

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

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

SEP 28 2007

By _____ Clerk
Deputy Clerk

Subcase: 29-13779 & 29-13781

ORDER GRANTING MOTIONS TO FILE
LATE NOTICE OF CLAIM

On April 26, 2007, Colman S. Paniogue filed a *Motion to File Late Notice of Claim* for each of the above-captioned water rights. Hearing was held on the *Motions* on July 17, 2007, and the matter was referred to Special Master Brigitte Bilyeu.

On September 28, 2007, a *Special Master's Report and Recommendation* was filed for the above-captioned water rights. Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report and Recommendation* and wholly adopts them as its own. Because of the limited nature of the *Order of Reference* the Court finds no reason to delay entry of this *Order*.

THEREFORE, IT IS ORDERED, that the *Motions to File a Late Notice of Claim* for the above-captioned water rights are **granted**.

The original Notices of Claim, as well as any attached filing fees, and a copy of this *Order* will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order I* 4d(2)(h).

IT IS SO ORDERED.

Dated September 28, 2007.


JOHN M. MELANSON
Presiding Judge
Snake River Basin Adjudication

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING
MOTIONS TO FILE LATE NOTICE OF CLAIM was mailed on September
28, 2007, with sufficient first-class postage to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

COLMAN S PANIOGUE
22 COLGATE
POCATELLO, ID 83201
Phone: 208-232-8437

A handwritten signature in cursive script, reading "Julie Murphy", is written over a horizontal line. The signature is in dark ink and is positioned to the right of the printed text "Deputy Clerk".

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 29-13779
DATE RECEIVED: 2/13/2007
RECEIPT No: C085049
RECEIVED BY: KAW

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - SBA
TWIN FALLS CO., IDAHO
FILED
2007 JUN 29 PM 3 04

1. NAME OF CLAIMANT(S)

COLMAN S PANIOGUE PHONE: (208) 232-8437

22 COLGATE
POCATELLO ID USA 83201

2. DATE OF PRIORITY: 11/22/1919

3. SOURCE: GROUND WATER TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY	TYPE
06S	33E	19	SW	NW	2	POWER

5. DESCRIPTION OF DIVERTING WORKS:

CASING DIAMETER 10 IN AND 200 FT. 30 HP SUBMERSIBLE.

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR) A.F.A
IRRIGATION		01/01	12/31 1.6	316
STOCKWATER		01/01	12/31 0.2	0.48

7. TOTAL QUANTITY APPROPRIATED IS:

1.6 C.F.S.

8. TOTAL CONSUMPTIVE USE:

9. NON-IRRIGATION USES:

NUMBER OF OTHER USES: 36 HEAD

NUMBER OF HOMES: 2

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4	LOT	USE	ACRES
06S	33E	19	NW	NW	1	IRRIGATION 40
			SW	NW	2	IRRIGATION 39
SECTION ACRES						79
TOTAL ACRES						79

11. PLACE OF USE IN COUNTIES: POWER

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

RIGHT NOS. 29-13779 AND 29-13781 ARE LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME 418.7 AF.

15. BASIS OF CLAIM: BENEFICIAL USE

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): *Orman & Parago* DATE: 6/27/07

DATE: _____

STATE OF IDAHO)
COUNTY OF Bonneville) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS

27 OF June 2007

Dave Carlson

NOTARY PUBLIC

RESIDING AT Rigby, Id

MY COMMISSION EXPIRES 2/26/2008



AMENDED

06/29/07

NOTICE OF CLAIM TO A WATER RIGHT

**Colman S. Paniogue
Janet M. Paniogue**

Addendum # 1

Statement:

The property, for which this claim for water rights is submitted, is located at Bannock Creek, on the Fort Hall Indian Reservation, Power County, Idaho. It is identified as Indian Allotment 1437, originally containing 158.20 acres, mol. It was purchased by my grandfather Raphael LaVatta, an enrolled Shoshone-Bannock Indian, in 1919. (Exhibit # 2). He bought it from his cousin, Frank P. Pocatello, an enrolled Shoshone-Bannock Indian. My mother, Dolores LaVatta Paniogue, an enrolled Shoshone-Bannock Indian, and my father, Salvadore M. Paniogue, an un-enrolled Indian, inherited eighty (80) acres of the original allotment and my sisters inherited the remaining eighty acres when my grandfather died, in about 1946.

I, Colman S. Paniogue, an enrolled Shoshone-Bannock Indian, inherited my parent's home and land (79 acres) when my mother died in 2002. The subject property has been held by our family continuously since my grandfather purchased it in 1919.

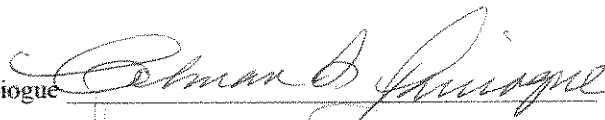
We have never 'filed' for water rights, per se; we have always considered that it being "Indian Land" owned by "Enrolled Shoshone-Bannock Tribal members", it thereby qualified for a superior water right. The Tribal authorities have never advised Indian land owners of a need to file a claim for water rights on their property. The State of Idaho has never advised Indian land owners to file a claim for water rights on their property.

I am submitting this Claim to a Water Right to protect the value of my property. I am considering selling the property, and on the assumption that a 'non-Indian' makes the purchase, a portion of the value of the property will be based on having a documented water right.

ITEM # 15 of my initial Claim to a Water Right was 'RESERVED', mainly because I didn't understand the various categories of water claims. Our Tribal Water Resources Commission advised me that the Tribes would have to object to my claim of Reserved right. I have worked cooperatively with the Tribal Water Commission and the Tribal Water Engineer so I can present a Claim that the Tribes could support and not object to. This AMENDED Claim is the result of our collaboration.

Thank you for your consideration.

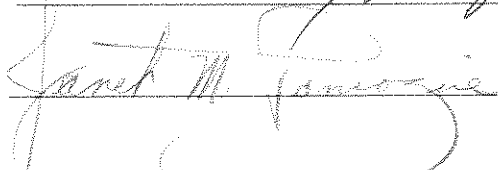
Colman S. Paniogue



Date:

6/29/07

Janet M. Paniogue



Date:

6/29/07

PANIOGUE

FEE 100
LATE 100
ACCTS 158
358

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

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RECEIPT No: C085049
RECEIVED BY: KJW

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ACQUIRED UNDER STATE LAW

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COLMAN S PANIOGUE PHONE: (208) 232-8437

22 COLGATE
POCATELLO ID USA 83201

2. DATE OF PRIORITY: 06/14/1867

3. SOURCE: GROUND WATER TRIB. TO:

4. POINT OF DIVERSION:

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CASING DIAMETER 10 IN AND 200 FT. 30 HP SUBMERSIBLE.

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PURPOSE	FROM	To	C.F.S.	(OR) A.F.A
IRRIGATION		01/01	12/31 1.6	

7. TOTAL QUANTITY APPROPRIATED IS:

1.6 C.F.S.

8. TOTAL CONSUMPTIVE USE:

9. NON-IRRIGATION USES:

NUMBER OF HOMES: 2

NUMBER OF OTHER USES: 36 HEAD

FILED
2007 APR 26 AM 10 52
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED
2007 APR 30 AM 10 45
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4	LOT	USE	ACRES
06S	33E	19	NW	NW	1	IRRIGATION 40
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SECTION ACRES						79
TOTAL ACRES						79

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: *RESERVED CAP.*
~~BENEFICIAL USE~~ 4/27/07

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.

FEE 100
LATE 100
ACRES 158
358

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DISTRICT COURT - SRDA
TWIN FALLS CO., IDAHO
FILED
2007 APR 26 PM 10 50

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NUMBER OF ATTACHMENTS: 3

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): *Salman Othman* DATE: 4/25/07

DATE:

STATE OF IDAHO)
COUNTY OF Bonneville) SS.

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS

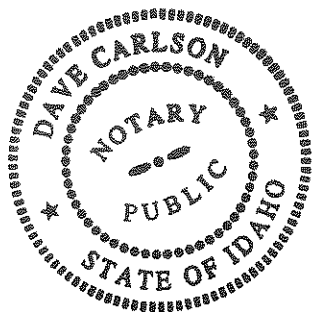
April OF 25 2007

Dave Carlson

NOTARY PUBLIC

RESIDING AT Rigby, Id

MY COMMISSION EXPIRES 2/26/2008



NOTICE OF CLAIM TO A WATER RIGHT

Colman S. Paniogue
Janet M. Paniogue

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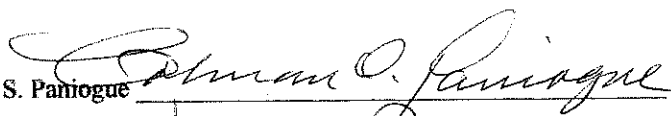
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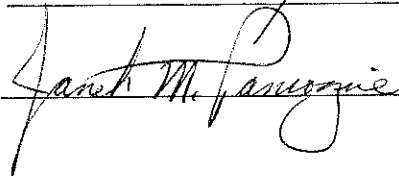
Thank you for your consideration.

Colman S. Paniogue



Date: 2/13/07

Janet M. Paniogue



Date: 2/13/07

Paniogue



S19 T6S R33E Lots 1+2
 Tract# 95
 GILMAN S. + JANET M.
 PANIOQUE
 2/12/07

Bannock Creek
 FORT HALL INDIAN RESERVATION
 POWER COUNTY

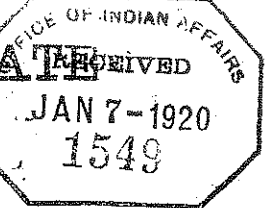
0.05 0 0.05 0.1 0.15 0.2 Miles



Map Printed: Nov 4, 2005

5-110h

DUPLICATE



MEMORANDUM OF SALE OF ALLOTTED LAND.

The undersigned Raphael Lavatta
 having on November 28, 1919, 1919, purchased
Lots 1 & 2: E 1/2 NW, Section 19, Township 8 South, Range 33 EBM.,
Idaho, containing 158.30 acres more or less
allotment No. 1437 of Frank P. Pocatello
 for \$ 7100.00, and having made a payment of \$ 1775.00,
 being 25 per cent thereof, and agreed to pay the balance thereof,
 being \$ 5325.00 in deferred payments as evidenced by three
 promissory notes of even date herewith for \$ 1775.00 each,
 numbered from 1 to 3, payable to the Superintendent or
 other officer in charge of the Fort Hall
 Indian Reservation, on or before three years after date,
 with interest at the rate of 7 per cent per annum, payable
annually;

NOW THIS MEMORANDUM WITNESSETH: That upon the payment in
 full by said Raphael Lavatta of said
 sum of \$ 5325.00, being the balance of said consideration
 of \$ 7100.00, with interest thereon, according to the tenor
 and effect of said notes, then and in such case a patent shall be
 issued to said Raphael Lavatta, giv-
 ing and granting said land to him and his heirs pursuant
 to law;

PANIOGUE

407

(2)

And said _____ agree
that upon default by Raphael Lavatta
him in the payment of said notes or either
of them or the interest thereon, the sale of said land to _____
him may, at the option of the Secretary of the Interior, be canceled
and said land re-advertised for sale, and in such case the sum of
\$ 1775.00, being 25 per cent of the amount agreed to be paid
by said _____ shall
Raphael Lavatta
be forfeited as provided by law for the use of _____
the heirs

vendors, and any balance remaining of the amount paid by said
_____ shall,
Raphael Lavatta
in case the same is not repaid to _____
Raphael Lavatta
_____ by the vendors, be repaid to
_____ out of the proceeds of such
Raphael Lavatta
subsequent sale, or from such other sources as may be applicable
and advisable, in the discretion of the Secretary of the Interior.

Signed at _____ this

Fort Hall, Idaho

5th day of December, 1919.

Department of the Interior
Washington, D. C., APR 30 1920

APPROVED

[Signature]
Assistant Secretary.

[Signature]
Supt. and Disb. Agent.

Raphael Lavatta

Purchaser.

RECEIVED

OCT 02 2007

IN THE DISTRICT COURT OF THE FIRST 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 29-13781
DATE RECEIVED: 2/13/2007
RECEIPT No:
RECEIVED BY:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

DISTRICT COURT - SREA
TWIN FALLS CO., IDAHO
FILED
2007 JUN 29 PM 3 05

1. NAME OF CLAIMANT(S)

COLMAN S PANIOGUE PHONE: (208) 232-8437

22 COLGATE
POCATELLO ID USA 83201

2. DATE OF PRIORITY: 11/22/1919

3. SOURCE: BANNOCK CREEK TRIB. TO:

4. POINT OF DIVERSION:

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06S	33E	19	SW	NE		POWER

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41 IN HEADGATE 100 FT NORTH OF RAILROAD OF BANNOCK CREEK UNDERPASS. DIVERTS WATER FROM BANNOCK CREEK INTO IRRIGATION CANAL. CANAL RUNS PARALLEL TO RAILROAD APPROX. 1/4 MILE WESTERLY. CANAL PASSES UNDER INTERSTATE HIGHWAY 86. DELIVERS WATER TO SE CORNER OF LOTS 1 AND 2 T6S R33E Sec19.

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SIGNATURE OF CLAIMANT(S): Colman J. Pinnegar DATE: 6/27/07

STATE OF IDAHO)
) SS.

COUNTY OF Bonneville

SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS

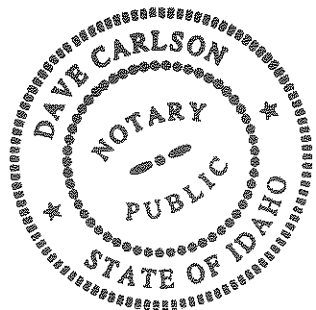
27 OF June 2007

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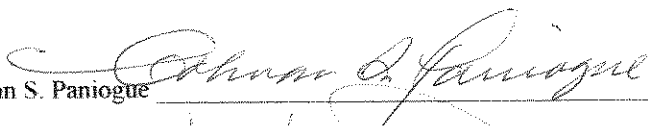
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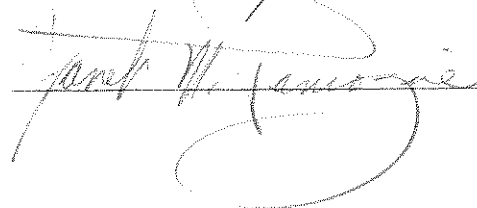
Colman S. Paniogue



Date:

6/29/07

Janet M. Paniogue



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PANIOGUE

RECEIVED

OCT 02 2007

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FEE 100
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6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR) A.F.A
IRRIGATION		01/01	12/31 1.6	

7. TOTAL QUANTITY APPROPRIATED IS:
1.6 C.F.S.

8. TOTAL CONSUMPTIVE USE:

9. NON-IRRIGATION USES:

2007 APR 26 PM 10 52
FILED
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

2007 APR 30 PM 10 45
FILED
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4	LOT	USE	ACRES
06S	33E	19		NW	NW 1	IRRIGATION 40
				SW	NW 2	IRRIGATION 39
SECTION ACRES						79
TOTAL ACRES						79

11. PLACE OF USE IN COUNTIES: POWER

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: ~~BENEFICIAL USE~~ *RESERVED CAP 4/27/07*

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.

SNAKE RIVER BASIN ADJUDICATION (SRBA)

DISTRICT COURT OF THE STATE OF IDAHO
PO BOX 2707
253 3RD AVENUE NORTH
TWIN FALLS, IDAHO 83303-2707
1-208-736-3011

***** RECEIPT # 2349 * REPRINT *
4-26-2007

RECEIVED FROM: PANIOGUE, COLMAN S

FOR: LATE FEES 29-13779 & 29-13781

	TYPE OF PAYMENT	
AMOUNT PAID:	CHECK: 558.00	14154
	CASH: .00	
	COIN: .00	

AMOUNT RETURNED: .00 CHARGED: .00

ISSUED BY: JM AUTHORIZED BY: DRD

HELD: PENDING HEARING ON MOTIONS TO FILE LATE CLAIM

Fees Pd.

29-13779 \$358.00

29-13781 \$200.00

RECEIVED

OCT 02 2007

FEE 100
LATE 100
\$200

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 29-13781
DATE RECEIVED: 2/13/2007
RECEIPT NO: C085049
RECEIVED BY: KTW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. NAME OF CLAIMANT(S)

COLMAN S PANIOGUE PHONE: (208) 232-8437

22 COLGATE
POCATELLO ID USA 83201

2. DATE OF PRIORITY: 06/14/1867

3. SOURCE: BANNOCK CREEK TRIB. TO:

4. POINT OF DIVERSION:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4 OF 1/4	LOT	COUNTY	TYPE
06S	33E	19	SW	NE		POWER

5. DESCRIPTION OF DIVERTING WORKS:

41 IN HEADGATE 100 FT NORTH OF RAILROAD OF BANNOCK CREEK UNDERPASS. DIVERTS WATER FROM BANNOCK CREEK INTO IRRIGATION CANAL. CANAL RUNS PARALLEL TO RAILROAD APPROX. 1/4 MILE WESTERLY. CANAL PASSES UNDER INTERSTATE HIGHWAY 86. DELIVERS WATER TO SE CORNER OF LOTS 1 AND 2 T6S R33E Sec19.

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(OR) A.F.A
IRRIGATION		01/01	12/31 1.6	

7. TOTAL QUANTITY APPROPRIATED IS:
1.6 C.F.S.

8. TOTAL CONSUMPTIVE USE:

9. NON-IRRIGATION USES:

2007 APR 26 PM 10 48
FILED
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

10. PLACE OF USE:

TOWNSHIP	RANGE	SECTION	1/4 OF 1/4	LOT	USE	ACRES
06S	33E	19	NW	NW	1	IRRIGATION 40
			SW	NW	2	IRRIGATION 39
SECTION ACRES						79
TOTAL ACRES						79

11. PLACE OF USE IN COUNTIES: POWER

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

13. OTHER WATER RIGHTS USED:

14. REMARKS:

15. BASIS OF CLAIM: BENEFICIAL USE

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 1 WISH TO RECEIVE AND PAY A SMALL ANNUAL FEE FOR MONTHLY COPIES OF THE DOCKET SHEET.

NUMBER OF ATTACHMENTS: 3

FOR INDIVIDUALS:

I/WE DO SOLEMNLY SWEAR OR AFFIRM THAT THE STATEMENTS CONTAINED IN THE FOREGOING DOCUMENT ARE TRUE AND CORRECT.

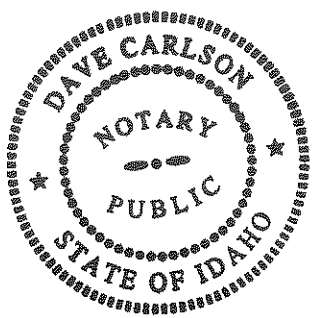
SIGNATURE OF CLAIMANT(S): *Edman S. Pamiogne* DATE: 4/25/07

DATE:

STATE OF IDAHO)
COUNTY OF Bonneville) SS.

25 OF April 2007
SUBSCRIBED AND SWORN (OR AFFIRMED) BEFORE ME THIS

Dave Carlson
NOTARY PUBLIC



RESIDING AT *Rigby, Id*
MY COMMISSION EXPIRES 2/26/2008

NOTICE OF CLAIM TO A WATER RIGHT

Colman S. Paniogue
Janet M. Paniogue

Addendum # 1

Statement:

The property, for which this claim for water rights is submitted, is located at Bannock Creek, on the Fort Hall Indian Reservation, Power County, Idaho. It is identified as Indian Allotment 1437, originally containing 158.20 acres, mol. It was purchased by my grandfather Raphael LaVatta, an enrolled Shoshone-Bannock Indian, in 1919. (Exhibit # 2). He bought it from his cousin, Frank P. Pocatello, an enrolled Shoshone-Bannock Indian. My mother, Dolores LaVatta Paniogue, an enrolled Shoshone-Bannock Indian, and my father, Salvadore M. Paniogue, an un-enrolled Indian, inherited eighty (80) acres of the original allotment and my sisters inherited the remaining eighty acres when my grandfather died, in about 1946.

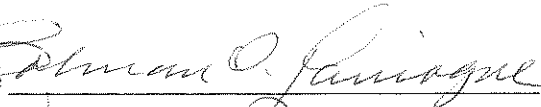
I, Colman S. Paniogue, an enrolled Shoshone-Bannock Indian, inherited my parent's home and land (79 acres) when my mother died in 2002. The subject property has been held by our family continuously since my grandfather purchased it in 1919.

We have never 'filed' for water rights, per se; we have always considered that it being "Indian Land" owned by "Enrolled Shoshone-Bannock Tribal members", it thereby qualified for a superior water right. The Tribal authorities have never advised Indian land owners of a need to file a claim for water rights on their property. The State of Idaho has never advised Indian land owners to file a claim for water rights on their property.

I am submitting this Claim to a Water Right to protect the value of my property. I am considering selling the property, and on the assumption that a 'non-Indian' makes the purchase, a portion of the value of the property will be based on having a documented water right.

Thank you for your consideration.

Colman S. Paniogue



Date:

2/13/07

Janet M. Paniogue



Date:

2/13/07

Paniogue

EXHIBIT # 1



S19 T6S R33E Lots 1+2
Tract# 95
GOIMON S. & JANET M.
PANIQUE
2/12/07

Bannock Creek
FORT HALL INDIAN RESERVATION
POWER COUNTY

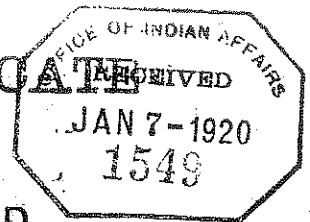
0.05 0 0.05 0.1 0.15 0.2 Miles



Map Printed: Nov 4, 2005

5-110h

DUPLICATE



MEMORANDUM OF SALE OF ALLOTTED LAND.

The undersigned Raphael Lavatta
 having on November 22, 1919, 19 , purchased
Lots 1 & 2: E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 19, Township 8 South, Range 33 FOM.,
Idaho, containing 158.20 acres more or less
allotment No. 1437 of Frank P. Pocastello
 for \$ 7100.00, and having made a payment of \$ 1775.00,
 being 25 per cent thereof, and agreed to pay the balance thereof,
 being \$ 5325.00 in deferred payments as evidenced by three
 promissory notes of even date herewith for \$ 1775.00 each,
 numbered from 1 to 3, payable to the Superintendent or
 other officer in charge of the Fort Hall
Indian Reservation, on or before three years after date,
 with interest at the rate of 7 per cent per annum, payable
annually;

NOW THIS MEMORANDUM WITNESSETH: That upon the payment in
 full by said Raphael Lavatta of said
 sum of \$ 5325.00, being the balance of said consideration
 of \$ 7100.00, with interest thereon, according to the tenor
 and effect of said notes, then and in such case a patent shall be
 issued to said Raphael Lavatta, giv-
 ing and granting said land to him and his heirs pursuant
 to law;

PANIOGUE

407

(2)

And said _____ agree
that upon default by Raphael Lavatta
him in the payment of said notes or either
of them or the interest thereon, the sale of said land to _____
may, at the option of the Secretary of the Interior, be canceled him
and said land re-advertised for sale, and in such case the sum of
\$ 1775.00, being 25 per cent of the amount agreed to be paid
by said _____ shall
Raphael Lavatta
be forfeited as provided by law for the use of _____
the heirs
venders, and any balance remaining of the amount paid by said
_____ shall,
Raphael Lavatta
in case the same is not repaid to _____
Raphael Lavatta
by the vendors, be repaid to
_____ out of the proceeds of such
Raphael Lavatta
subsequent sale, or from such other sources as may be applicable
and advisable, in the discretion of the Secretary of the Interior.

Signed at _____ this
Fort Hall, Idaho
_____ day of _____, 19____
5th December 1920

Department of the Interior
Washington, D. C. APR 31 1920
APPROVED
[Signature]
Assistant Secretary.

[Signature]
Supt. and Disb. Agent.

Raphael Lavatta

Purchaser_____

PANIOQUE