

11/25/2022

After Split

NOV 7 5 2022 86-10336

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/25/2022

CREEK". ALLEN B. 12/29/92.

2 KEEN 12/29/1992 DATA ENTRY EDITING
CHANGED TOTAL DIVERSION RATE TO 0.11 CFS TO MATCH THE TOTAL OF THE INDIVIDUAL
WATER USES, CHANGED THE TRIBUTARY TO MIDDLE POTLATCH CREEK, AND ADDED THE
STANDARD REMARK ABOUT THE TWO SOURCES. S.W. KEEN

3 ENORQUES 12/21/1998 COPIED FROM REMARKS
SOURCES FOR THIS RIGHT ARE A SPRING TRIBUTARY TO MIDDLE POTLATCH CREEK AND
GROUNDWATER.

4 DSMITH 5/3/1999 CHANGE OF ADDRESS
PER CLAIMANT LETTER

5 nsteading 11/25/2022 Split Right
Split into 86-12159.

6 nsteading 11/25/2022 POU
Updated Shape

Dates and Other Information:

Decreed Date: 4/25/2001
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

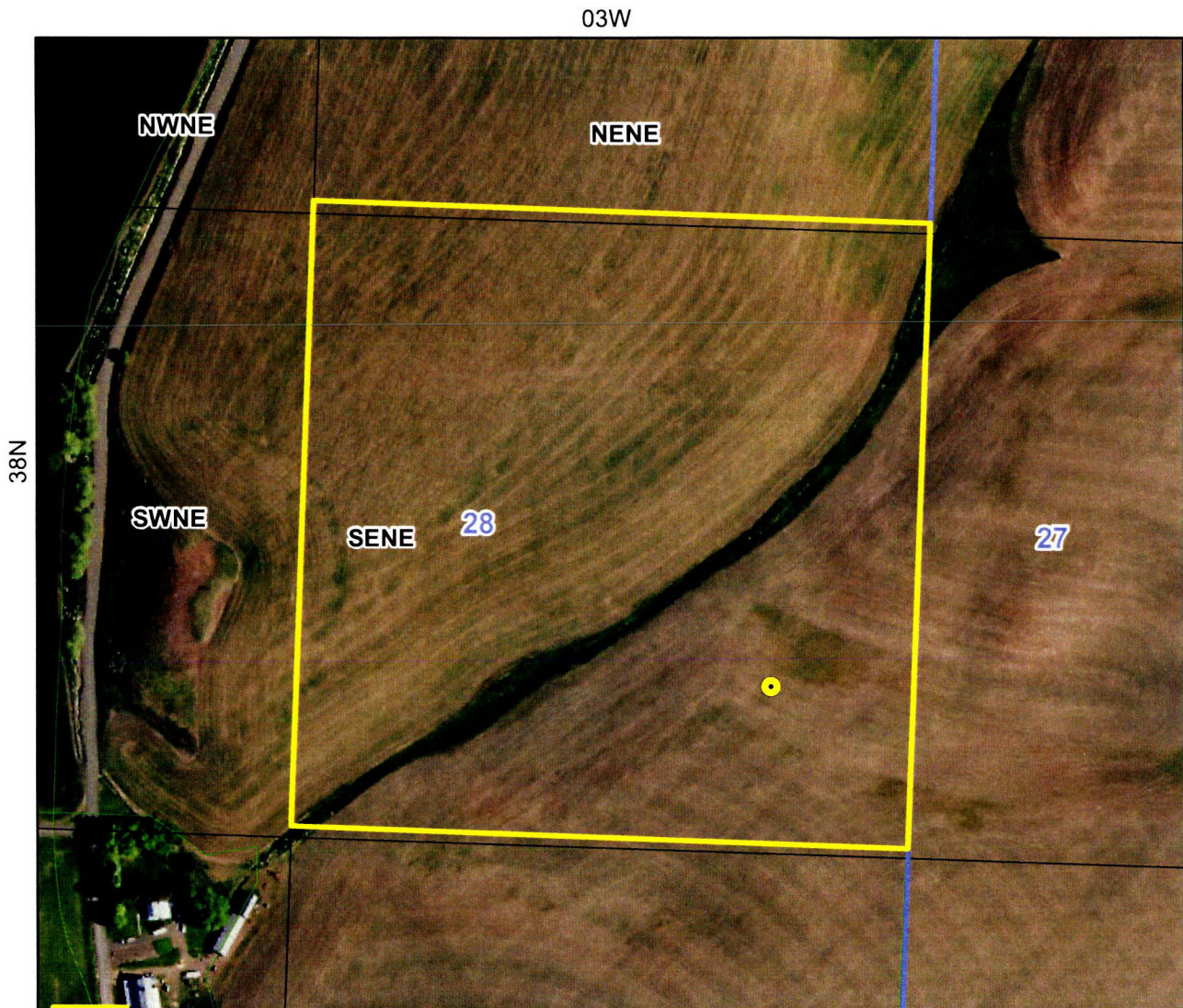
Water Supply Bank:

N/A

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NOV 25 2022

State of Idaho
Department of Water Resources
Water Right License
86-10336

After Split



 Place Of Use Boundary

 Townships

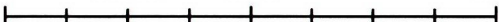
 PLS Sections

 Quarter Quarters

 Point of Diversion

 Taxlots

0 0.045 0.09 0.18 Miles



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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/25/2022

Water Right 86-10336

Owner Type **Name and Address**
Current Owner COX FAMILY PROPERTIES
 PO BOX 8022
 MOSCOW, ID 83843-0522
 (208) 882-3469

Before Split

Priority Date: 8/1/1917

Basis: Decreed

Status: Active

Source
GROUND WATER
SPRING

Tributary
MIDDLE POTLATCH CREEK

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.030 CFS	
DOMESTIC	1/01	12/31	0.080 CFS	
	Total Diversion		0.110 CFS	

Source and Point(s) of Diversion:

GROUND WATER	NWNWSE	Sec. 28, Twp 38N, Rge 03W, LATAH County
SPRING	SESENE	Sec. 28, Twp 38N, Rge 03W, LATAH County

Place Of Use:

DOMESTIC within LATAH County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
38N	03W	28														X			

STOCKWATER within LATAH County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
38N	03W	28				X													

Conditions of Approval:

1. C18 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. SECTION 42-1412(6), IDAHO CODE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A

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IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

11/25/2022

4. DETERMINATION OF HISTORICAL BENEFICIAL USE.
STOCKWATER, 30 HEAD. PARCEL NO. 38N033280015

Comments:

- 1 SRBA 12/29/1992 DATA ENTRY CHANGE
I CHANGED THE TRIB. FROM "POTLATCH RIVER, MIDDLE FORK" TO "MIDDLE POTLATCH CREEK". ALLEN B. 12/29/92.
- 2 KEEN 12/29/1992 DATA ENTRY EDITING
CHANGED TOTAL DIVERSION RATE TO 0.11 CFS TO MATCH THE TOTAL OF THE INDIVIDUAL WATER USES, CHANGED THE TRIBUTARY TO MIDDLE POTLATCH CREEK, AND ADDED THE STANDARD REMARK ABOUT THE TWO SOURCES. S.W. KEEN
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Dates and Other Information:

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State or Federal: S
Water District Number: NWD
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

N/A

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NOV 25 2022

State of Idaho
Department of Water Resources
Water Right License
86-10336

Before Split

Domestic POU

03W



Place Of Use Boundary

Townships

PLS Sections

Quarter Quarters

Point of Diversion

Taxlots

0 0.05 0.1 0.2 Miles

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NOV 25 2022



State of Idaho
Department of Water Resources
Water Right License
86-10336

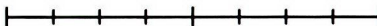
Before Split

Stockwater POU



-  Place Of Use Boundary
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Point of Diversion
-  Taxlots

0 0.05 0.1 0.2 Miles



SCANNED

NOV 15 2022



RECEIVED

MAR 10 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

1. **IDWR/NORTH** If 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. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
86-10336	Yes ☒	Yes ☐		Yes ☐	Yes ☐
↳ 86-12159	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Cox Family Properties
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): Donald & or Charlotte Halvorson
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or
1290 American Ridge Rd Kendrick ID 83537
Mailing address City State Zip
(208) 289-5602 sprngbk@gmail.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.
5. Date you acquired the water rights and/or claims listed above: _____.
6. Do you own the land identified as the water right place of use? Yes ☐ No ☐
o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:
☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
☐ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
☒ Filing fee (see instructions for further explanation):
o \$25 per *undivided* water right.
o \$100 per *split* water right.
o No fee is required for pending adjudication claims.
☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
☐ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 86-10336

8. Signature: Donald Halvorson 3/10/22
Signature of new owner/claimant Title, if applicable Date
DONALD HALVORSON
Print name
- Signature: _____ 3/10/22
Signature of new owner/claimant Title, if applicable Date

Print name

SCANNED

NOV 15 2022

Received by _____ Date 3/10/2022 Receipt No. N038597 Receipt Amt. \$100.00

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by NS Date 11/25/22

Schedule C

The land referred to in this policy is situated in the State of Idaho, County of Latah and is described as follows:

All that certain real property situate within the E 1/2 of Section 28, T 38 N, R 3 W.B.M., Latah County, Idaho, described as follows:

Beginning at a point in the center line of the County Road known as "American Ridge Road" from which the brass cap monument marking the northeast corner of Section 27 T38N, R3W, bears N 66°48'31" E, 7541.39 feet, as shown on ROS# 428181, Latah County Records;
Thence along said centerline N35°47'33" W, 25.32 feet to an angle point; Thence along said centerline N08°49'00" W, 432.34;
Thence leaving said county road N89°58'49" E, 138.84 feet;
Thence S56°05'06" E, 147.91 feet; Thence N78°22'06" E, 108.61 feet;
Thence S01°48'07" E, 74.72 feet; Thence S27°38'18" W, 226.90;
Thence S15°34'43" E, 243.60 feet; Thence S10°30'37" E, 201.26 feet;
Thence S05°44'12" W, 142.65 feet; Thence S07°11'33" E, 397.64 feet;
Thence S14°07'44" W, 244.13 feet; Thence N78°47'30" W, 160.59 feet to a point in the aforesaid centerline of the County Road, being the southerly corner of the lands shown on said ROS# 428181; Thence northerly along said centerline the following five (5) courses;

- (1) 95.80 feet along the arc of a 329.89 foot radius curve to the left, through a central angle of 16°38'24", with a chord of N10°40'05" E, 95.47 feet;
- (2) Tangent to said curve N02°20'53" E, 243.04 feet;
- (3) N06°20'35" E, 292.13 feet;
- (4) 346.10 feet along the arc of a tangent 470.63 foot radius curve to the left, through a central angle of 42°08'08", with a chord of N14°43'49" W, 338.35 feet;
- (5) N35°47'33" W, 134.10 feet to THE POINT OF BEGINNING

SUBJECT TO: the Right-of-Way of the County Road lying 25.00 feet easterly of the above described centerline.

RESERVING THEREFROM: An Easement for farming access, ingress, and egress, on, over, and across a strip of land 20 feet in width, the centerline of which is described as follows: Beginning at a point in the center of the County Road being 275 feet southerly of the north line of the above described tract; Thence easterly along the existing gravel driveway to a point of terminus in the easterly line of the above described Tract.

TOGETHER WITH: An Easement for Spring Water and access, 10 feet in width, from the northeast corner of the above described tract northeasterly along the drainage flow line 2000 feet more or less to a termination point in the east line of said Section 28.

WARRANTY DEED

FOR VALUE RECEIVED COX FAMILY PROPERTIES a partnership, the Grantors, do hereby grant, bargain, sell and convey unto:

DONALD L. HALVORSON and CHARLOTTE R. HALVORSON
husband and wife
~~Partners~~ 1290 American Ridge Rd.
Kendrick, ID 83537

the grantees, the following described premises situated in Latah County,
State of Idaho, to-wit:

Description as shown on attached Schedule C.

TOGETHER WITH all and singular the tenements, hereditaments and
appurtenances thereunto belonging or in anywise appertaining, including all
water and water rights, ditch and ditch rights.

SUBJECT TO Reservations in United States Patent, restrictive covenants,
existing and recorded rights-of-way and easements, zoning and building
ordinances, and taxes and assessments as prorated between the parties
hereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto
the said Grantees, their successors, 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 said premises are free
from all encumbrances except as hereinabove set forth and that they will
warrant and defend the same from all lawful claims whatsoever.

DATED this 27 day of March, 2000.

Marilyn C. Neal
COX FAMILY PROPERTIES
by: Marilyn C. Neal, Partner

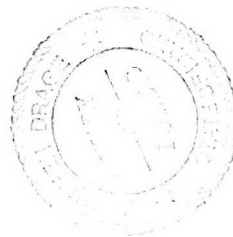
Andrea S. Reid
by: ANDREA S. REID, Partner

Andrew T. Cox, Jr.
by: Andrew T. Cox, Jr., Partner

STATE OF IDAHO)
 : ss
COUNTY OF LATAH)

On this 27 day of March in the year 2000, before me a notary
public of said State personally appeared MARILYN C. NEAL, ANDREA S. REID,
and ANDREW T. COX, JR., partners of the COX FAMILY PROPERTIES a
partnership, 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.

Kathleen Drage
Notary Public for IDAHO
Residing at Moscow
My commission expires: 10-12-01



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449586

NO. _____ AT THE REQUEST OF
LATAH COUNTY TITLE CO.

DATE & HOUR: 3/28/00 10:44 AM

SUSAN PETERSEN
LATAH COUNTY RECORDER

FEE \$ 6.00 BY S. Chapman

SCANNED
NOV 5 2022
FILED

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

SCANNED

JUL 19 2002

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 86-10336

2001 APR 25 PM 2:03

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: COX FAMILY PROPERTIES
1290 AMERICAN RIDGE RD
KENDRICK, ID 83537

SOURCE: SPRING
GROUNDWATER

TRIBUTARY: MIDDLE POTLATCH CREEK

QUANTITY: 0.11 CFS

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

PRIORITY DATE: 08/01/1917

POINT OF DIVERSION: T38N R03W S28 SESENE Within Latah County
NWNWE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 2 HOMES	01-01 TO 12-31	0.08 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE:	Stockwater		Within Latah County
	T38N R03W S28	SENE	
	Domestic		Within Latah County
	T38N R03W S28	NWSE	

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.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication



Northern Region • 7600 N Mineral Drive, Suite 100 • Coeur D'Alene, ID 83815-7763
Phone: 208-762-2800 • Fax: 208-762-2819 • Email: northerninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

November 25, 2022

DONALD L HALVORSON
1290 AMERICAN RIDGE RD
KENDRICK ID 83537-9504

Re: Change in Water Right Ownership: 86-10336 (Split into 86-10336 and **86-12159**),

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of a portion of the above referenced water right(s) to you. The Department has modified its records based on the information received and has enclosed a computer-generated report for you.

Your portion of each water right(s) has a specified point of diversion, nature of use and place of use. If you plan to change the authorized point of diversion, nature of use, or place of use, including adding a new point of diversion, you must file an Application for Transfer of Water Right. If you do not plan to change any elements of your water right, then no further action is required at this time.

The portion of the water right retained by the original right holder retains the original water right number. The Department is sending the original right holder a copy of this letter and a computer-generated report showing the changes to the original water right.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 762-2813.

Sincerely,

Natalie Steading
Tech Records Specialist 1

Enclosure(s)

SCANNED

NOV 25 2022