

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: A63-31043
Date Received: 4/28/1999
Receipt No: W025118
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: KIRBY CLENDENON
Address: 1711 S 10TH AVE
CALDWELL ID

208-454-9217

83605

2. Date of Priority: SEP 25, 1997

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	03W	24	SW	NE			CANYON

5. Description of diverting works:
6" WELL CASING

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:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	03W	24	SW	NE		DOMEST	

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

WARRANTY DEED

For value received, Donald C. Clendenon and Virginia D. Clendenon, husband and wife, 4500 Marble Front Road, Caldwell, Canyon County, Idaho, the grantors, do hereby convey, release, remise and forever quit claim unto Kirby L. Clendenon and Judy A. Clendenon, husband and wife, 4520 Marble Front Road, Caldwell, Canyon County, Idaho, on this 19 day of April, 1999, the following described premises, to wit:

That part of the SW1/4 NE1/4 of Section 24, T.4 N. R. 3 W. of the Boise Base and Meridian, in Canyon County, Idaho, more particularly described as follows.

Commencing at the Northwest corner of said SW1/4 NE1/4; thence N. 89°59'50" E., along the North boundary of said SW1/4 NE1/4, a distance of 210 feet, to the TRUE POINT OF BEGINNING; thence, N. 89°59'50" E., continuing along the North boundary of said SW1/4 NE1/4, a distance of 140 feet; thence S. 0°55'39" W., and parallel with the West boundary of said SW1/4 NE1/4, a distance of 582.72 feet; thence N. 67°35'49" W., a distance of 75.22 feet; thence N. 0°55'39" E., a distance of 321.76 feet; thence N. 51°14'40" W., near the centerline of the irrigation ditch, a distance of 88.61 feet; thence N. 0°55'39" E., a distance of 176.80 feet to the TRUE POINT OF BEGINNING, approximately 1.25 acres.

Together with all water, water rights, ditches and rights for ditches appurtenant thereto or in any way appertaining. Together with all and singular, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining and reserving to the grantor, such easement as is necessary to get delivery of water from the Pioneer Irrigation Company in the existing ditch which is common to both grantor and grantee, according to rules, liens, levies and assessments of said ditch company. This instrument also annuls and makes void any and all agreements by the grantor prior to this date, to furnish domestic water from their well to the grantee (because, they now have their own well).

To have and to hold and peaceably possess the above described premises to the grantees and their heirs or assigns forever.

This deed supercedes and replaces the deed recorded December 20, 1991 (No. 9125315) or any other prior deeds, hereto appurtenant.

IN WITNESS WHEREOF, both parties have hereunto set their hands, the day and year first above written.

Donald C. Clendenon
Donald C. Clendenon (Grantor)

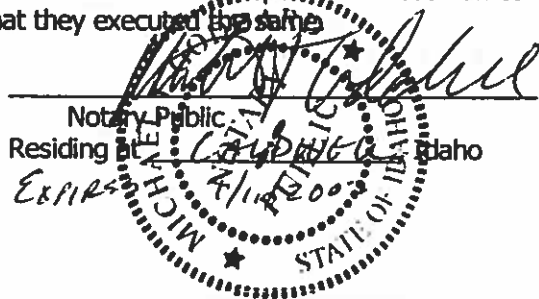
Virginia D. Clendenon
Virginia D. Clendenon (Grantor)

Kirby L. Clendenon
Kirby L. Clendenon (Grantee)

Judy A. Clendenon
Judy A. Clendenon (Grantee)

STATE OF IDAHO, COUNTY OF CANYON ss.

On this 19th day of April, 1999, before me, a notary public in and for said State, personally appeared Donald C. Clendenon and Virginia D. Clendenon, husband and wife and Kirby L. Clendenon and Judy A. Clendenon, husband and wife, known to me to be the persons whose names are subscribed to the above instrument, and acknowledged to me that they executed the same.



REQUEST Donald Clendenon
TYPE Deed FEE 3.00

19 APR 19 PM 2 35
CANYON COUNTY RECORDER
BY Jill James

RECORDED

9914943

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

Identification No. A63-31043Date Received 4/28/99Receipt Number W025118

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

APR 28 1999

WATER RESOURCES
WESTERN REGION

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Kirby Clendenon Phone (208) 454-9217Mailing Address 1711 So. Tenth ave, Caldwell Zip Idaho2. Date of Priority (Only one per claim) 9/29/97 Month/Day/Year3. Source of water supply (Check one) (X) Groundwater or Other () (a) well

Name or kind of source

which is tributary to (b) _____

4. Location of point of diversion is: Township See Deed 4N Range 3WSection 24 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, BM.,County of Canyon

Additional points of diversion if any: _____

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. 6" well casing

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic & Stock purposes from 1/1 to 12/31 amount .04 (cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)8. Total consumptive use claimed is de minimus9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 1 home

10. Place of use is: Township: See Map & deed attached Range 4N 3W
Section 24 SW 1/4 of NE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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) Kathy Clendenen Date 4-23-99

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Organization
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 _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Canyon) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 23 day of April 19 99

Notary Public Jill Lyle

Residing at Calhoun

My Commission Expires 10-10-01

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant



9912204

19 MAR 31 AM 11 48

G NOEL HALES 2ND GRAVEL
CANYON COUNTY RECORDER
BY *J McHoney* \$5.00



CONTRIBUTORS OF ARTICLES

1. Arnold M. Mackley, 45 Harvey Street, E. 1
St. Louis, Mo., has been a member of the
State of Idaho, and that this map has been
prepared from an actual survey made on the
order by direct representation, and that the
map is an accurate representation, and that the
map is in conformity with the general law, and
and Illinois and Idaho laws 55-146; through 1-112.

ARNOLD M. MACKLEY, 45 HARVEY STREET,
ST. LOUIS, MO.



KIRBY CLENDENON

434-24-1-3-1-00-00

NO. 138145

~~1015701-2363~~

Only

BLAKLEY ENGINEERS, INC.

[illegible]

PAYEE (NAME)

CD-1

13049	13049
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0.0001

09/29/2006

NOTICE OF ERROR
REPLY

RECEIVED

NOV 02 2006

WATER RESOURCES
WESTERN REGION

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: October 31, 2006

Water right number: 63-31043

KIRBY CLENDENON
1711 S 10TH AVE
CALDWELL ID 83605
Telephone Number: (208)454-9217

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

KC I AGREE with this proposed recommendation: no changes need to be made.

DATE:

10-30-06

SIGNATURE:

Kirby Clendenon

Please print your name:

KIRBY CLENDENON

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

08/24/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-31043

NAME AND ADDRESS: KIRBY CLENDENON
1711 S 10TH AVE
CALDWELL ID 83605

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 09/25/1997

POINT OF DIVERSION:

T04N R03W S24 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC Within CANYON County

T04N R03W S24 SWNE

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Property also known as 4520 Marble Front Rd., Caldwell.

REAL PROPERTY INQUIRY

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*****
01 6R35237-010-A-0 054-00 SCH139+ 12 32,200 1.24
*****
                                34 99,200
CLENDENON KIRBY L +
CLENDENON JUDY A H/W +
+
+
+
1711 S 10TH AVE +
CALDWELL ID 83605 +
*****
24-4N-3W NE + TOTAL 131,400
TX 99358 IN SWNE *****
+ SURVEY INST 9914943
+ DRAIN DR VALUE APPR TAM
+ CLASS N2 REAP 04 MAN 03 UNIT 1
+ PARCEL 6R04N03W241355 H/O Y C/B N
+ PRIOR ACCOUNT 5R35237-010-A-0
+ 02 MH on Property YES

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MODE:F ACTION: TRAITS INQUIRY TRQK318

ACCOUNT NUMBER R35237010A0 UNIT 001 TOTAL UNITS 1

SITE 4520 MARBLE FRONT RD CA SEC/TWN/RNG 24-4N-3W

ASSESSED VALUE 131,400 ACREAGE .00

SUB/PARK NAME YEAR/MAKE

CLASS N2 NON-REVOCABLE MOBILE HOMES ON REA SPACE LOT BLOCK

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*****
YR BUILT 1983 AIR COND CENTRAL AIR CARPORT N
STORY 1 STORY HEATING ELECTRIC FA CARPORT SQ FT
FIRST SQ FT 1868 EXTERIOR HARDBOARD DECK/PATIO? Y
SECOND SQ FT ROOF COMP POOL? N
BEDS 3 BSMT SQ FT SPA? N
BATHS 2.00 % BSMT FIN LOT SIZE
FRPLC 0 GARAGE D3 NEIGHBORHOOD 0
GARAGE SQ FT 1200

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*****
COMMENTS MOBILE HOME ONLY
WIDTH/LENGTH
EXPANDO

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MODE:F ACTION: COMPANION SHEET INQUIRY TRQK361

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01 ACCOUNT: 6R35237-010-A-0 AREA 054-00 DRAIN VALUE CLASS N2 H/O Y
SEC 24 TWN 4N RNG 3W QTR NE CITY/SUB 0 BLK LOT 1356
OWNERSHIP MUST BE 'C' FOR CURRENT OR 'P' FOR PREVIOUS
OWNERSHIP C OWNERSHIP P
CLENDENON, KIRBY L CLENDENON, DONALD C
& CLENDENON, JUDY A H/W & CLENDENON, VIRGINIA D H/W

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MAILING ADDRESS

LEGALS

1711 S 10TH AVE
CALDWELL ID 83605

24-4N-3W NE
TX 99358 IN SWNE

SITE ADDRESS

4520 MARBLE FRONT RD CA

COMMENTS

REMARKS

PRIOR ACCOUNT 5R35237010A0

9125315 SPLT .22AC FROM R35237-010
PER 9914943

PARCEL 04N03W241355 SRVY

INSTR 9914943 ACRES 1.24

SPLIT YR 1999 DOCUMENT WD