

11/24/2006

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

RIGHT NUMBER: 78-4114B

NAME AND ADDRESS: JEANNE W WALLACE
PO BOX 711
WEISER ID 83672

SOURCE: MARTIN CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.020 CFS

PRIORITY DATE: 04/01/1955

POINT OF DIVERSION:

T20N R01E S36 NESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.020 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T20N R01E S36	SWNW	11.00	T20N R01E S36	SENW	40.00
---------------	------	-------	---------------	------	-------

51 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 - Beneficial Use

This right is renumbered from former right 78-4114.

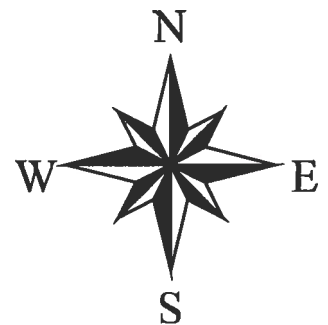
78-4114B



900 0 900 1800 Feet

T20N R01E S36

Map prepared by: Carter Fritschle
Date prepared: 11/24/06
2004 NAIP Photography
Idaho Department of Water Resources



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: **A78-041145**
Date Received: 6/10/1988
Receipt No: W000333
Received By: _____

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

1. Name: JEANNE W WALLACE 208-549-0187
Address: 704 MANNS CREEK
WEISER ID 83672

2. Date of Priority: NOV 1, 1954

3. Source: MARTIN CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	01E	36		NE	SW		ADAMS

5. Description of diverting works:
HEADGATE, PITCHES, AND GRAVITY FLOW IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		

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

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

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10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
20N	01E	36	SW	NW		IRR	40.0
			SE	NW		IRR	40.0

Section Acres 80.0

10. Place of Use: Continued

Total Acres 80.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
A78-02055 & A78-02071 & A78-07015

14. Remarks:
_NONE

15. Basis of Claim: STATUTORY CLAIM

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 _____

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

APR 14 1993

Department of Water Resources



Please print or type

(see instructions on back of page)

DATE OF CLOSING: 4/01/93

LEGAL DESCRIPTION OF PROPERTY: Township 20N Range 1E
 Section 35, 36 1/4 of 1/4 of 1/4 Govt. Lot BM
 Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

MAY 5 1993

☐ 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) Department of Water Resources
Western Regional Office

☐ Water Right Number(s) #A78-02055, #A78-10214
 Assigned by IDWR: #A78-02071A, #A78-07015, #A78-04114

☐ Name and Address of Former Owner/Claimant(s)(Seller): Patricia J. Darden
102 N.W. Sunhill Dr.

☐ New Owner/Claimant (Purchaser): Grants Pass, OR 97526
Jeanne W. Wallace

☐ New Mailing Address: 704 Manns Creek
Weiser, ID 83672

☐ New Telephone Number: (208) 549-0197

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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: copy of recorded 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) Jeanne W. Wallace Date 5-3-93

☐ Signature of Former Owner/Claimant(s): _____ Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 5-10-93 By: JN

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 5-10-93 By: JN

Claim Numbers of Split, if any:

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AUG 08 1994

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

WARRANTY DEED

For Value Received PATRICIA JEAN DURDEN, TRUSTEE OF THE PATRICIA DURDEN TRUST, Dated January 3, 1991

the grantor , does hereby grant, bargain, sell and convey unto JEANNE W. WALLACE, a married woman, as her sole and separate property

the grantee, whose current address is, 704 Manns Creek, Weiser, ID

83672

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

RECEIVED
MAY 5 1993
Department of Water Resources
Western Regional Office

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee , that she is the owner in fee simple of said premises; that they are free from all incumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

and that she will warranty and defend the same from all lawful claims whatsoever.

Date: March 31, 1993

Patricia Jean Durden

STATE OF Oregon)
COUNTY OF Josephine) ss

On this 31 day of March, in the year of 1993, before me a Notary Public, personally appeared PATRICIA JEAN DURDEN known or identified to me to be the person whose name is subscribed to the within instrument as Trustee of the Patricia Durden Trust, and acknowledged to me that she executed the same as Trustee of the Patricia Durden Trust.

[Signature]
Notary Public
Residing at Gionterbury, OR.
Commission expires: 4-10-95



STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title & Escrow

at 50 minutes past 4 o'clock P.M.
this 2 day of April, 19 93, in my office, and duly recorded in Book ---- of Deeds at page ----

Michael Fisk

Ex-Officio Recorder

By: [Signature]

Deputy

Fees \$ 6.00

Mail to:

MICROFILMED

AUG 08 1994

83829

INSTRUMENT NO. _____

EXHIBIT "A"

Department of Water Resources

Western Regional Office

Parcel 1

A parcel of land situated in the SE1/4NE1/4 of Section 35, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

COMMENCING at a brass cap marking the 1/4 Corner common to Sections 35 and 36, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho, the REAL POINT OF BEGINNING:

Thence South 89 degrees 13'17" West, 1000.93 feet along the Southerly boundary of said SE1/4NE1/4 to the Easterly right of way of a County Road;

thence, Northerly along said Easterly right of way:

North 6 degrees 30'00" West, 120.08 feet, (also shown as 6 degrees 29'59" West, 120.08 feet),

North 2 degrees 37'21" East 642.21 feet,

North 9 degrees 04'11" East 194.43 feet,

North 20 degrees 42'17" East 236.90 feet,

North 34 degrees 44'47" East, 192.90 feet to the Northerly boundary of said SE1/4NE1/4,

thence, North 89 degrees 20'55" East, 770.09 feet to the N1/16 corner common to Sections 35 and 36,

thence, South 0 degrees 24'12" West, 1328.13 feet to the POINT OF BEGINNING.

EXCEPTING the right of way of the County Road.

Parcel 2

A parcel of land being the S1/2NW1/4, and the SW1/4 of Section 36, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho. more particularly described as follows:

COMMENCING at an aluminum cap marking the South corner common to Sections 35 and 36, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho, THE REAL POINT OF BEGINNING:

Thence North 0 degrees 33'35" East, 2660.97 feet to the 1/4 corner common to Sections 35 and 36,

thence, North 0 degrees 24'12" East, 1328.13 feet to the North 1/16 corner common to Sections 35 and 36,

thence, North 89 degrees 31'15" East 2605.15 feet along the Northerly boundary of said S1/2NW1/4 to the Westerly right of way line of State Highway 95,

thence, South 0 degrees 07'49" West, 3739.09 feet along said right of way,

thence, 234.73 feet along a curve to the left whose radius is 57,335.80 feet and delta angle is 0 degrees 14'04" along said right of way to the South boundary of said Section 36,

thence, South 89 degrees 11'46" West, 2632.10 feet to the POINT OF BEGINNING.

EXCEPTING the right of way of State Highway 95.

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AUG 08 1994

new ownership —
file copy

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: A78-04114
Date Received: 6/10/1988
Receipt No: W000333
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PATRICIA J. DURDEN 503-476-1392
Address: 102 N.W. SUNHILL DR.
GRANTS PASS, OR 97526

2. Date of Priority: NOV 01, 1954

3. Source: MARTIN CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	01E	36	NE	SW			ADAMS

5. Description of diverting works:
HEADGATE, PITCHES, AND GRAVITY FLOW IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.600		

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

8. Total consumptive use is 160.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	36	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
Section Acres							80.0

A78-04114

Page 1

Date: 04/20/90

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10. Place of Use: Continued

Total Acres 80.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-02055 & A78-02071 & A78-07015

14. Remarks:

NONE

15. Basis of Claim: STATUTORY CLAIM

Decree Plaintiff

vs

Decree 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/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 _____

RECEIVED

MAR 26 1990

CHANGE IN OWNERSHIP

5 Claims: A78-10214, A7802055, A78-07015
A78-02071A, A78-04114

☐ Department of Water Resources
Department Right Number(s):

☐ Name and Address of
Former Claimant:

Jim C. and Noreen Kern

Drawer B

New Meadows, ID 83654

☐ New Claimant(s):

Patricia J. Durden

☐ New Mailing Address:

~~975 Canyon Drive~~ 102 N. W. Sunhill Drive

Grants Pass, Oregon ~~97526~~ 97526

New Telephone Number: (503) 476-1392

☐ Does the change in ownership result in a splitting of the
water right claimed? _____ yes _____ x no

If yes, then describe the portion of the water right that is
now claimed by the new owner:

☐ Attach proof of ownership

Describe proof attached: Deed in Lieu of Foreclosure

☐ Signature of New Claimant(s):

Patricia J. Durden

Date:

3-15-90

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4/20/90

By: Red

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

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DEED IN LIEU OF FORECLOSURE

FOR VALUE RECEIVED, James ~~Q~~^{JK} Kern and Noreen G. Kern, husband and wife, as Grantors, do hereby grant, bargain, sell and convey unto Patricia J. Durden, a single woman, as Grantee, whose current address is 575 Catalpa Drive, Grants Pass, Oregon, 97256, the following described real property:

A tract of land lying and situated in Adams County, Idaho, in Township 20 North, Range 1 East of the Boise Meridian, more particularly described as follows:

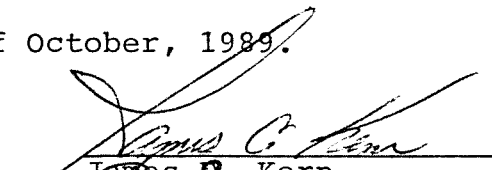
Parcel 1: All that portion of the SE 1/4 NE 1/4 of Section 35 of said Township and Range lying East of the county road as the same was established in 1963.

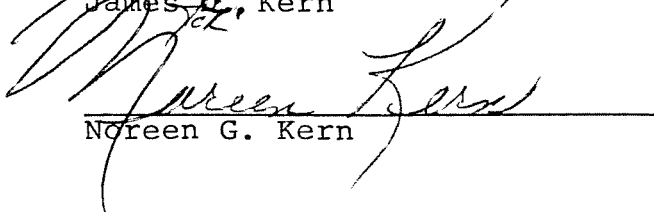
Parcel 2: The S 1/2 NW 1/4; and the SW 1/4 of Section 36 of said Township and Range excepting right-of-way of U.S. Highway 95.

TO HAVE AND TO HOLD The said premises with their appurtenances, including all water rights of every kind and character appertaining thereto unto the said Grantee, her heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee that the Grantors are the owners in fee simple of said premises, that said premises are free from all encumbrances except those of record, and that Grantors will warrant and defend the same from all lawful claims whatsoever which do not appear of record as of the date hereof.

THIS DEED Is further subject to the terms and conditions of an Estoppel Affidavit made and delivered by Grantors to the Grantee of even date with this Deed.

DATED This 11 day of October, 1989.


James G. Kern


Noreen G. Kern

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STATE OF IDAHO)
COUNTY OF Valley) : ss

On this 11th day of October, 1989, before me the undersigned, a notary public in and for said state, personally appeared James C. Kern and Noreen G. Kern, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and who acknowledged to me that they executed the same.

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

Conne G. Homan
NOTARY PUBLIC FOR IDAHO

Residing at McCall

Commission Expires 5/16/90

INSTRUMENT NO. 78115

State of Idaho)
County of Adams) :ss.

Filed for record at the request of
Adams County Abstract Co.
12 min. past 3 o'clock P.M.
this 6 day of February, 19 90
Bk 42M of Deeds PG. 244

MICHAEL FISA, RECORDER

by Janis Hues
Fee \$ 6.00 Deputy

Re: 27M-497

Indexed

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OCT 06 1992

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: A78-04114
Date Received: 6/21/1988
Receipt No: WQ00333
Received By: [Signature] \$50

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JIM C. KERN 208-347-2126
Address: DRAWER B
NEW MEADOWS, ID 83654
AND/OR
Name: NOREEN KERN 208-347-2126
Address: DRAWER B
NEW MEADOWS, ID 83654
2. Date of Priority: NOV 01, 1954
3. Source: MARTIN CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
20N 01E 36 NE SW ADAMS
5. Description of diverting works:
HEADGATE, PITCHES, AND GRAVITY FLOW IRRIGATION
6. Water is used for the following purposes:
Purpose From To C.F.S (or) A.F.A.
IRRIGATION 04/15 10/15 1.600
7. Total Quantity Appropriated is:
1.600 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 160.0 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	36	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	80.0
						Total Acres	80.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

A78-02055 & A78-02071 & A78-07015

14. Remarks:

— NONE

15. Basis of Claim: BENEFICIAL USE

Water Right Number:

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

A28-04114

Date Received

6/7/88

Receipt Number

W000333 4
W000 334

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Jim C. & /r NOREEN KERN Phone (208) 347-2126Mailing Address DRAWER B, NEW MEADOWS, ID Zip 836542. Date of Priority (Only one (1) per claim) 11/1/19543. Source of water supply (a) MARTIN CK.
which is tributary to (b) LITTLE JALMON R.4. a. Location of existing point of diversion is: Township 20N Range 1E Section 36,
1/4 of NE 1/4 of SW 1/4, Govt. Lot, ADAMS B.M., County ofAdditional points of diversion if any: NWSE, S. 36, T. 20N, R. 1E.

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.HEADGATE, DITCHES & GRAVITY
FLOW IRRIGATION.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 160 acre feet per annum.

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

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	
20N	1E	36							40	40									

Total number of acres irrigated _____

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

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.

A78-2055, A78-2071, A78-7015 or None ()

14. Remarks:

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Last Name KERN Ident No. A78-04114

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number A78-04114
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) [Signature] Date 5/27/88
[Signature] Date 5/27/88

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 _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day of May 19 88

SEAL

Notary Public Nancy M. Lindgren

Residing at Boise

My Commission Expires 1-19-1994

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 _____

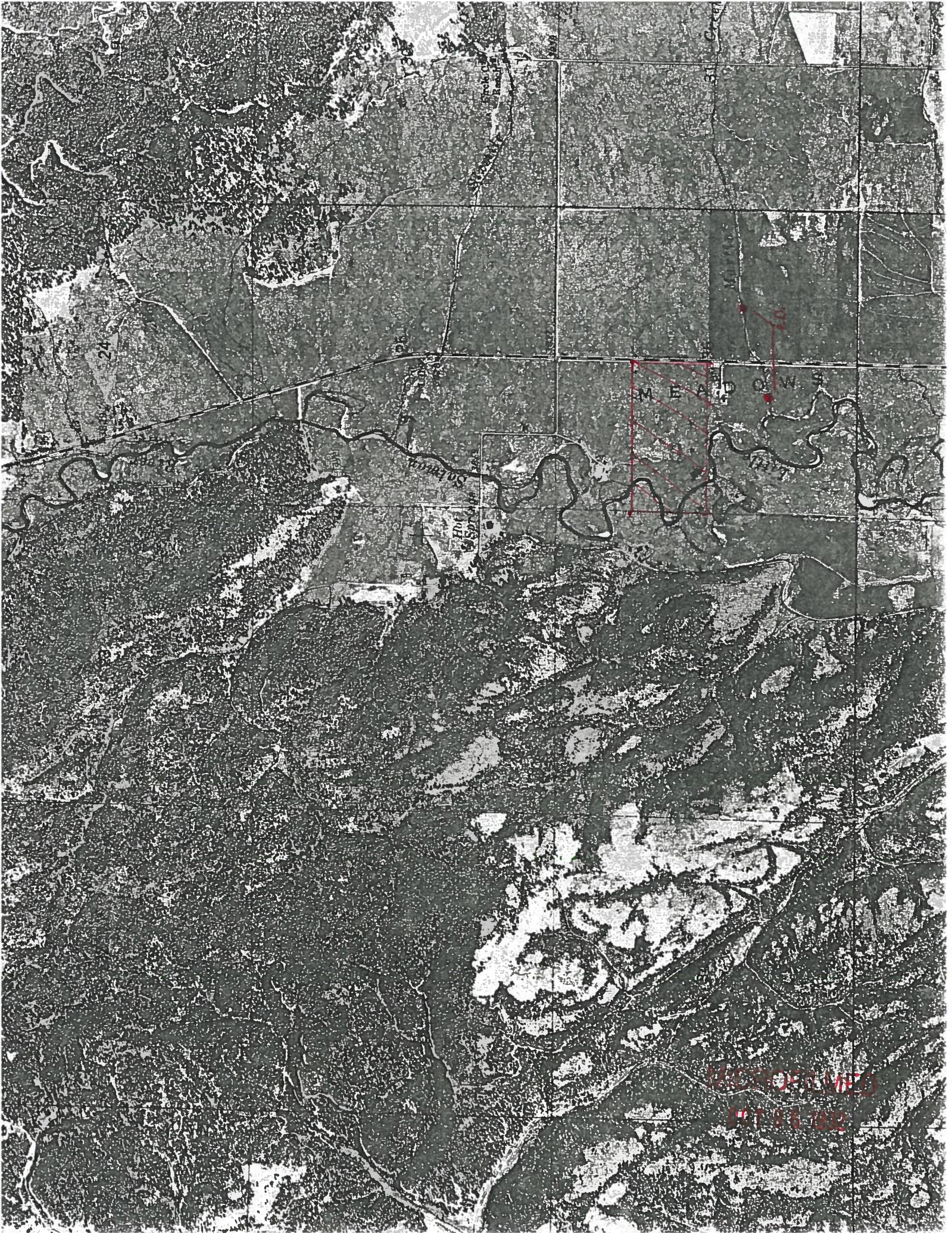
Address _____

Date _____

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OCT 06 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



M E A D Q W 3

MICROFILMED
101 84 002



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 10, 1993

Re: Notices of Claim to a Water Right Nos. A78-02055, A78-02071A,
A78-04114, A78-07015, A78-10214

Jeanne W. Wallace
704 Manns Creek
Weiser, ID 83672

Ms. Wallace:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

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

LH:1
Enclosure

cc: Patricia J. Durden

MICROFILMED
AUG 08 1994

CANTRILL, SKINNER, SULLIVAN & KING

ATTORNEYS AND COUNSELORS AT LAW

DAVID W. CANTRILL
GARDNER W. SKINNER, JR.
WILLIS E. SULLIVAN, III
JOHN L. KING
ROBERT D. LEWIS
FRANK P. KOTYK
DAVID R. SKINNER

1423 TYRELL LANE P.O. BOX 359

BOISE, IDAHO 83701

TELEPHONE
(208) 344-8035

FACSIMILE
(208) 345-7212

March 23, 1990

Mr. Donald V. Shaff
Manager, Adjudication Section
Department of Water Resources
1301 N. Orchard
Statehouse Mail
Boise, Idaho 83720

RECEIVED
MAR 26 1990

Department of Water Resources

RE: Change In Ownership, Notices of Claim
Nos. A78-02055, A78-10214, A78-02071A,
A78-04114, A78-07015

Dear Mr. Shaff:

Enclosed please find the Change In Ownership form you previously forwarded to me for Ms. Durden's signature regarding the above claims and a copy of your letter, as instructed.

Should you require any further information concerning this matter, please do not hesitate to contact me.

Very truly yours,

Willis E. Sullivan III
Willis E. Sullivan, III *hus*

WESIII:hva
Enclosures
cc: Patricia Durden

MICROFILMED
OCT 06 1992

CANTRILL, SKINNER, SULLIVAN & KING

ATTORNEYS AND COUNSELORS AT LAW

1423 TYRELL LANE P.O. BOX 359

BOISE, IDAHO 83701

DAVID W. CANTRILL
GARDNER W. SKINNER, JR.
WILLIS E. SULLIVAN, III
JOHN L. KING
ROBERT D. LEWIS
FRANK P. KOTYK
DAVID R. SKINNER

RECEIVED
MAR 13 1990

Department of Water Resources
TELEPHONE
(208) 344-8035

FACSIMILE
(208) 345-7212

March 12, 1990

Adams C.

Mr. Donald V. Shaff
Manager, Adjudication Section
Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Change in Ownership, Notices of Claim
Nos. A78-02055, A78-10214, A78-02071A,
A78-04114, A78-07015

Dear Mr. Shaff:

Pursuant to your letter of March 6, 1990, concerning the above numbered claims, I enclose herewith a copy of the Deed In Lieu of Foreclosure dated October 11, 1989, wherein Mr. and Mrs. James Kern transferred the property to which the above cited claims for water rights attach to Patricia Durden. I am sending the Change In Ownership form to Mrs. Durden for her signature and will forward that to you as soon as I receive it.

Please note that the address that you have set forth for Mrs. Durden, 575 Catalpa Drive, is no longer correct. Her new address is:

Patricia J. Durden
102 N.W. Sunhill Drive
Grants Pass, Oregon 97256

Thank you very much for your patience.

Very truly yours,

Willis E. Sullivan III
Willis E. Sullivan, III

WESIII:hva
cc: Patricia Durden

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OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 6, 1990

Mr. Willis E. Sullivan, III
Cantrill, Skinner, Sullivan & King
P.O. Box 359
Boise, Idaho 83701

RE: Change in Ownership, Notices of Claim Nos. A78-02055,
A78-10214, A78-02071A, A78-04114, A78-07015

Dear Mr. Sullivan:

Adams Co

In regard to your correspondence of December 21, 1989 requesting our files reflect a change in ownership on the above-referenced claims, please have Ms. Durden sign the attached Change in Ownership form, attach the deed in lieu of Foreclosure, and return it to this office.

As an option, you may wish to obtain a written power of attorney from Ms. Durden, attach a copy of it to the form, and sign the form for her.

In either case, please attach a copy of this letter when the form is returned. Please do not hesitate to contact this office if you have any questions or need assistance.

Sincerely,

Walter Harrington
for Donald V. Shaff
Manager, Adjudication Section

DVS:HHT:sf:state

Enclosure:

Durden Change in Ownership Form

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OCT 06 1992

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CANTRILL, SKINNER, SULLIVAN & KING

ATTORNEYS AND COUNSELORS AT LAW

1423 TYRELL LANE P.O. BOX 359

BOISE, IDAHO 83701

DAVID W. CANTRILL
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FRANK P. KOTYK
DAVID R. SKINNER

TELEPHONE
(208) 344-8035

FACSIMILE
(208) 345-7212

December 21, 1989

Idaho Dept. of Water Resources
Adjudication Bureau
1301 N. Orchard Street
Boise, Idaho 83720

RECEIVED
DEC 22 1989

Department of Water Resources

RE: Civil Case No. 39576
RE: Identification Nos. A78-10214,
A78-02055, A78-2071A, A78-04114,
A78-07015, Jim C. and/or Noreen Kern

Dear Sir or Madam:

This firm represents Patricia J. Durden, a single woman. In 1988, Ms. Durden contracted to sell certain real property located in Adams County to Jim C. and Noreen Kern, husband and wife. The Kerns, in anticipation of their long-term ownership of the property, filed five notices of claim to water rights under the above cited identification numbers on or about June 7, 1988. The Idaho Department of Water Resources receipted for the payment for the notices of claims above referenced on or about June 10, 1988, by receipt Nos. W000333 and W000334.

Subsequently, the Kerns discovered they were unable to remain on the property and negotiated with Ms. Durden for a return of the property to her.

My reason for writing to you is to request that the notice of claims to a water right above identified be transferred from the claimants James C. and/or Noreen Kern to the new claimant, Patricia J. Durden, a single woman.

As evidence of the foregoing transaction, I enclose a copy of the original Deed In Lieu of Foreclosure, dated October 11, 1989, wherein the Kerns transferred their interest in the subject property to our client.

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OCT 06 1992

Idaho Dept. of Water Resources
December 21, 1989
Page 2

If you have any questions with regard to this matter, please advise. Otherwise, I would appreciate receiving confirmation of the transfer of the claim of water rights to Mrs. Durden's name.

Thank you very much for your assistance.

Very truly yours,

A handwritten signature in cursive script that reads "Willis E. Sullivan, III". The signature is written in dark ink and is positioned above the printed name.

Willis E. Sullivan, III

WESIII:hva
Enclosures
cc: Patricia Durden

MICROFILMED
OCT 06 1992