

AJ5809NP
No. R45-12434

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/04/98
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KURT E PAVLAT	11/20/1987	DOMESTIC	01-01 12-31	0.04 CFS	
C	ROSEANNE J PAVLAT					
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R23E S27 NENE 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	: Lt Ac	: Lt Ac	:
11S 23E 27	: D				:					:					:					:

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: BID SHARES TO WATER YARD

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.

OK

Remarks: EXP RPT11SR23E270005

* 2/6/98

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	Presumption Flag:

AJ0749NP
No. R45-12434

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

DATE: 10/30/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KURT E PAVLAT	11/20/1987	DOMESTIC	01-01 12-31	0.04 CFS	
C	ROSEANNE J PAVLAT 245 E 600 S BURLEY ID 83318 (208) 677-4232					
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T11S R23E S27

NENE

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	:
11S	23E	27	:	D																:

POU County: CASSIA

Non-Irrigation Uses: 1 HOME

Other Rights: BID SHARES TO WATER YARD

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 RPT11SR23E270005

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/30/1997 User-ID: SSHERMAN Subject: OWNERSHIP CHANGE
FORM 42-248/42-1409(6) OWNERSHIP CHANGE, MALLERY TO PAVLAT.

Audit: 10/30/97 SSHERMAN

AJ5856NP

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

DATE: AUG-20-1997

PAGE: A-255

RIGHT NUMBER: 45-12434

NAME & ADDRESS: LINNEA MALLERY
TOM MALLERY
RT 3 BOX 3670
BURLEY ID 83318

Curt E. + Roseanne J. Pavlat
Rt. 3 Box 3670
Burley ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 11/20/1987

POINT OF DIVERSION: RP T11S R23E S27 0005 NENE

Within CASSIA County

PURPOSE AND

PERIOD OF USE: PURPOSE OF USE
DOMESTIC DOMESTIC - 1 HOUSE

PERIOD OF USE
01-01 12-31

QUANTITY
0.04 CFS

PLACE OF USE: DOMESTIC
T11S R23E S27 Within CASSIA County
NENE

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

IDWR NOTE: MALLERY NOT INCLUDED ON MAILING LIST (ML3).
NO LATE FEE CHARGED. 12/15/1992 RVW.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

only w/R

Verified by PS Date: 9-22-97

Verification Source: C.R.



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

KARL J. DREHER
DIRECTOR

October 30, 1997

KURT OR ROSEANNE PAVLAT
245 E 600 S
BURLEY ID 83318

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #A45-12434

Dear Claimants:

Notice of the change in ownership of the water right claim referenced above has been received. Our records have been changed accordingly.

Enclosed is a computer-generated copy of your claim. Please refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water right claim.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Copy of Notice of Claim Referenced Above
"How You Will Receive Notice...."

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: A45-12434
Date Received: 12/15/1992
Receipt No: S015227
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: KURT E PAVLAT 208-677-4232
Address: 245 E 600 S
BURLEY ID 83318

AND/OR

Name: ROSEANNE J PAVLAT 208-677-4232
Address: 245 E 600 S
BURLEY ID 83318

2. Date of Priority: NOV 20, 1987

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	23E	27	NE	NE			CASSIA

5. Description of diverting works:
WELL & SUBMERSIBLE PUMP; 2 HP OR LESS

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:
DOMESTIC - 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	23E	27	NE	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:

BID SHARES TO WATER YARD

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

RECEIVED

OCT 30 1997

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

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).:

A45-12434 revised and modified 10-30-97
AS

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

Tom E. and Linnea L. Mallery
Address Unknown

4. New Owner/Claimant(s)

KURT E. and Roseanne J. PAULATName Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

245 E. 600 S.

City, State and ZIP Code

Burley, ID 83318

New Telephone Number

(208) 677-4232

5. Date you acquired the property

17 Dec, 1992

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)

[Signature]

(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..

222443

WARRANTY DEED

For Value Received

TOM E. MALLERY and LINNEA L. MALLERY, husband and wife

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

KURT EDWARD PAVLAT and ROSEANNE J. PAVLAT, husband and wife
ADDRESS: 600 south 245 East, Burley, Idaho 83318

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

See attached Exhibit "A"

SUBJECT TO:

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

Taxes subsequent to the year 1992

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

Easement from R. Thomas Nelson and Joyce M. Nelson, husband and wife, to Ida M. Taylor, a widow, recorded August 31, 1978 as Instrument No. 110670 on Film No. 120, records of Cassia County, Idaho, granting a permanent right of way and easement for the constructions, maintenance and operation of an underground irrigation water pipe within the following described real property: "Commencing at the Northeast corner of the E $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 27, Township 11 South, Range 23 East of the Boise Meridian, Cassia County, Idaho; thence South 200 feet; thence West 282 feet to the Point of Beginning; thence South a distance of 10 feet; thence West a distance of 200 feet; thence North a distance of 10 feet; thence East a distance of 200 feet to the Point of Beginning. Together with the right of ingress and egress for the purpose of constructing, repair and maintenance of said pipeline."

Easement for road and utilities over the North boundary of the insured premises.

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: December 17, 1992

A45-1243A

Tom E. Mallery
TOM E. MALLERY

Linnea L. Mallery
LINNEA L. MALLERY

STATE OF IDAHO, COUNTY OF CASSIA

On this 17th day of December, 1992,

before me, a notary public in and for said State, personally appeared

TOM E. MALLERY and
LINNEA L. MALLERY

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Barbara Ehle
Notary Public

Residing at Burley, Idaho.
Commission expires 6/12/97

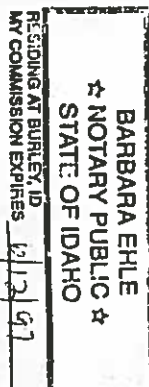


Exhibit A

TOWNSHIP 11 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 27: A part of the E $\frac{1}{2}$ NE $\frac{1}{4}$ described as follows:

Commencing at the Northeast corner of said
Section 27; thence North 89°05' West along the
North section line of said Section 27 for
282.00 feet to the True Point of Beginning;
Thence continuing North 89°05' West along the North
section line for 200.00 feet;
Thence South 0°55' West parallel with the East sec-
tion line for 310.0 feet;
Thence South 89°05' East parallel with the North
section line for 200.00 feet;
Thence North 0°55' East parallel with the East sec-
tion line for 310.00 feet to the Point of
Beginning.

RECORDED AT THE REQUEST OF
LAND TITLE & EXCHG
FILM 240
1992 DEC 22 P 3:39
CASSIA COUNTY
FRANK B. H.
RECORDED
FEE 400 DEPUTY DM

222443

A45-12434

Section 27 Township 11 Range 23

N 89° 05'

NE 2

T 5337
RP 3005
120 A
236.30
220.65

1320±

N 4

E 16 N

T 4172
RP 0150
2.49 A
T 3135
RP 0005
1.42 A
200.00

RP 2400
65.83± A

P 1859
RP 0601

P 1858
RP 0000

A45-12434

1714.43±
1935.12±

2409.75±

90.50±

614.38±

CANAL
1403.74±
1402.74±
82.50±
2.74± A

T 3027
11.43± A
RP 4500

1320±

139.75±

45.25±

CANAL
450±

C 4

T 7326
0.87 A
RP 1600

117.78±

792.22±

845.78±

T 1510
2.69± A

CE 16

1320±

T 1512
(13.22± A)

47±

CW 16

E 4



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

KURT E & ROSEANNE J PAVLAT
RT 3 BOX 3670
BURLEY ID 83318

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #A45-12434

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,

A handwritten signature in cursive script that reads 'S. Sherman'.

Sally Sherman
Technical Records Specialist
Adjudication Bureau

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