



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Robert Ganske
255 South 625 West
Blackfoot, ID 83221

December 30, 2004

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10550

Subject: Warranty Deed

Response Date: January 14, 2005

Dear Claimant (s):

Our office is reviewing your claim listed above. We are trying to tie it to the 1883, Daniel Miller water. We have a copy of your warranty deed showing that you purchased the property from Seth Brown, but we have no information showing where Seth Brown purchased the property. Please provide this office with a copy of the warranty deed of Seth Brown, showing who he purchased the property from.

If you have any questions not covered by this letter, feel free to contact me at 547-3993.

Respectfully,

Pauline Bassett

AGREEMENT FOR SALE OF REAL ESTATE

THIS AGREEMENT, Made and entered into in duplicate this 8th day of July, 1969, by and between LLOYD HILL, WANDA CHRISTENSEN, LONA CORNIA and ELAINE HIGGINS, being all the heirs of Anna Hansen Hill, deceased, as sellers, and ROBERT L. GANSKE, 3335 Poleline Road, Pocatello, Bannock County, Idaho, as purchaser.

WITNESSETH: That the sellers, for and in consideration of the payments and the performance of the covenants and agreements to be made, kept and performed by the purchasers, as herein provided, agree to sell and convey unto the purchasers, and the purchasers agree to buy for the price and upon the terms and conditions hereinafter specified, that certain property situated in the County of Bingham, State of Idaho, more particularly described as follows, to-wit:

Beginning at a point that is North 694.5 feet along the West line of the Northeast Quarter of the Southeast Quarter of Section 13, Township 3 South, Range 34 East of Boise Meridian from the Southwest corner of said Northeast Quarter of the Southeast Quarter, and from said point of beginning, running thence North 86.5 feet along said West line; thence East 169.5 feet; thence South 86.5 feet; thence West 169.5 feet to the point of beginning.

0.34 ac. Tax lot RP0253401

WARRANTY DEED

165297

10-28-1971

For Value Received SETH W. BROWN and CASSIE I. BROWN, husband and wife,
of Blackfoot, Bingham County, Idaho

the grantors, do hereby grant, bargain, sell, and convey unto ROBERT L. GANSKE and
TRUDY J. GANSKE, husband and wife, of Blackfoot, Bingham County,
Idaho

the grantee s, the following described premises, to-wit:

Starting at a point 781 feet North of the
Southwest corner of the Northeast quarter of the
Southeast quarter of Section 13 in Township 3
South of Range 34 East Boise Meridian in Idaho
and running thence East 169.5 feet; thence North
169.5 feet; thence West 169.5 feet; thence South
169.5 feet to the point of beginning. Together
with all water and water rights, ditches, and
ditch rights-of-way thereunto belonging or in any-
wise appertaining.

.66 ac.
Taxlot 2P0253401

165297

NO _____
BINGHAM COUNTY, IDAHO
GRANTED AT REQUEST OF _____

71 Nov 8 AM 10 04

OFFICIAL RECORDS DEPT. 30.41
FEE 1.00 REPT. EH
RECORDED AT REQUEST OF

W. A. H. H. B.

WARRANTY DEED

170539

For Value Received SETH W. BROWN and CASSIE I. BROWN, husband and wife, of Blackfoot, Bingham County, Idaho

the grantors, do hereby grant, bargain, sell, and convey unto ROBERT L. GANSKE and TRUDY J. GANSKE, husband and wife, of Blackfoot, Bingham County, Idaho

the grantee, the following described premises, to-wit:

A portion of the Northeast quarter of the Southeast quarter of Section 13, Township 3 South, Range 34 East Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point 950.5 feet North of the Southwest corner of said Northeast quarter of the Southeast quarter; thence East 172 feet; thence North to the East line of the Riverton Ditch; thence in a Northeasterly direction along the East line of said ditch to a point that is East 248 feet and South 34 feet from the Northwest corner of said Northeast quarter of the Southeast quarter; thence North 34 feet; thence West 248 feet to the Northwest corner of said Northeast quarter of the Southeast quarter; thence South 369.5 feet, more or less, to the point of beginning, EXCEPT road right-of-way along West 25 feet thereof. Together with all ditch and water rights thereunto belonging or in anywise appertaining; and SUBJECT to existing power and ditch-right easements.

Paylot
RP0253402



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Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 13, 2004

Robert L. Ganske
Trudy Ganske
255 S. 625 W.
Blackfoot, ID 83221

Ref: Snake River Basin Adjudication (SRBA)
Claim A27-10550

Subject: Ownership update

RESPONSE DATE: JULY 27, 2004

Dear claimants;

IDWR has been doing an extensive research on the ownership of the James Welch water from the Fred S. Steven's vs Eastern Idaho Water Co. et al., decreed in August 1, 1891.

The document that you provided the department conveyed 20 inches of water and the property in the NESE of section 13, T3S, R34E from James P. Hansen to Seth Brown. It does not show conveyance from Seth Brown to you. This document is no sufficient to prove your ownership of the water. Please send me a copy of your warranty deed or any additional warranty deeds back Seth Brown.

This office must receive your response by the above response date. If no additional information is provided by the above date your claim to Welch water will be recommended to the court as "DISALLOWED".

If you have any additional questions please feel free to contact me in the Soda Springs office at 547-3993.

Respectfully,

Cindy E. Bird



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

7 July 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Robert & Trudy Ganske
255 South 625 West
Blackfoot, ID 83221

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10550

COPY

Subject: CLARIFICATION IN POINT OF DIVERSION (POD)

Response Date: 21 July 2004

Dear Claimant (s):

Our office is reviewing your above referenced Notice of Claim and need some additional information to recommend your claim to the SRBA Court. When your claim was amended in March 2004 to correct the Place of Use (POU), we overlooked also correcting the POD. Your description of diverting works states "flash boards in Central Ditch". However, according to the guidelines, the actual POD is where the water is diverted into the Central Ditch, not when it actually is diverted onto the POU. Therefore, the actual legal description for the POD is Township 3S, Range 35E, Section 18, SENE, Lot 8.

Please take this letter to our Idaho Falls office located at 900 North Skyline Drive, Suite A and request they prepare an amended Notice of Claim to a Water Right. Please sign this amended claim before one of the notaries in our Idaho Falls Office. They will, in turn, forward the completed form to our office for further processing. Please sign this needed form by the above response date.

If you have any questions, please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp

Cc: Ernie Carlsen, IDWR, Idaho Falls



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
LAWRENCE G. WARDEN

February 24, 2004

COPY

TRUDY AND ROBERT L GANSKE
255 S 625 W
BLACKFOOT ID 83221

RE: *SRBA Claim based on decreed water right No. 27-10550*

Dear Claimant(s):

I am the Deputy Attorney General assigned to represent the Idaho Department of Water Resources (IDWR or the "Department") in Basin 27 in the Snake River Basin Adjudication.

The Department of Water Resources is currently investigating water right claims in Basin 27. IDWR information indicates that your water right claim is based on a water right decreed in *Stevens v. Eastern Idaho Water Co.*, Judgment Book 1, pp. 106-117 (Bingham County, Idaho August 1, 1891), to James Welch. This water right was decreed for 400 inches (8.0 cfs) with a March 20, 1886, priority date. This water right was numbered sometime after the decree by IDWR as water right no. 27-37.

The Department has received multiple claims to this water right totaling more than 8.0 cfs. In order to make a complete and accurate recommendation of your water right, each element of the water right must be proven. The Department needs information that shows you are a successor to the original James Welch water right. This could be established through deeds or other conveyance documents that show you own a portion of the original water right.

Please provide this information by March 26, 2004, to Cindy Bird at the Soda Springs Office for the Idaho Department of Water Resources. You can contact her at 208-547-3993. If you have any further questions regarding this matter, you can contact Cindy or you can contact me directly at 208-327-5404.

Very Truly Yours,


Candice M. McHugh
Deputy Attorney General
Idaho Dept. of Water Resources

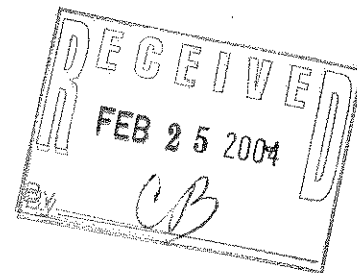
c: electronically Cindy Bird, IDWR

From

Robert Ganske
255 S 625 W
Blackfoot, Idaho 83221

To
Snake River Basin Adjudication

Attention
Cindy E Bird



I Was Wro ng There Is Not 5 Acres. There Is Only 3.4 Acres In All
Total Land

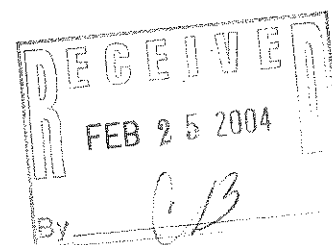
Township 3S, Range 34E, Section 13, NESE

Claim 27-10550

Respectfully,

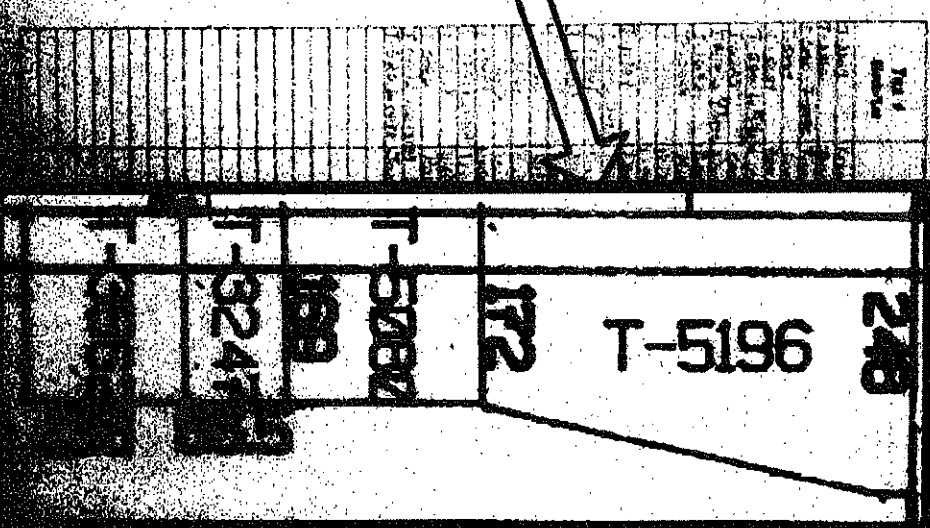
Robert L. Ganske

Robert L. Ganske



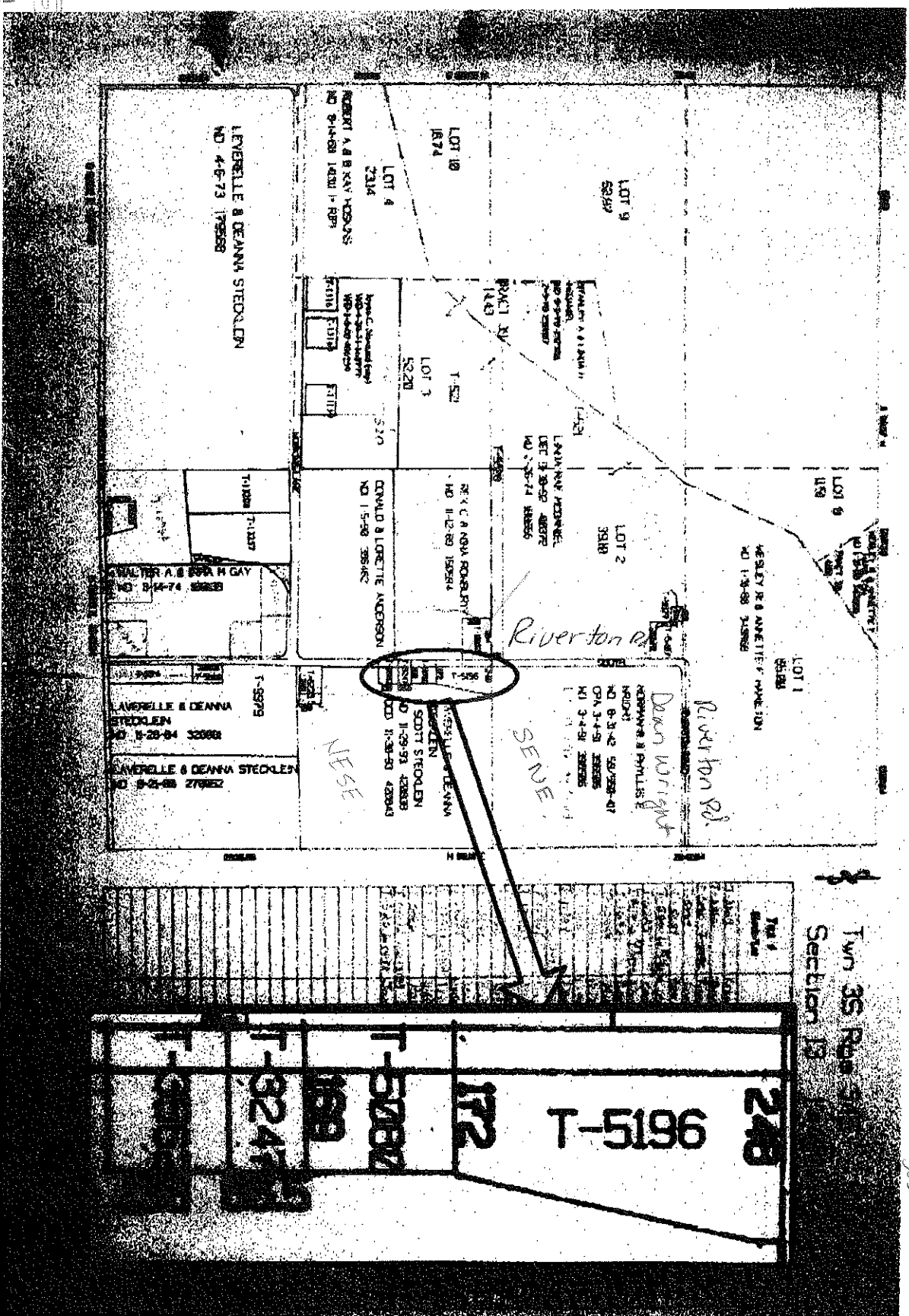
1 mi - lower section rd.
S. of Robert's home
to lower section rd.

Town 35 Range 34E
Section 13



Ganske Property: T-3247, T-5080, T-5196

Property Located in the NW corner of the NE 1/4 of the SE 1/4 of Section 13,
Township 35S, Range 34E



RECEIVED
FEB 25 2004
BY

NE ¼ of SE ¼ of Section 13, Township 3S, Range 34 E

Ganske property located in the NW corner of NE ¼ of SE ¼ Section 13 Purchased from Seth W. Brown See attached Bingham County layout for Section	Property Described in Warranty Deed James P. Hansen to Seth W. Brown October 1, 1958 Book 100 Page 135 NE ¼ of SE ¼ of Section 13, Township 3S, Range 34 E less the two parcels as shown in blue
20 inches of decreed water right in the Blackfoot River with a priority date of March 20, 1886 As noted Warranty Deed Book 102 page 21 "No revenue stamps required as this deed is being recorded for the purpose of further clarifying that this specific water right was conveyed in the deed from James P. Hansen to Seth W. Brown dated October 1, 1958 and recorded October 6, 1958 in Book 100 of Deeds at page 135."	
Less 169.5' x 88.5'	
Less 1320' x 544.5' Warranty Deed December 10, 1953 James P. Hansen to Seth W. Brown Book 85 p. 101 20 inches of Blackfoot Irrigation Water	

Other References to this property:

Book 48 p. 423-424 Lorenzo R. Thomas to Kansas City Life Insurance September 23 1925, "... and water rights thereto appertaining and belonging and particularly 20 inches of decreed water right therefore in the Blackfoot River and Two-Fifths of a share in the capital stock in the Blackfoot Irrigation Company, a corporation, said certificate being for 20 inches of water, making a total of 40 inches."

Book 62 p.499 - 500: Kansas City Life Insurance Co. to James P. Hansen, January 12, 1940, "... and water rights thereto appertaining and belonging and particularly 20 inches of decreed water right therefore in the Blackfoot River and Two-Fifths of a share in the capital stock in the Blackfoot Irrigation Company, a corporation, said certificate being for 20 inches of water, making a total of 40 inches."