

11/18/2004

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

RIGHT NUMBER: 25-4266

NAME AND ADDRESS: MILO WATER ASSN
C/O DEAN BOWLES
12191 N 75 E

IDAHO FALLS ID 83401

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.170 CFS

PRIORITY DATE: 10/30/1946

POINT OF DIVERSION:

T03N R39E S9 SWSWNW Within BONNEVILLE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.110 CFS 3.00 AFY
IRRIGATION	04/01 11/01	0.060 CFS 10.50 AFY

Domestic use is for 5 homes.

PLACE OF USE: DOMESTIC Within BONNEVILLE County

T03N R39E S08 SENE T03N R39E S08 NESE

T03N R39E S09 SWNW

IRRIGATION Within BONNEVILLE County

T03N R39E S08 SENE 1.1 T03N R39E S08 NESE 0.3

T03N R39E S09 SWNW 1.5

2.9 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: Beneficial Use

The five homes covered under this right are identified by the following addresses:
11983 N 75 E
11863 N 75 E
12191 N 75 E
12227 N 75 E
12260 N 75 E

05/10/2004

IDAHO DEPARTMENT OF WATER RESOURCES
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PLACE OF USE: DOMESTIC Within BONNEVILLE County

T03N R39E S08	SENE	T03N R39E S08	NESE
T03N R39E S09	SWNW		

IRRIGATION Within BONNEVILLE County

T03N R39E S08	SENE	1.1	T03N R39E S08	NESE	0.3
T03N R39E S09	SWNW	1.5			

2.9 ACRES TOTAL

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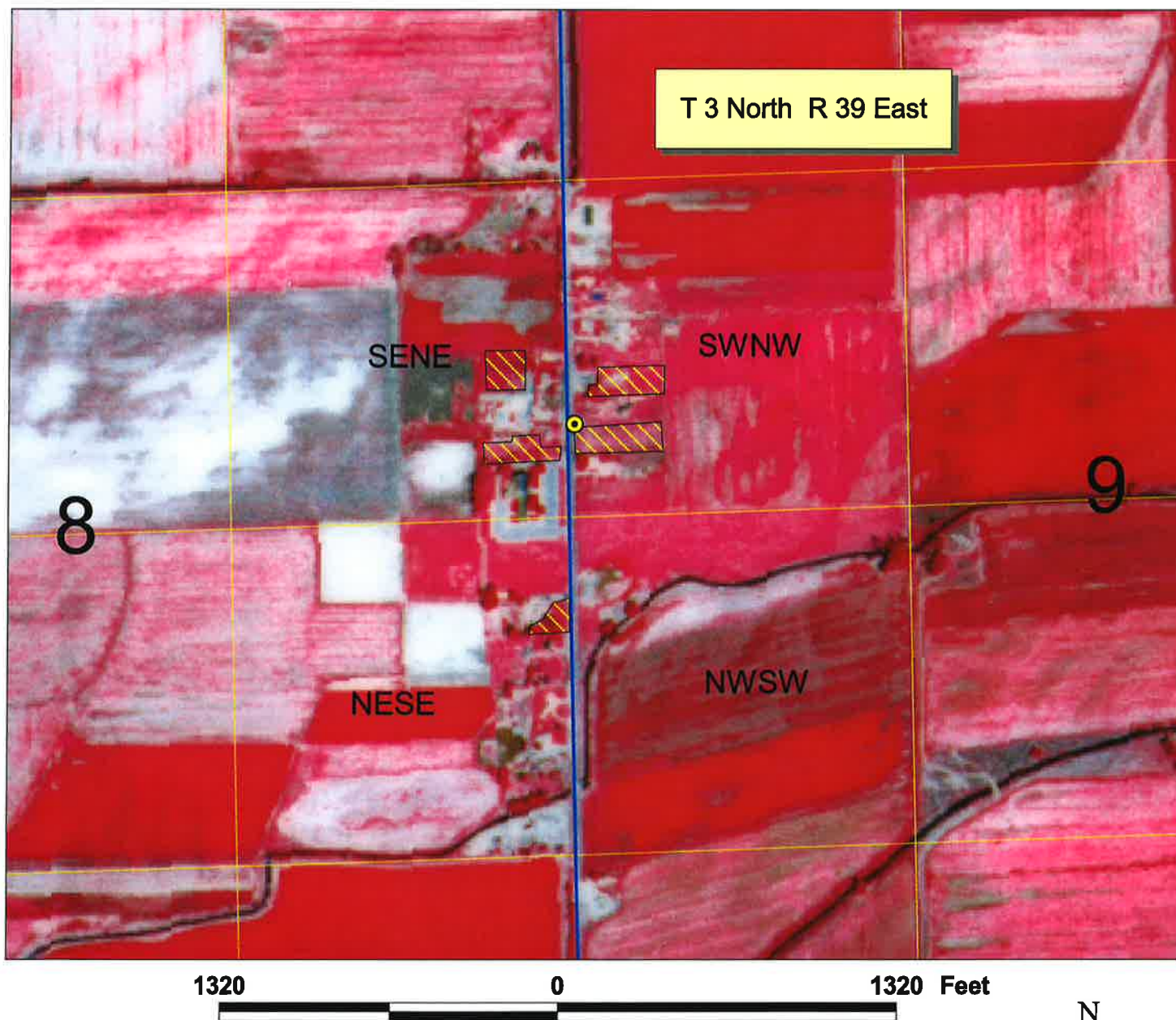


State of Idaho

Department of Water Resources

Eastern Region

Water Right(s): 25-04266



- ⊙ Point of Diversion
- Place of Use
- Sections
- QQ

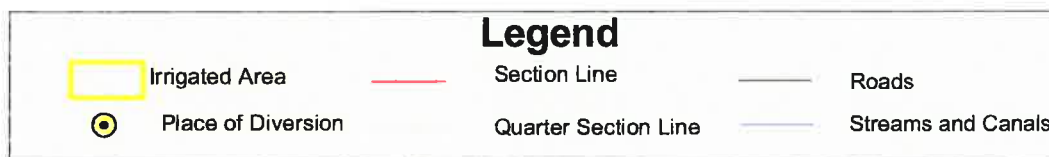
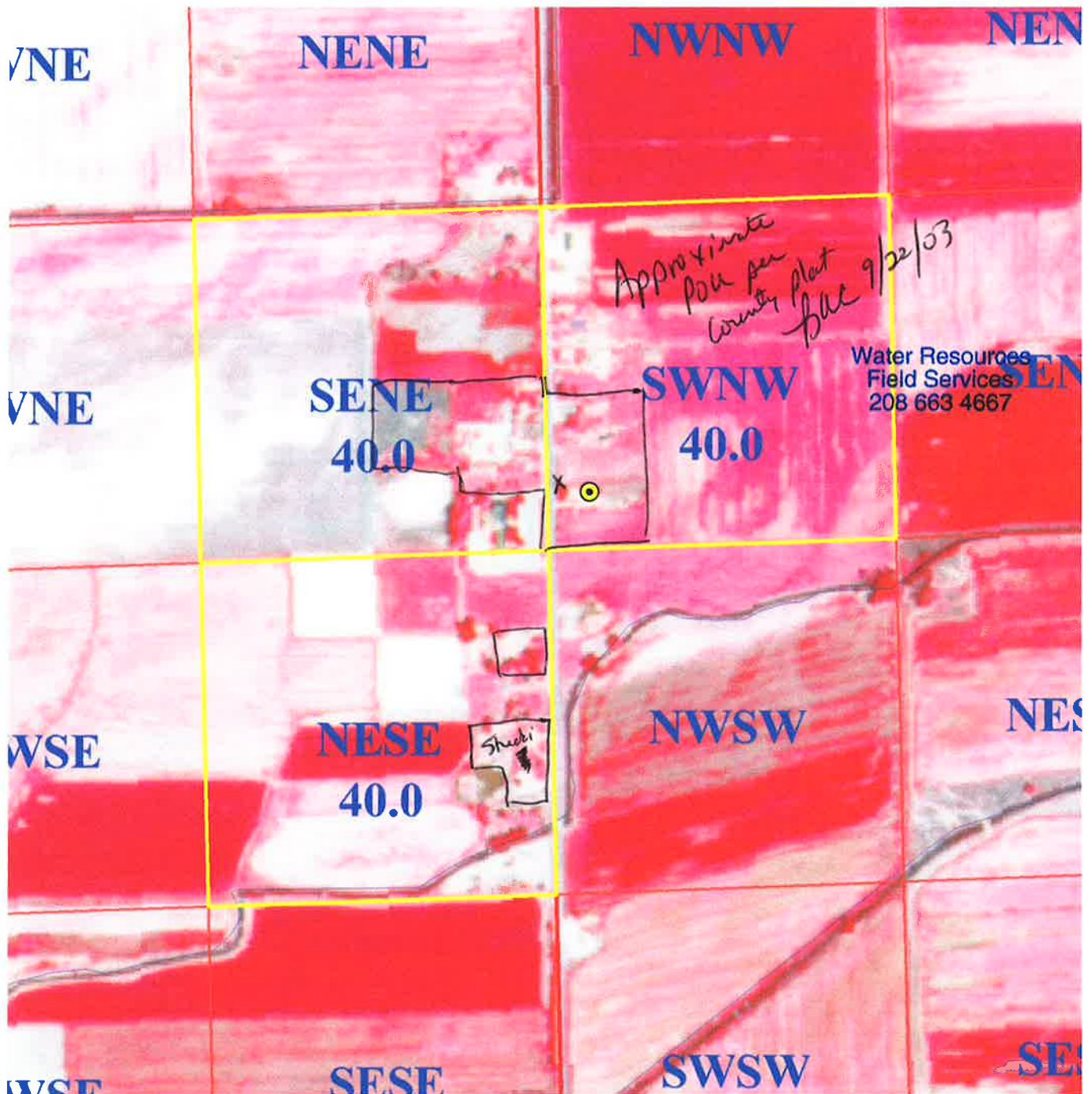
SCANNED
AUG 20 2004



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by R. Mikesell
Date: May 2004

Water Right Claim Number 25-04266
Township , 3N39E

12/04/2000



400 0 400 800 1200 Feet

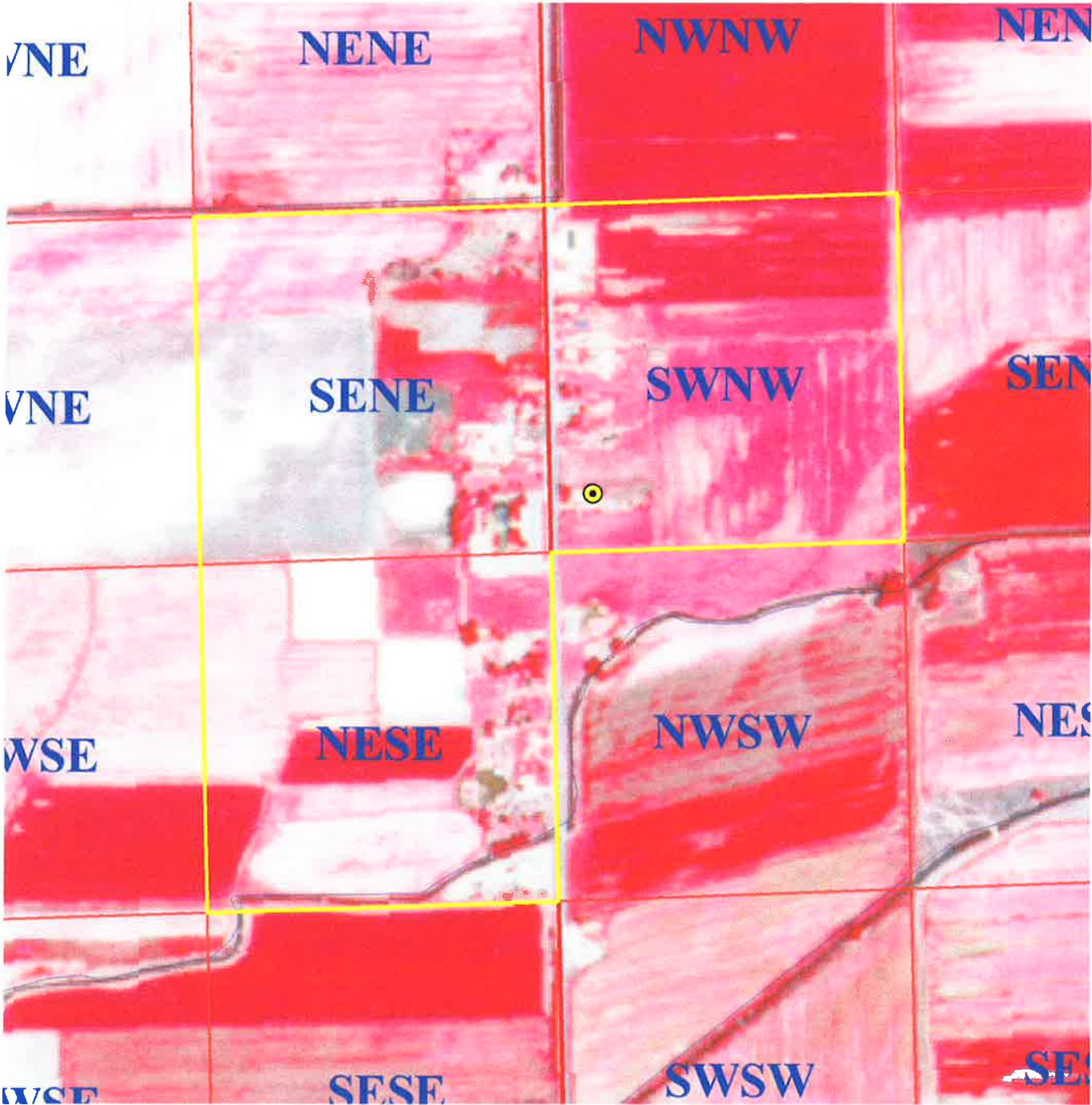


SPATIAL DYNAMICS



Water Right Claim Number 25-04266
Township , 3N39E

12/04/2000



 Irrigated Area

 Section Line

 Roads

 Place of Diversion

Quarter Section Line

 Streams and Canals



 SPATIAL DYNAMICS

Dean Bowles
stopped in to see if
file was complete on
4/23/2004. Call
him @ 754-4140 (H)
589-9343 (C)

if you need more info.

He said that Jerry Weston
and Beck (Olivia Harris)
are also on system.

A25-0426 Field Insp. 7/15/03

Interview Mr. Marvin Terry, lives just S of well
522-2875

- Steve Murphy is President?

- Mrs. Terry:

- Kay Shack: May or may not be on - ✓
probably on

- Steve Murphy (Best Murphy) ✓

- Dean Bowles (Crowned lives there
(Just west to Store) now, or Clarence
(Bowles seed cleaning) Moore)

- Pamish - used to be Leo Avery ✓

- Grand Jones ✓
Home + trailer

* - Ben Angstrom - (old Store) 529-5971
12260N SE

- E. Herd (well on his property)

- Marvin Terry

See phreatic civil defense map - May aid
in finding which homes are on system.
Church is no longer on this well. Also
Arnold Newman & Grant Shacki.

Photo (2) well GPS 670841E 280546N
Waypoint 4266, East of well
just N of Church

A25-04266 Contact log

9/11/03 16:20 523-3325"

Mrs. Murphy says "Ben" up the road
does this now. the Brother Ben will
call me this evening.

August 18, 2003

Milo Water Assoc.
c/o Bert Murphy
11983 N 75th E
Idaho Falls, ID 83401

Re: Water Right Adjudication Claim(s) A25-04266

Dear Water User:

Idaho Department of Water Resources (IDWR) is reviewing claims to water rights in the Snake River Basin Adjudication in your area. Water Resources Field Services has been retained to do field inspections to aid the Department in making correct recommendations to the court. In the next weeks and months I will be contacting you to make an appointment to look at your diversion works and uses of water.

This is a follow-up to an inspection by Interpid Technology and Resources. The main purpose is to verify and photograph the locations of the homes and irrigated areas.

I look forward to helping make sure your water right recommendation is correct. Please contact me if there is a particular time that would be convenient for you. You may call in the evenings, or leave a message on the answering machine.

Sincerely,

Bryce A. Contor

Water Resources
Field Services
208 663 4667

Memo to File: The following letter date November 6, 2002, was sent out to the claimants and no response was received back to Intrepid.

November 6, 2002

Dear Sir or Madam:

Intrepid Technology and Resources, Inc. (ITR) has been contracted by the Idaho Department of Water Resources (IDWR) to verify information in the State's records regarding the enclosed claim(s). This letter is being sent to the address of record for the enclosed claim(s).

In June or July of 2002, ITR employees visited the point(s) of diversion for the claim(s) in question. The purpose of this letter is to follow up on that visit, and ask for your input to verify the boundary of the area irrigated by each point of diversion. IDWR has supplied the enclosed maps and/or aerial photographs. The points of diversion (wellheads, dams, etc.) are indicated as circles. The irrigated areas are traced with bright yellow lines.

Please take the time to review the map, and correct any inaccuracies by marking changes on the map, and sending the map and claim file back to us in the enclosed postage-paid envelope.

If the claim is no longer in use, please note it on the claim file and return it to us in the enclosed envelope.

This applies only to the enclosed claim file. Water rights or claims not included with this package will be dealt with separately. Please DO NOT mark wells, diversions, or irrigated areas not specifically addressed in this package.

If you have any questions about the letter itself or how to respond, please call Doug Larsen or myself at 208-529-5337. We will be happy to discuss it with you.

Sincerely,

Shaun Dustin, PE
Intrepid Technology & Resources, Inc.

7/2/02

A2504266 P.O.D # 171588

THE # A0011945 (attached to pipe man well)

I met with Dean Bolal who is responsible for the Milwaukee Association. He stated that the well provided water for approximately 8 homes and the church.

The well was in a concrete pit covered with a tin roof, I took several pictures, attached the ID tag but I could not read any information about the well or pump itself.

GPS Reading — N 43° 36' 21.9
W 111° 53' 02.7



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 23-27

RIGHT ID 25 4266
POD ID 171588
Folder No. A2504266
Claim Status In Use
IDTMEAST 670835
IDTMNORTH 280540
GPSID A0011945

Diversion Description

WELL, PUMP & LINES. POD located in a concrete pit covered with a tin roof. Supplies water to approximately 8 homes and a church (per Mr. Dean Bold).

Assumptions

Horse power, pressure head, and elevation head.

Invoice

2000-055-23-27-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missing)
Phase-III (Complete w/issues)

Linked

Photos

GPS Accuracy (ft)

18 Feet

Date (M/D/Y)

07-02-22

Time

13:00

Flow Rate (CFS)

0.16

Photos\25-4266-001.JPG Photos\25-4266-003.JPG Photos\25-4266-005.JPG

Photos\25-4266-002.JPG Photos\25-4266-004.JPG Photos\25-4266-006.JPG

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
☐ Half full
☐ More than half full
☐ Full

Diameter 0

Depth 0

☐ Rectangular Channel

Width 0

Depth 0

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline 0

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe 0

Width of weir 0

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System ☒

HP 3

Pressure Head (psi) 30

Elevation Head (ft) 50

Motor Mfg

Motor Serial #

Pump Type Submersible

Pump Mfg

Pump Serial#

New Contact Information ☐

New Contact Comments

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FOLDER NO. A2504266

A25-04266 Summary 9/23/03

- 1) Ownership: Appears to be correct
- 2) Pod. See attached plat map. List of owners was obtained from field interview w/ owner Marvin Terry. Terry was unsure whether Stucki was still on Milo well, per phone call Mr. Stucki says he still is. The only other discrepancy is that the lot identified by Mr. Terry as being the home of Mr. Heed is owned by Blanchard.
- 3) Pod. GPS 670841 E, 280546 N, waypoint 4266.
- 4) Water use. 5 homes per claim @ 0.11 cfs/3.0 afa per Field Examiners handbook. Irrigation per GIS @ 0.03 cfs/3.5 afa per acre (0.03 cfs as Pod < 10 acres), up to claimed rate/acreage.
- 5) Contact info: There seems to be some friction among members. Letter to address on claim did not come back but apparently new chairman is Ben Engstrom 12260 N 75 E.

Bryce A. Contor

1 photo of pod

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:43:01

PARCEL: RP 03N39E094050 A F1=SL

F17=DD

F24=LD

BLANCHARD, VANCE &
BLANCHARD, LESLIE

624-1019 per phone book

731 N 2900 E

ST ANTHONY ID 83445-5514

LEGAL DESCRIPTION

.96 A SW1/4 SW1/4 NW1/4,
SEC 9, T 3N, R 39

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 1011992 EXPDATE

PREV PARCEL RP03N39E094050A

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
18	2003	960	AC	1920				

TOTALS

960

1920

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

Source: Burnsville Co. Assessor
Date: 9/22/03

Water Resources
Field Services
208 663 4667

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:42:56

PARCEL: RP 03N39E094002 A

F1=SL F4=MH

F10=SW

F14=HO

F17=DD

F23=AG

LEGAL DESCRIPTION

BLANCHARD, VANCE &
BLANCHARD, LESLIE.92 A W1/2 SW1/4 NW1/4,
SEC 9, T 3N, R 39
PARKVIEW-MARLETTE 1982

+

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE 70

EFFDATE 1011992 EXPDATE

PREV PARCEL RP03N39E094002A

731 N 2900 E

ST ANTHONY ID 83445-5514

12206 N 075TH E 83401

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	920	AC	14000				
47	2003			13669				
48	2003			16281				

TOTALS 920 43950

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

Source: Bonneville Co. Assessor
Date: 9/22/03

Water Resources
Field Services
208 663 4667

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:41:50

PARCEL: RP 03N39E087351 A

F9=MS

F17=DD

F23=AG

LEGAL DESCRIPTION

3.343 A S1/2 NE1/4

NE1/4 SE1/4,

SEC 8, T 3N, R 39 (UC)

+

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE RL

LOC CODE

EFFDATE 1012001

EXPDATE

PREV PARCEL

STUCKI, KAY LEROY &

STUCKI, LISA ANNETTE

523-7027 in phone book

11863 N 75TH E

IDAHO FALLS ID 83401

83401

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
1	2003	3343	AC	715				

TOTALS

3343

715

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
 F8=CT F13=TM F18=HS F20=SrcH F22=EU

Source: Bonneville Co. Assessor
 Date: 9/22/03

Water Resources
 Field Services
 208 663 4667

phone call 9/23/03 7 AM 523-7027 - Mr. Stucki
 is still on Milo Water user anoc.

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:38:43

PARCEL: RP 03N39E087215 A

F17=DD

F23=AG

STUCKI, KAY LEROY &
STUCKI, LISA ANNETTE

LEGAL DESCRIPTION

2.391 A NE1/4 NW1/4

NE1/4 SE1/4,

SEC 8, T 3N, R 39 (UC)

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE RL LOC CODE

EFFDATE 1012001 EXPDATE

PREV PARCEL RP03N39E087214T

11863 N 75TH E

IDAHO FALLS ID 83401

83401

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
1	2003	2391	AC	512				

TOTALS

2391

512

ENTER NEXT PARCEL NUMBER RP

A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EUSource: Bonneville Co. AssessorDate: 9/22/03Water Resources
Field Services
208 663 4667

9/22/03

PM0100 - PARCEL MASTER INQUIRY

14:42:05

PARCEL: RP 03N39E087537 A

F17=DD

F23=AG

STUCKI, KAY LEROY &
STUCKI, LISA ANNETTE

LEGAL DESCRIPTION

.958 A E1/2 S1/2 NE1/4 SE1/4,
SEC 8, T 3N, R 39

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 3171998 EXPDATE

PREV PARCEL RP03N39E087536T

11863 N 75TH E

IDAHO FALLS ID 83401

11863 N 075TH E 83401

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	958	AC	11250				

TOTALS

958

11250

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EUSource: Bonneville Co. Assessor
Date: 9/22/03Water Resources
Field Services
208 663 4667

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:41:58

PARCEL: RP 03N39E087344 A

F10=SW

F12=RC F14=HO

F17=DD

F23=AG

LEGAL DESCRIPTION

.55 A NE1/4 NE1/4 SE1/4,
SEC 8, T 3N, R 39

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 12061988 EXPDATE

PREV PARCEL

11983 N 75TH E

IDAHO FALLS ID 83401

11983 N 075TH E 83401

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	550	AC	14000				
34	2003			43200	43200	21600		

TOTALS

550

57200

43200

21600

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EUSource: Bonneville Co. AssessorDate: 9/22/03Water Resources
Field Services
208 663 4667

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:38:08

PARCEL: RP 03N39E082280 A

F10=SW

F12=RC

F23=AG

LEGAL DESCRIPTION

.81 A SE1/4 SE1/4 NE1/4,
SEC 8, T 3N, R 39
SALVAGE VALUE

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 12061988 EXPDATE

PREV PARCEL

BOWLES, CLARISSA H

12191 N 75TH E

IDAHO FALLS ID 83401

12191 N 075TH E 83401

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	810	AC	14000				
34	2003			4000				

TOTALS

810

18000

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

Source:

Bonnerille Co. Assessor

Date:

9/22/03

Water Resources
Field Services
208 663 4667

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:37:57

PARCEL: RP 03N39E082184 A

F10=SW

F12=RC F14=HO

F17=DD

F23=AG

LEGAL DESCRIPTION

1.265 A S1/2 SE1/4 NE1/4,
SEC 8, T 3N, R 39

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 1012001 EXPDATE

PREV PARCEL RP03N39E082095T

12221 N 75TH E

IDAHO FALLS ID 83401

12221 N 075TH E 83401

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	1265	AC	15458				
32	2003			2000				
34	2003			40320	40320	20160		

TOTALS 1265 57778 40320 20160

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EUSource: Bonneville Co. Assessor
Date: 9/22/03Water Resources
Field Services
208 663 4667

9/22/03

PMQ100 - PARCEL MASTER INQUIRY

14:37:55

PARCEL: RP 03N39E082096 A

F17=DD

F24=LD

AVERY, LEO H
% AVERY, HERMANLEGAL DESCRIPTION
2.615 A S1/2 SE1/4 NE1/4,
SEC 8, T 3N, R 39
LAND LOCKED NON-BUILDABLE
ProVal Area Number 1

11333 N 6500 E

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 1012001 EXPDATE

PREV PARCEL RP03N39E082095T

IDAHO FALLS ID 83401

83401

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
18	2003	2615	AC	4746				

TOTALS

2615

4746

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EUSource: Bonneville Co. AssessorDate: 9/22/03Water Resources
Field Services
208 663 4667

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:37:52

PARCEL: RP 03N39E082089 A

F10=SW

F12=RC F14=HO

F23=AG

CB

LEGAL DESCRIPTION

1.24 A SE1/4 SE1/4 NE1/4,
SEC 8, T 3N, R 39

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 12061988 EXPDATE

PREV PARCEL

12259 N 75TH E

IDAHO FALLS ID 83401

12259 N 075TH E 83401

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	1240	AC	15320			14000	
34	2003			74518	74518	37259	74518	

TOTALS		1240		89838	74518	37259	88518	
--------	--	------	--	-------	-------	-------	-------	--

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

Source: Bonneville Co. Assessor
Date: 9/22/03

Water Resources
Field Services
208 663 4667

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:43:14

PARCEL: RP 03N39E094098 A

F10=SW

F12=RC F14=HO
F23=AG

LEGAL DESCRIPTION

2 A SW COR SW1/4 NW1/4,
SEC 9, T 3N, R 39

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 12061988 EXPDATE

PREV PARCEL

12160 N 75TH E

IDAHO FALLS ID 83401

12160 N 075TH E 83401

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	2000	AC	16750				
34	2003			53792	53792	26896		

TOTALS 2000 70542 53792 26896

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EUSource: Bonneville Co. AssessorDate: 9/22/03Water Resources
Field Services
208 663 4667

9/22/03

PMO100 - PARCEL MASTER INQUIRY

14:43:05

PARCEL: RP 03N39E094055 A

MILO WATER ASSOC INC

*

LEGAL DESCRIPTION

13' X 16' S1/2 E1/2

SW1/4 NW1/4,

SEC 9, T 3N, R 39

+

ProVal Area Number 1

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 3111992 EXPDATE

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
81		5	AC					

TOTALS

5

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

Source:

Bonneville Co. Assessor

Date:

9/22/03

Water Resources
Field Services
208 663 4667

9/22/03

PM0100 - PARCEL MASTER INQUIRY

14:42:51

PARCEL: RP 03N39E093954 A F1=SL

F10=SW

F12=RC F14=HO

F17=DD

F23=AG

LEGAL DESCRIPTION

1.1 A W1/2 SW1/4 NW1/4,
SEC 9, T 3N, R 39

ENGSTROM, BEN R

ProVal Area Number 1

12260 N 75TH E

CODE AREA 36-0000 OWNER CD

PARC TYPE LOC CODE

IDAHO FALLS ID 83401

EFFDATE 12061988 EXPDATE

12260 N 075TH E 83401

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	1100	AC	14550				
34	2003			29213	29213	14607		

TOTALS 1100 43763 29213 14607

ENTER NEXT PARCEL NUMBER RP A

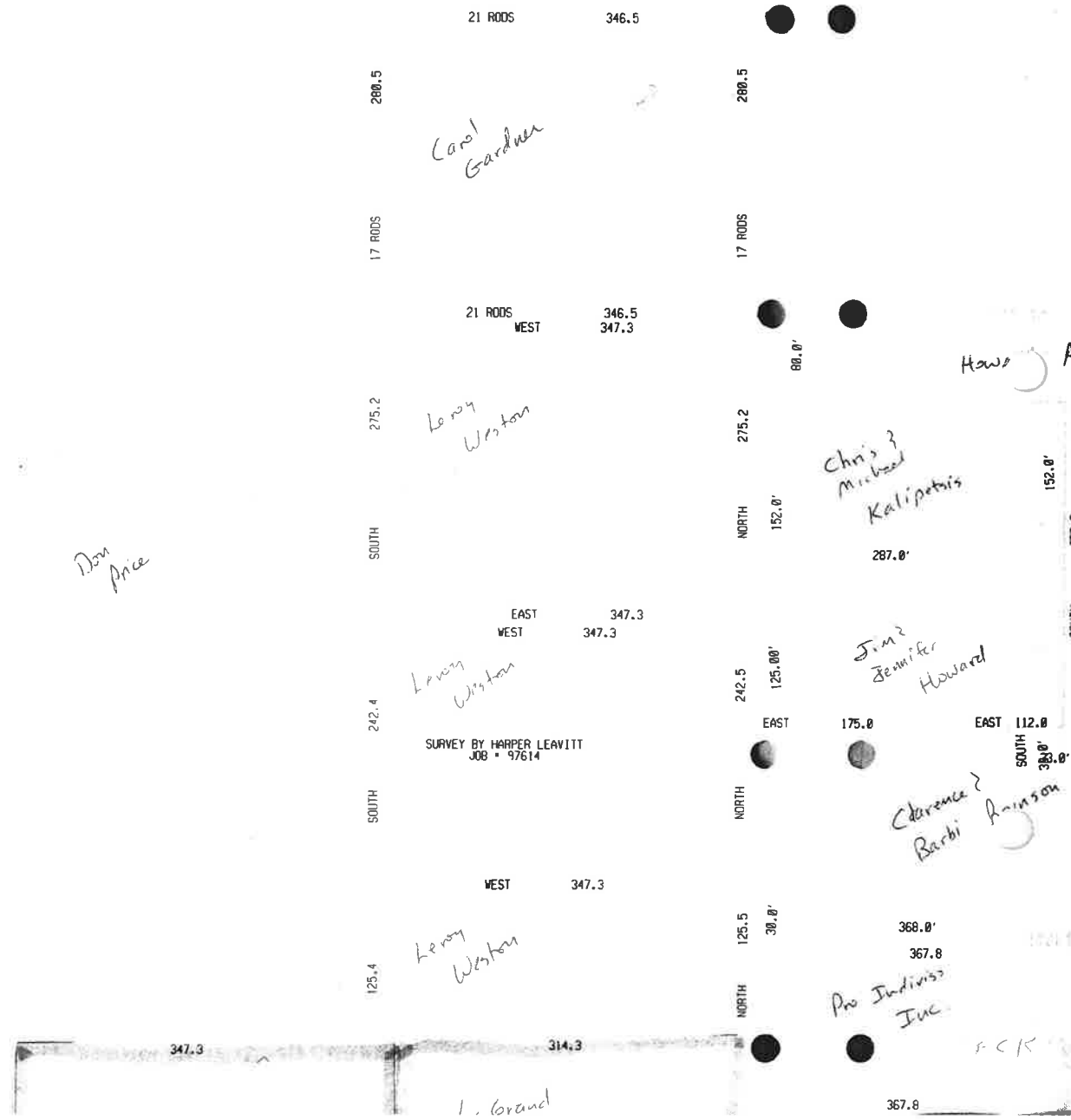
FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

Source: Bonneville Co. Assessor

Date: 9/22/03

Water Resources
Field Services
208 663 4667

OLD MILO TOWNSITE



OLD TONSITE

Leo Avery

BLOCK 1

Don Price

Henry
Weston

LaGrand
Jones

Verna Parish

Clarissa Bowles

LDS church

205 church

Pro Indiviso
Inc.

BECK

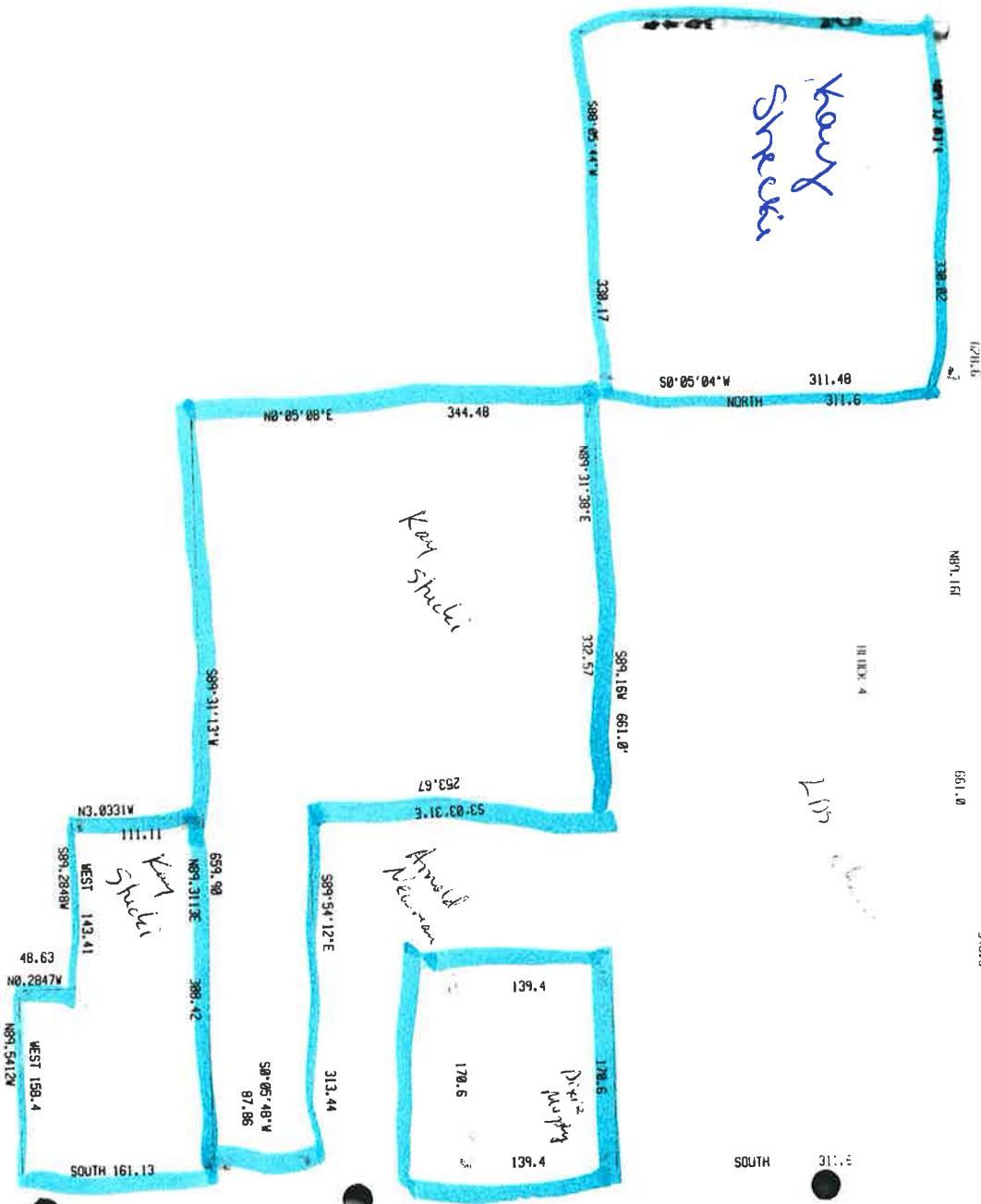
Ben Engstrom

Vance ?
Leslie 358.8
Blanchard

Marvin Terry

Clarence
Barbi Brunson

Don K Price



75 E (MILO ROAD)

Kay Shucki

Kay Shucki

Arnold Newman

Dixie Murphy

Don Price

LDS Church

Milo W 237.0

Steven Terry

Log for claim 25-04266

Spatial Dynamics CAT

12/4/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
03n39e	8	SENE	1	40	Indiscernible
03n39e	8	NESE	1	40	Indiscernible
03n39e	9	SWNW	1	40	POD placement? / Indiscernible
Totals:			3	120	

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MILO WATER ASSOC	10/30/1946	IRRIGATION	04-01 11-01	0.060 CFS	
	C/O BERT MURPHY		DOMESTIC	01-01 12-31	0.110 CFS	
	11983 N 75TH E					
	IDAHO FALLS ID 83401					
	(208) 523-3325			TOTAL DIVERSION:	0.170 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T03N R39E S09 SWSWNW

BONNEVILLE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE					
T	R	S		T	R	S		T	R	S		T	R	S		SUM	
03N	39E	8	:				:				:				:	2.0	
03N	39E	9	:				:				:				:	1.0	
																TOTAL ACRES	3.0

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		
03N	39E	8	:				:				:				:	
03N	39E	9	:				:				:				:	

POU County: BONNEVILLE

Non-Irrigation Uses: D/5 HOMES AND CULINARY WATER IN MILO CHURCH.

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

25-04273 25-07332 25-12787 A25-04273 A25-07332

Other Water Rights Listing Overlapping Place(s) of Use:

A01-00061 A01-00069 A01-00070 A01-00109B A01-00110B A01-00111B A01-00112B A01-00113B A01-00115B A01-00248
A01-00262 A01-00309 A01-10156 A01-10157 A01-10158 A01-10159 A01-10160 A01-10200 A01-10201 A01-10202
A01-10203

Remarks: GEN THE FIVE HOMES AND MILO CHURCH COVERED UNDER THIS NOTICE ARE
IDENTIFIED BY THE FOLLOWING ADDRESSES:
11863 N. 75TH E.
11983 N. 75TH E.
12260 N. 75TH E.
12127 N. 75TH E. (CHURCH)
12191 N. 75TH E.

AJ5809NP
No. A25-04266

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/24/00
PAGE: 108

=====

Remarks: 12227 N. 75TH E.

Dates: Exam Made Date: Verified Date: 03/12/1985 Objection Filed Date:

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

Audit: 08/22/89 CARLSEN 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Milo Water Assoc. c/o Gary Coles

(Name of Claimant)

Rt. 4, Box 204 Rigby, ID

83442

Telephone No. 522-9399

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) October 30, 1946

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Groundwater tributary to

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, af)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>0.11cfs</u>	Use <u>Domestic</u>	Period of Use From <u>1-1</u>	To <u>12-31</u>
Quantity	<u>0.06cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>11-1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
(4)	<u>0.17cfs</u>	TOTAL QUANTITY USED.		

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SW ¼ NW ¼, Sec. 9 Twp. 3N Rge. 39E B.M., County of Bonneville

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Well/pump with lines to six homes.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	39E	9							X1										1
		8				X1								X1					2

No. of acres 3

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

Domestic use for six homes.

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

NOV 10 1932

4/26/91

May 6, 1991

MILO WATER ASSOC
C/O BERT MURPHY
11983 N 75 E
IDAHO FALLS ID 83401

RE: **Evidence of Priority**

Dear Mr. Murphy:

The Notice of Claim identified with the number shown at the end of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.**

Please submit the required evidence supporting the priority date by **June 6, 1991**, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED
NOV 10 1992

Milo Water Assoc

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Ernest Carlsen
Water right Supervisor, Adjudication

EC:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

A25-04266
MILO WATER ASSOC.
C/O BERT MURPHY
11983 N. 75TH. E.
IDAHO FALLS ID 83401

MICROFILMED
NOV 10 1992

Upon default in the payment of any installment of principal or interest due under this, or any other note executed by the maker hereof that may be held by the holder hereof, or upon breach by the maker of any of the provisions contained in the instrument(s) securing this note, or in the maker's loan application and certification, the holder, at its option, may declare the entire indebtedness to be due and payable.

Milo Water Association, Inc.

(Type Name of Applicant)

By

Leo H. Avery
(Signature of Authorizing Official)

Leo H. Avery

President

(Type Title of Executing Officer)

ATTEST:

Grant F. Stucki

Secretary

(Type Title of Attesting Officer)

Route #1, Idaho Falls, Idaho

(Post-Office Address of Applicant)

Bonneville

(County)

FOR FARMERS HOME ADMINISTRATION RECORDS ONLY

Loan No. _____ NOB _____ OB _____

Posted _____

Form FHA-127
(12-23-46)

State Idaho

County Bonneville

Case No. 12-10-18,152

UNITED STATES DEPARTMENT OF AGRICULTURE
FARMERS HOME ADMINISTRATION

WATER FACILITIES PROGRAM
AUTHORIZATION TO DATE NOTE

Date August 18, 1947

Mr. Donald D. Oberle, Area Finance Manager
Farmers Home Administration
U. S. Department of Agriculture

Dear Sir:

You are hereby authorized to date the promissory note which the undersigned borrower signed in connection with a Water Facilities loan, to conform with the date of the first check issued in making the loan.

Very truly yours,

Milo Water Association, Inc.
(Type Name of Applicant)

By Leo H. Avery
(Signature of Authorized Official)

Leo H. Avery
President
(Title of Official Signing)

ATTEST:

Grant F. Stucki
Grant F. Stucki
Secretary
(Title of Attesting Officer)

FILED
OCT 30 1947
6

MICROFILMED

NOV 10 1952

State of Idaho



Department of State

CERTIFICATE OF INCORPORATION

I, IRA H. MASTERS, Secretary of State of the State of Idaho, and legal custodian of the corporation records of the State of Idaho, do hereby certify that the original of the articles of incorporation of

MILO WATER ASSOCIATION, INC.

was filed in the office of the Secretary of State on the 13th day of September A. D. One Thousand Nine Hundred Forty-Six and is duly recorded on Film Roll No. 8 of Record of Domestic Corporations, of the State of Idaho, and that the said articles contain the statement of facts required by Section 29-103 and Sections 29-1001 to 29-1005, inclusive, Idaho Code, Annotated.

I FURTHER CERTIFY, That the persons executing the articles and their associates and successors are hereby constituted a corporation, by the name hereinbefore stated, for 50 years' existence from the date hereof, with its registered office in this State located at Milo in the County of Bonneville and as such are subject to the rights, privileges and limitations granted to Non-Profit Cooperative Associations, as provided in Chapter 10, Title 29, Idaho Code, Annotated.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed

the Great Seal of the State. Done at Boise, the Capital of Idaho, this 16th day of September, in the year of our Lord one thousand nine hundred forty-six, and of the Independence of the United States of America the One Hundred Seventy-First

Secretary of State.

NON-PROFIT COOPERATIVE ASSOCIATIONS

4 - Idaho

<u>NAME</u>	<u>ADDRESS</u>
<u>Leo H. Avery</u>	<u>Route #1, Idaho Falls, Idaho</u>
<u>Grant F. Stucki</u>	<u>Route #1, Idaho Falls, Idaho</u>
<u>Lewis R. Bird</u>	<u>Route #1, Idaho Falls, Idaho</u>
<u>Ivon A. Elder</u>	<u>Route #1, Idaho Falls, Idaho</u>
<u>Arnold A. Newman</u>	<u>Route #1, Idaho Falls, Idaho</u>

IN WITNESS WHEREOF, we, the incorporators, and named herein as
the first board of directors, have set our hands and seals this
12 day of September, 1946.

Leo H. Avery (SEAL)
Grant F. Stucki (SEAL)
Lewis R. Bird (SEAL)
Ivon A. Elder (SEAL)
Arnold A. Newman (SEAL)

STATE OF IDAHO

COUNTY OF Bornmire ss:

BE IT REMEMBERED, that on this 12 day of September,
1946, personally appeared before me, a Notary Public in and for the
State of Idaho, all of the parties to the foregoing Articles of
Incorporation, known to me personally to be such and severally acknow-
ledged said Articles of Incorporation to be the act and deed of the
signers, respectively, and that the facts therein stated are truly
set forth.

Given under my hand and seal of office the day and year aforesaid.

Paul M. Madsen
Notary Public in and for the
State of Idaho
My Commission expires: May 1, 1947

State of Idaho



Department of State

CERTIFICATE OF INCORPORATION

I, IRA H. MASTERS, Secretary of State of the State of Idaho, and legal custodian of the corporation records of the State of Idaho, do hereby certify that the original of the articles of incorporation of

MILO WATER ASSOCIATION, INC.

was filed in the office of the Secretary of State on the **13th** day of **September** A. D. One Thousand Nine Hundred **Forty-Six** and is duly recorded on Film Roll No. **8** of Record of Domestic Corporations, of the State of Idaho, and that the said articles contain the statement of facts required by Section 29-103 and Sections 29-1001 to 29-1005, inclusive, Idaho Code, Annotated.

I FURTHER CERTIFY, That the persons executing the articles and their associates and successors are hereby constituted a corporation, by the name hereinbefore stated, for **50 years' existence** from the date hereof, with its registered office in this State located at **Milo** in the County of **Bonneville** and as such are subject to the rights, privileges and limitations granted to Non-Profit Cooperative Associations, as provided in Chapter 10, Title 29, Idaho Code, Annotated.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed

the Great Seal of the State. Done at Boise, the Capital of Idaho, this **16th** day of **September**, in the year of our Lord one thousand nine hundred **forty-six**, and of the Independence of the United States of America the One Hundred **Seventy-First**.

Secretary of State.

IDAHO TITLE AND TRUST COMPANY

INEZ M. SKINNER, widow, and
JAMES R. MUIR and his wife, GLADYS MUIR,
Mortgagors,

~~Grantors~~

TO

UTAH MORTGAGE LOAN CORPORATION,
Mortgagee,

~~X~~Grantees

Instrument— Mortgage.

Date— August 17th, 1942.

Recorded— October 10th, 1942, at 9:22 A.M.

Book 48 of Mortgages Page 178
Records of Bonneville County, Idaho

Transcribed from Book
Records of County, Idaho

Consideration— \$262.00

Date of Acknowledgment— September 2nd, 1942, as to James R. Muir and wife, Gladys Muir,
Name and Title of Officer— Viola B. Hutton, Notary Public, for Salt Lake County, Utah,
Address of Officer— Salt Lake City, Utah,
Official Seal Attached? Yes.
Is Wife Separately Examined? Acknowledgment as to Inez M. Skinner, widow, on
Granting Words— August 28th, 1942, before S. E. Matthews, Notary
Covenants— Public, for Caribou County, Idaho, residing at
Conditions, Limitations and Recitals— Soda Springs, Idaho. Seal attached.

Description and Remarks

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13, Lots 3, 4, the
SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of Section 14, and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of
Section 24, all in Township 4 South of Range 43 East of the Boise
Meridian, in Bonneville County, Idaho.

Together with any and all water rights and irrigating ditches thereto
belonging or in anywise appertaining, and especially including all of the
waters of North Eagle Creek as represented by water location made by
Albert Dewey, dated February 6, 1888, recorded February 20, 1888, in Book
"D" of Water Locations, page 13, of the records of Bonneville County,
State of Idaho, said water filing covering all waters of North Eagle
Creek.

Subject to a prior mortgage in the amount of \$3700.00, made to the
above Mortgagee, by the above mortgagors, on the above named date.

MICROFILMED

-2-

NOV 10 1952

IDAHO TITLE AND TRUST COMPANY

UTAH MORTGAGE LOAN CORPORATION

By Frederick P. Champ, President,
Franklin D. Richards, Secretary,
Corporate Seal,

Grantors

TO

INEZ H. SKINNER, a widow,
and
JAMES R. MUIR and GLADYS MUIR, his wife,

Grantees

Instrument— Release of Mortgages,

Date— July 8th, 1949.

Recorded— August 10th, 1949, at 11:23 A.M.

Book 27 of Releases Page 240
Records of Bonneville County, Idaho

Transcribed from Book Page
Records of County, Idaho

Consideration— Fully paid.

Date of Acknowledgment— July 8th, 1949,
Name and Title of Officer— Lucille R. Hillyard, Notary Public, for Cache County, Utah,
Address of Officer— Logan, Utah,
Official Seal Attached? Yes,
Is Wife Separately Examined?
Granting Words—
Covenants—
Conditions, Limitations and Recitals—

Description and Remarks

Releases that certain Mortgage recorded in Book 48 of
Mortgages, page 277 of the records of Bonneville County, Idaho.

(Mortgage not shown in Supplemental Abstract.)

Also Releases that certain Mortgage recorded in Book 48 of
Mortgages, page 178 of the records of Bonneville County, Idaho.

Shown at No. 2.

MICROFILMED
NOV 10 1992

IDAHO TITLE AND TRUST COMPANY

JAMES R. MUIR and GLADYS MUIR,
his wife,

Grantors

TO

INEZ M. SKINNER, a widow,

Grantees

Instrument— Warranty Deed.

Date— October 3, 1942,

Recorded— June 9th, 1950, at 2:46 P.M.

Book 72 of Deeds Page 131
Records of Bonneville County, Idaho

Transcribed from Book Page
Records of County, Idaho

Consideration— \$10.00 and O. V. C.
No I. R. S. Attached.

Date of Acknowledgment— October 3, 1942,
Name and Title of Officer— Charles O. Dunn, Notary Public, for Cache County, Utah,
Address of Officer— Logan, Utah,
Official Seal Attached? Yes,
Is Wife Separately Examined?
Granting Words— Grant, bargain, sell, convey, and confirm.
Covenants— Warranty and defend.
Conditions, Limitations and Recitals—

Description and Remarks

Conveys: The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13; Lots 3, 4; the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of Section 14, and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 24, all in Township 4 South, Range 43 East of the Boise Meridian, in Bonneville County, Idaho.

Together with any and all water rights and irrigating ditches thereto belonging or in anywise appertaining, and especially including all of the waters of North Eagle Creek as represented by water location made by Albert Dewey, dated February 6, 1888, recorded February 20, 1888, in Book "D" of Water Locations, page 13 of the records of Bonneville County, Idaho, said water filing covering all waters of North Eagle Creek.

MICROFILMED
NOV 10 1982

IDAHO TITLE AND TRUST COMPANY

JOHN E. MUIR and INEZ S. MUIR (Sometimes known as INEZ M. SKINNER MUIR, formerly INEZ M. SKINNER, a widow)
 husband and wife,
 Mortgagors

~~XXXXXX~~
 Grantors

TO

JOHN W. LAURITSON or VIOLA LAURITSON,
 or the survivor thereof.
 Mortgagee,

~~XXXXXX~~
 Grantees

Instrument— Mortgage.

Date— February 1st, 1954.

Recorded— February 13, 1954, at 11:05 A.M.

Book 96 of Mortgages Page 47
 Records of Bonneville County, Idaho

Transcribed from Book Page
 Records of County, Idaho

Consideration— \$10,600.00

Date of Acknowledgment— February 5, 1954.
 Name and Title of Officer— S. E. Matthews, Notary Public, for Caribou County, Idaho,
 Address of Officer— Soda Springs, Idaho,
 Official Seal Attached? Yes,
 Is Wife Separately Examined?
 Granting Words— Due as follows: \$500.00 on Feb. 1st, 1955, 1956, 1957,
 Covenants— 1958, 1959, 1960, 1961, 1962, 1963, and \$6,100.00 on
 Conditions, Limitations and Recitals— February 1st, 1964. The privilege to pay multiples
 of \$500.00 to account principal on any interest paying date
 is hereby granted.

Description and Remarks

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 13; Lots 3 and 4, the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the SE $\frac{1}{4}$ of Section 14; and the N $\frac{1}{2}$ of the NW $\frac{1}{4}$ of Section 24, all in Township 4 South of Range 43 East of the Boise Meridian, in Bonneville County, Idaho; together with any and all water rights and irrigating ditches thereto belonging or in anywise appertaining, and especially including all of the waters of North Eagle Creek as represented by water location made by Albert Dewey, dated February 6, 1888, recorded February 20, 1888, in Book "D" of Water Locations, page 13 of the records of Bonneville County, State of Idaho, said Water filing covering all waters of North Eagle Creek.

(and property in Caribou County, Idaho,)

MICROFILMED

NOV 10 1992

IDAHO TITLE AND TRUST COMPANY

Certificate of Abstracter

No. 11,094.

STATE OF IDAHO }
County of Bonneville } ss.

Idaho Title and Trust Company, Abstracters of Titles in and for said County, does hereby certify that the foregoing ^{Supplemental} Abstract, consisting of -6- entries, numbered from -1- to -6- inclusive, sets forth a true and correct abstract of the records in the office of the County Recorder of Bonneville County, Idaho, which in any way affect the title to the property described in the caption of this abstract. to-wit: NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 13; Lots 3 and 4, and SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 14; N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 24, all in Township 4 South, Range 43 East of the Boise Meridian, in Bonneville County, Idaho.
SUBSEQUENT TO: September 8th, 1942 at 5:00 P.M.

We further certify that there are no judgements or other liens of record in the office of the Recorder or Clerk of the District Court of said County, which are a lien against the said lands described in caption of this abstract, except as herein shown. Further, that there are no taxes due and unpaid upon the lands described in the caption of this abstract at the date hereof, except:

As shown herein.

~~Further, that there are no special assessments by the City of Idaho Falls, Idaho, against the property described in the caption of this Abstract, at the date hereof, appearing of record in the office of the County Treasurer of Bonneville County, Idaho, or in the office of the Clerk or Treasurer of the City of Idaho Falls, Idaho, except:~~

This certificate is made to JOHN W. LAURITSON or VIOLA LAURITSON, or the survivor thereof at the request of S. E. Matthews.
Witness our hands this 13th day of February, 1954, at 11:05 o'clock A.M.

IDAHO TITLE AND TRUST COMPANY

By

Stanley E. Lagon
Vice-President

MICROFILMED

NOV 10 1954

CAPTION



Abstract of Title

PREPARED BY
THE BONNEVILLE ABSTRACT CO. LTD.

Idaho Falls, Idaho.

The following described Real Estate

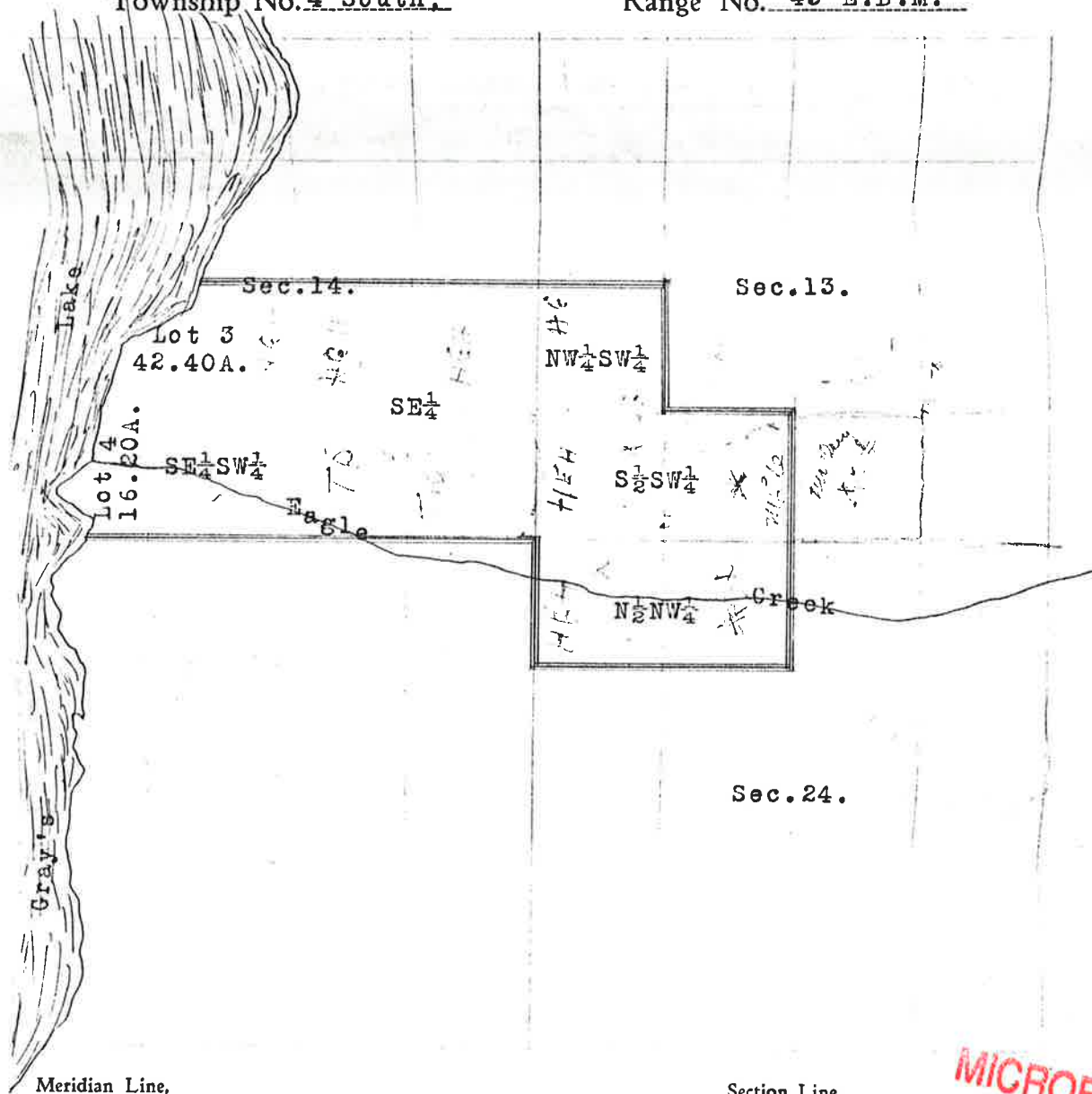
The Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$) and the South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section Thirteen (13), Lots Three (3), Four (4), the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$), and the Southeast Quarter ($SE\frac{1}{4}$) of Section Fourteen (14), and the North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section Twenty-four (24), all in Township Four (4) South, of Range Forty-three (43) East of the Boise Meridian, in Bonneville County, Idaho.

oooooooooooooooooooo

MICROFILMED
NOV 10 1992

Township No. 4 South.

Range No. 43 E.B.M.



Meridian Line,

Base Line,

Standard Line,

Township Lines,

Section Line,

Meander Lines,

Office Work,

Ranch Lines Re-Survey,

MICROFILMED
NOV 1 U 1992

No. 0-

CAPTION No. 3842-



Abstract of Title

PREPARED BY
THE BONNEVILLE ABSTRACT CO. LTD.

Idaho Falls, Idaho.

The following described Real Estate

The Northeast Quarter of the Southwest Quarter ($NE\frac{1}{4} SW\frac{1}{4}$), the North Half of the Southeast Quarter ($N\frac{1}{2} SE\frac{1}{4}$) of Section Fourteen (14), the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4} SW\frac{1}{4}$) and the South Half of the Southwest Quarter ($S\frac{1}{2} SW\frac{1}{4}$) of Section Thirteen (13), the North Half of the Northwest Quarter ($N\frac{1}{2} NW\frac{1}{4}$) of Section Twenty-four (24), all in Township Four (4) South of Range Forty-three (43) East of the Boise Meridian, containing 320 Acres, more or less.

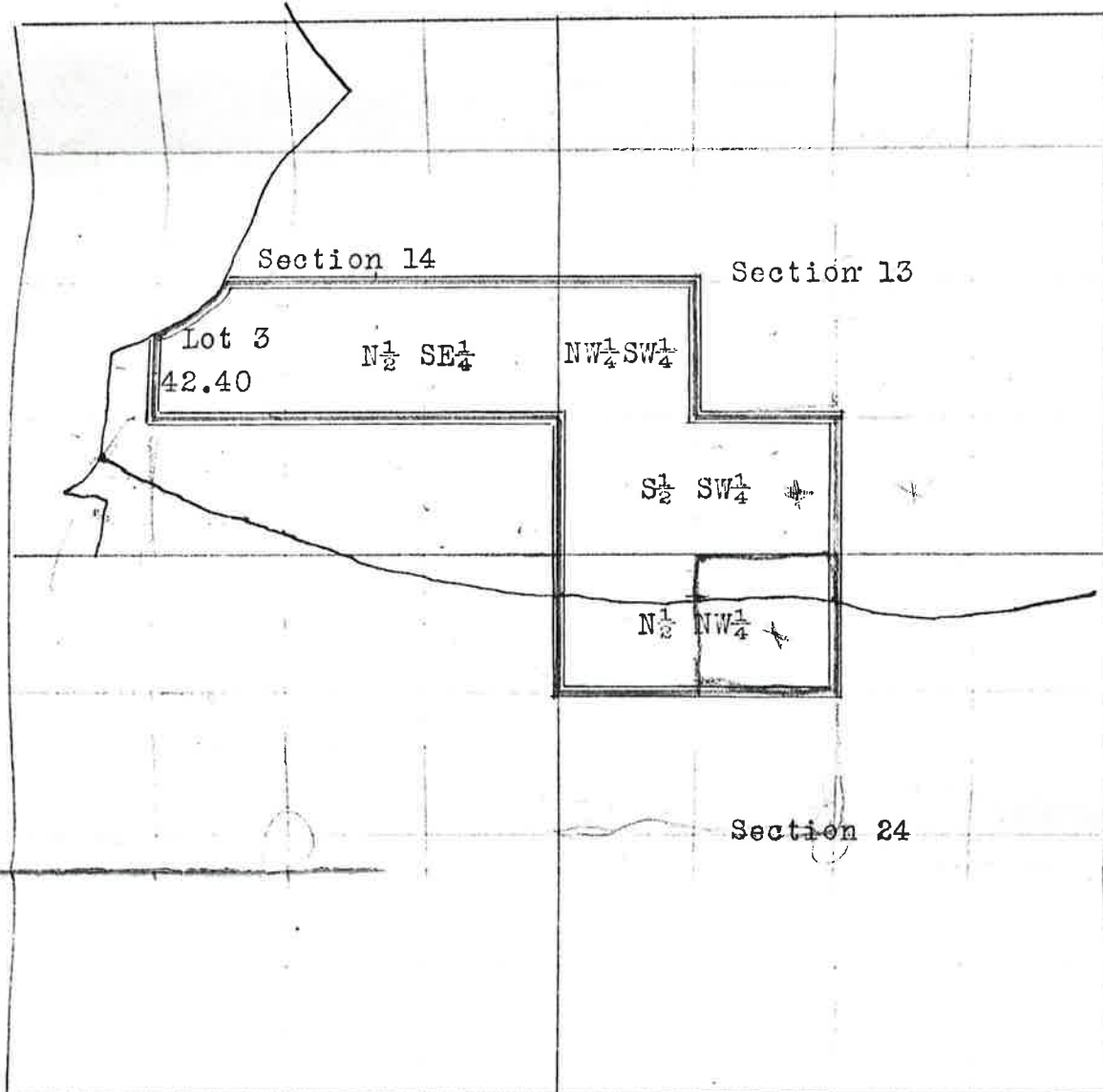
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MICROFILMED
NOV 10 1992

No. $\frac{1}{2}$

Township No. 4 South

Range No. 43 E.B.M.



Meridian Line,

Base Line,

Standard Line,

Township Lines,

Section Line,

Meander Lines,

Office Work,

Ranch Lines Re-Survey,

MICROFILMED

NOV 10 1992

THE UNITED STATES OF AMERICA.

Grantors

TO

Maria L. Dewey.

Grantees

Character of Instrument FINAL RECEIPT.
 Date of Instrument July 26th, 1902-
 Date of Record Oct. 4th, 1902 at 9:00 A.M.
 Book "V" of Deeds at Page 469-
 Records of Bonneville County, State of Idaho.
 Consideration, \$ 4.50

NO- Acknowledgement:

Date . acknowledged before

in and for County, State of

Is official seal attached?

Is the acknowledgement regular?

Does wife duly acknowledge on examination without the hearing of
her husband? Issued by the

U. S. Land Office.

Does wife join throughout instrument?

Is instrument sealed?

Name of witness

Granting Words

Covenants, if any

Are there any conditions, limitations or recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

Acknowledges receipt of the final payment on SW 1/4 of
 SE 1/4; SE 1/4 of SW 1/4 of section 13, NE 1/4 NW 1/4
 of section 24, Township 4 South of Range 43 E. B. M.,
 containing 120 Acres, more or less.

MICROFILMED
 NOV 1 U 1992

2-

The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Maria L. Dewey, a widow.

Grantors

TO

Theodore Dewey.

Grantees

Character of Instrument **WARRANTY DEED.**
 Date of Instrument **July 26th, 1902-**
 Date of Record **October 3rd, 1902-11:10 A.M**
 Book **#3** of Deeds at Page **518-**
 Records of Bonneville County, State of Idaho.
 Consideration, \$ **2.00**

Acknowledgement:

Date **July 26th, 1902-** acknowledged before
Jno. W. Jones, a notary public-
 in and for **Bingham** County, State of Idaho
 Is official seal attached? **yes-**
 Is the acknowledgement regular? **yes-**
 Does wife duly acknowledge on examination without the hearing of
 her husband? **.....**

Is wife join throughout instrument? **.....**
 Name of witness **Jno. W. Jones.**

Is instrument sealed?

Granting Words **grant, bargain, sell, convey and confirm-**
 covenants, if any **warrant and defend-**
 there any conditions, limitations or recitals?

there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

conveys the SW 1/4 of the SE 1/4 and the SE 1/4 of the
 SW 1/4 of section 13 and the NE 1/4 of the NW 1/4 of sec-
 tion 24 in Township 4 South of Range 43 E. B. M., con-
 taining 120 Acres.

MICROFILMED
NOV 10 1992

No.

3-

The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Maria L. Dewey, widow.

Grantors

TO

Theodore Dewey.

Grantees

Character of Instrument WARRANTY DEED.

Date of Instrument July 26th, 1902-

Date of Record Oct. 3rd, 1902 at 11:10 A.M.

Book "Y" of Deeds at Page 518-

Records of Bonneville County, State of Idaho.

Consideration, \$ 2.00 and O. V. C.

Acknowledgement:

Date July 26th, 1902- . acknowledged before
John W. Jones, a Notary public-

in and for Bingham County, State of Idaho

Is official seal attached? Yes-

Is the acknowledgement regular? Yes-

Does wife duly acknowledge on examination without the hearing of
her husband?

Does wife join throughout instrument?

Is instrument sealed? yes-

Name of witness J. W. Jones-

Granting Words grant, bargain, sell, convey and confirm-

Covenants, if any warrant and defend-

Are there any conditions, limitations or recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

conveys the SW 1/4 of the SE 1/4, the SE 1/4 of SW 1/4
of section 13, NE 1/4 of NW 1/4 of section 24, Township
4 south, Range 43 E. B. M., containing 120 Acres, more
or less.

MICROFILMED
NOV 10 1992

4-

The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Albert Dewey-

Character of Instrument WATER LOCATION.
 Date of Instrument February 6th, 1888-
 Date of Record February 20th, 1888 at 4:PM
 Book "B" of Water Location Page 131-
 Records of Bonneville County, State of Idaho.
 Consideration, \$

Grantors

TO

whom concerned.

Grantees

NO- Acknowledgement:

Date , acknowledged before

in and for County, State of

Is official seal attached?

Is the acknowledgement regular?

Does wife duly acknowledge on examination without the hearing of her husband?

Does wife join throughout instrument?
 Name of witness

Is instrument sealed?

Granting Words
 Covenants, if any
 Are there any conditions, limitations or recitals?
 Are there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

Notice is hereby given that the undersigned a citizen of the United States, hereby claims and appropriates all the water of what is known as the North Eagle Creek in John Pay's valley near the foot of the Cariboo Mountain in Bingham County, Idaho Territory. said appropriation is made by means of a dam thrown across said creek about 40 rods in an easterly direction from the cabin and improvements of the undersigned on his desert entry and the waters of said creek diverted and conveyed by means of a ditch of the following dimensions, to-wit: four feet wide in the bottom, five feet wide on top, two feet deep, with a fall common to the lay of the land; to the lands in sections 11, 13, 24 and 33 in Township 4 south of Range 44 E. B. Meridian, for agricultural purposes.

RECORDED
 NOV 10 1892

5- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

Albert Dewey-

Grantors

TO

Theodore Dewey.

Grantees

Character of Instrument WARRANTY DEED.
Date of Instrument December 21st, 1896-
Date of Record Dec. 23, 1896 at 9:10 AM
Book "U" of Deeds at Page 311-
Records of Bonneville County, State of Idaho.
Consideration, \$ 1.00
Transcribed from book "S" page 408-
records of Bingham county- Idaho.

Acknowledgement:

Date December 21st, 1896- . acknowledged before
Wm. M. Lacey, a justice of peace-
in and for Bingham County, State of Idaho
Is official seal attached? yes-
Is the acknowledgement regular? yes-
Does wife duly acknowledge on examination without the hearing of
her husband?

Does wife join throughout instrument? Is instrument sealed?
Name of witness Wm. Lewis, Lester Decker-

Granting Words grant, bargain, sell, convey and confirm-
Covenants, if any warrant and defend-
Are there any conditions, limitations or recitals?

Are there any irregularities or defects? Not stated whether grantor is single or married.

DESCRIPTION: Lands in Bonneville County, State of Idaho.

conveys 120 miners inches of the water of North Eagle
creek in Bingham county, Idaho, claimed by first party
and recorded in book "B" water locations page 131.

MICROFILMED
NOV 10 1934

Theodore dewey, single.

Grantors

TO

wallace hunter stocks.

Grantees

Character of Instrument WARRANTY DEED.

Date of Instrument Oct. 1st, 1902-

Date of Record Oct. 3rd, 1902 at 11:15 AM

Book "Y" of Deeds at Page 519-

Records of Bonneville County, State of Idaho.

Consideration, \$ 1.00

Acknowledgement:

Date Oct. 1st, 1902- , acknowledged before

John Frebauer, a notary public

in and for Bannock County, State of Idaho.

Is official seal attached? yes-

Is the acknowledgement regular? yes-

Does wife duly acknowledge on examination without the hearing of
her husband?

Does wife join throughout instrument?

Is instrument sealed?

Name of witness S. H. Winters, John Frebauer-

Granting Words grant, bargain, sell, convey and confirm-

Covenants, if any warrant and defend-

Are there any conditions, limitations or recitals?

Are there any irregularities or defects?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

SW 1/4 of SE 1/4, SE 1/4 of SW 1/4 of section 13, NE 1/4
 of NW 1/4 section 24, Township 4 South of Range 43 East
 Boise Meridian, containing 120 Acres, more or less.

MICROFILMED
 NOV 10 1992

No. 7- The Bonneville Abstract Company, Ltd., Idaho Falls, Idaho

wallace hunter stocks, single.

Grantors

TO

The American Mortgage Company
of Scotland, Limited.

Grantees

Character of Instrument MORTGAGE.

Date of Instrument September 29th, 1902-

Date of Record Oct. 3, 1902 at 11:20 AM

Book "P" of Mortgages at Page 116-

Records of Bonneville County, State of Idaho.

Consideration, \$ 600.00

Acknowledgement:

Date October 1st, 1902- , acknowledged before

John Perebauer, a Notary public

in and for Bannock County, State of Idaho

Is official seal attached? yes-

Is the acknowledgement regular? yes-

Does wife duly acknowledge on examination without the hearing of
her husband?

What is the date of Maturity? Oct. 1st, 1905
When is the Interest Payable?

Rate of Interest? 9%
Where Principal and Interest Payable?

DESCRIPTION: Lands in Bonneville County, State of Idaho.

conveys the SW 1/4 of SE 1/4 and SE 1/4 of SW 1/4 section
13, and NE 1/4 of NW 1/4 of section 24, Township 4 south,
Range 43 E. B. M. containing 120 Acres, more or less, to-
gether with all ditch and water rights, especially from
Eagle creek.

If released on margin of records, give VERBATIM COPY OF RELEASE

R

MICROFILMED
NOV 10 1992

James R. Muir and Gladys Muir,
his wife,

Grantor

To

Union Bond and Finance Company, a
Utah Corporation,

Grantee

Character of Instrument Assignment
Date December 1, 1931
Recorded April 19, 1932 at 9:06 A.M.
Book #5 of Assignment at Page 60
Records of Bonneville County, Idaho
Transcribed from Book xx Page
Records of Bingham County, Idaho
Consideration \$1.00 & O.V.C.

Subscribed and ~~Acknowledgment~~
sworn to:
Date December 1, 1931.
Before J. O. Stone, Notary Public
In and for xx County, State of xx
Residence Salt Lake City, Utah
Is Official Seal Affixed? yes
Is Acknowledgment regular? yes
Does Acknowledgment show separate examination of
wife? xx

Granting words.

Covenants.

Does wife join throughout instrument?

Are there any irregularities or defects?

Are there any conditions, limitations or recitals?

IN CONSIDERATION of One Dollar, cash in hand paid the undersigned, receipt of which is hereby acknowledged, and other good and valuable consideration WE, the undersigned, hereby assign, transfer and set-over to UNION BOND AND FINANCE COMPANY, a Utah Corporation, of Salt Lake City, Utah, all our right, title and interest in and to a certain contract, c agreement, dated May 1st, 1931, executed at Soda Springs, Idaho, between J. R. Muir and Gladys Muir, his wife, of Salt Lake City, Utah, as parties of the first part and J. A. Trimble and Edna Trimble, his wife, as parties of the second part, wherein the parties of the first part convey to the parties of the second part a parcel of land (together with water-right etc.) partially described as follows: The North half of the Northwest quarter of Section Twenty-four; the West half of the Southwest quarter, the Southeast quarter of the Southwest quarter of Section Thirteen; the North half of the Southeast quarter, the etc. --- for the sum of \$629 etc.--- as set forth in said contract or agreement.

This assignment is given to the Union Bond and Finance Company as additional security for the payment of a certain promissory note, date Dec. 1st 1931, in the amount of One Thousand Dollars, signed by James Muir and Gladys Muir, his wife, in favor of the Union Bond and Finance Company.

If said note is paid in full as stipulated in the terms of the said

-2-

note, together with all interest and any other charges that may accrue, then this agreement shall be returned to the makers, together with the contract dated May 1st, 1931 mentioned above.

To Recorder,
Bonneville Co.,
Idaho Falls, Idaho

Dear Sir:

The following is a complete described of the property partially described in the enclosed and attached assignment:

-----all those certain lots, pieces or parcels of land, situate, lying and being in the county of Bonneville and State of Idaho, and bounded and particularly described as follows, to-wit: The North half of the Northwest quarter of Section Twenty four; the West half of the Southwest quarter, the Southeast quarter of the Southwest Quarter of Section Thirteen; the North half of the Southeast quarter, the Northeast Quarter of the southwest quarter, Lot three, the Southeast quarter of the Southwest quarter, the South half of the of the Southeast quarter and lot Four of Section Fourteen. All in Township four south of Range Forty-three east of the Boise Meridian, in Idaho, together with all ditch and water rights of every nature and kind, however evidenced, used on said lands and premises, or belonging to the same; It being mutually understood and agreed by and between the parties hereto that said water rights consist of all the waters of North Eagle Creek, and if, at the completion of the terms of this contract, by no act or omission on the part of the second parties herein, any of the waters of said North Eagle Creek shall have been decreed to any other lands than the lands herein described, then and in that event a rebate shall be made under this contract by the parties of the first part to the parties of the second part on the basis of Two and 50/100 Dollars for each inch of water that may have been decreed to lands other than the lands as are herein described; for the sum of Sixty-Two Hundred Ninety-four and 55/100 Dollars ----- etc.

Yours very truly,

Union Bond and Finance Company,

By J. R. McDonnell, Secy.

MICROFILMED
NOV 1 U 1992

Continuation of Abstract of Title
The Bonneville Abstract Company, Idaho Falls, Idaho

James R. Muir,

Grantor

To

Gladys Muir,

Grantee

Character of Instrument Quitclaim Deed

Date November 12, 1932

Recorded November 26, 1932 at 11:12 A.M.

Book #33 of Deeds at Page 157

Records of Bonneville County, Idaho

Transcribed from Book xx Page

Records of Bingham County, Idaho

Consideration \$10.00 & O.V.C.

Acknowledgment

Date November 12, 1932

Before Irwin Mrnovitz, Notary Public

In and for Salt Lake County, State of Utah

Residence Salt Lake City, Utah

Is Official Seal Affixed? yes

Is Acknowledgment regular? yes

Does Acknowledgment show separate examination of
wife? xx

Granting words. Quitclaims and conveys

Covenants. xx

Does wife join throughout instrument? xx

Are there any irregularities or defects? xx

Are there any conditions, limitations or recitals?

Conveys: The North half of the Northwest Quarter ($N\frac{1}{2}$ -NW $\frac{1}{4}$) of Section twenty-four (24); the West half of the Southwest quarter ($W\frac{1}{2}$ -SW $\frac{1}{4}$) the Southeast quarter of the Southwest quarter ($SE\frac{1}{4}$ -SW $\frac{1}{4}$) of Section thirteen (13), the North half of the Southeast quarter ($N\frac{1}{2}$ SE $\frac{1}{4}$) the Northeast quarter of the Southwest Quarter ($NE\frac{1}{4}$ -SW $\frac{1}{4}$), Lot three (3), the South-quarter ($S\frac{1}{2}$ -SE $\frac{1}{4}$) and Lot four (4) of Section fourteen (14), all in Township four (4) South of Range Forty-three (43) East of the Boise Meridian, in Idaho, together with all ditch and water rights of every nature and kind, however evidenced, used on said lands and premises, or belonging to the same; it being mutually understood and agreed by and between the parties hereto that said water rights consist of all the waters of North Eagle Creek and if, at the completion of the terms of this contract by no act or omission on the part of the second part herein, any of the waters of said North Eagle Creek have been decreed to any other lands than the lands herein described then and in that event a rebate shall be made under this contract to the party of the second part on the basis of \$2.50 for each inch of water that may have been decreed to lands other than those as are herein described.

(Also other property not included in the caption of this abstract.)

John A. Trimble and Edna Trimble,
his wife,

Grantor

To.

James R. Muir,

Grantee

Character of Instrument Quitclaim Deed

Date April ..., 1933

Recorded March 5, 1934 at 12:00 N.

Book #31 of Deeds at Page 446

Records of Bonneville County, Idaho

Transcribed from Book xx Page

Records of Bingham County, Idaho

Consideration \$1.00

Acknowledgment

Date April 18, 1933

Before John P. Madsen, Justice of Peace

In and for Bonneville County, State of Idaho

Residence Gray, Idaho

Is Official Seal Affixed? no seal

Is Acknowledgment regular? yes

Does Acknowledgment show separate examination of
wife? xx

Granting words. Demise, release and forever quitclaim
Covenants. To have and to hold

Does wife join throughout instrument? yes

Are there any irregularities or defects? xx

Are there any conditions, limitations or recitals?

Conveys: The North half of the Northwest quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section Twenty-four (24); and the West half of the Southwest quarter ($W\frac{1}{2}SW\frac{1}{4}$), the Southeast quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section Thirteen (13); the North half of the Southeast quarter ($N\frac{1}{2}SE\frac{1}{4}$), the Northeast quarter of the Southwest quarter ($NE\frac{1}{4}SW\frac{1}{4}$), Lots Three (3), the Southeast quarter of the Southwest quarter ($SE\frac{1}{4}SW\frac{1}{4}$), The South half of the Southeast quarter ($S\frac{1}{2}SE\frac{1}{4}$) and Lot Four (4) of Section Fourteen (14), all in Township Four (4) South of Range Forty-three (43) East of the Boise Meridian, in Idaho.

Together with all ditch and water rights of every nature and kind, however evidenced, used on said lands and premises, or belonging to the same.

MICROFILMED
NOV 10 1992

Inez M. Skinner, widow, and
James R. Muir and wife, Gladys
Muir,

Mortgagor.

TO

Utah Mortgage Loan Corporation,
a corporation,

Mortgagee.

Character of Instrument Mortgage

Date August 17, 1942

Recorded September 8, 1942 at 9:45 A.M.

Book #48 of Mortgages Page 277

Records of Bonneville County, Idaho.

Transcribed from Book xx Page

Records of Bingham County, Idaho

Consideration \$3700.00

Inez M. Skinner
widow: *Acknowledgment*

Date August 28, 1942

Before S. E. Matthews, Notary Public

In and for Caribou County, State of Idaho

Residence Soda Springs, Idaho

Is Official Seal Affixed? yes

Is Acknowledgment regular? yes

Does Acknowledgment show separate examination
of wife? xx

\$400.00 due Oct. 1, 1943, \$400.00 due Oct. 1 of each year thereafter,
Date of Maturity final payment due Oct. 1, 1949
Rate of Interest $4\frac{1}{2}\%$ per annum
Where Payable Utah Mortgage Loan Corp. office, Logan City, Utah
When is Interest payable? semi-annually
Optional \$300.00 or any multiple thereof may be paid Oct. 1, 1943 or
on Oct. 1, each year thereafter

James R. Muir and wife, Gladys Muir, acknowledge September 2, 1942 before
Viola B. Hutton, Notary Public, in and for Salt Lake County, State of
Utah, residing at Salt Lake City, Utah. Seal affixed; ack: regular.

Conveys: The northwest quarter of the southwest quarter
and the south half of the southwest quarter of section 13,
lots 3, 4, the southeast quarter of the southwest quarter
and the southeast quarter of section 14, and the north half
of the northwest quarter of section 24, all in township 4
south of range 43 east of the Boise Meridian, in Bonneville
County, Idaho.

Together with any and all water rights and irrigating ditches
thereto belonging or in anywise appertaining, and especially
including all of the waters of North Eagle Creek as represent-
ed by water location made by Albert Dewey, dated February 6,
1888, recorded February 20, 1888 in book "D" of Water Locations
page 13 of the records of Bonneville County, State of Idaho,
said water filing covering all waters of North Eagle Creek.

Certificate of Abstracter

STATE OF IDAHO,
BONNEVILLE COUNTY, } ss.

THE BONNEVILLE ABSTRACT COMPANY, Abstracter of Titles in and for the said County does hereby certify that the foregoing abstract, consisting of Pages numbered ~~113~~ to ~~117~~ both inclusive, sets forth a true and correct abstract of all instruments that appear of record in the office of the County Recorder of Bonneville County, which in any way affect the title of the property described in the caption hereof, to-wit: The Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$) and the South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$) of Section Thirteen (13), Lots Three (3), Four (4), the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$), and the Southeast Quarter ($SE\frac{1}{4}$) of Section Fourteen (14), and the North Half of the Northwest Quarter ($N\frac{1}{2}NW\frac{1}{4}$) of Section Twenty-four (24), all in Township Four (4) South, of Range Forty-three (43) East of the Boise Meridian, in Bonneville County, Idaho,

FROM AND AFTER November 19, 1931 at 1:00 P.M.

Further, that there are no judgments or liens of record in the office of the Recorder, or in any Court of Record of said County, of any kind, which are a lien against the lands described in the caption of this abstract except as herein shown.

Further, that there are no taxes due and unpaid upon the lands described in the caption of this abstract at date hereof, except as follows:

1941 and all prior taxes fully paid.

1942 taxes are now a lien, but not yet due or payable.

This Certificate is made to Utah Mortgage Loan Corporation, a corporation,

At the request of Utah Mortgage Loan Corporation.

WITNESS my hand and the seal of said Company this 8th day of Sept., 1942.
at 5:00 P.M.



THE BONNEVILLE ABSTRACT COMPANY,

By

W. H. Jagon

Sec.

MICROFILMED
NOV 10 1942

JUL 30 2001

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: A25-04265
Date Received: 9/15/1989
Receipt No: E010544
Received By: KW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRYSTAL BROTHERS 208-754-4326
Address: C/O DEMONT CRYSTAL
198 N. 3300 E.
RIGBY, ID 83442

OR

Name: VEARL C. CRYSTAL 208-754-4705
Address: 26 NORTH 3300 EAST
RIGBY, ID 83442

2. Date of Priority: JUN 01, 1880

3. Source: EAGLE CREEK NORTH FORK Trib. to: EAGLE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	44E	19	NW	NW	NW	1	BONNEVILLE

5. Description of diverting works:
DAM IN CREEK FOR FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.000		

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

8. Total consumptive use is 400.0 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

A2504265



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04S	43E	13	SW	SW		IRR	20.0
			SE	SW		IRR	15.0
			Section Acres				
		14	NE	SW		IRR	15.0
			NE	SE		IRR	1.0
			NW	SE		IRR	15.0
			SE	SE		IRR	12.0
		Section Acres					43.0
		23	NW	NE		IRR	8.0
			NE	NW		IRR	12.0
		Section Acres					20.0
		24	NE	NW		IRR	31.0
			NW	NW		IRR	31.0
Section Acres					62.0		
Total Acres					160.0		

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:

N/A

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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):

Yean C. Crystal

Date:

9/15/89

Date: _____

State of Idaho)

County of Bonneville)

SS.

Subscribed and sworn (or affirmed) before me this 15 day

of Sept 19 89

Calvin Wray
Notary Public

Seal

Residing at

Idaho Falls

My Commission Expires

5/29/99

NOV 10 1992
AEROFILM

A25-04265

S
4
T

R43E

19

24

23

Point of
DIVERSION
Lot 1

12
8

31

31

15

20

R43E
R44E

15
15

13

14

10

SCANNED

JUL 30 2000

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: A25-04266
Date Received: 8/22/1989
Receipt No: E009929
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILO WATER ASSOC.
Address: C/O BERT MURPHY
11983 N. 75TH. E.
IDAHO FALLS, ID

208-523-3325

83401

2. Date of Priority: OCT 30, 1946

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
03N	39E	9	SW	SW	NW		BONNEVILLE

5. Description of diverting works:
WELL, PUMP & LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		
DOMESTIC	01/01	12/31	0.110		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/5 HOMES AND CULINARY WATER IN MILO CHURCH.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
03N	39E	8	SE	NE		IRR	1.0

A25-04266

Page

1

Date: 08/22/89

MICROFILMED
NOV 10 1992

A2504266



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	8	SE	NE		DOMEST	
			NE	SE		IRR	1.0
			NE	SE		DOMEST	
			Section Acres				2.0
		9	SW	NW		IRR	1.0
			SW	NW		DOMEST	
			Section Acres				1.0
			Total Acres				3.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE FIVE HOMES AND MILO CHURCH COVERED UNDER THIS NOTICE ARE IDENTIFIED BY THE FOLLOWING ADDRESSES:

11863 N. 75TH E.
11983 N. 75TH E.
12260 N. 75TH E.
12127 N. 75TH E. (CHURCH)
12191 N. 75TH E.
12227 N. 75TH E.

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am Secretary of Snake River Assoc., that I have signed the foregoing document in the space below as Secretary of Snake River Assoc. and that the statements contained in the foregoing document are true and correct.

Boeth Fowler
Signature of Authorized Agent

Sec. Snake River Assoc.
Title and Organization

8-22-89

Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of Aug 19 89

Ernest Calver
Notary Public



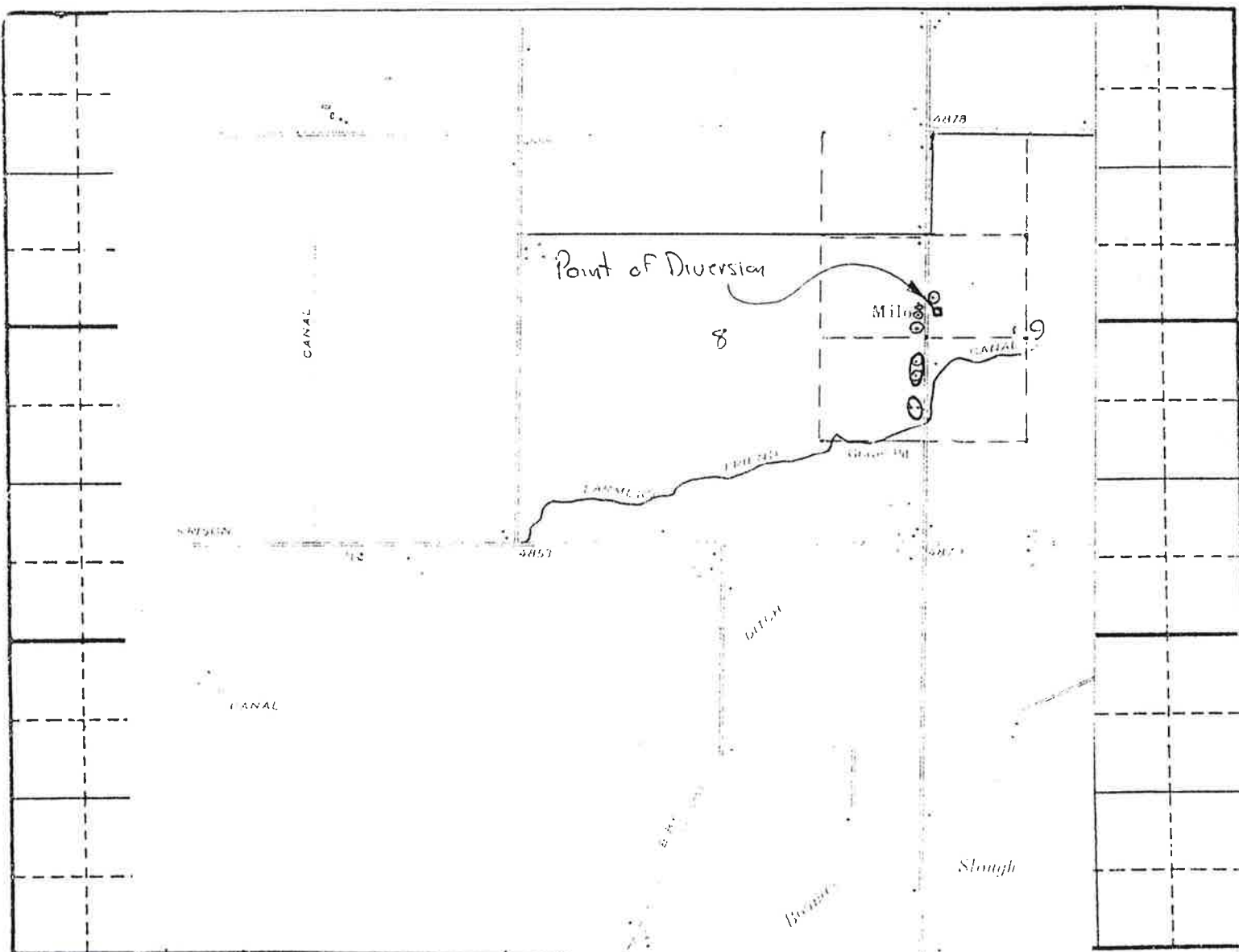
Residing at Shope Falls, ID

My Commission Expires 6-14-1994

Adjudication Claim Report 25-4266

1. General THE FIVE HOMES AND MILO CHURCH COVERED UNDER THIS NOTICE ARE IDENTIFIED BY THE FOLLOWING ADDRESSES: 11863 N. 75TH E.✓
11983 N. 75TH E.
12260 N. 75TH E.
12127 N. 75TH E. (CHURCH) 12191 N. 75TH E.
12227 N. 75TH E.

3) Remarks Present owners are Stucki, Murphy, Frisbie, Milo Church,
Bowles and Avery



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of _____)

MICROFILMED
NOV 10 1992

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Larry A. Coles
(Claimant)

Sworn to before me this 24 day of June, 19 83.

ARTICLES OF INCORPORATION

OF

Milo WATER ASSOCIATION, INC.

We, the undersigned, all of whom are residents of Bonneville County, State of Idaho, do hereby voluntarily associate ourselves together for the purpose of forming a non-stock cooperative association under the provisions of Chapter 10, Title 29, Idaho Code Annotated, and amendments thereto.

ARTICLE I.

The name of this association shall be the Milo Water Association, Inc.

ARTICLE II.

The nature of the business of the association and the objects and purposes for which, or for any of which, this association is formed are:

- a. To associate its members together for their mutual benefit and to further the rehabilitation of said members, and to that end to construct, maintain and operate a private water system for the supplying of water for domestic, livestock and garden purposes to its members, and for the sale of any surplus water remaining after the needs of its members have been satisfied, and to engage in any activity related thereto, including, but not limited to, the acquisition of water by appropriation, drilling, pumping and/or purchase, and the purchase, laying, installation, operation, maintenance and repair of wells, pumping equipment, water mains, pipe lines, valves, meters and all other equipment necessary to the construction, maintenance and operation of a water system.
- b. To borrow from any source, money, goods or services without limitation as to amount of corporate indebtedness or liability; and to pledge or mortgage any of its property as security therefor in any manner permitted by law.
- c. To acquire, and to hold, own and exercise all rights of ownership in, and to sell, transfer or pledge shares of capital stock or bonds, or become a member or a stockholder of any corporation or association engaged in any related activities.

2 - Idaho.

- d. To buy, lease, hold and exercise all privileges of ownership in and to the real or personal property as may be necessary or convenient for the conduct and operation of the business of the association or incidental thereto.
- e. To establish reserves and to invest the funds thereof in stocks, bonds and other property as the board of directors may deem satisfactory.
- f. To levy assessments in such manner and in such amount as may be provided in the by-laws of this association.
- g. To have and exercise all powers, privileges, and rights conferred on corporations by the laws of the State of Idaho and all powers and rights incidental in carrying out the purposes for which this association is formed, except such as are inconsistent with the express provisions of the act under which this association is incorporated.
- h. The foregoing shall be construed both as objects and powers and the enumeration thereof shall not be held to limit or restrict in any manner the general powers conferred on this association by the laws of the State of Idaho, all of which are hereby expressly claimed.

ARTICLE III

The place where the principal business of the association is to be transacted is the City (Village) of Milo County of Bonneville State of Idaho, but the association may maintain offices and places of business at such other places within the State of Idaho as the board of directors may determine.

ARTICLE IV

The period of existence of this association shall be fifty (50) years.

ARTICLE V

The private property of the members shall not be subject to payment of association debts to any extent whatsoever.

ARTICLE VI

Section 1. This association shall not have capital stock, but its capital stock shall be represented by membership certificates.

3 - Idaho

Section 2. Under the terms and conditions prescribed by its by-laws, this association shall admit as members only such persons as are bona fide ^{residents of} ~~occupants of~~ ^{Milo Community having} ~~residence in~~ a reasonable accessibility to the source of, and who are in need of having water supplied for domestic, livestock and garden purposes from, the water system constructed, maintained and operated by the association, but the association shall not be required to admit members if the capacity of its water system is exhausted by the needs of its existing members and all such other persons to whom it has been supplying water.

Section 3. The membership fee in this association shall be fixed and determined by its by-laws. The voting power and property rights and interest of each member whose fees are fully paid and who is in good standing shall be equal and each member shall be entitled to one vote only. There shall be no voting by proxy. New members upon their admission in this association shall be entitled to one vote and to share in the property of the association equally with the old members. When a member has paid his membership fee in full he shall receive a certificate of membership. Assessments against members and a determination of their liabilities shall be fixed by the by-laws of the association.

Section 4. This association is organized on a non-profit basis for the mutual benefit and rehabilitation of its members and consequently will not have profits from which to pay dividends on its capital. After all expenses of the association have been paid and reasonable reserves as determined by the board of directors set aside, the net earnings of the association shall be accumulated in a surplus fund for the purpose of replacing, enlarging, extending and repairing the system and property of the association and for such other purposes as the board of directors may determine to be for the best interests of the association. The said surplus fund or any portion thereof may from time to time at the discretion of the board of directors be distributed to the members as provided in the by-laws, on the basis of the assessments and charges made and levied against and paid by such members during the year.

ARTICLE VII.

The members of directors shall be five ^{and} the names/addresses of those who are to serve as incorporating directors for the first term and until their successors are elected and qualified are:

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<u>NAME</u>	<u>ADDRESS</u>
<u>Leo H. Avery</u>	<u>Route #1, Idaho Falls, Idaho</u>
<u>Grant F. Stucki</u>	<u>Route #1, Idaho Falls, Idaho</u>
<u>Lewis R. Bird</u>	<u>Route #1, Idaho Falls, Idaho</u>
<u>Ivon A. Elder</u>	<u>Route #1, Idaho Falls, Idaho</u>
<u>Arnold A. Newman</u>	<u>Route #1, Idaho Falls, Idaho</u>

IN WITNESS WHEREOF, we, the incorporators, and named herein as
the first board of directors, have set our hands and seals this
12 day of September, 1946.

Leo H. Avery (SEAL)
Grant F. Stucki (SEAL)
Lewis R. Bird (SEAL)
Ivon A. Elder (SEAL)
Arnold A. Newman (SEAL)

STATE OF IDAHO

COUNTY OF Bonner ss:

BE IT REMEMBERED, that on this 12 day of September,
1946, personally appeared before me, a Notary Public in and for the
State of Idaho, all of the parties to the foregoing Articles of
Incorporation, known to me personally to be such and severally acknow-
ledged said Articles of Incorporation to be the act and deed of the
signers, respectively, and that the facts therein stated are truly
set forth.

Given under my hand and seal of office the day and year aforesaid.

Paul Madbury
Notary Public in and for the
State of Idaho
My Commission expires: May 1, 1947

JUL 30 2001

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: A25-04266

Date Received: 8/22/1989

Receipt No: E009929

Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILO WATER ASSOC.
Address: C/O BERT MURPHY
11983 N. 75TH. E.
IDAHO FALLS, ID

208-523-3325

83401

2. Date of Priority: OCT 30, 1946

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	39E	9	SW	SW	NW		BONNEVILLE

5. Description of diverting works:
WELL, PUMP & LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		
DOMESTIC	01/01	12/31	0.110		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/5 HOMES AND CULINARY WATER IN MILO CHURCH.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	8	SE	NE		IRR	1.0

A25-04266

Page

1

Date: 08/22/89

MICROFILMED
NOV 10 1992

A2504266

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	39E	8	SE	NE		DOMEST	
			NE	SE		IRR	1.0
			NE	SE		DOMEST	
			Section Acres				2.0
		9	SW	NW		IRR	1.0
			SW	NW		DOMEST	
			Section Acres				1.0
			Total Acres				3.0

11. Place of use in counties: BONNEVILLE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THE FIVE HOMES AND MILO CHURCH COVERED UNDER THIS NOTICE ARE IDENTIFIED BY THE FOLLOWING ADDRESSES:

11863 N. 75TH E.
11983 N. 75TH E.
12260 N. 75TH E.
12127 N. 75TH E. (CHURCH)
12191 N. 75TH E.
12227 N. 75TH E.

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am Secretary of Snake River Assoc. that I have signed the foregoing document in the space below as Secretary of Snake River Assoc. and that the statements contained in the foregoing document are true and correct.

Beth Fowler
Signature of Authorized Agent

Sec. Snake River Assoc.
Title and Organization

8-22-89

Date

State of Idaho)
County of Bonneville) SS.

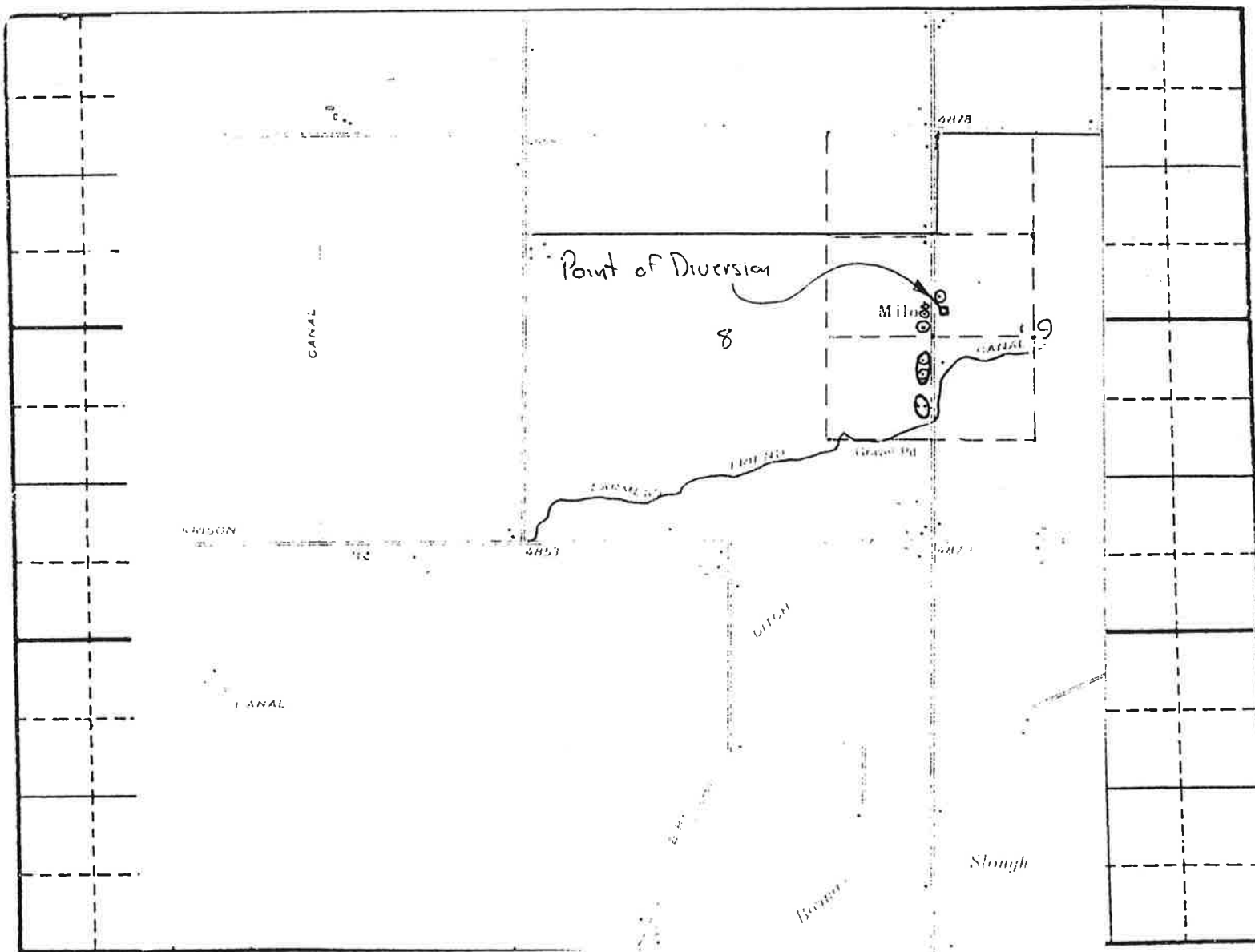
Subscribed and sworn (or affirmed) before me this 22 day
of Aug 19 89

Ernest Carlson
Notary Public



Residing at Alto Falls, ID
My Commission Expires 6-14-1994

3) Remarks Present owners are Stucki, Murphy, Frisbie, Milo Church,
Bowles and Avery



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of _____)

MICROFILMED
NOV 10 1992

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Larry H. Coles
(Claimant)
1983.