

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 RIGHT TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A29-10781
Date Received: 3-27-90
Receipt No: 1006373
Received By: AS

RECEIVED
MAR 27 1990
Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ZELLA L. HALL 208-254-3145
Address: 4471 S MARSH CREEK RD.
MCCAMMON, ID 83250

2. Date of Priority: MAY 15, 1968

3. Source: SPRING Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
08S	36E	27	NW	NW	SW		BANNOCK

5. Description of diverting works:
CATCHMENT, DITCH, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.200		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	27	SW	NW		IRR	10.0

Section Acres 10.0

Total Acres 10.0

A29-10781

Page 1

Date: 03/27/90

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NOV 16 1992

A2910781

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:
NONE

14. Remarks:

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 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 *Zeller Hall* Date: 3/27/90
Date:

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of March 1990
Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires My Commission Expires December 7, 1994

A2916781

236E

T8S
T9S



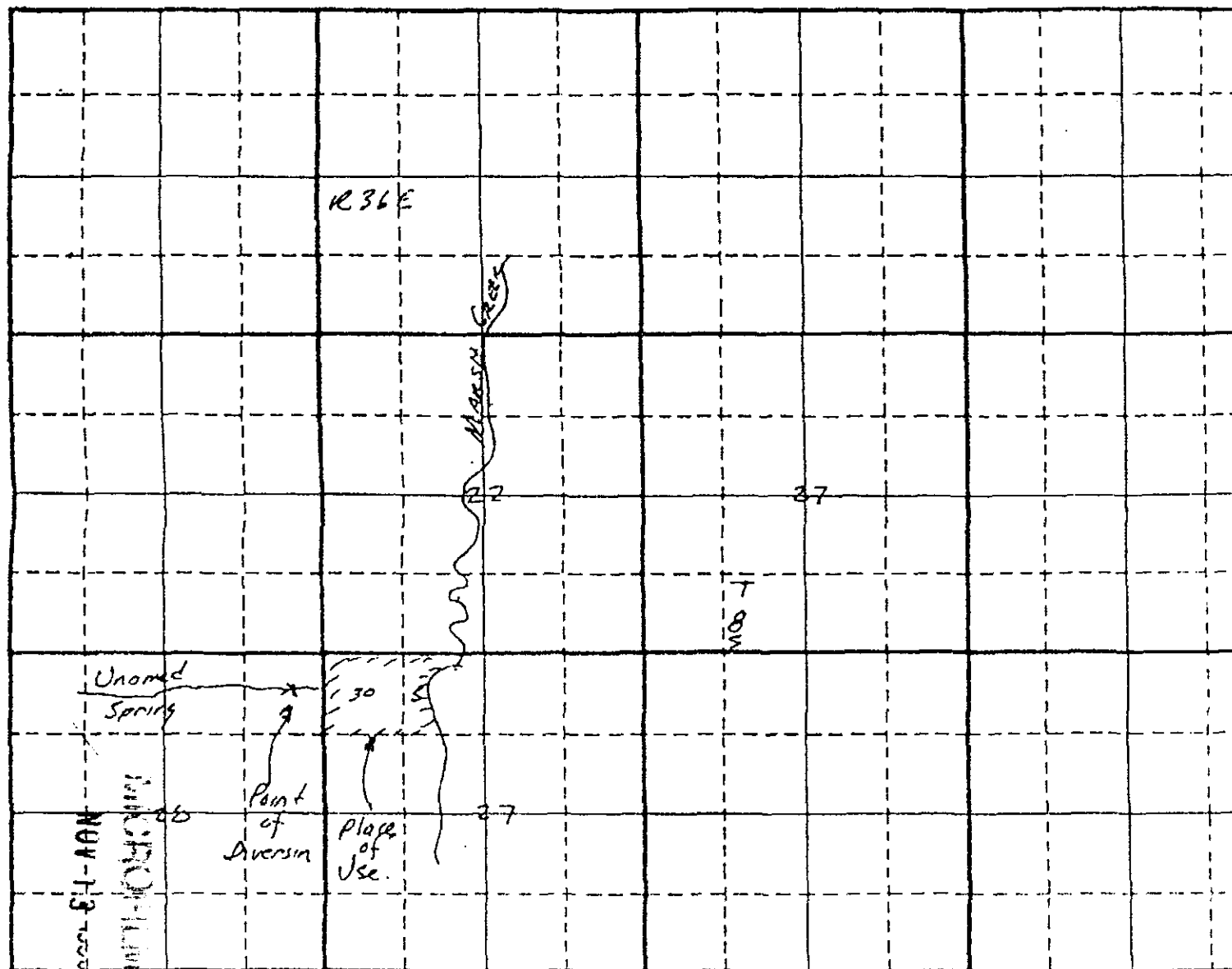
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(8) Remarks _____

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Department of Water Resources



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.

Log for claim A29-10781

Spatial Dynamics LTD

7/12/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	27	SWNW	10	8.7	
Totals:			10	8.7	

AJ5809NP
No. A29-10781

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 219

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ZELLA L HALL 4471 S MARSH CREEK RD MC CAMMON ID 83250 (208) 254-3145	05/15/1968	IRRIGATION	04-01 10-31	0.200 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.200 CFS	30.00 AFA

Water Source: SPRING

Tributary to: MARSH CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T08S R36E S27

NWNWSW

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 27 :								10																:	10.0
																				TOTAL ACRES	:	10.0			

POU County: BANNOCK

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02387

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 03/27/90 BAUMHOFF 08/04/94 THOMPSON 03/29/95 POST-STD

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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CLAIM TO A WATER RIGHT

Department of Water Resources

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 Donald C. Hall
Route #1, (Name of Claimant)
McCammon, ID 83250 Telephone No. 254-3368
(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) April 1, 1909

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)
Marsh Creek tributary to Portneuf River

- (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)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>2.3 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
<u>2.3 cfs</u>	TOTAL QUANTITY USED.		

- (5) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 22 Twp. 8S Rge. 36E B.M., County of Bannock
Additional points of diversion: SE 1/4 SW 1/4, Sec. 22, T. 8S, R. 36E SW 1/4 NW 1/4, NW 1/4 NW 1/4, Sec. 27, T. 8S, R. 36E

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. Portable pump to a sprinkler system. The water was formerly taken through ditches.

NOV 13 1990

Remarks

APR 03 1995

Hand-drawn map on a grid showing a river, a spring, and various measurements. The map includes labels like "Point of Dredging", "Unroad Spring", "Place of Use", and "R3LE". It also features a vertical scale on the left with numbers 15, 20, 25, 27, 28 and a horizontal scale at the bottom with numbers 7, 8, 5.

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.

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Department of Water Resources

My Grandfather homesteaded down on some land close to my property. He has told me about the water being used to irrigate from the springs and also a ditch from the Marsh Creek. He homesteaded in the 1920's.

We have lost all of our records & abstract deed in a house fire.

The information I have sent is all that I can find.

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Department of Water Resources
Eastern District Office

Donald K. Hall

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

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Department of Water Resources

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Notice is hereby given that Donald C. Hall
(Name of Claimant)
McCammon, ID 83250 Telephone No. 254-3368
(Mailing Address) (Zip Code)

I claim 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) April 1, 1909

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 spring tributary to Marsh Creek

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

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates Inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>.7 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
Quantity _____	Use _____	Period of Use From _____	To _____		
TOTAL QUANTITY USED.					

A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 28 Twp. 8S Rge. 36E B.M., County of Bannock

Additional points of diversion: _____

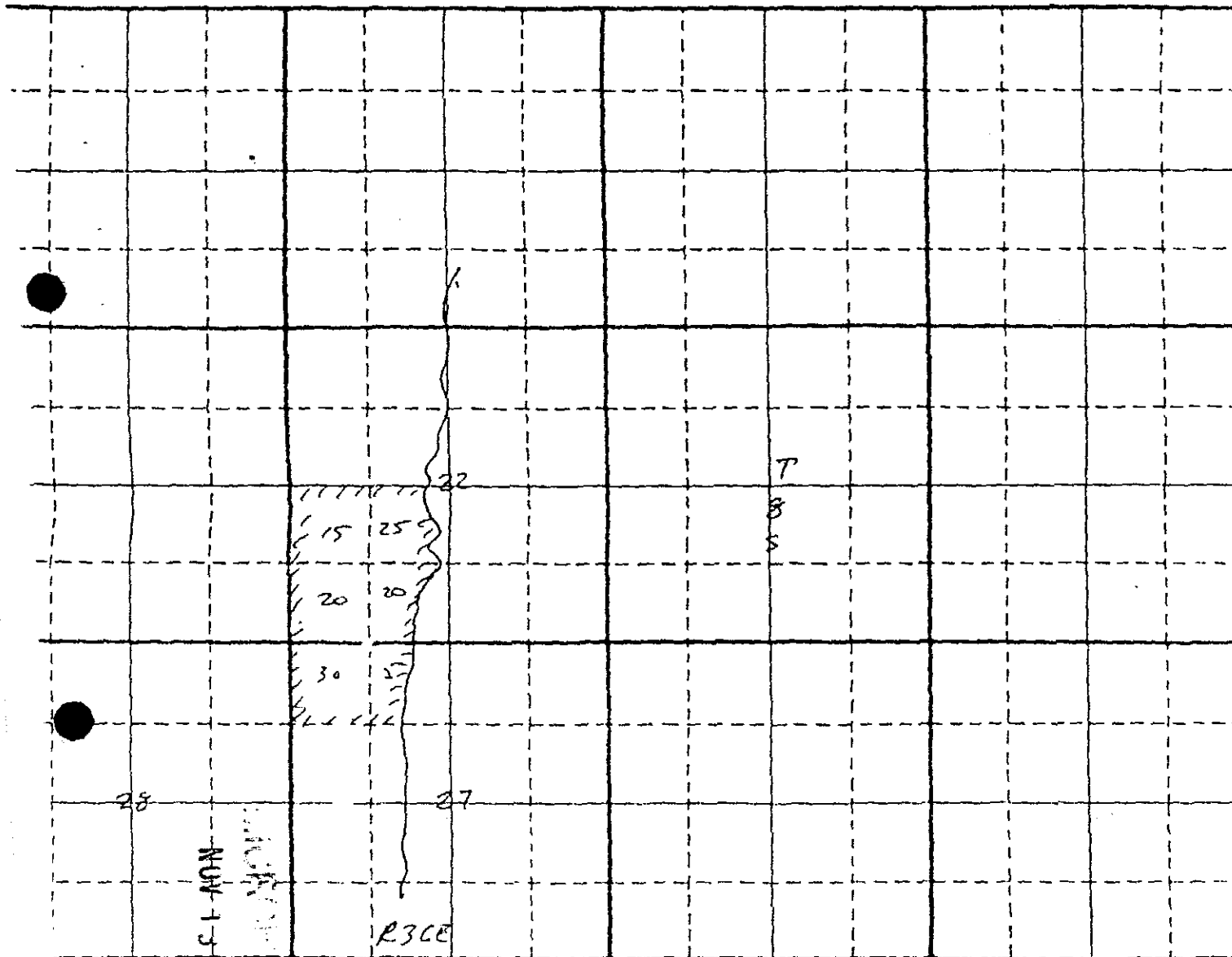
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 4" gravity pipeline to sprinkler system. This water was formerly taken from a ditch.

Remarks _____

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Department of Water Resources



1 inch equal 1 mile.

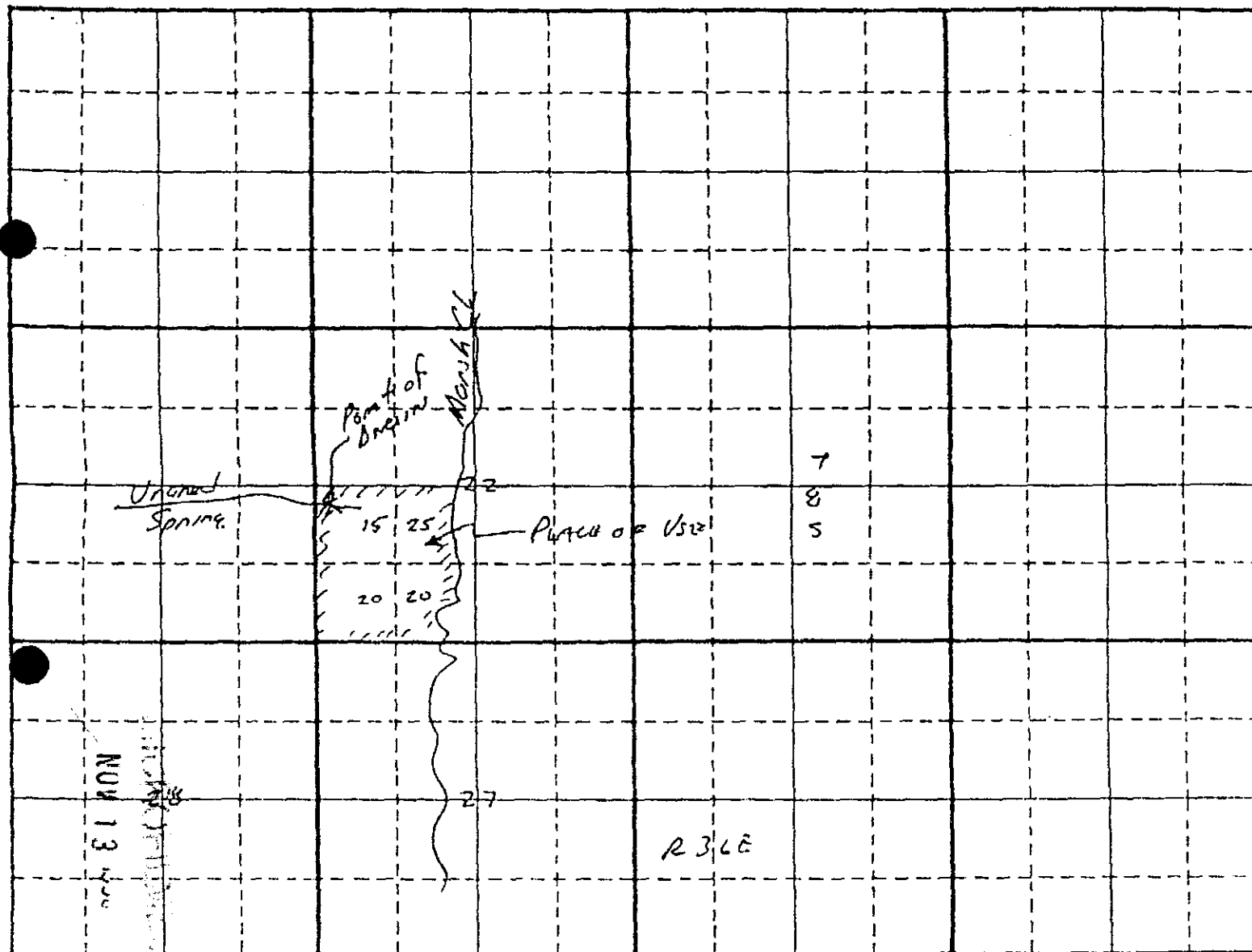
Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, township and range of the public land survey system.

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Department of Water Resources



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Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Notice is hereby given that Donald C. HALL

(Name of Claimant)

Rt. 1, McCammon, ID 83250

(Mailing Address)

Telephone No. 259-3368

(Zip Code)

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

unnamed spring tributary to Marsh Creek

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

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.6 cfs</u>		Use <u>irrigation</u>		Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 1.6 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

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

NW 1/4 SW 1/4, Sec. 22 Twp. 8S 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. Settling pond to 8" gravity sprinkler line to sprinkler system. This water was formerly taken from a ditch.

Ellsworth, Donner Bernard Ellsworth and Evelyn Mae George Ellsworth to me personally known to be the identical persons who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on the day and year last hereinabove written.

(SEAL)

UNITED STATES
DEPARTMENT OF THE INTERIOR,

Bureau of Indian Affairs-Portland, Oregon.

Fred McMullin Notary Public
(Title)
Fort Hall, Idaho
My Commission expires Dec. 20, 1954.

The within deed is hereby approved: pursuant to authority delegated by the Commissioner of Indian Affairs to undersigned Sept. 10, 1946 (11 F.R. 10266) or May 10, 1948 (13 F.R. 2677). *Sec. 22, T8S, R36, ERM, Idaho*
May 22, 1951 George (Illegible)

The within deed is recorded in the Office of Indian Affairs in Volume -, Page -
Inherited Indian Land Deed Book. The Portland Area Office Recording Volume 1, Page 49 Line
12, Tract File No. FHX-2.

This instrument was filed for record this 23rd day of June, 1954, at 3:12 o'clock P.M., and
duly recorded in Book No. 118, of Deeds, Page 583, request of B. T. A.Co.

Sarah Devaney, Recorder

Fee \$ 1.50

NOV 13 1954

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APR 03 1995

Department of Water Resources

INSTRUMENT NO. 301793

THE UNITED STATES OF AMERICA
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Reissue. 57402. 132300-15. I.O. 3. 4-1067.

WHEREAS, a schedule of allotments to say 3 by the Secretary of the Interior has been deposited in the General Land Office, whereby it appears that Yah-man-so-nah, an Indian of the Fort Hall Reservation, has been allotted the following-described land:

The North half of the southwest quarter of Section twenty-two in Township Eight South of Range Thirty-six east of the Boise Meridian, Idaho, containing eighty acres,

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That the UNITED STATES OF AMERICA in consideration of the premises, and in accordance with the provisions of the Act of Congress of February 23, 1889 (25 Stat., 688) HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Yah-man-so-nah and to her heirs, the lands above described:

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatever nature, then unto belonging, unto the said Yah-man-so-nah and to her heirs forever, with the provision that the title hereby acquired shall not be subject to alienation, lease, or incumbrance, either by voluntary conveyance of the grantee or her heirs, or by the judgment, order, or decree of any court, or subject to taxation of any character, but shall be and remain inalienable and not subject to taxation for the period of twenty-five years, and until such time thereafter as the President may see fit to remove the restriction. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-SECOND day of JANUARY in the year of our Lord One Thousand nine hundred and SIXTEEN and of the Independence of the United States the one hundred and FORTIETH.

(SEAL)

By the President:

Woodrow Wilson,

By M. K. Gulick, Assistant Secretary

L. Q. C. Lamar Recorder of the
General Land Office.

RECORDED: Patent Number 500476

RECORDED AUG 2 1954, 3:09 P.M., In Book 218 of Records, Page 642, DECC CO OF DA LOCK COUNTY,
STATE OF IDAHO, at request of B. T. A. Co.

SARAH DEVANEY, Recorder

Page 1.25

Sarah Devaney, Recorder

Fee \$ 1.50

INSTRUMENT NO. 301057

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Lt & A
21570-50

5-183
(January 1947) FHX-2.3

Land being conveyed was
allotted to Yah-man-zo-nah
Allottee No. 35

DEED TO RESTRICTED INDIAN LAND

THIS INDENTURE, Made and entered into this 23rd day of February, one thousand nine hundred and Fifty One, by and between Elmer Ellsworth, a widower, Donner Bernard Ellsworth and Evelyn Mae George Ellsworth, his wife, of Fort Hall, Idaho Enrolled Indians, parties of the first part, and Walter Hayden of Route #1, South, Pocatello, Idaho, party of the second part:

WITNESSETH, That said parties of the first part, for and in consideration of the sum of THIRTY EIGHT HUNDRED TWENTY FIVE AND NO/100 DOLLARS (\$3,825.00) dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto said party of the second part the following-described real estate and premises situated in Bannock County, State of Idaho on the Fort Hall Indian Reservation, to-wit:

Allotment Number 35
N/2 SW/4, Sec. 22, T 8 S, R 36 EBM, Idaho. Containing 80 acres.

Provision: "And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by authority of the United States".

with all the improvements thereon and the appurtenances thereunto belonging. And the parties of the first part, for themselves and their heirs, executors, and administrators do hereby covenant, promise, and agree to and with the said party of the second part, his heirs and assigns, that they will forever warrant and defend the said premises against the claim of all persons, claiming or to claim by, through, or under them only.

To have and to hold said described premises unto the said party of the second part, his heirs, executors, administrators, and assigns, forever.

IN WITNESS WHEREOF, That said parties of the first part have hereunto set their hands and seals the day and year first-above written.

WITNESSES:
Helen B. Cutler
Adrian C. McOmber

Elmer Ellsworth
ELMER ELLSWORTH, a widower (SEAL)

Donner Bernard Ellsworth
DONNER BERNARD ELLSWORTH (SEAL)

Evelyn Mae George Ellsworth
EVELYN MAE GEORGE ELLSWORTH (SEAL)
his wife,

Acknowledgments must be in accordance with the forms prescribed by the State in which the land is situated.

STATE OF IDAHO,)
: ss.
COUNTY OF BINGHAM)

BE IT REMEMBERED, That on this 26th day of Feb., A.D. 1951, before the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Elmer

INSTRUMENT NO. 85633 *

This Indenture, Made the 20 day of July, in the year of our Lord One Thousand Nine Hundred and Twenty-one, between Thomas Lavatta and Therese Lavatta, husband and wife,

of Pocatello, County of Bannock, State of Idaho, the part 1st of the first part, and Lew Carlile and John T. Carlile

of Pocatello, County of Bannock, State of Idaho, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Seven Thousand Dollars,

lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged

by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All the certain lot, piece or parcels of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

Southeast quarter of Northwest quarter, Northeast quarter of Southwest quarter, Southeast quarter of Southwest quarter of Section Twenty-seven and Northwest quarter of Northwest quarter of Section Thirty-four in Township eight South, of Range Thirty-six East of Boise Meridian, Idaho, according Official Plat of Survey of said lands returned to General and Office by Surveyor General. Together with all the water rights appurtenant thereto.

\$1.00 I.R.S. attached and duly canceled.

Together with, all and singular, the tenements, hereditaments and appurtenances therunto belonging or otherwise appertaining, and the rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said part of the first part; TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges therunto incident, unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, warrant and defend the said parties of the second part, and their heirs, in the quiet and peaceable possession of the said premises, and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend. IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand and seal the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

(JAS) Wm. Edens	Thomas Lavatta (SEAL)
(JAS) [Signature]	Therese Lavatta (SEAL)
(JAS) [Signature]	(SEAL)
(JAS) [Signature]	(SEAL)

STATE OF IDAHO,

ss.

County of Bannock

On this 20th day of July, 1921, in the year 1921, before me, William Edens, Notary Public in and for said County, personally appeared Thomas Lavatta and Therese Lavatta, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in the certificate first above written.

(Notarial Seal) William Edens, Notary Public Residing at Pocatello, Idaho.

I hereby certify that this instrument was filed for record at the request of Wm. Edens at 11:01 minutes past 3 o'clock P. M., this 22 day of July, 1921. A. D. 1921 Book 42 of Deeds page 516.

R. C. Earley Ex-Officio Recorder.

317300

SEAL OF THE COURT
COUNTY of ...

01033 100 24 22

2007-08-01

(b) (7)(C), (b) (7)(D)

Sho' undesignated

—Mô hình: 100%

Industrial and Social Responsibility

MARCEY 7L ANDERSON and FROM 3L ANDERSON - improved and OK

of the person's "whole family" (5-Index, Part 1, the whole information), and it is not to be used by the person's "whole family" (5-Index, Part 1, the whole information).

IN WITNESS WHEREOF, I have hereunto set my hand and official seal, this 1st day of May, 1964.

John Wilson.

Thomas M. Birney

2007

100-22264-10944

Reference to P. O. Number

347300

3,45,00

Aug 7 - 3 10 PM '50

0-200000-200000

[illegible]

DATE OF BIRTH: 08-09-1970

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 ۱۱۰

مجلس شورای ملی
روزنامه رسمی
شماره ۱۰۰۰
تاریخ ۱۳۰۲/۰۵/۰۵

THE UNIVERSITY OF CHICAGO

100

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100

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4-11-61

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