUE POINT OF
BEGINNING;
Thence North 0°04'15" West, 25.00 feet to a point on the North County Road
Right of Way intersecting with a culvert of the old "Ray Harding Ditch";
Thence North 34°17'18" East, 180.83 feet to a point;
Thence North 42°55'39" East, 57.64 feet to a point;
Thence North 53°58'38" East, 119.12 feet to a point;
Thence North 45°33'36" East, 217.51 feet to a point;
Thence North 41°10'03" East, 243.64 feet to a point;
Thence North 38°00'00" East, 118.00 feet to a point;
Thence North 14°27'52" West, 42.00 feet to a point;
Thence North 34°49'29" East, 169.46 feet to a point;
Thence North 21°13'01" East, 97.38 feet to a point;
Thence North 9°27'23" East 285.00 feet to a point;
Thence South 89°25'15" East, 68.82 feet to a point at the approximate center of
the "Union Lateral" Canal;
Thence North along the center of the "Union Lateral" Canal to the North boundary
of the SW1/4NE1/4;

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant
thereto, including but not limited to 36 shares of Stock in Big Wood Canal Company, and 39
acres of American Falls No. 2 (2.0 acres of River %59 and 37 acres of River %79) and also
including but not limited to .95 cfs of Water right No 37-133A with priority date 05-15-1899 and
.64 cfs of Water Right No 37-868 with priority date 02-10-1906.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



June 28, 2001

REFER TO:
OFFICE:

GG-02746
Gooding

Idaho Department of Water Resources
1341 Fillmore Street, Ste 200
Twin Falls, ID 83301

RECEIVED

JUN 29 2001

Department of Water Resources
Southern Region

RE: Storey/Meyers

Dear Cory:

Please find enclosed copies of the re-recorded deeds for your information. We sent the split information to you on June 21, 2001.

If you have any questions, please do not hesitate to call.

Very Truly Yours,

LAND TITLE AND ESCROW, INC.

Becky Shubert

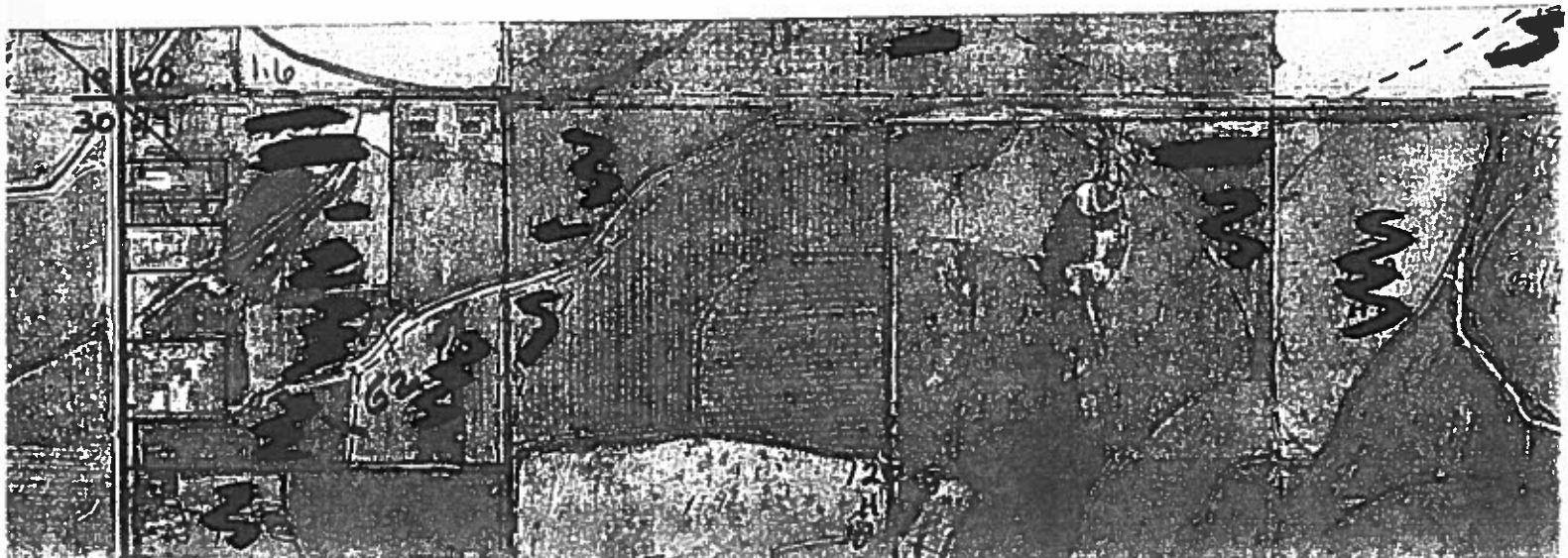
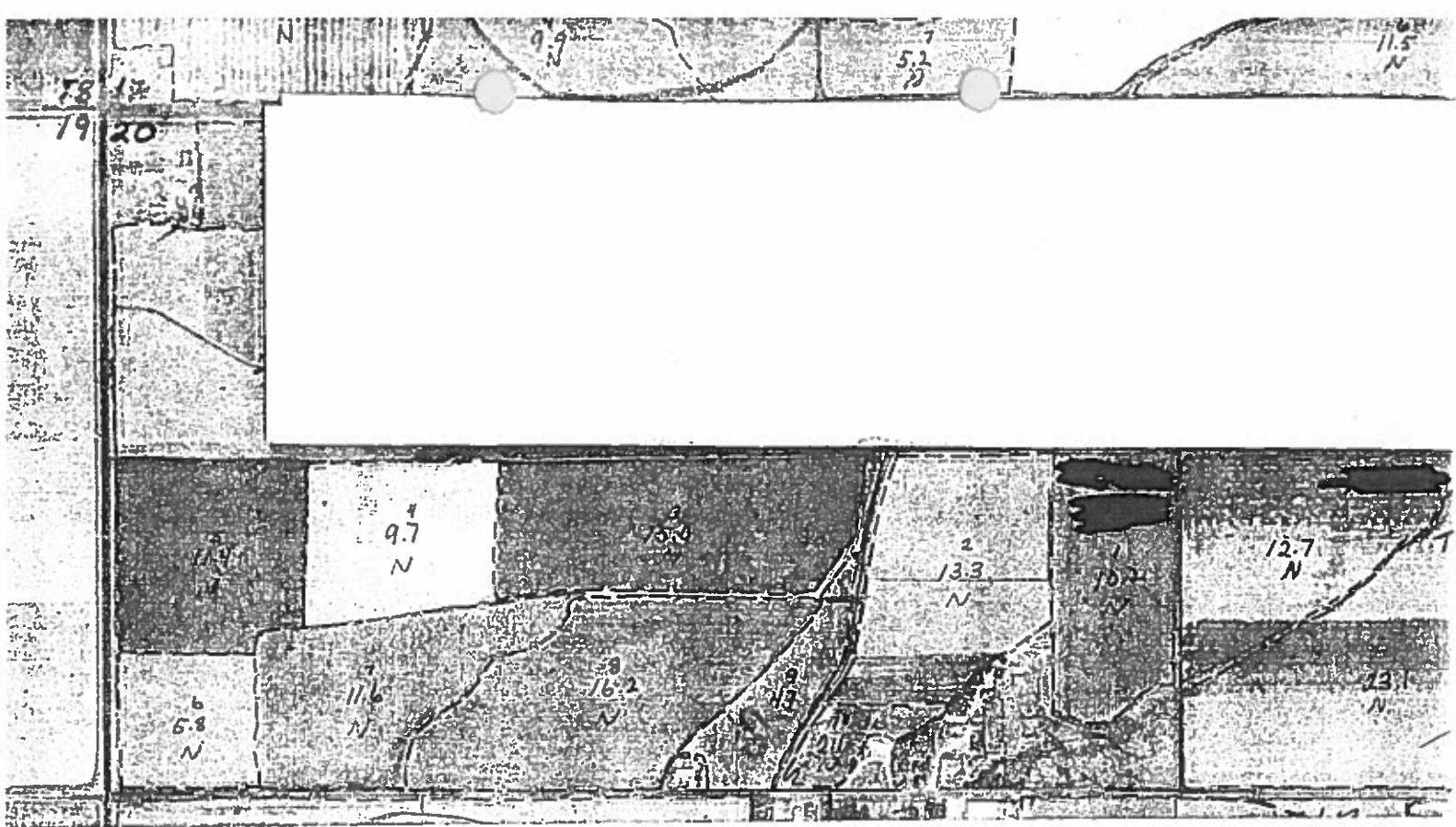
Becky Shubert
(208)934-8477
P.O. Box 473, 706 Main Street
Gooding, Idaho 83330

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8861

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0808 - FAX 438-1199



01/02/2007

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

RIGHT NUMBER: 37-20546
NAME AND ADDRESS: ROBERT J MEYERS
3024 WOODRIDGE DR
TWIN FALLS ID 83301

KATHI L MEYERS
3024 WOODRIDGE DR
TWIN FALLS ID 83301

SOURCE: BIG WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.950 CFS
PRIORITY DATE: 05/15/1899
POINT OF DIVERSION:

T05S R15E S15 NENWNE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.950 CFS

PLACE OF USE: IRRIGATION in GOODING County

T05S R15E S20	SWNE	1.00	T05S R15E S20	SWNW	38.00
T05S R15E S20	SENE	33.00			

72 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 72 acres in a single irrigation season. Combined Right Nos.: 37-20548 and 37-20546.

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 - Decreed

Use of this right is combined with water from Big Wood Canal Co.

This right is a split from former right 37-133A.

Idaho Department of Water Resources

SRBA Recommendation:

37-20548

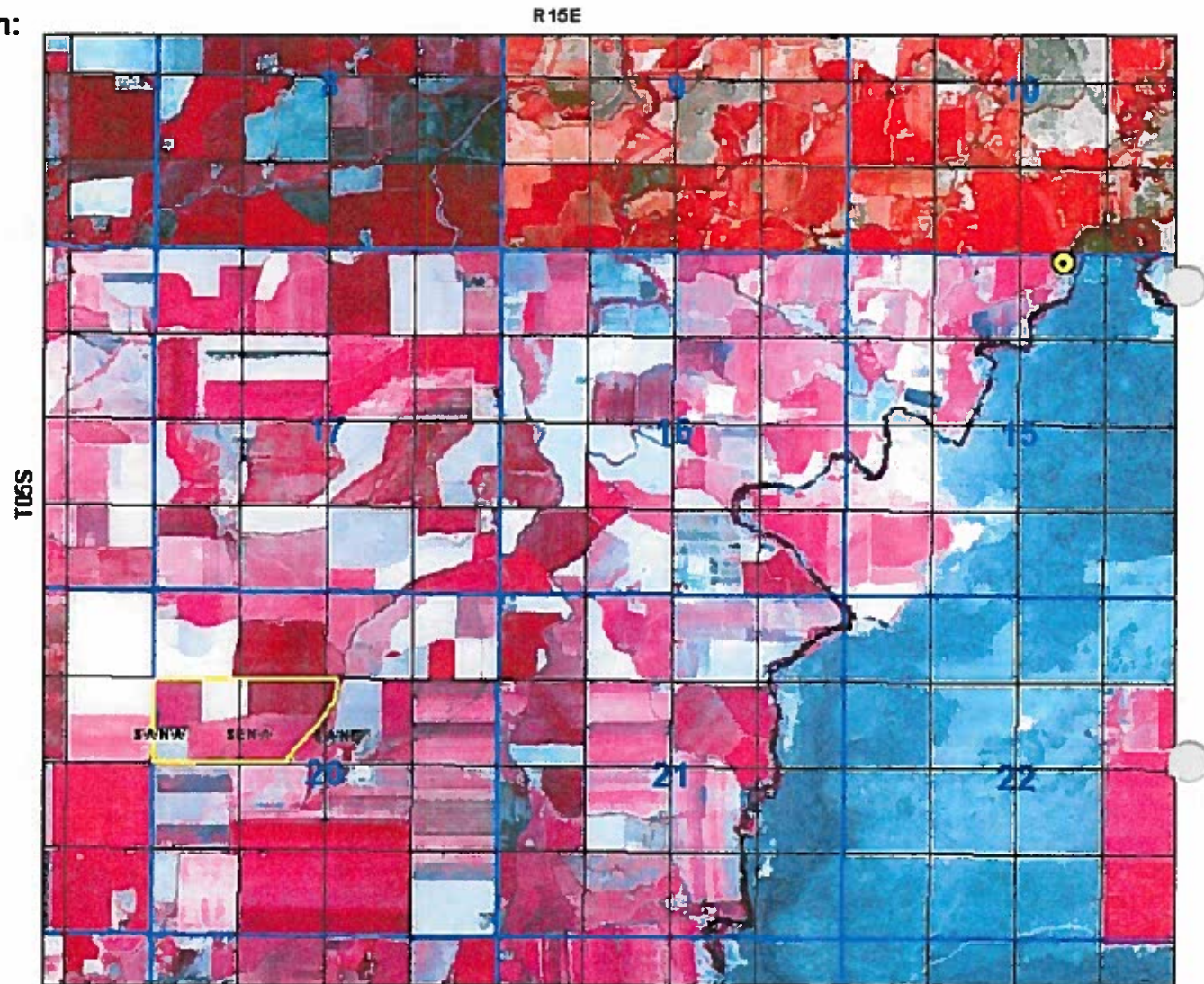
37-20546

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Gooding County
IDWR Basin 37



0 1 2 Miles

Prepared by N. Erickson
On Tuesday, January 2, 2007
1987/88 Aerial Photography



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

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 22, 2001

ATTN BECKY SHUBERT
LAND TITLE & ESCROW INC
PO BOX 473
GOODING ID 83330

RE: Your Order No. GG-02746
Storey to Meyers
SRBA Claim Nos. (Part) 37-133A, 37-868

Dear Becky:

I am in receipt of the Notice of Change of Water Right Ownership you recently submitted on the above listed transaction. Because these two claims have not yet been decreed in the Snake River Basin Adjudication, I am herein returning Land Title & Escrow's check no. 14410 in the amount of \$200.00. I know how confusing this is, so please feel free to phone (or e-mail) me if I can help clarify when fees are or are not due.

Thanks for your help; I really appreciate the great job you all do in submitting changes of ownership.

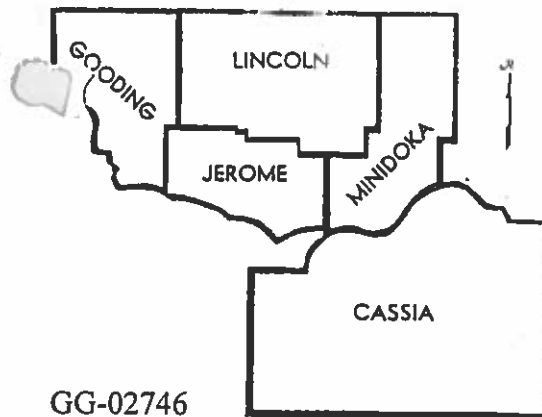
Sincerely,

Trish Fawcett
Technical Records Specialist
tfawcett@idwr.state.id.us

Enc.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



June 21, 2001

REFER TO:
OFFICE:

GG-02746
Gooding

Idaho Department of Water Resources
1341 Fillmore Street, Ste 200
Twin Falls, ID 83301

RE: Split/Storey to Meyers

Dear Cory Skinner:

Please find enclosed our check #14410 in the amount of \$200.00 representing split fees on the above referenced. I have also enclosed the notice of Change paperwork and an ASCS Map.

If you have any questions, please do not hesitate to call.

Very Truly Yours,

LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script, appearing to read "Becky Shubert".

Becky Shubert
(208)934-8477
P.O. Box 473, 706 Main Street
Gooding, Idaho 83330

RECEIVED

JUN 22 2001

Department of Water Resources
Southern Region

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8881

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0808 - FAX 436-1188