

(37)

RECEIVED
MAY 03 2005
DEPARTMENT OF
WATER RESOURCES

67- 4056

DELIVER TO:
DANIEL NARSAVAGE
IDWR

RECEIVED

MAY 03 2005

DEPARTMENT OF
WATER RESOURCES

**HISTORY OF THE WATER RIGHTS APPURTENANT TO AND THE
USAGE THEREON OF THE PATRICIA J. HELDT PROPERTY
DESCRIBED AS THE NW1/4 OF SECTION 10, T15N, R3W OF THE
BOISE MERIDIAN.**

1. A. Milton Hinshaw obtained an irrigation right for the subject property on May 5, 1896, Water Right No. 67-0291, for 0.38 cfs./19.0 m.i. (See Attachment "Heldt - 01").
2. On June 1, 1914, A.M. Hinshaw entered into an agreement with four others for the operation and maintenance of an irrigation ditch to convey water from Rush Creek to their respective properties. A.M. Hinshaw had an undivided one fourth interest in this ditch (See Attachment "Heldt - 02").
3. H.W. Ward purchased the Hinshaw property in 1952 and the Rush Creek School Site in 1958 along with all applicable water rights.
4. Hubert Ward, son of H.W. Ward sold the Rush Creek School Site to W. Forbes Morgan, IV and Michelle F. Morgan along with 7.5 miners inches of the A. Milton Hinshaw Water Right No. 67-0291.
5. W. Forbes Morgan, IV and Michelle F. Morgan filed a statutory claim for 0.80 cfs for this property during the time of their ownership (See Attachment "Heldt - 04").
6. On March 12, 1977, Patricia J. Heldt, her husband Woodrow, her sister Shirley Sue Atteberry and her brother-in-law W.G. Atteberry purchased the SE1/4 NW1/4 Sec 10, T15 N, R3W, Boise Meridian. This purchase included 7.5 miners inches of water from and an interest in said ditch (See Attachment "Heldt - 03").
7. Patricia J. Heldt has subsequently acquired the Atteberrys' interest in the SE1/4 NW1/4 Sec 10, and purchased from the Hubert Ward family the balance of the NW1/4 Sec 10, T15N, R3W, Boise Meridian (See Attachment "Heldt - 05").
8. A map is attached showing the Heldt property, the area irrigated and the location of the ditch and natural drain used to convey water to her property (See Attachment "Heldt - 06").

JOHN ATTEBERRY

(FOR PATRICIA HELDT)

208 257 3562

4056

291

RECEIVED
MAY 03 2005
DEPARTMENT OF
WATER RESOURCES

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
67-0291)
67-4065)
State of Idaho)
County of Washington)

AFFIDAVIT

Patricia J. Heldt being first duly sworn,
deposes and says:

I have owned the place of use of these two water rights (T15N, R3W, Sec 10 NENW SENW) since 1977. During the years I have owned this property I have used the water for stockwater and irrigation. Water Right No. 67-0291 is a Decreed Right established in 05-01-1896. I have attached documentation establishing the trail of title for this right. Water Right No. 67-4056 is a Statutory Claim filed by the Morgans from whom my husband and I purchased the property. I have no knowledge of the basis on which they made this claim. However, we have irrigated at least twenty acres which requires more than the 7.5 miners inches decreed.



SEAL

Patricia J. Heldt
(Signature)

Subscribed and sworn to before me this
day 2 of MAY, ~~19~~ 2005.

Debbie S. Maxwell
(Notary Public)

Residing at Council Id.

My Commission Expires 8/24/07.

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
67-0291)
67-4065)
State of Idaho)
County of Washington)

AFFIDAVIT

Hubert Ward

being first duly sworn,

deposes and says:

1. The properties for which this affidavit is given are:

A. **THE HINSHAW PROPERTY**. The NE 1/4 of the NW 1/4, the NW 1/4 of the NW 1/4, and the SW 1/4 of the NW 1/4, all in Section 10, T15 N, R3W, B.M.

B. **THE RUSH CREEK SCHOOL SITE**. The SE 1/4 of the NW 1/4 of Section 10, T15N, R3W, B.M.

C. **THE IRRIGATION DITCH** is an existing irrigation ditch used to convey irrigation water from a point of diversion from Rush Creek in the NE 1/4 of the NE 1/4 of Section 33, T16N, R3W, B.M. to its terminus at Rattlesnake Gulch in the SW 1/4 of the NE 1/4 of Section 4, T15N, R3W, B.M. At which point water is discharged to Rattlesnake Gulch. Water is then diverted from Rattlesnake Gulch to an on-site farm ditch in the NE 1/4 of NW 1/4 of Section 10, T15N, R3W, B.M.

2. I have lived on Rush Creek in Washington County, Idaho since 1947.

3. My father purchased **THE HINSHAW PROPERTY** in 1952. We irrigated a portion of this property from its purchase in 1952 to its sale to Woodrow and Patty Heldt in 1988.

4. We purchased **THE RUSH CREEK SCHOOL SITE** in 1958. We irrigated portions of this property from its purchase in 1958 to its sale to W. Forbes Morgan and his wife. In this sale we transferred 7 1/2 miners inches under priority of May 1, 1896, along with a 1/10 undivided interest in **THE IRRIGATION DITCH**.

5. Since the sale of each of these properties we have, each year, continued to turn water into Rattlesnake Gulch for irrigation of these properties.

Hubert Ward
(Signature)

Subscribed and sworn to before me this
day 2nd of May, 192005.

Catherine M. Wyss
(Notary Public)

Residing at Washington County.

My Commission Expires 8-17-2010.



WRR160

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LISTING OF WATER RIGHTS

PAGE 321

01/15/86

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
67-0263	PLACE OF USE: IRRIGATION T15N R03W S34 NWSW 40 SWSW 40 SESW 40 380 ACRES TOTAL					
67-0291	HINSHAW, A. MILTON	05-01-1896	IRRIGATION	- -	.38 CFS	DECREE
	SOURCE: RUSH CREEK		TRIBUTARY: WEISER RIVER			
	PLACE OF USE: IRRIGATION T15N R03W S03 NESH NWSW SWSW SESW S10 NENW NWNW SNNW SENW / HELAT					
67-0292	WARREN, JAMES L. FORDS	05-01-1897	IRRIGATION	- -	1.50 CFS	DECREE
	SOURCE: RUSH CREEK		TRIBUTARY: WEISER RIVER			
	PLACE OF USE: IRRIGATION T15N R03W S09 NENE NWNW SWNE SENE NESE					
67-0293	CARRICK, JOHN FARRENS	05-01-1899	IRRIGATION	- -	.64 CFS	DECREE
	SOURCE: RUSH CREEK		TRIBUTARY: WEISER RIVER			
	PLACE OF USE: IRRIGATION T15N R03W S15 NWNW SWNE SENE NESE					
67-0294	HINSHAW, ELIHU W. WARDS DE VANEY CARTER	05-01-1899	IRRIGATION	- -	.37 CFS	DECREE
	SOURCE: RUSH CREEK		TRIBUTARY: WEISER RIVER			
	REMARKS: DIV. RATE=.365 CFS.					

INSTRUMENT NO 24224

Agreement

Memorandum of Agreement made this first day of June, 1914, by and between A M Hinshaw, W E Ford,, Ervin Lichtler, Mary A Pettit, and the Idaho State Life Insurance Company,

WITNESSETH, That whereas, the said parties and their successors in interest have heretofore made and constructed an irrigation ditch commencing at the northeast corner of Section 23, Township 16 North of Range 3 West B M and running in a southerly direction terminating near the west line of the northeast quarter of the northeast quarter of Section 4, Township 15 North Range 3 West B M for the purpose of diverting and conveying the waters of Rush Creek to and upon the lands of said parties for irrigation purposes and,

Whereas, the said parties now wish to define the relative property rights of each one in and to said ditch and to provide for the proper management, improvement, and repair of said ditch, do make this agreement, to-wit:

It is hereby stipulated, granted, covenanted and agreed that the ownership and property rights of each of said parties and the lands for which said ditch right and the water appropriated and conveyed through the same shall attach to and be an appurtenance of the tracts of land now owned by each of said parties and described as follows, to-wit:

The said E M Hinshaw is the owner of an undivided one fourth interest in and to said ditch, and his ditch right, together with accrued or accruing water right shall be an appurtenance to the southwest quarter of Section 3, and the northwest quarter of Section 10, Township 15 North, Range 3 West B M.

That the said W E Ford, is the owner of an undivided one eighth interest in and to said ditch and which said ditch interest and the accrued and accruing water right shall be an appurtenance to the west half of the northwest quarter and the southeast quarter of the northwest quarter of Section 3, Township 15 North, Range 3 West B M

That the said Ervin Lichtler, is the owner of an undivided one eighth interest in and to said ditch, and the said ditch, together with accrued and accruing water right shall be an appurtenance to the east half of the northeast quarter of Section 4, Township 15 North, Range 3 West and the southeast quarter of the southeast quarter of Section 33, the southwest quarter of the southwest quarter of Section 34, Township 16 North of Range 3 West B M.

That the said Mary A Pettit is the owner of an undivided one fourth interest in and to said ditch and said ditch right, together with any accrued and accruing water right shall be an appurtenance to the southwest quarter of the northeast quarter of Section 4, Township 15 North, Range 3 West B M

That the said Idaho State Life Insurance Company is the owner of an undivided one fourth interest in and to said ditch, and the said ditch right, together with any accrued and accruing water right shall become an appurtenance to the southeast quarter of Section 4, Township 15 North, Range 3 West B M (Provided that nothing herein contained shall divest any of said Parties from the right to alienate their said ditch interest or water rights to be used elsewhere than as above stated)

It is further stipulated and agreed that there shall be annual statements by the said parties in reference to the work necessary for the proper improvement and repair of said ditch, head gate, or other parts of it, and at which settlement an adjustment shall be made of all work done and money expended for such maintenance and repair of said ditch, and that each party is to pay his relative proportion of such work, repair and improvement provided he shall not have performed his proportion in labor on such ditch. And should either of said owners fail or refuse to contribute his portion of such expense in the ratio of the interest heretofore agreed upon, for the period of one year from and after such settlement, then and in that case the interest of said party in default on said ditch shall be forfeited and shall become the property of the other co-owners in the proportion of their relative interest, and the right, title and interest of the said delinquent party shall thereafter cease and determine in said ditch. Such settlement to be made on the first day of September of each and every year.

It is further agreed that time shall be the essence of this agreement and that this agreement shall be binding on the heirs, assigns, or successors in interest of said parties in and to said ditch.

IN WITNESS WHEREOF SAID parties have hereunto set their hands this first day of June, 1914.

Idaho State Life Insurance Company

Ervin Lichtler By Edw S Chadwick, Secretary

W E Ford

County of Washington

ss

State of Idaho

On this 14 day of June, 1914, personally appeared before me R E Wilson, a Notary Public in and for said County, A M Hinshaw, Erwin Lichliter, W E Ford and Mary A Pettit, known to me to be the person who subscribed to the foregoing instrument and who acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal this day and year first above written.

Seal

R E Wilson, Notary Public

(R E Wilson, Notary Public)
(Washington County, Idaho)

State of Idaho

ss

County of Ada

On this third day of June, 1914, before me Geo B Wood, a Notary Public in and for said County and State, personally appeared Edw. S Chadwick, known to me to be the Secretary of the Idaho State Life Insurance Company, the corporation that executed the within instrument and acknowledged to me that such corporation executed the same.

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

Seal

Geo B Wood, Notary Public

(Geo B Wood, Notary Public)
(Ada County, Idaho)

Filed for record at request of R E Wilson, at 9:30 o'clock A M August 6, 1914

Frank E Smith, Recorder

Fees \$2.40

By Harriet Smith, Deputy

WARRANTY DEED

ATTACHMENT
HELD T-03

For Value Received Hubert V. Ward and Betty J. Ward, aka Betty Ward,
Husband and Wife.

the grantor s, do hereby grant, bargain, sell and convey unto
Michelle Finnell Morgan and W. Forbes Morgan, IV

the grantee s, the following described real estate situated in Washington County,
State of Idaho, to-wit: SE1/4 of Section 10 Township 15 North, Range 3 West of the
Boise Meridian.

Together with all water, water rights, ditches and ditch rights and irrigation works of
whatsoever nature, used upon, connected with or in anywise appurtenant to the before de-
scribed premises, particularly including, but not limited to, 7½ (seven and one-half)*
minors inches of the water of Rush Creek, under priority of May 1, 1896, as decreed in
the Weiser River Adjudication suit of Muir Brothers vs. Allison et al, and undivided 1/10
interest in and to a ditch leading from Rush Creek and by which said water is conveyed
to the above described land, and as said ditch right is defined in an Agreement dated
June 1, 1914, entered into by and between A. M. Hinshaw, et al, recorded in Book 2 of
Contracts at Page 230 in the office of the County Record of Washington County, Idaho and
that said water and ditch may be used for agriculture, mining, manufacture or other
purposes.

Also together with all rights to all minerals, both surface and subterranean, with no
exceptions.

In the event of sale of the whole or any part of NE1/4 Section 10 Township 15 North Range 3
West of the Boise Meridian, by the Grantors and/or their heirs and assigns, the Grantors
hereby grant, bargain, sell and convey unto the Grantees first right and option to pur-
chase said real property at a purchase price not to exceed the price at which said proper-
ty may be offered for sale to any and all other prospective buyers and subject to the same
terms and conditions of sale applicable to any and all other prospective buyers. With
the exception that said property may be offered for sale by Grantors to their sons and/or
daughters, without being subject to the terms of this option.

* Although water right of 7½ minors inches of the water of Rush Creek is guaranteed, as
specified in deed to the above described property, Grantors cannot guarantee the actual
volume of 7½ minors inches of water at the north property line near northwest property
corner where present ditch enters property.
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 23 day of January, 1974

Hubert V. Ward
Betty J. Ward

STATE OF IDAHO, COUNTY OF Washington
On this 23 day of January, 1974,
before me, a notary public in and for said State, personally
appeared Hubert V. Ward and Betty J. Ward,
Husband and Wife.

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



Notary Public
Idaho

STATE OF IDAHO, COUNTY OF Washington
I hereby certify that this instrument was filed for record at
the request of Idaho First National Bank
at 20 minutes past 10:00 o'clock A m.,
this 4th day of March
1974, in my office, and duly recorded in Book 96
of Deeds at page 687

Mary Kautz
Ex-Officio Recorder

By Carol J. [Signature] Deputy
Fees \$ 1.00
Mail to: Idaho First National Bank
P.O. Box #8
Council, Idaho 83612

INSTRUMENT NO. 101184

WARRANTY DEED

For Value Received W. FORBES MORGAN, IV^{a divorced man} and MARIE N. MORGAN, a widow

the grantors, do hereby grant, bargain, sell and convey unto
WOODROW F. HELDT and PATRICIA J. HELDT, H.&W. and
SHIRLEY SUE and W. G. ATTEBERRY, H.&W.

the grantee, the following described real estate situated in Washington County,
State of Idaho, to-wit: SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10 Township 15 North, Range 3 West of the
Boise Meridian.

Together with all water, water rights, ditches and ditch rights and irrigation works of
whatsoever nature, used upon, connected with or in anywise appurtenant to the before de-
scribed premises, particularly including, but not limited to, 7 $\frac{1}{2}$ (seven and one-half)*
minors inches of the water of Rush Creek, under priority of May 1, 1896, as decreed in
the Weiser River Adjudication suit of Muir Brothers vs. Allison et al, and undivided 1/10
interest in and to a ditch leading from Rush Creek and by which said water is conveyed
to the above described land, and as said ditch right is defined in an Agreement dated
June 1, 1914, entered into by and between A. M. Hinshaw, et al, recorded in Book 2 of
Contracts at Page 230 in the office of the County Record of Washington County, Idaho and
that said water and ditch may be used for agriculture, mining, manufacture or other
purposes.

Also together with all rights to all minerals, both surface and subterranean, with no
exceptions.

In the event of sale of the whole or any part of NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 Township 15 North Range 3
West of the Boise Meridian, by the Grantors and/or their heirs and assigns, the Grantors
hereby grant, bargain, sell and convey unto the Grantees first right and option to pur-
chase said real property at a purchase price not to exceed the price at which said proper-
ty may be offered for sale to any and all other prospective buyers and subject to the same
terms and conditions of sale applicable to any and all other prospective buyers. With
the exception that said property may be offered for sale by Grantors to their sons and/or
daughters, without being subject to the terms of this option.

*Although water right of 7 $\frac{1}{2}$ minors inches of the water of Rush Creek is guaranteed, as
specified in deed to the above described property, Grantors cannot guarantee the actual
volume of 7 $\frac{1}{2}$ minors inches of water at the north property line near northwest property
corner where present ditch enters property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee^s,
their heirs and assigns forever. And the said Grantor^s do hereby covenant to and
with the said Grantee^s, that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 12th day of MARCH, 1977

W. Forbes Morgan IV
Marie N. Morgan

N.Y.
STATE OF IDAHO, COUNTY OF Washington
On this 12 day of March, 1977,
before me, a notary public in and for said State, personally
appeared

W. Forbes Morgan, IV &
Marie N. Morgan

known to me to be the person
subscribed to the within instrument, and acknowledged to
me that

ALAN M. WELLS, Notary Public
Residing at Boise, Idaho
Comm. Expires No. 24-42
Qualified in Kin
Cert. filed in New York State
Notary Commission Expires March 1978

STATE OF IDAHO, COUNTY OF Washington

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

at 5 minutes past 2:00 o'clock p.m.,
this 4 day of April
1977, in my office, and duly recorded in Book 98
of Deeds at page 585

Mary Kautz
Ex-Officio Recorder

By Pauline Brown
Deputy.

Fees \$1.00
Mail to: Atteberry & Associates
Linda Creek Professional Park
730 Sunrise Avenue, Suite 260
Roseville, California 95678

INDEXED

INSTRUMENT No. 109976

WARRANTY DEED

For Value Received WOODROW F. HELDT and PATRICIA J. HELDT, husband and wife,
and W. G. ATTEBERRY and SHIRLEY SUE ATTEBERRY, husband and wife,

the grantor S, do hereby grant, bargain, sell and convey unto WOODROW F. HELDT and
PATRICIA J. HELDT, husband and wife,

8032 Joe Rodgers Court
Roseville, California 95678

the grantee S, the following described real estate situated in Washington County,
State of Idaho, to-wit:

S $\frac{1}{2}$ of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10 Township 15 North, Range 3
West of the Boise Meridian.

Together with all water, water rights, ditches and ditch rights
and irrigation works of whatsoever nature, used upon, connected
with or in anywise appurtenant to the before described premises,
particularly including, but not limited to 3 3/4 (three and three-
fourths)* minors inches of the water of Rush Creek, under priority
of May 1, 1896, as decreed in the Weiser River Adjudication suit
of Muir Brothers vs. Allison et al, and undivided 1/20 interest
in and to a ditch leading from Rush Creek and by which said water
is conveyed to the above described land, and as said ditch right
is defined in an Agreement dated June 1, 1914, entered into by
and between A. M. Hinshaw, et al, recorded in Book 2 of Contracts
at Page 230 in the office of the County Recorder of Washington
County, Idaho, and that said water and ditch may be used for
agriculture, mining, manufacture or other purposes.

Also together with all rights to all minerals, both surface and
subterranean, with no exceptions.

*Although water right of 3 3/4 minors inches of the water of
Rush Creek is guaranteed, as specified in deed to the above
described property, Grantors cannot guarantee the actual volume
of 3 3/4 minors inches of water at the north property line near
northwest property corner where present ditch enters property.

Together with an easement of right-of-way for water carriage
across the N $\frac{1}{2}$ of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 15 North, Range
3 West of the Boise Meridian.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantees, that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 4th day of April, 1977.

WG Atteberry

Woodrow F. Heldt

Shirley Sue Atteberry

Patricia J. Heldt

STATE OF IDAHO, COUNTY OF Washington

On this 4th day of April, 1977,
before me, a notary public in and for said State, personally

appeared WOODROW F. HELDT and PATRICIA
J. HELDT, husband and wife, and W. G.
ATTEBERRY and SHIRLEY SUE ATTEBERRY,

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

Elizabeth Bates

Notary Public

Residing at Weiser
Comm. Expires 3-1-79

STATE OF IDAHO, COUNTY OF Washington

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

at 16 minutes past 2:00 o'clock P. M.,
this 4 day of April
1977, in my office, and duly recorded in Book 98
of Deeds at page 587

Mary Kautz

Ex-Officio Recorder

By *Pauline Brown*

Deputy.

Fees \$1.00

Mail to: Atteberry & Associates
Linda Creek Professional Park
730 Sunrise Avenue, Suite 260
Roseville, California 95678

WARRANTY DEED

For Value Received WOODROW F. HELDT and PATRICIA J. HELDT, husband and wife, and W. G. ATTEBERRY and SHIRLEY SUE ATTEBERRY, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto ATTEBERRY & ASSOCIATES, a California Corporation
Linda Creek Professional Park, 730 Sunrise Avenue, Suite 260
Roseville, California 95678

the grantee, the following described real estate situated in Washington County, State of Idaho, to-wit:

N $\frac{1}{2}$ of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10 Township 15 North, Range 3 West of the Boise Meridian.

Together with all water, water rights, ditches and ditch rights and irrigation works of whatsoever nature, used upon, connected with or in anywise appurtenant to the before described premises, particularly including, but not limited to 3 3/4 (three and three-fourths)* minors inches of the water of Rush Creek, under priority of May 1, 1896, as decreed in the Weiser River Adjudication suit of Muir Brothers vs. Allison et al, and undivided 1/20 interest in and to a ditch leading from Rush Creek and by which said water is conveyed to the above described land, and as said ditch right is defined in an Agreement dated June 1, 1914, entered into by and between A. M. Hinshaw, et al, recorded in Book 2 of Contracts at Page 230 in the office of the County Recorder of Washington County, Idaho, and that said water and ditch may be used for agriculture, mining, manufacture or other purposes. Also together with all rights to all minerals, both surface and subterranean, with no exceptions.

*Although water right of 3 3/4 minors inches of the water of Rush Creek is guaranteed, as specified in deed to the above described property, Grantors cannot guarantee the actual volume of 3 3/4 minors inches of water at the north property line near northwest property corner where present ditch enters property.

Grantors reserve a right of way for water carriage to the S $\frac{1}{2}$ of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, Township 15 North, Range 3 West of the Boise Meridian.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated this 4th day of April, 1977.

WG Atteberry Woodrow F Heldt
Shirley Sue Atteberry Patricia J Heldt

STATE OF IDAHO, COUNTY OF Washington
On this 4th day of April, 1977,
before me, a notary public in and for said State, personally appeared WOODROW F. HELDT and PATRICIA J. HELDT, husband and wife, and W. G. ATTEBERRY and SHIRLEY SUE ATTEBERRY, husband and wife,

persons whose names are in this instrument, and acknowledged to me that they executed the same.



Residing at Weiser, Idaho
Comm. Expires 3-1-79

STATE OF IDAHO, COUNTY OF Washington
I hereby certify that this instrument was filed for record at the request of Washington County Title

at 15 minutes past 2:00 o'clock P.m.,
this 4 day of April
1977, in my office, and duly recorded in Book 98 of Deeds at page 586

Mary Kautz
Ex-Officio Recorder

By Pauline Brown Deputy.

Fees \$1.00
Mail to: Atteberry & Associates
Linda Creek Professional Park
730 Sunrise Avenue, Suite 260
Roseville, California 95678

WRR160

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LISTING OF WATER RIGHTS

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RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
67-4056	MORGAN, MICHELLE F. MORGAN, IV., W. FORBES P.O. BOX 72 CAMBRIDGE, ID 83610	06-01-1908	IRRIGATION	04-01 10-31	.80 CFS	STATRY CLAIM
	SOURCE: RUSH CREEK		TRIBUTARY: WEISER RIVER			
	POINT OF DIVERSION: T16N R03W S34	NWNW	STREAM INDEX: NO INDEX CODE			
	PLACE OF USE: IRRIGATION T15N R03W S10	SENE 10				
	10 ACRES TOTAL					
67-0250	WILSON, R. E.	10-29-1908	IRRIGATION	- -	.40 CFS	DECREE
	SOURCE: RUSH CREEK		TRIBUTARY: WEISER RIVER			
	PLACE OF USE: IRRIGATION T14N R03W S01	NWNE				
67-0282	WILSON, R. E. HUBBARD HILL, EDWIN J.	10-29-1908	IRRIGATION	- -	2.72 CFS	DECREE
	SOURCE: RUSH CREEK		TRIBUTARY: WEISER RIVER			
	PLACE OF USE: IRRIGATION T15N R03W S25	SWSW	SESW			
	S26	NESE	SESE			
	S36	NWNE	SENE	NWNW		
67-0300	BRADSHAW, DANIEL W. HUBBARD DIBBLE	10-29-1908	IRRIGATION	- -	.38 CFS	DECREE
	SOURCE: RUSH CREEK		TRIBUTARY: WEISER RIVER			
	PLACE OF USE: IRRIGATION					

LIBERTY TITLE KSVLE		TEL NO.		510 FOS 315 NOV 20 1988	
NOV 89 '88 21486		P. 82			
100-88-2268		DEED		Instrument No. <u>216267</u>	
FOR VALUE RECEIVED,		STARKER SERVICES, INC., a California Corporation		Page <u>1</u> of <u>2</u> Pages	
a corporation duly organized and existing under the laws of the State of Idaho/grantor, does hereby Grant, Bargain, Sell and Convey unto					
WOODROW F. ZELDT and PATRICIA J. ZELDT, husband and wife					
grantee whose current address is 3447 Rush Creek Road, Cambridge, Id. 83610					
the following described real estate, to-wit:					
In Washington County, Idaho:					
In Township 15 North, Range 3 West of the Boise Meridian:					
Section 10: W1/2NW1/4, NE1/4NW1/4					
					
TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee & their heirs and assigns forever					
IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 28 th day of November, 1988					
STARKER SERVICES, INC. By <u>Michelle Stone</u> <i>vpres</i> PRESIDENT.					
ATTEST: <u>James H. Hays</u> SECRETARY.					
STATE OF IDAHO, California. On this 28 th day of November, 1988, before me, a Notary Public in and for said State, personally appeared <u>Michelle Stone</u> and <u>James H. Hays</u> , known to me to be the Vice President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, this day and year in this certificate first above written. <u>Mary B. Wood</u> Notary Public Residing at Los Gatos, CA Comm. Expires OCT. 25, 1991			STATE OF IDAHO, COUNTY OF Washington I hereby certify that this instrument was filed for record at the request of <u>Weiser Valley Title</u> at 35 minutes past 3:00 o'clock P.M. this 1st day of December 1988, in my office, and duly recorded in Book of Deeds <u>1297</u> <u>Mary Kautz</u> In Office Recorder <u>Carol Hylant</u> Deputy Fee \$6.00 Mail to: Weiser Valley Title Comp. index Cero. Rel. Film Compare Care Not. Bk. Rel. Up-date Return		

Instrument No. 1416267
Page 2 of 2 Pages

State of California

ss.

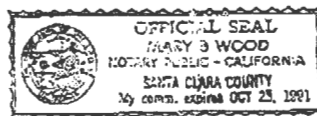
County of Santa Clara

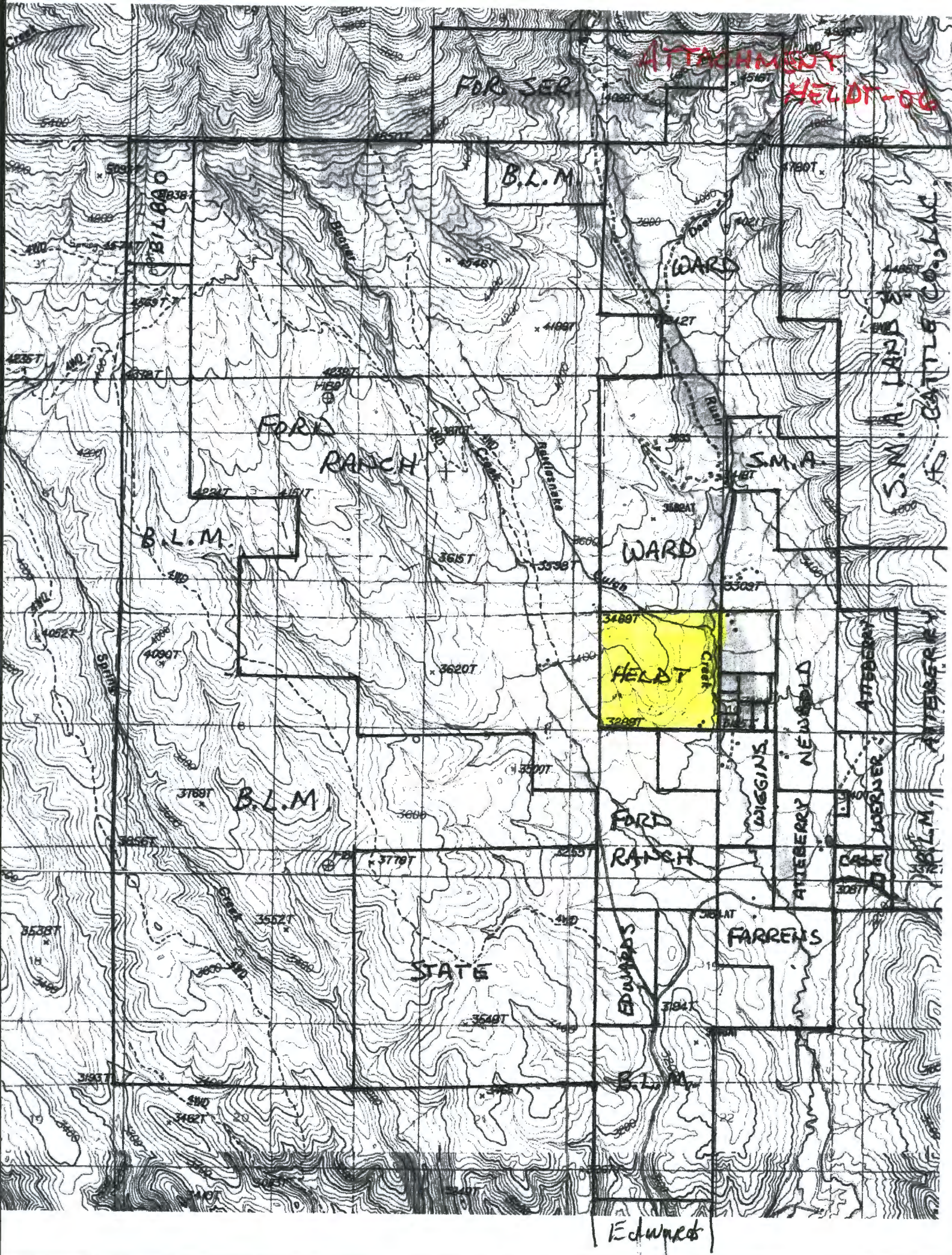
On this 28th day of November in the year 1988, before me
Mary B. Wood, a Notary Public for the State of California, personally appeared
Rochelle Stone

_____, personally known to me (or proved to me on the
basis of satisfactory evidence) to be the person(s) who executed the within instrument as
Vice President or on behalf of the
corporation therein named and acknowledged to me that the corporation executed it.

Mary B. Wood

Corporate Acknowledgment





RECEIVED

MAR 27 1974

Department of Water Administration

I, Mrs. Ray Ross, daughter of Milton Andrew Hinshaw, former owner of ~~SE 1/4~~ Section 10 Township 15 North Range 3 West of the Boise Meridian, do hereby certify that to the best of my knowledge, flood water was used on the above described premises since at least 1908.

Signed Mrs. Ray Ross
of Cambridge, Iowa Box 145

Certified by Robert D. Wood

200—ACKNOWLEDGMENT—SINGLE

Printed and sold by Syme-York Company, Boise, Idaho

STATE OF IDAHO
COUNTY OF Washington ss.

On this 18th day of March, in the year 19 74, before me

Robert D. Wood, a Notary Public

in and for said State, personally appeared Mrs. Ray Ross

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Notary Public for Idaho, residing at Cambridge, Idaho.

5-23-74

67 4056

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-4056

WATER RIGHT NUMBER: 67-4056

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	W FORBES MORGAN IV
	, ID
Current Owner	PATRICIA J HELDT 3447 RUSH CREEK RD CAMBRIDGE, ID 83610 (208)257-3564
Current Owner	WOODROW F HELDT 3447 RUSH CREEK RD CAMBRIDGE, ID 83610 (208)257-3564
Original Owner	MICHELLE F MORGAN PO BOX 72 CAMBRIDGE, ID 83610

Priority Date: 06/01/1908

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
RUSH CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

RUSH CREEK	SE1/4NW1/4SW1/4	Sec. 34, Twp 16N, Rge 03W, B.M.
WASHINGTON County		
RUSH CREEK	SE1/4SE1/4SE1/4	Sec. 28, Twp 16N, Rge 03W, 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	
15N	03W	10								10.0									10.0

Total Acres: 10

Conditions of Approval:

1. ADDRESS CHANGE BY CLAIMANT LETTER 5/7/99 SS.

06/03/2005

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

RIGHT NUMBER: 67-4056

NAME AND ADDRESS: PATRICIA J HELDT
3447 RUSH CREEK RD
CAMBRIDGE ID 83610

WOODROW F HELDT
3447 RUSH CREEK RD
CAMBRIDGE ID 83610

SOURCE: RUSH CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.200 CFS

The rights listed below are limited to a total combined diversion rate of 0.24 cfs. Combined Right Nos.: 67-291B, 67-4065.

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T16N R03W S28 SESESE Within WASHINGTON County

T16N R03W S34 SENWSW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 10/31

0.200 CFS

PLACE OF USE:

IRRIGATION Within WASHINGTON County

T15N R03W S10 SENW 12.0

12 ACRES TOTAL

This right is limited to the irrigation of ten (10) acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 12.0 acres in a single irrigation season. Combined Right Nos.: 67-291B, 67-4056.

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: Beneficial Use

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Water Right 67-4056

1

DEED LONG
AGO

PRIORITY EVIDENCE:

LEWIS
WAS PROPERTY

FOUND AFFIDAVIT - < 1920 ↓

WHERE WAS MRS GRAY ROSS
BORN?

→ CAN ONLY GIVE M.A. + 1
DAY

POU:

DOES 4056 OVERLAP 291B?

OVERLAP

DIVERSION RATE

.2 CFS FOR 10 ACRES = $\frac{2 \text{ inch}}{\text{acre}}$

FAY AFF TO JOHN

HISTORY

BOUGHT FROM COUPLE FROM NY

FROM HUBERT WARD





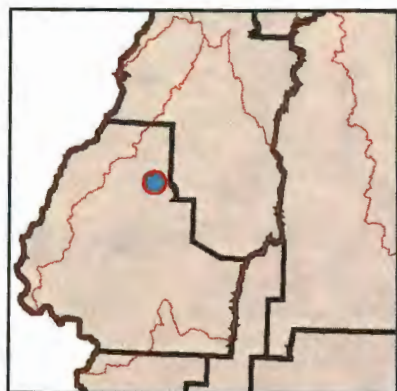
Idaho Department of Water Resources

Adjudication Claim Number: **67-4056**

T15N R03W

Legend

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



Washington County
IDWR Basin 67



0 0.7 1.4 Miles

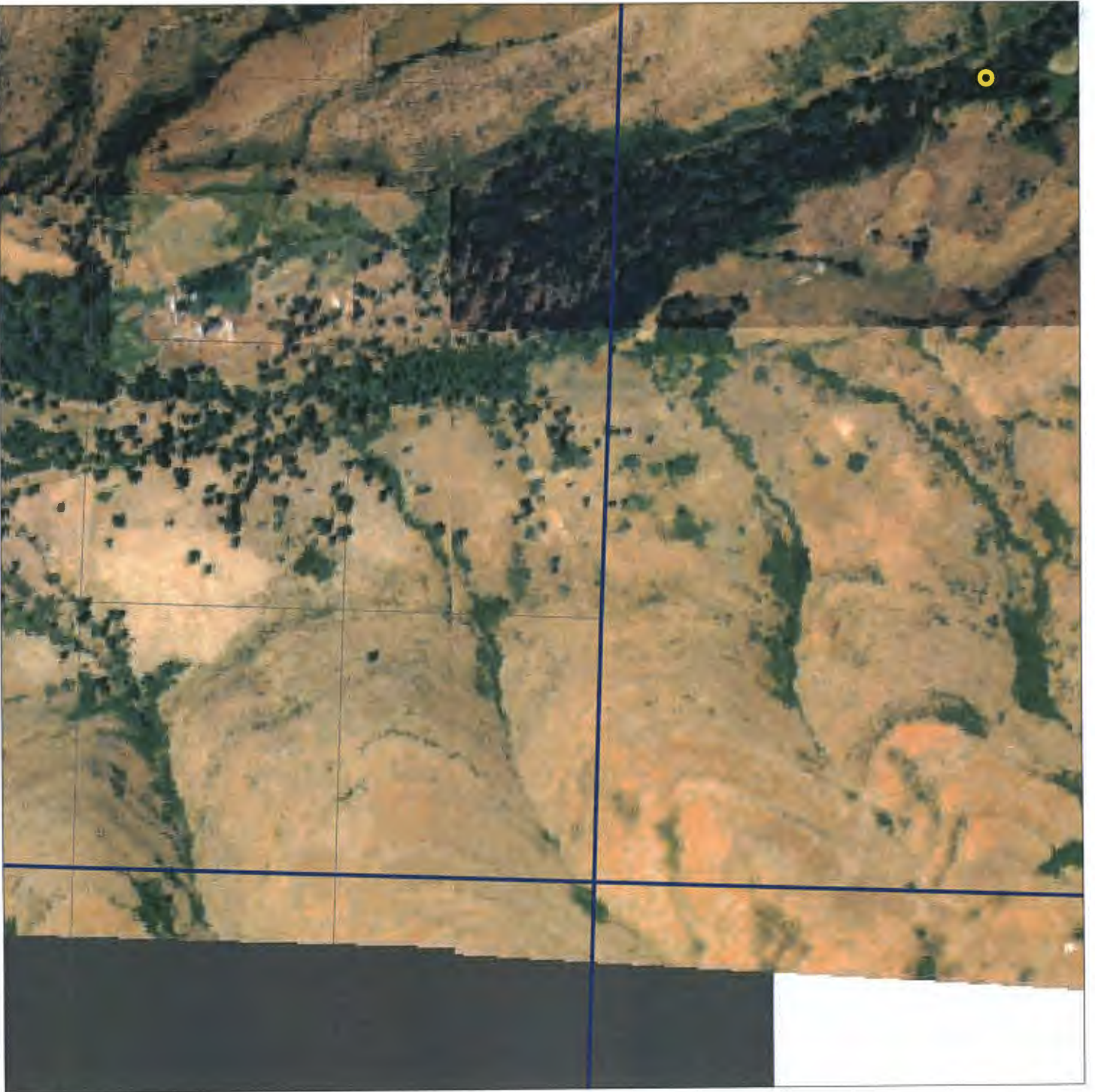


Prepared by D. Narsavage
On Friday, June 3, 2005
1987 Aerial Photography

Rec67-4056



Rec67-4056



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: **A67-04056**
Date Received: 10/19/1989
Receipt No: C012403
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: PATRICIA J HELDT
Address: 3447 RUSH CREEK RD
CAMBRIDGE ID

208-257-3564

83610

AND

Name: WOODROW F HELDT
Address: 3447 RUSH CREEK RD
CAMBRIDGE ID

208-257-3564

83610

2. Date of Priority: JUN 1, 1908

3. Source: RUSH CREEK

Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
16N	03W	28	SE		SE		SE		WASHINGTON
		34	SE		NW		SW		WASHINGTON

5. Description of diverting works:

GRAVEL DAM (INSTREAM), 3-MILE EARTH-LINED DITCH 18-36"X6-12"

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

7. Total Quantity Appropriated is:

0.800 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

SCANNED
APR 08 2004

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	03W	10	SE	NW		IRR	10.0

Section Acres 10.0

Total Acres 10.0

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:
67-0291

14. Remarks:
ADDRESS CHANGE BY CLAIMANT LETTER 5/7/99 SS.

15. Basis of Claim: STATUTORY CLAIM

RECEIVED



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

MAY - 4 1999

DIRK KEMPTHORNE
GOVERNOR

April 29, 1999

KARL J. DREHER
DIRECTOR

~~WOODROW F AND PATRICIA J HELDT~~
3447 RUSH CREEK RD
CAMBRIDGE ID 83610

Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-11681, 67-11682, 67-11683, A67-00291B &
A67-04056
Change of Address *Records changed, NCAP*

Dear Water Right Holders: *prepared. m 5-7-99*

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 can be sent only to the address on your water right 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 May 17, 1999. 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 referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

CHANGE OF OWNERSHIP
LETTER SENT 5-10-99

SS:region

#####

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

Patricia J. Heldt
Claimant Signature

208-257-3564
Telephone No.

Correct
Name is PATRICIA J. HELDT

3 letters

Notice to Mailer of Correction in Address

Addressee's Account Number (All numbers, dates, and letters)

67-11683 / 67-11683 / 67-11681

☐ No account number on mail

☐ Account number illegible

Addressee's Name

PATRICIA J Heldt Woodrow F Heldt

Old Address (Include apartment or suite number)

RR1 Box 233

City, State, and ZIP Code

Cambridge, Id 83610

New Address (Include apartment or suite number)

3447 Rush Creek Rd

City, State, and ZIP Code

Cambridge, Id 83610

This card is furnished: ☒ For address correction, as requested (your mailpiece was forwarded).
☐ In place of Form 3579 (see reason for nondelivery below).

The address portion of your mailpiece was not readily detachable. Reason for nondelivery:

☐ Moved, left no address

☐ No such street

☐ No such number

☐ Refused

☐ Attempted, not known

☐ Unclaimed

PS Form 3547, June 1995

+ 67-80291 B^v
/ - 04056^v

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: A67-04056
Date Received: 10/20/1989
Receipt No: C012403
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WOODROW F. HELDT 208-257-3564
Address: RR 1 BOX 233
CAMBRIDGE, ID 83610

AND

Name: PATRICIA J. HELDT 208-257-3564
Address: RR 1 BOX 233
CAMBRIDGE, ID 83610

2. Date of Priority: JUN 01, 1908

3. Source: RUSH CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	03W	28	SE	SE	SE		WASHINGTON
		34	SE	NW	SW		WASHINGTON

5. Description of diverting works:
GRAVEL DAM (INSTREAM), 3-MILE EARTH-LINED DITCH 18-36"X6-12"

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
15N	03W	10	SE NW		IRR	10.0
Section Acres						10.0
Total Acres						10.0

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:
67-0291

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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)
) SS.
County of _____)

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

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 AL67-04050
Date Received 10-20-89
Receipt Number C012403

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

RECEIVED

OCT 19 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Woodrow F. & Patricia J. Heldt Phone (208) 257-3564
Mailing Address RR 1 Box 233 Cambridge, ID Zip 83610

2. Date of Priority (Only one (1) per claim) 06-01-1908

3. Source of water supply (a) Rush Creek
which is tributary to (b) Weiser

4. a. Location of existing point of diversion is: Township 16 N Range 3 W Section 28,
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Washington

Additional points of diversion if any: T16 N, R 3W, Section 34, SE 1/4 of NW 1/4 of SW 1/4, B.M.

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. Gravel dam (instream), three mile
earth-lined ditch 18" to 36" wide by 6" to 12" deep.

MICROFILMED

OCT 02 1992

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-15 to 11-15 amount 0.80 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.80 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 30 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) N/A

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	
15N	3W	10								10									10

Total number of acres irrigated 10

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

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.
67-0291 or None ()

14. Remarks:

MICROFILMED
OCT 02 1992

Last Name HELDT Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

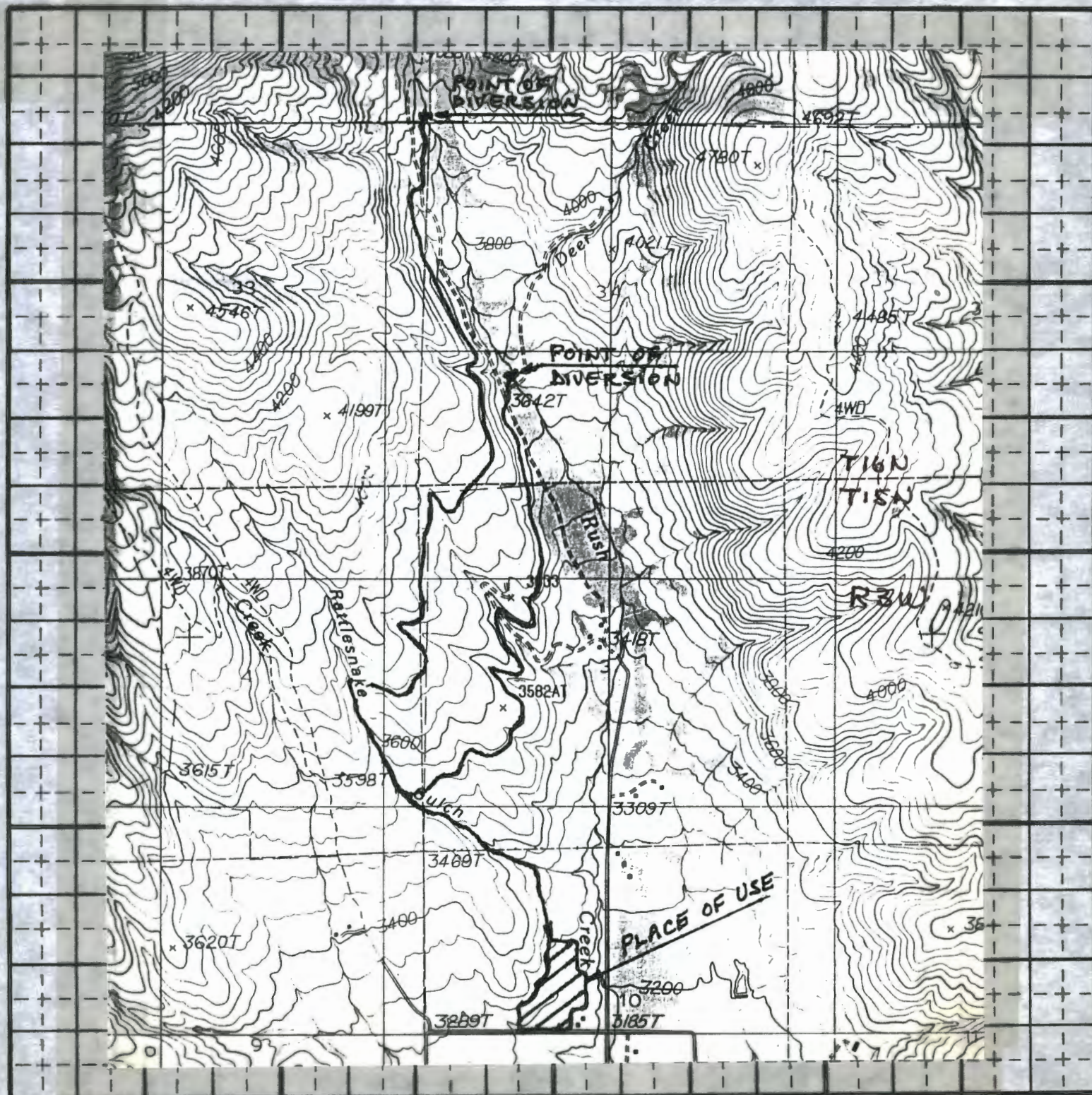
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

MICROFILMED

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

OCT 02 1992

Last Name HELD T

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 67-4056

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) Woodrow P. Heldt Date 10/17/89

Patricia Heldt Date 10/17/89

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____ that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

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 Washington)

SS.

Subscribed and sworn (or affirmed) before me this 17th day of October 19 89

SEAL

Notary Public John O'Brien

Residing at Cambridge

My Commission Expires 11-8-93

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 _____

MICROFILMED
OCT 02 1992

Last Name HELDT Ident. Number _____

Copies White-State, Yellow-Claimant

Water Right Number - 67-04056

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MORGAN

MICHELLE F.

1 - P.O. BOX 72

2 -

3 -

City- CAMBRIDGE

State- ID Zip- 83610

Phone - 208-000-0000

1 -

2 -

3 -

City-

State- ID Zip-

Phone - 208-000-0000

MORGAN IV

W. FORBES

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/01/1908 14 S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
RUSH CREEK WEISER RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code)

16N 03W 34 NW NW (87) WASHINGTON 272.0 288.0 24.0 9.4

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 10/31 0.800

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.800

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County

15N 03W 10 SE NW 10.0 01 IRRIGATION (87) WASHINGTON

Total Acres: 10.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

MICROFILMED
OCT 02 1992

Water right number - 67-04056

Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 01/28/85 05/01/88 CONVERT 07/19/89 CURTIS

+ - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 01/28/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-	Microfilm Roll Number	-

MICROFILMED
OCT 02 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Heldt

CLAIM IDENT. NO.

A67-4056

DATE RECEIVED

CK #

CO18403

AMOUNT \$

YES

NO

Require Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ *
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
(b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ N/A ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
Is the period of use included? ☒ YES ☐ NO ☐ *
Is a quantity claimed for each use? ☒ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ *
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ N/A ☐ *
Is the consumptive use correct? ☒ YES ☐ NO ☐ N/A ☐ *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ N/A ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ N/A ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ N/A ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ Exempt ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ N/A ☐ *
22. Should this claim be data entered? ☒ YES ☐ NO ☐ *

Claim checked by:

RMC

Date:

6/8/90

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

MDR

Date:

Date:

Date:

7/12/90

Checked by:

Rat

Date:

8/3/90

Comments:

MICROFILMED

OCT 02 1992

AJ0749NP
No. A67-04056

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

DATE: 05/07/99
PAGE: 1

SCANNED
APR 08 2004

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PATRICIA J HELDT	06/01/1908	IRRIGATION	03-15 11-15	0.800 CFS	
C	WOODROW F HELDT					
	3447 RUSH CREEK RD			TOTAL DIVERSION:	0.800 CFS	
	CAMBRIDGE ID 83610			CONSUMPTIVE USE:		30.00 AFA
	(208) 257-3564					

Water Source: RUSH CREEK

Tributary to: WEISER RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T16N R03W S28
S34

SESESE
SENWSW

WASHINGTON County
WASHINGTON County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
15N	03W	10	:																	:	10.0
																				TOTAL ACRES	10.0

POU County: WASHINGTON

Other Rights: 67-0291

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER 5/7/99 SS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



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

DIRK KEMPTHORNE
GOVERNOR

May 10, 1999

KARL J. DREHER
DIRECTOR

PATRICIA J HELDT
3447 RUSH CREEK RD
CAMBRIDGE ID 83610

Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-11681, 67-11682, 67-11683, A67-00291B
& A67-04056A
Change of Address and Claimant Name

Dear Water Right Holder:

Thank you for responding so quickly to my letter of April 29, 1999, concerning your address change. I have changed our records to reflect your new address, but we cannot change the claimant names without Form 42-248/42-1409(6) being completed and returned. I have enclosed that form for your use.

If your co-claimant, Woodrow F. Heldt, is deceased, please include a copy of his death certificate, which will take the place of a quit claim or warranty deed. If his name is to be removed due to divorce, please include a copy of the divorce decree showing you now own the properties with the water rights referenced above. Be sure to write your water right number on the copies, and submit the copies with the enclosed ownership change form to:

Idaho Department of Water Resources
Adjudication Bureau
2735 Airport Way
Boise, ID 83705-5082
(telephone 208/334-2190)

Please submit the ownership change form as soon as possible and call me toll-free at 1/800-451-4129 if you have any questions or concerns.

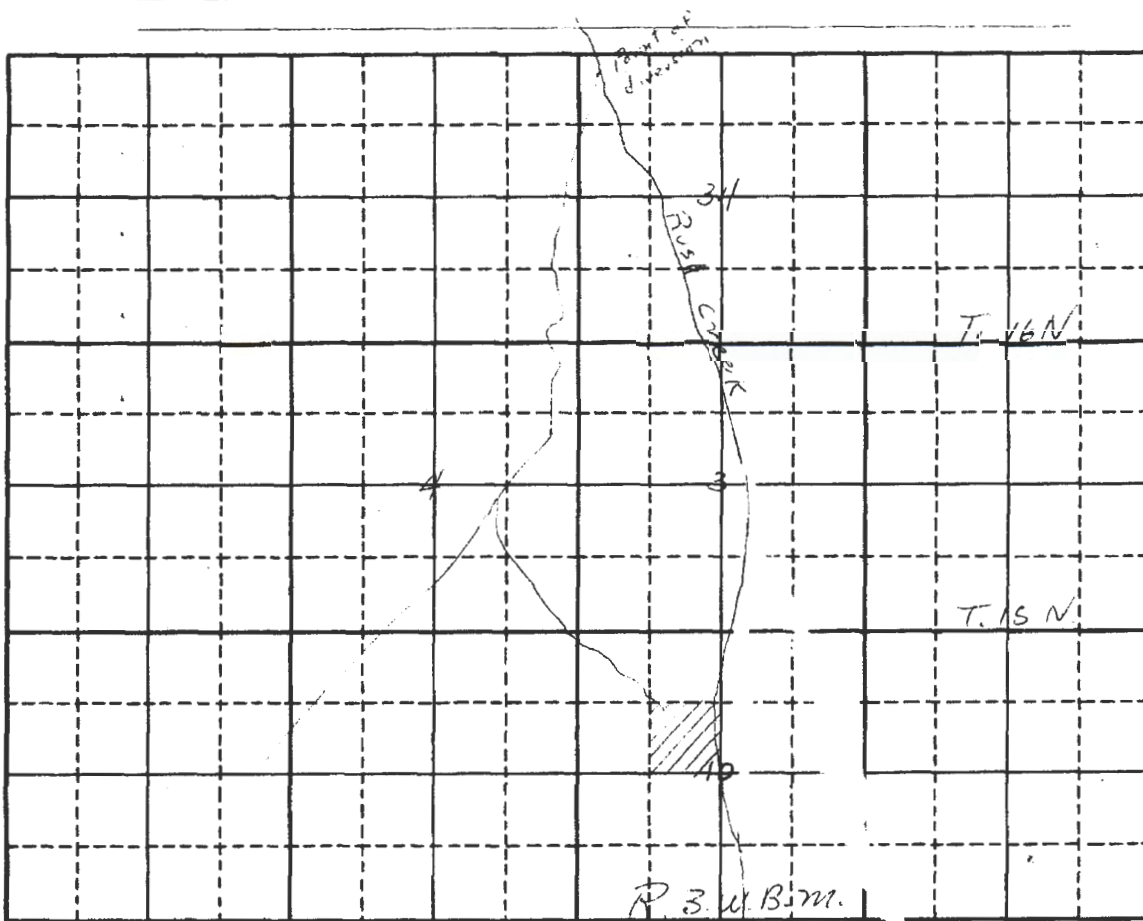
Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Form 42-248/42-1409(6)

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of Ada

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 5 day of

April

Michelle F. Mager
(Claimant)

Notary Public

Residing at

Larry J. Page
Baise

My commission expires

7/22/1975

For Department Use Only

Received by <u>RW H</u>	Date <u>4-5-1974</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>RW H</u>	Date <u>4-5-1974</u>		claimant by:	
\$10.00 fee received by <u>E J</u>	Date <u>3-27-74</u>			
Approved for publication by				
Published in <u>Upper Country News-Reporter</u>				
Dates <u>4-1-74 4-25-74</u>				

RECEIVED

APR 25 1974

AFFIDAVIT OF PUBLICATION Administration

State of Idaho }
County of Washington } ss.

Stuart Dopf, being first duly sworn, deposes and says that he is the publisher, foreman, principal clerk, of THE NEWS-REPORTER, a weekly newspaper published at Cambridge, Washington County, Idaho, and that said paper has been published continuously for more than 78 weeks immediately preceding the first publication of the attached notice; that said paper is in general circulation in the county aforesaid and in the vicinity of Cambridge, Idaho; that the notice, a copy of which is attached hereto, was published in said newspaper once a week for two consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement thereto; that the publication of said notice began with the issue of April 18, 1974, and ended with the issue of April 25, 1974.

Stuart Dopf

Subscribed and sworn to before me this

25th day of April, 1974.

May Collins

Notary Public for Idaho, residing at
Cambridge, Idaho

NOTICE OF WATER RIGHT
The water is claimed to be used from April 1 to Oct. 31 for irrigation of 10 acres with a capacity of 100; the place of use is within the SE 1/4 NW 1/4, S. 10, T. 18 N., R. 3 W., E. 1 E., Washington County.
Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.
B. KEITH HIGGINSON
Director
Published in the Upper County News-Reporter, Cambridge, Idaho on April 18, 1974 and April 25, 1974.

OK df
4-29-74

RECEIVED

MAR 27 1974

Department of Water Administration

I, Mrs. Ray Ross, daughter of Milton Andrew Hinshaw, former owner of ~~SE 1/4~~ Section 10 Township 15 North Range 3 West of the Boise Meridian, do hereby certify that to the best of my knowledge, flood water was used on the above described premises since at least 1908.

Signed Mrs. Ray Ross
of Cambridge, Ida Box 145

Certified by Robert D. Wood

200—ACKNOWLEDGMENT—SINGLE

Printed and sold by Hym-York Company, Boise, Idaho

STATE OF IDAHO
COUNTY OF Washington ss.

On this 18th day of March, in the year 19 74, before me

Robert D. Wood, a Notary Public

in and for said State, personally appeared Mrs. Ray Ross

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Notary Public for Idaho, residing at Cambridge, Idaho.

5-23-74

67 4056

**NOTICE OF CLAIM TO A
WATER RIGHT**

No. 67-4056

Notice is hereby given that MICHELLE F. &/or W. FORBES MORGAN IV., Box 72, Cambridge, ID., have filed a claim to a water right established by diversion and application to beneficial use of 0.3 cubic feet per second of water from Rush Creek, trib. to Weiser River with the point of diversion in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, S. 34, T. 18 N., R. 3 W., B.M., Washington County.

The water is claimed to be used from April 1 to Oct. 31 for irrigation of 10 acres with a priority of 1908; the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, S. 10, T. 15 N., R. 3 W., B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON
Director

Published in the Upper Country News-Reporter, Cambridge, Idaho on April 18, 1974 and April 25, 1974.

67-4-157

67 4056

WATER RIGHT NUMBER 67-4056

WATER RIGHTS EDIT REPORT

12/14/79

PAGE 156

ACT
IONN OWNER LAST NAME - MORGAN
N OWNER LAST NAME - MORGAN, IV.
N ADDRESS LINE 1 - P.O. BOX 72FIRST NAME - MICHELLE F.
FIRST NAME - W. FORBES

CITY - CAMBRIDGE

STATE - ID

N SOURCE - RUSH CREEK

TRIBUTARY OF - WEISER RIVER

N STAGE - STATRY CLM

PRIORITY - 06-01-1908 COUNTY - WASHINGTON TOTAL DIV. RATE - .8000CFS

N DIVERSION POINT - NWNW 34 16N 03W

N FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - .8000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 15N RNG 03W SEC 10 TRACT SENW AC 10

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 167-4056

Old No.

New No.

Record

1. Original Owner: Michelle F. Morgan & W. Forbes Morgan IV

Present Owner: _____

2. Address: P.O. Box 723. City: Cambridge State: Id Zip: _____4. A. Source of Water: Rush CreekB. Tributary of: Weiser River5. A. Stage (A,P,L,D,S,J): S

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-1-1908D. County: 87E. Total Diversion Rate: .8

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NW NW</u>	<u>34</u>	<u>16N</u>	<u>3W</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 4-1 to 10-31 for A purposes. Amount .8
(cfs or AC-Ft/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Michelle F. &/or W. Forbes Morgan IV
(name of claimant)
of Box 72, Cambridge, Idaho claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Weiser River

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Rush Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>0.8</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>April 1</u>	To	<u>Oct. 31</u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
Amount	<u> </u>	Use	<u> </u>	Period of Use:	From	<u> </u>	To	<u> </u>
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 0.8 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1908
- A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
 NW ¼ NW ¼, Sec. 34 Twp. 16N Rge. 3W B. M. County of Washington
 Additional points of diversion:

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Ditch - $2\frac{1}{2}$ miles, holds 40 inches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 10

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
- _____
- _____
- (7) If you are claiming water as a member of an organization, list name of organization: _____

May 6, 1974

Mr. & Mrs. W. Forbes Morgan IV
Box 72
Cambridge, Idaho 83610

Re: Claim to a Water Right No. 67-4056

Dear Mr. & Mrs. Morgan:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Sincerely,

KENNETH H. FOIT, P. E.
Western District Engineer

KHF:def

Enclosure

67 4056

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

April 12, 1974

Upper Country News Reporter
Box 98
Cambridge, Idaho 83610

Re: Claim to a Water Right No. 67-4056 - Michelle F. &/or W. Forbes Morgan IV
67-4057 - Norman &/or Sandra Hansen
67-4058 - Norman &/or Sandra J. Hansen

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

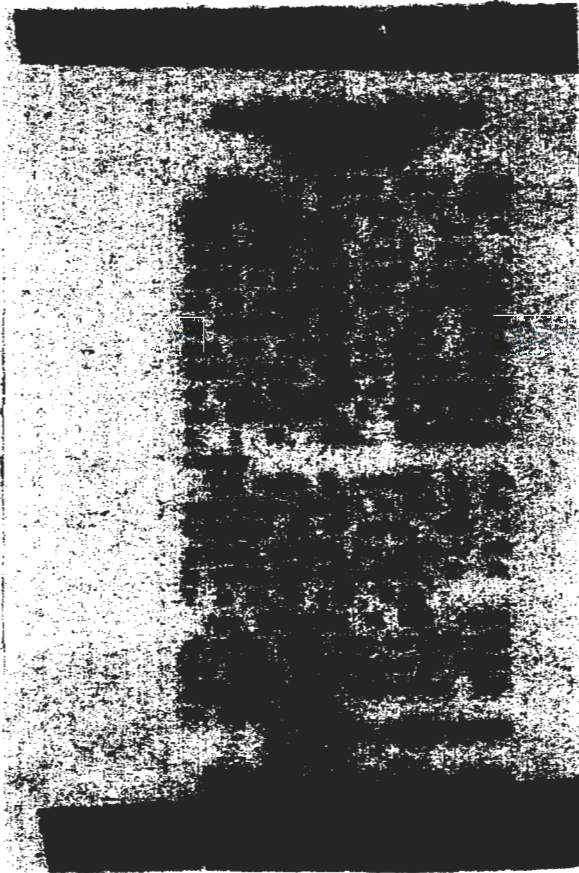
"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Sincerely,

Bill submitted 4-29-74 by df

67 4056



67 4056

NOTICE OF CLAIM TO A WATER RIGHT

No. 67-4056

Notice is hereby given that MICHELLE F. &/or W. FORBES MORGAN IV.,

Box 72, Cambridge, ID

has filed a claim to a water right established by diversion and application
to beneficial use of 0.8 cubic feet per second ~~excess~~ of water
from Rush Creek, trib. to Weiser River

with the point of diversion in the NW-1/4, S. 34, T. 16 N., R. 3 W., B.M.

Washington County.

The water is claimed to be used from April 1 to Oct. 31 for irrigation

of 10 acres

with a priority of 1908;

the place of use is within the SE-1/4, S. 10, T. 15 N., R. 3 W., B.M.

Any exception to this claim of water right may be filed with the Idaho
Department of Water Administration, Statehouse, Boise, Idaho, 83707.

R. KEITH HIGGINSON

Director

Published in the Upper Country News Reporter, Cambridge, Idaho

on April 18, 1974 and April 25, 1974.

67 4056

March 27, 1974

W. Forbes Morgan IV
Box 72
Cambridge, ID 83610

Dear Mr. Morgan:

We have received your claim to a water right and will continue processing it as soon as you clarify the point of diversion in item five and the map, item eight.

The point listed is NE¹/₄NE¹/₄, Section 23, Twp. 16 N., Rge. 3 W., which is approximately 4½ miles north of the SE¹/₄NW¹/₄, Section 10, Twp. 15 N., Rge. 3 W. listed as the place of use.

We have included a map of the area to assist you in determining the correct locations. We have also retyped the claim for your convenience. Please complete the marked items, sign before a notary public, and return it to this office.

Very truly yours,

ERVIN E. BALLOU
W. R. Technician II

EEB:def

Enclosures

67 4056

March 15, 1974

W. Forbes Morgan, IV
Box 72
Cambridge, ID 83610

Dear Mr. Morgan:

The claim to a water right form is actually an affidavit on which the claimant, to the best of his knowledge, deposes that the facts presented are true. For this reason, the claim must be, and supporting evidence should be signed before a notary public.

We are returning your claim and check no. 92-293 for \$10.00. Please complete items 5b and 8 (map of location) and sign the claim form before a notary.

If possible, have Mrs. Ross's signature notarized on the affidavit.

If our office can be of any assistance, please do not hesitate to contact us.

Very truly yours,

ERVIN E. BALLOU
W. R. Technician II

EEB:def

Enclosures

67 4056

RECEIVED

MAR 24 1966
Department of Water Administration

Box 72
Cambridge, Idaho 83610

Mr. Robert Hamilton
Idaho Department of Water Administration
Statehouse-Annex 2
Boise, Idaho 83707

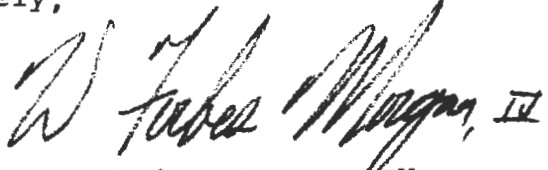
Dear Mr. Hamilton:

Please find enclosed our application on flood water out
of Rush Creek.

Please note on the instruction sheet a short affidavit
from the hand of Mrs. Ray Ross. I regret the affidavit is
not certified. Mrs. Ross's free time is very limited. If
this affidavit is not legal, because of non certification
please notify me and I will redo the certificate. I want
to add that this affidavit was written in the presence of
Mrs. Ross's daughters and husband. She also phoned her sister
in Caldwell to check with her on the the date.

Thank you for your help and co-operation in this matter.

Sincerely,


W. Forbes Morgan, IV

67 4050