

07/03/2006

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

RIGHT NUMBER: 75-144D

NAME AND ADDRESS: ROBERT HALLEN
PO BOX 243
CARMEN ID 83462

CINDY HALLEN
PO BOX 243
CARMEN ID 83462

SOURCE: FOURTH OF JULY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.440 CFS

This right when combined with Right No. 75-142D shall provide no more than .04 cfs per acre from April 1 to August 1 and .03 cfs per acre from August 2 to November 1.

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T24N R22E S30 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	08/02 11/01	0.110 CFS0.440 CFS
	04/01 08/01	

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R22E S30 NWSW 11.00

11 ACRES TOTAL

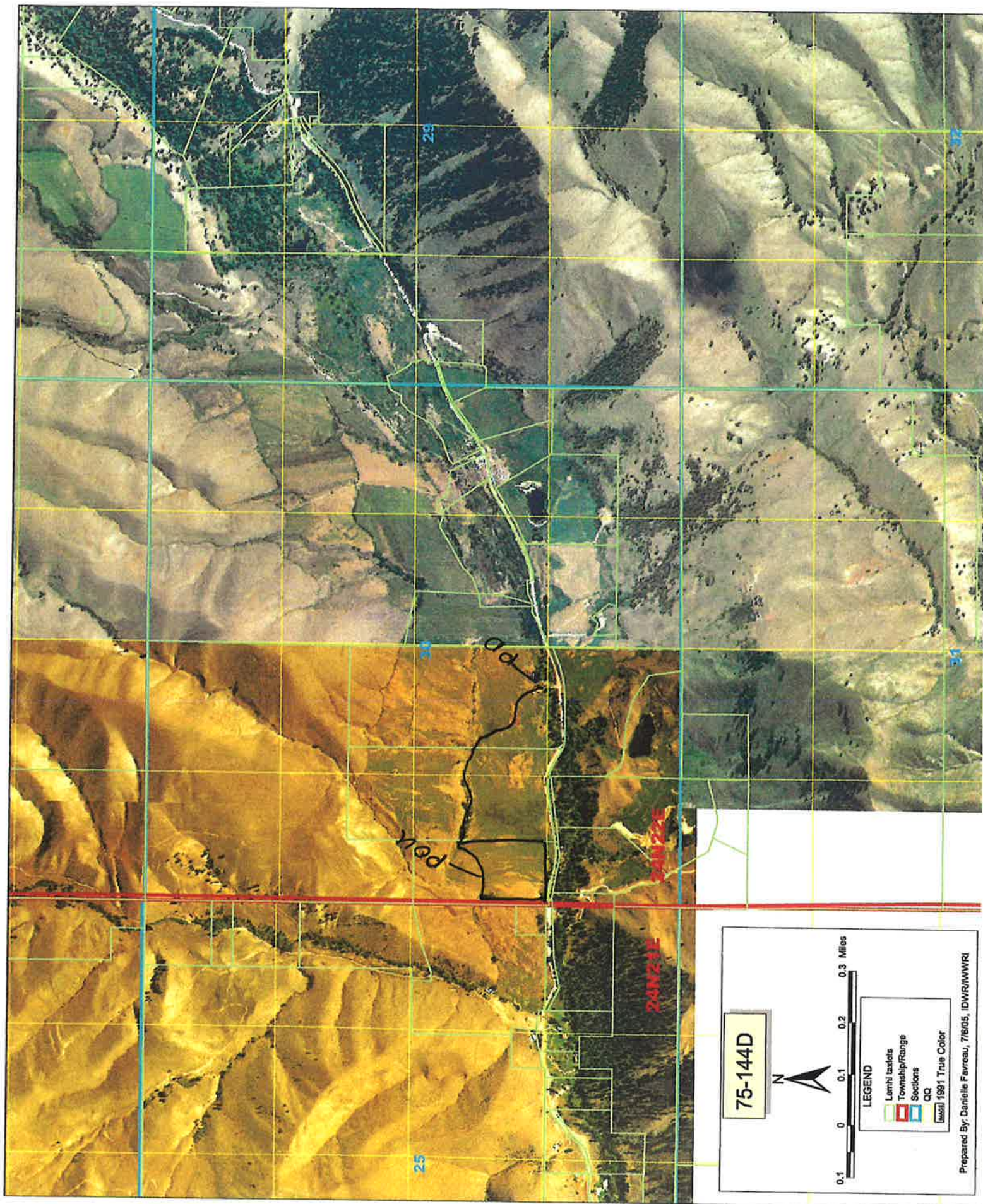
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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



**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-144D

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0015083 file # J72605 P0D7

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

dam in creek, ditch to place of use

Decree 0.03 cfs/acre from 8/2 - 11/1
11 X 0.03 = 0.33 cfs

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-12-05

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature



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

September 5, 1997

ROBERT & CINDY HALLEN
PO BOX 243
CARMEN ID 83462

RE: CHANGE IN OWNERSHIP FOR A75-00144

Dear Mr. & Mrs. Hallen:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-00144C, 0.72 cfs on 18 acres, Riggan
A75-00144D, 0.44 cfs on 11 acres, Hallen

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

cc: Riggan/copy letter/copy Notice of Claim

DELG-8/497
G.T.

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

RECEIVED

JUL 28 1997

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A75-00142A A75-00144A
3 Ac. 11 acres

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 on file with the county.)

OR

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

3. Name and Address of Former Owner/Claimant(s) JAMES AND DEBORAH RIGGAN

Rt 1 Box 92, Salmon, ID 83467

4. New Owner/Claimant(s) ROBERT AND CINDY HALLEN

Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR

New Mailing Address Box 243

City, State and ZIP Code Carmen, Id 83462

New Telephone Number (208) 856 2418

5. Date you acquired the property 7/7/97

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 actually irrigated 17.0 Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

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/Claimant(s) Robert R Hall Date 7-3-97

Cindy D Haller Date 7-3-97

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

For Value Received

JAMES E. RIGGAN AND DEBORAH RIGGAN, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

ROBERT R. HALLEN and CINDY D. HALLEN, husband and wife,
Box 243, Carmen, Id 83462

the grantee s, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT "A" ANNEXED HERETO

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

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

Dated: July 7 1997

James E. Riggan
JAMES E. RIGGAN

Deborah Riggan
DEBORAH RIGGAN

STATE OF IDAHO, COUNTY OF Lemhi--ss

On this 7th day of July, 19 97
before me, a Notary Public in and for said State, personally appeared

JAMES E. RIGGAN AND
DEBORAH RIGGAN

known 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.

Bill Allen
Notary Public

Residing at SALMON, Idaho

Comm. Expires 7-19-2003

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of *Bill Allen Escrow*

at 45 minutes past 2 o'clock p.m.

this 9th day of July
19 97, in my office, and duly recorded in Book

of Deeds at page
Alberta Wiedemick
Ex-Officio Recorder

By *Teri J. Norton* Deputy.

Fees \$6⁰⁰

Mail to:

INSTRUMENT NO. 233722

A parcel of land located in the R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the NE corner of the S 1/2 SE 1/4 NW 1/4 of said Section 30, from which the S 1/4 corner of said Section 30 bears S 00° 13' 44" E a distance of 3297.07 ft., the Basis of Bearing of this description, run thence S 00° 07' 24" E a distance of 1977.37 ft. to the NW corner of the SE 1/4 SW 1/4 NW 1/4 of said Section 30;

Thence S 00° 07' 24" E along the westerly boundary of said SE 1/4 SW 1/4 NW 1/4, a distance of 660.29 ft. to the SW corner SE 1/4 SW 1/4 NW 1/4 and the POINT OF BEGINNING;

Thence continuing S 00° 07' 24" E, a distance of 1394.65 ft. to a point on the centerline of Fourth of July Creek Road;

Thence the following courses and distances along said centerline:

267.09 ft. along a curve to the right having a chord of

N 88° 41' 55" W 266.01 ft., a delta of 17° 55' 03", a radius of 854.10 ft.; N 79° 44' 24" W 272.16 ft.;

S 87° 25' 08" W 114.27 ft. to a point on the westerly boundary line of said Section 30;

Thence N 00° 04' 32" W along said boundary line, a distance of 1345.11 ft. to the W 1/4 corner of said section;

Thence N 89° 59' 06" E along the northerly boundary of Lot 3 of said Section 30 a distance of 646.67 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 20.42 ACRES

Subject to Real Estate Mortgage dated May 10 1996 and recorded as Instrument NO. 229904, from James E. Riggan and Deborah Riggan, husband and wife, to Don Bellamy, a single man.

The above conveyance is made free and clear of all other encumbrances except: Rights of way and easements, reservation in Federal patents and state deeds, or other restrictions imposed by law, building and use restrictions of records, building and zoning regulations and ordinances of any governmental unit whether of sight or of record.

OCT 05 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: A75-00144D

Date Received: 5/ 7/1990

Receipt No: X777777

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: ROBERT HALLEN
Address: PO BOX 243
CARMEN ID

208-856-2418

83462

AND/OR

Name: CINDY HALLEN
Address: PO BOX 243
CARMEN ID

208-856-2418

83462

2. Date of Priority: APR 1, 1896

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	22E	30	SE	NE	SW		LEMHI

5. Description of diverting works:
DITCH NO. 9.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.440		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
24N	22E	30	NW	SW		IRR	11.0

A7500144D



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	11.0
					Total Acres	11.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = 34.

CHANGE IN OWNERSHIP: 2-5-91/JT

CHANGED OWNERSHIP 8/26/96/JT/GT

***CHANGE IN OWNERSHIP 08-27-97 SPLIT ORIGINAL RIGHT. GT.**

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

MERRILL M. BROWN, ET AL.,

Decree Plaintiff

FRANK R. NELSON, ET AL.

vs

Decree Defendant