

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE BEAR RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 79576

Claim ID: 11-327 E

Date Received: 10.10.2023

Receipt No: P000488

Claim Fee: \$129.00 By: JW

RECEIVED

OCT 10 2023

IDWR/Preston

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of claimant(s) THE AINA FAMILY TRUST Phone (916) 331-7041
Mailing address 6828 WEDDIGEN WAY, NORTH HIGHLANDS, CA Zip 95660
Street or Box City State
Email address (optional) SCAMERON82@SHAW.CA
2. Date of priority: (Only one per claim) 5/1/1884 (Explain priority date selected in Remarks)
Month/Day/Year (YYYY)
3. Source of water supply (Check one) Ground Water () or Other (✓) (a) EIGHTMILE CREEK
which is tributary to (b) BEAR RIVER
4. a. Location of point of diversion is: Township 10S, Range 42E, Section 16,
SE 1/4 of NW 1/4, Govt. Lot _____, BM, County of BEAR LAKE
Parcel no. THE ABOVE LEGAL DESCRIPTION IS FOR SIMMONS DITCH
Additional points of diversion, if any: 10S 42E, SECTION 3, NW SW = BAIRD-MUNRO DITCH
If available, GPS Coordinates _____
b. If instream flow, beginning point of claimed instream flow is:
Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, County of _____
Ending point is: Township _____, Range _____, Section _____, _____ 1/4 of _____ 1/4,
Govt. Lot _____, BM, 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.
SIMMONS DITCH AND BAIRD-MUNRO DITCH DELIVER WATER TO THE PROPERTY.

6. Water is claimed for the following purposes:

(dates are inclusive MM-DD) (cfs) (acre-feet)
For IRRIGATION purposes from 4/15 to 10/31 amount 0.08 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) _____ (acre-feet)

8. Non-irrigation uses; describe fully (e.g., Domestic: Give number of households served; Stockwater: Type and number of livestock, etc.) _____

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. 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	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10s	42e	2												12		37	30		79.0

Parcel no(s) 10S42E027800

Total number of acres irrigated 79

10. In which county(ies) are lands listed above as place of use located? BEAR LAKE

11. Do you own the property listed above as place of use? Yes (☒) No (☐)

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

OTHER IRRIGATION RIGHTS IN THE NAME OF THE AINA FAMILY TRUST or None (☐)

13. Remarks (Include an explanation of the priority date selected):

SEE DECREE.

IRRIGATION FOR THE PROPERTY IS BENEFICIAL TO THE VALUE OF THE LAND AND ITS PRODUCTIVITY FOR THE CROP PRODUCTION, WEED CONTROL, AND AESTHETICS. WATER MASTER HAS TOLD OTHER FAMILY MEMBERS IN ADJOINING PROPERTY THAT THERE IS NOT ENOUGH WATER FOR THEM. WE HAVE BEEN PAYING OUR FEES TO THE WATER DISTRICT.

THIS PROPERTY WAS HOMSTEDED BY MUNRO FAMILY. ORIGINAL WATER RIGHTS WERE OBTAINED BY WILLIAM CHARLES MUNRO (GRANDFATHER). WATER RIGHTS WERE SPLIT (1/7) BY ORREN MUNRO (FATHER) TO HIS LIVING CHILDREN IN 1960, WHEN THE WILL WAS EXECUTED. SEE CLAIM 11-327E FOR ATTACHED WILLED DISTRIBUTION OF WATER RIGHTS.

Name of claimant(s) THE AINA FAMILY TRUST

Claim ID _____

14. Basis of claim (Check one) Beneficial Use () Posted Notice () License () Permit () Decree (☒)

Court _____ Decree Date _____ Plaintiff v. Defendant DIETRICH DECREE

If applicable provide IDWR Water Right Number 11-327 E

15. **Signature(s)**

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Bear River Basin Water System Adjudication."

(b.) I/We do () do not () wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: will for orren munro

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am, and that I have signed the foregoing document in the space below as the

TRUSTOR/TRUSTEE of THE AINA FAMILY TRUST

Agent's title (Please print)

Name of organization (Please print)

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

Signature of Authorized Agent Mary E Aina Date 10/5/2023

Printed Name of Authorized Agent Mary E. Aina

16. **Notice of Appearance:**

Notice is hereby given that I, (please print) _____, 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.

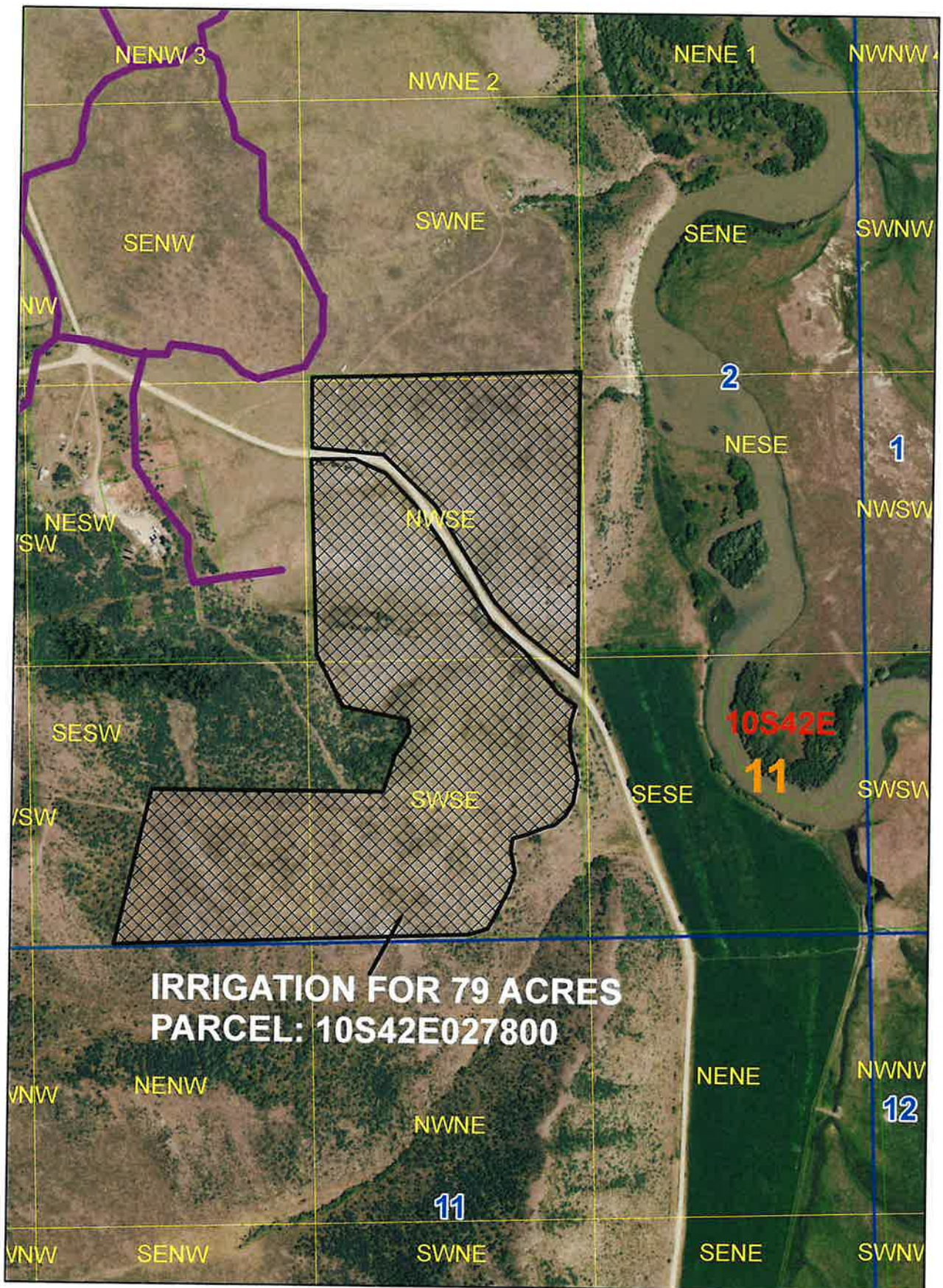
Signature _____ Date _____

Address _____

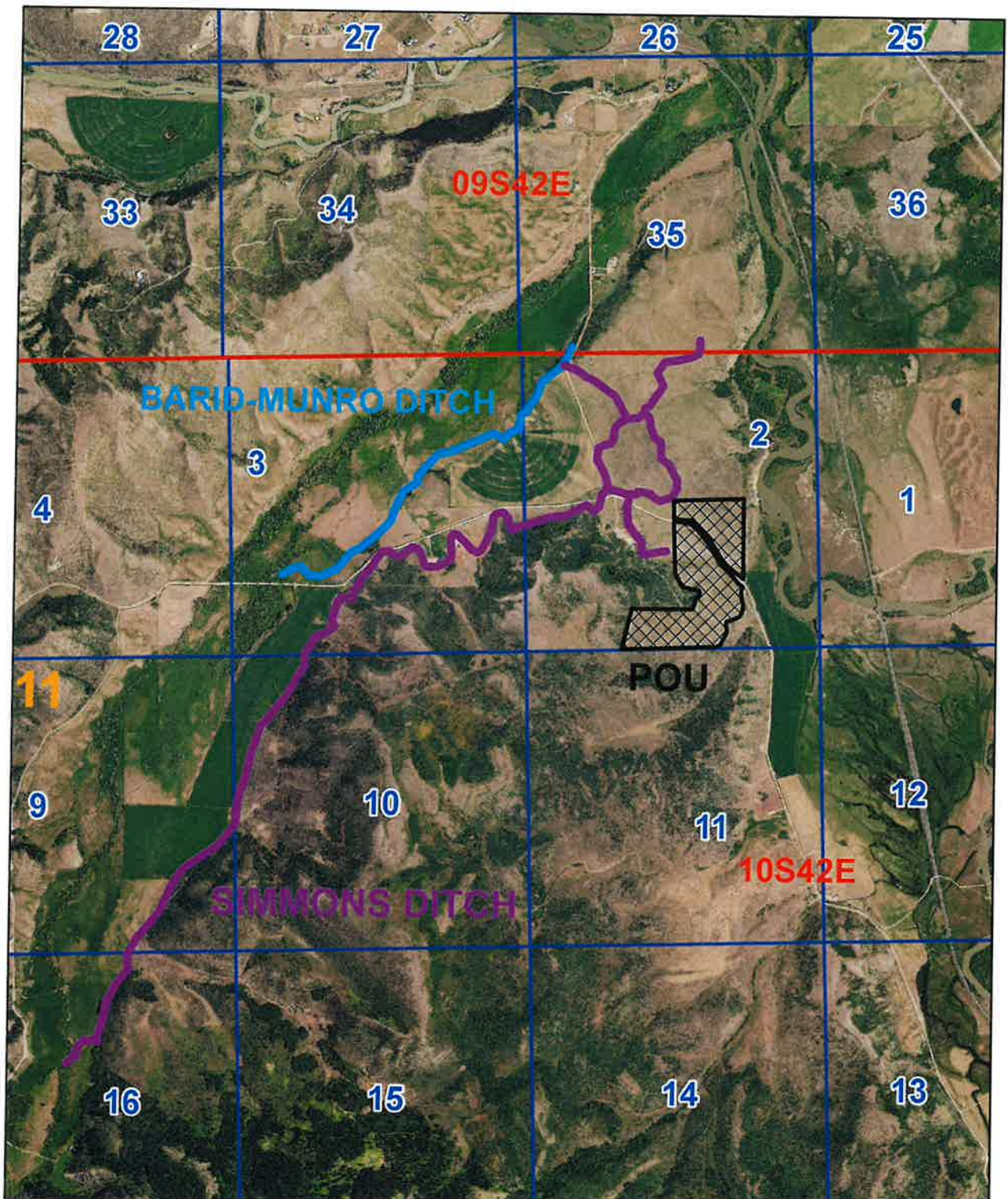
Name of claimant(s) THE AINA FAMILY TRUST

Claim ID _____

NOTICE OF CLAIM FOR THE AINA FAMILY TRUST



NOTICE OF CLAIM FOR THE AINA FAMILY TRUST



POD FOR SIMMONS DITCH IN 10S 42E, SECTION 16, SE NW

POD FOR BAIRD-MUNRO DITCH IN 10S 42E, SECTION 3, NW SW

IN THE PROBATE COURT OF CARIBOU COUNTY, STATE OF IDAHO

IN THE MATTER OF THE ESTATE

OF

ORREN MUNRO,

Deceased.

ORDER SETTLING FINAL ACCOUNT
AND
DEGREE OF PROBATION
CARIBOU COUNTY,
IDAHO



Come now Orren Otto Munro, Executor of the last Will and Testament of Orren Munro, deceased, and proves to the satisfaction of the Court that his first and final account, report, and petition for distribution of said estate was filed herein, and that the Court appointed Tuesday, the 6th day of February, 1962, at 10:00 o'clock A.M. or said day, for the settlement and hearing thereof; that due and legal notice of the time and place of said settlement was given as required by law, and the said account and petition being now presented to the Court, and no person having appeared to except to or contest said account or petition:

It further appearing to the Court from the evidence, and the Court finds, that said account is in all respects true and correct and that the residue of said estate is in the hands of the Executor at the time of the filing of said account was \$62,378.00, consisting of real and personal property as set forth in the first and final account and at the appraised valuations thereof:

It further appearing, and the Court has heretofore made an order fixing the time and set value of all inheritances, devises, bequests, and other interests, and after fixing and distributing the assets and credits, set the inheritance tax due, and that said tax due to the State of Idaho has been paid, and it further appearing to the Court, and the Court finds, that there is no inheritance or transfer tax due the United States or any other, and

It further appearing to the Court, and the Court finds, that all claims and debts, including all taxes, attorney's fees, and charges of administration, for which charges have been made, have been fully paid.

That said decedent left surviving him the following named heirs at law and no others, to-wit:

NAME	RELATIONSHIP	AGE	ADDRESS
Orren Otto Munro	Son	Local	Soda Springs, Idaho
Wilbur Edwin Munro	Son	Local	Soda Springs, Idaho
Carlisle David Munro	Son	Local	141 Van Avenue Tulsa, Utah
Ellis Lewis Munro-Danger	Daughter	Local	599 N. 2nd West Logan, Utah
Harold Levens Munro	Son	Local	1400 N. 10th West Murray, Utah
Norman Everett Munro	Son	Local	1401 W. 10th South Murray, Utah
Mary Elizabeth Munro Wife	Daughter	Local	211-3 1/2th Street Riverdale, Idaho

rings, Idaho
rings, Idaho
1 Avenue
Utah
5th East
Utah
3600 West
Utah
5740 South
10, Utah
4th Street
Air Force Base

Dwell
Clay
25412

The Court finds that notice to the creditors has been given and regularly published as required by law and that the decedent was a widower at the time of his death, and the the property listed in the inventory was all his separate property.

The Court further finds a copy of the Inventory and Appraisal was forwarded to the State Inheritance Tax Division of the State of Idaho as required by law.

The Court further finds that said Orren Munro devised and bequeathed all of his property in the following manner, to-wit:

"To Orren Otto Munro, Lot 2, 3, and 4, of Section 2, Township 10 South, Range 42, E.B.M., approximately 122.43 acres."

"To Wilburn Hiram Munro, the Northeast quarter of the southwest quarter and the southeast quarter of the northwest quarter and the southwest quarter of the northeast quarter of Section 2, Township 10 South, Range 42, E.B.M., containing approximately 120 acres.

776 Forriest Marvill Munro, Lot 1, of Section 3, Township 10 South, and the southeast quarter of the northeast quarter of Section 3, and the southwest quarter of the northwest quarter of Section 2, all in Township 10 South, Range 42, E.3.M., and consisting of approximately 121.56 acres.

To Ella Janet Munro-Sanger, the southeast quarter of the northwest quarter, and the northeast quarter of the southwest quarter of Section 30, Township 9 South, Range 42, S.W. 1/4, consisting of approximately 80 acres and also all the buildings situated thereon with the exception of one 1,000 bushel Martin steel bin, which belongs to Orren Otto Munro, and one 1,200 bushel Perfection steel bin, which belongs to Forrest Marvin Munro.

"To Harold Leverne Mauro, the southeast quarter of the northwest quarter, the southwest quarter of the southeast quarter and the northwest quarter of the southeast quarter of Section 33, Township 9 South, Range 42, E.B.M. containing approximately 120 acres, together with all buildings thereon.

*To Dorian Everett Munro, the northeast quarter of the southeast quarter and the west half of the northeast quarter of Section 35, Township 5 South, Range 42, E.S.X., containing approximately 120 acres.

"To Mary Elizabeth Munro-Ains, the northwest quarter of the Southeast quarter, the southwest quarter of the southeast quarter and the southeast quarter of the southeast quarter of Section 2, Township 10 South, Range 42, E.3.R., containing approximately 120 acres.

"If any of the above-mentioned children are not living at my death and leave children surviving them, then the share of that child shall go to his children and said children (my grandchildren) shall have an undivided interest in and to their parent's share."

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IT IS FURTHER
property in said

"To Orren O.
Township 20
122.43 acres

To Wilburn 1
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northwest 4
northeast 9
Range 14,

To Fort St.
10 South, a
quarter of 1

LOWELL
17 JAN

"I give and devise an undivided one-seventh (1/7) interest to each of my children: Orren Otto Munro, Wilburn Hiram Munro, Forrest Marvill Munro, Lila Janett Munro-Barger, Harold Laverne Munro, Dorrian Everett Munro, and Mary Elizabeth Munro-Ains, in and to the following described range land:

"The northeast quarter of the southeast quarter, the east half of the northwest quarter of the southeast quarter, the southeast quarter of the southeast quarter of Section 2; the west half of the southwest quarter of the southwest quarter of Section 3; the northeast quarter of the northeast quarter and the north half of the southeast quarter of the northeast quarter of Section 4; the northwest quarter of Section 5; the south half of the northwest quarter of the northeast quarter; the southwest quarter of the northeast quarter; the east half of the northeast quarter of the southwest quarter; the northwest quarter of the southeast quarter; the west half of the northeast quarter of the southeast quarter of Section 9, all of said land being in Township 5 South, Range 42, E.B.M.

"I give and devise an undivided one-seventh (1/7) interest to each of my children: Orren Otto Munro, Wilburn Hiram Munro, Forrest Marvill Munro, Lila Janett Munro-Barger, Harold Laverne Munro, Dorrian Everett Munro, and Mary Elizabeth Munro-Ains, in and to all of the water rights that I have at the time of my death. This includes all water rights to which I have any interest whether said water rights are purchased water rights appurtenant to the land or otherwise.

"All the balance of my property, both real and personal not hereinabove disposed of, I give to my seven children, above named to share and share alike."

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the First and Final Account and Report of Orren Otto Munro, Executor of the Last Will and Testament of Orren Munro, be, and the same is hereby, settled, allowed, and approved; that all expenses of administration paid, including attorney's fees, be and the same are hereby, approved; that the inheritance or transfer tax due the state of Idaho has been paid, and that no tax is due the United States of America.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that the property in said estate be distributed as follows, to-wit:

"To Orren Otto Munro, Lot 2, 3, and 4, of Section 2, Township 10 South, Range 42, E.B.M., Approximately 122.63 acres.

To Wilburn Hiram Munro, the Northeast quarter of the southwest quarter and the southeast quarter of the northwest quarter and the southwest quarter of the northeast quarter of Section 3, Township 10 South, Range 42, E.B.M., containing approximately 120 acres.

To Forrest Marvill Munro, Lot 1, of Section 3, Township 10 South, and the southeast quarter of the northeast quarter of Section 3, and the southwest quarter of

the northwest quarter of Section 2, all in Township 10 South, Range 42, E.S.M., and consisting of approximately 121.56 acres.

To Lila Jennett Munro-Barger, the southeast quarter of the northwest quarter, and the northeast quarter of the southwest quarter of Section 25, Township 9 South, Range 42, E.S.M., consisting of approximately 60 acres and also all the buildings situated thereon with the exception of one 1,000 bushel Martin steel bin, which belongs to Owen Otto Munro, and one 1,300 bushel Perfection steel bin, which belongs to Forrest Marvill Munro.

To Harold LeVerne Munro, the southeast quarter of the northwest quarter, the southwest quarter of the southeast quarter and the northwest quarter of the southeast quarter of Section 32, Township 9 South, Range 42, E.S.M., containing approximately 120 acres, together with all buildings thereon.

To Correll Everett Munro, the north east quarter of the southeast quarter and the west half of the north east quarter of Section 32, Township 9 South, Range 42, E.S.M., containing approximately 120 acres.

To Mary Elizabeth Munro-Ains, the northwest quarter of the southeast quarter, the southwest quarter of the southeast quarter and the southeast quarter of the southeast quarter of Section 2, Township 10 South, Range 42, E.S.M., containing approximately 120 acres.

An undivided one-seventh (1/7) interest to Owen Otto Munro, Willoughd Hiram Munro, Forrest Marvill Munro, Lila Jennett Munro-Barger, Harold LeVerne Munro, Correll Everett Munro, and Mary Elizabeth Munro-Ains, in and to the following described range land:

The northwest quarter of the southeast quarter, the east half of the northwest quarter of the southeast quarter, the southeast quarter of the southeast quarter of Section 31; the west half of the southeast quarter of the southeast quarter of Section 31; the northeast quarter of the northeast quarter and the north half of the southeast quarter of the northeast quarter of Section 31; the northwest quarter of Section 31; the south half of the northwest quarter of the northeast quarter, the southwest quarter of the northeast quarter, the east half of the northeast quarter of the southeast quarter, the northwest quarter of the southeast quarter, and the west half of the northeast quarter of the southeast quarter of Section 31, all of said land being in Township 9 South, Range 42, E.S.M.

An undivided one-seventh (1/7) interest to Owen Otto Munro, Willoughd Hiram Munro, Forrest Marvill Munro, Lila Jennett Munro-Barger, Harold LeVerne Munro, Correll Everett Munro, and Mary Elizabeth Munro-Ains, in and to all of the water rights that are part of the estate of Owen Otto Munro. This includes all water rights to which the deceased has any interest, whether said water rights were purchased water rights appurtenant to the land or otherwise.

LEWIS & CLARK
SULLIVAN & CLARK
ATTORNEYS AT LAW
PORTLAND, OREGON

All other property of the estate of said Orren Munro, both real and personal, whether known or unknown, shall be distributed in equal portions to Orren Otto Munro, Wilburn Miram Munro, Forrest Harvil Munro, Ella Janet Munro-Barger, Harold LaVerne Munro, Dorrian Everett Munro, and Mary Elizabeth Munro-Aina, share and share alike.

Dated this 7 day of March, 1962.

J. H. Harris
Probate Judge

33856

STATE OF ARIZONA
County of Cochise

I hereby certify that the foregoing

Orren Munro
is the
A. M. *Orren Munro*
A. D. *1962*
in *Maricopa County*

Kenneth M. Fowler

By *Lynda Allen*
for *600*

33856

