

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 37-2560A
Date Received: 10/16/1989
Receipt No: M004950
Received By:

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

1. Name of Claimant(s)

JERRY L CAVEN Phone: (208)867-2892

6874 FAIRVIEW AVE
BOISE ID USA 83704

MURIEL J CAVEN Phone: (208)867-2892

6874 FAIRVIEW AVE
BOISE ID USA 83704

2. Date of Priority: 10/07/1954

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
01S	14E	9	NW SE	CAMAS	

5. Description of diverting works:

WELL, 535' DEEP, 15-1/2" CASING, 25 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.293	

7. Total Quantity Appropriated is:
0.293 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
01S	14E	9	NW	SE	IRRIGATION	17
					Section Acres	17
					Total Acres	17

11. Place of use in counties: CAMAS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

ACTUAL AMOUNT CLAIMED IS .293 CFS.
 OWNERSHIP CHANGE MADE 6/23/95 BY TLB. DAVIS-FORMER OWNER, MAROLF-NEW OWNER. BOTH
 SIGNATURES INCLUDED.

15. Basis of Claim: License

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

RECEIVED
JAN 12 2006
 Department of Water Resources
 Southern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-2560 A					

RECEIVED
JAN 18 2006
 DEPARTMENT OF
 WATER RESOURCES

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Fred Marolf, Jr., Lillian Marolf and Gary S. Marolf
P.O. Box 106, Fairfield, ID 83327
4. New Owner/Claimant(s) Jerry L. Caven and Muriel J. Caven
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 6874 Fairview Avenue
- City, State and ZIP Code Boise, ID 83704
- New Telephone Number (208) 867-2892
5. Date you acquired the property January 6, 2006

SCANNED
JAN 17 2006

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)
- Muriel J. Caven*

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED
JAN 17 2006

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 Second Avenue North
Ketchum, ID 83340

Recorded at the Request of

First American Title
at 4:45 P.M.

Jan 10 2006
35 677
of Deeds

By Babbie D. Willes
Fee \$ 9.00

79301

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **144021-K (nw)**

Date: **December 27, 2005**

For Value Received, and as consideration "Ten Dollars and other good and valuable consideration and pursuant to a 1031 Tax-Deferred Exchange." **Fred Marolf, Jr., and Lillian Marolf, husband and wife, as to an undivided 1/2 interest and Gary Scott Marolf, also shown of record as Gary S. Marolf, as his sole and separate property, as to an undivided 1/2 interest,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **Jerry L. Caven and Muriel J. Caven, husband and wife,** hereinafter called the Grantee, whose current address is **6874 Fairview, Boise, ID 83704,** the following described premises, situated in **Camas County, Idaho,** to-wit:

A parcel of land situated in the NW1/4SE1/4 of Section 9, Township 1 South, Range 14 E.B.M., and more particularly described as follows:

Beginning at the NE corner of the NW1/4SE1/4 of Section 9, Township 1 South, Range 14 E.B.M., said corner marked by a brass cap; thence N89°58'44"W along the 1/4 section line for 450.14 feet to a point on the west boundary of the Durall Addition which shall be the Point of Beginning; thence S00°01'04"E along the West boundary of the Durall Addition for 320.41 feet to a 1/2" rebar; thence S89°58'56"W for 311.00 feet to a 1/2" rebar; thence S00°01'04"E for 350.00 feet to a 1/2" rebar; thence N89°58'56"E for 311.00 feet to a 1/2" rebar on the West boundary of the Durall Addition; thence S00°01'04"E along the West boundary of the Durall Addition for 315.70 feet to a U.S. Forest Service pipe with cap on the North line of the S1/2 S1/2 NW1/4 SE1/4; thence N89°51'55"W along the North line of the S1/2 S1/2 NW1/4 SE1/4 865.30 feet to the NW Corner of the S1/2 S1/2 NW1/4 SE1/4, said corner being marked by an U.S. forest Service Pipe with a cap; thence N00°01'08"E along the west line of the NW1/4SE1/4 for 984.39 feet to the NW corner of the NW1/4SE1/4; thence S89°58'44"E along the 1/4 section line for 864.66 feet to the Point of Beginning.

Excepting therefrom the following two parcels of land:

A Parcel of land being part of the NW1/4SE1/4 of Section 9, Township 1 South, Range 14 East of the Boise Meridian, Camas County, Idaho, and more particularly described as follows:

Beginning at the Northeast corner of the SE1/4 of said Section 9; thence

SCANNED
DEC 27 2005

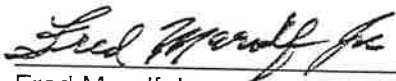
North 89°59'43"West a distance of 1,319.80 feet to the Northeast corner of the NW1/4SE1/4, thence
North 89°57'46"West a distance of 449.92 feet along the Northerly boundary of said NW1/4SE1/4 to the True Point of Beginning; thence
South 00°00'44"East a distance of 320.41 feet; thence
South 89°59'16"West a distance of 311.00 feet; thence
North 00°00'44"West a distance of 320.68 feet to a point on the Northerly boundary of said NW1/4SE1/4; thence
South 89°57'46"East a distance of 311.00 feet along the Northerly boundary of said NW1/4SE1/4 to the True Point of Beginning.

A parcel of land being part of the Northwest Quarter of the Southeast Quarter of Section 9, Township 1 South, Rang 14 East, Boise Meridian, Camas County, Idaho, more particularly described as follows:

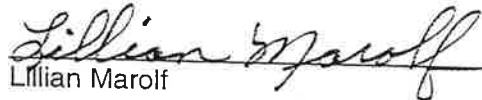
Beginning at the northeast corner of the SE1/4 of said Section 9; thence
North 89°59'43"West a distance of 1,319.80 feet to the northeast corner of said NW1/4SE1/4 of Section 9; thence
North 89°57'46"West a distance of 449.92 feet; thence
South 00°00'44"East a distance of 670.41 feet to the True Point of Beginning; thence
South 00°00'44"East a distance of 315.72 feet; thence
North 89°51'27"West a distance of 311.00 feet; thence
North 00°00'44"West a distance of 314.88 feet; thence
North 89°59'16"East a distance of 311.00 feet to the True Point of Beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances, unto the said Grantee, and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.



Fred Marolf Jr.,



Lillian Marolf



Gary S. Marolf

SCANNED
JAN 17 2008

STATE OF Idaho)
)
)
COUNTY OF Camas)
)

On this 5th day of January, in the year of 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Fred Marolf, Jr., and Lillian Marolf and Gary S. Marolf**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Nancy A. Wulderberg
Notary Public for the State of Idaho
Residing at: Garfield
My Commission Expires: 9-15-11

SCANNED
JAN 17 2006

AFTER RECORDING MAIL TO:

Jerry L. Caven and Muriel J. Caven
6874 Fairview Ave.

Fairfield, ID 83327
Boise 83704

Recorded at the Request of
First American Title
at 4:50 PM
January 10th 2006
in Book 35 Page 680
of Deeds
By Holly Blodgett
Fees \$ 9.00

79302

QUITCLAIM DEED

File No.: 144021-K (nw)

Date: December 30, 2005

For Value Received, Fred Marolf, Jr., Lillian Marolf, husband and wife, as to an undivided 1/2 interest and Gary S. Marolf, as his sole and separate property, as to an undivided 1/2 interest, do hereby convey, release, remise, and forever quit claim unto Jerry L. Caven and Muriel J. Caven, husband and wife, whose address is 6874 Fairview Ave., Boise, ID 83704, herein after called the Grantee, the following described premises situated in Camas County, Idaho, to-wit:

A parcel of land situated in the NW1/4SE1/4 of Section 9, Township 1 South, Range 14 E.B.M., and more particularly described as follows:

Beginning at the NE corner of the NW1/4SE1/4 of Section 9, Township 1 South, Range 14 E.B.M., said corner marked by a brass cap; thence N89°58'44"W along the 1/4 section line for 450.14 feet to a point on the west boundary of the Durall Addition which shall be the Point of Beginning; thence S00°01'04"E along the West boundary of the Durall Addition for 320.41 feet to a 1/2" rebar; thence S89°58'56"W for 311.00 feet to a 1/2" rebar; thence S00°01'04"E for 350.00 feet to a 1/2" rebar; thence N89°58'56"E for 311.00 feet to a 1/2" rebar on the West boundary of the Durall Addition; thence S00°01'04"E along the West boundary of the Durall Addition for 315.70 feet to a U.S. Forest Service pipe with cap on the North line of the S1/2 S1/2 NW1/4 SE1/4; thence N89°51'55"W along the North line of the S1/2 S1/2 NW1/4 SE1/4 865.30 feet to the NW Corner of the S1/2 S1/2 NW1/4 SE1/4, said corner being marked by an U.S. forest Service Pipe with a cap; thence N00°01'08"E along the west line of the NW1/4SE1/4 for 984.39 feet to the NW corner of the NW1/4SE1/4; thence S89°58'44"E along the 1/4 section line for 864.66 feet to the Point of Beginning.

Excepting therefrom the following two parcels of land:

A Parcel of land being part of the NW1/4SE1/4 of Section 9, Township 1 South, Range 14 East of the Boise Meridian, Camas County, Idaho, and more particularly described as follows:

APN:

Quitclaim Deed - continued

File No.: 144021-K (nw)

Date: 12/30/2005

Beginning at the Northeast corner of the SE1/4 of said Section 9; thence North 89°59'43"West a distance of 1,319.80 feet to the Northeast corner of the NW1/4SE1/4, thence North 89°57'46"West a distance of 449.92 feet along the Northerly boundary of said NW1/4SE1/4 to the True Point of Beginning; thence South 00°00'44"East a distance of 320.41 feet; thence South 89°59'16"West a distance of 311.00 feet; thence North 00°00'44"West a distance of 320.68 feet to a point on the Northerly boundary of said NW1/4SE1/4; thence South 89°57'46"East a distance of 311.00 feet along the Northerly boundary of said NW1/4SE1/4 to the True Point of Beginning.

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Beginning at the northeast corner of the SE1/4 of said Section 9; thence North 89°59'43"West a distance of 1,319.80 feet to the northeast corner of said NW1/4SE1/4 of Section 9; thence North 89°57'46"West a distance of 449.92 feet; thence South 00°00'44"East a distance of 670.41 feet to the True Point of Beginning; thence South 00°00'44"East a distance of 315.72 feet; thence North 89°51'27"West a distance of 311.00 feet; thence North 00°00'44"West a distance of 314.88 feet; thence North 89°59'16"East a distance of 311.00 feet to the True Point of Beginning.

together with its appurtenances.

Together with water right #37-2560 Priority Date of July 10, 1954

Dated: 1-5-06

Fred Marolf, Jr.


Lillian Marolf


Gary S. Marolf

APN:

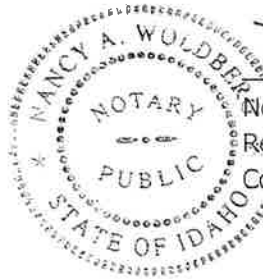
Quitclaim Deed - continued

File No.: 144021-K (nw)

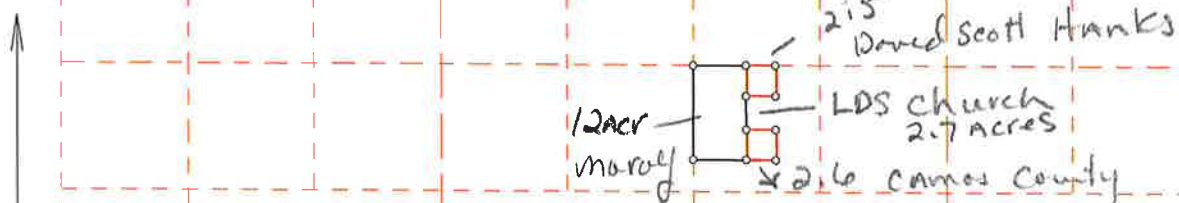
Date: 12/30/2005

STATE OF Idaho)
SS.
COUNTY OF Camas)

On this 5th , day of January, in the year of 2006, before me, the undersigned, a Notary Public in and for said State, personally appeared **Fred Marolf, Jr., Lillian Marolf and Gary S. Marolf**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Nancy A. Woldberg
Notary Public of Idaho
Residing at: Sanfield
Commission Expires: 9-15-11



Title:		Date: 01-17-2006
Scale: 1 inch = 2000 feet	File:	
+Tract 1: 17.065 Acres: 743370 Sq Feet: Closure = n60.5758e 0.01 Feet: Precision =1/527204: Perimeter = 4322 Feet -Tract 2: 2.289 Acres: 99689 Sq Feet: Closure = s04.0632e 0.00 Feet: Precision =1/779181: Perimeter = 1263 Feet -Tract 3: 2.251 Acres: 98058 Sq Feet: Closure = n88.3839w 0.01 Feet: Precision =1/172955: Perimeter = 1253 Feet Net Area= 12.526 Acres: 545623 Sq Feet		
001=/ne,nw,se,09,01s,14e	011=@0-	021=/n89.5943w 1319.80
002=/n89.5844w 450.14	012=/ne,se,09,01s,14e	022=/n89.5746w 449.92
003=s00.0104e 320.41	013=/n89.5943w 1319.80	023=/s00.0044e 670.41
004=s89.5856w 311	014=/n89.5746w 449.92	024=s00.0044e 315.72
005=s00.0104e 350	015=s00.0044e 320.41	025=n89.5127w 311.00
006=n89.5856e 311	016=s89.5916w 311	026=n00.004w 314.88
007=s00.0104e 315.7	017=n00.0044w 320.68	027=n89.5916e 311.00
008=n89.5155w 865.30	018=s89.5746e 311	
009=n00.0108e 984.39	019=@0-	
010=s89.5844e 864.66	020=/ne,se,09,01s,14e	

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: A37-02560A

Date Received: 10/16/1989

Receipt No: M004950

Received By: O/C ALB

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: FRED MAROLF 208-764-2336
Address: PO BOX 106
FAIRFIELD ID 83327
AND
Name: LILLIAN MAROLF 208-764-2336
Address: PO BOX 106
FAIRFIELD ID 83327
AND
Name: GARY S MAROLF 208-764-2336
Address: PO BOX 106
FAIRFIELD ID 83327
AND
Name: JANALEA B MAROLF 208-764-2336
Address: PO BOX 106
FAIRFIELD ID 83327

2. Date of Priority: OCT 7, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	14E	9	NW	SE			CAMAS

5. Description of diverting works:
WELL, 535' DEEP, 15-1/2" CASING, 25 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.293		

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

MICROFILMED
NOV 27 1995

8. Total consumptive use is 42.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	14E	9	NW SE		IRR	17.0

Section Acres 17.0

Total Acres 17.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
NONE

14. Remarks:

ACTUAL AMOUNT CLAIMED IS .293 CFS.
OWNERSHIP CHANGE MADE 6/23/95 BY TLB. DAVIS-FORMER OWNER,
MAROLF-NEW OWNER. BOTH SIGNATURES INCLUDED.

15. Basis of Claim: LICENSE

Water Right Number: 25222

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

06/23/95 14:00:58
Page 1

Water Right Number - R37-02560A

Prefix Translation: RESEARCH

Old (D) Number - 25222

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

*** C - CURRENT OWNER ***
MAROLF

FRED

1 - PO BOX 106
2 -
3 -

City- FAIRFIELD
Phone - 208-764-2336

State- ID Zip- 83327

MAROLF

LILLIAN

1 - PO BOX 106
2 -
3 -

City- FAIRFIELD
Phone - 208-764-2336

State- ID Zip- 83327

MAROLF

GARY S

1 - PO BOX 106
2 -
3 -

City- FAIRFIELD
Phone - 208-764-2336

State- ID Zip- 83327

MAROLF

JANALEA B

1 - PO BOX 106
2 -
3 -

City- FAIRFIELD
Phone - 208-764-2336

State- ID Zip- 83327

*** O - ORIGINAL OWNER ***
DAVIS

RAYMOND F

1 - PO BOX 96
2 -
3 -

City- FAIRFIELD
Phone - 208-764-2505

State- ID Zip- 83327

DAVIS

MARY ANN

1 - BOX 96
2 -
3 -

City- FAIRFIELD
Phone - 208-764-2505

State- ID Zip- 83327

+ - - Priority Date - - +
10/07/1954

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

01S 14E 9 NW SE (25) CAMAS

+ - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION

04/01

11/01

0.293

NOV 27 1998
MICROFILMED

AJ0743NP
(OD-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

06/23/95 14:00:58
Page 2

Water right number - R37-02560A

Prefix Translation: RESEARCH

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.293 42.5

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
01S	14E	9	NW SE		17.0	01	IRRIGATION	(25) CAMAS

Total Acres: 17.0

+ - - Diversion Means - WELL, 535' DEEP, 15-1/2" CASING, 25 HP PUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - -
ACTUAL AMOUNT CLAIMED IS .293 CFS.
OWNERSHIP CHANGE MADE 6/23/95 BY TLB. DAVIS-FORMER OWNER,
MAROLF-NEW OWNER. BOTH SIGNATURES INCLUDED.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers Found

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - - Comments - - - - -
Date: 06/23/1995 User Id: TBACKLUN Subject: COPIED FROM REMARKS
ACTUAL AMOUNT CLAIMED IS .293 CFS. OWNERSHIP CHANGE MADE 6/23/95 BY TLB. DAVIS-FORMER OWNER,
MAROLF-NEW OWNER. BOTH SIGNATURES INCLUDED.

+ - - Audit Fields - - +
06/23/95 TBACKLUN

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 10/16/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND	Presumption Flag	-
				Notice of Error Flag	-

NOV 27 1996
MICROFILMED



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

MAY 08 1995

Please print or type
(see instructions on back of page)

Department of Water Resources
Southern Region

DATE OF CLOSING: 3-22-90

LEGAL DESCRIPTION OF PROPERTY: Township 1 South Range 14E. B.M.
Section 9, NW 1/4 of SE 1/4 of 1/4, Govt. Lot 1/4, BM.
Lot 1/4, Block, 1/4, Subdivision/Townsite 1/4.
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A3702560A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Raymond F. and/or MARY ANN DAVIS
Box 96
Fairfield, Idaho 83327
- ☐ New Owner/Claimant (Purchaser): Fred and LILLIAN MAROLF - Gary S. + Janalea B. Marolf
- ☐ New Mailing Address: Box 166
Fairfield, Idaho 83327
- ☐ New Telephone Number: (208) 764-2336
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Lillian Marolf Date 3-16-95
Gary S. Marolf Janalea B. Marolf Date 3-16-95
- ☐ Signature of Former Owner/Claimant(s): Raymond F. Davis Date 3-14-95
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6/23/95 By: MB

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

MAY 27 1995

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: A37-02560A
Date Received: 10/16/1989
Receipt No: W004950
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAYMOND F. DAVIS 208-764-2505
Address: BOX 96
FAIRFIELD, ID 83327

OR
Name: MARY ANN DAVIS 208-764-2505
Address: BOX 96
FAIRFIELD, ID 83327

2. Date of Priority: OCT 07, 1954

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	14E	9	NW	SE			CAMAS

5. Description of diverting works:
WELL, 535' DEEP, 15-1/2" CASING, 25 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.293		

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

8. Total consumptive use is 42.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01S	14E	9	NW SE		IRR	17.0
Section Acres						17.0
Total Acres						17.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
NONE

14. Remarks:
ACTUAL AMOUNT CLAIMED IS .293 CFS.

15. Basis of Claim: LICENSE
Water Right Number: 25222

MICROFILMED
FEB 23 1993

A37-02560A



EXHIBIT "A"

Beginning at the NE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9 of T.1 S., R.14 E., B.M. said corner marked by a brass cap; Thence N 89°58'44" W along the $\frac{1}{4}$ section line for 450.14 feet (450.00' rec.) to a point on the west boundary of the Durall Addition which shall be the Point of Beginning;

Thence S 0°01'04" E along the west boundary of the Durall Addition for 320.41 feet (320.00' rec.) to a $\frac{1}{2}$ " rebar;
Thence S 89°58'56" W for 311.00 feet to a $\frac{1}{2}$ " rebar;
Thence S 0°01'04" E for 350.00 feet to a $\frac{1}{2}$ " rebar;
Thence N 89°58'56" E for 311.00 feet to a $\frac{1}{2}$ " rebar on the west boundary of the Durall Addition;
Thence S 0°01'04" E along the west boundary of the Durall Addition for 315.70 feet to a U.S. Forest Service pipe with cap on the north line of the S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence N 89°51'55" W along the north line of the S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ for 865.30 feet to the NW corner of S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ said corner being marked by a U.S. Forest Service pipe with cap;
Thence N 0°01'08" E along the west line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ for 984.39 feet to the NW corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Thence S 89°58'44" E along the $\frac{1}{4}$ section line for 864.66 feet to the Point of Beginning.

63586

and for Record at the Request of

CAMAS ABSTRACT

STATE OF IDAHO
County of Camas

I hereby certify that this Instrument
was filed for record in my office at

10:45 o'clock AM

12-11 1987 and

duly recorded in Book 26 of

DEEDS Page 361

W. B. Bennett
County Recorder

By _____ Deputy

Per 6 cc

MICROFILMED
FEB 23 1993

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that the CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, for TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid or delivered, hereby grants, bargains, sells and conveys to RAYMOND F. DAVIS and MARY ANN DAVIS, husband and wife, Grantees, whose address is Fairfield, Idaho, the following Real Property situate in the County of Camus, State of Idaho, to wit:

See Exhibit "A" attached hereto and by this reference made a part hereof.

Together with all appurtenant water, including but not limited to, such water rights as are represented by Water License No. 19253.

Subject to current taxes and assessments, reservations, easements, rights of way, covenants, conditions, restrictions, liens, and encumbrances of record or enforceable in law or equity.

The Grantor specifically reserves all minerals, carbons, hydrocarbons, oil, gas, chemical elements and compounds, whether in solid, liquid or gaseous form, and all steam and other forms of thermal energy on, in or under the above described land.

TO HAVE AND TO HOLD the said premises, with their appurtenance, unto the Grantees, their successors and assigns, in fee simple forever.

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its authorized officer and its corporation seal to be hereunto affixed, by its authorized agent, this 8 day of December, 1987.

CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS, a
Utah Corporation Sole

By: Fred A. Baker
Authorized Agent

STATE OF UTAH)
COUNTY OF SALT LAKE) ss

On this 8 day of December, 1987, personally appeared before me FRED A. BAKER, personally known to me to be the Authorized Agent of the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah Corporation Sole, who acknowledged to me that he signed the foregoing instrument as Authorized Agent for said Corporation, that the seal impressed on the within instrument is the seal of said corporation, and the said FRED A. BAKER acknowledged to me that the said Corporation executed the same.

My Commission Expires:

3-20-89

Lanette H. Johnson
Notary Public in and for the
State of Utah

MICROFILMED
FEB 23 1993

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: 1 map
1 Warranty Deed (2 pgs.)

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): x Raymond F Davis Date: 10-16-89
Mary Ann Davis Date: 10-16-89

State of Idaho)
County of Camas) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of October 19 89

Helen Harrington
Notary Public

Seal

Residing at Helen Harrington, Notary Public
Residing at Boise, Idaho
My Commission Expires December 1, 1994

03/29/2006

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

RIGHT NUMBER: 37-2560A

NAME AND ADDRESS: JERRY L CAVEN
6874 FAIRVIEW AVE
BOISE ID 83704

MURIEL J CAVEN
6874 FAIRVIEW AVE
BOISE ID 83704

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.210 CFS
42.000 AFY

PRIORITY DATE: 10/07/1954

POINT OF DIVERSION:

T01S R14E S9 NWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.210 CFS

42.00 AFY

PLACE OF USE:

IRRIGATION Within CAMAS County

T01S R14E S09 NWSE 12.00

12 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: BASIS OF CLAIM - License



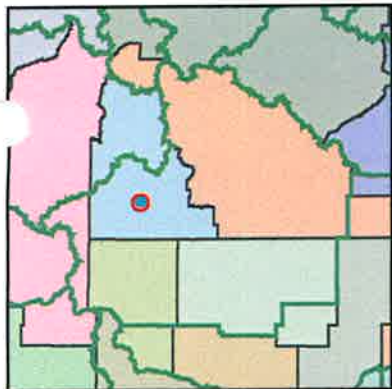
Idaho Department of Water Resources

Adjudication Claim:

37-2560A

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Camas County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by S. Clelland
On Wednesday, March 29, 2006
1987/88 Aerial Photography

3/29/06
scc

37-2560A

Q: $.293 \text{ cfs on } 17 \text{ ac} = .017235 \text{ cfs/ac}$

$\times 12 \text{ ac} = 0.2068 = \underline{\underline{0.21 \text{ cfs}}}$

$\text{Vol } 12 \times 3.5 = \underline{\underline{42 \text{ AFA}}}$

(at this time remainder of this right is unclaimed)

POD: Loc exam describes well at 600' East of
center of section 9



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

DIRK KEMPTHORNE
Governor

January 17, 2006

KARL J. DREHER
Director

FIRST AMERICAN TITLE COMPANY
PO BOX 7999
KETCHUM ID 83340

RE: Jerry and Muriel Caven
SRBA Claim Nos. #37-2560A

Dear Claimant,

The Department has received the *Notice of Change of Water Right Ownership* you recently submitted referenced above. Since this claim has not been decreed in the Snake River Basin Adjudication, no fees are due at this time. I am herein returning First American Title Company's Check # 5455 for twenty-five dollars (\$25.00)

Should you have any questions please call me at (208) 736-3033.

Sincerely,

Carrie Hahn
Clerk

Enc.

SCANNED
JAN 17 2006



First American Title Company
120 Second Avenue North, Ketchum, ID 83340
Phone (208)726-5688, Fax (208)726-3567

RECEIVED
JAN 12 2006
Department of Water Resources
Southern Region

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

January 10, 2006
File No.: 144021-K (nw)

Attn:

Re: **Caven / Marolf**

Property: **Sage Ave. West, Fairfield, ID 83327**

Buyer: **Jerry L. Caven and Muriel J. Caven**

Seller: **Fred Marolf, Jr., and Lillian Marolf and Gary S. Marolf**

Sincerely,

Nancy Woldberg by jws
Nancy Woldberg,
Escrow Officer

nw/cc

SCANNED
JAN 17 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JUNE 23, 1995

FRED & LILLIAN MAROLF
GARY S & JANALEA B MAROLF
PO BOX 106
FAIRFIELD, ID 83327

RE: SRBA CLAIM A37-02560A
DAVIS

DEAR CLAIMANTS:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

MICROFILMED
NOV 27 1996

State of Idaho License and Certificate of Water Right

Water License No. G-25222

Amount 1.0 c.f.s.

Water District No.

Priority October 7, 1954

THIS IS TO CERTIFY that THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a corp. sole of Fairfield, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 7, 1954; that Permit No. G-25222 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.0 second feet, was issued thereunder on November 15, 1961, showing that said works were completed on the 14th day of September, 1959; and that on the 14th day of September, 1959, THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a corporation sole

of Fairfield, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow, for the purpose of irrigation, stock, domestic & industrial/uses, under Use Permit No. G-25222 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

12 of Licenses at page 7211, on the 15 day of November, 1961;

The right hereby confirmed dates from October 7, 1954;

The Point of Diversion is located

in the NW 1/4 SE 1/4, Sec. 9, Tp. 1 S, R. 14 E, B. M. Camas County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.0 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	14 E	9	NW 1/4 SE 1/4 SW 1/4 SE 1/4	40 20	40 16
Total number of acres to be irrigated:					56

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 15th day of November, 1961.

/s/ RALPH M. THOMAS
Deputy State Reclamation Engineer.

37 2500

(SEAL)