

10/31/2006

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

RIGHT NUMBER: 75-7374B
NAME AND ADDRESS: KATHE S RHODES
PO BOX 981
SALMON ID 83467

KENT T RHODES
PO BOX 981
SALMON ID 83467

SOURCE: TWELVEMILE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.090 CFS
PRIORITY DATE: 06/20/1983
POINT OF DIVERSION:

T19N R21E S1 NWNE Lot 2 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.090 CFS

PLACE OF USE: IRRIGATION Within LEMHI County
T19N R21E S01 Lot 2 NWNE 4.30

4.3 ACRES TOTAL

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

This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

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 - Permit

Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

December 6, 2006

Re: Water Rights Numbers A75-07374B and A75-10242

Gentlemen:

Please change the address on my water rights numbers A75-07374B and A75-10242 as indicated below:

Kent and/or Kathe Rhodes
25 Pepper Lane
Salmon, ID 83467

Thank you.

Sincerely,



Kent T. Rhodes



Kathe S. Rhodes



State of Idaho

SCANNED

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

AUGUST 30, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

KENT T RHODES
PO BOX 981
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-10242 AND -07374B

Dear Mr. Rhodes:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

Jo Thompson
Secretary, Adjudications

Enclosure: Notice(s) of Claim

MICROFILMED

NOV 18 1996

RECEIVED

AUG 17 1994

Department of Water Resources
Eastern District Office

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 4/21/94

LEGAL DESCRIPTION OF PROPERTY: Township 19 N. Range 21 E.
Section 1, 1/4 of 1/4 of 1/4 Govt. Lot 2, 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) ^{Nº}
Assigned by IDWR: A 75-10242 ; A75-07374 B
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): (see attached Warranty Deeds)
Kenneth J. and Eva Jeanne Martens
to John D. and Martha E. Pritchett
- ☐ New Owner/Claimant (Purchaser): Kent T. and Kathe S. Rhodes
- ☐ New Mailing Address: P.O. Box 981
Salmon, ID 83467
- ☐ New Telephone Number: (208) 756 - 4216
- ☐ 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 Deeds - Martens to Pritchett
Pritchett to Rhodes

(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) Kathe Rhodes Date 8-14-94
Kent Rhodes Date 8-14-94
- ☐ 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

NOV 18 1996

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

**RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES**

Receipt No: 8008714

Date: 04/24/90
Time: 12:13:56

Received From: MARTENS, EVA

Type of Payment
ADJUDICATION FEE

Program Acct Class
0410162 9337 6490

Amount
\$79.00

Total
\$79.00

CHECK 1193

WR/NO: A75-07374B 075-10242

Idaho Department of Water Resources

Region: MOBILE I

Signature: *Eric Calen*

July 24, 1990.

Number changed from A75-07374A.

MICROFILMED

DEC 15 1992

Warranty Deed

For Value Received

JOHN D. PRITCHETT and MARTHA E. PRITCHETT, husband and wife

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

KENT T. RHODES and KATHE S. RHODES, husband and wife

whose current address is

P.O. Box 981
Salmon, ID 83467

the granteeS, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND 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're the ownerS in fee simple of said premises; that they are free from all incumbrances

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

Dated: April 11, 1994

John D. Pritchett
John D. Pritchett

Martha E. Pritchett
Martha E. Pritchett

STATE OF IDAHO, COUNTY OF Lemhi
On this 21st day of April, 19 94
before me, a Notary Public in and for said State, personally appeared

John D. Pritchett & Martha E. Pritchett

to me to be the persons whose nameS are
in 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)
County of Lemhi) ss No 222254

This instrument was filed for record
at the request of American Land Title
at 9:10 o'clock PM April 21 1994
and duly filed and indexed in the
records of Lemhi County

Alberta Wiederrick
Ex-Officio Recorder
By Debra Walbran Deputy

Fees: 16.00

EXHIBIT "A"

PARCEL I:

A PARCEL OF LAND LOCATED IN U.S. GOVERNMENT LOT 2, SECTION 1, T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, A DISTANCE OF 524.67 FEET ON A BEARING OF S. 0 DEGREES 15' 30" W. TO A POINT ON THE SOUTH RIGHT-OF-WAY OF A ROAD; THENCE S. 89 DEGREES 32' 23" E. 364.21 FEET ALONG SAID RIGHT-OF-WAY TO THE REAL POINT OF BEGINNING.

THENCE S. 89 DEGREES 32' 23" E., 300.00 FEET;

THENCE S. 0 DEGREES 15' 30" W., 464.76 FEET TO A POINT ON THE SOUTH BOUNDARY OF LOT 2;

THENCE N. 89 DEGREES 32' 31" W., 300.00 FEET ALONG SAID BOUNDARY;

THENCE N. 0 DEGREES 15' 30" E., 464.77 FEET TO THE REAL POINT OF BEGINNING.

PARCEL II:

A FRACTION OF LOT 2 IN SECTION 1, T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1 RUNNING THENCE SOUTH 524.67 FEET; THENCE S. 89 DEGREES 43' E., 264.21 FEET TO THE POINT OF BEGINNING; CONTINUING S. 89 DEGREES 43' E., 100 FEET; THENCE SOUTH 464.67 FEET, MORE OR LESS, TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID LOT 2; THENCE N. 89 DEGREES 43' W., ALONG SAID BOUNDARY OF LOT 2, 100 FEET; THENCE NORTH 464.67 FEET MORE OR LESS, TO THE POINT OF BEGINNING. ...

FOON ORIGINAL

EXHIBIT "A"

PARCEL I:

A PARCEL OF LAND LOCATED IN U.S. GOVERNMENT LOT 2, SECTION 1, T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, A DISTANCE OF 524.67 FEET ON A BEARING OF S. $0^{\circ} 15' 30''$ W. TO A POINT ON THE SOUTH RIGHT-OF-WAY OF A ROAD; THENCE S. $89^{\circ} 32' 23''$ E., 364.21 FEET ALONG SAID RIGHT-OF-WAY TO THE REAL POINT OF BEGINNING.

THENCE S. $89^{\circ} 32' 23''$ E., 300.00 FEET;

THENCE E. $0^{\circ} 15' 30''$ W., 464.76 FEET TO A POINT ON THE SOUTH BOUNDARY OF LOT 2;

THENCE N. $89^{\circ} 32' 23''$ W., 300.00 FEET ALONG SAID BOUNDARY;

THENCE N. $0^{\circ} 15' 30''$ E., 464.77 FEET TO THE REAL POINT OF BEGINNING.

PARCEL II:

A FRACTION OF LOT 2 IN SECTION 1, T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, RUNNING THENCE SOUTH 524.67 FEET; THENCE S. $89^{\circ} 43' 43''$ E., 364.21 FEET TO THE POINT OF BEGINNING; CONTINUING S. $89^{\circ} 43' 43''$ E., 100 FEET; THENCE SOUTH 464.67 FEET, MORE OR LESS, TO A POINT ON THE EASTERLY BOUNDARY OF SAID LOT 2; THENCE N. $89^{\circ} 43' 43''$ W., ALONG SAID BOUNDARY OF LOT 2, 100 FEET; THENCE NORTH 464.67 FEET MORE OR LESS, TO THE POINT OF BEGINNING.

004 12 1382

WARRANTY DEED

PGOR ORIGINAL

For Value Received

KENNETH J. MARTENS AND EVA JEANNE MARTENS, husband and wife

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

JOHN D. PRITCHETT AND MARTHA E. PRITCHETT, husband and wife

whose current address is 108 SOUTH DATE STREET
TOPPENISH, WASHINGTON 98940

the grantees, the following described premises, in LEWIS County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

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

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

Dated: SEPTEMBER 3, 1991

KENNETH J. MARTENS

EVA JEANNE MARTENS

STATE OF IDAHO, COUNTY OF LEWIS

On this 3rd day of SEPTEMBER, 1991,
before me, a Notary Public in and for said State, personally
appeared

KENNETH J. MARTENS and
EVA JEANNE MARTENS

known 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.

Notary Public
Idaho

State of Idaho
County of Lewis

211583

This instrument was filed for recording
the request of Superior Land Title
and duly filed and indexed in the
Records of Lewis County

Recorded by WGA on Sept 3 1991

By WGA on Sept 3 1991

Fee 1.00

WGA 10 1991

MICROFILMED

Printed by the AMERICAN LAND TITLE CO. - Boise, Idaho

July 24, 1990

Ken Martens
Star Route Box 18
Salmon, ID 83467

RE: Notice of Claim

Dear Mr. Martens:

The water right number assigned to the Notice of Claim for your property in Lemhi County had previously been used. Therefore, we have renumbered your Notice from A75-07374A to A75-07374B and modified Receipt No. M006714 to reflect this change.

The enclosed form is an exact duplicate of the original notice but with the newer water right number. Please retain this Notice for your records and future reference.

If you have any questions, please feel free to call.

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

MICROFILMED
DEC 15 1992

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A95-07374B

TO MARTENS

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent A. RUBERY Date 2 Aug 94

Contact Person(s) KATHY RHODES - SALMON

Nature of Contact CONCERNED ABOUT WR FROM TWELVE MILE CK
AND CHANGE OF WR OWNERSHIP -

Substance of Communication QUESTIONING HOW A Mr. MARK HITCHINGS
CAN APPROPRIATE ALL THE WATER FROM TWELVE MILE CK AND
FLOOD THE SAME PLACE FOR 6 OR 7 DAYS AT A TIME.
Mrs. Rhodes wants to know if IDWR CAN DO ANYTHING
SHIP JONES TOLD HER THAT IS ONE OF THE PLACES WHERE
THERE IS NO WATERMASTER SO THE STREAM IS NOT
REGULATED. REQUESTED A SUGGESTION TO TRANSFER
P.O.D. TO part of ck on neighbors property AND FOR
FILE A CLAIM ON A "SPRING" ON HER property.

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NOV 18 1996

SCANNED

JUN 1 1994

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: **A75-07374B**
Date Received: 4/24/1990
Receipt No: M006714
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: KENT T RHODES 208-756-4216
Address: PO BOX 981
SALMON ID 83467
AND
Name: KATHE S RHODES 208-756-4216
Address: PO BOX 981
SALMON ID 83467

2. Date of Priority: JUN 20, 1983

3. Source: TWELVE MILE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	21E	1	NW	NE		2	LEMHI

5. Description of diverting works:
DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		

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

8. Total consumptive use is 10.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use
19N	21E	1	NW	NE	2	IRR

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NOV 3 8 1996

10. Place of Use: Continued

Section Acres 4.3

Total Acres 4.3

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:

NOTICE WAS ORIGINALLY NUMBERED A75-07374A. NUMBER WAS CHANGED TO
BE CONSISTANT WITH WATER RIGHT NUMBER.

15. Basis of Claim: PERMIT

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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: A75-07374B
Date Received: 4/24/1990
Receipt No: M006714
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEN MARTENS 208-756-4814
Address: STAR ROUTE BOX 18
SALMON, ID 83467

OR
Name: EVA MARTENS 208-756-4814
Address: STAR ROUTE BOX 18
SALMON, ID 83467

2. Date of Priority: JUN 20, 1983

3. Source: TWELVE MILE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	21E	1	NW	NE		2	LEMHI

5. Description of diverting works:
DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		

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

8. Total consumptive use is 10.7 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	21E	1	NW	NE	2	IRR	4.3

A75-07374B

Page 1

Date: 07/24/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.3
					Total Acres	4.3

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:
NOTICE WAS ORIGINALLY NUMBERED A75-07374A. NUMBER WAS CHANGED TO
BE CONSISTANT WITH WATER RIGHT NUMBER.

15. Basis of Claim: PERMIT

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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

No. changed to:
A75-07374B/EC

Ident. Number: ~~A75-07374A~~

Date Received: 4/24/1990

Receipt No: *1006714*

Received By: *EMC*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KEN MARTENS
Address: STAR ROUTE BOX 18
SALMON, ID 208-756-4814
83467

OR

Name: EVA MARTENS
Address: STAR ROUTE BOX 18
SALMON, ID 208-756-4814
83467

2. Date of Priority: JUN 20, 1983

3. Source: TWELVE MILE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	21E	1	SW	NE		2	LEMHI

5. Description of diverting works:
DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.090		

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

A.F.A.

8. Total consumptive use is 10.7 Acre Feet Per Annum.

9. Non-irrigation uses:

A75-07374A

Page 1

Date: 04/24/90



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DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	21E	1	NW NE	2	IRR	4.3
Section Acres						4.3
Total Acres						4.3

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:

15. Basis of Claim: PERMIT

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): Eva Marten Date: 4-24-90

Date: _____

State of Idaho)
County of Latah) SS.

Subscribed and sworn (or affirmed) before me this 24 day

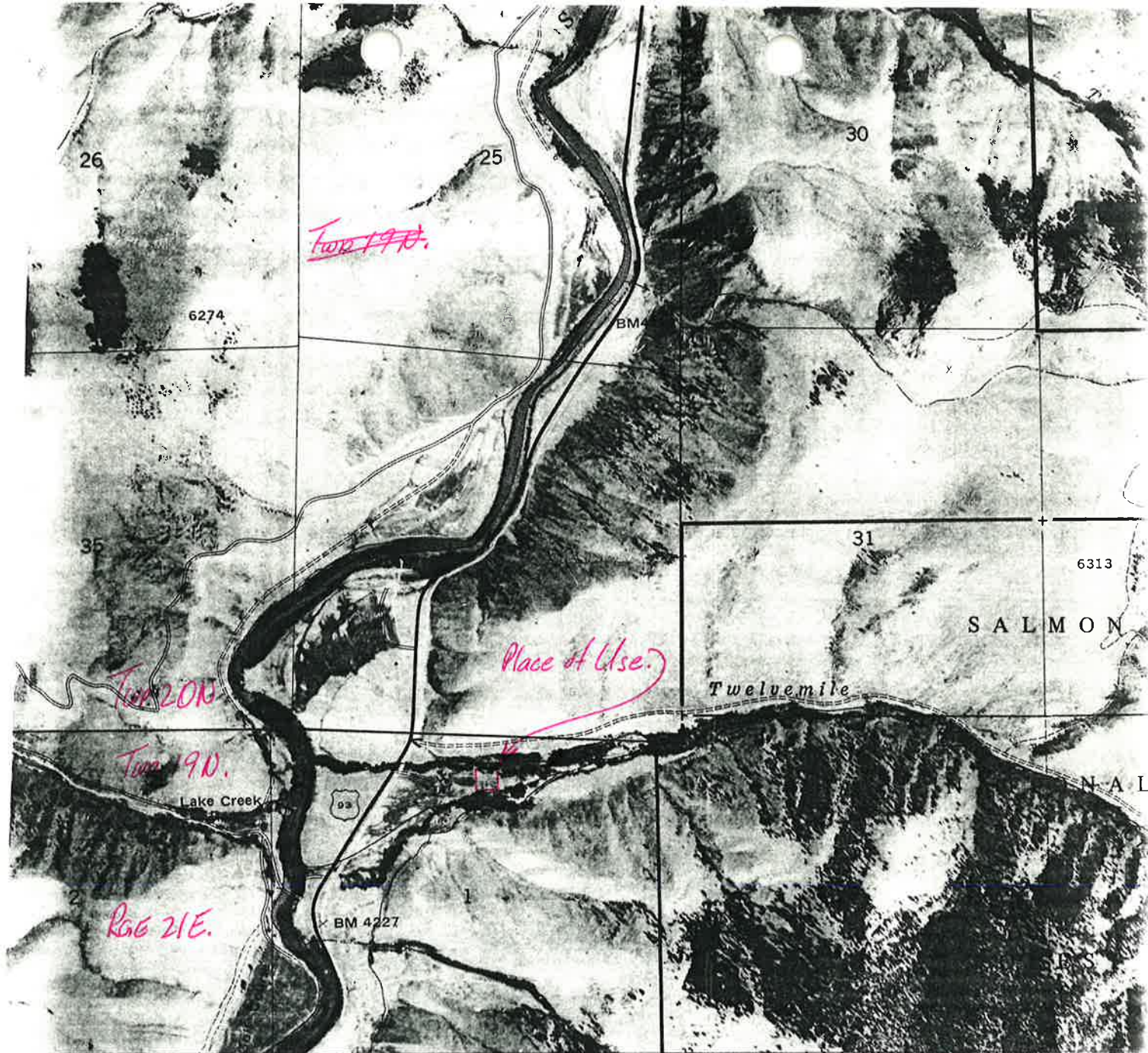
of April 19 90.

Ernest C. Olson
Notary Public

Seal

Residing at Belleville, Mo

My Commission Expires 6-14-1994



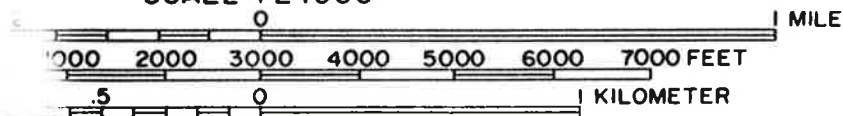
(GOLDBUG RIDGE)
(302-2 1)

CHALLIS 44 MI.

R. 21 E. 55'

R. 22 E.

SCALE 1:24000



CONTOUR INTERVAL 40 FEET
DATUM IS MEAN SEA LEVEL

CLASSIFICATION

TOWNSHIP AND SECTION LINE CLASSIFICATION

Medium Duty.....

————— Surveyed, location reliable

Unimproved Dirt =====

----- Surveyed, location approximate

il -----

..... Unsurveyed, Bureau of Land
Management protraction



QUADRANGLE LOCATION

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DEC 15 1992

