



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

October 19, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RAYMOND V HERBST
RENEE A HERBST
38 LOVERS LN
SALMON ID 83467

RE: Notice of Change of Water Right Ownership (NCO) for 75-34A and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. and Mrs. Herbst:

On October 19, 2007, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

In Re SRBA	)	Water Rights: 75-34A
	)	
Case No. 39576	)	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING

☐ Address change

☒ Substitution of Party GOULD-HERBST

☐ I.C. § 42-222 transfer

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

DATED: Oct 19, 2007

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Sept 24, 2007, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
ROBERT & MAXINE GOULD
38 LOVERS LN
SALMON ID 83467-5156

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
RAYMOND V & RENEE A HERBST
38 LOVERS LN
SALMON ID 83467

4. One copy to:

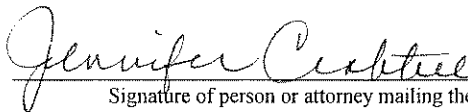
Each party in the subcase, or attorney of record
N/A

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

10/19/2007

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

RIGHT NUMBER: 75-34A

NAME AND ADDRESS: RAYMOND V HERBST
38 LOVERS LN
SALMON ID 83467

RENEE A HERBST
38 LOVERS LN
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.400 CFS

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION:

T20N R22E S5 NWSWN Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.400 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S18

NWNE

10.00

10 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

Water is delivered through the Minzer-Runsten Ditch.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 75-34A V1

WATER RIGHT NUMBER: 75-34A V1

Owner Type Name and Address
 Current Owner MAXINE GOULD -
 38 LOVERS LN
 SALMON, ID 83467-5156
 (208)756-3312 — *# has been disconnected.*

Current Owner ROBERT GOULD -
 38 LOVERS LN
 SALMON, ID 83467-5156
 (208)756-3312

Original Owner EMMA SEYFERS

Original Owner , ID
 JOSEPH SEYFERS
 , ID

Priority Date: 04/01/1894

Basis: Decreed

Status: Active

Source
 SALMON RIVER

Tributary
 SNAKE RIVER

*10/18/2007 - Purchased by Raymond V Herbst
 in 1998. - Gould sold property in 1997
 to ~~Duncan~~ Duncan who subsequently
 sold it to Herbst.*

*Duncan to Herbst 1998.
 Gould to Duncan - 1997.*

*Info from Lemhi Cty Assessor.
 EMC.*

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

SALMON RIVER NW1/4SW1/4NW1/4 Sec. 5, Twp 20N, Rge 22E, B.M.
 LEMHI County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
21N	22E	18	NE	NW	SW	SE	10.0
			NE	NW	SW	SE	10.0

Total Acres: 10

Conditions of Approval:

1. F01 Water is delivered through the Minzer-Runsten Ditch.

*Ernie asked me to do
 an ownership change
 based on this
 information. JC
 10-19-07*

Warranty Deed

For Value Received

J. C. DUNCAN AND CATHY M. DUNCAN, HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto

RAYMOND V. HERBST II AND RENEE A. RIGGLEMAN HERBST, HUSBAND AND WIFE

whose current address is

RT 1 BOX 156
SALMON, IDAHO 83467

the grantees, the following described premises, in LEMHI County Idaho, to wit:

THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NE1/4NW1/4NE1/4) OF SECTION EIGHTEEN (18) TOWNSHIP TWENTYONE (21) NORTH, RANGE TWENTY TWO (22) EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

EXCEPTING THEREFROM THE EXISTING ROAD, KNOWN AS CONLEE LANE ALONG THE NORTH BOUNDARY OF THE ABOVE DESCRIBED PROPERTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they're the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: September 28, 1998

J.C. Duncan
J.C. Duncan

Cathy M. Duncan
Cathy M. Duncan

STATE OF IDAHO, County of Lemhi
On the 28th day of Sept. 1998
before me, Notary Public, and for said State, personally appeared

J.C. Duncan and
Cathy M. Duncan

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me that
they executed the same

Tina M. Schock
Tina M. Schock
Residing at Salmon
Comm. Expires 2/6/2004

Notary Public
Idaho

SS No. 238273
This instrument was filed for record at the request of
Althamer Title
3:12 o'clock p.m. 9-30-98
Truly filed and indexed in the records of Lemhi

Althamer Wiedrick
County Office Recorder
Lynn J. Morton Deputy
3:09

State of Idaho)
County of Lemhi

SS No. 238292

This instrument was filed for record at the request
of Alliance Title
at 3:05 o'clock P in 10-2 1998
and duly filed and indexed in the records of Lemhi
County

Alberta Wiedenick
Ex-Officio Recorder

By Poss Bureau Deputy

Fee 6.00

Return to _____

4. 5104
211-06