

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 13 2011

Department of Water Resources  
Eastern 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?                       |
|-----------------------|-----------------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 75-144320             | Yes <input checked="" type="checkbox"/> | 75-14715              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 75-144340             | Yes <input checked="" type="checkbox"/> | 75-14716              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | 75-14717              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            | 75-14718              | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name: Hertude J. Maxwell  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Linda Heffner  
Name of each new owner as listed on the conveyance document

New owner continued ☐ Name connector ☐ and ☐ or ☐ and/or  
PO Box 134  
Mailing address  
Salmon Id 83467  
City State ZIP  
208-756-8350  
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: \_\_\_\_\_

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.
  - No fee is required for pending adjudication claims.

7. Signature: Linda K. Heffner 4-11-11  
Signature of new owner/claimant Title, if applicable Date

Signature: \_\_\_\_\_  
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by [Signature] Date 4/13/2011 Receipt No. E036561 Receipt Amt. \$200  
Approved by \_\_\_\_\_ Processed by \_\_\_\_\_ Date \_\_\_\_\_

SUPPORT DATA

IN FILE # 75-14432

SCANNED

APR 13 2011

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 13 2011

Department of Water Resources  
Eastern Region

Notice of Change in Water Right Ownership

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| Water Right/Claim No. | Split?                                  | Water Right/Claim No. | Split?                       | Water Right/Claim No. | Split?                       |
|-----------------------|-----------------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| 75-14432              | Yes <input checked="" type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
| 75-14434              | Yes <input checked="" type="checkbox"/> |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |
|                       | Yes <input type="checkbox"/>            |                       | Yes <input type="checkbox"/> |                       | Yes <input type="checkbox"/> |

2. Previous Owner's Name:

Gertrude J. Maxwell  
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

Linda K. Heffner  
Name of each new owner as listed on the conveyance document

New owner continued

Name connector

☐ and ☐ or ☐ and/or

PO Box 134  
Mailing address

Salmon  
City

Ida 83467  
State ZIP

208-756-8350  
Telephone

Email

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☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

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  - \$25 per *undivided* water right.
  - \$100 per *split* water right.
  - No fee is required for pending adjudication claims.

7. Signature:

Linda K. Heffner  
Signature of new owner/claimant

Title, if applicable

4-11-11  
Date

Signature:

Signature of new owner/claimant

Title, if applicable

Date

For IDWR Office Use Only:

Received by

Date

4/13/2011

Receipt No.

E036561

Receipt Amt.

\$200.

Approved by

Processed by

Date

SUPPORT DATA

IN FILE # 7514432

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 75-14432

NAME AND ADDRESS: GERTRUDE I MAXWELL  
PO BOX 1016  
SALMON, ID 83467

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.07 CFS

PRIORITY DATE: 05/13/1898

POINT OF DIVERSION: T22N R22E S06 LOT 7 (NWSW ) Within Lemhi County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE  | QUANTITY |
|-------------------------------|----------------|----------------|----------|
|                               | Irrigation     | 04-01 TO 10-31 | 0.07 CFS |

PLACE OF USE: Irrigation Within Lemhi County  
T22N R22E S06 LOT 9 (SWNE) 0.4 SENW 0.3  
LOT 11 (NESW) 5.7 LOT 11 (NWSE) 1.9  
8.3 Acres Total

Right Nos. 74-14432 and 75-14434 are limited to the irrigation  
of a combined total of 8.3 acres in a single irrigation season.

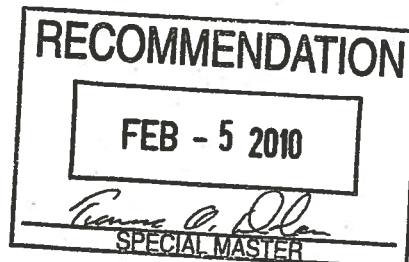
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. 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.

Eric J. Wildman  
Presiding Judge of the  
Snake River Basin Adjudication



In Re SRBA ) PARTIAL DECREE PURSUANT TO  
 ) I.R.C.P. 54 (b) FOR  
Case No. 39576 )  
 )  
 ) Water Right 75-14434

PAGE 1  
Jan-28-2010

# LOT SPLIT PLAT

LOCATED IN THE SE1/4NW1/4, LOT 9 AND LOT 11, SECTION 6,  
T. 22 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

OWNER: GERTRUDE MAXWELL  
10.96 ACRES - 2 PARCELS  
(O REMAINING SPLITS ON EITHER PARCEL)

THIS CALCULATED POINT WAS  
ESTABLISHED BY HOLDING THE  
TWO 1/2" REBARS SET BY LS 970  
FOR THE DIAMOND CREEK  
SUBDIVISION LOT 1. THE RECORD  
BEARING AND DISTANCES WERE USED.

SEE R.O.S. INST. NO. 216711

PARCEL "A"  
CONTAINS 5.01 ACRES +/-

LOT 9

LOT 11

PARCEL "B"  
CONTAINS 5.95 ACRES +/-

## LEGEND

- ◆ GLO BRASS CAP
- 5/8" X 24" REBAR WITH A YELLOW PLASTIC CAP MARKED "WADE PLS 5080"
- CALCULATED POINT (NOT SET)
- 1/2" REBAR SET BY LS 970
- P.O.L. POINT ON LINE
- P.O.B. POINT OF BEGINNING
- N.T.S. NOT TO SCALE

| LINE TABLE |        |             |
|------------|--------|-------------|
| LINE       | LENGTH | BEARING     |
| L1         | 25.11  | N78°46'55"W |
| L2         | 24.18  | S88°09'33"W |
| L3         | 10.48  | S30°41'43"W |

| CURVE TABLE |            |        |        |         |        |               |
|-------------|------------|--------|--------|---------|--------|---------------|
| CURVE       | DELTA      | RADIUS | ARC    | TANGENT | CHORD  | CHORD BEARING |
| C1          | 116°50'24" | 102.00 | 208.00 | 165.93  | 173.79 | N57°16'18"E   |
| C2          | 102°14'39" | 54.38  | 97.04  | 67.45   | 84.67  | N64°34'10"E   |

## COUNTY RECORDER'S CERTIFICATE

TIME: 11:10 DAY: 30 MONTH: June 2005  
BOOK: 8 PAGE: 47 INST. NO.: 263520  
RECORDER: *Jane Morton*  
BY: *Monica Chilton*

| PARCEL | RP NUMBER | REMAINING SPLITS |
|--------|-----------|------------------|
| "A"    |           | 0                |
| "B"    |           | 0                |

ORIGINAL RP NUMBER: RP

| 1/4 | SEC | T   | R   |
|-----|-----|-----|-----|
|     | 6   | 22N | 22E |



FOR  
**LINDA HEFFNER**

DATE: 3/23/2005 DRAWN/CHK BY: RMLJW  
PROJECT: PROJECTS/T22NR22E/LINDA HEFFNER.DWG  
DWG NAME: LINDA HEFFNER.DWG  
SURVEY: LINDA2.ZAK DESC: HEFFNER.DOC

**WADE SURVEYING**  
GLOBAL POSITIONING SERVICE  
LAND SURVEYING & PLANNING  
104 S. WARPETH SALMON, IDAHO  
208-756-3070 83467

**STATE OF IDAHO**  
**CERTIFICATION OF VITAL RECORD**

**STATE OF IDAHO**  
DEPARTMENT OF HEALTH AND WELFARE  
BUREAU OF VITAL RECORDS AND HEALTH STATISTICS  
**CERTIFICATE OF DEATH**

Date Filed JULY 01, 2010

State File No. 2010-05386

|                                                                                                                                |                                                         |                                                         |                                                               |
|--------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------|---------------------------------------------------------------|
| DECEDENT - LEGAL NAME<br><b>GERTRUDE IDA MAXWELL</b>                                                                           |                                                         |                                                         |                                                               |
| SEX<br><b>FEMALE</b>                                                                                                           | SOCIAL SECURITY NUMBER<br><b><del>52-111-1041</del></b> | AGE<br><b>87 YEARS</b>                                  | DATE OF BIRTH<br><b>AUGUST 12, 1922</b>                       |
| BIRTHPLACE<br><b>LEADVILLE, COLORADO</b>                                                                                       |                                                         | PLACE OF RESIDENCE<br><b>SALMON, IDAHO</b>              |                                                               |
| MARITAL STATUS AT TIME OF DEATH<br><b>WIDOWED</b>                                                                              |                                                         | NAME OF SURVIVING SPOUSE (If wife, maiden name)         | WAS DECEDENT EVER IN U.S. ARMED FORCES?<br><b>NO</b>          |
| FATHER - NAME<br><b>HOWARD MAE THOMPSON</b>                                                                                    |                                                         |                                                         | BIRTHPLACE<br><b>ILLINOIS</b>                                 |
| MOTHER - MAIDEN NAME<br><b>EMMA FLORENCE MILLER</b>                                                                            |                                                         |                                                         | BIRTHPLACE<br><b>COLORADO</b>                                 |
| METHOD OF DISPOSITION<br><b>BURIAL</b>                                                                                         |                                                         | FUNERAL SERVICE LICENSEE<br><b>TAMMY J. BOWERMAN</b>    |                                                               |
| NAME AND ADDRESS OF FUNERAL FACILITY<br><b>JONES &amp; CASEY FUNERAL HOME, SALMON, IDAHO</b>                                   |                                                         |                                                         |                                                               |
| DATE OF DEATH<br><b>JUNE 27, 2010</b>                                                                                          | TIME OF DEATH<br><b>5:05 A.M.</b>                       | CITY, TOWN OR LOCATION OF DEATH<br><b>SALMON, IDAHO</b> | COUNTY OF DEATH<br><b>LEMHI</b>                               |
| CAUSE OF DEATH (underlying cause last)<br><b>CEREBRAL VASCULAR ACCIDENT</b>                                                    |                                                         |                                                         | Approximate Interval Between Onset and Death<br><b>7 DAYS</b> |
| DUE TO (or as a consequence of)<br>a.                                                                                          |                                                         |                                                         |                                                               |
| DUE TO (or as a consequence of)<br>b.                                                                                          |                                                         |                                                         |                                                               |
| DUE TO (or as a consequence of)<br>c.                                                                                          |                                                         |                                                         |                                                               |
| DUE TO (or as a consequence of)<br>d.                                                                                          |                                                         |                                                         |                                                               |
| OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH but not resulting in the underlying cause given above<br><b>NONE STATED</b> |                                                         |                                                         | WAS AN AUTOPSY PERFORMED?<br><b>NO</b>                        |
| MANNER OF DEATH<br><b>NATURAL</b>                                                                                              | NAME OF CERTIFIER<br><b>SAMUEL D. GARDNER, D.O.</b>     |                                                         | TITLE<br><b>PHYSICIAN</b>                                     |
| CORONER SUBSEQUENT CERTIFICATION IF NECESSARY                                                                                  |                                                         |                                                         |                                                               |
| EXTERNAL CAUSES ONLY                                                                                                           |                                                         |                                                         |                                                               |
| DATE OF INJURY                                                                                                                 | TIME OF INJURY                                          | PLACE OF INJURY                                         | INJURY AT WORK?                                               |
| LOCATION WHERE INJURY OCCURRED                                                                                                 |                                                         |                                                         |                                                               |
| DESCRIPTION OF HOW INJURY OCCURRED                                                                                             |                                                         |                                                         |                                                               |

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF VITAL RECORDS AND HEALTH STATISTICS.

**JULY 01, 2010**

DATE ISSUED:

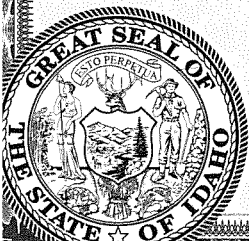
This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

*Jane S. Smith*

JANE S. SMITH  
STATE REGISTRAR

SCANNED

OCT 07 2011



# Warranty Deed

For Value Received GERTRUDE MAXWELL, a single person,

the grantor, do hereby grant, bargain, sell and convey unto

LINDA HEFFNER, a single person,

whose current address is PO Box 134, Salmon ID 83467

the grantee, the following described premises, in Lemhi County Idaho, to wit:

One-half interest in and to the following:

SEE EXHIBIT "A" ATTACHED HERETO:

This is a gift deed.

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservation in Federal patents and State deeds, or other restrictions imposed by law, building and zoning regulations and ordinances of any governmental unit, whether of sight or of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: DECEMBER 7 2009

Gertrude Maxwell  
GERTRUDE MAXWELL

STATE OF Idaho, County of Lemhi --ss

On this 9<sup>th</sup> day of DECEMBER, 2009  
before me, a notary public in and for said State, personally appeared

GERTRUDE MAXWELL

Known or proved 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 has/they have executed the same.



Teri J. Mollen  
2-11-15 Notary Public

Reserved for recording information

State of Idaho ) SS No. 283746  
County of Lemhi )  
This instrument was filed for record at the request  
of Bill Miller, Esq.  
at 1:00 clock PM on 12/29 2009  
and duly filed and indexed in the records of Lemhi  
County.  
By Teri J. Mollen Deputy  
Fee 6.00  
Return to PJT



# WADE SURVEYING

## Global Positioning Service

Land Surveying and Planning

104 S. Warpath St.

Salmon, Idaho 83467

Phone: (208)-756-3070

September 28, 2009

### PARCEL "B"

A parcel of land located in the SE1/4NW1/4, Lot 9 and Lot 11, Section 6,  
T. 22 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly  
described as follows:

Commencing at the W1/4 Corner of said Section 6, from which the SW Corner of  
said section bears S 00°20'37"W a distance of 2642.81 ft., the Basis Of Bearing of this  
description, run thence N 87°27'35"E a distance of 2587.87 ft. to a point on the easterly  
right-of-way of Diamond Creek Road and the POINT OF BEGINNING;

Thence S 63°01'30"E a distance of 489.83 ft. to a point on the westerly bank of  
the Salmon River;

Thence the following courses and distances along said bank;

|              |             |              |             |
|--------------|-------------|--------------|-------------|
| S 16°55'28"W | 113.43 ft.; | S 33°48'54"W | 134.82 ft.; |
| S 45°06'51"W | 171.90 ft.; | S 49°39'30"W | 185.56 ft.; |
| S 65°48'37"W | 151.70 ft.; |              |             |

Thence N 66°50'19"W a distance of 133.08 ft.;

Thence N 31°57'07"W a distance of 64.18 ft. to a point on the easterly right-of-  
way of Diamond Creek Road;

Thence the following courses and distances along said right-of-way;

|              |                                       |              |             |
|--------------|---------------------------------------|--------------|-------------|
| N 36°10'36"E | 149.93 ft.;                           | N 16°38'03"E | 298.06 ft.; |
| N 13°26'50"E | 239.45 ft. to the POINT OF BEGINNING. |              |             |

PARCEL CONTAINS 5.95 ACRES (+/-)

EXHIBIT A

# Warranty Deed

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the grantor, do hereby grant, bargain, sell and convey unto  
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the grantee, the following described premises, in Lemhi County Idaho, to wit:  
One-half interest in and to the following:

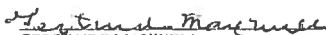
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**TO HAVE AND TO HOLD** the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances and that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: January 5 2010

  
GERTRUDE MAXWELL

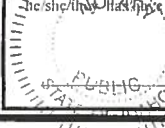


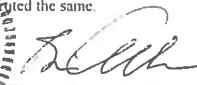
STATE OF Idaho, County of Lemhi --ss

On this 5<sup>th</sup> day of JANUARY 2010  
before me, a notary public in and for said State, personally appeared

GERTRUDE MAXWELL

Known 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 is/are the person(s) who executed the same.





2-19-15 Notary Public

Reserved for recording information

State of Idaho, County of Lemhi **281848**  
This instrument was filed for record at the request  
of Paul Allen Escrow  
at 3:30 o'clock P. on 1-8 2010  
and duly filed and indexed in the records of Lemhi  
County, Terri J. Modin  
Ex-Officio Notary  
By Elyssa Carter Deputy  
Fee 10.00  
Return to DAE

**WADE SURVEYING****Global Positioning Service**

Land Surveying and Planning

104 S. Warpath St.

Salmon, Idaho 83467



Phone: (208)-756-3070

September 28, 2009

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Thence S 63°01'30"E a distance of 489.83 ft. to a point on the westerly bank of  
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|              |             |              |             |
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| S 65°48'37"W | 151.70 ft.; |              |             |

Thence N 66°50'19"W a distance of 133.08 ft.;

Thence N 31°57'07"W a distance of 64.18 ft. to a point on the easterly right-of-  
way of Diamond Creek Road;

Thence the following courses and distances along said right-of-way;

|              |                                       |              |             |
|--------------|---------------------------------------|--------------|-------------|
| N 36°10'36"E | 149.93 ft.;                           | N 16°38'03"E | 298.06 ft.; |
| N 13°26'50"E | 239.45 ft. to the POINT OF BEGINNING. |              |             |

PARCEL CONTAINS 5.95 ACRES (+/-)

**EXHIBIT** A