

**RECEIVED**  
**SEP 05 2002**

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

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<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       | 29-00606A                    |       |                       |                              |       |
| 29-10704              | PO'd                         |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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)

Arvilla L. Lewis Trust  
90 N. Indian Creek Rd. Inkom, ID 83245  
(or) 1417 Eastridge Dr. Pocatello, ID 83201

4. New Owner/Claimant(s)

Leo D. Lewis or Bonnie J. Lewis

Name Connector (Check one): ☐ and ☒ or ☐ and/or

New Mailing Address

90 N. Indian Creek Rd.

City, State and ZIP Code

Inkom, Idaho 83245

New Telephone Number

(208) 775-4473

5. Date you acquired the property

sole ownership: April 17, 1995  
prior to that it was a shared ownership with siblings dating back to acquisition from Arvilla L. Lewis Trust on June 11, 1993

# QUIT CLAIM DEED

For Value Received **I W. Duane Lewis**

95005332

do hereby convey, release, remise and forever quit claim unto **Leo D. & Bonnie J. Lewis**

whose current address is **1417 Eastridge Dr. Pocatello, ID 83201**

the following described premises, to-wit:

Parcel # **R4057003201**

TR LOT 1 TAX 6 3.04 AC  
SS-TBS-R36E

Parcel # **R4015029603**

TR SE4SE4 TAX 15 0.68 AC  
0.01 AC R/W  
S32-T7S-R36E

Parcel # **R4015029604**

TR SE4SE4 TAX 14 15.27 AC  
0.52 AC R/W  
TR SE4SE4 TAX 4 6.84 AC  
0.22 AC R/W  
S32-T7S-R36E

together with their appurtenances.

Dated: **5 April 1995**

**W. Duane Lewis**

*Utah*

STATE OF ~~UTAH~~, COUNTY OF **Salt Lake**  
On this **5TH** day of **April**, 19**95**,  
before me, a notary public in and for said State, personally  
appeared

**W. Duane Lewis**

known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to  
me that **he** executed the same.

**Gloria A. Harvey**

Notary Public

Residing at **Salt Lake County**, **Utah**  
Comm. Expires **16 June 1995**

NO **95005332**  
RECORDED AT REQUEST OF  
**BONNIE LEWIS**

**APR 17 P1:00**



NOTARY PUBLIC  
**GLORIA A. HARVEY**  
3234 South 7700 West  
Magna, UT 84048  
My Commission Expires  
**June 16, 1995**  
STATE OF UTAH

BOOK NO **638**  
COUNTY **IDAHO**  
W. DUANE LEWIS  
3.00 DEPUTY **OW**

# QUITCLAIM DEED

For Value Received *I, Sharon E. Koko*

95005331

do hereby convey, release, remise and forever quit claim unto *Leo D. & Bonnie J. Lewis*

whose current address is *1417 Eastridge Dr. Pocatello, ID 83201*

the following described premises, to-wit:

*Parcel # R4057003201*

*TR LQT 1 TAX 6 3.04 AC  
SS-T85-R36E*

*Parcel # R4015029603*

*TR SE4SE4 TAX 15 0.68 AC  
0.01 AC R/W  
S32-T75-R36E*

*Parcel # R4015029604*

*TR SE4SE4 TAX 14 15.27 AC  
0.52 AC R/W  
TR SE4SE4 TAX 4 1.84 AC  
0.22 AC R/W  
S32-T75-R36E*

together with their appurtenances.

Dated:

*April 14, 1995*

*Sharon E. Koko*

*With Gratitude and all my love!*

STATE OF IDAHO, COUNTY OF

On this *14th* day of *April*, 19*95*,  
before me, a notary public in and for said State, personally  
appeared

**NOTARY SEAL**

*Sharon E. Koko*

known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to  
me that *Sharon E. Koko* executed the same.

*Mary Jane Dwyer*

Notary Public

Residing at *Danp,*, Idaho

Comm. Expires *Aug. 17, 2000*

95005331

NO.  
RECORDED AT REQUEST OF

BONNIE LEWIS

'95 APR 17 P1:00

OFFICIAL RECORD BOOK NO 638  
BANNER COUNTY IDAHO  
LARRY W. DEAN RECORDER  
EE. 3.00. DEPUTY *ON*

# QUIT CLAIM DEED

95005333

For Value Received

I, Bonnie A. Beck

do hereby convey, release, remise and forever quit claim unto Leo D. & Bonnie J. Lewis

whose current address is 1417 Eastridge Dr. Pocatello, ID 83201

the following described premises, to-wit:

Parcel # R4057003201

TR LOT 1 TAX 6 3.04 AC  
S5-TBS-R36E

Parcel # R4015029603

TR SE4SE4 TAX 15 0.68 AC  
0.01 AC RIW  
S32-T75-R36E

Parcel # R4015029604

TR SE4SE4 TAX 14 15.27 AC  
0.52 AC RIW  
TR SE4SE4 TAX 4 1.84 AC  
0.22 AC RIW  
S32-T75-R36E

together with their appurtenances.

Dated: March 27, 1995

Bonnie A. Beck

STATE OF IDAHO, COUNTY OF

On this 27<sup>th</sup> day of March, 1995,  
before me, a notary public in and for said State, personally  
appeared Bonnie A. Beck

known to me to be the person(s) who(s) name(s)  
subscribed to the within instrument, and acknowledged to  
me that he (she) (they) executed the same.

Rana S. Easley Notary Public  
Residing at Caldwell, Idaho  
Comm. Expires 12-22-99

NOTARY SEAL

NO 95005333  
RECORDED AT REQUEST OF

BONNIE LEWIS  
95 APR 17 P1:00

OFFICIAL RECORDS BOOK NO 638  
BANNING COUNTY IDAHO  
LARRY L. LARSEN RECORDER  
FEE \$3.00 DEPUTY GW--

46

For Value Received, ARVILLA LEWIS, a widow, the Grantor, does hereby grant, bargain, sell and convey unto LEO DEAN LEWIS, SHARON ELAINE KOHO, BONNIE ALEENE BECK, and WILLIS DUANE LEWIS, in equal shares, the Grantees, the following described premises, in Bannock County, Idaho, to wit:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 SOUTH, RANGE 36 EAST, AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

## PARCEL #1

1.84Ac Parcel { 7-4  
BEGINNING AT A POINT 3999.17 FEET EAST AND 343.67 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 32, SAID POINT BEING ON THE CENTERLINE OF INDIAN CREEK ROAD; THENCE NORTH 41°59'15" EAST ALONG SAID CENTERLINE, 309.79 FEET; THENCE NORTH 27°16'25" EAST ALONG SAID CENTERLINE 124.39 FEET; THENCE NORTH 23°43' EAST ALONG SAID CENTERLINE, 15.91 FEET; THENCE NORTH 42°40'40" WEST, 240.87 FEET; THENCE SOUTH 36°23'20" WEST, 185.28 FEET TO THE EAST 1/16TH LINE OF SAID SECTION: THENCE SOUTH 00°23'50" EAST ALONG SAID EAST LINE, 346.07 FEET TO THE POINT OF BEGINNING.

## PARCEL #2

BEGINNING AT A POINT ON THE EAST 1/16TH LINE OF SECTION 32, TOWNSHIP 7 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, SAID POINT ALSO BEING ON THE CENTERLINE OF INDIAN CREEK ROAD; THENCE NORTHEASTERLY ALONG SAID CENTERLINE, 700.00 FEET TO A POINT BEING 929.00 FEET NORTH AND 4370.80 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 32, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN INSTRUMENT NO. 526207 BANNOCK COUNTY RECORDS; THENCE SOUTH 51°35'35" EAST, 255.92 FEET; THENCE NORTH 57°01'00" EAST, 306.8 FEET TO THE WESTERLY LINE OF THAT PARCEL DESCRIBED IN INSTRUMENT NO. 536535 BANNOCK COUNTY RECORDS; THENCE SOUTH 25°40'40" EAST, 98.0 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL. THENCE NORTH 69°58'20" EAST, 198.0 FEET TO THE WESTERLY LINE OF THAT PARCEL DESCRIBED IN INSTRUMENT NO. 576165 BANNOCK COUNTY RECORDS; THENCE SOUTH 14°29'06" EAST, 350.63 FEET; THENCE SOUTH 64°58'49" WEST, 351.71 FEET; THENCE SOUTH 44°40'59" WEST, 1140 FEET TO THE EAST 1/16TH LINE OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 36 EAST, BOISE MERIDIAN; THENCE NORTH ALONG SAID EAST 1/16TH LINE AND THE EAST 1/16TH LINE OF SECTION 32, TOWNSHIP 7 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, 1470 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with said Grantees, that she is the owner in fee simple of said premises; that they are free from all encumbrance except matters of public record and that she will warrant and defend the same from all lawful claims whatsoever.

47

737056

DATED: this 5<sup>th</sup> day of October, 1984.

Arvilla Lucille Lewis  
ARVILLA LEWIS, Grantor

STATE OF IDAHO,           )  
                                  ) ss  
COUNTY OF BANNOCK       )

On this 5 day of October, 1984 before me a notary public in and for said County and State, personally appeared ARVILLA LEWIS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she 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 SEAL

(seal)

Steven Y. Wood  
NOTARY PUBLIC FOR IDAHO  
Residing at Pocatello

NO. 737056

Steve Wood  
'84 OCT -9 P1:40

415  
LAP  
FEE 4.00 SJH

③  
19-11-1  
*Indian  
Creek*

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE  
DISTRICT OF IDAHO, EASTERN DIVISION.

United States of America, )  
and Turman J. Hoffhine, )  
Complainants, ) 182  
vs. ) DECREE.  
C. S. Skeem, Marcus Skeem, )  
S. H. Cotterel and L. L. )  
Walker, )  
Defendants. )

The above entitled cause having heretofore been submitted upon stipulation of facts entered into by and between the respective parties thereto, through their attorneys and solicitors of record, and thereafter the said cause having been by order of court referred for the taking of further testimony touching certain material matter at issue therein; and thereafter, on the 8th day of October, A. D., 1919, said cause having been finally submitted for decision, and the briefs of the respective parties having been duly filed and considered, and the court being now fully advised in the premises;

IT IS NOW, THEREFORE, ORDERED, ADJUDGED, AND DECREED, that the United States of America, in its capacity as guardian for those certain tribal Indians, its wards, in the complaint herein named, to-wit, Tindore, Mogoza, Robert Tindore, Pattish, Tsacorobe, Hevedore Tindore and Fee Emb, has a right to the use of the waters of Indian Creek superior and prior to all rights of use of the defendants herein, or of any of them, to the extent of one/second feet of water; and three fifths

1.6 cfs  
RECORDED  
MAY 16 1936

29-0603 0.40  
of the said amount, one-fourth thereof is hereby ordered and decreed held by the said United States of America for the purpose of irrigation and domestic use upon allotment No. 17 of the Fort Hall Indian Reservation, held in trust by the United States for Tsacorobe, and one-half of 29-0604 said amount for like use upon allotment No. 14 of said reservation likewise held in trust for Hevedore Tindore, and 29-0605 the remaining one-fourth of said amount for like use upon allotment No. 15 likewise held in trust for Fee Emb; the term all waters of Indian Creek, as used herein, shall be understood to mean and include also the waters of all springs arising in and adjacent to the bed or channel of said stream.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that neither the United States of America nor the aforesaid allottees, Tindore, Mogozah, Robert Tindore and Pattish, have any right whatever to the use of any of the waters of said creek as hereinbefore defined with which to irrigate any of the lands embraced in allotments Nos. 11, 12, 13 and 14 of the Fort Hall Indian Reservation.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that, subject to the prior and superior rights of the United States as hereinbefore decreed and defined, the defendants C. S. Skoem and S. H. Cotterel, the latter having been heretofore substituted in place of the original defendants Leroy Lewis and C. L. Bishop, have jointly, share and share alike, the right to use 2.08 second feet of the waters of said Indian Creek, said right being of the priority of, and dating from, June 1, 1908, ~~xxx~~ all water used pursuant to such right to be diverted at the present point of diversion, in the

RECORDED  
MAY 16 1996

northwest quarter of the northeast quarter of section 6,  
 township 8 south, ~~range~~ 36 east, Boise Meridian, and all  
 waters so diverted to be used for irrigation and domestic  
 purposes upon lot 1 in section 5, lot 4 in section 4, both  
 in township 8 south, and the southeast quarter of the south-  
 east quarter of section 32, and the southwest quarter of the  
 northwest quarter of section 33, both in township 7 south,  
 and all in range 36 east of Boise Meridian, and belonging to  
 the defendant U. S. Skeem, and lot 3 of section 4 in township  
 8 south, and the northwest quarter of the southwest quarter,  
 and the northeast quarter of the southwest quarter, and the  
 southeast quarter of the southwest quarter of section 33, in  
 township 7 south, and all in range 36 east of Boise Meridian  
 belonging to S. H. Cotterel.

POC 25 36E, 6, NWNE

POC 25 36E 5.5 lot 1 NWNE  
 5.4 lot 4 NWNE  
 74 36E 5.22  
 33

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that,  
 subject to the prior and superior rights of the United States  
 as hereinbefore decreed and defined, the defendant Marcus  
 Skeem shall have the right to the use of one-tenth of one  
 second foot of the waters of Indian Creek, which right is of  
 the priority of, and dates from, June 1, 1908, and the fur-  
 ther right to the use of one second foot of the waters of  
 said Indian Creek, which last decreed right is of the priority  
 of, and dates from, June 1, 1910, all the water used pursuant  
 to above said rights to be diverted at the present point of  
 diversion near where certain springs arise in and adjacent to  
 the bed or channel of said Indian Creek, at a point about one-half  
 mile from the southern boundary of the land of the United  
 States comprised in the allotments hereinbefore described,

RECORDED

MAY 16 1996

all waters so diverted to be used for irrigation and domestic purposes upon the southwest quarter of the northwest quarter, and the northwest quarter of the southwest quarter, and the southwest quarter of the southwest quarter of section 28, and the northwest quarter of the northwest quarter of section 33, all in township 7 south, range 36 east, Boise Meridian.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that, subject to the prior and superior rights of the United States hereinbefore decreed and defined, the defendant L. L. Walker shall have the right to the use of eight-tenths of one second foot of the waters of said Indian Creek, which right is of the priority of, and dates from, June 1, 1911, all waters used pursuant to such right to be diverted at the present point of diversion near the springs last referred to and described as in, and adjacent to, the bed or channel of said Indian Creek at a point about one-half mile from the southern boundary of the aforesaid allotments, ~~xxx~~ all water so diverted to be used for irrigation and domestic use upon the southwest quarter of the northwest quarter and the northeast quarter of the southwest quarter of section 28, township 7 south, range 36 east of Boise Meridian.

Pursuant to stipulation to such effect hereinbefore duly made by the respective parties hereto, it is ordered that this cause be dismissed as to the defendant Nelson Skeem.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that all rights of use herein decreed in and to the waters of said Indian Creek shall be exercised by all and each of the

RECORDED

MAY 16 1955

parties holding such rights pursuant hereto, only when it shall be reasonably necessary to use water from said stream for the purposes of irrigation and domestic use upon the lands to which each respective right herein decreed is respectively made appurtenant.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that when at any time the waters flowing in any part of the channel of said stream would not, by the natural flow of such waters, reach the point or points of diversion of any user or users, which points are herein established, then such water may be appropriated and used by those water users whose points of diversion are reached by such waters, without regard for the priority of use, if any, herein decreed and established in favor of the plaintiff or any of the defendants whose points or points of diversion would not be reached by such water in its natural flow as aforesaid.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that no artificial means shall be used to check the natural flow of said stream, or to cause it to sink or percolate into the bed of said stream, and so preventing the waters from reaching any lower user in their natural flow; but in the exercise of the rights herein decreed, such means as <sup>as in necessity</sup> necessary may be employed by any of said water users to effect a proper diversion of said waters at the point or points, and for the purposes, herein adjudged and decreed.

*Each party hereto and his heirs and successors in interest are enjoined from diverting, using, or in any way interfering with the waters of said creek in violation of the rights of any other party to the same and having claimant.*  
Judge.

Dated, April 7th, 1920.

RECORDED

MAY 16 1996