

12/14/2005

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

RIGHT NUMBER: 78-7089A

NAME AND ADDRESS: KAREN M YATES
PO BOX 367
DONNELLY ID 83615

JAMES YATES
PO BOX 367
DONNELLY ID 83615

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.160 CFS
32.000 AFY

PRIORITY DATE: 02/14/1977

POINT OF DIVERSION:

T23N R01E S5 SWSE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE

3 04/01 10/31
11/15

QUANTITY

0.160 CFS
32.00 AFY

PLACE OF USE: IRRIGATION Within IDAHO County

T23N R01E S05 SWSE 8.0

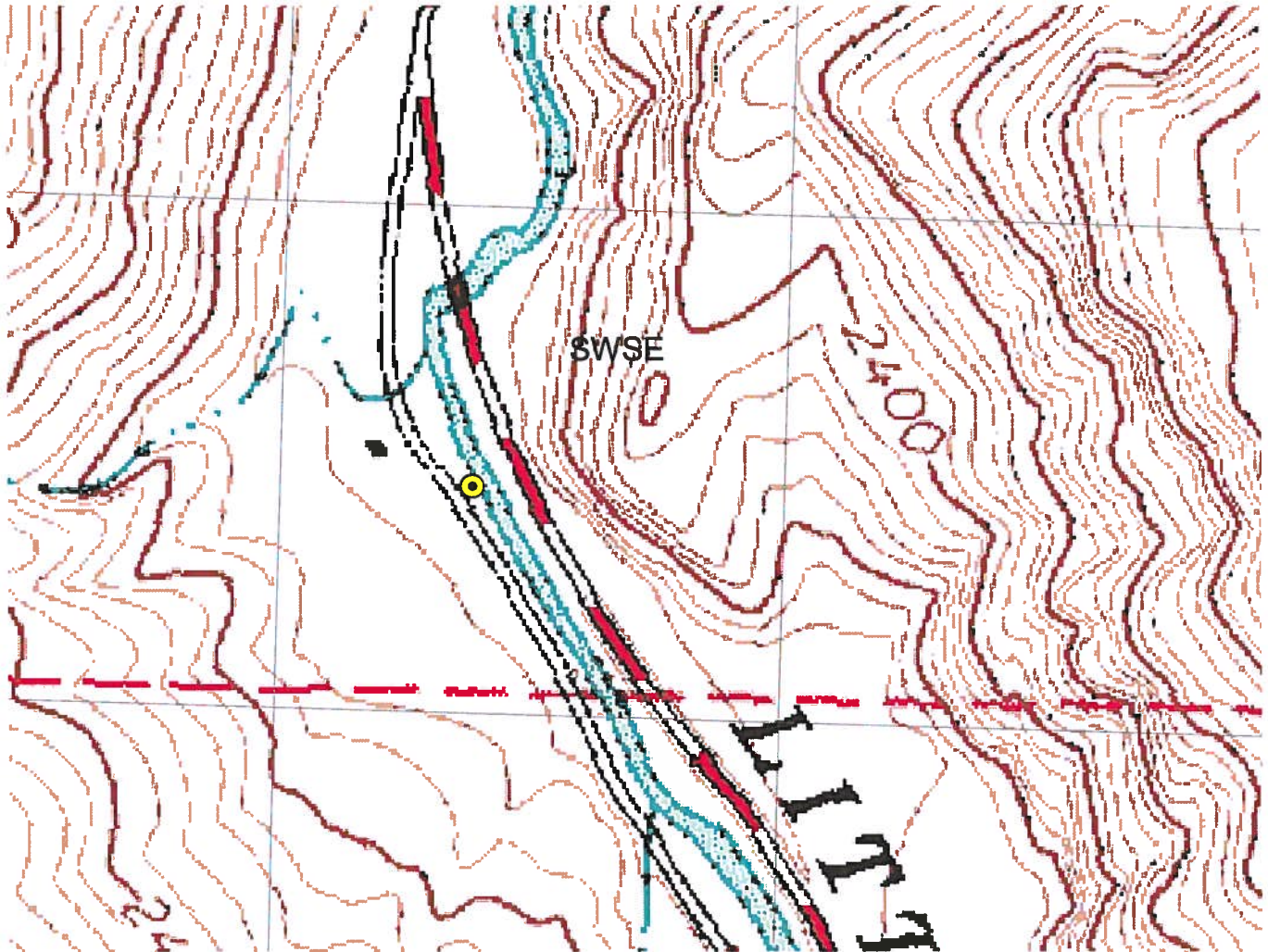
8 ACRES TOTAL

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: BASIS OF CLAIM - License

78-7089A



0 300 600 Feet

Section 5
T23N R1E



● Point of Diversion

□ Place of Use

Map prepared on December 14, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

RECEIVED

AUG 29 2005

DEPARTMENT OF WATER RESOURCES

Form 42-241-13-147(5) July 2000

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

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
<u>78-7089A</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

AJ

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**.

RECEIVED
 NOV 23 2005
 IDWR/North

3. Name and Address of Former Owner/Claimant(s) NEIL A. MEDLEY
P.O. Box # 374
4. New Owner/Claimant(s) RIGGINS, Jo. 83549
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address JIM YATES
- City, State and ZIP Code P.O. Box 367 Donnelly, ID. 83615
- New Telephone Number 208) 325-8944
5. Date you acquired the property 5/27/05

T 23 N R1E

Section 5

Water From Little Salmon River - Irrigation

Form 42-216 (2-14-00) IDWR 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) _____
(include title if applicable)

James D. Yates
Kevin M. Yates

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 _____

file # 78-7089A
on Little Salmon River
Water Rights 441792

This is in place of
Warranty Deed

REAL ESTATE MORTGAGE

THIS REAL ESTATE MORTGAGE, made and entered into on this 26th day of May, 2005, by and between JAMES F. YATES and KAREN M. YATES, husband and wife, of #9 Plant Lane, Donnelly, ID 83615, the Parties of the First Part, herein called the Mortgagors, and NEIL A. MEDLEY, a married man but as his sole and separate property, of P.O. Box 374, Riggins, ID 83549, the Party of the Second Part, herein called the Mortgagee.

RECEIVED
DEC 12 2005
IDMRNORTH

WITNESSETH:

That the Mortgagors do, by these presents, hereby mortgage unto the Mortgagee, his heirs and assigns, the following described parcels of real property, situate in the County of Idaho, State of Idaho, to wit:

See Schedule C, attached hereto and hereby incorporated by this reference, in five pages; TOGETHER WITH any water rights associated with that property.

TOGETHER WITH, the tenements, hereditaments, appurtenances, rights, and privileges now or hereinafter belonging or used in connection with the above-described premises. This Mortgage is given to secure the payment of a certain Promissory Note in the principal sum of \$100,000.00 dated the 26th day of May, 2005, with interest thereon at the rate of 7% per annum, to be paid in monthly installments of \$1,161.09, with a final balloon payment being due on or before the 26th day of May, 2007 and the first payment on that Note being due on the 26th day of June, 2005, the terms and conditions of which Note are incorporated in this Mortgage.

And also to secure the performance of the covenants and agreements contained herein.

And the Mortgagors do further covenant and agree as follows:

1. To pay all debts and monies secured hereby, when from any cause the same should

become due.

2. To permit no waste or depreciation on the premises, or suffer to be done anything that may in any way weaken or impair the security hereby created.

3. To pay all taxes and assessments, water assessment tolls, and maintenance charges that may be levied, assessed or imposed upon the said property, or any part thereof, before the same shall become delinquent, and to procure and deliver to the Mortgagee, before delinquency, the official receipt of the proper officers showing payment thereof.

4. Not to permit or suffer any tax assessment, lien or statutory, or encumbrances superior to this lien of mortgage to exist at any time against the property at any time except real property tax liens and only so long as the taxes are not then immediately due.

5. Time is the essence hereof. If default be made at any time in the payment of principal or interest as herein required, or of any sums secured hereby, or any part thereof, or if default be made in any of the foregoing covenants or agreements, or any part thereof, then the whole of said principal shall, at the option of the Mortgagee, become immediately due and payable without notice and shall draw interest at the rate of 7% per annum from the date of such default; said Mortgagee may, at any time thereafter, foreclose this Mortgage in the manner prescribed by law, and shall be entitled in such foreclosure to recover all sums secured, including attorney's fees and other expenses of such foreclosure, the costs of a litigation guarantee title insurance policy, costs of any potential foreclosure report through a title insurance company, any advancements that the Mortgagee may have in any foreclosure thereof, and a judgment for any deficiency resulting from such foreclosure.

6) During the time the Promissory Note exists on this premises the buildings on the premises shall be insured for casualty purposes to the extent of their full insurable value naming the Mortgagee, or his successors, as an additional loss payee on said insurance policy. Thus, if any

casualty befalls the improvements on the premises the Mortgagors shall have ten (10) days from the receipt of any funds to decide whether or not to rebuild the security. If they desire to rebuild the security the insurance proceeds shall be used to build the security in a good and workmanlike manner as soon as reasonably possible after the casualty occurs. If, however, within that ten (10) days after the proceeds are received the Mortgagors decide not to rebuild or fail to decide, then all proceeds shall be endorsed over to the benefit of the Mortgagee, or his successors and assigns, and the funds then applied against the existing balance due under the Promissory Note, but any such proceeds will not be considered a prepayment and require any penalty under the Promissory Note.

7) It is understood that the Mortgagors reserve the right to make improvements on the property, including the installation of phone lines, excavation work, and road building, together with site improvement, and preliminary subdivision work during the time that any Promissory Note is yet pending. Any improvements will be timely paid by the contractors providing services so that there will not be a lien that is filed on the property in any fashion and the Mortgagors agree to hold the Mortgagee harmless on account of any costs for site development in all ways. The Mortgagee will not have to join in a subdivision plat and that any subdivision plat cannot be completed until after all sums are paid under the Promissory Note and the Mortgagors receive a satisfaction of Mortgage from the Mortgagee in this matter.

ADDITIONAL PROVISIONS:

SCHEDULE C

Township 23 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 5: A tract of land located in said Section 5, more particularly described as follows:

Government Lots 3 and 4, ~~S~~~~N~~~~W~~~~X~~, ~~SW~~~~X~~, and that portion of Government Lot 2, ~~SW~~~~N~~~~E~~~~X~~ and the ~~W~~~~N~~~~S~~~~E~~~~X~~ lying West of (old) U.S. Highway No. 95 as described in ROW Deed, recorded June 20, 1927, under Instrument No. 83303, Book 54 page 393, records of Idaho County, Idaho.

LESS: U.S. Highway 95 Project No. F-4113(16) as described in Warranty Deed, recorded August 24, 1959, under Instrument No. 198958, Book 93 page 222; and Quitclaim Deed, recorded April 18, 1960, under Instrument No. 201296, Book 94 page 38; all records of Idaho County, Idaho.

ALSO LESS: A tract of land sometimes referred to as the Idaho county Assessor's Tax No. 31, more particularly described as follows:

Commencing at the $\frac{1}{4}$ section corner on the southern boundary of said Section 5;
thence East along the section line, 524.3 feet to the real point of beginning;
thence East 152.1 feet, more or less, to a point on the westerly boundary of the right-of-way of (old) U.S. Highway No. 95;
thence N 29°46' W, along said right-of-way boundary, 663.7 feet;
thence S 60°14' W, 132.0 feet;
thence S 29°46' E, 588.2 feet to the real point of beginning.

ALSO LESS: A tract of land sometimes referred to as the Idaho County Assessor's Tax No. 32, more particularly described as follows:

Commencing at the $\frac{1}{4}$ corner on the South boundary of said Section 5;
thence East along the section line, 676.4 feet to a point on the westerly boundary of the right-of-way of (old) U.S. Highway No. 95;
thence N 29°46' W, along said right-of-way boundary, 663.7 feet;
thence N 14°34' W, 624.5 feet to a point on the westerly boundary of the aforesaid (old) U.S. Highway No. 95 right-of-way which is the real point of beginning;

SCHEDULE C - continued

thence N 89°06' W, 239.7 feet;
thence S 15°54' W, 259.9 feet;
thence S 89°11' E, 307.1 feet, more or less, to a point
on the westerly boundary of the aforesaid (old) U.S.
Highway No. 95 right-of-way;
thence N 00°54' E, 250.0 feet to the real point of
beginning.

ALSO LESS: A tract of land sometimes referred to as the Idaho
County Assessor's Tax No. 36, more particularly
described as follows:

Commencing at the $\frac{1}{4}$ corner on the South boundary of
said Section 5;
thence East along the section line, 676.4 feet to a
point on the westerly boundary of the right-of-way of
(old) U.S. Highway No. 95;
thence N 29°46' W along said right-of-way boundary,
663.7 feet;
thence N 14°34' W, 624.5 feet to a point on the
westerly boundary of the aforesaid (old) U.S. Highway
No. 95 right-of-way which is the real point of
beginning;
thence N 89°06' W, 239.7 feet;
thence N 34°30' E, 476.4 feet to said (old) U.S.
Highway No. 95 right-of-way;
thence southerly along said (old) U.S. Highway No. 95
right-of-way 400 feet more or less to the real point of
beginning.

ALSO LESS: A tract of land, sometimes referred to as the Idaho
County Assessor's Tax No. 164, located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
said Section 5, more particularly described as
commencing at the Southeast section corner for said
Section 5;
thence N 89°58'11" W, 2,618.34 feet to the South $\frac{1}{4}$
corner for said Section 5, the basis of bearing;
thence N 31°02'25" E, 672.08 feet to the true point of
beginning, situate on the West right-of-way line for
Old U.S. Highway No. 95, Project No. F.A.P. 9G, a
monument;
thence along said right-of-way being 33 feet westerly
at a right angle and parallel to the centerline of said
Old U.S. Highway No. 95, N 29°26'00" W, 62.36 feet to a
988.0 foot radius curve right (long chord is 561.24
feet on a bearing of N 12°56' W) opposite centerline
Station P.C. 1561+12.1;

SCHEDULE C - continued

thence along a short chord for said curve N 28°03'02"
W, 47.66 feet to a monument;
thence leaving said right-of-way S 60°14'00" W, 133.79
feet to a monument;
thence S 29°46'00" E, 110.0 feet to a monument common
to the Northwest corner of Tax No. 31;
thence along the North line of said Tax No. 31, N
60°14'00" E, 132.00 feet to the true point of
beginning, which point is common to the Northeast
corner for said Tax No. 31.

ALSO LESS:

A tract of land in Government Lot 4, said Section 5,
which is sometimes referred to as the Idaho County
Assessor's Tax No. 108, more particularly described as
follows:

Commencing at a pipe and brass cap marking the
Northwest corner of said Section 5;
thence N 89°53'05" E, along the North boundary of
Section 5, 963.25 feet to a point on the right bank of
Rapid River;
thence southwesterly along the right bank of Rapid
River approximated by the following courses and
distances:

S 48°45'23" W, 146.29 feet;
S 26°42'14" W, 184.70 feet;
S 76°14'55" W, 243.99 feet;
S 26°04'19" W, 311.72 feet;
S 31°21'19" W, 200.83 feet;
S 60°14'23" W, 228.66 feet;
S 32°41'02" W, 172.86 feet;

to a point on the West boundary of said Section 5;
thence leaving the river, N 00°00'19" E, 1028.0 feet to
the point of beginning.

ALSO LESS:

A tract of land within the ~~SE~~SW~~1~~4 and the SW~~1~~4~~SE~~ of
said Section 5, more particularly described as follows:

Commencing at the Southwest corner of said SW~~1~~4~~SE~~, an
existing brass cap monument;
thence N 07°28'00" W, 938.41 feet (of Record N
07°22'49" W, 938.75 feet) along the West boundary of
Tax Lot 154, shown as Tract 1 on the Record of Survey
filed as Instrument No. 330489, Records of Idaho
County, Idaho, to an existing 1" diameter pipe;
thence S 89°26'34" E, (of Record S 89°11'00" E) along
the North boundary of said Tract 1, 111.05 feet to the
True Point of Beginning, a 5/8"x30" rebar set with a
plastic cap stamped L.S. 3627;

SCHEDULE C - continued

thence continuing S 89°26'34" E, 215.83 feet to an existing 1" diameter pipe at the westerly boundary of the Old Highway 95 right-of-way;
thence southeasterly 269.44 feet following said right-of-way along the arc of a curve to the left having a central angle of 15°37'31", a radius of 988.00 feet and a long chord which bears S 18°44'44" E, 268.61 feet to an existing 1" diameter pipe;
thence S 60°04'41" W along the northerly boundary of Tract 2 of the aforementioned Record of Survey, 133.72 feet (of Record S 60°14' W, 133.72 feet) to an existing 1" diameter pipe;
thence N 29°57'22" W, 372.99 feet to the True Point of Beginning.

ALSO LESS: A parcel of land located in the E½SW¼ and the W½SE¼ of said Section 5, more particularly described as follows:

Commencing at the South ¼ corner of Section 5 a brass cap monument;
thence N 08°12'33" E, 1589.33 feet to a monument on the westerly 33 foot right-of-way of Old U.S. Highway No. 95 as it intersects with westerly 100 foot right-of-way of new U.S. Highway No. 95 which is about centerline station 562+51.2, this is the True Point of Beginning;
thence S 35°03'06" W on the westerly line of Tax Lot 36, 371.18 feet to a 5/8"x30" IR with plastic cap marked PLS 5165;
thence N 64°42'15" W, 150.00 feet to a 2" P.K. nail driven into ledge rock;
thence N 25°17'45" E, 500.00 feet to a 5/8"x30" IR with plastic cap which is on westerly 100 foot right-of-way of U.S. Highway No. 95;
thence on said westerly right-of-way on a curve having a delta angle of 03°33'02", a radius of 2391.83 feet, a tangent of 74.13 feet, a chord bearing of S 00°10'54" W, and a chord distance of 148.19 feet to the point of beginning.

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 32: That portion of the following described property lying South of the thread of Rapid River, sometimes referred to as the Idaho County Assessor's Tax No. 123 located in the S¼ of said Section 32, more particularly described as follows:

Beginning at the South ¼ corner of said Section 32;
thence N 00°42'26" E, 1150.82 feet to a 5/8"x30" rebar;
thence S 86°30'28" W, 173.52 feet;
thence S 80°39'23" W, 106.89 feet to the initial point of Rapid River Subdivision No. 1;

File No. 18493

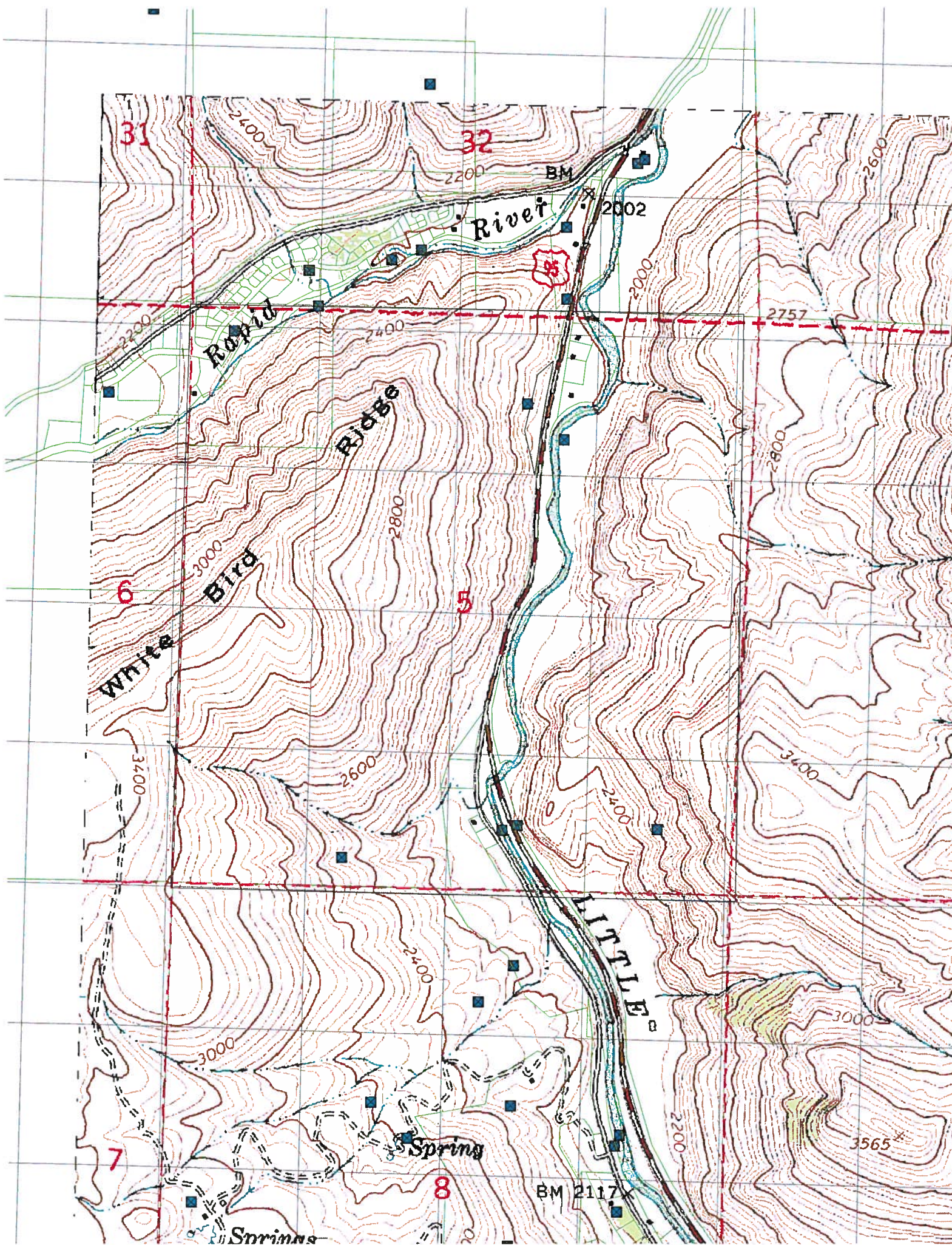
SCHEDULE C - continued

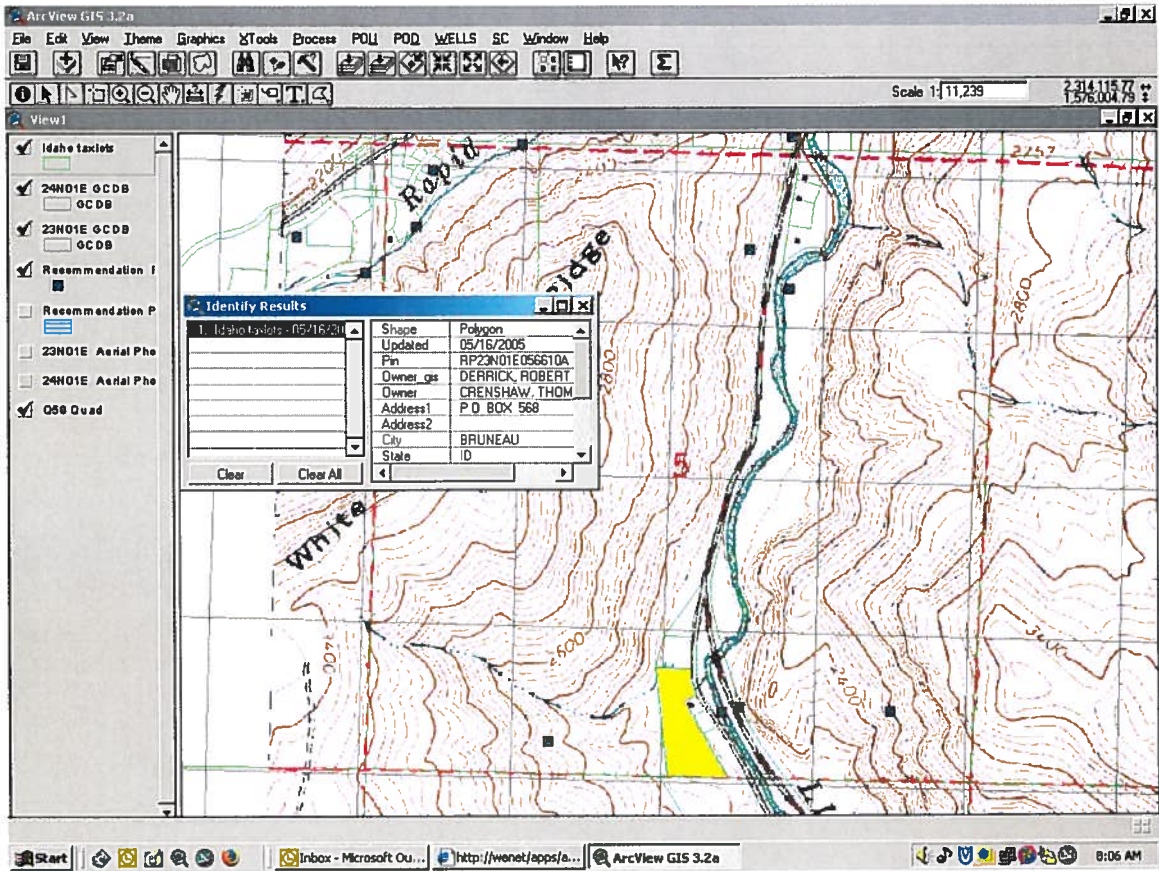
thence 32.26 feet along the easterly boundary of said Rapid River Subdivision No. 1, and along the arc of a curve to the left having a central angle of 92°24'38", a radius of 20.00 feet and a long chord which bears S 34°27'05" W, 28.87 feet;
thence S 11°45'14" E, 104.02 feet to a point of curve;
thence southwesterly 124.51 feet along the arc of a curve right having a central angle of 75°05'31", a radius of 95.00 feet and a long chord which bears S 25°47'30" W, 115.78 feet;
thence S 63°20'16" W, 180.00 feet;
thence S 26°39'43" E, 114.00 feet to a point on the left bank of Rapid River;
thence leaving the boundary of Rapid River Subdivision No. 1, S 26°39'43" E, 60 feet, more or less, to a point on the right bank of Rapid River;
thence southwesterly along the right bank of Rapid River approximated by the following courses and distances:
S 49°14'30" W, 236.62 feet;
S 64°21'01" W, 237.95 feet;
S 74°28'10" W, 237.16 feet;
S 58°57'30" W, 441.18 feet;
S 76°15'26" W, 189.42 feet;
S 58°35'32" W, 127.71 feet;
to a point on the South boundary of said Section 32;
thence leaving the river, N 89°53'05" E, 1686 feet to the point of beginning.

end schedule c

STATE of IDAHO	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO	
of	2:15 P. M. 5-27-07
ROSE E. GEHRING	
By	Boyle G. Gilbrun Recorder
Fees \$	27.00 Deputy

201/101







State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 19, 2005

Neil Medley
Box 374
Riggins, ID 83539

RE: 78-7089A

Dear Mr. Medley:

On August 22, 1988, you submitted a Notice of Claim in the Snake River Adjudication. We are having trouble locating where the irrigation is taking place Section 5 Township 23N Range 1E. Enclosed are two maps of the area. Would you please draw a line around your property and return one of the maps to this office?

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', is written over a horizontal line.

Kenneth Knoblock
Water Resources Agent



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED
JUL 11 2005
IDWR/North

June 30, 2005

Neil Medley
Box 374
Riggins, ID 83539

RE: 78-7089A

Dear Mr. Medley:

On August 22, 1988, you submitted a Notice of Claim in the Snake River Adjudication. We are having trouble locating where the irrigation is taking place. Enclosed is a map of Section 5 Township 23N Range 1E. Would you please draw a line around your property and return to this office?

Thank you,

A handwritten signature in black ink, appearing to read 'Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSRECEIVED
JUL 11 2005IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

IDWR/North
39356A78-07089A
C 001123 + M00002
(50)RECEIVED
JUN - 3 1988NOTICE OF CLAIM
TO A
WATER RIGHTRECEIVED
MAY 16 1988

Department of Water Resources ACQUIRED UNDER STATE LAW

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Neil A. Medley Phone (208) 628-3460Mailing Address P.O. Box # 374, RIGGINS, ID Zip 835492. Date of Priority (Only one (1) per claim) Feb. 14th 19773. Source of water supply (a) Little Salmon River
which is tributary to (b) Big Salmon River4. a. Location of existing point of diversion is: Township 23 N Range 1E Section 5,SW 1/4 of SE 1/4 of 1/4, Govt. Lot, B.M., County of IdahoAdditional points of diversion if any: —b. If instream flow, beginning point of claimed instream flow is: N/ATownship 23 N Range 1E Section 5, SW 1/4 of SE 1/4 of 1/4,Govt. Lot — B.M., County of Idahoending point is: Township 23 Range 1E Section 5, SW 1/4 of SE 1/4 of1/4, Govt. Lot — B.M., County of Idaho5. 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. Pump, Pipeline, SprinklersRuns from the Little Salmon River underneath the old
Highway 95 to approximately 7.98 Acres of pastureMICROFILMED
OCT 06 1992

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number

Date Received

Receipt Number

A78-07089A

C 001123 + M000029
(88) (50)

RECEIVED

JUN - 3 1988

NOTICE OF CLAIM
TO A
WATER RIGHT

Department of Water Resources

ACQUIRED UNDER STATE LAW

RECEIVED

MAY 16 1988

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Neil A. Medley Phone (208) 628-3460Mailing Address P.O. Box # 374, RIGGINS, ID Zip 835492. Date of Priority (Only one (1) per claim) Feb. 14th 19773. Source of water supply (a) Little Salmon River
which is tributary to (b) Big Salmon River4. a. Location of existing point of diversion is: Township 23 N Range 1E Section 5,
SW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, SW B.M., County of IdahoAdditional points of diversion if any: —b. If instream flow, beginning point of claimed instream flow is: N/ATownship 23 N Range 1E Section 5, SW 1/4 of SE 1/4 of SW 1/4,Govt. Lot SW B.M., County of Idahoending point is: Township 23 Range 1E Section 5, SW 1/4 of SE 1/4 ofSW 1/4, Govt. Lot SW B.M., County of Idaho5. 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. Pump, Pipeline, SprinklersRuns from the Little Salmon River underneath the old
Highway 95 to approximately 7.98 Acres of pastureMICROFILMED
OCT 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-1 to 10-31 amount 0.20 or 40

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.20 (cfs) and/or (b) 40 (acre feet)

8. Total consumptive use claimed is 40-24 AF acre feet per annum. JS 8/2/17 pump capacity = 0.63

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	
<u>23N</u>	<u>1E</u>	<u>5</u>															<u>10</u>		<u>10 Acres</u>

Total number of acres irrigated 2.98

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 ☒ 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.
well for domestic Use or None ☒

14. Remarks: License No 28-2089 Feb 14th, 1977 Since this time
I have purchased this property and add part of it. It is no
longer 10 acres it is 2.98 Acres

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Last Name Medley Ident No. 28-2089

Scale: 2 inches equals 1 mile

[illegible]

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McDIEY

D.P.P.

Ident No.

28-2089

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 28-2089
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) *Ant A. Madley* Date *May 16, 1988*

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 _____) SS.

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

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

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OCT 06 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant



State of Idaho
DEPARTMENT OF WATER RESOURCES

NORTHERN REGION, Suite No. 210 • 1910 Northwest Blvd. • Coeur d'Alene, Idaho 83814-2615
(208) 769-1450

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

June 30, 2005

Neil Medley
Box 374
Riggins, ID 83539

RE: 78-7089A

Dear Mr. Medley:

On August 22, 1988, you submitted a Notice of Claim in the Snake River Adjudication. We are having trouble locating where the irrigation is taking place. Enclosed is a map of Section 5 Township 23N Range 1E. Would you please draw a line around your property and return to this office?

Thank you,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock'.

Kenneth Knoblock
Water Resources 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: A78-07089A
Date Received: 8/22/1988
Receipt No: M000029 + 001123
Received By: *J. data entry only*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NEIL A. MEDLEY
Address: P. O. BOX 374
RIGGINS, ID 83549 208-628-3460

2. Date of Priority: FEB 14, 1977

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	01E	5	SW	SE			IDAHO

5. Description of diverting works:
PUMP FROM RIVER WITH PIPELINE TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.200		

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

8. Total consumptive use is 24.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	01E	5	SW	SE		IRR	8.0
Section Acres							8.0

A78-07089A

Page 1

Date: 08/22/88

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10. Place of Use: Continued

Total Acres 8.0

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:

CLAIM NO. A78-10203 FROM DOMESTIC WELL.

14. Remarks:

THIS RIGHT COVERS THE CLAIMANT'S PORTION OF LICENSE NO. 78-7089.
TWO RECEIPTS WERE TAKEN - ONE FOR \$50-M000029 & ONE FOR \$8 -
C001123.

15. Basis of Claim: LICENSE

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OCT 06 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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OCT 06 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

78-10203
07089A

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

May 26, 1988

Mr. Neil Medley
Box 374
Riggins, ID 83549

RE: A78-07089

Dear Mr. Medley:

A receipt for \$75.00 to cover the filing fees for two claims you submitted is enclosed. Your check was receipted to cover the cost of the domestic water right claim that was acceptable. However, the claim for the irrigation from the Little Salmon River (78-7089) is returned because the fees were insufficient. Claims for irrigation must pay a \$1.00 per irrigated acre claimed beyond the \$50.00 flat fee. In this case, the filing fee for the single claim would be \$58.00.

Please remit the additional \$8.00 and the claim form. If you have any questions regarding this matter, please feel free to contact me.

Yours Truly,

Donald V. Shaff
Adjudication Section Supervisor

DVS:db
Enclosure

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Dictated @

INTER-DEPARTMENT MEMO — 1

DATE *5/17/88*

FROM *John K. Noyes*

TO

SUBJECT *file 78-7089*

Since applicant has sold approx 2 acres out of original 10 ac, this right should be identified as 78-7089A. Items 6 & 7 should read .16 ccs - other portion of this it should read .04 ccs for 2 acres (78-7089B) Item 10 should read 8 acres

Total cost of 78-7089A should be \$58. Domestic it ~~\$25~~ = total \$83. claims should be notarized

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SIGNATURE