

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

DATE: FEB-14-1997

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-10933

NAME AND ADDRESS: KARREN BOGUSLAWSKI
LORNA BOGUSLAWSKI
273 E 600 N
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR DOMESTIC/1 HOME WITH LAWN

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1912

POINT OF DIVERSION: T07S R17E S21 SWSEW Within JEROME County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.03 CFS

PLACE OF USE: DOMESTIC Within JEROME County
T07S R17E S21 SESW SWSE

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.
PARCEL NO. RL 07S17E210601

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RL 07S17E210601.

update confirmed
KKC
2-14-97

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent JEANIE M ROBERTSON

DATE

CUSTOMER

January 24, 1997 11:10am **KARREN BOGUSLAWSKI** 36-10932, 36-10933

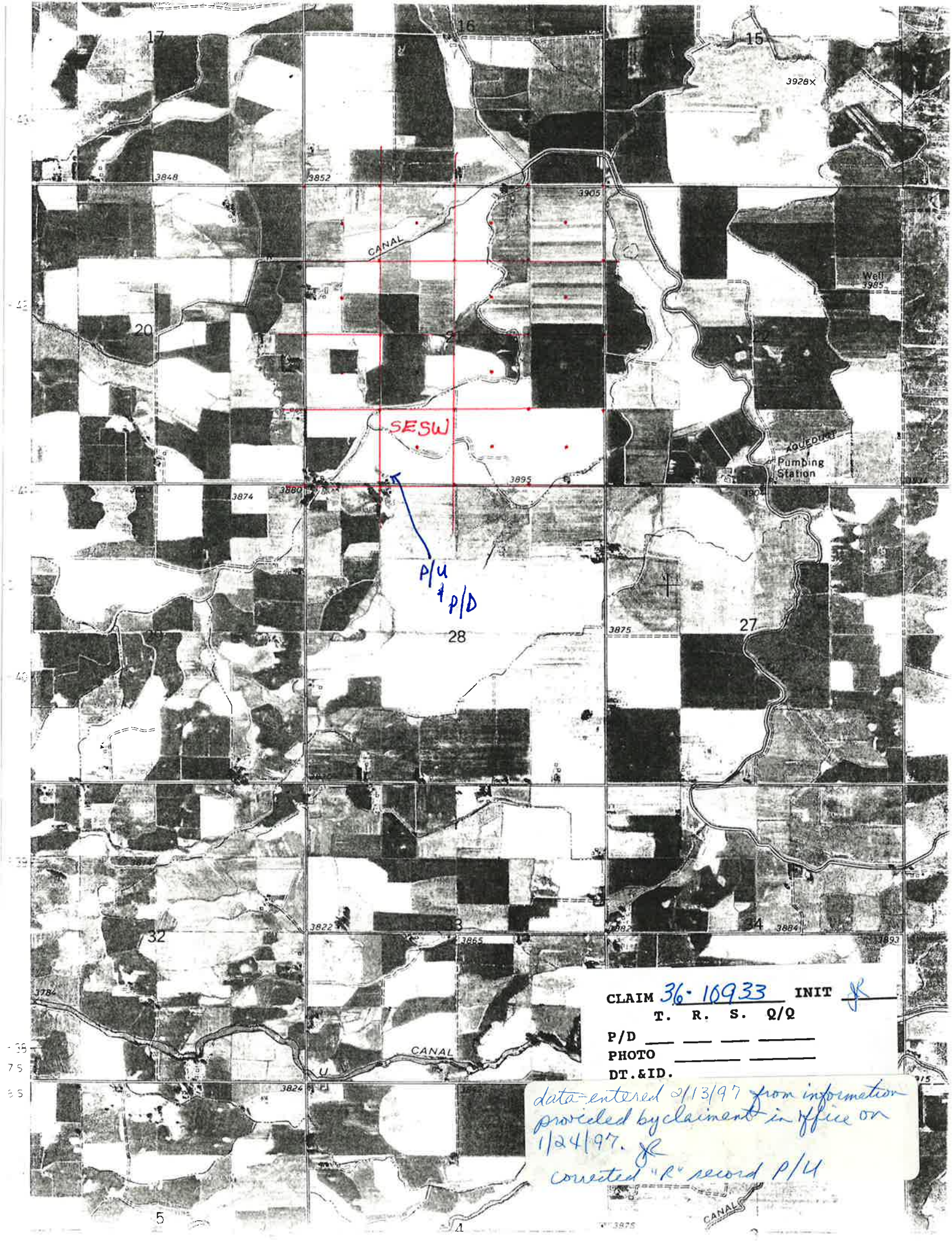
SUBJECT: OWNERSHIP CHANGE PARTIAL DECREES

phone call (.) walk-in (X)

He came in with a copy of his Agreement of Sale so I did the Change of Ownership. I left Thibaults as Leinholders and told him to send a copy of the Warranty Deed at payoff and we would remove Thibaults names.

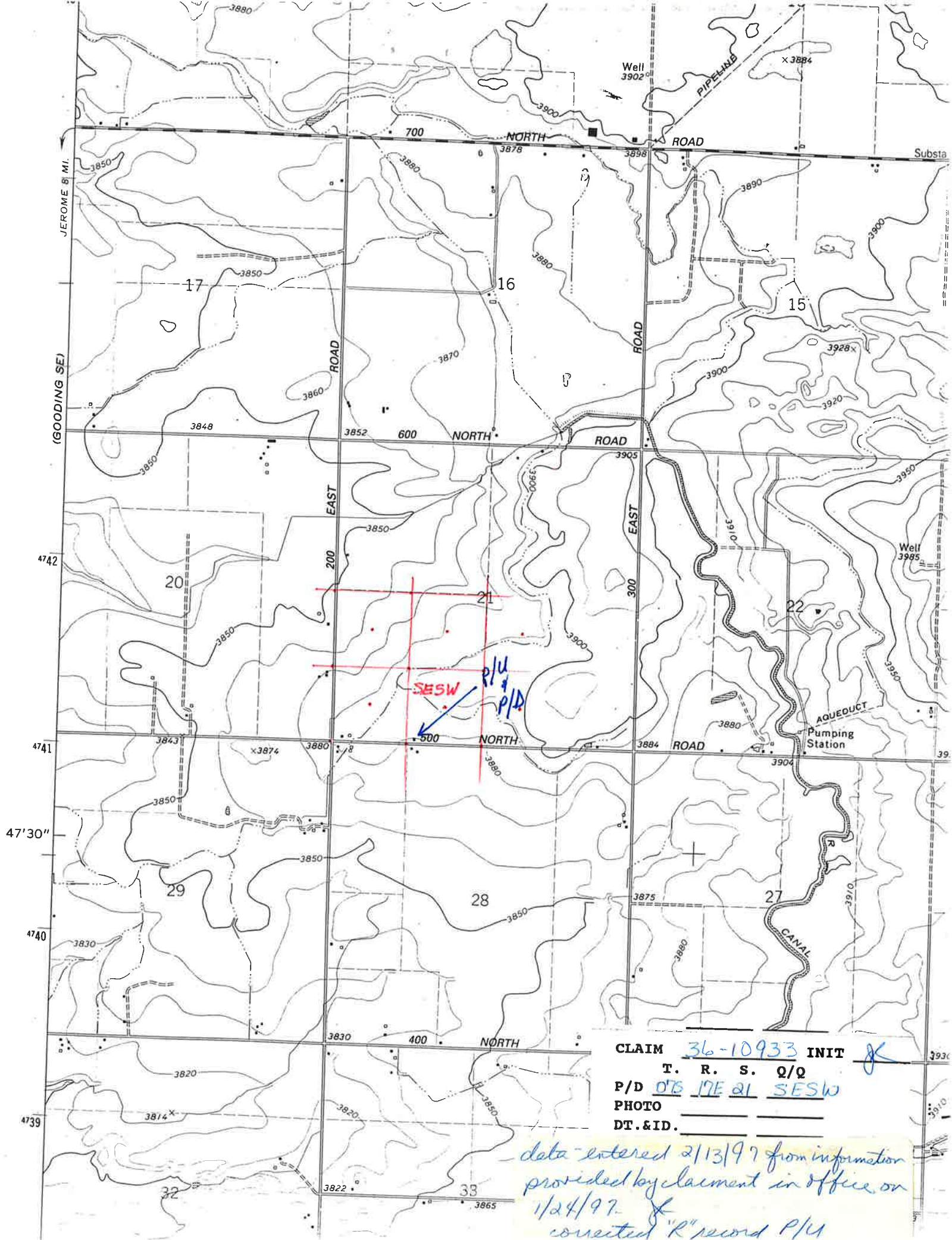
36-10933

There was a discrepancy between the P/D and P/U so this right was not issued a Partial Decree. I pulled a couple of maps and Mr. Boguslawski located the house in the SESW quarter of Section 21. I corrected the "R" record and will notify Kelly so this right can be removed from his Hold-Back list and be ready for its Partial Decree...



CLAIM 36-10933 INIT JK
T. R. S. Q/Q
P/D _____
PHOTO _____
DT.&ID. _____

data entered 2/13/97 from information
provided by claimant in office on
1/24/97. JK
corrected "R" record P/U



CLAIM 36-10933 INIT

T.	R.	S.	Q/Q
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P/D 075 17E 21 SESW

PHOTO

DT. & ID.

data entered 2/13/97 from information
provided by claimant in office on
1/24/97. &
corrected "R" record P/M



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

February 13, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KARREN AND LORNA BOGUSLAWSKI
273 E 600 N
JEROME ID 83338

Re: Ownership Change 36-10932, 36-10933
THIBAUT/BOGUSLAWSKI

Dear Mr. and Mrs. Boguslawski:

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claims are appurtenant, the Department has changed the records of the current owner as you requested. Please find enclosed copies of the computer records of the claims noting these changes in claimant. (As we discussed, I have left the Thibaults as Leinholders. When you receive your Warranty Deed, please send us a copy and we will remove their names.)

I am also in the process of correcting the legal description discrepancy on 36-10933 with the SRBA court. When this has been completed, you will receive a copy of the Partial Decree for this right as you did with 36-10932.

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

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures

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 Number(s) 36-10932 - 36-10933
Adjudication Claim Number(s) Same

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

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

AND

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Don Shihault
362N 300E Jerome Ida 83338

4. New Owner/Claimant(s) Karen and Dr. Lorna Boguski
Name connector (Check one): ☐ AND ☐ OR ☐ AND/OR
New Mailing Address 273 E 600N Jerome Ida 83388

City, State and ZIP Code Jerome Ida 83338

New Telephone Number 324-2292

5. Date you acquired the property Dec 30 1988

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 actually irrigated _____ Number and type of stock _____

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

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

7. Signature of New Owner/Claimant(s) Karen Boguski Date 1-24-97

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

AGREEMENT OF SALE

THIS AGREEMENT, made and entered into this 30th day of December, 1988, by and between DONALD F. THIBAUT and PHYLLIS N. THIBAUT, husband and wife, hereinafter referred to as "Sellers", and KARRIN BOGUSLAWSKI and LORNA BOGUSLAWSKI, husband and wife, hereinafter referred to as "Buyers",

W I T N E S S E T H:

WHEREAS, the Sellers are the owners of certain real property situated in the County of Jerome, State of Idaho, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

TOGETHER WITH 200 shares of stock in the North Side Canal Company, Ltd.

and,

WHEREAS, the Sellers are also owners of certain personal property located upon the above described real property, which personal property is more particularly described on Exhibit "B" attached hereto, and,

WHEREAS, the parties wish to agree upon terms and conditions whereby Sellers will sell to the Buyers, and Buyers will purchase from the Sellers, all of Sellers' right, title and interest in the above described real and personal property,

IT IS THEREFORE AGREED in consideration of these premises and the mutual promises and covenants hereafter contained as follows:

1. PURCHASE PRICE: The purchase price is TWO HUNDRED FORTY THOUSAND AND NO/100 DOLLARS (\$240,000.00) to be paid as follows:

- \$40,000.00 down payment shall be paid as of the date of closing as hereinafter defined.

- The balance of \$200,000.00 shall accrue interest at Ten Percent (10%) per annum from the 30th day of December, 1988, and shall be paid as follows:

(a) \$26,294.00, together with additional accrued interest on the unpaid principal through March 1, 1990, shall be paid on March 1, 1990.

"BUYERS"


KARREN BOGUSLAWSKI


LORNA BOGUSLAWSKI

STATE OF IDAHO)
) ss.
County of Jerome)

On this 30th day of December, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared DONALD F. THIBAULT and PHYLLIS N. THIBAULT, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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

RICK BERNSEN
NOTARY PUBLIC
FOR THE STATE OF IDAHO
Residing: Jerome, Idaho
My Commission Expires July 1991


NOTARY PUBLIC for Idaho

STATE OF IDAHO)
) ss.
County of Jerome)

On this 30th day of December, 1988, before me, the undersigned, a Notary Public in and for said County and State, personally appeared KARREN BOGUSLAWSKI and LORNA BOGUSLAWSKI, husband and wife, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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

RICK BERNSEN
NOTARY PUBLIC
FOR THE STATE OF IDAHO
Residing: Jerome, Idaho
My Commission Expires July 1991


NOTARY PUBLIC for Idaho

Parcel No. 1:

TOWNSHIP 7 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 21: W½NEX, EXCEPTING THEREFROM the following described
parcel of land:

Beginning at the Northwest corner of said W½NEX,
which point shall be known as THE TRUE POINT OF
BEGINNING;
Thence South 0°02'30" East, 1983.77 feet along the
Westerly boundary of said W½NEX;
Thence South 89°44'41" East, 576.55 feet to the
center of the Northside Canal Company R-7 Canal;
Thence along the center of said R-7 Canal the
following courses and distances North 50°30'50"
East, 25.24 feet;
Thence North 25°47'55" East, 141.23 feet;
Thence North 40°30'11" East, 331.58 feet;
Thence North 10°09'03" East, 36.90 feet;
Thence North 26°08'51" West, 54.20 feet;
Thence North 59°22'36" West, 247.68 feet;
Thence North 41°46'01" West, 85.47 feet;
Thence North 6°48'59" East, 104.36 feet;
Thence North 1°13'34" East, 174.37 feet;
Thence North 22°55'38" East, 211.83 feet;
Thence North 2°22'38" West, 61.56 feet;
Thence North 26°21'17" West, 191.21 feet;
Thence North 3°29'10" East, 109.33 feet;
Thence North 28°25'34" East, 268.05 feet;
Thence North 45°40'52" East, 61.01 feet;
Thence North 61°45'36" East, 462.83 feet to the
Northerly boundary of said W½NEX;
Thence North 89°49'06" West, 1183.53 feet to THE
POINT OF BEGINNING.

Parcel No. 2:

TOWNSHIP 7 SOUTH, RANGE 17, EAST OF THE BOISE MERIDIAN,
JEROME COUNTY, IDAHO

Section 21: W½SEX; SE½SW½; SE½SEX, EXCEPTING THEREFROM that
portion lying and being to the South and East of
the North Side Canal Company Lateral R-5.

- One Valley Pivot, Model #4865, Serial #38472
8-Tower high float tire machine
- One Valley Pivot, Model #4865, Serial #5809
4-tower high float tire machine
- Sprinkling Equipment
 - One 75-hp. Centrifugal pump and motor
 - One 20 hp. centrifugal pump and motor
 - One 25 hp. turbin pump and motor
- 1320 feet 8"x50' main line
1320 feet 6"x50' main line
Three 1320 feet 3"x40' ball and socket hand line

Exceptions

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are 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. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. Unpatented mining claims; reservations or exceptions in patents or state grants or in Acts authorizing the issuance thereof, water rights, claims or title to water.
7. Taxes for 1989 and subsequent years, which are not yet due and payable.
8. Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.
9. Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.
10. Right of way for roads, canals, laterals and waste ditches as contained in an Agreement by and between the State of Idaho, and the Twin Falls North Side Land and Water Company, dated August 21, 1907, recorded in Book 15 Page 589, Jerome County records.
11. Pipe Line Easement given by F. E. Spencer, David L. Boyd and Frances A. Boyd to Felix Boguslawski and Ina E. Boguslawski, dated May 11, 1964, recorded May 13, 1964 in Book 168 Page 376 as Instrument Number 159320, Jerome County records, affecting a portion of the NW~~X~~NE~~X~~ of Section 21, Township 7 South, Range 17, East Boise Meridian.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 10, 1997

KARREN BOGUSLAWSKI
273 E 600 N
JEROME ID 83338

RE: ADJUDICATION CLAIMS 36-10932, 36-10933

Dear Mr. Boguslawski:

Enclosed is an ownership change form and profile reports of the adjudication claims which are appurtenant to the property you purchased from Don Thibault. Please complete and sign the form and I will change the departments records accordingly. As we discussed on the phone, I will leave Mr. Thibault as Lienholder. When you have paid off the property and receive the Warranty Deed, send us a copy and we will remove his name.

You will notice that the form also requests a map. This will be especially helpful for 36-10933. The Partial Decree has not yet been issued for this right because there was a discrepancy in the legal description. The point of diversion lists the well as the SESW of Section 21 and the house is listed as the SWSE of Section 21. If you could indicate the locations on a map, we could clear this up and the Partial Decree could then be issued.

If you have any questions, please feel free to give me a call at the office.

Sincerely,

A handwritten signature in cursive script that reads "Jeanie".

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures

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: A36-10933
Date Received: 12/27/1988
Receipt No: 5005055
Received By: gn

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD THIBAUT 208-324-5061
Address: 262 N. 300 E.
JEROME, ID 83338

AND/OR

Name: PHYLLIS THIBAUT 208-324-5061
Address: 262 N. 300 E.
JEROME, ID 83338

2. Date of Priority: JUN 01, 1912

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
07S	17E	21	SW	SE	SW		JEROME

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC/1 HOME WITH LAWN

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	17E	21	SW SE		DOMEST	

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

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): Ronald F. Thibault Date: 12-27-1988

Date: _____

State of Idaho)
County of Thur Falls) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of Dec. 19 88
[Signature]
Notary Public

Seal

Residing at Kimberly, ID
My Commission Expires 6/30/94

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

DATE: OCT-29-1996

PAGE: A-44

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-10933

NAME AND ADDRESS: DONALD THIBAULT
PHYLLIS THIBAULT
262 N 300 E
JEROME ID 83338

SOURCE: GROUNDWATER

QUANTITY: 0.03 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR DOMESTIC/1 HOME WITH LAMM

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 06/01/1912

POINT OF DIVERSION: T07S R17E S21

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE
DOMESTIC 1 HOMEPERIOD OF USE
01-01 12-31 ✓QUANTITY
0.03 CFSPLACE OF USE: DOMESTIC
T07S R17E S21

Within JEROME County

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.

PARCEL NO. RL 07S17E210601

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RL 07S17E210601. ✓

WATER RIGHT NUMBER - A36-10933

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - CONDITIONS OF APPROVAL - - - - -
NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - AUDIT FIELDS - 12/27/88 STANTON

+ - - - - 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	- 12/27/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
CLAIMS TAPE ERROR FLG	-	RECEIPT NUMBER	- S005055	WATER DISTRICT	-
FEE EXEMPT FLAG	-	POU OWNERSHIP FLAG	- Y	FEDERAL/STATE INDICATOR	- S
		NAME CONNECTOR	- AND/OR	PRESUMPTION FLAG	-

RL07517E210601

VERIFIED
NOV 27 1990

DATA ENTRY
ENTERED 7.22
CHECKED CN 3/3/92 AD

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAPP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

CERTIFIED
DEC 1990
WATER EXAMINER