

RECEIVED

APR 13 2004

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

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-13648					
65-22516					
65-02140B					
65-05540					

Not
delivered.

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Tuck Russell Karla Russell
148 Anderson Crk Rd, Garden Valley ID 83622
4. New Owner/Claimant(s) Karla D. Russell
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 148 Anderson Creek Road
 City, State and ZIP Code Garden Valley ID 83622
 New Telephone Number (208) 462-6600
5. Date you acquired the property 16 March 2004

Note: Originals sent to S.O. to process
 4-13-04.

PD issued 11-03-2000

15 14

GOV
LOT 1

(19)

65 10935
15

GOV
LOT 2

GOOSEBERRY CREEK

(19)

2

E
M

35.0

29.2

27

(7)

394

GOV
LOT 3

65 10459

10

17

(19)

2.2

12

(7)

8

38

17.6

19

65 2140

18

(18)

GOV
LOT 5

65 10794

1

65 6630

2

GOV
LOT 4

18

TIMBER

(15)

GOV
LOT 6

GOV
LOT 7

15 14

22 23

33.5

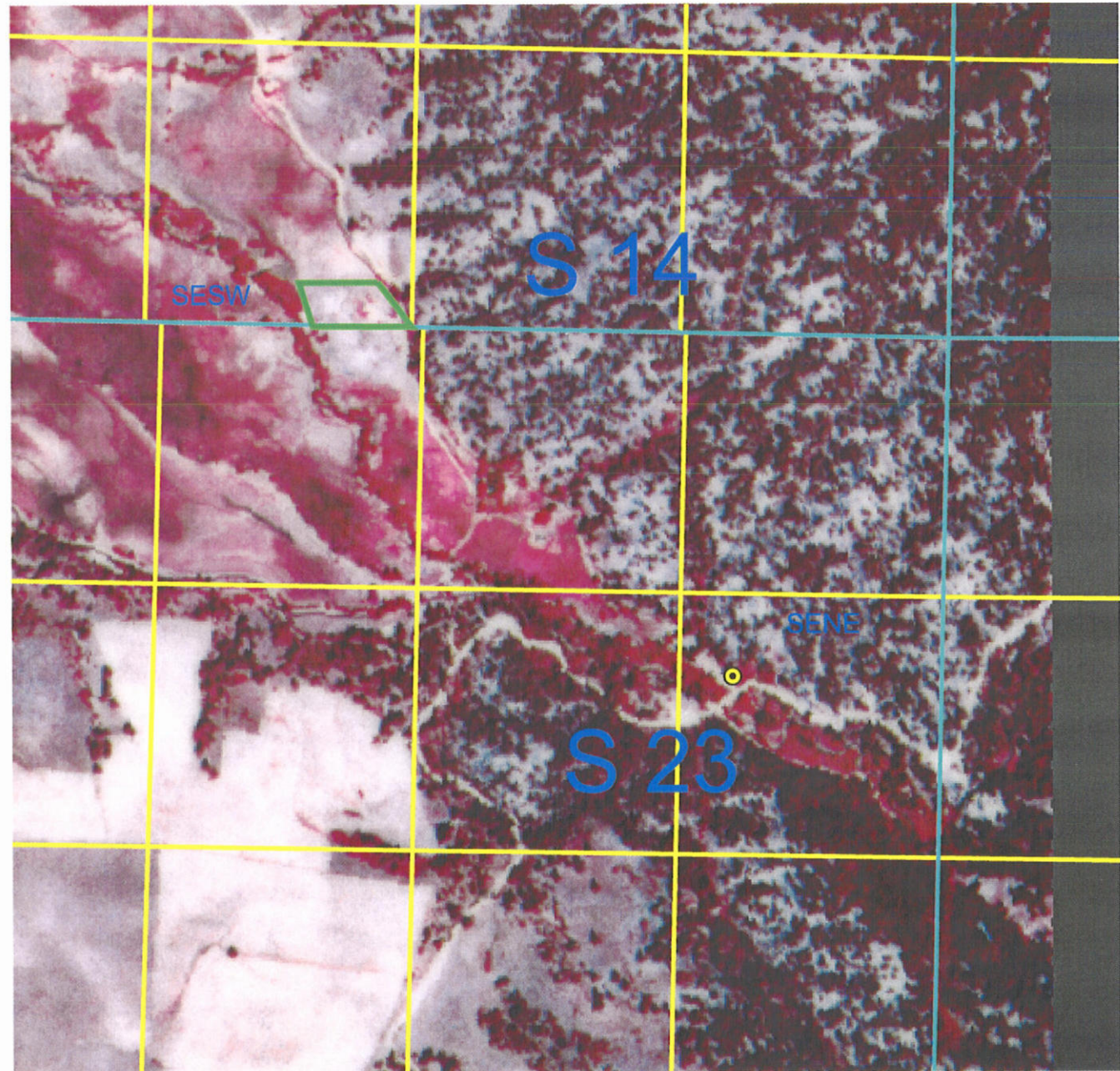
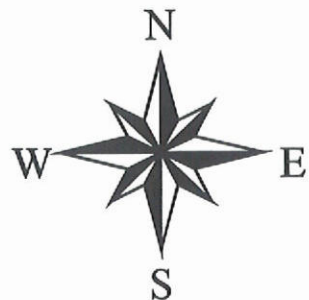
35

35

Idaho Dept. of Water Resources

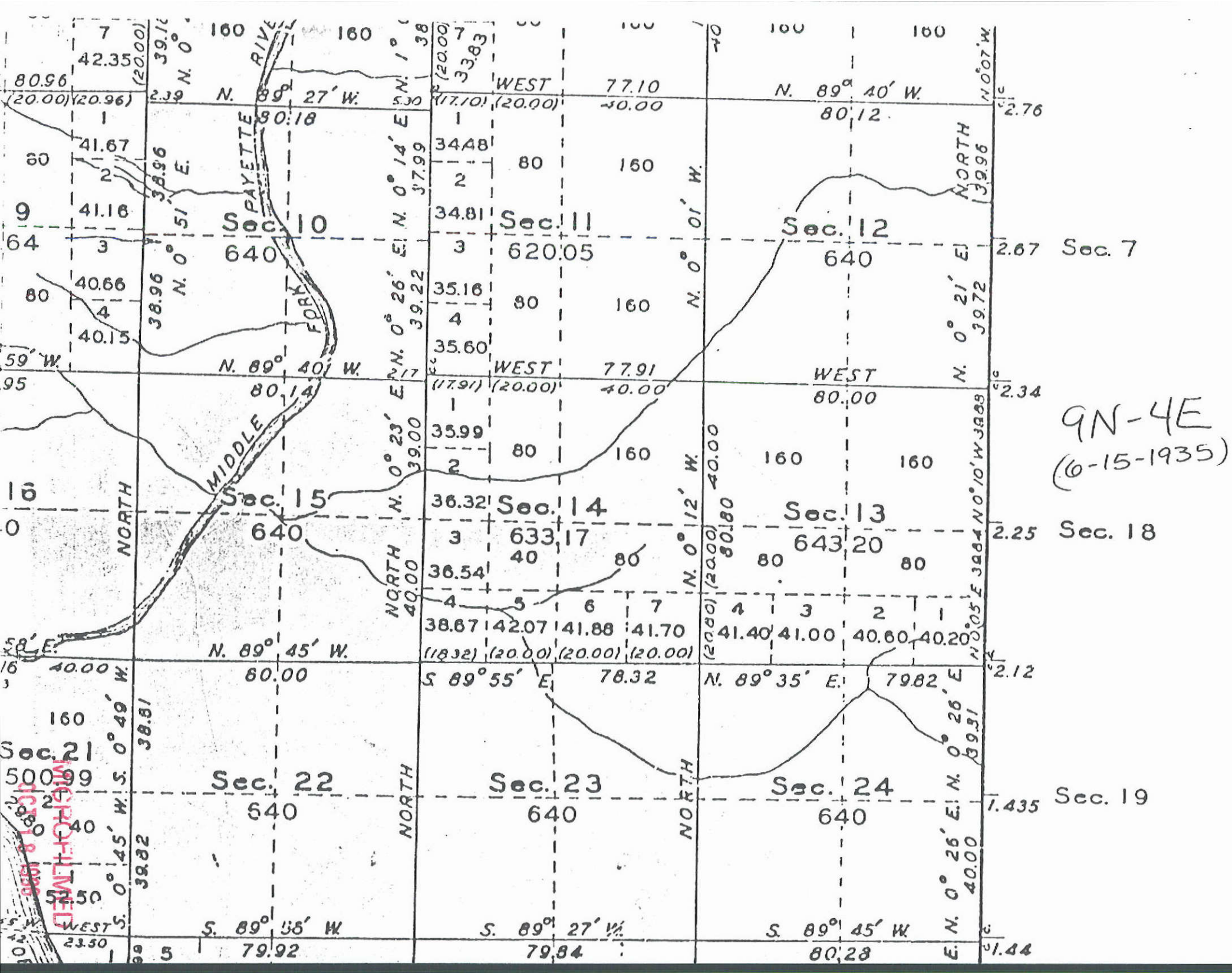
Claim No(s): 65-02140B
Claimant(s): Russell
T09N, R04E, S 14
Prepared by: Sue Bock
Date: 10/25/1999

-  Place of Use
-  Point of Diversion
-  Section lines
-  1/4 1/4 lines



1987 NAPP Photo





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: **A65-02140B**
Date Received: 3/20/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: TUCK RUSSELL 208-462-6600
Address: 148 ANDERSON CREEK RD
GARDEN VALLEY ID 83622
AND/OR
Name: KARLA RUSSELL 208-462-6600
Address: 148 ANDERSON CREEK RD
GARDEN VALLEY ID 83622
2. Date of Priority: MAY 2, 1912
3. Source: ANDERSON CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	04E	23		SE	NE		BOISE
5. Description of diverting works:
CEMENT DIVERSION DAM, 5' HIGH, DITCHES, GRAVITY IRRIG.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.050		
7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	04E	14	SE	SW	5	IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

DECREE GIVEN LIC. NUMBER.

OWNERSHIP CHANGED BY LH 5/25/94

OWNERSHIP CHANGED BY RMC 4/3/96

ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 4/17/98.

15. Basis of Claim: LICENSE

Water Right Number: 8359

RECEIVED

APR 17 1998

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

WATER RESOURCES
WESTERN REGION

[] Water Right Number(s): 65-05540
65021408 or ~~65-021408~~ 8359
65-13648

[] Old Mailing Address: Tuck + Karla Russell
HC 76 Box 2681
Garden Valley ID 83622

[] New Mailing Address: Tuck + Karla Russell
148 Anderson Creek Road
Garden Valley ID 83622

Telephone Number: (208) 462-6600

[] Signature of Claimant: Carl D Russell
Tuck Russell

Date: 4/16/98

PLEASE SEND YOUR SRBA CHANGE OF ADDRESS TO THE NEAREST
REGION OFFICE:

IDWR WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705-5082
(208) 334-2190

IDWR SOUTHERN REGION
1341 FILLMORE ST N
TWIN FALLS ID 83301-3380
(208) 736-3033

IDWR EASTERN REGION
900 N SKYLINE
IDAHO FALLS ID 83402-3653
(208) 525-7161

IDWR NORTHERN REGION
1910 NORTHWEST BLVD #210
COEUR D'ALENE ID 83814-2615
(208) 756-4639

Revised 5/95

IDWR: DATA ENTRY BY _____

DATE _____

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: **A65-02140B**
Date Received: 3/20/1989
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: TUCK RUSSELL 208-462-6600
Address: HC 76 BOX 2681
GARDEN VALLEY ID 83622
AND/OR
Name: KARLA RUSSELL 208-462-6600
Address: HC 76 BOX 2681
GARDEN VALLEY ID 83622
2. Date of Priority: MAY 2, 1912
3. Source: ANDERSON CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 09N | 04E | 23 | SE | NE | | | BOISE |
5. Description of diverting works:
CEMENT DIVERSION DAM, 5' HIGH, DITCHES, GRAVITY IRRIG.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.050 | | |
7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	04E	14	SE	SW	5	IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

DECREE GIVEN LIC. NUMBER.

OWNERSHIP CHANGED BY LH 5/25/94

OWNERSHIP CHANGED BY RMC 4/3/96

15. Basis of Claim: LICENSE

Water Right Number: 8359

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: A65-02140
Date Received: 3/20/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DOUGLAS YOUREN 208-462-3797
Address: BOX 2533
GARDEN VALLEY ID 83622

OR

Name: MARY KAY YOUREN 208-462-3797
Address: BOX 2533
GARDEN VALLEY ID 83622

2. Date of Priority: MAY 2, 1912

3. Source: ANDERSON CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09N	04E	23	SE	NE			BOISE

5. Description of diverting works:
CEMENT DIVERSION DAM, 5' HIGH, DITCHES, GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.460		

7. Total Quantity Appropriated is:
0.460 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum. **NOT RECORDED**

9. Non-irrigation uses: AUG 03 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	04E	14	NE	SW		IRR	2.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09N	04E	14	SE	SW	5	IRR	18.0

Section Acres 20.0

Total Acres 20.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

DECREE GIVEN LIC. NUMBER.

OWNERSHIP CHANGED BY LH 5/25/94.

15. Basis of Claim: DECREED

Water Right Number: 8359

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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: _____

MICROFILMED

AUG 03 1994

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

MICROFILMED
AUG 03 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
MAY 20 1994
Department of Water Resources

DATE OF CLOSING: 5/24/92

LEGAL DESCRIPTION OF PROPERTY: Township 4 north Range 4 East
Section 14, SE 1/4 of SW 1/4 of 1/4, Govt. Lot 5, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

RECEIVED
MAY 20 1994
WATER RESOURCES
WESTERN REGION

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A65-02140
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): James E YouREN
Garden Valley Idaho 83622
- ☐ New Owner/Claimant (Purchaser): Douglas YouREN or Mary Kay YouREN
- ☐ New Mailing Address: Box 2533
Garden Valley, Idaho 83622
- ☐ New Telephone Number: (208) 462 - 3797
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: _____
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s) Douglas S YouREN Date May 18, 1994
Mary Kay YouREN Date May 18, 1994
- ☐ Signature of Former Owner/Claimant(s): James E YouREN Date May 18, 1994
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5-25-94 By: ZHL

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 5-25-94 By: ZHL

Claim Numbers of Split, if any:

MICROFILMED
AUG 03 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

CONVERSATION MEMORANDUM

DATE 5-25-94FILE AGS-02140NAME OF PARTY James YourenEMPLOYEE Z. HarrisRE: Ownership Change to Douglas & Mary Kay
Youren.

Spoke with Mrs. James Youren to find out
if this claim should be split, due to the
insufficient legal description on the ownership
form, she said the entire 20 acres should be
put in Douglas & Mary Kay Youren's name

MICROFILMED

AUG 03 1994

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: A65-02140
Date Received: 3/20/1989
Receipt No: X999999
Received By: ~~AS~~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JAMES E. YOUREN

Address: GARDEN VALLEY, ID 83622

2. Date of Priority: MAY 02, 1912

3. Source: ANDERSON CREEK Trib. to: PAYETTE RIVER, MIDDLE FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
09N	04E	23	SE NE		BOISE

5. Description of diverting works:
CEMENT DIVERSION DAM, 5' HIGH, DITCHES, GRAVITY IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.460		

7. Total Quantity Appropriated is:
0.460 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	04E	14	NE SW		IRR	2.0
			SE SW	5	IRR	18.0
Section Acres						20.0

A65-02140

Page 1

Date: 03/20/89

MICROFILMED

SEP 18 1992

10. Place of Use: Continued

Total Acres 20.0

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

DECREE GIVEN LIC. NUMBER.

15. Basis of Claim: DECREED

Water Right Number: 8359

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

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 x 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): X James E Youren Date: 3/20/1989
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of March 19 89

Anna Baumbach
Notary Public

Seal

Residing at Boise Idaho
My Commission Expires 12-7 1994

RECEIVED

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

APR 13 2004

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
65-13648					
65-22516					
65-021403					
65-05540					

NOT
AS REQUIRED

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Tuck Russell Karla Russell
148 Anderson Creek Rd, Garden Valley ID 83622
4. New Owner/Claimant(s) Karla D. Russell
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 148 Anderson Creek Road
- City, State and ZIP Code Garden Valley ID 83622
- New Telephone Number (208) 462-6600
5. Date you acquired the property 16 March 2004

Note: Originals sent to S.O. to process
 4-13-04.

PD issued 11-03-2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Carlene Russen
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by DB Date 4-13-04 Fee \$25-FA
 Received by DB Date 4-13-04 Receipt No. W031528
 Processed by AJ Date _____ WR _____ Date _____

* only rec'd enough money for (3) changes.

Instrument # 195601

IDAHO CITY, BOISE COUNTY, IDAHO

2004-03-24

03:34:07 No. of Pages: 2

Recorded for: KARLA DREWSSEN RUSSELL

RORA A. CANODY

Fee: 6.00

Ex-Officio Recorder Deputy

Indwells DEEDS

QUITCLAIM DEED

The UNDERSIGNED, THOMAS CLAYTON RUSSELL Jr., for good and valuable consideration, does hereby forever QUITCLAIM all of his right, title and interest in and to the following described premises to KARLA DREWSSEN RUSSELL:

The premises commonly known as 148 Anderson Creek Road, Garden Valley, Idaho, and more particularly described as:

TWO PARCELS OF LAND SITUATED IN THE SOUTHWEST ONE-QUARTER OF SECTION 14, TOWNSHIP 9 NORTH, RANGE 4 EAST, BOISE MERIDIAN, BOISE COUNTY, IDAHO. MORE PARTICULARLY DESCRIBED AS FOLLOWS.

TRACT NO.2 AND 2A

COMMENCING AT THE EXISTING SOUTH ONE-QUARTER CORNER OF SAID SECTION 14:

THENCE NORTH 00 DEGREE 47'30. WEST A DISTANCE OF 1017.57 TO A 5/8 INCH IRON PIN, THE POINT OF BEGINNING;

THENCE SOUTH 85 DEGREES 1'02" WEST A DISTANCE OF 574.66 FEET TO A 5/8 INCH IRON PIN; THENCE NORTH 36 DEGREES 08'20" WEST A DISTANCE OF 40.16 FEET TO A 1/2 INCH IRON PIN; THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 31 DEGREES 36'51. A RADIUS OF 100.00 FEET, A CHORD BEARING OF NORTH 51 DEGREES 56'46" WEST, A CHORD DISTANCE OF 163.44 FEET, AN ARC LENGTH OF 165.53 FEET TO A 1/2 INCH IRON PIN;

THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 90 DEGREES 27'36". A RADIUS OF 75.00 FEET, A CHORD BEARING OF NORTH 22 DEGREES 31'23" WEST, A CHORD DISTANCE OF 106.49 FEET, AN ARC LENGTH OF 118.41 FEET TO A 1/2 INCH IRON PIN;

THENCE ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 56 DEGREES 37'25", A RADIUS OF 250.00 FEET, A CHORD BEARING OF NORTH 05 DEGREES 36'18" WEST, CHORD DISTANCE OF 237.13, AN ARC LENGTH OF 247.07 FEET TO A 5/8 INCH IRON PIN;

THENCE SOUTH 6 DEGREES 01'20" EAST A DISTANCE OF 99.94 FEET TO A 1/2 INCH IRON PIN; THENCE NORTH 71 DEGREES 0'49" EAST A DISTANCE OF 116.62 FEET TO A 1/2 INCH IRON PIN; THENCE SOUTH 84 DEGREES 27'29" EAST A DISTANCE OF 585.3 FEET TO THE CURRENT CENTER SECTION LINE;

THENCE SOUTH 00 DEGREE 47'30. EAST A DISTANCE OF 327.12 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH:

COMMENCING AT THE EXISTING SOUTH ONE-QUARTER CORNER OF SAID SECTION 14:

THENCE NORTH 00 DEGREE 47'30" WEST A DISTANCE OF 1017.57 TO A 5/8 INCH IRON PIN;

THENCE SOUTH 85 DEGREES 1'02" WEST A DISTANCE OF 574.66 FEET TO A 5/8 INCH IRON PIN; THENCE CONTINUING SOUTH 85 DEGREES 1'02" WEST A DISTANCE OF 77.26 FEET TO A 5/8 INCH IRON PIN. THE POINT OF BEGINNING.

THENCE CONTINUING SOUTH 85 DEGREES 1'02" WEST A DISTANCE OF 350.55 FEET TO A 5/8 INCH IRON PIN;

THENCE NORTH 51 DEGREES 05'07" WEST A DISTANCE OF 271.98 FEET TO A 5/8 INCH IRON PIN; THENCE NORTH 71 DEGREES 0'49" EAST A DISTANCE OF 404.06 FEET TO A 5/8 INCH IRON PIN; THENCE ALONG A CURVE LEFT HAVING A CENTRAL ANGLE OF 73 DEGREES 23'32". A RADIUS OF 41.00 FEET, A CHORD BEARING OF SOUTH 31 DEGREES 03'25" EAST, A CHORD DISTANCE OF 166.5, AN ARC LENGTH OF 180.61 FEET TO A 1/2 INCH IRON PIN;

THENCE ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 3 DEGREES 36'51", A RADIUS OF 234.00 FEET, A CHORD BEARING OF SOUTH 51 DEGREES 56'46" EAST, A CHORD DISTANCE OF 127.48 FEET, AN ARC LENGTH OF 129.11 FEET TO THE POINT OF BEGINNING.

TRACT NO. 4

COMMENCING AT THE EXISTING SOUTH ONE-QUARTER CORNER OF SAID SECTION 14:

THENCE NORTH 00 DEGREES 47'30" WEST A DISTANCE OF 1344.69 TO A 5/8 INCH IRON PIN, THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00 DEGREE 47'30" WEST A DISTANCE OF 1154.81 FEET TO A 5/8 INCH IRON PIN SET IN AN EXISTING ROADWAY;

THENCE ALONG THE CENTERLINE OF SAID ROADWAY THE FOLLOWING 6 COURSES:

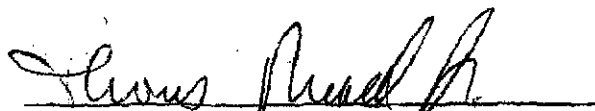
SOUTH 52 DEGREES 07'30" WEST A DISTANCE OF 212.43 FEET TO A POINT; SOUTH 29 DEGREES 46'45" WEST A DISTANCE OF

QUITCLAIM DEED

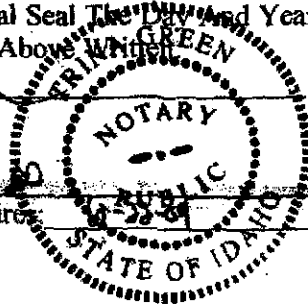
127.65 FEET TO A POINT, SOUTH 07 DEGREES 31'56" WEST A DISTANCE OF 112.93 FEET TO A POINT, SOUTH 06 DEGREES 39' 14" EAST A DISTANCE OF 136.45 FEET TO A POINT;
SOUTH 14 DEGREES 28'54" EAST A DISTANCE OF 119.27 FEET TO A POINT;
SOUTH 04 DEGREES 45'48" WEST A DISTANCE OF 118.40 FEET TO A POINT;
THENCE LEAVING SAID ROADWAY SOUTH 11 DEGREES 24'35" EAST A DISTANCE OF 416.77 FEET TO A 1/2 INCH IRON PIN;
THENCE SOUTH 81 DEGREES 16'10. EAST A DISTANCE OF 14500 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand this 16th day of March 2004.


THOMAS CLAYTON RUSSELL Jr.

State Of Idaho)
County Of Ada)
On This 16th Day Of March 2004,
Before Me, A Notary Public in and for the State
Of Idaho, Personally
Appeared Thomas C. Russell Jr., Known To Me To
Be The Person Whose Name Is Affixed To The
Foregoing Instrument, And Acknowledged To Me
That He/She Executed The Same.

In Witness Whereof, I Have Hereunto Set
My Hand And Official Seal The Day And Year In
This Certificate First Above Written.

Notary Public
State Of Idaho
Residing At Bos. 20
My Commission Expires 10-30-04

STATE OF IDAHO, COUNTY OF ADA
I hereby certify that this instrument was filed for
record at the request of _____
at _____ minutes past _____ o'clock _____ m. this
_____ day of _____ 2001, in my office,
and duly recorded in Book _____
of Deeds at page _____.

Ex Officio Recorder

By _____

Fees \$ _____

Mail to: _____

SRBA

SUBCASE SUMMARY REPORT 65-02140B

[Return to SRBA Home Page](#)

SRBA
04-13-2004

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 65-02140B FILE#: 00000
CLAIMANT: RUSSELL, TUCK
148 ANDERSON CREEK RD

GARDEN VALLEY ID 83622
STATUS: PD ISSUED SPECIAL MASTER:
WATER SOURCE: ANDERSON CREEK TRIBUTARY: PAYETTE RIVER, MIDDLE FORK

**** PARTIES INVOLVED ****

TUCK RUSSELL	C PRO SE
KARLA RUSSELL	C PRO SE

**** ROA ENTRIES ****

~~11-03-2000~~ PARTIAL DECREE FILED

11-03-2000

[Return to SRBA Home Page](#)

Idaho Department of Water Resources Receipt

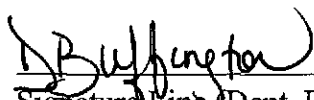
Receipt ID W031528

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$75.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155



Signature Line (Dept. Representative)



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

February 3, 2000

**NOTICE OF ERROR
REPLY**

RECEIVED

FEB 22 2000

Department of Water Resources

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2000

RECEIVED

FEB 23 2000

WATER RESOURCES
WESTERN REGION

Water right number: 65-02140B

TUCK RUSSELL
KARLA RUSSELL
148 ANDERSON CREEK RD
GARDEN VALLEY ID 83622

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 2-18-00 SIGNATURE: Karla D Russell
Please print your name: Karla D Russell

WESTERN REGION

OWNER (S): Russell

CLAIM NUMBERS: 65 021403

AGENT: Sue Bock DATE _____

RIGHT NO				NE				NW				SW				SE			
	TSP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE

P.O.D. TOWNSHIP RANGE SEC. SOURCE

POLYGON CREATED ON 332

POLYGON # () () () () UPDATED BY sue

ATTRIBUTES OF B65-POU.SHP (1130) () () () ()

ATTRIBUTES OF B65-POD.SHP (1128) () () () ()

X B65-DBPOU.DBF UPDATED BY sue

X B65-DBPOD.DBF UPDATED BY sue

NOTES:

AJ0749NP
No. R65-021408

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/25/99
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TUCK RUSSELL	05/02/1912	IRRIGATION	04-01 11-01	0.050 CFS	
C	KARLA RUSSELL					
	148 ANDERSON CREEK RD			TOTAL DIVERSION:	0.050 CFS	
	GARDEN VALLEY ID 83622					
	(208) 462-6600					

Water Source: ANDERSON CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: DECREED

Point(s) of Diversion: T09N R04E S23 SENE

BOISE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
09N	04E	14	:																	:	2.0
																				TOTAL ACRES	2.0

POU County: BOISE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 10/25/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS
DECREE GIVEN LIC. NUMBER.
OWNERSHIP CHANGED BY LH 5/25/94
OWNERSHIP CHANGED BY RMC 4/3/96
ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 4/17/98.

Audit: 10/25/99 SBOCK

AJ5809NP
No. R65-02140B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/27/99
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TUCK RUSSELL	05/02/1912	IRRIGATION	04-01 11-01	0.05 CFS	
C	KARLA RUSSELL 148 ANDERSON CREEK RD GARDEN VALLEY ID 83622 (208) 462-6600			TOTAL DIVERSION:	0.05 CFS	

Water Source: ANDERSON CREEK

Tributary to: PAYETTE RIVER, MIDDLE FORK

Stage: LICENSE

Point(s) of Diversion: T09N R04E S23 SENE

BOISE County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
09N	04E	14	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	2.0
TOTAL ACRES																		2.0	

POU County: BOISE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

A65-02140A	A65-02140B	A65-02887A	A65-02887B	A65-05539	A65-05977	A65-06614	A65-06630	A65-06657	A65-09042
A65-10294	A65-10459	A65-10506	A65-10548A	A65-10548B	A65-10548C	A65-10680	A65-10784	A65-10840A	A65-10840B
A65-10934	A65-11394	A65-12282	A65-18110	R65-02140A	R65-02887A	R65-02887B	R65-05539	R65-05977	R65-06614
R65-06630	R65-06657	R65-09042	R65-10294	R65-10459	R65-10506	R65-10548A	R65-10548B	R65-10548C	R65-10680
R65-10784	R65-10840A	R65-10840B	R65-10934	R65-11394	R65-12282	R65-18110			

Other Water Rights Listing Overlapping Place(s) of Use:

A65-02140 A65-02140A A65-02140B R65-02140A

Remarks: GEN DECREE GIVEN LIC. NUMBER.
OWNERSHIP CHANGED BY LH 5/25/94
OWNERSHIP CHANGED BY RMC 4/3/96
ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 4/17/98.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Audit: 03/26/99 JSHURTE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:09:01
10/04/99

PAGE: 1
GENERAL INFORMATION

36
CLAIM NUMBER: A65-021408

LAST: YOUREN FIRST: JAMES E
ADDRESS:
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-000-0000

OWNER CODE: 0

LAST: YOUREN FIRST: DOUGLAS
ADDRESS: BOX 2533
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-462-3797

OWNER CODE: 0

LAST: YOUREN FIRST: MARY KAY
ADDRESS: BOX 2533
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-462-3797

OWNER CODE: 0

LAST: RUSSELL FIRST: TUCK
ADDRESS: 148 ANDERSON CREEK RD
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-462-6600

OWNER CODE: C

LAST: RUSSELL FIRST: KARLA
ADDRESS: 148 ANDERSON CREEK RD
CITY: GARDEN VALLEY STATE: ID ZIP: 83622
PHONE NUMBER: 208-462-6600

OWNER CODE: C

FIELD EXAM REQUIRED? DATABASE FIELD
VERIFICATION REQUIRED DUE TO REMARKS? Y EXAMINER
Y() N()

CLAIM REMARKS: GEN DECREE GIVEN LIC. NUMBER.
OWNERSHIP CHANGED BY LH 5/25/94
OWNERSHIP CHANGED BY RMC 4/3/96
ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 4/17/98.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-02140B PRIORITY DATE: 05-02-1912 STAGE: L

B. WR RECORD: # 65-02140 PRIORITY DATE: 05-02-1912 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW)

Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A(☐) Y(☐) N(☐)

FIELD EXAM COMPLETED

N/A(☐) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE

N/A(☐) Y(☐) N(☐)

LICENSE ISSUED

N/A(☐) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED?

N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y(☒) N(☐)

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:

05-02-1912

REVIEWED BY SB

DATE 10/25/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-02140B	09N 04E	23		SE	NE			BOISE		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
* **

WR RECORDS IN SAME 40 ACRE TRACT

* 23 A PREFIX CLAIMS WITH THIS POD
** 23 R PREFIX CLAIMS WITH THIS POD
*** 17 WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: ANDERSON CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-02140	09N 04E	23		SE	NE			BOISE		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

**** 17 WR RECORDS WITH SAME WR POD
***** 23 A PREFIX CLAIMS IN SAME 40 ACRE TRA
***** 23 R PREFIX CLAIMS WITH THIS POD

SOURCE: ANDERSON CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY
ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____)

Y() N()

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N()

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: _____

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (X)

TWP. 09N	RGE. 04E	SEC. 23	1/4	1/4 SE	1/4 NE	LOT	POD FLAG	COUNTY BOISE	DIVERSION NAME	DIVERSION NBR
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

SOURCE: ANDERSON CREEK

TRIB: PAYETTE RIVER, MIDDLE FORK

REVIEWED BY: 38

DATE: 10/25/99

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (), SEE LICENSE FILE (), OR SEE ATTACHMENT ()

A. ROOT WATER RIGHT NUMBERS: R65-02140A
R65-02140B

A65-02140A

A65-02140B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
09N	04E	14	SE	SW	5	RUSSELL, TUCK	A65-02140B / 2.0	- /		31.0	
			SE	SW		MESERTH, WERNER A	A65-10783 /	65-10783 /			
			SE	SW		MESERTH, WERNER A	A65-10784 / 1.0	65-10784 / 1.0			
			SE	SW		WEILMUNSTER, DONALD K	A65-06630 / 2.0	65-06630 / 2.0			
			SE	SW		MESERTH, WERNER A	A65-12282 / 3.0	65-12282 / 3.0			
			SE	SW		WEILMUNSTER, DONALD K	R65-06630 / 2.0	- /			
			SE	SW		MESERTH, WERNER A	R65-10784 / 1.0	- /			
			SE	SW		MESERTH, WERNER A	R65-12282 / 3.0	- /			
			SE	SW		MESERTH, WERNER A	65-10783 /	- /			
			SE	SW	5	RUSSELL, KARLA	65-05540 /	- /			
			SE	SW	5	DAVIES, JAMES E	A65-22224 /	- /			
			SE	SW	5	RUSSELL, KARLA	A65-05540 /	- /			
			SE	SW	5	YOUREN, DOUGLAS	A65-02140A / 16.0	- /			
			SE	SW	5	YOUREN, DOUGLAS	R65-02140A / 16.0	- /			
			SE	SW	5	RUSSELL, TUCK	R65-02140B / 2.0	- /			
			SE	SW	5	DAVIES, JAMES E	R65-22224 /	- /			
			SE	SW	5	RUSSELL, TUCK		65-13648 /			
			SE	SW	5	YOUREN, JAMES E.		65-02140 / 18.0			
			SE	SW	5	DAVIES, JAMES E		65-13814 / 6.0			

ADDITIONAL POU FOUND

TOTAL ACRES A65-02140B 2.00 31.00

POU COUNTY: BOISE

2

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N(☒)

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A65-02140B	ANDERSON CREEK	RUSSELL, TUCK	0.050	0.025		
A65-02140A	ANDERSON CREEK	YOUREN, DOUGLAS	0.410	0.022		
R65-02140A	ANDERSON CREEK	YOUREN, DOUGLAS	0.410	0.022		
R65-02140B	ANDERSON CREEK	RUSSELL, TUCK	0.050	0.025		
A65-06630	ANDERSON CREEK	WEILMUNSTER, DONALD K	2.220	0.023		
R65-06630	ANDERSON CREEK	WEILMUNSTER, DONALD K	2.220	0.023		
A65-10784	ANDERSON CREEK	MESERTH, WERNER A	0.030	0.030		
R65-10784	ANDERSON CREEK	MESERTH, WERNER A	0.030	0.030		
R65-12282	ANDERSON CREEK	MESERTH, WERNER A	0.060	0.020	10.60	3.53
A65-12282	ANDERSON CREEK	MESERTH, WERNER A	0.060	0.020	10.60	3.53

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A65-10783	DOMESTIC	MESERTH, WERNER A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-10783	DOMESTIC	MESERTH, WERNER A	FROM 01-01 TO 12-31	0.040 CFS	1.20 AF/A
65-05540	DOMESTIC	RUSSELL, KARLA	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
A65-22224	DOMESTIC	DAVIES, JAMES E	FROM 01-01 TO 12-31	0.040 CFS	
A65-05540	DOMESTIC	RUSSELL, KARLA	FROM 01-01 TO 12-31	0.020 CFS	
R65-22224	DOMESTIC	DAVIES, JAMES E	FROM 01-01 TO 12-31	0.040 CFS	

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y() N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A() Y(☒) N()

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM? Y() N()

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT? Y() N()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;
() NAPP, IDWR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: Not able to find where 2 acres were located.
The claimants did not specify on original
map they had it.

RECOMMENDATIONS:

TOTAL ACRES: 2 N/A()
REVIEWED BY: JB

DATE: 10/25/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-02140B IRRIGATION	FROM 04-01 TO 11-01	0.050 CFS	
TOTAL DIVERSION RATE/VOLUME		0.050 CFS	

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-02140 IRRIGATION	FROM 04-01 TO 11-01	0.460 CFS	
TOTAL DIVERSION RATE/VOLUME		0.460 CFS	

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

Y(☐) N(☐)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

N/A(☒) Y(☐) N(☐)

NOTES:

as shown

AJ CLAIM TOTAL DIVERSION RATE: 0.050 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.460 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 2 x 0.02 CFS/ACRE = .04 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y(☒) N()

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (☒)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
IRRIGATION	04-01	11-01	DATABASE 0.050	EXAMINER _____	DATABASE	EXAMINER _____	DATABASE 0.0	EXAMINER _____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.050	_____		_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (☐)

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-02140

	DATABASE	EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS	0.460		

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
A65-02140	A65-02140A	0.410	R65-02140A	0.410	65-02140	0.460
-	A65-02140B	0.050	R65-02140B	0.050	-	
TOTAL CFS		0.460		0.460		0.460

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE	FIELD EXAMINER
N	Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Steve Boer DATE: 10/20/99

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
() NAPP	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() ASCS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
☒ OTHER _____	DATE ? <u>Refer field exam</u>	Y(☒) N()
☒ OTHER _____	DATE 10/25 <u>GIS map</u>	Y(☒) N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
() LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
() SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____	_____	_____
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____	_____	_____
() OTHER _____	DATE _____	_____	_____
() OTHER _____	DATE _____	_____	_____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:09:01
10/04/99

PAGE: 16
QUICKLOOK INFORMATION

51
CLAIM NUMBER: A65-021408

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE					Done	10-25-99		
POINT OF DIV								
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM	Y							
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:11:56
10/04/99
52

PAGE: 17
PROFILE REPORT

CLAIM NUMBER: A65-02140B

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME																																																																																																																																													
C	TUCK RUSSELL	05/02/1912	IRRIGATION	04-01 11-01	0.050 CFS																																																																																																																																														
C	KARLA RUSSELL																																																																																																																																																		
					TOTAL DIVERSION:	0.050 CFS																																																																																																																																													
Water Source: ANDERSON CREEK		Tributary to: PAYETTE RIVER, MIDDLE FORK			Stage: LICENSE																																																																																																																																														
Point(s) of Diversion: T09N R04E S23		SENE			BOISE County																																																																																																																																														
Place of use Legal Description for: IRRIGATION																																																																																																																																																			
<table border="0"> <tr> <td colspan="4"></td> <td>NE</td> <td colspan="4"></td> <td>NW</td> <td colspan="4"></td> <td>SW</td> <td colspan="4"></td> <td>SE</td> <td colspan="4"></td> </tr> <tr> <td colspan="2"></td> <td>NENE</td> <td>NWNE</td> <td>SWNE</td> <td>SENE</td> <td>:</td> <td>NENW</td> <td>NWNW</td> <td>SWNW</td> <td>SENW</td> <td>:</td> <td>NESW</td> <td>NWSW</td> <td>SWSW</td> <td>SESW</td> <td>:</td> <td>NESE</td> <td>NWSE</td> <td>SWSE</td> <td>SESE</td> <td>:</td> <td colspan="2"></td> </tr> <tr> <td>T</td> <td>R S</td> <td>: Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>SUM</td> </tr> <tr> <td colspan="23">-----</td> </tr> <tr> <td colspan="2">09N 04E 14 :</td> <td colspan="4"></td> <td>:</td> <td colspan="4"></td> <td>:</td> <td colspan="4">05-02 :</td> <td colspan="4"></td> <td>:</td> <td colspan="2">2.0</td> </tr> <tr> <td colspan="22"></td> <td>TOTAL ACRES</td> <td>2.0</td> </tr> </table>											NE					NW					SW					SE							NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			T	R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	SUM	-----																							09N 04E 14 :						:					:	05-02 :								:	2.0																								TOTAL ACRES	2.0
				NE					NW					SW					SE																																																																																																																																
		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:																																																																																																																														
T	R S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	Lt Ac	Lt Ac	Lt Ac	Lt Ac	:	SUM																																																																																																																													

09N 04E 14 :						:					:	05-02 :								:	2.0																																																																																																																														
																						TOTAL ACRES	2.0																																																																																																																												

POU County: BOISE

Remarks: GEN DECREE GIVEN LIC. NUMBER.
OWNERSHIP CHANGED BY LH 5/25/94
OWNERSHIP CHANGED BY RMC 4/3/96
ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 4/17/98.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

13 14

GOV
LOT 1

(19)

65 10935
15

GOV
LOT 2

GOOSEBERRY CREEK

(19)

2

38.6

29.2

27

(7)

GOV
LOT 3

65 10934

65 10459

17

(19)

10

2.2

(7)

8

12

38

17.6

65 2140

18

(18)

GOV
LOT 5

65 10794

65 6630

2

19

(15)

TIMBER

GOV
LOT 6

GOV
LOT 7

GOV
LOT 4

18

15 14

3 22 23

33.5

35

35

Idaho Dept. of Water Resources

Claim No(s): 65-02140B

Claimant(s): Russell

T09N, R04E, S 14

Prepared by: Sue Bock

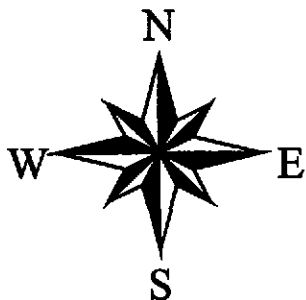
Date: 10/25/1999

 **Place of Use**

 **Point of Diversion**

 **Section lines**

 **1/4 1/4 lines**



1987 NAPP Photo

0 0.3 0.6 Miles





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 23, 1998

RE: Water Right No. 65-05540

Tuck Russell
Karla Russell
148 Anderson Creek Rd
Garden Valley ID 83622

Dear Mr. & Mrs. Russell:

Enclosed is a copy of the above referenced water right which reflects the change in address of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

I have also enclosed a copy of claim number A65-02140B indicating the change of address.

If you have any questions concerning the enclosed water right, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:d

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 25, 1994

Re: Notice of Claim to a Water Right No. A65-02140

Douglas Youren
Mary Kay Youren
Box 2533
Garden Valley, ID 83622

Mr. & Mrs. Youren:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

MOCK FILED
AUG 03 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 23, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Notice of Change of Water Right Ownership
Claim No. A65-02140

Tuck &/or Karla Russell
HC 76, Box 2681
Garden Valley, ID 83622

Dear Mr. and Mrs. Russell:

This office has reviewed the Notice of Change of Water Right Ownership form that you submitted for a portion of Douglas or Mary Kay Youren's claim as referenced above. However, due to the items discussed below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to complete the information required.

This change in ownership form describes a split of the claim between the Youren's and yourselves. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. We need to know the amount of water in cfs (cubic feet per second), the place of use by $\frac{1}{4}$, and the number of acres in each 40 acre tract identified. (For instance, the claim describes 2 acres of irrigation within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, and 18 acres within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 14, Twp. 9N, Rge. 4E, and the plat map does not show where your 2 acres are located.)

Even though the previous owners signed the change of ownership form it would assist us in splitting this claim to have a copy of your warranty deed in order to determine exactly where your two acres are located.

If you have any questions in regard to this matter, please do not hesitate to contact our office.

Sincerely,

KAY WALKER
Sr. Water Resource Agent
Adjudication Bureau

KW:k

MICROFILMED

OCT 18 1996

Jan 2 96

Roxanne:

sadly this took me
a while. I hope this will
be all that is needed. Give
me a call or drop me a
line if its not. Thanks for
all your help + happy 1996

Karla Russell

Tuck & Karla Russell
HC 76 Box 2681
Garden Valley ID 83622

(208) 462-6600

RECEIVED

JAN 03 1996

Department of Water Resources

MICROFILMED

OCT 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JAN 03 1996

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: _____

A65-03140

☐ Name and Address of Former
Owner/Claimant(s)(Seller): _____

Douglas Youren

Mary Kay Youren

Box 2533 Garden Valley ID 83622

☐ New Owner/Claimant
(Purchaser): _____

Tuck For Kirk Russell

☐ New Mailing Address: _____

HC 76 Box 2681

Garden Valley 83622

☐ New Telephone Number: _____

578-462-6600

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

2 Acres of water

☐ Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New
Owner/Claimant(s): _____

Kirk Russell

Date 1/2/96

Tuck Russell

Date 1/2/96

☒ Signature of Former
Owner/Claimant(s): _____

Douglas Youren

Date 1/2/96

Mary Kay Youren

Date 1/2/96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed: _____

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

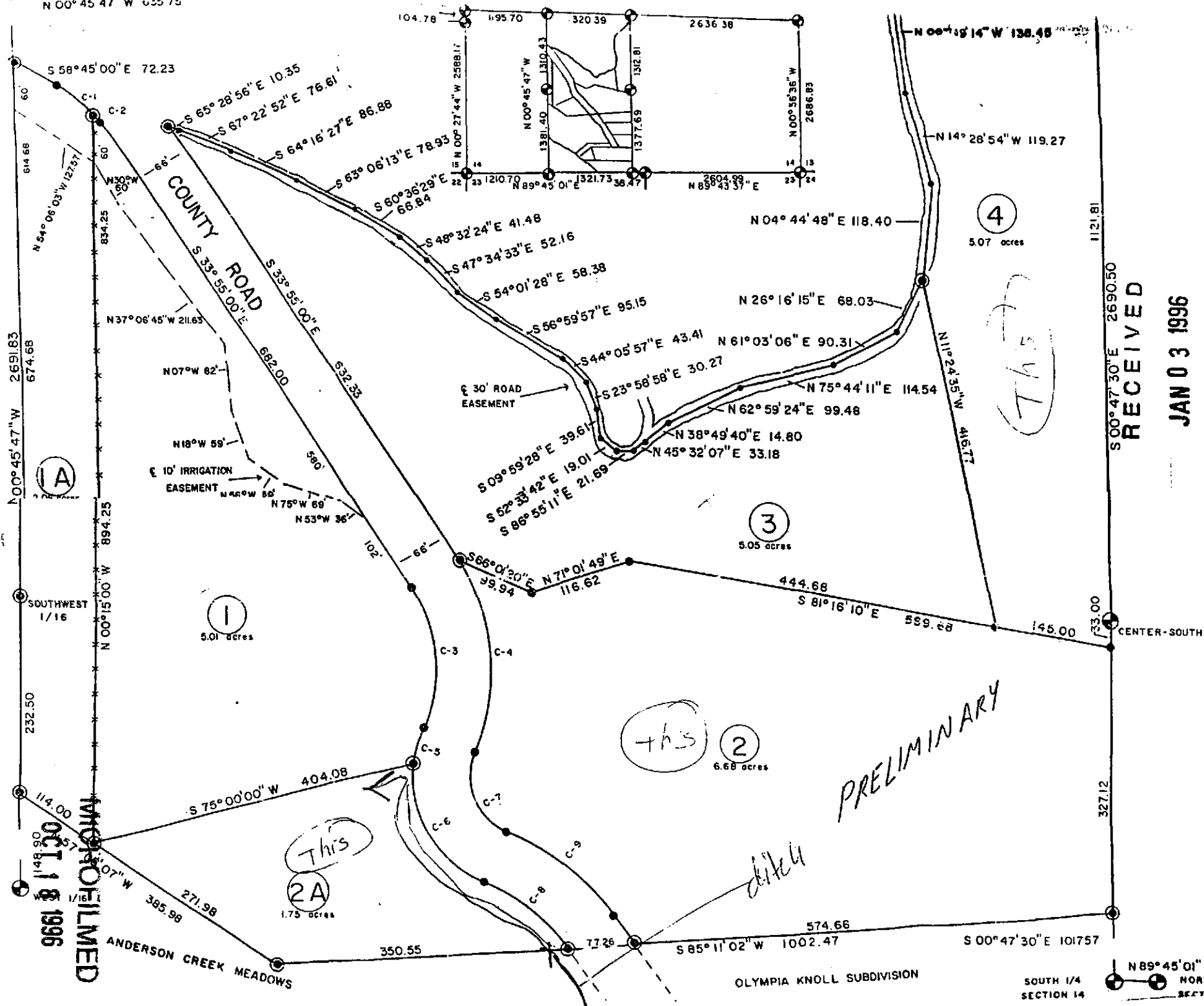
Claim Numbers of Split, if any: _____

MICROFILMED

OCT 18 1996

Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

N 00° 45' 47" W 635.75



CURVE TABLE

C-1	20
C-2	4
C-3	56
C-4	56
C-5	15
C-6	73
C-7	90
C-8	31
C-9	31

RECEIVED

JAN 03 1996

Department of

RECORDERS OFFICE

INSTRUMENT NO. _____
FILED IN _____
AT _____

SURVEYORS CERTIFICATE

I, RICHARD _____
SURVEY SHOW _____
OF THE STATE OF _____
FOR A BONA _____

OLYMPIA KNOLL SUBDIVISION

SOUTH 1/4
SECTION 14

N 89° 45' 01" E 38.47
NORTH 1/4
SECTION 14

OCT 18 1996

RECORDED

2A

2

4

3

1A

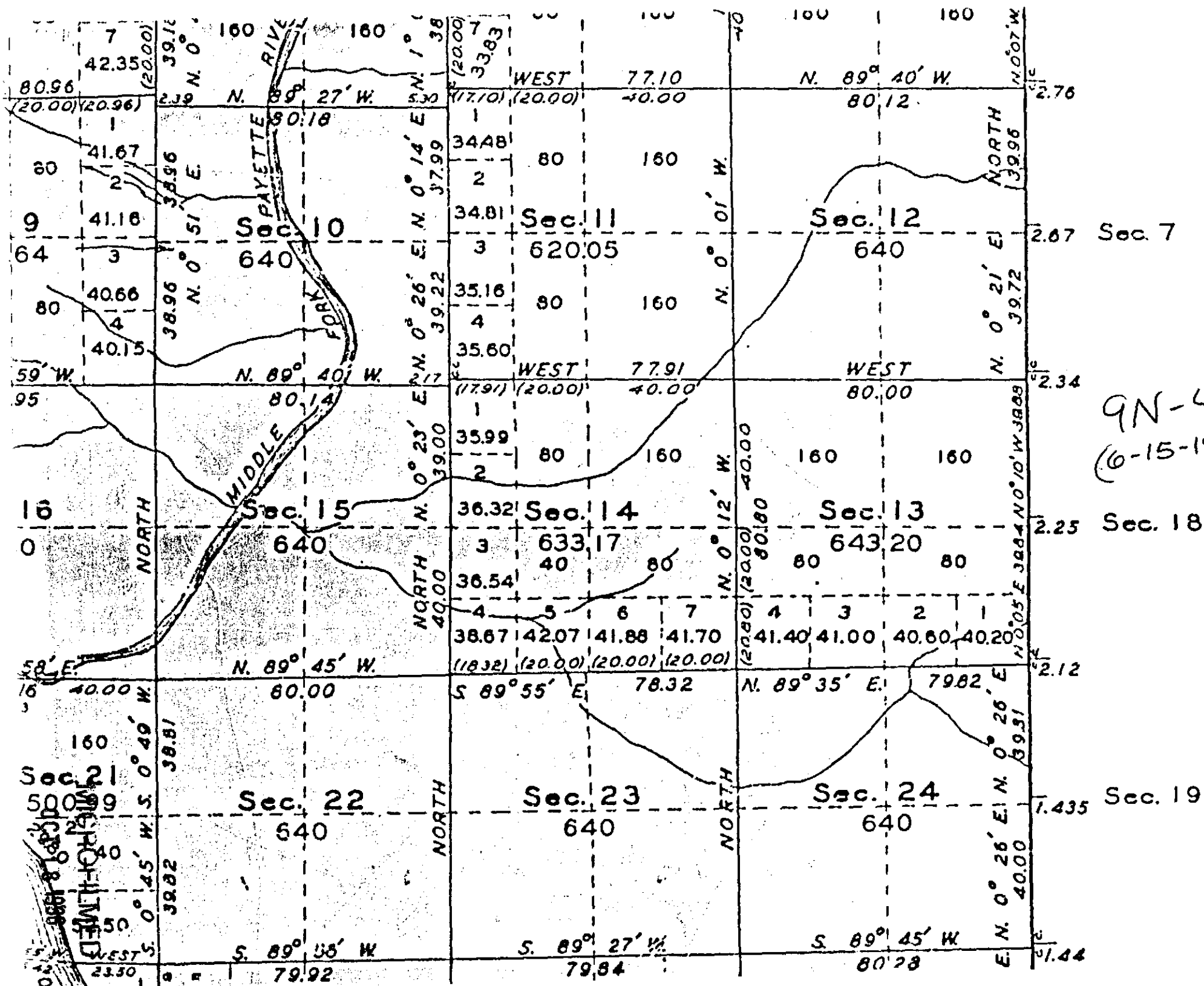
1

plus

PRELIMINARY

ditch

This



9N-4E
(6-15-1935)

POOR ORIGINAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT - MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
INDICATES TOTAL		SOURCE: ANDERSON CREEK			TRIBUTARY TO: MIDDLE FORK, PAYETTE RIVER			
65-6630	WEILHUNSTER, DONALD K. P.O. BOX 3 MONITOR, IDAHO 83646	6/ 1/1886 7/ 1/1874	DOMESTIC	1/ 1 12/31	1.40 AFA .05 CFS	SENE S23 T 9N R 4E	SAME AS OTHER USE	BENEFICIAL USE
Vol. II Pg. 14	MONITOR STAR ROUTE EMMETT, IDAHO 83617		STOCKWATER	1/ 1 12/31	3.22 AFA .06 CFS		SAME AS OTHER USE	
	REMARKS: THIS RIGHT WHEN COMBINED WITH RIGHT 65-7383 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.		IRRIGATION	4/ 1 11/ 1	2.22 CFS *AFA *2.22 CFS		NEW(35) NEW(33) SEW(5) S23 T 9N R 4E SWS(18) SEW(2) S14 T 9N R 4E *93*	
INDICATES TOTAL		SOURCE: SOUTH FORK, PAYETTE RIVER						
65-10308	WOZNIAK, RALPH E. & WOZNIAK, ISABEL 818 WEST STATE STREET BOISE, IDAHO 83702	8/ 1/1965	DOMESTIC	1/ 1 12/31	1.20 AFA .04 CFS	LOT 8 A (SESW) S27 T 9N R 7E	LOT 8 A (SESW) S27 T 9N R 7E	BENEFICIAL USE
Vol. II Pg. 341	146 RAINBOW DRIVE BOISE, IDAHO 83704							
	REMARKS: LOT 8 SOUTH FORK SUMMER HOMESITES NO. 2.							
INDICATES TOTAL		SOURCE: ANDERSON CREEK			TRIBUTARY TO: MIDDLE FORK, PAYETTE RIVER			
65-2140	YOUREN, JAMES E. GARDEN VALLEY, IDAHO 83622	5/ 2/1912	IRRIGATION	4/ 1 11/ 1	--- AFA .46 CFS	NEW-S14 T-9N-R-4E LOT-S-S14 SENE S23 T 9N R 4E	NEW(2) LOIS(SESW)(18) S14 T 9N R 4E *20*	LICENSE
Vol. II Pg. 15								

County, Boise
Stream, Anderson Creek
Amount, 22/50 of 1 cu. ft.
Use, irrigation
Priority, May 2, 1912

STATE OF IDAHO

POOR ORIGINAL

Water License No. 8359

WHEREAS, On the 2nd day of May, A. D. 1912,

Timothy Chenoweth

of Garden Valley, County of Boise, State of Idaho, duly made application (No. 12360) to me for a permit to use 2/5 of 1 cubic foot per second of the waters of Anderson Creek

County of Boise, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 20th day of June, A. D. 1912, Permit No. 8359 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 20th day of June, A. D. 1913, and for the application to beneficial use of said water on or before the 20th day of June, A. D. 1914, and,

WHEREAS, On the 20th day of June, A. D. 1913,

Timothy Chenoweth

(the holder of said permit, duly made proof of the completion of adequate works for the diversion of 2/5 of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 8359 dated July 10, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2/5 of 1 cubic foot per second of said water, with date of priority of May 2, 1912, and

WHEREAS, On the 20th day of June, A. D. 1914,

Timothy Chenoweth

(the holder of said permit, duly made proof of the application to beneficial use of 22/50 of 1 cubic foot per second of said water;

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Timothy Chenoweth

of Garden Valley, County of Boise, State of Idaho, the holder and owner of said Permit No. 8359, a perpetual right, dating from May 2, 1912, to the use of 22/50 of 1 cubic foot per second of the waters of Anderson Creek

in the County of Boise and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NE₁ of Sec. 23, T. 9 N., R. 4 E. 3. N.

and conducted to and upon 33 acres, divided as follows: 20 acres in the SE₁ of SW₁ and 2 acres in the NE₁ of SW₁, Sec. 14, Twp. 9 N., R. 4 E. 3. N.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 16th day of July, A. D., nineteen hundred and fourteen.

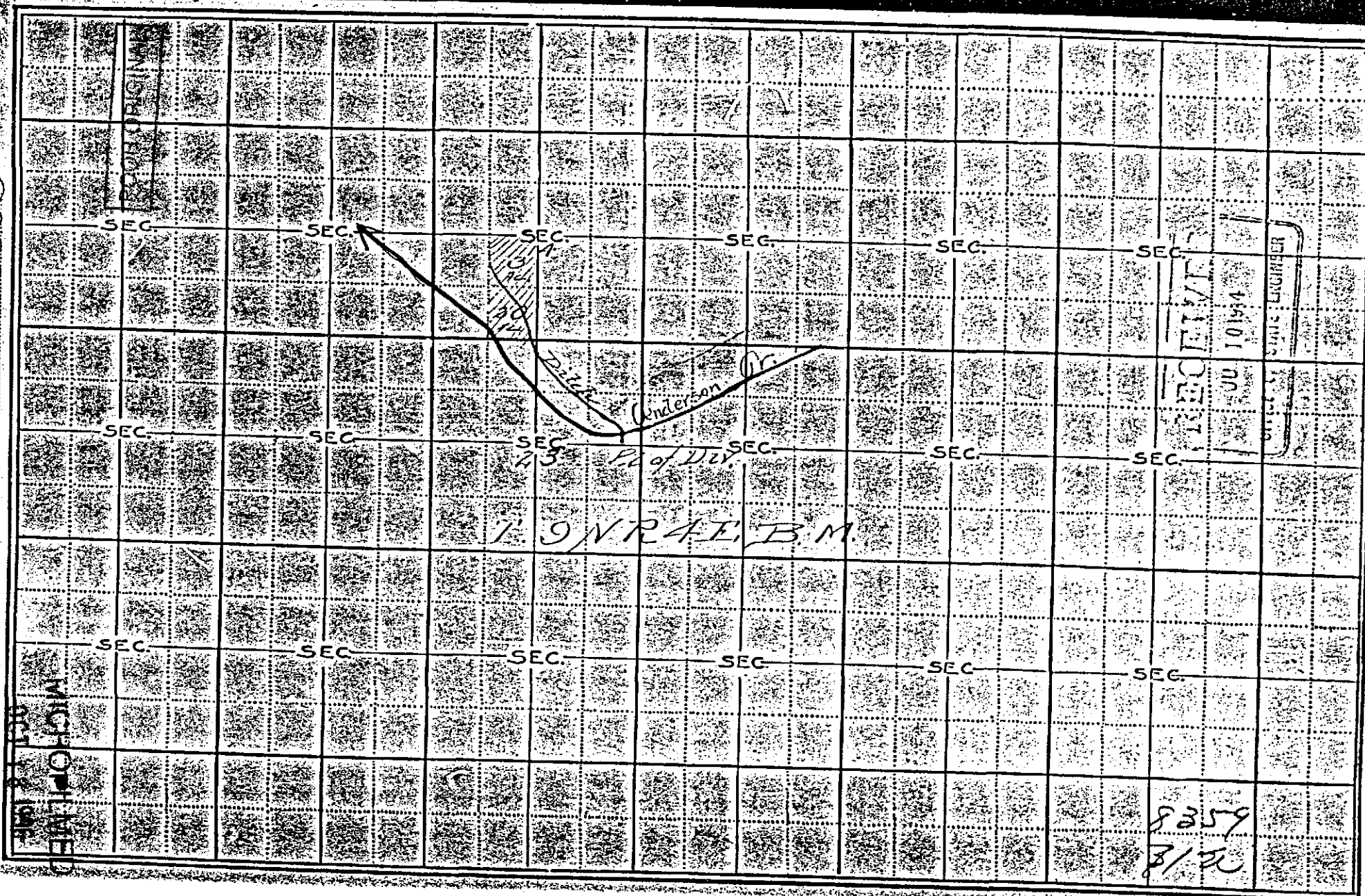
P. P. King.

(Seal)

MICROFILMED

State of Idaho
OCT 18 1995

100-1140



MICHOPIA, ILL.
OCT 12 1934



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JAN 03 1996

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s) Assigned by IDWR: A65-03140

☐ Name and Address of Former Owner/Claimant(s)(Seller): Douglas Youren
Mary Kay Youren

☐ New Owner/Claimant (Purchaser): Box 2533 Garden Valley ID 83622
Tuck For Kirk Russell

☐ New Mailing Address: HC 76 Box 2681
Garden Valley 83623

☐ New Telephone Number: 508 462-6600

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

2 Acres of water

☐ Attach proof of ownership, describe proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s): Kirk Russell Date 1/2/96
TUCK RUSSELL Date 1/2/96

☒ Signature of Former Owner/Claimant(s): Douglas Youren Date 1/2/96
Mary Kay Youren Date 1/2/96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-3-96 By: RMF

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED

OCT 18 1996

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

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 office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

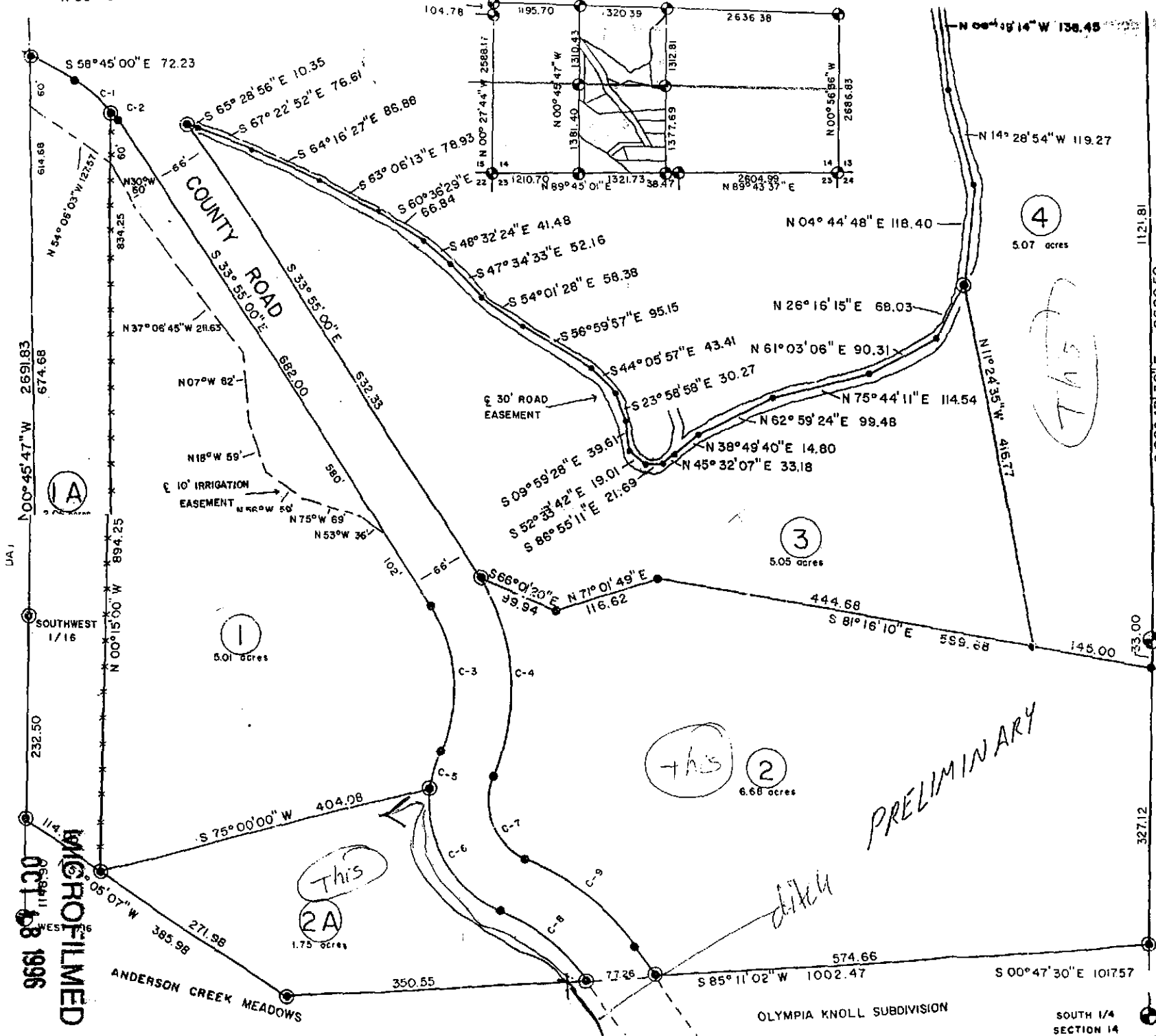
UNRECORDED

SEP 14 1988

N 00° 45' 47" W 635.15

UA 1

668 89 130
OCT 11 1996
MICROFILMED



CURVE TABLE

C-#	20' ANGL.
C-1	20' 35"
C-2	56' 14"
C-3	17' 37"
C-4	72' 10"
C-5	90' 23"
C-6	31' 27"
C-7	31' 36"
C-8	31' 36"
C-9	31' 36"

JAN 03 1996

Department of

RECORDERS CERTIF

INSTRUMENT NO. _____
FILED FOR _____
AT _____

RECOR
DEPUTY
FEE

SURVEYORS CERTI

I, RICHARD A. J
SURVEY SHOWN H.
OF THE STATE OF
FOR A BONA FIDE

SOUTH 1/4
SECTION 14

N 89° 45' 01" E 38.47
NORTH 1/4
SECTION 14

MEMORANDUM

To: A64-02140, A65-02140A, A65-02140B

From: Roxanne McCarthy

Re: Change of Ownership

Date: April 3, 1996

Karla Russell met with me concerning this change of ownership; both buyer and seller have signed the form. My conversation with her concerned the requirement for transfer processing should they change the point of diversion and the exact location of the two acres conveyed.

Ms. Russell confirmed that they intend to share the existing point of diversion and ditch. The ditch is drawn on the attached plat and the acres near the ditch are those conveyed. I have made changes based on this information and will send copies of the records to both buyer and seller.

MICROFILMED
OCT 18 1996