

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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

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 75-10160

NAME AND ADDRESS: K & P PARTNERSHIP
3485 SUN CIRCLE
IDAHO FALLS, ID 83404

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/10/1936

POINT OF DIVERSION: T21N R22E S31 SESESE 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 T21N R22E S31 SESE 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

AJ5856NP

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

DATE: JAN-13-1999
PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 75-10160

NAME & ADDRESS: K & F PARTNERSHIP
3485 SUN CIRCLE
IDAHO FALLS ID 83404

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/10/1936

POINT OF DIVERSION: T21N R22E S31 SESESE 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
T21N R22E S31 SESE

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 21N22E314200 A



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr. Ste. A, Idaho Falls, Idaho 83402

Phone: (208) 525-7171 FAX: (208) 525-7177 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

K & F PARTNERSHIP
3485 SUN CIRCLE
IDAHO FALLS ID 83404

RE: Notice of Change of Water Right Ownership (NCO) for 75-04499,
75-10160 and Notice of Completed Administrative Proceeding
(NCAP)

Dear Sir:

On December 18, 1998, 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: Del Monto Fife Trust

DELOG SVH
12-21-98
OK SVH 1-7-99

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.

1. Water Right or Adjudication Claim No(s): 75-10160 / 75-04499 / 75-04498 / 75-04500

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 Del Monto Fife Trust

3384 Larchmont Dr., Salt Lake City 84109

4. New Owner/Claimant(s) K & F Partnership

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 3485 Sun Circle

City, State and ZIP Code Idaho Falls, Id 83404

New Telephone Number (208) 523-5959

RECEIVED

DEC 18 1998

Department of Water Resources
Eastern Region

5. Date you acquired the property 9/22/91

6. *NA* 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) *Gene R. Thompson*

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.

BILL OF SALE

KNOW ALL MEN BY THESE PRESENTS, That on this 22ND day of SEPTEMBER 19 97, MARGENE ROBBINS, BETH SMITH, AND EVA HALL AS SUCCESSORS TRUSTEES FOR AND IN BEHALF OF EVA F. HALL, MERLIN FIFE, BETH SMITH, NORMAN D. FIFE AND MARGENE F. ROBBINS, County of _____, State of _____, the part IES of the first part, for and in consideration of the sum of _____ Dollars lawful money of the United States of America to _____ in hand paid by K & F PARTNERSHIP, AN IDAHO PARTNERSHIP of IDAHO FALLS & SHELLEY, County of BONNEVILLE, State of IDAHO, the part IES of the second part, the receipt whereof is hereby acknowledged, do by these presents grant, bargain, sell and convey unto the said part IES of the second part, THEIR executors, administrators and assigns, all of the following described property, to-wit:

1/4 MILE OF IRRIGATION HAND LINES

My Commission Expires 3-31-98
Notary Public in Bonneville County

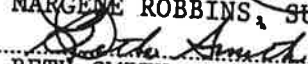
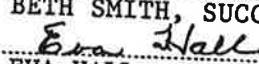


TO HAVE AND TO HOLD the same unto the said part IES of the second part, THEIR executors, administrators and assigns forever.

And hereby covenant with the said part IES of the second part that THEIR the lawful owner S. of said goods and chattels; that they are free from all encumbrances except the following:

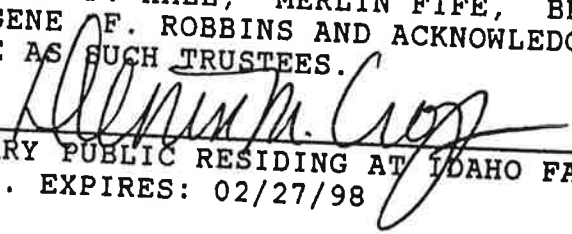
that THEY have good right to sell the same as aforesaid, and that THEY will and THEIR executors and administrators shall warrant and defend the title thereto unto the said part Y of the second part, HIS executors, administrators and assigns against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, I have set MY hand and seal this 22ND day of SEPTEMBER, 19 97.


MARGENE ROBBINS, SUCCESSOR TRUSTEE

BETH SMITH, SUCCESSOR TRUSTEE

EVA HALL, SUCCESSOR TRUSTEE

STATE OF IDAHO
COUNTY OF BONNEVILLE

ON THIS 22ND DAY OF SEPTEMBER, 1997, BEFORE ME, A NOTARY PUBLIC PERSONALLY APPEARED MARGENE ROBBINS, BETH, SMITH AND EVA HALL, KNOWN OR IDENTIFIED TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AS TRUSTEES FOR AND IN BEHALF OF EVA F. HALL, MERLIN FIFE, BETH SMITH, NORMAN D. FIFE AND MARGENE F. ROBBINS AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME AS SUCH TRUSTEES.


NOTARY PUBLIC RESIDING AT IDAHO FALLS, ID
COMM. EXPIRES: 02/27/98



BILL OF SALE

(FORM No. 303)

STEVENS-NESS LAW PUBLISHING CO., PORTLAND, OR. 97204

TO

Dated _____, 19____

AFTER RECORDING RETURN TO

SPACE RESERVED
FOR
RECORDER'S USE

STATE OF IDAHO,

County of _____ } SS.

I hereby certify that this instrument was filed for record at request of _____

at _____ minutes past _____ o'clock _____ M., this _____ day of _____, 19____, in my office, and duly entered in Book _____ of _____ at page _____

Ex-Officio Recorder.

By _____ Deputy.

Fees. \$ _____

TRUSTEE'S DEED

THIS INDENTURE, made this 22 day of September, 1997, by and between MARGENE ROBBINS, BETH SMITH, and EVA HALL, successor trustees of THE DEL MONTO FIFE TESTAMENTARY TRUST, for the benefit of EVA F. HALL, MERLIN FIFE, BETH SMITH, NORMAN D. FIFE and MARGENE F. ROBBINS, as Grantors to the K & F PARTNERSHIP, an Idaho partnership, composed of GENE R. KANTACK and LEONARD FOSTER, Jr., Grantee, whose current address is _____, Idaho Falls, Idaho.

WHEREAS, the Grantors are the duly appointed successor trustees to THE DEL MONTO FIFE TESTAMENTARY TRUST, by Order of the District Court of the Seventh Judicial District, County of Lemhi, dated April 18, 1973; and

WHEREAS, the undersigned Grantors, comprise three of the four named successor trustees and therefore a majority of the trustees of THE DEL MONTO FIFE TESTAMENTARY TRUST.

NOW, THEREFORE, the Grantors do hereby grant, bargain, sell and convey unto the Grantee, its successors, and assigns forever all of the interest of Grantors, in and to the following described real estate situated in the County of Lemhi, State of Idaho, to-wit:

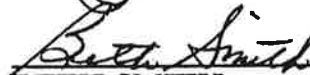
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART THEREOF.

SUBJECT TO: ALL EXISTING PATENT RESERVATIONS, EASEMENTS, RIGHTS OF WAY, PROTECTIVE COVENANTS, ZONING ORDINANCES, AND APPLICABLE BUILDING CODES, LAWS AND REGULATIONS. SUBJECT TO POTENTIAL CLAIMS OF STATE OF IDAHO AS TO PARCEL II.

Grantors, warrant to the Grantee, and its successors in title that Grantors have not created or permitted to be created any lien, charge, or encumbrance against said real estate which is not shown herein, and Grantors covenant that they will defend said premises to the extent of the warranties made herein against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantors have hereunto subscribed their names to this instrument this _____ day of September, 1997.


MARGENE ROBBINS


BETH SMITH


EVA HALL

LAWJA2962\TRUSTEE.DED

I certify that I have read and approved
the contents of the original of this copy.



EXHIBIT "A"

EXHIBIT "A" to Trustee's Deed

Dated _____, day of September, 1997 from

**MARGENE ROBBINS, BETH SMITH, and EVA HALL, Trustees of
THE DEL MONTO FIFE TESTAMENTARY TRUST, to
K & F PARTNERSHIP, an Idaho partnership composed of
GENE R. KANTACK and LEONARD FOSTER, Jr.**

Parcel 1

A parcel of land being Government Lots 5 and 6 of Section 19; Government Lots 5,6, 7 and 8 of Section 30; Government Lots 5, 6, 7, 8, 9, 10, 11 and 12 of Section 31; and, the East ½ of the Southwest ¼ and the Southeast ¼ of the Northwest ¼ of Section 31; all in Township 21 North, Range 22 East; Boise Meridian; Lemhi County, Idaho; more particularly described as follows:

Beginning at the Northwest Corner of Section 19, T. 21 N., R. 22 E., B.M.; thence, along the section Line common to Sections 19 and 24, S 0°15'37" E 2638.25 feet to an Iron Pin with Aluminum Cap, also being the REAL POINT OF BEGINNING;

thence, N 89°44'23" E 522.94 feet to a point on a meander line generally meandering along the west bank of the Salmon River; the following courses and distances:

S 13°02'02" W 353.93 feet to a point;

thence, S 18°02'49" W 267.31 feet to a point;

thence, S 2°00'23" E 233.37 feet to a point;

thence, S 37°05'40" E 184.60 feet to a point;

thence, S 22°33'38" E 191.52 feet to a point;

thence, S 13°02'10" E 356.06 feet to a point;

thence, S 5°52'37" W 519.95 feet to a point;

thence, S 11°31'48" W 339.10 feet to a point;

thence, S 16°32'35" W 236.38 feet to a point;

thence, S 20°33'12" W 673.29 feet to a point;

thence, S 24°33'55" E 369.09 feet to a point;

thence, S 32°05'00" E 146.66 feet to a point;

thence, S 36°35'36" E 478.96 feet to a point;

thence, S 33°35'12" E 628.59 feet to a point;

thence, S 31°34'49" W 91.79 feet to a point;

thence, S 11°31'55" E 257.32 feet to a point;

thence, S 67°08'36" E 253.74 feet to a point;

thence, S 20°03'15" E 199.49 feet to a point;

thence, S 68°08'39" E 259.74 feet to a point;

thence, S 4°30'48" E 279.25 feet to a point;
thence, S 15°02'21" W 389.98 feet to a point;
thence, S 22°19'15" E 117.71 feet to a point;
thence, S 27°34'15" W 448.92 feet to a point;
thence, S 5°30'50" W 251.32 feet to a point;
thence, S 1°30'18" E 146.60 feet to a point;
thence, S 16°32'43" E 273.29 feet to a point;
thence, S 10°01'41" E 445.81 feet to a point;
thence, S 28°34'30" E 103.75 feet to a point;
thence, S 26°58'03" E 312.20 feet to a point;
thence, S 34°35'00" E 231.52 feet to a point;
thence, S 22°13'00" E 232.65 feet to a point;
thence, S 7°58'04" W 837.27 feet to a point;
thence, S 52°04'58" E 747.70 feet to a point;
thence, S 57°03'10" E 814.83 feet to a point;
thence, S 67°35'00" E 357.39 feet to a point;
thence, S 59°33'00" E 113.85 feet to a point;
thence, S 58°16'00" E 253.44 feet to a point;
thence, S 16°32'00" E 208.23 feet to a point;
thence, S 40°00'00" E 238.59 feet to a point;
thence, S 34°31'00" E 139.26 feet to a point;
thence, S 65°50'00" E 419.43 feet to a point;
thence, S 45°15'00" E 228.03 feet to a point;
thence, S 24°14'00" E 190.08 feet to a point;
thence, S 13°45'00" E 300.63 feet to a point;
thence, S 5°34'00" E 540.87 feet to a point;
thence, S 9°41'00" E 215.16 feet to a point;
thence, S 20°10'00" W 258.39 feet to a point;
thence, S 3°31'00" W 516.78 feet to a point;

thence, leaving said meander line, and running along the south boundary of said Section 31, S 90°00'00" W 2138.73 feet to an Aluminum Cap monument;

thence, S 90°00'00" W 2546.07 feet to an Aluminum BLM monument marking the Southwest Corner of said Section 31;

thence, along the west boundary of said Section 31, N 0°14'08" E 2630.39 feet to an Aluminum BLM monument marking the West ¼ Corner of said Section 31;

thence, continuing along said west boundary, N 0°03'04" E 2639.43 feet to an Aluminum BLM monument marking the Northwest Corner of said Section 31;

thence, along the west boundary of said Section 30, N 0°03'19" E 2639.05 feet to an Aluminum BLM monument marking the West ¼ Corner of said Section 30;

thence, Continuing along said west boundary, N 0°02'59" E 2638.83 feet to an Aluminum BLM monument marking the Northwest Corner of said Section 30;

thence, N 0°15'37" W 2638.25 feet to the REAL POINT OF BEGINNING; said parcel containing 582.07 acres, more or less; said parcel also being subject to any easements or rights-of-way of record or established by prescriptive use.

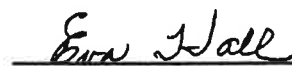
Together with any and all water rights of any nature or description, all ditches and ditch rights, easements and hereditaments appurtenant to the herein described property:

Parcel II.

All lands between the adjusted 1881 meanders and the present left bank of the Salmon River fronting lots 5 and 6 in section 19; fronting lots 5, 6, 7, and 8 in section 30; and fronting lots 5, 6, 7, 8, and 9, except for lot 15 and the accretions to lot 15 designated as lot 16, in section 31; all in T. 21 N., R. 22 E., Boise Meridian, Idaho, according to the official records and the plat approved July 24, 1996. All of said lands being located in Lemhi County, Idaho.


MARGENE ROBBINS


BETH SMITH


EVA HALL

L:\WJA\2962\TRUSTEE.DED

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)
)
Case No. 39576)
)
)
)
SUB CASE NO. 75-04499, 75-10160

IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

Does the change in "ownership" result in a splitting of the water right claimed? ☐ Yes ☒ No

FROM: Claimant/Seller(s):

Name and Address of Claimant/Seller(s):

DEL MONTO FIFE TRUST
3384 LARCHMONT DR
SALT LAKE CITY UT 84109

Phone:

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

K & F PARTNERSHIP
3485 SUN CIRCLE
IDAHO FALLS ID 83404

Phone: (208) 523-5959

The Claimant has filed Objections or Responses to the following water rights:

NO OBJECTIONS

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.

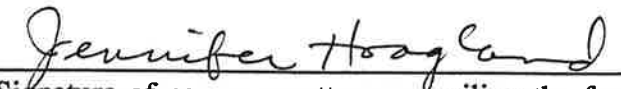
DATED: Jun 13, 1999

Ernest Carlson
Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Jan 15, 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:
DEL MONTO FIFE TRUST
3384 LARCHMONT DR
SALT LAKE CITY UT 84109
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
K & F PARTNERSHIP
3485 SUN CIRCLE
IDAHO FALLS ID 83404
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


Signature of person or attorney mailing the form

AJ5856NP

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

DATE: SEP-23-1997
PAGE: A-96

RIGHT NUMBER: 75-10160

NAME & ADDRESS: DEL MONTO FIFE TRUST
DBA FIFE ENTERPRISES
3384 LAREHMONT DR
SALT LAKE CITY UT 84109

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/10/1936

POINT OF DIVERSION: T21N R22E S31 SESE 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
T21N R22E S31 SESE

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 21N22E314200 A

Claim data entry by: *W*
1008 SK4
Date: *OCT 15 1997*

JUL-08-1997
0429

1

RIGHT NUMBER: 75-10160

NAME AND ADDRESS: DEL MONTO FIFE TRUST
DBA FIFE ENTERPRISES
3384 LAREHMONT DR
SALT LAKE CITY UT 84109

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/10/1936

POINT OF DIVERSION: T21N R22E S31 SESESE 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
T21N R22E S31 SESE

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
RP 21N22E314200 A

RIGHT NUMBER: 75-10160

NAME AND ADDRESS: DEL MONTO FIFE TRUST
DBA FIFE ENTERPRISES
3384 LAREHMONT DR
SALT LAKE CITY UT 84109

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/10/1936

POINT OF DIVERSION: T21N R22E S31 SESESE 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
T21N R22E S31 SESE

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
RP 21N22E314200 A

✓ RBA - OK
10/6/98

SCANNED

SEP 26 2001

No. 42-1409 (2) b 6/89

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

Identification No. A75-10160Date Received 4-16-90Receipt Number E013333

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

APR 16 1990
Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Del Monte Trust
d/b/a Fire Enterprises Phone (801) 484-9860

Mailing Address 3384 Larchmont Dr. Salt Lake City Utah Zip 84109

2. Date of Priority (Only one per claim) July 10 - 1936 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) _____
which is tributary to (b) Salmon River Name or kind of source

4. Location of point of diversion is: Township 21 N. Range 22 E
Section 31, SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot _____, B
County of Lemhi

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Separate well - to individual water system

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For Domestic purposes from 1/1 Month/Day to 12-31 Month/Day amount 35000 (cfs) galopsd
(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.040 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic; give number of households served if single ownership; Stockwater: Type and Number of livestock) Domestic

MICROFILMED

DEC 15 1992

A7510160



10. Place of use is: Township: 21 N Range 22 E
Section 31, SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do X do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of Attachments 0

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that we are Trustees

of Del Norte Life Trust d/b/a Life Enterprises, that we have signed the foregoing
document in the space below as trustees of Del Norte Life Trust
Organization Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agents Eugene J. Robbins [Signature] Date 4/11/90

Title and Organization _____

State of Idaho or Utah)

County of Salt Lake City) SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 11th day of April 19 90

SEAL

Notary Public Eva F. Hall

Residing at Salt Lake City, Utah 84109

My Commission Expires 7/12/91

Last Name Life Enterprises Ident No. _____

MICROFILMED

Copies: White-State, Yellow-Claimant **DEC 15 1992**

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Fife Enterprises CLAIM IDENT. NO. A75-10160DATE RECEIVED 4-16-90 CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☐ | ☒ | N/A |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☐ | ☒ | N/A |
| Is the consumptive use correct? | ☐ | ☒ | N/A |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☐ | ☒ | N/A |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☐ | ☒ | N/A |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | Exempt * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☐ | ☒ | N/A |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: M. J. J. Date: 6-14-90Claim must be returned to claimant: (Yes) (No)Claimant must be notified of modifications: (Yes) (No)
 Receipt Prepared by: _____ Date: _____
 Claim data entered by: M. J. J. Date: 6-14-90 Checked by: _____ Date: _____
 Sent to claimant by: _____ Date: _____

Comments: _____

MICROFILMED

DEC 15 1992

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: A75-10160
Date Received: 6/14/1990
Receipt No: E013333
Received By: A. J. S.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DEL MONTO FIFE TRUST 801-484-9860
Address: DBA FIFE ENTERPRISES
3384 LAREHMONT DR.
SALT LAKE CITY, UT 84109

2. Date of Priority: JUL 10, 1936

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	31	SE	SE	SE		LEMHI

5. Description of diverting works:
WELL

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 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	31	SE	SE		DOMEST	

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: 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): _____ 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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

June 15, 1990

Del Monto Fife Trust
DBA Fife Enterprises
3384 Larehmont Dr.
Salt Lake City, UT 84109

RE: Quantity and Docket

Dear Sirs:

Please find enclosed a Notice of Claim prepared with information from your original notice.

For data entry purposes .04 cfs was entered in Item #6 because this is a typical amount for one house with up to 1/2 acre of lawn and garden irrigation, and, because the total in Item #7 was .04 cfs.

You also have indicated on your Notice of Claim that you wish to receive the Docket Sheet. However, there was no payment included when you paid for your claim. If you wish to subscribe to this publication, please send \$7.50 to this office to cover the subscription fee, and we will add your name to the mailing list.

Please review the entire Notice for accuracy. There may be instances, in addition to the above item, where clarifications were made by the Department. Should you determine some of the items need to be changed, make the necessary changes on this Notice, then sign the form, having your signature notarized, and return it to this office by July 15, 1990. If there are no changes, simply keep the Notice for your records.

If you have any questions or objections regarding your Notice, please contact this office.

Respectfully submitted,

Doreen J. Taylor for Ernest Carlsen
Ernest Carlsen
Adjudication Supervisor

EC:bb

MICROFILMED
DEC 15 1992

WATER RIGHT NUMBER - **A75-10180**

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER -

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
FIFE TRUST

DEL MONTO

1 - DWA FIFE ENTERPRISES
2 - 3384 LAREHMONT LR.
3 -
CITY- SALT LAKE CITY
PHONE - 801-484-9860

STATE- UT ZIP- 84109

+ - - PRIORITY DATE - - - +
07/10/1936+ - - - REGION - - - +
15 EASTERN+ - - - STAGE - - - +
3 - BENEFICIAL USE

+ - - - STATUS - - - +

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

+ - - - - - TRIBUTARY - - - - - +

+ - - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

21N 22E 31 SE SE SE (55) LEMHI

+ - - - - - 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 RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY

21N 22E 31 SE SE 43 DOMESTIC (55) LEMHI

+ - - DIVERSION MEANS - WELL

+ - - NON-IRRIGATION USE - 0/ 1 HOME

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +
NO REMARKS FOUND.+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.+ - - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - - +

+ - - - - DECREE DEFENDANT - - - - +

+ - DECREE DATE - +
00/00/0000

+ - - AUDIT FIELDS - 06/14/90 CARLSEN

WATER RIGHT NUMBER - A75-10150

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	- 2
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- 501333	FEDERAL/STATE INDICATOR	- 3
CLAIMS TAPE ERROR FLAG	-	PJU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-	NOTICE OF ERROR FLAG	-

RP 21N22E 31420 A

DATA ENTRY

ENTERED

CHECKED

Verified By:
Topo Map/Ortho-RC
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Station
Project Patterns
IDWR Records

VERIFIED

AUG 23 1992

CERTIFIED
MAR 23 1993
WATER EXAMINER