

02/07/2005

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

RIGHT NUMBER: 79-10203

NAME AND ADDRESS: DENNIS K HARVEY
HC 01 BOX 140
WHITE BIRD ID 83554

LEAH A HARVEY
HC 01 BOX 140
WHITE BIRD ID 83554

SOURCE: SPRING

TRIBUTARY: WHITEBIRD CREEK

QUANTITY: 0.040 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 01/01/1877

POINT OF DIVERSION:

T28N R01E S11 SENESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: DOMESTIC Within IDAHO County

T28N R01E S11 SESE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

PARCEL NO. RP 28N01E11 6761

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 79-10203
Date Received: 7/25/1988
Receipt No: N000743
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MYRTIE HAGEN
305 W CHESTNUT AVE
YAKIMA WA USA 98902

Phone: (509)457-6858

2. Date of Priority: 01/01/1877

3. Source: SPRING Trib. to: WHITEBIRD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
28N	01E	11	NE SE	IDAHO	

5. Description of diverting works:

SPRING PIPED TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 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
28N	01E	11	SE	SE	DOMESTIC	

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 6/27/2002

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

DEC 04 1998

WATER RESOURCES
WESTERN REGION

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: A79-10204, A79-10205, A79-10206
Adjudication Claim No(s).: 79-10201 79-10202 79-10203

2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant ANDREW L. DAHLQUIST

4. New Owner/Claimant(s) MYRTIE E. HAGEN
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 305 W CHESTNUT
 City, State and ZIP Code YAKIMA WA. 98902
 New Telephone Number (509) 457-6858 or 509 549-3767

5. Date you acquired the property 29 DEC. 1994

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Stephen T. Hagen

- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Denise. I queried under Daquist
the following fights showed up & were covered by
legal

79-10201

79-10202

79-10203

79-10205

} no pd's have been issued

79-10204- Does not Fall w/ dead.

79-10206- Does not Fall w/ dead.

✓
JH

379572

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, the undersigned, MYRTIE E. HAGEN, of Idaho County, State of Idaho, have made, constituted and appointed, and by these presents do hereby make, constitute and appoint, STEPHEN T. HAGEN, the true and lawful attorney for the undersigned, and in her name, place and stead, and for her use and benefit, to ask, demand, sue for, recover, collect and receive all such sums of money, debts, dues, accounts, legacies, bequests, interests, dividends, annuities checks and demands whatsoever as are now, or shall hereafter become due, owing, payable or belonging to her, and have, use and take all lawful ways and means in her name or otherwise for the recovery thereof, by attachments, arrests, distress or otherwise, and to compromise and agree for the same, and to make, sign, seal and deliver acquittances, or other sufficient discharges for the same, for her and in her name; also to transfer funds out of and from one bank account to another whether checking, savings or otherwise; to bargain, contract, agree for, purchase, receive and take lands, tenements, and accept and seize possession of all lands, and all deeds and other assurances in the law therefor; and to lease, let, demise, bargain, sell, remise, release, convey, mortgage and hypothecate lands, tenements and hereditaments, upon such terms and conditions and under such covenants, as he shall think fit. ALSO, to bargain and agree for, buy, sell, mortgage, hypothecate, and in any and every way and manner deal in and with goods, wares and merchandise, choses in action and other property, in possession or in action, and release mortgage on lands or chattels, and to make,

1 do and transact all and every kind of business, of whatsoever kind
2 and nature, AND also for her and in her name and as her act and
3 deed, to sign, seal, execute, deliver and acknowledge such deeds,
4 leases and assignments of leases, covenants, indentures, agree-
5 ments, mortgages, hypothecations, bottomries, charter parties,
6 bills of lading, bills, bonds, notes, receipts, evidence of debt,
7 releases and satisfaction or mortgage, judgment and other debts,
8 and such other instruments in writing, of whatever kind and nature
9 as may be necessary or proper in the premises. To draw and endorse
10 checks, drafts, notes and bills of exchange upon any such account
11 in any bank, and to give other orders and directions for the
12 payment of money to be charged against such account. Further to
13 contract for and sign any and all documents for her nursing and
14 helath care needs and to authorize any medical procedures which in
15 her discretion she deems to be necessary and beneficial.

16
17 This Power of Attorney shall not be affected by the subsequent
18 disability or incapacity of the principal, MYRTIE E. HAGEN, hereby
19 creating a durable power of attorney under Section 15-5-501 of the
20 Idaho Code.

21 Giving and granting unto her said attorney full power and
22 authority to do and perform all and every act and thing whatsoever
23 requisite and necessary to be done in and about the premises, as
24 fully to all intents and purposes as she might or could do if
25 personally present, with full power of substitution or revocation,
26 hereby ratifying and confirming all that her said attorney, or her
27 substitute or substitutes, shall lawfully do or cause to be done by
28 virtue of these presents.

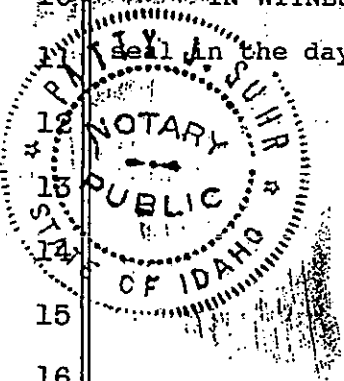
1 IN WITNESS WHEREOF, the undersigned has hereunto set her hand
2 and seal in the day and year in the certificate below written.

3 Myrtie E. Hagen
4 MYRTIE E. HAGEN

5 STATE OF IDAHO)
6 ss.
County of IDAHO)

7 On this 4 day of April, 1995, before me, the undersigned a Notary Public
8 in and for the State of Idaho, personally appeared MYRTIE E. HAGEN, and known to
9 me to be the person whose name is subscribed to the within and foregoing
instrument, and acknowledged to me that she executed the same.

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



12 Dotty J. Sachs
13 Notary Public in and for the State of
14 Idaho; Residing at Grangeville, ther-
15 ein. My commission ex-
16 pires: 4/23/98

ATTORNEYS AT LAW

GRANGEVILLE, IDAHO 83530

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STATE of IDAHO	{ ss.
County of Idaho	
Recorded at request of	<u>Steve Hagen</u>
at	<u>0</u> minutes past <u>11</u> o'clock <u>A.</u> M.
this	<u>4</u> day of <u>April</u> , 19 <u>95</u>
ROSE E. GEHRING	
By	<u>Edith L. Anderson</u>
	<u>9.00</u>
Fees \$	

m/3305 W. Chestnut
Yakima, WA 98902

COMPUTER 1 1
INDEXED 1 1
TRACTED 1 1
FILMED 1 1
ASSESSOR 1 1

377982

DEED TO PURCHASER AT EXECUTION SALE

(th)

THIS INDENTURE, Made on this 29 day of ^{December} ~~October~~, 1994, by and between GENE MEINEN, Sheriff of the County of Idaho, State of Idaho, hereinafter referred to as party of the first part, and MYRTIE E. HAGEN, aka MYRTLE HAGEN, and the Personal Representative of the Estate of HARRY M. HAGEN, deceased, hereinafter referred to as the parties of the second part.

WHEREAS, by Writ of Execution issued out of the District Court of the Second Judicial District of the State of Idaho, in and for the County of Idaho, upon a Judgment dated and filed January 10, 1992, in favor of the plaintiffs Myrtle E. Hagen aka Myrtle Hagen and the Personal Representative of the Estate of Harry M. Hagen, deceased, and against the defendants, Andrew L. Dahlquist and Neola J. Dahlquist, husband and wife, and Philip A. Wimer and Marilyn L. Wimer, husband and wife, by virtue whereof a Writ of Execution was issued out of said Court on the 31st day of January, 1992, by which the said Sheriff of Idaho County, Idaho, was required to take the total sum of \$762,854.89, together with interest on the contract balance at the rate of \$127.20 daily until judgment was entered, then interest at the legal rate set by law from the date of judgment until paid, said judgment including principal, interest, attorneys fees and Court costs and taxes, plus Sheriff's costs in the amount of \$80.40 to satisfy said Judgment, out of certain real property of the defendants all of which more fully appears in that Judgment which reference is hereby made as though fully set forth herein; that pursuant to said Judgment and in obedience thereto,

1 the said Sheriff of Idaho County did levy upon and sell the
2 described real property located in Idaho County, State of Idaho, as
3 set forth in Exhibit "A" which is attached hereto and made a part
4 hereof as though fully set forth herein. That said property was
5 sold to the plaintiffs, Myrtie E. Hagen aka Myrtle Hagen and the
6 Personal Representative of the Estate of Harry M. Hagen, deceased,
7 who made the only bid and the highest bid thereof by and through
8 their attorneys of record, Dee, MacGregor, Fales and MacGregor,
9 bidding the sum of \$780,510.29 which was the amount of the
10 plaintiffs' judgment and was the whole price bid for such property
11 and by virtue thereof I did sell the said property to the aforesaid
12 Myrtie E. Hagen, aka Myrtle Hagen and the Personal Representative
13 of the Estate of Harry M. Hagen, deceased, and

14 WHEREAS, after such sale, the Sheriff of Idaho County, Idaho,
15 did prepare a Sheriff's Certificate of Sale of Real Property as is
16 by law directed to be given and the same was filed in the office of
17 the Recorder of the County of Idaho, State of Idaho, and a copy of
18 which is attached hereto and made a part hereof as though fully set
19 forth herein, and

20 WHEREAS, more than two years have gone by since the date of
21 such sale without any redemption of said premises having been made,
22 and

23 WHEREAS, the said Myrtie E. Hagen, aka Myrtle Hagen and the
24 Estate of Harry M. Hagen are the legal owners and holders of said
25 Certificate of Sale executed by the said Sheriff of Idaho County,
26 Idaho, executed on the 2nd day of March, 1992, to them,
27

1 NOW THIS INDENTURE, WITNESSETH:

2 That GENE MEINEN, as the present Sheriff of Idaho County,
3 Idaho, and the party of the first part hereof, by virtue of said
4 Writ and Certificate of Sale of Real Property aforesaid, and in
5 pursuance of the statute in such cases, for and in consideration of
6 the sum of money above mentioned to him bid, as aforesaid, by the
7 said parties of the second part and so paid by acceptance of such
8 bid, the undersigned has granted, bargained, sold, conveyed and
9 confirmed and by these presents does grant, bargain, sell, convey
10 and confirm unto the said MYRTIE E. HAGEN, aka MYRTLE HAGEN, and
11 the Estate of HARRY M. HAGEN, deceased, their heirs, executors,
12 successors and assigns, all of the following premises, situate,
13 lying and being in the County of Idaho, State of Idaho, and more
14 particularly described as follows, to-wit:

15 See Exhibit "A"

16 TOGETHER WITH ALL AND SINGULAR, the hereditaments and
17 appurtenances thereunto belonging or in anywise appertaining.

18 TO HAVE AND TO HOLD, the above mentioned and described
19 premises with the appurtenances to the said MYRTIE E. HAGEN, aka
20 MYRTLE HAGEN, and the Estate of HARRY M. HAGEN, deceased, and their
21 heirs, executors, successors and assigns forever as fully and
22 absolutely as he, the Sheriff aforesaid, can, may or ought to, by
23 virtue of the said Writ and of the statute in such case made and
24 provided, grant, bargain, sell, release, assign, convey and confirm
25 the same.

26 IN WITNESS WHEREOF, the said Sheriff, the party of the first
27

part, has hereunto set his hand and seal in the day and year hereinabove first written.

SHERIFF OF THE COUNTY OF IDAHO,
STATE OF IDAHO

By: Gene Meinen

GENE MEINEN

STATE OF IDAHO)

ss.

County of IDAHO)

On this 29 day of December (1994), before me, the undersigned a Notary Public in and for the State of Idaho, personally appeared GENE MEINEN, known to me to be the Sheriff of Idaho County, Idaho, and the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

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

Rene P. Hickey
Notary Public in and for the State of
Idaho; Residing at Grangeville, ID there-
in. My commission expires: 8-13-99

MAIL DEED TO:

MYRTIE E. HAGEN
512 West South 1st
Grangeville, ID 83530

MAIL TAX NOTICES TO:

MYRTIE E. HAGEN
512 West South 1st
Grangeville, ID 83530

STATE of IDAHO	ss.
County of Idaho	
Recorded at request of <u>Steve Hagen</u>	
at <u>15</u> minutes past <u>10</u> o'clock <u>A</u> . M.	
this <u>29</u> day of <u>Dec</u> 19 <u>94</u>	
ROSE E. GEHRING	Recorder
By <u>Gloria J. Marx</u>	Deputy
Fee \$ <u>33.00</u>	

141 3305 W. Chestnut
Yakima WA 98902

DEE AND MACGREGOR
ATTORNEYS AT LAW
CHANDLERVILLE, IDAHO 83410

1 The following property located in Idaho County, Idaho, to wit:
2 Township Twenty-eight (28) North, Range One (1) East of the Boise
3 Meridian, Idaho County, Idaho,

4 Section Two (2): West Half (W $\frac{1}{2}$) and that part of the East
5 Half (E $\frac{1}{2}$) lying West of new U. S. Highway #95.

6 Section Three (3): Lot One (1), Southeast Quarter of the
7 Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$), Northeast Quarter of the
8 Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), South Half of the Southeast
9 Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$)

10 Section Ten (10): Northeast Quarter (NE $\frac{1}{4}$), Northeast
11 Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), South Half
12 of the Southeast Quarter (S $\frac{1}{2}$ SE $\frac{1}{4}$)

13 Section Eleven (11): West Half of the Northwest Quarter
14 (W $\frac{1}{2}$ NW $\frac{1}{4}$), Southwest Quarter of the Southwest Quarter
15 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), and those parts of Northwest Quarter of the
16 Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$), East Half of the Northwest
17 Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$), East Half of the Southwest Quarter
18 (E $\frac{1}{2}$ SW $\frac{1}{4}$) lying West of new U. S. Highway #55 and those
19 parts of East Half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$),
20 Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
21 lying East of old U. S. Highway #95
22 EXCEPT Tax #10 described as:

23 Beginning at a point whence the Southeast (SE) corner
24 of Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$),
25 Section Eleven (11), bears South 27°30' East, 152.5
26 feet,

27 thence North 52°30' West, 50 feet to the East boundary
28 of State Highway #95,

29 thence North 37°30' East, 100 feet along said East
30 boundary,

31 thence South 52°30' East, 50 feet;

32 thence South 37°30' West, 100 feet to the point of
beginning.

EXCEPTING ALSO Tax #21 described as:

Starting at a point on the left bank of White Bird
Creek, 690 feet North of the Section corner common
to Section Eleven (11), Twelve (12), Thirteen (13),
Fourteen (14), said Township and Range,

thence following said left bank downstream;

South 61° West, 390 feet, South 6° West, 315 feet
and South 54° West, 320 feet,

thence East 635 feet to said Section corner,

thence North 690 feet to the place of beginning.

Section Twelve (12): Northeast Quarter of the Northeast
Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$), Northwest Quarter of the Northeast
Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) lying East of Old Highway #95, South-
west Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) lying
North of White Bird Creek and Southeast of Old Highway
#95

EXCEPT Tax #17 described as:

Beginning at a point 795 feet North of the Southwest
(SW) corner of Northeast Quarter of the Southwest
Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$),

thence North 708.1 feet,

PER AND MACGREGOR
ATTORNEYS AT LAW
CHICAGO, ILL. 60601

1 thence South 84°57' East, 240.13 feet;
2 thence North 40°37' East, 255.16 feet;
3 thence North 67°07' East, 199.78 feet;
4 thence North 47°01' East, 295.19 feet;
5 thence North 85°31' East, 195.48 feet;
6 thence North 65°48' East, 139.1 feet;
7 thence South 47°37' East, 143.46 feet;
8 thence North 87°39' East, 188.74 feet;
9 thence North 78°01' East, 273.27 feet;
10 thence North 64°30' East, 341.1 feet;
11 thence North 55°35' East, 95.41 feet;
12 thence South 23°10' East, 411.7 feet;
13 thence along the middle of the channel of White Bird
14 Creek South 49°15' West 455 feet;
15 thence South 73° West, 360 feet;
16 thence South 56° West, 458 feet;
17 thence South 72°20' West, 1214.3 feet to the place of
18 beginning.

19 Tax #19 described as:

20 Beginning at a point 20.96 chains South of the North-
21 west corner of the Northeast Quarter of the Northeast
22 Quarter (NE¼NE¼) of said Section Twelve (12) and
23 running thence South 58°15' West 10.46 chains;
24 thence South 32° East 5.50 chains;
25 thence North 70°45' East 6.40 chains;
26 thence North 8.04 chains to the point of beginning.

27 ALSO including Tax #28 described as:

28 Beginning at a point 20 chains South of the Northeast
29 (NE) corner of the Northwest Quarter of the Northeast
30 Quarter (NW¼NE¼) of said Section Twelve (12);
31 thence South 669 feet to the middle of channel of
32 White Bird Creek;

thence South 70°45' West 445 feet;
thence North 23°10' West, 411.7 feet;
thence South 55°35' West, 95.51 feet;
thence South 64°30' West, 340.1 feet;
thence South 78°01' West, 273.27 feet;
thence South 87°39' West, 188.74 feet;
thence North 47°37' West, 143.46 feet to the forks of
the road;

thence North 32°24' East, 279.93 feet;
thence North 37°57' East, 299.59 feet;
thence North 43°33' East, 436.98 feet;
thence North 30°10' East, 467.59 feet;
thence North 4°12' East, 96.76 feet;
thence North 7°37' East, 575.5 feet to a point 759
feet East and 78.75 feet South of the Northwest (NW)
corner of Section Twelve (12);
thence South parallel to West line of Northwest Quarter
of the Northeast Quarter (NW¼NE¼) of Section Twelve (12),
1240.5 feet to North line of Southwest Quarter of the
Northeast Quarter (SW¼NE¼) of Section Twelve (12),
thence East on said subdivision 561 feet to place of
beginning, lying Southerly and Easterly of Old Highway
#95.

30 Southeast Quarter of the Northeast Quarter (SE¼NE¼)
31 EXCEPT Tax #14 described as:

32 Beginning at the Southwest (SW) corner of the South-
east Quarter of the Northeast Quarter (SE¼NE¼),

DEE AND MADDISON
ATTORNEYS AT LAW
CHANDLERVILLE, IDAHO 83899

Section Twelve (12);
thence North 0°04' East, 610 feet;
thence North 61°51' East, 1497.4 feet to the Northeast
(NE) corner of Southeast Quarter of the Northeast
Quarter (SE¼NE¼) of said Section;
thence South along the Section line 1320 feet;
thence North 89°54' West, 1319 feet to the place of
beginning.

Northwest Quarter of the Southwest Quarter (NW¼SW¼)
lying Northerly of White Bird Creek and South of Old
Highway #95

EXCEPT Tax #7 described as:

Beginning at a point 1072.5 feet North and 25 feet
West of the Southeast (SE) corner of the Northwest
Quarter of the Southwest Quarter (NW¼SW¼) of Section
Twelve (12), said Township and Range;
thence westwardly 398.5 feet;
thence North 24°32' West 27 feet to the South boundary
of U. S. Highway 95;

thence North 60°45' East 470 feet along said South
boundary;

thence South 247.5 feet along the West boundary of the
county road to the point of beginning, being a portion
of the Northwest Quarter of the Southwest Quarter (NW¼
SW¼).

EXCEPTING ALSO Tax #11 described as:

Beginning at a point 1072.5 feet North of the Southeast
(SE) corner of the Northwest Quarter of the Southwest
Quarter (NW¼SW¼) of Section Twelve (12) said Township
and Range;

thence West 363 feet;

thence North 50 feet to the South boundary of Highway
No. 95;

thence South 60°45' West 82.5 feet on said South
boundary;

thence South 24°32' East 150 feet;

thence South 39°37' East 360 feet to the left bank of
White Bird Creek;

thence North 51°22' East 210 feet up White Bird Creek;

thence 277.5 feet North to the point of beginning.

EXCEPTING ALSO from the Northwest Quarter of the South-
west Quarter (NW¼SW¼) Tax #22 described as:

Beginning at a point on the South boundary of U. S.
Highway 95, 25 feet West of the Northeast (NE) corner
of the Northwest Quarter of the Southwest Quarter (NW¼
SW¼) of said Section Twelve (12), and 479 feet South-
westerly along said highway boundary;

thence South 24°32' East, 150 feet;

thence South 39°37' East 266 feet;

thence along the right bank of White Bird Creek
downstream;

South 50°30' West, 150 feet and South 24°30' West,
390 feet;

thence North 24°32' West 737 feet;

thence Northwesterly on the South boundary of said
Highway No. 95, 370 feet to the point of beginning,
being a portion of the Northwest Quarter of the
Southwest Quarter (NW¼SW¼) of said Section Twelve
(12).

1 ALSO INCLUDING Tax #5, a portion of the Southwest Quarter
2 of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section Twelve (12),
3 Township Twenty-eight (28) North, Range One (1) East,
4 B.M., more particularly described as:
5 Commencing at the Northwest (NW) corner of the Southwest
6 Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section
7 Twelve (12) and running East 672 feet on the North line
8 of Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
9 of Section Twelve (12) to the West bank of White Bird
10 Creek,
11 thence in a southwesterly direction along the West bank
12 of creek to the West line of Section Twelve (12),
13 thence North along said West line 382 feet to the place
14 of beginning.

15 Section Fourteen (14): Northeast Quarter of the Northeast
16 Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
17 EXCEPT Tax #23 described as:
18 Starting at a point on the left bank of White Bird
19 Creek 635 feet West of Section corner common to Sections
20 Eleven (11), Twelve (12), Thirteen (13) and Fourteen
21 (14);
22 thence following said left bank downstream;
23 South 54° West 332 feet, South 38° West 181 feet and
24 South 58° West 358 feet;
25 thence South 787 feet to the Southwest (SW) corner of
26 Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
27 Section Fourteen (14),
28 thence East 1320 feet;
29 thence North 1320 feet to said Section corner;
30 thence West 635 feet to the place of beginning.

31 Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
32 EXCEPT Tax #28 described as:
Beginning at the point 10 feet West of the Southeast
(SE) corner of Northeast Quarter of the Northwest
Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section Fourteen (14), said Township
and Range,
thence 330 feet North,
thence 330 feet West,
thence 330 feet South,
thence 330 feet East to the place of beginning.
And also LESS New U. S. Highway #95.

West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$), Southeast
Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$) lying North
and West of Old U. S. Highway #95,
LESS New U. S. Highway #95.

Section Fifteen (15): West Half of the Northeast Quarter
(W $\frac{1}{2}$ NE $\frac{1}{4}$), Southeast Quarter of the Northeast Quarter
(SE $\frac{1}{4}$ NE $\frac{1}{4}$), East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$),
North Half of the Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$), Southwest
Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
EXCEPT Tax #40 described as follows:
Beginning in the middle of White Bird Creek 415 feet
South of the East 1/16th corner on the Section line
between Sections Fifteen (15) and Twenty-two (22) in
Township Twenty-eight (28) North, Range One (1) East,
B.M.,
thence North about 1265 feet,

DEX AND MACGREGOR
ATTORNEYS AT LAW
GRANVILLE, IDAHO 83429

1 thence North 70°30' West about 635 feet to a pine tree
2 on top of a 20 foot high bluff,
3 thence South 22° West about 460 feet on a line above a
4 lone pine tree in a gully, and to the lower one of two
5 Pine Trees close together on the West side of said gully,
6 thence South 12° East about 550 feet to the top of a
7 bluff rising from near White Bird Creek,
8 thence South 425 feet along the top of said bluff,
9 thence South 40° West about 390 feet on top of said
10 bluff to a gully,
11 thence South 16° East about 430 feet down said gully
12 to the middle of White Bird Creek,
13 thence Northeasterly up the Middle of said Creek about
14 1100 feet to the place of beginning, being a portion
15 of the Northwest Quarter of the Northeast Quarter (NW¼NE¼)
16 of Section Twenty-two (22) and a portion of the
17 Southwest Quarter of the Southeast Quarter (SW¼SE¼) of
18 Section Fifteen (15), all in Township Twenty-eight (28)
19 North, Range One (1) East, B.M.

20 Section Twenty-two (22): Lot One (1), Lot Two (2), North-
21 west Quarter of the Northeast Quarter (NW¼NE¼) lying
22 North and West of White Bird Creek

23 EXCEPT Tax #40 previously described.

24 EXCEPTING ALSO a parcel of land situated in Lots One (1)
25 and Five (5) of said Section, Township and Range, more
26 particularly described as follows:

27 Tax #38-A:

28 Beginning at a ½" x 36" rebar set in the corner of an
29 old rockbuck on the right bank highwater line of the
30 Salmon River, from which point the West Quarter Corner
31 of said Section Twenty-two (22) bears South 60°03'
32 West, 1723.9 feet;

thence North 18°21' West, 745.04 feet along said High
water line to a ½" x 36" rebar;

thence North 55°55' East, 428.69 feet to a ½" x 36"
rebar,

thence South 18°32' East, 871.10 feet to the North
line of that land described in Idaho County Deeds
File 236856 and from which point a ½" x 36" rebar
witness corner bears North 18°32' West, 181.76 feet;
thence South 73°00' West, 415.60 feet along said North
line to the place of beginning.

All bearings being based on the stated directions
between USGS Stations SKOOK and SOTIN

EXCEPTING ALSO Tax 55 described as follows:

Part of Lot Five (5), said Section, Township and Range,
described as:

Beginning at the intersection of the East line of said
Lot Five (5) and the center of White Bird Creek, from
which point the North ¼ corner of Section Twenty-two
(22) bears North 1500 feet, more or less;

thence South along said East line to the South line
of U. S. Highway #95 as established;

thence Southwesterly along said South line of U. S.
Highway 95 to the South line of Lot Five (5);

thence West along the South line of Lot Five (5) to
the East line of Lot Six (6);

thence North along the East line of Lot Six (6) to the
highwater line of the Salmon River;

DEK AND MCGREGOR
ATTORNEYS AT LAW
GRANVILLE, IDAHO 83400

1 thence Northerly along the highwater line of the Salmon
2 River to the center of White Bird Creek;
3 thence North 5° West, 420 feet along said highwater line;
4 thence North 73° East 835 feet, through the saddle
5 crossed by a road leading down river, to a 5/8" x 30"
6 rebar;
7 thence South 20° East, 176.7 feet to a 5/8" x 30" rebar;
8 thence continuing South 20° East, 30 feet to the center
9 of White Bird Creek;
10 thence Northerly along the center of White Bird Creek
11 to the East line of Lot Five (5) and the place of
12 beginning.

13 Township Twenty-nine (29) North, Range One (1) East, Boise Meridian
14 Idaho County, Idaho

15 Section Eleven (11): East Half of the Southeast Quarter
16 (E½SE¼)

17 Section Twelve (12): Southwest Quarter of the Southwest
18 Quarter (SW¼SW¼)

19 Section Thirteen (13): Northwest Quarter of the Northeast
20 Quarter (NW¼NE¼), South Half of the Northeast Quarter
21 (S½NE¼), West Half (W½)

22 Section Fourteen (14): East Half of the East Half (E½E½)

23 Section Twenty-three (23): East Half of the Northeast
24 Quarter (E½NE¼), Southeast Quarter (SE¼)

25 Section Twenty-four (24): All

26 Section Twenty-five (25): All

27 Section Twenty-six (26): East Half (E½), East Half of the
28 Southwest Quarter (E½SW¼)

29 Section Thirty-five (35): East Half (E½), East Half of the
30 West Half (E½W½)

31 Section Thirty-six (36): Southwest Quarter of the Southeast
32 Quarter (SW¼SE¼) East of Old U. S. Highway #95

33 ALSO the reservation of the right to trail livestock,
34 including the terms and conditions thereof, across
35 that portion of the West Half of the Southeast Quarter
36 (W½SE¼) of said Section Thirty-six (36) as described
37 in Warranty Deed to the United States of America,
38 Instrument No. 235692 recorded October 24, 1969.

39 Township Twenty-nine (29) North, Range Two (2) East of the Boise
40 Meridian, Idaho County, Idaho

41 Section Nineteen (19): Lots Three (3) and Four (4)

42 Section Thirty (30): Northeast Quarter of the Southwest
43 Quarter (NE¼SW¼), Lots Three (3) and Four (4), all that
44 part and portion of the Northwest Quarter of the South-
45 east Quarter (NW¼SE¼) and of the South Half of the South-
46 east Quarter (S½SE¼) of Section Thirty (30) said Township

47 Page Six
48 EXHIBIT "A"

CERTIFIED COPY

and Range, lying West of U. S. Highway No. 95, as the same was situated and located, running through Section Thirty (30), on and prior to May 3, 1962.

Section Thirty-one (31): Northwest Quarter (NW $\frac{1}{4}$) North and West of old U. S. Highway #95.

Filed and recorded at the request of Wayne MacGregor

at 11:55 o'clock A M this 30 day of Aug 1991

By Spurlock
Deputy

ROSE E. GEHRING

Ex-Officio Auditor and Recorder
Idaho County, Idaho

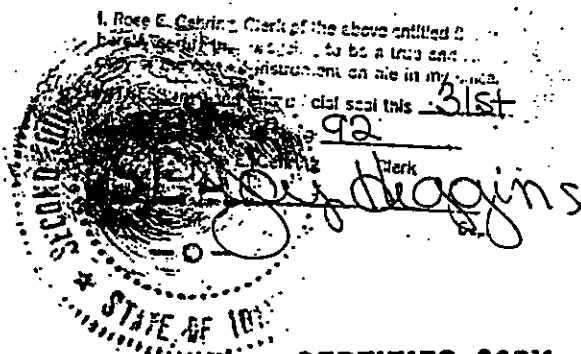
Fee \$ 24.00

my 416 w main
Changerville, Id

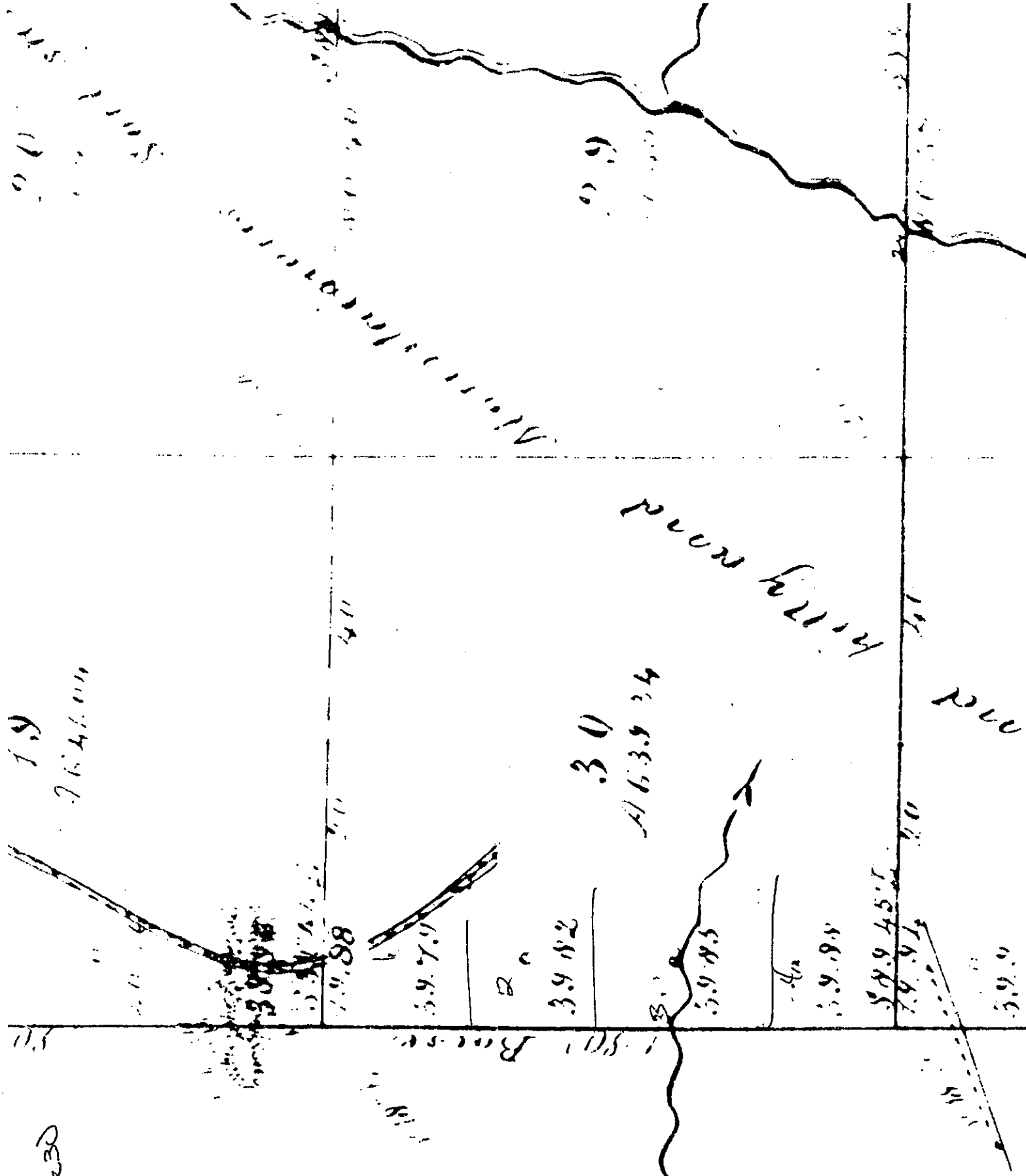
1993

DEK AND MACGREGOR
ATTORNEYS AT LAW
GRANGEVILLE, IDAHO 83840

Page Seven
EXHIBIT "A"



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19
26.46.00

19
26.46.00

29N, 28E 30

41

40

88

59.7.9

20

39.82

30
26.39.24

59.85

40

59.88

59.9 45.5

59.91

40

59.9

Hwy road

200

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: A79-10203
Date Received: 7/25/1988
Receipt No: N000743
Received By: EJK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ANDREW L. DAHLQUIST 208-839-2249
Address: BOX 54
WHITEBIRD, ID 83554

2. Date of Priority: JAN 01, 1877

3. Source: SPRING Trib. to: WHITEBIRD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
28N	01E	11		NE	SE		IDAHO

5. Description of diverting works:
SPRING PIPED TO HOUSE

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 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
28N	01E	11	SE	SE		DOMEST	

11. Place of use in counties: IDAHO

A79-10203

Page 1

Date: 08/20/88

MICROFILMED

OCT 06 1997

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: BENEFICIAL USE

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: 39356

Ident. Number

A-79-10203

Date Received

07/25/88

Receipt Number

N000743

RECEIVED
JUL 29 1988

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL 25 1988

Department of Water Resources
Northern District Office

Please type or print clearly

1. Name of Claimant (s) Andrew h. Dahlquist Phone (208) 839-2249
Mailing Address Box 54 White Bird Id. Zip 83554

2. Date of Priority (Only one (1) per claim) Jan 1877

3. Source of water supply (a) Spring
which is tributary to (b) White Bird Creek

4. a. Location of existing point of diversion is: Township 28 N Range 1 E Section 11,
1/4 of NE 1/4 of SE 1/4, Govt. Lot, Idaho B.M., County of Idaho

Additional points of diversion if any: _____

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. 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. Spring piped to house

MICROFILMED

Copies: White-State, Yellow-Claimant

OCT 06 1992

House

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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 Household

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	
28N	1E	11																D	

Total number of acres irrigated _____

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

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 Dahlgren Ident No. A77-10203

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Copies: White -State, Yellow-Claimant
OCT 06 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
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 _____

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

Signature of Claimant (s) x Andrew L. Dahlquist Date 22 July 1988
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ 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 22nd day of July 19 88
SEAL Notary Public Patricia M. Cope
Residing at White Bird
My Commission Expires 10-2-93

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 Dahlquist Ident. Number A79-10203

MICROFILMED
Copies White-State, Yellow-Claimant
OCT 06 1992

	YES	NO
1. Is the name and address complete with zip code?	☒	☐
2. Is priority date entered?	☒	☐
Is the water use exempt from the Permit requirements, or if it is not exempt, has a Permit been approved or a License issued? A Permit is required for groundwater developed after March 25, 1963 (except single family domestic and stockwater wells using less than 13,000 gpd). A Permit is required for surface water developed after May 20, 1971 (except for instream stockwater).		
3. (a) Is a source entered?	☒	☐
4. (b) Is a tributary to entered? (if required)	☒	☐
5. Is the legal description of the p.d. complete?	☒	☐
6. Is there a description of the diverting works?	☒	☐
7. Are the water uses appropriate for the form? The short form limited domestic and stockwater. Instream stockwater must use long form.	☒	☐
8. Is the period of use included?	☒	☐
9. Is a quantity claimed for each use?	☒	☐
10. Is a total quantity claimed entered?	☒	☐
11. Is the consumptive use correct?	☒	☐
12. If required is a consumptive use entered?	☒	☐
13. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, each household must file a separate claim.	☒	☐
14. Is (are) the place(s) of use entered?	☒	☐
15. Is (are) the county(ies) entered?	☒	☐
16. Is the ownership of p.u. checked?	☒	☐
17. Are other water rights listed or "none" checked?	☒	☐
18. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐
19. Is the basis of the claim checked?	☒	☐
20. Is the claim signed by the claimant? Is the signature appropriate? (If an individual is the claimant, has that individual signed the claim, or if an organization is the claimant, is the organization signature block complete?)	☒	☐
21. Has the claim been signed, sealed, and dated by a notary?	☒	☐
22. Is the fee enclosed correct?	☒	☐
23. Should this claim be receipted and data entered?	☒	☐
24. If this claim is based on an existing water right, has the identification number been entered?	☒	☐

Claim checked by: LH

Comments: _____

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

EXPLANATORY MATERIAL: Beneficial Use
PARCEL NO. RP 28N01E11 6761

DATE: 11/10/98
PAGE: 1

Audit: 11/10/98 CWALKER

AJ0749NP
No. R79-10203

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/23/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANDREW L DAHLQUIST BOX 54 WHITE BIRD ID 83554 (208) 839-2249	01/01/1877	DOMESTIC	01-01 12-31	0.04 CFS	
TOTAL DIVERSION:					0.04 CFS	

Water Source: SPRING

Tributary to: WHITEBIRD CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T28N R01E S11 NESE

IDAHO County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
28N	01E	11	:																	:

POU County: IDAHO

Non-Irrigation Uses: 1 HOME

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. RP 28N01E11 6761

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 10/23/98 CWALKER

AJ5856NP

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

DATE: FEB-13-1998

PAGE: A-337

RIGHT NUMBER: 79-10203

NAME & ADDRESS: ANDREW L DAHLQUIST ✓
BOX 54
WHITEBIRD ID 83554

SOURCE: SPRING TRIBUTARY: WHITEBIRD CREEK

QUANTITY: 0.04 CFS

PRIORITY DATE: 01/01/1877

POINT OF DIVERSION: T28N R01E S11 NESE Within IDAHO County

PURPOSE AND			
PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC D/I HOME ✓	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within IDAHO County
T28N R01E S11 ✓ SESE ✓

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

RP 28N01E11 6760

RP 10-5-98
C. Reards
2/11 & 2/13



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

[AUGUST 17, 1995]

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DENNIS HARVEY
LEAH HARVEY
1187 CEDAR RIDGE RD
KENDRICK ID 83537

Dear Wateruser(s):

This office has reviewed the **Notice of Change of Water Right Ownership** form submitted to our office. However, due to the items checked below, we cannot continue to process this ownership change. We are returning the Notice of Change of Ownership to you to **COMPLETE OR RESEARCH ONLY THE FOLLOWING ITEM(S) SHOWING A CHECKMARK IN THE BLANK FOR THAT ITEM(S).** *See page 2*

_____ There is no existing water right in our records either under the former owner's name or for the legal description given. If, after contacting the former owner, you find more information concerning a water right, please contact us.

_____ Legal description of property. Please complete showing the legal description by 1/41/4 (40-acre tract), section, township and range for the property changing ownership. If you only have a subdivision lot & block legal description, please send us a copy of your subdivision plat map.

_____ It appears you receive your water from an irrigation district, ditch company, municipality or community water company. If this is the case, then the water right remains in the name of this entity and you should contact them concerning the ownership change.

_____ Name and address of former owner (seller). This will clarify the original owner of the water right.

_____ Name, address and phone number of new owner (purchaser).

_____ This change in ownership appears to result in a splitting of the water right. A split of the water right occurs when the ownership change affects only a portion of the original right. In order to accurately split this right we must know what portion of the right was sold. The amount of water in CFS, the place of use by 1/4 1/4 with the number of acres in each 1/41/4 (if applicable) and the point of diversion by 1/41/4, Section, Township and Range is needed. If this right is not being split, please submit proof of ownership for the remaining portion.
Enclosed is a computer copy of this right for your review.

_____ Proof of ownership is needed. This proof can be a copy of the warranty deed, sales contract or tax assessment in your name which includes a description of this property by 1/41/4, Section, Township and Range.

MICROFILMED

Signature of new owner (purchaser) is needed on this form.

X **Other:** THESE CLAIMS ARE IN THE NAME OF ANDREW L. DAHLQUIST. WE NEED TO HAVE
SOME PROOF OF THE SALE BETWEEN DAHLQUIST AND HAGEN BEFORE WE CAN PROCESS YOUR CHANGE OF
OWNERSHIP.

Please complete the above item(s), if required, on the Notice of Change of Water Right Ownership form and return it with the requested information to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705. If we do not hear from you within 30 days, the claim upon which this form was filed(if one exists), will remain in the original owner's name.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1
Enclosures

MICROFILMED
OCT 24 1996

Please print or type
(see instructions on back of page)

LEGAL DESCRIPTION OF PROPERTY: Township 28N Range 01E
 Section 11, 1/4 of NE 1/4 of SE 1/4, Govt. Lot , BM.
 Lot , Block, , Subdivision/Townsite .
 If you have additional legal descriptions, please attach separate sheet.

RECEIVED
JUN 02 1995
WATER RESOURCES
WESTERN REGION

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [] Water Right Number(s) ~~XXXX-XXXXXX~~ A79-10202, A79-10203
Assigned by IDWR: _____
- [] Name and Address of Former Owner/Claimant(s)(Seller): ANDREW L. DAHLQUIST
BOX ~~54~~ 54
WHITEBIRD, ID 83554
- [] New Owner/Claimant (Purchaser): DENNIS HARVEY OR LEAH HARVEY
- [] New Mailing Address: 1187 CEDAR RIDGE RD.
KENDRICK, ID 83537
- [] New Telephone Number: (208) 289-3857
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes ~~XX~~ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: WARRANTY DEED
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- [] Signature of New Owner/Claimant(s) Leah Harvey Date 5/31/11

Date _____
- [] Signature of Former Owner/Claimant(s): _____

Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

Further Action Taken
Date: _____ **By:** _____
Final Review and Data-Entry
Date: _____ **By:** _____
Claim Numbers of Split, if any: _____

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

USA

TAX 62

12

NECKMAN RANCHES INC.

5... added Point
SEE DETAIL
5w E4

MYRTLE

~~HAGEN~~

ETAL

Bird...

TAX
19.

HECKMAN RANCHES INC

13

HECKMAN RANCHES INC.
Spring

x.2448

ROAD

MICROFILMED
OCT 24 1986

ATTACHMENT A

JUN 02 1995

WATER RESOURCES
WESTERN REGION

COMPUTER ()
INDEXED ()
TRACTED ()
FILMED ()
ASSESSOR ()

379412

WARRANTY DEED

THIS INDENTURE, Made on this 24 day of March, 1995, by and between the ESTATE OF HARRY M. HAGEN, and MYRTIE E. HAGEN, aka MYRTLE HAGEN, the personal representative and sole heir thereof, of Idaho County, State of Idaho hereinafter referred to as the parties of the first part, and DENNIS K. HARVEY and LEAH A. HARVEY, husband and wife, of Kendrick, Idaho, hereinafter referred to as the parties of the second part.

W I T N E S S E T H :

That the said parties of the first part, for and in consideration of good and valuable consideration, to them in hand paid by the parties of the second part, the receipt thereof is hereby acknowledged, by these presents do hereby grant, bargain, sell, convey and confirm, unto the said parties of the second part, and to their heirs, successors and assigns forever, the following described real property, situated in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and incorporated herein as if set forth in full.

SUBJECT to the following, to wit:

Taxes for the second half of 1994 are an accruing lien and not yet due or payable.

Easement, dated December 10, 1954, by and between HARRY M. HAGEN AND MYRTIE HAGEN, husband and wife, and HANS L. HAGEN a widower, and IDAHO COUNTY, a quasi-municipal corporation, for road, including terms and conditions thereof, recorded January 26, 1955, in Book 88 of Deeds, Inst. #182441, records of Idaho County, Idaho.

Scenic Easement, dated October 1, 1969, by and between HARRY M. HAGEN AND MYRTLE E. HAGEN, husband and wife, and BERNICE MCPHERSON AND A.J. MCPHERSON, husband

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1 and wife, and UNITED STATES OF AMERICA AND ITS ASSIGNS,
2 including terms and conditions thereof, recorded October
3 24, 1969, as Instrument No. 235690, records of Idaho
County, Idaho.

4 TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments
5 and appurtenances thereunto belonging or in anywise appertaining.

6 TO HAVE AND TO HOLD, all and singular, the above mentioned and
7 described premises, together with the appurtenances, unto the said
8 parties of the second part, and to their heirs, successors and
9 assigns forever.

10 And, parties of the first part and their heirs, successors and
11 assigns, hereby covenant to and with said parties of the second
12 part and their heirs, successors and assigns the parties of the
13 first part are lawfully seized in fee simple of the above granted
14 premises free from all encumbrances and that the parties of the
15 first part will warrant and defend the above premises against all
16 and every person and persons whomsoever lawfully claiming or to
17 claim the same.

18 IN WITNESS WHEREOF, the parties of the first part have
19 hereunto set their hands and seals in the day and year hereinabove
20 first written.

21 ESTATE OF HARRY M. HAGEN

22 BY: Myrtle E. Hagen
23 MYRTLE E. HAGEN
24 PERSONAL REPRESENTATIVE

Myrtle E. Hagen
MYRTIE E. HAGEN aka MYRTLE HAGEN

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STATE of IDAHO ss
County of Idaho
Recorded at request of
INLAND TITLE CO.
at 30 o'clock P. M.
this 24 March 1975
ROSE E. GELMAN
By Edith J. Anderson Recorder
Fees \$15.00 Deputy

1 STATE OF IDAHO)
 2) ss.
 3 County of IDAHO)

4 On this 24th day of March, 1995, before me, the undersigned a
 5 Notary Public in and for the State of Idaho, personally appeared
 6 MYRTIE E. HAGEN aka MYRTLE HAGEN, individually, and as the personal
 7 representative of the ESTATE OF HARRY M. HAGEN, known to me to be
 8 the person whose name is subscribed to the within and foregoing
 9 instrument, and acknowledged to me that she executed the same.

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

13 *Jamie Cash*
 14 Notary Public in and for the
 15 State of Idaho; Residing at
 16 Grangeville, therein. My
 17 commission expires: 6/3/2000

MAIL DEED TO:

18 DENNIS K. HARVEY
 19 LEAH A. HARVEY
 20 _____
 21 _____

MAIL TAX NOTICES TO:

22 DENNIS K. HARVEY
 23 LEAH A. HARVEY
 24 1187 Cedar Ridge Road
 25 Kendrick ID 83537

JUN 02 1995

WATER RESOURCES
WESTERN REGION

Exhibit "A"
HAGEN TO HARVEY

Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho

Section 11: NE $\frac{1}{4}$ SE $\frac{1}{4}$ East of old Highway 95
S $\frac{1}{2}$ SE $\frac{1}{4}$ East of old Highway 95

LESS Tax #10 described as: Beginning at a point whence the SE corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 11 Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho, bears S. 27°30' E., 158.5 feet, thence N. 52°30' W. 50 feet to the East boundary of State Highway #95, thence N. 37°30' E. 100 feet along said boundary east, thence S. 52°30' E. 50 feet, thence S. 37°30' W. 100 feet to the point of beginning being 50' by 100' lying along the East boundary of said Highway.

LESS Tax #21 described as: Starting at a point on the left bank of Whitebird Creek, 690 feet North of the Section corner common to Sections 11, 12, 13, 14, Township 28 North, Range 1 East, Boise Meridian,

thence following said left bank downstream;

S. 61° W. 390 feet,

S. 6° W. 315 feet and

S. 54° W. 320 feet,

thence East 635 feet to said Section corner,

thence North 690 feet to the place of beginning, being a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, Township 28 North, Range 1 East, Boise Meridian.

LESS ROAD

Tax #5 described as: Commencing at the NW corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12 and running east 672 feet on the north line of SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12 to the west bank of Whitebird Creek;

thence in a south westerly direction along the west bank of creek to the west line of Section 12;

thence North along said west line 382 feet to place of beginning.

Section 12: NW $\frac{1}{4}$ SW $\frac{1}{4}$ South of old Highway 95 and North of Whitebird Creek

LESS TAX #7 described as: Beginning at a point 1072.5 feet north and 25 feet west of the southeast corner of the Northwest quarter of the Southwest quarter of Section 12, Township 28 North, Range 1 East, Boise Meridian,

thence westerly 398.5 feet;

thence N. 24°32' W. 27 feet to the south boundary of U. S. Highway 95;

thence N. 60°45' E. 470 feet along said south boundary;

thence S. 247.5 feet along the west boundary of county road to point of beginning, being a portion of said NW $\frac{1}{4}$ SW $\frac{1}{4}$.

LESS Tax #11 described as: Beginning at a point 1072.5 feet N. of

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1 the Se corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, Township 28 North,
2 Range 1 East;
3 thence W. 363 feet;
4 thence N. 50 feet to the S. boundary of Highway 95;
5 thence S. 60°45' W. 82.5 feet on said S. boundary;
6 thence S. 24°32' E. 150 feet;
7 thence S. 39°37' E. 360 feet to the left bank of Whitebird
8 Creek;
9 thence N. 51°22' E. 210 feet up Whitebird Creek;
10 thence 277.5 feet N. to the point of beginning being a portion
11 of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12.

12 LESS Tax #22 described as:Beginning at a point on the South
13 boundary of U.S. Highway 95, 25 feet west of the NE corner of the
14 NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, Township 28 North, Range 1 East, and 470 feet
15 Southwesterly along said Highway boundary;
16 thence S. 24°32' E. 150 feet;
17 thence S. 39°37' E. 266 feet;
18 thence along the right bank of Whitebird Creek downstream S.
19 50°30' W., 150 feet, and S. 24°30' W. 390 feet;
20 thence N. 24°32' W. 727 feet;
21 thence Northeasterly on the South boundary of said Highway 95,
22 370 feet to the point of beginning, being a portion of the
23 NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12, Township 28 North, Range 1 East, Boise
24 Meridian.

25 Township 28 North, Range 1 East, Boise Meridian, Idaho County,
26 Idaho

27 Section 14:NE $\frac{1}{4}$ NE $\frac{1}{4}$

28 LESS Tax #23 described as:Starting at a point on the left bank of
Whitebird Creek 635 feet West of the Section Corner common to
Sections, 11, 12, 13, 14, Township 28 North, Range 1 East;
thence following said left bank downstream;
S. 54° W. 332 feet,
S. 38° W. 181 feet,
S. 58° W., 358 feet;
thence South 787 feet to the SW corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of
Section 14;
thence East 1320 feet;
thence North 1320 feet to said Section corner;
thence West 635 feet to the place of beginning, being a
portion of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 14, Township 28 North, Range
1 East.

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