

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: A37-11257
Date Received: 9/06/1988
Receipt No: S002067
Received By: JCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES V. RUSSELL 818-795-0008
Address: 2480 LAS LUNAS
PASADENA, CA 91107

OR
Name: MARY T. RUSSELL 818-795-0008
Address: 2480 LAS LUNAS
PASADENA, CA 91107

2. Date of Priority: OCT 10, 1972

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02N	18E	15	SE	SW			BLAINE

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		

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:
D/ 1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	15	SE	SW		DOMEST	

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:
NONE

14. Remarks:
P/U IS LOT 6, BLK. 1, BROADFORD HIGHLANDS SUBD. #1, HAILEY.
WELL IS ON LOT 5 AND SERVES TWO HOUSES.

15. Basis of Claim: BENEFICIAL USE

MICROFILMED
FEB 25 1993

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: 5

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A37-11257
Date Received Sept. 6, 1988
Receipt Number SCC

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

SEP 6 1988

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes

Department of Water Resources
Southern Region Office

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Please type or print clearly

- Name of Claimant (s) CHARLES Y + MARY T. RUSSELL Phone (818) 7950008
Mailing Address 2480 LAS LUNAS, PASADENA, CA Zip 91107
- Date of Priority (Only one (1) per claim) October 10, 1972
- Source of water supply (a) domestic well
which is tributary to (b) _____
- Location of point of diversion is: Township Broadford Highlands Sub. #1. Range 2N Lot 6 Block 1 18E
Section 15, SE 1/4 of SW 1/4 of _____ 1/4, Govt. Lot Hailey, Idaho 83333, B.M.,
County of Blaine
- Additional points of diversion if any: The well is shared with the owner of lot 5.
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 48 ft. well 8" casing
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
For Domestic use only purposes from 1-1 (Both dates are inclusive) to 12-31 amount 0.04 (cfs)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.04 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock)
2 households served by this well. Domestic use only
Well is on lot #5

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10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
2N	18E	15												D				

11. In which county (ies) are lands listed above as place of use located? Blaine

12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
none or None ()

14. Remarks: WELL IS LOCATED ON LOT #5 IT SERVES TWO PARTIES
LOT #5 AND LOT #6 ATTACH IS WELL AGREEMENT
NANCY M. LOWE IS THE PRESENT OWNER OF LOT #5

15. Basis of Claim (check one) Beneficial Use X Posted Notice License Permit
Decree

If applicable provide IDWR Water Right Number
Court Case Number Decree Date
Plaintiff vs Defendant

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

Signature of Claimant (s) Charles V. Russell Date 9-1-88
Mary T. Russell Date 9-1-88

For Organizations: I do solemnly swear or affirm that I am Title
of Organization , that I have signed the foregoing
document in the space below as of
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent
Title and Organization Date

State of Idaho/or)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 1st day of Sept. 19 88

SEAL

Notary Public Constance M. Ellway
Residing at Hailey

My Commission Expires 1992
Last Name Russell Ident No. 437-11257

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Yellow-Claimant

Property of
Charles + Mary T. Russell
Broadford Highlands Sub. 1 Lot 6 block 1
Hailey Id. 83333

#39576
#WR/20. A37.

WELL AGREEMENT

THIS AGREEMENT, Made and entered into this 10 day of
October, 1972, by and between KENDALL KINGHORN and WANDA
KINGHORN, husband and wife, the parties of the first part,
and LARRY A. WILDE, a married man, the party of the second
part,

WITNESSETH:

The parties hereto having purchased certain real property
located in Broadford Highlands Subdivision from a common grantor
and the properties being purchased being adjacent and contiguous
and it being the intent of the parties hereto that a common well
for domestic water supply to the residences to be or being
constructed upon said properties now located on Lot 5, Broad-
ford Highlands Subdivision owned by first parties, and it being
the further intent of the parties that an agreement be entered
into governing the location, construction expenses, maintenance,
and operational expenses of said well, the parties mutually
agree as follows:

1. First parties are the owners of Lot 5, Broadford
Highlands Subdivision as found on the official plat thereof
on file and of record in the office of the County Recorder
of Blaine County, Idaho.

2. Second party is the owner of Lot 6, Broadford
Highlands Subdivision as found on the official plat thereof
on file and of record in the office of the County Recorder
of Blaine County, Idaho.

3. First parties having drilled a well located in the
Northwest corner of Lot 5, said well containing an 8-inch
casing and being 48 feet deep, and it being acceptable to
both parties that said well be used in common for domestic
water supply to both of the above described parcels of property.

-1-

Mailing Address

Charles + Mary T. Russell
2480 Las Lunas
Pasadena Ca. 91107

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FEB 25 1993

A37-11757

2
#39576

(2)

4. First parties for the consideration of the sum of \$ 296.29 hereby sell, set over and assign unto second party an undivided one-half interest in and to the said well, to have and to hold to the second party, his heirs, administrators and assigns forever. It is agreed that the above mentioned sum is one-half of the construction costs of said well.

5. The parties agree that each shall have his own pump and pressure system and that such shall be metered for electric power separately and to pay the power charges when due and payable, so that the other party shall not be liable for any such power charges. The parties agree that each shall pay for his own water line, and any repairs to such water line.

6. First party hereby gives and grants unto second party an easement for a domestic water line from said well across whatever parts of Lot 5 of Broadford Highlands Subdivision owned by first party is necessary to connect from said well to the residence being or to be constructed upon said Lot 6 of Broadford Highlands Subdivision.

This agreement shall be recorded in the records of Blaine County, Idaho and shall be a covenant running with the land.

This agreement shall be binding upon the successors, heirs, executors and assigns of each party hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 10 day of October, 1972.

Kendall Kinghorn
Kendall Kinghorn
Wanda Kinghorn
Wanda Kinghorn

Larry A. Wilde
Larry A. Wilde

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FEB 25 1993

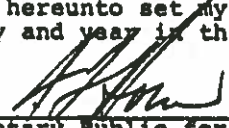
3

3
39574

STATE OF IDAHO,)
County of Blaine,) ss.

On the 2nd day of Nov, in the year 1972, before me, the undersigned, a Notary Public in and for said State personally appeared KENDALL KINGHORN and WANDA KINGHORN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Hailey, Idaho

STATE OF IDAHO,)
County of Blaine,) ss.

On the 10th day of November, in the year 1972, before me, the undersigned, a Notary Public in and for said State personally appeared LARRY A. WILDE, a married man, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereto unto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Hailey, Idaho
Ketchum



MICROFILMED
FEB 25 1993

A37-11257