

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: A36-07705
Date Received: 3/22/1989
Receipt No: S006640
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GENE KENNER 208-825-5051
Address: 1553 HUNT RD.
JEROME, ID 83338

2. Date of Priority: MAY 16, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	19E	3	SW	SE	NE		JEROME

5. Description of diverting works:
WELL, PUMP & GRAVITY FLOW.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.090		668.00

7. Total Quantity Appropriated is:
2.090 C.F.S. (and/or) 668.00 A.F.A.

8. Total consumptive use is 501.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	19E	3	NE	NE		IRR	38.0
			NW	NE		IRR	38.0
			SW	NE		IRR	36.0
			SE	NE		IRR	38.0

A36-07705

Page 1

Date: 03/22/89

MICROFILMED
FEB 04 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	19E	3	NE	NW		IRR	6.0
			SE	NW		IRR	10.0
			NW	SE		IRR	1.0
Section Acres							167.0
Total Acres							167.0

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:
MINER-GOODING CANAL WTR.

14. Remarks:

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): Eugene Kenner Date: 3-22-89

Date: _____

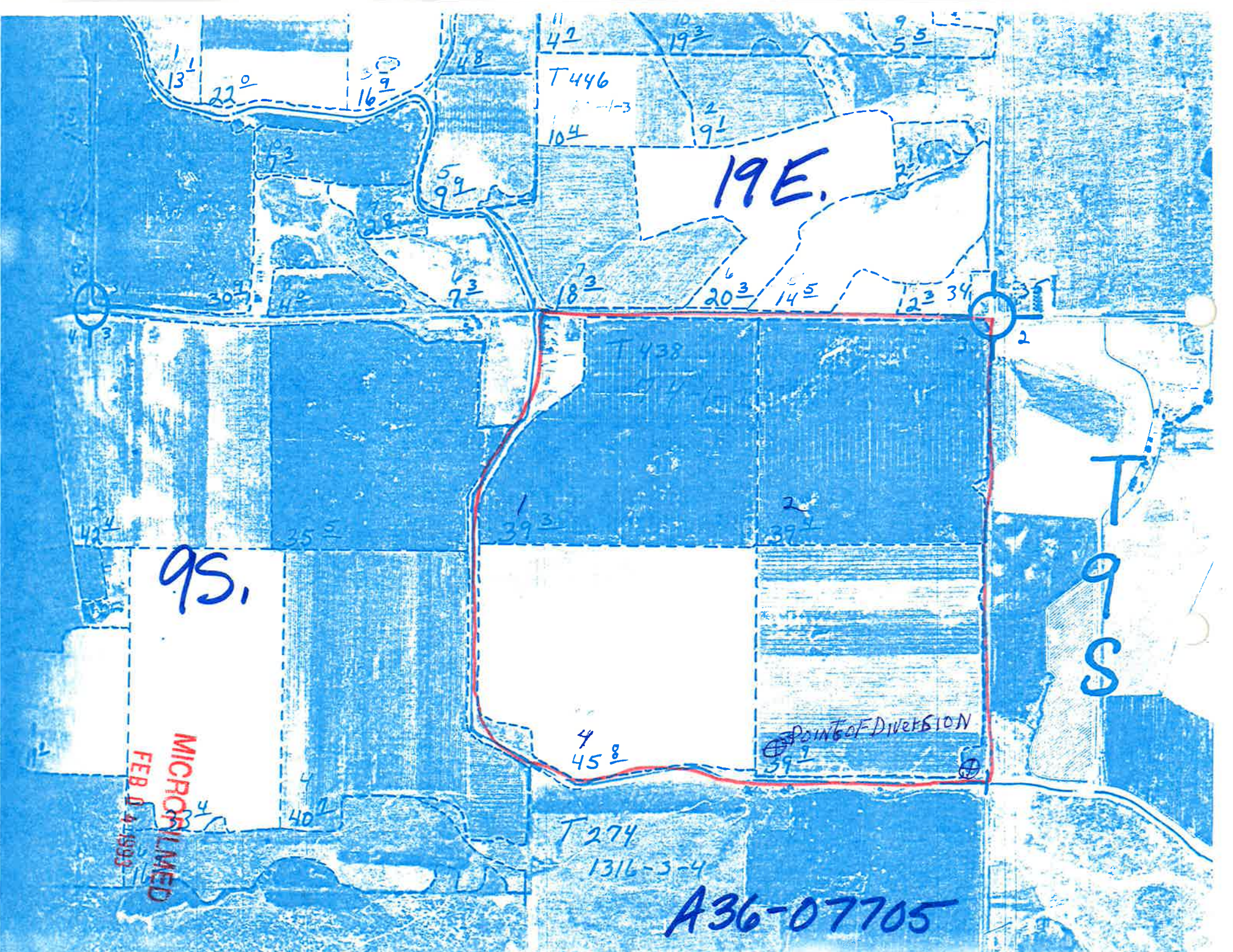
State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 22ND day
of March 19 89

Steve Call
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994



T 446

19E.

T 438

T
9
S

9S.

T 274

1316-3-4

POINT OF DIVERSION

MICROFILMED
FEB 14 1993

A36-07705

Log for claim 36-07705

Spatial Dynamics LTD

8/29/01

TR	SEC	QQ	Acres Recommended	Acres Found	COMMENT
09s19e	3		16	13	
09s19e	3		76	83	
09s19e	3		75	75	
09s19e	3		0	0.7	
Totals:			167	171.7	

GENE KENNER

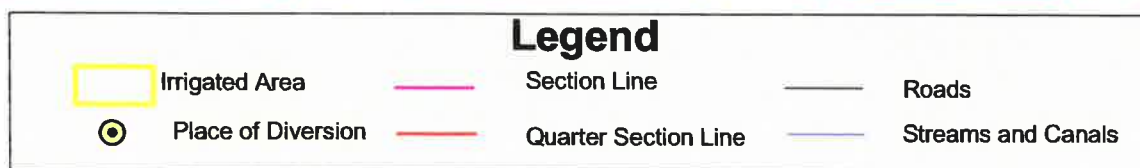
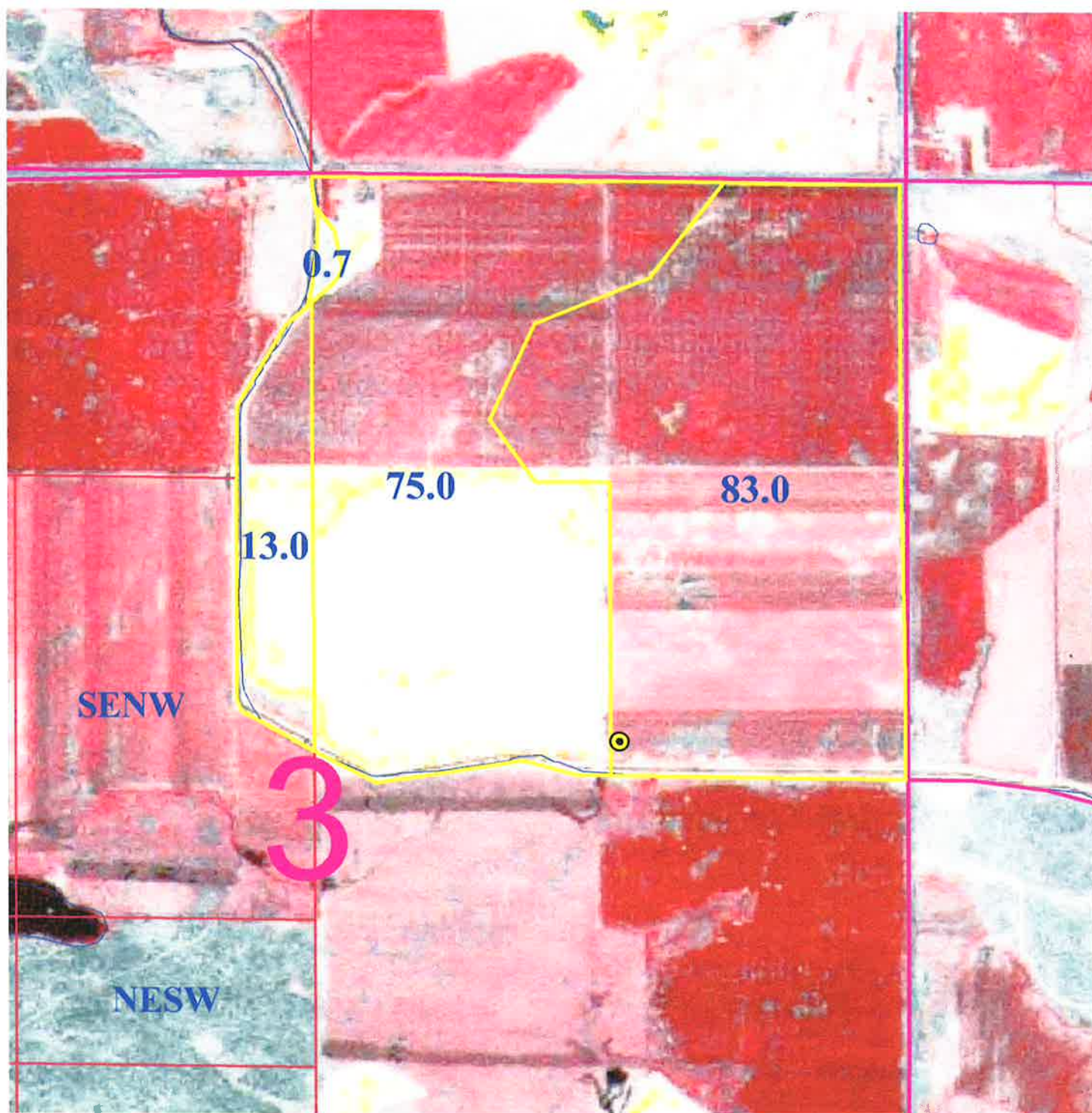
801 ~~254~~ 254-7308

Bruce (651-6474 m)



Water Right Claim Number 36-07705
Township , 9S19E

08/29/2001



500 0 500 1000 Feet



SPATIAL
DYNAMICS

TELEPHONE CONVERSATION

MEMORANDUM

____ INCOMING CALL
✓ OUTGOING CALL
____ RETURNING CALL

10 50 / 10 53

TO: MR & MRS SIMON / MARY ELLEN BOTH
DATE: 02-10-98 (MAY ANNUAL)
FROM: FH 360-892-4525
FILE: 36 decile rt. VANCOUVER, WA.
FILE NO: 36-07705
SUBJECT: ownership

REMARKS:

Seller was in and p/v-1409 to change ownership saying it hadn't been done.
Reviewed w/ Trish, as usual, she thought it had been done. Checked w/ JR - she had.
Looked up AT 2 record - called new owner to explain. Seller's phone has been disconnected.

ROUTING INSTRUCTIONS:

CALENDAR DATES:

FH/ABH

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-07705

1997 DEC 16 AM 11:20

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: ANNA MARIE THOMAS
1553 HUNT RD
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 2.09 CFS
668.0 AFY

PRIORITY DATE: 05/16/1977

POINT OF DIVERSION: T09S R19E S03

SWSENE

Within JEROME County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
2.09 CFS
668.0 AFY

PLACE OF USE: IRRIGATION
T09S R19E S03
167 ACRES TOTAL

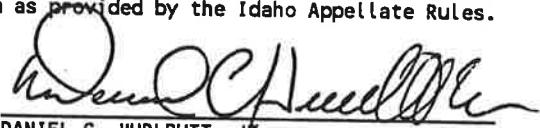
Within JEROME County
Lot 1 (NENE)38
Lot 3 (NENW) 6
Lot 2 (NWNE)38
SENE 10

SWNE 36
NWSE 1

SENE 38

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-07705

PAGE 1
DEC-12-1997

COPY

CLOSING INSTRUCTIONS TO LAND TITLE AND ESCROW, INC.

Closing No. J-26204

Date: January 16, 1998

We, the undersigned, hereby instruct LAND TITLE AND ESCROW, INC., hereinafter referred to as "Closing Agent", when in receipt of all documents and monies as set out herein, to close this transaction according to the following instructions and information: The parties have entered into an Agreement for the purchase and sale of subject property entitled **SALE AGREEMENT & RECEIPT FOR EARNEST MONEY** and dated **JANUARY 9, 1998**, hereinafter referred to as the Agreement. The closing agent is hereby instructed to close the transaction in accordance with the terms of the Agreement as well as these instructions. **HOWEVER**, in the event the terms of the Agreement and the terms of these Instructions shall conflict, the terms of these instructions shall control.

PROPERTY: TRACT A AND B IN SECTION 3 T.9S.R.19E., B.M. JEROME COUNTY, IDAHO

BUYER: SIMON A. ROTH and MARY ELLEN ROTH, husband and wife

SELLER: ANNA MARIE THOMAS an unmarried woman

TERMS: Sale Price ~~\$125,000~~

Payable as follows:

Earnest Money Deposit: \$ 10,000.00 held by LAND TITLE AND ESCROW, INC.

New Loan \$ from

Purchase Money Deed of Trust \$ from

Cash Required at Closing ~~\$24,000~~

(All assumption balances set out above shall be adjusted if necessary to the actual balances upon written verification from lender. If this transaction involves a new loan, these instructions must conform with the instructions from said lender.)

PRORATION DATE: March 9, 1998 CLOSING DATE: January 16, 1998 The closing agent is instructed to prorate all items to be prorated as of the proration date with the Seller being responsible for all such items up to but not including the date of proration and the Buyer being responsible for such items from and including the date of proration.

The property taxes for 1998 shall be prorated on the basis of 1997 tax assessed in the amount of \$1,736.06. The parties hereto acknowledge that there may be a difference between the amount of taxes prorated and the actual tax assessment ultimately levied. The parties further acknowledge that under Idaho Code Sections 63-403, 63-2203, and Title 63, Chapter 39 "New and Additional Assessments", "Adjustments of Taxes by the Board of Commissioners", and "Tax on Newly Constructed and Occupied Residential and Commercial Structures", additional taxes may be levied. The parties hereto agree to hold the closing agent harmless for any proration difference or additional taxes and agree to promptly adjust any such difference between themselves. The closing agent shall not prorate any utility charges, unless specifically instructed to do so.

COSTS: The following items shall be paid by BUYER (B), SELLER (S), DIVIDED BETWEEN BUYER AND SELLER EVENLY UNLESS OTHERWISE STATED (D), or PAID OUTSIDE CLOSING (POC).

poc Attorney's Fees D Title Insurance, Owners Policy

B Closing Fee N/A Title Insurance, Loan Policy

N/A Assumption Fee N/A Initial Escrow Fee

N/A Escrow Collection Fee B Hazard Insurance

N/A Real Estate Commission % (\$) to

Real Estate Commission % (\$) to

TITLE INSURANCE: Insurer LAND TITLE AND ESCROW, INC. Order No. J-26204

(X) Standard () Extended coverage owners policy Amt. ~~\$20,000~~

() Standard () Extended coverage loan policy Amt. \$

When the closing agent has received all properly executed documents and all funds necessary for the completion of this transaction and the title insurer is in a position to issue the type of policy(s) set out above, subject only to the General Exceptions on Schedule B-Section I and Special Exceptions No.'s 8 THROUGH 13 as set out in their commitment dated **JANUARY 7, 1998**, and any documents recorded in connection with this transaction, the closing agent is hereby authorized and instructed to record or file all necessary documents and disburse funds deposited in accordance with the amounts shown on the closing statement. Minor adjustments may be made for additional interest due to delay in disbursing or other minor items beyond the control of the closing agent, for which the respective party shall be given an accounting.

1
COPY

In the event this transaction does not close for any reason, the closing agent shall be entitled to reimbursement for any and all cost expended by it and shall be further entitled to an escrow cancellation fee and the parties thereto agree to be jointly and severally liable for same. Further, any earnest money deposited with the closing agent shall be refunded only upon written instructions from the parties hereto, EXCEPT that, in the event the earnest money has been deposited by the Broker, the closing agent is hereby authorized to refund same to the broker's trust account for his disposition to the parties and in the event the closing agent has incurred expenses in connection herewith, the closing agent shall be entitled to retain so much of the earnest money as it is entitled to hereunder for the reimbursement of said expenses.

The closing agent shall have no responsibility for compliance with any truth-in-lending, usury or consumer protection laws of the United States or The State of Idaho, nor any governmental regulations including but not limited to zoning or subdivision ordinances.

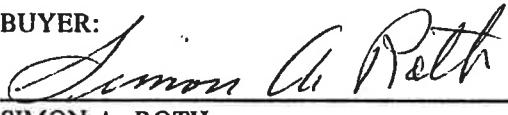
The closing agent is directed to comply with the instructions contained in these instructions and the parties hereto agree to indemnify and hold harmless the closing agent from any and all actions or losses related hereto other than failure to comply herewith, including but not limited to any attorney's fees or costs incurred by the closing agent in defending itself in any such action.

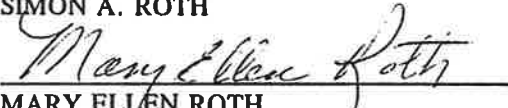
BY THEIR EXECUTION OF THESE INSTRUCTIONS, THE BUYER AND SELLER ACKNOWLEDGE THE FOLLOWING:

- 1) The closing agent is not acting as a representative of either party,
- 2) The documents prepared in connection with this transaction will affect the legal rights of the parties, and the parties rights or interests in those documents may differ,
- 3) Any documents typed by the closing agent have been done so at our direction or the direction of our counsel,
- 4) The closing agent is not licensed to practice law and no legal advice, advice as to the content of the documents, nor advice as to the merits of the transaction has been offered by the closing agent,
- 5) Copies of the Subdivision Plat and Restrictive Covenants where applicable,
- 6) There is currently pending in the District Court, Fifth Judicial District, State of Idaho in and for the County of Twin Falls in Civil Case No. 39576 (the general adjudication of rights to the use of water from the Snake River Basin Water system). The parties may have claims to water rights that are affected in this case. The parties need to make an independent investigation of the claims, because they are matters outside the closing and for which Land Title and Escrow, Inc. is unable to perform services in regards to the water claims,
- 7) Land Title and Escrow, Inc. shall not be responsible for any penalties, or loss of principal or interest or any delays in the withdrawal of the funds which may be imposed by the Depository as a result of the making or redeeming of the investment pursuant to our instructions, nor shall Land Title and Escrow, Inc. be liable for any loss or impairment of funds while those funds are on deposit in a financial institution if such loss or impairment results from the failure, insolvency or suspension of financial institution.
- 8) Idaho Code 55-2501, et seq. is known as the "Idaho Property Condition Disclosure Act" and this transaction may be affected by the Act. Land Title has advised you to seek separate advice regarding the law and Land Title has not given you any advice about the law that is not contained in these Closing Instructions. With the execution of these Closing Instructions you are certifying that compliance with the law, if applicable, has been accomplished outside of closing.
- 9) THE CLOSING AGENT HAS ADVISED THE PARTIES HERETO TO SEEK THE ADVICE OF INDEPENDENT COUNSEL IF ANY PART OF THIS TRANSACTION IS NOT FULLY UNDERSTOOD.

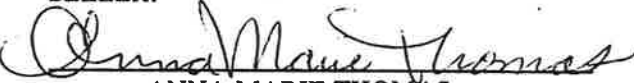
ADDITIONAL INSTRUCTIONS:

BUYER:


SIMON A. ROTH


MARY ELLEN ROTH

SELLER:


ANNA MARIE THOMAS

LAND TITLE AND ESCROW, INC.

BY: 

COPY

AJ0743NP
(OD-124)IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)01/21/98 13:35:18
Page 1

Water Right Number - 36-07705

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
ROTH

SIMON A

1 - 17400 NE 88TH ST
2 -
3 -City- VAN COUVER
Phone - 360-892-4525

State- WA Zip- 98682

ROTH

MARY ELLEN

1 - 17400 NE 88TH ST
2 -
3 -City- VAN COUVER
Phone - 360-892-4525

State- WA Zip- 98682

*** D - DIR RPT OWNER ***
KENNER

GENE

1 - 9783 SOUTH 2340 WEST
2 -
3 -City- SOUTH JORDAN
Phone - 801-254-7308

State- UT Zip- 84065

*** O - ORIGINAL OWNER ***
THOMAS

ANNA MARIE

1 - 1553 HUNT RD
2 -
3 -City- JEROME
Phone - 208-825-4237

State- ID Zip- 83338

+ - - Priority Date - - +
05/16/1977+ - - - Region - - - +
17 SOUTHERN+ - - - Stage - - - +
D - DECREED

+ - - - Status - - - +

+ - - - - Source - - - - - +
GROUNDWATER

+ - - - - Tributary - - - - - +

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

Twn	Rng	Sec	Tract	Lot	RFlg	County
09S	19E	3	SW SE NE		(53)	JEROME

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	04/01	10/31	2.090	668.00

Total Div. Rate	Total Div. Volume	Total Consumptive Use	KW Usage
2.090	668.00	0.0	

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

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	19E	3	NE NE	1	38.0	01	IRRIGATION	(53) JEROME
09S	19E	3	NW NE	2	38.0	01	IRRIGATION	(53) JEROME
09S	19E	3	SW NE		36.0	01	IRRIGATION	(53) JEROME
09S	19E	3	SE NE		38.0	01	IRRIGATION	(53) JEROME
09S	19E	3	NE NW	3	6.0	01	IRRIGATION	(53) JEROME
09S	19E	3	SE NW		10.0	01	IRRIGATION	(53) JEROME

Water right number - 36-07705

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
09S	19E	3	NW SE		1.0	01	IRRIGATION	(53) JEROME
Total Acres:					167.0			

+ - - Diversion Means - WELL, PUMP & GRAVITY FLOW.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE CONDITIONS

Remarks
No Remarks found.

Old Water Right Numbers
No Old Water Right Numbers Found

Conditions of Approval
S03 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM - AMERICAN FALLS RESERVOIR DIST. NO. 2.

Decree Plaintiff	Decree Defendant	Decree Date
STATE OF IDAHO	UNITED STATES ET AL	12/16/1997

Comments
Date: 10/09/1992 User Id: GIVENS Subject: ADDRESS CHANGE ADDRESS CHANGE RECEIVED 10/9/92. Date: 06/09/1997 User Id: TBACKLUN Subject: NAME CHANGE OWNERSHIP CHANGE MADE WITH SF3. KENNER TO THOMAS Date: 01/21/1998 User Id: JROBERTS Subject: NAME CHANGE THE DATA IN THE NAME FILE WAS CHANGED WITHOUT THE ABOVE USER THE CURRENT OWNER OF THE WATER RIGHT. HOWEVER, THE CHANGE MAY WITHOUT CHANGING THE CURRENT OWNER OF THE WATER RIGHT. NOTING EXACTLY WHAT WAS CHANGED. TYPICALLY THIS CHANGE IS TO BE TO ADD OR DELETE AN ATTORNEY OR LIENHOLDER, FOR EXAMPLE,

+ - - Audit Fields - - +
01/21/98 JROBERTS

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	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 03/22/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S006640	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

**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.

1. Water Right No(s).: 36-07705
Adjudication Claim No(s).: 36-11189

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 attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant ANNA MARIE THOMAS
1533 HUNT ROAD

4. New Owner/Claimant(s) Jerome, Idaho
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address SIMON A. MARY ELLEN ROTH
City, State and ZIP Code 17400 N.E. 88th Van. Wash 98682
New Telephone Number (360) 892-4525

5. Date you acquired the property Jan 15 - 1998 in Jerome: (324-0048) son-Mike Roth

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.
Number of acres you irrigate 168 Number and type of stock ~~250 H&H New H&H~~
Diversion rate in CFS _____ Number of homes 1 Other uses _____
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 or Claimant(s) Simon A. Roth
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

#J-26204 ~

COPY

WARRANTY DEED

RECORDED
of Land Title & Escrow, Inc.
JAN 15 4 29 PM '98
JEROME COUNTY, IDAHO
-ES 3.001 DEP 112

980207

For Value Received

ANNA MARIE THOMAS an unmarried woman,

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

SIMON A. ROTH and MARY ELLEN ROTH, husband and wife
Address: 17400 N.E 88TH STREET, VANCOUVER, WA 98682

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

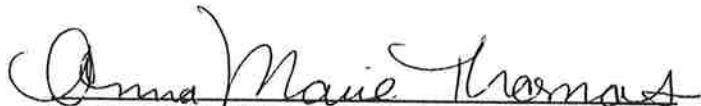
TOWNSHIP 9 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, JEROME COUNTY, IDAHO
SECTION 3: TRACT A and B

SUBJECT TO:

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

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: January 15, 1998


ANNA MARIE THOMAS

STATE OF IDAHO)

) ss.

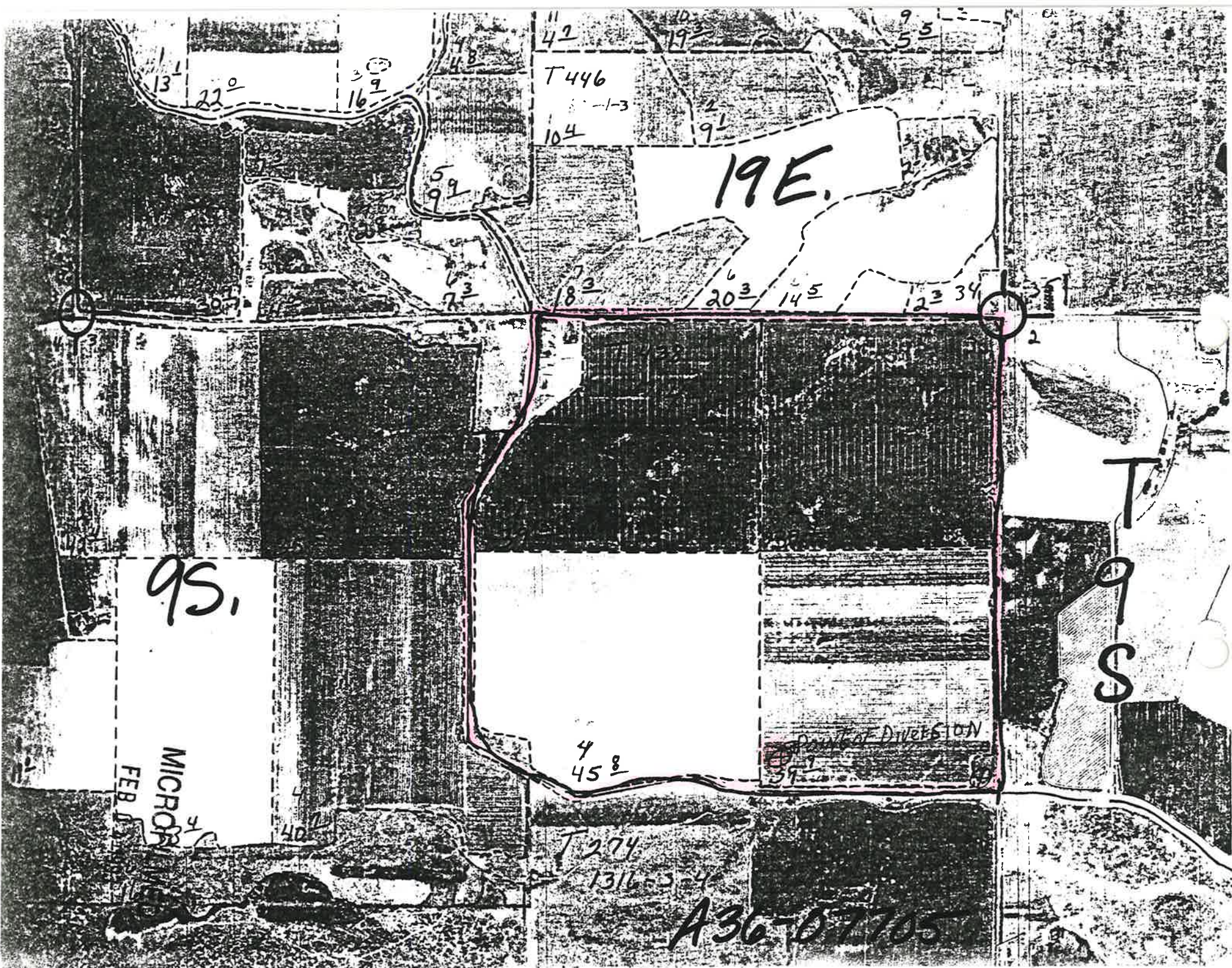
COUNTY OF JEROME)

On this 15th day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared ANNA MARIE THOMAS and , known or identified to me to be the person whose name IS subscribed to the within instrument, and acknowledged to me that SHE executed the same.


Notary Public

Residing at:

My Commission expires:





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 21, 1998

SIMON A AND MARY ELLEN ROTH
17400 NE 88TH ST
VAN COUVER WA 98682

Re: Ownership Change for Partial Decrees 36-07705 & 36-11189
THOMAS/ROTH

Dear Claimants:

Pursuant to notification that you presently own the property in which the above referenced Partial Decrees are appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the decree noting the change in ownership.

Please review the record and if you have any corrections or questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the printed name.

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures

#J-26204 ~

COPY

WARRANTY DEED

RECORDED
of Land Title & Escrow, Inc.
JAN 15 4 29 PM '98
JEROME COUNTY, IDAHO
-ES 3.07 DEP AB

980207

For Value Received

ANNA MARIE THOMAS an unmarried woman,

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

SIMON A. ROTH and MARY ELLEN ROTH, husband and wife
Address: 17400 N.E 88TH STREET, VANCOUVER, WA 98682

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

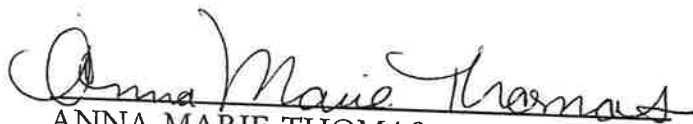
TOWNSHIP 9 SOUTH, RANGE 19 EAST OF THE BOISE MERIDIAN, JEROME COUNTY,
IDAHO
SECTION 3: TRACT A and B

SUBJECT TO:

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

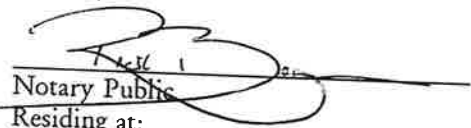
TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all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

Dated: January 15, 1998


ANNA MARIE THOMAS

STATE OF IDAHO)
COUNTY OF JEROME) ss.)

On this 15th day of January, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared ANNA MARIE THOMAS and , known or identified to me to be the person whose name IS subscribed to the within instrument, and acknowledged to me that SHE executed the same.


Notary Public

Residing at:

My Commission expires:

1997 AUG -8 PM 1:38

DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO
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. 36-07705

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):

Name and Address of Claimant/Seller(s):

Gene Kenner
9783 S 2340 W
South Jordan UT 84065

Phone: (801) 254-7308

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

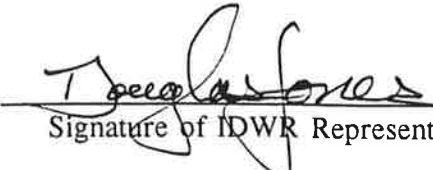
Anna Marie Thomas
1553 Hunt Rd
Jerome ID 83338

Phone: 825-4237

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: 8/7/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 8-8, 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:
Gene Kenner
9783 S 2340 W
South Jordan UT 84065
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Anna Marie Thomas
1553 Hunt Rd
Jerome ID 83338
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

AJ5856NP

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

DATE: JUN-24-1997

PAGE: A-7

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-07705

NAME & ADDRESS: ANNA MARIE THOMAS
1553 HUNT ROAD
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 2.09 CFS
668.0 AFY

PRIORITY DATE: 05/16/1977

POINT OF DIVERSION: T09S R19E S03 SWSENE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	2.09 CFS 668.0 AFY

PLACE OF USE:	IRRIGATION	Within JEROME County
	T09S R19E S03	Lot 1 (NENE)38 Lot 2 (NWNE)38 Lot 3 (NENW) 6
		SENW 10
	167 ACRES TOTAL	SWNE 36 SENE 38 NWSE 1

CONSUMPTIVE USE: 501.0 AFY

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE
USE OF THIS RIGHT IS COMBINED WITH WATER FROM
AMERICAN FALLS RESERVOIR DIST. NO. 2.



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

August 8, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ANNA MARIE THOMAS
1553 HUNT RD
JEROME ID 83338

RE: SRBA Claim(s) 36-07705

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: Gene Kenner

WARRANTY DEED

For Value Received

Eugene Kenner aka Eugene C. Kenner and Virginia Kenner aka Virginia B. Kenner, Husband and Wife

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

Jim Thomas and Anna Marie Thomas, Husband and Wife

Whose Address is: 1553 Hunt Road, Jerome ID 83338
Hereinafter called the grantee, the following described premises, in Jerome County, Idaho,
to-wit:

See Attached Exhibit "A"

910857
RECORD REQUEST
FIRST AMERICAN TITLE COMPANY
MAR 15 3 52 PM '91
JEROME COUNTY, IDAHO
FEES 6.00 DEPOSIT

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

Dated: 3/14/91

Eugene Kenner
EUGENE KENNER aka EUGENE C. KENNER

Virginia Kenner
VIRGINIA KENNER aka VIRGINIA B. KENNER

STATE OF IDAHO, COUNTY OF Twin Falls
On this 15th day of March, 19 91
before me, a notary public in and for said State, personally appeared Eugene Kenner aka Eugene C. Kenner and Virginia Kenner aka Virginia B. Kenner, Husband and Wife

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

[Signature]
Notary Public
Residing at Twin Falls, Idaho
Comm. Expires 4-28-92

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book _____
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$ _____
Mail to: _____

INSTRUMENT NO.

EXHIBIT "A"

PARCEL I:

Lots 7 and 8 and the North one-half of the South one-half of the Southwest Quarter of Section 3, Township 9 South, Range 19, East of the Boise Meridian, Jerome County, Idaho.

AND

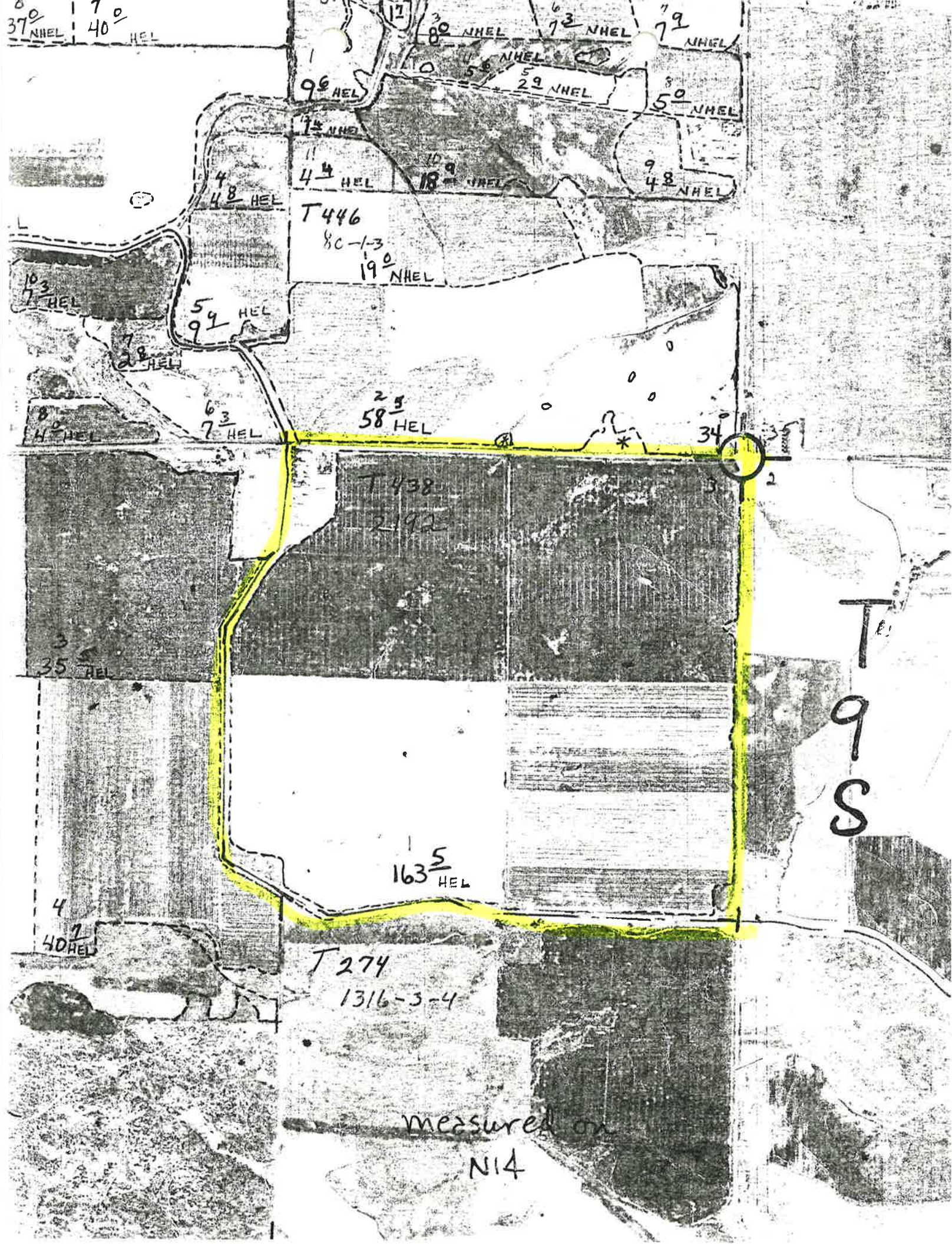
Tract A of Section 3, Township 9 South, Range 19, East of the Boise Meridian, Jerome County, Idaho.

PARCEL II:

Lot 6 and the Southeast Quarter of the Southeast Quarter of Section 4, Township 9 South, Range 19, East of the Boise Meridian, Jerome County, Idaho.

PARCEL III.

The Northeast Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 9, Township 9 South, Range 19, East of the Boise Meridian, Jerome County, Idaho.



37° NHEL 17° 40° NHEL

T446
80-1-3
19° NHEL

T438
2192

163⁵ HEL

T274
1316-3-4

measured on
N14

T
9
S

374-3357



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

JUNE 25, 1997

RECEIVED

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUG 07 1997

ANNA MARIE THOMAS
1553 HUNT RD
JEROME ID 83338

Department of Water Resources
Southern Region

RE: OWNERSHIP CHANGE

DEAR MS. THOMAS:

THIS LETTER IS IN REGARDS TO THE OWNERSHIP CHANGE THAT WAS SENT TO YOU RECENTLY. FURTHER INFORMATION WILL BE NEEDED.

A DEED STATING THAT KENNER TURNED OVER THIS PROPERTY TO YOU (LIKE A WARRANTY DEED), AND A FSA MAP (FORMERLY KNOWN AS AN ASCS MAP) IS NECESSARY. I APOLOGIZE FOR THE INCONVENIENCE. EVERYTHING WILL BE IN ORDER WHEN THESE ITEMS ARE SENT TO US.

I AM ENCLOSING A SELF-ADDRESSED ENVELOPE. IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE. I THANK YOU FOR YOUR TIME.

SINCERELY,

A handwritten signature in blue ink that reads "Tara L. Backlund".

TARA L. BACKLUND
S.R.B.A. RECORDS CLERK

ENCLOSURES

AJ0749NP
No. 36-07705

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

DATE: 06/09/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANNA MARIE THOMAS 1553 HUNT ROAD JEROME ID 83338 (208) 825-4237	05/16/1977	IRRIGATION	04-01 10-31	2.09 CFS	668.00 AFA
					TOTAL DIVERSION:	2.09 CFS
					CONSUMPTIVE USE:	668.00 AFA 501.00 AFA

D GENE KENNER
9783 SOUTH 2340 WEST
SOUTH JORDAN UT 84065
(801) 254-7308

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T09S R19E S03 SWSENE

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	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM
09S	19E	3	: 01-38	02-38		36		38	: 03-06						10	:			:						:
																							01	:	167.0
																							TOTAL ACRES	:	167.0

POU County: JEROME

Other Rights: SEE CONDITIONS

Conditions of Approval:
S03 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- AMERICAN FALLS RESERVOIR DIST. NO. 2.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



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

JUN 11, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ANNE MARIE THOMAS
1553 HUNT ROAD
JEROME ID 83338

RE: SRBA CLAIM(S): 36-11189, 07705

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S), WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THESE COPIES ARE FOR YOUR RECORDS.** PLEASE REVIEW THESE RECORDS FOR ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

A handwritten signature in cursive script, reading "Tara L. Backlund".

TARA L. BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

RECEIVED

MAR 14 1997

Department of Water Resources
Southern Region

1995 MAR 22 PM 12:24

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

) ORDER AMENDING:

)
) STANDARD FORM 3 STANDARD NOTICE OF
) CHANGE IN ADDRESS OR CONSENT TO
) SUBSTITUTION OF PARTY AND

)
) STANDARD FORM 4 MOTION TO FILE A
) LATE NOTICE OF CLAIM

Standard Forms 3 and 4 were adopted on June 21, 1993.

IT IS ORDERED that Standard Form 3 shall not be used for water rights which are
1) not recommended in a director's report or 2) have not been claimed in the SRBA through the
Notice of Claim procedure. Only water rights properly before the court can be the subject of
a Standard Form 3.

Standard Form 4 has been amended to allow domestic and stock water users to either
1) reinstate their Notice of Claim or 2) file a late Notice of Claim for a domestic or stock water
use as more specifically described by *SRBA Administrative Order No. 10 Order Governing
Procedures in the SRBA for Domestic and Stock Water Uses* dated March 22, 1995.

IT IS SO ORDERED.

DATED March 22, 1995.



DANIEL C. HURLBUTT, JR.

Presiding Judge

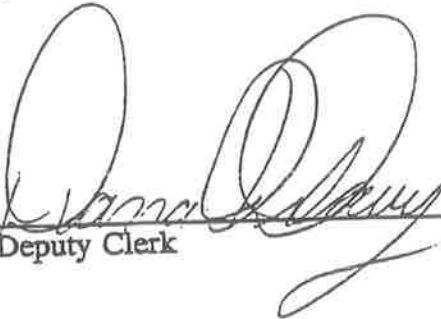
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER AMENDING: STANDARD FORM 3 STANDARD NOTICE OF CHANGE IN ADDRESS OR CONSENT TO SUBSTITUTION OF PARTY AND STANDARD FORM 4 MOTION TO FILE A LATE NOTICE OF CLAIM was mailed on March 22, 1995, with sufficient first-class postage to the following:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

The United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, Box 33
Boise, ID 83724


Deputy Clerk

RECEIVED

MAR 14 1997

Department of Water Resources
Southern Region

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

)
)
)
)
)
)
)

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

INSTRUCTIONS FOR USE

This form is to be used to provide notice of a change in address of a party or to substitute a party whose water right was recommended in a director's report. *The filing of Standard Form 3 cannot result in a contested matter and a hearing will not be scheduled.* If completed as directed, the form will be accepted by the court and no further orders will issue. Standard Form 3 shall not operate to excuse compliance with the statutory requirements of I.C. § 42-1409(7) (1986) where a water right recommendation is not before the court.

This form has been adopted by the court in Re SRBA, Twin Falls County Case 39576, *SRBA Administrative Order 1 Rules of Procedure* (amended 6/21/93), Section 4Ac(3), which may be consulted for further information.

A party may copy or reproduce the standard form. The text of the form must be on the front and back of each page, exactly as it appears here. Follow the instructions on the form or it will not be accepted for filing. The Verification and the Certificate of Mailing must be completed.

Standard forms may be obtained from the Idaho Department of Water Resources or the SRBA Court.

CHANGE IN ADDRESS

You must use this form to advise the court and parties of any change in your address during the pendency of the SRBA.

You must provide a copy of the completed form to each party or if the party is represented by an attorney you must serve the attorney in every subcase in which you are a party.

No hearing will be held and no further order will issue from this court.

My name is _____

I am the claimant of _____
(Insert each water right number)

I have filed an objection/response to the following water right(s) _____

(Insert each water right number)

My new mailing address is _____

My phone number is: Work _____ Home _____
(Go to Page 4)

CONSENT TO SUBSTITUTION OF PARTY

This form may only be used if a water right number is included as a "recommendation" in a director's report. *This form cannot be used for water rights that are not in a director's report or when portions of a water right are involved (i.e. where a water right is split).* You must use this form to substitute a new party into the SRBA.

You are to provide a copy of the completed form to every party in each subcase in which the new party is to be substituted. If the party is represented by an attorney you must serve the attorney. Because this is a "consent" form, it is a stipulation that there is no disagreement between the prior claimant/seller and the new claimant/purchaser that the prior claimant/seller has transferred all interests in the water right. No hearing will be held and no further order will issue.

"Prior claimant/seller" means any person who, pursuant to I.C. §§ 42-1409(2), (3) and (6) (1986), filed a notice of claim asserting the right to the use of water or on whose behalf the

right to the use of water was asserted. "New claimant/purchaser" means any successor in interest of the "prior claimant/seller," whether the interest is acquired by purchase, gift, inheritance or other means.

A *Consent to Substitution of Party (Substitution)* must be signed by the prior claimant/seller and the new claimant/purchaser. The Substitution shall be filed by the new claimant/purchaser.

I am the new claimant/purchaser of 36-11189 and 36-07705
(Insert each water right number)

My name is Anna Marie Thomas

My address is 1553 Hunt Road, Jerome, ID 83338

My phone number is: Work 733-1076 Home 825-4237

The name and address of the prior claimant/seller who I wish to be substituted for are:

Gene Kenner

x Gene Kenner
Signature of prior claimant/seller

Anna Marie Thomas
Signature of new claimant/purchaser

If an attorney is filing this form on behalf of a water right claimant or party in the SRBA, the attorney must complete the following information, in addition to the information required above.

Attorney name _____

Attorney of record for _____
(Identify party/claimant)

Attorney address and phone number: _____

- ☐ I have filed a *Notice of Appearance* for the party on whose behalf I am filing this form.
- ☐ A *Notice of Appearance* accompanies this form indicating which party and water rights I represent.

VERIFICATION

(To be completed for either a *Notice of Change in Address* or for *Consent for Substitution of Party*)

State of _____

County of _____

_____, being first duly sworn, upon oath, deposes and says:
(Insert name of party/claimant filing form)

That I am the person or entity filing this form, that I am a water right claimant or party or their successor in interest, defined by I.C. §§ 42-1401A(1), (7) or (10) (1986); that the water right number I am asking the court to substitute a party on is a water right in a director's report filed with the court and that I have read this form and know its contents and that the statements are true to the best of my knowledge and belief.

Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on _____
(Insert Date)

Notary Public for _____

Residing at: _____

My Commission expires: _____

INSTRUCTIONS FOR MAILING

Mail the form, including all attachments, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

You must sign the Certificate of Mailing to show that you followed these steps.

CERTIFICATE OF MAILING

I certify that on _____, 199__, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. A *Change of Address* was served on each party, or if they are represented by an attorney you must serve the attorney, in each subcase in which you are a party, at the following address(es):

3. A *Consent to Substitution of Party* was served on the prior claimant/seller, or if they are represented by an attorney you must serve the attorney, at the following address(es):

4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

5. One copy to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P. O. Box 44449
Boise, Idaho 83711-4449

6. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 33
Boise, Idaho 83724

Signature of person or attorney mailing the form



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

JUNE 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ANNA MARIE THOMAS
1553 HUNT RD
JEROME ID 83338

RE: OWNERSHIP CHANGE

DEAR MS. THOMAS:

THIS LETTER IS IN REGARDS TO THE OWNERSHIP CHANGE THAT WAS SENT TO YOU RECENTLY. FURTHER INFORMATION WILL BE NEEDED.

A DEED STATING THAT KENNER TURNED OVER THIS PROPERTY TO YOU (LIKE A WARRANTY DEED), AND A FSA MAP (FORMERLY KNOWN AS AN ASCS MAP) IS NECESSARY. I APOLOGIZE FOR THE INCONVENIENCE. EVERYTHING WILL BE IN ORDER WHEN THESE ITEMS ARE SENT TO US.

I AM ENCLOSING A SELF-ADDRESSED ENVELOPE. IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE. I THANK YOU FOR YOUR TIME.

SINCERELY,

A handwritten signature in cursive script that reads "Tara L. Backlund".

TARA L. BACKLUND
S.R.B.A. RECORDS CLERK

ENCLOSURES

R PROOF



CVR



MAPS



PHOTOS



MISC

MICROFILMED

FEB 0 4 1993

Water Right Number - R36-07705

Prefix Translation:

RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

KENNER

GENE

1 - 9783 SOUTH 2340 WEST

2 -

3 -

City- SOUTH JORDAN

State- UT Zip- 84065

Phone - 801-254-7308

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
05/16/1977 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09S 19E 3 SW SE NE (53) JEROME

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 10/31 2.090 668.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.090 668.00 501.0+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
09S 19E 3 NE NE 1 38.0 01 IRRIGATION (53) JEROME
09S 19E 3 NW NE 2 38.0 01 IRRIGATION (53) JEROME
09S 19E 3 SW NE 36.0 01 IRRIGATION (53) JEROME
09S 19E 3 SE NE 38.0 01 IRRIGATION (53) JEROME
09S 19E 3 NE NW 3 6.0 01 IRRIGATION (53) JEROME
09S 19E 3 SE NW 10.0 01 IRRIGATION (53) JEROME
09S 19E 3 NW SE 1.0 01 IRRIGATION (53) JEROME

Total Acres: 167.0

+ - - Diversion Means - WELL, PUMP & GRAVITY FLOW.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE CONDITIONS

+ - - - - - - - - - - - Remarks - - - - - +
No Remarks found.MICROFILMED
FEB 04 1993

Water right number - R36-07705

Prefix Translation: RESEARCH

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
S03 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- AMERICAN FALLS RESERVOIR DIST. NO. 2.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 10/09/1992 User Id: GIVENS Subject: ADDRESS CHANGE
ADDRESS CHANGE RECEIVED 10/9/92.

+ - - Audit Fields - - +
10/09/92 GIVENS

+ - - - - 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 | - 00/00/0000 | Old Judicial District | - |
| Claim Received Date | - 03/22/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S006640 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

MICROFILMED

FEB 0 4 1993

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

OCT 05 1992

Department of Water Resources

[] Water Right Number (s): 36-07705

[] Old Mailing Address: 1553 HUNT ROAD JEROME, IDAHO 83338

[] New Mailing Address: EUGENE KENNER

9783 SOUTH 2340 WEST

SOUTH JORDAN, UTAH 84065

New Telephone Number: (801) 254-7308

[] Signature of Claimant: Eugene Kenner

Date: 25 SEPTEMBER

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 10/9/92 By: K

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

RECEIVED

OCT 09 1992

Department of Water Resources
Southern Region Office

SEND TO YOUR NEAREST
REGION OFFICE:

Western Region Office
2735 Airport Way
Boise, ID 83705
(208) 334-2190

Southern Region Office
222 Shoshone St. East
Twin Falls ID 83301
(208) 734-3578

State Office
1301 N. Orchard St.
Boise, ID 83720
(208) 327-7900

Eastern Region Office
150 Shoup Ave. #15
Idaho Falls ID 83402
(208) 525-7161

Northern Region Office
1910 Northwest Blvd. #210
Coeur d'Alene ID 83814
(208) 756-4639

MICROFILMED

FEB 04 1993

Water Right Number - R36-07705

Prefix Translation:

RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - - +

*** C - CURRENT OWNER ***
KENNER

GENE

1 - 1553 HUNT RD.

2 -

3 -

City- JEROME

Phone - 208-825-5051

State- ID Zip- 83338

+ - - Priority Date - - +
05/16/1977

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

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

| Twn | Rng | Sec | Tract | Lot | RFlg | County |
|-----|-----|-----|----------|-----|------|--------|
| 09S | 19E | 3 | SW SE NE | | (53) | JEROME |

+ - - Water Use - - - - - +

| Code | Description | Period From | Period To | Diversion Rate | Diversion Volume |
|-----------------|-------------|-------------|-----------|----------------|------------------|
| 01 - IRRIGATION | | 03/15 | 11/15 | 2.090 | 668.00 |

| + - Total Div. Rate - + | + - Total Div. Volume - + | + - Total Consumptive Use - + | + - KW Usage - + |
|-------------------------|---------------------------|-------------------------------|------------------|
| 2.090 | 668.00 | 501.0 | |

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

| Twn | Rng | Sec | Tract | Lot | Acres | Code | Description | County |
|-----|-----|-----|-------|-----|-------|------|-------------|--------------|
| 09S | 19E | 3 | NE NE | 1 | 38.0 | 01 | IRRIGATION | (53) JEROME |
| 09S | 19E | 3 | NW NE | 2 | 38.0 | 01 | IRRIGATION | (53) JEROME |
| 09S | 19E | 3 | SW NE | | 36.0 | 01 | IRRIGATION | (53) JEROME |
| 09S | 19E | 3 | SE NE | | 38.0 | 01 | IRRIGATION | (53) JEROME |
| 09S | 19E | 3 | NE NW | 3 | 6.0 | 01 | IRRIGATION | (53) JEROME |
| 09S | 19E | 3 | SE NW | | 10.0 | 01 | IRRIGATION | (53) JEROME |
| 09S | 19E | 3 | NW SE | | 1.0 | 01 | IRRIGATION | (53) JEROME |

Total Acres: 167.0

+ - - Diversion Means - WELL, PUMP & GRAVITY FLOW.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - SEE CONDITIONS

+ - - Remarks - - - - - +
No Remarks found.

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Water right number - R36-07705

Prefix Translation: RESEARCH

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

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +
S03 - USE OF WATER UNDER THIS RIGHT IS COMBINED WITH WATER FROM
- AMERICAN FALLS RESERVOIR DIST. NO. 2.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - -Comments- - - - - +
No Comments Found

+ - - Audit Fields - - +
12/05/91 MERRITT

+ - - - - 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 | - 12/05/1991 | Old Judicial District | - |
| Claim Received Date | - 03/22/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S006640 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:54:05
09/15/90

PAGE: 12
QUICKLOOK INFORMATION

CLAIM NUMBER: A36-07705

| 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 | | | AD~ | N | | | DB | |
| POINT OF DIV | Y | | | N | 1,5 | | 10-31-90 | |
| SOURCE | | | | N | | | | |
| PLACE OF USE | Y | | | ~~N~~ 4 | 1,5,4 | 2 review by KKC 12-2-91 | | |
| DIV. AMOUNT
CFS/VOLUME | | | | N | | | | |
| CONSUMPTIVE USE | - | | | N | | | | |
| PURPOSES | | | | N | | no changes made | | |
| PERIOD OF USE | | | | N | | | | |
| BASIS OF CLAIM | | | | N | | | | |
| REMARKS | | | 8 | N | | | | |

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FEB 0 4 1993

"VERIFIED BY" CODES

- TOPO MAP/ORTHO-PQ = 1
- ASCS MAP = 2
- WATERMASTER RECORDS = 3
- NAPP 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.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

09:54:05
09/15/90

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A36-07705

LAST: KENNER
ADDRESS: 1553 HUNT RD.
CITY: JEROME
PHONE NUMBER: 208-825-5051

FIRST: GENE
STATE: ID ZIP: 83338

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
N

FIELD
EXAMINER

REMARKS IN CLAIM

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

DATE OF FIELD EXAM: 10/30/90

ACCOMPANIED BY: None

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

PHONE NUMBER: () -

TIME: : A() P()

PHONE NUMBER: () -

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FEB 04 1993

A. AJ CLAIM: # A36-07705 PRIORITY DATE: 05-16-1977 STAGE: L
B. WR RECORD: # 36-07705 PRIORITY DATE: 05-16-1977 STAGE: L

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE FIELD
N EXAMINER

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

REMARKS: _____

RECOMMENDED PRIORITY DATE:
05-16-1977

REVIEWED BY

Adm

DATE

10/20/90

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|-----------|------|------|------|-----|-----|-----|-----|--------|
| A36-07705 | 09S | 19E | 3 | SW | SE | NE | | JEROME |

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|--------|------|------|------|-----|-----|-----|-----|--------|
| -07705 | 09S | 19E | 3 | | SE | NE | | JEROME |

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

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

REMARKS:

Correct as claimed.

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RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

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

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

DATE:

OK
AD~

10/30/90

A. ROOT WATER RIGHT NUMBERS: A36-07705

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | WR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|--|---|--|-----------------|----------------|------------------|
| 09S | 19E | 3 | NW | SE | | KENNER, GENE
AMERICAN FALLS RESERVOIR DIST.
HENRY, ROBERT F. | A36-07705 / 1.0
A01-00006 / 40.0
A36-07700 / 38.0 | 36-07705 / 1.0
- /
36-07700 / 38.0 | | | |
| 09S | 19E | 3 | NE | NE | 1 | KENNER, GENE
AMERICAN FALLS RESERVOIR DIST. | A36-07705 / 38.0
A01-00006 / 40.0 | 36-07705 / 38.0
- / | | | 38 |
| 09S | 19E | 3 | NW | NE | 2 | KENNER, GENE
KENNER, GENE
AMERICAN FALLS RESERVOIR DIST. | A36-07705 / 38.0
A36-11189 /
A01-00006 / 40.0 | 36-07705 / 38.0
- /
- | | 38 | 38 |
| 09S | 19E | 3 | SW | NE | | KENNER, GENE
AMERICAN FALLS RESERVOIR DIST.
HENRY, ROBERT F. | A36-07705 / 36.0
A01-00006 / 40.0
A36-07700 / 1.0 | 36-07705 / 36.0
- /
36-07700 / 1.0 | | 36 | 36 |
| 09S | 19E | 3 | SE | NE | | KENNER, GENE
AMERICAN FALLS RESERVOIR DIST. | A36-07705 / 38.0
A01-00006 / 40.0 | 36-07705 / 38.0
- / | | 38 | 38 |
| 09S | 19E | 3 | NE | NW | 3 | KENNER, GENE
AMERICAN FALLS RESERVOIR DIST. | A36-07705 / 6.0
A01-00006 / 40.0 | 36-07705 / 6.0
- / | | 6 | 6 |
| 09S | 19E | 3 | SE | NW | | KENNER, GENE
AMERICAN FALLS RESERVOIR DIST. | A36-07705 / 10.0
A01-00006 / 40.0 | 36-07705 / 10.0
- / | | 10 | 10 |
| TOTAL ACRES | | | | | | A36-07705 | 167.00 | 167.00 | | | 167 |

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

Water is consigned with
Coul shaker.

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: 67

REVIEWED BY: Alm

DATE: 10/30/90

A. AJ CLAIMED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|-----------------------|
| A36-07705 IRRIGATION | FROM 03-15 TO 11-15 | 2.090 CFS 668.00 AE/A |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 2.090 CFS 668.00 AE/A |

B. WR RECORDED USES:

| PURPOSES | MONTH/DAY | DIVERSION QUANTITY |
|-------------------------------------|---------------------|-----------------------|
| 36-07705 IRRIGATION | FROM 03-15 TO 11-15 | 2.090 CFS 668.00 AE/A |
| TOTAL DIVERSION RATE/VOLUME CLAIMED | | 2.090 CFS 668.00 AE/A |

SUMPTION FLAG:

C. FIELD EXAM REQUIRED?

| | DATABASE | FIELD EXAMINER |
|--|----------|----------------|
| DUE TO WATER-USE DISCREPANCY? (Y/N) | N | |
| DUE TO DIVERSION RATE DISCREPANCY? (Y/N) | N | <u> ✓ </u> |
| DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N) | N | <u> ✓ </u> |

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(✓) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y(✓) N() Explain in remarks, below.

REMARKS:

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 2.090 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 2.090 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

FLOW MEASUREMENT

MEASUREMENT METHOD N/A, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: MILNER-GOODING CANAL

LIST ALL RIGHTS WITH A SAME POI AND IRRIGATION USAGE:

← OK (American Falls Res Dist. #2)
502

| CLAIM | SOURCE | NAME | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|-----------|-------------|--------------------------------|-----------|----------------|-----------|----------------|
| A36-07705 | GROUNDWATER | KENNER, GENE | 2.090 | 0.012 | 668.00 | 4.00 |
| A01-00006 | SNAKE RIVER | AMERICAN FALLS RESERVOIR DIST. | 1700.000 | 0.062 | | |

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

| CLAIM NO. | PURPOSES | NAME | MONTH/DAY | RATE | VOLUME |
|-----------|----------|--------------|---------------------|----------|--------|
| A36-11189 | DOMESTIC | KENNER, GENE | FROM 01-01 TO 12-31 | .040 CFS | |

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 167 × 0.02 CFS/ACRE = 3.34 CFS
(Taken from p/u review)

1b. CALCULATIONS

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

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 501.0 AE/A

ACRES 167 × CONSUMPTIVE VOL. AE/A FOR AREA 3.0 =

TOTAL CONSUMPTIVE USE 501 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 668.00 AE/A

ACRES 167 × DIVERSION VOL. AE/A FOR AREA 4.0 =

TOTAL DIVERSION VOLUME 668 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

Overlap with creek slough

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RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|------------------------------|-------------------------------|------------------------------|
| IRRIGATION | 03-15 11-15 | DATABASE EXAMINER
2.090 ✓ | DATABASE EXAMINER
668.00 ✓ | DATABASE EXAMINER
501.0 ✓ |
| TOTAL FOR THIS RIGHT | | 2.090 | 668.00 | 501.0 |

REVIEWED BY:

ADn

DATE:

10/30/90

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____
FORFEIT/ABANDON _____
ADDITIONAL DIV. AMOUNT _____

| ACCEPTED
AS CLAIMED | NEEDS
REVIEW |
|------------------------|-----------------|
| () | () |
| () | () |
| () | () |

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 36-07705

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
2.090

EXAMINER

N/A
CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A36-07705 | 2.090 | - | | 36-07705 | 2.090 |
| TOTAL CFS | | 2.090 | | | | 2.090 |

DIVERSION RATE REVIEW

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)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: *John J. Mente*

DATE: 10/30/90

NAME OF FIELD EXAMINER: _____ TITLE: _____

MICROFILMED
FEB 04 1993