

12/16/2006

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

RIGHT NUMBER: 75-14435

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

SOURCE: WALLACE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 06/01/1902

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

0.080 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

This right is a split from former right 75-13987

07/14/2006

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

RIGHT NUMBER: 75-13987

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

SOURCE: WALLACE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/01/1902

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

0.100 CFS

PLACE OF USE:

IRRIGATION Within 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.: 75-13985 & 75-13987.

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 75-13956

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

RECEIVED
 JUL 26 2005
 DEPARTMENT OF
 WATER RESOURCES

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
	75-13987	✓			
	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 Hefner

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>5ac</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>5ac</u>
Stock		
Domestic		
Other		
Total	<u>.08 cfs</u>	

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

Rinda K. Haffner

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 _____

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 do hereby 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.

For All
Notary Public

Residing at Salmon, Idaho
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 Escrow

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

Steve Morton
Deputy Recorder

By Debra Armstrong
Deputy.

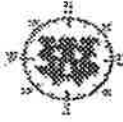
Fees \$100
Mail to: BAE

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.

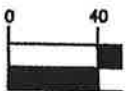
SEE R.O.S. INST. NO. 216711

PARCEL "A"
CONTAINS 5.01 ACRES +/-

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

LOT 9

LOT 11



1

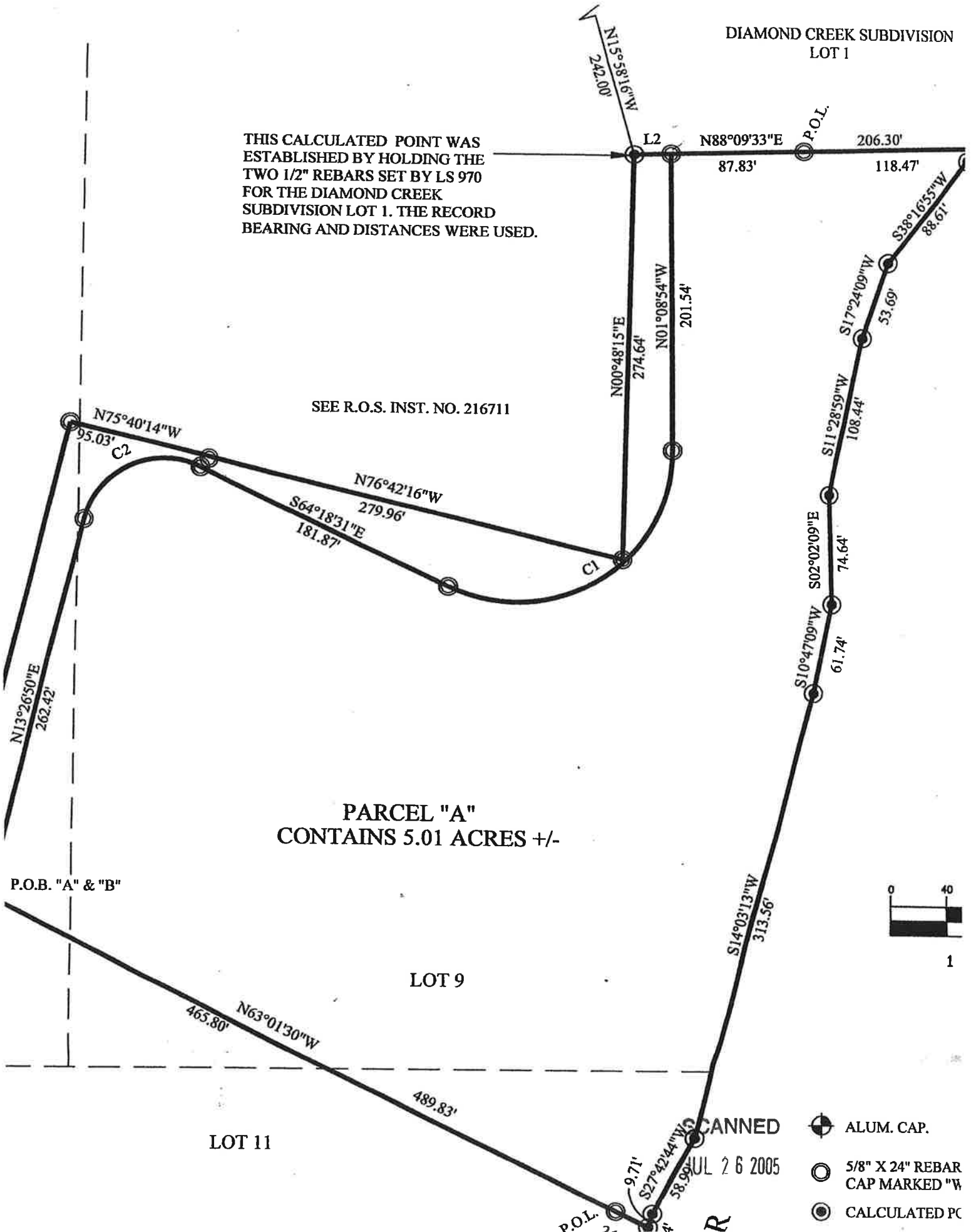
ALUM. CAP.

5/8" X 24" REBAR
CAP MARKED "W"

CALCULATED PC

SCANNED
JUL 26 2005
P.O.L.

R



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

CLAIM NO(s). 75-13987

1. ☐ No Change NAME IS SAME

☒ NEW OWNER: See 75-13985

☐ 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 ALG*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:

dam on creek, ditch to pipe line + gravity sprinkle 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: <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 list 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

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,

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

Jennifer Crabtree

Technical Records Specialist

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)

^{Decedent}
William Maxwell and Gertrude Maxwell
PO Box 1016 Salmon ID 83467

4. New Owner/Claimant(s)

Linda Hartman for 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

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 75-13987
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: 06/01/1902

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 AND 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	0.1	

7. Total Quantity Appropriated is:
0.1 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

A7513987



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 75-13956

15. Basis of Claim: Decreed