

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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2002 OCT 25 PM 12 37

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-10157

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

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/26/1976

POINT OF DIVERSION: T23N R22E S03 NESESW Within Lemhi County

PURPOSE AND

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

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.

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

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 75-10157

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

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/26/1976

POINT OF DIVERSION: T23N R22E S03 NESESW Within LEMHI 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 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 - BENEFICIAL USE
RP 23N22E036602 A

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

DECLER JC 4/20/00
OK RECEIVED
JC 5/15/00
APR 20 2000

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 K. 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 K. 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

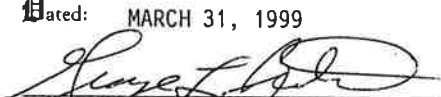
the grantee S, the following described premises, in LEMHI County Idaho, to wit:

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

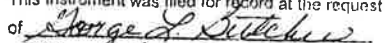
STATE OF IDAHO, COUNTY OF LEMHI
On this 31st day of MARCH, 19 99
before me, a notary public in and for said State, personally appeared

GEORGE L. BUTCHER AND
LOIS P. BUTCHER

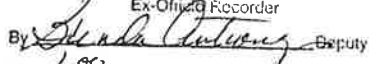
known to me to be the person S whose name S are
subscribed to the within instrument, and acknowledged to me that
they executed the same.


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 PM 4-1 1999

and duly filmed and indexed in the records of Lemhi
County

Terri J. Melton
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

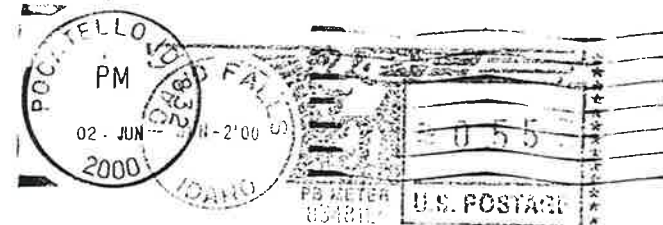
dt's claims



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

JON WRIGHT
PO BOX 65
CARMEN ID 83462

no phone #
Dr. Carmen or
Selmon



RECEIVED
JUN 08 2000
Department of Water Resources
Eastern Region

AJ5856NP

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

DATE: SEP-23-1997

PAGE: A-94

RIGHT NUMBER: 75-10157

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

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/26/1976

POINT OF DIVERSION: T23N R22E S03 NESESW Within LEMHI County

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

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.
See remarks for additional conditions of approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 23N22E036602 A

Claim data entry by: *260*
Date: *1008*
Data entry: *SLH*
OCT 15 1997

JUL-08-1997
0426

1

RIGHT NUMBER: 75-10157

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

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/26/1976

POINT OF DIVERSION: T23N R22E S03 NESEW Within LEMHI County

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

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

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.
See remarks for additional conditions of approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 23N22E036602 A

RIGHT NUMBER: 75-10157

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

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 10/26/1976

POINT OF DIVERSION: T23N R22E S03 NESEW Within LEMHI 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 LEMHI County
T23N R22E S03 SESW

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.

See remarks for additional conditions of approval.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RP 23N22E036602 A

go RPK

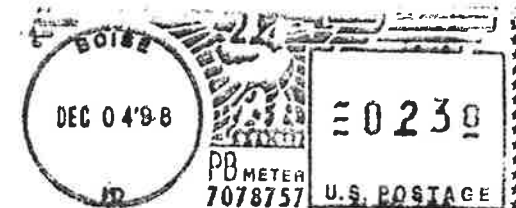
*JRBW
10/6/98*

DES Dir Rep

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS



IMPORTANT WATER RIGHT INFORMATION

75-10157
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

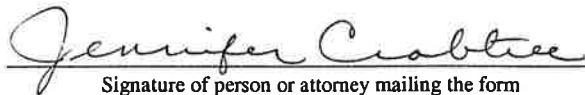
Ernest Carlson

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: A75-10157

Date Received: 4/19/1990

Receipt No: 4006674

Received By: gre

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: OCT 26, 1976

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
18' DEEP 6" CASING WITH 1 HP MOTOR

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:

D/ 1 HOUSE WITH LAWN AND GARDEN IRR.

10. Place of Use:

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

11. Place of use in counties: LEMHI

A75-10157

Page 1

Date: 04/19/90

MICROFILMED

DEC 15 1992

A7510157



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 X 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):

Jonathan R. Wright

Date:

April 9, 1990

Date:

State of Idaho

)

)

SS.

County of

Lemhi

)

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

of April 19 90

John Dal. Center
Notary Public

Seal

Residing at

Boise Id

My Commission Expires

4/9/94



MICROFILMED

DEC 15 1992

WATER RIGHT NUMBER - **175-10157** PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (O) 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 - 808-753-2947

+ - - PRIORITY DATE - - - + + - - REGION - - - + + - - STATUS - - - - +
10/26/1976 15 EASTERN J - BENEFICIAL USE

+ - - - - SOURCE - - - - - + + - - - TRIBUTARY - - - - - +
GROUNDWATER

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNB SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)
23N 22E 3 NE SE SW (59) LEHI

+ - - - - WATER USE - - - - - +
CODE DESCRIPTION PERIOD FROM PERIOD TO DIVERSION RATE DIVERSION VOLUME
43 - DOMESTIC 01/01 12/31 0.040

+ - TOTAL DIV. RATE - + + - TOTAL DIV. VOLUME - + + - TOTAL DIV. CAPACITY - + + - TOTAL CONSUMPTIVE USE - + + - KW USAGE - +
0.040 0.0

+ - - - - PLACE OF USE - - - - - +
TWN RNB SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY
23N 22E 3 SE SW 43 DOMESTIC (59) LEHI

+ - - DIVERSION MEANS - 13' DEEP 6" CASING WITH 1 HP MOTOR

+ - - NON-IRRIGATION USE - 0/ 1 HOUSE WITH LAWN AND GARDEN IRR.

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - - - CONDITIONS OF APPROVAL - - - - - +
018 - SEE REMARKS FOR ADDITIONAL CONDITIONS OF APPROVAL.

+ - - - - DECREE PLAINTIFF - - - - + - - - - DECREE DEFENDANT - - - - + + - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 04/15/90 CARLSON

WATER RIGHT NUMBER = A75-10137

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	= 00/00/0000	FIELD INSPECTION MADE	= 00/00/0000	CIVIL CASE NUMBER	= 39576
OBJECTION FILED DATE	= 00/00/0000	FIELD INSPECTION FLAG	=	OLD CASE NUMBER	=
RESPONSE FILED DATE	= 00/00/0000	VERIFIED DATE	= 00/00/0000	OLD JUDICIAL DISTRICT	=
CLAIM RECEIVED DATE	= 04/19/1990	LAST AMENDED DATE	= 00/00/0000	TEMPORARY RIGHT	= P
PROOF DUE DATE	= 00/00/0000	PROOF MADE DATE	= 00/00/0000	WATER DISTRICT	=
LICENSED DATE	= 00/00/0000	REC'D NUMBER	= 1001674	FEDERAL/STATE INDICATOR	= S
CLAIMS TAPE ERROR FLG	=	POU OWNERSHIP FLAG	= Y	PRESUMPTION FLAG	=
FEE EXEMPT FLAG	=	NAME CONNECTOR	= AND/OR	NOTICE OF ERROR FLAG	=

RP 23N22E036602 A

DATA ENTRY
ENTERED
CHECKED 9H 4-9

Verified By
Topo Map/Ortho-PC
ASCS Map
Microfilm Records
Aerial Photos
Field Exam
Other (See Remarks)
County Records
Witness Statements
Other Records
M/R Records

VERIFIED
AUG 23 1992

CERTIFIED
MAR 28 1993
WATER EXAMINER