

08/13/2003

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

RIGHT NUMBER: 27-11727

NAME AND ADDRESS: RANDY HUMPHERYS
1440 N 1100 E
SHELLEY ID 83274

WENDY J HUMPHERYS
1440 N 1100 E
SHELLEY ID 83274

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1977

POINT OF DIVERSION:

T01N R37E S23 NESE Within BINGHAM County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

1/01 12/31

0.040 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County

T01N R37E S23 NESE

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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

SCANNED

MAY 25 2006

PROFILED

Water Right 27-11727

01/08/2004

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 27-11727

RANDY HUMPHERYS
1440 N 1100 E
SHELLEY ID 83274
Telephone Number: (208) 542-6006

WENDY J HUMPHERYS
1440 N 1100 E
SHELLEY ID 83274
Telephone Number: (208) 542-6006

RECEIVED

JUL 19 2005

Department of Water Resources
Eastern Region

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

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

DATE:

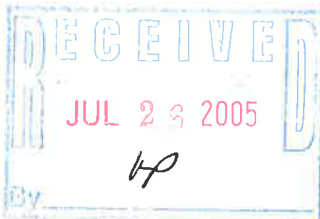
7/19/05

SIGNATURE:

Randy Humpherys
Randy Humpherys

Please print your name:

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



SCANNED

MAY 25 2006

PROFILED

Kurt
7/22

DELOG GT 5/26/98

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
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 Number(s) _____
Adjudication Claim Number(s) A27-11727 *OK*
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 on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) _____

4. New Owner/Claimant(s) Randy Humpherys Wendy J Humpherys
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 1440 N 1100 E SHELLEY ID 83274
City, State and ZIP Code SHELLEY Idaho 83274
New Telephone Number (208) 542-6006

5. Date you acquired the property Apr. 31 1998

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 actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

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/Claimant(s) Randy Humpherys Date 5/22/98
Date _____

- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

AFTER RECORDING MAIL TO:

INTERWEST MORTGAGE

P.O. BOX 12937

RENO, NV 89510-2937

LOAN NO. 3726966

[Space Above This Line For Recording Data]

DEED OF TRUST

THIS DEED OF TRUST ("Security Instrument") is made on March 27, 1998. The grantor is RANDY HUMPHERYS and WENDY J. HUMPHERYS, HUSBAND AND WIFE

The trustee is ALLIANCE TITLE AND ECROW CORP

The beneficiary is INTERWEST MORTGAGE,

which is organized and existing under the laws of the State of Nevada,

and whose address is P.O. BOX 12937, Reno, NV 89510-2837

("Borrower").
("Trustee").

("Lender"). Borrower owes Lender the principal sum of Ninety Nine Thousand Two Hundred Dollars and no/100

Dollars (U.S. \$ 99,200.00

). This debt is evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on April 1, 2028. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in BINGHAM County, Idaho:

LOT 3 OF BLOCK 1 OF GREEN ACRES ESTATES, BINGHAM COUNTY, IDAHO, ACCORDING TO THE RECORDED PLAT THEREOF, RECORDED APRIL 28, 1976, IN BOOK 19, INSTRUMENT NO. 211505, RECORDS OF SAID COUNTY.

which has the address of 1440 N. 1100 E.

Idaho

83274

[Zip Code]

[Street]

("Property Address");

SHELLEY

[City]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

GREEN ACRE ESTATES

BINGHAM COUNTY, IDAHO
A PORTION OF THE
S.E. 1/4 SEC. 23 T.14 N. R. 37 E. B.M

ELLSWORTH ENGINEERING, INC.
IDAHO FALLS, IDAHO

Surveyor's Certificate

I, GARTH R. CUNNINGHAM depose and say that I am a Registered Land Surveyor. That I have Surveyed the tract of land described in the Boundary Description attached hereto, that said tract has been staked on the ground according to the State Law and the Map Shown hereon. I further certify that this tracing is an exact copy of the original Plat.

STATE OF IDAHO
CERTIFICATE No. 827

Garth R. Cunningham
GARTH R. CUNNINGHAM, L.S.

Boundary Description

Beginning at a point that is North along the Section line 994.99 Ft from the Southeast Corner of Section 23 Township 14 North Range 37 East of the Boise Meridian, running thence North 1646.11 Ft, thence N 89°45'43"E 300.82 Ft, thence N 12°47'15"E 131.00 Ft, thence N 5°38'34"E 300.82 Ft, thence N 28°05'32"E 126.53 Ft, thence N 22°09'28"E 430.2 Ft, thence N 42°48'37"E 95.78 Ft, thence N 31°10'04"E 121.64 Ft, thence N 42°48'37"E 95.78 Ft to the Point of Beginning. Containing 31.46 Acres more or less.

Owner's Dedication

KNOW ALL MEN BY THESE PRESENTS: That we the undersigned Owners of the tract of land described in the Boundary Description hereon have caused the same to be subdivided into Blocks, Lots, and Streets to be hereafter known as GREEN ACRE ESTATES and we do hereby dedicate all Streets and Easements shown on the map attached hereto, to the use of the Public forever.

IN WITNESS WHEREOF: We have hereunto set our hands this 16th day of April, A.D. 1976.
Angela Christensen
Cheryl Christensen
Sharon Christensen
Shirley Christensen
Shirley Christensen
Shirley Christensen

Acknowledgement

STATE OF IDAHO
COUNTY OF BONNEVILLE

BE IT REMEMBERED: That on this 16th day of April, 1976, personally appeared before me the undersigned Notary Public in and for said State and County the signers of the above Owner's Dedication and after being duly sworn, acknowledged to me that they signed said dedication freely and voluntarily for the purposes therein mentioned.

My Commission Expires Jan 16, 1978

Donald A. Lavin
Notary Public Residing in Bonneville County, Idaho

Recorder's Certificate

I hereby certify that the foregoing Plat of GREEN ACRE ESTATES, Bingham County Idaho, was filed for recording in the Office of the Recorder of Bingham County Idaho, on the 16th day of April, 1976, at _____ m, and recorded in Plat Book No. _____ on page _____.

County's Acceptance

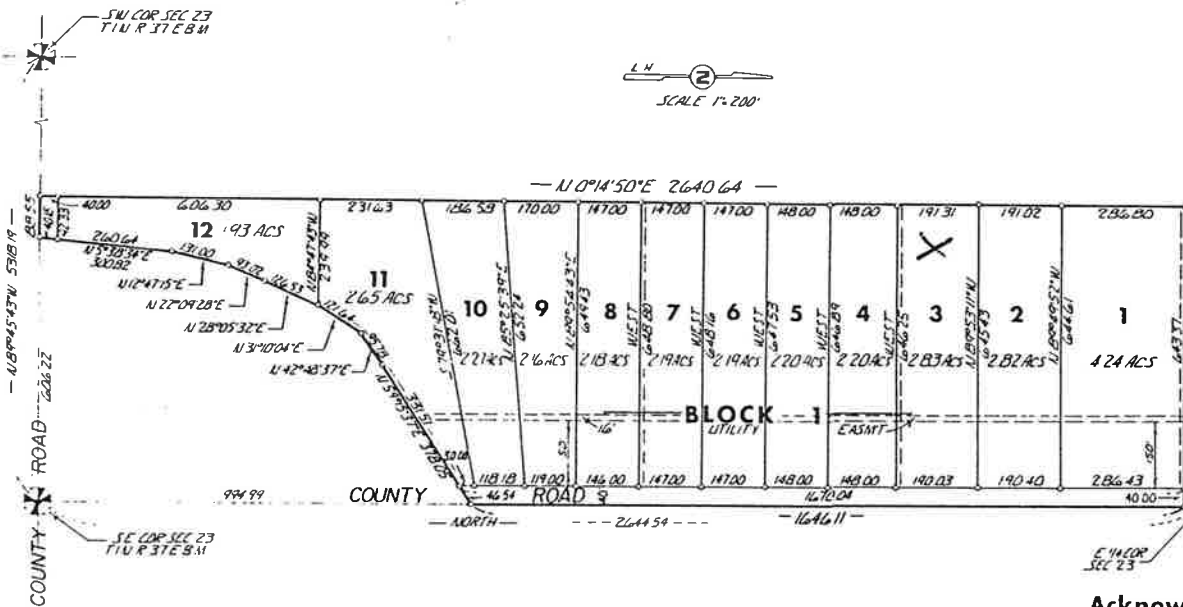
The foregoing plat was duly accepted and approved by the Board of County Commissioners of Bingham County, Idaho By resolution adopted this _____ day of _____, 1976.

Approved by: _____
COUNTY ENGINEER BOARD CHAIRMAN
John W. Lavin
Planning Commission Chairman

Health Dept. Cert.

I hereby certify that sanitary restrictions required by Idaho code title 50 chap 13 Sec 50-1326 have been satisfied and this plat is hereby approved for recording by Filing of this certificate herewith
DIST 6 STATE BOARD OF HEALTH

By _____
Environmental Health Specialist
Date: _____



• DESIGNATES IRON RODS
--- EASEMENTS & UNLESS OTHERWISE NOTED

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

ALLIANCE
TITLE & ESCROW CORP.

AJ0749NP
No. A27-11727

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

DATE: 06/11/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RANDY HUMPHERY	05/01/1977	DOMESTIC	01-01 12-31	0.04 CFS	
C	WENDY J HUMPHERY					
	1440 N 1100 E					
	SHELLEY ID 83274					
	(208) 542-6006					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T01N R37E S23 NESE

BINGHAM County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
01N 37E 23	:				:				:				:			

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Other Rights: IDAHO IRRIGATION DISTRICT

Remarks: EXP STOCKWATER, 2 HORSES

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 11, 1998

RANDY & WENDY J HUMPHERYS
1440 N 1100 E
SHELLEY ID 83274

RE: CHANGE IN OWNERSHIP FOR A27-11727

Dear Mr. & Mrs. Humpherys:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure: Notice(s) of Claim

SCANNED

JUL 13 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: A27-11727

Date Received: 7/30/1997

Receipt No: E023463

Received By: AST

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARY L SCOTT
Address: 1440 N 1100 E
SHELLEY ID

208-526-5197

83274

2. Date of Priority: MAY 1, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	37E	23	NE	SE			BINGHAM

5. Description of diverting works:
WELL, PUMP, PIPED TO HOME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	37E	23	NE	SE		DOMEST	

11. Place of use in counties: BINGHAM

A2711727



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

13. Other Water Rights Used:
IDAHO IRRIGATION DISTRICT

14. Remarks:
STOCKWATER, 2 HORSES

15. Basis of Claim: BENEFICIAL USE

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:

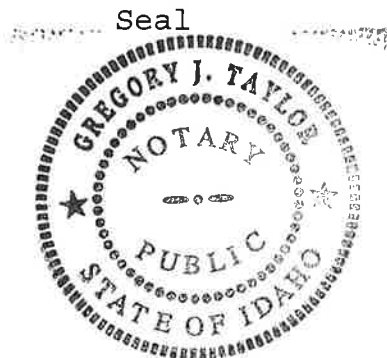
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Gary L Scott Date: 7/30/97

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of July 19 97
Gregory J. Taylor
Notary Public



Residing at Idaho Falls Id
My Commission Expires 3/3/98