

DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO

JOHN M. MELANSON
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121



SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

March 31, 2004

Jeanette Wofley
Attorney at Law
202 N. Arthur
Pocatello, ID 83202

RE: Notices of Appearance on behalf of Shoshone-Bannock Tribes

Dear Ms. Wofley:

On March 30, 2004, we received from you, for filing with this Court, a *Notice of Appearance* in subcase numbers 29-02322, 29-10032 and 29-7326. Subcase number 29-02322 has not yet been reported to this Court and subcase numbers 29-10032 and 29-7326 have already had *Partial Decrees* issued. Therefore, we have forwarded your three filings, together with the your attached copies of the *Notice of Change in Water Right Ownership* forms, to the Idaho Department of Water Resources in Boise for proper handling of these matters.

If you have questions concerning these filings or if we may be of further assistance to you, please feel free to contact this office.

Sincerely,


Julie Murphy
Deputy Clerk

Jeanette Wofley, ISB No. 3948
Attorney at Law
202 N. Arthur
Pocatello, ID 83202
Telephone: (208) 232-1922
Facsimile: (208) 232-7472

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

~~2004~~ MAR 30 AM 10 17

Special Counsel for the Shoshone-Bannock Tribes

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re: SRBA

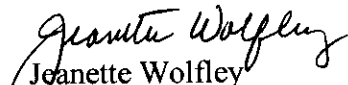
)
) NOTICE OF APPEARANCE
) SUBCASE NO. 29-10032
)
)

Case No. 39576
_____)

NOTICE IS HEREBY GIVEN that Jeanette Wolfley hereby enters an appearance for and on behalf of the SHOSHONE-BANNOCK TRIBES in the above-entitled matter. Any and all pleadings and documents may be mailed to her at the above address.

DATED THIS 29th day of March 2004.

Respectfully submitted,


Jeanette Wolfley

Special Counsel for the Shoshone-Bannock Tribes

CERTIFICATE OF MAILING

I certify that on March 29, 2004, I mailed the original and copies of this NOTICE OF APPEARANCE to the following persons:

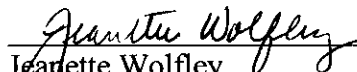
1. Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449



Jeanette Wolfley
Special Counsel for the Shoshone-Bannock Tribes

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-10032					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Lee Ann Morby
- 3560 Hawthorne Pocatello, ID 83201
4. New Owner/Claimant(s) Shoshone-Bannock Tribes
- Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- PO Box 306
- New Mailing Address Fort Hall, ID 83203
- City, State and ZIP Code 208) 238-9375
- New Telephone Number October 13, 2000
5. Date you acquired the property

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Janita Wolfley for Shoshone-Bannock Tribes
Attorney

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

WARRANTY DEED

For Value Received,

Eric Edmo, as grantor, does hereby grant, bargain, sell and convey unto the Shoshone-Bannock Tribes, Box #306, Fort Hall, ID 83203, the following described real property, to wit:

A tract of land situate in Government Lot 3 of Section 1, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the N.W. corner of said Government Lot 3 (W 1/16 corner) monumented with a 5/8 inch diameter rebar with a plastic cap attached marked L. S. 4477; thence S. 0°16'02" W., along the westerly boundary of said Government Lot 3 a distance of 915.21 feet to the centerline of Lower Rock Creek Road; thence along said centerline as follows: 155.73 feet along the arc of a 1339.39 foot radius curve left the long chord of which bears N 77°57'15" E., a distance of 155.64 feet; thence N. 74°37'24" E., a distance of 58.68 feet; thence N. 69°23'47" E., a distance of 248.75 feet; thence 130.52 feet along the arc of a 508.94 foot radius curve left the long chord of which bears N. 62°02'57" E., a distance of 130.17 feet; thence N. 54°42'08" E., a distance of 246.11 feet; thence 136.39 feet along the arc of a 143.46 foot radius curve right the long chord of which bears N. 81°56'13" E., a distance of 131.31 feet; thence S. 70°49'40" E., a distance of 182.88 feet; thence 163.11 feet along the arc of a 145.79 foot radius curve right the long chord of which bears S. 38°46'23" E., a distance of 154.73 feet; thence S. 6°42'51" E., a distance of 101.07 feet; thence 80.69 feet along the arc of a 91.54 foot radius curve right the long chord of which bears S. 18°32'12" W., a distance of 78.10 feet; thence S. 43°47'16" W., a distance of 134.77 feet; thence 267.85 feet along the arc of a 138.32 foot radius curve left the long chord of which bears S. 11°41'10" E., a distance of 227.92 feet; thence S. 67°09'39" E., a distance of 263.39 feet; thence leaving said centerline N. 0°03'43" W., along the easterly boundary of said Government Lot 3 a distance of 1340.95 feet;

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20100158

thence S. 89°46'48" W., a distance of 1334.04 feet to the Point of Beginning.

This parcel contains 25.33 acres, more or less. This parcel is subject to a 25 foot road right of way along the southerly boundary.

All according to the Record of Survey as recorded in the Office of the Bannock County Recorder.

The said Grantor does hereby covenant to and with the said Grantee that he is the owner in fee simple of the said premises, and that he is free and clear from all encumbrances, and that he will warrant and defend the same from all lawful claims whatsoever.

Date

Eric Edmo
Eric Edmo
Grantor

State of Idaho, County of

On this 13th day of October, 2000, before me,
A Notary Public in and for the State of Idaho,
Personally appeared:

Eric Edmo

Known to me to be the person whose name is
Subscribed to the within instrument, and
Acknowledged to me that he executed the same

Glenice E. Teton
Notary Public

Residing at: Burham, Idaho

Comm. Expires: 12-12-2000

GLENICE E TETON
NOTARY PUBLIC
STATE OF IDAHO

NO 20100158
RECORDED AT REQUEST OF
Shoshone - Bannock Tribes
2001 JAN 4 AM 11 53

773
IDAHO
b.w. Jb

WATERRIGHT (29-10032)

T8S R36E SEC. 01



 AREA OF CONCERN



800 0 800 Feet

