

10/02/2006

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

RIGHT NUMBER: 1-10419

NAME AND ADDRESS: RAY W STODDARD
1881 W 113 N
IDAHO FALLS ID 83402

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.001 CFS

PRIORITY DATE: 06/11/1880

POINT OF DIVERSION:

T04N R37E S35 NENE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.001 CFS

PLACE OF USE: IRRIGATION Within BONNEVILLE County

T03N R37E S14 NWNE 1.00

1 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 1 acre in a single irrigation season. Combined Right Nos.: 1-10419, 1-10421, 1-10423, 1-10425, 1-10427, 1-10429, 1-10431, 1-10433, and 1-10435.

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered from Great Western Canal through Kennedy Ditch.

This right is a split from former right 1-109J.



Idaho Department of Water Resources

Right Nos.:

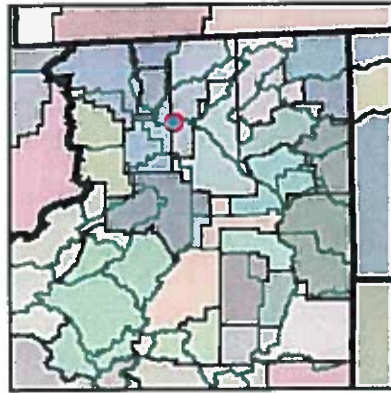
**1-10419, 1-10421,
1-10423, 1-10425,
1-10427, 1-10429,
1-10431, 1-10433,
and 1-10435**

Place of Use

Townships

PLS Sections

Quarter Quarters



Bonneville County
IDWR Basin 1

Prepared by M. Holliday
On Monday, October 2, 2006
1987/88 Aerial Photography

R37E



0 0.1 0.2 Miles

WATER RIGHT NUMBER	NAME	O STG C STA	PRIORITY DATE	SOURCE OF WATER	TRIBUTARY TO
A01-10000	STODDARD, RAY .053	C D/	06/11/1880	SNAKE RIVER	COLUMBIA RIVER
A01-10001	STODDARD, RAY .077	C D/	06/01/1881	SNAKE RIVER	COLUMBIA RIVER
A01-10002	STODDARD, RAY .079	C D/	06/01/1882	SNAKE RIVER	COLUMBIA RIVER
A01-10003	STODDARD, RAY .077	C D/	06/01/1883	SNAKE RIVER	COLUMBIA RIVER
A01-10004	STODDARD, RAY .079	C D/	06/01/1884	SNAKE RIVER	COLUMBIA RIVER
A01-10005	STODDARD, RAY .268	C D/	06/01/1885	SNAKE RIVER	COLUMBIA RIVER
A01-10006	STODDARD, RAY .628	C D/	06/01/1886	SNAKE RIVER	COLUMBIA RIVER
A01-10007	STODDARD, RAY .59	C D/	06/01/1890	SNAKE RIVER	COLUMBIA RIVER
A01-10008	KEMMEL, PAUL	C D/	04/01/1939	SNAKE RIVER	COLUMBIA RIVER
A01-10009	STODDARD, RAY .629	C D/	04/01/1939	SNAKE RIVER	COLUMBIA RIVER
Standard - 72.91%					
Standard - 72.91%					
✓ A01-10000	A (Standard) .015 cfs 24 ac.	STANDARD (1-10419)		4.878%	.001
	B (Snarr) .038 cfs 62 ac.	AVEARY (1-10420)		95.122%	.014
✓ A01-10001	A (Standard) .021 cfs 24 ac.	STO 1-10421		.001	
	B (Snarr) .056 cfs 62 ac.	AV 1-10422		.02	
✓ A01-10002	A (Standard) .022 cfs 24 ac.	STO 1-10423		.001	
	B (Snarr) .057 cfs 62 ac.	AV 1-10424		.021	
✓ A01-10003	A (Standard) .021 cfs 24 ac.	STO 1-10425		.001	
	B (Snarr) .056 cfs 62 ac.	AV 1-10426		.02	
✓ A01-10004	A (Standard) .022 cfs 24 ac.	STO 1-10427		.001	
	B (Snarr) .057 cfs 62 ac.	AV 1-10428		.021	
✓ A01-10005	A (Standard) .075 cfs 24 ac.	STO 1-10429		.004	
	B (Snarr) .193 cfs 62 ac.	AV 1-10430		.071	
✓ A01-10006	A (Standard) .454	STO 1-10431		.022	
	B (Snarr) 1.174 cfs 62 ac.	AV 1-10432		.432	
✓ A01-10007	A (Standard) .16 cfs 24 ac.	STO 1-10433		.008	
	B (Snarr) .425 cfs 62 ac.	AV 1-10434		.156	
✓ A01-10009	A (Standard) .455 cfs 24 ac.	STO 1-10435		.022	
	B (Snarr) 1.174 cfs 62 ac.	AV 1-10436		.433	

NOT RECORDED

NOV 15 1955

1-1143



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 6, 2004

RAY STODDARD
1881 W 113 N
IDAHO FALLS ID 83402

RE: CHANGE IN OWNERSHIP FOR BASIN 01 CLAIMS

Dear Mr. Stoddard:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants. Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

01-10000A split into:	01-10419 (Stoddard) & 01-10420 (Avery)
01-10001A split into:	01-10421 (Stoddard) & 01-10422 (Avery)
01-10002A split into:	01-10423 (Stoddard) & 01-10424 (Avery)
01-10003A split into:	01-10425 (Stoddard) & 01-10426 (Avery)
01-10004A split into:	01-10427 (Stoddard) & 01-10428 (Avery)
01-10005A split into:	01-10429 (Stoddard) & 01-10430 (Avery)
01-10006A split into:	01-10431 (Stoddard) & 01-10432 (Avery)
01-10007A split into:	01-10433 (Stoddard) & 01-10434 (Avery)
01-10009A split into:	01-10435 (Stoddard) & 01-10436 (Avery)

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

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.

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, 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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>AC-10000A</u>	<u>Y</u>	<u>Thru</u>	<u>ACI-10000A</u>	<u>Y</u>
	<u>ACI-10009A</u>	<u>Y</u>			

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) are 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)

Ray Stoddard

1881 W. 113 N. Idaho Falls, ID 83402

4. New Owner/Claimant(s)

Jeff + Stephanie Muehl

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

1881 W 113 North Idaho Falls ID

City, State and ZIP Code

83402

New Telephone Number

(208) 523-3663

5. Date you acquired the property

8-1-2003

BONNEVILLE COUNTY RECORDER

1083538 JUL15'02 PM 4 43

ALY T 12304

WARRANTY DEED

RAY W. STODDARD a.k.a. RAY STODDARD and EDITH A. STODDARD a.k.a. EDITH STODDARD, husband and wife, as GRANTOR.

for good and valuable consideration, the receipt of which is hereby acknowledged, have hereby granted, bargain, sell and convey unto JEFFREY L. AVERY and STEPHANIE J. AVERY, husband and wife, as GRANTEE, whose address is 11044 Creech Trail Lane, Idaho Falls, Id 83401, and Grantee's successors and assigns, all of the following described real property, to-wit:

Beginning at a point that is West along the Section line 1598.64 feet from the Northeast Corner of Section 14, Township 3 North, Range 37 East of the Boise Meridian, Bonneville County, Idaho; running thence S84°36'34"E 1984.78 feet; thence West 894.94 feet; thence N72°47'25"E 614.91 feet; thence S82°25'30"E 43.35 feet; thence N14°52'13"E 447.78 feet; thence N42°31'34"E 237.97 feet; thence N66°09'10"E 108.81 feet; thence N89°04'35"E 108.81 feet; thence N00°38'44"W 350.33 feet; thence N08°02'30"E 349.34 feet to the South line of said Section 14; thence East 165.17 feet to the point of beginning.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTY:

- a. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 545721, records of Bonneville County, Idaho.

SUBJECT TO the 2002 and subsequent years general laws and ordinances, all existing present reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, easements, hereditaments and appurtenances therewith belonging or in anywise appurtenant, and any reversion, remainder, rent, issue, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In executing this Deed and where the word is required, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: July 17, 2002

Ray W. Stoddard
Ray W. Stoddard

Edith A. Stoddard
Edith A. Stoddard

STATE OF IDAHO

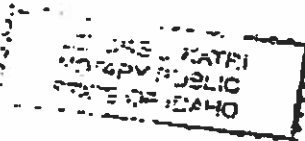
COUNTY OF BONNEVILLE

On July 17, 2002, before me, the undersigned, personally appeared Ray W. Stoddard and Edith A. Stoddard and Edith Stoddard.

known or thought to me to be the person(s) whose name(s) have subscribed to the foregoing instrument, and acknowledged to me that he/she/they executed the same.

Notary Public for the State of Idaho
Commission Expires Date: 1/29/2007

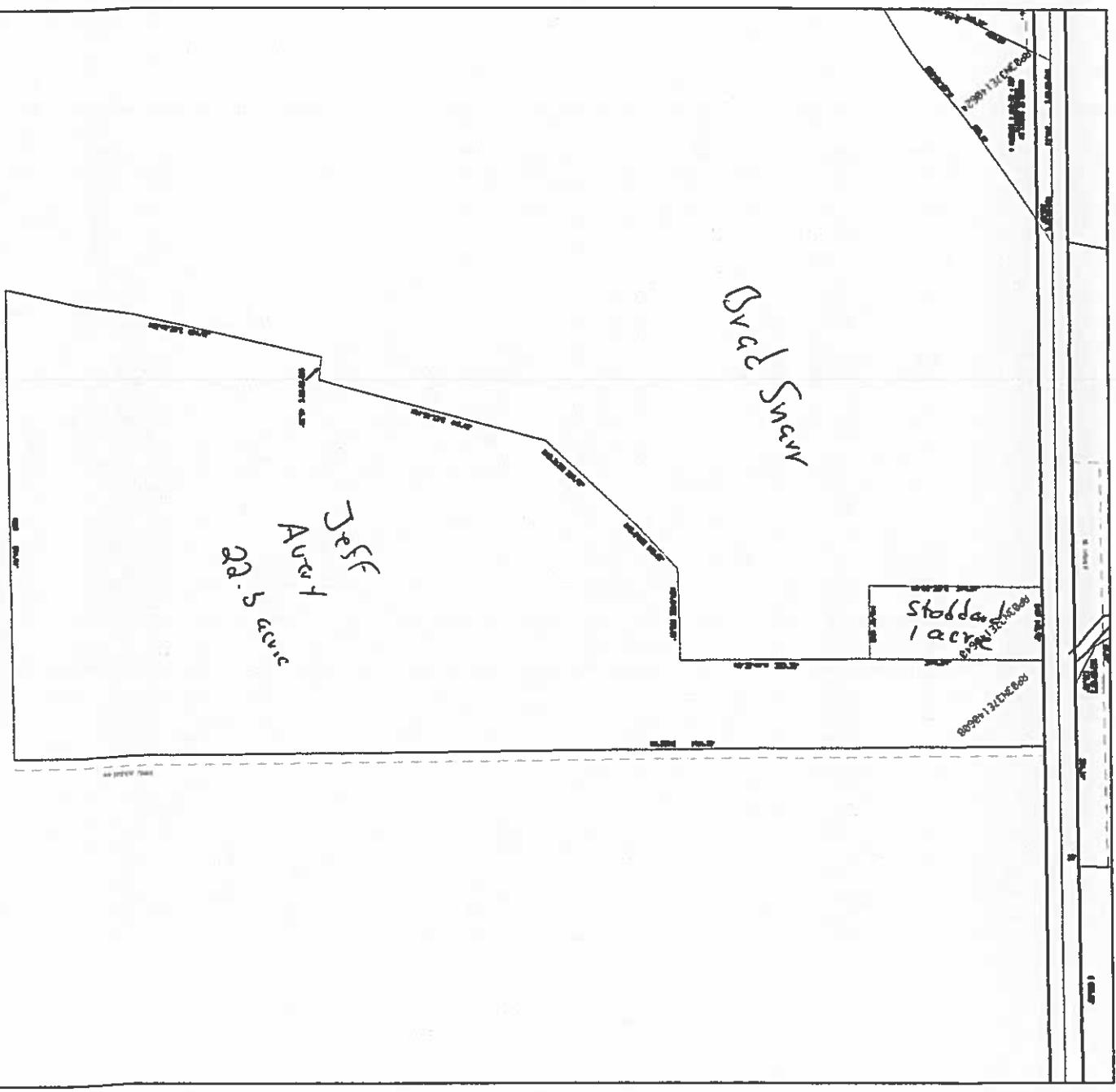
INSTRUMENT NO.	1083538
DATE	7/15/02
INST CODE	0200
PAGES/PGS	2
FEE	12
STATE OF IDAHO COUNTY OF BONNEVILLE	
I hereby certify that the within instrument was read and	
Donald Longmore, County Recorder	
By	<u>M. Sellen</u> Deputy
Received at	



Bonneville Land & Title Co.

217 E. Capitol Ave. • P.O. Box 31000 • Salt Lake City, UT 84103-1000 • (800) 330-0000

PLEASE NOTE:
THIS DRAWING IS TO BE USED ONLY FOR
REFERENCE PURPOSES. THE COUNTY IS
NOT RESPONSIBLE FOR ANY INACCURACIES
HEREIN CONTAINED.



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 1-10419
Date Received: 2/4/2004
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A0110419



1. Name of Claimant(s)

RAY W STODDARD Phone: (208)522-3233
1881 W 113 N
IDAHO FALLS ID USA 83402

2. Date of Priority: 06/11/1880

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	37E	35	NE NE NE	JEFFERSON	

5. Description of diverting works:

HEADGATE ON RIVER TO CANAL.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.001	

7. Total Quantity Appropriated is:

0.001 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
03N	37E	14	NW NE	IRRIGATION	1
Section Acres					1

Total Acres 1

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 01-10000A

15. Basis of Claim: Decreed