

RIGHT NUMBER: 37-12618

NAME AND ADDRESS: STEVEN P SCHMIDT
PO BOX 3656
KETCHUM ID 83340

PATRICIA KILMARTIN
PO BOX 3656
KETCHUM ID 83340

SOURCE: GROUND WATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 08/01/1969

POINT OF DIVERSION:

T02N R18E S9 SWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE:

DOMESTIC Within BLAINE County
T02N R18E S09 SWNW

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.
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: Beneficial Use



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 1, 2001

DIRK KEMPTHORN
GOVERNOR

KARL J. DREHER
DIRECTOR

STEVEN P SCHMIDT
PATRICIA KILMARTIN
PO BOX 3656
KETCHUM ID 83340

RE: Decreed Water Right 37-12618

Dear Water Right Holders:

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,

Trish Fawcett
Technical Records Specialist

enc.

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

RECEIVED
JAN 30 2001
 Department of Water Resources
 Southern Region

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

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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
Y 37-12618					

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) MICHAEL DECHEURIEUX
4. New Owner/Claimant(s) PO Box 1182 HAILEY, ID 83333
STEVEN PSCHMIDT AND PATRICIA KILMARTIN
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 3656
- City, State and ZIP Code KEETCHUM, ID 83340
- New Telephone Number 208 788-7554
5. Date you acquired the property 26 AUG 1993

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.

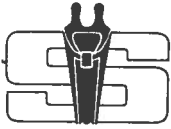
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes,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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (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 (cubic feet per second or acre-feet per annum)	Description (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) *x* Thomas P. Schmidt
Thomas Kilmartin

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 <u>[Signature]</u>	Date <u>1/30/01</u>	Fee <u>25.00</u>	
Received by <u>[Signature]</u>	Date <u>1/30/01</u>	Receipt No. <u>5023595</u>	
Processed by <u>[Signature]</u>	AJ Date <u>1/30/01</u>	WR _____	Date _____



WARRANTY DEED

For Value Received **MICHAEL E. DECHEVRIEUX, ~~X/MARRIED/MAN/~~** AN UNMARRIED MAN,

the Grantor hereby grants, bargains, sells, conveys and warrants unto **STEVEN P. SCHMIDT, AN UNMARRIED MAN, AND PATRICIA KILMARTIN, AN UNMARRIED WOMAN**

the Grantee whose current address is: **P.O. BOX 3656, KETCHUM, IDAHO 83340**

the following described premises, to-wit:

Lot 30 of SECOND ADDITION TO TRAILS END SUBDIVISION, Blaine County, Idaho, as shown on the official plat thereof, on file in the office of the County Recorder, as Instrument No. 133652, records of Blaine County, Idaho.

BLAINE CO. REQUEST

OF BLAINE COUNTY TITLE

1993 AUG 27 P 3:43

356193

MARY GREEN, CLERK
FEES \$

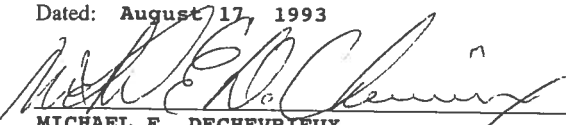
3⁰⁰

mp

Deed

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 17, 1993


MICHAEL E. DECHEVRIEUX

State of **IDAHO**

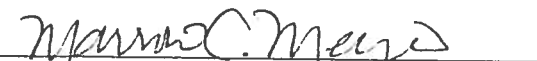
ss.

County of **BLAINE**

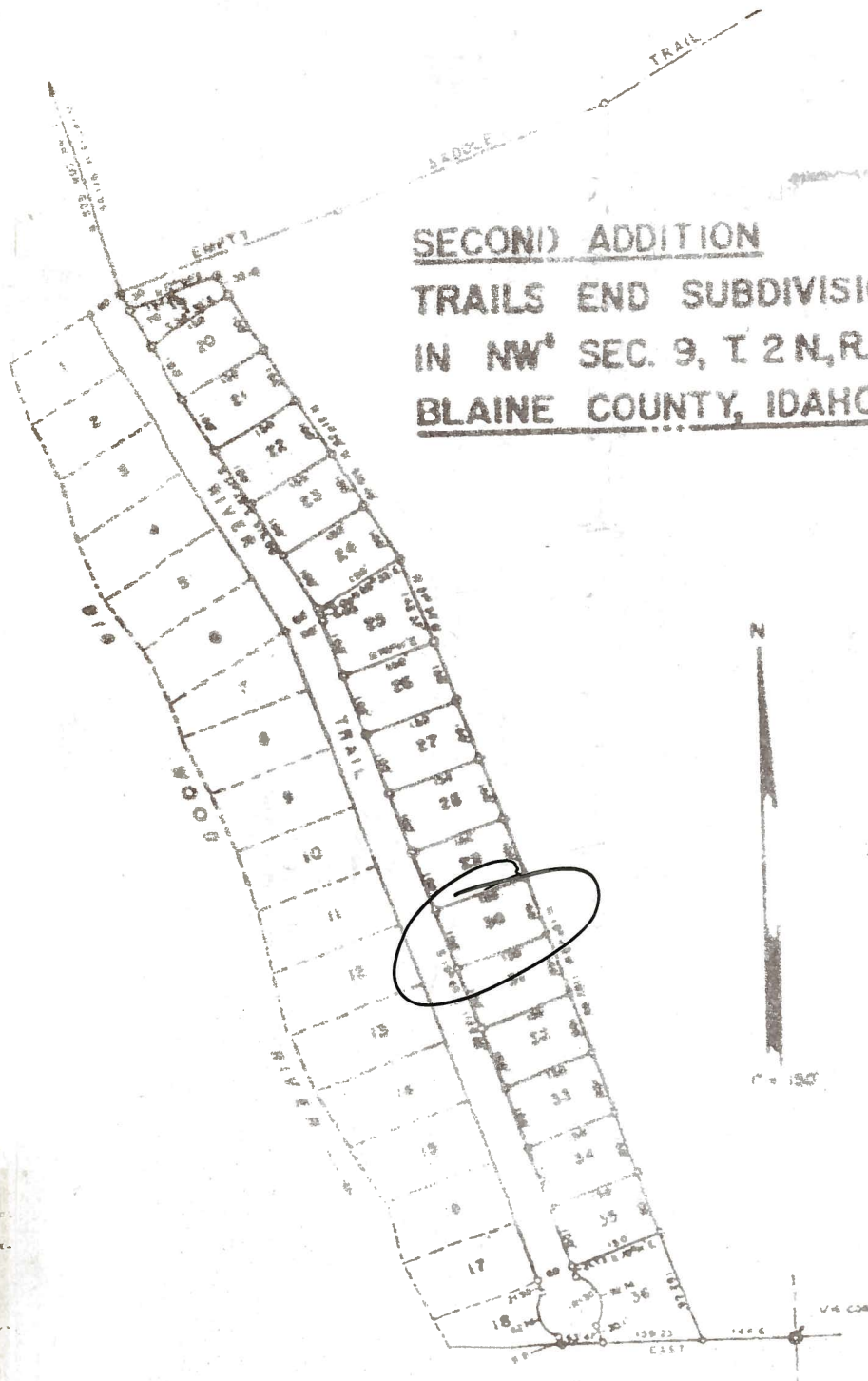
On this 26th day of August, 1993, before me, the undersigned, a Notary Public, in and for said State, personally appeared MICHAEL E. DECHEVRIEUX

_____, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.







**SECOND ADDITION
TRAILS END SUBDIVISION
IN NW 1/4 SEC. 9, T. 2 N., R. 18 E., B.M.
BLAINE COUNTY, IDAHO**

DEDICATION

This is to certify that the undersigned are owners in fee simple of the property hereinafter described, that the corner and in this plat is as follows: A tract of land in the NW 1/4 of SEC. 9, T. 2 N., R. 18 E., B.M. BLAINE CO., IDAHO. Beginning at the northwest corner of Section 9. Thence S 46° 13' E., 97.55 feet; Thence S 31° 25' E., 30.0 feet to the beginning. Thence N 72° 08' E., 154.39 feet; Thence S 31° 25' E., 533.45 feet; Thence S 2° 34' E., 142.37 feet; Thence West, 159.23 feet; Thence N 19° 49' W., 30.1 feet; Thence along a circular arc with a radius of 50 feet; Thence N 19° 45' W., 1128.02 feet; Thence N 31° 25' W., 576.09 feet.

I, the undersigned, do hereby include said land as part of the property hereinafter described, and I do hereby certify that the same is not subject to any lien or claim of any kind.

ACKNOWLEDGMENT

STATE OF IDAHO)
County of Blaine) ss.
On this 12th day of July, 1948, before me, the undersigned, a Notary Public in and for said State, personally appeared STANLEY G. JOHNSON and ESTELLA JOHNSON, known to me to be the persons whose names are subscribed to the dedication, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, this day and year in this certificate.

SURVEYOR'S CERTIFICATE

This is to certify that I, ORINE A. JENSEN, a duly qualified Land Surveyor, surveyed the land described in the foregoing plat as a true and correct representation of said survey as made and shown by me on said land, and known as "SECOND ADDITION TO TRAILS END SUBDIVISION".

ACKNOWLEDGMENT

STATE OF IDAHO)
County of Blaine) ss.
On this 18th day of July, 1948, before me, the undersigned, a Notary Public in and for said State, personally appeared ORINE A. JENSEN, known to me to be the person whose name is subscribed to the foregoing Surveyor's Certificate to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, this day and year in this certificate.

CITY'S ACCEPTANCE

The foregoing plat was duly accepted and approved by the CITY COUNCIL of the CITY of HALEY, Idaho, on this 12th day of July, 1948.

COUNTY COMMISSIONER'S ACCEPTANCE

The foregoing plat was duly accepted and approved by the Board of Commissioners of Blaine County, Idaho, on this 12th day of July, 1948.

COUNTY RECORDER'S CERTIFICATE

This is to certify that the foregoing plat was filed for record in the office of the Recorder of Blaine County, Idaho, on this 12th day of July, 1948, at the request of the undersigned, and that the same is now on file in the office of the Recorder of Blaine County, Idaho.

THIS MAP IS FURNISHED AS PART OF AN INSTRUMENT AND DOES NOT REPRESENT THE ENTIRE INSTRUMENT. THE INSTRUMENT IS TO BE FILED IN THE OFFICE OF THE RECORDER OF BLAINE COUNTY, IDAHO. THE INSTRUMENT IS TO BE FILED IN THE OFFICE OF THE RECORDER OF BLAINE COUNTY, IDAHO. THE INSTRUMENT IS TO BE FILED IN THE OFFICE OF THE RECORDER OF BLAINE COUNTY, IDAHO.

AJ5856NP

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

DATE: OCT-24-1997
PAGE: A-1396

RIGHT NUMBER: 37-12618

NAME & ADDRESS: MICHAEL DE CHEVRIEUX
LYNDA DE CHEVRIEUX
PO BOX 1182
HAILEY ID 83333

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 08/01/1969

POINT OF DIVERSION: T02N R18E S09 SWNW Within BLAINE County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOUSE ^{Home} ~~7 LAWN~~	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T02N R18E S09 SWNW

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

no parcel #

7-29-98

Claim proofread by: *WW*
Date: *11/13*

DATA ENTERED BY lw
DATE 7/25/89

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: A37-12618
Date Received: 12/21/1988
Receipt No: C004289
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL DE CHEVRIEUX 208-788-4628
Address: P.O. BOX 1182
HAILEY, ID 83333

AND/OR

Name: LYNDA DE CHEVRIEUX 208-788-4628
Address: P.O. BOX 1182
HAILEY, ID 83333

2. Date of Priority: AUG 01, 1969

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	18E	9	SW		NW		BLAINE

5. Description of diverting works:
60'X8" WELL, .25HP PUMP, PIPELINE

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 HOUSE & LAWN

A37-12618

Page 1

Date: 07/25/89

MICROFILMED

FEB 26 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	18E	9	SW	NW		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:
LT 30, TRAILS END SUBDIVISION

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 _____

58

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 A37-12618

Date Received

Receipt Number C004289

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) MICHAEL AND/OR LYNDIA DE CHEVRIEUX Phone (208) 788 4628Mailing Address P.O. BOX 1182 HAILEY, IDAHO Zip 833332. Date of Priority (Only one (1) per claim) AUGUST 1 19693. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____4. Location of point of diversion is: Township 2 NORTH Range 18 EAST
Section 9, SW 1/4 of NW 1/4 of — 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 WITH 1/2 HP PUMP (DOMESTIC)
DEPTH 60' 8" CASING - PIPELINE

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 1-1 to 12-31 amount 0.04

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.04 (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 HOUSEHOLD + 18 ACRE LAWN

MICROFILMED

FEB 26 1993

Copies: White-State, Yellow-Claimant

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
2N	18E	9							X									

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.

14. Remarks: LOT 30 TRAILS END SUBDIVISION or None (X) HAILEY

15. Basis of Claim (check one) Beneficial Use X 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Mich. DeChavering Date 9-8-88

Lynnda DeChavering Date 9-8-88

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 _____ 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 Idaho)

County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 21 day of Oct 19 88

SEAL

Notary Public Gail A. Peterson

Residing at Carmy, ID

My Commission Expires 4-25-91

Last Name _____ Ident No. _____

Copies White-State, Yellow-Claimant

MICROFILMED

FEB 26 1993