

RECEIVED

MAY 19 2011

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

MAY 18 2011

By _____

Clerk

Deputy Clerk

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

) Subcase: 84-12258

Case No. 39576

)
) ORDER GRANTING MOTION TO FILE
) LATE NOTICE OF CLAIM
)
)
)

On January 3, 2011, Phillip L. and Robin K. Hance filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on May 17, 2011. This *Motion* complied with all procedural requirements under **SRBA Administrative Order 1**, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Payment of filing fees was made directly to the Idaho Department of Resources by the claimants, per a copy of the attached receipt. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of **SRBA Administrative Order 1** 4d(2)(h).

IT IS SO ORDERED.

Dated: May 18, 2011.



ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on May 18, 2011, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

PHILLIP L HANCE
ROBIN K HANCE
3322 DENT BRIDGE RD
OROFINO, ID 83544
Phone: 208-476-9080

A handwritten signature in cursive script, appearing to read "Julie Murphy", is written over a horizontal line.

Idaho Department of Water Resources Receipt

Receipt ID: C091779

Payment Amount \$25.00 Date Received 9/27/2010 10:55 AM Region STATE
Payment Type Check Check Number 6528
Payer HANCE, PL / RK
Comments 84-4090

Fee Details

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	56140	0229	21		1155

567

Signature Line (Department Representative)

Fees Paid
directly to IDWR

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

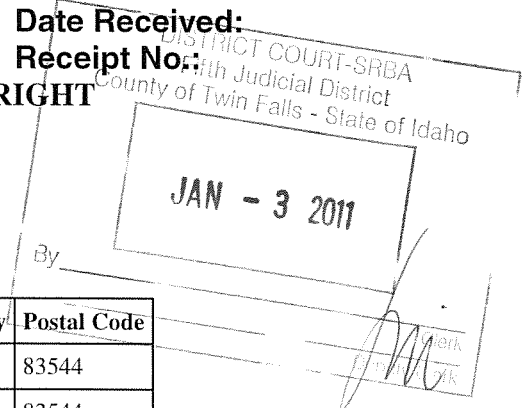
**IN RE THE GENERAL ADJUDICATION OF
RIGHTS TO THE USE OF WATER FROM THE
SNAKE RIVER BASIN WATER SYSTEM**

**CIVIL CASE 39576
NUMBER:
Ident. Number: 84-12258**

Date Received:

Receipt No.:

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



1. Name of Claimant(s):

Name	Address	City	State	Country	Postal Code
ROBIN K HANCE	3322 DENT BRIDGE RD	OROFINO	ID	USA	83544
PHILLIP L HANCE	3322 DENT BRIDGE RD	OROFINO	ID	USA	83544

2. Date of Priority:

Date	Explanation
1/1/1960	

3. Source:

Source	Tributary	Type
SPRING	SINKS	

4. Point Of Diversion:

Township	Range	Section	Gov Lot	QQ	Q	County
37N	02E	33		SE	SW	CLEARWATER

5. Water is used for the following purpose(s):

Water Use	Number Of Homes	Stock		Description
DOMESTIC	1	-		
STOCKWATER	-	Type of Stock	Number of Stock	
		Mixed Stock	1 - 10	

6. Season(s) of Use:

Water Use	From Month/Day	To Month/Day
DOMESTIC	1 / 1	12 / 31
STOCKWATER	1 / 1	12 / 31

7. Quantity:

Water Use	CFS	AF	KW
DOMESTIC	0.010	0.00	0.0
STOCKWATER	0.010	0.00	0.0

Totals:

CFS	AF	KW
0.010	0.00	

8. Place of Use:

Water Use	Township	Range	Section	QQ	Q	County	Gov Lot	Acreage
DOMESTIC	37N	02E	33	SE	SW	CLEARWATER	-	-
STOCKWATER	37N	02E	33	SE	SW	CLEARWATER	-	-

9. Basis of Claim:

Basis
Beneficial Use

10. 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: 8

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Shelly L. Hance* Date: 12/31/10
Robin K. Hance Date: 12-31-10

RECEPTION ☒ INDEXED ☒
FILMED ☐ DELIVERED ☐
MAILED ☐

203482

WARRANTY DEED

Instrument # 2 482
CLEARWATER COUNTY, IDAHO
2006-08-18 01:25 PM No. of Pages: 2
Recorded for: CCLT
ROBIN CHRISTENSEN
Ex-Officio Recorder Deputy
Fee: 6.00
Return to X

THIS INDENTURE, made on this 4th day of AUGUST, 2006, by and between DOUGLAS L. McROBERTS and BRENDA R. McROBERTS, husband and wife, of 507 North Mill, Grangeville, ID 83530, hereinafter referred to as the Grantors, and PHILLIP L. HANCE and ROBIN K. HANCE, husband and wife, of 335 Rowland Ave., Modesto, CA 95354, hereinafter referred to as the Grantees.

WITNESSETH:

That the said Grantors, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other good and valuable considerations to them in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents do grant, bargain, sell, convey, and confirm all right, title, and interest that they have in the below described real property unto the said Grantees, their heirs and assigns, forever all the following described real property situate in the County of Clearwater, State of Idaho, to wit:

Township 37 North, Range 2 East, Boise Meridian, beginning on the South line of SW $\frac{1}{4}$ of Section 33 where the East boundary of the County Road crosses that line; thence East 247.5 feet, more or less; thence North to the County Road; thence Southwesterly and Southerly along the East boundary line of said County Road to the point of beginning.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity of the said Grantors.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns, forever.

And the said Grantors, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said Grantees, their heirs and assigns, that at the time of the recording and delivery of this deed, the said Grantors have no other interest in the above described property, and that the said Grantees, their heirs and assigns, shall have and enjoy the same forever.

sell, convey, and confirm all right, title, and interest that they have in the now described real property unto the said Grantees, their heirs and assigns, forever all the following described real property situate in the County of Clearwater, State of Idaho, to wit:

Township 37 North, Range 2 East, Boise Meridian, beginning on the South line of SW¼ of Section 33 where the East boundary of the County Road crosses that line; thence East 247.5 feet, more or less; thence North to the County Road; thence Southwesterly and Southerly along the East boundary line of said County Road to the point of beginning.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity of the said Grantors.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, their heirs and assigns, forever.

And the said Grantors, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said Grantees, their heirs and assigns, that at the time of the ensealing and delivery of these presents they were well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in fee simple, and have good right, full power, and

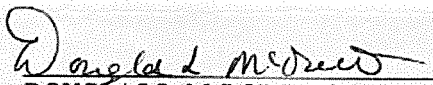
lawful authority to grant, bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, *EXCEPT*:

- 1) 2006 taxes are an accruing lien, not yet due or payable until the fourth Monday in November of the current year, the first one-half of which is not delinquent until after December 20th of the current year.
- 2) Rights of the public in and to that portion of said premises lying within Wells Bench Road.

And that the above bargained premises, in the quiet and peaceable possession of the said Grantees, their heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantors will and shall WARRANT AND FOREVER DEFEND.

That this Deed is given by Grantors to Grantees not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantees to Grantors.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.

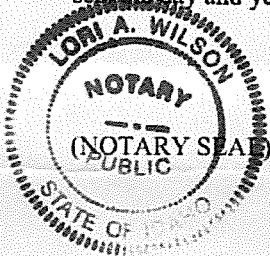

DOUGLAS L. McROBERTS


BRENDA R. McROBERTS

STATE OF IDAHO)
 SS
County of Idaho)

On this 4th day of AUGUST, 2006, before me, a Notary Public in and for said County and State, personally appeared DOUGLAS L. McROBERTS and BRENDA R. McROBERTS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they freely executed the same.

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




Notary Public for the State of Idaho,
Residing at Crangville therein.
My commission expires 10-19-2007.

Instrument # 215127

CLEARWATER COUNTY, OROFINO, IDAHO

9-16-2010 10:09:27 No. of Pages: 1

Recorded for: DOUGLAS L. MCROBERTS

CARRIE BIRD Fee: 10.00

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

215127

Indy Downing
QUITCLAIM DEED

* *Return to* For Value Received

DOUGLAS L. MCROBERTS AND BRENDA R. MCROBERTS, HUSBAND AND WIFE

do hereby convey, release, remise and forever quitclaim unto

* PHILLIP L. HANCE AND ROBIN K. HANCE, HUSBAND AND WIFE

whose current address is *3322 Dent Bridge Road, Orofino, Id 83544*

the following described premises, to-wit:

A parcel of land located in the Southeast Quarter of the Southwest Quarter of Section 33, Township 37 North, Range 2 East of the Boise Meridian, Clearwater County, Idaho described as follows:

COMMENCING at the South 1/4 corner of said Section 33;

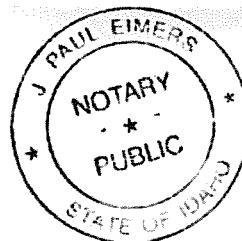
Thence along the South line thereof, N 89°25'06" W, 823.11 feet to the POINT OF BEGINNING;

Thence continuing along said South line, N 89°25'06" W, 67.50 feet;

Thence N 00°00'00" E, 490.33 feet to the Southern right of way line of Wells Bench Rd;

Thence along said right of way line, N 65°17'53" E, 74.29 feet;

Thence leaving said right of way line, S 00°00'00" W, 522.06 feet to the POINT OF BEGINNING.



together with their appurtenances.

Dated: *Sept. 10, 2010*

Douglas L. McRoberts

DOUGLAS L. MCROBERTS

Brenda R. McRoberts

BRENDA R. MCROBERTS

STATE OF IDAHO, COUNTY OF IDAHO

On this *10th* day of *Sept*, *2010*, before me, a notary public in and for the said State, personally appeared

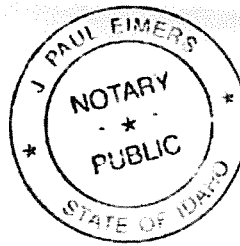
DOUGLAS L. MCROBERTS AND
BRENDA R. MCROBERTS

known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at _____ minutes past _____ o'clock _____ M.,
this _____ day of _____,
in my office, and duly recorded in Book
of Deeds at Page _____



together with their appurtenances.

Dated: Sept. 10, 2010

Douglas L. McRoberts
DOUGLAS L. McROBERTS

Brenda R. McRoberts
BRENDA R. McROBERTS

STATE OF IDAHO, COUNTY OF IDAHO

On this 10th day of Sept, 2010,
before me, a notary public in and for the said State, personally appeared

DOUGLAS L. McROBERTS AND
BRENDA R. McROBERTS

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

J. Paul Eimers
Residing at Bozemanville
Comm. Expires 6-24-2011
Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock M.,
this _____ day of _____
, in my office, and duly recorded in Book
of Deeds at Page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$ _____
Mail to: _____

Statement of Water Usage for parcel # RP37NO2E336620A

For the parcel # RP37NO2E336620A before the trailer w/additions that is presently on the parcel aforementioned with a parcel # MH37NO2E336620A there was a homestead owned by Lewis McRoberts ^{occupied by:} Laurenne McRoberts dating back before 1960 using the spring on RP37NO2E336620A fed by tributary to sinks for Domestic and Stockwater use as the present owners use the spring on parcel # RP37NO2E336620A for Domestic and Stockwater use.

Signature: Donna Dykes

Printed: Donna Dykes

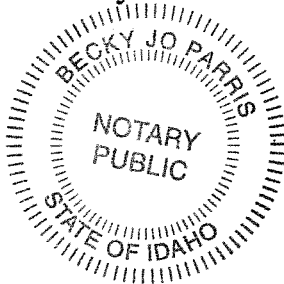
Dated: 12-10-10

Address: 3477 Dent Bridge Rd

Orofino ID 83544

Phone#: 208-476-3157

Notary



Subscribed and sworn to before me in my
Presence, this 10 day of December
2010, a Notary Public in and for the
County of Blaine, State of Idaho
Becky Jo Parris
(Signature) Notary Public
My commission expires 06/13, 14

