

07/17/2003

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 29-7279

NAME AND ADDRESS: CLIFFORD F ANDREWS
PO BOX 2294
POCATELLO ID 83206

SOURCE: UNNAMED STREAM

TRIBUTARY: RAPID CREEK

QUANTITY: 0.030 CFS
3.50 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 07/31/1975

POINT OF
DIVERSION: T06S R36E S32 NWNWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.030 CFS 3.50 AFY

PLACE OF USE: IRRIGATION Within BANNOCK County
T06S R36E S32 NWNW 1.0

1 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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7279 V2

WATER RIGHT NUMBER: 29-7279 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN AVIS RADFORD ANDREWS PO BOX 2294 POCATELLO, ID 83206 (208)775-3546

Priority Date: 07/31/1975

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	RAPID CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.030 CFS	3.50 AF
	<u>Total Diversion:</u>	0.030 CFS	3.50 AF

Location of Point(s) of Diversion

UNNAMED STREAM	NW1/4NW1/4NW1/4	Sec. 32, Twp 06S, Rge 36E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06S	36E	32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	1.0
																			1.0

Total Acres: 1

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. n10 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. n12 THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7279 V2

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: S
 Owner Name Connector:
 Water District Number: 29F
 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

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>
Contacts	10/3/2002 9:32:44 AM	rwarner			Active
POD	10/3/2002 11:32:54 AM	rwarner			Active
Source	10/3/2002 11:33:14 AM	rwarner			Active
POU	10/3/2002 11:38:01 AM	rwarner			Active
Use	10/3/2002 11:40:34 AM	rwarner			Active
Season	10/3/2002 11:42:24 AM	rwarner			Active
Quantity	10/3/2002 11:44:38 AM	rwarner			Active
Summary			10/03/2002	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	10/3/2002 9:32:44 AM	rwarner	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review
POD	10/3/2002 11:18:37 AM	rwarner	Edited point location
POU	10/3/2002 11:19:02 AM	rwarner	Edited shape boundary
POD	10/3/2002 11:32:55 AM	rwarner	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7279 V2

Source	10/3/2002 11:33:15 AM	rwarner	(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? (No) 11. Is a Source remark and/or condition required?
POU	10/3/2002 11:38:01 AM	rwarner	(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? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Aerial photo and license review.
Use	10/3/2002 11:40:34 AM	rwarner	(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? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	10/3/2002 11:42:25 AM	rwarner	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	10/3/2002 11:44:38 AM	rwarner	(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? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 3.5 acre-feet per

year per license

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7279 V2

Summary	10/3/2002 11:47:48 AM	rwarner	(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? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
POU	10/30/2002 1:52:02 PM	ecarlson	Edited shape boundary
POD	10/30/2002 1:55:06 PM	ecarlson	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-7279 V1

WATER RIGHT NUMBER: 29-7279 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HELEN AVIS RADFORD ANDREWS PO BOX 2294 POCATELLO, ID 83206 (208)775-3546

Priority Date: 07/31/1975

Basis:

Status: Closed

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	WEST FORK RAPID CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.030 CFS	3.50 AF
DOMESTIC	1/01 to 12/31	0.020 CFS	
	<u>Total Diversion:</u>	0.030 CFS	3.50 AF

Location of Point(s) of Diversion

UNNAMED STREAM	SE1/4SE1/4NW1/4	Sec. 32, Twp 06S, Rge 36E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06S	36E	32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	1.0

Total Acres: 1

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
06S	36E	32	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	X

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-7279 V1

Comments:

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: S
Owner Name Connector:
Water District Number: 29F
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

Element Reviewed/Verified Dates:

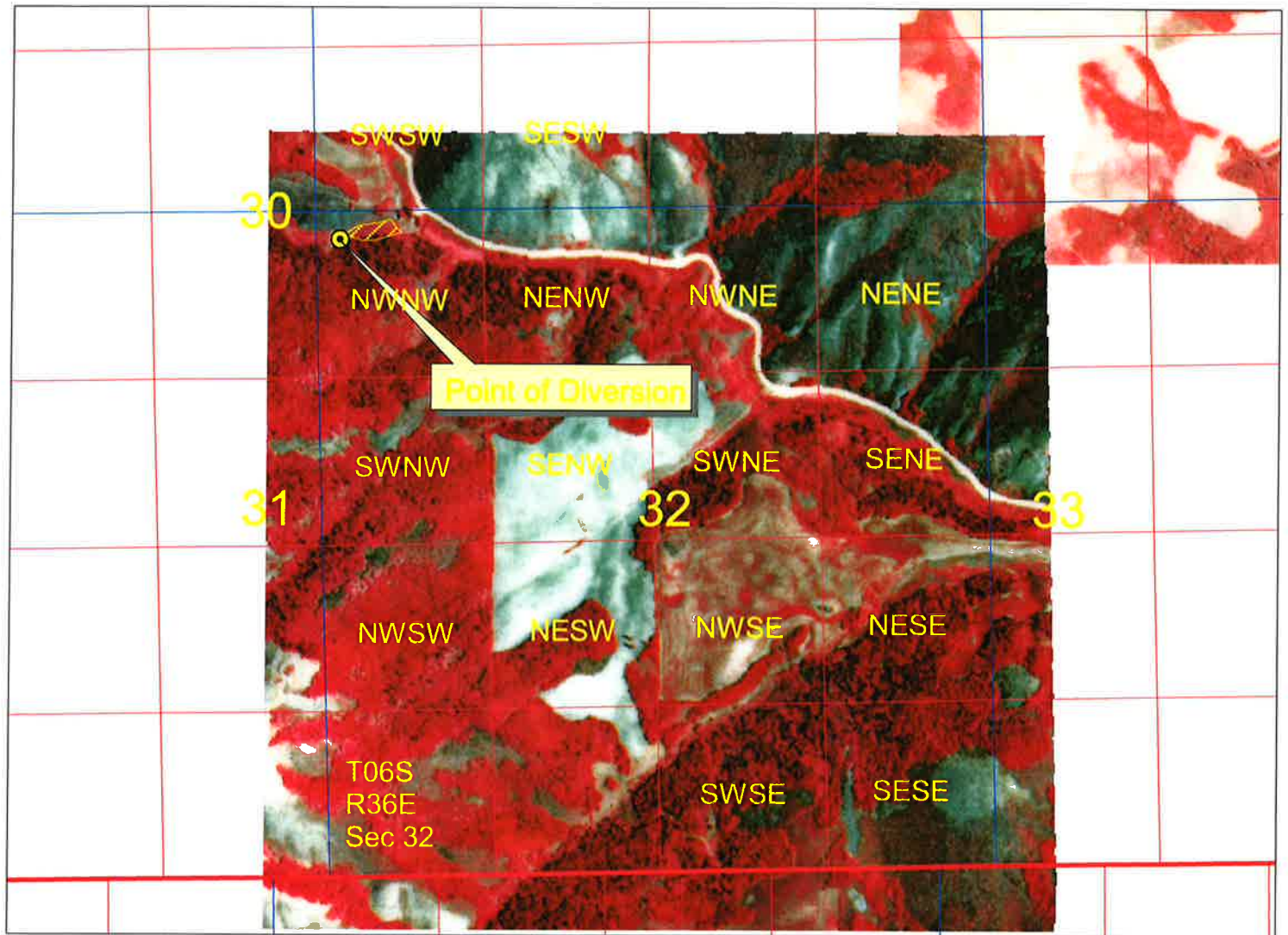
<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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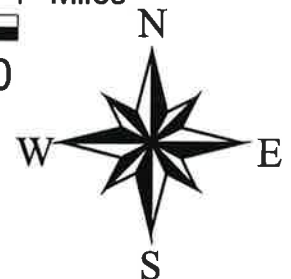


State of Idaho
Department of Water Resources
Eastern Region
WR 29-7279



0.5 0 0.5 1 Miles

1:16000



- Point(s) of Diversion
- ▨ Place of Use
- ▭ Section Lines
- ▭ Quarter Quarter Lines

SCANNED
PROFILED
5 2006

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: R. Warner
Date: October 2002

02/08/2003

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: April 21, 2003

Water right number: 29-7279

HELEN AVIS RADFORD ANDREWS

PO BOX 2294

POCATELLO ID 83206

Telephone Number: (208) 775-3546

Clifford F. ANDREWS

SAME

SAME

208-775-3450

done
JC
7/7/03

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:

NAME & Phone Number Only

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 4/18/2003

SIGNATURE:

Clifford F. Andrews

Please print your name:

CLIFFORD F. ANDREWS

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

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APR 25 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 17, 2003

CLIFFORD F ANDREWS
PO BOX 2294
POCATELLO ID 83206-2294

RE: Notice of Change of Water Right Ownership (NCO) for 29-7279 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. Andrews:

On July 3, 2003, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

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APR 25 2006

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

In Re SRBA

) Water Rights: 29-7279

Case No. 39576

)
)
) NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party **ANDREWS - ANDREWS**
- ☐ I.C. § 42-222 transfer
- | | |
|---|--|
| ☐ point of diversion | ☐ place of use |
| ☐ period of use | ☐ nature of use |
| ☐ split of water right | ☐ change in ownership |

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 17, 2003

Ernest Carlson

Signature of IDWR Representative

SCANNED

APR 23 2016

CERTIFICATE OF MAILING

I certify that on 7/18, 2003, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
HELEN AVIS RADFORD ANDREWS (DECEASED)

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
CLIFFORD F ANDREWS
PO BOX 2294
POCATELLO ID 83206-2294

4. One copy to:

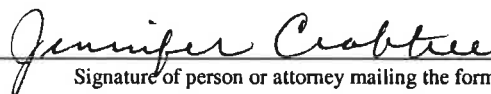
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

Crabtree, Jennifer

From: Carlsen, Ernie
Sent: Thursday, July 17, 2003 8:03 AM
To: Crabtree, Jennifer
Subject: FW: 29-7279

Jennifer, this recommendation needs an NCAP for change of ownership. The data entry change was made sometime after July 3. Last time I looked at the claim file the paper work for the change was not in it. I believe the file is in your area or the X2.

Ernie

-----Original Message-----

From: Fritschle, Carter
Sent: Thursday, July 10, 2003 11:57 AM
To: Carlsen, Ernie
Subject: RE: 29-7279

Hi Ernie,

Well, when I ran the name index on July 3 at 11:07, Helen was the current owner. So, everything has been printed with her as the owner. It looks like the best solution will be to do an NCAP after report is filed to change the ownership from Helen to Clifford.

Carter

-----Original Message-----

From: Carlsen, Ernie
Sent: Thursday, July 10, 2003 11:47 AM
To: Fritschle, Carter
Subject: RE: 29-7279

Hello Carter,

The contact names for the claim and both version 1 and 2 show Helen Avis Radford Andrews is the original owner and Clifford Andrews is the current owner. Unless the original owner is being printed on the recommendation there is not reason for Helen's name to show up.

Ernie

-----Original Message-----

From: Fritschle, Carter
Sent: Thursday, July 10, 2003 11:22 AM
To: Carlsen, Ernie
Subject: 29-7279

Hi Ernie,

This is a confusing one. The recommendation printed Helen Avis Radford Andrews as the owner, but the mailing label has Clifford Andrews.

Carter

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

done per Roger Warner 7/7/03

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	~~29-7279~~				
	29-7279				

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

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

HELEN Avis Radford ANDREWS

4. New Owner/Claimant(s)

Clifford F. Andrews

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

New Mailing Address

P.O. Box 2294 (SAME)

City, State and ZIP Code

Pocatello, Id. 83206 (SAME)

New Telephone Number

(208) 775-3450

5. Date you acquired the property

MAY 1997

RECEIVED

JUN 26 2003

Department of Water Resources
Eastern Region

SCANNED

PROFILED

APR 25 2003

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APR 24 2003

Department of Water Resources
Eastern Region

MR. R. WARNER:

THE following PART-OWNERS ARE in the process of signing quitclaim deeds to the $\frac{1}{3}$ of this parcel ($\frac{1}{9}$ EACH) Will send copies if needed.

Let me know if there is any other information needed and I will be happy to submit it.

THANKS.

Sincerely,

Clifford F. Andrews

NOTE:

Pertinent Information Highlighted in yellow

→ HERE ARE the 3 quitclaim deeds REQUESTED.
This should complete the MATERIALS NEEDED.

THANKS AGAIN,

Clifford F. Andrews

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JUN 26 2003

Department of Water Resources
Eastern Region

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APR 23 2003

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APR 24 2003

Department of Water Resources
Eastern Region

WARRANTY DEED

THIS INDENTURE, Made this 17th day of October, A.D. 1996 between Helen Andrews, grantor, and Clifford Andrews, grantee, whose mailing address is P. O. Box 2294, Pocatello, Idaho 83206-2294.

WITNESSETH:

That the said grantor, for value received to her in hand paid by the said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, his heirs and assigns forever, the following described land situate, lying and being in County of Bannock, and State of Idaho, to-wit:

Parcel 1:

SW¼ SW¼ Section 29, Township 6 South, Range 36, E. B. M.
excepting therefrom the following:

Commencing at the B.L.M. survey marker which is situate on the Southwest quarter corner of the SW¼ SW¼, Section 29, Township 6 South, Range 36 E.B.M., thence east approximately 40 rods to the middle or center of the Bannock County Road, known as Hoot Owl, thence following the county road in a northerly direction approximately 20 rods; thence West approximately 40 rods, thence South 20 Rods to the point of beginning. Containing 5 acres, more or less.

SUBJECT TO all rights-of-way, easements, reservations and restrictions of record against the above-described real property.

Parcel 2:

SE¼ SE¼ Section 30, Township 6 South, Range 36 E.B.M.

WARRANTY DEED -- Page 1
RECEIVED

JUN 26 2003

Department of Water Resources
Eastern Region

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APR 25 2003

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APR 24 2003

Department of Water Resources
Eastern Region

OVER

Parcel 3:

E½ NE¼ Section 31, Township 6 South, Range 36, E.B.M.

Parcel 4:

W½ NW¼ Section 32, Township 6 South, Range 36, E.B.M.
excepting therefrom the following:

Commencing at the N.W. corner of Section 32, Township 6 South, Range 36 E.B.M. thence east 700 feet to point of beginning, thence south 150 feet, thence east 125 feet, thence north 75 feet, thence west 55 feet, thence north 75 feet, thence west 70 feet, more or less, to the point of beginning, together with the right to use existing road from Hoot Owl county road to the herein described property.

Subject to taxes and assessments from and after January 1, 1997.

And the said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has signed her name the day and year above written.

Helen Andrews
HELEN ANDREWS

STATE OF IDAHO)

ss

County of Bannock)

LAST WILL AND TESTAMENT

OF

HELEN A. ANDREWS

RECEIVED
APR 24 2003
Department of Water Resources
Eastern Region

I, Helen A. Andrews, of Pocatello, County of Bannock, State of Idaho, being of sound and disposing mind and memory and not acting under duress, menace, fraud, or undue influence of any person whomsoever, do hereby revoke any and all Wills and Codicils heretofore made by me, and do make, publish and declare this to be my Last Will and Testament.

FIRST: I declare that I am a widow, and that the name of my deceased husband is Clifford F. Andrews, Sr., and at the execution of this, my Will, I have three children the issue of my body, namely: Barbara Kinoff, Mary Fox, deceased, and Clifford F. Andrews, Jr..

SECOND: I hereby direct that my Personal Representative hereinafter named pay my just debts, taxes, my funeral expenses, and the expenses of my last illness as soon as may be conveniently done after my death.

THIRD: I have in mind and memory my daughter, Barbara Kinoff, but make no provision for her in this my will, save and except the sum of One Dollar (\$1.00).

FOURTH: I give, devise and bequeath all the rest, residue and remainder of my estate of every nature, kind and description, wheresoever situated and howsoever held, to which I may be entitled or which I have power to dispose of at my decease, as follows:

2/3 thereof to Clifford F. Andrews, Jr.

1/9 thereof to Carla Burgess.

1/9 thereof to Wesley Thyberg.

1/9 thereof to Joyce Pardieu.

Quit claim deeds forthcoming if
NEEDED.

FIFTH: I hereby nominate, constitute and appoint Clifford F. Andrews, Jr. and Joyce Pardieu, or the survivor of them as Co-Personal Representatives and request that no bond

Helen A. Andrews
HELEN A. ANDREWS

SCANNED

APR 23 2003

or other security be required of them as such Personal Representative.

IN WITNESS WHEREOF, I, Helen A. Andrews, the Testatrix, above-named, have to this my Last Will and Testament, hereunto subscribed my name this 7th day of March, 1997.

Helen A. Andrews
HELEN A. ANDREWS

On this 7th day of March, 1997, the above-named Testatrix, Helen A. Andrews, in our presence, subscribed the foregoing instrument and declared the same to be her Last Will and Testament, and we thereupon, at her request, in her presence and in the presence of each other have hereunto subscribed our names as attesting witnesses.

Glenda J. Hall
WITNESS
Residing at: 163 Melrose
Pocatello Idaho 83204

Michael A Vitale apt
WITNESS 629 S Main St 101
Residing at: Pocatello Idaho 83204

STATE OF IDAHO)
: ss.
County of Bannock)

We, Helen A. Andrews, GLENDA J. HALL and MICHAEL A. VITALE the Testatrix and witnesses respectively, whose names are signed to the attached and foregoing instrument, being first duly sworn, do hereby declare to the undersigned authority that the Testatrix signed and executed the instrument as her Last Will and Testament, and that she had signed willingly and that she executed it of her free and voluntary act for the purposes therein expressed; and that each of the witnesses, in the presence and hearing of the Testatrix, signed and executed this Will as witnesses, and that to the best of their knowledge, the Testatrix was at the

Helen A. Andrews
HELEN A. ANDREWS

APR 25 2006

time an adult, of sound mind and under no constraint or undue influence.

Helen A. Andrews
HELEN A. ANDREWS

Glenda J. Hall
WITNESS

Michael A. Vitale
WITNESS

SUBSCRIBED AND SWORN to and acknowledged before me by Helen A. Andrews, the Testatrix, above-named, and subscribed and sworn to before me by

Glenda J. Hall and Michael A. Vitale, witnesses,
this 7th day of March, 1997.

Roger L. Jones, Jr.
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello, Idaho
My commission expires: 1-15-99

Helen A. Andrews
HELEN A. ANDREWS

SCAN
APR 25 2003

2-1

20315084

QUIT CLAIM DEED

FOR VALUE RECEIVED, Joyce Pardieu, does hereby convey, remise and forever quit claim unto Clifford Andrews, of P.O. Box 2294, Pocatello, Idaho 83204 the following described premisses, in Bannock County Idaho to wit:

Commencing at the N.W. corner of Section 32, Township 6 South, Range 36 E.B.M. thence East 700 feet to point of beginning, thence South 150 feet, thence East 125 feet, thence North 75 feet, thence West 55 feet, thence North 75 feet, thence West 70 feet, more or less, to the point of beginning, together with the right to use existing road from Hoot Owl county road to the herein described property.

Together with their appurtenances.

DATED: This 30th day of May, 2003.

Joyce Pardieu
JOYCE PARIDIEU

STATE OF California)
: ss
COUNTY OF _____)

On this _____ day of _____, 2003 before me, a notary public in and for said State, personally appeared Joyce Paridieu known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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
Residing at

RECEIVED

JUN 26 2003

Department of Water Resources
Eastern Region

SCANNED

APR 25 2006

ALL-PURPOSE ACKNOWLEDGEMENT

State of California }
 County of San Diego } ss.
 On 5-30-03 before me, Virginia Lee Sandberg
 personally appeared Joyce pardieu (NOTARY)

20315084

☐ personally known to me - OR

☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Virginia Lee Sandberg
 NOTARY SIGNATURE

OPTIONAL INFORMATION

The information below is not required by law. However, it could prevent fraudulent attachment of this acknowledgement to an unauthorized document.

CAPACITY CLAIMED BY SIGNER (PRINCIPAL)

- ☐ INDIVIDUAL
☐ CORPORATE OFFICER

- ☐ PARTNER(S)
☐ ATTORNEY-IN-FACT
☐ TRUSTEE(S)
☐ GUARDIAN/CONSERVATOR
☐ OTHER:

DESCRIPTION OF ATTACHED DOCUMENT

Quit Claim Deed
 TITLE OR TYPE OF DOCUMENT

NUMBER OF PAGES

5-30-03
 DATE OF DOCUMENT

OTHER

SIGNER IS REPRESENTING:
 NAME OF PERSON(S) OR ENTITY(IES)

RIGHT THUMBPRINT
 OF
 SIGNER



20315084

Clifford F. Andrews
 RECORDED AT REQUEST OF
 FEE 6 DEPUTY IN

2003 JUN 10 PM 1 24

OFFICIAL RECORD BK# 831
 LARRY W CHAN RECORDER
 BANNOCK COUNTY IDAHO

20315083

QUIT CLAIM DEED

FOR VALUE RECEIVED, Wes Thyberg, does hereby convey, remise and forever quit claim unto Clifford Andrews, of P.O. Box 2294, Pocatello, Idaho 83204 the following described premisses, in Bannock County Idaho to wit:

Commencing at the N.W. corner of Section 32, Township 6 South, Range 36 E.B.M. thence East 700 feet to point of beginning, thence South 150 feet, thence East 125 feet, thence North 75 feet, thence West 55 feet, thence North 75 feet, thence West 70 feet, more or less, to the point of beginning, together with the right to use existing road from Hoot Owl county road to the herein described property.

Together with their appurtenances.

DATED: This 21st day of May, 2003.

Wes Thyberg
WES THYBERG

STATE OF California)

: ss

COUNTY OF Alameda)

On this 21st day of MAY, 2003 before me, a notary public in and for said State, personally appeared Wes Thyberg 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.



Marsha Schmiegil
NOTARY PUBLIC FOR
Residing at 123 MAIN ST
PLEASANTON CA
94586

20315083
Clifford F. Andrews
RECORDED AT REQUEST OF
FEE 3 DEPUTY m

2003 JUN 10 PM 1 24
OFFICIAL RECORD BK# 831
LARRY W. GHAN RECORDER
BANNOCK COUNTY IDAHO

RECEIVED
JUN 26 2003
Department of Water Resources
Eastern Region

QUIT CLAIM DEED

20315082

FOR VALUE RECEIVED, Carla Burgess, does hereby convey, remise and forever quit claim unto Clifford Andrews, of P.O. Box 2294, Pocatello, Idaho 83204 the following described premisses, in Bannock County Idaho to wit:

Commencing at the N.W. corner of Section 32, Township 6 South, Range 36 E.B.M. thence East 700 feet to point of beginning, thence South 150 feet, thence East 125 feet, thence North 75 feet, thence West 55 feet, thence North 75 feet, thence West 70 feet, more or less, to the point of beginning, together with the right to use existing road from Hoot Owl county road to the herein described property.
Together with their appurtenances.

DATED: This 29th day of May, 2003.

Carla Burgess
CARLA BURGESS

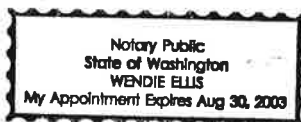
STATE OF Washington)

: ss

COUNTY OF Spokane)

On this 29th day of May, 2003 before me, a notary public in and for said State, personally appeared Carla Burgess known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.



Wendy Ellis
NOTARY PUBLIC FOR
Residing at

20315082

Clifford F. Andrews

RECORDED AT REQUEST OF

FEE 3 DEPUTY ML

2003 JUN 10 PM 1 23

OFFICIAL RECORD BK# 831
LARRY W CHAN RECORDER
BANNOCK COUNTY IDAHO

RECEIVED
JUN 26 2003
Department of Water Resources
Eastern Region

April 28, 2003

CLIFFORD F. ANDREWS
PO BOX 2294
POCATELLO, ID 83206-2294

Re: Change of Ownership for water right no. 29-7279.

Dear Mr. Andrews,

I have received a change of ownership request from you recently along with papers documenting the Last Will and Testament of Helen A. Andrews, and Warranty Deed.

According to the documents provided, the property is now legally split among four persons, which includes you. I can process the change of ownership as it stands BUT would be required to name all four owners.

In your letter, you expressed that the other three owners are in the process of signing quitclaim deeds to the property. I suggest that if you would like the water right to be solely in your name, that you wait for the quitclaim deeds and then resubmit the change of ownership application with copies of the quitclaim deeds. I am returning your application and supporting documentation so that you may resubmit them for whichever option you choose.

If you require any assistance or have any further questions in this regard, please feel free to call me at 525-7161.

Sincerely,

W. Roger Warner
Adjudication Agent

Enclosure: Change of Ownership application
Last Will and Testament of Helen A. Andrews
Warranty Deed.

2/10/03

I did receive a response w/ quitclaim and change of ownership request.

Roger.

Log for claim A29-07279

Spatial Dynamics BTD

9/7/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
06s36e	32	SWNE	1	1.2	
Totals:			1	1.2	

4/6/01

Address

PO Box 2294

Poly ID 83206

AJ5809NP
No. A29-07279

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 250

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HELEN AVIS RADFORD ANDREWS PO BOX 2392 POCATELLO ID 83206 (208) 775-3546	07/31/1975	IRRIGATION DOMESTIC	04-01 11-01 01-01 12-31	0.030 CFS 0.020 CFS	3.50 AFA
TOTAL DIVERSION:					0.030 CFS	3.50 AFA
CONSUMPTIVE USE:						2.50 AFA

Water Source: UNNAMED STREAM

Tributary to: RAPID CREEK, WEST FORK

Stage: LICENSE

Point(s) of Diversion: T06S R36E S32 SESENW

BANNOCK 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 Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	SUM		
06S	36E	32	:	01	:	:	:	:	:	:	:	:	:	1.0		
TOTAL ACRES													1.0			

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE				
NENE NWNE SWNE SENE				NENW NWNW SWNW SENW				NESW NWSW SWSW SESW				NESE NWSE SWSE SESE				
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac			
06S	36E	32	:	D	:	:	:	:	:	:	:	:	:			

POU County: BANNOCK

Non-Irrigation Uses: D, 1 HOME

Other Rights: NONE

Remarks: GEN MY FATHER STARTED USING SPRING IN 1926

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

Misc: Water District Number: 29F Field Inspection Flag:
Presumption Flag:

Audit: 05/01/90 HAUMANN 07/26/94 THOMPSON 03/29/95 POST-STD

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that HELEN AVIS RADFORD ANDREWS
of Pocatello, ID, has complied with the terms and conditions of Permit
No. 29-7279 issued pursuant to Application for Permit dated 7-31-1975,
and has submitted proof to the Department of Water Resources on 6-6-1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .03 cfs of water from Unnamed stream,
tributary to Rapid Creek, West Fork, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Description and location of place of use:

[illegible]

Total number of acres irrigated 1

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29th day of May, 19 81.

Director

T.68.7S. R.35E.36E.

NORTH

(X)

(X)

George Russel Redford

(Now DECEASED)

FATHER OF APPLICANT

30 29

31 32

STREAM
NAMED

(X)

Point of Diversion

(X)

W. 1/4 NW 1/4

W 1/2 NW 1/4

Sec. 32 - T6S

R 36S -

(X)

(X)

BANNOCK COUNTY -

State of Idaho

Clifford M. Peake

40

4

LOCK RAPID CR.

TO PORTNEUP
RIVER -

DAD
14

DAD
14

George D. Katsis/Ametes

Hotel #1's Railroad Andrew

Water Right Number - 29-07279 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

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

*** C - CURRENT OWNER ***

ANDREWS HELEN AVIS RADFORD 1 - P.O. BOX 2392
2 -
3 -
City- POCA TELLO State- ID Zip- 83201
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +

07/31/1975 15 L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

UNNAMED STREAM RAPID CREEK, WEST FORK

+ - - - - Point of Diversion - - - - - +

Twn	Rng	Sec	Tract	Lot	RFlg	County
06S	36E	32	NW NW		(5)	BANNOCK

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	11/01	0.030	3.50

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

0.030 3.50

+ - - - - Place of Use - - - - - +

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
06S	36E	32	NW NW		1.0	01	IRRIGATION	(5) BANNOCK

Total Acres: 1.0

+ - - Diversion Means - HEADGATES & PIPELINES.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

No Remarks found.

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

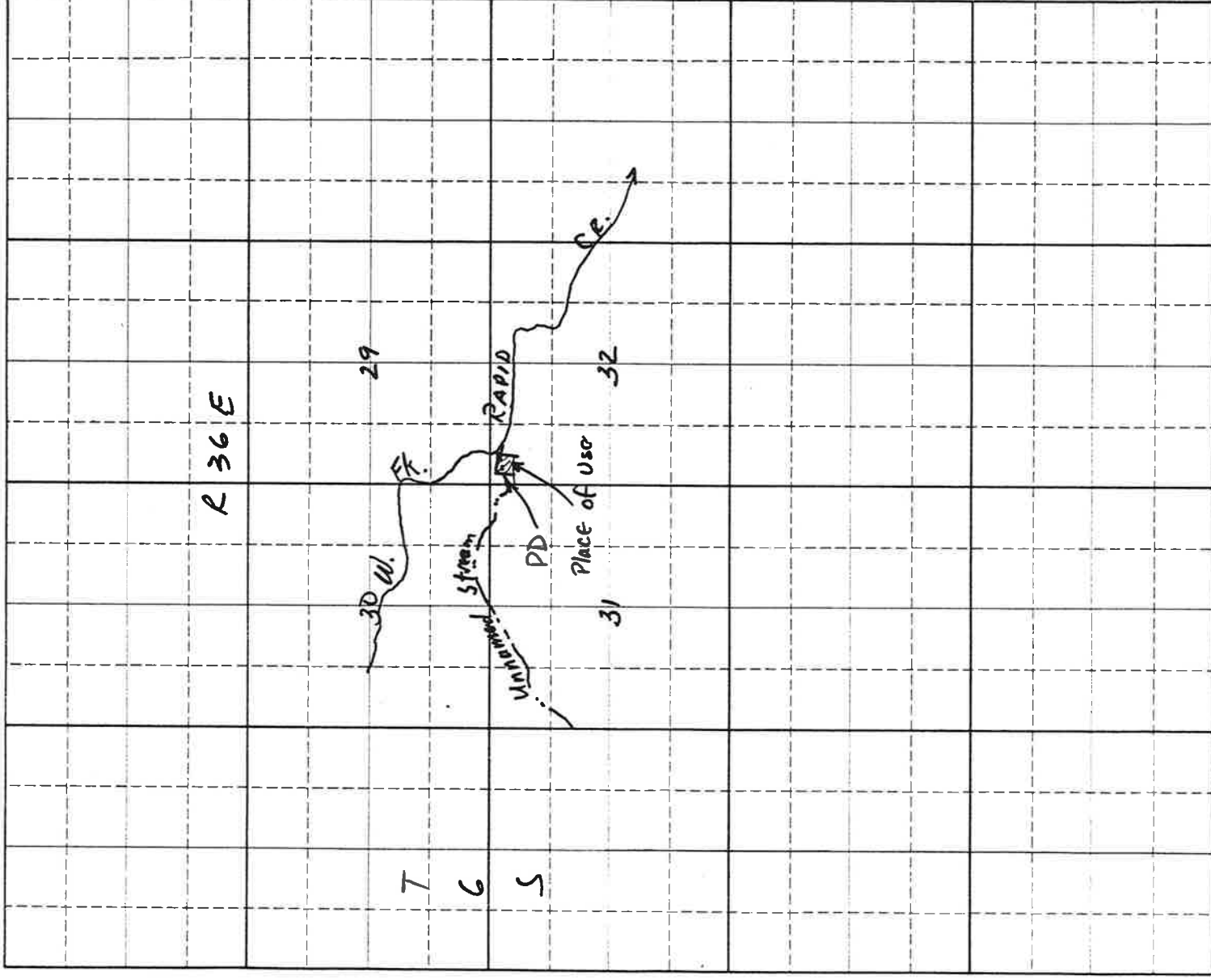
00/00/0000

DO NOT FILM

Mrs. Andrews - this is what we have on file for you.
It will need to be refiled under the adjudication.
Forms enclosed.

Q = Allow 1 ac. At 0.3 cfs per acre for small acreage
V = Allow 1 ac at 3.5 in leg = 3.5 AF

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



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Helen Iris Radford Gulbrene
(Applicant)

Identification No. 29 7279

Application No. _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT**

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Helen Avis Radford Andrews Phone: _____
post office address Box 2392, Pocatello, Idaho 83201
2. Source of water supply Unnamed Creek which is a tributary of W. Fk. Rapid Creek
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32 Township 6S
Range 36E B.M. Bannock County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 0.10 for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 0.10 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Headgates, 2 inch P.V.C. pipe

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 150.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

NOTED

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 29-07279

Adj. flag translation: Standard Water Right Number

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

Proof Due Date	- 08/01/1980	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 08/29/1975	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 01/01/1900	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 04/08/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	- 29F
Licensed Date	- 04/12/1982	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

DO NOT FILM

DO NOT FILM

JUN 13 2001

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: A29-07279
Date Received: 3/30/1990
Receipt No: EOL3 981
Received By: Qu

RECEIVED

MAY - 1 1990

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Eastern District Office

1. Name: HELEN AVIS RADFORD ANDREWS
Address: P.O. BOX 2392
POCATELLO, ID 83206

208-775-3546

2. Date of Priority: JUL 31, 1975

3. Source: UNNAMED STREAM Trib. to: RAPID CREEK, WEST FC

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06S	36E	32	~~SE~~ NW	~~SE~~ NW	NW		BANNOCK

5. Description of diverting works:
HEADGATES & PIPELINES & SPRING BOX

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.030		3.50
DOMESTIC	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.030 C.F.S. (and/or) 3.50 A.F.A.

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	36E	32	SW	NE		IRR	1.0
			SW	NE		DOMEST	

Section Acres 1.0

A29-07279

Page 1

Date: 03/30/90



MICROFILMED

NOV 13 1992

10. Place of Use: Continued

Total Acres 1.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:
MY FATHER STARTED USING SPRING IN 1926

15. Basis of Claim: LICENSE

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: 4

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): Helen Gris Redford Andrews Date: Mar 30 1990

Date: _____

State of Idaho)
County of Barnett) SS.

Subscribed and sworn (or affirmed) before me this 30 day
of March 19 90

John Salomon
Notary Public

Seal

Residing at Boise ID
My Commission Expires 6/3/94

R36E

INKOM ORTHOPHOTOQUAD
IDAHO

AA90

17' 30" 395 470 000 FEET 396 397 112° 15' 42° 52' 30" 440 000 FEET



4247
4246
4245
T. 6 S.
T. 7 S.
4244

T6S
T7S
MICROFILMED
NOV 13 1992