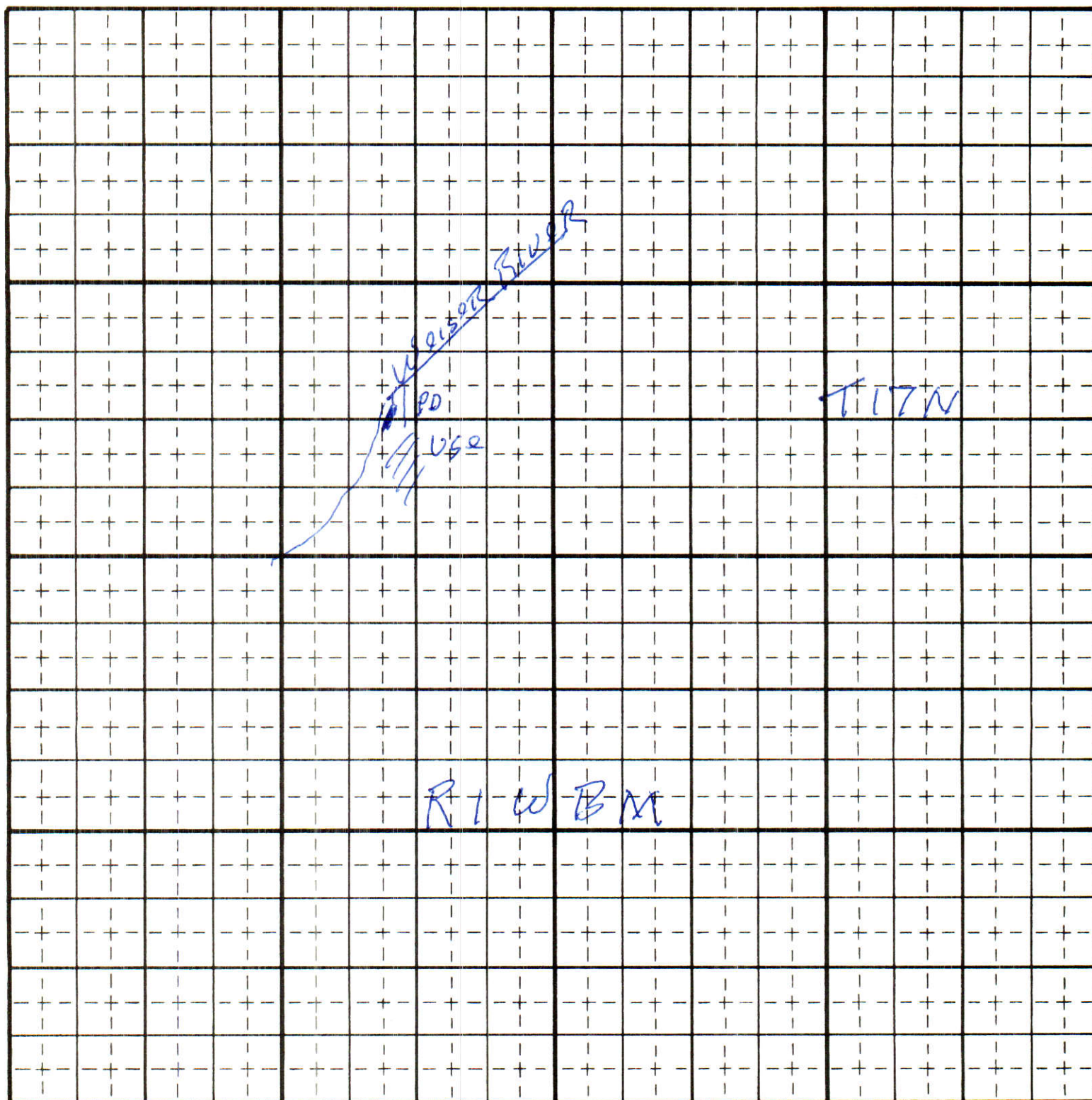


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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OCT 23 1996

Copies: White-State, Yellow-Claimant

Last Name

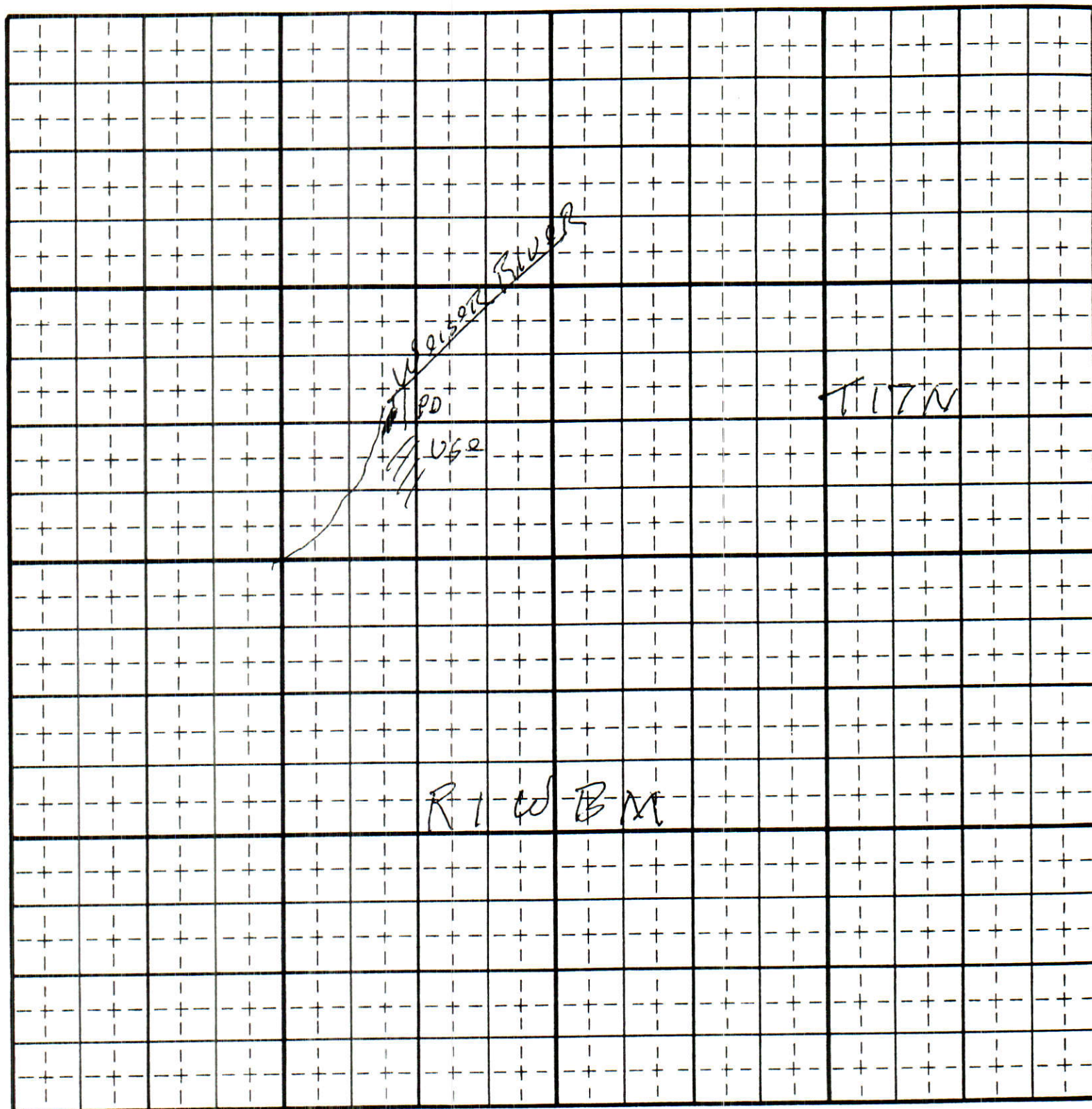
PROBST

Ident No.

67-4163

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

OCT 23 1966

Last Name

PiRobst

Ident No.

67-4163

Copies: White-State, Yellow-Claimant

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: A67-04163
Date Received: 11/ 2/1989
Receipt No: W006616
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN L JANUIK
Address: 2709 HWY 95
COUNCIL ID 83612

AND

Name: SHARMAN R JANUIK
Address: 2709 HWY 95
COUNCIL ID 83612

2. Date of Priority: JUN 1, 1890

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

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

5. Description of diverting works:
PIPE, DITCHES, DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.280		

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

A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

OCT 23 1996

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	1	SW	NE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	1	NW	SE		IRR	8.2
Section Acres							11.2
Total Acres							11.2

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:
A67-07294

14. Remarks:
AC. IRR.=11.25.
OWNERSHIP CHANGED BY LH 5/12/95.

15. Basis of Claim: STATUTORY CLAIM

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

MAY 10 1995

Department of Water Resources

DATE OF CLOSING: 4-28-95

LEGAL DESCRIPTION OF PROPERTY: Township 17N Range 01W
Section 1, 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .

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

RECEIVED

MAY 11 1995

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: #A67-04163, #A67-07061, & #A67-07294

☐ Name and Address of Former Owner/Claimant(s)(Seller): Glen H. & Dwila R. Probst

HC 64 Box 3300

Council, ID 83612

☐ New Owner/Claimant (Purchaser):

John L. & Sharman R. Januik

☐ New Mailing Address:

2709 Hwy 95

Council, ID 83612

☐ New Telephone Number: ()

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes Xno
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 & Quitclaim 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)

Sharman R. Januik

Date 4-21-95

Date 4-21-95

☐ 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: 5-12-95 By: JH

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 5-12-95 By: JH

Claim Numbers of Split, if any:

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

MICROFILMED

OCT 23 1996

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.

UNRECORDED

INSTRUMENT NO. 87712
WARRANTY DEED

For Value Received GLEN H. PROBST, aka GLENN H. PROBST, and DWILA R. PROBST, husband and wife

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

JOHN L. JANUIK and SHARMAN R. JANUIK, husband and wife

the grantees, whose current address is, 11 Cottontail Court, McCall, ID 83638

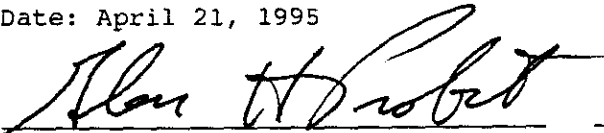
the following described premises, in Adams County, Idaho, to-wit:

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 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 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: April 21, 1995


Glen H. Probst, aka Glenn H. Probst


Dwila R. Probst

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

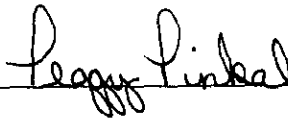
On this 21st day of April, in the year of 1995, before me
a Notary Public, personally appeared GLEN H. PROBST,
aka GLENN H. PROBST & DWILA R. PROBST
known or identified to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to me
that they executed the same

at 40 minutes past 3 o'clock P.M.
this 28th day of April, 1995, in my
office, and duly recorded in Book
of Deeds at page


Notary Public
Residing at Franklin, Idaho
Commission expires: 8/4/98

MICHAEL FISK

Ex-Officio Recorder

By: 
Deputy

Fees \$ 6.00

Mail to: Timberline Title & Escrow



RECEIVED

MAY 11 1995

WATERBURY
WESTERN REGION
MICROFILMED

OCT 23 1996

QUITCLAIM DEED

RECEIVED

MAY 11 1995

WATER RESOURCES
WESTERN REGION

For Value Received GLEN H. PROBST, aka GLENN H. PROBST and DWILA R. PROBST, husband and wife

do hereby convey, release, remise and forever quitclaim unto JOHN L. JANUIK and SHARMAN R. JANUIK, husband and wife

whose current address is 11 Cottontail Court, McCall, ID 83638

the following described premises, to-wit:

Township 17 North, Range 1 West, Boise Meridian
Section 1: That part of the S1/2NE1/4 lying North of the center of the natural channel of the Weiser River, as it existed prior to November, 1937, and South of the center of the relocated channel of the Weiser River, Adams County, Idaho.

EXCEPTING the rights of the State of Idaho and the Public in the bed of the Weiser River.

~~SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.~~

together with their appurtenances.

Dated: April 21, 1995

Glen H. Probst, aka Glenn H. Probst

Dwila R. Probst

INSTRUMENT NO. 87713

State of Idaho)
County of Adams) ss.

Filed for record at the request of
Timberline Title & Escrow
41 min. past 3 o'clock P.M.
this 28th day of April, 1995
MICHAEL FISK, RECORDER
by Deputy

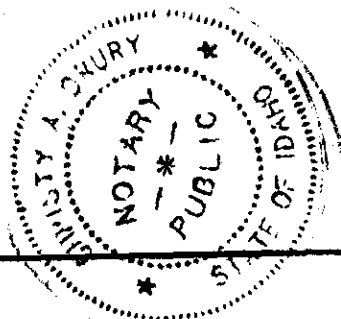
Fee \$ 3.00

STATE OF IDAHO)
COUNTY OF Adams) ss.

On this 21st day of April, 1995
before me, a Notary Public in and for said State,
personally appeared GLEN H. PROBST, aka
GLENN H. PROBST, & DWILA R. PROBST
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.

Christy A. Bury
Notary Public
Residing At: Frederick, Idaho
Commission Expires: 8/4/93

#95-176



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

Section 1: A tract or parcel of land in the NW1/4SE1/4 and NE1/4SW1/4 more particularly described as follows:

Commencing at a point that is 1730 feet, more or less, North of the quarter corner common to Sections 1 and 12;

Thence South 57 degrees 01'00" East to the West boundary of U.S. Highway 95 as now established (constructed under F.A.P. No. 104-A Reop. Sept., 1940);

Thence on and along the said Highway boundary line in a Northeasterly direction to the North line of the NW1/4SE1/4 of said Section;

Thence West along the North line of said NW1/4SE1/4 to the Weiser River;

Thence down the Weiser River in a meandering but general Southwesterly direction to a point North 57 degrees 01'00" West of the POINT OF BEGINNING;

Thence South 57 degrees 01'00" East to the REAL AND TRUE POINT AND PLACE OF BEGINNING.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1995 which are a lien but not yet due or payable.

TERMS AND CONDITIONS OF AN EASEMENT granted to GLENN H. PROBST and DWILA R. PROBST, husband and wife, for private roadway purposes, recorded October 5, 1970 in Book 7M Misc. page 79 as Instr. No. 49130.

RIGHT-OF-WAY granted to STATE OF IDAHO for public highway, recorded December 8, 1937 in Book 15 Deeds page 258 as Instr. No. 23341.

EASEMENT granted to WEISER RIVER FLOOD CONTROL DISTRICT NO. 3, recorded August 27, 1956 in Book 23 Deeds page 505 as Instr. No. 37499.

EASEMENT granted to WEISER RIVER FLOOD CONTROL DISTRICT NO. 3, recorded September 10, 1956 in Book 23 Deeds page 518 as Instr. No. 37528.

POWER LINE EASEMENT granted to IDAHO POWER COMPANY affecting NW1/4SE1/4 Section 1, Township 17 North, Range 1 West, recorded January 29, 1973 in Book 7M Misc. page 382 as Instr. No. 51205.

THE RESERVATIONS contained in Patent Certificate, recorded in Book 1 of Homesteads at page 240, and in Book 2 of Final Receipts at page 436.

Water rights, claims or title to water; unpatented mining claims.

QUITCLAIM DEED from ALONZO V. CAPPS and NONA LEE CAPPS, husband and wife, to GLENN H. PROBST and DWILA R. PROBST, husband and wife, recorded September 18, 1975 as Instr. No. 54021.

ANY CLAIMS arising from the fact that this commitment was ordered by street address.

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.

ANY CLAIMS arising from the fact that there is no recorded survey and the legal description in Schedule A is ambiguous.

RECEIVED
MAY 11 1995
WATER RESOURCES
WESTERN REGION

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: A67-04163
Date Received: 3/21/1995
Receipt No: W006616
Received By: de Ror

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLEN H. PROBST 208-253-4793
Address: HC 64 BOX 3300
COUNCIL ID 83612
AND
Name: DWILA R PROBST 208-253-4793
Address: HC 64 BOX 3300
COUNCIL ID 83612

2. Date of Priority: JUN 1, 1890

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

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

5. Description of diverting works:
PIPE, DITCHES, DAMS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.280		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

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OCT 23 1996

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	1	SW	NE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	1	NW	SE		IRR	8.2
Section Acres							11.2
Total Acres							11.2

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:
A67-07294

14. Remarks:
AC. IRR.=11.25.

15. Basis of Claim: STATUTORY CLAIM

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 _____

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 30576
Ident. Number AL67-04163
Date Received 11-2-89 3-21-95
Receipt Number W006616

RECEIVED
MAR 21 1995
WATER RESOURCES
WESTERN REGION

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 02 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) GLON H/DWILAR PROBST Phone (208) 253 4793
Mailing Address HCB4 BOX 3300 COUNCIL ID Zip 83612

2. Date of Priority (Only one (1) per claim) 1890

3. Source of water supply (a) WAISER RIVER
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 17N Range 1WBM Section 1,
SW 1/4 of NE 1/4 of 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 17N Range 1WBM Section 1, NW 1/4 of SE 1/4 of 1/4,
Govt. Lot B.M., County of ADAMS

ending point is: Township 17N Range 1WBM Section 1, SW 1/4 of NE 1/4 of
1/4, Govt. Lot B.M., County of ADAMS

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. WATER DIVERTED FROM
WAISER RIVER BY 14" PIPE, GRAVITY DITCHES,
DITCHES AND DAMS AT VARIOUS LOCATIONS TO
SUB IRRIGATED LANDS

MICROFILMED

OCT 23 1996

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 two 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 IRIGATION purposes from APR 1 to OCT 31 amount 0.28 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	14	1			3										14.25				14.25
															8.25				11.25
															9.75				9.75

Total number of acres irrigated 14.25 11.25 9.75

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.
67-7294 or None ()

14. Remarks:

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OCT 23 1996

Last Name PROBST Ident No. 67-4163

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.

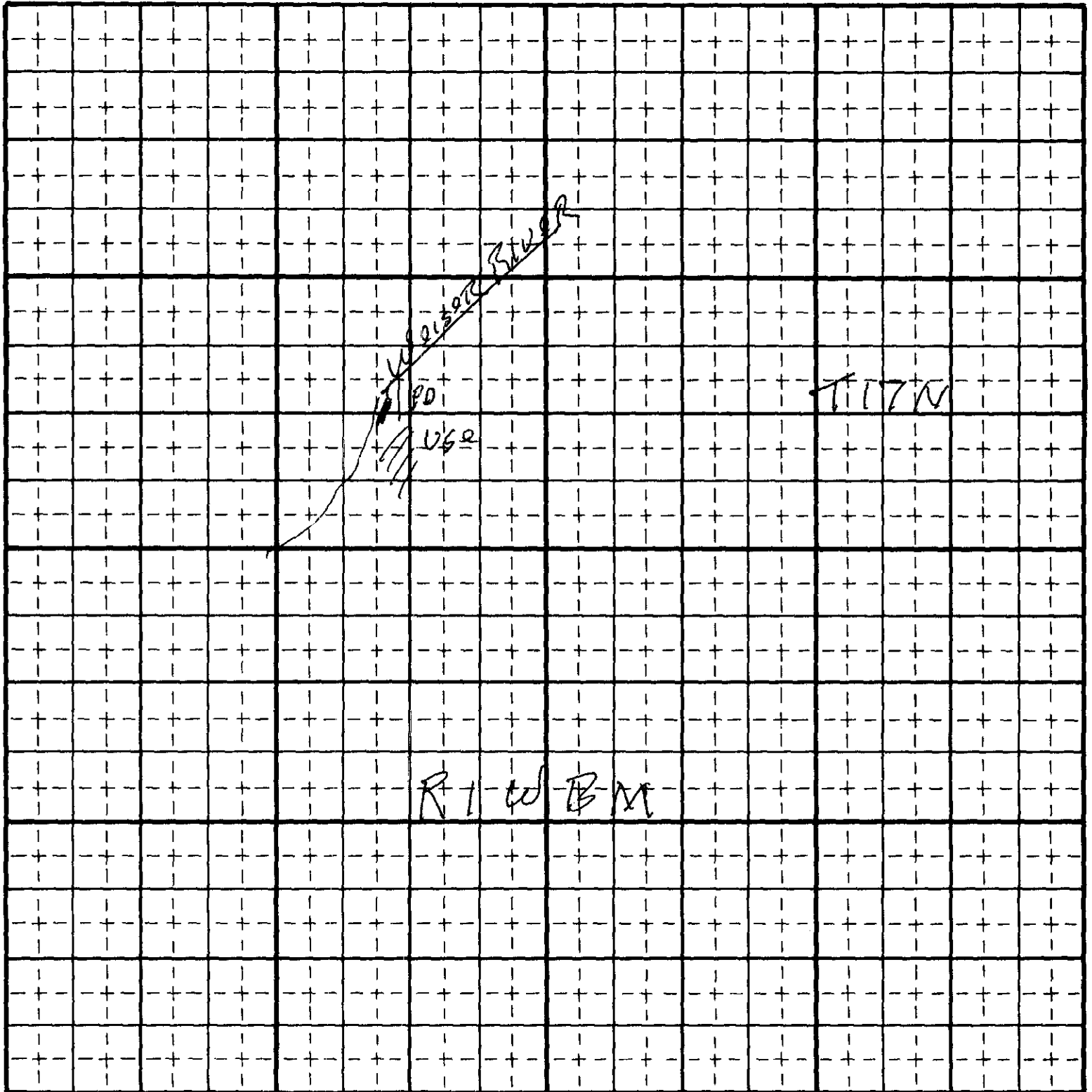
RECEIVED

Information Sheet No. 42-1400 a 2/88

Page 2

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



MICROFILMED

OCT 23 1996

Last Name Robst

Ident No. 67-4163

Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number 67-4163

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 X 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) Alan H. Probst Date 2 Oct 1989

Devin R. Probst Date 2 Oct 1989

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 Adams)

County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 20 day of March 1995

SEAL

Notary Public Robert H. Adams

Residing at New Meadows

My Commission Expires 10-22-99

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 _____

Last Name PROBST Ident. Number 67-4163

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Copies White-State, Yellow-Claimant

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME Bridget, Helen & DavidCLAIM IDENT. NO. AL 7-04163DATE RECEIVED 11-2-89 RECEIPT # 00000000 FEE PAID \$ 65.00 FEE REQ'D \$ 65.00

	YES	NO	Require 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	☐	☒	

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	YES	NO
23. Is this claim being rejected and returned to claimant?	<u>X</u>	<u>OK</u>
24. Can this claim be data entered?	<u>—</u>	<u>X</u>
25. Was claim modified?	<u>—</u>	<u>—</u>
If yes, do modifications require notification to claimant?		
Note: Modifications made must be explained in comments stating where the information for any changes was found.		

Claim reviewed by: Led Date 11-2-94
 Claim data entered by: lat Date 3-25-95

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: Return for notary, additional fee needed. This
claim is shown with beginning and ending POD. Total
quantities not shown.

105-11-010000



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 16, 1995

Re: Notices of Claim to a Water Right Nos. A67-07294, A67-07061,
A67-04163

John L. Januik
Sharman R. Januik
2709 Hwy. 95
Council, ID 83612

Mr. & Mrs. Januik:

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:1
Enclosure

cc: Glen & Dwila Probst

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OCT 23 1996



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

3-15-95

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Glen H. & Dwila R. Probst
Hc 64 Box 3300
Carniel ID 83612

Dear Claimant(s):

This office is presently processing the Notice of Claim(s) to a Water Right you submitted during the Snake River Basin Adjudication claims filing in your area. However, due to the items checked below, we cannot continue to process this claim(s). We are returning this claim(s) to you to complete items required that were incomplete on your claim form. **ONLY THE ITEMS CHECKMARKED IN THIS LETTER NEED COMPLETION. IF AN ITEM IS NOT CHECKMARKED, IT IS NOT PERTINENT TO THIS CLAIM(S).** Also enclosed is the receipt for the filing fee previously submitted with this claim(s).

_____ Fee - No fee received or inadequate fee received, fee due is _____.
(Filing fees, based on use(s) of water, were due on all claims filed)

_____ Late Notice of Claim - This claim was received on _____ which is after the deadline for filing claims in _____ County. The deadline for this County was _____, and the late fee now due is _____. The enclosed Late Fee Notice explains the late fee and how it is computed.

_____ Item No. 2 - Date of priority - month/day/year that water was first put to use, regardless of ownership. If month or day is unknown, the Dept. will recommend 12/31 of the year designated.

_____ Item No. 3 - Source of Water

_____ Item No. 4 - Point of Diversion - must be shown by quarter-quarter (40 acre tract), section, township and range. Lot and block for subdivision are not acceptable as the legal description for the point of diversion, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

_____ Item No. 6 - Uses of Water

_____ Item No. 9 - Non-Irrigation Uses

_____ Item No. 10 - Place of Use - must be listed by quarter-quarter (40 acre tract), section, township, and range. Lot and block for subdivision are not acceptable as the legal description for the place of use, however, please include this information in the remarks section of your claim. See page two of this letter for additional information.

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Item No. 12 - Ownership of place of use - It appears that the places of use filed on this claim are owned by separate individuals. This claim form can only be used when the places of use are under single ownership, even when all the uses are from one source. Enclosed are claim forms to be used to file on each separately owned place of use. The claim being returned will need to be modified to show one owner, with the changes initialed and dated. The \$25 fee for this claim has been submitted, however, the additional claims returned need to submit a \$25 fee each.

Item No. 15 - Basis of Claim - Please designate if your water right is based on beneficial use of the water - Beneficial Use, or if it is based upon a previously filed water right - Posted Notice, License, Permit or Decree.

✓ ^{Both} Item No. 16 - Signature - this claim form does require your signature be affixed and notarized by a notary public. Note, the notary public signs below the signature blocks listed in this item.

MAP ENCLOSED: Please mark the location of the well(s) and the location of the place(s) of use on this map. Then return the map with your claim and the additional information requested, if any. We can then determine the quarter-quarter(1/41/4) legal description based on the locations marked on this map.

✓ Other: A67-04163 - please clarify acres - 11.25 or 14.25. If 14.25, please submit additional \$3 and correct claim form. If 11.25, please make appropriate changes at "Totals"

Please complete the above item(s) on your claim form(s), initial and date any changes or additions, and return the claim(s), with the requested fee(if one was requested), to our office within 30 days from the date of this letter. If the claim(s), or fee requested, is not received within this 30-day period, the claim(s) will be rejected and your fee, if one was paid previously, will be refunded. Please contact our office listed in the address below, within the 30 day time period, either in writing or by phone, to let us know if there is a problem returning the claim(s), or fee, in order to keep this claim(s) valid. If the claim(s) is rejected and fee refunded, due to no response within the 30-days, the claim(s) can be resubmitted up until claims in this area are prepared for court decree. However, at that time the corrected claim(s) along with the regular filing fee that was refunded, and an additional late fee will be required. Please return your claim(s), any other claims, information or fees requested, if any, to the Department of Water Resources, Western Region Office, 2735 Airport Way, Boise, ID 83705.

Feel free to contact this office if you have any questions concerning this letter.

Sincerely,



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

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OCT 23 1996

HHT:h

Enclosures

SPECIAL NOTE: IF YOU NO LONGER OWN THE PROPERTY UPON WHICH THIS CLAIM WAS FILED, PLEASE CONTACT THIS OFFICE IMMEDIATELY. IDAHO STATE LAW REQUIRES THAT THE DEPARTMENT BE NOTIFIED OF A CHANGE OF OWNER OR ADDRESS ON A WATER RIGHT.

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: 30576

Ident. Number Alb 7-04163Date Received 11-2-89Receipt Number W006616

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
NOV 02 1989

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) GLENN H/DWILAR PROBST Phone (208) 253 4793Mailing Address HCB4 BOX 3300 COUNCIL ID Zip 836122. Date of Priority (Only one (1) per claim) 18903. Source of water supply (a) WEISER RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township 17N Range 1WBM Section 1,SW 1/4 of NE 1/4 of 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 17N Range 1WBM Section 1, NW 1/4 of SE 1/4 of 1/4,Govt. Lot _____ B.M., County of ADAMSending point is: Township 17N Range 1WBM Section 1, SW 1/4 of NE 1/4 of1/4, Govt. Lot _____ B.M., County of ADAMS5. 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. WATER DIVERTED FROMWEISER RIVER BY 14" PIPE, GRAVITY DITCH,
DITCHES AND DAMS AT VARIOUS LOCATIONS TO
SUB IRRIGATED LANDS

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRIGATION purposes from APR 1 to OCT 31 amount 0.28 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

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

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	14	1			3											11.25			14.25

Total number of acres irrigated 14.25

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.
67-7294 or None ()

14. Remarks:

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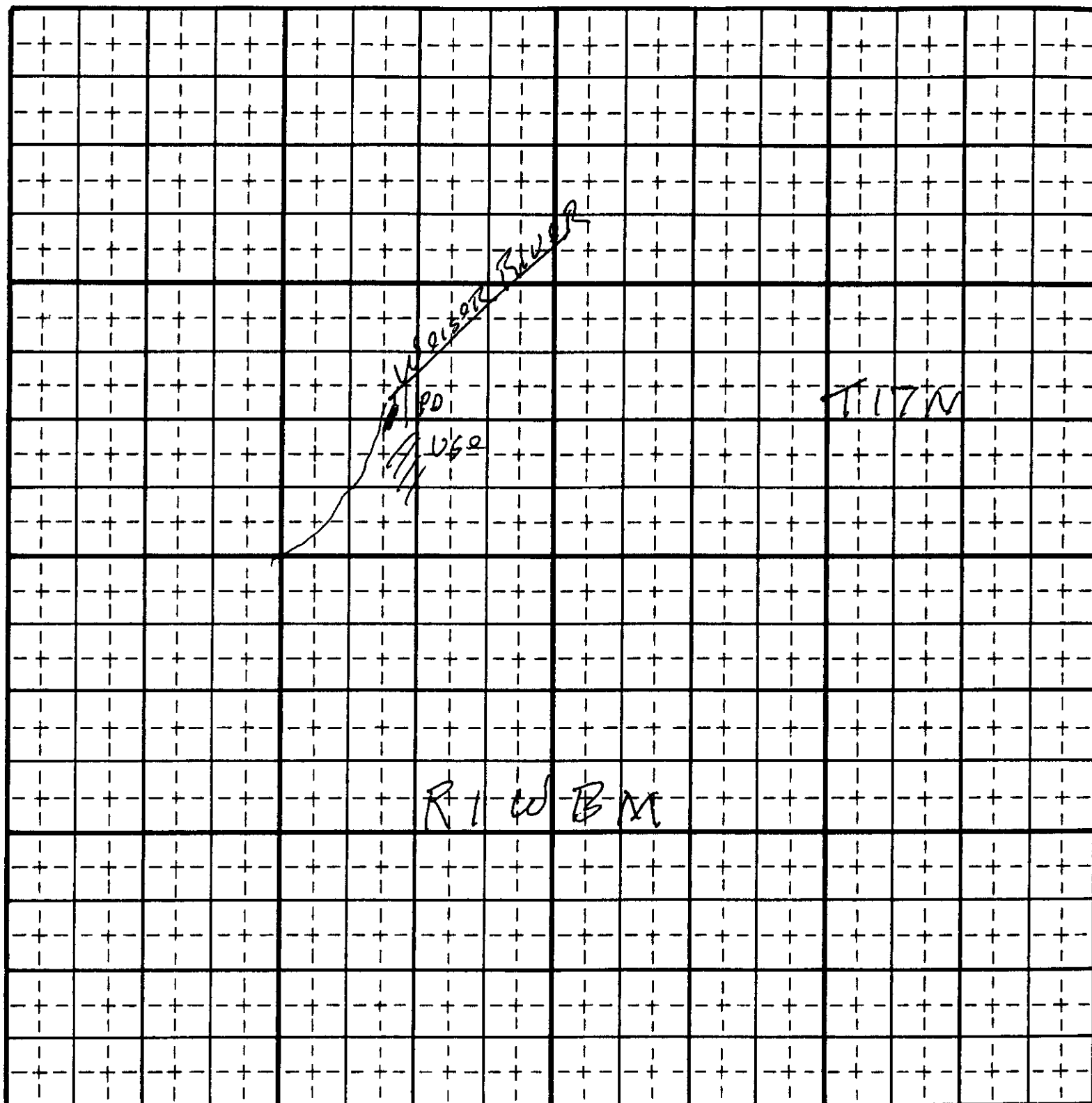
OCT 23 1996

Last Name PROBST Ident No. 67-4163

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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OCT 23 1993

Last Name

PROBST

Ident No.

67-4163

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 67-4163
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 X 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)

Harold H. Probst

Date

2 Oct 1989

Devin R. Probst

Date

2 Oct 1989

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

Title

of _____

Organization

, that I have signed the foregoing

document in the space below as _____

Title

of _____

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 _____)
County of _____) SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

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 _____

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Last Name

PROBST

Ident. Number

67-4163

Copies White-State, Yellow-Claimant

CLAIM # 67-7061 Domestic \$25.00

CLAIM # 67-7294 IRRIGATION \$53.00
3 ACRES

CLAIM # 67-4163 IRRIGATION \$62.00
11.25 ACRES

TOTAL \$ 140.00

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OCT 23 1998

Water Right Number - 67-04163

Prefix Translation:

WATER RIGHT

Old (D) Number -

--- Last Name --- +

+ - First Name - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
PROBST

GLEN H.

1 - TAMARACK STAR RT.
2 -
3 -
City- COUNCIL
Phone -

State- ID Zip- 83612

PROBST

DMILA

1 - TAMARACK STAR RT.
2 -
3 -
City- COUNCIL
Phone -

State- ID Zip- 83612

--- Priority Date - - +
06/01/1890

+ - - Region - - - +
14 WESTERN

+ - - Stage - - - +
S - STATUTORY CLAIM

+ - - Status - - - +

--- Source - - - - - +
WEISER RIVER

+ - - Tributary - - - - - +
SNAKE RIVER

Tm	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
17N	01W	1	SW NE			(3) ADAMS				

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/01	10/31		0.280	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.280

Tm	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
17N	01W	1	SW NE		3.0		01	IRRIGATION	(3) ADAMS
17N	01W	1	NW SE		11.0		01	IRRIGATION	(3) ADAMS
					Total Acres:	14.0			

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

--- Remarks ---
AC. IRR.=14.25.

--- Old Water Right Numbers ---
No Old Water Right Numbers found.

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Prefix Translation: WATER RIGHT

Conditions of Approval - -
No Conditions of Approval found.

Decree Defendant

Decree Date
00/00/0000

- - -Comments- -
No Comments Found

Water Rights Dates and Flags Area

- Field Exam Fee
- Swan Falls
- Temporary Right
- P
DLE/Carey Act
- Water District
- Transfer/Amended
- POU Ownership Flag-

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