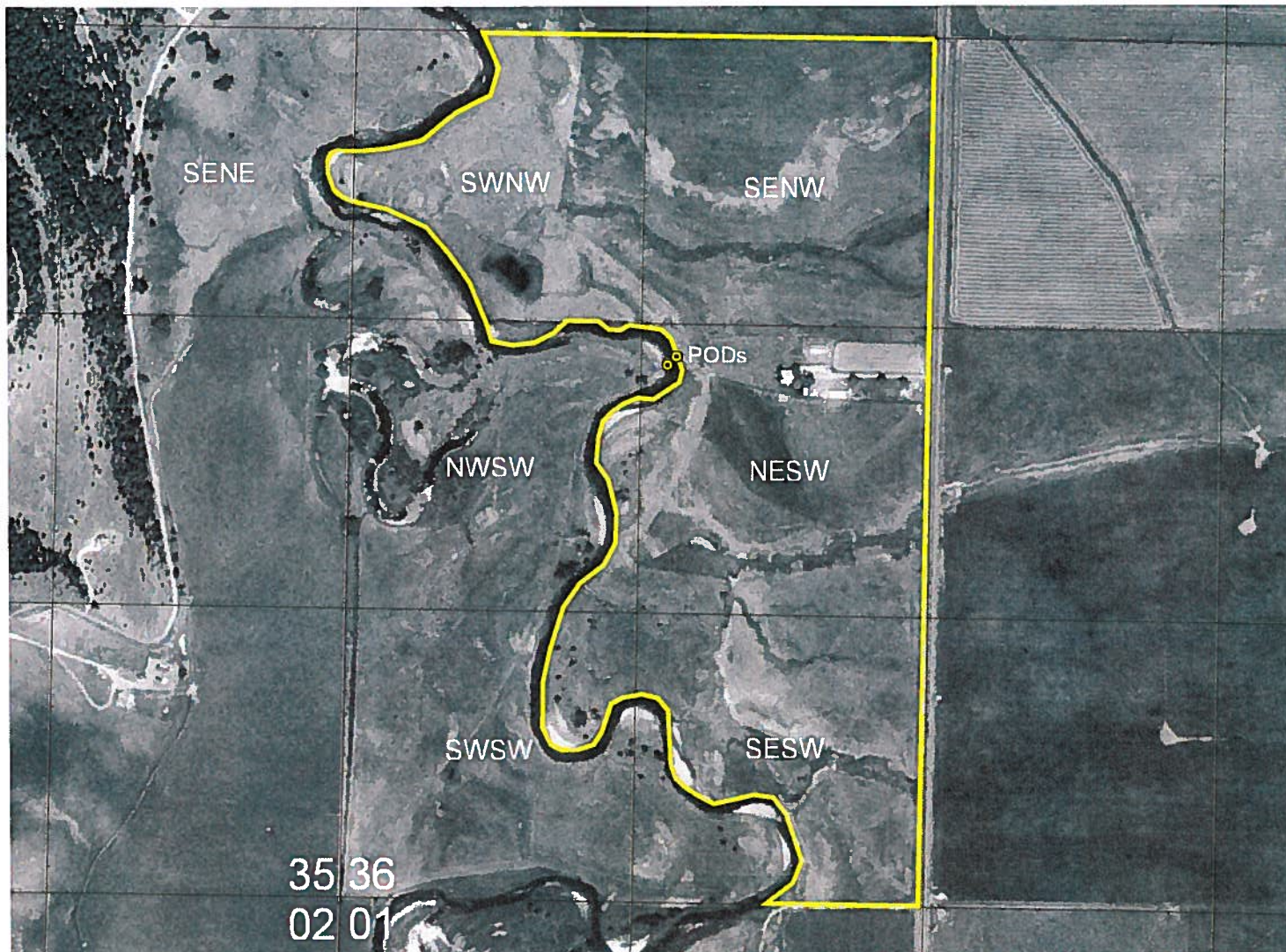


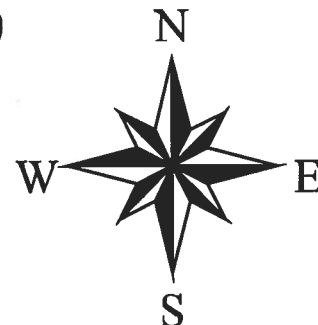
78-2055 & 78-7015



800 0 800 1600 2400 Feet

T20N R01E S35 & S36

Map prepared by: Carter Fritschle
Date prepared: 09/22/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



09/22/2005

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

RIGHT NUMBER: 78-2055

NAME AND ADDRESS: JEANNE W WALLACE
704 MANNS CREEK RD
WEISER ID 83672

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 2.000 CFS

The rights listed below are limited to a total combined annual diversion
volume of 744.9 af.
Combined Right Nos.: 78-2055, 78-2071A and 78-7015

PRIORITY DATE: 04/29/1952

POINT OF DIVERSION:

T20N R01E S36 NESW Within ADAMS County

T20N R01E S36 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/1 10/31	2.000 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T20N R01E S35	SENE	0.5	T20N R01E S36	SWNW	28.0
T20N R01E S36	SENW	40.0	T20N R01E S36	NESW	39.0
T20N R01E S36	NWSW	4.4	T20N R01E S36	SWSW	4.9
T20N R01E S36	SESW	30.0			

146.8 ACRES TOTAL

Right Nos. 78-2055 and 78-7015 are limited to the irrigation of a combined
total of 146.8 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

State of Idaho

License and Certificate of Water Right

Water License No. 22749Amount Two second feet

Water District No. _____

Priority April 29, 1952

THIS IS TO CERTIFY that VICTOR DURDEN
 of New Meadows, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated April 29, 1952; that Permit No. 22749
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 two second feet, was issued thereunder on October 28, 1955, showing that said works
 were completed on the 28th day of August, 1953; and that on the 28th
 day of August, 1953,

VICTOR DURDEN

of New Meadows, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of Little Salmon
 River, a tributary of Salmon River, for the purpose of irrigation

, under Use Permit No. 22749 of the Department of Reclamation
 and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5572, on the 28th day of October, 1955;

The right hereby confirmed dates from April 29, 1952;

The Point of Diversion is located

in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, Tp. 20 N., R. 1 E., B. M. Adams County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
 aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
 not exceed Two (2) cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
20 N.	1 E.	36	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	30
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	10	--
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	6	--
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	32	<u>40</u>
			Number of Acres Actually Irrigated - -		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
 of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
 28th day of October, 1955.

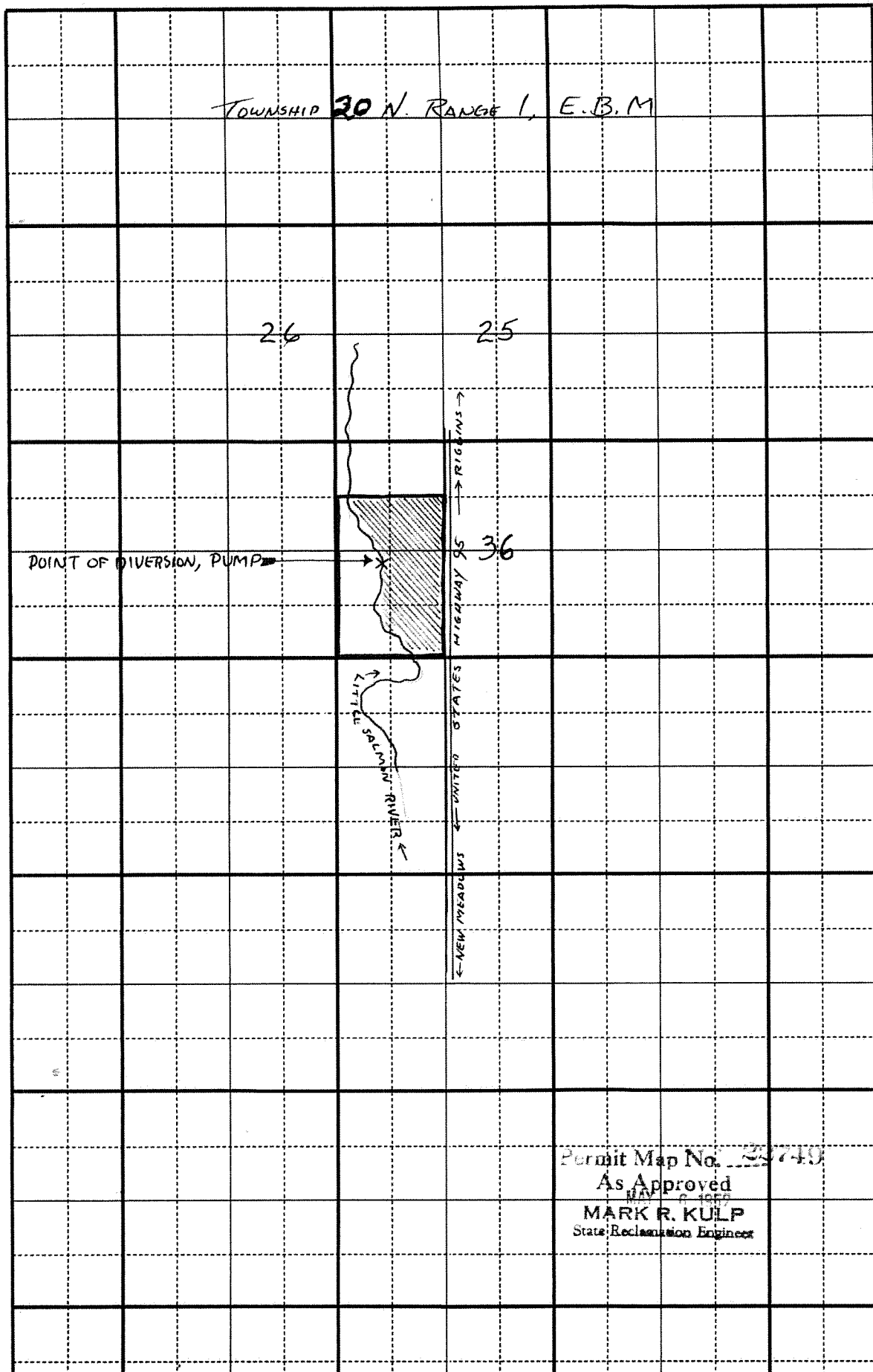
MARK R. KULP

State Reclamation Engineer.

(SEAL)

NAME OF APPLICANT VICTOR DURDEN

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

22749

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 22749

REPORT ON PROOF OF Completion of Works and Beneficial Use

VICTOR DURDEN, V Bar D Ranch, New Meadows, Idaho

app. 2,960 c.f.s.

*2.0 cfs
max*

*150 acres
4-40c*

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 22749

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Victor Durden, V Bar D Ranch, New Meadows, Idaho
2. Source of water supply: Little Salmon River
3. Location of point of diversion: Is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 36
T. 20 N. R. 1 E. County of Adams
4. Describe works as they exist, giving dimensions and capacities of same: This was intended to be entirely sprinkling system but due to shortage of money it is part sprinkler and part gravity. 2350' of 4" aluminum laterals. Lewis Allis horizontal motor 30 h.p. no. 1913934. Gould centrifugal pump 6" intake by 4" outlet. lift is 12'. Motor is mounted on concrete base 4' by 4' without any cover or protection, on the E. bank of the Little Salmon River. Water is pumped to the high points in the fields and distribution is by gravity.
5. Water is used for: Irrigation.
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ Section 36, Twp. 20 North, Range 1 East, B. M.

(V Bar D Ranch, 3 $\frac{1}{2}$ miles North of New Meadows, on U. S. Highway 95)

See the map

(Submit map on attached plat, showing location and details of above description.)

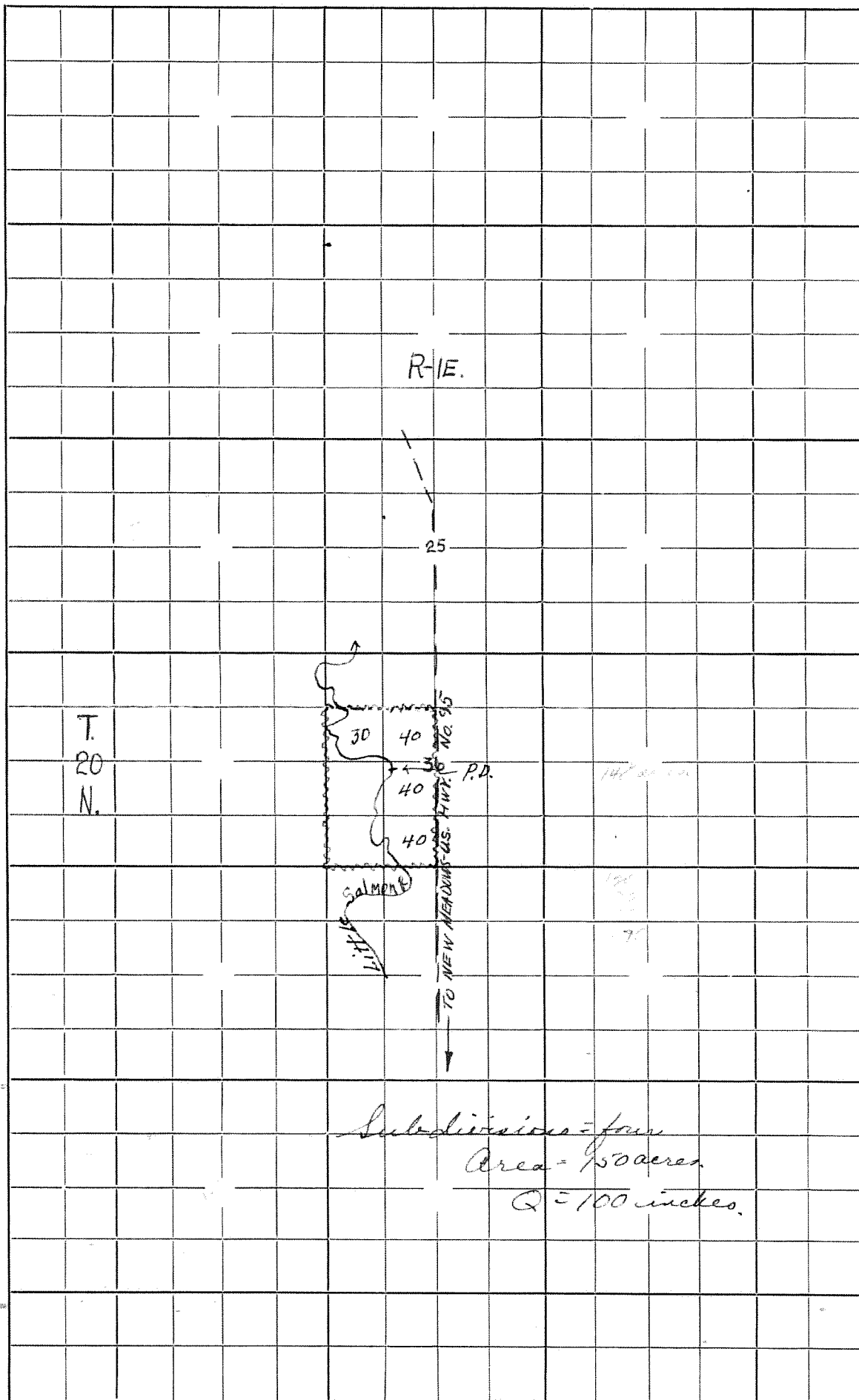
8. What large stream would the water here appropriated finally reach?

Remarks: This place is watered partly by sprinkler and partly by flood irrigation. At times the end of the 6" pipe is left open and all the water is delivered thru to the ditches by gravity. Today they are pumping 5.5" thru sprinklers.

This examination was made on the 25 day of Aug, 1953

(Signed) E. H. Humphrey Examiner.

22749



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

22749

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: **A78-02055**
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: APR 29, 1952

3. Source: LITTLE SALMON RIVER Trib. to: 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:
40HP AND 60HP PUMPS IN RIVER TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 300.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

AUG 08 1994

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	30.0
			NE	SW		IRR	40.0
			SE	SW		IRR	40.0

10. Place of Use: Continued

Section Acres 150.0

Total Acres 150.0

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:
A78-02071 AND A78-07015

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 22749

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 _____

MICROFILMED

Notary Public

AUG 08 1994

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

APR 14 1993

Department of Water Resources

DATE OF CLOSING: 4/01/93

RECEIVED

MAY 5 1993

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

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

☐ 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. Durdan

102 N.W. Sunhill Dr.Grants Pass, OR 97526

☐ New Owner/Claimant (Purchaser): 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

Date

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

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:

MICROFILMED

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.

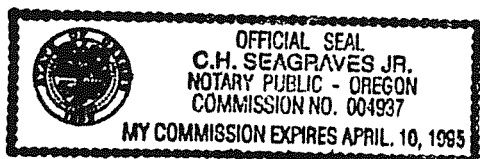
Date: March 31, 1993

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 Grantville, 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: Sarah Wilson
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.

MICROFILMED

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: A78-02055
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: APR 29, 1952

3. Source: LITTLE SALMON RIVER Trib. to: 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:
40HP AND 60HP PUMPS IN RIVER TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 300.0 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	30.0
			NE	SW		IRR	40.0
			SE	SW		IRR	40.0

A78-02055

Page 1

Date: 04/20/90

MICROFILMED
OCT 05 1992

10. Place of Use: Continued

Section Acres 150.0

Total Acres 150.0

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:
A78-02071 AND A78-07015

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 22749

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

REC

211

MAR 26 1990

CHANGE IN OWNERSHIP

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

☐ In Water or 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:

~~575 E. 1st St. N.W.~~ 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: [Signature]

Further Action Needed:

Further Action Taken

Date: 4/20/90

By: [Signature]

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

MICROFILMED

OCT 05 1992

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:

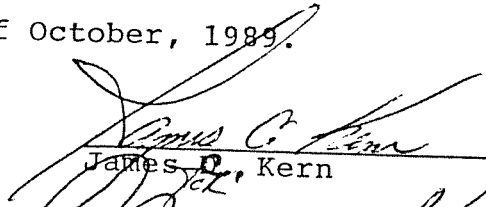
Parcel 1: All that portion of the SE 1/4 NE 1/4 of Section 35 of said Township and Range lying East of the county road as the same was established in 1963.

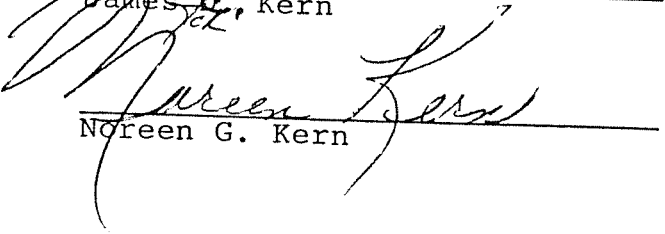
Parcel 2: The S 1/2 NW 1/4; and the SW 1/4 of Section 36 of said Township and Range excepting right-of-way of U.S. Highway 95.

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 Q. Kern


Noreen G. Kern

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: A78-02055
Date Received: 6/21/1988
Receipt No: W000333
Received By: [Signature] W000334 \$200

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: APR 29, 1952

3. Source: LITTLE SALMON RIVER Trib. to: 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:
40HP AND 60HP PUMPS IN RIVER TO SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 300.0 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	30.0
			NE		SW		IRR	40.0
			SE		SW		IRR	40.0
							Section Acres	150.0
							Total Acres	150.0

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:
A78-02071 AND A78-07015

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 22749

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

A78-02055

Date Received

6/7/88

Receipt Number

W000333 4
W000334

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Jim C. & /or NOREEN KERN Phone (208) 347-2126Mailing Address DRAWER B, NEW MEADOWS, ID Zip 836542. Date of Priority (Only one (1) per claim) 4/29/19523. Source of water supply (a) LITTLE JARMON R.
which is tributary to (b) JARMON 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, _____ B.M., County of ADAMSAdditional points of diversion if any: (2 POINTS)

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,

_____ 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. 40 HP & 60 HP PUMPS INRIVER TO SPRINKLER SYSTEM.

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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 2.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 300 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	
<u>20N</u>	<u>1E</u>	<u>36</u>							<u>40</u>	<u>30</u>	<u>40</u>			<u>40</u>					<u>150</u>

Total number of acres irrigated 150

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 X 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.
A78-2071 + A78-7015 or None ()

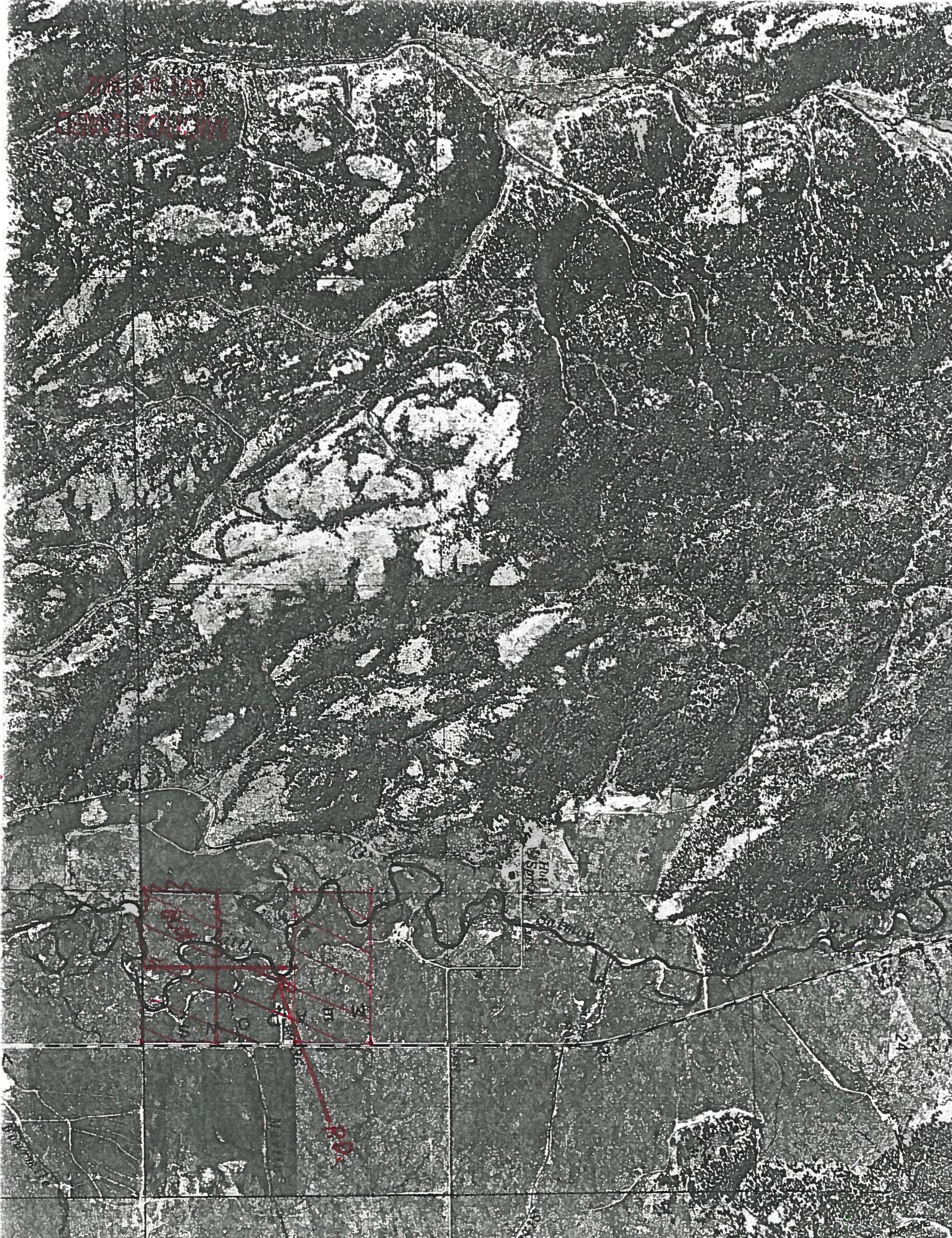
14. Remarks:

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number A 78-07055
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 X 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 _____

Last Name _____ Ident. Number _____

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Copies White-State, Yellow-Claimant

State of Idaho

License and Certificate of Water Right

Water License No. 22749

Amount Two second feet

Water District No. _____

Priority April 29, 1952

THIS IS TO CERTIFY that VICTOR DURDEN
of New Meadows, Idaho

, made application for a permit to appropriate the
public waters of the State of Idaho, dated April 29, 1952; that Permit No. 22749
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
two second feet, was issued thereunder on October 28, 1955, showing that said works
were completed on the 28th day of August, 1953; and that on the 28th
day of August, 1953.

VICTOR DURDEN

of New Meadows, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of Little Salmon
River, a tributary of Salmon River, for the purpose of irrigation

, under Use Permit No. 22749 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5572, on the 28th day of October, 1955;

The right hereby confirmed dates from April 29, 1952;

The Point of Diversion is located

in the NW 1/4 SW 1/4 Sec. 36, Tp. 20 N., R. 1 E., B. M. Adams County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed Two (2) cubic feet per second.

Description and location of use:

Description and location of land.					
Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
20 N.	1 E.	36	SW 1/4	40	40
			SE 1/4	40	30
			NE 1/4	40	40
			NW 1/4	40	—
			SW 1/4	6	—
			SE 1/4	32	40
Number of Acres Actually Irrigated - -					150

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

28th day of October, 1955

MARK H. KULP

State Reclamation Engineer.

(SEAL)

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OCT 5 1955

78 2055



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:l
Enclosure

cc: Patricia J. Durden

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AUG 08 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

[April 15, 1993]

CECIL D. ANDRUS
GOVERNOR

Jeanne W. Wallace
704 Manns Creek
Weiser ID 83672

R. KEITH HIGGINSON
DIRECTOR

[]
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.

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

Other: _____

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

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AUG 08 1994