

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: A75-04477
Date Received: 5/10/1990
Receipt No: E014361
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: LE ROY H FISH
Address: PO BOX 1081
SALMON ID 83467
208-756-3250

2. Date of Priority: SEP 8, 1911

3. Source: WASTEWATER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	7	SE	SW			LEMHI

5. Description of diverting works:
DITCH/ GRAVITY SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.100		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	7	SW	SE		IRR	3.0

Section Acres 3.0

10. Place of Use: Continued

Total Acres 3.0

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:

15. Basis of Claim: STATUTORY CLAIM

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IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number: A75-04477
Date Received: 5/09/1990
Receipt No: E014361
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEON D. PORTONE 208-756-4810
Address: RT. 1, BOX 157A
SALMON, ID 83467

2. Date of Priority: SEP 08, 1911

3. Source: WASTEWATER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	7	SE	SW			LEMHI

5. Description of diverting works:
DITCH/ GRAVITY SYSTEM

6. Water is used for the following purposes:

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IRRIGATION	04/01	11/01	0.100		

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8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	7	~~SE~~	~~SW~~		IRR	3.0
			SW	SE			

A75-04477

Page 1

Date: 05/24/90

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DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

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:

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:

Ident. Number

Date Received

Receipt Number

39576

A75-04477

5-9-90

E014361

CK# 3751 5300

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 9 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) LEON D PORTONE Phone (208) 756-4810

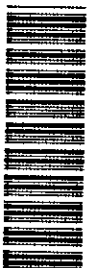
Mailing Address RT 1 BOX 157 A SALMON ID Zip 83467

2. Date of Priority (Only one (1) per claim) SEPT 8 1911

3. Source of water supply (a) WASTE WATER
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 21N Range 22E Section 7,
1/4 of S/E 1/4 of S/W 1/4, Govt. Lot, B.M., County of LEMHI

A7504477



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

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. DITCH WITH GRAVITY SYSTEM

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-1 to 11-1 amount 0.10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

8. Total consumptive use claimed is 0 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	
21N	22E	7															3		3

Total number of acres irrigated 3

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

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.
75 44 77 or None ()

14. Remarks: WAGON WHEEL DEV. INC. RANCHETTES "A" DIV.
LOT # 2

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Last Name PORTONE Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 16x16 grid of squares, each containing a crosshair symbol. The grid is used for plotting data. Handwritten annotations include "R 22.E" in the 10th row, 7th column; "4 21 N" in the 11th row, 4th column; and "SE 1 SW" in the 12th row, 6th column.

POINT
OF DEVERSION
PLACE OF USE

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DEC 15 1992

Last Name

PORTONE

Ident No.

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 75-4477

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 0

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

Signature of Claimant (s) Leon J. Portone Date May 8 1990

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 8th day of May 19 90

SEAL

Notary Public Kenneth Bittick

Residing at Selmon, ID 83467

My Commission Expires 4-26-94

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 _____

Last Name Portone Ident. Number _____

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DEC 15 1992

Copies White-State, Yellow-Claimant

OCTOBER 22, 1993

LE ROY H FISH
PO BOX 1081
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-04477 AND -07185

Dear Mr. Fish:

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,

Gregory J. Taylor
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

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APR 19 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

OCT 12 1993

Department of Water Resources
Eastern District Office

DATE OF CLOSING: 9/23/93

LEGAL DESCRIPTION OF PROPERTY: Township 21N Range 22E
Section 7, SW 1/4 of SE 1/4 of 1/4 Govt. Lot , BM.

A.K.A. Lot 2, Block 2, Subdivision/Townsite WAYN WHEEL DEVELOPMENT, INC. RANCHETTES
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)
Assigned by IDWR:

(WELL) A75-04477 OK MT.
75-7185 and ditch claim 5/8/1990 COPIES ATTACHED.
(4-19-1990)

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

LEON D. PORTONE
Rt. 1 Box 157A
Salmon, Idaho 83467

☐ New Owner/Claimant (Purchaser):

LEROY H. FISH

☐ New Mailing Address:

P.O. Box 1081
Salmon, Idaho
83467

☐ New Telephone Number:

(208) 756-3250

☐ 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:

☐ Attach proof of ownership, describe proof attached:

WARRANTY DEED with legal descrip.
(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)

LEROY H. FISH Date 10-6-93

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:

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

MICROFILMED

APR 19 1994

Warranty Deed

For Value Received

LEON D. PORTONE AND ALICE R. PORTONE, husband and wife
the grantor S, do hereby grant, bargain, sell and convey unto

LEROY H. FISH AND GLENDA M. FISH, husband and wife
whose current address is

PO BOX 1081
SALMON, ID 83467

the grantee S, the following described premises, in

LEMHI

County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S,
their heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said
Grantee S, that they're the owner 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: September 23, 1993

Leon D. Portone
LEON D. PORTONE

Alice R. Portone
ALICE R. PORTONE

STATE OF IDAHO, COUNTY OF LEMHI
On this 23rd day of SEPTEMBER, 19 93,
before me, a notary public in and for said State, personally appeared

LEON D. PORTONE
ALICE R. PORTONE
HUSBAND AND WIFE

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

James M. Santee
SALMON, ID Notary Public
Residing at 06/19/95, Idaho
Comm. Expires

State of Idaho)
County of Lemhi)

220013

ss No. _____

This instrument was filed for record at
the request of American Land Title
at 3:48 o'clock 7 m 9-23 19 93
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederriek

Ex Officio Recorder

By Terri J. Morton Deputy
Fees: 6.00

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE SW1/4SE1/4 OF SECTION 7, TOWNSHIP 21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEAST SECTION CORNER OF SAID SECTION 7, A DISTANCE OF 1355.44 FEET ON A BEARING OF N. 89 DEGREES 49' W., ALONG THE SOUTH SECTION LINE OF SECTION 7; THENCE N. 0 DEGREES 00' 33" E., A DISTANCE OF 537.00 FEET TO THE REAL POINT OF BEGINNING.

FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 306.11 FEET CONTINUING ON A BEARING OF N. 0 DEGREES 00' 33" E.;
THENCE N. 89 DEGREES 59' 27" W., 647.86 FEET;
THENCE S. 0 DEGREES 04' 21" E., 179.70 FEET;
THENCE S. 89 DEGREES 50' 00" E., 30.00 FEET;
THENCE S. 0 DEGREES 04' 21" E., 244.05 FEET;
THENCE S. 89 DEGREES 49' 00" E., 207.89 FEET;
THENCE N. 0 DEGREES 11' 00" W., 118.37 FEET;
THENCE S. 89 DEGREES 59' 27" E., 409.75 FEET TO THE REAL POINT OF BEGINNING.

ALSO DESCRIBED AS:

LOT 2 IN BLOCK 2 OF WAGON WHEEL DEVELOPMENT, INC., RANCHETTES SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF FILED FOR RECORD IN BOOK 4 OF PLATS AT PAGE NO. 32, RECORDS OF LEMHI COUNTY, IDAHO. . .

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 75-7185 Priority October 27, 1980 Amount 0.04 cfs

THIS IS TO CERTIFY, that Leon D. Portone
of Salmon, Idaho, has complied with the terms and conditions of Permit
No. 75-7185 issued pursuant to Application for Permit dated October 27, 1980,
and has submitted proof to the Department of Water Resources on April 25, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.04 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic (1 Unit)	from <u>January 1</u> to <u>December 31</u>	at <u>0.04</u> cfs and	<u>1.2</u> acre feet
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>0.04</u> cfs and	<u>6.0</u> acre feet
	from _____ to _____	at _____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
7.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7,
Twp 21N, Rge 22E in the County of Lemhi

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NEW	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
21N	22E	7																	2

Total number of acres irrigated 2

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29TH day of

JUNE, 19 84.

Acting for the Director

Norman C. Young