

RECEIVED

JAN 17 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPARTMENT OF
WATER RESOURCES

RECEIVED

JAN 12 2006

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	782064				
	78-12736				
	78-10006				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former
Owner/Claimant(s)

Donald S. Brown & Muriel L. Brown
HC 75 Box 3632 New Meadows ID 8365

4. New Owner/Claimant(s)

Jessica V Salas

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

PO Box 182

City, State and ZIP Code

Pollock ID 83547

New Telephone Number

208 628-3736

5. Date you acquired the property

SCANNED

JAN 18 2006

RECORDED AT THE REQUEST OF: Don & Laveta Brown
PLEASE MAIL RECORDED DOCUMENT TO: Jessica Salas

WARRANTY DEED

For Value Received

The Grantors,
DONALD S. BROWN and LAVETA O. BROWN, husband and wife

do hereby grant, bargain, sell and convey unto

The Grantee,
JESSICA Y. SALAS, a single woman

whose current address is Box 1174, Riggins, ID 83549

the following described premises to wit:

See Schedule C

TOGETHER with an undivided 2/3 interest in the spring water, ID#A78-10006,
and an undivided 1/4 interest in the creek water, ID#A78-02064, as filed on
in the Snake River Basin Water Adjudication Case #39576, Idaho Fifth
Judicial District, Twin Falls County, together with proportionate ditch and
ditch rights, if any, appurtenant thereto or in anywise appurtenanting.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the
said Grantee, her heirs and assigns forever. And the said Grantors do
hereby covenant to and with the said Grantee, that they are the owner in
fee simple of said premises; that said premises are free from all
encumbrances except easements and reservations existing and/or
of record, and that they will warrant and defend the same from all lawful
claims whatsoever.

Dated this 31st day of October, 1991.

X Donald S. Brown
Donald S. Brown

X Laveta O. Brown
Laveta O. Brown

STATE OF IDAHO, County of Ada
On this 31 day of October, 1991, before me, a notary public in and
for said State, personally appeared Donald S. Brown and Laveta O. Brown,
known or proven to me to be the persons whose names are subscribed to the
within instrument and acknowledged to me that they executed the same as
their free and voluntary act.
WITNESS my hand and seal.

81153

INSTRUMENT NO. _____

State of Idaho }
County of Adams } ss.

Filed for record at the request of
Adams County Title Co.

30 min. past 3 o'clock P.M.
this 1 day of November, 1991
Bk 43M of Deeds PG. 489

Notary Public for Idaho
Residing at East Id
Commission Expires June 6, 1994

SCANNED

Schedule C

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho
Section 16: A parcel in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

The South 940 feet of all that portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying West of the right of way of U.S. Highway 95 as it existed July 14, 1960.

EXCEPTING therefrom the following parcels:

Parcel 1: Commencing at the NE corner of the above described parcel;

thence West along the North boundary of said tract 400 feet to a point;

thence South 150 feet to a point;

thence East 400 feet, more or less, to a point on the West boundary of the right of way of U.S. Highway 95;

thence Northerly along the West boundary of U.S. Highway 95 to the POINT AND PLACE OF BEGINNING.

Parcel 2: Commencing at a point on the South line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, where said line intersects the Westerly line of the Right of Way of U.S. Highway 95, as now established under and pursuant to the Highway Survey of Federal Aid Project 9-C (2) (and as located and established April 29, 1970);

thence Northerly along the Westerly right of way line of U.S. Highway 95, 125 feet to a point;

thence West, and parallel to the South line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 250 feet to a point;

thence Southerly, and parallel to the Westerly right of way line of U.S. Highway 95, 125 feet to a point;

thence East, along the South line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 250 feet to the POINT AND PLACE OF BEGINNING.

Parcel 3: Commencing at a point on the South line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, said point being the intersection of the South line of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ with the Westerly right of way boundary of U.S. Highway 95, as established and located on or before November 6, 1967, pursuant to Highway Survey FAP 9-C(2);

thence Northerly 125 feet on and along the said Westerly right of way boundary to a point, the PLACE OF BEGINNING, said point being further described as the NE corner of the Wolford parcel;

thence West 300 feet, parallel to the South line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ to a point;

thence due North 405 feet to a point;

thence Easterly 300 feet, more or less, parallel to the South line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Westerly right of way boundary of U.S. Highway 95;

thence Southerly along the said Westerly right of way boundary to the POINT AND PLACE OF BEGINNING.

ALSO EXCEPTING the right of way of U.S. Highway 95.

SCANNED

IAN 18 2006

T22N R01E S16 NESE

GRANDED

03/01/2006

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

RIGHT NUMBER: 78-12286
NAME AND ADDRESS: JESSICA SALAS
PO BOX 182
POLLOCK ID 83549
SOURCE: UNNAMED STREAM TRIBUTARY: LITTLE SALMON RIVER
QUANTITY: 0.015 CFS
PRIORITY DATE: 06/09/1960
POINT OF DIVERSION:
T22N R01E S16 NWESE 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	0.015 CFS

PLACE OF USE: IRRIGATION Within ADAMS County
T22N R01E S16 NESE 0.75

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 7, 2006

Jessica Salas
Box 182
Pollock, ID 83547

RE: 78-12286

Dear Ms. Salas:

We have processed your change of water right ownership form for the $\frac{1}{4}$ interest in the creek water (78-2064). We have assigned it an identification number of 78-12286. Enclosed is a copy of our recommendation. In the warranty deed it mentions a $\frac{2}{3}$ interest in a spring. George Krivda filed a claim on $\frac{2}{3}$ of the spring. Did you sell or assign him the rights?

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

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 SRBA

Case No. 39576

A. Subcase Number: 78-12286
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho,
Department of Lands
Address: 954 W. Jefferson
P. O. Box 83720
Boise, Idaho 83720-0050
Daytime Phone: (208) 334-0200

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Jessica Salas
Address: PO Box 351
Pollock, ID 83549

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Points of Diversion**
Should be: The Idaho Department of Lands, hereinafter "IDL," owns the SESE of section 16, Twp. 22 N, Rge. 01 E, B.M. The claimant has no authorization to divert water from the described point of diversion.
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The IDL acquired on November 25, 1903 the SESE of section 16, Twp. 22 N, Rge. 01 E, B.M. The claimant has no authorization to divert water from the described point of diversion.

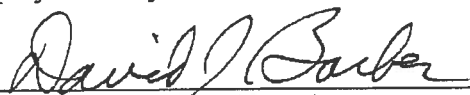
F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

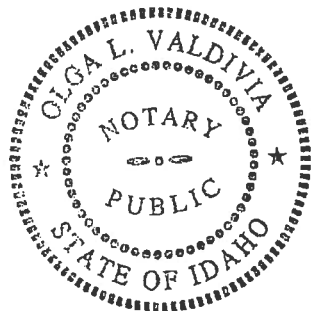
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

That the State of Idaho, Department of Lands, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Lands, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General


By Attorney signing in representative capacity

Subscribed and sworn to before me on: May 7, 2007
(Insert Date)




Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/8/2012

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on May 8, 2007 I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

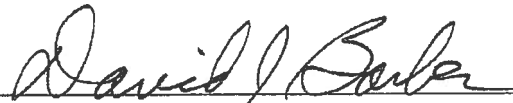
1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303
FEDERAL EXPRESS
2. One copy to the owner of the water right at the following address:
Jessica Salas
PO Box 182
Pollock, ID 83549
U.S. MAIL
3. Copies to:
State of Idaho,
Department of Lands
954 W. Jefferson
P. O. Box 83720
Boise, ID 83720—0050
STATEHOUSE MAIL

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098
STATEHOUSE MAIL

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724
U.S. MAIL

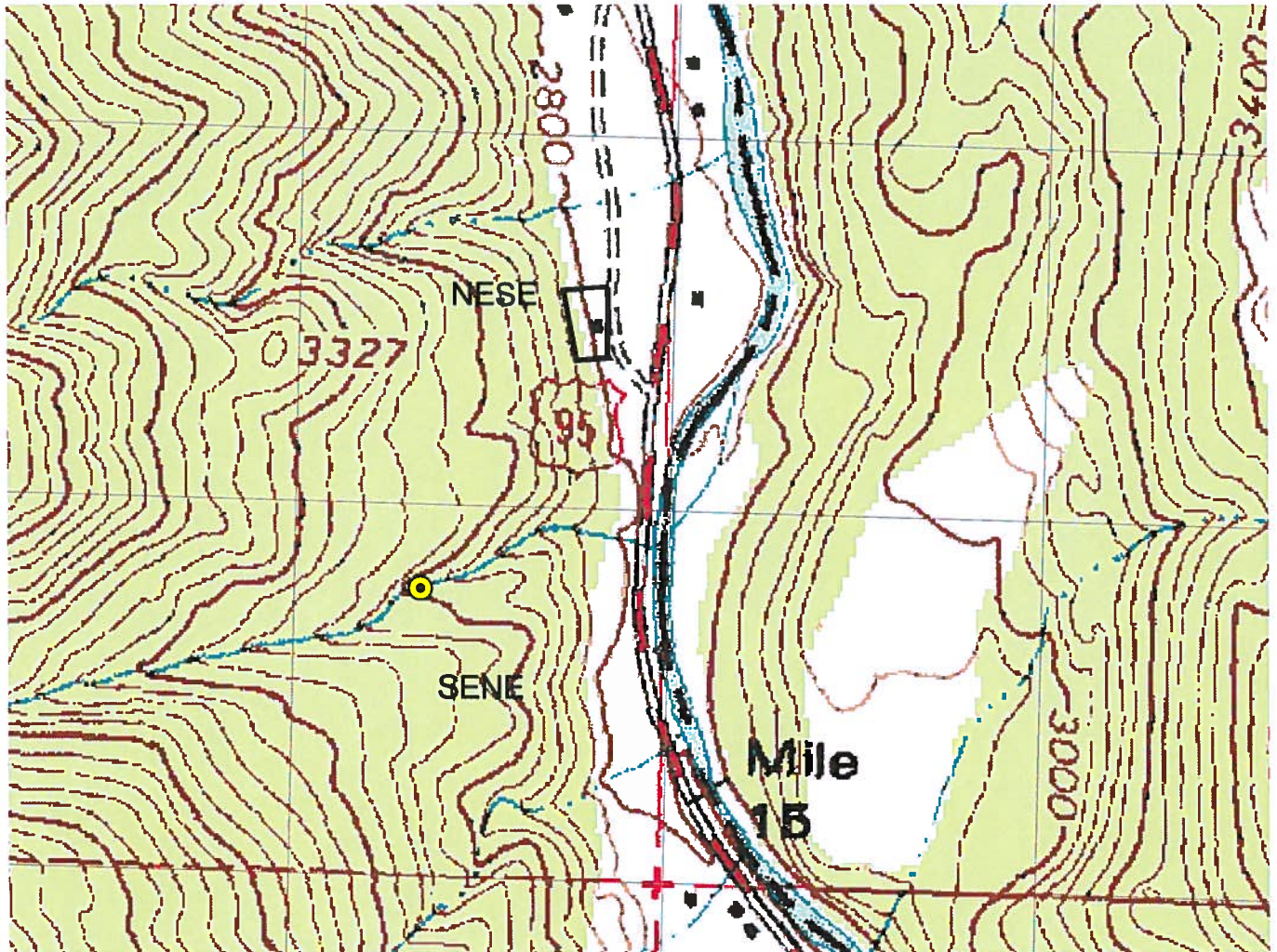
Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)



Signature of Objector or attorney
Mailing on Objector's behalf

78-12286



0 400 800 Feet

Section 16
T22N R1E



● Point of Diversion

□ Place of Use

Map prepared on March 1, 2006
By Kenneth Knoblock
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: A78-02064
Date Received: 4/11/1988
Receipt No: C000325-

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD S. BROWN 208-628-3376
Address: HC 75 BOX 3632
NEW MEADOWS, ID 83654

AND/OR

Name: MURIEL L. BROWN 208-628-3376
Address: HC 75 BOX 3632
NEW MEADOWS, ID 83654

2. Date of Priority: JUN 09, 1960

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	01E	16	NW	SE	SE		ADAMS

5. Description of diverting works:
HEADGATE AND CHECKS IN CREEK, INTO 8" PLASTIC PIPE TO P/U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.060		
DOMESTIC	01/01	12/31	0.020		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
1 DOMESTIC, 3 HEAD HORSES.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	01E	16	NE	SE		IRR	3.0
			NE	SE		DOMEST	
			NE	SE		STOCK	
						Section Acres	3.0
						Total Acres	3.0

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:
SPRING FOR DOMESTIC USE.

14. Remarks:
SPRINKLER IRRIGATED

15. Basis of Claim: LICENSE
Water Right Number: 28784

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: 1

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): x Donald A. Brown Date: 4-11-88
x _____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11th day
of April 19 88 Carter Fritschle
Notary Public

Seal

Residing at Eagle, Id
My Commission Expires 3-21-94

