

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 21-4026
Date Received: 5/18/01
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT R LEE Phone: (208) 356-9506

1330 BARNEY DAIRY RD
REXBURG ID USA 83440

KEVIN LEE Phone: (208) 356-9506

1330 BARNEY DAIRY RD
REXBURG ID USA 83440

2. Date of Priority: 11/19/1956

3. Source: WILLOW CREEK Trib. to: HENRYS FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
09N	42E	14	NE NE	FREMONT	

5. Description of diverting works:

150 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.
IRRIGATION	04/01	11/01	0.39	

7. Total Quantity Appropriated is:
0.39 C.F.S.

8. Total consumptive use:



9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09N	42E	12	NW	NW	IRRIGATION	40
			SW	NW	IRRIGATION	40
					Section Acres	80
					Total Acres	80

11. Place of use in counties: FREMONT

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

150 HP PUMP ON HENRY'S FORK, MAINLINE, HANDLINES. ONLY A PORTION OF THE PUMP CAPACITY IS USED TO IRRIGATE THE 31 ACRES IDENTIFIED HEREIN. MANY YEARS AGO THE POINT OF DIVERSION WAS CHANGED FROM WILLOW CREEK, AS IDENTIFIED IN WATER RIGHT 21-4026, TO NE1/2, NE1/4 SEC 14 T 9N R 42E ON HENRY'S FORK. AN OFFICIAL CHANGE OF POINT OF DIBERSION NEEDS TO BE MADE. THIS CLAIM IS FOR A PORTION OF WATER RIGHT 21-4026 TO IRRIGATE LAND ORIGINALLY OWNED BY REID RICHEY OF ASHTON, IDAHO.

15. Basis of Claim: Beneficial Use

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 21-4026Date Received 5/18/2001Receipt Number E026720

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ROBERT R. LEE OR KEVIN LEE Phone (208) 356-9506Mailing Address 1330 BARNEY SAUNDERS RD. REXBURG, ID. Zip 834402. Date of Priority (Only one (1) per claim) 11/19/563. Source of water supply (a) WILLOW CREEK
which is tributary to (b) HENRY'S FORK4. a. Location of existing point of diversion is: Township 9N Range 42E Section 14,
1/4 of NE 1/4 of NE 1/4, Govt. Lot, B.M., County of FREMONT

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

150 H.P. Pump on Henry's Fork,
MAINLINE, HANDLINES. ONLY A PORTION OF THE PUMP CAPACITY IS USED
TO IRRIGATE THE 31 ACRES IDENTIFIED HEREIN. MANY YEARS AGO
THE POINT OF DIVERSION WAS CHANGED FROM WILLOW CREEK, AS
IDENTIFIED IN WATER RIGHT 21-4026, TO NE 1/4 NE 1/4 SEC 14 T9N R42E
ON HENRY'S FORK. AN OFFICIAL CHANGE OF POINT OF DIVERSION NEEDS TO
BE MADE.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 11/01 amount .31 or 95 RRL

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .39 (cfs) and/or (b) 95 RRL (acre feet)

8. Total consumptive use claimed is 95 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9N	42E	12						11	20										31

Total number of acres irrigated 31

11. In which county (ies) are lands listed above as place of use located? FREMONT

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

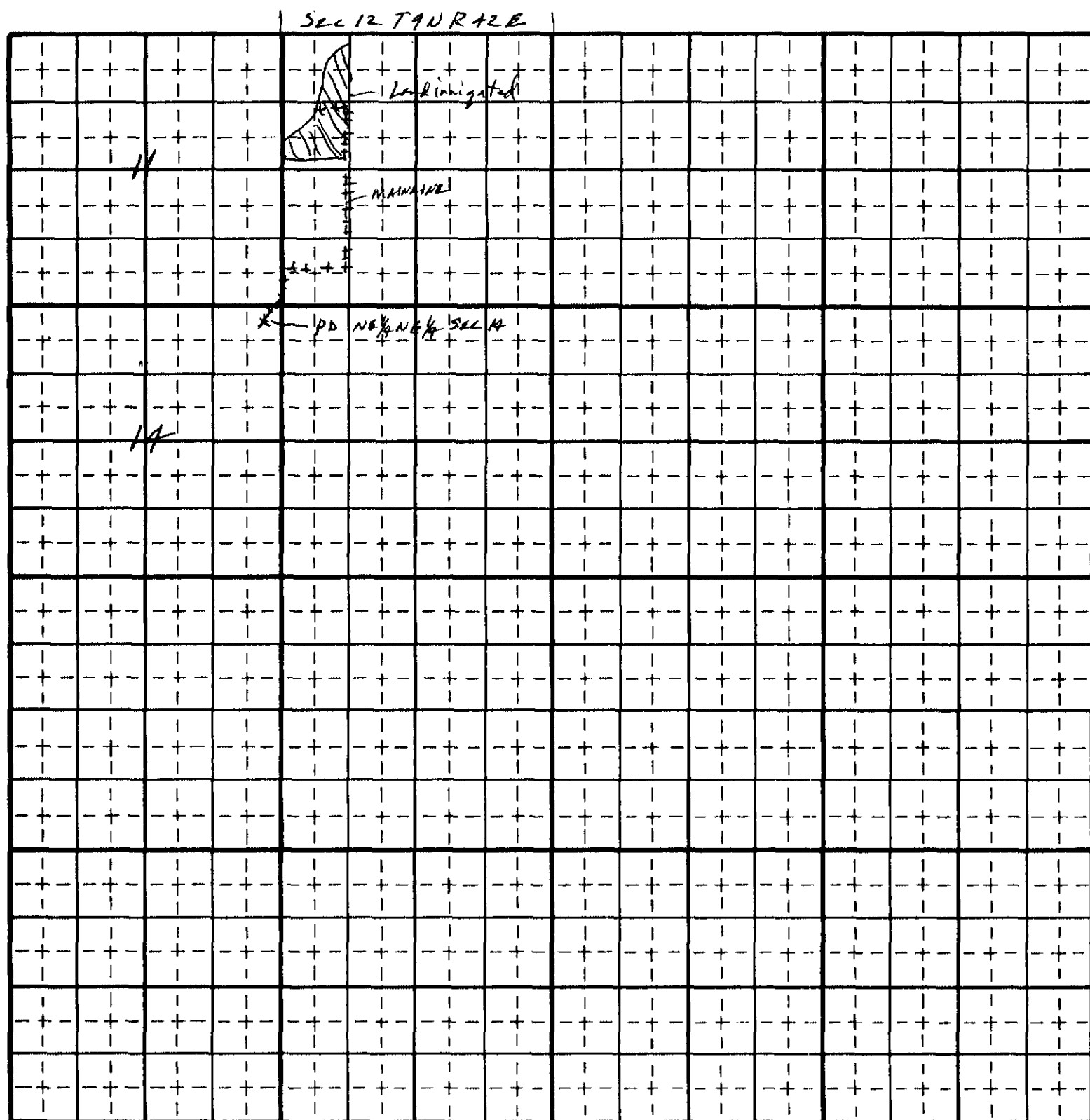
13. Describe any other water rights used at the same place and for the same purposes as described above.
21-7153 AND 21-4026 or None ()

14. Remarks:
THIS CLAIM IS FOR A PORTION OF WATER RIGHT 21-4026
TO IRRIGATE LAND ORIGINALLY OWNED BY RALPH RICHY
OF ASHTON, ILLINOIS.

Last Name Lee Ident No. 214026

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile



Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 21-4026

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Robert H Lee Date May 18, 2001

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization _____

document in the space below as _____ of _____

Title _____

Organization _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 18th day of May 2001

Notary Public Wendy J. Murphy

Residing at Idaho Falls

My Commission Expires 6/23/2001

Please Print Name

17. Notice of Appearance

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name LEE Ident. Number 21-4026

Copies White-State, Yellow-Claimant

REXBURG, ID 83400

WARRANTY DEED

Order No. 3040120907-L

FOR VALUE RECEIVED

Ashton Hill Limited Partnership

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Robert R. Lee and Gwen J. Lee, husband and wife an undivided 43% interest and Kevin M. Lee and Julie G. Lee, husband and wife an undivided 57% interest

whose current address is

1330 BARNEY DAIRY ROAD, REXBURG, IDAHO 83440

the grantee(s), the following described premises, in County, Idaho, TO WIT:

A parcel of land lying entirely within Sections 11 and 12, Township 9 North, Range 42 East of the Boise Meridian, Fremont County, Idaho, being NE1/4NE1/4 of said Section 11; the NW1/4NW1/4 of said Section 12; and a portion of the S1/2NW1/4 of said Section 12 being more particularly described as follows: Commencing at the Southwest corner of said NW1/4 of Section 12 being a USBLM Brass Cap Monument as filed for record at Instrument No. 462404 in the office of the Fremont County Clerk and Recorder; thence North 00°00'30" West along the West line of said Section 12 a distance of 391.50 feet to a rebar with cap bearing the PLS No. 7381, being the point of beginning; thence continuing North 00°00'30" West along said West line of Section 12 a distance of 929 feet, more or less, to the Northwest corner of said S1/2NW1/4 of Section 12; thence South 89°50'00" East along the North line of said S1/2NW1/4 of Section 12 a distance of 1508 feet, more or less, to a point that lies North 89°50'00" West 1138.15 feet distant from a USBLM Brass Cap set for the C-N 1/16 corner of said Section 12; thence South 15°30'30" West along the edge of a plowed field above canyon rim a distance of 959.32 feet to a rebar with cap bearing the PLS No. 7381; thence South 89°59'30" West along the North boundary of that parcel of land described at Instrument No. 462300 in said Fremont County records a distance of 1251.29 feet to the point of beginning.

Together with the following easements:

1. An easement for ingress, egress and utilities to above described parcel over and across Canyon Court Road as platted on the recorded plat of Ashton Hill Estates Subdivision, recorded at Instrument No. 448133 in said Fremont County Records;
2. A 60 foot easement for ingress, egress and utilities to above described parcel, being 30 feet on each side of the following described centerline; Commencing at the center point of the Cul-De-Sac of above said Canyon Court Road; thence North 28°01'30" West a distance of 50.00 feet to a point on the right of way of said Canyon Court Road, being the point of beginning; thence along the following six courses to the South boundary of the above described parcel:
 - 1.) North 28°01'30" West a distance of 65.00 feet;
 - 2.) North 32°40'00" East a distance of 203.11 feet;
 - 3.) North 11°01'30" West a distance of 603.51 feet;
 - 4.) North 11°29'00" West a distance of 355.80 feet;
 - 5.) North 01°23'00" East a distance of 547.48 feet;
 - 6.) North 13°45'00" East a distance of 860.98 feet.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except Current Year Taxes conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 3/13/2001

APPROVE
FREMONT CO. CLERK
Recorded at Request
ALLIANCE TITLE & ESCROW

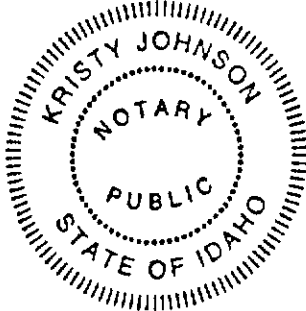
467828

State of Idaho FO }
County of MADISON } ss.

On this 3-16-01 before me, a Notary Public in and for said state, personally
appeared DANIELA MANN & Scott B. Harecek

known or identified to me to be the partners in the partnership of Ashton Hill Limited Partnership and the Partners who subscribed to said partnership name to the foregoing instrument, and acknowledged to me that he/she/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.



Kristy Johnson
Notary Public for the State of Idaho
Residing at Regency
Commission Expires 1-11-2002