

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Rights:
75-2179 split into 75-14482, 75-14483
75-10708 split into 75-14484, 75-14485

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

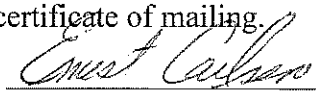
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party (SPLIT) McDaniel – McDaniel and Carlson
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

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.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Oct 19, 2007



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on Oct 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:
RICHARD & HELEN MC DANIEL
PO BOX 13
ELLIS ID 83235

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
RICHARD & HELEN MC DANIEL
PO BOX 13
ELLIS ID 83235

THOMAS & EVELYN CARLSON
PO BOX 206
LEADORE ID 83464

4. One copy to:

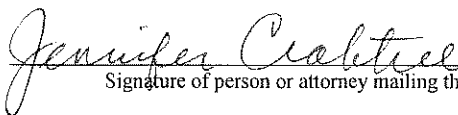
Each party in the subcase, or attorney of record
N/A

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

P. 2

No. 4120

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

*DEF
MCH*

Please print or type. Attach pages with additional information. Information not included at the end of this form. Assumption fees will be waived.

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split?	Water Right No(s)	Adjudication Claim No(s)	Split?
OK 75-2179-ADJ		X	OK 75-10101-ADJ		X
OK 75-7420-WR	Completed JOB				
OK 75-7530-WR	Completed JOB				
OK 75-10111-WR	Completed JOB				
OK 75-10112-WR	Completed JOB				
75-4562-ADJ	disavowed - deed not a purchase				

The following REQUIRED information must be submitted with this form:

- The appropriate FILING FEE. See instructions for fee amounts.
- 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**.
- 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 on file with the county Planning and Zoning or Recorder's Office).
OR
If your water right(s) and/or adjudication claim(s) is for two or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **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.

Name and Address of Former Owner/Claimant(s)

Richard M & Helen B. McDonald

New Owner/Claimant(s)

Thomas A. & Evelyn R. Carlson

New Mailing Address

PO Box 206

City, State and ZIP Code

Leadville CO 83444

New Telephone Number

605, 768-2100

Date you acquired the property

4-2-2007

Mar. 19. 2007 12:05PM

Idaho Dept of Water Resource

Notice of Change in Water Right Ownership - Final, Page 1 of 2



RECEIVED

AUG 14 2007

Department of Water Resources
Eastern Region

RECEIVED

JUL 26 2007

Department of Water Resources
Eastern Region

6
Form 0-1000 (1/99) 12/2006

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 6, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, boxes, etc.)
Water Right and/or Adjudication Claim Number:		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number:		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number:		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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

Signature(s) of New Owner(s) or Claimant(s)

Sharon A. Anderson

(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:
 Received by *[Signature]* Date *8-14-07* Receipt Amt *100.00*
 Processed by *AI* Date *8-14-07* Receipt No. *6033222*
 Date *8-14-07*

WARRANTY DEED

FOR VALUE RECEIVED, RICHARD M. MCDANIEL and HELEN B. MCDANIEL, husband and wife, Grantors, do Bargain, Sell and Convey unto, THOMAS H. CARLSON and EVELYN R. CARLSON, husband and wife, whose address is PO Box 206, Leadore, Idaho 83464, Grantees, all of Grantors' interest, whatever, in the real property, in Lemhi County, Idaho, more particularly described as follows, to-wit:

EXHIBIT "A"

Together with all fixtures, improvements and appurtenances and together with all existing range rights, water rights and mineral rights without warranty.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their successors, administrators and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners of said premises; that they are free from all encumbrances save and excepting therefrom all covenants, conditions, easements and restrictions of record, as recorded in the records of Lemhi County, Idaho, and that subject to the above, they will warrant and defend the same from all lawful claims.

Dated: 2 April 07

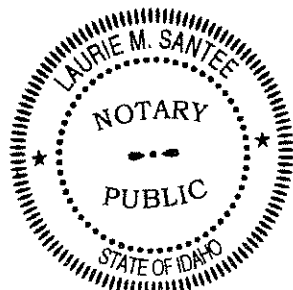
Richard M. McDaniel
Richard M. McDaniel

Helen B. McDaniel
Helen B. McDaniel

STATE OF IDAHO)
 :SS
County of Lemhi)

On this 2nd day of April, 2007, before me, a Notary Public in and for said State, personally appeared RICHARD M. MCDANIEL and HELEN B. MCDANIEL, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year in this certificate first above written.



Laurie M. Santee
Notary Public
My Commission Expires: 6-19-2007

271145

EXHIBIT 'A'

PARCEL ONE:

TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 24: LOTS 1, 4, 9 AND THE SOUTHEAST QUARTER NORTHEAST QUARTER.

EXCEPTING THEREFROM THE FOLLOWING HIGHWAY RIGHT OF WAY:

I.

A STRIP OF LAND 66 FEET WIDE, BEING 33 FEET ON EACH SIDE OF CENTER LINE OF SAID ROAD AS SURVEYED, ACROSS THE SOUTHWEST QUARTER NORTHEAST QUARTER OR LOT 4 OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

BEGINNING AT STATION 2062X56 OF THE SAWTOOTH PARK STATE HIGHWAY SURVEY, WHICH STATION IS APPROXIMATELY 1320 FEET WEST AND 800 FEET NORTH FROM THE EAST QUARTER CORNER OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN; THENCE RUNNING IN A GENERAL S.W. DIRECTION APPROXIMATELY 1100 FEET TO STATION 2073X56 OF SAID SURVEY, WHICH STATION IS APPROXIMATELY 2040 FEET WEST FROM THE EAST QUARTER CORNER OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 20 EAST, B.M., AS SHOWN ON THE OFFICIAL PLATS OF SAID SAWTOOTH PARK STATE HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF THE STATE OF IDAHO.

II.

A STRIP OF LAND 50 FEET WIDE, BEING 25 FEET ON EACH SIDE OF CENTER LINE OF SAID ROAD AS SURVEYED, ACROSS THE LOT 2, SECTION 19, TOWNSHIP 16 NORTH, RANGE 21 EAST, BOISE MERIDIAN AND LOT 1 AND SOUTHEAST QUARTER NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

BEGINNING AT STATION 2034X18 OF THE SAWTOOTH PARK STATE HIGHWAY SURVEY, WHICH STATION IS APPROXIMATELY 1788 FEET NORTH AND 1320 FEET EAST FROM THE WEST QUARTER CORNER OF SECTION 19, TOWNSHIP 16 NORTH, RANGE 21 EAST, BOISE MERIDIAN; THENCE RUNNING IN A GENERAL SOUTH WEST DIRECTION APPROXIMATELY 2849 FEET TO

STATION 2062X56 OF SAID SURVEY, WHICH STATION IS APPROXIMATELY 1320' W. 800' N. FROM THE EAST QUARTER CORNER OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, AS SHOWN ON THE OFFICIAL PLAT OF SAID SAWTOOTH PARK STATE HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF THE STATE OF IDAHO.

PARCEL TWO:

TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

A FRACTION OF LOT 10, SECTION 24, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE QUARTER CORNER BETWEEN SECTIONS 24 AND 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO; THENCE 1316.7 FEET DUE WEST; THENCE 277.2 FEET DUE NORTH TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 93, CALLED THE POINT OF BEGINNING; THENCE DUE NORTH 780 FEET ALONG THE WEST BOUNDARY OF LOT 10 TO THE SOUTHERLY BANK OF THE SALMON RIVER; THENCE SOUTHEASTERLY 888.0 FEET MEANDERING THE SOUTHERLY BANK OF THE SALMON RIVER TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 93; THENCE SOUTHWESTERLY 1070.0 FEET ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 93 TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE FOLLOWING HIGHWAY RIGHT OF WAY.

A STRIP OF LAND 66 FEET WIDE, BEING 33 FEET ON EACH SIDE OF CENTER LINE OF SAID ROAD AS SURVEYED, ACROSS THE LOT 10 OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

BEGINNING AT STATION 2089X50 OF THE SAWTOOTH PARK HIGHWAY SURVEY, WHICH STATION IS APPROXIMATELY 1320' N. AND 135' W. FEET FROM THE SOUTH QUARTER CORNER OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN; THENCE RUNNING IN A GENERAL SOUTHERLY DIRECTION APPROXIMATELY 1690.5 FEET TO STATION 2106 X 40.5 OF SAID SURVEY, WHICH STATION IS APPROXIMATELY 1310' W. AND 266' N. FEET FROM THE SOUTH QUARTER CORNER OF SECTION 24, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, AS SHOWN ON THE OFFICIAL PLAT OF SAID SAWTOOTH PARK HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF THE STATE OF IDAHO.

271145

PARCEL THREE:

SECTION 25: LOT 1

ALSO EXCEPTING THE FOLLOWING HIGHWAY RIGHT-OF-WAYS.

I.

A STRIP OF LAND 66 FEET WIDE, BEING 33 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE OF ROAD AS SURVEYED AND SHOWN ON THE OFFICIAL PLAT OF THE PAHSIMEROI S. 67 (1) ROAD SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF THE STATE OF IDAHO AND LYING IN A PORTION OF LOT 1 AND OVER AND ACROSS LOT 3 OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

BEGINNING AT STATION 0X00 OF THE SAID ROAD SURVEY, WHICH STATION IS A POINT ON TANGENT APPROXIMATELY 1300 FEET SOUTH AND 1505 FEET WEST FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN; THENCE RUNNING S. 31° 16' E. 252.2 FEET TO STATION 2X52.2 OF SAID SURVEY, WHICH STATION IS A POINT OF CURVATURE; THENCE 87.8 FEET WITH A 22° 00' CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 66° 12' TO STATION 3X40, WHICH STATION IS A POINT ON CURVE APPROXIMATELY 1580 FEET SOUTH AND 1315 FEET WEST FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

II.

A STRIP OF LAND BEING 50.0 FEET WIDE ON THE EASTERLY SIDE AND EXTENDING TO THE EAST BANK OF THE SALMON RIVER ON THE WESTERLY SIDE OF THE FOLLOWING DESCRIBED CENTER LINE OF HIGHWAY AS SURVEYED AND SHOWN ON THE OFFICIAL PLAT OF U.S. 93 - PROJECT NO. ST-6354 (507) HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF HIGHWAYS OF THE STATE OF IDAHO AND LYING OVER AND ACROSS A PORTION OF LOT 1 OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

BEGINNING AT STATION 959X18.0 OF THE SAID HIGHWAY SURVEY, WHICH STATION IS A POINT ON TANGENT APPROXIMATELY 755.0 FEET SOUTH AND 1818.0 FEET WEST FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN; THENCE NORTH 18° 32' WEST - 221.9 FEET TO STATION 961X39.9 OF SAID SURVEY, WHICH STATION IS A POINT OF CURVATURE; THENCE 372.7 FEET WITH A 14° 00' CURVE RIGHT, SAID CURVE HAVING A CENTRAL ANGLE OF 52° 11' TO STATION 965X12.6, WHICH STATION IS A POINT OF TANGENT APPROXIMATELY 200.0 FEET

SOUTH AND 1865.0 FEET WEST FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

III.

A STRIP OF LAND 50 FEET WIDE, ON THE EASTERLY SIDE AND EXTENDING TO THE EAST BANK OF THE SALMON RIVER ON THE WESTERLY SIDE OF THE FOLLOWING DESCRIBED CENTER LINE OF SAID HIGHWAY AS SURVEYED AND SHOWN ON THE OFFICIAL PLAT OF THE SAWTOOTH PARK (F.A.P. 56-A REOP) HIGHWAY SURVEY ON FILE IN THE OFFICE OF THE DEPARTMENT OF PUBLIC WORKS OF THE STATE OF IDAHO, AND LYING OVER AND ACROSS A PORTION OF LOT 1 OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN; BEGINNING AT STATION 953X00 OF THE SAID HIGHWAY SURVEY, WHICH STATION IS A POINT ON CURVE APPROXIMATELY 1315 FEET NORTH AND 1010 FEET EAST FROM THE WEST QUARTER CORNER OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN; THENCE 97 FEET WITH AN 8° 00' CURVE LEFT, SAID CURVE HAVING A CENTRAL ANGLE OF 79° 37' LEFT TO STATION 953X97.0, WHICH STATION IS A POINT ON TANGENT; THENCE NORTH 18° 32' WEST ON TANGENT 521.0 FEET TO STATION 959X18, WHICH STATION IS A POINT ON TANGENT APPROXIMATELY 755 FEET SOUTH AND 1818 FEET WEST FROM THE NORTH QUARTER CORNER OF SECTION 25, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

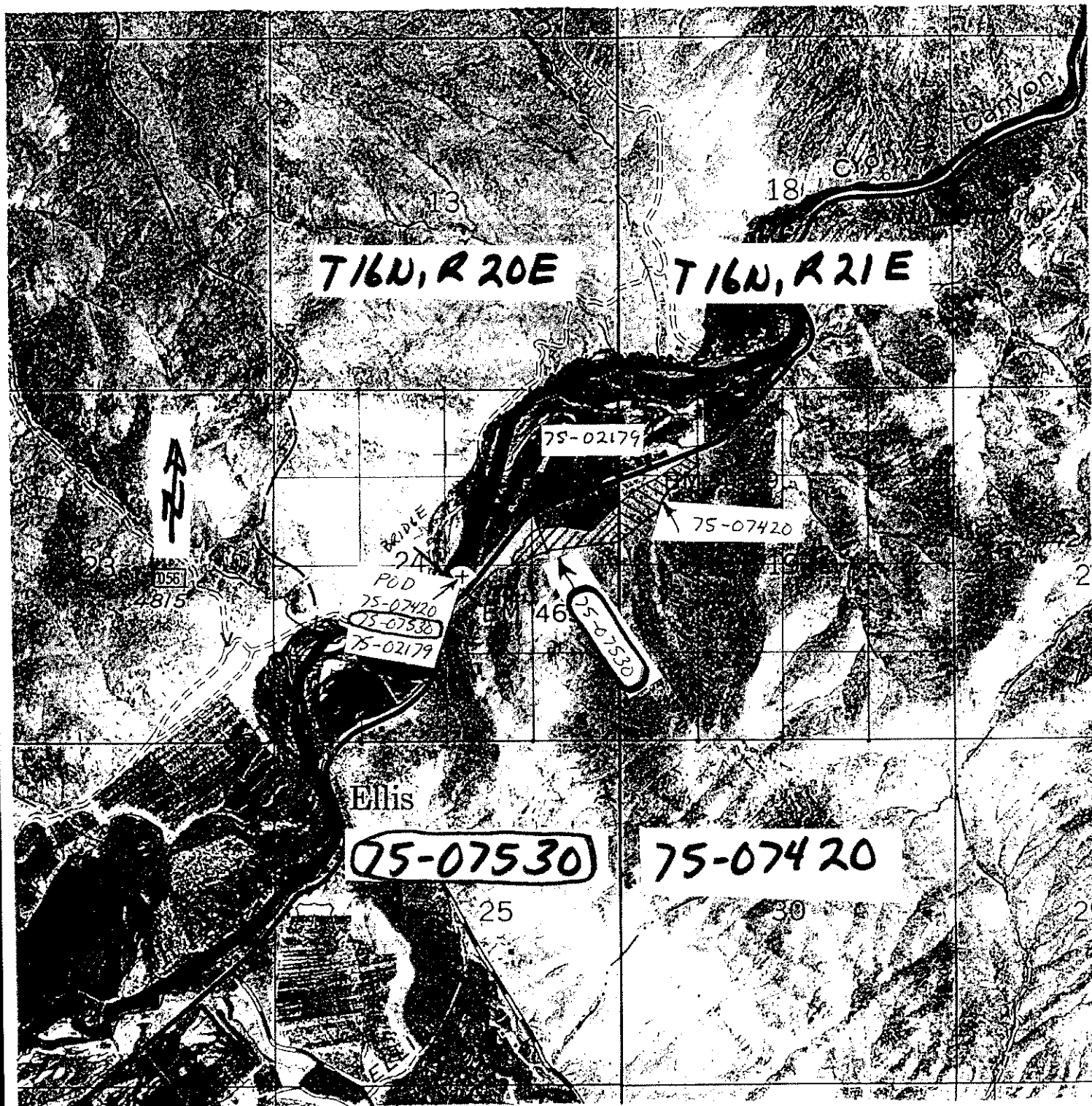
PARCEL FOUR:

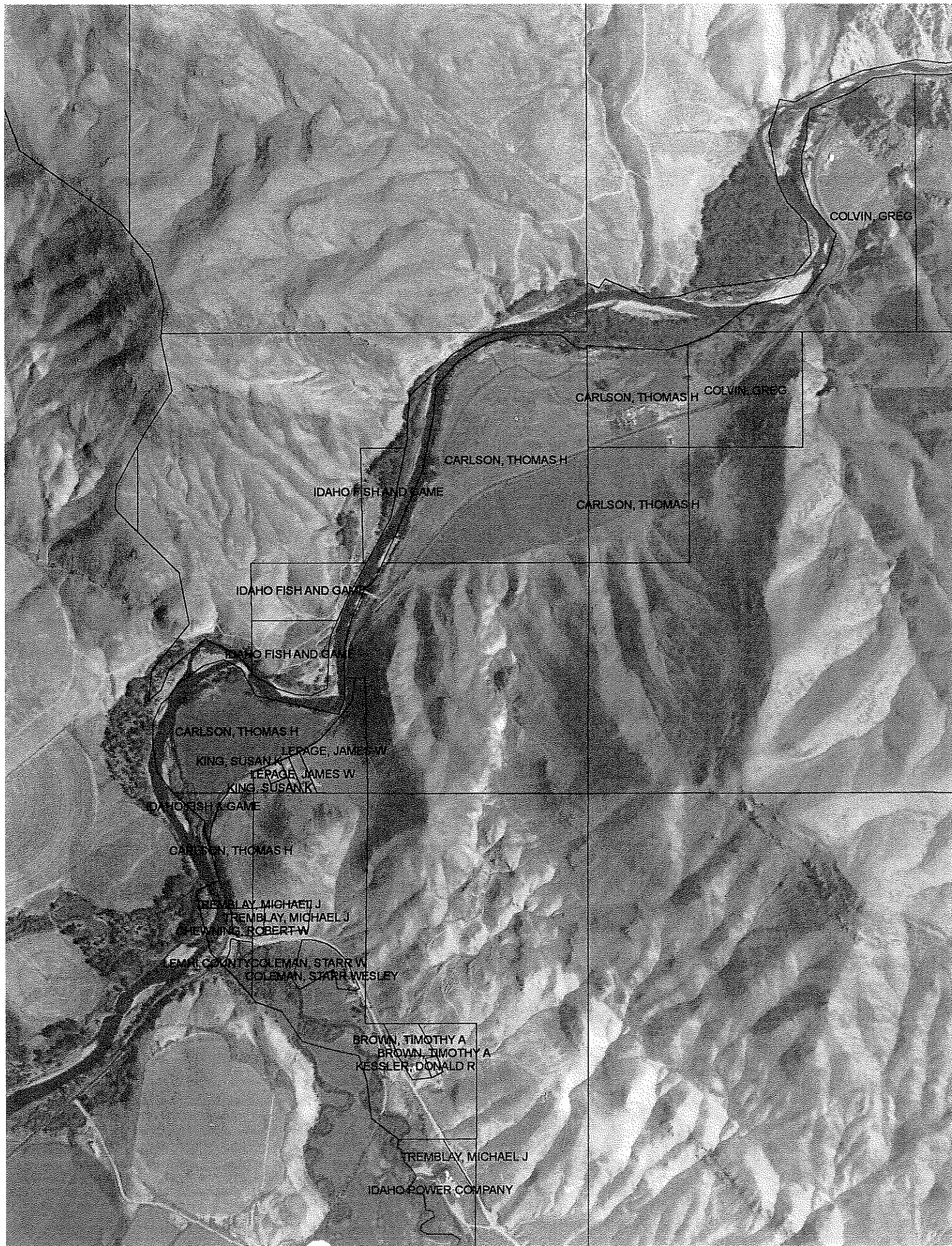
TOWNSHIP 16 NORTH, RANGE 21 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

SECTION 19: LOTS 2 AND 3

EXCEPTING THEREFROM: A 1970 SKYLINE MOBILE HOME 14'X70'.

State of Idaho)
County of Lemhi) SS No. 271145
This instrument was filed for record at the request
of Alliance Settle
at 2:01 o'clock P.m. 4-2 2007
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Terri J. Morton Deputy
Fee 15.00
Return to _____





Split/Overlap Analysis

Water Right Number: 75-2179

Total Diversion Rate: 3.16

K06 Acres 158.00

Total Acres 170.9

A-Feet

553

				Parent		Children					
Twp	Rng	Sec	QQ	Lot	75-2179	75-14482	75-14483				
16n	20e	24			0.4		0.4				
			NENE	1	43.0		43.0				
			SWNE	4	20.0		20.0				
			SENE		31.0		31.0				
			SWSW	9	20.0		20.0				
			SESW	10	9.3		9.3				
			NWSE	5	2.5		2.5				
		25	NWNNW	1	0.4		0.4				
		18	SWSE	12	4.6	4.6					
		19	NENW	1	9.8	9.8					
			NWNNW	2	26.0		26.0				
			SWNNW	3	3.9		3.9				
					170.9	14.4	156.5	0.0	0.0	0.0	0.0
					170.9						

Water Right To Be Split		CFS	Acres	CFS per ACRE	A-Feet	af/acre	K06 AC.	ACRE RATIO
75-2179		3.16	170.9	0.0185	553	3.23581	158	0.924517
Children								
75-14482		0.27	14.4	0.01849	46.60	3.23581	13.31305	0.924517
75-14483		2.89	156.5	0.01849	506.40	3.23581	144.687	0.924517
		3.16	170.9		553			

Acres per Season Analysis

Water Right Number: 75-2179

Acres per season

170.9

Total Diversion Rate: 3.16

Total Acres 170.9

[illegible]

Water Right To Be Sold		CFS	Acres	CFS per ACRE	Acres per season
75-2179		3.16	170.9	0.0185	170.9
Children					
75-14482		0.27	14.4	0.0185	14.4
75-14483		2.89	156.5	0.0185	156.5
0		0.00	0.0	0.0185	0.0
0		0.00	0.0	0.0185	0.0
0		0.00	0.0	0.0185	0.0
0		0.00	0.0	0.0185	0.0
0		0.00	0.0	0.0185	0.0
0		0.00	0.0	0.0185	0.0
3.16			170.9		170.9

Combined Use Analysis

Water Right Number: 31-4128, 31-11284

Total Diversion Rate: 3.16

A-Feet

598.2

Total Acres

170.9

Twp	Rng	Sec	QQ	Lot	Parent	Children									
					75-2179, 75-10708	75-14482, 75-14484	75-14483, 75-14485								
16n	20e	24			0.4		0.4								
			NENE	1	43.0		43.0								
			SWNE	4	20.0		20.0								
			SENE		31.0		31.0								
			SWSW	9	20.0		20.0								
			SESW	10	9.3		9.3								
			NWSE	5	2.5		2.5								
			NWNW	1	0.4		0.4								
			25 NWSE	12	4.6		4.6								
			18 SWSE		9.8		9.8								
			19 NENW	1	26.0		26.0								
			NWNW	2	3.9		3.9								
			SWNW	3	170.9	14.4	156.5	0.0	0.0	0.0	0.0	0.0	0.0	0.0	170.9

Water Right To Be Split		CFS	Acres	CFS per ACRE		ACRE FEET	af/acre
75-2179, 75-10708		3.16	170.9	0.0185		598.2	3.500293
Children							
75-14482, 75-14484		0.27	14.4	0.01849		50.4	3.500293
75-14483, 75-14485		2.89	156.5	0.01849		547.8	3.500293
		3.16	170.9			598.2	

