

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: **A37-13174**
Date Received: 10/20/1989
Receipt No: M004973
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: ROGER FLEENOR
Address: RT 1 BOX 1225
FAIRFIELD ID

208-764-3343

83327

AND/OR

Name: ELLEN FLEENOR
Address: RT 1 BOX 1225
FAIRFIELD ID

208-764-3343

83327

2. Date of Priority: JAN 1, 1960

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	14E	35	SW	SW	SE		CAMAS

5. Description of diverting works:
60'X6" WELL, 3/4HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	14E	35	SW	SE		DOMEST	

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
NONE

14. Remarks:

CHG OF OWNERSHIP FROM LOVETT TO FLEENOR 10/19/98 DMS

15. Basis of Claim: BENEFICIAL USE

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROGER FLEENOR	01/01/1960	DOMESTIC	01-01 12-31	0.02 CFS	
C	ELLEN FLEENOR					
	RT 1 BOX 1225					
	FAIRFIELD ID 83327			TOTAL DIVERSION:	0.02 CFS	
	(208) 764-3343					

Stage: BENEFICIAL USE

CAMAS County

				NE				NW				SW				SE																												
				NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE										
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:									
01N	14E	35	:									:									:								:								:							

Other Rights: NONE

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.

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

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

Comments: Date: 10/19/1998 User-ID: DSMITH Subject: CHG OF OWNERSHIP
FROM LOVETT TO FLEENOR

Audit: 10/19/98 DSMITH



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

OCT 19 1998

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 9/25/98

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 1 N 2 S Range 14 ESection 35 1/4 of 1 1/4 of 1 1/4 Govt. Lot , BM. LEGALLot , Block, , Subdivision/Townsite

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

ATTACHED

- ☐ 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: A37-13173, A37-13174, 37-4251
- ☐ Name and Address of Former Owner/Claimant(s)(Seller):
JACK LOVETT ESTHER A. (GIESLER) FLEENOR
RT 1 BOX 1225 RT 1 FAIRFIELD
FAIRFIELD, ID 83327 ID 83327
- ☐ New Owner/Claimant (Purchaser):
ROGER & ELLEN FLEENOR
- ☐ New Mailing Address:
RT 1 BOX 1225
FAIRFIELD, ID 83327
- ☐ New Telephone Number: (208) 764-3343
- ☐ 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) [Signature] Date 10-14-98
- ☐ Signature of Former Owner/Claimant(s): _____ 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

EXHIBIT "A"
C980138

~~BRUCE~~

~~LEGAL~~

~~LOVETT RANCIT~~

~~KRIS~~
~~HALL~~

PARCEL NO. 1:

Township 1 North, Range 14 East of the Boise Meridian, Camas County, Idaho

Section 35: The East one-half of the Southeast Quarter;

PARCEL NO. 2:

Township 1 North, Range 14 East of the Boise Meridian, Camas County, Idaho

Section 35: The Southwest Quarter of the Southeast Quarter; The Southeast Quarter of the Southwest Quarter;

PARCEL NO. 3:

Township 1 South, Range 14 East of the Boise Meridian, Camas County, Idaho

Section 1: Lots 2, 3 and 4;

Section 2: Lot 1;

WARRANTY DEED

For Value Received

Ernest B. Lovett, Jr. and Dorothea M. Lovett, Trustees of The Lovett Family Trust

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

Roger Fleenor and Ellen T. Fleenor, husband and wife

whose address is: ~~P.O. Box 7208, Boise, Idaho 83707~~ RT. 1 BOX 1225, FAIRFIELD, ID 83327

Hereinafter called the Grantee, the following described premises situated in Camas County, Idaho, to-wit:

Township 1 South, Range 14 East of the Boise Meridian, Camas County, Idaho

Section 1: Lots 2, 3 and 4;

Section 2: Lot 1

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 said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Ernest B. Lovett, Jr.
Ernest B. Lovett, Jr., Trustee

Dorothea M. Lovett
Dorothea M. Lovett, Trustee

STATE OF Idaho

COUNTY OF

On this September 17, 1998, before me, the undersigned Notary Public in and for said state, personally appeared Ernest B. Lovett, Jr. and Dorothea M. Lovett, identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of The Lovett Family Trust, and acknowledged to me they executed the same as such Trustee.

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

Wanda L. Kinghorn
Notary Public for
Residing at: Blaine
My Commission Expires: 1-01-02



WARRANTY DEED

For Value Received

Ernest B. Lovett, Jr. and Dorothe M. Lovett, Trustees of The Lovett Family Trust

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

Roger Fleenor and Ellen T. Fleenor, husband and wife

whose address is: **Rt. 1 BOX 1225, FAIRFIELD, ID 83327**

Hereinafter called the Grantee, the following described premises situated in Camas County, Idaho, to-wit:

Township 1 North, Range 14 East of the Boise Meridian, Camas County, Idaho

Section 35: The Southwest Quarter of the Southeast Quarter; The Southeast Quarter of the Southwest Quarter

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 said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Ernest B. Lovett, Jr.
Ernest B. Lovett, Jr., Trustee

Dorothe M. Lovett
Dorothe M. Lovett, Trustee

STATE OF Idaho

COUNTY OF

On this 17th day of Sept. 1998 before me, the undersigned Notary Public in and for said state, personally appeared Ernest B. Lovett, Jr. and Dorothe M. Lovett, identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of The Lovett Family Trust, and acknowledged to me they executed the same as such Trustee.

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

Wanda L. Kinghorn
Notary Public for
Residing at: *Basin*
My Commission Expires: *1-08-00*



WARRANTY DEED

For Value Received

Ernest B. Lovett, Jr. and Dorothe M. Lovett, Trustees of The Lovett Family Trust

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

Roger Fleenor and Ellen T. Fleenor, husband and wife

whose address is: **P.O. Box 17209, Boise, ID 83707 RT. 1 BOX 1225, FAIRFIELD, ID 83327**

Hereinafter called the Grantee, the following described premises situated in Camas County, Idaho, to-wit:

**Township 1 North, Range 14 East of the Boise Meridian, Camas County, Idaho
Section 35: The East one-half of the Southeast Quarter**

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 said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated:

Ernest B. Lovett, Jr.
Ernest B. Lovett, Jr., Trustee

Dorothe M. Lovett
Dorothe M. Lovett, Trustee

STATE OF Idaho

COUNTY OF

On this 17th day of Sept. 1998, before me, the undersigned Notary Public in and for said state, personally appeared Ernest B. Lovett, Jr. and Dorothe M. Lovett, identified to me to be the person(s) whose name(s) is subscribed to the within instrument as Trustee of The Lovett Family Trust, and acknowledged to me they executed the same as such Trustee.

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

Wanda L. Kinghorn
Notary Public for
Residing at: *Idaho*
My Commission Expires: *1-08-02*





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

October 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ROGER & ELLEN FLEENOR
RT 1 BOX 1225
FAIRFIELD ID 83327

RE: Snake River Basin Adjudication (SRBA) Water Right Nos. A37-13173, A37-13174 and
Water Right No. 37-04251

Dear Mr. & Mrs. Fleenor:

Thank you for your response in filing the change of ownerships on the above referenced water right. Enclosed are copies of the two(2) SRBA which show the ownership has been changed.

However, on 37-04251 the ownership is still in the name of Esther Eckles, since this right has never been filed in the SRBA. I am forwarding the forms you sent to the Department to Allocations, where it will be placed with the original Statutory claim, but IDWR records will not be changed. Since this right is a statutory claim it can be "deferred" in the SRBA, meaning the water right is valid but will not be reported to the Court. I am enclosing a brochure to explain this statement to you. If, however, you prefer to file a claim with the SRBA, please complete the enclosed claim form (all information needed is on the "proof report") and return to our Twin Falls office, including the \$25 filing fee. Our Twin Falls office can also generate the claim using our computer system if you wish to make an appointment with their office at (208) 736-3033.

If you have any questions, please do not hesitate to call me or our regional office.

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

Enclosures