

11/08/2002

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

RIGHT NUMBER: 29-13161

NAME AND ADDRESS: SARAH DAVIS
1867 OSTERLOH
TWIN FALLS ID 83301

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.150 CFS

PRIORITY DATE: 04/24/1947

POINT OF DIVERSION:

T09S R36E S22 SENWSW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 11/01

QUANTITY
0.150 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T09S R36E S22 NWSW 7.5

7.5 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.

EXPLANATORY MATERIAL: License

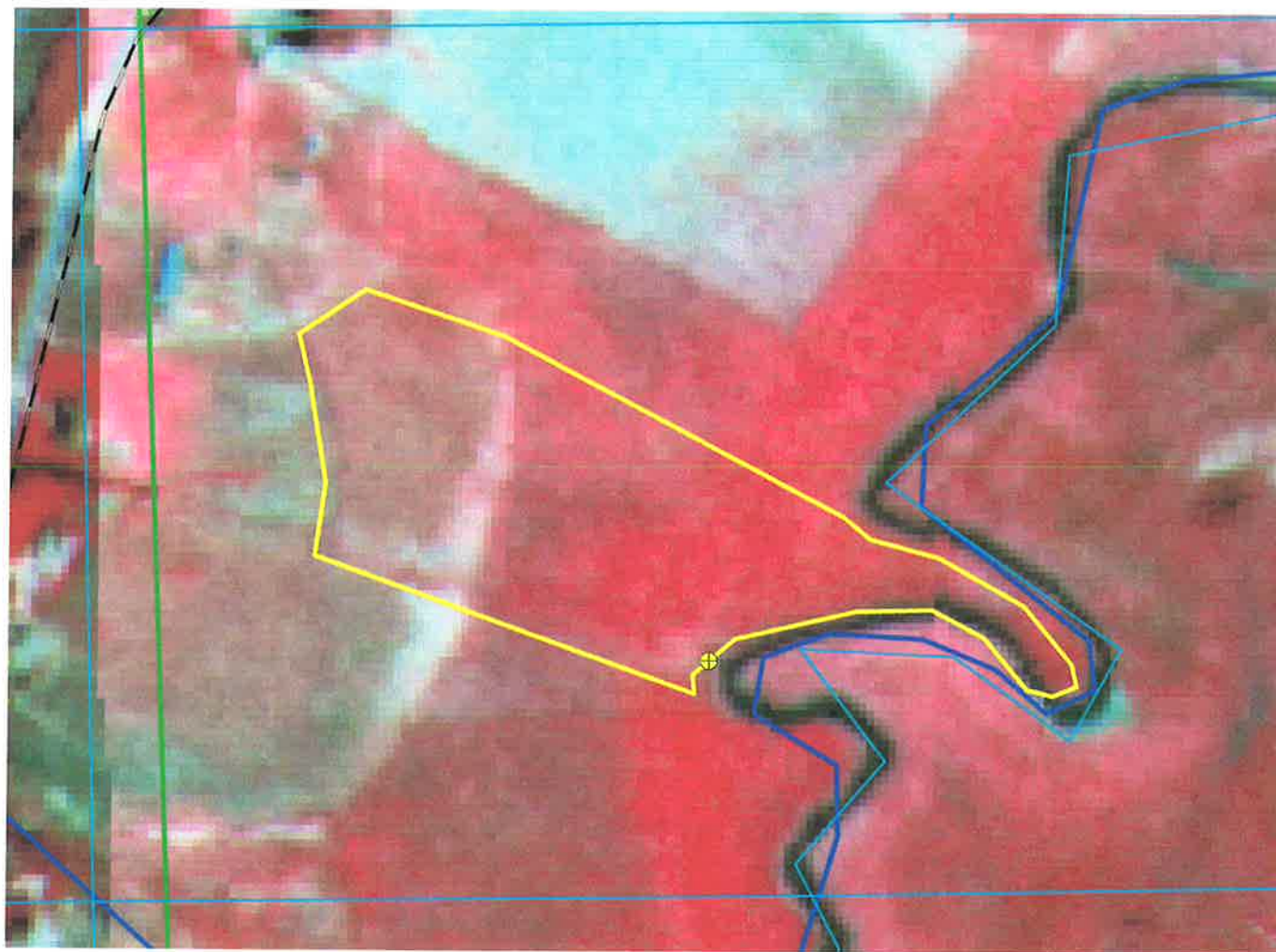
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-2269D.



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right 29-13161



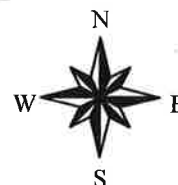
400 0 400 800 1200 Feet

LEGEND

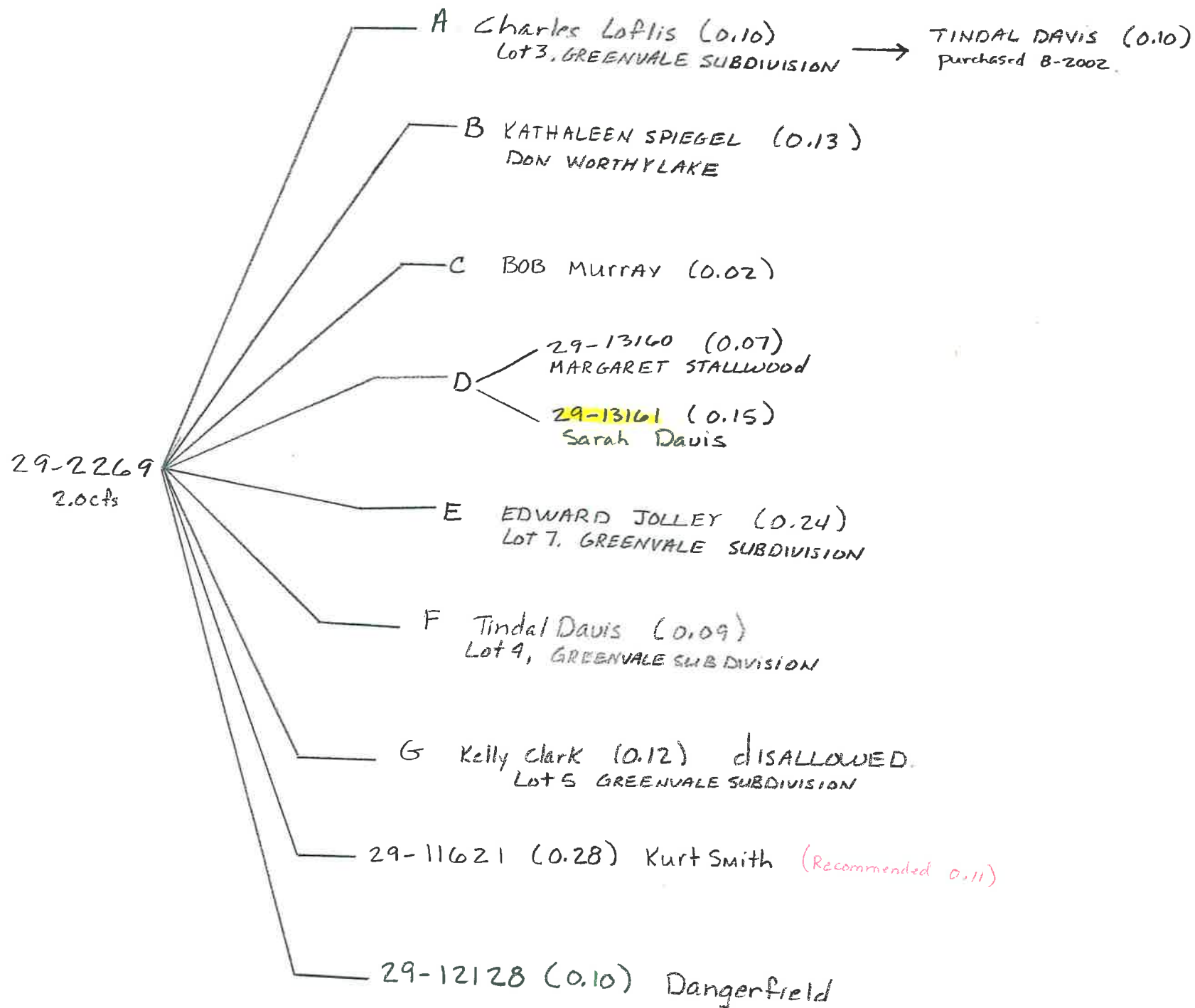
-  Point of Diversion
-  Place of Use
-  STREETS
-  SECTIONS
-  QUATER-QUATERS
-  STREAMS

Place of Use: T9S, R36E,
(part of) Section 22, NWSW LOT 9

Points of Diversion: T9S, R36E
Sec. 22 SENWSW



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by C. Bird
Date: August 2002



Oct 28-2002
PREPARED BY: C BIRD

PLACE OF USE OVERLAP REVIEW

CLAIM NO.	TWN	RNG	SEC	NE				NW				SW				SE				TOTAL
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
29-2269	9S	36E	22							20										
										2.9	2.8									
										2.5	2.5									
										2.9										
										3.5										
										2.10										100
										20										
Loftis	2269A x	9S	36E	22						3.5										
Stallwood	13160 x	9S	36E	22																60
Jolley	2269E x	9S	36E	22						5.5	5.5									
Davis	13161 x	9S	36E	22																
Dangerfield	12128 x	9S	36E	22						0.1	3.9									
Worthy Lake	2269B x	9S	36E	22																
Murray	2269C x	9S	36E	22																
Smith	11621 x	9S	36E	22						14.0										
										23.1	9.4			18.9	4.4					55.8

~~Charles Loftis~~ Tindal Davis

Rec. 0.10 cfs

(D.C.) A Charles & Dawn Loftis
0.13 Lot 3

B Kathleen Sprengel
0.32 Below greenvale
Subdivision. (0.13 cfs rec.)

C Bob Murray
1.5 Below subdivision (0.02) (rec. 1 ac.)

D 0.6 $\left\{ \begin{array}{l} 13160 \text{ (stallwood)} \\ 13161 \text{ (0.24)} \end{array} \right. (0.07)$
Davis (0.36) (0.15)

E Edward Jolley
(D.C.) 0.24
(Lot 7) (0.24)

F 0.08
Lot 4

Robert Munne - Can't find a file - Tindal Davis 0.09
Claimed by Tindal Davis (New owner)

G Kelly & Sherry Clark
0.12 cfs (Lot 5) Disallowed

29-2269
2.0 cfs.

(Scott Jensen Lot 6)
No claim filed.

29-11621
0.28 cfs - Kurt Smith

29-12128 (0.10) (D.C.)

3.29
Overclaimed

who owns the ~~same~~
property?

SWNW-20 ACRES LICENSED

MARY O'RIORDAN

lot 8-25 acres licensed
25.4 acres

M. CRAIG DANGERFIELD

ROBERT MUMME

KELLY CLARK

SCOTT JENSEN

EDWARD JOLLEY

KURTIS SMITH

lot 9-35 acres licensed
41.9 acres

MARGARET STALLWOOD

SARAH DAVIS

BOB MURRAY

DON WORTHYLAKE

K. SPIEGEL

DON WORTHYLAKE

TIM JOHNSON

lot 10-20 acres licensed
33.35 acres

Cottonwood Creek

02/08/2003

Cindy

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: April 21, 2003

Water right number: 29-13161

SARAH DAVIS
1867 OSTERLOH
TWIN FALLS ID 83301
Telephone Number: (208) 734-9166

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:

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

DATE: 2/26/03 SIGNATURE: Sarah R. Davis
Please print your name: Sarah R. Davis

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



C- 39375

LOCATION

GLENN'S ELECTRIC MOTOR & PUMP, INC.

501 N. MAIN
LOGAN, UT 84321

PHONE: 752-4178
Email: glennselectric@qwest.net

C- 39375

INVOICE
NO. _____

DATE 2 SEP 02 P.O. # _____

NAME BILL FIELD

Repaired
By _____

ADDRESS/PHONE MC CANNON ID.

Date Completed

INSTRUCTIONS

208) 339 1444

EST: INSTALL MAY 1ST '03

ARTICLE

MODEL

MAKE

SERIAL NO.

QUAN.	PARTS USED AND WORK DONE	PRICE	AMOUNT
#	BERRLEY IRRIGATION PUMP (B2TPM) - PUMP SET-UP FLANGE OR THREADED 44' RISE 4' LIFT TO PUMP 10' LINE - APPROX 1000'		
#	PANEL - 7 1/2 HP. 1Ø 3R H.O.A. START, MAG		
#	PRIMER FOR PUMP VALVES (CHECK) AIR RELIEF		
REMARKS	FINAL DETAILS TO BE SET-UP AT TIME TO INSTALL	Labor Phone & Freight Sales Tax TOTAL	

Buyer agrees that Glenn's Electric Motor & Pump Inc. retains a security interest in all merchandise installed by Glenn's Electric. Buyer further agrees that said merchandise do not attach to real property and authorize Glenn's Electric to enter and remove any merchandise not paid for in full within ninety days.

CUSTOMER SIGNATURE **X**

CLAIM CHECK

C- 39375

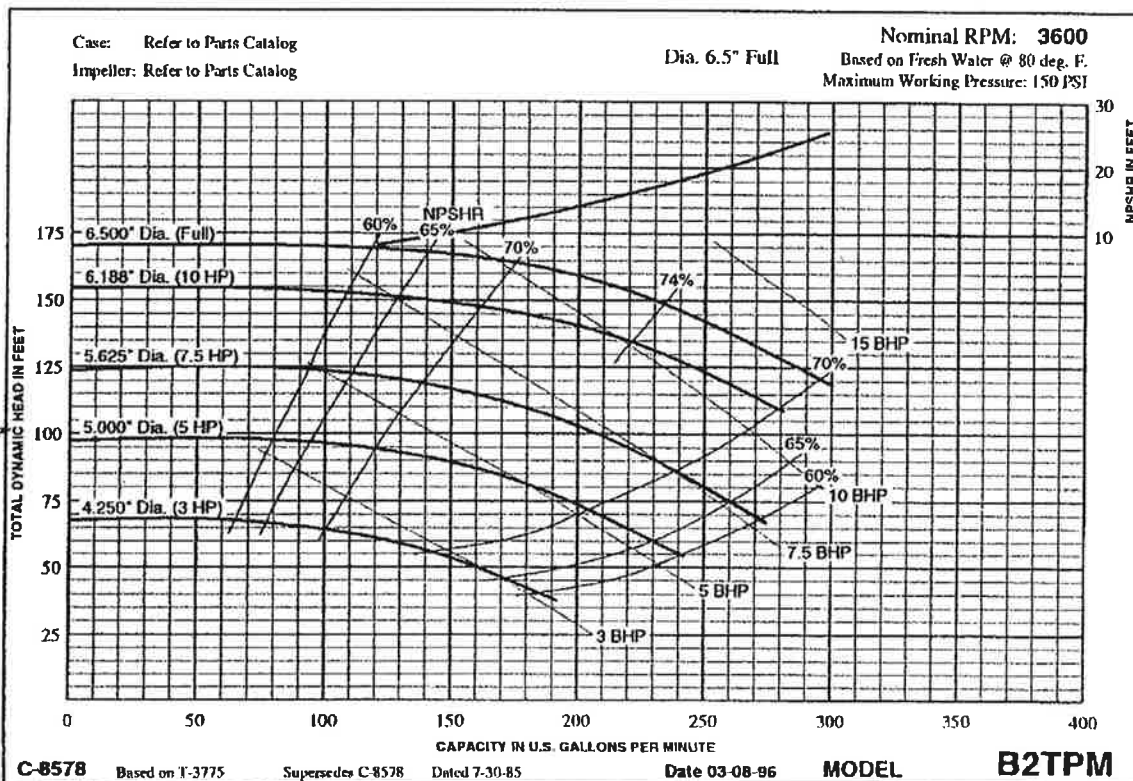
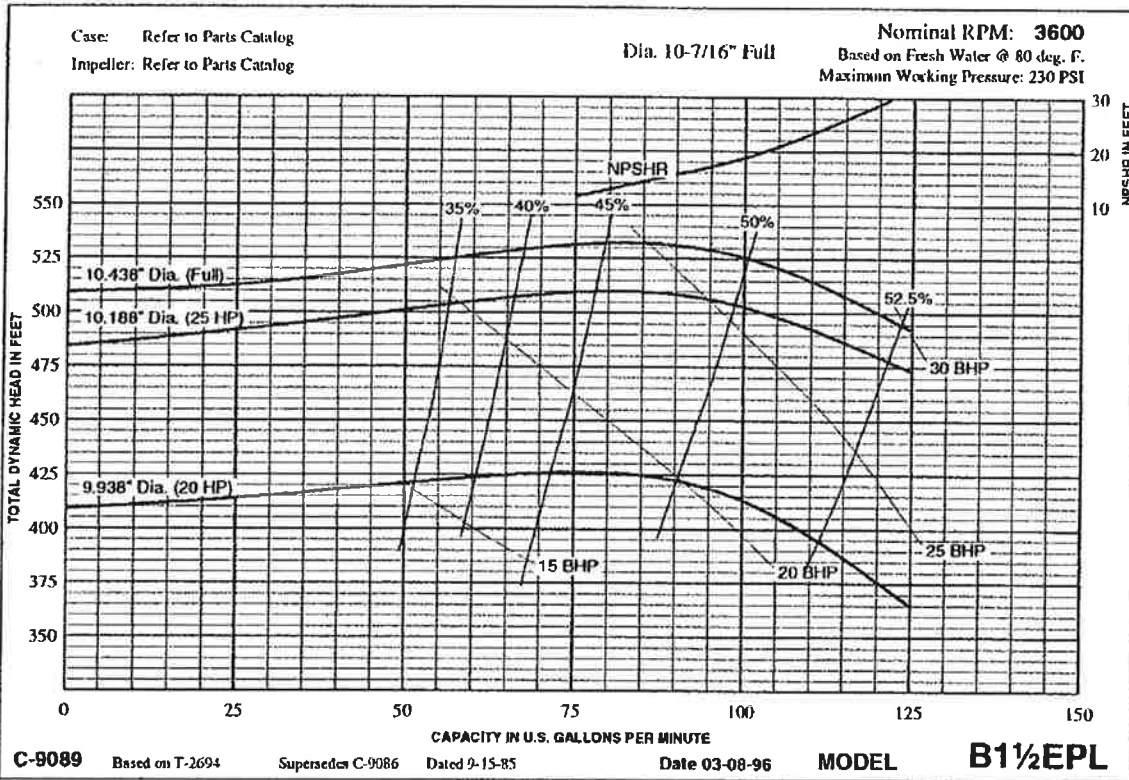
Glenn's Electric Motor & Pump, Inc.

1. All work expenses to be paid upon work completion.
2. Customer must pay freight on all special orders.
3. We are not responsible for loss by fire or theft.
4. Equipment will be made to conform to applicable ANSI, UL, OSHA, or Safety Standards.



MOTOR DRIVE

CURVE	4075
DATE	02-26-96
PAGE	2.02
SUPERSEDES	
Curve 4075	Page 2.02
Dated 01-02-86	



5 HP
200 GPM

10/31/02 10:58AM Called Bill Field to check
on the pump. Bill said they haven't
got the electric pump in yet.
I asked Bill to get me the specs on
the pump & why the pump hasn't
come in yet.
Will try to get me the information
by next week.

September 25, 2002

Cindy E. Bird
Adjudication Bureau
15 W. Center St.
Soda Springs, ID 83276

RE: Snake River Basin Adjudication Claim(s)
A29-13161

Subject: Pump Station 1947 Deeded Water Right

Dear Cindy,

We are in response to your letter dated September 9, 2002. We are working on getting our diversion in working order. Our pump has been in for repair and we have been notified that it cannot be repaired. Therefore, we are ordering a new pump and motor. Our diversion will be operational soon.

We have enclosed a few pictures of our place where the power goes to the pump area and the site where the pump and motor will be near the existing penstock.

We appreciate your patience in this matter.

Sincerely,



Sara Davis & William Field

Enclosures





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 9, 2002

Sarah Davis
1867 Osterloh
Twin Falls, Idaho 83301

RE: Snake River Basin Adjudication Claim(s)
A29-13161

Subject: Conveyance System

Response Date: October 4, 2002

Dear Claimant (s):

Under the Idaho Code 42-101, all the waters of the state, when flowing in their natural channels, belong to the State of Idaho. A water right must be obtained to divert the water and it must be applied to the property described under the water right.

It is important that each element of a claim be substantiated. For instance, regarding claims for irrigation, the evidence should show that diversion works were in place and being used, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use.

The Idaho Department of Water Resources (IDWR) has recently begun its water right review and field exams in Basin 29. During the recent field exam of your claim, it was determined that there was no way to convey the water onto the ground claimed in your adjudication claim.

The IDWR has investigated the Notice of Claim listed above, but so far has been unable to verify the irrigation use claimed. To establish the existence of the right, you must submit persuasive evidence of the use claimed.

This office must receive your response by the response date shown above. If no response is received, then your claim will be recommended for **disallowal** on the basis that no beneficial use was found. If you feel this determination has been made in error, or if you have any questions, please feel free to contact me at 547-3993.

Respectfully,

A handwritten signature in cursive script that reads "Cindy E. Bird".

Cindy E. Bird
Adjudication Bureau

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	Sarah Davis	1867 Osterloh				
Name connector: and _____, or _____, and/or _____						
Current Owner		Twin Falls, ID	83301			
Current Owner						

Representing Attorney: _____ Phone Number: _____

Accompanied By: Bill & Nancy Fields Phone Number: 254-9255

Relationship to Claimant: Sarah is Bills son's Mother-in-law

Date of Field Exam: 8/13/02 Time: 1pm

Directions to Property (if different from above) and/or update owner information:

field visit

C18

P21 Split 29-2269D

Reviewer: CB

Date: 8/13/02

Priority Date Data Entry Form

Claim Number: A29-13161
Water Right Priority Date: 04-24-1947 Water Right Basis: Irrigation
Claimed Priority Date: 4-24-1947 Claimed Basis: License
Recommended Priority Date: 4-24-1947 Recommended Basis: License

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

License 29-2269

Split from 29-2269

Reviewer: CB

Date: 8/13/02

Point of Diversion and Source Data Entry Form

Claim Number: A29-13161

Water Right Point of Diversion: T 9, R 36, Sec. 22, NW, SW, County: Bannock

Source: Marsh Creek Tributary: Portneuf River

Claimed Point of Diversion: T 9S, R 36E, Sec. 22, SE, NW, SW, County: Bannock

Source: Marsh Creek Tributary: Portneuf River

Recommended Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

☒ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u>9S</u>	<u>36E</u>	<u>22</u>	<u>9</u>	<u>NW SW</u>	<u>Bannock</u>	<u>Marsh Creek</u>
GPS Coordinates: <u>N 42° 37.311'</u>					<u>W 112° 14.328'</u>	
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

field exam.

1987/88 NAPP Photography

Bannock Co. Tax lot information.

Transfers Changing POD NO

Reviewer: CB

Date: 8/13/02

Place Of Use Data Entry Form

Claim Number: A29-13161☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
9S	36E	22	NWSW		Bannock		9	Irrigation

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
9S	36E	22	NWSW		Bannock	9	7.5	Irrigation.

Total Acres 7.5

Document how the POU was verified:

- 1987/88 NAPP Photography
- Bannock Co Tax lot info.
- field exam

Transfers Changing POU noReviewer: CBDate: 8/13/02

Purpose of Use Data Entry Form

Claim Number: A29-13161☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			100	

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			9	

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			7.5	

Document how the Purpose of Use was verified:

field exam
1987/88 NAPP Photograph

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 8/13/02

Period of Use and Quantity Data Entry FormClaim Number: A29-13161☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation			2.0	

Overall Diversion Rate 2.0 Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	0.36	

Overall Diversion Rate 0.36 Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.15	

Overall Diversion Rate 0.15 Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

license 29-2269

Reviewer: CBDate: 8/13/02

A29-13161 & A29-13163

Narrative by Cindy Bird

August 13, 2002



Photo 1. Diversion point from Marsh Creek.



Photo 2. Looking west at the POU.



Photo 3. Diversion from Cottonwood Creek.

Sarah Davis claims. Bill and Nancy Fields accompanied me during the field exam for Sarah Davis. Sarah is Bill's son's mother-in-law. Bill is operating an organic fertilizer business from the property. Bill and his ex-wife Constance Muetting previously owned the property.

Photo 1 was taken looking east at the point of diversion on Marsh Creek. The pump has been pulled and a new pump has been ordered. Bill has been using a 7.5 hp portable gas pump but the pump was not there during the exam. The pump pulls the water out of Marsh Creek into a 5" pipe then flows into a 12" pinstock to the riser.

I explained to Bill that a period of 5 consecutive years of nonuse they could get into an abandonment/forfeit issue on the water rights.

Photo 2 was taken looking west at the place of use. The place of use includes the fence in the foreground of the white house in the left side of the photo. The vertical lift is 45 feet.

The GPS file name for the POD on Marsh Creek is SDAVIS, N42 degrees, 37.311 minutes, W112 degrees, 14.328 minutes.

Photo 3 was taken looking south at the point of diversion off Cottonwood Creek. Photo 3 shows the air vent for the 6 inch buried pipe from Cottonwood Creek. The diversion file name is COTDAV, N42 degrees, 37.352 minutes, W112 degrees, 14.715 minutes.

8/13/02 29-13161

Marsh Ck POD.

1:20pm 8-13-02.

N 42° 37.311'

W 112° 14.328' 12:16 pm (1:16 pm)

1:24pm

1 Photo looking east at concrete pad ^{Marsh} _{ck.}
pump isn't working - ordered a new pump.

-uses gas pump.

1:25pm 1- photo looking west at POD.

5" pipe flows into 12" pinstock.

- 17 1/2 hp. pump -
45' lift to ditch.



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

May 11, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

SARAH DAVIS
1867 OSTERLOH
TWIN FALLS ID 83301

RE: CHANGE IN OWNERSHIP FOR 29-2269D & 29-4045D

Dear Ms. Davis:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

29-2269D:

29-13160, 6 acres, .24 cfs, Mueting

29-13161, 9 acres, .36 cfs, Davis

29-4045D:

29-13162, 6 acres, .20 cfs, Mueting

29-13163, 9 acres, .30 cfs, Davis

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree

Technical Records Specialist

Enclosure

Form 42-248/42-1409(6) July, 2000

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

 FEB 07 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, 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	2269	☒ yes			
29	4045	☒ yes			

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) are 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)

Constance Muehling
9616 So. Marsh Creek Rd, McCammon Idaho 83250

4. New Owner/Claimant(s)

Sarah Davis an unmarried Person

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

New Mailing Address

1867 Osterloh

City, State and ZIP Code

Twin Falls, Idaho 83301

New Telephone Number

(208) 734-9166

5. Date you acquired the property

January 30, 2001

Form 42-248/42-140(9) July, 2000

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 <u>29 2269 D</u>		
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	<u>• 36 CFS IRR</u>	<u>for 9 acres</u>
Stock		
Domestic		
Other		
Total	<u>• 36 CFS</u>	

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 <u>29 4045 D</u>		
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	<u>TOTAL → • 30 CFS</u>	<u>for 9 acres</u>
Stock	<u>• 29 CFS FOR IRR</u>	
Domestic	<u>• 01 CFS FOR STOCK</u>	
Other		
Total		

7. Signature of New Owner(s) or Claimant(s) SARAH DAVIS
(include title if applicable)

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 _____

P32907

WARRANTY DEED

NO 20101749
 RECORDED AT REQUEST OF
 FIRST AMERICAN
 2001 FEB 5 PM 1 46
 OFFICIAL BOOK NO. 274
 BANNOCK COUNTY IDAHO
 LARRY V. GILMAN RECORDER
 TEG. DEPUTY

For Value Received **CONSTANCE M. MUETING**, a single person at date of acquiring title

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

SARAH DAVIS, an unmarried person

whose address is: 1867 Osterloh Twin Falls, Id. 83301

Hereinafter called the Grantee, the following described premises situated in Bannock County, Idaho, to-wit:

SEE ATTACHED "ADDENDUM A"

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 their 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.

Dated: January 30, 2001

Constance M. Mueting
 CONSTANCE M. MUETING

STATE OF Idaho

ss.

COUNTY OF BANNOCK

On this 30th day of January, 2001, before me Chris Bramwell, personally appeared CONSTANCE M. MUETING, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) is subscribed to the within instrument, and acknowledged to me that she executed the same.

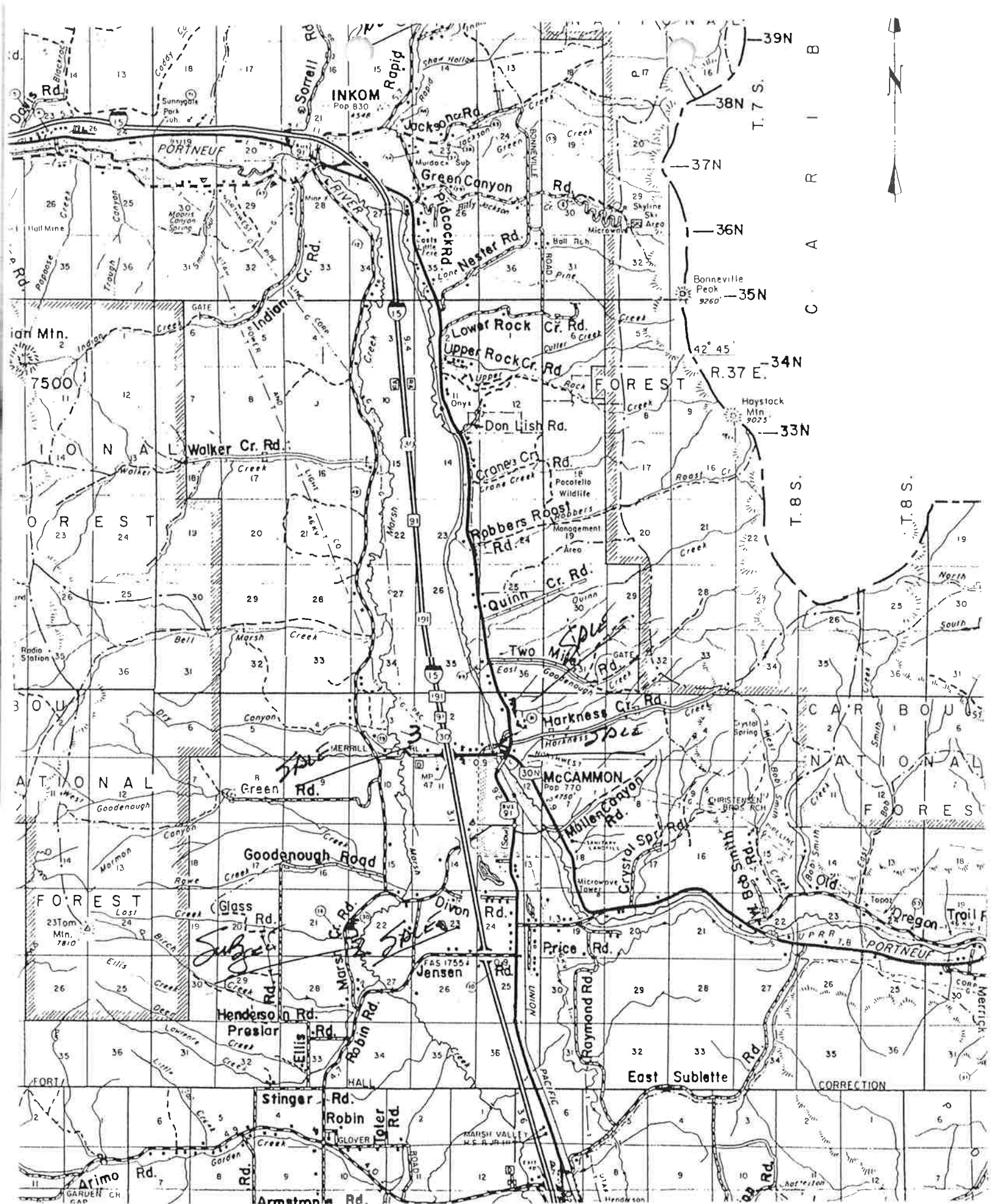
Chris Bramwell
 Notary Public of Idaho
 Residing at: Pocatello, Idaho
 Comm Exp 10-30-06

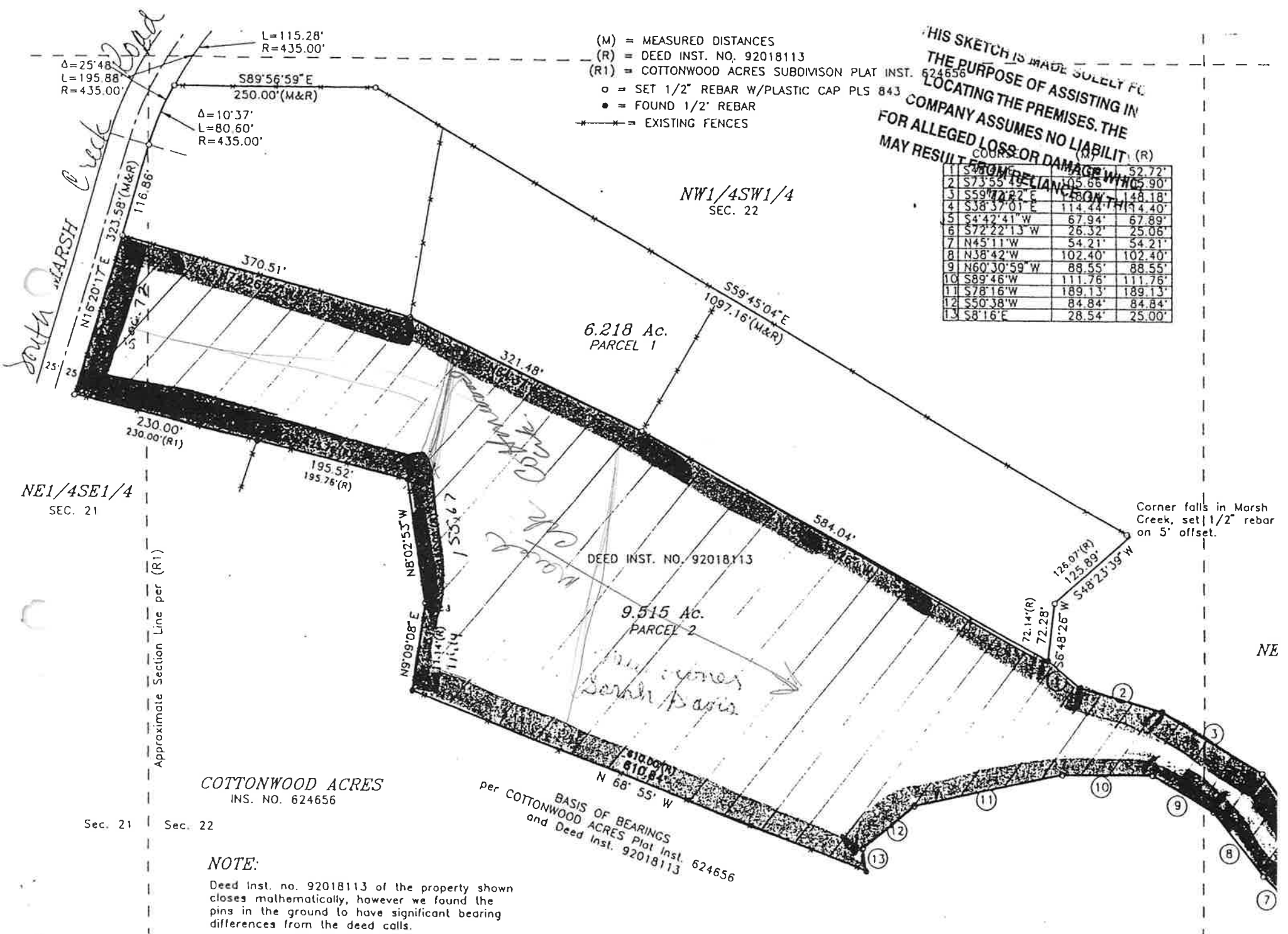
CHRIS BRAMWELL
 NOTARY PUBLIC
 STATE OF IDAHO

A PARCEL OF LAND LOCATED IN THE NW¼SW¼ AND THE NE¼SW¼ OF SECTION 22 AND THE NE¼SE¼ SECTION 21, TOWNSHIP 9 SOUTH, RANGE 36 EAST OF THE BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT MARKING THE MOST SOUTHWESTERLY CORNER OF GREEN VALE, A SUBDIVISION FILED FOR RECORD IN THE OFFICE OF THE BANNOCK COUNTY RECORDER AS INSTRUMENT NO. 624657; THENCE FROM A TANGENT BEARING SOUTH 31°04'12" WEST, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1385.00 FEET, THROUGH A CENTRAL ANGLE OF 11°04'02", FOR AN ARC LENGTH OF 267.53 FEET, SAID CURVE BEING ON THE EASTERLY RIGHT-OF-WAY OF MARSH CREEK ROAD; THENCE SOUTH 42°08'17" WEST, 67.25 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 435.00 FEET, THROUGH A CENTRAL ANGLE OF 25°48'00", FOR AN ARC LENGTH OF 195.88 FEET; THENCE SOUTH 16°20'17" WEST, 116.86 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID RIGHT OF WAY, SOUTH 74°26'22" EAST, 370.51 FEET; THENCE SOUTH 64°37'00" EAST, 321.48 FEET; THENCE SOUTH 60°53'26" EAST, 584.04 FEET; THENCE SOUTH 48°44'00" EAST, 52.09 FEET; THENCE SOUTH 73°55'49" EAST, 105.66 FEET; THENCE SOUTH 59°22'22" EAST, 148.44 FEET; THENCE SOUTH 38°37'01" EAST, 114.44 FEET; THENCE SOUTH 4°42'41" WEST, 67.94 FEET; THENCE SOUTH 72°22'13" WEST, 26.32 FEET; THENCE NORTH 45°11'00" WEST, 54.21 FEET; THENCE NORTH 38°42'00" WEST, 102.40 FEET; THENCE NORTH 80°30'59" WEST, 88.55 FEET; THENCE SOUTH 89°46'00" WEST, 111.76 FEET; THENCE SOUTH 78°18'00" WEST, 189.13 FEET; THENCE SOUTH 50°38'00" WEST, 84.84 FEET; THENCE SOUTH 8°16'00" EAST, 28.54 FEET TO A POINT MARKING THE NORTHEASTERLY CORNER OF COTTONWOOD ACRES, A SUBDIVISION FILED FOR RECORD IN THE OFFICE OF THE BANNOCK COUNTY RECORDER AS INSTRUMENT NO. 624656; THENCE NORTH 68°55'00" WEST, ALONG THE NORTHERLY BOUNDARY OF SAID SUBDIVISION, 610.84 FEET; THENCE NORTH 9°09'08" EAST, 111.51 FEET; THENCE NORTH 8°02'53" WEST, 155.67 FEET; THENCE NORTH 76°03'02" WEST, 425.52 FEET TO THE EASTERLY RIGHT OF WAY OF MARSH CREEK ROAD; THENCE NORTH 16°20'17" EAST, ALONG SAID RIGHT OF WAY 206.72 FEET TO THE TRUE POINT OF BEGINNING.







(M) = MEASURED DISTANCES
 (R) = DEED INST. NO. 92018113
 (R1) = COTTONWOOD ACRES SUBDIVISION PLAT INST. 624656
 ○ = SET 1/2" REBAR W/PLASTIC CAP PLS 843
 ● = FOUND 1/2" REBAR
 --- = EXISTING FENCES

THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE PREMISES. THE COMPANY ASSUMES NO LIABILITY FOR ALLEGED LOSS OR DAMAGE WHICH MAY RESULT FROM RELIANCE THEREON.

1	S 55° 55' 42" E	52.72'	52.72'
2	S 73° 55' 42" E	105.90'	105.90'
3	S 59° 12' 22" E	148.18'	148.18'
4	S 38° 37' 01" E	114.44'	114.44'
5	S 4° 42' 41" W	67.94'	67.89'
6	S 72° 22' 13" W	26.32'	25.06'
7	N 45° 11' W	54.21'	54.21'
8	N 38° 42' W	102.40'	102.40'
9	N 60° 30' 59" W	88.55'	88.55'
10	S 89° 46' W	111.76'	111.76'
11	S 78° 16' W	189.13'	189.13'
12	S 50° 38' W	84.84'	84.84'
13	S 8° 16' E	28.54'	25.00'

Corner falls in Marsh Creek, set 1/2" rebar on 5' offset.

NE

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 29-13161
Date Received: 5/11/01
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SARAH DAVIS Phone: (208) 734-9166

1867 OSTERLOH
TWIN FALLS ID USA 83301

2. Date of Priority: 04/24/1947

3. Source: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
09S	36E	22	SE	NW	SW	BANNOCK	

5. Description of diverting works:

PUMP FROM CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.36	

7. Total Quantity Appropriated is:
0.36 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
09S	36E	22	NW	SW	IRRIGATION	9
Section Acres						9

Total Acres 9

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

SPLIT FROM FORMER RIGHT 29-2269D

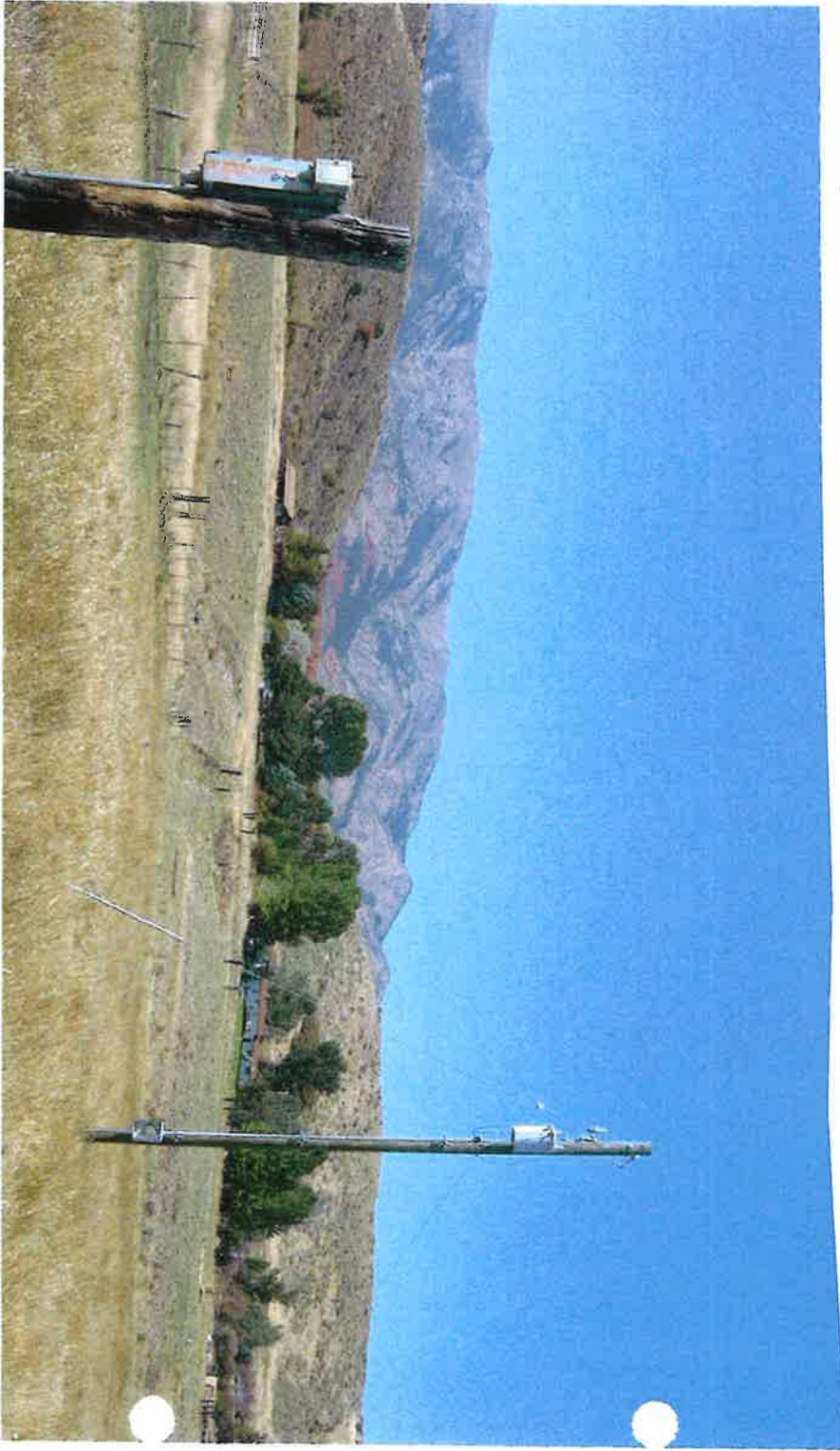
15. Basis of Claim: License





3





7



25 1:13 PM

2002/08/25