

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 45-13576
Date Received: 6/11/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT H ADAMS Phone: (208)673-5393
JENEAL ADAMS
PO BOX 152
ALBION ID USA 83311

2. Date of Priority: 08/01/1881

3. Source: MARSH CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12S	24E	12	NE NE	CASSIA	

5. Description of diverting works:

HEADGATE, FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/01	10/01	0.16	

7. Total Quantity Appropriated is:
0.16 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
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12S	24E	1	SE	SE	IRRIGATION	3.6
					Section Acres	3.6
12S	25E	6	SW	SW	7	IRRIGATION
						Section Acres
						Total Acres
						7.4

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:

14. Remarks:

base right 45-317B was split into three parts based upon warranty deeds submitted by Bart and Bret Adams. Each individual receiving 7+ acres based upon the warranty deeds submitted. Robert retains aprox 8 acres.

15. Basis of Claim: Decreed

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.

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
45-317B	(No fee due)				

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)

Robert H Adams I or Jenead Adams
 PO Box 152 Albion, ID 83311

4. New Owner/Claimant(s)

Bret D Adams or Cindy L Adams

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

New Mailing Address

PO Box 85

City, State and ZIP Code

Albion, ID 83311

New Telephone Number

(208) 673-6267

5. Date you acquired the property

April 2 2002

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.
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- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
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OR

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3. Name and Address of Former Owner/Claimant(s) Robert H. Adams I, and
Jeneal Adams
4. New Owner/Claimant(s) Bart A. Adams, and Pauline R. Adams
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address P.O. Box 112
- City, State and ZIP Code Albion, Id 83311
- New Telephone Number (808) 673-6268
5. Date you acquired the property April 2, 2002



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 DEPT INTERNET WEB SITE: [www/idwr.state.id.us](http://www.idwr.state.id.us)

SOUTHERN REGION

DIRK KEMPTHORN
GOVERNOR

KARE J. DREHER
DIRECTOR

May 14, 2003

ROBERT ADAMS
PO BOX 152
ALBION ID 83311

COPY

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM 45-317B

Dear Mr Adams

Enclosed are the two change of ownership forms as you requested. Please note that the acreage received by each individual is to be shown on page 2. They must sign this form and include a warranty deed when they return it to this office. Make it attn Kelly so that I will get the paper work and it won't go to our records specialist.

Thanks for your timely response to the letter I sent to you on the 12th.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchriste@idwr.state.id.us

Enclosures

NOTICE OF ERROR
REPLY

RECEIVED
01/21/2004
APR 15 2004
Department of Water Resources
Southern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: See cover letter

Water right number: 45-13576

ROBERT H ADAMS
PO BOX 152
ALBION ID 83311
Telephone Number: (208) 673-5393

JENEAL ADAMS
PO BOX 152
ALBION ID 83311
Telephone Number: (208) 673-5393

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: _____

SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 2087363033

06/11/2003

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

RIGHT NUMBER: 45-13576
NAME AND ADDRESS: ROBERT H ADAMS
JENEAL ADAMS
PO BOX 152
ALBION ID 83311

VERIFIED BY KKC

SOURCE: MARSH CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 0.140 CFS
PRIORITY DATE: 08/01/1881
POINT OF DIVERSION:

T12S R24E S12 SWNWNE Within CASSIA County
T12S R24E S12 SWNWNE Within CASSIA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.140 CFS

PLACE OF USE: IRRIGATION Within CASSIA County

T12S R24E S01	SESE	3.4	T12S R25E S06 Lot 7 SWSW	3.6
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7 ACRES TOTAL

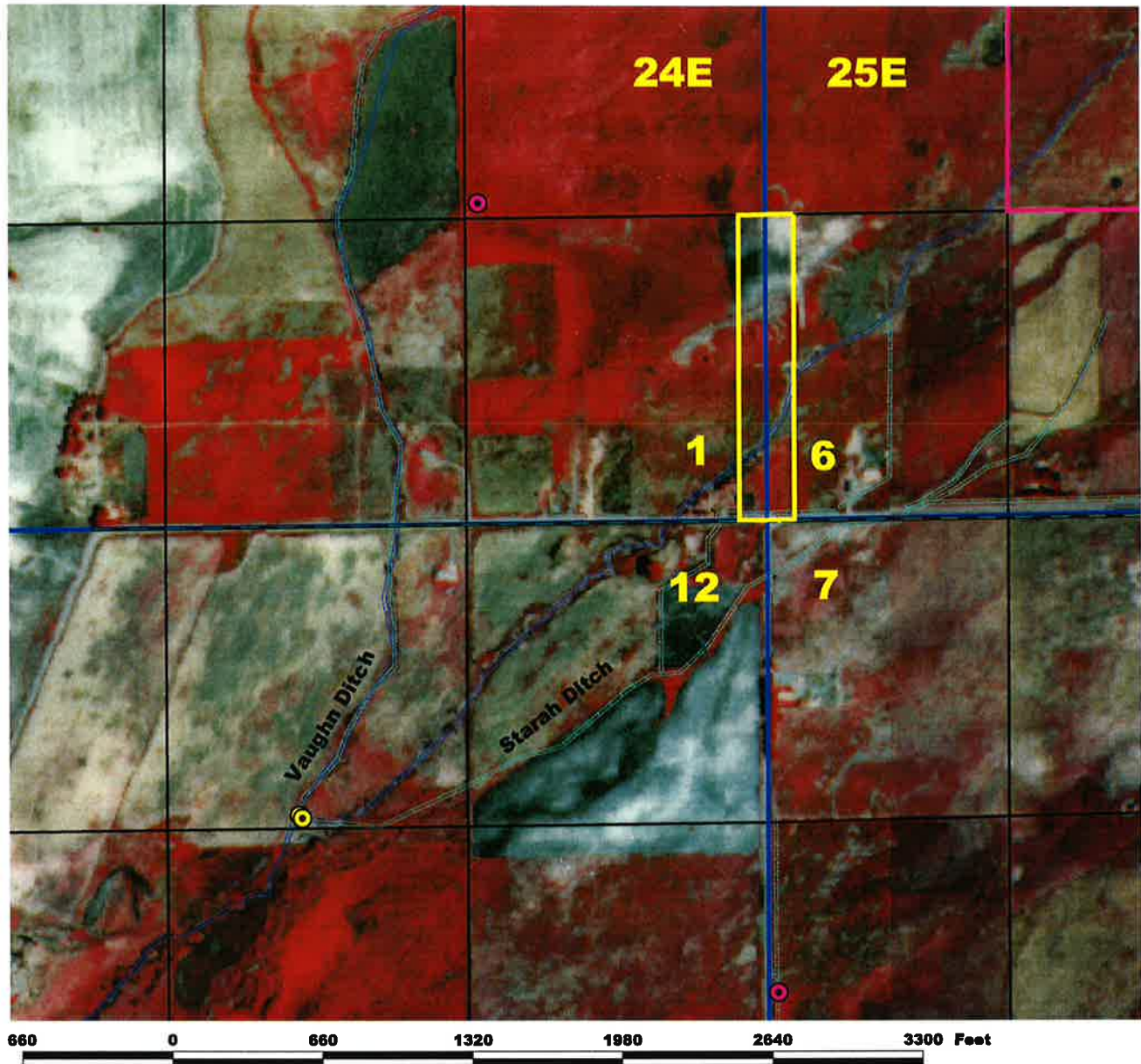
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Decreed

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 45-317B

RECOMMENDED PLACE OF USE FOR 45-13576



PLACE OF USE

TWP 12S, RNG 24E, SEC 1

TWP 12S, RNG 25E, SEC 6

Data entry on June 11, 2003

⊙ RECOMMENDED POINT OF DIVERSION

RECOMMENDED PLACE OF USE

SECTION LINES

QUARTER/QUARTER LINES

GIS PLACE OF USE PRESENTATION
1987/1988 NAPP AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



CASSIA CO





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 DEPT INTERNET WEB SITE: [www/idwr.state.id.us](http://www.idwr.state.id.us)

SOUTHERN REGION

DIRK K. MATHIAS
GOVERNOR

KARL J. DREIER
DIRECTOR

May 12, 2003

ROBERT ADAMS
PO BOX 152
ALBION ID 83311

COPY

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM 45-317B
PRELIMINARY RECOMMENDATION

Dear Mr Adams

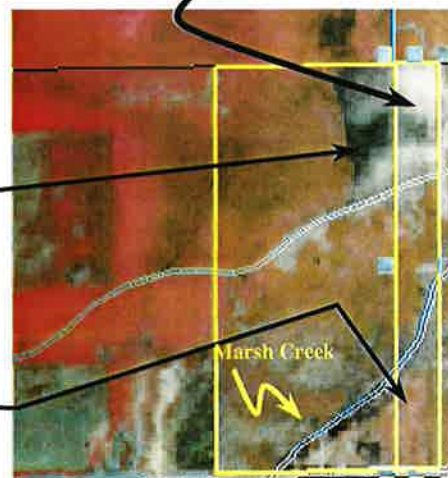
This office is reviewing Snake River Basin Adjudication claims in your area in preparation for our report to the court. As a part of this processing, IDWR is mailing **draft** recommendations to claimants where they differ from the original claim. These efforts are intended to improve claim review efficiency and lower the overall cost of the adjudication. Prior to completing the draft recommendations I want to clarify a few issues as they relate to your claims.

I have an approximate boundary of your property as supplied by the Cassia County Assessors office. Based upon that information it appears that there is less than 4.5 acres in Section 6 owned by you.

The difference is found in Section 1 to the left. I am planning on shifting the acreage to reflect this information. If I have incorrect information please provide me with additional information to correctly identify the place of use.

Is the gray area in the northeast corner irrigated?

Your claim identifies a point of diversion in Section 12' which corresponds with the Vaughn ditch system. I can track the delivery system through the Vaughn ditch to your place of use but this presents a problem for the ground southeast of Marsh Creek. How is that ground irrigated?



I look forward to working with you to improve the accuracy and completeness of the recommendation(s). The **draft** recommendations may be further modified by information you provide or by additional information received by the department through further investigation. In the absence of additional information the **draft** recommendations will become the recommendations submitted to the court.

Sincerely

Kelly K Christensen
Sr Water Resource Agent
E-mail address: kchriste@idwr.state.id.us

123494

THIS BLANK FURNISHED BY Land Title and Escrow, Inc.

Barley, Idaho

WARRANTY DEED

For Value Received

FERL R. ADAMS, a widow

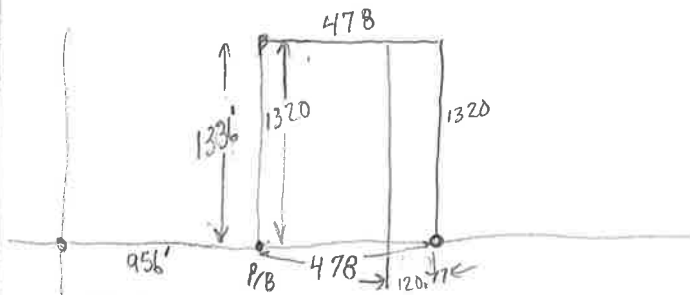
Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ROBERT H. ADAMS, SR. and JENEAL ADAMS, husband and wife,
Albion, ID 83311Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
to-wit:

Beginning at a point 956 feet East of the Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 12 South, Range 24 East Boise Meridian, thence East along the South boundary line of said section line and the South boundary line of Lot 7, Section 6, Township 12 South, Range 25 East Boise Meridian 478 feet to a point; thence North 1320 feet to the North boundary line of said Lot 7, thence West 478 feet to a point on the North boundary line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$; thence South 1320 feet to the point of beginning.

956' E of SW corner
E along Subboundary line
478'
N. 1320
W 478
S 1320. P/B

RESERVING therein a life estate to Ferl R. Adams.



RECORDED AT THE REQUEST OF
FERL R. ADAMS
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
FEB 8 2 08 PM '80
FILM 132

123494

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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 6th, 1980

Ferl R. Adams
Ferl R. Adams

Instrument No.

STATE OF IDAHO, COUNTY OF Cassia

On this 6th day of February 1980
before me, a notary public in and for said State, personally appeared

Ferl R. Adams

Known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same.

Loa Dee Wagner
Notary Public

Residing at Burley, Idaho, Idaho.

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By

Fees \$

Mail to:

Deputy.

123768

WARRANTY DEED

For Value Received

FERL R. ADAMS, a widow

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

ROBERT H. ADAMS, SR. and JENEAL ADAMS, husband and wife,
Albion, ID 83311Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
to-wit:

Beginning at a point 717 feet East of the Southwest corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 12 South, Range 24 East Boise Meridian, thence East along the South boundary line of said section line 239 feet to a point; thence North 1320 feet to the North boundary line of said SE $\frac{1}{4}$ SE $\frac{1}{4}$, thence West 239 feet to a point; thence South 1320 feet to the point of beginning.

RESERVING therein a life estate to Ferl R. Adams.

RECORDED AT THE REQUEST OF
Ferl R. Adams
FILM 132
FEB 20 1 16 PM '80
CASSIA COUNTY, IDAHO
FERL R. ADAMS
RECORDER
FEE \$25 DEPUTY *Clare*
Burley
Albion

123768

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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: February 20 1980

Ferl R. Adams
Ferl R. Adams

Instrument No.

STATE OF IDAHO, COUNTY OF Cassia

On this 20 day of February, 1980
before me, a notary public in and for said State, personally appeared

FERL R. ADAMS,

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same.

Herman E. Bedke
Notary Public

Residing at Burley, Idaho.

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By

Deputy.

Fees \$

Mail to:

ADAMS RICHARD 45-7305
 Claimed P/U is not part of licensed
 P/U.

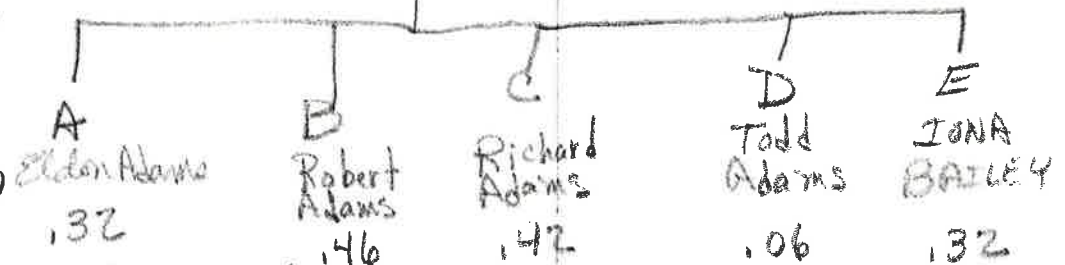
Licensed in 12-25-sec 6 SWSW 32
 Claimed in 12-24-sec 1 SESE 20

1998
 Surveyed
 But # Daniel Adams
 left to
 Bart Alvan Adams

7.2
 $\frac{7.33ac}{7.29}$
 7.33

Licru
 317
 160ac
 3,200CFS

$\frac{89}{160} \frac{1}{2}$



45-317F 72ac
 1,600CFS

1.58

$\frac{22}{160} \cdot 3.20 = \frac{44}{160}$
 13505 DeNaughel
 .38
 61 ac

13506 Anderson
 1.22
 11 ac

currently owned
 $\approx 17ac$
 $\frac{17}{160} = .106CFS$

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
12s24e	1	SESE	15	16	
12s25e	6	SWSW	7	17	Indiscernible
Totals:			22	33	

owned property ≈ 22 ac

4.5 ac in Sec 6
18 ac in Sec 1

5-14-03

Conversation Memo. Phone call with Robert Adams.

He stated that all of the property is irrigated including the gray area in the NE corner of the property. Gnd North of Marsh Creek is irrigated thru the Vaughn ditch & is related with Robert & Todd Adams. The gnd South of Marsh Cr is irrigated thru the Starah ditch. There is a trailer house on the property but does not exclude enough gnd to be considered significant.

The Property has been split into 3 parcels. 2 Sons are getting 7^{+} acres each of the original $P/4$ with a proportional rate going with each parcel. After discussing the various outages (Marsh Cr channel & such) we agreed that each parcel is ≈ 7 ac in gnd each with 0.14 cfs appurtenant to the lots.

Kelly K. Christensen

