

08/10/2006

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

RIGHT NUMBER: 75-14155
NAME AND ADDRESS: JO HANNERS
13380 MOONGLOW LN
POCATELLO ID 83202

GARY HANNERS
13380 MOONGLOW LN
POCATELLO ID 83202

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER
QUANTITY: 0.080 CFS
PRIORITY DATE: 08/15/1961
POINT OF DIVERSION:

T19N R21E S14 NWSE Lot 5 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.080 CFS

PLACE OF USE: IRRIGATION Within LEMHI County
T19N R21E S14 Lot 5 NWSE 4.00

4 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 - Beneficial Use

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-2145A.

PROPERTY IS ALSO KNOWN AS LOT 10, BRINEY CREEK ACRES
SUBDIVISION.

11/20/2006

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: 12/13/2006

Water right number: 75-14155

JO HANNERS

~~13380 MOONGLOW LN~~

POCATELLO ID 83202

Telephone Number: (208)238-3282

GARY HANNERS

~~13380 MOONGLOW LN~~

POCATELLO ID 83202

Telephone Number: (208)238-3282

RECEIVED

DEC 15 2006

IDWR/North

1. Describe the portion of the proposed recommendation with which you disagree (e.g., priority date, period of use, source):

address of claimant

2. Describe the changes you wish to make in the proposed recommendation: *None, just the address of claimant*

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

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

DATE:

12/1/06

SIGNATURE:

Gary S. Hanners

G. Hanners

Please print your name:

GARY S. HANNERS

G. Hanners

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED

JAN - 2 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 10, 2006

Gary & Jo Hanners
13380 Moonglow Lane
Pocatello, ID 83202

RE: 75-14155

Dear Mr. & Mrs. Hanners:

We have processed your change of water right ownership form. Enclosed is a copy of our recommendation, which we expect to submit to the Court in the near future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', written in a cursive style.

Kenneth Knoblock
Water Resources Agent

For
Roxanne
4-13-04

OK JC
11-24-03
RECEIVED
NOV 21 2003
Department of Water Resources
Eastern Region

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

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

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
	75-2145A	X			

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

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

OR

If your water right(s) and/or adjudication claim(s) 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) Stewart C. & Hope Caerington
Po Box 909 Salmon ID 83467
4. New Owner/Claimant(s) Gary & Jo Hanners
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 13380 Moonglow Lane
City, State and ZIP Code Pocatello ID 83202
New Telephone Number (208) 238-3282
5. Date you acquired the property 11-19-2003

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) _____
(include title if applicable)

Gary Hanners

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 _____

O.K. to process RA 5/26/04

WARRANTY DEED

Order No.:307032041L-G

FOR VALUE RECEIVED

Stewart G. Carrington and Hope Ann Benedict Carrington, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Gary Hanners and Jo Hanners, husband and wife

whose current address is

13380 Moonglow Lane Pocatello, ID 83202

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

LOT 10 OF BRINEY CREEK ACRES SUBDIVISION, ACCORDING TO THE
OFFICIAL PLAT THEREOF, FILED IN BOOK 5 OF PLATS AT PAGE(S) 3 OFFICIAL
RECORDS OF LEMHI COUNTY, IDAHO, AND AMENDED BY INSTRUMENT NO.
173339 RECORDED SEPTEMBER 14, 1984.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns
forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in
fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions,
covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated:

19 November 2003

Stewart G. Carrington

Hope Ann Benedict Carrington

State of Idaho

County of Lemhi

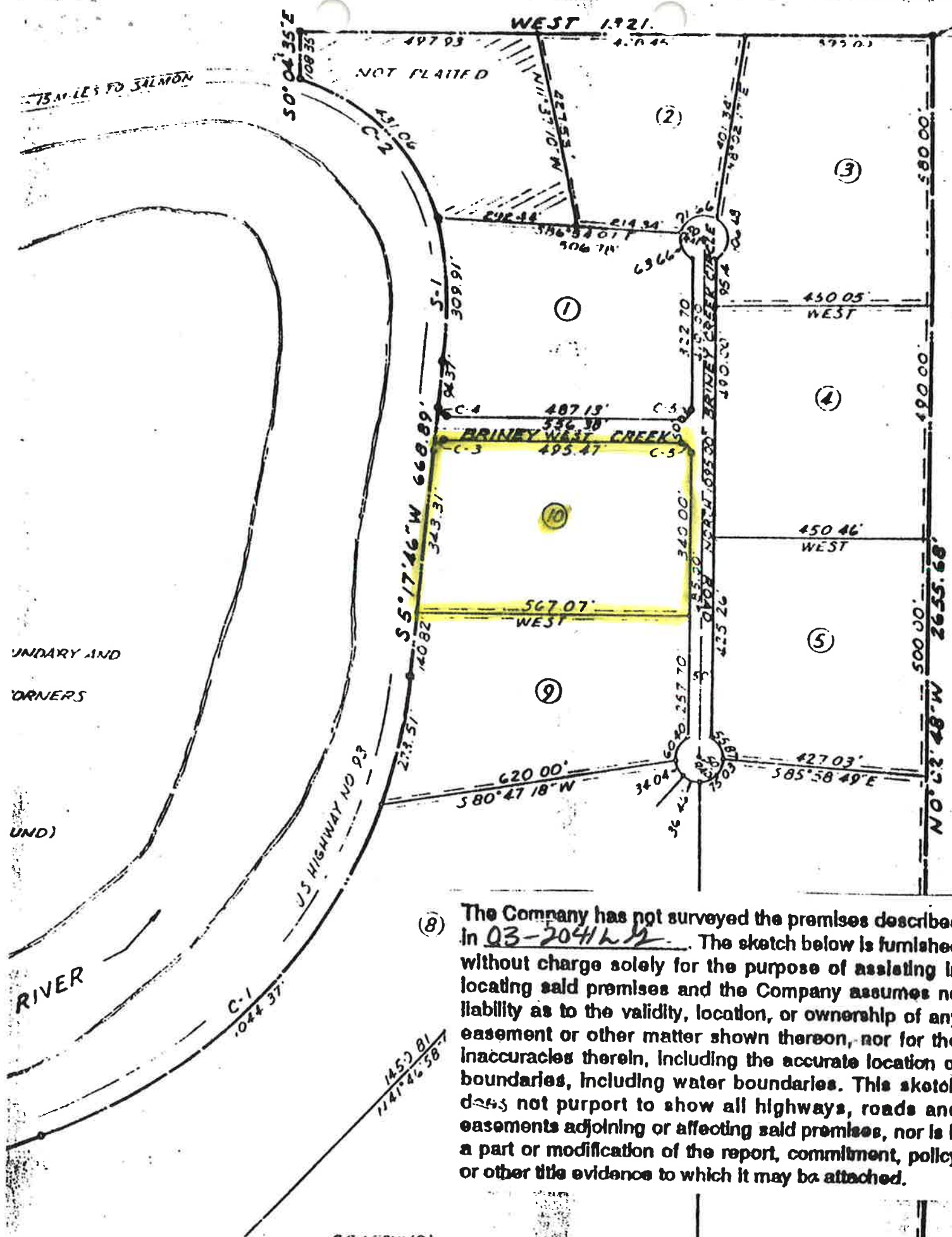
On this November 19th, 2003, before me, a Notary Public in and for said state, personally
appeared Stewart G. Carrington and Hope Ann Benedict Carrington

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged
to me that ~~he/she~~ they executed the same.

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



Sheri Phillips
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 4/24/2009



DELOO
JC 6/14/00
OK JC 6/16/00

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

RECEIVED

JUN 13 2000

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

Department of Water Resources
Eastern Region

1. Water Right No(s): A75-02145A
Adjudication Claim No(s): A75-02145A
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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim 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 David P. Stillinger and Limon A. Saubert
PO Box 455 Mackay ID 83251
4. New Owner/Claimant(s) Stewart G. & Hope Ann Benedict Carrington
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address HC-61 Box 28-1
City, State and ZIP Code Salmon ID 83467
New Telephone Number (208) 894-4541
5. Date you acquired the property 5-26-2000
6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.**

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____
7. Signature of New Owner(s) or Claimant(s) Stewart G. Carrington
Hope Ann Benedict Carrington
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.

Warranty Deed

For Value Received

DAVID P. SHILLINGER AND LINDA A. SEUBERT, both unmarried persons

the grantor s, do hereby grant, bargain, sell and convey unto

STEWART G. CARRINGTON AND HOPE ANN BENEDICT CARRINGTON, husband and wife

whose current address is

HC 61, BOX 28-1
SALMON ID 83467

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

LOTS 1 AND 10 OF BRINEY CREEK ACRES SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF, FILED IN BOOK 5 OF PLATS AT PAGE 3 OFFICIAL RECORDS OF LEMHI COUNTY, IDAHO, AND AMENDED BY INSTRUMENT NO. 173339, RECORDED SEPTEMBER 14, 1984.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they're the owner s 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: MAY 26, 2000

David P. Shillinger
DAVID P. SHILLINGER

Linda A. Seubert
LINDA A. SEUBERT

STATE OF IDAHO, COUNTY OF LEMHI
On this 26th day of MAY 2000 X
before me, a notary public in and for said State, personally appeared

DAVID P. SHILLINGER AND LINDA A. SEUBERT.

known to me to be the person whose name s are subscribed to the within instrument, and acknowledged to me that they or to executed the same.

Laurie M. Santee
LAURIE M. SANTEE Notary Public
Residing at SALMON Idaho
Comm. Expires 6-19-2001

244340

State of Idaho) SS No. _____
County of Lemhi)

This instrument was filed for record at the office of
of Alliance Title

at 2:30 o'clock P.m. 5-26-2000

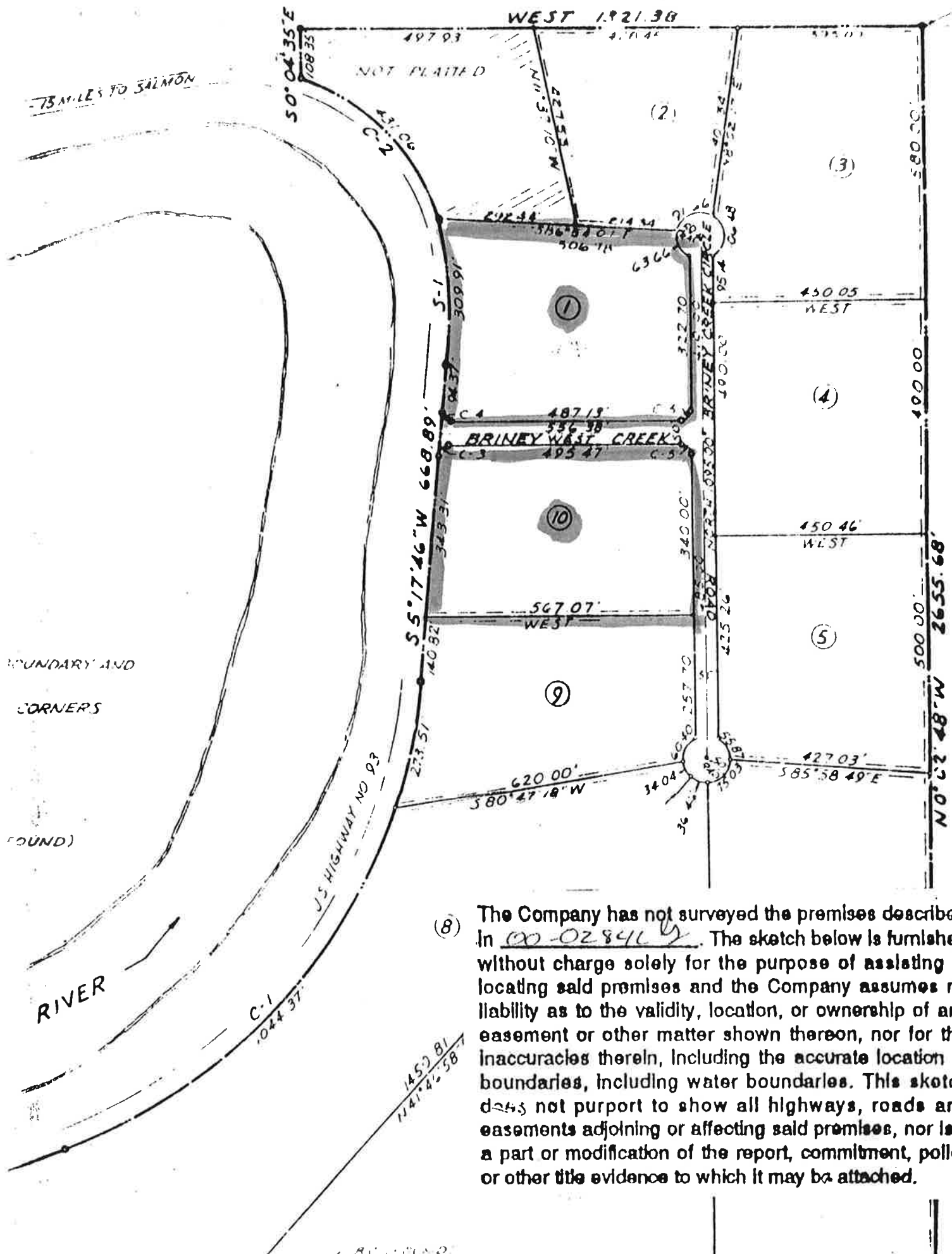
Notary Public for the State of Idaho

County _____ Ex. _____

By *JF*

For *3*

Given to *A.T.*





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

September 8, 1999

DAVID P SHILLINGER
LINDA A SEUBERT
PO BOX 455
MACKAY ID 83251

RE: CHANGE OF WATER RIGHT OWNERSHIP & ASSIGNMENT OF PERMIT FOR
75-07564 (WATER RIGHT) & A75-02145A (ADJUDICATION CLAIM)

Dear Mr. Shillinger & Ms. Seubert:

On August 26, 1999, our office received a "Notice of Change of Water Right Ownership" for the above referenced water right and adjudication claim.

The adjudication claim has been changed to reflect you as the new owners. A copy is enclosed for your files.

In order to change water right 75-07564 please have the former owner fill out and sign the enclosed "Assignment of Permit" form and send it to our state office in Boise for processing. This form requires a \$25.00 fee.

If I can be of further assistance, please do not hesitate to call.

Sincerely,

Jennifer Crabtree
Technical Records Specialist

Enclosures



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 7/8/99

LEGAL DESCRIPTION OF PROPERTY: Township 19 N. Range 21 E., B.M.
Section 14, NW 1/4 of SE 1/4 of 1/4 Govt. Lot 1, BM.
Lot 1 & 10, Block XXXXXXXXXXXXXXXXXXXX, Subdivision/Townsite BRINEY CREEK ACRES SUBDIVISION, LEMHI
If you have additional legal descriptions, please attach separate sheet. COUNTY, IDAHO.

☐ 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)

☒ Water Right Number(s) 75-07564 AND A75-02145A → adj. claim
Assigned by IDWR: water right permit

☒ Name and Address of Former Owner/Claimant(s)(Seller): JOHN E. STRICKLAN & LINDA K. STRICKLAN

☒ New Owner/Claimant (Purchaser): DAVID P. SHILLINGER & LINDA A. SEUBERT

☒ New Mailing Address: P.O. BOX 455
MACKAY, IDAHO 83251

☒ New Telephone Number: (208) 588-3173

☒ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: COPY OF RECORDED WARRANTY DEED

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) David P. Shillinger Date 7/8/99
Linda A. Seubert Date 7/8/99

☐ Signature of Former Owner/Claimant(s): SEE COPY OF WARRANTY DEED Date _____
Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: _____ By: _____
Further Action Needed:
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

RECEIVED
AUG 26 1999

Department of Water Resources
Eastern Region

WARRANTY DEED

For Value Received

JOHN EDMUND STRICKLAN

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

DAVID P. SHILLINGER AND LINDA A. SEUBERT, both unmarried persons,
of P. O. Box 455, Mackay, Idaho 83251

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

AMENDED

Lot One (1) and Lot Ten (10), Briney Creek Acres Subdivision according
to the official plat thereof filed for record in Book 5 of Plats at Page No. 3,
records of Lemhi County, Idaho.

Subject to Restrictive Covenants, recorded as Instrument Nos. 156648, 160000
and 217715, records of Lemhi County, Idaho.

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

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

Dated: June 28, 1999

John E Stricklan

STATE OF ~~IDAHO~~ ^{WASHINGTON} COUNTY OF

On this 1st day of July, 1999,
before me, a notary public in and for said State, personally appeared:

known to me to be the person whose name
subscribed to the within instrument, and acknowledged
to me that John E Stricklan executed the same.

Heath Gusk
Notary Public

Residing at Spokane WA.
Comm. Expires April 10 2003

STATE OF IDAHO, COUNTY OF

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

at 26 minutes past 2 o'clock P m.,
this 11th day of August
1999, in my office, and duly recorded in Book
of Deeds at page

Teri J. Morton
Ex-Officio Recorder
By Brenda Ammon Deputy.
Fees \$ 30⁰⁰
Mail to:

INSTRUMENT NO. 241564

RECEIVED
SCANNED

MAR 30 1993

Department of Water Resources
Eastern District Office

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: A75-02145A
Date Received: 3/30/1993
Receipt No: S015563
Received By: See

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

1. Name: JOHN E STRICKLAN 702-752-3068
Address: BOX 211
WELLS NV 89835
AND/OR
Name: LINDA K STRICKLAN 702-752-3068
Address: BOX 211
WELLS NV 89835

2. Date of Priority: AUG 15, 1961

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	21E	14	SW	SE			LEMHI

5. Description of diverting works:
7 HP PUMP TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.160		

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

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use
19N	21E	14	NW	SE		IRR

MICROFILMED
4.0
APR 18 1994



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	21E	14	SW	SE		IRR	4.0
Section Acres							8.0
Total Acres							8.0

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:
NONE

14. Remarks:

PROPERTY IS ALSO KNOWN AS LOTS 1 & 10, BRINEY CREEK ACRES SUB-DIVISION.

THIS CLAIM OVERLAPS WITH WATER RIGHT 75-07564 ON 4 ACRES IN LOT 1.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 30084

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: 1

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): John E. Strickland Date: 3/30/93

Date: _____

MICROFILMED

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of March 19 93 Steve Caldwell
Notary Public

Seal

Residing at Twin Falls
My Commission Expires Dec 7, 1994

STRICKLAND
 A75-02145
 MICROFILMED
 APR 18 1994

BREWER CREEK AREAS

