

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 37-20898
Date Received: 4/2/2003
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

DAN ALLRED Phone: (714)357-5731
PO BOX 6392
KETCHUM ID 83340

2. Date of Priority: 06/01/1887

3. Source: BIG WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	18E	36	SW NW	BLAINE	

5. Description of diverting works:

VIA DISTRICT CANAL #45

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	1.24	

7. Total Quantity Appropriated is:
1.24 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	25	SE	SW	IRRIGATION	21
					Section Acres	21
					Total Acres	21

11. Place of use in counties: BLAINE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOT 2, LOGAN SUBDIVISION.

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 37-102D.

15. Basis of Claim: Decreed



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 3, 2003

DAN ALLRED
PO BOX 6392
KETCHUM ID 83340

RE: SRBA Claim(s) 37-102D and 37-7064C Part

Dear Mr. Allred:

Pursuant to the notification that you purchased a portion of the property to which the above referenced adjudication claims are appurtenant, the department has split the original claims. Your portion has been numbered 37-20896 and 37-20898.

Enclosed please find your copies of the computer-generated claims. Review these documents and should you have any questions or corrections, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett', written in dark ink.

Trish Fawcett
Technical Records Specialist

enc.

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

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

RECEIVED
MAR 31 2003
 Department of Water Resources
 Southern 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 (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
37-7064C		X			
37-102D		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 area 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) Robert C. & Betty Logan
PO Box 423, Hailey, ID 83333
4. New Owner/Claimant(s) Dan Allred
 Please Comment (Check one: ☐ and, ☐ or ☐ and/or ☐
PO Box 6392
KETCHUM, ID 83340
(714) 357-5731
3/28/03
5. Date you acquired the property

complete

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 this 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	_____	_____

NEW
OWNER
SIG

7.

Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

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

For Office Use Only			
Received by _____	Date 4/1/03	Fee _____	
Received by _____	Date _____	Receipt No. _____	
Processed by _____	Date 4/24/03	WR _____	Date _____

WARRANTY DEED

FOR VALUE RECEIVED

Instrument # 481009

HAILEY, BLAINE, IDAHO

2003-03-28

10:43:00

No. of Pages: 1

Recorded for : SUN VALLEY TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTYQCICORP DEED

ROBERT C. LOGAN AND BETTY LOGAN, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

DAN ALLRED , an unmarried man

the grantee(s), whose current address is ~~13504 Leafwood Drive~~ PO BOX 6392
~~CORONA, CA 92883~~ Ketchum, ID 83340

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

Lot 2 of LOGAN SUBDIVISION, BLAINE COUNTY, IDAHO as shown on the official plat thereof, recorded October 6, 1999 as Instrument No. 432254, records of Blaine County, Idaho.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

ALSO including but not limited to any and all water rights appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that they/he/she/it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that they/he/she/it will warrant and defend the same from all lawful claims whatsoever.

Dated: March 21, 2003

Robert C. Logan
Robert C. Logan

Betty Logan
Betty Logan

State of: IDAHO

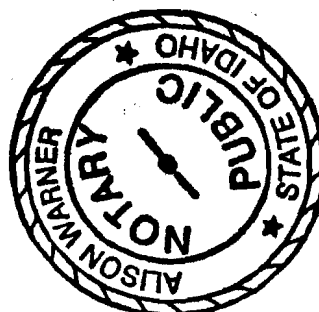
County of: BLAINE

On this 21 day of MARCH, 2003, Before me a Notary Public in and for said State, personally appeared Robert C. Logan and Betty Logan known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

[Signature]
Notary Public

Residing at KETCHUM, ID.

Comm. Expires 9/18/06



2nd

Instrument # 481010
HAILEY, BLAINE, IDAHO
2003-03-28 10:44:00 No. of Pages: 1
Recorded for : SUN VALLEY TITLE
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

WARRANTY DEED

FOR VALUE RECEIVED

ROBERT C. LOGAN AND BETTY LOGAN, husband and wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

DAN ALLRED, an unmarried man

the grantee(s), whose current address is ~~43504 Kinkaid Drive~~
~~CLARK COUNTY, NEVADA~~

PO BOX 6392
Ketchum, ID 83340

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

Lot 2 of LOGAN SUBDIVISION, BLAINE COUNTY, IDAHO as shown on the official plat thereof, recorded October 6, 1999 as Instrument No. 432254, records of Blaine County, Idaho.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any, together with all water rights appurtenant thereto, including but not limited to, 0.35 cfs of water right no. 37-7064C and 1.24 cfs of water right no. 37-102D, subject to the adjudication of these water rights in the SRBA

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s) and their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that they/he/she/it is the owner in fee simple of said premises; that said premises are free from all encumbrances and that they/he/she/it will warrant and defend the same from all lawful claims whatsoever.

Dated: March 21, 2003

Robert C. Logan
Robert C. Logan

Betty Logan
Betty Logan

THIS INSTRUMENT FILED FOR RECORD
BY SUN VALLEY TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE.

State of: IDAHO

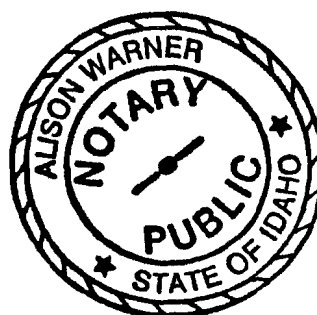
County of: BLAINE

On this 20 day of MARCH, 2003, Before me a Notary Public in and for said State, personally appeared Robert C. Logan and Betty Logan known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

[Signature]
Notary Public

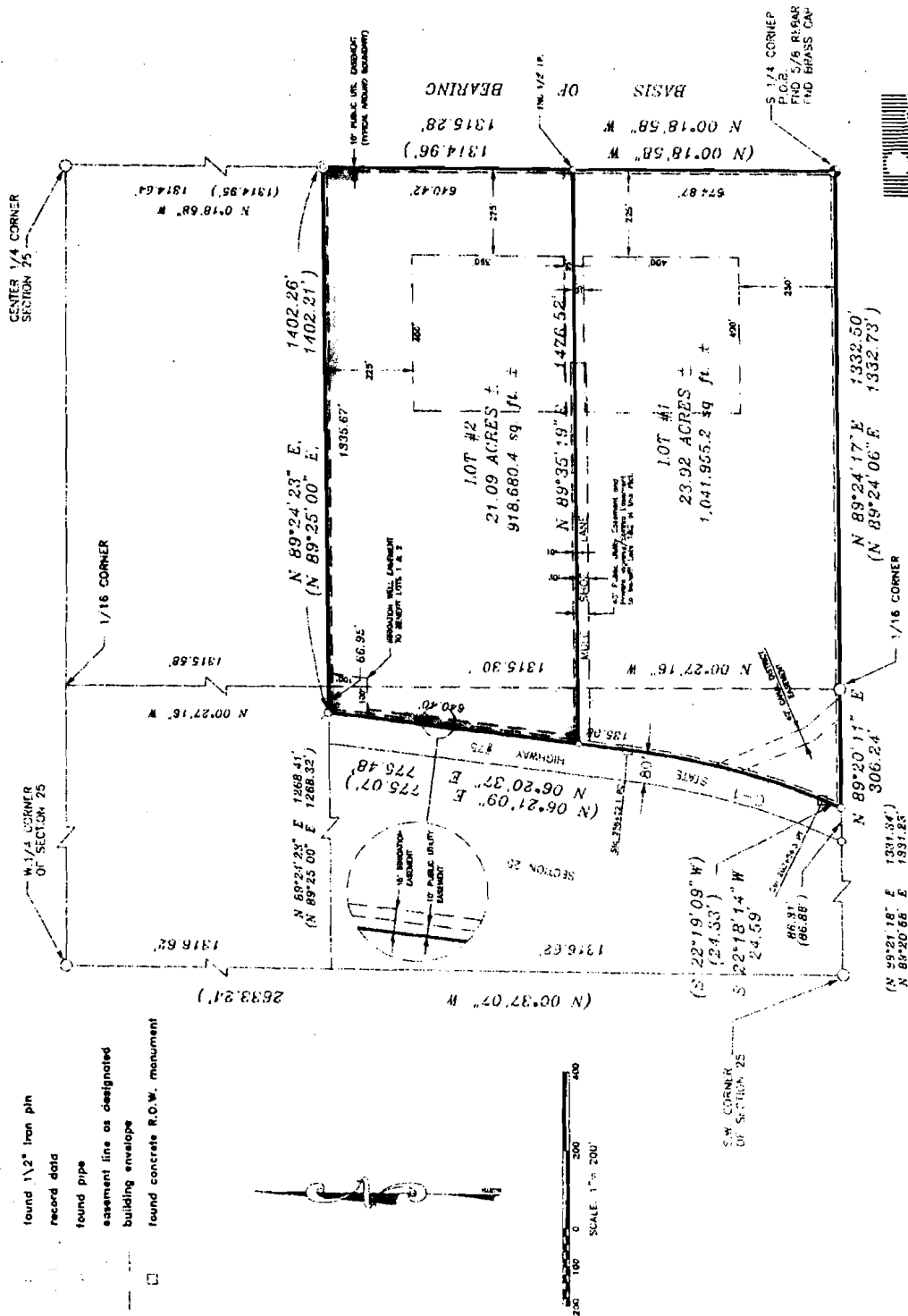
Residing at KETCHUM, ID.

Comm. Expires 9/18/06



NOTES

1. All utilities shall be underground.
2. All new domestic wells in this subdivision shall be metered by the tel owner.
3. The purchaser or owner of each lot understands and agrees that private road construction, maintenance, and snow removal shall be the obligation of the owner, and his successors in interest, or homeowners' association, and that Blaine County is in no way obligated to construct or maintain private roads.
4. All lots shall be brought up to county standards, dedicated, and accepted by the county, and that each owner shall be liable in writing any successor in interest of these lots.
5. This property includes and is adjacent to active agricultural uses. Residents and purchasers should be aware that agricultural practices, livestock grazing and other uses may result in dust, odor, use and application of fertilizers, pesticides, chemicals, spraying, ground preparation and other nonrecreational, etc. In addition, the roads accessing this property are used by agricultural vehicles. Such uses and practices are normal functions of agriculture and are not considered nuisances.
6. Owner's shall comply with Health Department regulations regarding septicage disposal system setbacks and setbacks from irrigated areas.
7. To allow wildlife migration, no fences within the subdivision shall exceed 42" in height. The bottom rail shall exceed 16" in height.



HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code Title 50, Chapter 13, may be removed, in accordance with Idaho Code Title 50, Chapter 13, Section 50-1326, by the issuance of a certificate of disapproval.

PREPARED BY : BENCHMARK ASSOCIATES, P.A.
P.O. BOX 733, KETCHIKAN, ID 83340
(208) 726-9512 ; 726-9514 (FAX)
E-MAIL : bma@bma.com

Robert T. Finkbeiner
South Central District Health Dept.: EHS



LOGAN SUBDIVISION

SECTION 25, T1N, R18E, B.M.,
BLAINE COUNTY, IDAHO

PREPARED FOR: ROBERT LOGAN

A PLAT DRAWN BY: DCS PLOT FILE 98061.0WG
PROJECT NO 98061 DATE: 09/26/99 SHEET 1 OF 2

Logan Subdivision

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS that ROBERT C. LOGAN and BETTY LOGAN, husband and wife, do hereby certify that they are the owners of a certain parcel of land described as follows:

TOWNSHIP 1 NORTH, RANGE 18 EST, BOISE MERIDIAN, BLAINE COUTNY, IDAHO.

SECTION 25: SE1/4SW1/4, shown on the Blaine County Tax Assessor's Rolls as Tax Lot 1174; and a Fraction of the SW1/4SW1/4, lying East of the Highway Right of Way, shown on the Blaine County Tax Assessor's Rolls as Tax Lot 1375.

EXCEPTING therefrom: Highway 75 Right-of-Way.

TOGETHER WITH ANY AND ALL WATER RIGHTS APPURTENANT THERETO.

Pursuant to Idaho Code 50-1334, we, the undersigned, as owners, do hereby state that the lots on this plat will not be served by any water system common to one (1) or more of the lots, but will be served by individual wells.

It is the intention of the undersigned to and they do hereby include said land in this plat.

Robert C. Logan
ROBERT C. LOGAN

Signed this 20 day of July, 1999

Betty Logan
BETTY LOGAN

Signed this 20 day of July, 1999

ACKNOWLEDGEMENT

STATE OF IDAHO)
COUNTY OF BLAINE) ss

On this 20th day of July, 1999, before me, the undersigned, a Notary Public for said State, personally appeared ROBERT C. LOGAN and BETTY LOGAN, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Deanna Dick
Notary Public

My commission expires 9-21-02



SURVEYOR'S CERTIFICATE

I, GORDON K. WILLIAMS, a duly Registered Land Surveyor in the State of Idaho, do hereby certify that this is a true and accurate map of the land surveyed under my direct supervision, that the location of the lots has definitely been established and perpetuated in strict accordance with the State of Idaho Code relating to plats and surveys.

Gordon K. Williams, P.L.S.



3/5/99

COUNTY SURVEYOR'S APPROVAL

This is to certify that I, Jim W. Koonce, County Surveyor for Blaine County, Idaho, have checked the foregoing plat and computations for making the same and have determined that they comply with the laws of the State of Idaho relating thereto.

Jim W. Koonce

8/6/99

APPROVAL OF BLAINE COUNTY PLANNING AND ZONING

The foregoing plat was approved by Blaine County Planning and Zoning on this 29th day of September, 1999.

Spencer Stanki
Administrator

APPROVAL OF BLAINE COUNTY COMMISSIONERS

The foregoing plat was approved by Blaine County Board of Commissioners on this 28th day of September, 1999.

Marsha Riemann
Chairman

BLAINE COUNTY TREASURER'S APPROVAL

On this _____ day of _____, 19____, the foregoing plat was approved and accepted by the Blaine County Treasurer, Blaine County, Idaho.

By: _____
Blaine County Treasurer

COUNTY RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed at the request of BENCHMARK ASSOC. at 31 minutes past 12 o'clock P.m., on this 16 day of OCT, 1999, A.D., in my office and duly recorded in book _____ of plats at page _____.

Instrument No. 432254

Fee: \$ 11.00

Marsha Riemann

By: Merla Payne

RECEIVED

MAY 09 2008

DEPT. OF WATER RESOURCES
SOUTHERN REGION

Claimant Name:

Dan Allred

Attorney Name & Address:

**James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752**

**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

Case No. 39576

)
)
)
)
)
)

NOTICE OF APPEARANCE

Subcase No. 37-20898

DESCRIPTIVE SUMMARY

This is a notice of appearance by counsel on behalf of the claimant of the water right identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Dan Allred, for the following water right which is the subject of a subcase: 37-20896.

DATED this 7 day of May, 2008.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the 7 day of May, 2008, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

Chief, Natural Resources Division
Office of the Attorney General, State of Idaho
P. O. Box 44449
Boise, ID 83711-4449

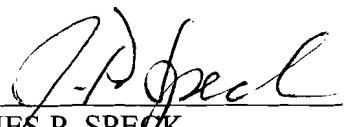
- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
- ☐ Hand Delivery
- ☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

SPECK & AANESTAD

A PROFESSIONAL CORPORATION

ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KEITCHUM, IDAHO 83340

JAMES P. SPECK
jim@speckandaanestad.com
DOUGLAS J. AANESTAD
doug@speckandaanestad.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

May 7, 2008

RECEIVED
MAY 14 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

Ms. Trish Fawcett
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls ID 83301

Re: Dan Allred -Water Right Nos. 37-20896 and 327-20898
Our File No.: 1450/080057

Dear Trish:

I represent Dan Allred, the owner of Water Right Nos. 37-20896 and 37-20898. I am enclosing the original and one copy each of my Notice of Appearance for the above-referenced water rights. Please receipt date stamp the original, conform the copies and return them to me in the enclosed-self-addressed envelope provided for that purpose.

Please call if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: _____

James P. Speck

JPS:jal
Enclosures
cc: Client (w/encls.)

12/12/2006

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

RIGHT NUMBER: 37-20898

NAME AND ADDRESS: DAN ALLRED
PO BOX 6392
KETCHUM ID 83340

SOURCE: BIG WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 1.240 CFS

PRIORITY DATE: 06/01/1887

POINT OF DIVERSION:

T02N R18E S36 NESWNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.240 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S25 SESW 20.90

20.9 ACRES TOTAL

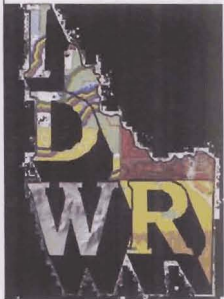
Right Nos. 37-20896 and 37-20898 are limited to the irrigation of a combined total of 20.9 acres in a single irrigation season.

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

This right is a portion of right 37-102.



Idaho Department of Water Resources

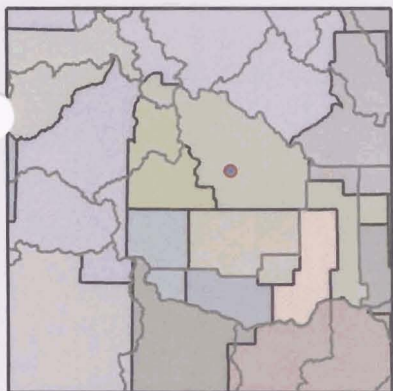
SRBA Recommendation:

37-20898

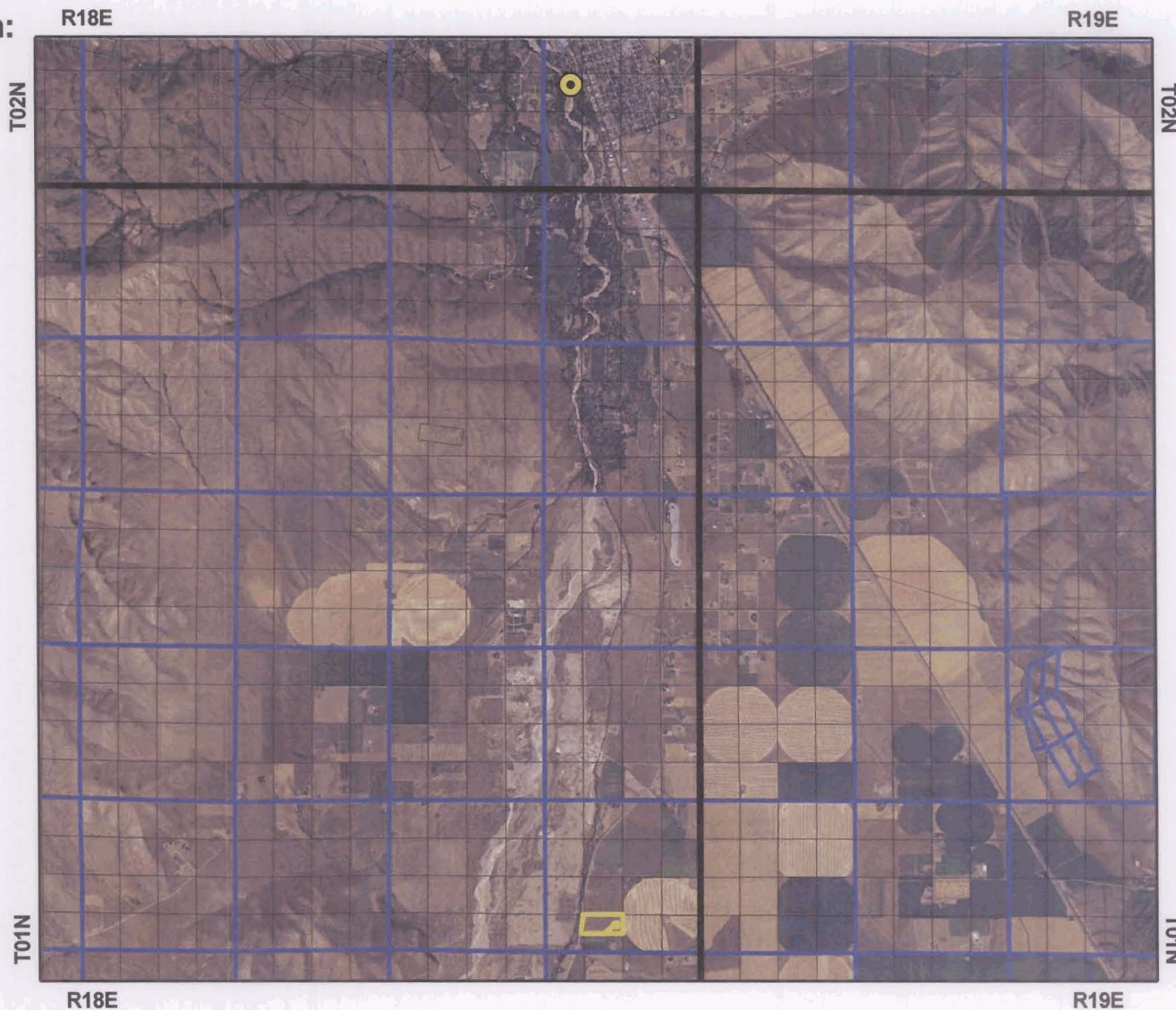
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



0 2 4 Miles

Prepared by A. Merritt
On Tuesday, December 12, 2006
2004 Aerial Photography

Owner: Dan Allred

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



Idaho Department of Water Resources

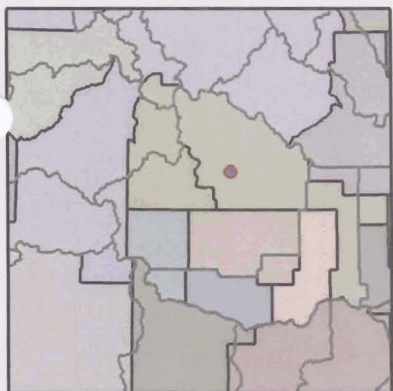
SRBA Recommendation:

37-20898

(Irrigation)

Legend

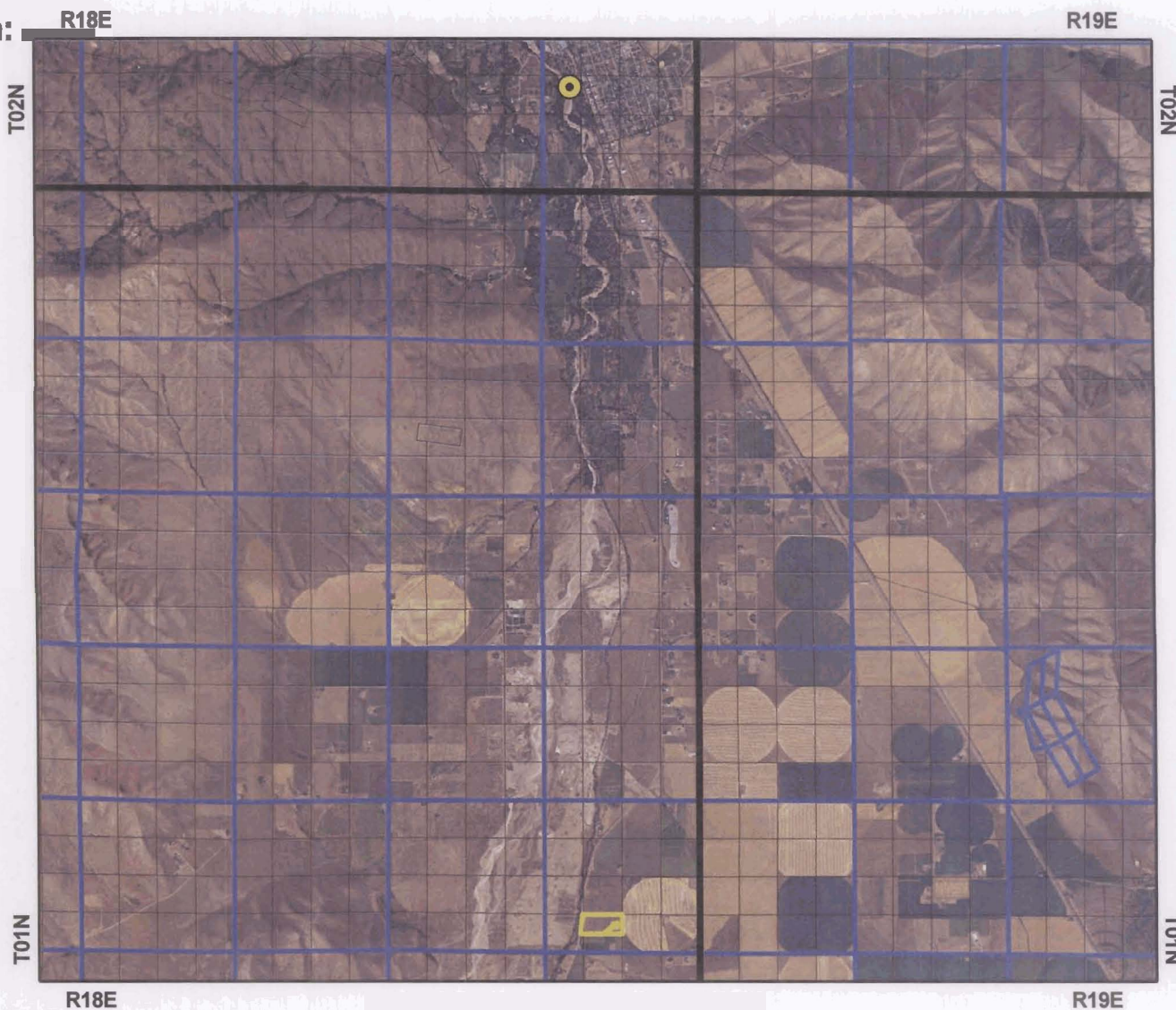
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



SCANNED
JUL 11 2008



0 2 4 Miles

Prepared by A. Merritt
On Tuesday, December 12, 2006
2004 Aerial Photography

Owner: Dan Allred

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



Idaho Department of Water Resources

SCANNED
JUL 11 2008

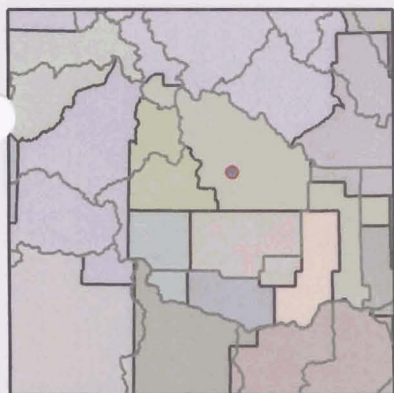
SRBA Recommendation:

37-20898

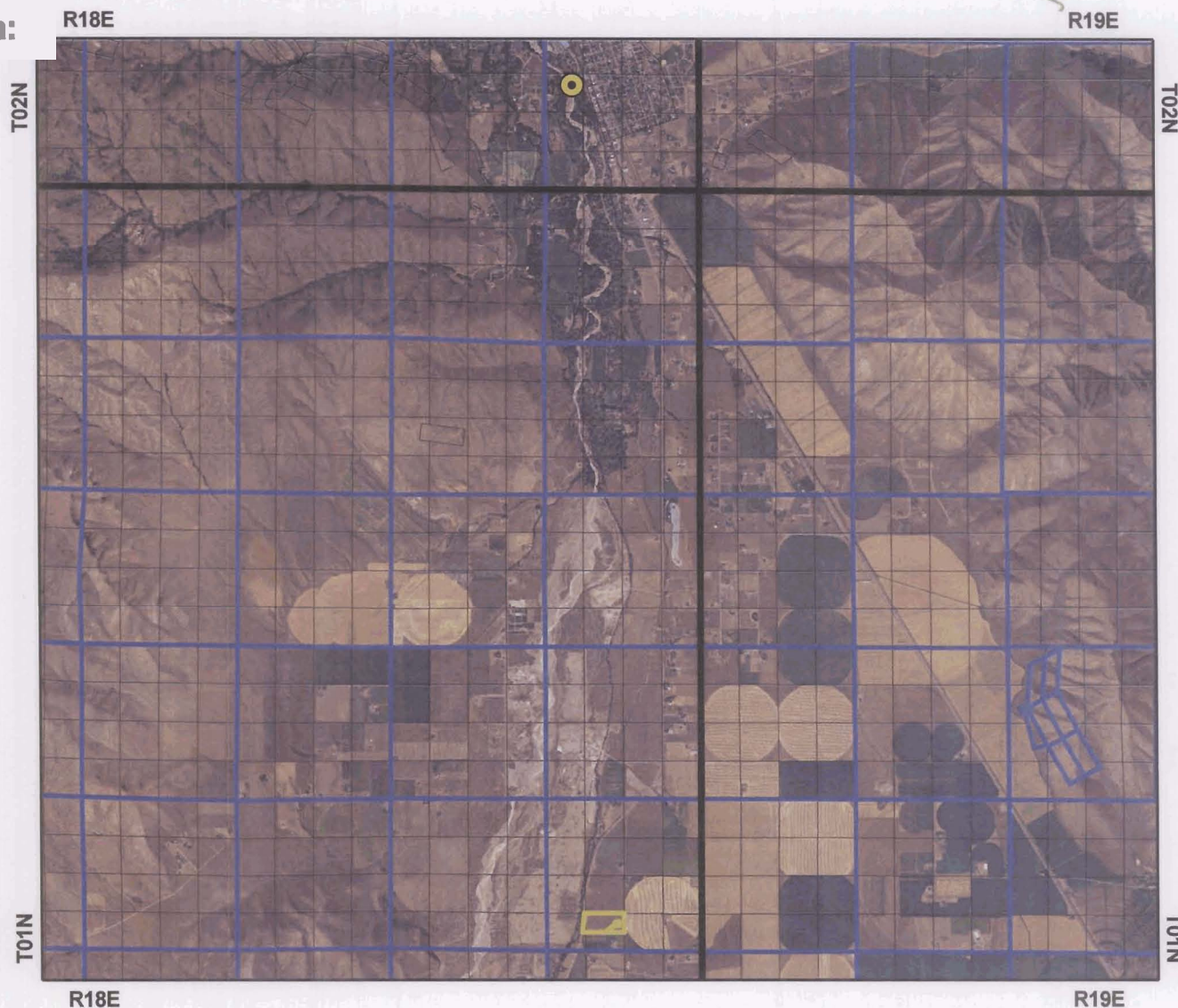
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Blaine County
IDWR Basin 37



0 2 4 Miles

Prepared by A. Merritt
On Tuesday, December 12, 2006
2004 Aerial Photography

Owner: Dan Allred

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

37-20898

