

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)12/19/97 13:47:34
Page 1

Water Right Number - R45-12571

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
HENDERSON

TERESA L

1 - RT 4 BOX 4096
2 -
3 -

City- BURLEY State- ID Zip- 83318

Phone - 208-678-7767

HENDERSON

MARSHALL B

1 - RT 4 BOX 4096

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-7767

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
12/31/1945 17 SOUTHERN J - BENEFICIAL USE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

10S 22E 21 SE NE (31) CASSIA

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
04 - STOCKWATER 01/01 12/31 0.020+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.060 0.0+ - - - - - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10S 22E 21 SE NE 04 STOCKWATER (31) CASSIA
10S 22E 21 SE NE 43 DOMESTIC (31) CASSIA

Total Acres:

+ - - Diversion Means - TWO WELLS (ORIGINAL SANDPOINT & DRILLED, CASED WELL IN 1990)

+ - - Non-Irrigation Use - 1 HOME

+ - - Other Rights for Same Use - NONE

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

EXP STOCKWATER, 15 HORSES, BEEF OR PIGS
PARCEL NO. RP10S22E212399

Water right number - R45-12571

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - 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 - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 12/19/1997 User Id: DSMITH Subject: COPIED FROM REMARKS
OLD SANDPOINT WHICH WAS ORIGINALLY USED FOR ALL USES IS PRESENTLY ONLY USED TO IRRIGATE LAWN, GARDEN AND TREES. THE NEW DRILLED
WELL IS USED FOR IN HOUSE USE AND WATER FOR THE STOCK. THE NEW WELL WAS DRILLED IN 1990 BUT THE PRIORITY OF RIGHT IS BASED ON
THE ORIGINAL SANDPOINT WELL. STOCKWATER USES INCLUDE: 5 PIGS, MIXED CHICKENS, DUCKS & GEESE, 10 MIXED HORSES OR BEEF CATTLE.

+ - - Audit Fields - - +
12/19/97 DSMITH

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| 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 | - 12/19/1997 | Old Judicial District | - |
| Claim Received Date | - 04/14/1994 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S016758 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

AJ5856NP

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

DATE: AUG-20-1997

PAGE: A-264

RIGHT NUMBER: 45-12571

NAME & ADDRESS: TERESA L HENDERSON
MARSHALL B HENDERSON ✓
RT 4 BOX 4096
BURLEY ID 83318

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

PRIORITY DATE: 12/31/1945

POINT OF DIVERSION: RP T10S R22E S21 2399 ✓ SENE ✓

Within CASSIA County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|------------------------------------|---------------|----------|
| | STOCKWATER | 01-01 12-31 | 0.02 CFS |
| | DOMESTIC DOMESTIC/ 1 HOUSE WITH AP | 01-01 12-31 | 0.04 CFS |

PLACE OF USE: STOCKWATER ✓ Within CASSIA County
T10S R22E S21 SENE ✓

DOMESTIC ✓ Within CASSIA County
T10S R22E S21 SENE ✓

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

OLD SANDPOINT WHICH WAS ORIGINALLY USED FOR ALL USES IS PRESENTLY ONLY USED TO IRRIGATE LAWN, GARDEN AND TREES. THE NEW DRILLED WELL IS USED FOR IN HOUSE USE AND WATER FOR THE STOCK. THE NEW WELL WAS DRILLED IN 1990 BUT THE PRIORITY OF RIGHT IS BASED ON THE ORIGINAL SANDPOINT WELL. STOCKWATER USES INCLUDE: 5 PIGS, MIXED CHICKENS, DUCKS & GEESE, 10 MIXED HORSES OR BEEF CATTLE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by so Date 9-22-97
Verification Source: C.R.

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

3/11/98 *SW*
IMPORTANT WATER RIGHT INFORMATION

52 N 400 W

45-12571
TERESA L HENDERSON
MARSHALL B HENDERSON
RT 4 BOX 4096
BURLEY ID 83318

RECEIVED

MAR 06 1998

Department of Water Resources

POSTNET
FIRST CLASS



U.S. POSTAGE
0.23

PM METER
6711993

45-12571

83318X4338-2323



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: A45-12571
Date Received: 4/14/1994
Receipt No: S016758
Received By: ADL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TERESA L HENDERSON 208-678-7767
Address: RT 4 BOX 4096
BURLEY ID 83318
AND/OR
Name: MARSHALL B HENDERSON 208-678-7767
Address: RT 4 BOX 4096
BURLEY ID 83318
2. Date of Priority: DEC 31, 1945
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S | 22E | 21 | SE | NE | | | CASSIA |
5. Description of diverting works:
TWO WELLS (ORIGINAL SANDPOINT & DRILLED, CASED WELL IN 1990)
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 | | |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |
7. Total Quantity Appropriated is:
0.060 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
DOMESTIC/ 1 HOUSE WITH APT ATTACHED, MIXED STOCK (SEE REMARKS)

MICROFILMED

OCT 28 1994

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 10S | 22E | 21 | SE | NE | | DOMEST | |
| | | | SE | NE | | STOCK | |

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:

OLD SANDPOINT WHICH WAS ORIGINALLY USED FOR ALL USES IS PRESENTLY ONLY USED TO IRRIGATE LAWN, GARDEN AND TREES. THE NEW DRILLED WELL IS USED FOR IN HOUSE USE AND WATER FOR THE STOCK. THE NEW WELL WAS DRILLED IN 1990 BUT THE PRIORITY OF RIGHT IS BASED ON THE ORIGINAL SANDPOINT WELL. STOCKWATER USES INCLUDE: 5 PIGS, MIXED CHICKENS, DUCKS & GEESE, 10 MIXED HORSES OR BEEF CATTLE.

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 X wish to receive and pay a 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): Peresa Henderson Date: 4-14-94

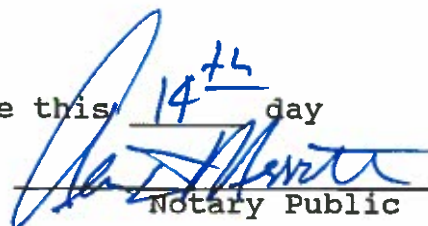
Date: _____

MICROFILMED
OCT 28 1994

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 14th day

of April 19 94


Notary Public

Seal

Residing at Kimberly, ID

My Commission Expires 6/30/99

MICROFILMED
OCT 28 1994

210294

FURNISHED BY Land Title and Escrow, Inc.

21736

WARRANTY DEED

Indexed

POOR ORIGINAL

For Value Received

ROBERT JOSEPH SIMNITT and MARGO C. SIMNITT, husband and wife

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

MARSHALL B. HENDERSON and TERESA L. HENDERSON, husband and wife
ADDRESS: 400 West 50 North, Burley, Idaho 83318

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

TOWNSHIP 10 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 21: Beginning at the Southeast corner of the NE $\frac{1}{4}$ of said Section 21;
Thence South 89°18'32" West (S. 88°31' W. rec.) (West rec.) along the quarter section line for 294.65 feet (294.47 feet rec.);
Thence North 0°35'20" East (North, rec.) for 227.82 feet (228 feet rec.);
Thence North 89°16'33" East (N. 88°31' E. rec.) (East rec.) for 294.92 feet (294.47 feet rec.) to a point on the East section line of said Section 21;
Thence South 0°39'21" West (South rec.) for 228 feet to the Point of Beginning.

SUBJECT TO a 25 foot County Road Right-of-Way along the East boundary.

SUBJECT TO:

Taxes for 1990 and subsequent years.

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: October 25, 1990

Robert J. Simnitt
ROBERT JOSEPH SIMNITT

Margo C. Simnitt
MARGO C. SIMNITT

STATE OF IDAHO, COUNTY OF

On this 25th day of October, 1990
before me, a notary public in and for said State, personally appeared

ROBERT JOSEPH SIMNITT and
MARGO C. SIMNITT

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

Dorree Geis

Notary Public

Residing at

, Idaho.



NOTARY PUBLIC
Commission Expires
March 28, 1994
DORREE GEIS
2824 West 8400 South
Salt Lake City, Utah 84118

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM
OCT 31 4 00 PM '91
CASSIA COUNTY, IDAHO
FRANK H. EARNES
RECORDS
FEE \$20.00
JAN 11 1991

210294

MICR
OCT