

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

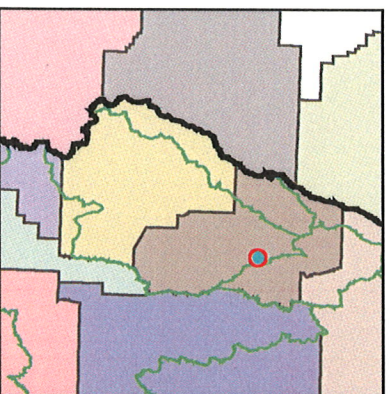
SRBA Recommendation:

67-7449

(Commercial)

Legend

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



Adams County
IDWR Basin 67



T19N



Prepared by IDWR State Office
On Saturday, December 2, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7449 V1

WATER RIGHT NUMBER: 67-7449 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SHARMAN R JANUIK 2709 HWY 95 COUNCIL, ID 83612
Current Owner	JOHN L JANUIK 2709 HWY 95 COUNCIL, ID 83612
Original Owner	JERRI J HENRY 2521 MT PLEASANT RD KELSO, WA 98626
Original Owner	MEREDITH L HENRY JR 2521 MT PLEASANT RD KELSO, WA 98626
Original Owner	DWAYNE B ANDERSON 3443 HIGHWAY 95 COUNCIL, ID 83612-5110 (208)347-2591

Priority Date: 07/06/1979

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.040 CFS	1.30 AF
DOMESTIC	1/01 to 12/31	0.080 CFS	2.40 AF
	<u>Total Diversion:</u>	0.080 CFS	3.70 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4SE1/4	Sec. 31, Twp 19N, Rge 01E, B.M.
ADAMS County		

Place of Use

COMMERCIAL

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	01E	31															X		

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7449 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
19N 01E 31														X			

Conditions of Approval:

1. C18 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.

Remarks:Comments:

1. mvanbussum 12/2/2006 POU

Comment: Only licensed for NWSE Sec 31. Claimed NESW and NWSE. Recommended as licensed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	6/22/2004 12:39:49 PM	jcarr			Active
POD	6/22/2004 12:39:50 PM	jcarr			Active
POU	6/22/2004 12:39:50 PM	jcarr			Active
Source	6/22/2004 12:39:51 PM	jcarr			Active
Use	6/22/2004 12:39:51 PM	jcarr			Active
Season	6/22/2004 12:39:52 PM	jcarr			Active
Quantity	6/22/2004 12:39:53 PM	jcarr			Active
Priority Date	6/24/2004 12:31:07 PM	jcarr			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7449 V1

Source	6/24/2004 1:44:46 PM	jcarr	Active
POD	6/24/2004 1:44:50 PM	jcarr	Active
POU	6/24/2004 1:45:42 PM	jcarr	Active
Use	6/24/2004 1:46:07 PM	jcarr	Active
Season	6/24/2004 1:46:33 PM	jcarr	Active
Quantity	6/24/2004 1:46:52 PM	jcarr	Active
Summary		06/24/2004 jcarr	Active
Priority Date	12/2/2006 12:11:40 PM	mvanbussum	Active
POU	12/2/2006 12:13:10 PM	mvanbussum	Active
Summary		12/02/2006 mvanbussum	Active
POD	12/2/2006 12:17:25 PM	mvanbussum	Active
Source	12/2/2006 12:17:26 PM	mvanbussum	Active
Use	12/2/2006 12:17:26 PM	mvanbussum	Active
Quantity	12/2/2006 12:17:27 PM	mvanbussum	Active
Season	12/2/2006 12:17:27 PM	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	6/29/2004 12:09:11 PM	jcarr	Edited point location
Priority Date	6/24/2004 12:31:06 PM	jcarr	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	6/24/2004 1:45:41 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (No) 5. Does the Decree or License have a POU? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required?
Use	6/24/2004 1:46:06 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7449 V1

Season	6/24/2004 1:46:32 PM	jcarr	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	6/24/2004 1:46:51 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Source	6/24/2004 1:44:46 PM	jcarr	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POD	6/24/2004 1:44:49 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
Summary	6/24/2004 1:47:48 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right?
POD	6/24/2004 12:42:47 PM	jcarr	Edited point location
POU	12/2/2006 12:15:33 PM	mvanbussum	Updated shape for Active POU
General	12/2/2006 12:12:26 PM	mvanbussum	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7449 V1

POU	12/2/2006 12:13:56 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	12/2/2006 12:15:47 PM	mvanbussum	Updated shape for Active POU
Summary	12/2/2006 12:16:46 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	12/2/2006 12:18:12 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License?
Source	12/2/2006 12:18:13 PM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License?
Use	12/2/2006 12:18:13 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License?
Season	12/2/2006 12:18:14 PM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License?
Quantity	12/2/2006 12:18:14 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License?
Priority Date	6/22/2004 12:39:48 PM	jcarr	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license?
POD	6/22/2004 12:39:50 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License?
POU	6/22/2004 12:39:50 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License?
Source	6/22/2004 12:39:51 PM	jcarr	(Yes) 1. Is the basis of claim Decree or License?
Use	6/22/2004 12:39:51 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License?
Season	6/22/2004 12:39:51 PM	jcarr	(Yes) 1. Is the basis of claim Decree or License?
Quantity	6/22/2004 12:39:52 PM	jcarr	(Yes) 1. Is the basis of this claim a Decree or License?

Water Supply Bank:

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that E. B. ANDERSON
of Ontario, Oregon, has complied with the terms and conditions of Permit
No. 67-7449 issued pursuant to Application for Permit dated July 6, 1979,
and has submitted proof to the Department of Water Resources on July 10, 1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of .08 cfs of water from a groundwater source,
tributary to , and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than .08 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 3.7 acre feet per year, said waters to be diverted within the NW 1/4, Sec. 31, Twp. 19N, Rge. 1E, Blk. in the County of Adams

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 22 day of
July 19 81

Director

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 67-7449
Date Received: 12/28/1989
Receipt No: W007275
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SHARMAN R JANUIK Phone:

2709 HWY 95
COUNCIL ID USA 83612

JOHN L JANUIK Phone:

2709 HWY 95
COUNCIL ID USA 83612

2. Date of Priority: 07/06/1979

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	01E	31	NE SW	ADAMS	
19N	01E	31	NW NW SE	ADAMS	

5. Description of diverting works:

150' WELL, 8" CASING, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.04	1.3
DOMESTIC	1/01	12/31	0.08	2.4

7. Total Quantity Appropriated is:

0.08 C.F.S. and/or 3.7 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	01E	31	NE	SW	COMMERCIAL	
			NW	SE	COMMERCIAL	
			NE	SW	DOMESTIC	
			NW	SE	DOMESTIC	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: License

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: **A67-07449**
Date Received: 12/28/1989
Receipt No: W007275
Received By: _____

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

1. Name: MEREDITH L HENRY JR
Address: 2521 MT PLEASANT RD
KELSO WA 98626

OR

Name: JERRI J HENRY
Address: 2521 MT PLEASANT RD
KELSO WA 98626

2. Date of Priority: JUL 6, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	01E	31	NW	NE	SW		ADAMS
				NW	SE		ADAMS

5. Description of diverting works:
150' WELL, 8" CASING, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		2.40
COMMERCIAL	01/01	12/31	0.040		1.30

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 3.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 4 HOMES; COMMERCIAL, RESTAURANT & BAR

MICROFILMED

SCANNED

OCT 23 1996

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	01E	31	NE		SW		COMMER	
			NE		SW		DOMEST	
			NW		SE		COMMER	
			NW		SE		DOMEST	

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

NONE

14. Remarks:

OWNERSHIP CHANGED BY LH 12/13/95.

15. Basis of Claim: LICENSE

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)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
DEC 08 1995

DATE OF CLOSING: 11/17/95

LEGAL DESCRIPTION OF PROPERTY: Township 19N Range 01E Department of Water Resources
Section 31, 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

RECEIVED
DEC 12 1995

WATER RESOURCES
WESTERN REGION

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A67-07449

☐ Name and Address of Former
Owner/Claimant(s)(Seller): D. B. Anderson
HC 64 Box 3440

☐ New Owner/Claimant
(Purchaser): Council, ID 93612
Meredith L. Henry, Jr. or Jerri J. Henry

☐ New Mailing Address: 2521 Mt. Pleasant Rd.
Kelso, WA 98626

☐ New Telephone Number: () -

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

☐ Attach proof of
ownership, describe
proof attached: copy of recorded Deed(s)

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

☐ Signature of New
Owner/Claimant(s): Meredith L. Henry, Jr. Date 11/15/95

☐ Signature of Former
Owner/Claimant(s): Jerri J. Henry Date 11/15/95

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-13-95 By: JA

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 12-13-95 By: JA

Claim Numbers of Split, if any:

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

MICROFILMED
OCT 23 1996

INSTRUMENT NO. 89138
WARRANTY DEED

For Value Received DWYANE B. ANDERSON aka D.B. ANDERSON and CLAUDINE R. ANDERSON,
husband & wife

the grantors , do hereby grant, bargain, sell and convey unto
MEREDITH L. HENRY, JR., aka BUTCH HENRY, and JERRI J. HENRY, husband & wife

the grantees, whose current address is, 2521 Mt. Pleasant Rd., Kelso, WA. 98626

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

TOGETHER WITH 100% of all water described in Notice of Claim to a Water Right, Ident.
#A67-07449 (basis of claim: license); and, 80% of all water described in Notice of Claim
to a Water Right, Ident. #A67-07153 (basis of claim: license).

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees
their heirs and assigns forever. And the said Grantors do hereby covenant to and with
the said Grantees , that they are the owners in fee simple of said premises;
that they are free from all incumbrances excepting for all easements of record, rights of
way, matters visible, and all matters of record and title.

and that they will warranty and defend the same from all lawful claims whatsoever.

Date: November 15, 1995

Dwyane B. Anderson
DWYANE B. ANDERSON aka D.B. ANDERSON

Claudine R. Anderson
CLAUDINE R. ANDERSON

RECEIVED

DEC 12 1995

WATER RESOURCES
WESTERN REGION

STATE OF Idaho)
) ss
COUNTY OF Adams)

STATE OF IDAHO, COUNTY OF ADAMS

I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

On this 15th day of Nov, in the year of 1995, before me
a Notary Public, personally appeared
DWYANE B. ANDERSON, aka D.B. ANDERSON, and
CLAUDINE R. ANDERSON
known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me
that they executed the same

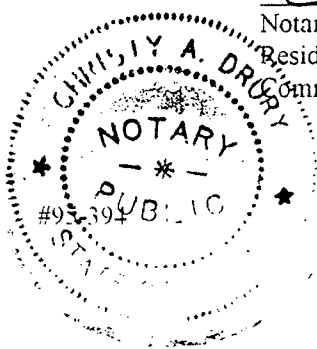
at 47 minutes past 3 o'clock P M.
this 17 day of November, 1995, in my
office, and duly recorded in Book ----
of Deeds at page ----

Christy A. Drury
Notary Public
Residing at 7 Fruitvale, Idaho
Commission expires: 8/4/98

Michael Fisk
Ex-Officio Recorder

By: Sarah Wilson
Deputy

Fees \$ 6.00
Mail to:



MICROFILMED

OCT 23 1996

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: **A67-07449**
Date Received: 12/28/1989
Receipt No: W007275
Received By: _____

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

1. Name: D B ANDERSON 208-347-2591
Address: HC 64 BOX 3440
COUNCIL ID 83612

2. Date of Priority: JUL 6, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	01E	31		NE	SW		ADAMS
			NW	NW	SE		ADAMS

5. Description of diverting works:
150' WELL, 8" CASING, PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		2.40
COMMERCIAL	01/01	12/31	0.040		1.30

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) 3.70 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 4 HOMES; COMMERCIAL, RESTAURANT & BAR

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	31	NE	SW		COMMER	
			NE	SW		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	31	NW	SE		COMMER	
			NW	SE		DOMEST	

11. Place of use in counties: ADAMS

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: LICENSE

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 _____

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 A67-07449
Date Received 12-28-89
Receipt Number W007275

RECEIVED
DEC 28 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ANDERSON, D.B. Phone (208) 347-2591
Mailing Address HC 64, Box 3440, Council, ID Zip 83612

2. Date of Priority (Only one (1) per claim) 07/06/1979

3. Source of water supply (a) GROUNDWATER
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 19N Range 01E Section 31,
NW 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of ADAMS

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____
ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. 8" WELL, 150' DEPTH, WITH

PUMP & PIPE LINE TO P/U.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For (4 UNITS) DOMESTIC purposes from 01/01 to 12/31 amount 0.08 or _____

For COMMERCIAL purposes from 01/01 to 12/31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is — acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC FOR 4 UNITS, COMMERCIAL FOR RESTAURANT & BAR.

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	01E	31									Com & Dom					Com & Dom			—

Total number of acres irrigated —

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

12. Do you own the property listed above as place of use? Yes X 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.
_____ or None (X)

14. Remarks:

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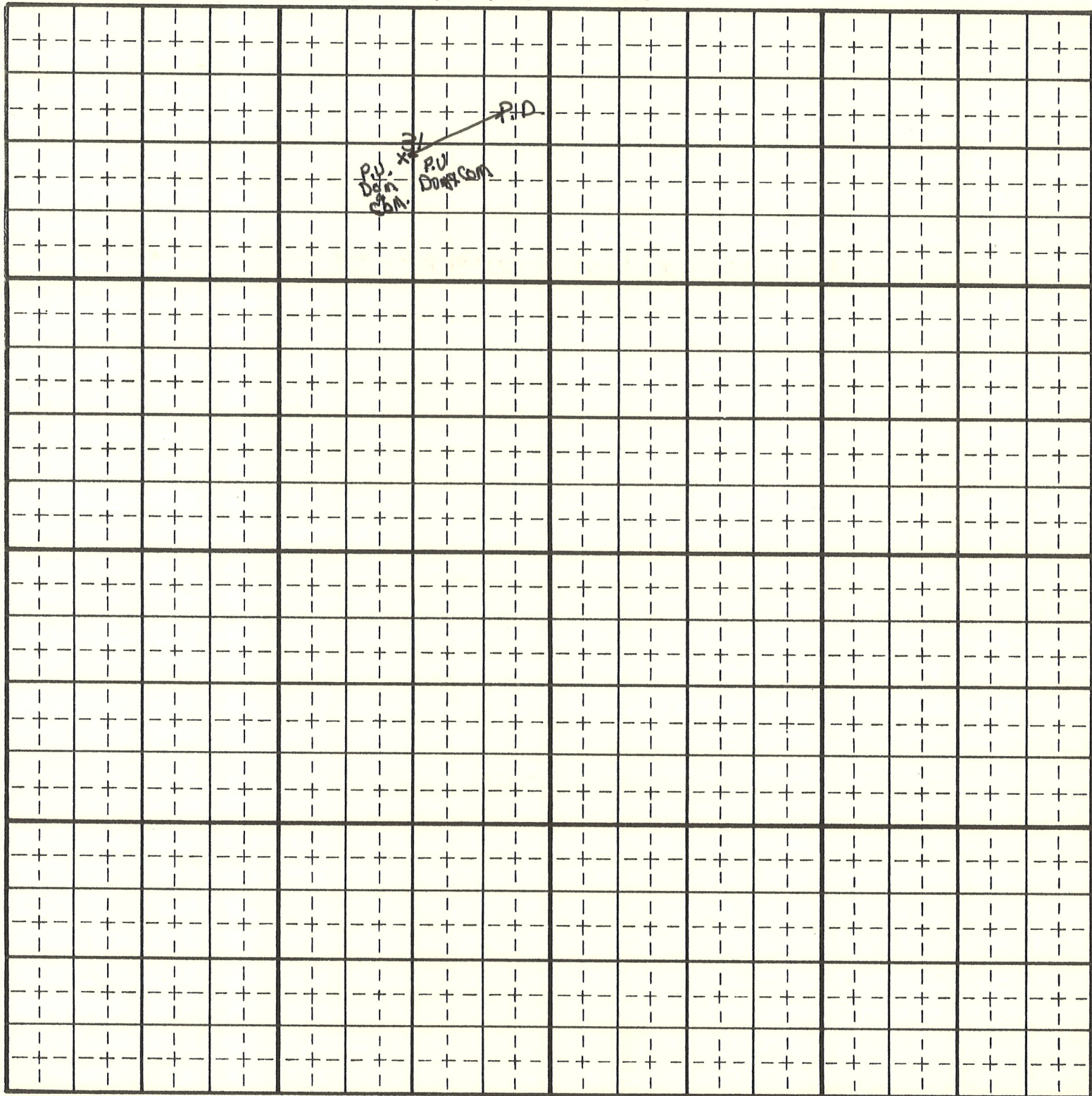
Last Name ANDERSON Ident No. A67-07449

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T19N R01E Sec 31



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Last Name ANDERSON
A67-07449

Ident No. A67-07449

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 67-07449
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) X O B Anderson Date 12-8-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
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 _____
Title and Organization _____ Date _____

State of Idaho/or _____)
County of ADAMS) SS.

Subscribed and sworn (or affirmed) before me this 8th day of Dec. 19 89

SEAL

Notary Public Donna L. Fultz

Residing at Boise, ID

My Commission Expires 11/08/1994

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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Last Name ANDERSON Ident. Number 67-07449

Copies White-State, Yellow-Claimant

State- OR Zip- 97914

+ - - -	- - - +	+ - - -	- - - +	+ - Decree Date - + 00/00/0000
Decree Plaintiff				
Decree Defendant				

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WATER RIGHT

- - -Comments- - -
No Comments Found

+ - - Audit Fields - 03/26/85 05/01/88 CONVERT

Proof Due Date	Approved/Denied	Proof Made Date	Exam to S.O. Date	Order Show Cause	Licensed Date	Decree Date	Field Exam Made	Protested Date	Hearing Date	Verified Date	Receipt Number	Appl Received	Presumption Flag	Water Rights Dates and Flags Area
-	-	-	-	-	-	-	09/01/1980	-	-	-	-	-	-	-
-	-	-	-	-	-	-	08/28/1979	-	-	-	-	-	-	-
-	-	-	-	-	-	-	01/01/1900	-	-	-	-	-	-	-
-	-	-	-	-	-	-	00/00/0000	-	-	-	-	-	-	-
-	-	-	-	-	-	-	00/00/0000	-	-	-	-	-	-	-
-	-	-	-	-	-	-	00/00/0000	-	-	-	-	-	-	-
-	-	-	-	-	-	-	04/19/1982	-	-	-	-	-	-	-
-	-	-	-	-	-	-	00/00/0000	-	-	-	-	-	-	-

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ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Anderson, D.B.CLAIM IDENT. NO. AL67-07449DATE RECEIVED 12-28-89 RECEIPT # 0007275 FEE PAID \$ 58.00 FEE REQ'D \$ 58.00

	YES	NO	Require Info?
1. Is the name and address complete with zip code?	<u>X</u>	<u> </u>	*
2. Is a priority date entered?	<u>X</u>	<u> </u>	*
Is the priority date acceptable in view of mandatory filing dates?	<u>X</u>	<u> </u>	*
See Adjudication Memos #1 and #4 to determine if a Permit is required.	<u>X</u>	<u> </u>	
3. (a) Is a source entered?	<u>X</u>	<u> </u>	*
(b) Is a tributary to entered? (if required) N/A <u>X</u>	<u> </u>	<u> </u>	
4. Is the legal description of the p.d. sufficient?	<u>X</u>	<u> </u>	*
5. Is there a description of the diverting works?	<u>X</u>	<u> </u>	
6. Are the water uses appropriate for the form?	<u>X</u>	<u> </u>	*
The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	<u> </u>	<u> </u>	
Is the period of use included?	<u>X</u>	<u> </u>	
Is a quantity claimed for each use?	<u>X</u>	<u> </u>	*
7. Is a total quantity claimed entered?	<u>X</u>	<u> </u>	
8. If required is a consumptive use entered? N/A <u>X</u>	<u> </u>	<u> </u>	
Is the consumptive use correct? N/A <u>X</u>	<u> </u>	<u> </u>	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock?	<u>X</u>	<u> </u>	*
If multiple domestic, is single ownership indicated?	<u> </u>	<u>X</u>	
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>X</u>	<u> </u>	*
11. Is (are) the county(ies) entered?	<u>X</u>	<u> </u>	
12. Is the ownership of p.u. checked?	<u>X</u>	<u> </u>	
13. Are other water rights listed or "none" indicated?	<u>X</u>	<u> </u>	
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.) N/A <u>X</u>	<u> </u>	<u> </u>	
15. Is the basis of the claim indicated?	<u>X</u>	<u> </u>	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A <u> </u>	<u>X</u>	<u> </u>	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.	<u> </u>	<u> </u>	
If no, was water right no. found?	<u> </u>	<u> </u>	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A <u>X</u>	<u> </u>	<u> </u>	
(If yes, attach a proof report & complete number change)	<u> </u>	<u> </u>	
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	<u> </u>	<u> </u>	
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A <u>X</u>	<u> </u>	<u> </u>	
19. Is the claim signed by the claimant, and is the signature appropriate?	<u>X</u>	<u> </u>	*
20. Has the claim been signed, sealed, and dated by a notary?	<u>X</u>	<u> </u>	*
21. Was this claim filed on time?	<u>X</u>	<u> </u>	*
(Check ML3 for date mailed-not all were mailed on the planned date)	<u> </u>	<u> </u>	
If no, was an extension of time filed & approved?	<u> </u>	<u> </u>	*
22. Is the fee enclosed correct? Exempt <u> </u>	<u>X</u>	<u> </u>	*

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	YES	NO
23. Is this claim being rejected and returned to claimant?	<u> X </u>	<u> X </u>
24. Can this claim be data entered?	<u> X </u>	<u> X </u>
25. Was claim modified?	<u> X </u>	<u> X </u>
If yes, do modifications require notification to claimant? Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: JH Date 3-21-94
 Claim data entered by: JH Date 7-18-94

IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER
 THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE
 RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: One additional POA claimed that is not on license.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

January 4, 1996

PHILIP E. BATT
GOVERNOR

Re: Original Notice of Claim to a Water Right No. A67-07153
Renumbered Notice of Claim to a Water Right No. A67-07153A

KARL J. DREHER
DIRECTOR

*** ALSO Notice of Claim No. A67-07449

MEREDITH L HENRY JR OR
JERRI J HENRY
2521 MT PLEASANT RD
KELSO WA 98626

Dear Meredith and Jerri,

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right A67-07153. This change of ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

*** Claim No. A67-07449:

1. Also enclosed is a copy A67-07449 which reflects the CHANGE IN OWNERSHIP of the lands and appurtenant water rights covered by this claim.
2. The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Please feel free to contact this office if you have any questions concerning your claims or this letter.

Sincerely,

Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Attachment(s)

SCANNED
APR 14 2004

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OCT 23 1995

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 31: A parcel of land situated in the NW1/4SE1/4 and the NE1/4SW1/4 of said section more particularly described as follows:

Commencing at the C1/4 corner of Section 31, T19NR1E, a 3 1/4" brass cap;

Thence South 08 degrees 42'01" East 250.14 feet to the NE corner of Lot 5, Block 2, of White Subdivision as shown on the official plat thereof on file in Book 1 Plats page 35 of the Adams County Recorder's Office, a 5/8 inch rebar, the REAL POINT OF BEGINNING;

Thence South 01 degrees 15' West 409.00 feet to the SE corner of Lot 1, Block 2 of said plat, a 5/8 inch rebar;

Thence continuing South 01 degrees 15' West 86.49 feet to the Southerly right-of-way of that particular 60.00 foot wide easement for highway or road purposes, recorded in Book 29 Deeds page 444 in the office of the Recorder in Adams County, Idaho.

Thence 31.30 feet along said Southerly right-of-way on a non-tangent curve to the left whose long chord bears North 51 degrees 54'53" East 31.30 feet and whose radius is 1030.00 feet and delta angle is 01 degrees 44'29";

Thence North 51 degrees 02'38" East 45.16 feet along said Southerly right-of-way;

Thence South 01 degrees 15' West 73.36 feet along a line 100.00 feet West of and parallel to the Westerly right-of-way of U.S. Highway No. 95 to the center of the channel of an unnamed tributary of the Weiser River;

Thence North 58 degrees 50'55" East 118.44 feet along said channel to its intersection with the Westerly right-of-way of U.S. Highway No. 95;

Thence North 01 degrees 15' East 791.20 feet along said Westerly right-of-way;

Thence North 88 degrees 45' West 158.70 feet to a 3/4 inch smooth rod;

Thence South 01 degrees 15' West 125.00 feet;

Thence North 88 degrees 45' West 65.00 feet;

Thence South 01 degrees 15' West 219.76 feet to the Northerly boundary of said Lot 5, Block 2;

Thence North 82 degrees 32'30" East 65.76 feet to the POINT OF BEGINNING.

THIS PARCEL IS EXPRESSLY SUBJECT TO the easement of the United States for the 60 foot wide Lost Valley Reservoir Loop Highway as described in Deeds of Easement, hereinbefore referred to, and to a 50 foot wide road right-of-way for ingress and egress, previously conveyed to Dorothy Stover (Hoeme) and others which connects with the road along the North side of Lot 5 of Block 2 of White Subdivision to U.S. Highway 95, and is subject to other existing rights-of-way.

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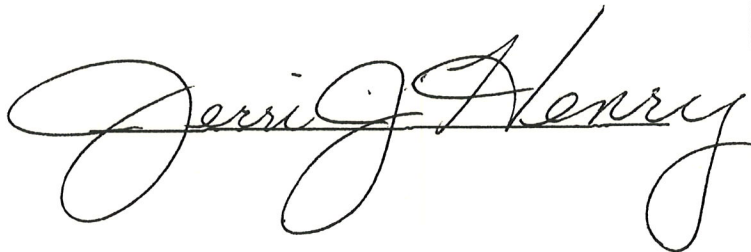
INSTRUMENT NO. 89139

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That we, MEREDITH L. HENRY, JR., aka "BUTCH HENRY" and JERRI J. HENRY, husband and wife, residing at Kelso, Washington do hereby appoint MYRON DAN GABBERT, of McCall, Idaho, our true and lawful attorney in fact, for us and in our name, place and stead, and for our use and benefit to close the purchase of the following described real estate located in Adams County, Idaho, to wit:

The property known as the Pineridge Store Property, as set forth in Earnest Money ID # 833884, and as described on Timberline Title Commitment Order No. 100-95-394, and as described on Exhibit "A" attached hereto.

IN WITNESS WHEREOF, We have hereunto set our hand and seal this 1st day of September, 1995.



MICROFILMED
OCT 23 1996

MYRON DAN GABBERT

ATTORNEY AT LAW

203 E. LAKE ST., SUITE 9

P.O. BOX AP McCALL, IDAHO 83638

PHONE (208) 634-2200 FAX (208) 634-2201

Township 19 North, Range 1 East, Boise Meridian, Adams County, Idaho

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901 53 1886
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