

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: A36-02492A
Date Received: 11/17/1988
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK D. MOORE 208-788-2858
Address: P.O. BOX 369
HAILEY, ID 83333

AND/OR

Name: SHIRLEY J. MOORE 208-788-2858
Address: P.O. BOX 369
HAILEY, ID 83333

2. Date of Priority: JUN 26, 1961

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	16E	13	NE	NE	NE		JEROME

5. Description of diverting works:
WELL WITH APPROX. 25 H.P. PUMP DELIVERING TO DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.030		

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

8. Total consumptive use is 207.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	16E	13	NE	NE		IRR	30.0
			NW	NE		IRR	39.0
						Section Acres	69.0
						Total Acres	69.0

11. Place of use in counties: JEROME

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

13. Other Water Rights Used:
SHARES IN NORTH SIDE CANAL CO.

14. Remarks:
THE LAND IN NE1/4NE1/4 OF SEC. 13 HAS BEEN SPLIT; THE WELL IS LOCATED ON THE 10 ACRES SPLIT OFF; CLAIMANT HAS EASEMENT FOR USE OF THE WELL. THE WELL NO LONGER SUPPLIES WATER TO THE 10 ACRES SPLIT OFF.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A36-02492A

Date Received

Receipt Number 5003872 Adm

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

SEP 22 1988

Department of Water Resources
Southern Region Office

Please type or print clearly

1. Name of Claimant (s) Frank D. Moore & Shirley J. Moore Phone () 788-2858
Mailing Address P.O. Box 369 Hazel, Idz Zip 83333

2. Date of Priority (Only one (1) per claim) 6/26/1961

3. Source of water supply (a) Groundwater
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 9S Range 16E Section 13,
NE 1/4 of NE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Jerome

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. Well with approx 25 H.P.
pump delivering to ditches.

MICROFILMED

JAN 28 1993

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 1.03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.03 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 207 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

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	
9S	16E	13	30	39															69

Total number of acres irrigated 69

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

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.

Shares in North Side Canal Co.

or None ()

14. Remarks:

The land in NE 1/4 NE 1/4 Sec. 13 has been split; the well is located on the 10 ac. tract split off but the claimant has an easement for the use of the well. The well no longer supplies water to the 10 acres split off.

MICROFILMED
JAN 28 1993

Last Name Moore Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 36-02492

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 1

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

Signature of Claimant (s) *Frank D. Moore* Date 9/22/88

Murley J. Moore Date 9/22/88

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 Ida)

County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 22nd day of Sept. 19 88

SEAL

Notary Public *Lee D. Manti*

Residing at Kimberly, Ida

My Commission Expires 6/30/94

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 _____

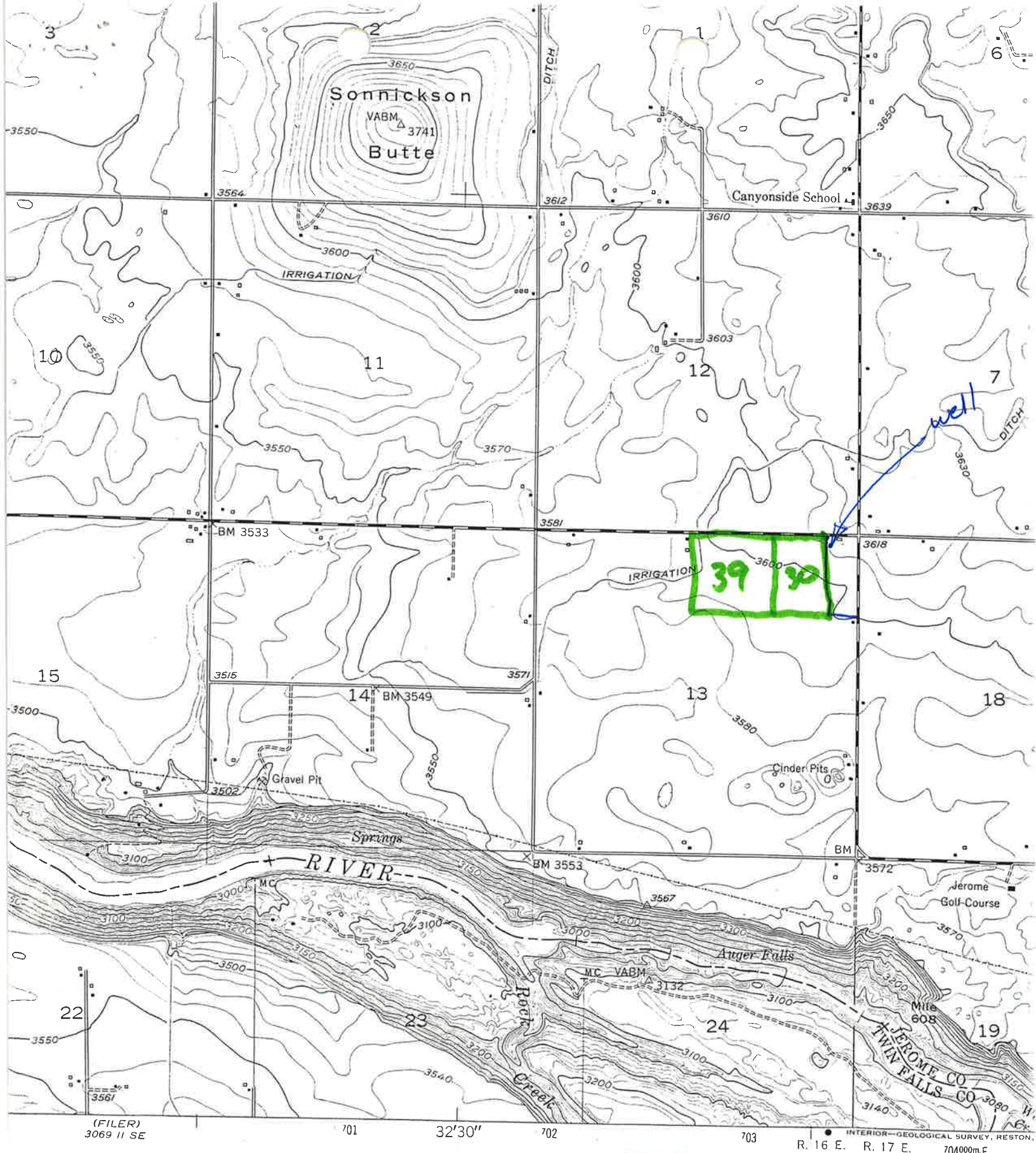
Date _____

MICROFILMED

JAN 28 1993

Last Name _____ Ident. Number _____

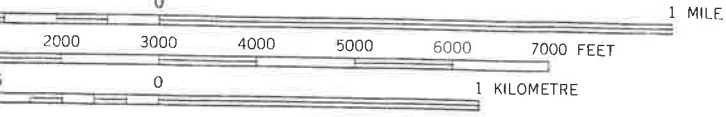
Copies White-State, Yellow-Claimant



MICROFILMED

JAN 28 1984

SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
UR INTERVAL ON RIVER SURFACE 5 FEET

ROAD CLASSIFICATION

Heavy-duty ——— 4 LANE 16 LANE Light-duty
Medium-duty ——— 4 LANE 6 LANE Unimproved

U. S. Route State Route

Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper. In the center, there is a handwritten note in blue ink that reads "See 2 1/2 clock M2P". The note is written diagonally across the grid, starting from the middle-left and extending towards the middle-right. The grid is composed of small squares, each containing a crosshair symbol.

JAN 28 1993

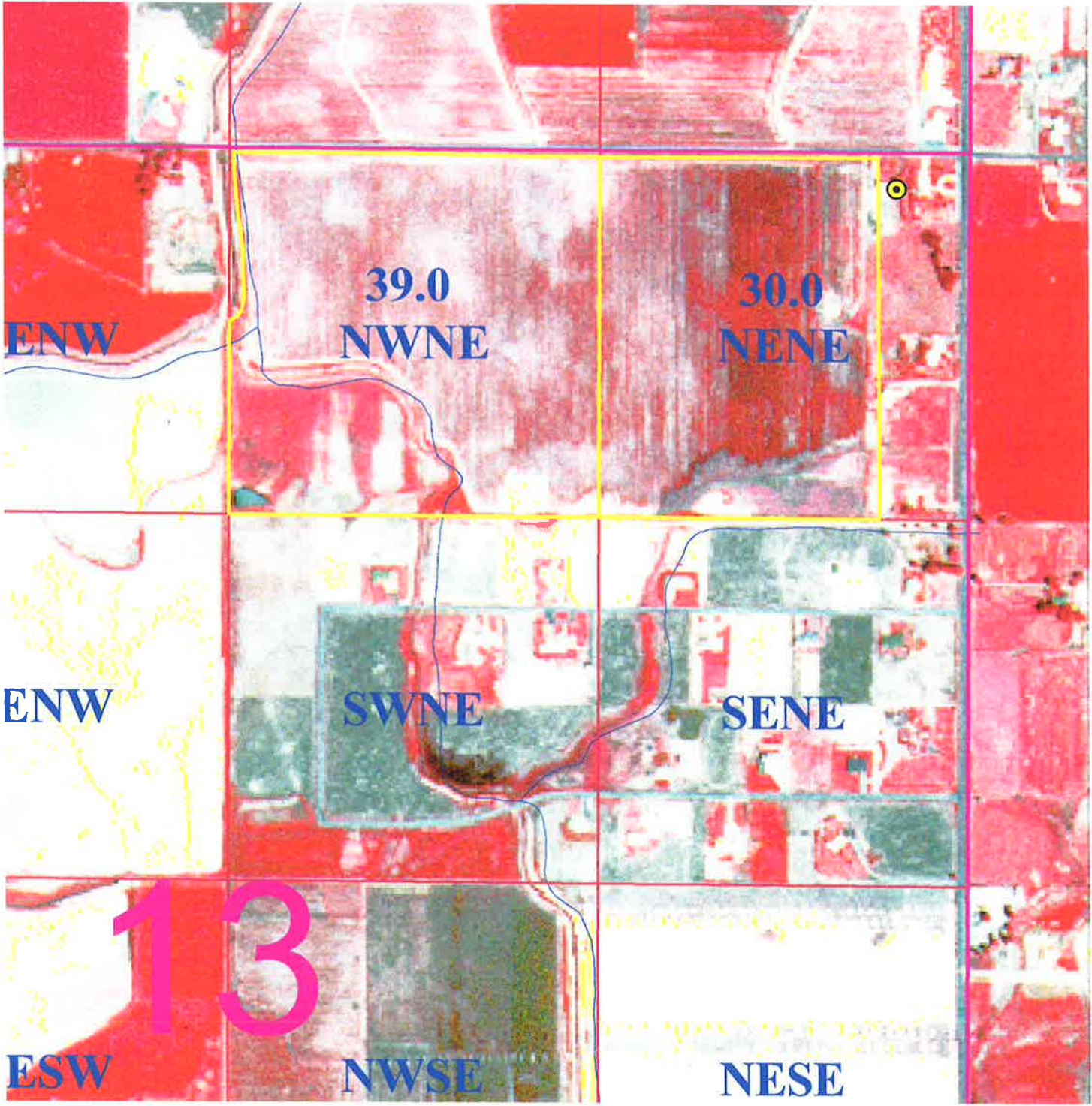
Copies: White-State, Yellow-Claimant

Log for claim 36-02492A

Spatial Dynamics LTD

12/20/01

TR	SEC	QQ	Acres Recommended	Acres Shaped	COMMENT
09s16e	13	NENE	30	30	
09s16e	13	NWNE	39	39	
Totals:			69	69	



Legend

 Irrigated Area	 Section Line	 Roads
 Place of Diversion	 Quarter Section Line	 Streams and Canals

400 0 400 800 Feet





N



200 AUG 21 AM 10:13

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. 36-02492A

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

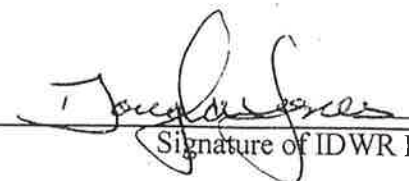
IDWR has completed the following Administrative proceeding: **SUBSTITUTION OF PARTY**

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: 8/21/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8/21, 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
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:
Shirley J Moore
Frank D Moore
PO Box 369
Hailey ID 83333
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Gerald Martens
621 North College Rd #100
Twin Falls ID 83301
4. One Copy to:
Each party in the subcase or attorney of record:
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

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

08/14/2000

RIGHT NUMBER: 36-2492A

NAME AND ADDRESS: GERALD MARTENS
621 NORTH COLLEGE RD SUITE 100
TWIN FALLS, ID 83301

SOURCE: GROUND WATER

QUANTITY: 1.03 CFS
276 AFY

PRIORITY DATE: 06/26/1961

POINT OF DIVERSION: T09S R16E S13 NENENE Within JEROME County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	1.03 CFS 276 AFY

PLACE OF USE:

<u>IRRIGATION Within JEROME County</u>			
T09S R16E S13	NENE	30	T09S R16E S13
69 ACRES TOTAL			NWNE

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.

USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE
CANAL CO. LTD.



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

August 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GERALD MARTENS
621 NORTH COLLEGE RD #100
TWIN FALLS ID 83301

RE: SRBA Claim(s) 36-02492A

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: Frank and Shirley Moore

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

RECEIVED
 AUG - 8 2000
 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
36-02492A	AJ5809NP				

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) SHIRLEY J MOORE, BX 369
FRANK D MOORE, HAILEY, IDAHO
4. New Owner/Claimant(s) GERALD MORTENS
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 621 NORTH COLLEGE
- City, State and ZIP Code TWIN FALLS, IDAHO
- New Telephone Number (208) 734-4888
5. Date you acquired the property 1/5/2000

6.

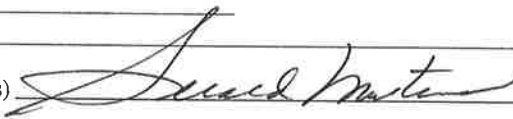
If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right 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)



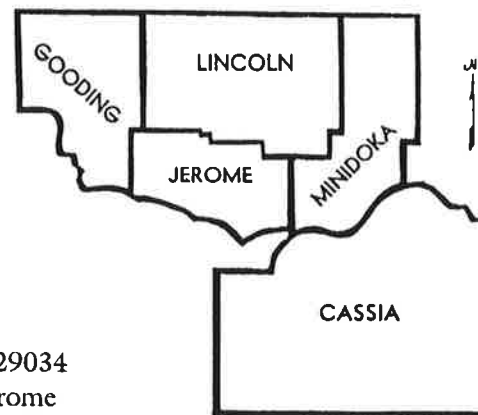
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>Haworth</u>	Date <u>8/8/00</u>	Fee <u>NR</u>
Received by _____	Date _____	Receipt No. _____
Processed by <u>Haworth</u> AJ	Date <u>8/14/00</u>	WR _____ Date _____

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: J-29034
OFFICE: Jerome

January 7, 2000

Gerald Martens
Judith Martens
011 East 500 South
Jerome, ID 83338

RE: MOORE/MARTENS

Dear Mr. and Mrs. Martens:

In connection with the above referenced file, enclosed herewith you will find the following:

1. *Original Warranty Deed* recorded January 6, 2000 as Instrument No. 2000095 under Jerome County Records.

As this is an important document, you may want to hold it in a safe place for future reference.

It has been a pleasure working with you! Should you have any questions regarding this matter, please do not hesitate to contact our office at 208-324-3357.

Very truly yours,
LAND TITLE AND ESCROW, INC.


Jenni Stippich
Escrow Department

Enclosure

BOX 177, BURLEY, IDAHO 83318
PHONE 878-3524 - FAX 878-4435

BOX 349, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

BOX 473, GOODING, IDAHO 83330
PHONE 834-8477 - FAX 834-5880

BOX 111, RUPERT, IDAHO 83350
PHONE 438-0806 - FAX 438-1189

WARRANTY DEED

ARTICLE 1
DATE, NAMES OF PARTIES AND ADDRESSES

- 1.1 Date. This Warranty Deed is executed and delivered by Grantors to Grantees on the ^{5th} ~~6th~~ day of January, 2000.
- 1.2 Names of Grantors and Address. The names of the Grantors are Frank Moore and Shirley J. Moore, husband and wife, whose mailing address is P.O. Box 369, Hailey, Idaho 83333. ^{FM 8th}
- 1.3 Names of Grantees and Addresses. The names of the Grantees are Gerald Martens and Judith Martens, husband and wife, whose mailing address is 011 East, 500 South, Jerome, Idaho 83338.

ARTICLE 2
CONVEYANCES

- 2.1 Grant. For value received, Grantors hereby grant, bargain, sell and convey unto Grantees all of their right, title and interest in and to certain real property located in Jerome County, Idaho, and more particularly described on Exhibit "A," attached hereto and by this reference made a part hereof.
- 2.2 Covenants. Grantees, their successors and assigns, shall have and hold the property. The Grantors covenant to and with the Grantees that they are the owners in fee simple of the property, that it is free and clear of all liens and encumbrances, except as set forth on Exhibit "A", attached hereto, and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this ^{5th} ~~6th~~ day of January, 2000.

2000095

RECORDED AT THE REQUEST
OF Land Title & Escrow, Inc.

JAN 6 4 34 PM '00

JEROME COUNTY, IDAHO

FEES 9.00 DEP CB

Frank Moore

his attorney-in-fact

Shirley Moore

her attorney-in-fact

STATE OF IDAHO)
) ss.
County of Blaine)

On this 5th day of January, 2000, before me, the undersigned, a Notary Public in and for said county and state, personally appeared James W. Phillips, known or identified to me to be the person who subscribed to the within document as attorney in fact of Frank D. Moore and acknowledged to me that he subscribed the name of Frank D. Moore thereto as principal and his own name as attorney in fact.

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



Jane A. Creviston
NOTARY PUBLIC FOR IDAHO
Residing at Hailey
Commission expires 3-22-2005

STATE OF IDAHO)
) ss.
County of Blaine)

On this 5th day of January, 2000, before me, the undersigned, a Notary Public in and for said county and state, personally appeared James W. Phillips, known or identified to me to be the person who subscribed to the within document as attorney in fact of Shirley J. Moore and acknowledged to me that he subscribed the name of Shirley J. Moore thereto as principal and his own name as attorney in fact.

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



Jane A. Creviston
NOTARY PUBLIC FOR IDAHO
Residing at Hailey
Commission expires 3-22-2005

EXHIBIT "A"

LEGAL DESCRIPTION

TOWNSHIP 9 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO

Section 13:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NE $\frac{1}{4}$ EXCEPTING THEREFROM the following described parcel of land: Beginning at the Northeast corner of said Section 13; thence running South 89°45' West along the Northerly boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ for 348.0 feet; thence due South along a line parallel to the Easterly boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ for 1317.0 feet; thence North 89°45' East for 348.0 feet to the Easterly boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence due North along said Easterly boundary for 1317.0 feet to the point of beginning.

Together with an easement for an irrigation well, pump, pump slab and ditch and ingress and egress for the use, maintenance and care of the same over, on and under real property described as follows: a 15 foot strip of land located in the East 348 feet of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13 described as follows:

Commencing at the Northeast corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence running S. 89°45' West for 348.0 feet thence due South for 37.5 feet to the Real Point of Beginning: Thence describing a 15 foot strip of land being 7.5 feet right and left of the following described easement centerline, North 89°45' East 112.4 feet; thence due South for 20.5 feet.

TOGETHER WITH all appurtenant water rights, if any.

SUBJECT TO easements, encumbrances, rights of way and other documents of record; any fact, rights, interests or claims which are not shown by public record, but which could be ascertained by an inspection of the land or which may be asserted by persons in possession, or claiming to be in possession thereof; and, any discrepancies, conflicts in boundary lines, shortages in area, encroachments, or any other facts which a current survey of land would disclose and which are not shown by public records; and existing lease, if any, on the Real Property.

T1126

1808-1-12

2343
T6509

T1129
2258

T1129
1808-2-2

13
168
12
28
HEL

HEL
134
11
39
HEL

1
12 2
HEL

NHEL

NHEL
10
4

5
11
NHEL

115
1
51
NHEL

4
146
NHEL

3
36
NHEL

9
155
NHEL

NHEL

256

T1125
209355-5

75
ALL HEL

6
500
NHEL

324

128
HEL

115
4

T11293
1115

71
HEL

4
305

20

3
515



18
T1114

2280-1-4

T1115
575-1-2

76
6

34

T1113351
HEL

(443)
(260)

(1.3)

2280-2-4

716
HEL



69
Acres

NOTICE OF ERROR

RESPONSE

CORRECTED R PROOF

MICROFILMED
JAN 28 1993

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

VERIFIED BY *R. McElrath*
10-8-92 DATE: 10/08/92
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SHIRLEY J MOORE	06/26/1961	IRRIGATION	04-01 10-31	1.03 CFS	276.0 AFA
C	FRANK D MOORE					
	PO BOX 369			TOTAL DIVERSION:	1.03 CFS	276.0 AFA
	HAILEY ID 83333			CONSUMPTIVE USE:		207.0 AFA
	(208) 788-2858					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T09S R16E S13

NENENE

JEROME County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09S	16E	13	:	30		39														69.0
																			TOTAL ACRES	69.0

POU County: JEROME

Other Rights: NONE

Conditions of Approval:

- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO IDAHO CODE 42-1416A.
- S17 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM NORTH SIDE CANAL CO. LTD.

Dates: Exam Made Date: Verified Date: 10/08/1992

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: C

Comments: Date: 09/17/1991 User-ID: CLELLAND Subject: COPIED FROM REMARKS
THE LAND IN NE1/4NE1/4 OF SEC. 13 HAS BEEN SPLIT; THE WELL IS LOC
ATED ON THE 10 ACRES SPLIT OFF; CLAIMANT HAS EASEMENT FOR USE OF
THE WELL. THE WELL NO LONGER SUPPLIES WATER TO THE 10 ACRES
SPLIT OFF.

Date: 09/04/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
RECEIVED NOE 9/4/92. CHANGED NOE FLAG FROM BLANK TO A.
CLAIM VERIFIED 3/11/92. DID NOT REVERIFY ANY PART OF CLAIM.

Date: 10/08/1992 User-ID: SOUTH3 Subject: NO CHANGE TO RECOMMENDATION
THE RIGHT WAS RECOMMENDED AS CLAIMED. AN EXPLANATORY LETTER HAS
BEEN SENT TO THE CLAIMANT. RMC

Audit: 10/08/92 SOUTH3

MICROFILMED

JAN 28 1993



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

08-Oct-1992

FRANK D MOORE
BOX 369
HAILEY ID 833333

Re: Snake River Basin Adjudication (SRBA)
Notice of Error Response
Recommended Right No. 36-02492A

Dear Mr. Moore,

You recently filed a Notice of Error with IDWR concerning the water right referenced above. No change to our recommendation has been made at this time.

The "Proof Reading Report" that you submitted with your Notice of Error is representative of the original licensed right owned by the Lukes; it does not represent either your adjudication claim or your recommended right. Your right was recommended exactly as you claimed it in 1988. If you do irrigate more than 69.0 acres, you may amend the original claim. However, any amendment must be received by October 14, 1992 to allow changes to the final recommendation.

Please contact this office if you have other questions or concerns.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm

MICROFILMED

JAN 28 1993

NOTICE OF ERROR FORM

AUG-24-1992

Please type or print clearly, fill out completely, and return to:

Idaho Department of Water Resources

Statehouse Mail

Boise, Idaho 83720-9000

RECEIVED

SEP 4 1992

Idaho Department of Water Resources

The notice of error must be received at IDWR by the **deadline date** printed below with your proposed recommendation.

YOUR DEADLINE FOR FILING A NOTICE OF ERROR IS: SEP-24-1992

1. Water right number:

36-02492A

RECEIVED

SEP 28 1992

2. Name:

Frank D. Moore

Department of Water Resources

Address:

Box 369

Hailey Idaho 83333

MICROFILMED

JAN 28 1993

Weekday Telephone Number:

788-2858

TEAR AT PERFORATIONS AND COMPLETE FORM ON OTHER SIDE

(Instead of filling in items 3 and 4 below you may include a copy of your proposed recommendation with the changes marked on the copy.)

3. Describe the portion of proposed recommendation with which you disagree:
4. Describe the changes you wish to have made in the proposed recommendation:
5. Describe why you disagree with the proposed recommendation:
The current Owners are not Harwood & Ruth Lake as noted on the "Water Right Deed Reading" also, why the discrepancy in Total Acres between
6. Date: *The Deed Reading + your Recommendation to the District Court?*

SIGNATURE

Frank D. Moore

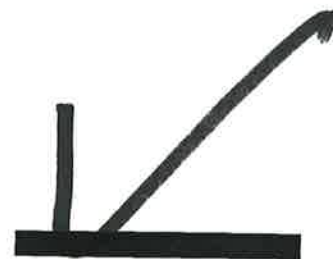
R PROOF

CVR

MAPS

PHOTOS

MISC



MICROFILMED

JAN 28 1993

Water Right Number - R36-02492A Prefix Translation: RESEARCH Old (D) Number - 29867

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

MOORE FRANK D 1 - PO BOX 369
2 -
3 -
City- HAILEY State- ID Zip- 83333
Phone - 208-788-2858

MOORE SHIRLEY J 1 - PO BOX 369
2 -
3 -
City- HAILEY State- ID Zip- 83333
Phone - 208-788-2858

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +

06/26/1961 ERROR IN REGION L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

GROUNDWATER

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County
09S	16E	13	NE NE NE		(53)	JEROME

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	1.030	276.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +

1.030 276.00 207.0

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	16E	13	NE NE		30.0	01	IRRIGATION	(53) JEROME
09S	16E	13	NW NE		39.0	01	IRRIGATION	(53) JEROME

Total Acres: 69.0

+ - - Diversion Means - WELL WITH APPROX. 25 H.P. PUMP DELIVERING TO DITCHES.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - +

No Remarks found.

MICROFILMED
JAN 28 1993

Water right number - R36-02492A

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

3602492

+ - - - - Conditions of Approval - - - - - +

C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- IDAHO CODE 42-1416A.
S17 - USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
- NORTH SIDE CANAL CO. LTD.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

No Comments Found

+ - - Audit Fields - - +

03/11/92 ROBERTSO

+ - - - - 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	- 03/11/1992	Old Judicial District	-
Claim Received Date	- 11/17/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S003872	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	- C
				Notice of Error Flag	-

MICROFILMED
JAN 28 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:17:19
08/30/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-024936

LAST: MOORE
ADDRESS: P.O. BOX 369
CITY: HAILEY
PHONE NUMBER: 208-788-2858

FIRST: FRANK D.

STATE: ID ZIP: 83333

OWNER CODE: C

LAST: MOORE
ADDRESS: P.O. BOX 369
CITY: HAILEY
PHONE NUMBER: 208-788-2858

FIRST: SHIRLEY J.

STATE: ID ZIP: 83333

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THE LAND IN NE1/4NE1/4 OF SEC. 13 HAS BEEN SPLIT; THE WELL IS LOCATED ON THE 10 ACRES SPLIT OFF; CLAIMANT HAS EASEMENT FOR USE OF THE WELL. THE WELL NO LONGER SUPPLIES WATER TO THE 10 ACRES SPLIT OFF.

MICROFILMED

JAN 28 1993

PHONE NUMBER: ()

DATE OF FIELD EXAM: 11/1/88

ACQUISITION DATE: 11-1-81

姓名: _____ 学号: _____ 班级: _____
 日期: _____

PHONE NUMBER: () - -

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A96-02492A PRIORITY DATE: 06-26-1961 STAGE: L

B. WF RECORD: # 36-02492 PRIORITY DATE: 06-26-1961 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER
N

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

REMARKS:

RECOMMENDED PRIORITY DATE:
06-26-1961

REVIEWED BY

m

DATE

11/9/90

MICROFILMED
JAN 28 1993

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A36-02492A	09S	16E	13	NE	NE	NE		JEROME

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A47-10103 NONE

WR RECORDS IN SAME 40 ACRE TRACT

36-08083

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
36-02492	09S	16E	13		NE	NE		JEROME

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT

A PREFIX R PREFIX

36-08083

A36-08083
A36-02492
A47-10103
A36-14667
NONE

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
N

FIELD
EXAMINER
N

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY
------	------	------	-----	-----	-----	-----	--------

		same					
--	--	------	--	--	--	--	--

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

lw

DATE:

11/9/90

MICROFILMED
JAN 28 1993

A. ROOT WATER RIGHT NUMBERS: A36-02492
A36-02492A

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09S	16E	13	NE	NE		MOORE, FRANK D.	A36-02492A / 730.0	-	738.0	42.0	30
						O'HARROW, HAZEL	A47-10103 /	-	/		
						O'HARROW, HAZEL	A36-02492 / 5.0	36-02492	/ 38.0		
						DUNN, SYLVIA K.	A36-14667 /	-	/		
						LARGE CLAIM	A01-00212Z3 / 40.0	-	/		
						TENS, MARY E.	A36-08083 / 1.0	36-08083	/ 1.0		
09S	16E	13	NW	NE		MOORE, FRANK D.	A36-02492A / 739.0	-	738.0	40.0	39
						LARGE CLAIM	A01-00212Z3 / 40.0	-	/		
						LUKE, HARVARD C.		36-02492	/ 38.0		
TOTAL ACRES							A36-02492A	69.00	76.00	62.00	69

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET: X

canal water share

C. FIELD EXAM REQUIRED?
DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y
FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 69

REVIEWED BY: W

DATE: 11/9/90

A. AS CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
036-02492A IRRIGATION	FROM 03-15 TO 11-15	1.030 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.030 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
36-02492 IRRIGATION	FROM TO	1.030 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.030 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	☒
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	☒
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	☒

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in remarks, below.

REMARKS:

MICROFILMED
JAN 28 1993

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(/) N()

AJ TOTAL CLAIMED DIVERSION RATE: 1.030 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.030 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***

** If an amount smaller than the original diversion rate is **

** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

FIELD
DATABASE EXAMINER
N

B.

FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: SHARES IN NORTH SIDE CANAL CO.

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A36-02492A	GROUNDWATER	MOORE, FRANK D.	1.030	0.014		
A36-02492	GROUNDWATER	O HARROW, HAZEL	1.030	0.206		
A36-08083	GROUNDWATER	TEWS, MARY R.	0.040	0.040	4.60	4.60

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A47-10103	DOMESTIC	O HARROW, HAZEL	FROM 01-01 TO 12-31	.040 CFS	
A36-14667	DOMESTIC	BUNN, SYLVIA K.	FROM 01-01 TO 12-31	.040 CFS	
A36-14667	STOCKWATER	BUNN, SYLVIA K.	FROM 01-01 TO 12-31	.020 CFS	

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 69 x 0.02 CES/ACRE = 1.38 CES
(Taken from p/u review)

1b. CALCULATIONS

MICROFILMED
JAN 28 1993

DOES AMOUNT CLAIMED EXCEED 0.02 CES/ACRE? Y() N(☒)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 207.0 AF/A

ACRES 69 x CONSUMPTIVE VOL. AF/A FOR AREA 3 =

TOTAL CONSUMPTIVE USE 207 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 69 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 276 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(☒)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

limited to 1" per acre when CW also used.

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CPS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER 1.030	DATABASE EXAMINER 276	DATABASE EXAMINER 207.0
TOTAL FOR THIS RIGHT		1.030		207.0

REVIEWED BY:

lw

DATE:

11/9/90

COS

S17

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

ACCEPTED
AS CLAIMED *(N/A)*
NEEDS
REVIEW *()*

MICROFILMED
JAN 28 1993

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-02492

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
1.030

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
~~A36-02492~~	~~A36-02492~~	~~1.030~~	-	-	36-02492	1.030
A36-02492	A36-02492A	1.030	-	-	36-02492	1.030
TOTAL CFS		~~2.060~~ 1.03				1.030

DIVERSION RATE REVIEW

DATABASE
N

FIELD
EXAMINER

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

REMARKS:

*This claim is for entire 36-02492.
A36-02492 by Earl O'Harrow is disallowed
because of non-use. per Warranty Deed attached to file
See 9-17-91*

AUTHENTICATION:

SIGNATURE: *W*

DATE: *11/9/90*

NAME OF FIELD EXAMINER: _____ TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

01:17:19
08/30/90

PAGE: 12
QUICKLOOK INFORMATION

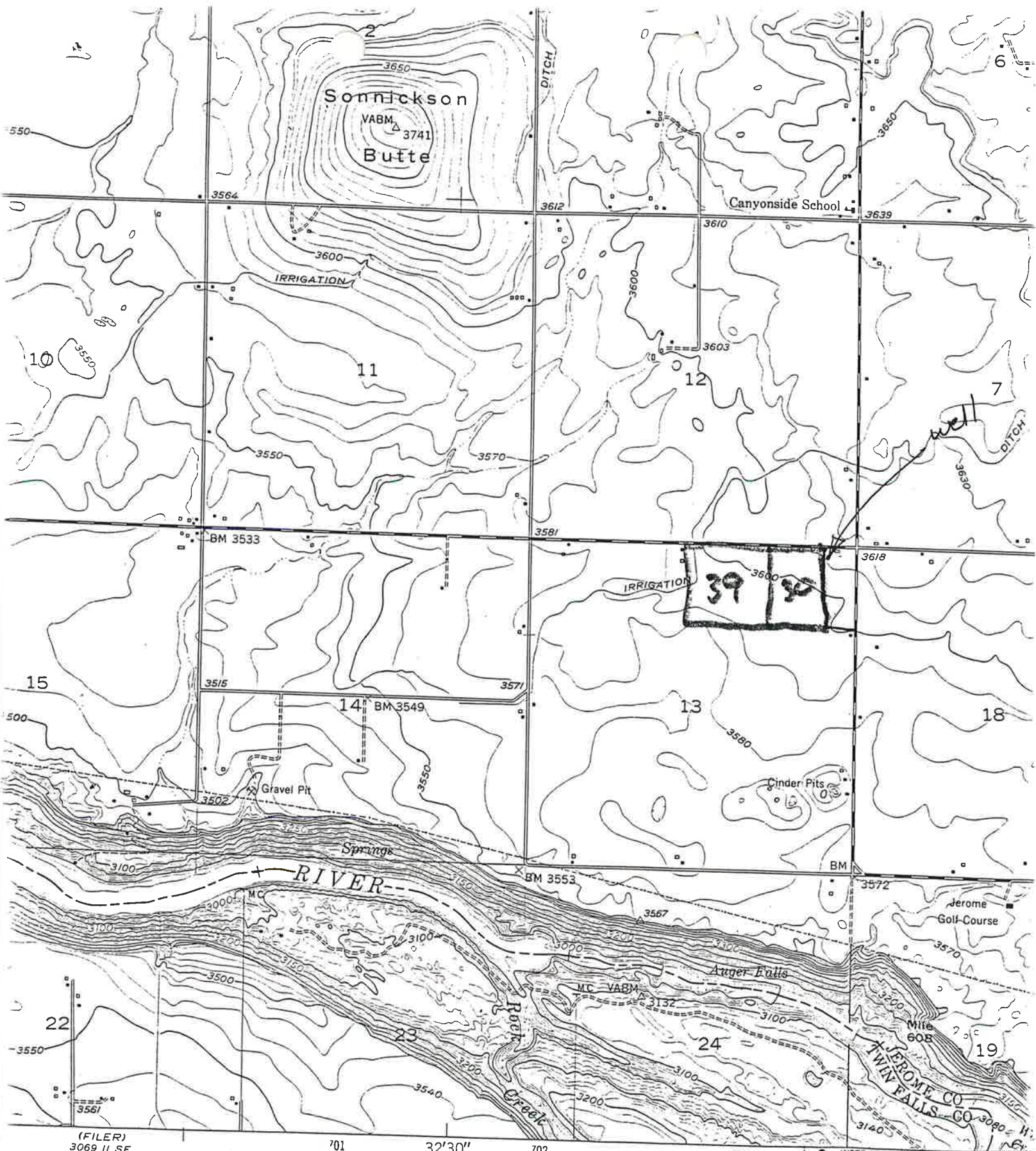
CLAIM NUMBER: A36-03492A

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE				N		See 9-16-91	OB	
POINT OF DIV	Y			N	1			
SOURCE				N				
PLACE OF USE	Y			N				
DIV. AMOUNT CFS/VOLUME				Y	1 6			
CONSUMPTIVE USE				N				
PURPOSES				N				
PERIOD OF USE	Y			N				
BASIS OF CLAIM	Y			Y	6			
REMARKS	Y			Y	6			

"VERIFIED BY" CODES

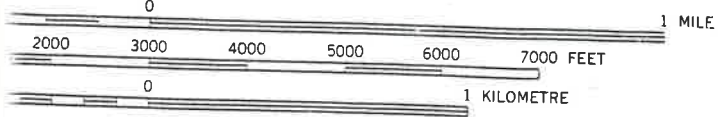
TOPO MAP/ORTHO-PG = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAIP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.



(FILER)
3069 11 SE

SCALE 1:24 000



NTOUR INTERVAL 10 FEET
INTERVAL ON RIVER SURFACE 5 FEET

MICROFILMED

JAN 28 1993

INTERIOR-GEOLOGICAL SURVEY, RESTON, VA
R. 16 E. R. 17 E. 704000m E.
ROAD CLASSIFICATION
Heavy-duty 4 LANE 6 LANE Light-duty
Medium-duty 4 LANE 6 LANE Unimproved
U. S. Route State F

RECEIVED

WARRANTY DEED

NOV 9 1990

For Value Received

Joseph A. Spanbauer and Delores E. Spanbauer, husband and wife
Department of Water Resources
Southern Region Office

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Frank D. Moore and Shirley J. Moore, husband and wife

Hereinafter called the Grantee, the following described premises situated in _____ County, Idaho,
to-wit:TOWNSHIP 9 SOUTH, RANGE 16 EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 13: E $\frac{1}{2}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$;
NE $\frac{1}{4}$ NE $\frac{1}{4}$ EXCEPTING THEREFROM the following described
parcel of land: Beginning at the Northeast corner
of said Section 13; thence running South 89° 45'
West along the Northerly boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$
for 348.0 feet; thence due South along a line
parallel to the Easterly boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$
for 1317.0 feet; thence North 89° 45' East for
348.0 feet to the Easterly boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$;
thence due North along said Easterly boundary for
1317.0 feet to the point of beginning.

Together with an easement for an irrigation well, pump,
pump slab and ditch and ingress and egress for the use,
maintenance and care of the same over, on and under
real property described as follows: a 15 foot strip
of land located in the East 348 feet of the NE $\frac{1}{4}$ NE $\frac{1}{4}$
of Section 13 described as follows:

Commencing at the Northeast corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$,
thence running S 89° 45' West for 348.0 feet thence
due South for 37.5 feet to the Real Point of Beginning;
Thence describing a 15 foot strip of land being 7.5
feet right and left of the following described ease-
ment centerline, North 89° 45' East 112.4 feet; thence
due South for 20.5 feet.

Subject to the unpaid balance of a Mortgage in favor of the United States
of America, acting through the Farmers Home Administration, dated March 17,
1969, recorded March 18, 1969 in Book 183 Page 712, Inst. No. 180076, Jer. Cty
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and records
to the Grantee's heirs and assigns forever. And the 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 incum-
brances except as above described and that Grantor will warrant and defend the same from all lawful
claims whatsoever. Together with 149 $\frac{1}{2}$ shares of stock in the North Side Canal
Company, Ltd.

Dated: February 24, 1972

Joseph A. Spanbauer
Joseph A. Spanbauer
Delores E. Spanbauer
Delores E. Spanbauer

STATE OF IDAHO, COUNTY OF *Jerome*

On this *25th* day of February, 1972,
before me, a notary public in and for said State, per-
sonally appeared Joseph A. Spanbauer
and Delores E. Spanbauer, husband
and wife

known to me to be the person s whose names are
subscribed to this within instrument, and acknowledged
to me that they executed the same.

John Roberts
Notary Public
Residing at *Jerome*, Idaho.

STATE OF IDAHO, COUNTY OF *Jerome* 133

I hereby certify that this instrument was filed for record
at the request of *Frank Little & Escrow*

at *35* minutes past *9* o'clock a m.,
this *25th* day of *February*, 1972, in my office, and duly recorded in Book *182*
of Deeds at page *2726*.

John McVey
Ex-Officio Recorder
By *Virginia Ricketts* Deputy.
Fees \$ *1.00*
Mail to: *above*

Instrument No.

192895

12:00 PM

CONVERSATION MEMORANDUM

NAME OF PARTY FRANK MOORE
EMPLOYEE: LW

DATE 11/8/90
FILE A36-02492 A

RE: Frank does not own the property
that the well is located on but does
own the well + has an easement
to that well (submitting evidence in
mail). Frank stated that Earl
O'Harrow does not have a right to
the well even though its on his
property.

MICROFILMED
JAN 28 1993

9:00 AM

CONVERSATION MEMORANDUM

NAME OF PARTY Earl O'Harrow
EMPLOYEE: lw

DATE 11/8/90
FILE A36-02492

RE: Earl owns the well + the 10 acres
split off the 76 originally irrigated
with well. Frank Moore owns the
remaining acres but does not have
an easement to the well. Frank's
69 acres now use canal water.

11/9/90 3:PM

Earl found Frank's easement right
in property deed. Admitted that
he + Hazel didn't use the well.
Left with a withdrawal form.

MICROFILMED
JAN 28 1993