

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: **A37-01164H**
Date Received: 6/28/1988
Receipt No: S000586
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MICHAEL M KOCHERT
Address: 10230 WEST AMITY ROAD
BOISE ID

83709

AND

Name: PHYLLIS K KOCHERT
Address: 10230 WEST AMITY ROAD
BOISE ID

83709

2. Date of Priority: APR 20, 1907

3. Source: SNAKE RIVER

Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10S	21E	28	SW	SW	NW		JEROME

5. Description of diverting works:

MILNER DAM THROUGH MILNER-GOODING CANAL TO NORTH-GOODING CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.220		

7. Total Quantity Appropriated is:

0.220 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 65.1 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
05S	14E	26	NE	NW		IRR	3.8

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
05S	14E	26	NW		NW		IRR	0.2
			SW		NW		IRR	1.0
			SE		NW		IRR	16.7
Section Acres								21.7
Total Acres								21.7

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

37-0359 A. F. SUPPLEMENTAL 25.75 SHARES.

14. Remarks:

WHEN THE MILNER-GOODING CANAL WAS BUILT THE WATER FROM THE BIG WOOD RIVER WAS EXCHANGED FOR SNAKE RIVER WATER.

2-24-98: CHANGE OF OWNERSHIP URIONA TO KOCHERT PER NOTICE REC'D
11-18-97 - VH

15. Basis of Claim: DECREED

Case Number:

Court : FOURTH

Decree date: 9/11/1917

KATIE JONES

Decree Plaintiff

SEWELL H. CHAPMAN

vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 24, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Michael and Phyllis Kochert
10230 West Amity Road
Boise, Idaho 83709

RE: Snake River Basin Adjudication (SRBA)
Claim No.(s): A37-10314, A37-01164H, A37-00359D
Change of Ownership Notification

Dear Claimant(s):

We have been notified that you have purchased property with the above referenced Snake River Basin Adjudication claim(s), and our records have been changed, accordingly. **The enclosed copies are for your records**, please review these documents for accuracy in all respects. If you have any questions, please contact me at this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock'.

Vikie Hancock
S.R.B.A. Records Clerk

ENCLOSURES

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

NOV 18 1997

1. Water Right Number(s) A37-10314 A37-01164H A37-003590
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) MARY J. Uriona
438 Orchard Drive
Gooding, Idaho 83352

4. New Owner/Claimant(s) MICHAEL M. KOCHERT AND PHYLLIS K. KOCHERT
Name connector (Check one): [] AND, [] OR, [] AND/OR
New Mailing Address 10230 WEST AMITY, ROAD, BOISE, IDAHO 83709

City, State and ZIP Code _____

New Telephone Number () _____

5. Date you acquired the property 11-14-97

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.

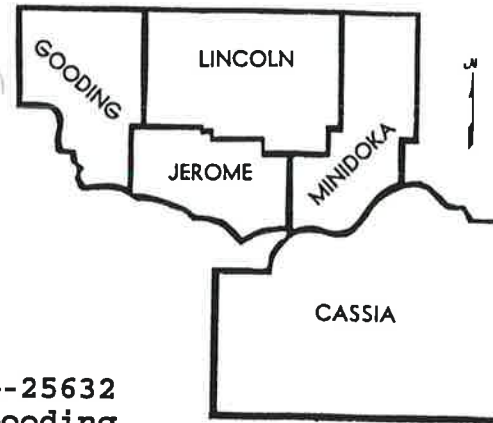
7. Signature of New Owner/Claimant(s) Michael M. Kochert Date 11/14/97
Phyllis K. Kochert Date 11-14-97

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: G-25632
OFFICE: Gooding

November 17, 1997

State of Idaho
Department of Water Resources
Southern Region
1341 FILLMORE SUITE 200
Twin Falls, Idaho 83301-3380

RECEIVED

NOV 18 1997

Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
Kochert/Guinn, Uriona
Cert Mail #P440 694 430

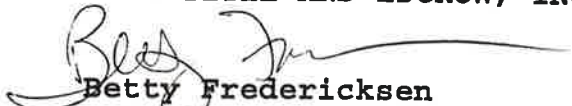
Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership
- Copy of Deed #173032
- Copy of map

Thank you,

LAND TITLE AND ESCROW, INC.


Betty Fredericksen
(208) 934-8477

P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc: Kochert

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

WARRANTY DEED

#G-25632

For Value Received

FRANCES URIONA GUINN, a married woman contracting with her sole and separate property
and GEORGE NICHOLAS URIONA, a married man contracting with his sole and separate property

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

MICHAEL N. KOCHERT and PHYLLIS K. KOCHERT, husband and wife

Address: 10230 W. Amity Rd, Boise, ID 83709

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

SEE SCHEDULE A ATTACHED

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: October 24, 1997

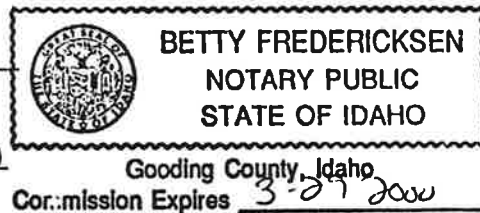
Frances Uriona Guinn
FRANCES URIONA GUINN

George Nicholas Uriona
GEORGE NICHOLAS URIONA

STATE OF Idaho)
COUNTY OF Gooding) ss.

On this 14th day of November, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared FRANCES URIONA GUINN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Betty Fredericksen
Notary Public
Residing at: Gooding, ID
My Commission expires: 3-29-2000



STATE OF _____)
COUNTY OF _____)

IN AND WITH THE UNITED STATES ARMED
FORCES AT STUTTGART GERMANY

On this 5th day of November, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared GEORGE NICHOLAS URIONA, 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.

Rodney T. Bruce
Notary Public USC 1044
Residing at: Stuttgart, Germany
My Commission expires: Indefinite
RODNEY T. BRUCE, SGT
Legal NCO

SCHEDULE A

Order Number: G-25632

TOWNSHIP 5 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 26: S $\frac{1}{2}$ NW $\frac{1}{4}$, lying North of the centerline of Big Wood River; NE $\frac{1}{4}$ NW $\frac{1}{4}$; and that part of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ more particularly described as follows:

Beginning at the Northeast quarter corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South along said East line of NW $\frac{1}{4}$ NW $\frac{1}{4}$ 960 feet to THE TRUE
POINT OF BEGINNING;
Thence North 73°00' West, 140 feet;
Thence South 46°30' West, 490 feet more or less to the Northeast bank of the
Big Wood River;
Thence Southeasterly along said Northeast quarter bank of the Big Wood River
to its intersection with the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence East along the South line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ to the Southeast corner
of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence North along the East line of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ 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
40 shares of capital stock of the Big Wood Canal Company, 25 shares
supplemental, and also including any licensed domestic or
irrigation water rights, licenses with the the State of Idaho,
including but not limited to #37-003590, #37-02264M, and #37-10314.

MAF
PKK

SUBJECT TO THE FOLLOWING:

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

Taxes for 1997 and subsequent years, a lien, but not yet due and payable.

Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.

Assessments of the American Falls Reservoir District No.2 and the rights and powers of said Company as by law provided.

Right of way for canals, laterals and waste ditches of Big Wood Canal Company.

Agreement by and between the Gooding Highway District, a body politic and corporate, and John W. Guinn and Frances Guinn, husband and wife, and Mary Uriona, a single woman, dated September 4, 1980, recorded September 9, 1980 as Instrument Number 85137, Gooding County records.

G. U.
P. A.

T-58

183
T-118

39.1

135

8.1

4.3

22.33

27.46

26.3

3.13

4.4

4.5

2.20

4.4

36

T-43

4.4

4.1

4.3

4.3

4.3

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4.3

4.3

4.3

4.3

4.3

4.3

4.3

4.3

4.3

4.3

4.3

4.3

T-48

39.9

4.0

4.0

4.0

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4.0

4.0

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: A37-01164H
Date Received: 6/28/1988
Receipt No: 5000586
Received By: TB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARY J. URIONA 208-934-4719
Address: 438 ORCHARD DR.
GOODING, ID 83330

2. Date of Priority: APR 20, 1907

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	21E	28	SW	SW	NW		JEROME

5. Description of diverting works:
MILNER DAM THROUGH MILNER-GOODING CANAL TO NORTH-GOODING CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.220		

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

8. Total consumptive use is 65.1 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	14E	26	NE	NW		IRR	3.8
			NW	NW		IRR	0.2
			SW	NW		IRR	1.0
			SE	NW		IRR	16.7

Section Acres 21.7

A37-01164H

Page 1

Date: 06/28/88

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FEB 23 1993

test

10. Place of Use: Continued

Total Acres 21.7

11. Place of use in counties: GOODING

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

13. Other Water Rights Used:

37-0359 A. F. SUPPLEMENTAL 25.75 SHARES.

14. Remarks:

WHEN THE MILNER-GOODING CANAL WAS BUILT THE WATER FROM THE BIG
WOOD RIVER WAS EXCHANGED FOR SNAKE RIVER WATER.

15. Basis of Claim: BENEFICIAL USE

Water Right Number:

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Mary J. Ureana Date: 6-28-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

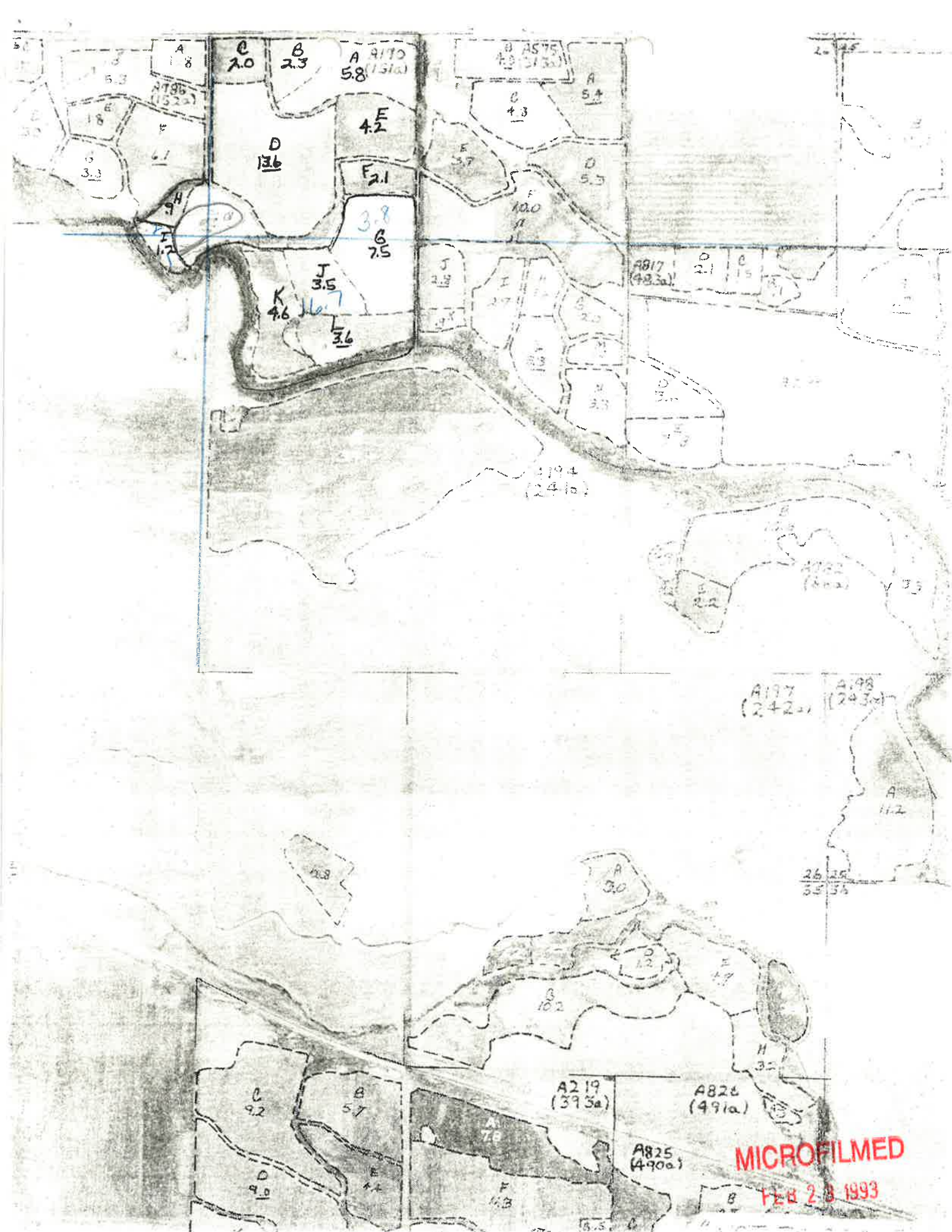
Subscribed and sworn (or affirmed) before me this 28th day

of June 19 88

Mary G. Baldwin
Notary Public

Seal

Residing at Leading Hill
My Commission Expires 10/16/1992



A197 (242) A198 (243)

MICROFILMED
FEB 23 1993