

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

09/17/2001

WATER RIGHT NUMBER: 29-544

NAME AND ADDRESS: ALBERTA DANIELS
1799 LUND DR
BANCROFT ID 83217

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.04 CFS
1.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 07/15/1920

POINT OF DIVERSION:

T08S R39E S34 SESW Within CARIBOU County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS
1.20 AFY

PLACE OF USE: DOMESTIC Within CARIBOU County

T08S R39E S34 SESW

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: Decreed

33

34

3

4

3

9

10



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 30, 2001

ALBERTA DANIELS
1799 LUND DR
BANCROFT ID 83217

RE: CHANGE IN OWNERSHIP FOR A29-00544

Dear Ms. Daniels:

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,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim



SCANNED
DEC 08 2005

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

RECEIVED

AUG 17 2001

Department of Water Resources
Eastern Region

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

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
29-00544	A29-544	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—
—	—	—	—	—	—

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)

Parley L. Schenk + Sons Farms Inc.
 1803 Lund Rd.

4. New Owner/Claimant(s)

Bancroft, ID 83217.

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Alberta Daniels

City, State and ZIP Code

1799 Lund Dr.
 Bancroft, ID 83217

New Telephone Number

(208) 648-7109.

5. Date you acquired the property

7-30-01

SCANNED

DEC 08 2005

WARRANTY DEED

Order No.:3080140132

FOR VALUE RECEIVED

Steven G. Schenk and Karla Schenk, Husband and Wife

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

Alberta J. Daniels, an unmarried person

whose current address is

1794 Lund Rd.
Bancroft, ID 83217

the grantee(s), the following described premises, in Caribou County, Idaho, TO WIT:

A tract of land located in the Northeast quarter of Section 4, Township 9 South, Range 39 East, Boise Meridian and the Southwest quarter of Section 34, Township 8 South, Range 39 East, Boise Meridian, Caribou County, Idaho described as follows:

Beginning at the Point in the West right of way line of the Lund-Bancroft Caribou County Road, which point is 50 feet West and 156 feet South of the Northeast corner of said Section 4;

Thence North along said right of way line 326.5 feet;

Thence West at right angles 153.7 feet;

Thence South 11°59' East, paralleling the North Extension Canal and being approximately 10 feet Easterly from said canal, 127.5 feet;

thence South 6°19' East, paralleling said canal, 203 feet;

thence East 105 feet, more or less, to the Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/30/2001

Steven G. Schenk
Steven G. Schenk

Karla Schenk
Karla Schenk

State of Idaho }
County of Caribou } ss.

On this July 31, 2001, before me, a Notary Public in and for said state, personally
Appeared Steven G. Schenk and Karla Schenk

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

Teressa Rigby
Notary Public for the State of Idaho
Residing at: Grace, ID
Commission Expires: June 17, 2002

STATE OF IDAHO } ss 164079

County of Caribou

I hereby certify that this instrument was filed at the request

of Alliance Title

at 4:30 o'clock P m this 31 day of

July, 2001 In my office and duly

recorded official Records

Recorder Edie Izatt

Denise Marsley Deputy 300

Signature



IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-12-1991
PAGE: A-27

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	PURPOSE OF USE	PERIOD OF USE FROM TO	MAXIMUM QUANTITY	BASIS OF CLAIM
SOURCE: GROUNDWATER						
29-00521	CRAIG OZBURN BOX 482 SODA SPRINGS ID 83276	06/15/1920	STOCKWATER	01-01 12-31	.04 4.1	CFS AFY BENEFICIAL USE
	NON-IRRIGATION-USES: STOCK, 300 RANGE POINT OF DIVERSION: T08S R40E S22 PLACE OF USE: STOCKWATER		NENE		TOTAL QUANTITY: .04 4.1	CFS AFY
29-00544	PARLEY L. SCHENK & SONS FARMS INC. 1803 LUND RD. BANCROFT, ID 83217	07/15/1920	DOMESTIC	01-01 12-31	.04 1.2	CFS AFY BENEFICIAL USE
	NON-IRRIGATION-USES: DOMESTIC, 1 HOME POINT OF DIVERSION: T08S R39E S34 PLACE OF USE: DOMESTIC		SESW		TOTAL QUANTITY: .04 1.2	CFS AFY
13-00500	BILL E. JORGENSEN P.O. BOX 129 GRACE ID 83241	09/01/1920	DOMESTIC	01-01 12-31	.04 1.2	CFS AFY BENEFICIAL USE
	NON-IRRIGATION-USES: DOMESTIC, 1 HOME POINT OF DIVERSION: T10S R40E S18 PLACE OF USE: DOMESTIC		SWNE		TOTAL QUANTITY: .04 1.2	CFS AFY

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DEC 08 2005

8/11/01 CB.
recommended
as desired
claim
matches
deed

ownership chg
left 8/8/01
CB.

Alberta Daniels
1799 Lund Dr.
648-7109

Sold

8/8/01

7/30/01 Bailey L. Schenk + Sara Jean

Sold this property to Alberta Davis
I stepped by and left her a change
of ownership form. I left an
envelope for the eastern regional
office to mail the ownership form
to eastern.

- Recommended as discussed.

- New owner:

Purchased 7/30/01

Alberta Davis

1799 Lund Dr.

648-7109

DEC 08 2005

SCANNED

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 29-544
Date Received: 9/12/1995
Receipt No: E021493
Received By:

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

1. Name of Claimant(s)

ALBERTA DANIELS Phone: (208) 648-7109

1799 LUND DR
BANCROFT ID USA 83217

2. Date of Priority: 07/15/1920

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	39E	34	SE SW	CARIBOU	

5. Description of diverting works:

WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:

0.04 C.F.S. and/or 1.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
08S	39E	34	SE SW	DOMESTIC	

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

15. Basis of Claim: Beneficial Use

SCANNED
DEC 08 2005

SCANNED

MAY 4 2001

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF CARIBOU

IN THE MATTER OF THE GENERAL
DETERMINATION OF THE RIGHTS TO THE
USE OF THE SURFACE AND GROUNDWATERS
IN THE BANCROFT-LUND AREA.

CIVIL CASE NUMBER: 2919

Ident. Number: **A29-00544**
Date Received: 9/12/1995
Receipt No: E021493
Received By: Kew

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

1. Name: PARLEY L SCHENK & SONS FARMS INC 208-648-7876
Address: 1803 LUND RD
BANCROFT ID 83217

2. Date of Priority: JUL 15, 1920

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	39E	34	SE	SW			CARIBOU

5. Description of diverting works:
WELL & PUMP.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	39E	34	SE	SW		DOMEST	

11. Place of use in counties: CARIBOU

A2900544



MICROFILMED
NOV 13 1996

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

13. Other Water Rights Used:

NONE

14. Remarks:

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 X 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 VICE - PRESIDENT of _____
Title

PARLEY L. SCHENK & SONS FARMS INC. that I have signed the foregoing
Organization

document in the space below as VICE - PRESIDENT of _____
Title

PARLEY L. SCHENK & SONS FARMS INC. and that the statements contained in the
Organization

foregoing document are true and correct.

Steven G. Schenk
Signature of Authorized Agent

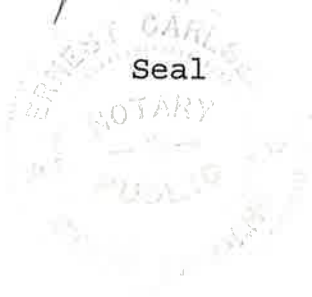
VICE - PRESIDENT
Title and Organization

9-12-95
Date

State of Idaho)
County of Bonnerille) SS.

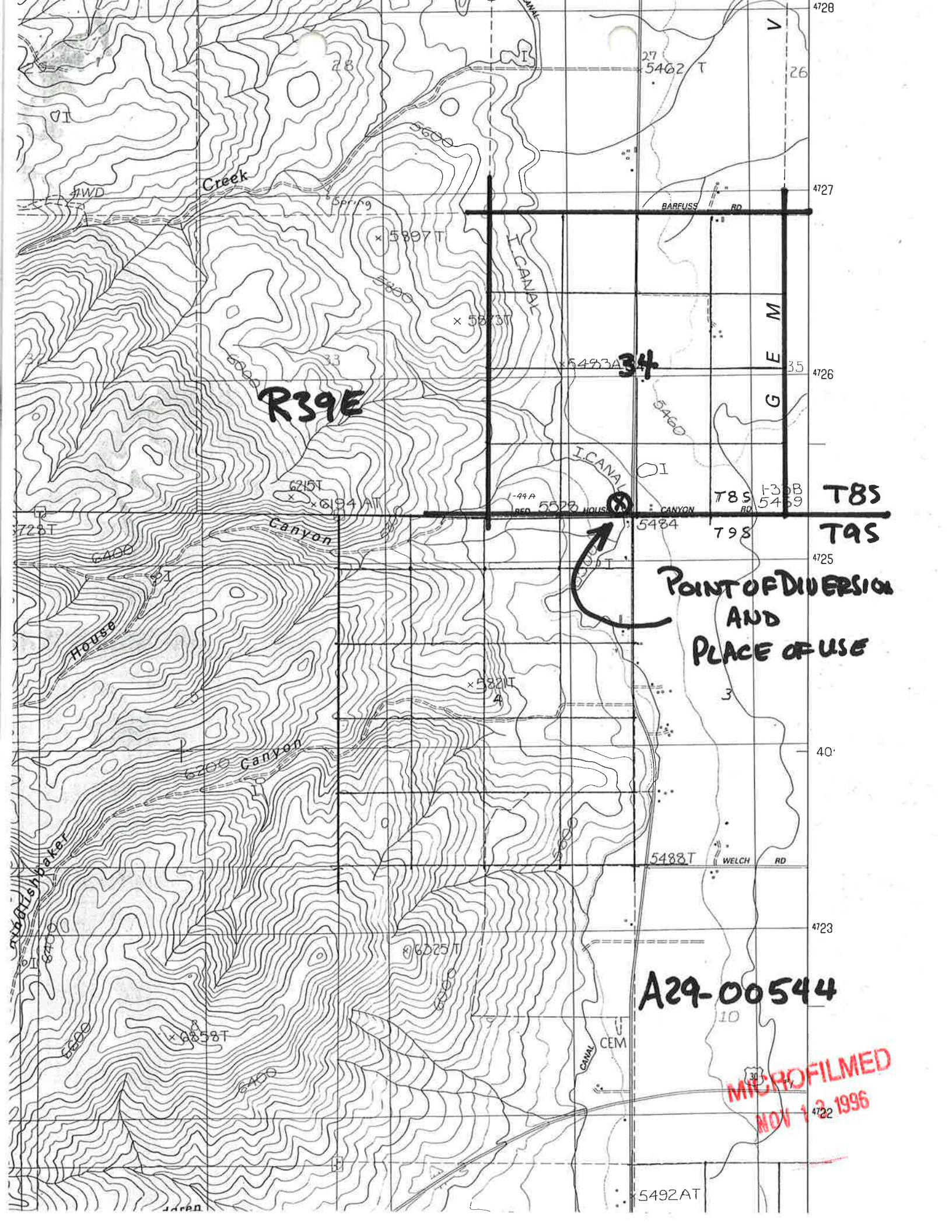
Subscribed and sworn (or affirmed) before me this 12 day
of Sept. 19 95

Ernest Carlson
Notary Public



Residing at Alto Falls

My Commission Expires 6/14/2000



R39E

34

T8S T9S

T8S T9S

POINT OF DIVERSION
AND
PLACE OF USE

A29-00544

MICROFILMED
NOV 13 1996

WJ5620NF

 IDAHO DEPARTMENT OF WATER RESOURCES
 RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

 DATE: NOV-19-1997
 PAGE: A-36

RIGHT NUMBER: 29-00544

 NAME & ADDRESS: PARLEY L SCHENK & SONS FARMS INC
 7803 LUND RD
 BANCROFT ID 83217

SOURCE: GROUNDWATER

 QUANTITY: 0.04 CFS
 1.2 AFY

PRIORITY DATE: 07/15/1920

POINT OF DIVERSION: T088 R39E S34 SESW Within CARIBOU County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC, 1 HOME	01-01 12-31	0.04 CFS
			1.2 AFY

 PLACE OF USE: DOMESTIC Within CARIBOU County
 T088 R39E S34 SESW

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

2862 McCullough, C. Michael
 1770 Cedar View Rd
 Soda Springs, ID 83276

1 home
 1 outbuilding

Verified by John
 @ City Assessor's
 Office DMS



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

December 4, 1997

C. Michael McCullough
1770 Cedar View Rd
Soda Springs ID 83276

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right Nos. 29-00542, 29-00543, 29-00544, A29-12880,
& A29-12881

*Dawcroft Lund
FD' code on Serial*

Dear Claimant:

We have been advised you may be the new owner of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please follow the instructions on the back of the form and return to my attention at this office by December 18, 1997.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

cc: Regional office

Enclosures: Form 42-248/42-1409(6)

Copy of Nos. A29-00542, A29-00543, A29-00544, A29-12880, & A29-12881
water right filing

*1-15-98
No response to
this letter
Dund*