

RECEIVED

11/14/2006

DEC 05 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

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

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-10864

MARILYN ABRAHAM
3019 HIGHWAY 95
CAMBRIDGE ID 83610
Telephone Number: (208)740-0286

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

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

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

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

DATE: Dec. 3, 2006 SIGNATURE: Marilyn J. Abraham

Please print your name: Marilyn J. Abraham

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC - 8 2006

11/10/2006

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

RIGHT NUMBER: 67-10864

NAME AND ADDRESS: MARILYN ABRAHAM
3019 HIGHWAY 95
CAMBRIDGE ID 83610

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/01/1955

POINT OF DIVERSION:

T14N R02W S7 NENWSW Lot 3 Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
STOCKWATER	01/01 12/31	0.040 CFS
Domestic use is for 2 homes.		

PLACE OF USE: STOCKWATER in WASHINGTON County

T14N R02W S07 Lot 3 NWSW

DOMESTIC in WASHINGTON County

T14N R02W S07 Lot 3 NWSW

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.

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. RP14N02W075410.

Stockwater use is for 50 range cattle and 10 horses.



Idaho Department of Water Resources

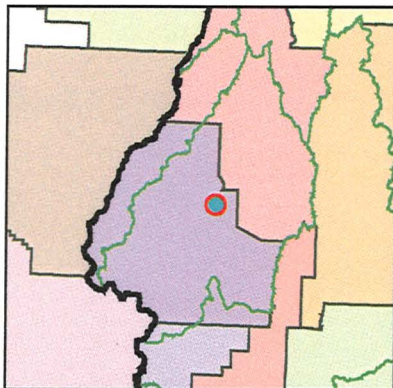
SRBA Recommendation:

67-10864

(Stockwater)

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by L. Graves
On Friday, November 10, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10864 V1

WATER RIGHT NUMBER: 67-10864 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DONNA M LEGG HC 68 BOX 2030 CAMBRIDGE, ID 83610 (208)257-3736
Current Owner	MARILYN ABRAHAM 3019 HIGHWAY 95 CAMBRIDGE, ID 83610 (208)740-0286
Original Owner	NELBERT F LEGG HC 68 BOX 2030 CAMBRIDGE, ID 83610 (208)257-3736

Priority Date: 07/01/1955

Basis: Beneficial Use

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>
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

GROUND WATER	L3 (NE1/4NW1/4SW1/4)	Sec. 7, Twp 14N, Rge 02W, B.M.
WASHINGTON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	02W	7											X						
													L 3						

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	02W	7											X						
													L 3						

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-10864 V1

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.
2. Parcel No. RP14N02W075410.
3. X01 Domestic use is for 2 homes.
4. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
5. X02 Stockwater use is for 50 range cattle and 10 horses.
6. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:Comments:

1. Igraves 11/10/2006 P/D

Comment: A map was not included with the claim. Location of the well was centered within the domestic area boundary.

2. Igraves 11/10/2006 P/U

Comment: A map was not included with the claim. A boundary was drawn around the buildings identified on the 1987 and 2004 aerial photos.

3. Igraves 11/10/2006 History

Comment: This claim was mistakenly split into 67-14507 and 67-14508 then recombined. See file for details.

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:

Owner Name Connector: OR

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:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10864

WATER RIGHT NUMBER: 67-10864

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DONNA M LEGG HC 68 BOX 2030 CAMBRIDGE, ID 83610 (208)257-3736
Current Owner	MARILYN ABRAHAM 3019 HIGHWAY 95 CAMBRIDGE, ID 83610 (208)740-0286
Original Owner	NELBERT F LEGG HC 68 BOX 2030 CAMBRIDGE, ID 83610 (208)257-3736

Priority Date: 07/01/1955

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

GROUND WATER

NE1/4NW1/4SW1/4

Sec. 7, Twp 14N, Rge 02W, B.M.

WASHINGTON County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	02W	7										X							

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	02W	7										X							

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-10864

Conditions of Approval:

1. Two houses are served by the well. Both are owned by applicants and the smaller of the two is essentially used for guests and storage.
2. P22 SPLIT RIGHT: SEE RIGHT NOS. 67-14507 AND 67-14508
3. THIS RIGHT WAS SPLIT BY MISTAKE AND HAS BEEN RECOMBINED.
4. CHANGE OF OWNERSHIP 4/6/05 LG
5. Domestic - 2 houses - both owned by applicants
Stock - 50 cattle & 10 horses

Remarks:Comments:Dates and Other Information:

Claim Received Date: 10/16/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: OR
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:

add X01 2 houses
X02 50 stock
10 horses
Parcel No.
N11
N13

Water Supply Bank:

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 67-10864
Date Received: 10/16/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARILYN ABRAHAM Phone: (208)740-0286

3019 HIGHWAY 95
CAMBRIDGE ID USA 83610

2. Date of Priority: 07/01/1955

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14N	02W	7	NE NW SW	WASHINGTON	

5. Description of diverting works:

Well: 70 feet deep, 6inch casing, 1.5 HP submersible pump; pipe to houses.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.04	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.08 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
14N	02W	7	NW	SW	DOMESTIC	
			NW	SW	STOCKWATER	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Domestic - 2 houses - both owned by applicants
Stock - 50 cattle & 10 horses

Two houses are served by the well. Both are owned by applicants and the smaller of the two is essentially used for guests and storage.

THIS RIGHT WAS SPLIT BY MISTAKE AND HAS BEEN RECOMBINED.

CHANGE OF OWNERSHIP 4/6/05 LG

SPLIT RIGHT: SEE RIGHT NOS. 67-14507 AND 67-14508

15. Basis of Claim: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10864

WATER RIGHT NUMBER: 67-10864

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NELBERT F LEGG HC 68 BOX 2030 CAMBRIDGE, ID 83610 (208)257-3736
Current Owner	DONNA M LEGG HC 68 BOX 2030 CAMBRIDGE, ID 83610 (208)257-3736

Priority Date: 07/01/1955

Basis: Beneficial Use

Status: PARENT

<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>
DOMESTIC	01/01 to 12/31	0.040 CFS	
STOCKWATER	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4SW1/4	Sec. 7,	Twp 14N,	Rge 02W, B.M.
WASHINGTON County				

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N	02W	7										X							

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
14N	02W	7										X							

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-10864

Remarks:

1. General Domestic - 2 houses - both owned by applicants
Stock - 50 cattle & 10 horses
2. General Two houses are served by the well. Both are owned by applicants and the smaller of the two is
essentially used for guests and storage.
3. General SPLIT RIGHT: SEE RIGHT NOS. 67-14507 AND 67-14508

Comments:Dates and Other Information:

Claim Received Date: 10/16/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector: OR
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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

FEB 13 2004

WATER RESOURCES
WESTERN 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 (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
67-10864					
67-490A					

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate ~~FILING FEE~~. See instructions for fee amounts. *No Fee*
- 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) Donna M. Legg and Nelbert F. Legg
HC 68 Box 2030
4. New Owner/Claimant(s) Cambridge, Idaho 83610
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address Marilyn J. Abraham
- City, State and ZIP Code 3019 Highway 95 Cambridge, Idaho
83610
- New Telephone Number (208) 740-0286
5. Date you acquired the property March 21, 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

*We will
take
care of
this.*

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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 DB Date 2-13-04 Fee 0

Receipted by _____ Date _____ Receipt No. _____

Processed by _____ AJ Date _____ WR _____ Date _____

EXHIBIT "A"

A parcel of land situated within Government Lot 3 of Section 7, Township 14 North, Range 2 West, Boise Meridian, Washington County, Idaho, more particularly described as follows:

Beginning at the northwest corner of said Government Lot 3;

Thence $S 0^{\circ}21'42'' W$, a distance of 34.76 feet along the west line of said Government Lot 3 to the TRUE POINT OF BEGINNING, which point is on the south right of way line of U.S. Highway 95;

Thence $N 89^{\circ}53'59'' E$, a distance of 1294.48 feet along the south right of way line of U.S. Highway 95 to a point on the east line of said Government Lot 3;

Thence $S 0^{\circ}11'32'' W$, a distance of 386.56 feet along the east line of said Government Lot 3;

Thence $N 88^{\circ}21'10'' W$, a distance of 265.22 feet;

Thence $N 68^{\circ}49'21'' W$, a distance of 89.65 feet;

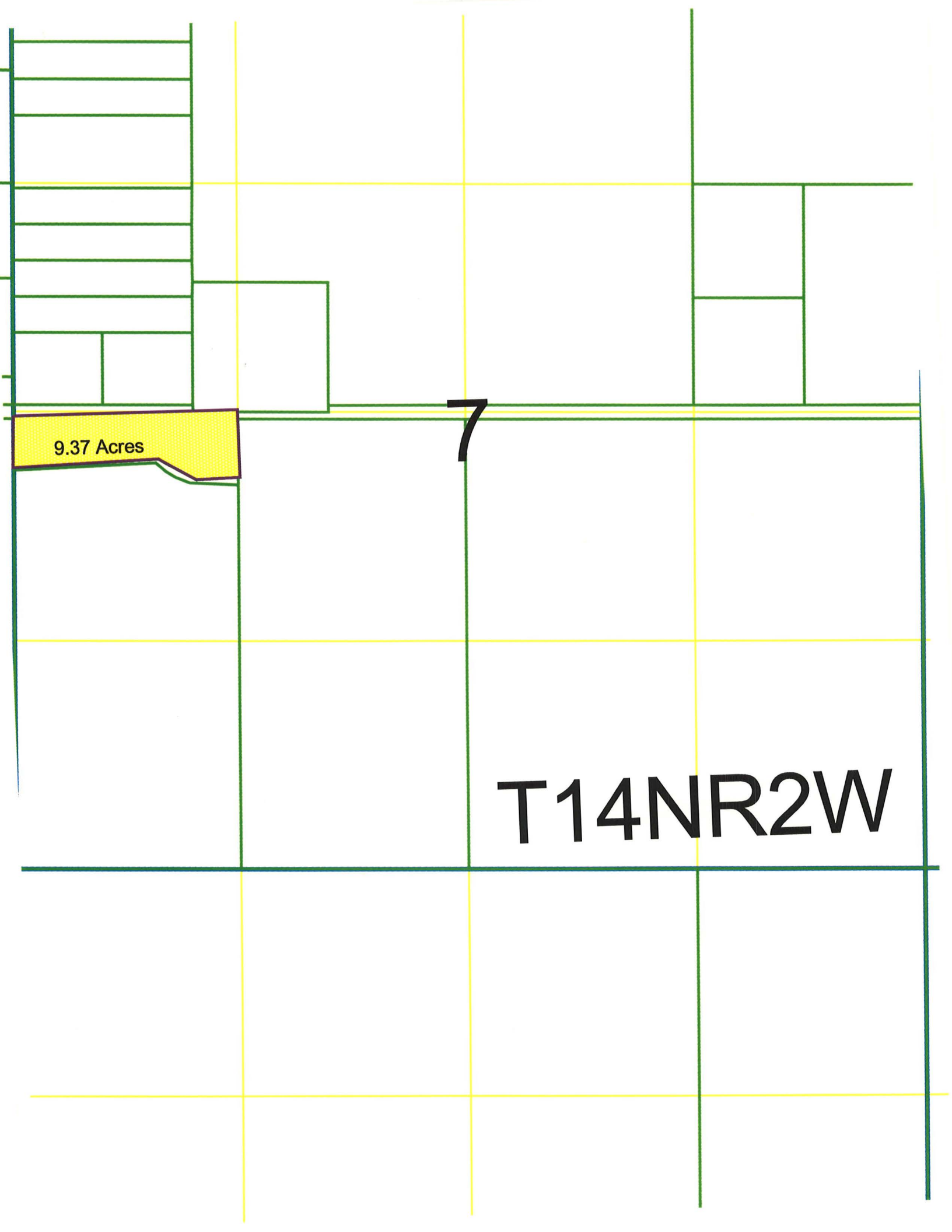
Thence $N 60^{\circ}38'40'' W$, a distance of 62.89 feet;

Thence $N 49^{\circ}29'51'' W$, a distance of 79.28 feet;

Thence $S 87^{\circ}40'04'' W$, a distance of 831.93 feet to a point on the west line of said Government Lot 3;

Thence $N 0^{\circ}21'42'' E$, a distance of 295.82 feet along the west line of said Government Lot 3 to the TRUE POINT OF BEGINNING.

North 1,488,119.21
East 2,290,722.65



9.37 Acres

7

T14NR2W

0

7

T14NR2W

10

189076

SPECIAL WARRANTY DEED

Order No.: 5000314135CGC

FOR VALUE RECEIVED

JP MORGAN CHASE BANK, f/k/a THE CHASE MANHATTAN BANK, successor by merger to CHASE BANK OF TEXAS, N.A., f/k/a TEXAS COMMERCE BANK, N.A., as Custodian, an Idaho Corporation
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Marilyn J. Abraham, an unmarried person

whose current address is

3019 Hwy. 95 Cambridge, ID 83610

the grantee(s), the following described premises, in Washington County, Idaho, TO WIT:

See Attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that no encumbrances were initiated during the ownership of the undersigned nor is the undersigned aware of any such.

*SELLER WARRANTS TITLE AGAINST THE LAWFUL CLAIMS BY, THROUGH OR UNDER SELLER, BUT NOT FURTHER OR OTHERWISE. THIS CONVEYANCE IS MADE WITHOUT WARRANTY OR REPRESENTATION, EITHER EXPRESSED OR IMPLIED AND IS AN "AS IS" AND "WHERE IS" BASIS.

Dated: 03-13-03

JP MORGAN CHASE BANK, f/k/a THE CHASE
MANHATTAN BANK, successor by merger to
CHASE BANK OF TEXAS, N.A., f/k/a TEXAS
COMMERCE BANK, N.A., as Custodian, By:
Integrated Asset Services, Inc., As Attorney-in-fact

By: *Kathryn Heston*
V. Pres.

Instrument # 189076

WEISER, WASHINGTON, IDAHO

2003-03-25

03:35:00 No. of Pages: 3

Recorded for : WEISER VALLEY TITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 9.00

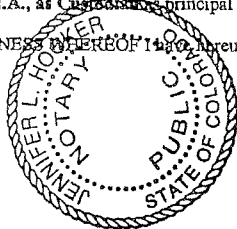
Sharon Widner

189076

State of Colorado }
County of Denver } ss.

On this 13th day of March in the year 2003, before me, a Notary Public in and for said state, personally appeared Kathryn L. Rothgorn known or identified to me to be the person(s) whose name(s) subscribed to the within instrument as Attorney-in-fact of JP Morgan Chase Bank f/k/a The Chase Manhattan Bank, successor by merger to Chase Bank of Texas, N.A., f/k/a Texas Commerce Bank, N.A., as Custodian, and acknowledged to me that she subscribed the name of JP Morgan Chase Bank f/k/a The Chase Manhattan Bank, successor by merger to Chase Bank of Texas, N.A., f/k/a Texas Commerce Bank, N.A., as Custodian's principal and his/her own name as Attorney-in-fact.

IN WITNESS WHEREOF I have set my hand and affixed my official seal the day and year first above written.



[Signature]
Notary Public for the State of Colorado
Residing at: Denver
Commission Expires: 01-16-2007

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 67-10864
Date Received: 10/16/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

NELBERT F LEGG
HC 68 BOX 2030
CAMBRIDGE ID USA 83610

Phone: (208) 257-3736

DONNA M LEGG
HC 68 BOX 2030
CAMBRIDGE ID USA 83610

Phone: (208) 257-3736

2. Date of Priority: 07/01/1955

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14N	02W	7	NE NW SW	WASHINGTON	

5. Description of diverting works:

Well: 70 feet deep, 6inch casing, 1.5 HP submersible pump; pipe to houses.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.04	
DOMESTIC	01/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.08 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
14N	02W	7	NW	SW	DOMESTIC	
			NW	SW	STOCKWATER	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Domestic - 2 houses - both owned by applicants
Stock - 50 cattle & 10 horses

Two houses are served by the well. Both are owned by applicants and the smaller of the two is essentially used for guests and storage.

15. Basis of Claim: Beneficial Use

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. AL67-10864Date Received 10-16-89Receipt Number W006263

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

OCT 16 1989

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

Department of Water Resources
Western Regional Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Nelbert & Donna M. Legg Phone (208) 257-3736
Mailing Address HC 68 Box 2030 Cambridge, Idaho Zip 83610

2. Date of Priority (Only one per claim) July 1, 1955 Month/Day/Year

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

4. Location of point of diversion is: Township 14 N Range 2 W
Section 7, NE 1/4 of NW 1/4 of SW 1/4, Govt. Lot _____, BM.,

County of Washington

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. Well: 70 feet deep, 6 inch casing, 1.5 HP submersible pump; pipe to houses

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 .04 (cfs)
(Both dates are inclusive)
For Stockwater purposes from 1-1 to 12-31 amount .04

7. Total quantity claimed .08 (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 - 2 houses - both owned by applicants
Stock - 50 cattle & 10 horses

10. Place of use is: Township: 14 N Range 2 W
Section 7, NW 1/4 of SW 1/4, Govt. Lot _____, B.M.,
County of Washington 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? Washington

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. None (X)

14. Remarks: Two houses are served by the well. Both are owned by applicants and the smaller of the two is essentially used for guests and storage.

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) _____

Number of Attachments _____

By signing I/We acknowledge reading the notice on the back of this claim form. I/We wish to receive for a small annual fee monthly copies of the docket sheet.
YES _____ NO ✓

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

Signature of Claimant (s) Nelbert Legg Date 10-13-89
Donna M Legg Date 10-13-89

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

of _____, Title _____, that I have signed the foregoing document in the space below as _____ of _____ 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 Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 13th day of October 19 89

SEAL

Notary Public Ann Legg
Residing at Hailey, Idaho
My Commission Expires life

Last Name Legg Ident No. _____
Copies: White-State, Yellow-Claimant

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: W006263

Date: 10/16/89
Time: 14:07:31

Received
From: LEGG, DONNA M.

Type of Payment	Program Acct Class	Amount
ADJUDICATION CLAIM FEE	0410162 9337 6490	\$155.00
Total		\$155.00

CHECK 751

WR/NO: A67-00490 A67-10864

Idaho Department of Water Resources

Region: WESTERN

Signature: Lori Harris

2-22-05

Liberty

Ok on your split of the irrigation right. The Abraham's own 9.4 acres within the 40 acre parcel in the NWSW, Sec. 7, T. 14N, R. 2W and should receive a proportionate amount of the original Claim No. 67-490A. This would amount to the .11 cfs to the Abraham's and 9.4 acres under 67-14510 and the remaining 30.6 acres in the NWSW stays in the Legg's name whether or not irrigation has ceased at this time. According to the 1987 aerial photo, which we will use in our recommendation, irrigation was occurring on the entire 40 minus a little bit for the home and barn area. The remaining 30.6 acres in the NWSW, S7 will remain in Legg's name unless another change of ownership occurs. We cannot give those acres to another because they have been told they are no longer using the water. The water is appurtenant to the ground it covered and that proportionate amount. In this case 9.4 acres and .11 cfs.

The home and barn area that the Legg's originally filed on in the NWSW, S.7 should definitely go to the Abraham's (only) according to the taxlot vs the aerial photo. See photo attached. It shows the homes and stockwater area being solely located on Abraham's taxlot. So, there should not have been a split of the domestic and stockwater right. We need to make 67-10864 an active right in the name of the Abraham's and list the splits as recombined into 67-10864 with remarks explaining all. Please have Lori assist you with this.

Jan

An aerial photograph of a rural landscape. The image shows a mix of green fields and yellowish-brown fields, likely representing different crops or land uses. A yellow line runs vertically through the center of the image, and a blue line runs horizontally across the middle. A yellow callout box with a black border and a black shadow is positioned in the lower right quadrant. The text inside the box is black and reads: "Home, stock area all in Abraham's taxlot under 67-10864".

Home, stock area
all in Abraham's taxlot
under 67-10864

Jan-

1-6-05

Ok- I did this split for Irrigation, Domestic & Stockwater. I was confused by the domestic and didn't know that those could be split. There was no real clarification in the deed or anything so I asked Lori about it and she said that I should call Marilyn Abraham (the new owner) to verify that it was divided between her and the original owner. I called and she said that it was split. Today I received a message from Marilyn saying that she was mistaken that all the water rights went to her 9.4 acre section. This confused Lori and I so I called her back to confirm and she told me that the water rights for all 80 acres went to her for her 9.4 acres. She said that the people who bought the other 70.6 acres don't irrigate or use any water and told her that they haven't ever had water rights. They live in town and rely on rain and snow to water thier alfalfa fields. This all sounds a little fishy to me, that can't be right can it? So, what do we do now?

-Liberty



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 5, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Marilyn Abraham
3019 Highway 95
Cambridge, ID 83610

Re: Original Notice of Claim to a Water Right No. 67-00490A, 67-10864

Renumbered Notice of Claim to a Water Right No. 67-14510, 67-14508

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim, using a new water right number 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.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim represents a split of the claim filed by a previous owner during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

LG: lg

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 5, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Nelbert & Donna Legg
HC 68 Box 2030
Cambridge, ID 83610

Re: Original Notice of Claim to a Water Right No. 67-10864, 67-00490A

Renumbered to Notice of Claim to a Water Right No. 67-14507, 67-14509

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new claim number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your right. This claim represents the remaining portion of the claim filed during claims taking in the Snake River Basin Adjudication (SRBA) and has not yet been verified by this Department. Water rights are established and maintained by beneficial use of water for the uses designated on this claim form dating back to the priority date listed. This claim will be investigated, verified and recommended to the SRBA Court for court decree sometime in the near future. You will be notified prior to the beginning of any verification of this water right.

Thank you for your patience, as we have had several water right changes to process. If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

LG: lg

Enclosure