

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

Water Right Number - 45-11425

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

VONDELEE JONES FAMILY PARTNERSHIP LTD

1 - 82 S 150 E

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-2942

*** D - DIR RPT OWNER ***

POVLSEN

ROBERT

1 - 130 E 100 S

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-4265

POVLSEN

DEBRA

1 - 130 E 100 S

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-4265

+ - - Priority Date - - +
09/17/1980

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
D - DECREED

+ - - Status - - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

10S 23E 28 NE SE 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 SE SE 43 DOMESTIC (31) CASSIA

Total Acres:

+ - - Diversion Means - 6"X 57' WELL, 1 HP PUMP

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE

45-11425
PA 7/24/99

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

Water right number - 45-11425

Prefix Translation: WATER RIGHT

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

EXP PARCEL NO. 10S23E289149

+ - - - - 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: 03/12/1998 User Id: AMETCALF Subject: NAME AND/OR ADDRESS CHANGE

THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE.

Date: 09/15/1999 User Id: CTIMM Subject: OWNERSHIP CHANGE

9/15/99, CHANGED OWNERSHIP: POULSEN TO VONDELEE JONES AS PER FORM 1409 AND WARRANTY DEED REC'D 1/12/99. C.T.

+ - - Audit Fields - - +

00/00/0

+ - - - - 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	- 06/12/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S007873	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-



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

SOUTHERN REGION

DIRK KEMPTHORN
GOVERNOR

KARL J. DREHER
DIRECTOR

October 12, 1999

VONDELEE JONES FAMILY PARTNERSHIP
82 S 150 E
BURLEY ID 83318

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A45-11425.

Claimant(s):

Pursuant to the change in ownership request that has been submitted to the department, we have changed the record of current ownership of the above referenced claim(s) to you. Please find the enclosed copies of the computer record of the claims, noting the change in claimant. Review these records and if there is an error, or if you have any questions, please contact this office.

Sincerely,

Cheryl E. Timm
SRBA Records Clerk

Enclosure

CT:ct

AJ5856NP

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

DATE: SEP-9-1997
PAGE: A-997

RIGHT NUMBER: 45-11425

NAME & ADDRESS: DEBRA POVlsen
ROBERT POVlsen
RT 2 BOX 2047
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: 09/17/1980

POINT OF DIVERSION: T10S R23E S28 NESESE 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 SESE

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. 10S23E289149

[Handwritten signature]

Claim proofread by: *CJ*

Date: *9-25*

RECEIVED

JAN 12 1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Southern Region

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).: -45-11425

Adjudication Claim No(s).: _____

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

Debra and Robert Povlsen130 E 100 S Burley

4. New Owner/Claimant(s)

Vondela Jones Family Partnership L.T.E.Name Connector (Check one): ☐ and, ☐ or, ☒ and/or

New Mailing Address

82 South 150 East

City, State and ZIP Code

Burley, Idaho 83318

New Telephone Number

(208) 678-2942

5. Date you acquired the property

3-12-96

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)

Vondela Jones

(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 9/14/99 cf

ID

247544

WARRANTY DEED

#28119

For Value Received

ROBERT R. POVLSEN, also known as ROBERT POVLSEN and DEBRA D. POVLSEN,
also known as DEBBIE POVLSEN, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

VONDELEE JONES FAMILY PARTNERSHIP, LTD, a Utah Limited Partnership
Address: 1592 West Cornerstone Drive, South Jordan, UT 84095

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

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 28, said point marked by a 3" Cassia County survey cap; Thence North 0°32'15" East (Basis of Bearing) along section line for 660.80 feet to a P.K. nail being the Northeast corner of the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ which shall be the Point of Beginning;
Thence North 88°35'00" West along the North line of the S $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ for 415.11 feet to a ½ inch rebar;
Thence North 0°36'34" East for 189.70 feet to a ½ inch rebar;
Thence South 88°35'00" East for 414.87 feet to a P.K. nail on section line;
Thence South 0°32'15" West along said section line for 189.70 feet to the Point of Beginning.

PARCEL NO. 2:

TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 28: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 28, said corner marked by a 5/8 inch rebar; Thence North 0°32'15" East along section line for 1073.41 feet to a P.K. nail; Thence North 79°42'00" West (North 79°41'31" West, recorded) for 420.59 feet (420.56 feet, rec.) to a P.K. nail which shall be the Point of Beginning;
Thence South 00°36'32" West (South 0°36'34" West, recorded) for a distance of 462.88 feet (463.03 feet, recorded) to a point;
Thence North 88°35'19" West (North 88°35'00" West, recorded) for a distance of 903.04 feet (903.15 feet, recorded) to a point on the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, said corner being North 0°31'42" East for 14.60 feet from the Southwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence North 00°31'42" East along the West line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ for a distance of 462.89 feet to a point;
Thence South 88°35'19" East for a distance of 57.80 feet to a ½ inch rebar;
Thence South 88°35'19" East for a distance of 845.88 feet to the Point of Beginning.

PARCEL NO. 3:

**TOWNSHIP 10 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 28: Part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, more particularly described as follows:

Beginning at the Southeast corner of said Section 28, said point marked by a 3 inch Cassia County survey cap; Thence North 0°32'15" East (Basis of Bearing) along section line for 660.80 feet to a P.K. nail being the Southeast corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$; Thence North 88°35'00"

West along the South line of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ for 415.11 feet to a $\frac{1}{2}$ inch rebar which shall be the Point of Beginning;

Thence North 88°35'00" West along said South line of said N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ for 903.11 feet to a $\frac{1}{2}$ inch rebar at the Southwest corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North 0°31'48" East along the 1/16th section line for 14.60 feet to a point;

Thence South 88°35'00" East for 903.13 feet to a point;

Thence South 0°36'34" West for 14.60 feet to the Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1997 and subsequent years.

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

Right Of Way from Robert Povlsen and Mary C. Povlsen, his wife, to Salt Lake Pipe Line Company, a Nevada corporation, dated May 21, 1952 and recorded June 11, 1952 as Instrument No. 175888 in Book 4 of Miscellaneous, page 448, records of Cassia County, Idaho.

Reservation contained in Gift Warranty Deed dated September 10, 1982 and recorded September 10, 1982 as Instrument No. 146069 on Film No. 152, records of Cassia County, Idaho which reads as follows: "LESS a 10.0 foot wide access easement along the North side."

Reservation contained in Gift Warranty Deed dated December 13, 1985 and recorded December 17, 1985 as Instrument No. 174851 on Film No. 177, records of Cassia County, Idaho.

Effects, if any, of Corrected Quitclaim Deed executed by Marjorie R. Nielsen (now Marjorie R. Leischner), Successor Trustee of the Soren Peter Nielsen Family Trust and Marjorie R. Leischner, formerly Marjorie R. Nielsen, individually and contracting with her sole and separate property to City of Burley, a municipal corporation, dated February 5, 1996 and recorded February 20, 1996 as Instrument No. 241161 on Film No. 274, records of Cassia County, Idaho.

Lis Pendens in the case of City of Burley, a municipal corporation vs. B. G. Strumberg, III, a single person, Robert Povlsen and Debbie Povlsen, husband and wife, Defendants, dated February 21, 1996 and recorded February 21, 1996 as Instrument No. 241206 on Film No. 274, records of Cassia County, Idaho.

Deed of Trust in favor of Walter Povlsen and Shirley Povlsen, husband and wife, which the Grantee by acceptance of this deed assumes and agrees to pay the balance thereof.

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

Dated: February 21, 1997

Robert R. Povlsen

ROBERT R. POVLSSEN, also known as ROBERT POVLSSEN

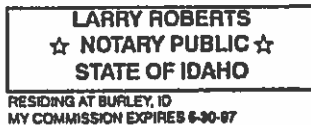
Debra D. Povlsen

DEBRA D. POVLSSEN, also known as DEBBIE POVLSSEN

STATE OF IDAHO)

COUNTY OF CASSIA) ss.

On this 21st day of February, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert R. Povlsen and Debra D. Povlsen, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same



Larry Roberts
Notary Public
Residing at: Burley
My Commission expires: 06/30/97

LAND TITLE & ESCROW

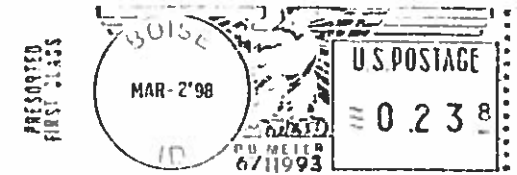
RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 284
1997 FEB 21 P 3:50
CASSIA COUNTY, IDAHO
LAWRENCE M. ROSKELLEY
RECORDER
FEE \$100.00
LWR

247544

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

RETURN SERVICE REQUESTED

DATA ENTRY DONE
REMAILED



3/12/98 *DM*
IMPORTANT WATER RIGHT INFORMATION

130 East 100 South

45-11425
DEBRA POVlsen
ROBERT POVlsen
RT 2 BOX 2047
BURLEY ID 83318

RECEIVED
MAR 06 1998
Department of Water Resources

83318X9602 83318



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: A45-11425
Date Received: 6/20/1989
Receipt No: S007873
Received By: See

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT POVlsen 208-678-4265
Address: RT. 2 BOX 2047
BURLEY, ID 83318
AND/OR
Name: DEBRA POVlsen 208-678-4265
Address: RT. 2 BOX 2047
BURLEY, ID 83318

2. Date of Priority: SEP 17, 1980

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	NE	SE	SE		CASSIA

5. Description of diverting works:
6"X 57' WELL, 1 HP 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	SE 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 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. A45-11425

Date Received

Receipt Number 5007873 *sc*

RECEIVED

JUN 8 1989

Department of Water Resources
Southern Region OfficeNOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED 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) Robert and/or Debra Povlsen Phone (208) 678-4265Mailing Address Rt #2 Box 2047 Burley, Id Zip 833182. Date of Priority (Only one per claim) 9/17/80 Month/Day/Year3. Source of water supply (Check one) (x) Groundwater or Other () (a) _____
Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township 10S Range 23ESection 28 , NE 1/4 of SE 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. 6" Casing 57 ft 1 hsp motor

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

For domestic purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____7. Total quantity claimed 0.04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 household

MICROFILMED

MAR 10 1989

Copies: White-State, Yellow-Claimant



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. 21, 1989

Re: A45-11425

. ROBERT PAVLSEN
. RT 2 BOX 2047
. 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 you claim(s), please contact this office.

Yours truly,

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED
MAR 10 1993

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - DECREE DATE - +
00/00/0000

-----+
COMMENTS
NO COMMENTS FOUND

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	- 06/12/1989	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	- S007873	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	- AND/OR	NOTICE OF ERROR FLAG	-

ENTERED 1/15/93
CHECKED 2/6/93

VERIFIED
NOV 11 1991

CERTIFIED
DEC 23 1991
WATER EXAMINER

PROOF
SEP 17 1991