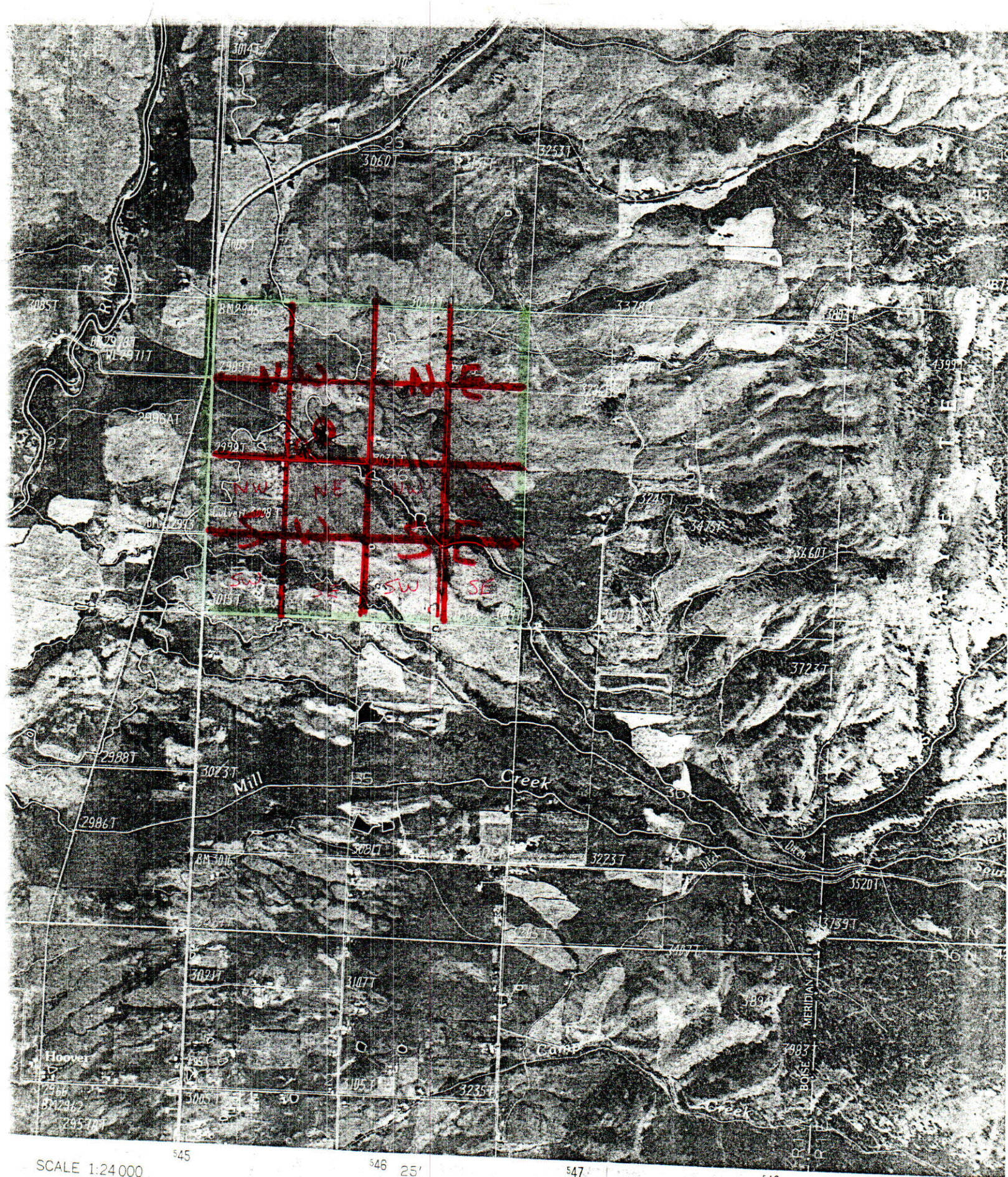




SCALE 1:24 000

545

546

25'

547

548

549000 E

POOR ORIGINAL

AUG 19 1994

point of diversion map
Lytle waste water
Adams County

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 67-10844
Date Received: 10/16/1989
Receipt No: W006264
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROBERT P FINK
4147 RICHWOOD AVE
EL MONTE CA USA 91734

Phone: (626) 454-5465

PAMELA E FINK
4147 RICHWOOD AVE
EL MONTE CA USA 91734

Phone: (626) 454-5465

2. Date of Priority: 05/20/1966

3. Source: SPRING CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	26	NE NE SW	ADAMS	

5. Description of diverting works:

DAM IN CREEK WITH DITCHES AND 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	

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
17N	01W	26	SE	NW	IRRIGATION	4
					Section Acres	4
					Total Acres	4

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 5/2/2002

15. Basis of Claim: Beneficial Use

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

RECEIVED**MAY 29 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
	A67-07310	<u>NO</u>			
	A67-10844	<u>NO</u>			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. N/A
- 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) Paul E & Christy M. Sanders
P.O. Box 418, Council, ID 83612
4. New Owner/Claimant(s) Robert E or Pamela E Fink
 Name Connector (Check one): ☒ and ☐ or ☐ and/or
- New Mailing Address 4147 Richwood Avenue
- City, State and ZIP Code El Monte, CA 91734
- New Telephone Number (626) 454-5465
5. Date you acquired the property March 28, 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)

Robert P. Fink
Pamela E. Fink

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 DB Date 5-29-01 Fee 0
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

For Value Received, PAUL E. SANDERS and CHRISTY M. SANDERS, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto
ROBERT P. FINK and PAMELA E. FINK, husband and wife
the grantees, whose current address is, 4147 Richwood Ave., El Monte, CA 91732
the following described premises, in Adams County, Idaho, to-wit:
SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF

COPY

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: March 23, 2001

Paul E. Sanders
PAUL E. SANDERS

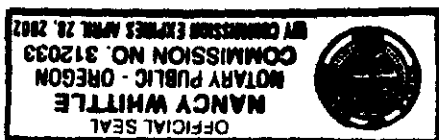
Christy M. Sanders
CHRISTY M. SANDERS

Christy M. Sanders

STATE OF OREGON)
COUNTY OF JOSEPHINE) ss

On this 27th day of MARCH, in the year of 2001, before me a Notary Public in and for said State, personally appeared ~~PAUL E. SANDERS &~~ CHRISTY M. SANDERS known or identified to me to be the persons whose names ~~is~~ are subscribed to the within instrument, and acknowledged to me that ~~they~~ executed the same.

Nancy Whittle
Notary Public
Residing at _____
Commission expires: _____



#01-154

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

at _____ minutes past _____ o'clock M.
this _____ day of _____, 20 _____ in my
office, and duly recorded in Book _____
of Deeds at page _____

Ex-Officio Recorder

By: _____
Deputy

Fees \$ _____
Mail to: _____

Instrument # 99583

COUNCIL, ADAMS, IDAHO
2001-03-30 05:01:28 No. of Pages: 2
Recorded for: TIMBERLINE TITLE & ESCROW
MICHAEL FISK Fees: 6.00
Ex-Officio Recorder Deputy, Sarah Kilbom
Index to: DEED

PARCEL 1

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 26: A parcel commencing at the SE corner of the SE1/4NW1/4 of
said Section, which is the TRUE POINT OF BEGINNING;

Thence West 760 feet along the Southerly boundary of said quarter
section;

Thence North parallel to the East boundary line of said quarter
section a distance of 450 feet;

Thence East parallel to the South boundary line of said quarter
section a distance of 200 feet;

Thence South parallel to the East boundary line of said quarter
section a distance of 175 feet;

Thence East parallel to the South boundary line of said quarter
section a distance of 560 feet, more or less, to a point on the East
boundary line of said quarter section;

Thence South along the East boundary of said quarter section to the
POINT AND PLACE OF BEGINNING.

RESERVING FROM THE ABOVE a road right-of-way consisting of a length
of the South boundary and the entire East boundary of and within the
above described tract.

PARCEL 2

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 26: S1/2SE1/4NW1/4 EXCEPTING S1/2W1/2W1/2SE1/4NW1/4, and
ALSO EXCEPTING a 30 foot road right-of-way off of and along the
entire South side and the entire East side of said property.

ALSO EXCEPTING a parcel commencing at the SE corner of the SE1/4NW1/4
of said Section, which is the TRUE POINT OF BEGINNING;

Thence West 760 feet along the Southerly boundary of said quarter
section;

Thence North parallel to the East boundary line of said quarter
section a distance of 450 feet;

Thence East parallel to the South boundary line of said quarter
section a distance of 200 feet;

Thence South parallel to the East boundary line of said quarter
section a distance of 175 feet;

Thence East parallel to the South boundary line of said quarter
section a distance of 560 feet, more or less, to a point on the East
boundary line of said quarter section;

Thence South along the East boundary of said quarter section to the
POINT AND PLACE OF BEGINNING.

STATE OF OREGON,

County of Jackson

ss.

FORM No. 23—ACKNOWLEDGMENT.
Stevens-Ness Law Publishing Co. NL
Portland, OR 97204 © 1992

BE IT REMEMBERED, That on this 26 day of March, 2001,
before me, the undersigned, a Notary Public in and for the State of Oregon, personally appeared the within
named Paul E. Sanders

known to me to be the identical individual..... described in and who executed the within instrument and
acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed
my official seal the day and year last above written.



Carol Sartain
Notary Public for Oregon
9/23/2004

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: **A67-10844**
Date Received: 10/16/1989
Receipt No: W006264
Received By: _____

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

1. Name: PAUL E SANDERS 208-253-6959
Address: PO BOX 418
COUNCIL ID 83612

OR

Name: CHRISTY M SANDERS 208-253-6959
Address: PO BOX 418
COUNCIL ID 83612

2. Date of Priority: MAY 20, 1966

3. Source: SPRING CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	26	NE	NE	SW		ADAMS

5. Description of diverting works:
DAM IN CREEK WITH DITCHES AND 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		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

AUG 19 1994

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	26	SE	NW		IRR	4.0

10. Place of Use: Continued

Section Acres 4.0

Total Acres 4.0

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:

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 _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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AUG 19 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

SEP 23 1993

DATE OF CLOSING: 09/09/93LEGAL DESCRIPTION OF PROPERTY: Township 17N Range 02WSection 26, SE 1/4 of NW 1/4 of 1/4 Govt. Lot 1/4Lot , Block , Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

Department of Water Resources

RECEIVED

SEP 24 1993

Department of Water Resources
Western Regional Office

☐ 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: A67-07310 + A67-10844

☐ Name and Address of Former
Owner/Claimant(s)(Seller): Laurence Rogers or Louise Rogers

Box 446Council, ID 83612

☐ New Owner/Claimant
(Purchaser): Paul E. Sanders or Christy M. Sanders

☐ New Mailing Address: P.O. Box 418

Council, ID 83612

☐ New Telephone Number: (208) 253-6959

☐ 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 Warranty 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): Paul E. Sanders Date 9-7-93

Christy M. Sanders Date 9-7-93

☐ Signature of Former
Owner/Claimant(s): Laurence Rogers Date 9/1/93

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: 9-30-93 By: JD

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 9-30-93 By: JD

Claim Numbers of Split, if any:

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AUG 19 1994

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.

WARRANTY DEED

For Value Received LOUISE F. ROGERS, a widow

the grantor , does hereby grant, bargain, sell and convey unto
PAUL E. SANDERS and CHRISTY M. SANDERS, husband and wife

the grantees, whose current address is, 2354 Poverty Flats Lane, P.O. Box 418, Council, ID
83612

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

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

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
excepting for all easements of record, rights of way, matters visible, and all matters of
record and title.

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

Date: September 7, 1993

Louise F. Rogers
Louise F. Rogers

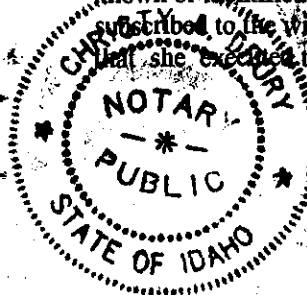
INSTRUMENT NO. 84670

STATE OF IDAHO)
) ss
COUNTY OF ADAMS)

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow

On this 7th day of September in the year of 1993, before me
a Notary Public, personally appeared
LOUISE F. ROGERS
known and identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged to me
that she executed the same

at 26 minutes past 4 o'clock P. M.
this 9 day of Sept. 1993, in my
office, and duly recorded in Book ----
of Deeds at page ----



Christy A. Amy
Notary Public
Residing at Boise, Idaho
Commission expires: 8/4/98

Michael Fisk

Ex-Officio Recorder

By: Sarah J. Wilson
Deputy

Fees \$ 6.00

Mail to:

Indexed

Order #93-150

MICROFILMED

AUG 19 1994

00

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 26:

Commencing at the Southeast corner of the SE1/4NW1/4 of said Section,
which is the TRUE POINT OF BEGINNING;

Thence West 760 feet along the Southerly boundary of said quarter
section;

Thence North parallel to the East boundary line of said quarter
section a distance of 450 feet;

Thence East parallel to the South boundary line of said quarter
section a distance of 200 feet;

Thence South parallel to the East boundary line of said quarter
section a distance of 175 feet;

Thence East parallel to the South boundary line of said quarter
section a distance of 560 feet, more or less, to a point on the East
boundary line of said quarter section;

Thence South along the East boundary of said quarter section to the
POINT AND PLACE OF BEGINNING.

RESERVING FROM THE ABOVE a road right-of-way consisting of a strip of
land 30 feet wide running parallel to the entire length of the South
boundary and the entire East boundary of and within the above
described tract.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1993 which are a lien but
not yet due or payable.

THE RESERVATIONS contained in U.S. Patent Certificate recorded April
26, 1892 in Book 1 of Homesteads at page 18, records of Adams County,
Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental
thereto as set forth in a document granted to MOUNTAIN STATE TELEPHONE
AND TELEGRAPH COMPANY (no representation is made as to present
ownership of easement) recorded September 25, 1940 in Book 4M of Misc.
at page 135, records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental
thereto as set forth in a document granted to IDAHO POWER COMPANY (no
representation is made as to present ownership of easement) recorded
October 9, 1973 as Instr. No. 52006 in Book 7M of Misc. at page 555,
records of Adams County, Idaho.

AN EASEMENT for the purpose of public utilities and rights incidental
thereto as set forth in a document granted to IDAHO POWER CO. (no
representation is made as to present ownership of easement) recorded
January 20, 1978 as Instr. No. 57024 in Book 9M of Misc. at page 162,
records of Adams County, Idaho.

UNPATENTED MINING CLAIMS, water rights, claims or title to water.

MICROFILMED

AUG 19 1994

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: A67-10844
Date Received: 10/16/1989
Receipt No: W006264
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAURENCE ROGERS 208-253-4733
Address: BOX 446
COUNCIL ID 83612

OR

Name: LOUISE ROGERS 208-253-4733
Address: BOX 446
COUNCIL ID 83612

2. Date of Priority: MAY 20, 1966

3. Source: SPRING CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	26	NE	NE	SW		ADAMS

5. Description of diverting works:
DAM IN CREEK WITH DITCHES AND 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		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
17N	01W	26	SE	NW		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.0
					Total Acres	4.0

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:

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)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 19 1994

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 Ala 7-10844Date Received 10-16-89Receipt Number W006264

RECEIVED
OCT 16 1989

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Laurence or Louise Rogers Phone (208) 253-4733Mailing Address Box 446 Council ID Zip 836122. Date of Priority (Only one (1) per claim) MAY - 20 - 19663. Source of water supply (a) Spring Creek
which is tributary to (b) Sinks4. a. Location of existing point of diversion is: Township 17N Range 1W Section 26,
NE 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Adams

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Dam in Creek with Ditchesand Flood irr.

MICROFILMED

AUG 19 1994

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount .08 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 12 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) None

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
17N	1W	26								4									4

Total number of acres irrigated 4 ac

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (☒)

14. Remarks:

MICROFILMED

Last Name _____ Ident No. _____ AUG 19 1994 copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Louise Rogers Date 10-12-89

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Id)
County of Wal) SS.

Subscribed and sworn (or affirmed) before me this 12 day of Oct 19 89

SEAL

Notary Public John Paul Carlson

Residing at Boon Id

My Commission Expires 4/2/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

AUG 19 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

POOR ORIGINAL

10 No. 28-14 REAL PROPERTY VALUATION SUMMARY

OWNERS NAME		M. J. J. J.	
ADDRESS			
SUB-DIVISION		CITY	SEC-LOT TWP. RGE-BLOCK
DISTRICTS - SCH		HWY	CEN RD FIRE
BUILDING TYPE	REPL'T VALUE	AVG AGE	LIFE YRS.
HOUSE C-3	1943	18	50
A-2	285	18	50
B-3	142	18	50
A-2	308	18	50
A-2	129	18	50
A-2	124	18	50
B-1	2715	18	50
A-2	146	18	50
TOTAL VAL 2918200			
ASS'D VAL 1213			

CL. DEFIN. ACRE		RURAL LAND	
1. I. A		3432	
2. PUMP		1544	
3. S. I. A.		2580	
4. G.		1161	
5. N. I. A.		2380	
6. D. G.		699	
7.		315	
8. T. LD.			
9. REF LD			
10. MIN LD			
11. WASTE		5.3	
12. TRACTS			
TOTAL		4088	
CL. DEFIN. NO.		APP VAL.	
16. B. LOT		9091	
17. R. LOT		4091	
18. ACR'GS			
TOTAL			

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AUG 19 1994

Real Property Valuation Summary

Map No. 2P-14

Owner's Name

A. H. Casper & Sons and family

Address

Sub-Division

W² NE⁴ E² NW⁴ SW⁴

26

17

1W

SEC.—LOT

TWP.

RANGE—BLOCK

Remarks:

POOR ORIGINAL

DISTRICTS: Sch.

Hwy.

Cent.

Road

Fire

RURAL LAND

BUILDING AND/OR TYPE

1965 ASSESSED

INDEX

1966

1967

1968

1969

1970

FULL CASH VALUE

NUMBER AND CLASS

ACRES

FULL CASH VALUE

ASSESSED VALUES, RATIO AND YEAR

1966 1967 1968 1969

None

C-3

9

5040

4848

4042

4040

1 I.A.

None

A-2

9

738

375

375

375

2 PUMP I.A.

None

A-2

10

260

75

75

75

13 S.I.A.

41

10024

1704 1705 1751

None

A-2

10

560

360

360

360

24 I.G.

51

7533

1281 1280 1320

None

A-2

10

230

100

100

100

35 N.I.A. (DA)

367

3817

None

A-2

10

230

100

100

100

46 D.G.

70

1610

None

A-2

10

489

1600

1600

1600

7 S.I.G.

None

R-1

10

489

1600

1600

1600

8 T.L.D.

None

A-2

9

297

145

145

145

8A REP. LD.

None

A-2

9

207

100

100

100

9 REF. LD.

None

A-2

9

207

100

100

100

10 MIN. LD.

None

A-2

9

207

100

100

100

11 SUB. TR.

None

A-2

9

207

100

100

100

WASTE

1.30

None

A-2

9

207

100

100

100

8A REP. LD.

None

A-2

9

207

100

100

100

9 REF. LD.

None

A-2

9

207

100

100

100

10 MIN. LD.

None

A-2

9

207

100

100

100

11 SUB. TR.

None

A-2

9

207

100

100

100

10 MIN. LD.

None

A-2

9

207

100

100

100

10 MIN. LD.

MICROFILMED

AUG 9 1994

NUMBER AND CLASS

NO.

FULL CASH VALUE

ASSESSED VALUES, RATIO AND YEAR

1966 1967 1968 1969

15 B. LOT

16 R. LOT

ACREAGE

ACREAGE

17 TOTAL

17 TOTAL

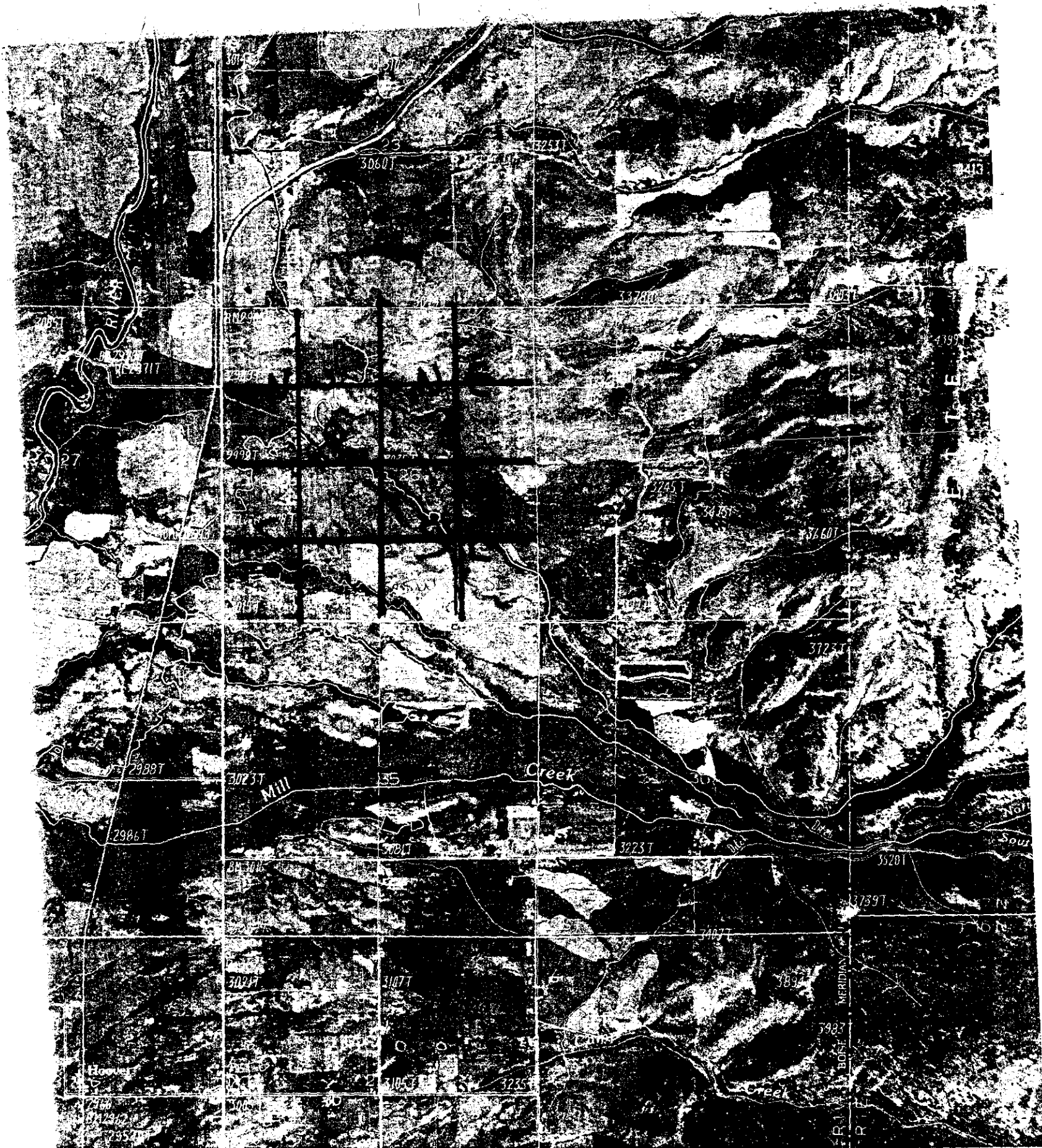
17 TOTAL

1973

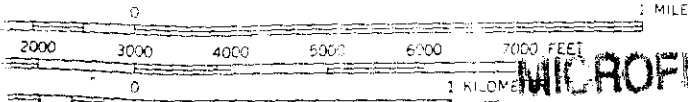
POOR ORIGINAL

MICROFILMED
AUG 19 1994





SCALE 1:24 000



POOR ORIGINAL

AUG 19 1994

MICROFILMED

point of diversion map
by the waste water
Adams Counties

POOR ORIGINAL

L-16

B76
R. STEVENSON
T-17-N, R-1-W
5-1-15

17N 1W Sec 26

B-417

23 24
26 25

B-390

B-390

CHERRY HILL
Larry Smith

MIDDLETON

B-330

NO. 1
B-330

A 19.9 from CR.
SPRING
IN QUESTION

B-38

E 11.5

F 15.9

C 9.7

#215
T-380

THUNWAY

D 22 23
7.8 27 26 3
3.2

A 11.9

H 32.6

E 10.6

B 13.7

F 11.3

A 18.1

B 5.2

F 3.6

E 4.7

K 18.0

B 3.0

B332 5.7

C. W. NILES

H 14.7

B 15.1

K 3.6

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME ROGERS, LAURENCE OR LOUISE CLAIM IDENT. NO. A67-10844DATE RECEIVED 10-16-89 RECEIPT # W006264 FEE PAID \$ 54 FEE REQ'D \$ 54

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A	☒	☐	
Is the consumptive use correct? N/A	☒	☐	
9. Are the non-irrigation uses listed showing # of homes, hd. of stock? If multiple domestic, is single ownership indicated?	☒	☒	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	☒	☐	
15. Is the basis of the claim indicated?	☐	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed? N/A If yes, compare claim w/existing right and attach proof report noting any differences in comments. If no, was water right no. found?	☒	☐	*
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim? N/A (If yes, attach a proof report & complete number change) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.	☐	☒	
18. If the claimant requested a monthly docket sheet, was the fee paid? N/A	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☐	*
22. Is the fee enclosed correct? Exempt	☒	☐	*

POOR ORIGINAL

	YES	NO
23. Is this claim being rejected and returned to claimant?	<u> </u>	<u>✓</u>
24. Can this claim be data entered?	<u>✓</u>	<u> </u>
25. Was claim modified?	<u> </u>	<u>✓</u>
If yes, do modifications require notification to claimant?	<u> </u>	<u> </u>

Note: Modifications made must be explained in comments stating where the information for any changes was found.

Claim reviewed by: Ron Howerton Date SEP 10 1993
 Claim data entered by: RED Date 9-13-93

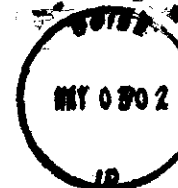
IF REQUIRED INFORMATION IS INCOMPLETE SEE INSTRUCTIONS TO DECIDE WHETHER THE CLAIM NEEDS TO BE RETURNED OR IF IT CAN BE MODIFIED. IF IT MUST BE RETURNED INSTRUCTIONS WILL SPECIFY WHICH FORM LETTER TO USE.

Comments: _____

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



67-7310
10844

RECEIVED

MAY 13 2002

WATER RESOURCES
WESTERN REGION

ROBERT P FINK
PAMELA E FINK
4147 RICHWOOD AVE
EL MONTE CA 91734

FINK147 917322035 1701 14 05/07/02
RETURN TO SENDER
FINK
PO BOX 733
COUNCIL ID 03612-0733

03705-5082-003



Sent again 5/13/02



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

May 2, 2002

ROBERT P FINK
PAMELA E FINK
4147 RICHWOOD AVE
EL MONTE CA 91734

Re: Notice of Claim to a Water Right No. 67-7310 & 67-10844

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".

Denise Buffington
Office Specialist 1
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

May 29, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

TIMBERLINE TITLE & ESCROW INC
PO BOX 6
204 ILLINOIS AVE
COUNCIL ID 83612

RE: Water Right No. 67-07310 & 67-10844 – Sanders to Fink
Water Right No. 67-02011 & 67-02098 – Keepers to Tisdale & Bailey

To Whom It May Concern:

This office has received the Notices of Change of Water Right Ownership (copies enclosed), for Robert & Pamela Fink; and Michael Tisdale & Reva Bailey recently submitted. We also received check numbers 18288 and 18536, both in the amount of \$50, however, we are returning these checks to you, as the ownership change fee is not required for these particular water right claims. These claims have not yet been decreed by the SRBA Court. The ownership changes are being processed and copies will be mailed out upon completion.

Thank you for your patience and cooperation. If you have any questions regarding this letter, feel free to contact this office at (208) 334-2190.

Sincerely,

Denise Buffington
Office Specialist I
Adjudication Section
Western Region

DB:db

Enclosures

TIMBERLINE TITLE & ESCROW, INC.
CUSTOMER TRUST ACCOUNT
P.O. BOX 6 204 ILLINOIS AVE.
COUNCIL, IDAHO 83612

U.S. BANK OF IDAHO
210 ILLINOIS AVE.
COUNCIL, IDAHO 83612

18288

92-372
1231

3/30/2001

PAY TO THE
ORDER OF **IDAHO DEPT. OF WATER RESOURCES**

\$**50.00**

Fifty and 00/100

DOLLARS

IDAHO DEPT. OF WATER RESOURCES

WATER TRANSFER FEES

MEMO **01-154 SANDERS-FINK**

Christy C. Ward
Ronnie A. Groves

⑈018288⑈ ⑆123103729⑆153300446934⑈

THE FRONT OF THIS DOCUMENT HAS A COLORED BACKGROUND



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

September 30, 1993

Re: Notices of Claim to a Water Right Nos. A67-07310 & A67-10844

Paul E. Sanders
Christy M. Sanders
P.O. Box 418
Council, ID 83612

Mr. & Mrs. Sanders:

Enclosed are copies of the above referenced claims which reflect the change in ownership of the land and appurtenant water rights covered under the original filings.

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

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

Sincerely,

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

LH:l
Enclosure

MICROFILMED
OCT 22 1996

[COPY] in FILE with Receipt # ~~W02170~~

CONVERSATION MEMORANDUM

DATE JUNE 26, 1990 FILE # for
FILE DET-10844 AND Receipt

NAME OF PARTY LYTLE, (ROGERS) for Ph 253-4796
EMPLOYEE RON HOUVERTON

RE: PLEASE REVIEW ALL ENCLOSED DOCUMENTS.
ACTION IS NEEDED ASAP BECAUSE MR.
ROGERS WOULD LIKE TO START IRRIGATING AND
MR. LYTLE CANNOT USE HIS WASTEWATER RIGHT
UNTIL MR. ROGERS DOES. MR. ROGERS IS
AFRAID TO PUT IN NEW DIVERSION BECAUSE
MR. NIGHTENGALE SAYS THATS THEY CANNOT
PUT IT BACK IN. (VERBALLY) OLD DIVERSION
WAS PASTA DIVERSION AND IT WAS CUT TO DRY
UP THE MUD AND SO ~~FOR~~ THEY COULD WORK
IT WITH BACK HOO AND NEW DAM IN. IT WAS
USED LAST YR AND CONTINUES AND THIS YR
IS BEING HOLD UP BECAUSE OF CONFLICT.

Ron H.

MICROFILMED

AUG 19 1991

JUNE 27, 1990

CALLED MR & MRS. LYTLE: 1) ADVISED THAT THEY
SHOULD CALL A ATTORNEY TO RESOLVE R/W PROBLEM.
2) THE DEPT. COULD NOT DELIVER THE WATER AS THE
RIGHT HASN'T BEEN PROVEN, IT IS A BENEFICIAL USE. 3) IF
IT WERE A LICENSE, PERMIT OR DECREE A WATER MASTER COULD
BECOME INVOLVED. 4) TO SEND ALL NEW FINDING TO
BE PUT IN BOTH MR. ROGERS CLAIM AND THEIR rdh
WASTEWATER CLAIM. 5) ADJUDICATION FOR THEIR AREA
WOULDN'T START TO RESOLVE TILL SUMMER '93.

6-26-90

I have been irrigating for Lawrence Rogers for the previous 9 years. This year in preparation for the season I removed old plastic dams and built a head gate to install in creek at division point just south of the road culvert. I removed the dam on 5-3 anticipating 3 weeks before the back hoe arrived to install headgate so the dirt would dry. I mentioned it to Mrs. Nightingale around this time, as I found out she owned the land.

On 6-9-90 I contacted ~~Sam~~ Nightingale to inform him we were going to do it on 6-8. He told me at this time we could not install a headgate in ~~that~~ creek, or repair plastic dams, or set foot on his land because he had ^{diverted} the water and it was his land.

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AUG 19 1994

I talked to him the next day after conversing to Ron Howerton (IDMR) and asked him if we couldn't really use the water. ~~He said~~ Mr. Nightingale said the water had only been used on Mr. Rogers fields for a year & no way could we reinstall a diversion. As of this date I am talking to Ron Howerton in Boise because Mr. Rogers field is drying up. ~~He said~~

6-24-90

Fred Lappin

Born & moved up to the Lappin Ranch in 1904. Bought ranch across highway in 1931. Sold it in 1971. Very familiar with irrigation system on all the land mentioned. Holbrooks ~~bought~~ traded for section in 1935 ~~at this time~~. Parsons owned it later and installed dams across creek.

The particular creek in question was always known as Lappin creek which is presently listed as Spring creek at this point on ~~BART~~ DWR maps.

I remember the stream being diverted just below the lower dam side and flowing North irrigating the lower ground and crossing the farmers canal in an aqueduct to irrigate a garden plot directly east of the ~~original~~ original homestead. This describes the use of the lower end of the creek for years.

Fred A. Lappin

MICROFILMED

APR 19 1994

Put in FILE A67-10844
AND DALE LYTTLES' FILE R4h

June 14, 1990

To whom it may concern

the water that enters the property of Lawrence Rogers at the ~~corner~~ turn of Poverty Flat Rd. which is known as Spring Creek has been in continuous use on that same piece of ground since May of 1973. The same water had been filed the same year under the name of Bob & Paul Clayton. The property was sold to Lawrence Rogers in 1978.

Sincerely

Paul (Clayton) Clayton

MICROFILMED

AUG 19 1994

Put in 467-10844
RCH