

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-483

RIGHT NUMBER: 45-10721

NAME & ADDRESS: JUNE CAREY
KENNETH P CAREY
RT 2 BOX 2106
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

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

PRIORITY DATE: 03/15/1960

POINT OF DIVERSION: T10S R22E S36 SENESE Within CASSIA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within CASSIA County
T10S R22E S36 NESE

DOMESTIC Within CASSIA County
T10S R22E S36 NESE

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. 10S22E367785
STOCKWATER, 50 BEEF

Claim proofread by: C-1
Date: 9-26

D

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: A45-10721
Date Received: 5/22/1989
Receipt No: S007255
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JUNE CAREY 208-678-2901
Address: 462 E HWY 81
BURLEY ID 83318
AND/OR
Name: KENNETH P CAREY 208-678-2901
Address: 462 E HWY 81
BURLEY ID 83318

2. Date of Priority: MAR 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	22E	36	SE	NE	SE		CASSIA

5. Description of diverting works:
250' 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		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/50 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	22E	36	NE	SE		STOCK	
			NE	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:
1/6/98 TF; ADDRESS CHANGED FROM ROUTE AND BOX TO GRID SYSTEM.

15. Basis of Claim: BENEFICIAL USE



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

January 28, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KENNETH P CAREY
JUNE CAREY
462 E HWY 81
BURLEY ID 83318

RE: SRBA Claim(s) A45-10720 and A45-10721

Dear Mr. and Mrs. Carey:

Thank you for returning the Change of Ownership form sent to you by Sally Sherman of our State Office. Although there has been no ownership change to your claims (as explained to you by Sally) the form did serve to notify us of your new grid address.

The two claims listed above have been modified to reflect your correct address and enclosed you will find computer print-outs showing the change. Please review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

enc.

MEMORANDUM

DATE: December 2, 1997
 TO: Files A45-10720 & A45-10721
 FROM: S. Sherman
 RE: Ownership Change and Telephone Conversations

Investigating claims at the Cassia County Assessor's office prompted an ownership change letter to Mr. and Mrs. Kenneth Carey. I enclosed the ownership change form and a profile report of rights (formerly) owned by Steve & Suzanne Gochmour (A45-12744, A45-12745 & A45-12746).

Mrs. Carey completed the form without looking at the profile reports I'd enclosed and wrote Gochmour's three claim numbers on the form. This was incorrect. The land Careys have in Sec. 36 is irrigated from canal water only.

Gochmours have land in the surrounding quarters (see map from Assessor's office) and still own the small parcel with tax number T2414 (highlighted on map). See also the tax id cards faxed to me by assessor's office.

Mrs. Carey submitted a warranty deed with the ownership change form dated 1982 from Monroe and Jeanne Adams in Sections 19 and 20. She also enclosed two maps, one of which shows the Carey Pump. Carter was helping me with this by now, and had me ask Mrs. Carey if she was pumping out of the canal or the river. She told me she was pumping from the river, but had permission from the canal company and a letter from Dave Carlson dated 1989 mentioning two claims (A45-10720 and A45-10721).

Carter and I found the canal company has a P.O.D. which is identical to Carey's in Sec. 19, Lot 1. I called Mrs. Carey again and told her everything was okay and to ignore my letters regarding an ownership change.

Wrong w/RS - See memo to files

A45-10720 RECEIVED
A45-10721 NOV 10 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

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).: ~~A45-12744, A45-12745, A45-12746~~
Adjudication Claim No(s).: S.R.B.A (acclms in Sec. 36 - do 11-19-1996)
(filed in 6-1994)
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 MURROE and Jeannette M Adams
400 S 200th Burley Ida 83318
4. New Owner/Claimant(s) Kenneth P. + June Carey
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address _____
City, State and ZIP Code 462 E Hwy 81 Burley, Ida 83318
New Telephone Number (208) 678-2901
5. Date you acquired the property 4/26/82
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) Kenneth P. Carey
June Carey
(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..

142911

WARRANTY DEED

For Value Received

MONROE ADAMS and JEANNE M. ADAMS, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto
KENNETH P. CAREY and JUNE CAREY, husband and wife
1510 Overland Avenue - Burley, Idaho 83318

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

TOWNSHIP 10 SOUTH, RANGE 22 EAST, BOISE MERIDIAN

Section 19: Government Lots 1 and 2, LESS all that part
lying South of the Railroad.

Section 20: All that part of the W $\frac{1}{2}$ S $\frac{1}{2}$ described as follows:

Commencing at the Southwest corner of said Sec.
20; running thence East 1110 feet; thence North
664 feet; thence West 183 feet; thence North to
the South shore line of the Milner Dam Reservoir;
thence Southwesterly along said South shore line
to the section line between Sections 19 and 20;
thence South to the Place of Beginning.

LESS all that part lying South of the Railroad.

ALL IN CASSIA COUNTY, STATE OF IDAHO.

SUBJECT TO:

General taxes for the year 1982, and subsequent years.

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

AGREEMENT, recorded October 5, 1949 as Instrument No. 167046 in Book 7
of B.S. & A. on pages 408, 409 and 410, records of Cassia County, Idaho.
(As to maintenance and operation of Milner Dam.)

AGREEMENT, recorded October 5, 1949 as Instrument No. 167047 in Book 7
of B.S. & A. on pages 410 and 411, records of Cassia County, Idaho. (As
to maintenance and operation of Milner Dam.)

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

Dated: April 26, 1982

MONROE ADAMS

JEANNE M. ADAMS

STATE OF IDAHO, COUNTY OF CASSIA

On the 26th day of April, 1982, before me, a
notary public in and for said State, personally appeared

MONROE ADAMS and JEANNE M. ADAMS,
husband and wife

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.

Richard S. Harper

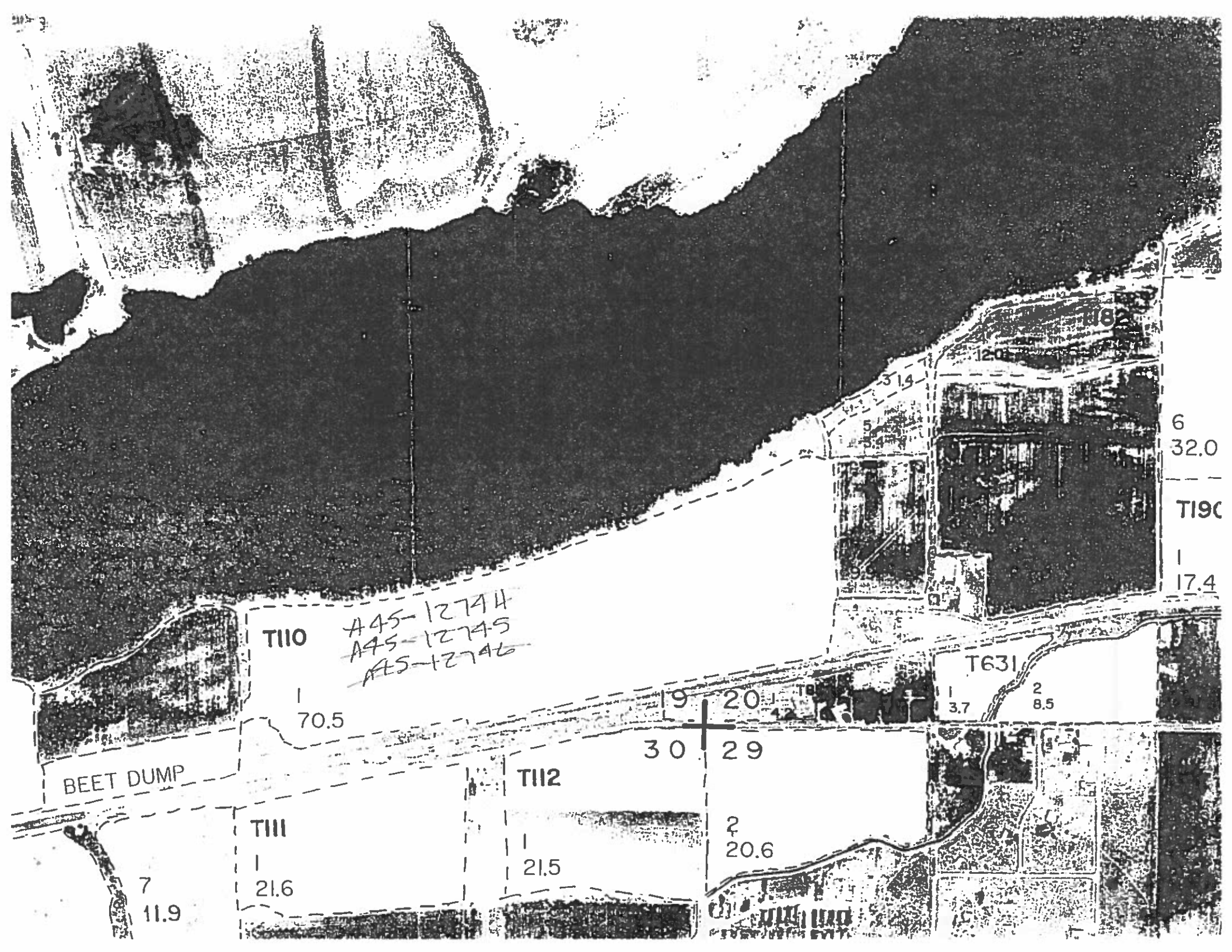
Residing at *Burley*, Idaho. Comm. Expires *Life*

FOR RECORDING ONLY:

RECORDED AT THE REGISTER
CASSIA COUNTY ABSTRACT
FILE 142911
APR 27 3 01 PM '82
CASSIA COUNTY
FEE \$11.00
J.S.C.C.A.

142911

1982
APRIL



T110

A45-12744
A45-12745
A45-12746

70.5

BEET DUMP

T111

21.6

7

11.9

T112

21.5

30

29

2

20.6

T631

3.7

2

8.5

T182

12.0

3.14

5

5.4

5.9

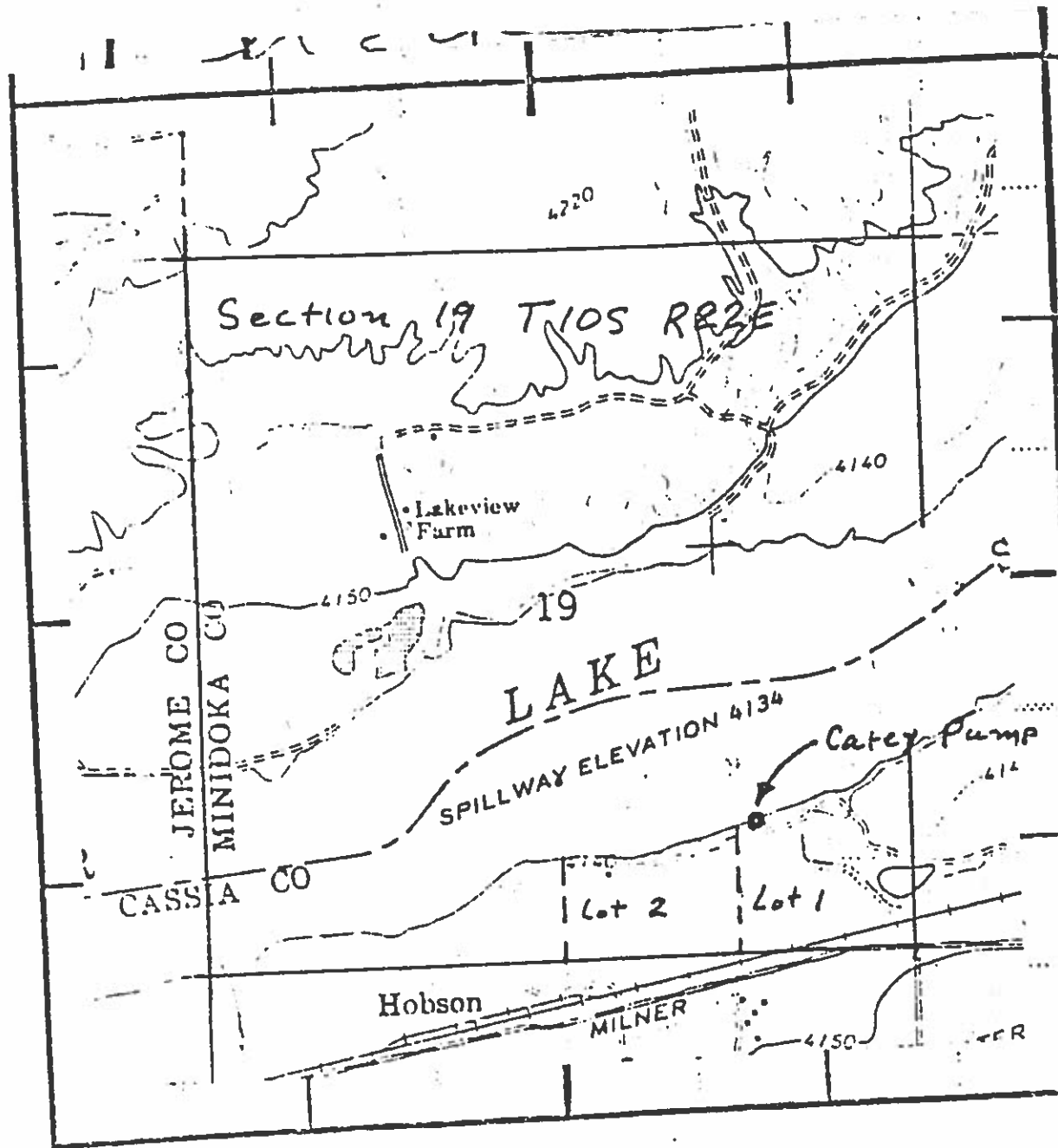
6

32.0

T190

1

17.4



SCALE: 2 inches equal 1 mile. Draw plan in ink.

~~A45-12744, A45-12745 & A45-12746~~
 This is a P.O.D. or B.I.D.

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: A45-10721
Date Received: 5/22/1989
Receipt No: S007255
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENNETH P. CAREY 208-678-2901
Address: RT 2 BOX 2106
BURLEY, ID 83318

AND/OR

Name: JUNE CAREY 208-678-2901
Address: RT 2 BOX 2106
BURLEY, ID 83318

2. Date of Priority: MAR 15, 1960

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	22E	36	SE	NE	SE		CASSIA

5. Description of diverting works:
250' 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		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/50 BEEF STOCK

A45-10721

Page 1

Date: 05/22/89

MICROFILMED

MAR 18 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	22E	36	NE	SE	STOCK 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 FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

MAY 22 1989

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.Department of Water Resources
Southern Region Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Kenneth P. Carey or June Carey Phone (208) 678-2901Mailing Address R#2 Box 2106-Burley Idaho Zip 833182. Date of Priority (Only one per claim) march 15 1960 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 10 Range 22 EBMSection 36, SE 1/4 of NE 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 and pump well 250 ft. deep

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

For domestic purposes from Jan 1 to Dec 31 amount 0.04 (cfs)For livestock purposes from Jan 1 to Dec 31 amount 0.02
(Both dates are inclusive)7. Total quantity claimed 0.06 (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) one house - 50 beef

MICROFILMED

MAR 08 1993

10. Place of use is: Township: 10 Range 22 EBM

Section 36 NE 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

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

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) no docket

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) June Carey Date May 19, 1989
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 Cassia } SS. 519-01-9740

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

SEAL

Notary Public Bruce A. Schuld

Residing at _____

My Commission Expires _____

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES APRIL 11, 1995

MICROFILMED
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

July 19, 1989

Re: A45-10720
A45-10721

KENNETH P CAREY
RT 2 BOX 2106
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 black ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED

MAR 08 1993

WATER RIGHT NUMBER - A45-10721

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 05/22/89 WHITE

+ - - - - 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	- 05/22/1989	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	- S007255	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

105226367785 ~~T 3108 73169~~
~~(3120 Ac + 10000)~~
~~105226 36 2400 P1 NE NW~~
~~has 34.720 Ac 5/50 ?~~

DATA ENTRY

ENTERED 6-3-91 AS

CHECKED 2/7/93 AS

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

VERIFIED
OCT 27 1991

PROOF
SEP 10 1991

CERTIFIED
NOV 15 1991
WATER EXAMINER