

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: **A37-14277**
Date Received: 9/ 1/1988
Receipt No: S002004
Received By: see

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

1. Name: J BRAD WHITTEMORE 607-844-9174
Address: 420 IRISH SETTLEMENT RD
FREEVILLE NY 13068

OR

Name: CANDACE AKINS
Address: 420 IRISH SETTLEMENT RD
FREEVILLE NY 13068

2. Date of Priority: NOV 8, 1957

3. Source: UNNAMED SPRINGS Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06S	13E	35	NE	SW	NW		GOODING

5. Description of diverting works:
COLLECTOR BOX AND PIPELINE

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:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE S/ MIXED

MICROFILMED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	34	SW	NE	2	DOMEST	
			SW	NE	2	STOCK	

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:

NONE

14. Remarks:

EXACT WR # COULD NOT BE IDENTIFIED. THIS WR MAY HAVE ORIGINATED OUT OF BIRCH CREEK AREA AND LATER MOVED TO THE SPRINGS CLAIMED.

|
THIS WATER RIGHT RENUMBERED FROM A36-10807 TO SHOW ITS LOCATION IN BASIN 37.

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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

APRIL 7, 1992

R. KEITH HIGGINSON
Director

CANDACE AKINS OR
J BRAD WHITTEMORE
420 IRISH SETTLEMENT RD
FREEVILLE NY 13068

RE: ADJUDICATION CLAIM A36-10807/A37-14277

DEAR CANDACE,

PLEASE FIND ENCLOSED A COPY OF YOUR ADJUDICATION CLAIM PREVIOUSLY NUMBERED A36-10807. DURING REVIEW OF THIS CLAIM IT APPEARS THE CORRECT BASIN FOR YOUR LAND DESCRIPTION, AS CLAIMED, SHOULD BE BASIN 37, AND THEREFORE, **YOUR CLAIM HAS BEEN RE-NUMBERED A37-14277** TO MORE ACCURATELY DESCRIBE YOUR WATER RIGHT. NO CHANGES HAVE BEEN MADE TO THE INFORMATION YOU SUPPLIED IN YOUR ORIGINAL CLAIM. PLEASE REFER TO THIS NUMBER IN ANY FUTURE CORRESPONDENCE.

IF YOU HAVE ANY QUESTIONS PLEASE CONTACT ME AT OUR OFFICE.

SINCERELY,


STEVE CLELLAND
WATER AGENT, SR.

ENC:

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MAR 01 1993

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: A36-10807
Date Received: 9/01/1988
Receipt No: S002004
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: J. BRAD WHITEMORE
Address: 420 IRISH SETTLEMENT RD. 607-844-9174
FREEVILLE, NY 13068
OR
Name: CANDACE AKINS
Address: 420 IRISH SETTLEMENT RD.
FREEVILLE, NY 13068
2. Date of Priority: NOV 08, 1957
3. Source: UNNAMED SPRINGS Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 06S | 13E | 35 | NE | SW | NW | | GOODING |
5. Description of diverting works:
COLLECTOR BOX AND PIPELINE
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:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/ 1 HOUSE S/ MIXED

A36-10807

Page 1

Date: 09/01/88

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	13E	34	SW	NE	2	DOMEST	
			SW	NE	2	STOCK	

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:
NONE

14. Remarks:

EXACT WR # COULD NOT BE IDENTIFIED. THIS WR MAY HAVE ORIGINATED
OUT OF BIRCH CREEK AREA AND LATER MOVED TO THE SPRINGS CLAIMED.

15. Basis of Claim: STATUTORY CLAIM

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): Candace Jean Akins Date: 9/12/88

New York
State of ~~Idaho~~)
County of Tompkins) SS.

Subscribed and sworn (or affirmed) before me this 12th day

of September 19 88

Mary M. Lynch
Notary Public

Seal

MARY M. LYNCH
Notary Public, State of New York
No. 4895802
Qualified in Tompkins County
Commission Expires May 18, 1989

Residing at 150 Ed Hill Rd, Freeville NY

My Commission Expires 5/18/89

SEPTEMBER 1, 1988

STEVE CLELLAND
IDWR
2148 4TH AVE. E.
TWIN FALLS, ID
83301

CANDACE AKINS
420 IRISH SETTLEMENT RD.
FREEVILLE, NY 13068

A36-10807

DEAR CANDACE,

THE INFORMATION YOU SENT WAS GREAT. I ENTERED THE CLAIM ON THE COMPUTER AND PRINTED THE ENCLOSED COPIES. THE ORIGINAL CLAIM YOU SENT WAS SIGNED BUT NOT NOTARIZED. WOULD YOU PLEASE SIGN THE COPY INDICATED, HAVE IT NOTARIZED, AND MAIL IT BACK TO OUR OFFICE.

I HAVE INCLUDED AN EXTRA COPY OF THE CLAIM WITH NOTES EXPLAINING SOME OF THE PORTIONS. THE CLAIM WITH THE RECEIPT IS YOUR COPY TO KEEP FOR YOUR RECORDS.

IF YOU WOULD LIKE TO MAKE ANY CHANGES YOU CAN AMEND THE CLAIM AT ANYTIME WITHIN THE NEXT TWO YEARS; PRIOR TO THE FILING OF THE DIRECTORS REPORT. AN AMENDED CLAIM WOULD NEED SIGNATURES AND NOTARY ON THE NEW VERSION.

FEEL FREE TO CONTACT ME IF YOU HAVE ANY QUESTIONS.

SINCERELY,

STEVE CLELLAND

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736-10807

JULY 26, 1988

CANDACE AKINS
420 IRISH SETTLEMENT RD.
FREEVILLE, NY 13068

DEAR CANDACE,

HERE IS THE LONG FORM YOU NEED TO FILE FOR IRRIGATION.
I ALSO INCLUDED THE INSTRUCTIONS AND IT WILL BE VERY
SIMILAR TO THE FORM YOU NOW HAVE.

I SEARCHED THE POINT OF USE AND THE POINT OF DIVERSION
AND COULD NOT FIND AN EXISTING WATER RIGHT FOR THAT
SPRING. IT MAY BE AN UNRECORDED RIGHT. IF THAT IS
THE CASE YOUR DATE OF PRIORITY WILL BE BEFORE MAY 20,
1971. I WILL LOOK THROUGH SOME OF THE OLD DECREES FOR
THAT AREA AND SEE IF I CAN DIG UP ANYTHING. GO AHEAD
AND SEND IN YOUR CLAIM WITH THE INFORMATION YOU HAVE.
YOU SHOULD BE ABLE TO COMPLETE IT WITH THE INFORMATION
I GAVE YOU OVER THE PHONE. IF I FIND AN EXISTING WATER
RIGHT IN THE DECREES A WILL ASSIGN THE CORRECT NUMBER
TO YOUR CLAIM. PLEASE MAKE NOTE THAT I HAVE BEEN
ASSISTING YOU AND I WILL RECEIVE THE CLAIM FORM.

THANK YOU.

SINCERELY,

STEVE CLELLAND

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RECEIVED

AUG 18 1988

Department of Water Resources
Southern Region Office

36-10807

August 15, 1988

Candace Akins
420 Irish Settlement Rd.
Freeville, New York 13068
607-844-9174

Steve Clelland
Idaho Dept. of Water Resources
Southern Region 2148 4th Ave. East
Twin Falls, Idaho 83301
208-734-3578

Dear Steve;

Thank you so much for assisting me with these forms. I have attached the information which I think shows a water right filed with the county court house since 1957. See if it is any help to you in processing the forms. I did not fill out the map/graph on the form-but made a notation on the map you sent to me where I think the spring is, and possibly the house site. I am not clear on the scale of miles per square on the page. Sorry!

Please let me know if there is anything else I should do to put the records together properly.

Thank you again.

Sincerely,

Candace Akins
Candace Akins

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A36-10807

PROOF READ

No. 133769

EASEMENT

DATED NOV. 8, 1957, RECORDED DEC. 11, 1957 IN BOOK
7 MISCELLANEOUS, PAGE 591. RECORDS OF GOODING COUNTY
IDAHO

This agreement made and entered into this 8 day of November, 1957, by and between Fred Leach and Nettie Leach, husband and wife, hereinafter referred to as the parties of the first part and Everand Jensen and Amy Jensen, husband and wife, parties of the second part, whereas the parties of the first part are the owners of the following described land, to wit:

Commencing at a point 124 feet North of the SE corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T 6 S Range 13 E.B.M. and running thence North 70° 30' East 880 ft. thence North 41° East 880' ft; thence North 41° 0' West 330 ft; thence South 88° 0' West 800 ft; thence North 1° 15' East 2670 ft; thence West 435 ft. to NW Corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 35, thence South 3836 ft. to point of beginning containing 47.6 acres, commencing at the SW Corner of the NE $\frac{1}{4}$ of Sec. 34 T 6 S, Range 13 E.B.M. and running thence South on the section line 74 rods; thence West 80 rods, thence North 74 rods, thence E 80 rods to place of beginning containing 37 acres more or less.

And whereas the parties of the second part are the owners of the following described lands, to wit:

Lots Two, Three and Four of Section Thirty four, Township Six South, Range Thirteen East of the Boise Meridian, excepting therefrom that certain tract of land containing 9.24 acres heretofore conveyed to the Great Shoshone and Twin Falls Water Power Company, to wit: Beginning at a point 363.6 feet East of the Southeast corner of Lot One of Section Thirty-four, Township Six South, Range Thirteen East of the Boise Meridian, and running thence South 60° 42' West to Snake River, thence along the East bank of said River to the Southwest corner of said Lot One, thence East to the place of beginning.

Also excepting from Lot Four above, the following described tract, to wit: Beginning at the Southeast corner of said Lot Four, thence South 89° 25' West 659 feet, thence North 12° 35' West 246 feet, thence due North to the center of the channel of Birch Creek, thence in a general Northeasterly direction along the center of the channel of Birch Creek to a point where said Birch Creek crosses the East boundary line of said Lot Four, thence South to the place of beginning, reserving from said last described exception the following described tract, to wit: Commencing at a point 632 feet North of the Southeast corner of said Lot Four, thence West to the center of Birch Creek, thence Northeasterly along the center line of said Birch Creek to a point where it crosses the East boundary line of said Lot Four, thence South to the place of beginning.

Also excepting beginning at a point 632 feet North of the Southeast corner of Lot Four, thence North along the East line of said Lot Four a distance of 300 feet, thence West 272 feet, thence due South to the center of the Channel of Birch Creek, thence Easterly along the center of Birch Creek to a point 65 feet West of the point of beginning, thence East 65 feet to the point of beginning.

Excepting therefrom the Highway right of way known as U.S.#30, running along the East Side of said premises.

And whereas there has been in existence a pipe-line across and under the land of the part-

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A36-1080 MAY 01 1993

Excepting therefrom the Highway right of way known as U.S.#30, running along the East Side of said premises.

And whereas there has been in existence a pipe-line across and under the land of the parties of the first part, for the purpose of conveying domestic water from a spring situated on the premises owned by the parties above described in Sec. 35, Twp. 6 S. rge 13 E.B.M., to the land of the parties of the second part and the parties desire to have written evidence of the right-of-way to said easement, now therefore, for a valuable consideration, receipt whereof is hereby acknowledged, the parties of the first part do by these presents grant, sell and convey to the parties of the second part a permanent right to the use of water from said spring for domestic purposes and an easement and right-of-way for said pipe-line above described, together with the right to enter the premises of the parties of the first part for the purpose of making

592

necessary repairs.

That said easement and right-of-way is hereby made appurtenant to the above described property of the parties of the second part.

FRED LEACH
NETTIE LEACH
EVERARD JENSEN
AMY JENSEN

STATE OF IDAHO)
) SS.
County of Gooding)

On this 21st day of November, 1957, before me the undersigned, a Notary Public in and for said County, personally appeared Fred Leach and Nettie Leach, husband and wife, and Everard Jensen and Amy Jensen, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(NOTARY SEAL)

MARY YBARGUEN
Notary Public for said State;
Residing at Gooding, Idaho.

Filed for record at the request of G.N.F.L.A. at 4:10 P.M. December 11, 1957

Fees \$2.50

Bert Bowler, Ex-officio Recorder
By Vera T. Wright, Deputy.

PROOF READ

No. 133775

CONTRACT OF SALE

This contract made December 9, 1957 between J. Wesley Miller and Ann M. Miller, husband and wife, vendor and Forest Kinney, purchaser, all of Gooding, Idaho.

In consideration of the sum of \$8,480.00 vendor sells and purchaser buys the following described real property situate in Gooding County, Idaho:

N $\frac{1}{2}$ S $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 34 and the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 35 all in Twp. 4,

A36-10807

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MAR 01 1993

Whittemore + Akins

location of house + 1 acre

EXHIBIT "A"

Township 6 South, Range 13 East of the Boise Meridian

Section 34: A parcel of land located in Lot 2 more particularly described as follows:

Beginning at the Southeast corner of Lot 2 and centerline of U. S. Highway 30, Station 193+72 of Idaho Highway Project No. F 2361 (18);

thence N 89° 17' West along the South line of said Lot 2, 60.00 feet to the West right-of-way of said Highway to the true point of beginning;

thence N 89° 17' West along the South boundary of Lot 2, 260.00 feet;

thence N 0° 43' E, 167.54 feet;

thence S 89° 17' E, 260.00 feet to the

Westerly right-of-way of U. S. Highway 30;

thence S 0° 43' E, 167.54 feet along said Westerly right-of-way of U. S. Highway 30 to the True Point of Beginning.

IN THE COUNTY OF GOODING, STATE OF IDAHO

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MAR 01 1993

A36-10807

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: 39356
Ident. Number 436-10807
Date Received AUG. 18, 1988 *SCC*
Receipt Number 5002004

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) J. Brad Whittemore & Candace Akins Phone (607) 844-9174
Mailing Address 420 Irish Settlement Road Freeville NY Zip 13068

2. Date of Priority (Only one (1) per claim) 1957 *see attached copy of easement*

3. Source of water supply (a) springs
which is tributary to (b) household sinks, bath; small stock; some irrigation of lawn

4. a. Location of existing point of diversion is: Township 6 South Range 13 ^{EAST of the Boise Meridian} Section 35,
NE 1/4 of SW 1/4 of NW 1/4, Govt. Lot, (none) B.M., County of Gooding

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, 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.

un-named springs collect in a
cement 'pill box' approximately 4' x 4' x 6'. A 3" pipeline leaves
the holding area and narrows down to a 1/4" line before entering
the house.

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6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For D purposes from 1-1 1957 to 12-31 currently amount .04 or _____
 For S purposes from 1-1 1957 to 12-31 currently amount .02 or _____
 For I purposes from 3-15 1957 to 11-15 currently amount .02 or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .06 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3 * as per conversation w/ Steve Clelland, Twin Falls acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) D: 1 house S: mixed

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>6</u>	<u>13</u>	<u>34</u>			<u>D5I</u> <u>1 Acre</u> <u>(lot 2)</u>														

Total number of acres irrigated 1 acre

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

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

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

14. Remarks: It is believed that our water rights have been decreed and filed on Dec 11, 1957; in Book #7 miscellaneous pg. 591 Records of Gooding County Idaho. Enclosed is a copy of that agreement. Since we are currently out of state it hasn't been possible for us to track down all of the history of our water rights. IF possible, with this information provided, please locate any further information needed and number our claim from this decreed date of water rights. Thank you very much.

Last Name Whittemore & Akins Ident No. A36-10807

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 Copies: White -State, Yellow-Claimant
MAR 01 1993

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X we believe - please see #14 remarks & attached
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 (X) do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s)

J. Brad Whittemore

Date AUGUST 9, 1988

Candace Jean Akins

Date August 9, 1988

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of 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 _____

Address _____

Date _____

Last Name Whittemore & Akins Ident. Number A36-10807

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Copies White State Yellow Claimant
MAR 01 1988

✓ 12/2/22

11 03 11

460764

• 24. 11. 19

36,911

1

34

pipe line

35

1730

4.5 5.0

MAR 01 1993

Scale: 2 inches equals 1 mile

[illegible]

Last Name Whittemore & Akins Ident No. A36-10807 Copies: ~~White-State, Yellow-Claimant~~ MICROFILMED
MAR 01 1993

MICROFILMED

MAR 01 1993

TATES
THE ARMY
ENGINEERS

HAGERMAN QUADRANGLE
IDAHO

7.5 MINUTE SERIES (TOPOGRAPHIC)

114°52'30"

A3-10807

13E.

670 55'

GLENN'S FERRY 25 MI.
BLISS 4.4 MI.

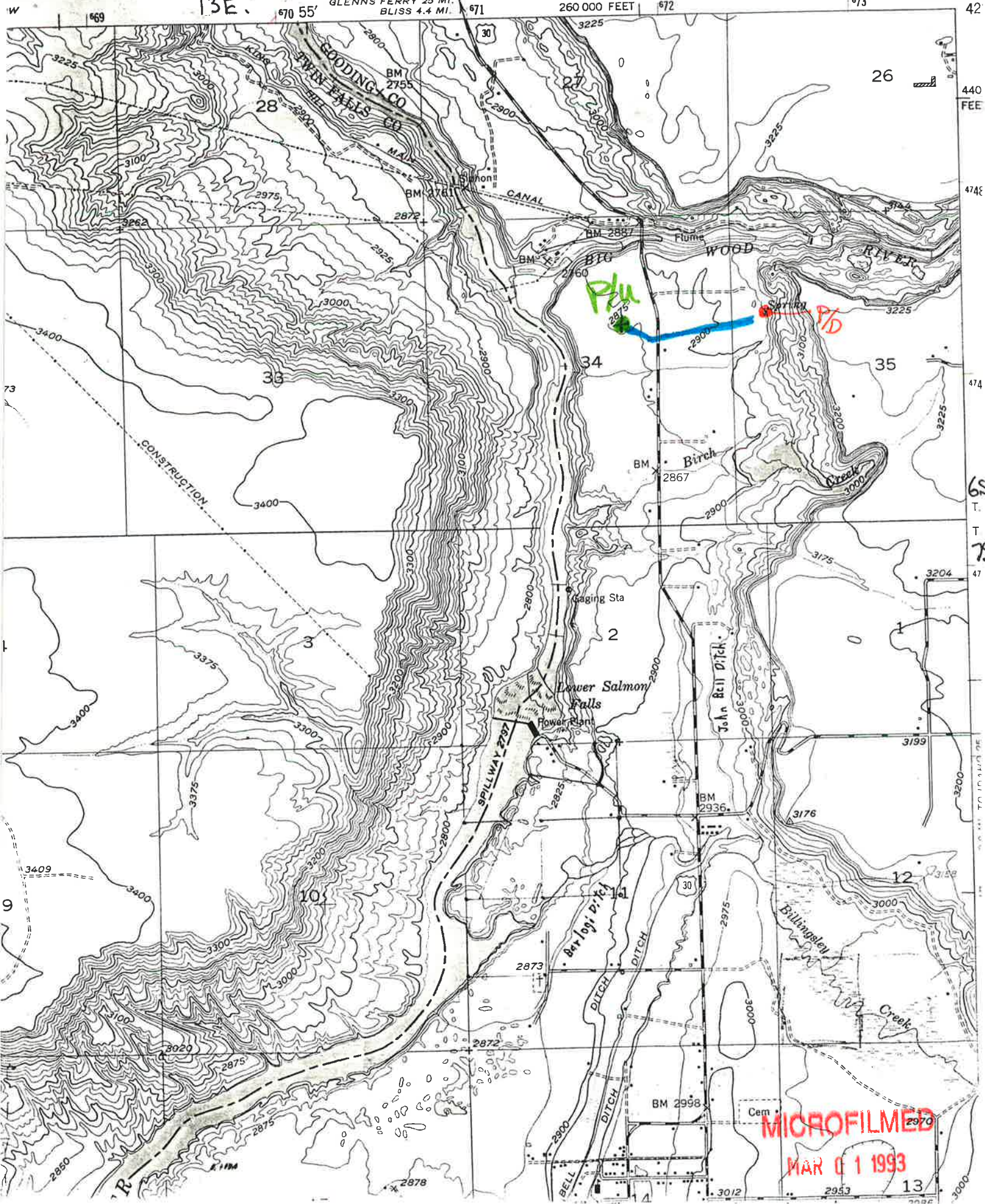
671

260 000 FEET

672

673

42



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MAR 01 1993

13

Water Right Number - R37-14277

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
WHITTEMORE

J BRAD

1 - 420 IRISH SETTLEMENT RD

2 -

3 -

City- FREEVILLE

State- NY Zip- 13068

Phone - 607-844-9174

1 - 420 IRISH SETTLEMENT RD

2 -

3 -

City- FREEVILLE

State- NY Zip- 13068

Phone - 208-000-0000

AKINS

CANDACE

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
11/08/1957 ERROR IN REGION J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
UNNAMED SPRINGS SNAKE RIVER

+ - - - - Point of Diversion - - - - - +

Twn Rng Sec Tract Lot RFlg County

06S 13E 35 NE SW NW (47) GOODING

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

43 - DOMESTIC 01/01 12/31 0.040

04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 0.0

+ - - - - Place of Use - - - - - +

Twn Rng Sec Tract Lot Acres Code Description County

06S 13E 34 SW NE 2 04 STOCKWATER (47) GOODING

06S 13E 34 SW NE 2 43 DOMESTIC (47) GOODING

Total Acres:

+ - - Diversion Means - COLLECTOR BOX AND PIPELINE

+ - - Non-Irrigation Use - DOMESTIC, 1 HOUSE; STOCKWATER, MIXED

+ - - Other Rights for Same Use - NONE

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

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MAR 0 1 1993

Water right number - R37-14277

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - 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: 04/06/1992 User Id: CLELLAND Subject: COPIED FROM REMARKS

EXACT WR # COULD NOT BE IDENTIFIED. THIS WR MAY HAVE ORIGINATED OUT OF BIRCH CREEK AREA AND LATER MOVED TO THE SPRINGS CLAIMED.
PARCEL NO. RP06S13E341761

Date: 04/06/1992 User Id: CLELLAND Subject: CHANGE IN NUMBER

THIS LAND DESCRIPTION PLACES THIS CLAIM INTO BASIN 37, NOT IN BASIN 36 AS SHOWN. THIS CLAIM HAS BEEN RENUMBERED A37-14277.
ORIGINALLY BASED ON THE CLAIM NUMBER A36-10807.

+ - - Audit Fields - - +

04/07/92 CLELLAND

+ - - - - 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	- 09/01/1988	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S002004	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- OR	Presumption Flag	-
				Notice of Error Flag	-

MICROFILMED
MAR 0 1 1993

RECEIVED

APR 28 1999

Department of Water Resources

RECEIVED

MAY 07 1999

Department of Water Resources
Southern Region

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.

1. Water Right No(s).: 37-14277
Adjudication Claim No(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 attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant
J. Brad Whittle Candace A. Rins
420 Irish Settlement Road, Freerille NY 13068
4. New Owner/Claimant(s)
Calvin and Myrle Eckles
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address
2007 Hwy 93 N.
City, State and ZIP Code
Salmon Idaho 83467
New Telephone Number
(208) 756-2878
5. Date you acquired the property
1990-1991
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 you irrigate 1.000A Number and type of stock 2 horses
Diversion rate in CFS 0.02 Number of homes one Other uses stock & domestic
0.04
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 or Claimant(s)
Myrle Eckles
Calvin J. Eckles
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

ED COURTESY OF:

176654

ALLIANCE TITLE & ESCROW CORP.

STATE OF IDAHO COUNTY OF GOODING

Filed for record at the request of

Land Title & Escrow Inc.

41 min. past 1 o'clock P.m. this 10th
of August, 1998 3:00

By Tenny Archuleta Deputy

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No. 301276

DEED OF RECONVEYANCE

TITLE & TRUST COMPANY, an Idaho Corporation

Trustee in the deed of trust executed by J. BRADFORD WHITTEMORE AND
CANDACE JEAN AKINS, HUSBAND AND WIFE

recorded July 09, 1987, as Instrument No. 128318 Mortgage records of GOODING
County, Idaho, pursuant to the written request of the beneficiary, does hereby GRANT and RECONVEY unto the
PARTIES ENTITLED THERETO, without warranty, all the estate and interest derived to it by or through said Deed
of Trust, in the lands therein described. Said lands described as follows:

In Section 34, Township 6 South, Range 13 East

The corporate name subscribed by its authorized signatory, is pursuant to a resolution authorizing the
execution of this reconveyance duly adopted by its Board of Directors.

Dated: August 03, 1998

TITLE & TRUST COMPANY, an Idaho
Corporation

By Bev Petersen
Bev Petersen, AUTHORIZED SIGNATORY

STATE OF IDAHO
COUNTY OF ADA

On this 3rd day of August, in the year of 1998, before me, the undersigned, a Notary
Public in and for said State, personally appeared Bev Petersen

AUTHORIZED SIGNATORY

known or identified to me to be the _____ of the corporation that
executed the instrument or the person(s) who executed the instrument on behalf of said corporation, and acknow-
ledged to me that such corporation executed the same.



Signature: Teresa A. Hopkins

Name: TERESA A. HOPKINS

(type or print)

Residing at: MERIDIAN, IDAHO

My Commission Expires: December 13, 2002

AJ5809NP
No. 37-14277

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/11/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	J BRAD WHITTEMORE 420 IRISH SETTLEMENT RD FREEVILLE NY 13068 (607) 844-9174	11/08/1957	STOCKWATER DOMESTIC	01-01 12-31 01-01 12-31	0.02 CFS 0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

C CANDACE AKINS
420 IRISH SETTLEMENT RD
FREEVILLE NY 13068

Water Source: SPRINGS

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T06S R13E S35 NESWNW

GOODING County

Place of use Legal Description for: STOCKWATER

NE				NW				SW				SE			
T	R	S		T	R	S		T	R	S		T	R	S	
06S	13E	34	:	02-S	:	:	:	:	:	:	:	:	:	:	:

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
T	R	S		T	R	S		T	R	S		T	R	S	
06S	13E	34	:	02-D	:	:	:	:	:	:	:	:	:	:	:

POU County: GOODING

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A37-14277

Other Water Rights Listing Overlapping Place(s) of Use:
A37-00799

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ5809NP
No. 37-14277

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/11/99
PAGE: 2

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Comments: Date: 04/06/1992 User-ID: CLELLAND Subject: CHANGE IN NUMBER
THIS LAND DESCRIPTION PLACES THIS CLAIM INTO BASIN 37, NOT IN
BASIN 36 AS SHOWN. THIS CLAIM HAS BEEN RENUMBERED A37-14277.
ORIGINALLY BASED ON THE CLAIM NUMBER A36-10807.

Date: 04/06/1992 User-ID: CLELLAND Subject: COPIED FROM REMARKS
EXACT WR # COULD NOT BE IDENTIFIED. THIS WR MAY HAVE ORIGINATED
OUT OF BIRCH CREEK AREA AND LATER MOVED TO THE SPRINGS CLAIMED.
PARCEL NO. RP06S13E341761

Date: 09/23/1992 User-ID: THORNTON Subject: CHANGE IN R RECORD
CHANGED SOURCE FROM UNNAMED SPRINGS TO SPRINGS.

Audit: 04/06/92 CLELLAND 04/07/92 CLELLAND 09/23/92 THORNTON 03/30/95 POST-STD
02/17/99 VHANCOCK 02/18/99 VHANCOCK 03/03/99 CPDSHAFF 04/05/99 ADT-DSHA