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DEPARTMENT OF

WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

39576

Ident. Number

75-14351

Date Received

JUL 05 2005

Receipt Number

C078465

D.O. 20 10-25-05

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ROGER TRACY VICKY TRACY Phone (408) 756-2133
- Mailing Address PO BOX 1013, SALMON, ID Zip 83467
2. Date of Priority (Only one (1) per claim) MARCH 24, 1892
3. Source of water supply (a) WASTE WATER FROM CEMETARY BASIN
which is tributary to (b) LEMMING
4. a. Location of existing point of diversion is: Township 21N Range 22E Section 8
SW 1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of LEMHI

Additional points of diversion if any: _____

- b. If instream flow, beginning point of claimed instream flow is: _____

Township _____ Range _____ Section _____ 1/4 of _____ 1/4,
Govt. Lot _____ B.M., County of _____

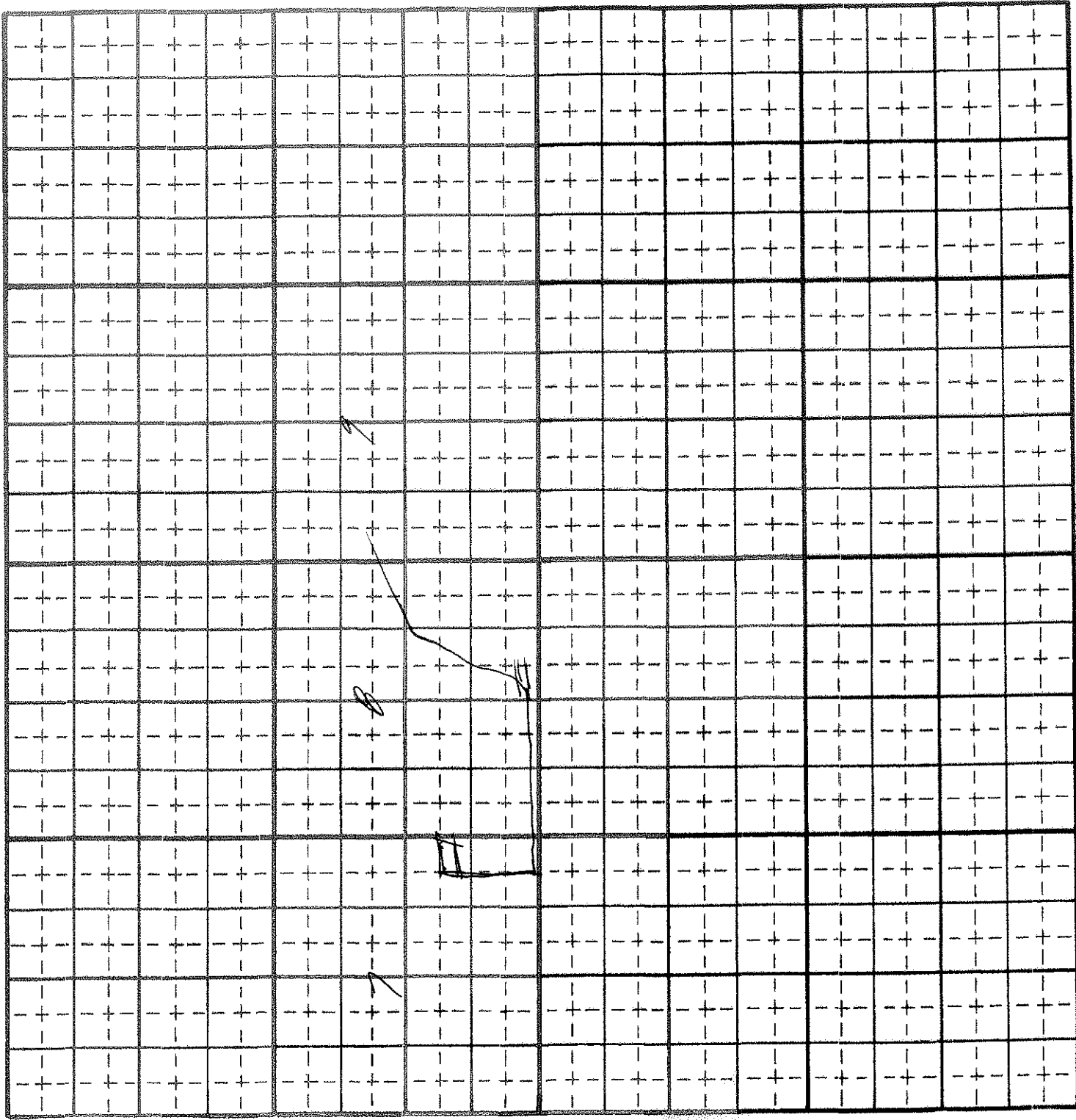
ending point is: Township _____ Range _____ Section _____ 1/4 of _____ 1/4 of
_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. DITCH CARRIES WATER
FROM BASIN TO CULVERT UNDER HWY 93 S.

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TOWNSHIP 21N RANGE 24E SECTION 8



Last Name Leary Ident No. 75-14351

15. Basis of Claim (check one) Beneficial Use P Decree _____ Posted Notice _____ License _____ Permit _____
If applicable provide IDWR Water Right Number _____ Case Number _____ Decree Date _____
Court _____
Plaintiff vs 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Tracy Date 6/30/05
Dicky H. Gracy Date 6/30/05

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing
Title
document in the space below as _____ of _____
Organization
and that the statements contained in the foregoing document are true and correct.

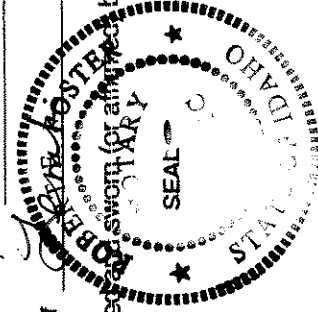
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of _____) SS.

Subscriber _____ sworn (or affirmed) before me this _____



30th day of June 18/2005

Notary Public Robert E Sost

Residing at Selma Id

My Commission Expires 02-16-07

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Tracy Ident. Number 75-14251

This indenture, made this twenty-fourth day of March, in the year of our Lord one thousand eight hundred and ninety-two, between Thomas J. Andrews, of the County of Seneca, State of Ohio, the party of the first part, and George C. Conlee, of the same County, the party of the second part,

Witnesseth, That the said party of the first part, for and in consideration of the sum of One Thousand Five Hundred Dollars, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, remised, released, alienated and confirmed, and by these presents does grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described lot piece or parcel of land, situated in the County of Seneca and State of Ohio, known and described as follows, to wit:

The South East Quarter of Section Seven, in Township Twenty-one North, of Range Twenty-two East, of Base Meridian, containing One hundred and Sixty acres, according to the Government survey thereof.

And the following described water rights and ditches, and no others are hereby in like manner conveyed with the said land, to wit:

All the waste waters from four hundred and forty acres of land, owned by the said party of the first part, and situated on or in the vicinity of the so called Cemetery Bar; Also, one ditch, without water right thereunto, extending from a point near the South-east corner of the South-east quarter of the South-west quarter of section nine, in Township twenty-one North of Range twenty-two East, to and upon said land hereby conveyed - The said party of the first part reserving the right to dump water into said ditch from his ditch immediately above said ditch hereby conveyed.

And also, that certain ditch to catch waste water, extending about one half mile between the lands of the said party of the first part and lands of William J. Bryan, and to the lands hereby conveyed.

Together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and residue remainder and remainders, rents, issues and profits thereof and all the right, title, interest, claim or demand whatsoever of the said party of the first part, whether in law or equity of, in and to the above bargained premises, with all hereditaments and appurtenances.

To have and to hold the said premises above bargained and described with the appurtenances, unto the said party of the second part, his heirs, and assigns forever. And the said party of the first part, for his heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, his heirs and assigns, that at the time of signing and delivery of these presents is well seized of the premises above conveyed, as of a good, sure, perfect, absolute and undivided estate of inheritance in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in law and form aforesaid; and that the same are free and clear of all former or other grants, bargains, sales, liens, mortgages, assignments and incumbrances of what kind or nature soever; and the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof. The said party of the