

May 21, 2002

29-4061

Allen B. Ruberry
Adjudication Bureau
900 N. Skyline Dr.
Idaho Falls, ID 83402

RE: Legal Notice
Second Round Service of Commencement Notice Basin 29
General Adjudication of rights to the Use of Water from the Snake River Basin Water System.

Dear Mr. Rueberry,

Enclosed are some documents related to the ownership of our property and affidavits of persons who formerly resided on the property. We would appreciate this documentation be added to our claim to water rights on the property and as our proof of Beneficial Use of the said spring water thereon.

I am not sure whether the time for supplying this information has past but the affidavits were hard to get as most of the previous property owners have past away and their families dispersed.

Thank you for your prompt attention to this information.

Sincerely,

Glen W. Romriell

RECEIVED

MAY 22 2002

Department of Water Resources
Eastern Region

AFFIDAVIT

State of Idaho)
)
)
County of Bannock)

I, Glen Romriell of Inkom, Idaho bought the property known as 1326 S. Old Hwy 91 in August of 1965 from James and Ruby Keaton. My Warranty Deed #547519 dated August 25, 1965 specifically mentioned the spring water located on the property and the ditches. See attached Notice.

Mr. Keaton did not ever live on the property but did apply for a permit to do improvements to the spring water.

Application for permit #35472

Permit # 27539/29-2522

Source of Water Supply: springs (unnamed SW1/4NE1/4 0.4cfs and SE1/4NW1/4 0.1cfs)

Water to be used for; domestic and irrigation

Kind of Works; pump & sprinkler system

The applied for work was to be completed by September of 1963 and Beneficial use of water to be made on or before September 2, 1969.

I did not know of this application when I bought the property. In fact the property was rented first to Russell Keller. I later rented it with option to buy and did in fact buy it in August of 1965.

From the time I bought it to date I have used the springs to water the pasture and livestock. I also built another holding tank to supply water for domestic use and I have a reservoir and run pipe down to water the surrounding area around the home.

January 1, 1976 we sold a home and approximately 4.75 acres to Edwin Bruderer with rights to the spring that supplied water to that home. The legal description of the property as follows;

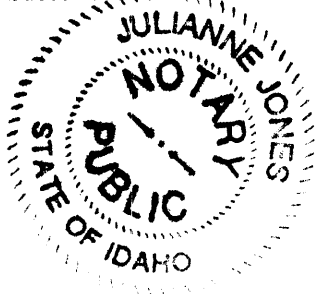
A tract of land in the SE ¼ NW ¼ and SW ¼ NE ¼, Section 11, T.8S., R.36E., B.M., Bannock County, Idaho.

The complete legal is on file in Bannock County. Mr. Bruderer did file on that water during the first adjudication. We filed a Claim to a Water Right on January 5, 1976. Claim #294061 (Bonneville County) was the place of filing. We did not follow through with anything else at that time. We were lead to believe nothing else was necessary by the Idaho Falls Office of Water Works.

Please add this information as our proof of Beneficial Use of the spring water on the property as legally described here.

On this 20, day of May 2002, _____ personally appeared before me, To be the signer of the above instrument, and that he acknowledge the same.

Subscribed and sworn to before me this 20 day of May 2002.



Glen W. Romriell

Julianne Jones

NOTARY PUBLIC FOR IDAHO

Residing at: Tecate, CA

Commission expires: 11/2004

Legal Description of property located at 1326 S. Old Hwy 91, Inkom, Idaho.

The SW1/4NE1/4 of Section 11, Township 8 South, Range 36 East
Boise Meridian; also that portion of the SE1/4NW1/4 of said
Section 11, lying Easterly of the Oregon Short Line Railroad track
Bounded as follows: Commencing at the Northwest corner of the SW1/4NE1/4 of
Section 11, running thence 80 rods South; thence 24 rods West; thence in a
Northwesterly direction along the right of way of said Oregon Short Line Railroad
to a point 42 rods West of the place of beginning; thence East to the point of
beginning.

Subject to Agreement as to boundary and to establish liquidated damages,
between Sheldon Lish and Fred Tripp, recorded June 19, 1956, in Book 16 of
Agreements, page 432, records of Bannock County, Idaho.

Location of Springs

'.' "" @ - @ |
 | NE | NW SW | SE 1 NE | SW | SE 1 NE | NW";W | SE 1' NE | NW | SE 1' Totals | NW |
 - | SW

April 13, 2002

To Whom It May Concern:

I, Lynn Lish, do make affidavit as to my knowledge of the spring water located on the property known as 13 26 S. Old Hwy 91 Inkom, Idaho.

My father, Sheldon Lish, bought this property as referenced previously in 1949. At that time there were several existing springs located in the upper section of the ground and one located close to the front of the property which ran along old highway 30. There were also ditches.

We cleaned out the ditches for the purpose of irrigation. We also built a cistern and holding tank using spring marked # 1 on the attached map. This water was used to bring water to the house. Spring # ran along the ground and watered the stock and the pasture.

We owned the property until 1957 when it was then sold to James & Ruby Keaton.

Yours Truly,

Duval Lynn Lish

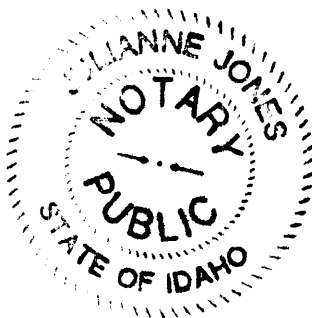
State of Idaho)

:

County of Bannock)

On this 22, day of April, 2002, Duval Lynn Lish personally appeared before me, to be the signer of the above instrument, and that he acknowledged the same.

Subscribed and sworn to before me this 22 day of April, 2002.



Julianne Jones
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
Commission expires: 11/2004

April 13, 2002

To Whom It May Concern:

I, Larry Lish, do make affidavit as to my knowledge of the spring water located on the property known as 13 26 S. Old Hwy 91 Inkom, Idaho.

My father, Sheldon Lish, bought this property as referenced previously in 1949. At that time there were several existing springs located in the upper section of the ground and one located close to the front of the property which ran along old highway 30. There were also ditches.

We cleaned out the ditches for the purpose of irrigation. We also built a cistern and holding tank using spring marked # 1 on the attached map. This water was used to bring water to the house. Spring # ran along the ground and watered the stock and the pasture.

We owned the property until 1957 when it was then sold to James & Ruby Keaton.

Yours Truly,

Larry Lish

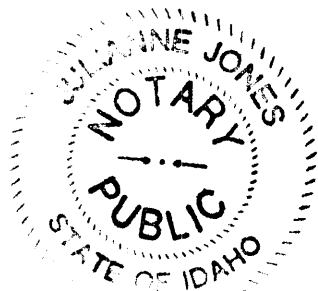
State of Idaho)

:

County of Bannock)

On this 22, day of April, 2002, Larry Lish
personally appeared before me, to be the signer of the above instrument, and that he
acknowledged the same.

Subscribed and sworn to before me this 22 day of April, 2002.



Julianne Jones
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello
Commission expires: 11/2004

N O T I C E

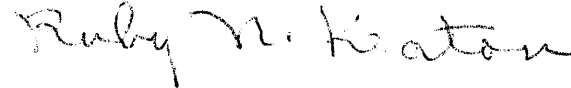
I, the undersigned, do hereby notify Mr. Fred J. Tripp that I am purchasing the property herein described on a Real Estate Agreement from Sheldon Lish; that I am entitled to possession of the said property and you are hereby notified that in the event you enter upon the said land or do anything that will affect the value thereof, you will be guilty of criminal trespass and the proper authorities will be notified.

A description of said land is as follows:

The SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, Township 8 South of Range 36 East Boise Meridian; also that portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 11, lying Easterly of the Oregon Short Line Railroad Track bounded as follows:

Commencing at the Northwest corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11, running thence 80 rods South; thence 24 rods West; thence in a Northwesterly direction along the right of way of said Oregon Short Line Railroad to a point 42 rods West of the place of beginning; thence East to the point of beginning, containing in all 58.75 acres, more or less, also all fences, improvements, springs of water, also all water, water rights, laterals, ditches pertaining thereto....

IN WITNESS WHEREOF, I have hereunto set my hand and seal
this 16th day of March, 1961.


James E. Keaton


Section 42-225a, Idaho Code

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Ph: 775-3728

(name of claimant)

, claims a right to the diversion and beneficial use of

(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) 4 springs
, tributary to, sinks
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>0.50</u>	Use <u>Irrigation</u>	Period of Use: From <u>Apr. 1</u> To <u>Nov. 1</u>
Amount <u>0.04</u>	Use <u>Domestic</u>	Period of Use: From <u>Jan. 1</u> To <u>Dec. 31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

- (3) Total quantity of water claimed: 0.50 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) August 28, 1958

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)

4 points in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11 Twp. 8S Rge. 36E B. M. County of Bannock

Additional points of diversion:

- B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Headbox and pipeline

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

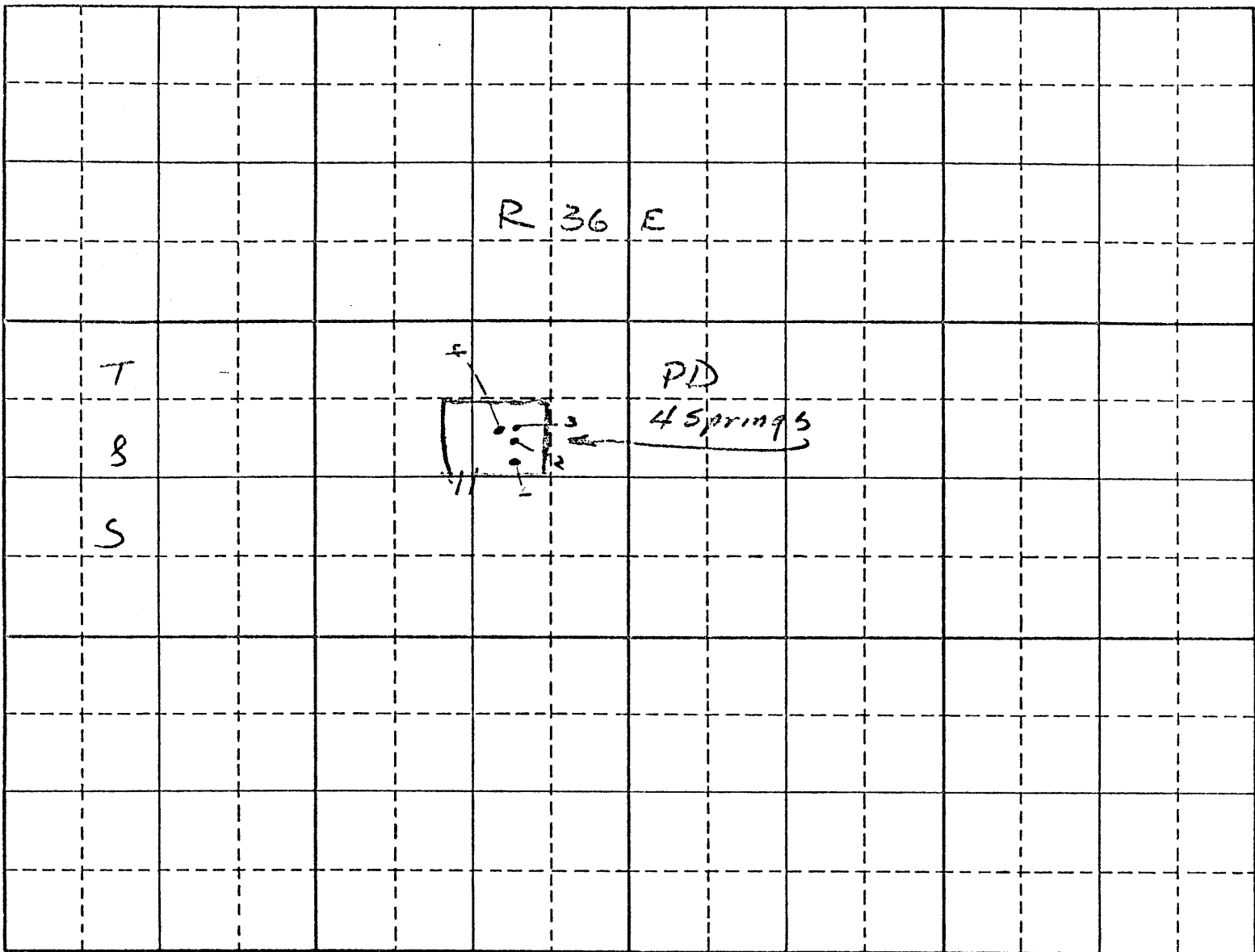
[illegible]

Total No. of acres 25

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
Domestic purposes for one family. _____

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.
County of Bonneville)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Thomas R. Russell
(Claimant)

Sworn to before me this 5th day of January, 19 76.

Loren O. Harbner
Notary Public
Residing at Idaho Falls Id.

My commission expires March 21, 1979

For Department Use Only

Received by <u>TR</u>	Date <u>1-15-76</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>TR</u>	Date <u>1-15-76</u>		claimant by:	
\$10.00 fee received by <u>TR</u>	Date <u>1-15-76</u> # <u>554</u>			
Approved for publication by <u>TR</u>	<u>1-26-76</u>			
Published in <u>Idaho Falls News</u>	<u>1-26-76</u>			
Dates <u>1-26-76 to 1-26-76</u>				

Idaho Department of Water Resources Receipt

Receipt ID E027468

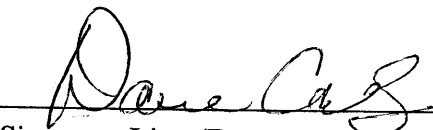
Payment Amount \$55.00 Date Received 2/20/2002 3:32:29 PM Region Eastern Status ☐
Payment Type Cash

Payer GLEN W ROMRIELL

Comment 29-04061 adj claim

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$55.00	ADJUDICATION FILING FEE	0337		43503	1155


Signature Line (Dept. Representative)

Receipt Details for ID E027468

Status	Adjustment Type	Version
		1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
2/20/2002 3:32:29 PM	2/20/2002 4:10:02 PM	EASTERN	\$55.00	Cash
Payer	GLEN W ROMRIELL			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
Card Expiration Date	Credit Card Transaction #		

Comment 29-04061 adj claim

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$55.00	ADJUDICATION FILING FEE	43503	0337			1155

Refund(s):

Amount	Payee	Date	Document Number
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