

11/14/2006

RECEIVED

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-2252B

DAVID G NEAL
943 THIS AND THAT RD
WEISER ID 83672

DELIGHT A NEAL
943 THIS AND THAT RD
WEISER ID 83672

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

We I AGREE with this proposed recommendation: no changes need to be made.

DATE:

12/4/06

SIGNATURE:

David G. Neal / Delight A. Neal

Please print your name:

DAVID G. NEAL / DELIGHT A. NEAL
(208) 549-3265

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC - 6 2006

10/26/2006

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

RIGHT NUMBER: 67-2252B

NAME AND ADDRESS: DAVID G NEAL
943 THIS AND THAT RD
WEISER ID 83672

DELIGHT A NEAL
943 THIS AND THAT RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.220 CFS
49.500 AFY

PRIORITY DATE: 12/30/1955

POINT OF DIVERSION:

T11N R06W S34 NWNESEW Lot 3 Within WASHINGTON County

T11N R06W S34 SWNESEW Lot 3 Within WASHINGTON County

T11N R06W S34 SWSESEW Lot 4 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.220 CFS

49.50 AFY

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R06W S34 Lot 3 NESW 6.00 T11N R06W S34 Lot 4 SESW 5.00

11 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 - License

The following rights are diverted through point of diversion described above: 67-2252A, 67-2252B, & 67-2252C.

This right is a split from former right 67-2252.



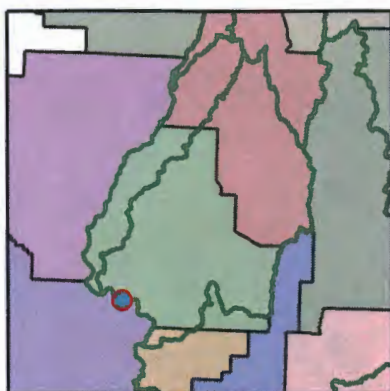
Idaho Department of Water Resources

SRBA Recommendation:

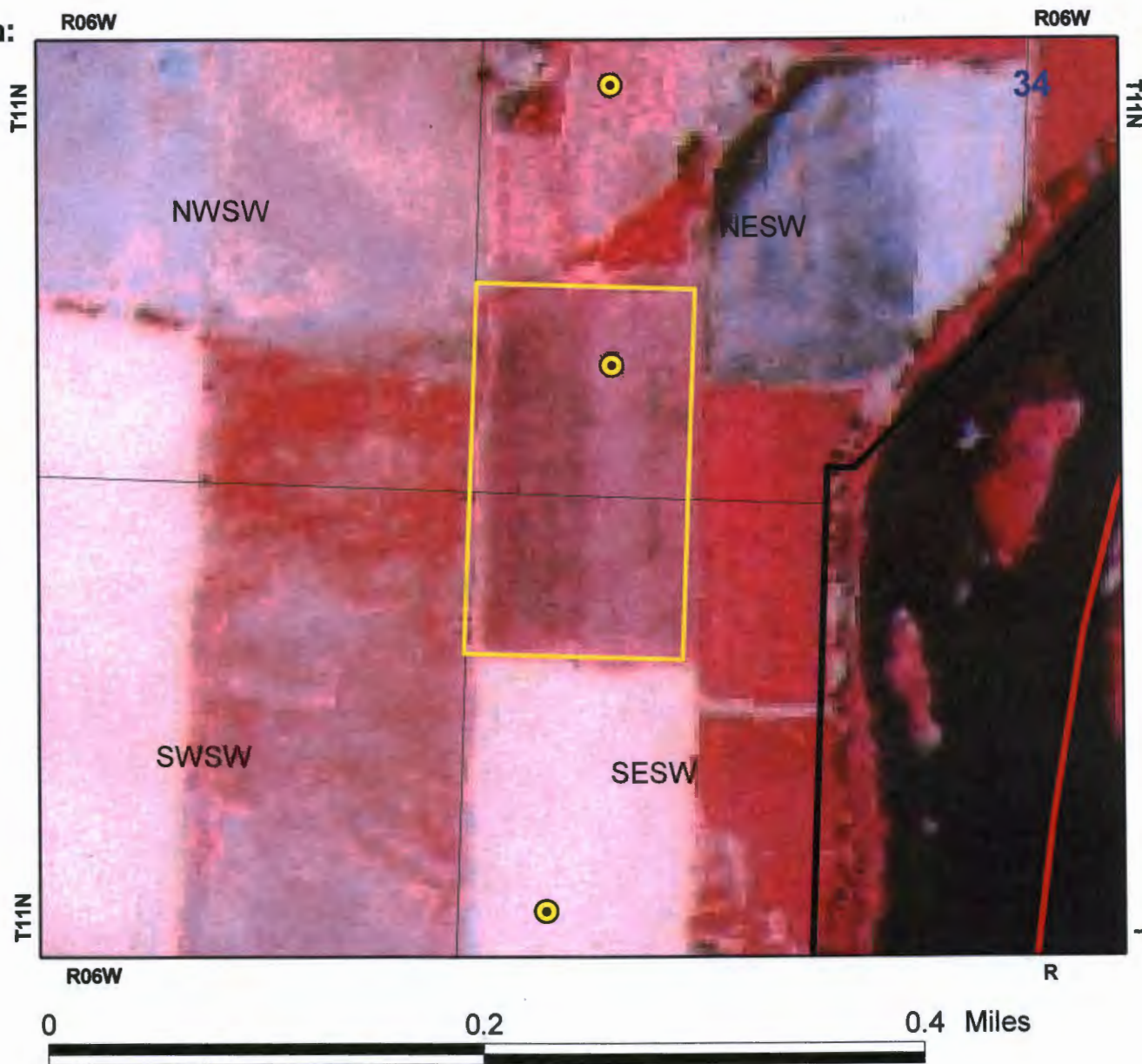
67-2252B

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



Prepared by J. Dean
On Thursday, October 26, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2252B V1

WATER RIGHT NUMBER: 67-2252B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LEONA M LOVEGREEN 927 THIS AND THAT RD WEISER, ID 83672 (208)549-1756
Current Owner	DAVID G NEAL 943 THIS AND THAT RD WEISER, ID 83672
Original Owner	DON H LOVEGREEN 927 THIS AND THAT RD WEISER, ID 83672 (208)549-1756
Current Owner	DELIGHT A NEAL 943 THIS AND THAT RD WEISER, ID 83672

Priority Date: 12/30/1955

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.220 CFS	49.50 AF
	<u>Total Diversion:</u>	0.220 CFS	49.50 AF

Location of Point(s) of Diversion

GROUND WATER	L4 (SW1/4SE1/4SW1/4)	Sec. 34, Twp 11N, Rge 06W, B.M.
WASHINGTON County		
GROUND WATER	L3 (NW1/4NE1/4SW1/4)	Sec. 34, Twp 11N, Rge 06W, B.M.
WASHINGTON County		
GROUND WATER	L3 (SW1/4NE1/4SW1/4)	Sec. 34, Twp 11N, Rge 06W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	06W	34									6.0			5.0					11.0
											L 3			L 4					

Total Acres: 11

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2252B V1

Conditions of Approval:

1. C18 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.
2. F06 The following rights are diverted through point of diversion described above: 67-2252A, 67-2252B, & 67-2252C.
3. This right is a split from former right 67-2252.

Remarks:Comments:

1. mcase 4/21/2004 POD

Comment: Parent right has two licensed PODs. All splits claim same three PODs. Note in claim file to review PODs during field exam. POD shapes generated from PLS information.

2. mcase 4/21/2004 Period of Use

Comment: No licensed Period of Use. I recommended the standard Season of Use.

3. mcase 4/21/2004 Quantity

Comment: No licensed annual diversion. Could not determine split annual diversion.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/21/2004 3:58:08 PM	mcase			Active
POD	4/21/2004 3:59:00 PM	mcase			Active
Source	4/21/2004 4:00:32 PM	mcase			Active
POU	4/21/2004 4:00:50 PM	mcase			Active
Use	4/21/2004 4:01:14 PM	mcase			Active
Season	4/21/2004 4:01:37 PM	mcase			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2252B V1

Quantity	4/21/2004 4:02:26 PM	mcase	Active
Season	6/1/2004 2:39:08 PM	mcase	Active
Contacts	10/25/2006 4:50:37 PM	jdean	Active
Summary	10/25/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/20/2004 1:51:36 PM	awarntje	Edited shape boundary
Priority Date	4/21/2004 3:58:08 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/21/2004 3:58:40 PM	mcase	Edited point location
POD	4/21/2004 3:58:50 PM	mcase	Edited point location
POD	4/21/2004 3:59:00 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/21/2004 4:00:32 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/21/2004 4:00:51 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/21/2004 4:01:15 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/21/2004 4:01:38 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2252B V1

Quantity	4/21/2004 4:02:26 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?
POD	4/21/2004 3:58:30 PM	mcase	Edited point location
Summary	10/25/2006 4:54:58 PM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	10/25/2006 4:51:58 PM	jdean	Updated PLS for Active POU
Contacts	10/25/2006 4:50:37 PM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review
POU	10/25/2006 4:51:44 PM	jdean	Updated shape for Active POU
Season	6/1/2004 2:39:08 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?

Water Supply Bank:

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 67-2252B
Date Received: 10/10/1989
Receipt No:
Received By:

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

1. Name of Claimant(s): DAVID G NEAL
943 THIS AND THAT RD
WEISER ID USA 83672

Phone:

DELIGHT A NEAL
943 THIS AND THAT RD
WEISER ID USA 83672

Phone:

2. Date of Priority: 12/30/1955

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
11N	06W	34	NW NE SW	WASHINGTON	
11N	06W	34	SW NE SW 3	WASHINGTON	
11N	06W	34	SW SE SW 4	WASHINGTON	

5. Description of diverting works:

3 wells 17 ft deep 4 inch dia. with pumps and sprinkler system.

SCANNED
MAY 10 2004

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.22	

7. Total Quantity Appropriated is:
0.22 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
11N	06W	34	NE SW	3	IRRIGATION	5.5
			SE SW	4	IRRIGATION	5.5
Section Acres						11
Total Acres						11

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 67-2252.
Acres were verified by plat maps and cfs was prorated at .02 cfs/acre. Points of diversion were left same on each
split claim for further review during field exam. DB 8/29/2001

15. Basis of Claim: License



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

SEP 19 1996

Department of Water Resources

DATE OF CLOSING: JULY 8, 1996

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

RECEIVED

SEP 24 1996

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:

A 67-02252

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

DON LOVEGREEN927 THIS AND THAT RD, WAISER, ID
83672

☐ New Owner/Claimant
(Purchaser):

☐ New Mailing Address:

☐ New Telephone Number:

() - - - - -

☐ 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:

WARRANTY DEED w/ LEGAL DESCRIPTION

(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):

David S. Neal
OwnerDate SEPT 14, 1996

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: _____ By: _____

Further Action Needed: _____

Further Action Taken: _____

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any: _____

ALOT 2252B

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

INSTRUCTIONS

RECEIVED
SEP 4 1992
WATER RESOURCES
WESTERN REGION
This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DON R LOVEGREEN	12/30/1955	IRRIGATION	03-15 11-15	0.640 CFS	.22
C	LEONA M LOVEGREEN		DOMESTIC	01-01 12-31	0.040 CFS	
	927 THIS AND THAT RD				0.640 CFS	.22
	WEISER ID 83672					
	(208) 549-1756					
	Water Source: GROUNDWATER		Tributary to:		Stage: LICENSE	

Point(s) of Diversion: T11N R06W S34 NWESW Lot03(SWNESW) Lot04(SWSESW) WASHINGTON County

Place of use Legal Description for: IRRIGATION

				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	:	SUM
11N	06W	34	:											:	03-16				04-16								:	32.0
															5.5				5.5								32.0	
												TOTAL ACRES																

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
11N	06W	34																	

POU County: WASHINGTON

~~Non-Irrigation Uses: D/ 1 HOUSE.~~

Other Rights: NONE

Dates: **Exam Made Date:** **Verified Date:** 03/12/1985 **Objection Filed Date:**

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

Audit: 10/10/89 CARLSON 03/30/95 POST-STD

* SEE PLAT
MAP -
SHOWS EACH
SPLIT ACRES
PER OWNER

ADD to REMARKS:

- ACRES WERE VERIFIED BY PLAT MAPS AND CFS WAS PROPORTED AT 0.02 CFS/ACRE
- POINTS OF DIVERSION WERE LEFT SAME ON EACA SPLIT CLAIM FOR FURTHER REVIEW DURING FIELD EXAM.

3-WAY SPLIT TREE

CLAIM: 67-02252

AGENT: Ron Howerton

Date: 08-27-01

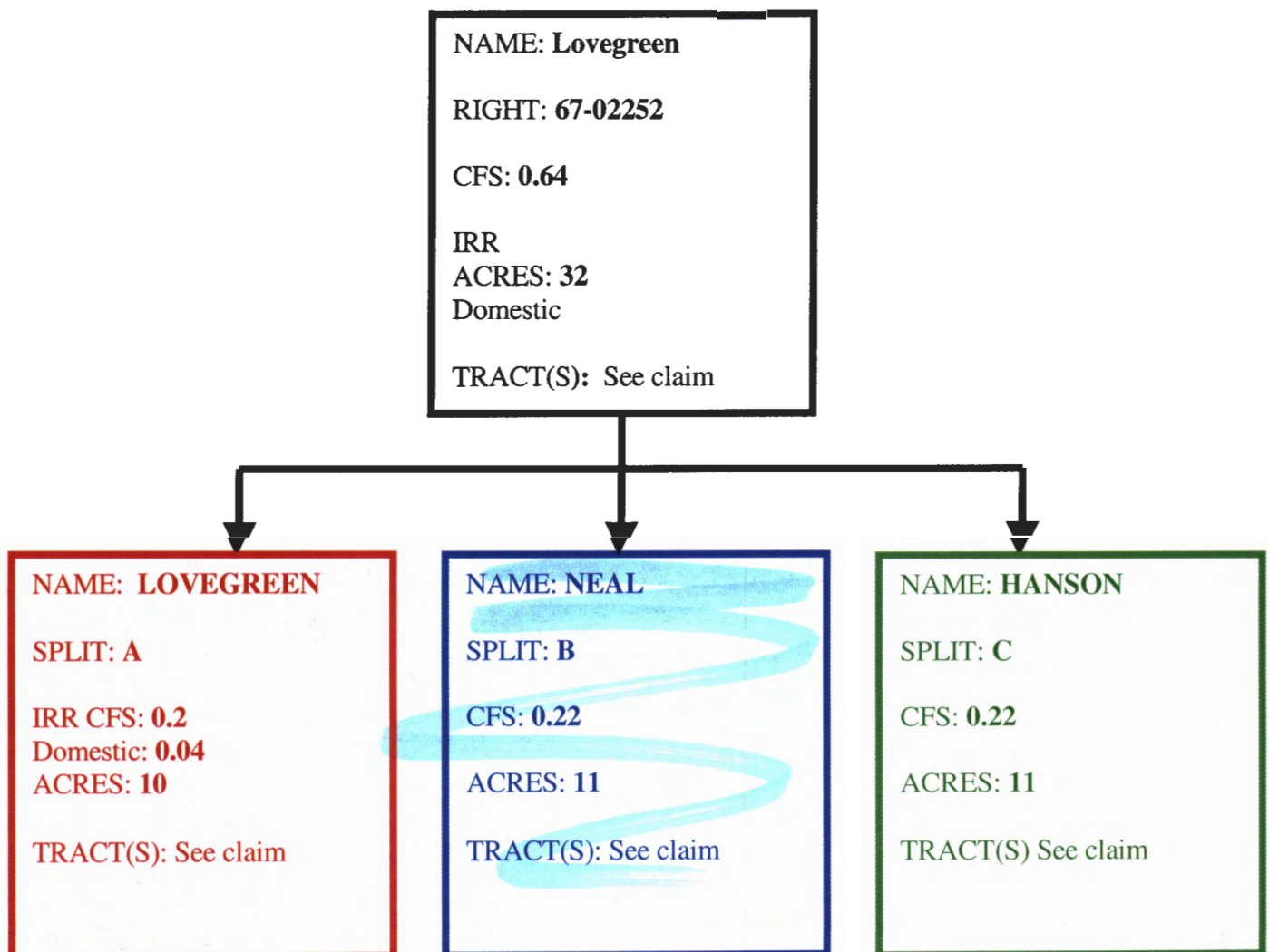
FACTOR = CFS .64 / ACRES 32 = 0.02 CFS

SPLIT A = **FACTOR** x **N acres (10)** = **CFS = 0.20**

SPLIT B = **FACTOR** x **N acres (11)** = **CFS = 0.22**

SPLIT C = **FACTOR** x **N acres (11)** = **CFS = 0.22**

TOTALS = **(32)** **(.64)**



(Optional)

Recorded ☐	Platted ☐	Key Punched ☐	To Treasurer ☐
Microfilmed ☐	Deed Card ☐	Master File ☐	
Indexed ☐	Compared ☐	Abstracted ☐	

(DO NOT WRITE ABOVE THIS LINE)

WARRANTY DEED

DONALD H. LOVEGREEN and LEONA M. LOVEGREEN, husband and wife,

GRANTOR(S)

State of Idaho

of Weiser County of Washington
 hereby CONVEYS, GRANTS and WARRANTS TO

DAVID G. NEAL and DELIGHT A. NEAL, husband and wife,

GRANTEE(S)

whose current address is 943 This & That Rd., Weiser, Id. 83672

for the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION

Dollars (\$10.00)

the following described tract(s) of land in Washington

County, State of Idaho:

More particularly described on attached Exhibit "A"

Location of above described property

House No.

BVOE Street

WEISER IDAHO

WITNESS the hand of said Grantors this

8 day of July A.D. 1996

Donald H. Lovegreen
Donald H. Lovegreen

Leona M. Lovegreen
Leona M. Lovegreen

(NOTARY SEAL)



State of Idaho
County of Washington } ss.

On the 8 day of July A.D. 19 96

personally appeared before me DONALD H. LOVEGREEN and LEONA M. LOVEGREEN, husband and wife-

the signer(s) of the within instrument, who duly acknowledged to me that the y executed the same.

Clarence R. Stark
(NOTARY PUBLIC)

Residing at: Weiser, Idaho

My Commission expires: 9/3/99

MAIL DEED TO:

MAIL TAX NOTICE TO:

Name Mr. & Mrs. David G. Neal

Address 943 This & That Rd.

City & State Weiser, Idaho 83672
Zip

No. 166814

WARRANTY DEED

-TO-

Dated , 19

STATE OF IDAHO }
County of WASHINGTON } ss.

I hereby certify that this instrument was

filed for record at request of

WASHINGTON COUNTY TITLE

at 25 minutes past SIXTEEN

o'clock P. M., this 8TH day

of JULY, A.D. 19 96

in my office, and duly recorded in BOOK

& DEEDS BY #166814 XXXX page

SHARON WIDNER

By Sharon Widner Deputy.

Ex-Officio Recorder.

Compare Card Rel. Bk. Rel. Up-date Return Copy

Fees \$ 9.00

WASHINGTON COUNTY TITLE

CENTER PARCEL

A parcel of land situated within Government Lot 3 and Government Lot 4 of Section 34, Township 11 North, Range 6 West, Boise Meridian, more particularly described as follows:

Beginning at the northwest corner of Government Lot 3 of Section 34, T.11N., R.6W., B.M.

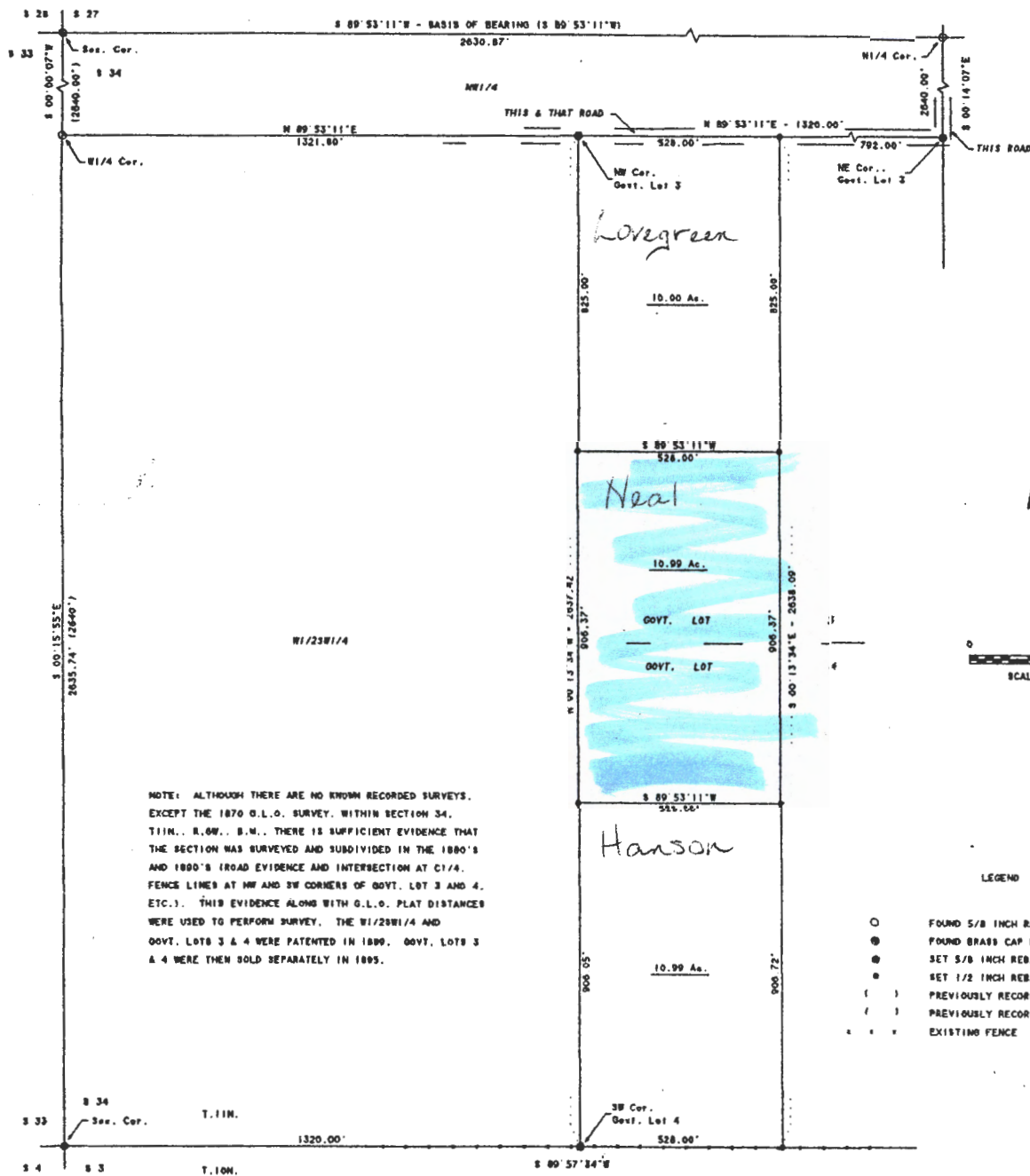
Thence S $0^{\circ}13'34''$ E, a distance of 825.00 feet along the west line of said Lot 3 to the TRUE POINT OF BEGINNING;

Thence N $89^{\circ}53'11''$ E, parallel to the north line of said Lot 3, a distance of 528.00 feet;

Thence S $0^{\circ}13'34''$ E, parallel to the west line of said Lot 3 and said Lot 4, a distance of 906.37 feet to a point within said Lot 4;

Thence S $89^{\circ}53'11''$ W, parallel to the north line of said Lot 3, a distance of 528.00 feet to a point on the west line of said Lot 4;

Thence N $0^{\circ}13'34''$ W, a distance of 906.37 feet along the west line of said Lot 4 and said Lot 3 to the TRUE POINT OF BEGINNING.



NOTE: ALTHOUGH THERE ARE NO KNOWN RECORDED SURVEYS, EXCEPT THE 1870 G.L.O. SURVEY, WITHIN SECTION 34, T.11N., R.6W., B.M., THERE IS SUFFICIENT EVIDENCE THAT THE SECTION WAS SURVEYED AND SUBDIVIDED IN THE 1880'S AND 1890'S (ROAD EVIDENCE AND INTERSECTION AT C1/4, FENCE LINES AT NW AND SW CORNERS OF GOVT. LOT 3 AND 4, ETC.). THIS EVIDENCE ALONG WITH G.L.O. PLAT DISTANCES WERE USED TO PERFORM SURVEY. THE N1/2SW1/4 AND GOVT. LOTS 3 & 4 WERE PATENTED IN 1899. GOVT. LOTS 3 & 4 WERE THEN SOLD SEPARATELY IN 1895.

SURVEY FOR

WITHIN

GOVERNMENT LOTS 3 AND 4 OF SECTION 34
T.11N., R.6W., B.M.

CERTIFICATE OF ENGINEER/SURVEYOR

I, B. ROLAND MULLINIX, A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN THE STATE OF IDAHO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED ON THIS PLAT WAS PERFORMED BY ME OR UNDER MY SUPERVISION IN ACCORDANCE WITH THE LAWS OF THE STATE OF IDAHO IN JUNE OF 1996.

CERTIFICATE OF COUNTY RECORDER

INSTRUMENT NO. _____
STATE OF IDAHO
COUNTY OF WASHINGTON

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF _____
AT _____ MINUTES PAST _____ O'CLOCK _____ M., THIS
_____ DAY OF _____, 19____, IN MY OFFICE AND
WAS DULY RECORDED IN BOOK _____ OF SURVEYS PAGE _____.

DEPUTY

EX-OFFICIO RECORDER

INDEX NO. 1164-34-3-0-0-0-00

MULLINIX ENGINEERING, INC.
WEISER, IDAHO
JUNE 28, 1996

- LEGEND
- FOUND 5/8 INCH REBAR W/CAP MARKED MULLINIX 2478
 - FOUND BRASS CAP MONUMENT
 - SET 5/8 INCH REBAR W/CAP MARKED MULLINIX 2478
 - SET 1/2 INCH REBAR W/CAP MARKED MULLINIX 2478
 - () PREVIOUSLY RECORDED - MULLINIX ENGINEERING
 - () PREVIOUSLY RECORDED - G.L.O.
 - x x x EXISTING FENCE

RECEIVED

SEP 24 1996

WATER RESOURCES
WESTERN REGION

RECEIVED

SEP 19 1996

Department of Water Resources

DON Lovegreen SOLD to DAVE NEAL,
11 ACRES, AND to BRUCE HANSON
11 ACRES. DON RETAINS OWNERSHIP OF
10 ACRES.

DON LOVEGREEN - OWNER PRIOR TO JULY 8, 1996

32 AC.

WATER
Right #

A67-02252

OWNERSHIP AS OF JULY 8, 1996

DON LOVEGREEN
(RETAINS OWNERSHIP OF)
10 AC

31.25%

DAVID NEAL
(NEW OWNER)

11 AC.

34.375%

BRUCE HANSON
(NEW OWNER)

11 AC.

34.375%

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: A67-02252
Date Received: 10/10/1989
Receipt No: 1352 4004865
Received By: g de

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON H. LOVEGREEN 208-549-1756
Address: 927 THIS AND THAT RD.
WEISER, ID 83672

AND/OR
Name: LEONA M. LOVEGREEN 208-549-1756
Address: 927 THIS AND THAT RD.
WEISER, ID 83672

2. Date of Priority: DEC 30, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	06W	34	NW	NE	SW		WASHINGTON
			SW	NE	SW	3	WASHINGTON
			SW	SE	SW	4	WASHINGTON

5. Description of diverting works:
3 WELLS 17' DEEP 4' DIA. WITH PUMPS AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.640		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 112.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/ 1 HOUSE.

A67-02252

Page 1

Date: 10/10/89

~~MICROFILMED~~
OCT 11 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	06W	34	NE		SW		DOMEST	
			NE		SW	3	IRR	16.0
			SE		SW	4	IRR	16.0
							Section Acres	32.0
							Total Acres	32.0

11. Place of use in counties: WASHINGTON

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: LICENSE
Water Right Number: 26140

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):

Don H. Lovegreen

Date: Oct-10-1989

Leona M. Lovegreen

Date: 10/10/1989

State of Idaho)

County of Franklin)

SS.

Subscribed and sworn (or affirmed) before me this 10 day

of Oct. 19 89

John Dale Carlson
Notary Public

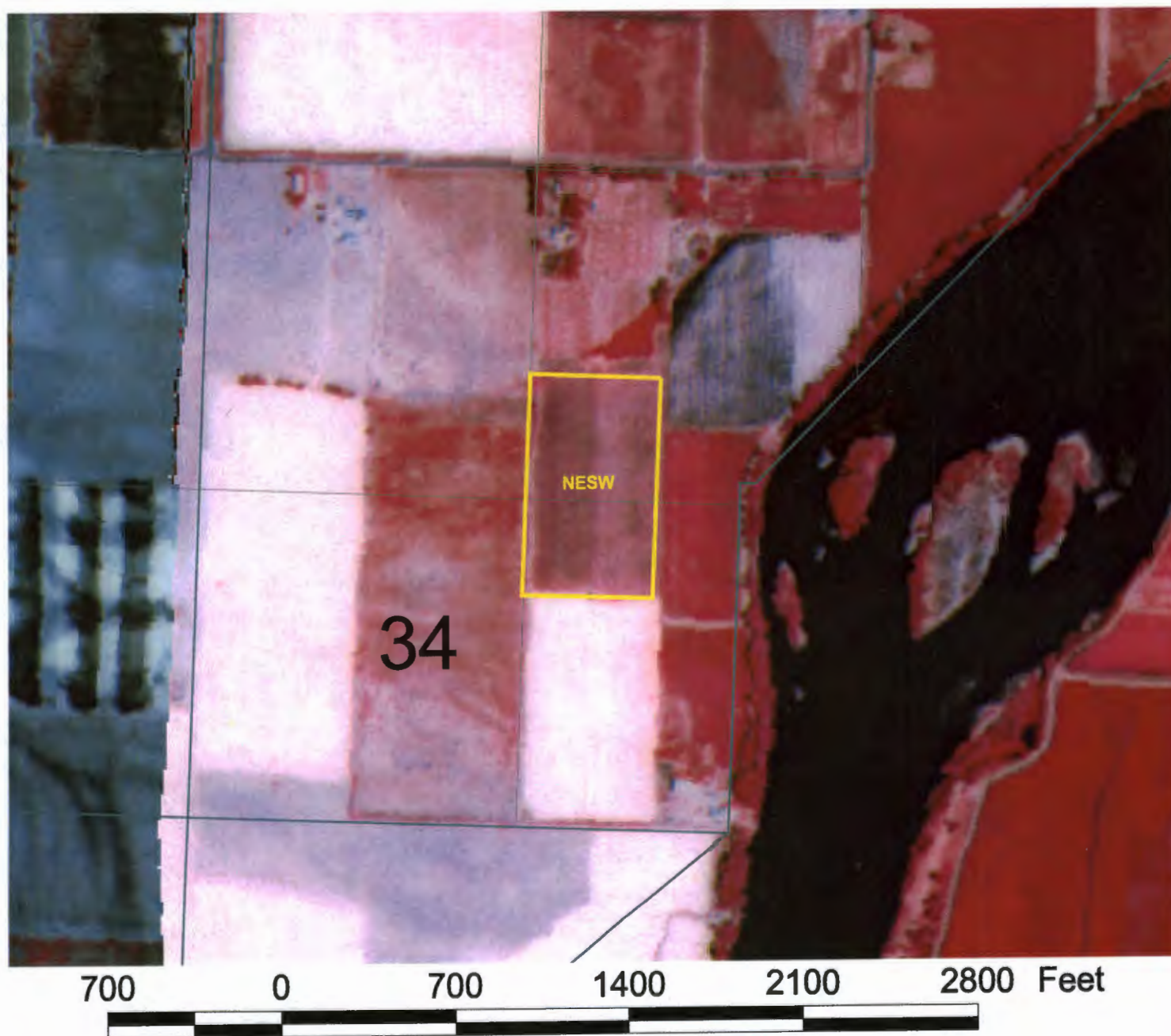
Seal

Residing at Bon Id

My Commission Expires 4/12/90

Idaho Department of Water Resources

67-2252B



T11N, R06W, S34



**Prepared by Anita L. Warntjes
January 20, 2004
1993/94 True Color Photo**

DO NOT SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2252B V1

WATER RIGHT NUMBER: 67-2252B V1

Owner Type Name and Address
Original Owner LEONA M LOVEGREEN
927 THIS AND THAT RD
WEISER, ID 83672
(208)549-1756
Current Owner DAVID G NEAL
943 THIS AND THAT RD
WEISER, ID 83672
Original Owner DON H LOVEGREEN
927 THIS AND THAT RD
WEISER, ID 83672
(208)549-1756
Current Owner DELIGHT A NEAL
943 THIS AND THAT RD
WEISER, ID 83672

DRAFT

Priority Date: 12/30/1955

Basis:

Status:

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.220 CFS	
	<u>Total Diversion:</u>	0.220 CFS	

Location of Point(s) of Diversion

GROUND WATER	L4 (SW1/4SE1/4SW1/4)	Sec. 34, Twp 11N, Rge 06W, B.M.
WASHINGTON County		
GROUND WATER	NW1/4NE1/4SW1/4	Sec. 34, Twp 11N, Rge 06W, B.M.
WASHINGTON County		
GROUND WATER	L3 (SW1/4NE1/4SW1/4)	Sec. 34, Twp 11N, Rge 06W, B.M.
WASHINGTON County		

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	06W	34	5.5	5.5	5.5	5.5	11.0
			L 3	L 4			

Total Acres: 11

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2252B V1

Conditions of Approval:

Remarks:

Comments:

1. mcase 4/21/2004 POD
Comment: Parent right has two licensed PODs. All splits claim same three PODs. Note in claim file to review PODs during field exam. POD shapes generated from PLS information.
2. mcase 4/21/2004 Period of Use
Comment: No licensed Period of Use. I recommended the standard Season of Use.
3. mcase 4/21/2004 Quantity
Comment: No licensed annual diversion. Could not determine split annual diversion.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date:</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/21/2004 3:58:08 PM	mcase			
POD	4/21/2004 3:59:00 PM	mcase			
Source	4/21/2004 4:00:32 PM	mcase			
POU	4/21/2004 4:00:50 PM	mcase			
Use	4/21/2004 4:01:14 PM	mcase			
Season	4/21/2004 4:01:37 PM	mcase			
Quantity	4/21/2004 4:02:26 PM	mcase			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	1/20/2004 1:51:36 PM	awamtje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2252B V1

Priority Date	4/2 /2004 3:58:08 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim a decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim decided correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/2 /2004 3:58:40 PM	mcase	Edited point location
POD	4/21/2004 3:58:50 PM	mcase	Edited point location
POD	4/21/2004 3:59:00 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/21/2004 4:00:32 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/21/2004 4:00:51 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/21/2004 4:01:15 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/21/2004 4:01:38 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/21/2004 4:02:26 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit?
POD	4/21/2004 3:58:30 PM	mcase	Edited point location



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

August 29, 2001

DAVID G NEAL
DELIGHT A NEAL
943 THIS AND THAT RD
WEISER ID 83672

Re: Original Notice of Claim to a Water Right No. 67-02252

Renumbered Notice of Claim to a Water Right No. 67-2252B

Dear Claimants:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim. Also enclosed is a copy of the original claim for your reference.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosure

WR5809NP
No. 67-02252

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 08/28/01
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DON LOVEGREEN WEISER ID	12/30/1955	IRRIGATION DOMESTIC	00/00 00/00 00/00 00/00	0.640 CFS	
TOTAL DIVERSION:					0.640 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11N R06W S34 Lot 03(NESW) Lot 04(SESW)

WASHINGTON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
---	---	---	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	---
11N	06W	34	:					:					:	03-16			04-16	:					:	32.0
TOTAL ACRES																							32.0	

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: WASHINGTON

Dates:	App. Received:	Priority Date:	12/30/1955
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		01/30/1979

Misc:	Water District Number:	Field Exam Fee:
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Audit: 03/12/85 05/01/88 CONVERT

SEE ORIGINAL
CLAIM FILE
DOCUMENTS IN
CLAIM

NO. A67-02252