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DEC 20 2018

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

Claim ID: 98-12505

Date Received: _____

Receipt No: _____

Claim Fee: _____ By: _____

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

Please type or print clearly

- Name of claimant(s) Kerry N. Brennan Phone (208) 891-1987
Mailing address PO Box 251 Riggins ID Zip 83549
Street or Box City State
Email address (optional) _____
- Date of priority: (Only one per claim) November 12 1993 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water (X) or Other () (a) _____
which is tributary to (b) _____
- Location of point of diversion is: Township 24 N, Range 01 E, Section 22,
NW 1/4 of NW 1/4, or Govt. Lot _____ BM, County of Idaho;
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
- Description of diverting works (wells, pumps, spring boxes, pipelines, 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.
Submersible pump, pressure tank, pipes from well 141 ft. deep
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Domestic purposes from Jan. 1 to Dec. 31 amount 0.04 cfs (X) or AFY ()
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed 0.04 cfs (X) or AFY ()
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Domestic use in small campground & tackle shop. Currently 4 hydrants.

9. Location of place of use is: Township 24 N, Range 01 E, Section 22,
NW 1/4 of NW 1/4, Govt. Lot _____ BM, Parcel no. _____

If different than shown in Item 4

for (check one) Domestic ☒ Stock ☐ Domestic and Stock ☐

Additional places of use, if any T24N, R01E, Section 21, NE 1/4

10. In which county(ies) are lands listed above as place of use located? Idaho

11. Do you own the property listed above as place of use? Yes ☒ No ☐

If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None ☒

13. Remarks (include an explanation of the priority date selected):

78-12504 uses same POD. Priority date is date of well completion.
Additional documents submitted: claimant's Warranty Deed; Well Drillers Report; Drawing of Area;

14. Basis of claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐ Decree ☐

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. **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: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s)

Kerry N. Brennan

Date:

12-13-18

Date:

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

_____ of _____
Agent's title (Please print)

Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Printed Name of Authorized Agent _____

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) Brian L. McMahon, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature

Brian L. McMahon

Date

13 Dec. 2018

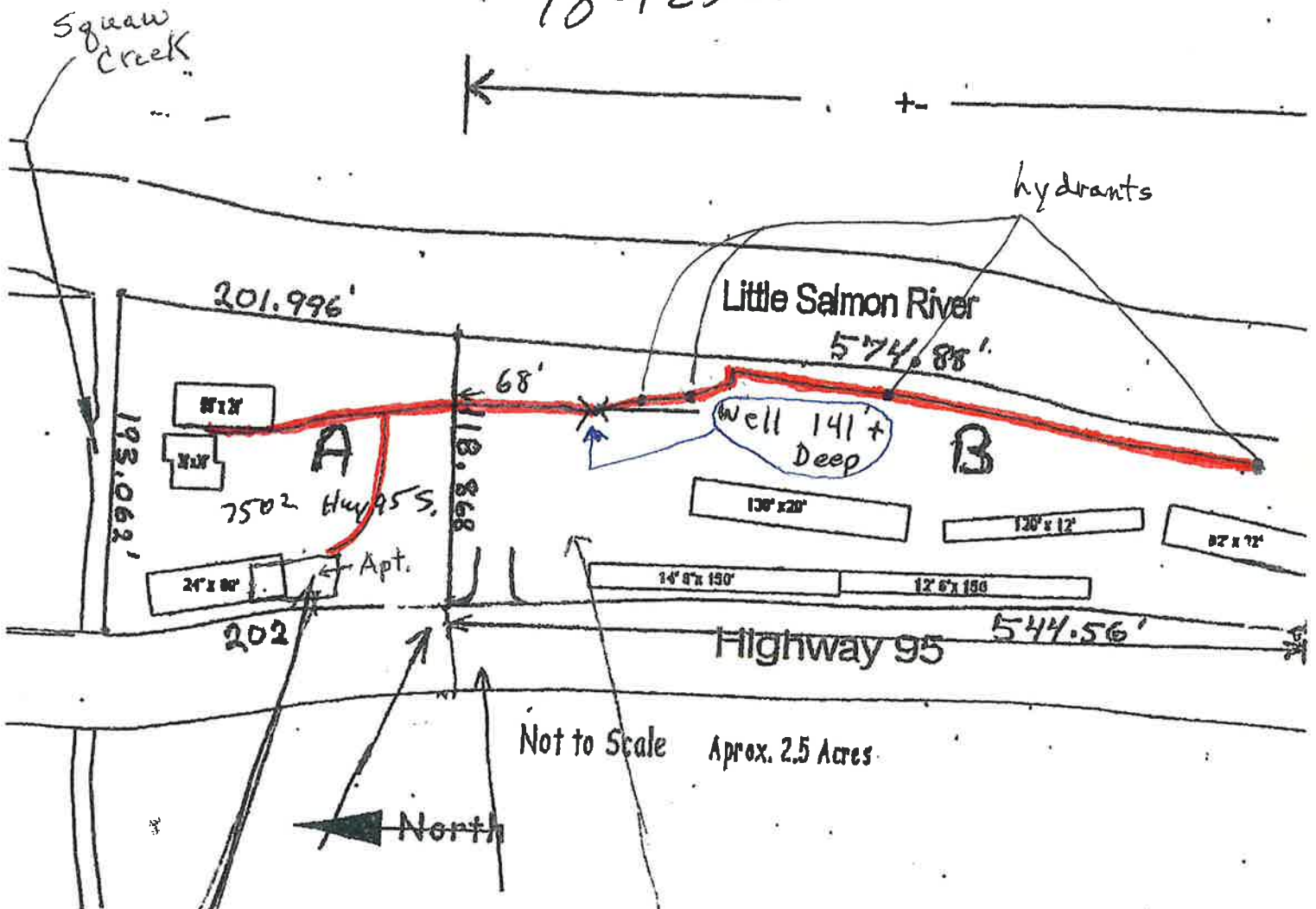
Address

PO Box 959, Boise, ID 83701

Name of claimant(s) Brennan

Claim ID 78-12505

claim #
78-12505



78-12504
claimant owns
Parcel A

78-12505
claimant owns
Parcel B

Red Lines are
Water Lines From Well

473635

Claim # 78-12505

WARRANTY DEED

For good and valuable consideration ROBERT L. LYM and BONNIE LYM, husband and wife, as GRANTORS, do hereby grant and convey unto KERRY BRENNAN, a single man, whose address is: P.O. Box 251, Riggins, ID 83549, as GRANTEE, the following described real property situate in Idaho County, State of Idaho, to wit:

SEE SCHEDULE C
ATTACHED HERETO AND INCORPORATED
HEREIN BY REFERENCE

SUBJECT TO:

1. Taxes for 2010 which are an accruing lien and not yet due and payable; and
2. Right of Way Easement, including the terms and conditions thereof, by and between J. S. Aitken, and John Kimbrough, and The Mountain States Telephone and Telegraph Co., recorded August 31, 1932, under Instrument No. 99328, Book 60 Page 458, records of Idaho County, Idaho; and
3. Easement, including the terms and conditions thereof, by and between J. S. Aitken and Idaho County, recorded March 29, 1937, under Instrument No. 125614, Book 68 Page 229; Quitclaim Deed, including the terms and conditions thereof, by and between Idaho County, and John L. Chamberlin, et al., Trustees of the Riggins Pile Line Association, recorded April 3, 1939, under Instrument No. 125766, Book 68 Page 229, all records of Idaho County, Idaho; and
4. Power Line Easement, including the terms and conditions thereof, by and between Stewart Aitken and Idaho Power Company, a corporation, recorded April 24, 1942, under Instrument No. 159362, Book 80 Page 561, records of Idaho County, Idaho; and
5. Any adverse claims based on the assertion that the location of the Little Salmon River has moved subsequent to its adoption as a title boundary; and
6. Rights and easements in favor of the public for uses of the Little Salmon River; and
7. Matters as shown on Survey No. S-940, recorded July 22, 1994, under Instrument No. 375485; Survey No. S-1838, recorded January 16, 2001, under Instrument No. 415100; Survey No. S-2435, recorded May 1, 2006, under Instrument No.

WARRANTY DEED - 1 of 3

KB

Instrument # 473635

IDAHO COUNTY, IDAHO,

8-18-2010 03:15:28 No. of Pages: 4

Recorded for : IDAHO COUNTY TITLE

ROSE E. GEHRING

Fee: 19.00

Ex-Officio Recorder Deputy

448129; Survey No. S-2665, recorded November 28, 2007, under Instrument No. 458437; Survey No. S-2925, recorded May 14, 2010, under Instrument No. 472233; Survey No. S-2927, recorded May 19, 2010, under Instrument No. 472306, all records of Idaho County, Idaho; and

8. Perpetual easement, including the terms and conditions thereof, by and between Robert Lym and Bonnie Lym, husband and wife, and J. R. Zukin Corp., doing business as Meadow Outdoor Advertising, a California corporation, recorded July 12, 1999, under Instrument No. 404603, records of Idaho County, Idaho; and
9. Perpetual easement, including the terms and conditions thereof by and between Robert Lym and Bonnie Lym, husband and wife, and J. R. Zukin Corp., doing business as Meadow Outdoor Advertising, a California corporation, recorded November 13, 2006, under Instrument No. 411814, records of Idaho County, Idaho; and
10. Road Right of Way Easement, including the terms and conditions thereof, by and between Robert Lym and Bonnie Lym, husband and wife, and William H. Lenhart, recorded November 13, 2006, under Instrument No. 451928, records of Idaho County, Idaho.

TO HAVE AND HOLD the premises, with all appurtenances, to GRANTEE, and his heirs, successors and assigns forever. GRANTORS do by this grant covenant that GRANTORS are the owners of said property in fee simple and that the premises is free from encumbrances done, made or suffered by GRANTORS, or those claiming through GRANTORS, except as set forth herein-above and other encumbrances of record or in use.

Except as otherwise expressly provided in this instrument, GRANTORS hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event GRANTORS shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of GRANTORS, it was not the intent of GRANTORS, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

DATED this 19th day of August 2010.

GRANTORS:

Robert L Lym
ROBERT L. LYM

Bonnie Lym
BONNIE LYM

STATE OF IDAHO)
 : ss.
County Of Idaho)

On this 19th day of August, 2010, before me personally appeared ROBERT L. LYM and BONNIE LYM, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year first written above.



Katharina Warford
Notary Public, in and for the
State of Idaho, residing at
Grangeville therein.
My Commission Expires: 07/05/2011

Claim #78-12505

SCHEDULE C

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Sections 21 and 22:

A parcel of land lying between the southerly right of way of U.S. Highway No. 95 and the northerly ordinary high waterline of the Little Salmon River, being part of the NE¼ of said Section 21 and the NW¼ of said Section 22, more particularly described as follows:

Beginning at the ¼ corner common to Sections 21 and 22, which said ¼ corner is S 00°30'31" E, 2583.914 feet from the section corner of Sections 15, 16, 21 and 22, said Township and Range;
thence N 25°04'23" W, 164.152 feet to a point on the northerly ordinary high waterline of the Little Salmon River to the Initial Point of Beginning;

thence N 38°26'48" W, 107.095 feet to a point on said right of way;

thence N 47°18'08" E, 403.126 feet along said right of way to PC Sta. 1782+28.70;

thence along a tangent curve to the left on the said right of way with the following dimensions:

D = 06°25'49" LT R = 1170.916 feet

L = 131.413 feet T = 65.775 feet

Chord = 131.344 feet

Bearing = N 44°05'13" E along said right of way

thence S 53°41'01" E, 118.868 feet leaving said right of way to a point on the said ordinary high waterline;

thence S 47°33'29" W, 564.859 feet along said ordinary high waterline back to the Initial Point of Beginning.

Sometimes known as Tax Assessor's No. 245.