

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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

FILED

2002 OCT 25 PM 12 37

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 75-07107

NAME AND ADDRESS: DAVID K MELTON
JILL L MELTON
RT 10 BOX 28A
CARMEN, ID 83462

SOURCE: SPRINGS TRIBUTARY: TOWER CREEK, EAST FORK

QUANTITY: 0.01 CFS
0.60 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.
USE OF THIS RIGHT WITH RIGHT NO. 75-07120 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.05 CFS.

PRIORITY DATE: 04/21/1978

POINT OF DIVERSION: T23N R22E S03 SESESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	04-01 TO 11-01	0.01 CFS 0.60 AFY

PLACE OF USE: Domestic T23N R22E S03 SESW Within Lemhi County

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.
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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

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

DATE: JUN-1-2000

PAGE: A-2

RIGHTS FROM: SOURCE: SPRINGS TRIBUTARY: TOWER CREEK, EAST FORK

RIGHT NUMBER: 75-07107

NAME & ADDRESS: DAVID K MELTON
JILL L MELTON
RT 10 BOX 28A
CARMEN ID 83462

SOURCE: SPRINGS TRIBUTARY: TOWER CREEK, EAST FORK

QUANTITY: 0.01 CFS
0.6 AFYTHE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.USE OF THIS RIGHT WITH RIGHT NO. 75-07120 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 0.05 CFS.

PRIORITY DATE: 04/21/1978

POINT OF DIVERSION: T23N R22E S03 SESESW Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	04-01 11-01	0.01 CFS
			0.6 AFY

PLACE OF USE: DOMESTIC Within LEMHI County
T23N R22E S03 SESW

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 - LICENSE
RP 23N22E036602 A

DELOS JC 40060
OK RECEIVED
JC 5/15/00
APR 20 2000

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

Department of Water Resources
Eastern Region

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

1. Water Right or Adjudication Claim No(s): "A" blank blank
75-07120, 75-07107, 75-10157
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 Jon Wright
PO Box 65 CARMEN ID 83462
4. New Owner/Claimant(s) David R. Melton for Jill L. Melton
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address RT 10 Box 28A
City, State and ZIP Code CARMEN, ID 83462
New Telephone Number (208) 756-6963
5. Date you acquired the property 3-31-99
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) David R. Melton
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.
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.

Warranty Deed

For Value Received

GEORGE L. BUTCHER AND LOIS P. BUTCHER, husband and wife

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

DAVID K. MELTON AND JILL L. MELTON, husband and wife

whose current address is

RT. 10, BOX 28A
CARMEN, ID 83462

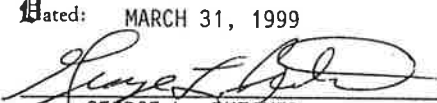
the grantee S, the following described premises, in LEMHI County Idaho, to wit:

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 Grantor S do hereby covenant to and with the said Grantees, that they're the owner S 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: MARCH 31, 1999


GEORGE L. BUTCHER


LOIS P. BUTCHER

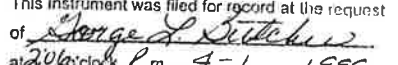
STATE OF IDAHO, COUNTY OF LEMHI
On this 31st day of MARCH, 19 99
before me, a notary public in and for said State, personally appeared

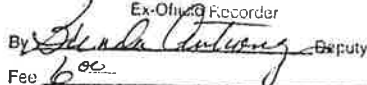
GEORGE L. BUTCHER AND
LOIS P. BUTCHER

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.


STEVEN R. GOTT Notary Public
Residing at SALMON, Idaho
Comm. Expires 12-14-2003

State of Idaho) SS No. 240111
County of Lemhi)

This instrument was filed for record at the request
of 
at 2:06 clock P.m. 4-1 1999
and duly filmed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder

By  Deputy
Fee 6.00

Return to _____

**PROPERTY DESCRIPTION
FOR
WEST PARCEL**

A parcel of land located in the SE1/4SE1/4SW1/4, Section 3, T. 23 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the Southwest Corner of said Section 3, a distance of 1987.10 feet on a bearing of S. 89°49' 12" E. along the section line to the **REAL POINT OF BEGINNING**.

Thence S. 89° 49' 12" E. 355.24 feet; ✓

Thence N. 41° 14' 46" E. 104.65 feet; ✓

Thence N. 04° 40' 06" W. 251.86 feet; ✓

Thence N. 19° 16' 47" E. 166.95 feet;

Thence N. 12° 07' 53" W. 173.07 feet;

Thence N. 89° 51' 03" W. 419.46 feet;

Thence S. 00° 15' 51" W. 656.48 feet to the **REAL POINT OF BEGINNING**,

said parcel contains 6.340 Acres.

EXCEPTING: The road right-of-way of the East Fork Tower Creek road.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

NCAP for

75-07107

75-10157

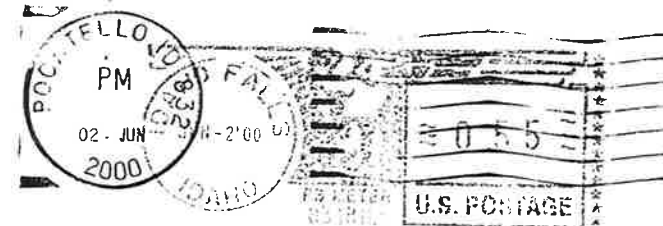
45 claims



☐ INSUFFICIENT ADDRESS
☐ NO SUCH NUMBER
☐ UNCLAIMED ☐ REFUSED
☒ ATTEMPTED NOT KNOWN
☐ NO SUCH STREET
☐ VACANT
☐ NO RECEIPTABLE
☐ NOT DELIVERABLE AS
ADDRESSED - UNABLE
TO FORWARD
ROUTE NO. _____ DATE _____
CARR/INITIALS _____

JON WRIGHT
PO BOX 65
CARMEN ID 83462

no phone #
in Carmen or
Selmon



RECEIVED
JUN 08 2000
Department of Water Resources
Eastern Region

RIGHT NUMBER: 75-07107

NAME AND ADDRESS: JONATHAN L WRIGHT
PO BOX 65
CARMEN ID 83462

SOURCE: SPRINGS TRIBUTARY: TOWER CREEK, EAST FORK

QUANTITY: 0.01 CFS
0.6 AFY

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

PRIORITY DATE: 04/21/1978

POINT OF DIVERSION: T23N R22E S03 SESESW Within LEMHI County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	04-01 11-01	0.01 CFS
			0.6 AFY

PLACE OF USE: DOMESTIC Within LEMHI County
T23N R22E S03 SESW

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

See remarks for additional conditions of approval.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RP 23N22E036602 A

Gen Remark - EOI
75-7120 + .05 CFS

De EL
10/5/98

✓RBH
10/5/98

JUL-08-1997
0303

1

RIGHT NUMBER: 75-07107

NAME AND ADDRESS: JONATHAN L WRIGHT
PO BOX 65
CARMEN ID 83462

SOURCE: SPRINGS

TRIBUTARY: TOWER CREEK, EAST FORK

QUANTITY: 0.01 CFS
0.6 AFY

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

PRIORITY DATE: 04/21/1978

POINT OF DIVERSION: T23N R22E S03 SESEW Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOUSE	04-01 11-01	0.01 CFS 0.6 AFY

PLACE OF USE: DOMESTIC Within LEMHI County
T23N R22E S03 SESW

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

See remarks for additional conditions of approval.

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

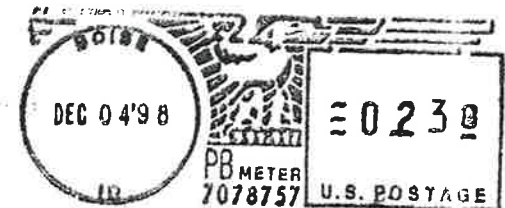
EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
RP 23N22E036602 A

DES Dir Rep

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho 83706-2237

ADDRESS SERVICE
[REDACTED]

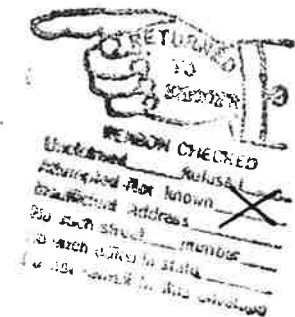
PRESORTED
FIRST CLASS



RECEIVED
DEC 15 1998

Department of Water Resources

75-07107
JONATHAN L WRIGHT
PO BOX 65
CARMEN ID 83462





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

DAVID & JILL MELTON
RT 10 BOX 28A
CARMEN ID 83462

RE: Notice of Change of Water Right Ownership (NCO) for 75-07107, 75-10157
and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Melton:

On April 20, 2000, 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 Crabtree
Technical Records Specialist

Enclosure

cc: Jon Wright

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: 75-07107, 75-10157

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party **WRIGHT - MELTON**

☐ I.C. § 42-222 transfer

☐ 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: 1 June '00

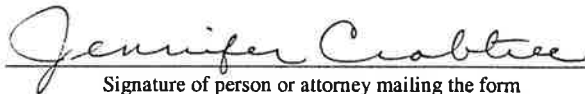
Ernest Carlson.

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6-2, 2000, 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
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/**Seller** for Substitution of Party or attorney of record:
JON WRIGHT
PO BOX 65
CARMEN ID 83462
3. One copy to:
Claimant/**Purchaser** for Substitution of Party, or attorney of record:
DAVID & JILL MELTON
RT 10 BOX 28A
CARMEN ID 83462
4. One copy to:
Each party in the subcase, or attorney of record
N/A
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

SCANNED

SEP 26 2001

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: A75-07107
Date Received: 4/19/1990
Receipt No: MOD 6074
Received By: Joe

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JONATHAN L. WRIGHT
Address: P.O. BOX 65
CARMEN, ID

208-756-2947

83462

2. Date of Priority: APR 21, 1978

3. Source: SPRINGS

Trib. to: TOWER CREEK, EAST FO

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	22E	3	SE	SE	SW		LEMHI

5. Description of diverting works:

SLOUGH DIV.TO HOLDING TANK. WITH PVC LINE TO FAUCETS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	04/01	11/01	0.010		0.60

7. Total Quantity Appropriated is:

0.010 C.F.S. (and/or) 0.60 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

D/ HOUSE HOLD USE AND IRR.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	22E	3	SE	SW		DOMEST	

11. Place of use in counties: LEMHI

A75-07107

Page 1

Date: 04/19/90

MICROFILMED

DEC 15 1992

A7507107



WATER RIGHT NUMBER - **AT5-07107**

PREFIX TRANSLATION: ADJUDICATION CLAIM

ELD CO) NUMBER -

+ - - - - LAST NAME - - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
WRIGHT

JONATHAN L.

1 - P.O. BOX 65

2 -

3 -

CITY- CARMEN

STATE- ID ZIP- 83462

PHONE - 208-726-2947

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - +
04/21/1978 12 EASTERN 1 LICENSE+ - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +
SPRINGS TOWER CREEK, EAST FORK+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LUT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

23N 22E 3 SE SE SW (59) LEHMI

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC 04/01 11/01 0.010 0.60

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.010 0.60 0.0+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LUT ACRES CODE DESCRIPTION COUNTY

23N 22E 3 SE SW 43 DOMESTIC (59) LEHMI

+ - - DIVERSION MEANS - SLOUGH DIV. TO ROLLING TANK. WITH PVC LINE TO FAUCETS

+ - - NON-IRRIGATION USE - W/ HOUSE HOLD USE AND IRR.

+ - - OTHER RIGHTS FOR SAME USE - 75-07120

+ - - - - REMARKS - - - - - +
THE MAXIMUM COMBINED RATE OF DIVERSION UNDER THIS RIGHT & RIGHT
75-7120 SHALL NOT EXCEED 0.05 CFS.
SOURCE KNOWN LOCALLY AS LANDOPY SPRINGS.
DOMESTIC USE IS FOR 1 HOME.+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - CONDITIONS OF APPROVAL - - - - - +
016 - SEE REMARKS FOR ADDITIONAL CONDITIONS OF APPROVAL.+ - - - - DECREE PLAINTIFF - - - + + - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ [REDACTED] - - - - - COMMENTS:

+ = = = = ADDUCTION NIGHTS DATES AND FLAGS AREA

RP 23N22E036602 A

CHECKED

CERTIFIED
MARCH 9 1993
WATER EXAMINER