

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 A 75-07185Date Received 4-14-93Receipt Number E 014322 / 5-9-90*also*

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 14 1993

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) LEON D. PORTONE OR ALICE R. Phone (208) 756-4810Mailing Address RT 1 BOX 157A SALMON ID Zip 834672. Date of Priority (Only one (1) per claim) 5-7-813. Source of water supply (a) _____
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 21 N Range 22 E Section 7,
1/4 of SW 1/4 of SE 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 _____

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. WELL 6" DIA 31.6" DEEPSUBMERSIBLE PIPED TO HOME

A7507185

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from JAN 1 to DEC 31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is de MINIMIS acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC (1) ONE HOME

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
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>21N</u>	<u>22E</u>	<u>7</u>												<u>2.0</u>					<u>2.0</u>

Total number of acres irrigated 2.0

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

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.
WATER RIGHT # 75 44 77 or None ()

14. Remarks: WAGON WHEEL DEV. INC. RANCH LOTS - "A" DIV. LOT # 2

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Last Name PORTONE Ident No. A 75-07185

Copies: APR 19 1994 State of Idaho - Claimant

Scale: 2 inches equals 1 mile

T-21N - R 22 E - SECTION 7

SECTION-7

602

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Last Name

Peritone

Ident No.

Ident No. A75-07185

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 75-7185
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) Leon D Portone

Date April 13 1993

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 _____

Title _____

of _____

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 Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 13th day of April 19 93

SEAL

Notary Public Natalie Banta

Residing at 1202 Leadore Ave

My Commission Expires 5-18-98

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 _____

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Last Name Portone

Ident. Number A-75-07185

APR 19 1994

Copies White-State, Yellow-Claimant

4/12/1989

SPEA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME PORTRONECLAIM IDENT. NO. 75-07185

DATE RECEIVED _____

CITY _____

AMOUNT \$ _____

POOR ORIGINAL

1. Is the name and address complete with zip code? _____
2. Is a priority date entered? _____
3. Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. _____
3. (a) Is a source entered? _____
- (b) Is a tributary to entered? (if required) _____ N/A _____
4. Is the legal description of the p.d. sufficient? _____
5. Is there a description of the diverting works? _____
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. _____
- Is the period of use included? _____
- Is a quantity claimed for each use? _____
7. Is a total quantity claimed entered? _____
8. Is required is a consumptive use entered? _____ N/A _____
- Is the consumptive use correct? _____ N/A _____
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. Is not under single ownership, see Adjudication Memo # 4. _____ N/A _____
10. Is (are) the place(s) of use and purpose(s) indicated? _____
11. Is (are) the county(ies) entered? _____
12. Is the ownership of p.d. checked? _____
13. Are other water rights listed or "none" indicated? _____
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) _____ N/A _____
15. Is the basis of the claim indicated? _____
16. If the claimant requested a monthly docket sheet, is payment enclosed? (if yes, describe payment status in "Comments" below.) _____ N/A _____
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. _____
18. Has the claim been signed, sealed, and dated by a notary? _____
19. Was this claim filed on time, or was an extension granted? _____
20. Is the fee enclosed correct? _____ Exempt: _____
21. Is this claim based on an existing water right, has the identification number been entered? _____ N/A _____
22. Should this claim be data entered? _____

Claim checked by: JxDate: 12-5-90

Claim must be returned to claimant: _____

Claimant must be notified of modifications: _____

Receipt prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Checked by: _____

Date: _____

Comments: WR'S Side shows this water right is for dom2.0
acres. V/EricSee Proof attachedNeeds ltr for different filing & fees

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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: A75-07185

Date Received: 5/ 9/1990

Receipt No: E014322

Received By:

*See Rec'd E018454 for add'l 27.00 to
Cen. irrigation/9/1-15-93*

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

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

OR

Name: ALICE R. PORTONE 208-756-4810
Address: RT 1 BOX 157A
SALMON ID 83467

2. Date of Priority: MAY 7, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

31'6" WELL, 6" CASING, SUBMERSIBLE PUMP PIPED TO HOUSE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	11/01	0.040		

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	22E	7	SW SE	SE	IRR DOMEST	2.0
Section Acres						2.0
Total Acres						2.0

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:
WATER RIGHT 75-4477

14. Remarks:

15. Basis of Claim: LICENSE

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: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

3/23/93 Mr. Portone called today regarding this letter. He has been predisposed due to back surgery and unable to conduct business. He does, however, intend to file for the irrigation as described in this letter. He will be returning to Reno in April and will file w/fee then.

ABR

MARCH 4, 1993

LEON D PORTONE
RT 1 BOX 157A
SALMON ID 83467

RE: ADJUDICATION NOTICE; A75-07185

Dear Mr. Portone:

Information on the Notice of Claim to a Water Right, A75-07185, indicates you are not claiming water for irrigation purposes. However, the original License for this right indicates 2.0 acres are under irrigation. The form you have used is limited to residential, stockwater and/or domestic rights with up to 1/2 acre of irrigation.

To claim irrigation of more than 1/2 acre from the well, you must use form #42-1409(2) enclosed. If you wish to maintain the irrigation portion of this right please complete the enclosed form, sign it, having your signature notarized and return it to this office.

The filing fee is \$50.00 plus \$1.00 per acre: in this case \$52.00. Taking into account the \$25.00 already paid, simply submit a check or money order for the balance due (\$27.00).

If you should have any questions regarding this matter please feel free to contact me at (208) 525-7161.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Agent - Adjudications

Enclosures: Form #42-1409
Copies of original claim and water right
license are enclosed to help complete the
new form.

File: TIC

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RECEIVED

OCT 12 1993

Department of Water Resources
Eastern District OfficeNEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIPPlease print or type
(see instructions on back of page)DATE OF CLOSING: 9/23/93LEGAL DESCRIPTION OF PROPERTY: Township 2/N Range 22 ESection 7, SW 1/4 of SE 1/4 of 1/4 Gov. Lot , BM.A.K.A. Lot 2, Block 2, Subdivision/Townsite Wagon Wheel Development, Inc. Ranchette
If you have additional legal descriptions, please attach separate sheet. 0☐ 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 BT.
75-7185 and ditch claim 5/8/1990 COPIES
(4-19-1990) ATTACHED.☐ Name and Address of Former
Owner/Claimant(s) (Seller):LEON D. PORTONE☐ New Owner/Claimant
(Purchaser):Rt. 2 Box 157ASalmon, Idaho 83467☐ New Mailing Address:P.O. Box 1081Salmon, 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)Le Roy H. FishDate 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

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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 persons whose name
subscribed to the within instrument, and acknowledged to me that
executed the same.

Shirley 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 p.m. 9-23-93
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederrlok
Ex. Office Recorder
By Terri J. Morton Deputy
Fee: 6.00

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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. . .

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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: A75-07185
Date Received: 5/ 9/1990
Receipt No: E014322
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: MAY 7, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
31'6" WELL, 6" CASING, SUBMERSIBLE PUMP PIPED TO HOUSE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
IRRIGATION	04/01	11/01	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	7	SW	SE		IRR	2.0
			SW	SE		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

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:
WATER RIGHT 75-4477

14. Remarks:

15. Basis of Claim: LICENSE



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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

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