

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

1

12/01/2004

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

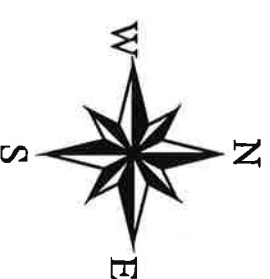
The source of this right is waste water originally diverted by the Big Wood Canal Co.

Use of this right is combined with water from American Falls Reservoir Dist. No. 2.

Use of this right is combined with water from Big Wood Canal Co.

37-4118

**T06S R14E
S25 & S26**



Map prepared by: Carter Fritschle
Date prepared: 12/01/04
1987-1988 NAPP photography
Idaho Department of Water Resources

Evidence of Priority Date Analysis for 37-4118

Permit No. 9969 (37-2284) was filed on January 22, 1914 and approved January 30, 1914.

Order denying the issuance of the license for Permit No. 9969 was signed June 29, 1916.

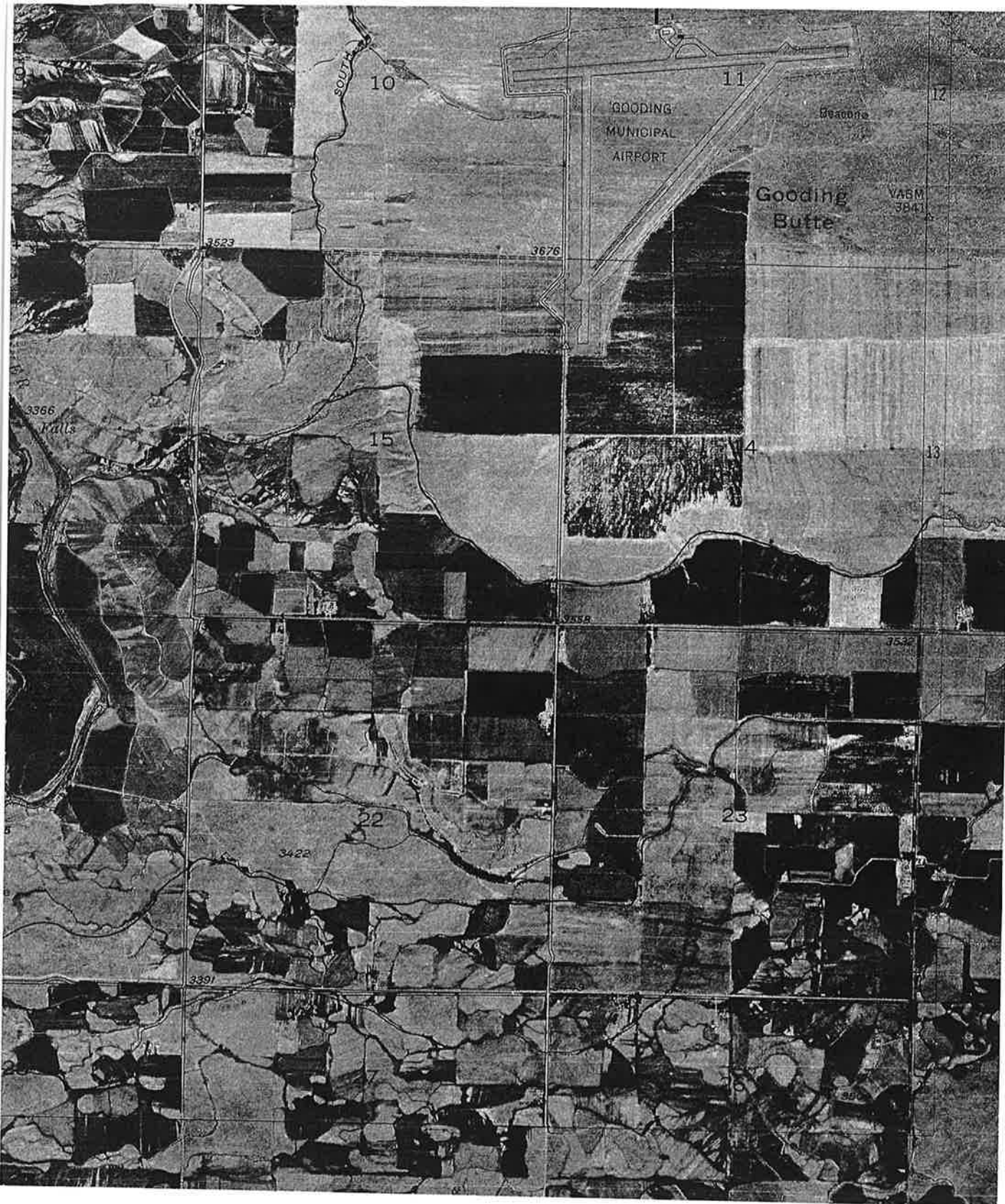
Affidavit of LeRoy Bickford stating that a settling pond was constructed in the late 1960s or early 1970s.

Statutory claim filed by Clarence Huber states the water has recently been applied by a sprinkler system. Claim signed on June 28, 1979.

Aerial photo used for ortho photo quad AA20 is dated August 4, 1974 and it does not appear that the land has been irrigated with sprinklers at that time. However, there may be a pond located slightly upstream from the pond that is in the southwest corner of the NWNW of Section 25.

Because there is some evidence that waste water has been used on this land prior to the mandatory permit requirement (May 20, 1971) this claim will be recommended with a May 19, 1971 priority date. Also, since the water is now diverted even further downstream than what was applied for under Permit No. 9969, and it is unlikely the Big Wood Canal Company could exercise any control of the water at this location.

CLF 12-01-04



1 MILE
7000 FEET
KILOMETRE

683000m.E.

114°45'

AA 20

Aerial Photo taken 8-4-1974

GOODING BUTTE, IDAHO
N4252.5-W11445/7.5
1974

37-4118



LEE R. PETERSON
234 S View Rd.
Jerome, ID 83338

IDWR Field Exam Form

07/23/2004

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	ROBERT J MEYERS	1425 E 3200 S	WENDELL	ID	83355	(208)536-2143
Cell 11 539-2143 — Current Owner	JOSEPH HULTS JR	1425 E 3200 S	WENDELL	ID	83355	(208)536-2143
Current Owner	KAY A HULTS	1425 E 3200 S	WENDELL	ID	83355	(208)536-2143
Current Owner	KATHI L MEYERS	1425 E 3200 S	WENDELL	ID	83355	(208)536-2143

Date of Field Exam: 8-2-04 Time: 1:30 P

Accompanied By: Mr & Mrs J. Hults Jr Phone Number: _____

Relationship to Claimant: NO

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

None 1425 E 3200 S - Go 4 mi ^{left} west Wendell go South 1500 2 1/2 mi
then on 3200 go left 3/4 mi -
farm go South Gooding 2 mi - west 2 mi - south 1 mi.
by Metal Barn turn left - east follow rd as far as pass
to drain & live ditch.

Reviewer: _____

Date: 8-2-04

Claim Number 37-4118

T06S R14E S25 SWNWNW Within GOODING County Source: WASTE WATER NORTHSIDE CANAL CO SYSTEM

T06S R14E S25 NWNW Within GOODING County

Tributary To

Source LIVE & waste ditch

Source

Home	65	142	25			Gooding live & waste
------	----	-----	----	--	--	----------------------

Other rights from this POD? Yes A/T - b/w CC

I went to Home - of Joseph & Mrs Naults w & S of Wendell, visited and he described how to get to their P.O. of waste ditch - I then found it myself - Naults informed me that Natfield takes all per Naults: the water - no water right

as per Walts: the water - no water right
Color photo to far north they would like IDWR
wrong SEC. do something.

Reviewer:

weeds won't
hold plate Date:

Date: 8-2-04

GPS co-ordinates are for the point the ditch enters the property.
Location of the pump at the pond will be estimated and used for the p.o.d.

Place Of Use Data Entry Form

Claim Number 37-4118

Claimed Place Of Use

T06S R14E S25	NWNW	40.0	T06S R14E S26	NENE	40.0
T06S R14E S26	NWNE	40.0	T06S R14E S26	SWNE	40.0
T06S R14E S26	SENE	40.0			

Total Acres 200

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T06S R14E S25	NWNW	40.0	T06S R14E S26	NENE	40.0
T06S R14E S26	NWNE	40.0	T06S R14E S26	SWNE	40.0
T06S R14E S26	SENE	40.0			

Total Acres 200

25 Per Mr Joe & Mrs Nults said the marked area on colored photo 200 ac appears OK but photo is wrong to far North-SSS @ 180K white photo

Recommended Place of Use

See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

2pprox 200 OK 85 Per Joe Nults

Document how the POU was verified:

Reviewer: _____



Date: 8.2-04

Period of Use and Quantity Data Entry Form

Claimed Period of Use and Diversion Rate *as per Nalts*
no water - neighbor "Hartfield" stealing it
no water right
 Water Use Start End Rate Volume
 IRRIGATION 3/15 11/15 2.5
 STOCKWATER 3/15 11/15 0.03
 Overall Diversion Rate 2.5 Overall Diversion Volume

☐ 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 3/15 11/15 2.5
 STOCKWATER 3/15 11/15 0.03
 Overall Diversion Rate 2.5 Overall Diversion Volume

Recommended Period of Use and Diversion Rate
 Water Use Start End Rate Volume
 NONE NONE
 if any if any

Overall Diversion Rate Overall Diversion Volume

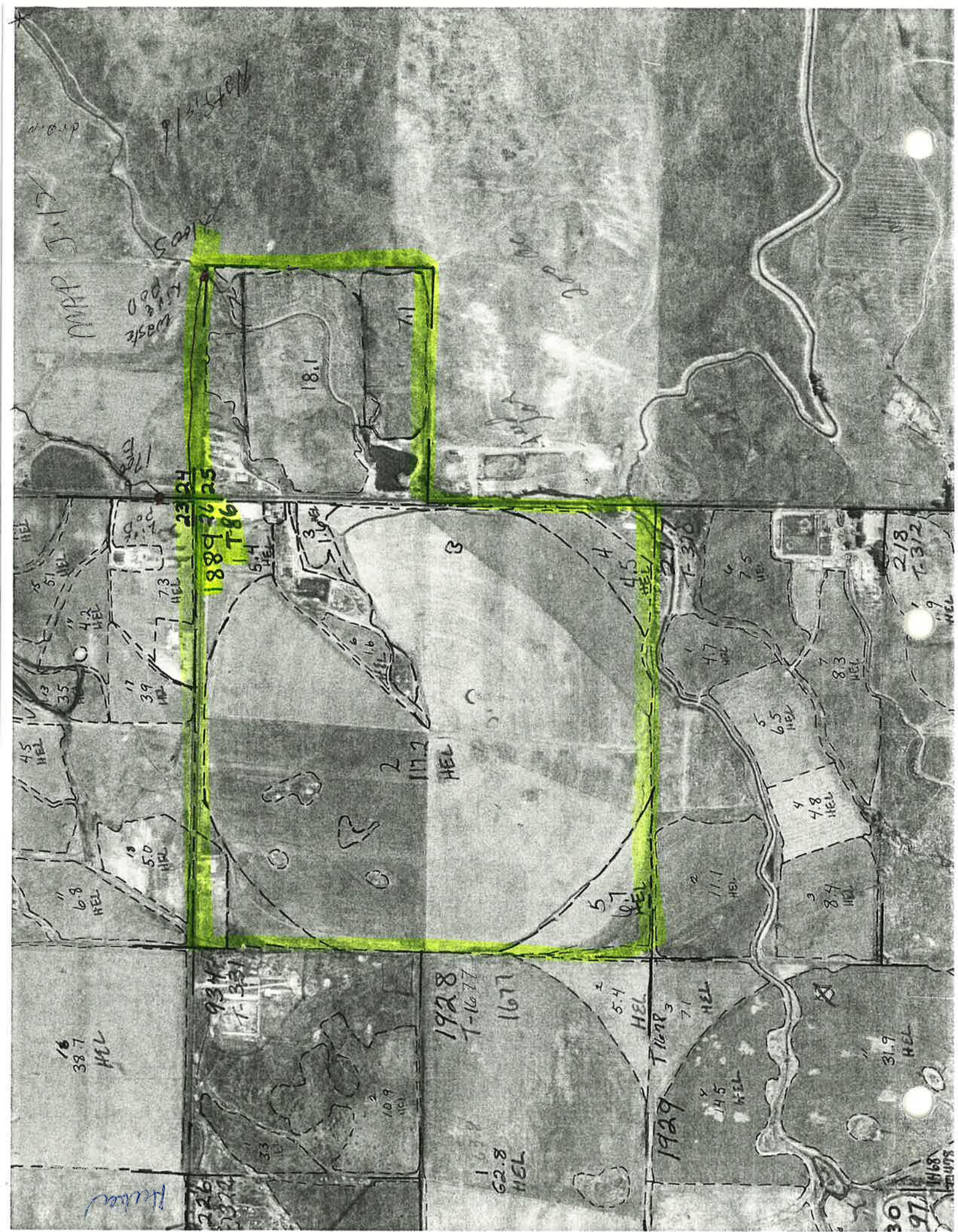
Document how the Period of Use and/or Diversion Rate were verified:

as per Nalts none if any
see drawing & black white photo

Reviewer:



Date: 8-2-04

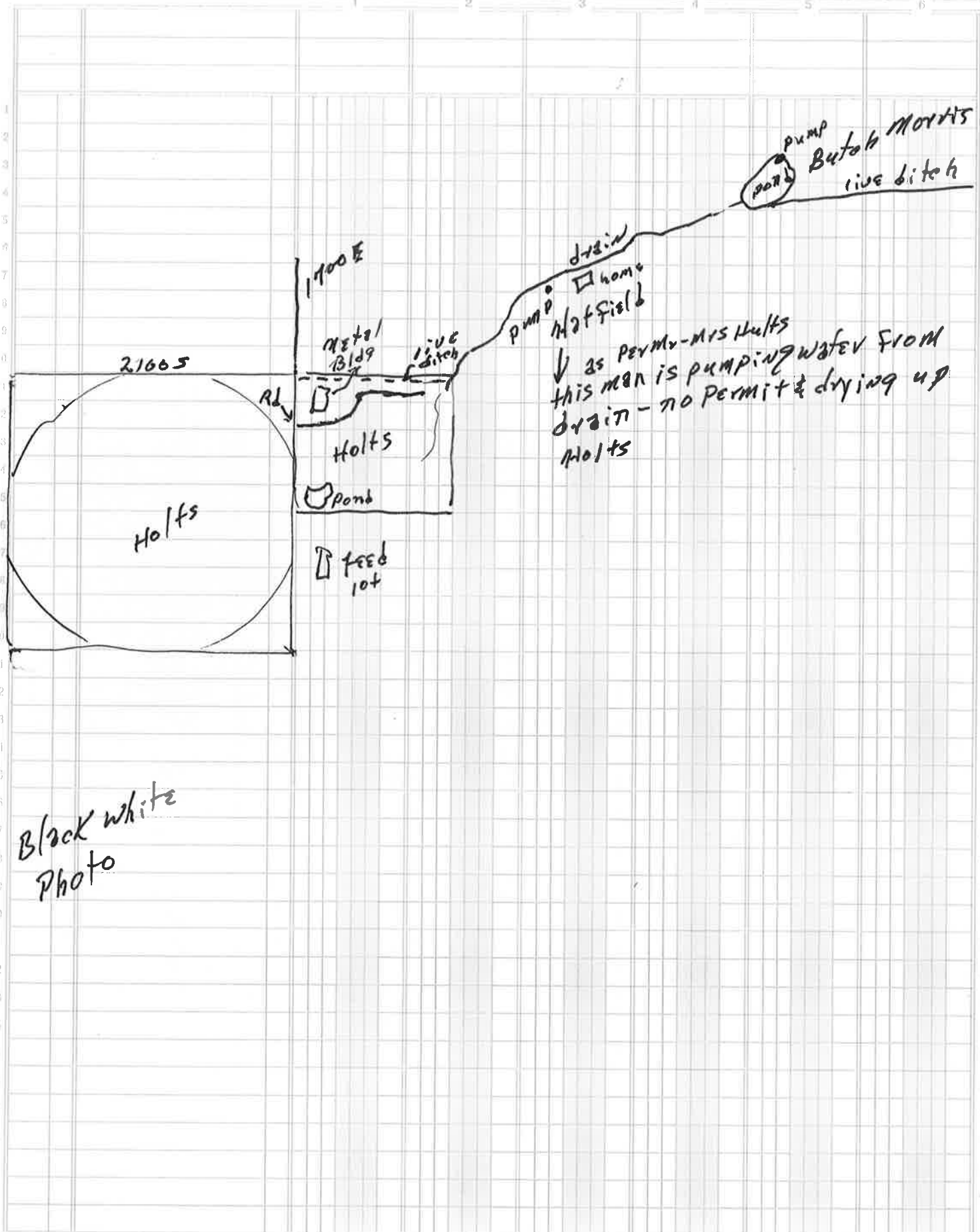


Prepared By	Initials	Date
Approved By		

© WILSON JONES COMPANY

07204 Columbia Falls

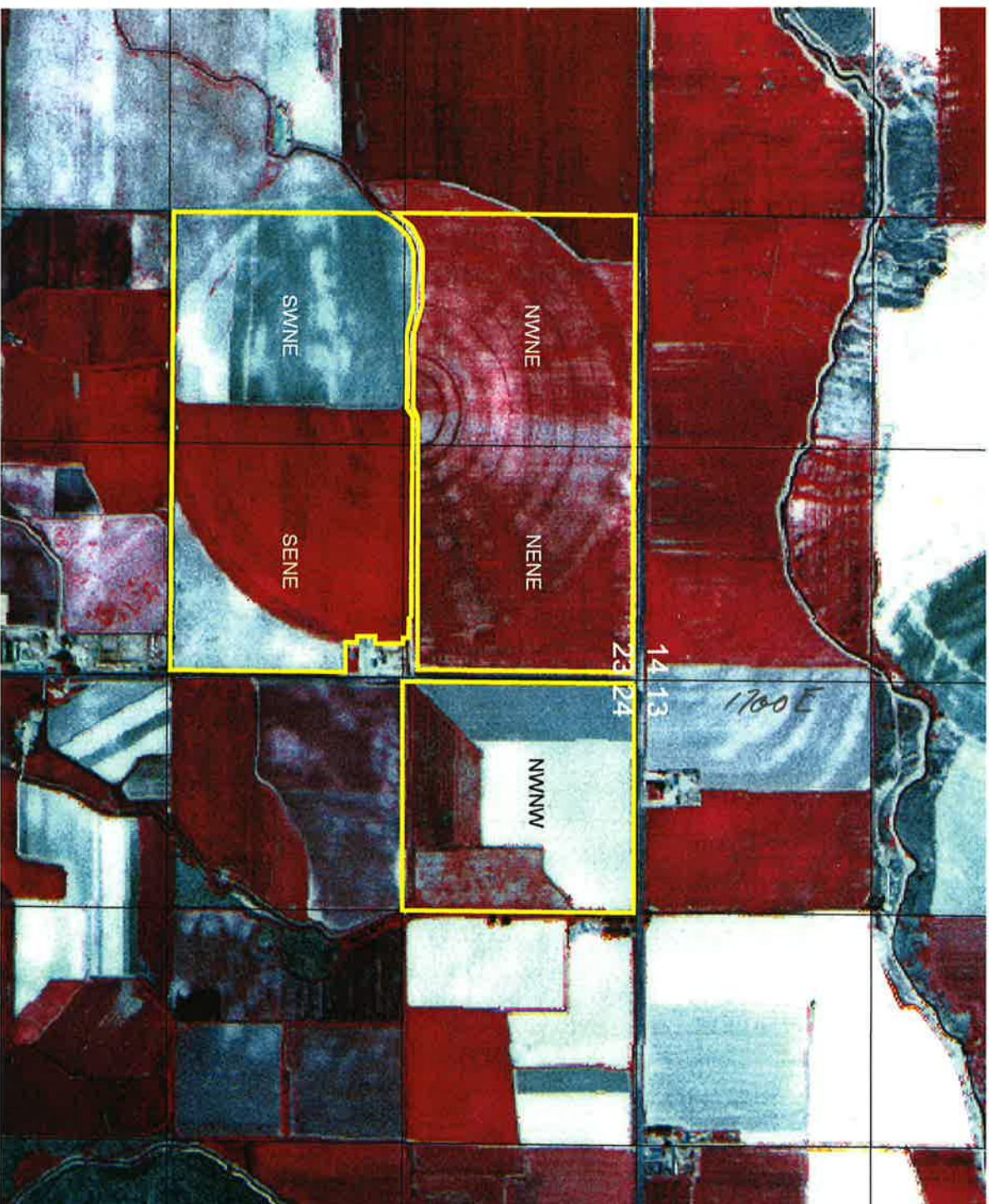
MADE IN U.S.A.



Black white
Photo

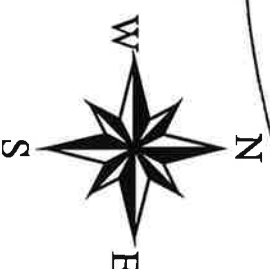
37-4118

T06S R14E
S23 & S24



2200S

location



See Black
white copy
page 12

BEFORE THE STATE ENGINEER OF THE STATE OF IDAHO.

IN THE MATTER OF THE PROTEST AGAINST THE ISSUANCE OF WATER LICENSE
UNDER PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO.

IDAHO IRRIGATION COMPANY, LIMITED,	)	
Protestant,	)	
vs.	)	FINDINGS OF FACT AND
EMERY S. AYRES,	)	CONCLUSIONS OF LAW.
Protestee,	)	

This matter came on regularly to be heard on the 8th day of January, 1916, before the State Engineer of the State of Idaho, said State Engineer being represented by the Deputy State Engineer, Fred A. Wilkie; the protestant being represented by Messrs. Oppenheim & Hodgins, its attorneys, and the protestee being represented by Messrs. Sutphen & Sutphen.

From the evidence introduced the State Engineer finds the facts to be as follows, to-wit:

1. That the protestant, Idaho Irrigation Company, Limited, is a corporation duly organized and existing under the laws of the State of Idaho.
2. That under and by virtue of the provisions of an act of Congress of the United States, approved August 18, 1894, commonly known as the Carey Act and the Act Amending thereof, and the laws enacted by the State of Idaho in pursuance of the power granted by the said Act of Congress, the protestant on Aug. 21, 1907, entered into a contract, and on Jan. 2, 1909, entered into a supplemental contract, both in writing, with the State of Idaho, acting by and through its State Board of Land Commissioners, whereby protestant agreed to construct certain irrigation works in the counties of Blaine and Lincoln (which last named county has since been subdivided and now includes the counties of Lincoln and Gooding), in

the State of Idaho, for the irrigation and reclamation of large tracts of arid land in said counties and state.

3. That the said Emery S. Ayres, the protestee, has entered into a contract with this protestant, for the purchase of a water right from the said system, said water right being represented by shares of stock in the Big Wood River Reservoir and Canal Company, Limited, and under the terms of said contract to be appurtenant to the following described land, to-wit: NE $\frac{1}{4}$ of Sec. 26, T. 6 S., R. 14 E., B. M.

4. That the protestee, Emery S. Ayres, of Gooding, Gooding County, Idaho, had secured a permit, #9969, to appropriate two and one-half (2 $\frac{1}{2}$) cubic feet per second of water from an "unnamed" coulee, to be used for irrigation and domestic use for the NE $\frac{1}{4}$ of Sec. 26, T. 6 S., R. 14 E., B. M.

5. That the source of water supply named in said permit #9969, as an "unnamed" coulee is a continuation of one of the laterals of the irrigation system which was constructed by the protestant under the terms and provisions of the State Contract above referred to and of permits, to appropriate public waters of the State of Idaho, numbered 1817, 2644 and 3818, now held by the protestant for the use and benefit of the settlers under said project.

6. That the water flowing in said "unnamed" coulee is what is known as "waste water" or "run off water" from the lands above, and actually consists of a portion of the water appropriated by the protestant under said permits #1817, 2644 and 3818.

7. That the water attempted to be appropriated by said protestee under permit #9969 is water belonging to the system of the protestant, and will eventually be used on land covered by the contract entered into by the protestant and the State of Idaho.

CONCLUSION.

As a conclusion of law from the foregoing facts, the

State Engineer finds that the protestee, Emory S. Ayres, is not entitled to a license to appropriate any water under permit #9969, from the "unnamed" coulees.

Dated this 29th day of June, 1916.



State Engineer of the State
of Idaho.

Name of Applicant Henry S Ayres, Gooding, Idaho

37-2284

6916

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

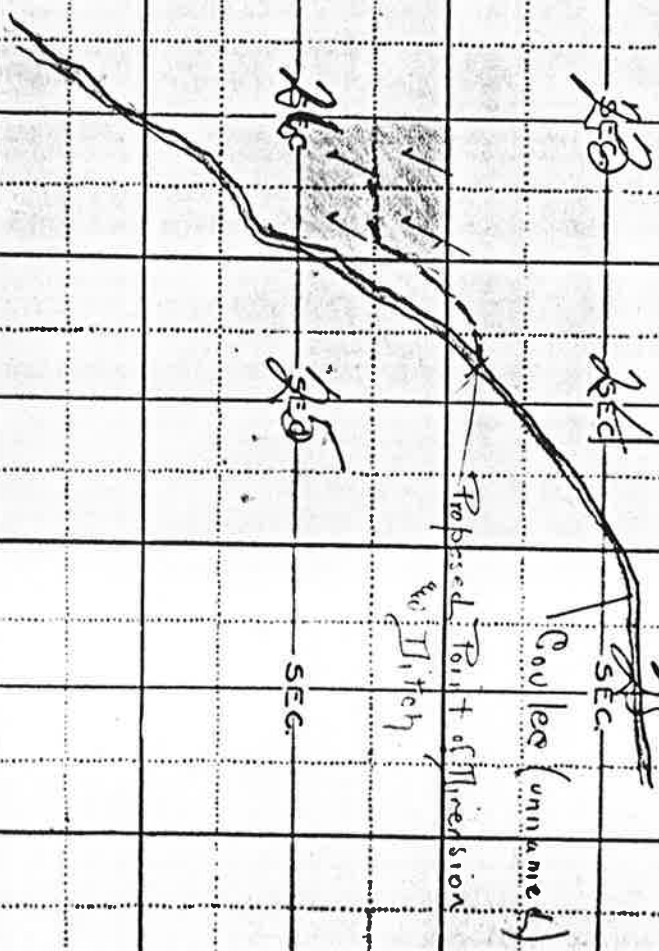
SEC.

SEC.

SEC.

E. P. King

Tip 6 South of East BM



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Claim No. 27-418
RECEIVED
JUN 20 1983
Department of Water Resources
Southern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Clarence J. Huber
(Name of Claimant)
Route #2, Gooding, Idaho, 83330
(Mailing Address) (Zip Code) Telephone No. 934-5368

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) March 15, 1909

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Wastewater tributary to Natural drain into Northside Canal Co. System
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>2.5</u>	Use <u>Irrigation</u>	Period of Use From <u>Mar. 15</u>	To <u>Nov. 15</u>
Quantity	<u>0.03</u>	Use <u>Stockwater</u>	Period of Use From <u>Mar. 15</u>	To <u>Nov. 15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity	<u>2.5</u>	TOTAL QUANTITY USED.	Period of Use From	To

- (4) (cfs, gpd, AFA)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NW 1/4, Sec. 25 Twp. 6S. Rge. 14E. B.M., County of Gooding
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Earthen check in wasteway forming a pond; from the pond a pump delivers the water in to a sprinkler system. The system consists of a center pivot with corner attachment and 2 3" handlines. The stock drink from the pond and ditches.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
6S.	14E.	26	40	40	40	40													160
		25					40												40

No. of acres 200

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

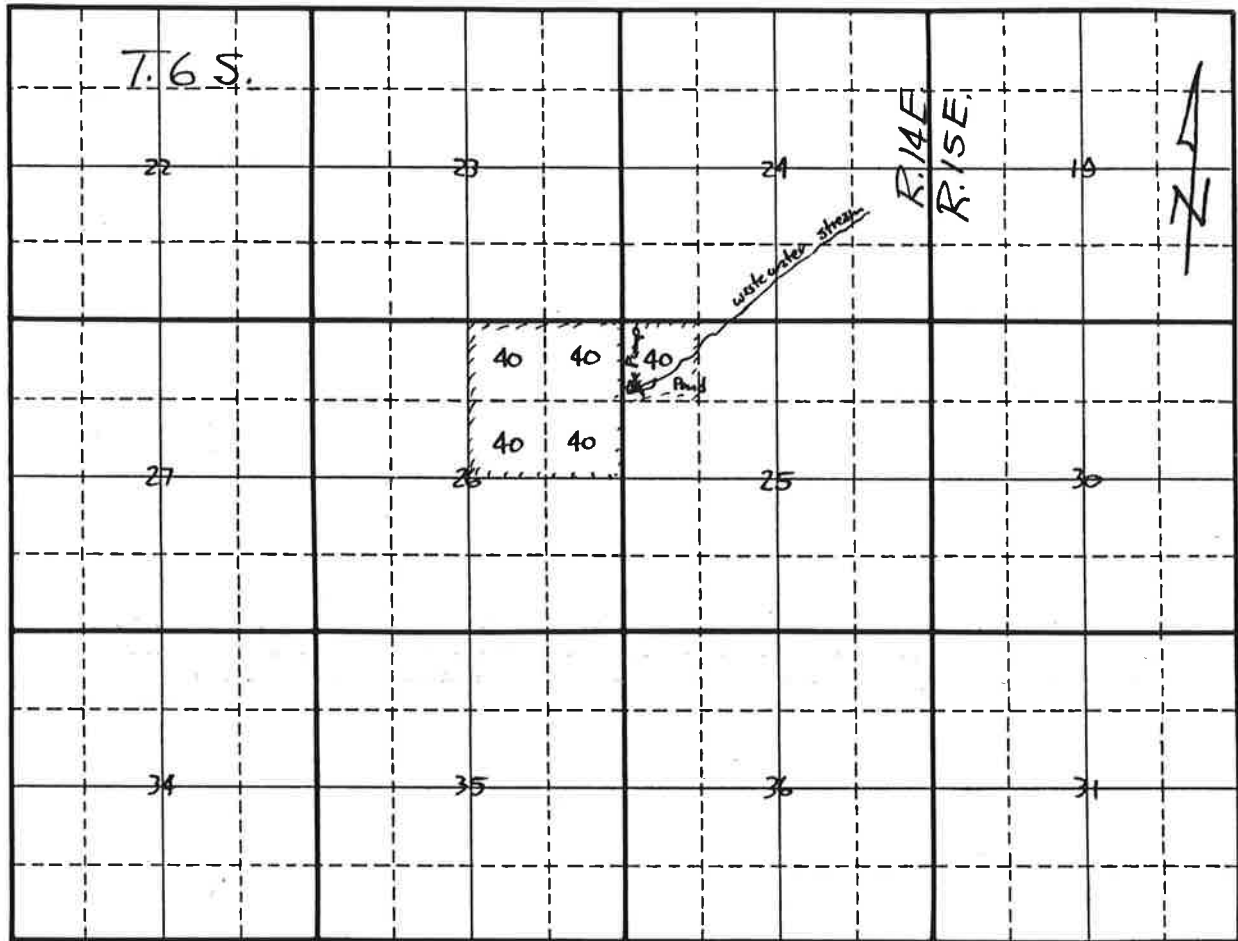
NOTE: Include here the type and number of stock watered: 100 head of range cattle.

- (7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

(8) Remarks This water was originally gravity flow but has recently been applied by the sprinkler system. This water can also be co-mingled with live water from the Big Wood Canal Co.

This claim is in reference to Permit 9969



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 28th day of

Clarence J. Fisher
(Claimant)

June, 19 79.

Loren O. Palmer

Notary Public

Residing at Twin Falls, Id

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by ADM Date 6-28-79 Exception filed by: _____ Date _____
Prelim. check by adm Date 7-2-79 Forwarded to claimant by: _____
\$20.00 fee received by manya Date 6-28-79 # 13349
Published in garden of eden _____
Dates 7/26/79 8/2/79 _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A37-04118
Date Received: 4/11/1988
Receipt No: S000048

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARENCE J. HUBER 208-934-4227
Address: 1767 E. 2350 S.
GOODING, ID 83330

AND/OR

Name: MARK HUBER
Address: GOODING, ID 83330

AND/OR

Name: JOE HUBER 208-934-4227
Address: 1767 E. 2350 E.
GOODING, ID 83330

2. Date of Priority: MAR 15, 1909

3. Source: WASTE WATER Trib. to: NORTHSIDE CANAL CO. SYSTEM

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	14E	25	SW	NW	NW		GOODING

5. Description of diverting works:
EARTHEN DAM WITH A 60 HP ELEC. MOTOR AND PUMP TO SPR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.500		
STOCKWATER	03/15	11/15	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE

A37-04118

Page 1

Date: 04/11/88

MICROFILMED
FEB 23 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	14E	25	NW	NW		IRR	40.0
						Section Acres	40.0
		26	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	160.0
						Total Acres	200.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
100 SHARES OF GOODING MILNER CANAL CO.

14. Remarks:
THIS WATER WAS ORIGINALLY GRAVITY FLOW BUT HAS RECENTLY BEEN
APPLIED BY THE SPRINKLER SYSTEM. THIS WATER CAN ALSO BE COMINGLED
WITH LIVE WATER FROM THE AMER. FALLS DIST. THIS CLAIM IS IN REF.
TO PERMIT 9969

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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): Joe Huber Date: _____
_____ Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of April 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding ID
My Commission Expires 10/16/1992

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

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 _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A37-04118**
Date Received: 4/11/1988
Receipt No: S000048
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ROBERT J MEYERS
Address: 1425 E 3200 S
WENDELL ID

83355

AND

Name: KATHI L MEYERS
Address: 1425 E 3200 S
WENDELL ID

83355

AND

Name: JOSEPH HULTS
Address: 1425 E 3200 S
WENDELL ID

83355

AND

Name: KAY ANN HULTS
Address: 1425 E 3200 S
WENDELL ID

83355

2. Date of Priority: MAR 15, 1909

3. Source: WASTE WATER

Trib. to: NORTHSIDE CANAL CO. SYSTEM

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	14E	25	SW	NW	NW		GOODING

5. Description of diverting works:

EARTHEN DAM WITH A 60 HP ELEC. MOTOR AND PUMP TO SPR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.500		
STOCKWATER	03/15	11/15	0.030		

7. Total Quantity Appropriated is:

2.500 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 600.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	14E	25	NW	NW		IRR	40.0
						Section Acres	40.0
		26	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
						Section Acres	160.0
						Total Acres	200.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:
100 SHARES OF GOODING MILNER CANAL CO.

14. Remarks:

THIS WATER WAS ORIGINALLY GRAVITY FLOW BUT HAS RECENTLY BEEN
APPLIED BY THE SPRINKLER SYSTEM. THIS WATER CAN ALSO BE COMINGLED
WITH LIVE WATER FROM THE AMER. FALLS DIST. THIS CLAIM IS IN REF.
TO PERMIT 9969

6-1-98: OWNERSHIP CHANGE HUBER TO MEYERS/HULTS PER NOTICE REC'D
1-29-98 - VH

15. Basis of Claim: BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

June 2, 1998

Robert J. and Kathi L. Meyers
Joseph and Kay Ann Hults
1425 East 3200 South
Wendell, Idaho 83355

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): **A37-04118, A37-10791**
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock', is written over a horizontal line.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

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

RECEIVED

MAY 20 1998

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

Department of Water Resources
Southern Region

RECEIVED

JAN 29 1998

Department of Water Resources
Southern Region

1. Water Right Number(s) _____
Adjudication Claim Number(s) A37-04118 A37-10791
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.) OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Clarence J. Huber, Mark Huber, Joe Huber
Joe Huber Pres. Joe Huber
4. New Owner/Claimant(s) Robert J. Meyers and Kathi L. Meyers AND Joseph Hults and Kay Ann Hults
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 1425 East 3200 South,
City, State and ZIP Code Wendell, ID 83355
New Telephone Number (208) -
5. Date you acquired the property Jan. 27, 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)
Robert J. Meyers Kathi L. Meyers Date 1-28-98
Joseph Hults Kay Ann Hults Date 1-28-98
JOSEPH HULTS KAY ANN HULTS
(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

✓ ID

ROBERT MEYERS/JOE HULTS
MARK HUBER
SEVERT SWENSON - ATTORNEY
LAND TITLE - GOODING

COMMONWEALTH LAND TITLE INSURANCE COMPANY

COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

ORDER NUMBER: G-25995

Jan. 27, 1998 @ 4:13 PM
RECEIVED

1. Effective Date: November 6, 1997 at 8:00 A.M.

MAY 20 1998

2. Policy or Policies to be issued:

Department of Water Resources
Southern District

✓ 292,414.37

A. ☒ ALTA Owners Policy - Standard Coverage
(10/17/92)

Amount \$297,914.37

Premium \$1,149.00

Husband and wife 1,134.00

VEST!

Proposed Insured: **ROBERT J. MEYERS and KATHI L. MEYERS And JOSEPH HULTS**
and KAY ANN HULTS, husband and wife

B. ☐ ALTA Loan Policy ☐ Standard ☐ Extended
(10/17/92)
☐ With Endorsements

Amount \$

Premium \$

Premium \$

Proposed Insured:

C. ☐

Amount \$

Premium \$

Proposed Insured:

3. The Estate or Interest in the land described or referred to in this Commitment and covered herein is fee simple and is at the effective date vested in:

Parcel No. 1:

MARK HUBER and KATIE L. HUBER, husband and wife, as to an undivided 1/2 interest, AND MARK HUBER, presumptively subject to the community interest of his spouse, if any, as to an undivided 1/2 interest

Parcel No. 2:

MARK HUBER, presumptively subject to the community interest of his spouse, if married since April 22, 1995

4. The land referred to in this Commitment is situated in the County of Gooding, State of Idaho, and described as follows:

SEE ATTACHED SCHEDULE A, PAGE 2

Countersigned: *Pam Hurl*

Authorized Officer or Agent

This Commitment is valid only if Schedule B is attached.

Closed by:

LAND TITLE AND ESCROW, INC.

546 Main St.

P. O. Box 473

Gooding, ID 83330

(208) 934-8477

CONTINUATION

SCHEDULE A

Order Number: G-25995

PARCEL NO. 1

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 26: NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described tract:

Beginning at the North quarter corner of Section 26;
Thence South 89°51' East, 340.75 feet along the Northerly boundary of Section
26 to THE TRUE POINT OF BEGINNING;
Thence South 31°47'55" West, 152.43 feet;
Thence South 36°18'06" East, 59.97 feet;
Thence South 89°51' East, 244.34 feet;
Thence North 0°09' East, 178.00 feet to a point on the Northerly boundary of
Section 26;
Thence North 89°51' West, 200.00 feet along the Northerly boundary of
Section 26 to THE TRUE POINT OF BEGINNING.

AND EXCEPT that portion of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, described as follows:

Beginning at the Southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence North along the Easterly boundary of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 400 feet;
Thence in a Southwesterly direction to a point on the South boundary of the
SE $\frac{1}{4}$ NE $\frac{1}{4}$ that is 400 feet West of the Southeast corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Thence East 400 feet to THE POINT OF BEGINNING.

PARCEL NO. 2

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 25: NW $\frac{1}{4}$ NW $\frac{1}{4}$;



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

RECEIVED

MAY 15 1998

LAND TITLE &
ESCROW, INC.

May 14, 1998

RECEIVED

PHILIP E. BATT
GOVERNOR

MAY 15 1998

KARL J. DREHER
DIRECTOR

LAND TITLE &
ESCROW, INC.

Rachelle Novinger
LAND, TITLE & ESCROW
PO Box 473
Gooding, Idaho 83330

RE: Notice of Change of Water Right Ownership
Huber to Meyers and Hults
Snake River Basin Adjudication Claim Nos. A37-04118, A37-10791

Dear Rachelle:

I am returning the original documents sent to us for the purpose of changing the ownership of water rights referenced above. The Notice does not include the new owners' address(s), and there is a question on claim number A37-10791 as to whether Mark Huber can convey this right, which is in the name of Clarence Huber and Sons. A copy of the Title Insurance Policy for this transaction, or some documentation listing Mark as an owner in Clarence Huber and Sons will suffice. We also need a survey map and aerial photo of the property, if possible, as requested in item 2C.

I realize that several months have gone by since this request was submitted to the department, but will appreciate your clients' additional cooperation, as I cannot process this change of ownership until complete information is received. Thank you for your help.

Sincerely,

Vikie Hancock
SRBA Records Clerk

RECEIVED

MAY 20 1998

Department of Water Resources
Southern Region

*Vikie -
hope this is
all you need
Becky*

