

1997 OCT 30 PM 2:47

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	)	NOTICE OF COMPLETED
	)	ADMINISTRATIVE PROCEEDINGS
Case No. 39576	)	
	)	
_____	)	SUB CASE NO. 36-04012

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

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

FROM: Claimant/Seller(s):	TO: Claimant/Purchaser(s):
Name and Address of Claimant/Seller(s):	Name and Address of Claimant/Purchaser(s):
Kent L Klosterman	Kent L Klosterman
650 S 70 W	650 S 70 W
Rupert ID 83350	Rupert ID 83350
Phone: 421-1200	Phone: 421-1200
	John A Stevenson
	Elaine G Stevenson
	1099 N 400 W
	Rupert ID 83350
	Phone: 532-4524

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: 10/28/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10-30, 1997, 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:
Kent L. Klosterman
650 S 70 W
Rupert ID 83350
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
John A. Stevenson
Elaine G. Stevenson
1099 N 400 W
Rupert ID 83350
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

AJ5859NP

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

DATE: OCT-28-1997

PAGE: A-1

RIGHT NUMBER: 36-04012

SPLIT RIGHT: SEE RIGHT NOS. 36-04012A AND 36-04012B.

AJ5856NP

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

DATE: OCT-27-1997

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-04012A

NAME & ADDRESS: KENT L KLOSTERMAN
70 W 630 LANE SOUTH
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 2.44 CFS
604.0 AFY

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T07S R24E S31 SENENW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	2.44 CFS 604.0 AFY

PLACE OF USE: IRRIGATION Within MINIDOKA County

T07S R24E S30	Lot 4 (SWSW)13	SESW 18		
S31	NENW 39	Lot 1 (NWNW)21	Lot 2 (SWNW)21	SENW 39
151 ACRES TOTAL				

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

AJ5856NP

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

DATE: OCT-27-1997

PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-04012B

NAME & ADDRESS: JOHN A STEVENSON
ELAINE G STEVENSON
1099 N 400 W
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS
16.0 AFY

PRIORITY DATE: 04/01/1948

POINT OF DIVERSION: T07S R24E S31 SENENW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	0.06 CFS 16.0 AFY

PLACE OF USE: IRRIGATION Within MINIDOKA County
T07S R24E S30 Lot 4 (SWSW) 4
4 ACRES TOTAL

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

October 31, 1997

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

JOHN A STEVENSON
ELAINE G STEVENSON
1099 NN 400 W
RUPERT ID 83350

RE: SRBA Claim(s) 36-04012

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

/tf

cc: Kent L. Klosterman

NCAP
split

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

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

RECEIVED

1. Water Right Number(s) 36-04012

JUL 02 1997

Adjudication Claim Number(s) _____

Department of Water Resources
Southern Region

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Kent L. Klosterman
650 South 70 West
Rupert, Idaho 83350

4. New Owner/Claimant(s) John A. Stevenson and Elaine G. Stevenson

Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR

New Mailing Address 1099 North 400 West

City, State and ZIP Code Rupert, Idaho 83350

New Telephone Number (208) 532 - 4524

5. Date you acquired the property June 25, 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. - The former owner by Warranty Deed (see attached) transferred .06 cfs of Water Right No. 36-04012 to the new owner.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

John A. Stevenson
John A. Stevenson

Date 6-23-97

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

5
27.1

75.3
T802 ✓
1818

4
47.8

64.0

5
14.3

6
74.9

7
4.6

T808 ✓
2643

1
16.1

2003D
+ 75
R24E

25 30
35 31

37.7
T805 ✓
2420

3
18.8

30 29
31 32

1
79.8

T1075 ✓
1512

1
92.6

T592 ✓

2
77.5

T809 ✓
2182

1
25.8

2
41.7

4
47.4

T807 ✓

430253

WARRANTY DEED

#28443MC

For Value Received

KENT L. KLOSTERMAN, a single person

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

JOHN A. STEVENSON and ELAINE G. STEVENSON, husband and wife

Address: 1099 North 400 West
Rupert, Idaho 83350

Hereinafter called the Grantee, the following described premises situated in Minidoka County, Idaho, to-wit:

TOWNSHIP 7 SOUTH, RANGE 24 EAST OF THE BOISE MERIDIAN,
MINIDOKA COUNTY, IDAHO

Section 30: That part of Lots 3 and 4 more particularly described as follows:

Commencing at the W $\frac{1}{4}$ corner (Northwest corner of Lot 3) monumented by a 5/8 inch rebar; Thence South 00°05'08" West for 1289.39 feet (recorded as South for 1290.00 feet within Quitclaim Deed Preuss to Klosterman recorded March 18, 1997, Instrument No. 428800), along the West section line to a 1/2 inch rebar which shall be the True Point of Beginning;

Thence South 63°36'14" East for 318.05 feet (recorded as South 63°17' East for 320.0 feet) to a 1/2 inch rebar;

Thence South 40°36'31" East for 707.44 feet (recorded as South 40°27' East for 713.0 feet) to an existing 1/2 inch rebar;

Thence North 89°54'52" West for 746.37 feet to a 1/2 inch rebar on the West section line;

Thence North 00°05'08" East for 647.36 feet along the West section line to the Southwest corner of Lot 3;

Thence North 00°05'08" East for 29.99 feet along the West section line to the True Point of Beginning.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including .06 cfs from Idaho Department of Water Resources Adjudication Claim No. 36-04012 and all the Grantors rights in Idaho Department of Water Resources Adjudication Claim No. 36-12478.

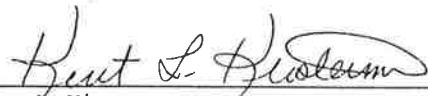
SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes for 1997 and subsequent years.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. 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 incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 20, 1997

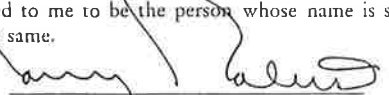

Kent L. Klosterman

STATE OF IDAHO)
) ss.
COUNTY OF Cassia)

On this 25th day of June, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared KENT L. KLOSTERMAN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97


Notary Public
Residing at: Burley, Idaho
My Commission expires: 6-30-97

430253

RECORDED AT REQUEST OF
Land Title-Burley

FILM NO. _____

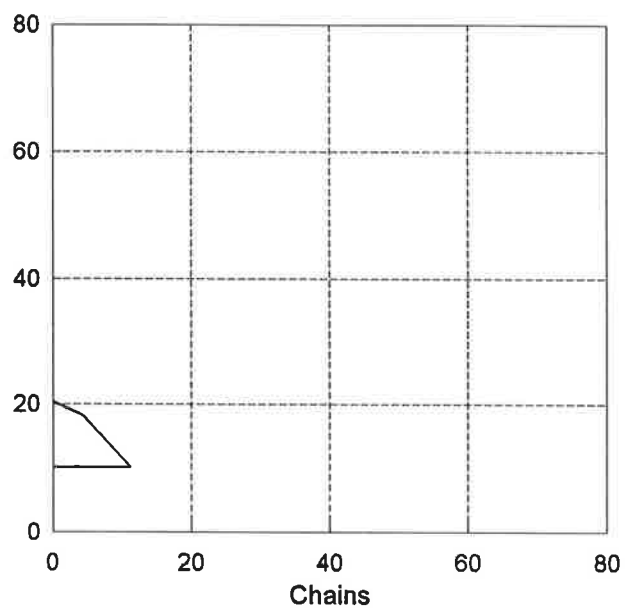
'97 JUN 25 14 : 30

MINIDOKA COUNTY, IDAHO
DUANE SMITH, RECORDER
FEE 6 DEPUTY LT

Right No: 36-04012 / W. Jensen

Section Breakdown

Sec 30, T 15, R 24E

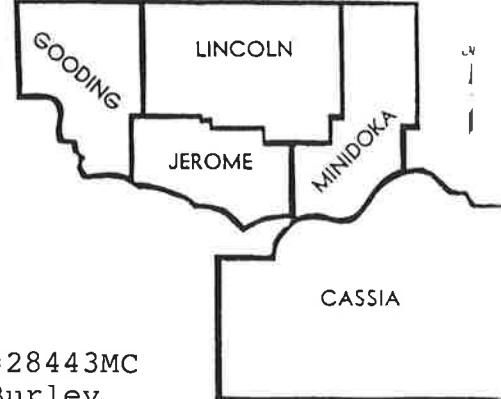


Right No: _____

=====				
40.00				
20.46	0.00	5.00	8.00 sw	1289.39
18.32	63.00	36.00	14.00 se	318.05
10.18	40.00	36.00	31.00 se	707.44
10.20	89.00	54.00	52.00 nw	746.37
20.01	0.00	5.00	8.00 ne	647.36
20.46	0.00	5.00	8.00 ne	29.99
40.00	0.00	5.00	8.00 ne	1289.39

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #28443MC
OFFICE: Burley

July 1, 1997

Idaho Dept. of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380

RECEIVED

JUL 02 1997

Department of Water Resources
Southern Region

Dear Clerk:

Enclosed please find two original executed Notice of Change of Water Right Ownership forms on property located in Minidoka County along with an aerial photo map.

Would you please make the necessary changes in your records to indicate the new ownership and send a receipted copy to this office.

Should you have any questions concerning this letter, please do not hesitate to contact this office. Thank you.

Very truly yours,
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script that reads "Nancy Garrett".

Nancy Garrett
Reconveyance Department

/nrg
enc.

BOX 177, BURLEY, IDAHO 83318
PHONE 678-3524 - FAX 678-4435

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

BOX 473, GOODING, IDAHO 83330
PHONE 934-8477 - FAX 934-5890

BOX 111, RUPERT, IDAHO 83350
PHONE 436-0606 - FAX 436-1199