

E clerk

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

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-10946

2002 AUG 13 AM 11:57

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: LORNA LOU ANDERSON
VON RAY ANDERSON SR
4 SOUTH 635 WEST
BLACKFOOT, ID 83221

SOURCE: ANDERSON CREEK

TRIBUTARY: DAHLONEGA CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

Department of Water Resources

PRIORITY DATE: 12/31/1898

POINT OF DIVERSION: T26N R21E S25 NESW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic LAWN AND GARDEN	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic T26N R21E S25 SWSW Within Lemhi County

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: MAY-25-1999

PAGE: A-14

RIGHT NUMBER: 75-10946

NAME & ADDRESS: JEAN JEMMETT
GEORGE JEMMETT
C/O LORNA ANDERSON
4 SOUTH 635 WEST
BLACKFOOT ID 83221

SOURCE: ANDERSON CREEK

TRIBUTARY: DAHLONEGA CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1898

POINT OF DIVERSION: T26N R21E S25

NESW

Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE
DOMESTIC LAWN AND GARDENPERIOD OF USE
01-01 12-31QUANTITY
0.04 CFS

PLACE OF USE:

DOMESTIC
T26N R21E S25Within LEMHI County
SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 001050000530
PROPERTY ALSO KNOWN AS LOT 53, NORTH SALMON ESTATES

AJ0749NP
No. 75-10946

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/21/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN JEMMETT	12/31/1898	DOMESTIC	01-01 12-31	0.040 CFS	
C	GEORGE JEMMETT C/O LORNA ANDERSON 4 SOUTH 635 WEST BLACKFOOT ID 83221 (208) 684-4064					
				TOTAL DIVERSION:	0.040 CFS	

Water Source: ANDERSON CREEK

Tributary to: DAHLONEGA CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T26N R21E S25 NESW

LEMHI County

Place of use Legal Description for: DOMESTIC

	NE				NW				SW				SE			
T R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
26N 21E 25	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: LEMHI

Non-Irrigation Uses: LAWN AND GARDEN

Other Rights: NONE

Conditions of Approval:

- N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP PARCEL NO. 001050000530
PROPERTY ALSO KNOWN AS LOT 53, NORTH SALMON ESTATES

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 09/02/1998 User-ID: AJU4-ECA Subject: DOMESTIC 1 HOME UPDATE
USE-NOT-IRRIGATION FIELD TEXT REPLACED WITH "1 HOME".
CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD.

AJ0749NP
No. 75-10946

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/21/99
PAGE: 2

=====

Comments: Date: 09/02/1998 User-ID: AJU4-ECA Subject: DOMESTIC 1 HOME UPDATE
ANY GEN REMARK CHANGED TO AN EXP REMARK.

Date: 05/21/1999 User-ID: SSHERMAN Subject: ADDRESS CHANGE
ADDRESS CHANGE BY CLAIMANT LETTER.

Audit: 05/21/99 SSHERMAN



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

May 21, 1999

KARL J. DREHER
DIRECTOR

MRS LORNA ANDERSON
4 SOUTH 635 WEST
BLACKFOOT ID 83221

RE: Snake River Basin Adjudication (SRBA)
Water Right #75-10946

Dear Mrs. Anderson:

Thank you for responding so quickly to my address change letter. I have changed the record appropriately.

As you requested in your letter to me, enclosed is an ownership change form for you to complete.

Sincerely,

A handwritten signature in cursive script that reads 'Sally'.

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Form 42-248/42-1409(6)

Von & Lorna Anderson

4 South 635 West
Blackfoot, Idaho 83221
Home Phone 208-684-4064
Email lornaa@ida.net

RECEIVED

MAY 17 1999

Department of Water Resources

May 14, 1999

Sally Sherman
Technical Records Specialist, Adjudication Bureau
Department Of Water Resources
1301 North Orchard St.
P.O. Box 83720
Boise, Idaho 83720

Dear Sally,

My Father George Jemmett, received a letter from you for a request of address change. He gave it to me to take care of. Just to let you know, Jean Jemmett is deceased. George, my father, has sold the property to 6 of his children in a trust agreement. The deed for the property is currently in the name of Von and Lorna Anderson. Please send any information to us on the water rights #75-10946. Please send me a form so we can change the water rights record.

Our address is: 4 South 635 West
Blackfoot, Idaho 83221

*Record changed,
NCDP prepared 5-21-99*

I will fax this letter to you so we can meet your May 17th deadline. I will also mail a copy to you.

*unreadable
in middle. Tossed.*

CHANGE OF OWNERSHIP
LETTER SENT 5-21-99
10

Sincerely,

Lorna Anderson
Lorna Anderson

Account ID: #75-10946



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

May 6, 1999

KARL J. DREHER
DIRECTOR

GEORGE AND JEAN JEMMETT
157 WILLOW DR
BLACKFOOT ID 83221-3903

Re: Snake River Basin Adjudication (SRBA)
Water Right #75-10946
Change of Address

*Record changed 5-21-99,
NCRP prepared. See a attached
letter.*

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by May 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally
Sally Sherman

Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

Telephone No.

RECEIVED

OCT 12 1999

DELOG DC 12-10-99

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

Department of Water Resources

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

RECEIVED

DEC 10 1999

Department of Water Resources
Eastern Region

1. Water Right No(s): #75-10946 A75-10946
 Adjudication Claim No(s): ENCAP
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant
George and Jean Lemmett % Lorna Anderson
4 South 635 West, Blackfoot, ID 83221
4. New Owner/Claimant(s)
Von Ray Anderson Sr and Lorna Lou Anderson
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
4 South 635 West
 City, State and ZIP Code Blackfoot, ID 83221
 New Telephone Number (208) 684-4064
5. Date you acquired the property April 20, 1998
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) Von Ray Anderson Sr.
 or Claimant(s) Lorna Lou Anderson

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

WARRANTY DEED

For Value Received

George C. Gemmett a Single Man

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

Von R. Anderson Sr. and Lorna Lou Anderson, Husband and Wife

the grantee, the following described premises, to-wit: 4 South 625 West Blackfoot. ID 83221

A parcel of land located in Tract One Gibbonsville Township:
SW 1/4 Section 25 and the NW 1/4 Section 26, all in Township 26
North Range 21 East, (unsurveyed) Boise Meridian, Lemhi County,
State of Idaho, more particularly described as follows:

Commencing at Corner No. 4, M.S. 1397 (Corn Beef) a distance
of 1-167.50 feet on a bearing of South 33° 54' 09" West to the
REAL POINT OF BEGINNING.

Thence South 44° 37' 42" East, 162.38 feet;

Thence South 41° 12' 23" West, 97.16 feet;

Thence South 10° 55' 37" West, 100.74 feet;

Thence North 36° 17' 30" West, 215.32 feet to the Point of
Intersection of Line 3-4, M.S. 1397 and Line 1-2, M.S. 956B;

Thence North 33° 54' 09" East, 329.69 feet to the REAL

POINT OF BEGINNING.

Said parcel contains 0.983 acres.

ALSO INCLUDING the following described 50' wide easement,
being 25.00 feet on each side of the following centerline:

Commencing at Corner No. 8, M.S. 1170 a distance of 178.77
feet on a bearing of North 86° 14' 42" West to a point on the
centerline of the Dahlonega Creek Road and being the REAL
POINT OF BEGINNING.

Thence North 62° 35' 31" West, 3.13 feet;

Thence a distance of 68.77 feet along a curve concave
to the Southwest having a radial of South 27° 24' 30" West,
60.00 feet and a central angle of 65° 39' 59";

Thence South 51° 44' 31" West, 135.56 feet.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
their heirs and assigns forever. And the said Grantor do hereby covenant to and
with the said Grantee, that he is the owner in fee simple of said premises; that said
premises are free from all incumbrances except as hereinabove set forth and that he will warrant and
defend the same from all lawful claims whatsoever.

Dated:

March 24, 1998

George C. Gemmett

STATE OF IDAHO, COUNTY OF *Bingham*
On this *24th* day of *March*, 1997,
before me, a notary public in and for said State, personally
appeared *George C. Gemmett*

JANE AUSTIN
NOTARY
PUBLIC
STATE OF IDAHO

known to me to be the person who name
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Jane Austin
Notary Public
Residing at *Blackfoot*, Idaho
Comm. Expires *9-2-1999*

STATE OF IDAHO, COUNTY OF *Lemhi*
I hereby certify that this instrument was filed for record at
the request of *George C. Gemmett*

at *10* minutes past *2* o'clock P.m.,
this *25th* day of *March*,
1998, in my office, and duly recorded in Volume
of the Official Records.

Alberta Wiederrick
Ex-Officio Recorder

By *Loring J. Morton* Deputy.

Fees \$ *3.00*
Mail to: *75-10946*

INSTRUMENT No. 236196

RECORD OF TAX NUMBERS LEMHI COUNTY, IDAHO

YEAR 19____

Sec.	Twp.	Rge.
26	26	21

DESCRIPTION

Instrument 162906

21 Lemhi County to Les and Mary Usher

A parcel of land located in Tract One Gibbonsville Townsite; SW¹/₄, Section 25 and the NW¹/₄, Section 36, all in Township 26 North, Range 21 East, (unsurveyed) Boise Meridian, Lemhi County, State of Idaho, more particularly described as follows:

Commencing at Corner No. 2, M.S. 955A (Twin Brothers) which is the Real Point of Beginning, a distance of 280.38 feet on a bearing of North 86°19'37" West to a point on the Easterly Right-of-Way of the Dahlenega Creek Road No. 60079; Thence the following courses and distances along said Right-of-Way: 215.24 feet along a curve concave to the Southeast having a radial of South 82°02'15" East, 2,958.90 feet and a central angle of 4°10'04"; North 12°07'49" East, 221.82 feet; 52.03 feet along a curve concave to the Southeast having a radial of South 77°52'11" East, 1,085.95 feet and a central angle of 2°44'43"; Thence South 69°36'32" East, 99.17 feet; Thence South 48°20'46" East, 282.18 feet; South 23°36'37" West, 300.35 feet to the Real Point of Beginning. Said parcel contains 2.98 acres.

Instrument 162907

21 Lemhi County to Les and Mary Usher

A parcel of land located in Tract One Gibbonsville Townsite; SW¹/₄, Section 25 and the NW¹/₄, Section 36, all in Township 26 North, Range 21 East, (unsurveyed) Boise Meridian, Lemhi County, State of Idaho, more particularly described as follows:

Commencing at Corner No. 4, M.S. 1397 (Corn Beef) a distance of 8.30 feet on a bearing of South 33°54'09" West to the Real Point of Beginning. Thence South 42°59'35" East, 326.46 feet to a point on the Westerly Right-of-Way of Dahlenega Creek Road No. 60079; Thence South 48°10'37" West, 210.20 feet along said Right-of-Way; Thence North 45°21'03" West, 270.89 feet; Thence North 33°54'09" East, 227.22 feet to the Real Point of Beginning. Said Parcel contains 1.482 acres.

Instrument 162908

21 Lemhi County to George G. Jemmett

A parcel of land located in Tract One Gibbonsville Townsite; SW¹/₄, Section 25 and the NW¹/₄, Section 36, all in Township 26 North, Range 21 East, (unsurveyed) Boise Meridian, Lemhi County, State of Idaho, more particularly described as follows:

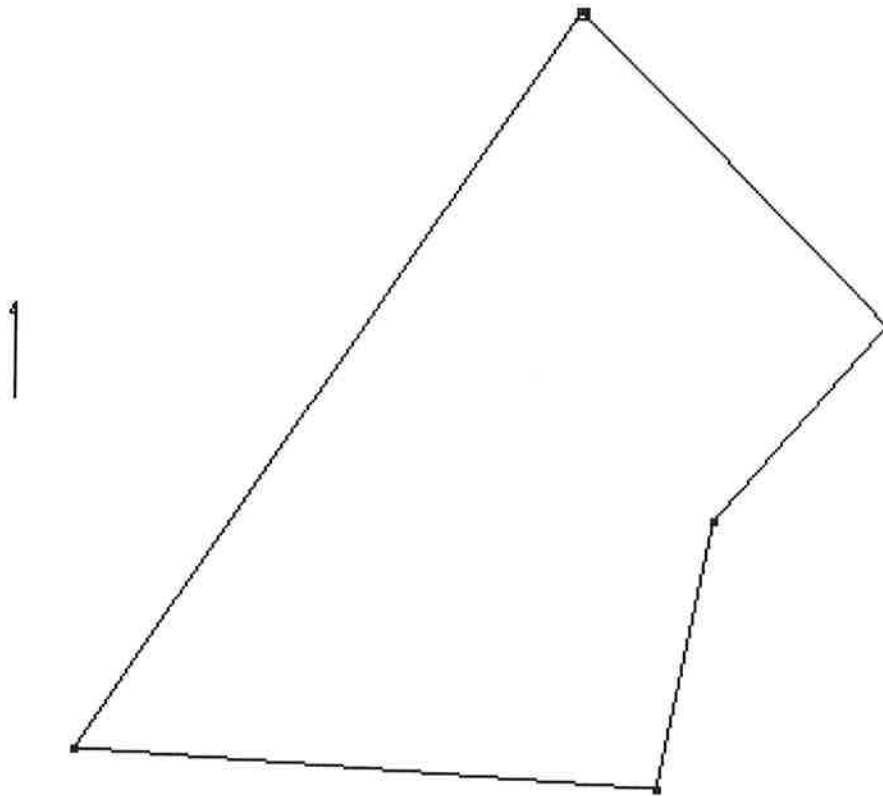
Commencing at Corner No. 4, M.S. 1397 (Corn Beef) a distance of 1,167.50 feet on a bearing of South 33°54'09" West to the Real Point of Beginning. Thence South 44°37'42" East, 162.38 feet; Thence South 41°12'23" West, 97.16 feet; Thence South 10°55'37" West, 100.74 feet; Thence North 86°17'30" West, 215.32 feet to the Point of Intersection of Line 3-4, M.S. 1397 and Line 1-2, M.S. 956B; Thence North 33°54'09" East, 329.69 feet to the Real Point of Beginning. Said Parcel Contains 0.983 acres.

Also including the following described 50' wide easement, being 25.00 feet on each side of the following centerline:

Commencing at Corner No. 8, M.S. 1170 a distance of 178.77 feet on a bearing of North 86°14'42" West to a point on the centerline of the Dahlenega Creek Road and being the Real Point of Beginning. Thence North 62°35'31" West, 3.13 feet; Thence a distance of 68.77 feet along a curve concave to the Southwest having a radial of South 27°24'30" West, 60.00 feet and a central angle of 65°39'59"; Thence South 51°44'31" West, 135.56 feet.

75-10946

Plat of Deed Calls for: T#2287

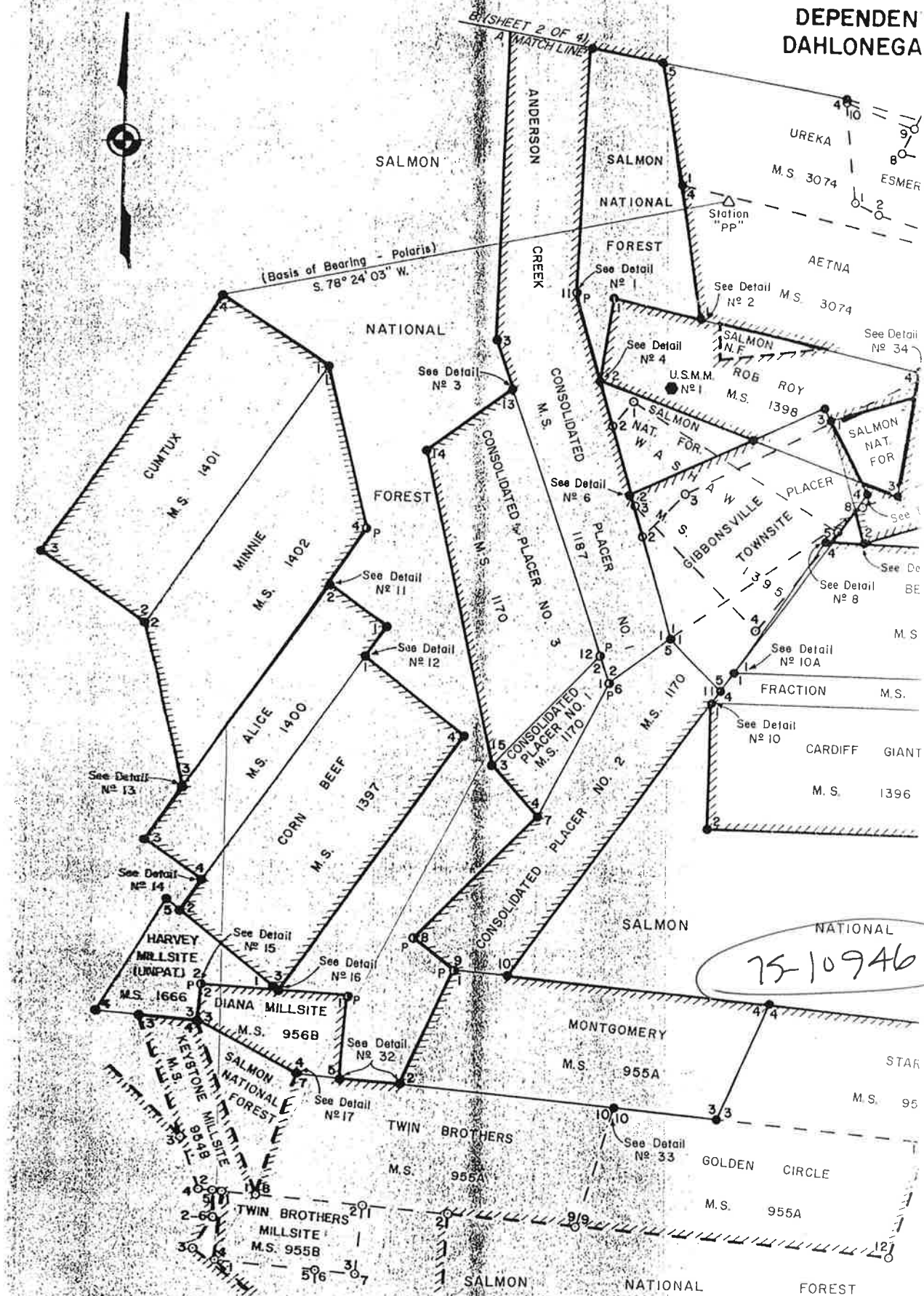


T#2287	 AREA	.. CLOSING ERROR ..
Scale : 71 ft/in	Acres : 0.983	Bearing: N24.5327E
North Shift: +0	Sq. Feet : 42824	Feet : 0.01
East Shift : +0	Sq. Meters: 3978.5	Meters : 0.003
DMS Rotated: +000.0000	Perimeter : 905.29	Precision: 1/98162

1. S44.3742E 162.38
2. S41.1223W 97.16
3. S10.5537W 100.74
4. N86.1730W 215.32
5. N33.5409E 329.69

75-10946

DEPENDEN
DAHLONEGA



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

In Re SRBA

Case No. 39576

)
)
)

Water Rights: 75-10946

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDINGS

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ Substitution of Party/Split Water Right
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: Dec 14, 1999

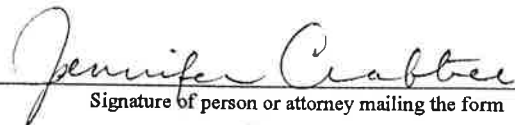
Ernest Carlson

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 12/15, 1999, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
GEORGE & JEAN JEMMETT
C/O LORNA ANDERSON
4 SOUTH 635 WEST
BLACKFOOT ID 83221
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
VON RAY ANDERSON SR
LORNA LOU ANDERSON
4 SOUTH 635 WEST
BLACKFOOT ID 83221
4. One copy to:
Each party in the subcase, or attorney of record
N/A
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: DEC-14-1999
PAGE: A-1

RIGHTS FROM: SOURCE: ANDERSON CREEK TRIBUTARY: DAHLONEGA CREEK

RIGHT NUMBER: 75-10946

NAME & ADDRESS: VON RAY ANDERSON SR
LORNA LOU ANDERSON
4 SOUTH 635 WEST
BLACKFOOT ID 83221

SOURCE: ANDERSON CREEK TRIBUTARY: DAHLONEGA CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1898

POINT OF DIVERSION: T26N R21E S25 NESW Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC LAWN AND GARDEN	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within LEMHI County
T26N R21E S25 SWSW

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 001050000530
PROPERTY ALSO KNOWN AS LOT 53, NORTH SALMON ESTATES



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

VON RAY ANDERSON SR
LORNA LOU ANDERSON
4 SOUTH 635 WEST
BLACKFOOT ID 83221

RE: Notice of Change of Water Right Ownership (NCO) 75-10946 and Notice of Completed Administrative Proceeding (NCAP)

Dear Mr. & Mrs. Anderson:

On December 10, 1999, the Idaho Department of Water Resources (IDWR) received an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: George & Jean Jemmett

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

RECEIVED

JUNE 10 1999

Department of Water Resources
Eastern Region

In Re SRBA) **NOTICE OF COMPLETED**
) **ADMINISTRATIVE PROCEEDINGS**
Case No. 39576)
) **Water Right 75-10946**

IDWR has completed the following Administrative Proceeding:

X	Change of Address
_	Substitution of Party
_	I.C. 42-222 Transfer

CHANGE OF ADDRESS

Name of Claimant: JEAN JEMMETT
New Address: C/O LORNA ANDERSON
4 SOUTH 635 WEST
BLACKFOOT ID 83221
Phone: (208) 684-4064

Claimant's Water Rights: 75-10946

The Claimant has filed Objections or Responses to the following water rights:

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
5/25/1999

75-10946

PAGE 1

CERTIFICATE OF MAILING

I certify that on 6-21-99 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Each party in the subcase, or attorney of record:

JEAN JEMMETT
GEORGE JEMMETT
C/O LORNA ANDERSON
4 SOUTH 635 WEST
BLACKFOOT ID 83221
3. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
4. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Sandy Egbert
Signature of person or attorney mailing the form

RIGHT NUMBER: 75-10946

NAME AND ADDRESS: JEAN JEMMETT
GEORGE JEMMETT
PO BOX 53
GIBBONSVILLE ID 83463

SOURCE: ANDERSON CREEK TRIBUTARY: DAHLONEGA CREEK

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1898

POINT OF DIVERSION: T26N R21E S25 NESW Within LEMHI County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC <i>HOME</i> <i>Lawn and Garden</i>	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within LEMHI County
T26N R21E S25 SWSW

OTHER MATTERS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 001050000530
PROPERTY ALSO KNOWN AS LOT 53, NORTH SALMON ESTATES

de RBH

*✓ RBH - RBH
10/15/98*

SCANNED

Form No. 43-9 (2) b 6/89

SEP 26 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

Identification No. 75-10946

Date Received 4-20-90

Receipt Number CO05877

**NOTICE OF CLAIM
TO A
WATER RIGHT**

Amended
ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED

APR 20 1990

Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) OR JEAN GEORGE JEMMETT Phone (208) 865-2345

Mailing Address P.O. Box 53, GIBBONSVILLE, ID. Zip 83463

2. Date of Priority (Only one per claim) 12-31-1898 Month/Day/Year

3. Source of water supply (Check one) () Groundwater or Other (☒) ANDERSON CREEK
which is tributary to (b) DAHLONEGA CREEK Name or kind of source

4. Location of point of diversion is: Township 26N Range 21E
Section 25, 1/4 of NE 1/4 of SW 1/4, Govt. Lot _____

County of LEMHI

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and of each well. ditches, gravity flow

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For DOMESTIC purposes from 1-1 Month/Day to 12-31 Month/Day amount 0.04 (cfs)

For _____ purposes from _____ to _____ amount _____
(Both dates are inclusive)

7. Total quantity claimed 0.04 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) DOMESTIC / HOME AND LAWN & CARNEN

A7510946



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DEC 15 1992

10. Place of use is: Township: 26 N Range 21 E
Section 25, SW 1/4 of SW 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

11. In which county (ies) are lands listed above as place of use located? _____

12. Do you own the property listed above as place of use? Yes ✓ No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) George Jewett Date 17 April 1990

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title
Organization _____, that I have signed the foregoing
document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 17th day of April 19 90

SEAL

Notary Public Ron Howerton

Residing at Ron Howerton

My Commission Expires Residing at Boise, Idaho
My Commission Expires December 8, 1994

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

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4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

JEMMETT

CLAIM IDENT. NO.

A75-10946

DATE RECEIVED

CK #

AMOUNT \$

YES

NO

Required
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered?
Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO *
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO *
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A *
15. Is the basis of the claim indicated? ☒ YES ☐ NO *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
22. Should this claim be data entered? ☒ YES ☐ NO *

Claim checked by: QDate: 1-31-91Claim must be returned to claimant: ☐ (Yes) ☐ (No)Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by: _____
Claim data entered by: _____
Sent to claimant by: _____

Date: _____
Date: _____
Date: _____

Checked by: _____

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DEC 15 1992

Comments:

Code 13, "None"

CLAIMANT'S NAME: George Jemmett

DATE: _____

EMPLOYEE: Helen Harrington-Thornton

5/29- spoke w/ Don Howerter he was unable to locate original Sprinkle/Jemmett claim when he assisted Mr. Jemmett in April. I have asked agents at SO (as well as Don) and haven't been able to locate original claim. Receipted on March 16, 1989

TO: Eric - 6/4/90

You gave me this claim during my last visit to IF. I have not been able to locate the original claim - Perhaps the best thing may be actually to process this and match it up with receipt - then when the other claim shows up - it will be an error message and we'll pick it up from there -

call if you're
confused.

Huh? !??!

when

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X

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-10946
Date Received: 2/ 4/1991
Receipt No: C005877
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEORGE JEMMETT 208-865-2345
Address: P.O. BOX 53
GIBBONSVILLE, ID 83463

OR
Name: JEAN JEMMETT 208-865-2345
Address: P.O. BOX 53
GIBBONSVILLE, ID 83463

2. Date of Priority: DEC 31, 1898

3. Source: ANDERSON CREEK Trib. to: DAHLONEGA CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
26N	21E	25	NE	SW			LEMHI

5. Description of diverting works:
DITCHES, GRAVITY FLOW

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME, LAWN AND GARDEN

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
26N	21E	25	SW SW		DOMEST	

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

WATER RIGHT NUMBER = A75-10946

PREFIX TRANSLATION: ADJUDICATION CLAIM

OLD (D) NUMBER =

+ - - - - LAST NAME - - - - +

+ - FIRST NAME - - +

+ - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
JEMMETT

GEORGE

1 - P.O. BOX 53

2 -

3 -

CITY- GIBSONSVILLE

STATE- ID ZIP- 93463

PHONE - 208-865-2345

1 - P.O. BOX 53

2 -

3 -

CITY- GIBSONSVILLE

STATE- ID ZIP- 93463

PHONE - 208-865-2345

JEMMETT

JEAN

+ - - PRIORITY DATE - - +
12/31/1998

+ - - REGION - - +
15 EASTERN

+ - - STAGE - - - +
J - BENEFICIAL USE

+ - - STATUS - - - +

+ - - - - SOURCE - - - - - +
ANDERSON CREEK

+ - - - - TRIBUTARY - - - - - +
CAHLONEGA CREEK

TWN	RNG	SEC	TRACT	LOT	RFLG	COUNTY	POINT OF DIVERSION	STREAM INDEX (BLANK IF NO INDEX CODE)
26N	21E	25	NE SW			(59) LEMHI		

CODE	DESCRIPTION	PERIOD FROM	PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
43 DOMESTIC		01/01	12/31	0.040	

TOTAL DIV. RATE - +	TOTAL DIV. VOLUME - +	TOTAL DIV. CAPACITY - +	TOTAL CONSUMPTIVE USE - +	KW USAGE - +
0.040			0.0	

TWN	RNG	SEC	TRACT	LOT	ACRES	CODE	DESCRIPTION	COUNTY
26N	21E	25	SW SW			43 DOMESTIC		(59) LEMHI

+ - - DIVERSION MEANS - DITCHES, GRAVITY FLOW

+ - - NON-IRRIGATION USE - DOMESTIC, 1 HOME, LAWN AND GARDEN

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - REMARKS - - - - - +
NO REMARKS FOUND.

+ - - OLD WATER RIGHT NUMBERS - - - - - +
NO OLD WATER RIGHT NUMBERS FOUND.

+ - - CONDITIONS OF APPROVAL - - - - - +
NO CONDITIONS OF APPROVAL FOUND.

106

WATER RIGHT NUMBER = A75-10946

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - - - DECREE PLAINTIFF - - - - +

+ - - - - DECREE DEFENDANT - - - - +

+ - DECREE DATE = +
00/00/0000

+ - - AUDIT FIELDS = 02/05/91 THOMPSON

+ - - - - COMMENTS - - - - -
NO COMMENTS FOUND

+ - - - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING	= 00/00/0000	FIELD INSPECTION MADE	= 00/00/0000	CIVIL CASE NUMBER	= 39576
OBJECTION FILED DATE	= 00/00/0000	FIELD INSPECTION FLAG	=	OLD CASE NUMBER	=
RESPONSE FILED DATE	= 00/00/0000	VERIFIED DATE	= 00/00/0000	OLD JUDICIAL DISTRICT	=
CLAIM RECEIVED DATE	= 03/16/1993	LAST AMENDED DATE	= 00/00/0000	TEMPERARY RIGHT	= P
PROOF DUE DATE	= 00/00/0000	PROOF MADE DATE	= 00/00/0000	WATER DISTRICT	=
LICENSED DATE	= 00/00/0000	RECEIPT NUMBER	= 000577	FEDERAL/STATE INDICATOR	= S
CLAIMS TAPE ERROR FLS	=	POU OWNERSHIP FLAG	=	PRESUMPTION FLAG	=
FEE EXEMPT FLAG	=	NAME CONNECTOR	= OR	NOTICE OF ERROR FLAG	=

001050600530

Lot 53 North Salmon Estates

PROOF
JUL 14 1992

DATA ENTRY

ENTERED

CHECKED

9-26-93 RS
12/8/93

Verified By
Topo Map/Ortho-PQ
ASCS Map
Watermaster Records
NAFP Photos
Field Exam
Other (See Remarks)
County Records
Witness Statement
Project Records
IDWR Records

CERTIFIED

AUG 28 1993

WATER EXAMINER

VERIFIED

AUG 18 1993

MICROFILMED
NOV 18 1990