03/18/2002

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-13246

NAME AND ADDRESS: ED QUINN
2985 S. OLD HWY 91
MC CAMMON ID 83250

SOURCE: PORTNEUF RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.07 CFS

PRIORITY DATE: 08/18/1919

POINT OF DIVERSION:

T08S R36E S23 NWSE Within BANNOCK County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.070 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R36E S14	SWSE	0.5	T08S R36E S23	NENE	1.0
T08S R36E S23	NWNE	2.0			

3.5 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.

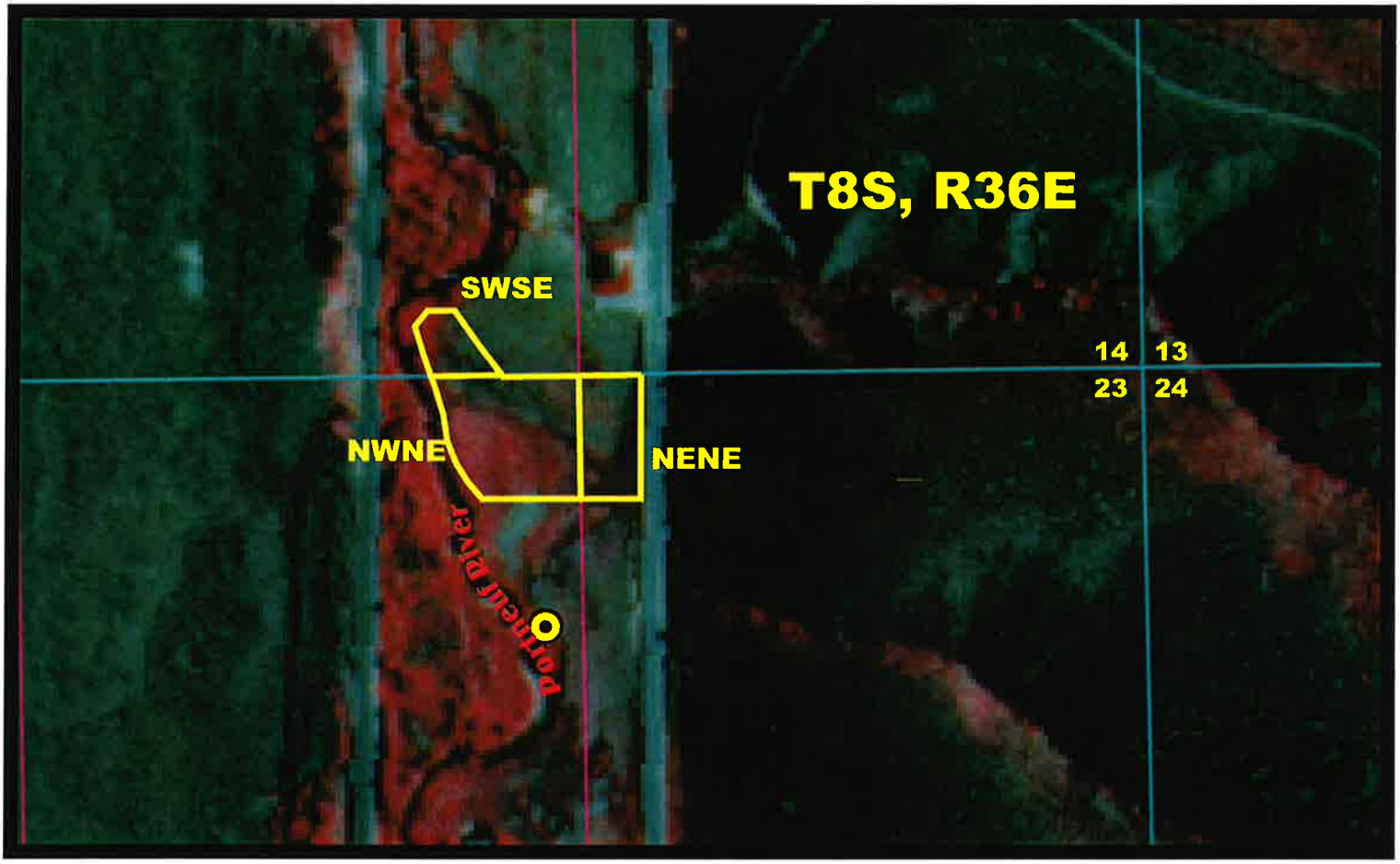
EXPLANATORY MATERIAL:License

STATE OF IDAHO

Department of Water Resources

Eastern Region

Water Right(s): 29-13246



250 0 250 500 750 1000 1250 1500 1750 2000 2250 Feet

LEGEND

SESE Place of Use

Section

Quarter-Quarter

Point of Diversion

Place of Use: T8S, R36E
(parts of) Sec. 14 SESE,
Sec. 23 N2NE

Point(s) of Diversion: T8S, R36E
Sec. 23 NENWNE

NOTE: Split off of 29-02221E

N
W E
S

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: A. Ruberry
Date: October 2001

DELOG AR 7/31/01

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

RECEIVED
JUN 29 2001
Department of Water Resources
Eastern Region

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.

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
~~29-260 abc~~ NOT Part of this					
29-2221 E			To be SPLIT off THIS Pd. ONLY	13245 - Hough	
				13246 - Quinn	

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): Frank Hough

4. New Owner/Claimant(s): Ed + Dinna Quinn
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: 2985 S. old Hwy 91
   City, State and ZIP Code: McCammon, Id 83250
   New Telephone Number: (208) 775-3034

5. Date you acquired the property: Sept. 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s).** Please enter the number(s) at **Item 1.** Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

   If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

   If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.

3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3.**

4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.

5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6.** Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**

7. The new owner(s) must sign the form in the space(s) provided at **Item 7.** If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.

8. The filing fee is $25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is $100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

FA- 11172

FURNISHED BY First American Title Company, Inc.

WARRANTY DEED

251

2-1

818894

For Value Received Frank H. Hough and Mary S. Hough, husband and wife

he grantors , do hereby grant, bargain, sell, and convey unto

Ed Quinn and Dinna Quinn, husband and wife

he grantees , whose current address is 2349 Bannock Hwy

he following described premises, to-wit: 5 acres So Old Hwy 91

Long Legal Attached as Exhibit "A"

Also: Water right to pump water from the Portneuf River as such water right may pertain to the property conveyed herein. No other water rights are conveyed by this instrument.

Also the following restrictive covenants apply:

Property shall not be used as a feed lot for cattle or horses nor shall hogs be on the premises. Any corrals or barnyards shall be kept and maintained in sanitary condition. Any homes placed on the premises shall be single family dwellings having a construction value of $50,000.00 or more. Any and all outbuildings or barns placed upon the premises shall conform to the general architectural form of the home or homes thereon.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees , that they are the owners in fee simple of said premises; that said premises are free from all incumbrances except as hereinabove set forth and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: September 9, 1988

Frank H. Hough

Frank H. Hough

Mary S. Hough

Mary S. Hough

ATE OF IDAHO, COUNTY OF Bannock

n this 9th day of September , 19 88,

ore me, a notary public in and for said State, personally eared

Frank H. Hough and Mary S. Hough

Notary Seal

wn to me to be the person s whose name s are scribed to the within instrument, and acknowledged to that they executed the same.

Notary Public

iding at Pocatello , Idaho

818894

NO.

FIRST AMERICAN TITLE

'88 SEP 21 P2:17

490

INSTRUMENT No.

125-38'
1167-355?
484-147?
498-151?
403-1228

2-2

818894

EXHIBIT "A"

A parcel of land located in BANNOCK COUNTY, IDAHO, described as follows: Commencing at the Northwest corner of the SE¼ SE¼ Section 14, Township 8 South, Range 36 E.B.M.; thence 125 feet East to the West right of way line of the OLD U.S. HIGHWAY 91; thence Southerly along said right of way line approximately 1167 feet more or less; thence continuing along said West right of way line of OLD U.S. HIGHWAY 91 484 feet more or less to a point. Thence Westerly 498 feet more or less to the center of the Portneuf River; thence Northerly 484 feet more or less along the center of the Portneuf River to a point; Thence Easterly 403 feet more or less to the Westerly right of way line of the OLD U.S. HIGHWAY 91, said point being the Point of beginning. Closure?

484 x 498 = 241,032 ÷ 43,560 = 5.53 ac

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

June 29, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ED & DINNA QUINN
2985 S OLD HWY 91
MC CAMMON ID 83250

RE: MONEY ORDER 86912017154 FOR $25.00 FOR OWNERSHIP CHANGE FOR 29-260, 29-2221E

Dear Mr. & Mrs. Quinn:

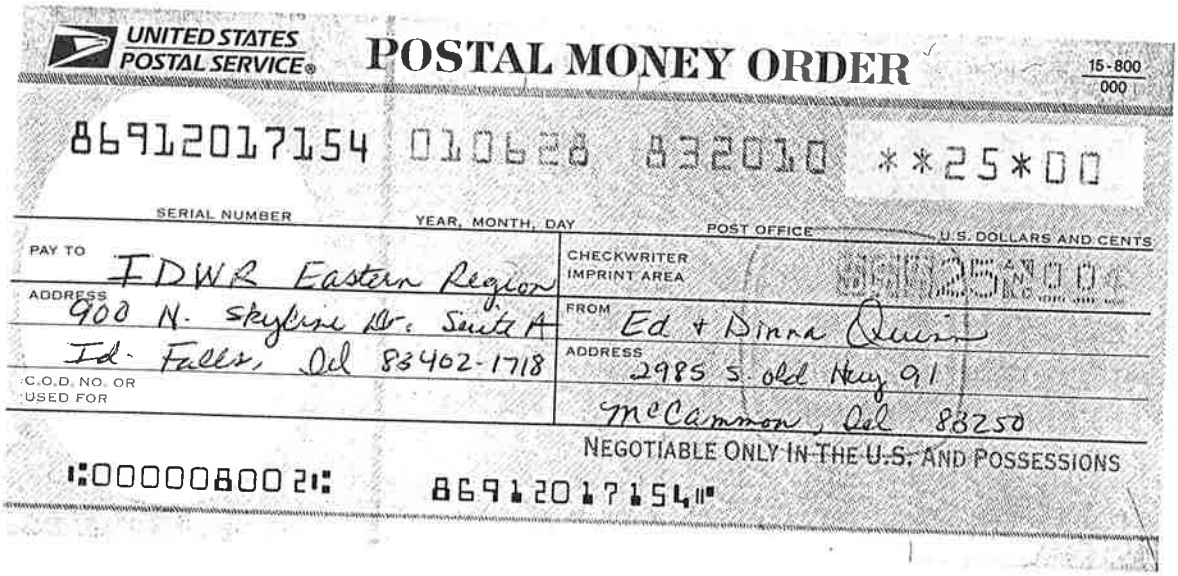
I am returning the above referenced money order. A fee is not required to change the ownership on these rights. I will process your request as soon as possible, and send you a copy for your files.

Sincerely,

Jennifer Crabtree

Jennifer Crabtree
Technical Records Specialist

Enclosure


UNITED STATES POSTAL SERVICE® POSTAL MONEY ORDER 15-800 000

86912017154 010628 832010 **25*00

SERIAL NUMBER YEAR, MONTH, DAY POST OFFICE U.S. DOLLARS AND CENTS

PAY TO IDWR Eastern Region
ADDRESS 900 N. Skyline Dr. Suite A Id. Falls, Id 83402-1718
C.O.D. NO. OR USED FOR

CHECKWRITER IMPRINT AREA $25.00

FROM Ed + Dinna Quinn
ADDRESS 2985 S. old Hwy 91 McCammon, Id 83250

NEGOTIABLE ONLY IN THE U.S. AND POSSESSIONS

:00000800 2: 86912017154

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 29-13246
Date Received: 10/5/2001
Receipt No:
Received By:

A2913246

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ED QUINN Phone: (208) 775-3034
DINNA QUINN
2985 S. OLD HWY 91
MCCAMMON ID USA 83250

2. Date of Priority: 08/18/1919

3. Source: PORTNEUF RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	36E	23	NW SE	BANNOCK	

5. Description of diverting works:

PORTABLE PUMP WITH DISCHARGE TO SPRINKLER LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.07	

7. Total Quantity Appropriated is:
0.07 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
08S	36E	14	SW SE		IRRIGATION	0.5
					Section Acres	0.5

08S	36E	23	NW	NE	IRRIGATION	2
			NE	NE	IRRIGATION	1
					Section Acres	3
					Total Acres	3.5

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-02221E (NOW 29-13245).

PAID BY RECEIPT NO. E012941.

15. Basis of Claim: License

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): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

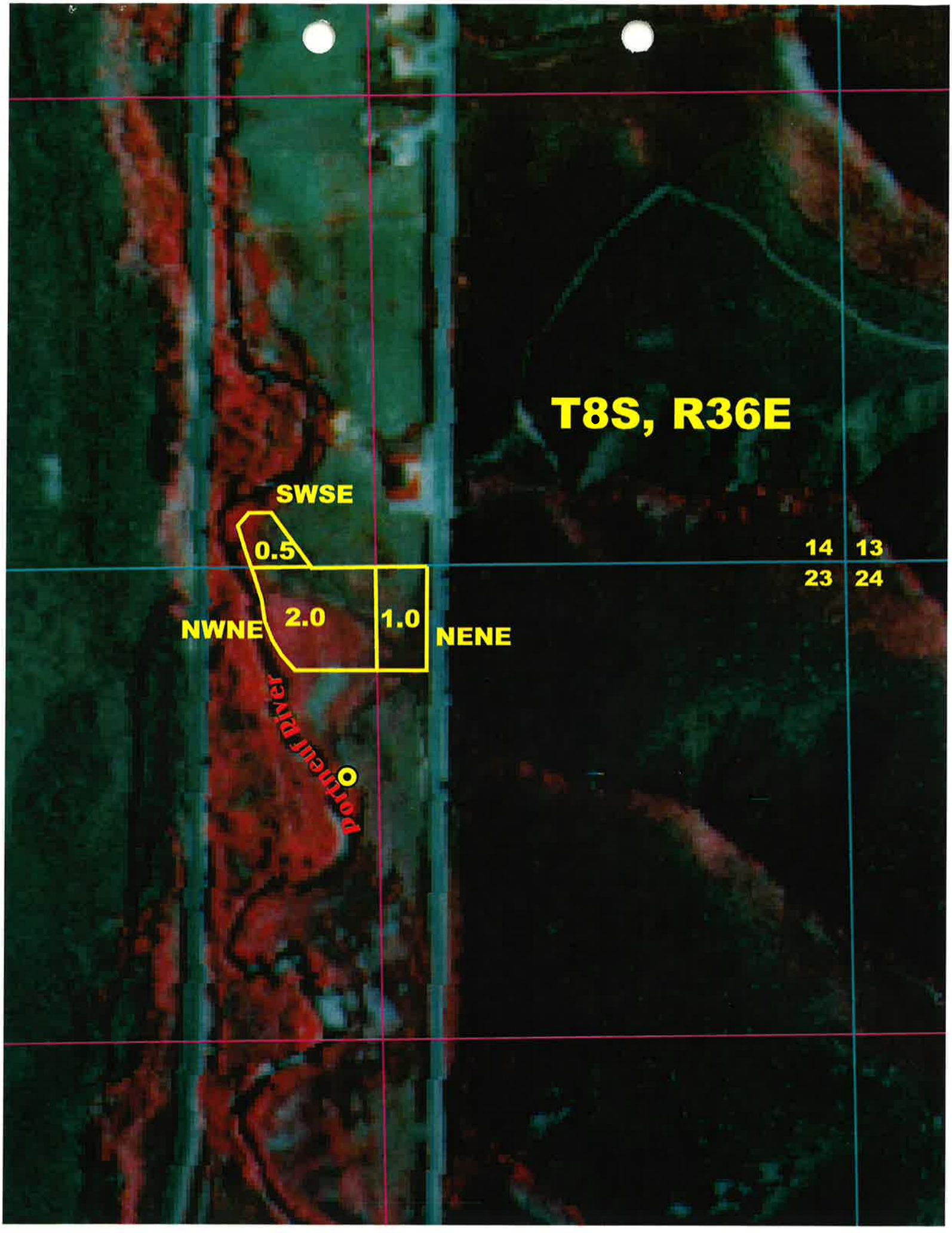
Subscribed and sworn (or affirmed) before me this

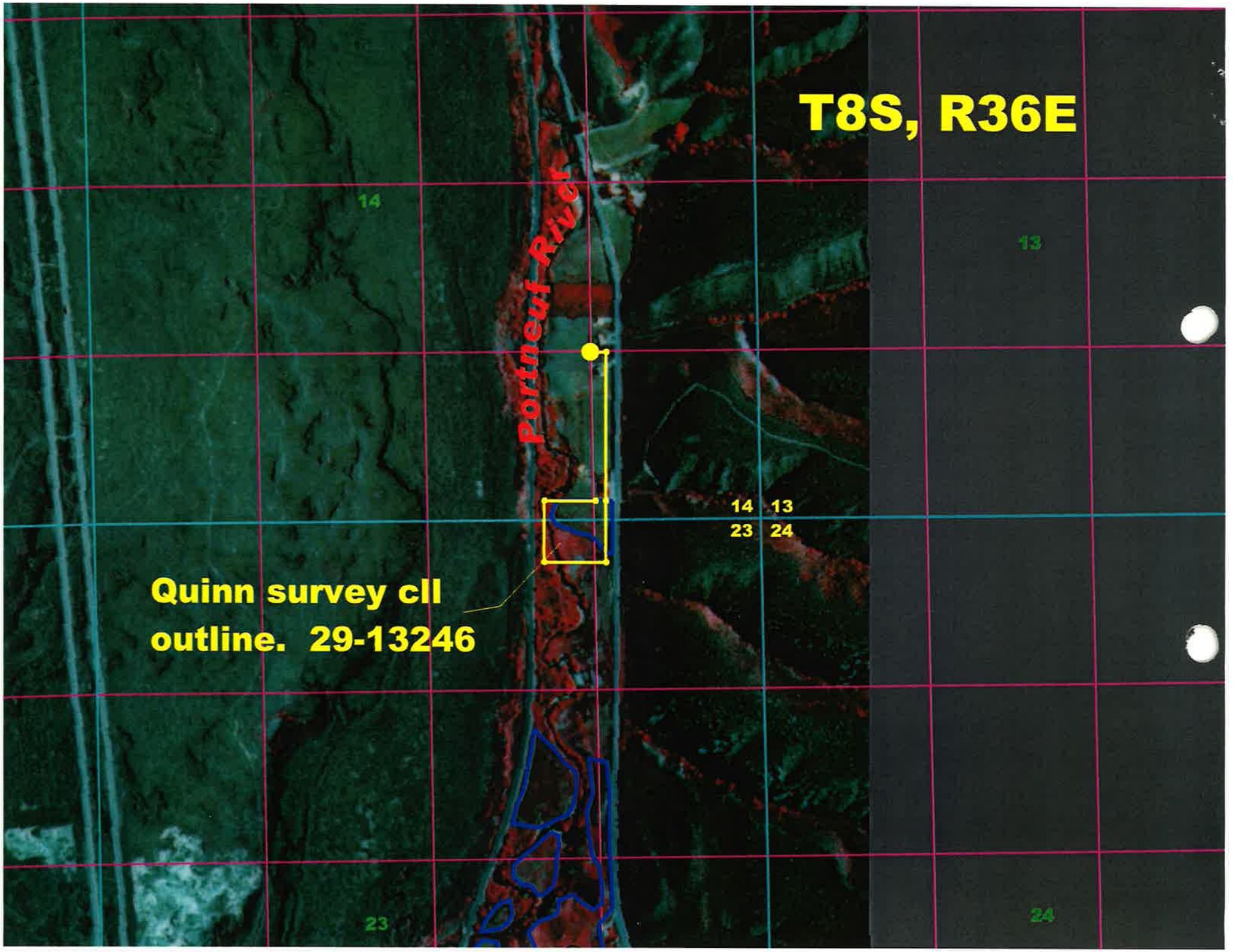
of _____ 20__ _____

Notary Public

Residing at _____

My commission Expires _____


T8S, R36E
SWSE
0.5
14
13
23
24
2.0
1.0
NWNE
NENE
Portneuf River


T8S, R36E
Portneuf River
14
13
14 13
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Quinn survey cll
outline. 29-13246