

AJ5856NP

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

DATE: FEB-17-1999
PAGE: A-32

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 35-12902

NAME & ADDRESS: GEORGE E YOWELL JR
1576 S 2900 W
ABERDEEN ID 83210-1606

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 06/01/1981

POINT OF DIVERSION: T05S R31E S19 NWSE Within BINGHAM County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County
T05S R31E S19 NWSE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP0042002

PROFILES

SCANNED
OCT 05 2005

AJ5809NP
No. R35-12902

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/13/98
PAGE: 50

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD J KETTENBURG	06/01/1981	DOMESTIC	01-01 12-31	0.04 CFS	
C	DOROTHY A KETTENBURG					
	1576 S 2900 W					
	ABERBEEN ID 83210					
	(208) 397-5334					
				TOTAL DIVERSION:	0.04 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T05S R31E S19 NWSE BINGHAM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE NENE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE			
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 Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac							
05S	31E	19	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP0042002

Dates: Exam Made Date: Verified Date: 10/14/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 10/14/98 ECARLSEN

PROFILED

SCANNED
OCT 05 2005

AJ5809NP
No. R35-12902

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/09/98
PAGE: 44

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD J KETTENBURG	06/01/1981	DOMESTIC	01-01 12-31	0.04 CFS	
C	DOROTHY A KETTENBURG					
	1576 S 2900 W					
	ABERBEEN ID 83210			TOTAL DIVERSION:	0.04 CFS	
	(208) 397-5334					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R31E S19

NWSE

BINGHAM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE																			
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE	
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	

05S 31E 19 :																															

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP0042002

Dates: Exam Made Date: Verified Date: 10/14/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 10/14/98 ECARLSEN

✓ OK gth
11-10-98

PROFILE

SCANNED
OCT 05 2005

AJ0749NP
No. R35-12902

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

DATE: 10/14/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EDWARD J KETTENBURG	06/01/1981	DOMESTIC	01-01 12-31	0.04 CFS	
C	DOROTHY A KETTENBURG					
	1576 S 2900 W					
	ABERBEEN ID 83210			TOTAL DIVERSION:	0.04 CFS	
	(208) 397-5334					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R31E S19

NWSE

BINGHAM County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE											
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac	
05S	31E	19	:					:					:					:					:

POU County: BINGHAM

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP0042002

Dates: Exam Made Date:

Verified Date:

10/14/1998

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

SCANNED
OCT 05 2005

PROFILE



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

GEORGE E YOWELL JR
1576 S 2900 W
ABERDEEN ID 83210-1606

RE: Notice of Change of Water Right Ownership (NCO) for 35-12902
and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Yowell:

On January 25, 1999, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, 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 water right(s) as recorded in the SRBA.

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

Respectfully,

Jennifer Hoagland
Technical Records Specialist

Enclosure

cc: Ed Kettenburg

PROFILED

SCANNED
OCT 05 2005

In Re SRBA	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	
_____	)	SUB CASE NO. 35-12902

Page 1

OCT 05 2005

CERTIFICATE OF MAILING

I certify that on 2-19, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:
ED KETTENBURG
1151 LOWER WELLS BENCH
OROFINO ID 83544
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
GEORGE E YOWELL JR
1576 S 2900 W
ABERDEEN ID 83210-1606
4. One Copy to:
Each party in the subcase or attorney of record:
N/A
5. One Copy 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

Jennifer Hoagland
Signature of person or attorney mailing the form

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
 Incomplete forms will be returned.

RECEIVED
 JAN 25 1999
 Department of Water Resources
 Eastern District Office

1. Water Right or Adjudication Claim No(s): A35-12902
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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Ed KETTENBURG
1151 LOWER WELLS BENCH ORFINO, ID. 83544
4. New Owner/Claimant(s) GEORGE E. YOWELL JR.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 1576 S. 2900 W.
 City, State and ZIP Code ABERDEEN, IDAHO 83210-1606
 New Telephone Number (208) 397-3113
5. Date you acquired the property 10-30-98
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 you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 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 or Claimant(s) George E. Yowell Jr.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

SCANNED
 OCT 05 2005

471021 WARRANTY DEED

For Value Received EDWARD J. KETTENBURG also known of record as EDWARD KETTENBURG and DOROTHY A. KETTENBURG, husband and wife

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

GEORGE E. YOWELL, JR, an unmarried person 624

whose address is: 1576 SOUTH 2900 WEST, ABERDEEN, ID, 83210

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

SEE ATTACHED EXHIBIT "A"

RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE COMPANY
98 OCT 30 PM 4:33
600-100-2

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: OCTOBER 30, 1998

Edward J. Kettenburg
EDWARD J. KETTENBURG

Dorothy A. Kettenburg
DOROTHY A. KETTENBURG

Edward J. Kettenburg
EDWARD KETTENBURG
EJK

STATE OF IDAHO)

COUNTY OF BANNOCK)

On This 30TH day of OCT, in the year 1998, before me, a Notary Public in and for said State, personally appeared EDWARD J. KETTENBURG and DOROTHY A. KETTENBURG, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within Instrument, and acknowledged to me that THEY executed the same.

Shirley Horn Notary Public of Idaho
Residing at INKOM
Commission Expires: 8-9-99

PROFILED

OCT 05 2005

EXHIBIT A

TRACT I:

Township 5 South, Range 31 E.B.M., Bingham County, Idaho,
Section 19: That portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 19, which lies North and West of the Aberdeen-Springfield Canal. **TOGETHER WITH AND SUBJECT TO** an easement for ingress and egress over a strip of land 18 feet wide over a portion of the SE $\frac{1}{4}$ of Section 19, Township 5 South, Range 31 E.B.M., and described as 9 feet on each side of the following described centerline: Commencing at the SE corner of Section 19; thence along the east line of said Section, N. 0°09' E. 1278.93 feet; thence N. 87°25'08" W. 30.03 feet to the true point of beginning; thence continuing N. 87°25'08" W. 1448.63 feet; thence N. 65°51'42" W. 60.83 feet to a point on the east bank of an existing irrigation canal, and access across an existing bridge, and an easement, 30 feet in width, for ingress and egress along an existing driveway, lying 15 feet on each side of the following described center line: Continuing N. 83°46'21" W., 38.40 feet; thence N. 64°17'24" W., 52.20 feet; thence N. 46°28'25" W. 53.69 feet; thence N. 32°38'53" W., 215.96 feet; thence N. 58°52'49" W., 150.57 feet; thence N. 46°24'38" W., 160.28 feet; thence N. 82°45'18" W., 104.63 feet. **RESERVING** to the United States, all oil and gas, together with the right to prospect for, mine and remove the same as authorized by the provisions of Section 8 of the Act of June 28, 1934 (48 Stat. 1269), and amended by Section 3 of the Act of June 26, 1936 (49 Stat. 1976).

TRACT II:

The NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Township 5 South, Range 31 E.B.M., Bingham County, Idaho. **TOGETHER WITH** Easement for ingress and egress as created by Easement recorded October 30, 1980 as Instrument NO. 272452. **RESERVING** to the United States, all oil and gas, together with the right to prospect for, mine and remove the same as authorized by the provisions of Section 8 of the Act of June 28, 1934 (48 Stat. 1269), and amended by Section 3 of the Act of June 26, 1936 (49 Stat. 1976).

471021

FILED

SCANNED
OCT 05 2005

35-12902

RECEIVED

DEC 07 1998

Department of Water Resources

NO GIS OVER LAY ON THIS WATER RIGHT.

dear

We have sold this place to
George Yowell November 2, 1998

We thought you might want to
forward these to him.

Sincerely
Pastor Ed Wettenburg

PROFILED

SCANNED
OCT 05 2005

November 20, 1998

**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: December 18, 1998

Water right number: 35-12902

EDWARD J KETTENBURG
DOROTHY A KETTENBURG
1576 S 2900 W
ABERBEEN ID 83210

*NCD
C/O
sent
ad*

Daytime Telephone Number:

Evening Telephone Number:

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:

____ I AGREE with this proposed recommendation; no changes need to be made.

DATE: _____ SIGNATURE: _____
Please print your name: _____

IDWR Eastern Regional Office, 900 N. Skyline Drive, Suite A, Idaho Falls, ID 83402-1718, (208) 525-7161

PROFILED

**SCANNED
OCT 05 2005**

E

RIGHT NUMBER: 35-12902

NAME AND ADDRESS: EDWARD J KETTENBURG
DOROTHY A KETTENBURG
1576 S 2900 W
ABERBEEN ID 83210

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY-DATE: 06/01/1981

POINT OF DIVERSION T05S R31E S19 NWSE Within BINGHAM County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BINGHAM County
T05S R31E S19 NWSE

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP0042002

PROFILED
SCANNED
OCT 05 2005

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: A35-12902

Date Received: 2/28/1992

Receipt No: E016975

Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EDWARD J KETTENBURG 208-397-5334
Address: 1576 S 2900 W
ABERBEEN ID 83210
AND/OR
Name: DOROTHY A KETTENBURG 208-397-5334
Address: 1576 S 2900 W
ABERBEEN ID 83210

2. Date of Priority: JUN 1, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	31E	19	NW	SE			BINGHAM

5. Description of diverting works:
WELL/PUMP TO HOME

6. Water is used for the following purposes:

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

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC ONE HOME

A35-12902

PROFILE

Page

1

SCANNED
OCT 05 2005

Date:

MICROFILMED

DEC 11 1992

02/28/92

A3512902



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	31E	19	NW	SE		DOMEST	

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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): Edward J. Kettenberg Date: 2/28/92

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 28 day
of Feb 19 92

Dave Calk
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96