

AJ5856NP

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

DATE: SEP-9-1997

PAGE: A-823

RIGHT NUMBER: 45-11212

NAME & ADDRESS: WILLIAM D MC MANUS
JANINE B MC MANUS
RT 1 BOX 306
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 01/01/1955

POINT OF DIVERSION: T09S R25E S17 SENE 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
T09S R25E S17 SENE

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. 09S25E171850

Claim proofread by: CW

Date: 9-23

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: A45-11212

Date Received: 6/ 8/1989

Receipt No: S007660

Received By: ownership change *JK*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM D MC MANUS 208-436-5670
Address: RT 1 BOX 306
RUPERT ID 83350

AND

Name: JANINE B MC MANUS 208-436-5670
Address: RT 1 BOX 306
RUPERT ID 83350

2. Date of Priority: JAN 1, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	25E	17	SE	NE			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

DEC 03 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	25E	17	SE	NE		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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

OCT 17 1994

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

Department of Water Resources
Southern Region Office

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 9S Range 25 East Boise Meridian
Section 17, 1/4 of 1/4 of 1/4 Govt. Lot _____, BM.
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:

112128
A45-14209

[] Name and Address of Former
Owner/Claimant(s)(Seller):

Joy Mc Nabbs
6377 Rapid Creek Rd

[] New Owner/Claimant
(Purchaser):

Idaho, Idaho 83245
William D and Janine B McManus

[] New Mailing Address:

Rt. 1 Box 306
Rupert, Idaho 83350

[] New Telephone Number:

(208) 436-5670

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes X 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:

Title Ins, Court Order, and Copy from Recorders Office
(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.)

regarding
change of
names.

[] Signature of New
Owner/Claimant(s)

William D. McManus

Date

Janine B. McManus

Date

10/4/94

[] 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: 11/8/94 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

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

DEC 03 1996

Alan Goodman, Esquire
Goodman & Bollar
Attorneys at Law
P. O. Box D
717 7th Street
Rupert, ID 83350
Telephone: 436-4774

5 0 15 11

OCT 17 1994

Department of Water Resources
Southern Region Office

Attorneys for William D. McManus

IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF IDAHO

-0-

IN RE:	)	Case No. 87-01685 K
	)	
JOHN BURL McNABB and	)	
JOY McNABB, aka/dba	)	<u>AMENDED ORDER</u>
McNABB FARMS,	)	
	)	
Debtors	)	

-0-

THIS MATTER came before the Court on Wednesday, the 3rd day of November, 1993, the Honorable Alfred C. Hagan, Bankruptcy Judge presiding. This matter was before the Court pursuant to the Motion of William D. McManus to re-open the case and to require the debtor to comply with the Plan. William D. McManus was present and represented by Alan Goodman of the law firm of Goodman & Bollar, Rupert, Idaho. The debtors in possession were present and represented by Dannis M. Adamson, Attorney at Law, Pocatello, Idaho.

ENTERED this 17th day of November, 1994.

The Court, upon reviewing the matter and considering the statements of counsel, as well as the statements of John McNabb and Joy McNabb, hereby enters the following Orders:

DEC 03 1996

AMENDED ORDER

IT IS HEREBY ORDERED that the above-entitled case be,
and is hereby re-opened.

IT IS FURTHER ORDERED that the Court having requested
Joy McNabb to execute a Quitclaim Deed to the following described
real property located in Cassia County, Idaho, to-wit;

TOWNSHIP 9 SOUTH, RANGE 25 EAST, BOISE MERIDIAN

SECTION 17:

N~~1~~SE~~1~~NE~~1~~, EXCEPTING THEREFROM the following
described tract:

Beginning at a point located on the Section line
between Section 16, Township 9 South, Range 25,
E.B.M., and Section 17, Township 9 South, Range
25, E.B.M., which is North of the East Quarter
corner of said Section 17, a distance of 660 feet;
thence North along said Section line between
Sections 16 and 17, a distance of 646.55 feet;
thence West 336.87 feet; thence South 646.55 feet;
thence East 336.87 feet to the Point of Beginning.

All in Cassia County, Idaho,
and Joy McNabb having refused to execute such Quitclaim Deed, and
the property being within the jurisdiction of the Court, the
Court, pursuant to Rule 7070 of the Federal Rules of Bankruptcy
Procedure and Rule 70 of the Federal Rules of Civil Procedure,
hereby orders that Judgment be entered divesting title of the
above-described real property from Joy McNabb to William D.
McManus and Janine B. McManus, and that such Judgment, when
entered, shall have the same effect as a conveyance executed in
due form of law.

DATED this ____ day of November, 1993.

COPY: ORIGINAL SIGNED BY

Alfred C. Hagan
Bankruptcy Judge

DEC 03 1996

MCMANUS, William D
 & MCMANUS, Janine B
 Rt 1 Box 306
 Rupert, Id 83350

2757
 095258171850

15.06

T 5767 (SENE) *Dec 7-92*
 S 17 T 9 R 25

114291 Arthur B Smyth to Samy Guisasola 5-15-67
 114293 Samy Guisasola & Clea M Guisasola to John B McNabb etux *(Joy)*
 2-12-79

223214 QC John B McNabb to William D Mcmanus & Janine B McManus
 10-7-92 (rec 2-18-93)

227854 Judgment - John Burl McNabb and Joy McNabb aka/dba McNabb 11-
 Farms debtors - property to William D Mcmanus & Janine B McManus 23-
 93

A-61

KEY

DEC 03 1996

PRINT KEY OUTPUT

5738SSI V2R2M0 920925

SIJ34087

07/13/94

PAGE
15:33:1

DISPLAY DEVICE : WA
USER : LINDA

PARCEL MASTER/HISTORY INQUIRY

PARCEL: RP 09S25E171850 A

MS SP UR HO CB REL PARC DD

NAME/ADDRESS	LEGAL DESCRIPTION
MCMANUS, WILLIAM D	T 5767 (SENE)
E MCMANUS, JANINE B	S 17 T 9 R 25

RT 1 BOX 306

CODE AREA 4400 OWNER CODE
PARC TYPE LOC CODE
EFFDATE 1011993 EXPDATE
PREV PARCEL RP09S25E171850A

RUPERT ID 83350

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	HS MRKT
1	1993	14810	AC	9108				

TOTALS 14810 9108

F1=HELP F2=TAX DUE F3=EXIT F4=PROMPT F5=REFRESH F6=NAME F7=LEGAL F24=MORE KEY

DEC 03 1996

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	PREMIUM AMOUNT
1 13209	2 13-0190-60-000260	3 December 1, 1993 at 2:51 P. M.	4 \$ 12,000.00	5 \$ 162.00

1. Name of Insured:

WILLIAM D. McMANUS and JANINE B. McMANUS, husband and wife

2. The estate or interest in the land which is covered by this Policy is:

FEE SIMPLE

3. Title to the estate or interest in the land is vested in:

WILLIAM D. McMANUS and JANINE B. McMANUS, husband and wife

4. The land herein described is encumbered by the following mortgage or trust deed, and assignments:

NONE

and the mortgages or trust deeds, if any, shown in Schedule B hereof.

5. The land referred to in this Policy is described as follows:

TOWNSHIP 9 SOUTH, RANGE 25 EAST, BOISE MERIDIAN

Section 17: N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described tract:

Beginning at a point located on the Section line between Section 16, Twp. 9 S., Rge. 25, E.B.M., and Section 17, Twp. 9 S., Rge. 25, E.B.M., which is North of the East Quarter corner of said Section 17, a distance of 660 feet; Thence North along said Section line between Sections 16 and 17 a distance of 646.55 feet; Thence West 336.87 feet; Thence South 646.55 feet; Thence East 336.87 feet to the Point of Beginning.

ALL IN CASSIA COUNTY, STATE OF IDAHO.

DEC 03 1996

SCHEDULE A

Owners Form

This Policy valid only if Schedule B is attached.

McManus
Rt. 1 Box 306
Rupert, Idaho 83350



DEC 03 1996

Attn: Jeanie Robertson
Records Clerk.

State of Idaho
Dept. of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

SD-0601-2 Last Name: MCNABB

STATE

S	First	O	Water	Priority		Total	Use
E	Name	W	Right	Date	Source	Diversion	Code
L		N	No.				Desc
-	MCNABB						
-	MIKE	C	A45-11212	01/01/1955	GROUNDWATER	0.040	43 DOMEST
-	JOHN B.	C	A45-11212	01/01/1955	GROUNDWATER	0.040	43 DOMEST
-	MIKE	C	R45-11212	01/01/1955	GROUNDWATER	0.040	43 DOMEST
-	JOHN B	C	R45-11212	01/01/1955	GROUNDWATER	0.040	43 DOMEST
-	MIKE	O	R45-11209	01/01/1955	GROUNDWATER	0.230	43 DOMEST
-							04 STOCK
-	JOHN B	O	R45-11209	01/01/1955	GROUNDWATER	0.230	43 DOMEST
-							04 STOCK
-	MIKE	O	A45-11209	01/01/1955	GROUNDWATER	0.230	43 DOMEST
-							04 STOCK
-	JOHN B.	O	A45-11209	01/01/1955	GROUNDWATER	0.230	43 DOMEST
-							04 STOCK
-							
-							
-							
-							

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

DEC 03 1996

SD-0604-2 Township: 09S Range: 25E Section: 17				Tract: SENE Lot:	
S	L	STATE	O	S	Max # Records 47
E	O	Water Name	W	T	Priority Use
L	Tract T	Right No. Last, First	N	AC	G Date Code Desc
-	-	-	-	-	-
-	SENE	A45-11212 MCNABB, MIKE	C		J 01/01/1955 43 DOMEST
-		MCNABB, JOHN B.	C		
-	SENE	A01-10187Z0 MINIDOKA IRRIGATION DI	C	40	D 03/26/1903 01 IRR
-		FLETCHER, KENT	A		
-	SENE	R45-11212 MCNABB, MIKE	C		J 01/01/1955 43 DOMEST
-		MCNABB, JOHN B	C		
-					
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(Enter=Continue) (GOLD7=This Query) (Menu _____)



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

November 8, 1994

WILLIAM D MC MANUS
JANINE B MC MANUS
RT 1 BOX 306
RUPERT ID 83350

Re: Ownership Change for Adjudication Claim #A45-11212
MC NABB/MC MANUS

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. (Glad we finally got this straightened out!)

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the typed name and title.

Jeanie Robertson
Water Right Agent

/jr
Enclosures

DEC 03 1996

Water Right Number - R45-11212

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

MC MANUS

WILLIAM D

1 - RT 1 BOX 306

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-5670

MC MANUS

JANINE B

1 - RT 1 BOX 306

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-5670

*** O - ORIGINAL OWNER ***

MCNABB

MIKE

1 - PO BOX 4366

2 -

3 -

City- POCATELLO

State- ID Zip- 83204

Phone - 208-233-6750

MCNABB

JOHN B

1 - PO BOX 4366

2 -

3 -

City- POCATELLO

State- ID Zip- 83204

Phone - 208-233-6750

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/01/1955 ERROR IN REGION J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
09S 25E 17 SE NE (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
09S 25E 17 SE NE 43 DOMESTIC (31) CASSIA

Total Acres:

DEC 03 1995

Water right number - R45-11212 Prefix Translation: RESEARCH

+ - - Diversion Means - WELL, PUMP

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

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
PARCEL NO. 09S25E171850

+ - - - - - 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: 11/08/1994 User Id: JROBERTS Subject: OWNERSHIP CHANGE
Change of ownership form received 10/17/94, original owners Mike & John McNabb - new owners William & Janine McManus. Copy of
Amended Court Order in Bankruptcy Court enclosed with form. A45-11212 also changed this date. jr 11/8/94

+ - - Audit Fields - - +
11/08/94 JROBERTS

+ - - - - - 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	- 06/08/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007660	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

DEC 03 1996



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

31-Aug-1993

JANINE MC MANUS
RT 1 BOX 306
RUPERT ID 83350

Re: Ownership Change for Adjudication Claim #A45-11209 -
MC NABB/MC MANUS

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.

As for the other claim we spoke about on the phone (A45-11212), I called the Cassia County Courthouse and their records show that 14.81 acres is still in the name of Joy Mc Nabb, in care of William Mc Manus. That is probably why our contractor didn't notify you of a discrepancy in ownership of that right. As soon as you get the rest of your property cleared up, send in the form which I've enclosed and I will change the other right.

Sincerely,


Jeanie Robertson
Records Clerk

/jr
Enclosures

DEC 03 1996

RECEIVED

218624 AUG 23 1993

copy

Department of Water Resources
Southern Region Office

GIANT DEED

FOR VALUE RECEIVED ROBERT DeLONG, a single man, does hereby release, remise, grant, bargain, sell, convey and forever quitclaim unto JANINE B. McMANUS, a married woman as her sole and separate property, whose present address is: Rt. #1, Box 306, Rupert, Idaho, the following described premises, located in Cassia County, Idaho, to-wit:

SEE ATTACHED EXHIBIT A

together with their appurtenances.

DATED this 24th day of September, 1991.

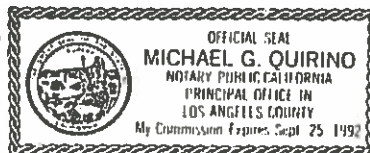

Robert DeLong

STATE OF CALIFORNIA)
) ss.
County of Los Angeles)

On this 24th day of September, 1991, before me, a Notary Public in and for said State personally appeared Robert DeLong, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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)




Notary Public
Residing at La Verne, CA
My Commission Expires 9-25-92

DEC 03 1996

PARCEL #1: Township 9 South, Range 25 East, Boise Meridian
Section 16: N $\frac{1}{2}$ SW $\frac{1}{4}$ and that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ lying
West of the Minidoka Canal.

EXCEPTING THEREFROM the following described tract:
Beginning at a point on the West section line which is
North 00°44' East, 401.97024000 meters from the SW corner
of Section 16, Twp. 9 S., Rge. 25, E.B.M.,
Thence North 00°44' East, 58.73496000 meters along such
line;
Thence North 88°39' East, 101.01072000 meters;
Thence South 01°31' West, 61.02096000 meters;
Thence South 89°55' West, 100.43160000 meters, to the
Point
of Beginning.

PARCEL #2: Township 9 South, Range 25 East, Boise Meridian
Section 17: A part of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ described as follows:

Beginning at a point located on the Section line between
Section 16, Twp. 9 S., Rge. 25, E.B.M., and Section 17,
Twp. 9 S., Rge. 25, E.B.M., which is North of the East
Quarter corner of said Section 17, a distance of 660
feet;
Thence North along said Section line between Sections
16 and 17 a distance of 646.55 feet;
Thence West 336.87 feet;
Thence South 646.55 feet;
Thence East 336.87 feet to the Point of Beginning.

Section 16: SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$

ALL IN CASSIA COUNTY, STATE OF IDAHO.

Together with a 75 HP Century motor, serial No. 6N, with a Berkeley
Centrifugal pump, Serial No. 7381604, and 3070 feet of 6 inch to 10
inch PVC buried main line, and any replacements thereof, all of
which are hereby declared to be appurtenant thereto.

Including all leases, permits, licenses or privileges, written or
otherwise, appurtenant or nonappurtenant to said mortgaged
premises, now held by mortgagors or hereafter issued, extended or
renewed to them by the United States or the State or any
department, bureau, or agency thereof, which have been or will be
assigned or waived to mortgagee.

Together with the tenements, hereditaments, rights, privileges and
appurtenances, including private roads, now or hereafter belonging
to or used in connection with the above described premises; and
all plumbing, lighting, heating, cooling, ventilating, elevating,
watering and irrigating apparatus, stationary scales and other
fixtures, now or hereafter belonging to or used in connection with
the above described premises, all of which are hereby declared to
be appurtenant to said land; and together with all waters and water
rights of every kind and description and however evidenced, and all
ditches or other conduits, rights therein and rights of way
therefor, which now are or hereafter may be appurtenant to said
premises or any part thereof, or used in connection therewith.



RECORDED AT THE REQUEST OF

Goodman & Dugg
FILM 234

1992 APR 21 A 11:12

218624

CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER

FEE 6.00 DEF KILL LS: Day D - Supert 53350
DEC 03 1996

RECEIVED

AUG 23 1993

218602

Department of Water Resources
Southern Region Office

copy

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

-0-

FARM CREDIT BANK OF SPOKANE, a)
corporation, successor by)
merger to The Federal Land Bank)
of Spokane,)

Plaintiff,)

-vs-)

SAMY GUIASOLA and CLEA)
GUIASOLA, formerly husband and)
wife; JOHN B. McNABB and JOY)
McNABB, husband and wife; JOHN)
B. McNABB, d/b/a McNABB FARMS)
and McNABB GRAIN; MICHAEL and)
JANE DOE McNABB; WILLIAM and)
JANE DOE McNABB; RODNEY ROBBINS)
and TONYA ROBBINS, husband and)
wife; UNITED STATES OF AMERICA,)
acting through the FARMERS HOME)
ADMINISTRATION; VALLEY BANK, a)
corporation; WESTERN FARM)
SERVICE, INC., a corporation;)
BANCORP LEASING AND FINANCIAL)
CORP., a corporation; BUSINESS)
LEASING CORP., a corporation;)
LAKESIDE FARMS, INC., d/b/a)
REDI-GRO FERTILIZER; RICHARD)
EDWARDS and JANE DOE EDWARDS,)
if husband and wife; GENE)
McLEAN and JANE DOE McLEAN, if)
husband and wife; BLAINE)
HAMILTON and JANE DOE HAMILTON,)
if husband and wife; and)
INTERSTATE FEDERAL LAND BANK)
ASSOCIATION;)

Defendants.)

Case No. CI-90-6-102

SHERIFF'S DEED ON FORECLOSURE

-0-

DEC 03 1995

THIS INDENTURE, made this 17th day of April, 1992, between Billy R. Crystal, Sheriff of the County of Cassia, State of Idaho, and ROBERT D. DeLONG of Laguna, California, whose current address is 32689 Caspian Sea, Laguna, California 92677.

WHEREAS, in and by that certain judgment or decree rendered by the District Court of the Fifth Judicial District of the State of Idaho, on the 22nd day of February, 1991, in a certain action then pending in said court, wherein Farm Credit Bank of Spokane, successor by merger to The Federal Land Bank of Spokane, a corporation, was plaintiff, and Samy Guisasola and Clea Guisasola, formerly husband and wife; John B. McNabb and Joy McNabb, husband and wife; John B. McNabb, d/b/a McNabb Farms and McNabb Grain; Michael and Jane Doe McNabb husband and wife; Rodney Robbins and Tonya Robbins, husband and wife; United States of America, acting through the Farmers Home Administration; Valley Bank, a corporation; Western Farm Service, Inc., a corporation; Bancorp Leasing and Financial Corp., a corporation; Business Leasing Corp., a corporation; Lakeside Farms, Inc., d/b/a Redi-Gro Fertilizer; Richard Edwards and Jane Doe Edwards, if husband and wife; Gene McLean and Jane Doe McLean if husband and wife; Blaine Hamilton and Jane Doe Hamilton, if husband and wife; and Interstate Federal Land Bank Association were defendants, and of which said judgment or decree a certified copy was delivered to the Sheriff for execution, it was, among other things, ordered, adjudged and decreed that all and singular the mortgaged premises described in the complaint in said action, and specifically described in said judgment or decree, be sold at public auction by the Sheriff of the County of Cassia in the manner required by law, and according to the practice of said court; that such sale be made in front of the courthouse in the County of Cassia between the hours of 9:00 o'clock A.M. and 5:00 o'clock P.M. on such day as said Sheriff shall appoint; that any of the parties to said action might become the purchaser at such sale; and that said Sheriff execute the usual certificates and deeds to the purchaser, as required by law; and

WHEREAS, said Sheriff did, at the hour of 10:00 o'clock A. M. on April 16, 1991, after due public notice had been given, as required by the laws of this state, and the course and practice of said court, duly sell at public auction, in front of the courthouse in the County of Cassia, pursuant to said judgment or decree, and the provisions of law, the premises in said decree or judgment mentioned; at which sale the premises in said judgment or decree, and hereinafter described, were fairly struck off to said Robert D. DeLong for the sum of \$136,000.00, lawful money of the United States, he being the highest bidder, and that being the highest sum bidden for the same; and

WHEREAS, said Robert D. DeLong thereupon paid to said Sheriff said sum of money so bidden by him; and

DEC 03 1996

WHEREAS, said Sheriff thereupon made and issued the usual certificate, in duplicate, of said sale in due form of law, and delivered one thereof to said purchaser, and caused the other to be filed and recorded in the County Recorder's office of the County of Cassia, State of Idaho; and

WHEREAS, more than one year has elapsed since the date of sale and no redemption has been made of the premises so sold, as aforesaid, by or on behalf of said judgment debtors, said defendants, or by or on behalf of any other person;

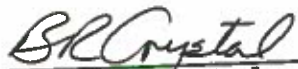
NOW, THEREFORE, said Billy R. Crystal, Sheriff of Cassia County, Idaho, in order to carry into effect the sale so made by him as aforesaid, pursuant to said judgment or decree, and in conformity to the premises and of said sum of \$136,000.00, lawful money of the United States, so bidden and paid to him by said purchaser, said Roger D. DeLong, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto said party of the second part, and to his heirs and assigns forever, the following described real property:

See Exhibit "A" attached hereto and incorporated herein.

Together with all and singular the tenements, hereditaments, and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises above mentioned and described, and hereby conveyed or intended so to be, together with the appurtenances, unto said Robert D. Delong, his heirs and assigns forever.

IN WITNESS WHEREOF, said Grantor, as Sheriff aforesaid, hereunto set his hand the day and year first above written.


Billy R. Crystal, Sheriff
Cassia County, Idaho

DEC 03 1996

STATE OF IDAHO

)

) ss.

County of Minidoka

)

On this 17 day of April, 1992, before me the undersigned Notary Public in and for said State personally appeared Billy R. Crystal, Sheriff of Cassia County, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he 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)

Marilyn L. Maller
Notary Public
Residing at Boise, Id.
My Commission Expires Life

MICROFILMED

DEC 03 1996

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: A45-11212
Date Received: 6/08/1989
Receipt No: S007660
Received By: *lu*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MIKE MCNABB 208-233-6750
Address: P.O. BOX 4366
POCATELLO, ID 83204

AND/OR

Name: JOHN B. MCNABB 208-233-6750
Address: P.O. BOX 4366
POCATELLO, ID 83204

2. Date of Priority: JAN 01, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	25E	17	SE	NE			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
09S	25E	17	SE NE		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): Mike M. Nally Date: 6/8/89

Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 8th day

of June 19 89

Lois W. White
Notary Public

Seal

Residing at TF

My Commission Expires 5/94

OLD (D) NUMBER -

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

PHONE - 208-233-6750

+ - - - STATUS - - - - +

+ - - - - - TRIBUTARY - - - - - +

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

MICROFILMED
OCT 28 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

PREFIX TRANSLATION: ADJUDICATION CLAIM

CERTIFIED
DEC 23 1991
WATER EXAMINER