

AJ5809NP
No. R36-15175

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 135

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ERNEST L SADLER	12/31/1972	DOMESTIC	01-01 12-31	0.02 CFS	
D	NORENE ZIMMERMAN					
D	SCOTT ZIMMERMAN					
	1015 RIDGEWAY RD S			TOTAL DIVERSION:	0.02 CFS	
	HAZELTON ID 83335					
	(208) 829-5735					

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion:

T10S R20E S11

SENE

JEROME County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
10S	20E	11	:	D																:

POU County: JEROME

Non-Irrigation Uses: RESTAURANT/CONVENIENCE STORE W/GAS PUMPS/ 1 APARTMENT UNIT

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 02/07/1991 User-ID: MERRITT Subject: DERIVED FROM CLAIM A36-08055
THIS USE WAS FIRST ESTABLISHED IN THE 1970'S WHEN THE FREEWAY
WAS BUILT. THERE WAS NO WATER PERMIT OBTAINED BUT IN 1982
THIS WAS CORRECTED BY FILING PERMIT 36-08055 WHICH WAS LICENSED
FOR THE RESTAURANT AND LIVING FACILITY. NO MENTION WAS GIVEN

? ↑ out on AJ side
L on WR side

part "B"
NO 6
N 11

(appears maybe this right s/b for conv. store & gas pumps
& 36-08055 s/b for rest. & apartment unit, but?)

Comments: Date: 02/07/1991 User-ID: MERRITT Subject: DERIVED FROM CLAIM A36-08055
FOR THE CONVENIENCE STORE W/ GAS PUMPS IN THE LICENSE BUT THIS
USE HAS ALWAYS BEEN THERE. WHEN THE CLAIM WAS TAKEN AN ATTEMPT
WAS MADE TO CLAIM BACK THE EARLY PRIORITY TO WHEN THE PLACE WAS
BUILT. UNDER THE NEW DEFINITION OF DOMESTIC WHICH ALLOWS ANY
USE LESS THAN .04 CFS AND LIMITED TO 2500 GAL/DAY TO BE CALLED
DOMESTIC, THIS USE IS BEING RECOMMENDED AS SUCH. THE NEW NUMBER
IS BEING ASSIGNED TO DIFFERENTIATE THE USE FROM THAT WHICH IS
LICENCED.

Date: 08/28/1996 User-ID: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED PER SF3 REC'D 5/31/96.

Audit: 09/30/96 DSHAFF

AJ0743NP
(OD-124)

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

08/28/96 11:19:48
Page 1

Water Right Number - 36-15175

Prefix Translation: WATER RIGHT

Old (D) Number -

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

*** C - CURRENT OWNER ***
SADLER

ERNEST L

1 - 1015 RIDGEWAY RD S
2 -
3 -
City- HAZELTON
Phone - 208-829-5735

State- ID Zip- 83335

*** D - DIR RPT OWNER ***
ZIMMERMAN

SCOTT

1 - 1015 RIDGEWAY RD S
2 -
3 -
City- HAZELTON
Phone - 208-829-5735

State- ID Zip- 83335

ZIMMERMAN

NORENE

1 - 1015 RIDGEWAY RD S
2 -
3 -
City- HAZELTON
Phone - 208-829-5735

State- ID Zip- 83335

+ - - Priority Date - - +
12/31/1972

+ - - Region - - - +
17 SOUTHERN

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

+ - - Status - - - +

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

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

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

10S 20E 11 SE NE NE (53) JEROME

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

43 - DOMESTIC 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.020 0.0

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

10S 20E 11 NE NE 43 DOMESTIC (53) JEROME

Total Acres:

+ - - Diversion Means - 6" X 310' WELL WITH PUMP

+ - - Non-Irrigation Use - RESTAURANT/CONVENIENCE STORE W/GAS PUMPS/ 1 APARTMENT UNIT

+ - - Other Rights for Same Use - NONE

DEC 10 1996
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IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 36-15175

Prefix Translation: WATER RIGHT

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

+ - - - - 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: 02/07/1991 User Id: MERRITT Subject: DERIVED FROM CLAIM A36-08055

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IS BEING ASSIGNED TO DIFFERENTIATE THE USE FROM THAT WHICH IS

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BUILT. UNDER THE NEW DEFINITION OF DOMESTIC WHICH ALLOWS ANY
DOMESTIC, THIS USE IS BEING RECOMMENDED AS SUCH. THE NEW NUMBER
LICENCED.

Date: 08/28/1996 User Id: TFAWCETT Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED PER SF3 REC'D 5/31/96.

+ - - Audit Fields - - +
08/28/96 TFAWCETT

+ - - - - 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	- 04/05/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

DEC 10 1996
MICHO FILMED

COPY

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

FILED NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS

SUB CASE NO. 36-15175

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):

Scott and Norene Zimmerman
1015 Ridgeway Rd S
Hazelton ID 83335

Phone: 829-5735

TO: Claimant/Purchaser(s):

Name and Address of Claimant/Purchaser(s):

Ernest L Sadler
1015 Ridgeway Rd S
Hazelton ID 83335

Phone: 829-5735

The Claimant has filed Objections or Responses to the following water rights: None

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 Transfer and Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: 8/29/1996


Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
5/21/96

Water Right(s): 36-15175

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CERTIFICATE OF MAILING

I certify that on August 29, 1996, 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:
Scott and Norene Zimmerman
Moved left no forwarding address
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
Ernest L Sadler
1015 Ridgeway Rd S
Hazelton ID 83335
4. One Copy to:
Each party in the subcase or attorney of record:
5. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept Of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

AJ5856NP

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

DATE: AUG-29-1996

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-15175

NAME & ADDRESS: ERNEST L SADLER
1015 RIDGEWAY RD S
HAZELTON ID 83335

SOURCE: GROUNDWATER

QUANTITY: 0.02 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR: RESTAURANT/CONVENIENCE STORE W/GAS PUMPS/ 1 APARTMENT UNIT

PRIORITY DATE: 12/31/1972

POINT OF DIVERSION: T10S R20E S11 SENENE Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC	01-01 12-31	0.02 CFS

PLACE OF USE: DOMESTIC Within JEROME County
T10S R20E S11 NENE

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

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DEC 10 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033

Fax (208) 736-3037

August 28, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

ERNEST L SADLER
1015 RIDGEWAY RD S
HAZELTON ID 83335

RE: SRBA Claim(s) 36-15175

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

MICROFILMED
DEC 10 1996

RECEIVED

MAY 31 1996

Department of Water Resources

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

In Re SRBA

Case No. 39576

STANDARD FORM 3

(Check Appropriate Box)

☐ NOTICE OF CHANGE IN ADDRESS

OR

☒ CONSENT TO SUBSTITUTION OF
PARTY

36-15175

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 Ernest L. Sadler

I am the claimant of # 36-15175
(Insert each water right number)

I have filed an objection/response to the following water right(s) No

(Insert each water right number)

My new mailing address is 1015 Ridgeway Rd S.

My phone number is: Work (208) 829-5735 Home Same
(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 _____

(Insert each water right number)

My name is _____

My address is _____

My phone number is:

Work

829-5735

Home

See

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

Harold L. Zimmerman
Signature of prior claimant/seller

Est Z Sale
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.

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DEC 10 1996

VERIFICATION

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

State of Idaho

County of Jerome

EA Sudler, 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.

EA Sudler
Signature of person filing form

BY: _____
Attorney signing in representative capacity

Subscribed and sworn to before me on May 21, 1996
(Insert Date)

Rosalind Cox
Notary Public for State of Idaho
Residing at: Jerome, Id 83338
My Commission expires: 12-28-2001

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 Jan 16 - 5/21/96, 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):

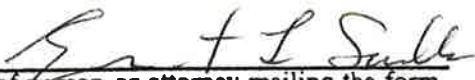
4. A *Consent to Substitution of Party* was served on each party to each subcase, or if they are represented by an attorney you must serve the attorney, in which the prior claimant/seller is a party at the following address(es):

5. One copy to:

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

6. One copy to:

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



Signature of person or attorney mailing the form

RECEIVED

JUN 12 1996

Department of Water Resources

E11351DD

WARRANTY DEED

For Value Received DANNY JOE BEARD and JOY L. BEARD, husband and wife and RICHARD A. BEARD and FREDA K. BEARD, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto ~~ERNEST~~ L. SADLER and ROZILLA K. SADLER, husband and wife whose address is: 1015 RIDGEWAY RD. SOUTH HAZELTON ID 83335

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

See legal description attached hereto and made a part of

SUBJECT TO: All-inclusive Deed of Trust and Assignment of Rents in the principal amount of \$225,200.00, and any other amounts and/or obligation secured thereby, recorded May 2, 1990 as Instrument No. 320733, records of Jerome County, Idaho.

Dated: May 2, 1990

Trustor: Danny Beard and Joy Beard, husband and wife

Trustee: First American Title Company, an Idaho corporation

Beneficiary: Harold Scott Zimmerman and Beverly Norene Zimmerman, husband and wife.

WHICH THE GRANTOR AGREES TO CONTINUE TO PAY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 1, 1994

Danny Joe Beard
DANNY JOE BEARD
Richard A. Beard
RICHARD A. BEARD

Joy L. Beard
JOY L. BEARD
Freda K. Beard
FREDA K. BEARD

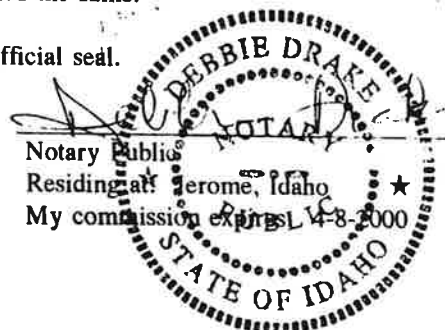
STATE OF IDAHO

)
: ss
)

COUNTY OF TWIN FALLS

On this 1st day of August, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Danny Joe Beard and Joy L. Beard and Richard A. Beard and Freda K. Beard, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.



PURCHASE AND SALE AGREEMENT

THIS AGREEMENT made this 15th day of August, 1994, by and between DANNY JOE BEARD and JOY L. BEARD, husband and wife; and RICHARD A. BEARD and FRED A. K. BEARD, husband and wife, hereinafter referred to as "Seller;" and ERNEST L. SADLER and ROZILLA K. SADLER, husband and wife, hereinafter referred to as "Purchaser,"

W I T N E S S E T H:

Seller agrees to sell to Purchaser and Purchaser agrees to purchase from Seller, upon the terms and conditions hereinafter set forth, the Phillips 66 convenience store and associated personal property and inventory located at 1015 Ridgeway Road South, City of Hazelton, County of Jerome, Idaho, hereinafter referred to as "Said Property," more particularly described as follows:

REAL PROPERTY:

A tract of land located in the Northeast quarter of the Northeast quarter of Section 11, Township 10 South, Range 20 East, Boise Meridian, Jerome County, Idaho, more particularly described as follows:

BEGINNING at the Northeast corner of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; Thence South 0°11'14" East a distance of 1325.00 feet along the Easterly boundary of said NE $\frac{1}{4}$ NE $\frac{1}{4}$; Thence South 89°48'46" East a distance of 25.00 feet to the Westerly boundary of Ridgeway Road; Thence North 07°54'31" West a distance of 27.54 feet along the Westerly boundary of said Ridgeway Road to the TRUE POINT OF BEGINNING; Thence South 89°48'46" West a distance of 415.08 feet to a point on the Northerly bank of the Northside Canal Company Lateral C; Thence North 37°09'00" West a distance of 8.60 feet along the North bank of said Lateral C; Thence North 61°24'00" West a distance of 150.80 feet along the North bank of said Lateral C; Thence North 82°40'00" West a distance of 93.41 feet along the Northerly bank of said Lateral C; Thence North 0°11'14" West a distance of 601.16 feet to a point on the South boundary of a frontage road for Interstate I-80 North Project No. 3(18)191; Thence South 50°57'31" East a distance of 457.00 feet along the Southerly boundary of said frontage road; Thence South 89°58'54" East a distance of 269.72 feet to the intersection of the South boundary of said frontage road with the West boundary of said Ridgeway Road; Thence South 0°11'14" East a distance of 245.74 feet along the Westerly boundary of said Ridgeway Road; Thence South 07°54'31" East a distance of 158.59 feet along the Westerly



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

JUN 12 1996

May 24, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

ERNEST L SADLER
1015 RIDGEWAY RD S
HAZELTON ID 83335

RE: Snake River Basin Adjudication (SRBA)
Jerome County - Notice of Claim #36-15175

Dear Claimant:

Thank you for informing us of the change in ownership of the above-referenced water rights. The SRBA Court, in an Order dated May 21, 1996, turned the processing of ownership changes over to IDWR. Therefore, all documents pertaining to your ownership change should be mailed to my attention at this office.

Please send us a copy of the recorded Warranty Deed to confirm the conveyance and legal description. Upon receipt of the Warranty Deed copy, IDWR will send the required Notice to the court. You will be sent a copy of the Notice and water right description at that time.

Please contact this office toll-free at 1-800/451-4129 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:state

MICROFILMED
DEC 10 1995

**WHERE AMENDED DIRECTOR'S REPORT FOR
BASIN 34 IS AVAILABLE FOR INSPECTION**

MOORE POST OFFICE, 321 MAIN STREET, MOORE
BUTTE COUNTY ASCS, 125 S WATER, ARCO
CUSTER COUNTY ASCS, 716 W CUSTER, MACKAY
CUSTER COUNTY CLERK'S OFFICE, CUSTER COUNTY
COURTHOUSE, 9TH & MAIN, CHALLIS
AUDITOR & RECORDER'S OFFICE, BUTTE COUNTY
COURTHOUSE, 248 W GRAND, ARCO
BIG LOST RIVER IRRIGATION DISTRICT OFFICE, 101 MAIN,
MACKAY
BIG LOST RIVER ELECTRIC CO-OP, 302 PINE, MACKAY

**WHERE AMENDED DIRECTOR'S REPORT FOR
BASIN 57 IS AVAILABLE FOR INSPECTION**

OWYHEE COUNTY ASSESSOR'S OFFICE, OWYHEE
COUNTY COURTHOUSE, MURPHY
U.S. POST OFFICE, MURPHY
U.S. POST OFFICE, 7 NORTH MAIN, HOMEDALE
U.S. POST OFFICE, MARSING
OWYHEE COUNTY ASCS, REICH STREET, MARSING
GEM IRRIGATION DISTRICT, 119 SOUTH FIRST, HOMEDALE
U.S. POST OFFICE, GRANDVIEW

**WHERE AMENDED DIRECTOR'S REPORT FOR
BASIN 36 IS AVAILABLE FOR INSPECTION**

A&B IRRIGATION DISTRICT, 11TH & E STREETS, RUPERT
DISTRICT COURT CLERK, BLAINE COUNTY COURTHOUSE,
202-2 AVE. S, HAILEY
DISTRICT COURT CLERK, BUTTE COUNTY COURTHOUSE,
248 W GRAND, ARCO
HAGERMAN POST OFFICE, 444 NORTH STATE, HAGERMAN
DISTRICT COURT CLERK, JEROME COUNTY COURTHOUSE,
300 N LINCOLN, JEROME
DISTRICT COURT CLERK, MINIDOKA COUNTY COURT
HOUSE, 8TH & G STREET, RUPERT
NORTHSIDE CANAL COMPANY, 921 N LINCOLN, JEROME
DISTRICT COURT CLERK, LINCOLN COUNTY COURT
HOUSE, 111 W S, SHOSHONE

83335-5655

**THIS IS AN IMPORTANT LEGAL NOTICE CONCERNING
YOUR WATER RIGHT CLAIMS IN THE SNAKE RIVER
BASIN ADJUDICATION**

OFFICES OF IDWR AND SRBA DISTRICT COURT

IDWR State Office, 1301 N. Orchard St., Statehouse Mail, Boise, ID 83720-9000;
(208) 327-7906, or toll-free (800) 451-4129.
IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082; (208) 334-2190.
IDWR Southern Region, 222 Shoshone St. East, Twin Falls, ID 83301-6602; (208) 736-3033.
IDWR Eastern Region, 900 N. Skyline, Ste. A, Idaho Falls, ID 83402-3653; (208) 525-7161.
SRBA DISTRICT COURT, P.O. Box 2707, 253 3rd Ave. North, Twin Falls, ID 83303-2707;
(208) 736-3011.

Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

RECEIVED

JAN 04 1996

Department of Water Resources

BOI CTY

36-15175
SCOTT ZIMMERMAN
NORENE ZIMMERMAN
1015 RIDGEWAY RD S
HAZELTON

ID 83335

Presorted
First Class Mail
U.S. Postage Paid
Permit No. 1
Boise, ID

RECEIVED

JAN 18 1996

Department of Water Resources
Southern Region

MICROFILMED
DEC 10 1996

THIS IS AN IMPORTANT LEGAL NOTICE CONCERNING YOUR WATER RIGHT CLAIMS IN THE 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 SRBA	)	Case No. 39576
	)	NOTICE OF FILING AMENDED DIRECTOR'S
	)	FOR REPORTING AREAS 1, 2, AND 3
	)	(BASINS 34, 57 AND 36)

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN REPORTING AREAS 1, 2 AND 3
(BASINS 34, 57 AND 36)

The Idaho Department of Water Resources has filed Amended Director's Reports for Reporting Areas 1, 2, and 3 (Basins 34, 57, and 36, also known as the test basins) with the SRBA District Court. One of the purposes of the Amended Reports is to conform the director's reports to the requirements of the adjudication statute, Title 42, chapter 14, Idaho Code, which was amended in 1994.

The Amended Reports amend the "preamble" to the director's reports, which include "general provisions." The general provisions apply to all water rights or certain classes of water rights, and are recommended to be included in the court's decree of water rights. The amendments significantly reduce the general provisions, and include some changes in the text of the remaining general provisions. The remainder of the preamble consists of explanatory material. The Amended Reports do not change the list of water rights in the report. IDWR will file amended reports at a later date that revise the list of water rights in the reports.

The SRBA District Court has entered an order granting the amendments to the Director's Report for Basin 57 in part. The order further provides that no additional objections to the remaining general provisions in the Basin 57 report will be allowed. The court has entered an order setting a hearing on the Amended Reports for Basins 34 and 36 on January 16, 1996, at 1:30 p.m., at the SRBA Courthouse. **The order provides that any party opposing the amendments to the report shall file with the court a notice and brief in opposition by 5:00 p.m. January 8, 1996;** any party wishing to file a response to the objections shall file their briefs prior to 5:00 p.m., January 15, 1996.

Some claimants have filed a motion asking the court to designate the general provisions as "Basin Wide Issue No. 5" for determination by the court. The court has entered an order designating the general provisions in Basin 57 as Basin Wide Issue No. 5. (One of the general provisions, concerning the Reynolds Creek Decree, was referred to the special master for Basin 57.) A hearing on the designation of general provisions in Basins 34 and 36 as part of Basin Wide Issue No. 5 will be held January 16, 1996, at 1:30 p.m. at the SRBA Courthouse.

The court's order also sets forth a schedule for the resolution of Basin Wide Issue No. 5. All parties to the SRBA who intend to participate must file with the SRBA District Court a notice of intent to participate by 5:00 p.m., January 5, 1996. The notice must state whether the party supports or opposes the inclusion of each general provision in the court's decree, and clearly and briefly explain their position. Briefs in support of the general provisions must be filed with the court by 5:00 p.m., January 26, 1996. Briefs in opposition to general provisions must be filed with the court by 5:00 p.m., February 9, 1996. Responsive briefs must be filed with the court by 5:00 p.m., February 16, 1996. A pretrial conference will be held at 9:00 a.m. on February 20, 1996, and hearing will be held at 9:00 a.m. on March 12, 1996, at the SRBA Courthouse.

A copy of each amended report is available for inspection at the locations listed on this notice. Copies of all or a portion of the amended reports and/or the court's orders are available from the offices of IDWR listed on this notice, subject to payment of costs of mailing and/or copying.

If you have questions about the SRBA, please call any office of IDWR listed in this notice; if you have questions concerning your rights and responsibilities as a claimant in the SRBA, please consult your attorney.

December 29, 1995
Karl J. Dreher
Director, Idaho Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

January 16, 1996

NEW PROPERTY OWNER
1015 RIDGEWAY RD S
HAZELTON ID 83335

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim #36-15175

Dear New Property Owner:

A legal notice mailed recently by IDWR was returned to us by the Post Office. The notice was mailed to an apparent former owner at your address who has or had this property or others in the area.

SRBA Judge Hurlbutt issued an Amended Order March 22, 1995, requiring claimants such as yourself acquiring property and associated water right(s) identified in a Director's Report to use Standard Form 3 for change in address or ownership of the Court's records for the water right(s) referenced above or any other. We have enclosed this form for your use.

The Court's form must be submitted according to the instructions to complete the change of address or ownership in the Court's records.

Please contact us or the SRBA Court at 208/736-3011 if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:ss:region
Enclosure:
Standard Form 3

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DEC 10 1995

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

DATE: NOV-05-1996

PAGE: A-1

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 36-15187

NAME AND ADDRESS: THEO N CHRIST
RT 4 BOX 31
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR: DOMESTIC, 1 HOUSE, STOCKWATER, 40 CATTLE OR SHEEP

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

PRIORITY DATE: 01/01/1920

POINT OF DIVERSION: T09S R24E S16 NWENW 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	0.04 CFS

PLACE OF USE: STOCKWATER Within MINIDOKA County
T09S R24E S16 NENWDOMESTIC Within MINIDOKA County
T09S R24E S16 NENW

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. RP09S24E152400

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. RP09S24E152400
STOCKWATER, 40 CATTLE OR SHEEPVERIFIED BY KKC
11-7-96MICROFILMED
DEC 10 1996

AJ5809NP
No. R36-15187

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/02/96
PAGE: 138

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THEO N CHRIST RT 4 BOX 31 RUPERT ID 83350 (208) 436-4575	01/01/1920	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.02 CFS 0.04 CFS	
TOTAL DIVERSION:					0.06 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T09S R24E S16

NW1/4

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	24E	16	:																

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	24E	16	:																

POU County: MINIDOKA

Non-Irrigation Uses: DOMESTIC, 1 HOUSE; STOCKWATER, 40 CATTLE OR SHEEP

Other Rights: MID CANAL WATER

Remarks: GEN. PARCEL NO. RP09S24E152400

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 09/30/96 DSHAFF

upelal
KRC
10-31-96

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: A36-15187
Date Received: 5/10/1991
Receipt No: S013331
Received By: R. V. R.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THEO N. CHRIST
Address: RT 4 BOX 31
RUPERT, ID 83350
208-436-4575

2. Date of Priority: JAN 1, 1920

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	16	NW	NE	NW		MINIDOKA

5. Description of diverting works:
6" X 100' WELL, 1 HP 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		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE, S/40 CATTLE OR SHEEP

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09S	24E	16	NE	NW		DOMEST	
			NE	NW		STOCK	

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FEB 21 1993

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:
MID CANAL 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): X *Joe Hunt* Date: X *5/10/91*
_____ Date: _____

State of Idaho)
County of *Twin Falls*) SS.

Subscribed and sworn (or affirmed) before me this *10th* day

of *May* 19 *91*

Seal

Robert V. Horstell
Notary Public

Residing at *Twin Falls, Idaho*

My Commission Expires *January 16, 1995*

MICROFILMED
FEB 21 1993

CHNIST

* N C2H4

1 - 81 6 30X 31

PHONE - 209-436-4575

STATE- ID 71P- 83350

+ - - - STAGE -
J - GENERAL USE

NOI 94M - - - 4

0751/10/10

+ - - - - - PARITY DATE - - - - -

GRUNDWATERS

1918074824

STREAM INDEX (BLANK IF NO INDEX CODE)

NOTES: AIC 74 INID 8

TWN	RNG	SEC	TRACT	LOT	BLK
10	10	10	10	10	10

SECTION 10 (15)

095 243 15 860

01153400 - 54

10/16

12/27

070.0

0.000

0.000

006.0

COUNTY

(67) MINIDOKA
(67) MINIDOKA

04	STOCKWATER	43	DOMESTIC
----	------------	----	----------

$\forall N$	$\exists N$
$\exists N$	$\forall N$

コサマ
コサマ

+ - + - OLVESSION MEANS

4 - - - - NON-IRRIGATION USE - D/I HOUSE, 5/40 CATTLE OR SHEEP

OTHER RIGHTS FOR SAME USE - MTD CANAL WATER

— — — — — REMARKS — — — — —

NO OLD WATER RIGHT NUMBERS FOUND.

- - - CONDITIONS OF APPROVAL

NO CONDITIONS OF APPROVAL FOUND.

+ - - - - DECREE PLAINIFF

+ - - - - SECRET DEFENDANT - - - - +

MICROFILMED
FEB 21 1993
+ D88 em DA
00/00/0000

