

No Color  
Documents  
In File

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE  
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA )  
Case No. 39576 )  
PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR  
Water Right 43-04159

NAME AND ADDRESS: LOLITA M GLOVER  
12301 118TH AVE SE  
RAINIER, WA 98576

SOURCE: GROUNDWATER  
QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000  
GALLONS PER DAY.

PRIORITY DATE: 06/01/1977

POINT OF DIVERSION: T13S R26E S25 NESW Within Cassia County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE               | PERIOD OF USE  | QUANTITY |
|-------------------------------|------------------------------|----------------|----------|
|                               | Domestic 1 HOME & GREENHOUSE | 01-01 TO 12-31 | 0.04 CFS |

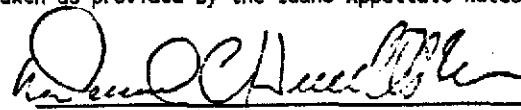
PLACE OF USE: Domestic Within Cassia County  
T13S R26E S25 NESW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A  
DETERMINATION OF HISTORICAL BENEFICIAL USE.

RULE 54(b) CERTIFICATE.

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

  
Daniel C. Hurlbutt, JR.  
Presiding Judge  
Snake River Basin Adjudication

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 Philip C. Glover  
(Name of Claimant)  
P.O. Box 993 Burley Id 83318 Telephone No. 678-3226  
(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) 6-1-1977

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)  
Groundwater tributary to \_\_\_\_\_

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

|          | (cfs, af)       | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)        |                 |
|----------|-----------------|-------------------------------------|-------------------------------|-----------------|
|          |                 |                                     | (Mo., Day)                    | (Mo., Day)      |
| 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 _____        |
| Quantity | _____           | Use _____                           | Period of Use From _____      | To _____        |
| Quantity | _____           | Use _____                           | Period of Use From _____      | To _____        |

(4) \_\_\_\_\_ TOTAL QUANTITY USED.  
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
NE 1/4 NW 1/4, Sec. 25 Twp. 13S Rge. 26E B.M., County of Cassia  
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. 8" well, pump 120' below well surface, pipeline to place of use.

(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% |     |     |     | NW% |     |     |     | SW% |     |     |     | SE% |     |     |     | TOTAL |
|------------|------------|-----------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|            |            |           | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% |       |
| <u>13S</u> | <u>26E</u> | <u>25</u> |     |     |     |     | X   |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|            |            |           |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

No. of acres \_\_\_\_\_

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:  
Domestic for one trailer home plus irrigation of 1/4 acre under greenhouses.

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: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Scale: 2 inches equal 1 mile.

section, township and range of the public land survey system.

State of Idaho )  
County of Ada ) 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.

My

Dear R. Tuttle  
Love &

Sept 10, 1984

Forwarded to  
Date

DEF  
k by ADP  
Date 5-18-83  
received by R6  
Date 5/31/83  
\*Jett, Idaho  
3047/2/83  
Date 5-18-83

# SOUTH IDAHO PRESS

BURLEY, IDAHO

## AFFIDAVIT OF PUBLICATION

County of Cassia, )  
STATE OF IDAHO ) ss.

Mary Summers, being first

duly sworn, deposes and says that she is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for Two consecutive weeks, commencing with the issue dated June 30th 1983, and ending with the issue dated July 7th 1983

Subscribed and sworn to before me this 27th day of July 1983.

*Kenneth Dunn* Notary Public

Cost of Publication \$ 88.40

Notary Fee

Total Cost \$88.40

83-164

**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:

43-4184

ERICKSON, JACK E.

ALMO, ID 83312

Source: WATERFALL CREEK trib. to CENTER CREEK, CENTER CREEK & ALL OTHER trib. to TATERS CREEK

Priority Date: 04/01/1880

Diversion Pt: NENE NENW Sec 03 T 15S R 24E  
SENE Sec 02 T 15S R 24E SWSE Sec 34 T 14S R 24E

Use: IRRIGATION (11.20 CFS)

In: SWNE SENE NENW NWNW SWNW SENW NESW NWSW NESE NWSE Sec 02 T 15S R 24E  
NENE NWNE SWNE SENE Sec 03 T 15S R 24E FOR 560 ACRES

43-4185

MCGHIE, GLENN H.

BOX 3, MALTA, ID 83342

Source: GROUNDWATER

Priority Date: 01/01/1940

Diversion Pt: NWSW Sec 12 T 13S R 26E

Use: IRRIGATION (0.06 CFS), DOMESTIC (0.06 CFS)

In: NWSW Sec 12 T 13S R 26E FOR 2 ACRES

43-4186

J.E. TRACY INC.

ALMO, ID. 83312

Source: CIRCLE CREEK trib. to RAFT RIVER

Priority Date: 04/01/1885

Diversion Pt: NENE Sec 32 T 15S R 24E SWNW Sec 34 T 15S R 24E NWNE, Sec 33 T 15S R 24E

Use: IRRIGATION (5.60 CFS) STOCKWATER (0.05 CFS)

In: NENE NWNE Sec 32 T 15S R 24E NENE NWNE NENW Sec 33 T 15S R 24E NENW NWNW SWNW SENW Sec 34 T 15S R 24E FOR 280 ACRES

43-4187

BENNETT, JAMES L. &/or JEANETTE B.

BOX 65, MALTA, ID 83342

Source: GROUNDWATER

Priority Date: 01/01/1933

Diversion Pt: SWNW Sec 12 T 13S R 26E

Use: IRRIGATION (0.01 CFS) COMMERCIAL (0.04 CFS)

In: SWNW Sec 12 T 13S R 26E FOR 0.5 ACRES

43-4188

GARDINER, HOPE H.

HC 72, BOX 2018, MALTA, ID 83342

Source: GROUNDWATER

Priority Date: 03/15/1962

Diversion Pt: SENE Sec 23 T 13S R 26E

Use: IRRIGATION (2.40 CFS)  
In: NENE SENE Sec 23 T 13S R 26E NWNW Sec 24 T 13S R 26E FOR 118 ACRES

43-4189

GLOVER, PHILIP C.

P.O. BOX 993, BURLEY, ID 83318

Source: GROUNDWATER

Priority Date: 06/01/1977

Diversion Pt: NENW Sec 25 T 13S R 26E

Use: DOMESTIC (0.04 CFS)

In: NENW Sec 25 T 13S R 26E

43-4190

LDS - (ELBA WARD)

ELBA, ID 83326

Source: GROUNDWATER

Priority Date: 03/01/1951

Diversion Pt: SESW Sec 32 T 13S R 25E

Use: IRRIGATION (0.02 CFS) DOMESTIC (0.07 CFS)

In: SESW Sec 32 T 13S R 25E FOR 1/2 ACRES

43-4191

PLEASANTVIEW WATERUSER'S ASSN., INC.

C/O FRANK MESENBRINK, 1806 PLEASANTVIEW LANE, BURLEY, ID 83318

Source: GROUNDWATER

Priority Date: 12/31/1932

Diversion Pt: NENW Sec 28 T 10S R 23E

Use: IRRIGATION (0.03 CFS) DOMESTIC (0.10 CFS)

In: NENW Sec 28 T 10S R 23E FOR 1 ACRES

43-4184

CITY OF OAKLEY

CITY HALL, OAKLEY, ID 83346

Source: SPRING trib to SINKS, GROUNDWATER

Priority Date: 01/01/1930

Diversion Pt: SWSE Sec 09 T 14S R 22E SESE SENE Sec 33 T 14S R 22E NENE SESE Sec 04 T 15S R 22E SWNE NESW SWSW NWSE SWSE Sec 03 T 15S R 22E SWNE SENW NESE Sec 10 T 15S R 22E NENE Sec 15 T 15S R 22E NWNW Sec 14 T 15S R 22E

Use: MUNICIPAL (2.00 CFS)

In: NENE NWNE SWNE SENE NENW NWNW SWNW SENW Sec 04 T 14S R 22E NESW NWSW SWSW SESW NESE NWSE SESE Sec 33 T 14S R 22E NESW NWSW SWSW SESW Sec 34 T 14S R 22E

43-4185

BAKER, WADE &/or AFTON

RT. 2 BOX 2400, BURLEY, ID 83318

Source: GROUNDWATER

Priority Date: 03/15/1963

Diversion Pt: SESE Sec 30 T 11S R 23E

Use: IRRIGATION (6.00 CFS)

In: NESW NWSW SWSW SESW Sec 29 T 11S R 23E NENE NWNE SWNE SENE NESE NWSE SESE Sec 30 T 11S R 23E NENE NWNE SWNE SENE NESE NWSE Sec 31 T 11S R 23E NENE NWNE SWNE SENE NESE NWSE Sec 36 T 11S R 22E FOR 832 ACRES

43-4186

FINCHER, JOHN U.

214 E. 600 So., FARMINGTON, UT 84025

Source: GROUNDWATER

Priority Date: 01/01/1926

Diversion Pt: SESE Sec 23 T 11S R 23E

Use: STOCKWATER (0.03 CFS) DOMESTIC (0.04 CFS)

In: SESE Sec 23 T 11S R 23E

43-4187

FINCHER, JOHN U.

214 E. 600 So., FARMINGTON, UT 84025

Source: GROUNDWATER

Priority Date: 01/01/1945

Diversion Pt: NESE Sec 23 T 11S R 23E

Use: STOCKWATER (0.03 CFS) DOMESTIC (0.04 CFS)

In: SENE Sec 23 T 11S R 23E

43-4188

GERRATT, REX

RT. 3 BOX 353A, BURLEY, ID 83318

Source: GROUNDWATER

Priority Date: 06/01/1960

Diversion Pt: NENW Sec 10 T 11S R 23E

Use: IRRIGATION (0.02 CFS), STOCKWATER (0.07 CFS), COMMERCIAL (0.09 CFS), DOMESTIC (0.04 CFS)

In: NENW Sec 10 T 11S R 23E FOR One-eighth ACRE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published in the South Idaho Press on June 30 and July 7, 1983.

MICROFILMED



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OCT 19 1999

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STATE OF IDAHO  
IDAHO DEPARTMENT OF WATER RESOURCESDepartment of Water Resources  
Southern Region

FEB 29 2000

## NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right Number(s) 43-04159  
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) Lester C. Thorne and Carrie S. Thorne  
\_\_\_\_\_  
\_\_\_\_\_
4. New Owner/Claimant(s) Charlene Koyle  
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR  
New Mailing Address 2193 E. Pierce Ln, Malta ID 83342  
City, State and ZIP Code \_\_\_\_\_  
New Telephone Number (208) \_\_\_\_\_
5. Date you acquired the property \_\_\_\_\_
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) Charlene Koyle Date 10-12-99  
Charlene Koyle Date \_\_\_\_\_

(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.

### 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 83705-5052 (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 83401-1718 (208) 525-7161

**WARRANTY DEED**

**265445**

**RECEIVED**

**#32205**

**OCT 19 1999**

**Department of Water Resources  
Southern Region**

For Value Received

**LESTER C. THORNE and CARRIE S. THORNE, husband and wife**

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

**CHARLENE KOYLE, a single woman**

**Address: 106 NORTH 50 WEST, RUPERT, ID 83350**

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

**TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO**

Section 25:           A part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 25, more particularly described as follows:

Beginning at the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 25;  
thence 89°39'01" East for 1375.65 feet to the East right-of-way of old U.S.  
Highway 30 South, which point shall be THE TRUE POINT OF  
BEGINNING;

Thence North 0°01'33" West along said right-of-way for 1065.43 feet to a  
point where said right-of-way intersects the centerline of a county road;  
Thence South 39°22'33" East along said centerline for 230.36 feet to a point;  
Thence South 46°51'29" East along said centerline for 1287.99 feet to a  
point on the 1/16th section line;

Thence South 89°39'01" West along said 1/16th section line for 1085.48 feet  
to the TRUE POINT OF BEGINNING.

**TOGETHER WITH** all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

**SUBJECT TO:**

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

Taxes for 1999 and subsequent years.

Right -of-way's contained in Warranty Deed executed by Glen R. Kunau and Dona Kunau, husband and wife, to O. J. Thacker and Edith S. Thacker, husband and wife, dated June 25, 1977 and recorded July 28, 1977 as Instrument No. 100580 on Film No. 110, records of Cassia County, Idaho.

Agreement For Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and P. C. Glover/Lolita M. Glover, as Consumer, dated August 2, 1982 and recorded December 23, 1982 as Instrument No. 148280 on Film No. 154, records of Cassia County, Idaho.

Agreement For Electric Service between Raft River Rural Electric Cooperative, Inc., an Idaho rural electric Cooperative of Malta, and Lester C. Thorne and Carrie S. Thorne, dated May 17, 1995 and recorded May 23, 1995 as Instrument 236751 on Film No. 266, records of Cassia County, Idaho.

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 12, 1999

Lester C. Thorne  
LESTER C. THORNE

Carrie S. Thorne  
CARRIE S. THORNE

RECORDED AT THE REQUEST OF  
LAND TITLE & ESCROW

FILM \_\_\_\_\_

1999 OCT 15 P 1:54

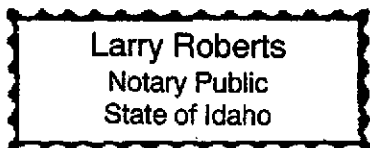
265445

CASSIA COUNTY, IDAHO  
DAVID S. ROSKELEY

RECORDED  
FEE 600 DEPUTY DM

STATE OF IDAHO )  
COUNTY OF CASSIA ) ss.

On this \_\_\_\_ day of October, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **LESTER C. THORNE**, 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.

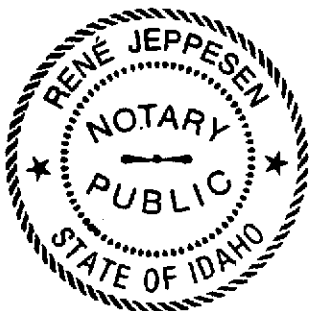


Larry Roberts  
Notary Public  
Residing at: Burley, ID  
My Commission expires: 06/30/03

STATE OF IDAHO )  
COUNTY OF Boundary ) ss.

On this 14th day of October, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared **Carrie S. Thorne**, 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.

Rene J. Jeppesen  
Notary Public  
Residing at: Naples  
My Commission expires: 10-16-2004



RECEIVED

OCT 19 1999

Department of Water Resources  
Southern Region

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

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Adjudication Claim Number(s) \_\_\_\_\_
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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) Lolita M. Glover  
12301 118th Avenue SE, Rainier, WA 98576
4. New Owner/Claimant(s) Lester C. Thorne and Carrie S. Thorne  
New Mailing Address 2193 E. Pierce Ln Malta 83342  
City, State and ZIP Code \_\_\_\_\_  
New Telephone Number (208) \_\_\_\_\_
5. Date you acquired the property \_\_\_\_\_
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.  
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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) Lester C. Thorne Date 10/12/99  
\_\_\_\_\_  
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, 100 N Skyline Dr., Suite A, Idaho Falls, ID 83401-1718 (208) 525-7161

211633

## WARRANTY DEED

For Value Received

LOLITA M. GLOVER, a single person as her sole and separate property

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

LESTER C. THORNE and CARRIE S. THORNE, husband and wife

Address: 14301 Railroad Lane

Walnut Grove, California 95690

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

See attached Exhibit "A" for legal description

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon or appurtenant thereto.

SUBJECT TO:

Taxes for 1991 and subsequent years.

Agreement for Purchase of Power between Raft River Rural Electric Cooperative, Inc., the Seller, and P. C. Glover/Lolita M. Glover, as Consumer, dated August 2, 1982 and recorded December 23, 1982 as Instrument No. 148280 on Film No. 154, records of Cassia County, Idaho.

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: January 16, 1991

*Lolita M. Glover*  
 Lolita M. Glover

STATE OF WASHINGTON, County of Thurston

On this 18th day of January, 19 91  
 before me, a notary public in and for said State, personally appeared

Lolita M. Glover

known to me to be the person whose name is  
 subscribed to the within instrument and acknowledged  
 to me that she executed the same.

*Charles J. [Signature]*  
 Notary Public  
 Residing at  
 Commission expires: 3/27/91  
 Washington

PARCEL NO. 1:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO

Section 25: A part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 25, more particularly described as follows:

Beginning at the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 25, thence North 89°39'01" East for 1375.65 feet to the East right-of-way of old U.S. Highway 30 South, which point shall be THE TRUE POINT OF BEGINNING;  
Thence North 0°01'33" West along the right-of-way for 1065.43 feet to a point where said right-of-way intersects the centerline of a county road;  
Thence South 39°22'33" East along said centerline for 230.36 feet to a point;  
Thence South 46°51'29" East along said centerline for 732.47 feet to a point;  
Thence South 0°20'59" East for 389.5 feet to a point on the 1/16th section line;  
Thence South 89°39'01" West along said 1/16th section line for 675.48 feet to THE TRUE POINT OF BEGINNING.

PARCEL NO. 2:

TOWNSHIP 13 SOUTH, RANGE 26 EAST OF THE BOISE MERIDIAN,  
CASSIA COUNTY, IDAHO

Section 25: A part of the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 25, more particularly described as follows:

Beginning at the Southwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 25; thence 89°39'01" East for 1375.65 feet to the East right-of-way of old U.S. Highway 30 South, which point shall be THE TRUE POINT OF BEGINNING;  
Thence North 0°01'33" West along said right-of-way for 1065.43 feet to a point where said right-of-way intersects the centerline of a county road;  
Thence South 39°22'33" East along said centerline for 230.36 feet to a point;  
Thence South 46°51'29" East along said centerline for 1287.99 feet to a point on the 1/16th section line;  
Thence South 89°39'01" West along said 1/16th section line for 1085.48 feet to the TRUE POINT OF BEGINNING.

SUBJECT TO all county roads.

-CONTINUED-

TOGETHER WITH an easement for power, waterlines and a 25 foot wide service road from the county road above mentioned to a well site located approximately 268 feet East from the centerline of old U.S. Highway 30 South and 421 feet North of a centerline of the County Road.

EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of the NW1/4NW1/4 of said Section 25, thence North 89°39'01" East for 1375.65 feet to the East right-of-way of old U.S. Highway 30 South, which point shall be THE TRUE POINT OF BEGINNING;  
Thence North 0°01'33" West along the right-of-way for 1065.43 feet to a point where said right-of-way intersects the centerline of a county road;  
Thence South 39°22'33" East along said centerline for 230.36 feet to a point;  
Thence South 46°51'29" East along said centerline for 732.47 feet to a point;  
Thence South 0°20'59" East for 389.5 feet to a point on the 1/16th section line;  
Thence South 89°39'01" West along said 1/16th section line for 675.48 feet to THE TRUE POINT OF BEGINNING.

211633

RECORDED AT THE REQUEST OF  
LAND TITLE & ESCROW  
JAN 23 2 48 PM '91  
CASSIA COUNTY, IDAHO  
FRANK H. KEMPERS  
RECORDED  
988  
FEE  
LAND TITLE & ESCROW

FURNISHED BY Land Title and Escrow, Inc.

#21908

211634

DEED OF TRUST, Made this  
BETWEEN

16th



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Jan 10 2005 Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

CHARLENE KOYLE  
2193 E PIERCE LN  
MALTA ID 83342

RE: Change in Ownership for Water Right No. 43-4159

Dear Ms. Koyle:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

  X   **Evidence of Water Right Ownership:** copy of Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question. *[The documentation provided does not include the property covered by the water right. I have enclosed a computer-generated report with the legal description highlighted. Please provide proof of ownership for this property.]*

  X   **Legal Description of Property**

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information **within 30 days** we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have any questions regarding this matter, please call Kari Lynn Townsend at 208-287-4952.

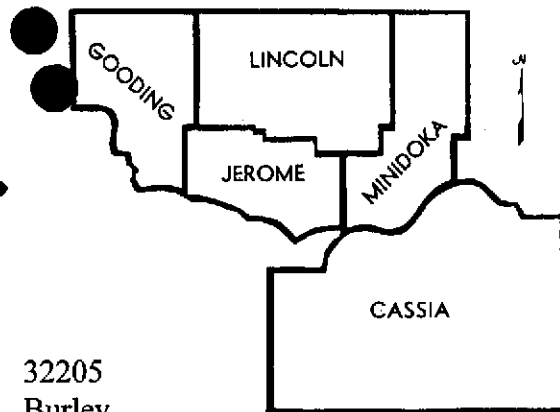
Sincerely,

Kandice McDermott  
Records Analyst

/klm  
Enclosure

# Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: 32205  
OFFICE: Burley

October 15, 1999

Idaho Department of Water Resources  
1341 Fillmore St., Ste 200  
Twin Falls, ID 83301

**RECEIVED**

**OCT 19 1999**

Department of Water Resources  
Southern Region

Re: Water Right Ownership Change

To Whom It May Concern:

Enclosed you will find a couple of Change of Water Right Ownerships on the same parcel. I have enclosed copies of the Deeds for your records, please make the changes in the proper records and let me know if you need anything else from me. Thank you for your assistance in this matter.

Should you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,  
LAND TITLE AND ESCROW, INC.

A handwritten signature in cursive script, reading "Karen Beckstead".

Karen Beckstead  
Escrow Officer

enc.

BOX 177, BURLEY, IDAHO 83318  
PHONE 678-3524 - FAX 678-4435

BOX 349, 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 436-1188

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region

1041 Blue Lakes Blvd. N.  
Twin Falls, Idaho 83301  
(208) 734-3578

*Aug. 2*  
~~JULY 15, 1983~~

PHILIP C. GLOVER  
P.O. BOX 993  
BURLEY

ID 83318

RE: Claim No. 43-4159

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,

*Allen D. Merritt*

ALLEN D. MERRITT  
Senior Water Resource Analyst

Enclosure

RECEIVED  
AUG 24 1983  
Department of Water Resources

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:

43-4159

GLOVER, PHILIP C.

P.O. BOX 993, BURLEY, ID 83318

Source: GROUNDWATER

Priority Date: 06/01/1977

Diversion Pt: NENW Sec 25 T 13S R 26E

Use: DOMESTIC (0.04 CFS)

In: NENW Sec 25 T 13S R 26E

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1841 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 6/30 & 7/7/83.

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Southern Region

---

1041 Blue Lakes Blvd N.  
Twin Falls, Idaho 83301  
(208) 734-3578

JUNE 22, 1983

South Idaho Press  
P.O. Box 190  
Burley, Idaho 83318

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 .

Yours truly,

Mary A. Newby  
Secretary

Encl.

RECEIVED  
JUN 23 1983  
IDAHO DEPT. OF WATER RESOURCES  
SOUTHERN REGION  
TWIN FALLS, IDAHO

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ADL

Right Number 43-4159 Applicant GLOVER, Philip C.

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.

FINAL REGIONAL PROCESSING REVIEW:

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

By ADL Date 8/2/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By kw Date 8/30/83

RECEIVED

*Send to  
Southern R.*

State of Idaho  
Department of Water Resources

**RECEIVED**

CLAIM ANALYSIS SHEET

MAY 25 1983

INITIAL REVIEW BY: *Jim Johnson*

Department of Water Resources  
Southern District Office

Right Number ✓ Applicant *Glover*

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.) *OK*
- ☒ Source. *Domestic - 1 unit*
- ☒ 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 \_\_\_\_\_ Date \_\_\_\_\_

STATE OFFICE PROCESSING:

- ☐ Claim review complete.

By \_\_\_\_\_ Date \_\_\_\_\_

RECEIVED