

OK

11/14/2006

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: 67-14348

DONALD E HARVEY

2216 HWY 95

COUNCIL ID 83612

Telephone Number: (208)253-4257

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: 11/20/06 SIGNATURE: Ronald E Harvey
Please print your name: Donald E. Harvey

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

SCANNED
DEC - 6 2006

11/28/2005

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

RIGHT NUMBER: 67-14348

NAME AND ADDRESS: DONALD E HARVEY
2216 HWY 95
COUNCIL ID 83612

SOURCE: WASTE WATER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 06/01/1952

POINT OF DIVERSION:

T17N R01W S35 SWSW Within ADAMS County

T17N R01W S35 SWSW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.100 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S35 SWSW 5.0

5 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 - Beneficial Use



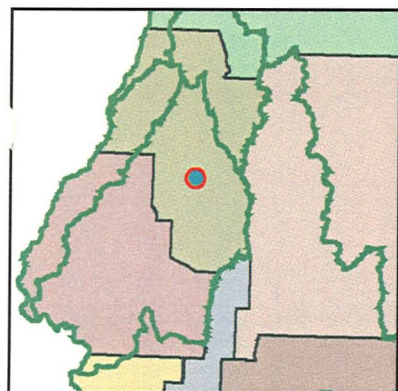
Idaho Department of Water Resources

Adjudication Claim Number: **67-14348**

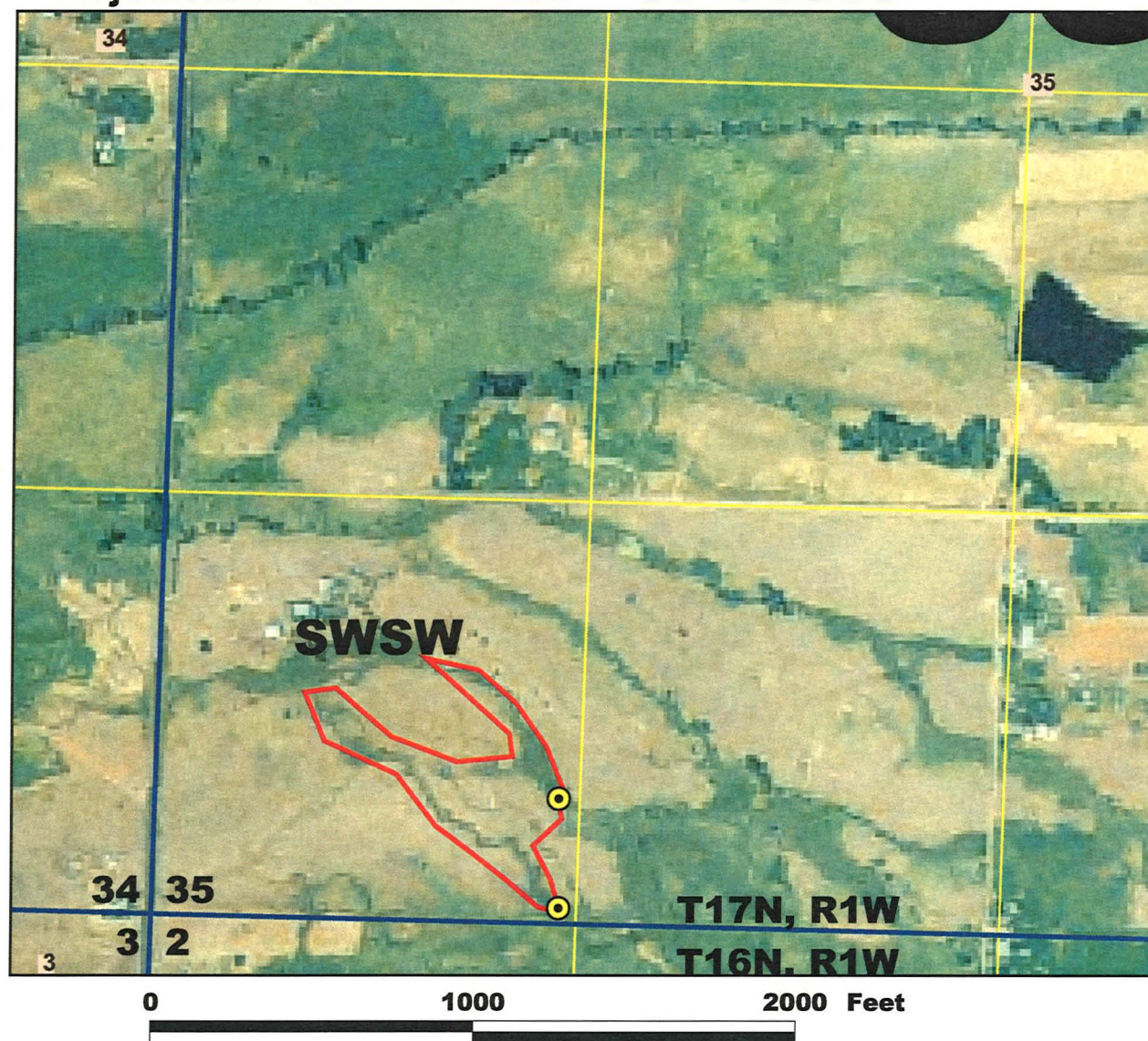
T16N R01W
T17N R01W

Legend

-  **Point of Diversion**
-  **Place of Use**
-  **B67 sections.shp**
-  **T16n01w.shp**
-  **T17n01w.shp**



Adams County
IDWR Basin 67



Prepared by C. Saxton
On Monday, November 28, 2005
1987 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14348 V1

WATER RIGHT NUMBER: 67-14348 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD E HARVEY 2216 HWY 95 COUNCIL, ID 83612 (208)253-4257

Priority Date: 06/01/1952

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	WEISER 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	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

WASTE WATER	SW1/4SW1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County		
WASTE WATER	SW1/4SW1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
17N	01W	35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	5.0

Total Acres: 5

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:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14348 V1

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:
 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	11/28/2005 1:14:16 PM	csaxton			Active
Priority Date	11/28/2005 1:15:04 PM	csaxton			Active
POD	11/28/2005 1:15:18 PM	csaxton			Active
Source	11/28/2005 1:17:55 PM	csaxton			Active
POU	11/28/2005 1:18:22 PM	csaxton			Active
Use	11/28/2005 1:19:28 PM	csaxton			Active
Season	11/28/2005 1:19:48 PM	csaxton			Active
Quantity	11/28/2005 1:20:30 PM	csaxton			Active
Summary			11/28/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/28/2005 1:14:29 PM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: FE by Melanie Vining on 7/7/05.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14348 V1

General	11/28/2005 1:15:17 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Affidavit from claimant.
POD	11/28/2005 1:15:31 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (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	11/28/2005 1:15:55 PM	csaxton	Updated shape
POD	11/28/2005 1:16:55 PM	csaxton	Updated PLS
POD	11/28/2005 1:17:16 PM	csaxton	Updated shape
POD	11/28/2005 1:17:43 PM	csaxton	Updated PLS
Source	11/28/2005 1:18:08 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - FE by Melanie Vining on 7/7/05.
POD	11/28/2005 1:16:43 PM	csaxton	Updated shape
POU	11/28/2005 1:18:55 PM	csaxton	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14348 V1

POU	11/28/2005 1:18:36 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (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? Description for Question 13 - FE by Melanie Vining on 7/7/05.
Use	11/28/2005 1:19:41 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - FE by Melanie Vining on 7/7/05.
Season	11/28/2005 1:20:02 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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	11/28/2005 1:20:43 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? Description for Question 7 - Per David Tuthill, claims for 0.20 cfs or less do not require measurement.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14348 V1

Summary	11/28/2005 1:21:32 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?
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Water Supply Bank:

Idaho Department of Water Resources



Claim Number: 02-10027
Legal: T04S, R02E, S27
Reviewed By: SJR 10/19/05

-  Point of Diversion
-  Place of Use
-  Sections
-  Quarter Quarter Lines



10-6-05 : Ready to Go

Priority = 1952
measure = not used
FE : Done

Idaho Department of Water Resources



*See Aralluwa
Shapfile*

Adjudication Claim Number:

67-14348

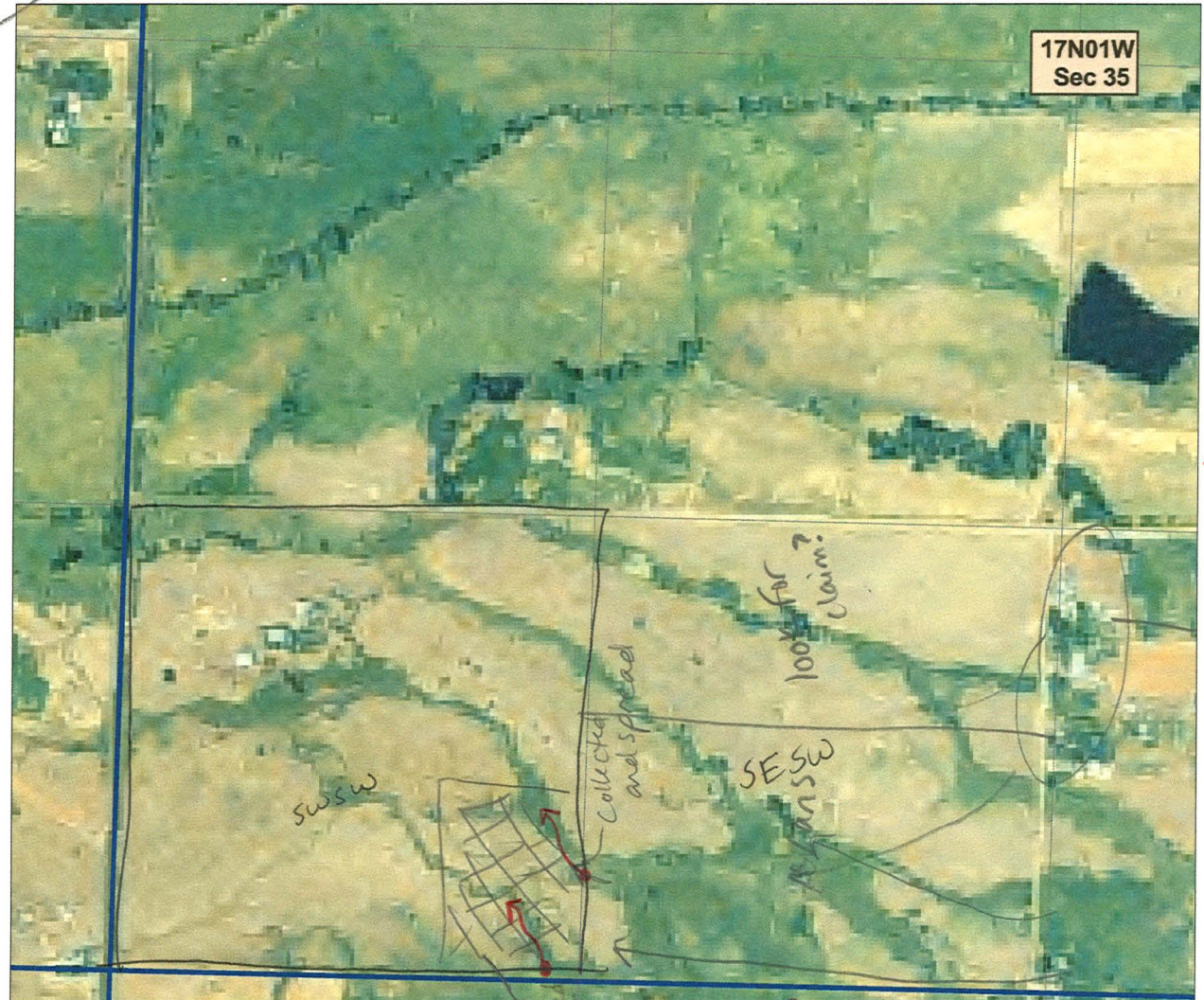
Source: Wastewater

5 acres swsw



Legend

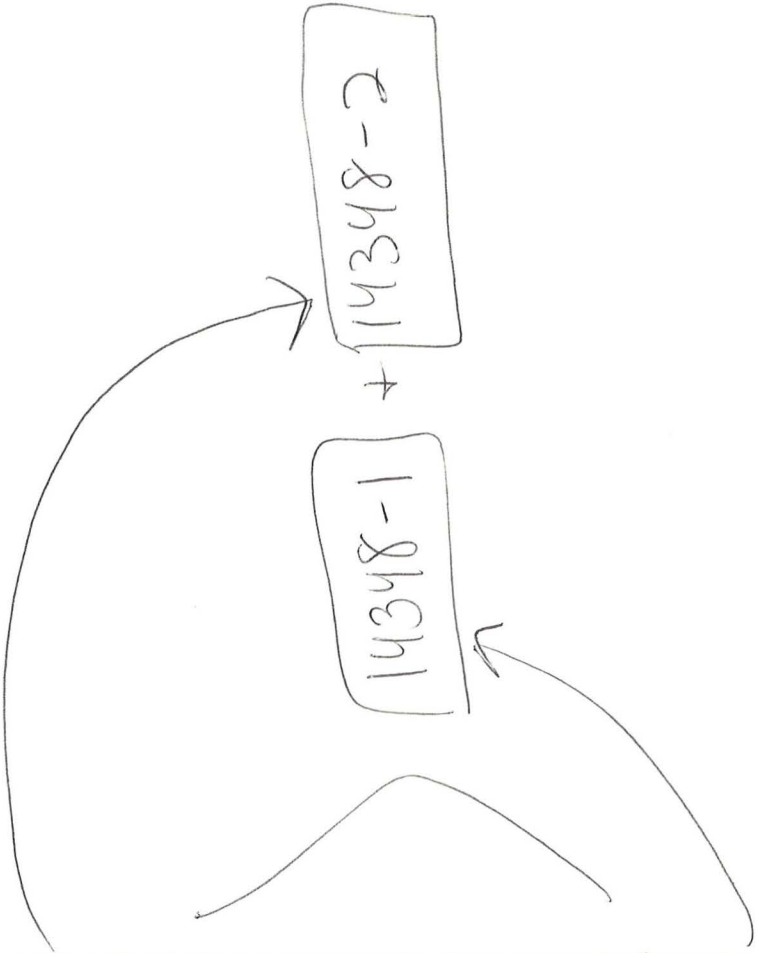
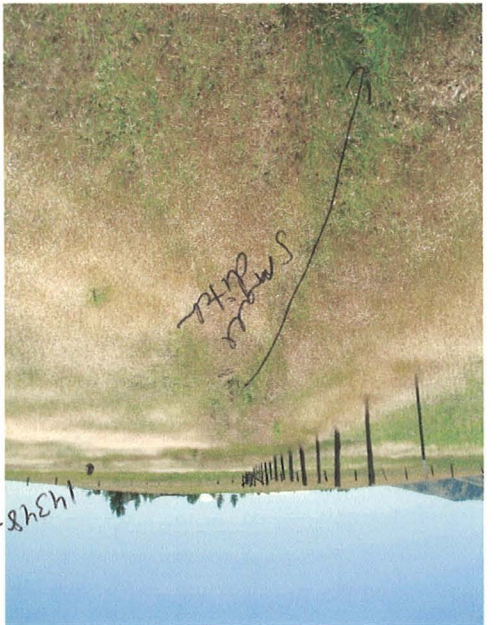
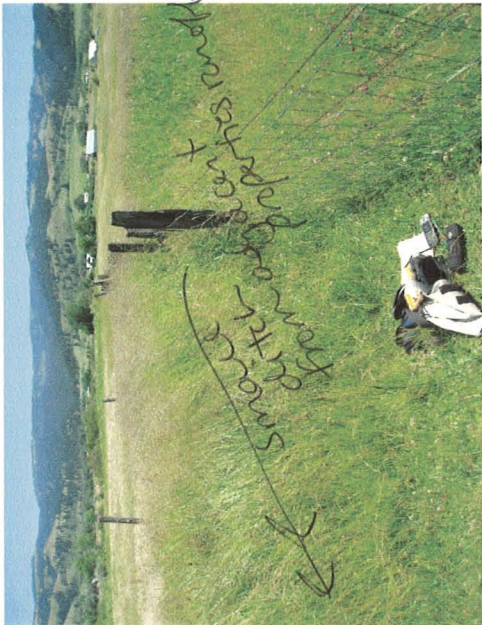
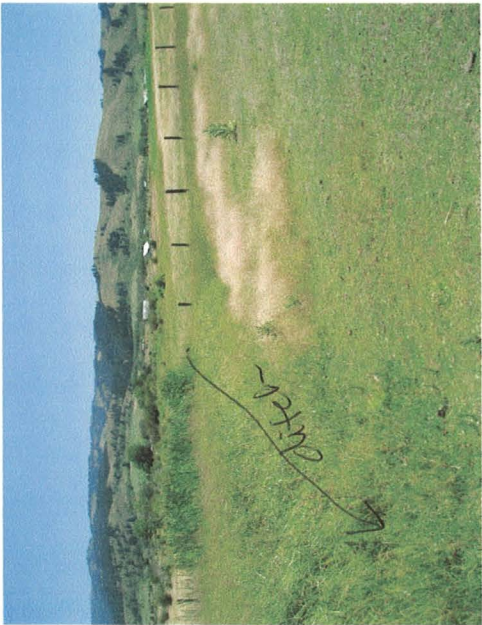
- Section Lines
- GCDB17N01W GCDB
- GCDB16N01W GCDB



swales - irrigation water collects here

*- series of small
ditches
throughout
(see photos)*

Prepared by D. Narsavage
On Wednesday, April 13, 2005
1987/88 Adjudication True Color Imagery



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-14348

WATER RIGHT NUMBER: 67-14348

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DONALD E HARVEY 2216 HWY 95 COUNCIL, ID 83612 (208)253-4257

Priority Date: 06/01/1952
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	WEISER 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	0.100 CFS	
	<u>Total Diversion:</u>	0.100 CFS	

Location of Point(s) of Diversion

WASTE WATER	SE1/4SW1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County		
WASTE WATER	SW1/4SW1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION Within ADAMS County
T17N R01W S35 SWSW 5.0
Total Acres: 5

Conditions of Approval:

1. This claim is the result of a split due to change in ownership for a portion of 67-4080. DH 7/23/2002

Remarks:

SCANNED

SEP 15 2005

Priority Date Data Entry Form

Claim Number 67-14348

Claimed Priority Date: 6/1/1952

Claimed Basis: Beneficial Use

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

claimant will submit evidence of priority

Reviewer: mvDate: 7/7/05

Point of Diversion and Source Data Entry Form

Claim Number 67-14348

Claimed Point of Diversion and Source

T17N R01W S35 SWSW Within ADAMS County Source: WASTE WATER WEISER RIVER

T17N R01W S35 SESW Within ADAMS County Source: WASTE WATER WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Wastewater

Tributary To

Weiser River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

Other rights from this POD?

Document how the POD and Source were verified:

GPS'd - 7/7/052 PODs - See ArcView shapefiles67-14348-167-14348-22307834
15093732307835
1509475Reviewer: WVDate: 7/7/05

Place Of Use Data Entry Form

Claim Number 67-14348

Claimed Place Of Use

T17N R01W S35 SWSW 5.0

Total Acres 5

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

_____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

field exam

Reviewer: _____

mv

Date: _____

7/7/05

Purpose of Use Data Entry Form

Claim Number 67-14348

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION



Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Document how the Purpose of Use was verified:

field exam

Reviewer: _____

Date: _____

7/7/05

Period of Use and Quantity Data Entry Form

Claim Number 67-14348

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	03/15	11/15	0.1	

Overall Diversion Rate 0.1 Overall Diversion Volume

 Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
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Overall Diversion Rate Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

IDWR reviewer - please confirm season of use
no flow measurement needed - (< 200 cfs)

Reviewer: MVDate: 7/7/05

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	DONALD E HARVEY	2216 HWY 95	COUNCIL	ID	83612	(208)253-4257

Date of Field Exam: 7/7/05 Time: 1pmAccompanied By: Claimant Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

all correct

Reviewer: MMDate: 7/7/05

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 67-14348
Date Received: 9/19/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DONALD HARVEY
HC 62 BOX 1315
COUNCIL ID USA 83612

Phone: (208) 253-4257

2. Date of Priority: 06/01/1952

3. Source: WASTE WATER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
17N	01W	35	SE	SW		ADAMS	
17N	01W	35	SW	SW		ADAMS	

5. Description of diverting works:

DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.1	

7. Total Quantity Appropriated is:
0.1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	35	SW	SW	IRRIGATION	5
Section Acres						5
Total Acres						5

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 claim is the result of a split due to change in ownership for a portion of 67-4080. DH 7/23/2002

15. Basis of Claim: Beneficial Use

9-19-89

67-4080

67-14348

Harvey

17N 1W S-35
SWSW - 5ac
.1 cfs

67-14349

Evans

17N 1W S-35
SESW 1.5 ac
.15 cfs

67-14350

Krueger

17N 1W S-35
SESW 7.5 acres
.15 cfs

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

RECEIVED

SEP 04 1998

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

WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) A67-04080
Adjudication Claim Number(s) _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Donald Harvey

NC 62 Box 1315, Council, ID 8360

4. New Owner/Claimant(s) Robert G. Evans

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address P.O. Box 1450

City, State and ZIP Code Trout Creek, MT 59874

New Telephone Number () -

5. Date you acquired the property 8/20/98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

50% of water in SESW

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Robert G. Evans Date 8/19/98

Date _____

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

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

INSTRUMENT NO. **94544**PAGE 1 OF 2

For Value Received, DONALD E. HARVEY, a married man as his sole and separate property the grantor, does hereby grant, bargain, sell and convey unto ROBERT G. EVANS, an unmarried man

the grantee, whose current address is P.O. Box 1450, Trout Creek, MT 59874

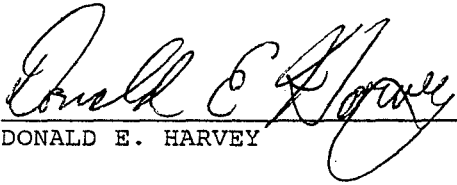
the following described premises, in Adams County, Idaho, to-wit:

SEE EXHIBIT 'A' MADE A PART HEREOF.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

and that he will warrant and defend the same from all lawful claims whatsoever.

Date: August 17, 1998

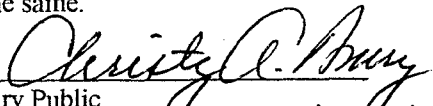

DONALD E. HARVEY

STATE OF Idaho)
) ss
COUNTY OF Adams)

On this 20th day of Aug, in the year of 1998, before me a Notary Public, personally appeared DONALD E. HARVEY known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

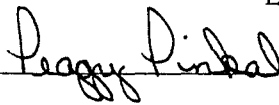
STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title & Escrow

at 25 minutes past 1 o'clock P.M.
this 21 day of August, 1998, in my office, and duly recorded in Book of Deeds at page


Notary Public
Residing at Idaho
Commission expires: 8/4/04

MICHAEL FISK

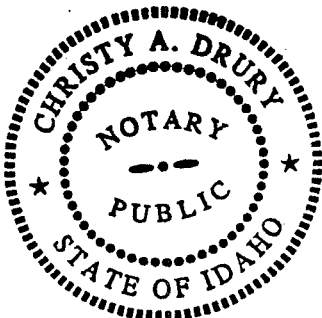
Ex-Officio Recorder

By: 
Deputy

Fees \$ 6.00

Mail to: Timberline Title & Escrow

#98-441



Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 35: S1/2SE1/4SW1/4

TOGETHER WITH the appurtenances thereon unto the said Grantee, his heirs and assigns, subject to the provisions of Section 56-504, Idaho Code Annotated, which grants over all lands belonging to the state a right of way for ditches, tunnels and telephone and transmission lines, constructed by authority of the United States; and to the provisions of Section 46-701, Idaho Code Annotated, reserving to the state all mineral rights in lands sold subsequent to the 8th day of May, 1923.

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

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

RECEIVED

JUN 14 1999

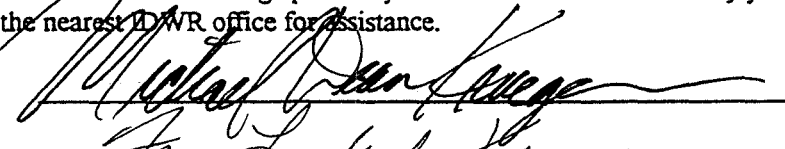
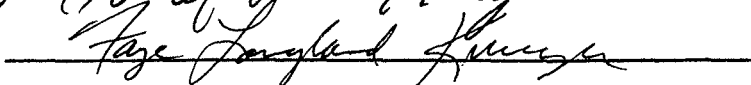
WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) _____
Adjudication Claim Number(s) A67-04080
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Donald Harvey
HC 62 Box 1315, Council, ID 83612
4. New Owner/Claimant(s) Michael Dean Krueger or Faye Langland Krueger
Name connector (Check one): [] AND, [X] OR, [] AND/OR
New Mailing Address 30 Pearson Lane
City, State and ZIP Code McCall, ID 83638
New Telephone Number (208) 634 - 2294
5. Date you acquired the property May 25, 1999
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

in SE 1/4

Number of acres actually irrigated 7 acres Number and type of stock N/A

Diversion rate in CFS _____ Number of homes N/A Other uses irrigation only
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s)
 Date 5/25/99
 Date 5/25/99
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

INSTRUMENT NO. **96042**
PAGE 1 OF 1

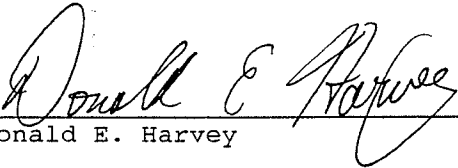
For Value Received, DONALD E. HARVEY, a married man as his sole and separate property the grantor, does hereby grant, bargain, sell and convey unto MICHAEL DEAN KRUEGER and FAYE LANGLAND KRUEGER, husband and wife the grantees, whose current address is 30 Pearson Lane, McCall, ID 83638 the following described premises, in Adams County, Idaho, to-wit:

**Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 35: N1/2SE1/4SW1/4**

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

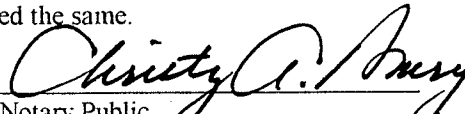
and that he will warrant and defend the same from all lawful claims whatsoever.

Date: May 25, 1999


Donald E. Harvey

STATE OF Idaho)
) ss
COUNTY OF Adams)

On this 25 day of May, in the year of 1999, before me a Notary Public in and for said State, personally appeared DONALD E. HARVEY known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

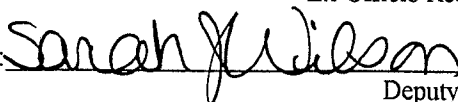

Notary Public,
Residing at Fruitvale, Idaho
Commission expires: 8/4/04

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title & Escrow

at 05 minutes past 10 o'clock A.M.
this 26 day of May, 1999, in my
office, and duly recorded in Book ---
of Deeds at page ---

Michael Fisk

Ex-Officio Recorder

By: 
Deputy

Fees \$ 3.00
Mail to:

#99-254



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: A67-04080
Date Received: 9/19/1989
Receipt No: CO11704
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD HARVEY
Address: HC 62 BOX 1315
COUNCIL, ID 83612
208-253-4257

2. Date of Priority: JUN 01, 1952

3. Source: WASTE WATER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	35	SW	SW	SW		ADAMS
			SE		SW		ADAMS

5. Description of diverting works:
DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

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

8. Total consumptive use is 45.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
17N	01W	35	SW	SW		IRR	5.0
			SE	SW		IRR	15.0
Section Acres							20.0

A67-04080

Page 1

Date: 09/19/89

MICROFILMED
OCT 02 1992

10. Place of Use: Continued

Total Acres 20.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Donald Kery Date: _____
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of September 19 89

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires June 19, 1994