

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: **A37-10791**  
Date Received: 8/ 3/1988  
Receipt No: S001273  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: ROBERT J MEYERS  
Address: 1425 E 3200 S  
WENDELL ID 83355  
AND  
Name: KATHI L MEYERS  
Address: 1425 E 3200 S  
WENDELL ID 83355  
AND  
Name: JOSEPH HULTS  
Address: 1425 E 3200 S  
WENDELL ID 83355  
AND  
Name: KAY ANN HULTS  
Address: 1425 E 3200 S  
WENDELL ID 83355

2. Date of Priority: JUN 10, 1938

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06S      | 14E   | 26      | NE     | NE     | NE  |     | GOODING |

5. Description of diverting works:  
WELL AND 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 |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.200 |      |        |

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

A.F.A.



STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED  
MAY 20 1998

## 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.

Department of Water Resources  
Snake River Region  
RECEIVED  
JAN 29 1998  
Department of Water Resources  
Snake River Region

1. Water Right Number(s) \_\_\_\_\_  
Adjudication Claim Number(s) A37-04118 A37-10791
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 on file with the county.) OR
  - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Clarence J. Huber, Mark Huber, Joe Huber  
Joe Huber Pres. Joe Huber
4. New Owner/Claimant(s) Robert J. Meyers and Kathi L. Meyers AND Joseph Hults and Kay Ann Hults  
Name connector (Check one): [ ] AND, [ ] OR, [ ] AND/OR  
New Mailing Address 1425 East 3200 South,  
City, State and ZIP Code Wendell, ID 83355  
New Telephone Number (208) \_\_\_\_\_
5. Date you acquired the property Jan. 27, 1998
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 actually irrigated \_\_\_\_\_ Number and type of stock \_\_\_\_\_  
Diversion rate in CFS \_\_\_\_\_ Number of homes \_\_\_\_\_ Other uses \_\_\_\_\_  
cubic feet per second  
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/Claimant(s)  
Robert J. Meyers Kathi L. Meyers Date 1-28-98  
Joseph Hults Kay Ann Hults Date 1-28-98  
ROBERT J. MEYERS KATHI L. MEYERS  
JOSEPH HULTS KAY ANN HULTS
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

✓ ID



**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**

**PHILIP E. BATT  
GOVERNOR**

**KARL J. DREHER  
DIRECTOR**

June 2, 1998

Robert J. and Kathi L. Meyers  
Joseph and Kay Ann Hults  
1425 East 3200 South  
Wendell, Idaho 83355

RE: Snake River Basin Adjudication (SRBA)  
Claim No.(s): A37-04118, A37-10791  
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.**

Sincerely,

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

Vikie Hancock  
S.R.B.A. Records Clerk

ENCLOSURES

ROBERT MEYERS/JOE HULTS  
MARK HUBER  
SEVERT SWENSON - ATTORNEY  
LAND TITLE - GOODING

COMMONWEALTH LAND TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

ORDER NUMBER: G-25995

*Jan. 27, 1998 RECEIVED*

1. Effective Date: *November 6, 1997 at 8:00 A.M.*

MAY 20 1998

2. Policy or Policies to be issued:

Department of Water Resources  
Southern Region

A. ☒ ALTA Owners Policy - Standard Coverage  
(10/17/92)

Amount \$295,000.00  
Premium \$1,750.00

*Husband and Wife*

*VEST!*

Proposed Insured: ROBERT J. MEYERS and KATHI L. MEYERS And JOSEPH HULTS  
and KAY ANN HULTS, *Husband and Wife*

B. ☐ ALTA Loan Policy ☐ Standard ☐ Extended  
(10/17/92)  
☐ With Endorsements

Amount \$  
Premium \$  
Premium \$

Proposed Insured:

C. ☐

Amount \$  
Premium \$

Proposed Insured:

3. The Estate or Interest in the land described or referred to in this Commitment and covered herein is fee simple and is at the effective date vested in:

Parcel No. 1:

MARK HUBER and KATIE L. HUBER, husband and wife, as to an undivided 1/2 interest,  
AND MARK HUBER, presumptively subject to the community interest of his spouse, if  
any, as to an undivided 1/2 interest

Parcel No. 2:

MARK HUBER, presumptively subject to the community interest of his spouse, if  
married since April 22, 1995

4. The land referred to in this Commitment is situated in the County of Gooding, State of Idaho, and described as follows:

SEE ATTACHED SCHEDULE A, PAGE 2

Countersigned: *T. Ann Huber*

Authorized Officer or Agent

This Commitment is valid only if Schedule B is attached.

Closed by:  
LAND TITLE AND ESCROW, INC.  
546 Main St.  
P. O. Box 473  
Gooding, ID 83330  
(208) 934-8477

CONTINUATION

SCHEDULE A

Order Number: G-25995

PARCEL NO. 1

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

Section 26: NE $\frac{1}{4}$ , EXCEPTING THEREFROM the following described tract:

Beginning at the North quarter corner of Section 26;  
Thence South 89°51' East, 340.75 feet along the Northerly boundary of Section  
26 to THE TRUE POINT OF BEGINNING;  
Thence South 31°47'55" West, 152.43 feet;  
Thence South 36°18'06" East, 59.97 feet;  
Thence South 89°51' East, 244.34 feet;  
Thence North 0°09' East, 178.00 feet to a point on the Northerly boundary of  
Section 26;  
Thence North 89°51' West, 200.00 feet along the Northerly boundary of  
Section 26 to THE TRUE POINT OF BEGINNING.

AND EXCEPT that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , described as follows:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Thence North along the Easterly boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , 400 feet;  
Thence in a Southwesterly direction to a point on the South boundary of the  
SE $\frac{1}{4}$ NE $\frac{1}{4}$  that is 400 feet West of the Southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Thence East 400 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHO

Section 25: NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;



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

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MAY 15 1998

LAND TITLE &  
ESCROW, INC.

May 14, 1998

RECEIVED

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

MAY 15 1998

LAND TITLE &  
ESCROW, INC.

Rachelle Novinger  
LAND, TITLE & ESCROW  
PO Box 473  
Gooding, Idaho 83330

RE: Notice of Change of Water Right Ownership  
Huber to Meyers and Huits  
Snake River Basin Adjudication Claim Nos. A37-04118, A37-10791

Dear Rachelle:

I am returning the original documents sent to us for the purpose of changing the ownership of water rights referenced above. The Notice does not include the new owners' address(s), and there is a question on claim number A37-10791 as to whether Mark Huber can convey this right, which is in the name of Clarence Huber and Sons. A copy of the Title Insurance Policy for this transaction, or some documentation listing Mark as an owner in Clarence Huber and Sons will suffice. We also need a survey map and aerial photo of the property, if possible, as requested in item 2C.

I realize that several months have gone by since this request was submitted to the department, but will appreciate your clients' additional cooperation, as I cannot process this change of ownership until complete information is received. Thank you for your help.

Sincerely,

Vikie Hancock  
SRBA Records Clerk

RECEIVED

MAY 20 1998

Department of Water Resources  
Southern Region

Vikie -  
hope this is  
all you need  
Becky

# WARRANTY DEED

#G-25995

For Value Received

MARK HUBER AND KATIE L. HUBER, HUSBAND AND WIFE

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

ROBERT J. MEYERS AND KATHI L. MEYERS, HUSBAND AND WIFE AND  
JOSEPH HULTS AND KAY ANN HULTS, HUSBAND AND WIFE  
Address: 1425 EAST 3200 SOUTH, WENDELL, ID 83355

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

SEE EXHIBIT "A" ATTACHED

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MAY 20 1998

Department of Water  
Southern Region

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: JANUARY 27, 1998

Mark Huber  
MARK HUBER

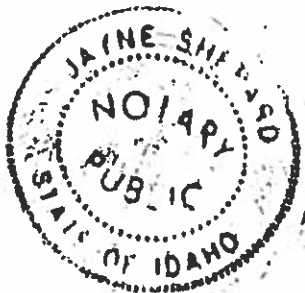
Katie L. Huber  
KATIE L. HUBER

STATE OF IDAHO

COUNTY OF GOODING

) ss. )

On this 27<sup>th</sup> day of JANUARY, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared MARK HUBER AND KATIE L. HUBER, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.



Jayne Shepard  
Notary Public  
Residing at: Buhl, Idaho  
My Commission expires: 8-21-99

173933

RECEIVED

JAN 29 1998

Department of Water  
Southern Region

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of

Land Title & Escrow Inc.  
10 min. past 4 o'clock P m. this 27<sup>th</sup>  
of January, 19 98 6.00  
By Penny Watson Deputy

JAN 29 1998

Department of Water Resources  
Southern Region

## PARCEL NO. 1

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHOSection 26: NE $\frac{1}{4}$ , EXCEPTING THEREFROM the following described tract:

Beginning at the North quarter corner of Section 26;  
 Thence South 89°51' East, 340.75 feet along the Northerly boundary of Section 26 to THE TRUE POINT OF BEGINNING;  
 Thence South 31°47'55" West, 152.43 feet;  
 Thence South 36°18'06" East, 59.97 feet;  
 Thence South 89°51' East, 244.34 feet;  
 Thence North 0°09' East, 178.00 feet to a point on the Northerly boundary of Section 26;  
 Thence North 89°51' West, 200.00 feet along the Northerly boundary of Section 26 to THE TRUE POINT OF BEGINNING.

AND EXCEPT that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , described as follows:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Thence North along the Easterly boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ , 400 feet;  
 Thence in a Southwesterly direction to a point on the South boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$  that is 400 feet West of the Southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 Thence East 400 feet to THE POINT OF BEGINNING.

## PARCEL NO. 2

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,  
GOODING COUNTY, IDAHOSection 25: NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;

TOGETHER WITH all water and water rights, ditches and ditch rights used therein or appurtenant thereto including but not limited to 100 shares of capital stock of the Big Wood Canal Company.

SUBJECT TO THE FOLLOWING:

All reservations in patents or deeds in the chain of title.

Taxes for 1998 and subsequent years which are not yet due or payable.

Assessments of the American Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.

Assessments of the Big Wood Canal Company and the rights and powers of said company as by law provided.

Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.

Underground Power Line Easement given by C. L. Clarke and Betty J. Clarke, husband and wife, to Idaho Power Company, a corporation, dated September 7, 1979, recorded February 13, 1980 as Instrument Number 81426, Gooding County records, affecting a portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  Section 26, Township 6 South, Range 14, East Boise Meridian.Power Line Easement given to Idaho Power Company recorded November 8, 1960 as Instrument Number 142130, Gooding County records, affecting the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 25, Township 6 South, Range 14, East Boise Meridian.



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: A37-10791  
Date Received: 8/03/1988  
Receipt No: S001273  
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: CLARENCE HUBER & SONS 208-934-4227  
Address: 1767 E. 2350 S.  
GOODING, ID 83330

2. Date of Priority: JUN 10, 1938

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 06S      | 14E   | 26      | NE     | NE     | NE     |     | GOODING |

5. Description of diverting works:  
WELL AND 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  |      |        |
| STOCKWATER | 01/01 | 12/31 | 0.200  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/ 1 HOUSE S/ 300 DAIRY HEIFERS

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use    | Acres |
|----------|-------|---------|--------|--------|-----|--------|-------|
| 06S      | 14E   | 26      | NE     | NE     |     | DOMEST |       |
|          |       |         | NE     | NE     |     | STOCK  |       |

A37-10791

Page 1

Date: 08/03/88

MICROFILMED  
FEB 25 1993

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:  
NONE

14. Remarks:  
DAIRY HERD LISTED IS MADE OF YOUNGER STOCK.

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): Joe Huber Date: 8/3/88  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Twin Falls ) SS.

Subscribed and sworn (or affirmed) before me this 3rd day  
of August 19 88 Roxanne Storey  
Notary Public

Seal

Residing at Buhl, Id  
My Commission Expires 6-30-94

WATER RIGHT NUMBER - A37-10791

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
CLARENCE HUBER & SONS

1 - 1767 E. 2350 S.

2 -

3 -

CITY- GOODING

STATE- ID ZIP- 83330

PHONE - 208-934-4227

+ - - PRIORITY DATE - - +  
06/10/1938

+ - - - REGION - - - +  
ERROR IN REGION

+ - - - STAGE - - - +  
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +  
GROUNDWATER

+ - - - - - TRIBUTARY - - - - - +

+ - - - - - POINT OF DIVERSION - - - - - +  
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

06S 14E 26 NE NE NE (47) GOODING

+ - - - - - 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 0.200

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +  
0.200 0.0

+ - - - - - PLACE OF USE - - - - - +  
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

06S 14E 26 NE NE 04 STOCKWATER (47 ) GOODING  
06S 14E 26 NE NE 43 DOMESTIC (47 ) GOODING

+ - - DIVERSION MEANS - WELL AND PUMP

+ - - NON-IRRIGATION USE - D/ 1 HOUSE S/ 300 DAIRY HEIFERS

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +  
DAIRY HERD LISTED IS MADE OF YOUNGER STOCK.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +  
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - - CONDITIONS OF APPROVAL - - - - - +  
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - +

+ - - - - DECREE DEFENDANT - - - +

+ - DECREE DATE - +  
00/00/0000

MICROFILMED  
OCT 25 1994

2209 S 1700 E

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIMS PROOF READING REPORT

CERTIFIED  
MAR 22 1992  
WATER EXAMINER