

10/07/2003

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

RIGHT NUMBER: 37-792E
NAME AND ADDRESS: JAMES F KING
430 RIVER RD
BLISS ID 83314

ARLA J KING
430 RIVER RD
BLISS ID 83314

SOURCE: SPRING TRIBUTARY: SNAKE RIVER
QUANTITY: 0.120 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1888

POINT OF DIVERSION:

T06S R13E S17 NESESE Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.120 CFS
DOMESTIC	1/01 12/31	0.020 CFS
STOCKWATER	1/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION Within GOODING County

T06S R13E S17 NESE 1.5 T06S R13E S17 SESE 3.5

DOMESTIC Within GOODING County

T06S R13E S17 NESE

STOCKWATER Within GOODING County

T06S R13E S17 SESE

5 ACRES TOTAL

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

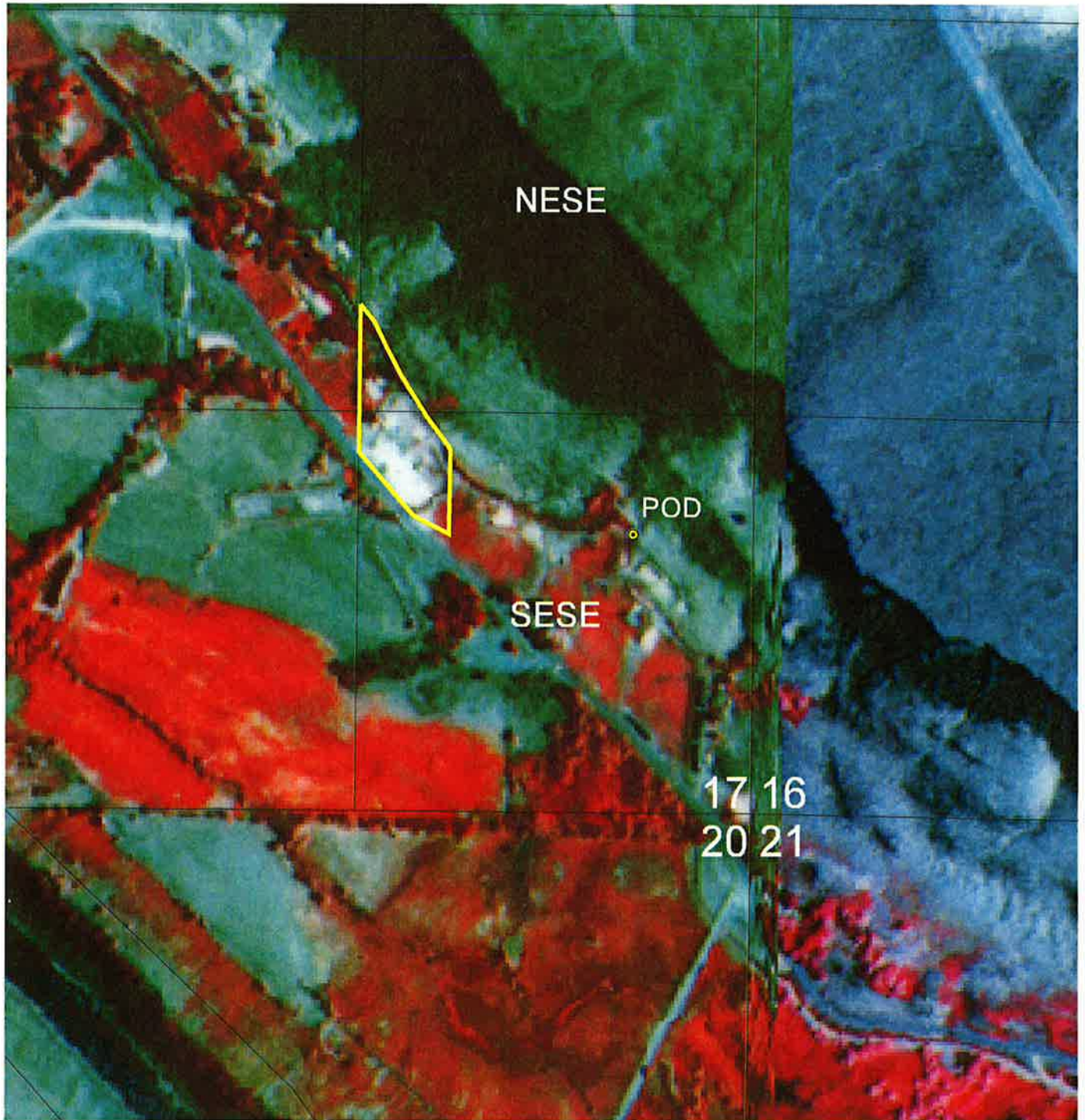
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

The quantity of water decreed for this water right for domestic use and stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Decreed

SOURCE IS ALSO KNOWN AS MONTANA MINING COMPANY SPRING NO. 9.

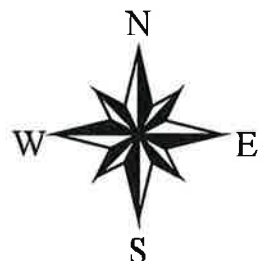
37-792E



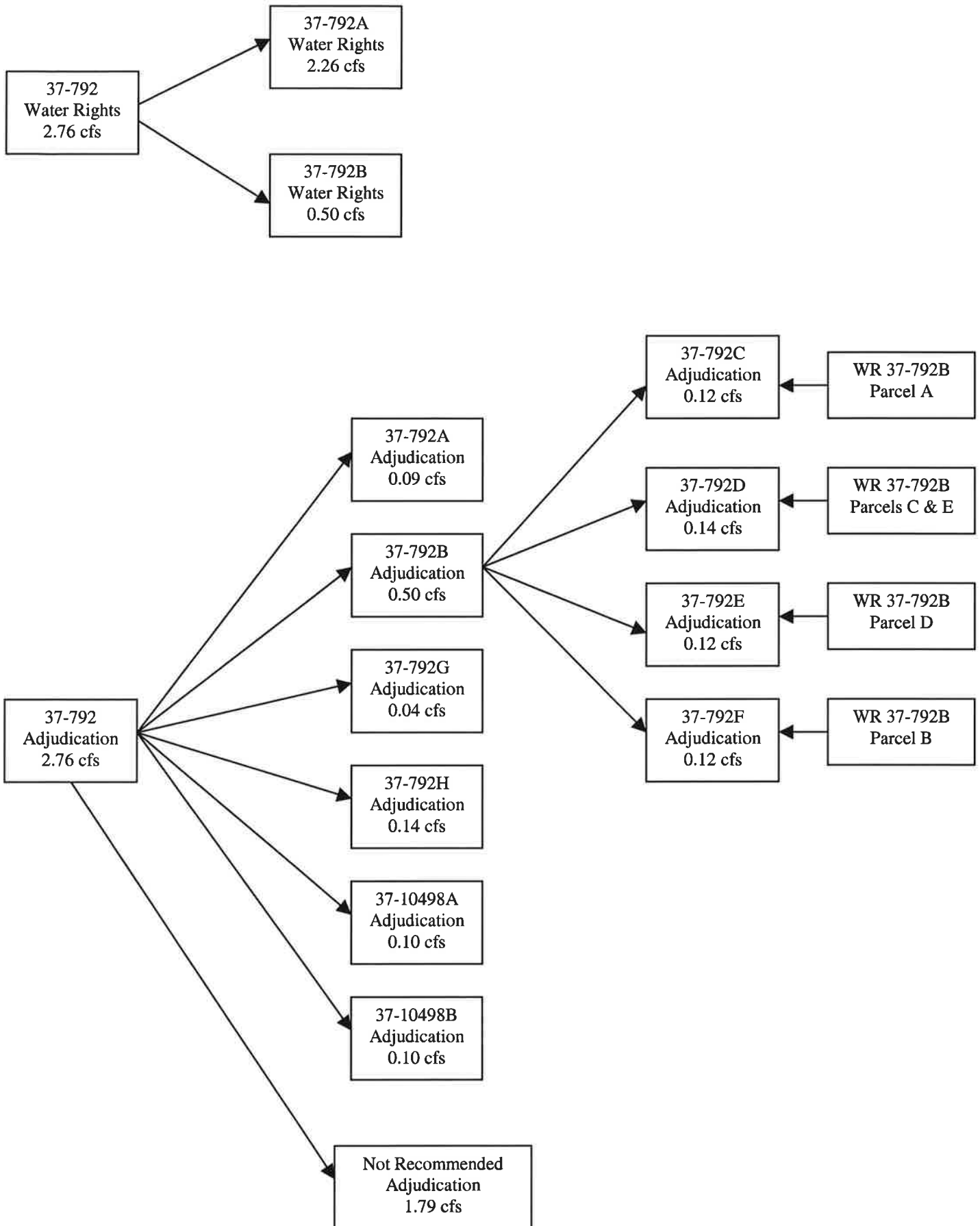
600 0 600 1200 1800 Feet

T06S R13E S17

Map prepared by: Carter Fritschle
Date prepared: 08/05/03
1987-1988 NAPP photography
Idaho Department of Water Resources



37-792 Splits



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: A37-00792E
Date Received: 6/13/1988
Receipt No: 5000 417
Received By: A.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GERTRUDE MINARD 208-352-4316
Address: HC60 BOX 1050
BLISS, ID 83314
AND/OR
Name: WALTER MINARD 208-352-4316
Address: HC60 BOX 1050
BLISS, ID 83314
2. Date of Priority: APR 01, 1888
3. Source: SPRING #9 Trib. to: MONTANA MINING DITCH
MONTANA MINING DITCH SNAKE RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	13E	17	NE	SE	SE		GOODING
5. Description of diverting works:
CONCRETE DIVERSION BOX WITH PIPELING
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		
STOCKWATER	01/01	12/31	0.020		
IRRIGATION	03/15	11/15	0.120		
7. Total Quantity Appropriated is:
0.120 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 15.0 Acre Feet Per Annum.
9. Non-irrigation uses:
D/ 1 HOUSE & YARD S/ 8 CATTLE &/OR HORSES

A37-00792E

Page 1

Date: 06/13/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	13E	17			STOCK DOMEST IRR	
			SE	SE		5.0
					Section Acres	5.0
					Total Acres	5.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS A PORTION OF THE RT. 37-0792 SPLIT BY TRANS. 2685.
THIS CLAIM IS THE PORTION ASSIGNED TO PARCEL D.

15. Basis of Claim: DECREED

Water Right Number:

Case Number:

Court :

Decree date: 5/30/1913

ERASTUS WEST, ET. AL.

Decree Plaintiff

vs

E. BELL, ET. AL.

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Hertrude Minard Date: 6/13/88

Date: _____

State of Idaho)
County of Twin Falls) ss.

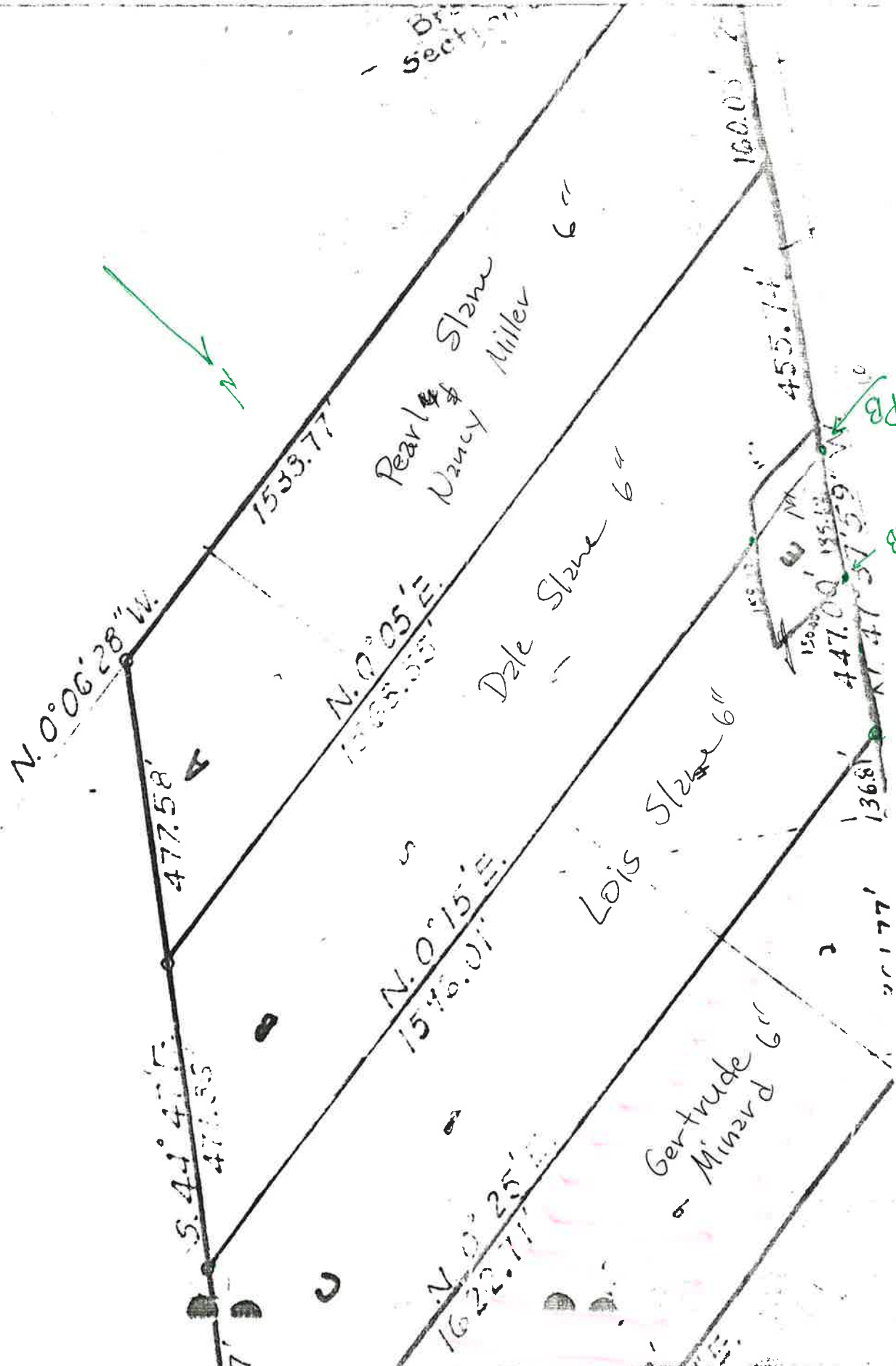
Subscribed and sworn (or affirmed) before me this 13th day
of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding Id
My Commission Expires 10/16/1992

04.971



MICROFILMED
FEB 23 1993

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 37-792E
Date Received: 6/13/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

JAMES F KING Phone: (208)352-4373
430 RIVER RD
BLISS ID USA 83314

ARLA J KING Phone: (208)352-4373
430 RIVER RD
BLISS ID USA 83314

2. Date of Priority: 04/01/1888

3. Source: MONTANA MINING DITCH , SPRING NO 9 Trib. to: SNAKE RIVER , MONTANA
MINING DITCH

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
06S	13E	17	NE SE SE	GOODING

5. Description of diverting works:

CONCRETE DIVERSION BOX WITH PIPELING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.12	
STOCKWATER	1/01	12/31	0.02	
DOMESTIC	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.12 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	13E	17	SE	SE	IRRIGATION STOCKWATER DOMESTIC	5
Section Acres						5
Total Acres						5

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS A PORTION OF THE RT. 37-0792 SPLIT BY TRANS. 2685. THIS CLAIM IS THE PORTION ASSIGNED TO PARCEL D

10-31-00 tf, ownership changed Minard to King per owner change request and deeds received 10-25-00.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

November 2, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JAMES F KING
ARLA J KING
430 RIVER RD
BLISS ID 83314

RE: SRBA Claim(s) A37-00792E

Dear Mr. and Mrs. King:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer record of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
OCT 25 2000
Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: _____
Adjudication Claim No(s).: A37-00792E

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant Walter C. & Gertrude B. Minard

4. New Owner/Claimant(s) James F. King & Arla J. King
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 430 River Road
City, State and ZIP Code Bliss, ID 83314
New Telephone Number (208) 352-4373

5. Date you acquired the property 10/20/00

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) _____
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

AJ5808MP
(00-26)

Old (D) Number -

Prefix Translation: ADJUDICATION CLAIM

Water Right Number - A37-00792E

----- Last Name ----- + First Name ----- + Address ----- +

*** C - CURRENT OWNER ***
MINARD

GERTRUDE

1 - HC60 BOX 1050
2 -
3 -

State- ID Zip- 83314

City- BLISS
Phone - 208-352-4316
1 - HC60 BOX 1050
2 -
3 -

WALTER

State- ID Zip- 83314

City- BLISS
Phone - 208-352-4316

----- Priority Date ----- + ----- Region ----- + ----- Stage ----- + ----- Status ----- +
04/01/1888
D - DECREED

----- Source ----- + ----- Tributary ----- +
SPRING #9
MONTANA MINING DITCH
MONTANA MINING DITCH
SNAKE RIVER

----- Point of Diversion ----- +
----- County ----- +
----- Diversion Name ----- +

Twn Rng Sec Tract Lot Rfig County (47) GOODING
06S 13E 17 NE SE SE

----- Code ----- Description ----- Water Use ----- Period From ----- Period To ----- Diversion Rate ----- Diversion Volume ----- +
43 - DOMESTIC 01/01 12/31 0.020
04 - STOCKWATER 01/01 12/31 0.020
01 - IRRIGATION 03/15 11/15 0.120

----- Total Div. Rate ----- + ----- Total Div. Volume ----- + ----- Total Div. Capacity ----- + ----- Total Consumptive Use ----- + ----- KV Usage ----- +
0.120

----- Total Acres ----- +
5.0

----- Place of Use ----- Description ----- County ----- +
01 IRRIGATION (47) GOODING
04 STOCKWATER (47) GOODING
43 DOMESTIC (47) GOODING

----- Diversion Means ----- CONCRETE DIVERSION BOX WITH PIPELING
----- Non-Irrigation Use ----- D/ 1 HOUSE & YARD S/ 8 CATTLE &/OR HORSES
----- Other Rights for Same Use ----- NONE

WARRANTY DEED

For Value Received

GERTRUDE B. MINARD, A SINGLE WOMAN

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

JAMES F. KING AND ARLA J. KING, HUSBAND AND WIFE

the grantee(s), whose current address is

430 River Road, Bliss, ID 83314

the following described premises, to-wit:

See Attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all claims whatsoever.

Dated: October 20, 2000

Gertrude B. Minard
GERTRUDE B. MINARD

October 18, 2000

STATE OF ARIZONA
: ss
COUNTY OF MOHAVE

Instrument # 187915

GOODING, GOODING, IDAHO
2000-10-20 03:09:34 No. of Pages: 2

Recorded for : GOODING TITLE

HELEN EDWARDS

Fee: 6.00

Ex-Officio Recorder Deputy

Quinn House

Index to: DEED, WARRANTY

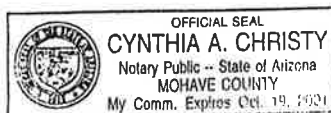
On This 18 day of OCTOBER, in the year 2000, before me, a Notary Public in and for said State, personally appeared **Gertrude B. Minard**, known or identified to me to be the person whose name is subscribed to the within Instrument, and acknowledged to me that she executed the same.

WITNESS my hand and official seal

[Signature]
Notary Public of Arizona

Residing at:

Commission Expires:



TITLE & ESCROW
COMPANIES

EXHIBIT A
G000411

RP06S13E177575

Township 6 South, Range 13 East of the Boise Meridian, Gooding County, Idaho.

Section 17: That portion of the East half of the Southeast Quarter lying North of old U. S. Highway 30 and South of the Canyon Rim, more particularly described as follows:

COMMENCING at the Section corner common to Section 16, 17, 20, and 21;
Thence along the Section line between Section 17 and 20, South $89^{\circ}37'$ West 59.32 feet to the North right of way line of old U. S. Highway 30;
Thence along said right of way on a curve to the left whose central angle is $15^{\circ}38'$ whose radius is 941.73 feet, whose tangent is 129.28 feet, whose length is 256.96 feet and whose long chord bears North $39^{\circ}48'59''$ West 256.16 feet to a point of tangency;
Thence North $47^{\circ}37'59''$ West 1062.77 feet to the REAL POINT OF BEGINNING;
Thence North $47^{\circ}37'59''$ West 136.81 feet to a point of curvature;
Thence along a curve to the right whose central angle is $10^{\circ}59'49''$ whose radius is 1884.86 feet, whose tangent is 181.44 feet, whose length is 361.77 feet and whose chord bears North $42^{\circ}08'04''$ West 361.21 feet to the point of intersection of the right of way line and the West boundary line of the East half of the Southeast Quarter of Section 17;
Thence along said West boundary line North $0^{\circ}35'03''$ East 1362.73 feet to a point on the East West midsection line;
Thence along the midsection line North $89^{\circ}51'02''$ East 241.39 feet to a point on the Canyon Rim;
Thence along the Canyon Rim South $44^{\circ}47'$ East 141.85 feet to a point;
Thence South $0^{\circ}25'$ West 1622.71 feet to the REAL POINT OF BEGINNING.

EXCEPT a parcel of land more particularly described as follows:

BEGINNING at the East Quarter corner of said Section 17;
Thence West along the North boundary of the Northwest Quarter of the Southeast Quarter for a distance of 1316.76 feet;
Thence South $0^{\circ}02'56''$ East for a distance of 388.69 feet to the POINT OF BEGINNING;
Thence South $0^{\circ}02'56''$ West 545.00 feet;
Thence East 250 feet;
Thence North and parallel to the West boundary 545.00 feet;
Thence West 250 feet to the POINT OF BEGINNING.

G003411

QUIT CLAIM DEED

FOR VALUE RECEIVED

GERTRUDE B. MINARD, A SINGLE WOMAN

GRANTOR(S)

Do(es) Hereby Convey, Release, Remise and Forever Quitclaim Unto

JAMES F. KING AND ARLA J. KING, HUSBAND AND WIFE

GRANTEE(S)

Whose address is: 430 River Road, Bliss, ID 83314

The following described premises, to-wit:

Idaho Department of Water Resources water right #A37-00792E, which is in the amount of 0.12 cubic feet per second (6 miner's inches) from the Montana Mining Ditch, Spring No. 9, for the purposes of domestic, irrigation and stock water with a priority date of April 1, 1888.

Together with their appurtenances.

Instrument # 187916

GOODING, GOODING, IDAHO

2000-10-20

03:09:47 No. of Pages: 2

Recorded for : GOODING TITLE

HELEN EDWARDS

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

Dated: October 17, 2000

Gertrude B. Minard
Gertrude B. Minard

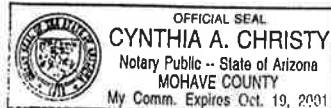
October 17, 2000

State of Arizona }
 } ss.
County of Mohave }

On this 17 day of October, in the year 2000, before me, a Notary Public in and for said State, personally appeared GERTRUDE B. MINARD, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

WITNESS my hand and official seal.

[Signature]
Notary Public
Residing At:
Commission Expires:





GOODING
TITLE & ESCROW
COMPANY

October 24, 2000

RECEIVED
OCT 25 2000
Department of Water Resources
Southern Region

Idaho Department of Water
Resources
1341 Fillmore Street, Ste. 200
Twin Falls, ID 83301-3380

Re: A37-00792E
Gertrude B. & Walter Minard

Dear Water Resources:

Enclosed please find a Notice of Change of Water Right Ownership along with copies of the Warranty Deed and Quit Claim Deed for your reference.

If you have any questions, please feel free to contact our office.

Sincerely,

GOODING TITLE & ESCROW CO.

DeNene M. Dixon
Escrow Assistant

/dmd
Encl.

SD-0611-2 Basin: 37 Starting Water Right: 00792

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	37-00792		C	00/00/0000	/			WR
	37-00792A	LANCHESTER, P. R.	C	04/01/1888	D/	SPRINGS	IRR	WR
		LANCHESTER, AURETTA	C				DOMEST	
	37-00792B	SLANE, LILLIS T.	C	04/01/1888	D/	SPRING	IRR	WR
							DOMEST	
	A37-00792	CARLEY, DONALD C	C	04/01/1888	D/	SPRINGS	IRR	AJ
						MONTANA MINING C	STOCK	
	A37-00792A	LAMB, WILLIAM G	C	04/01/1888	D/	MONTANA MINING D	IRR	AJ
		LAMB, VIRGINIA	C				REC	
	A37-00792C	SLANE, PEARL	C	04/01/1888	D/	SPRING #9	DOMEST	AJ
		MILLER, NANCY	C			MONTANA MINING D	IRR	
							STOCK	
	A37-00792D	SLANE, LOIS	C	04/01/1888	D/	SPRING #9	DOMEST	AJ
		DRAKE, TINA L	C			MONTANA MINING D	STOCK	
							IRR	

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
 (Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

A37-10498 claims to be part of this decree also...

SD-0611-2 Basin: 37 Starting Water Right: 00792

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
	A37-00792E	MINARD, GERTRUDE MINARD, WALTER	C C	04/01/1888	D/	SPRING #9 MONTANA MINING D	DOMEST STOCK IRR	AJ
	A37-00792F	ROEDENBECK, DIANE	C	04/01/1888	D/	SPRING #9 MONTANA MINING D	DOMEST STOCK IRR	AJ
	A37-00792G	BRIZINDINE, JAMES E BRIZINDINE, JENNETTE	C C	04/01/1888	D/	SPRING (SPRING #	IRR STOCK	AJ
	R37-00792	CARLEY, DONALD C.	C	04/01/1888	J/	SPRINGS MONTANA MINING C	IRR STOCK	AJ
	R37-00792F	ROEDENBECK, DIANE	C	04/01/1888	D/	SPRING #9 MONTANA MINING D	DOMEST STOCK IRR FISH	AJ

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
 (Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)