

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 36-13457

NAME & ADDRESS:

CHARLES R FENTON
VBIRGINIA W FENTON
237 PLEASANT WAY
RUPERT ID 83350

SP ✓

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 01/01/1977

POINT OF DIVERSION: T09S R24E S29 SENWNW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 LAWN	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within MINIDOKA County
T09S R24E S29 NWNW

DATED:

CK data entry
KCC
1-3-97

N11/N13 ✓

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

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.

DATED:

DANIEL C. HURLBUTT
PRESIDING JUDGE
Snake River Basin Adjudication

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: A36-13457

Date Received: 10/12/1989

Receipt No: S009994

Received By: G. V. V.

Owner Change

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

1. Name: CHARLES R. FENTON 208-436-0796
Address: 237 PLEASANT WAY
RUPERT, ID 83350

AND/OR

Name: VBIRGINIA W. FENTON 208-436-0796
Address: 237 PLEASANT WAY
RUPERT, ID 83350

2. Date of Priority: JAN 1, 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	24E	29	SE	NW	NW		MINIDOKA

5. Description of diverting works:
20' 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	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 LAWN

**MICROFILMED
FEB 15 1993**

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	24E	29	NW	NW		DOMEST	

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:
CITY WATER FOR HOUSE

14. Remarks:
LT 10, BLK 3, COUNTRYSIDE, INC.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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FEB 15 1993

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

- [] Water Right Number(s): A36-13457
- [] Name and Address of Former Claimant(s): JEFFRIE A. ADAMS and/or
CYNTHIA F ADAMS, 237 Pleasant Way
RUPERT, Idaho 83350
- [X] New Claimant(s): Charles R. Fenton
Virginia W. Fenton
- [X] New Mailing Address: 237 Pleasant Way
Rupert, ID 83350
- X New Telephone Number: (208) 436-0796

- [] Does the change in ownership result in a splitting of the water right claimed? yes X no
If yes, then describe the portion of the water right that is now claimed by the new owner:
- _____
- _____
- _____

- [X] Attach proof of ownership
Describe proof attached: Warranty Deed (copy)
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

- [X] Signature of New Claimant(s): Charles R. Fenton
Virginia W. Fenton
- X Date: April 25, 1991

RECEIVED

APR 29 1991

Department of Water Resources
Southern Region OfficeMICROFILMED
FEB 15 1993

392514

WARRANTY DEED

RECEIVED

For Value Received

APR 29 1991

JEFFRIE A. ADAMS and CYNTHIA F. ADAMS, husband and wife

Department of Water Resources

Southern Region Office

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
 CHARLES R. FENTON and VIRGINIA W. FENTON, husband and wife
 Address: 237 Pleasant Way, Rupert, Idaho 83350

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

Lot 10 in Block 3 of the Countryside, Inc. Addition to the
 City of Rupert, Minidoka County, Idaho, according to the
 official plat thereof, now on file in the office of the County
 Recorder, Minidoka County, Idaho, recorded March 29, 1956 in
 Book 8 of Miscellaneous, Page 145, Minidoka County records.

SUBJECT TO:

Taxes for 1990 and subsequent years.

Special assessments, if any, for the City of Rupert.

A Utility easement as shown by Plat of Countryside, Inc.
 Subdivision, executed by Countryside, Inc., and Ralph McQuain
 and Mary A. Hunt, to The Public, recorded March 29, 1956 in
 Book 8 of Miscellaneous, Page 145, Minidoka County records.

Protective Covenants of Country Side Addition, dated April 2,
 1956, executed by Country Side, Inc., an Idaho Corporation, to
 the Public, recorded May 9, 1956 in Book 8 of Miscellaneous,
 Page 149, Minidoka County, records, and amended by Instrument
 recorded May 25, 1973 as Document No. 233890, Minidoka County
 records.

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: July 9, 1990

Jeffrie A. Adams
 JEFFRIE A. ADAMS

Cynthia F. Adams
 CYNTHIA F. ADAMS

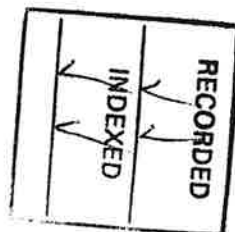
STATE OF IDAHO, COUNTY OF Minidoka

On this 10th day of July, 19 90
 before me, a notary public in and for said State, per-
 sonally appeared

JEFFRIE A. ADAMS and
 CYNTHIA F. ADAMS

known to me to be the person S whose name S are
 subscribed to the within instrument, and acknowledged
 to me that they executed the same.

Steve B. Porch
 Residing at _____, Idaho.
 My Commission Expires 5/1/93



RECORDED AT REQUEST OF
Land Title-Rupert
 FILE NO. 392
 JUL 11 2 11 PM '90
 MINIDOKA COUNTY, IDAHO
 DEANE J. JH
 RECEIVED
 FEE 3
JP

392514

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: A36-13457
Date Received: 10/12/1989
Receipt No: 3009999
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEFFRIE A. ADAMS 208-436-0341
Address: 237 PLEASANT WAY
RUPERT, ID 83350

AND/OR

Name: CYNTHIA F. ADAMS 208-436-0341
Address: 237 PLEASANT WAY
RUPERT, ID 83350

2. Date of Priority: JAN 01, 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	24E	29	SE	NW	NW		MINIDOKA

5. Description of diverting works:
20' 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	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 LAWN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	24E	29	NW	NW		DOMEST	

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:
CITY WATER FOR HOUSE

14. Remarks:
LT 10, BLK 3, COUNTRYSIDE, INC.

15. Basis of Claim: BENEFICIAL USE

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FEB 15 1993

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):

Jeffrie C. Adam

Date: 10/12/89

Date: _____

State of Idaho

County of

tf

)
) SS.
)

Subscribed and sworn (or affirmed) before me this 12 day

of Oct 19 89

Lon White
Notary Public

Seal

Residing at

tf

My Commission Expires

5/94

Water Right Number - R36-13457

Prefix Translation: RESEARCH

Old (D) Number -

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

+ - First Name - - +

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

*** C - CURRENT OWNER ***

FENTON

CHARLES R.

1 - 237 PLEASANT WAY

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-0796

FENTON

VBIRGINIA W.

1 - 237 PLEASANT WAY

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-0796

*** O - ORIGINAL OWNER ***

ADAMS

JEFFRIE A.

1 - 237 PLEASANT WAY

2 -

3 -

City- RUPERT

State- ID Zip- 83350

Phone - 208-436-0341

+ - - Priority Date - - +
01/01/1977+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
J - BENEFICIAL USE

+ - - Status - - - +

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

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

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

09S 24E 29 SE NW NW (67) MINIDOKA

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

43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

09S 24E 29 NW NW 43 DOMESTIC (67) MINIDOKA

Total Acres:

+ - - Diversion Means - 20' WELL, PUMP

+ - - Non-Irrigation Use - DOMESTIC 1 LAWN

+ - - Other Rights for Same Use - CITY WATER FOR HOUSE

MICROFILMED
FEB 15 1993

Water right number - R36-13457

Prefix Translation: RESEARCH

+ - - - - - Remarks - - - - - +
PROPERTY ALSO KNOWN AS LOT 10, BLOCK 3, COUNTRYSIDE, INC.
PARCEL NO. RP03200030100
PROPERTY ALSO KNOWN AS 237 PLEASANT WAY

+ - - - - - 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 - - - - - +
Date: 06/11/1991 User Id: SRBA Subject: COPIED FROM REMARKS
LT 10, BLK 3, COUNTRYSIDE, INC.

+ - - Audit Fields - - +
00/00/00

+ - - - - - 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	- 10/12/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S009994	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
FEB 15 1993

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

DATE: OCT-04-1996

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-13457

NAME AND ADDRESS: CHARLES R FENTON
VBIRGINIA W FENTON
237 PLEASANT WAY
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY FOR NON/IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIARILY
USED FOR DOMESTIC 1 LAWN

PRIORITY DATE: 01/01/1977

POINT OF DIVERSION: T09S R24E S29 SENWNW Within MINIDOKA County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 LAWN	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within MINIDOKA County
T09S R24E S29 NWNW

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

PROPERTY ALSO KNOWN AS LOT 10, BLOCK 3, COUNTRYSIDE, INC.
PARCEL NO. RP03200030100
PROPERTY ALSO KNOWN AS 237 PLEASANT WAY

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

PROPERTY ALSO KNOWN AS LOT 10, BLOCK 3, COUNTRYSIDE, INC.
PARCEL NO. RP03200030100
PROPERTY ALSO KNOWN AS 237 PLEASANT WAY

10/4

MICROFILMED
DEC 5 1996

AJ5856NP

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

DATE: SEP-27-1996

PAGE: A-48

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-13457

NAME & ADDRESS: CHARLES R FENTON
VBIRGINIA W FENTON
237 PLEASANT WAY
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 01/01/1977

POINT OF DIVERSION: T09S R24E S29 SENWNW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC DOMESTIC 1 LAWN	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within MINIDOKA County
T09S R24E S29 NWNW

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

EXP { PROPERTY ALSO KNOWN AS LOT 10, BLOCK 3, COUNTRYSIDE, INC.
PARCEL NO. RP03200030100
PROPERTY ALSO KNOWN AS 237 PLEASANT WAY

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

as of 05-01-96:
Remark -
J01 pg 6

N11
N13

MICROFILMED

DEC 5 1996

10/4

COPY

Water Right Number - 36-13457

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***

FENTON CHARLES R 1 - 237 PLEASANT WAY
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-436-0796

FENTON VBIRGINIA W 1 - 237 PLEASANT WAY
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-436-0796

*** O - ORIGINAL OWNER ***

ADAMS JEFFRIE A 1 - 237 PLEASANT WAY
2 -
3 -
City- RUPERT State- ID Zip- 83350
Phone - 208-436-0341

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
01/01/1977 17 SOUTHERN J - BENEFICIAL USE

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

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

09S 24E 29 SE NW NW (67) MINIDOKA

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

43 - DOMESTIC 01/01 12/31 0.040

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

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

09S 24E 29 NW NW 43 DOMESTIC (67) MINIDOKA

+ - - Diversion Means - 20' WELL, PUMP

+ - - Non-Irrigation Use - DOMESTIC 1 LAWN

+ - - Other Rights for Same Use - CITY WATER FOR HOUSE

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

GEN PROPERTY ALSO KNOWN AS LOT 10, BLOCK 3, COUNTRYSIDE, INC.

verified OK
KFC
12-31-99

Water right number - 36-13457

Prefix Translation: WATER RIGHT

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

PARCEL NO. RP03200030100
PROPERTY ALSO KNOWN AS 237 PLEASANT WAY

+ - - - - 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

+ - - Audit Fields - 06/11/91 SRBA 09/20/91 SMITH 07/21/92 POST-STD 11/02/92 CPSHAW 12/05/92 ADT-SHAW
03/29/95 POST-STD

+ - - - - Comments - - - - - +

Date: 06/11/1991 User Id: SRBA Subject: COPIED FROM REMARKS
LT 10, BLK 3, COUNTRYSIDE, INC.

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

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	- 10/12/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S009994	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	- AND/OR	Notice of Error Flag	-

WATER RIGHT NUMBER - A36-13457

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 - 10/12/89 WHITE

+ - - - - 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	- 10/12/1989	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
CLAIMS TAPE ERROR FLG	-	RECEIPT NUMBER	- S009994	WATER DISTRICT	-
FEE EXEMPT FLAG	-	POU OWNERSHIP FLAG	- Y	FEDERAL/STATE INDICATOR	- S
		NAME CONNECTOR	- AND/OR	PRESUMPTION FLAG	-

RP03208030700

237 Pleasant Way

DATA ENTRY

ENTERED

CHECKED

6/11/91 SW
2/27/92 HW

"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

VERIFIED

FEB - 1991

CERTIFIED

MAR 12 1991

WATER EXAMINER