

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 75-13948
Date Received: 8/18/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Name: RAYMOND HATHHORN Phone: (208)754-4600

Address: PO BOX 134
SALMON ID USA 83467

Name: LINDA HATHHORN Phone: (208)756-4006

Address: PO BOX 134
SALMON ID USA 83467

A7513948



2. Date of Priority: 05/13/1898

3. Source: Unknown

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
22N	22E	6	NE NW SW	LEMHI

5. Description of diverting works:

Source is Wallace Creek tributary to the Salmon River. Software would not allow Data Entry.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.04	14

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 14 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	22E	6	NE SW	11	IRRIGATION	4
					Section Acres	4
					Total Acres	4

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used: 75-13950

14. Remarks:

THIS RIGHT IS THE RESULT OF SPLITTING A75-00083F. CHANGE OF OWNERSHIP DONE 1997 SHOULD HAVE SPLIT THE RIGHT. THIS SPLIT IS TO CORRECT THAT ERROR (CSAXTON 8/18/00)

75-00083F:	0.08 CFS, 8 AC, BARNARD
75-13948:	0.04 CFS, 4 AC, HATHHORN
75-13949:	0.04 CFS, 4 AC, BARNARD

15. Basis of Claim: Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

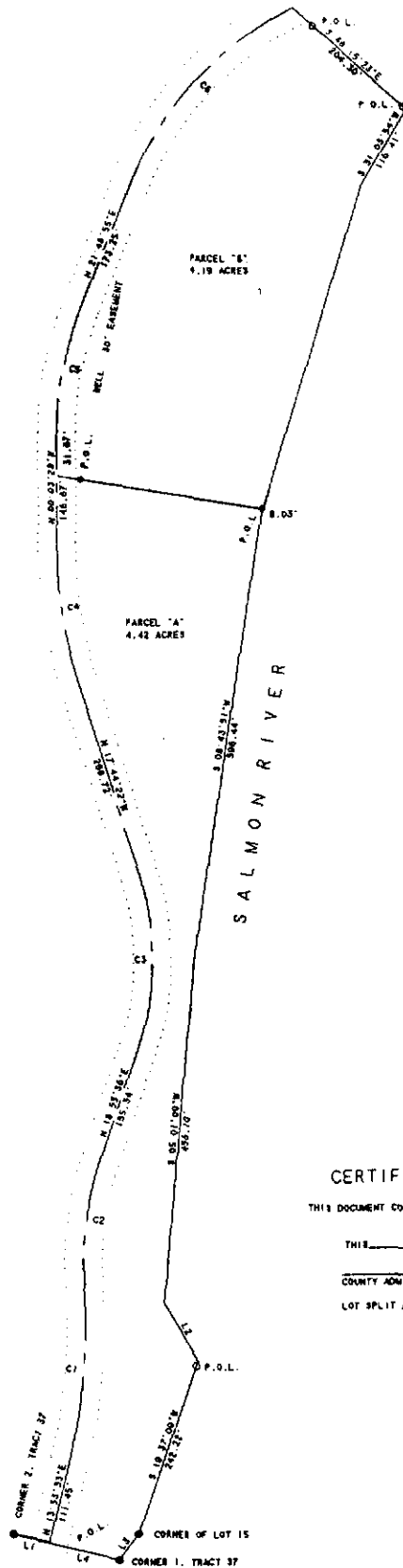
Residing at _____

My commission Expires _____

RECORD OF SURVEY

LOCATED IN GOVERNMENT LOTS 11 AND 13 OF SECTION 6,
T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI CO., IDAHO

NOTE: SEE R.O.S. INST NO. 224862



SCALE 1" = 100.00'

LEGEND

- FOUND GOVERNMENT BRASS CAP
- SET 5/8" X 24" REBAR WITH A 1/2" PLASTIC CAP
MARKED WADE PLS 5080
- P.O.L. POINT ON LINE

LINE	BEARING	DISTANCE
L 1	N 76° 23' 19" W	49.18'
L 2	S 30° 41' 18" E	80.93'
L 3	S 37° 04' 38" W	43.09'
L 4	N 76° 23' 19" W	95.68'

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	18 07' 44"	729.34'	230.78'	118.38'	229.81'	N 04° 40' 41" E
C 2	23 00' 48"	617.90'	188.99'	85.08'	187.64'	N 07° 20' 41" E
C 3	36 39' 54"	280.37'	230.37'	122.30'	232.30'	N 04° 35' 37" E
C 4	17 40' 54"	600.50'	165.32'	93.40'	184.58'	N 04° 53' 56" W
C 5	21 52' 27"	455.18'	173.78'	87.96'	172.72'	N 10° 52' 42" E
C 6	41 21' 49"	438.74'	351.18'	173.18'	324.03'	N 42° 29' 48" E

SURVEYOR'S CERTIFICATE

THIS MAP REPRESENTS A SURVEY MADE FROM EXISTING
FIELD EVIDENCE IN CONFORMANCE WITH THE REQUIREMENTS
OF CHAPTERS 16 AND 19, TITLE 55, IDAHO CODE.
SURVEYED 08-19-1993 FOR LINDA HEFFNER

LAURENCE J. WADE P.L.S. 5080

CERTIFICATE OF APPROVAL

THIS DOCUMENT CONFORMS TO THE CURRENT LAND USE ORDINANCE

THIS _____ DAY OF _____, 199__

COUNTY ADMINISTRATOR

LOT SPLIT APPLICATION NO. _____

COUNTY RECORDER'S CERTIFICATE

RECORDER OF LEMHI COUNTY

TIME: _____ AM, DAY: _____ MONTH: _____, 199__

BOOK _____ PAGE _____ INST. NO. _____

RECORDED: _____

BY: _____

WADE SURVEYING
505 GRANITE SALMON, IDAHO
208-758-5076 83467



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RAYMOND & LINDA HATHHORN
PO BOX 134
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-00083F, A75-00084D

Dear Mr. & Mrs. Hathhorn:

In response to your discussion with Water Agent Craig Saxton, we corrected the ownership on the above referenced claims.

Since the change in ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-00083F SPLIT INTO:
A75-13948, 0.04 CFS ON 4 ACRES, HATHHORN
A75-13949, 0.04 CFS ON 4 ACRES, BARNARD

A75-00084D SPLIT INTO:
A75-13950, 0.06 CFS ON 4 ACRES, HATHHORN
A75-13951, 0.06 CFS ON 4 ACRES, BARNARD

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

Enclosure

MEMORANDUM

Date: 8/16/00

From: Craig L. Saxton

Subject: Splitting A75-00083F and A75-00084D

Met with Linda Heffner 8/14/00. She was concerned that when she sold a portion of her property all of the water rights were changed into the buyer's name. Below is the history of what happened with the right.

1994: Heffner bought 8.61 acres from Maxwell. Maxwell's water rights were split giving Heffner her proportionate share in water rights A75-00083F and A75-00084D. The two rights together summed to 8 acres and 0.20 cfs.

1996: Heffner sold approximately 4 acres of her 8 acres to Harvey. In 1997 A75-00083F and A75-00084D changed into Harvey's name. Leaving Heffner with 4 acres and no water rights.

1997: Harvey sells his 4 acres to Barnard. In 1998 A75-00083F and A75-00084D changed to Barnard's name.

8/14/00: In order to correct the error of not splitting the rights. A75-00083F and A75-00084D are split as follows:

A75-00083F: 0.08 cfs, 8 ac, Barnard

A75-13948 : 0.04 cfs, 4 ac, Heffner/Hathhorn

A75-13949 : 0.04 cfs, 4 ac, Barnard

A75-00084D: 0.12 cfs, 8 ac, Barnard

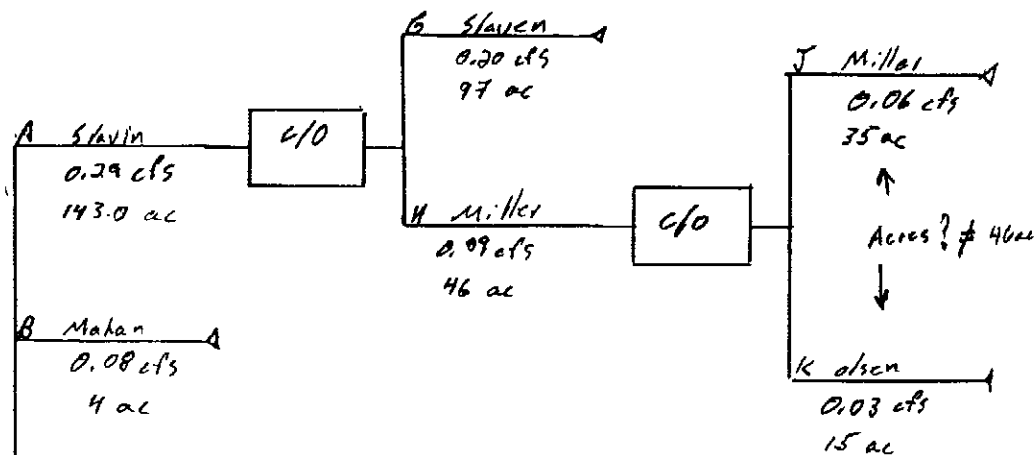
A75-13950 : 0.06 cfs, 4 ac, Heffner/Hathhorn

A75-13951 : 0.06 cfs, 4 ac, Barnard

Note: Linda Heffner has recently married, and her name is now Linda Hathhorn.

Chain of Title History in File 7500083F

Split History For 75-00083



75-00083

0.58 cfs
? ac

C Maxwell
0.02 cfs
2 ac

D Maxwell SR
0.25 cfs
25 ac

C/O

F Maxwell
0.17 cfs
17 ac

F Heffner
0.08 cfs
8 ac

Right should have
been split @
this point

C/O Harvey C/O Bernard

Right Split B1
C/Saxon
8/15/00

75-13948 F

Heffner/Hatchhorn
0.04 cfs
4 ac

75-13949 F

Bernard
0.04 cfs
4 ac

Prepared 8-14-00
Craig Saxton

RECEIVED

AUG 16 2000

Department of Water Resources
Eastern Region

Vital Statistics
PO Box 83720
Boise, ID 83720-0036

STATE OF IDAHO

County of LEMHI

No. 39

Marriage License

242687

KNOW ALL PERSONS BY THIS CERTIFICATE: That any regularly ordained minister of the Gospel, authorized by the rites and usages of the church or denomination of Christians, Hebrews, or religious body of which said minister is a member, or any judge or magistrate, or competent officer to whom this may come, not knowing of any lawful impediments thereto, is hereby authorized and empowered to solemnize the rites of Matrimony between:

GROOM

AND

BRIDE

Name: RAYMOND C HATHHORN
Address: SALMON, LEMHI County, IDAHO
Age: 41 Race: WHITE Status: DIVORCED
Birthdate: 10/22/1958
Birthplace: SALMON IDAHO

Name: LINDA KAYE HEFFNER
Address: SALMON, LEMHI County, IDAHO
Age: 52 Race: WHITE Status: WIDOWED
Maiden name if previously married: MAXWELL
Birthdate: 7/9/1947
Birthplace: LEADVILLE, COLORADO

And to certify the same to said parties, or either of them under the signature and seal, of said minister or official capacity, and thereupon is required to deliver the original to the parties so married.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at SALMON, LEMHI County, IDAHO, this 18th day of November, 1999

TERRI J. MORTON Recorder

Terri J. Morton

Deputy Recorder

Marriage Certificate

I, Fred Snook, a Retired Magistrate Judge
residing in the city of Salmon, in the county of Lemhi, in the state of
Idaho do certify that, in accordance with the authority on me conferred by the above license, I did on this 23rd day
of November in the year A.D. 1999 in the city of Salmon
in the county of Lemhi, in the state of Idaho, solemnize the rites of matrimony between

RAYMOND C HATHHORN of SALMON, in the county of LEMHI, of the state of IDAHO
and LINDA KAYE HEFFNER of SALMON, in the county of LEMHI, of the state of IDAHO

in the presence of Gertrude Maxwell and Raymond Hathhorn

WITNESS my hand at the county aforesaid, this 23rd day of Nov, A.D. 99.

In the presence of:

Officiant's Signature

Officiant's Mailing Address

Gertrude Maxwell

and Raymond Hathhorn

PR 1 Box 298-A

Salmon Id. 83461

(This copy for the Bride and Groom)

AUG 16 '00 09:50AM LEMHI TITLE / ROBIE REAL ESTATE

WADE SURVEYING

505 Granite
Salmon, Idaho 83467

Phone (208) 756-3070

September 25, 1995

A parcel of land located in Government Lots 11 and 13, Section 6, T. 22 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at Corner No. 2, Tract 37, run thence N. 02° 22' 25" E. a distance of 1401.17 ft. to a point in the center of existing road and the POINT OF BEGINNING;

Thence the following courses and distances along said centerline;

N. 00° 03' 29" W. 57.99 ft.; Thence 173.77 ft. along a curve to the right having a delta of 21° 52' 23", a radius of 455.18 ft.; a tangent of 87.96 ft.; N. 21° 48' 54" E. 173.25 ft.; Thence 331.18 ft. along a curve to the right having a delta of 41° 21' 51", a radius of 458.74 ft., a tangent of 173.18 ft.;

Thence S. 48° 15' 23" E. a distance of 204.30 ft. to a point on the westerly bank of the Salmon River;

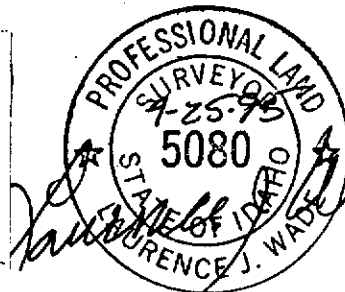
Thence the following courses and distances along said bank;

S. 31° 03' 54" W. 116.41 ft.; S. 16° 49' 09" W. 453.64 ft.;

Thence N. 81° 15' 12" W. a distance of 280.18 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 4.19 ACRES

He Alver



WADE SURVEYING

505 Granite
Salmon, Idaho 83467

Phone (208) 756-3070

September 25, 1995

A parcel of land located in Government Lots 11 and 13, Section 6, T. 22 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at Corner No. 2, Tract 37, run thence S. $75^{\circ} 23' 19''$ E. along Line 2-1, Tract 37, a distance of 49.18 ft. to a point in the center of existing road and the POINT OF BEGINNING;

Thence the following courses and distances along said centerline;

N. $13^{\circ} 53' 33''$ E. 113.12 ft.; Thence 230.78 ft. along a curve to the left having a delta of $18^{\circ} 07' 44''$, a radius of 729.36 ft., a tangent of 116.36 ft.; Thence 168.98 ft. along a curve to the right having a delta of $23^{\circ} 09' 47''$, a radius of 417.99 ft., a tangent of 85.66 ft.; N. $18^{\circ} 55' 36''$ E. 155.34 ft.; Thence 236.37 ft. along a curve to the left having a delta of $36^{\circ} 39' 58''$, a radius of 369.37 ft., a tangent of 122.39 ft.; N. $17^{\circ} 44' 22''$ W. 268.72 ft.; Thence 185.31 ft. along a curve to the right having a delta of $17^{\circ} 40' 53''$, a radius of 600.50 ft., a tangent of 93.40 ft.; N. $00^{\circ} 03' 28''$ W. 88.68 ft.;

Thence S. $81^{\circ} 15' 12''$ E. a distance of 280.18 ft. to a point on the westerly bank of the Salmon River;

Thence the following courses and distances along said bank;

S. $16^{\circ} 49' 09''$ W. 8.03 ft.; S. $08^{\circ} 43' 51''$ W. 596.44 ft.;

S. $05^{\circ} 01' 09''$ W. 456.10 ft.; S. $30^{\circ} 41' 16''$ E. 89.93 ft. to the northerly point of Government Lot 15;

Thence S. $19^{\circ} 37'$ W. along the westerly boundary of said lot a distance of 242.22 ft.;

Thence S. $37^{\circ} 04' 38''$ W. a distance of 43.09 ft. to Corner No. 1, Tract 37;

Thence N. $76^{\circ} 23' 19''$ W. along Line 1-2, Tract 37, a distance of 95.68 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 4.42 ACRES

Barnard S

~~_____~~

Warranty Deed

For Value Received

WILLIAM MAXWELL AND GERTRUDE MAXWELL,
husband and wife,

the grantor s do hereby grant, bargain, sell and convey unto

LINDA HEFFNER, a single woman

whose current address is

Box 134, Salmon, Id 83467

the grantee, the following described premises, in Lemhi

County Idaho, to wit:

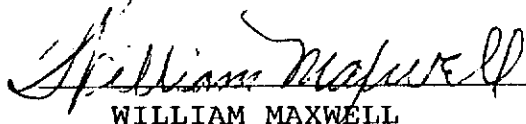
See Exhibit "A" attached hereto

This is a gift deed.

Together with all water and water rights ditch and ditch
rights located thereon or used in connection therewith.The above conveyance is made free and clear of all other
encumbrances except: Rights of way and easements,
reservations in Federal patents and State deeds, or other
restrictions imposed by law, building and use restrictions of
record, building and zoning regulations and ordinances of any
governmental unit whether or sight or of record.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her
heirs and assigns forever. And the said Grantors do hereby covenant to and with the said
Grantee, that they the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 25, 1994


WILLIAM MAXWELL


GERTRUDE MAXWELL
STATE OF IDAHO, COUNTY OF Lemhi--ss
On this day of DECEMBER 9 94
before me a Notary Public for said State, personally appearedWILLIAM MAXWELL AND
GERTRUDE MAXWELLknown to me whose name s are
subscribed to this instrument, and acknowledged to me that
they executed the same.

Residing at Salmon
Comm. Expires 2-19-97Notary Public
, IdahoIdaho
County of Lemhi224858
as No.Instrument was filed for record at
request of Bill Allen Escrow
3:55 o'clock p.m. 12-12-94
and duly filed and indexed in the
records of Lemhi County

Alberta Wiederick

Ex. Officio Recorder

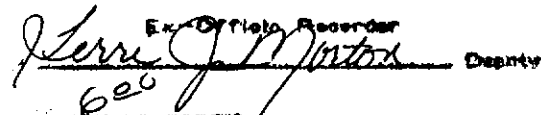
 Deputy

EXHIBIT "A"

A parcel of land located in Government Lots 11 and 13, Section 6, T. 22 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at Corner No. 2, Tract 37, run thence S. 75° 23' 19" E. along Line 2-1, Tract 37, a distance of 49.18 ft. to a point in the center of existing road and the POINT OF BEGINNING;

Thence the following courses and distances along said centerline;

N. 13° 53' 33" E. 113.12 ft.; Thence 230.78 ft. along a curve to the left having a delta of 18° 07' 44", a radius of 729.36 ft., a tangent of 116.36 ft.; Thence 168.98 ft. along a curve to the right having a delta of 23° 09' 47", a radius of 417.99 ft., a tangent of 85.66 ft.; N. 18° 55' 36" E. 155.34 ft.; Thence 236.37 ft. along a curve to the left having a delta of 36° 39' 58", a radius of 369.37 ft., a tangent of 122.39 ft.; N. 17° 44' 22" W. 268.72 ft.; Thence 185.31 ft. along a curve to the right having a delta of 17° 40' 53", a radius of 600.50 ft., a tangent of 93.40 ft.; N. 00° 03' 29" W. 146.67 ft.; Thence 173.77 ft. along a curve to the right having a delta of 21° 52' 23", a radius of 455.18 ft.; a tangent of 87.96 ft.; N. 21° 48' 54" E. 173.25 ft.; Thence 331.18 ft. along a curve to the right having a delta of 41° 21' 51", a radius of 458.74 ft., a tangent of 173.18 ft.;

Thence S. 48° 15' 23" E. a distance of 204.30 ft. to a point on the westerly bank of the Salmon River;

Thence the following courses and distances along said bank;

S. 31° 03' 54" W. 116.41 ft.; S. 16° 49' 09" W. 461.68 ft.;

S. 08° 43' 51" W. 596.44 ft.; S. 05° 01' 09" W. 456.10 ft.;

S. 30° 41' 16" E. 89.93 ft. to the northerly point of Government Lot 15;

Thence S. 19° 37' W. along the westerly boundary of said lot a distance of 242.22 ft.;

Thence S. 37° 04' 38" W. a distance of 43.09 ft. to Corner No. 1, Tract 37;

Thence N. 76° 23' 19" W. along Line 1-2, Tract 37, a distance of 95.68 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 8.61 ACRES

MICROFILMED

NOV 18 1996