

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: A75-04050
Date Received: 4/23/1990
Receipt No: E013547
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MERLE W PHILLIPS
Address: BOX 14
GIBBONSVILLE ID

83463

208-865-2486

AND

Name: DORIS L PHILLIPS
Address: BOX 14
GIBBONSVILLE ID

83463

208-865-2486

2. Date of Priority: JUN 1, 1882

3. Source: DAHLONEGA CREEK

Trib. to: SALMON RIVER, NORTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
26N	21E	25	SW	NE			LEMHI

5. Description of diverting works:
HEADGATES/ DITCHES/ POND

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/30	0.100		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is

10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
3 HORSES.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
26N	21E	25	SW NE		IRR	4.0

Section Acres 4.0

Total Acres 4.0

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:

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
NOV 18 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: A75-04050
Date Received: 5/17/1990
Receipt No: E013547
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANCES K. MACK 208-865-2279
Address: BOX 56 MAIN STREET
GIBBONSVILLE, ID 83463
2. Date of Priority: JUN 01, 1882
3. Source: DAHLONEGA CREEK Trib. to: SALMON RIVER, NORTH FORK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 26N | 21E | 25 | SW | NE | | | LEMHI |
5. Description of diverting works:
HEADGATES/ DITCHES/ POND
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A |
|------------|-------|-------|-------|------|-------|
| IRRIGATION | 05/01 | 10/30 | 0.100 | | |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |
7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 10.0 Acre Feet Per Annum.
9. Non-irrigation uses:
3 HORSES.
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
26N	21E	25	SW	NE		IRR	4.0

A75-04050

Page 1

Date: 05/17/90

MICROFILMED
DEC 15 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

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:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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 A75-04060

Date Received _____

Receipt Number E013547/91

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 23 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) FRANCES K. MACK Phone 8208 865-2279
Mailing Address Box 56 - Main St, Gibbonsville Zip 83463-0056

2. Date of Priority (Only one (1) per claim) 1882

3. Source of water supply (a) Dahlongga Creek
which is tributary to (b) NORTH FORK SALMON RIVER

4. a. Location of existing point of diversion is: Township 26N Range 21E Section 25,
1/4 of SW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: _____

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

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

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 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.

Headgate (150 feet of
ditch) water stock out of pond & ditch

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DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from MAY 1 to OCT 30 amount 0.10 or _____

For 0.02 STOCK purposes from JAN 1 to DEC 31 amount 0.02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.10 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 2 HORSES

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	
<u>26N</u>	<u>21E</u>	<u>35</u>			<u>4</u>														<u>4</u>

Total number of acres irrigated 4

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

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 ()

14. Remarks:

Last Name MACX Ident No. 75-4050

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DEC 15 1992

Copies: White - State, Yellow - Claimant

Scale: 2 inches equals 1 mile

[illegible]

DEC 15 1992

Last Name

MACH

Ident No.

75-4050

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 75-4050

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Frances K. Mack Date 4-20-90

_____ Date _____

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

_____ Title
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 20th day of APRIL 1990

SEAL

Notary Public Melissa J. Cole

Residing at Salmon

My Commission Expires 3/7/94

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 _____

MICROFILMED

DEC 15 1992

Last Name Mack Ident. Number 75-4050

Copies White-State, Yellow-Claimant

AJ0749NP
No. A75-04050

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

DATE: 01/12/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	OWEN G LEMASTER	06/01/1882	IRRIGATION	05-01 10-30	0.100 CFS	
C	JOY A LEMASTER		STOCKWATER	01-01 12-31	0.020 CFS	
	83 GIBBONSVILLE RD					
	GIBBONSVILLE ID 83463					
				TOTAL DIVERSION:	0.100 CFS	
				CONSUMPTIVE USE:		10.00 AFA

Water Source: DAHLONEGA CREEK

Tributary to: SALMON RIVER, NORTH FORK

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T26N R21E S25

SWNE

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	:	
26N	21E	25	:			04		:					:					:					:	4.0
																							TOTAL ACRES	4.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: LEMHI

Non-Irrigation Uses: 3 HORSES.

Remarks: GEN CHANGED OWNERSHIP PER REQUEST/JC/1-13-00

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:



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

January 13, 2000

OWEN & JOY LEMASTER
83 GIBBONSVILLE RD
GIBBONSVILLE ID 83463

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A75-04050

Dear Mr. & Mrs. Lemaster:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG RECEIVED
DC 12-22-99 DEC 22 1999
DC OK 12/99

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.

1. Water Right Number(s) A75-04050, ^{ENCAP} A75-10217 & ~~A75-10292~~ No
Adjudication Claim Number(s) SEE ATTACHED COPIES

2. The following **REQUIRED** information must be submitted with this form. 75-10217

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) MERLE W. PHILLIPS AND DORIS L. PHILLIPS

RR 1, BOX 179-18, SALMON, IDAHO 83467

4. New Owner/Claimant(s) OWEN G. LEMASTER AND JOY A. LEMASTER

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

New Mailing Address 83 Gibbonsville Road

City, State and ZIP Code Gibbonsville, Idaho 83463

New Telephone Number () -

5. Date you acquired the property 12/20/99

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 4 Number and type of stock 3 HORSES

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) Owen G. Lemaster Date 12/20/99

Joy A. Lemaster Date 12/20/99

(Corporations or other organizations must submit a 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.

WARRANTY DEED

For Value Received MERLE W. PHILLIPS AND DORIS L. PHILLIPS,
HUSBAND AND WIFE

the grantors, do hereby grant, bargain, sell and convey unto OWEN G. LEMASTER
AND JOY A. LEMASTER, HUSBAND AND WIFE.

of 83 Gibbonsville Road, Givvonsville, Idaho 83463

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

A TRACT OF LAND LOCATED IN UNSURVEYED SECTION 25, TOWNSHIP 26 N., RANGE
21 E., BOISE MERIDIAN, GIBBONSVILLE TOWNSITE, LEMHI COUNTY, IDAHO, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A STONE MONUMENT SET AT THE SOUTHWEST CORNER OF MAIN STREET,
WHENCE CORNER NO. ONE (1) OF SAID TOWNSITE BEARS SOUTH 17°35' EAST 347.86
FEET, RUN THENCE NORTH 57°41' EAST 349.56 FEET ALONG THE SOUTH SIDE OF
MAIN STREET TO THE PLACE OF BEGINNING; THENCE CONTINUING NORTH 57°41'
EAST 419.25 FEET, THENCE SOUTH 32°19' EAST 352.02 FEET; THENCE SOUTH 35°
33' WEST 452.56 FEET; THENCE NORTH 32°19' WEST 522.46 FEET TO THE PLACE
OF BEGINNING.

TOGETHER WITH WATER, WATER RIGHTS, DITCHES AND DITCH RIGHTS AND MINERAL RIGHTS
APPURTENANT THERETO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
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: DECEMBER 7, 1999

Merle W. Phillips
MERLE W. PHILLIPS

Doris L. Phillips
DORIS L. PHILLIPS

STATE OF IDAHO, COUNTY OF LEMHI

On this _____ day of DECEMBER, 1999,
_____ notary public in and for said State, personal-

MERLE W. PHILLIPS & DORIS L. PHILLIPS

to me that they executed the same.

Residing at SALMON
Comm. Expires 10-6-2005

Notary Public

STATE OF IDAHO, COUNTY OF

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

at 30 minutes past 1 o'clock p.m.,
this 20th day of December
1999, in my office, and duly recorded in Book
of Deeds at page

By Jane J. Norton
Ex-Officio Recorder
Deputy

Fees \$ 300
Mail to:

INSTRUMENT NO.

242324

JULY 18, 1994

MERLE W PHILLIPS
BOX 14
GIBBONSVILLE ID 83463

RE: CHANGE IN OWNERSHIP FOR A75-04050 AND A75-10217

Dear Mr. Phillips:

The request for Change in 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 are typed Notices 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
Secretary, Adjudications

Enclosure: Notice(s) of Claim

cc: Frances K Mack

MICROFILMED
NOV 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

JUL 05 1994

DATE OF CLOSING: 5/2/94LEGAL DESCRIPTION OF PROPERTY: Township 26 N. Range 21 E.Section 25, NE 1/4 of SW 1/4 of 1/4 Govt. LotLot , Block , Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources

RECEIVED

JUL - 7 1994

- ☐ 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) Department of Water Resources Eastern District Office

- ☒ Water Right Number(s)
Assigned by IDWR:

ATS-04050 ATS-10217

75-4050

(see Attached well filing)

- ☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Frances K. MeekP.O. Box 56, Gibbonsville, Idaho 83463

- ☐ New Owner/Claimant
(Purchaser):

Merle W. and Doris L. Phillips

- ☐ New Mailing Address:

Box 14, Gibbonsville, Idaho 83463

- ☐ New Telephone Number:

(208) 865-2486

- ☐ 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:

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)

Merle Phillips
Doris Phillips

Date

7/1/94

Date

7/1/94

- ☐ 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 18 1996

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

WARRANTY DEED

For Value Received

Frances K. Mack, a single woman,

POSS ORIGINAL

the grantor does hereby grant, bargain, sell and convey unto
MERLE W. PHILLIPS and DORIS L. PHILLIPS, husband and wife,

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

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantor does hereby covenant to
and with the said Grantees, that they 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: April 29, 1994

Frances K. Mack

FRANCES K. MACK

STATE OF IDAHO, COUNTY OF Lemhi

On the 29th day of April 1994,

before me, a Notary Public in and for said State, personally

appeared Frances K. Mack
known to me to be the person whose name

subscribed to the within instrument, and acknowledged
to me that she executed the same

in full of her duty as a single woman.

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for

record at the office of the Lemhi Title

at 2:24 PM on the 4th day of MAY

1994

of the State of Idaho

Alberta H. H. H.

Don H. H.

INSTRUMENT 222369

1101

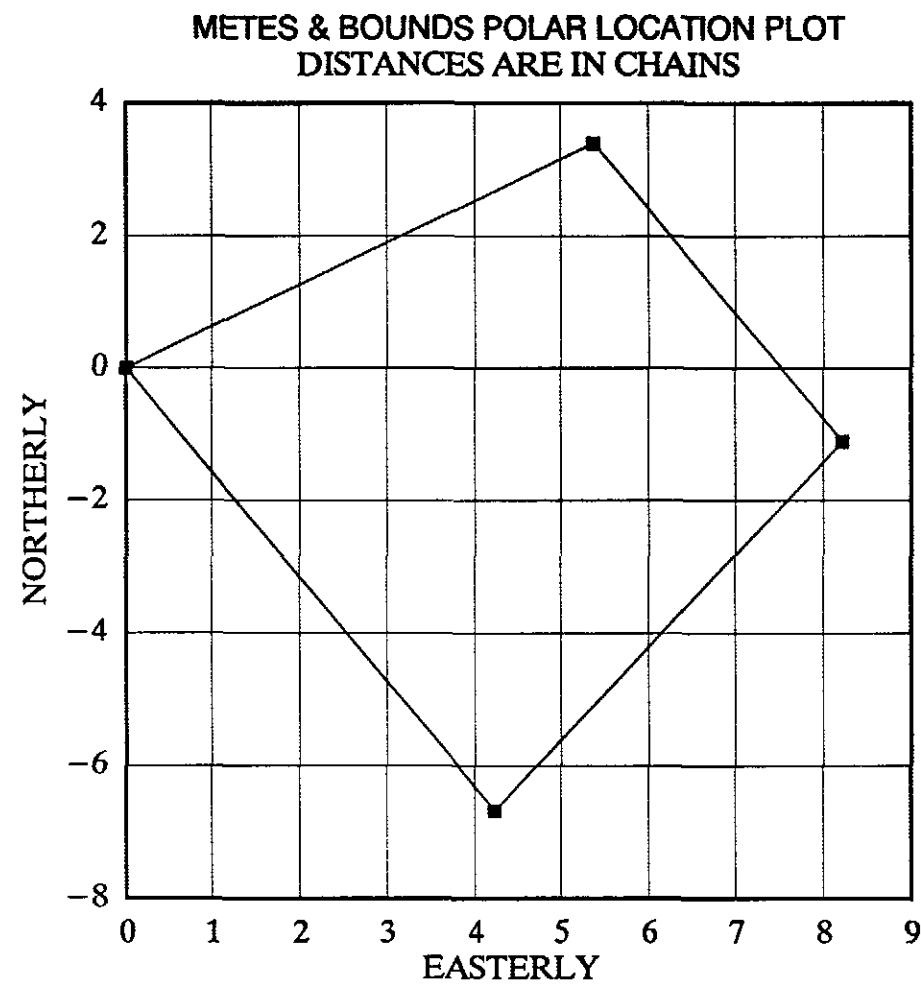
POOR ORIGINAL

EXHIBIT "A"

The following described property situate in the County of Lemhi,
State of Idaho, to-wit:

72°25'

From a stone Monument set at the Southwest Corner of Main Street,
whence Corner No. One (1) of said Townsite bears South 17° 35' East
347.86 feet, run thence North 57° 41' East 349.56 feet along the
South side of Main Street to the place of beginning; thence
continuing North 57° 41' East 419.25 feet, thence South 32° 19'
East 352.92 feet; thence South 35° 33' West 452.56 feet; thence
North 32° 19' West 522.46 feet to the place of beginning.



MICROFILMED
NOV 18 1996

POLAR COORDINATE X-COR Y-COR (CHAINS)		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
		DEGREES	MINUTES	SECONDS			
0.00	0.00						
5.37	3.40	57.00	41.00	0.00	NE	419.25	0.91
8.22	-1.11	32.00	19.00	0.00	SE	352.02	2.15
4.23	-6.69	35.00	33.00	0.00	SW	452.56	5.62
0.00	-0.00	32.00	19.00	0.00	NW	522.46	4.21
0.00	-0.00	0.00	0.00	0.00	SW	0.00	4.21
0.00	-0.00	0.00	0.00	0.00	NW	0.00	4.21
0.00	-0.00	0.00	0.00	0.00	NE	0.00	4.21
0.00	-0.00	0.00	0.00	0.00	NE	0.00	4.21

POOR ORIGINAL

MICROFILMED
NOV 18 1996