

11/27/10 10:04

LEGEND

- SURVEY BOUNDARY
- PROPERTY LINE
- FOUND BRASS CAP
- FOUND 3/8" REBAR
- FOUND 1/2" REBAR
- CALCULATED POINT (NOT SET)
- FOUND SECTION CORNER
- FOUND 1/4 CORNER

SCALE IN FEET
1" = 100'

CURVE TABLE

CURVE	DELTA	RADIUS	CHD BRG
C-1	71°23'37"	716.30'	S 43°58'21" W
C-2	45°20'54"	768.30'	S 80°50'01" W
C-3	130°11'28"	2284.70'	S 53°41'46" W
C-4	130°11'28"	2284.70'	S 53°41'46" W

WETLANDS

PAYETTE RIVER

SEE DETAIL 'A'

3.67 AC KIDNER PASTURE (NO IMPROVEMENTS)

2.80 AC EXISTING HOME SITE

CERTIFICATE OF SURVEYOR

I do hereby certify that I am a Land Surveyor, licensed by the State of Idaho and that this map was prepared from a survey made under my supervision, and is an accurate representation of said survey.



R.D. Critser, L.S.

RECORDERS CERTIFICATE

State of Idaho) SS 181084
County Of Boise)

Filed for record at request of R.D. Critser at page _____ of Book _____ of _____, the _____ day of _____, 2010.

By *Shirley George*
Deputy

REF R.O.S. # 148041
153748

INDEX No. 721-26-3-0-000

RECORD OF SURVEY

FOR

EVERETT KIDNER

LOCATED IN THE W 1/2, SECTION 28
T 17 N, R 12 E, B1
BOISE COUNTY, IDAHO

CRITSER LAND SURVEYS
324-8824
734-0615
322-6145

L.S. No. 884

Scale: 1"=100'	Draft: SFT	Check: DC	Date: 7/24/10
Dwg No.: 100000000	Sheet: 1 of 1	Job No.:	

APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

Sanitary restrictions of this Segregation Plat are hereby removed according to the letter of approval on file with the Boise County Recorder or his/her agent.

Name _____ Date _____

APPROVAL OF CITY COUNCIL

This Segregation Plat is approved this _____ day of _____, 2001, by the City of Horseshoe Bend, Idaho.

Mayer _____ Clerk _____

1/4 COR B.C. PLO

S 00°16'02" W 1328.15'

1/4 COR B.C. PLO

S 89°20'24" E 5151.86'

1/4 COR B.C. PLO

S 89°20'24" E 5151.86'

1/4 COR B.C. PLO

S 89°20'24" E 5151.86'

1/4 COR B.C. PLO

S 89°20'24" E 5151.86'

1/4 COR B.C. PLO

S 89°20'24" E 5151.86'

08/10/2001

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-22615

NAME AND ADDRESS: CHARLENE KIDNER
EVERETT L KIDNER
107 MOUNTAIN VIEW DR
HORSESHOE BEND, ID 83629

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.03 CFS

PRIORITY DATE: 10/21/1959

POINT OF DIVERSION: T07N R02E S26 LOT 6 NESW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 11-01	0.03 CFS

PLACE OF USE:

IRRIGATION Within BOISE County
T07N R02E S26 LOT 7 SWNW 1.7

1.7 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL
PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS
OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER
RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT

AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL
UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

RECEIVED**AUG 06 2001****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
65-2663A		X			

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) Allen & Catherine Drake
P.O. Box 62, 130 Mill Rd, Horse Shoe Bend, ID 83629
4. New Owner/Claimant(s) Everett L. Kidner and Charlene Kidner
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 107 Mountain View Dr
- City, State and ZIP Code Horse Shoe Bend, ID 83629
- New Telephone Number (208) 793-3127
5. Date you acquired the property July 28, 1998

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 <u>65-26634</u>		
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	<u>0.02 cfs / acre</u>	<u>1.7 acres</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	<u>0.034 cfs</u>	

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) Charlene K. Dwyer 7-28-01
(include title if applicable) Ernest E. Dwyer 7-28-01

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 _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

65-2663A

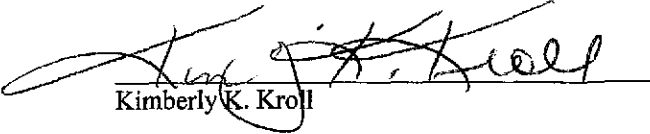
RECEIVED

AUG 06 2001

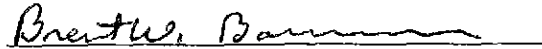
WATER RESOURCES
WESTERN REGION

IDWR Western Region
Attn: Denise Buffington
2735 Airport Way
Boise, ID 83705-5082

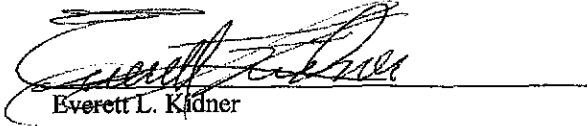
This document is a description of how we would like to split Water Right # 65-2663A originally owned by Catherine M. Drake and Allen R. Drake. We would like to split the total Acre Limit of 4 acres so that 2.3 acres is attached to the 2.8 acre parcel of property now owned by Kimberly K. Kroll and Brent W. Bowman with the remainder of 1.7 acres being attached to the 3.5 acre parcel of property owned by Everett L. Kidner and Charlene Kidner.


Kimberly K. Kroll

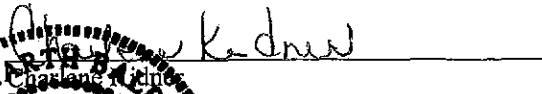
7/28/2001
Date


Brent W. Bowman

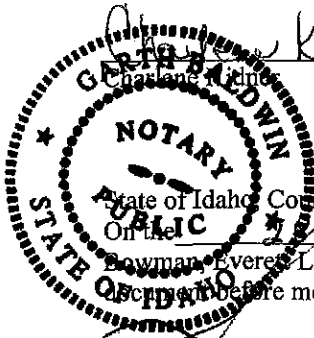
7-28-2001
Date


Everett L. Kidner

7-28-01
Date


Charlene Kidner

7-28-2001
Date



State of Idaho, County of Boise ss:

On the _____ day of July, 2001, personally appeared Kimberly K. Kroll, Brent W. Bowman, Everett L. Kidner and Charlene Kidner, known to me to be the persons who executed this document before me Garth Baldwin, a Notary Public in and for said State.


Garth Baldwin
Residing at Horseshoe Bend, ID
Commission Expires 8/2/2002

65-2263A

65-22614

Kroll & Bowman

1.7 acres

.034 cfs

65-22615

Widner

2.3 acres

.046 cfs

(3/27/89)



WARRANTY DEED

For Value Received

Catherine M. Drake, a widow also shown of record as Maxine Drake

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Everett L. Kidner and Charlene Kidner, husband and wife

hereinafter referred to as Grantee, whose current address is

107 Mountain View Drive, Horseshoe Bend, ID 83629

the following described premises, to-wit:

E X H I B I T A

ATTACHED HERETO AND MADE A PART THEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: July 28, 1998.

Catherine M Drake

INST# 169580
REQUEST Mtn View

EXHIBIT A

A parcel of land being a portion of the West half of Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho and more particularly described as follows:

BEGINNING at a brass cap marking the Northwest corner of the Northwest Quarter of Section 26, Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho; thence South 0°16'02" West a distance of 1,327.90 feet along the westerly boundary of said Section 26, to a point marking the Northwest corner of the Southwest Quarter of the Northwest Quarter of Section 26, thence leaving said westerly boundary - - South 89°50'26" East a distance of 1,372.07 feet along the Northerly boundary of the South half of the Northwest Quarter of Section 26, to an iron pin on the Easterly right-of-way line of Oregon Short Line Railroad, said point being the REAL POINT OF BEGINNING, thence leaving said right-of-way and continuing along said northerly boundary South 89°50'26" East a distance of 78.72 feet to an iron pin on the right bank of the ordinary high water line of the Payette River, thence leaving said northerly boundary and continuing along said ordinary highwater line the following courses and distances: thence South 01°39'22" West a distance of 245.54 feet to an iron pin; thence South 01°12'57" East a distance of 444.03 feet to an iron pin; thence South 03°40'03" East a distance of 428.66 feet to an iron pin; thence South 00°47'55" East a distance of 153.65 feet to an iron pin; thence South 14°39'15" East a distance of 149.11 feet to an iron pin; thence South 22°47'36" East a distance of 454.48 feet to an iron pin; thence South 05°25'05" West a distance of 213.27 feet to an iron pin; thence South 19°14'07" West a distance of 216.66 feet to an iron pin; thence South 33°10'12" West a distance of 230.80 feet to an iron pin; thence

Continued

South 19°23'09" West a distance of 102.86 feet to an iron pin;
 thence leaving said ordinary high water line
 South 88°52'39" West a distance of 52.59 feet to a chiseled cross
 in a stone monument, thence continuing
 South 88°52'39" West a distance of 53.00 feet to an iron pin;
 thence
 North 01°07'21" West a distance of 595.00 feet to an iron pin;
 thence
 South 88°52'39" West a distance of 307.22 feet an iron pin on the
 easterly right-of-way line of the Oregon Short Line Railroad, said
 point also marking a point of beginning of curve; thence along said
 right-of-way, northeasterly along a curve to the left, 608.52 feet,
 said curve having a central angle of 45°29'56", a radius of 766.30
 feet, tangents of 321.33 feet and a long chord of 592.66 feet
 bearing
 North 30°59'01" East to an iron pin marking a point of spiral;
 thence northeasterly along a spiral curve to the left, a distance
 of 273.98 feet, said spiral curve having a central angle of
 09°19'07" and a long chord of 237.72 feet bearing
 North 02°10'22" East to an iron pin marking a point of tangent;
 thence
 North 00°55'58" West a distance of 704.50 feet to an iron pin
 marking a point of beginning of curve;
 thence northeasterly along a curve to the right, a distance of
 507.99 feet, said curve having a central angle of 13°01'28", a
 radius of 2,234.70 feet, tangents of 255.09 feet and a long chord
 of 506.89 feet bearing
 North 05°34'46" East to the POINT OF BEGINNING.

EXCEPTING THEREFROM

A parcel of land being a portion of the Southwest $\frac{1}{4}$ of Section 26,
 Township 7 North, Range 2 East, Boise Meridian, Boise County, Idaho
 and more particularly described as follows:

Commencing at a found brass cap at the Northwest corner of Section
 26, said corner being common to Sections 22, 23, 27 and 26,
 Township 7 North, Range 2 East, Boise Meridian, Boise County,
 Idaho;
 thence southerly along the West line of Section 26, South 00°16'02"
 West, 2,655.80 feet per ROS No. 148941, on file in the office of
 the Boise County Recorder, referred to in the following courses as
 R:) said point being the $\frac{1}{4}$ corner between Sections 26 and 27;

Continued

thence leaving said westerly boundary South 60°00'21" East, 1,247.28 feet to a ½ inch iron pipe with tag L.S. 972, said point being on the easterly right-of-way line of the Oregon Shortline Railroad, as shown on said record of survey and being a point on the southerly boundary of the Drake property; thence leaving said right-of-way and continuing along the Southerly line of the Drake property North 88°31'58" East 307.27 feet (R= South 88°52'39" West, 307.22 feet) to a ½ inch iron pipe with cap L.S. 972 at an angle point in the Drake boundary as shown on said record of survey; thence along the Easterly boundary of the Drake property South 01°27'33" East, 595.06 feet (R= North 01°07'21" West, 595.00 feet) to a ½ inch iron pipe with cap L.S. 972 at an angle point in the Southerly boundary of said Drake property as shown on said record of survey;

thence North 88°35'59" East, 75.86 feet along the Southerly line of said Drake property (R= South 88°52'39" West) to a found ½ inch iron pin; said point marking the 2612 contour line and being the TRUE POINT OF BEGINNING;

thence along said 2612 contour line the following courses:

North 04°41'11" West, 318.82 feet to a found ½ inch iron pin L.S. 972;

North 04°14'43" West, 229.58 feet to a found ½ inch iron pin L.S. 972;

North 02°09'50" East, 245.34 feet to a set ¾ inch rebar with cap P.L.S. 7612;

North 04°47'10" West, 50.53 feet to a set ¾ inch rebar with cap P.L.S. 7612;

thence leaving said contour line and running parallel to and 3.0 from the existing well house the following courses:

North 82°36'14" East, 3.79 feet to a set ¾ inch rebar with cap P.L.S. 7612;

North 08°15'52" West, 12.22 to a set ¾ inch rebar with cap P.L.S. 7612;

South 82°36'14" West, 3.05 to a set ¾ inch rebar with cap P.L.S. 7612; said point being on the 2612 contour line;

thence leaving said well house and continuing along the 2612 contour line the following courses;

North 04°47'10" West, 20.51 feet to a found ½ inch iron pin L.S. 972;

North 02°11'37" West 35.15 feet to a ¾ inch rebar with cap P.L.S. 7612;

North 06°09'54" West, 112.92 feet to a ¾ inch rebar with cap P.L.S. 7612;

North 02°45'46" East, 248.99 to a ¾ inch rebar with cap P.L.S. 7612;

Continued

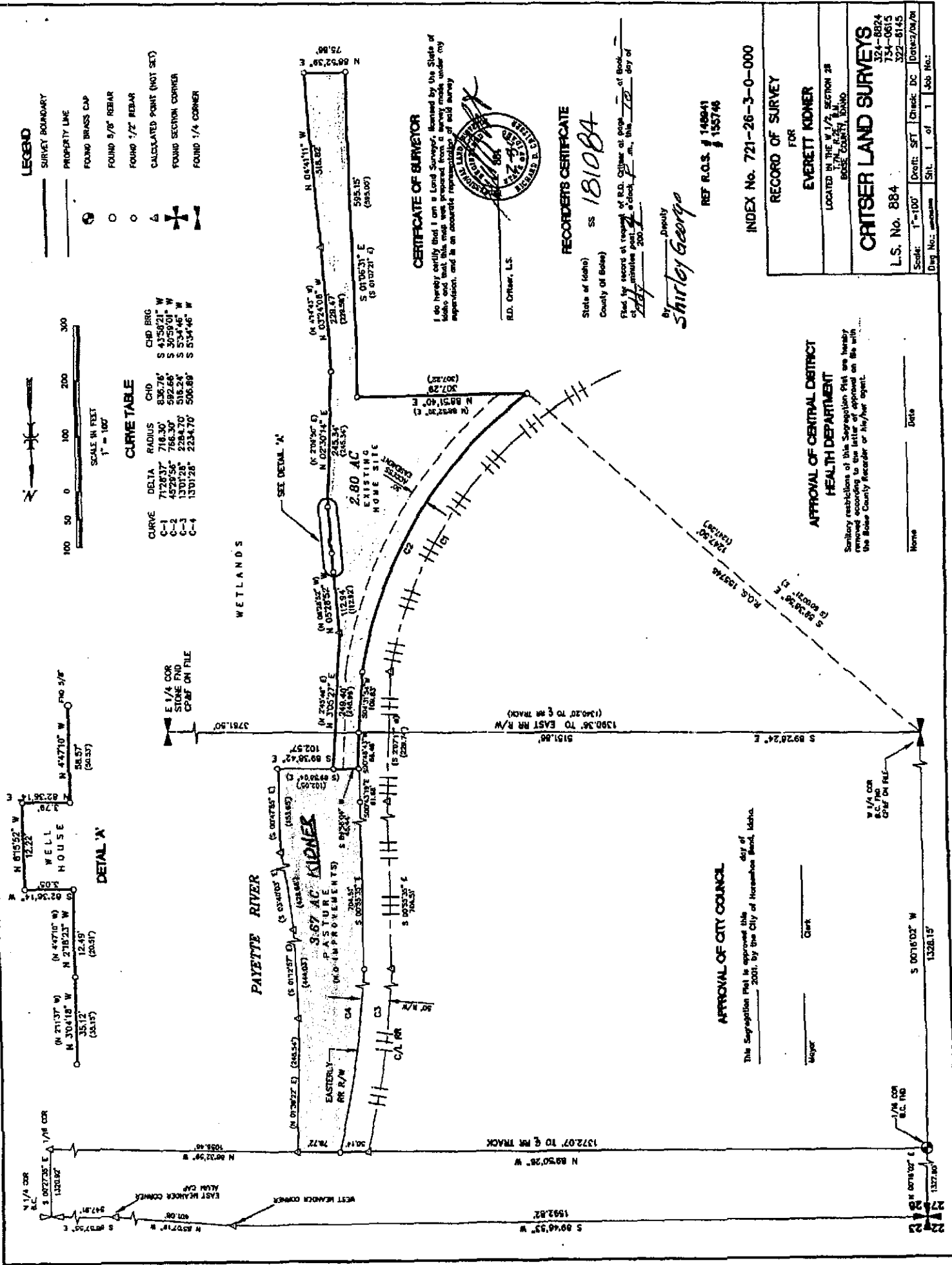
thence leaving said contour line North 89°58'04" East 102.05 feet to a found ½ inch iron pin L.S. 972; said point being an angle point on the right bank of the ordinary highwater line of the Payette River as shown on said record of survey; thence continuing along said highwater line the following courses; thence South 15°12'29" East, 148.77 feet (R= South 14°39'15" East, 149.11 feet) to a ½ inch iron pin L.S. 972; thence South 23°06'36" East, 454.45 feet (R= South 22°47'36" East, 454.48 feet) to a ½ inch iron pipe L.S. 972; thence South 04°59'40" West, 211.85 feet (R= South 05°25'05" West, 213.27 feet) to a ½ inch iron pipe L.S. 972; thence South 18°48'42" West, 215.22 feet (R= South 19°14'07" West, 216.66 feet) to a ½ inch iron pipe L.S. 972; thence South 32°37'12" West, 233.61 feet (R= South 33°10'12" West, 230.80 feet) to a ½ inch iron pipe L.S. 972; thence South 19°09'29" West, 102.91 feet (R= South 19°23'09" West, 102.86 feet) to a found ½ inch iron pin L.S. 972; thence leaving said highwater line, South 88°35'59" West, 29.71 feet (R= South 88°52'39" West) along the Southerly property line of said Drake property to the TRUE POINT OF BEGINNING.

SUBJECT TO:

All existing easements and road rights-of-way or record or appearing on the above described parcel of land.

A 25 foot pedestrian easement being the Easterly 25.00 feet of the above described parcel of land.

11/15/10 10:04



03/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-2663A
NAME AND ADDRESS: CATHERINE M DRAKE
AKA MAXINE DRAKE
PO BOX 02
HORSESHOE BEND ID 83629

ALLEN R DRAKE
PO BOX 02
HORSESHOE BEND ID 83629

SOURCE: PAYETTE RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 10/21/1959

POINT OF DIVERSION:
T07N R02E S26 NESW Lot 6 Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.080 CFS

PLACE OF USE:

IRRIGATION Within BOISE County
T07N R02E S26 Lot 7 SWNW 4.0

4 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY
FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF
THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A
POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION
42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 8, 2001

CHARLENE KIDNER
EVERETT L KIDNER
107 MOUNTAIN VIEW DR
HORSESHOE BEND ID 83629

Re: Original Notice of Claim to a Water Right No. 65-2663A

Renumbered Notice of Claim to a Water Right No. 65-22615

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB: db

Enclosure