

08/11/2008

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

RIGHT NUMBER: 78-12340

NAME AND ADDRESS: HEATHER SABIN
PO BOX 313
RIGGINS ID 83549

STEVE SABIN
PO BOX 313
RIGGINS ID 83549

JOHN M MC GAVIN
PO BOX 313
RIGGINS ID 83549

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.010 CFS
2.000 AFY

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T24N R01E S22 NWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.010 CFS 2.00 AFY

PLACE OF USE: IRRIGATION in IDAHO County

T24N R01E S22 NWNW 0.50

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: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 78-4021D.

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

RIGHT NUMBER: 78-12340

NAME AND ADDRESS: HEATHER SABIN
PO BOX 313
RIGGINS ID 83549

STEVE SABIN
PO BOX 313
RIGGINS ID 83549

JOHN M MC GAVIN
PO BOX 313
RIGGINS ID 83549

SOURCE: LITTLE SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.010 CFS
2.000 AFY

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T24N R01E S22 NWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	02/15 11/30	0.010 CFS 2.00 AFY

PLACE OF USE: IRRIGATION in IDAHO County

T24N R01E S22 NWNW 0.50

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: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 78-4021D.

RECEIVED

RECEIVED

JUN 25 2007

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

JUN 13 2007
WATER RESOURCES
WESTERN REGION

IDWR/North

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
78-4021D					

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)

LA VAR MURDOCK

P.O. BOX 995

4. New Owner/Claimant(s)

WINNEMUCCA NV 89446-0995

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

JOHN M. Mc GAVIN / STEVE SAGIN

City, State and ZIP Code

P.O. BOX 313 RIGGINS ID. 83549

New Telephone Number

208 469-0090

5. Date you acquired the property

JULY 2006

SCANNED

AUG 03 2007

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 78-4021D

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) John M. McYawn
(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 <u>SK</u>	Date <u>6-19-07</u>	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

SCANNED
AUG 03 2007

447367

WARRANTY DEED

STATE of IDAHO	
County of Idaho	
Recorded at request of _____	
IDAHO COUNTY TITLE CO.	
at 3:40 P.M.	on 3-24-06
ROSE E. SEHRING	
By _____	Recorder
Fees \$ 9.00	Deputy

m/vault

For good and valuable consideration MURDOCK'S, L.L.C., an Idaho limited liability company, as GRANTOR, does hereby grant and convey unto STEVE SABIN and HEATHER SABIN, husband and wife, an undivided one-half (½) interest, and unto JACK McGAVIN, a single man, an undivided one-half (½) interest, as GRANTEES, as tenants in common, whose address is: P.O. Box 502, Fairfield, ID 83327, in and to the following described real property situate in Idaho County, State of Idaho, to wit:

Lot 1 and that part of Lot 2 of the Chukar Point Estates, Instrument No. 411953, Section 22, Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho which is described as follows:

Beginning at the Northeast corner of said Lot 2, a 5/8" rebar by PE/LS 2098 the Initial Point of Beginning;
thence S 87°30'28" W, 86.417 feet along the lot line to the Northwest corner of Lot 2 a 5/8" rebar by PE/LS 2098;
thence S 19°55'08" W, 83.429 feet along the lot line to a 5/8" rebar by PE/LS 2098 at the end of a ROW curve;
thence along a curve to the left in the ROW of Chukar Lane with the following dimensions:

L=14.455 feet	D=41°24'35"
Ch= 14.142 feet	Ch Bearing = S 00°47'09" E
R=20.000 feet	T=7.559 feet to a 5/8" rebar by PLS 9166

thence N 19°55'08" E, 93.399 feet to a 5/8" rebar by PLS 9166;
thence S 81°22'05" E, 83.234 feet to a 5/8" rebar by PLS 9166 in a boulder on the easterly line of Lot 2;
thence N 01°14'16" E, 21.022 feet meandering along the ordinary high water line of the Little Salmon River back to the Initial Point of Beginning.

SUBJECT TO:

1. Taxes for 2006 which are an accruing lien and not yet due and payable; and
2. Right of Way Easement, including the terms and conditions thereof, by and between J. S. Aitken, title owner, and John Kimbrough, mortgagee/land owner, and the Mountain States Telephone and Telegraph Co., recorded August 31, 1932, under Instrument No. 99328, Book 60 Page 458, records of Idaho County, Idaho; and

WARRANTY DEED - 1 of 3

SCANNED
AUG 03 2007

261

3. Easement, including the terms and conditions thereof, by and between J. S. Aitken and Idaho County, recorded March 29, 1937, under Instrument No. 125614, Book 68 Page 229, records of Idaho County, Idaho; and
4. Easement in Right-of-Way Deed, including the terms and conditions thereof, by and between James S. Aitken and State of Idaho, recorded July 6, 1942, under Instrument No. 138851, Book 71 Page 638, records of Idaho County, Idaho; and
5. Power Line Easement, including the terms and conditions thereof, by and between Stewart Aitken and Idaho Power Company, a corporation, recorded April 24, 1948, under Instrument No. 159362, Book 80 Page 561, records of Idaho County, Idaho; and
6. Any claims based on the assertion that the location of the Little Salmon River has moved subsequent to its adoption as a title boundary; and
7. Rights and easements in favor of the public for recreational uses of the Little Salmon River; and
8. Sanitary restrictions, easements, requirements and all other matters shown on the recorded subdivision plat; and
9. Matters as shown on Survey No. 1061, recorded November 9, 1995, under Instrument No. 383416, records of Idaho County, Idaho; and
10. Declaration of Protective Covenants, Conditions and Restrictions, Chukar Point Estates, including the terms and conditions thereof, recorded May 25, 2000, under Instrument No. 0411952, records of Idaho County, Idaho.

TO HAVE AND HOLD the premises, with all appurtenances, to GRANTEES, and their heirs, successors and assigns forever. GRANTOR does hereby covenant that GRANTOR is the owner of said property in fee simple, that the premises is free from encumbrances except as set forth herein-above, and that GRANTOR will defend the same from all lawful claims except general taxes for the year 2006 and the above-stated exceptions, and interests of record or in use.

Except as otherwise expressly provided in this instrument, GRANTOR hereby declares pursuant to Title 5, Chapter 2 of the Idaho Code, that in the event GRANTOR shall have permitted or suffered at any time prior to the making of this instrument, any person or entity to possess, use or occupy the above-described premises, or any portion thereof, for any purpose, with or without the knowledge of

WARRANTY DEED - 2 of 3

SCANNED

AUG 03 2007

Q 2/2

GRANTOR, it was not the intent of GRANTOR, by permitting or suffering such possession, use or occupation, to thereby define property boundaries or ownership thereof.

DATED this 27 day of March, 2006.

GRANTOR:

MURDOCK'S, L.L.C., an Idaho
limited liability company

By: [Signature]
LAVAR MURDOCK

By: [Signature]
LILA MURDOCK

Title: Pres.

Title: Sec.

STATE OF IDAHO)
)
) ss.
County of Idaho)

On this 27th day of March, 2006, before me personally appeared LAVAR MURDOCK and LILA MURDOCK, to me known or identified to me to be the manager or a member of MURDOCK'S, L.L.C., the limited liability company that executed the instrument or the person who executed the instrument on behalf of said limited liability company, and acknowledge to me that such limited liability company executed the same.

In Witness Whereof I have hereunto set my hand and affixed my official seal the day and year first above written.



[Signature]
Notary Public, in and for the
State of Idaho, residing at
Grangeville, therein.
My Commission Expires: 2/1/11

[Handwritten initials]

6/06/07

PMO100 - PARCEL MASTER INQUIRY

13:09:36

PARCEL: RP R0015000002B A

F9=MS

F11=UR F12=RC

F17=DD

F24=LD

SABIN, STEVE & HEATHER (H&W) *TREND
& MC GAVIN, JACK

LEGAL DESCRIPTION

RIGGINS
CHUKAR POINT ESTATES SUB-DIV
TAX #267 0.035 AC

P O BOX 502

ProVal Area Number 1

CODE AREA 5-0001 OWNER CD

PARC TYPE LOC CODE

EFFDATE 4192006 EXPDATE

PREV PARCEL RPR00150000020T

FAIRFIELD ID 83327

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
20	2006			1214				

TOTALS

1214

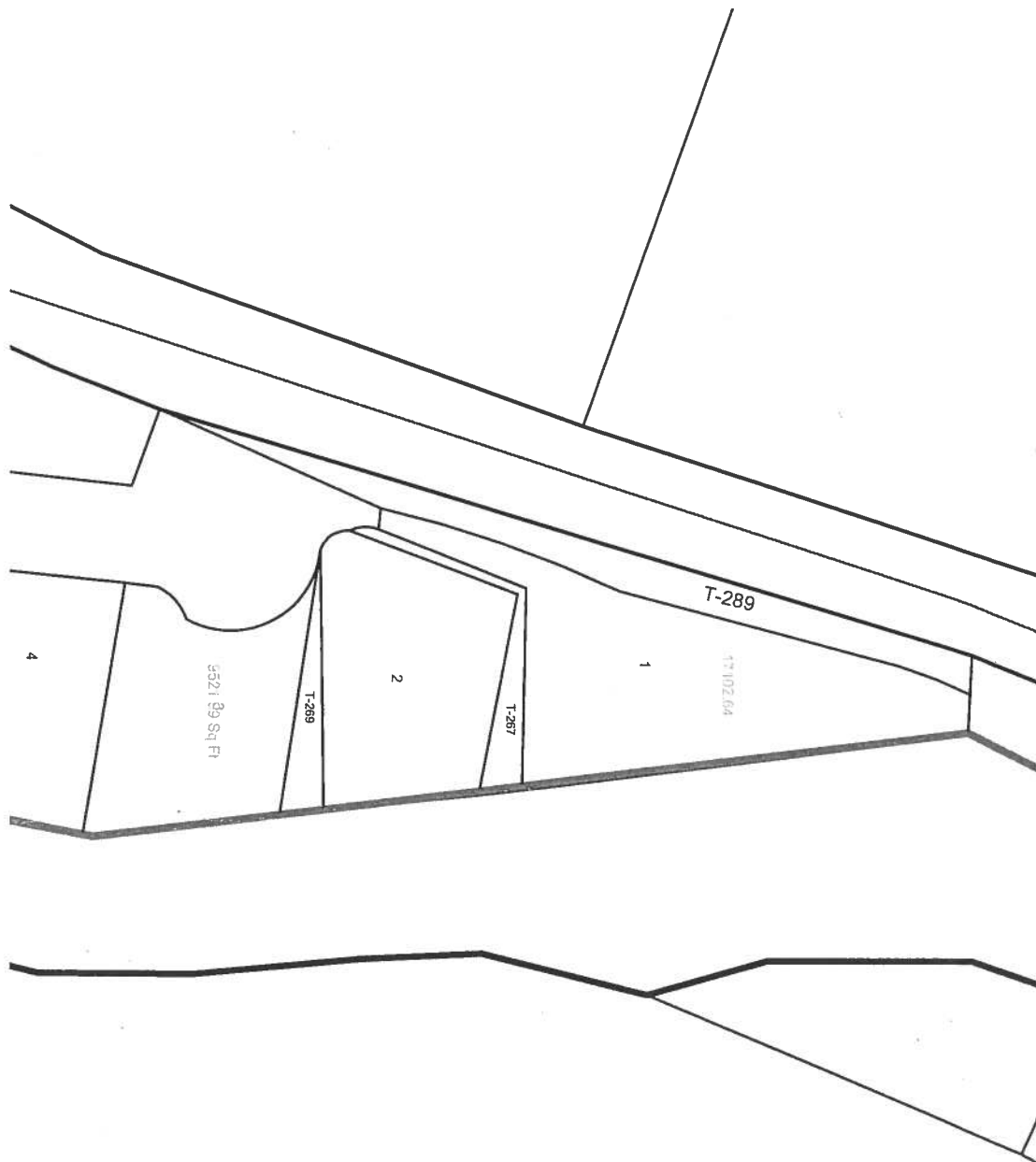
ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

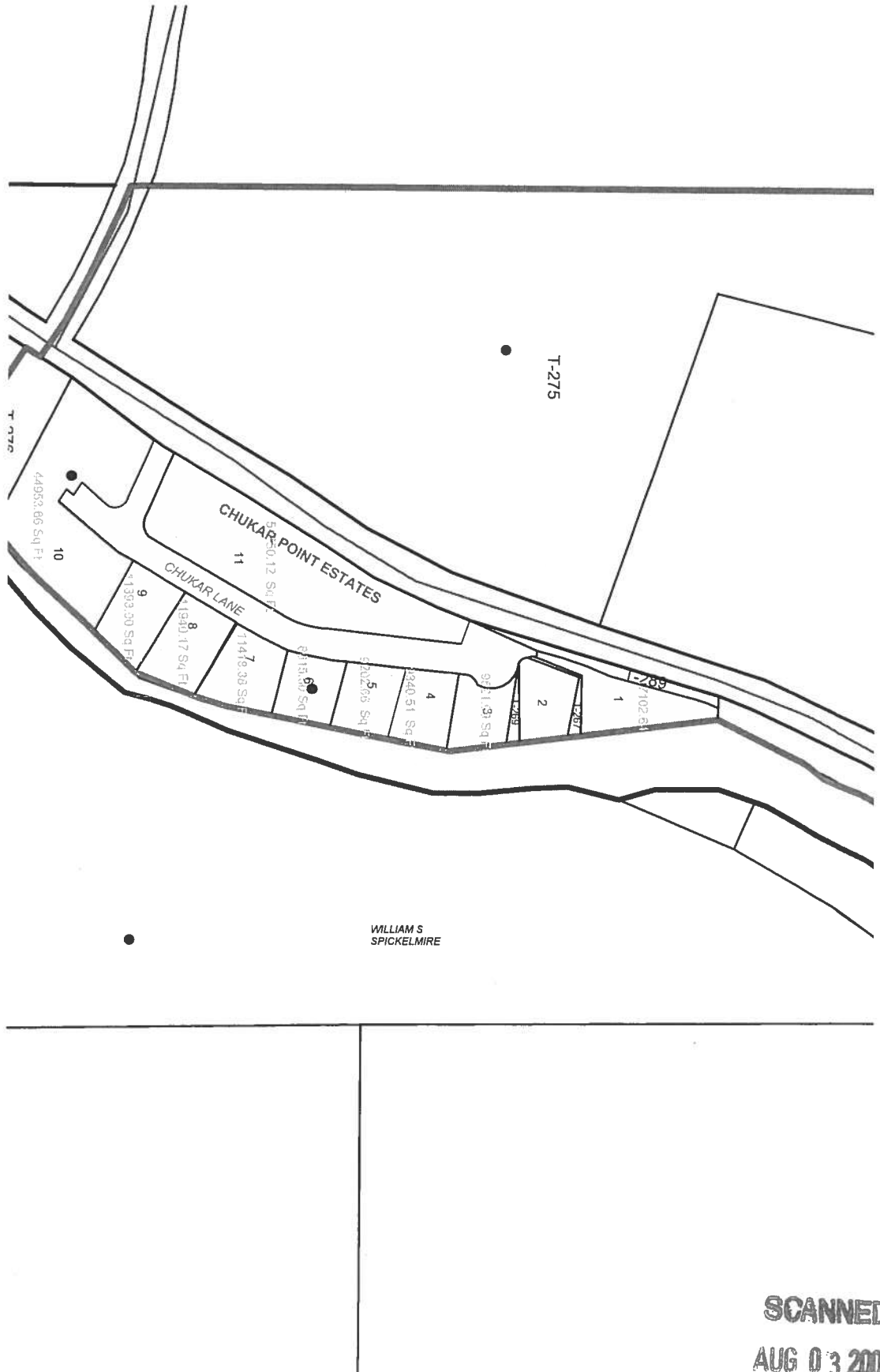
DEED # 447367

SCANNED

AUG 03 2007



SCANNED
AUG 03 2007



SCANNED
AUG 03 2007

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

RIGHT NUMBER: 78-4021D

NAME AND ADDRESS: HEATHER SABIN
PO BOX 313
RIGGINS ID 83549

STEVE SABIN
PO BOX 313
RIGGINS ID 83549

JOHN M MC GAVIN
PO BOX 313
RIGGINS ID 83549

SOURCE: LITTLE SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.110 CFS
22.000 AFY

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T24N R01E S22 NWNW Within IDAHO County

T24N R01E S22 SWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	2/15 11/30	0.110 CFS 22.00 AFY

PLACE OF USE: IRRIGATION in IDAHO County

T24N R01E S22	NWNW	3.00	T24N R01E S22	SWNW	2.50
---------------	------	------	---------------	------	------

5.5 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: BASIS OF CLAIM - Beneficial Use

Identification No. _____

Claim No. 78-4021 P

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Amended

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant STEWART AITKEN

post office address Riggins, Idaho 83549

2. ~~Point~~ of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, Township 24 North, Range 1 East, B.M., located on Squaw Creek, a tributary of Little Salmon River, Blaine County, Idaho.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

April 1, 1890 amount: 1.9 c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

_____ amount: _____ c.f.s. or _____ acre feet

Total claimed 1.9 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use irrigation period of use from April 1 to Oct. 15 (both dates inclusive)

use livestock period of use from Jan. 1 to Dec. 31 (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

4. Description of diverting works: **SEE EXHIBIT "A" ATTACHED**

a. Surface water diversion dam and/or headgate: material is composed of _____; length is _____ feet; height is _____ feet; width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped _____; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____ capacity of pump is _____ g.p.m.; name and address of well driller is _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? yes If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) one unnamed ditch (#1, Exhibit "A") used in
common with Roy D. Wisdom, who irrigates _____ acres, from this ditch.

6. Where water is used for stock watering, give number of each kind of stock watered _____
cattle - 75 head; 5 horses and 25 chickens

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Lands irrigated are mostly narrow, irregularly shaped tracts along north
and south sides of Squaw Creek. All tracts slope sharply towards creek and
soil is shallow, all underlain with gravel and sand. Land does not sub-irrigate
like lower country, heavy soil lands, but water sinks quickly and goes back to
stream. For this reason, not less than 4 miners inches of water per acre is
required to effectively irrigate land.

NOTE: This claim is supported by the attached Affidavits of Eunice Parkison,
Albert W. Campbell, Loy Hollenbeak and Rollie L. Campbell as to the
priorities and use of water upon claimant's lands.

State of Idaho }
County of Adams } ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the
foregoing claim to a water right, together with all attached information, and that the matters and facts therein are
true to the best of the affiants knowledge.

Sworn to before me this 17th day of July, 1971.

x Stewart Parkison
Claimant

Will Hollenbeak
Notary Public

Residing at Council, Idaho

My commission expires April 13, 1975

For Department Use Only

Received by <u>ej</u> Date <u>7-22-71</u>	Exception filed by: _____	Forwarded to _____	Date _____
Date of first receipt: <u>5-28-71</u>		claimant by: _____	
Prelim. check by <u>Dee</u> Date <u>5-28-71</u>			
Fee received by <u>ej</u> Date <u>6-1-71</u> Fee \$ <u>10.00</u>			
Approved for publication by <u>D</u>			
Published in <u>Idaho County</u> Dates <u>8-4 & 8-11, 1971</u>			
<u>Free Press at Grangeville, Idaho</u>			<u>78 4021</u>

AITKEN WATER FILING:

EXHIBIT A

4c. Conveying Works:

1. Diversion ditch from Squaw Creek in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21; 24" wide by 1500' long; irrigates 2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21 (ditch used jointly with Roy D. Wisdom).
2. Diversion ditch from Squaw Creek in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; 12" wide by 400 ' long; irrigates 2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21.
3. Diversion ditch from Squaw Creek in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; 8" wide by 400' long; irrigates 2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21.
4. Diversion ditch from Squaw Creek in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; 18" wide by 1320' long; irrigates 1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21 and 3 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22.
5. Diversion ditch from Squaw Creek in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; 8" wide by 600' long; irrigates .5 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21 and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22.
6. Diversion ditch from Squaw Creek in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21; 18" wide by 2640' long; irrigates 12 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 22.

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

RIGHT NUMBER: 78-4021D

NAME AND ADDRESS: HEATHER SABIN
PO BOX 313
RIGGINS ID 83549

STEVE SABIN
PO BOX 313
RIGGINS ID 83549

JOHN M MC GAVIN
PO BOX 313
RIGGINS ID 83549

SOURCE: LITTLE SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.110 CFS
22.000 AFY

PRIORITY DATE: 04/01/1890

POINT OF DIVERSION:

T24N R01E S22 NWNW Within IDAHO County
T24N R01E S22 SWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	2/15 11/30	0.110 CFS 22.00 AFY

PLACE OF USE: IRRIGATION in IDAHO County

T24N R01E S22	NWNW	3.00	T24N R01E S22	SWNW	2.50
---------------	------	------	---------------	------	------

5.5 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: BASIS OF CLAIM - Beneficial Use

09/06/2005

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

RIGHT NUMBER: 78-4021D
NAME AND ADDRESS: LA VAR MURDOCK
PO BOX 995
WINNEMUCCA NV 89446-0995

LILA RAE MURDOCK
PO BOX 995
WINNEMUCCA NV 89446-0995

SOURCE: LITTLE SALMON RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 0.110 CFS
22.000 AFY
PRIORITY DATE: 04/01/1890
POINT OF DIVERSION:

T24N R01E S22 NWNW Within IDAHO County
T24N R01E S22 SWNW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	2/15 11/30	0.110 CFS 22.00 AFY

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R01E S22	NWNW	3.0	T24N R01E S22	SWNW	2.5
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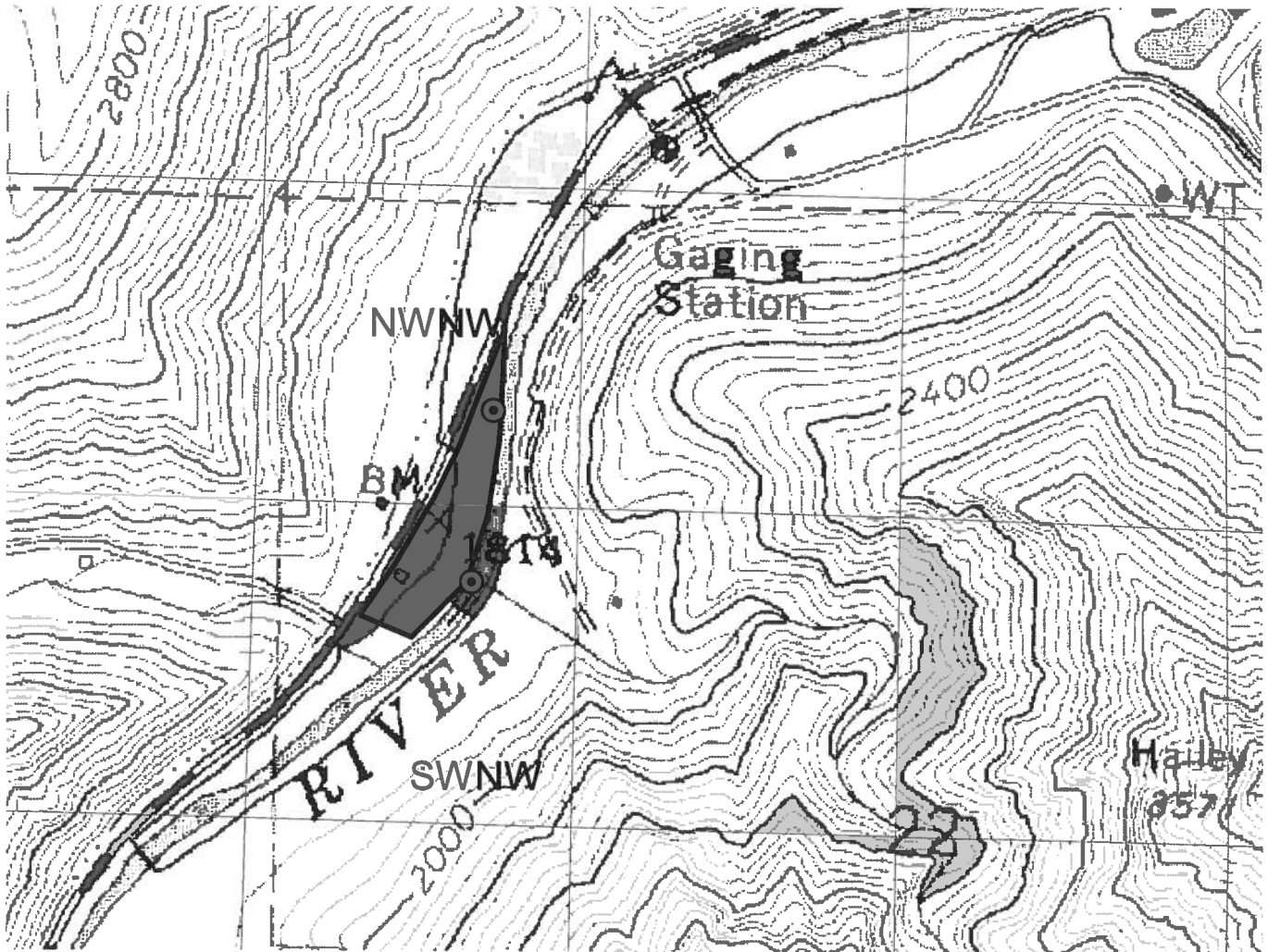
5.5 ACRES TOTAL

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

78-4021D



0 500 1000 Feet

Section 22
T24N R1E



⊙ Point of Diversion

□ Place of Use

Map prepared on September 6, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

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: **A78-04021D**
Date Received: 4/21/1989
Receipt No: X777777
Received By: _____

AMENDED

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

AMENDED

1. Name: LA VAR MURDOCK 208-623-5885
Address: PO BOX 995
WINNEMUCCA NV 89446-0995
AND/OR
Name: LILA RAE MURDOCK 208-623-5885
Address: PO BOX 995
WINNEMUCCA NV 89446-0995

2. Date of Priority: APR 1, 1890

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
24N	01E	22		NW	NW		IDAHO
				SW	NW		IDAHO

5. Description of diverting works:
HEADGATE, DITCH, CULVERT, WOODEN FLUME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	02/15	11/30	0.110		22.00

7. Total Quantity Appropriated is:
0.110 C.F.S. (and/or) 22.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
24N	01E	22	NW		NW		IRR	3.0
			SW		NW		IRR	2.5
							Section Acres	5.5
							Total Acres	5.5

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:
CLAIM AMENDED PER TRANSFER NO. 5447 APPROVED 11/4/99.
FOR TRANSFER CONDITIONS OF APPROVAL AND REMARKS SEE COPY OF
TRANSFER IN ADJUDICATION FILE.

15. Basis of Claim: BENEFICIAL USE

Western

RECEIVED

NOV 09 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5447
WATER RIGHT NO. 78-04021B

This is to certify that: LA VAR MURDOCK
PO BOX 995
WINNEMUCCA NV 894460995

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	02/15 to 11/30	* 0.11 CFS	* 22.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LITTLE SALMON RIVER	SALMON RIVER

Priority: 04/01/1890

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 22, Township 24N, Range 01E
SWNW , Sec. 22, Township 24N, Range 01E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
24N	01E	22	NWNW 3.0	SWNW 2.5		5.5
Total number of acres irrigated:						5.5

CONDITIONS OF APPROVAL AND REMARKS

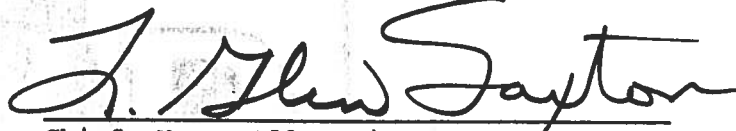
1. Approval of Transfer 5447 does not confirm Claimed Right 78-04021B.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.

TRANSFER NO. 5447
WATER RIGHT NO. 78-04021B

CONDITIONS OF APPROVAL AND REMARKS

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 7. The total instantaneous diversion of water from all points of diversion under Transfer 5447 shall not exceed 0.11 cfs, nor a total combined annual volume of 22.0 af.
8. Diversion of water from Little Salmon River is limited to those times water is available for diversion under this right and priority from the original source, Squaw Creek.
9. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department of measuring the flow in Squaw Creek at the original point of diversion.
10. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
11. Two points of diversion are located within SWNW, S22, T24N, R01E.

Dated this 4th day of November, 1999.


Chief, Water Allocation Bureau

MEMORANDUM

TO: File 78-04021

FROM: Pam Skaggs^P/State Office

SUBJECT: Transfer 5447

DATE: November 4, 1999

Transfer 5447 changes the points of diversion under a portion of Right 78-04021, splitting the right into Parts A and B. The applicant has provided proof of ownership and the SRBA Claim was split to reflect his portion of the land under A78-04021D.

Season of use and diversion volume was adjusted to current standards. Recommended conditions include non-confirmation of the claim, availability from original source, measuring devices for multiple points of diversion & original source, future annual reporting, irrigation overlap and standard transfer conditions.

МАК 17 1999

Page 1 of 6

STATE OF IDAHO WATER RESOURCES
DEPARTMENT OF WATER RESOURCES WESTERN

WATER RESOURCES
WESTERN REGION

Transfer No. 5447

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

JUN 07 1999

WATER RESOURCES
WESTERN REGION

PART 1

Name of applicant LaVar Murdock Phone (702) 623-5885

Post Office address PO Box 995 - Winnemucca, Nv. 89446 - 0995

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 Purchased part of property
2. Describe the reason for the proposed changes The applicant purchased a part of the property appertaining to Water Right No. A78-04021B. The existing point of diversion in Squaw Creek has been damaged by flood. The applicant requests a diversion point where the water will be pumped from the Little Salmon River.

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 |
|--|---------------------|-----------------------|-----------------------|---|
| ~~78-04021B~~ | ~~4/1/1890~~ | ~~200 cfs~~ | ~~Irrigation~~ | ~~4/15~~ <u>3/1</u> to ~~10/15~~ <u>11/30</u> |
| (NOTE: Amount of water is .11 cfs if
across reduced to 5.5) | | | | |
| 2. Total amount of water being transferred <u>.1322</u> cubic feet per second and/or <u>19.83</u> acre-feet per annum. | | | | |
| 3. Source of water <u>Little Salmon River</u> tributary to <u>Salmon River</u> | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

DIVERSION TO BE AT ANY POINT ALONG THE EAST PROPERTY LINE.
 AS SHOWN ON THE ATTACHED MAP. - MORE THAN ONE PUMP.

5. Lands irrigated or place of use:

[illegible]

WR5809NP
No. 78-04021

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 04/09/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEWART AITKEN	04/01/1890	IRRIGATION STOCKWATER	04/01 10/15 01/01 12/31	1.900 CFS	

TOTAL DIVERSION: 1.900 CFS

Water Source: SQUAW CREEK

Tributary to: LITTLE SALMON RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T24N R01E S21 SWNE SENE SENW IDAHO County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
24N	01E	21	:			03	02	:										02		:	7.0
24N	01E	22	:					:	10	05										:	15.0
																			TOTAL ACRES	22.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: IDAHO

Remarks: GEN AC. IRR.=22.5.

Dates:	App. Received:	Priority Date:	04/01/1890
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: Field Exam Fee:

Audit: 02/20/85 05/01/88 CONVERT

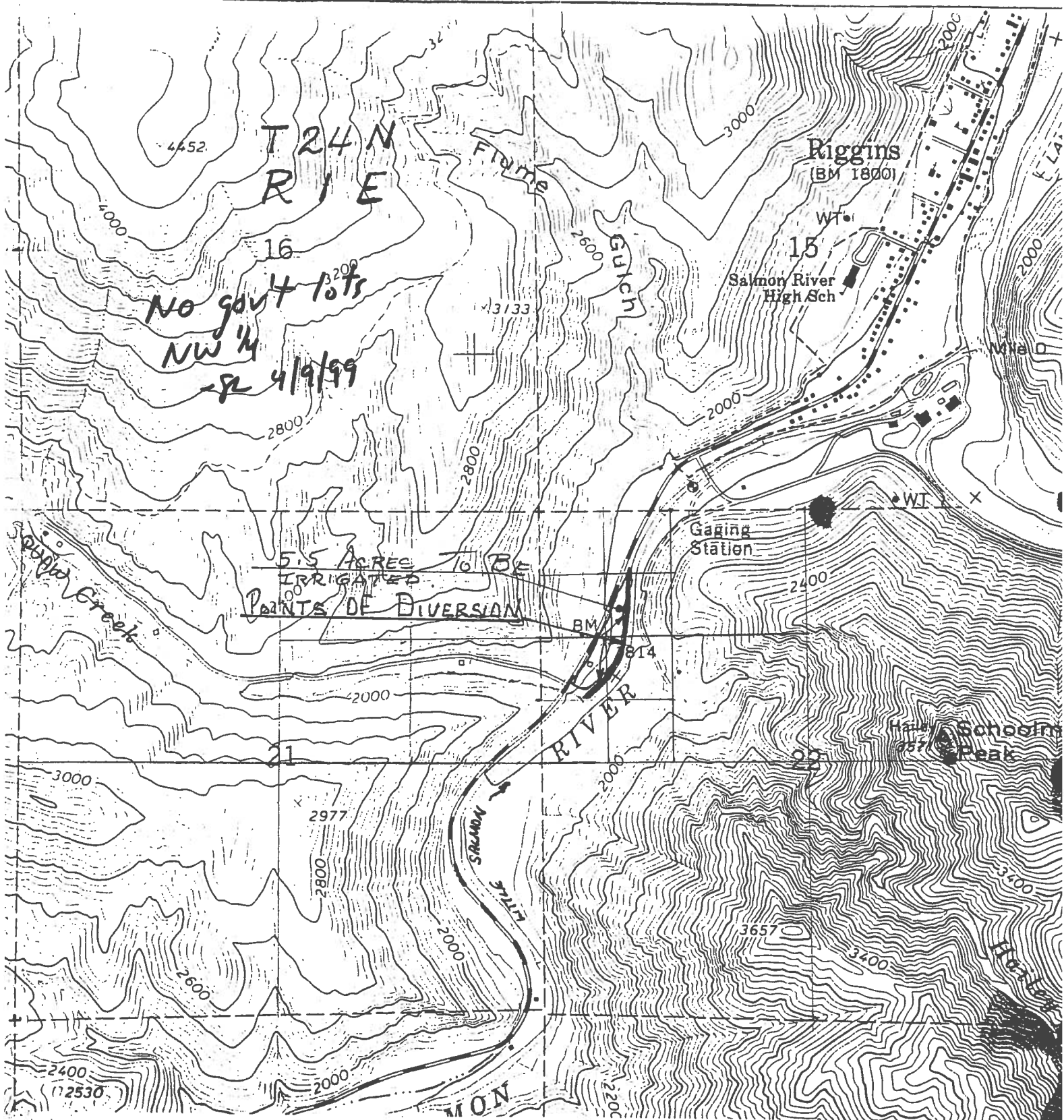
- DESCRIPTION OF
WATER RIGHT AS
RECORDED -

Revised pg. 3 of 6

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.



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TRACTED
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SEARCHED

380091

WARRANTY DEED

THIS INDENTURE, Made on this 8th day of MAY, 1995, by and between ROBERT LYM and BONNIE LYM, husband and wife, hereinafter referred to as parties of the first part, and LAVAR MURDOCK and LILA RAE MURDOCK, husband and wife, hereinafter referred to as the parties of the second part.

WITNESSETH:

That the said parties of the first part, for and in consideration of good and valuable consideration, to them in hand paid by the parties of the second part, the receipt thereof is hereby acknowledged, by these presents do hereby grant, bargain, sell, convey and confirm, unto the said parties of the second part, and to their heirs, successors and assigns forever, the following described real property, situated in the County of Idaho, State of Idaho, to wit:

See attached Exhibit "A" which is by reference incorporated herein and made a part hereof.

TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said parties of the second part, and to their heirs, successors and assigns forever.

And parties of the first part and their heirs, successors and assigns, hereby covenant to and with said parties of the second part and their heirs, successors and assigns the parties of the first part are lawfully seized in fee simple of the above granted

PAGE -1-
WARRANTY DEED

ATTORNEYS AT LAW

GRANGEVILLE, IDAHO 83530

Attachment A
(3 pgs)

premises free from all encumbrances and that the parties of the first part will warrant and defend the above premises against all and every person and persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals in the day and year hereinabove first written.

ROBERT LYM

BONNIE LYM

STATE OF IDAHO

County of IDAHO ss.

On this 8th day of May, 1995, before me, the undersigned a Notary Public in and for the State of Idaho, personally appeared ROBERT LYM and BONNIE LYM, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

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

Notary Public in and for the State of Idaho; Residing at Grangeville, therein. My commission expires: 6-24-99

MAIL DEED TO:

LAVAR & LILA MURDOCK

MAIL TAX NOTICES TO:

LAVAR & LILA MURDOCK

207 E. MINOR ST.

WINNEMUCCA NV 89445

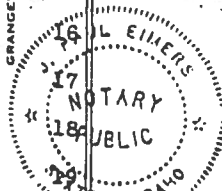
PAGE -2-
WARRANTY DEED

STATE of IDAHO	ss
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at 55 minutes past 4 o'clock	P M.
this 8 day of May, 1995	
ROSE E. GEHRING	
By	Recorder
	Deputy
Fees \$	

DELL M. MCGILLON, JAMES AND MARGARET MCGILLON

ATTORNEYS AT LAW

GRANGEVILLE, IDAHO 83830



A2

DILL, MACGREGOR, FALLS AND MACGREGOR

ATTORNEYS AT LAW

GRANGEVILLE, IDAHO 83830

EXHIBIT "A"

A parcel of property located between the Little Salmon River and U.S. Highway 95, FAP 9-G, 1933, and 85' north of the Center of Squaw Creek, within the W½ of the NW¼ of section 22, T 24 N, R 1 E, B.M., Idaho County, Idaho, and is more particularly described from a survey as follows: Beginning at the W¼ corner of section 22, thence N 26° 08' 08" E 907.919' to a point on the easterly Right-of-Way (ROW) line of U.S. 95 at station 1,786+14.33, 33' East of Centerline, the initial point of beginning,

Thence N 30° 18' 08" E, 545.479' along said ROW to the P.C. at Sta. 1,791+59.8;

Thence around a curve to the left through a delta of 10° 17' 14" a length of 264.158', a tangent of 132.435', a radius of 1471.274' and a chord bearing of N 25° 08' 03" E with a distance of 263.804' the P.T. at Sta. 1,794+19.4;

Thence N 19° 54' 12" E, 417.050' along said ROW;

Thence N 90° 00' 00" E, 30.863' to a point on the westerly mean high water line of the Little Salmon River;

Thence S 01° 14' 16" W, 442.629' meandering along said high water line;

Thence S 14° 05' 27" W, 386.462' meandering along said high water line;

Thence S 21° 23' 46" W, 155.180' meandering along said high water line;

Thence S 37° 38' 54" W, 238.289' meandering along said high water line;

Thence S 46° 19' 42" W, 100.210' meandering along said high water line;

Thence N 57° 03' 45" W, 216.646' back to the initial point of beginning;

Which parcel contains some 5.45849 acres.

A₃

Water Right Number - A78-040218

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

*** C - CURRENT OWNER ***
LYM

BONNIE

1 - PO BOX 210

State- ID Zip- 83549

LYM

ROBERT

2 -
3 -
City- RIGGINS
Phone - 208-628-3455
1 - PO BOX 210

State- ID Zip- 83549

3 -
City- RIGGINS
Phone - 208-628-3455

State- ID Zip- 83549

Priority Date - 04/01/1890

Region - ERROR IN REGION

Stage - J - BENEFICIAL USE

Status -

Source - SQUAM CREEK

Tributary - LITTLE SALMON RIVER

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name
24N	01E	22	NW SW NW		(49)	IDAHO		

Code	Description	Period From	Period To	Water Use	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15		0.200	

Total Div. Rate - 0.200 + Total Div. Volume - 0.200 + Total Div. Capacity - 30.0 + Total Consumptive Use - 30.0 + KW Usage -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Code	Description	County
24N	01E	21	SE NE		1.0		01	IRRIGATION	(49) IDAHO
24N	01E	22	NW NW		3.0		01	IRRIGATION	(49) IDAHO
24N	01E	22	SW NW		6.0		01	IRRIGATION	(49) IDAHO
					Total Acres:	10.0			

- - - Diversion Means - HEADGATE, DITCH, CULVERT, WOODEN FLUME

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

Remarks - No Remarks found.

Attachment B
(2 pgs)

Water right number - A78-040218

Prefix Translation: ADJUDICATION CLAIM

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

+ - - - - Conditions of Approval - - - - - +
+ - - - - No Conditions of Approval found. - - - - - +

+ - - - - Decree Plaintiff - - - - - + - - - - Decree Defendant - - - - - +
+ - - - - Decree Date - - - - - +
00/00/0000

+ - - - - Audit Fields - 06/02/89 HARRINGT 03/30/95 POST-STD

+ - - - - Comments - - - - - +
+ - - - - No Comments found - - - - - +

+ - - - - 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 - 04/21/1989 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 - C006466 Federal/State Indicator - S
POU Ownership Flag - Y Presumption Flag -
Name Connector - AND/OR Notice of Error Flag -

B₂

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: **A78-04021D**
Date Received: 4/21/1989
Receipt No: X777777
Received By: _____

AMENDED

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

AMENDED

1. Name: LA VAR MURDOCK 208-623-5885
Address: 270 E MINOR ST
WINNEMUCCA NV 89445

AND/OR

Name: LILA RAE MURDOCK 208-623-5885
Address: 270 E MINOR ST
WINNEMUCCA NV 89445

2. Date of Priority: APR 1, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	22	NW	SW	NW		IDAHO

5. Description of diverting works:
HEADGATE, DITCH, CULVERT, WOODEN FLUME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.110		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	22	NW	NW		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	01E	22	SW NW		IRR	2.5
Section Acres						5.5
Total Acres						5.5

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:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

Split Tree A78-04021B

A78-04021B N/O Robert & Bonnie Lynn

Div. Rate: .20 cfs

Source: Squaw Creek

POD: T24N, R01E, S22, NWSWNW

POU: T24N, R01E, S21, SENE - 1 ac.

S22, NWNW - 3 ac

SWNW - 6 ac

A78-04021C N/O Robert & Bonnie Lynn

Div. Rate: .09 cfs

Source: Squaw Creek

POD: T24N, R01E, S22 NWSWNW

POU: T24N, R01E, S21, SENE - 1 ac

SWNW - 3.5 ac.

A78-04021D N/O LaVar & Lila Rae Murock

Div. Rate: .11 cfs

Source: Squaw Creek

POD: T24N, R01E, S22 NWSWNW

POU: T24N, R01E, S22, NWNW - 3 ac

SWNW - 2.5 ac

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
OCT 21 1998
WATER RESOURCES
WESTERN REGION

1. Water Right No(s).: A 78-04021 B A78-04021 D
Adjudication Claim No(s).: N/A
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating you: ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Bonnie and/or Robert Lym
P.O. Box 210, Riggins, ID 83549
4. New Owner/Claimant(s) LaVar and/or Lila Rae Murdock
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 270 E. Minor Street
City, State and ZIP Code Winnemucca, NV 89445
New Telephone Number (208) 623-5885
5. Date you acquired the property May 8, 1995
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the space below. If necessary, attach additional pages.
- Number of acres you irrigate 5.45628 Number and type of stock 4 horses
Diversion rate in CFS 0.11 Number of homes 1 Other uses Fire protection
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) LaVar J. Murdock
Lila Rae Murdock
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

COPY

COMPUTER ()
INDEXED ()
TRACTED ()
FILMED ()
ASSESSOR ()

380091

WARRANTY DEED

THIS INDENTURE, Made on this 8th day of MAY, 1995, by and between ROBERT LYM and BONNIE LYM, husband and wife, hereinafter referred to as parties of the first part, and LAVAR MURDOCK and LILA RAE MURDOCK, husband and wife, hereinafter referred to as the parties of the second part.

W I T N E S S E T H :

That the said parties of the first part, for and in consideration of good and valuable consideration, to them in hand paid by the parties of the second part, the receipt thereof is hereby acknowledged, by these presents do hereby grant, bargain, sell, convey and confirm, unto the said parties of the second part, and to their heirs, successors and assigns forever, the following described real property, situated in the County of Idaho, State of Idaho, to wit:

See attached Exhibit "A" which is by reference incorporated herein and made a part hereof.

TOGETHER WITH ALL AND SINGULAR, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said parties of the second part, and to their heirs, successors and assigns forever.

And parties of the first part and their heirs, successors and assigns, hereby covenant to and with said parties of the second part and their heirs, successors and assigns the parties of the first part are lawfully seized in fee simple of the above granted

premises free from all encumbrances and that the parties of the first part will warrant and defend the above premises against all and every person and persons whomsoever lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals in the day and year hereinabove first written.

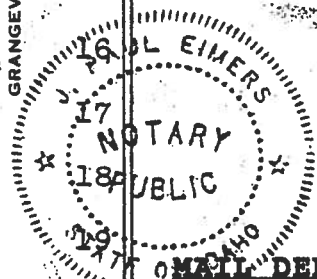
Robert Lym
ROBERT LYM

Bonnie Lym
BONNIE LYM

STATE OF IDAHO)
County of IDAHO) ss.

On this 8th day of May, 1995, before me, the undersigned a Notary Public in and for the State of Idaho, personally appeared ROBERT LYM and BONNIE LYM, known to me to be the persons whose names are subscribed to the within and foregoing instrument, and acknowledged to me that they executed the same.

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



J. L. Eimers
Notary Public in and for the State of Idaho; Residing at Grangeville, therein. My commission expires: 6-24-99

MAIL DEED TO:
LAVAR & LILA MURDOCK

MAIL TAX NOTICES TO:
LAVAR & LILA MURDOCK
207 E. MINOR ST.
WINNEMUCCA NV 89445

STATE of IDAHO ss	
County of Idaho	
Recorded at request of	
IDAHO COUNTY TITLE CO.	
at 55 minutes past 4 o'clock P M.	
this 8 day of May, 1995	
ROSE E GEHRING	
By <u>Elyse L. Anderson</u>	Recorder
Fees \$ 9.00	Deputy

EXHIBIT "A"

A parcel of property located between the Little Salmon River and U.S. Highway 95, FA 9-G, 1933, and 85' north of the Center of Squaw Creek, within the W $\frac{1}{2}$ of the NW $\frac{1}{4}$ of section 22, T 24 N, R 1 E, B.M., Idaho County, Idaho, and is more particularly described from a survey as follows: Beginning at the W $\frac{1}{4}$ corner of section 22, thence N 26° 08' 00" E 907.919' to a point on the easterly Right-of-Way (ROW) line of U.S. 95 at station 1,786+14.33, 33' East of Centerline, the initial point of beginning,

Thence N 30° 18' 08" E, 545.479' along said ROW to the P.C. at Sta. 1,791+59.8;

Thence around a curve to the left through a delta of 10° 17' 14" a length of 264.158', tangent of 132.435', a radius of 1471.274' and a chord bearing of N 25° 08' 03" E with distance of 263.804' the P.T. at Sta. 1,794+19.4;

Thence N 19° 54' 12" E, 417.050' along said ROW;

Thence N 90° 00' 00" E, 30.863' to a point on the westerly mean high water line of the Little Salmon River;

Thence S 01° 14' 16" W, 442.629' meandering along said high water line;

Thence S 14° 05' 27" W, 386.462' meandering along said high water line;

Thence S 21° 23' 46" W, 155.180' meandering along said high water line;

Thence S 37° 38' 54" W, 238.289' meandering along said high water line;

Thence S 46° 19' 42" W, 100.210' meandering along said high water line;

Thence N 57° 03' 45" W, 216.646' back to the initial point of beginning;

Which parcel contains some 5.45849 acres.

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: A78-04021B
Date Received: 4/21/1989
Receipt No: C006466
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BONNIE LYM 208-628-3455
Address: P.O. BOX 210
RIGGINS, ID 83549
AND/OR
Name: ROBERT LYM 208-628-3455
Address: P.O. BOX 210
RIGGINS, ID 83549

2. Date of Priority: APR 01, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	22	NW	SW	NW		IDAHO

5. Description of diverting works:
HEADGATE, DITCH, CULVERT, WOODEN FLUME

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	21	SE	NE		IRR	1.0
						Section Acres	1.0
		22	NW	NW		IRR	3.0
			SW	NW		IRR	6.0
						Section Acres	9.0
						Total Acres	10.0

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:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A78-04021BDate Received 4-21-89Receipt Number C0016466

per 4-3-89
rept

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 21 1989

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Bonnie & Robert Lynn Phone (208) 628-3455Mailing Address P.O. Box 210, Riggins, ID Zip 835492. Date of Priority (Only one (1) per claim) April 1, 18903. Source of water supply (a) Squaw Creek
which is tributary to (b) Little Salmon River4. a. Location of existing point of diversion is: Township 24N Range 1E Section 22,
NW 1/4 of SW 1/4 of NW 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.

Headgate on Squaw Creek
Apex 14" x 14". Ditch has culvert under
existing Squaw Creek Road, A wooden Flume
over Riggins Ditch & A culvert under
Highway 95. Ditch dimensions Apex 14" x 14"

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OCT 05 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-15 to 12-15 amount .2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 30 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
24N	1E	21				1													1
		22						3	6										9

Total number of acres irrigated 10

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 (✓)

14. Remarks:

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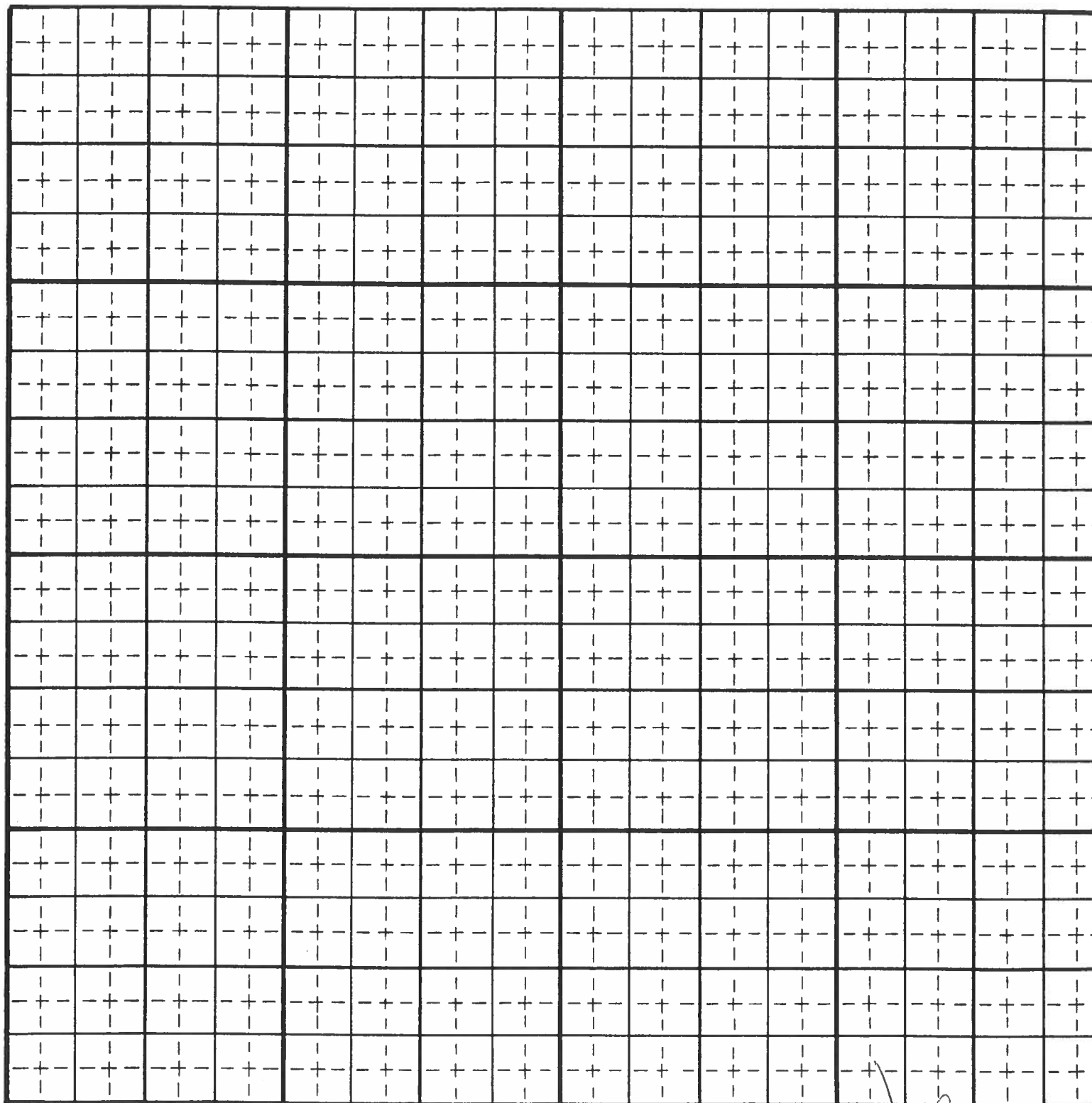
OCT 05 1992

Last Name LYM Ident No. _____

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



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OCT 05 1992

Last Name LYM

Ident No. _____

Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number 78-04021

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 1 MAP

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 L. Lym Date 4/19/89

Bonnie M. Lym Date 4-19-89

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 Idaho)
County of Adair) SS.

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

SEAL

Notary Public Oleo Travis

Residing at Riggins

My Commission Expires 10-10-94

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 _____

Last Name LYM Ident. Number _____

~~MICROFILMED~~
OCT 05 1992

Copies White-State, Yellow-Claimant

262200

262462

INDEXED

11

TRACTED

11

FILMED

10

INDEXED

11

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FILMED

10

CORRECTED WARRANTY DEED

FOR VALUE RECEIVED, STEWART AITKEN and CAROL GRACE AITKEN, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto ROBERT LYM and BONNIE LYM, husband and wife, of Post Office Box 438, Riggins, Idaho 83549, the Grantees, the following described premises situated in the County of Idaho, State of Idaho, to-wit:

A parcel of land in the $W\frac{1}{2}$ $NW\frac{1}{4}$ of Section 22 and the $E\frac{1}{2}$ $NE\frac{1}{4}$ of Section 21, T. 24 N., R. 1 E., B.M., Idaho County, Idaho, more particularly described as follows:

Beginning at the quarter section corner between Sections 21 and 22, T. 24 N., R. 1 E., B.M., thence N. 189.19 ft to the left bank of the Little Salmon River, and the real point of beginning;

Thence along the left bank of the Little Salmon River,

N. $51^{\circ} 05.6'$ E., 327.69 ft.,
 N. $46^{\circ} 36.8'$ E., 200.9 ft.,
 N. $56^{\circ} 31.8'$ E., 215.8 ft.,
 N. $45^{\circ} 15.9'$ E., 305.5 ft.,
 N. $33^{\circ} 54.5'$ E., 147.0 ft.,
 N. $22^{\circ} 21.7'$ E., 170.85 ft.,
 N. $6^{\circ} 44.4'$ E., 332.3 ft.,
 N. $1^{\circ} 19'$ E., 261.1 ft.,
 N. $5^{\circ} 00'$ E., 179.62 ft.,

Thence West 67.70 ft.,

Thence along the easterly boundary of Highway 95,

S. $20^{\circ} 26.7'$ W., 437.39 ft.,
 Along a curve to the right of radius 1,434.74 ft.,
 delta of $10^{\circ} 36.4'$, 265.6 ft.,

DEAN, WALLERS & CANTRILL
 ATTORNEYS AT LAW
 DEER BUILDING • 817 W. FRANKLIN ST.
 P.O. BOX 1006 • PHONE 342-2674
 BOISE, IDAHO 83701
 AND
 THIRD STREET
 PHONE 634-2641 • OR 634-8330
 MCCALL, IDAHO 83838



T24 N R 1 E Sec 22
NW 1/4 SW 1/4 NW 1/4

Squaw Cr.
10 Acres
10 Acres
SAIMON RIVER

SCALE 1:24,000
17' 30"

MICROFILMED
OCT 10 1992
Survey
Conservation Service



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

October 21, 1998

PHILIP E. BATT
GOVERNOR

Carl Edwards
CE Engineering
Grangeville, ID 83530

KARL J. DREHER
DIRECTOR

Re: A78-02021D N/O Murdock

Dear Mr. Edwards:

In regard to our recent telephone conversation concerning LaVar Murdock's filings, enclosed are the following documents.

- 1) LaVar Murdock's check No. 1661 in the amount of \$50.
- 2) Copy of Receipt No. C043487 in the amount of \$50.
- 3) Record of Survey--Instrument No. 383416
- 4) Application for Transfer of Water Right form
- 5) Instructions for Filing an Application for Transfer
- 6) IDWR Information Sheet-Filing an Application for Transfer
- 7) Copy of SRBA claim A78-04021D in the name of LaVar & Lila Murdock
- 8) Profile Report for A78-04021B in the name of Robert & Bonnie Lym
- 9) Water Right Profile Report for 78-04021.

The transfer application Murdocks need to file to change the Source and Point of Diversion will be based on water right 78-04021. Snake River Basin Adjudication claim A78-04021D supports the contention that the Murdocks have a possessory interest in water right 78-04021. If the transfer application is approved, 78-04021 will be split and a portion of the right recorded in the Murdock's names.

When you file the transfer application, mail it to the Western Region Office at the address above. Remit a check in the amount of \$50 and request the \$50 already paid under receipt C043487 be applied to the transfer filing fee that totals \$100.

Call me at the number below if you have any questions.

Sincerely,

Mel Schulte

ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190



MeX letter to Mel - at 208-334-2190

State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED
OCT 21 1998
WATER RESOURCES
WESTERN REGIONAL

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 7, 1998

Lavar Murdock
PO Box 519
Riggins ID 83549

Re: Application for Temporary Approval of Water Appropriation

Dear Sir:

While reviewing your application for temporary approval, it has come to my attention that you are applying for a temporary right but that water is proposed to be used on a permanent basis for irrigation, fire protection and stockwater purposes. Such an appropriation has to be covered by a valid permanent water right.

In searching our water right database and the Snake River Basin Adjudication database, I didn't find any water rights diverted from Squaw Creek in your name. If you know the departmental water right number, it may be possible for you to transfer the Squaw Creek water right point of diversion to the Little Salmon River.

If there isn't an existing water right for the Squaw Creek diversion, you will need to file an application for permit to start the approval process. Whichever way you decide to go, the \$50.00 fee you paid for the temporary approval could be applied toward the application for permit or application for transfer.

The permit or transfer applications would be processed through our Western Regional office. I would suggest that you contact them (208-334-2190) to discuss your options. Please feel free to have them talk to me about applying your \$50.00 to the permit or transfer. If you have any questions regarding this suggestion, I may be reached directly at (208) 327-5452.

Sincerely,

Sharla Curtis
Water Resource Agent
Water Permits Section

CE ENGINEERING
238 E. South Street
Grangeville, Id. 83530
(208) 983-2666

LETTER OF TRANSMITTAL

TO: Idaho Department of Water Resources
Western Region
ATTN: Del
2735 Airport Way
Boise, ID 83705-5082

DATE: October 19, 1998

SUBJECT: Section 22, T 24 N, R 1 E for LaVar Murdock

We are ☒ Enclosing ☐ Returning ☐ Sending under separate cover

COPIES	DATED	DWG No.	REV. No.	DESCRIPTION
1	08/25/98	G-21-95		Record of Survey #383416
1 original				Notice of Change of Water Rights Ownership
1				Letter from Department of Water Resources, with \$50 check from LaVar Murdock
1				Warranty Deed

Remarks:

*Please refer any questions to this office.
thanks.*

Signed:

Carl W. Edwards

Copy to: File