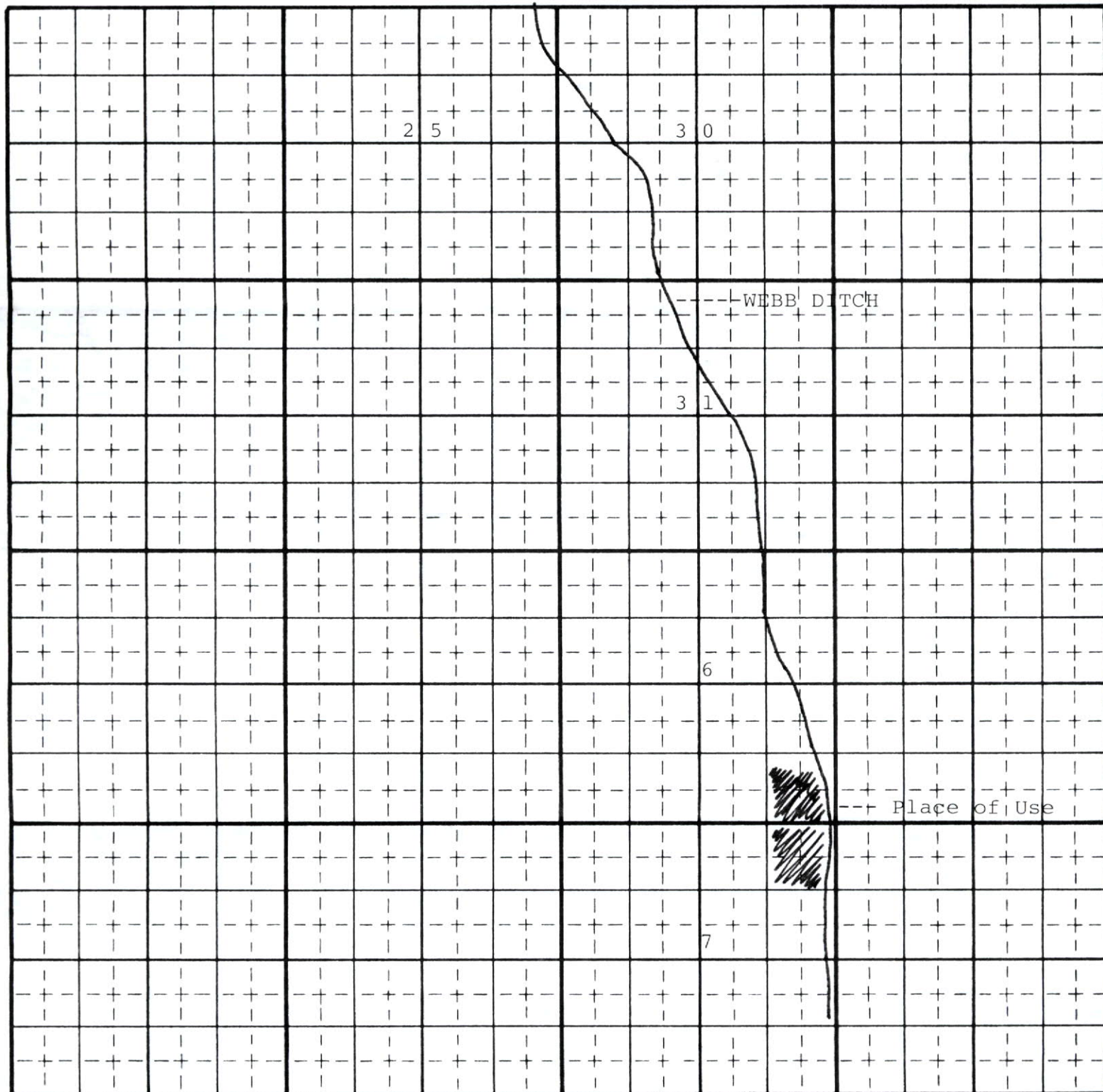


Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

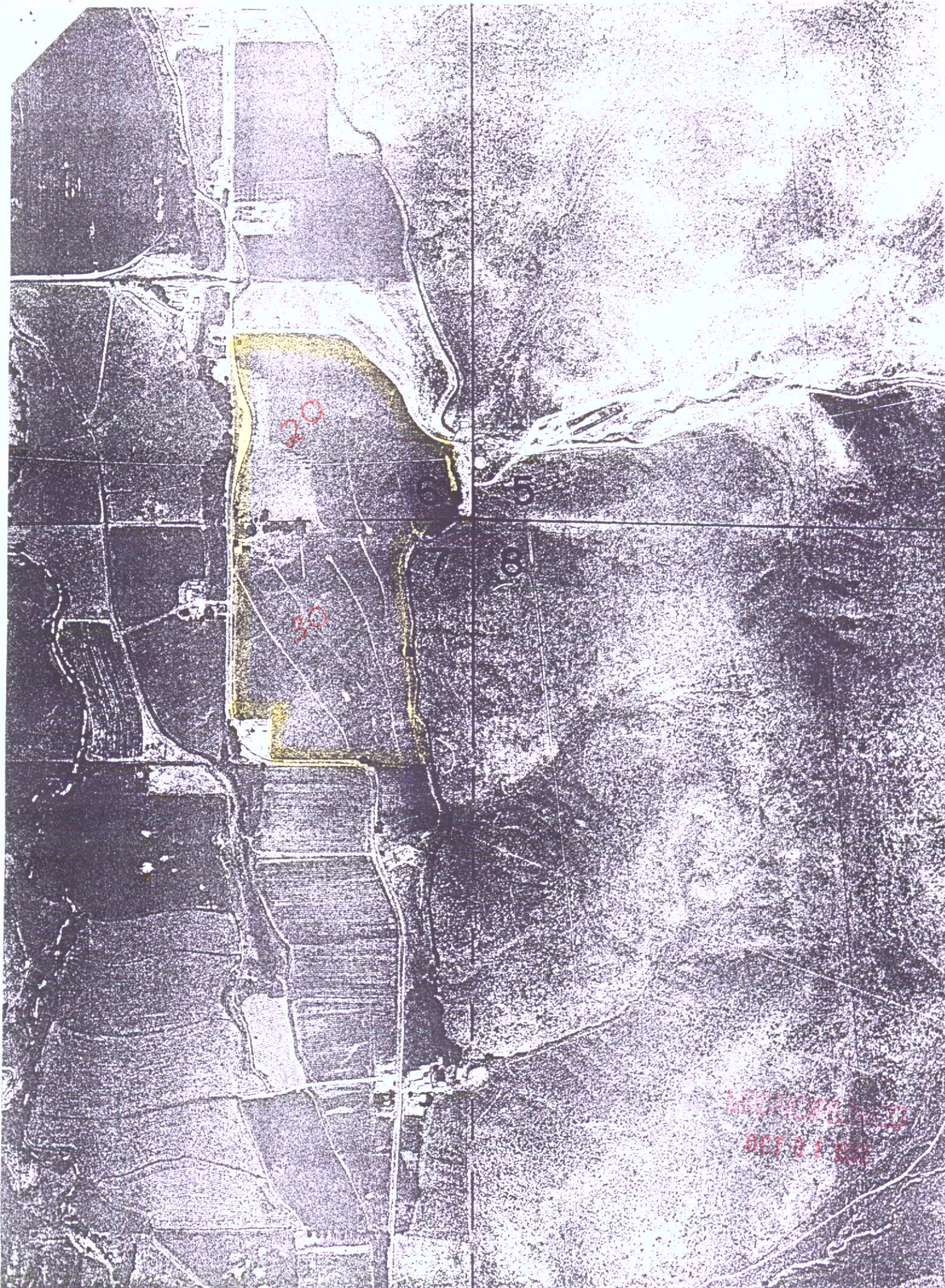
X Diversion Point T12NR5W, Sec. 24, SESESE



MICROFILMED
OCT 01 1992

Last Name Sandlian & Hunt Ident No. _____

Copies: White-State, Yellow-Claimant



UNCLASSIFIED
OCT 01 1991

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: A67-00538A
Date Received: 10/ 9/1990
Receipt No: W012771
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PEGGY FLINT 208-549-3930
Address: 1091 MANN CREEK RD.
WEISER, ID 83872
OR
Name: DENNIS WHITE 208-549-3930
Address: 1091 MANN CREEK RD.
WEISER, ID 83872
2. Date of Priority: JUN 1, 1881
3. Source: MANNS CREEK Trib. to: WEISER RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 12N | 05W | 24 | SE | SE | SE | | WASHINGTON |
5. Description of diverting works:
FLOOD IRR.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.000 | | |
7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 175.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 11N | 04W | 6 | SE | SE | | IRR | 20.0 |

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
		7	NE	NE	IRR	30.0
					Section Acres	30.0
					Total Acres	50.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
A67-02386, A67-04489

14. Remarks:
THIS IS A PRIMARY RIGHT.
WATER CARRIED IN THE WEBB DITCH.
AC. IRR.=65. FLOODWATER 1.3 CFS.
SPLIT RIGHT, ACRES IRR.=50 ACRES.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

E. V. JEFFERSON ET. AL.
Decree Plaintiff

vs

THOMAS HIGGENBOTHAM ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s):

Jerry T. Tint

Date:

3/19/91

Date:

State of Idaho

)

County of

Ada

)

SS.

Subscribed and sworn (or affirmed) before me this

of March 19 91

19 day

Linda Werner

Notary Public

Seal

LINDA WERNER

Residing at RESIDING AT EAGLE, IDAHO

MY COMMISSION EXPIRES DEC. 8, 1994

My Commission Expires

17. Notice of Appearance:

Notice is hereby given that I, _____ will be

Print Name

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 _____

**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 _____

Date Received _____

Receipt Number _____

10-9-90

2012771

RECEIVED
OCT 09 1990

Department of Water Resources
Western Regional Office

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

Please type or print clearly

1. Name of Claimant (s) Colby B. Sandlian and/or
Jack R. Hunt Phone (316) 263-0118

Mailing Address 435 North Broadway, Suite 201, Wichita, KA Zip 67202

2. Date of Priority (Only one (1) per claim) June 1, 1881

3. Source of water supply (a) Manns Creek
which is tributary to (b) Weiser River

4. a. Location of existing point of diversion is: Township 12 N Range 5W Section 24,
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of Washington

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. Webb Ditch

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OCT 01 1992

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 1.6 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 275 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	
11N	4W	6																37	37
11N	4W	7	28																28

Total number of acres irrigated 65

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

12. Do you own the property listed above as place of use? Yes X 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.
A67-02386 (B.O.R. Stor. Rt.) and A67-04489 or None ()

14. Remarks:

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OCT 01 1992

Last Name Sandlian & Hunt Ident No. _____

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.

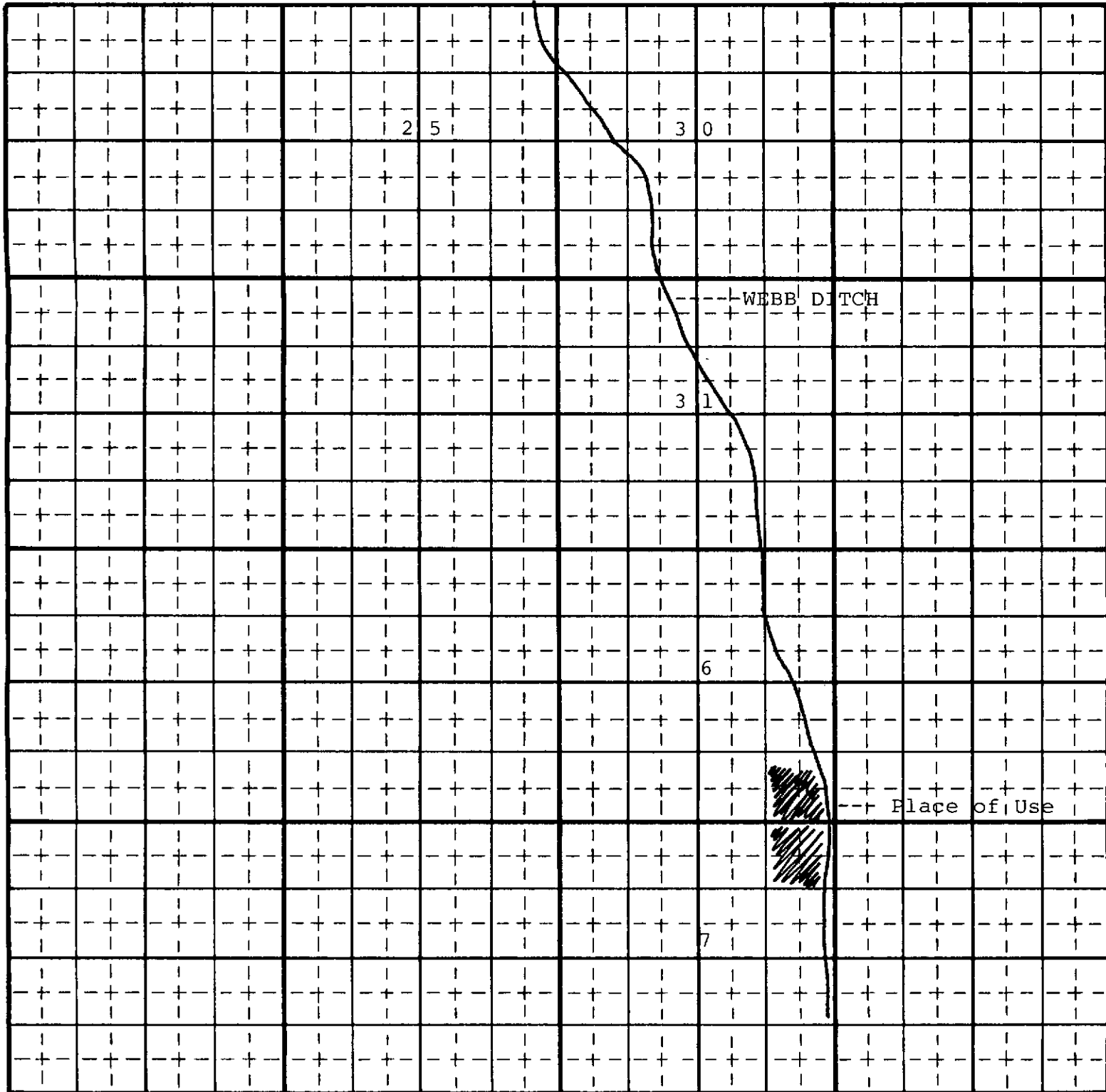
The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

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.

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

Scale: 2 inches equals 1 mile

X Diversion Point T12NR5W, Sec. 24, SESESE



MICROFILMED

OCT 01 1992

Last Name Sandlian & Hunt

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree X
If applicable provide IDWR Water Right Number 67-00538
Court Washington County Case Number 1238 Decree Date June 3, 1921
Plaintiff vs Defendant E. V. Jefferson, et al, v. Thomas Higgenbottom, et al

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) Colby B. Sandlian

Date 10-1-90

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 _____

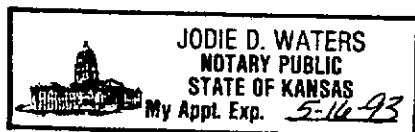
Title and Organization _____

Date _____

State of ~~Idaho~~ KANSAS)
County of SEDGWICK) SS.

Subscribed and sworn (or affirmed) before me this 1st day of October 19 90

SEAL



Notary Public Jodie D. Waters

Residing at 1727 Marlboro; Wichita, Kansas

My Commission Expires May 16, 1993

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, Nicholas T. Bokides 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 Nicholas T. Bokides

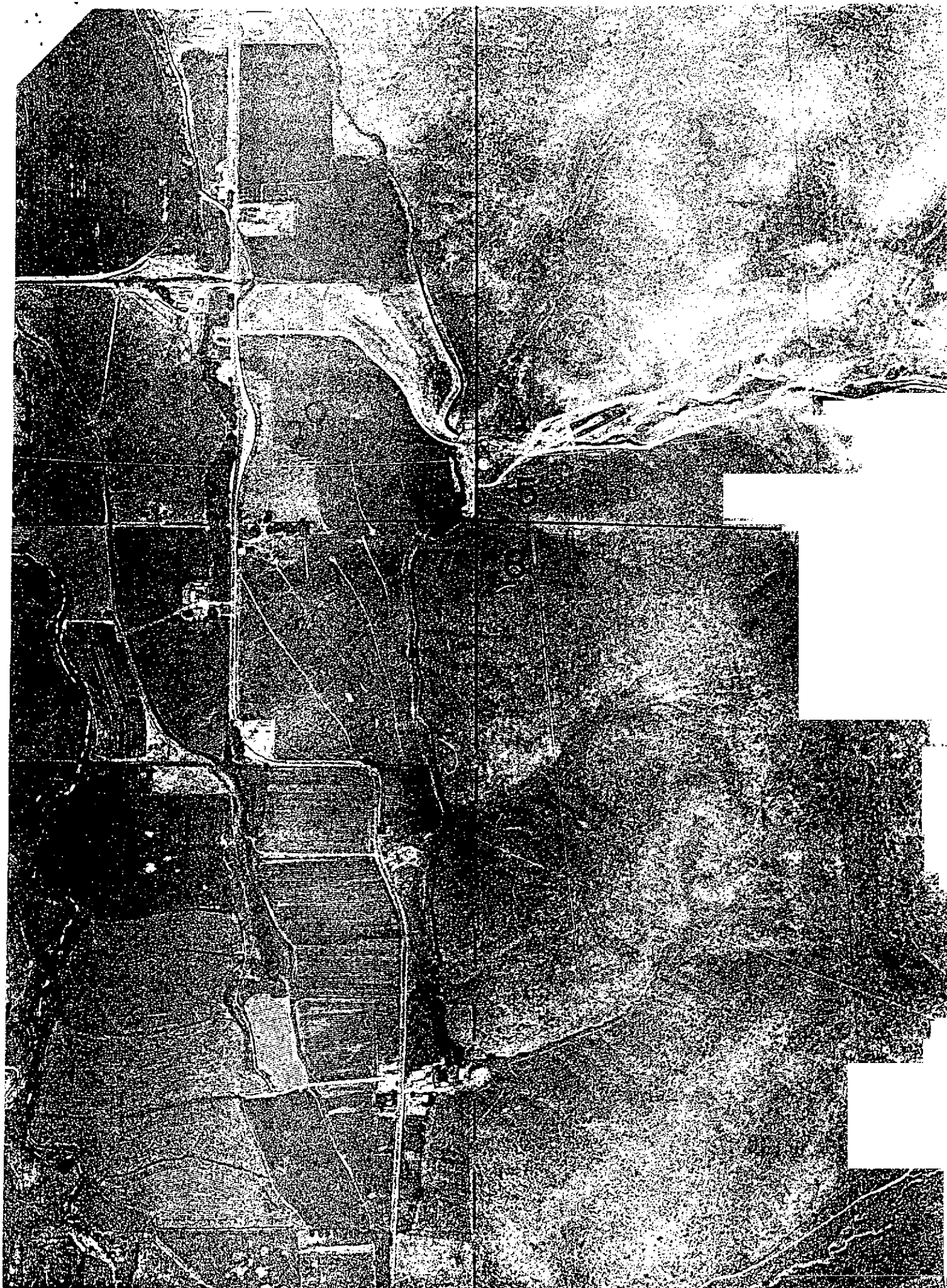
Address P. O. Box 28, Weiser, Idaho 83672

Date September 27, 1990

MICROFILMED
OCT 01 1992

Last Name Sandlian & Hunt Ident. Number _____

Copies White-State, Yellow-Claimant



WARRANTY DEED

For Value Received

W. MARTIN SMITH AND PHYLLIS G. SMITH, husband and wife

The grantor s, do hereby grant, bargain, sell and convey unto

DENNIS WHITE AND PEGGY FLINT, husband and wife

the grantee s, whose current address is 1091 Mann Creek Road, Weiser, ID 83672

the following described premises, in

WASHINGTON

County Idaho, to-wit:

SEE EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s
 their heirs and assigns forever. And the said Grantors do hereby covenant to and
 with the said Grantees that they are the owner in fee simple of said premises; that they are free
 from all incumbrances

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

Dated: 2/28/91W. Martin Smith

W. Martin Smith

Phyllis G. Smith

Phyllis G. Smith

NEVADA
 STATE OF ~~IDAHO~~, COUNTY OF CARSON CITY
 On this 28th day of February, 1991,
 before me, a notary public in and for the said State, personally
 appeared

W. Martin Smith and
 Phyllis G. Smith

known or identified to me to be the person s whose name s
 subscribed to the within instrument, and acknowledged to me
 that they executed the same.

Charlene Cypner Forsell

Notary Public

Residing at Carson City, Nevada, Idaho
 Comm. Expires August 5, 1991

STATE OF IDAHO, COUNTY OF WASHINGTON

I hereby certify that this instrument was filed for record at the
 request of WEISER VALLEY TITLE CO.

at 50 minutes past 2:00 o'clock p.m.
 this 1ST day of MARCH
 19 91, in my office, and duly recorded in BOOK
 of Deeds at XXXX # 151173

MARY KAUTZ

Ex-Officio Recorder

By Carol Kautz

Deputy.

Fees \$ 6.00

Mail to:

WEISER VALLEY TITLE CO.

☒ Cmp. Index
☒ Cmp. Rcl.
☒ Film
☒ Compare
☒ Card Rcl.
☒ Bk. Rcl.
☒ Update
☒ Return



CHARLENE CYPNER
 NOTARY PUBLIC - NEVADA
 CARSON CITY
 My Appt. Expires Aug. 5, 1991

EXHIBIT "A"

IN WASHINGTON COUNTY, IDAHO:

IN TOWNSHIP 11 NORTH, RANGE 4 WEST, BOISE MERIDIAN:

SECTION 6: Beginning at the NW corner of the SE1/4SE1/4 of Section 6, Township 11 North, Range 4, West Boise Meridian; thence South along the West line of said SE1/4SE1/4 291 feet, more or less, to a point on the South line of an existing lane, being the TRUE POINT OF BEGINNING; thence Southeasterly along the Southerly and Westerly line of said lane to a point on the Westerly right of way of the Mann Creek Irrigation Ditch; thence Southerly along the said Westerly right of way of the Mann Creek Irrigation Ditch to a point where said Ditch intersects the South line of the SE1/4SE1/4 of Section 6, Township 11 North, Range 4 West Boise Meridian; thence West along the South line of said SE1/4SE1/4 to the SW corner of said SE1/4SE1/4; thence North along the West line of said SE1/4SE1/4 to the TRUE POINT OF BEGINNING.

SAVE AND EXCEPT right-of-way for Mann Creek Road.

SECTION 7: All that part of the NE1/4NE1/4 lying West of the Mann Creek Irrigation Ditch right-of-way. SAVE AND EXCEPT the following described tract, to-wit:

Beginning at the SW corner of the said NE1/4NE1/4; thence North 233 feet; thence East 224.5 feet; thence South 233 feet; thence West 224.5 feet to the point of beginning.

SAVE AND EXCEPT right-of-way for Mann Creek Road.

RECORDED
OCT 01 1992

Nicholas T. Bokides
ATTORNEY AT LAW

320 STATE STREET, P. O. BOX 28
WEISER, IDAHO 83672
(208) 549-0611

October 4, 1990

RECEIVED
OCT 09 1990

Department of Water Resources
Western Regional Office

Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Re: Sandlian and Hunt Notice of Claim

Dear Sirs:

Enclosed please find an original Notice of Claim to a Water Right for Colby B. Sandlian and Jack R. Hunt covering lands owned by them in Washington County. Also enclosed is my check in the amount of \$100.00 to cover the filing fee and late charge. The \$1.00 per acre charge on this land has already been paid under the filing by Mann Creek Irrigation District.

Should you have any questions concerning the enclosed, do not hesitate to get in touch with me.

Thank you.

Yours very truly,



Nicholas T. Bokides

NTB:jw

Enclosures

pc: Mr. Colby B. Sandlian

OCT 01 1992