

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DE ✓
RECEIVED
MAY 10 2012
WATER RESOURCES
WESTERN REGION

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 78-04053	~~Yes~~ ☒	SPLIT INTO 78-12400 & 78-12401			Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name: James F. Gleason and Lorna Gleason
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): James F. Gleason and Lorna Gleason
Name of each new owner as listed on the conveyance document
James F. Gleason and Lorna Gleason
New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or
5633 Pines Road
Mailing address
New Meadows, ID 83654
City State ZIP
208-628-4038 msbowie@frontier.com
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. See attached Letter Regarding Property Split

5. Date you acquired the water rights and/or claims listed above: January 29, 2002

6. 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. CK 5286 for 100.00
☐ No fee is required for pending adjudication claims.

SUPPORT DATA
IN FILE # 78-4053

7. Signature: James F. Gleason Lorna Gleason
Signature of new owner/claimant Title, if applicable Date 5-7-2012
- Signature: James F. Gleason Lorna Gleason
Signature of new owner/claimant Title, if applicable Date 5-7-2012

For IDWR Office Use Only:

Received by RS Date 5.10.12 Receipt No. W040166 Receipt Amt. 100
Approved by _____ Processed by RS Date 7.11.12

SCANNED
JUL 11 2012

RECEIVED

MAY 10 2012

WATER RESOURCES
WESTERN REGION

May 8, 2012

Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Attention Kelly Christianson

Re: Spring Water Right 78-04053 & request to Split this water right (same property/ now two legal descriptions instead of one.) (Adams County)

Dear Mr. Christianson,

We spoke on the phone a couple of weeks ago and again today regarding us wanting to split the water rights to the spring noted above and I advised you that I would send you a packet outlining this request.

We purchased a 6 + acre parcel that had water rights to it from the above captioned spring located on BLM property that borders the westerly property line. This spring provided a water right for 4 acres of irrigation plus domestic use to this 6+ acre parcel. Prior owners were Clayton & Grace Hartwell.

In 2010, we split this 6+ acres parcel into two separate parcels.

Parcel A now being 5.225 Acres

Parcel B now being 1.009 Acres

Each parcel contains a dwelling and a shed on it.

Since the spring water right went to the entire plot of land, it is now necessary to split this same right to each individual parcel in accordance to the Dept. of Water Resources rules.

Per our conversation, this will not affect the priority date of the water right.

The Spring Water Right is 78-04053

There is a Right of Way Grant known as Serial number I-8092 from the Bureau of Land Management to this property for accessing and maintaining the spring and pipeline. I will also send them a letter notifying them of the change from one legal description to two legal descriptions.

Please note regarding the survey: So that there isn't any confusion, I'll provide you with what transpired and why there are several of record. You may not need this, but just in case you do, you'll have it.

Survey 1-1973 by Don Koskie; never recorded but the one Clayton Hartwell would have used when he purchased the property. This one shows the spring box and pipeline and we assume was used when Mr. Hartwell applied for and received the right of way grant from BLM. The water right was already in place for this property was established in 1947.

Page 2 Gleason spring water rights split 5-82012

Survey 2 -2001 /Rev 1-4-2002, recorded 1-15-2002 in instrument # 100992 by Rod Skifton when we purchased the property; this survey shows the west lot line further to the east.

Survey 3- July 2007 recorded 8-14-2007 instrument # 115007 by Rod Skifton when he corrected an error due to a road right of way issue. This brought the east boundary farther to the west. This is the survey that contains the corrected legal description prior to the split and equals 6.235 acres.

Survey 4- June 17, 2010 recorded 6-23-2010 in instrument # 120426 by Rod Skifton when we split the property. This is the final and most recent survey with each parcel having its own legal description. The total of both parcels together equal 6.234 acres.

When we spoke, you mentioned that you needed the dimensions of the house and shed especially on the 1.009 acre lot to appropriately split the water right. If it isn't an absolute necessity to subtract the square footage of the buildings from the acreage to determine what percentage of the right goes with that parcel, and if it is possible, it would seem like it would be a much cleaner split to give the 1.009 acre parcel the 1.009 right and the 5.225 right. This would keep it the same as the acreage rounding as appropriate. This would allow for the watering of additional space for parcel B should future owners decide to remove a building or replace an existing one with a smaller dimension. In my calculations, this would be 83.8% of the water right for Parcel A and 16.2 % of the water right for Parcel B. Since we own both parcels, this is the time to do this looking towards the future when there will be two different owners and where an owner could make changes to the building structures here. In computing out subtracting the buildings from the total land square footage, the acreage watered in parcel B appears to be almost 94% of the total parcel at this time.

To recap:

The objective and our request is to split the spring water rights # 78-04053 from the current parcel as a whole to the same parcel but to two separate legal descriptions since the whole parcel was split into two plots. This is shown by a survey recorded in the Adams County recorder's office June-23-2010 Instrument # 120426.

I have attached the following documents for your review. If there is anything else you need to complete this action, please call and let me know.

Attachments;

- Your form- Notice of Change in Water Right Ownership to change the water right from James & Lorna Gleason with the legal description of property prior to split to James and Lorna Gleason after the split for Parcel A and Parcel B
- Copies of the Deed from Hartwell to Gleason
- Copies of the Deeds transferring title from Gleason to Gleason with the two new legal descriptions
- Copy of most current survey filed 6-23-10
- Current Legal Description of Parcel A
- Current Legal Description of Parcel B
- Copy of legal description **prior** to the property split dated August 20, 2007
- Partial Decree Pursuant to I.R.C.P. 54 (b) for Water Right 78-04053 to James F & Lorna Gleason
- Notice of claim to water right by Clayton Hartwell dated 5-18-1988
- Copy of Right of Way Granted from BLM to Clayton Hartwell

Page 3 Gleason spring water rights split 5-8-2012

Dimensions of structures on Parcel B if needed. - Shed = 14.5 x 30 feet
House= 27 x 68 feet
Attached garage 20 x 20

Sincerely,



James F & Lorna Gleason
5633 Pines Road
New Meadows, Idaho 83654

208-628-4038

Email – msbowie@frontier.com

We are under
Contract on a
sale of parcel 13
+ expect to close

June 23 - 2012

If this could be
in place before
then we would
greatly appreciate
it. Thanks
so much.

Parcel A

WARRANTY DEED

For Value Received, JAMES F. GLEASON and LORNA GLEASON, husband and wife the grantors, do hereby grant, bargain, sell and convey unto JAMES F. GLEASON and LORNA GLEASON, husband and wife the grantees, whose address is 5633 Pines Road, New Meadows, ID 83654 the following described premises, in Adams County, Idaho, to-wit:

See attached Exhibit 'A'

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

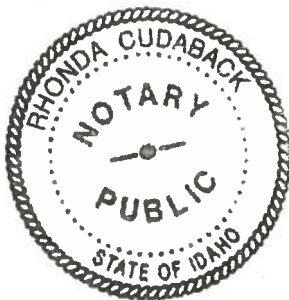
Date: 3-28-2011

James F. Gleason
JAMES F. GLEASON

Lorna Gleason
LORNA GLEASON

STATE OF IDAHO)
County of valley) ss

On this 28 day of March, 2011, before me, a Notary Public in and for the said State, personally appeared JAMES F. GLEASON and LORNA GLEASON known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Rhonda Cudaback
Notary Public for Idaho
Residing at: McCall ID
Commission expires: 12-4-12

Instrument # 121665

COUNCIL, ADAMS, IDAHO

3-29-2011 03:08:21 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

SHERRY WARD

Fee: 13.00

Ex-Officio Recorder Deputy Sherry Ward

Index to: DEED

5.225 acres

Survey recorded 6-23-10

Inst # 120426

over for legal

EXHIBIT 'A'

PARCEL A - As per Record of Survey Instr. No. 120426, recorded June 23, 2010

A parcel of land situate in the SE1/4 of Section 9, Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the ¼ corner common to Sections 9 and 16, T22NR1EEM, Adams County, Idaho, as shown on that particular Record of Survey on file as Instr. No. 75648, in the Office of the Recorder of Adams County, Idaho;
Thence N 0°11'10" E., 821.86 feet along the westerly boundary of the SW1/4SE1/4 of said Section 9 to a ¼" rebar as shown on that particular Record of Survey on file as Instr. No. 75648 in the Office of the Recorder of Adams County, Idaho, the REAL POINT OF BEGINNING;
Thence continuing N 0°11'10" E., 333.02 feet along the westerly boundary of said SW1/4SE1/4 to a ¼" rebar (from which a 5/8" rebar marking the CS1/16 corner of said Section 9 bears N 0°11'10" E., 164.17 feet);
Thence S 89°53'43" E., 453.68 feet to a ¼" rebar;
Thence N 0°09'11" E., 178.01 feet to a ¼" rebar;
Thence S 89°56'42" E., 368.47 feet to a 5/8" rebar on the westerly right-of-way of the unconstructed portion of U.S. Highway 95, as deeded to the State of Idaho in Book 14, Page 388 and 496 of Deeds and subsequently quitclaimed to Adams County with Instr. No. 67247, all on record in the Office of the Recorder of Adams County, Idaho, as shown on the particular Record of Survey recorded as Instr. No. 115007 in the Office of the Recorder of Adams County, Idaho;
Thence S 32°30'56" E., 131.88 feet along said westerly right-of-way to a 5/8" rebar as shown on that particular Record of Survey on file as Instr. No. 120426 in the Office of the Recorder of Adams County, Idaho;
Thence S 88°18'46" W., 97.19 feet to a 5/8" rebar;
Thence S 50°19'05" W., 200.00 feet to a 5/8" rebar;
Thence S 14°56'42" E., 93.05 feet to a 5/8" rebar;
Thence S 75°03'18" W., 690.90 feet to the POINT OF BEGINNING, containing 5.225 acres, more or less

TOGETHER WITH a grant of right-of-way for the use of a spring box and pipeline as shown on the official document of Decision of Right-of-way Granted filed on March 15, 1974 in the Idaho State Office of the Bureau of Land Management.

SUBJECT TO: All easements and rights-of-way of record or use

Bearings based on Record of Survey, Instrument No. 75648 and 115007

5.225 acres

Survey recorded 6-23-10

Inst # 120426

Same legal attached Reel 521000 6-20-10

PARCEL B

WARRANTY DEED

For Value Received, JAMES F. GLEASON and LORNA GLEASON, husband and wife the grantors, do hereby grant, bargain, sell and convey unto JAMES F. GLEASON and LORNA GLEASON, husband and wife the grantees, whose address is 5633 Pines Road, New Meadows, ID 83654 the following described premises, in Adams County, Idaho, to-wit:

See attached Exhibit 'A'

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: 3-28-2011

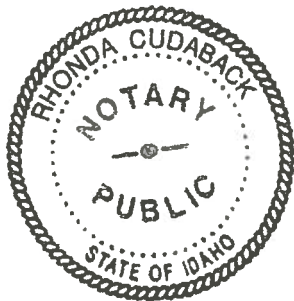
James F. Gleason
JAMES F. GLEASON

Lorna Gleason
LORNA GLEASON

STATE OF IDAHO)
County of Valley) ss

On this 28 day of march, 2011, before me, a Notary Public in and for the said State, personally appeared JAMES F. GLEASON and LORNA GLEASON known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

Rhonda Cudaback
Notary Public for Idaho
Residing at: McCall ID
Commission expires: 12-4-12



Instrument # 121666

COUNCIL, ADAMS, IDAHO

3-29-2011 03:09:07 No. of Pages: 2

Recorded for : TIMBERLINE TITLE & ESCROW

SHERRY WARD

Fee: 13.00

Ex-Officio Recorder Deputy Deputy

Index to DEED

1.009 acres

Survey recorded 6-23-10

Inst # 120426

over for legal

EXHIBIT 'A'

PARCEL B.- As per Record of Survey Instr. No. 120426, recorded June 23, 2010

A parcel of land situate in the SE1/4 of Section 9, Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the ¼ corner common to Sections 9 and 16, T22NR1E2M, Adams County, Idaho, as shown on that particular Record of Survey on file as Instr. No. 75648, in the Office of the Recorder of Adams County, Idaho;

Thence N 0°11'10" E., 821.86 feet along the westerly boundary of the SW1/4SE1/4 of said Section 9 to a ¼" rebar;

Thence N 75°03'18" E., 690.90 feet to a 5/8" rebar, as shown on that particular Record of Survey on file as Instr. No. 120426 in the Office of the Recorder of Adams County, Idaho, the REAL POINT OF BEGINNING;

Thence N 14°56'43" W., 93.05 feet to a 5/8" rebar;

Thence N 50°19'05" E., 200.00 feet to a 5/8" rebar;

Thence N 88°18'46" E., 97.19 feet to a 5/8" rebar on the westerly right-of-way of the unconstructed portion of U.S. Highway 95, as deeded to the State of Idaho in Book 14, page 388 and 496 of Deeds and subsequently quitclaimed to Adams County with Instr. No. 67247, all of record in the Office of the Recorder of Adams County, Idaho, as shown on that particular Record of Survey recorded as Instr. No. 115007 in the Office of the Recorder of Adams County, Idaho;

Thence S 32°30'56" E., 162.01 feet along said westerly right-of-way to a 5/8" rebar marking the northerly boundary of that particular parcel of land described in Warranty Deed Instr. No. 94846, recorded in the Office of the Recorder of Adams County, Idaho, (from which a brass monument marked V.O.H.-C.W.B. bears N 75°03'18" E., 26.80 feet);

Thence S 75°03'18" W., 209.79 feet to a 5/8" rebar marking the northwesterly corner of said Warranty Deed parcel;

Thence continuing S 75°03'18" W., 115.35 feet to the POINT OF BEGINNING, containing 1.009 acres, more or less

TOGETHER WITH a grant of right-of-way for the use of a spring box and pipeline as shown on the official document of Decision of Right-of-way Granted filed on March 15, 1974 in the Idaho State Office of the Bureau of Land Management.

SUBJECT TO: All easements and rights-of-way of record or use.

Bearings based on Record of Survey, Instrument No. 75648 and 115007

1.009 acres

Survey recorded 6-23-10
Inst # 120426

1. ... as attached D.A. ...

101020
1002
INSTRUMENT NO.

PAGE 1 OF 2

WARRANTY DEED

Deed from previous
owner to Gleason

For Value Received, CLAYTON A. HARTWELL, a widower

the grantor, does hereby grant, bargain, sell and convey unto
JAMES F. GLEASON and LORNA GLEASON, husband and wife

the grantees, whose current address is 13201 Sean Circle, Anchorage, AK 99516

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

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

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

Date: January 15, 2002

Clayton A. Hartwell
CLAYTON A. HARTWELLSTATE OF Idaho)
COUNTY OF Adams) : ssOn this 11th day of January, in the year of 2002, before me, a Notary Public in and for said State, personally appeared

CLAYTON A. HARTWELL

known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged
to me that he executed the same.Sharon M. Stippich
Notary Public
Residing at: Indian Valley
Commission expires: 7-5-07

Instrument # 101020

COUNCIL, ADAMS, IDAHO

2002-01-18

04:38:14 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: \$6.00

Ex-Officio Recorder Deputy

Index to: DEED

Deputy

#01-562

over for legal

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 9: A tract of land located in the NW1/4SE1/4 and the SW1/4SE1/4 more particularly described as follows:

Commencing at a brass cap marking the ¼ corner common to Sections 9 and 16, T22NR1EBM, Adams County, Idaho, as shown on that particular Record of Survey on file as Instr. No. 75648 in the Adams County Recorder's Office;

Thence North 00° 11' 10" East 821.86 feet along the Westerly boundary of the SW1/4SE1/4 of said Section 9 to a ½" rebar, the REAL POINT OF BEGINNING;

Thence continuing North 00° 11' 10" East 333.02 feet along the Westerly boundary of said SW1/4SE1/4 to a ½" rebar from which a 5/8" rebar marking the CS 1/16 corner of said Section 9 bears North 00° 11' 10" East 164.17 feet;

Thence South 89° 53' 43" East 453.68 feet to a ½" rebar;

Thence North 00° 09' 11" East 178.01 feet to a ½" rebar;

Thence South 89° 56' 42" East 384.60 feet to a ½" x 24" rebar on the Westerly right-of-way of the former U.S. Highway 95;

Thence South 32° 53' 57" East 290.13 feet along said Westerly right-of-way to a ½" x 24" rebar from which a brass cap right-of-way monument at Sta. 543+17 bears South 32° 53' 57" East 69.14 feet and a brass monument marked V.O.H. - C.W.B. bears North 75° 03' 18" East 10.50 feet;

Thence South 75° 03' 18" West 1032.34 feet to the REAL POINT OF BEGINNING.

ALONG WITH: A grant of right-of-way for the use of a spring box and pipeline as shown on the official document of Decision of Right-of-Way Granted filed on March 15, 1974, in the Idaho State Office of the Bureau of Land Management.

RECORD OF SURVEY RECORDED JANUARY 15, 2002 AS INST. NO. 100992.

THE ABOVE DESCRIBED LAND WAS FORMERLY DESCRIBED AS FOLLOWS:

Township 22 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 9: A tract of land located in the SW1/4SE1/4 and the NW1/4SE1/4 more particularly described as follows:

Commencing at the Southeast property corner of said tract which is the REAL POINT OF BEGINNING and is marked by a concrete post with brass cap marked V.O.H. & C.W.B...;

Thence North 32° 35' West 285.00 feet along the boundary of the former North-South highway to a point;

Thence due West 400.00 feet to a point;

Thence South 00° 03' East 178.00 feet to a point;

Thence due West 466.37 feet to a point on the Westerly boundary line of said SW1/4SE1/4;

Thence South 00° 03' East 336.24 feet along the said Westerly boundary to a point;

Thence North 74° 57' East 1055.61 feet more or less to the REAL

*See Corrected
Deed
from
Glen
to
Glen*

Instrument # 120426

COUNCIL, ADAMS, IDAHO

6-23-2010

03:37:22P No. of Pages: 1

Recorded for : SKIFTUN LAND SURVEYING

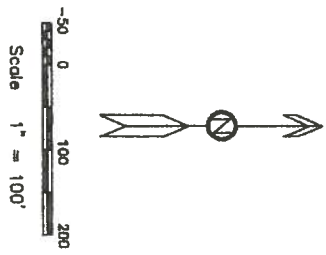
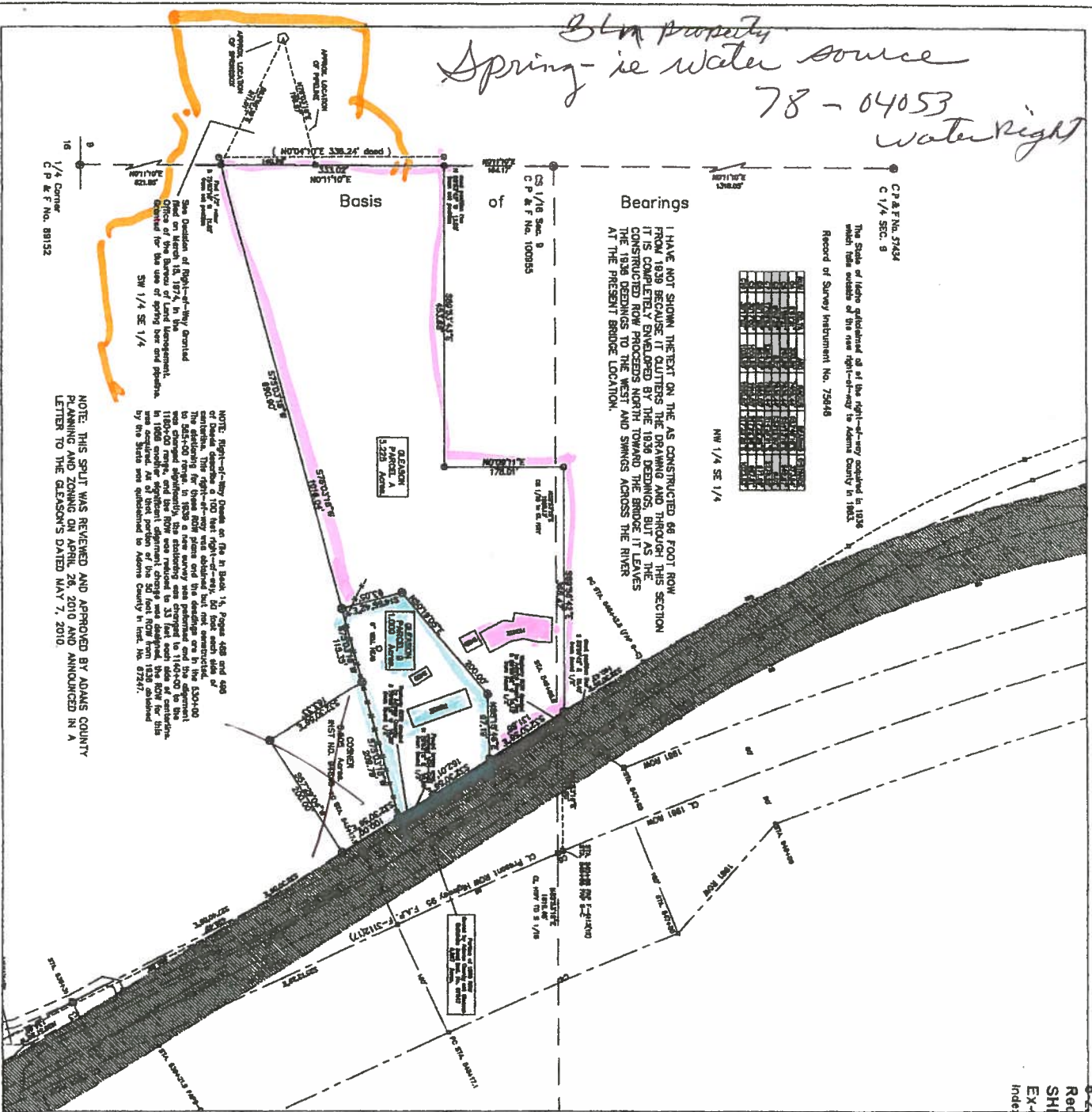
SHERY WARD

Fee: 5.00

Ex-Officio Recorder Deputy

Index to Survey

I, Rod M. Skiftun, a Professional Land Surveyor, do hereby certify that this plat was prepared from notes taken during an actual survey made under my direct supervision in May of 2010, and that it correctly represents the points, courses and distances as recorded in said field notes.



LEGEND

- found brass cap
- ⊙ set 5/8" rebar w/ plastic cap
- ⊙ set 5/8" rebar, no monument set
- ⊙ found 5/8" rebar
- ⊙ found 1/2" rebar
- ⊙ found R.O.W. monument
- ▲ found monument or noted

NOTES:

This drawing was prepared to show a split of the 6.235 Acre parcel described in Warranty Deed, last No. 118731, into a 1.009 Acre Parcel and a 5.225 Acre remainder Parcel.

BEARINGS BASED ON RECORD OF SURVEY, INST NO. 75648

RECORD OF SURVEY

Adams County, State of Idaho

JAMES AND LORNA GLEASON
PROPERTY SPLIT

Situate in the SE 1/4
Section 9, T. 22 N., R. 1 E., B.M.
Adams County, Idaho



SKIFTUN LAND SURVEYING, INC.
13784 HIGHWAY 55
MACALL, IDAHO 83438
208-634-3666 FAX 208-634-8475

DRAWN BY: R.M. SKIFTUN
CHECKED BY: J. WARD
DATE: 17 June 2010
GLS/PLS/LS/RS/MS/2301003 0002
150604 0008
23010002



SKIFTUN LAND SURVEYING, INC.
LOTS - BOUNDARY - TOPOGRAPHY - ALTA
SUBDIVISIONS - CONSTRUCTION - FLOOD DATA
Working hard to protect your property investment!

June 24, 2010

Page 1 of 2

GLEASON PROPERTY

PARCEL A

**Section 9, T. 22 N., R. 1 E., B.M., Adams County, Idaho
5.225 Acres**

A parcel of land situate in the SE $\frac{1}{4}$, of Section 9, T. 22 N., R. 1 E., B.M., Adams County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the $\frac{1}{4}$ corner common to Sections 9 and 16, T. 22 N., R. 1 E., B.M., Adams County, Idaho, as shown on that particular Record of Survey on file as Instrument No. 75648, in the Office of the Recorder of Adams County, Idaho; thence, N. $0^{\circ}11'10''$ E., 821.86 feet along the westerly boundary of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, of said Section 9, to a $\frac{1}{2}$ " rebar, as shown on that particular Record of Survey on file as Instrument No. 75648, in the Office of the Recorder of Adams County, Idaho, the **REAL POINT OF BEGINNING**:

Thence, continuing N. $0^{\circ}11'10''$ E., 333.02 feet along the westerly boundary of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, to a $\frac{1}{2}$ " rebar, (from which a $\frac{5}{8}$ " rebar marking the CS $\frac{1}{16}$ corner of said Section 9, bears N. $0^{\circ}11'10''$ E., 164.17 feet),
thence, S. $89^{\circ}53'43''$ E., 453.68 feet to a $\frac{1}{2}$ " rebar,
thence, N. $0^{\circ}09'11''$ E., 178.01 feet to a $\frac{1}{2}$ " rebar,
thence, S. $89^{\circ}56'42''$ E., 368.47 feet to a $\frac{5}{8}$ " rebar on the westerly right-of-way of the unconstructed portion of U.S. Highway 95, as deeded to the State of Idaho, in Book 14, Page 388 and 496 of Deeds, and subsequently quitclaimed to Adams County, with Instrument No. 67247, both on record in the Office of the Recorder of Adams County, Idaho, as shown on that particular Record of Survey, recorded as Instrument No. 115007, in the Office of the Recorder of Adams County, Idaho,
thence, S. $32^{\circ}30'56''$ E., 131.88 feet along said westerly right-of-way to a $\frac{5}{8}$ " rebar, as shown on that particular Record of Survey on file as Instrument No. 120426, in the Office of the Recorder of Adams County, Idaho,
thence, S. $88^{\circ}18'46''$ W., 97.19 feet to a $\frac{5}{8}$ " rebar,
thence, S. $50^{\circ}19'05''$ W., 200.00 feet to a $\frac{5}{8}$ " rebar,
thence, S. $14^{\circ}56'42''$ E., 93.05 feet to a $\frac{5}{8}$ " rebar,
thence, S. $75^{\circ}03'18''$ W., 690.90 feet to the Point of Beginning, containing 5.225 acres, more or less.

ALONG WITH: A grant of right-of-way for the use of a spring box and pipeline as shown on the official

Rod M. Skiftun – P.L.S. 9585
13784 Highway 55 McCall, ID 83638
208-634-3696/Fax 208-634-8475
E-mail: rskiftun@frontiernet.net



document of Decision of Right-of-Way Granted filed on March 15, 1974, in the Idaho State Office of the Bureau of Land Management.

SUBJECT TO: All easements and rights-of-way of record or use.

Bearings based on Record of Survey, Instrument No. 75648 and 115007.

Rod M. Skiftun – P.L.S. 9585
13784 Highway 55 McCall, ID 83638
208-634-3696/Fax 208-634-8475
E-mail: rskiftun@frontiernet.net





SKIFTUN LAND SURVEYING, INC.
LOTS - BOUNDARY - TOPOGRAPHY - ALTA
SUBDIVISIONS - CONSTRUCTION - FLOOD DATA
Working hard to protect your property investment!

June 24, 2010

Page 1 of 2

GLEASON PROPERTY
PARCEL B

Section 9, T. 22 N., R. 1 E., B.M., Adams County, Idaho
1.009 Acres

A parcel of land situate in the SE $\frac{1}{4}$, of Section 9, T. 22 N., R. 1 E., B.M., Adams County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the $\frac{1}{4}$ corner common to Sections 9 and 16, T. 22 N., R. 1 E., B.M., Adams County, Idaho, as shown on that particular Record of Survey on file as Instrument No. 75648, in the Office of the Recorder of Adams County, Idaho; thence, N. $0^{\circ}11'10''$ E., 821.86 feet along the westerly boundary of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, of said Section 9, to a $\frac{1}{2}$ " rebar; thence, N. $75^{\circ}03'18''$ E., 690.90 feet to a $\frac{5}{8}$ " rebar, as shown on that particular Record of Survey on file as Instrument No. 120426, in the Office of the Recorder of Adams County, Idaho, the **REAL POINT OF BEGINNING**:

Thence, N. $14^{\circ}56'43''$ W., 93.05 feet to a $\frac{5}{8}$ " rebar,

thence, N. $50^{\circ}19'05''$ E., 200.00 feet to a $\frac{5}{8}$ " rebar,

thence, N. $88^{\circ}18'46''$ E., 97.19 feet to a $\frac{5}{8}$ " rebar on the westerly right-of-way of the unconstructed portion of U.S. Highway 95, as deeded to the State of Idaho, in Book 14, Page 388 and 496 of Deeds, and subsequently quitclaimed to Adams County, with Instrument No. 67247, both on record in the Office of the Recorder of Adams County, Idaho, as shown on that particular Record of Survey, recorded as Instrument No. 115007, in the Office of the Recorder of Adams County, Idaho,

thence, S. $32^{\circ}30'56''$ E., 162.01 feet along said westerly right-of-way to a $\frac{5}{8}$ " rebar marking the northerly boundary of that particular parcel of land described in Warranty Deed, Instrument No. 94846, recorded in the Office of the Recorder of Adams County, Idaho, (from which and a brass monument marked V.O.H.- C.W.B., bears N. $75^{\circ}03'18''$ E., 26.80 feet),

thence, S. $75^{\circ}03'18''$ W., 209.79 feet to a $\frac{5}{8}$ " rebar marking the northwesterly corner of said Warranty Deed parcel,

thence, continuing S. $75^{\circ}03'18''$ W., 115.35 feet to the Point of Beginning, containing 1.009 acres, more or less.

ALONG WITH: A grant of right-of-way for the use of a spring box and pipeline as shown on the official

Rod M. Skiftun - P.L.S. 9585
13784 Highway 55 McCall, ID 83638
208-634-3696/Fax 208-634-8475
E-mail: rskiftun@frontiernet.net



OVER →

document of Decision of Right-of-Way Granted filed on March 15, 1974, in the Idaho State Office of the Bureau of Land Management.

SUBJECT TO: All easements and rights-of-way of record or use.

Bearings based on Record of Survey, Instrument No. 75648 and 115007.

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THOMAS W. KERR
PLS 998

KERR SURVEYING
PO Box 853 404 E. Park
McCall, ID 83638
208-634-2686 / Fax 208-634-4042

ROD M. SKIFTUN
PLS 9585

August 20, 2007

**GLEASON PROPERTY
(FORMERLY HARTWELL)**
Section 9, T. 22 N., R. 1 E., B.M., Adams County, Idaho
6.235 Acres

A parcel of land situate in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, of Section 9, T. 22 N., R. 1 E., B.M., Adams County, Idaho, more particularly described as follows:

Commencing at a brass cap marking the $\frac{1}{4}$ corner common to Sections 9 and 16, T. 22 N., R. 1 E., B.M., Adams County, Idaho, as shown on that particular Record of Survey on file as Instrument No. 75648, in the Office of the Recorder of Adams County, Idaho; thence, N. $0^{\circ}11'10''$ E., 821.86 feet along the westerly boundary of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 9, to a $\frac{1}{2}$ " rebar, the **REAL POINT OF BEGINNING**:

Thence, continuing N. $0^{\circ}11'10''$ E., 333.02 feet along the westerly boundary of said SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, to a $\frac{1}{2}$ " rebar, from which a $\frac{5}{8}$ " rebar marking the CS $\frac{1}{16}$ corner of said Section 9, bears N. $0^{\circ}11'10''$ E., 164.17 feet,
thence, S. $89^{\circ}53'43''$ E., 453.68 feet to a $\frac{1}{2}$ " rebar,
thence, N. $0^{\circ}09'11''$ E., 178.01 feet to a $\frac{1}{2}$ " rebar,
thence, S. $89^{\circ}56'42''$ E., 368.47 feet to the westerly right-of-way of the unconstructed portion of U.S. Highway 95, as deeded to the State of Idaho, in Book 14, Page 388 and 496 of Deeds, on record in the Office of the Recorder of Adams County, Idaho, as shown on that particular Record of Survey, recorded as Instrument No. 115007, in the Office of the Recorder of Adams County, Idaho,
thence, S. $32^{\circ}30'56''$ E., 293.89 feet along said westerly right-of-way to the southerly boundary of that particular parcel of land described in Warranty Deed, Instrument No. 52245, recorded in the Office of the Recorder of Adams County, Idaho, (from which and a brass monument marked V.O.H.- C.W.B., bears N. $75^{\circ}03'18''$ E., 26.80 feet),
thence, S. $75^{\circ}03'18''$ W., 1,016.04 feet to the Point of Beginning, containing 6.235 acres, more or less.

ALONG WITH: A grant of right-of-way for the use of a spring box and pipeline as shown on the official document of Decision of Right-of-Way Granted filed on March 15, 1974, in the Idaho State Office of the Bureau of Land Management.

SUBJECT TO: All easements and rights-of-way of record or use.

Bearings based on Record of Survey, Instrument No. 75648.

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Legal description just prior
to split

This Legal description
with the Amended Survey
done by Rod Skiftun w/
Kerr Surveying July 2007
recorded 8-14-2007
Instrument # 115007
Survey # 3

COPY

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: A78-04053
Date Received: 5/18/1988
Receipt No: M000019

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLAYTON A. HARTWELL
Address: HC 75 BOX 3728
NEW MEADOWS, ID 83654

208-628-3766

AND/OR
Name: GRACE L. HARTWELL
Address: HC 75 BOX 3728
NEW MEADOWS, ID 83654

208-628-3766

2. Date of Priority: JUN 01, 1947

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
22N	01E	9	NW SE SW		ADAMS

5. Description of diverting works:
DEVELOPED SPRING WITH TWO HEADBOXES ONE 1300' 3" MAIN TO PU.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.090		
DOMESTIC	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE FOR ONE HOUSE.

A78-04053

Page 1

Date: 05/18/88

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 78-04053

NAME AND ADDRESS: JAMES F GLEASON
LORNA GLEASON
5633 PINES RD
NEW MEADOWS, ID 83654-5037

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.13 CFS

The quantity of water under this right for domestic use shall
not exceed 13,000 gallons per day.

PRIORITY DATE: 06/01/1947

POINT OF DIVERSION: T22N R01E S09 NWSESW Within Adams County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-01 TO 11-15	0.09 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

PLACE OF USE:	Irrigation		Within Adams County
	T22N R01E S09	SWSE 4.0	
	4.0 Acres Total		
	Domestic		Within Adams County
	T22N R01E S09	SWSE	

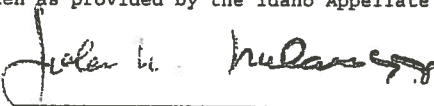
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

The quantity of water decreed for this water right for domestic
use 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.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho State Office
Room 398, Federal Building
550 W. Fort Street
P. O. Box 042
Boise, Idaho 83724

DECISION

RIGHT-OF-WAY GRANTEDDetails of Grant

Serial number of grant: I-8092

Name of grantee: Clayton A. Hartwell and Grace L. Hartwell

Map showing the location and dimensions of grant:

Map designations: Spring and pipeline Right-of-Way for Clayton A.
and Grace L. Hartwell

Date filed: March 15, 1974

Permitted use by grantee: Spring box and irrigation pipeline

Authority for grant: Act of March 3, 1891 (26 Stat. 1101), as amended.

Regulations applicable to grant:

Code reference: 43 CFR Parts 2800 and 2870

Date of grant: OCT 10 1974

Expiration date of grant: 50 years

Rental: None

Amount:

When payable by grantee:

Terms and Conditions of Grant

Pursuant to the authority vested in the undersigned by Order No. 701 of the Associate Director, Bureau of Land Management, dated July 23, 1964, (29 F.R. 10526), as amended, a right-of-way, the details of which are shown above, is hereby granted subject to the following terms and conditions:

1. All valid rights existing on the date of the grant.
2. All regulations specified above.
3. Filing of proof of construction within 5 years of the date of grant.
4. Further terms and conditions as follows:
 - (a) Pursuant to 43 CFR 2801.1-5, the District Manager, Boise District Office, 230 Collins Road, Boise, Idaho, has the authority to conduct all business with the grantee with respect to use of lands and disposition of resources, and the grantee is requested to contact him prior to the beginning of construction.
 - (b) Stipulations of Exhibit A attached hereto and made a part hereof.

cc: DM, I-1 w/copy of 4(b)

Vincent S. Strobel
Vincent S. Strobel, Chief
Branch of L&M Operations