

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: 15-7250

Date Received: 2.28.22

Receipt No: C112046

Claim Fee: \$25 By: Ku

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

- Name of claimant(s) CET 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) judywarr47@gmail.com
- Date of priority: (Only one per claim) 8-7-1917 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other (X) (a) Un-named Springs
which is tributary to (b) Sinks
- Location of point of diversion is: Township 12S, Range 35E, Section 2,
SW 1/4 of NW 1/4, or Govt. Lot SE BM, County of Oneida;
Parcel no. _____
Additional points of diversion, if any: _____
If available, GPS coordinates: _____
- 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.
Stockwater from Spring, Pipeline to water trough
Use does not exceed 2500 gal per day
- Water is claimed for the following: (limited to domestic and/or stockwater uses - see page 1 of the instructions)
For Stockwater purposes from 1/1 to 12/31 amount 0.04 cfs (X) or AFY ()
Month/Day Month/Day
For Domestic purposes from 1/1 to 12/31 amount 0.04 cfs (X) or AFY ()
Month/Day Month/Day
- Total quantity claimed 0.04 cfs (X) or AFY ()
- Non-irrigation uses. Describe fully. (Domestic: give number of homes; Stockwater: list number and kind)
stockwatering of beef cattle approx 1-174
No homes on property Now

9. Location of place of use is: Township 12S, Range 35E, Section 2,
SW 1/4 of NW 1/4, Govt. Lot SE BM, Parcel no. _____

If different than shown in Item 4

for (check one) Domestic () Stock () Domestic and Stock (X)

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 () 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 by past owners state cattle were watered at this location.
there is a hand pump where house used to be.

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 15-7250

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 () 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 _____

The following claim(s) have been filed based on diversion and beneficial use of water:

DAVID RICHARDS
11311 N 8400 W
MALAD CITY ID 83252

15-7249

Point(s) of Diversion: SENENW S12 T12S R35E, ONEIDA County

Source SPRING, Tributary To SINKS

Use: STOCKWATER 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Priority Date: 1/13/1916

Place Of Use: STOCKWATER

T12S R35E S12 NENW

15-7250

Point(s) of Diversion: SWNWSE S2 T12S R35E, ONEIDA County

Source Unnamed SPRING, Tributary To SINKS

Use: STOCKWATER 01/01 To 12/31 0.04 CFS

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Priority Date: 8/7/1917

Place Of Use: STOCKWATER and DOMESTIC

T12S R35E S2 NWSE

15-7251

Point(s) of Diversion: NWNWNE S11 T12S R35E, ONEIDA County

Source SPRING, Tributary To SINKS

Use: STOCKWATER 01/01 To 12/31 0.04 CFS

Use: DOMESTIC 01/01 To 12/31 0.04 CFS

Total Diversion: 0.04 CFS

Priority Date: 8/7/1917

Place Of Use: STOCKWATER and DOMESTIC

T12S R35E S11 NWNE

Exceptions to a claim may be filed with the Department of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with an exception fee of \$25.00.

KARL J DREHER, Director

Published on September 18 and 25, 2003

MICROFILMED

NOV 20 2003

120273

WARRANTY DEED
(GIFT)

For love and affection, LORIN D. RICHARDS and ANNALYLE RICHARDS, husband and wife, Grantors, do hereby grant, give and convey unto DAVID L. RICHARDS and HAYLEY RICHARDS, husband and wife, Grantees, whose address is 1331 E. Daniels Road, Malad, Idaho 83252, the following-described real property located in Oneida County, Idaho, to-wit:

The West half of the Southwest quarter of Section 1; 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 of Section 2; Lots 1 and 2, the East half of the Northwest quarter, and the North half of the Northeast quarter of Section 11; and the North half of the Northwest quarter of Section 12: all in Township 12 South, Range 35 East, Boise Meridian

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantees, their heirs and assigns forever. Said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises, that they are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 18 day of April, 1994.

Microfilm No. 120273

18 Day April 19 94

At 12:10 O'clock PM
James H. Henderson
Oneida Co. Recorder

Fee \$ 2.00 Deputy
Recorded at Request of

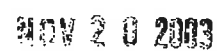
Lorin D. Richards

Lorin D. Richards
LORIN D. RICHARDS

Annalee Richards
ANNALYLE RICHARDS

MICROFILMED

NOV 20 2003



GENERAL AFFIDAVIT

State of Idaho
County of Anima

BEFORE ME, the undersigned Notary, Shirlee Blaisdell
[name of Notary before whom affidavit is sworn], on this 28 [day of month] day of
July [month], 2003, personally appeared David Richards [name of affiant], known to me to be a
credible person and of lawful age, who being by me first duly sworn, on _____ [his or her] oath,
deposes and says:

I Lorin Richards state that I have used
these water sources for stock water since the
1930's. My father also used these water sources
for stock water as early as the late 1800's

[set forth affiant's statement of facts]

Lorin D. Richards Power of Attorney by David Richards
[signature of affiant]

[typed name of affiant]

[address of affiant, line 1]

[address of affiant, line 2]

Subscribed and sworn to before me, this 28 [day of month] day of July
[month], 2003.

[Notary Seal:]

Shirlee Blaisdell
[signature of Notary]

Shirlee Blaisdell
[typed name of Notary]



NOTARY PUBLIC

My commission expires: 1-23, 2007.

MICROFILMED

NOV 20 2003

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.
D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	3SE	2														S			
																D			

TOTAL ACRES _____

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.
WATER FROM SPRINGS USED FOR CATTLE AND HAND PUMP
DRINKING FOUNTAIN

NOTE: Include here the type and number of stock watered: 500 CATTLE

7. Remarks: CATTLE DRINK FROM OTHER SOURCES AT SAME TIME

8. Map - Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an aerial photograph of the place of use if available.

State of Idaho)
County of Oneida) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing 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.

David Richards
Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 28 day of July, 2003.



Shirley Blaisdell
Notary Public

Residing at: Malad

My commission expires: 1-23-2007

FOR DEPARTMENT USE ONLY

Received by J.C. Date 8-1-03
Prelim. check by Donna Dean Date 9 Sept 03
Fee \$ 385 - Receipt # E 027066
Receipt prepared by J.C. Date 8-1-03

Published in Idaho Enterprises
Publication dates 9/18 & 9/25/03
Publication checked by SL Date 10/1/03
Exceptions filed by _____

MICROFILMED

NOV 20 2003

OCT 14 2003

CL No. 15-7250

RECEIVED

AUG 01 2003

Department of Water Resources
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESDepartment of Water Resources
Eastern Region

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. The filing of this claim does not confirm the water right claimed. Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, Idaho Code. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that

David Richards
(Name of Claimant)
11311 N 8400 W, Malad Id 83252 Telephone No. (208) 766-2555
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use)

8-7-1917

A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

Unnamed Spring tributary to Sinks

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs or af)	Use	(Irrigation, Domestic, Stock, Etc.)	Period of Use From	(MM/DD)	to	(MM/DD)
Quantity	<u>0.04 cfs</u>	Use	<u>STOCK WATER</u>	Period of Use From	<u>1/1</u>	to	<u>12/31</u>
Quantity	<u>0.04 cfs</u>	Use	<u>DOMESTIC</u>	Period of Use From	<u>1/1</u>	to	<u>12/31</u>
Quantity		Use		Period of Use From		to	
Quantity		Use		Period of Use From		to	

4. 0.04 cfs TOTAL QUANTITY USED.
(cfs or af)5. A) Location of point of diversion is SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt. Lot _____
Sec. 2 Township 12S Range 35E B.M., OWIEDA County; additional points
of diversion, if any: _____

B) Describe means of diversion of water. (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.

STOCK WATER FROM SPRING, PIPELINE TO WATER TROUGH
USE DOES NOT EXCEED 2,500 GALLONS PER DAY

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NOV 20 2003

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SEP 02 2003

Department of Water Resources
Eastern Region

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.

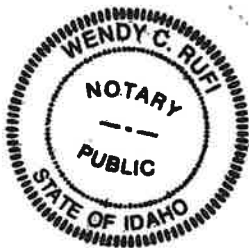
Witness, the hand(s) of said Grantor(s), this December 15, 2006.

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, ONEIDA 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

Department of Water Resources

Water Right and Adjudication Search

Choose One or More Search Items

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

Click any column to sort table

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