

11/14/2006

NOTICE OF ERROR
REPLY

DEC 13 2006

DEPARTMENT OF
WATER RESOURCES

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: 67-14091

DIANNA ANDERSON

2325 HWY 95

COUNCIL ID 83612

Telephone Number: (208)253-6121

KELLY ANDERSON

2325 HWY 95

COUNCIL ID 83612

Telephone Number: (208)253-6121

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:

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

DATE:

12/11/06

SIGNATURE:

Dianna Anderson

Please print your name:

Dianna Anderson

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

SCANNED

DEC 13 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14091 V1

WATER RIGHT NUMBER: 67-14091 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FERDINAND HUDEMANN 2325 HIGHWAY 95 COUNCIL, ID 83612-5233
Original Owner	PATTI ANN ANDERSON 2325 HIGHWAY 95 COUNCIL, ID 83612-5233 (208)253-6015
Current Owner	DIANNA ANDERSON 2325 HWY 95 COUNCIL, ID 83612 (208)253-6121
Current Owner	KELLY ANDERSON 2325 HWY 95 COUNCIL, ID 83612 (208)253-6121
Original Owner	MARGARET HUDEMANN 2325 HIGHWAY 95 COUNCIL, ID 83612-5233
Original Owner	RICHARD T ANDERSON 2325 HIGHWAY 95 COUNCIL, ID 83612-5233 (208)253-6015

Priority Date: 06/01/1891

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	1.580 CFS	
	<u>Total Diversion:</u>	1.580 CFS	

Location of Point(s) of Diversion

WEISER RIVER	NE1/4SW1/4NW1/4	Sec. 26, Twp 17N, Rge 01W, B.M.
ADAMS County	(Rediversion)	
WEISER RIVER	SW1/4SW1/4NW1/4	Sec. 26, Twp 17N, Rge 01W, B.M.
ADAMS County	(Rediversion)	
WEISER RIVER	NW1/4NW1/4SW1/4	Sec. 26, Twp 17N, Rge 01W, B.M.
ADAMS County	(Rediversion)	
WEISER RIVER	NE1/4NW1/4SW1/4	Sec. 10, Twp 17N, Rge 01W, B.M.
ADAMS County		
WEISER RIVER	SE1/4NE1/4SE1/4	Sec. 27, Twp 17N, Rge 01W, B.M.
ADAMS County	(Rediversion)	

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14091 V1

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N 01W 27			25.0	22.0					2.0				22.0	26.0			97.0

Total Acres: 97

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. W67 Use of this right is combined with water from Farmers Canal Water Users Association.

Remarks:Comments:

1. mvanbussum 3/8/2006 Quantity

Comment: This is the sole claim for 67-39 and 67-40. Recommending entire decreed right quantity of 1.58 cfs, which is 0.81 inches per acre instead of the usual Muir v. Allison quantity of 0.625 inches per acre, assuming consolidation of water use since original Muir v. Allison decree.

2. mvanbussum 3/8/2006 Period of Use

Comment: Recommended standard season of use.

3. mvanbussum 3/8/2006 copied from remarks

Comment: THIS WATER CARRIED IN THE FARMERS CANAL. THERE ARE FIVE POINTS OF REDIVERSION FROM THE FARMERS CANAL. TWO OF THESE ARE IN THE SENESE SEC. 27. THIS IS A COMBINATION OF RIGHTS 67-00039 AND 67-00040.

4. mvanbussum 3/8/2006 copied from remarks

Comment: Ownership changed by DH 12/9/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14091 V1

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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	3/8/2006 4:02:14 PM	mvanbussum			Active
Priority Date	3/8/2006 4:02:27 PM	mvanbussum			Active
POD	3/8/2006 4:02:43 PM	mvanbussum			Active
Source	3/8/2006 4:20:13 PM	mvanbussum			Active
POU	3/8/2006 4:20:29 PM	mvanbussum			Active
Use	3/8/2006 4:21:43 PM	mvanbussum			Active
Season	3/8/2006 4:22:27 PM	mvanbussum			Active
Quantity	3/8/2006 4:23:58 PM	mvanbussum			Active
Summary			03/08/2006	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	3/8/2006 4:02:14 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Sufficient information in file.
POD	3/8/2006 4:18:34 PM	mvanbussum	Updated shape
Source	3/8/2006 4:20:13 PM	mvanbussum	(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	3/8/2006 4:19:10 PM	mvanbussum	Updated shape
POD	3/8/2006 4:06:36 PM	mvanbussum	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14091 V1

POU	3/8/2006 4:21:03 PM	mvanbussum	Updated shape for Active POU
General	3/8/2006 4:02:27 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?
POD	3/8/2006 4:02:43 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	3/8/2006 4:11:41 PM	mvanbussum	Updated shape
POD	3/8/2006 4:17:15 PM	mvanbussum	Updated shape
Summary	3/8/2006 4:27:11 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? (Yes) 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?
POU	3/8/2006 4:20:29 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	3/8/2006 4:21:19 PM	mvanbussum	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14091 V1

Use	3/8/2006 4:21:42 PM	mvanbussum	(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?
Season	3/8/2006 4:22:27 PM	mvanbussum	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	3/8/2006 4:23:58 PM	mvanbussum	(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? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

Water Supply Bank:

03/08/2006

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

RIGHT NUMBER: 67-14091

NAME AND ADDRESS: DIANNA ANDERSON
2325 HWY 95
COUNCIL ID 83612

KELLY ANDERSON
2325 HWY 95
COUNCIL ID 83612

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.580 CFS

PRIORITY DATE: 06/01/1891

POINT OF DIVERSION:

T17N R01W S10 NENWSW Within ADAMS County
T17N R01W S26 NESWNW Rediversion Within ADAMS County
T17N R01W S26 SWSWNW Rediversion Within ADAMS County
T17N R01W S26 NWNWSW Rediversion Within ADAMS County
T17N R01W S27 SENESE Rediversion Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	1.580 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S27	SWNE	25.00	T17N R01W S27	SENE	22.00
T17N R01W S27	NESW	2.00	T17N R01W S27	NESE	22.00
T17N R01W S27	NWSE	26.00			

97 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



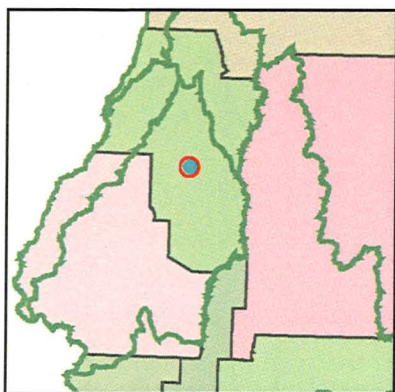
Idaho Department of Water Resources

Adjudication Claim:

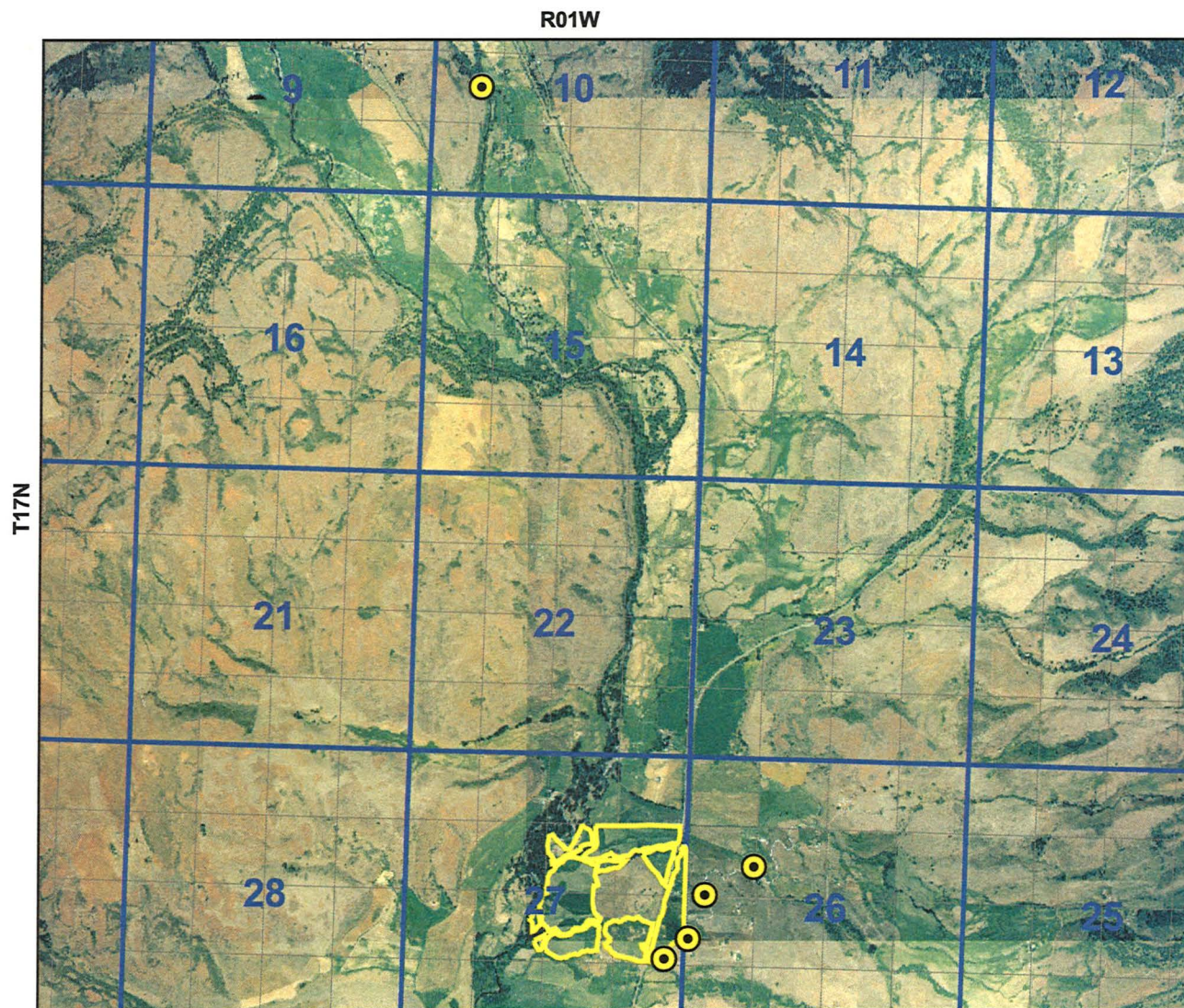
67-14091

Legend

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



Adams County
IDWR Basin 67

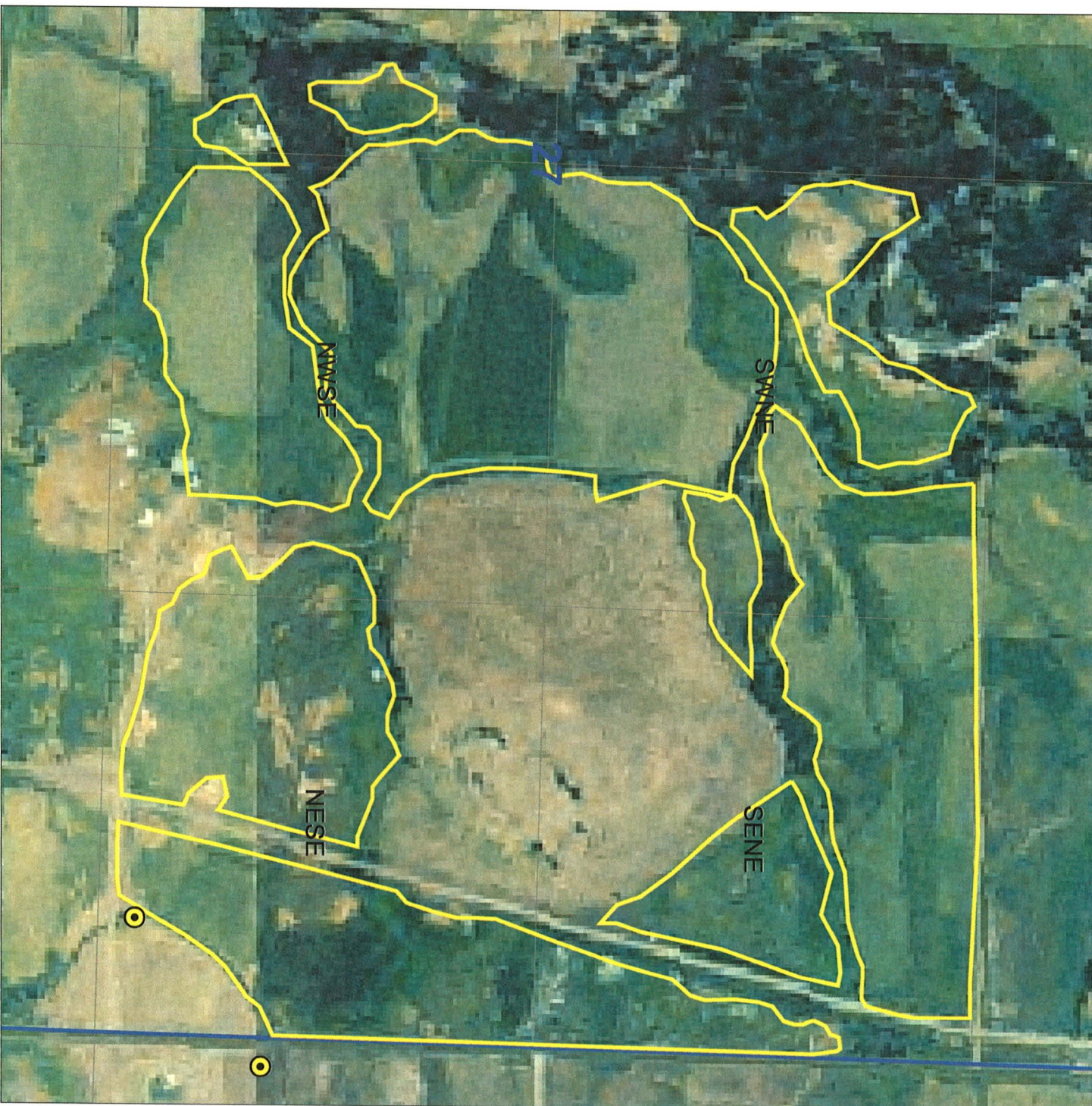
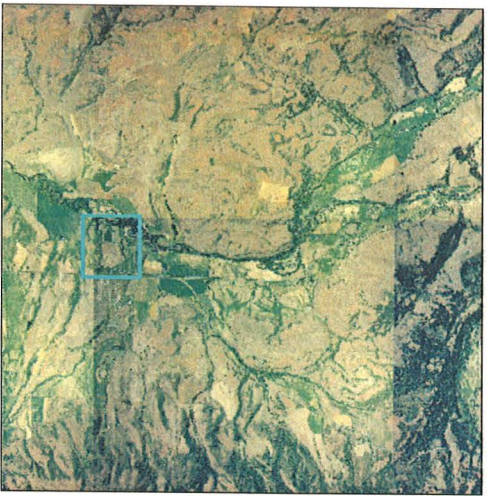


0 1 2 Miles



Prepared by M. Van Bussum
On Wednesday, March 8, 2006
1987/88 Aerial Photography

67-14091



RECEIVED



State of Idaho

JAN 31 2006

DEPARTMENT OF WATER RESOURCES
Adjudication Bureau

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 19, 2006

DIANNA ANDERSON
KELLY ANDERSON
2325 HWY 95
COUNCIL ID 83612

RE: POINTS OF DIVERSION FOR 67-14091

Dear Claimants:

As you may know, the Idaho Department of Water Resources (IDWR) has recently begun investigating Snake River Basin Adjudication (SRBA) claims in Basin 67. In order to recommend claims, elements of the claims, such as priority date and purpose of use, have to be verified.

In the claim for 67-14091, you listed 5 points of diversion (PODs). The computer printout of your claim I have enclosed lists the location of each POD. I have determined the location of the POD in Section 10 because of some previous work Bosco Bosler, Water Master of the Weiser River, had done. However, I am having trouble locating the other four PODs. I have enclosed a map of Sections 26 and 27. If possible, please mark the locations of the PODs on the map and return the map to me at this office. If you are unable to do so, please contact me and we may need to schedule a brief field exam when the weather becomes milder.

Please contact me at (208) 287-4907 if you have any questions.

Respectfully submitted,

Monica VB

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

SCANNED

JAN 31 2006



Idaho Department of Water Resources

Adjudication Claim Number: **67-14091**

Notes from
claimant are
in pencil —
very faint.

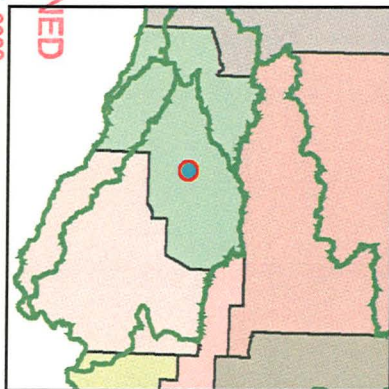
MVB 1/31/06

01W

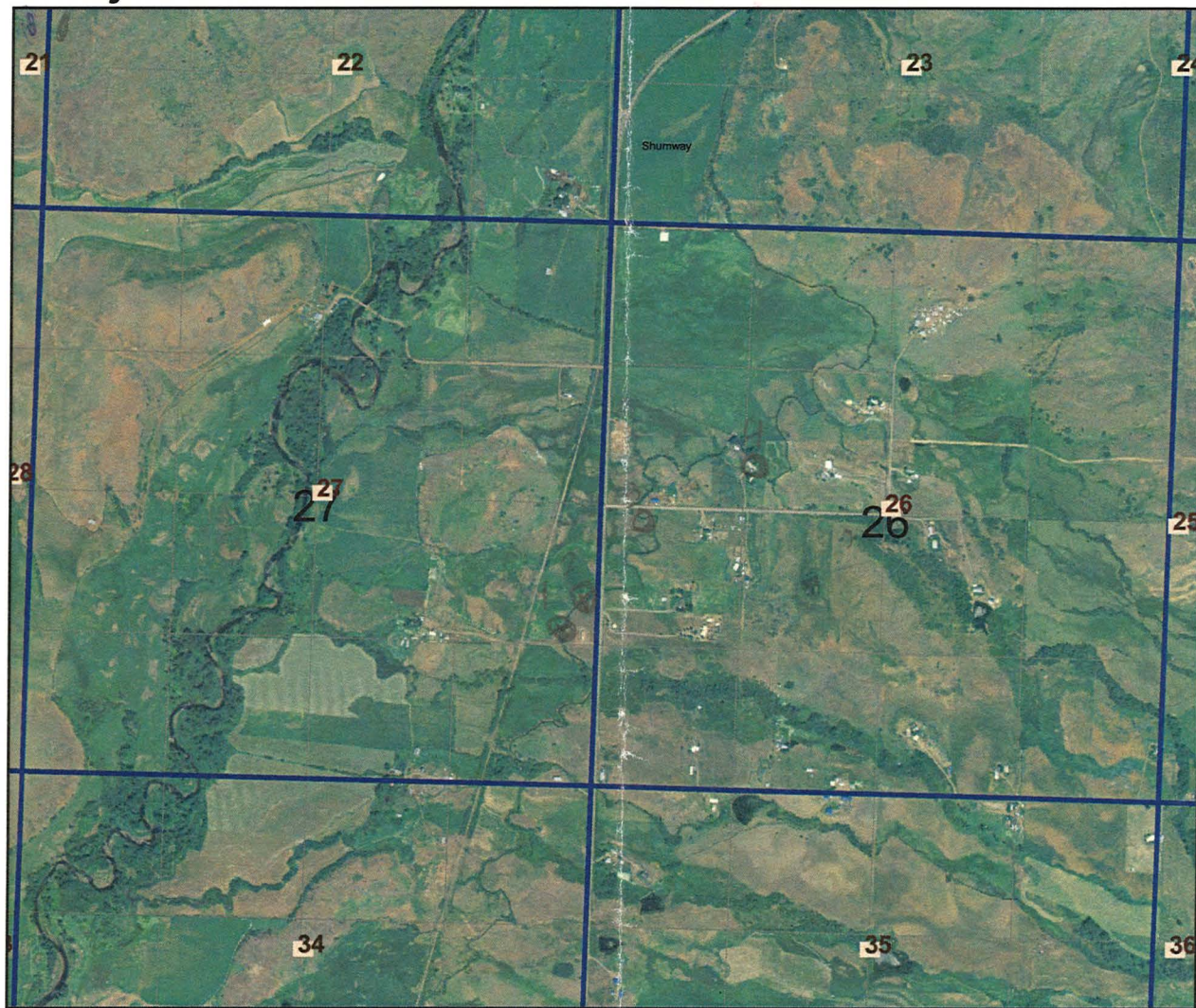
PLSS Section LinesGcdb_sections.shp
GCDB17N01W GCDB

JAN 3 1 2006

SCANNED



Adams County
IDWR Basin 67



0 0.8 1.6 Miles

Prepared by M. Van Bussum
On Thursday, January 19, 2006
2004 NAIP Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 19, 2006

MVB

DIANNA ANDERSON
KELLY ANDERSON
2325 HWY 95
COUNCIL ID 83612

RE: POINTS OF DIVERSION FOR 67-14091

Dear Claimants:

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In the claim for 67-14091, you listed 5 points of diversion (PODs). The computer printout of your claim I have enclosed lists the location of each POD. I have determined the location of the POD in Section 10 because of some previous work Bosco Bosler, Water Master of the Weiser River, had done. However, I am having trouble locating the other four PODs. I have enclosed a map of Sections 26 and 27. If possible, please mark the locations of the PODs on the map and return the map to me at this office. If you are unable to do so, please contact me and we may need to schedule a brief field exam when the weather becomes milder.

Please contact me at (208) 287-4907 if you have any questions.

Respectfully submitted,

Monica VB

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

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 67-14091
Date Received: 12/18/1989
Receipt No: W007164
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DIANNA ANDERSON
2325 HWY 95
COUNCIL ID USA 83612

Phone: (208)253-6121

KELLY ANDERSON
2325 HWY 95
COUNCIL ID USA 83612

Phone: (208)253-6121

2. Date of Priority: 06/01/1891

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
17N	01W	26	NE	SW	NW	ADAMS R	
17N	01W	26	SW	SW	NW	ADAMS R	
17N	01W	26	NW	NW	SW	ADAMS R	
✓ 17N	01W	10	NE	NW	SW	ADAMS	
17N	01W	27	SE	NE	SE	ADAMS R	

5. Description of diverting works:

STEEL HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
4/15 10/15 1.58

(or) A.F.A

SCANNED
APR 12 2004

7. Total Quantity Appropriated is:
1.58 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
17N	01W	27	SW	NE	IRRIGATION	21
			SE	NE	IRRIGATION	21
			NE	SW	IRRIGATION	2
			NE	SE	IRRIGATION	23
			NW	SE	IRRIGATION	30
					Section Acres	97
					Total Acres	97

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:

Ownership changed by DH 12/9/2003

THIS WATER CARRIED IN THE FARMERS CANAL. THERE ARE FIVE POINTS OF REDIVERSION FROM THE FARMERS CANAL. TWO OF THESE ARE IN THE SENESE SEC. 27.
THIS IS A COMBINATION OF RIGHTS 67-00039 AND 67-00040.

15. Basis of Claim: Decreed

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

RECEIVED
MAY 23 2002
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
	A67-14091				

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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)

Richard T. Anderson & Patti Ann Anderson
HC 62, Box 1445 Council, Id. 83612

4. New Owner/Claimant(s)

Kelly & Dianna Anderson

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

2325 Hwy 95

City, State and ZIP Code

Council, Id. 83612

New Telephone Number

208) 253-6121

5. Date you acquired the property

2/14/02

COMPUTER []
INDEXED []
SCANNED []

DEED OF GIFT

THIS INDENTURE, made on this 15th day of December, 2001, by and between PATTI A. ANDERSON, a single person, of HC01 Box 138, White Bird, ID 83554, hereinafter referred to as the Grantor, and KELLY ANDERSON, a married man but as his sole and separate property, of 2329 Highway 95, Council, ID 83612, hereinafter referred to as the Grantee.

WITNESSETH:

That the said Grantor, for and in consideration of the love and affection which the Grantor has and bears for the Grantee, her son, does by these presents give, grant, alien, and confirm unto the Grantee an undivided 14.7% interest in and to the below described property to be held by the Grantee as his sole and separate property, who shall be a tenant in common with the Grantor, who at this time reserves the balance of the property for herself. The real property is described as follows, to wit:

A parcel of land situated in the N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 27, Township 17 North, Range 1 West, Boise Meridian, of Adams County, State of Idaho, more particularly described as follows:

Beginning at the Southeast corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 27, Township 17 North, Range 1 West, Boise Meridian.

Thence S89°53'W a distance of 1170 feet along the south line of said N $\frac{1}{2}$ SE $\frac{1}{4}$ to the TRUE POINT OF BEGINNING (which is also the southeast corner of existing corrals).

Thence North 114' to a point on a fence;

Thence westerly along said fence 184' to a railroad tie set within said fence;

Thence northwesterly 298' to a point on an extended fence line which point lies 308' north of the south line of N $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 27;

Thence west along the south side of an existing arena 258' to a point;

DEED OF GIFT - 1

Instrument # 101001

COUNCIL, ADAMS, IDAHO

2002-01-16

01:40:00 No. of Pages: 4

Recorded for : DENNIS L ALBERS

MICHAEL FISK

Fee: 12.00

Ex-Officio Recorder Deputy

Index to DEED

101001

INSTRUMENT NO.

PAGE 1 OF 4

Thence south 308' feet to the south line of the said N½SE¼ of said Section 27;

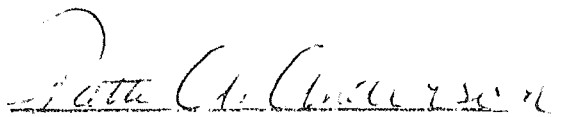
Thence east along said line to the true point of beginning all as is shown by the existing sketch, exhibit A, containing 4.40 acres more or less.

Together with the non-exclusive permanent right of way to have access across the existing access road connecting said parcel easterly to U.S. 95 with said road also being located in the N½SE¼ in Section 27, Township 17 North, Range 1 West, Boise Meridian.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the said appurtenances unto the Grantee, his heirs and assigns forever.

IN WITNESS WHEREOF, the said Grantor has hereunto set her hand and seal the day and year first above written.


PATTI A. ANDERSON

STATE OF IDAHO)

ss

County of Idaho)

On this 18 day of December, 2001, before me, a Notary Public in and for said County and State, personally appeared PATTI A. ANDERSON, a single person, known to me to be the person whose name is subscribed to the within instrument and she acknowledged to me that she freely executed the same.

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

(NOTARY SEAL)



Sandra Hickley
Notary Public for the State of Idaho,
Residing at Riggins AD, therein.
My commission expire, 9/20/02.

STATE of IDAHO	
County of Idaho	
Recorded at request of <u>Sandra Hickley</u>	
at <u>1:00 P</u>	m on <u>12-21-01</u>
ROSE E. GEHRING	
By <u>Sandra Hickley</u>	Recorder
Fees \$ <u>12.00</u>	Deputy

m/pick up

INSTRUMENT NO 101001

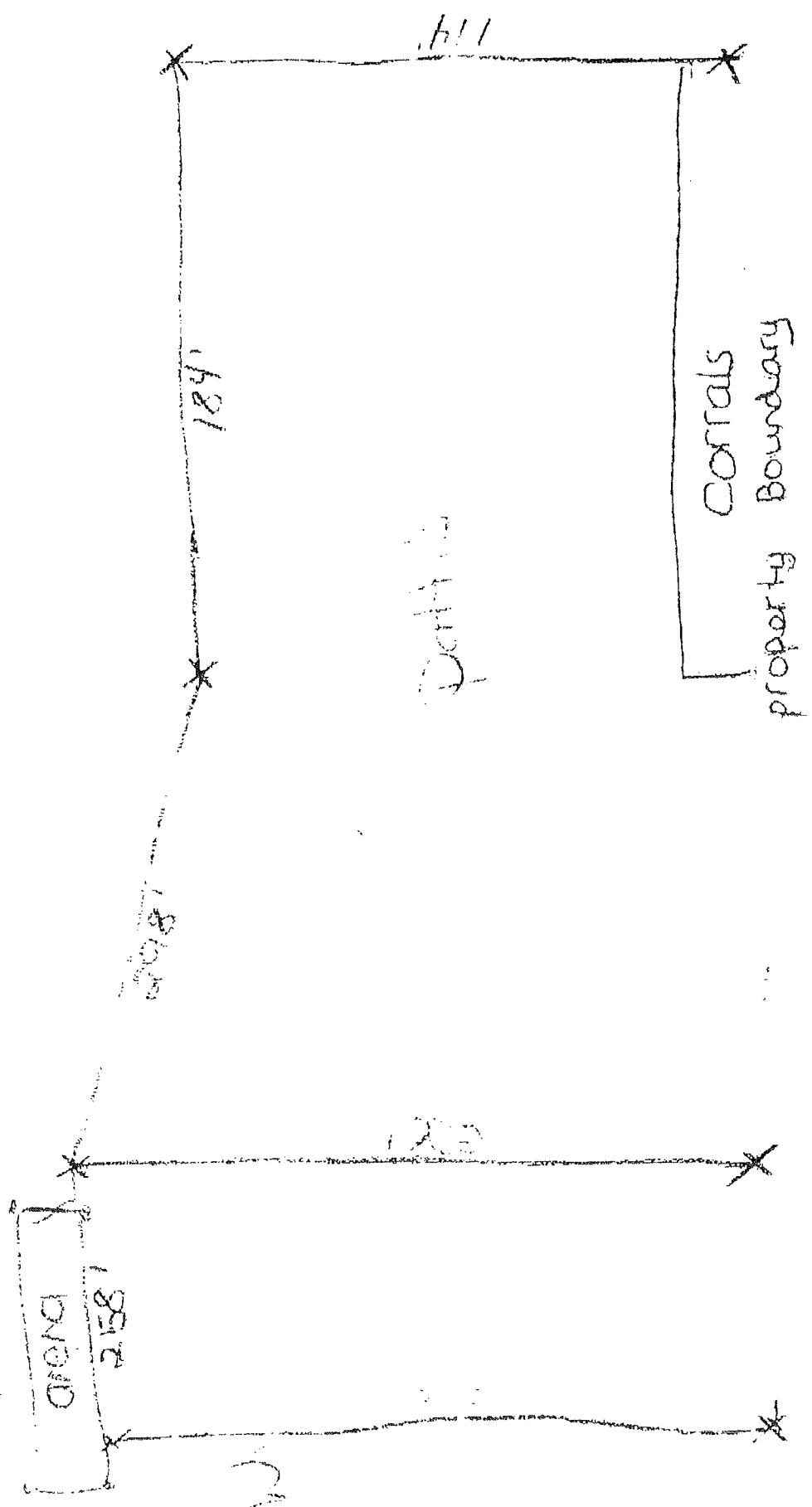
PAGE 3 OF 4

17/17 4 1000 COPY

11

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5

RESIDENTIAL IMPROVEMENT EXEMPTION (HOMEOWNER'S)
(SEC. 63-602G, IDAHO CODE)
APPLICATION DEADLINE IS APRIL 15TH EACH YEAR

X COPY MADE FOR APPLICANT

____ COPY MADE FOR APPRAISERS (OCCUPANCY)

For Year: 2002

Approved by: _____

1. Does Homeowner's Exemption need to be removed from another parcel? _____
2. If so, parcel # of Homeowner's Exemption to be deleted _____

(Applicant-Please Print)
Last Name First Name
Anderson Kelly
Mailing Address
2325 Hwy 95
City State Zip
Council Id 83612
Phone
253-6121

(County Use-Property Description)
RP# 17N01W 271201 A
MH# _____
CODE AREA 14-00

Physical Address: 2325 Hwy 95

I am the owner(or am purchasing), and as of January 1, was using as my primary dwelling place, the residential improvement on the land herein described (the home, mobile home or home owned separate from land). I have not made application in any other county for this exemption and have not made application for this exemption on any other residential improvements in this county.

I certify, that to the best of my knowledge and belief, the information I have provided is true and correct and complete.

2/14/02
Date Occupied

Kelly Anderson 1/3/21/02
Signature of Applicant /Date Signed

FOR COUNTY USE ONLY:

Type & Tax Year _____

Categories _____

Residential Improvement Market Value _____

Minus Lesser, \$50,000 or 50% _____

Net Market Value Residential Improvement _____

____ 50% Homeowner Exemption

____ NOT 50% Homeowner Exemption

RP OWNERSHIP RECORD:

MH OWNERSHIP RECORD:

Date property was transferred
to applicant: _____

Date certificate of title was
transferred to applicant: _____

Reference # _____

_____ date

INSTRUMENT NO. 101181
PAGE 1 OF 4REAL ESTATE MORTGAGE

THIS REAL ESTATE MORTGAGE, made and entered into on this 14 day of Feb., 2002, by and between KELLY ANDERSON and DIANNA ANDERSON, husband and wife, of 2325 Highway 95, Council, ID 83612, the Parties of the First Part, herein called the Mortgagors, and PATTI A. ANDERSON, a single woman, of HC01 Box 138, White Bird, ID 83554, the Party of the Second Part, herein called the Mortgagee.

WITNESSETH:

That the Mortgagors do, by these presents, hereby mortgage unto the Mortgagee, her heirs and assigns, the following described parcel of real property, situate in the County of Adams, State of Idaho, to wit:

Tax #2113 in the N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 27, Township 17 North, Range 1 West, Boise Meridian, containing 1.04 acres, more or less.

S $\frac{1}{2}$ NE $\frac{1}{4}$, part of NE $\frac{1}{4}$ SW $\frac{1}{4}$, part of N $\frac{1}{2}$ SE $\frac{1}{4}$; Tax #1492 in SW $\frac{1}{4}$ NE $\frac{1}{4}$, all in Section 27, Township 17 North, Range 1 West, Boise Meridian, containing 201.09 acres, more or less.

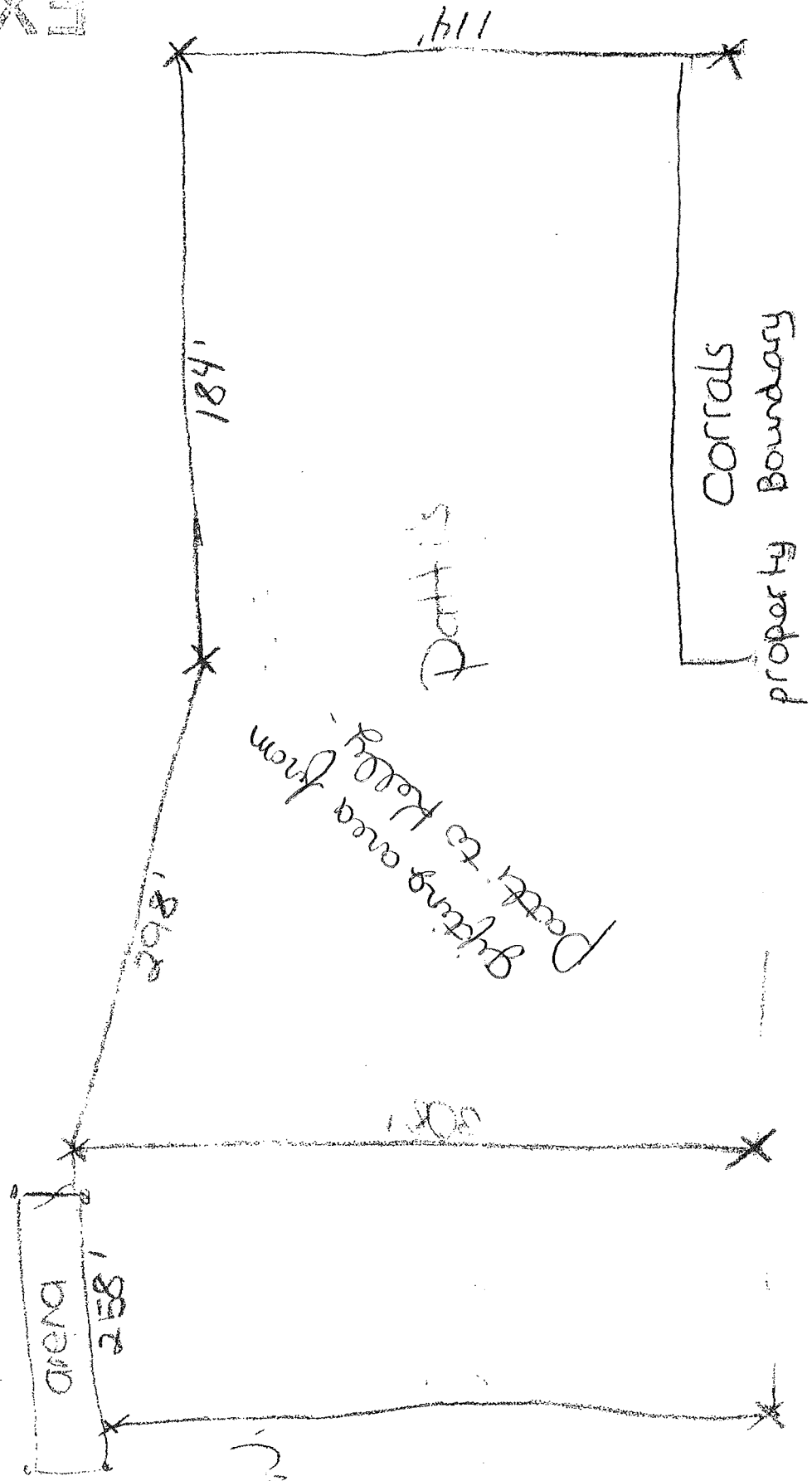
LESS: A parcel of land situate in the N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 27, Township 17 North, Range 1 West, Boise Meridian, Adams County, State of Idaho, more particularly described as follows: Beginning at the SE corner of the N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 27, Township 17 North, Range 1 West, Boise Meridian; thence S89°53'W. a distance of 1,170 feet along the South line of said N $\frac{1}{2}$ SE $\frac{1}{4}$ to the True Point of Beginning (which is also the Southeast corner of existing corrals); thence North 114 feet to a point on a fence; thence Westerly along said fence 184 feet to a railroad tie set within said fence; thence Northwesterly 298 feet to a point on an extended fence line which point lies 308 feet North of the South line of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 27; thence West along the South side of an existing arena 258 feet to a point; thence South 308 feet to the South line of the said N $\frac{1}{2}$ SE $\frac{1}{4}$ of said Section 27; thence East along said line to the True Point of Beginning, all as is shown by the existing sketch, Exhibit A hereto, containing 4.40 acres, more or less.

TOGETHER WITH any easements associated therewith.

2

EXHIBIT A

111



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RECEIVED

NOV 09 1995

WATER RESOURCES
WESTERN REGION

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: A67-14091
Date Received: 12/18/1989
Receipt No: W007164
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RICHARD T ANDERSON
Address: HC 62 BOX 1445
COUNCIL ID

208-253-6015

83612

AND/OR

Name: PATTI ANN ANDERSON
Address: HC 62 BOX 1445
COUNCIL ID

208-253-6015

83612

2. Date of Priority: JUN 1, 1891

3. Source: WEISER RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	10	NE	NW	SW		ADAMS
		26	NE	SW	NW	R	ADAMS
			SW	SW	NW	R	ADAMS
			NW	NW	SW	R	ADAMS
		27	SE	NE	SE	R	ADAMS

5. Description of diverting works:
STEEL HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.580		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 200 HEAD RANGE CATTLE

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OCT 22 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	27	SW	NE		IRR	21.0
			SE	NE		IRR	21.0
			NE	SW		IRR	2.0
			NE	SE		IRR	23.0
			NW	SE		IRR	30.0
						Section Acres	97.0
						Total Acres	97.0

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:

THIS WATER CARRIED IN THE FARMERS CANAL. THERE ARE FIVE POINTS OF REDIVERSION FROM THE FARMERS CANAL. TWO OF THESE ARE IN THE SENESE SEC. 27.

THIS IS A COMBINATION OF RIGHTS 67-00039 AND 67-00040.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs Decree Defendant

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

Renumbered to A67-14091
Ident. Number: A67-00039
Date Received:
Receipt No: W007164
Received By: JFW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER FEDERAL LAW

1. Name: RICHARD T ANDERSON 208-253-6015
Address: HC 62 BOX 1445
COUNCIL, ID 83612
AND/OR
Name: PATTI ANN ANDERSON 208-253-6015
Address: HC 62 BOX 1445
COUNCIL, ID 83612

2. Date of Priority: JUN 01, 1891

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	10	NE	NW	SW		ADAMS
		26	NE	SW	NW	R	ADAMS
			SW	SW	NW	R	ADAMS
			NW	NW	SW	R	ADAMS
		27	SE	NE	SE	R	ADAMS

5. Description of diverting works:
STEEL HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.200		

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

1.580
A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 200 HEAD RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
17N	01W	27	SW		NE		IRR	21.0
			SE		NE		IRR	21.0
			NE		SW		IRR	2.0
			NE		SE		IRR	23.0
			NW		SE		IRR	30.0
							Section Acres	97.0
							Total Acres	97.0

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
A67-00040

14. Remarks:

THIS WATER CARRIED IN THE FARMERS CANAL. THERE ARE FIVE POINTS OF REDIVERSION FROM THE FARMERS CANAL. TWO OF THESE ARE IN THE SENESE SEC. 27.

This is a combined st. 67-00039 & 67-00040

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

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OCT 22 1996
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OCT 01 1992

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 9

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): Richard T. Anderson Date: 12-18-89

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18 day

of December 19 89

Kori Harris
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12-8-94

CONVERSATION MEMO

TO: File
FROM: Denise Hatfield *DH*
DATE: December 9, 2003
SUBJECT: Ownership change

The deeds submitted with this ownership change indicated that the new owners, Kelly & Dianna Anderson were only getting a portion of the water rights. However, after a phone conversation between Gene Gibson & Dianna, it was discovered that they obtained ALL of the acres and water rights. Patti retained a parcel containing 4.4 acres but it is not within the acres listed on this claim.

Therefore, this claim is to be changed in full from Patti & Richard (deceased) Anderson to Kelly & Dianna Anderson.

Gene -

Will you please check this one out for me to see if it's ok to process. (Need to check metes & bounds.)

Thanks,

Denise

*
12-9-03 Dianna she exp They
get all WR The 4.4 is NOT
included in WR.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 9, 2003

KELLY ANDERSON
DIANNA ANDERSON
2325 HWY 95
COUNCIL ID 83612

Re: Notice of Claim to a Water Right No. 67-14091

Dear Claimant(s):

Enclosed is a copy of the above referenced claim(s), which reflects the change in ownership of the land and appurtenant water rights, covered under the original filing.

Please note that the enclosed Notice of Claim to a Water Right is not a determination of your water right. This claim was 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 again for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region Office

DH: dh

Enclosure

5/20/02

This place is staying all one
by Kelly & Dianna Anderson. We
are buying it from Kelly's Mom.
His Dad passed away last March.
therefore there is some gifting
involved, which is the area where
the house and out building
sit. It will take a couple of yrs.
before it is completely gifted over,
due to she is only allowed to
gift a certain amount each year.
I have enclosed a copy of the
gift deed, and a copy of taxes
that show it is still taxed all
as one.

Thank you
Dianna Anderson
2325 Hwy 95
Council, Id. 83612
208-253-6121

✓



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 23, 2002

KELLY ANDERSON
DIANNA ANDERSON
2325 HWY 95
COUNCIL ID 83612

RE: Water Right No. 67-14091

Dear Mr. & Mrs. Anderson:

This office has received your Notice of Change of Water Right Ownership (copy enclosed), recently submitted. We also received check number 2781 in the amount of \$25; however, we are returning it to you, as the ownership change fee is not required for these particular water right claims. These claims have not yet been decreed by the SRBA Court. The ownership change is being processed and copies will be mailed out upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

A handwritten signature in cursive script that reads "Denise Hatfield". The signature is written in dark ink and is positioned above the typed name and title.

Denise Hatfield
Office Specialist 1
Adjudication Section
Western Region

DH: dh

Enclosures

COPY

TO REORDER: 1-800-238-4770 • www.DesignerChecks.com

A

Kelly Anderson 09/00
or Dianna Anderson
208-253-6121
2329 Highway 95
Council, ID 83612-5233

2781
92-372/1231

Date 5/21/02

Pay to the order of IDWR \$ 25
Twenty five & 00/100 Dollars

US BANK
1-800-US BANKS
USBANK.COM

For water rights

COPY Dianna Anderson

⑆ 123103729⑆ 153350744055⑈ 2781

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Security Features
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Details on Back.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

**PHILIP E. BATT
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

October 25, 1995

Richard T. Anderson
Patti Ann Anderson
HC 62, Box 1445
Council, ID 83612

Re: Identification Number Change for a Notice of Claim in the
Snake River Basin Adjudication (SRBA)
Adams County - Claim No. A67-14091

Dear Mr. and Mrs. Anderson,

The identification number of your Notice of Claim to a Water Right has been changed from A67-00039 to A67-14091. The claim you filed actually combines two existing rights: 67-00039 and 67-00040. The Idaho Department of Water Resources assigns identification numbers to claims that will allow processing without duplication or confusion; this change does not affect your claim in any other way.

Enclosed is a computer-generated copy of your claim with the new identification number. Refer to this record number in any future inquiries or correspondence. Please do not hesitate to contact this office, if you have any questions.

Sincerely,

Roxanne McCarthy
Sr. Water Resource Agent
Adjudication Bureau

RM:rm:west
Enclosures:
copy of Notice of Claim

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OCT 22 1996**