

AJ5809NP
No. R45-11660

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/03/98
PAGE: 17

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BERNADENE FILLMORE	07/01/1965	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T10S R24E S30

SWSWSE

CASSIA County

Place of use Legal Description for: DOMESTIC

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	
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
10S	24E	30	:																												
			:																												

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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.

Remarks: EXP PARCEL NO. T10SR24E308701A

Dates: Exam Made Date: Verified Date: 12/03/1997 Objection Filed Date:

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

OK
2/5/98

AJ0749NP
No. R45-11660

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/03/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BERNADENE FILLMORE 347E 2200N PROVO UT 84604 (801) 375-9740	07/01/1965	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R24E S30

SWSWSE

CASSIA County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
10S	24E	30	:															D	

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

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.

Remarks: EXP PARCEL NO. T10SR24E308701A

Dates: Exam Made Date:

Verified Date:

12/03/1997

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 12/03/97 SSHERMAN

AJ5856NP

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

DATE: AUG-20-1997

PAGE: A-211

Rec'd 800 815 8
25.02

RIGHT NUMBER: 45-11660

NAME & ADDRESS: BERNADENE FILLMORE
347E 2200N
PROVO UT 84604

Keith Bruce & June W. Nelson
Rt. 1 Box 1800
Burley ID 83310

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 07/01/1965

POINT OF DIVERSION: RP T10S R24E S30 8701 SWSWSE ✓

Within CASSIA County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
DOMESTIC D/1 HOUSE & YARD ✓

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE: DOMESTIC ✓ Within CASSIA County
T10S R24E S30 ✓ SWSE ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by Skema Date: 9-22-97

Verification Source: C.R.

only w/R

KPI Survey
23606

222550

DEED

FOR VALUE RECEIVED, B & D, INC., an Idaho Corporation
a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto KEITH BRUCE NELSON and JUNE W. NELSON,
husband and wife, ADDRESS:
grantee, the following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO:

All reservations in Patents or Deeds in the chain of title.

Taxes for 1992 and subsequent years.

Any assessments levied, or to be levied, by the City of Burley.

Reservations and Restrictive Covenants from Albert J. Fillmore and
Bernadene Fillmore, husband and wife, and Mack Dayley, a/k/a Max
Dayley and Sheila Dayley, husband and wife, to the public, dated
July 7, 1970 and recorded July 10, 1970 as Instrument No. 51976 on
Film No. 66 records of Cassia County, Idaho. (Parcel No. 2)Rights of the United States of America, State of Idaho, and the
Public generally in and to that portion of the property lying
below the main high water mark of the Snake River.
(Parcel No. 1)TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their
heirs and assigns forever.IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its
corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secre-
tary this 31st day of December, 1992.

B & D, INC., an Idaho Corporation

By 
Boyd R. Poulton

PRESIDENT

ATTEST: 
David R. Price

SECRETARY

STATE OF IDAHO
County of } ss.On this _____ day of _____
before me, a Notary public in and for said State, personally
appeared _____ and _____known to me to
be the President and Secretary of the corporation that exe-
cuted this instrument or the persons who executed the instru-
ment on behalf of said corporation, and acknowledged to me
that such corporation 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.Notary Public
Idaho

My commission expires _____

STATE OF IDAHO, COUNTY OF CASSIA

On this 31 day of December, 1992, before
me the undersigned, a Notary Public in and for
said State, personally appeared BOYD R. POULTON
and DAVID R. PRICE, known or identified to me
to be the President and Secretary of the
Corporation that executed the instrument or the
person who executed the instrument on behalf of
said corporation, and acknowledged to me that
such corporation executed the same.LARRY ROBERTS
NOTARY PUBLIC
STATE OF IDAHOResiding at Burley, Idaho
My Commission Expires _____Notary Public
Residing at Burley

Exp: 6-20-97

EXHIBIT A

PARCEL NO. 1:

**TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 30: Part of Lot 2, more particularly described as follows;

Beginning at the Northeast Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, said corner marked by a 5/8" rebar; Thence South 0°01'54" East (South, rec.) along the east line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for 670.92 feet (671.5 feet, rec.) to a 5/8" rebar on the north right of way of State Highway 30; Thence North 87°40'00" West along the north right of way of State Highway 30 for 635.34 feet (637.7 feet, rec.) to a 1/2" rebar; Thence North 0°19'16" West (North 0°15' West, rec.) for 1010.77 feet (1010.8 feet, rec.) to a 1/2" rebar; Thence South 89°45'22" West along the north line of an ingress and egress and utility easement for 76.00 feet to a 1/2" rebar which shall be the Point of Beginning; Thence South 89°45'22" West (South 89°45' West, rec.) along the north line of said ingress and egress and utility easement for 163.73 feet to a 1/2" rebar; Thence North 00°21'52" West (North 0°15' West, rec.) for 187.71 feet to a 5/8" rebar; Thence North 00°21'52" West (North 0°15' West, rec.) for 91.09 feet to a point on the highwater line of the Snake River; Thence North 81°20'18" East along said highwater line for 165.41 feet to a point; Thence South 90°22'24" East for 74.78 feet to a 1/2" rebar; Thence South 00°22'24" East for 228.23 feet to the Point of Beginning.

45-11660

-CONTINUED-

PARCEL NO. 2:

Easement for ingress and egress as disclosed by survey prepared by Desert West Land Surveys, dated December 1, 1992 as Job No. 2619-92B1, more particularly described as follows:

**TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO**

Section 30: Part of Lot 2, more particularly described as follows:

Beginning at the Northeast Corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, said corner marked by a 5/8" rebar; Thence South 0°01'54" East (south, rec.) along the east line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ for 670.92 feet (671.5 feet, rec.) to a 5/8" rebar on the north right of way of State Highway 30; Thence North 87°40'00" West along the north right of way of State Highway 30 for 635.34 feet (637.7 feet, rec.) to a 1/2" rebar; Thence North 0°19'16" West (North 0°15' West, rec.) for 1010.77 feet (1010.8 feet, rec.) to a 1/2" rebar; Thence South 89°45'22" West along the north line of an ingress and egress and utility easement for 76.00 feet to a 1/2" rebar which shall be the Point of Beginning; Thence North 00°22'24" West for 145.00 feet to a point; Thence North 89°45'22" East for 22.00 feet to a point; Thence South 00°22'24" East for 145.00 feet to a point; Thence South 89°45'22" West for 22.00 feet to the Point of Beginning.

LAND TITLE & RECORDS

FEE 900 DEPUTY

CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER

RR2 DEC 31 P 3:55

FILED 840
RECORDED AT THE REQUEST OF
LAND TITLE & RECORDS

222550

45-11660

22609

QUITCLAIM DEED



Instrument No.

45-11660

EXHIBIT "A"

PARCEL NO. 1:

TOWNSHIP 10 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: That part of Lot 2 described as follows:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, Township 10 South, Range 24 East of the Boise Meridian; thence South along the East boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 31 for 671.5 feet to a point on the North right of way line of Highway U.S. 30 South; thence North 87°40' West along said right of way line for 637.7 feet; thence North 0°15' West along the East boundary of River Heights Estates Subdivision for 1010.8 feet to the Northeast corner of said River Heights Estates Subdivision; thence South 89°45' West along the North boundary of said River Heights Estates Subdivision for 20 feet to the True Point of Beginning; Thence continuing North 89°45' West along the North boundary of said River Heights Estates Subdivision for 220.0 feet, more or less, to the Northwest corner of said River Heights Estates Subdivision; Thence North 0°15' West for 280.0 feet, more or less, to the South water's edge of the Snake River; Thence Northeasterly along the South water's edge of the Snake River for 235.0 feet, more or less, to a point that lies North 0°15' West 350.0 feet, more or less, from the True Point of Beginning; Thence South 0°15' East for 350.0 feet, more or less, to the True Point of Beginning.

PARCEL NO. 2:

Section 30: That part of Lot 2 of said Section 30, more particularly described as follows:

Beginning at the Northeast corner of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31; thence South along the East boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ 671.5 feet to a point on the North right-of-way line of Highway No. U.S. 30 South; thence North 87°40' West along said right-of-way line 637.7 feet; thence North 0°15' West 1010.8 feet to the True Point of Beginning; Thence South 89°45' West 20 feet; Thence North 0°15' West to a point on the South water edge of Snake River; Thence Easterly along said South waters edge of Snake River to a point that is North 0°15' West 350.0 feet, more or less, from the point of beginning; Thence South 0°15' East 350.0 feet, more or less, to the Point of Beginning.

21657.2

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW

FILM 231

DEC 16 2 26 PM '91

CASSIA COUNTY, IDAHO
FRANK H. KEAPNS
RECORDER

600 DEPUTY
LAND TITLE & ESCROW

PARCEL NO. 3:

All of Block 1 of the River Heights Estates Subdivision, Cassia County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County, located in a part of Lot 2 of Section 30, and a part of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, all in Township 10 South, Range 24 East of the Boise Meridian.

THIS EXHIBIT "A" IS ATTACHED TO QUITCLAIM DEED FROM ALBERT J. FILLMORE, A SINGLE MAN, TO BERNADENE B. FILLMORE, A SINGLE WOMAN, DATED DECEMBER 11, 1991

45-11660



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

PHILIP E. BATT
GOVERNOR

October 7, 1997

KARL J. DREHER
DIRECTOR

KEITH BRUCE & JUNE W NELSON
RT 1 BOX 1800
BURLEY ID 83318

*12-03-97
response
ss*

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #A45-11660

Dear Claimants:

We have been advised you may be the new owners of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the property and water right referenced above, we need Form 42-248/42-1409(6) completed and returned. We have enclosed this form for your use. Please return the completed form with warranty deed copy and map to my attention.

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Form 42-248/42-1409(6)

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: A45-11660
Date Received: 6/20/1989
Receipt No: S008158
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BERNADENE FILLMORE 801-375-9740
Address: 347E 2200N
PROVO, UT 84604
2. Date of Priority: JUL 01, 1965
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S | 24E | 30 | SW | SW | SE | | CASSIA |
5. Description of diverting works:
8"X200' WELL, 3HP 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 & YARD
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 10S | 24E | 30 | 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. 445-11660

Date Received _____

Receipt Number _____

RECEIVED NOTICE OF CLAIM
TO A
WATER RIGHT

JUN 08 1989

Department of Water Resources
Southern Region Office

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) Bernadeae Fillmore Phone (801) 375-9740

Mailing Address 347 E. 2200 No., Provo, Utah Zip 84604

2. Date of Priority (Only one per claim) July 1 1965 Month/Day/Year

3. 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 S Range 24 E

Section 30, 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.

8' well 200' deep
3 hp. submersible pump + domestic
system for house + yard

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

For Domestic purposes from 1/1 to 12/31 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 minimus

9. Non-irrigation uses. Describe fully (Domestic: give number of households served if single ownership, Stockwater: type and Number of livestock) 1 Household + yard

MICROFILMED

MAR 09 1993

10. Place of use is: Township: 10 S Range R 24 E

Section 30, 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 None

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 ☒ 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.

N/A.

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)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Bernadene Fillmore Date June 7 1989
by Brent Peterson Agent Date June 7 1989

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.

Subscribed and sworn (or affirmed) before me this 1st day of June 1989

SEAL

Notary Public Maureen McCleung

Residing at PAUL, ID

My Commission Expires 10/11/91

Last Name _____ Ident No. _____

MICROFILMED

Copies: White-State, Yellow-Claimant
MAR 09 1993

June 7, 1989

Dear Sirs,

A note of explanation for the signature for the Claimant, I am filing this Claim for my mother, Bernadene Dillmore. She owns the home where the domestic well is located. I rent the home and I am acting as her agent. She was unable to come up and sign personally and still make your deadline.

Brent Peterson

MICROFILMED

MAR 09 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. 23, 1989

Re: A43-11660

BERNADENE FILLMORE
347 E 2200N
PROVO UT 84604

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,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

MICROFILMED