

08/13/2003

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

RIGHT NUMBER: 29-4239
NAME AND ADDRESS: CARLA L DANDO
6321 W BUCKSKIN
POCATELLO ID 83201

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.020 CFS
1.30 AFY
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED
13,000 GALLONS PER DAY.

PRIORITY DATE: 11/01/1957

POINT OF
DIVERSION: T06S R35E S27 NENESE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS 1.20 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.10 AFY

PLACE OF USE: STOCKWATER Within BANNOCK County
T06S R35E S27 NESE
DOMESTIC Within BANNOCK County
T06S R35E S27 NESE

08/13/2003

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

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 IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STOCKWATER 10 HORSES & CATTLE PARCEL NO. R3851025606

DOMESTIC USE IS FOR 1 HOME

APPROVAL OF THIS TRANSFER IN NO WAY CONFIRMS THE RIGHT(S) CLAIMED.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

SCANNED

JUL 03 2007

29-4239 & 29-11634

Michael & Kim Anderson

SCANNED
JUL 02 2007



- ⊙ Right POD
- Right POU
- Anderson property.shp
- Sections
- QQ
- Bannock taxlots
- GCDB06S35E GCDB



0.08 0 0.08 0.16 Miles



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

July 2, 2007

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

MICHAEL J & KIM M ANDERSON
6321 W BUCKSKIN RD
POCATELLO ID 83201

RE: CHANGE IN WATER RIGHT OWNERSHIP FOR WATER RIGHT NUMBERS
29-4239 & 29-11634

Dear Sir or Madam:

I am returning the above-mentioned Change in Water Right Ownership form for the correct fees.

We received \$25.00 for 29-4239. In researching this water right we have found there are **two** water rights associated with your piece of property 29-4239 & 29-11634 so we will require another \$25.00 fee for water right number 29-11634.

Please mail back the enclosed copy of the Notice of Change of Water Right Ownership form along with attachments and another check for \$25.00 made payable to IDWR to:

IDAHO DEPARTMENT OF WATER RESOURCES
ATTENTION JENNIFER CRABTREE
900 N SKYLINE DR STE A
IDAHO FALLS, ID 83402

If you have any questions regarding this matter feel free to contact this office at 208-525-7161.

Respectfully submitted,


Jonie Barg
Office Specialist II

SCANNED

JUL 02 2007



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

August 15, 2003

CARLA L DANDO
6231 W BUCKSKIN RD
POCATELLO ID 83201

RE: Notice of Change of Water Right Ownership (NCO) for 29-4239 & 29-11634
and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On August 14, 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,

Kristen Forsgren
Office Specialist 1

Enclosure

cc: James L Gilliland & Carla L Dando

SCANNED

JUL 02 2007

SCANNED

JUL 03 2007

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: 29-4239 & 29-11634

Case No. 39576)

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

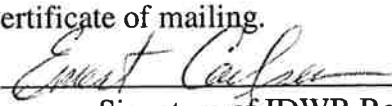
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ 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: Aug 13, 2003



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on August 15, 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:
JAMES L GILLILAND & CARLA L DANDO
6231 W BUCKSKIN RD
POCATELLO ID 83201

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
CARLA L DANDO
6231 W BUCKSKIN RD
POCATELLO ID 83201

4. One copy to:

Each party in the subcase, or attorney of record
N/A

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 3, 2003

CARLA L DANDO
6321 W BUCKSKIN
POCATELLO ID 83201

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 29-4239 & 29-11634

Dear Property Owner(s):

Thank you for advising the Department of the necessary name changes for the property with the water right referenced above.

Before we can modify our records to reflect these changes, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

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

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

SCANNED

JUL 03 2007

6-3-07

if Carla Calls, Explain that
We Changed Ownership from
Hales to Gilliland/Dando,
but in order to remove
Gilliland we need
documentation to show
Gilliland no longer has
interest in the property.

Craig

SCANNED

JUL 03 2007

02/08/2003

Craig

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: 29-11634

JAMES L GILLILAND
6321 W BUCKSKIN
POCATELLO ID 83201
Telephone Number: (208) 234-4723

No longer on deed

CARLA L DANDO
6321 W BUCKSKIN
POCATELLO ID 83201
Telephone Number: (208) 234-4723

RECEIVED

MAR 10 2003

WATER RESOURCES
WESTERN REGION

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:

RECEIVED

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

Department of Water Resources
Pocatello, ID

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

DATE: Feb 24, 2003 SIGNATURE: Carla L. Dando
Please print your name: CARLA L. DANDO

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

SCANNED
JUL 03 2007

SCANNED

JUN 15 2001

Rescan

4/9/01

Based on Remarks claimant needs to file an Application for permit ... nevermind.

Transfer 4043 Changed Nature of use for 29-04239. Discussion with Harold Jones and Dennis Dunn indicated that skating rink probably doesn't exist anymore. Send letter to confirm

6/5/01

Tried to call claimant's phone # no good

9/23/02: Drive by and confirm no skating rink.

Looks like physical address is close to 6372 W Buckskin. This address taken from Taxlot data and belongs to Kurt Birkenhagen. C/O?

9/24/02: FE - Searched area of legal description claimed. FE No signs of skating rink.

: stopped by John Conner's Place 29-11570 and they confirmed that the Ice rink doesn't exist. Also confirmed that 29-11634 + 29-04239 belongs to Neighbor: Carla Dando and Jim Gilliland?

9/27/02: send NCO to Carla Dando + Jim Gilliland

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



SCANNED

JUL 03 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 26, 2002

CARLA L DANDO
6321 W BUCKSKIN
POCATELLO ID 83201

RE: Change of Ownership for Snake River Basin Adjudication (SRBA) claims 29-04239 and 29-11634.

Dear Ms. Dando,

The Idaho Dept. of Water Resources received your correspondence and information packet on November 25, 2002.

I have reviewed the information you provided and have changed the ownership for SRBA claims 29-04239 and 29-11634 (enclosed).

The files I have available to me did not contain the Change of Ownership information you submitted previously. I am sure you can understand that sometimes these errors occur. I apologize for inconvenience in this matter.

Please feel free to contact me if you have further questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SCANNED

JUL 03 2007

November 20, 2002

Craig L. Saxton
Water Resource Agent
State of Idaho
Department of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

NOV 25 2002

WATER RESOURCES
WESTERN REGION

Dear Mr. Saxton,

CHANGE IN OWERNSHIP FOR 29-04239 AND 29-11634

Received your letter dated September 27, 2002. I am enclosing documents dated December 4, 1997, January 22, 1998 and February 5, 1998 wherein your office states that "our water right agents cannot find any rights in the name of George Hales in the location described in the deed. ..."

Now you are asking for the same form!!! The property was purchased from Dr. Hales in October 1992! What is going on here?!

I don't believe I need to fill out any more paperwork until you can clarify what this is all about.

I look forward to your response.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carla L. Dando".

Carla L. Dando

Enclosure (3)

SCANNED

JUL 03 2007



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

December 4, 1997

**PHILIP E. BATT
GOVERNOR**

**JAMES L GILLILAND
6321 W BUCKSKIN RD
POCATELLO ID 83201**

**KARL J. DREHER
DIRECTOR**

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right Nos. A29-04239

Dear Claimant:

We have been advised you may be the new owner of the property with the water right referenced above. As the attached copy of the claim shows domestic and stockwater uses. The Bannock County records show that the Hales retained some of the property used for stockwater. This may result in the water right requiring a split right. Please read the instructions on the change of ownership form carefully.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please follow the instructions on the back of the form and return to my attention at this office by December 18, 1997.

Please call this office toll-free at 1-800-451-4129 if you have any questions.

Yours truly,

Danni M. Smith
SRBA Sr. Secretary

cc: Regional office

Enclosures: Form 42-248/42-1409(6)
Copy of Nos. A29-04239
water right filing

SCANNED

JUL 03 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1998

JAMES L GILLILAND
CARLA L DANDO
6321 W BUCKSKIN
POCATELLO ID 83201

RE: CHANGE OF WATER RIGHT OWNERSHIP

Dear Mr. Gilliland & Ms. Dando:

I am returning your request for a change of water right ownership. Our water right agents cannot find any rights in the name of George Hales in the location described in the deed. Unless Mr. Hales can provide a water right number that is appurtenant to the property, there is nothing further our office can do.

If you have questions, do not hesitate to call our office.

Sincerely,

Jennifer Hoagland
Technical Records Specialist

Enclosure

SCANNED

JUL 03 2007

September 27, 2002

CARLA DANDO
JIM GILLILAND
6321 W BUCKSKIN RD
POCATELLO ID 83204

RE: CHANGE IN OWNERSHIP FOR 29-04239 AND 29-11634

Dear Mr. Gilliland and Ms. Dando:

It has come to our attention that you may have recently purchased a tract of land in Bannock County. According to our records, the property to which I am referring to was most recently owned by George and Helen Hales. The legal description is as follows:

T06S R34E S27 NE1/4 SE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 29. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call 334-2190.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Enclosure(s)

SCANNED
JUL 03 2007

T4043 HALE

SCANNED
JUL 03 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
WATER RIGHT NO. 29-04239

Trans. #4043

This is to certify that: **GEORGE G. HALES**
497 HORROCKS DR.
BLACKFOOT ID 83221

has requested a change to the above captioned water rights. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
STOCKWATER	01/01 - 12/31	0.02 CFS	0.1 AF
DOMESTIC	01/01 - 12/31	0.02 CFS	1.2 AF
	Total	0.02 CFS	1.3 AF

Priority: 11/01/1957

Source: SPRING tributary to: SINKS

LOCATION OF POINT(S) OF DIVERSION:

NENESE, Sec. 27, Township 06S, Range 35E, BANNOCK County

PLACE OF USE: STOCKWATER

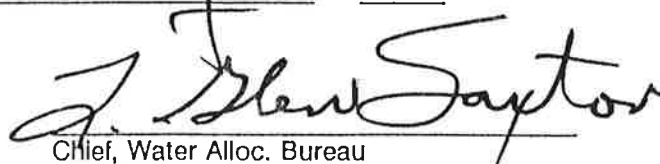
TWN RGE SEC
06S 35E 27 NESE

PLACE OF USE: DOMESTIC same as STOCKWATER use

CONDITIONS/REMARKS:

1. Approval of this transfer in no way confirms the right(s) claimed.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Stockwater use is for 10 range cattle or horses.
6. Domestic use is for 1 home.

Dated this 27th day of January, 1993.


Chief, Water Alloc. Bureau

SCANNED

JUL 03 2007

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant GEORGE G. HALES Phone 785-2018
Post Office address 497 HORROCKS DRIVE, BLACKFOOT, IDAHO 83221

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☒ Change nature of use ☒ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes SKI RESORT IS CLOSING AND THE
PROPERTY IS BEING SUBDIVIDED INTO AN 9 HOME SUBDIVISION.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 329-04239 Priority 11/1/1957 Amount (cfs/ac-ft) 0.14 Nature of Use DOMESTIC Period of Use 1/1 to 12/31
0.03 STOCK 1/1 to 12/31
 _____ to _____
 _____ to _____
2. Total amount of water being transferred 0.17 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water SPRING tributary to SINKS
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

CANCEL

DATE					
TIME					
LOCATION					
WIND					
SEA					
TEMP.					
HUMIDITY					
PRESSURE					
VISIBILITY					
CLOUDS					
REMARKS					

PART 1

6. General Information:

a. Description of diversion system 10' DIAMETER, 60 CINDER BLOCK SPRING BOX PIPES
TO 9 HOMES AND OUTSIDE HYDRANTS.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes ~~YES~~ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO IRRIGATION - SKI LODGE IS CLOSING

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

SCANNED

JUL 03 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 29-04239 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☒ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water SPRING tributary to POCATELLO CREEK

4. Date or priority 11/1/1957

5. Water is used for the following purpose:

amount 0.04 for DOMESTIC purposes from 11/15 to 3/15
(cfs/ac-ft)
amount 0.13 for RECREATION purposes from 11/15 to 3/15
(cfs/ac-ft)
amount 0.02 for STOCKWATER purposes from 4/1 to 11/1
(cfs/ac-ft)

6. Total amount of water under right 0.17 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
			<u>NE SE</u>	<u>27</u>	<u>6S</u>	<u>35E</u>	<u>BANDLOCK</u>	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6S</u>	<u>35E</u>	<u>27</u>													<u>0.17</u>				

SCANNED

Total acres _____

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

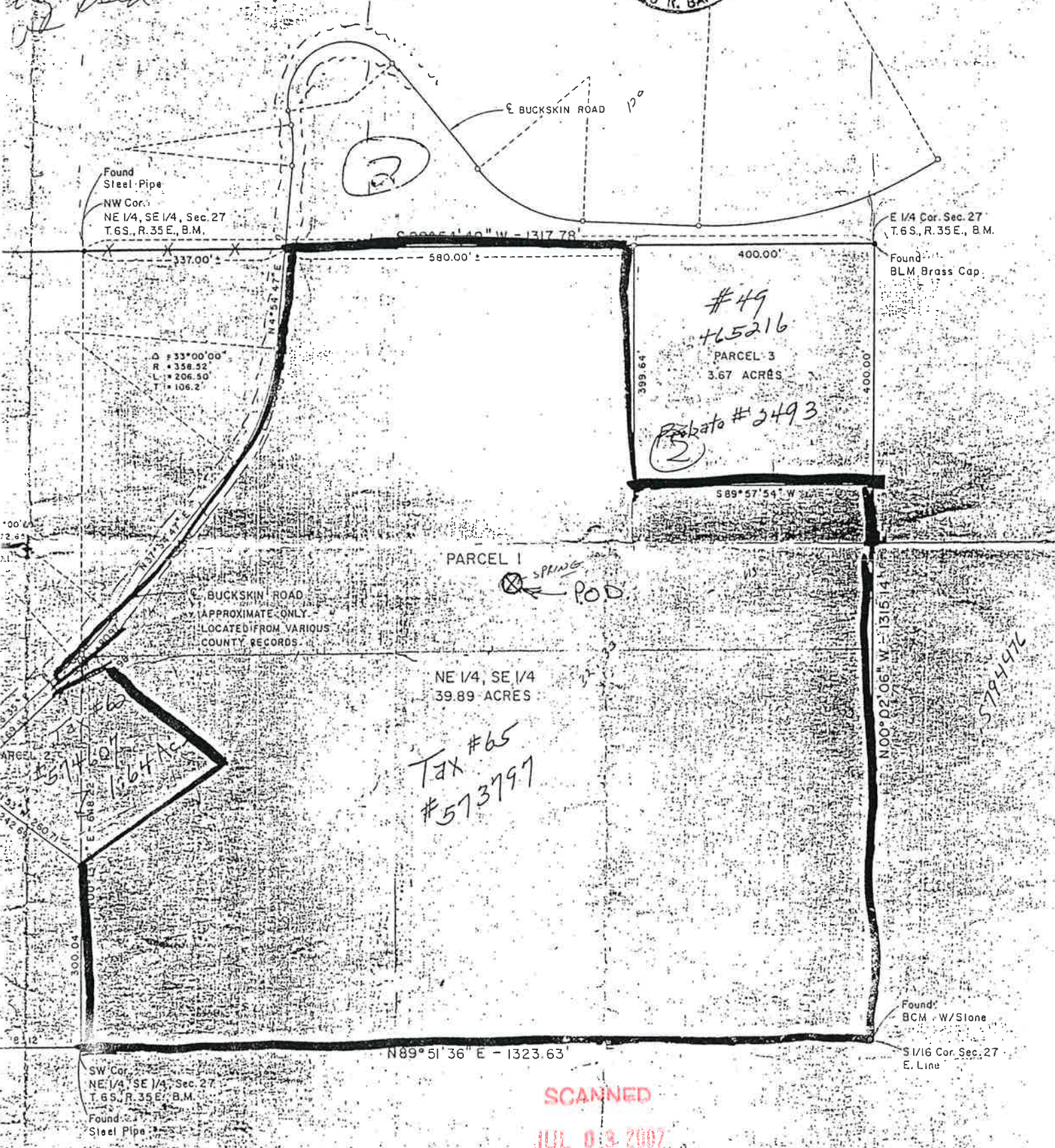
SCANNED

JUL 03 2007

Total acres _____

Tax #65
 Deed
 1006

I, JAMES BAIRD
 Surveyor
 laws of the State of Idaho
 made under my direction and this plat shows the true and correct
 dimensions of said property.



SCANNED
 JUL 03 2007

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

George A. Mahes MD
(Signature of Applicant)

Subscribed and sworn to before me this 27 day of Feb, 19 92.

Stephanie Renon
(Notary Public)

My commission expires 5-20-92

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by HWT Date 3-11-92 Protest filed by _____

Prelim. check by KAW Fee \$50.00 # E017023

Receipted by HWT Date 3-11-92

Published in Idaho State Journal Copies of protest forwarded by _____

Pub. dates 4-16 & 23-92 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

SCANNED

JUL 03 2007

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

RECEIVED

JUL 30 2003

Department of Water Resources

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
1	29-4239				
	29-11634				

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

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

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

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

JAMES L. Gilliland and Carla L. Dando

4. New Owner/Claimant(s)

Carla L. Dando

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

New Mailing Address

6321 W. BUCKSKIN Rd

City, State and ZIP Code

Pocatello, ID 83201

New Telephone Number

(208) 234-4723 (Same)

5. Date you acquired the property

January 22, 2003

RECEIVED

AUG 04 2003

Department of Water Resources
 Eastern Region

JUL 03 2003

SCANNED
 JUL 30 2003

OK JC
 8/12/03

Same description as you have on file!

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Carla L. Dando
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

JUL 03 2007

Return To:

USAA Federal Savings Bank
10750 McDermott Freeway
San Antonio, TX 78288

Prepared By:
Deborah Smith
10750 McDermott Freeway
San Antonio, TX 78288

[Space Above This Line For Recording Data]

DEED OF TRUST

MIN 100105600013605364

DEFINITIONS

Words used in multiple sections of this document are defined below and other words are defined in Sections 3, 11, 13, 18, 20 and 21. Certain rules regarding the usage of words used in this document are also provided in Section 16.

(A) "Security Instrument" means this document, which is dated January 22, 2003 together with all Riders to this document.

(B) "Borrower" is Carla L. Dando, A Single Person

Borrower is the trustor under this Security Instrument.

(C) "Lender" is USAA Federal Savings Bank

Lender is a Federally Chartered Savings Bank organized and existing under the laws of the United States of America

702015283

211070755

IDAHO-Single Family-Fannie Mae/Freddie Mac UNIFORM INSTRUMENT WITH MERS

Form 3013 1/01

VMP -6A(ID) (0005).01

Page 1 of 15

Initials



VMP MORTGAGE FORMS - (800)521-7291

SCANNED

JUL 03 2007

SCANNED
JUL 30 2003

Lender's address is 10750 McDermott Freeway, San Antonio, TX 78288

(D) "Trustee" is Alliance Title and Escrow Corporation

(E) "MERS" is Mortgage Electronic Registration Systems, Inc. MERS is a separate corporation that is acting solely as a nominee for Lender and Lender's successors and assigns. MERS is the beneficiary under this Security Instrument. MERS is organized and existing under the laws of Delaware, and has an address and telephone number of P.O. Box 2026, Flint, MI 48501-2026, tel. (888) 679-MERS.

(F) "Note" means the promissory note signed by Borrower and dated January 22, 2003

The Note states that Borrower owes Lender One Hundred Thirty Six Thousand Six Hundred Fifty And Zero/100

Dollars

(U.S. \$136,650.00) plus interest. Borrower has promised to pay this debt in regular Periodic Payments and to pay the debt in full not later than February 01, 2023

(G) "Property" means the property that is described below under the heading "Transfer of Rights in the Property."

(H) "Loan" means the debt evidenced by the Note, plus interest, any prepayment charges and late charges due under the Note, and all sums due under this Security Instrument, plus interest.

(I) "Riders" means all Riders to this Security Instrument that are executed by Borrower. The following Riders are to be executed by Borrower [check box as applicable]:

- | | | |
|--|---|---|
| ☐ Adjustable Rate Rider | ☐ Condominium Rider | ☐ Second Home Rider |
| ☐ Balloon Rider | ☐ Planned Unit Development Rider | ☐ 1-4 Family Rider |
| ☐ VA Rider | ☐ Biweekly Payment Rider | ☐ Other(s) [specify] |

(J) "Applicable Law" means all controlling applicable federal, state and local statutes, regulations, ordinances and administrative rules and orders (that have the effect of law) as well as all applicable final, non-appealable judicial opinions.

(K) "Community Association Dues, Fees, and Assessments" means all dues, fees, assessments and other charges that are imposed on Borrower or the Property by a condominium association, homeowners association or similar organization.

(L) "Electronic Funds Transfer" means any transfer of funds, other than a transaction originated by check, draft, or similar paper instrument, which is initiated through an electronic terminal, telephonic instrument, computer, or magnetic tape so as to order, instruct, or authorize a financial institution to debit or credit an account. Such term includes, but is not limited to, point-of-sale transfers, automated teller machine transactions, transfers initiated by telephone, wire transfers, and automated clearinghouse transfers.

(M) "Escrow Items" means those items that are described in Section 3.

(N) "Miscellaneous Proceeds" means any compensation, settlement, award of damages, or proceeds paid by any third party (other than insurance proceeds paid under the coverages described in Section 5) for: (i) damage to, or destruction of, the Property; (ii) condemnation or other taking of all or any part of the Property; (iii) conveyance in lieu of condemnation; or (iv) misrepresentations of, or omissions as to, the value and/or condition of the Property.

(O) "Mortgage Insurance" means insurance protecting Lender against the nonpayment of, or default on, the Loan.

(P) "Periodic Payment" means the regularly scheduled amount due for (i) principal and interest under the Note, plus (ii) any amounts under Section 3 of this Security Instrument.

702015283

6A(ID) (0005).01

Page 2 of 15

Initials

211070755

Form 3013 1/01

SCANNED

JUL 03 2007

SCANNED
JUL 30 2003

(Q) "RESPA" means the Real Estate Settlement Procedures Act (12 U.S.C. Section 2601 et seq.) and its implementing regulation, Regulation X (24 C.F.R. Part 3500), as they might be amended from time to time, or any additional or successor legislation or regulation that governs the same subject matter. As used in this Security Instrument, "RESPA" refers to all requirements and restrictions that are imposed in regard to a "federally related mortgage loan" even if the Loan does not qualify as a "federally related mortgage loan" under RESPA.

(R) "Successor in Interest of Borrower" means any party that has taken title to the Property, whether or not that party has assumed Borrower's obligations under the Note and/or this Security Instrument.

TRANSFER OF RIGHTS IN THE PROPERTY

The beneficiary of this Security Instrument is MERS (solely as nominee for Lender and Lender's successors and assigns) and the successors and assigns of MERS. This Security Instrument secures to Lender: (i) the repayment of the Loan, and all renewals, extensions and modifications of the Note; and (ii) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County [Type of Recording Jurisdiction] of Bannock [Name of Recording Jurisdiction] :

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES.

Parcel ID Number: R3851025606H/E
6321 West Buckskin Road
Pocatello
("Property Address"):

which currently has the address of
[Street]
[City], Idaho 83201-9132 [Zip Code]

TOGETHER WITH all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property." Borrower understands and agrees that MERS holds only legal title to the interests granted by Borrower in this Security Instrument, but, if necessary to comply with law or custom, MERS (as nominee for Lender and Lender's successors and assigns) has the right: to exercise any or all of those interests, including, but not limited to, the right to foreclosure and sell the Property; and to take any action required of Lender including, but not limited to, releasing and canceling this Security Instrument.

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

702015283

LMP -6A(ID) (0005) 01

Page 3 of 15

Initials:

211070755

Form 3013 1/01

SCANNED

JUL 03 2007

SCANNED
JUL 30 2003

Order No.: 3010211304

**LEGAL DESCRIPTION
EXHIBIT 'A'**

A parcel of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point that is South 89°54'49" West 949.29 feet along the East - West center Section line to the East right of way of Buckskin Road and South 04°44'15" West 186.69 feet to a point of curve on the said East right of way of Buckskin road and Southerly 97.73 feet long said curve concave to the West Curve Data: Delta = 14°19'03", Radius = 391.10 feet, chord bearing South 11°53'47" West;

97.48 feet to the True Point of Beginning all from the East $\frac{1}{4}$ corner of said Section 27 and running thence North 48°58'47" East, 21.14 feet;

thence South 35°49'12" East, 373.89 feet;

thence South 34°00'23" West, 440.12 feet;

thence North 49°13'21" West, 377.50 feet being partially along deed Instrument No. 574607;

thence South 64°31'53" West, 18.00 feet along said deed to the Easterly right of way of Buckskin Road;

thence along the Easterly right of way of Buckskin Road the following 4 Courses:

North 47°44'15" East, 29.49 feet to a point of a curve;

Thence Northerly 105.75 feet along said curve concave to the North West curve Data:

Delta = 10°00'00", Radius = 605.96 feet, chord bearing North 42°44'15" East 105.62 feet;

Thence North 37°44'15" East, 260.80 feet to a point of curve;

Thence Northerly 127.53 feet along said curve concave to the West curve data:

Delta = 18°40'57", Radius = 391.10 feet, chord bearing North 28°23'16" East, 126.96 feet to the Point of Beginning.

SCANNED

JUL 03 2007

TOTAL P.01



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 9, 2000

JOHN & LESLIE CONNER
PO BOX 4227
POCATELLO ID 83205

RE: WATER RIGHT OWNERSHIP CHANGE FOR 29-04239, 29-11634

Dear Mr. & Mrs. Conner:

I am returning your request to change the ownership of the above referenced rights. Although they are in the name of George Hales, they are not appurtenant to the property you bought from Mr. Hales. They are appurtenant to the property he retained for his home.

I researched our records and did not find any other water rights for your property.

Sincerely,

Jennifer Crabtree
Technical Records Specialist

Enclosure

JUL 03 2007

RECEIVED
APR 29 - '90

MAY - 2 1990

Department of Water Resources
Eastern District Office

Dear I D W R

ON Notice of Claim to water
Right.

#2

In 1980 water Rights claim
was Filled - I have never received
any notification since or I have lost
it & don't remember it but it
should be on your computer.

#15

Type of claim is not known
Prob. a permit, also should be
on your computer

thanks

George A. Bates

SCANNED

JUL 03 2007

Dep. Copy

RECEIVED

FEB 8 1967

REPORT OF WELL DRILLER
State of Idaho

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER: Caribua Ski Area
Name: Dewey W Taysom

Address: Pocatello, Idaho

Owner's Permit No.

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Domestic

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐

(explain)
CASING SCHEDULE: Threaded ☐ Welded ☐
8" diam. from 0 ft. to 100 ft.
" diam. from 0 ft. to 0 ft.
" diam. from 0 ft. to 0 ft.
" diam. from 0 ft. to 0 ft.
Thickness of casing: Material:
Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☒ No ☐ Type of
perforator used:

Size of perforations: 1/4" by 2"
perforations from 30 ft. to 100 ft.
perforations from 0 ft. to 0 ft.
perforations from 0 ft. to 0 ft.
perforations from 0 ft. to 0 ft.

WAS SCREEN INSTALLED? Yes ☐ No ☐

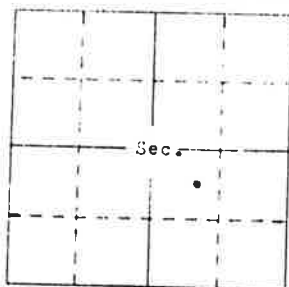
Manufacturer's name
Type Model No.
Diam. Slot size Set from 0 ft. to 0 ft.
Diam. Slot size Set from 0 ft. to 0 ft.

CONSTRUCTION: Well gravel packed? Yes ☐
No. size of gravel Gravel
placed from 0 ft. to 0 ft. Surface seal
provided? Yes ☐ No ☐ To what depth?
ft. Material used in seal:

Did any strata contain unusable water? Yes ☐
No. Type of water:
Depth of strata 0 ft. Method of sealing
strata off:

Surface casing used? Yes ☐ No ☐
Cemented in place? Yes ☐ No ☐

Locate well in section



LOCATION OF WELL: County Bannock
NE 1/4 Sec. 27 T. 6 N/S R. 35 E/W

Size of drilled hole: 8" Total
depth of well: 100' Standing water
level below ground: 25' Temp.
Fahr. Test delivery: gpm
or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:

Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft.
above land surface Give flow cfs
or gpm. Shutoff pressure:
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☐

DEPTH MATERIAL WATER
FROM TO YES OR NO
FEET FEET

DEPTH FEET	MATERIAL	WATER YES OR NO
0	Top Soil	
10	Red Rock	
10	Red shale rock	yes

Work started: Nov 1966
Work finished: Dec. 1966
Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.
Name: Paul Vollmer Jr. Paul Vollmer & Son
Address: Aberdeen, Idaho
Signed by: Paul Vollmer Jr.
License No. 365 Date: 2-5-67

Use other side for additional remarks

SCANNED

JUL 03 2007

RECEIVED

JAN 22 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

1. Water Right No(s).:

Adjudication Claim No(s).:

Unknown

NOV 25 2002

WATER RESOURCES
WESTERN REGION

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former
Owner/ClaimantGEORGE G. HALES497 HORROCKS DRBLACKFOOT ID

4. New Owner/Claimant(s)

JAMES L. GILLILAND & CARLA L. DANDOName Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

6321 W. BUCKSKIN

City, State and ZIP Code

POCATELLO, IDAHO 83201

New Telephone Number

(208) 234-4723

5. Date you acquired the property

OCTOBER 1992

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 0Number and type of stock 0

Diversion rate in CFS _____

Number of homes 1

Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner
or Claimant(s)James L. Gilliland
Carla L. Dando

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

SCANNED

JUL 03 2007

13 4009 60 000586

Policy of Title Insurance

American Land
Title Association
Owner's Policy
(4-6-90)

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS CONTAINED IN SCHEDULE B AND THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS, TICOR TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;

2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title.
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

This policy shall not be valid or binding until countersigned below by an authorized signatory of the Company.

Issued by:
PIONEER TITLE COMPANY
OF BANNOCK COUNTY
135 N. Arthur - P. O. Box 1057
Pocatello, ID 83204
(208) 233-9595

[Signature]
Authorized Signatory

TICOR TITLE INSURANCE COMPANY

By

[Signature]

President

Attest

[Signature]

Secretary

ALTA OWNER'S POLICY (4-6-90)
Reorder Form No. 2234

SCANNED
JUL 03 2007
JUL 03 2007

given by a purchaser from the insured, or only so far as the insured shall have liability by reason of covenants of warranty in any adverse judgment or (d) In all cases where this policy permits or requires the Company to

Trans Type	SI ENO.	IMP ENO.	Code	Code	Code	Code	Code	Code	Code	Reissue Amt.
6	7	8	9	10	11	12	13	14	15	

Owners Policy
SCHEDULE A

File No.	Policy No.	Date of Policy	Amt. of Ins.	Premium
42933	13 4009 60 000586	October 26, 1992 as of 4:17 p.m.	\$145,000.00	\$690.00

- Name of Insured:
James L. Gilliland and Carla L. Dando
- The estate or interest in the land which is covered by this Policy is:
Fee Simple
- Title to the estate or interest in the land is vested in:
James L. Gilliland, an unmarried person, and Carla L. Dando, an unmarried person
- The land referred to in this policy is located in the County of Bannock, State of Idaho, and described as follows:
See Exhibit A attached to and made a part hereof.

SCANNED

JUL 03 2007

Exhibit A attached to and made a part of
Policy No. 13 4009 60 000586

42933

A parcel of land located in the NE1/4 SW1/4 of Section 27, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point that is South 89°54'49" West 949.29 feet along the East-West center section line to the East right of way of Buckskin Road and South 04°44'15" West 186.69 feet to a point of curve on the said East right of way of Buckskin Road and Southerly 97.73 feet along said curve concave to the West Curve Data: Delta=14°19'03", Radius=391.10 feet, chord bearing South 11°53'47" West, 97.48 feet to the true point of beginning all from the East 1/4 corner of said Section 27 and running thence North 48°58'47" East, 21.14 feet; thence South 35°49'12" East 373.89 feet; thence South 34°00'23" West 440.12 feet; thence North 49°13'21" West 377.50 feet being partially along deed Instrument No. 574607; thence South 64°31'53" West 18.00 feet along said deed to the Easterly right of way of Buckskin Road; thence along the Easterly right of way of Buckskin Road the following 4 courses: North 47°44'15" East 29.40 feet to a point of a curve; thence Northerly 105.75 feet along said curve concave to the Northwest Curve Data: Delta=10°00'00", Radius=605.96 feet, chord bearing North 42°44'15" East, 105.62 feet; thence North 37°44'15" East 260.80 feet to a point of curve; thence Northerly 127.53 feet along said curve concave to the West Curve Data: Delta=18°40'57", Radius=391.10 feet, chord bearing North 28°23'46" East 126.96 feet to the point of beginning.

SCANNED

JUL 03 2007

OWNERS POLICY
SCHEDULE B

Policy No. 13 4009 60 000586

42933

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

General Exceptions:

(a) Rights or claims of parties in possession not shown by the public records.

(b) Encroachments, overlaps, boundary line disputes, or any other matters which would be disclosed by an accurate survey or inspection of the premises including, but not limited to, insufficient or impaired access or matters contradictory to any survey plat shown by the public records.

(c) Easements, or claims of easements, not shown by the public records.

(d) Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

(e) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water, whether or not the matters excepted under (1), (2) or (3) are shown by the public records.

(f) Taxes or special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

Special Exceptions:

1. General taxes for the year 1992, which are liens, are not yet due and payable.

2. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.

For: Power lines

In Favor of: Idaho Power Company

Recorded: August 26, 1957

Instrument No.: 332079

SCANNED

JUL 03 2007

3. An easement containing certain terms, conditions and provisions affecting a portion of said premises and for the purposes stated herein.

For: Power lines
In Favor of: Idaho Power Company
Recorded: October 30, 1967
Instrument No.: 444136

4. Covenants, conditions, restrictions and easements contained in Deed.

Recorded: March 29, 1982
Instrument No.: 685702
As follows:

1. That the G.V. and Grace Taysom Estate, their heirs and assigns are to retain a one-half interest in the well located on the herein described 32 acres, plus a perpetual easement from the well to the property described as Instrument No. 574607, records of Bannock County. Said easement being for the purpose of installing and maintaining a water pipe or line from the well to the said property described as Instrument No. 574607. Said easement is not to disturb any existing building or the area occupied by the skating rink or its operation or use thereof.

2. That the G.V. and Grace Taysom Estate and their heirs and assigns shall be granted a perpetual right to use the existing entrance road to the lower parking lot of the Caribou Ski Area, as a means of ingress and egress to the adjoining described property in Instrument No. 574607.

3. That as a condition of said easement the parties agree that neither party will obstruct the existing entrance to the lower parking area and should said entrance become obstructed or congested by the Ski Area, Dr. Hales or his heirs or assigns will provide adequate approaches to the subject property described in Instrument No. 574607 from the existing entrance to the lower parking lot. Should it become necessary to widen the existing entrance, it is agreed that the existing entrance may be widened and extended onto the subject property described as Instrument No. 574607. All expenses, labor and materials for any widening that may become necessary shall be paid by Dr. Hales or their heirs and assigns.

SCANNED

JUL 03 2007

SCHEDULE B (continued)

No. 13 4009 60 000586

42933

Said Covenants, conditions, restrictions and easements is a re-recording of the instrument

Recorded: July 30, 1981

Instrument No.: 672694

5. A Deed of Trust to secure an indebtedness of \$130,500.00, and any other amounts as therein provided, payable under the terms, conditions, provisions and stipulations thereof.

Dated: October 26, 1992

Grantor: James L. Gilliland, an unmarried person,
and Carla L. Dando, an unmarried person

Trustee: U.S. Bank of Washington,
National Association

Beneficiary: U.S. Bancorp Mortgage Company

Recorded: October 26, 1992

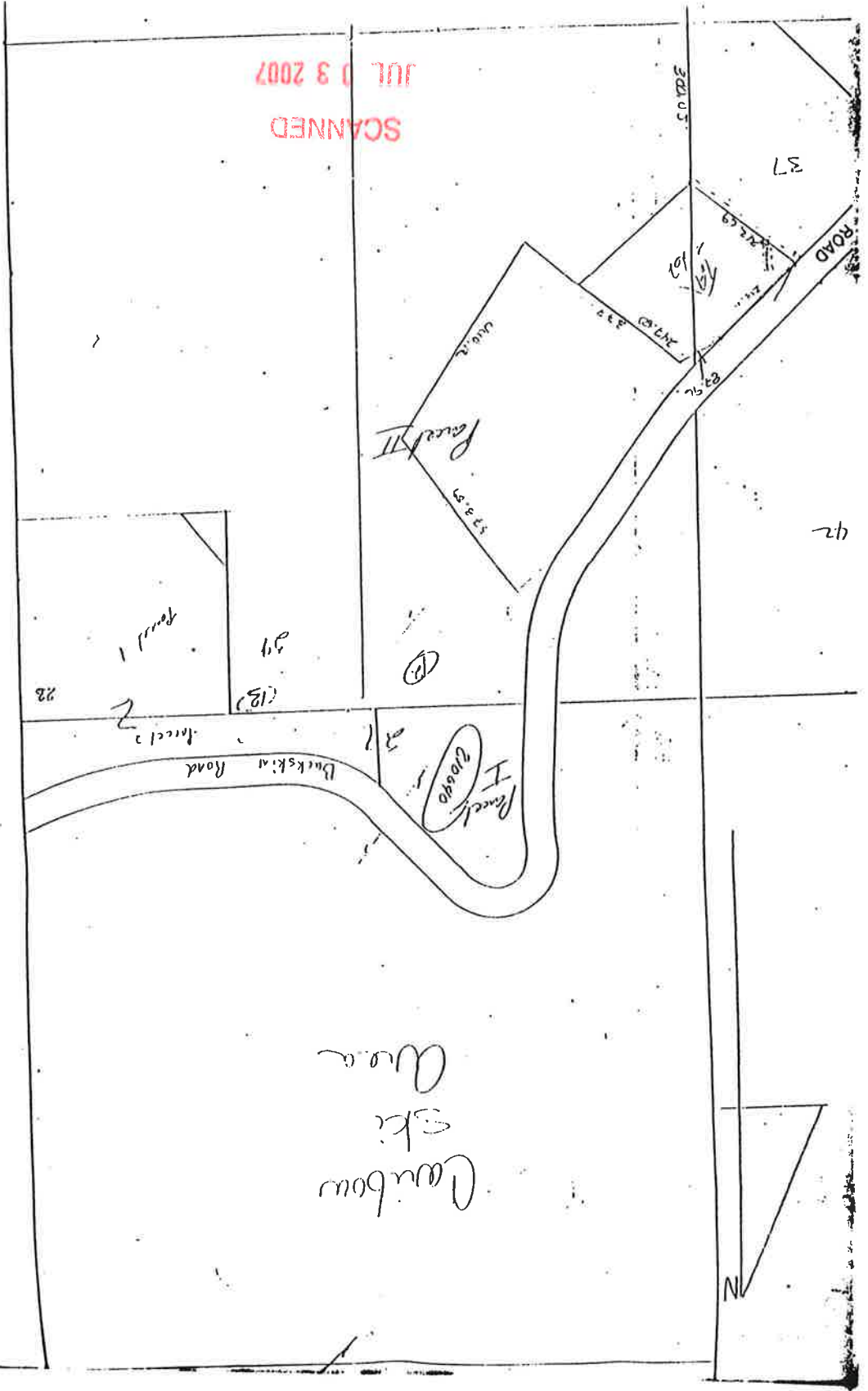
Instrument No.: 92016625

NOTE: There is no notice of record and therefore no search has been made for any unpaid assessments, charges or fees for sewer, water, garbage, irrigation installation and other possible utility services.

SCANNED

JUL 03 2007

SCANNED
JUL 03 2007



FOR VALUE RECEIVED GEORGE HALES, also shown of record as George A. Hales, and HELEN HALES, husband and wife, who acquired title as Dr. and Mrs. George Hales, as to both parcels

the Grantor s , do hereby grant, bargain, sell and convey unto JAMES L. ~~XXXXXXXX~~ ^{GILLILAND} an unmarried person, and CARLA L. DANDO, an unmarried person

the Grantee s , whose address is 6321 W. Buckskin Road, Pocatello, Idaho 83201 (Property)
Mailing: Home
the following described premises, to-wit:

ATTACHED EXHIBIT A LEGAL DESCRIPTION

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s , their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s , that they are the owner s in fee simple of said premises; that said premises are free from all encumbrances except covenants, conditions, restrictions and easements of record and any assessments for the current year which are not yet due and payable.

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

Dated: October 24, 1992

George Hales
GEORGE HALES

Helen Hales
HELEN HALES

ACKNOWLEDGMENT - Individual

STATE OF Idaho, County of Blaine

On this 26th day of October, in the year of 1992

before me, [Signature], a notary public,
personally appeared George Hales & Helen Hales

George Hales, known or
identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me that
they executed the same.

Notary Public: [Signature]

Residing at: Pocatello, Idaho

My Commission expires: 5/24/95

NOTARY SEAL

92016624

PIONEER TITLE

92 OCT 26 P4:16

574

600 15

SCANNED

JUL 03 2007

A parcel of land located in the NE1/4 SW1/4 of Section 27, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point that is South 89°54'49" West 949.29 feet along the East-West center section line to the East right of way of Buckskin Road and South 04°44'15" West 186.69 feet to a point of curve on the said East right of way of Buckskin Road and Southerly 97.73 feet along said curve concave to the West Curve Data: Delta=14°19'03", Radius=391.10 feet, chord bearing South 11°53'47" West; 97.48 feet to the true point of beginning all from the East 1/4 corner of said Section 27 and running thence North 48°58'47" East, 21.14 feet; thence South 35°49'12" East 373.89 feet; thence South 34°00'23" West 440.12 feet; thence North 49°13'21" West 377.50 feet being partially along deed Instrument No. 574607; thence South 64°31'53" West 18.00 feet along said deed to the Easterly Right of way of Buckskin Road; thence along the Easterly right of way of Buckskin Road the following 4 courses: North 47°44'15" East 29.49 feet to a point of a curve; thence Northerly 105.75 feet along said curve concave to the North West Curve Data: Delta=10°00'00", Radius=605.96 feet, chord bearing North 42°44'15" East 105.62 feet; thence North 37°44'15" East 260.80 feet to a point of curve; thence Northerly 127.53 feet along said curve concave to the West curve data: Delta = 18°40'57", Radius = 391.10 feet, chord bearing North 28°23'46" East 126.96 feet to the point of beginning.

SCANNED

JUL 03 2007

13 4009 60 000586

Policy of Title Insurance

American Land
Title Association
Owner's Policy
(4-6-90)

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS CONTAINED IN SCHEDULE B AND THE PROVISIONS OF THE CONDITIONS AND STIPULATIONS, TICOR TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the amount of insurance stated in Schedule A, sustained or incurred by the insured by reason of:

2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title.
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;

This policy shall not be valid or binding until countersigned below by an authorized signatory of the Company.

Issued by:
PIONEER TITLE COMPANY
OF BANNOCK COUNTY
135 N. Arthur - P. O. Box 1057
Pocatello, ID 83204
(208) 233-9595

[Signature]
Authorized Signatory

TICOR TITLE INSURANCE COMPANY

By

[Signature]
[Signature]

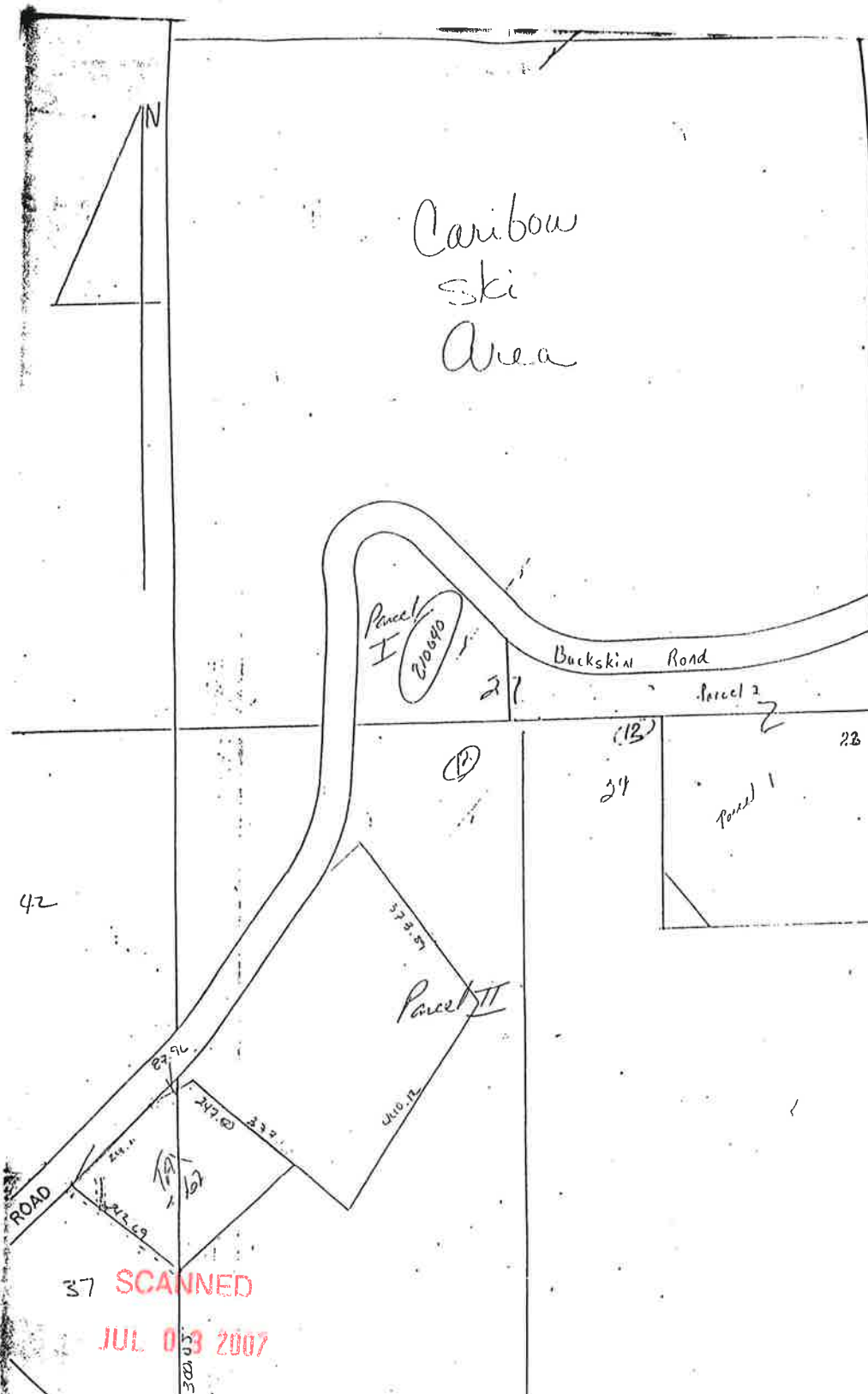
President

Attest

Secretary

ALTA OWNER'S POLICY (4-6-90)
Reorder Form No. 2234

SCANNED
JUL 03 2007



Caribow
Ski
Area

Buckskin Road

Parcel I
20090

Parcel 2

Parcel 1

Parcel II

ROAD

37 SCANNED

JUL 03 2007

FOR VALUE RECEIVED GEORGE HALES, also shown of record as George A. Hales, and HELEN HALES, husband and wife, who acquired title as Dr. and Mrs. George Hales, as to both parcels:

the Grantors do hereby grant, bargain, sell and convey unto JAMES L. ~~XXXXXXXX~~ ^{GILLILAND}, an unmarried person, and CARLA L. DANDO, an unmarried person

the Grantee s, whose address is 6321 W. Buckskin Road, Pocatello, Idaho 83201 (Property)
Mailing: Same
the following described premises, to-wit:

ATTACHED EXHIBIT A LEGAL DESCRIPTION

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee s, that they are the owner s in fee simple of said premises; that said premises are free from all encumbrances except covenants, conditions, restrictions and easements of record and any assessments for the current year which are not yet due and payable,

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

Dated: October 24, 1992

GEORGE HALES

HELEN HALES

ACKNOWLEDGMENT - Individual

STATE OF Idaho, County of Blaine

On this 26th day of October, in the year of 1992, before me,

James L. Gilliland, a notary public, personally appeared George Hales & Helen Hales, known or

identified to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that

they executed the same.

Notary Public: James L. Gilliland

Residing at: Pocatello, Idaho

My Commission expires: 8/27/95

92016624

NO
RE

PIONEER TITLE

92 OCT 26 P4:16

RECORDED

INDEXED

FILED

60

DEPUTY

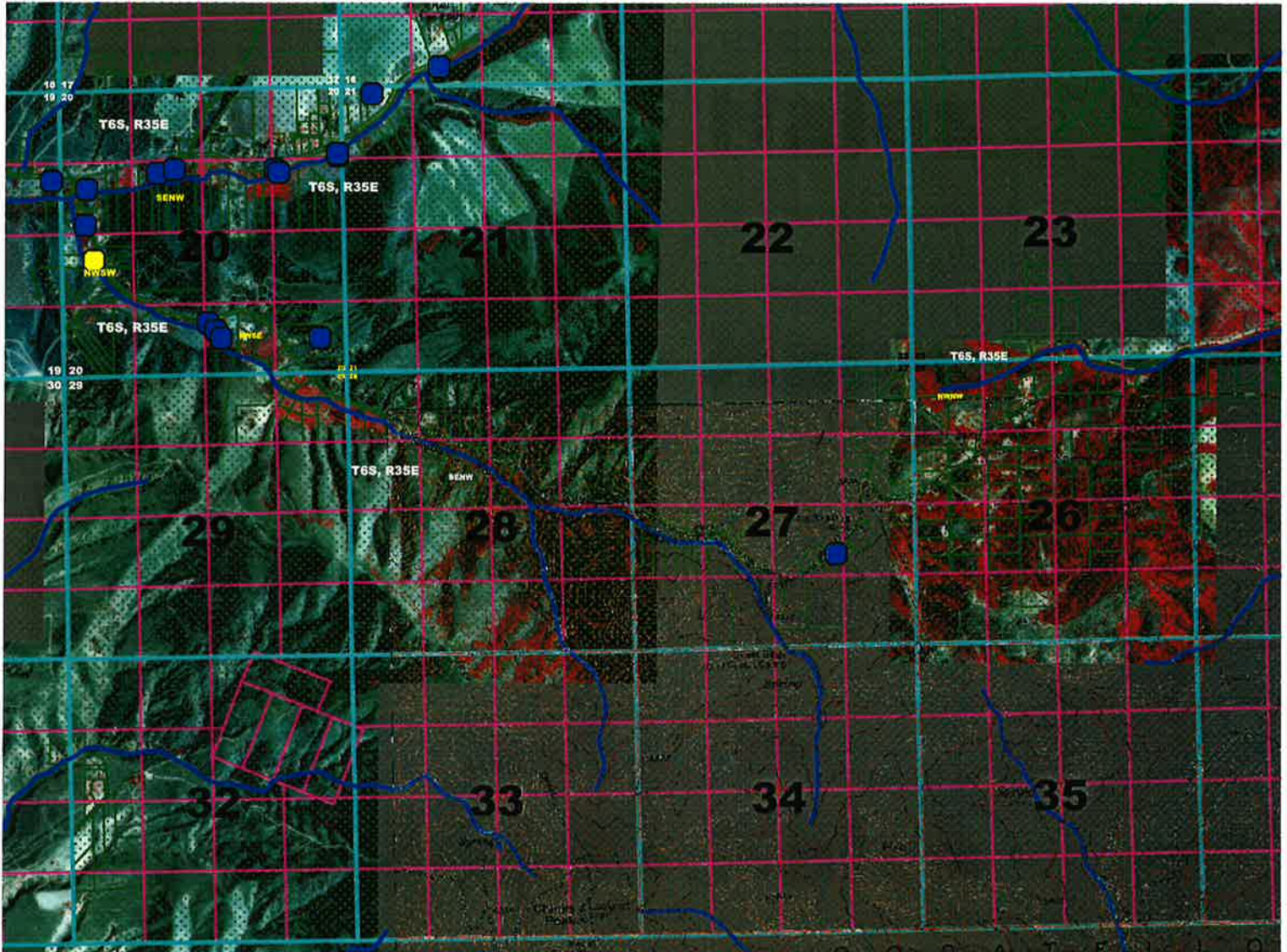
SCANNED

JUL 03 2007

A parcel of land located in the NE1/4 SW1/4 of Section 27, Township 6 South, Range 35 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at a point that is South 89°54'49" West 949.29 feet along the East-West center section line to the East right of way of Buckskin Road and South 04°44'15" West 186.69 feet to a point of curve on the said East right of way of Buckskin Road and Southerly 97.73 feet along said curve concave to the West Curve Data: Delta=14°19'03", Radius=391.10 feet, chord bearing South 11°53'47" West; 97.48 feet to the true point of beginning all from the East 1/4 corner of said Section 27 and running thence North 48°58'47" East, 21.14 feet; thence South 35°49'12" East 373.89 feet; thence South 34°00'23" West 440.12 feet; thence North 49°13'21" West 377.50 feet being partially along deed Instrument No. 574607; thence South 64°31'53" West 18.00 feet along said deed to the Easterly Right of way of Buckskin Road; thence along the Easterly right of way of Buckskin Road the following 4 courses: North 47°44'15" East 29.49 feet to a point of a curve; thence Northerly 105.75 feet along said curve concave to the North West Curve Data: Delta=10°00'00", Radius=605.96 feet, chord bearing North 42°44'15" East 105.62 feet; thence North 37°44'15" East 260.80 feet to a point of curve; thence Northerly 127.53 feet along said curve concave to the West curve data: Delta = 18°40'57", Radius = 391.10 feet, chord bearing North 28°23'46" East 126.96 feet to the point of beginning.

29-11634 - Hales



Point of Diversion



Claimed POU - N/A



Property Boundary



Bannock Co Tax Lot Data

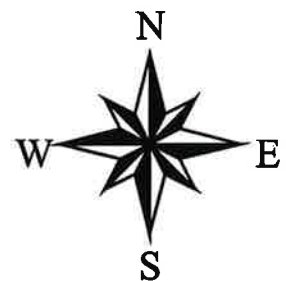


Section Lines



Quarter Quarter Lines

Property Acreage: 0.0



SCANNED
JUL 03 2007

Prepared By: Craig Saxton
September 2002

[Send To Printer](#)

[Back To TerraServer](#)

USGS 9 km E of Pocatello, Idaho, United States 15 Jul 1998



Image courtesy of the U.S. Geological Survey

More Useful Everyday

[MSN Home](#) | [My MSN](#) | [Hotmail](#) | [Search](#) | [Shopping](#) | [Money](#) | [People &](#)

SCANNED
JUL 03 2007

Per Harold Jones
& TRX 4043:

water rights

29-04239 &

29-11634

appurtenant to
outlined property. ^{UC}
11-8-00

**Ice Skating
Rink**

ROAD

SKI

LIFT

SCANNED

JUL 03 2007

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 29-11634
Date Received: 6/8/1990
Receipt No: E014793
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES L GILLILAND Phone: (208) 234-4723

6321 W BUCKSKIN
POCATELLO ID USA 83201

CARLA L DANDO Phone: (208) 234-4723

6321 W BUCKSKIN
POCATELLO ID USA 83201

2. Date of Priority: 12/31/1980

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06S	35E	27	NE NE SE	BANNOCK	

5. Description of diverting works:

6'CASE/20"DP/ 1HP SUB- TO SKI LODGE TAP, ICE RINK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	1/01	12/31	0.02	
DOMESTIC	1/01	12/31	0.04	
RECREATION	1/01	12/31	0.14	

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

SCANNED

JUL 03 2007
SCANNED

JUL 02 2007

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
06S	35E	27	NE	SE	STOCKWATER	
			NE	SE	RECREATION	
			NE	SE	DOMESTIC	

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:

14. Remarks:

DEVELOPMENT IS KNOWN AS CARIBOU SKI RESORT.
IF THE PRIORITY DATE IS CONFIRMED HE NEEDS AN APPT FOR PERMIT

15. Basis of Claim: Beneficial Use

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

JUN 15 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: A29-11634
Date Received: 5/ 2/1990
Receipt No: E014793
Received By: _____

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

1. Name: GEORGE G HALES 208-785-2018
Address: 497 HORROCKS DR
BLACKFOOT ID 83221
OR
Name: HELEN A HALES 208-785-2018
Address: 497 HORROCKS DR
BLACKFOOT ID 83221

2. Date of Priority: DEC 31, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
06S	35E	27	NE		NE		SE		BANNOCK

5. Description of diverting works:
6'CASE/20"DP/ 1HP SUB- TO SKI LODGE TAP, ICE RINK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		
RECREATION	01/01	12/31	0.140		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER;50 CATTLE/HORSES, RECREATIONAL; ICE RINK, LODGE

JUL 03 2007

JUL 02 2007

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
06S	35E	27	NE	SE		STOCK	
			NE	SE		DOMEST	
			NE	SE		REC	

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:
29-04239

14. Remarks:

DEVELOPMENT IS KNOWN AS CARIBOU SKI RESORT.
IF THE PRIORITY DATE IS CONFIRMED HE NEEDS AN APPT FOR PERMIT

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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 A29-1256 11634
Date Received _____
Receipt Number E014793

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 2 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) George G. or Helen A. Hales Phone (208) 785-2018
Mailing Address 497 Horrocks Drive, Blackfoot, ID Zip 83221

2. Date of Priority (Only one (1) per claim) 2 1980

3. Source of water supply (a) Groundwater
which is tributary to (b) N/A

4. a. Location of existing point of diversion is: Township 6 So. Range 35 E. Section 27,
NE 1/4 of NE 1/4 of SE 1/4, Govt. Lot, - B.M., County of Bannock

Additional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is: N/A

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.

One H.P. Submersible Pump, 6" casing, 20 feet deep,
pipd to recreational ski lodge, outside tap + ice skating rink

SCANNED

SCANNED

JUL 02 2007

JUL 03 2007

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Recreational purposes from 1/1 to 12/31 amount .14 or _____

For Domestic purposes from 1/1 to 12/31 amount .04 or _____

For Stockwater purposes from 1/1 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is N/A acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Recreational Lodge, Ice skating Rink, Domestic + Stock 30-50 HA
Horses & Cows

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	
<u>6S0</u>	<u>35E</u>	<u>27</u>													<u>D.S.</u>				

Total number of acres irrigated _____

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

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.
1 or None (X)

14. Remarks:

SCANNED

SCANNED

JUL 02 2007

JUL 03 2007

Last Name Hales Ident No. 528-54-0113

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

T 6 So

A hand-drawn map on a grid background. The map shows a rectangular area with a central circle containing the numbers '2' and '7'. To the right of the circle, there is a small square labeled 'Well' and a small circle labeled 'Lodge' and 'Skating Rink'. The grid is composed of small squares, each divided into four quadrants by a crosshair.

SCANNED

JUL 03 2007 SCANNED

JUL 02 2007

Ident No. 528-54-043

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 _____
Court N/A Case Number _____ Decree Date N/A
Plaintiff vs Defendant N/A

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments None except letter of explanation

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s)

George J. Hales
Helen A. Hales

Date

Apr. 29-90

Date

Apr. 29, 1990

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 _____

Title

of _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)
County of Bingham) SS.

Subscribed and sworn (or affirmed) before me this 29th day of April 19 90

SEAL

Notary Public

Dana A. Heggheim

Residing at

Blackfoot, Idaho

My Commission Expires

May 30, 1995

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 _____

SCANNED

JUL 03 2007

SCANNED

Last Name

G. Hales

Ident. Number

528-54-0113

Copies White-State, Yellow-Claimant

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

1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11634 V1

WATER RIGHT NUMBER: 29-11634 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES L GILLILAND 6321 W BUCKSKIN POCATELLO, ID 83201 (208) 234-4723
Current Owner	CARLA L DANDO 6321 W BUCKSKIN POCATELLO, ID 83201 (208) 234-4723
Original Owner	HELEN A HALES 497 HORROCKS DR BLACKFOOT, ID 83221 (208)785-2018
Original Owner	GEORGE G HALES 497 HORROCKS DR BLACKFOOT, ID 83221 (208)785-2018

Priority Date: 12/31/1980

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.020 CFS	0.20 AF
DOMESTIC	01/01 to 12/31	0.040 CFS	1.20 AF
	<u>Total Diversion:</u>	0.060 CFS	1.40 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NE1/4SE1/4 Sec. 27, Twp 06S, Rge 35E, B.M.
BANNOCK County

Place of Use

STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
06S 35E 27													X				

DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-11634 V1

06S	35E	27	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
															X				

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. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:Comments:

1. csaxton 9/30/2002 No Recreation
Comment: Field exam on 9/24/02 showed no signs of an Ice Rink. Conversation with neighbors confirmed this. With priority date claimed, a permit would need to be filed for recreation use. Recommend D and S.
2. csaxton 9/30/2002 NCO needed
Comment: Current claimant is no longer valid. NCO sent to Dando and Gilliland on 9/27/02.
3. csaxton 9/30/2002 SDE POD Location
Comment: POD location placed in the center of the Parcel.
4. csaxton 11/26/2002 Change of Ownership
Comment: Ownership changed per claimant request (11/26/02 csaxton).

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: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Contacts	9/30/2002 12:31:48 PM	csaxton			Active
Summary			09/30/2002	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-11634 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	9/30/2002 12:31:48 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 9/24/02
POD	9/30/2002 12:35:45 PM	csaxton	Edited point location
POU	9/30/2002 12:38:30 PM	csaxton	Edited shape boundary
POU	9/30/2002 12:38:45 PM	csaxton	Edited shape boundary
Summary	9/30/2002 1:16:33 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?