

MORRIS TRACT

N 5 - 21 - 19 W



SCALE
1"=20'

100' West from C-E-E-NW
1/256
40' North from Line
N 89 - 58 - 46 E To
Spring Box Outlet

C-E-E-NW
1/256

100'

34.72

N 84 - 58 - 46 E

PROPERTY
CORNER

T.2N R10E SEC.30 BM

Located in NE & NW 4

DETAIL

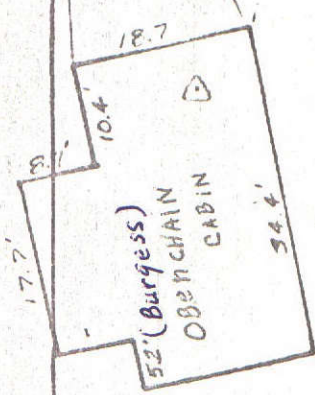
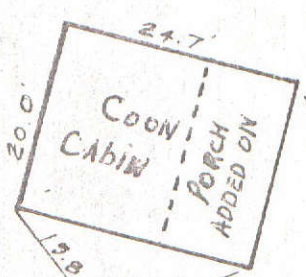
AREA

2x ENLARGEMENT

F.S. LAND

LOT 6
PRIVATE LAND

N 0 - 16 - 57 W



MICROFILMED

Form No. 300-Warranty Deed

THIS INDENTURE, Made this first day of August 1958 in the year of our Lord one thousand~~nine hundred and~~, between

Vernon E Morris of Boise, Idaho

of Ada, County of Idaho, State of Idaho, the part y of the first part, and

M H Coon

of Glenns Ferry, County of Elmore, State of Idaho, the part y of the second part.WITNESSETH, That the said part y of the first part, for and in consideration of the sum ofOne and no/100- ----- DOLLARS,

lawful money of the United States of America, ^{paid} to me in hand paid by the said part y of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents do es grant, bargain, sell, convey and confirm unto the said part y of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in Elmore, County of Elmore, State of Idaho, to-wit:

1/2 (one half acre) more or less from the Morris tract as follows^{""} which measures as follows from the N.E. corner south to base of hill 122 feet and measuring west along walk way on top of ditch bank 148 feet, measuring north from that point along the fence line 148 feet to the north boundary line of the Morris tract and from that point along the north boundary line east to the point of beginning 148 feet. Within these boundaries is the cabin owned by M H Coon of Glenns Ferry, Elmore County Idaho, dimensions of cabin 20-5 by 16-5- which is painted brown and trimmed in green. The Northwest corner of this cabin is located 3 feet and northeast corner 8 feet from the north line of the Morris Tract. The Morris tract from which the above one half 1/2 acre is taken is described as follows: Consists of 5.57 acres more or less situated south east and south west and south of the New Pine Tavern, at New Pine, Idaho, in Elmore County Idaho and is a portion of NE 1/4 quarter, Section 30, Township 2 North, Range 10 East, Boise Meridian. (A spring is located directly back of the M H Coon cabin and which flows from the back of the hill and which is located on the Morris tract is the source of water supply for both domestic and irrigible purposes for the M H Coon acreage, as well as the L V Burgess acreage and their cabins.) It is also further agreed that the spring is the joint property of Vernon E Morris, M H Coon and L V Burgess, so far as domestic and irrigible water supply. The L V Burgess cabin is located directly east of the M H Coon cabin, the west end of the Burgess cabin extends 5 feet west and 12 feet south on the ground above mentioned purchased from Vernon E Morris by M H Coon. It is further agreed that the spring above described on the Morris tract will be maintained jointly by Vernon E Morris, M H Coon and L V Burgess. (Also that no further persons or subscribers will be taken in on the spring.)

Together, with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said part y of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the part y of the second part, and to his heirs and assigns forever, and the said part y of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said part y of the second part, his heirs and assigns, against the said part y of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said part y of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in

Presence of

Vernon E Morris (SEAL)
(SEAL)
(SEAL)
(SEAL)

Bairns Weaver
Donald G Black

STATE OF Idaho } ss.
County of Ada }

On this 4th day of August, in the year 1958, before me Fred R Bagley, a Notary Public in and for said State, personally appeared

Vernon E Morris

known to me to be the person is whose name subscribed to the within instrument, and acknowledged to me that he 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.

(SEAL)

Notary Seal

Fred R Bagley
Notary Public for the State of Idaho
Residing at Boise, Idaho, Idaho

STATE OF IDAHO } ss.
County of Elmore, }

I hereby certify that this instrument was filed for record at request of M H Coon at 06 minutes past 9 o'clock A.M., this 6 day of August, A.D. 19 58,

in my office, and duly recorded in Book 54 of Warranty Deeds at Page 100 James A. O'Neill
Ex Officio Recorder.

By E. B. SteinFees, \$ 1.50

Jr. Deputy.

MICROFILMED

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 EDGAR A. OBENCHAIN, JR.

(Name of Claimant)

560 East 10th North, Mountain Home, ID 83647

(Mailing Address)

Telephone No. 587-7236

(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) 1949

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)

spring tributary to sinks

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

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	.04cfs	Use	domestic	Period of Use From 1/1	To 12/31
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) .04cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NE 1/4 NW 1/4, Sec. 30 Twp. 2N Rge. 10E B.M., County of Elmore

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. Spring with springbox and storage tank and pipeline

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			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	
2N	10E	30					X												

No. of acres

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

Domestic use for one household

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:

WINTER

R 10 E
② - pd place of use
T 2 N 30

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.

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.

I says that he, me, they subscribed the foregoing claim
matters and facts therein are true to the best of the

x Edgar A. Benchain
(Claimant)

My commission expires Life

Received by 6hs Date 7/6/81 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by 6hs Date 7/10/81 claimant by: _____
\$20.00 fee received by 6hs Date 7/6/81 # 19516
Published in Metro Home News _____
Dates 7-23-81 _____
7-30-81

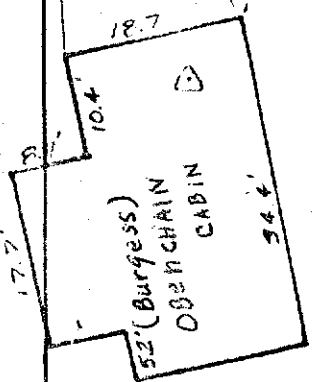
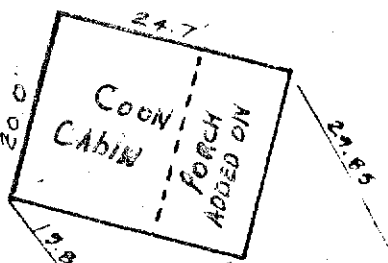
MORRIS TRACT

40' Spring Concrete Box
Edge of Steep Slope of Hill

C-E-E-NW 1/256

100' West from C-E-E-NW 1/256
40' North from Line N 89-58-46 E To Spring Box Outlet

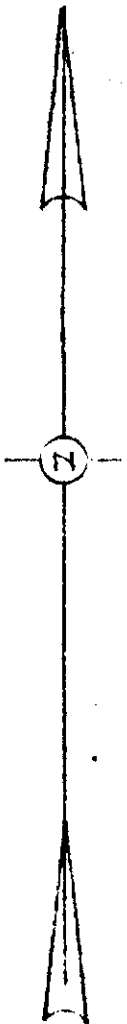
LOT 6
PRIVATE LAND



N 21-19 W

PROPERTY CORNER

N 89-58-46 E



SCALE
1"=20'

T.2N R10E SEC.30 BM

Located in NE 4 NW 4

DETAIL
AREA
2x ENLARGEMENT

F.S. LAND

MICROFILMED

**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:

63-4809

OBENCHAIN, JR., EDGAR A.
560 EAST 10TH NORTH, MOUNTAIN HOME, ID 83647

Source: SPRING tributary to SINKS

Priority Date: 01/01/1949

Amount: 0.04 CFS

Diversion Point: NENW Sec 30 T 02N R 10E, ELMORE Co.

Use: DOMESTIC (0.04 CFS) from 01/01 to 12/31

Place of Use: NENW Sec 30 T 02N R 10E

Diversion Means: SPRINGBOX, STORAGE TANK & PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

A. KENNETH DUNN

Director

Published 7/23 & 7/30/81.

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having been made on the 23 day of July, 1981, and the last publication having been made on the 30 day of July, 1981; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 30th day of July, 1981.

Allen M. Watts
Notary Public

RECEIVED

AUG 3 1981

Department of Water Resources
Western Regional Office

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RECEIVED

AUG 12 1981

Department of Water Resources

WRR100
63-4809

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS PROOF READING REPORT

PAGE 1
20-NOV-1985 13:28:05

01 WATER RIGHT NUMBER - 63-4809 02 OLD (D) NUMBER -

LAST NAME
03001 - OBENCHAIN, JR. ✓

FIRST NAME
04001 - EDGAR A ✓

ORIG. OWNER
05001 - C

06 ADD LINE 1 - 560 EAST 10TH NORTH ✓

07 ADD LINE 2 -

08 ADD LINE 3 -

09 CITY - MOUNTAIN HOME ✓

10 STATE - ID 11 ZIP - 83647 ✓

12 STAGE - S STATUTORY CLAIM ✓

13 STATUS -

SOURCE
14001 - SPRING ✓

TRIBUTARY OF
15001 - SINKS ✓

16 DIVERSION MEANS - SPRINGBOX, STORAGE TANK & PIPELINE ✓

17 COUNTY - 39 ELMORE ✓

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - .040 ✓

20 TOTAL DIVERSION VOLUME - .00

21 WATER DISTRICT -

----- DIVERSION POINTS -----				----- S T R E A M I N D E X F I E L D S -----											
TRACT	SEC	TWN	RNG	LOT	RFLG										
22001 - NENW	23001 - 30	24001 - 02N	25001 - 10E	26001 - 27001 -											
			28001 - 0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0	0	0	0.0

29 NON-IRRIGATION USE - 0/1 HOUSE

----- PLACE OF USE -----		----- TRACT -----		----- ACRES -----		----- LOT -----	
USE CODE / USE	TWN	RNG	SEC	TRACT	ACRES	LOT	
30001 - 43 DOMESTIC ✓	31001 - 02N	32001 - 10E	33001 - 30	34001 - NENW	35001 -	36001 -	
							TOTAL ACRES: 0

----- WATER USE -----		----- DIVERSION RATE -----		----- DIVERSION VOLUME -----	
PERIOD FROM	PERIOD TO	USE CODE / USE			
37001 - 0101 ✓	38001 - 1231 ✓	39001 - 43 DOMESTIC ✓	40001 -	0.040	41001 - 0.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS
44001 -

APPROVAL CONDITIONS: 45001 -

46 OTHER RIGHTS FOR SAME USE -

----- D A T E S -----		----- D A T E S -----		----- F L A G S -----	
47 PRIORITY	- 1-JAN-1949 ✓	55 LICENSE	-	63 TRANSFER/AMENDED	-
48 PROOF DUE	-	56 APPL RECEIVED	-	64 OLE/CAREY ACT	-
49 PROOF MADE	-	57 FIELD EXAM MADE	-	65 FLAG_1	-
50 APPROVE/DENIED-	-	58 DECREE	-	66 FLAG_2	-
51 PROTESTED	-	59 START WORK	-	67 FLAG_3	-
52 HEARING	-	60 ORDER SHOW CAUSE	-		
53 VERIFIED	-	61 DATE_1	-		
54 LAST UPDATE	- 20-JUL-1981	62 DATE_2	-		

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: GLS

Right Number 63-4809 Applicant Obenchain, Jr.

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. 8-3-81 MTR Home News
- ☒ Claim published correctly. 7-23 + 30-81 3000 # 19516
- ☒ Exceptions processed.

By GLS Date 8/10/81

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 8/14/81

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