

RECEIVED

AUG 29 2006

DEPARTMENT OF
WATER RESOURCES

08/18/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: September 22, 2006

Water right number: 79-10478

TRACY DENLEY
4563 E RIM RD
GRANDVIEW ID 83624
Telephone Number: (208)834-2055

SANDRA DENLEY
4563 E RIM RD
GRANDVIEW ID 83624
Telephone Number: (208)834-2055

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE:

8-28-06

SIGNATURE:

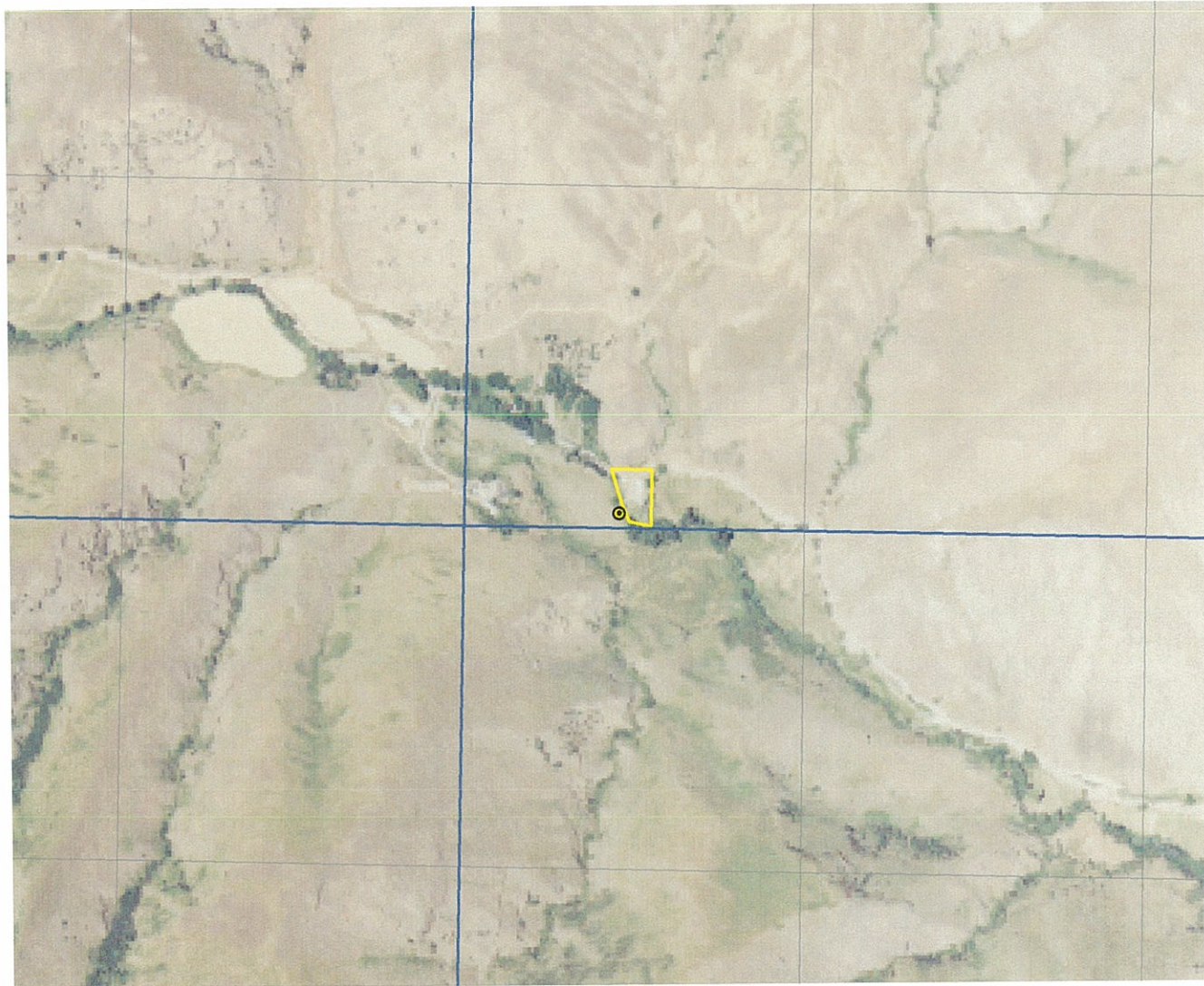
Sandra Denley

Please print your name:

SANDRA DENLEY

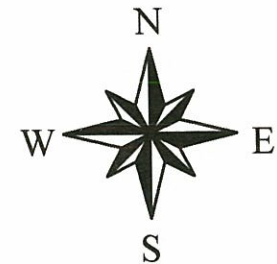
IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

79-10478



T24N R01E
Section(s) 3

● Point of Diversion
□ Place of Use



Map prepared by: Greg Taylor
Date Prepared: January 10, 2005
Photography: Aerial Photo
Idaho Department of Water Resources

0 500 1000 1500 2000 2500 3000 3500 Feet

A scale bar with alternating black and white segments, representing distances from 0 to 3500 feet.

01/10/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-10478

NAME AND ADDRESS: TRACY DENLEY
4563 E RIM RD
GRANDVIEW ID 83624

SANDRA DENLEY
4563 E RIM RD
GRANDVIEW ID 83624

SOURCE: RACE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: ~~0.030~~ CFS

PRIORITY DATE: 08/01/1907

POINT OF DIVERSION:

T24N R01E S3 SWSWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

02/15 11/30

~~0.030~~ CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R01E S03 SWSW 0.5

0.5 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 79-10478

WATER RIGHT NUMBER: 79-10478

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DENNIS N POPE PO BOX 432 RIGGINS, ID 83549 (208)623-3701
Original Owner	ROBERTA POPE BOX 432 RIGGINS, ID 83549 (208)628-3701
Current Owner	STANLEY J ROMANS PO BOX 312 RIGGINS, ID 83549

Sandra Denley
HC 85 Box 256-H
Grandview, ID. 83624

Now

Sandra Denley

*They are sending in change
of ownership soon!*

Priority Date: 01/01/1920
 Basis: Beneficial Use
 Status: Active

Source

RACE CREEK

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

3/01 to 12/01

Diversion Rate

0.030 CFS

Annual VolumeTotal Diversion:

0.030 CFS

Location of Point(s) of Diversion

RACE CREEK

SW1/4SW1/4SW1/4

Sec. 3, Twp 24N, Rge 01E, B.M.

IDAHO County

RACE CREEK

SE1/4SE1/4SE1/4

Sec. 4, Twp 24N, Rge 01E, B.M.

IDAHO County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
24N	01E	3																	1.0

Total Acres: 1

Conditions of Approval:Remarks:

1.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
 Database also showed number X79-10478, which should have been deleted, as transfer has been approved.
 Ownership changed by DB 2/27/2001.

Comments:



State of Idaho
DEPARTMENT OF WATER RESOURCES

1118 F. St, Lewiston, Idaho 83501

Phone: (208) 743-0301 FAX: (208) 743-0415 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 8, 2004

Re: Evidence of Priority Date July 1, 1904

79-10478
STANLEY J ROMANS
PO BOX 312
RIGGINS ID 83549

RESPONSE DEADLINE
October 8, 2004

Dear Claimants:

The Notice of Claim to a Water Right (claim) identified with the number shown above your names has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose or purposes claimed, and are termed beneficial use rights. The priority date (which is the date the water was first used) has not been confirmed by a License or a Decree. Likewise, the historic use of the water, which is the amount of water diverted and the extent to which it has been applied to beneficial use, must also be determined.

As an example, the historic use for an irrigation right would be the number of acres irrigated and the amount of water diverted at the time the water use was developed. Since the priority date and historic use of a beneficial use right has not been confirmed by Idaho Department of Water Resources (IDWR) or a Court, **proof must be provided by the claimant** supporting both the priority date claimed and the historic use of the water.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if no evidence of the priority date and of the historic use is submitted. It will be to your advantage to provide the best evidence possible. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office at 1-208-743-0301.

Sincerely,

Gregory J. Taylor
Sr. Water Agent

Enclosures:

"Evidence of Priority" pamphlet
Computer generated copy of claim

IC Home Sec. 101

11616

THE UNITED STATES OF AMERICA

Certificate No. 3716

TO ALL TO WHOM THESE PRESENTS SHALL COME—GREETING

WHEREAS,

Allen L. Riggle

has deposited in the General Land Office of the United States a

Certificate of the Register of the Land Office at Boise, Idaho

whereby it appears that full payment has been made by the said Allen L. Riggle

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the Sale of the Public Lands," and the acts supplemental thereto, for the southeast quarter of the southwest quarter, the north half of the southwest quarter, and the southeast quarter of the northwest quarter of Section three, Township twenty-four North of Range one East of the Boise Meridian, Idaho; containing one hundred sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said Allen L. Riggle

NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Allen L. Riggle and to his heirs, the said tract above described:

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said Allen L. Riggle

and to his heirs and assigns, forever; subject to any vested and accrued water rights for mining, agriculture, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein, or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the fourth

in the year of our Lord one thousand

Re: 79-10458

1702

according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the Sale of the Public Lands," and the acts supplemental thereto, for the Southwest quarter of the Southwest quarter, the North half of the Southwest quarter, and the Southeast quarter of the Northwest quarter of Section three in Township twenty-four North of Range one East of the Boise Meridian, Idaho, containing one hundred sixty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said Allen L. Riggle

NOW, KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Allen L. Riggle and to his heirs, the said tract above described:

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereunto belonging, unto the said Allen L. Riggle

and to his heirs and assigns, forever, subject to any vested and accrued water rights for mining, agriculture, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein, or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law, and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the fourth day of August in the year of our Lord one thousand nine hundred and seven and of the Independence of the United States the one hundred and thirty-seventh

BY THE PRESIDENT

William McKinley

John D. Smith

Secretary of the General Land Office

Miscellaneous

Recorded Vol. 224 Page 112

Filed for Record at

Boise, Idaho Aug 29 1907

County Recorder

Fee \$1.00

5-28-1907

1st split to
Existing Description

BK 90 - Pg 429

Feb 1.00

Carl T. Reutter, Clerk
By Rob J. Waite, Deputy.

✓190342

Lenora S. Wilson
to
Mark Lawrence

THIS INSTRUMENT, made this twenty-second day of December in the year of our Lord, one thousand, nine hundred and fifty-six between Lenora S. Wilson, a widow of Higgins, County of Idaho, State of Idaho, party of the first part, and Mark Lawrence of Higgins, County of Idaho, State of Idaho, party of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of Two-hundred and fifty dollars (\$250.00), in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, sell, convey, and confirm unto the said party of the second part and to his heirs and assigns forever, all of the following described real estate situated in Idaho County, State of Idaho, to-wit:

A tract described as beginning at a point on the East line of the $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, Twp 24 N.R. 1 E.B.M., where the same is intersected by the South right of way line of U.S. Forest Service Road No. 241; thence Westerly, along said right of way line, a distance of 175 ft., more or less, to the East bank of Race Creek; thence Southerly and Easterly, along the course of Race Creek, to the Southeast corner of said $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3; thence North on the East line of said $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 3, approximately 250 ft., to the place of beginning, being a tract roughly triangular in shape, bounded on the North by the South right of way line of U. S. Forest Service Road # 241, on the West and South by the present course of Race Creek, and on the East by the East line of the $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, Twp 24 N. R. 1 E.E.M.

TOGETHER with all and singular, the hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders

Rev 79-10478

rents, issues, and profits thereof and all estate, right, title and interest in and to said property of the said party of the first part.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part and to his heirs and assigns forever. And the said party of the first part covenant that she -- good and lawful right to sell and convey the said land and that she is possessed of fee simple title thereto and that she and her heirs and assigns will forever WARRANT and DEFEND the same against all persons lawfully claiming the same

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal, the day and year first above written.

Signed, Sealed and Delivered
in the Presence of: --

(Int. Rev. 55#)

Lenora E. Wilson

(Seal)

STATE OF IDAHO

County of Idaho ss.

On this 22 day of December in the year 1956, before me, Walt. Schleicher, a Notary Public in and for said County and State, personally appeared Lenora E. Wilson known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

" Walt Schleicher, Notary Public "
" State of Idaho "

Walt. Schleicher, Notary Public.

My commission expires on the 14 day of December, 1959.

STATE OF IDAHO

County of Idaho ss.

Filed for record in the office of the Recorder of Idaho County at the request of Mark Lawrence on the 29 day of Feb. A. D. 1957, at 11:30 o'clock A.M.

Carl T. Reuter, County Recorder.

Fee: \$1.50

By Bob J. Laite, Deputy.

✓ 190345

Norman Tragollas et ux }

to }

John F. Stagner et ux }

THIS INSTRUMENT, made this 25th day of February in the year of our Lord, one thousand, nine hundred and fifty seven between Norman Tragollas and wife, Tragollas, husband and wife, of Bonnevile, County of Idaho, State of Idaho, and John F. Stagner, et ux, of Bonnevile, County of Idaho, State of Idaho.

Chain of Title

Rec. 10478
79-

Part of Sec. 27, T. 23 N., R. 1 E.

771
Beg. at a pt. on the E. line of the W1/2SW1/4 of Sec. 3 where the same is intersected by the S. r.o.w. line of U. S. Forest Service rd. 241; thence Westerly along said row, 175 ft.; to the E. bank of Race creek; thence Southerly and Easterly, along the course of race creek to the SE corner of W1/2SW1/4 of sec. 3; thence N. on the E. line of W1/2SW1/4 of said Sec. approx. 250 ft. to the place of Beg.

2/25/57 Mark Lawrence
1-16-78 Arthur Riley et al
9/14/79 Dennis A. Pope et al
11/24/80 Dennis A. Pope
5/24/84 Sandra Denney 435500 210

90-129



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

February 27, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

STANLEY J ROMANS
PO BOX 312
RIGGINS ID 83549

Re: Notice of Claim to a Water Right No. A78-10478

Dear Claimant:

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 ownership 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 I
Adjudication Section
Western Region Office

DB:db

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 22, 2000

STANLEY J ROMANS
PO BOX 312
RIGGINS ID 83549

RE: Water Right No. 79-10339

Dear Property Owner:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Water right number A79-10478 is still currently being reviewed, and you will be notified in the future if further information is needed.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed water rights, 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

DB:db

Enclosures

cc: Dennis Pope

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 79-10478
Date Received: 6/18/91
Receipt No: W013433
Received By:

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

1. Name of Claimant(s): STANLEY J ROMANS Phone: (208) 628-4024
PO BOX 312
RIGGINS ID USA 83549

2. Date of Priority: 01/01/1920

3. Source: RACE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	01E	3	SW SW SW	IDAHO	
24N	01E	4	SE SE SE	IDAHO	

5. Description of diverting works:

DITCH & PUMP FROM RACE CREEK TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/01	12/01	0.03	

7. Total Quantity Appropriated is:
0.03 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
24N	01E	3	SW SW		IRRIGATION	1
Section Acres						1
Total Acres						1

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Database also showed number X79-10478, which should have been deleted, as transfer has been approved.

Ownership changed by DB 2/27/2001.

15. Basis of Claim: Beneficial Use

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

RECEIVED

SEP 18 2000

**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
	A79-10339				
	A79-10478				

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) *Dennis N. Pope - Roberta M Pope*
Box 4 Valmy NV, 89438
4. New Owner/Claimant(s) *Stanley J Romans*
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address *PO Box 312*
- City, State and ZIP Code *Riggins Id. 83549*
- New Telephone Number *208 628 4024*
5. Date you acquired the property *Jan - 24 - 2000*

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) Stanley Romans
(include title if applicable) _____

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

For Office Use Only

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

WARRANTY DEED

0410290

THIS INDENTURE, made on this 24th day of January, 2000, by and between DENNIS N. POPE, joined by his wife, ROBERTA M. POPE, of Box 4, Valmy, NV 89438, hereinafter referred to as the Grantors, and STANLEY J. ROMANS, a single woman, of P.O. Box 282, Pollock, ID 83547, hereinafter referred to as the Grantee.

WITNESSETH:

That the said Grantors, for and in consideration of the sum of Ten Dollars (\$10), lawful money of the United States of America, and other good and valuable considerations to them in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, having granted, bargained, sold, and by these presents do grant, bargain, sell, convey, and confirm unto the said Grantee, her heirs and assigns, all the following described real property situate in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and hereby incorporated by this reference.

TOGETHER WITH, all and singular, the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, the remainder and remainders, rents, issues, and profits thereof, and all estate, right, title, and interest in and to the said property as well in law as in equity of the said Grantors.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantee, her heirs and assigns forever.

And the said Grantors, for themselves, their heirs, executors, and administrators, do covenant, grant, bargain, and agree to and with the said Grantee, her heirs and assigns, that at the time of the ensealing and delivery of these presents they were well seized of the premises above conveyed as of good, sure, perfect, absolute, and indefeasible estate of inheritance, in fee simple, and have good right, full power, and lawful authority to grant, bargain, sell, and convey the same in the manner and form aforesaid, and that the same are free and clear from all and former

Copy

grants, bargains, liens, taxes, assessments, and encumbrances of whatever kind or nature whatsoever, **EXCEPT:**

1) General taxes for the year 2000, which are a lien, not yet due and payable.

2) Subject to the reservation and rights as set forth in Warranty Deed, including the terms and conditions thereof, by and between Allan Riggle and Ella M. Riggle, husband and wife, and James Murrey, recorded March 7, 1918 under Instrument No. 51755, in Book 42 page 485, records of Idaho County, Idaho.

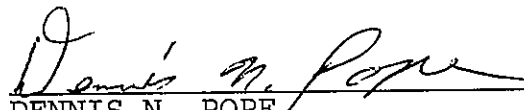
3) Telephone Line Easement, including the terms and conditions thereof, by and between James Murray and The United States of America, recorded September 22, 1922, under Instrument No. 69523, in Book 50 page 44, records of Idaho County, Idaho.

4) Power Line Easement, including the terms and conditions thereof, by and between Geo. W. McMahan and Xenia McMahan, husband and wife, and Idaho Power Company, a corporation, recorded April 24, 1948, under Instrument No. 159353, in Book 80 page 555, records of Idaho County, Idaho.

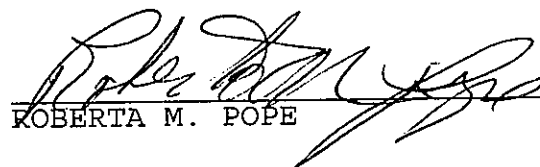
And that the above bargained premises, in the quiet and peaceable possession of the said Grantee, her heirs and assigns, against all and every person or persons lawfully claiming or to claim whole or any part thereof, the said Grantors will and shall WARRANT AND FOREVER DEFEND.

That this deed is given by Grantors to Grantee not on account of any default in any security agreements or arrangements which pertain to the real property hereinabove written and described, but is given for full consideration paid by Grantee to Grantors.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands and seals the day and year first above written.


DENNIS N. POPE

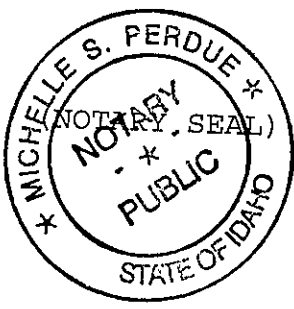
Joined by:


ROBERTA M. POPE

STATE OF Idaho)
County of Idaho) SS

On this 24th day of January, 2000, before me, a Notary Public in and for said County and State, personally appeared DENNIS N. POPE, joined by his wife, ROBERTA M. POPE, known to me to be the persons whose names are subscribed to the within instrument and they acknowledged to me that they freely executed the same.

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



Michelle S. Perdue
Notary Public for the State of Idaho,
Residing at Grangeville, therein.
My commission expires 3/26/2004.

STATE of IDAHO
County of Idaho
Recorded at request of Idaho
Co. Title
1:00 p. 1/24/00
ROSE E. GENRING
by A. Hudson Recorder
Fee \$ 12.00 Deputy



ISSUED BY
COMMONWEALTH LAND TITLE INSURANCE COMPANY

Commonwealth
A LANDAMERICA COMPANY

OWNER'S POLICY OF TITLE INSURANCE

POLICY NUMBER

A60-400777

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, COMMONWEALTH LAND TITLE INSURANCE COMPANY, a Pennsylvania corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, COMMONWEALTH LAND TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed by its duly authorized officers, the Policy to become valid when countersigned by an authorized officer or agent of the Company.

COMMONWEALTH LAND TITLE INSURANCE COMPANY

Attest:

Wm. Chadwick Perrine

Secretary



By:

Janet A. Alpert

President

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the affect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
(b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy.
4. Any claim, which arises out of the transaction vesting in the Insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on:
 - (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure:
 - (i) to timely record the instrument of transfer; or
 - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

SCHEDULE A

Amount of Insurance: \$45,000.00

Policy No. A60-400777

Premium: \$352.50

File No. 14194

Date of Policy: January 24, 2000 @ 1:00 P.M.

1. Name of Insured: STANLEY J. ROMANS
2. The estate or interest in the land which is covered by this policy is: **Fee simple**
3. Title to the estate or interest in the land is vested in:

STANLEY J. ROMANS, a single woman
4. The land referred to in this policy is described in said instrument, is situated in the County of Idaho, State of Idaho, and is identified as follows:

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 3: A tract described as beginning at a point on the East line of the $W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ of Section 3, Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho, where the same is intersected by the South right of way line of U. S. Forest Service Road No. 241; thence Westerly along said right of way line, a distance of 175 ft., more or less, to the East bank of Race Creek; thence Southerly and Easterly, along the course of Race Creek, to the Southeast corner of said $W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ of Section 3, thence North on the East line of said $W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ of said Section 3, approximately 250 ft, to the place of beginning, being a tract roughly triangular in shape, bounded on the North by the South right of way line of U. S. Forest Service Road No. 241, on the West and South by the present course of Race Creek, and on the East by the East line of the $W\frac{1}{2}SW\frac{1}{4}SW\frac{1}{4}$ of Section 3, Township 24 North, Range 1 East, Boise Meridian.

Countersigned:



J. PAUL EIMERS, Authorized Officer or Agent

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: **A79-10478**
Date Received: 6/18/1991
Receipt No: W013433
Received By: _____

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

1. Name: ROBERTA POPE 208-628-3701
Address: BOX 432
RIGGINS ID 83549
AND/OR
Name: DENNIS N POPE 208-628-3701
Address: BOX 432
RIGGINS ID 83549

2. Date of Priority: JAN 1, 1920

3. Source: RACE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	3	SW	SW	SW		IDAHO
		4	SE	SE	SE		IDAHO

5. Description of diverting works:
DITCH & PUMP FROM RACE CREEK TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.030		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED
AUG 08 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	3	SW	SW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

BASED ON CLAIM NO. A79-04080 FILED ON SAME DITCH BY ROCKE WILSON.
CLAIM AMENDED PER TRANSFER NO. 3898 APPROVED 4/7/1992.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY
OF APPROVED TRANSFER NO. 3898 APPROVED 4/7/1992.

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: _____

MICROFILMED

AUG 08 1994

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 _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
AUG 23 1993
Department of Water Resources

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). A79-10478

Transfer No. 3898

2. Name of Water Right Holder(s): DENNIS AND ROBERTA POPE

Address: 130X432 RIGGINS ID 83549-0432

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete ☒

Not Complete ☐

Partially Complete (describe work completed) _____

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: _____

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Robert M. Pope
Signature

Aug. 18 - 1993
Date

(& title if on behalf of a company or organization)

JUL - 3 1962

Transfer No. 3898

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

AUG 10 1993

Department of Water Resources

Name of applicant Dennis and/or Roberta Pope Phone 628-3701

Post Office address Box 432 Riggins Id. 83549

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Add the option to divert from Race Creek
via a pump.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|-------------|-----------------------|------------------|---------------|
| A79-10478 | Jan 1, 1900 | 0.03 cfs | Err | 3/1 to 12/1 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 0.03 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Race Creek tributary to Salmon River
4. Point(s) of Diversion: _____

[illegible]

* 5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

- a. Description of diversion system Present system is a ditch from Race Creek to place of use. This application proposes the addition of a pump in Race Creek adjacent to the place of use.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
N/A
- d. Remarks: On the ditch from Race Creek, Upstream user is Locke Wilson, downstream users are Richard and Ledy Cooke, (who purchased property from Edward & Iris Seyfried).

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. A79-10478

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Adjudication.

Witness my hand this 7th day of April, 1992

A. Glen Saylor
Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

RECEIVED
JUL 15 1991

RECEIVED**AUG 10 1993**

Department of Water Resources
 Western Regional Office

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ Department of Water Resources
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A79-10478 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

Not reg'd for PPA addition ☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Race Creek tributary to Salmon R.4. Date or priority Jan 1, 1900

5. Water is used for the following purpose:

amount 0.03 cfs for Irr purposes from 3/1 to 12/1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.03 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	SW	3	24N	1E	Idaho	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
24N	1E	3											1						1

Total acres 19. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

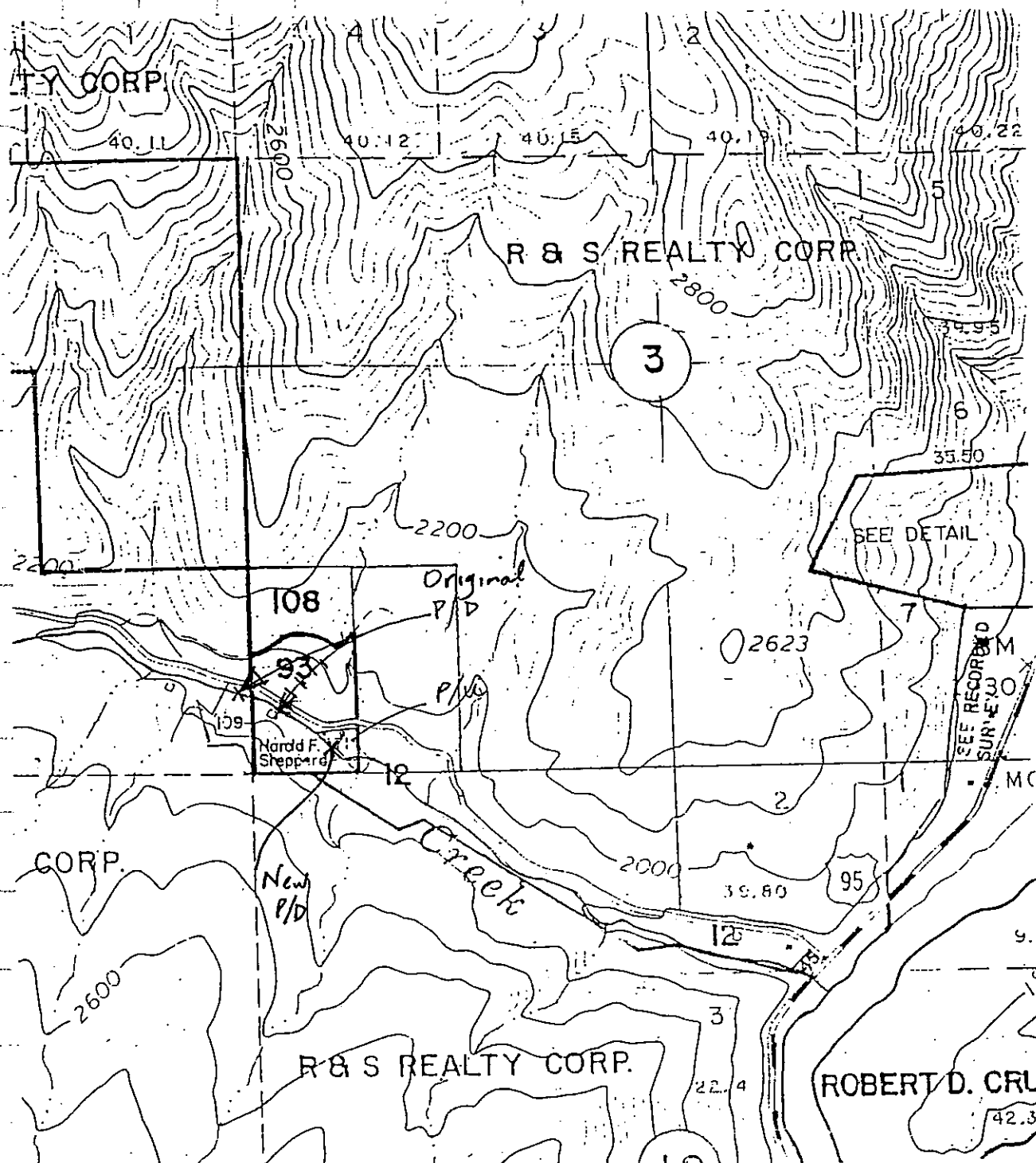
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



SCALE: 2 inches equal 1 mile. Draw plan in ink.

NO gov't lots in
C. 1/4 E 2 S 2 7/10/91

PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
NA	_____	_____	_____	_____ to _____
	_____	_____	_____	_____ to _____

2. Quantity and quality of return flows and location of discharge:

NA _____

3. Describe effects on other water uses resulting from the proposed change:

NA _____

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 9th day of July, 19 91.

David R. Tuttle
(Notary Public)

My commission expires 9/10/1994

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by DER Date 7/9/91 Protest filed by Rocke Wilson (Withdrawn)

Prelim. check by FL Fee 30.00 W013469

Receipted by DER Date 7/9/91

Published in Idaho County Free Press Copies of protest forwarded by _____

Pub. dates 7/17 & 7/24/91 Hearing held by _____ Date _____

AD. AMENDMENT 10/2 * 10/9/91 Watermaster recommendation requested on NA Recommended for ☒ approval ☐ denial

_____ rec'd. by DER

Copy of transfer sent to lien holder NA

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: A79-10478
Date Received: 6/18/1991
Receipt No: W013433
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS N. POPE 208-628-3701
Address: BOX 432
RIGGINS ID 83549
AND/OR
Name: ROBERTA POPE 208-628-3701
Address: BOX 432
RIGGINS ID 83549

2. Date of Priority: JAN 1, 1920

3. Source: RACE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	01E	3	SW	SW	SW		IDAHO

5. Description of diverting works:
DITCH FROM RACE CREEK TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.030		

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

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

AUG 08 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	3	SW	SW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:

NONE

14. Remarks:

BASED ON CLAIM NO. A79-04080 FILED ON SAME DITCH BY ROCKE WILSON.

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: _____

MICROFILMED

AUG 08 1994

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

AUG 08 1994

Water Right Number - A79-10478 ✓ Prefix Translation: ADJUDICATION CLAIM ✓ Old (D) Number -

*** C - CURRENT OWNER *** POPE ✓

POPE ✓ DENNIS N. ✓

POPE ✓ ROBERTA ✓

1 - BOX 432 ✓
2 -
3 -
City- RIGGINS ✓ State- ID ✓ Zip- 83549 ✓
Phone - 208-628-3701 ✓
1 - BOX 432 ✓
2 -
3 -
City- RIGGINS ✓ State- ID ✓ Zip- 83549 ✓
Phone - 208-628-3701 ✓

14 WESTERN ✓

Priority Date - 01/01/1920 ✓

Source - RACE CREEK ✓

Point of Diversion -

Stream Index (Blank if no Index Code)

Code - 01 - IRRIGATION ✓

Diversion Rate - 0.030 ✓

Diversion Volume - 3.0 ✓

Place of Use -

County - (49) IDAHO

Diversion Means - DITCH FROM RACE CREEK TO PLACE OF USE ✓

Non-Irrigation Use - NONE ✓

Other Rights for Same Use - NONE ✓

Remarks - BASED ON CLAIM NO. A79-00480 FILED ON SAME DITCH BY ROCKE WILSON.

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

A79-04080
per records
10/16/92

Prefix Translation: ADJUDICATION CLAIM

-	Court Report Filing	-	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39576
-	Object Response Filed Date	-	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
-	Response Filed Date	-	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
-	Claim Received Date	-	06/25/1991	Last Amended Date	-	00/00/0000	Temporary Right	-	P
-	Proof Due Date	-	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
-	Licensed Date	-	00/00/0000	Receipt Number	-	W013433	Federal/State Indicator	-	S
-	Claims Tape Error Flag	-		POU Ownership Flag	-	Y	Presumption Flag	-	
-	Fee Exempt Flag	-		Name Connector	-	AND/OR	Notice of Error Flag	-	

16/8/91

AUG 08 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: A79-10478
Date Received: 6/25/1991
Receipt No: W013433
Received By: DE JON

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DENNIS N. POPE 208-628-3701
Address: BOX 432
RIGGINS, ID 83549
AND/OR
Name: ROBERTA POPE 208-628-3701
Address: BOX 432
RIGGINS, ID 83549

2. Date of Priority: JAN 1, 1920

3. Source: RACE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	3	SW	SW	SW		IDAHO

5. Description of diverting works:
DITCH FROM RACE CREEK TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	12/01	0.030		

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

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

MICROFILMED

AUG 08 1994

POOR ORIGINAL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	3	SW	SW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
NONE

14. Remarks:

BASED ON CLAIM NO. A79-00480 FILED ON SAME DITCH BY ROCKE WILSON.

15. Basis of Claim: BEN

↑ should be

16. Signature(s)

A79-04080
kw

(a.) By signing below, understand the form ent Basin Adjudication." (a small annual fee for

at I/We have received, read and receive notice in the Snake River not _____ wish to receive and pay e 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: _____

MICROFILMED

AUG 08 1994

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 08 1994

POOR ORIGINAL

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 ~~A78-10601~~ A79-10478
Date Received 6/18/91
Receipt Number WOI3433 (\$1.00)

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Dennis N. and/or Roberta Pope Phone (208) 628-3701
Mailing Address Box 432 Riggins, ID Zip 83549

2. Date of Priority (Only one (1) per claim) Jan 1, 1900 ~~1920~~ R.P.

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

4. a. Location of existing point of diversion is: Township 24N Range 1E Section 3,
SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot, B.M., County of Idaho

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
including the dates of
constructed and as e

to P/U

*Should
be
A79-04080
RW*

airs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
use, the dimensions of the diversion works as

all. Ditch From Race Cr.

* Based on claim No. A79-0480 filed on same ditch by Rocky Wilson

MICROFILMED

AUG 08 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/1 to 12/1 amount 0.03 or 0.03

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.03 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 3.0 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	
24N	1E	3											1						1

Total number of acres irrigated 1

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

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.

or None (X)

14. Remarks:

Last Name Pope Ident No. A79-10478

Copies: White -State, Yellow-Claimant

Map of

3

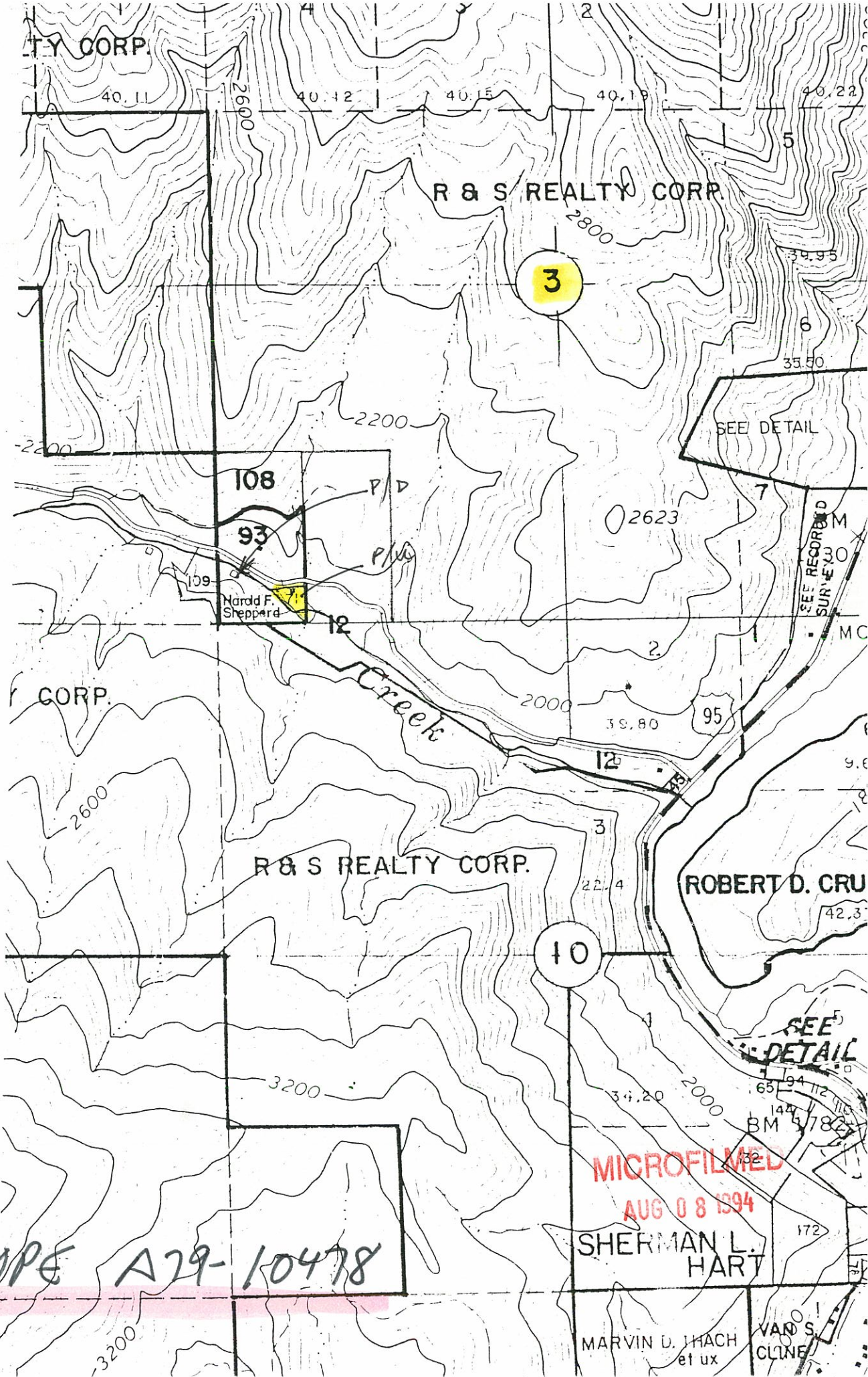
The image shows a 16x16 grid of squares, each containing a crosshair pattern. The grid is divided into four 8x8 quadrants by a central vertical and horizontal line. Handwritten annotations include 'PID' and 'PIK' in the bottom-left quadrant, and '3' and '10' in the bottom-right quadrant.

AUG 08 1994

Pope

Δ79-10478

Copies: White-State, Yellow-Claimant



POPE A79-10478

MICROFILMED
AUG 08 1994

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) ☒ Robert M. Pope Date 6-18-91

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 _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18 day of June 19 91

SEAL

Notary Public Lori Harris

Residing at Boise, ID

My Commission Expires 12-8-94

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 08 1994

Last Name Pope Ident. Number A79-10478

Copies White-State, Yellow-Claimant

Date Received 6/25/91

Approved

RECEIVED

JUL 2 1991

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

Department of Water Resources
Western Regional Office

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Dennis & Roberta Pope () 628-3701
Name of Claimant Phone Number

P.O. Box 432 Riggins Id 83549
Mailing Address City State Zip

Idaho 7/27/1988
County(s) where place of use is located Date claim originally due

A79-10478
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Claimants called to explain that they had filed claim no. A79-10339,
but did not understand that it would be necessary to file the above-
referenced claim, as it is on a common ditch used by others as well.

Claimant requests an extension to 6/25/91, 19 91

David R. Tuttle for Roberta Pope 6/25, 19 91
Signature Date of request

Mgr, Western Reg Off
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to 6/25, 19 91

Signed this 30 day of June, 19 91

David B. Shaw
Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

AUG 08 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 21, 1991

Dennis N. and Roberta Pope
Box 432
Riggins, ID 83549

*A 79-10478
Ext granted 6-25-91
cy attached.
of
12-16-91*

Re: Snake River Basin Adjudication (SRBA)
Idaho County

Dear Mr. and Mrs. Pope,

We are returning your Notice of Claim to a Water Right filed for your property in Idaho County. We have noted some problems with your claim which require your attention.

A critical item of the water right, the month and day, on your date of priority, was left off your claim in Item #2. This is the date that the water was first placed to beneficial use to the best of your knowledge. If you do not complete a month and day, we will enter it into the computer as December 31, 1920.

The period of use at Item #6 on this form refers to a month and day within the calendar year when you actually use the water. If you use the water all year long, please note "1/1" to "12/31". If your use of the water is seasonal, you might want to note "6/1" to "9/1", or whatever dates apply to your particular situation.

At Item #8, you have failed to indicate the amount of consumptive use for your property. For your legal description the Department suggests 3.0 acre feet per acre per annum. You are claiming one acre of irrigated land; therefore, your consumptive use would be 3.0 acre feet per annum. If this does not agree with your actual usage, please explain at Item #14, "Remarks".

The correct filing fee of \$51.00 for this claim was not collected. The correct and full filing fees must be submitted with the Notice of Claim in order to include your water right in the report to the court. Additionally, your Notice of Claim form was received late. The filing deadline for your area was noted on the Commencement Notice you received. The statutes governing the adjudication provide that late fees be assessed to encourage prompt filing of the Notices of Claims. Idaho Code §42-1409(8) sets these fees at \$50.00 or

MICROFILMED

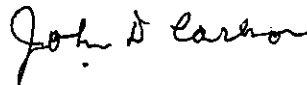
AUG 08 1994

Dennis N. and Roberta Pope
June 21, 1991
Page 2 - Idaho County

15%, whichever is greater. The late fees applicable to your claim would be \$50.00. If you feel you have a compelling reason for not complying with this deadline you may request an extension of time and waiver of the fees. I have enclosed a form for your possible use in this matter.

Please make the corrections on the white form enclosed; keep the yellow form for your records. Submit \$101.00 with the form to cover both the filing fees and late fees. If your request for extension of time is granted, the late fee will be refunded. Do not hesitate to contact this office if you have any questions or concerns.

Sincerely,



John D. Carlson
Adjudication Supervisor

JDC:RM:state:tf
Enclosures:
Request for Extension
Notice of Claim

MICROFILMED

AUG 08 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

Date Received

Receipt Number

6/18/91

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Dennis N. and/or Roberta Pope Phone (208) 628-3701

Mailing Address Box 432 Riggins, ID Zip 83549

2. Date of Priority (Only one (1) per claim) 1920

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

4. a. Location of existing point of diversion is: Township 24N Range 1E Section 3,
SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Idaho

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. Ditch From Race Cr.

to P/U

MICROFILMED

AUG 08 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from _____ to _____ amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .02 (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.) 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	
24N	1E	3											1						1

Total number of acres irrigated 1

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

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.
_____ or None (X)

14. Remarks:

MICROFILMED

AUG 08 1994

Last Name Pope Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

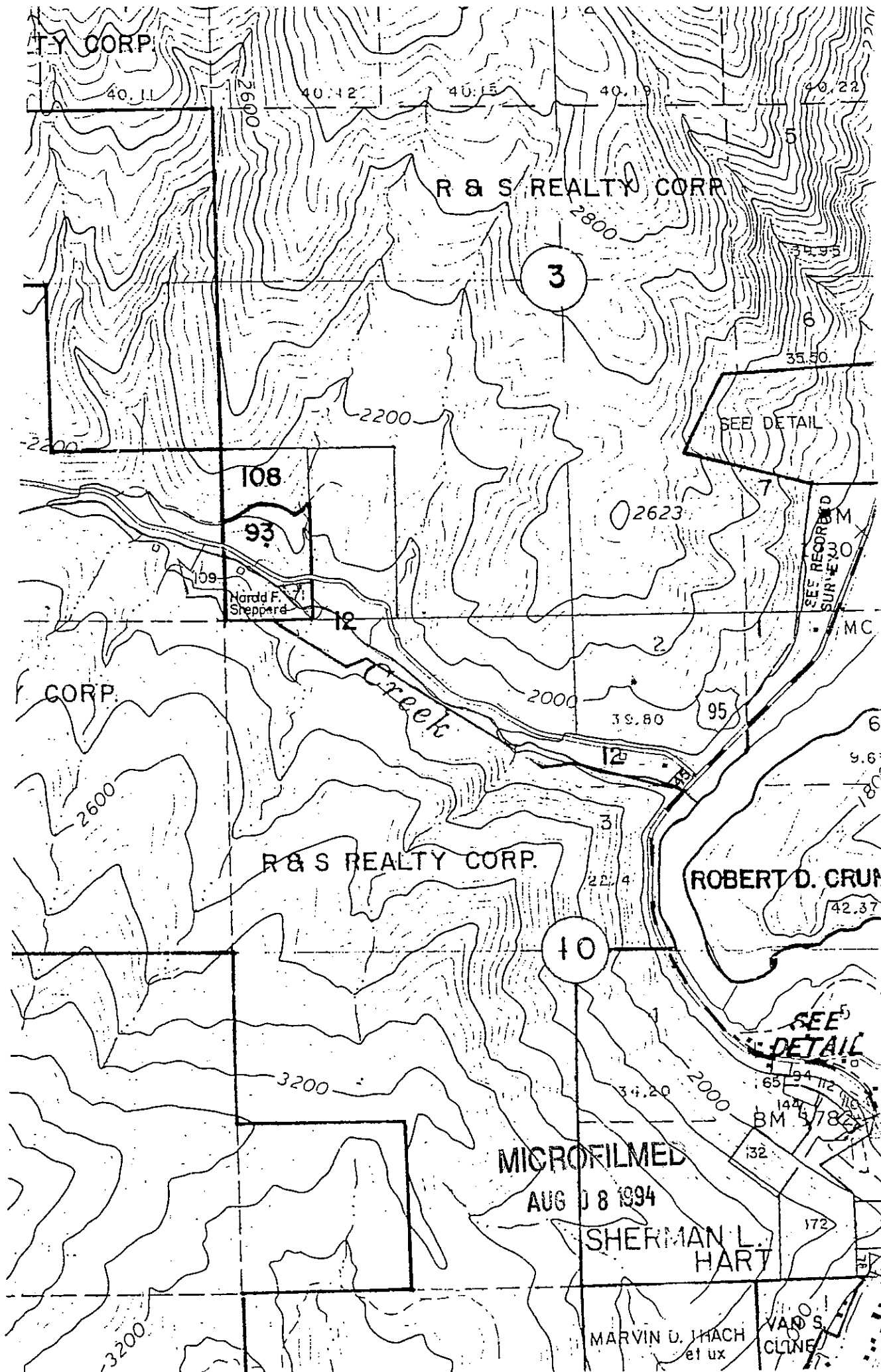
AUG 08 1994

Last Name

Pope

Ident No.

Copies: White-State, Yellow-Claimant



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) *Robert M. [Signature]* Date 6-18-91

Date _____

For Organizations: I do solemnly swear or affirm that I am _____
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 _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 18 day of June 19 91

SEAL

Notary Public *Keri Harris*

Residing at Baile, Id

My Commission Expires 12-8-94

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 08 1994

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Dennis &
Roberta Pope () 628-3701
 Name of Claimant Phone Number

P.O. Box 432 Riggins Id 83549
 Mailing Address City State Zip

Idaho 7/27/1988
 County(s) where place of use is located Date claim originally due

A79-10478
 Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

Claimants called to explain that they had filed claim no. A79-10339,
but did not understand that it would be necessary to file the above-
referenced claim, as it is on a common ditch used by others as well.

Claimant requests an extension to 6/25/91, 19 91
David R. Tuttle for Roberta Pope 6/25, 19 91
 Signature Date of request

Mgr, Western Reg Off
 Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to 6/25, 19 91
 Signed this 30 day of June, 19 91

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
 1301 N. Orchard St.
 Boise, ID 83706

MICROFILMED

AUG 08 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 13, 1993

DENNIS POPE
ROBERTA POPE
BOX 432
RIGGINS ID 83549

RE: Approved Transfer No. 3898/Water Right No. A79-10478.

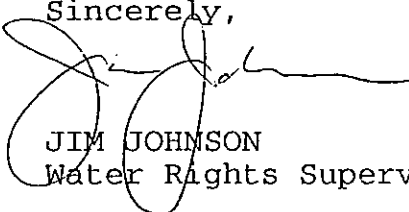
Dear Water Right Holder:

On April 7, 1992, the Department approved an application for transfer of the above referenced water right. A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 14 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

08/12/93 08:29:36
Page 1

Water Right Number - X79-10478

Prefix Translation:

XFER OF RECOM. CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
POPE

ROBERTA

1 - BOX 432
2 -
3 -

City- RIGGINS
Phone - 208-628-3701

State- ID Zip- 83549

POPE

DENNIS N

1 - BOX 432
2 -
3 -

City- RIGGINS
Phone - 208-628-3701

State- ID Zip- 83549

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
01/01/1920 14 WESTERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
RACE CREEK SALMON RIVER

Point of Diversion						
Twn	Rng	Sec	Tract	Lot	RFlg	County
24N	01E	3	SW SW		(49)	IDAHO
		4	SE SE		(49)	IDAHO

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/01	11/30	0.030	4.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.030 4.00 0.0

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use Code	Description	County
24N	01E	3	SW SW		1.0	01	IRRIGATION	(49) IDAHO

Total Acres: 1.0

+ - - Diversion Means - DITCH FROM RACE CREEK TO PLACE OF USE

+ - - Non-Irrigation Use - NONE

+ - - Other Rights for Same Use - NONE

+ - - - - - Remarks - - - - - +
BASED ON CLAIM NO. A79-04080 FILED ON SAME DITCH BY ROCKE WILSON.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

08/12/93 08:29:36
Page 2

Water right number - X79-10478

Prefix Translation: XFER OF RECOM. CLAIM

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

- T07 - The change authorized by this transfer shall be accomplished
 - within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause
 - for the director to issue an order to show cause why the approval
 - of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for
 - review of the validity of the water right(s) in the ongoing
 - Snake River Basin Adjudication.

+ - - - - Decree Plaintiff - - - +

+ - - - - Decree Defendant - - - +

+ - - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 08/11/1993 User Id: SKAGGS Subject: TRANSFER NO. 3898

Transfer No. 3898 was filed to add a diversion point to Snake River Adjudication Claim No. A79-10478. The approved transfer will be carried under an X prefix on the adjudication database, pending review.

+ - - Audit Fields - - +

08/12/93 SKAGGS

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 00/00/0000	Last Amended Date	- 00/00/0000	Temporary Right	- T
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

RECEIVED
JAN 03 2005
IDWF/North

Form 148/42-1409(6) July, 2000

Rec'd Lemiston
1/10/05

RECEIVED

DEC 28 2004

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

WATER RESOURCES
WESTERN REGION

RECEIVED

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

JAN 06 2005

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 the change in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right. If the 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
	79-10478				

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former
Owner/Claimant(s)

STANLEY J ROMANS
PO BOX 312 Riggins, Idaho

4. New Owner/Claimant(s)

TRACY + SANDRA DENLEY

Name Connector (Check one): ☒ and, ☐ or, ☐ and/or

New Mailing Address

4563 E Rim Rd

City, State and ZIP Code

GRANDVIEW, ID 83624

New Telephone Number

208) 834-2055

5. Date you acquired the property

MAY 24, 2004

435500

WARRANTY DEED

GRANTOR, STANLEY J. ROMANS, a single woman, of P. O. Box 312, Riggins, ID 83549, for a good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to SANDRA DENLEY, a married woman, of HC 85 Box 256-H, Grandview, ID 83628, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2004, which are a lien, not yet due and payable.

2. Telephone Line Easement, including the terms and conditions thereof, by and between JAMES MURRAY and THE UNITED STATES OF AMERICA, recorded September 22, 1922, under Instrument No. 69523, in Book 50 page 44, records of Idaho County, Idaho.

3. Power Line Easement, including the terms and conditions thereof, by and between GEO. W. McMAHAN and XENIA McMAHAN, husband and wife, and IDAHO POWER COMPANY, a corporation, recorded April 24, 1948, under Instrument No. 159353, in Book 80 page 555, records of Idaho County, Idaho.

4. Any adverse claims based on the assertion that the location of Race Creek has moved subsequent to its adoption as a title boundary.

5. Rights and easements in favor of the public for recreational uses of the Race Creek.

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, and that they will warrant and defend the same from all lawful claims whatsoever, except general taxes for the year 2004, and easements, reservations, restrictions and rights-of-way of record or in use.

Except as otherwise expressly provided in this instrument, GRANTORS, hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in

1 the event GRANTORS shall have permitted or suffered at any time prior to
2 the making of this instrument, any person or entity to possess, use or
3 occupy the above-described premises, or any portion thereof, for any
4 purpose, with or without the knowledge of GRANTORS, it was not the intent
5 of GRANTORS, by permitting or suffering such possession, use or
6 occupation, to thereby define property boundaries or ownership thereof.

7 In construing this deed, and where the context so requires, the
8 singular includes the plural and the masculine, the feminine and the
9 neuter.

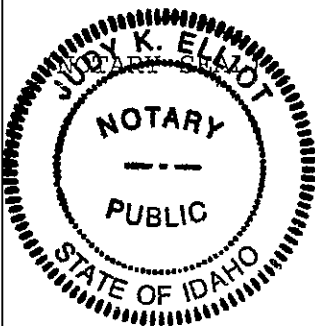
10 IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this
11 instrument this 24th day of May 2004.

12 Stanley J. Romans
13 STANLEY J. ROMANS

14 STATE OF IDAHO)
15 ss.
16 County of Idaho)

17 On this 24th day of May 2004, before me,
18 Judy K Elliot, a Notary for the said County and State,
19 personally appeared STANLEY J. ROMANS, a single woman, known or
20 identified to me to be the person whose name is subscribed to the within
21 instrument, and he/she acknowledged to me that she freely executed the
22 same and that the statements therein contained are true.

23 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my
24 official seal the day and year first above written.



25 Judy K Elliot

26 Notary Public for State of Idaho.
27 Residing at Grangeville, therein.
28 My commission expires on 3-26, 2010.

EXHIBIT A

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 3: A tract described as beginning at a point on the East line of the W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3, where the same is intersected by the South right of way line of U. S. Forest Service Road No. 241;
thence Westerly along said right of way line, a distance of 175 feet, more or less, to the East bank of Race Creek;
thence Southerly and Easterly, along the course of Race Creek, to the Southeast corner of said W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3;
thence North on the East line of said W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3, approximately 250 ft, to the place of beginning, being a tract roughly triangular in shape, bounded on the North by the South right of way line of U. S. Forest Service Road No. 241, on the West and South by the present course of Race Creek, and on the East by the East line of the W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 3.
Sometimes known as Assessors Tax No. 71.

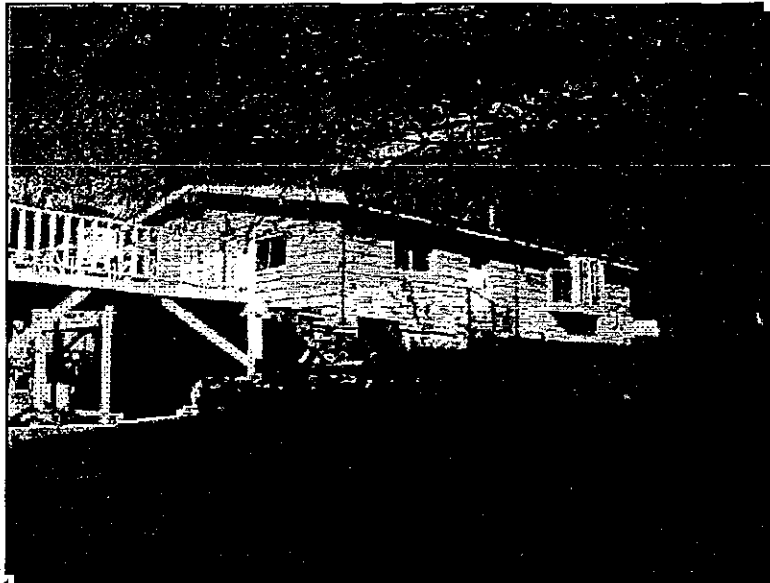
STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at	11:15 A ^m on 5-24-01
ROSE E. GEHRING	
By	<i>Bowman</i> Recorder
Fees \$	900 Deputy

m/pu

**#2 Race Cr. Rd
Riggins
\$90,000**

AX
98539
75

77,500.00



Property Features:

- AppxAcre: ~~1.00~~ 1/2
- AppxSqFt: 2401 - 2600
- Bedrooms: Two
- Baths: One
- Age: 21+
- Construction: Frame
- Levels: Two
- View: Creek
- Garage: None
- Access To: River/Creek
- Subdivisn: None
- Taxes/Yr: 448./03

ADDITIONAL FEATURES

Propane Tank
Water Rights
ADJACENT TO
Creek
BASEMENT
Yes
GARAGE
None
COLOR
Tan
ELECTRIC
Overhead
FOUNDATION
Concrete
HEAT
Propane
Wood Stove
INCUD IN SALE
Dryer

Propane Stove
Range/Oven
Refrigerator
Satellite Dish
Washer
Wood Stove
PAVED STREETS
No
PHONE
Yes
POWER
220V
PROPANE TANK
Leased
ROAD MAINTENANCE
County
ROOF
Metal
SEWER
Septic Installed

SIDING
Metal
TOPOGRAPHY
Level
WATER
Well
WATER PROXIMITY
Salmon River
ZONE
County

Closing 9/14 / Possession 2/14

Cash/CR
Idaho County Title

County Value?
Assess
it at

**Heath Realty
Office Phone:**

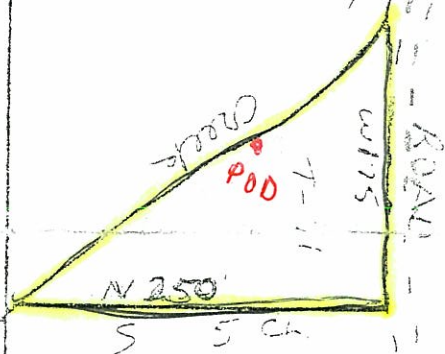
(208)628-3322

**Vickie Heath
Agent Phone:**

(208)628-3829

office 628-3322
 " - 3829

77,500 CASH
 County Assess

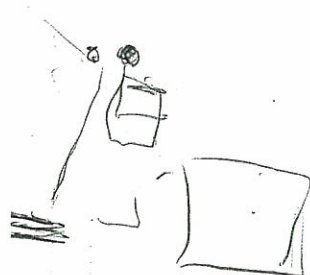


GRANVILLE
 TIME
 10:30
 MONDAY 100K
 AT HSE

To Idaho
 Co
 Title Co
 CHASER
 CK

00
 06 177500
 77500
 06
 46500000

EXTRA 23945
 1936
 1800276
 MARTHA



HEATH REALTY "Specializing in Salmon River Property"

VICKIE HEATH, Broker
P.O. BOX 398
318 S. Main
RIGGINS, IDAHO 83549

Phone 208-628-3322
Res. 208-628-3829
www.heathrealty.com

Fax 208-628-3082
Toll Free 1-877-628-3300
vheath@frontiernet.net

December 22, 2004

IDAHO DEPT. OF WATER RESOURCES

RE: 79-10478

ATTN. GREG TAYLOR

I HAVE ENCLOSED THE FOLLOWING DOCUMENTS TO
ESTABLISH A PRIORITY DATE FOR SAID CLAIM:

UNITED STATES PATENT DATED MAY 28, 1909

FIRST DEED SHOWING THIS PARCEL BEING RECORDED 2/25/1957

CHAIN OF TITLE STARTING 2/25/1957 TO CURRENT

LET ME KNOW IF WE NEED ANY FURTHER DOCUMENTATION.

THANKS,


VICKIE S. HEATH