

RECEIVED

JUN 03 2004 03 2004

DEPARTMENT OF WATER RESOURCES
DIVISION OF WATER RESOURCES

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 37-15B
Date Received: 10/26/1988
Receipt No: S003252
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JANICE M CENARRUSA Phone: (208)823-4633
PO BOX 164
CAREY ID 83320

JERRY CENARRUSA Phone: (208)823-4633
LAKE VIEW DR
PO BOX 164
CAREY ID 83320

2. Date of Priority: 04/15/1884

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	21E	34	SE SW NE	BLAINE	
01S	21E	27	NW NW NE	BLAINE	

5. Description of diverting works:

HEADGATES 22 & 26

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/15	11/01	0.42	

7. Total Quantity Appropriated is:
0.42 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of	1/4 Lot	Use	Acres
01S	21E	26	NE	SE	IRRIGATION	40
			SE	SE	IRRIGATION	40
					Section Acres	80
01S	21E	35	NE	NE	IRRIGATION	40
			SE	NE	IRRIGATION	40
			NE	SE	IRRIGATION	40
			NW	SE	IRRIGATION	40
			NE	SW	IRRIGATION	20
					Section Acres	180
					Total Acres	260

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

162.6 INCHES LITTLE WOOD RIVER WATER DECREED TO FARM. DEEP WELL ALSO USED FOR IRRIG.

15. Basis of Claim: Decreed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
MAY 28 2004
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-2513					
	37-15B	☒			
	37-53				
	37-54A				
	37-263E				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) W Nolan Victor
1528 Addison Ave E, Twin Falls, ID 83301
4. New Owner/Claimant(s) Terry and Janice Cenarrusa
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address PO Box 164
- City, State and ZIP Code Carey, ID 83320
- New Telephone Number 208 823-4633
5. Date you acquired the property 5/4/2004

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

James C. Skinner
James C. Skinner

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by C. SKINNER

Date 5/28/2004

Fee \$25.00

Received by C. SKINNER

Date 5/28/2004

Receipt No. 5026787

Processed by _____ AJ

Date _____

WR _____

Date _____

WARRANTY DEED

FOR VALUE RECEIVED

W. NOLAN VICTOR, TRUSTEE OF THE W. NOLAN VICTOR AND RUBY C. VICTOR
CHARITABLE TRUST DATED 12/17/2003
UNITRUST

the grantors. do hereby grant, bargain, sell and convey unto

JERRY CENARRUSA AND JANICE CENARRUSA, HUSBAND AND WIFE

the grantees, whose current address is PO Box 164
Carey, ID 83320

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

See Exhibit 'A'

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as
shown of record, if any.

Together with any and all water rights appurtenant thereto.

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

Dated: May 4, 2004

W. Nolan Victor
W. NOLAN VICTOR, TRUSTEE

State of: Idaho
County of: Twin Falls

On this 6th day of May, 2004. Before me a Notary Public in and for said State,
personally appeared W. NOLAN VICTOR, TRUSTEE OF THE W. NOLAN VICTOR AND RUBY C.
VICTOR CHARITABLE TRUST DATED 12/17/2003 known or identified to me to be the person
whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in
his capacity as trustee.

Marsha Tousley
Notary Public
Residing at Twin Falls, Id.
Comm. Expires 12-03-2007



Exhibit A

TOWNSHIP 1 SOUTH, RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO

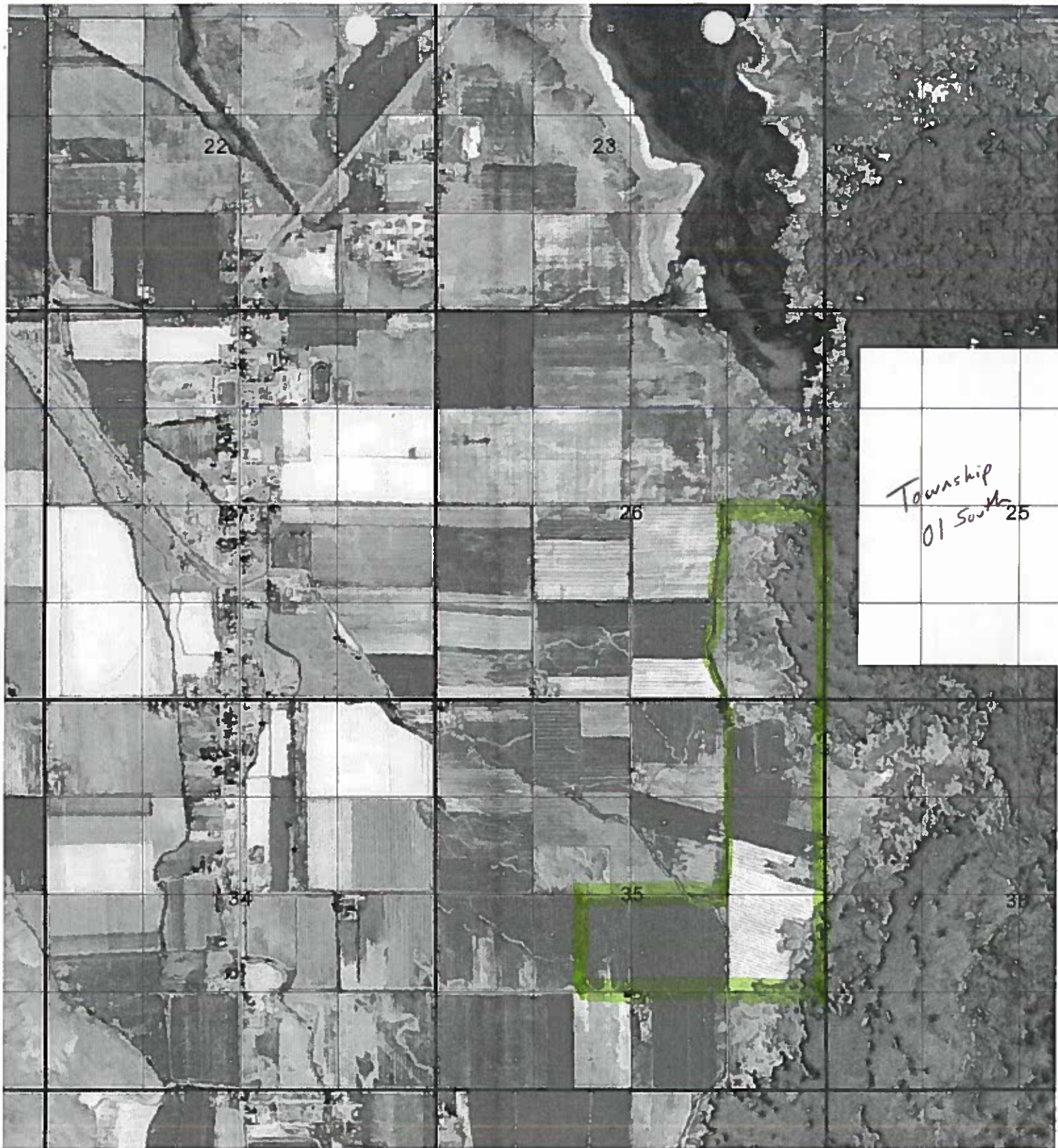
SECTION 35: E $\frac{1}{4}$ NE, NESE, NWSE, E $\frac{1}{4}$ NESW

SECTION 26: E $\frac{1}{4}$ SE

AND

A portion of land in the W $\frac{1}{4}$ SE described as follows:

Beginning at the SE Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ running thence North along the East Line of the W $\frac{1}{4}$ of the SE of said Section 26, a distance of 160 rods to the NE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 26, thence West a distance of 30 feet to the East Bank of the Carey League Reservoir Canal, thence in a general Southerly direction following the East bank of said Canal to a point on the South line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 26 where said East bank of said Canal intersects said South line.



Township
01 South 25

3

2

1

Range 21 East

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: A37-00015B
Date Received: 10/26/1988
Receipt No: S003252
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W. NOLAN VICTOR
Address: 1528 ADDISON AVE E.
TWIN FALLS, ID 83301
208-733-1359

2. Date of Priority: APR 15, 1884

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	21E	27	NW	NW	NE		BLAINE
		34	SE	SW	NE		BLAINE

5. Description of diverting works:
HEADGATES 22 & 26

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	11/01	0.420		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	21E	26	NE	SE		IRR	40.0
			SE	SE		IRR	40.0
Section Acres							80.0

A37-00015B

Page 1

Date: 10/26/88

RECORDED
FEB 22 1993

1. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	35	NE	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SW		IRR	20.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
						Section Acres	180.0
						Total Acres	260.0

1. Place of use in counties: BLAINE

2. Do you own the property listed above as place of use? YES

3. Other Water Rights Used:

A37-00263E, A37-00053, A37-00054A, A37-02513

4. Remarks:

162.6 INCHES LITTLE WOOD RIVER WATER DECREED TO FARM. DEEP
WELL ALSO USED FOR IRRIG.

5. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

5. 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 small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Robert Victor Date: 10/26/88
_____ Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 26th day

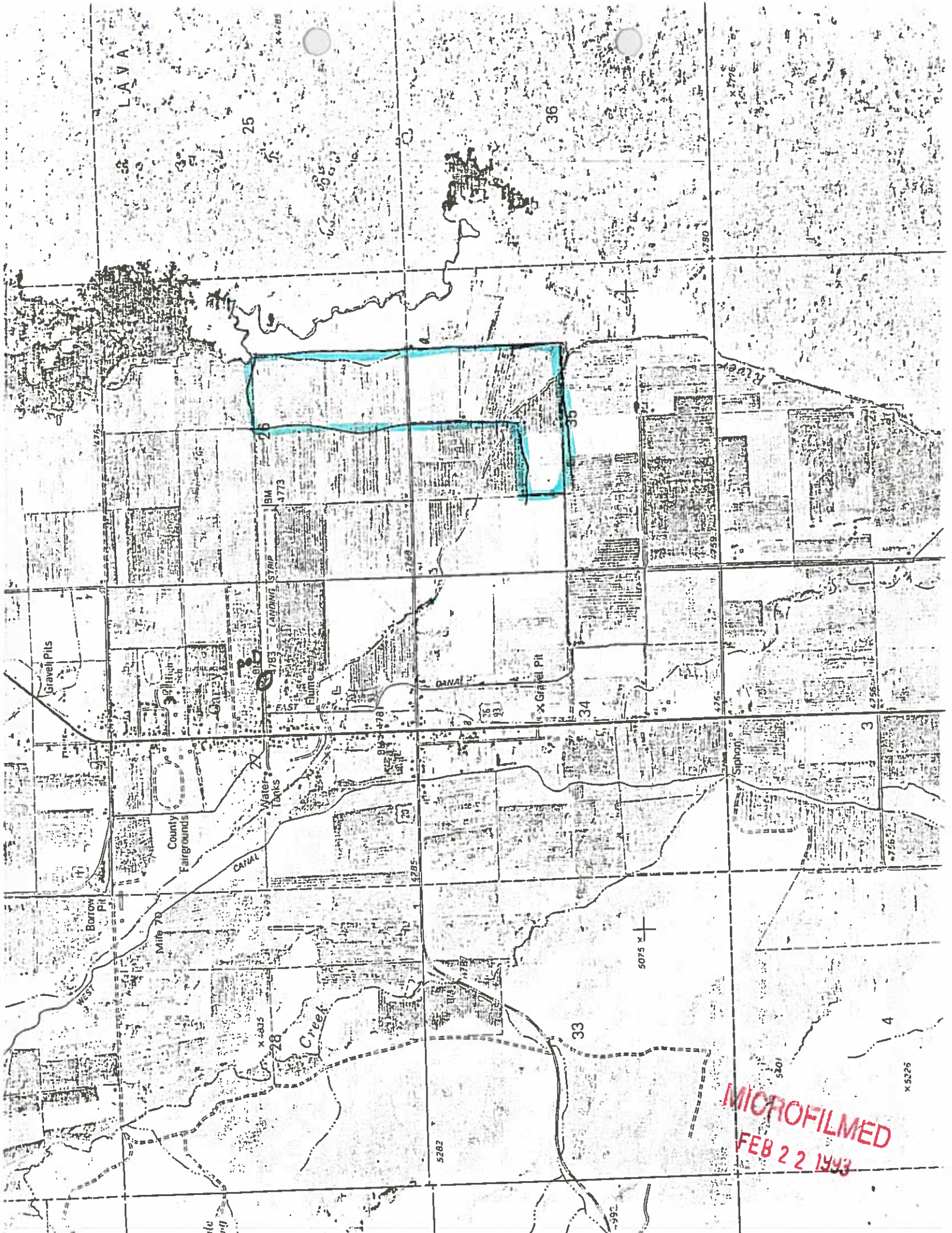
of Oct 19 88

Lon White
Notary Public

Seal

Residing at TF

My Commission Expires 5/95



MICROFILMED
FEB 22 1993

01/06/2007

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-15B
NAME AND ADDRESS: JANICE M CENARRUSA
4 CIRCLE DR
PO BOX 164
CAREY ID 83320

JERRY CENARRUSA
4 CIRCLE DR
PO BOX 164
CAREY ID 83320

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER

QUANTITY: 0.420 CFS

PRIORITY DATE: 04/15/1884

POINT OF DIVERSION:

T01N R21E S30 NWSWE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.420 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01S R21E S26	NESE	13.00	T01S R21E S26	SESE	8.10
T01S R21E S35	NENE	23.00	T01S R21E S35	SENE	35.00
T01S R21E S35	NESW	21.00	T01S R21E S35	NESE	26.00
T01S R21E S35	NWSE	37.00			

163.1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 163.1 acres in a single irrigation season. Combined Right Nos.: 37-15B, 37-54A, 37-53 & 37-263E.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



Idaho Department of Water Resources

SRBA Recommendation:

**37-15B, 37-54A,
37-53 & 37-263E**

Place of Use

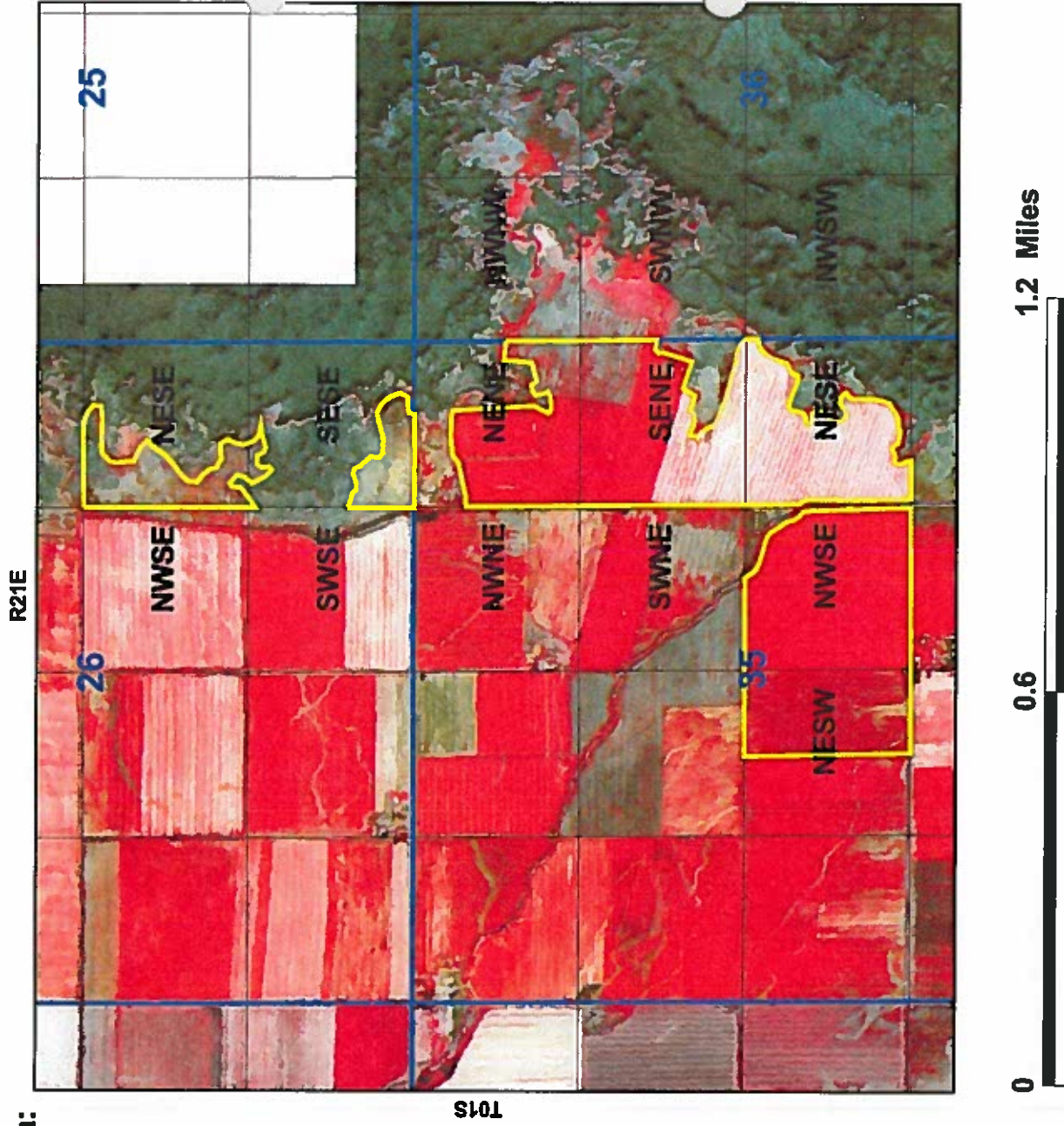
Townships

PLS Sections

Quarter Quarters



Blaine County
IDWR Basin 37



Prepared by S. Clelland
On Saturday, January 6, 2007
1987/88 Aerial Photography



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 KEMPTHORNE
Governor

KARL J. DREHER
Director

June 1, 2004

JERRY CENARRUSA
JANICE CENARRUSA
PO BOX 164
CAREY ID 83320

Re: SRBA Claim(s) 37-15B, 37-53, 37-54A, 37-263E

Dear Mr. and Mrs. Cenarrusa:

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

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', is written over a horizontal line.

Trish Fawcett
Technical Records Specialist

Enc.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-15

WATER RIGHT NUMBER: 37-15

Owner_Type

Current Owner

Name and Address

JOSEPH AINSWORTH

, ID

Priority Date: 04/15/1884

Basis: Decreed

Status: Active

Source

LITTLE WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

1.400 CFS

Annual Volume

Total Diversion: 1.400 CFS

1.400 CFS

Location of Point(s) of Diversion

LITTLE WOOD RIVER

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
01S	21E	35									X	X	X	X		X			

Conditions of Approval:

1. AC. IRRIG. NOT SPECIFIED. FARM = 200 AC.

Remarks:

Comments:

1-16-03 Nolan Victor 37-2015B-00263E

I met with Bob Simpson & Jerry Pennerus,
Jerry provided a photo of the $\frac{1}{2}$ circle which
overlapped on some state land shown on
right center of photo this land he has leased
from state. Bob Simpson said this land
Pod is by #27 ^{photo also spec map} out of the East Canal
West end of the Airport. Bob also assured
me that all water for Little wood project
is out of the two canals - no river -
all 4 water rights are
diverted out of this one diversion. While
reviewing photo Bob agreed with the
marked areas

349
40 B.

40 B.
325
ALE NIS W/
OATR

T249

T250

38.7

33.8

2
30.9

2
33.9

Alsa

T251

Barren
Alsa

7.6

4.4

2.6

3
10.1

4
16.7

5
13.8

19.0

6
35.5

oats
(har)

7-18

54
2
31.4

4
22.3

6
29.8

1/7/04
SEC

37-15B (VICTOR)

37-54A

37-53

37-263E (may be incorrectly numbered, maybe 37-14 split)

1. Confirm POU and acres as shown in GIS map.
(→ this matches the GW pou as rec'd) ^{SEE MAP} _{POD}

2. Q Confirm amounts per splits w/ WM

claimed	-15B	.42 cts	.42
	-53	.60 cts	OK .60
	-54A	1.8 cts	1.80 (37-54)
	-263E	.43 cts	0.43
		<u>3.25 cts total</u>	<u>3.25 per WM</u>

3. POD: locate & map or GPS diversion from LWR ^{NO}

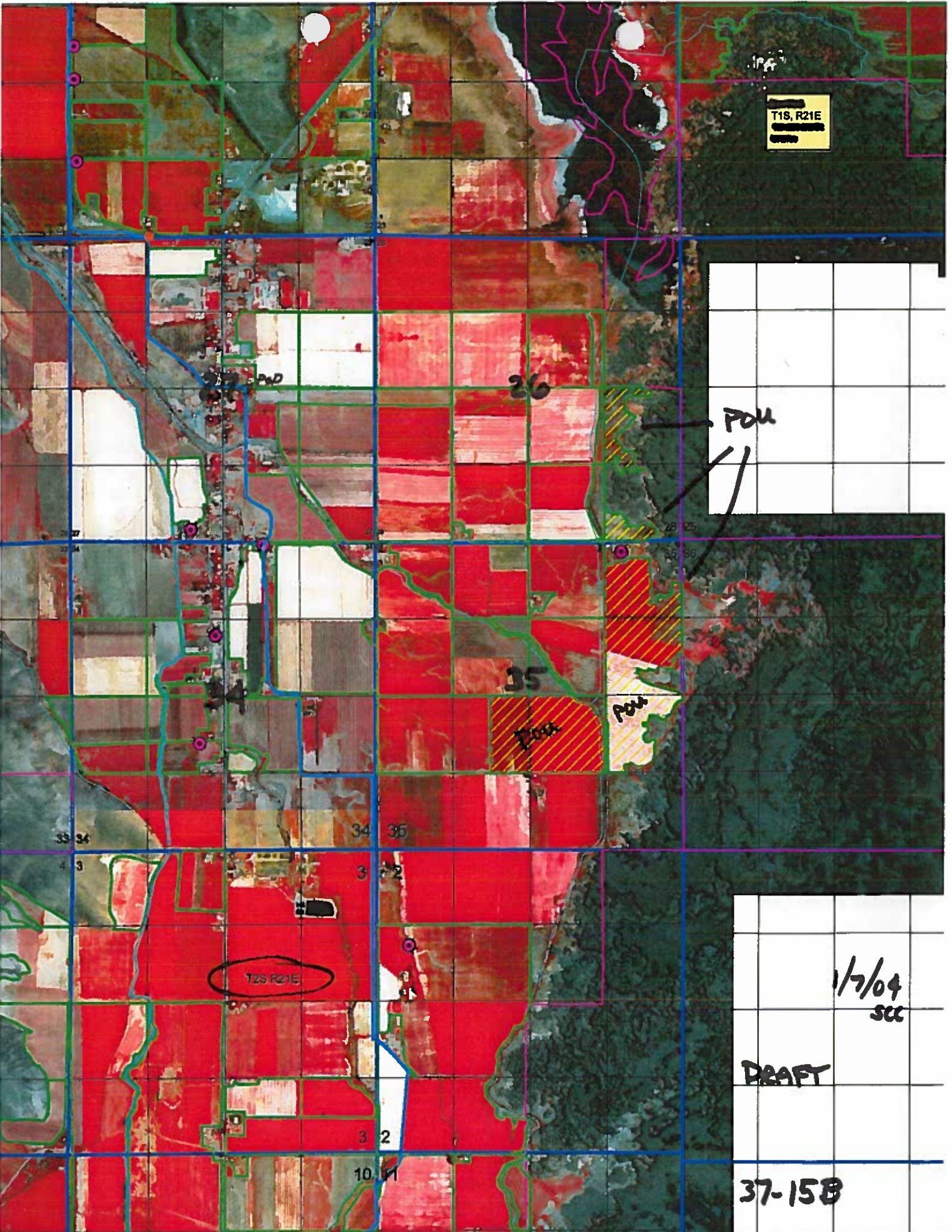
S.27 NWNWNE Does not intersect
w/ LWR! ^{NO}

EAST CANAL !!

S.34 SESWNE " " " w/LWR

where are correct diversions?

all 4 WR are out of the 1 Division



T1S, R21E

POU

26

35

POU

POU

T2S R21E

1/7/04
SEC

DRAFT

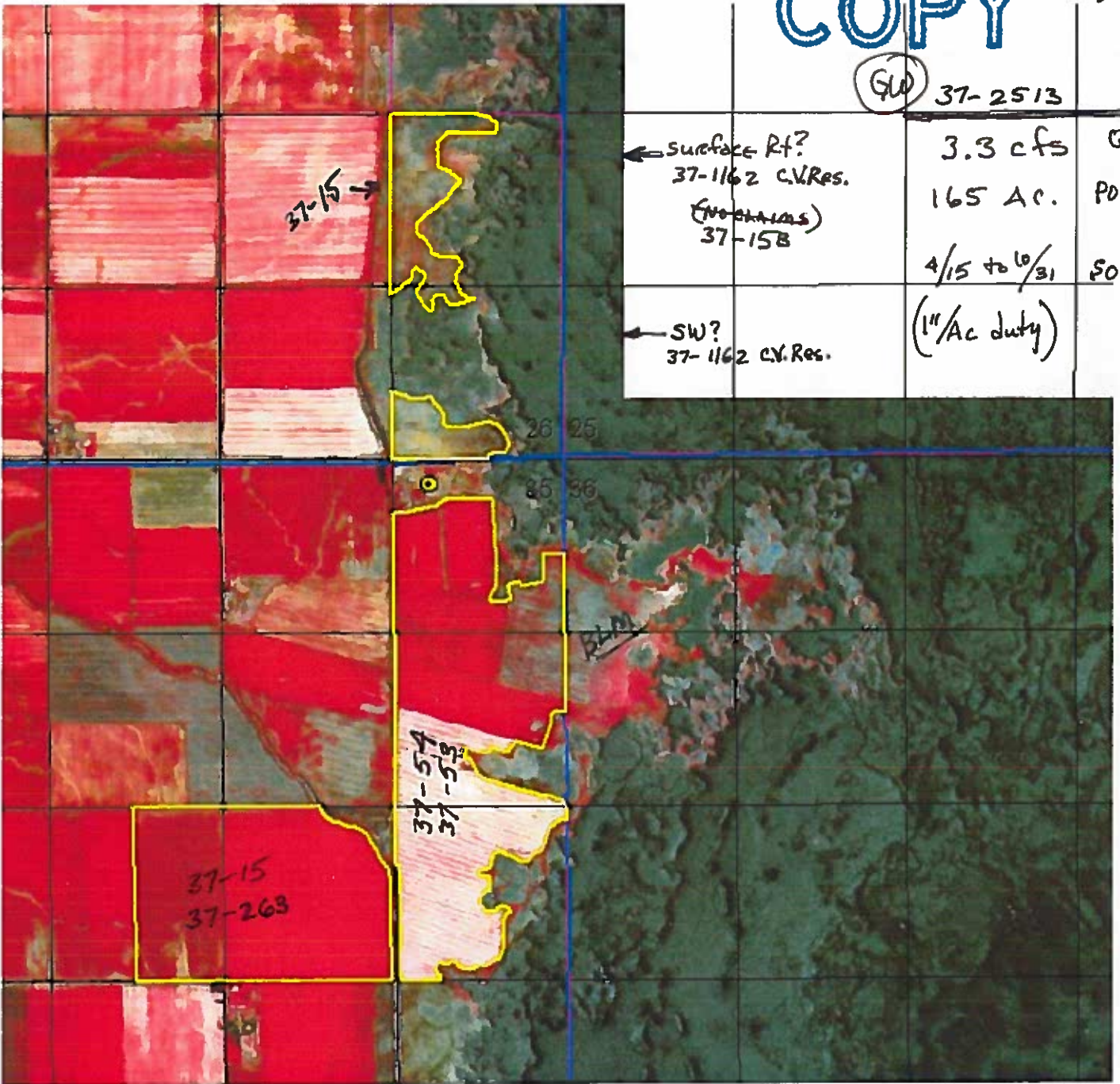
37-15B

IDAHO DEPT OF WATER RESOURCES

37-2513

COPY

9/6/02
SCC



1320 0 1320 Feet

- Basin 37 part 1-POU
- Basin 37 part 1-POD
- Ownership FED-Private
- ~ Streams
- Section Lines
- Quarter - Quarter lines

*Claim Maps
are wrong!*

*GIS Area
= 162.57*

S.W. Review -15B, -53, -54A, -263E

TWN: 1S
RNG: 21E
SEC: 26 & 35



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JUNE 20, 2002

REVIEW NOTES:

37-2513

10/11/01
SCC

WR POU

37-53 & 54

< both claimed in full > .6 & 1.80

(53) 5/31/1897 S. 35 NENE

(54) 5/31/1898 SE NE

(Geo. Berry) NE SE

37-263

1.44 < OVER claimed >

-263 E
0.43

(Frank Gooding)

5/15/1883

S. 35

SW 1/4

← (Possible 20 ac. overlap w/ Decreed WR)

NW SE

← 40 ac.

S. 11

NWNW

SW NW

37-15

(claimed splits Add up = 1.40 cfs) (15B 0.42)

(Joseph Ainsworth)

4/15/1884

S. 35

SW 1/4

← (Possible 20 ac overlap)

NW SE

SRBA SPLITS

-15 B Victor .42

-15 C KIRKLAND .42

-15 D Molyneux .56

1.40 cfs

* These 2 rights were held by 2 different owners (same 20 ac. did not get water!!)

9/6/02
SCC

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-15

WATER RIGHT NUMBER: 37-15

Owner TypeName and Address

Current Owner

JOSEPH AINSWORTH

, ID

Priority Date: 04/15/1884

Basis: Decreed

Status: Active

Source

LITTLE WOOD RIVER

Tributary

MALAD RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

1.400 CFS

Annual VolumeTotal Diversion:

1.400 CFS

Location of Point(s) of Diversion

LITTLE WOOD RIVER

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01S	21E	35									X	X	X	X		X			

Conditions of Approval:Remarks:

- General AC. IRRIG. NOT SPECIFIED. FARM = 200 AC.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-15

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37N
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False