

12/13/2006

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

RIGHT NUMBER: 67-14127

NAME AND ADDRESS: ROCKY J AND JEAN L PIETZ TRUST
1440 E 12TH ST
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/29/1977

POINT OF DIVERSION:

T11N R05W S28 NWSESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: DOMESTIC in WASHINGTON County

T11N R05W S28 SESW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 67-7362 is also diverted through point of diversion described above.

10/31/2006

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

RIGHT NUMBER: 67-14127

NAME AND ADDRESS: ROCKY J AND JEAN L PIETZ TRUST
1440 E 12TH ST
WEISER ID 83672

DARREL P SAWYER
1440 E 12TH ST
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/29/1977

POINT OF DIVERSION:

T11N R05W S28 NWSESW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

DOMESTIC

01/01 12/31

0.040 CFS

Domestic use is for 1 home.

PLACE OF USE: DOMESTIC Within WASHINGTON County

T11N R05W S28 SESW

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

The quantity of water decreed for this water right is not a determination of historical beneficial use.

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Right No. 67-7362 is also diverted through point of diversion described above.



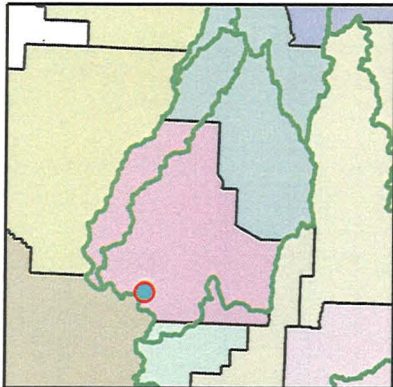
Idaho Department of Water Resources

SRBA Recommendation:

67-14127

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by J. Dean
On Tuesday, October 31, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14127 V1

WATER RIGHT NUMBER: 67-14127 V1

<u>Owner Type</u>	<u>Name and Address</u>
Present Owner	ROCKY J AND JEAN L PIETZ TRUST 1440 E 12TH ST WEISER, ID 83672
Current Owner	DARREL P SAWYER 1440 E 12TH ST WEISER, ID 83672 (208)549-2078

Priority Date: 06/29/1977

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SE1/4SW1/4	Sec. 28, Twp 11N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N 05W 28												X					

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.
3. 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.
4. X01 Domestic use is for 1 home.
5. F05 Right No. 67-7362 is also diverted through point of diversion described above.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-14127 V1

Comments:

1. jdean 10/31/2006 Small Domestic

Comment: This small domestic right was recommended as claimed. N-codes added.

2. jdean 10/31/2006 Present Owner

Comment: Rocky J and Jean L Pietz Trust was added as a present owner based on the address for the tax lot.

3. jdean 10/31/2006 POU

Comment: The POU was determined by selecting the tax lots and finding the correct tax lot based on the address filed on the original claim.

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:

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			10/31/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/31/2006 11:10:46 AM	jdean	Updated PLS
POU	10/31/2006 11:11:47 AM	jdean	Updated shape for Active POU
POU	10/31/2006 11:11:56 AM	jdean	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14127 V1

Summary	10/31/2006 11:16:00 AM	jdean	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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? (Yes) 10. Would you like to set the verification date?
POD	10/31/2006 11:10:30 AM	jdean	Updated shape
POU	10/31/2006 11:12:30 AM	jdean	Updated PLS for Active POU

Water Supply Bank:

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 67-14127
Date Received: 10/8/1997
Receipt No: W023134
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROCKY J AND JEAN L PIETZ TRUST Phone: (208)549-2199
1440 E 12TH ST
WEISER ID USA 83672

2. Date of Priority: 06/29/1977

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	05W	28	NW SE SW	WASHINGTON	

5. Description of diverting works:

WELL, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 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
11N	05W	28	SE	SW	DOMESTIC	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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

RECEIVED
DEC 07 2006
DEPARTMENT OF
WATER RESOURCES

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
67-14127					
67-07362					

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

- N/A* ☒ 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) Darrel P Sawyer ; Lorraine A Sawyer
1440 E. 12th St, Weiser ID 83672
4. New Owner/Claimant(s) Rocky J. Pietz and Jean L. Pietz Revocable Trust w/JA
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or dated August 4, 1998
- New Mailing Address 1440 E. 12th St.
- City, State and ZIP Code Weiser ID 83672
- New Telephone Number (208) 549-2199
5. Date you acquired the property March 25, 2005

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DEC 07 2006

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) *Robert J. Pelt*
(include title if applicable) *Robert J. Pelt*

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 _____	Date _____	Fee <u>N/A</u>	SCANNED
Received by _____	Date _____	Receipt No. _____	
Processed by <u><i>JZ</i></u> AJ	Date <u>12-13-06</u>	WR _____ Date _____	

DEC 07 2006



PO BOX 591
128 EAST MAIN ST.
WEISER, ID 83672
PH (208) 414-1792
FX (208) 414-1794

June 8, 2005

ROCKY J. and JEAN L. PIETZ
1440 E 12TH STREET
WEISER ID 83672

OUR NO. : W11083
YOUR NO. :
REGARDING : SAWYER

WE ENCLOSE HERewith THE FOLLOWING:

- 1) POLICY OF TITLE INSURANCE
- 2) RECORDED DOCUMENT:
 - a) WARRANTY DEED/INSTRUMENT NO. 196752

THANK YOU FOR DOING BUSINESS WITH US!

SINCERELY,

AMERITITLE

A handwritten signature in black ink, appearing to read 'Lynn Winegar', with a large, stylized initial 'L' and a trailing flourish.

LYNN WINEGAR
TITLE ASSISTANT
ENC.

SCANNED

DEC 07 2006

AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY
(10-17-92)

Policy No. 72106- 1000000

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:

James A. Miller

President

ATTEST:

John C. Miller

Secretary

SCANNED

DEC 07 2006



TRANS TYPE	SI IND	INF END		CODE	CODE	CODE	CODE		REISSUE AMOUNT		ST	PROP TYPE

OWNERS

SCHEDULE A

OFFICE FILE NUMBER	POLICY NUMBER	DATE OF POLICY	AMOUNT OF INSURANCE	PREMIUM AMOUNT
W11083	72106-1181818	MARCH 25, 2005 AT 3:44PM	\$295,000.00	\$1,190.00

- Name of Insured:
ROCKY J. PIETZ and JEAN L. PIETZ REVOCABLE TRUST U/T/A dated August 4, 1998
- The estate or interest in the land which is covered by this Policy is:
FEE SIMPLE
- Title to the estate or interest in the land is vested in:
ROCKY J. PIETZ and JEAN L. PIETZ REVOCABLE TRUST U/T/A dated August 4, 1998
- The land herein described is encumbered by the following mortgage or trust deed, and assignments:
NONE
and the mortgages or trust deeds, if any, shown in Schedule B hereof.
- The land referred to in this Policy is described as follows:
WASHINGTON COUNTY, IDAHO:
SEE ATTACHED EXHIBIT "A"

SCHEDULE B**EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

1. Rights or claims of parties in possession not shown by the public records.
2. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.
3. Easements, or claims or easements, not shown by the public records.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matter excepted under (a), (b), or (c) are shown by the public records.
6. Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

Special Exceptions: The mortgage, if any, referred to in Item 4 of Schedule A.

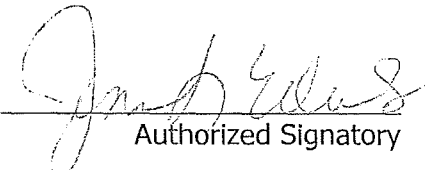
1. Taxes for 2005 are an accruing lien and not yet due or payable.
2. Liens, levies and assessments of the Monroe Creek Irrigation District, or any and all irrigation districts or laterals, and the rights, powers and easements of said district as by law provided.
3. Liens, levies and assessments of Local Improvement District #87-1, which are assessed with the taxes.
4. Mineral reservation contained in Deed from Monroe Creek Irrigation District to J.W. Hand; recorded July 23, 1938 in Book 58 of Deeds at page 254, records of Washington County, Idaho, substantially as follows...reserved all oil, gas and mineral rights in said SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28 Twp. 11 N., R. 5 W. B.M...

CONTINUED

SCHEDULE B (STANDARD COVERAGE)
OWNERS FORM

SCANNED

DEC 07 2008 Countersigned


Authorized Signatory

SCHEDULE B CONTINUED

5. Easement granted the Mountain States Telephone and Telegraph Co., recorded February 18, 1929 in Book 50 of Deeds at page 44, Official Records.
6. Easement granted the American Telephone and Telegraph Co., recorded September 22, 1941 in Book 61 of Deeds at page 164, Official Records.
7. Easement granted the Mountain States Telephone and Telegraph Co., recorded August 20, 1964 in Book 85 of Deeds at page 304, Official Records.
8. Powerline easement granted IDAHO POWER CO., recorded February 16, 1977 as Instrument No. 109555, Official Records.
9. Powerline easement granted IDAHO POWER CO., recorded February 6, 1980 as Instrument No. 119177, Official Records.
10. Building Restrictions contained in Deed recorded August 5, 1976 as Instrument No. 107873, Official Records.
11. A 30 foot wide road right-of-way along North boundary as reserved in Deed recorded August 5, 1976 as Instrument No. 107873, Official Records.
12. Ingress-egress easement granted in Deed recorded August 2, 1978 as Instrument No. 114379, Official Records.
13. Water line easement recorded as Instrument No. 150136, Official Records.
14. Road Maintenance Agreement recorded September 22, 1997 as Instrument No. 170631, Official Records.
15. Terms and conditions contained in Deed to Washington County, recorded May 19, 1999 as Instrument No. 176335, Official Records.
16. All matters, covenants, conditions, restrictions, easements and any rights, interest or claims which may exist by reason thereof, disclosed by Record of Survey recorded May 17, 1979, as Instrument No.117059, but deleting any covenants, conditions or restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).

End Schedule B

SCHEDULE B (STANDARD COVERAGE)
OWNERS FORM

SCANNED

Discontinued
Counter 2006
Authorized Signatory

EXHIBIT "A"

In the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 28, Township 11 North, Range 5 West of B.M., Washington County, Idaho:

Commencing at the Northwest corner of the SE $\frac{1}{4}$ of said SW $\frac{1}{4}$;

Thence S 89°51'49" E a distance of 300.00 feet to the TRUE POINT OF BEGINNING;

Thence S 89°51'49" E a distance of 300.00 feet;

Thence S 0°08'11" W parallel to the West Boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 740.00 feet;

Thence N 39°51'49" W a distance of 300.00 feet;

Thence N 0°08'11" E parallel to the West Boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 740.00 feet to the TRUE POINT OF BEGINNING;

SAVE AND EXCEPT that portion conveyed to Washington County by Deed recorded May 19, 1999 as Instrument No. 176335, Official Records.

SCANNED
DEC 07 2006

196752

W11083

WARRANTY DEED

For Value Received

DARREL SAWYER AND LORRAINE A. SAWYER, husband and wife

does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto

ROCKY J. PIETZ and JEAN L. PIETZ REVOCABLE TRUST U/T/A dated August 4, 1998

whose current address is

1440 E. 12TH STREET
WEISER, ID 83672

the following described premises, to-wit:

IN WASHINGTON COUNTY, IDAHO:

SEE ATTACHED EXHIBIT "A"

Instrument # 196752

WEISER, WASHINGTON, IDAHO

2005-03-25

03:44:00 No. of Pages: 2

Recorded for : AMERITITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 5.00

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantees theirs and assigns forever. And the said grantors does 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 encumbrances, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: MARCH 25, 2005

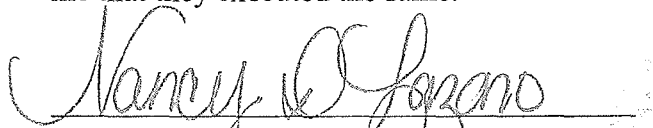

DARREL SAWYER


LORRAINE A. SAWYER

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 25 day of MARCH, 2005, before me, a notary public in and for the said State, Personally appeared
DARREL SAWYER AND LORRAINE A. SAWYER

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


Notary Public
Residing at Weiser, Idaho
Comm. Expires 10/03/07

SCANNED
DEC 07 2006

SECTION 20

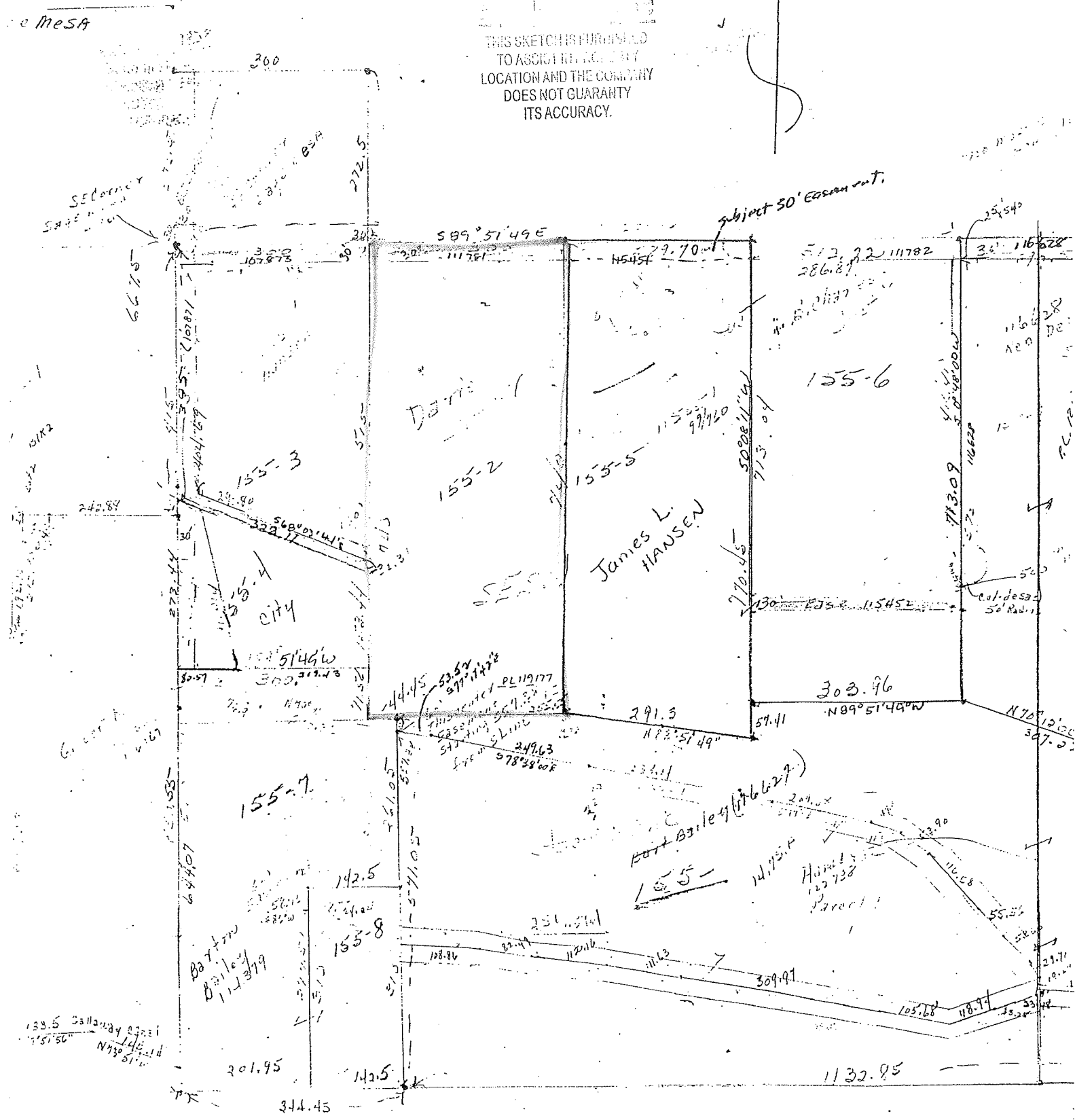
114-24

52 SW

PAT RES ①② 4/166

ELEMENTS OF

THIS SKETCH IS FURNISHED TO ASSIST IN LOCATING LOCATION AND THE COMPANY DOES NOT GUARANTY ITS ACCURACY.



SCANNED

DEC 07 2006

91

EXHIBIT "A"

In the E $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 28, Township 11 North, Range 5 West of B.M., Washington County, Idaho:

Commencing at the Northwest corner of the SE $\frac{1}{4}$ of said SW $\frac{1}{4}$;

Thence S 89°51'49" E a distance of 300.00 feet to the TRUE POINT OF BEGINNING;

Thence S 89°51'49" E a distance of 300.00 feet;

Thence S 0°08'11" W parallel to the West Boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 740.00 feet;

Thence N 39°51'49" W a distance of 300.00 feet;

Thence N 0°08'11" E parallel to the West Boundary of said E $\frac{1}{2}$ SW $\frac{1}{4}$ a distance of 740.00 feet to the TRUE POINT OF BEGINNING;

SAVE AND EXCEPT that portion conveyed to Washington County by Deed recorded May 19, 1999 as Instrument No. 176335, Official Records.



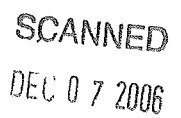
1979 flight Washington County
Corynn Schuman
Admin. program Assistant

CHURMAN
WASHINGTON AND COUNTY COMMITTEE
315 WEST 100 ST.
MUNICIPAL, IDAHO 83612

SCANNED

DEC 07 2006

1210



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: **A67-14127**
Date Received: 10/ 8/1997
Receipt No: W023134
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DARREL P SAWYER
Address: 1440 E 12TH ST
WEISER ID

208-549-2078

83672

2. Date of Priority: JUN 29, 1977

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	05W	28	NW	SE	SW		WASHINGTON

5. Description of diverting works:
WELL, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME, GARDEN ONLY

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11N	05W	28	SE	SW		DOMEST	

11. Place of use in counties: WASHINGTON

SCANNED
APR 12 2004

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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

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

CIVIL CASE NUMBER: 39576

Identification No. AL67-14127
Date Received 10-8-97
Receipt Number WD23134

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

OCT - 8 1997

WATER RESOURCES
WESTERN REGION

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) DARRE P. SAWYER Phone (208) 549-2078
Mailing Address 1440 E. 12th St. Zip 83672

2. Date of Priority (Only one per claim) JUNE 29, 1977 Month/Day/Year

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

4. Location of point of diversion is: Township 11 N. Range 5 W
Section 28, NW 1/4 of SE 1/4 of S.W. 1/4, Govt. Lot _____, BM.,
County of Washington

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. _____

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

For Domestic purposes from 1/1 Month/Day to 12/31 Month/Day amount .04 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed .04 (cfs)

8. Total consumptive use claimed is de minimus

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

10. Place of use is: Township: 11.N Range 5W

Section 28, NW 1/4 of SE 1/4, Govt. Lot SW, B.M.,

County of Washington for (Circle One) Domestic Stock Domestic and Stock

Additional places of use, if any _____

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

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

14. Remarks: _____

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

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ 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) [Signature] Date Oct 7, 1997
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

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

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 7th day of October 19 97

SEAL

Notary Public Patty J. Lewis

Residing at Weiser, Idaho

My Commission Expires 10-15-99

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant