

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 37-20896
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: 04/21/1970

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01N	18E	25	NW	SE	SW	BLAINE	

5. Description of diverting works:

WELL, PUMP, TWO WHEEL-LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	0.35	

7. Total Quantity Appropriated is:
0.35 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 37-7064C.

15. Basis of Claim: License



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', is written over a horizontal line.

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 AERIAL 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 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) Robert C. & Betty Logan
PO Box 423, Hailey, ID 83333
4. New Owner/Claimant(s) Dan Allred
 Name Corrector (Check one: [] and, [] or, [] neither)
PO Box 6392
KETCHUM, ID 83340
(714) 357-5731
3/28/03
5. Date you acquired the property

complete

4

DECLARATION OF YOUR PORTION OF WATER RIGHT (If this right) will not be split, skip this area and proceed to item 7)		Water Right and/or Application Claim Number
West Use	Diversion Rate or Volume (cubic foot per second or acre-foot per annum) (cutter, number and type of stock, horses, 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 under a Disposition Claim Number	
Water Use	Division Rate or Volume	Description	(cable feet per second or acre-feet per annum)	(name, number and type of stock, horses, etc.)	
Intigation					
Block					
Domestic					
Other					
Total					

STANDARD OF NEW ORLEANS (S) OF CLAIMANTS (S) (the right to apply)

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.

NEW
OWNER
SIG

For Office Use Only

Received by ~~THOMAS~~

41103

၁၁၃

"No. 10."



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17000004.1

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 ~~13504 Leafwood Drive~~ PO BOX 6392
~~CORRIGAN, CA 92283~~ 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

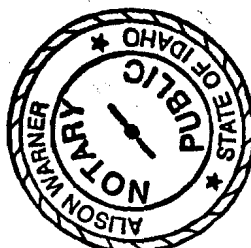
County of: BLAINE

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



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

2nd

WARRANTY DEED

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: WTYQICORP 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 ~~XXXXXXXXXXXX~~
~~XXXXXXXXXXXX~~

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

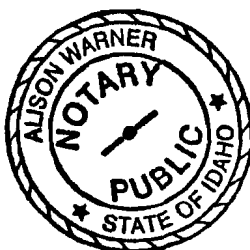
County of: BLAINE

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



Logan Subdivision Located in Section 25, T.1N., R.18E., B.M. Blaine County, Idaho September, 1999

NOTES

1. All utilities shall be underground.
2. All new domestic wells in this subdivision shall be metered by the lot 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, his successors in interest, or homeowners' association, and that Blaine County is not obligated to maintain or improve these roads until the roads are brought up to county standards, dedicated, and accepted by the county, and that each owner shall notify in writing any successor in interest of these facts.
4. This property includes and is adjacent to active agricultural uses. Residents and purchasers should be aware that agricultural practices, livestock grazing and operations, occurring day and night, are allowed and may result in dust, odors, use and application of agricultural chemicals, spraying, ground preparation and harvesting activities, and other agricultural practices. Such practices used by agricultural vehicles or agricultural lands and are not considered nuisances.
5. Owner's shall comply with Health Department regulations including sewage disposal system setbacks from irrigation distribution systems.
6. To allow wildlife migration, no fences within the subdivision shall exceed 42" in height. The bottom rail shall exceed 16" in height.
7. Individual lot owners are responsible for control of noxious weeds as per state regulations. Mowing and manual removal are recommended.
8. All fire protection requirements of the Wood River Rural Fire District, the Uniform Fire Code and the Blaine County Fire Protection Ord. 93-2, including but not limited to water supply, access (including turnarounds) and clear zones, shall be complied with prior to subdivision platting.
9. Culverts may be required by lot owners where driveways or other improvements are proposed to cross irrigation ditches.
10. Wildlife damage to ornamental trees and shrubs may occur. The cost of resolving problems caused by wildlife damage to private property shall be the responsibility of the property owner(s). Action taken to alleviate wildlife damage and depredations shall be those prescribed or approved by the Idaho Fish and Game Dept.
11. No decreased water rights shall remain with the lot. No water right shall be perpetuity and shall not be sold off the land. Specifically, the 70 cfs of groundwater (Permit #437-07064C) shall be divided equally between Lot 1 and 2. Further, the 2.48 cfs of District 37 Big Wood River surface water (Permit #437-001020) shall be divided equally between Lot 1 and 2.
12. No "employee" housing, as otherwise allowed in the 4-20 zoning district, is permitted on either Lot 1 or 2. Only one 700 sq. ft. accessory dwelling unit that is similar in design to the existing accessory dwelling unit on Lot 1 is permitted per lot.

CURVE	DELTA	RADIUS	TANGENT
(C-1)	15°55'00"	1350.00	273.48'
C-1	15°57'33"	1950.16	273.40

LOGAN SUBDIVISION

SECTION 25, T.1N., R.18E., B.M.

BLAINE COUNTY, IDAHO

PREPARED FOR: ROBERT LOGAN

A PLAT

PROJECT NO. 88051

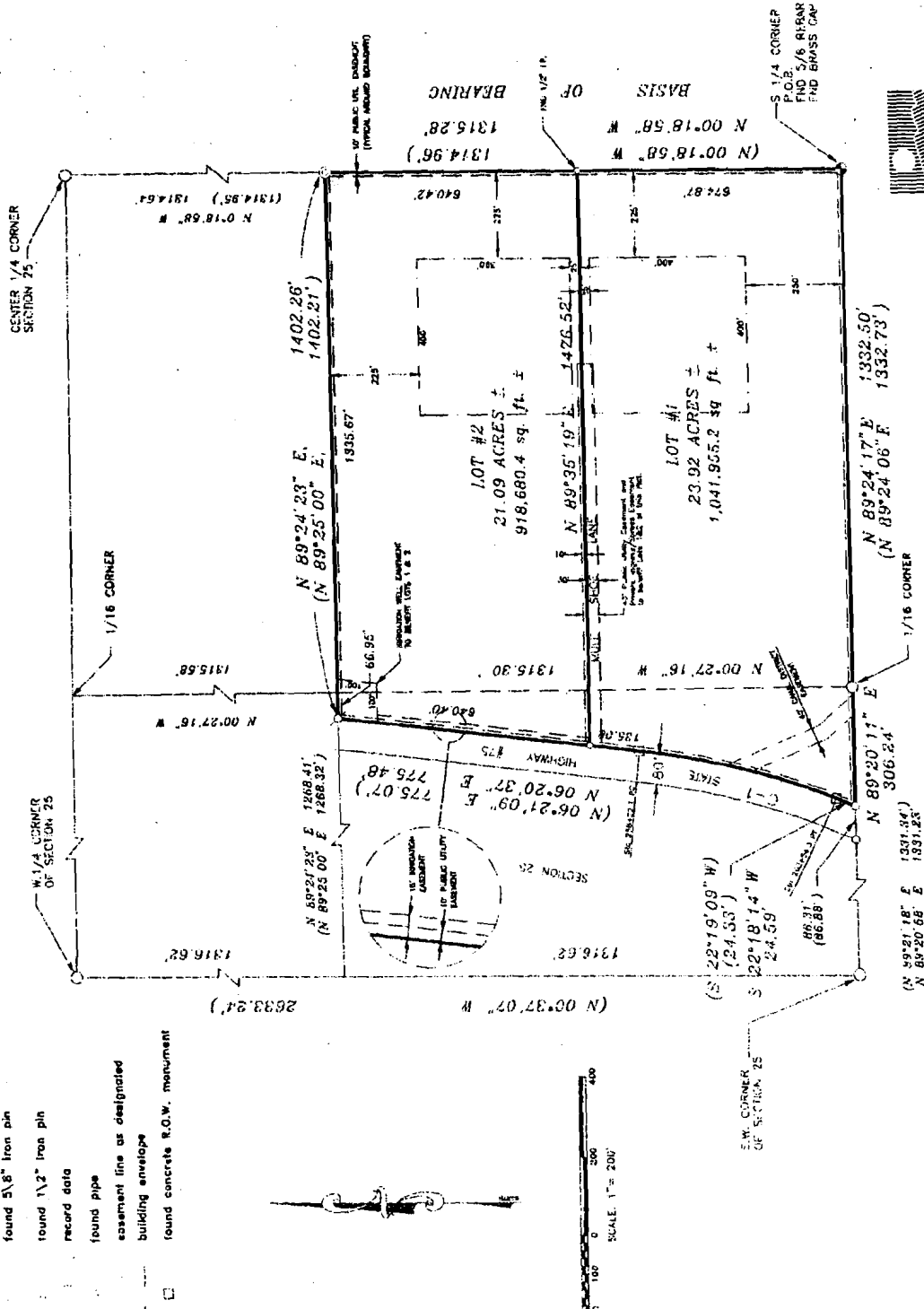
DATE: 09/29/99

SHEET 1 OF 2



SUN VALLEY
 TITLE
 COMPANY

THIS MAP IS A PHOTOGRAPHIC REPRODUCTION OF THE ORIGINAL PLAT. THE COMPANY ASSURES NO LIABILITY FOR INACCURACY, IF ANY, WITH ANOTHER COPY OF THE MAP.



LEGEND

- property boundary
- set brass cap
- found 5/8" iron pin
- found 1/2" iron pin
- record data
- found pipe
- easement line as designated
- building envelope
- found concrete R.O.W. monument

HEALTH CERTIFICATE

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

Date: 10-4-99
 Robert Logan
 South Central District Health Dept., EMS

PREPARED BY: BENCHMARK ASSOCIATES, P.A.
 800 733 4574
 (208) 728-9512 : 728-4514 (FAX)
 E-MAIL: bma@bma.com

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 EAST, BOISE MERIDIAN, BLAINE COUNTY, 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

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 Rick

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.



COUNTY SURVEYOR'S APPROVAL

This is to certify that I, Jim W. Koone, 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. Koone

APPROVAL OF BLAINE COUNTY PLANNING AND ZONING

The foregoing plat was approved by Blaine County Planning and Zoning on this 27th day of September, 1999.

Sparks Stank

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

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: Marsha Riemann

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

RECEIVED
MAY 15 2008
DEPT. OF WATER RESOURCES
SOUTHERN REGION

**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. 37-20896**
)
)
)

DESCRIPTIVE SUMMARY

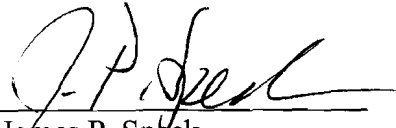
This is a notice of appearance by counsel on behalf of the claimant of the water right identified below.

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: 37-20898.

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
KETCHUM, 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 11 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.)

12/15/2006

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

RIGHT NUMBER: 37-20896

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.350 CFS
61.300 AFY

PRIORITY DATE: 04/21/1970

POINT OF DIVERSION:

T01N R18E S25 NESWSW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/31

0.350 CFS

61.30 AFY

15

The use of water for irrigation under this right may begin as early as April

and may continue to as late as October 31, provided other elements of the right are not exceeded. The use of water before May 1 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

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.

This right is limited to the irrigation of 17.5 acres within the place of use described above in a single irrigation season.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

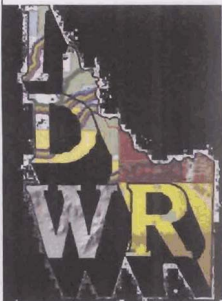
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right is a portion of right 37-7064C.

Rights 37-20895 and 37-20896 share a common point of diversion.

This right is supplemental to surface water.



Idaho Department of Water Resources

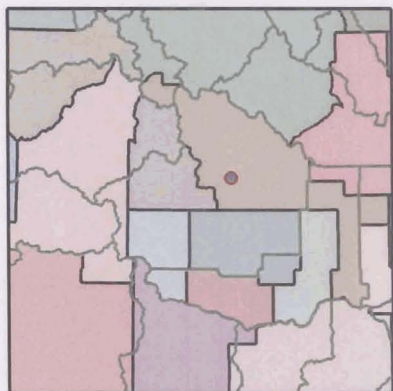
SRBA Recommendation:

37-20896

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



Prepared by A. Merritt
On Friday, December 15, 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

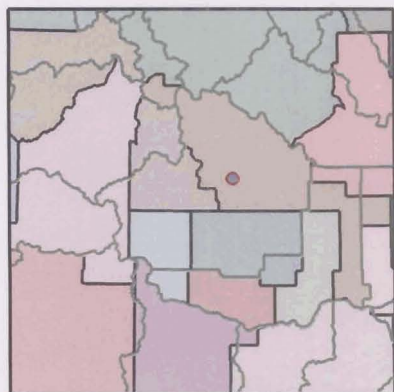
SRBA Recommendation:

37-20896

(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles

Owner: Dan Allred

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

Prepared by A. Merritt
On Friday, December 15, 2006
2004 Aerial Photography