

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-1310

RIGHT NUMBER: 37-12483

NAME & ADDRESS: PAYNECO
PO BOX 299
SHOSHONE ID 83352

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1929

POINT OF DIVERSION: T02S R21E S20 NWNWSE Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.03 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: STOCKWATER Within BLAINE County
T02S R21E S20 NWSE

DOMESTIC Within BLAINE County
T02S R21E S20 NWSE

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. RP02S21020638BA
STOCKWATER, 100 RANGE

D
7-29-98

Claim proofread by: WW
Date: 1103

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: A37-12483

Date Received: 1/17/1989

Receipt No: S005960

Received By: OC TTB

~~COPY FOR
YOUR FILES~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

~~COPY FOR
YOUR FILES~~

1. Name: KENNETH C BAILEY
Address: PO BOX 754
PICABO ID

208-734-6622

83348

2. Date of Priority: DEC 31, 1929

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
02S	21E	20	NW	NW	SE		BLAINE

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.030		

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, S/ 100 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
02S	21E	20	NW	SE		DOMEST	
			NW	SE		STOCK	

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:
OWNERSHIP CHANGE MADE 6/13/95 BY TLB.

15. Basis of Claim: BENEFICIAL USE



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: Dec 1, 1994

LEGAL DESCRIPTION OF PROPERTY: Township

Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)

Assigned by IDWR:

37-12483

[] Name and Address of Former
Owner/Claimant(s)(Seller):

PayNECO, Inc.

[] New Owner/Claimant
(Purchaser):

Kenneth C. Bailey

P.O. Box 754 ; Pica, Idaho 83348

[] New Mailing Address:

[] New Telephone Number:

(208) 734-6622

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of
ownership, describe
proof attached:

Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s)

Kenneth C. Bailey

Date 2-1-95

Date

[] Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

NOV 27 1996

order #17774

RECEIVED

FEB 01 1995

WARRANTY DEED Department of Water Resources
Southern Region

FOR VALUE RECEIVED, PAYNECO, INC., an Idaho Corporation, hereinafter called "Grantor" hereby grants, bargains, sells and conveys unto KENNETH C. BAILEY, a married man, whose mailing address is P.O. Box 754, Picabo, Idaho 83348, hereinafter called "Grantee," the following described premises in the County of Blaine, Idaho, to-wit:

See Exhibit "A" attached hereto

Together with 350 acre feet of storage water, Little Wood River Irrigation District (155 acre feet of new water; 195 acre feet of old water) which are a part of Water Right Nos. A37-02773, A37-02274, A37-02779; 200 inches of decree water, as represented by (02774), Water Right Nos. A37-00150, A37-00151, 37-00371, 37-00372; 14 shares of Little Wood River Canal Company, Certificate No. 907, which are a part of Water Right No. A37-00421 and A37-00132; and domestic/stock water represented by Water Right No. A37-12483, and any other water right appurtenant thereto.

Subject to that certain Mortgage dated October 12, 1984, Instrument No. 257101.

To have and to hold, the said premises with their appurtenances unto the Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from encumbrances except existing easements and rights of way of record, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 1st day of November, 1994.

NOV 27 1996

PAYNECO, INC.

By

Oliver (Andy) Payne - President

ATTEST:

Linda A. Payne
Linda Payne - Secretary

STATE OF IDAHO)

County of Jerome)

ss.

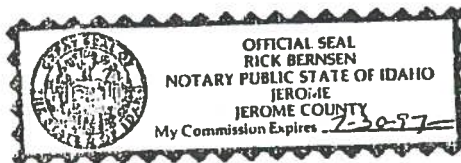
On this 1st day of November, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared OLIVER (ANDY) PAYNE and LINDA PAYNE, known to me to be the President and Secretary of PAYNECO, INC., the corporation whose name is subscribed to the foregoing instrument, and acknowledged to me that they executed the same on behalf of the corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Rick Bernsen
NOTARY PUBLIC

Residing at: Jerome

My Commission Expires: 7-30-97



BLAINE CO. REQUEST
FIRST AMERICAN TITLE CO.

RE

1994 NOV -2 P 4: 00

372574

MARY GREEN, CLERK

FEES: 12.00 mp

Deed

11-2-94

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Order No. 17796
Legal Description

Exhibit "A"

PARCELS OF LAND LOCATED IN SECTIONS 20 AND 21 OF TOWNSHIP 2 SOUTH,
RANGE 21 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO AND MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

Section 20:

COMMENCING at the Southeast corner of said Section 20 and being the
TRUE POINT OF BEGINNING; thence
S. 89° 44' 59" W., along the South boundary of Section 20 for a
distance of 2635.00 feet to the South one quarter (S1/4) corner of
Section 20; thence
N. 00° 07' 02" W., along the West boundary of the SE1/4 of Section
20 for a distance of 2403.46 feet to a point on the Southerly
Right-of way boundary of State Highway #20 & 26; thence
N 69° 39' 33" E. along the Southerly right-of-way boundary of State
Highway #20 & 26 for a distance of 430.62 feet to the point of
curve of a curve left; thence
Northeasterly along the arc of the curve for a distance of 491.94
feet to the point of tangent, said arc having a radius of 1392.40
feet and a long chord bearing and distance of N. 79° 50' 24' E.
489.39 feet; thence
N. 89° 54' 32" E., along the Southerly right-of-way boundary of
State Highway #20 & 26 for a distance of 1749.06 feet to the
intersection of the East boundary of Section 20 and the Southerly
right-of-way boundary of State Highway #20 & 26; thence
S. 00° 07' 00" E. along the East boundary of Section 20 for a
distance of 2630.74 feet to the TRUE POINT OF BEGINNING.

Section 21:

COMMENCING at the Southwest corner of said Section 21 and being the
TRUE POINT OF BEGINNING; thence
N. 00° 07' 00" W., along the West boundary of Section 21 for a
distance of 2630.74 feet to a point on the Southerly right-of-way
boundary of State Highway #20 & 26; thence
N. 89° 54' 19" E. along the Southerly right-of-way boundary of
State Highway #20 & 26 for a distance of 1041.84 feet; thence
S. 86° 17' 39" E. along the Southerly right-of-way boundary of
State Highway #20 & 26 for a distance of 150.37 feet to the point
of curve of a curve left; thence
Northeasterly along the arc of the curve for a distance of 1379.69
feet to a point of tangent on said right-of-way boundary, said arc
having a radius of 2341.83 feet and a long chord bearing and
distance of N. 73° 02' 13" E. 1359.82 feet; thence
N. 57° 02' 18" E. along the Southeasterly right-of-way boundary of
State Highway #20 & 26 for a distance of 308.77 feet to a point of
curve of a curve left on said right-of-way boundary; thence

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Northeasterly along the arc of the curve for a distance of 671.26 feet to the point of tangent, said arc having a radius of 2341.83 feet and a long chord bearing and distance of N. 40° 32' 08" E. 668.97 feet; thence
S. 57° 35' 19" E. along the Southeasterly right-of-way boundary of State Highway #20 & 26 for a distance of 15.00 feet; thence
N. 32° 23' 37" E., along the Southeasterly right-of-way boundary of State Highway #20 & 26 for a distance of 313.07 feet to the intersection of the Southeasterly right-of-way boundary and the North boundary of the SW1/4 NE1/4 of Section 21; thence
S. 89° 48' 19" E. along the North boundary of the SW1/4 NE1/4 of Section 21 for a distance of 597.63 feet to the Northeast corner of the SW1/4 NE1/4 of Section 21; thence
S. 00° 01' 48" W. along the East boundary of the SW1/4 NE1/4 of Section 21 for a distance of 1323.28 feet to the Northeast corner of the NW1/4 SE1/4 of Section 21; thence
S. 00° 07' 29" W. along the East boundary of the NW1/4 SE1/4 of Section 21 for a distance of 1321.99 feet to the Southeast corner of the NW1/4 SE1/4 of Section 21; thence
N. 89° 17' 24" W. along the South boundary of the NW1/4 SE1/4 of Section 21 for a distance of 1324.32 feet to the Northeast corner of the SE1/4 SW1/4 of Section 21; thence
S. 00° 08' 01" W. along the East boundary of the SE1/4 SW1/4 of Section 21 for a distance of 1313.55 feet to the South one Quarter (S1/4) corner of Section 21; thence
S. 89° 49' 51" W. along the South boundary of the SW1/4 of Section 21 for a distance of 2628.21 feet to the TRUE POINT OF BEGINNING.

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State of Idaho
DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JUNE 13, 1995

KENNETH C BAILEY
PO BOX 754
PICABO, ID 83348

RE: SRBA CLAIM A37-12483
PAYNECO

DEAR CLAIMANT:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS THE ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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WATER RIGHT NUMBER - A37-12494

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

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

+ - FIRST NAME - - +

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

*** C - CURRENT OWNER ***
ROTHGEB

WALLY

1 - P.O. BOX 1140

2 -

3 -

CITY- SUN VALLEY

STATE- ID ZIP- 83353

PHONE - 208-726-5070

+ - - PRIORITY DATE - - +
06/01/1966

+ - - - 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)

05N 17E 14 SW 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

05N 17E 14 SW SW 43 DOMESTIC (13) BLAINE

+ - - DIVERSION MEANS - WELL, 60', 3/4 HP PUMP

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

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
EAGLE CREEK MEADOWS SUBD., BLK 5, LOT 6.

+ - - - - 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 - 01/18/89 HARRINGT 01/20/89 HARRINGT 10/03/89 REFUNDML

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9 Eagle Creek Rd

HES 329

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

PREFIX TRANSLATION: ADJUDICATION CLAIM

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+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - +
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05N170140020A

DATA ENTRY
ENTERED 11-4-93 RS
CHECKED 2/3/94 DED

"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

PROOF
JAN 06 1992

VERIFIED
MAR 01 1992

CERTIFIED
MAR 27 1992
WATER EXAMINER