



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

September 18, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LOGAN & REBECCA ROBINSON
5354 W OLD HWY 91
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR 29-495C, 29-2409B

Dear Mr. & Mrs. Robinson:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

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

29-495C:

29-13393, 0.13 cfs, 6.4 acres, Dudunake

29-13394, 0.15 cfs, 7.6 acres, Robinson

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

Respectfully submitted,

Jennifer Crabtree

Technical Records Specialist

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
MAY 10 2002

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

Department of Water Resources
Eastern Region

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, 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
29-00495C					
29-02409B					

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

- A. The appropriate ~~FILING FEE~~ See instructions for fee amounts. No Fee
- 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) are 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)

Mark D. OTERSON and LORI M OTERSON
5354 W. OLD HWY 91 Pocatello, Idaho
83204

4. New Owner/Claimant(s)

LOUAN D Robinson and Rebecca A Robinson
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

5354 W. OLD HWY. 91 Pocatello

City, State and ZIP Code

Pocatello, Idaho 83204

New Telephone Number

208) 775-4590

5. Date you acquired the property

August 30, 1986

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) _____
(include title if applicable)

Rebecca A. Robinson

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 _____

FA#22511

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WARRANTY DEED

96014698

For Value Received **MARK D. OTTESON and LORI M. OTTESON, husband and wife**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

LOGAN ROBINSON and REBECCA A. ROBINSON, husband and wife

whose address is: **5354 WEST OLD HIGHWAY 91, POCATELLO, ID, 83204**
4530 South 5th, Pocatello, Idaho 83204

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, Idaho, to-wit:

SEE ATTACHED LEGAL

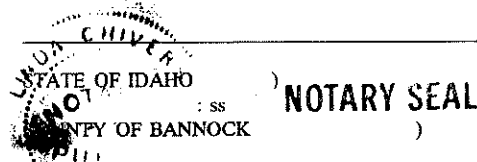
SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the 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: **AUGUST 30, 1996**


MARK D. OTTESON


LORI M. OTTESON



On This 30TH day of AUGUST, in the year 1996, before me, a Notary Public in and for said State, personally appeared MARK D. OTTESON and LORI M. OTTESON, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within Instrument, and acknowledged to me that THEY executed the same.

NO **96014698**
RECORDED AT REQUEST OF
FIRST AMERICAN TITLE
26 AUG 30 PM 4 10
ORIGINAL FILED BOOK NO **673**
BANNOCK COUNTY IDAHO
LARRY W. CHAN RECORDER.
FEE **6.00** DEPUTY **SS**


Notary Public of Idaho
Residing at POCATELLO
Commission Expires: 2-18-99

22
96014698

PARCEL 1: A parcel of land situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 7 South, Range 35 E.B.M., BANNOCK COUNTY, IDAHO, more particularly described as follows: Commencing at the East 1/16 Corner on the latitudinal centerline of said Section 23; thence North 02°00'00" West along the East 1/16 line of said Section 23, 330.00 feet to the TRUE POINT OF BEGINNING; thence continuing North 02°00'00" West, 396.00 feet; thence South 88°00'00" West, 324.00 feet; thence South 02°00'00" East, 396.00 feet; thence North 88°00'00" East, 324.00 feet to the POINT OF BEGINNING, which is also on the said East 1/16 line of said Section 23.

ALSO: A parcel of land situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 23, Township 7 South, Range 35 E.B.M., BANNOCK COUNTY, IDAHO, more particularly described as follows: Commencing at the East 1/16 Corner on the latitudinal centerline of said Section 23; thence North 02°00'00" West along the East 1/16 line 330.00 feet; thence South 88°00'00" West 324.00 feet to the TRUE POINT OF BEGINNING; thence continuing South 88°00'00" West 467.52 feet; thence North 01°30' West 49.9 feet; Thence North 89°48' East 17 feet; thence North 01°50" West 346.10 feet; thence North 88°00' East 450.52 feet to a point that is North 02°00'00" West 396.00 feet from the TRUE POINT OF BEGINNING; thence South 02°00'00" East 396.00 feet to the TRUE POINT OF BEGINNING.

PARCEL 2: A parcel of land situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 7 South, Range 35 E.B.M., BANNOCK COUNTY, IDAHO, more particularly described as follows: Commencing at the E 1/16 Corner on the latitudinal centerline of said Section 23; thence Westerly along the latitudinal centerline 528.1 feet to the TRUE POINT OF BEGINNING; thence continuing along latitudinal centerline 263.42 feet; thence North 1°30' West 330 feet, thence North 88°00'00" East 263.42 feet; thence South 2°0' East 330 feet to the TRUE POINT OF BEGINNING.

TOGETHER WITH an access right of way easement to the above described property for ingress and egress over the following described parcel: A portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 7 South, Range 35 E.B.M., BANNOCK COUNTY, IDAHO, a portion of Lot 8 of the BLACK ROCK SUBDIVISION, more particularly described as follows: A 30 foot strip of land being 15 feet on each side of the following described centerline, to-wit: Commencing at a point that is on the Northerly right of way of Highway US 30 North that is also 275.1 feet South 515.7 feet West of the East 1/16 corner on the latitudinal centerline of said Section 23; thence North 01°32'00" West, 682.00 feet, more or less; thence North 88°00'00" East, 185.4 feet, more or less, to the Westerly boundary of a parcel of land described in legal description #3.

CDE RB



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 14, 2001

LOGAN ROBINSON
5354 W OLD HWY 91
POCATELLO ID 83204

RE: Notice of Change in Water Right Ownership for 29-00495C and 29-02409B

Dear Mr. Robinson,

On 5/11/01 our office sent you notice that it appears that two Snake River Basin Adjudication (SRBA) claims have been filed for irrigation on property now owned by yourself. 29-00495C claims irrigation from Blackrock creek and 29-02409B claims irrigation from ground water.

At this time our office has received no correspondence from you. For your convenience I am enclosing another Notice of Change in Water Right Ownership form and copies of the two claims in question. If you feel these claims are applicable to your property, please complete the Change of ownership form, and return it to this office as soon as possible.

In addition, please contact me to set up a meeting where we can discuss the particulars of your water use.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau.

Memorandum

Date: July 13, 2001

From: Craig Saxton

Subject: Dudunake Transfer 29-02409A&B

29-02409 has been split into an A and B portion.

29-02409:	0.26 cfs	18.3 ac	0.014 cfs/acre
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Preliminary Recommendation 29-02409A:	0.06 cfs	2.0 ac	0.03 cfs/acre
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Preliminary Recommendation 29-02409B:	0.15 cfs	7.6 ac	0.02 cfs/acre
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Total	0.21 cfs	9.6 ac	
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Conclusion: CFS and ACREAGE less than originally licensed.

Photo taken July 15, 1998. Shows Irrigation of
Claimants Property, Caxton





State of Idaho
DEPARTMENT OF WATER RESOURCES

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EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 11, 2001

LOGAN ROBINSON
5354 W OLD HWY 91
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR A29-02409B

Dear Mr. Robinson:

It has come to our attention that you may have recently purchased a tract of land in Bannock County. The property to which I am referring was most recently owned by Mark Otteson. The legal description is as follows:

T07S R35E S23 SW1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA), and we recommend that if, in fact, you now own the property in question, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 525-7161.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Cheri Vandermeulen'.

Cheri Vandermeulen
Records Clerk

Enclosure(s)

State of Idaho License and Certificate of Water Right

Water License No. G-27901

Water District No. _____

Amount \$20.00

Priority April 16, 1959

THIS IS TO CERTIFY that JOHN M. DUDENAKE, of Pocatello, Idaho, made application for a permit to appropriate the public waters of the State of Idaho dated April 16, 1959; that Permit No. G-27901 was issued thereunder on September 6, 1961, showing that said works were completed on the 10th day of September, 1959; and that on the 10th day of September, 1959, JOHN M. DUDENAKE

of Pocatello, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of Subterranean flow, for the purpose of irrigation and domestic use under U.S. Permit No. G-27901, of the Department of Reclamation, and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 11 of Licenses at page 7153, on the 6 day of September, 1961. The right hereby confirmed dates from April 16, 1959. The Point of Diversion is located in the SW 1/4 NE 1/4, Sec. 23, Tp. 7 S, R. 35 E, B. M. Bannock County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed .26 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 S	35 E	23	SW 1/4 NE 1/4 NW 1/4 SE 1/4	18 2.5	15.8 2.5
Total number of acres to be irrigated:					18.3

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 6th day of September, 1961.

(SEAL)

/s/ RALPH W. THOMAS
State Reclamation Engineer.