

**T06N R02W
S10 & S15**

Idaho Department of Water Resources

Claims: 65-07660A

Prepared by:

RON HOWERTON

Date: 04 OCT 00

 **Place of use**

 **POD**

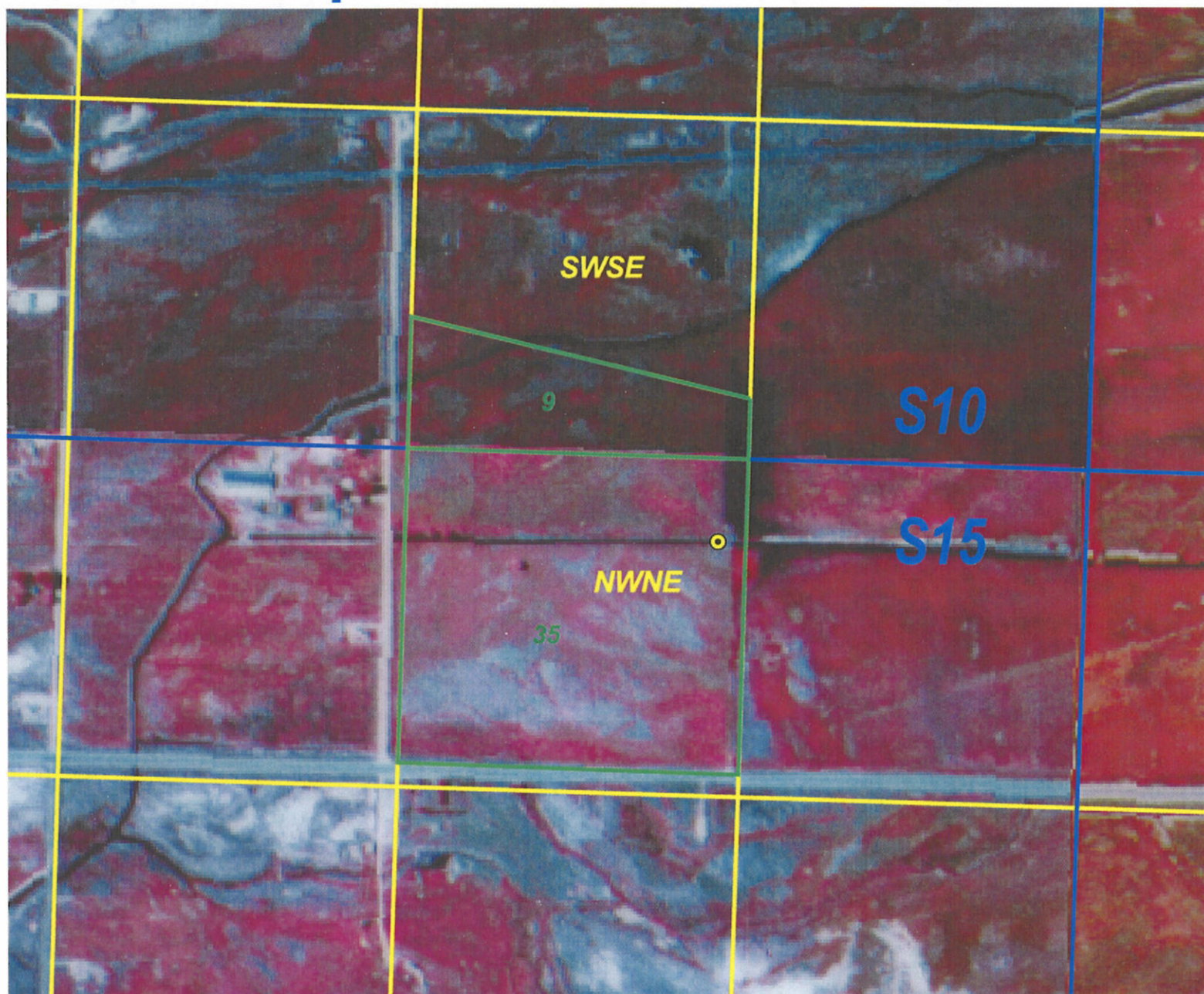
 **SECTION**

 **1/4 1/4**

44 Acres



1987 NAPP



0 0.25 0.5 0.75 Miles

**T06N R02W
S10 & S15**

Idaho Department of Water Resources

Claims: 65-07660A

Prepared by:

RON HOWERTON

Date: 04 OCT 00

 **Place of use**

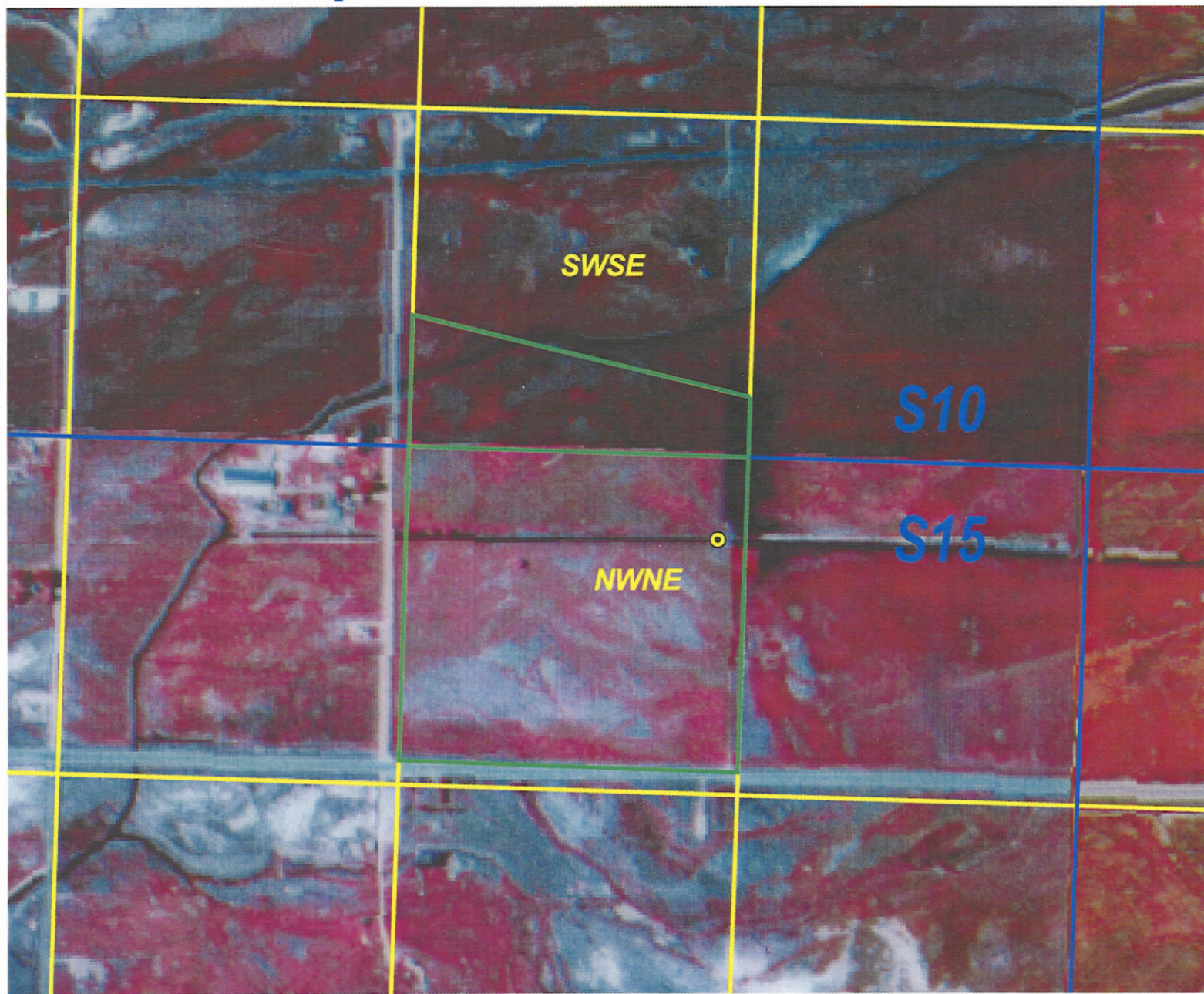
 **POD**

 **SECTION**

 **1/4 1/4**



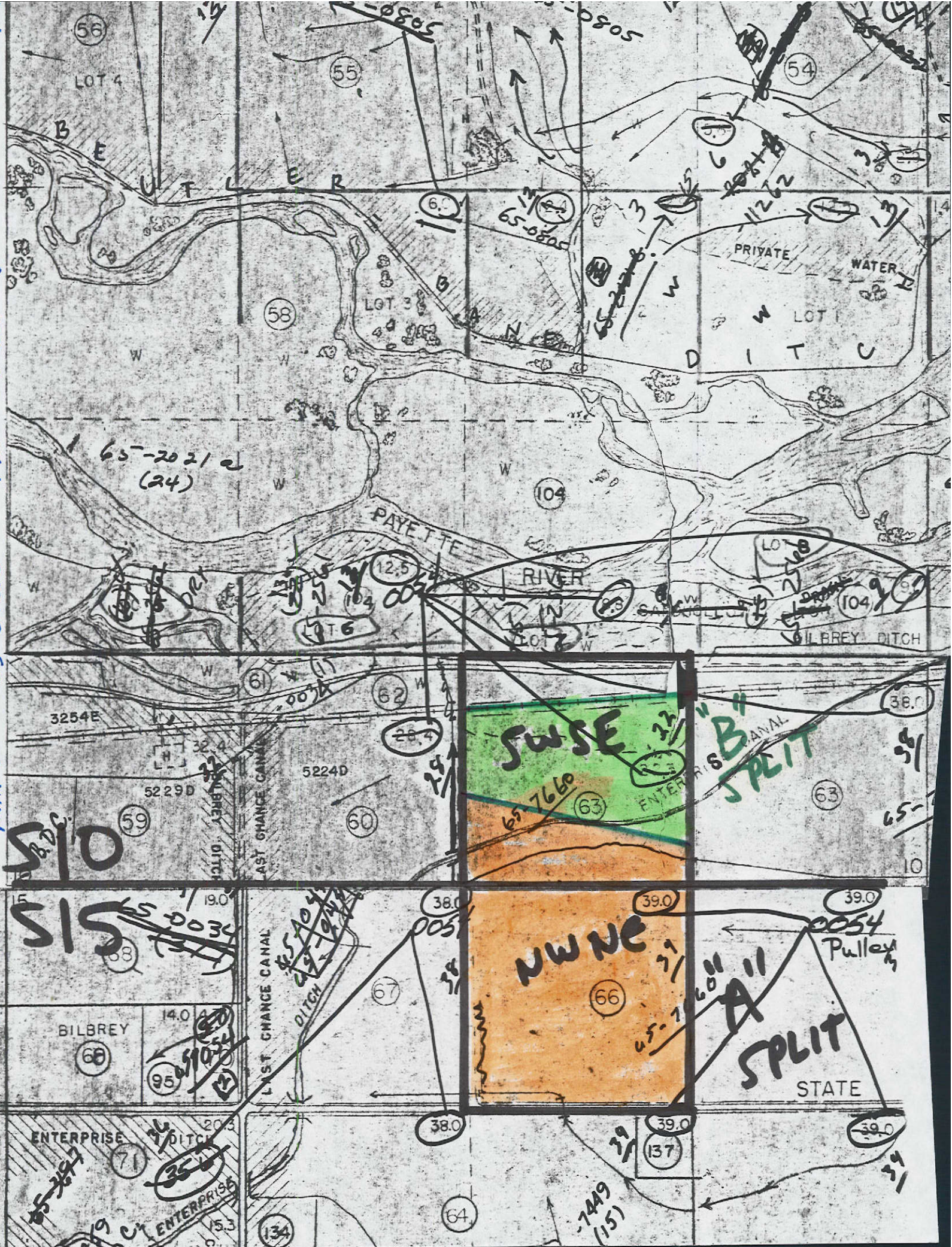
1987 NAPP

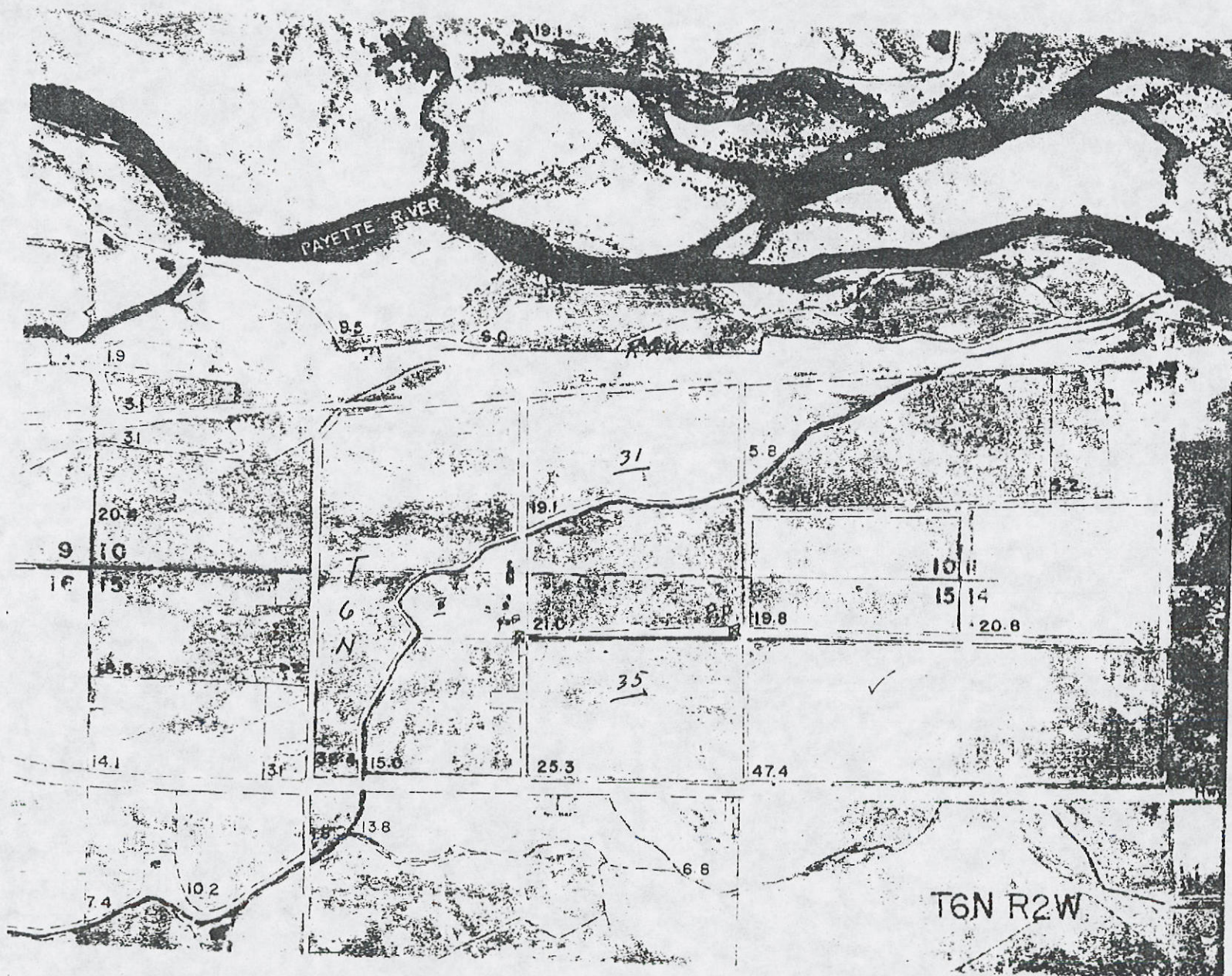


0 0.25 0.5 0.75 Miles



map D





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: A65-07660A
Date Received: 12/29/1989
Receipt No: X999999
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GEM COUNTY 208-365-4561
Address: C/O GEM CO. COMMISSIONERS
415 E. MAIN
EMMETT, ID 83617

2. Date of Priority: OCT 1, 1976

3. Source: UNNAMED DRAIN Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	02W	15		NW	NE		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	03/15	11/15	0.880		

7. Total Quantity Appropriated is:
0.880 C.F.S. (and/or) 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
06N	02W	10	SW	SE		IRR	9.0

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SEP 23 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	9.0
		15	NW	NE	IRR	35.0
					Section Acres	35.0
					Total Acres	44.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

14. Remarks:

SOURCE KNOWN LOCALLY AS PULLEY DRAIN.
THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN 0.02 CFS/AC NOR MORE THAN 4.5 AFA/AC FOR THE LANDS ABOVE.
A PORTION OF THIS PROPERTY IS OWNED BY GEM COUNTY; ANOTHER
PORTION IS CURRENTLY IN LITIGATION BETWEEN GEM CO. AND MYSELF.
I AM FILING ON THIS WATER RIGHT IN ORDER TO INSURE THAT THE WATER
RIGHT IS PROTECTED UNTIL THE FINAL DETERMINATION BY THE COURT.
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 4/15/91

15. Basis of Claim: LICENSE

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: _____

MICROFILMED

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
SEP 23 1992

MAR 29 1991

CHANGE IN OWNERSHIP

Department of Water Resources
Western Regional Office

This form is used for purposes of notifying IDWR of a change in ownership of an Adjudication Claim.

[] Water Right Number(s): ALOS-07660A

[] Name and Address of Former Claimant(s): Donna J. & Jerry J. Pulley

4157 Cascade Rd.

Emmett, ID 83617

[] New Claimant(s): Gen County

To Hem Co. Commissioners

[] New Mailing Address: 415 E Main

[] New Telephone Number: (208) 365-4561

[] Does the change in ownership result in a spitting of the water right(s) claimed? ☒ Yes ☐ No
If yes, then describe the portion of the water right that is now claimed by the new owner(s):

That water that is pumped out of
Pulley drain

[] Attach proof of ownership:

Describe proof attached:

(Proof of ownership must describe either the property conveyed or include the claim number.)

(Proof of ownership is not required if this form is signed by the former claimant.)

[] Signature of New Claimant(s): William F. Tunell

John B. Bell
Date 3/25/91

Revised 01/91

(Over Please)

CHANGE IN OWNERSHIP

[] Signature of Former Claimant(s): _____

Date: _____

[Signature of former claimant(s) is not required if proof of ownership is attached.]

For IDWR use only:

Initial Review and Data-Entry: Date _____ By _____

Further Action Needed / Taken: Date _____ By _____

Final Review and Data-Entry: Date _____ By _____

Claim Numbers of Split, if any: _____

After form has been completed, please return to the nearest IDWR office below:

Western Regional Office
2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

Eastern Regional Office
150 Shoup Suite # 15
Idaho Falls, Idaho 83402
(208) 525-7161

Southern Regional Office
222 Shoshone Street East
Twin Falls, Id 83301
(208) 734-3578

Northern Regional Office
1910 Northwest Blvd. Suite 210
Coeur D'Alene Idaho 83814
(208) 765-4639

IDWR State Office
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83720
(208) 327-7906

WARRANTY DEED

RECEIVED
MAR 29 1991
Department of Water Resources
Boise Regional Office

THIS INDENTURE, Made this 30th day of October 1986, between Jerry Pulley, aka Jerry J. Pulley and Donna J. Pulley, husband and wife, Grantors, and Gem County, by its Chairman and through its Board of Commissioners, 415 East Main Street, Emmett, Idaho 83617, Grantee.

WITNESSETH, That the Grantors, for and in consideration of One and No/100 (\$1.00) Dollars, paid to them, receipt whereof is acknowledged, have granted, bargained, sold, and conveyed, and by these presents do grant, bargain, sell and convey unto the Grantee, its successors and assigns forever, in Fee Simple, the following described real estate, situated in the County of Gem, State of Idaho.

A parcel of land being a portion of the N 1/2 NE 1/4 of Section 15, Township 6 North, Range 2 West, Boise Meridian, Idaho, according to the Engineer's Survey Plat of the Gem County Industrial Air Park, as follows, to-wit:

COMMENCING at the North Quarter Corner of Section 15, Township 6 North, Range 2 West, Boise Meridian, Idaho;

Thence South 0° 13' 38" East 1,218.19 feet along the Westerly boundary of the NW 1/4 NE 1/4 of said Section 15 to a point in the Northerly right-of-way line of the Emmett-New Plymouth Highway, also called State Highway #52, said point also being the approximate centerline of Union Lane, which is a County Road;

Thence South 89° 56' 26" East 55.00 feet along the said Northerly right-of-way line to a point and the TRUE PLACE OF BEGINNING;

Thence continuing South 89° 56' 26" East 1,835.00 feet along the said Northerly right-of-way line to a point;

Thence North 0° 03' 34" East 175.00 feet to a point of curvature;

Thence on a curve to the left 39.27 feet, said curve having a central angle of 90° 00' 00", a radius of 25.00 feet, tangents of 25.00 feet and a long chord of 35.36 feet, bearing North 44° 56' 26" West to a point of tangent;

Thence North 89° 56' 26" West 409.80 feet to a point;

Thence on a curve to the right 226.15 feet, said curve having a central angle of 12° 27' 32", a radius of 1,040.00 feet, tangents of 113.52 feet and a long chord of 225.70 feet, bearing North 83° 42' 41" West to a point of tangent;

Thence North 77° 28' 55" West 989.53 feet to a point;

MICROFILMED
SEP 23 1992

Thence on a curve to the left 213.55 feet, said curve having a central angle of 12° 44' 43", a radius of 960.00 feet, tangents of 107.22 feet and a long chord of 213.11 feet, bearing North 83° 51' 17" West to a point of tangent;

Thence South 0° 13' 38" East 460.57 feet on a line parallel with and 55 feet Easterly of the center line of said Section 15, to the TRUE PLACE OF BEGINNING.

The area above described contains 12.605 acres, of which none is acknowledged to be a portion of public roads.

ALSO,

A parcel of land being a portion of the NE 1/4 NE 1/4 of Section 15 and a portion of the NW 1/4 NW 1/4 of Section 14, all in Township 6 North, Range 2 West, Boise Meridian, Idaho, according to the Engineer's Survey Plat of the Gem County Industrial Air Park, as follows, to wit:

COMMENCING at the North Quarter Corner of Section 15, Township 6 North, Range 2 West, Boise Meridian, Idaho;

Thence South 0° 13' 38" East 1,218.19 feet along the West boundary of the NW 1/4 NW 1/4 of said Section 15 to a point in the Northerly right-of-way line of the Emmett-New Plymouth Highway, also called State Highway #52, said point also being the approximate centerline of Union Lane, a County road.

Thence South 89° 56' 26" East 1,990.00 feet along the said Northerly right-of-way line to a point which is the TRUE PLACE OF BEGINNING;

Thence North 0° 03' 34" East 175.00 feet to a point of curvature;

Thence on a curve to the right 39.27 feet, said curve having a central angle of 90° 00' 00", a radius of 25.00 feet, tangents of 25.00 feet and a long chord of 35.36 feet, bearing North 45° 03' 34" East to a point of tangent;

Thence South 89° 56' 26" East 1,919.30 feet to a point in the Easterly boundary of the NW 1/4 NW 1/4 of said Section 14;

Thence South 0° 17' 39" West 203.81 feet to a point in the said Northerly right-of-way line of State Highway 52;

Thence North 89° 46' 11" West 1,275.84 feet along the said Northerly right-of-way line to a point;

Thence North 89° 56' 26" West 667.63 feet along the said Northerly right-of-way line to the TRUE PLACE OF BEGINNING.

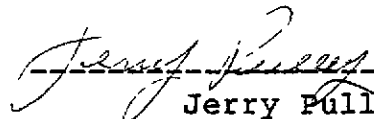
The area above described contains 8.978 acres, of which none is acknowledged to be a portion of public roads.

The bearings as shown in the above land description are from the Idaho Plane Coordinate System based on the transverse mercator projection for the West Zone of Idaho.

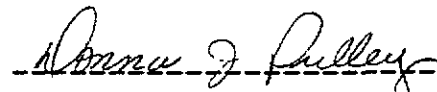
TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, and its successors and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owners in Fee Simple of said premises; that the premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals the day and year first written.

GRANTORS SIGNATURE



Jerry Pulley

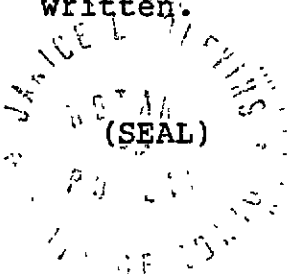


Donna J. Pulley

STATE OF IDAHO
COUNTY OF ~~CANYON~~ GEM

On this 30th day of October 1986, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Jerry Pulley, aka Jerry J. Pulley, and Donna J. Pulley, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and 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 in this certificate first above written.





NOTARY PUBLIC FOR IDAHO
Residing at Emmett
My Commissions Expires 12/1/86

MICROFILMED
SEP 23 1992

155836

Gem County, IDAHO) ss.
Recorded at request of
Board of Commissioners
Time 11:15 AM
DATE November 3, 1986
Instrument No. 155836
Recorded as a Deed
Treas. P. Kolodziej
Ex. H. Recorder
By: *Judy Bigho* Deputy
Fee \$ No fee

WARRANTY DEED

THIS INDENTURE, Made this 30th day of October 1986, between Jerry Pulley, aka Jerry J. Pulley and Donna J. Pulley, husband and wife, Grantors, and Gem County, by its Chairman and through its Board of Commissioners, 415 East Main Street, Emmett, Idaho 83617, Grantee.

WITNESSETH, That the Grantors, for and in consideration of One and No/100 (\$1.00) Dollars, paid to them, receipt whereof is acknowledged, have granted, bargained, sold, and conveyed, and by these presents do grant, bargain, sell and convey unto the Grantee, its successors and assigns forever, in Fee Simple, the following described real estate, situated in the County of Gem, State of Idaho.

A parcel of land being a portion of the N 1/2 NE 1/4 of Section 15, Township 6 North, Range 2 West, Boise Meridian, Idaho, according to the Engineer's Survey Plat of the Gem County Industrial Air Park, as follows, to-wit:

COMMENCING at the North Quarter Corner of Section 15, Township 6 North, Range 2 West, Boise Meridian, Idaho;

Thence South 0° 13' 38" East 1,218.19 feet along the Westerly boundary of the NW 1/4 NE 1/4 of said Section 15 to a point in the Northerly right-of-way line of the Emmett-New Plymouth Highway, also called State Highway #52, said point also being the approximate centerline of Union Lane, which is a County Road;

Thence South 89° 56' 26" East 55.00 feet along the said Northerly right-of-way line to a point and the TRUE PLACE OF BEGINNING;

Thence continuing South 89° 56' 26" East 1,835.00 feet along the said Northerly right-of-way line to a point;

Thence North 0° 03' 34" East 175.00 feet to a point of curvature;

Thence on a curve to the left 39.27 feet, said curve having a central angle of 90° 00' 00", a radius of 25.00 feet, tangents of 25.00 feet and a long chord of 35.36 feet, bearing North 44° 56' 26" West to a point of tangent;

Thence North 89° 56' 26" West 409.80 feet to a point;

Thence on a curve to the right 226.15 feet, said curve having a central angle of 12° 27' 32", a radius of 1,040.00 feet, tangents of 113.52 feet and a long chord of 225.70 feet, bearing North 83° 42' 41" West to a point of tangent;

Thence North 77° 28' 55" West 989.53 feet to a point;

MICROFILMED

SEP 23 1992

Thence on a curve to the left 213.55 feet, said curve having a central angle of $12^{\circ} 44' 43''$, a radius of 960.00 feet, tangents of 107.22 feet and a long chord of 213.11 feet, bearing North $83^{\circ} 51' 17''$ West to a point of tangent;

Thence South $0^{\circ} 13' 38''$ East 460.57 feet on a line parallel with and 55 feet Easterly of the center line of said Section 15, to the TRUE PLACE OF BEGINNING.

The area above described contains 12.605 acres, of which none is acknowledged to be a portion of public roads.

ALSO,

A parcel of land being a portion of the NE $1/4$ NE $1/4$ of Section 15 and a portion of the NW $1/4$ NW $1/4$ of Section 14, all in Township 6 North, Range 2 West, Boise Meridian, Idaho, according to the Engineer's Survey Plat of the Gem County Industrial Air Park, as follows, to wit:

COMMENCING at the North Quarter Corner of Section 15, Township 6 North, Range 2 West, Boise Meridian, Idaho;

Thence South $0^{\circ} 13' 38''$ East 1,218.19 feet along the West boundary of the NW $1/4$ NW $1/4$ of said Section 15 to a point in the Northerly right-of-way line of the Emmett-New Plymouth Highway, also called State Highway #52, said point also being the approximate centerline of Union Lane, a County road.

Thence South $89^{\circ} 56' 26''$ East 1,990.00 feet along the said Northerly right-of-way line to a point which is the TRUE PLACE OF BEGINNING;

Thence North $0^{\circ} 03' 34''$ East 175.00 feet to a point of curvature;

Thence on a curve to the right 39.27 feet, said curve having a central angle of $90^{\circ} 00' 00''$, a radius of 25.00 feet, tangents of 25.00 feet and a long chord of 35.36 feet, bearing North $45^{\circ} 03' 34''$ East to a point of tangent;

Thence South $89^{\circ} 56' 26''$ East 1,919.30 feet to a point in the Easterly boundary of the NW $1/4$ NW $1/4$ of said Section 14;

Thence South $0^{\circ} 17' 39''$ West 203.81 feet to a point in the said Northerly right-of-way line of State Highway 52;

Thence North $89^{\circ} 46' 11''$ West 1,275.84 feet along the said Northerly right-of-way line to a point;

Thence North $89^{\circ} 56' 26''$ West 667.63 feet along the said Northerly right-of-way line to the TRUE PLACE OF BEGINNING.

The area above described contains 8.978 acres, of which none is acknowledged to be a portion of public roads.

The bearings as shown in the above land description are from the Idaho Plane Coordinate System based on the transverse mercator projection for the West Zone of Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantee, and its successors and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owners in Fee Simple of said premises; that the premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals the day and year first written.

GRANTORS SIGNATURE

Jerry Pulley
Jerry Pulley

Donna J. Pulley
Donna J. Pulley

STATE OF IDAHO
COUNTY OF ~~CANYON~~ GEM

On this 30th day of October 1986, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Jerry Pulley, aka Jerry J. Pulley, and Donna J. Pulley, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and 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 in this certificate first above written.



James S. Blewett
NOTARY PUBLIC FOR IDAHO
Residing Emmett
My Commissions Expires 12/17/86

MICROFILMED

155837

Gem County, IDAHO) ss.
Recorded at request of
Board of Commissioners
Time 11:15 AM
DATE November 3, 1986
Instr. No. 155837
Recorded as Deed

Thelma R. Kordziej
Ex-officio Recorder
By: Judy B. [Signature] Deputy
Fees \$ No fee

CORRECTION WARRANTY DEED

RECEIVED
MAR 29 1991

THIS INDENTURE, Made this 3rd day of February, 1988, between Jerry Pulley, aka Jerry J. Pulley and Donna J. Pulley, husband and wife, Grantors, and Gem County, by its Chairman and through its Board of Commissioners, 415 East Main Street, Gem Co., Idaho, 83617, Grantee.

WITNESSETH, That the Grantors, for and in consideration of One and No/100 (\$1.00) Dollars, paid to them, receipt whereof is acknowledged, have granted, bargained, sold, and conveyed, and by these presents do grant, bargain, sell and convey unto the Grantee, its successors and assigns forever, in Fee Simple, the following described real estate, situated in the County of Gem, State of Idaho.

A parcel of Land being a portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 10, a portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 15, and a portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, all in Township 6 North, Range 2 West, Boise Meridian, Idaho, according to the Engineer's Survey Plat of the Gem County Industrial Air Park, as follows, to-wit:

COMMENCING at the South Quarter Corner of Section 10, Township 6 North, Range 2 West, Boise Meridian, which point is the TRUE POINT OF BEGINNING;

Thence North 0°24'42" East 535.47 feet along the Westerly boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 10 to a point;

Thence South 77°28'55" East 3,693.37 feet to a point;

Thence North 0°04'28" West 260.68 feet to a point on the Northerly boundary of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14;

Thence South 89°52'03" East 330.00 feet along the last said Northerly boundary to the Northeast corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14;

Thence South 0°04'28" East 852.05 feet along the Easterly boundary of said NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14 to a point;

Thence continuing along the last said Easterly boundary South 0°17'39" West 165.04 feet to a point;

Thence North 89°56'26" West 1,919.30 feet to a point;

Thence on a curve to the left 39.27 feet, said curve having a central angle of 90°00'00", a radius of 25.00 feet, tangents of 25.00 feet and a long chord of 35.36 feet, bearing South 45°03'34" West to a point of tangent;

Thence South 0°03'31" West 175.00 feet to a point in the Northerly Right-of-Way line of the Emmett-New Plymouth Highway, also known as State Highway 52;

Thence along the said Northerly Right-of-Way line, North 89°56'26" West 100.00 feet to a point;

Thence North 0°03'34" East 175.00 feet to a point;

Thence on a curve to the left 39.27 feet, said curve having a central angle of 90°00'00", a radius of 25.00 feet, tangents of 25.00 feet and a long chord of 35.36 feet, bearing North 44°56'26" West to a point of tangent;

Thence North 89°56'26" West 409.80 feet to a point;

(cont.)

Thence on a curve to the right 226.15 feet, said curve having a central angle of 12°27'32", a radius of 1,040 feet, tangents of 113.52 feet and a long chord of 225.699 feet, bearing North 83°42'41" West to a point of tangent;

Thence North 77°28'55" West 989.53 feet to a point,

Thence on a curve to the left 213.55 feet, said curve having a central angle of 12°44'43", a radius of 960.00 feet, tangents of 107.22 feet and a long chord of 213.11 feet, bearing North 83°51'17" West to a point of tangent;

Thence South 0°13'38" East on a line parallel with and 55 feet Easterly of the center line of said Section 15, 460.57 feet to a point in the Northerly Right-of-Way line of the said State Highway 52;

Thence along the said Northerly Right-of-Way line, North 89°56'26" West 55.00 feet to a point in the West boundary of the NW¼ NE¼ of said Section 15, and also the approximate centerline of Union Lane;

Thence along the said West boundary of the NW¼ NE¼, North 0°13'38" West, 1,218.19 feet to the TRUE POINT OF BEGINNING.

The area above described contains 99.938 acres, of which 1.006 acres is acknowledged to be a portion of public roads.

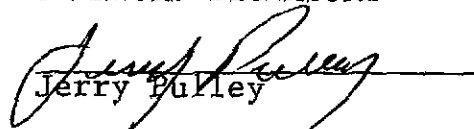
The bearings as shown in the above land description are from the Idaho Plane Coordinate System based on the transverse mercator projection for the West Zone of Idaho.

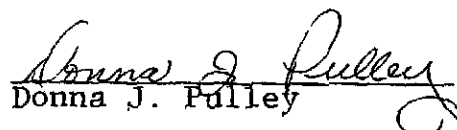
This correction deed is being recorded to correct a typographical error in Warranty Deed #155692, recorded October 20, 1986, changing Easterly to Westerly on Page 1 of the Warranty Deed.

TO HAVE AND TO HOLD the said premises with their appurtenances, unto the said Grantee, and its successors and assigns forever. And the Grantors do hereby covenant to and with the said Grantee, that they are the owners in Fee Simple of said premises; that the premises are free from all encumbrances and that they will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, Grantors have hereunto set their hands and seals the day and year first written.

GRANTORS SIGNATURE

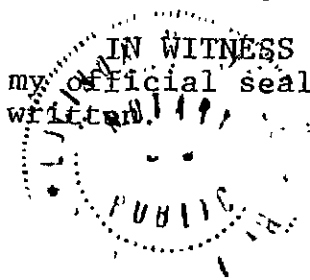

Jerry Pulley


Donna J. Pulley

STATE OF IDAHO
COUNTY OF GEM

On this 3 day of ~~January~~ ^{February} 1988, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared Jerry J. Pulley, and Donna J. Pulley, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and 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 in this certificate first above written.




NOTARY PUBLIC FOR IDAHO
Residing at: Emmett
My Commission Expires: 6/30/88

MICROFILMED
SEP 23 1992

159720

Clack County, IDAHO) ss.

Recorded at request of

Safeco Title Insurance Co.

Time 3:45 PM

Date February 4, 1988

Instrument No. 159720

Recorded as a Deed

To: R. Kolodziej

Esq. Also Recorder

By: *Judy Bigelow* Deputy

Fee \$ 6.00

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: A65-07660A
Date Received: 12/29/1989
Receipt No: X999999
Received By: RAH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONNA J. PULLEY 208-365-6250
Address: 4757 CASCADE RD.
EMMETT, ID 83617

AND/OR

Name: JERRY J. PULLEY 208-365-6250
Address: 4757 CASCADE RD.
EMMETT, ID 83617

2. Date of Priority: OCT 01, 1976

3. Source: UNNAMED DRAIN Trib. to: PAYETTE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	02W	15	NW	NE			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	03/15	11/15	0.880		

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

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
06N	02W	10	SW	SE		IRR	9.0
						Section Acres	9.0
		15	NW	NE		IRR	35.0
						Section Acres	35.0
						Total Acres	44.0

11. Place of use in counties: GEM

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:

14. Remarks:

SOURCE KNOWN LOCALLY AS PULLEY DRAIN.
THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN 0.02 CFS/AC NOR MORE THAN 4.5 AFA/AC FOR THE LANDS ABOVE.
A PORTION OF THIS PROPERTY IS OWNED BY GEM COUNTY; ANOTHER
PORTION IS CURRENTLY IN LITIGATION BETWEEN GEM CO. AND MYSELF.
I AM FILING ON THIS WATER RIGHT IN ORDER TO INSURE THAT THE WATER
RIGHT IS PROTECTED UNTIL THE FINAL DETERMINATION BY THE COURT.

15. Basis of Claim: LICENSE

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): *Jerry Vasey* Date: 12-29-89
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 29th day
of December 19 89 *Helen Harrington*
Notary Public

Seal

Helen Harrington, Notary Public
Residing at _____ Residing at Boise, Idaho
My Commission Expires December 1, 1994
My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 4, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Dear Basin 65 water user

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

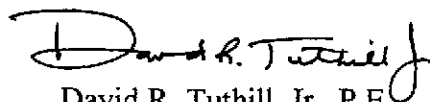
IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at www.idwr.state.id.us/info/water/srba/forms.htm or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,


David R. Tuthill, Jr., P.E.
Adjudication Bureau Chief

12/21/2000

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

RIGHT NUMBER: 65-7660A

NAME AND ADDRESS: GEM COUNTY
C/O GEM CO COMMISSIONERS
415 E MAIN
EMMETT, ID 83617

SOURCE: UNNAMED DRAIN TRIBUTARY: PAYETTE RIVER

QUANTITY: 0.88 CFS

THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL
PROVIDE NO MORE THAN .02 CFS PER ACRE.

PRIORITY DATE: 10/01/1976

POINT OF DIVERSION: T06N R02W S15 NWNE Within GEM County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.88 CFS

PLACE OF USE:

<u>IRRIGATION Within GEM County</u>			
T06N R02W S10	SWSE	9	T06N R02W S15 NWNE 35

44 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SOURCE IS ALSO KNOWN AS PULLEY DRAIN.

AJ5809NP
No. A65-07660A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 10/04/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GEM COUNTY C/O GEM CO COMMISSIONERS 415 E MAIN EMMETT ID 83617 (208) 365-4561	10/01/1976	IRRIGATION	03-15 11-15	0.880 CFS	
TOTAL DIVERSION:					0.880 CFS	

Water Source: UNNAMED DRAIN

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Diversion: T06N R02W S15 NWNE

GEM County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE				
		NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
06N	02W 10	:		:		:		:		:		:		:		:		9.0
06N	02W 15	:		35	:			:		:		:		:		:		35.0
TOTAL ACRES																	44.0	

POU County: GEM

Remarks: GEN SOURCE KNOWN LOCALLY AS PULLEY DRAIN.
THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN 0.02 CFS/AC NOR MORE THAN 4.5 AFA/AC FOR THE LANDS ABOVE.
A PORTION OF THIS PROPERTY IS OWNED BY GEM COUNTY; ANOTHER
PORTION IS CURRENTLY IN LITIGATION BETWEEN GEM CO. AND MYSELF.
I AM FILING ON THIS WATER RIGHT IN ORDER TO INSURE THAT THE WATER
RIGHT IS PROTECTED UNTIL THE FINAL DETERMINATION BY THE COURT.
CHANGE IN OWNERSHIP COMPLETED BY L.R.W. ON 4/15/01

Bo 1 Exp

QNT E28

DELETE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

SAME PID AS "B" SPLIT

VERIFIED BY 1994 TAX INFO

SPLIT
RIGHT

C18

WR5809NP
No. 65-07660

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/04/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JERRY J. PULLEY	10/01/1976	IRRIGATION	03/15 11/15	1.320 CFS	297.00 AFA
C	DONNA J. PULLEY					
	4757 CASCADE RD.					
	EMMETT ID 83617					
TOTAL DIVERSION:					1.320 CFS	297.00 AFA

Water Source: UNNAMED DRAIN

Tributary to: PAYETTE RIVER

Stage: LICENSE

Point(s) of Diversion:

T06N R02W S15

NWNE

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
06N	02W	10	:																	:	31.0
06N	02W	15	:			35														:	35.0
																				TOTAL ACRES	66.0

Pou County: GEM

Other Water Rights Listing Overlapping Place(s) of use:
65-00054X 65-13609

Remarks: GEN SOURCE KNOWN LOCALLY AS PULLEY DRAIN.
THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE
THAN 0.02 CFS/AC NOR MORE THAN 4.5 AFA/AC FOR THE LANDS ABOVE.

Dates: App. Received: Priority Date: 10/01/1976
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 04/18/1984

Misc: Water District Number: Field Exam Fee:

Audit: 04/18/84 04/30/88 CONVERT

**T06N R02W
S10 & S15**

Idaho Department of Water Resources

Claims: 65-07660A

Prepared by:

RON HOWERTON

Date: 04 OCT 00

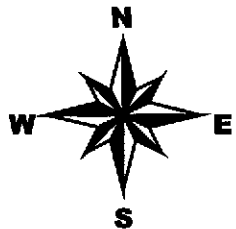
 **Place of use**

 **POD**

 **SECTION**

 **1/4 1/4**

44 Acres



1987 NAPP



**T06N R02W
S10 & S15**

Idaho Department of Water Resources

Claims: 65-07660A

Prepared by:

RON HOWERTON

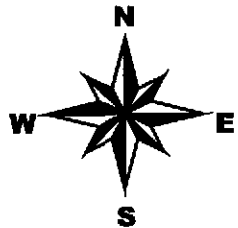
Date: 04 OCT 00

 **Place of use**

● **POD**

 **SECTION**

 **1/4 1/4**



1987 NAPP





SPLIT TREE

CLAIM: 65-07660 A & B

AGENT: Ron Howerton

Date: 10-4-00

FACTOR = CFS 1.32 ACRES 66 = .02

SPLIT A = FACTOR x N acres 44 = CFS .88

SPLIT B = FACTOR x N acres 22 = CFS .44

TOTALS 66 1.32

NAME Jerry & Donna Pulley

RIGHT 65-07660

CFS 1.32

ACRES 66

TRACT(S) T6N R2W S10 SW
SE

T6N R2W S15 NW
NE

NAME GEM CTY

SPLIT A

CFS .88

ACRES 44

TRACT(S) T6N R2W

S10 SWSE; S15 NWNE

NAME Toni Pulley

SPLIT B

CFS .44

ACRES 22

TRACT(S) T6N R2W

S10 SWSE

SEE PRBA MAPS IN "B" SPLIT FILE

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

165-7660
Permit No

CONTACT WITH PERMIT HOLDER

DATE INITIALS REMARKS

☐ Appointment letter mailed

☐ Telephone call made
(List Telephone No. used)

☐ Appointment scheduled for: 6/27/81 JKN
(Date, time, location)

EXAMINATION

Date 6/27/81 Accompanied by Jerry M. Kelley Total Q measured 1.69 cfs

If source is surface water, estimate total flow of source

Methods of measurement 2 ft cupped the river Meets Permit requirements?

Measurement calculations:

$$Q = 1.4 - 2 \text{ ft weir} = 1.69 \text{ cfs} \quad 6.6 \text{ acres} \times 4.5 = 29.7 \text{ AFA}$$

A325 official
Photo

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
10		Foshiba	21333460	PANCA WATER PUMP	01-1649	CUPPED R. - MEAS.		

System Description 10 H.P. - Panama water lister pump - pumped into
head ditch - gravity irrigation

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS

Irrigation requirement = 4.5 AFA/Acre

USE

Q (cfs)

V (afa)

FROM

TO

Irrigation ✓ 1132 ✓ 297.0 3/15 ✓ 11/15 ✓

Total 1132 297.0 3/15 11/15

Remarks Source on rough draft lists unnamed drain (Kelley Drain)
trib. to Payette River. by field examiner

Hand-drawn sketch of a rectangular area on graph paper. The area is labeled "R2W" at the top. On the left side, there is a vertical line with "T" at the top, "16" in the middle, and "N" at the bottom. To the right of this line, there is a vertical line with "10" at the top and "15" at the bottom. A checkmark is drawn to the right of the "10" line. Inside the rectangle, there is a smaller rectangle labeled "31A" at the top, "P.D." in the middle, and "35" at the bottom.

(Include distance from pump to measuring device, if applicable)

Place(s) of Use ☒ CRD
acquire

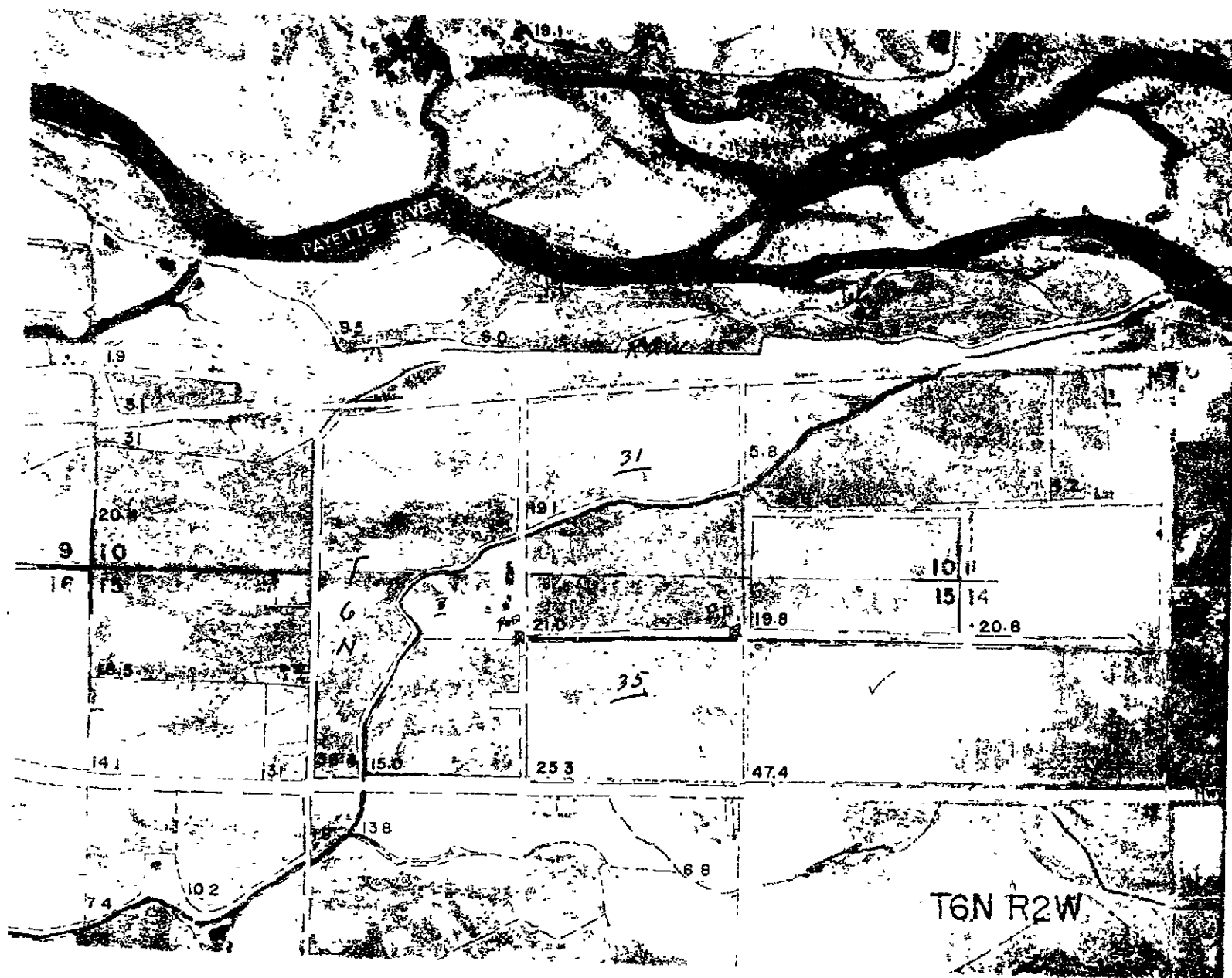
[illegible]

(9 6

☐ Other

John H. Meyer
6. 25
• Walker

Date 2-27-84



Overlap Review - for 65-7660

per. permit: water from Sand Hollow &
First Chance Creek - recommend
R10(4.5)

per micro-pisces 2/29/84: ~~65-13~~

p/d - 65-12224 water

p/u - Section 10 - 65-0054X Payette River
Section 15 - " "

Recommend R10(4.5) for above right (65-0054X)

65-12224 - permit, no exam, no overlap.

Kay



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June
Date April 26, 1991

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

[Gem County
%o Gem County Commissioners
415 E. Main
[Emmett, ID 83617]

Notice of Claim No.(s) AG5-07660A

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

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

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda Werner

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

MICROFILMED
SEP 23 1992

CONVERSATION MEMORANDUM

DATE 4-15-91FILE A 2765-7660A

NAME OF PARTY

Pulley, Donna or Jerry

EMPLOYEE

Linda Wimmer

RE:

Change in ownership

Ownership change indicates a split is necessary but the warranty deed indicates all portions of the land were sold.

Left message on machine. - Called Hum Co. Talked to Wm. Russell & got info. - I needed. - This is not a split.

When the Pulley's call back - ask about the B portion of this right owned by Tony Pulley.

6-28-91 - Pulley never called back
File claim

MICROFILMED

SEP 23 1992