

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

RECEIVED

NOV 01 1996

Department of Water Resources
Eastern Region

Ident. Number: A73-00127
Date Received: 5/10/1990
Receipt No: E014354
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: PATRICK E SIMPSON
Address: PO BOX 1234
KETCHUM ID 83440

AND/OR

Name: KAREN JEAN SIMPSON
Address: PO BOX 1234
KETCHUM ID 83440

2. Date of Priority: MAR 1, 1908

3. Source: MORGAN CREEK Trib. to: PAHSIMEROI RIVER
MORGAN CREEK, NORTH FORK MORGAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
16N	22E	31		6	LEMHI
				6	LEMHI
				8	LEMHI

5. Description of diverting works:
SERIES OF THREE CURTAINS TO DITCH SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		

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

8. Total consumptive use is 200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
16N	21E	36	NE	SE		IRR	23.0
			NW	SE		IRR	6.0
			SW	SE		IRR	12.0
			SE	SE		IRR	10.0

Section Acres 51.0

22E	31	5	IRR	1.0
		6	IRR	4.0
		7	IRR	1.0
		8	IRR	14.0
		9	IRR	9.0

Section Acres 29.0

Total Acres 80.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
A73-07053 ON ADJACENT LAND

14. Remarks:

P/D NOT GIVEN IN DECREE.

THREE POINTS OF DIVERSION ALONG MORGAN CREEK AND NORTH FORK OF MORGAN CREEK.

PARTIES RECEIVING WATER FROM THE SO CALLED COTTER DITCH SHALL BE MEASURED AT THE P/D FROM SAID COTTER DITCH, & THAT ALL OTHER WATERS DECREED SHALL BE MEASURED AT THE P/D WHERE THE WATER IS TAKEN FROM MORGAN CREEK & ITS TRIBUTARIES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

A.W. ADAMS

Decree Plaintiff

LAFE DOWNEY, ET AL.

vs Decree 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: _____

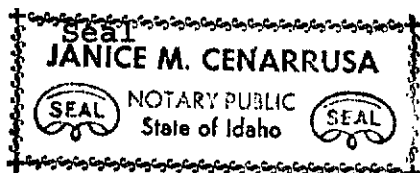
For Individuals:

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

X Signature of Claimant(s): Patrick E Simpson Date: 10/31/96
Karen Jean Simpson Date: 10/31/96

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 31st day
of October 19 96 Janice M Cenarrusa
Notary Public



Residing at Blaine County
My Commission Expires 11-10-2000

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: A73-00127

Date Received: 2/20/1992

Receipt No: E014354

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KENT E CANTLIN 208-876-4424
Address: HC 62 BOX 1090
ELLIS ID 83235

AND/OR

Name: DIXIE CARR 208-876-4424
Address: HC 62 BOX 1090
ELLIS ID 83235

2. Date of Priority: MAR 1, 1908

3. Source: MORGAN CREEK Trib. to: PAHSIMAROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
16N	22E	31		6	LEMHI
				8	LEMHI

5. Description of diverting works:
HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	22E	31		5	IRR	1.0
				7	IRR	14.0
				8	IRR	15.0
				9	IRR	15.0
				10	IRR	15.0

Section Acres 60.0

Total Acres 60.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

NONE

14. Remarks:

P/D NOT GIVEN IN DECREE.

P/U INCOMPLETE. P/U DETERMINED BY METES & BOUNDS DESCRIBED IN DECREE. AC. IRR. = 160.

PARTIES RECEIVING WATER FROM THE SO CALLED COTTER DITCH SHALL BE MEASURED AT THE P/D FROM SAID COTTER DITCH, & THAT ALL OTHER WATERS DECREED SHALL BE MEASURED AT THE P/D WHERE THE WATER IS TAKEN FROM MORGAN CREEK & ITS TRIBUTARIES.

***ACREAGES IN EACH LOT ARE A GUESS-- NO MAP WAS PROVIDED WITH THE CLAIM. FIELD EXAM REQUIRED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

A.W. ADAMS

Decree Plaintiff

LAFE DOWNEY, ET AL.

vs Decree 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: _____

MICROFILMED

DEC 14 1992

AJ0749NP
No. A73-00127

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 02/25/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KAREN JEAN SIMPSON	03/01/1908	IRRIGATION	04-15 10-15	3.20 CFS	
C	PATRICK E SIMPSON					
	PO BOX 414					
	HAILEY ID 83333					
	(208) 788-4413					
				TOTAL DIVERSION:	3.20 CFS	
				CONSUMPTIVE USE:		200.00 AFA

Water Source: MORGAN CREEK
MORGAN CREEK, NORTH FORK

Tributary to: PAHSINEROI RIVER
MORGAN CREEK

Stage: DECREED

Point(s) of Diversion: T16N R22E S31 Lot06() Lot06() Lot08()

LEMHI 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	Lt	Ac	:	
16N	21E	36	:					:					:					:	23	06	12	10	:	51.0		
																							TOTAL ACRES		80.0	

Lots Without 1/4 1/4 Description: IRRIGATION
16N 22E 31 05-01 06-04 07-01 08-14 09-09

SUM
29.0

POU County: LEMHI

Non-Irrigation Uses: NONE

Other Rights: A73-07053 ON ADJACENT LAND

Conditions of Approval:
016 - See remarks for additional conditions of approval.

Remarks: GEN P/D NOT GIVEN IN DECREE.
THREE POINTS OF DIVERSION ALONG MORGAN CREEK AND NORTH FORK OF
MORGAN CREEK.
PARTIES RECEIVING WATER FROM THE SO CALLED COTTER DITCH SHALL BE
MEASURED AT THE P/D FROM SAID COTTER DITCH, & THAT ALL OTHER
WATERS DECREED SHALL BE MEASURED AT THE P/D WHERE THE WATER IS
TAKEN FROM MORGAN CREEK & ITS TRIBUTARIES.
OWNERSHIP CHANGED 10-18/PM; DATA ENTRY UPDATED 11/04/96/JT
CHANGED ADDRESS PER REQUEST. AJ/2-25-99

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 73

Field Inspection Flag:
Presumption Flag:

NO LATE FEE IF RECEIVED
BY 6/2/90

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 A73-20127
Date Received 84-30-90/5-8-90
Receipt Number E014354

RECEIVED

MAY - 8 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 30 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

KENT CANTLIN

1. Name of Claimant (s) EVERETT E. CANTLIN Phone (208) 756-3234
Mailing Address 1901 East Main St., Salmon, Idaho Zip 83467

2. Date of Priority (Only one (1) per claim) June 15, 1917

3. Source of water supply (a) Morgan Creek
which is tributary to (b) Pahsimaroi River

4. a. Location of existing point of diversion is: Township 16N Range 22E Section 31
1/4 of 1/4 of 1/4, Govt. Lot, 6 B.M., County of Lemhi

Additional points of diversion if any: Lot 8, Sec. 31, T. 16 N, R. 22E.

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

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

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

ending point is: Township _____ Range _____ Section _____, _____ 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. Headgates and ditches



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DEC 14 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 3.2 amount 3.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 150 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	
16N	22E	31			LOTS	5, 7, 8, 9 and 10													60

Total number of acres irrigated 60

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

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

or None (X)

14. Remarks:

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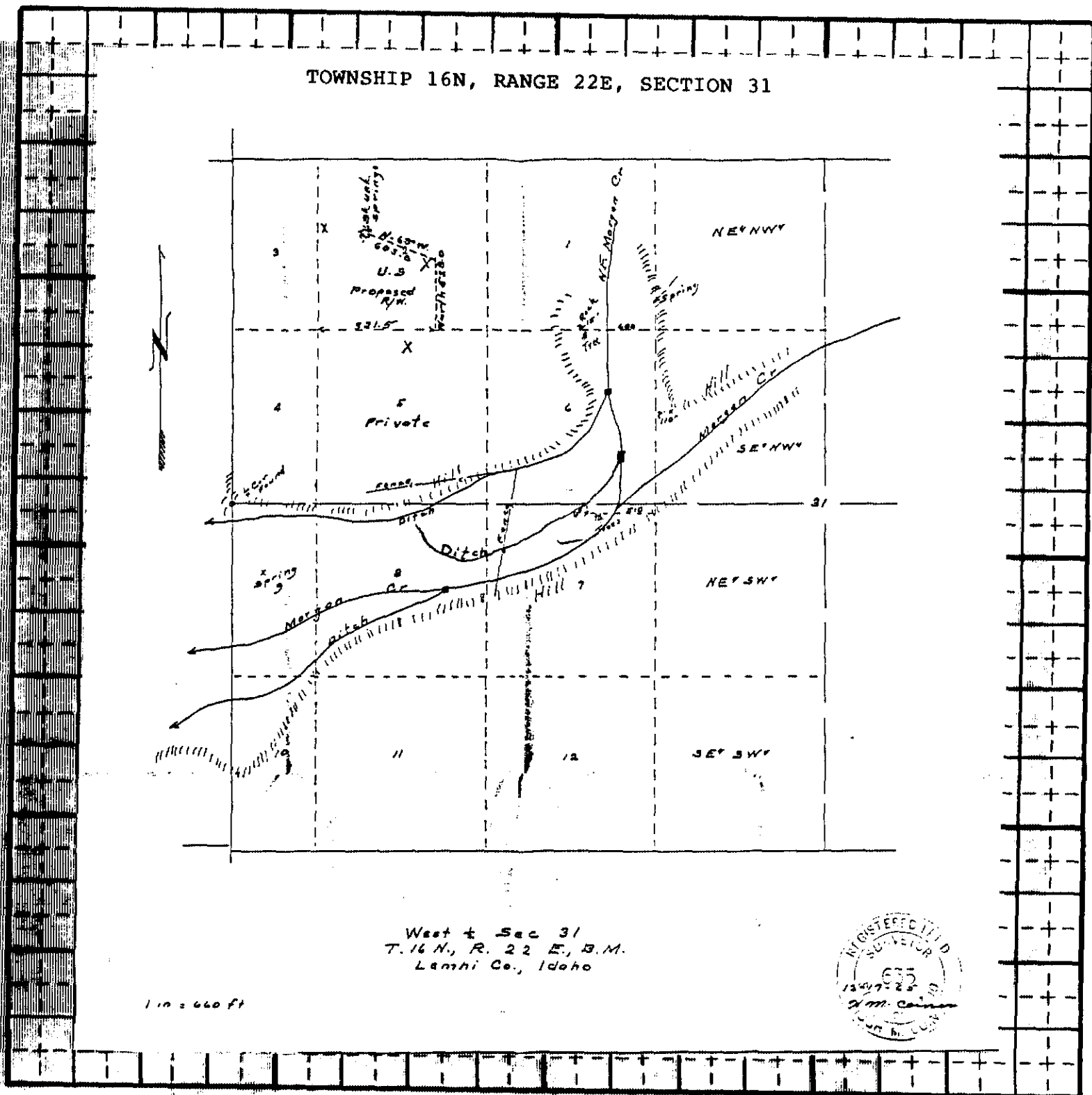
DEC 14 1992

Last Name CANTLIN Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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DEC 14 1992

Last Name CANTLIN

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree x
If applicable provide IDWR Water Right Number _____
Court Sixth Judicial Dist. Case Number _____ Decree Date June 15, 1917
Plaintiff vs Defendant A.W. Adams v. Lafe Downey, et al (see attached copy of Decree)

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 One

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

Signature of Claimant (s) x Everett Cantlin Date 4/27/90

Date _____

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

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 Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 27 day of April 19 90

SEAL

Notary Public Melto A. Sci

Residing at Salmon, Idaho

My Commission Expires 10/26/93

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 CANTLIN Ident. Number _____

Copies White-State, Yellow-Claimant

MICROFILMED
DEC 14 1994

S. 89° 59' W.

S. 89° 58'

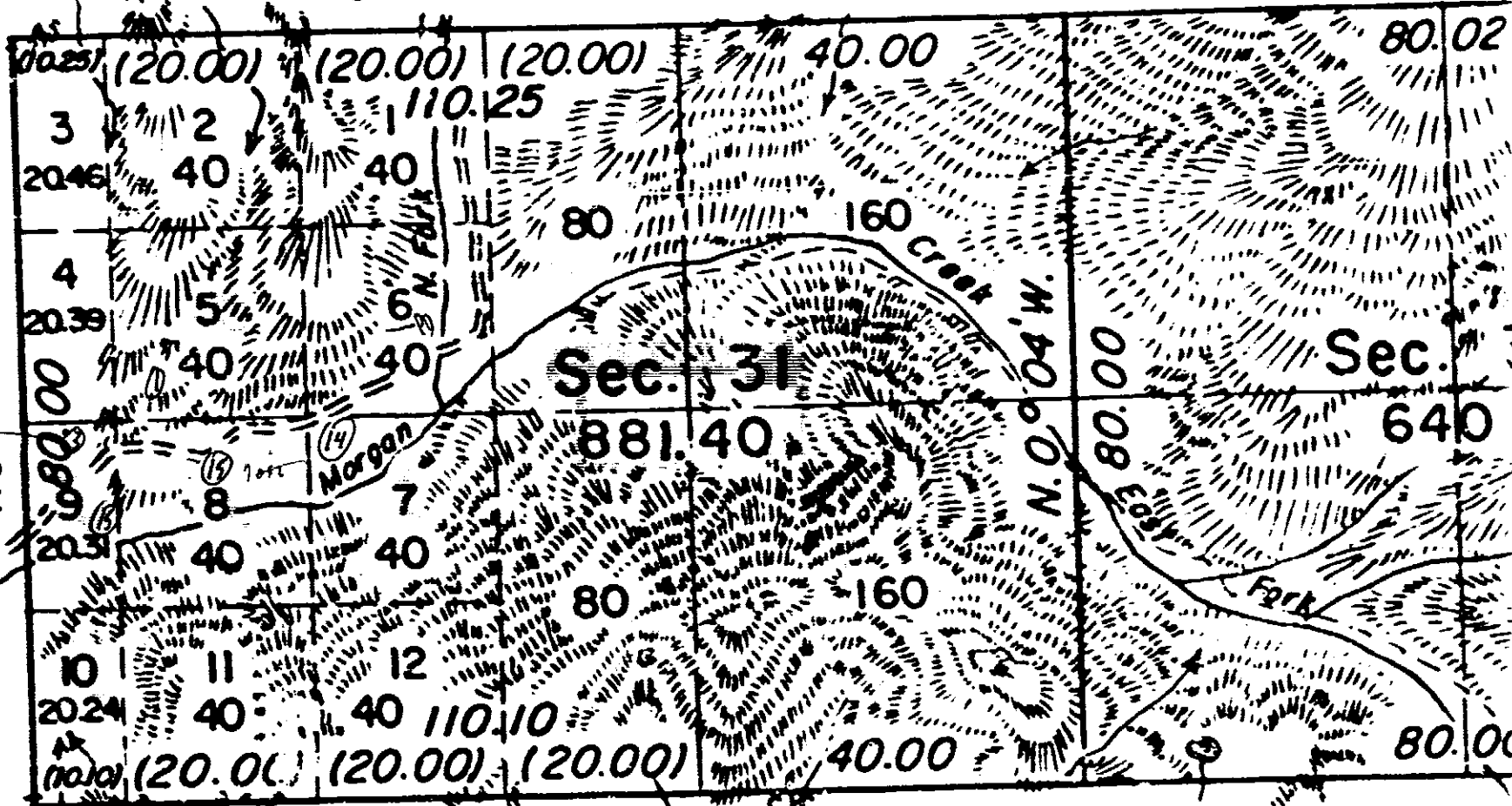
WC SOUTH 0.20

NORTH

07053

16/27

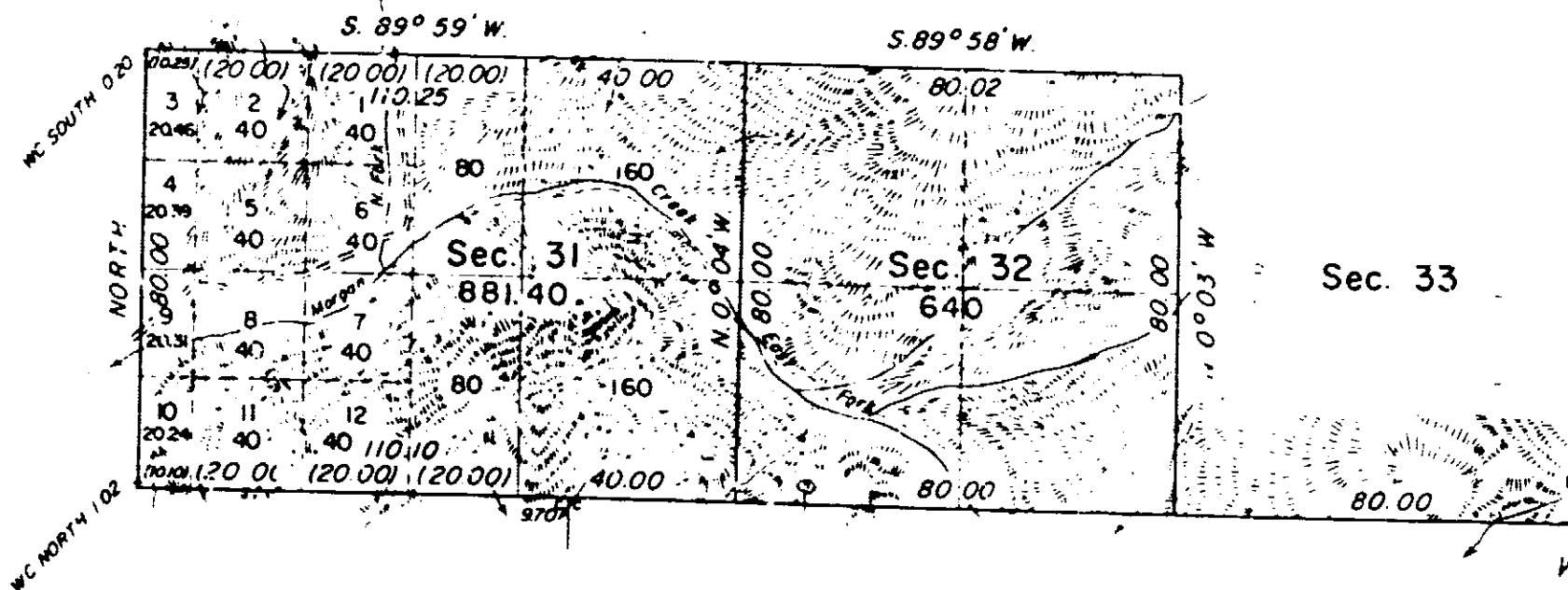
WC NORTH 1.02



9707



Mean Magnetic Declination
19°00' East



10 0 10 20

Scale

Area surveyed

MICROFILMED

DEC 14 1992

F. R. Simpson 11/9/94
13110

44120



XHS

• existing take out

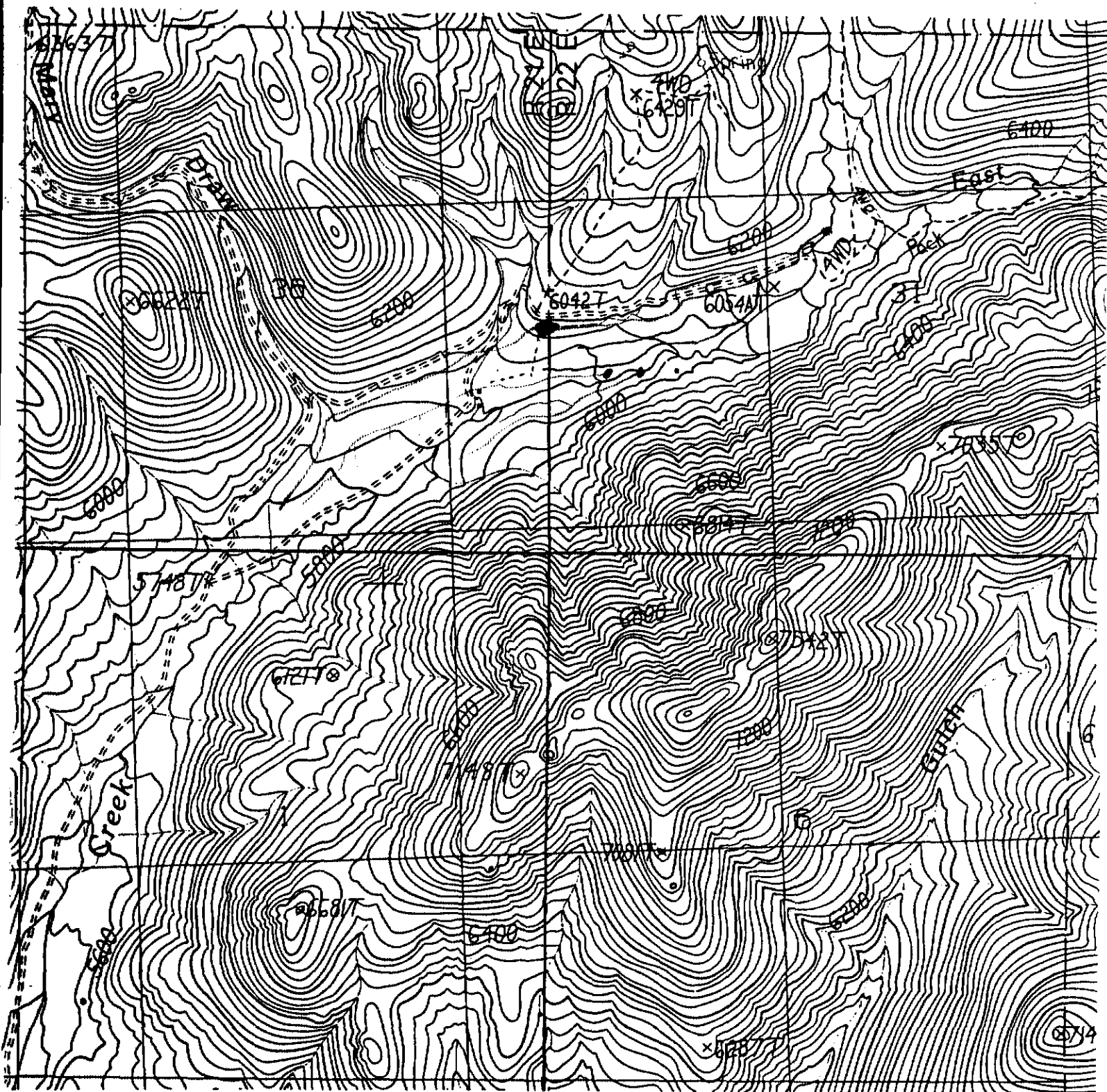
— main ditch

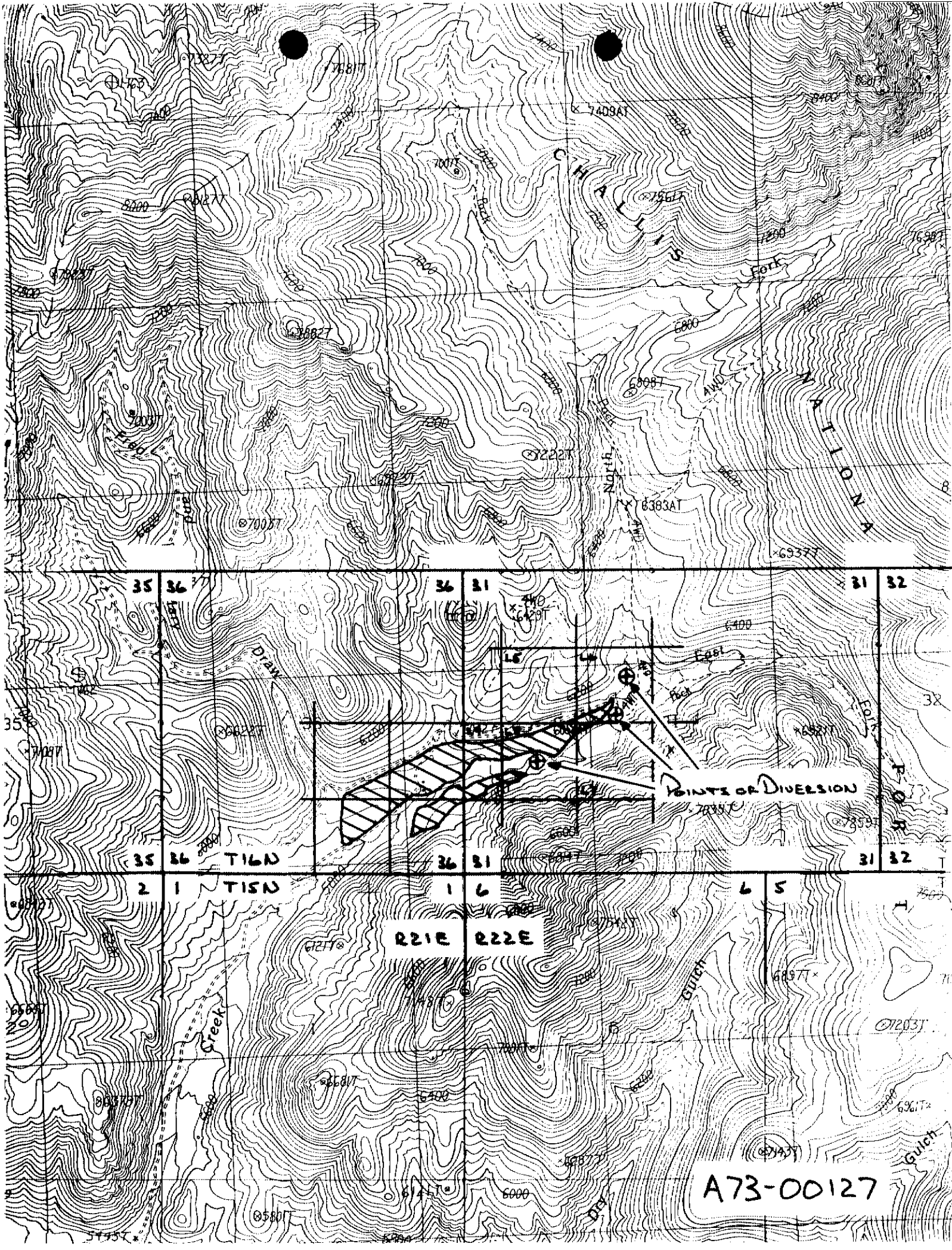
— sub ditches

• Spring

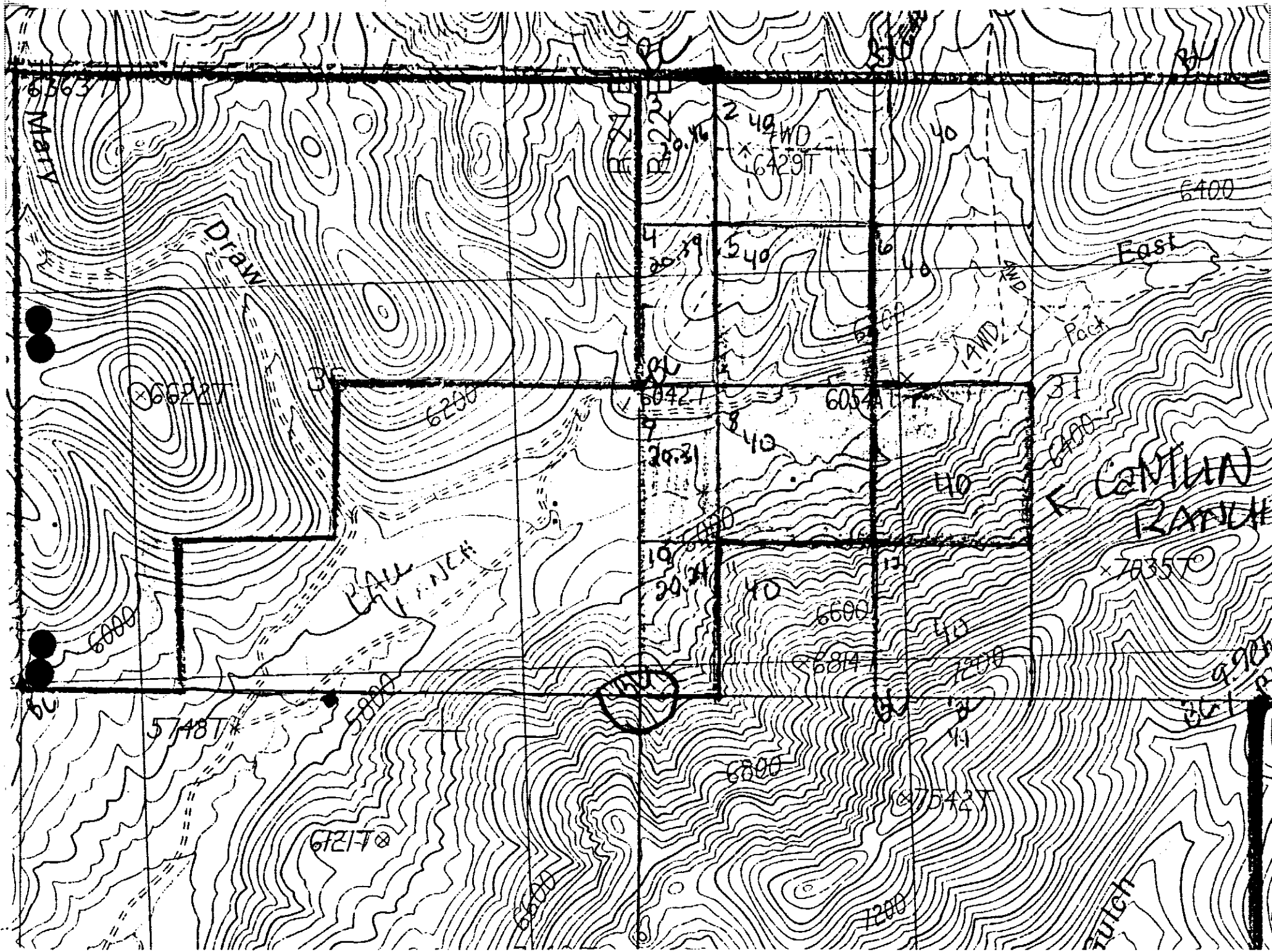
— sub ditch

----- New pipe from pond





A73-00127





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 3, 1999

PATRICK & KAREN SIMPSON
PO BOX 414
HAILEY ID 83333

RE: CHANGE OF ADDRESS FOR A73-00127, A73-07053

Dear Mr. & Mrs. Simpson:

The address for the above referenced adjudication claims have been changed per your request. Copies of these claims are enclosed for your files.

Sincerely,

Jennifer Hoagland
Technical Records Specialist

Enclosure



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

RECEIVED

FEB 24 1999

Department of Water Resources
Eastern Region

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

RECEIVED

FEB 23 1999

Department of Water Resources
Southern Region

☐ Water Right Number(s): A73-07052 NCAP/check file done ✓

A73-00127 A+R ✓

A73-07053 A+R ✓

☐ Old Mailing Address: Patrick E Simpson

P.O. Box 1234

Ketchum Id. 83340

☐ New Mailing Address: Patrick E Simpson

P.O. Box 414

Hailey ID 83333

☐ New Telephone Number: (208) 788 - 4413

☐ Signature of Claimant(s): Patrick E Simpson

Date: February 20, 1999

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

NOV 01 1996

Department of Water Resources
Eastern Region

1. Water Right Number(s) 73-00127, 73-07053

Adjudication Claim Number(s) A73-00127, A73-07053

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Kent E. Cantlin and/or Dixie Carr

HC 62 Box 1090, Ellis ID 83235

4. New Owner/Claimant(s) Patrick E. and/or Karen Jean Simpson

Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR

New Mailing Address

PO Box 1234

City, State and ZIP Code Ketchum, ID 83340

New Telephone Number (208) 726 - 5045

*Claims amended
- names changed
in House, Nov to
claimant; No letter
PM/ST*

5. Date you acquired the property November 12, 1993

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s)

Patrick E. Simpson

Date 10/31/96

Karen Jean Simpson

Date 10/31/96

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

RECEIVED

JUN 24 1996

Department of Water Resources
Eastern District Office

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

Form 42-309(7)



DATE OF CLOSING: 11-15-93

LEGAL DESCRIPTION OF PROPERTY: Township 16N Range 22E
Section 31, 1/4 of 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite
If you have additional legal descriptions, please attach separate sheet. see attached deed

- ☐ 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: A73-07053 + A73-00127 + A73-07052
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Kent E. Cantlin +/or Dixie Carr
HC-62 Box 1090
Ellis ID 83235
- ☐ New Owner/Claimant (Purchaser): Patrick E. +/or Karen Jean Simpson
- ☐ New Mailing Address: PO Box 1234 Ketchum ID 83340
- ☐ New Telephone Number: (208) 726-5045
- ☐ 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: warranty deed
(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): Patrick E. Simpson Date 6/20/96
Karen Jean Simpson Date 6/20/96
- ☐ 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: _____ By: _____
Further Action Needed
Further Action Taken
Date: _____ By: _____
Final Review and Data-Entry
Date: _____ By: _____
Claim Numbers of Split, if any: _____

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

SVTC Order No. 22-12188

COPY

RECEIVED

NOV 01 1996

WARRANTY DEED

Department of Water Resources
Eastern Region

FOR VALUE RECEIVED Kent E. Cantlin and Carol Cantlin, husband and wife and Dixie Carr, a single woman

the grantors, do hereby grant, bargain, sell and convey unto

Patrick E. Simpson and Karen Jean Simpson, husband and wife

the grantees, whose current address is P.O. Box 1234
Ketchum, ID 83340

the following described premises, in LEMHI COUNTY, IDAHO, to wit:

Lots 5, 7, 8, 9 and 10 in Section 31, Township 16 North,
Range 22 East, Boise Meridian, Lemhi County, Idaho.

Together with all appurtenant or applied water rights of whatever kind or character, adjudicated, licensed, or otherwise, including but not limited to water rights derived from any one or more of the licenses identified as follows: A73-00127, A73-07052, A73-07053, A73-10082, A73-10083; or established pursuant to sections 42-1416 or 42-1416A, Idaho Code, or both, it being the express intention of grantors herein to convey to and to vest in grantees herein all appurtenant or applied water rights diverted to or used upon or with respect to the subject real property at any time prior to this conveyance, without warranty.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 12, 1993

Kent E. Cantlin
Kent E. Cantlin
Carol Cantlin
Carol Cantlin

Dixie Carr by Kent E. Cantlin
Dixie Carr Cantlin
by: Kent E. Cantlin,
Attorney-In-Fact

STATE OF IDAHO

COUNTY OF: Custer

On this 15th day of November, 1993, before me a Notary Public in and for said State, personally appeared Kent E. Cantlin and Carol Cantlin known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

No.

Residing

Comp.

Seal/Stamp:

Attorney in Fact

Stock No. IDL-0373 (6-86)

STATE OF IDAHO

COUNTY OF: Custer

On this 15th day of November, in the year 1993, before me, a Notary Public, personally appeared Kent E. Cantlin

known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Dixie Carr and acknowledged to me that he subscribed the name of Dixie Carr thereto as principal, and his (her) own name as attorney in fact.

Notary Public

Residing at

My Comm. expires

Idaho

No. 22-12188

WARRANTY DEED

FOR VALUE RECEIVED Kent E. Cantlin and Carol Cantlin, husband and wife and Dixie Carr, a single woman

the grantors, do hereby grant, bargain, sell and convey unto

Patrick E. Simpson and Karen Jean Simpson, husband and wife

the grantees, whose current address is P.O. Box 1234
Ketchum, ID 83340

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Lots 5, 7, 8, 9 and 10 in Section 31, Township 16 North,
Range 22 East, Boise Meridian, Lemhi County, Idaho.

Together with all appurtenant or applied water rights of whatever kind or character, adjudicated, licensed, or otherwise, including but not limited to water rights derived from any one or more of the licenses identified as follows: A73-00127, A73-07052, A73-07053, A73-10082, A73-10083; or established pursuant to sections 42-1416 or 42-1416A, Idaho Code, or both, it being the express intention of grantors herein to convey to and to vest in grantees herein all appurtenant or applied water rights diverted to or used upon or with respect to the subject real property at any time prior to this conveyance, without warranty.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 12, 1993

Kent E. Cantlin
Kent E. Cantlin
Carol Cantlin
Carol Cantlin

Dixie Carr by Kent E. Cantlin
Dixie Carr Cantlin
by: Kent E. Cantlin,
Attorney-In-Fact

RECEIVED

JUN 24 1996

Department of Water Resources
Idaho District Office

A73-00127

MORLAN CR. 32 cfs

A73-07052

DOMESTIC #31

A73-07053

SPRING #31

A73-10082

SPRING Dam #8

A73-10083

4w Dam #8

STATE OF IDAHO

COUNTY OF: Custer

On this 15th day of November, 1993, before me a Notary Public in and for said State, personally appeared Kent E. Cantlin and Carol Cantlin known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

[Signature]
Notary Public
Residing at [Address]
Idaho
My Comm. Expires 1-11-99
Seal/Stamp:

STATE OF IDAHO

COUNTY OF Custer

On this 15th day of November, in the year 1993, before me, a Notary Public, personally appeared Kent E. Cantlin

known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Dixie Carr and acknowledged to me that he subscribed the name of Dixie Carr thereto as principal, and his (her) own name as attorney in fact.

[Signature]
Notary Public
Residing at [Address]
Idaho
My Comm. Expires 1-11-99

SVTC Order No. 22-12188

COPY

WARRANTY DEED

FOR VALUE RECEIVED Kent E. Cantlin and Carol Cantlin, husband and wife and Dixie Carr, a single woman

the grantors, do hereby grant, bargain, sell and convey unto

Patrick E. Simpson and Karen Jean Simpson, husband and wife

the grantees, whose current address is

P.O. Box 1234
Ketchum, ID 83340

the following described premises, in LEMHI COUNTY, IDAHO, to wit:

Lots 5, 7, 8, 9 and 10 in Section 31, Township 16 North,
Range 22 East, Boise Meridian, Lemhi County, Idaho.

Together with all appurtenant or applied water rights of whatever kind or character, adjudicated, licensed, or otherwise, including but not limited to water rights derived from any one or more of the licenses identified as follows: A73-00127, A73-07052, A73-07053, A73-10082, A73-10083; or established pursuant to sections 42-1416 or 42-1416A, Idaho Code, or both, it being the express intention of grantors herein to convey to and to vest in grantees herein all appurtenant or applied water rights diverted to or used upon or with respect to the subject real property at any time prior to this conveyance, without warranty.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 12, 1993

Kent E. Cantlin
Kent E. Cantlin
Carol Cantlin
Carol Cantlin

Dixie Carr by Kent E. Cantlin
Dixie Carr by Attorney-in-Fact
by: Kent E. Cantlin,
Attorney-In-Fact

STATE OF IDAHO

COUNTY OF: Custer

On this 15th day of November, 1993, before me a Notary Public in and for said State, personally appeared Kent E. Cantlin and Carol Cantlin known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at

Commission Expires

Seal/Stamp:

Attorney in Fact

Stock No. 80L-6873 (8-96)

STATE OF IDAHO

COUNTY OF Custer

On this 15th day of November in the year 1993, before me, a Notary Public, personally appeared Kent E. Cantlin

known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of Dixie Carr and acknowledged to me that he subscribed the name of Dixie Carr thereto as principal, and his (her) own name as attorney in fact.

Notary Public

Residing at

Commission Expires

Idaho

State of Idaho)
County of Lemhi)

220561
ss No. _____

This instrument was filed for record at
the request of American Land Title
at 10:21 o'clock A m Nov. 17 1993
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederrich

Ex-Officio Recorder

By Debra Jackson Deputy

Fee: 6.00

COPY

SVTC Order No. 22-12189

WARRANTY DEED

FOR VALUE RECEIVED James F. Ball and Helen H. Ball, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto

Patrick E. Simpson and Karen Jean Simpson, husband and wife

the grantees, whose current address is P.O. Box 1234
Ketchum, ID 83340

the following described premises, in LEMHI COUNTY, IDAHO, to wit:

See Exhibit "A" attached hereto and made a part hereof.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: November 12, 1993

James F. Ball
James F. Ball

Helen H. Ball
Helen H. Ball

STATE OF OR

COUNTY OF: Jackson

On this 15 day of November, 1993, before me a Notary Public in and for said State, personally appeared James F. Ball and Helen H. Ball, who identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at Ashtland

Comm. expires _____

Seal/Stamp: OFFICIAL SEAL
NOTARY PUBLIC
STATE OF OREGON
COMMISSION #1180316710
MY COMMISSION EXPIRES JULY 26, 1996

State of Idaho

County of Lemhi

ss No. 220560

This instrument was filed for record at the request of American Land Title at 10:20 o'clock AM on Nov. 17 1993 and duly filed and indexed in the records of Lemhi County

Alberta Wiederliok

Ex-Officio Recorder

By Debra Jallott Deputy

Fees: 6.00

EXHIBIT "A"

THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (SE1/4SW1/4) AND THE SOUTHEAST QUARTER (SE1/4) OF SECTION 36, TOWNSHIP 16 NORTH, RANGE 21 EAST, B.M., LEMHI COUNTY, IDAHO.

RESERVING TO THE STATE OF IDAHO AND ITS ASSIGNS, A ROAD RIGHT-OF-WAY ON AN EXISTING ROAD BEING 50 FEET IN WIDTH ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT A POINT THAT IS LOCATED NORTH 09 DEGREES 55' EAST, A DISTANCE OF 1504.7 FEET FROM THE SOUTH ONE-QUARTER (S1/4) CORNER OF SECTION 36, TOWNSHIP 16 NORTH, RANGE 21 EAST, BOISE MERIDIAN, SAID POINT BEING THE REAL POINT OF BEGINNING;
THENCE NORTH 42 DEGREES 58' WEST, A DISTANCE OF 73.4 FEET;
THENCE NORTH 27 DEGREES 40' WEST, A DISTANCE OF 109.2 FEET;
THENCE NORTH 38 DEGREES 57' WEST, A DISTANCE OF 120.9 FEET;
THENCE NORTH 26 DEGREES 36' WEST, A DISTANCE OF 119.5 FEET;
THENCE NORTH 42 DEGREES 06' WEST, A DISTANCE OF 49.7 FEET,
MORE OR LESS TO THE INTERSECTION OF NORTH-SOUTH CENTERLINE OF SAID SECTION 36.

Together with all appurtenant or applied water rights, if any, of whatever kind or character, adjudicated, licensed or otherwise.



RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: 0035247

Date: 11/18/96
Time: 09:32:49

Received
From: SIMPSON, PATRICK OR KAREN

Type of Payment		Program A cct	Amount
ADJUDICATION CLAIM FEE	0337	0041503 1155	\$ 100.00

Total

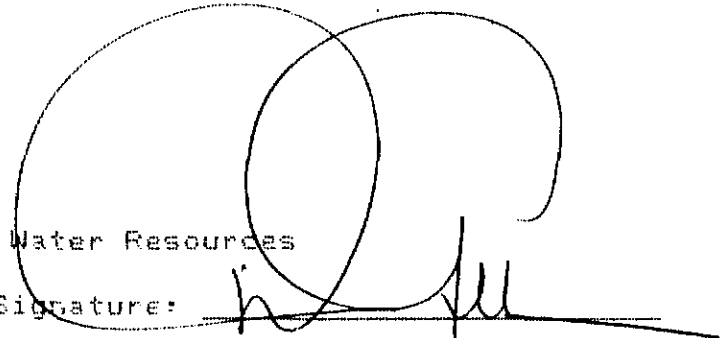
\$ 100.00

CHECK 233

WR/NO: A73-00127

Idaho Department of Water Resources

Region: STATE

Signature: 



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

November 8, 1996

KARL J. DREHER
DIRECTOR

PATRICK OR KAREN SIMPSON
PO BOX 1234
KETCHUM ID 83440

RE: Snake River Basin Adjudication (SRBA)
Lemhi County - Receipt #C035247
Notice of Claim #A37-00127

Dear Claimants:

When you amended Notice of Claim #A37-00127 to include an additional 20 acres instead of filing an Application for Transfer, you became due for a refund. The refund process has been initiated with the State Auditor's Office. You should receive a check in the near future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Donald V. Shaff', written over a circular stamp or seal.

Donald V. Shaff
Manager, Adjudication Section

DVS:ss:ref

REFUND REQUEST

SUBMITTED TO AUDITOR

ON 11-15-1996

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: S. Sherman Date: 11-7-96
 SUBJ: Receipt No. _____ (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Karen or Patrick Simpson
 Address Po Box 1234
Ketchum ID 83440

Claimant(s) if NOT Payor —
 Refund Amount \$ 80. Claim Location (Region/Claimant)
 Extension Filed? Y/N NA Copy Attached? Y/N NA
 Late Fees Paid? Y/N NA Late Fee Receipt # —
 S.O. Verified Ext. by AK on _____ D.B. Query by _____
 Refund Generated By (☒ Agent () Claimant)
 Refund Category:
 insufficient fees / claim incomplete / withdrawn (o-pmt)

Date of Last Correspondence (copy attached) _____

Claim No.	Use*	Fees Paid	Correct Fee	Rec't #
<u>413-00127</u>	<u>irr.</u>	<u>\$100.-</u>	<u>20.-</u>	<u>0135247</u>
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
_____	_____	\$ _____	_____	_____
Total		\$ _____	\$ _____	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached (Y)/N
Pls see Paul Meyer's memo of 10-28-96 attached.

Region AJ Spvsr. Approval — S.O. AJ Spvsr. Approval —
 Don Shaff Approval AK 11-08-96 Hold — To Fiscal 11-8-96
 Data Base Modified? Y/N (NA) A &/or R Records By _____ on 11-7-96

C035247

4/ 8/1996

SIMPSON, PATRICK OR KAREN

~~APPLICATION FOR TRANSFER OF WATER~~	~~56105~~	~~229 21 1155~~	✓ 100.00
ADJUDICATION CLAIM FEES	41503	0337 1155	

CHECK

233

\$

✓
100.00

Region: STATE

Signature: _____

MARY ANN HEISER (208) 756-2816
LEMHI COUNTY TAX COLLECTOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467

TAX YEAR 1995

BILL NO

6923

L
I

RP16N2ZE314200A

5,328

4,832

TOT MV

10,160

1ST TAX
HALF PEN
INT
COST
TOT

50.92

2ND TAX
HALF PEN
INT
COST
TOT

50.92

FULL TAX
PEN
INT
COST
TOT

101.84

TOT ACS

160.550

SIMPSON PATRICK E
& SIMPSON KAREN JEAN
P O BOX 1234
KETCHUM ID 83340

TAXING DISTRICT	**RATE**	**AMOUNT**
STATE	.000000000	
LEMHI COUNTY	.002649299	26.92
SCHOOL DIST 181	.002244852	22.80
NO CUSTER FIRE	.000208951	2.12
DISTRICT TOTALS	.005103102	51.84
SOLID WASTE		50.00
AMOUNT DUE		101.84

LOTS 5 7 8 9 10
31 16 22

★ ★ ★ IMPORTANT ★ ★ ★

PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

AVOID LATE FEE & INTEREST--MAIL EARLY.

** \$25 WILL BE ADDED FOR CHECKS RETURNED BY BANK.

ATTACHMENT A (PART 2) 6 PAGES

MARY ANN HEISER(209) 756-2816
LEMHI COUNTY TAX COLLECTOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467

TAX YEAR 1995

BILL NO

6922

L
I

RP16N21E367200A

3,539

619

TOT MV

4,158

1ST TAX
HALF PEN
INT
COST
TOT

10.60

2ND TAX
HALF PEN
INT
COST
TOT

10.60

FULL TAX
PEN
INT
COST
TOT

21.20

WAC

4.269

TOT ACS

195.731

SIMPSON PATRICK E
& SIMPSON KAREN JEAN
P O BOX 1234
KETCHUM ID 83340

TAXING DISTRICT **RATE** **AMOUNT**

STATE .000000000
LEMHI COUNTY .002649299 11.02
SCHOOL DIST 181 .002244852 9.32
NO CUSTER FIRE .000208951 .86
AMOUNT DUE 21.20

SE4 SE4SW4
36 16 21

*pd full \$123.04
11/7/95
Ranch ✓ #232*

*** IMPORTANT ***

PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

AVOID LATE FEE & INTEREST--MAIL EARLY.

** \$25 WILL BE ADDED FOR CHECKS RETURNED BY BANK.



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

FEBRUARY 24, 1992

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MILTON A SLAVIN
1016 MAIN STREET
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A73-10082, 10083, AND 00127

Dear Mr. Slavin:

The request for Change in Ownership concerning your clients' Notices of Claim in the above reference has been processed and the Notices modified to reflect your clients as the new owners.

Enclosed are typed Notices with your clients' names shown as the current owners. 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 clients' records.

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure

File: "p"

MICROFILMED
DEC 14 1992

RECEIVED

FEB 19 1992

Department of Water Resources
Eastern District Office

MILTON A. (JOCK) SLAVIN
ATTORNEY AT LAW

1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467
208/756-2030

February 13, 1992

Department of Water Resources
Eastern Region
150 Shoup, Suite 13
Idaho Falls, Idaho 83402

RE: Change of ownership

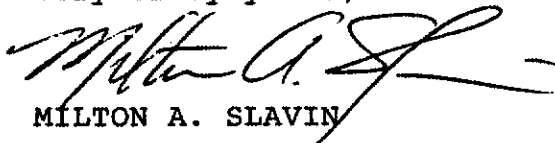
Gentlemen:

Enclosed please find a Change of Ownership form for the two parcels indicated by the attached Deeds. One is from Father to Son (Everett E. Cantlin to Kent E. Cantlin) and one is from Father to Son and Daughter (Everett E. Cantlin to Kent E. Cantlin and Dixie Carr) Also enclosed are copies of the Notice of Claim to Water Right forms submitted to you in 1990 and copy of a receipt received from you acknowledging these claims. We did not fill in the Water Right Numbers on the Change in Ownership forms as we did not know which number coincided with which parcel.

Please modify your records accordingly and send a conformation to this office in order that we might know your records are up to date.

If you need any further information do not hesitate to contact our office.

Very truly yours,



MILTON A. SLAVIN

MAS/rt
enc.

cc. Kent E. Cantlin

MICROFILMED

DEC 14 1992

RECEIVED

FEB 19 1992

CHANGE IN OWNERSHIP

Department of Water Resources
Eastern District Office

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A73-00127

[] Name and Address of Former Claimant(s): Everett E. Cantlin

[] New Claimant(s): Kent E. Cantlin
Dixie Carr

[] New Mailing Address: HC62 Box 1090
Ellis, ID 83235

New Telephone Number: (208) 876-4424

[] Does the change in ownership result in a splitting of the water right claimed? yes X no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: Copies of Warranty Deeds
(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 claimant.)

[] Signature of New Claimant(s): Kent E. Cantlin
Dixie Carr by Kent E. Cantlin

Date: February 12, 1992

MICROFILMED

DEC 14 1992

WARRANTY DEED

For Value Received I, Everett E. Cantlin,

the grantor, do hereby grant, bargain, sell and convey unto Kent E. Cantlin and Dixie Carr, brother and sister,

the grantees, the following described premises, in Lemhi County Idaho, to-wit:

That land in Section 31, Township 16 North, Range 32 East, Boise Meridien, consisting of Lots 5, 7, 8, 9, and 10; Together with all ditches, water rights, fences and buildings on the land: excepting only the present Road Right-of-Way crossing Lots 9, 8, and 5 built by the B.L.M.

This Deed replaces a similar deed Recorded as Instrument No. 208970 on November 26th 1990 in the Lemhi County Recorder's Office.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: March 5th, 1991

Everett E. Cantlin

STATE OF IDAHO, COUNTY OF

On this 5th day of March, 1991, before me, a notary public in and for said State, personally appeared

Everett E. Cantlin

known to me to be the person whose name is subscribed to this instrument, and acknowledged to be his, and he executed the same.

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of Kent E. Cantlin

at 56 minutes past 2 o'clock p.m. this 5th day of March 1991, in my office, and duly recorded in Book of Records at page

Alberta Friederick
Ex-Officio Recorder

209715

INSTRUMENT NO. 20

MILTON A. (JOCK) SLAVIN

ATTORNEY AT LAW

1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467

208/756-2030

May 4, 1990

RECEIVED

MAY - 8 1990

Department of Water Resources
Eastern District Office

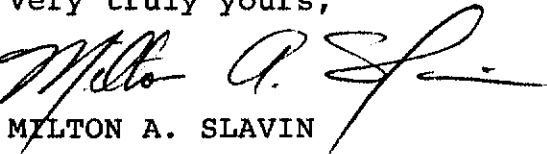
Idaho Department of Water Resources
Eastern Division
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401

RE: Notice of Claim to Water Right
Everett E. Cantlin

Gentlemen:

In accordance with your letter of May 2, 1990, enclosed please find Notice of Claim to Water Right applications for Everett E. Cantlin, the Morgan Creek one we have redone to comply with your instructions, together with another check in the amount of \$238.00 as per your instructions. Please file and return evidence thereof in the self-addressed stamped envelope.

Very truly yours,



MILTON A. SLAVIN

MAS/rt
enc.

MICROFILMED
DEC 14 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

5/2/90

Mr Slavin,

As per our phone call, ~~to~~ please
correct the Place of use (item #10) on claim
A73-0127 and return claims with \$238⁰⁰

Thanks

Dave Carlson

DAVE CARLSON

Enclosed check # 573 for \$253⁰⁰

RECEIVED

MAY - 8 1990

Department of Water Resources
Eastern District Office
MICROFILMED
DEC 14 1992

MILTON A. (JOCK) SLAVIN

ATTORNEY AT LAW

1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467

208/756-2030

April 27, 1990

RECEIVED

APR 28 1990

Department of Water Resources
Eastern District Office

Idaho Department of Water Resources
Eastern Division
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401

RE: Notice of Claim to Water Right
Everett E. Cantlin

Gentlemen:

Enclosed please find five Notice of Claim to Water Right applications for Everett E. Cantlin, together with a check in the amount of \$253.00. Please file and return evidence thereof in the self-addressed stamped envelope.

Very truly yours,



MILTON A. SLAVIN

MAS/rt
enc.

RECEIVED

MAY - 8 1990

Department of Water Resources
Eastern District Office
MICROFILMED

DEC 14 1992

DECREED WATER RIGHTS

MORGAN CREEK LEMHI COUNTY, IDAHO

In the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi.

A. W. Adams, Plaintiff,
vs.

Lafe Downey as Water Master of District No.
of the Waters of the Pahsimaroi River and its Tributaries in Lemhi County, Idaho,

Defendant,

and

Rollin W. Ellis, Laura M. Lether, Maud H. Ostrom, Louise Ellis and Marjorie H. Ellis, Minors, by Maud H. Ostrom, their Guardian ad Litem; Fred D. Pratt, Dell E. Grubb, Henry Nichols and John L. Hammond,

Interventors.

DECREE

This cause coming on to be heard the 15th day of June, 1917, before the Court sitting without a jury, L. E. Glennon appearing as counsel for the plaintiff, and E. W. Whitcomb, appearing as counsel for the intervenors, Rollin W. Ellis, Laura M. Lether, Maud H. Ostrom, Louise Ellis and Marjorie H. Ellis, minors, by Maud H. Ostrom, guardian ad litem, and Fred D. Pratt, Dell E. Grubb and

Henry Nichols, and W. W. Adamson appearing as counsel for the intervenor, John L. Hammond; and the facts herein being duly stipulated and agreed to and filed in lieu of the evidence and proofs herein; and the Court being fully advised in the premises and having made its Findings of Fact and Conclusions of Law;

IT IS ORDERED, That judgment be entered according to said stipulation of facts and the Findings of Fact and Conclusions of Law herein;

WHEREFORE, By reason of the law and the premises, and the Findings of Fact filed herein, IT IS ORDERED, ADJUDGED AND DECREED, as follows:

That the plaintiff A. W. Adams, be and he is hereby awarded the use of 3.2 cubic feet per second of time of the flow of the waters of Morgan Creek from the first day of March, 1908, from which time the same shall date, all for the irrigation of a tract of unsurveyed land, situated on Morgan Creek, about six miles in a northerly direction from May, Idaho, particularly described as follows, to-wit:

Commencing at a point about one hundred yard west of the mouth of the south fork of Morgan Creek, running thence in a westerly direction one mile; thence in a southerly direction one-fourth mile; thence in an easterly direction one mile; thence in a northerly direction one-fourth mile to the place of beginning, containing 160 acres.

That the intervenors, Rollin W. Ellis, Laura M. Lether, Maud H. Ostrom, Louise Ellis and Marjorie H. Ellis, minors, by Maud H. Ostrom, be and are hereby awarded the use of 1.6 cubic feet per second of time of the flow of the waters of Morgan Creek, to date from March first, 1898, all for the irrigation of the Southwest Quarter of Northwest Quarter, and Lots numbered 2 and 3 of Section 18, in Township 15 North, Range 22 East, and the Northeast Quarter of the Southeast Quarter of Section 13, in Township 15 North, Range 21 East of the Boise Meridian in Idaho, containing 159.56 acres.

That the intervenor, Fred D. Pratt, be and he is hereby awarded the use of 2 cubic feet per second of time of the flow of the waters of Morgan Creek, to date from the first day of March, 1900, all for the irrigation of the South Half of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter of Section 8, the North half of the Northwest Quarter of Section 9, all in Township 15 North Range 21 East of the Boise Meridian.

DEC 14 1992
MICROFILMED

State of Idaho
County of Lemhi

) 220561
as No. _____

This instrument was filed for record
the request of American Land Title
at 10:21 o'clock A m Nov. 17 1993
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederrick

Ex-Officio Recorder

By Dessa Lacroix Deputy

Fees: 6.00

That the Intervenor, Dell E. Grubb, be and he is hereby awarded the use of 1.6 cubic feet per second of time of the flow of the waters of Morgan Creek, to date from the first day of March, 1900, all for the irrigation of the Southeast Quarter of Section 9, Township 15 North, Range 21 East of the Boise Meridian.

That the Intervenor, Henry Nichols, be and he is hereby awarded the use of .4 cubic feet per second of time of the flow of the waters of Morgan Creek, to date from the first day of March, 1900, all for the irrigation of the East Half of the Southwest Quarter, the Southeast Quarter of the Northwest Quarter, the Southwest Quarter of the Northeast Quarter of Section 9, Township 15 North, Range 21 East of the Boise Meridian.

That the Intervenor, John L. Hammond, be and he is hereby awarded the use of 1.4 cubic feet per second of time of the flow of the waters of Morgan Creek, to date from the first day of March, 1900, all for the irrigation of the Northwest Quarter of the Northeast Quarter and the Northeast Quarter of the Northwest Quarter of Section 16, Township 15, Range 21 East of Boise Meridian.

That each party hereto shall pay their own costs.

That the costs and expense of maintaining and keeping in proper repair the Cotter ditch, shall be borne and paid for by the respective users of water therefrom up to the point where the water shall first be taken by any of said users in proportion to the amount of water decreed to each of said users, and that each of the users of water from said Cotter ditch at the points where he shall divert water therefrom shall insert or cause to be inserted at his own expense diversion boxes and works meeting the requirements of the law and the requirements of the State Engineer.

That all water decreed to parties receiving water from the so called Cotter ditch shall be measured at the point of diversion where the same is taken from said Cotter ditch, and that all other waters decreed herein shall be measured at the point of diversion where the water is taken from said Morgan Creek and its tributaries.

That each and every claimant, whose right to the use of the waters of said creek, or any of its branches, is herein decreed to be prior in time, shall be supplied with the amount of water herein found to belong to him, before any claimant subsequent in time of appropriation and use shall have the use of any of the waters of

said creek or stream.

That each of the parties herein to whom a right to the use of the waters of Morgan Creek is herein awarded and decreed, be and is hereby perpetually enjoined from using said water in any manner different, or to any greater extent than herein found, declared and decreed and from in any manner interfering with any other party or parties hereto in his or their use of the waters herein awarded and decreed, and a disobedience of this decree in this respect is contempt of this Court, and will subject the party so disobeying to punishment as for contempt upon the application of any party injured by such acts.

That this decree is subject to the rights of all other water users as fixed and decreed by the provisions of that certain judgment and decree made and entered by this Court in the case of H. H. Cochran et al. vs. W. J. Hammond, et al. appearing of record in the office of the Clerk of this Court in and for the County of Lemhi, in Judgment Book "A" at page 450.

Dated at Salmon, Idaho, June 15th, 1917.

ROBERT M. TERRELL

Judge.

Filed June 15th, 1917.

STATE OF IDAHO,
COUNTY OF LEMHI,

I, J. L. Kirtley, Jr., Clerk of the District Court of the Sixth Judicial District of Idaho, in and for the County of Lemhi, hereby certify that the foregoing is a full, true and complete copy of the decree rendered in the case of A. W. Adams vs. Lafe Downey et al. as the same appears of record in Judgment Book B at pages 379-380 also of the material part of a modification of said judgment as the same appears of record in said Judgment Book B at page 382, Records of Lemhi County, Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official Seal this 27th day of June, A. D. 1917.

J. L. KIRTLEY, Jr.,

(SEAL)

Clerk of the District Court.