

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: SEP-9-1997
PAGE: A-161

RIGHT NUMBER: 45-10208

NAME & ADDRESS: CLAYTON H NEWKIRK
SUE NEWKIRK
3342 N 4625 E
MURTAUGH ID 83344

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS

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

PRIORITY DATE: 07/12/1977

POINT OF DIVERSION: T11S R20E S08 SENW Within TWIN FALLS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.05 CFS

PLACE OF USE: DOMESTIC Within TWIN FALLS County
T11S R20E S08 SENW

OTHER PROVISIONS 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. 11S20E080610

KHC
Claim proofread by: en
Date: 9-25

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: **A45-10208**
Date Received: 1/20/1989
Receipt No: S006121
Received By: _____

ownership change

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLAYTON H. NEWKIRK 208-432-5286
Address: 3342 N 4625 E
MURTAUGH ID 83344

AND

Name: SUE NEWKIRK 208-432-5286
Address: 3342 N 4625 E
MURTAUGH ID 83344

2. Date of Priority: JUL 12, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	20E	8		SE	NW		TWIN FALLS

5. Description of diverting works:
6"X 50' WELL, 3/4 HP 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	0.050		

7. Total Quantity Appropriated is:
0.050 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
11S	20E	8	SE	NW		DOMEST	

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:
NONE

14. Remarks:
OWNERSHIP CHANGE 3/17/92 BY JR.

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 _____

SD-33	Last Name: PICKETT		STATE				
S	O						
E	W	Water	Priority		Total	Use	
L	N	Right No.	Date	Source	Diversion	Code	Desc
PICKETT							
STEVE	C	A45-10208	07/12/1977	GROUNDWATER	0.050	43	DOMEST
DEBBIE	C	A45-10208	07/12/1977	GROUNDWATER	0.050	43	DOMEST
KIRK	C	A45-10217	03/01/1949	GROUNDWATER	0.040	43	DOMEST
DON F.	C	A45-02261	06/19/1948	GROUNDWATER	1.500	01	IRR
ROGER	C	A45-10893	01/13/1975	GROUNDWATER	0.040	43	DOMEST
PICKETT RANCH & SHEEP CO.							
	C	A45-00430	04/12/1892	COTTONWOOD	2.470	01	IRR
	C	A45-02301	05/10/1949	GROUNDWATER	4.460	01	IRR
	C	A45-02420	05/23/1952	GROUNDWATER	1.600	01	IRR
	C	A45-02523	05/01/1956	GROUNDWATER	3.200	01	IRR
	C	A45-02602	02/03/1960	GROUNDWATER	2.760	01	IRR
	C	A45-02650	04/21/1961	GROUNDWATER	2.610	01	IRR
	C	A45-07047	02/26/1970	GROUNDWATER	5.200	01	IRR
	C	A45-07221	01/07/1975	GROUNDWATER	2.660	01	IRR
	C	A45-10816	11/02/1955	GROUNDWATER	0.200	04	STOCK

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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MAR 09 1993

SD-0604-2 Township: 11S Range: 20E Section: 8			Tract:		Lot:	
S	L	STATE	O	S	Max # Records	45
E	O	Water	W	T	Priority	Use
L	Tract	Right No.	N	AC	Date	Code Desc
---	---	-----	---	---	-----	---
---	SWNW	A01-00017	A	40	D 04/30/1931	
---	SWNW	A01-00209Z5	C	36	D 01/01/1901	39 GWR FS
---	SENW	A45-10016	C		J 04/01/1910	43 DOMEST
---	SENW	A45-10208	C		J 07/12/1977	43 DOMEST
---		PICKETT, STEVE	C			
---		PICKETT, DEBBIE	C			
---	SENW	A01-00209Z5	C	40	D 01/01/1901	39 GWR FS
---	NESW	A45-10115	C		J 07/01/1910	43 DOMEST
---		TURNER, DUANE C.	C			04 STOCK
---	NESW	A45-10115	C		J 07/01/1910	43 DOMEST
---		TURNER, B. WYNONA	C			04 STOCK
---	NESW	A01-00017	C	40	D 04/30/1931	01 IRR
---		MILNER IRRIGATION DIST	A			
---		SLETTE, GARY D.	C	28	D 01/01/1901	39 GWR FS
---	NESW	A01-00209Z5	C		J 07/01/1910	04 STOCK
---	NWSW	A45-10112	C			
---		TURNER, DUANE	C			
---		TURNER, B. WYNONA	C			
---	NWSW	A45-10114	C		J 07/01/1910	43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

17-Mar-1992

RE: ADJUDICATION CLAIM NO. A45-10208 - PICKETT

CLAYTON H. NEWKIRK
SUE NEWKIRK
3342 N 4625 E
MURTAUGH ID 83344

Dear Claimant(s):

Enclosed please find a copy of a computer-generated claim based on the information from your original claim, which has been entered in our records.

Please review the claim for accuracy. In a few instances, clarifications may have been added by the Department at the time of data entry. Should you have any questions or objections regarding this record of your claim, please contact this office.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

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MAR 09 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

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

OCT 25 1991

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 11S Range 20E Department of Water Resources
 Section 08, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, Southern Region Office
 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: A45-10208
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Steve or Debbie Pickett
Rt.1 Murtaugh ID, 83344
- ☐ New Owner/Claimant (Purchaser): Clayton H. and Sue Newkirk
- ☐ New Mailing Address: 3342 N 4625 E
MURTAUGH ID. 83344
- ☐ New Telephone Number: (208) 432-5284
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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: _____

(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) Clayton H Newkirk Date 10/22/91
Sue M Newkirk Date 10/23/91
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
 _____ 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: 3/17/92 By: [Signature]

Further Action Needed

Further Action Taken

Date: _____ By: _____

Final Review and Data Entry

Date: 3/17/92 By: [Signature]

Claim Numbers of Split, if any: _____

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

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MAR 09 1993

First American Title Company
1616 Addison Ave. East * Twin Falls, Idaho 83301
734-2905

ESCROW NUMBER: E5602
PROPERTY: Pickett House

TODAY'S DATE: 5/16/90
CLOSING DATE: 5/16/90

Pt SE1/4NW1/4 8-11S-20EEM

RECEIVED

OCT 25 1991

Department of Water Resources
Southern Region Office

ESCROW CLOSING STATEMENT OF:
Clayton H. Newkirk
Sue M. Newkirk

BUYER'S CLOSING STATEMENT

DESCRIPTION	DEBITS	CREDITS
Selling Price	~~23,900.00~~	
Deposit or earnest money Gem State Realty, Inc.		500.00
Principal amount of new loan D.L. Evans Bank		~~27,000.00~~
Prorate est 90 tax 1/01/90 to 5/16/90 @ \$254.14/12 mos.		94.68
Loan Fees D.L. Evans Bank		500.00
Roadrunner fees First American Title Company	5.00	
Title Insurance Premium First American Title Company	268.95	
Endorsements 100, 116, 8.1 First American Title Company	25.00	
Recording fees: Deed \$6.00 Mtg \$15.00 Releases \$9.00	21.00	
Subtotals	~~29,219.95~~	~~27,094.68~~
Balance Due From Buyer		125.27
TOTALS	~~29,219.95~~	~~27,219.95~~

It is agreed by the undersigned that the foregoing statement is tentative and that it may change if a change in the closing date occurs or if any other unforeseen contingencies arise. In the event changes in the statement become necessary, you are nevertheless authorized to close this escrow. It is understood that we will receive a final statement of account if the above totals are changed.

APPROVED AND ACCEPTED THIS 16 Day of MAY, 19 90.

First American Title Company

By: Linda Von Darl

Clayton H. Newkirk
Clayton H. Newkirk

Sue M. Newkirk
Sue M. Newkirk

ADDRESS: _____

PHONE #: _____

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C. H. NewKIRK
3342 N-4625 E
MURTAUGH Id.
83344



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OCT 25 1991

Department of Water Resources
Southern Region Office

State Department of Water Resources
222 Shoshone St East

Twinn Falls, Idaho

83301

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: A45-10208
Date Received: 1/25/1989
Receipt No: S006121
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE PICKETT 208-432-5300
Address: RT. 1
MURTAUGH, ID 83344

OR
Name: DEBBIE PICKETT 208-432-5300
Address: RT. 1
MURTAUGH, ID 83344

2. Date of Priority: JUL 12, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	20E	8	SE	NW			TWIN FALLS

5. Description of diverting works:
6"X 50' WELL, 3/4 HP 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	0.050		

7. Total Quantity Appropriated is:
0.050 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
11S	20E	8	SE NW		DOMEST	

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:
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): _____ 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 _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

CIVIL CASE NUMBER: 39576

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMIdentification No. A45-10208

Date Received

Receipt Number 5006121 *sc*NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

JAN 12 1989

ACQUIRED UNDER STATE LAW

Department of Water Resources

For Domestic and/or Stockwater Purposes

Southern Region Office Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Steve & Debbie Pickott Phone (208) 432-5300Mailing Address Rt #1 Murtaugh Idaho Zip 833442. Date of Priority (Only one per claim) July 12 1977 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 11 Range South Range 20Section 8, SE 1/4 of NW 1/4 of Section 8 1/4, Govt. Lot _____, BM.,County of Twin Falls

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. well 6" casing 50' deep. 3/4 HP
submersible pump.

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount .05 (cfs)
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully: (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 household

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MAR 09 1993

10. Place of use is: Township: 11 South Range South Range 20 East
Section 8, SE 1/4 of NW 1/4, Govt. Lot _____, B.M.,
County of Twin Falls for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes ☒ No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Debra J. Dickert Date 1-11-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 11th day of January 19 89

SEAL

Notary Public Richard A. Nixon

Residing at Twin Falls, Id.

My Commission Expires 10-8-94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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MAR 09 1993

WARRANTY DEED

For Value Received

STEVEN P. PICKETT and DEBRA PICKETT, husband and wife

the grantor s, do hereby grant, bargain, sell and convey unto

CLAYTON H. NEWKIRK and SUE M. NEWKIRK, husband and wife

the grantee s, whose current address is

the following described premises, in Twin Falls..... County Idaho, to-wit:

Township 11 South, Range 20, East of the Boise Meridian, Twin Falls County, Idaho

Section 8: That portion of the SE1/4NW1/4, more particularly described as follows:

BEGINNING at the intersection of the centerline of the Union Pacific Railroad and the centerline of a roadway which runs along the West boundary of said SE1/4NW1/4;

THENCE South 1030 feet to the TRUE POINT OF BEGINNING;

THENCE East 145 feet;

THENCE South 210 feet;

THENCE West 145 feet;

THENCE North 210 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO:

Reservations in United States and State Patents, existing and recorded rights-of-way and easements, zoning and building ordinances and taxes and assessments as prorated between the parties hereto

AND 1990 taxes and assessments.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the Grantor s do hereby covenant to and with the said Grantee s that they are the owner s in fee simple of said premises; that they are free from all encumbrances except levies and assessments and except reservations, restrictions and easements of record and easements visible upon the premises

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

Dated: May 16, 1990

Steven P. Pickett

Debra Pickett

STATE OF IDAHO, COUNTY OF Twin Falls

On this 16th day of May, 1990, before me, a notary public in and for said State, personally appeared Steven P. Pickett and Debra Pickett

known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at Twin Falls, Idaho
Comm. Expires 10-30-95

STATE OF IDAHO, COUNTY OF

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

at minutes past o'clock m.,
this day of
19, in my office, and duly recorded in Book
of Deeds at page

By

Fees \$
Mail to:

Deputy.

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OCT 27 1994

INSTRUMENT NO.

First American Title Company of Idaho



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

- . Laverne Lincoln Utterback
- . 1111 Park Meadows Dr.
- . Twin Falls ID 83301

MAILING DATE: Aug. 3, 1993

RESPONSE DATE: Aug. 23, 1993

RE: NOTICE OF CLAIM NO[S]: A45-10208

Dear Claimant(s):

We are currently preparing the Notice(s) of Claim referenced above for the Director's Report in the Snake River Basin Adjudication. Our research indicates there may have been a change in either the ownership or address for the above claim(s). IDWR records currently show the following name and address for the owner of the claim(s) listed above:

- . Steve & Debbie Pickett
- . Rt. 1
- . Murtaugh ID 83344

If our current records, as listed above, are not correct please complete the enclosed Change in Ownership or Change of Address form, as appropriate, to correct our records.

Your response must be received in this office by the Response Date indicated above. If no response is received from you, all further legal notices concerning the claim(s) will be sent to the name and address shown above. If you have claims other than those referenced here, please contact the Department so we may assist you in updating the information for all your claims. Should you have any questions, or feel that you need assistance, please contact IDWR at 1-800-451-4129.

Sincerely,

Donald V. Shaff
Manager Adjudication Section

state:region

Enclosures:

- Change of Ownership Form
- Change of Address Form

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OCT 27 1994

CERTIFIED
FEB 25 1993
WATER EXAMINER