

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: A74-00540
Date Received: / /
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: JOHN M HAYES
Address: 2843 TONGASS
KETCHIKAN AK 99901 907-225-5101

2. Date of Priority: APR 1, 1878

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	23E	33	NW	NW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.560		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	23E	29	SW	SW		IRR	6.0

Section Acres 6.0

30	SE	SE	IRR
----	----	----	-----

WIC-16 FILMED
NOV 15 1996

10. Place of Use: Continued

Section Acres 13.0

Total Acres 19.0

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:

14. Remarks:

AC. IRR.=18.4.

DIV. L-8A.

*

CHANGE OF OWNERSHIP 4/18/94 SC

CHANGED OWNERSHIP 7/11/96/JT

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

MICROFILMED
NOV 15 1996

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: A74-00540
Date Received: / /
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: GERALD DIAS 208-756-2970
Address: PO BOX 33
CARMEN ID 83462

2. Date of Priority: APR 1, 1878

3. Source: LEMHI RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	23E	33	NW	NW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.560		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	23E	29	SW	SW		IRR	6.0

Section Acres 6.0

30	SE	SE	IRR
----	----	----	-----

130
MICROFILMED

A74-00540

Page 1

Date: NOV 15 1996
04/18/94

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	13.0
					Total Acres	19.0

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:

14. Remarks:

AC. IRR.=18.4.

DIV. L-8A.

*

CHANGE OF OWNERSHIP 4/18/94 SC

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

Decree Plaintiff

vs

Decree Defendant

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: 74-00540
DATE RECEIVED: 5-3-90/90
RECEIPT NO: X999999
RECEIVED BY: -----

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: DON SIMS
ADDRESS: P.O. BOX 1440
SALMON, ID

83467

NAME: DIXIE LEE SIMS
ADDRESS: P.O. BOX 1440
SALMON, ID

83467

2. DATE OF PRIORITY: APR 01, 1878

3. SOURCE: LEMHI RIVER

TRIB. TO: SALMON RIVER

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
21N	23E	33	NW	NW			LEMHI

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
IRRIGATION	03/15	11/15	0.560		

7. TOTAL QUANTITY APPROPRIATED IS:
0.560 C.F.S. (AND/OR)

A.F.A.

8. TOTAL CONSUMPTIVE USE IS

ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

A7400540



10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
21N	23E	29	SW	SW		IRR	6.0
						SECTION ACRES	6.0
		30	SE	SE		IRR	13.0
						SECTION ACRES	13.0
						TOTAL ACRES	19.0

11. PLACE OF USE IN COUNTIES: LEMHI, LEMHI

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

AC. IRR.=18.4.
DIV. L-8A.

15. BASIS OF CLAIM: DECREE

CASE NUMBER:

COURT :

DECREE DATE:

DECREE PLAINTIFF

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.

SIGNATURE OF CLAIMANT(S): X Don P. Lewis DATE: 5/3/90
X DATE: _____

FOR ORGANIZATIONS:

I DO SOLEMNLY SWEAR OR AFFIRM THAT I AM _____ OF
_____, TITLE
_____, THAT I HAVE SIGNED THE FOREGOING
ORGANIZATION
DOCUMENT IN THE SPACE BELOW AS _____ OF
_____, TITLE
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Bonneville) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 3rd DAY

OF May 19 90

Betty J. Thompson
NOTARY PUBLIC

SEAL

RESIDING AT BETTY J. THOMPSON, NOTARY PUBLIC

MY COMMISSION EXPIRES 4-30-94

DATE: 02/08/90 1483

74-00540

PAGE 3

DEC 14 1992



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

JULY 11, 1996

JOHN M HAYES
2843 TONGASS
KETCHIKAN AK 99901

RE: CHANGE IN OWNERSHIP FOR 74-00540, AND 74-07012

Dear Mr. Hayes:

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

MICROFILMED
NOV 15 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 5/14/96

RECEIVED
JUL 05 1996

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township 21 NORTH Range 23 E.B.M.
Section 29 & 30 SW 1/4 of SW 1/4 of SESE 1/4, Govt. Lot BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

☐ 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) OK OK
Assigned by IDWR: 74-0540 AND 74-7012

☒ Name and Address of Former Owner/Claimant(s)(Seller): GERALD J. DIAS
RR1, BOX 75-A, SALMON, IDAHO 83467

☒ New Owner/Claimant (Purchaser): JOHN M. HAYES

☒ New Mailing Address: XXXXXXXXXXXX XXXXXXXX XXXXXXXX XXXXXXXX XXXXXXXX
2843 TONGASS, KETCHIKAN, ALASKA 99901

☐ New Telephone Number: (907) 225 - 5101

☐ 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 COPY OF RECORDED WARRANTY DEED
proof attached:

(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) X John M Hayes Date 5/14/96

☐ Signature of Former Owner/Claimant(s): Date

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

FOR IDWR USE ONLY: 7-8-96
Initial Review and Data-Entry Date: By: Jo-OK
Further Action Needed:
Further Action Taken Date: By:
Final Review and Data-Entry Date: By:
Claim Numbers of Split, if any:

MICROFILMED
NOV 15 1996

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

WARRANTY DEED

For Value Received

GERALD J. DIAS, an unmarried man,

the grantor , do hereby grant, bargain, sell and convey unto
JOHN M. HAYES, an unmarried man, of 2843 TONGASS , Ketchikan, Alaska 99901

the grantee , the following described premises, in Lemhi County Idaho, towit:

"SEE ATTACHED EXHIBIT A"

TOGETHER WITH ALL IMPROVEMENTS THEREON.

Together with all water, water rights, ditches and ditch rights, appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
his heirs and assigns forever. And the said Grantor dos hereby covenant to
and with the said Grantee , that he is 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: May 13, 1996

Gerald J. Dias

STATE OF IDAHO, COUNTY OF Lemhi

On this 13th day of May , 1996 ,
before me, a notary public in and for said State, personally
appeared Gerald J. Dias

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

Gerald J. Dias
Notary Public

Residing at Salmon , Idaho
Comm. Expires 10-6-99

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for re-
cord at the request of Lemhi Title

at 25 minutes past 1 o'clock p.m.,
this 14th day of May
1996, in my office, and duly recorded in Book
of Deeds at page

Allerta Wiederick
Ex-Officio Recorder

By *Leri J. Morton* Deputy.

Fees \$ 6.00
Mail to:

EXHIBIT A

A parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 30, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29, T. 21 N., R. 23 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the SW corner of said Section 30, from which the NW corner of Section 30 bears N. $00^{\circ} 01' 41''$ W. a distance of 5293.49 ft., run thence N. $74^{\circ} 39' 05''$ E. a distance of 4924.20 ft. to a point on the southerly right-of-way of Highway 28 and the easterly right-of-way of Barracks Lane, the POINT OF BEGINNING;

Thence S. $54^{\circ} 26' 53''$ E. along the southerly right-of-way of Highway 28, a distance of 1611.28 ft. to a point in the center of the Lemhi River;

Thence the following courses and distances along said centerline;

S. $70^{\circ} 56' 53''$ W. 234.55 ft.; N. $63^{\circ} 35' 33''$ W. 293.75 ft.;

S. $63^{\circ} 20' 49''$ W. 270.83 ft.; S. $27^{\circ} 38' 32''$ W. 237.58 ft.;

S. $63^{\circ} 35' 11''$ W. 228.48 ft.; N. $85^{\circ} 05' 27''$ W. 173.85 ft.;

N. $58^{\circ} 37' 58''$ W. 195.15 ft.; N. $21^{\circ} 50' 36''$ W. 276.08 ft.;

N. $21^{\circ} 39' 49''$ W. 128.91 ft.; N. $31^{\circ} 38' 11''$ W. 97.08 ft.;

N. $48^{\circ} 40' 09''$ W. 210.02 ft. to a point on the easterly right-of-way of Barracks Lane;

Thence N. $35^{\circ} 29' 16''$ E. along said right-of-way a distance of 700.10 ft. to the POINT OF BEGINNING;

MICROFILMED
NOV 15 1996



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

APRIL 18, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

GERALD DIAS
PO BOX 33
CARMEN ID 83462

RE: CHANGE OF OWNERSHIP FOR A74-00540 AND A74-07012

Dear Mr. Dias:

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

Enclosed is the typed Notice(s) 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 Notice for your records.

Respectfully submitted,

Sharla Cox
Adjudication Secretary

CC: Don and Dixie Lee Sims
PO Box 1440
Salmon ID 83467

MICROFILMED
NOV 15 1996

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

RECEIVED

APR 11 1961

LEGAL DESCRIPTION OF PROPERTY: Township 21 NORTH Range 23 E.B.M.
 Section 29, 30 SW 1/4 of SW 1/4 of SE 1/4 SE 1/4 Govt. Lot _____ B.M. _____
 Lot _____, Block _____, Subdivision/Townsite _____.
 If you have additional legal descriptions, please attach separate sheet.

APR 13 1994

Department of Water Resources
Eastern District Office

- Department of Water Resources
Eastern District
- [] 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)
- [k] Water Right Number(s) Assigned by IDWR: 74-0540 AND 74-7012 ^{OK} M.T.
- [k] Name and Address of Former Owner/Claimant(s)(Seller): DON AND DIXIE LEE SIMS
P.O. BOX 1440
SALMON, IDAHO 83467
- [xk] New Owner/Claimant (Purchaser): GERALD DIAS, P.O. BOX 33, CARMEN, IDAHO 83462
- [] New Mailing Address:
- [k] New Telephone Number: (208) 756-2970
- [] Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- 11x Attach proof of ownership, describe proof attached: COPY OF RECORDED 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) Arnold J. Elias Date 2-24-99
 _____ 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:** **By:**
Further Action Needed:
Further Action Taken **Date:** **By:**
Final Review and Data-Entry **Date:** **By:**
Claim Numbers of Split, if any:

MICROFILMED
NOV 15 1996

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

WARRANTY DEED

For Value Received

DON R. SIMS, an unmarried man and
DIXIE L. (SIMS) TAYLOR, a married woman as
her sole and separate property
the grantors, do hereby grant, bargain, sell and convey unto

GERALD J. DIAS, an unmarried man
P.O. Box 33, Carmen, Idaho 83462

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

A part of the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29, and a part of the SE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 30, all in Township 21 North, Range 23 E.B.M., County of
Lemhi, State of Idaho, more particularly described by Metes and
Bounds as Follows, to-wit:

From the quarter corner common to said Section 29 and 30,
thence South along the section line between said Sections 29 and
30, 1,673.5 feet, more or less, to the intersection of the
Southerly right-of-way line of the Gilmore and Pittsburgh Railway
Company, the place of beginning; thence South 54° 23' east along
said right-of-way line 1,116.0 feet, to the Northerly bank of the
Lemhi River thence Southerly and Westerly along the Northerly bank
of the said Lemhi River to the Easterly line of the County Road,
commonly known as the Barracks Lane Road, thence North 36° 27' East
along the Easterly line of said Barracks Lane 680.0° feet to the
Southerly right-of-way line of said Gilmore and Pittsburgh Railway
Company; Thence South 54° 23' East Along said Southerly right-of-
way line 460.0 feet, to the place of beginning.

TOGETHER WITH all water and water rights, ditch and ditch
rights appurtenant thereto.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
they 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 except the lien for taxes for the current year,
any liens and encumbrances of record on this date, and any liens or
encumbrances suffered or created by Grantees prior to the date hereof,
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: February 22, 1994.

Don R. Sims
DON R. SIMS

Dixie L. Taylor
DIXIE L. (SIMS) TAYLOR

STATE OF IDAHO, COUNTY OF

On this 22 day of February, 1994,
before me, a notary public in and for said State, personal-
ly appeared Dixie Taylor

known to me to be the person whose name
subscribed to the within instrument, and acknowledged
executed the same.

[Signature]
Notary Public
, Idaho

Residing at
Comm. Expires 12/77

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for re-
cord at the request of Lemhi Title

at 11 minutes past 2 o'clock p. m.,
this 24th day of February
1994, in my office, and duly recorded in Book
of Deeds at page

Alberta Wiederrick
Ex-Officio Recorder

Leri J. Morton
Deputy.

Fees \$ 600
Mall to:

LEMHI TITLE & ABSTRACT — SALMON, IDAHO

INSTRUMENT NO. 261001

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: 3956
Ident. No.

ATTACHMENT TO
NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly:

Name of claimant(s) DOM R SINGS

Mailing Address
(including zip code) 217-N COTTWOOD LN
BLACKFOOT ID
83221

Phone Number (208) 785-6686 DE/90

MICROFILMED

DEC 14 1992