

4a

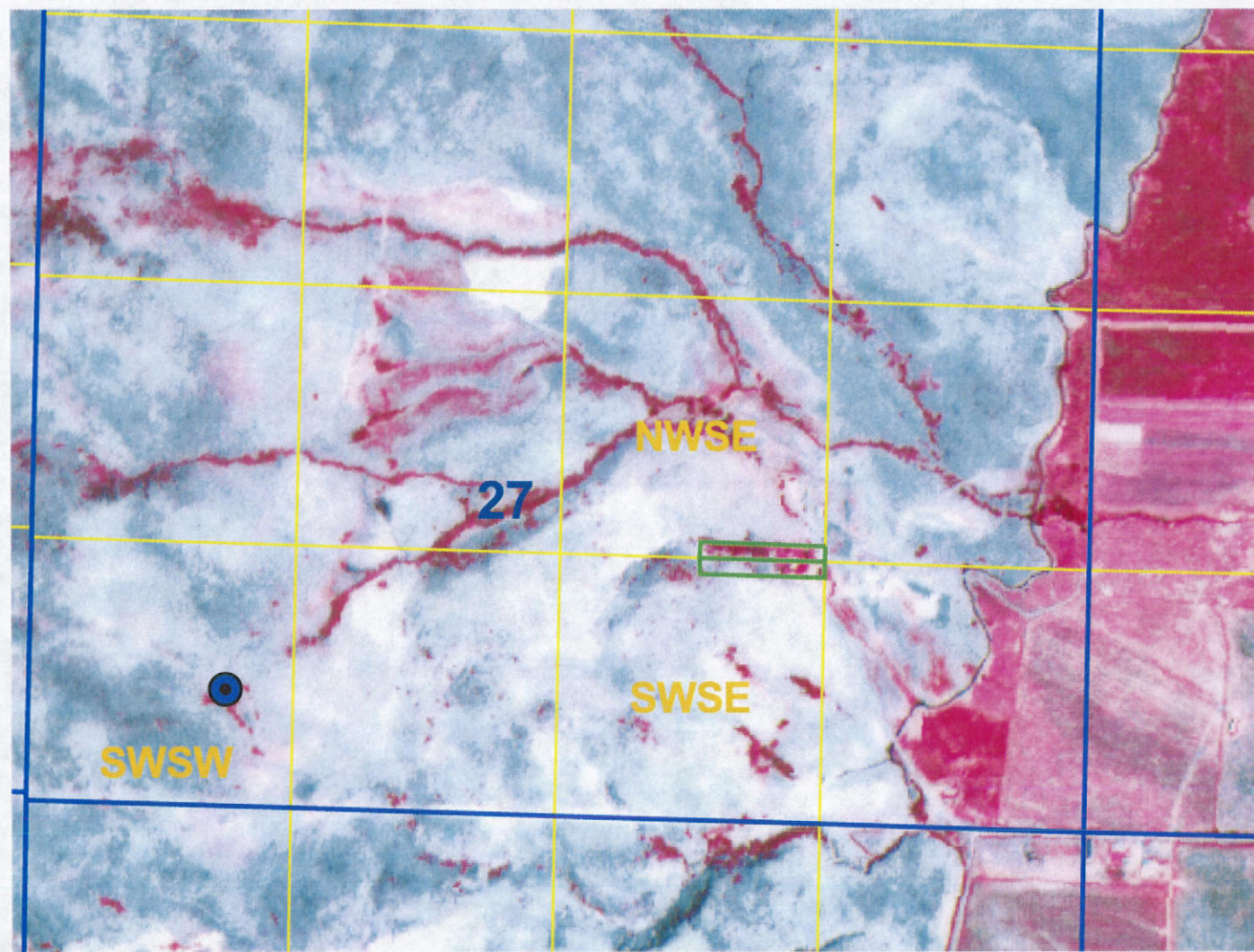
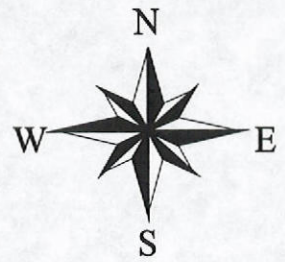
CLAIM 465-03016 INIT
T. R. S. Q/Q
P/D 10N 1E 27 NE SWSW
SCALE
PHOTO ID. V8 DATE 1970



56

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R01E, S27



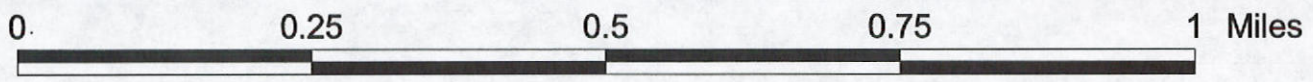
- 1987 NAPP PHOTO**
- POINT OF DIVERSION
 - ▭ PLACE OF USE
 - ▭ 1/4 1/4 LINES
 - ▭ SECTION LINES
 - 6 ACRES
 - 6 SECTION NUMBERS

CLAIM(S): 65-03016

OWNER(S): ODERMOTT, W.L. AND
LOURABELLE

Prepared by Mel Schulte

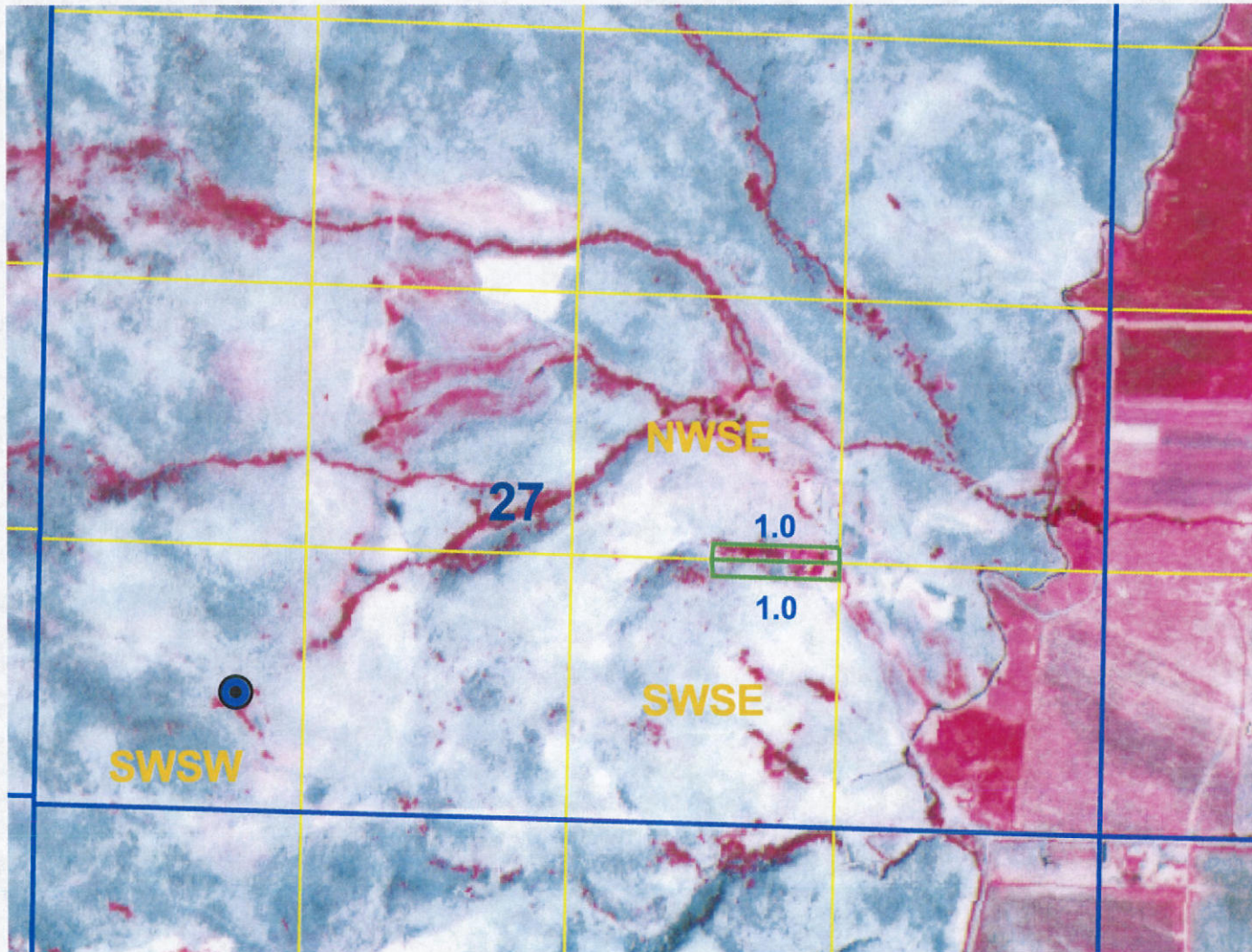
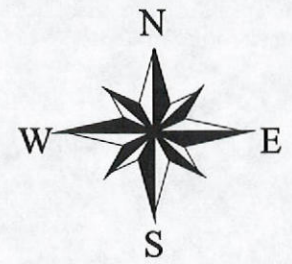
DATE: MAY 18, 2000



52

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R01E, S27



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03016

OWNER(S): ODERMOTT, W.L. AND
LOURABELLE

Prepared by Mel Schulte

DATE: MAY 18, 2000

0. 0.25 0.5 0.75 1 Miles

5d

A65-03016

10N, 01E

PRBA map

29

(25)

65-2050

65-3018

Q₁

Q₂

(4)

65-3015

65-3018

H

65-3016

Four Mile
Springs

27

3334

VACANT

(4)

65-2

65

65

65

65

65

65

65

65

65

65

65

65

65

65

65

5e

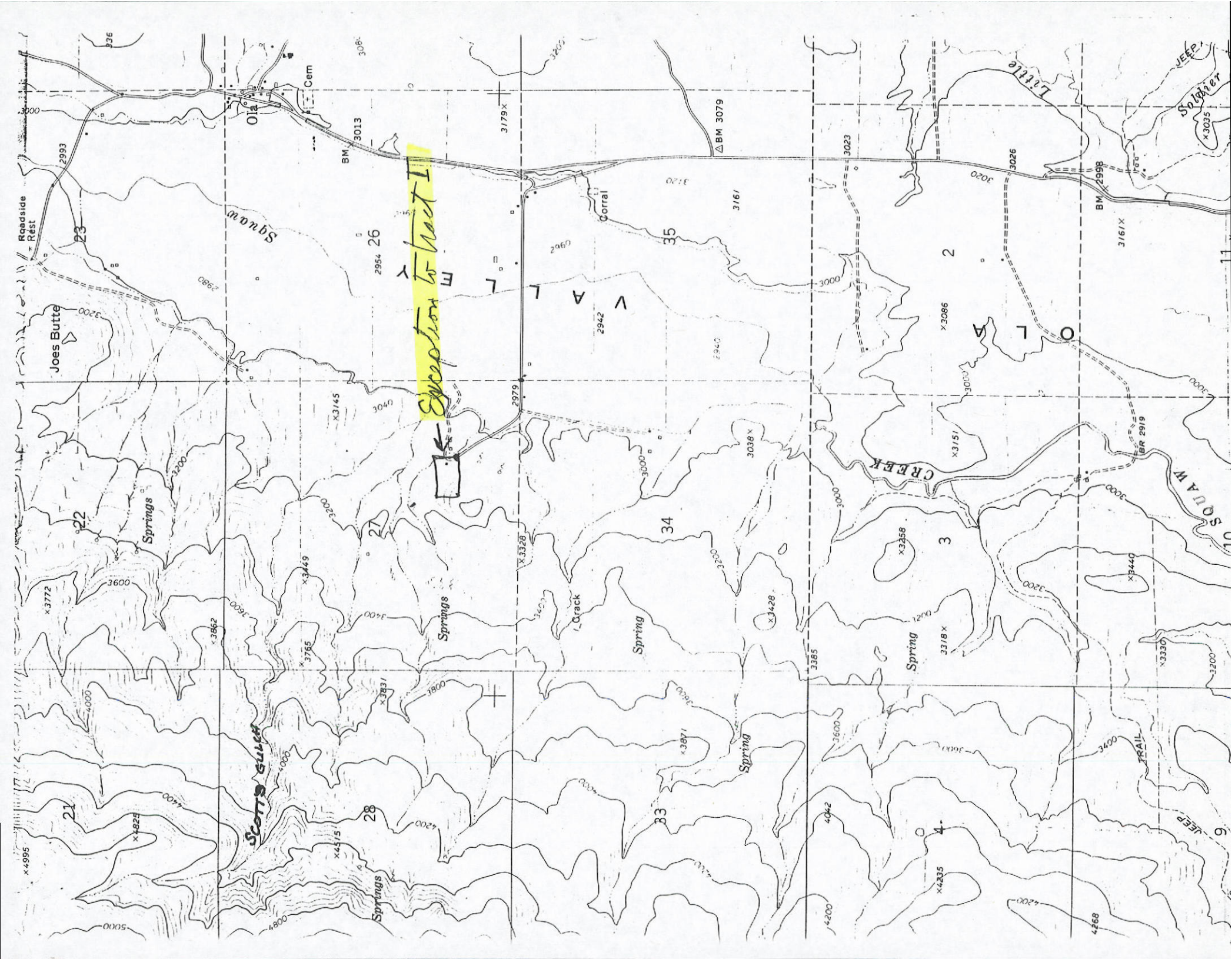
CLAIM 445-03016 INIT _____
T. R. S. Q/Q
P/D 10N 12 27 SWSW
SCALE PRBA map
PHOTO ID. ASSC DATE 1961



27 96

34 32





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

RECEIVED
JAN 10 1990

Ident. Number: A65-03016
Date Received: 1/10/1990
Receipt No: X999999
Received By: _____

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAURA BELLE M. ODERMOTT
Address:

OLA, ID 83657

Name: WALTER L. ODERMOTT

208-584-3543

Address: HC 78, BOX 3815

OLA, ID 83657

2. Date of Priority: MAY 01, 1906

3. Source: FOUR MILE SPRING Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	01E	27	SW	SW			GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		1.20
STOCKWATER	01/01	12/31	0.020		0.40
IRRIGATION	04/01	11/01	0.020		0.40

7. Total Quantity Appropriated is:

0.020 C.F.S. (and/or) 1.20 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A65-03016

Page 1

Date: 01/10/90

MICROFILMED

SEP 21 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	01E	27	SW	SE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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/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 _____

RECEIVED

JAN 24 2002

WATER RESOURCES
WESTERN REGION

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

Case No. 39576

A. Subcase 65-3016
(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100
Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Sharon Marie Spiker & Roger Vaughn Spiker
Address: PO Box 74
Ola, ID 83657

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**
Should be:
 2. ☐ **Source**
Should be:
 3. ☐ **Quantity**
Should be:
 4. ☐ **Priority Date**
Should be:
 5. ☐ **Point(s) of Diversion**
Should be:
 6. ☐ **Instream Flow Description**
Should be:
 7. ☐ **Purpose(s) of Use**
Should be:
 8. ☐ **Period of Year**
Should be:
 9. ☐ **Place of Use**
Should be:
11. **I object because:**
- ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

VERIFICATION (Must be Completed)

)

) SS.

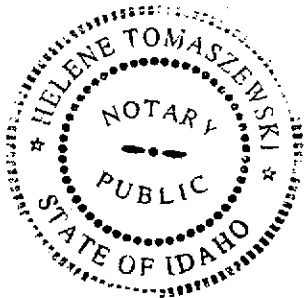
)

(Name of person filing objection)

(Signature of person filing objection)

(Attorney signing in representative capacity)

January 9, 2002



Helene Tomaszewski
Helene Tomaszewski

Helene Tomaszewski

Notary Public for: Idaho

Residing at: Meridian

My Commission Expires: 01-16-2002

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: Sharon Marie Spiker & Roger Vaughn Spiker

Address: PO Box 74
Ola, ID 83657

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

("R" record)

12/08/2000

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 65-3016

NAME AND ADDRESS: ROGER VAUGHN SPIKER
SHARON MARIE SPIKER
PO BOX 74
OLA, ID 83657

SOURCE: UNNAMED SPRINGS TRIBUTARY: SQUAW CREEK

QUANTITY: 0.02 CFS
1.2 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR
DOMESTIC AND STOCKWATER USES SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/01/1906

POINT OF DIVERSION: T10N R01E S27 SWSW Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4-01 11-01	0.02 CFS 0.40 AFY
STOCKWATER	1-01 12-31	0.02 CFS 0.40 AFY
DOMESTIC	1-01 12-31	0.02 CFS 1.20 AFY

PLACE OF USE:

IRRIGATION Within GEM County
T10N R01E S27 NWSE 1 T10N R01E S27 SWSE 1

STOCKWATER Use same as IRRIGATION DOMESTIC Use same as IRRIGATION

2 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER
RIGHT FOR DOMESTIC USE AND STOCKWATER USE IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

SOURCE IS ALSO KNOWN AS FOUR MILE SPRING



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

December 8, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ROGER VAUGHN SPIKER
SHARON MARIE SPIKER
PO BOX 74
OLA ID 83657

Re: Notice of Claim to a Water Right No. 65-03013, 65-03016, & 65-03017

Dear Claimants:

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB:db

Enclosure

AJ0749NP
No. R65-03016

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/18/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LOURABELLE ODERMOTT HC 78 BOX 3815 OLA ID 83657	05/01/1906	IRRIGATION	04-01 11-01	0.020 CFS	0.40 AFA
			STOCKWATER	01-01 12-31	0.020 CFS	0.40 AFA
			DOMESTIC	01-01 12-31	0.020 CFS	1.20 AFA
C	WALTER L ODERMOTT HC 78 BOX 3815 OLA ID 83657 (208) 584-3543			TOTAL DIVERSION:	0.020 CFS	1.20 AFA

Water Source: UNNAMED SPRINGS

Tributary to: SQUAW CREEK

Stage: DECREED

Point(s) of Diversion:

T10N R01E S27

SWSW

GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
10N	01E	27	:																	:		
																			01	01	:	2.0
																			TOTAL ACRES		:	2.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: GEM

Non-Irrigation Uses: 1 HOME

Conditions of Approval:

- N09 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- DOMESTIC USE AND STOCKWATER USE IS NOT A DETERMINATION OF
- HISTORICAL BENEFICIAL USE.
- N14 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC AND
- STOCKWATER USES SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks: EXP SOURCE IS ALSO KNOWN AS FOUR MILE SPRING.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

Audit: 05/18/00 MSCHULTE

08:32:42
05/18/00
31

CLAIM NUMBER: A65-03016

Water Source: ~~FOUR MILE SPRING~~ *Unnamed Springs* Tributary to: SQUAW CREEK TOTAL DIVERSION: 0.020 CFS 1.20 AFA Stage: DECREED

GEM County

[illegible]

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

POU County: GEM

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

EXP BOI

N11 & N13

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:31:54
05/18/00

PAGE: 14
QUICKLOOK INFORMATION

30
CLAIM NUMBER: A65-03016

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			MS 5-18-00 Proffice	N		MS 5-18-00	MS 5-18-00	
POINT OF DIV				N				
SOURCE				Y				
PLACE OF USE	Y			~~N~~				
DIV. AMOUNT CFS/VOLUME				N				
CONSUMPTIVE USE				N				
PURPOSES OF USE				N				
PERIOD OF USE				N				
BASIS OF CLAIM				N				
REMARKS				Y				

BARCODE UPDATED
WHOM/DATE

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
(☒) TOPOGRAPHIC	DATE FIELD CHECKED <u>1970 map</u> IDWR ID NO. <u>V8</u>	Y(☒) N() <u>4a</u>
(☒) NAPP GIS (2)	DATE OF PHOTO <u>1987 5-18-00</u> IDWR ID NO. _____	Y(☒) N() <u>5b & 5c</u>
(☒) ASCS AERIAL PHOTO	DATE OF PHOTO <u>1961 PRBA map</u>	Y(☒) N() <u>5e</u>
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
(☒) OTHER <u>GIS Table</u>	DATE <u>5-18-00</u>	Y(☒) N() <u>5a</u>
(☒) OTHER <u>PRBA map</u>	DATE _____	Y(☒) N() <u>5d</u>
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
(☒) <u>Claim</u> LICENSING FIELD EXAM <u>(PRBA)</u>	DATE OF FIELD EXAM <u>5-23-72</u>	<u>1</u>	
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
() SYSTEM DESCRIPTION	DATE DRAWN _____		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
() SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
(☒) OTHER <u>Page from decree</u>	DATE <u>3-2-79</u>	<u>1</u>	
(☒) OTHER <u>PRBA claim</u>	DATE <u>5-21-70</u>	<u>1</u>	

WR5809NP
No. 65-03016

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/17/00
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WALTER L. ODERMOTT	05/01/1906	IRRIGATION	04/01 11/01	0.020 CFS	0.40 AFA
C	LAURA BELLE M. ODERMOTT		STOCKWATER	01/01 12/31	0.020 CFS	0.40 AFA
	OLA ID 83657		DOMESTIC	01/01 12/31	0.020 CFS	1.20 AFA
TOTAL DIVERSION:					0.020 CFS	1.20 AFA

Water Source: FOUR MILE SPRING Tributary to: SQUAW CREEK Stage: DECREED
Point(s) of Diversion: T10N R01E S27 SWS GEM County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE								
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM			
-----																					-----			
10N 01E 27 :																				02 :				2.0
																				TOTAL ACRES	2.0			

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Place of use location for DOMESTIC is the same location as described for: IRRIGATION

Pou County: GEM

Dates:	App. Received:	Priority Date:	05/01/1906
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Audit: 04/02/86 04/30/88 CONVERT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

08:31:54
05/18/00

PAGE: 1
GENERAL INFORMATION

17
CLAIM NUMBER: A65-03016

LAST: ODERMOTT
ADDRESS:
CITY: OLA
PHONE NUMBER: 208-000-0000

FIRST: LAURA BELLE M
STATE: ID ZIP: 83657

OWNER CODE: C

LAST: ODERMOTT
ADDRESS: HC 78 BOX 3815
CITY: OLA
PHONE NUMBER: 208-584-3543

FIRST: WALTER L
STATE: ID ZIP: 83657

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

FIELD
EXAMINER
DATABASE
N

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

In office exam 5-18-2000

A. AJ CLAIM: # A65-03016 PRIORITY DATE: 05-01-1906 STAGE: D

B. WR RECORD: # 65-03016 PRIORITY DATE: 05-01-1906 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: Recommended as decreed in the PRBA.

=====

RECOMMENDED PRIORITY DATE:

05-01-1906
REVIEWED BY Mel Schulte

DATE 5-18-00

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-03016	10N 01E	27		SW	SW			GEM		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: FOUR MILE SPRING

TRIB: SQUAW CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	POD FLAG	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-03016	10N 01E	27		SW	SW			GEM		

OTHER WR RECORDS WITH SAME WR POD
NONE

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
NONE NONE

SOURCE: FOUR MILE SPRING

TRIB: SQUAW CREEK

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A() Y(☒) N()

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y() N(☒)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(☒) N()

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y() N(☒)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM _____) Y() N(☒)

AJ FIELD EXAM (DATE OF FIELD EXAM _____ NAME OF EXAMINER _____) Y() N(☒)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: *Recommended as decreed in the PRBA except the name of the springs. There are no map sources that describe the springs as "Four Mile Spring."*

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (___)

TWP. 10N	RGE. 01E	SEC. 27	1/4 SW	1/4 SW	1/4 SW	LOT	POD FLAG	COUNTY GEM	DIVERSION NAME	DIVERSION NBR
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___
___	___	___	___	___	___	___	___	___	___	___

SOURCE: ~~FOUR MILE SPRING~~

TRIB: SQUAW CREEK

Unnamed Spring
REVIEWED BY: *Mel Schulte*

DATE: *5-18-2000*

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW (___), SEE LICENSE FILE (___), OR SEE ATTACHMENT (___)

A. ROOT WATER RIGHT NUMBERS: A65-03016

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	01E	27	SW	SE		ODERMOTT, LAURA BELLE M	A65-03016 / 2.0	65-03016 / 2.0			1

ADDITIONAL POU FOUND

27, NWSE

1

TOTAL ACRES

A65-03016

2.00

2.00

2.

POU COUNTY: GEM

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y(☒) N(☐)

* IF YES, ARE THESE TRACTS LISTED ABOVE (☒) , OR ARE THEY LISTED ON AN ATTACHED SHEET (☐)

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y(☐) N(☒)

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A(☐) Y(☒) N(☐)

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

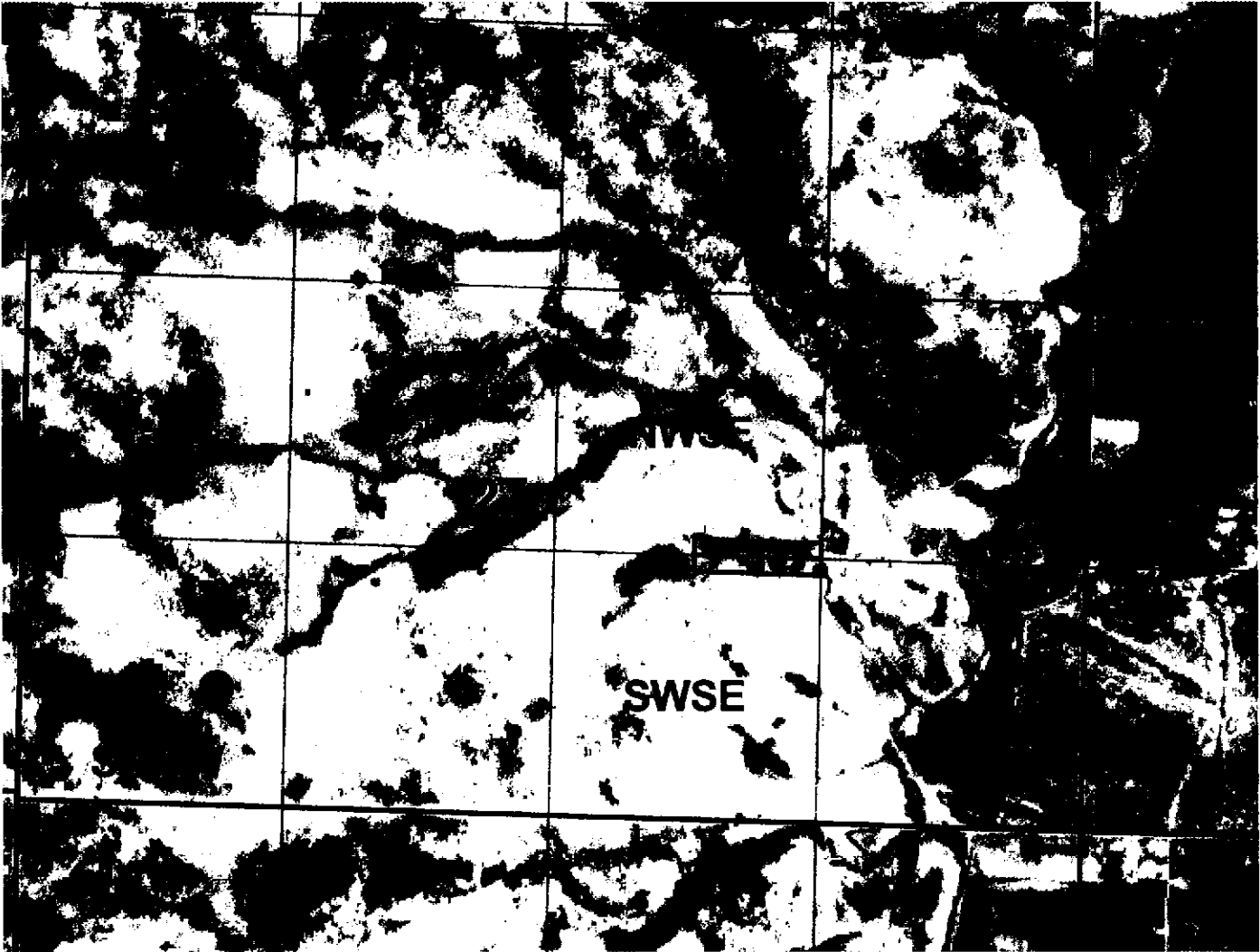
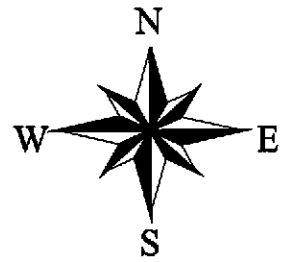
Y(☐) N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y(☐) N(☒)

56

IDAHO DEPARTMENT OF WATER RESOURCES
T10N, R01E, S27



1987 NAPP PHOTO

- POINT OF DIVERSION
- ▭ PLACE OF USE
- ▭ 1/4 1/4 LINES
- ▭ SECTION LINES

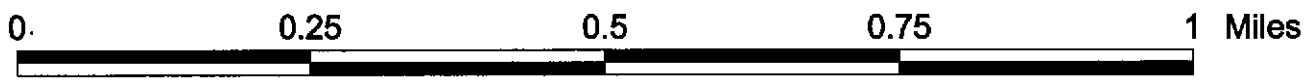
6 ACRES
6 SECTION NUMBERS

CLAIM(S): 65-03016

OWNER(S): ODERMOTT, W.L. AND
LOURABELLE

Prepared by Mel Schulte

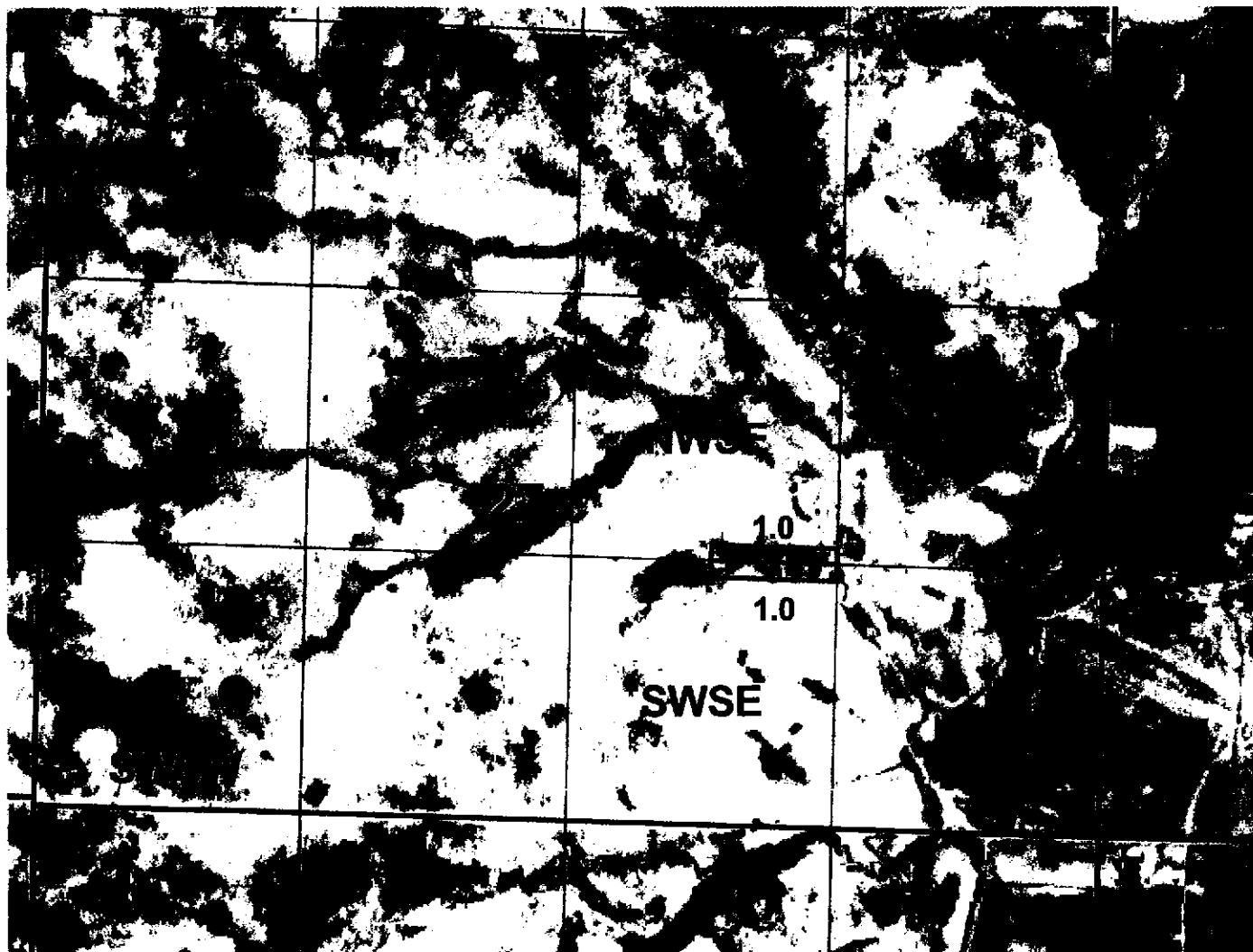
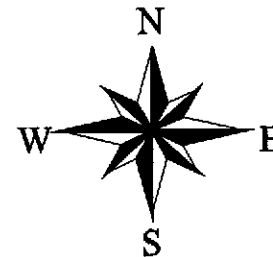
DATE: MAY 18, 2000



52

IDAHO DEPARTMENT OF WATER RESOURCES

T10N, R01E, S27



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-03016

OWNER(S): ODERMOTT, W.L. AND
LOURABELLE

Prepared by Mel Schulte

DATE: MAY 18, 2000

0. 0.25 0.5 0.75 1 Miles

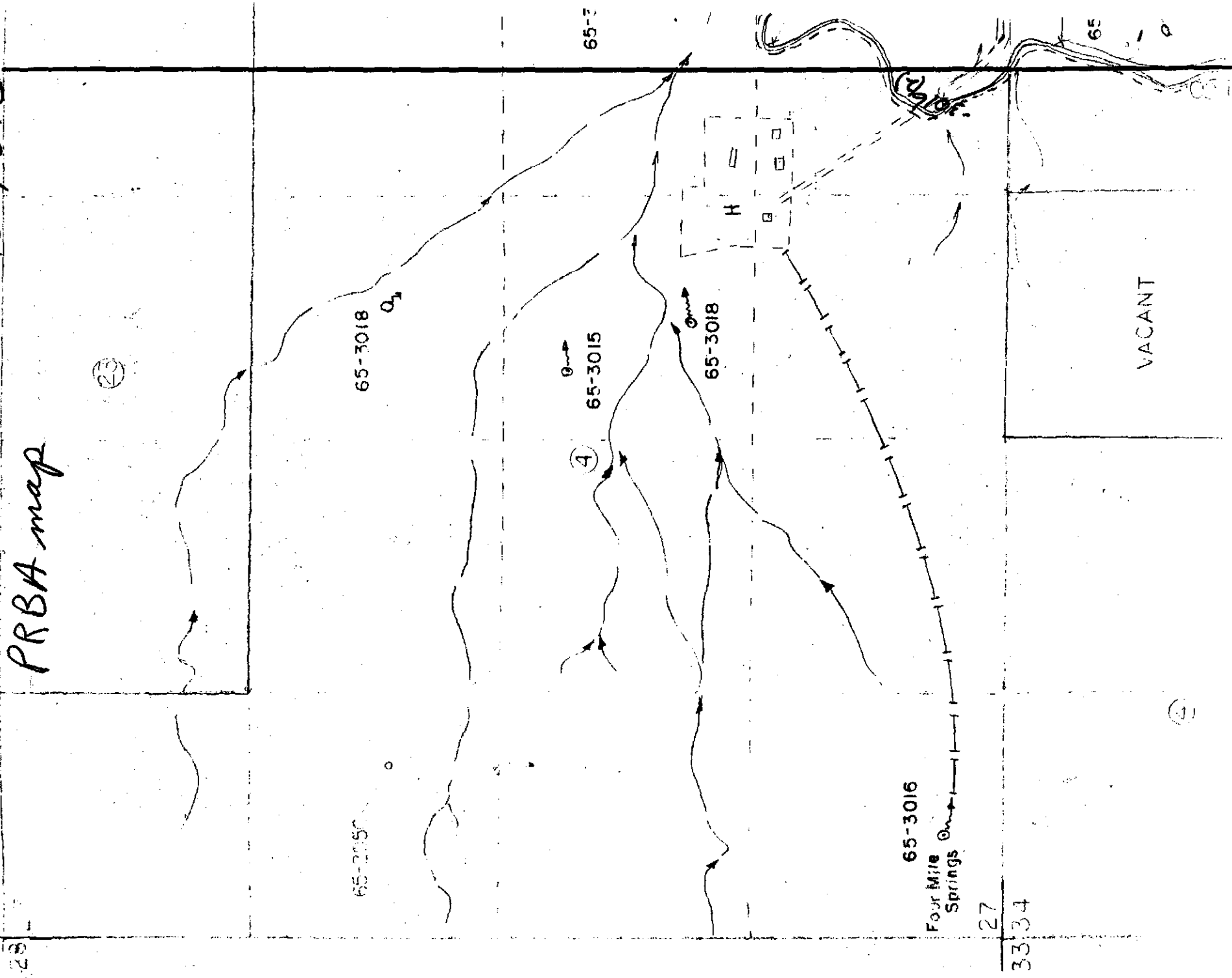


5d

A65-03016

10N, 01E

PRBA map



5e

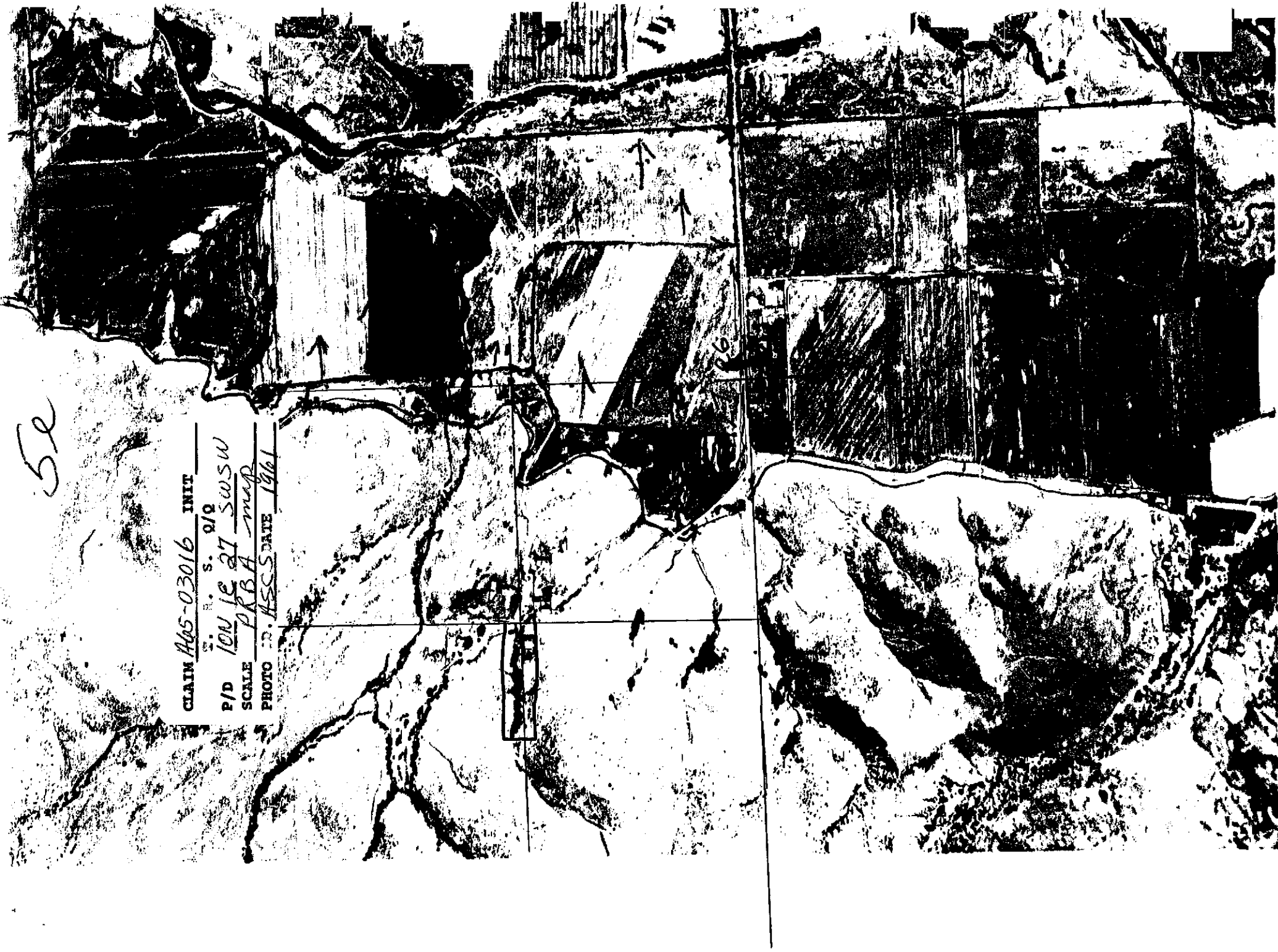
CLAIM 465-03016 INIT

 S. 9/0

P/D 10N 1E 27 SWSW

SCALE PRBA map

PHOTO DO. ASSC DATE 1961



CHECK DOCUMENTS USED TO VERIFY POI: () ORTHOPHOTOQUAD, IDWR NO. _____; () TOPOGRAPHIC QUAD, IDWR NO. _____;

^{GIS}
(x) NAPP, IDWR NO. _____; (x) ASCS PHOTO; (x) OTHER PRBA map

NOTES:

It appears for all of the map sources the POI is probably better described as being part in the NWSE and part in the SWSE rather than all in the SWSE.

RECOMMENDATIONS:

TOTAL ACRES: 2 N/A()

REVIEWED BY: Mike Schulte

DATE: 5-18-2000

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-03016 DOMESTIC	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
A65-03016 STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
A65-03016 IRRIGATION	FROM 04-01 TO 11-01	0.020 CFS	0.40 AF/A
TOTAL DIVERSION RATE/VOLUME		0.020 CFS	1.20 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-03016 DOMESTIC	FROM 01-01 TO 12-31	0.020 CFS	1.20 AF/A
65-03016 STOCKWATER	FROM 01-01 TO 12-31	0.020 CFS	0.40 AF/A
65-03016 IRRIGATION	FROM 04-01 TO 11-01	0.020 CFS	0.40 AF/A
TOTAL DIVERSION RATE/VOLUME		0.020 CFS	1.20 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☒)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☒)

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES: Recommended as decreed in the PRBA.

AJ CLAIM TOTAL DIVERSION RATE: 0.020 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: 0.020 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A() Y(☒) N()

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A() Y(☒) N()

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y() N(☒)

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y() N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 2 x 0.02 CFS/ACRE = .04 CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 1.20 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REC. PURPOSE OF USE	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE CFS		VOL. AF/A		USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
DOMESTIC	01-01	12-31	0.020	_____	1.20	_____	0.0	_____
STOCKWATER	01-01	12-31	0.020	_____	0.40	_____	0.0	_____
IRRIGATION	04-01	11-01	0.020	_____	0.40	_____	0.0	_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT			0.020	_____	1.20	_____	0.0	_____

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (✓)

REVIEWED BY: Mike Schulte DATE: 5-18-00

FLAG: _____
STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE):
EXP-B01

EXPLANATORY CONDITIONS (CODE):
N11 + N13

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	(☒)	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

NA

ROOT WATER RIGHT NUMBER: 65-03016

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.020

EXAMINER

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-03016	0.020	-		65-03016	0.020
TOTAL CFS		0.020				0.020

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
Y
FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: Mal Schulte DATE: 5-18-2000

NAME OF FIELD EXAMINER: _____ TITLE: _____

AG-5-03016

MAR 02, 1979

PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 140

INDICATES TOTAL

SOURCE: FOUR MILE SPRING

TRIBUTARY TO: SQUAW CREEK

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-3016	UDERMOTT, WALTER L. & UDERMOTT, LAURA BELLE M. OLA, IDAHO 83657	5/ 1/1906	DOMESTIC	1/ 1 12/31	1.20 AFA .02 CFS	SWSW S27 T10N R 1E	SAME AS OTHER USE	DECREE
			STOCKWATER	1/ 1 12/31	.40 AFA .02 CFS		SAME AS OTHER USE	
			IRRIGATION	4/ 1 11/ 1	--- AFA .02 CFS *---*AFA *.02*CFS		SWSW(2) S27 T10N R 1E *2*	

INDICATES TOTAL

SOURCE: FRENCH CREEK

TRIBUTARY TO: CASCADE RESERVOIR

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
65-9951	U. S. DEPT. OF AGRI. FOREST SERVICE, FEDERAL BLDG., 324 25TH STREET, OGDEN, UTAH 84401 REMARKS: VAN WYCK ALLOTMENT.	7/18/1907	IRRIGATION	4/15 10/15	--- AFA .84 CFS	NWNW S 28 T 14N R 3E NENE S 29 T 14N R 3E	NWNW(12) S28 T14N R 3E SESE(17) S20 T14N R 3E SWSW(13) S21 T14N R 3E *42*	BENEFICIAL USE

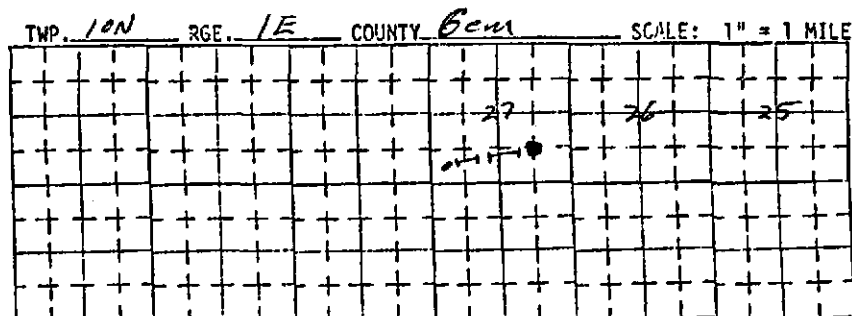
ADJUDICATION DIVISION

REPORT OF EXAMINERS

Claim No. 65 3016

1. Name of Applicant. Walter L. Odenwatt
2. Priority. 4/1/1907
3. Source of Water. Spring
4. Determine Purpose and Quantity of Water Found Used:
 (Quantity) (Dom., Irr., Stk. water, etc.) (Mo.-Day) (Mo.-Day)
1.02 Use Domestic Period of Use From 1/1 To 12/31
0.32 Use Irrigation Period of Use From 4/1 To 10/31
0.02 Use Stockwater Period of Use From 1/1 To 12/31
5. Location of Point of Diversion: SW SW of Section 27
 Twp. 10N, Rge. 1E County of Gem
6. Describe Diversion Works: pipeline from Spring to house
& watering troughs
7. Describe Location of Use:

TWP.	RGE.	SEC.	NE $\frac{1}{4}$			NW $\frac{1}{4}$			SW $\frac{1}{4}$			SE $\frac{1}{4}$			TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	1E	27									X	X	X	X	
10N	1E	27									.4	.4	.4	.4	1.6



8. Purpose Other Than Irrigation: Domestic use for house & stockwater
9. Remarks: Let 4. Map E

This examination was made on the 23 day of May, 1973(Signed) W. Odenwatt
EXAMINER.

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 65-3016
Date Received: 1/10/90
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s): ROGER VAUGHN SPIKER
PO BOX 74
OLA ID USA 83657

Phone: (208) 584-3553

SHARON MARIE SPIKER
PO BOX 74
OLA ID USA 83657

Phone: (208) 584- 3553

2. Date of Priority: 05/01/1906

3. Source: FOURMILE SPRING Trib. to: SQUAW CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
10N	01E	27	SW SW	GEM

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.02	0.4
STOCKWATER	1/01	12/31	0.02	0.4
DOMESTIC	1/01	12/31	0.02	1.2

7. Total Quantity Appropriated is:
0.02 C.F.S. and/or 1.2 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	01E	27	SW SE		IRRIGATION	2
					Section Acres	2
					Total Acres	2

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 12/8/2000.

15. Basis of Claim: Decreed

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

RECEIVED**DEC 05 2000****WATER RESOURCES
WESTERN REGION**

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
65-03013	A65-03013	N			
65-03016	A65-03016	N			
65-03017	A65-03017	N			
65-00354					
65-03014					
65-03015					
65-11348					

Hyd in
adjudicated
SRBA -
NO SP

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)

Louisebelle McOdeemott Walteer. Chopnott
HC 78 Box 3875 OLA Id. 83657

(4.) New Owner/Claimant(s)

Roger Vaughn Spiker Sharon Marie Spiker
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or

New Mailing Address

Box 74

City, State and ZIP Code

OLA Id. 83657

New Telephone Number

(208) 584-3553

- (5.) Date you acquired the property

10/10/00

WARRANTY DEED

GRANTOR, LOURABELLE MARIE ODERMOTT HUTCHISON, a married woman dealing with her sole and separate property, of Ola, County of Gem, State of Idaho; for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto ROGER VAUGHN SPIKER and SHARON MARIE SPIKER, husband and wife, whose current address is P.O. Box 74, Ola, Idaho, 83657, as Grantees and to Grantees' heirs and assigns forever, all of the following described real estate located in Gem County, Idaho:

See Exhibit "A" which is attached hereto and incorporated herein by reference as if set out in full including all water and ditch rights appurtenant to or used in connection with the property conveyed hereby.

ALSO RESERVING THEREFROM, an easement for access to and use of shop and shop equipment and garage and gas tank on the property conveyed as depicted in Exhibit "B." This easement is solely for the benefit of the Seller and is only for the duration of the Seller's life. Upon Seller's death, this limited easement shall automatically terminate without further notice or action of the parties.

ALSO RESERVING THEREFROM, the right to continue to use the existing domestic spring water source for the residence retained by Seller as long as the domestic spring is adequate for domestic use. In the event the domestic spring water no longer flows or is otherwise no longer adequate, then the Buyer's obligation to provide water shall automatically terminate. The Buyer shall have the sole right to manage and maintain the domestic spring and water line. In the event the domestic spring no longer flows, the Buyer shall provide water to the Seller for the benefit of the Seller and shall terminate upon Seller's death. Upon the Seller's death, the then owner of the Seller's property and each transferee thereafter shall reimburse the Buyer for one-half of the maintenance and repair cost of the domestic spring and water system. Also, the Buyer shall have the easement for water lines as described in the Bergey Land Survey attached hereto as Exhibit "C." The domestic spring water use is perpetual and is to stay with the land as long as the domestic spring continues to flow.

TOGETHER with all improvements and appurtenances thereto said tract of land including all water and ditch rights appurtenant to or used in connection with the properties conveyed hereby.

Grantor, for herself, her heirs and assigns, does hereby covenant, warrant and shall defend the quiet and peaceable possession of said premises by the Grantees, their heirs and assigns forever, against the lawful claims of all persons.

Notary Public for Idaho
Residing at: Emmett, Idaho
Commission Expires: 4-19-2006

WARRANTY DEED - 2

TRACT I

IN THE COUNTY OF GEM, STATE OF IDAHO

The SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 26; and
the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and S $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec 27;

All in Twp 10 N. R. 1 E. B.M.,
The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec 21;
the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec 26;
the S $\frac{1}{2}$ of the NW $\frac{1}{4}$, the SW $\frac{1}{4}$, the W $\frac{1}{2}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec 27;
the N $\frac{1}{2}$ of Sec 28; and
the N $\frac{1}{2}$ of the NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 34;
All in Twp 10 N. R 1 E. B.M.;

EXCEPT THE FOLLOWING DESCRIPTION:

A parcel of land being a portion of the S $\frac{1}{2}$ of Section 27, T. 10 N., R 1 E., B.M., and being more particularly described as follows:

Beginning at an aluminum cap marking the Northeast corner of said Section 27, thence
South 00°09'50" West 5239.63 feet to an iron pin marking the Southeast corner of said Section 27,
thence
North 50°16'07" West 1825.85 feet to an iron pin marking the REAL POINT OF BEGINNING, also
said point being PT.A; thence
South 87°21'12" West 706.07 feet to an iron pin; thence
North 05°20'57" West 355.32 feet to an iron pin; thence
South 84°59'13" East 750.04 feet to an iron pin; thence
South 01°57'24" West 255.78 feet to the point of beginning

TRACT II

TOGETHER WITH a waterline easement for operation, maintenance and repair lying within said Tract I and lying 5.00 feet left of and 5.00 feet right of the following described centerline:

Beginning at PT. A referred to in said Tract I; thence
North 01°57'24" East 15.87 feet along the Easterly boundary of said Tract I to the REAL POINT OF
BEGINNING of Waterline Easement No. 1, also said point being PT B; thence
North 74°07'36" West 87.33 feet to a point; thence
North 66°26'59" West 49.08 feet to a point; thence
North 32°36'57" West 22.54 feet to a point, said point being PT. C; thence
South 70°45'31" West 256.10 feet to a point; thence
South 75°59'02" West 58.88 feet to a point, said point being PT. D and lying on the Southerly
boundary line of said Tract I; thence continuing
South 75°59'02" West 71.18 feet to a point; thence
South 86°19'54" West 63.12 feet to a point; thence
North 83°06'01" West 91.39 feet to a point, said point being PT. E and lying on said Southerly
boundary of Tract I; thence continuing
North 83°06'01" West 44.02 feet to the Westerly boundary of said Tract I, said point being the point
of terminus of said Water line Easement No. 1.

TOGETHER WITH a waterline easement for operation, maintenance and repair lying within said Tract I and lying 5.00 feet left of and 5.00 right of the following described centerline except as noted below:

Beginning at Point C as referred to in said Waterline Easement No. 1, also said point being the
REAL POINT OF BEGINNING of Waterline Easement No. 2; thence

North 43°13'22" East 40.97 feet to a point; thence lying 7.50 feet left of and 2.50 feet right of said centerline,

North 05°26'48" East 64.00 feet to a point; thence lying 5.00 feet left of and 5.00 feet right of said centerline,

North 20°54'02" East 23.00 feet to a point; thence

South 79°27'46" East 106.00 feet to a point on said Easterly boundary of Tract I, said point being the point of terminus of said Waterline Easement No. 2.

TOGETHER WITH an Ingress-Egress Easement lying 10.00 feet left of and 10.00 feet right of the following described centerline lying within said Tract I and being more particularly described as follows:

Beginning at PT. A as referred to in said Tract I, said point being the **REAL POINT OF BEGINNING** of Ingress-Egress Easement No. 1; thence

North 33°13'08" West 77.56 feet to a point, said point being PT F; thence

North 43°39'16" East 12.06 feet to a point; thence

North 57°35'53" East 27.19 feet to a point; thence

North 83°04'04" East 14.38 feet to a point on said Easterly boundary of Tract I, said point being the point of terminus of said Ingress-Egress Easement No. 1.

TOGETHER WITH an Ingress-Egress easement lying 10.00 feet left of and 10.00 feet right of the following described centerline lying within said Tract I and being more particularly described as follows:

Beginning at PT. F as referred to in said Ingress-Egress Easement No. 1, said point being the **REAL POINT OF BEGINNING** of Ingress-Egress Easement No. 2; thence

South 11°55'42" West 69.00 feet to a point on said Southerly boundary of Tract I, said point being the point of terminus of said Ingress-Egress Easement No. 2.

ALSO TOGETHER WITH any easements of record or appearing on said Tract I

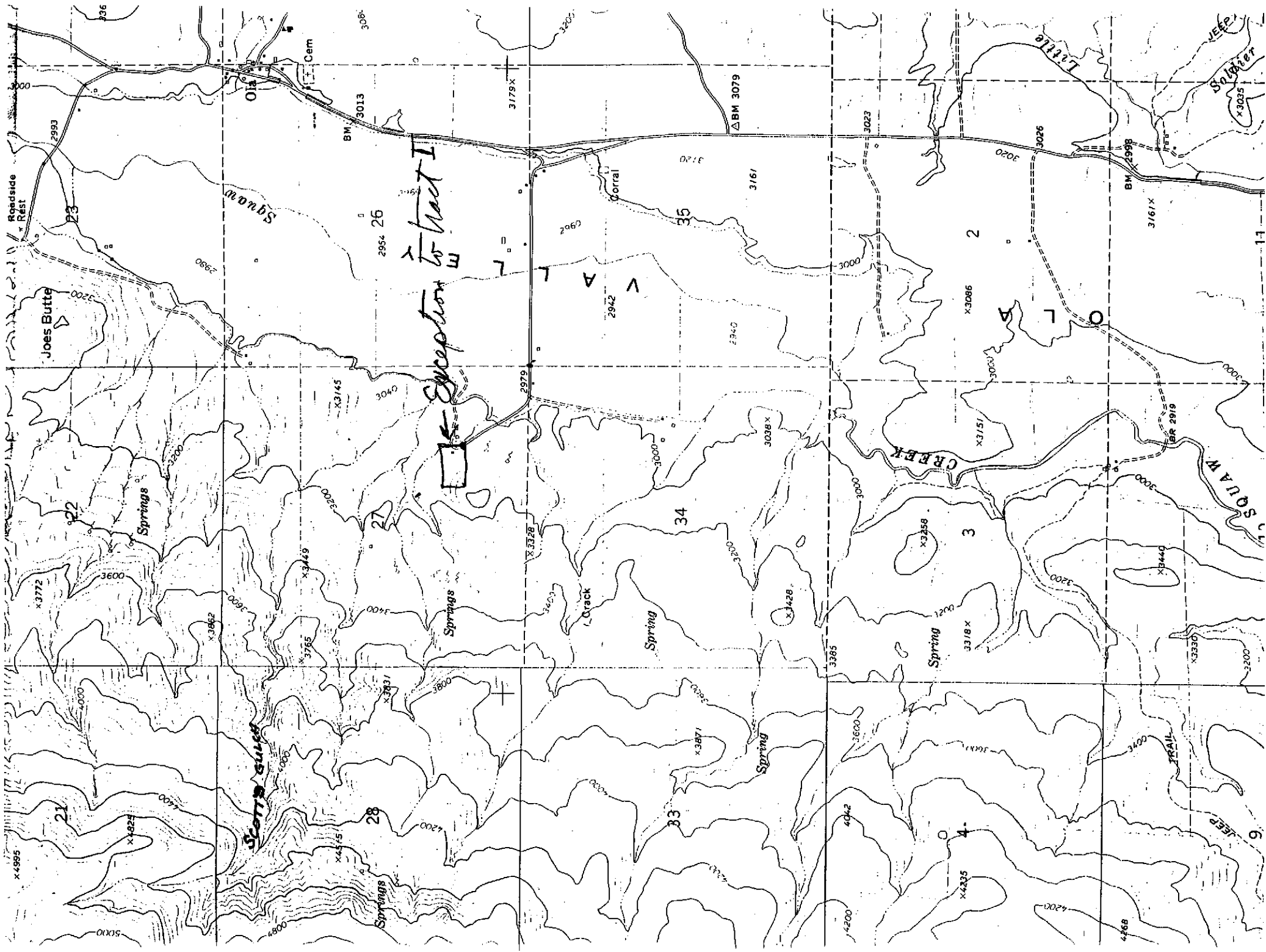
RESERVING a waterline easement for operation, maintenance and repair being a portion of said Waterline Easement No. 1 and lying Southerly of said Southerly boundary of Tract I and lying 5.00 feet left of and 5.00 feet right of the following described centerline and being more particularly described as follows:

Beginning at PT. D as referred to in said Waterline Easement No. 1, said point being the **REAL POINT OF BEGINNING** of Waterline Easement No. 3; thence

South 75°59'02" West 71.18 feet to a point; thence

South 86°19'54" West 63.12 feet to a point; thence

North 83°06'01" West 91.39 feet to PT. E as referred to in said Waterline Easement No. 1, said point being the point of terminus of said Waterline Easement No. 3.

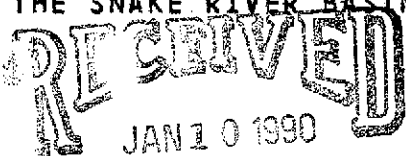


IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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: 65-03016
DATE RECEIVED: 1-10-90
RECEIPT NO: X9-----9
RECEIVED BY: L.O.



Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME: WALTER L. ODERMOTT
ADDRESS:

OLA, ID 83657

NAME: LAURA BELLE M. ODERMOTT
ADDRESS:

OLA, ID 83657

2. DATE OF PRIORITY: MAY 01, 1906

3. SOURCE: FOUR MILE SPRING TRIB. TO: SQUAW CREEK

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4 OF	1/4	LOT	COUNTY
10N	01E	27	SW	SW			GEM

5. DESCRIPTION OF DIVERTING WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR)	A.F.A.
DOMESTIC	01/01	12/31	0.020		1.20
STOCKWATER	01/01	12/31	0.020		0.40
IRRIGATION	04/01	11/01	0.020		0.40

7. TOTAL QUANTITY APPROPRIATED IS:
0.020 C.F.S. (AND/OR) 1.20 A.F.A.

8. TOTAL CONSUMPTIVE USE IS ACRE FEET PER ANNUM.

9. NON-IRRIGATION USES:

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF	1/4	LOT	USE	ACRES
10N	01E	27	SW	SE		IRR	2.0
SECTION ACRES							2.0
TOTAL ACRES							2.0

11. PLACE OF USE IN COUNTIES: GEM, GEM

12. DO YOU OWN THE PROPERTY LISTED ABOVE AS PLACE OF USE? YES

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: DECREED
CASE NUMBER:
COURT :
DECREE DATE: 1/21/1986

STATE OF IDAHO
DECREE PLAINTIFF

VS A & C CORP., ET AL.
DECREE 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/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF CLAIMANT(S): W. L. Offenberg DATE: 1/10/80

DATE: _____

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
_____ AND THAT THE STATEMENTS CONTAINED IN THE
ORGANIZATION
FOREGOING DOCUMENT ARE TRUE AND CORRECT.

SIGNATURE OF AUTHORIZED AGENT

TITLE AND ORGANIZATION

DATE

STATE OF IDAHO)
COUNTY OF Ada) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS 10 DAY

OF Jan 19 90

Linda A. Werner
NOTARY PUBLIC

SEAL

RESIDING AT Linda A. Werner
Residing at Boise, Idaho

MY COMMISSION EXPIRES My Commission Expires December 6, 1994

DATE: 10/28/89 4885

65-03016

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MICROFILMED

SEP 21 1992