

07/28/2006

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

RIGHT NUMBER: 75-28F

NAME AND ADDRESS: THOMAS G BEZAIRE
2 BENNETT LN
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T20N R22E S5 NWSWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.100 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T21N R22E S18

NENW

2.50

2.5 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: BASIS OF CLAIM - Decreed

75-28F



AJ0749NP
No. A75-00028F

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

DATE: 10/06/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS G BEZAIRE RT 1 BOX 139F SALMON ID 83467 (208) 756-6902	04/01/1894	IRRIGATION	04-01 11-01	0.120 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.120 CFS	7.20 AFA

Water Source: SALMON RIVER

Tributary to: SNAKE RIVER

Stage: DECREED

Point(s) of Diversion:

T20N R22E S05

NWSWNW

LEMHI County

Place of use Legal Description for: IRRIGATION

NE								NW								SW								SE												
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
21N	22E	18	:									:	02								:							:						:	2.9	
																																TOTAL ACRES	2.9			

POU County: LEMHI

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN FLOWS CARRIED BY MINZER - RUNSTEN DITCH.
CHANGED OWNERSHIP 3/31/95/JT/GT
CHANGED OWNERSHIP JC/10-5-99

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 75C

Field Inspection Flag:
Presumption Flag:

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights: 75-28F

Case No. 39576)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☐ Substitution of Party

☒ I.C. § 42-222 transfer 74167

☒ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Feb 20, 2008

Ernest M. Culver

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 21, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Thomas Bezaire
2 Bennett Ln
Salmon ID 83467

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:

4. One copy to:

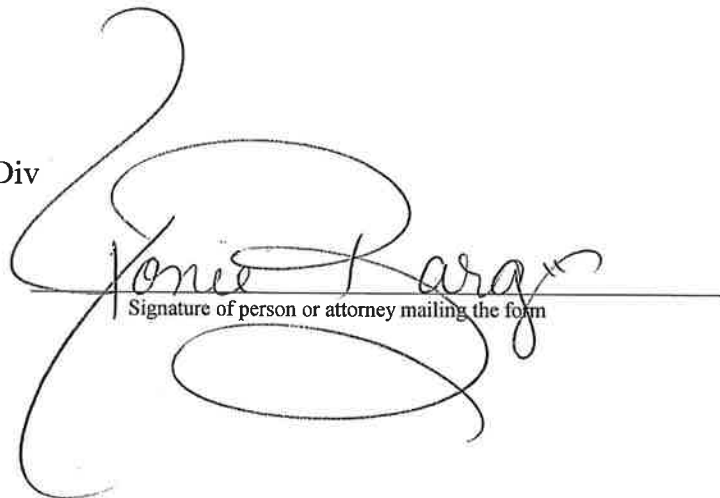
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

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

FEB 25 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

February 12, 2008

THOMAS BEZAIRE
2 BENNETT LN
SALMON ID 83467

RE: Transfer #74167 for water right(s) 75-28F and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Bezaire:

On November 30, 2007, the Idaho Department of Water Resources (IDWR) approved Transfer #74167, modifying the above referenced water right. Based on this transfer, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of the water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg

Office Specialist II

SCANNED

FEB 25 2008



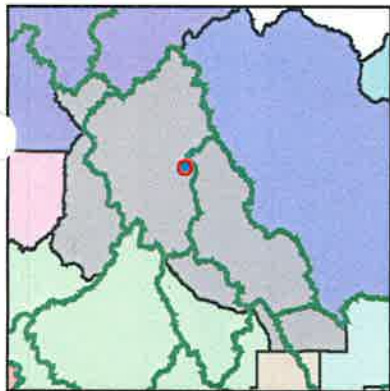
Idaho Department of Water Resources

SRBA Claim:

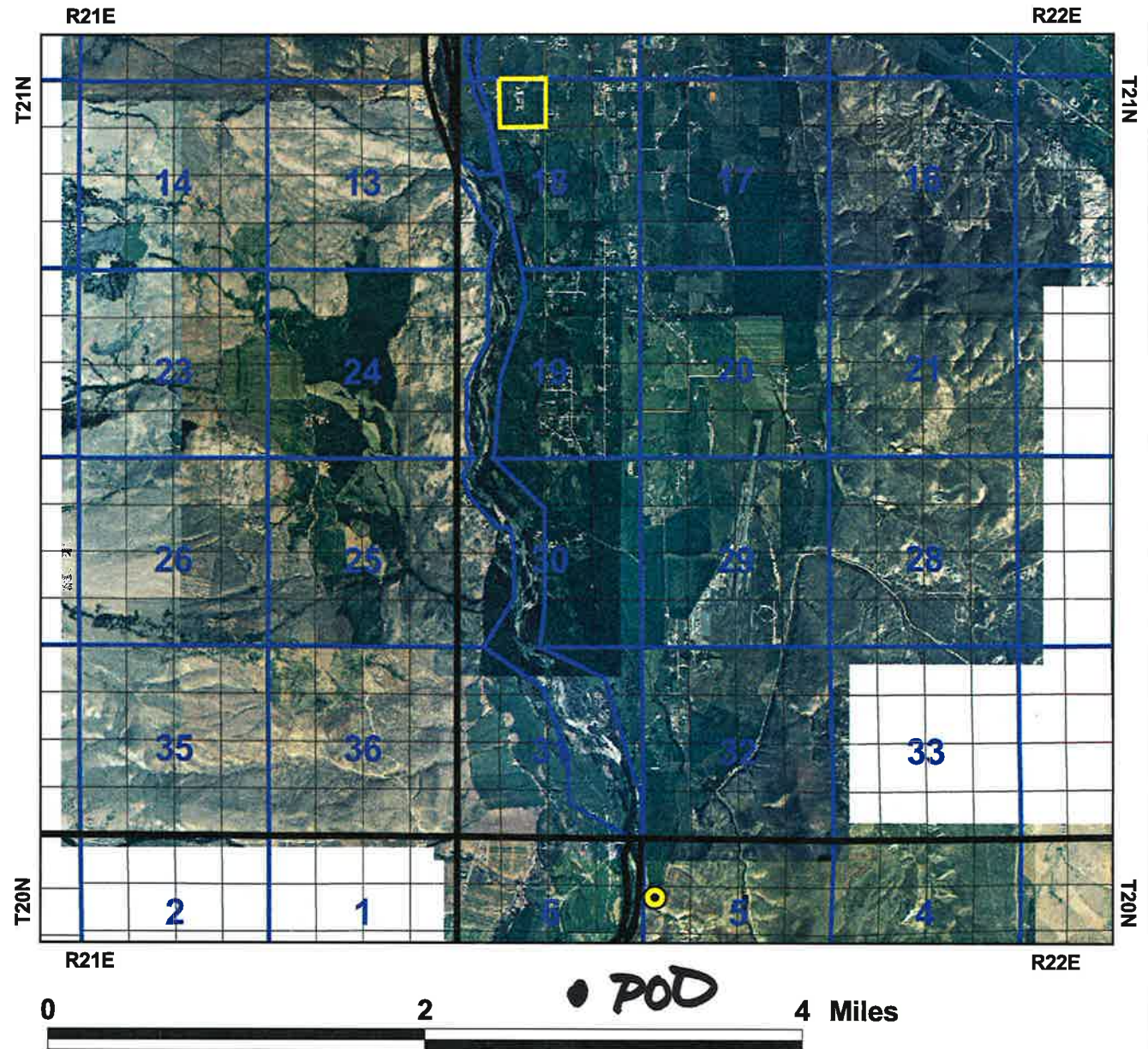
75-28F

Legend

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



Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Tuesday, May 2, 2006
1987/88 Aerial Photography

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-28F

1. ☐ No Change NAME IS SAME
☒ NEW OWNER: Thomas G. Bezaire
☐ No Change ADDRESS
☒ NEW ADDRESS: Rt 1 Box 139 F Salmon, ID 834167
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0015026

Township 20 N Range 22 E Section 16 1/4 NW 1/4 SE 1/4 SE
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

Concrete structure w/ adjustable headgate

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Water Delivered through the Minzer - Runsten
Ditch (S14).

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 07-05-06

FIELD EXAMINER: Asher Barton

Print Name

Asher Barton
Signature

SCANNED
OCT 03 2006



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

October 8, 1999

THOMAS BEZAIRE
RT 1 BOX 139F
SALMON ID 83467

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A75-00028F

Dear Mr. Bezaire:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure



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 19, 1999

RECEIVED
AUG 24 1999
Department of Water Resources
Eastern Region

TO: THOMAS G BEZAIRE
RT 1 BOX 139E
SALMON ID 83467

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR A75-00028F HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S) :

___ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER LEGAL DOCUMENT indicating your ownership of the property and water rights in question,

X LEGAL DESCRIPTION OF PROPERTY

___ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

___ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE PACKET TO THIS OFFICE AND WE WILL PROCESS YOUR CHANGE OF OWNERSHIP AS SOON AS POSSIBLE.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

DELOG DC 10-1-99

AUG 18 1999

Department of Water Resources
Eastern RegionDATE OF CLOSING: 8-16-99

LEGAL DESCRIPTION OF PROPERTY: Township 21 N Range 22 E
 Section 18, NE 1/4 of NE 1/4 of 1/4, Govt. Lot , BM.
 Lot , Block, , Subdivision/Townsite .
 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: A 75-00028 F
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Anthony B. & Alexandra E.D. Botello
- ☐ New Owner/Claimant (Purchaser): Thomas G. Bezaire
- ☐ New Mailing Address: RT 1 Box 139 F
Salmon, Id. 83467
- ☐ New Telephone Number: 208-756-6902
- ☐ 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: Warranty Deed
 (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) Thomas G. Bezaire Date 8-16-99
- ☐ Signature of Former Owner/Claimant(s): _____ 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: _____ By: _____

Claim Numbers of Split, if any:

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

WARRANTY DEED

For Value Received, CENDANT MOBILITY SERVICES CORPORATION, A DELAWARE CORPORATION
the grantors, do hereby grant, bargain, sell and convey unto THOMAS G. BEZAIRE

the grantees, whose current address is RT. 1, BOX 139-F, SALMON, IDAHO 83467

the following described premises, to wit:

LEGAL DESCRIPTION REFERENCED AS EXHIBIT "A" ATTACHED HERETO AND BY THIS
REFERENCE MADE A PART HEREOF.

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 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 they will warrant and defend the same from all claims whatsoever.

Dated this 16th day of August 1999

CENDANT MOBILITY SERVICES CORPORATION

BY: *Terri J. Morton*

Assistant Secretary
ITS:

State of Idaho)
County of Lemhi) SS No. **241596**

This instrument was filed for record at the request
of *Terri J. Morton*
at 3:19 o'clock Pm 8-16 1999
and duly filmed and indexed in the records of Lemhi
County
Terri J. Morton
Ex-Officio Recorder

By *[Signature]* Deputy
Fee 9.00
Return to *D.T.*

241596

"EXHIBIT A"

A PARCEL OF LAND LOCATED IN THE NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 18, TOWNSHIP 21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18, FROM WHICH THE SOUTH QUARTER CORNER BEARS S. 0°06'09" E., A DISTANCE OF 952.17 FEET ON A BEARING OF N. 89°51'53" W., TO THE REAL POINT OF BEGINNING.

THENCE S. 0°08'31" W., 319.90 FEET;

THENCE N. 89°51'53" W., 201.05 FEET;

THENCE N. 24°26'37" W., 5.45 FEET;

THENCE N. 59°30'54" W., 190.41 FEET;

THENCE N. 0°06'09" E., 218.73 FEET;

THENCE S. 89°51'53" E., 367.80 FEET TO THE REAL POINT OF BEGINNING.

WARRANTY DEED

For Value Received ANTHONY B. BOTELLO AND ALEXANDRA E. DAVIS BOTELLO, HUSBAND AND WIFE, the grantors, do hereby grant, bargain, sell and convey unto

CENDANT MOBILITY SERVICES CORPORATION, A DELAWARE CORPORATION

the grantees, whose current address is 40 APPLE RIDGE ROAD, DANBURY, CT 06810

the following described premises, to wit:

LEGAL DESCRIPTION REFERENCED AS EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

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 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 they will warrant and defend the same from all claims whatsoever.

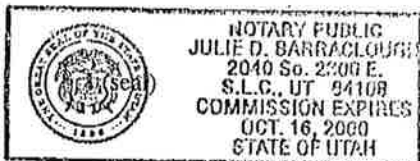
Dated: 03/31/1999

Alexandra E. Davis Botello
ALEXANDRA E. DAVIS BOTELLO

Anthony B. Botello
ANTHONY B. BOTELLO

STATE OF UTAH)
COUNTY OF SALT LAKE) ss.

On this 29th day of march, in the year 1999, before me, a Notary Public in and for said State, personally appeared ALEXANDRA E. DAVIS BOTELLO and ANTHONY B. BOTELLO known or identified to me to be the person(s) whose names(s) are subscribed to the within Instrument, and acknowledged to me that he / she / they executed the same.



Julie D. Barracough
Notary Public in and for the State of Utah
residing at FIRST SECURITY
My appointment expires: Oct. 16, 2000

State of Idaho)
County of Lemhi) SS No. 240230
This Instrument was filed for record at the request
of Shirley Little
at 6:30 o'clock Pm 7-19 1999
and duly filmed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Shirley Little Deputy
Fee 6.00
Return to _____

"E X H I B I T A"

A PARCEL OF LAND LOCATED IN THE NE¼NW¼, SECTION 18, TOWNSHIP 21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18, FROM WHICH THE SOUTH QUARTER CORNER BEARS S. 0°06'09" E., A DISTANCE OF 952.17 FEET ON A BEARING OF N. 89°51'53" W., TO THE REAL POINT OF BEGINNING.

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THENCE S. 89°51'53" E., 367.80 FEET TO THE REAL POINT OF BEGINNING.

WARRANTY DEED

For Value Received, CENDANT MOBILITY SERVICES CORPORATION, A DELAWARE CORPORATION
the grantors, do hereby grant, bargain, sell and convey unto THOMAS G. BEZAIRE

the grantees, whose current address is RT. 1, BOX 139-F, SALMON, IDAHO 83467

the following described premises, to wit:

LEGAL DESCRIPTION REFERENCED AS EXHIBIT "A" ATTACHED HERETO AND BY THIS
REFERENCE MADE A PART HEREOF.

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 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 they will warrant and defend the same from all claims whatsoever.

Dated this 16th day of August 1999

CENDANT MOBILITY SERVICES CORPORATION

BY: *Janeth Wallace*

Assistant Secretary
ITS:

State of Idaho)
County of Lemhi) SS No. **241596**
This instrument was filed for record at the request
of *Janeth Wallace*
at 3:10 o'clock Pm 8-16 1999
and duly filmed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By *JJE* Deputy
Fee 9.00
Return to *P.T.*

241596

FILE # 6200-30519
NOTARY ACKNOWLEDGEMENT
ATTACHED TO _____
DATED 4-20-99

STATE OF Connecticut)
COUNTY OF Fairfield) SS

I certify that I know or have satisfactory evidence that Loretta Wallace
_____ is/are the person(s) who appeared
(Names of person(s))
before me, and said person(s) acknowledged that (he/she/they) signed this instrument and
on oath stated that (he/she) was authorized to execute the instrument and acknowledged it as the
Assistant Secretary of CENDANT MOBILITY SERVICES
CORPORATION to be the free and voluntary act of such party for the uses and purposes
mentioned in the instrument.

Dated: April 20, 1999

Elaine R. Colt

Notary Public in and for the State of
Connecticut

Residing at New Milford
(City)

(Seal)

My appointment expires _____

ELAINE R. COLT
NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 31, 2003



241596

"E X H I B I T A"

A PARCEL OF LAND LOCATED IN THE NE¼NW¼, SECTION 18, TOWNSHIP 21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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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 19, 1999

TO: THOMAS G BEZAIRE
RT 1 BOX 139E
SALMON ID 83467

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR A75-00028F HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

___ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER LEGAL DOCUMENT indicating your ownership of the property and water rights in question,

X LEGAL DESCRIPTION OF PROPERTY

___ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

___ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

PLEASE ENCLOSE THE REQUESTED ITEM(S) AND RESUBMIT THE ENTIRE PACKET TO THIS OFFICE AND WE WILL PROCESS YOUR CHANGE OF OWNERSHIP AS SOON AS POSSIBLE.

Anthony Botello
Alexandra Davis Botello

RR 1, Box 139-F
Salmon, Idaho 83467
208-756-4732

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 North Skyline Dr.
Idaho Falls, Idaho 83402-1718
Attn: Jo Thompson

RECEIVED

November 6, 1995

NOV 08 1995

Department of Water Resources
Eastern District Office

Dear Ms. Thompson,

Enclosed is the signed agreement for our water rights claim. File number A75-00028F. I apologize for the delay in getting this paperwork to you. It took me awhile to find your initial request for the change in our highly scientific home filing system, a bunch of boxes stuffed with paperwork... My husband has been working out of the area for the past few months and is scheduled to return next week so I was unable to get his signature on this. We are both listed as owners of the home. If this poses a problem please contact us.

Yes, after looking at maps we agree that we are located in the NE 1/4 of the NW 1/4 of section 18. Thanks again for your patience.

Sincerely,

Alexandra G.D. Botello

Alexandra Davis Botello

✓ File SC

MICROFILMED

NOV 18 1996

OCTOBER 31, 1995

ANTHONY/ALEXANDRA BOTELLO
RT 1 BOX 139-F
SALMON ID 83467

RE: LETTER DATED MARCH 31, 1995

Dear Mr. and Mrs. Botello:

This is a final reminder that unless you take action on the letter mentioned above (copy enclosed), the Change in Ownership between you and the Stoddards will not take place.

If you wish to have the change in ownership completed and agree with our findings, please sign the Notice of Claim as requested and return by November 10, 1995. If we have had no response from you by November 10, 1995, the water right will be changed back into Mr. Stoddard's name

Sincerely,

Jo Thompson
Adjudication Secretary

Enclosure

MICROFILMED
NOV 18 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

March 31, 1995

ANTHONY/ALEXANDRA BOTELLO
RT 1 BOX 139-F
SALMON ID 83467

Re: Change in Ownership for A75-00028F.

Dear Mr. & Mrs. Botello:

The request for Change in Ownership concerning the Notice of Claim in the above reference has been processed and the Notice modified to reflect you as the new owner. Enclosed is a typed Notice with your names shown as the current owners.

Please review the Notice for accuracy. By reviewing the map that the Goddards enclosed with the original filing I have found that there was a possible error in the place of use. I have changed the place of use in Item #10 to the NE1/4 NW1/4 section 18. The original Notice had the place of use as the NW1/4 NE1/4. If you agree that the place of use is in-fact in the NE1/4 NW1/4, please sign the Notice in the presence of a Notary Public and return to this office.

Please do not hesitate to contact this office if you have any questions regarding this matter.

Sincerely,

Gregory J. Taylor
Sr. Water Agent, Adjudications

Enclosure: Amended Notice of Claim

MICROFILMED
NOV 18 1996

8.21-95 Left msg. to call me. Greg says there
are no WR's for the ~~NE NW~~ ^{NW NE} - only the NENEW.
If you do not sign the amended claim
we sent you, we'll have to change the
name back to the Goddards.
8.25-95 - contact made today. will send back
claim in week or two.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 05/06/94

RECEIVED
MAR 20 1995

LEGAL DESCRIPTION OF PROPERTY: Township 21N Range 22E Section 18, ~~NE~~ 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____, BM. _____
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources
Eastern District Office

☐ 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:

A 75-00028F^{OK} AT.

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

DAVID G. & PATRICIA E. GODDARD
P.O. Box 342

☐ New Owner/Claimant
(Purchaser):

Salmon, Idaho 83467

ANTHONY B. & ALEXANDRA E. D. BOTELLO

☐ New Mailing Address:

RT 1-Box 1397

Salmon, Idaho

83467

☐ New Telephone Number:

(208) 756-4732

☐ 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:

WARRANTY DEED

(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)

Anthony Botello
Alexandra Botello

Date 3-1-95

Date 3-1-95

☐ Signature of Former
Owner/Claimant(s):

Date _____

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: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED

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

NOV 18 1996

Warranty Deed

For Value Received

DAVID G. GODDARD and PATRICIA E. GODDARD, husband and wife

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

ANTHONY B. BOTELLO and ALEXANDRA E. DAVIS-BOTELLO, husband and wife

whose current address is

126 Pine St.
Salmon, ID 83467

the grantee, the following described premises, in Lemhi County Idaho, to wit:
A PARCEL OF LAND LOCATED IN THE NE4NW4, SECTION 18, TOWNSHIP
21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 18,
FROM WHICH THE SOUTH QUARTER CORNER BEARS S. 0 DEGREES 06' 09"
E., A DISTANCE OF 952.17 FEET ON A BEARING OF N. 89 DEGREES
51' 53" W. TO THE REAL POINT OF BEGINNING.

THENCE S. 0 DEGREES 08' 31" W., 319.90 FEET;

THENCE N. 89 DEGREES 51' 53" W., 201.05 FEET;

THENCE N. 24 DEGREES 26' 37" W., 5.45 FEET;

THENCE N. 59 DEGREES 30' 54" W., 190.41 FEET;

THENCE N. 0 DEGREES 06' 09" W., 218.73 FEET;

THENCE S. 89 DEGREES 51' 53" E., 367.80 FEET TO THE REAL
POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that the y're the owners in fee simple of said premises; that they are free from all incumbrances

and that the y will warrant and defend the same from all lawful claims whatsoever.

Dated: May 16, 1994

David G. Goddard
David G. Goddard

Patricia E. Goddard
Patricia E. Goddard



STATE OF IDAHO, COUNTY OF Lemhi
On this 16th day of May, 1994
before me, a notary public in and for said State, personally appeared

David G. Goddard &
Patricia E. Goddard

known to me to be the person whose name is are
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Laurie M. Santee
Laurie M. Santee Notary Public
Residing at Salmon, Idaho
Comm. Expires 6/19/1995

State of Idaho) ss No. 222554
County of Lemhi)

This instrument was filed for record at
the request of *American Land Title*
at 2:55 o'clock p.m. May 12 1994
and duly filed and indexed in the
records of Lemhi County

Alberta Wiederrick
Ex-Officio Recorder
By *Sharon Stevens* Deputy
Fee: 3.00

Furnished by the AMERICAN LAND TITLE COMPANY, INC.

MICROFILMED
NOV 18 1996

SCANNED

OCT 03 2001

RECEIVED

NOV 08 1995

Department of Water Resources
Eastern District Office

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: A75-00028F
Date Received: 5/ 3/1990
Receipt No: E014109
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: ANTHONY B BOTELLO 208-756-4732
Address: RT 1 BOX 139-F
SALMON ID 83467
AND/OR
Name: ALEXANDRA E D BOTELLO 208-756-4732
Address: RT 1 BOX 139-F
SALMON ID 83467

2. Date of Priority: APR 1, 1894

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	22E	5	NW	SW	NW		LEMHI

5. Description of diverting works:
ROCK WING TO CONCRETE HEADGATE TO DITCHES TO FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		

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

8. Total consumptive use is 7.2 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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NOV 18 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	18	NE	NW		IRR	2.9
Section Acres							2.9
Total Acres							2.9

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:
FLOWS CARRIED BY MINZER - RUNSTEN DITCH.
CHANGED OWNERSHIP 3/31/95/JT/GT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

H. V. FERGUSON ET AL
Decree Plaintiff

T. FERGUSON ET AL
vs Decree Defendant

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): *Reynold E.D. Botello* Date: 11/6/95

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of November 19 95

J. Terri J. Morton
Notary Public

Seal

Residing at Salmon

My Commission Expires 4-25-96

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NOV 18 1996

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: A75-00028F
Date Received: 5/02/1990
Receipt No: E014109
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAVID G. GODDARD 208-756-3698
Address: PO BOX 584
SALMON, ID 83467

AND/OR

Name: PATRICIA E. GODDARD 208-756-3698
Address: PO BOX 584
SALMON, ID 83467

2. Date of Priority: APR 01, 1894

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	22E	5	NW	SW	NW		LEMHI

5. Description of diverting works:
ROCK WING TO CONCRETE HEADGATE TO DITCHES TO FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		

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

8. Total consumptive use is 7.2 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	18	NW	NE		IRR	2.9
Section Acres							2.9
Total Acres							2.9

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:
FLOWS CARRIED BY MINZER - RUNSTEN DITCH.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

H. V. FERGUSON ET AL
Decree Plaintiff

vs T. FERGUSON ET AL
Decree Defendant

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: _____

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 750028FDate Received 5-2-90Receipt Number E014109
CK#672 5300

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 2 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) DAVID G. AND OR PATRICIA E. GODDARD Phone (208) 756-3698
Mailing Address P.O. Box 584 SALMON ID. Zip 83467
2. Date of Priority (Only one (1) per claim) APRIL 1 1894
3. Source of water supply (a) SALMON R
which is tributary to (b) SNAKE R
4. a. Location of existing point of diversion is: Township 20 N. Range 22 E. Section 5,
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of LEMHI
Additional points of diversion if any: None
- b. If instream flow, beginning point of claimed instream flow is:
Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.
ROCK WING TO CONCRETE HEADGATE TO
DITCH TO FLOOD IRRIGATION

MICROFILMED

DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from APR. 1 to NOV. 1 amount .116 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .116 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 7.25 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>21N</u>	<u>22E</u>	<u>18</u>		<u>2.9</u>															

Total number of acres irrigated _____

11. In which county (ies) are lands listed above as place of use located? LEMMING

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks: FLows ARE CARRIED BY MINZER
RONSTEN DITCH

MICROFILMED

Last Name GODDARD Ident No. 750028

DEC 15 1992
Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X

If applicable provide IDWR Water Right Number 750028

Court _____ Case Number _____ Decree Date JUNE 24, 1915

Plaintiff vs Defendant H.V. FERGUSON CT AL VS T FERGUSON
ET #2

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

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) David H. Goddard Date 4, 19, 1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 15th day of April 19 90



Notary Public TERRI ORR

Residing at Helmer, Ida. 83467

My Commission Expires September 13, 1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name GODDARD Ident. Number 750028

MICROFILMED

DEC 15 1992

Copies White-State, Yellow-Claimant

