

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: A29-04106  
Date Received: 1/29/1990  
Receipt No: E011870  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: TODD GILBERT 208-775-3698  
Address: PO BOX 302  
INKOM ID 83245  
OR  
Name: JANINE GILBERT 208-775-3698  
Address: PO BOX 302  
INKOM ID 83245

2. Date of Priority: JUN 27, 1902

3. Source: UNNAMED SPRING Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County  |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 08S      | 36E   | 1       | SW     | SE     |     | R   | BANNOCK |
|          | 37E   | 6       | NE     | SE     |     | I   | BANNOCK |
|          |       |         | NE     | NE     | SE  |     | BANNOCK |

5. Description of diverting works:  
DIVERSION DITCH TO CUTLER CREEK DIVERSION BOX TO RESERVOIR

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S | (or) | A.F.A. |
|--------------------|-------|-------|-------|------|--------|
| IRRIGATION         | 04/15 | 11/15 | 1.000 |      |        |
| IRRIGATION STORAGE | 04/01 | 11/01 |       |      | 15.00  |

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

8. Total consumptive use is 487.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

NOV 13 1995

10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 08S      | 36E   | 1       | NE  |    | SW  |     | IRR           | 30.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 20.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 25.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 15.0  |
|          |       |         |     |    |     |     | Section Acres | 90.0  |
|          |       | 2       | NE  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 35.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 10.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 20.0  |
|          |       |         |     |    |     |     | Section Acres | 105.0 |
|          |       |         |     |    |     |     | Total Acres   | 195.0 |

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:  
29-04107/04141/04140

14. Remarks:  
RESERVOIR IS WITHIN SWSE SEC 1, T08S, R36E  
UNNAMED SPRING WAS DUG OUT AND DITCHED TO CUTLER CREEK.  
\*\*CHANGED OWNERSHIP 12/13/95/JT/KW\*\*

15. Basis of Claim: STATUTORY CLAIM

RECEIVED  
NOV 13 1995

AJ5809WP  
No. A29-04106

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/28/94  
PAGE: 20

| OWNER<br>CODE | NAME & ADDRESS  | PRIORITY<br>DATE | WATER USE          | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|-----------------|------------------|--------------------|-----------------------|-------------------|---------------------|
| C             | WILMER L DAHLKE | 06/27/1902       | IRRIGATION         | 04-15 11-15           | 1.00 CFS          |                     |
| C             | BONNIE J DAHLKE |                  | IRRIGATION STORAGE | 04-01 11-01           |                   | 15.00 AFA           |
|               | PO BOX 415      |                  |                    |                       |                   |                     |
|               | INKOM ID 83245  |                  |                    | TOTAL DIVERSION:      | 1.00 CFS          |                     |
|               | (208) 775-3627  |                  |                    | CONSUMPTIVE USE:      |                   | 487.50 AFA          |

Water Source: UNNAMED SPRING

Tributary to: SINKS

Stage: STATUTORY CLAIM

|                           |               |        |
|---------------------------|---------------|--------|
| Point(s) of Diversion:    | T08S R37E S06 | NENESE |
| Point(s) of Injection:    | T08S R37E S06 | NESE   |
| Point(s) of Re-diversion: | T08S R36E S01 | SWSE   |

BANNOCK County  
BANNOCK County  
BANNOCK County

Place of use Legal Description for: IRRIGATION

| NE      |   |   |  | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      |      |      |      |      |             |       |       |
|---------|---|---|--|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-------------|-------|-------|
| T       | R | S |  | NENE | NWNE | SWNE | SENE | NENW | NWNW | SWNW | SENW | NESW | NWSW | SWSW | SESW | NESE | NWSE | SWSE | SESE | SUM         |       |       |
|         |   |   |  | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt   | Ac   | Lt          | Ac    |       |
| OBS 36E | 1 | : |  |      |      |      |      |      |      |      |      |      | 30   | 20   | 25   | 15   |      | 40   | 35   | 10          | 20    | 90.0  |
| OBS 36E | 2 | : |  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |             |       | 105.0 |
|         |   |   |  |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      | TOTAL ACRES | 195.0 |       |

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-04107/04141/04140

Remarks: RESERVOIR IS WITHIN SWSE SEC 1, T08S, R36E  
UNNAMED SPRING WAS DUG OUT AND DITCHED TO CUTLER CREEK.

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

FEB 10 1995

Department of Water Resources  
Eastern District Office

NOV 13 1994

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: A29-04106  
Date Received: 1/29/1990  
Receipt No: E011870  
Received By: Kew

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: WILMER L. DAHLKE 208-775-3627  
Address: P.O. BOX 415  
INKOM, ID 83245

OR

Name: BONNIE J. DAHLKE 208-775-3627  
Address: P.O. BOX 415  
INKOM, ID 83245

2. Date of Priority: JUN 27, 1902

3. Source: UNNAMED SPRING Trib. to: SINKS

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County  |
|----------|-------|---------|--------|--------|--------|-----|---------|
| 08S      | 36E   | 1       | SW     | SE     |        | R   | BANNOCK |
|          | 37E   | 6       | NE     | SE     |        | I   | BANNOCK |
|          |       |         | NE     | NE     | SE     |     | BANNOCK |

5. Description of diverting works:  
DIVERSION DITCH TO CUTLER CREEK DIVERSION BOX TO RESERVOIR

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S. | (or) | A.F.A. |
|--------------------|-------|-------|--------|------|--------|
| IRRIGATION         | 04/15 | 11/15 | 1.000  |      |        |
| IRRIGATION STORAGE | 04/01 | 11/01 |        |      | 15.00  |

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

8. Total consumptive use is 487.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

A29-04106

Page 1

Date: 01/29/90

MICROFILMED

NOV 13 1992

A2904106



10. Place of Use:

| Township | Range | Section | 1/4 | of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|-----|----|-----|-----|---------------|-------|
| 08S      | 36E   | 1       | NE  |    | SW  |     | IRR           | 30.0  |
|          |       |         | NW  |    | SW  |     | IRR           | 20.0  |
|          |       |         | SW  |    | SW  |     | IRR           | 25.0  |
|          |       |         | SE  |    | SW  |     | IRR           | 15.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Section Acres | 90.0  |
|          |       | 2       | NE  |    | SE  |     | IRR           | 40.0  |
|          |       |         | NW  |    | SE  |     | IRR           | 35.0  |
|          |       |         | SW  |    | SE  |     | IRR           | 10.0  |
|          |       |         | SE  |    | SE  |     | IRR           | 20.0  |
|          |       |         |     |    |     |     |               |       |
|          |       |         |     |    |     |     | Section Acres | 105.0 |
|          |       |         |     |    |     |     | Total Acres   | 195.0 |

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:  
29-04107/04141/04140

14. Remarks:  
RESERVOIR IS WITHIN SWSE SEC 1, T08S, R36E  
UNNAMED SPRING WAS DUG OUT AND DITCHED TO CUTLER CREEK.

15. Basis of Claim: STATUTORY CLAIM

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): *William L. Dahlke* Date: \_\_\_\_\_  
\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
County of Benniville ) SS.

Subscribed and sworn (or affirmed) before me this 29<sup>th</sup> day

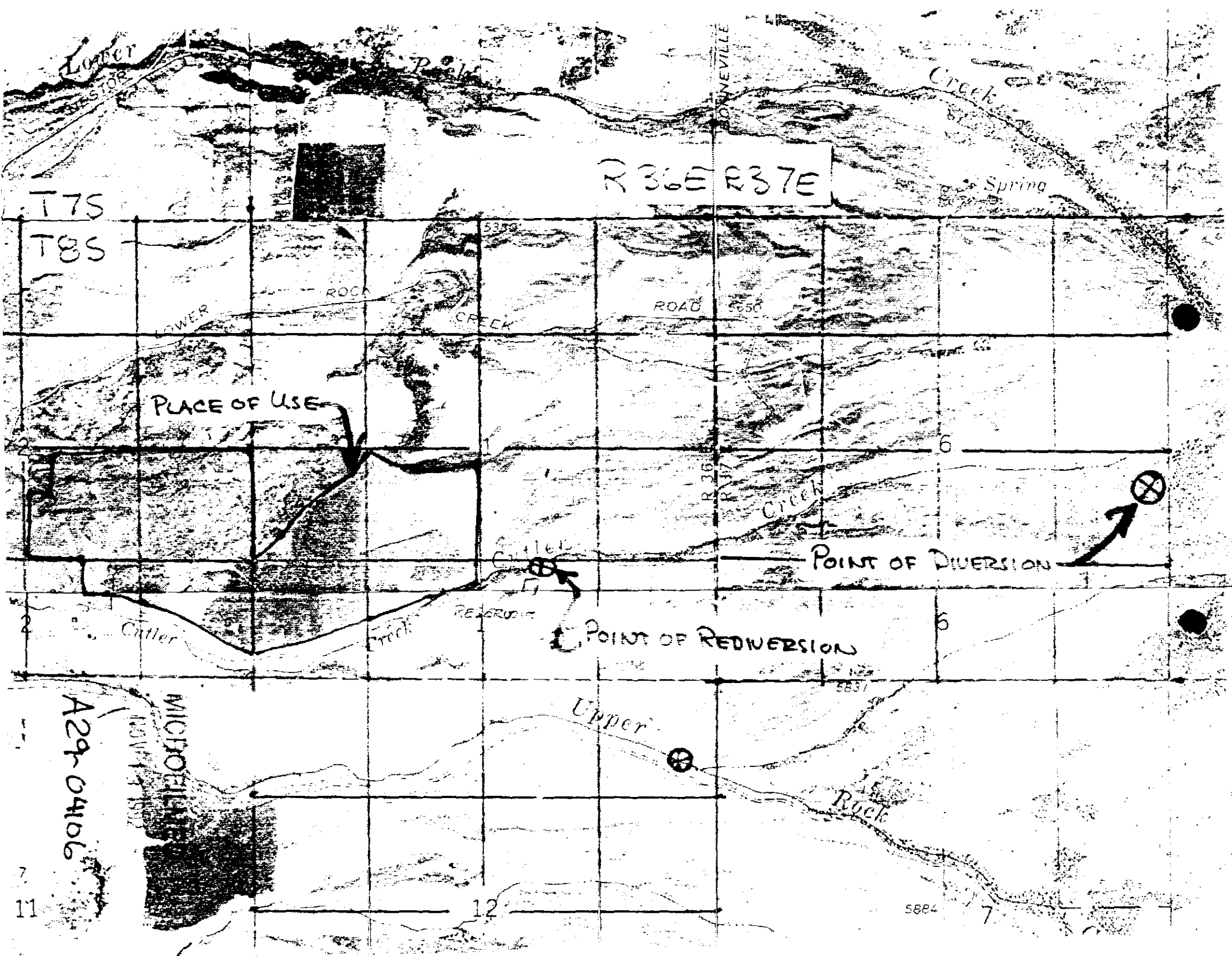
of January 19 90

*Calvin Gray*  
Notary Public

Seal

Residing at *Snake Falls*  
My Commission Expires *5/29/99*

MICROFILMED  
NOV 13 1992



A29-04106

MICROFILMS

R36E R37E

PLACE OF USE

POINT OF DIVERSION

POINT OF REDIVERSION

5884

12

7

11

7

Log for claim A29-04106

Spatial Dynamics AMH

8/11/00

| TR             | SEC | QQ   | Acres<br>Claimed | Acres<br>Found | COMMENT |
|----------------|-----|------|------------------|----------------|---------|
| 08s36e         | 1   | NESW | 30               | 31             |         |
| 08s36e         | 1   | NWSW | 20               | 16             |         |
| 08s36e         | 1   | SWSW | 25               | 27             |         |
| 08s36e         | 1   | SESW | 15               | 8.8            |         |
| 08s36e         | 2   | NESE | 40               | 27             |         |
| 08s36e         | 2   | NWSE | 35               | 32             |         |
| 08s36e         | 2   | SWSE | 10               | 11             |         |
| 08s36e         | 2   | SESE | 20               | 21             |         |
| <b>Totals:</b> |     |      | 195              | 173.8          |         |

AJ5809NP  
No. A29-04106

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00  
PAGE: 150

| OWNER<br>CODE    | NAME & ADDRESS                                                 | PRIORITY<br>DATE | WATER USE          | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|----------------------------------------------------------------|------------------|--------------------|-----------------------|-------------------|---------------------|
| C                | JANINE GILBERT                                                 | 06/27/1902       | IRRIGATION         | 04-15 11-15           | 1.000 CFS         |                     |
| C                | TODD GILBERT<br>PO BOX 302<br>INKOM ID 83245<br>(208) 775-3698 |                  | IRRIGATION STORAGE | 04-01 11-01           |                   | 15.00 AFA           |
| TOTAL DIVERSION: |                                                                |                  |                    |                       | 1.000 CFS         |                     |
| CONSUMPTIVE USE: |                                                                |                  |                    |                       |                   | 487.50 AFA          |

Water Source: SPRING

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion: T08S R37E S06 NENESE  
Point(s) of Injection: T08S R37E S06 NESE  
Point(s) of Re-diversion: T08S R36E S01 SWSE

BANNOCK County  
BANNOCK County  
BANNOCK County

Place of use Legal Description for: IRRIGATION

|     |     |   |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |             |    |      |       |
|-----|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------------|----|------|-------|
| T   | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac          | :  | SUM  |       |
| 08S | 36E | 1 | : |    |    |    |    |    |    |    |    |    |    | 30 | 20 | 25 | 15 |    |             | :  | 90.0 |       |
| 08S | 36E | 2 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 40 | 35          | 10 | 20   |       |
|     |     |   |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | TOTAL ACRES |    |      | 195.0 |

POU County: BANNOCK

Non-Irrigation Uses: NONE

Other Rights: 29-04107/04141/04140

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A29-04140

Other Water Rights Listing Overlapping Place(s) of Use:  
A29-04107 A29-04140 A29-04141 A29-10261 A29-10594

Remarks: GEN RESERVOIR IS WITHIN SWSE SEC 1, T08S, R36E  
UNNAMED SPRING WAS DUG OUT AND DITCHED TO CUTLER CREEK.  
\*\*CHANGED OWNERSHIP 12/13/95/JT/KW\*\*

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:  
Presumption Flag:

Audit: 01/29/90 WILSON 07/19/94 THOMPSON 03/29/95 POST-STD 12/13/95 JTHOMPSO  
05/10/00 CVANDERM

## CLAIM TO A WATER RIGHT

**The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.**

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

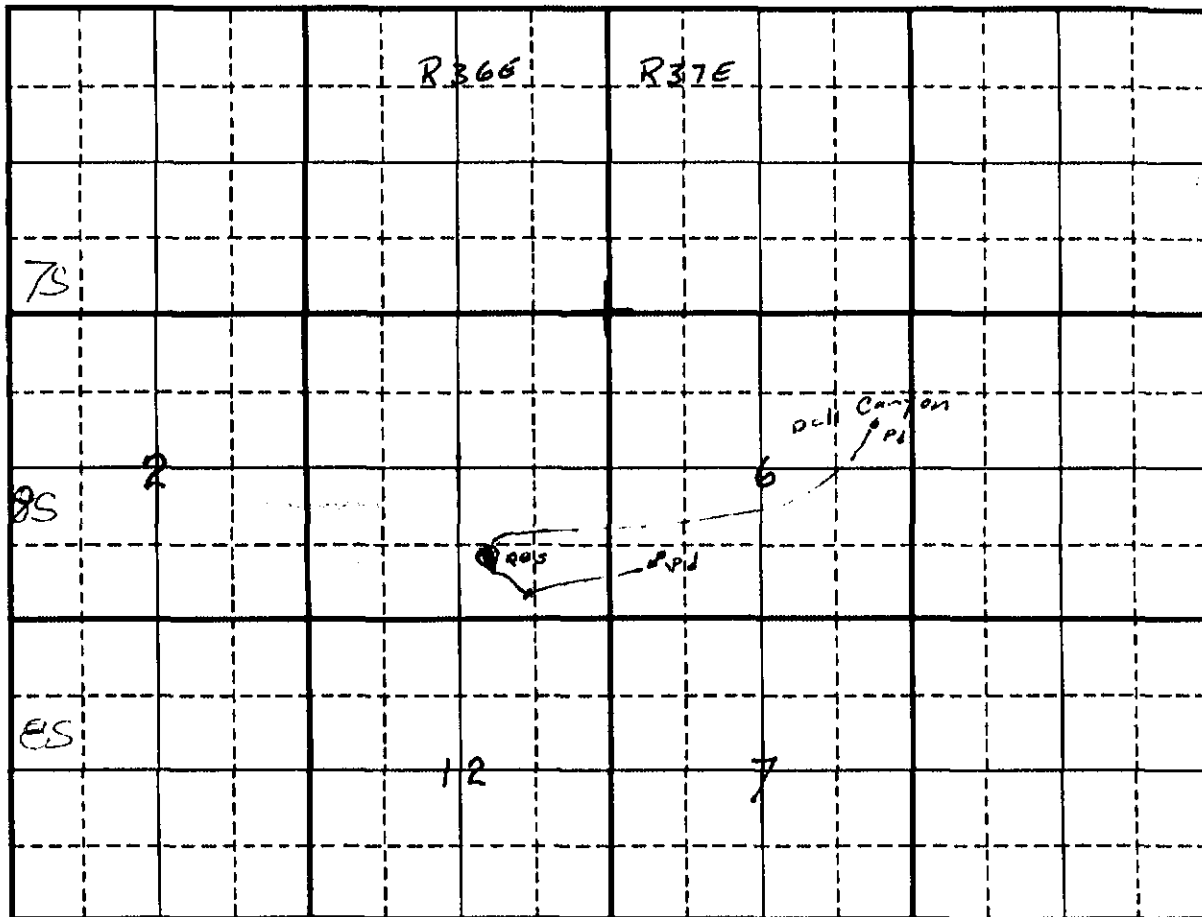
[illegible]

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_

**NOTE:** Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho )  
County of Bingham ) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 8<sup>th</sup> day of August, 1979.

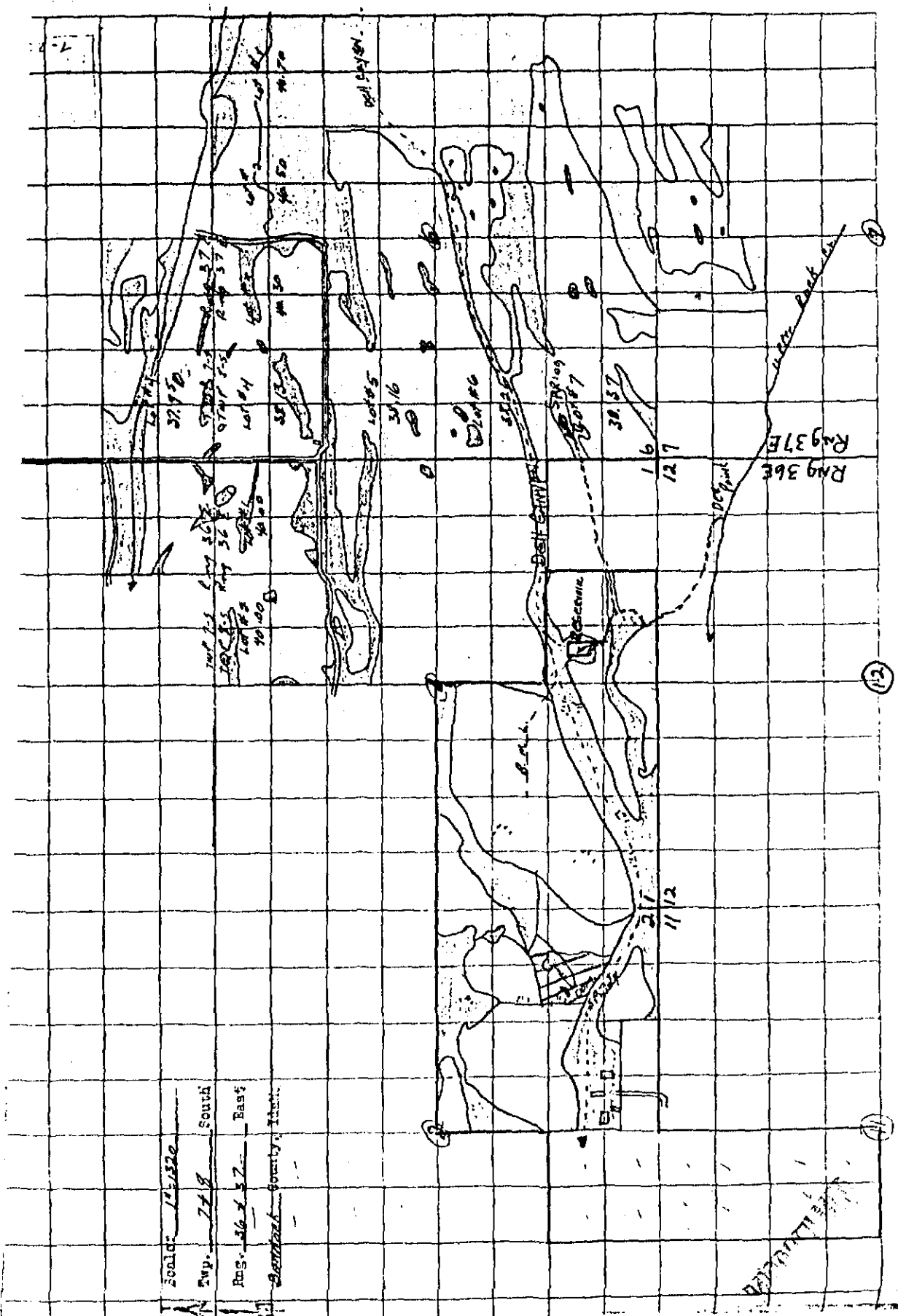
Th. L. Wahlke  
(Claimant)

Ronald D. Carson  
Notary Public  
Residing at Firth, Idaho

My commission expires 2/14/82

FOR DEPARTMENT USE ONLY

Received by dh Date 8-08-79 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by PL Date \_\_\_\_\_  
\$20.00 fee received by dh Date 8-08-79 #13645  
Published in Idaho State Journal  
Dates August 16 & 23, 1979





State of Idaho  
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

DECEMBER 13, 1995

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

TODD GILBERT  
PO BOX 302  
INKOM ID 83245

RE: CHANGE IN OWNERSHIP FOR A29-04106, A29-04107,  
A29-04140, AND A29-04141

Dear Mr. Gilbert:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are copies of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

**If there are no questions or corrections, please keep these Notices for your records.**

Respectfully submitted,

Jo Thompson  
Adjudication Secretary

Enclosure: Notices of Claim

DEC 13 1995  
REV 13 1995



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: 7 Mar 1995

LEGAL DESCRIPTION OF PROPERTY: Township 8S Range 36E  
Section 1, — 1/4 of — 1/4 of SW 1/4, Govt. Lot —, BM.  
Lot —, Block —, Subdivision/Townsite —  
If you have additional legal descriptions, please attach separate sheet. SE 1/4 Sec 2, T8S, R36E

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☒ Water Right Number(s)  
Assigned by IDWR: A29-04106/4107/4140/4141 (110 - R - record)
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Wilmer L or Bonnie Dahlke  
P.O. Box 415  
INKOM, Id 83245
- ☐ New Owner/Claimant (Purchaser): Todd or Janine Gilbert
- ☐ New Mailing Address: P.O. Box 302  
INKOM Id 83245
- ☐ New Telephone Number: (208) 775 - 3698
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Quit Claim Deed & Exhibit A

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Todd A. Gilbert Date 12-13-95  
Date \_\_\_\_\_
- ☐ Signature of Former Owner/Claimant(s): \_\_\_\_\_ Date \_\_\_\_\_  
Date \_\_\_\_\_

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:  
Initial Review and Data-Entry  
Date: 12-13 By: KW  
Further Action Needed:

Further Action Taken

Date: 12-13 By: JS  
Final Review and Data-Entry  
Date: 12-13 By: JS  
Claim Numbers of Split, if any: N/A

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

NOV 13 1995

FA 19529

POOR ORIGINAL

3-1  
QUITCLAIM DEED

95004438

## FOR VALUE RECEIVED

WILMER L. DAHLKE AND BONNIE JEAN DAHLKE, HUSBAND AND WIFE AND WILLIAM K. DAHLKE,  
AN UNMARRIED PERSON AND POLLY ANN DAHLKE, AN UNMARRIED PERSON

do hereby convey, release, remise and forever quit claim unto

TODD GILBERT AND JANINE GILBERT, HUSBAND AND WIFE

P.O. Box 302, Inkom, Idaho 83245

the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE.

GRANTORS ARE HEREBY QUITCLAIMING THEIR INTEREST IN THE REAL ESTATE SALES  
AGREEMENT DATED DECEMBER 27, 1994 AND RECORDED AS INSTRUMENT NUMBER 94022604  
ON DECEMBER 27, 1994 IN BANNOCK COUNTY, IDAHO.

together with their appurtenances.

Dated: March 7, 1995

*Wilmer L. Dahlke*  
WILMER L. DAHLKE*William K. Dahlke*  
WILLIAM K. DAHLKE*Bonnie Jean Dahlke*  
BONNIE JEAN DAHLKE  
*Polly Ann Dahlke*  
POLLY ANN DAHLKE

STATE OF IDAHO, COUNTY OF

On this 7th day of March, 1995,  
before me, a notary public in and for said State, personally  
appeared

Polly Ann Dahlke

known to me to be the person whose name is

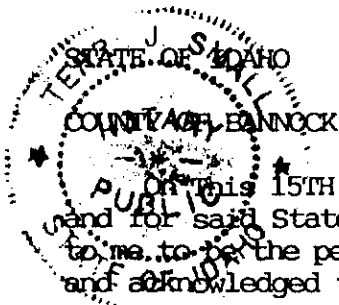
subscribed to the foregoing instrument, and acknowledged to  
me that she executed the same*Sherry L. Brown*  
Notary Public  
Residing at *1000 1st St.*, Idaho  
Comm. Expires *Aug 10, 1997*

STATE OF IDAHO, COUNTY OF

I hereby  
requestat  
this  
19  
of DeedNO. 95004438  
RECORDED IN BOOK OFFIRST AMERICAN TITLE  
'95 MAR 30 AM 1:20OFFICE  
FEE 9.00NO. 1637  
FEE 00

First American Title Company of Pocatello, Inc.

INSTRUMENT No.



)  
: SS  
)

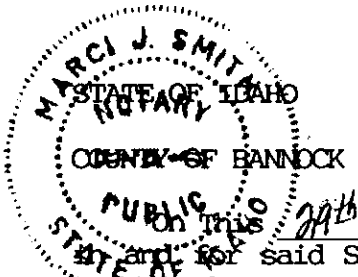
32

95004438

On this 15TH day of MARCH, in the year 1995, before me, a Notary Public in and for said State, personally appeared WILLIAM K. DAHLKE, known or identified to me to be the person(s) whose name(s) IS subscribed to the within Instrument, and acknowledged to me that HE executed the same.

*Teri J. Small*

Notary Public of Idaho  
Residing at POCA TELLO, ID.  
Commission Expires: 4-28-99



)  
: SS  
)

On this 24th day of MARCH, in the year 1995, before me, a Notary Public in and for said State, personally appeared WILMER L. DAHLKE AND BONNIE JEAN DAHLKE, known or identified 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.

*Marci J. Smith*

Notary Public of Idaho  
Residing at POCA TELLO, ID. American Falls, Id.  
Commission Expires: 11/1/2000

NOV 13 1999

EXHIBIT A

PARCEL 1:

Township 8 South, Range 36 East, Boise Meridian, BANNOCK COUNTY, IDAHO,

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

Section 2: SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , EXCEPT THEREFROM, beginning at the Southwest Corner of the SE $\frac{1}{4}$  of Section; thence East 25 rods, more or less to West boundary of a private road, as the same now exist, which is the TRUE POINT OF BEGINNING; thence East 55 rods; thence North 28 rods; thence West 55 rods; thence South 28 rods to the PLACE OF BEGINNING.

ALSO EXCEPTING: Beginning at the Northeast Corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 2, and running thence South 52 rods; thence West 80 rods; thence North 52 rods; thence East 80 rods to the PLACE OF BEGINNING, all in Township 8 South, Range 36 East, Boise Meridian, BANNOCK COUNTY, IDAHO.

ALSO EXCEPTING: All that portion lying West of Oregon Shortline Railroad lying in SE $\frac{1}{4}$ SW $\frac{1}{4}$ .

ALSO EXCEPTING: A tract of land surveyed and shown on the official plat of the N.R.H. Project 15A (Reopened) Highway Survey on file in the office of the Department of Public Works of the State of Idaho, and lying over and across the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 2, Township 8 South, Range 36 East, Boise Meridian. Commencing at the South Quarter Corner of Section 2, Township 8 South, Range 36 East, Boise Meridian, thence North 88°04' West along the South line of said Section 2, 669.1 feet to the POINT OF BEGINNING; thence North 4°39' West 919.3 feet; thence 440.3 feet, more or less, on a curve to the right having a radius of 2246.5 feet to the intersection with the South 1/16 line of said Section 2; thence North 88°41' West along said South 1/16 line, 45.7 feet to Station 848/06.8 on the survey line of said Highway; thence continuing along the South 1/16 line of said Section 2, 51.1 feet, more or less, to a point 100.0 feet distant Easterly in a perpendicular direction from the center line of the East bound O.S.L. track; thence Southerly along the East O.S.L. right of way line 1352.4 feet, more or less, to the intersection with the South line of said Section 2; thence 88°04' East along the said South line 9.6 feet to Station 861/57.6 on the survey line of said highway; thence continuing along said South line 45.7 feet, more or less, the POINT OF BEGINNING. Being part of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 2, Township 8 South, Range 36 East, Boise Meridian.

PARCEL 2:

Township 8 South, Range 36 East, Boise Meridian, BANNOCK COUNTY, IDAHO.

N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 2; Also, beginning at the Northeast Corner of the Southwest Quarter of the Southeast Quarter of Section 2, and running thence South 52 rods; thence West 80 rods; thence North 52 rods; thence East 80 rods to THE PLACE OF BEGINNING.

EXCEPT: A parcel of land located in the SE $\frac{1}{4}$  of Section 2, Township 8 South, Range 36 East, Boise Meridian, and more particularly described as follows:

Commencing at the Center Quarter Corner of said Section 2; thence South 0°08'56" West along the Meridional Centerline of said Section 61.75 feet; thence North 89°43'38" East 16.22 feet to the POINT OF BEGINNING; thence South 0°08'56" West 776.65 feet; thence North 72°45'57" East 417.37 feet; thence North 72°48'57" East 333.61 feet; thence North 6°28'35" East 301.51 feet; thence North 25°11'54" East 286.23 feet; thence South 89°43'38" West 871.21 feet to the POINT OF BEGINNING.

William West Dahlke  
L. L. Dahlke  
Dolly Ann Dahlke

Bonnie Jean Dahlke

2. 8. 95

I Joyce Orders do hereby  
witness that Bill Dahlke  
has used his water right  
on Upper Rock Creek for forty  
years more or less for irrigation  
and line stock.

I also witness that Bill  
Dahlke has used his water  
right on Cutler Creek and  
Dell Canyon for forty years  
more or less for irrigation and  
line stock.

I also witness that Bill  
Dahlke has used his water  
right on unnamed spring  
for forty years more or less for  
irrigation and line stock.

Joyce Tripp Orders  
2. 8. 95

RECEIVED

FEB 10 1995

Department of Water Resources  
Eastern District Office

State of Idaho )

County of Bannock )

On this 8 day of February, 1995, before me a  
Notary Public in and for said county and state, personally appeared

Joyce Tripp Order known to be the person whose name  
is subscribed to the foregoing instrument and acknowledged to me that  
he/she executed the same.

In witness whereof, I have hereunto set my hand and affixed my  
official seal the day and year in this certificate first above written.

Sherry Helmanclaw  
Notary Public

Idaho

Residing at:

November 1, 1999

My Commission Expires:

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FEB 10 1995

Department of Water Resources  
Eastern District Office

NOV 13 1999