

Carey

AJ5856NP

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

DATE: SEP-19-1997

PAGE: A-118

RIGHT NUMBER: 37-12107

NAME & ADDRESS: J A R INC
P O BOX 386
CAREY ID 83320

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 06/01/1925

POINT OF DIVERSION: T01S R21E S27 SWSWNE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC (DOMESTIC/LAWN AROUND HOME)	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T01S R21E S27 SWNE

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

(SOME OF THE LAWN IS BEHIND THE PARIS MOTEL, BUT IS PART OF THE HOUSE DEVELOPMENT RATHER THAN THE MOTEL. CITY WATER IS USED IN THE HOME, BUT IS TOO EXPENSIVE TO USE ON THE LAWN. THE WELL IS USED ONLY FOR THE LAWN.)

comments

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

(C1S210273480)
(C1S210273490) EAP

Verified by

Dref

Date: 12/23/98

Verification Source:

'91 & 98 City Parcel Rpt

12/23/98

COPY

1999 AUG 13 PM 2:35

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

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

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Right 37-12107

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 37-12107

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
7/29/1999

37-12107

PAGE 1

From (Claimant/Seller):

Name of Claimant: J A R INC
Address: P O BOX 386
CAREY ID 83320
Phone: (208) 823-4312

To (Claimant/Purchaser):

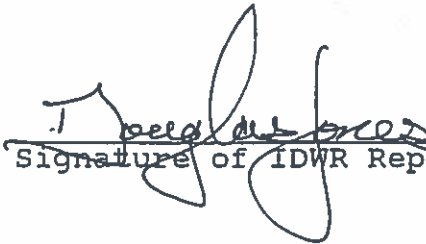
Name of Claimant: PATRICIA A PETTY
ROBERT N WALTERS
Address: PO BOX 386
CAREY ID 83320
Phone: (208) 823-4312

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED:

8/9/99


Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
7/29/1999

37-12107

PAGE 2

CLX

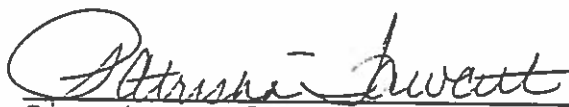
CERTIFICATE OF MAILING

I certify that on 8/13/1999 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

J A R INC
P O BOX 386
CAREY ID 83320
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

PATRICIA A PETTY
ROBERT N WALTERS
PO BOX 386
CAREY ID 83320
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: AUG-5-1999
PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 37-12107

NAME & ADDRESS: ROBERT N WALTERS
PATRICIA A PETTY
PO BOX 386
CAREY ID 83320

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1925

POINT OF DIVERSION: T01S R21E S27 SWSWNE Within BLAINE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T01S R21E S27 SWNE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NOS. C1S210273480, C1S210273490

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

NCAP
RECEIVED
JUN 02 1999
Department of Water Resources
Southern Region

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).: 37-12107
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 JAR INC
PO BOX 386 ; CAREY, ID 83320

4. New Owner/Claimant(s) EA ROBERT N. WALTERS / PATRICIA A. PETTY
New Mailing Address PO BOX 386
City, State and ZIP Code CAREY, ID 83320
New Telephone Number (208) 823-4312

5. Date you acquired the property 10/1/97

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..

o/c 6/29/99 of
[Signature]

Order No. 23436

WARRANTY DEED

FOR VALUE RECEIVED

PARCEL I: J-A-R, INC., an Idaho corporation PARCEL II: J-A-R, INC., an Idaho corporation, as to an undivided one half interest and HENRY K. ARRIEN and ALLA RAE ARRIEN, husband and wife, as to an undivided one half interest

GRANTOR(s) do(es) hereby GRANT, BARGAIN, SELL, and CONVEY unto

ROBERT N. WALTERS, an unmarried man and PATRICIA A. PETTY, an unmarried woman

GRANTEE(s) whose address is P.O. Box 386, Carey, ID 83320

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Subject to: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said 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 encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: September 30, 1997

J-A-R, INC.

Keith Justesen
Keith Justesen, Secretary-Treasurer

Henry K. Arrien
HENRY K. ARRIEN

Alla Rae Arrien
ALLA RAE ARRIEN

State of Nevada

County of Humboldt

On this 3rd day of October in the year 1997, before me, the undersigned, personally appeared HENRY K. ARRIEN AND ALLA RAE ARRIEN, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal

G. S. Lighthouse
Notary Public
Commission Expires

J. Lescrow/County will



ORDER NO. 23436
LEGAL DESCRIPTION

EXHIBIT "A"

TOWNSHIP 1 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

PARCEL I:

SECTION 27: A portion of property in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ more particularly described as follows:

COMMENCING at a point 319 feet North of the Southwest corner of the Northeast Quarter of said Section 27; thence
North 50 feet; thence
East 193 feet; thence
South 50 feet; thence
West 193 feet to the POINT OF BEGINNING. (Shown on Blaine County Assessors rolls as Tax Lot 3521)

AND

COMMENCING at a point 119 feet North from the Southwest corner of the Northeast Quarter of said Section 27; thence
East 80 feet; thence
North 20 feet; thence
East 85 feet; thence
North 16 feet; thence
West 165 feet; thence
South 36 feet to the POINT OF BEGINNING. (Shown on Blaine County Assessors rolls as Tax Lot 1941)

PARCEL II:

SECTION 27: Parcels of property in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ more particularly described as follows:

COMMENCING at the Northwest corner of Tax Lot 1955, being 259 feet North of the Southwest corner of the Northeast Quarter of said Section 27; thence
North 60 feet; thence
East at right angles 193 feet; thence
South 60 feet; thence
West 193 feet to the POINT OF BEGINNING. (Shown on Blaine County Assessors rolls as Tax Lot 2374)

CONTINUED

ORDER NO. 23436

LEGAL DESCRIPTION - CONTINUED

AND

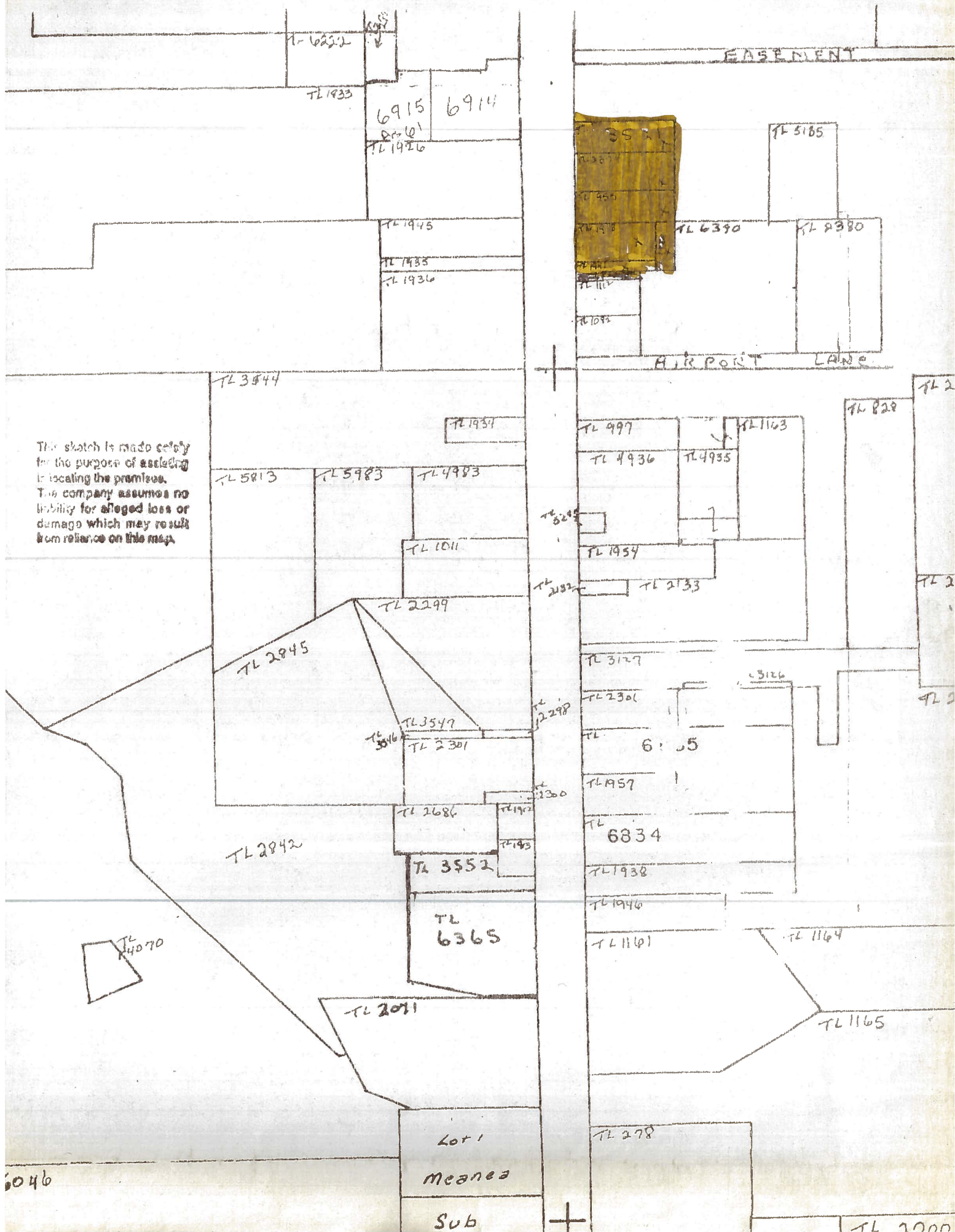
COMMENCING at a point 209 feet North of the Southwest corner of the Northeast Quarter of said Section 27; thence
East 193 feet; thence
North 50 feet; thence
West 193 feet; thence
South 50 feet to the POINT OF BEGINNING. (Shown on Blaine County Assessors rolls as Tax Lot 1955)

AND

COMMENCING at a point 155 feet North of the Southwest corner of the Northeast Quarter of Section 27; thence
East 165 feet; thence
North 54 feet; thence
West 165 feet; thence
South 54 feet to the POINT OF BEGINNING. (Shown on Blaine County Assessors rolls as Tax Lot 1928)

AND ALSO

BEGINNING at a point 139 feet North and 165 feet East of the Southwest corner of the Northeast Quarter of said Section 27; thence
North 70 feet; thence
East 28 feet; thence
South 70 feet; thence
West 28 feet to the POINT OF BEGINNING. (Shown on Blaine County Assessors rolls as Tax Lot 1980)



5355NF
3819

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR S. REED
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: March 3, 1999
PA 31

RIGHT NUMBER: 37-12107

NAME AND ADDRESS: J A R INC
P O BOX 368
CAREY ID 83320

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY

PRIORITY DATE: 06/01/1925

POINT OF DIVERSION: T01S R21E S27 SWSWNE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T01S R21E S27 SWNE

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NOS. C1S210273480, C1S210273490

SAWTOOTH TITLE COMPANY

Telephone (206) 426-4000

CLOSING ESCROW INSTRUCTIONS

ORDER NO. 23436

DATE: October 1, 1997

BUYER: ROBERT N. WALTERS and PATRICIA A. PETTY

TO: SAWTOOTH TITLE COMPANY

I hereby agree to purchase the hereinafter described property for a total consideration of \$ 250,000.00 and will on or before closing hand you said consideration, which is payable as follows.

Note and Deed of Trust to seller and balance in cash at closing

I will deliver to you any additional funds and execute any instruments which are necessary to comply with the terms hereof, all of which you may use when you hold for me a **Warranty Deed** acknowledged and executed by the seller and when you can issue your **Standard** coverage form of title insurance with liability of \$ 250,000.00, on the property described in commitment issued under Order No. 23436

SHOWING TITLE VESTED IN

ROBERT N. WALTERS, an unmarried man and PATRICIA A. PETTY, an unmarried woman

FREE OF ENCUMBRANCES EXCEPT:

1. Paragraphs 1 through 12 of Schedule B - Section 2 of Commitment for Title Insurance, Order No. 23436.
2. Deed of Trust in favor of Lender or Seller, if any
3. Other:

OTHER INSTRUCTIONS.

OCCUPANCY TAX: The County Assessor will levy an occupancy tax upon all newly constructed and occupied residential and commercial structures. The owner of any newly constructed improvements needs to report to the county assessor that the improvements have been occupied. Failure to do so may result in a penalty in addition to the tax levied and cause a delay in the owners right to apply for a homeowners exemption.

PRORATE AND/OR ADJUST THE FOLLOWING AS OF October 1, 1997.

1. Taxes based on the amount of the last tax statement of the Tax Collector issued prior to the close of escrow. (If the amount of the new tax bill issued by the Tax Collector after close of escrow is more or less than the amount used for proration purposes, the difference, if any, will be adjusted by the parties herein outside of escrow.) Sellers are to forward to buyers any present or future tax bills on property herein.

ARA
R.G.

ORDER NO. 23436
LEGAL DESCRIPTION

EXHIBIT "A"

TOWNSHIP 1 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

PARCEL I:

SECTION 27: A portion of property in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ more particularly described as follows:

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East 80 feet; thence
North 20 feet; thence
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South 60 feet; thence
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CONTINUED

ORDER NO. 23436
LEGAL DESCRIPTION - CONTINUED

AND

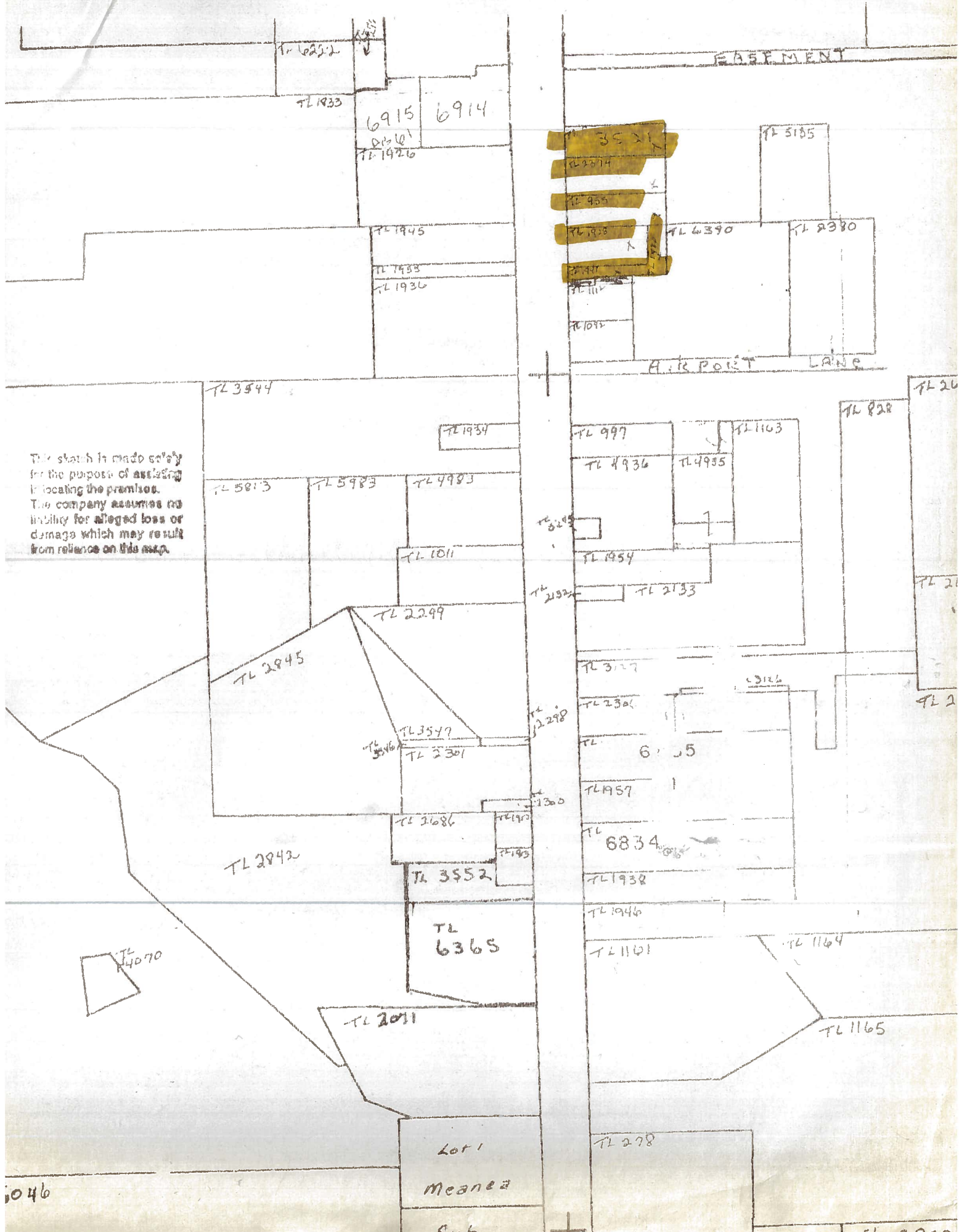
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North 54 feet; thence
West 165 feet; thence
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North 70 feet; thence
East 28 feet; thence
South 70 feet; thence
West 28 feet to the POINT OF BEGINNING. (Shown on Blaine County Assessors rolls as Tax Lot 1980)



This sketch is made solely for the purpose of assisting in locating the premises. The company assumes no liability for alleged loss or damage which may result from reliance on this map.

EASTMENT

AIRPORT LANE

Lot 1

Meanez

Sub

AJ5809NP
No. 37-12107

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/03/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J A R INC P O BOX 386 CAREY ID 83320 (208) 823-4312	06/01/1925	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T01S R21E S27 SWSWNE BLAINE 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	:
01S	21E	27	:			D	:											:

POU County: BLAINE

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

37-11416 37-12071 37-12429 A37-00016 A37-00017A A37-00019 A37-00304 A37-00670B A37-00702 A37-11416
A37-12071 A37-12107 A37-12429

Other Water Rights Listing Overlapping Place(s) of Use:

A37-00016 A37-00017A A37-00017B A37-00019 A37-00304 A37-00421 A37-00422 A37-00702 A37-01132 A37-02773
A37-02774 A37-02779

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 PARCEL NOS. C1S210273480, C1S210273490

Dates: Exam Made Date: Verified Date: 02/03/1999 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/03/1999 User-ID: VHANCOCK Subject: COPIED FROM REMARKS

AJ5809NP
No. 37-12107

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/03/99
PAGE: 2

=====

Comments: Date: 02/03/1999 User-ID: VHANCOCK Subject: COPIED FROM REMARKS
SOME OF THE LAWN IS BEHIND THE PARIS MOTEL, BUT IS PART OF THE
HOUSE DEVELOPMENT RATHER THAN THE MOTEL. CITY WATER IS USED IN
THE HOME, BUT IS TOO EXPENSIVE TO USE ON THE LAWN. THE WELL IS
USED ONLY FOR THE LAWN.

Audit: 02/03/99 VHANCOCK 03/03/99 CPDSHAFF 04/05/99 ADT-DSHA



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 11, 1999

RECEIVED

JUN 15 1999

Department of Water Resources
Southern Region

ROBERT N WALTERS
PATRICIA A PETTY
PO BOX 386
CAREY ID 83320

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIMS A37-12107

Dear Claimant(s):

Thank you for returning the NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP form. Our records, however, cannot be updated without the required information listed under item 2 of the ownership change form. Specifically, we need a copy of your WARRANTY DEED, TITLE POLICY or other legal document indicating your ownership of the property and water rights or claims in question, with attached legal description (see item 2. A.).

Enclosed is your original ownership change form. Please attach the required information and return the entire packet in the enclosed self-addressed envelope. As soon as this information is received, our records will be updated and you will be notified by mail that the change has been completed.

Thank you for your prompt attention to this matter and should you have any questions please feel free to contact me.

Sincerely,


Cheryl E. Timm
SRBA Records Clerk

enc.

The requested documents
were included when originally
sent - However, I have made
you another copy -



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: A37-12107
Date Received: 10/26/1988
Receipt No: 5003272
Received By: JS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J A R INC. 208-823-4312
Address: P. O. BOX 386
CAREY, ID 83320

2. Date of Priority: JUN 01, 1925

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	21E	27	SW	SW	NE		BLAINE

5. Description of diverting works:
WELL & 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:
DOMESTIC/LAWN AROUND HOME & BEHIND MOTEL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	27	SW	NE		DOMEST	

11. Place of use in counties: BLAINE

A37-12107

Page 1

Date: 10/26/88

MICROFILMED
FEB 26 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

SOME OF THE LAWN IS BEHIND THE PARIS MOTEL, BUT IS PART OF THE HOUSE DEVELOPMENT RATHER THAN THE MOTEL. CITY WATER IS USED IN THE HOME, BUT IS TOO EXPENSIVE TO USE ON THE LAWN. THE WELL IS USED ONLY FOR THE LAWN.

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: _____

For Organizations:

I do solemnly swear or affirm that I am Sec. Treas of _____
Title

JAR Inc, that I have signed the foregoing
Organization
document in the space below as Sec. Treas of _____
Title

JAR Inc and that the statements contained in the
Organization
foregoing document are true and correct.

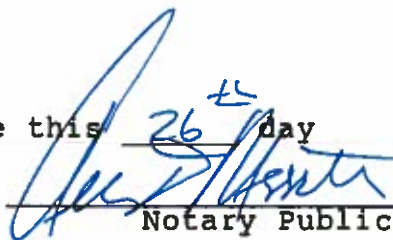
Reid D. Justen
Signature of Authorized Agent

Sec. Treas
Title and Organization

10-26-88
Date

State of Idaho)
County of Thur Falls) SS.

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


Notary Public

Seal

Residing at Kilbuck, Id.

My Commission Expires 6/30/98