

a
RECEIVED

08/18/2006

SEP 01 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 22, 2006

Water right number: 79-7154

WAYNE HALL

400 A ST

TAFT CA 93268

Telephone Number: (805)765-5505

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 8/26/006

SIGNATURE:

Wayne Hall

Please print your name:

WAYNE HALL

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

12/23/2004

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

RIGHT NUMBER: 79-7154

NAME AND ADDRESS: WAYNE HALL
400 A ST
TAFT CA 93268

SOURCE: SLATE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.040 CFS
1.200 AFY

PRIORITY DATE: 11/25/1983

POINT OF DIVERSION:

T27N R01E S36 NENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
DOMESTIC

PERIOD OF USE
01/01 12/31

QUANTITY
0.040 CFS
1.20 AFY

PLACE OF USE: DOMESTIC Within IDAHO County
T27N R01E S36 NENW

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: License

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: A79-07154
Date Received: 5/16/1988
Receipt No: C001039
Received By: DE Rkh

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WAYNE HALL 208-839-2435
Address: 400 A ST.
TAFT, CA 93268

2. Date of Priority: NOV 25, 1983

3. Source: SLATE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
27N	01E	36	NE	NW			IDAHO

5. Description of diverting works:
PUMP, PIPE, SCREEN & TANK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 1 HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
27N	01E	36	NE	NW		DOMEST	

11. Place of use in counties: IDAHO

A79-07154

Page 1

Date: 09/01/88

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: PERMIT

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39576Ident. Number A7901154

Date Received _____

Receipt Number C001039

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED
MAY 16 1988

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day. Filing fee \$25

Department of Water Resources

Please type or print clearly

- Name of Claimant (s) WAYNE HALL Phone (208) 839 2435
Mailing Address PO. Box 676 Whitebird, IDA Zip 83554
- Date of Priority (Only one (1) per claim) 25 Nov 1983
- Source of water supply (a) SLATE CREEK
which is tributary to (b) SALMON RIVER
- Location of point of diversion is: Township 27 N Range 1 E
Section 36, 1/4 of NE 1/4 of 14W 1/4, Govt. Lot _____, B.M.,
County of Idaho
Additional points of diversion if any: N/A
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 5 HP Elec. Pump - 2" suction line -
2" Discharge into storage tank
- Water is claimed for the following: (Limited to Domestic and/or Stockwater only. See Instructions)
(Both dates are inclusive) (cfs)
For Domestic purposes from 1 JAN to 31 DEC amount .5 A/FT
For Yrd + Grdn purposes from 1 May to 1 Nov amount .8 A/FT
- Total quantity claimed 1.3 (cfs)
- Total consumptive use claimed is de minimus 1.3 A/P
- Non-irrigation uses. Describe fully. (Domestic: give number of households served; Stockwater: Type and number of livestock) 1 household

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10. Place a "D" for domestic and "S" for stockwater use in the corresponding place of use below.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4
D NA	27N	1-2	36	✓	✓													

11. In which county (ies) are lands listed above as place of use located? Idaho

12. Do you own the property listed above as place of use? Yes ✓ No
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (✓)

14. Remarks: _____

15. Basis of Claim (check one) Beneficial Use Posted Notice License Permit ✓
Decree

If applicable provide IDWR Water Right Number _____

Court _____ Case Number 39576 Decree Date 25 Nov 83

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Wayne Hall Date 5/5/88

Date _____

For Organizations: I do solemnly swear or affirm that I am owner
Title

of Individual
Organization

document in the space below as owner of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)

County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 5th day of May 19 88

SEAL

Notary Public Roma P. McAfee

Residing at Whitebird

My Commission Expires August 13, 1993

Last Name _____ Ident No. _____

Copies of this State, Yellow Cardant

OCT 06 1992

duplicate

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39356

A79-07154

RECEIVED
MAY 16 1988NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) WAYNE HALL Phone (208) 839 2435Mailing Address PO Box 675 Whiteb. Rd, Ida Zip 835542. Date of Priority (Only one (1) per claim) 5/5/83 25 NOV-833. Source of water supply (a) SIATE CREEK
which is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 27N Range 1-E Section 36,
NE 1/4 of NW 1/4 of Govt. Lot, B.M., County of IDAHOAdditional points of diversion if any: NA

b. If instream flow, beginning point of claimed instream flow is:

Township 27N Range 1-E Section 36, NE 1/4 of NW 1/4 of Govt. Lot, B.M., County of IDAHOGovt. Lot B.M., County of IDAHOending point is: Township 27N Range 1-E Section 36, NE 1/4 of NW 1/4 ofNW 1/4, Govt. Lot B.M., County of IDAHO5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 5 HP elec pumpsuction type w/ 2" suction line + 2"Discharge into storage TANK.

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Copies: White State Yellow Claimant

OCT 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1 JAN to 31 Dec amount or .5 A/F

For Irrigate yard purposes from may to NOV amount or .5 A/F

For + Garden purposes from 11 to 11 amount or .3 A/F

For purposes from to amount or

7. Total quantity claimed (a) (cfs) and/or (b) 1.3 A/F (acre feet)

8. Total consumptive use claimed is 1.3 A/F acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
27N	1-E	36	NE				NW												

Total number of acres irrigated 1/4

11. In which county (ies) are lands listed above as place of use located? Idaho

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. or None ()

14. Remarks:

Last Name HALL Ident No. 39356

Copies: **MICROFILMED**
White-Blue-Yellow-Memom

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit ☒

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number 39356 Decree Date 25 NOV 83

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ☒ do not ☐ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Margaret Hall Date 5/15/88

Date _____

For Organizations: I do solemnly swear or affirm that I am owner Title

of _____, that I have signed the foregoing Organization

document in the space below as owner Title of _____ Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 5th. day of May 19 88

SEAL

Notary Public Roma P. McAfee

Residing at Whitebird

My Commission Expires August 13, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

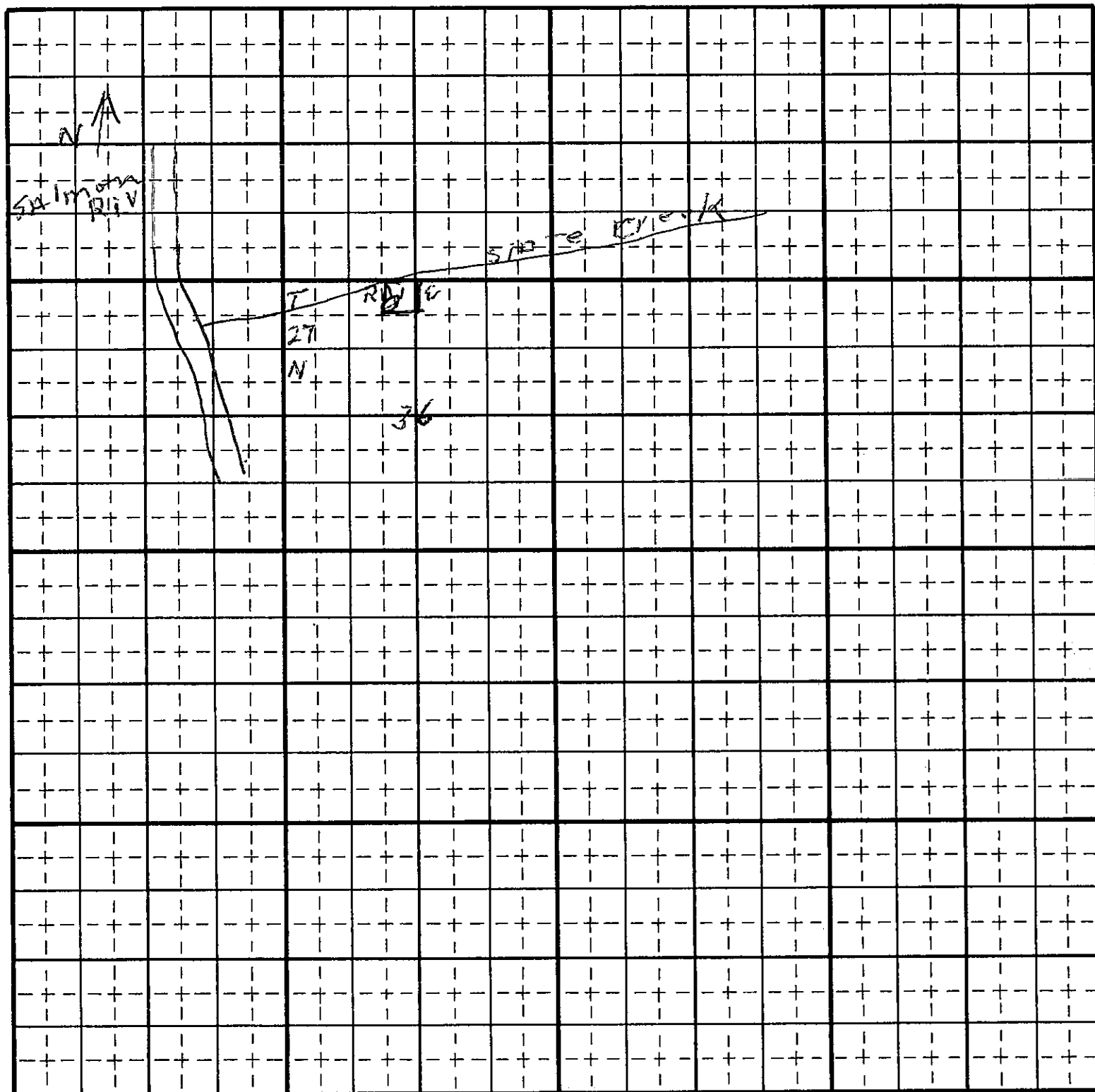
Date _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant
OCT 06 1992

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name

HALL

Ident No.

39 356

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Copies: White-State, Yellow-Claimant

OCT 06 1992

Attachment

Identification No. 79-7047

Application No. 79-7047

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Wayne H. Long

post office address 1256 Persimmon, El Cajon, California 92021

2. Source of water supply Little Creek S. A. K. Creek which is a tributary of Southern River

3. a. Location of point of diversion is N. E. 1/4 1/4 of NW 1/4 of Section 36 Township T. 27N
Range R. 18E B.M. Idaho County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into Slate Creek at a point in NE 1/4 of NW 1/4 of Section 36 Township T. 27N Range R. 18E B.M. Idaho County

4. Water will be used for the following purposes:

Amount 0.12 cfs for Irrigation purpose from 4-1 to 10-31 as per telephone call 3-25 (both dates inclusive)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. 0.12 cfs (maximum) _____ cubic feet per second and/or

b. _____ acre feet per annum

c. Proposed diverting water

a. Description of ditches, flumes, pumps, headgates, etc. 5 H.P. Electric pump equipped with 4" suction pipe and strainer.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet. (Mo. Day)

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

b. Estimated construction cost is \$ 1,500.00 (pumping installation and piping)

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water. _____ 1/4 of _____ of Section _____ Township _____ Range _____ B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

	NET
b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:	

[illegible]

c. Describe any other water rights used for the same purposes. Total number of acres to be irrigated 5,596

9. a. Who owns the property at the point of diversion Leland C. Long
 b. Who owns the land to be irrigated or place of use (irrigated) Leland C. Long
 c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks This water will be used to irrigate gardens, pasture, etc. and will not be used on commercial crops.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07154

Priority: November 25, 1983

Maximum Diversion Rate:

0.04 CFS

Maximum Diversion Volume:

1.2 AF

This is to certify, that WAYNE HALL

400 A ST

TAFT CA 93268

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 25, 1983; and has submitted Proof of Beneficial Use on November 7, 1988. An examination indicates that the works have a diversion capacity of .160 cfs of water from:

SLATE CREEK

tributary to SALMON RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF

LOCATION OF POINT(S) OF DIVERSION:

NENW , Sec. 36, Township 27N, Range 01E
IDAHO County

PLACE OF USE: DOMESTIC

TWN RGE SEC

27N 01E 36

NENW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Domestic use is for 1 home.

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 79-07154

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 26th
day of March, 1992.

Bobby D. Fleener for
R. Keith Higginson, Director

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Form 219-S.A.

Supplement

6-90

79-7154

Permit No.

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER Larry DATE SUBMITTED 7-12-90
ADJUDICATION AGENT _____ RESPONSE DUE DATE _____
COUNTY Idaho OWNER'S NAME Wayne Hall

PERMIT DATA	T	R	S	Q/Q	T	R	S	Q/Q
P/D	<u>27N</u>	<u>1E</u>	<u>36</u>	<u>NWNE</u>	_____	_____	_____	_____
P/U	<u>11</u>	<u>11</u>	<u>11</u>	<u>11</u>	_____	_____	_____	_____

ADJUDICATION DATA

Number Index 79-7154 JH 7.11.90 (Initial & Date)

Claim required for permit

___ yes ___ no If yes: ___ copy attached?

Claim files Although Not Required

___ yes ___ no If yes: ___ copy attached?

Name Index _____ (Initial & Date)

Claim(s) filed in permit owner's name?

___ yes ___ no If yes: ___ copy attached? ___ N/A *

Non-Data Entry Claims Found by County and Name _____
(Initial & Date)

___ yes ___ no If yes: ___ copy attached? ___ N/A *

* copies included only if pertinent to permit field exam

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CLAIM NO. A79 - 07154

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(to be used in connection with B/U exams for same owners)

1. ☒ No Change NAME:
☐ NEW OWNER: _____
☐ No Change ADDRESS:
☒ NEW ADDRESS: HCO1 Box 67
Whitebird Id. 83554
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE:
☐ Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION:
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, 1/4 1/4 1/4
- Note: If the 10-acre tract is shown on the claim, then verification of the 10-acre parcel is needed. Otherwise the 10-acre tract is not required, unless the source is a spring.
5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete desc., complete items missing, IF KNOWN.
☐ Additional comments in remarks.
HP of pump 5 Static water level _____ Well depth _____
Casing size 2" Pumping water level _____ Gravity flow _____
Method of irr. surface water - state creek lift ≈ 50'
6. ☒ No Change - WATER USES:
☐ Different uses, (list uses found).
Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME:
☐ Change found, The new total is, -- -- -- 0.04 cfs 1.2 af
8. N/A

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9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:

Domestic - No. of homes _____ Stockwater - No. of head _____

Other: _____

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

Remarks: (Comments pertinent to field examination)

Mr. Burch is using the same pump
that Mr. Hall is using in permit 79-7154
but will change to his own pump
in the years to come. This is all
explained in the warranty deed attached
to claim. Water is pumped to holding
tank (10,000 gal.) where it is gravity fed
to homes for domestic use & irrigation
of less than 1/2 acre on each home.

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS

MAP

SYSTEM DIAGRAM



- ☐ Changes found during exam or additional information in the permit
file, see permit file.

DATE EXAM CONDUCTED:

7-27-90

FIELD EXAMINER:

Larry L. Waters

Signature

7-27-90 Larry L. Waters

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A79-7154

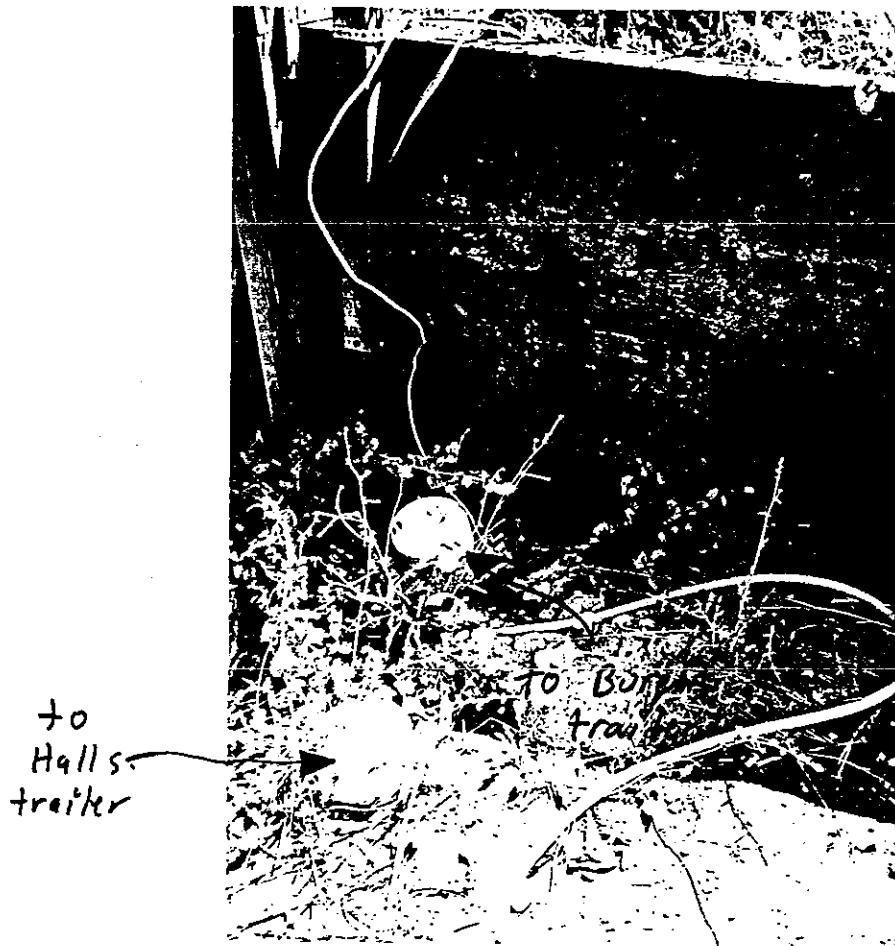


Picture of Burch's trailer +
small yard irrigated, looking
north.

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A79-7154

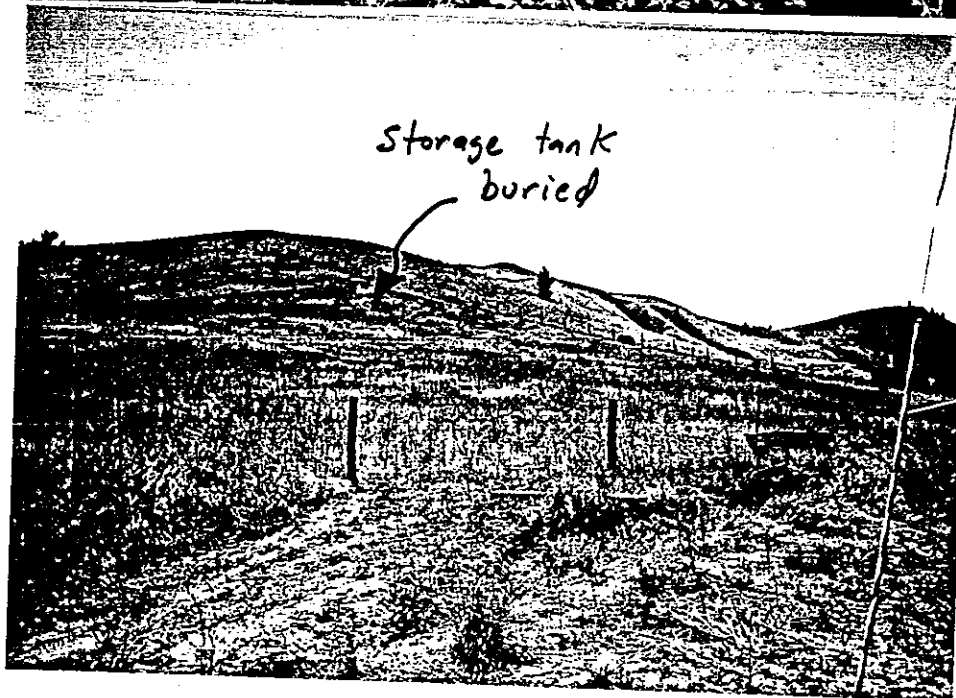
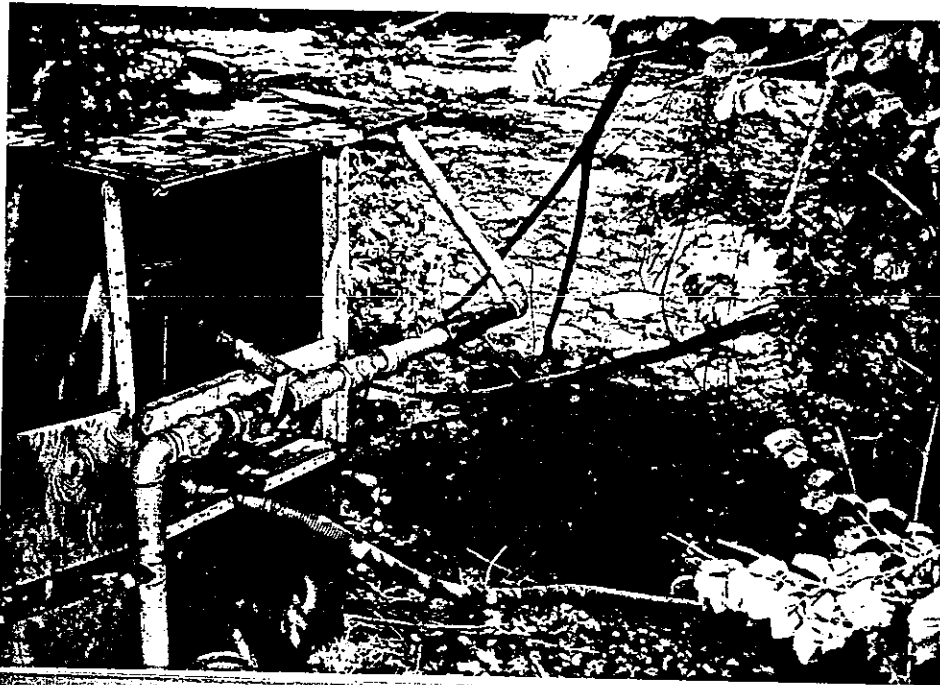


Picture of shut-off valves
looking north east from behind
Halls trailer

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OCT 06 1992

A79-7154



Top Picture of pump + creek taken
looking north.

Bottom Picture is of storage tank area
looking south.

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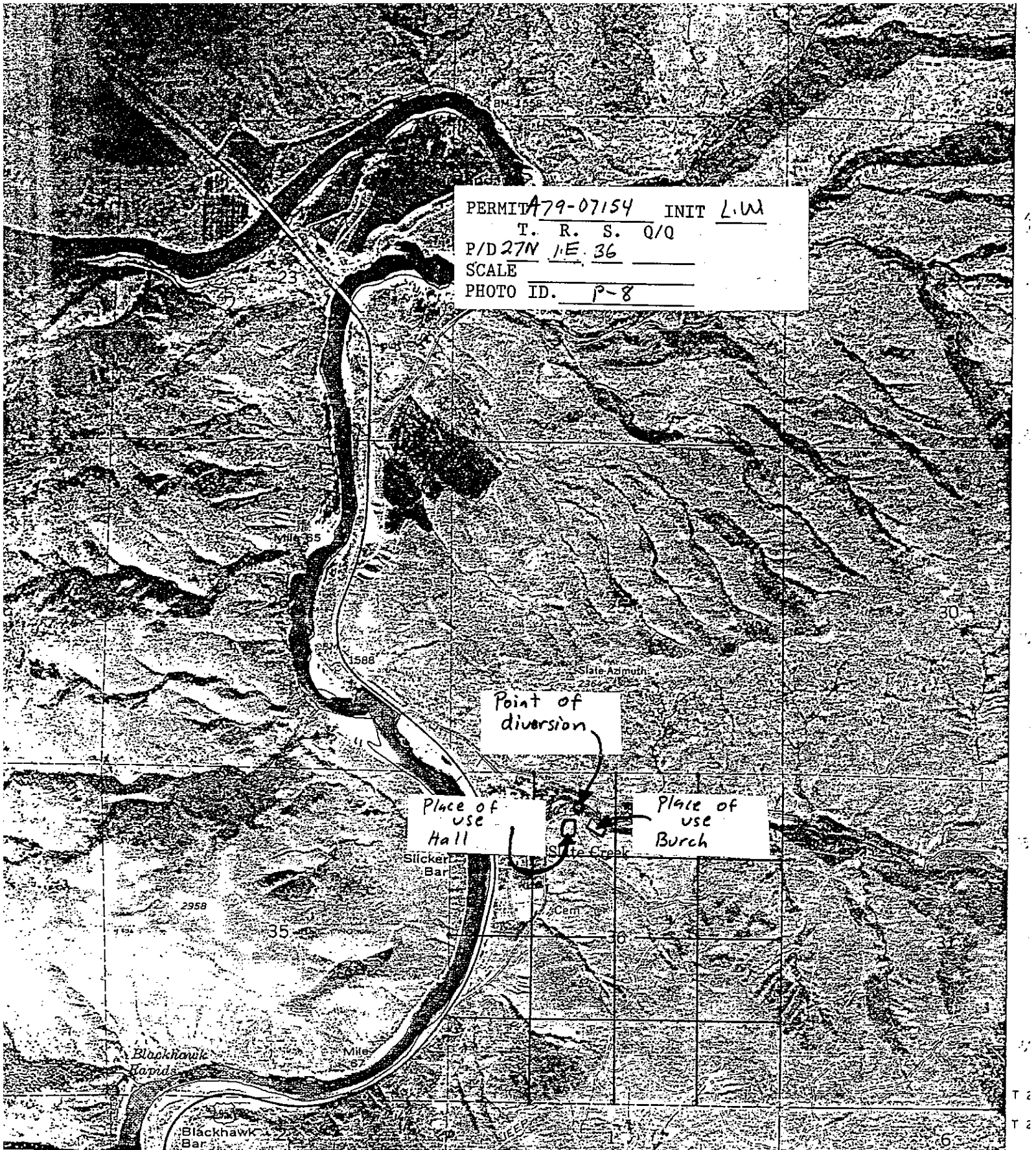
OCT 06 1992

PERMIT A79-07154 INIT L.W.
T. R. S. Q/Q
P/D 27N 1E 36
SCALE
PHOTO ID. P-8

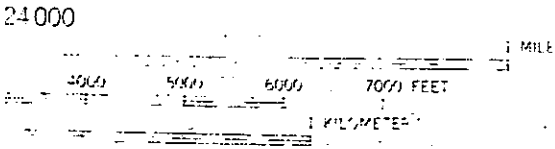
Point of
diversion

Place of
use
Hall

Place of
use
Burch



E) 54 55 56 57 58 E
LUCILE 8.1 MI. RIGGINS 17 MI. 17' 30" R.1E. R.2E. 58 E



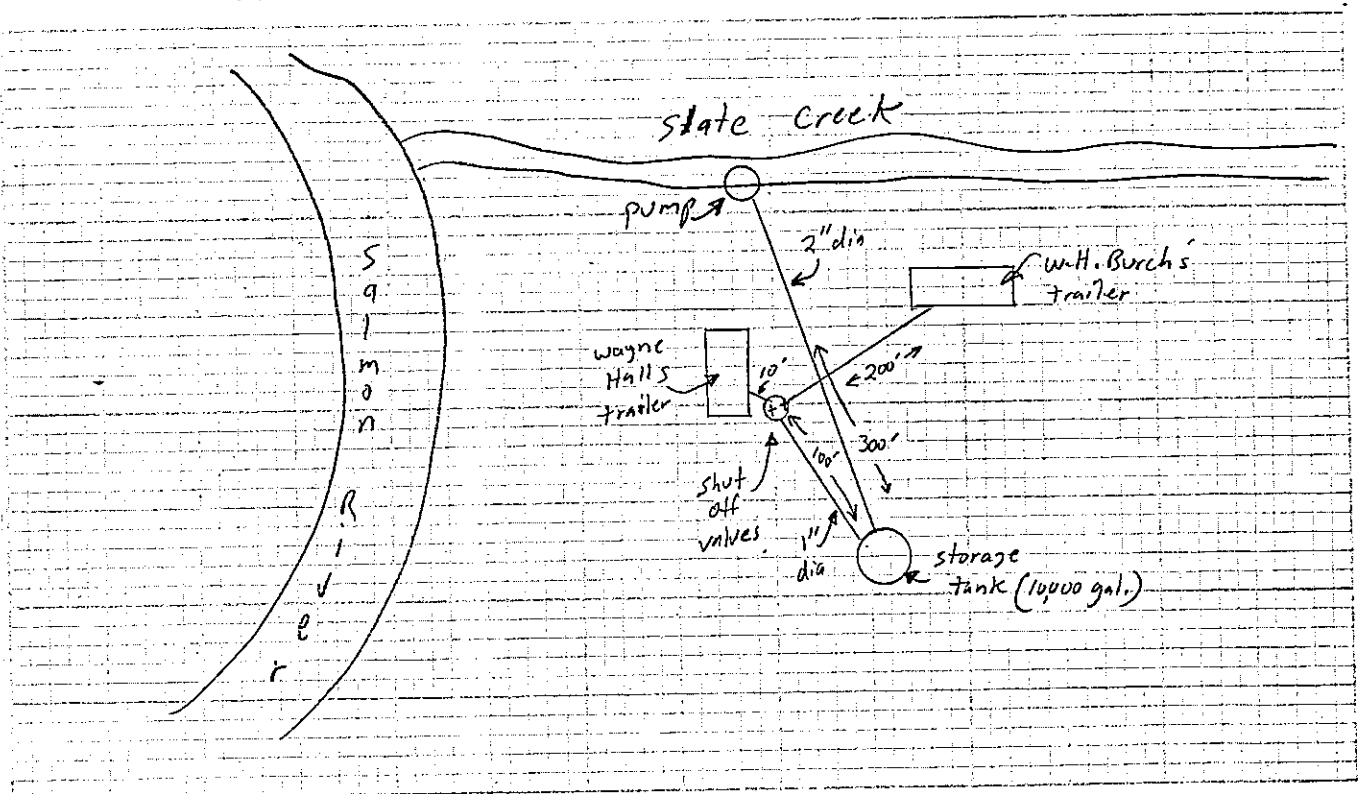
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A79-7154

SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = not to scale

2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

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OCT 06 1992

323206

WARRANTY DEED

COMPUTER
INDEXED
TRACTED
FILMED
ASSESSOR

1 GRANTOR, WAYNE HALL and LOIS HALL, husband and wife, of 400 A
2 Street, Taft, California, for a good and valuable consideration,
3 the receipt of which is hereby acknowledged, does hereby grant,
4 bargain, sell and convey unto WELTON H. BURCH, a single man, of
5 900 3rd Street, Taft, California 93268, as GRANTEE, and to
6 grantee's heirs and assigns forever, all of the following
7 described real estate located in the County of Idaho, State of
8 Idaho, to wit:

9 A parcel of property located within the NE 1/4 NW 1/4
10 of Section 36, Township 27 North, Range 1 East, Boise
11 Meridian, Idaho County, Idaho, which parcel is more
particularly described as follows:

12 Beginning at the North 1/4 Corner of said Section 36,
13 which Corner lies N 89°52'00" W, 2607.731 feet from the
14 NE Corner of Section 36;
15 thence S 3°07'20" W 826.657 feet to a 5/8" X 30"
16 rebar which lies on the Southerly bank of Slate
17 Creek, and is the initial point of beginning;
18 thence N 1°31'01" W 40.000 feet to a point on the
19 thread of the stream in Slate Creek;
20 thence N 44°01'37" W 39.908 feet along the thread
21 of Slate Creek;
22 thence N 75°24'24" West 60.092 feet along the thread
23 of Slate Creek;
24 thence S 62°45'55" W 58.164 feet to a point on the
25 Southerly bank of Slate Creek;
26 thence S 1°31'01" E 306.994 feet;
27 thence N 88°28'59" E 137.101 feet to an existing
28 property line;
29 thence N 1°31'01" W 246.140 feet along an existing
30 property line back to the initial point of beginning.

31 Which said parcel contains some 1.0000 acres.

32 TOGETHER WITH a road right of way for ingress and
egress and utility easement alongside said roadway
to the subject parcel described above. Said existing
road easement travels in a Easterly direction across
Grantor's property and provides access to the subject
property referred to above. Said road right of way
being approximately 12 feet in width.

TOGETHER WITH the right to an equal portion of the
water from Grantor's well located on Grantor's property
adjacent hereto and the right to transport said water
by pipeline through an existing water pipeline which
runs adjacent to the road easement referred to above.
It is agreed by both parties that said water right
is personal between the Grantor and Grantee and that
upon transfer of the property by the Grantee to any
individuals by sell, gift or devise said water right
may be terminated by the Grantor.

WARRANTY DEED

-1-

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OCT 06 1992

1 TOGETHER with all improvements, water, water rights, ditches,
2 ditch rights, easements, hereditaments and appurtenances thereto.

3 Subject to:

4 General taxes for the year 1985, which are a lien,
5 not yet due and payable.

6 However, the Grantor shall have the right of first refusal as
7 follows: In the event that the Grantee elects to sell or transfer
8 the above described property or in the event that the above
9 described property is transferred by gift or death, then and in
10 that event, the Grantor shall have the right of first refusal to
11 purchase the property for its fair market value in the event of
12 death or in the event of sale to meet any bona fide offer for the
13 purchase of the property. In the event that the Grantee elects to
14 sell the above described property and receives a bona fide offer
15 satisfactory to him, he shall give written notice of such offer to
16 the Grantor. The Grantor shall have a period of fifteen (15) days
17 from the receipt of such notice to elect to purchase the property
18 from the Grantee at the price and upon the terms and conditions
19 set forth in said bona fide offer by giving written notice of his
20 election to the Grantee within said fifteen (15) day period. If
21 the Grantor elects to purchase, the Grantor shall be bound to
22 purchase the same, which sale shall close as soon as is reasonably
23 possible after notice of Grantor's election. In the event that
24 the Grantor fails to elect to purchase, as hereinabove provided,
25 within said fifteen (15) day period, the Grantee may proceed to
26 sell said property to the original offeror at the price and on the
27 terms set forth in the notice to the Grantor. Further in the
28 event of death of the Grantee the Grantor shall be notified of the
29 market value of said property as determined for inheritance tax
30 purposes and he shall have the right to purchase the property from
31 the heirs of the decedent for said price.

32 WARRANTY DEED

-2-

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OCT 02 1987

1 It is agreed by both Grantor and Grantee that both parties
2 shall have mutual rights of access for recreational use to that
3 portion of the property described above which constitutes the
4 stream bank of Slate Creek and the actual stream of Slate Creek.

5 Grantor, for himself, his heirs and assigns does hereby
6 covenant, warranty and shall defend the quiet and peaceable
7 possession of said premises by the Grantee, his heirs and assigns
8 forever against the lawful claims of all persons.

9 In construing this deed, and where the context so requires,
10 the singular includes the plural and the masculine, the feminine
11 and the neuter.

12 IN WITNESS WHEREOF, Grantors have hereunto subscribed their
13 names to this instrument this 25 day of October 1985,
14 1985.

15
16 Wayne Hall
17 WAYNE HALL

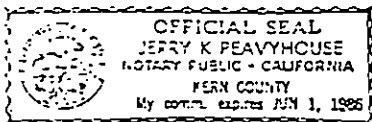
Lois Hall
LOIS HALL

18 STATE OF CALIFORNIA)
19) ss.
20 County of KERN

21 On this 25th day of OCTOBER, 1985, before me,
22 JERRY K. PEAVYHOUSE, a Notary for the said County and
23 State, personally appeared WAYNE HALL and LOIS HALL, husband and
24 wife, known or identified to me to be the persons whose names are
subscribed to the within instrument, and they acknowledged to me
that they freely executed the same and that the statements therein
contained are true.

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

27 (NOTARY SEAL)



Jerry K. Peavyhouse
Notary Public for State of
California, residing at
KERN COUNTY, therein.
My commission expires on
JUNE 1, 1986.

WARRANTY DEED

-3-

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