

Section - Tap 142 R18E
N150. - Challis Creek

5/16/80

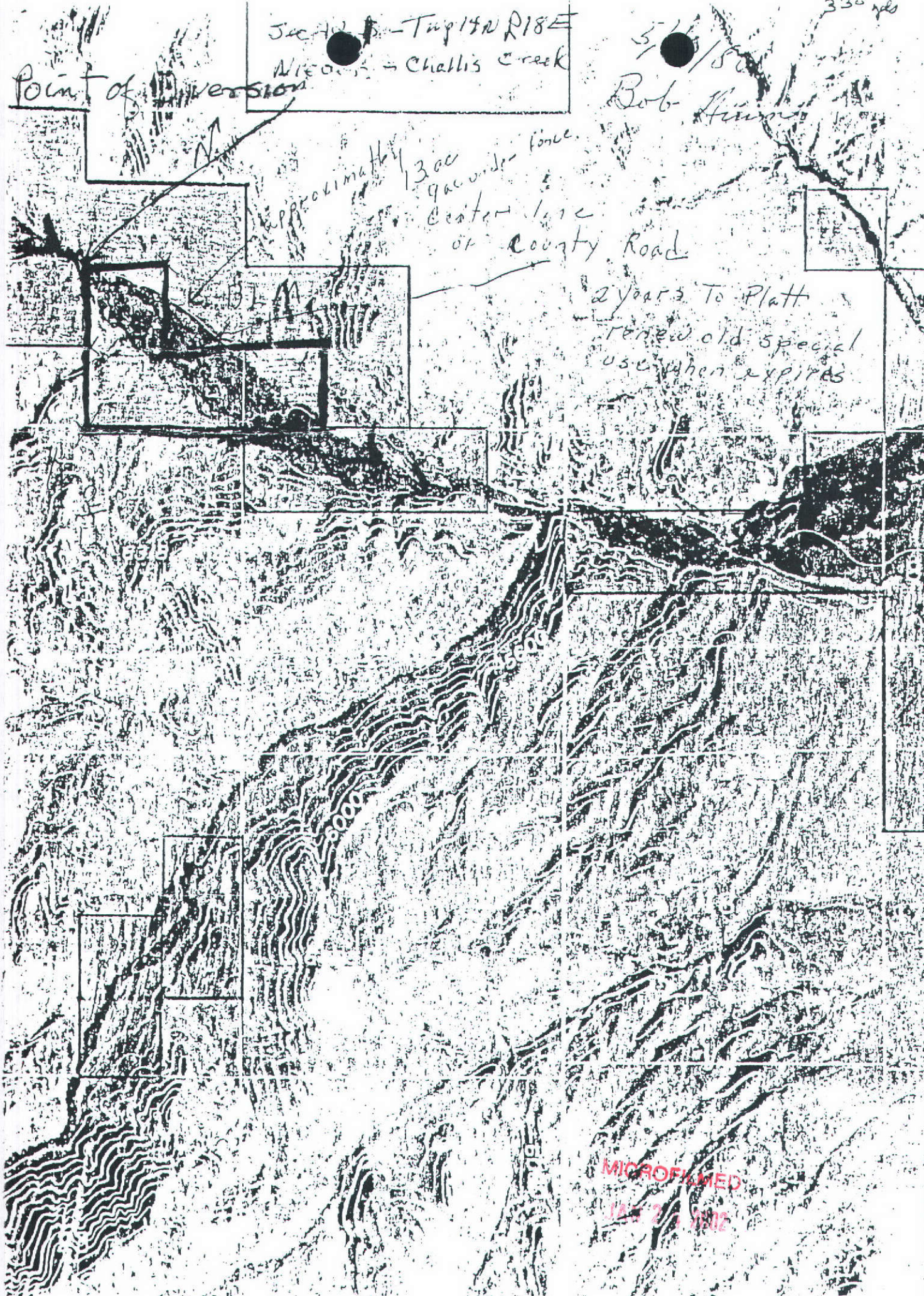
Bob Hinn

Point of Reversion

N

Approximately 1300
960 under fence
Center line
of County Road

2 years To Platt
renew old special
use when expires



MICROFILMED
JAN 24 1982

RECEIVED

FEB 17 2000

Department of Water Resources

200 FEB 15 PM 12:40

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

) ORDER OF PARTIAL DECREE

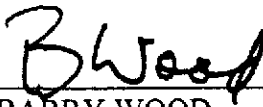
) For Water Right 72-04095B

On December 9, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 72-04095B is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED FEB 15 2000



BARRY WOOD
Administrative District Judge and
Presiding Judge of the
Snake River Basin Adjudication

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JAN 24 2002

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

200 FEB 15 PM 12:40

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 72-040958

RECEIVED
FEB 15 2000
TWIN FALLS, IDAHO
FILE

NAME AND ADDRESS: USDI BLM
IDAHO STATE OFFICE
1387 SOUTH VINNELL WAY
BOISE, ID 83709-1657

SOURCE: CHALLIS CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.31 CFS

PRIORITY DATE: 04/15/1915

POINT OF DIVERSION: T14N R18E S02 NWNWSE Within Custer County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.31 CFS

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER AFTER AUGUST 1 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

PLACE OF USE: Irrigation Within Custer County
T14N R18E S02 LOT 08 (NESE)11.0
11.0 Acres Total

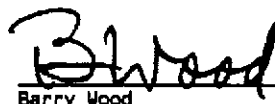
USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 11.0 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 72-00008F AND 72-040958.

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.


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

2000 FEB 15 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 72-04095B

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 72-04095B was mailed
on February 15, 2000, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM

Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

MICROFILMED

JAN 24 2000

PAGE 1
02/15/00

MEMORANDUM

DATE: June 21, 2001
TO: Water Rights 72-00008F & 72-04095B
FROM: KARI LYNN TOWNSEND
RE: STATUS OF WR OWNERSHIP

During the review of the request for change of ownership from Robert Valnoski it was determined that he had not provided clear proof of ownership for the above referenced files.

Our letter of April 27, 2001 offered Mr. Valnoski the opportunity to provide proof of ownership, which our database shows in the current ownership of **BLM**.

Mr. Valnoski has responded by providing \$75.00 filing fee (see copy of receipt C053802) that he has no further interest in changing ownership of these decreed water rights.

No further action will be taken on his original ownership change request for these rights.

MICROFILMED
JAN 24 2002

Idaho Department of Water Resources Receipt

Receipt ID C053802

Payment Amount	\$75.00	Date Received	5/18/01 10:57:08 AM	Region	State	Status
Payment Type	Check	Check Number	555			

Payer VALNOSKI ROBERT P

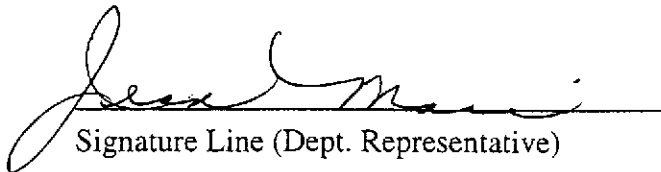
Comment CHANGE OF OWNERSHIP FOR DECREED WATER RIGHTS
72-10048 72-0008E 72-04095A

Fee Detail

Amount Description

Fund FD PCA SO

\$75.00 OWNERSHIP CHANGES/SECURITY INTERESTS 0229 21 56140 1155


Signature Line (Dept. Representative)MICROFILMED
JAN 24 2002

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
MAR 19 2001
Department of Water Resources
Southern Region

1. Water Right No(s): 72-10048; R72-00008E; R72-00008F
~~Adjudication Claim~~ No(s): R72-04095A; R72-04095B
 2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
 3. Name and Address of Former Owner/Claimant: LEROY J. NEIDER
16275 Los Gatos Blvd, Los Gatos, CA 95032
 4. New Owner/Claimant(s): ROBERT VALIOSKI
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address: 685 MAYERVILLE RD
 City, State and ZIP Code: GILLETTE NEW MEXICO 87933
 New Telephone Number: (908) 647-6740
 5. Date you acquired the property: 12/29/2000
 6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate @ 80 Number and type of stock NONE
 Diversion rate in CFS UNK Number of homes 1 Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s): [Signature]
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
 8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

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WARRANTY DEED

For Value Received LeROY J. NEIDER, an unmarried man, the Grantor, does hereby grant, bargain, sell and convey unto ROBERT J. VALNOSKI AND MARGARET J. VALNOSKI, Tenants in common with right of survivorship, the Grantees, whose current address is 685 Meyersville Road, Gillette, New Jersey 07933, the following described premises, in Custer County, Idaho, to-wit:

TOWNSHIP 14 NORTH, RANGE 18 EAST, BOISE
MERIDIAN, CUSTER COUNTY, IDAHO.

Section 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 2: S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

TO HAVE AND TO HOLD the said premises, with his 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 he is free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: This 26 day of December, 2000.

LeRoy J. Neider
LEROY J. NEIDER

STATE OF: Calif)

County of: Santa Clara: ss)

On this 26 day of
Dec., ~~1999~~, before
me, a Notary Public, per-
sonally appeared
LeRoy J. Neider

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

Louis Palmer Rinkhart Jr.
Notary Public for State of California
Residing at Los Gatos CA.
Commission Expires 12/1/04

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for
record at the request of Lynn Stevenson
at 58 minutes past 3
o'clock P.M., this 29th day of December
1999, in my office, and duly recorded in Book
2000 of Deeds at page .

Edith M. Peck
Ex-Officio Recorder

BY
Deputy

Fee: \$ 3⁰⁰

Mail to: Lynn Stevenson

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JAN 24 2002

Sec 40 - Twp 14N R18E
N1500' - Challis Creek

5/16/80

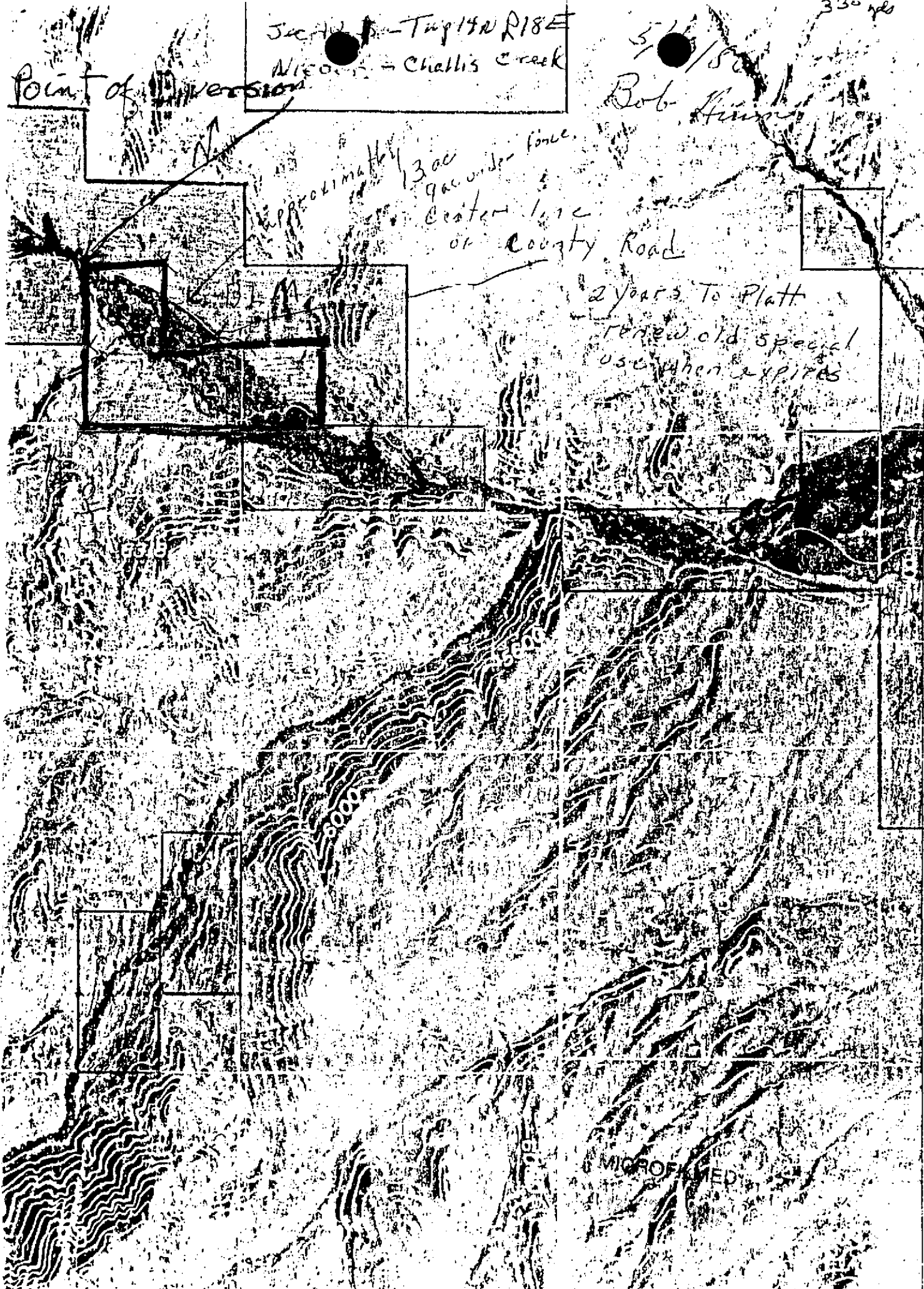
330 yds

Point of Version

Bob Hinn

Approximately 1300
900' under fence
center line
of county Road

2 years To Platt
renew old special
use when expires



39

38

37

36

32 3

35

34

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State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

June 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

ROBERT VALNOSKI
685 MEYERSVILLE RD
GILLETTE NJ 07933

RE: Change of Ownership for Decreed Water Rights 72-10048/72-00008E/
72-00008F/72-04095A/72-04095B

Dear Mr. Valnoski:

Our letter to you of April 27, 2001 (copy enclosed) remains unanswered. This letter states that we will hold your request for 30 days in order for you to respond before returning your notice and attachments. In this case we require filing fees of \$75.00 in order to complete your request.

As it has been more than 30 days since our letter was sent and no response has been received, we are returning your notice and attachments as stated above.

If you still wish to pursue a change of ownership for the above listed decreed water rights, please return this paperwork to us along with the appropriate filing fee (\$25.00 per water right). We will be glad to process your request providing our requirements are met.

If you have any questions regarding this matter, please call me at 208-327-7941.

Sincerely,


for Kari Lynn Townsend
Secretary

KLT:k

Enclosures

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JAN 24 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 27, 2001

ROBERT VALNOSKI
685 MEYERSVILLE RD
GILLETTE NJ 07933

RE: Change of Ownership for Decreed Water Rights 72-10048/72-00008E/
72-00008F/72-04095A/72-04095B

Dear Mr. Valnoski:

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

_____ **Filing Fee** of \$25 per water right

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(s) indicated in your notice. According to our records, the Bureau of Land Management owns water rights **72-00008F** and **72-04095B**. The legal description that you provided does not include those water rights. I have enclosed a copy of the water rights for your reference as well as a copy of the ownership change request. If you can provide proof of ownership for the land covered by those two rights, we will be happy to process an ownership change for them. There will be a \$25.00 filing fee for each of them.

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership. The fee is \$25 per water right, except for ownership changes resulting in the division of a water right, which is \$100 per water right. We have determined that the filing fee for your notice will be \$75.00 to process water rights 72-10048, 72-00008E and 72-04095A.

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

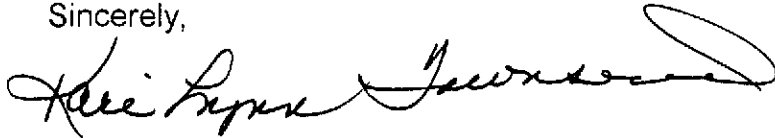
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JUN 24 2002

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.

Please feel free to contact the Department if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", with a large, stylized loop at the end.

Kari Lynn Townsend
Secretary

Enclosure(s)

MICROFILMED

JAN 24 2002