

12/13/2006

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

RIGHT NUMBER: 67-7412

NAME AND ADDRESS: WALTER A SCHUNK
2230 KILBORN LN
MESA ID 83643

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.180 CFS
29.200 AFY

PRIORITY DATE: 08/03/1978

POINT OF DIVERSION:

T15N R01W S22 NENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.140 CFS 28.00 AFY
DOMESTIC	1/01 12/31	0.040 CFS 1.20 AFY

PLACE OF USE: IRRIGATION in ADAMS County

T15N R01W S22 NENW 7.00

DOMESTIC in ADAMS County

T15N R01W S22 NENW

7 ACRES TOTAL

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

11/14/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-7412

FRED HAIR
2230 KILBORN LN
MESA ID 83643

LA VINA L HAIR
2230 KILBORN LN
MESA ID 83643

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-15-2006

SIGNATURE: [Signature]

Please print your name: Walter A. Schunk Jr.

Except for the name.
See attached change
of ownership.

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 08 2006

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

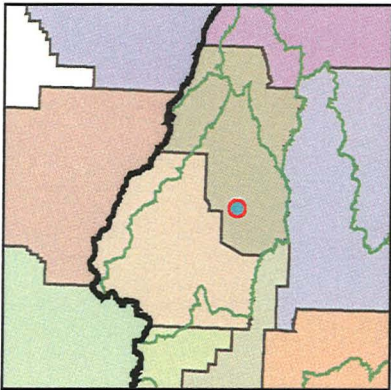
SRBA Recommendation:

67-7412

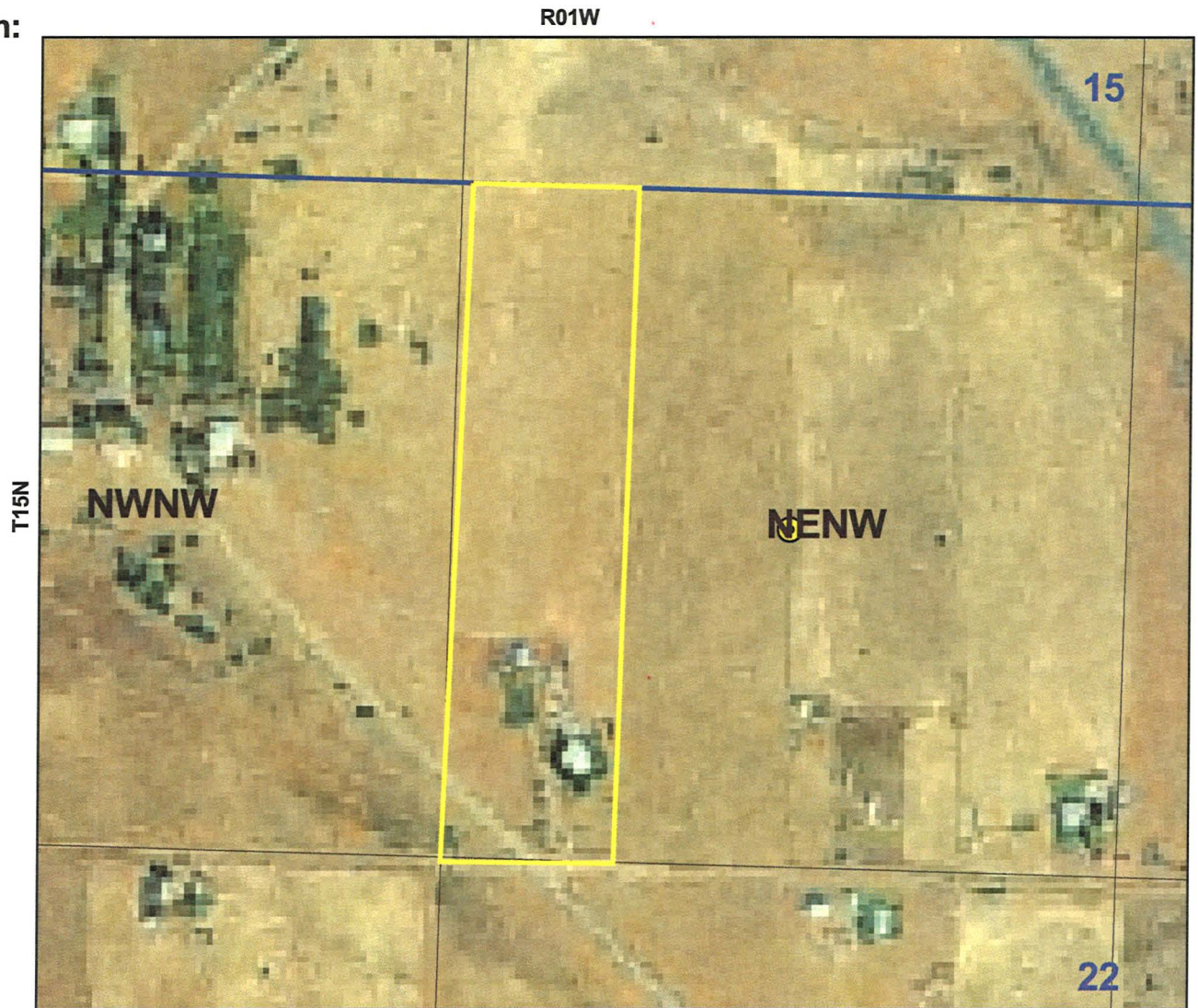
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by IDWR State Office
On Saturday, December 2, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-7412 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	STANLEY L NELSON PO BOX 46 MESA, ID 83643
Original Owner	BILLIE B NELSON PO BOX 46 MESA, ID 83643 (208)256-4365
Current Owner	FRED HAIR 2230 KILBORN LN MESA, ID 83643
Current Owner	LA VINA L HAIR 2230 KILBORN LN MESA, ID 83643

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.140 CFS	28.00 AF
DOMESTIC	1/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.180 CFS	29.20 AF

GROUND WATER NE1/4NW1/4 Sec. 22, Twp 15N, Rge 01W, B.M.
ADAMS County

IRRIGATION

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7412 V1

Conditions of Approval:

1. C18 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.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Summary			06/22/2004	jcarr	Active
Priority Date	6/22/2004 12:27:00 PM	jcarr			Active
POD	6/22/2004 12:27:01 PM	jcarr			Active
POU	6/22/2004 12:27:02 PM	jcarr			Active
Source	6/22/2004 12:27:02 PM	jcarr			Active
Season	6/22/2004 12:27:03 PM	jcarr			Active
Use	6/22/2004 12:27:03 PM	jcarr			Active
Quantity	6/22/2004 12:27:04 PM	jcarr			Active
Summary			06/23/2004	jcarr	Active
Priority Date	6/23/2004 2:50:53 PM	jcarr			Active
POD	6/23/2004 2:51:03 PM	jcarr			Active
Source	6/23/2004 2:51:06 PM	jcarr			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7412 V1

POU	6/23/2004 2:51:11 PM	jcarr	Active
Use	6/23/2004 2:51:17 PM	jcarr	Active
Season	6/23/2004 2:51:23 PM	jcarr	Active
Quantity	6/23/2004 2:51:27 PM	jcarr	Active
Priority Date	12/2/2006 12:09:34 PM	mvanbussum	Active
POU	12/2/2006 12:09:39 PM	mvanbussum	Active
Source	12/2/2006 12:09:40 PM	mvanbussum	Active
Quantity	12/2/2006 12:09:41 PM	mvanbussum	Active
Season	12/2/2006 12:09:41 PM	mvanbussum	Active
Use	12/2/2006 12:09:41 PM	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	6/25/2004 11:06:23 AM	jcarr	Edited shape boundary
General	12/2/2006 12:10:20 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	12/2/2006 12:10:25 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License?
Source	12/2/2006 12:10:26 PM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License?
Use	12/2/2006 12:10:26 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License?
Season	12/2/2006 12:10:27 PM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License?
Quantity	12/2/2006 12:10:27 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License?
POD	6/23/2004 2:34:41 PM	jcarr	Edited point location
POU	6/23/2004 2:41:15 PM	jcarr	Created polygon from PLS

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7412 V1

Summary	6/23/2004 2:50:43 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (No) 10. Would you like to set the verification date?
Priority Date	6/23/2004 2:50:54 PM	jcarr	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	6/23/2004 2:51:04 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Source	6/23/2004 2:51:07 PM	jcarr	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	6/23/2004 2:51:11 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	6/23/2004 2:51:17 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7412 V1

Season	6/23/2004 2:51:23 PM	jcarr	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (Yes) 18. Is a Period of Use remark and/or condition required?
Quantity	6/23/2004 2:51:28 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required?
Summary	6/22/2004 12:26:46 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
Priority Date	6/22/2004 12:26:59 PM	jcarr	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	6/22/2004 12:27:01 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD?
POU	6/22/2004 12:27:01 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License?
Source	6/22/2004 12:27:02 PM	jcarr	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source?
Use	6/22/2004 12:27:02 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use?
Season	6/22/2004 12:27:03 PM	jcarr	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7412 V1

Quantity	6/22/2004 12:27:03 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume?
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Water Supply Bank:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 31, 1994

Re: Notice of Claim to a Water Right No. A67-07412

Fred Hair
LaVina L. Hair
2230 Kolborn Lane
Mesa, ID 83643

Mr. & Mrs. Hair:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

cc: Stanley & Billie Nelson

SCANNED
APR 14 2004

MICROFILMED
OCT 23 1996



Idaho Department of Water Resources

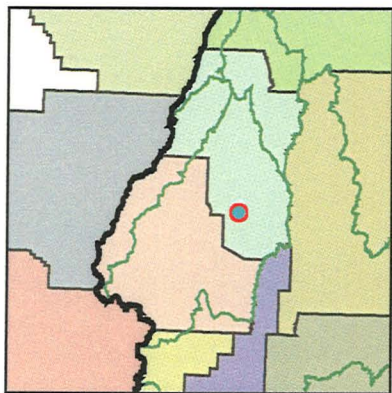
SRBA Recommendation:

67-7412

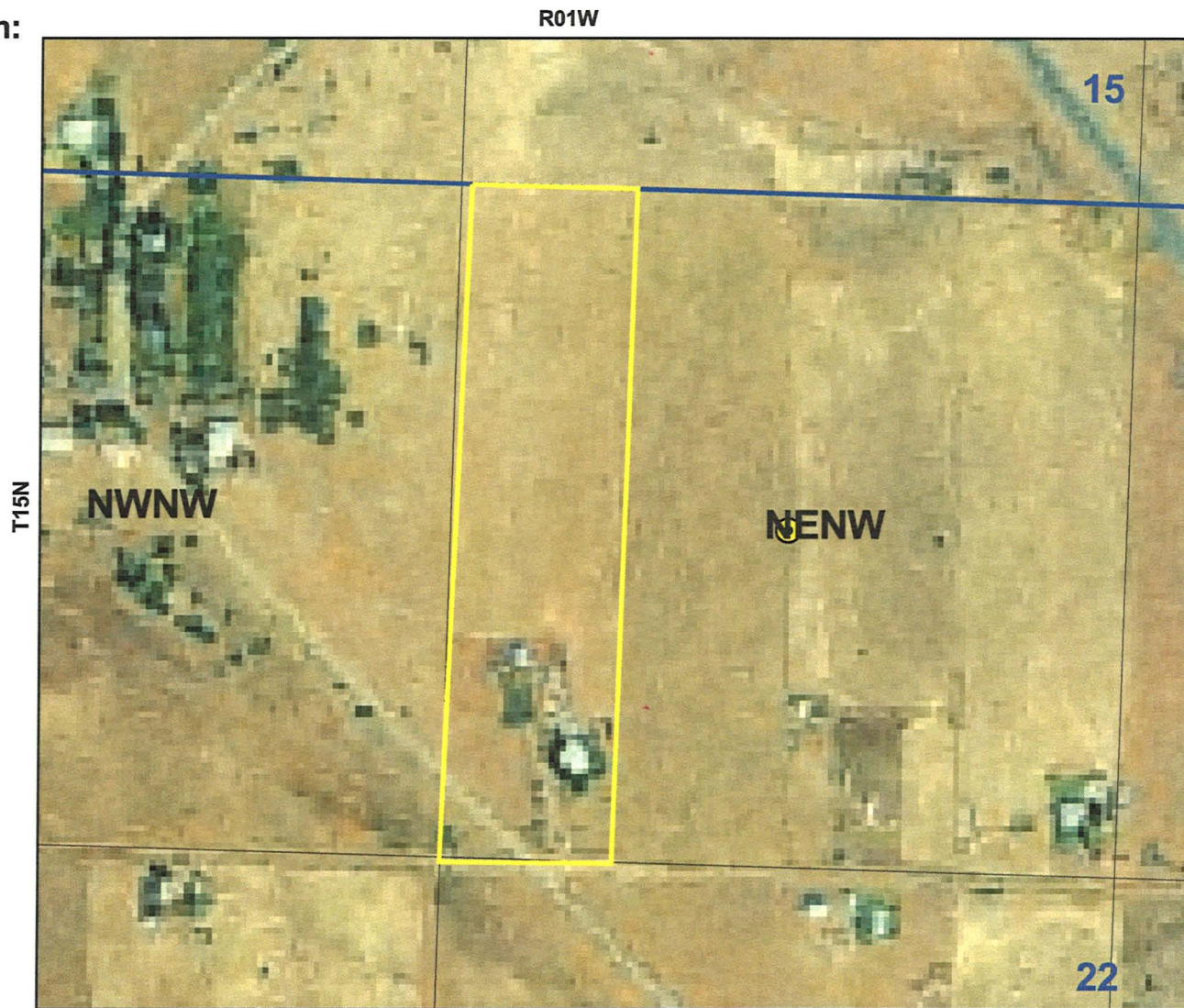
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by IDWR State Office
On Saturday, December 2, 2006
1987/88 Aerial Photography

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

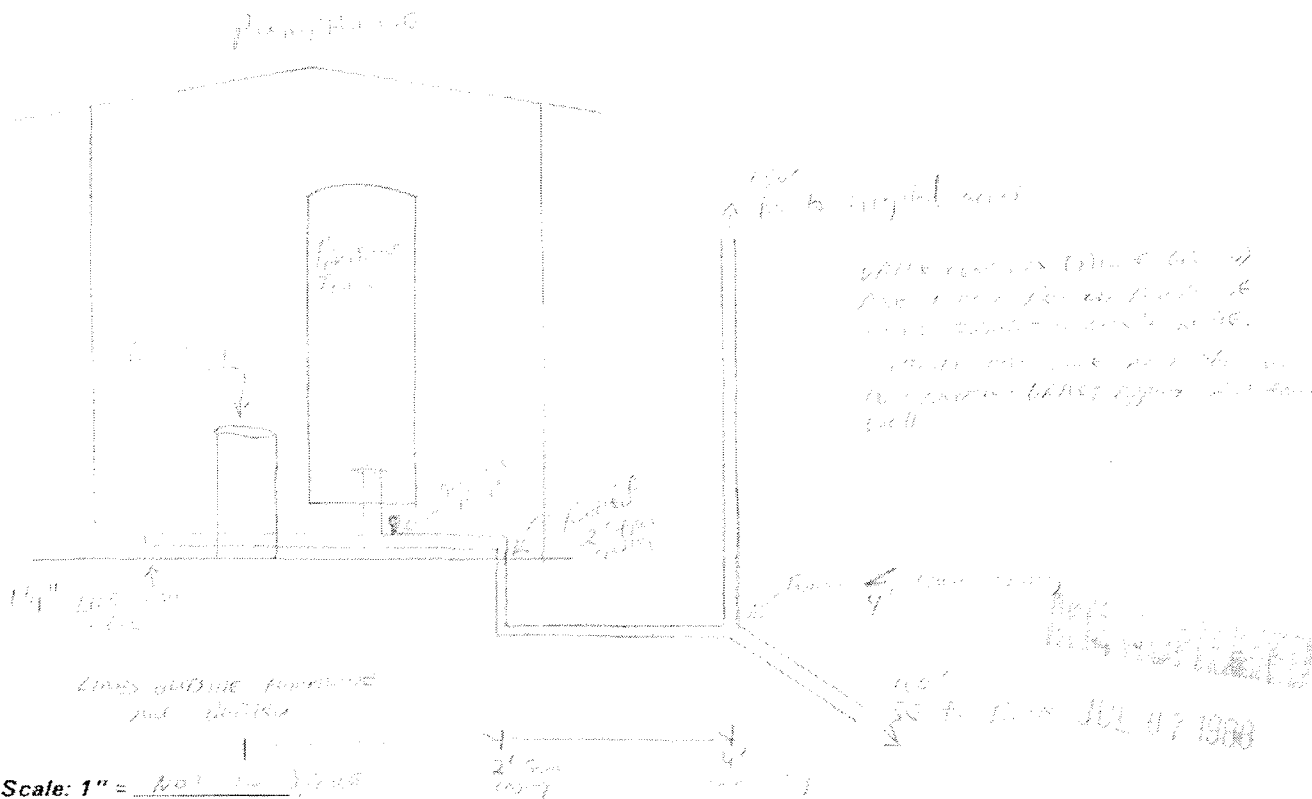
Permit No. 67-7912
Phone No. 208-854-1863
1. Owner: Stanley L. Miller, Jr.
Current Address: P.O. Box 96, Pocatello, ID. 83443
2. Accompanied by: Stanley L. Miller EXAM. DATE: 6/5/87
Address: same Phone No. same
Relationship to Permit Holder: owner
3. Source: Shoshone River tributary to same

B. OVERLAP REVIEW

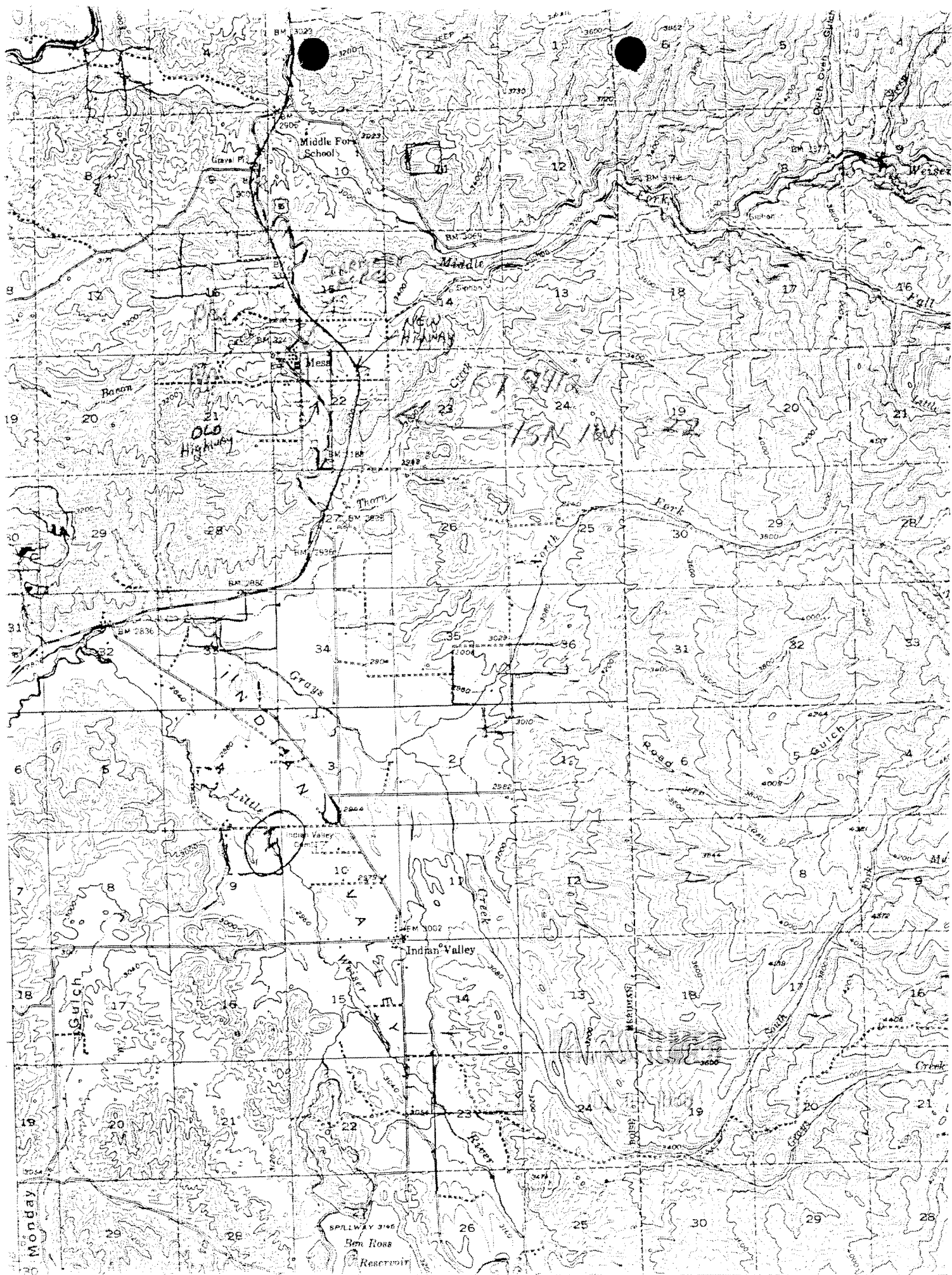
1. Other water rights with same place of use: 67-4073, 67-4074, 67-4075
☒ Copies Attached
2. Other water rights with same point of diversion: 67-4073
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07412

Priority: August 3, 1978 Amount: 0.18 CFS 29.2 AFA

This is to certify, that STANLEY L. NELSON
BILLIE B. NELSON

P.O. BOX 46
MESA, ID 83643

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated August 3, 1978, and has submitted proof to the Department of Water Resources on November 1, 1983, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of .180 cfs of water from a **GROUNDWATER** source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	0.14 CFS	28.0 AFA
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AFA
	Totals	0.18 CFS	29.2 AFA

LOCATION OF POINT OF DIVERSION(S): NENW , Sec. 22, Township 15N, Range 01W
ADAMS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
15N	01W	22	NENW	7		7

Total number of acres irrigated: 7

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. Place of use also known as Lot 4, Block 6, Council-Mesa Orchards Subdivision.

RECORDED

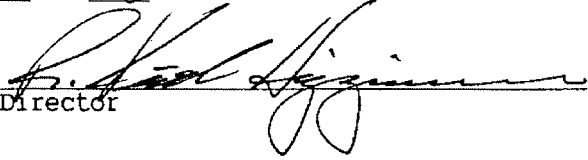
JUL 07 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 67-07412

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14th
day of June, 19 88.


Director

RECEIVED

JUL 17 1988

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 67-7412
Date Received: 11/2/1989
Receipt No: W006604
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

WALTER A SCHUNK Phone: (208)256-4308
2230 KILBORN LN
MESA ID USA 83643

2. Date of Priority: 08/03/1978

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
15N	01W	22	NE NW	ADAMS	

5. Description of diverting works:

6" WELL, 120' DEEP, 3/4 HP PUMP W/PIPELINE TO HOME & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.14	28
DOMESTIC	1/01	12/31	0.04	1.2

7. Total Quantity Appropriated is:
0.18 C.F.S. and/or 29.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	01W	22	NE	NW	IRRIGATION	7
			NE	NW	DOMESTIC	
					Section Acres	7
					Total Acres	7

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

AKA LOT 4, BLOCK 6, COUNCIL-MESA ORCHARDS SUBDIVISION.
OWNERSHIP CHANGED BY LH 8/29/94.

15. Basis of Claim: License

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

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
67-7412		80			

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) Fred Hair & Lavina L. Hair
2230 Kilborn Lane, Mesa, ID 83643
4. New Owner/Claimant(s) Walter A. Schunk
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address Walter A. Schunk
- City, State and ZIP Code 2230 Kilborn Lane, Mesa, ID 83643
- New Telephone Number 800 256-4308
5. Date you acquired the property May 1, 1998

SCANNED
DEC 08 2006

WARRANTY DEED

INSTRUMENT NO. **93931**
PAGE 1 OF 1

For Value Received, FRED HAIR and LA VINA L. HAIR, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto
WALTER A. SCHUNK, a single man

the grantee, whose current address is 4131 McRobb Rd., White Ford, MD 21160

the following described premises, in Adams County, Idaho, to-wit:

Lot 4 of Block 6 of Council Mesa Orchards Subdivision as shown on the
official revised plat thereof on file and of record in Book 1 of Plats
at page 21, records of Adams County, Idaho.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee,
his heirs and assigns forever. And the said Grantors do hereby covenant to and with the
said Grantee, that they are the owners in fee simple of said premises; that they are free
from all encumbrances excepting for all easements of record, rights of way, matters
visible, and all matters of record and title.

and that they will warrant and defend the same from all lawful claims whatsoever.

Date: April 27, 1998

Fred Hair
Fred Hair

La Vina L. Hair by Fred Hair her attorney in fact
La Vina L. Hair by Fred Hair,
her Attorney in Fact

STATE OF *Idaho*)
COUNTY OF *Adams*) ss

On this *29th* day of *April*, in the year of 1998, before me
a Notary Public in and for said State, personally appeared
FRED HAIR
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.

Christy A. Arny
Notary Public
Residing at *Trinitvale, Idaho*
Commission expires: *8/4/98*

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

at 16 minutes past 3 o'clock PM.
this 1 day of May, 1998, in my
office, and duly recorded in Book
of Deeds at page

MICHAEL FISK
Ex-Officio Recorder

By *Leaggy Linkal*
Deputy

Fees \$ 3.00
Mail to: Timberline Title & Escrow

STATE OF *Idaho*)
COUNTY OF *Adams*) ss

On this *29th* day of *April*, in the year of 1998, before me,
a Notary Public in and for said State, personally appeared
FRED HAIR, known or identified to me to be the person
whose name is subscribed to the within instrument as Attorney
In Fact of LA VINA L. HAIR, and acknowledged to me that he
subscribed the name of LA VINA L. HAIR thereto as principal,
and his own name as Attorney in Fact

Christy A. Arny
Notary Public
Residing at *Trinitvale, Idaho*
Commission expires: *8/4/98*

SCANNED
DEC 08 2003

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: **A67-07412**
Date Received: 11/ 2/1989
Receipt No: W006604
Received By: _____

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

1. Name: FRED HAIR
Address: 2230 KILBORN LANE
MESA ID

83643

OR

Name: LA VINA L HAIR
Address: 2230 KILBORN LANE
MESA ID

83643

2. Date of Priority: AUG 3, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	01W	22		NE	NW		ADAMS

5. Description of diverting works:

6" WELL, 120' DEEP, 3/4 HP PUMP W/PIPELINE TO HOME & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.140		28.00
DOMESTIC	01/01	12/31	0.040		1.20

7. Total Quantity Appropriated is:

0.180 C.F.S. (and/or) 29.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC USE FOR 1 HOME, STOCKWATER FOR 20 HD.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
15N	01W	22	NE		NW		IRR	7.0
			NE		NW		DOMEST	

Section Acres 7.0

Total Acres 7.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE.

14. Remarks:

AKA LOT 4, BLOCK 6, COUNCIL-MESA ORCHARDS SUBDIVISION.
OWNERSHIP CHANGED BY LH 8/29/94.

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 7-27-94

RECEIVED
AUG 16 1994

LEGAL DESCRIPTION OF PROPERTY: Township 15N Range 01W
Section 22 1/4 of 1/4 of 1/4 Govt. Lot 1, BM.
Lot 1, Block 1, Subdivision/Townsite 1.
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

AUG 17 1994

WATER RESOURCES
WESTERN REGION

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A67-07412
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Stanley L. Nelson or Billie B. Nelson
P.O. Box 46
Mesa, ID 83643
- ☐ New Owner/Claimant (Purchaser): Fred Hair or Lavina L. Hair
- ☐ New Mailing Address: 2230 Kilborn Lane
Mesa, ID 83643
- ☐ New Telephone Number: () _____ - _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: copy of recorded Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) Fred Hair Date 7/25/94
Lavina L. Hair Date 7/25/94
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 8-25-94 By: AD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 8-25-94 By: AD

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

OCT 23 1996

COPY

For Value Received STANLEY L. NELSON and BILLIE B. NELSON,
husband and wife

RECEIVED

AUG 16 1994

the grantors, do hereby grant, bargain, sell and convey unto

FRED HAIR and LA VINA L. HAIR, husband and wife

the grantees, whose current address is, *P.O. Box 309, Byers, TX 76357*

the following described premises, in Adams County, Idaho, to-wit:

See Attached Exhibit "A" which is made a part hereof

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

and that they will warranty and defend the same from all lawful claims whatsoever.

Date: July 25, 1994

Stanley L. Nelson
Stanley L. Nelson

Billie B. Nelson
Billie B. Nelson

STATE OF IDAHO)
) ss
COUNTY OF ADAMS)

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

On this 25th day of July, in the year of 1994, before me
a Notary Public, personally appeared
STANLEY L. NELSON and BILLIE B. NELSON
known or identified to me to be the person whose names are
subscribed to the within instrument, and acknowledged to me
that they executed the same

at 01 minutes past 2 o'clock PM.
this 27th day of July, 1994, in my
office, and duly recorded in Book -----
of Deeds at page -----

Christy A. Drury
Notary Public
Residing at *Franklin, Idaho*
Commission expires: *8/4/98*

MICHAEL FISK
Ex-Officio Recorder

By: *Leaggy Linkal*
Deputy

Fees \$ 6.00
Mail to: Timberline Title & Escrow
In person



MICROFILMED
OCT 23 1996

INSTRUMENT NO. 86393

EXHIBIT "A"

lot 4 of Block 6 of Council Mesa Orchards subdivision as shown on the official revised plat thereof on file and of record in Book 1 of Plats at page 21, records of Adams County, Idaho.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1994 which are a lien but not yet due or payable.

ROADS As now established and shown in Book 1 of Plats at page 21, records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental thereto asset forth in a document granted to IDAHO POWER COMPANY (n representation is made as to present ownership of easement), recorded as Inst. No. 33210, records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental thereto asset forth in a document granted to PEOPLES WEST COAST HYDRO-ELECTRIC CORP. (no representation is made as to present ownership of easement), recorded January 12, 1928 in Book 3 of Misc. at page 34 as Instr. No. 15807, records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental thereto asset forth in a document granted to IDAHO POWER COMPANY (no representations made as to present ownership of easement), recorded October 14, 1977 in Book 9M of Misc., at page 128 as Inst. No. 56679, records of Adams County, Idaho.

MICROFILMED

OCT 23 1996

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: A67-07412
Date Received: 11/02/1989
Receipt No: W0009694
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STANLEY L. NELSON 208-256-4365
Address: P.O. BOX 46
MESA, ID 83643

OR
Name: BILLIE B. NELSON 208-256-4365
Address: P.O. BOX 46
MESA, ID 83643

2. Date of Priority: AUG 03, 1978

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
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5. Description of diverting works:
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9. Non-irrigation uses:
DOMESTIC USE FOR 1 HOME, STOCKWATER FOR 20 HD.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	01W	22	NE	NW		IRR	7.0
			NE	NW		DOMEST	
					Section Acres		7.0
					Total Acres		7.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE.

14. Remarks:
AKA LOT 4, BLOCK 6, COUNCIL-MESA ORCHARDS SUBDIVISION.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Stanley S. Nelson Date: 11/2/89
Billie B. Nelson Date: 11/2/89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2nd day
of November 19 89 Jan Shente
Notary Public

Seal

Residing at Malden ID
My Commission Expires 9-14-94