

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 37-53
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: 05/31/1897

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	27	NW	NW	NE	BLAINE	
01S	21E	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	5/15	11/01	0.6	

7. Total Quantity Appropriated is:
0.6 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	SE	IRRIGATION	40
			NE	NE	IRRIGATION	40
			SE	NE	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
4. New Owner/Claimant(s) 1528 Addison Ave E, Twin Falls, ID 83301
Jerry 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 A. 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

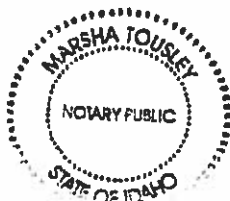


Exhibit A

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

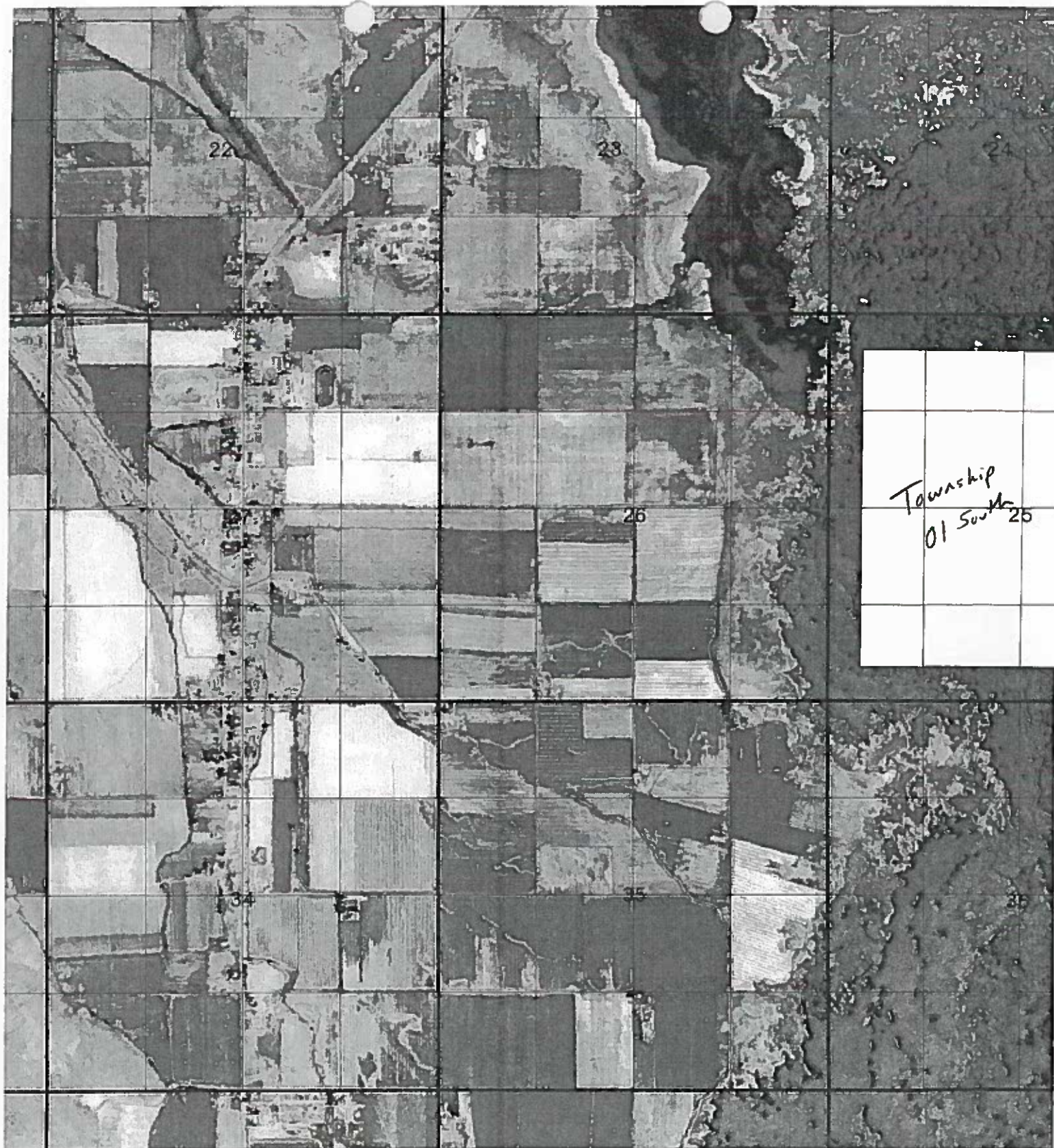
SECTION 35: E $\frac{1}{2}$ NE, NESE, NWSE, E $\frac{1}{2}$ NESW

SECTION 26: E $\frac{1}{2}$ SE

AND

A portion of land in the W $\frac{1}{2}$ 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 $\frac{1}{2}$ 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.



3

2

1

Range 21 East

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

RE THE GENERAL ADJUDICATION
RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-00053
Date Received: 10/26/1988
Receipt No: S003252
Received By: W

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Name: W. NOLAN VICTOR
Address: 1528 ADDISON AVE E.
TWIN FALLS, ID

208-733-1359

83301

Date of Priority: MAY 31, 1897

Source: LITTLE WOOD RIVER

Trib. to: MALAD RIVER

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

Description of diverting works:
HEADGATES 22 & 26

Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	11/01	0.600		

Total Quantity Appropriated is:
0.600 C.F.S. (and/or)

A.F.A.

Total consumptive use is

Acre Feet Per Annum.

Non-irrigation uses:

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

A37-00053

Page 1

Date: 10/26/88

MICROFILMED
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

2. Place of use in counties: BLAINE

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

4. Other Water Rights Used:

A37-00015B, A37-00263E, A37-00054A, A37-02513

5. Remarks:

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

6. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

6. 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:

We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Nolan Victor Date: 10/26/88

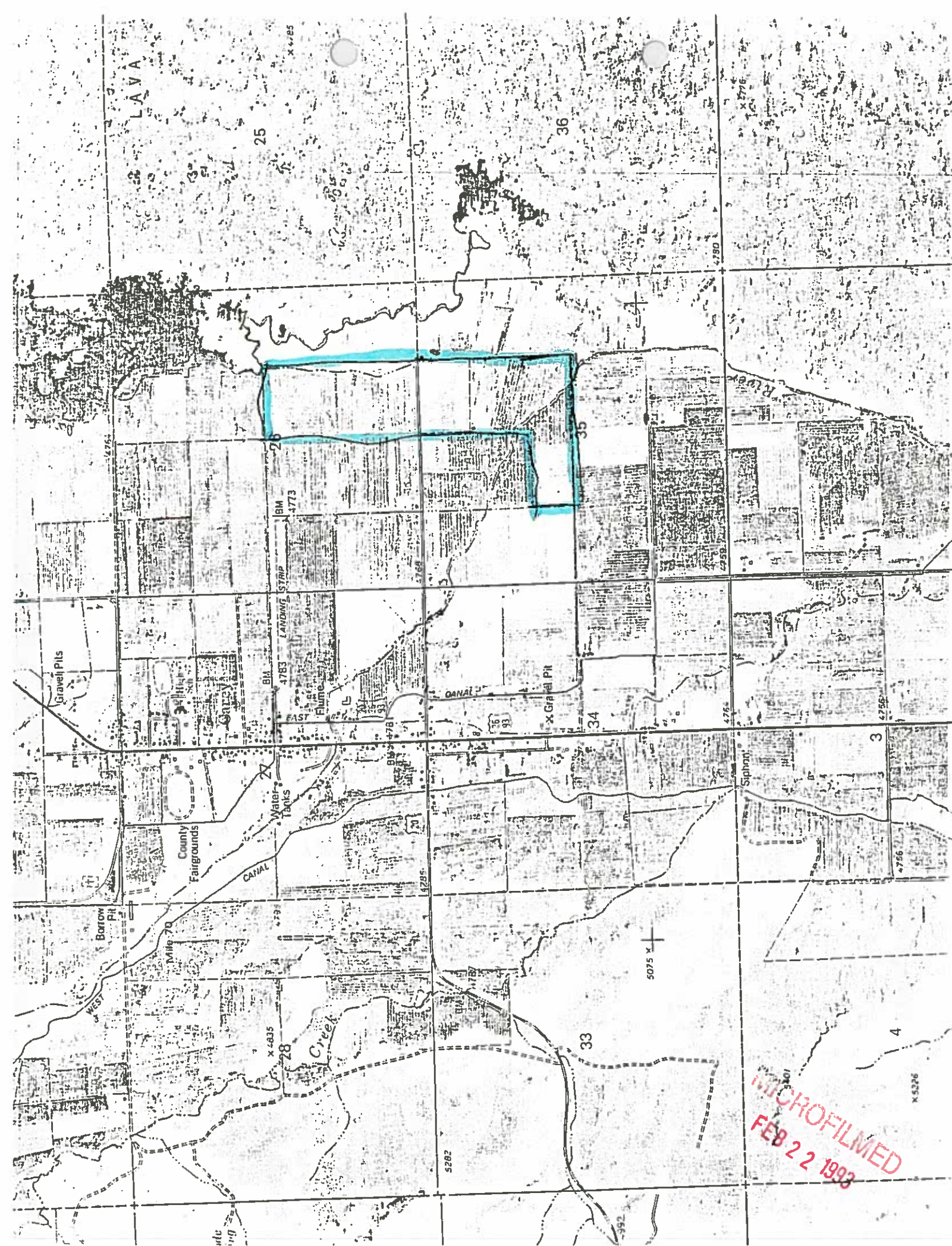
Date: _____

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of Oct 19 88 Tom White
Notary Public

Seal

Residing at TF
My Commission Expires 5/95



01/06/2007

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

RIGHT NUMBER: 37-53
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: 0.600 CFS
PRIORITY DATE: 05/31/1897
POINT OF DIVERSION:

T01N R21E S30 NWSWSE 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	0.600 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**

Legend

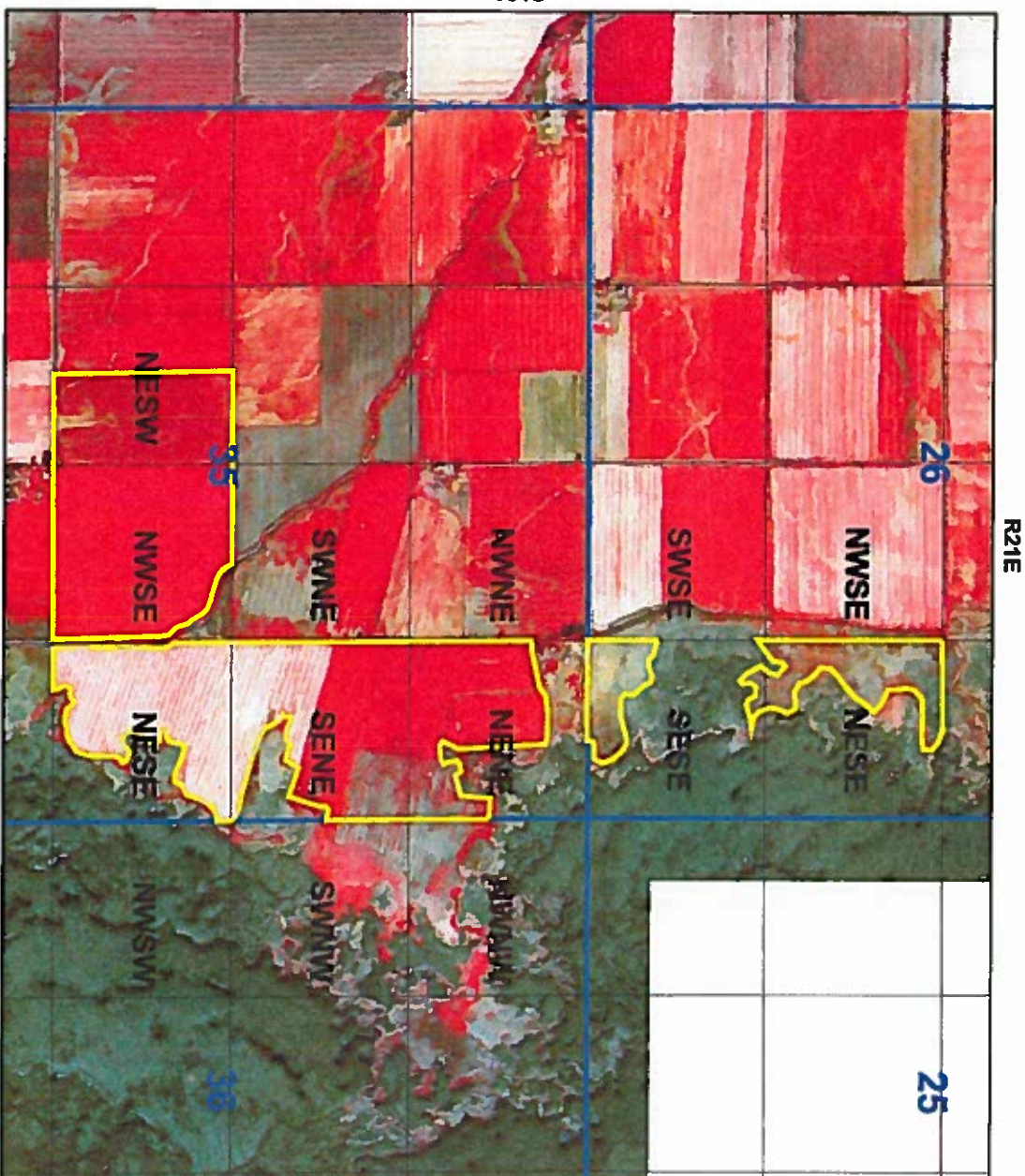
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



T01S





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,

Trish Fawcett
Technical Records Specialist

Enc.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-53

WATER RIGHT NUMBER: 37-53

Owner Type Name and Address
 Current Owner GEORGE BERRY
 , ZZ

Priority Date: 05/31/1897

Basis: Decreed

Status: Active

Source Tributary
 LITTLE WOOD RIVER MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.600 CFS	
	<u>Total Diversion:</u>	0.600 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				

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-53

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