

June 28, 2003

To: Craig L. Saxton
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

JUL 02 2003

WATER RESOURCES
WESTERN REGION

Dear Mr. Saxton,

I'm afraid your kind letter got buried on my desk but I think I have everything you requested. I've included a copy of your letter to refresh your memory. Thank you for your extra time and attention to this matter. Feel free to request any additional information you may need.

Thanks again.

Respectfully yours,



Bill Schubert

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JUL 09 2003

Department of Water Resources
Eastern Region

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JUL 02 2003

WATER RESOURCES
WESTERN REGION

June 25, 2003

To whom it may concern:

I hereby attest that I used my water right on Mink Creek to irrigate the pastures on my property at 1646 N. Mink Creek Road, Pocatello, ID from the summer of 1976 through the summer of 1990. The 2 inch hand lines I used are still in my possession, the gasoline-powered pump is not. Since 1990, with the drought we have experienced in SE Idaho, I felt it inappropriate to water land with no current agricultural use. I have not abandoned or in any way forfeited my water rights but have conscientiously refrained from wasting the precious water.

Respectfully submitted,

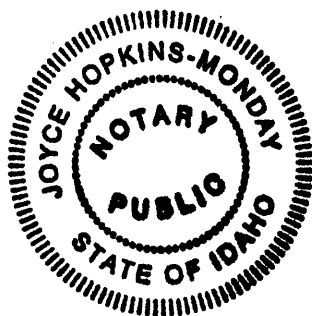
William W Schubert

William Walter Schubert

Sworn and signed before me this 27th day of June, 2003

Joyce Hopkins-Monday
Notary

Commission Expires 8-2-2008



This is to verify that I lived next to William Schubert during the years 1976 through 1990 and observed him irrigating his pasture with 2 inch hand lines using his water rights during this period of time.



Lea Wood

Previous address:

1682 N. Mink Creek Road
Pocatello, ID

Current address:

28 Cedar Hills Drive
Pocatello, ID 83204

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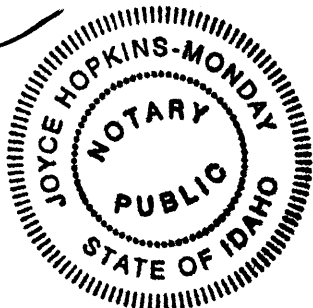
JUL 02 2003

WATER RESOURCES
WESTERN REGION

*Notary for the State of Idaho
Commission expires 8-2-2008*

*Sworn & signed before me this
27th day of June 2003.*

Joyce Hopkins - Monday



95018984

QUITCLAIM DEED

For value received DEBRA A. SCHUBERT, do hereby convey, release, remise and forever quitclaim unto WILLIAM W. SCHUBERT, M.D., whose current address is 1646 Mink Crk. Rd, Pocatello, ID, the following described premises, to-wit:

COMMENCING AT THE NORTHEAST CORNER OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 35 E.B.M., BANNOCK COUNTY, IDAHO, AND RUNNING THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID SE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 625 FEET TO THE POINT OF BEGINNING OF THIS SURVEY; THENCE CONTINUING SOUTHERLY ALONG SAID LINE A DISTANCE OF 200 FEET; THENCE WESTERLY PARALLEL TO THE NORTHERLY LINE OF SAID SE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 940 FEET, MORE OR LESS, TO THE CENTER LINE OF THE STATE HIGHWAY 38 AS NOW LOCATED; THENCE NORTHERLY ALONG THE CENTER LINE OF STATE HIGHWAY 38 A DISTANCE OF 211.5 FEET, MORE OR LESS, TO A POINT DUE WEST OF THE BEGINNING, THENCE EASTERLY PARALLEL TO THE NORTHERLY LINE OF SAID SE $\frac{1}{4}$ NE $\frac{1}{4}$ A DISTANCE OF 861 FEET, MORE OR LESS, TO THE POINT OF BEGINNING OF THIS SURVEY.

EXCEPT: A TRACT OF LAND IN THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ SECTION 30, TOWNSHIP 7 SOUTH, RANGE 35 E.B.M., BANNOCK COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF SAID SECTION 30, WHICH POINT IS 625 FEET SOUTHERLY FROM THE NORTH 1/16 CORNER OF SAID SECTION 30; THENCE SOUTHERLY ALONG THE EAST LINE OF SAID SECTION 30, 200 FEET; THENCE WESTERLY, PARALLEL TO THE NORTH 1/16 LINE OF SAID SECTION 30, 598.9 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING WESTERLY, PARALLEL TO THE SAID NORTH 1/16 LINE, 275 FEET, MORE OR LESS, TO THE EASTERLY RIGHT OF WAY BOUNDARY OF STATE HIGHWAY NO. 38; THENCE ALONG SAID EASTERLY RIGHT OF WAY BOUNDARY NORTH 18° 17' EAST, 105 FEET; THENCE EASTERLY, PARALLEL TO THE NORTH 1/16 LINE OF SAID SECTION 38, 275 FEET; THENCE SOUTH 18° 17' WEST, 105 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

COMMENCING AT THE NORTHEAST CORNER OF SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 30, TOWNSHIP 7 SOUTH, RANGE 35 E.B.M., BANNOCK COUNTY, IDAHO, AND RUNNING SOUTH 625 FEET ALONG THE EAST LINE OF SAID SECTION 30; THENCE WEST PARALLEL TO THE NORTH LINE OF SAID SECTION FOR A DISTANCE OF 217.8 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING WEST PARALLEL TO THE NORTH LINE OF SAID SECTION 30 A DISTANCE OF 333.00 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID SECTION FOR A DISTANCE OF 102 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION FOR A DISTANCE OF 66 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID SECTION FOR A DISTANCE OF 98 FEET; THENCE EAST PARALLEL TO THE NORTH LINE OF SAID SECTION FOR A DISTANCE OF 267 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF SAID SECTION FOR A DISTANCE OF 200 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

DATED: 12/21/95

DEBRA A. SCHUBERT
DEBRA A. SCHUBERT

STATE OF IDAHO, COUNTY OF

On this 21st day of Dec., 1995
before me, a notary public in and for said State
personally appeared DEBRA A. SCHUBERT
known to me to be the person whose name is
subscribed to the within instrument, and
acknowledged to me that she executed the same.

[Signature]

NOTARY PUBLIC

Residing at Pocatello, Idaho
Commission expires 4-20-96

95018984

NO. _____
REQUEST OF

JACK ROBISON

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OFFICE
BAL
LA 3rd
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NO 654
IDAHO
NOTARY
PUBLIC

NOTARY SEAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 11, 2003

WILLIAM W SCHUBERT
1646 N MINK CK RD
POCATELLO ID 83204

RE: Notice of Error Reply for Snake River Basin Adjudication (SRBA) claim 29-00274C

Dear Mr. Schubert,

The Idaho Dept. of Water Resources received your Notice of Error (NOE) reply on February 24, 2003. You stated that you disagreed with the recommendation of Disallowed.

As we discussed on the phone, the reason this claim was recommended as disallowed is because I did not have enough information to show that the ground has been irrigated. I sent you a letter on August 22, 2002 informing you of what I found but no response was received (Enclosed).

In order to recommend 29-00274C as a valid water right, evidence of use needs to be provided. As we discussed, here are some sources of evidence I need provided:

An affidavit from yourself describing your historical use of the water, when it was last used, and the extent to which it was used.

An affidavit from one or more neighbors confirming this or describing historical use of Mink Creek water on your property if possible.

Photographs of the hand lines and gas pump (if you still have the pump).

Any additional evidence that would show that you have put Mink Creek water to beneficial use.

In addition, I am enclosing a map of your property as defined by Bannock Co tax lot information. You can make a copy or just draw in on the map the area that was irrigated when you were using the water, as well as the location of the point of diversion (where you pump from the creek).

You can submit the change of ownership form and related documents along with the above mentioned data all in one package to me at the above address.

I appreciate your prompt attention to this matter.

Feel free to contact me with any questions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Craig L. Saxton". The signature is fluid and cursive, with a long horizontal stroke at the end.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau