



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

October 14, 2014

LLOYD R GORDON
JAN MILLS
1223 COUNTRY RD 70
WEISER ID 83672

RE: Notice of Change in Water Right Ownership No. 67-11048

Dear Applicants:

The Department of Water Resources acknowledges receipt of your request for an ownership change on the water right mentioned above. However, after reviewing the request, it was determined an application for transfer needs be filed in order to complete this request.

As we discussed on October 8, 2014, it appears the legal descriptions of the right was claimed and decreed in error. The place of use (POU) and the point of diversion (POD) should be located within, Township 11N, Range 5W, Section 31, SW $\frac{1}{4}$ NW $\frac{1}{4}$. It was claimed as being located within Township 11N, Range 5W, Section 31, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and was decreed as being located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$. The only way to correct these errors is by filing an application for transfer of water right to change the POU and the POD to the correct location. This form is enclosed for your convenience.

Enclosed you will find your original notice of change in water right ownership and a map showing where the correct POU and POD should be located. There are also documents that have incorrect POU and POD locations. Please see the enclosed Adjudication claim, Partial Decree and the Water Right Proof Report.

Because your notice is being returned to you, I have requested a refund that will be sent to the payer under separate cover. Please contact me if you have any questions concerning the enclosed information or this letter.

Sincerely,

Rachel Sommer
Administrative Assistant I
Western Regional Office
208-334-2190

Enclosures

RECEIVED

AUG 01 2014

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
PD 67-11048	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: Roger Krahn & Diane Krahn
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Lloyd Richard Gordon & Jan Mills
New owner(s) as listed on the conveyance document Name connector ☐ and ☒ or ☐ and/or

1223 County Rd 70 WRISER ID 83672
Mailing address City State ZIP

208-870-4657 _____
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?

- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: June 2nd 2014

6. If the water right described herein has been rented from the Water Supply Bank, rental proceeds will be disbursed in the following manner regardless of any arrangements between the buyer(s) and seller(s) to the contrary:

- Rental payments will go to the lessor(s) of record at the beginning of the rental season.
- If a change in ownership is processed by the Department during a rental season, rental payment will be made to the person or entity who is the lessor of record at the beginning of that rental season.
- New lessor(s) of record will receive payment after the following rental season.

7. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

8. Signature: Janice Mills _____ Title, if applicable _____ Date 7-30-2014
Signature: Lloyd R. Gordon _____ Title, if applicable _____ Date 7-30-2014
Signature of new owner/claimant Signature of new owner/claimant

For IDWR Office Use Only:

Received by J. Strange Date 8-1-2014 Receipt No. W042390 Receipt Amt. 25.00
Approved by N/A Processed by X Date X

Instrument # 226136

STATE OF IDAHO, COUNTY OF WASHINGTON
2014-06-04 03:22:06 PM No. of Pages: 2
Recorded for: AMERITITLE WEISER
BETTY J. THOMAS Fee: \$13.00
EX-Officio Recorder Deputy DWarren
Index To: DEED
Electronically Recorded by Simplifile

RECEIVED

SEP 08 2014



WARRANTY DEED

WATER RESOURCES
WESTERN REGION

Order No.: 10061AM

FOR VALUE RECEIVED

Diane Krahn, a widow

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Lloyd Richard Gordon and Janice Mills, husband and wife

whose current address is:

1223 County Road 70
Weiser, ID 83672

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

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the
said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said
premises; that they are free from all encumbrances Except: Current Year Taxes,
conditions, covenants, restrictions, reservations, easements, rights and rights of way,
apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: June 2, 2014

Diane Krahn
Diane Krahn

State of Idaho } ss
County of Washington}

On this 2nd day of June, 2014, before me, Nancy I. Lazaro, a Notary Public in and for
said state, personally appeared Diane Krahn, known or identified to me to be the
person(s) whose name(s) is/are subscribed to the within Instrument and
acknowledged to me that he/she/they executed same.

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

Nancy I. Lazaro
Nancy I. Lazaro
Notary Public for the State of Idaho
Residing at: Weiser
Commission Expires: 10/09/2019

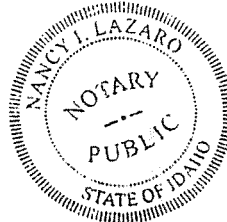


EXHIBIT A

Beginning at the Northeast corner of the NW¼ of Section 31, Township 11 North, Range 5 West of the Boise Meridian, Washington County, Idaho;
thence South 2322 feet to a point about 80 feet North of the North bank of the Snake River;
thence N 69°28' W 410 feet;
thence N 26°00' E 277 feet to a point on the South line of the Oregon Short Line Railroad right-of-way;
thence N 69°30' W along the South line of said right-of-way 1067.73 feet to the INITIAL POINT AND PLACE OF BEGINNING;

thence N 68°30' W along the South line of said right-of-way 259.07 feet;
thence S 21°30' W 455.45 feet to the North bank of the Snake River;
thence in an Easterly direction along the bank of said River 267.20 feet, more or less, to a point S 21°30' W of the initial place of beginning;
thence N 21°30' E 389 feet to the INITIAL POINT AND PLACE OF BEGINNING.

SUBJECT to County Road right-of-way along the North boundary.

R. 6W

R. 5W

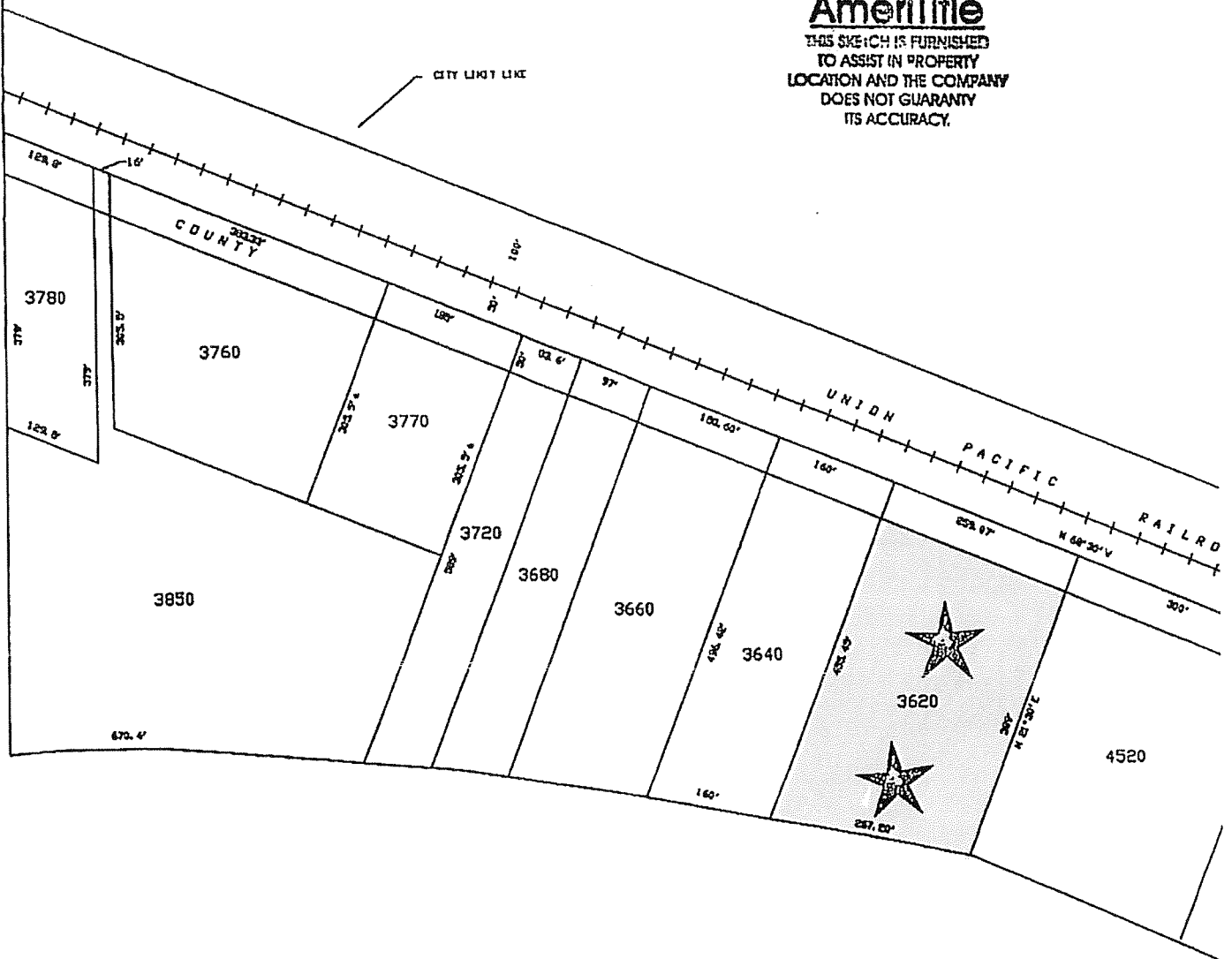
CITY

OF

↑
COMPLIMENTS OF
AmeriTitle

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

CITY LIMIT LINE



SNAKE

THE CITY OF SEATTLE
AUMENTUM *Washington*

PIN: **RP11N05W313620** TAG: **TAG 043-0000** Current owner: **KRAHN DIANE**
 AIN: TIF: Ownership type: **Fee Simple Ownership**
 Status: **Active** County: **44-Washington** Situs address: **1223 COUNTY RD 70**
 Geocode: Case: Description: **TN-5 S31T11R5 2.16 ACRES**
 Rev acct: **2342** Pmt plan: Class: **512 Res Rural Tract Vacant**
 Tax sale: ACH plan: Roll type: **Real Property**

Year/Bill **2013-111934-A** | ***Tax Notice*** | Print | Bill Detail Total Due **3/12/2014** ☐

Bill type: Original Actual Owner of record: Bill 2013-111934-A Inst 2-June 20 \$0.00
 Bill dates: November 01, 2013 KRAHN DIANE Total Current \$0.00
 Amount: \$205.10 1223 COUNTY RD 70 Delinquent \$0.00
 WEISER ID 83672 Adv/Surplus \$0.00
 Paid date: Thursday, December 05, 2013 Discount \$0.00
 Total Due \$0.00

Receipt: U13.3713

Sequence no: 1

Paid by: KRAHN DIANE

Decal no:

Description: TN-5 S31T11R5 2.16 ACRES

Charge Summary

Gross Tax	Credits	Net Tax	Tax Savings	Total Credits/Savings
1,045.12	-840.02	205.10	0.00	840.02

Detail	Total Acres	Total Value	Total Exemptions
Land Assessed	71,345	USD	
Imp Assessed	106,788	USD	
Total Acres	2.1600	Acres	
Total Value	178,133	USD	
Total Exemptions	81,000	USD	

67-11048

Taxlots

KRAHN DIANE

Location:

2,261,355.470 1,454,007.143 Met

Field	Value
ID	202312
UPDATED	9/1/2010
PIN	RP11N05W313620
OWNER	KRAHN DIANE
ADDRESS1	1223 COUNTY RD 70
ADDRESS2	
CITY	WEISER
STATE	ID
ZIPCODE	83672
P_ADDRESS	1223 COUNTY RD 70
P_ZIPCODE	83672
SUB_NAME	
LEGAL1	TN-5 S31T11R5 2.16 ACRES
LEGAL2	
LEGAL3	
LEGAL4	
LEGAL5	
LEGAL6	<null>
ACRES	2.2
COUNTY	Washington



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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 67-11048

NAME AND ADDRESS: DIANE KRAHN
ROGER G KRAHN
1223 COUNTY HWY 70
WEISER, ID 83672

SOURCE: GROUNDWATER

QUANTITY: 0.06 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 08/29/1956

POINT OF DIVERSION: T11N R05W S31 NESW Within Washington County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Stockwater	01-01 TO 12-31	0.02 CFS
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Stockwater		Within Washington County
	T11N R05W S31	NESW	
	Domestic		Within Washington County
	T11N R05W S31	NESW	

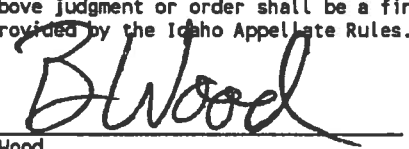
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

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: A67-11048
Date Received: 10/20/1989
Receipt No: W006465
Received By:

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ROGER G KRAHN
Address: 1223 COUNTY HWY 70
WEISER ID 83672 208-549-3618
OR
Name: DIANE KRAHN
Address: 1223 COUNTY HWY 70
WEISER ID 83672 208-549-3618

2. Date of Priority: AUG 29, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	05W	31	NE	NW			WASHINGTON

5. Description of diverting works:
WELLS (2)

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.020		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 4 CATTLE

A67-11048

Page 1

Date: 12/21/94

25x10

32x

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	05W	31	NE NW		STOCK	
			NE NW		DOMEST	

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:

15. Basis of Claim: BENEFICIAL USE

10. Place of use is: Township 11 N Range 5 West
Section 31 NE 1/4 of 1/4 Govt. Lot B.M.
for (Circle One) Domestic ☒ Stock ☒ Domestic and Stock ☐
Additional places of use, if any

11. In which county (ies) are lands listed above as place of use located? Washington 2.16 ac.
12. Do you own the property listed above as place of use? Yes X No
If your answer is No, describe in Remarks below the authority you have to claim this water right.
13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or

14. Remarks:

15. Basis of Claim (Circle One) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐ Decree ☐
Court Decree Date Plaintiff vs Defendant

If applicable provide IDWR Water Right Number
16. Signature (s) Roger A. Kuhn
(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

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

Signature of Claimant (s) Roger A. Kuhn Date 10-19-89
Date

For Organizations: I do solemnly swear or affirm that I am
of Title
that I have signed the foregoing

document in the space below as of
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Date
Title and Organization

State of Idaho/or) 83. NOTARIZATION REQUIRED FOR EACH CLAIM
County of Washington)

Subscribed and sworn (or affirmed) before me this 19th day of October 19 88

SEAL Notary Public
Residing at
My Commission Expires 9-25-92

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