

12/27/2006

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

RIGHT NUMBER: 75-14381

NAME AND ADDRESS: FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST
PO BOX 1166
SALMON ID 83467

SOURCE: WALLACE CREEK

TRIBUTARY:

QUANTITY: 0.040 CFS

PRIORITY DATE: 05/13/1898

POINT OF DIVERSION:

T22N R22E S6 NWSW Lot 7 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.040 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06 Lot 11 NESW	1.00	T22N R22E S06 Lot 13 SESW	3.00
---------------------------	------	---------------------------	------

4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 4 acres in a single irrigation season. Combined Right Nos.: 75-14381 & 75-14383.

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



Idaho Department of Water Resources

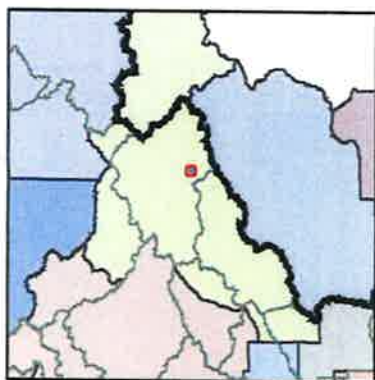
SRBA Recommendation:

75-14381

(Irrigation)

Legend

- ⊙ Point of Diversion
- Place of Use
- ▬ Townships
- ▬ PLS Sections
- ▬ Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

~~75-14383~~

(Irrigation)

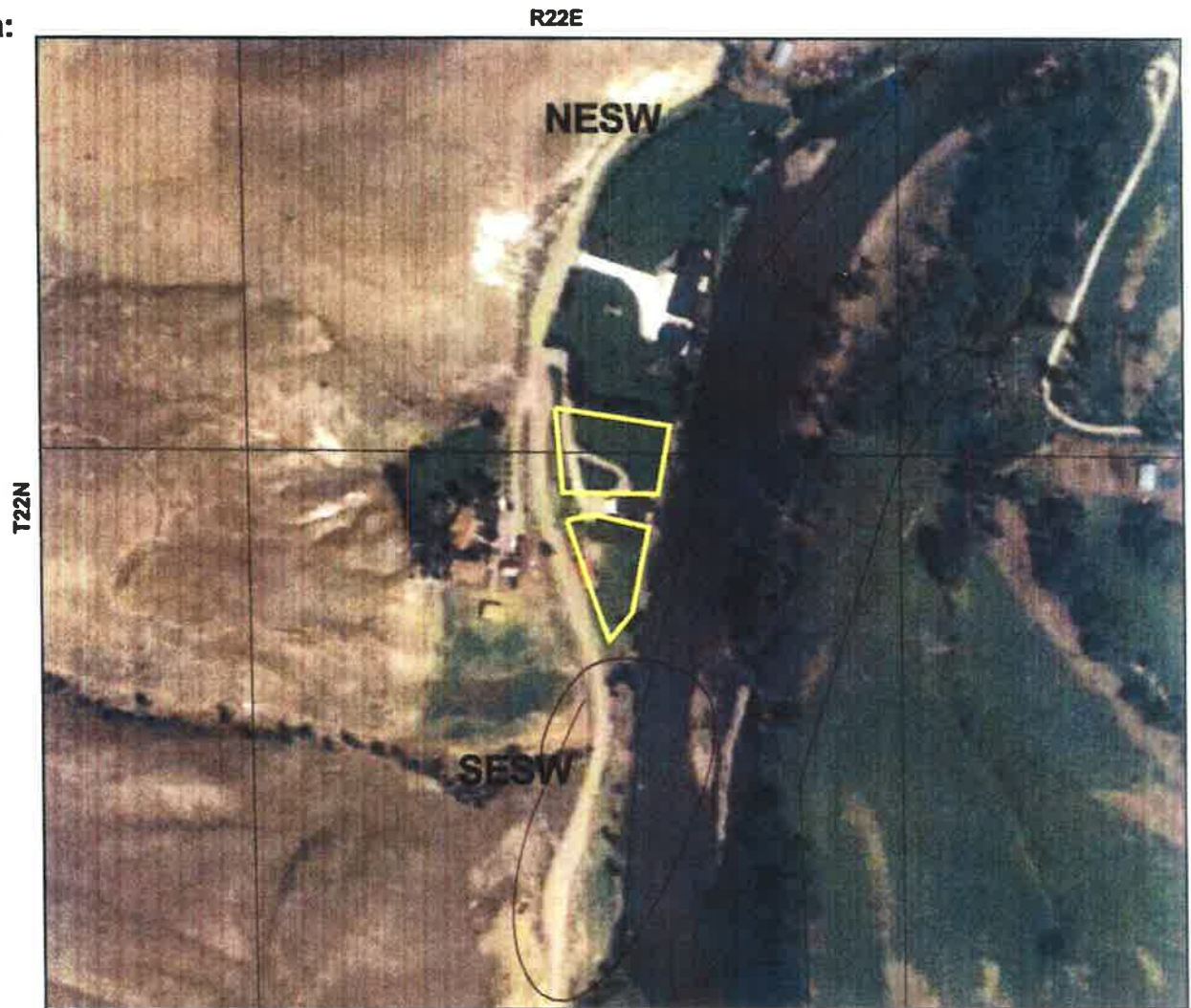
13949

Legend

- ⊙ Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

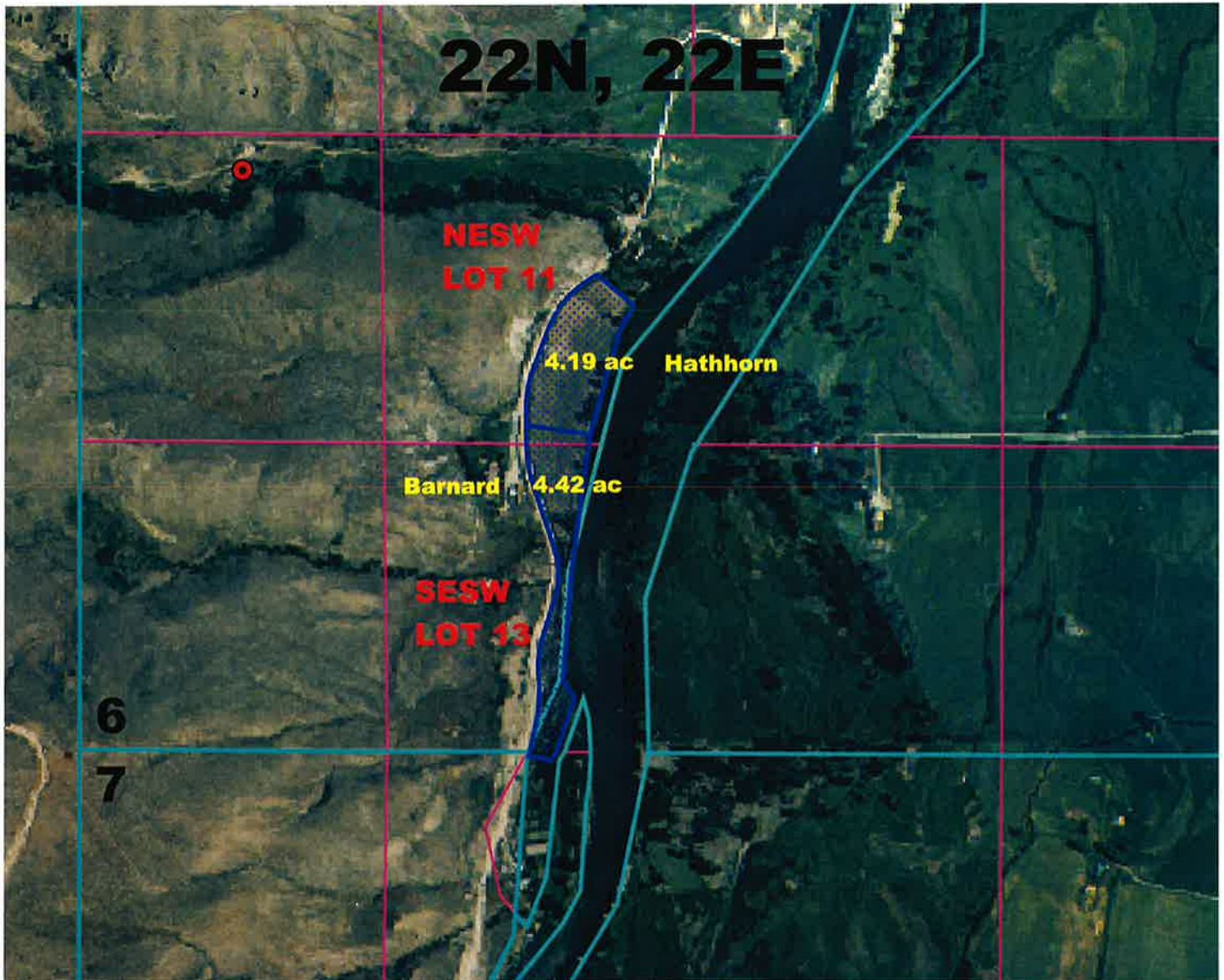
Change of Ownership

Parent WR# : A75-00083F

New WR#'s:

Remaining portion of split to Barnard: 75-13949F: 0.04 cfs, 4 ac

Split portion to Hathhorn: 75-13948F: 0.04 cfs, 4 ac



POD



Property Boundary



Section Lines



Quarter Sections

Change of ownership request resulting in Split.
This map represents the split distribution
between Barnard and Hathhorn

Acreages on map represent acres owned
according to Deed.

Prepared by: Craig Saxton
August 2000



11/22/2006

NOTICE OF ERROR
REPLY

DEC 15 2006

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:

Water right number: 75-13949

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST
PO BOX 1166
SALMON ID 83467
Telephone Number: (208) 756-4712 2537

SCANNED /

RECEIVED

DEC 15 2006

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):

Place of use

2. Describe the changes you wish to make in the proposed recommendation:

Add narrow southern portion of deeded (4.419 ac) to the "place of use" designation on the map. See circled portion on color map

3. Give a brief explanation as to why you disagree with these portions: *When I took title in 2000, my water right claim was for 5 acres. I cleared and opened up the southern section. I have irrigated it for 4 years to maintain the right.*

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

DATE: *12-13-06*

SIGNATURE: *Fredde Howarth-Nott*

Please print your name: *Fredde Howarth-Nott*

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

There are 3 sections to irrigate: the lawn around the home and 2 small pastures. The lawn is on an automatic 6 station system which waters max 1 hour per day, per station, 1 section at a time. The pastures are normally watered one at a time max 1-2 hours per day, average 5 days a week in hot months. It is my opinion that I don't use the allowed amount of water daily and adding the south section of land to the right won't use more water than currently allowed.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 27, 2006

Fedde Runnalls
Box 1166
Salmon, ID 83467

RE: 75-14381 & 75-14183

Dear Mr. Runnalls:

I made a major error in reviewing some files. We do not show you selling any property. The correct files are 75-14381 and the 75-14383. I apologize for all the confusion.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', is written over a horizontal line.

Kenneth Knoblock
Water Resources Agent



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 18, 2006

Fredde Howarth-Nott Separate Property Trust
Box 1166
Salmon, ID 83467

RE: 75-14381 & 75-14183

We have reviewed your Notice of Error form. The purpose of the claims was to record the water rights that existed in 1987. Your ownership the splits that occurred for the decreed rights 75-83 and 75-84 resulted in irrigation for you for 4 acres. You sold Anderson two acres of this right.

When you cleared the property for irrigation four years ago you needed to file an Application for a Permit to develop water rights.

Sincerely,

Kenneth Knoblock
Water Resources Agent

RECEIVED

DEC 15 2006

Department of Water Resources
Application Bureau

11/20/2006

NOTICE OF ERROR

REPLY

Please type or print clearly, fill out this form completely and mail.

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-14381

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST
PO BOX 1166
SALMON ID 83467
Telephone Number: (208) 756-4712 2537

RECEIVED

DEC 20 2006

IDWR/North

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

Place of use

2. Describe the changes you wish to make in the proposed recommendation:

Add narrow southern portion of irrigated (4.419) acres to the "Place of use" designation on the map. See red on map.

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

When I took title in 2000, my water right claim was for 5 acres. I cleared and opened up the southern section. I have irrigated it for 4 years to maintain the right.

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

DATE:

12-12-06

SIGNATURE:

Fredde Howarth-Nott Separate Property Trust by Fredde Howarth, Trustee

Please print your name:

Fredde Howarth, Trustee

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

I never irrigate all of my land at once. The main lawn around the home has an underground automatic sprinkler system. Each station waters one hour daily, one at a time.

The pastures are watered 1-2 hours per day in the hottest parts of summer. It is my opinion that I don't come close to using the allowed amount of water and adding the land to the right won't use more water than currently allowed.

SCANNED

DEC 15 2006 ✓



Idaho Department of Water Resources

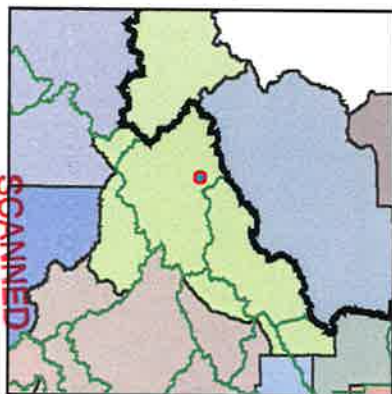
SRBA Recommendation:

75-14381

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

SCANNED
11/20/2006 1:15:00 PM

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST

P.O. Box 1166
Salmon, ID 83467
(208) 940-1624

December 21, 2006

RECEIVED
DEC 26 2006
DWR/North

Mr. Kenneth Knoblock
Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d' Alene, ID 83815

RE: 75-14381 & 75-14183

Dear Mr. Knoblock:

Thanks for your speedy reply. I apologize for my lack of understanding the purpose of the Notice of Error form. I was unable to attend the local meeting.

I also apologize for not filing an Application for Permit 4 years ago. I'm one to follow the rules. I thought I knew that a person had to irrigate for 5 years or lose a right. Clearly I did not understand or I would have filed the application long ago.

Re your letter of 12/18/2006. I'm very concerned. I know nothing of a person named Anderson and I never sold anyone two acres or any part of my right. My right came from Maxwell to Heffner/Hatthorn to Harvey to Barnard to my trust. More confusion.

I will complete the Application for Permit you sent me right away and submit it to you within the next 10 business days.

Thanks in advance for your assistance.

Sincerely,



Fredde Runnalls, Trustee
Fredde Howarth-Nott Separate Property Trust



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

RECEIVED
DEC 26 2006
IDWR/North

December 18, 2006

Fredde Howarth-Nott Separate Property Trust
Box 1166
Salmon, ID 83467

RE: 75-14381 & 75-14183

We have reviewed your Notice of Error form. The purpose of the claims was to record the water rights that existed in 1987. Your ownership the splits that occurred for the decreed rights 75-83 and 75-84 resulted in irrigation for you for 4 acres. You sold Anderson two acres of this right. *no*

When you cleared the property for irrigation four years ago you needed to file an Application for a Permit to develop water rights.

Sincerely,

Kenneth Knoblock
Water Resources Agent

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST

P. O. BOX 1166
SALMON, ID 83467
(208) 940-1624

December 22, 2006

RECEIVED

DEC 26 2006

IDWR/North

Mr. Kenneth Knoblock
Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d' Alene, ID 83815

Re: 75-14381 & 75-14383 NOT 75-14381
And 75-13949 & 75-13951

Dear Mr. Knoblock:

Since I mailed my letter to you 12/21/06 I have reviewed my files more closely. I am particularly concerned, as I said previously, about the statement in your letter of 12/18/06 regarding a sale of 2 acres of rights to a person named Anderson. Perhaps the owner of the right number 75-14383 sold 2 acres to Anderson????

I received paperwork prior to our local Salmon meetings, referring to 4 different water right numbers as follows:

Dated 11/20/06

75-14381 – 2 acres
75-14383 – 2 acres

Dated 11/22/06

75-13949 – 4 acres
75-13951 – 4 acres

I am of course hoping that the more recent documents are the correct ones and the former are based upon the confusion about a sale of 2 acres that, as I have previously stated, I did not make.

Thanks again for your consideration. I look forward to clearing this up in the near future.

Sincerely,



Fredde Runnalls, Trustee



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

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JAMES E. RISCH
Governor

KARL J. DREHER
Director

RECEIVED

DEC 26 2006

IDWR/North

December 18, 2006

Fredde Howarth-Nott Separate Property Trust
Box 1166
Salmon, ID 83467

RE: 75-14381 & 75-14183

We have reviewed your Notice of Error form. The purpose of the claims was to record the water rights that existed in 1987. Your ownership the splits that occurred for the decreed rights 75-83 and 75-84 resulted in irrigation for you for 4 acres. You sold Anderson two acres of this right.

When you cleared the property for irrigation four years ago you needed to file an Application for a Permit to develop water rights.

Sincerely,

Kenneth Knoblock
Water Resources Agent

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST

P.O. Box 1166
Salmon, ID 83467
(208) 940-1624

December 21, 2006

Mr. Kenneth Knoblock
Department of Water Resources
7600 Mineral Drive, Suite 100
Coeur d' Alene, ID 83815

RE: 75-14381 & 75-14183

Dear Mr. Knoblock:

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Re your letter of 12/18/2006. I'm very concerned. I know nothing of a person named Anderson and I never sold anyone two acres or any part of my right. My right came from Maxwell to Heffner/Hatthorn to Harvey to Barnard to my trust. More confusion.

I will complete the Application for Permit you sent me right away and submit it to you within the next 10 business days.

Thanks in advance for your assistance.

Sincerely,

Fredde Runnalls, Trustee
Fredde Howarth-Nott Separate Property Trust

split
75-14381

RECEIVED

DEC 15 2006

Department of Water Resources
Adjudication Bureau

NOTICE OF ERROR
REPLY

11/22/2006

RECEIVED
DEC 15 2006
DEPARTMENT OF
WATER RESOURCES

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 75-13949

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST
PO BOX 1166
SALMON ID 83467
Telephone Number: (208) 756-4742 JS37

RECEIVED
DEC 20 2006
IDWR/North

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

Place of use

2. Describe the changes you wish to make in the proposed recommendation:

Add narrow southern portion of deeded (4.419 ac) to the "place of use" designation on the map. See circled portion on 2010 map

3. Give a brief explanation as to why you disagree with these portions: When I took title in 2000, my water right claim was for 5 acres. I cleared and opened up the southern section. I have irrigated it for 4 years to maintain the right.

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

DATE: 12-13-06

SIGNATURE:

Fredde Howarth-Nott Separate Property Trust by

Please print your name:

Fredde Howarth-Nott Separate Property Trust by Fredde Howarth-Nott

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

There are 3 sections to irrigate: the lawn around the home and 2 small pastures. The lawn is on an automatic 6 station system which waters max 1 hour per day, per station, 1 section at a time. The pastures are normally watered one at a time max 1-2 hours per day, average 5 days a week in hot months. It is my opinion that I don't use the allowed amount of water daily and adding the south section of land to the right won't use more water than currently allowed.

SCANNED
DEC 15 2006



Idaho Department of Water Resources

SRBA Recommendation:

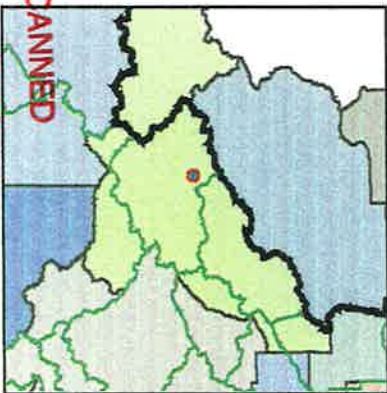
~~75-14383~~

(Irrigation)

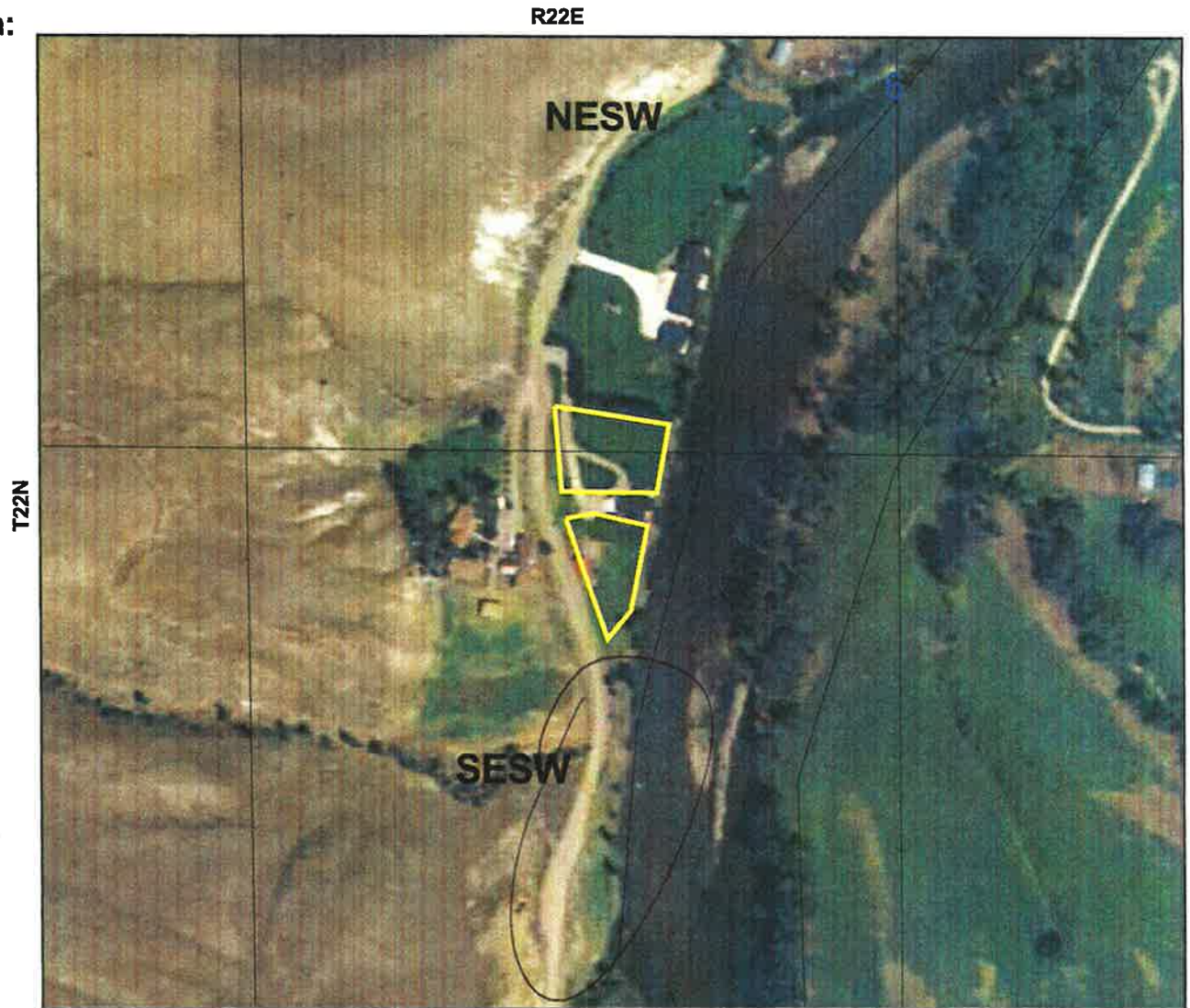
13949

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

11/20/2006

NOTICE OF ERROR

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YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-14381

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST
PO BOX 1166
SALMON ID 83467
Telephone Number: (208) 756-4712 2537

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):

Place of use

2. Describe the changes you wish to make in the proposed recommendation:

Add narrow southern portion of corridor (4.419) acres to the "Place of use" designation on the map. See red on map.

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

When I took title in 2000, my water right claim was for 5 acres. I cleared and opened up the southern section. I have irrigated it for 4 years to maintain the right.

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

DATE: *12-12-06*

SIGNATURE: *Fredde Howarth-Nott Separate Property Trust by Fredde Howarth, Trustee*

Please print your name: *Fredde Howarth-Nott Separate Property Trust*

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

I never irrigate all of my land at once. The main lawn around the home has an underground automatic sprinkler system. Each station waters one hour daily, one at a time.

The pastures are watered 1-2 hours per day in the hottest parts of summer. It is my opinion that I don't come close to using the allowed amount of water and adding the land to the right won't use more water than currently allowed.



Idaho Department of Water Resources

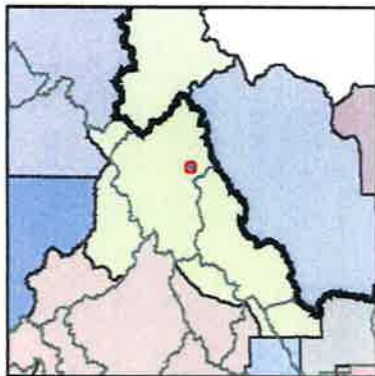
SRBA Recommendation:

75-14381

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

11/20/2006

NOTICE OF ERROR

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Water right number: 75-14381

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PO BOX 1166
SALMON ID 83467
Telephone Number: (208) 756-4712 2537

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):

Place of use

SCANNED

DEC 15 2006

2. Describe the changes you wish to make in the proposed recommendation:

Add narrow southern portion of corridor (4.419 acres) to the "Place of use" designation on the map. See red on map.

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

When I took title in 2000, my water right claim was for 5 acres. I cleared and opened up the southern section. I have irrigated it for 4 years to maintain the right.

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

DATE: *12-12-06*

SIGNATURE:

Fredde Howarth-Nott Separate Property Trust by Fredde Howarth, Trustee

Please print your name:

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087522800

I never irrigate all of my land at once. The main lawn around the home has an underground automatic sprinkler system. Each station waters one hour daily, one at a time.

The pastures are watered 1-2 hours per day in the hottest parts of summer. It is my opinion that I don't come close to using the allowed amount of water and adding the land to the right won't use more water than currently allowed.

11/22/2006

NOTICE OF ERROR
REPLY

DEC 15 2006

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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:

Water right number: 75-13951

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST
PO BOX 1166
SALMON ID 83467

Telephone Number: (208) 756-4742 - 2537

RECEIVED

DEC 15 2006

SCANNED

DEC 15 2006

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

Place of use

2. Describe the changes you wish to make in the proposed recommendation: Add narrow Southern portion of deadend (approx. 4.419 acres) to the "Place of use" designation on the map. See circled portion on color copy.

3. Give a brief explanation as to why you disagree with these portions: When I took Title in July 2000, my water right claim was for 5 acres. I cleared and seeded the Southern section. I have irrigated it for 4 years to

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

DATE: 12-13-06 SIGNATURE: Fredde Howarth-Nott Separate Property Trust by Fredde Howarth-Nott

Please print your name:

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

There are 3 sections to irrigate the lawn around the home and 2 small pastures. The lawn is on an automatic 6 station system which ~~allows~~ ^{waters} max 1 hour per day, per station, one at a time. The pastures are normally watered one at a time max 1-2 hours per day, average 5 days per week in hot months. It is my opinion that I don't use the allowed amount of water daily and adding the south section of land to the right won't use more water than currently allowed.



Idaho Department of Water Resources

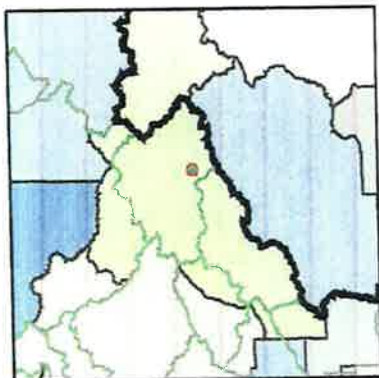
SRBA Recommendation:

~~75-14301~~

(Irrigation) 13951

Legend

- ⊙ Point of Diversion
- Place of Use
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles



Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

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

CLAIM NO(s). 75-13949

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: Wallace Creek

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0015064 file # W62905 P002

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:

headgate in ditch, ditch to pipeline gravity sprinkler system

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: 7-11-05

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature



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

August 22, 2001

FREDDE HOWARTH-NOTT SEPARATE TRUST
PO BOX 1166
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-13949 AND A75-13951

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

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.

OK JC 8/21/01
RECEIVED
JUL 27 2001
 Department of Water Resources
 Eastern Region

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
	~~75-000838~~ -				
	75-13949				
	~~75-000840~~ -				
	75-13951				
	75-10299 - partial decree				

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)

Mike & Joan Barnard

11696 Santa Ana Rd. Ventura CA 93001

4. New Owner/Claimant(s)

Fredrick Howard Nott Trustee Fredrick Howard Nott Separate property

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

PO Box 1166

City, State and ZIP Code

Salmon ID 83467

New Telephone Number

(208) 786-4712

5. Date you acquired the property

6-25-01

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)

L. Allen Haworth - Trust

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

WARRANTY DEED

For Value Received MICHAEL P. BARNARD AND JOAN L. BARNARD,
HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto "FREDDE HOWARTH-NOTT, TRUSTEE, U/D/T DATED JULY 27, 2000, F/B/O FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST."

BOX 1166, SALMON, IDAHO 83467

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

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, HER heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are 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: JUNE 21, 2001

Michael P. Barnard

MICHAEL P. BARNARD

Joan L. Barnard

JOAN L. BARNARD

STATE OF IDAHO, COUNTY OF Ventura
On this 21st day of June, 2001,
before me, a notary public in and for said State, personally appeared

Michael P. & Joan L. Barnard

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Mary L. Galloway

Residing at
Comm. Expires



MARY L. GALLOWAY
Commission # 1173236
Notary Public - California
Ventura County
My Comm. Expires Feb 9, 2002

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of *Henry Velle*

at 29 minutes past 4 o'clock p.m.
this 25 day of June 2001
in my office, and duly recorded in Book
of Deeds at page

Jim J. Morton
Deputy

By *Shirley Anderson*
Fees \$ 6.00
Mail to:

INSTRUMENT NO.

227440

LEMHI TITLE & ABSTRACT - SALMON, IDAHO

EXHIBIT A

A parcel of land located in Government Lots 11 and 13, Section 6, T. 22 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at Corner No. 2, Tract 37, run thence S. 75° 23' 19" E. along Line 2-1, Tract 37, a distance of 49.18 feet to a point in the center of existing road and the POINT OF BEGINNING;

Thence the following courses and distances along said centerline;

N. 13° 53' 33" E., 113.12 feet; Thence 230.78 feet along a curve to the left having a delta of 18° 07' 44", a radius of 729.36 feet, a tangent of 116.36 feet; Thence 168.98 feet along a curve to the right having a delta of 23° 09' 47", a radius of 417.99 feet; a tangent of 85.66 feet; ; N. 18° 55' 36" E. 155.34 feet; thence 236.37 feet along a curve to the left having a delta of 36° 39' 58", a radius of 369.37 feet; a tangent of 122.39 feet; N. 17° 44' 22" W. 268.72 feet; thence 185.31 feet along a curve to the right having a delta of 17° 40' 53", a radius of 600.50 feet, a tangent of 93.40 feet; N. 00° 03' 28" W. 88.68 feet;

Thence S. 81° 15' 12" E. a distance of 280.18 feet to a point on the westerly bank of the Salmon River;

Thence the following courses and distances along said bank;

S. 16° 49' 09" W. 8.03 feet; S. 08° 43' 51" W. 596.44 feet;

S. 05° 01' 09" W. 456.10 feet; S. 30° 41' 16" E. 89.93 feet

to the northerly point of Government Lot 15;

Thence S. 19° 37' W. along the westerly boundary of said lot a distance of 242.22 feet;

Thence S. 37° 04' 38" W. a distance of 43.09 feet to Corner No. 1, Tract 37;

Thence N. 76° 23' 19" W. along Line 1-2, Tract 37, a distance of 95.68 feet to the POINT OF BEGINNING.



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

July 27, 2001

FREDDE HOWARTH-NOTT
PO BOX 1166
SALMON ID 83467

RE: OWNERSHIP CHANGE FOR WATER RIGHTS 75-83F, 75-84D, & 75-10299

Dear Mr. Howarth-Nott:

On July 27, 2001, our office received the above referenced request. I will process 75-83F and 75-84D as soon as possible and send you copies for your files. However, 75-10299 requires a \$25.00 fee and must be processed at our state headquarters in Boise.

Please send the enclosed copy of your ownership change request and \$25.00 to: Allocations Bureau, Idaho Department of Water Resources, 1301 N. Orchard, Boise, ID 83706.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree
Technical Records Specialist

Enclosure



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

August 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MIKE & JOAN BARNARD
11696 SANTA ANA RD
VENTURA CA 93001

RE: CHANGE IN OWNERSHIP FOR A75-00083F, A75-00084D

Dear Mr. & Mrs. Barnard:

The above referenced claims reflect water for 8 acres of property. When a portion of this property was sold to Dwight Harvey in 1996 our office failed to split the claims to reflect that sale. Then, when Mr. Harvey sold to you, we conveyed the entire right to you. This mailing corrects our error.

The following explains how these rights have been split:

A75-00083F SPLIT INTO:
A75-13948, 0.04 CFS ON 4 ACRES, HATHHORN
A75-13949, 0.04 CFS ON 4 ACRES, BARNARD

A75-00084D SPLIT INTO:
A75-13950, 0.06 CFS ON 4 ACRES, HATHHORN
A75-13951, 0.06 CFS ON 4 ACRES, BARNARD

Enclosed are typed Notices reflecting your portion of the right. Please sign these Notices in the presence of a notary public and return to our office. We will mail back a copy for your files.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

MEMORANDUM

Date: 8/16/00

From: Craig L. Saxton

Subject: Splitting A75-00083F and A75-00084D

Met with Linda Heffner 8/14/00. She was concerned that when she sold a portion of her property all of the water rights were changed into the buyer's name. Below is the history of what happened with the right.

1994: Heffner bought 8.61 acres from Maxwell. Maxwell's water rights were split giving Heffner her proportionate share in water rights A75-00083F and A75-00084D. The two rights together summed to 8 acres and 0.20 cfs.

1996: Heffner sold approximately 4 acres of her 8 acres to Harvey. In 1997 A75-00083F and A75-00084D changed into Harvey's name. Leaving Heffner with 4 acres and no water rights.

1997: Harvey sells his 4 acres to Barnard. In 1998 A75-00083F and A75-00084D changed to Barnard's name.

8/14/00: In order to correct the error of not splitting the rights. A75-00083F and A75-00084D are split as follows:

A75-00083F: 0.08 cfs, 8 ac, Barnard

A75-13948 : 0.04 cfs, 4 ac, Heffner/Hathhorn

A75-13949 : 0.04 cfs, 4 ac, Barnard

A75-00084D: 0.12 cfs, 8 ac, Barnard

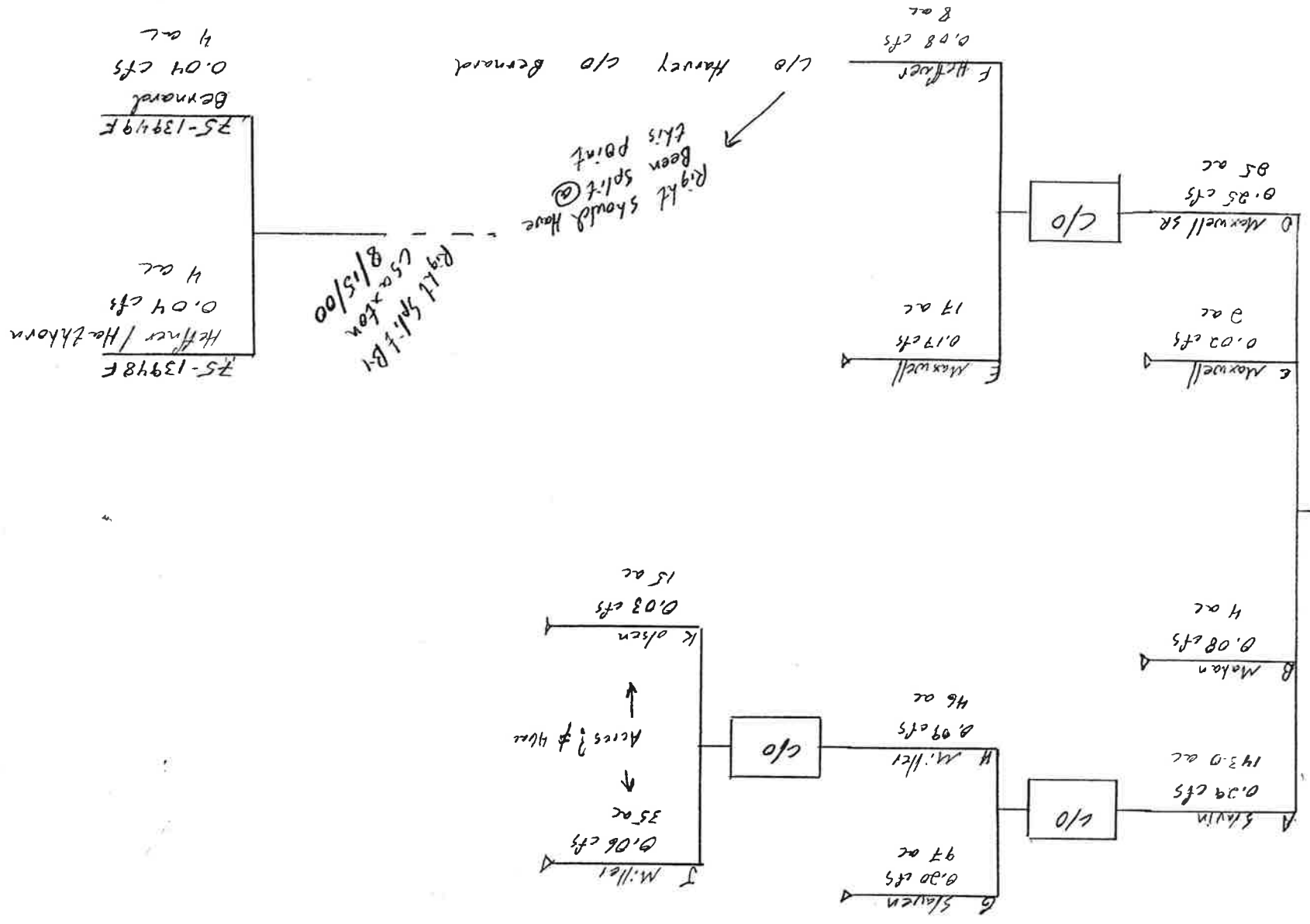
A75-13950 : 0.06 cfs, 4 ac, Heffner/Hathhorn

A75-13951 : 0.06 cfs, 4 ac, Barnard

Note: Linda Heffner has recently married, and her name is now Linda Hathhorn.

Chain of title History in File A75-00083F

Split History For 75-00083



Prepared 8-14-00
Craig Saxton



13-782 500 SHEETS, FILLER 5 SQUARE
42-381 50 SHEETS EYE EASE 5 SQUARE
42-382 100 SHEETS EYE EASE 5 SQUARE
42-389 200 SHEETS EYE EASE 5 SQUARE
42-392 100 RECYCLED WHITE 5 SQUARE
42-399 200 RECYCLED WHITE 5 SQUARE
Made in U.S.A.

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 75-13949
Date Received: 8/18/2000
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FREDDE HOWARTH-NOTT SEPARATE PROPERTY TRUST Phone: (208) 756-4712
PO BOX 1166
SALMON ID USA 83467

2. Date of Priority: 05/13/1898

3. Source: Unknown

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	22E	6	NE NW SW	LEMHI	

5. Description of diverting works:

Source is Wallace Creek tributary to the Salmon River. Software would not allow Data Entry.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.04	14

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 14 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
22N	22E	6	NE SW 11	IRRIGATION	1
			SE SW 13	IRRIGATION	3

Section Acres 4

Total Acres 4

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:

THIS RIGHT IS THE RESULT OF SPLITTING A75-00083F. CHANGE OF OWNERSHIP DONE IN 1997 SHOULD HAVE SPLIT THE RIGHT. THIS SPLIT IS TO CORRECT THAT ERROR (CSAXTON 8/18/00)

15. Basis of Claim: Decreed

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.

RECEIVED

SEP 21 2000

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

Department of Water Resources
Eastern Region

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 75-13949
Date Received: 8/18/00
Receipt No:
Received By:

Amended

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

1. Name of Claimant(s)

Name: MIKE BARNARD Phone: (805) 649-1201

Address: 11696 SANTA ANA RD
VENTURA CA USA 93001

Name: JOAN BARNARD Phone: (805) 649-1201

Address: 11696 SANTA ANA RD
VENTURA CA USA 93001

2. Date of Priority: 05/13/1898

3. Source: Unknown

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
22N	22E	6	NE NW SW	LEMHI

5. Description of diverting works:

Source is Wallace Creek tributary to the Salmon River. Software would not allow Data Entry.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.04	14

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 14 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
22N	22E	6	NE	SW	11	IRRIGATION	1
			SE	SW	13	IRRIGATION	3
Section Acres							4
Total Acres							4

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: 75-13951

14. Remarks:

THIS RIGHT IS THE RESULT OF SPLITTING A75-00083F. CHANGE OF OWNERSHIP DONE IN 1997 SHOULD HAVE SPLIT THE RIGHT. THIS SPLIT IS TO CORRECT THAT ERROR (CSAXTON 8/18/00)

15. Basis of Claim: Decreed

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):

Miriel P. Bauman
Jan L. Bauman

Date: 9-19-00

9-19-00

Date:

State of Idaho)

County of

Lemhi

) SS.

Subscribed and sworn (or affirmed) before me this

of 9-19 2000

Diana Du McClain

Notary Public

Residing at

SALMON, IDAHO

My commission Expires

May 22, 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 75-13949
Date Received: 8/18/00
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

Name: MIKE BARNARD Phone: (805)649-1201

Address: 11696 SANTA ANA RD
VENTURA CA USA 93001

Name: JOAN BARNARD Phone: (805)649-1201

Address: 11696 SANTA ANA RD
VENTURA CA USA 93001

2. Date of Priority: 05/13/1898

3. Source: Unknown

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
22N	22E	6	NE NW SW	LEMHI

5. Description of diverting works:

Source is Wallace Creek tributary to the Salmon River. Software would not allow Data Entry.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.04	14

7. Total Quantity Appropriated is:
0.04 C.F.S. and/or 14 A.F.A.

A7513949



8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
22N	22E	6	NE	SW	11	IRRIGATION	1
			SE	SW	13	IRRIGATION	3
Section Acres							4
Total Acres							4

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: 75-13951

14. Remarks:

THIS RIGHT IS THE RESULT OF SPLITTING A75-00083F. CHANGE OF OWNERSHIP DONE IN 1997 SHOULD HAVE SPLIT THE RIGHT. THIS SPLIT IS TO CORRECT THAT ERROR (CSAXTON 8/18/00)

15. Basis of Claim: Decreed

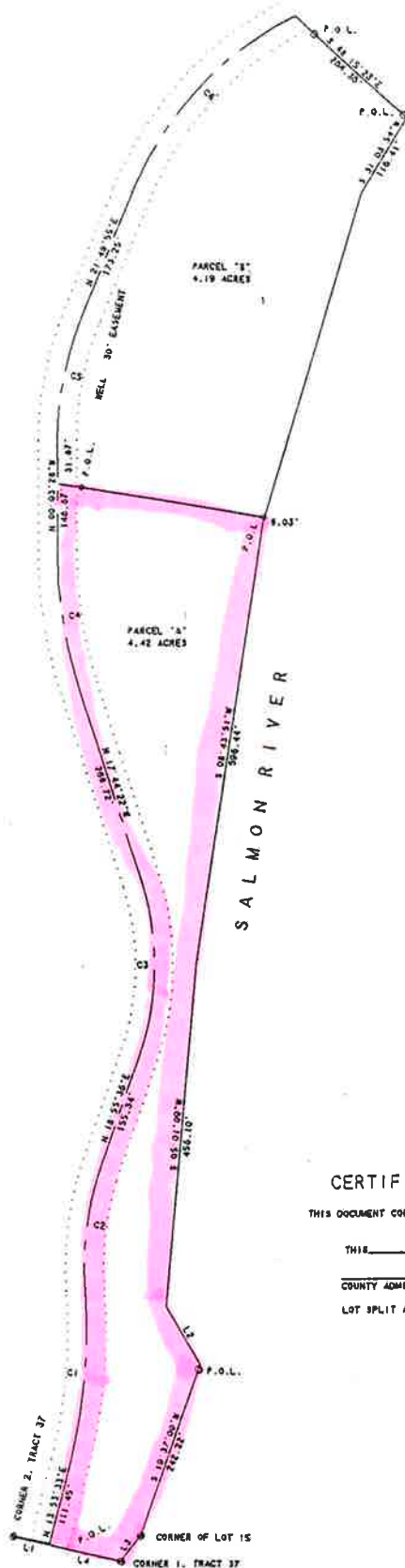
16. Signature(s)

(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.

RECORD OF SURVEY

LOCATED IN GOVERNMENT LOTS 11 AND 13 OF SECTION 8,
T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI CO., IDAHO

NOTE: SEE R.O.S. INST NO. 224862



SCALE 1" = 100.00'

LEGEND

- ⊙ FOUND GOVERNMENT BRASS CAP
- SET 5/8" X 24" REBAR WITH A 1 1/2" PLASTIC CAP
MARKED WADE PL3 5080
- P.O.L. POINT ON LINE

LINE	BEARING	DISTANCE
L 1	N 76°23'10" W	49.18'
L 2	S 30°41'18" E	80.03'
L 3	S 37°04'28" W	43.09'
L 4	N 76°23'10" W	95.68'

CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	18°07'44"	729.36'	230.78'	116.36'	229.61'	N 04°49'41"E
C 2	23°09'48"	417.99'	156.98'	85.90'	167.64'	N 07°20'41"E
C 3	36°39'54"	369.37'	236.37'	122.30'	232.30'	N 00°15'37"E
C 4	17°40'54"	800.90'	165.32'	93.40'	184.56'	N 08°53'56"W
C 5	21°52'27"	495.18'	173.78'	87.90'	172.72'	N 10°52'42"E
C 6	41°21'49"	438.74'	331.18'	173.18'	324.93'	N 42°29'48"E

SURVEYOR'S CERTIFICATE

THIS MAP REPRESENTS A SURVEY MADE FROM EXISTING
FIELD EVIDENCE IN CONFORMANCE WITH THE REQUIREMENTS
OF CHAPTERS 16 AND 19, TITLE 55, IDAHO CODE.
SURVEYED ON 9-19-1999 FOR LINDA HEFFNER

LAURENCE J. WADE P.L.S. 5080

CERTIFICATE OF APPROVAL

THIS DOCUMENT CONFORMS TO THE CURRENT LAND USE ORDINANCE

THIS _____ DAY OF _____ 199__

COUNTY ADMINISTRATOR

LOT SPLIT APPLICATION NO. _____

COUNTY RECORDER'S CERTIFICATE

RECORDER OF LEMHI COUNTY

TIME: _____ AM, DAY: _____ MONTH: _____ 199__

BOOK: _____ PAGE: _____ INST. NO. _____

RECORDER: _____

BY: _____

WADE SURVEYING
505 GRANITE SALMON, IDAHO
206-750-1070 83467