

lake
(shp)
pen 198
shp head 35psi
1874 LAKES

November 20, 1998

NOTICE OF ERROR
REPLY

RECEIVED
JAN 14 1999

Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 35-11854

LUKES ISLAND INC
C/O GEORGE READER PRES
PO BOX 61
SPRINGFIELD ID 83277

*change of
ownership
filed
11-14-99 JH*

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 1-2-99 SIGNATURE: *Fred Schneider*
Please print your name: FRED SCHNEIDER

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

PELOG DC 114-99

DC OK
RECEIVED

JAN 14 1999

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

1. Water Right or Adjudication Claim No(s): 35-11852, 35-11853, 35-11854

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant LUCK ISLAND
GEORGE READER PO BOX 61

SPRINGFIELD ID 83277

4. New Owner/Claimant(s) FRED & ARLYNN SCHNEIDER

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address PO BOX 125

City, State and ZIP Code SPRINGFIELD ID 82277

New Telephone Number (360) 668-4882

5. Date you acquired the property 1 APR 97

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 4 Number and type of stock IRRIGATION

Diversion rate in CFS _____ Number of homes 1 Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) Fred & Arlynn Schneider

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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

36734
am

Warranty Deed

453084

For Value Received ROBERT FELTON

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
FRED A. SCHNIEDER and ARLYNN H. SCHNIEDER, husband and wife
 whose address is: 8003 156 STREET SE, SNOHOMISH, WA, 98290

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

TRACT A:

Township 4 South, Range 32 E.B.M., Bingham County, Idaho

Section 15: NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying Northeasterly of the Springfield Lake and South of the State Highway.

TRACT B:

Township 4 South, Range 32 E.B.M., Bingham County, Idaho

Section 15: NE $\frac{1}{4}$ NE $\frac{1}{4}$

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever, EXCEPT PROPERTY IS SOLD "AS IS" WITHOUT ANY WARRANTY.

Dated: ^{Apr. 1} MARCH 3, 1997

Robert Felton
 ROBERT FELTON

STATE OF UTAH
 COUNTY OF Salt Lake : ss.

On this 3 day of April, 1997, before me the undersigned, a Notary Public in and for the said county and state, personally appeared ROBERT FELTON, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.

STATE OF _____
 COUNTY OF _____ : ss.

On this _____ day of _____, 1997, before me the undersigned, a Notary Public in and for the said county and state, personally appeared _____, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.

Sandra S. Olson
 Notary Public for
 Residing at: St. George
 My Commission Expires: 12-1-98



RECORDED AT THE REQUEST OF

97 APR 11 PM 3:01

FEE 3.00 DEP DEBINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO

FIRST AMERICAN TITLE

Notary Public for _____
 Residing at: _____
 My Commission Expires: _____

453084

36734

453085

Warranty Deed

For Value Received **ROBERT SACKS**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
FRED A. SCHNIEDER and ARLYNN H. SCHNIEDER., husband and wife
 whose address is: 8003 156 STREET SE, SNOHOMISH, WA, 98290

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

TRACT A:

Township 4 South, Range 32 E.B.M., Bingham County, Idaho

Section 15: NW $\frac{1}{4}$ NE $\frac{1}{4}$ lying Northeasterly of the Springfield Lake and South of the State Highway.

TRACT B:

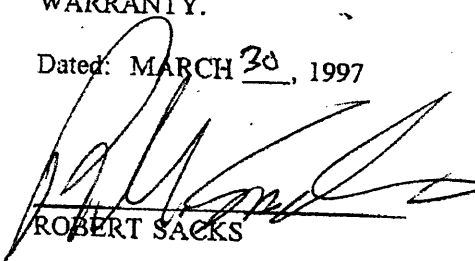
Township 4 South, Range 32 E.B.M., Bingham County, Idaho

Section 15: NE $\frac{1}{4}$ NE $\frac{1}{4}$

TOGETHER WITH all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

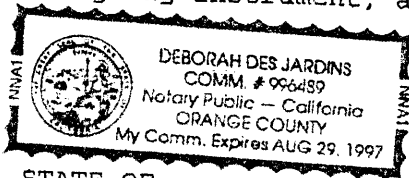
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever, EXCEPT PROPERTY IS SOLD "AS IS" WITHOUT ANY WARRANTY.

Dated: MARCH 30, 1997

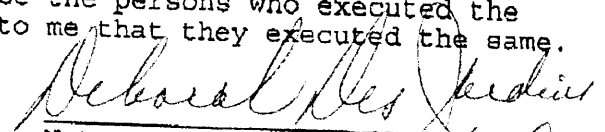

 ROBERT SACKS

STATE OF California
 COUNTY OF Orange : ss.

On this 1st day of April, 1997, before me the undersigned, a Notary Public in and for the said county and state, personally appeared ROBERT SACKS, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.



STATE OF _____
 COUNTY OF _____ : ss.

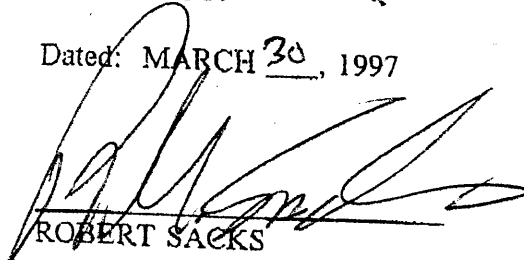

 Notary Public for Orange County
 Residing at: Newport Beach CA
 My Commission Expires: 8-29-97

BINGHAM COUNTY RECORDER
 BLACKFOOT, IDAHO
 97 APR 11 PM 3:02
 RECORDED AT THE REQUEST OF
 FIRST AMERICAN TITLE
 FEE 3.00 DEP 0.00

interests belonging or in anywise appertaining, including all water, water rights, ditch and ditch rights.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever, EXCEPT PROPERTY IS SOLD "AS IS" WITHOUT ANY WARRANTY.

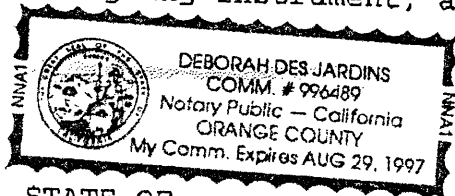
Dated: MARCH 30, 1997


ROBERT SACKS

INFORMATIONAL RECORDER
BLACKFOOT, IDAHO
FEE 3.00 DEP 0.00
97 APR 11 PM 3:02
RECORDED AT THE REQUEST OF
FIRST AMERICAN TITLE

STATE OF California
COUNTY OF Orange : SS.

On this 1st day of April, 1997, before me the undersigned, a Notary Public in and for the said county and state, personally appeared ROBERT SACKS, known or proved to me to be the persons who executed the foregoing instrument, and acknowledged to me that they executed the same.



STATE OF _____
COUNTY OF _____ : SS.


Notary Public for Orange County
Residing at: Newport Beach, CA
My Commission Expires: 8-29-97

On this _____ day of _____, 1997, before me the undersigned, a Notary Public in and for the said county and state, personally appeared _____ persons who executed the foregoing instrument, and acknowledged to me that they executed the same.

453085

Notary Public for _____
Residing at: _____
My Commission Expires: _____

OCT 18 1991

Department of Water Resources
Eastern District Office

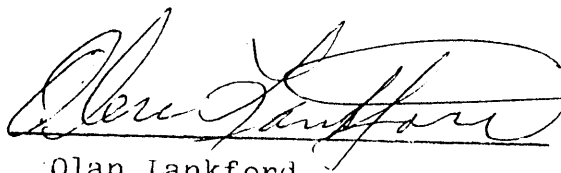
August 1, 1991

TO WHOM IT MAY CONCERN:

RE: A35-11854

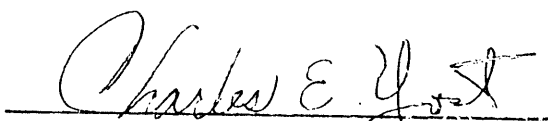
A35-11852

The Domestic well located at 2015 W. 800 S. in Springfield, Idaho was in operation in 1934 when I moved to this area. Mr. Art Nelson, the owner in the 1930"s, was also using water from Springfield Lake to water some property.



Olan Lankford
Sterling, Idaho

SUBSCRIBED AND SWORN to before me this 22 day of August, 1991.



Notary Public for Idaho
Residing at Chascon, Idaho
EXPIRATION DATE 11-4-1994

MICROFILMED

DEC 11 1992

35-11854
RECEIVED

JUN 29 1993

Department of Water Resources
Eastern District Office

TO WHOM IT MAY CONCERN:

I, THE UNDERSIGNED, BYRON D. THURSTON OF 772 S. 2100 W.,
(LAKEVIEW ROAD), SPRINGFIELD, IDAHO, 83271 MAKE THE FOLLOWING
STATEMENT CONCERNING THE WATER RIGHT FOR LUKE'S ISLAND.

IN 1934 AND 1935, I DROVE MY CAR ALL OVER THE ISLAND AND THERE
WERE NO BUILDINGS, NO TREES, NOTHING BUT GREASEWOODS AND
SALT GRASS. I AM 81 YEARS OLD AND HAVE LIVED IN THE SPRINGFIELD
AREA ALL THE TIME WITH THE EXCEPTION OF ONE YEAR.

Byron D. Thurston
BYRON D. THURSTON

STATE OF IDAHO
COUNTY OF BINGHAM

ON THIS 14TH DAY OF JUNE 1993, BEFORE ME LAVON L. WARNER,
PERSONALLY APPEARED BYRON D. THURSTON, KNOWN TO ME TO BE
THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING STATEMENT,
AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

Lavon L. Warner
NOTARY PUBLIC
FOR THE STATE OF IDAHO
RESIDING IN ABERDEEN
MY COMMISSION EXPIRES: 7-7-98

MICROFILMED
APR 18 1994

A35-11854

June 28, 1991

LUKES ISLAND INC
PO BOX 61
SPRINGFIELD ID 83277

RE: **Evidence of Priority** A35-11854, A35-11853 & A35-11852

Dear Claimant:

The Notices of Claim identified with the numbers shown at the end of this letter have been filed in the Snake River Basin Adjudication (SRBA). The Notices indicate the water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a License, Decree, or Permit. For this reason, proof must be provided supporting the priority date.

For your reference I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read all of the pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some Examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend this historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel. **But, the Department will not recommend the Notices be decreed by the court if no evidence of a priority date is submitted.**

Please submit the required evidence supporting the priority dates by **July 29, 1991**, referencing all documents with the corresponding Notice numbers. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

MICROFILMED
DEC 11 1992

Page 2

All Notices required to submit this evidence are currently being reviewed for recommendation to the court. Hence, the need for expediency on your part or your agency. Every effort should be made to submit this information within 30 days of the date of this letter.

Respectfully submitted,

Eric Verner
Senior Water Agent

EV:sc

Enclosure: Brochure on "Evidence of Priority"
Proof Report

MICROFILMED
DEC 11 1992

