

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

DATE: NOV-06-1996

PAGE: A-2

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-14777

NAME AND ADDRESS: DARLA RUST  
EVERETT DEAN RUST  
2193 E 900 S  
HAZELTON ID 83335LEONARD J RILEY  
2153E 900S  
HAZELTON ID 83335DEBORAH K RILEY  
21543E 900S  
HAZELTON ID 83335

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

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

PRIORITY DATE: 03/01/1937

POINT OF DIVERSION: T10S R20E S03 NWNWNE Within JEROME County

## PURPOSE AND

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

PLACE OF USE: DOMESTIC Within JEROME County  
T10S R20E S03 NWNWNE

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. RL10S20E030620

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE  
PARCEL NO. RL10S20E030620MICROFILMED  
DEC 10 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: **A36-14777**  
Date Received: 4/10/1990  
Receipt No: S011901  
Received By: \_\_\_\_\_

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

1. Name: LEONARD J RILEY 208-829-5354  
Address: 2153E 900S  
HAZELTON ID 83335  
AND/OR  
Name: DEBORAH RILEY 208-829-5354  
Address: 2153E 900S  
HAZELTON ID 83335

2. Date of Priority: MAR 1, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S      | 20E   | 3       | NW     | NW     | NE     |     | JEROME |

5. Description of diverting works:  
247' 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 HOUSE

**MICROFILMED**

**DEC 10 1990**

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 10S      | 20E   | 3       | NW     | NE  |     | 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 \_\_\_\_\_ 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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DEC 10 1996



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

# RECEIVED

APR 19 1993

Department of Water Resources  
Southern Region Office

DATE OF CLOSING: \_\_\_\_\_

LEGAL DESCRIPTION OF PROPERTY: Township 105 Range 20E  
Section 03, NW 1/4 of NE 1/4 of \_\_\_\_\_ 1/4, Govt. Lot \_\_\_\_\_, BM. \_\_\_\_\_  
Lot \_\_\_\_\_, Block \_\_\_\_\_, Subdivision/Townsite \_\_\_\_\_  
If you have additional legal descriptions, please attach separate sheet.

# RECEIVED

JUN 02 1993

Department of Water Resources  
Southern Region Office

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR: 36-14777 jg Southern Region

☐ Name and Address of Former Owner/Claimant(s)(Seller): Evertt Dean Rust  
Darla Rust

☐ New Owner/Claimant (Purchaser): Leonard & Deborah Riley

☐ New Mailing Address: 2153 E 900S  
WAZELTON IDAHO 83335

☐ New Telephone Number: (208) 829-5354

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached: \_\_\_\_\_

(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 owner/claimant.)

☐ Signature of New Owner/Claimant(s) Leonard & Deborah Riley Date 12-9-93  
Deborah Riley Date 4-12-93

☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6/9/93 By: KE

Further Action Needed:

Further Action Taken

Date: \_\_\_\_\_ By: \_\_\_\_\_

Final Review and Data-Entry

Date: 6/24/93 By: SC

Claim Numbers of Split, if any:

# MICROFILMED

DEC 10 1996

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

# WARRANTY DEED

For Value Received

EVERETT DEAN RUST, also shown as E.D. RUST, and DARLA JEAN RUST,  
Husband and Wife

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

JACK RILEY and DEBI RILEY, Husband and Wife

Whose address is: Box 123, Hazelton, Idaho 83335

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

RECEIVED

JUN 02 1993

Department of Water Resources  
Southern Region Office

RECORD REQUEST  
OF *Grant with Easement*  
SEP 26 10 53 AM '90  
JEROME COUNTY, IDAHO  
FEES *6.00* DEP *dk.*

322593

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: September 20, 1990

*Everett Dean Rust*  
EVERETT DEAN RUST

*Darla Jean Rust*  
DARLA JEAN RUST

STATE OF IDAHO, COUNTY OF Jerome

On this 26th day of September 1990,  
before me, a notary public in and for said State, personally appeared

Everett Dean Rust and  
Darla Jean Rust

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

*Jayne F. Burns*  
Notary Public

Residing at Jerome, Idaho.  
Commission expires: 8-21-93

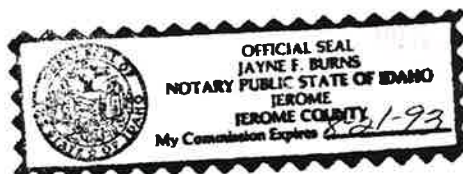


EXHIBIT "A"

TOWNSHIP 10 SOUTH, RANGE 20, EAST OF THE BOISE MERIDIAN,  
JEROME COUNTY, IDAHO

Section 3: That part of Lot 2, more particularly described as follows:

Beginning at a point 25.00 feet South and 21.00 feet East of North quarter corner of said Section;  
Thence South parallel with the West line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ , a distance of 400.00 feet;  
Thence East parallel with the North line thereof a distance of 326.7 feet;  
Thence North parallel with the West line thereof a distance of 400.00 feet;  
Thence West parallel with the North line 326.7 feet to THE POINT OF BEGINNING.

Together with all water and water rights, ditches and ditch rights used thereon or appurtenant thereto including but not limited to 3.00 shares of Capital Stock of the North Side Canal Company, Limited.

Together with an easement for a ditch contained in Easement dated January 31, 1989, recorded February 2, 1989 as Instrument number 314561, Jerome County records, Jerome County, Idaho.

SUBJECT TO THE FOLLOWING:

Taxes for 1990 and subsequent years, which are not yet due and payable.

Assessments of the American Falls Reservoir District and the rights and powers of said District as by law provided.

Assessments of the North Side Canal Company and the rights and powers of said Company as by law provided.

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.

SD-0601-2 Last Name: RUST

STATE

| S | First           | O | Water     | Priority   |             | Total     | Use  |        |
|---|-----------------|---|-----------|------------|-------------|-----------|------|--------|
| E | Name            | W | Right No. | Date       | Source      | Diversion | Code | Desc   |
| L |                 | N |           |            |             |           |      |        |
| - | RUST            |   |           |            |             |           |      |        |
| - | DARLA           | C | A36-14777 | 03/01/1937 | GROUNDWATER | 0.040     | 43   | DOMEST |
| - | EVERETT DEAN    | C | A36-14777 | 03/01/1937 | GROUNDWATER | 0.040     | 43   | DOMEST |
| - | DARLA           | C | 36-14777  | 03/01/1937 | GROUNDWATER | 0.040     | 43   | DOMEST |
| - | EVERETT DEAN    | C | 36-14777  | 03/01/1937 | GROUNDWATER | 0.040     | 43   | DOMEST |
| - | RUSTIC AG INC   |   |           |            |             |           |      |        |
| - |                 | C | A36-11588 | 12/31/1930 | GROUNDWATER | 0.040     | 43   | DOMEST |
| - |                 | C | 36-11588  | 12/31/1930 | GROUNDWATER | 0.040     | 43   | DOMEST |
| - |                 | C | 36-04009  | 04/16/1963 | GROUNDWATER | 0.500     | 01   | IRR    |
| - |                 | C | 36-04248  | 04/16/1963 | GROUNDWATER | 0.440     | 01   | IRR    |
| - |                 | C | A36-04009 | 04/16/1963 | GROUNDWATER | 0.560     | 01   | IRR    |
| - |                 | C | A36-04248 | 01/28/1963 | GROUNDWATER | 0.440     | 01   | IRR    |
| - | RUSTIC AG. INC. |   |           |            |             |           |      |        |
| - |                 | C | A36-15234 | 03/15/1971 | GROUNDWATER | 1.800     | 01   | IRR    |
| - |                 | C | 36-02479A | 06/09/1961 | GROUNDWATER | 1.200     | 01   | IRR    |
| - |                 | C | 36-02480  | 07/19/1961 | GROUNDWATER | 12.500    | 01   | IRR    |

(Enter=Continue)

(GOLD7=This Query)

(Menu       )

MICROFILMED  
DEC 10 1996



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

18-May-1993 09:04

LEONARD & DEBORAH RILEY  
2153E 900S  
HAZELTON ID 83335

RE: CHANGE OF OWNERSHIP FOR ADJUDICATION CLAIM 36-14777 -  
EVERETT DEAN RUST

Dear Claimant(s):

Thank you for sending in the NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP for the above-referenced Claim to a Water Right. However, we will need:

- 1) For the Former owner's signature for a release.
- or
- 2) A copy of the Warranty Deed or something showing the exchange of the property from RUST to yourselves.

I did a search with the name of Everett Dean Rust and the legal description and came up with the above-referenced Claim number. If this is not the correct number, please let me know. Also, you put an '&' sign between Leonard & Deborah - If I put it in the computer as such, in the future it will require both signatures for any records. Most claimaints list '&/or' therefore requiring either signature. If you don't change on the form, I will know you want it left as is.

Should you have any questions, please feel free to call me at this office.

Thank You,

Judy Givens  
Adjudication Secretary

/jg

Encloseures: Returned NEW PROPERTY OWNER NOICE OF CHANGE  
OF WATER RIGHT OWNERSHIP  
Continuation Schedule A Sheet  
Computer listings (2)

MICROFILMED  
JUL 18 1996



State of Idaho

# DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS  
Governor

R. KEITH HIGGINSON  
Director

14-Jun-1993 14:38

LEONARD J &/OR DEBORAH RILEY  
2153 900S  
HAZELTON ID 83335

RE: ADJUDICATION CLAIM NO. 36-14777 - EVERETT DEAN & DARLA RUST

Dear Claimant(s):

Pursuant to the notification that you now own the property with the above-referenced Adjudication Claim(s), we have changed the Department's record(s) as you have requested. Please note that the Director's Report for Basin 36 has been filed with the court and the recommendations for the above-listed right is listed with the Owner's Code D, which stands for the past owners name. Your name will be listed with a C, standing for Current Owner.

Please review the record(s) and should you have any questions, please feel free to call this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy'.

Judy Givens  
Adjudication Secretary

/jg

Enclosures

MICROFILMED

DEC 10 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: A36-14777  
Date Received: 4/10/1990  
Receipt No: S011901  
Received By: lu

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: DARLA RUST  
Address: 2153 EAST 900 SOUTH  
HAZELTON, ID 83335 208-829-5177

AND/OR

Name: EVERETT DEAN RUST  
Address: 2153 EAST 900 SOUTH  
HAZELTON, ID 83335 208-829-5177

2. Date of Priority: MAR 01, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 10S      | 20E   | 3       | NW     | NW     | NE     |     | JEROME |

5. Description of diverting works:  
247' 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 HOUSE

10. Place of Use:

|          |       |         |            |     |        |       |
|----------|-------|---------|------------|-----|--------|-------|
| Township | Range | Section | 1/4 of 1/4 | Lot | Use    | Acres |
| 10S      | 20E   | 3       | NW NE      |     | 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   /   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): Darla J. Rust Date: 4-10-98  
Date:

State of Idaho )  
County of Jeff ) SS.

Subscribed and sworn (or affirmed) before me this 13 day  
of Apr 19 90 Lois White  
Notary Public

Seal

Residing at 7f

My Commission Expires 5/94

MICROFILMED  
FEB 18 1993

WATER RIGHT NUMBER - A36-14777

ADJ. FLAG TRANSLATION: ADJUDICATION TEMPORARY WORK AREA OLD (D) NUMBER -

+ - - - - LAST NAME - - - + + - FIRST NAME - - + + - - - - - ADDRESS - - - - - +

\*\*\* C - CURRENT OWNER \*\*\*  
RUST

DARLA

1 - 2153 EAST 900 SOUTH  
2 -  
3 -

CITY- HAZELTON STATE- ID ZIP- 83335

PHONE - 208-829-5177

RUST

EVERETT DEAN

1 - 2153 EAST 900 SOUTH  
2 -  
3 -

CITY- HAZELTON STATE- ID ZIP- 83335

PHONE - 208-829-5177

+ - - PRIORITY DATE - - + + - - - REGION - - - + + - - - STAGE - - - + + - - - STATUS - - - - +  
03/01/1937 17 ERROR IN REGION J - BENEFICIAL USE

+ - - - - - SOURCE - - - - - + + - - - - - TRIBUTARY - - - - - +  
GROUNDWATER

+ - - - - - POINT OF DIVERSION - - - - - +  
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)  
10S 20E 3 NW NW NE (53) JEROME

+ - - - - - 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

+ - - - - - PLACE OF USE - - - - - +  
TWN RNG SEC TRACT LOT ACRES CODE DESCRIPTION COUNTY  
10S 20E 3 NW NE 43 DOMESTIC (53 ) JEROME

TOTAL ACRES:

+ - - DIVERSION MEANS - 247' WELL, PUMP

+ - - NON-IRRIGATION USE - D/1 HOUSE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - - - - REMARKS - - - - - +  
NO REMARKS FOUND.

+ - - - - - OLD WATER RIGHT NUMBERS - - - - - +  
NO OLD WATER RIGHT NUMBERS FOUND.

MICROFILMED  
FEB 18 1993

WATER RIGHT NUMBER - A36-14777

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 - 04/11/90 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   | - 04/10/1990 | LAST AMENDED DATE     | - 00/00/0000 | TEMPORARY RIGHT         | - P     |
| CLAIMS TAPE ERROR FLG | -            | RECEIPT NUMBER        | - S011901    | WATER DISTRICT          | -       |
| FEE EXEMPT FLAG       | -            | PQU OWNERSHIP FLAG    | - Y          | FEDERAL/STATE INDICATOR | - S     |
|                       |              | NAME CONNECTOR        | - AND/OR     | PRESUMPTION FLAG        | -       |

RL10S20E030620

DATA ENTRY  
ENTERED 12-30-91  
CHECKED 3/2/92

\*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  
FEB 21 1991  
WATER EXAMINER

VERIFIED  
FEB - 1991