

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 37-12868
Date Received: 2/24/1989
Receipt No: S006369
Received By:

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

1. Name of Claimant(s)

AWALT FAMILY REVOCABLE TRUST Phone:
PO BOX 392
SAN MIGUEL CA 93451-0392

2. Date of Priority: 02/03/1892

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	13E	35	NW SW NW	GOODING	

5. Description of diverting works:

CNACRETE DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1	

7. Total Quantity Appropriated is:

1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED
06/18/2006

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	13E	34	SE	NE	IRRIGATION	40
					Section Acres	40
06S	13E	35	SW	NW	IRRIGATION	37
					Section Acres	37
					Total Acres	77

11. Place of use in counties: GOODING

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

ACRE FEES PAID ON EARLIER FILINGS.

15. Basis of Claim: Beneficial Use

SCANNED
01/18/2005

COPY

2006 MAY -4 AM 9: 57

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

**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

Subcase No. 37-797, 37-7116, 37-12868

**NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING**

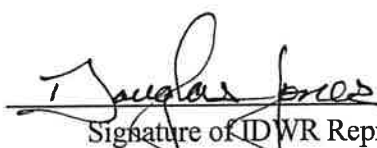
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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

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: 5/4/06


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 5/4, 2006, 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. Copies to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

Norval Rex Awalt
Christy Lou Awalt
PO Box 392
San Miguel CA 93451

Simms Credit Shelter Trust
Clifford J Simms Jr Family Trust
Barbara Simms Trustee
17816 Hwy 30
Bliss ID 83314



Signature of person or attorney mailing the form

03/21/2006

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

RIGHT NUMBER: 37-797
NAME AND ADDRESS: NORVAL REX AWALT
PO BOX 392
SAN MIGUEL CA 93451

CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

SOURCE: BIRCH CREEK TRIBUTARY: SNAKE RIVER
QUANTITY: 2.100 CFS
PRIORITY DATE: 06/30/1880

POINT OF
DIVERSION: T06S R13E S35 NWSW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	2.100 CFS

PLACE OF USE:

IRRIGATION Within GOODING County

T06S R13E S34	NENE	15.00	T06S R13E S34	SENE	40.00
T06S R13E S34	NESE	35.00	T06S R13E S35	NWNW	4.90
T06S R13E S35	SWNW	20.00	T06S R13E S35	NWSW	23.00

137.9 ACRES TOTAL

Right nos. 37-797 and 37-12868 are limited to the irrigation of a combined total of 137.9 acres in a single irrigation season.

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

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 - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

03/21/2006

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

RIGHT NUMBER: 37-7116

NAME AND ADDRESS: CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

NORVAL REX AWALT
PO BOX 392
SAN MIGUEL CA 93451

SOURCE: BIRCH CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 6.000 CFS
4,340.00 AFY

Rights 37-797, 37-799 and 37-7116 when combined shall not exceed a total diversion rate of 6.00 cfs.

PRIORITY DATE: 01/12/1984

POINT OF

DIVERSION: T06S R13E S35 SWNWSW Within GOODING County
T06S R13E S35 SWSESW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	01/01 12/31	6.000 CFS 4,340.00 AFY

PLACE OF USE: FISH PROPAGATION Within GOODING County

T06S R13E S34	NESE	T06S R13E S35	NWSW
T06S R13E S35	SESW		

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

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 - License

The right holder shall not divert water at a rate exceeding what is reasonably necessary for the beneficial use authorized by this right.

The agreement dated March 30, 1972, among Vernon J. Huff, E. Bud Jensen and Paul Fleming, is a part of this right for purposes of delivering water between the parties or their successors in interest.

Rights 37-797 and 37-799 are also diverted through the point of diversion in the ~~SW1/4NW1/4~~ Sec. 35, T6S, R13E, B.M., described above.

Use of water under this right shall be non-consumptive.

For each authorized point of diversion, the right holder shall maintain a means of measurement and lockable controlling works acceptable to the Department.

This right authorizes the simultaneous diversion and use of up to 6.00 cfs of water from Birch Creek at each of the two authorized points of diversion.

03/21/2006

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

RIGHT NUMBER: 37-12868

NAME AND ADDRESS: CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

NORVAL REX AWALT
PO BOX 392
SAN MIGUEL CA 93451

SOURCE: UNNAMED STREAM

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 02/03/1892

POINT OF

DIVERSION: T06S R13E S35 SWNW Within GOODING County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

3/15 11/15

1.000 CFS

PLACE OF USE: IRRIGATION Within GOODING County

T06S R13E S34	NENE	15.00	T06S R13E S34	SENE	40.00
T06S R13E S34	NESE	35.00	T06S R13E S35	NWNW	4.90
T06S R13E S35	SWNW	20.00	T06S R13E S35	NWSW	23.00

137.9 ACRES TOTAL

Right nos. 37-797 and 37-12868 are limited to the irrigation of a combined total of 137.9 acres in a single irrigation season.

This right is limited to the irrigation of 77 acres within the place of use described above in a single irrigation season.

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

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 - Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

May 4, 2006

KARL J. DREHER
Director

NORVAL REX AWALT
CHRISTY LOU AWALT
PO BOX 392
SAN MIGUEL CA 93451

RE: SRBA Claim(s) 37-797, 37-7116, 37-12868

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Barbara Simms, Trustee
17816 Hwy 30
Bliss ID 83314

RECEIVED

MAR 15 2006

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

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
~~37-11134~~	37-777	-			
37-11134		-			
	37-12868	-			
	37-7116	-			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

Simms Credit Shelter Trust
Clifford J Simms Jr. Family Trust
17816 Hwy 30, Bliss, ID 83314

4. New Owner/Claimant(s)

Norval Rex Awalt & Christy Lou Awalt
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 392, S

City, State and ZIP Code

San Miguel, CA 93451

New Telephone Number

(805) 238-1315

5. Date you acquired the property

2-22-06

Order No. G060018

WARRANTY DEED

For Value Received

**SIMMS CREDIT SHELTER TRUST, BARBARA J. SIMMS, TRUSTEE and
CLIFFORD J. SIMMS JR. FAMILY TRUST, BARBARA J. SIMMS, TRUSTEE**

the grantor(s), do(es) hereby grant, bargain, sell, and convey unto

NORVAL REX AWALT and CHRISTY LOU AWALT, HUSBAND AND WIFE

the grantee(s), whose current address is

PO BOX 392 , SAN MIGUEL, CA 93451

the following described premises, to-wit:

See Attached Exhibit "A"

Instrument # 215154

GOODING, GOODING, IDAHO

2006-02-23

10:46:54

No. of Pages: **4**

Recorded for : GOODING TITLE

DENISE M. GILL

Fee: **12.00**

Ex-Officio Recorder Deputy

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that he/she/they will warrant and defend the same from all claims whatsoever.

^{22nd}
Dated: February 2, 2006


BARBARA J. SIMMS, TRUSTEE

STATE OF IDAHO

COUNTY OF GOODING

On This 22nd day of February, in the year 2006, before me, a Notary Public in and for said State, personally appeared **BARBARA J. SIMMS**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument, as trustee of the Simms Credit Shelter Trust and acknowledged to me that he/she/they executed the same as such trustee.

WITNESS my hand and official seal.

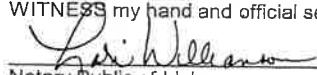

Notary Public of Idaho
Residing at Filer, ID
Commission Expires: January 26, 2010



EXHIBIT A
G060018

Parcel 1

Township 6 South, Range 13 East, Boise Meridian, Gooding County, Idaho

Section 34: A parcel of land located in the E½E½ being more particularly described as follows:

Commencing at the Northeast Section Corner of said Section 34 from which the E¼ corner of said Section 34 bears South 00°30'38" West 2633.78 feet;
Thence South 00°30'38" West along the East boundary of said Section 34 for a distance of 625.60 feet to the TRUE POINT OF BEGINNING;
Thence South 72°52'09" West for a distance of 1376.00 feet to a point on the West boundary of the NE¼NE¼ of said Section, said point being located North 00°30'27" East 276.00 feet from the Southwest corner of the NE¼NE¼ of said Section (record Southwesterly to a point 276.00 feet North of the Southwest corner NE¼NE¼);
Thence South 00°30'27" West along the West boundary of the E½E½ of said Section 34 for a distance of 2809.12 feet to a point that is located North 00°30'27" East 99.00 feet from the Southwest corner of the NE¼SE¼ of said Section 34 (record South along West line E½NE¼ and NE¼SE¼, 2818.00 feet, more or less, to a point 6 rods or (99 feet) North of the Southwest corner of the NE¼SE¼);
Thence South 89°29'31" East parallel with the South boundary of the NE¼SE¼ for a distance of 1311.14 feet to a point on the East boundary of said Section 34 (record East parallel with the South boundary of the NE¼SE¼ 1320.0 feet to the East line of Section 34);
Thence North 00°30'38" East along the East boundary of said Section 34 for a distance of 3226.07 feet to the TRUE POINT OF BEGINNING (record North along said East line of Section 34 3235.4 feet, more or less, to the Point of Beginning).

EXCEPT

The tracts conveyed to the State of Idaho for Highway purposes as set forth in the following instruments.

1. Deed dated August 9, 1955, recorded August 31, 1955 in Book 46 of Deeds, page 286.
2. Deed dated August 9, 1955, recorded October 5, 1955 in Book 46 of Deeds, page 304.
3. Deed dated August 10, 1955, recorded October 5, 1955 in Book 46 of Deeds, page 306.
4. Second Judgment and Decree of Condemnation dated March 20, 1964, recorded March 20, 1964 as microfilmed Instrument No. 10908, records of Gooding County, Idaho

Parcel 2

Township 6 South, Range 13 East, Boise Meridian, Gooding County, Idaho

Section 35: A parcel of land located in the W½ more particularly described as follows:

Commencing at the Northwest corner of said Section 35 from which the W¼ corner of said Section 35 bears South 00°30'38" West 2633.78 feet;
Thence South 00°30'38" West along the West boundary of said Section 35 for a distance of 625.60 feet to the TRUE POINT OF BEGINNING;
Thence North 76°49'34" East for a distance of 207.30 feet to a point 577.00 feet South of the North boundary of the NW¼ of said Section 35 (record Northeasterly 207.3 feet to a point 577 feet South of the North line of said Section 35);
Thence South 86°18'27" East for a distance of 43.30 feet;
Thence South 23°09'42" West for a distance of 108.19 feet;
Thence South 01°45'02" West for a distance of 726.24 feet;
Thence North 88°51'17" East for a distance of 112.73 feet;
Thence North 57°34'22" East for a distance of 70.98 feet;
Thence North 79°06'12" East for a distance of 980.86 feet to a point on the East boundary of the NW¼NW¼ of said Section 35;
Thence South 00°39'08" West along the East boundary of the NW¼NW¼ of said Section 35 for a distance of 144.49 feet to the Southeast corner of the NW¼NW¼ of said Section;
Thence South 89°38'08" East along the North boundary of the SE¼NW¼ of said Section 35 for a distance of 435.00 feet (record East along the North boundary of the SE¼NW¼ 435.00 feet);
Thence South 02°30'51" West for a distance of 1619.64 feet to a found monument (Malad Gorge State Park record South 02°20'00" West 1610.82 feet);
Thence continuing South 02°30'51" West for a distance of 1023.67 feet (Malad Gorge State Park record South 02°20'00" West 1610.82 feet);
Thence North 88°34'27" East for a distance of 224.24 feet to a found monument (Malad Gorge State Park record North 89°05'00" East 209.36 feet);
Thence continuing North 88°34'27" East for a distance of 591.85 feet (Malad Gorge State Park record North 88°00'00" East 590.64 feet);
Thence South 40°20'52" East for a distance of 328.37 feet to a found monument (Malad Gorge State Park record South 39°55'00" East 330.00 feet);

Thence South 39°42'01" West for a distance of 878.80 feet to a found monument (Malad Gorge State Park record South 39°45'00" West 880.00 feet);
Thence South 71°16'52" West for a distance of 876.00 feet to a point on the West boundary of the SE¼SW¼ of said Section 35, said point being North 00°39'05" East 124.00 feet from the Southwest corner of the SE¼SW¼ of said Section 35 (record South 70°30'00" West 880.00 feet to a point on the West boundary of the SE¼SW¼ and 124.00 feet North of the Southwest corner of the SE¼SW¼);
Thence North 00°39'05" East along the West boundary of the SE¼SW¼ of said Section 35 for a distance of 1195.29 feet to the Northwest corner of the SE¼SW¼ of said section 35 (record North along the West line of the SE¼SW¼ 1196.00 feet to the Northwest corner of the SE¼SW¼);
Thence North 89°33'08" West along the South boundary of the NW¼SW¼ of said Section 35 for a distance of 1314.30 feet to the Southwest corner of the NW¼SW¼ of said Section 35 (record West along the South boundary of the NW¼SW¼ to the Southwest corner of the NW¼SW¼);
Thence North 00°30'38" East along the West boundary of said Section 35 for a distance of 3325.07 feet to the TRUE POINT OF BEGINNING (record North along the West boundary of said Section 35 3334.4 feet).

Barbara J. Simms, Trustee
BARBARA J. SIMMS TRUSTEE

STATE OF IDAHO

COUNTY OF GOODING

On This 22nd day of February, in the year 2006, before me, a Notary Public in and for said State personally appeared **BARBARA J. SIMMS**, known or identified to me to be the person whose name is subscribed to the within instrument, as such trustee of the Clifford J. Simms Jr. Family Trust and acknowledged to me that he/she/they executed the same as such trustee.

WITNESS my hand and official seal.

Lori Williamson
Notary Public of Idaho

Residing at Filer, Id.

Commission Expires: January 26, 2010



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 37-12868
Date Received: 2/24/1989
Receipt No: S006369
Received By:

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

1. Name of Claimant(s)

SIMMS CREDIT SHELTER TRUST Phone: (208)837-4537
BARBARA SIMMS TRUSTEE
17816 HWY 30
BLISS ID 83314

CLIFFORD J SIMMS JR FAMILY TRUST Phone: (208)837-4537
BARBARA SIMMS TRUSTEE
17816 HWY 30
BLISS ID 83314

2. Date of Priority: 02/03/1892

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	13E	35	NW SW NW	GOODING	

5. Description of diverting works:

CNACRETE DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	1	

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	13E	34	SE	NE	IRRIGATION	40
					Section Acres	40
06S	13E	35	SW	NW	IRRIGATION	37
					Section Acres	37
					Total Acres	77

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

14. Remarks:

ACRE FEES PAID ON EARLIER FILINGS.

15. Basis of Claim: Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

March 28, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CLIFFORD J SIMMS JR FAMILY TRUST
SIMMS CREDIT SHELTER TRUST
BARBARA SIMMS TUSTEE
17816 HWY 30
BLISS ID 83314

Re: SRBA Claim(s) 37-797, 37-1175A, 37-7116, 37-12868

Dear Mrs. Simms:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copies of the computer records of the claim(s) noting the change in claimant. Review these records and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

MAR 18 2005

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

Department of Water Resources
 Southern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
~~37-1134~~	37-797	-			
	37-1175A	-			
	37-7116	-			
	37-12868	-			
37-1134		-			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Clifford J. Simms (deceased)

17816 Hwy 30, Bliss, ID 83314

4. New Owner/Claimant(s)

Barbara J. Simms, trustee

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

n/c ~~Clifford J. Simms Family Trust~~
n/c ~~Simms Credit Shelter Trust~~

City, State and ZIP Code

New Telephone Number

n/c

5. Date you acquired the property

T. Rusty
Jan Trust 6/21/94 11/13/91

Credit Shelter 6/21/94

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Barbara J. Simms, Trustee
C.G. Simms Family Trust
Simms Credit Shelter Trust

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by *[Signature]* Date *3/18/05* Fee *\$25.*
 Receipted by *[Signature]* Date *3/18/05* Receipt No. *SD27475*
 Processed by *[Signature]* AJ Date _____ WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED Clifford J. Simms, Jr. Family Trust, by Barbara J. Simms, successor Trustee to Clifford J. Simms, deceased, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto Simms Credit Shelter Trust, Barbara J. Simms, Trustee, 17816 Highway 30, Bliss, ID 83314, hereinafter called the Grantee, an undivided one-half interest in the following described premises, in Gooding County, Idaho, to-wit:

Township 6 South, Range 13, East of the Boise Meridian,
Gooding County, Idaho

PARCEL 1

Section 34: A parcel of land, described as follows:

Beginning at the Northeast corner of Section 34;
Thence South along the East line of Section 34, 625.6 feet to
THE TRUE POINT OF BEGINNING;
Thence Southwesterly to a point 276 feet North of the
Southwest corner NE1/4NE1/4;
Thence South along West line E1/2NE1/4 and NE1/4SE1/4,
2818 feet, more or less, to a point 6 rods or (99 feet) North of
the Southwest corner of the NE1/4SE1/4;
Thence East parallel to South line of NE1/4SE1/4, 1320 feet
to the East line of Section 34;
Thence North along said East line of Section 34, 3235.4 feet,
more or less, to **THE POINT OF BEGINNING;**

EXCEPTING THEREFROM the tracts conveyed to the State
of Idaho for Highway purposes as set forth in the following
instruments:

- (a) Deed dated August 9, 1955, recorded August 31, 1955 in
Book 46 Deeds, Page 286
- (b) Deed dated August 9, 1955, recorded October 5, 1955 in
Book 46 Deeds, Page 304
- (c) Deed dated August 10, 1955, recorded October 5, 1955 in
Book 46 Deeds, Page 306
- (d) Second Judgment and Decree of Condemnation dated
March 20, 1964, recorded March 20, 1964, as microfilmed
Instrument No. 10908, records of Gooding County, Idaho

PARCEL II

Section 35: A parcel of land, described as follows:

Beginning at the Northwest corner of Section 35;
Thence South along the West line of Section 35, 625.6 feet to
THE TRUE POINT OF BEGINNING;
Thence Northeasterly 207.3 feet to a point 577 feet South of the
North line of said Section;
Thence Southeasterly 571.9 feet to a point 610 feet South of the
North line of said Section;
Thence Southeasterly to a point in the East line of the
NW1/4NW1/4 and 685 feet South of the Northeast corner of
said NW1/4NW1/4 of said Section;
Thence South along said East line of the NW1/4NW1/4

635 feet to the Southeast corner of NW1/4NW1/4;
Thence East along the North line of the SE1/4NW1/4, 435
feet;
Thence South 1°15' West, 2670 feet;
Thence North 88°0' East, 800 feet;
Thence South 41°0' East, 330 feet;
Thence South 38°40' West, 880 feet;
Thence South 70°30' West, 880 feet to a point on the West line
of SE1/4SW1/4 and 124 feet North of the Southwest corner of
SE1/4SW1/4;
Thence North along West line of the SE1/4SW1/4, 1196 feet
to the Northwest corner of said SE1/4SW1/4;
Thence West along the South line of the NW1/4SW1/4 to the
Southwest corner of said NW1/4SW1/4;
Thence North along West line of Section 35, 3334.4 feet to
THE POINT OF BEGINNING.

EXCEPTING THEREFROM the following described tract of
land located in the W1/2NW1/4, described as follows:

Beginning at the Northwest corner of said Section 35;
Thence South 625.6 feet along the West line of said Section 35;
Thence North 76°32' East, 207.3 feet;
Thence South 86°42' East, 43.43 feet to THE TRUE POINT
OF BEGINNING;

Thence South 8°13' East, 792.43 feet;
Thence North 78°41' East, 980.86 feet to the East line of the
NW1/4NW1/4 of said Section 35;
Thence North 486.41 feet along said East line;
Thence North 82°12' West, 552.56 feet;
Thence North 86°42' West, 528.47 feet to THE TRUE POINT
OF BEGINNING;
A strip of land 50 feet in width in the NW1/4NW1/4 of Section
35, the centerline which is described as follows for road
easements:
Beginning at the Northwest corner of said Section 35:
Thence South 625.6 feet along the section line common to said
Sections 34 and 35;
Thence North 76°32' East, 207.3 feet to THE TRUE POINT
OF BEGINNING;
Thence South 86°42' West, 43.43 feet.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto
the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does
hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple
of said premises; that they are free from all incumbrances except as described above and
that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated this 21 day of June, 1994.

CLIFFORD J. SIMMS, JR. FAMILY TRUST

By: Barbara J. Simms
Barbara J. Simms, Trustee

STATE OF IDAHO

County of Twin Falls

)
) ss.
)

On this 21st day of June, 1994, before me, the undersigned, a notary public in and for said county and state, personally appeared Barbara J. Simms, known to me to be the person whose name is subscribed to the foregoing instrument as trustee for the Clifford J. Simms, Jr. Family Trust, and acknowledged to me that she executed the same as trustee of said Trust.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the same day and year in this certificate first above written.

Karan M. Harkins
NOTARY PUBLIC FOR IDAHO
Residing at: Buhl, Idaho
My Commission Expires: May 1, 1998

WLN/31036wd.524

157582

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of Nepwong, et al

58 min. past 9 o'clock A M. on 23

of June, 1994 12.00

John A. M. F. S. Recorder

By Adriana Soto Deputy

WARRANTY DEED

For Value Received CLIFFORD J. SIMMS, JR. and BARBARA J. SIMMS, husband and wife, hereinafter called the "Grantors," hereby grant, bargain, sell and convey unto CLIFFORD J. SIMMS, JR. FAMILY TRUST, whose address is 17816 U.S. Highway 30, Bliss, Idaho 83314, hereinafter called the "Grantee," certain real property located in Gooding County, Idaho, and more particularly described as follows, to-wit:

Township 6 South, Range 13, East of the Boise Meridian, Gooding County, Idaho.

Parcel 1:

Section 34: A parcel of land described as follows:

BEGINNING at the Northeast corner of Section 34;

Thence South along the East line of Section 34, 625.6 feet to the TRUE POINT OF BEGINNING; Thence Southwesterly to a point 276 feet North of the Southwest corner of NE1/4NE1/4;

Thence South along the West line of E1/2NE1/4 and NE1/4SE1/4, 2818 feet, more or less, to a point 6 rods or (99 feet) North of the Southwest corner of the NE1/4SE1/4;

Thence East parallel to the South line of NE1/4SE1/4, 1320 feet to the East line of Section 34;

Thence North along said East line of Section 34, 3235.4 feet, more or less, to the POINT OF BEGINNING.

EXCEPTING THEREFROM the tracts conveyed to the State of Idaho for Highway purposes as set forth in the following instruments:

(a) Deed dated August 9, 1955, recorded August 31, 1955 in Book 46 of Deeds, page 286

(b) Deed dated August 9, 1955, recorded October 5, 1955 in Book 46 of Deeds, page 304

(c) Deed dated August 10, 1955, recorded October 5, 1955 in Book 46 of Deeds, page 306

(d) Second Judgment and Decree of Condemnation dated March 20, 1964, recorded March 20, 1964, as microfilmed instrument No. 10908, records of Gooding County, Idaho.

HNSL

Hepworth,
Nungester,
& Lezamiz

WARRANTY DEED - 1

Jam.
cgs, Jr. to Trusts

Parcel 11:

Section 35: A parcel of land described as follows:

BEGINNING at the Northwest corner of Section 35;

Thence South along the West line of Section 35, 625.6 feet to the TRUE POINT OF BEGINNING;

Thence Northeasterly 207.3 feet to a point 577 feet South of the North line of said Section;

Thence Southeasterly 571.9 feet to a point 610 feet South of the North line of said Section;

Thence Southeasterly to a point in the East line of the NW1/4NW1/4 and 685 feet South of the Northeast corner of said NW1/4NW1/4 of said Section;

Thence South along said East line of the NW1/4NW1/4, 635 feet to the Southeast corner of NW1/4NW1/4;

Thence East along the North line of the SE1/4NW1/4, 435 feet;

Thence South 18°15' West 2670 feet;

Thence North 88°0' East 800 feet;

Thence South 41°0' East 330 feet;

Thence South 38°40' West 880 feet;

Thence South 70°30' West 880 feet to a point on the West line of SE1/4SW1/4 and 124 feet North of the Southwest corner of SE1/4SW1/4;

Thence North along West line of the SE1/4SW1/4, 1196 feet to the Northwest corner of said SE1/4SW1/4;

Thence West along the South line of the NW1/4SW1/4 to the Southwest corner of said NW1/4SW1/4;

Thence North along West line of Section 35, 3334.4 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the following described tract of land located in the W1/2NW1/4, described as follows:

BEGINNING at the Northwest corner of said Section 35;

Thence South 625.6 feet along the West line of said Section 35;

Thence North 76°32' East 207.3 feet;

Thence South 86°42' East 43.43 feet to the TRUE POINT OF BEGINNING;

Thence South 8°13' East 792.43 feet;

H&A

Hepworth,
Sungster,
& Lezamiz

WARRANTY DEED - 2

1 STATE OF IDAHO)
2 County of Lincoln) ss.

3 On this 13 day of November, 1991, before me,
4 a notary public in and for said county and state, personally
5 appeared CLIFFORD J. SIMMS, JR. and BARBARA J. SIMMS, husband and
6 wife, known to me to be the persons whose names are subscribed to
7 the within instrument and acknowledged to me that they executed the
8 same.

9 IN WITNESS WHEREOF, I have hereunto set my hand and
10 affixed my official seal, the same day and year in this certificate
11 first above written.

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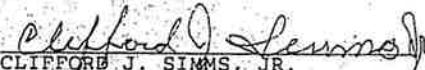
1 Thence North 78°41' East 980.86 feet to the
2 East line of the NW1/4NW1/4 of said Section 35;
3 Thence North 486°41' feet along said East line;
4 Thence North 82°12' West 552.56 feet;
5 Thence North 86°42' West 528.47 feet to the
6 TRUE POINT OF BEGINNING.

7 ALSO EXCEPTING a strip of land 50 feet in
8 width in the NW1/4NW1/4 of Section 35, the
9 centerline which is described as follows for
10 road easements:

11 BEGINNING at the Northwest corner of said
12 Section 35;
13 Thence South 625.6 feet along the section line
14 common to said Sections 34 and 35;
15 Thence North 76°32' East 207.3 feet to the TRUE
16 POINT OF BEGINNING;
17 Thence South 86°42' West 43.13 feet.

18 To have and to hold the said premises, with their
19 appurtenances unto the said Grantee and to the Grantee's heirs and
20 assigns forever. The Grantors hereby covenant to and with the
21 Grantee, that the Grantors are the owners in fee simple of said
22 premises; that they are free from all encumbrances except as
23 described above and that Grantors will warrant and defend the same
from all lawful claims whatsoever.

24 Dated this 13 day of November, 1991.

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26 CLIFFORD J. SIMMS, JR.

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28 BARBARA J. SIMMS

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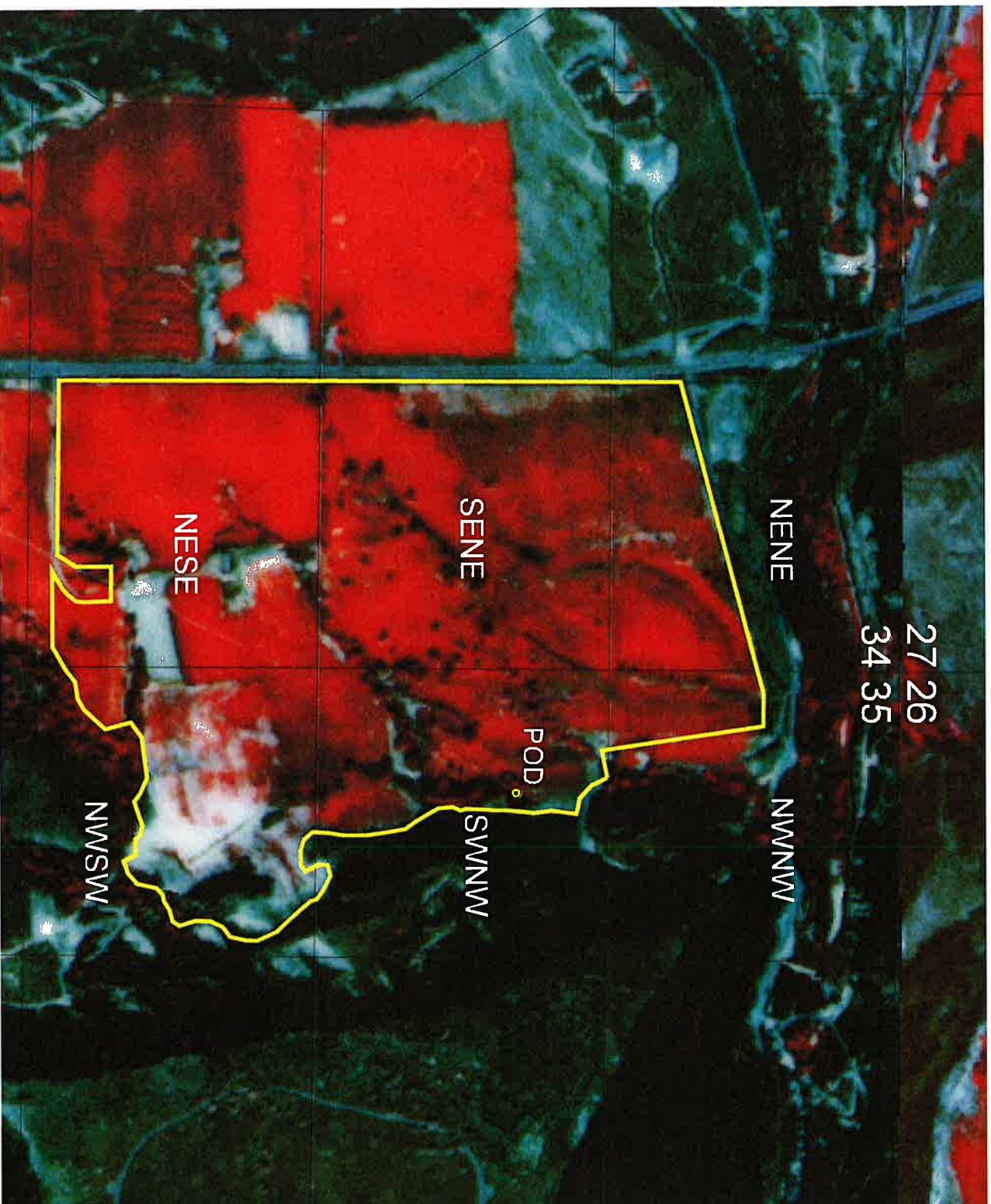
Hepworth,
Nungester,
& Lezamiz

WARRANTY DEED - 3

37-12868

**27 26
34 35**

**T06S R13E
S34 & S35**



Map prepared by: Carter Fritschle
Date prepared: 03/28/05
1987-1988 NAPP photography
Idaho Department of Water Resources

03/28/2005

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

RIGHT NUMBER: 37-12868

NAME AND ADDRESS: CLIFFORD J SIMMS JR FAMILY TRUST
BARBARA SIMMS TRUSTEE
17816 HWY 30
BLISS ID 83314

SIMMS CREDIT SHELTER TRUST
BARBARA SIMMS TRUSTEE
17816 HWY 30
BLISS ID 83314

SOURCE: UNNAMED STREAM

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.000 CFS

PRIORITY DATE: 02/03/1892

POINT OF DIVERSION:

T06S R13E S35 SWNW Within GOODING County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	1.000 CFS

PLACE OF USE:

IRRIGATION Within GOODING County

T06S R13E S34	NENE	15.0	T06S R13E S34	SENE	40.0
T06S R13E S34	NESE	35.0	T06S R13E S35	NWNW	4.9
T06S R13E S35	SWNW	20.0	T06S R13E S35	NWSW	23.0

137.9 ACRES TOTAL

Right nos. 37-797 and 37-12868 are limited to the irrigation of a combined total of 137.9 acres in a single irrigation season.

This right is limited to the irrigation of 77 acres within the place of use described above in a single irrigation season.

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

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: Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Posted Notice by G.W. Bell & Mary C Bell

Posted date: 2-3-1892

Amount: 50 inches (1.0 cfs)

Source: Unnamed stream fed by springs
arising on T6S, R13E, S35 SWNW
flowing south westerly to the Snake
River.

POD: T6S R13E S35 SWNW

POU: T6S R13E S34 & S35 on the
homestead of G.W. Bell.

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: A37-12868
Date Received: 2/24/1989
Receipt No: S006369
Received By: SEC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLIFFORD J. SIMMS 208-837-4537
Address: 17816 HWY 30
BLISS, ID 83314

2. Date of Priority: FEB 03, 1892

3. Source: SPRING Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	35	NW	SW	NW		GOODING

5. Description of diverting works:
CNACRETE DAM AND DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.000		

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

8. Total consumptive use is 231.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
06S	13E	34	SE	NE		IRR	40.0
						Section Acres	40.0
		35	SW	NW		IRR	37.0
						Section Acres	37.0

MICROFILMED

MAR 01 1993

10. Place of Use: Continued

Total Acres 77.0

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

A37-01175, A37-00797, A37-07116

14. Remarks:

ACRE FEES PAID ON EARLIER FILINGS.

15. Basis of Claim: BENEFICIAL USE

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MAR 01 1993

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: 39356

Ident. Number

A37-12868

Date Received

Receipt Number

5006369

see

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

FEB 23 1989

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Clifford J. Simms Phone (208) 837-4537Mailing Address 17816 Hwy 30, Bliss, ID Zip 833142. Date of Priority (Only one (1) per claim) Feb. 3, 18923. Source of water supply (a) Spring
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 6S. Range 13E Section 35,
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of GOODING

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Concrete Dam & open Ditch

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MAR 01 1989

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 3-15 to 11-15 amount 1.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 231 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
6S	13E	34				40													40
		35							37										37

Total number of acres irrigated 77

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

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.
yes, filed earlier or None ()

14. Remarks: A37-01175 A37-00797 A37-07116

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MAR 01 1993

Last Name Simms Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Clifford J. Lemmer Date FEB 23, 1989

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 23RD day of February 19 89

SEAL

Notary Public Steve Cell

Residing at Twin Falls

My Commission Expires Dec 7, 1994

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

MAR 01 1993

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

34.

95

42° 52' 30"

174°52'30"

440 000
FEET

327

2

6

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MAR 11 1968

conveyed in and open ditches, South and South West
about one mile and one fourth.

Said water is located for agricultural purposes
to reclaim desert lands located by Martin Curran,
the 15th day of February, 1892,
Martin Curran

Witness John Curran

Recorded at request of Martin Curran Feb. 17, 1892 at 5 P.M.

By M. George, Deputy

W. B. George, Co. Recorder

Draws from Book 14 of Water Rights Page 373 Blaine Co. Records.

GOODING COUNTY

Water Rights.

Notice is hereby given that the undersigned citizens of the
United States, have this day claimed under the laws of the
United States and of the State of Idaho, fifty inches of the
surplus water of a certain stream (name unknown) which
is formed by springs rising on the S. W. 1/4 of the N. W. 1/4
of Sec 35 T. 6 N. 6 S. of Range 13 East of Boise Mer.,
and which flows in a south westerly direction across
Sec 34, T. 6 N. 6 S. R. 13 E, and into Snake River, said water
to be diverted by means of a dam at this location
state viz: and the

S. W. 1/4 of the N. W. 1/4 of Sec 35 T. 6 N. 6 S. of Range 13 E. Boise
Mer., and to be carried by a ditch across the desert
entry of Mary C. Duret and upon the homestead of
G. W. Bell located on sections 34 and 35 T. 6 N. 6 S. of
R. 13 E, to be used for agricultural purposes in Logan
County, State of Idaho.

This 3rd day of February, 1892

G. W. Bell

Mary C. Bell

Recorded at request of G. W. Bell Feb. 5, 1892 at 2 P.M.

W. B. George Co. Recorder

By M. George, Deputy

Draws from Book 14 of Water Rights Page 377

Records of Blaine County.

RECEIVED

APR 07 1993

Department of Water Resources
Southern Region Office

April 6, 1993
(Date)

IDAHO DEPARTMENT OF WATER RESOURCES
222 SHOSHONE ST. EAST
TWIN FALLS, IDAHO 83301

Dear Idaho Department of Water Resources:

Please provide me with a copy of all information included in
my file as it relates to water right number A37-00797 & A37-07116.

A37-01175A & A37-12868
Please advise me of any documents in my file which you are not
releasing to me and why they are not being released.

Please bill me for the copy charge.

Sincerely,

Debra J. Simms
(Name)

17816 U. S. Highway #30
(Address)

Bliss, Idaho 83314
(City, State, Zip Code)

cc: David B. Shaw, Adjudication Bureau Chief
Idaho Department of Water Resources
1301 North Orchard Street
Statenhouse Mail
Boise, Idaho 83720-9000

MICROFILMED

OCT 26 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Apr-1993

BARBARA J SIMMS
17816 U S HWY #30
BLISS ID 83314

RE: Copy of SRBA File(s): 37-00797, 37-01175A, 37-07116, 37-12868

Dear Ms. Simms:

Please find enclosed the copies of documents you recently requested contained in the above referenced SRBA file(s) as of this date. Please note that copies of orthophoto quad maps or NAPP photography or aerial slides which may have been used in the review of your claim(s) have not been included since they are not easily reproduced. These items are however available for your review at our office. Please also note that in some situations some water rights may have other associated files which contain privileged information between IDWR staff and our legal council which has not been copied.

Please remit the following for the cost of the copies and postage:

\$2.55

Sincerely,


Jeanie Robertson
Records Clerk

Encl:

Simms
4
8
4
8
24 X 5 = 120
post 121
env. .14
2.55

MICROFILMED
OCT 26 1994

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

37-12868

Receipt No: 8015638

RECEIVED

Date: 4/16/1993
Time: 10:19:49

APR 16 1993

Department of Water Resources
Southern Region Office

Received
From: SIMMS BARBARA J.

Type of Payment	Program Acct Class	Amount
FEE FOR COPY OF ADJUDICATION CLAIM		
64100	229 21 1760	0.28

Total

CASH

0.28

Region: SOUTHERN

Signature: R. Jost

MICROFILMED
OCT 26 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

12-Apr-1993



BARBARA J SIMMS
17816 U S HWY #30
BLISS ID 83314

RE: Copy of SRBA File(s): 37-00797, 37-01175A, 37-07116, 37-12868

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Please remit the following for the cost of the copies and postage:

\$2.55

Sincerely,


Jeanie Robertson
Records Clerk

Encl:

RECEIVED

APR 17 1993

Department of Water Resources
Southern Region Office

MICROFILMED
OCT 4 6 1994



DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, 1 Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

RECEIVED

APR 14 1993

Department of Water Resources
Southern Region Office

12-Apr-1993

JENSEN REAL ESTATE
PO BOX 201
HAGERMAN ID 83332

RE: Copy of SRBA File(s): 36-00103D

Dear Mr. Jensen:

Please find enclosed the copies of documents you recently requested contained in the above referenced SRBA file(s) as of this date. Please note that copies of orthophoto quad maps or NAPP photography or aerial slides which may have been used in the review of your claim(s) have not been included since they are not easily reproduced. These items are however available for your review at our office. Please also note that in some situations some water rights may have other associated files which contain privileged information between IDWR staff and our legal council which has not been copied.

Please remit the following for the cost of the copies and postage:

\$5.73

Sincerely,

Jeanie
Jeanie Robertson
Records Clerk

GARY OLESEN 11-82
73-371 PINYON STREET
PALM DESERT, CA 92260

3575

1/15/93

90-7035/3222

Encl:

cc: K GARY OLESON
73-371 PINYON
PALM DESERT CA

PAY TO THE
ORDER OF

DEPARTMENT OF WATER RESOURCES

\$ 8.00

EIGHT AND 00/100

DOLLARS

DOWNEY SAVINGS
AND LOAN ASSOCIATION
LA QUINTA OFFICE
78435 HIGHWAY 111
LA QUINTA, CALIFORNIA 92253

MEMO

#2 SILVERADO

32227035613664100524 3575

MICROFILMED
OCT 26 1994