

AJ5809NP
No. R45-10878

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/29/97
PAGE: 27

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARTHA J MARTIN RT 1 BOX B OAKLEY ID 83346 (208) 862-3802	01/01/1931	STOCKWATER	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: SPRING

Tributary to: SUMMIT CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T14S R23E S20 SESESE CASSIA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
14S 23E 20 :																															

POU County: CASSIA

Non-Irrigation Uses: (STOCKWATER, 100 RANGE)

Other Rights: NONE

Remarks: GEN PARCEL NO. 14S23E207200

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 45A Field Inspection Flag:
Presumption Flag:

Audit: 08/12/93 SMITH 03/30/95 POST-STD

[Handwritten signature]
10/29/97

DATE: 12/20/99
PAGE: 1

Field Inspection Flag:
Presumption Flag:

ZGF1

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 45-10878

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

MANNING

ROBERT H

1 - 2233 BIRCH CREEK RD

2 -

3 -

City- OAKLEY

State- ID Zip- 83346

Phone - 208-862-3884

MANNING

DEANN

1 - 2233 BIRCH CREEK RD

2 -

3 -

City- OAKLEY

State- ID Zip- 83346

Phone - 208-862-3884

*** D - DIR RPT OWNER ***

MARTIN

MARTHA J

1 - RT 1 BOX B

2 -

3 -

City- OAKLEY

State- ID Zip- 83346

Phone - 208-862-3802

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1931 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
SPRING SUMMIT CREEK

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
14S 23E 20 SE SE SE (31) CASSIA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
04 - STOCKWATER 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
14S 23E 20 SE SE 04 STOCKWATER (31) CASSIA

Total Acres:

+ - - Diversion Means - INSTREAM USE

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

Water right number - 45-10878

Prefix Translation: WATER RIGHT

+ - - - - - Remarks - - - - - +

EXP PARCEL NO. 14S23E207200
STOCKWATER, 100 RANGE

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

No Old Water Right Numbers Found

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

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

+ - - - - Decree Plaintiff - - - +
STATE OF IDAHO

+ - - - - Decree Defendant - - - +
UNITED STATES, ET AL

+ - Decree Date - +
07/24/1998

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

Date: 12/17/1999 User Id: CTIMM Subject: OWNERSHIP CHANGE
12/17/99, CHANGED OWNERSHIP: MARTIN TO MANNING AS PER FORM 1409 AND DEED REC'D 4/23/99. C.T.

+ - - Audit Fields - - +

12/17/99 CTIMM

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

Court Report Filing	- 03/02/1998	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	- 05/26/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M003734	Water District	- 45A
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

RECEIVED

APR 23 1999

Department of Water Resources
Southern RegionSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: A 45-10878
Adjudication Claim No(s).: A45-00593, A45-00665, A45-00666
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 Martha J. Martin
4. New Owner/Claimant(s) Robert H. Manning &/or Deann Manning
Name Connector (Check one): ☐ and ☐ or, ☒ and/or
New Mailing Address 2233 Birch Creek Rd
City, State and ZIP Code Oakley ID 83346
New Telephone Number (208) 862-3884
5. Date you acquired the property _____
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. * No Split
Number of acres you irrigate 64 ± Number and type of stock 160 head
Diversion rate in CFS _____ Number of homes 1 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) Robert Manning
(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..
o/c 10/18/99 ct
HS

205368

QUITCLAIM DEED AND ASSUMPTION AGREEMENT

FOR VALUE RECEIVED, MATTHEWS BROS., INC., an Idaho corporation, does hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto ROBERT H. MANNING and DEANN MANNING, husband and wife, whose present address is Route 1, Oakley, Idaho 83346, the following described premises, located in Cassia County, State of Idaho, to-wit:

Township 13 South, Range 23 East Boise
Meridian

Section 33: SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 28: E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$

Township 14 South, Range 23 East Boise
Meridian

Section 4: SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 5: Lots 1 and 2
Section 20: East 32 rods of the NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 21: NE $\frac{1}{4}$, North 48 rods of the N $\frac{1}{2}$ SW $\frac{1}{4}$
With water gap in the Southwest corner

TOGETHER with all rights in the forest reserve for the pasturing of cattle, 93 head, which forest reserve right has as base property the hereinabove described real estate. These rights are located in the Sawtooth National Forest. TOGETHER with all water rights connected with the said land, including, but not limited to, 60 inches of Basin Creek with priority of 1879 and stock and domestic water to the Emerson Green Springs even though the said spring may not be situated on the land above described.

together with appurtenances.

The consideration for this deed is the agreement of Robert H. Manning and DeAnn Manning to assume and discharge the obligations of Matthews Bros., Inc., under the Joseph Reid Whiteley Contract dated August 31, 1978, and to hold Matthews Bros., Inc., harmless therefrom.

DATED this _____ day of December, 1989.

MATTHEWS BROS., INC.

By *Ernie B. Matthews*
President

ATTEST:

W. B. Whiteley
Secretary

STATE OF IDAHO)
County of Cassia)

ss.

On the 18th day of December, 1989, before me the undersigned Notary Public in and for said State, personally appeared Ennis Matthews and W.B. Whiteley, known to me to be the President and Secretary, respectively, of MATTHEWS BROS., INC., an Idaho corporation, the persons whose names are subscribed to the foregoing instrument and acknowledged to me that said persons executed the same on behalf of said corporation.

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

(SEAL)

Robert W. Fehlema
Notary Public
Residing at Oakley, Id
My Commission Expires: 8-15-91

ASSUMPTION AGREEMENT

We, Robert H. Manning and DeAnn Manning, accept the foregoing deed and agree to assume, pay and discharge the obligation described in said deed and agree to hold Matthews Bros., Inc., harmless therefrom.

DATED this _____ day of December, 1989.

Robert H. Manning
Robert H. Manning

DeAnn Manning
DeAnn Manning

STATE OF IDAHO)
County of Cassia) ss.

On the 18th day of December, 1989, before me the undersigned Notary Public in and for said State, personally appeared ROBERT H. MANNING and DEANN MANNING, husband and wife, the persons whose names are subscribed to the foregoing instrument and acknowledged to me that said persons executed the same.

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

(SEAL)

Robert W. Fehlema
Notary Public
Residing at Oakley, Id
My Commission Expires: 8-15-91

QUITCLAIM DEED AND ASSUMPTION AGREEMENT - 2

205368
RECORDED AT THE CLERK'S OFFICE
DECEMBER 21 1989
CASSIA COUNTY, IDAHO
FRANK N. KEARNS
RECORDER
OAKLEY
ID. 63346
KD
Robert Manning

178253

THIS BLANK FURNISHED BY Land Title and Escrow

Enew 2155-

QUITCLAIM DEED

For Value Received

JOSEPH REED WHITELEY and MARY JANE WHITELEY, husband and wife

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto MATTHEWS BROTHERS, INC., an Idaho Corporation

ADDRESS: Oakley, Idaho

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

TOWNSHIP 13 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIANSection 33: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 28: E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ TOWNSHIP 14 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIANSection 4: SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 5: Lots 1 and 2

Section 20: East 32 rods of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21: NW $\frac{1}{4}$, North 48 rods of the N $\frac{1}{2}$ SW $\frac{1}{4}$

TOGETHER WITH all rights in the forest reserve for the pasturing of cattle, which forest reserve right has a base property the hereinabove described real estate. These rights are located in the Sawtooth National Forest. TOGETHER WITH all water rights connected with the hereinabove described property that may be appurtenant to said lands.

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

Dated: November 27th, 1985

Joseph Reed Whiteley
JOSEPH REED WHITELEY

Mary Jane Whiteley
MARY JANE WHITELEY

STATE OF IDAHO, COUNTY OF CASSIA

On this 27th day of November, 1985
before me, a notary public in and for said State, personally appeared

JOSEPH REED WHITELEY
and

MARY JANE WHITELEY

known 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

, Idaho.

LAND TITLE & ESCROW

FEE: 200 DEPUTY: *AD*CASSIA COUNTY, IDAHO
FRANK D. KEARNS
RECORDER

MAY 9 4 11 PM '86

FILE 180

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

178253

Instrument No.

WARRANTY DEED

THIS INDENTURE, made this 10 day of May, 1974, by and between LLOYD H. MARTIN and MARTHA MARTIN, husband and wife, of Oakley, Cassia County, Idaho, hereinafter called the "GRANTORS", and JOSEPH REED WHITELEY and MARY JANE WHITELEY, husband and wife of Oakley, Cassia County, Idaho, hereinafter called the "GRANTEES".

WITNESSETH:

That the Grantors for and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable consideration, to the Grantors in hand paid by the Grantees, the receipt whereof is hereby acknowledged, has granted, bargained and sold and by these presents does grant, bargain and sell, convey and confirm unto the Grantees, and to the Grantees' heirs and assigns forever, all of the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 13 South, Range 23 EBM.

SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 14 South, Range 23 EBM.

Lots 1 and 2 of Section 5, Township 14 South, Range 23 EBM.

NW $\frac{1}{4}$ and the North 48 rods of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 21, Township 14 South, Range 23.

The East 32 rods of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Section 20, Township 14 South, Range 23 EBM.

The E $\frac{1}{2}$ NW $\frac{1}{4}$, and the W $\frac{1}{2}$ NE $\frac{1}{4}$ in Section 28, Township 13 South, Range 23 EBM, containing 160.0 acres, more or less.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate right, title and interest in and to the said property as well in law as in equity of the Grantors.

Grantee's address: 240 North Center Avenue
Oakley, Idaho 83346

AJ5809NP
No. A45-10878

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/14/99
PAGE: 5

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARTHA J MARTIN RT 1 BOX B OAKLEY ID 83346 (208) 862-3802	01/01/1931	STOCKWATER	01-01 12-31	0.040 CFS	
TOTAL DIVERSION:					0.040 CFS	

Water Source: SPRING

Tributary to: SUMMIT CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T14S R23E S20 SESESE

CASSIA County

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
14S	23E	20	:																	:
			:																	:
			:																	:
			:																	:

POU County: CASSIA

Non-Irrigation Uses: S/100 RANGE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 45A

Field Inspection Flag:
Presumption Flag:

NO

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: A45-10878
Date Received: 5/26/1989
Receipt No: M003734
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARTHA J. MARTIN
Address: RT. 1 BOX B
OAKLEY, ID 83346
208-862-3802

2. Date of Priority: JAN 01, 1931

3. Source: SPRING Trib. to: SUMMIT CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
14S	23E	20	SE	SE	SE		CASSIA

5. Description of diverting works:
INSTREAM USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	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:
S/100 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14S	23E	20	SE	SE		STOCK	

11. Place of use in counties: CASSIA

A45-10878

Page 1

Date: 05/26/89

MICROFILMED

MAR 08 1993

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): Martha Martin Date: 5/24/89

Date: _____

State of Idaho)
County of Franklin) SS.
Cassia)

Subscribed and sworn (or affirmed) before me this 26th day
of May 19 89
Steve Call
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

OLD (O) NUMBER -

+ - - - - - ADDRESS - - - - - +

PHONE - 208-862-3802

+ - - - STATUS - - - - +

+ - - - - - - - TRIBUTARY - - - - - +
SUMMIT CREEK

0.040

(31) CASSIA

+ - - AUDIT FIELDS - 05/26/89 MOBILE2

MICROFILMED
OCT 26 1994

WATER RIGHT NUMBER - A45-10878

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	- 05/26/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	- 45A
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- M003734	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

14523E207200

Martin, Lloyd
c/o Manning, Robert
Rt 1
Oakley 83344

Verified By
Topo Map/Ortho-PQ
Aerial Map
V. Connector Records
N-F Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

DATA ENTRY

ENTERED 8-12-93 JJ
CHECKED 10/17/93 DED

VERIFIED
FEB 14 1993

CERTIFIED
FEB 20 1993
WATER EXAMINER