

07/03/2006

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

RIGHT NUMBER: 75-148

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

SOURCE: FOURTH OF JULY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.480 CFS

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T24N R22E S30 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 08/01

0.480 CFS0.360
CFS

08/02 11/01

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R21E S25 NESE 13.00

13 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 point of diversion pursuant to Section 42-1425, Idaho Code.

75-148

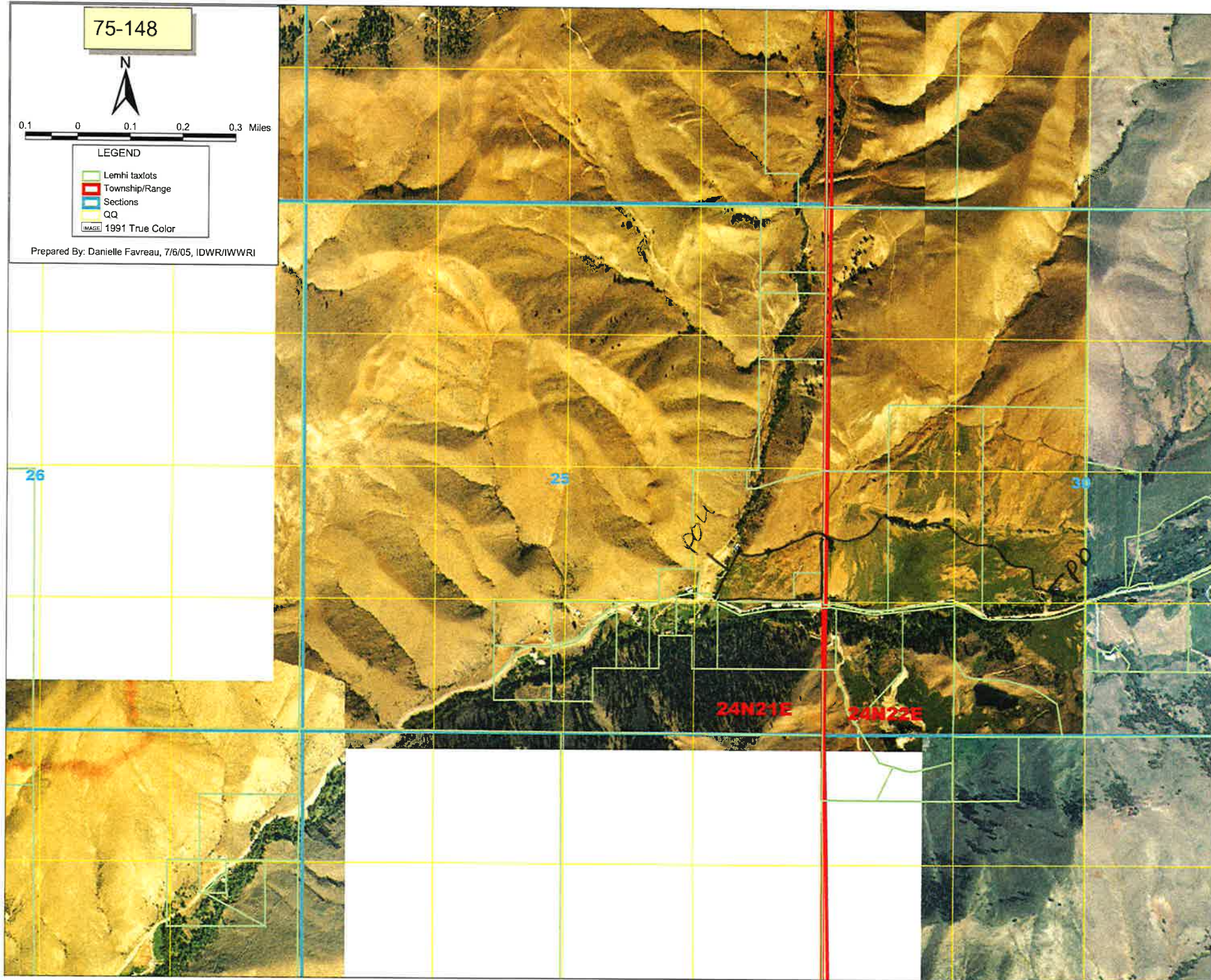


0.1 0 0.1 0.2 0.3 Miles

LEGEND

- Lemhi taxlots
- Township/Range
- Sections
- QQ
- 1991 True Color

Prepared By: Danielle Favreau, 7/6/05, IDWR/IWWRI



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

CLAIM NO(s). 75-148

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS _____
☒ NEW ADDRESS: PO Box 243 Carmen ID 83462

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 POD7

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

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

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 19, 1991

Robert R. Hallen
40518 27th West
Palmdale, CA 93551

RE: Snake River Basin Adjudication (SRBA)
Lemhi County - Claims #A75-00146, A75-00148,
A75-02003 & A75-10083

Dear Mr. Hallen:

Notice of the change in ownership of the above-referenced water rights has been received. The Claim to Water Rights records of the Department have been changed to reflect such notice.

Claims prepared from the Agency's computer are enclosed for your review and records. If you find the address is incorrect, please contact us.

Our research revealed the name and legal description on Claim #A75-00147 do not match your Deed; i.e., this claim does not appear to belong to Clinton Hansen.

Please contact this office or the Eastern Region office if you have any questions or concerns.

Idaho Department of Water Resources
150 Shoup Ave.
Idaho Falls, ID 83401
Telephone: 525-7161

Yours truly,

John D. Carlson
John D. Carlson
Adjudication Supervisor

JDC:sf:east
Enclosures:
Claims Referenced Above

MICROFILMED
DEC 15 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

AUG 12 1991

DATE OF CLOSING: April 3, 1991

LEGAL DESCRIPTION OF PROPERTY: Township 24 Range 21 E Department of Water Resources
 Section 25, NE 1/4 of SE 1/4 of 1/4 Govt. Lot BM, BM.
 Lot , Block, , Subdivision/Townsite .
 If you have additional legal descriptions, please attach separate sheet. SEE Exhibit A.

- [] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) A75-00146, A75-00148, A75-02003
- [] Water Right Number(s) Assigned by IDWR: A75-10083, A75-00147
- [] Name and Address of Former Owner/Claimant(s)(Seller): CLINTON HANSEN
819 E. 1000 S.
CLEARFIELD UT. 84015
- [] New Owner/Claimant (Purchaser): Robert R Hallen
- [] New Mailing Address: 40518 27th W.
PALMDALE, CA. 93551
- [] New Telephone Number: (805) 947-8794

- [] A75-00146 thru A75-10083 OK.
- [] A75-00147 shows diff. owners, diff. legal (Sections 30, 31) and NW, SW vs. NESE. Owner showing Enoch C. Hansen, could be Enoch Clinton... d.b. shows Boi. address/phone.

Am I missing something?
Lo. of 8-15-91

- [] 10Ac - A75-00146
- [] 13Ac 00140
- [] 8Ac 02003
- [] Don 10083

FC
Ini
Fu
Fu
Fi
C

Sally OK on these but need letter with claim tying in A75-00147 as not in the location of the deed and not in a name decided by the deed on his form. Thanks J.W.

yes ☒ no
 new owner:

SC - Copy c/o + ATTACHMENTS + ATTACH to each claim above except 75-00147.

attach extra copy of letter to Hallen to 75-00147

you can discard the "copy for your files" if everything OK.

now on your file
A. Hallen

A75-00147 8/14/91
 of Water Resources

DEC 15 1992

WARRANTY DEED

For Value Received NAOMI B. HALLETT,
a single woman,

the grantor , does hereby grant, bargain, sell and convey unto
ROBERT R. HALLEN and CINDY D. HALLEN, husband and wife,
40518 27th West
Palmdale, California 93551
the grantee , the following described premises, in County Idaho, towit:

See Attached Exhibit "A".

This Deed made pursuant and in accordance with the terms and conditions of that certain LEASE AND OPTION AGREEMENT, dated April 18, 1989, and recorded September 24, 1990, under Instrument Number 208186, records of Lemhi County, Idaho, including but not limited to the First Right of Refusal to purchase the adjoining Hansen property; ALSO the granting of an easement for a leach field.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all incumbrances except the lien for taxes for the current year, any liens and encumbrances of record on this date, and any liens or encumbrances suffered or created by Grantees prior to the date hereof, and that s he will warrant and defend the same from all lawful claims whatsoever.

Dated:

Naomi B. Hallett

NAOMI B. HALLETT

STATE OF IDAHO, COUNTY OF Lemhi
On this 3rd day of April, 1991,
before me, a notary public in and for said State, personally appeared

Naomi B. Hallett

NAOMI B. HALLETT
known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same.

Residing at Salmon, Idaho
Comm. Expires 1/10/92

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

at :55 minutes past 1 o'clock P m.,
this 3rd day of April,
1991, in my office, and duly recorded in Book
of Deeds at page

Alveta Thiederrick

Ex-Officio Recorder

By Deanne Gray Deputy.

Fees \$ 6.00
Mall to:

INSTRUMENT NO. 203516

A fraction of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T. 24 N., R. 21 E., B. M., more particularly described as follows, to-wit:

Beginning at the Northeasterly corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 25, run thence S. 77° 20' W. 405.6 feet; thence S. 71° 48' W. 315.8 feet; thence West 84.75 feet; thence North 187.54 feet to a point on the Northerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25; thence S. 89° 54' 51" W. 539.4 feet to the Northwesterly corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25; thence S. 0° 00' 50" E. 989.97 feet, thence East 79.4 feet; thence S. 6° 24' W. 251.6 feet; thence East 58.7 feet; thence S. 81° 53' E. 148.0 feet; thence South 60.41 feet to a point on the Southerly boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25; thence Easterly along said Southerly boundary 1065.57 feet, more or less, to the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25; thence Northerly along the east line of the Southeast Quarter of Section 25 to the point of beginning.

EXCEPTING THEREFROM:

A parcel of land located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, T. 24 N., R. 21 E., B. M., Lemhi County, Idaho, more particularly described as follows:

Commencing at the East Quarter Corner of said Section 25, a distance of 1021.28 feet on a bearing of S. 0° 02' 03" E. along the east boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ to the REAL POINT OF BEGINNING.

Thence S. 89° 58' 18" W. 300.00 feet;

Thence S. 00° 02' 03" E. 300.00 feet to the south boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence N. 89° 58' 18" E. 300.00 feet to the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence N. 00° 02' 03" W. 300.00 feet to the REAL POINT OF BEGINNING.

ALSO EXCEPTING:

A permanent right-of-way for ingress and egress on the existing roadway, to and from the Big Fourth of July Creek Road. Said permanent right-of-way shall be free of any gates or obstructions.

HANSEN-HALLETT-SEEGER/HALLEN

EXHIBIT "A"

MICROFILMED

DEC 15 1992

SCANNED
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: A75-00148
Date Received: 3/30/1990
Receipt No: E012628
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ROBERT R HALLEN
Address: 40518 27TH W
PALMDALE, CA 93551 805-947-8794

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	Lot	County
24N	22E	30	NE SW		LEMHI

5. Description of diverting works:
LOWER DITCH (DITCH NO. 9) TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	08/01	0.480		
IRRIGATION	08/02	11/01	0.360		

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

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ INC. STOCK HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	21E	25	NE SE		IRR	13.0

A75-00148

Page 1

Date: 08/16/91

MICROFILMED
DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	13.0
					Total Acres	13.0

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:
75-00146

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

MERRILL M. BROWN, ET AL.,
Decree Plaintiff

vs FRANK R. NELSON, ET AL.
Decree Defendant

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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: A75-00148
Date Received: 3/30/1990
Receipt No: ED12628
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLINTON HANSEN 801-773-0451
Address: 819 E. 1000 S.
CLEARFIELD, UT 84015

2. Date of Priority: APR 01, 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	Lot	County
24N	22E	30		NE	SW		LEMHI

5. Description of diverting works:
LOWER DITCH (DITCH NO. 9) TO FLOOD IRRIGATION

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Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	08/01	0.480		
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7. Total Quantity Appropriated is:
0.480 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ INC. STOCK HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	21E	25	NE	SE		IRR	13.0
Section Acres							13.0

A75-00148

Page 1

Date: 03/30/90

A7500148



MICROFILMED
DEC 15 1992

10. Place of Use: Continued

Total Acres 13.0

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:
75-00146

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

MERRILL M. BROWN, ET AL.,
Decree Plaintiff

vs

FRANK R. NELSON, ET AL.
Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not X 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): Clinton M Hansen Date: 30 Mar 1990

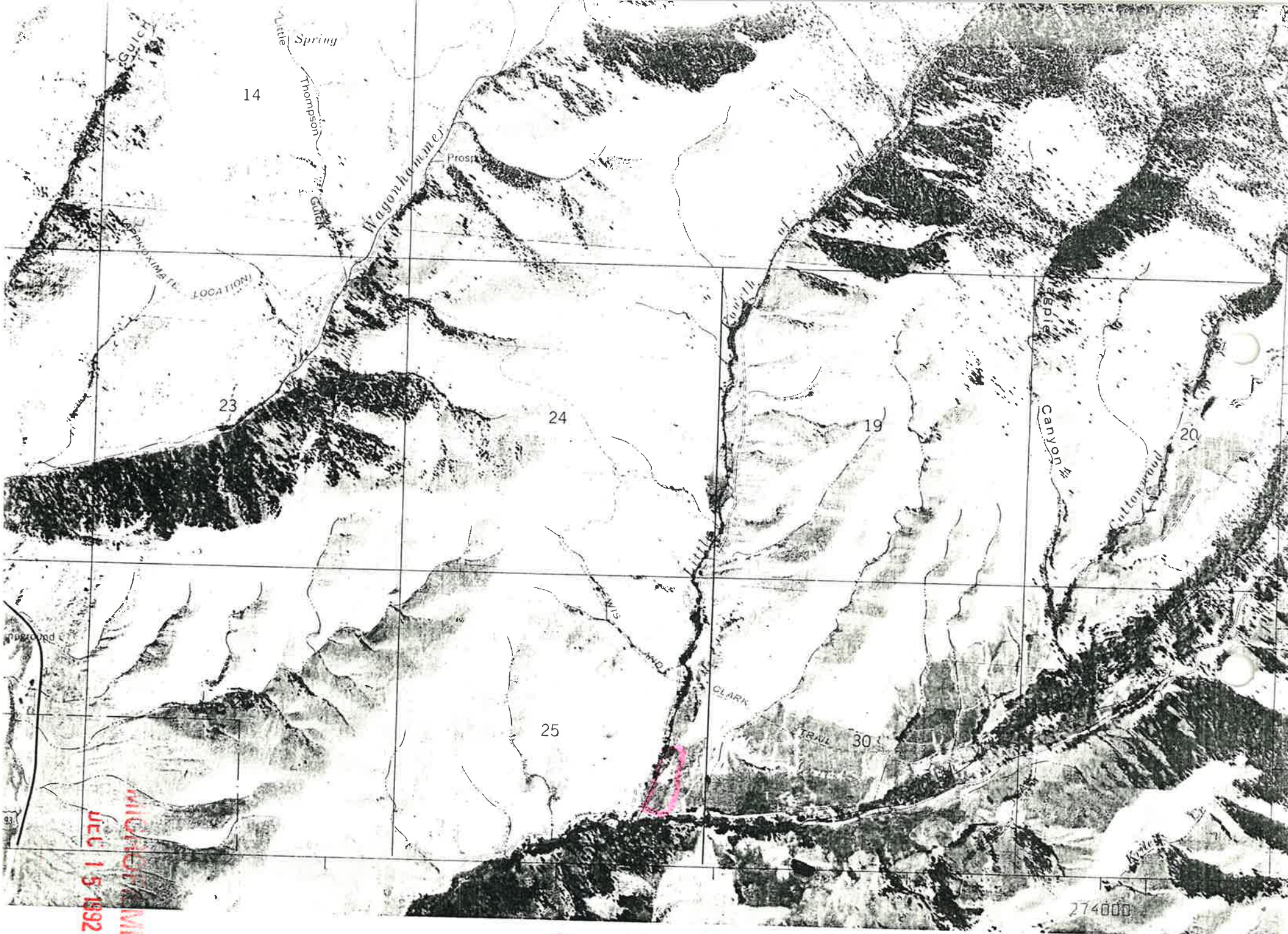
Date: _____

State of Idaho)
County of Bonneville) SS.

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

Seal

Residing at Heise, Id
My Commission Expires 4/26/96



DEC 15 1992

MICROFILMED

SCALE 1:24000

A75-00148

274000m.E.

13°52'