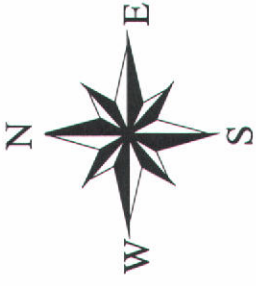


IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R05E, S10



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

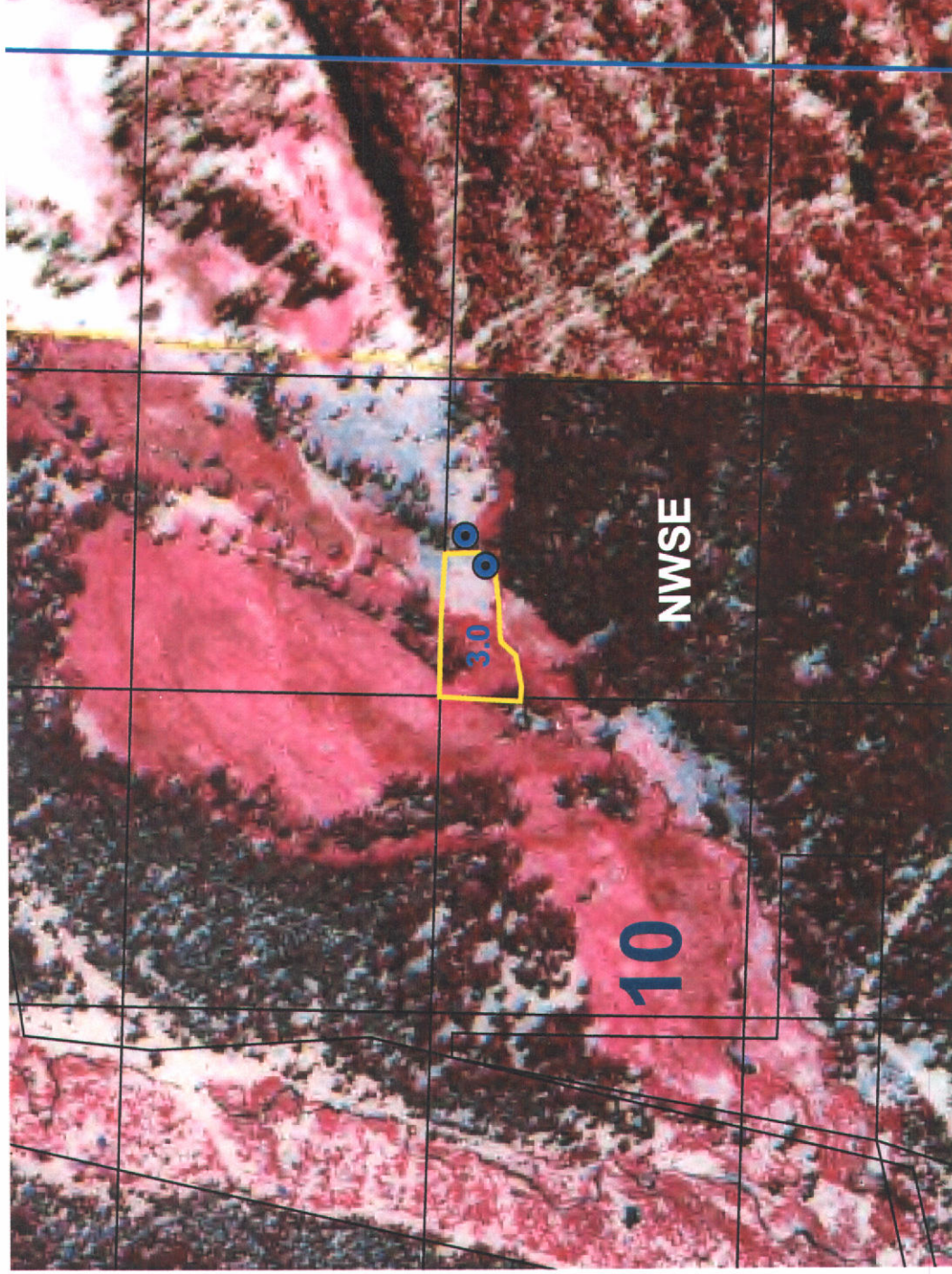
6 SECTION NUMBERS

CLAIM(S): 63-15258

OWNER(S): FINLEY, SARAH & ANN

DATE: DECEMBER 5, 2001

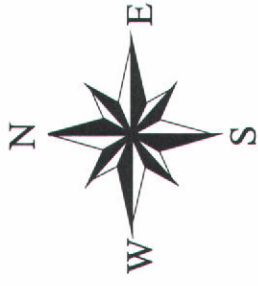
by: Mel Schulte



0 0.25 0.5 0.75 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R05E, S10



1987 NAPP PHOTO

POINT OF DIVERSION



PLACE OF USE

1/4 1/4 LINES



SECTION LINES

6 ACRES

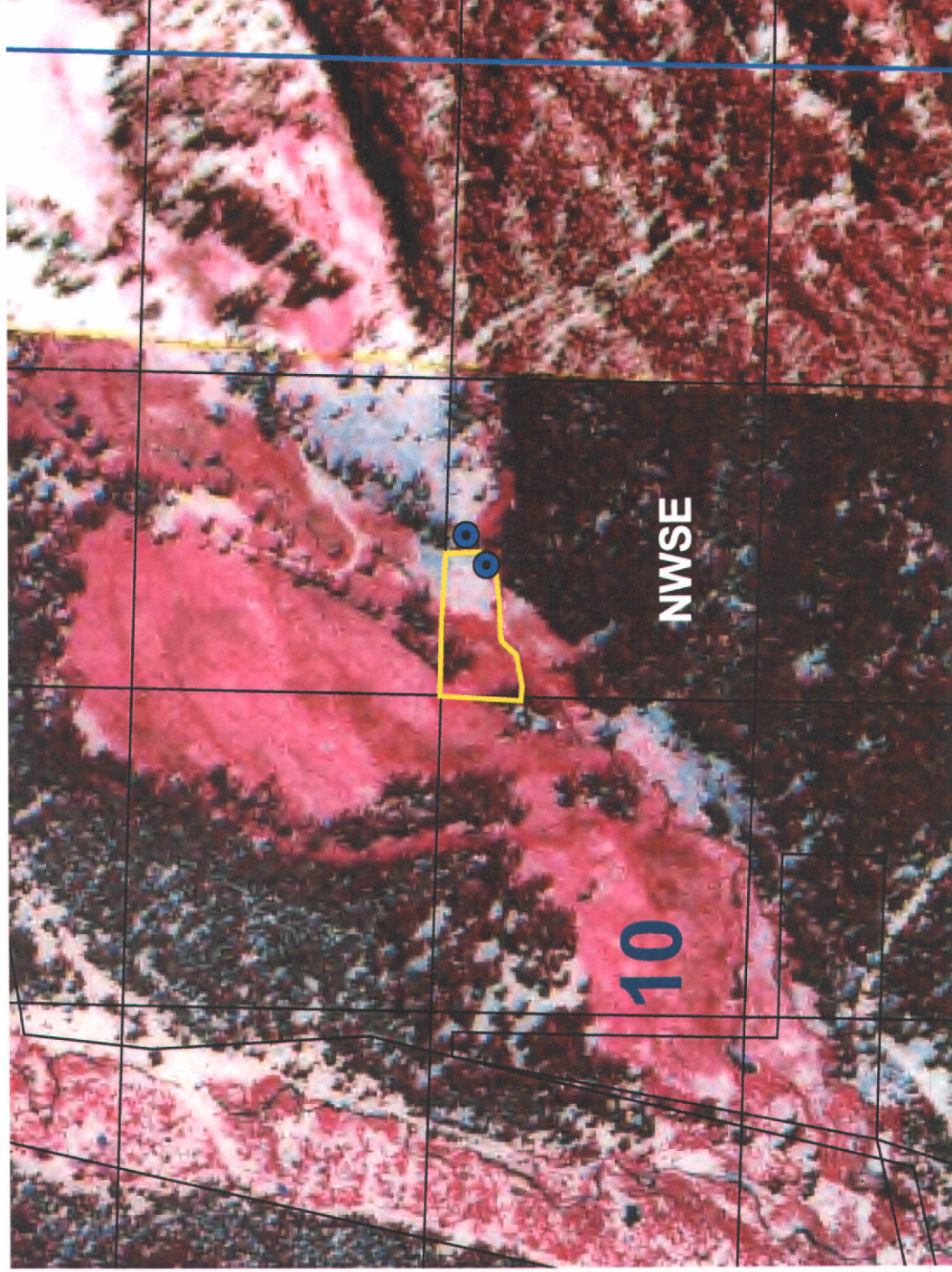
6 SECTION NUMBERS

CLAIM(S): 63-15258

OWNER(S): FINLEY, SARAH & ANN

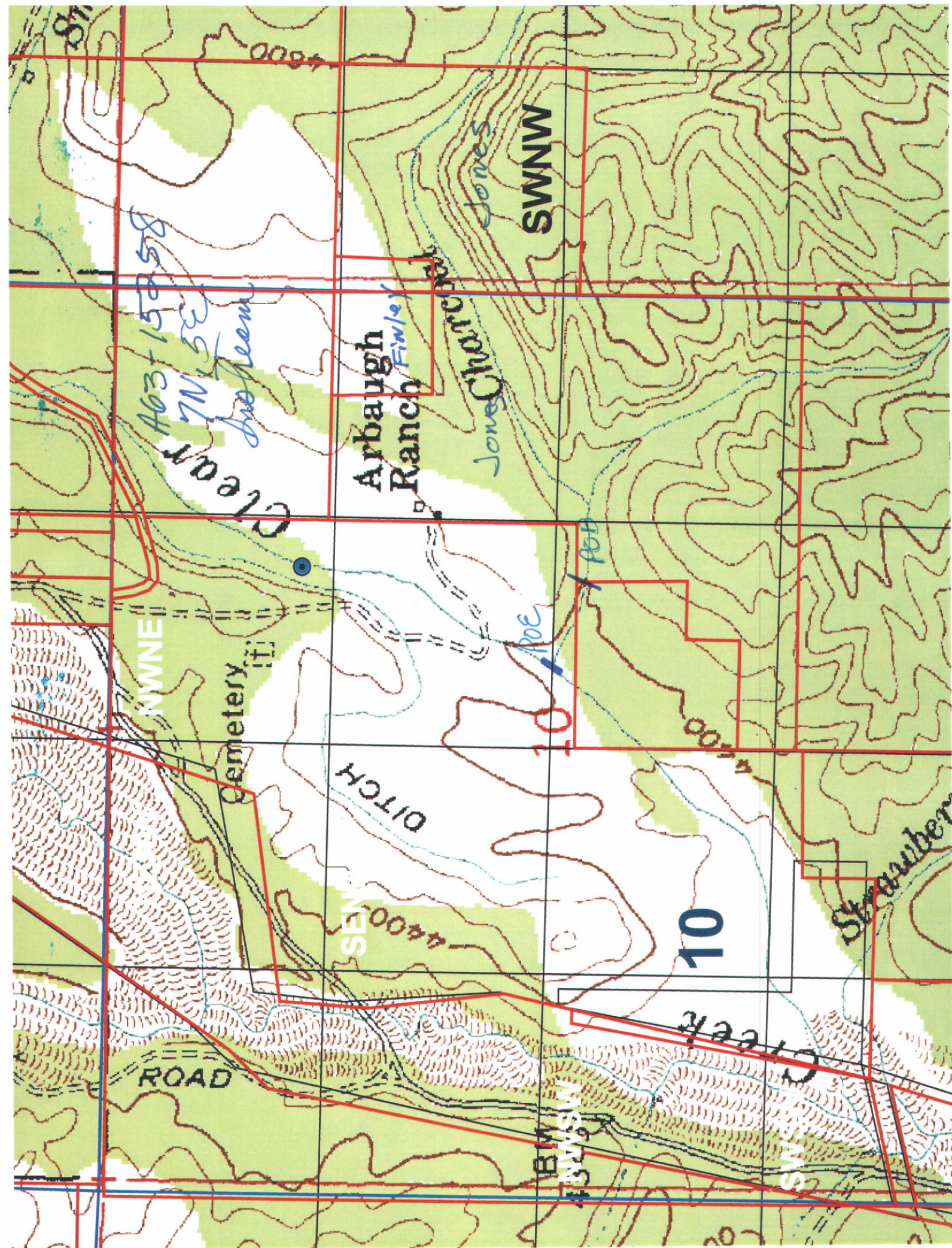
DATE: DECEMBER 5, 2001

by: Mel Schulte



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A63-15258

PHOTOS TAKEN 09/19/2001



PHOTO #1
PART OF POU
LOOKING WEST FROM
THE LOWER POD



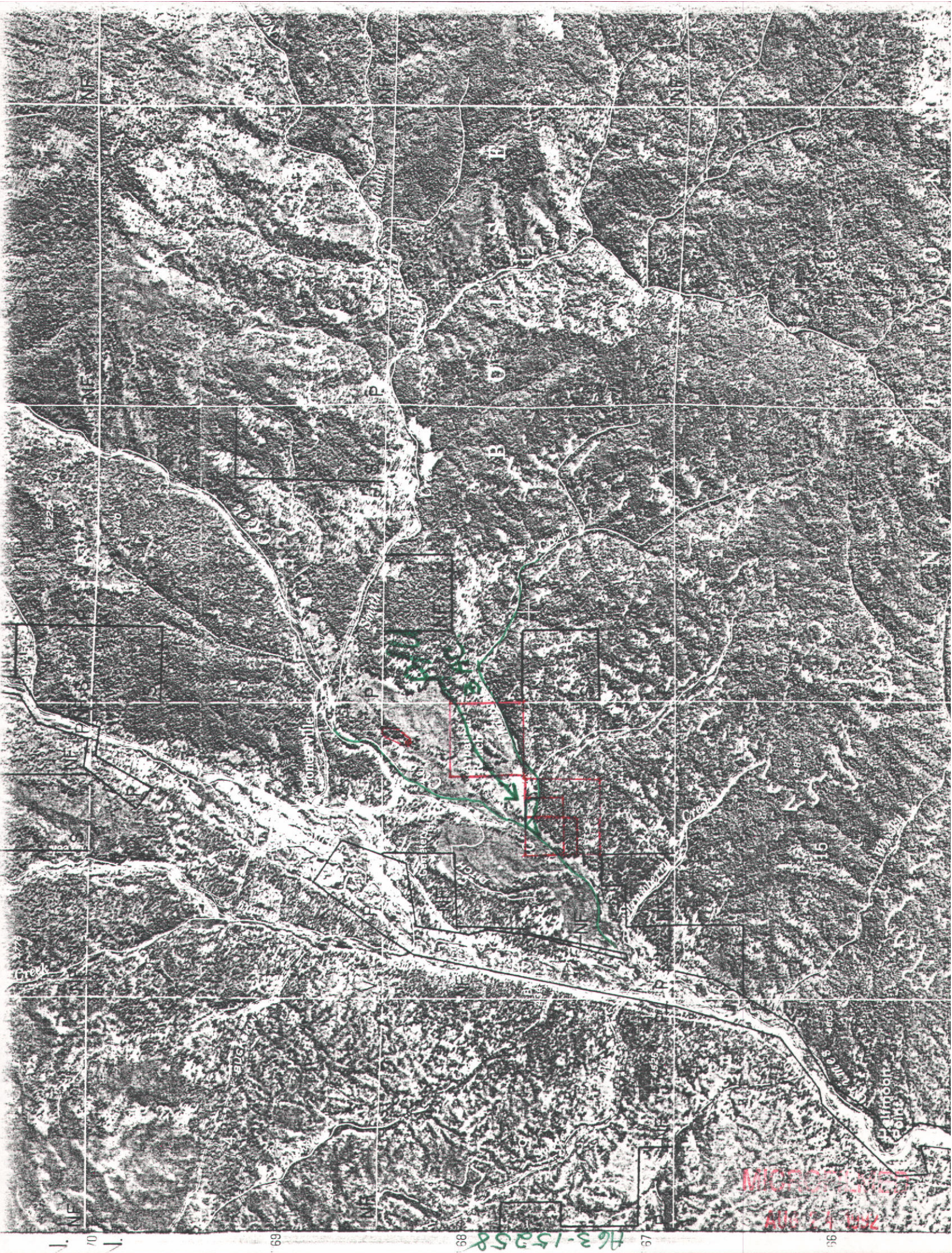
PHOTO #2
LOWER POD

A63-15258

PHOTOS TAKEN 09/19/2001

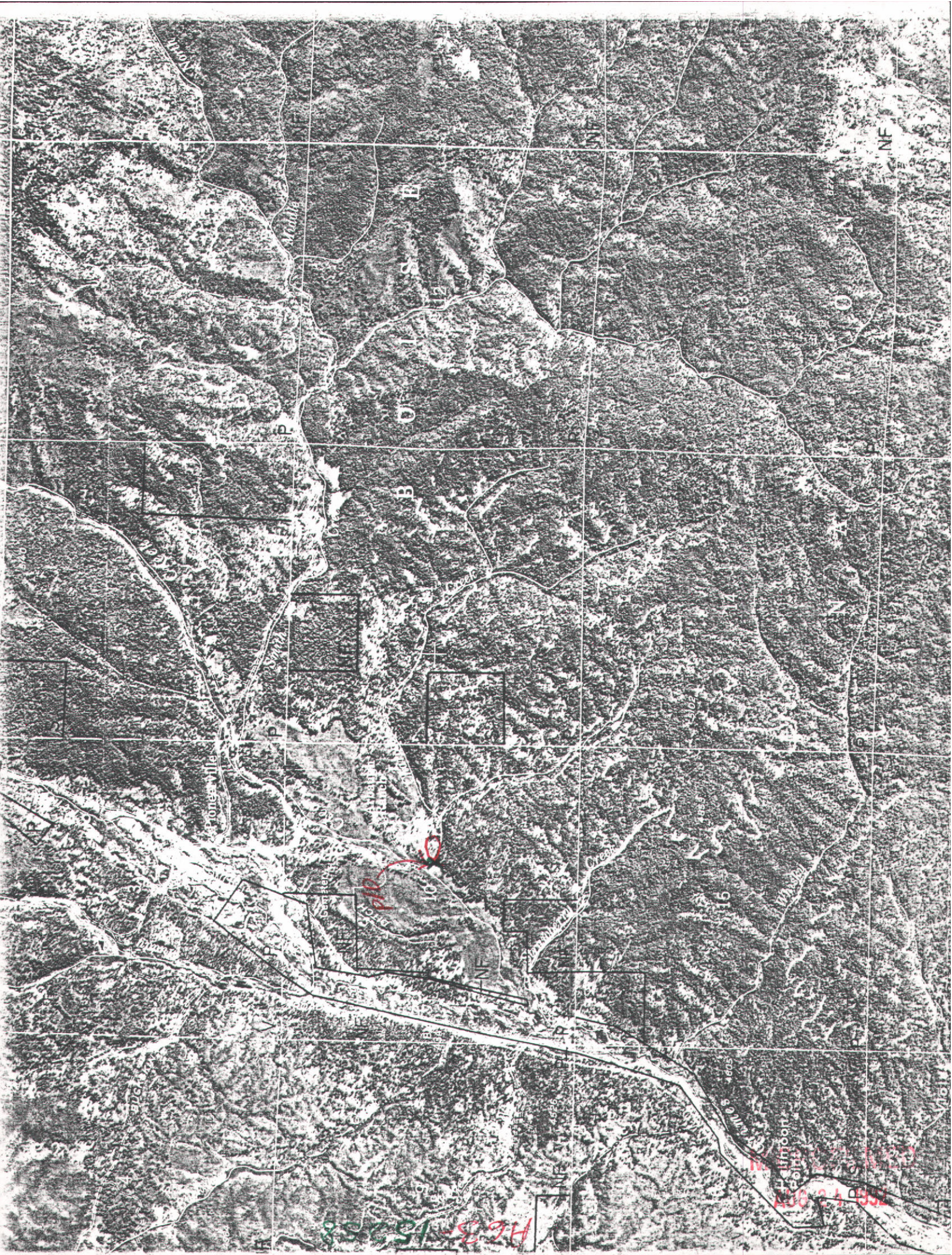


PHOTO #3
THE UPPER POD



MICHIGAN
AUG 11 1984

46-3-15258





ARBED

AG3-15258
T 7N R 5E, Sec. 18

MICROFILMED
AUG 24 1992

FOREST

MAT'L. 69

BOISE PAYETTE LBR. CO.

So. Fork

COMESAL MINING CO.

24
N.E.
HOWARD
ET AL

13

BOISE PAYETTE LBR. CO.

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BOISE PAYETTE LBR. CO.

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BOISE PAYETTE LBR. CO.

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BOISE PAYETTE LBR. CO.

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SPRING VALLEY
VESTOCK ASSN.

28

PAYETTE LBR. CO.

34

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64

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Gul.

Violet

Blue

Gul.

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COOPER

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MOSLEY
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61

WARRANTY DEED

For Value Received **XENIA ARBAUGH JONES**, a widow, formerly known as **James I. Arbaugh**,

the grantor, do hereby grant, bargain, sell and convey unto **ROBERT A. PINLEY and SARAH M. FINLEY**, husband and wife,

the grantees, the following described premises, to-wit:

Commencing at the section corner common to Sections 2, 3, 10 and 11 in T. 7 N., R. 5 E., B.M., in Boise County, Idaho; thence South 0°18' 06" East 1,307.40 feet to a brass cap, being the 1/16th corner common to Sections 10 and 11, the real point of beginning; thence North 89°35'48" West 600 feet to a point; thence South 0°18'06" East a distance of 600 feet to a point; thence South 89°35'48" East a distance of 810 feet to a point; thence North 0°18'06" West 600 feet to a point; thence North 39°35'48" West 210 feet to the real point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee & their heirs and assigns forever. And the said Grantee do hereby warrant to the said Grantee that the premises are free from all incumbrances except the right, title and interest of grantees.

and that she will warrant and defend the same from all lawful claims whatsoever
Dated: January 2, 1973.

Xenia Arbaugh Jones
Xenia Arbaugh Jones

STATE OF IDAHO, COUNTY OF *Bone*
On this *2nd* day of January, 1973,
before me, a notary public in and for said State, personally appeared **Xenia Arbaugh Jones**, a widow, formerly known as **Xenia I. Arbaugh**,

known to me to be the person who so name is subscribed to this instrument, and acknowledged to me that she executed the same.

Robert J. Tafford
Notary Public
Boise City, Idaho
Clerk of District Court

STATE OF IDAHO, COUNTY OF *Bone*
I hereby certify that this instrument was filed for record at the request of *Xenia Jones*
at *30* minutes past *10* o'clock *am* this *2nd* day of *Jan* 1973, in my office, and duly recorded in Book *65* of Deeds at page *142*

Robert J. Tafford
Notary Public
By *Ruth M. Hamilton* Deputy
Fees \$ *1.00*
Mail to:

INSTRUMENT NO. 78715

2025 17 004

78715 WARRANTY DEED

For Value Received ^{Yenia} ~~Xenia~~ ARBAUGH JONES, a widow, formerly known as ~~Xenia I.~~ Arbaugh,

the grantor, do es hereby grant, bargain, sell and convey unto ROBERT A. PINLEY and SARAH M. PINLEY, husband and wife,

the grantees, the following described premises, to-wit:

Commencing at the section corner common to Sections 2, 3, 10 and 11 in T. 7 N., R. 5 E., B.M., in Boise County, Idaho; thence South 0°18' 06" East 1,307.40 feet to a brass cap, being the 1/16th corner common to Sections 10 and 11, the real point of beginning; thence North 89°35'48" West 600 feet to a point; thence South 0°18'06" East a distance of 600 feet to a point; thence South 89°35'48" East a distance of 810 feet to a point; thence North 0°18'06" West 600 feet to a point; thence North 89°35'48" West 210 feet to the real point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s. their heirs and assigns forever. And the said Grantor ~~do~~ hereby covenant to and with the said Grantee ~~that he~~ the owner in fee simple of said premises: that said premises are free from all incumbrances except the right, title and interest of grantees.

and that she will warrant and defend the same from all lawful claims whatsoever.
Dated: January 2, 1973.

Xenia Arbaugh Jones
Xenia Arbaugh Jones

STATE OF IDAHO COUNTY OF
On this 3rd day of January, 1973,
before me, a notary public in and for said State, personally
appeared Xenia Arbaugh Jones, a widow,
formerly known as Xenia I. Arbaugh

known to me to be the person who se name is
subscribed to the within instrument, and acknowledged to
me that she executed the same

Robert J. Tuffield
Notary Public
Residing at Idaho City, Idaho
Comm. Expires Oct 1st of State Court

STATE OF IDAHO, COUNTY OF Boise
I hereby certify that this instrument was filed for record at
the request of Xenia Jones

at 30 minutes past 10 o'clock a.m.,
this 3rd day of Jan
1973, in my office, and duly recorded in Book 65
of Deeds at page 142

Robert J. Tuffield
Notary Public

By Paul M. Shannahan Deputy
Fees \$ 1.00
Mail to:

INSTRUMENT No. 78715

11.16 A

MICROFILMED

AUG 24 1992

WARRANTY DEED

For Value Received

XENIA ARBAUGH JONES, a widow, formerly known as Xenia L. Arbaugh.

the grantor, do as hereby grant, bargain, sell and convey unto ROBERT A. FINLEY and SARAH M. FINLEY, husband and wife,

the grantees, the following described premises, to-wit:

Commencing at the Section corner common to Sections 2, 3, 10 and 11, in T. 7 N., R. 5 E., B.M., in Boise County Idaho; thence South 0°18'06" East 1,307.40 feet to a brass cap, being the 1/16th corner common to Sections 10 and 11; thence North 89°35'48" West 440 feet to a point, the real point of beginning; thence continuing North 89°35'48" West 60 feet to a point; thence South 0°18'06" East a distance of 500 feet to a point; thence South 89°35'48" East a distance of 500 feet to the Easterly boundary line of said section 10; thence North 0°18'06" West 203 feet to a point; thence North 89°35'48" West 440 feet to a point; thence North 0°18'06" West 297 feet to the real point of beginning.

Grantor further hereby grants, bargains, sells and conveys unto Grantees a perpetual easement and right of way for the purposes of access to the above described property over and across such portion of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 10, T. 7 N., R. 5 E., of the B.M. as shall be most convenient for purposes of ingress to and egress from the above described premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that she is the owner in fee simple of said premises, that said premises are free from all incumbrances except 1911 taxes,

and that She will warrant and defend the same from all lawful claims whatsoever.
Dated:

Xenia Arbaugh Jones
Xenia Arbaugh Jones

STATE OF IDAHO, COUNTY OF ADA
On this 1st day of July, 1911,
before me, a notary public in and for said State, personally appeared Xenia Arbaugh Jones, a widow, formerly known as Xenia L. Arbaugh

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

Notary Public
Boise, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF Boise
I hereby certify that this instrument was filed for record at the request of Robert A. Finley
at 15 minutes past 7 o'clock a.m.
this 3rd day of July, 1911, in my office, and duly recorded in Book of Deeds at page 98

Robert J. Taffield
Ex-Officio Recorder
By Ruth M. Shanderson
Deputy
Fees \$ 1.22
Mail to: Post Box 1565
Boise, Idaho 83701

INSTRUMENT NO. 77281

MICROFILMED

AUG 24 1964

WARRANTY DEED

For Value Received XENIA ARBAUGH JONES, a widow, formerly known as Xenia I. Arbaugh,

the grantor, does hereby grant, bargain, sell and convey unto ROBERT A.

PINLEY and SARAN M. PINLEY, husband and wife,

the grantees, the following described premises, to-wit:

Commencing at the section corner common to Sections 2, 3, 10 and 11 in T. 7 N., R. 5 E., B.M., in Boise County, Idaho; thence South 0°18'06" East 1,307.40 feet to a brass cap, being the 1/16th corner common to Sections 10 and 11, the real point of beginning; thence North 89°35'45" West 440 feet to a point; thence South 0°18'06" East a distance of 297 feet to a point; thence South 89°35'48" East a distance of 440 feet to the Easterly boundary line of said Section 10; thence North 0°18'06" West 297 feet to the real point of beginning.

Grantor further hereby grants, bargains, sells and conveys unto Grantees a perpetual easement and right of way for the purposes of access to the above described property over and across such portion of the SE 1/4 of the NE 1/4 of said Section 10, T. 7 N., R. 5 E., of the B.M. as shall be most convenient for purposes of ingress to and across from the above described premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that she is the owner in fee simple of said premises, that said premises are free from all incumbrances except 1971 taxes,

and that she will warrant and defend the same from all lawful claims whatsoever
Dated: June 30, 1971.

Xenia Arbaugh Jones
Xenia Arbaugh Jones

STATE OF IDAHO, COUNTY OF Ada,
I, *Robert A. Pinley*, day *July*, 1971,
Notary Public in and for said State, personally

Xenia Arbaugh Jones, a
widow, formerly known as
Xenia I. Arbaugh,

came before me, who do hereby certify that she is
the owner in fee simple of the premises described in the instrument, and acknowledged to
me the same.

Robert A. Pinley
Notary Public
Boise, Idaho

STATE OF IDAHO, COUNTY OF Boise

I hereby certify that this instrument was filed for record at
the request of *Deane Taylor*

at 35 minutes past 8 o'clock a.m.
this *July 12* day of *July*,
1971, in my office, and duly recorded in Book *51*
of Deeds at page *124*

Robert J. Taffel
Ex-Officio Recorder

By *Robert M. Shanahan*
Fees \$ *1.00*
Mail to:

INSTRUMENT NO. 74597

MICROFILMED

AUG 24 1972

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 63-15258
Date Received: 5/3/1989
Receipt No: W002679
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

ANN FINLEY Phone: (208)336-1485
PO BOX 7785
BOISE ID USA 83707

2. Date of Priority: 05/20/1970

3. Source: CHARCOAL CREEK Trib. to: CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	05E	10	NW SE	BOISE	

5. Description of diverting works:

DAM W/HEADGATE, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.06	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
07N	05E	10	NW SE	STOCKWATER	
			NW SE	IRRIGATION	3

07N 05E 11 SW NW Section Acres 3
STOCKWATER
Total Acres 3

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

INSTREAM STOCKWATERING ALSO CLAIMED. BEGINNING AND ENDING POINT IS IN T7N, R5E, SEC. 11; SW,NW1/4.-CHARCOAL CREEK- ALSO AN INSTREAM STOCKWATERING USE IN SECTION 10, NW,SE1/4. BEGINNING AND ENDING POINT. THE ENDING POINT IS ON CLEAR CREEK. THIS IS THE CONFLUENCE OF CHARCOAL CREEK AND CLEAR CREEK.

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): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20____

Notary Public

Residing at _____

My commission Expires _____

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: A63-15258
Date Received: 5/03/1989
Receipt No: W002679
Received By: LL

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: SARAH FINLEY 208-336-1485
Address: PO BOX 7785
BOISE, ID 83707
OR
Name: ANN FINLEY 208-336-1485
Address: PO BOX 7785
BOISE, ID 83707
2. Date of Priority: MAY 20, 1970
3. Source: CHARCOAL CREEK Trib. to: CLEAR CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05E	10	NW	SE			BOISE
5. Description of diverting works:
DAM W/HEADGATE, DITCHES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		
STOCKWATER	01/01	12/31	0.020		
7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
INSTREAM STOCKWATER FOR 4 HORSES & 8 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05E	10	NW	SE		IRR	3.0
			NW	SE		STOCK	
						Section Acres	3.0
		11	SW	NW		STOCK	
						Total Acres	3.0

11. Place of use in counties: BOISE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

INSTREAM STOCKWATERING ALSO CLAIMED. BEGINNING AND ENDING POINT IS IN T7N, R5E, SEC. 11; SW,NW1/4.-CHARCOAL CREEK- ALSO AN INSTREAM STOCKWATERING USE IN SECTION 10, NW,SE1/4. BEGINNING AND ENDING POINT. THE ENDING POINT IS ON CLEAR CREEK. THIS IS THE CONFLUENCE OF CHARCOAL CREEK AND CLEAR CREEK.

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: 9

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): Gore Finley Date: May 3, 1989
Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 3 day

of May 19 89

Linda Werner
Notary Public

Seal

Linda A. Werner
Residing at _____ Residing at Boise, Idaho
My Commission Expires December 8, 1994

IDAHO DEPARTMENT OF WATER RESOURCES 01/02/2002
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

63-15258

NAME AND ADDRESS: ANN FINLEY
PO BOX 7785
BOISE ID 83707

SOURCE: CHARCOAL CREEK TRIBUTARY: CLEAR CREEK
QUANTITY: 0.08 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/20/1970

POINT OF DIVERSION:

T07N R05E S10 NWSE Within BOISE County
T07N R05E S10 NWSE Within BOISE County
T07N R05E S10 NENWSE Begin of Stream Flow Within BOISE County
T07N R05E S10 NWNWSE End of Stream Flow Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.060 CFS
STOCK DRINK FROM THE DITCHES AND INSTREAM FROM CHARCOAL CREEK.		

PLACE OF USE: STOCKWATER Within BOISE County
T07N R05E S10 NWSE
IRRIGATION Within BOISE County
T07N R05E S10 NWSE 3.0

3 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. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

STOCKWATER, 4 HORSES AND 8 RANGE CATTLE

CLAIM NO(s). A63-1525-8

- Priority date, per claimant, is: 5-20-1970
(If the priority date, based on your exam, seems questionable, explain below.)

Affidavit by claimant

- Source found: _____

- Township 7N Range 5E Section 10 1/4 1/4 NW 1/4 SE X 2
 Township " Range " Section " 1/4 NE 1/4 NW 1/4 SE - ^{POD}
" " " NW NW SE - ^{POE}

- Two POD's and ditches for irrigation

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # 12 List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: <u>7N</u> Township <u>5E</u>	Range _____	Section _____	1/4 _____	1/4 _____
Use: <u>5E</u> Township <u>7N</u>	Range <u>5E</u>	Section <u>11</u>	1/4 <u>SW</u>	1/4 <u>NW</u> - delete
Use: _____ Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____ Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

7N, 5E, 511, SWNW where Charcoal Creek flows is
not owned by the Zimleys but Xenia Jones so
no instream right will be recommended in this
right.

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 9-19-01

FIELD EXAMINER: _____

Print Name

Mel Schulte
 Signature

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

403-15258

AFFIDAVIT

State of Idaho)
County of _____)

I, PATRICIA ANN FINLEY being first duly sworn,
deposes and says: On or about the year 1970,
my father, Robert A. Finley, and I built
a small diversion dam on Charcoal Creek
in Boise County T7N R.5E Sec. 10, for
the purpose of irrigating a meadow
used for pasture. This was built on
the site of an older dam built by the
previous owners for the same purpose.

I plan to repair this dam in 2002,
and will raise either hay or pasture
with some herbs.

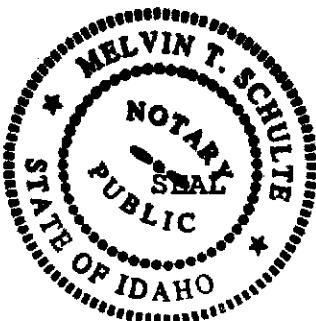
Ann Finley
(Signature)

Subscribed and sworn to before me this
day 17th of December, 192004

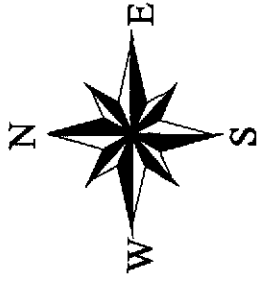
Melvin T. Schulte
(Notary Public)

Residing at Boise, Idaho

My Commission Expires 7-24-2007



IDAHO DEPARTMENT OF WATER RESOURCES
T07N, R05E, S10



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

NWSE

CLAIM(S): 63-15258

OWNER(S): FINLEY, SARAH & ANN

DATE: DECEMBER 5, 2001

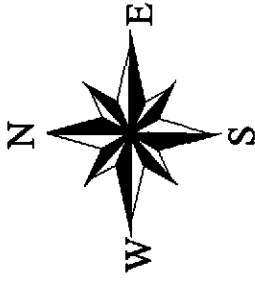
by: Mel Schulte

0 0.25 0.5 0.75 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

T07N, R05E, S10



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

NWSE

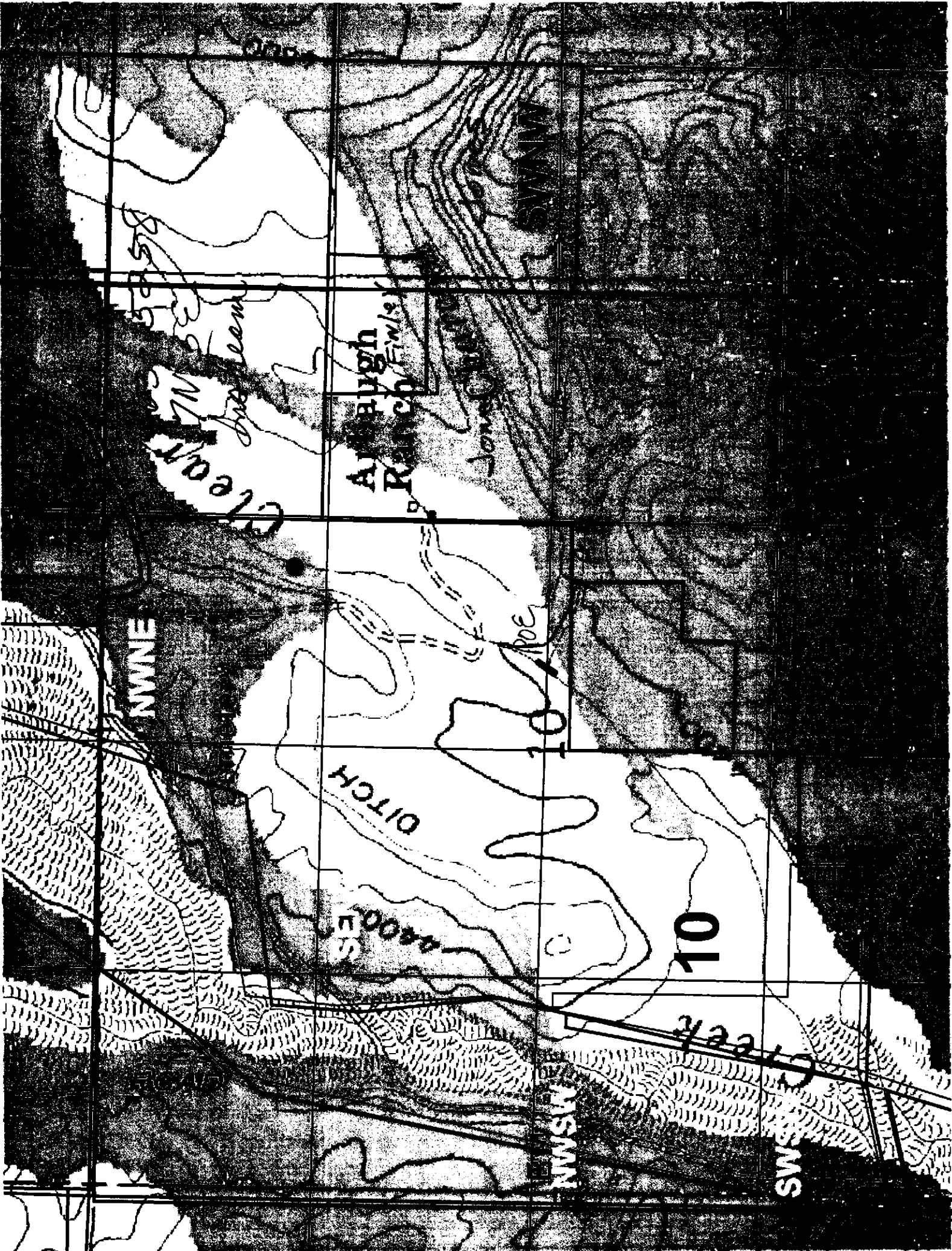
CLAIM(S): 63-15258

OWNER(S): FINLEY, SARAH & ANN

DATE: DECEMBER 5, 2001

by: Mel Schulte





NWNE

DITCH

1400E

10

Arbaugh Ranch
Finley

Clear Creek
NW 5E
3258

Long Creek

100E

NWSE

SWSE

Clear Creek

A63-15258

PHOTOS TAKEN 09/19/2001



PHOTO #1
PART OF POU
LOOKING WEST FROM
THE LOWER POD

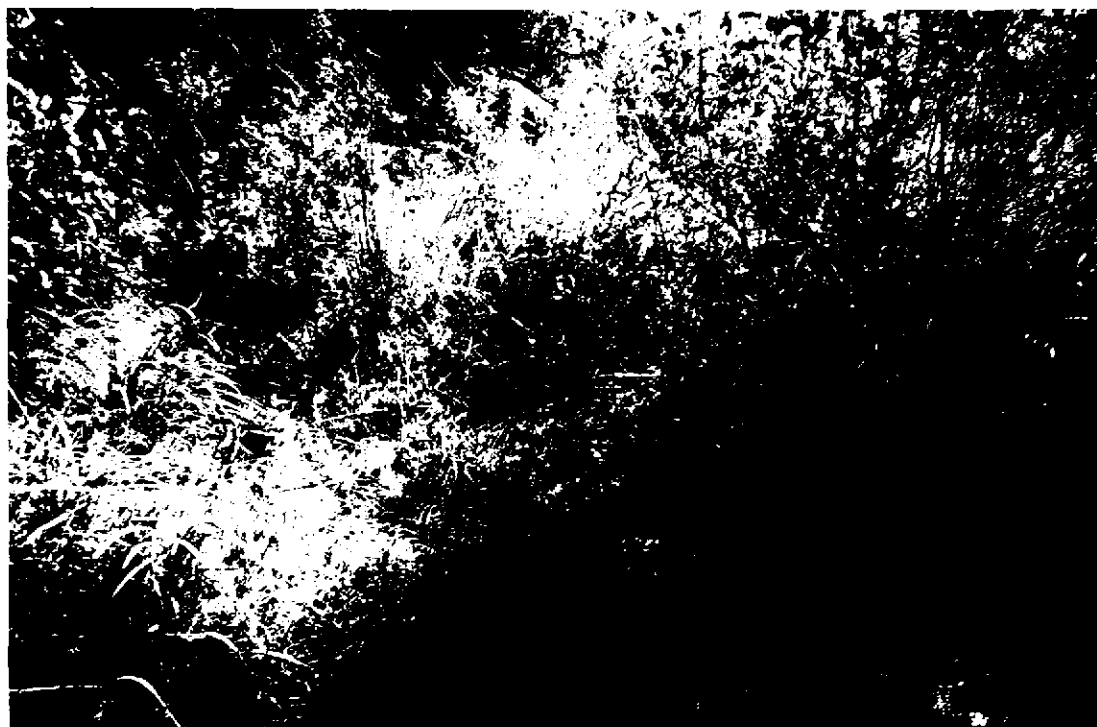


PHOTO #2
LOWER POD

A63-15258

PHOTOS TAKEN 09/19/2001



PHOTO #3
THE UPPER POD



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

SARAH FINLEY
PO BOX 7785
BOISE, ID 83707

Re: Claim No(s) 63-15258

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the **"Priority Date"** as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled **"Evidence of Priority"** which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water ~~availability problems arise in the future. It is our goal to decree the historical water~~ rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

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

RECEIVED**DEC 27 2001****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, 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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>A63-312A</u>					
<u>A63-15258</u>					

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) are 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) Sarah Finley / Ann Finley
PO Box 7785, Boise, Id. 83707
4. New Owner/Claimant(s) Ann Finley
 Name Connector (Check One): ☐ and, ☐ or, ☐ and/or
- New Mailing Address PO Box 7785
- City, State and ZIP Code Boise, ID 83707.
- New Telephone Number ()
5. Date you acquired the property 1994. (Sarah Finley deceased)

MAKE CHECK PAYABLE TO:

2001 TAX BILL/RECEIPT

PARCEL
RP07N05

BOISE COUNTY TAX COLLECTOR

PO BOX 1300 ID. CITY, ID 83631

BILL#

7310

CODE AREA

5-00

PHONE: 392-4441

1ST HALF DUE
TAX 105.19
LATE
INT
COST
TOT

2ND HALF DUE
TAX 105.19
LATE
INT
COST
TOT

FULL DUE
TAX 210.38
LATE
INT
COST
TOT

TOT MV

FINLEY PATRICIA ANN
PO BOX 7785
BOISE

ID 83707

T7N R5E SEC 10
TAX 33 IN SENE
INST. #151298

TAXING DISTRICT RATE
STATE .000000000
COUNTY .004365569
SCH DIST # 72 .003034804
ROAD & BRIDGE .000000000
BASIN LIBRARY .000825261
EAST B.C. AMB .000286697
SCH 72 BOND .001886426
DISTRICT TOTAL .010398757
SOLID WASTE
STATE FIRE ASSM
FPA
AMOUNT DUE

9 ARBAUGH LN

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK

★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

YOUR CANCELLED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

FINLEY, PATRICIA ANN

2001
7310

2ND HALF

AMOUNT DUE 105.19

BOISE COUNTY
RP07N05E101850A
5-00

LATE
INT
COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2002

MAKE CHECK PAYABLE TO:
BOISE COUNTY TAX COLLECTOR
PO BOX 1300 ID. CITY, ID 83631
PHONE: 392-4441

2001 TAX BILL/RECEIPT

PARCEL N
RPO7N05E

BILL# 7314 CODE AREA 5-00

1ST HALF DUE
TAX 50.99
LATE
INT
COST
TOT

2ND HALF DUE
TAX 50.99
LATE
INT
COST
TOT

FULL DUE
TAX 101.98
LATE
INT
COST
TOT

TOT MV

FINLEY PATRICIA ANN
PO BOX 7785
BOISE ID 83707

T7N R5E SEC 10
NW1/4NW1/4SE1/4, W1/2NENWSE,
N1/2SWNWSE
INST. #151298

TAXING DISTRICT RATE
STATE .000000000
COUNTY .004365569
SCH DIST # 72 .003034804
ROAD & BRIDGE .000000000
BASIN LIBRARY .000825261
EAST B. C. AMB .000286697
SCH 72 BOND .001886426
DISTRICT TOTAL .010398757
STATE FIRE ASSM
FPA
AMOUNT DUE

★ ★ ★ IMPORTANT ★ ★ ★
PLEASE READ BOTH FRONT AND BACK

★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
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TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

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YOUR CANCELLED CHECK IS YOUR RECEIPT

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

FINLEY, PATRICIA ANN

2001
7314

2ND HALF

AMOUNT DUE 50.99

BOISE COUNTY
RPO7N05E107850A
5-00

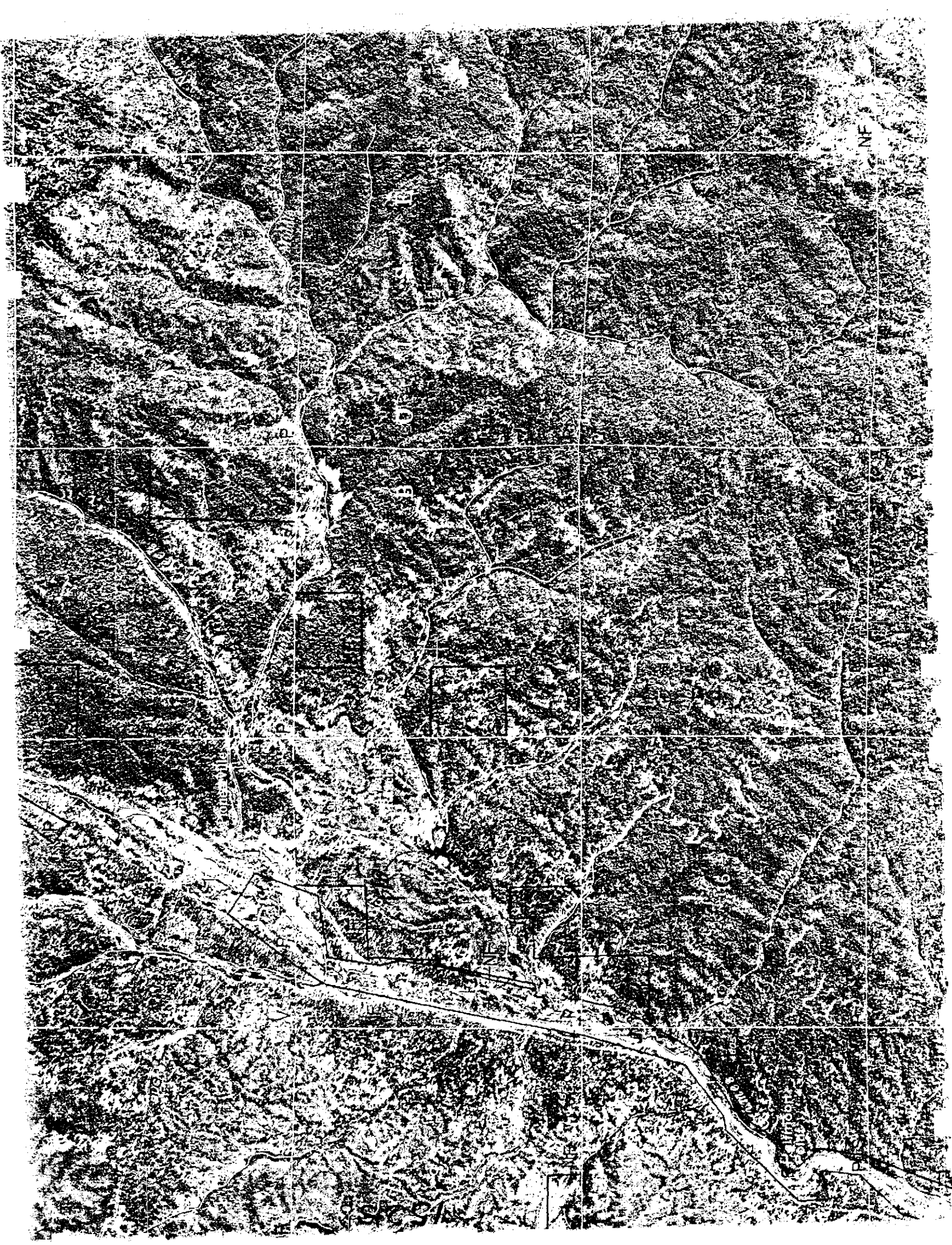
LATE
INT
COST
TOT

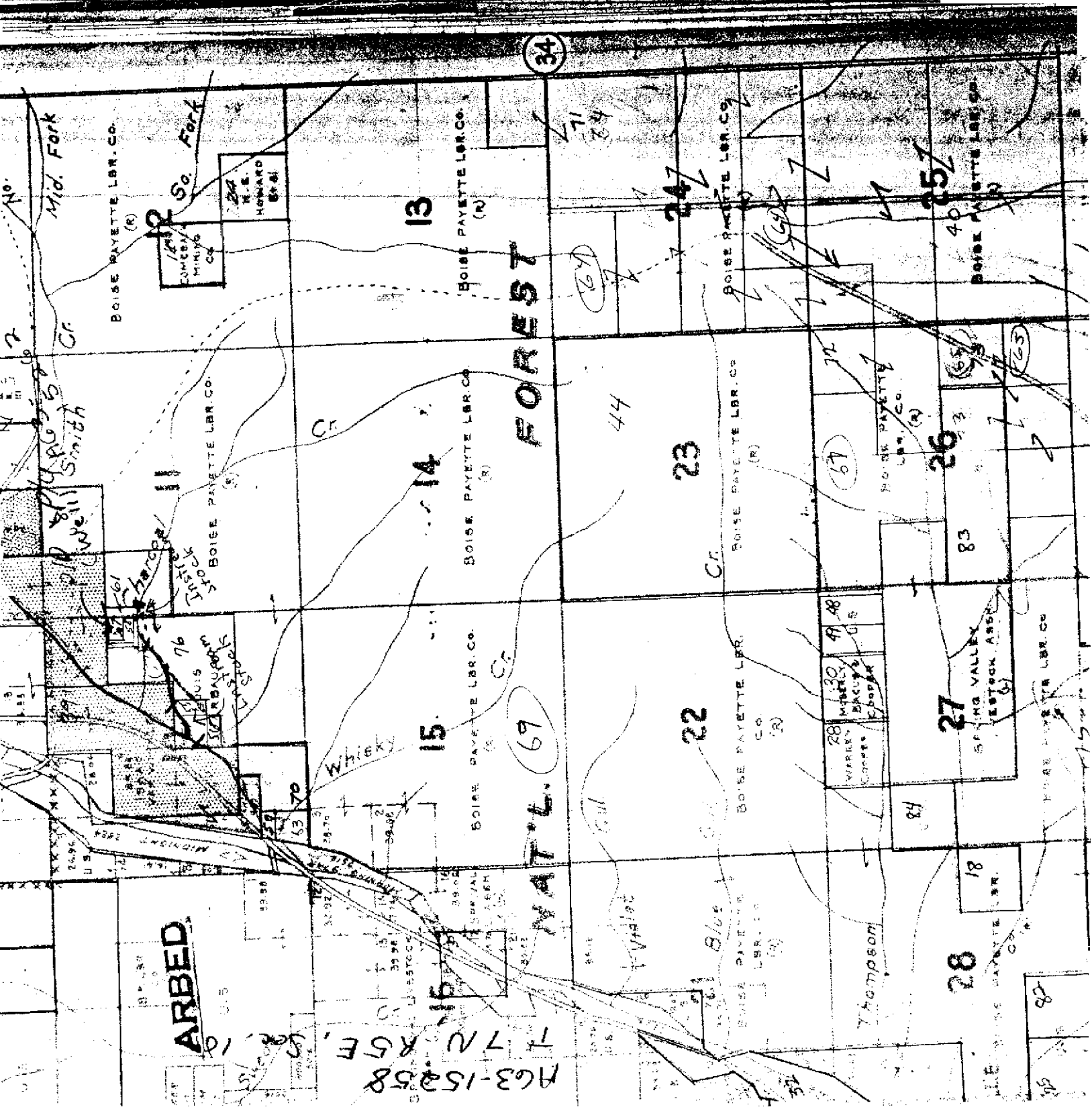
DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2002

paid







61

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that I, Xenia Arbaugh Jones, a widow, formerly known as Xenia I. Arbaugh, of the County of Boise, State of Idaho, do hereby grant, bargain, sell and convey unto ROBERT A. FINLEY and SARAH M. FINLEY, husband and wife,

the grantees, the following described premises, to-wit:
Commencing at the section corner common to Sections 2, 3, 10 and 11 in T. 7 N., R. 5 E., E.M., in Boise County, Idaho; thence South 0°18' 06" East 1,307.40 feet to a brass cap, being the 1/16th corner common to Sections 10 and 11, the real point of beginning; thence North 89°35'48" West 600 feet to a point; thence South 0°18'06" East a distance of 600 feet to a point; thence South 89°35'48" East a distance of 810 feet to a point; thence North 0°18'06" West 600 feet to a point; thence North 89°35'48" West 110 feet to the real point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor, her heirs and assigns, do hereby warrant and defend the same unto the said Grantee, their heirs and assigns, that the same premises are free from all incumbrances except the right, title and interest of grantees.

and that she will warrant and defend the same from all lawful claims whatsoever.
Dated: January 2, 1973.

Xenia Arbaugh Jones
Xenia Arbaugh Jones

STATE OF IDAHO, COUNTY OF Boise
On this 3rd day of January, 1973,
I, Robert J. Tafford, a notary public in and for said State, personally appeared Xenia Arbaugh Jones, a widow, formerly known as Xenia I. Arbaugh.

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

Robert J. Tafford
Notary Public
Boise City, Idaho
My Comm. Expires 12/31/74

STATE OF IDAHO, COUNTY OF Boise
I hereby certify that this instrument was filed for record at the request of Xenia Jones
at 30 minutes past 10 o'clock am this 3rd day of Jan 1973, in my office, and duly recorded in Book 65 of Deeds at page 142.

Robert J. Tafford
Notary Public
By Ruth M. Hammond
Fees \$ 1.00
Mail to:

INSTRUMENT NO. 12810

INSTRUMENT NO. 74248

WARRANTY DEED

For Value Received Xenia Arbaugh Jones, a widow, formerly known as Xenia I. Arbaugh, the grantor, does hereby grant, bargain, sell and convey unto Robert A. Finley and Sarah M. Finley, husband and wife, the grantees, the following described premises, to-wit:

NW1/4SE1/4 Section 10, Township 7 North, Range 5 East, Boise Meridian in Boise County, Idaho

Grantor further hereby grants, bargains, sells and conveys unto grantees a perpetual easement and right of way for purposes of access to the above described property from the residence where grantor now resides to the above described premises. It is agreed that such easement shall pass over and across such portions of the SE1/4NW1/4 and the E1/4NW1/4 of Section 10, Township 7 North, Range 5 East, B.M. as shall be most convenient for purposes of ingress to and egress from the above described premises.

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

Dated: April 14, 1969.

Xenia Arbaugh Jones

STATE OF IDAHO,)
)ss
County of Ada)

On this 14th day of April, 1969, before me, a notary public in and for said State, personally appeared Xenia Arbaugh Jones, a widow known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

SEAL

A. C. Kiser
Notary Public
Residing at Boise, Idaho

STATE OF IDAHO,)
)ss
County of Boise)

I hereby certify that this instrument was filed for record at the request of Idaho Title Company at no minutes past 10 o'clock A.M., 1969, in my office, and duly recorded in Book 59 of Deeds at page 546.

Katherine M. Bregon
Ex-Officio Recorder
By Aileen Mathis, Deputy

Fees, \$1.25

16 APRIL ?

For Deane Beaton I. Jones, who acquired title as Irida I. Arbaugh, the grantor, does hereby grant, bargain, sell and convey unto Robert A. Finley and Sarah M. Finley, husband and wife, the grantees, the following described premises, in Blaine County Idaho, to-wit:

55 The West half of the Northwest quarter of the Northwest quarter of the Southeast quarter and the North half of the Southwest quarter of the Northwest quarter of the Southeast quarter of Section 10, T. 7 N., R. 5 E., S. 4 E., Blaine County, Idaho. F 56

Grantor further hereby grants, bargains, sells and conveys unto grantees a perpetual easement and right of way for purpose of access to the above described property from the Blaine County road to the above described premises. It is agreed that such easement shall pass over and across such portions of the SE $\frac{1}{4}$ and the S $\frac{1}{4}$ of Section 10, Township 7 North, Range 5 East, S. 4 E. as shall be most convenient for purpose of ingress to and egress from the above described premises.

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

Dated: July 30, 1970

Irida I. Arbaugh
Irida I. Jones

STATE OF IDAHO, } ss
County of Ada

On this 30th day of July, 1970, before me, a notary public in and for said State, personally appeared Irida I. Jones known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

SEAL

Ruth Stall Beasley
Notary Public
Residing at Boise, Idaho
Comm. Expires 8-30-70

STATE OF IDAHO, } ss
County of Blaine

I hereby certify that this instrument was filed for record at the request of Idaho Title at no minutes past 10 o'clock a.m., this 3rd day of Aug., 1970, in my office, and duly recorded in Book 60 of Deeds at page 333.

Katherine M. Bregan
Ex-Officio Recorder

By _____
Deputy

Fees, \$1.00

WARRANTY DEED

For Value Received, **XENIA ARBAUGH JONES**, a widow, formerly known as **Xenia I. Arbaugh**,

the grantor, do hereby grant, bargain, sell and convey unto **ROBERT A. FINLEY and SARAH M. FINLEY**, husband and wife,

the grantees, the following described premises, to-wit:

Commencing at the section corner common to Sections 2, 3, 10 and 11 in T. 7 N., R. 5 E., B.M., in Boise County, Idaho; thence South 0°18' 06" East 1,307.40 feet to a brass cap, being the 1/16th corner common to Sections 10 and 11, the real point of beginning; thence North 89°35'48" West 600 feet to a point; thence South 0°18'06" East a distance of 600 feet to a point; thence South 89°35'48" East a distance of 810 feet to a point; thence North 0°18'06" West 600 feet to a point; thence North 89°35'48" West 210 feet to the real point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee or their heirs and assigns forever. And the said Grantee do hereby covenant to and with the said Grantee that he the owner in fee simple of said premises; that said premises are free from all incumbrances except the right, title and interest of grantees.

and that she will warrant and defend the same from all lawful claims whatsoever.
Dated: January 2, 1973.

Xenia Arbaugh Jones
Xenia Arbaugh Jones

STATE OF IDAHO, COUNTY OF Boise
On this 2nd day of January, 1973,
before me, a notary public in and for said State, personally
appeared **Xenia Arbaugh Jones**, a widow,
formerly known as **Xenia I. Arbaugh**

known to me to be the person who so here is
subscribed to the within instrument, and acknowledged to
me that she executed the same.

Robert J. Tafford
Notary Public
Boise City, Idaho
Comm. Expires 06-1-78

STATE OF IDAHO, COUNTY OF Boise
I hereby certify that this instrument was filed for record at
the request of Xenia Jones
at 30 minutes past 10 o'clock a.m.,
this 2nd day of Jan
1973, in my office, and duly recorded in Book 65
of Index at page 142.

Robert J. Tafford
Notary Public

By Ruth M. Hammond
Deputy
Fees \$ 1.00
Mail to:

INSTRUMENT NO. 78715

11.16 A

WARRANTY DEED

For Value Received

Xenia Arbaugh Jones, a widow, formerly known as Xenia I. Arbaugh,

the grantor, do hereby grant, bargain, sell and convey unto ROBERT A. FINLEY and SARAH M. FINLEY, husband and wife,

the grantee, the following described premises, to-wit:

Commencing at the Section corner common to Sections 2, 3, 10 and 11, in T. 7 N., R. 5 E., S.M., in Boise County Idaho; thence South 0°18'06" East 1,307.40 feet to a brass cap, being the 1/16th corner common to Sections 10 and 11; thence North 89°35'48" West 440 feet to a point, the real point of beginning; thence continuing North 89°35'48" West 60 feet to a point; thence South 0°18'06" East a distance of 500 feet to a point; thence South 89°35'48" East a distance of 500 feet to the Easterly boundary line of said section 10; thence North 0°18'06" West 203 feet to a point; thence North 89°35'48" West 440 feet to a point; thence North 0°18'06" West 297 feet to the real point of beginning.

Grantor further hereby grants, bargains, sells and conveys unto Grantee a perpetual easement and right of way for the purposes of access to the above described property over and across such portion of the SE 1/4 of the NE 1/4 of said Section 10, T. 7 N., R. 5 E., of the S.M. as shall be most convenient for purposes of ingress to and egress from the above described premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant and warrant with the said Grantee that she is the owner in fee simple of said premises, that said premises are free from all incumbrances except 1911 taxes,

and that She will warrant and defend the same from all lawful claims whatsoever.
Dated:

Xenia Arbaugh Jones
Xenia Arbaugh Jones

STATE OF IDAHO, COUNTY OF ADA

On this 1st day of May, 1971,
before me, a Notary Public in and for said State, personally appeared
Xenia Arbaugh Jones, a
widow, formerly known as
Xenia I. Arbaugh

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

Notary Public
Boise, Idaho
Given Under My Hand and Seal of Office
this 1st day of May, 1971

STATE OF IDAHO, COUNTY OF BOISE

I hereby certify that this instrument was filed for record at
the request of Robert A. Finley
at 15 minutes past 9 o'clock a.m.
this 3rd day of May, 1971
in my office, and duly recorded in Book 12
of Deeds at page 98

Robert J. Tafford
Deputy Recorder

By Ruth M. Hunsaker
Deputy
Filed for Record
May 3, 1971
Boise, Idaho 83701

RECORDING NO. 1721

WARRANTY DEED

For Value Received to KENIA ARBAUGH JONES, a widow, formerly known as Kenia I. Arbaugh,

the grantor, does hereby grant, bargain, sell and convey unto ROBERT A. FINLEY and SARAH M. FINLEY, husband and wife, the grantees, the following described premises, to-wit:

Commencing at the section corner common to Sections 2, 3, 10 and 11 in T. 7 N., R. 5 E., S.M., in Boise County, Idaho; thence South 0°18'06" East 1,307.40 feet to a brass cap, being the 1/16th corner common to Sections 10 and 11, the real point of beginning; thence North 89°35'48" West 440 feet to a point; thence South 0°18'06" East a distance of 297 feet to a point; thence South 89°35'48" East a distance of 440 feet to the Easterly boundary line of said Section 10; thence North 0°18'06" West 297 feet to the real point of beginning.

Grantor further hereby grants, bargains, sells and conveys unto Grant as a perpetual easement and right of way for the purposes of access to the above described property over and across such portion of the S.W. 1/4 of the N.W. 1/4 of said Section 10, T. 7 N., R. 5 E., of the S.M. as shall be most convenient for purposes of ingress to and egress from the above described premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantor, their heirs and assigns forever. And the said Grantor does hereby covenant to said with the said Grantees, that she is the owner in fee simple of said premises, that said premises are free from all incumbrances except 1971 taxes,

and that she will warrant and defend the same from all lawful claims whatsoever.
Dated: June 30, 1971.

Kenia Arbaugh Jones
Kenia Arbaugh Jones

Boise County of Ada,
I, *Robert A. Finley*, 1971,
County Clerk in and for said State, personally

Kenia Arbaugh Jones, a
widow, formerly known as
Kenia I. Arbaugh,

do hereby certify that she is
the owner in fee simple of the
premises described in the foregoing
instrument, and acknowledged to
me as such.

Robert A. Finley
County Clerk
Boise County, Idaho

STATE OF IDAHO, COUNTY OF BOISE

I hereby certify that this instrument was filed for record at the request of *Kenia Arbaugh Jones*

at 35 minutes past 8 o'clock A.M.
this *July 12* day of *July*
19 *71*, in my office, and duly recorded in Book *31*
of Deeds at page *124*

Robert J. Taffel
Ex-Officio Recorder

By *Robert M. Sherrill* Deputy
Fees \$ *1.00*
Mail fee

INSTRUMENT NO 76597