

071-178

R-35 + E

R-35 + E

R-36 - E

WESLEY D HILL

Little Mahan river

Irrigation Ditch

Irrigated land from ditch

WALTER JONES Trust Agreement

T-1920

David H. Jones

WALTER JONES, INC.

T-1921

T-2974 (low water)

4 39.89

Roy Brown

T-1919 38.74

2 39.96

Roy Brown

T-1922

T-1914

Smith Ely

T-1918 (with Lot 4)

4 41.00

5000

T-1669 32.5

5 40.95

WILLIAM K JORD

*wall

T-2987

W. Weil

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DE LOO GT - 8/15/97

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 25 1997

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

AUG 14 1997

Department of Water Resources
Eastern Region

1. Water Right Number(s) 15-04072
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) Nancy Nalder 449 C Mink Creek Rd.
Pocatello, Id. 83201
4. New Owner/Claimant(s) David H. Jones
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 152 North 70 East
City, State and ZIP Code Malad City, Id. 83252
New Telephone Number (208) 766-2538 OR (801-485-9844)
5. Date you acquired the property June 3, 1996
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) David H. Jones Date 8-4-97
MAY 26 1999 Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
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.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

03 Day

1996

At 10:55

O'clock

M.

Oneida Co. Recorder

Fee \$

3.00

Deputy

Recorded at Request of

WARRANTY DEED

For Value Received, NANCY T. NALDER, a widow, the Grantor, does hereby grant, bargain, sell and convey unto DAVID H. JONES, a single man, whose current address is 1964 Douglas Street, Salt Lake City, Utah 84105, the Grantee, the following described premises in Oneida County, Idaho, to-wit:

**Township 14 South, Range 36 East, Boise Meridian:
Section 31: Lot 4**

Township 14 South, Range 35 East, Boise Meridian:

Commencing at the SE Corner of Section 36 and running West 160 rods; thence North 40 rods; thence East 80 rods; thence North 8.16 rods; thence East 80 rods; thence South 48.16 rods to the place of beginning. EXCEPTING therefrom the following: Commencing at a point in the North right-of-way line of State Highway 37 at a point 63.65 feet North and 1115.26 feet, more or less, West from the SE Corner of said Section 36; thence running North 89°26' West in North right-of-way of said Highway 430 feet; thence North 330 feet; thence South 89°26' East 430 feet; thence South 330 feet to the point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever, and the said Grantor does hereby covenant to and with the said Grantee that she is the owner in fee simple of said premises; that they are free from all encumbrances and that she will Warrant and Defend the same from all lawful claims.

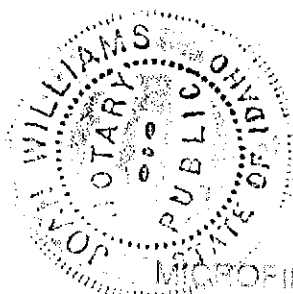
Dated June 1, 1996

Nancy T. Nalder
NANCY T. NALDER

STATE OF IDAHO
COUNTY OF ONEIDA,

ss

On this 1st day of June, 1996, before me, a Notary Public in and for said State, personally appeared NANCY T. NALDER, known to me to be the person whose names is subscribed to the within instrument and acknowledged to me that she executed the same.



Joan Williams
Notary Public
Residing at Malad City, Idaho.

122947

JUN 26 1996

071-1178

Wesley D. Hunt
Little Mahoe River

Irrigation Ditch

Irrigated land
from ditch

Walter Jones

WALTER Jones Trust Agreement

T-1011
81.0
David H. Jones

T-1325
2.0

Smith
Ely

William K. Jones

40.50
11.50
5.0

11.50

T-2419
180

T-1669
325

T-1670

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that LYNN NALDER and/or Nancy Nalder

449 C. MINK CK ROAD POCATELLO

(Name of Claimant)

83261

OFF-236-6992
Telephone No. 233-2518

(Mailing Address)

(Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use) 4/1/1880

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

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

LITTLE MALAD RIVER tributary to MALAD RIVER

- (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, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>2.0 cfs</u>		Use <u>IRRIGATION</u>		Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 2.0 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NW 1/4 SW 1/4, Sec. 31 Twp. 14S Rge. 36E B.M., County of ONEIDA.

Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. DITCH w/ HEADGATES TO FLOOD IRRIGATION.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14S	35E	36															18	22	40
14S	36E	31											40						40

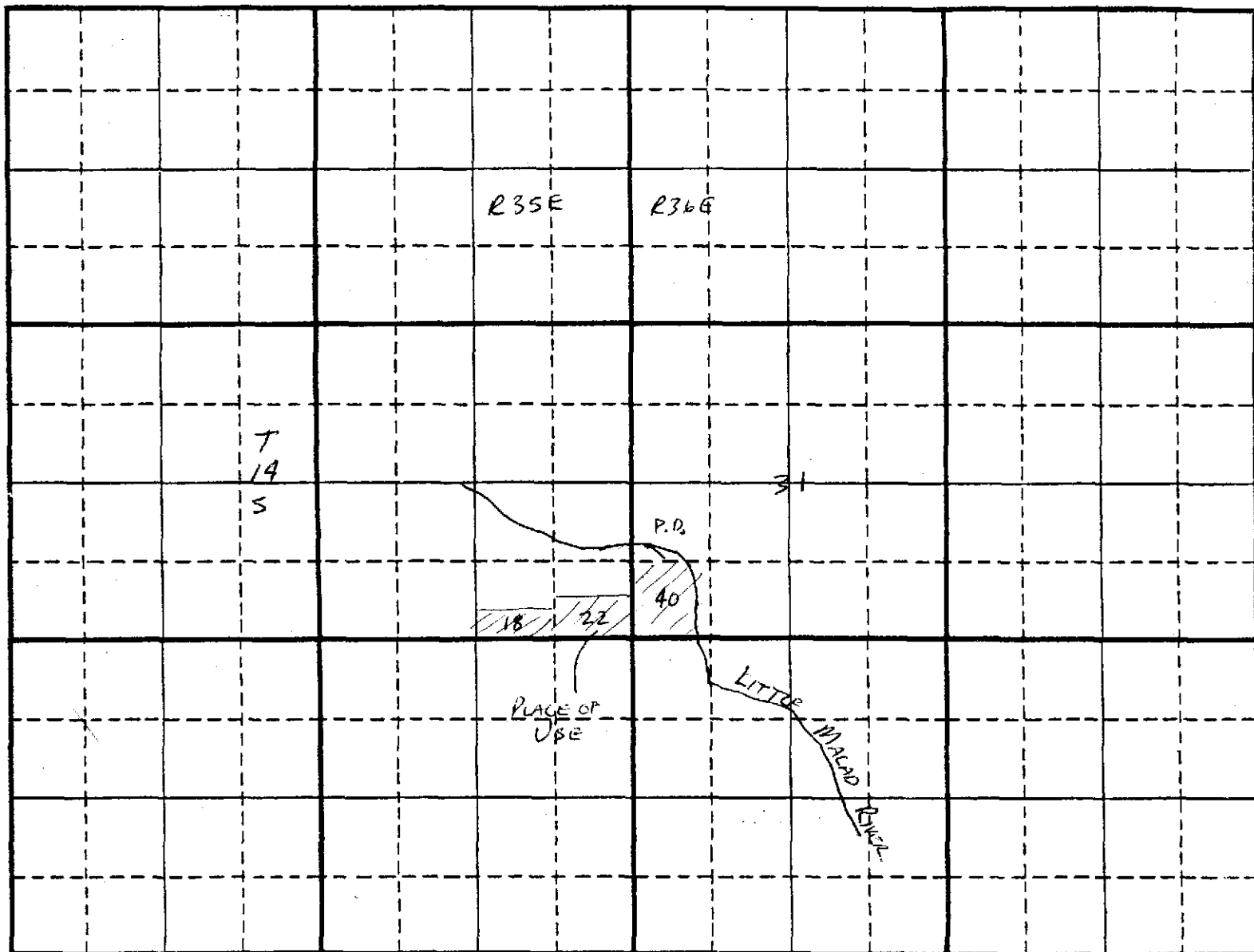
No. of acres 80

If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



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 Bonneville) 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.

Sworn to before me this 13 day of February, 1981.

V. Lynn Nelder
(Claimant)

Kathleen Walker
Notary Public
Residing at Idaho Falls

My commission expires 2/15/1983

FOR DEPARTMENT USE ONLY

Received by <u>SM</u>	Date <u>2-19-81</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWT</u>	Date <u>2/13/81</u>	<u>#17034</u>	claimant by:	
\$30.00 fee received by <u>SM</u>	Date <u>2/13/81</u>			
Published in <u>Idaho Enterprise</u>				
Dates <u>2/26 & 3/05/81</u>				

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Oneida } ss.

Carek A. Nummone 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 February 26, 19 81, and ending

with the issue of March 5, 19 81
Carek Nummone

Fee \$ 16.29

Subscribed and sworn to before me this 5th day

of March, 19 81
Cindy Williams
Notary Public, Residing at Malad, Idaho

My Commission Expires Life, 19

RECEIVED

MAR 6 1981

Department of Water Resources
Boise, Idaho 83725

NOTICE OF CLAIM TO WATER RIGHT

NOTICE IS HEREBY GIVEN that the following claim to water right has been established by diversion and application to beneficial use:

No. 15-4072

NALDER, LYNN &-or NANCY
449 C MINK CREEK ROAD,
POCATELLO, ID 83201
Source: LITTLE MALAD
RIVER tributary to MALAD
RIVER

Priority Date: 04-01-1880

Amount: 2.00 CFS

Diversion Point: NWSW Sec 31 T
14S R 36E, ONEIDA Co.

Use: IRRIGATION (2.00 CFS)
from 04-01 to 11-01

Place of Use: SWSE SESE Sec
36 T 14S R 35E SWSW Sec 31 T
14S R 36E FOR 80 ACRES

Diversion Means: DITCH &
HEADGATES.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED
Director

Published 2-26 & 3-05-81.

2-26 3-5 12

Lines: 3



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

May 11, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DAVID H JONES
152 N 70 E
MALAD CITY ID 83252

RE: Statutory Claim 15-04072

Dear Mr. Jones:

The Department is in receipt of the correspondence changing ownership of the above referenced statutory claim to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

If you have any questions regarding this matter, please feel free to contact me at 208-327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED

MAY 26 1999

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 15 4072 Applicant Nalder

NOTE: 15-4072 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.

FINAL REGIONAL PROCESSING REVIEW:

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

By Robert Carlson Date March 10, 1981.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maureen Date 3/17/81

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

MARCH 17, 1981

LYNN NALDER
NANCY NALDER
449 C MINK CREEK ROAD
POCATELLO ID 83201

RE: Claim No. 15-4072

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

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

150 Shoup Ave.
Idaho Falls, Idaho 83401
(208) 525-7161

FEBRUARY 19, 1981

The Idaho Enterprise
P. O. Box 205
Malad City, Idaho 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 16, 1981.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, Idaho 83401 .

C. STEPHEN ALLRED

Director

Published 2/25 & 3/05/81.

MICROFILMED

15-40Z2-

NALDER, LYNN &/or NANCY

449 C MINK CREEK ROAD, POCA TELLO, ID 83201

Source: LITTLE MALAD RIVER tributary to MALAD RIVER

Priority Date: 04/01/1880

Amount: 2.00 CFS

Diversion Point: NWSW Sec 31 T 14S R 36E, ONEIDA Co.

Use: IRRIGATION (2.00 CFS) from 04/01 to 11/01

Place of Use: SWSE SESE Sec 36 T 14S R 35E SWSW Sec 31 T 14S R 36E
FOR 80 ACRES

Diversion Means: DITCH & HEADGATES.

MICROFILMED