

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 BEAR RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 79576

Claim ID: 15-4174

Date Received: 2-28-22

Receipt No: C112044

Claim Fee: 25 By: W

RECEIVED

FEB 28 2022

**DEPARTMENT OF
WATER RESOURCES**

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day

Please type or print clearly

1. Name of claimant(s) C.E.J. WARR IDAHO, LLC (Judy L. WARR) Phone (435) 830-2982
 Mailing address 4820 Tom's Lane Erda Ut Zip 84074
Street or Box City State
 Email address (optional) judy1warr47@gmail.com
2. Date of priority: (Only one per claim) 09/17/1930 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other () (a) Stream
 which is tributary to (b) Wrights Creek
4. Location of point of diversion is: Township 12S, Range 35E, Section 01,
NE 1/4 of SW 1/4, or Govt. Lot _____ BM, County of ONEIDA;
 Parcel no. _____
 Additional points of diversion, if any: _____
 If available, GPS coordinates: _____
5. Description of diverting works (wells, pumps, spring boxes, pipelines, etc.) including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

6. Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
 For Stock water purposes from JAN 1 to Dec 31 amount .03
Month/Day Month/Day cfs () or AFY ()
 For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed .03 cfs () or AFY ()
8. Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
Water approximately 174 or Less head of cattle

9. Location of place of use is: Township 12S, Range 35E, Section 01,
NE 1/4 of SW 1/4, Govt. Lot _____ BM, Parcel no. _____
If different than shown in Item 4
for (check one) Domestic () Stock (X) Domestic and Stock ()

Additional places of use, if any _____

10. In which county(ies) are lands listed above as place of use located? Oneida

11. Do you own the property listed above as place of use? Yes (X) No ()
If the answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

13. Remarks (include an explanation of the priority date selected):
Research showed date this right had been applied for.

14. Basis of claim (check one) Beneficial Use (X) Posted Notice () License () Permit () Decree ()
Court _____ Decree Date _____ Plaintiff v. Defendant _____
If applicable provide IDWR Water Right Number 15-4174

15. Signature(s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System 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: 10

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s) Judy L Warr Date: 2/25/22
Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

Manager of C E J WARR IDAHO, LLC,
Agent's title (Please print) Name of organization (Please print)

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Judy L Warr Date 2/25/22

Printed Name of Authorized Agent Judy L. WARR

16. Notice of Appearance:
Notice is hereby given that I, (please print) _____, will be acting as attorney at law of behalf on the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____ Date _____

Address _____

Name of claimant(s) _____ Claim ID _____

NTO-1590
C & J WARR FAMILY PROPERTIES, L.C.
4820 NORTH TOM'S LN.
ERDA, UT 84074

WARRANTY DEED

DAVID L. RICHARDS AND HAYLEY RICHARDS, HUSBAND AND WIFE, Grantor(s) of MALAD CITY, County of ONEIDA, State of ID, hereby **CONVEY AND WARRANT** to C & J WARR FAMILY PROPERTIES, L.C., Grantee(s) of ERDA, County of TOOELE, State of UT for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, the following described tract of land in Oneida County, State of Idaho:

See Attached Exhibit "A"

Subject to easements, restrictions and rights of way of record, and taxes for the year 2006 and thereafter.

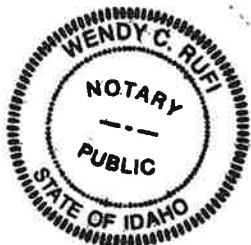
Witness, the hand(s) of said Grantor(s), this December 15, 2006.

David L. Richards
DAVID L. RICHARDS

Hayley Richards
HAYLEY RICHARDS

State of ID)
County of ONEIDA)

On December 15, 2006, personally appeared before me DAVID L. RICHARDS and HAYLEY RICHARDS the signer(s) of the within instrument, who duly acknowledged to me that they executed the same.



Wendy C. Ruff
Notary Public: WENDY C. RUFF
Residing: MALAD CITY, ID
Expires: 2/28/2011

"EXHIBIT A"

TOWNSHIP 12 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, ONEIDA COUNTY, IDAHO:

SECTION 2: THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, THE EAST HALF OF THE SOUTHWEST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 3: THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 11: THE NORTH HALF OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE WEST HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER, THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 12: THE NORTH HALF OF THE NORTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER.

TOWNSHIP 12 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, ONEDIA COUNTY, IDAHO:

SECTION 1: THE WEST HALF OF THE SOUTHWEST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER.

SECTION 2: THE NORTH HALF OF THE SOUTHEAST QUARTER, THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, THE EAST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER, AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER.

SECTION 11: LOTS 1 AND 2, THE EAST HALF OF THE NORTHWEST QUARTER, AND THE NORTH HALF OF THE NORTHEAST QUARTER.

SECTION 12: THE NORTH HALF OF THE NORTHWEST QUARTER.

**"THIS IS A LEGALLY BINDING CONTRACT.
IF NOT UNDERSTOOD, SEEK COMPETENT ADVICE."**

BILL OF SALE
(WITH WARRANTIES)

Know all men by these presents:

That DAVID L. RICHARDS and HAYLEY RICHARDS, the seller(s), for and in consideration of the sum of ten dollars and other good and valuable considerations, to them in hand paid by C & J WARR FAMILY PROPERTIES, L.C., the buyer(s), the receipt whereof is hereby acknowledged, have bargained, sold, assigned and transferred, and by these presents do bargain, sell, assign and transfer unto said buyer(s) that certain personal property now at:

EAST DANIELS, MALAD CITY, ID 83252

ONEIDA County, State of IDAHO

particularly described as follows:

CABIN LOCATED ON TAX PARCEL NUMBER RP0209200, TOGETHER WITH ITS GENERAL ITEMS AND APPLIANCES
(I.E. PROPANE TANK, PROPANE REFRIGERATOR, PROPANE WATER HEATER, PROPANE STOVE AND FURNACE, PROPANE LIGHTING FIXTURES, PLUMBING SYSTEM, WOOD BURNING STOVE), AND ANY ADDITIONAL FURNISHINGS SELLER WISHES TO LEAVE IN THE CABIN

THE FOLLOWING IDAHO STATE WATER RIGHTS (TO BE TRANSFERRED BY BUYER AND SELLER):

IDWR WATER RIGHT # 15-4174
IDWR WATER RIGHT # 15-7249
IDWR WATER RIGHT # 15-7250
IDWR WATER RIGHT # 15-7251

and the seller(s) upon the consideration recited above warrants ownership of and good title to said property, the right to sell the same and that there are no liens, encumbrances or charges thereon or against the same and to defend the title and possession transferred to the buyer(s) against all lawful claims.

In witness whereof, we have hereunto set our hands this December 15, 2006.


DAVID L. RICHARDS


HAYLEY RICHARDS

SECTION 1
TOWNSHIP 12 SOUTH
RANGE 35 EAST

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Carida) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Debra Buchler Treasurer Buchlers
(Claimant) *clac*

Sworn to before me this 31st day of Aug., 19 83.

Lezell R. Williams
Notary Public
Residing at Malad, Id.

My commission expires 3-9-86

FOR DEPARTMENT USE ONLY

Received by <u>CW</u>	Date <u>9-01-83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>SM</u>	Date <u>9/12/83</u>		claimant by:	
\$30.00 fee received by <u>CW</u>	Date <u>9-2-83 #29654</u>			
Published in <u>Idaho Enterprise</u>				
Dates <u>9/22 - 9/29/83</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Teri L Daniels

being duly sworn,
deposes and says: That she is the Secretary of THE IDAHO ENTERPRISE, a weekly newspaper published at Malad, in the County of Oneida and State of Idaho; that said paper has been and is in general circulation in the county aforesaid, and in the vicinity of Malad; that the advertisement, a copy of which is attached hereto, was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of said paper during the period of time of publication, and was published in the newspaper proper and not a supplement; that said paper has been established and regularly published for more than seventy-eight consecutive weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with

Sept 21, 1983, and ending

with the issue of Sept 28, 1983

J. B. Daniels

Fee \$ 27.30

Subscribed and sworn to before me this 30th day

of Sept, 1983

Ken Nunn
Notary Public, Residing at Malad, Idaho

My Commission Expires Lifetime, 19

RECEIVED

OCT 7 1983

Department of Water Resources
Eastern District Office

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

15-4175

BUEHLERS INC.
RT. 1, BOX 1438, MALAD, ID 83252
Source: LITTLE MALAD SPRING trib. to LITTLE MALAD RIVER
Priority Date: 03-22-1907
Diversion Pt: NWSW Sec 14 T 12S R 34E
Use: STOCKWATER (0.07 CFS)
In: NWSW Sec 14 T 12S R 34E

15-4174

BUEHLERS INC.
RT. 1 BOX 1438, MALAD, ID 83252
Source: UNNAMED STREAM trib. to WRIGHTS CREEK
Priority Date: 09-17-1930
Diversion Pt: NESW Sec 01 T 12S R 35E
Use: STOCKWATER (0.03 CFS)
In: NESW Sec 01 T 12S R 35E

15-4173

BUEHLERS INC.
RT. 1, BOX 1438, MALAD, ID 83252
Source: WRIGHTS CREEK trib. to LITTLE MALAD RIVER
Priority Date: 09-26-1908
Diversion Pt: NWNW SWNW Sec 24 T 12S R 34E
Use: STOCKWATER (0.07 CFS)
In: NWNW SWNW Sec 24 T 12S R 34E

Exceptions to a claim may be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402.

KENDUNN, Dir.

Published 9-22 & 9-29-83.

43B
no entry
made
OCT 11/1983

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shour Ave., Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

OCTOBER 10, 1983

RECEIVED
OCT 11 1983
SUEHLERS INC.
RT. 1, BOX 143B
MALAD

ID 83252

RE: Claim No. 15-4174

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Steve McCormick

Right Number 15 4174 Applicant Buehlers Inc.

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

Oct 10, 1983

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed.

By Ernest Carlson Date Oct 13, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By OTR Date 11/1/83

LATE CLAIM: original filed on or about 6-17-83
see letter in file 15-4173.
No additional fee required

Jim
11-3-83

15-4174

BUEHLERS INC.

RT. 1, BOX 143B, MALAD, ID 83252

Source: UNNAMED STREAM trib. to WRIGHTS CREEK

Priority Date: 09/17/1930

Diversion Pt: NESW Sec 01 T 12S R 35E

Use: STOCKWATER (0.03 CFS)

In. NESW Sec 01 T 12S R 35E

Water Right and Adjudication Search

1. Click "Search" To Enter Your Parameters

Name (Click to expand or collapse) Adjudication, Water Right & Basin or Transfer Location of Use or Diversion Sources Water Use Dates Water Right Types Status	☐ All ☐ Search for a specific Name ☐ All ☐ Search for a specific Basin, Right or Transfer number ☐ All ☐ Search for a specific Location by legal description ☐ All ☐ Search for Surface Water, Groundwater or a specific Source &/or Tributary ☐ All ☐ Search for a specific Water Use ☐ All ☐ Search for a specific Date Type & range of Dates ☐ All ☐ Search for one or more specific Water Right Types ☐ All ☐ Search for both Active & Inactive Records
--	---

Search Results (10)
(Click to expand or collapse)

[Export Results to Excel](#)
[Clear All Items](#)
[Start Search](#)

C/C: any column to sort table

Options	7	Basic	Sequence	Serial	Application Number	Date	Status	Priority Date	OP: Rata Info	Source	Water Use	Owner	
Details													
More Options		<u>Water Right</u>	15	4174			Statutory Claim	Active	09/17/1930	0.03	UNNAMED STREAM	STOCKWATER	RICHARDS, DAVID; RICHARDS, HAYLEY
Details													
More Options		<u>Water Right</u>	15	7249			Statutory Claim	Active	01/13/1916	0.04	SPRING	STOCKWATER	RICHARDS, DAVID
Details													
More Options		<u>Water Right</u>	15	7250			Statutory Claim	Active	08/07/1917	0.04	SPRING	DOMESTIC, STOCKWATER	RICHARDS, DAVID
Details													
More Options		<u>Water Right</u>	15	7251			Statutory Claim	Active	08/07/1917	0.04	SPRING	DOMESTIC, STOCKWATER	RICHARDS, DAVID
Details													
More Options		<u>Water Right</u>	22	11797			Decreed	Active	08/25/1983	0.06	GROUND WATER	DOMESTIC, STOCKWATER	RICHARDSON, DAVID J; RICHARDSON, DIANE L
Details													
More Options		<u>Water Right</u>	22	11799			Decreed	Active	08/25/1983	0.04	GROUND WATER	DOMESTIC, STOCKWATER	RICHARDSON, DAVID J; RICHARDSON, DIANE L
Details													
More Options		<u>Water Right</u>	29	4431			Decreed	Active	01/01/1910	0.05	GROUND WATER,	DOMESTIC, STOCKWATER	RICHARDSON, DAVID J; RICHARDSON, DIANE L