

08/18/2006

NOTICE OF ERROR
REPLY

SEP 01 2006

DEPARTMENT OF
WATER RESOURCES

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: 79-14178

BETTY L ALLMAN
1106 JEROME CREEK RD
HARVARD ID 83834
Telephone Number: (208)875-1609

JACK C ALLMAN
1106 JEROME CREEK RD
HARVARD ID 83834
Telephone Number: (208)875-1609

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: 8/28/06 SIGNATURE: Jack C. Allman
Please print your name: JACK C. ALLMAN

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

79-14178

T28N R01E
Section(s) 22



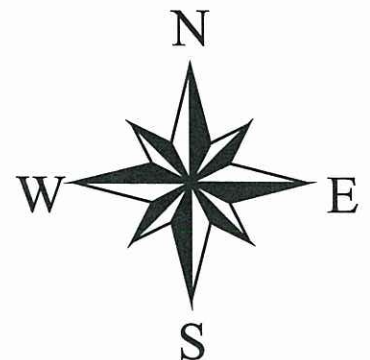
0.09 0 0.09 0.18 Miles

A horizontal scale bar with four segments. The first segment is labeled '0.09', the second '0', the third '0.09', and the fourth '0.18 Miles'. The bar is black with white markings.

Place of Use



Point of Diversion



Layout prepared on March 25, 2006
By Greg Taylor
Idaho Department of Water Resources

03/25/2006

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

RIGHT NUMBER: 79-14178

NAME AND ADDRESS: BETTY L ALLMAN
1106 JEROME CREEK RD
HARVARD ID 83834

JACK C ALLMAN
1106 JEROME CREEK RD
HARVARD ID 83834

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.020 CFS
4.000 AFY

PRIORITY DATE: 06/23/1971

POINT OF DIVERSION:

T28N R01E S22 SWNW Lot 4 Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	05/15 09/15	0.020 CFS 4.00 AFY

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE MAY 15 AND AFTER SEPTEMBER 15 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO
SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE
EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: IRRIGATION Within IDAHO County

T28N R01E S22 Lot 4 SWNW 1.00

1 ACRES TOTAL

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

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 79-14178
Date Received: 6/17/1988
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BETTY L ALLMAN
1106 JEROME CREEK RD
HARVARD ID USA 83834

Phone: (208)875-1609

JACK C ALLMAN
1106 JEROME CREEK RD
HARVARD ID USA 83834

Phone: (208)875-1609

2. Date of Priority: 06/23/1971

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
28N	01E	22	NE SW NW	IDAHO	

5. Description of diverting works:

COLLECTION PIPE, PUMP MAINLINE TO LATERALS WITH SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/15	09/15	0.02	

7. Total Quantity Appropriated is:
0.02 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	22	SW	NW	IRRIGATION	1
Section Acres						1
Total Acres						1

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:

This right is a split from former right 79-7004 .

15. Basis of Claim: License

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

AUG 22 2005

WATER RESOURCES
WESTERN REGION

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).: 79-7004

Adjudication Claim No(s).: _____

RECEIVED

AUG 26 2005

IDWR/North

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

REGINA F. WELSH
303 RESIDENCE ST. #18 ENTERPRISE, OR 97828

4. New Owner/Claimant(s)

JACK C. AND BETTY L. ALLMAN

New Mailing Address

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
1106 JEROME CREEK ROAD

City, State and ZIP Code

HARVARD, IDAHO 83834

New Telephone Number

(208) 845-1609

5. Date you acquired the property

AUGUST 15, 2005

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 1 + 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)

Jack C. Allman Betty L. Allman

(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..

443250

WARRANTY DEED

GRANTOR, REGINA F. WELSH, a single person, of 303 Residence St. # 18, Enterprise, OR 97828, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to JACK C. ALLMAN and BETTY L. ALLMAN, husband and wife, of 1106 Jerome Creek Rd., Harvard, ID 83834, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

Together with an easement for ingress, egress and utilities set forth in Exhibit "B" attached hereto and hereby incorporated by this reference.

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

Subject to:

1. General taxes for the year 2005, which are a lien, not yet due and payable.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that they are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever, except general taxes for the year 2005, and easements, reservations, restrictions and rights-of-way of record or in use.

Except as otherwise expressly provided in this instrument, GRANTORS, hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event GRANTORS shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of GRANTORS, it was not the intent of GRANTORS, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

WARRANTY DEED

1

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
61 355.2	on 8-16-05
ROSE E. GEHRING	
By <i>[Signature]</i>	Recorder
Fees \$ 12.00	Deputy

m/pu

1 In construing this deed, and where the context so requires, the
2 singular includes the plural and the masculine, the feminine and the
3 neuter.

4 IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this
5 instrument this 15 day of August 2005.

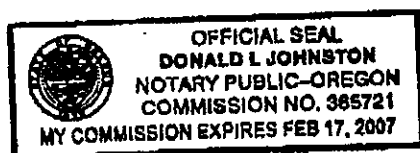
6 Regina F. Welsh
7 REGINA F. WELSH

8 STATE OF OREGON ss.
9 County of WALLOWA

10 On this 15 day of August 2005, before me,
11 DONALD L. JOHNSTON, a Notary for the said County and State,
12 personally appeared REGINA F. WELSH, a single woman, known or identified
13 to me to be the person whose name is subscribed to the within instrument,
14 and she acknowledged to me that she freely executed the same and that the
15 statements therein contained are true.

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

18 (NOTARY SEAL)



Donald L. Johnston
Notary Public for State of OR.
Residing at Joseph, OR., therein.
My commission expires on FEB 17, 2007.

EXHIBIT A

A parcel of land located within Blocks 8 and 9 and vacated State Street in the Village of Copperville, in the NW¼ of Section 22, Township 28 North, Range 1 East, Boise Meridian, Idaho County, Idaho, more particularly described as follows:

Commencing at the ¼ corner common to Sections 21 and 22, said Township and Range;

thence N 00°41'53" E, 780.000 feet along the section line to the Northwest corner of Lot 6, Block 22 of said subdivision;

thence S 89°18'07" E, 455.000 feet to a point on the North line of Lot 16, Block 8, which point is the initial point of beginning;

thence S 89°18'07" E, 195.000 feet to the Northeast corner of Lot 11, Block 8, on the westerly Right of Way of a county road;

thence S 00°41'53" W, 183.841 feet along said Right of Way to a P.C. of a curve;

thence along a curve with the following dimensions:

R = 141.444 feet

Ch. = 154.434 feet

L = 163.364 feet

Dir. = S 68°48'54" W

T = 92.162 feet

Delta = 66°10'29" LT.

thence N 74°30'25" W, 111.555 feet;

thence N 15°28'31" E, 220.197 feet back to the initial point of beginning.

EXHIBIT B**ACCESS EASEMENT****Inclusion:**

An ingress, egress and utility easement on the following described property:

Beginning at the initial point which is the northeasterly corner of the above described parcel, and is identified as a point on the westerly Right of Way of Main Street, monumented with a 5/8" rebar by PLS 9166;

thence along the property line curve with the following data:

R = 141.444 feet

Ch. = 63.246 feet

L = 63.785 feet

Dir = S 88°59'00" W

T = 32.444 feet

Delta = 25°50'17" LT.

thence S 13°56'08" E, 30.000 feet;

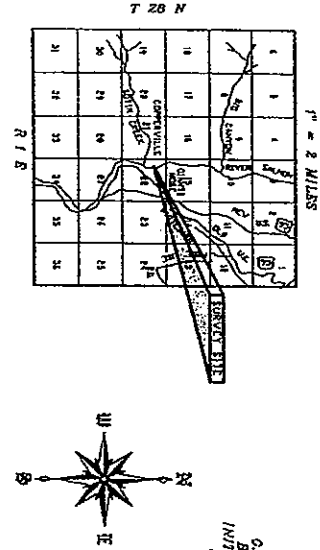
thence S 89°28'49" E, 55.639 feet to the westerly Right of Way line of Main Street;

thence N 00°41'53" E, 30.746 feet along said Right of Way back to the initial point of beginning.

2004 WELSH SUBDIVISION

FOR: GLEN T. & REGINA F. WELSH
SECTION 22, T. 28 N., R. 1 E., 34,
IDAHO COUNTY, IDAHO

VICINITY MAP



LEGEND

- SECTION CORNER, FOUND MONUMENT AS NOTED
- QUARTER CORNER, FOUND MONUMENT AS NOTED
- LOT CORNERS, SET 5/8" REBAR V/ SURVEY CAP
- COMPUTED POINT, NOT SET THIS SURVEY
- EASEMENT CORNER, SET 5/8" REBAR V/ SURVEY CAP.
- GPS BASE STATION, MONUMENT AS NOTED

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	DIRECTION	CHORD	TANGENT
C1	16.364	141.444	66.1029°	134.434	N88°46'54"E	134.434	92.162
C2	17.305	20.000	32.0259°	32.4637°	N72°46'37"E	12.066	8.800
C3	34.610	60.000	32.0259°	32.4637°	N72°46'37"E	34.610	17.000
C4	30.188	26.7582	19.1057°	31.0181°	N87°46'11"E	30.188	16.000
C5	32.564	26.7582	6.3952°	33.3303°	N87°46'11"E	32.564	16.000
C6	31.115	26.7582	6.3952°	33.3303°	N87°46'11"E	31.115	15.375
C7	36.234	114.444	20.5439°	30.9284°	N88°46'54"E	36.234	18.229
C8	39.378	114.444	40.2073°	35.5345°	N88°46'54"E	39.378	21.953
C9	62.783	114.444	25.5017°	62.246	N88°46'54"E	62.783	32.444

TANGENT TABLE

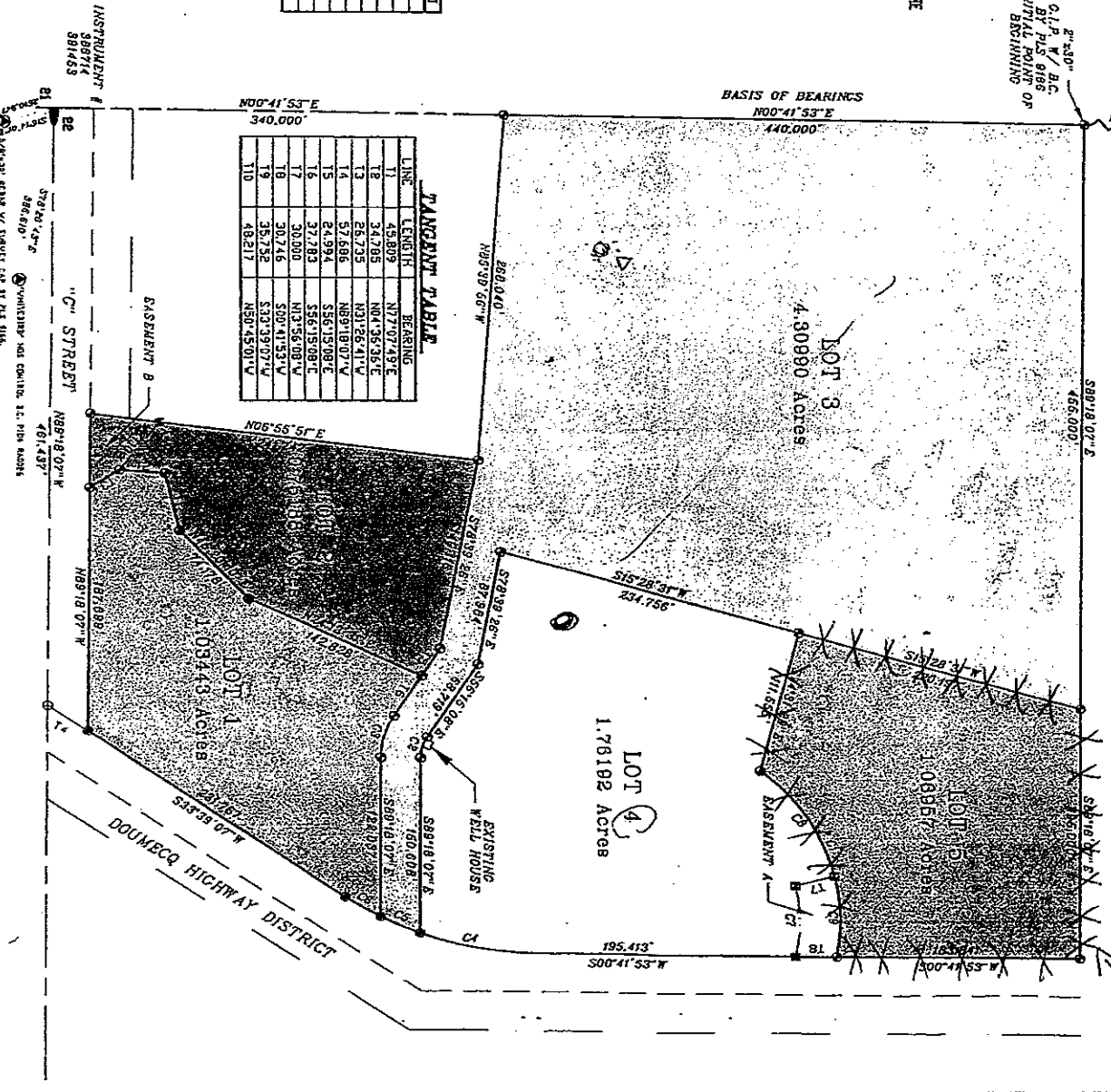
LINE	LENGTH	BEARING
1	45.809	N77°07'49"E
2	34.785	N84°36'36"E
3	26.735	N31°26'41"W
4	52.696	N89°18'07"W
5	24.994	S56°15'08"E
6	32.782	S56°15'08"E
7	30.000	N13°56'08"W
8	30.746	S10°41'53"W
9	35.752	S10°41'53"W
10	48.217	N50°45'01"W

THIS IS TO CERTIFY THAT I, HUNTER J. EDWARDS, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF IDAHO, PLS 9166, HAVE MADE THIS SURVEY OF THE LANDS AND COMPUTATIONS FOR THIS SUBDIVISION PLAT AS SHOWN AND DESCRIBED IN THE CERTIFICATE OF OWNERS AND DESIGNATED HEREON AS 2004 WELSH SUBDIVISION AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY AS MADE AND STAKED BY ME OR SAID LANDS.



HEALTH CERTIFICATE
SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE TITLE 50, CH. 13, HAVE BEEN SATISFIED. SANITARY RESTRICTIONS MAY BE IMPOSED IN ACCORDANCE WITH IDAHO CODE TITLE 50, CH. 13, SEC. 50-126, BY ISSUANCE OF A CERTIFICATE OF DISAPPROVAL.
DATE: _____
NORTH CENTRAL DISTRICT HEALTH DEPT. ENS

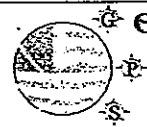
REBUCE



SUBDIVISION PLAT

FOR: GLEN T. & REGINA F. WELSH
SECTION 22, T. 28 N., R. 1 E., 34,
IDAHO COUNTY, IDAHO

DESIGN: H.J.E.	TITLE: CFS-001-02
DRAWN BY: J.C.C.	DATE: JANUARY 2004
DRAWING NAME: WELSH.DWG	SCALE: 1" = 60'



GEOMATIC PROFESSIONAL SERVICES, PLLC
238 E. South Street
GRANGEVILLE, IDAHO 83730-2264
Phone (208) 983-2666
surveyor@connectwireless.us