

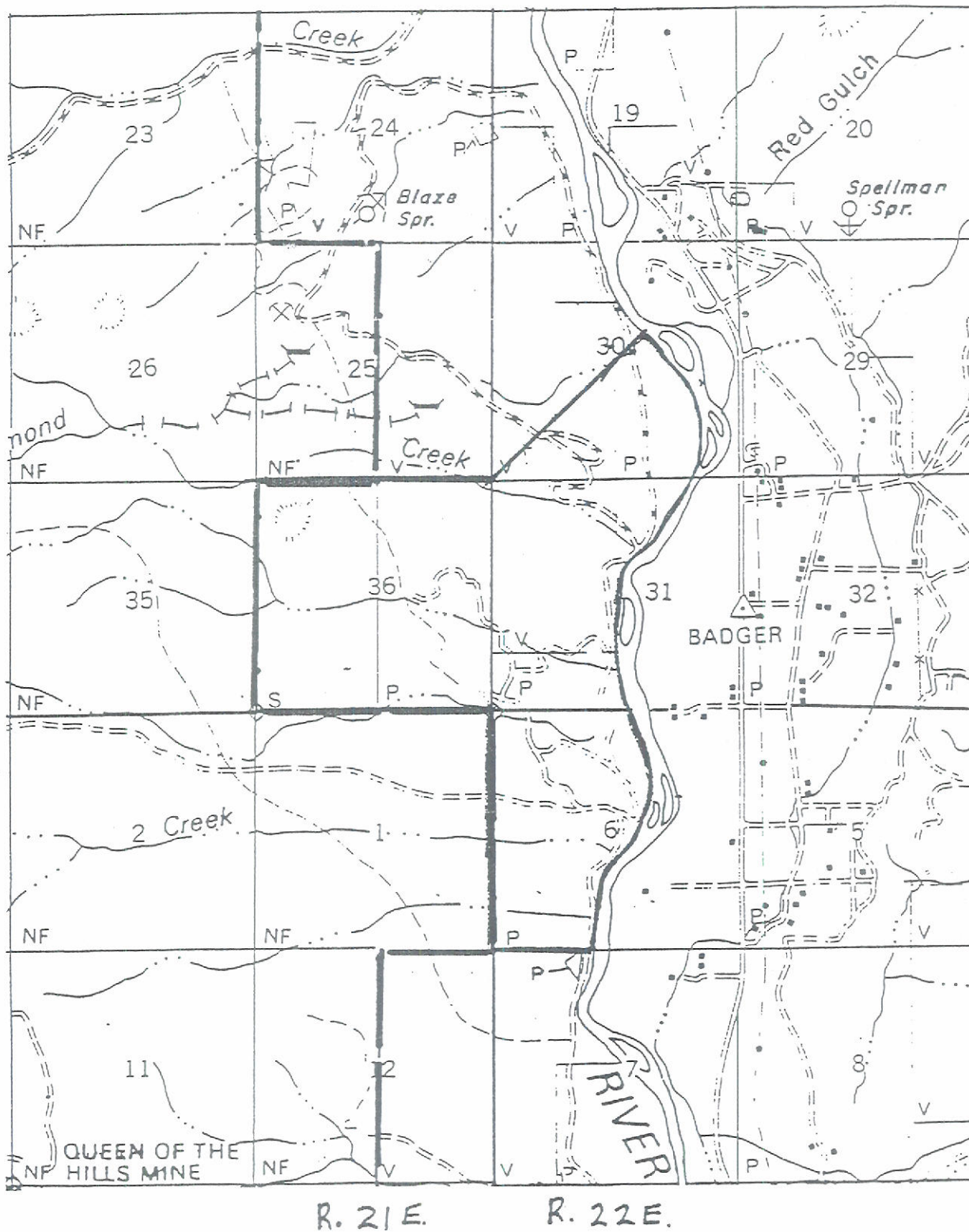


United States Department of the Interior

BUREAU OF LAND MANAGEMENT

IN REPLY
REFER TO:

OFFICIAL ALLOTMENT MAP



DIAMOND CREEK ALLOT. #6104

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

RECEIVED

MAY 07 2004

Department of Water Resources
Eastern 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
825 ← 75-11006					
75-14097		✓			
75-14095		✓			
75-14091		✓			
75-14090		✓			

Department of Water Resources

MAY 12 2004

RECEIVED

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25
- 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)

Carolyn A Fowler

Salmon ID

4. New Owner/Claimant(s)

Vance Edward & Dallas Ann Lewis

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

357 Diamond Creek RD

City, State and ZIP Code

Salmon ID 83467

New Telephone Number

(208) 756-1326

5. Date you acquired the property

9-27-02

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 <u>75-14090, 14091, 14095, 14097</u>		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>.08 cfs</u>	<u>4.0 ac.</u>
Stock		
Domestic		
Other		
Total	<u>.08 cfs</u>	

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) D. Dallas A. Lewis
(include title if applicable)

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 QC Date 5-7-04 Fee 325-
 Received by QC Date 5-7-04 Receipt No. E029808
 Processed by _____ AJ Date _____ WR _____ Date _____

Warranty Deed

For Value Received

CAROLYN FOWLER aka CAROLYN A. FOWLER,
a single person,

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

VANCE EDWARD LEWIS AND DALLAS ANN LEWIS,
husband and wife,
174 W. 100 S. Jerome, ID 83338

whose current address is

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

Lot 4 of Diamond Creek Subdivision, according to the official plat thereof, filed in Book 5 of Plats at Page 45 official records of Lemhi County, Idaho, and amended by dependent survey recorded December 3, 1999 as instrument No. 242810.

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 use restrictions of records, 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, their heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises; that they are free from all incumbrances

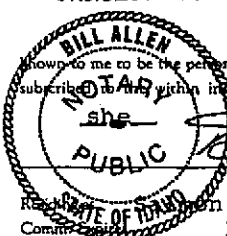
and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: September 27 2002

Carolyn Fowler
CAROLYN FOWLER

STATE OF IDAHO, COUNTY OF Lemhi
On this 27th day of Sept xx2002
before me, a notary public in and for said State, personally appeared

CAROLYN FOWLER


shown to me to be the person whose name is
subscribed to this within instrument, and acknowledged to me that
she executed the same.
Notary Public
Idaho
2/19/2003

State of Idaho
County of Lemhi } SS No. 252005

This instrument was filed for record at the request
of Alliance

and duly filed and indexed in the records of Lemhi
County Fern J. Moran
Ex-Officio Recorder

By *K. Baumut*
Fee 3.00

Return to

PER PAY @ LEMHI
ASSESSOR'S:
23 N 22E S6 NE 1/4

K.M.
5.11.05

WARRANTY DEED

For Value Received

DANIEL BRIAN HOGAN AND BARBARA B. HOGAN, husband and wife

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

CAROLYN A. FOWLER, a single woman

whose current address is

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

LOT 4 DIAMOND CREEK SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF FILED FOR RECORD IN BOOK 5 OF PLATS AT PAGE NO. 45, AND AMENDED BY AFFIDAVIT AUTHORIZING CHANGE IN PLAT RECORDED OCTOBER 28, 1983, AS INSTRUMENT NO. 169591 RECORDS OF LEMHI COUNTY, IDAHO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, she heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: OCT. 10, 1992

DANIEL BRIAN HOGAN

BARBARA B. HOGAN

STATE OF IDAHO, COUNTY OF LEMHI. On this 10th day of OCT. 1992 before me, a notary public in and for said State, personally appeared

DANIEL BRIAN HOGAN AND BARBARA B. HOGAN

known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Recording at... Expires...

State of Idaho) 216518 County of Lemhi

This instrument was filed for record in the records of Lemhi County, Idaho, on this 10th day of OCT. 1992, and duly filed and indexed in the records of Lemhi County, Idaho.

Ex-Officio Notary Public

Printed by the AMERICAN LAND TITLE CO., Boise, Idaho

WARRANTY DEED

For Value Received, TWO DOGS PARTNERSHIP, Grantor does hereby grant and convey unto Daniel Brian Hogan, whose present address is 6814 Randolph Drive, Boise, Idaho 83709, the Grantee, the following described premises in Lemhi County, Idaho, to-wit:

Lot 4 of Diamond Creek Subdivision, according to the official plat thereof filed for record in Book 5 of Plats at Page 45, records of Lemhi County, Idaho, as Instrument Number 159004.

The owners of Lots 1, 2, 3, 4 and 5, Diamond Creek Subdivision, shall have the right to traverse along the east boundary of said lots adjoining the Salmon River for access to the river.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that it is the owner in fee simple of said premises.

Dated this 14th day of February, 1986.

TWO DOGS PARTNERSHIP

By Derrald Slavin

Sandy H. Sims
Partners

STATE OF IDAHO)
County of Lemhi) ss.

On this 14th day of February, 1986, before me, the undersigned, a Notary Public in and for said state, personally appeared Derrald Slavin and Sandy H. Sims, known to me to be partners in the partnership of Two Dogs Partnership and the partners who subscribed their names to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

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



Steven D. Gott
Notary Public for Idaho
Residing at Salmon Idaho

expires 12-14-1991

State of Idaho }
County of Lemhi } ss. No. 179150

This instrument was filed for record at the request of American Land Title at 2:36 clock P. M. March 13 1986 and duly filed and indexed in the records of Lemhi County.

Alberta Hiederrich
Ex-Officio Recorder

Waine Hall Deputy

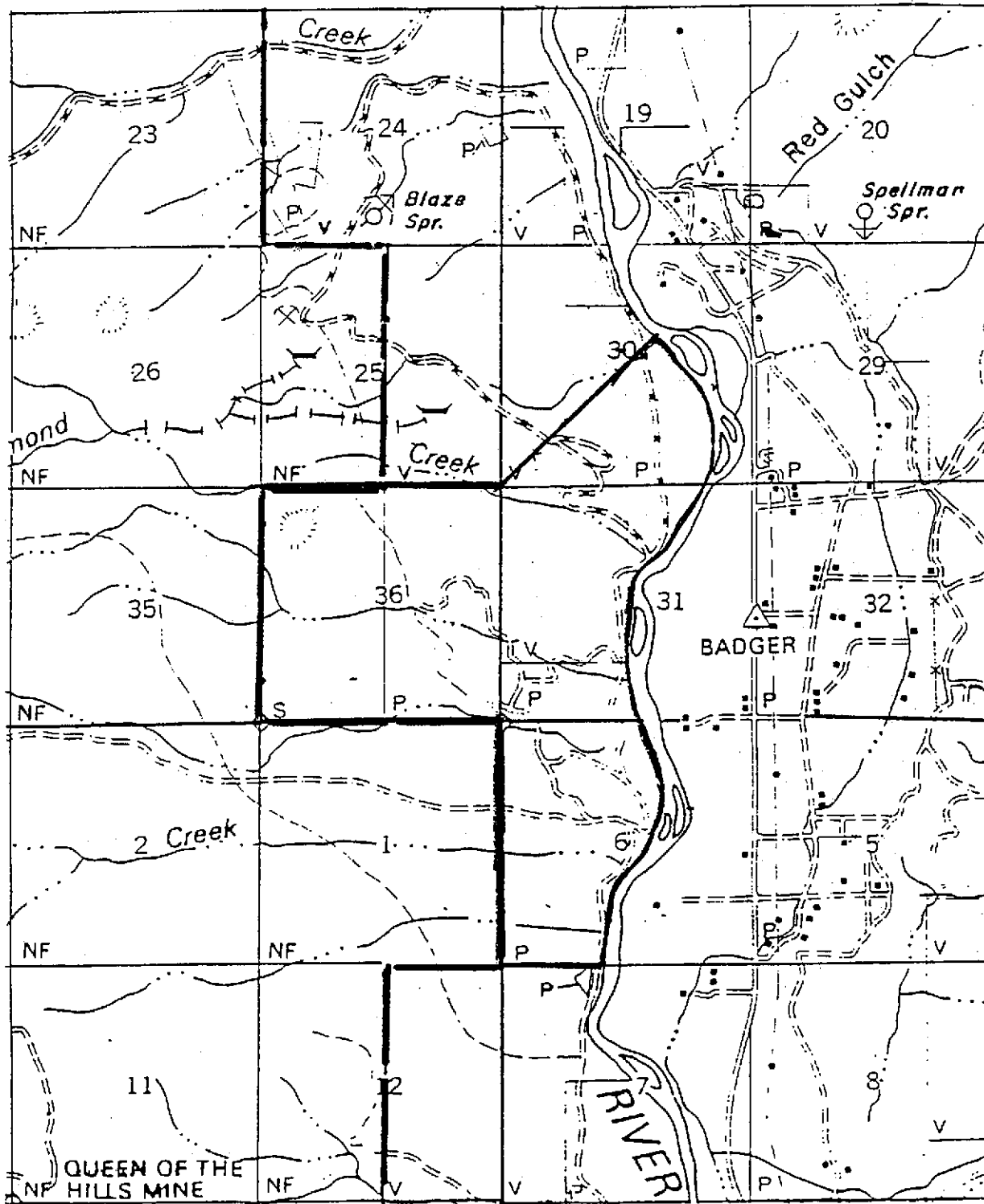


United States Department of the Interior

BUREAU OF LAND MANAGEMENT

IN REPLY
REFER TO:

OFFICIAL ALLOTMENT MAP



R. 21E.

R. 22E.

DIAMOND CREEK ALLOT. #6104

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 75-11006

NAME AND ADDRESS: CAROLYN A FOWLER
RT 1 BOX 160 C
SLAMON, ID 83467

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 02/06/1991

POINT OF DIVERSION: T21N R22E S18 SWNE Within Lemhi County

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

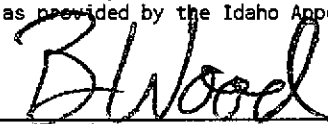
PLACE OF USE: Domestic Within Lemhi County
T21N R22E S18 NENE

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

MEMORANDUM

DATE: April 20, 2006
TO: WR File 75-11006
FROM: Kandice McDermott
RE: Ownership Change

Letter was mailed to customer explaining the possibility of a claim. We have received no response, and the documents will be placed in the vault until further notice.



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

July 12, 2005

VANCE EDWARD LEWIS
DALLAS ANN LEWIS
357 DIAMOND CREEK RD
SALMON ID 83467

RE: Water Right No. 75-11006
Change in Ownership

Dear Mr. & Mrs. Lewis:

The Department of Water Resources acknowledges receipt of the additional information you submitted in support of your Notice of Change in Water Right Ownership filed on May 7, 2004 for the water right no referenced above. The Snake River Basin Adjudication (SRBA) Court issued a partial decree describing the water right with a place of use different than your property as described in the documentation you originally submitted. According to the Lemhi County Assessor's office, the property described in your Deed is located in **T23N R22E Sec 6, NE¼**. The place of use described in the partial decree for this water right is **T21N R22E Sec 18, NE¼NE¼**. We have reviewed your additional information and found that it is not sufficient to resolve the place of use discrepancy.

In order to process your change in ownership, we need documentation to show that you own the water right or the property described as the place of use for the water right. If you believe that the SRBA Court issued the partial decree with an error in the description of the place of use, you may be able pursue one of the following options with the Court.

- 1) Motion to set-aside – a motion filed with the SRBA Court which, if granted, would provide a process to correct the partial decree. You would need to provide justification for the correction.
- 2) Motion to file late claim – a motion filed with the SRBA Court which, if granted, would allow you to file a new claim for your existing water use. A late claim would be investigated for validity and accuracy by the Department.

Please contact Danni Smith of this office at 287-4910 if you have questions related to the SRBA. Ms. Smith can assist you with the SRBA Court's processes.

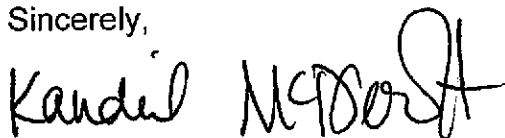
As additional alternatives, you could pursue one of the following options with the Department.

- 1) New Appropriation – an application for permit filed with the Department to develop a new water right. If a permit is approved, the priority date is the date that the application is filed. Some areas of the state are closed to new development. Please note that a water right permit is not required for certain domestic uses from a ground water source.
- 2) Water Right Transfer – an application filed with the Department to change an existing water right. In this case, the purpose of the transfer would be to change the place of use (and possibly the point of diversion) to your property description. You would need to provide evidence of ownership or authorization from the current owner of record before the Department could process the application.

If you choose to file an application for permit or transfer with the Department, you may be able to apply any fees submitted with your Notice of Change in Water Right Ownership to the application. Please contact staff from the Water Right Permits section of this office if you have additional questions related to the applications described above.

Please let us know within 30 days how you plan to proceed. If we do not hear from you **within 30 days** we will return your Notice of Change in Water Right Ownership and all attachments and refund any fees submitted with your notice.

Sincerely,



Kandice McDermott
Records Analyst

/klm
Enclosure



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

~~May 18, 2005~~ June 20, 2005

2nd Request!

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

VANCE EDWARD LEWIS
DALLAS ANN LEWIS
357 DIAMOND CREEK RD
SALMON ID 83467

RE: Change in Ownership for Water Right No. 75-11006

Dear Mr. & Mrs. Lewis:

The Department of Water Resources acknowledges receipt of your Notice of Change in Water Right Ownership filed in May 2004. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

☒ **Evidence of Water Right Ownership:** copy of Warranty Deed, Title Policy, Contract of Sale, or other legal document indicating your ownership of the property and/or water rights in question. Document submitted must include legal description of property.

* During our review of the documentation you submitted we found some discrepancies between that documentation and the legal description of the place of use for the water right indicated in your notice. According to the Lemhi County Assessor's office, the property described in your deed is located in T23N R22E Sec6. The place of use for the water right is located in T21N R22E Sec18. In order to complete the ownership change, we will require evidence of ownership for the place of use of this water right. I have enclosed a copy of the water right for your reference, with the missing property highlighted. *

Because the Department cannot process the ownership change without proper documentation, we will hold any action on your notice pending receipt of the necessary information. If we do not receive the necessary information **within 30 days** we will return your notice and all attachments and your notice will not be processed.

Please note that water right owners are required to report any change in water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

If you have questions, please contact me at 208-287-4962.

Sincerely,

Kandice L. McDermott

Kandice L. McDermott
Records Analyst

/klm
Enclosure



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

May 18, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

VANCE EDWARD LEWIS
DALLAS ANN LEWIS
357 DIAMOND CREEK RD
SALMON ID 83467

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If you have questions, please contact me at 208-287-4962.

Sincerely,

Kandice L. McDermott
Records Analyst

/klm
Enclosure