

08/25/2005

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

RIGHT NUMBER: 78-4023

NAME AND ADDRESS: LINDA D HAGEDORN
PO BOX 272
POLLOCK ID 83547

CHRIS JOHNSON
PO BOX 272
POLLOCK ID 83547

SOURCE: DENNY CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.060 CFS

The quantity of water under this right for domestic and stockwater uses shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1959

POINT OF DIVERSION:

T23N R01E S29 SENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	03/01 11/15	0.020 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T23N R01E S29 SWNE 0.9

STOCKWATER Within IDAHO County

T23N R01E S29 SWNE

DOMESTIC Within IDAHO County

T23N R01E S29 SWNE

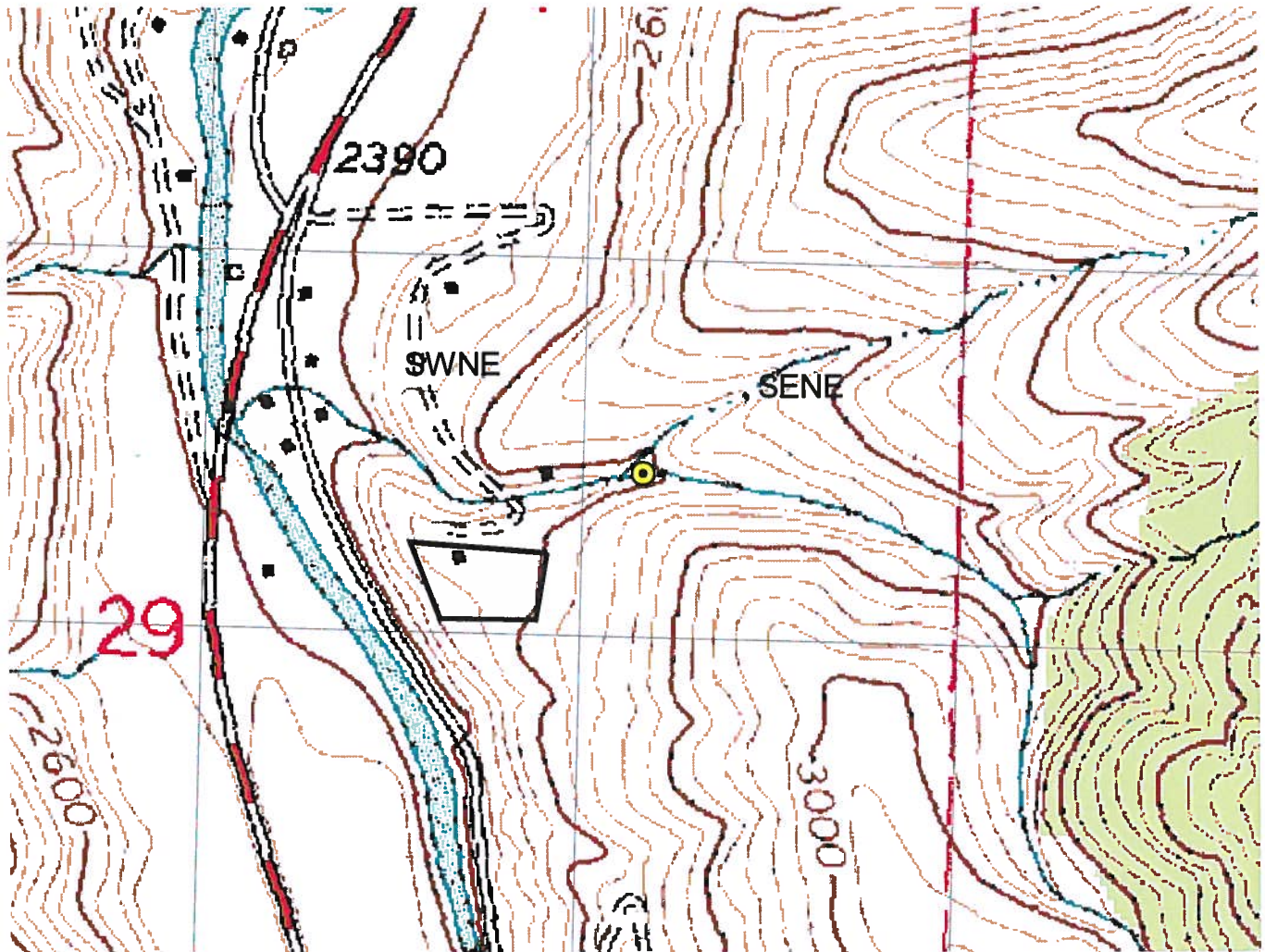
0.9 ACRES TOTAL

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

78-4023



0 500 1000 Feet

Section 29
T23N R1E



● Point of Diversion

□ Place of Use

Map prepared on August 25, 2005
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 78-4023
Date Received: 7/31/1996
Receipt No: W021282
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LINDA D HAGEDORN
PO BOX 272
POLLOCK ID USA 83547

Phone: (208)628-4036

CHRIS JOHNSON
PO BOX 272
POLLOCK ID USA 83547

Phone: (208)628-4036

2. Date of Priority: 04/01/1959

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	01E	29	SE NE	IDAHO	

5. Description of diverting works:

PIPES IN CREEK TO HOLDING POND, PIPED OUT TO PROPERTY.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.02	
STOCKWATER	1/01	12/31	0.02	
DOMESTIC	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	01E	29	SW	NE	IRRIGATION	1
					Section Acres	1
					Total Acres	1

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:

14. Remarks:

Ownership changed by DB 2/9/2004

ACREAGE NOT LISTED.

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

RECEIVED

JAN - 9 2004
0072263
Department of Water Resources

RECEIVED NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

JAN 14 2004

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): 78-4023, ~~78-10092~~, 78-10092
 Adjudication Claim No(s): CRB 325
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Bruce & Anne Elmquist
4. New Owner/Claimant(s) Chris Johnson & Linda D. Hagedorn
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
 New Mailing Address PO Box 272
 City, State and ZIP Code Pollock ID 83547
 New Telephone Number (208) 628-4036
5. Date you acquired the property 11/04/03
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Linda D. Hagedorn
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Davis

78-4023

http://wenet/apps/appsWorkflow/Framebuild.asp - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Home Search Favorites Media Print W

Address http://wenet/apps/appsWorkflow/Framebuild.asp Go

Links Customize Links Free Hotmail Windows Media Windows

Information Search (WR/AJ)

B	Se...	S	Source Table	Basis	Status	Priority Date	Di...	Source List	Water Use List	Owner List
78	4023		wrAdjudicationCL...	Beneficial Use	Active	1959-04-01	0.02	DENNY CR...	DOMESTIC, IR...	ELMQUIST, ANNE (Current);
78	4023		wrWaterRight	Statutory Claim	Active	1959-04-01	0.02	DENNY CR...	DOMESTIC, IR...	MC CRACKEN, RAY J (Curre

Show References Next Step Previous Steps: Screen ID 446

Done Local intranet

Start | Inbox - Microsoft Outlook | http://wenet/apps/ap... | 3:19 PM

RECEIVED

JAN 14 2004

WATER RESOURCES
WESTERN REGION

WARRANTY DEED

GRANTOR, ESTATE OF BRUCE D. ELMQUIST, deceased, and ANNE ELMQUIST, a widow, of P. O. Box 272 Pollock, ID 83547, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to CHRIS JOHNSON, a single person, and LINDA D. HAGEDORN, a single person, of Route 2 Box 669, Grangeville, ID 83530, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2003, which are a lien, not yet due and payable.

2. Power Line Easement, including the terms and conditions thereof, by and between DAN CORBETT and EDNA CORBETT, husband and wife and THE IDAHO POWER COMPANY, a corporation recorded April 24, 1948, under Instrument No. 159356, Book 80 page 557, records of Idaho County, Idaho.

3. Power Line Easement, including the terms and conditions thereof, by and between FLOYD E. HANSON and ELLEN A. HANSON, husband and wife and IDAHO POWER COMPANY, a corporation, recorded August 7, 1961, under Instrument No. 205946, Book 95 page 409, records of Idaho County, Idaho.

4. Power Line Easement, including the terms and conditions thereof, by and between RAY McCRACKEN and RUTH T. McCRACKEN, his wife, Grantors and IDAHO POWER COMPAY, a corporation, Grantee, recorded March 28, 1968, under Instrument No. 229956, records of Idaho County, Idaho.

5. Any adverse claims based on the assertion that the location of the Denny Creek has moved subsequent to its adoption as a title boundary.

6. Rights and Easements in favor of the public for recreational uses of the Denny Creek.

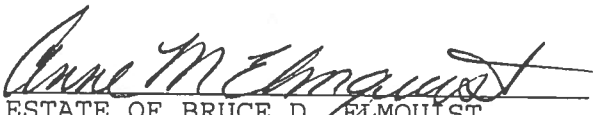
7. Terms and conditions in Water Pipeline and Ditch Easement, by and between DENNIS CULLEY and CONNIE CULLEY, husband and wife and BRUCE D. ELMQUIST and ANNE ELMQUIST, husband and wife, recorded March 7, 1996, under Instrument No. 385501, records of Idaho County, Idaho.

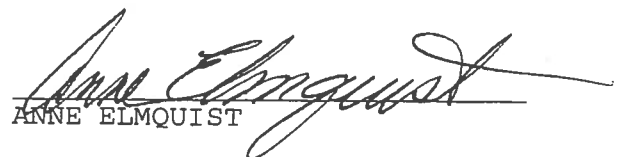
1
2 TO HAVE AND TO HOLD the said premises, with their appurtenances,
3 unto the said Grantees, their heirs and assigns forever. And the said
4 Grantors do hereby covenant to and with the said Grantees that they are
5 the owners in fee simple of said premises; that they are free from all
6 encumbrances, and that they will warrant and defend the same from all
7 lawful claims whatsoever, except general taxes for the year 2003, and
8 easements, reservations, restrictions and rights-of-way of record or in
9 use.

10 Except as otherwise expressly provided in this instrument, GRANTORS,
11 hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in
12 the event GRANTORS shall have permitted or suffered at any time prior to
13 the making of this instrument, any person or entity to possess, use or
14 occupy the above-described premises, or any portion thereof, for any
15 purpose, with or without the knowledge of GRANTORS, it was not the intent
16 of GRANTORS, by permitting or suffering such possession, use or
17 occupation, to thereby define property boundaries or ownership thereof.

18 In construing this deed, and where the context so requires, the
19 singular includes the plural and the masculine, the feminine and the
20 neuter.

21 IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to
22 this instrument this 4th day of ~~June~~ ^{November} 2003.

23
24 
25 ESTATE OF BRUCE D. ELMQUIST
26 By: ANNE M. ELMQUIST
27 Personal Representative

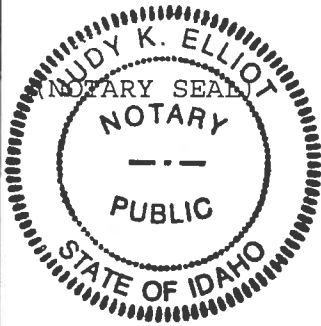
28 
ANNE ELMQUIST

29 STATE OF IDAHO)
30) ss.
31 County of Idaho)

32 On this 4th day of ~~June~~ ^{November} 2003, before me,
33 Jody K Elliot, a Notary for the said County and State,
34 personally appeared ANNE M. ELMQUIST personal representative for the
35 Estate of BRUCE D. ELMQUIST, and ANNE ELMQUIST, a widow, known or
36

1 identified to me to be the person whose name is subscribed to the within
2 instrument, and she acknowledged to me that she freely executed the same
3 and that the statements therein contained are true.

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



Judy K. Elliot

Notary Public for State of Idaho.
Residing at Grangeville, therein.
My commission expires on 3-26, 2004.

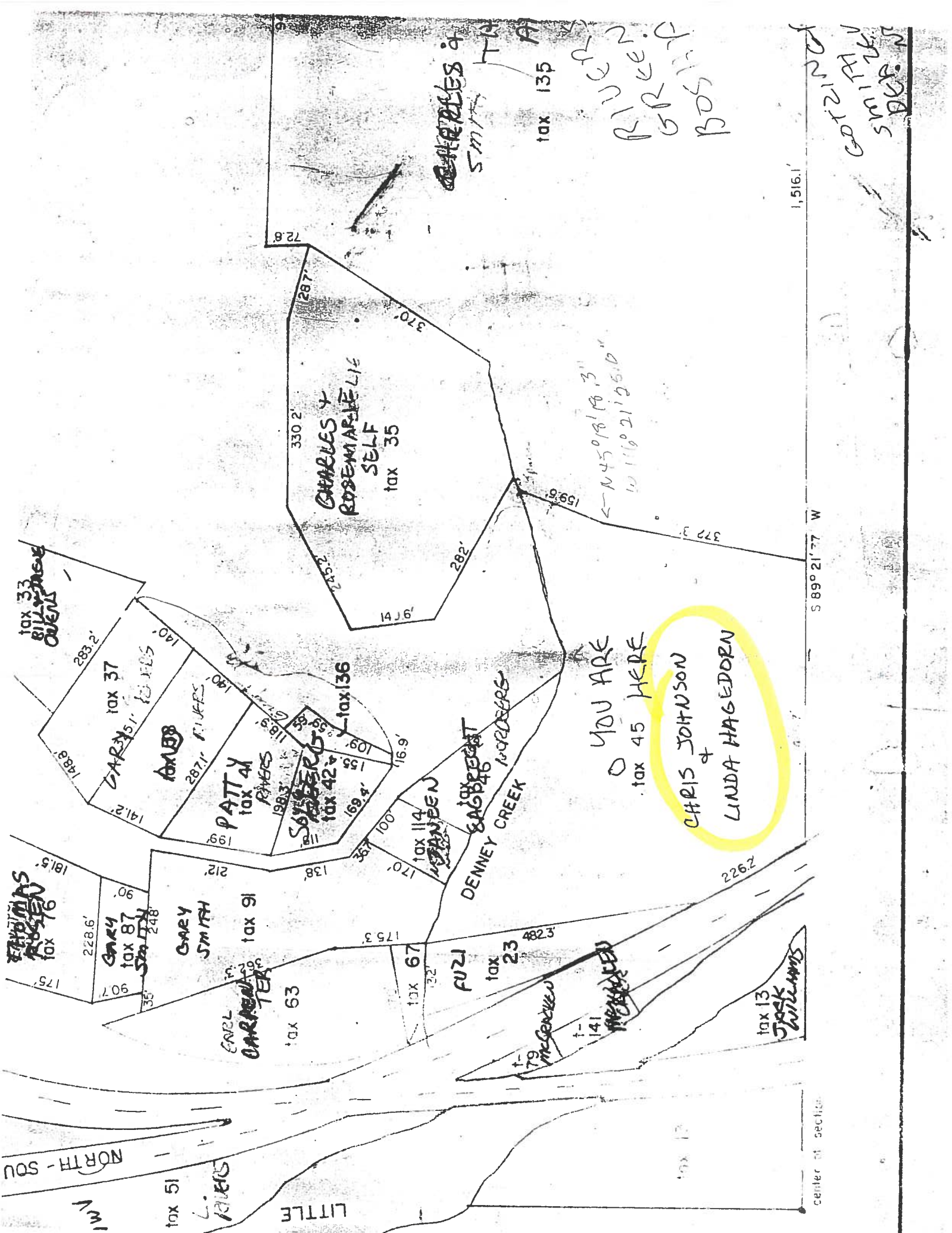
EXHIBIT A

Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 29: A parcel of land located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Commencing at a point from which the section corner common to Sections 20, 21, 28 and 29 bears N 38°20' E, 2233.5 feet;
thence S 51°58' W, 228.4 feet;
thence S 06°59' W, 121.1 feet;
thence S 61°28' E, 247.4 feet;
thence S 22°56' W, 40.0 feet to the TRUE POINT OF BEGINNING;
thence S 22°56' W, 159.5 feet;
thence S 09°14' W, 372.8 feet to a point on the quarter section line running through the center of said Section 29;
thence West along said line 485.7 feet, more or less, to the Easterly boundary of the right of way of old Highway 95;
thence N 31°26' W, 226.2 feet along said right of way;
thence N 08°56' W, 482.3 feet to Denney Creek;
thence Easterly along Denney Creek to the POINT OF BEGINNING.

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at	11:00 A m on 11-4-03
ROSE E. GEHRING	
By	<i>[Signature]</i> Recorder
Fees \$	12.00 Deputy

M / PU



NORTH - SOUTH

THOMAS ROBERTSON
tax 16

BILL WARD
OWENS
tax 33

GARY SMITH
tax 87

GARY RIVERS
tax 37

GARY SMITH
tax 91

EARL CARNEY
tax 63

tax 51

LITTLE

PATTY RIVERS
tax 41

GARY RIVERS
tax 42

CHARLES & ROSEMARIE LIE
SELF
tax 35

CHARLES & ROSEMARIE LIE
SELF
tax 35

tax 135

tax 135

tax 135

WILLIAM DENNEY
tax 114

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78-4023

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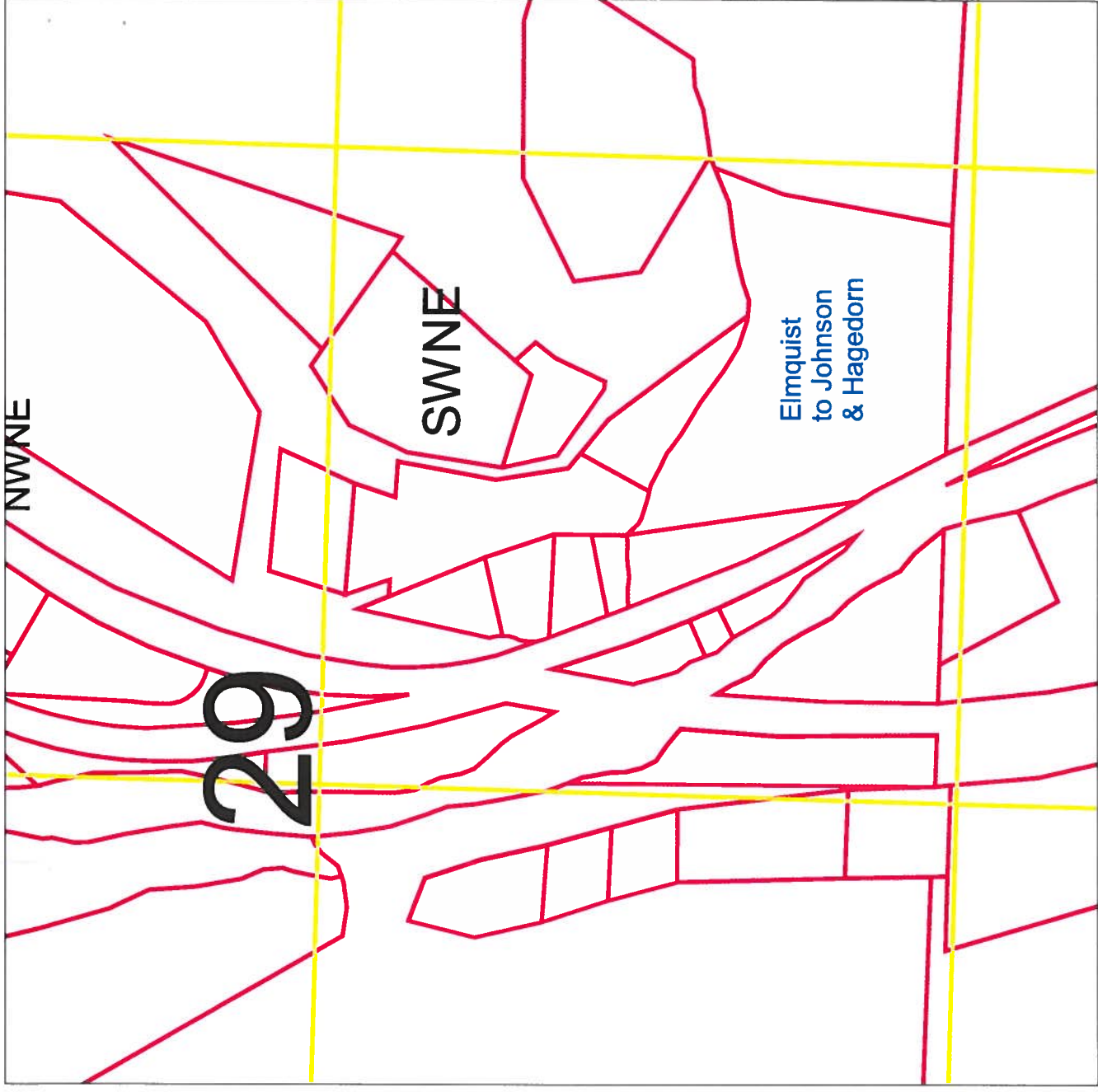
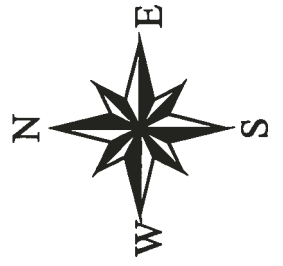
Twp & Range



QQ Lines



Tax Lot Data



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: **A78-04023**
Date Received: 3/25/1996
Receipt No: W021282
Received By: _____

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

1. Name: BRUCE ELMQUIST 208-628-3751
Address: PO BOX 272
POLLOCK ID 83547
AND
Name: ANNE ELMQUIST 208-628-3751
Address: PO BOX 272
POLLOCK ID 83547

2. Date of Priority: APR 1, 1959

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	29	SE	NE			IDAHO

5. Description of diverting works:
PIPES IN CREEK TO HOLDING POND, PIPED OUT TO PROPERTY.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 3 HORSES

MICROFILMED
OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	29	SW	NE		IRR	1.0
Section Acres							1.0
Total Acres							1.0

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:
ACREAGE NOT LISTED.

15. Basis of Claim: BENEFICIAL USE

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

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

JUL 31 1996

WATER RESOURCES
WESTERN REGIONIN 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-Date Received 3-25-96 7-31-96Receipt Number W021282 kwNOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 25 1996

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) BRUCE + ANNE ELMQUIST Phone (208) 628-3751Mailing Address P.O. BOX 272 POWLOCK, ID Zip 835472. Date of Priority (Only one (1) per claim) APRIL 1, 19593. Source of water supply (a) DENNY CREEK
which is tributary to (b) LITTLE SALMON RIVER4. a. Location of existing point of diversion is: Township 23 North Range 1 East Section 29,
SE 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of IDAHO

Additional points of diversion if any: _____

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.WATER IS DIVERTED OUT OF DENNY CREEK
BY TWO 6" PIPES 12' LONG INTO A SMALL HOLDING POND THEN INTO A VERTICAL
PIPE 2 1/4" DIA. X 28' TALL. A 1 1/2" PLASTIC PIPE THEN CARRIES THE WATER 450'
TO PROPERTY. OVERFLOW AT DAM HEADGATE RETURNS TO CREEK.

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OCT 22 1996

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from APR 1 to NOV 1 amount 0.02 or _____

For STOCK purposes from JAN 1 to JAN 1 amount _____ or _____

For DOMESTIC purposes from JAN 1 to JAN 1 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) D: 1 S: 3 HORSES (SOMETIMES MORE)

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	
23N	1E	29			1														1

Total number of acres irrigated 1

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

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. _____ or None (X)

14. Remarks:

MICROFILMED

OCT 22 1996

Last Name ELMQUIST Ident No. _____

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 78.4023
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) Bruce Shugart Date 3/19/96
Anne Berglund Date 3/19/96

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____ Organization _____, that I have signed the foregoing
document in the space below as _____ Title _____ of _____ 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 Idaho) SS.

Subscribed and sworn (or affirmed) before me this 19th day of March, 19 96



Notary Public Carolyn Friend
Residing at Reggens, Idaho
My Commission Expires 08-05-98

Please Print Name

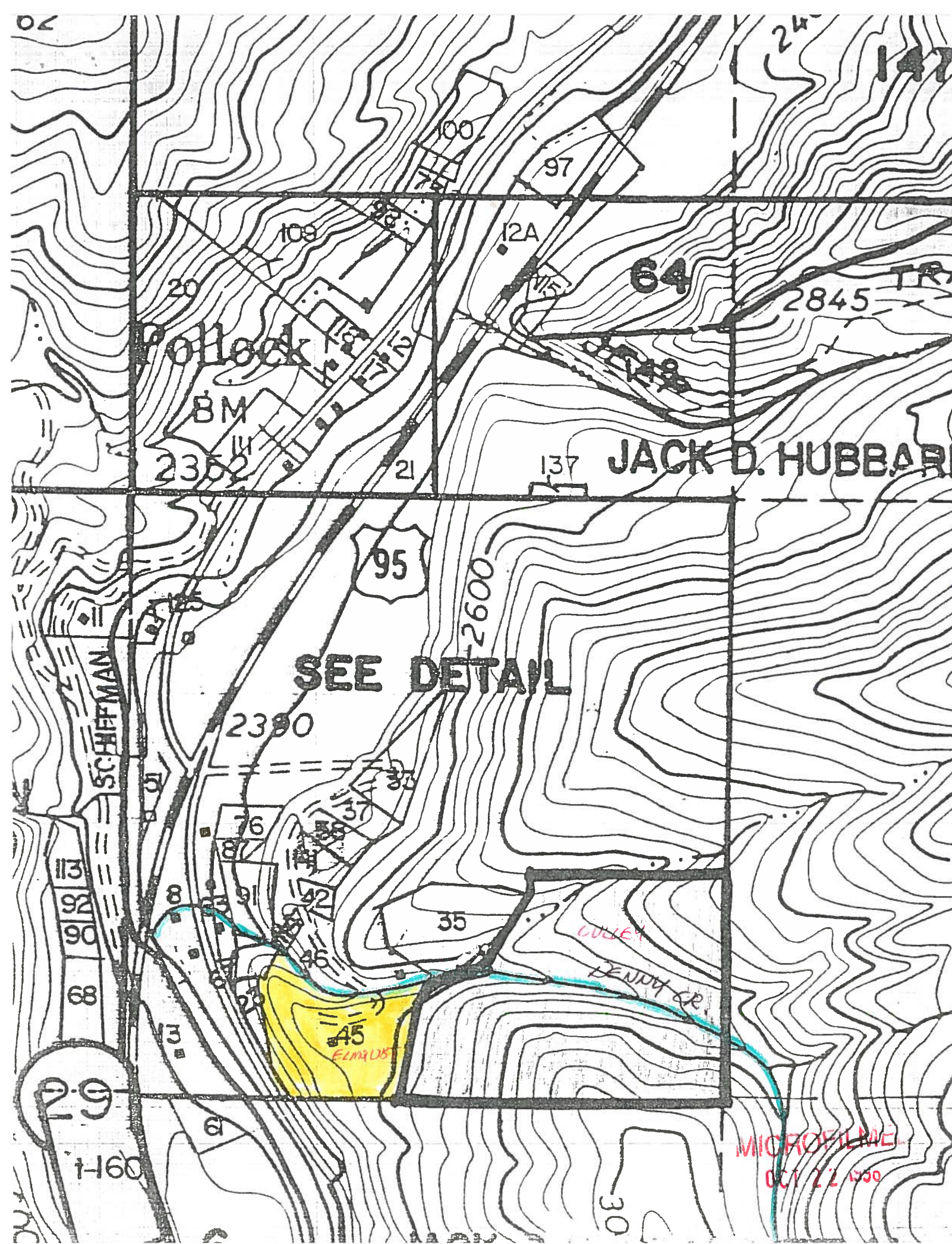
17. Notice of Appearance
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

Last Name ELMQUIST Ident. Number _____

MICROFILMED
OCT 22 1996

Copies White-State, Yellow-Claimant



2/1996

POOR ORIGINAL

TO HAT CR.

Tax # 35

APPROX 1/4 SEC. LINE

CULLEY
FENCE LINE
Hat Creek
Ditch

CULLEY 27 ac

ENTRANCE
GATE

HAT CR
Ditch

118 FT

PIPE ACROSS
CREEK

SW 1/4 NE 1/4 ↔ SE 1/4 NE 1/4
T 29 N R 1 E E 1/4

Easement Map for
Elmquist Water Right
WR 78-4023

WR 78-4023
DIVER 1
PD
(H=)

NEW Gate

Pipe
& Ditch

450 FT

Prop Line
Creek
Pipe
Ditch

Tax # 45

ELMQUIST

LENGTH OF DITCH FROM
DIVERSION POINT TO
ELMQUIST PROPERTY LINE
450 FT.

MICROFILMED

FROM DIVERSION POINT OCT 22 1990
WHERE HAT CR. WATER ENTERS
DENNY CR. DITCH - 55 FT
DISTANCE OF HAT CR. DITCH FROM
CULLEY ENTRANCE GATE TO PIPE
ACROSS DENNY CR. - 118 FT.

MAP NOT TO SCALE - NOT SHOWN - NOTED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 9, 2004

CHRIS JOHNSON
LINDA D HAGEDORN
PO BOX 272
POLLOCK ID 83547

Re: Notice of Claim to a Water Right No. 78-4023

Dear Claimant(s):

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

Please note that the enclosed Notice of Claim to a Water Right is not a final determination of your water right. This claim was filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

MARCH 26, 1996

BRUCE ELMQUIST
ANNE ELMQUIST
PO BOX 272
POLLOCK ID 83547

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

4.8.96

Mr. Elmquist phoned, will
be sending in claim and fee
within a month.

Dear Claimant(s):

This office is presently processing the Notice of Claim(s) to a Water Right you submitted during the Snake River Basin Adjudication claims filing in your area. However, due to the items checked below, we cannot continue to process this claim(s). We are returning this claim(s) to you to complete items required that were incomplete on your claim form. **ONLY THE ITEMS CHECKMARKED IN THIS LETTER NEED COMPLETION. IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).** Also enclosed is the receipt for the filing fee previously submitted with this claim(s).

☒ Fee - No fee received or inadequate fee received, fee due is \$51⁰⁰.
(Filing fees, based on use(s) of water, were due on all claims filed)

☐ Late Notice of Claim - This claim was received on _____ which is after the deadline for filing claims in _____ County. The deadline for this County was _____, and the late fee now due is _____. The enclosed Late Fee Notice explains the late fee and how it is computed.

☐ Item No. 2 - Date of priority - month/day/year that water was first put to use, regardless of ownership. If month or day is unknown, the Dept. will recommend 12/31 of the year designated.

☐ Item No. 3 - Source of Water

☐ Item No. 4 - Point of Diversion - must be shown by quarter-quarter (40 acre tract), section, township and range. Lot and block for subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

☐ Item No. 6 - Uses of Water

☐ Item No. 9 - Non-Irrigation Uses

☐ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for the place of use, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

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Item No. 12 - Ownership of place of use - It appears that the places of use filed on this claim are owned by separate individuals. This claim form can only be used when the places of use are under single ownership, even when all the uses are from one source. Enclosed are claim forms to be used to file on each separately owned place of use. The claim being returned will need to be modified to show one owner, with the changes initialed and dated. The \$25 fee for this claim has been submitted, however, the additional claims returned need to submit a \$25 fee each.

Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

MAP ENCLOSED: Please mark the location of the well(s) and the location of the place(s) of use on this map. Then return the map with your claim and the additional information requested, if any. We can then determine the quarter-quarter(1/41/4) legal description based on the locations marked on this map.

Other: _____

Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s), with the requested fee(if one was requested), to our office within 30 days from the date of this letter. If the claim(s), or fee requested, is not received within this 30-day period, the claim(s) will be rejected and your fee, if one was paid previously, will be refunded. Please contact our office listed in the address below, within the 30 day time period, either in writing or by phone, to let us know if there is a problem returning the claim(s), or fee, in order to keep this claim(s) valid. If the claim(s) is rejected and fee refunded, due to no response within the 30-days, the claim(s) can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim(s) along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim(s), any other claims, information or fees requested, if any, to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705.

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

JS:j

Enclosures

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THAT THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

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March, 22 1996

Bruce Elmquist
P.O.Box 272
Pollock, ID 83547
208-628-3751

RECEIVED

MAR 25 1996

WATER RESOURCES
WESTERN REGION

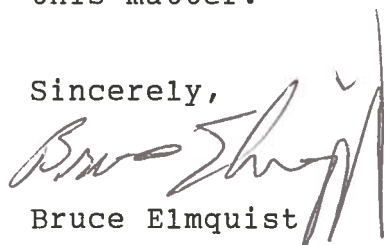
John Westra
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

RE: Transfer of water right #78.4023 ownership from McCracken to Elmquist

Dear Mr. Westra,

Please find enclosed the re-filing of our water right. You may recall our phone conversation when we discovered the Change of Ownership form we sent to the IDWR last July had not made it into the IDWR system. We then discovered that when McCrackens re-filed all of the water rights in 1988 somehow the 4023 WR didn't make it (got mistakenly withdrawn or ?). At any rate, we decided on the phone the easiest and most effective way to accomplish the desired results was for us to re-file, retaining the original Date of Priority. Because a Change of Ownership does not require a filing fee I did not include one. Thank you very much for your assistance in this matter.

Sincerely,



Bruce Elmquist

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FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 1, 1996

Bruce Elmquist
P.O. BOX 272
Pollock, ID 83547

RE: Letter of 1/24/96

Dear Mr. Elmquist:

The Department received the copy of Notice of Change of Water Right Ownership on January 26th.

There are several items that relate to the water rights listed on the ownership change form. Our records show the following (copies attached):

WR78-4023 (Denny Creek) No Adjudication claim has been filed on this number. A filing should be made if the right wants to be kept.

A78-0260A (Hat Creek) is Hat Creek Water Users Claim.
Do you want the right split?

A78-10092 (Spring) is for domestic use from a spring. Is this now yours?

The Department will not make the ownership changes until the above are items are addressed in a response from you.

I have placed a copy of your letter with the Adjudication filings of Mr. Self. Our Adjudication Staff in the future will be reviewing and making recommendations to the Adjudication Court for the claims filed in the Little Salmon basin. The Court will determined at that time if the rights are valid, or have been forfeited.

Feel free to contact Jan Shurt, the Regional Adjudication Manager, or me at the Western Regional Office, phone 334-2190 if you have questions.

Sincerely,

John Westra
Western Region

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NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JAN 26 1996

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 23 North Range 1 EAST
Section 29, SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

WATER RESOURCES
WESTERN REGION

- [] 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)
- [] Water Right Number(s)
Assigned by IDWR: 78-4023, 78-0260, 78-10092
- [] Name and Address of Former Owner/Claimant(s)(Seller): Ray + Ruth McCracken
P.O. Box 203 Pollock ID 83547
- [] New Owner/Claimant (Purchaser): Bruce + Anne Elmgvist
- [] New Mailing Address: P.O. Box 272 Pollock ID 83547
- [] New Telephone Number: (208) 628-3751
- [] 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: _____

(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): Bruce Elmgvist Date 7/13/95
Anne Elmgvist Date 7/13/95
- [] Signature of Former Owner/Claimant(s): Ray J. McCracken Date 7/18/95
Ruth J. McCracken Date 7/18/95

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: _____ By: _____

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