

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576 11617
Identification No. A75-~~11617~~
Date Received
Receipt Number E014800NOTICE OF CLAIM
TO A
WATER RIGHTACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.*50.00 By Former owner
26.00 more needed (new owner)
RECEIVED
See Receipt E018122
MAY - 5 1990 for 26.00
Department of Water Resources
Eastern District Office

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) PAUL A. AND/OR PATRICIA A. FITZGERALD
213A MOTEL DELUXE Phone (208) 756-2231

Mailing Address P.O. Box 1044 SALMON ID zip 83467

2. Date of Priority (Only one per claim) Feb 15 1955 Month/Day/Year

3. Source of water supply (Check one) ☒ Groundwater or Other () (a) WB11
which is tributary to (b) Name or kind of source4. Location of point of diversion is: Township 21N Range 22E BM
Section 6 SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot BM
County of LEMHI

Additional points of diversion if any:

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. WELL - 30' DEPTH 4" CASING 90.0 PM -
ELECTRIC PUMP

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

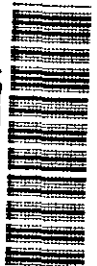
For DOMESTIC purposes from 1-1 Month/Day to 12-31 Month/Day (cfs) amount 0.26
(Both dates are inclusive)
For purposes from to amount

7. Total quantity claimed 0.26 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: give
and Number of livestock) 26 UNIT MOTEL

A751617



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DEC 15 1992

10. Place of use is: Township: TN21N Range: 32E B.M.
Section 16 SE 1/4 of SE 1/4, Govt. Lot _____, B.M.,
for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any _____

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.
X None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree
Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read and understood the form entitled "How you will receive notice in the Snake River Basin Adjudication". (b.) I/We do _____ do not X 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) Paul W. Fitzgerald Date 4-12-90
Patricia Fitzgerald Date 12 Apr 90

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 _____ Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____
Title and Organization _____

State of Idaho/or _____)
County of Lemhi) ss. **NOTARIZATION REQUIRED FOR EACH CLAIM**

Subscribed and sworn (or affirmed) before me this 3rd day of May 19 90

SEAL Notary Public Steve J. Robertson
Residing at Salmon

My Commission Expires Life **MICROFILMED**
Last Name Robertson Ident No. 578-10-5444 **DEC 15 1992**
Copies: White-State, Yellow-Claimant

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: A75-11617
Date Received: 11/12/1992
Receipt No: E014800
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MERLIN FISHER 208-756-4251
Address: PO BOX 863
SALMON ID 83467

AND/OR

Name: DEE FISHER 208-756-4251
Address: PO BOX 863
SALMON ID 83467

2. Date of Priority: FEB 15, 1955

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	6	SE	SE	NE		LEMHI

5. Description of diverting works:
30' DEEP, 4" CASING, 90GPM, ELEC PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.260		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
COMMERCIAL, 26 UNIT MOTEL

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10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	22E	6	SE NE		COMMER	

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:

THIS PROPERTY FORMERLY OWNED BY PAUL A FITZGERALD IN MAY 1990

15. Basis of Claim: BENEFICIAL USE

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): Merlin J. Fisher Date: 11/23/92

Date: _____

State of Idaho)
County of Persh) SS.

Subscribed and sworn (or affirmed) before me this 23rd day
of November 19 92

Seal

Freddie B. Rohrer
Notary Public

Residing at Salmon, Idaho

My Commission Expires 10.6.93

MICROFILMED

Fisher

ADDENDUM TO REAL ESTATE EXCHANGE AGREEMENT

REFERENCE IS HEREBY MADE to that certain Real Estate Exchange Agreement, dated the 28th day of June, 1990, wherein PAUL A. FITZGERALD and PATRICIA A. FITZGERALD, husband and wife, are FIRST PARTY, and MERLIN J. FISHER and DOLORES E. FISHER, husband and wife are SECOND PARTY:

WHEREAS, said PAUL A. FITZGERALD and PAT A. FTIZGERALD and MERLIN J. FISHER and DOLORES E. FISHER would like to add the following Paragraph to said Real Estate Exchange Agreement.

COVENANT NOT TO COMPETE:

That the FIRST PARTY covenants to and with the SECOND PARTY that for a period of ten (10) years from the date of the original Exchange Agreement, that FIRST PARTY, will not compete in the motel business within a fifty (50) mile radius of Salmon, Idaho.

In all other respects, except for this Addendum, the original Real Estate Exchange Agreement shall remain in full force and effect as originally written.

IN WITNESS WHEREOF, We have hereunto set our hands and affixed our seals the 10TH day of July, 1990.

Paul A. Fitzgerald
PAUL A. FITZGERALD

Merlin J. Fisher
MERLIN J. FISHER

Patricia A. Fitzgerald
PATRICIA A. FITZGERALD

Dolores E. Fisher
DOLORES E. FISHER

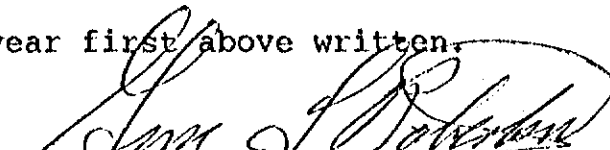
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DEC 15 1992

STATE OF IDAHO)
) ss.
County of Lemhi)

ON THIS 10th day of July, 1990, before me, the under-
signed, a Notary Public in and for said County and State,
personally appeared PAUL A. FITZGERALD and PATRICIA A. FITZGERALD
known to me to be the persons whose names are subscribed to the
foregoing instrument and who acknowledged to me that they
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year first above written.

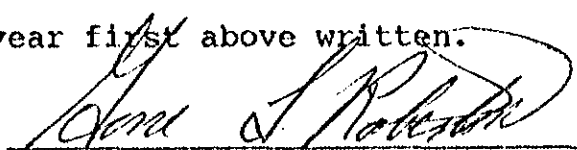


Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: Life

STATE OF IDAHO)
) ss.
County of Lemhi)

ON THIS 10th day of July, 1990, before me, the under-
signed, a Notary Public in and for said County and State,
personally appeared MERLIN J. FISHER and DOLORES E. FISHER known
to me to be the persons whose names are subscribed to the
foregoing instrument and who acknowledged to me that they
executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year first above written.



Notary Public for Idaho
Residing at Salmon, Idaho
Commission Expires: Life

ACTION REQUIRED

11-12-92

FROM: Jo Thompson

TO: Mertin & Dee Fisher

as we discussed per our phone conversation this morning, Please sign the Notice in the presence of a Notary and return with a check for \$26.00 for .26 CFS of water used on the lawn. After claim is signed & notarized, please make a copy for your records. Also, please enclose contract copy to show you are purchasing this property. ONLY ONE OF YOU NEED SIGN THIS NOTICE.

Thank you for your help in resolving this.
If you have any questions, please call 525-7161
and ask for me.

Jo

11-25-92

Dave says no need to do c/o

RECEIVED

NOV 25 1992

Department of Water Resources
Eastern District Office

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DEC 15 1992