

12/17/2006

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

RIGHT NUMBER: 75-14433

NAME AND ADDRESS: LINDA K HEFFNER
BOX 134
SALMON ID 83467

SOURCE: WALLACE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.045 CFS

PRIORITY DATE: 05/13/1898

POINT OF DIVERSION:

T22N R22E S6 NWSW Lot 7 Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.045 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06 Lot 9 SWNE 4.80 T22N R22E S06 Lot 11 NWSE 0.20

5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 5 acres in a single irrigation season. Combined Right Nos.: 75-14433 & 75-14434.

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.

SPLIT FROM FORMER RIGHT 75-13954

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 75-13985 .

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.

RECEIVED
JUL 26 2005
DEPARTMENT OF
WATER RESOURCES

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
	75-13987	☒			
	75-13985	☒			

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) Gertrude Maxwell
PO Box 1016 Salmon ID 83467
4. New Owner/Claimant(s) Linda Heffner
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 134
- City, State and ZIP Code Salmon ID 83467
- New Telephone Number (208) 756-4026 8350
5. Date you acquired the property 4-28-05

SCANNED

JUL 26 2005

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 <u>75-13985</u>		
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	<u>.045</u>	<u>500</u>
Stock		
Domestic		
Other		
Total	<u>.045</u>	

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 <u>75-13987</u>		
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	<u>.08 cfs</u>	<u>500</u>
Stock		
Domestic		
Other		
Total	<u>.08 cfs</u>	

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Rinda K. Hefner

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 _____

SCANNED

JUL 26 2005

WARRANTY DEED

For Value Received GERTRUDE MAXWELL, a single person,

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

LINDA HEFFNER, a single person,
Box 134, Salmon, ID 83467

the grantee , the following described premises, in Lemhi County Idaho, towit:

SEE EXHIBIT "A" ATTACHED HERETO:

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

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

Dated: April 27 2005

Gertrude Maxwell
GERTRUDE MAXWELL

STATE OF IDAHO, COUNTY OF Lemhi--ss
On this 28th day of April , 2005
before me, a notary public in and for said State, personal-
ly appeared

GERTRUDE MAXWELL

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

Terrell
Notary Public
Residing at Salmon, Idaho
Comm. Expires 2/19/2009

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this instrument was filed for re-
cord at the request of Bill Allen Esq.

at 41 minutes past 3 o'clock p.m.
this 5 day of May
2005 in my office, and duly recorded in Book
of Deeds at page

Terrell
Ex-Officio Recorder

By Brenda Armstrong
Deputy.

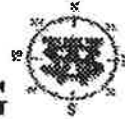
Fees \$100
Mail to: BHE

INSTRUMENT NO. 262813

LEMHI TITLE & ABSTRACT — SALMON, IDAHO

SCANNED

JUL 26 2005



WADE SURVEYING

Global Positioning Service

Land Surveying and Planning

104 S. Warpath St.
Salmon, Idaho 83467

Phone: (208)-756-3070

April 12, 2005

PARCEL "A"

A parcel of land located in the SE1/4NW1/4, Lot 9 and Lot 11, Section 6,
T. 22 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly
described as follows:

Commencing at the W1/4 Corner of said Section 6, from which the SW Corner of
said section bears S 00°20'37"W a distance of 2642.81 ft., the Basis Of Bearing of this
description, run thence N 87°27'35"E a distance of 2587.87 ft. to a point on the easterly
right-of-way of Diamond Creek Road and the POINT OF BEGINNING;

Thence the following courses and distances along said right-of-way;
N 13°26'50"E 262.42 ft.; 97.04 ft. along a curve to the right having a
central angle of 102°14'39", a radius of 54.38 ft. and a chord bearing of
N 64°34'10"E for a distance of 84.67 ft.; S 64°18'31"E 181.87 ft.;
208.00 ft. along a curve to the left having a central angle of 116°50'24", a radius
of 102.00 ft. and a chord bearing of N 57°16'18"E for a distance of 173.79 ft.;

N 01°08'54"W 201.54 ft.;

Thence N 88°09'33"E a distance of 206.30 ft. to a point on the westerly bank of
the Salmon River;

Thence the following courses and distances along said bank;

S 30°41'43"W	10.48 ft.;	S 38°16'55"W	88.61 ft.;
S 17°24'09"W	53.69 ft.;	S 11°28'59"W	108.44 ft.;
S 02°02'09"E	74.64 ft.;	S 10°47'09"W	61.74 ft.;
S 14°03'13"W	313.56 ft.;	S 27°42'44"W	58.99 ft.;
S 16°55'28"W	9.71 ft.;		

Thence N 63°01'30"W a distance of 489.83 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 5.01 ACRES (+/-)

EXHIBIT A

SCANNED

JUL 26 2005

DIAMOND CREEK SUBDIVISION
LOT 1

THIS CALCULATED POINT WAS
ESTABLISHED BY HOLDING THE
TWO 1/2" REBARS SET BY LS 970
FOR THE DIAMOND CREEK
SUBDIVISION LOT 1. THE RECORD
BEARING AND DISTANCES WERE USED.

SEE R.O.S. INST. NO. 216711

PARCEL "A"
CONTAINS 5.01 ACRES +/-

P.O.B. "A" & "B"

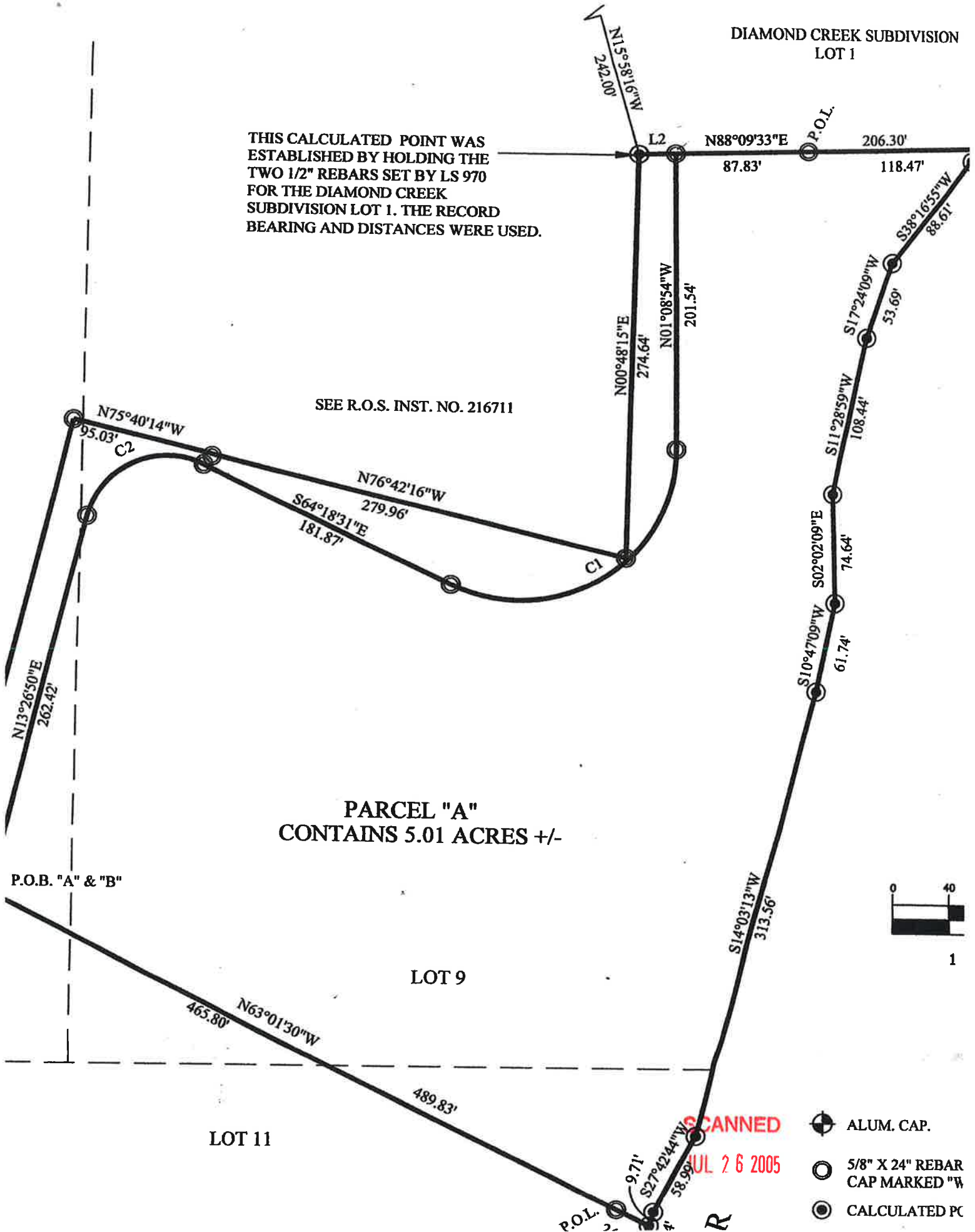
LOT 9

LOT 11



1

- ALUM. CAP.
- 5/8" X 24" REBAR
CAP MARKED "W"
- CALCULATED PC



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

CLAIM NO(s). 75-13985

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.: A0015064 P. 6 W 62905 P0 D2

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 pipeline + gravity sprinkler
system

SCANNED
FEB 28 2003

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: <u>irr</u>	Township <u>22N</u>	Range <u>22E</u>	Section <u>6</u>	<u>1/4 NW</u>	<u>1/4 SE</u>
Use: <u>irr</u>	Township <u>22N</u>	Range <u>22E</u>	Section <u>6</u>	<u>1/4 NE</u>	<u>1/4 SW</u>
Use: <u>irr</u>	Township <u>22N</u>	Range <u>22E</u>	Section <u>6</u>	<u>1/4 SW</u>	<u>1/4 NE</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>

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

land 1-st on claim is incorrect

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-29-05

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 18, 2005

GETRUDE IDA MAXWELL
PO BOX 1016
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Change of Water Right Ownership
Notices of Claim #75-13985 and 75-13987

Dear Mrs. Maxwell:

We have received your Notice of Change of Water Right Ownership form. Before we can proceed, we need a copy of the Personal Representatives Deed or other legal document indicating your ownership of the property and water rights.

Please return the completed form to the attention of **Roxanne Brown** at this office. Please call me toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

SCANNED

MAY 18 2005

3:07 PM5/17/2005

Sherman, Sally

From: Brown, Roxanne
Sent: Tuesday, May 17, 2005 2:49 PM
To: Sherman, Sally
Subject: RE: 75-83, 75-84, 75-13985 and 75-13987 - Gertrude Maxwell

Please ask for the deed. I'm returning 75-13985 and 75-13987 to your in-basket.

-----Original Message-----

From: Sherman, Sally
Sent: May 17, 2005 12:52 PM
To: Brown, Roxanne
Subject: 75-83, 75-84, 75-13985 and 75-13987 - Gertrude Maxwell

You asked me to research this some time ago. The files are in your in-basket and barcoded to you.

The players: William R. Maxwell, Sr. (William Roosevelt)--Gertrude's spouse, and her son William R. Maxwell, Jr. (William Robert).

75-83C is in the name of their son, William ROBERT Maxwell. Gertrude's not a co-claimant.

75-83D, an ownership change causing another split from Gertrude (75-13987) to son William Robert Maxwell and Judy Maxwell (75-13988).

Craig Saxton did a Split History of 75-84. See it in 75-84C.

75-13985 and 75-13987 do not have Gertrude as a co-claimant of William R. Maxwell.

So. On the ones where she's not a co-claimant, we need a Personal Representative's Deed proving she owns the property and water rights.

Would you like me to draft a letter to her requesting the P.R. Deeds?

SCANNED
MAY 18 2005

RECEIVED

NOV - 8 2004

RECEIVED

OCT 25 2004

WATER RESOURCES
WESTERN 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
75-83 RB					
75-84 RB					
75-13985					
75-13987					

RECEIVED

OCT 28 2004

Department of Water Resources
Eastern Region

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)

William R. Maxwell (Deceased)

4. New Owner/Claimant(s)

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

☒ New Mailing Address

Box 1016

City, State and ZIP Code

Salmon, Idaho 83467

New Telephone Number

(208) 756-3429

5. Date you acquired the property

April 19, 2000

SCANNED
NOV 8 2004

* This is only a name change due to my husband's death.

245794

LEMHI COUNTY DISTRICT COURT
FILED - 6-2000
TIME 9:00am
LEMHI COUNTY CLERK
BY BMG DEPUTY

FRED SNOOK, ESQ. ISB # 1357
SNOOK LAW OFFICE
44 Cemetery Lane
Salmon, Idaho 83467
Telephone: 208-756-2125
Fax : 208-756-6809
Attorney for Petitioner

****THIS IS BEING RE-RECORDED TO CORRECT PARAGRAPH
6 ON PAGE 2 AND TO CORRECT THE LEGAL DESCRIPTION.**

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

In the Matter of the Estate of:) Case No. 00 - 93
)
)
) **DECREE DETERMINING**
WILLIAM ROOSEVELT MAXWELL,) **SURVIVING SPOUSE**
) **IS THE SOLE BENEFICIARY**
)
aka Bill Maxwell Sr.)
)
Deceased.)

The verified Petition of **Gertrude Maxwell** came on regularly to be heard by the
Court, and after review the Court makes the following findings:

1. Notice of the time and place of hearing has been given as required by law.
2. No objections to the Petition have been filed and no persons appeared in opposition to the Petition.
3. The Petitioner is Gertrude Maxwell, the surviving spouse of William Roosevelt Maxwell.

Decree to Surviving Spouse - page one

State of Idaho) SS No. 245718
County of Lemhi)
This instrument was filed for record at the request
of Fred Snook
at 11:25 clock A m. 11-6-2000
and duly filed and indexed in the records of Lemhi
County Terri J. Norton
Ex-Officio Recorder
Brenda Anthony Deputy
Fee 1.800
Return to _____

RECORDED
FEB 28 2003

4. William Roosevelt Maxwell died on the 19th day of April, 2000 while domiciled in Lemhi County, Idaho, and left a surviving spouse, Gertrude Maxwell of PO Box 1016, Salmon, Idaho.

5. William Roosevelt Maxwell and Gertrude Maxwell were married on July 3, 1943 and were husband and wife on the date of the decedent's death.

6. That the Decedent died intestate survived by his wife.

7. The Decedent owned or had an interest in the following community property at the date of his death.

REAL PROPERTY:

Home and acreage consisting of about 96 acres located near Carmen, Lemhi County, Idaho the exact legal description of which is set forth in Exhibit A attached hereto and incorporated herein as though set forth at large; Said land and home having a combined value of \$195,000.

PERSONAL PROPERTY:

All personal property including, but not limited to, furniture, clothes, personal effects, miscellaneous equipment, vehicles, any and all cash, US savings bonds, certificates of deposits and bank accounts.

Decree to Surviving Spouse - page two

8. The Petitioner, **Gertrude Maxwell**, is the surviving spouse and as the sole heir is entitled to receive the Decedent's interest in all of said property, subject to any valid claim or indebtedness that might be a lawful claim the estate.

IT IS THEREFORE DECREED:

1. William Roosevelt Maxwell and Gertrude Maxwell were married on July 3, 1943 and were husband and wife on April 19, 2000, the date of the Decedent's death.

2. **Gertrude Maxwell** is the sole heir of the Decedent and is entitled to the distribution of the Real Estate and Personal Property heretofore described on page two of this Decree.

3. Gertrude Maxwell shall assume and be liable for any indebtedness that might be a valid claim against the estate of the Decedent, William Roosevelt Maxwell.

Dated this 6th day of November, 2000.

and
Lemhi) SS No. **245794**
Document was filed for record at the request
William J. Little
clock Am 11-16 2000
filed and indexed in the records of Lemhi
Terri J. Morton
Ex-Officio Recorder
inda Antongio Deputy
800
191

Jerry R. Meyers
JERRY R. MEYERS, MAGISTRATE JUDGE

Decree to Surviving Spouse - page three

SCANNED
FEB 21 2001

245794

**LEGAL DESCRIPTION
EXHIBIT 'A'**

THE SE1/4NW1/4, LOTS 3, 4, 5, 6, 7, 8, 9, 11 AND 13 IN SECTION 6, TOWNSHIP 22 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO. EXCEPTING THEREFROM THE FOLLOWING VII TRACTS OF LAND TO-WIT:

TRACT I: TAX NO. 1564

A FRACTION OF LOT 13, SECTION 6, TOWNSHIP 22 NORTH, RANGE 22 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE MEANDER CORNER ON THE LINE BETWEEN SECTIONS 6 AND 7, RUN THENCE NORTH 22° 09' WEST 716.92 FEET TO THE POINT OF BEGINNING, AND THE SOUTHWESTERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE NORTH 11° 09' EAST 358.28 FEET; THENCE NORTH 6° 10' WEST 304.58 FEET; THENCE NORTH 67° 35' EAST, 293.72 FEET; THENCE SOUTH 1° 10' EAST 261.8 FEET; THENCE SOUTH 13° 54' EAST 509.95 FEET; THENCE SOUTH 88° 45' WEST 436.0 FEET TO THE POINT OF BEGINNING.

TRACT II: TAX NO. 1788

A TRACT OF LAND LYING AND BEING IN LOTS 6 AND 7, AND IN THE SE1/4NE1/4 AND THE NE1/4SW1/4 OF SECTION 6, TOWNSHIP 22 NORTH, RANGE 22 EAST, BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID SECTION 6, THENCE NORTH ALONG THE WESTERLY BOUNDARY OF SECTION 6 A DISTANCE OF 1672.8 FEET TO THE POINT OF BEGINNING AND THE SOUTHWESTERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED; CONTINUING THENCE NORTH 1637.0 FEET; THENCE SOUTH 76° 13' EAST 1348.3 FEET; THENCE SOUTH 1135.8 FEET; THENCE SOUTH 82° 10' WEST 1321.9 FEET TO THE POINT OF BEGINNING.

ALSO:

AN EASEMENT FOR A ROAD FOR PURPOSES OF INGRESS AND EGRESS, ALONG AN EXISTING ROAD ACROSS A PORTION OF THE NE1/4SW1/4 OF SAID SECTION 6, BEGINNING AT A POINT WHICH LIES NORTH 27° 13' EAST 2869.5 FEET FROM THE SOUTHWESTERLY CORNER OF SECTION 6, AND ENDING AT A POINT IN THE COUNTY ROAD, WHICH POINT LIES

SCANNED
FEB 20 2003

NORTH 44° 40' EAST 3589.4 FEET FROM THE SOUTHWESTERLY CORNER OF SECTION 6.

TRACT III: TAX NO. 2109

A PARCEL OF LAND LOCATED IN LOT 3 AND LOT 9, SECTION 6, T. 22 NORTH, R. 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 6, FROM WHICH THE NORTHWEST CORNER BEARS S. 89° 34' 21" W., A DISTANCE OF 277.20 FEET ON A BEARING OF S. 24° 15' E., THENCE S. 28° 45' E., 204.60 FEET; THENCE S. 50° 30' EAST 410.59 FEET TO THE REAL POINT OF BEGINNING.

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE EXISTING WEST BANK OF THE SALMON RIVER:

S. 12° 42' 00" E., 278.14 FEET;

S. 7° 04' 05" E., 312.34 FEET;

S. 6° 40' 25" E., 498.16 FEET;

S. 4° 26' 32" W., 105.84 FEET;

S. 31° 15' 08" W., 74.35 FEET;

S. 21° 24' 13" W., 84.58 FEET;

THENCE N. 88° 05' 34" E., 105.94 FEET TO A POINT ON THE ORIGINAL GOVERNMENT MEANDER LINE;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG THE SAID MEANDER LINE:

N. 17° 15' E., 234.33 FEET;

N. 7° 30' 00" E., 277.20 FEET;

N. 7° 45' E., 125.40 FEET;

N. 13° 00' W., 257.40 FEET;

N. 28° 30' W., 495.00 FEET;

N. 50° 30' W., 18.41 FEET TO THE REAL POINT OF BEGINNING.

TRACT IV: TAX NO. 3315

A PARCEL OF LAND LOCATED IN THE SE1/4NW1/4 AND LOT 9, SECTION 6, T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SE CORNER OF LOT 15, DIAMOND CREEK SUBDIVISION, RUN THENCE ALONG THE SOUTHERLY BOUNDARY OF SAID SUBDIVISION THE FOLLOWING COURSES AND DISTANCES:

N. 09° 22' 56" W. A DISTANCE OF 92.71 FEET;

N. 52° 16' 15" E. A DISTANCE OF 351.87 FEET;

N. 84° 45' 05" E. A DISTANCE OF 232.42 FEET;

S. 86° 38' 57" E. A DISTANCE OF 217.26 FEET;

S. 15° 56' 16" E. A DISTANCE OF 242.00 FEET TO THE SW CORNER OF LOT 1;

THENCE S. 00° 33' 38" W. A DISTANCE OF 274.20 FEET;

THENCE N. 76° 47' 10" W. A DISTANCE OF 279.96 FEET;

THENCE N. 75° 46' 24" W. A DISTANCE OF 518.79 FEET TO THE POINT OF BEGINNING.

TRACT V: TAX NO. 3559

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:

SCANNED

FEB 11 2011

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 FT. 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 FT.; THENCE 230.78 FT. ALONG A CURVE TO THE LEFT HAVING A DELTA OF 18° 07' 44", A RADIUS OF 729.36 FT., A TANGENT OF 116.36 FT.; THENCE 168.98 FT. ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 23° 09' 47", A RADIUS OF 417.99 FT., A TANGENT OF 85.66 FT.; N. 18° 55' 36" E., 155.34 FT.; THENCE 236.37 FT. ALONG A CURVE TO THE LEFT HAVING A DELTA OF 36° 39' 58", A RADIUS OF 369.37 FT., A TANGENT OF 122.39 FT.; N. 17° 44' 22" W., 268.72 FT.; THENCE 185.31 FT. ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 17° 40' 53", A RADIUS OF 600.50 FT., A TANGENT OF 93.40 FT.; N. 00° 03' 29" W., 146.67 FT.; THENCE 173.77 FT. ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 21° 52' 23", A RADIUS OF 455.18 FT.; A TANGENT OF 87.96 FT.; N. 21° 48' 54" E., 173.25 FT.; THENCE 331.18 FT. ALONG A CURVE TO THE RIGHT HAVING A DELTA OF 41° 21' 51", A RADIUS OF 458.74 FT., A TANGENT OF 173.18 FT.; THENCE S. 48° 15' 23" E. A DISTANCE OF 204.30 FT. TO A POINT ON THE WESTERLY BANK OF THE SALMON RIVER;
 THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID BANK;
 S. 31° 03' 54" W., 116.41 FT.; S. 16° 49' 09" W., 461.68 FT.; S. 08° 43' 51" W., 596.44 FT.; S. 05° 01' 09" W., 456.10 FT.; S. 30° 41' 16" E., 89.93 FT. 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 FT.; THENCE S. 37° 04' 38" W. A DISTANCE OF 43.09 FT. TO CORNER NO. 1, TRACT 37;
 THENCE N. 76° 23' 19" W. ALONG LINE 1-2, TRACT 37, A DISTANCE OF 95.68 FT. TO THE POINT OF BEGINNING.

TRACT VI: TAX NO. 4004

A PARCEL OF LAND LOCATED IN GOVERNMENT LOT 11, SE1/4NW1/4, SECTION 6, T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SAID SECTION 6 FROM WHICH THE W1/4 CORNER OF SAID SECTION BEARS N. 00° 20' 37" E., 2642.81 FEET, THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N. 27° 21' 21" EAST A DISTANCE OF 2853.79 FEET TO THE POINT OF BEGINNING; THENCE N. 00° 02' 22" EAST A DISTANCE OF 453.00 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF DIAMOND CREEK SUBDIVISION; THENCE N. 78° 08' 46" EAST ALONG SAID BOUNDARY A DISTANCE OF 950.06 FEET TO THE SOUTHEASTERLY CORNER OF LOT 15 OF THE DIAMOND CREEK SUBDIVISION; THENCE SOUTH 75° 42' 12" EAST ALONG THE SOUTHERLY BOUNDARY OF R.O.S. INSTRUMENT NUMBER 216711 AS RECORDED IN THE LEMHI COUNTY COURTHOUSE A DISTANCE OF 423.81 FEET TO A POINT ON THE CENTERLINE OF DIAMOND CREEK ROAD EXTENDED; THENCE S. 13° 26' 50" WEST ALONG SAID CENTERLINE 562.51 FEET; THENCE N. 78° 46' 55" WEST A DISTANCE OF 332.20 FEET; THENCE S. 81° 22' 38" WEST A DISTANCE OF 260.17 FEET; THENCE S. 85° 06' 38" WEST A DISTANCE OF 283.81 FEET; THENCE N. 89° 38' 25" WEST A DISTANCE OF 344.13 FEET TO THE POINT OF BEGINNING.

TRACT VII:

LOTS 1 THRU 21 INCLUSIVE OF DIAMOND CREEK SUBDIVISION ACCORDING TO THE OFFICIAL PLAT RECORDED IN BOOK 5 OF PLATS AT PAGE 45, RECORDS OF LEMHI COUNTY, IDAHO.

0043534

FORM C.C. 11 (1997 revision)

275-2000
Local File NumberMONTANA
CERTIFICATE OF DEATH

State File Number

DECEDENT'S NAME (First)		(Middle)	(Last)	SEX	DATE OF DEATH (Month, Day, Year)
1. William		Roosevelt	Maxwell	2. Male	3. Apr 19, 2000
RACE - American Indian, Black, White, etc. (Specify)		AGE - Last Birthday (Years)	UNDER 1 YEAR Months Days	UNDER 1 DAY Hours Minutes	DATE OF BIRTH (Month, Day, Year)
4. White		5a. 81	5b.	5c.	6. August 29, 1918
7b. PLACE OF DEATH (Check only one)					7a. Missoula
HOSPITAL: ☒ Inpatient ☐ ER/Outpatient ☐ DOA			OTHER: ☐ Nursing Home ☐ Residence ☐ Other (Specify)		
FACILITY NAME (If not institution, give street and number)			CITY, TOWN, OR LOCATION OF DEATH		
7c. St. Patrick Hospital			7d. Missoula		
BIRTHPLACE (City and State or Foreign Country)			MARITAL STATUS		
8. Freonia, Texas			9. ☐ Never Married ☐ Widowed ☒ Married ☐ Divorced		
SOCIAL SECURITY NUMBER			10. Gertrude Thompson		
DECEDENT'S USUAL OCCUPATION (Give kind of work done during most of working life. Do not use retired.)			KIND OF BUSINESS/INDUSTRY		
12a. Rancher			12b. Agriculture		
RESIDENCE - STATE			13. Yes		
COUNTY			CITY, TOWN, OR LOCATION		
14a. ID			STREET NUMBER		
14b. Lemhi			14c. Salmon		
INSIDE CITY LIMITS? (Yes or No)			14d. Box 1016		
ZIP CODE			16. DECEDENT'S EDUCATION (Specify only highest grade completed)		
14e. No			14f. 83467		
ANCESTRY - Mexican, Puerto Rican, Cuban, African, English, Irish-German, Hmong, etc. (Specify)			15. Scottish-Irish		
FATHER'S NAME (First, Middle, Last)			MOTHER'S NAME (First, Middle, Maiden Surname)		
17. Thomas Maxwell			18. Minnie Deem		
INFORMANT'S NAME (Type/Print)			MAILING ADDRESS (Street and Number or Rural Route Number, City or Town, State, Zip Code)		
19a. Gertrude Maxwell			19b. Box 1016, Salmon, ID 83467		
METHOD OF DISPOSITION			PLACE OF DISPOSITION (Name of cemetery, crematory, or other place)		
☐ Burial ☒ Cremation ☐ Removal from State			LOCATION - City or Town, State		
20a. ☐ Other (Specify)			20b. Garden City		
SIGNATURE OF FUNERAL SERVICE LICENSEE OR OTHER PERSON IN CHARGE OF DISPOSITION			20c. Missoula, MT 59808		
21a. <i>Daniel P. Olson</i>			MONTANA LICENSE NUMBER (of Licensee)		
21b. 543			NAME AND ADDRESS OF FACILITY		
22. Missoula, MT 59808			Garden City Funeral Home		
23. PART I. Enter the diseases, injuries, or complications that caused the death. Do not enter the mode of dying, such as cardiac or respiratory arrest, shock, or heart failure. List only one cause on each line. (See instructions on other side)			Approximate Interval Between Onset and Death		
IMMEDIATE CAUSE (Final disease or condition resulting in death)			a. <i>acute MI</i>		
Sequentially list conditions if any, leading to immediate cause. Enter Underlying Cause (Disease or injury that initiated events resulting in death) LAST			b. <i>CAD</i>		
c. <i>CAD</i>			d. <i>CAD</i>		
PART II. Other significant conditions contributing to death but not resulting in the underlying cause given in Part I.			24a. No		
24b. Dementia			24c. No		
26. MANNER OF DEATH			25. No		
☒ Natural ☐ Pending Investigation			26. No		
☐ Accident ☐ Could not be Determined			27a. No		
☐ Suicide ☐ Homicide			27b. No		
DATE OF INJURY (Month, Day, Year)			TIME OF INJURY		
27a. <i>4/25/00</i>			27b. <i>M</i>		
PLACE OF INJURY - At home, farm, street, factory, office building, etc. (Specify)			INJURY AT WORK? (Yes or no)		
27c. <i>At home</i>			27d. <i>No</i>		
28a. TO BE COMPLETED BY CERTIFYING PHYSICIAN ONLY. To the best of my knowledge, death occurred at the time, date and place and due to the cause(s) stated.			29a. TO BE COMPLETED BY CORONER ONLY. On the basis of examination and/or investigation in my opinion death occurred at the time, date and place and due to the cause(s) and manner as stated.		
(Signature and Title)			(Signature and Title)		
DATE SIGNED (Month, Day, Year)			HOUR OF DEATH		
28b. <i>4/25/00</i>			28c. <i>3:50 P M</i>		
NAME OF ATTENDING PHYSICIAN IF OTHER THAN CERTIFIER (Type or Print)			DATE PRONOUNCED DEAD (Month, Day, Year)		
28d. <i>W. Stan Wilson</i>			29b. <i>April 27, 2000</i>		
NAME AND ADDRESS OF CERTIFIER (PHYSICIAN OR CORONER) (Type or Print)			PRONOUNCED DEAD (Hour)		
30. W. Stan Wilson 601 West Spruce, Missoula, MT 59802			29c. <i>M</i>		
LOCAL REGISTRAR'S SIGNATURE			DATE FILED (Month, Day, Year)		
31a. <i>Linda S. Crowley</i>			31b. <i>April 27, 2000</i>		

CLERK AND RECORDER

I certify this to be a true and correct copy of the document on record in this office.

Date *APR 27 2000*
Vickie M. Zeier, Missoula County Recorder
By *Linda S. Wilson* DeputySCANNED
NOV 08 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 4, 2004

GERTRUDE I MAXWELL
PO BOX 1016
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Change of Water Right Ownership
Notices of Claim to a Water Right #75-83, 75-84, 75-13985 and
75-13987

Dear Mrs. Maxwell:

We are sending you a copy of the ownership change form you submitted for your property in Lemhi County, ID. Unfortunately, the form you submitted has been obsolete since February, 1997. Our current form (enclosed) requests a plat of the property or a survey map for parcels of ten or more irrigated acres. When you obtain the map, please outline your property, write your water right number on it and send the map to me at this office.

The proof of conveyance we need must show signatures and dates conveyed, along with the property description. Please see the instructions on the current form.

I would greatly appreciate knowing where you obtained the obsolete ownership change form so I can contact them and send them a supply of our current ownership change forms. By giving you an obsolete ownership change form, they have caused you extra work and delayed the process.

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Form 42-248/42-1409(6)

Copy of Obsolete Ownership Change Form

SCANNED
FEB 28 2008

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

RECEIVED

JUL 06 2004

RECEIVED

Department of Water Resources

JUN 28 2004

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 or Adjudication Claim No(s): 75-13985 75-83
75-13987 75-84
2. The following **REQUIRED** information must be submitted with this form:
- A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant William R. Maxwell (Deceased)
GERTRUDE J. MAXWELL
4. New Owner/Claimant(s) _____
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or _____
 New Mailing Address P.O. Box 1816
 City, State and ZIP Code Salmon ID 83461
 New Telephone Number (208) 756-3429
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Gertrude J. Maxwell
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

SCANNED

JUL 07 2004



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

May 2, 2001

WILLIAM MAXWELL
PO BOX 1016
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR 75-13954, 75-13956

Dear Mr. Maxwell:

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:

75-13954:

75-13985, .06 cfs, 6 acres, Maxwell, Sr.

75-13986, .05 cfs, 5 acres, Maxwell Jr. & Hathhorn

75-13956:

75-13987, .10 cfs, 6 acres, Maxwell, Sr.

75-13988, .08 cfs, 5 acres, Maxwell Jr. & Hathhorn

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 Crabtree

Technical Records Specialist

SCANNED
FEB 28 2001

RECEIVED

JAN 19 2001

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

Department of Water Resources
 Eastern Region

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, 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
	A75-00083	E			
	A75-00084	C			

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) are 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)

(Deceased)
William Maxwell and Gertrude Maxwell
PO Box 1016 Salmon ID 83467

4. New Owner/Claimant(s)

Linda Hartman +/or Bill Maxwell
 Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

PO Box 134

City, State and ZIP Code

Salmon ID 83467

New Telephone Number

(208) 752-4006

5. Date you acquired the property

7-21-94

SCANNED
 FEB 21 2001

Oct. 21, 2004

Dear Sirs;

I Gertrude J Maxwell received ownership
of all property on the death of William
R Maxwell (my husband)

Gertrude J. Maxwell

RECEIVED

OCT 28 2004

Department of Water Resources
Eastern Region

RECEIVED

OCT 25 2004

WATER RESOURCES
WESTERN REGION

SCANNED

NOV 08 2004

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 75-13985
Date Received: 5/1/01
Receipt No:
Received By:

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

1. Name of Claimant(s)

WILLIAM R MAXWELL SR Phone: (208)756-3429

PO BOX 1016
SALMON ID USA 83467

2. Date of Priority: 05/13/1898

3. Source: WALLACE CREEK Trib. to: SALMON RIVER

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:

HEADGATE, OPEN DITCH, GRAVITY & FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.06	

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

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	IRRIGATION	4
			NW SE	IRRIGATION	2

A7513985



Section Acres 6
Total Acres 6

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:

SPLIT FROM FORMER RIGHT 75-13954

15. Basis of Claim: Decreed

SCANNED
FEB 20 2003