

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-12421

WATER RIGHT NUMBER: 37-12421

<u>Owner Type</u>	<u>Name and Address</u>
Directors Report Owner	IOLA MONTGOMERY C/O SANDRA TURNER HC 67 BOX 692 CLAYTON, ID 83227-9702 (208)838-2361
Current Owner	MICHAEL JAMES WITTHAR PO BOX 2038 KETCHUM, ID 83340
Current Owner	MICHAEL P BORDENKIRCHER PO BOX 2038 KETCHUM, ID 83340

Priority Date: 05/12/1943

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4SE1/4	Sec. 36, Twp 01N, Rge 18E, B.M.
BLAINE County		

Place of Use

DOMESTIC Within BLAINE County
T01N R18E S36 SESE

Conditions of Approval:

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

Remarks:

1. Explanatory PARCEL NO. RP01N180360930T

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 37-12421

Comments:

1. CORR1 10/3/1997 COPIED FROM REMARKS
Comment: PARCEL NO. RP01N180360930T PROPERTY ALSO KNOWN AS 87 BASELINE RD
2. SSHERMAN 7/20/1999 ADDRESS CHANGE
Comment: ADDRESS CHANGE BY CLAIMANT LETTER.
3. tfawcett 3/1/2001 owner change
Comment: ownership changed Montgomery to Witthar/Bordenkircher per 1409(6) and quitclaim deed received 2/8/01.

Dates and Other Information:

Licensed Date:
Decreed Date: 5/1/2001
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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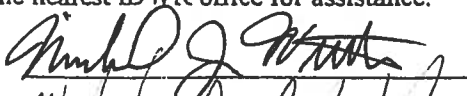
Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
FEB 08 2001
Department of Water Resources
Southern Region

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

1. Water Right Number(s) 37-08011, 37-08011A and 37-12421
Adjudication Claim Number(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 on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Iola Christina Montgomery c/o Sandra L. Turner
HC 64 Box 692, Clayton, ID 83227
4. New Owner/Claimant(s) Michael James Witthar and Michael P. Bordenkircher
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 5008 2038, ID 83340
City, State and ZIP Code Ketchum, ID 83340
New Telephone Number () _____
5. Date you acquired the property January 2001
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 actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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/Claimant(s)  Date 1-23-01
 Date 1-23-01
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Instrument # 447289

HAILEY, BLAINE, IDAHO

2001-01-26

04:04:00 No. of Pages: 2

Recorded for : SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTY/QC/CORP DEED

Order No. 27254

QUITCLAIM DEED

FOR VALUE RECEIVED

SANDRA L. TURNER, PERSONAL REPRESENTATIVE OF THE ESTATE OF IOLA CHRISTINA MONTGOMERY

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

MICHAEL JAMES WITTHAR, a single man AND MICHAEL P. BORDEN KIRCHER, single man

whose address is: **P.O. Box 5088, Ketchum, ID 83340**
2038

the following described premises situated in **Blaine** County, Idaho, to wit:

WATER RIGHTS DESCRIBED AS NO. 37-08011, NO. 37-08011A AND NO. 37-12421 APPURTENANT TO THE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

together with their appurtenances.

Dated: **January 10, 2001**

Sandra L. Turner

SANDRA L. TURNER

State of

Idaho

}

County of

Custer

}ss.

}

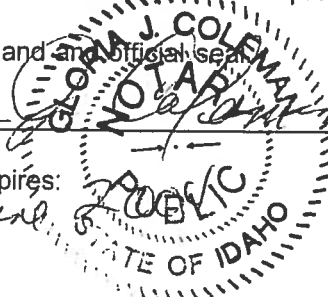
On this 11 day of January, in the year 2001, before me, the undersigned, personally appeared **SANDRA L. TURNER**, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as personal representative of the **ESTATE OF IOLA CHRISTINA MONTGOMERY**, and acknowledged to me that she executed the same as such personal representative.

WITNESS my hand and official seal

Notary Public

Commission Expires:

j:\escrow\forms\scd



Order No. 27254
LEGAL DESCRIPTION

EXHIBIT "A"

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 36: A parcel of land lying within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said section 36, being more particularly described as follows:

COMMENCING at the Southeast corner of Section 36; thence
N. 0° 00' 00" W., 25.0 feet; thence
S. 89° 48' 23" W., 657.87 feet to the TRUE POINT OF BEGINNING; thence
S. 89° 48' 23" W., 163.00 feet; thence
N. 0° 00' 00" E., 547.33 feet; thence
N. 89° 48' 23" E., 795.89 feet; thence
S. 0° 00' 00" W., 203.19 feet; thence
S. 89° 48' 23" W., 632.87 feet; thence
S. 0° 00' 00" N., 344.15 feet to the TRUE POINT OF BEGINNING.
(TL 5058)



RECEIVED
FEB 08 2001
Department of Water Resources
Southern Region

February 7, 2001

Idaho Department of Water Resources
Southern Region
1341 Fillmore St.
Twin Falls, ID 83301

Re: Order No. 27254

Witthar/Rainey
FR SESE TL 5058, 36/1N/18E

Dear Ladies and Gentlemen:

In connection with the above mentioned order, please find attached copies/originals of the following document(s):

<u> x </u>	Notice of Change of Water Right Ownership.
<u> x </u>	Quitclaim Deed.

If you should have any questions, please do not hesitate to contact the undersigned.

Sincerely,

SAWTOOTH TITLE COMPANY

Kristen Kludt
Escrow Officer

kk

Attachment(s)

**Department of Water Resources
Southern Region**

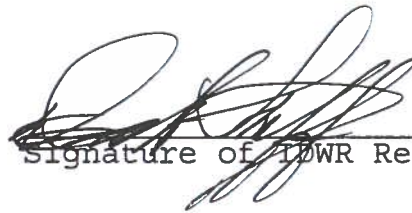
PAGE 1

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:

8/04/99



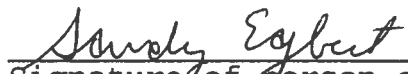
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8-25-99 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:
Each party in the subcase, or attorney of record:

IOLA MONTGOMERY
C/O SANDRA TURNER
HC 67 BOX 692
CLAYTON ID 83227-9702
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. 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: JUL-28-1999
PAGE: A-14

RIGHT NUMBER: 37-12421

NAME & ADDRESS: IOLA MONTGOMERY
C/O SANDRA TURNER
HC 67 BOX 692
CLAYTON ID 83227-9702

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/12/1943

POINT OF DIVERSION: T01N R18E S36 SESESE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T01N R18E S36 SESE

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 NO. RP01N180360930T

AJ0749NP
No. 37-12421

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

DATE: 07/20/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IOLA MONTGOMERY C/O SANDRA TURNER HC 67 BOX 692 CLAYTON ID 832279702 (208) 838-2361	05/12/1943	DOMESTIC	01-01 12-31	0.040 CFS	
TOTAL DIVERSION:					0.040 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T01N R18E S36 SESESE

BLAINE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
01N	18E	36	:					:					:					:					:

POU County: BLAINE

Non-Irrigation Uses: 1 HOME

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. RP01N180360930T

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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

Comments: Date: 10/03/1997 User-ID: CORR1 Subject: COPIED FROM REMARKS
PARCEL NO. RP01N180360930T
PROPERTY ALSO KNOWN AS 87 BASELINE RD

Date: 07/20/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 07/20/99 SSHERMAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

July 20, 1999

KARL J. DREHER
DIRECTOR

SANDRA TURNER
HC 67 BOX 692
CLAYTON ID 83227-9702

RE: Snake River Basin Adjudication (SRBA)
Water Rights #37-12421 & A37-08011
Iola Montgomery

Dear Mrs. Turner:

Thank you for responding promptly to the address change sent to your mother, Iola Montgomery. When her estate is settled, please give the enclosed ownership change form to the new owner(s) so our records can be updated. I have enclosed this form for their use. The Blaine County Assessor's office can provide them with the plat map if they do not already have one.

The form needs to be mailed, with warranty deed copy and map, to our Twin Falls office:

Idaho Department of Water Resources
Adjudication Bureau
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380

Please call me toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Form 42-248/42-1409(6)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

JUL 19 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 6, 1999

IOLA MONTGOMERY - *Sandra Turner*
HC 67 BOX 692
CLAYTON ID 83227-9702

Re: Snake River Basin Adjudication (SRBA)

Water Rights #37-12421 & A37-08011

Change of Address *Records changed, NCAP prepared.*

Dear Water Right Holder:

- dd 7-20-99

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by July 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Sandra Turner
Claimant Signature

208-838-2361
Telephone No.

Sally, Iola Montgomery is my mother. She passed away 7/7, 1998. Her place has not been sold. Her estate is in probate. I am handling her affairs. Her address is still in Blaine Co. The above address is mine. What do you need from me - Sandra

AJ0749NP
No. A37-08011

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

DATE: 07/20/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	IOLA MONTGOMERY C/O SANDRA TURNER HC 67 BOX 692 CLAYTON ID 832279702 (208) 838-2361	05/31/1982	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	0.200 CFS 0.020 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.200 CFS	12.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: PERMIT

Point(s) of Diversion: T01N R18E S36 SESE

BLAINE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
01N	18E	36	:					:					:					:					:		
																							05	:	5.0
																							TOTAL ACRES	:	5.0

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE													
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:		
01N	18E	36	:					:					:					:					:		
																								:	

POU County: BLAINE

Non-Irrigation Uses: S/10 HEAD BEEF CATTLE OR 20 HEAD OF SHEEP

Other Rights: NONE

Remarks: GEN *****
PERMIT WAS LICENSED AFTER THIS CLAIM FILED FOR 8 ACRES.
OTHER LANDS INCLUDED IN THE LANDS LICENSED OWNED BY OTHERS.
THESE OTHER LANDS ARE NOW REPORTED TO BE IRRIGATED FROM OTHER
WELL. 4/26/90 ADM
|
ADDRESS CHANGE BY CLAIMANT LETTER 7/20/99 SS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

July 20, 1999

KARL J. DREHER
DIRECTOR

SANDRA TURNER
HC 67 BOX 692
CLAYTON ID 83227-9702

RE: Snake River Basin Adjudication (SRBA)
Water Rights #37-12421 & A37-08011
Iola Montgomery

Dear Mrs. Turner:

Thank you for responding promptly to the address change sent to your mother, Iola Montgomery. When her estate is settled, please give the enclosed ownership change form to the new owner(s) so our records can be updated. I have enclosed this form for their use. The Blaine County Assessor's office can provide them with the plat map if they do not already have one.

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Sally Sherman
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SS:region
Enclosure:
Form 42-248/42-1409(6)



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DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
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RECEIVED

JUL 19 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

July 6, 1999

IOLA MONTGOMERY - *Sandra Turner*
HC 67 BOX 692
CLAYTON ID 83227-9702

Re: Snake River Basin Adjudication (SRBA)

Water Rights #37-12421 & A37-08011

Change of Address *Records changed, NCAP prepared.*

Dear Water Right Holder:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by July 19, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

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Sandra Turner
Claimant Signature

208-838-2361
Telephone No.

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AJ5856NP

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

DATE: OCT-24-1997

PAGE: A-1267

RIGHT NUMBER: 37-12421

NAME & ADDRESS: IOLA MONTGOMERY
RT 1 BOX 750
BELLEVUE ID 83313

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 05/12/1943

POINT OF DIVERSION: T01N R18E S36 SESESE Within BLAINE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T01N R18E S36 SESE

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 NO. RP01N180360930T

7-29-98

Claim processed by: WW
1103



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

September 4, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Jeff Enos
P.O. Box 1662
Sun Valley, ID 83353

Dear Mr. Enos:

Pursuant to your recent request, I have included some proof reports of Department records for your reference. Please find enclosed proof reports of the following records:

Snake River Basin Adjudication Claim **A37-12421**

Snake River Basin Adjudication Claim **A37-08011**

Water Right Record of Licensed Right **37-08011A**

Snake River Basin Adjudication Claim **A37-12421** was filed in 1988 by Iola Montgomery for the diversion of water from a well for domestic use. Snake River Basin Adjudication Claim **A37-08011** was filed in 1988 by Iola Montgomery for the diversion of water from a well for irrigation use.

Claim **A37-08011** was based on water right permit **37-08011**, which was licensed as water right license **37-08011** in 1989 in the name of A.L. Montgomery. In 1990, Rodney & Rosan McCoy filed an application for transfer, number 3692, to split off a portion of licensed right **37-08011**. This application was approved in 1990, and split water right license **37-08011** into parts **37-08011A** (in the name of Montgomery) and **37-08011B** (in the name of McCoy). Since the Snake River Basin Adjudication claim records, **A37-12421** and **A37-08011**, are merely recorded statements from the claimant regarding water use, and have

September 4, 1998
PAGE 2

not yet been verified or updated in the ongoing Snake River Basin Adjudication, water right record 37-08011A is probably the most accurate record regarding the irrigation water right on the Montgomery place.

If you have any questions, or need any further assistance, feel free to contact this office at your convenience.

Sincerely,

A handwritten signature in cursive script, appearing to read "Corey Skinner".

Corey Skinner, EIT
Dam Safety Section

Enclosures

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: A37-12421
Date Received: 10/26/1988
Receipt No: C004886
Received By: EG entered

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: IOLA MONTGOMERY
Address: RT.1 BOX 750
BELLEVUE, ID 83313
208-788-2886
2. Date of Priority: MAY 12, 1943
3. Source: GROUNDWATER Trib. to:
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	18E	36	SE	SE	SE		BLAINE
5. Description of diverting works:
WELL, 44' DEEP, 4" 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:
D/1 HOUSEHOLD
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	18E	36	SE	SE		DOMEST	
11. Place of use in counties: BLAINE

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Date: 01/24/89

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FEB 26 1993

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

13. Other Water Rights Used:
NONE

14. Remarks:

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 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

A37-12421

Date Received

10-26-88 RW

Receipt Number

C004886

CK# 565

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. Filing fee \$25

Please type or print clearly

1. Name of Claimant (s) Iola MONTGOMERY Phone (208) 788-2886Mailing Address Rt 1 Box 750 Bellevue Id. Zip 833132. Date of Priority (Only one (1) per claim) May 12, 19433. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. Location of point of diversion is: Township 1 NORTH Range 18 E BMSection 36, SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,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. WELL, 4 INCH CASING, 44 feet deep.

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

(Both dates are inclusive)

(cfs)

For DOMESTIC purposes from JANUARY 1 to DECEMBER 31 amount .04

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; Stockwater: Type and number of
livestock) 1 Domestic

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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
1N	18E	36																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 ☒ 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.
_____ or None (x)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use ☒ 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) Jola Montgomery Date 18 Oct 1988

Date _____

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

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 18 day of OCT 19 88

SEAL

Notary Public Woodell J. Rainey

Residing at Hailey

My Commission Expires 9-28-99

Last Name MONTGOMERY Ident No. _____

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FEB 26 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 2148 4th Ave. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

July 18, 1989

Re: A37-12421

Iola Montgomery
Rt. 1 Box 750
Bellevue, ID 83313

Dear Claimant(s):

Please find enclosed your receipt and a copy of a computer generated claim based on the information from your original claim(s) which has been entered in our computer records.

Please review the computer generated claim for accuracy. In a few instances clarifications may have been added by the Department at the time of data entry. If you have any questions or objections regarding the computer record of your claim(s), please contact this office.

Yours truly,

A handwritten signature in black ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures:

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FEB 26 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

WATER RIGHT NUMBER - A37-12421

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
MONTGOMERY

IOLA

1 - RT.1 BOX 750

2 -

3 -

CITY- BELLEVUE

STATE- ID ZIP- 83313

PHONE - 208-788-2886

+ - - PRIORITY DATE - - +
05/12/1943

```

+ - - - REGION - - - +
  ERROR IN REGION

```

+ - - - STAGE - - - +
J - BENEFICIAL USE

+ - - - STATUS - - - - +

+ - - - - SOURCE - - - - - +
GROUNDWATER

+ - - - - - TRIBUTARY - - - - - +

+ - - - - - POINT OF DIVERSION					
TWN	RNG	SEC	TRACT	LOT	COUNTY

STREAM INDEX (BLANK IF NO INDEX CODE)

01N 18E 36 SE SE SE (13) BLAINE

+	CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	WATER USE	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	

[illegible]

01N 18E 36 SE SE

43 DOMESTIC

(13) BLAINE

+ - - DIVERSION MEANS - WELL, 44' DEEP, 4" CASING

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

+ - - OTHER RIGHTS FOR SAME USE - NONE

+	REMARKS	+
	NO REMARKS FOUND.	

+ - - - - - 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 - 01/24/89 GIBSON 10/03/89 REFUNDML

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OCT 26 1994

WATER RIGHT NUMBER - A37-12421

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	- 12/30/1988	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	- C004886	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	POU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

RPOIN180360930T

DATA ENTRY

ENTERED 1-9-94

CHECKED 6-4-94

"Verified By"
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

VERIFIED
MAR 01 1992

PROOF
JAN 06 1992

CERTIFIED
MAR 27 1992
WATER EXAMINER