

11/08/2006

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

RIGHT NUMBER: 67-14608
NAME AND ADDRESS: AMY E GARRISON
354 KRAUSE RD
WEISER ID 83672

DONALD C GARRISON
354 KRAUSE RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.080 CFS
22.500 AFY

PRIORITY DATE: 02/09/1951

POINT OF DIVERSION:

T10N R05W S16 SWSWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.080 CFS 22.50 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County
T10N R05W S16 SWNE 5.00

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 - License

The following rights are diverted through point of diversion described above:
67-14606, 67-14607, 67-14608.

This right is a split from former right 67-2202.



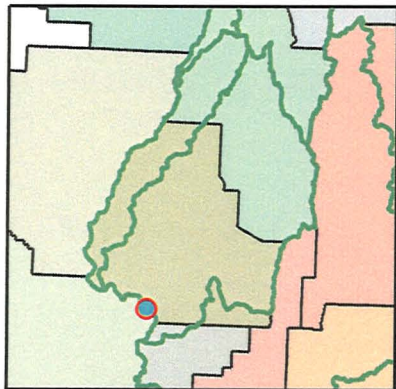
Idaho Department of Water Resources

SRBA Recommendation:

67-14608

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 J. Dean
On Wednesday, November 8, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14608 V1

WATER RIGHT NUMBER: 67-14608 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JOHNSON-BRYANT EQUIPMENT CO PO BOX 135 WEISER, ID 83672 (208)549-0418
Original Owner	DARREL L KRAUSE 365 CLABBY RD WEISER, ID 83672 (208)549-1687
Current Owner	AMY E GARRISON 354 KRAUSE RD WEISER, ID 83672 (208)549-3482
Original Owner	ANDREW BAILEY ALLEN WEISER, ID
Original Owner	DONNA J KRAUSE 365 CLABBY RD WEISER, ID 83672 (208)549-1687
Current Owner	DONALD C GARRISON 354 KRAUSE RD WEISER, ID 83672 (208)549-3482

Priority Date: 02/09/1951

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
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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	0.080 CFS	22.50 AF
<u>Total Diversion:</u>		0.080 CFS	22.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4NE1/4	Sec. 16, Twp 10N, Rge 05W, B.M.
WASHINGTON County		

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	
10N	05W	16			5.0														5.0

Total Acres: 5

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14608 V1

Total Acres: 5

Conditions of Approval:

1. F06 The following rights are diverted through point of diversion described above: 67-14606, 67-14607, 67-14608.
2. 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.
3. This right is a split from former right 67-2202.

Remarks:Comments:

1. jdean 11/8/2006 Period of Use

Comment: A standard period of use for irrigation in this region was recommended for this claim.

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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	11/8/2006 9:27:31 AM	jdean			Active
Priority Date	11/8/2006 9:30:01 AM	jdean			Active
POD	11/8/2006 9:33:10 AM	jdean			Active
Source	11/8/2006 9:33:25 AM	jdean			Active
POU	11/8/2006 9:34:22 AM	jdean			Active
Use	11/8/2006 9:35:09 AM	jdean			Active
Season	11/8/2006 9:35:55 AM	jdean			Active
Quantity	11/8/2006 9:36:33 AM	jdean			Active
Summary			11/08/2006	jdean	Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14608 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	11/8/2006 9:27:31 AM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review
Source	11/8/2006 9:33:25 AM	jdean	(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?
Use	11/8/2006 9:35:10 AM	jdean	(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?
General	11/8/2006 9:30:01 AM	jdean	(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	11/8/2006 9:31:41 AM	jdean	Updated PLS
POU	11/8/2006 9:33:58 AM	jdean	Updated PLS for Active POU
Summary	11/8/2006 9:39:19 AM	jdean	(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	11/8/2006 9:33:45 AM	jdean	Updated shape for Active POU
POD	11/8/2006 9:31:03 AM	jdean	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

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POD	11/8/2006 9:33:10 AM	jdean	(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	11/8/2006 9:34:22 AM	jdean	(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?
Season	11/8/2006 9:35:55 AM	jdean	(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	11/8/2006 9:36:33 AM	jdean	(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 - 4.5 afy/acre * 5 acres = 22.5 afy

Water Supply Bank:

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

RECEIVED

AUG 17 2005

RECEIVED

JUL 07 2005

WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-2202		X			

RECEIVED

JUL 11 2005

ADJ. - N

Department of Water Resources

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) 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)

Darrel L. Krause + Donna J. Krause
365 Clabby Rd, Weiser, ID 83672

4. New Owner/Claimant(s)

Donald C. Garrison + Amy E. Garrison

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

New Mailing Address

354 Krause Rd.

City, State and ZIP Code

Weiser, ID 83672

New Telephone Number

208 549-3482

5. Date you acquired the property

11-15-02

SCANNED

AUG 18 2005

SCANNED

AUG - 5 2005

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

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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)

1 _____ *and Jerry Harrison*

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 _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ Date 8-5-05 WR _____ Date _____

OK to split C. Harrison
8-1-05

SCANNED

AUG 18 2005

SCANNED

AUG - 5 2005

187761

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED, WAY DEVELOPMENT, INC, an Idaho corporation, grantor, does hereby Grant, Bargain, Sell and Convey unto DONALD C. GARRISON AND AMY E. GARRISON, husband and wife, the grantees, whose address is 354 Krause, Road, Weiser, ID 83672, the following described real estate situate in Washington County, Idaho, to-wit:

See Attached Exhibit

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantees, their successors and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its Secretary this 12th day of November, 2002.

WAY DEVELOPMENT, INC.

By *[Signature]*

STATE OF IDAHO)
 (ss:
County of Washington)

On this 12 day of November, 2002, before me, a notary public in and for said State, personally appeared BRUCE WAY, known to me to be the Secretary, of WAY DEVELOPMENT, INC., and acknowledged to me that he executed the foregoing corporate warranty deed for and on behalf of such corporation.

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

[Signature]

Notary Public for Idaho
Residing at Weiser Idaho
Commission expires: 9/7/2005

Instrument # 187761

WEISER, WASHINGTON, IDAHO

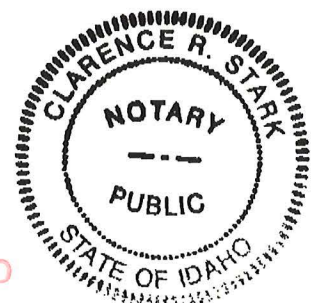
2002-11-15 01:00:00 No. of Pages: 2

Recorded for : WASHINGTON COUNTY TITLE

SHARON WIDNER Fee: 6.00

Ex-Officio Recorder Deputy *[Signature]*

Index to: DEED



SCANNED

AUG - 5 2005

Exhibit to Corporate Deed

IN WASHINGTON COUNTY, IDAHO:

Lot 9 of FELTHAM FRUIT TRACT as the same is shown on the official plat thereof now on file in the office of the County Recorder of Washington County, Idaho.

SAVE AND EXCEPT the following: Beginning at the southwest corner of Lot 9 of said Feltham Fruit Tract;
thence North along the West line of Lots 9 and 10 of said Feltham Fruit Tract, 460 feet;
thence East and parallel to the South line of said Lot 9, 111 feet;
thence South and parallel to the West line of said Lots 9 and 10, 460 feet;
thence West along the South line of said Lot 9 to the point of beginning.

Approved by:
Initials _____

FOR VALUE RECEIVED, DARREL L. KRAUSE and DONNA J. KRAUSE, husband and wife, the Grantors, do hereby, grant, bargain, sell and convey unto WAY DEVELOPMENT, INC., the Grantee, whose address is 1065 Loafer Lane, Weiser, ID 83672, the following described real estate situated in Washington County, State of Idaho, to-wit:

SAVE AND EXCEPT the following: Beginning at the southwest corner of Lot 9 of said Feltham Fruit Tract;
thence North along the West line of Lots 9 and 10 of said Feltham Fruit Tract, 460 feet;
thence East and parallel to the South line of said Lot 9, 111 feet;
thence South and parallel to the West line of said Lots 9 and 10, 460 feet;
thence West along the South line of said Lot 9 to the point of beginning.

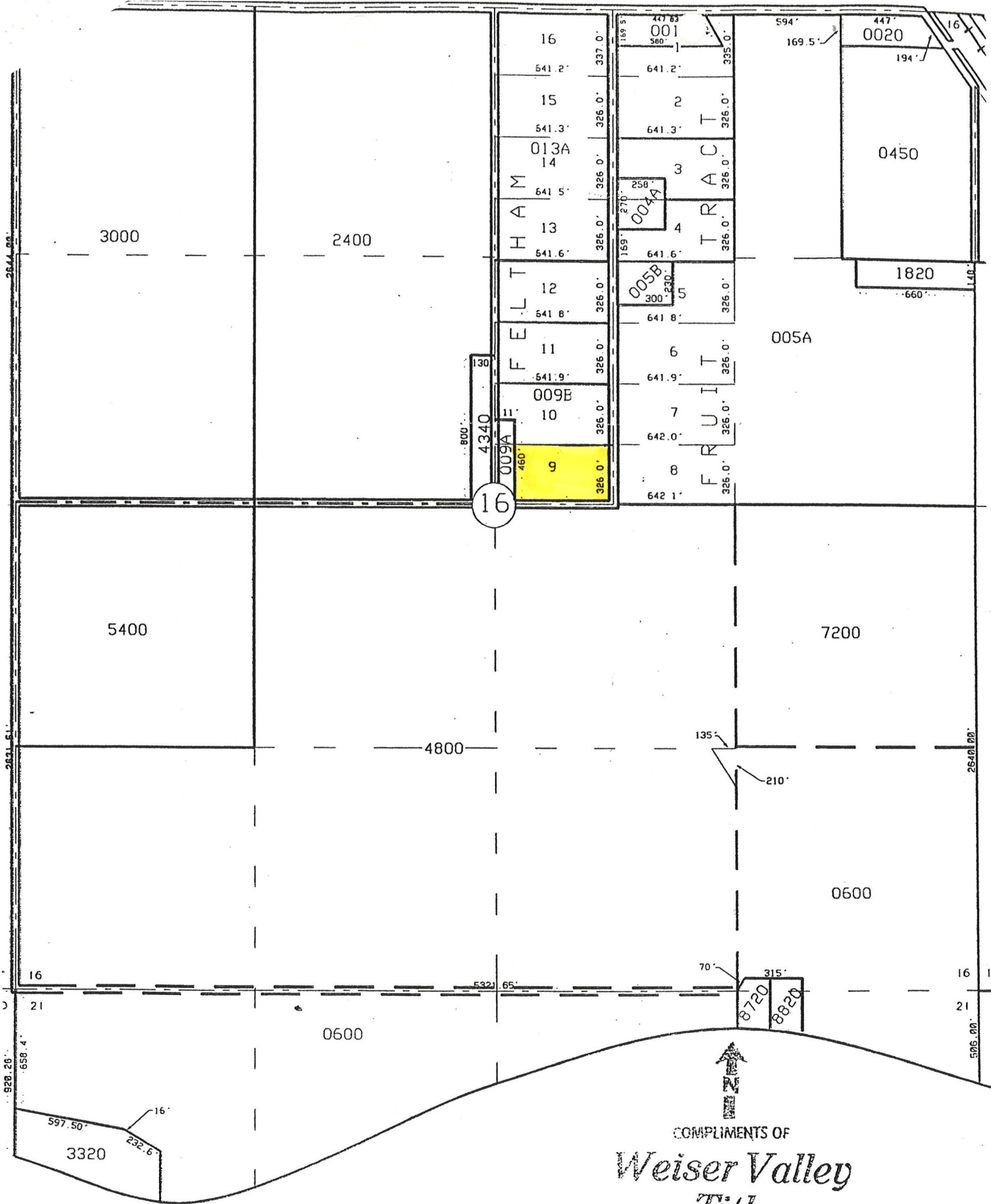
DATED this 8 day of November, 2002.

DONNA J. KRAUSE

On this 8 day of November, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared DARREL L. KRAUSE and DONNA J. KRAUSE, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

Index to: DEED





T. 10 N., R. 5 W., B.M.
SECTION 16 & 21
SCALE: 1"=660'

COMPLIMENTS OF
Weiser Valley
Title

THIS SKETCH IS FURNISHED
TO ASSIST IN PROPERTY
LOCATION AND THE COMPANY
DOES NOT GUARANTEE
ITS ACCURACY

SCANNED
AUG - 5 2005

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 67-14608
Date Received: 8/5/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

AMY E GARRISON Phone: (208)549-3482

354 KRAUSE RD
WEISER ID USA 83672

DONALD C GARRISON Phone: (208)549-3482

354 KRAUSE RD
WEISER ID USA 83672

2. Date of Priority: 02/09/1951

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	SW NE	WASHINGTON	

5. Description of diverting works:

WELLS AND PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.08	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	16	SW	NE	IRRIGATION	5
					Section Acres	5
					Total Acres	5

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:

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

This right is a split from former right 67-2202 .

15. Basis of Claim: License



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

August 5, 2005

DONALD AND AMY GARRISON
354 KRAUSE RD
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-14608

Dear Claimants:

As a result of buying a portion of the property and water right from Darrel and Donna Krause, the identification number to your water right has been changed as follows:

From
67-2202

To
67-14608

Please use the new number in future inquiries or correspondence you may have with our Department. Enclosed is a copy of your water right. Please retain this copy for your file.

I am also returning the two ownership change forms you signed. Item #4 has "and" between your names as the name connector, yet only Donald Garrison signed at Item #7. Please either have Amy Garrison sign at Item #7 or add "/or" between each name at Item #4. Please return the original form to me in the enclosed postage-paid envelope.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Thank you for your patience and cooperation. We have had several water right changes to process. Please call me at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosures:

Original Notice of Change in Water Right Ownership
Copy of Notice of Claim to a Water Right Referenced Above

SCANNED

AUG - 5 2005