

55-20

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 29-4491
Date Received: 2/8/01

Receipt No:
Received By: E026461

DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JENNIE L WINTER Phone: (208)435-4466

4297 LOWER FORDS CREEK RD
OROFINO ID USA 83544

ALVIN N STANGER Phone: (208)775-4925

PO BOX 335

INKOM ID USA 83245

ALFRED NEIL STANGER Phone:

PO BOX 146
BURLINGTON WY USA 82411

CALVERT STANGER Phone:

13957 MALT RD
CALDWELL ID USA 83607

LYNN D STANGER Phone: (208)528-7914

6242 N 25TH E HITT RD
IDAHO FALLS ID USA 83401

TOM STANGER Phone:

1365 CAYUSE DR
HELENA MT USA 59602

VIRGIL STANGER Phone: 707-443-5350

3204 LUCIO AVE
EUREKA CA USA 95501

2. Date of Priority: 06/26/1916

3. Source: UNNAMED STREAM Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
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07S 36E 26

NW NW

BANNOCK

5. Description of diverting works:

HEADGATE TO DITCH/POND/PUMPED TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.1	
STOCKWATER	01/01	12/31	0.04	
DOMESTIC	01/01	12/31	0.04	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 1

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	26	NW	NW	IRRIGATION	5
					Section Acres	5
					Total Acres	5

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:

14. Remarks:

STOCKWATER, 25 CATTLE, 10 HORSES

15. Basis of Claim: Beneficial Use

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 ~~X~~ 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) Jennia L. Winter Date: 8 Feb 01

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 8th of FEB 2001

Alvin P. Stanger Date: 01-02-08
Gym P. Stanger 8 Feb 001

Alvin P. Stanger

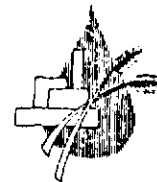
Notary Public

Residing at Rigby, Id

My commission Expires 2/16/2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

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

Notice is hereby given that Grant C. Stanger

1784 Inkom Rd, Box 10401, Inkom, ID 83245 (Name of Claimant)

~~Box 10401, Pocatello, ID -- 83246~~

Telephone No. 775-3686

(Mailing Address)

(Zip Code)

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:

(1) Date of priority: (When was the water first applied to a beneficial use) June 26, 1916

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.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

unnamed stream tributary to _____ sinks

(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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	0.04 cfs	Use	domestic	Period of Use From 1/1	To 12/31
Quantity	0.10 cfs	Use	irrigation	Period of Use From 4/1	To 11/1
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) 0.10 cfs TOTAL QUANTITY USED.

(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

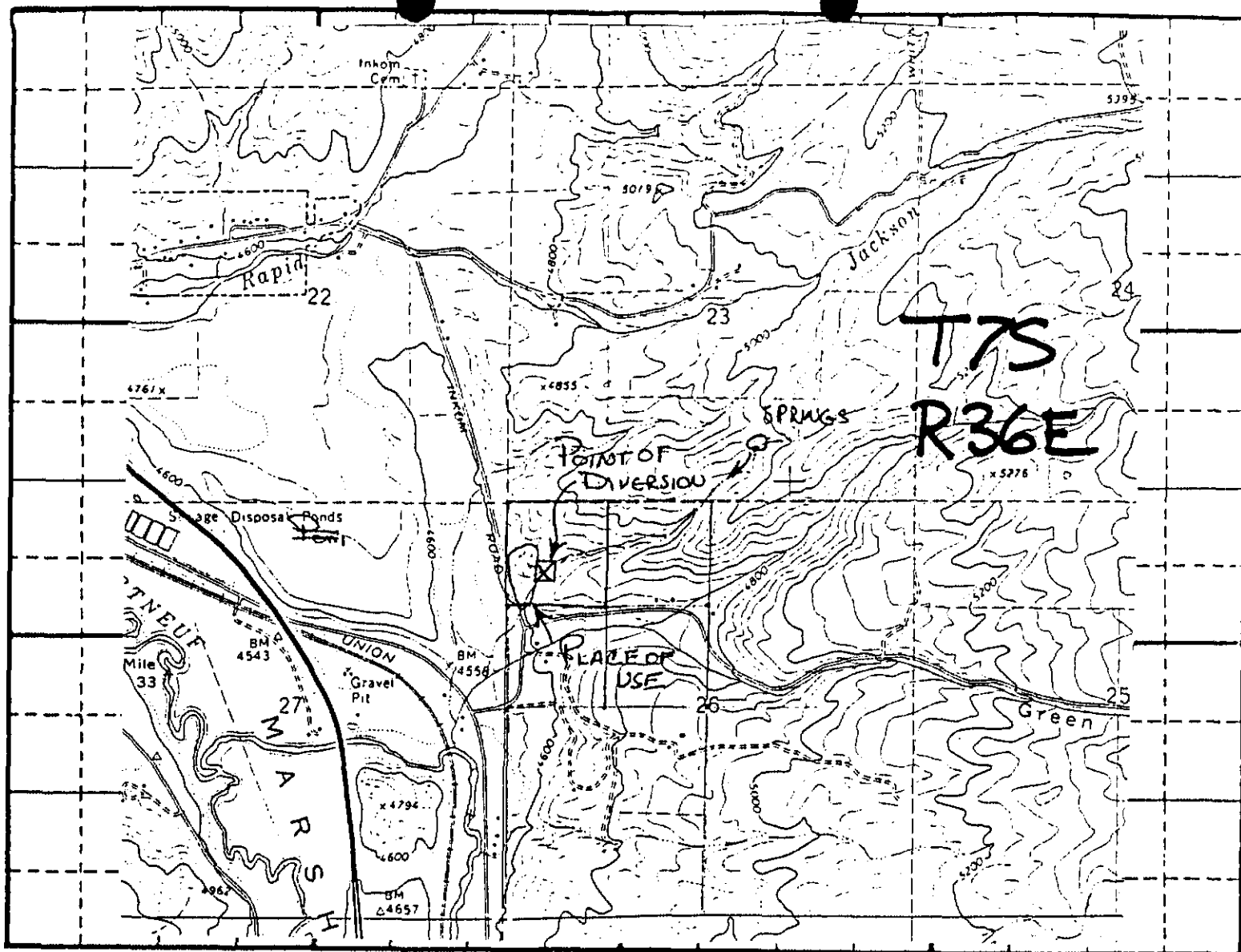
NW ¼ NW ¼, Sec. 26 Twp. 7S Rge. 36E B.M., County of Bannock

Additional points of diversion:

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. springs fill stream which flows through property; use a ditch to flood
irrigate 5 acres of pine trees and garden areas.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]



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 *Bonanza*) ss.

RECEIVED

FEB 16 2001

Department of Water Resources
Eastern Region

Re: The General Adjudication of Rights to
the Water from the Snake River Basin Water System

FILE → Identification No. 29-4491

I, Grant Stanger, b.. 1908, moved to Inkom, Idaho in 1926, at which time I became acquainted with Thomas H. (Harry) Hintz, former owner of property which I later bought located as follows:

The north half of the northwest quarter of Section 26, in Township 7
South of Range 34 East of the Boise Meridian, in Idaho, containing 80
acres, according to the official plat of the survey of said lands,
returned to the General Land office by the Surveyor General

I observed Harry Hintz using water from the spring located at the top of the dry wash which flowed into a ditch that had been previously built to accommodate the flow of water alongside his house for convenient domestic use insofar as he hauled it into the house for washing, bathing, etc. Harry used a second spring located about 200 feet above the house for silt-free drinking water, which I continued to use for drinking water when I moved there. Harry also used the stream from the canyon dry wash to water livestock and to irrigate his plum trees and corn and potato patch.

I submit this knowledge that water rights existed as referred to on pages 4 and 27 of Abstract of Title, No. 2761 evidenced by the existing ditches and water therein used on the 80 acres:

p. 4 . . . together with all ditch and water rights of every nature
however evidenced used upon said lands or any part thereof, or
belonging to the same . . . (Mortgage recorded 6/26/1916)

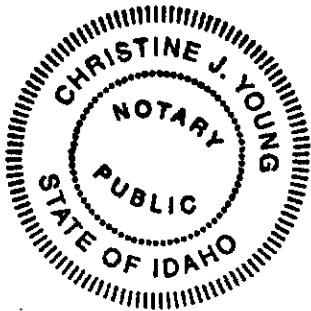
Mortgage recorded 6K48 of Mortgage Book 25 of Mortgages, at p. 506 . . . p. 175

p. 27 - Granting words: Grant, bargain, sell and convey, dated Nov. 7,
1924

... Together with all ditch and water rights of every nature, however evidenced, used on said lands or belonging to the same. (copies attached)

I testify that the ditch existed and carried water at the time I knew Harry Hintz in 1926 and that it was still in use when I came to live on the 80 acres. I and/or members of my family have continued use of same ditch and water for domestic purposes, irrigation, and livestock watering from the time I moved there in 1939 until the present time.

s/ Grant C. Stanger
by Jennie L. Winter
Date 13 Feb. '01



Christine J. Young
NOTARY PUBLIC
FOR THE STATE OF IDAHO
My Commission Expires 13th May 2005

This document was signed by
Jennie L. Winter in the presence
of Grant C. Stanger today, 2/13/01.

Sheet No. 3.

Instrument No. 47681

MORTGAGE.

Mortgagor, -- Joseph Millard, a single man.
Mortgagee, -- The Bannock Abstract & Trust Company, a corporation.
Date, -- June 20, 1916.
Consideration, -- Two Hundred Dollars.
Recorded, -- June 26, 1916, at 1:05 P.M. in Book "25" of Mortgages, at page 506 of the Records of Bannock County, State of Idaho.
Acknowledged, -- Before Ida Woffington, a Notary Public in and for Bannock County, State of Idaho, June 20, 1916. (Seal)
Witness, -- Ida Woffington.

DESCRIPTION AND REMARKS.

The north half of the northwest quarter of Section 26, in Township 7 South of Range 36 East of the Boise Meridian, in Idaho, containing 80 acres, 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 improvements, privileges and appurtenances there unto belonging and all rights of homestead exemption, together with all ditch and water rights of every nature, however evidenced, used upon said lands or any part thereof, or belonging to the same or to said mortgagor for use thereon, or which may hereafter be acquired for such use during the life or before full payment of the obligation secured hereby.

This grant is intended as a mortgage to secure the payment of one certain promissory note for the sum of \$200.00, due June 20, 1921, with interest at the rate of 8 per cent per annum, from July 1, 1916,

Entry No. 20

Instrument No. 111810

Sheet No. 23

Thomas H. Hints, a single man,

REAL ESTATE MORTGAGE

to

Dated Nov 7, 1924.

J. B. Bernhart.

Filed Nov 7, 1924 at 4:10 P.M.

Recorded Book 48 Mtgs, page 175

Consideration: \$375.00

Acknowledged in Bannock County, State of Idaho, on the 7th day of November, 1924 by Thomas H. Hints before D. W. Standrod Jr., a Notary Public in and for said county and state, residing at Pocatello, Idaho. (SEAL)

Granting words: Grant, Bargain, Sell and Convey.

Description: The Northwest quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and the following described tract, to-wit: Beginning at the northeast (NE) corner of the northeast quarter of the northwest quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and running thence south a distance of sixty (60) rods; running thence west at right angles a distance of eighty (80) rods; running thence north at right angles a distance of sixty (60) rods; running thence east at right angles a distance of eighty (80) rods, to the place of beginning, all of said lands being within the North half (N $\frac{1}{2}$) of the Northwest quarter of Section twenty-six (26), in township seven (7) South, Range thirty-six (36) East of the Boise Meridian, and containing seventy (70) acres.

Together with all ditch and water rights of every nature, however evidenced, used on said lands or belonging to the same.

Given to secure the payment of a certain promissory note of ever date for \$375.00 with interest at the rate of ten per cent per annum from date until paid, and payable \$30.00 per month beginning December 7th, 1924 together with interest.

Thomas H. Hints.

27

Re: The General Adjudication of Rights to
the Water from the Snake River Basin Water System
Identification No.: 29-4491

I, Naomi Stanger, having come to live in Inkom, Idaho since 1926, and having known Grant Stanger as a resident of 1784 N. Inkom Road since that time, have personal knowledge of the fact that Grant Stanger used the stream of water which originates at the top of the dry wash that cuts through his property and flows year round, the point of origination being approximately 600 feet above his fence line, more or less. Grant Stanger used this water for irrigation, domestic purposes, and watering livestock, beginning in 1939, when he first moved to his home on Inkom Road, he and/or members of his family have continued to use it until the present time.

s/ Naomi Stanger

Date 14 Feb '01

Re: The General Adjudication
of Rights to the Water From
the Snake River Basin Water System
Identification no: 29-4491

I, Wade Pidcock, have personal knowledge of and can testify to the fact that Grant Stanger and his family used the stream of water which originates, just above his fence line, approximately $\frac{1}{8}$ of a mile since I moved here in 1945 until the present time.

Wade Pidcock

2-12-01