

12/15/2005

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

RIGHT NUMBER: 78-7169

NAME AND ADDRESS: WINIFRED DICE
PO BOX 157
RIGGINS ID 83549

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.040 CFS
2.000 AFY

PRIORITY DATE: 04/20/1981

POINT OF DIVERSION:

T23N R01E S9 SWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	03/15 10/31	0.040 CFS 2.00 AFY

PLACE OF USE: DOMESTIC Within IDAHO County

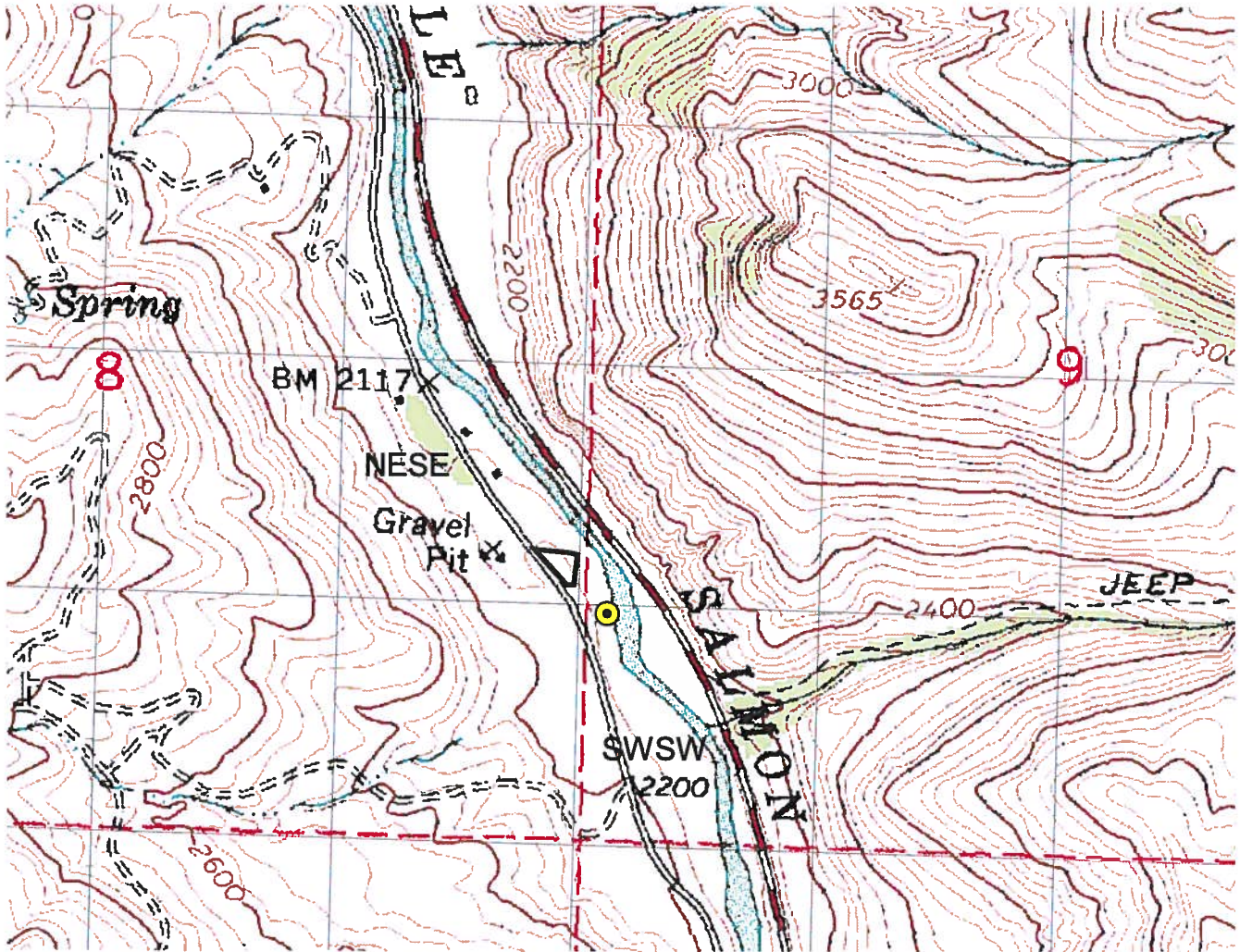
T23N R01E S08 NESE

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

78-7169



0 600 1200 Feet

Sections 8 & 9
T23N R1E



● Point of Diversion

□ Place of Use

Map prepared on December 15, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

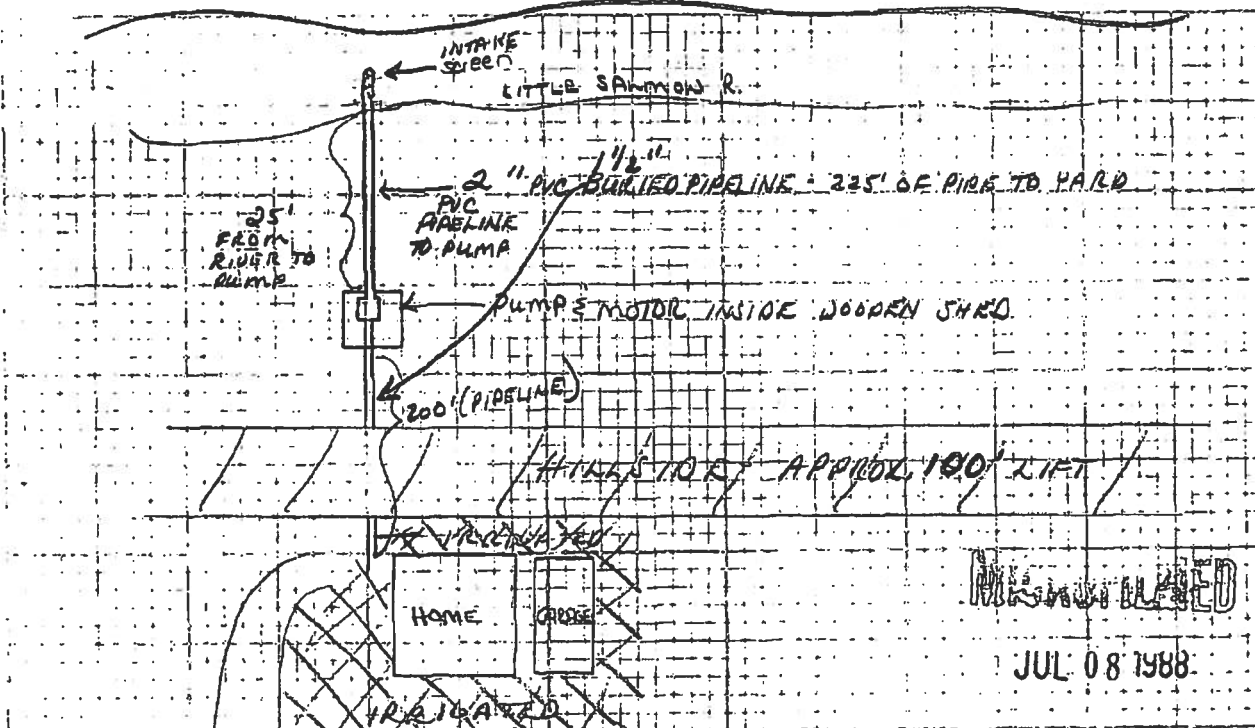
1. Owner: HOWARD & OR WINIFRED DICE Permit No. 78-7169
Current Address: P.O. Box 193 Phone No. _____
2. Accompanied by: HOWARD DICE EXAM. DATE: 9/22/87
Address: _____ Phone No. 628-3909
Relationship to Permit Holder: _____
3. Source: L. SALMON R. tributary to SALMON R.

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required). ☐ Aerial Photo Attached
(required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater).

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: **A78-07169**
Date Received: 5/ 5/1988
Receipt No: W000179
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: WINIFRED DICE 208-628-3909
Address: PO BOX 157
RIGGINS ID 83549

2. Date of Priority: APR 20, 1981

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	01E	9		SW	SW		IDAHO

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	03/15	10/31	0.040		

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

8. Total consumptive use is 1.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
23N	01E	8	NE	SE		DOMEST	0.5

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	0.5
					Total Acres	0.5

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:
NONE

14. Remarks:
ADDRESS CHANGE BY CLAIMANT LETTER.
CHANGES MADE TO SHOW REMOVAL OF HOWARD DICE ON THIS CLAIM.
DB 12/2/98.

15. Basis of Claim: PERMIT



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

NOV 30 1998

WATER RESOURCES
WESTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 5, 1998

HOWARD AND WINIFRED DICE
PO BOX 157
RIGGINS ID 83549

Re: Snake River Basin Adjudication (SRBA)
Water Right A78-07169
Change of Address

RECEIVED

NOV 17 1998

Department of Water Resources

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by November 24, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

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The address is correct as shown above or as otherwise changed.

Winifred Dice
Claimant Signature

11-13-98
Telephone No.

393647

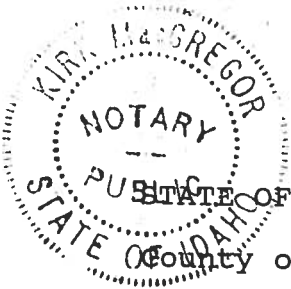
QUITCLAIM DEED

FOR VALUE RECEIVED, HOWARD DICE, a married person, does hereby convey, release, remise and forever quitclaim unto WINIFRED DICE, residing at 1000 S. Main, Riggins, Idaho, as her sole and separate property, the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

together with its appurtenances.

DATED this 17 day of June, 1997.



Winifred Dice P.O.D.
HOWARD DICE

STATE OF IDAHO)
County of IDAHO) ss.

On this 17 day of June, 1997, before me, the undersigned a Notary Public in and for said state, personally appeared WINIFRED DICE, who, being by me first duly sworn, declared that she is the attorney-in-fact for HOWARD DICE and that she signed the foregoing document in that capacity as attorney-in-fact.

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

[Signature]
Notary Public in and for the
State of Idaho; Residing at
Grangeville, therein. My com-
mission expires: 2/19/03

MAIL DEED TO:
WINIFRED DICE
1000 S. Main
Riggins, ID 83549

MAIL TAX NOTICES TO:
WINIFRED DICE
1000 S. Main
Riggins, ID 83549

STATE of IDAHO	{	ss.
County of Idaho		
Recorded at request of <u>Winifred Dice</u>		
at <u>5</u> minutes past <u>11:00</u> o'clock <u>A</u> M.		
this <u>17th</u> day of <u>June</u> 19 <u>97</u>		
ROSE E. GEHRING		
By <u>[Signature]</u>	Recorder	
By <u>[Signature]</u>	Deputy	
Page <u>60</u>		

QUITCLAIM DEED

m/Box 157
Riggins, ID 83549

EXHIBIT "A"

4. The land referred to in this policy is described in said instrument, is situated in the County of Idaho, State of Idaho, and is identified as follows:

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 15: A parcel of land being in Lot 3 and East and South of North and South Highway, Idaho No. 95, described as:
Beginning at a point shown on the plat of Riggins Townsite, filed in the office of the Recorder of Idaho County, as being S.89°55'E., 3964 feet of the West Quarter Section Corner of Section 15, Township 24 North, Range 1 East, B.M.,
thence S.16°54'W., 754.36 feet to Corner No. 1;
thence S.67°15'E., 125 feet;
thence S.25°25'W., 50 feet;
thence N.67°05'W., 125 feet;
thence N.25°25'E., 50 feet to Corner No. 1 the Place of Beginning.

ALSO A parcel of land particularly described as beginning at a point shown on the Riggins Townsite Plat, on file in the Office of the County Recorder, Idaho County, Idaho, as being S.89°55'E., 3964 feet from the West Quarter Corner of Section 15, Township 24 North, Range 1 East, B.M., and running thence S.17°23'W., 800.4 feet to Corner No. 1, the Real and True Point of Beginning, of the tract herein described and conveyed;
thence S.25°25'W., 25 feet to Corner No. 2 of the tract hereby conveyed;
thence S.67°05'E., 125 feet to Corner No. 3 of the tract hereby conveyed;
thence N.25°25'E., 25 feet to Corner No. 4 of the tract hereby conveyed;
thence N.67°05'E., 125 feet to Corner No. 1 the Real and True Point of Beginning of the tract hereby conveyed.

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: A78-07169
Date Received: 5/05/1988
Receipt No: W000179

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: HOWARD DICE 208-628-3909
Address: P.O. BOX 216
POLLOCK, ID 83547

AND/OR

Name: WINIFRED DICE 208-628-3909
Address: P.O. BOX 216
POLLOCK, ID 83547

2. Date of Priority: APR 20, 1981

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	01E	9	SW	SW	SW		IDAHO

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	03/15	10/31	0.040		

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

8. Total consumptive use is 1.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	8	NE	SE		DOMEST	0.5
Section Acres							0.5
Total Acres							0.5

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:
NONE

14. Remarks:

15. Basis of Claim: PERMIT
Water Right Number: 78-7169

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 X 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): Howard Dice Date: 5-13-88
Winifred Dice Date: 5-13-88

State of Idaho)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 12 day

of May 19 88

William L. Young
Notary Public

Seal

Residing at Regina

My Commission Expires 9/88



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

December 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Re: Notice of Claim to a Water Right No. A79-07169

Winifred Dice
PO Box 157
Riggins ID 83549

Dear Claimant:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

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

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

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

AJ0749NP

No. A78-07169

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

DATE: 11/27/98
PAGE: 1

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME

C HOWARD DICE 04/20/1981 DOMESTIC D3-15 10-31 0.04 CFS

C WINIFRED DICE

PO BOX 157

RIGGINS ID 83549

(208) 628-3909

TOTAL DIVERSION: 0.04 CFS

CONSUMPTIVE USE: 1.00 AFA

Water Source: LITTLE SALMON RIVER Tributary to: SALMON RIVER Stage: PERMIT

Point(s) of Diversion: T23N R01E S09 SWSW IDAHO County

Place of use Legal Description for: DOMESTIC

NE NW SW SE

NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :

T R S : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac : Lt Ac Lt Ac Lt Ac Lt Ac :

23N 01E 8 : : : : : .5 : 0.5

POU County: IDAHO

Non-Irrigation Uses: NONE

Other Rights: NONE

Conditions of Approval:

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:



IDAHO LEGAL AID SERVICES

Caldwell Office

708 Main Street
Second Floor
P.O. Box 1116
Caldwell, ID 83606-1116
208 / 454 / 2591
Fax 208 / 454 / 2593

June 13, 1997

Winifred Dice
1000 S. Main
Riggins, ID 83549

Re: Medicaid Eligibility For Your Spouse

Dear Mrs. Dice:

Enclosed you will find a proposed Marriage Settlement Agreement together with a Quit Claim Deed. As you are aware, Medicaid regulations require that ownership of all countable assets be transferred to you as the stay-at-home spouse as a condition for your spouse in the nursing home to receive Medicaid nursing home benefits. The Medicaid regulations do not prohibit transfer of all other assets to you as well and it is our practice to recommend that this be done.

The transfer of the residential real estate also requires the use of a Quit Claim Deed which we have prepared and enclosed. To execute these documents, if they meet your and your spouse's approval, you will both need to sign the Marriage Settlement Agreement in front of a Notary Public and your spouse will need to sign the Quit Claim Deed in front of a Notary. If your spouse has previously provided another person with a Durable Power of Attorney,* That person may sign on your spouse's behalf. The Notary in that case will have to use the appropriate acknowledgment. That alternate acknowledgement has already been provided on the Marriage Settlement Agreement and the Notary can copy that to the Quit Claim Deed if it is needed.

Once executed, both of these documents need to be recorded with the County Recorder. If you utilized a power of attorney to sign on behalf of your spouse, the Power of Attorney document will also have to be recorded. In Idaho County the County Recorder is located 320 W. Main, Grangeville, Idaho. Once recorded, these documents need to be provided to your Health and Welfare Eligibility Worker. If your Medicaid application is denied, please contact our office immediately.

Sincerely,

IDAHO LEGAL AID SERVICES, INC.

This document has been
dictated and sent by
signature is available
Andrew C. Thomas
Attorney at Law

Enclosures

*Note - if a spouse signs as an attorney-in-fact (power of attorney) any deed conveying property to that spouse, title insurance companies may decide not to insure that transaction. It is better to have a non-spouse attorney-in-fact.

Administrative Office

P.O. Box 913
Boise, ID 83701
208 / 336 / 8980

Area Offices

P.O. Box 1683
Boise, ID 83701
208 / 345 / 0106

P.O. Box 1116
Caldwell, ID 83606
208 / 454 / 2591

P.O. Box 1439
Coeur d'Alene, ID 83814
208 / 667 / 9559

482 Constitution Way
Idaho Falls, ID 83402
208 / 524 / 3660

P.O. Box 973
Lewiston, ID 83501
208 / 743 / 1556

P.O. Box 1785
Pocatello, ID 83204
208 / 233 / 0079

P.O. Box 1296
Twin Falls, ID 83303
208 / 734 / 7024

FSI RESOURCE ELIGIBILITY WORKSHEET

Case Name: Howard Dice Case #: 315351

Spouse Name: Winifred Dice

	Total Resources	Community Spouse	Institutional Spouse
INITIAL ASSESSMENT			
1. Couple Countable Resources	\$ <u>160,373.12</u>		
2. One-half of 1		\$ <u>80,186.56</u>	
CSRA DETERMINATION			
3. Spousal Share (Check min./max. limits)		\$ <u>79,020</u>	
4. Current Couple Resources	\$ <u>160,373.12</u>		
5. Community Property		\$ <u>80,186.56</u>	\$ <u>80,186.56</u>
6. Separate Property		\$ <u>0</u>	\$ <u>0</u>
7. Total (5 + 6)		\$ <u>80,186.56</u>	\$ <u>80,186.56</u>
8. CSRA (3 - 7)		\$ <u>-1,166.56</u>	
9. Allowable Adjustment (- or -)*			\$ <u>+1,166.56</u>
RESOURCES DETERMINATION			
10. Institutional Spouse Resources (7 +/- 9)			\$ <u>81,353.12</u>

MAXIMUM TOTAL COUPLE RESOURCES FOR INSTITUTIONAL SPOUSE
TO BE RESOURCE ELIGIBLE (3 + \$2,000)

\$ 81,020.00

* Positive CSRA becomes a negative adjustment. Negative CSRA becomes positive adjustment.

W. McCraw
Examiner Signature

6/12/97
Date



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

November 5, 1998

KARL J. DREHER
DIRECTOR

HOWARD AND WINIFRED DICE
PO BOX 157
RIGGINS ID 83549

*12-9-98
response*

Re: Snake River Basin Adjudication (SRBA)
Water Right A78-07169
Change of Address

Dear Claimants:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary **and list any other water rights you may have** before returning this letter by November 24, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right(s) referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

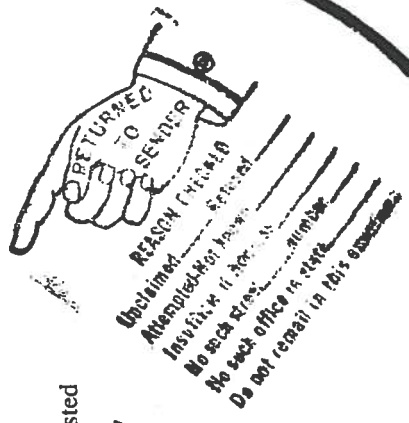
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

PO Box 157
Riggins ID
83549

Returned

11/4/98



W/R
only

A78-07169
HOWARD DICE
WINIFRED DICE
PO BOX 300
POLLOCK

ID 83547

RECEIVED
NOV 06 1998
Department of Water Resources

