

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommended Right Report

02/08/2001

WATER RIGHT NO. 37-12996

Owner Type                      Name and Address  
Current Owner                  LARRY DEAN ANDERSON  
Current Owner                  LEXIE M ANDERSON  
                                         PO BOX 759  
                                         HAILEY, ID 83333  
                                         (208)788-4728

Directors Report Owner        HEATH-MARSHALL INC  
                                         PO BOX 250  
                                         POCATELLO, ID 83204  
                                         (208)233-1121

Priority Date:                  12/31/1984  
Basis:                          Beneficial Use  
Status:                         Active

Source                                      Tributary to  
GROUND WATER

| <u>Beneficial Use</u> | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Volume</u> | <u>Subuse Code</u> |
|-----------------------|-------------|-----------|-----------------------|---------------|--------------------|
| DOMESTIC              | 1/01        | 12/31     | 0.04 CFS              |               |                    |

Total Diversion                                      0.04 CFS

Location of Point(s) of Diversion:

GROUND WATER                      SENESW                      Sec. 13                      Township 01N                      Range 18E                      BLAINE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC                      BLAINE County

| <u>Township</u> | <u>Range</u> | <u>Section</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> | <u>Lot</u> | <u>Tract</u> | <u>Acres</u> |
|-----------------|--------------|----------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|------------|--------------|--------------|
| 01N             | 18E          | 13             |            | NESW         |              |            |              |              |            |              |              |            |              |              |

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. C18 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.

Remarks:

1. Explanatory                      PARCEL NO. RP000170000010 ALSO KNOWN AS 10828 STATE HWY 75 LOT 1 AGGREGATE ACRES SUB.  
Water Right 37-12996

**Dates:**

Licensed Date:  
Claim Received Date: 04/20/1989  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
Decreed Date:  
Date Filed with Court:  
Objection Filed Date:  
SF5 Filed:  
Special Master Recom Signed Date:

**Other Information:**

Receipt Number(s): S006918  
State or Federal: S  
Owner Name Connector:  
Water District Number:  
Generic Max Rate per Acre:  
Generic Max Volume per Acre:  
Civil Case Number:  
Old Case Number:  
Decree Plaintiff:  
Decree Defendant:  
PresumptionFlag:  
Notice of Error Flag:NONE RECEIVED  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Cary Act Number:  
Mitigation Plan: False



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

February 9, 2001

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

LARRY DEAN ANDERSON  
LEXIE M ANDERSON  
PO BOX 759  
HAILEY ID 83333

RE: Decreed Water Right 37-12996

Dear Mr. and Mrs. Anderson:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the water right(s) noting the change in owner. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett  
Technical Records Specialist

enc.

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.  
 Incomplete forms will be returned.

**RECEIVED**  
**FEB 07 2001**  
 Department of Water Resources  
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 37-12996              |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

**OR**

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) HEATH-MARSHALL, INC 9, GLEN S. MARSHALL SECTION  
PO BOX 250, PICATELLA, ID 83204
4. New Owner/Claimant(s) LARRY DEAN ANDERSON AND LEXIE M. ANDERSON  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
 New Mailing Address PO BOX 759  
 City, State and ZIP Code HAILEY ID 83333  
 New Telephone Number 208) 788-4728
5. Date you acquired the property 7/10/00

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

7. Signature of New Owner(s) or Claimant(s) \_\_\_\_\_  
(include title if applicable) \_\_\_\_\_  
\_\_\_\_\_

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

# Plat Showing A REPLAT OF LOTS 1 BLOCK 1 AGGREGATE ACRES SUBDIVISION

Located in Section 13, T. 1 N., R. 18 E., B.M.

Blaine County, Idaho

October 1999

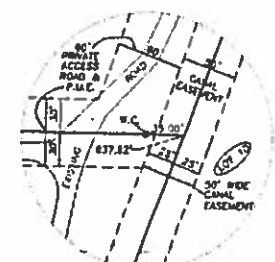
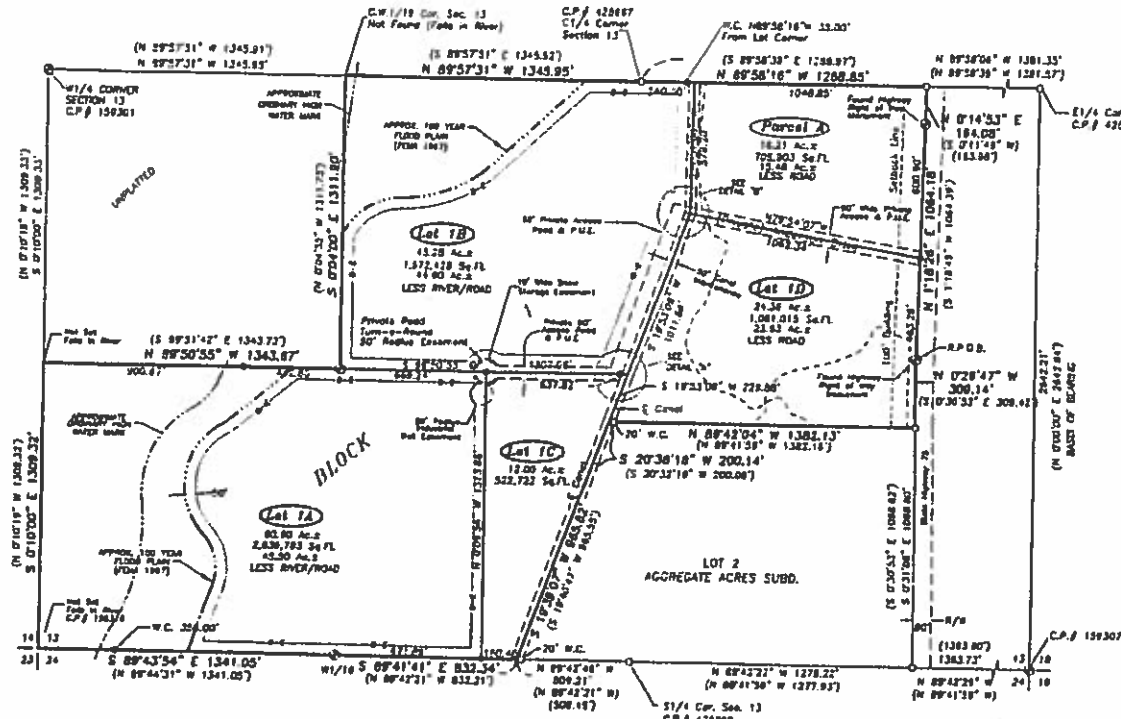
## LEGEND

- property boundary
- ⊙ found brass cap
- found 5/8" iron pin
- ⊙ set 5/8" iron pin
- found 1 1/2" iron pin
- ( ) record data
- building easement
- C.P.# Blaine County instrument no. for corner records
- P.U.E. public utility easement
- centerline of 20' wide ditch easement to benefit irrigation District 45 & 52 users

## NOTES

- A 10' public utility easement is granted by this plat centered on all interior lot lines and adjacent to all exterior lot lines that front an access road.
- A twenty foot ditch and ditch maintenance easement is hereby established for District 45 and 52 water users and is centered on all irrigation District 45 and 52 ditches that run through this property. No use on any lot in this subdivision shall restrict or impede the access or use of these irrigation systems.
- An existing surface water right for Lot 1 Aggregate Acres Subd. are to be affected to Lot 10. There shall be no water rights to distribute to future owners of Lots 1A, 1B, 1C, and Parcel A.
- Right of way easement for West Coast Power Company is hereby preserved as recorded in Book 143 of Deeds, page 437, records of Blaine County, Idaho.
- Individual lot owners are responsible for control of noxious weeds as per state regulations. Mowing and manual removal are recommended.
- The owner of any lot or parcel understands and agrees that private road construction, maintenance, and show removal shall be the obligation of the owner, no successors in interest, or homeowners' association, and that Blaine County is in no way obligated to accept, maintain or improve these roads until the roads are brought up to county standards, dedicated, and accepted by the county.
- All fire protection requirements of the Wood River Rural Fire District, Uniform Fire Code and the Blaine County Fire Protection Ordinance 22-5, including but not limited to water supply, access and clear zones shall be complied with prior to the issuance of a building permit.
- All lots shall access Highway 73 only from the existing Anderson Rd. access point.
- No building development is permitted in areas developed by the Federal Emergency Management Agency as floodplains. Other types of development or improvements within the floodplain are governed by the Floodplain Management and Riparian Setback Districts, as set out in Blaine County's Zoning Regulations. Conditional or other special use permits may be required.
- State law (42-111) limits domestic irrigation to one-half acre of land, if the total domestic use is not in excess of thirteen thousand gallons per day. All area domestic use in this subdivision shall be restricted.
- As an underlaid parcel, no single-family residential use is permitted on "Parcel A". If Parcel A and Lot 10 remain in common ownership, and the owner complies with all other applicable regulations, any other permitted, accessory, or conditional use allowed in the A-20 zoning district may occur on the lot or parcel. If Parcel A is owned separately from Lot 10, and the owner of Parcel A complies with all other applicable regulations, only non-residential permitted, non-residential accessory or conditional uses may occur on this parcel.
- Due to the draughty nature of the soils and the lack of water, any attachments to the vegetation on Parcel A, and those portions of Lot 10 that cannot be irrigated, should be maintained.
- Except along the western boundary, any fencing around Lot 10 and Parcel A shall not exceed 42" in height and the bottom rail shall exceed 10" in height to allow cattle migration.
- A fifty foot canal and canal maintenance easement is hereby established as shown contained on the By-pass Canal for By-pass Canal water users.

Scale in Feet  
0 200 400 600 800



DETAIL "A"  
N.T.S.



DETAIL "B"  
N.T.S.

This map is a photographic reproduction of that on file in either the Recorder's or the Surveyor's Office. The company assumes no liability for variation, if any, with another or re-survey.  
Courtesy Of:  
Sawtooth Title Co.  
Box 188  
Ketchikan, Idaho 83140  
728-4595



**SAWTOOTH ENGINEERING**

Civil Engineers and Land Surveyors

Hailey

(208) 788-9080

Idaho

Sheet 1 of 2

## HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1328, by the issuance of a certificate of disapproval.

Date: 11-1-99  
Robert W. Egan  
South Central District Health Dept. D-5

Order No. 27032

**CORPORATION  
WARRANTY DEED**

FOR VALUE RECEIVED

**HEATH-MARSHALL, INC., AN IDAHO CORPORATION**

a corporation duly organized and existing under the laws of the State of IDAHO, does hereby GRANT, BARGAIN, SELL and CONVEY unto

**LARRY ANDERSON and LEXIE ANDERSON, dba ANDERSON ASPHALT PAVING COMPANY**

GRANTEE whose address is: P.O. Box 759, Hailey, ID 83333

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

**Lot 1B of A REPLAT OF LOT 1, BLOCK 1, AGGREGATE ACRES SUBDIVISION, according to the official plat thereof, recorded as Instrument No. 434576, records of Blaine County, Idaho.**

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

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its Secretary.

Dated: July 7, 2000

This document may be executed simultaneously in one or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

\_\_\_\_\_  
GLEN S. MARSHALL

*John F. Heath*  
\_\_\_\_\_  
JOHN F. HEATH

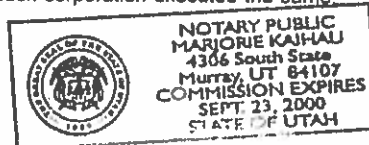
State of Utah )  
County of Salt Lake ) ss.

On this 10th day of July, in the year 2000, before me, the undersigned, personally appeared JOHN F. HEATH known or identified to me to be the president, or vice-president, or secretary or assistant secretary, of the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

WITNESS my hand and official seal.

*Marjorie Kajahau*  
\_\_\_\_\_  
Notary Public

Commission Expires: Sept 23, 2000



AJ5856NP

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

DATE: SEP-19-1997

PAGE: A-292

RIGHT NUMBER: 37-12996

NAME & ADDRESS: HEATH-MARSHALL INC  
PO BOX 250  
POCATELLO ID 83204

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 12/31/1984

POINT OF DIVERSION: T01N R18E S13 ~~SE~~ NESW Within BLAINE County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE                 | PERIOD OF USE | QUANTITY |
|-------------------------------|--------------------------------|---------------|----------|
|                               | DOMESTIC D/1 DWELLING & OFFICE | 01-01 12-31   | 0.04 CFS |

PLACE OF USE: DOMESTIC Within BLAINE County  
T01N R18E S13 NESW

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

10828 State Hwy 75 Lot 1 Aggregate Acres Sub.  
CLAIMED NON-COMMERCIAL USE: OFFICE FOR PERSONAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 0001700000010

Verified by

*[Signature]*

Date

10/22/98

Verification Source:

*City Parcel List + map*

AJ0749NP  
No. R37-12996

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 12/29/98  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                           | PRIORITY<br>DATE | WATER USE | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------------------------------------------------------------|------------------|-----------|-----------------------|-------------------|---------------------|
| C                | HEATH-MARSHALL INC<br>PO BOX 250<br>POCATELLO ID 83204<br>(208) 233-1121 | 12/31/1984       | 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:

T01N R18E S13

SENESEW

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 | Lt | Ac | : |
| 01N | 18E | 13 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | : |

POU County: BLAINE

Non-Irrigation Uses: 1 HOME ~~& 1 OFFICE~~

Other Rights: NONE

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 NO. RP000170000010  
ALSO KNOWN AS 10828 STATE HWY 75 LOT 1 AGGREGATE ACRES SUB.

Dates: Exam Made Date: Verified Date: 12/29/1998 Objection Filed Date:

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

DATA ENTERED BY  
DATE

SW  
2/4/99

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: A37-12996  
Date Received: 4/20/1989  
Receipt No: S006918  
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: HEATH-MARSHALL, INC. 208-233-1121  
Address: P.O. BOX 250  
POCATELLO, ID 83204

2. Date of Priority: DEC 31, 1984

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01N      | 18E   | 13      | NE     | SW     |     |     | BLAINE |

5. Description of diverting works:  
6"X120' 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:  
D/1 DWELLING & OFFICE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 01N      | 18E   | 13      | NE     | 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:  
CLAIMED NON-COMMERCIAL USE: OFFICE FOR PERSONAL USE.

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 Organizations:**

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

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
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 \_\_\_\_\_

MICROFILMED  
FEB 26 1993

RECEIVED

APR 19 1989

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSDepartment of Water Resources  
Southern Region OfficeIN RE THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Identification No. NONE ASSIGNED

Date Received \_\_\_\_\_

Receipt Number \_\_\_\_\_

NOTICE OF CLAIM  
TO A  
WATER RIGHTACQUIRED UNDER STATE LAW  
For Domestic and/or Stockwater Purposes  
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) HEATH-MARSHALL, INC Phone ( 208 ) 233-1121Mailing Address P.O. BOX 250, DUCATELLO, ID Zip 83204

2. Date of Priority (Only one per claim) \_\_\_\_\_ Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other ( ) (a) \_\_\_\_\_

which is tributary to (b) \_\_\_\_\_ Name or kind of source

4. Location of point of diversion is: Township WELL 15' IN 1 N Range 18 ESection 13 NE 1/4 of SN 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM.,County of BLAINE

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. ONE WELL DRILLED JUNE 1984 - 6 INCH WELL CASING - 120 FT DEEP - STATIC WATER LEVEL 53 FT - PUMPING LEVEL 58 FT - CAPACITY 80 GAL/MIN

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

For DOMESTIC purposes from 1-31 Month/Day to 12-31 Month/Day amount \_\_\_\_\_ (cfs)

(Both dates are inclusive)

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_

7. Total quantity claimed \_\_\_\_\_ (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) ONE

MICROFILMED

FEB 26 1993

10. Place of use is: Township: 1 N Range 18 E

Section 13, NE 1/4 of SW 1/4, Govt. Lot \_\_\_\_\_, B.M.,

County of BLAINE 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? 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 ( )

14. Remarks: RESTROOMS FOR OFFICE + DWELLING

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)

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) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am SEC/TREAS

of HEATH-MARSHALL, INC Organization, that I have signed the foregoing

document in the space below as SEC/TREAS Title of HEATH-MARSHALL Organization

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

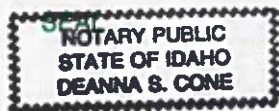
Signature of Authorized Agent Blair E. Marshall Date 4-18-89

Title and Organization SEC/TREAS OF HEATH-MARSHALL, INC

State of Idaho/or \_\_\_\_\_ )

County of BANNOCK ) SS.

Subscribed and sworn (or affirmed) before me this 18 day of APRIL 19 89



Notary Public Deanna S Cone

Residing at POCATELLO

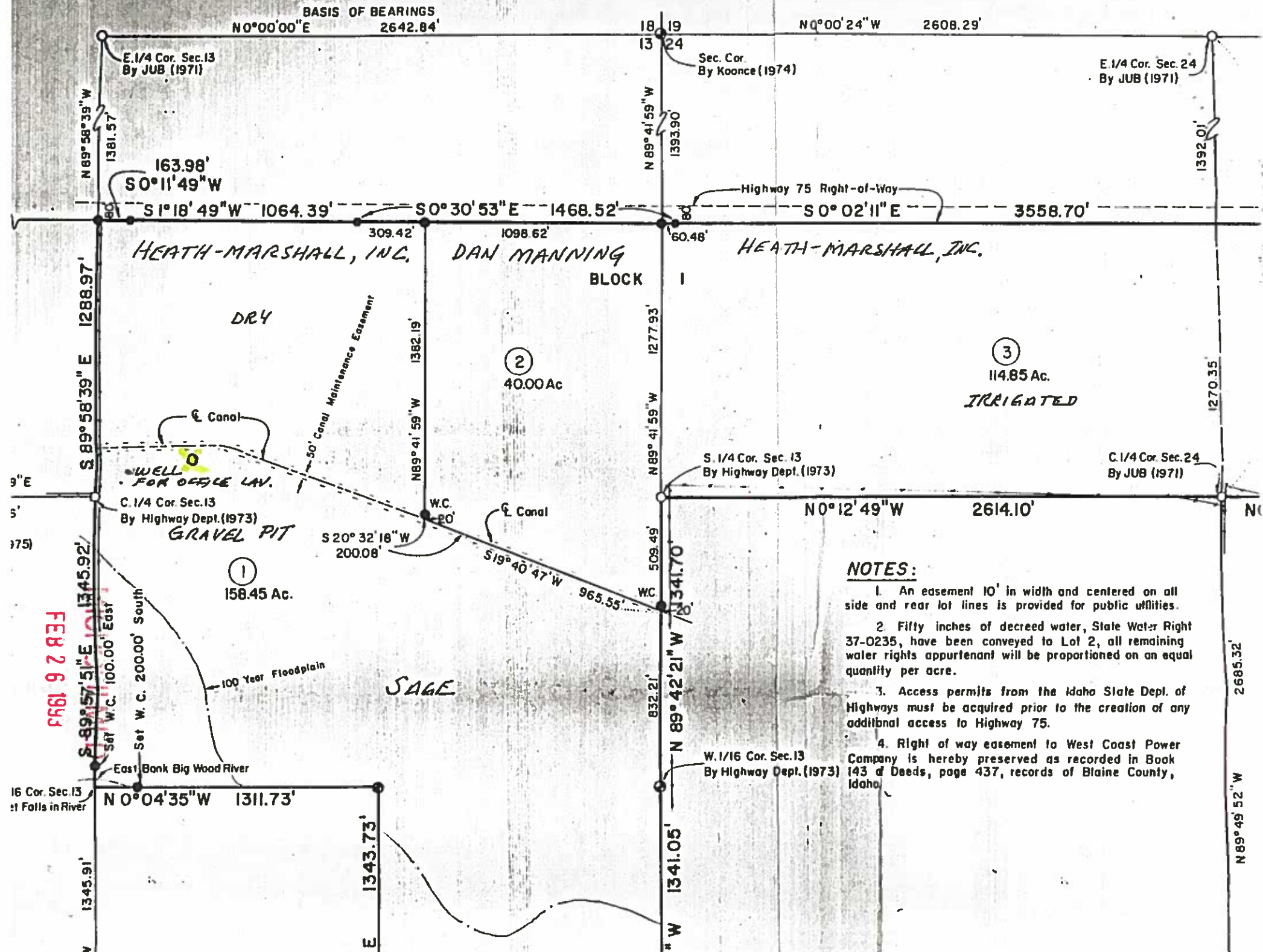
My Commission Expires 6-8-93

Last Name HEATH-MARSHALL

Ident No. NONE ASSIGNED

Copies: White-State, Yellow-Claimant

MICROFILMED  
FEB 26 1993



# MARSHALL BROTHERS

COMMERCIAL AND INDUSTRIAL REAL ESTATE

STATION SQUARE

200 SOUTH MAIN

BOX 250 (208) 233-1121

POCATELLO, IDAHO 83204

April 18, 1989

RECEIVED

APR 19 1989

Idaho Department of Water Resources  
Southern Region  
2148 4th Ave East  
Twin Falls, ID., 83301

Department of Water Resources  
Southern Region Office

Attention: Lori White, Water Agent

Re: Heath-Marshall, Inc., Notices of Water Rights

We enclose herewith the original Notice of Claim, the SRBA Claims Receiving Checklist, four revised Notice of Claim to a Water Right, together with our check # 341 in the amount of \$139.85, and our check #349 in the amount of \$150.15 for a total of \$290.00 fees paid.

The ident. numbers on the claims we secured from the Wood River Irrigation District No. 45 and their records indicate that our 1886 for 1.6 CFS is listed as #37-0308, whereas your checklist indicated a #37-00234A which we can't identify. If the numbers which we used on our claims are incorrect, please advise.

We trust that the enclosed will complete our claims, however, if additional corrections are required, please advise.

Very truly yours,

  
Glen S. Marshall  
Agent for Heath-Marshall, Inc.

encl - 8

MICROFILMED

FEB 26 1993

WATER RIGHT NUMBER - A37-12998

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

\*\*\* C - CURRENT OWNER \*\*\*  
BYERLY

JIM

1 - P.O. BOX 4893

2 -

3 -

CITY- KETCHUM

STATE- ID ZIP- 83340

PHONE - 208-726-8813

+ - - PRIORITY DATE - - +  
06/20/1968

+ - - - 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)

04N 17E 15 SE NW SW (13) BLAINE

+ - - - - WATER USE - - - - - +  
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +  
0.040 0.0

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

04N 17E 15 NW SW 43 DOMESTIC (13 ) BLAINE

+ - - DIVERSION MEANS - WELL AND SURFACE PUMP

+ - - NON-IRRIGATION USE - D/1 HOUSE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +  
PROPERTY IS LEASED FROM BOARD RANCH.  
WELL IS SHARED WITH ANOTHER WATER USER.(FILED SEPERATELY)

+ - - - - 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

+ - - AUDIT FIELDS - 05/01/89 CLELLAND 10/03/89 REFUNDML

*415 Warm Springs Rd*

WATER RIGHT NUMBER - A37-12998

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - -  
NO COMMENTS FOUND

+ - - - - - 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         | - 00/00/0000 | OLD JUDICIAL DISTRICT   | -       |
| CLAIM RECEIVED DATE   | - 05/01/1989 | LAST AMENDED DATE     | - 00/00/0000 | TEMPORARY RIGHT         | - P     |
| PROOF DUE DATE        | - 00/00/0000 | PROOF MADE DATE       | - 00/00/0000 | WATER DISTRICT          | -       |
| LICENSED DATE         | - 00/00/0000 | RECEIPT NUMBER        | - S006983    | FEDERAL/STATE INDICATOR | - S     |
| CLAIMS TAPE ERROR FLG | -            | POU OWNERSHIP FLAG    | - N          | PRESUMPTION FLAG        | -       |
| FEE EXEMPT FLAG       | -            | NAME CONNECTOR        | -            | NOTICE OF ERROR FLAG    | -       |

R P00C09000030AA

DATA ENTRY

ENTERED 10-28-93 PS

CHECKED 2/4/94 AD

"Verified By"  
Topo Map/Cadastral  
ASCP Map  
Watermaster Records  
NAPP Photos  
Field Exam  
Other (See Remarks)  
Court Records  
Witness Statement  
Project Records  
IDWR Records

VERIFIED  
FEB 15 1992

PROOF

JAN 7 1992

CERTIFIED

FEB 27 1992

WATER EXAMINER