

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.

RECEIVED

OCT 30 1989

CIVIL CASE NUMBER: 39576

Ident. Number: A29-04037
Date Received: 9/25/1989
Receipt No: 2003408
Received By: AB

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARLEN M. LISH 208-682-3548
Address: BOX 230
KINGSTON, ID 83839

2. Date of Priority: APR 01, 1905

3. Source: SPRINGS Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	36	NW	NE	SE		BANNOCK
			SW	NE	SE		BANNOCK
			NE	NW	SE		BANNOCK

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	11/01	0.060		
STOCKWATER	01/01	12/31	0.040		
DOMESTIC	01/01	12/31	0.040		

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOME, S/10 MIXED STOCK

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Date: 10/16/89

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	36	NW SE		IRR	3.0
Section Acres						3.0
Total Acres						3.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
IRRIGATION CLAIM A29-04038A

14. Remarks:
THE DESCRIPTION OF DIVERTING WORKS INCLUDES 4 SPRINGS: 2 SPRINGS
SUPPLY WATER FOR HOUSEHOLD USE. 2 SPRINGS SUPPLY WATER FOR IRR.
OF ORCHARD AND LAWN & GARDEN.

15. Basis of Claim: STATUTORY CLAIM

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Date NOV 10/16/89

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/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

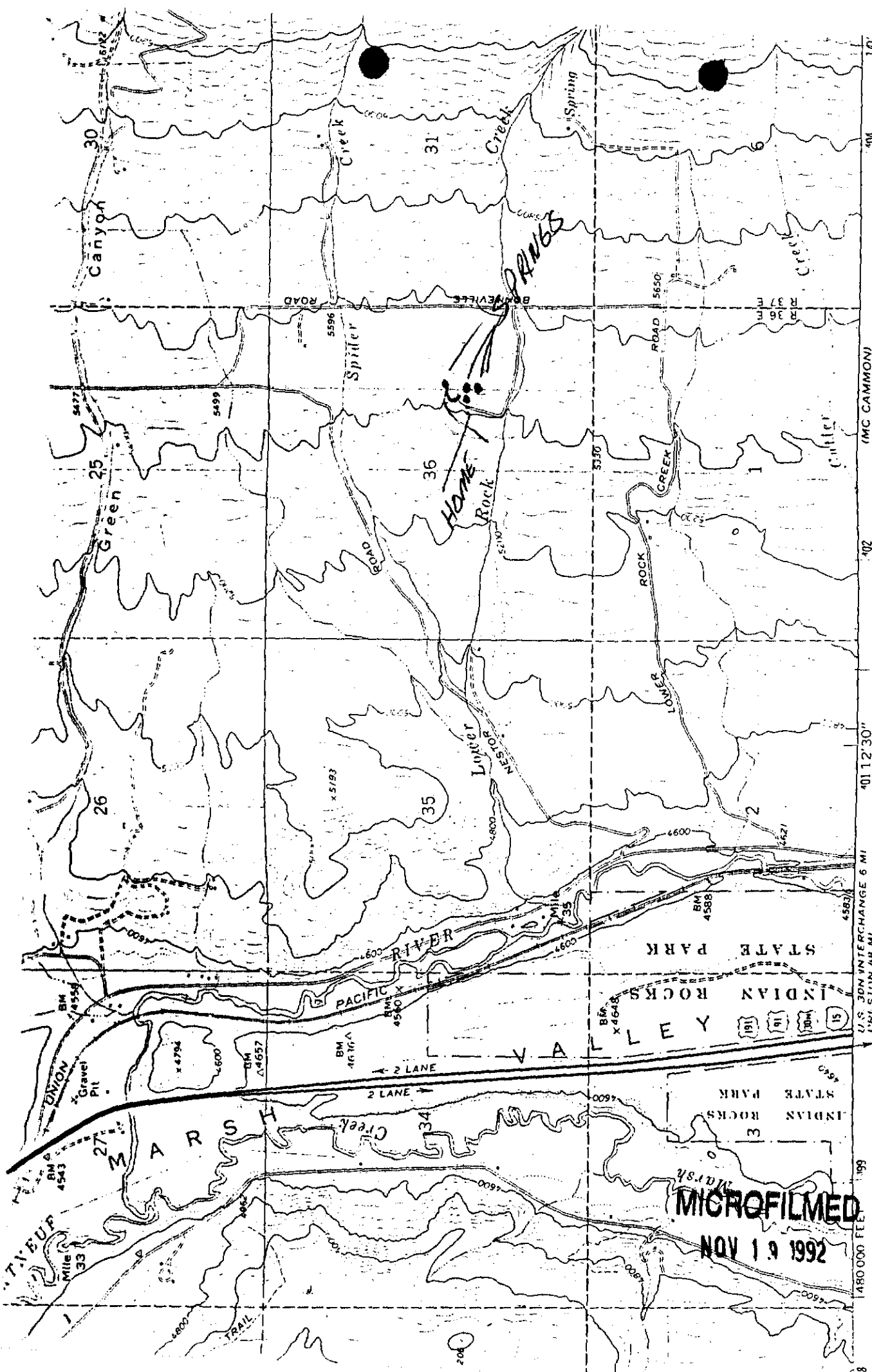
Signature of Claimant(s): X *[Signature]* Date: _____
_____ Date: _____

State of Idaho)
County of *Kootenai*) SS.

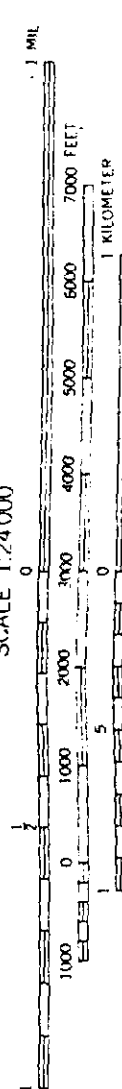
Subscribed and sworn (or affirmed) before me this *16th* day
of *October* 19 *89* *[Signature]*
Notary Public

Seal

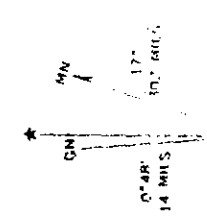
Residing at *Rathbun*
My Commission Expires *7/25/94*



(MC CAMMON)
3569 ft. MSL
SCALE 1:24,000



CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL



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edited, and published by the Geological Survey

by USGS and USC&GS

by photogrammetric methods from aerial
photos taken 1967. Field checked 1968

projection. 1927 North American datum
foot grid based on Idaho coordinate system.

Log for claim A29-04037

Spatial Dynamics AMH

8/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	36	NWSE	3	4	
Totals:			3	4	

DATE: 05/22/00
PAGE: 138

Stage: STATUTORY CLAIM

Audit: 10/16/89 BEARDSLE 07/15/94 THOMPSON 03/29/95 POST-STD

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[illegible]

State of Idaho)
) ss.
County of Bonneville)

Arla M. Lush
(Claimant)

Sworn to before me this 15 day of July 1964

19 74
Notary Public
Residing at E. RTH, IDAHO

My commission expires 3/19/78

Received by <u>MB</u>	Date <u>7-15-74</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Jag</u>	Date <u>7/15/74</u>		claimant by:	
\$10.00 fee received by <u>MB</u>	Date <u>7-15-74</u>			
Approved for publication by <u>MB 8/15/74 #12924</u>				
Published in <u>Florida State Journal</u>				
Dates <u>July 25 + August 1, 1974</u>				

CORRECTION

3-1

740427

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVES

THIS DEED, made by DAVID H. LISH, ARLEN M. LISH, SHARON LAKE, and ANA LEE LISH, as Personal Representatives of the Estate of ARLA M. LISH, Deceased, Grantors, to ARLEN M. LISH, individually, and ARLEN M. LISH, as Conservator of the estates of JEFFREY JACK LISH, ZACHARY SAMUEL LISH, and BRYCE CLAIN LISH, minors and protected persons, Grantees, whose address is P. O. Box 230, Kingston, Idaho 83839.

WHEREAS, Grantors are the qualified Personal Representatives of said estate, filed as Case No. SP-1434, in Bannock County, Idaho; and

WHEREAS, Grantees are entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantors convey and release to Grantees the following described real property in Bannock County, Idaho:

An undivided one-fourth interest to each Grantee (including the minors and protected persons by and through their conservator) above named in and to the following described real property:

S 1/2 N 1/2 SW 1/4 SE 1/4, S 1/2 SW 1/4 SE 1/4, Section 36, Township 7 South, Range 36 E.B.M., Bannock County, Idaho, containing 30.985 acres, more or less, according to the Record of Survey as recorded in the Office of the Bannock County Recorder.

together with all improvements and appurtenances, and together with rights to water out of Spider Creek.

Grantors further convey and release to Grantees a 50-foot wide easement for ingress and egress over that portion of the following described property consisting of the existing road which intersects with Lower Rock Creek Road and generally runs in a northeasterly direction to the southwest corner of the above described property:

A tract of land situate in Government Lot 3 of Section 1, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the N.W. corner of said Government Lot 3 (W 1/16 corner) monumented with a 5/8 inch diameter rebar with a plastic cap attached marked L.S. 4477; thence S. 0°16'02" W., along the westerly boundary of said Government Lot 3 a distance of 915.21 feet to the centerline of Lower Rock Creek Road; thence along said centerline as follows: 155.73 feet along the arc of a 1339.39 foot radius curve left the long chord of which bears N 77°57'15" E., a distance of 155.64 feet; thence N. 74°37'24" E., a distance of 58.68 feet; thence N. 69°23'47" E., a distance of 248.75 feet; thence 130.52 feet along the arc of a 508.94 foot radius curve left the long chord of which bears N. 62°02'57" E., a distance of 130.17 feet; thence N. 54°42'08" E., a distance of 246.11 feet; thence 136.39 feet along the arc of a 143.46 foot radius curve right the long chord of which bears N. 81°56'13" E., a distance of 131.31 feet; thence S. 70°49'40" E., a distance of 182.88 feet; thence 163.11 feet along the arc of a 145.79 foot radius curve right the long chord of which bears S. 38°46'23" E., a distance of 154.73 feet; thence S. 6°42'51" E., a distance of 101.07 feet; thence 80.69 feet along the arc of 91.54 foot radius curve right the long chord of which bears S. 18°32'12" W., a distance of 78.10 feet; thence S. 43°47'16" W., a distance of 134.77 feet; thence 267.85 feet along the arc of a 138.32 foot radius curve left the long chord of which bears S. 11°41'10" E., a distance of 227.92 feet; thence S. 67°09'39" E., a distance of 263.39 feet; thence leaving said centerline N. 0°03'43" W., along the easterly boundary of said Government Lot 3 a distance of 1340.95 feet; thence S. 89°46'48" W., a distance of 1334.04 feet to the Point of Beginning.

This parcel contains 25.33 acres, more or less. This parcel is subject to a 25 foot road right of way along the southerly boundary.

All according to the Record of Survey as recorded in the Office of the Bannock County Recorder.

Excepted from the property conveyed and released to Grantees herein is an easement for use, inspection, maintenance and repair of an existing underground water pipeline, with said easement running in favor of the owners of the following described property:

A tract of land situate in Government Lot 4 of Section 1, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the N.W. corner of Government Lot 4 (section corner) monumented with a 3 inch diameter brass tablet marked Bannock County; thence N. 89°46'48" E., along the Northerly boundary of said Government Lot 4 a distance of 1334.04 feet; thence S. 0°16'02" W., along the easterly boundary of said Government Lot 4 a distance of 808.68 feet; thence S. 85°32'54" W., a distance of 947.08 feet; thence S. 87°35'19" W., a distance of 395.75 feet; thence N.

740427

NO. **740127**
 RECEIVED AT REQUEST OF
Brent Roche
'84 DEC -7 A9:27
 OFFICIAL RETURNED BY **417**
BARNOCK COUNTY, IDAHO
LARRY W. GIAN RECORDER
FEE 6.00 DEPUTY ka

Chas M. Lish
Continuation of Abstract of Title.

Sheet No. 4

Miller & Vele, First Mortgage Loans, Salt Lake City, Utah.

Abstract No.

Heber K. Peirce and Inez C.
Peirce, his wife.

Character of Instrument, Mortgage
Date of Instrument, July 12, 1913,
Date of Record, July 19, 1913, 10:35 A.M.
Book "17" of Mortgages, Page 247 Records of
Bannock County, State of Idaho.
Consideration, \$ 1200.00

TO
Union Central Life Insurance
Company, a corporation.

Acknowledgment.

Date July 14, 1913 acknowledged before
Charles O. Benting, a N. P.
in and for Bannock County, State of Idaho.
Is official seal attached? Yes
Is the acknowledgment regular? Yes
Does wife duly acknowledge on examination without the hearing of
her husband?

What is the date of maturity? July 12, 1923

\$ U. S. Internal Revenue Stamps attached and duly canceled.

When is the interest payable? Annually

Where principal and interest payable? Cincinnati, Ohio.

DESCRIPTION: Lands in Bannock County, State of Idaho.

Lots Three (3) and Four (4) and the South half of the Northwest
quarter of Section One (1) Township Eight (8) South of Range Thirty-
six (36) East of the Boise Meridian, in Idaho, containing 160 acres,
more or less, according to the Official Plat of the survey of the said
lands returned to the General Land Office by the Surveyor General,
Together with all the waters of certain springs arising Northeast
of said land, also waters from Little Rock Creek for forty (40) acres.

If released on margin of record give VERBATIM COPY of RELEASE.

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NOTE: Are there any irregularities or defects in instrument or release?

I have by will & gift
 the following property
 to my children & grand children
 free from all debts and
 incumbrances, Taxes paid
 David H. List
 Arlen M. List
 Sharon Lake
 Ana Lee List

ARLA WISH'S WILL

30 acres water out of
 S36 T7 S R36 E Spider Creek
 S 1/2 SW 1/4 SE 1/4
 S 1/2 N 1/4 SW 1/4 SE 1/4
 Signed Arlen List & Children

Essew you
 LaPual Boon
 Donna Lirgin
 Equal part
 Signed Ar

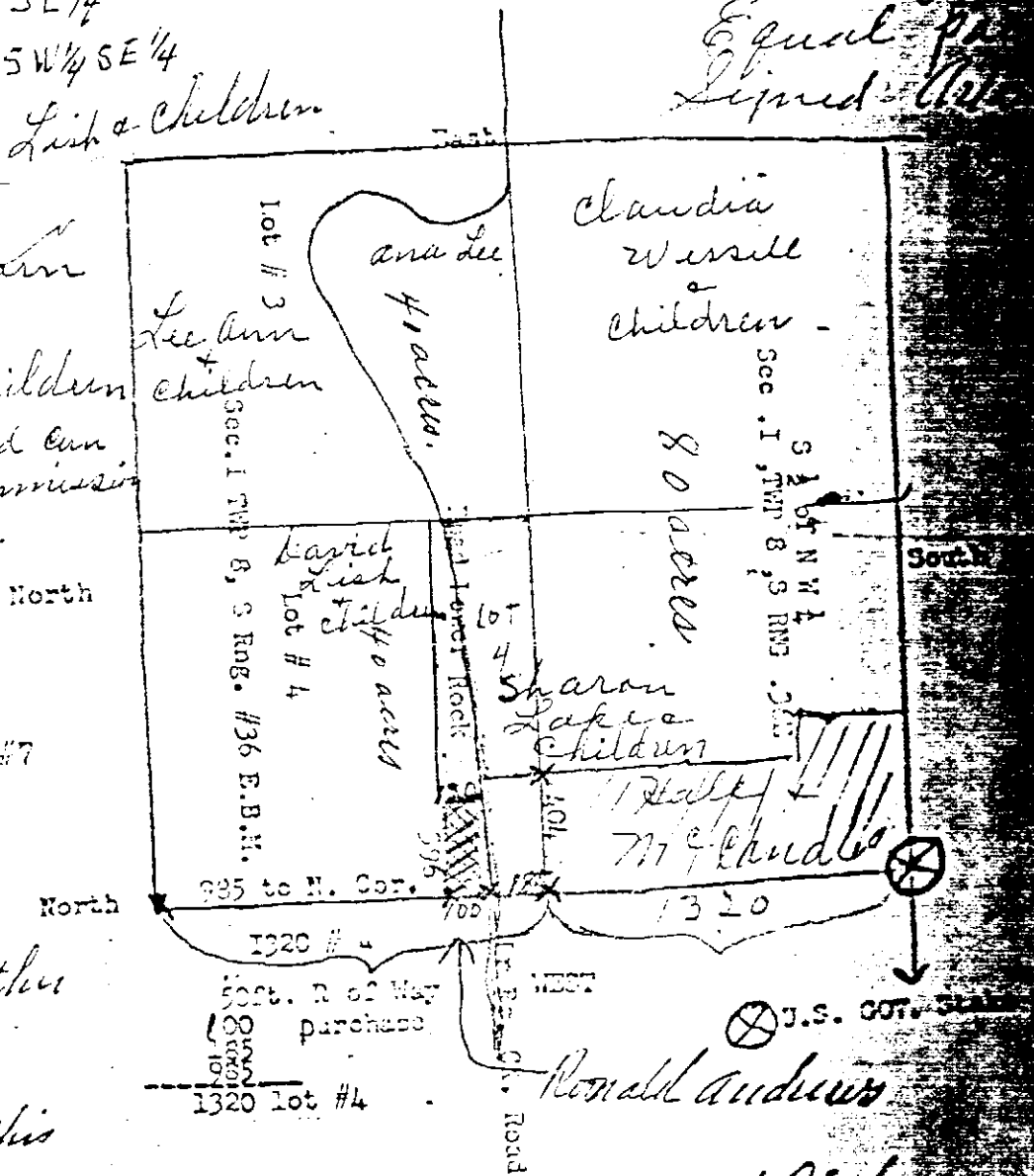
Lot 3 - South of Lower PC Road
 Belongs to Ana Lee, House & Barn
 etc.

Remainder of Lot 3 - To Lee Ann & Children
 Ana Lee - Guardian this land can
 not be sold only with her permission
 then only to members of Family.

Claudia Wessel -

Sherry - Lake extends
 North of Road to include
 side hill -

David H. List & Children
 Remainder of Lot 4 together
 with water out of Lower
 Rock Creek - a portion of this
 should go to Arlen List
 & Children & Chel' Bernhardt. Signed Arla M. List



NOTICE OF APPROVAL
BY

FEDERAL LAND BANK ASSOCIATION OF Preston, Idaho OFFICE NO. 9-D

\$5,000

AMOUNT APPLIED FOR

TO: Arla M. Lish

128083

F. L. B. NO.

Rt 1, Box 117

Inkom, Idaho

2647-B

ASS'N. APPL'N. NO.

WE ARE PLEASED TO ADVISE THAT THE LOAN COMMITTEE OF THE ABOVE FEDERAL LAND BANK ASSOCIATION HAS CONSIDERED YOUR APPLICATION AND HAS APPROVED A FEDERAL LAND BANK LOAN, TO BE SECURED BY A FIRST MORTGAGE, AS FOLLOWS:

AMOUNT	F.L.B.A.	TERM	RATE	REPAYMENT	ACRES	INSURANCE					
	STOCK			PLAN		HOUSE	BARN	GRANARY	OTHER		
\$5,000	\$250	20 Yrs	5½%	Standard	190		None				

Private Water Rights: 40 M.I., Evidenced by Use, Lower Rock Creek
10 M.I. " " Spider Creek

Proceeds of the loan to be disbursed for the purposes listed in the application.

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WATER RIGHT TO MRS. PEOPLES (KELLER PLACE)

WATER DECREE OF DELL R. LISH,

Owner of lots one two and three of section 2, Township 8 south, Range 36 E.B.M. and it was decreed to the said Dell R. Lish the right to use for the irrigation of the last described lands, and for culinary and domestic purposes, 2 (two) cubic feet per. second of time at all times, of the water mentioned. The same being known as LOWER ROCK CREEK, a tributary of the Portneuf River, the right to the use thereof to date from the 19th. day of June 1902, and the said waters was made appurtenant to the lands aforementioned.

PETE

PAILLIPS

10 Feb. 1904, Fifth Dist. court Decreed Dell R. Lish, water from Lower Rock Creek for culinary purposes and irrigation purposes. Said right consists of two cubic ft. per second of time. At all times.

Arla M. Lish water right (Heber Pierce)

Dec 21, 1912

Lots 3 and Four (4) and the South Half of the North east Quarter of section One (1) Township eight (8), South, Range Thirty Six (36), East of the Boise Meridian.

Together with all waters of certain springs arising north east of said land, also waters from Little Rock Creek, some times called Lower Rock creek, for 40 acres of land.

Together with all ditches, Dams and other works used in conveying water to and on said premises.

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