

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

RECEIVED

AUG 14 1998

Department of Water Resources
Southern Region

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 45-10639

NAME AND ADDRESS: MARTIN K WARR
MOLLYANN WARR
RT 2 BOX 2656
BURLEY, ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1910

POINT OF DIVERSION: T10S R23E S28 SWSWSE Within Cassia County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

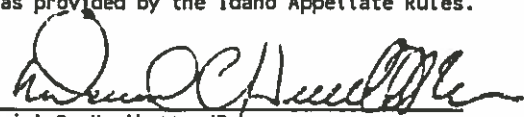
PLACE OF USE: Domestic Within Cassia County
T10S R23E S28 SWSE

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.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Daniel C. Hurlbutt, JR.
Presiding Judge
Snake River Basin Adjudication

Please Carefully Review Your Partial Decree

Carefully read and check all items to make sure they are accurate, especially:

1. Name and Address
2. Water Source
3. Date of Priority
4. Point of Diversion
5. Place of Use
6. Nature of Use

If You Find An Error Or Something That Needs To Be Corrected

Call the IDWR Regional Office that handles your basin. The telephone numbers are on the back panel of this brochure. Your basin is designated as the first two digits of your water right.

The proper form will be mailed to you upon your request. Complete and return the form to the IDWR Regional Office that handles your basin not later than 60 days after the date printed on the partial decree.

Costs associated with this publication are available from the Idaho Department of Water Resources in accordance with Section 60-202, Idaho Code.
IDWR-8,000-42001-1/1/96

Printed on recycled paper

Here's How To Contact IDWR Regional Offices If You Need Assistance

If your partial decree begins with 34:

IDWR Eastern Regional Office
900 N. Skyline Dr., Idaho Falls, ID 83401
(208) 525-7161
Toll Free: (888) 2-SRBA34 (277-2234)

If your partial decree begins with 36:

IDWR Southern Regional Office
222 Shoshone St. E, Twin Falls, ID 83301
(NOTE: moving mid-Dec. to 1341 Fillmore St. N., call first)
(208) 736-3033
Toll Free: (888) 2-SRBA36 (277-2236)

If your partial decree begins with 57:

IDWR Western Regional Office
2735 Airport Way, Boise, ID 83705
(208) 334-2190
Toll Free: (888) 2-SRBA57 (277-2257)

A Very Important Reminder

While the SRBA continues, the law requires that you notify IDWR if there are any name or address changes. If the property to which the right applies changes hands, please file a change of ownership with the form obtained from an IDWR office. Failure to file an ownership change may result in your right not being included in the final decree at the end of the case, a penalty of up to \$100 and restrictions on water use.

Guide To Reviewing Your Partial Decree Water Right In The Snake River Basin Adjudication



Idaho
Department
of Water
Resources



5th Judicial
District
Court
of Twin Falls

Congratulations

Here's your decreed water right!

You have received your partial decree of water rights in the Snake River Basin Adjudication (SRBA) with this brochure. The partial decree is the SRBA Court's official decision on your water right based on the claim to a water right you submitted.

The term "Partial Decree" simply means your water right represents only a small portion of the future SRBA decree. This partial decree is final; however, you have the opportunity to correct errors and the right to an appeal.

The partial decrees being issued at this time cover only small domestic and stockwater water rights in Water Basins 34, 36 and 57. The first two digits of your water right identify the basin. Please note that contested claims and claims to water rights for irrigation and other uses are still being processed.

This brochure is designed to help answer questions you may have about your water right and to provide a way to get more information or to have your questions answered.

Commonly Asked Questions

1. Do I need to do something?

Yes. Carefully check your partial decree to make sure all the information is correct. If there are errors, call the Idaho Department of Water Resources (IDWR) to request a change form. If you have a question about the decree, contact IDWR for further information. The phone numbers are on the back of this brochure.

If a change is needed, mail the form to IDWR within 60 days of the date printed on your partial decree.

If the partial decree correctly describes your water right, you do not need to do anything more. However, be sure to keep IDWR notified of any changes in ownership for all your water rights.

2. When will processing on my other water rights be completed?

The domestic and stockwater partial decrees are being mailed in numerical batches during Nov. and Dec., 1996. Finalization of partial decrees on irrigation and other non-domestic and non-stockwater rights is ongoing. These partial decrees will be issued as hearings are completed. For more information, contact IDWR.

3. This is a copy of the partial decree for my water right. Where is the original?

The original partial decree for your water right will be retained by the Snake River Basin Adjudication (SRBA) Court, and a certified copy will be permanently archived at IDWR. Copies are available upon request.

4. Why does this partial decree have a different format from the document that was mailed to me in 1992?

The new format has basically the same information as the previous document. We have designed this new format to be more easily read. We also put any remarks near the element of the water right that they modify.

5. When will the SRBA be completed so my partial decree becomes part of the final decree?

The final decree will be issued at the end of the case when all water rights have been reviewed and disputes resolved. The SRBA Court and IDWR are moving forward as quickly as possible. This is a large, complex case with many legal and technical problems to resolve.

We anticipate that finalization of the process will require many more years of hard work. In the meantime, your partial decree represents a completion of the effort to decree your individual water right, and if you are not advised otherwise you can consider this process complete.

6. When will partial decrees be issued for other basins?

The SRBA Court and IDWR are setting up the procedures to issue partial decrees for small domestic and stockwater rights in other basins.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

February 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

45-10639

MARTIN K WARR
MOLLYANN WARR
RT 2 BOX 2656
BURLEY ID 83318

RE: Domestic and/or Stockwater Rights in Basins 41, 43 and 45
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your domestic and/or stockwater water right(s) in basins 41, 43 and 45. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended domestic and stockwater right(s) in your area. Water rights for irrigation and other purposes in these basins will be recommended in a later process.

Note that you have 120 days in which to file any objection to our recommendation and to review the domestic and stockwater water rights of other claimants, including those of the United States. Information on the other water rights can be found at the county courthouses in American Falls, Malad City, Burley and Twin Falls, and at all of the Idaho Department of Water Resources offices (see addresses in enclosure).

If the Court does not receive an objection from you about our recommendation, and no other party objects to your water right, your water right will be decreed later this year as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions that you have about your water right(s) or this adjudication process.

Sincerely,

Karl J. Dreher
Director

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: February 27, 1998
PAGE: 1

RIGHT NUMBER: 45-10639

NAME AND ADDRESS: MARTIN K WARR
MOLLYANN WARR
RT 2 BOX 2656
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY-DATE: 12/31/1910

POINT OF DIVERSION T10S R23E S28 SWSWSE Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T10S R23E S28 SWSE

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. 10S23E288750

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

RETURN SERVICE REQUESTED

RETURNED
TO
SENDER
NOT DELIVERABLE
AS ADDRESSED —
UNABLE TO FORWARD



RECEIVED
MAR 06 1998
Department of Water Resources

IMPORTANT WATER RIGHT INFORMATION



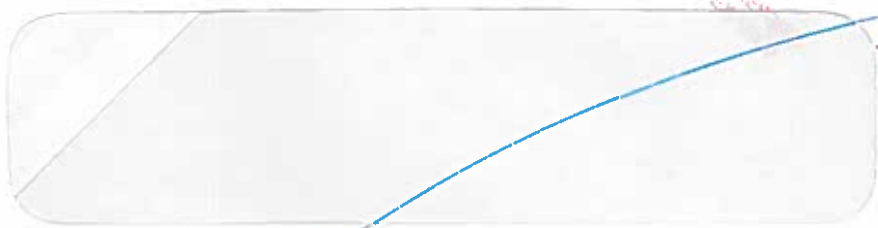
STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707



RETURNED
TO
SENDER
UNDELIVERED
FORWARDING ONLY

45-10639
AIR
Department of Water Resources
Southern Region

RECEIVED
AUG 14 1998
Department of Water Resources
Southern Region



AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-413

RIGHT NUMBER: 45-10639

NAME & ADDRESS: MARTIN K WARR
MOLLYANN WARR
RT 2 BOX 2656
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1910

POINT OF DIVERSION: T10S R23E S28 SWSWSE Within CASSIA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within CASSIA County
T10S R23E S28 SWSE

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. 10S23E288750

KKC
Claim proofread by: CL
Date: 9/20

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: A45-10639
Date Received: 5/18/1989
Receipt No: S007174
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARJORIE R. NIELSEN 208-678-2870
Address: RT 2 BOX 2656
BURLEY, ID 83318

2. Date of Priority: DEC 31, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	23E	28	SW	SW	SE		CASSIA

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

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	28	SW	SE		DOMEST	

11. Place of use in counties: CASSIA

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. 445-10639Date Received 5/18/89

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

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

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) R. MARJORIE ~~THE~~ NIELSEN Phone () 678-2870Mailing Address RT 2, BOX 2656 BURLEY Zip 833182. Date of Priority (Only one per claim) 12/31/1910 Month/Day/Year3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____

which is tributary to (b) _____ Name or kind of source

4. Location of point of diversion is: Township 10~ Range 23~Section 28, SW 1/4 of SW 1/4 of SE 1/4, Govt. Lot _____, BM.,County of CASSIA

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 + pump

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

For Dom purposes from 1/1 Month/Day to 12/31 Month/Day amount .04 (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) D/I houses

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MAR 08 1989

10. Place of use is: Township: 102 Range 23

Section 28, SW 1/4 of SE 1/4, Govt. Lot _____, B.M.,

County of CASSIA 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? CASSIA 10639

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. None H

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)

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) Margaret Nielsen Date 5/18/89

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 TF) SS.

Subscribed and sworn (or affirmed) before me this 18th day of May 19 89

SEAL

Notary Public Loni White

Residing at TF

My Commission Expires 5/94

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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MAR 08 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Aug 1, 1989

Re: A45-10639

MARJORIE R NIELSEN
RT 2 BOX 2656
BURLEY ID 83318

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

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

Yours truly,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

--/jg

Enclosures:

MICROFILMED

MAR 08 1993

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: A45-10639

Date Received: 5/18/1989

Receipt No: S007174

Received By: *ownership change*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARTIN K WARR 208-678-1530
Address: RT 2 BOX 2656
BURLEY ID 83318

AND

Name: MOLLYANN WARR 208-678-1530
Address: RT 2 BOX 2656
BURLEY ID 83318

2. Date of Priority: DEC 31, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	23E	28	SW	SW	SE		CASSIA

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

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OCT 28 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	23E	28	SW	SE		DOMEST	

11. Place of use in counties: CASSIA

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 _____

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OCT 28 1994



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

*Martin & Mollyann Wall
Rt. 2 Box 2656
Burley ID 83318*

MAILING DATE: *Aug. 3, 1993*

RESPONSE DATE: *Aug. 23, 1993*

RE: NOTICE OF CLAIM NO[S]: *A45-10639*

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:

*Marydore R. Nielsen
Rt. 2 Box 2656
Burley ID 83318*

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

MICROFILMED

OCT 28 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: July 25, 1989

AUG 23 1993

LEGAL DESCRIPTION OF PROPERTY: Township 10 S Range 23 EBM Section 28, SW 1/4 of SE 1/4 of 1/4 Govt. Lot , Block , Subdivision/Townsite , Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources
Southern Region Office

☐ 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: A45-10639

☐ Name and Address of Former
Owner/Claimant(s)(Seller): Marjorie R. Nielsen

(Unknown)

☐ New Owner/Claimant
(Purchaser): Martin & Mollyann Warr

☐ New Mailing Address: Rt 2, Box 2656

Burley, ID 83318

☐ New Telephone Number: (208) 678-1530

☐ 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: 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): Martin & Mollyann Warr

Date 8/20/93

Date 8-20-93

☐ 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 8/24/93 By: [Signature]

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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OCT 28 1994

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

203229

WARRANTY DEED

For Value Received

MARJORIE RUTH LEISCHNER, formerly known as MARJORIE RUTH NIELSEN, individually and as Trustee of the Soren Peter Nielsen Family Trust.

the grantor does hereby grant, bargain, sell and convey unto
MARTIN KEITH WARR AND MOLLYANN WARR, husband and wife

Route 2 Box 2656, Burley, Idaho 83318

the grantee s the following described premises, to-wit:

SEE ATTACHED "EXHIBIT A" FOR LEGAL DESCRIPTION

RECEIVED
AUG 23 1993
Department of Water Resource
Southern Region Office

COPY

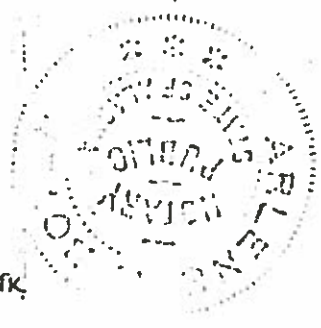
STATE OF ~~ALASKA~~ ALASKA
COUNTY OF ~~CASSIA~~ CASSIA

On this 28th day of July, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared
Marjorie Ruth Leischner
being first duly sworn on their oath, depose and state:

That she is the Trustee of the
Soren Peter Nielsen Family Trust
that they have read the foregoing document, know the contents thereof, and believe the same to be true to the best of their knowledge, and are identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Delene T. Boyer
Notary Public for the State of Idaho Alaska
Residing at: 3218 Johnny Don Lane N. Pole, ID.
Comm. Expires: 2/16/92



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

Dated: July 26, 1989

Marjorie Ruth Leischner
Marjorie Ruth Leischner

STATE OF ~~ALASKA~~ ALASKA
COUNTY OF ~~CASSIA~~ CASSIA

On this 28th day of July, 1989, before me, a notary public in and for said State, personally appeared

Marjorie Ruth Leischner

Marjorie Ruth Leischner

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Delene T. Boyer - Notary Public State of Alaska

Residing at 3218 Johnny Don Lane N. Pole, ID. 89705 Comm. Expires 2/16/92

FOR RECORDING INFORMATION ONLY

RECORDED AT THE REQUEST OF
CASSIA COUNTY ABSTRACT
FILE # 208
JUL 31 3 39 PM '89
CASSIA COUNTY, IDAHO
FRANK S. KEARNS
RECORDER
FEE \$60.00

203229

ATTACHED to and forming a part of Warranty Deed, dated July 26, 1989, executed by Marjorie Ruth Leischner, formerly Marjorie Ruth Nielsen.

"EXHIBIT A"

Township 10 South, Range 23 East of the Boise Meridian,
Cassia County, Idaho.

Section 28: Part of the Southwest quarter of the Southeast quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section 28 described as follows:

Beginning at the South quarter corner of Section 28; which shall be known as the True Point of beginning;

Thence North 00°22' West along the Meridional centerline of said Section 28 a distance of 416.54 feet to an iron pin;

Thence South 89°02' East for 338.60 feet to an iron pin;

Thence South 02°01' West for 413.48 feet to a point on the South Section line of said Section 28;

Thence North 89°36' West along the South Section line of said Section 28 a Distance of 321.45 feet to the True Point of Beginning.

ALL IN CASSIA COUNTY, STATE OF IDAHO

SUBJECT TO a 25.0 foot wide county road right-of-way along the South side.

SUBJECT TO: General taxes for the year 1989 and subsequent years.

Assessments of the Burley Irrigation District and the rights and powers of said District as by law provided.

Right of Way, dated May 28, 1952, by and between Soren P. Nielsen and Marjorie R. Nielsen and Salt Lake Pipe Line Company, a Nevada corporation, recorded June 14, 1952 as Instrument No. 175922 in Book 14 of Misc. on pages 464 and 465, records of Cassia County, Idaho.

Easement Agreement to Lela Renae Eddings, dated July 12, 1989, executed by Marjorie Nielsen Leischner, Trustee, recorded July 12, 1989 as Instrument No. 202878 on Film No. 208, records of Cassia County, Idaho.

DEC 13 1989
RECORDED

CASSIA COUNTY ABSTRACT CO., LTD.

"COMPLETE TITLE SERVICE"

P. O. BOX 548

BURLEY, IDAHO - 83318



MICROFILMED
OCT 28 1994

IDWR SOUTHERN REGION
222 Shoshone St East
Twin Falls, Id 83301

RECEIVED
AUG 23 1993
Department of Water Resources
Southern Region Office

SD-0601-2 Last Name: NIELSEN

STATE

S E L	First Name	O W N	Water Right No.	Priority Date	Source	Total Diversion	Use Code Desc
---	---	---	---	---	---	---	---
---	NIELSEN						
---	LA MAR C.	C A45-10324	11/08/1963	GROUNDWATER	0.040	43 DOMEST 04 STOCK	
---	JEANNE P.	C A45-10324	11/08/1963	GROUNDWATER	0.040	43 DOMEST 04 STOCK	
---	MILTON E.	C A45-07180	07/15/1974	GROUNDWATER	0.620	01 IRR 43 DOMEST 04 STOCK	
---	VILATE	C A45-07180	07/15/1974	GROUNDWATER	0.620	01 IRR 43 DOMEST 04 STOCK	
---	MILTON E.	C A45-10348	08/01/1983	GROUNDWATER	0.040	43 DOMEST	
---	VILATE	C A45-10348	08/01/1983	GROUNDWATER	0.040	43 DOMEST	
---	MARJORIE R.	C A45-10639	12/31/1910	GROUNDWATER	0.040	43 DOMEST	
---	LA MAR C	C R45-10324	11/08/1963	GROUNDWATER	0.040	43 DOMEST 04 STOCK	

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
OCT 28 1984

SD-0604-2 Township: 10S Range: 23E Section: 28				Tract:		Lot:		
S	L	STATE	O	S	Max # Records	206		
E	O	Water	Name	W	T	Priority	Use	
L	Tract	T	Right No.	Last, First	N	AC	G	
							Date	
							Code	
							Desc	
SES	W	R45-11833	KLINK, JOHN	C	J	04/10/1983	43	DOMEST
SES	W	R45-11833	KLINK, SANDRA	C	J	04/10/1983	04	STOCK
NESE	W	A01-00007Z0	KLINK, JOHN	C	J	04/10/1983	43	DOMEST
NESE	W	A01-00007Z0	KLINK, SANDRA	C	J	04/10/1983	04	STOCK
NESE	W	A01-00007Z0	BURLEY IRRIGATION DIST	C	38	D	04/01/1939	01
NESE	W	A01-00007Z0	LING, ROGER D.	A				
NESE	W	A01-00007Z0	BID	K				
NWSE	W	A01-00007Z0	BURLEY IRRIGATION DIST	C	38	D	04/01/1939	01
NWSE	W	A01-00007Z0	LING, ROGER D.	A				
NWSE	W	A01-00007Z0	BID	K				
SWSE	W	A45-10487	EDDINGS, RENAE	C	J	06/17/1987	43	DOMEST
SWSE	W	A45-10487	EDDINGS, JASON T. SPUR	C	J	12/31/1910	43	DOMEST
SWSE	W	A45-10639	NIELSEN, MARJORIE R.	C	J	11/18/1964	43	DOMEST
SWSE	W	A45-11832	SAGER, MERLE	C	J	11/18/1964	43	DOMEST
SWSE	W	A45-11832	SAGER, DONNA	C	J	06/17/1987	43	DOMEST
SWSE	W	R45-10487	EDDINGS, RENAE	C	J	06/17/1987	43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED

OCT 28 1987

SD-0604-2 Township: 10S Range: 23E Section: 28 Tract: Lot:

S	L	Water	Name	O	S	Max # Records	206
E	O	Right No.	Last, First	W	T	Priority	Use
L	Tract	T		N	AC	G	Date
							Code
							Desc
SWSE		R45-10487	EDDINGS, JASON T SPURG	C		J	06/17/1987
SWSE		A45-11936	SCHWENDIMAN, WAYNE	C		J	06/15/1971
SWSE		A01-00007Z0	BURLEY IRRIGATION DIST	C	38	D	04/01/1939
			LING, ROGER D.	A			01 IRR
			BID	K			
SWSE		R45-11936	SCHWENDIMAN, WAYNE	C		J	06/15/1971
SWSE		R45-11832	SAGER, MERLE	C		J	11/18/1964
			SAGER, DONNA	C			43 DOMEST
SWSE		R45-10639	NIELSEN, MARJORIE R	C		J	12/31/1910
SESE		A45-11425	POVLSEN, ROBERT	C		J	09/17/1980
			POVLSEN, DEBRA	C			43 DOMEST
SESE		A45-11553	POVLSEN, JOHN	C		J	12/31/1976
SESE		A01-00007Z0	BURLEY IRRIGATION DIST	C	38	D	04/01/1939
			LING, ROGER D.	A			01 IRR
			BID	K			
SESE		R45-11553	POVLSEN, JOHN	C		J	12/31/1976
							43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
OCT 28 1994



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

24-Aug-1993

MARTIN K WARR
MOLLYANN WARR
RT 2 BOX 2656
BURLEY ID 83318

Re: Ownership Change for Adjudication Claim #A45-10639 -
NIELSEN/WARR

Dear Claimant(s):

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claim noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

MICROFILMED
OCT 28 1994

Water Right Number - R45-10639

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
WARR

MARTIN K

1 - RT 2 BOX 2656

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-1530

WARR

MOLLYANN

1 - RT 2 BOX 2656

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-1530

*** O - ORIGINAL OWNER ***
NIELSEN

MARJORIE R

1 - RT 2 BOX 2656

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-2870

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/31/1910 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County
10S 23E 28 SW SW SE (31) CASSIA+ - - - - 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 Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 23E 28 SW SE 43 DOMESTIC (31) CASSIA

Total Acres:

+ - - Diversion Means - WELL & PUMP

+ - - Non-Irrigation Use - DOMESTIC, 1 HOME

+ - - Other Rights for Same Use - NONE

MICROFILMED
OCT 28 1994

Water right number - R45-10639

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
PARCEL NO. 10S23E288750
PROPERTY ALSO KNOWN AS 100 S 100 E

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - -
Date: 08/24/1993 User Id: ROBERTSO Subject: OWNERSHIP CHANGE
Change of ownership form received 8/23/93, original owner Marjorie Nielsen -new owners Martin & Mollyann Warr. Copy of Warranty Deed submitted with form. A45-10639 changed also this date.

+ - - Audit Fields - - +
09/08/93 ROBERTSO

+ - - - - 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	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 05/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007174	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
OCT 28 1993

WATER RIGHT NUMBER - A45-10639

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - - +
NO COMMENTS FOUND

+ - - - - - 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	- 00/00/0000	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 05/18/1989	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	- S007174	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

10 S 23 E 28 8750
100 S 100 E

Warr, Martin & Mollmann
Rt 2 Box 2656
Burley 83318

CHANGE OF OWNERSHIP
LETTER SENT 8-3-93 JJ

PROOF
SEP 16 1991

DATA ENTRY

ENTERED 8-12-93 JJ
CHECKED 10/18/93 DLD

Verified By
Topo Map/Ortho-PQ
ASCO Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
FEB 14 1993

CERTIFIED
FEB 23 1993
WATER EXAMINER