

107 OCT 30 PM 2:48

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-12478

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):

Kent L Klosterman
650 S 70 W
Rupert ID 83350

Phone: 421-1200

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

John A Stevenson
Elaine G Stevenson
1099 N 400 W
Rupert ID 83350

Phone: 532-4524

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 9/18/97


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 10-30, 1997, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls ID 83303-2707

2. One Copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Kent L Klosterman
650 S 70 W
Rupert ID 83350

3. One Copy to:

Claimant/Purchaser for Substitution of Party or attorney of record:
John A Stevenson
Elaine G Stevenson
1099 N 400 W
Rupert ID 83350

4. One Copy to:

Each party in the subcase or attorney of record:

5. One Copy to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

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

DATE: SEP-11-1997

PAGE: A-5

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-12478

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

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS

PRIORITY DATE: 03/01/1947

POINT OF DIVERSION: T09S R23E S32 SESW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.02 CFS
	DOMESTIC DOMESTIC 1 HOUSES, STOCKW	01-01 12-31	0.06 CFS

PLACE OF USE: STOCKWATER Within MINIDOKA County
T09S R23E S32 SESWDOMESTIC Within MINIDOKA County
T09S R23E S32 SESW

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

PARCEL NO. RP09S23E324800

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

October 31, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

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

RE: SRBA Claim(s) 36-12478

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf

cc: Kent Klosterman

NCAP

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

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

RECEIVED

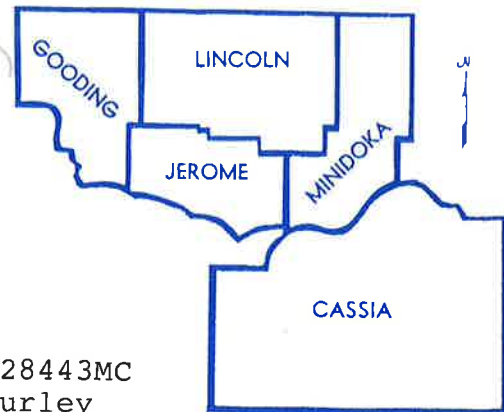
JUL 02 1997

Department of Water Resources
Southern Region

1. Water Right Number(s) 36-12478
Adjudication Claim Number(s) _____
2. The following REQUIRED information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Kent L. Klosterman
650 South 70 West
Rupert, Idaho 83350
4. New Owner/Claimant(s) John A. Stevenson and Elaine G. Stevenson
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address 1099 North 400 West
City, State and ZIP Code Rupert, Idaho 83350
New Telephone Number (208) 532 - 4524
5. Date you acquired the property June 25, 1997
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) John A. Stevenson Date 6-25-97
Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
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.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: #28443MC
OFFICE: Burley

July 1, 1997

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

RECEIVED

JUL 02 1997

Department of Water Resources
Southern Region

Dear Clerk:

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

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

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

Very truly yours,
LAND TITLE AND ESCROW, INC.

Nancy Garrett

Nancy Garrett
Reconveyance Department

/nrg
enc.

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

BOX 348, JEROME, IDAHO 83338
PHONE 324-3357 - FAX 324-8961

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

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

430253

WARRANTY DEED

#28443MC

For Value Received

KENT L. KLOSTERMAN, a single person

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

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

Address: 1099 North 400 West
Rupert, Idaho 83350

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

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

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

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

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

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

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

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

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

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

SUBJECT TO:

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

Taxes for 1997 and subsequent years.

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

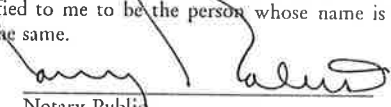
Dated: June 20, 1997


Kent L. Klosterman

STATE OF IDAHO)
COUNTY OF Cassia) ss.

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

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-30-97


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

430253

RECORDED AT REQUEST OF
Land Title-Burley

FILM NO. _____

'87 JUN 25 14 : 30

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

AJ0749NP
No. 36-12478

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

DATE: 09/03/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JOHN A STEVENSON	03/01/1947	STOCKWATER	01-01 12-31	0.02 CFS	
C	ELAINE G STEVENSON 1099 N 400 W RUPERT ID 83350 (208) 532-4524		DOMESTIC	01-01 12-31	0.06 CFS	
				TOTAL DIVERSION:	0.08 CFS	
D	LUCILE BELL					
D	DWIGHT BELL 751 2ND AVE N TWIN FALLS ID 83301 (208) 733-2578					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R23E S32 SESW

MINIDOKA County

Place of use Legal Description for: STOCKWATER

	NE				NW				SW				SE			
T R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
09S 23E 32	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
09S 23E 32	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac

POU County: MINIDOKA

Non-Irrigation Uses: DOMESTIC 1 HOUSES, STOCKWATER 2 HORSES

Other Rights: M.I.D. WATER

Remarks: GEN PARCEL NO. RP09S23E324800

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. 36-12478

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

DATE: 09/03/97
PAGE: 2

=====

Comments: Date: 04/25/1997 User-ID: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BELL TO KLOSTERMAN PER SF3.

Date: 09/03/1997 User-ID: JROBERTS Subject: OWNERSHIP CHANGE
FORM AND WARRANTY DEED RECEIVED 7/2/97 FROM KENT KLOSTERMAN TO
JOHN AND ELAINE STEVENSON. jr

Audit: 09/03/97 JROBERTS

AJ5809NP
No. 36-12478

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/08/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KENT L KLOSTERMAN 70 W 630 LANE S RUPERT ID 83350 (208) 436-2300	03/01/1947	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.02 CFS 0.06 CFS	
TOTAL DIVERSION:					0.08 CFS	

D LUCILE BELL
D DWIGHT BELL
751 2ND AVE N
TWIN FALLS ID 83301
(208) 733-2578

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R23E S32 SESW MINIDOKA County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac
09S 23E 32 :								S :							

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac
09S 23E 32 :								D :							

POU County: MINIDOKA

Non-Irrigation Uses: DOMESTIC 1 HOUSES, STOCKWATER 2 HORSES

Other Rights: M.I.D. WATER

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A36-12478 R36-12478

Other Water Rights Listing Overlapping Place(s) of Use:
A01-1018721

Remarks: GEN PARCEL NO. RP09S23E324800

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. 36-12478

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 07/08/97
PAGE: 2

=====

Comments: Date: 04/25/1997 User-ID: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED BELL TO KLOSTERMAN PER SF3.

Audit: 11/18/91 SMITH 07/21/92 POST-STD 11/02/92 CPSHAW 12/05/92 ADT-SHAW
03/29/95 POST-STD 04/25/97 TFAWCETT

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 36-12478 Prefix Translation: WATER RIGHT Old (D) Number -

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

*** C - CURRENT OWNER ***
KLOSTERMAN KENT L 1 - 70 W 630 LANE S
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-436-2300

*** D - DIR RPT OWNER ***
BELL LUCILE 1 - 751 2ND AVE N
2 -
3 -
City- TWIN FALLS State- ID Zip- 83301
Phone - 208-733-2578

BELL DWIGHT 1 - 751 2ND AVE N
2 -
3 -
City- TWIN FALLS State- ID Zip- 83301
Phone - 208-733-2578

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/01/1947 17 SOUTHERN J - BENEFICIAL USE

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

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
09S 23E 32 SE SW (67) MINIDOKA

+ - - - - - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.060
04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.080 0.0

+ - - - - - - - - - - - - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
09S 23E 32 SE SW 04 STOCKWATER (67) MINIDOKA
09S 23E 32 SE SW 43 DOMESTIC (67) MINIDOKA

Total Acres:

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use - DOMESTIC 1 HOUSES, STOCKWATER 2 HORSES

04/25/97 15:35:29
Page 2

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 11/02/1992 | 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 | - 09/21/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S009274 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R36-12478

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
KLOSTERMAN

KENT L

1 - 70 W 630 LANE S
2 -
3 -

City- RUPERT
Phone - 208-436-2300

State- ID Zip- 83350

*** D - DIR RPT OWNER ***
BELL

LUCILE

1 - 751 2ND AVE N
2 -
3 -

City- TWIN FALLS
Phone - 208-733-2578

State- ID Zip- 83301

BELL

DWIGHT

1 - 751 2ND AVE N
2 -
3 -

City- TWIN FALLS
Phone - 208-733-2578

State- ID Zip- 83301

+ - - Priority Date - - +
03/01/1947

+ - - Region - - - +
17 SOUTHERN

+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

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

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

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County

09S 23E 32 SE SW (67) MINIDOKA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

43 - DOMESTIC 01/01 12/31 0.060
04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.080 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S 23E 32 SE SW 04 STOCKWATER (67) MINIDOKA
09S 23E 32 SE SW 43 DOMESTIC (67) MINIDOKA

Total Acres:

+ - - Diversion Means - WELL, PUMP

+ - - Non-Irrigation Use - 1 HOME

Water right number - R36-12478

Prefix Translation: RESEARCH

+ - - Other Rights for Same Use - M.I.D. WATER

+ - - - - - Remarks - - - - - +

EXP PARCEL NO. RP09S23E324800
STOCKWATER 2 HORSES

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

+ - - - - - Conditions of Approval - - - - - +
N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
- DETERMINATION OF HISTORICAL BENEFICIAL USE.
N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
- GALLONS PER DAY.

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

+ - - - - - Comments - - - - - +
Date: 10/02/1996 User Id: D&S-DSHA Subject: D&S CONDITION CODE UPDATE
CONDITION CODE N11 ADDED CONDITION CODE N13 ADDED
Date: 04/25/1997 User Id: TFAWCETT Subject: OWNERSHIP CHANGED
OWNERSHIP CHANGED BELL TO KLOSTERMAN PER SF3.

+ - - Audit Fields - - +
04/25/97 TFAWCETT

+ - - - - - 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 | - 09/21/1989 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - S009274 | Water District | - |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND/OR | Presumption Flag | - |
| | | | | Notice of Error Flag | - |

812

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 |) | STANDARD FORM 3 |
| |) | (Check Appropriate Box) |
| |) | ☐ NOTICE OF CHANGE IN ADDRESS |
| Case No. 39576 |) | 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 A 36-12478
(Insert each water right number)

My name is Hent L. Klosterman

My address is 70 West 630 Lane South, Rupert ID
8330

My phone number is: Work 431-1200 Home 436-2300

The name and address of the prior claimant/seller who I wish to be substituted for are:
Dwight Bell, 751 2ND Ave North, Twin Falls ID
8330

Dwight Bell
Signature of prior claimant/seller

Hent L. Klosterman
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 Idaho

County of Minidoka

Rent L. Klostermann 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.

Rent L. Klostermann
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on 2-26-96
(Insert Date)

Hollye Hub
Notary Public for Minidoka County
Residing at: Rupert Id
My Commission expires: 12-14-2001

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 Feb 26, 1996, 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):

Dwight Bell
751 2nd Ave. N.
Twin Falls ID

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

A handwritten signature in cursive script, appearing to read "Kent Heston", written over a horizontal line.

Signature of person or attorney mailing the form

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

VERIFIED BY

11-13-96

DATE: NOV-13-1996

PAGE: A-7

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-12478

NAME AND ADDRESS: LUCILE BELL
DWIGHT BELL
751 2ND AVE N
TWIN FALLS ID 83301

SOURCE: GROUNDWATER

QUANTITY: 0.08 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR DOMESTIC 1 HORSES, STOCKWATER 2 HORSES

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

PRIORITY DATE: 03/01/1947

POINT OF DIVERSION: T09S R23E S32 SESW Within MINIDOKA County

PURPOSE AND

| PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------|-----------------|---------------|----------|
| | STOCKWATER | 01-01 12-31 | 0.02 CFS |
| | DOMESTIC 1 HOME | 01-01 12-31 | 0.06 CFS |

PLACE OF USE: STOCKWATER Within MINIDOKA County
T09S R23E S32 SESWDOMESTIC Within MINIDOKA County
T09S R23E S32 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.
PARCEL NO. RP09S23E324800

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP09S23E324800
STOCKWATER 2 HORSESMICROFILMED
DEC 09 1996

AJ5809NP
No. R36-12478

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 98

| OWNER
CODE | NAME & ADDRESS | PRIORITY
DATE | WATER USE | USE PERIOD
FROM TO | DIVERSION
RATE | DIVERSION
VOLUME |
|---------------|---------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C | LUCILE BELL | 03/01/1947 | STOCKWATER | 01-01 12-31 | 0.02 CFS | |
| C | DWIGHT BELL | | DOMESTIC | 01-01 12-31 | 0.06 CFS | |
| | 751 2ND AVE N | | | | | |
| | TWIN FALLS ID 83301 | | | | | |
| | (208) 733-2578 | | | | | |
| | | | | TOTAL DIVERSION: | 0.08 CFS | |

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R23E S32 SESW

MINIDOKA County

Place of use Legal Description for: STOCKWATER

| | | | | NE | | | | NW | | | | SW | | | | SE | | | | | | | |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|
| T | R | S | : | NENE | NWNE | SWNE | SENE | : | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : |
| | | | | Lt | Ac | Lt | Ac | | Lt | Ac | Lt | Ac | | Lt | Ac | Lt | Ac | | Lt | Ac | Lt | Ac | |
| 09S | 23E | 32 | : | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |

Place of use Legal Description for: DOMESTIC

| | | | | NE | | | | NW | | | | SW | | | | SE | | | | | | | |
|-----|-----|----|---|------|------|------|------|----|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|
| T | R | S | : | NENE | NWNE | SWNE | SENE | : | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : |
| | | | | Lt | Ac | Lt | Ac | | Lt | Ac | Lt | Ac | | Lt | Ac | Lt | Ac | | Lt | Ac | Lt | Ac | |
| 09S | 23E | 32 | : | | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | |

POU County: MINIDOKA

Non-Irrigation Uses: ~~DOMESTIC~~ 1 HOUSES, (STOCKWATER 2 HORSES)

Other Rights: M.I.D. WATER

Remarks: GEN PARCEL NO. RP09S23E324800

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 09/30/96 DSHAFF

MICROFILMED
DEC 09 1996

11-11-96
JR



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

January 29, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

KENT KLOSTERMAN
200 N 380 W
RUPERT ID 83350

RECEIVED

FEB 01 1996

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim #36-12478
Change of Ownership

Department of Water Resources
Southern Region

Dear Claimant,

Thank you for notifying IDWR you are the new owner of the property and associated water rights. Future notices related to your SRBA claim can be sent only to the address on your claim or as otherwise changed by you.

SRBA Judge Hurlbutt issued an Amended Order March 22, 1995 requiring claimants like yourself identified in a Director's Report to use Standard Form 3 for change of address or ownership. We have enclosed Standard Form 3 for your use. We have also enclosed a copy of Notice of Claim #36-12478 for your records, as you requested. Please contact this office (800/451-4129) or the Court (208/736-3011) if you have any questions.

Thank you for your help. We hope to assure you receive future notices about SRBA matters.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

Enclosures:

Standard Form 3

Copy of Notice of Claim #36-12478

MICROFILMED
DEC 09 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A36-12478
Date Received: 9/21/1989
Receipt No: S009274
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LUCILE BELL
Address: 751 2ND AVE N
TWIN FALLS, ID 83301 208-733-2578

AND/OR

Name: DWIGHT BELL
Address: 751 2ND AVE N
TWIN FALLS, ID 83301 208-733-2578

2. Date of Priority: MAR 01, 1947

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|----------|
| 09S | 23E | 32 | SE | SW | | | MINIDOKA |

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 | 0.060 | | |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/2 MOBILE HOMES, S/2 HORSES

10. Place of Use:

| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
|----------|-------|---------|------------|----------|-----------------|-------|
| 09S | 23E | 32 | SE
SE | SW
SW | DOMEST
STOCK | |

11. Place of use in counties: MINIDOKA

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

13. Other Water Rights Used:
M.I.D. WATER

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 / 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): Burghart D. Bell Date: Sept 21, 1989
Date:

State of Idaho)
County of TF) SS.

Subscribed and sworn (or affirmed) before me this 21st day

of Sept 19 89

Tom White
Notary Public

Seal

Residing at TF

My Commission Expires 5/94

WATER RIGHT NUMBER - A36-12478

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA

+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
+ - - - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.
+ - - - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.
+ - - - - DECREE PLAINTIFF - - - + + - - - - DECREE DEFENDANT - - - + + - DECREE DATE - +
00/00/0000
+ - - - - COMMENTS - - - - - +
NO COMMENTS FOUND
+ - - - - AUDIT FIELDS - 09/21/89 WHITE
+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - - +

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 09/21/1989
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 00/00/0000
LAST AMENDED DATE - 00/00/0000
RECEIPT NUMBER - S009274
POU OWNERSHIP FLAG - Y
NAME CONNECTOR - AND/OR

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT -
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -

RP 09523E324800

DATA ENTRY

ENTERED 11-16-91 DMK

CHECKED 3/5/92 JP

"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 27 1990
WATER EXAMINER

VERIFIED
DEC - 1990