

T
16
N R1W

PLACE OF USE

A-96
1-20
Circle C. Ranch

B-31
A.R. LAY

1 DIV Past
62

S ALF
62
23.4 A.

22.3 A.

16.2 A.

6.1 A.

20.2 A.

B-225
E. WOODY

B-209
RITTER

HEADGATE POINT OF DIVERSION

A67-00321

MICROFILMED
OCT 01 1992

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 67-321
Date Received: 11/27/1989
Receipt No: E011205
Received By:

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

1. Name of Claimant(s): ALAN J DEMSEY Phone: (208) 253-6996
2180 JACKSON CREEK RD
COUNCIL ID USA 83612

2. Date of Priority: 04/01/1896

3. Source: LESTER CREEK Trib. to: COTTONWOOD CREEK
SPRING LESTER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	28	NE SE	ADAMS	
16N	01W	28	NE NE SE	ADAMS	

5. Description of diverting works:

DIVERSION DAM WEIR TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.08	
STOCKWATER	1/01	12/31	0.03	

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
16N	01W	28	SW NE		IRRIGATION	10
					Section Acres	10
					Total Acres	10

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 10/17/2001

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

IN THE DECREE PEEBLES VS LAY 8/9/1954 RIGHT 67-00500 ESTABLISHES A MINIMUM FLOW OF 0.16 CFS IN LESTER CREEK, AFTER WHICH RIGHT NO. 67-00499 (A.R. OR ONA LAY) "WELL SPRING" MUST BE TURNED OFF SO THAT THE FLOW IN LESTER CREEK WILL NOT GO BELOW THIS DECREE OF 0.08 CFS

67-00500 MAY NOT BE A SEPARATE RIGHT BUT ESTABLISHES A MINIMUM FLOW FOR LESTER CREEK FOR 67-00321
OWNERSHIP CHANGED BY LH 11/15/94

15. Basis of Claim: Decreed

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

RECEIVED**OCT 15 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 (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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	67-321	no			

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) The Harold Wayne Salsbury Trust
4570 Wynn Road, Las Vegas, NV 89103
4. New Owner/Claimant(s) Alan J. Demsey
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2180 Jackson Creek Road
Connell, ID 83612
- City, State and ZIP Code
- New Telephone Number (208) 253-6996
5. Date you acquired the property October 1, 2001

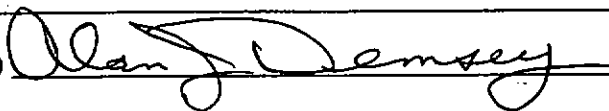
6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s)
(include title if applicable)



For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

INSTRUMENT NO. 100471
PAGE 1 OF 2

WARRANTY DEED

Handwritten signature/initials

THE GRANTOR is **Harold W. Salsbury, Trustee of The Harold W. Salsbury Family Trust** dated November 29, 1995, (herein called grantor).

THE GRANTEE is **Alan J. Demsey**, a single man, (herein called grantee) whose current address is 2180 Jackson Creek Road, Council, ID 83612

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Adams County, Idaho, and described as follows:

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho:

Section 21: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 28: W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ EXCEPTING THEREFROM the following:

Commencing at the center of Section 28 and running

Thence West to the SW corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence Northerly to the Northwest corner of said quarter.

Thence Southeasterly in a straight line to the POINT AND PLACE OF BEGINNING.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

SUBJECT to the following:

All current taxes, both general and special, levied against the premises by any taxing unit for any purpose including but not limited to bonds and special improvements.

Discrepancies, conflicts in boundary lines, shortage in area, encroachments or by any other facts which a correct survey would disclose, and which are not shown by the public records.

(a) Unpatented mining claims, (b) reservations or exceptions in patents or in acts authorizing the issuance thereof, (c) water rights, claims, or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

A lack of right of access to and from that portion of the premises which lays west of the Weiser River.

Any rights, interests or easements in favor of the public which exist or are claimed to exist over any part of the premises covered by the Weiser River.

INSTRUMENT NO. 100471

PAGE 2 OF 2

Any claim arising from the difference in the mean high water line of the Weiser River and the meander line as shown by the original government survey.

Power Line Easements granted to Idaho Power Company recorded January 30, 1974 as Instrument No. 52286 and recorded July 30, 1947, in Book 4 Misc., page 509.

Easement granted to Weiser River Flood Control District No. 3 August 27, 1956 in Book 23 Deeds, page 497; and Correction Easement recorded September 10, 1956 in Book 23 Deeds at page 519.

All rights of way under, over and across the premises regardless of how evidenced or acquired and whether the same appear of record or not.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever and the grantor hereby covenants to and with the grantee as follows: that the grantor is the owner in fee simple of the premises; that the premises are free and clear of all liens and encumbrances except those described above to which this deed is expressly made subject; and that the grantor will warrant and defend the premises from all lawful claims whatsoever except those to which this deed is expressly made subject.

DATED:

10-3-2001

SIGNED BY GRANTOR:

THE HAROLD W. SALSBUURY FAMILY TRUST

Dated November 29, 1995

By

[Signature] TTE
Harold W. Salsbury, Trustee

Instrument # 100471

COUNCIL, ADAMS, IDAHO

2001-10-03

01:29:39 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED

[Signature]

STATE OF IDAHO, County of Ada) ss

On this date, before me, the undersigned notary public for such state, personally appeared **Harold W. Salsbury**, known to me to be the person whose name is subscribed to the within instrument as trustee of The Harold W. Salsbury Family Trust, and acknowledged to me that he executed the same as such trustee.

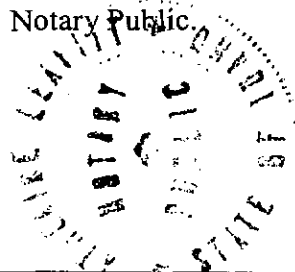
WITNESS my hand and seal on October 3, 2001

[Signature]

Notary Public

My Commission Expires:

March 28, 2003



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: **A67-00321**
Date Received: 11/27/1989
Receipt No: E011205
Received By: _____

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

1. Name: THE HAROLD WAYNE SALSBUY TRUST
Address: 4570 WYNN ROAD
LAS VEGAS NV 89103

2. Date of Priority: APR 1, 1896

3. Source: LESTER CREEK SPRING Trib. to: COTTONWOOD CREEK
LESTER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	28		NE	SE		ADAMS
			NE	NE	SE		ADAMS

5. Description of diverting works:
DIVERSION DAM WEIR TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	28	SW	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

IN THE DECREE PEEBLES VS LAY 8/9/1954 RIGHT 67-00500 ESTABLISHES A MINIMUM FLOW OF 0.16 CFS IN LESTER CREEK, AFTER WHICH RIGHT NO. 67-00499 (A.R. OR ONA LAY) "WELL SPRING" MUST BE TURNED OFF SO THAT THE FLOW IN LESTER CREEK WILL NOT GO BELOW THIS DECREE OF 0.08 CFS.

67-00500 MAY NOT BE A SEPARATE RIGHT BUT ESTABLISHES A MINIMUM FLOW FOR LESTER CREEK FOR 67-00321.
OWNERSHIP CHANGED BY LH 11/15/94.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/20/1921

JOHN T. MUIR
Decree Plaintiff

WILLIAM ALLISON
vs Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

MICROFILMED

OCT 22 1996

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 _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 22 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED
NOV 9 1994

DATE OF CLOSING: 10/25/94

LEGAL DESCRIPTION OF PROPERTY: Township 16N Range 02W Department of Water Resources
Section 21 1/4 of 28 1/4 of 1 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

RECEIVED
NOV 10 1994

WATER RESOURCES
WESTERN REGION

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A 67-00321

☐ Name and Address of Former Owner/Claimant(s)(Seller): Peebles, Stephen L or Myrna L.

☐ New Owner/Claimant
(Purchaser):

P.O. Box 445
St. Anthony, ID 83445
The Harold Wayne Salisbury Trust

☐ New Mailing Address:

4570 Wynn Road
Las Vegas, NV 89103

☐ New Telephone Number: () -

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of ownership, describe proof attached:

copy of recorded deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s)

[Signature], Trustee

Date 10/24/94

Date

☐ Signature of Former Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11-14-94 By: [Signature]

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 11-15-94 By: [Signature]

Claim Numbers of Split, if any:

MICROFILMED

OCT 22 1996

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

COPY

WARRANTY DEED

INSTRUMENT NO. 86959

aka Stephen Peebles

For Value Received STEPHEN LAMAR PEEBLES and MYRNA L. PEEBLES, husband and wife

the grantors , do hereby grant, bargain, sell and convey unto

THE HAROLD WAYNE SALSURY TRUST, dated April 24, 1991

the grantee, whose current address is, 4570 Wynn Road, Las Vegas, NV 89103

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

RECEIVED

NOV 9 1994

Department of Water Resources

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee , that they are the owners in fee simple of said premises; that they are free from all incumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

and that they will warranty and defend the same from all lawful claims whatsoever.

Date: October 20, 1994

Stephen Lamar Peebles
Stephen Lamar Peebles, aka Stephen Peebles

Myrna L. Peebles
Myrna L. Peebles

STATE OF IDAHO)
COUNTY OF Fremont) ss

On this 28 day of Oct, in the year of 1994, before me a Notary Public, personally appeared /aka Stephen Peebles STEPHEN LAMAR PEEBLES & MYRNA L. PEEBLES known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title & Escrow at 26 minutes past 3 o'clock P.M. this 31st day of Oct, 1994, in my office, and duly recorded in Book of Deeds at page

Patricia R. McCoy
Notary Public
Residing at St. Anthony
Commission expires: 6/28/2000

Michael Fisk
Ex-Officio Recorder

By: Leaggy Pineda
Deputy

Fees \$ 6.00
Mail to: Timberline Title

#94-416



MICROFILMED

OCT 22 1996

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 21: SW1/4NE1/4, SE1/4NW1/4, SW1/4, W1/2SE1/4
Section 28: W1/2NE1/4, N1/2NW1/4, SE1/4NW1/4 EXCEPTING THEREFROM the following:

Commencing at the center of Section 28 and running
Thence West to the SW corner of the SE1/4NW1/4;
Thence Northerly to the Northwest corner of said quarter.
Thence Southeasterly in a straight line to the POINT AND PLACE OF BEGINNING.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1994 which are a lien.

BORROW PERMIT, and terms and conditions therein, granted to STATE OF IDAHO, recorded June 26, 1959 in Book 5M Misc. page 501 as Instr. No. 39620.

POWER LINE EASEMENT granted to IDAHO POWER COMPANY over SW1/4NE1/4 and SE1/4NW1/4 of Section 28, recorded January 30, 1974 in Book 8M Misc. page 17 as Instr. No. 52286.

POWER LINE EASEMENT granted to IDAHO POWER COMPANY over SW1/4NE1/4 of Section 28, recorded July 30, 1947 in Book 4 Misc. page 509 as Instr. No. 31237.

EASEMENT granted to WEISER RIVER FLOOD CONTROL DISTRICT No.3 over NE1/4NW1/2 of Section 28 and SE1/4SW1/4 of Section 21, recorded August 27, 1956 in Book 23 Deeds page 497 as Instr. No. 37491.

CORRECTION EASEMENT granted to WEISER RIVER FLOOD CONTROL DISTRICT over NE1/4NW1/4 Section 28 and SE1/4SW1/4 of Section 21, recorded September 10, 1956 in Book 23 Deeds at page 519 as Instr. No. 37529. (Corrects Easement Deed recorded in Book 23 Deeds page 497 as Instr. No. 37491.)

LACK OF RIGHT OF ACCESS TO AND FROM SAID LAND.

ANY PRESENT OR DEFERRED TAX LIEN on the herein described property arising under or by virtue of the Forest Products Yield Tax as provided by Idaho Code 63-1701 or 63-1706 as amended.

MICROFILMED

OCT 22 1996

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

RECEIVED

NOV 29 1989

Ident. Number: A67-00321
Date Received: 11/27/1989
Receipt No: E011205
Received By: Kew

Department of Water Resources
Western Regional Office

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

1. Name: STEPHEN L. PEEBLES 208-624-7641
Address: P.O. BOX 445
ST ANTHONY, ID 83445
OR
Name: MYRNA L. PEEBLES 208-624-7641
Address: P.O. BOX 445
ST ANTHONY, ID 83445

2. Date of Priority: APR 01, 1896

3. Source: LESTER CREEK TRIB. to: COTTONWOOD CREEK
SPRING LESTER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	01W	28	NE	SE			ADAMS
			NE	NE	SE		ADAMS

5. Description of diverting works:
DIVERSION DAM WEIR TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		
STOCKWATER	01/01	12/31	0.030		

7. Total Quantity Appropriated is:
0.080 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 RANGE CATTLE

A67-00321

Page 1

Date: 11/27/89

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	28	SW NE		IRR	10.0
Section Acres						10.0
Total Acres						10.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

IN THE DECREE PEEBLES VS LAY 8/9/1954 RIGHT 67-00500 ESTABLISHES A MINIMUM FLOW OF 0.16 CFS IN LESTER CREEK, AFTER WHICH RIGHT NO. 67-00499 (A.R. OR ONA LAY) "WELL SPRING" MUST BE TURNED OFF SO THAT THE FLOW IN LESTER CREEK WILL NOT GO BELOW THIS DECREE OF 0.08 CFS.

67-00500 MAY NOT BE A SEPARATE RIGHT BUT ESTABLISHES A MINIMUM FLOW FOR LESTER CREEK FOR 67-00321.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/20/1921

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ 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):

Stephen J. Peelle

Date:

4/27/89
Date: _____

State of Idaho)

County of Bonneville)

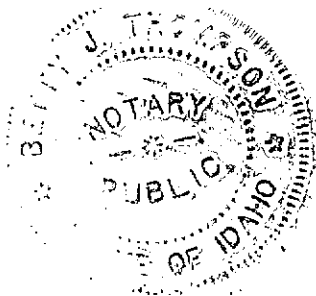
SS.

Subscribed and sworn (or affirmed) before me this 27 day

of Nov 19 89

Betty J. Thompson
Notary Public

Seal



BETTY J. THOMPSON, NOTARY PUBLIC

Residing at RESIDING AT IDAHO FALLS, IDAHO

MY COMMISSION EXPIRES: 6-30-94

My Commission Expires _____

MICROFILMED
OCT 01 1992

T
16 R1W
N

A-96
1-20
Circle C. Rd

B.4A

PLACE OF USE

5 ALF
62
23.4A

B-31
A.LAY
1 DIV Post
62

22.3A

16.2A

4.6A

20.2A

HEADGATE
POINT OF DIVERSION

B-225
E. WOODY

B-209
RITTER

A67-00321

MICROFILMED
OCT 01 1992

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION

2735 Airport Way
Boise, Idaho 83705-5083

- ☐ Moved, Left No Address
- ☐ Unclaimed
- ☐ Refused
- ☐ Attempted - Not Known
- ☐ Attempted - Street
- ☐ No Such Number
- ☐ No Such Name
- ☐ No Receipt
- ☐ Deceased
- ☐ Vacant

RETURN SERVICE
REQUESTED

COUNCIL ID 83612

OCT 17 '01
PB METER
7110094

0255
U.S. POSTAGE

00321
67-00312

RECEIVED

OCT 22 2001

WATER RESOURCES
WESTERN REGION

ALAN J DEMSEY
2180 JACKSON CREEK RD
COUNCIL ID 83612

062

Sent again 10.23.01



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

October 17, 2001

ALAN J DEMSEY
2180 JACKSON CREEK RD
COUNCIL ID 83612

Re: Notice of Claim to a Water Right No. 67-00312

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington". The signature is written in dark ink and is positioned above the typed name and title.

Denise Buffington
Office Specialist I
Adjudication Section
Western Region Office

DB: db

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 17, 1994

Re: Notice of Claim to a Water Right No. A67-00321

The Harold Wayne Salsbury Trust
4570 Wynn Road
Las Vegas, NV 89103

Claimant(s):

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim please feel free to contact this office.

Sincerely,

Adjudication Staff
Department of Water Resources
Western Region Office
(208) 334-2190

LH:1

cc: Stephen & Myrna Peebles

MICROFILMED
OCT 22 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 13, 1988

AZZ-12529
A67-00310
A67-00321
A67-02653 Q

Mr. Stephen L. Peebles
P. O. Box 445
St. Anthony, ID 83445

Dear Mr. Peebles:

Your adjudication claims and check #1164 for \$100.00 are returned. There are several items that were omitted on these claims.

A critical item of the water right, the date of priority, was left off your claim. This is the date that the water was first placed to beneficial use to the best of your knowledge. If in fact the source is surface water, the priority date must be prior to May 20, 1971. Otherwise an Application for Permit is necessary.

Also you have failed to complete Item #10. Merely listing the number of acres irrigated is not sufficient. We have to know what land is being irrigated. This information is necessary before we can accept these claims.

The amount of the fees is also incorrect based upon the number of acres that you are claiming. In one claim you have claimed twenty-five acres to be irrigated. The fee on this would be \$75.00: \$50.00 filing fee and \$1.00 for each irrigated acre. The second claim is for ten irrigated acres. The fee for this claim would be \$60.00: \$50.00 filing fee and \$1.00 for each irrigated acre.

In addition, the legal description you provided for the property leads me to believe that the land in question is in the Weiser River drainage. There has been an appeal filed to exempt this drainage from the SRBA. That appeal is currently before the Idaho Supreme Court. If we accept and process these claims and the Court rules that the Weiser River should be exempted from the adjudication, we will not be able to return your money. We are giving you this opportunity to defer filing these claims.

MICROFILMED

AUG 05 1994

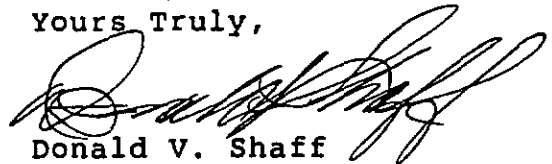
Mr. Stephen Peebles
June 13, 1988
Page 2

If the Court rules that the Weiser River must be included in the adjudication, you will receive a Commencement Notice from this office. At that time, you will have 90 days to resubmit these claims, providing the date of priority is before 1971.

I have enclosed copies of the licenses and other information we have in our files that may pertain to your property. If you feel you do want to file an adjudication claim at this time, please make the changes noted and return the claims to this office. We will be happy to process your claim when these changes are made.

If the Weiser River is included in the adjudication, you can get excellent help in filing these claims by taking all of these materials to our Eastern Region staff in Idaho Falls.

Yours Truly,



Donald V. Shaff
Adjudication Section Supervisor

DVS:db
Enclosures

MICROFILMED
AUG 05 1994