

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 67-14480
Date Received: 9/26/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

MARK A PORT
1410 E 9TH ST
WEISER ID USA 83672

Phone: (208) 549-3121

MICHAEL N GETTLE
1410 E 9TH ST
WEISER ID USA 83672

Phone: (208) 549-3121

JEANNE M GETTLE
1410 E 9TH ST
WEISER ID USA 83672

Phone: (208) 549-3121

2. Date of Priority: 09/14/1951

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	05W	16	NW NE	WASHINGTON	

5. Description of diverting works:

WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.15	

7. Total Quantity Appropriated is:
0.15 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
10N	05W	16	NW	NE	IRRIGATION	10
					Section Acres	10
					Total Acres	10

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:

This claim is the result of a split due to change in ownership for a portion of 67-2209. DB 8/3/2004

Property also known as Lots 15 & 16, Feltham Fruit Tract

15. Basis of Claim: License

RECEIVED
JUL 22 2004
DEPARTMENT OF
WATER RESOURCES
RECEIVED
JUL 19 2004
WATER RESOURCES
WESTERN REGION

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

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, 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
A67-02209		YES			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. ☒
- 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) are 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) DARREL L. KRAUSE AND DONNA J. ^KDRAUSE
505 E GALLOWAY, WEISER, ID 83672
4. New Owner/Claimant(s) MARK A. PORT OR JEANNE M. GETTLE OR MICHAEL N. GETTLE
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 1410 EAST 9TH ST.
- City, State and ZIP Code WEISER, ID 83672
- New Telephone Number (208) 549-3121
5. Date you acquired the property 7/12/04

SCANNED
JUL 20 2004
AUG 04 2004

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 A67-02209

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	<u>35 ACRE FEET PER ANNUM</u>	<u>10 ACRES</u>
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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)
(include title if applicable)

Janice M. Stottle

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 <u>DB</u>	Date <u>7.20.04</u>	Fee <u>\$0 (N/A)</u>
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

9-26-89

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-2209

WATER RIGHT NUMBER: 67-2209

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOHNSON-BRYANT EQUIPMENT CO PO BOX 135 WEISER, ID 83672 (208)549-0418
<u>Current Owner</u>	DONNA J KRAUSE 365 CLABBY RD WEISER, ID 83672 (208)549-1687
Original Owner	LLOYD P WATTS ID
<u>Current Owner</u>	DARREL L KRAUSE 365 CLABBY RD WEISER, ID 83672 (208)549-1687
Original Owner	PAUL KRAUSE WEISER, ID

67-14480

Port / Gettle

Priority Date: 09/14/1951

Basis: License

Status: Active

Source

Tributary

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	~~0.300~~ CFS .15	
	<u>Total Diversion:</u>	~~0.300~~ CFS .15 total	

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4 Sec. 16, Twp 10N, Rge 05W, B.M. WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10N	05W	16	NE NW SW SE	NE NW SW SE	NE NW SW SE	NE NW SW SE	20.0
			10				10

Total Acres: 20

10 total

Conditions of Approval:

SCANNED

AUG 04 2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 67-2209Remarks:

1. General OWNERSHIP CHANGED BY LH 1/11/95.
ADDRESS CHANGED PER CLAIMANT REQUEST 5/19/98.

Comments:

Lots 15 + 16
Feltham Fruit Tract

Dates and Other Information:

Claim Received Date: 9/26/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
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>
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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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SCANNED
AUG 04 2004

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: **A67-02209**
Date Received: 9/26/1989
Receipt No: M004699
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DARREL L KRAUSE
Address: 505 E GALLOWAY
WEISER ID

208-549-1687

83672

AND

Name: DONNA J KRAUSE
Address: 505 E GALLOWAY
WEISER ID

208-549-1687

83672

2. Date of Priority: SEP 14, 1951

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	16		NW	NE		WASHINGTON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		

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

A.F.A.

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

SCANNED
AUG 04 2004

SCANNED
JUL 20 2004

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	16	NW NE		IRR	20.0
Section Acres						20.0
Total Acres						20.0

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:
NONE

14. Remarks:
OWNERSHIP CHANGED BY LH 1/11/95.
ADDRESS CHANGED PER CLAIMANT REQUEST 5/19/98.

15. Basis of Claim: LICENSE

Water Right Number: 22369

SCANNED
AUG 04 2004

SCANNED
JUL 20 2004

W10629

WARRANTY DEED

194340

For Value Received

DARREL L. KRAUSE AND DONNA J. KRAUSE, husband and wife

does hereby **GRANT, BARGAIN, SELL AND CONVEY** unto

MARK A. PORT, an unmarried person and JEANNE M. GETTLE, a married person as her sole and separate property

whose current address is 1410 E. 9TH ST
WEISER, ID 83672

the following described premises, to-wit:

IN WASHINGTON COUNTY, IDAHO:

Lots 15 and 16 of FELTHAM FRUIT TRACT according to the official plat thereof on file in the office of the County Recorder of Washington County, Idaho

Together with all water, water rights, ditches and ditch rights appurtenant thereto and in anywise belonging.

Subject to all valid outstanding reservations, easements, rights-of-way, restrictions, dedications, mineral leases, mineral reservations and mineral conveyances of record.

(The consideration paid for this conveyance was paid by an accommodator pursuant to an IRC 1031 tax deferred exchange.)

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said grantee/s heirs and assigns forever. And the said grantor/s do/es hereby covenant to and with the said grantee/s that he is/are the owner/s in fee simple of said premises; that they are free from all encumbrances, excepting reservations, easements, encumbrances, restrictions and rights of way appearing of record and/or existing and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: JULY 9, 2004

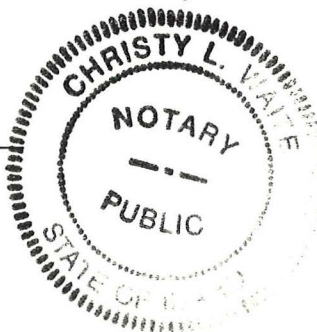
Darrel L. Krause
DARREL L. KRAUSE

Donna J. Krause
DONNA J. KRAUSE

STATE OF IDAHO, COUNTY OF WASHINGTON

On this 9th day of JULY, 2004, before me, a notary public in and for the said State, Personally appeared DARREL L. KRAUSE AND DONNA J. KRAUSE known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Christy L. Vatter
Notary Public
Residing at Weiser, Idaho
Comm. Expires 11/4/09



Instrument # 194340

WEISER, WASHINGTON, IDAHO

2004-07-12 03:58:00 No. of Pages: 1

Recorded for : AMERITITLE

SHARON WIDNER

Ex-Officio Recorder Deputy Lisa McKnight Feb: 3.00

Index to: DEED

SCANNED
AUG 04 2004

SCANNED
JUL 20 2004

67-14480

10N 5W

-  Section Line
-  QQ Lines
-  Tax Lot Data
-  Lots 15 & 16 Feltham Fruit Tract



0.03 0 0.03 0.06 Miles

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: **A67-02209**
Date Received: 9/26/1989
Receipt No: M004699
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: DARREL L KRAUSE
Address: 505 E GALLOWAY
WEISER ID

208-549-1687

83672

AND

Name: DONNA J KRAUSE
Address: 505 E GALLOWAY
WEISER ID

208-549-1687

83672

2. Date of Priority: SEP 14, 1951

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	16	NW	NE			WASHINGTON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		

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

A.F.A.

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

SCANNED
MAY 10 2004

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	16	NW	NE		IRR	20.0
Section Acres							20.0
Total Acres							20.0

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:
NONE

14. Remarks:
OWNERSHIP CHANGED BY LH 1/11/95.
ADDRESS CHANGED PER CLAIMANT REQUEST 5/19/98.

15. Basis of Claim: LICENSE

Water Right Number: 22369

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A67-02202

A67-02209

A67-02217

[] Old Mailing Address: P.O. Box 1985

McCall, Idaho 83638

[] New Mailing Address: 505 East Galloway

Weiser Idaho 83672

New Telephone Number: (208) 549-1687

[] Signature of Claimant: Daniel L. Krause

Date: 5-18-98

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

RECEIVED

MAY 19 1998

WATER RESOURCES
WESTERN REGION

SCANNED

AUG 04 2004

Krause

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: **A67-02209**
Date Received: 9/26/1989
Receipt No: M004699
Received By: _____

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

1. Name: DARREL L KRAUSE 208-634-5137
Address: PO BOX 1985
MC CALL ID 83638

AND

Name: DONNA J KRAUSE 208-634-5137
Address: PO BOX 1985
MC CALL ID 83638

2. Date of Priority: SEP 14, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	16	NW	NE			WASHINGTON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		

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

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

MICROFILMED
OCT 22 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	16	NW	NE		IRR	20.0
Section Acres							20.0
Total Acres							20.0

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:
NONE

14. Remarks:
OWNERSHIP CHANGED BY LH 1/11/95.

15. Basis of Claim: LICENSE
Water Right Number: 22369

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

SCANNED
AUG 04 2004

MICROFILMED
OCT 22 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
JAN 10 1995

DATE OF CLOSING: 10/1/93

LEGAL DESCRIPTION OF PROPERTY: Township 10N Range 5W BM

Section 16, NW 1/4 of NE 1/4 of 1/4 Govt. Lot Department of Water Resources

Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A67-02209
Assigned by IDWR:
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Johnson-Bryant Equipment Co.
P. O. Box 135
Weiser, Idaho 83672
- ☐ New Owner/Claimant (Purchaser): Darrel L. Krause and Donna J. Krause, husband and wife
- ☐ New Mailing Address: P. O. Box 1985
McCall, Idaho 83638
- ☐ New Telephone Number: (208) 634-5137
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached:

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

- ☐ Signature of New Owner/Claimant(s) Darrel L. Krause Date 1-4-95
 Date
- ☐ Signature of Former Owner/Claimant(s): Johnson-Bryant Equipment Co. Date
By: Nathan Bryant Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 1-11-95 By: JD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 1-11-95 By: JD

Claim Numbers of Split, if any:

SCANNED

AUG 04 2004

SCANNED
MAY 10 2004

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

MICROFILMED

OCT 22 1995

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: A67-02209

Date Received: 9/26/1989

Receipt No:

Received By: M008699

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHNSON-BRYANT EQUIPMENT CO. 208-549-0418
Address: P.O. BOX 135
WEISER, ID 83672

2. Date of Priority: SEP 14, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	05W	16	NW	NE			WASHINGTON

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.300		

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

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NA

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	16	NW	NE		IRR	20.0
Section Acres							20.0

10. Place of Use: Continued

Total Acres 20.0

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:
NONE

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 22369

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: 0

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): Daniel Krause Date: 7-26-89

 See Johnson Bryant Engle Date:

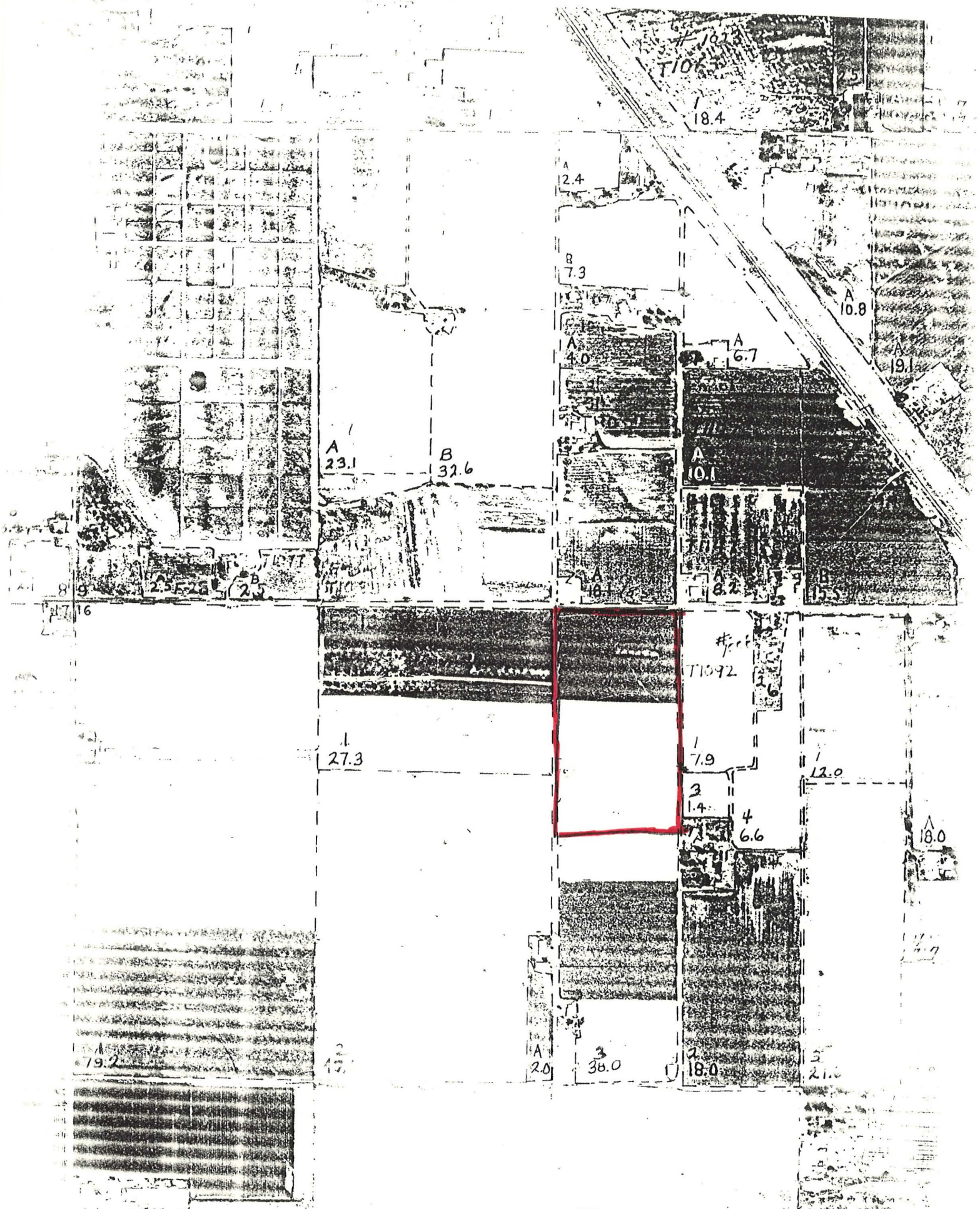
State of Idaho)

County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 26 day
of Sept 19 89 Bruce A. Schuld
Notary Public

Seal

Residing at BRUCE A. SCHULD, NOTARY PUBLIC
 RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995



SCANNED
AUG 04 2004

MICROFILMED

OCT 1 1994

Saxton, Craig

From: Shaff, Don
Sent: Tuesday, July 24, 2007 10:24 AM
To: Saxton, Craig
Subject: RE: Gettle 67-14480

Yes sir, I do.
Thanks,

Don Shaff
(208)287-4921
don.shaff@idwr.idaho.gov

-----Original Message-----

From: Saxton, Craig
Sent: Tuesday, July 24, 2007 10:21 AM
To: Shaff, Don
Subject: RE: Gettle 67-14480

Hey Don,

It took me a while to get to this but I called the assessors office and confirmed that they are being taxed for 10 acres of irrigated cropland. The lady on the phone confirmed that there was a road easement but she didn't know how many acres that easement took up. There is a road that borders the parcel on 3 sides.

Drawing a shape over the 2004 photography shows 9.8 acres of field if you draw a shape over the ground with 0.3 of that extending into the next QQ which wouldn't be identified in the recommendation.

Since it was originally licensed, we are reducing the licensed acres if we recommend anything for less than 10 acres which is fine, I just do generally preserve as much of the license when I can.

Do you feel this is enough to support recommending 9.5 acres as requested?

Thanks,
c

-----Original Message-----

From: Shaff, Don
Sent: Wednesday, July 11, 2007 5:18 PM
To: Saxton, Craig
Subject: Gettle 67-14480

Gettle's objection was in the daily mail. I saw your conversation memo stating you could get to 9.5 acres. I can see how the recommendation was 8.2 acres that is consistent with the taxlot shape we have from Washington Co. Gettle states the county assesses them for 10 acres. I think a conversation with the assessor's office resolving the conflicting acreage for the taxlot would be beneficial before we jump to 9.5 acres.

Thanks,

Don Shaff
(208)287-4921
don.shaff@idwr.idaho.gov

Memorandum

Date: 3-29-07

To: 67-14480

Cc: Jeanne Gettle

From: Craig L. Saxton

C. Saxton 3-29-07

RE: Objection to SRBA Recommendation 67-14480

I spoke with Jeanne Gettle today regarding her water right recommendation 67-14480. It appears that the POU acreage recommended for 67-14480 which was the size of the tax lot polygon in ArcView.

Ms. Gettle spoke with the assessors office and based on the information she obtained from them, feels that the recommended POU for 67-14480 should be changed to 9.5 acres.

67-14480 is a split of parent license 67-2209. 67-2209 was originally licensed for 20 acres and claimed for 20 acres. Claim 67-2209 was split into:

67-14480:	Gettle	10 ac
67-14577:	Mattern	5 ac
67-14578:	Bumgarner	5 ac

Both Mattern and Bumgarner were recommended their claimed 5 acre POU.

In my conversation with Ms. Gettle, I told her that based on the available information, that I would support changing her recommendation from 8.2 acres to 9.5 acres as we discussed on the phone.

*Wait claimant
Response*

JGettle @ Juno.com

Saxton, Craig

From: Shaff, Don
Sent: Wednesday, July 11, 2007 5:18 PM
To: Saxton, Craig
Subject: Gettle 67-14480

Gettle's objection was in the daily mail. I saw your conversation memo stating you could get to 9.5 acres. I can see how the recommendation was 8.2 acres that is consistent with the taxlot shape we have from Washington Co. Gettle states the county assesses them for 10 acres. I think a conversation with the assessor's office resolving the conflicting acreage for the taxlot would be beneficial before we jump to 9.5 acres.

Thanks,

Don Shaff
(208)287-4921
don.shaff@idwr.idaho.gov



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 30, 2007

JEANNE M GETTLE
MICHAEL N GETTLE
MARK A PORT
1410 E 9TH ST
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA) recommendation 67-14480

Dear Jeanne,

Per our conversation on 1-30-07, I am sending you an objection form with instructions, along with several maps of the area around your property from different years.

Take a look at them and see what you think. The yellow line is 8.2 acres.

We originally recommended 10 acres as when we split the right up your portion was for 10 acres. However, either a new agent re-reviewed the file or someone changed their mind, because the recommendation was then changed to 8.2 acres which is what the parcel data showed as the size of your property.

I do not want to influence your decision on if you should file an objection or not. I think that at least somewhere around 8.2 acres is probably fairly accurate as far as the amount of ground you irrigate.

That being said, I do not like to reduce a license if at all possible. I do not think the court does either. If you were to file an objection, without further information I do not currently know about, I would most likely recommend we change the recommendation to reflect 10 acres.

I do want to say I am sorry for the inconvenience for this issue. Take a look at the information and then call me and we can talk about your options.

Respectfully submitted,

Craig L. Saxton
Water Right Supervisor
Adjudication Bureau

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14480 V1

WATER RIGHT NUMBER: 67-14480 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LLOYD P WATTS , ID
Original Owner	DONNA J KRAUSE 365 CLABBY RD WEISER, ID 83672 (208)549-1687
Current Owner	MARK A PORT 255 COGGINS DR #G16 PLEASANT HILL, CA 94523 (925)280-8104
Current Owner	MICHAEL N GETTLE 1410 E 9TH ST WEISER, ID 83672 (208)549-3121
Original Owner	JOHNSON-BRYANT EQUIPMENT CO PO BOX 135 WEISER, ID 83672 (208)549-0418
Original Owner	PAUL KRAUSE WEISER, ID
Original Owner	DARREL L KRAUSE 365 CLABBY RD WEISER, ID 83672 (208)549-1687
Current Owner	JEANNE M GETTLE 1410 E 9TH ST WEISER, ID 83672 (208)549-3121

Priority Date: 09/14/1951

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.150 CFS	
	<u>Total Diversion:</u>	0.150 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 16, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14480 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10N	05W	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	8.2
			8.2																

Total Acres: 8.2

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. Property also known as Lots 15 & 16, Feltham Fruit Tract

Remarks:

Water Supply Bank:

11/14/2006 RECEIVED

NOTICE OF ERROR
REPLY

DEC 06 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: 67-14480

MARK A PORT

1410 E 9TH ST

WEISER ID 83672

Telephone Number: (208) 549-3121 (925) 280-8104

255 Coggins Dr. #616 Pleasant Hill, CA 94523

MICHAEL N GETTLE

1410 E 9TH ST

WEISER ID 83672

Telephone Number: (208) 549-3121

Records Modified 1-23-07

JEANNE M GETTLE

1410 E 9TH ST

WEISER ID 83672

Telephone Number: (208) 549-3121

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:

12/5/06

SIGNATURE:

Jeanne M. Gettle

Please print your name:

Jeanne M. Gettle

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

SCANNED
DEC 08 2006

RECEIVED
12/05/2006
DEC 22 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 13, 2006

Water right number: 67-14480

MARK A PORT

~~1410 E 9TH ST~~

~~WEISER ID 83672~~

~~Telephone Number: (208) 549-3121~~

MICHAEL N GETTLE

1410 E 9TH ST

WEISER ID 83672

Telephone Number: (208) 549-3121

JEANNE M GETTLE

1410 E 9TH ST

WEISER ID 83672

Telephone Number: (208) 549-3121

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

We are paying taxes on 10 acres, not 8.2 acres. I received one of these papers that had to be returned Dec. 8, that was correct,

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:

Jeanne M. Gettle

Please print your name:

Jeanne M. Gettle

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

SCANNED

DEC 22 2006

and I sent it in. then, I got another one that was incorrect. I have tried to contact Mr. Saxton by phone, but he has not returned my call.

12/02/2006

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

RIGHT NUMBER: 67-14480

NAME AND ADDRESS: MARK A PORT
1410 E 9TH ST
WEISER ID 83672

MICHAEL N GETTLE
1410 E 9TH ST
WEISER ID 83672

JEANNE M GETTLE
1410 E 9TH ST
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS

PRIORITY DATE: 09/14/1951

POINT OF DIVERSION:

T10N R05W S16 NWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/01 11/15

0.150 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T10N R05W S16 NWNE 8.20

8.2 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 - License

Property also known as Lots 15 & 16, Feltham Fruit Tract

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14480 V1

WATER RIGHT NUMBER: 67-14480 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LLOYD P WATTS
	, ID
Original Owner	DONNA J KRAUSE 365 CLABBY RD WEISER, ID 83672 (208)549-1687
Current Owner	MARK A PORT 1410 E 9TH ST WEISER, ID 83672 (208) 549-3121
Current Owner	MICHAEL N GETTLE 1410 E 9TH ST WEISER, ID 83672 (208)549-3121
Original Owner	JOHNSON-BRYANT EQUIPMENT CO PO BOX 135 WEISER, ID 83672 (208)549-0418
Original Owner	PAUL KRAUSE
	WEISER, ID
Original Owner	DARREL L KRAUSE 365 CLABBY RD WEISER, ID 83672 (208)549-1687
Current Owner	JEANNE M GETTLE 1410 E 9TH ST WEISER, ID 83672 (208)549-3121

Priority Date: 09/14/1951

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.150 CFS	
	<u>Total Diversion:</u>	0.150 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 16, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14480 V1

Twp	Rge	Sec	NE				NW				SW				SE				Totals
10N	05W	16	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	8.2
				8.2															

Total Acres: 8.2

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. Property also known as Lots 15 & 16, Feltham Fruit Tract

Remarks:

Comments:

1. dbuffington 8/3/2004 Ownership change
Comment: This right is the result of a split due to change in ownership for a portion of 67-2209
2. mvanbussum 12/1/2006 POD
Comment: POD generated from licensing field exam for parent right 67-2209.

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: 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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Summary			08/03/2004	dbuffington	Active
Contacts	12/1/2006 4:17:29 PM	mvanbussum			Active
Priority Date	12/1/2006 4:23:41 PM	mvanbussum			Active
POD	12/1/2006 4:24:58 PM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14480 V1

Source	12/1/2006 4:27:07 PM	mvanbussum	Active
POU	12/1/2006 4:27:21 PM	mvanbussum	Active
Use	12/1/2006 4:30:53 PM	mvanbussum	Active
Season	12/1/2006 4:31:14 PM	mvanbussum	Active
Quantity	12/1/2006 4:33:29 PM	mvanbussum	Active
Summary		12/01/2006 mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Summary	8/3/2004 12:00:04 PM	dbuffington	(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? (Yes) 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? (No) 10. Would you like to set the verification date?
Contacts	12/1/2006 4:17:20 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	12/1/2006 4:26:15 PM	mvanbussum	Updated shape
Source	12/1/2006 4:26:57 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?
POU	12/1/2006 4:27:11 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14480 V1

General	12/1/2006 4:23:32 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	12/1/2006 4:24:48 PM	mvanbussum	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	12/1/2006 4:30:00 PM	mvanbussum	Updated shape for Active POU
POU	12/1/2006 4:30:14 PM	mvanbussum	Updated PLS for Active POU
Use	12/1/2006 4:30:43 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?
Summary	12/1/2006 4:35:18 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14480 V1

Season	12/1/2006 4:31:04 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	12/1/2006 4:33:19 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? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 8.2 ac & 4.5 af/ac (IDWR standard field headgate requirement) = 36.9 afa

Water Supply Bank:



Idaho Department of Water Resources

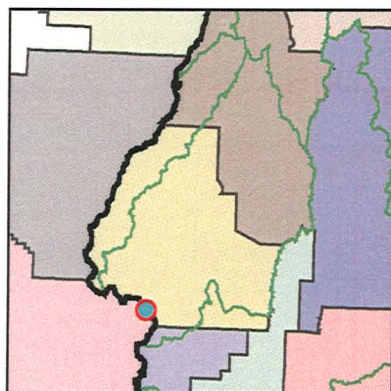
SRBA Recommendation:

67-14480

(Irrigation)

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

State of Idaho

License and Certificate of Water Right

Water License No. G-22369Amount 0.3 second foot

Water District No. _____

Priority September 14, 1951

THIS IS TO CERTIFY that LLOYD P. WATTS

of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated September 5, 1951; that Permit No. G-22369 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.3 second foot, was issued thereunder on April 30, 1954, showing that said works were completed on the 30th day of September, 1953; and that on the 30th day of September, 1953,

LLOYD P. WATTS

of Newport, State of Washington, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well ~~rehabilitated~~ (subterranean flow), for the purpose of sprinkler irrigation, under Use Permit No. G-22369 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 5254, on the 30th day of April, 1954; to PAUL KRAUSE, of Weiser, Idaho, Assignee of Lloyd P. Watts. The right hereby confirmed dates from _____, 19____;

The Point of Diversion is located

in the $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 16, Tp. 10 N., R. 5 W., B. M. Washington County

That the amount aforesaid, is limited to not exceed 0.3

for the purposes of _____, and shall

Description and

Twp.	Range	Section
10 N.	5 W.	

Volume field headgate
 $(8.2 \text{ ac})(4.5 \text{ af/ac})$
 $= 36.9 \text{ AFA}$

Acres
 Irrigated

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

30th day of April, 1954.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

67 2209

08/03/2004

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

RIGHT NUMBER: 67-14480

NAME AND ADDRESS: MARK A PORT
1410 E 9TH ST
WEISER ID 83672

MICHAEL N GETTLE
1410 E 9TH ST
WEISER ID 83672

JEANNE M GETTLE
1410 E 9TH ST
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.150 CFS

PRIORITY DATE: 09/14/1951

POINT OF DIVERSION:

T10N R05W S16 NWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.150 CFS

PLACE OF USE: IRRIGATION Within WASHINGTON County
T10N R05W S16 NWNE 10.0

10 ACRES TOTAL

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

See additional comments in "parent" recommendation 67-2209

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: License

Property also known as Lots 15 & 16, Feltham Fruit Tract

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2209 V1

WATER RIGHT NUMBER: 67-2209 V1

Owner Type Name and Address
 Original Owner JOHNSON-BRYANT EQUIPMENT CO
 PO BOX 135
 WEISER, ID 83672
 (208)549-0418
Current Owner DONNA J KRAUSE
 365 CLABBY RD
 WEISER, ID 83672
 (208)549-1687
 Original Owner LLOYD P WATTS
 , ID
Current Owner DARREL L KRAUSE
 365 CLABBY RD
 WEISER, ID 83672
 (208)549-1687
 Original Owner PAUL KRAUSE
 WEISER, ID

67-14480

Port / Gettle

Priority Date: 09/14/1951

Basis:

Status:

set to "active"

SourceTributary

GROUND WATER

Beneficial UseFrom ToDiversion RateAnnual Volume

IRRIGATION

03/01 to 11/15

0.300 CFS

.15

Total Diversion:

0.300 CFS

.15 total

Location of Point(s) of Diversion

GROUND WATER

NW1/4NE1/4

Sec. 16,

Twp 10N,

Rge 05W, B.M.

WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10N	05W	16	20.0				20.0
			10				10

Total Acres: 20

10 total

Conditions of Approval:
 SCANNED
 AUG 04 2004


IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2209 V1

Remarks:Comments:

1. mcase 4/23/2004 Period of Use *Keep*
Comment: No licensed Period of Use. I recommended the standard Season of Use.
2. mcase 4/23/2004 Quantity *Keep*
Comment: No licensed annual diversion. Could not determine recommended annual diversion.

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:
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

*Lots 15 + 16
Feltham Fruit
Tract*

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>
Priority Date	4/23/2004 10:55:48 AM	mcase			
POD	4/23/2004 10:57:55 AM	mcase			
Source	4/23/2004 10:58:04 AM	mcase			
POU	4/23/2004 10:58:14 AM	mcase			
Use	4/23/2004 10:58:38 AM	mcase			
Season	4/23/2004 10:59:08 AM	mcase			
Quantity	4/23/2004 10:59:16 AM	mcase			
Season	6/1/2004 2:23:31 PM	mcase			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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SCANNED
AUG 04 2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2209 V1

Season	6/1/2004 2:23:31 PM	mcase	(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?
POD	4/23/2004 10:57:28 AM	mcase	Edited point location
POD	4/23/2004 10:57:55 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	4/23/2004 10:58:04 AM	mcase	(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?
POU	4/23/2004 10:58:13 AM	mcase	(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?
Use	4/23/2004 10:58:37 AM	mcase	(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?
Season	4/23/2004 10:59:07 AM	mcase	(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?
Quantity	4/23/2004 10:59:15 AM	mcase	(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?

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2209 V1

Priority Date 4/23/2004 10:55:47 AM mcase

(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?

(No) 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?

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AUG 04 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

August 3, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MARK A PORT
MICHAEL N GETTLE
JEANE M GETTLE
1410 E 9TH ST
WEISER ID 83672

Re: Original Notice of Claim to a Water Right No. 67-2209

Renumbered Notice of Claim to a Water Right No. 67-14480

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

DB: db

Enclosure

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AUG 03 2004



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

July 20, 2004

AMERI-TITLE
PO BOX 591
128 E MAIN ST
WEISER ID 83672

RE: Water Right No. 67-2209

To Whom It May Concern:

This office has received the Notice of Change of Water Right Ownership (copy enclosed), recently submitted on behalf of Mark A Port, or Jeanne M Gettle, or Michael N Gettle. We also received check number 12105 in the amount of \$100; however, we are returning it to you, as the ownership change fee is not required for this particular water right claim. This claim has not yet been decreed by the SRBA Court. The ownership change is being processed and a copy will be mailed 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,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosures

SCANNED

AUG 04 2004

SCANNED

JUL 20 2004

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND • THIS PAPER CONTAINS FLUORESCENT FIBERS AND OTHER SECURITY FEATURES



Escrow Trust Account
P.O. Box 591 • 128 E. Main Street
Weiser, ID 83672
(208) 414-1792

BANK OF THE WEST
34 E. Main Street
Weiser, ID 83672

90-78
1211

12105

2004-148

WATER RIGHT TRANSFER
KRAUSE, DARRELL

--One Hundred and 00/100

Dollars

DATE
July 12, 2004

AMOUNT
\$ *****100.00

PAY
TO THE ORDER
OF
STATE OF IDAHO DEPT. OF WATER RESOURCES

2 SIGNATURES REQUIRED

[Handwritten signatures]

⑈012105⑈ ⑆121100782⑆ 212001333⑈

Check Returned - see letter of 7-20-04

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AUG 04 2004

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JUL 20 2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2209 V1

WATER RIGHT NUMBER: 67-2209 V1

Owner Type Name and Address
 Original Owner JOHNSON-BRYANT EQUIPMENT CO
 PO BOX 135
 WEISER, ID 83672
 (208)549-0418
 Current Owner DONNA J KRAUSE
 505 E GALLOWAY
 WEISER, ID 83672
 (208)549-1687
 Original Owner LLOYD P WATTS
 , ID
 Current Owner DARREL L KRAUSE
 505 E GALLOWAY
 WEISER, ID 83672
 (208)549-1687
 Original Owner PAUL KRAUSE
 WEISER, ID

Priority Date: 09/14/1951

Basis:

Status:

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.300 CFS	
	<u>Total Diversion:</u>	0.300 CFS	

Location of Point(s) of Diversion

GROUND WATER NW1/4NE1/4 Sec. 16, Twp 10N, Rge 05W, B.M.
 WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N	05W	16		20.0											20.0

Total Acres: 20

Conditions of Approval:

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2209 V1

Remarks:Comments:

1. mcase 4/23/2004 Period of Use
 Comment: No licensed Period of Use. I recommended the standard Season of Use.

2. mcase 4/23/2004 Quantity
 Comment: No licensed annual diversion. Could not determine recommended annual diversion.

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:
 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>
Priority Date	4/23/2004 10:55:48 AM	mcase			
POD	4/23/2004 10:57:55 AM	mcase			
Source	4/23/2004 10:58:04 AM	mcase			
POU	4/23/2004 10:58:14 AM	mcase			
Use	4/23/2004 10:58:38 AM	mcase			
Season	4/23/2004 10:59:08 AM	mcase			
Quantity	4/23/2004 10:59:16 AM	mcase			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/23/2004 10:57:28 AM	mcase	Edited point location
POD	4/23/2004 10:57:55 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 19, 1998

Re: Notice of Claim to a Water Right No. A67-02202, A67-02209, A67-02217

DARREL L KRAUSE
DONNA J KRAUSE
505 E GALLOWAY
WEISER ID 83672

Dear Mr. & Mrs. Krause:

Enclosed are copies of the above referenced claims which reflect the changes in address of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

SCANNED
MAY 10 2004
SCANNED
AUG 04 2004



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 11, 1994

Re: Notices of Claim to a Water Right Nos. A67-02202, A67-02209,
A67-02217

Darrel L. Krause
Donna J. Krause
P.O. Box 1985
Mc Call, ID 83638

Mr. & Mrs. Krause:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

If you have any questions concerning the enclosed claims please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

SCANNED
AUG 04 2004

MICROFILMED
OCT 22 1996

Washington County Title Co.

28 West Idaho Street

Weiser, Idaho 83672

ESCROW CLOSINGS

(208) 549-1455

TITLE INSURANCE

Weiser, Idaho, January 6, 1995

M ATTN: Adjudication Bureau
Idaho Department of Water Resources
Statehouse Mail

Boise, ID 83720-9000

RECEIVED
JAN 10 1995
WATER RESOURCES
WESTERN REGION

RE: JOHNSON-BRYANT EQUIPMENT CO. SALE TO DARREL L. AND
DONNA J. KRAUSE

We have enclosed Notice of Change of Water Right
Ownership - New Property Owner for 3 water right
filings: Nos. A67-02209, A67-02202 and A67-02217.

WASHINGTON COUNTY TITLE CO.

RECEIVED

JAN 10 1995

Department of Water Resources

han

SCANNED

AUG 04 2004

MICROFILMED

OCT 22 1996