

12/12/2006

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

RIGHT NUMBER: 67-321

NAME AND ADDRESS: BOB S MIYAKE
11941 KARCHER RD
NAMPA ID 83651

KYOKO MIYAKE
11941 KARCHER RD
NAMPA ID 83651

SOURCE: LESTER CREEK
SPRING

TRIBUTARY: COTTONWOOD CREEK
TRIBUTARY: LESTER CREEK

QUANTITY: 0.080 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T16N R01W S28 NESE Within ADAMS County

T16N R01W S28 NESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.030 CFS
IRRIGATION	03/15 11/15	0.080 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T16N R01W S28 SWNE 6.20

STOCKWATER same as IRRIGATION

6.2 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

11/08/2006

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

RIGHT NUMBER: 67-321

NAME AND ADDRESS: ALAN J DEMSEY
2180 JACKSON CREEK RD
COUNCIL ID 83612

SOURCE: LESTER CREEK SPRING
TRIBUTARY: COTTONWOOD CREEK
TRIBUTARY: LESTER CREEK

QUANTITY: 0.080 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T16N R01W S28 NESE Within ADAMS County

T16N R01W S28 NESE Within ADAMS County

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PERIOD OF USE:

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T16N R01W S28 SWNE 6.20

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6.2 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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-321 V1

WATER RIGHT NUMBER: 67-321 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	A W PEEBLES
	, ZZ
Original Owner	MYRNA L PEEBLES PO BOX 445 ST ANTHONY, ID 83445 (208)624-7641
Original Owner	STEPHEN L PEEBLES PO BOX 445 ST ANTHONY, ID 83445 (208)624-7641
Original Owner	THE HAROLD WAYNE SALSBURY TRUST 4570 WYNN RD LAS VEGAS, NV 89103
Current Owner	ALAN J DEMSEY 2180 JACKSON CREEK RD COUNCIL, ID 83612 (208)253-6996

Priority Date: 04/01/1896

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LESTER CREEK SPRING	COTTONWOOD CREEK LESTER CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.030 CFS	
IRRIGATION	03/15 to 11/15	0.080 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

LESTER CREEK ADAMS County	NE1/4SE1/4	Sec. 28, Twp 16N, Rge 01W, B.M.
SPRING ADAMS County	NE1/4SE1/4	Sec. 28, Twp 16N, Rge 01W, B.M.

Place of UseIRRIGATION Within ADAMS County

T16N R01W S28 SWNE 6.2

Total Acres: 6.2

STOCKWATER same as IRRIGATIONConditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-321 V1

1. C18 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.
2. N05 The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3. N08 The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Remarks:Comments:

1. segbert 7/29/2004 Source

Comment: The source on the decree is Cottonwood Creek; the source on the claim is Lester Creek which is a tributary of Cottonwood Creek

2. segbert 7/29/2004 POU

Comment: There is no mention of the NE quarter in the decree but that is what the claim says

3. Vmusic 11/8/2006 SPRING

Comment: NO LOCATION ON CLAIM MAP. MADE A GUESS

4. Vmusic 11/8/2006 POU

Comment: ONLY HAVE 1987 AEIRAL PHOTOGRAPHY. ASSUME ACC TRANSFER IN POU PRIOR TO 1987. CLAIM FILED IN 1989. CLAIMED MORE THAN DECREEED # OF ACRES. REDUCED TO DECREEED ACRES.

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	7/29/2004 8:34:18 AM	segbert			Active
POD	7/29/2004 8:35:00 AM	segbert			Active
Source	7/29/2004 8:56:02 AM	segbert			Active
POU	7/29/2004 8:58:27 AM	segbert			Active
Use	7/29/2004 9:13:04 AM	segbert			Active
Season	7/29/2004 9:13:23 AM	segbert			Active
Quantity	7/29/2004 9:13:56 AM	segbert			Active
Summary			11/08/2006	Vmusic	Active
Contacts	11/8/2006 4:37:04 PM	Vmusic			Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	7/29/2004 8:34:17 AM	segbert	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-321 V1

POD	7/29/2004 8:34:59 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
POD	7/29/2004 8:52:43 AM	segbert	Edited point location
POU	7/29/2004 8:58:26 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU?
POD	7/29/2004 8:51:41 AM	segbert	Edited point location
Use	7/29/2004 9:13:04 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Quantity	7/29/2004 9:13:55 AM	segbert	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
Source	7/29/2004 8:56:02 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source?
Season	7/29/2004 9:13:23 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
POU	7/29/2004 1:49:48 PM	segbert	Edited shape boundary
POU	7/29/2004 1:48:31 PM	segbert	Edited shape boundary
POU	7/29/2004 1:51:22 PM	segbert	Edited shape boundary
POD	11/8/2006 4:19:22 PM	Vmusic	Updated shape
POD	11/8/2006 4:22:04 PM	Vmusic	Updated shape
POU	11/8/2006 4:33:41 PM	Vmusic	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-321 V1

Summary	11/8/2006 4:36:37 PM	Vmusic	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Contacts	11/8/2006 4:37:03 PM	Vmusic	(No) 1. Do you want to schedule an appointment?

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-321 V1

WATER RIGHT NUMBER: 67-321 V1

Owner Type
Original Owner

Name and Address
A W PEEBLES

Original Owner

Original Owner

Original Owner

Current Owner

THE HAROLD WAYNE SALSBUURY TRUST
4570 WYNN RD
LAS VEGAS, NV 89103
ALAN J DEMSEY
2180 JACKSON CREEK RD
COUNCIL, ID 83612
(208)253-6996

Priority Date: 04/01/1896

Basis: Decreed

Status:

Source
LESTER CREEK
SPRING

Beneficial Use
STOCKWATER
IRRIGATION

From To
11/04 to 12/31
34.5 to 11/15
Diversion Rate
0.030 CFS
0.080 CFS
Total Diversion: 0.080 CFS

Location of Point(s) of Diversion
LESTER CREEK
ADAMS County

NE 1/4 SE 1/4

Sec. 28, Twp 16N, Rge 01W, B.M.

SPRING

NE 1/4 NE 1/4 SE 1/4

Sec. 28, Twp 16N, Rge 01W, B.M.

Place of Use
IRRIGATION

Twp Rge Sec NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE
16N 01W 28 10.0

Total Acres: 6.2

4" / .025 = 6.16 AC decreed @ 5/9/11

(6.16 AC (.02) = .2 cfs - 4.0

Claimed - .02 cfs/acre

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-321 V1

STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

Comments:

1. segbert 7/29/2004 POD

Comment: Could not do the POD for the springs. There is no map that shows where it is

2. segbert 7/29/2004 Source

Comment: The source on the decree is Cottonwood Creek, the source on the claim is Lester Creek which is a tributary of Cottonwood Creek

3. segbert 7/29/2004 POU

Comment: There is no mention of the NE quarter in the decree but that is what the claim says

Dates and Other Information:

Decreed Date:

Engagement Use Priority Date:

Engagement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connection: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

Element

Priority Date

POD

Source

POU

Use

Season

Quantity

7/29/2004 8:34:18 AM

7/29/2004 8:35:00 AM

7/29/2004 8:56:02 AM

7/29/2004 8:56:27 AM

7/29/2004 9:13:04 AM

7/29/2004 9:13:23 AM

7/29/2004 9:13:56 AM

segbert

segbert

segbert

segbert

segbert

segbert

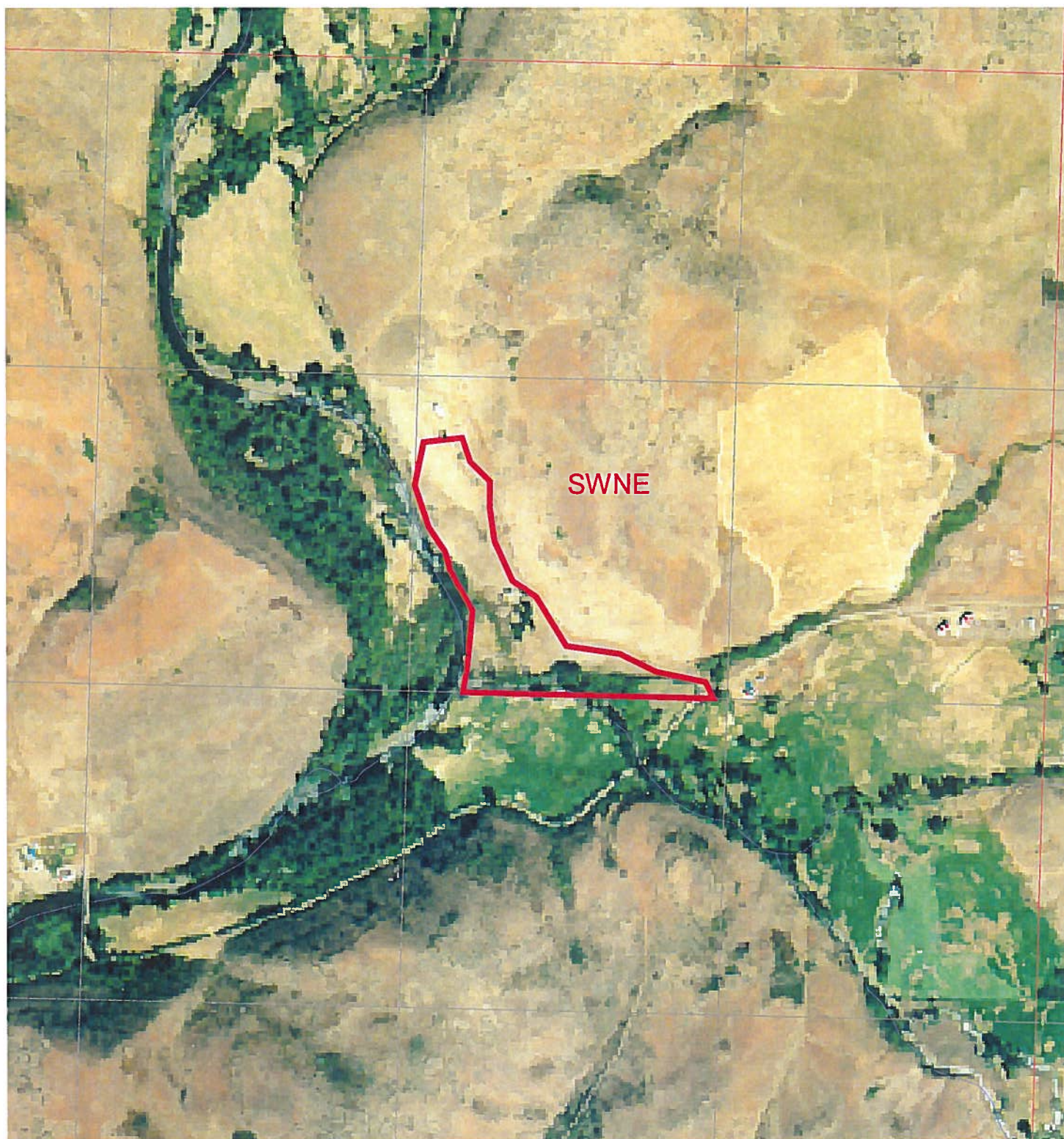
segbert

segbert

reduced acres to 4 decreed.

Idaho Department of Water Resources

67-321



T16N R01W S28



500 0 500 1000 Feet

Prepared by Sandy Egbert
7-29-04
1987 NAPP Photography

IDAHO DEPARTMENT OF WATER RESOURCES

WESTERN REGION

2735 Airport Way

Boise, Idaho 83705-5083

Addressed to No Address

- ☐ Moved, Left No Address
- ☐ Unclaimed
- ☐ Refused
- ☐ Attempted - Not Known
- ☐ Attempted - Street
- ☐ No Such Number
- ☐ No Such Name
- ☐ No Receipt
- ☐ Deceased
- ☐ Vacant

2198 Missman
Council ID 83612

RETURN SERVICE
REQUESTED

0011701

0.255

PB METER

7110094

U.S. POSTAGE

00321

67-00312

RECEIVED

OCT 22 2001

WATER RESOURCES
WESTERN REGION

ALAN J DEMSEY
2180 JACKSON CREEK RD
COUNCIL ID 83612

0032

Sent again 10.23.01



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 17, 2001

ALAN J DEMSEY
2180 JACKSON CREEK RD
COUNCIL ID 83612

Re: Notice of Claim to a Water Right No. 67-00312

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 17, 1994

Re: Notice of Claim to a Water Right No. A67-00321

The Harold Wayne Salsbury Trust
4570 Wynn Road
Las Vegas, NV 89103

Claimant(s):

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim please feel free to contact this office.

Sincerely,

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

LH:1

cc: Stephen & Myrna Peebles

MICROFILMED
OCT 22 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

June 13, 1988

A22-12529
A67-00310
A67-00321
A67-02653 Q

Mr. Stephen L. Peebles
P. O. Box 445
St. Anthony, ID 83445

Dear Mr. Peebles:

Your adjudication claims and check #1164 for \$100.00 are returned. There are several items that were omitted on these claims.

A critical item of the water right, the date of priority, was left off your claim. This is the date that the water was first placed to beneficial use to the best of your knowledge. If in fact the source is surface water, the priority date must be prior to May 20, 1971. Otherwise an Application for Permit is necessary.

Also you have failed to complete Item #10. Merely listing the number of acres irrigated is not sufficient. We have to know what land is being irrigated. This information is necessary before we can accept these claims.

The amount of the fees is also incorrect based upon the number of acres that you are claiming. In one claim you have claimed twenty-five acres to be irrigated. The fee on this would be \$75.00: \$50.00 filing fee and \$1.00 for each irrigated acre. The second claim is for ten irrigated acres. The fee for this claim would be \$60.00: \$50.00 filing fee and \$1.00 for each irrigated acre.

In addition, the legal description you provided for the property leads me to believe that the land in question is in the Weiser River drainage. There has been an appeal filed to exempt this drainage from the SRBA. That appeal is currently before the Idaho Supreme Court. If we accept and process these claims and the Court rules that the Weiser River should be exempted from the adjudication, we will not be able to return your money. We are giving you this opportunity to defer filing these claims.

MICROFILMED

AUG 05 1994

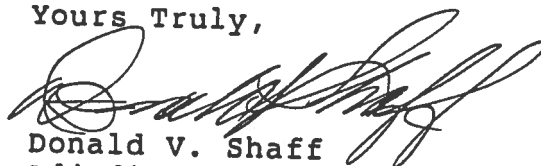
Mr. Stephen Peebles
June 13, 1988
Page 2

If the Court rules that the Weiser River must be included in the adjudication, you will receive a Commencement Notice from this office. At that time, you will have 90 days to resubmit these claims, providing the date of priority is before 1971.

I have enclosed copies of the licenses and other information we have in our files that may pertain to your property. If you feel you do want to file an adjudication claim at this time, please make the changes noted and return the claims to this office. We will be happy to process your claim when these changes are made.

If the Weiser River is included in the adjudication, you can get excellent help in filing these claims by taking all of these materials to our Eastern Region staff in Idaho Falls.

Yours Truly,



Donald V. Shaff
Adjudication Section Supervisor

DVS:db
Enclosures

MICROFILMED

AUG 05 1994

Cow Creek.

American Falls Development Company, sub for
W H Philbrick and R B Greenwood

Goodrich Creek.

J P Ogilvie

Ashton Roby

Cottonwood Creek.

F W Beier

F W Higgins

Edgar Moser

William Phipps

I A Whiteley sub for I A Whiteley and J D Neale

G W Phipps

James H McGinley

Cottonwood Creek (Con)

Mary E Houston

A W Peebles

R S Kincaid

Grant Moore

North Fork Cottonwood Creek.

Gifford-Borenson Ditch.

M P Gifford

Eliza Borenson

James L Stewart and William F Smith

B D Piper

Mrs J T Root sub for M Rhinehart

Emma Cool, sub for Fred Cool

J A Carr

Cladwell Commercial Bank

A L Freshafer

Emma Arrington

Washington County Land & Development Co.

Frank E Brown

Winkler & Weid

Crystal Foust

Robert Wafler

First National Bank of Vale

North Fork Cottonwood Creek (Con)

Ben Houston

A Grossen

Hans Grossen

47 June 1, 1886 67 0306

10 May 1, 1892 67 0307

4 May 1, 1911 67 0308

58 June 1, 1882 67 0309

20 Sept 6, 1884 67 0310

22 1/2 Sept 6, 1884 67 0311

50 June 1, 1884 67 0312

20 June 1, 1889 67 0313

3 June 1, 1895 67 0314

31 3/8 June 1, 1887 67 0315

15 5/8 June 1, 1888 67 0316

37 1/2 June 1, 1889 67 0317

3 May 1, 1889 67 0318

72 July 1, 1895 67 0319

25 July 2, 1890 67 0320

4 April 1, 1896 67 0321

4 T 880 April 1, 1896 67 0322

3 T 184 May 1, 1900 67 0323

5 May 1, 1900 67 0324

107 June 5, 1902 67 0325

62 June 5, 1902 67 0326

20 June 5, 1902 67 0327

10 June 5, 1902 67 0328

96 June 5, 1902 67 0329

10 June 5, 1902 67 0330

25 June 5, 1902 67 0331

58 June 5, 1902 67 0332

5 June 5, 1902 67 0333

5 June 5, 1902 67 0334

25 June 5, 1902 67 0335

2 1/2 June 5, 1902 67 0336

23 3/4 June 5, 1902 67 0337

5 June 5, 1902 67 0338

2 1/2 June 5, 1902 67 0339

16 June 5, 1902 67 0340

3 June 5, 1902 67 0341

10 June 5, 1902 67 0342

5 June 5, 1902 67 0343

JUL 2 4 1900

half of the Northeast Quarter of Section 34, Township 16 North, Range 1 West Boise Meridian.

P W HIGGINS: The Southeast Quarter of the Northwest Quarter, Section 34, and the Southwest Quarter of the Northeast Quarter Section 34, and a strip 10 rods wide on the South side of the Northeast Quarter of the Northwest Quarter of Section 34, all in Township 16 North, Range 1 West Boise Meridian.

EDGAR MOSER: The Southeast Quarter of the Southwest Quarter Section 27, and the Northeast Quarter of the Northwest Quarter Section 34, except the P & I N right-of-way and a strip 10 rods wide off the South side of the Northeast Quarter of the Northwest Quarter of Section 34, Township 16 North, Range 1 West Boise Meridian.

WILLIAM PHIPPS: The South half of the Southwest Quarter, the Southwest Quarter of the Southeast Quarter of Section 26, and the Northwest Quarter of the Northeast Quarter of Section 35, Township 16 North, Range 1 West Boise Meridian.

I A WHITLEY: The North half of the Southeast Quarter, the Southwest Quarter of the Northeast Quarter and the Southeast Quarter of the Northwest Quarter of Section 27, Township 16 North, Range 1 West Boise Meridian.

G W PHIPPS: The North half of the Northwest Quarter of Section 34, and 4 acres immediately north of Section 27, Township 16 North, Range 1 West Boise Meridian.

JAMES H MCGINLEY: The North half of the South half and the Southeast Quarter of the Southeast Quarter, Section 26 and the Northeast Quarter of the Northeast Quarter Section 35, Township 16 North, Range 1 West Boise Meridian.

MARY H HOUSTON: The Northeast Quarter of the Northeast Quarter, the South half of the Northeast Quarter, and the Southeast Quarter of the Northwest Quarter of Section 26, Township 16 North, Range 1 West Boise Meridian.

A W PERBLES: The Southwest Quarter of the Southeast Quarter and the East half of the Northwest Quarter of Section 28, Township 16 North, Range 1 West Boise Meridian.

R B KINCAID: The Northeast Quarter of the Northeast Quarter of Section 28, Township 16 North, Range 1 West Boise Meridian.

GRANT MOORE: North half of the Northwest Quarter of Section 35, Township 16 North, Range 1 West Boise Meridian.

M P GIFFORD: The Southeast Quarter of the Southeast Quarter of Section 15, the Southwest Quarter of the Southeast Quarter of Section 15, the Southwest Quarter of Section 14, all in Township 16 North, Range 1 West Boise Meridian.

ELIZA BORNSEN: The Southwest Quarter of Section 16, Township 16 North, Range 1 West Boise Meridian.

JAMES L STEWART AND WILLIAM F SMITH: The Southeast Quarter of the Southwest Quarter of Section 11, Township 16 North, Range 1 West Boise Meridian.

S D PIPER: The North half of the Southwest Quarter of the Southeast Quarter of Section 11, Township 16 North, Range 1 West Boise Meridian.

MRS J T ROOT: The Southeast Quarter of the Northeast Quarter of Section 10, the Southwest Quarter of the Northwest Quarter and the North half of the Southwest Quarter of Section 11, Township 16 North, Range 1 West Boise Meridian.

HENNA COOL: The Northeast Quarter of the Northwest Quarter and the South half of the Southwest Quarter of the Southeast Quarter of Section 23, Township 16 North, Range 1 West Boise Meridian.

SW SE
NE NW
SE NW



Idaho Department of Water Resources

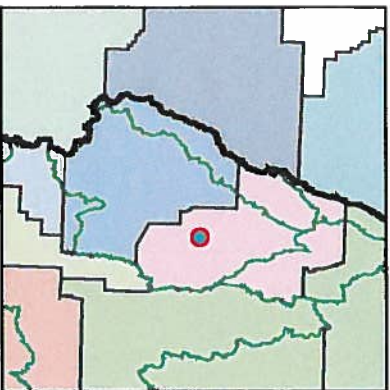
SRBA Recommendation:

67-321

(Irrigation)

Legend

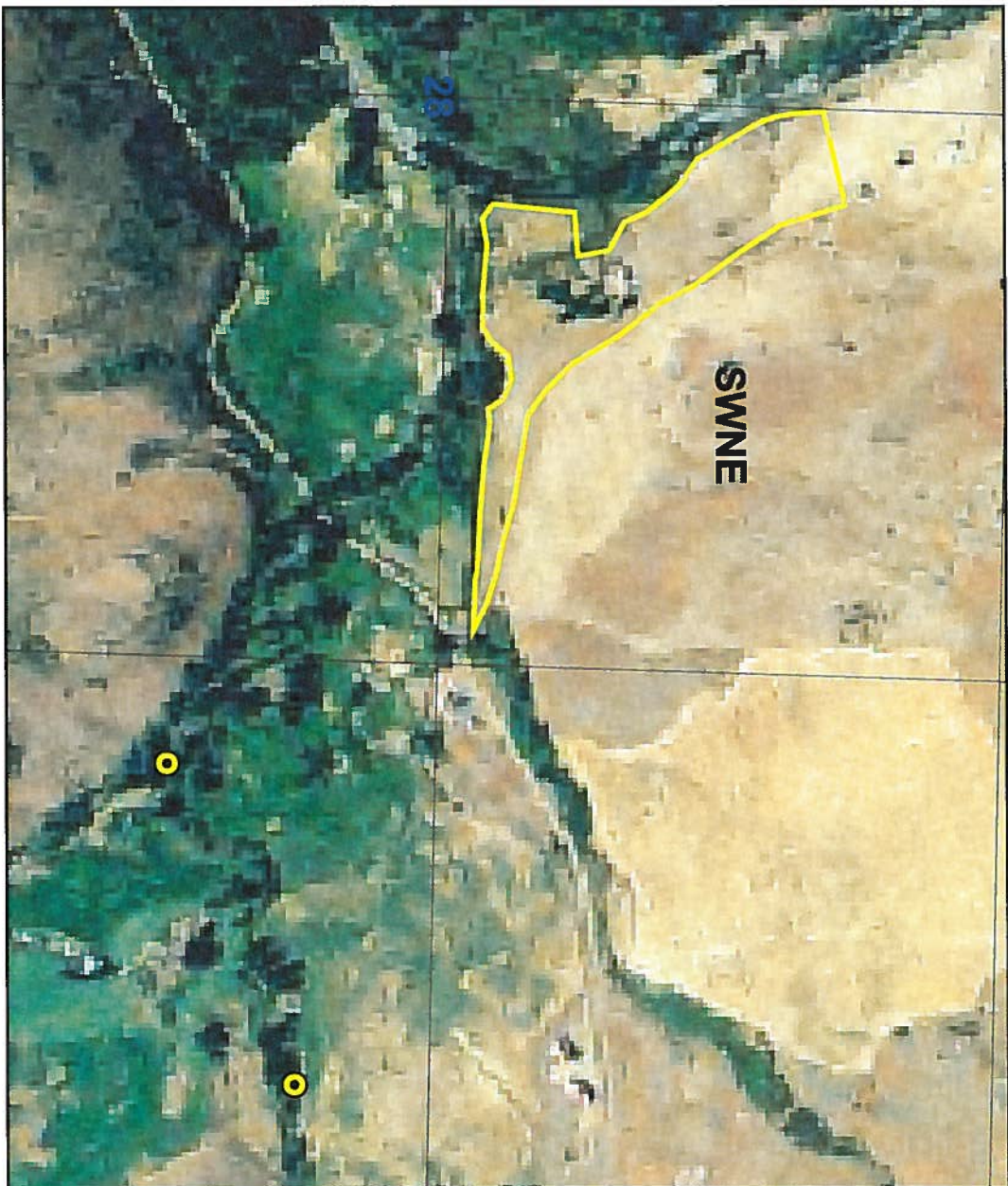
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67



T16N



R01W



Prepared by V. Music
On Thursday, November 16, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

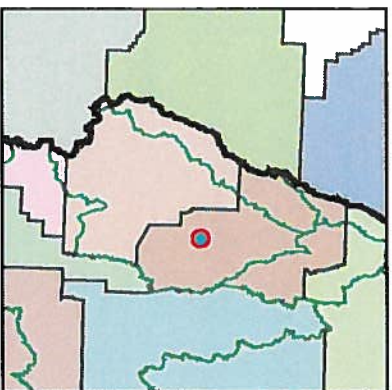
SRBA Recommendation:

67-321

(Irrigation)

Legend

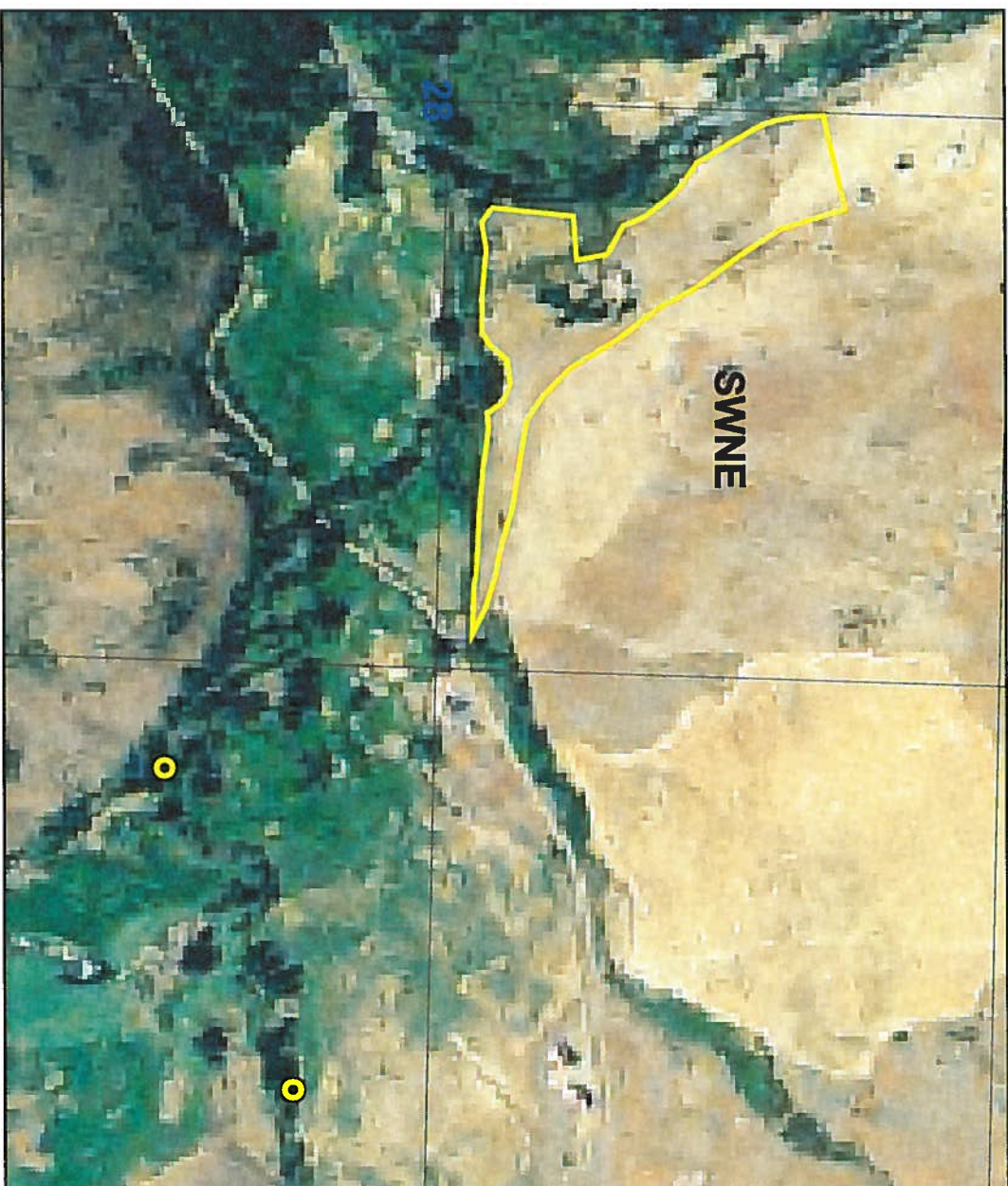
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67



T16N



Prepared by V. Music
On Thursday, November 16, 2006
1987/88 Aerial Photography

Dept. of Water Resources
Adjudication Bureau
P.O. Box 88720
Boise, ID 83720-0088

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

ADDRESS SERVICE
REQUESTED

DEMS180
DEMSEY
298 ELMWOOD CIR
CHESHIRE CT 06410-4211

836122311 1906 03 11/21/03
FORM 3547

ALAN J DEMSEY
2180 JACKSON CREEK RD
COUNCIL ID 83612

DEMS180

(former owner)

FIRST CLASS



UNITED STATES POSTAGE
02 1A
0004389383 N
MAILED FROM ZIP

RETURN TO SENDER

U.S.P.S. Form 3547

fee due 75 ¢

U.S. POSTAL SERVICE
FORM 3547

67-321
67-14473
Permit

RECEIVED
NOV 27 2003
DEPT. OF
WATER RES.

SCANNED
JAN 10 2008

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 67-321
Date Received: 11/27/1989
Receipt No: E011205
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BOB S MIYAKE Phone: (208)467-2321
11941 KARCHER RD
NAMPA ID USA 83651

KYOKO MIYAKE Phone: (208)467-2321
11941 KARCHER RD
NAMPA ID USA 83651

2. Date of Priority: 04/01/1896

3. Source: LESTER CREEK Trib. to: COTTONWOOD CREEK
SPRING LESTER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	28	NE SE	ADAMS	
16N	01W	28	NE NE SE	ADAMS	

5. Description of diverting works:

DIVERSION DAM WEIR TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.08	
STOCKWATER	1/01	12/31	0.03	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	28	SW	NE	IRRIGATION	10
					Section Acres	10
					Total Acres	10

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 10/17/2001

IN THE DECREE PEEBLES VS LAY 8/9/1954 RIGHT 67-00500 ESTABLISHES A MINIMUM FLOW OF 0.16 CFS IN LESTER CREEK, AFTER WHICH RIGHT NO. 67-00499 (A.R. OR ONA LAY) "WELL SPRING" MUST BE TURNED OFF SO THAT THE FLOW IN LESTER CREEK WILL NOT GO BELOW THIS DECREE OF 0.08 CFS.

67-00500 MAY NOT BE A SEPARATE RIGHT BUT ESTABLISHES A MINIMUM FLOW FOR LESTER CREEK FOR 67-00321.

OWNERSHIP CHANGED BY LH 11/15/94.

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

15. Basis of Claim: Decreed

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

RECEIVED

NOV 13 2006

WATER RESOURCES
WESTERN REGION

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-321		no			
67-14473		no			

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

RECEIVED

NOV 14 2006

DEPARTMENT OF
WATER RESOURCES

- 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) Alan J. Demsey Demsey
2180 Jackson Crk Rd., Council, ID 83612
4. New Owner/Claimant(s) Bob S. and Kyoko Miyake
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address 11941 Karcher Road
- City, State and ZIP Code Nampa, ID 83651
- New Telephone Number (208) 467-2321
5. Date you acquired the property October 17, 2006

SCANNED

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)

Sal S. Miyake
Kyoko Miyake

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 *Laagman*
Received by *Laagman*
Processed by *70*

Date *11-13-06*
Date *11-13-06*
Date *12-12-06*

Fee *25*
Receipt No. *W034870*
WR _____ Date _____

INSTRUMENT NO. 112801

RECEIVED

NOV 14 2006

DEPARTMENT OF
WATER RESOURCES

PERSONAL REPRESENTATIVE'S DEED

Instrument # 112801

COUNCIL, ADAMS, IDAHO

2006-10-06 04:41:44 No. of Pages: 2

Recorded for : TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: DEED

Saman Wilson

COPY

THIS DEED, Made by SCOTT DEMSEY , as Personal Representative of the Estate of Alan J. Demsey, (herein "Grantor"), to BOB S. MIYAKE and KYOKO MIYAKE, husband and wife, (herein "GRANTEES").

WHEREAS, Grantor is a qualified Personal Representative of said estate, filed as Probate No. CV 2006-1952 in Adams County, Idaho.

For good and valuable consideration, the receipt of which is hereby acknowledged, and pursuant to the Order Approving Compromise entered in Probate Case No. CV 2006-1952, Adams County, Idaho, Grantor grants and conveys to Grantee, all of Grantor's interest in the following described real property located in Adams County, Idaho:

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho

Section 21: SW1/4NE1/4, SE1/4NW1/4, SW1/4, W1/2SE1/4

Section 28: W1/2NE1/4, N1/2NW1/4, SE1/4NW1/4 EXCEPTING

THEREFROM the following:

Commencing at the Center of Section 28 and running

Thence West to the Southwest corner of the SE1/4NW1/4;

Thence Northerly to the Northwest corner of said quarter;

Thence Southeasterly in a straight line to the REAL POINT OF BEGINNING.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT TO the following: All restrictions, exceptions, or limitations, disclosed or set forth in that Preliminary Commitment for Title Insurance dated August 22, 2006, at 8:30 a.m., including those limitations contained in Schedule B, Section 2.

Scott Demsey

Scott Demsey

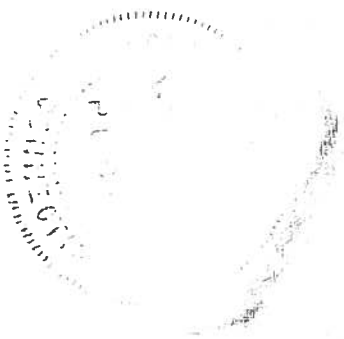
STATE OF CONNECTICUT

COUNTY OF Litchfield

)
) ss: Watertown
)

On this, the 5th day of October, 2006, before me a Notary Public, personally appeared SCOTT DEMSEY, known or identified to me to be the person whose name is subscribed to the within instrument, as Personal Representative of the Estate of Alan J. Demsey, Adams County, Idaho, Probate No. CV 2006-1952, and acknowledged to me that he executed the same as such Personal Representative.

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



Jane T. Anglin
Notary Public of said State
Residing at: 544 Straits Trpk Watertown Ct
My Commission expires: 06/29/08

My Commission Expires April 30, 2008

Tax Notices to:

Bob Miyake
11941 Karcher Rd
Nampa, ID 83651

RECEIPT
NOV 14 2006DEPARTMENT OF
WATER RESOURCES

Idaho Department of Water Resources Receipt

Receipt ID W034870

Payment Amount \$25.00 Date Received 11/13/2006 11:35:33 AM Region Western Status ☐

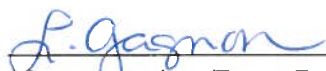
Payment Type Check Check Number 36459

Payer TIMBERLINE TITLE AND ESCROW

Comment 67-321 & 67-14473 Change in Ownership

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155



Signature Line (Dept. Representative)

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 67-321
Date Received: 11/27/1989
Receipt No: E011205
Received By:

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

1. Name of Claimant(s): ALAN J DEMSEY Phone: (208) 253-6996
2180 JACKSON CREEK RD
COUNCIL ID USA 83612

2. Date of Priority: 04/01/1896

3. Source: LESTER CREEK Trib. to: COTTONWOOD CREEK
SPRING LESTER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
16N	01W	28	NE SE	ADAMS	
16N	01W	28	NE NE SE	ADAMS	

5. Description of diverting works:

DIVERSION DAM WEIR TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.08	
STOCKWATER	1/01	12/31	0.03	

7. Total Quantity Appropriated is:
0.08 C.F.S.

SCANNED
MAY 10 2004

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	01W	28	SW NE		IRRIGATION	10
					Section Acres	10
					Total Acres	10

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 10/17/2001

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

IN THE DECREE PEEBLES VS LAY 8/9/1954 RIGHT 67-00500 ESTABLISHES A MINIMUM FLOW OF 0.16 CFS IN LESTER CREEK, AFTER WHICH RIGHT NO. 67-00499 (A.R. OR ONA LAY) "WELL SPRING" MUST BE TURNED OFF SO THAT THE FLOW IN LESTER CREEK WILL NOT GO BELOW THIS DECREE OF 0.08 CFS

67-00500 MAY NOT BE A SEPARATE RIGHT BUT ESTABLISHES A MINIMUM FLOW FOR LESTER CREEK FOR 67-00321
OWNERSHIP CHANGED BY LH 11/15/94

15. Basis of Claim: Decreed

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

RECEIVED**OCT 15 2001****WATER RESOURCES
WESTERN REGION**

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

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	67-321	no			

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) The Harold Wayne Salsbury Trust
4570 Wynn Road, Las Vegas, NV 89103
4. New Owner/Claimant(s) Alan J. Demsey
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 2180 Jackson Creek Road
 City, State and ZIP Code Connell, ID 83617
 New Telephone Number (208) 253-6996
5. Date you acquired the property October 1, 2001

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	_____	_____

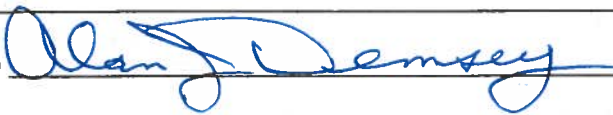
DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

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)



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 _____

INSTRUMENT NO. **100471**
PAGE 1 OF 2

WARRANTY DEED

COPY

THE GRANTOR is **Harold W. Salsbury, Trustee of The Harold W. Salsbury Family Trust** dated November 29, 1995, (herein called grantor).

THE GRANTEE is **Alan J. Demsey**, a single man, (herein called grantee) whose current address is 2180 Jackson Creek Road, Council, ID 83612.

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Adams County, Idaho, and described as follows:

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho:

Section 21: SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

Section 28: W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ EXCEPTING THEREFROM the following:

Commencing at the center of Section 28 and running

Thence West to the SW corner of the SE $\frac{1}{4}$ NW $\frac{1}{4}$;

Thence Northerly to the Northwest corner of said quarter.

Thence Southeasterly in a straight line to the POINT AND PLACE OF BEGINNING.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

SUBJECT to the following:

All current taxes, both general and special, levied against the premises by any taxing unit for any purpose including but not limited to bonds and special improvements.

Discrepancies, conflicts in boundary lines, shortage in area, encroachments or by any other facts which a correct survey would disclose, and which are not shown by the public records.

(a) Unpatented mining claims, (b) reservations or exceptions in patents or in acts authorizing the issuance thereof, (c) water rights, claims, or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

A lack of right of access to and from that portion of the premises which lays west of the Weiser River.

Any rights, interests or easements in favor of the public which exist or are claimed to exist over any part of the premises covered by the Weiser River.

INSTRUMENT NO 100471
PAGE 2 OF 2

Any claim arising from the difference in the mean high water line of the Weiser River and the meander line as shown by the original government survey.

Power Line Easements granted to Idaho Power Company recorded January 30, 1974 as Instrument No. 52286 and recorded July 30, 1947, in Book 4 Misc., page 509.

Easement granted to Weiser River Flood Control District No. 3 August 27, 1956 in Book 23 Deeds, page 497; and Correction Easement recorded September 10, 1956 in Book 23 Deeds at page 519.

All rights of way under, over and across the premises regardless of how evidenced or acquired and whether the same appear of record or not.

TO HAVE AND TO HOLD the premises and its appurtenances unto the grantee and the grantee's successors and assigns forever and the grantor hereby covenants to and with the grantee as follows: that the grantor is the owner in fee simple of the premises; that the premises are free and clear of all liens and encumbrances except those described above to which this deed is expressly made subject; and that the grantor will warrant and defend the premises from all lawful claims whatsoever except those to which this deed is expressly made subject.

DATED: 10-3-2001

SIGNED BY GRANTOR:

THE HAROLD W. SALSURY FAMILY TRUST
Dated November 29, 1995

By [Signature] TTE
Harold W. Salsbury, Trustee

Instrument # 100471

COUNCIL, ADAMS, IDAHO
2001-10-03 01:29:39 No. of Pages: 2
Recorded for : TIMBERLINE TITLE & ESCROW
MICHAEL FISK Fee: 6.00
Ex-Officio Recorder Deputy [Signature]
Index to DEED

STATE OF IDAHO, County of Ada) ss

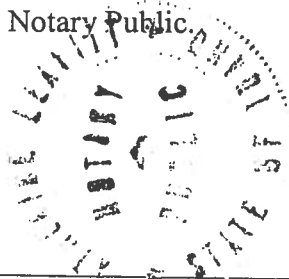
On this date, before me, the undersigned notary public for such state, personally appeared **Harold W. Salsbury**, known to me to be the person whose name is subscribed to the within instrument as trustee of The Harold W. Salsbury Family Trust, and acknowledged to me that he executed the same as such trustee.

WITNESS my hand and seal on October 3, 2001

[Signature]

Notary Public

My Commission Expires: March 28, 2003



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

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

CIVIL CASE NUMBER: 39576

Ident. Number: **A67-00321**

Date Received: 11/27/1989

Receipt No: E011205

Received By: _____

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

1. Name: THE HAROLD WAYNE SALSBUURY TRUST
Address: 4570 WYNN ROAD
LAS VEGAS NV 89103

2. Date of Priority: APR 1, 1896

3. Source: LESTER CREEK TRIB. to: COTTONWOOD CREEK
SPRING LESTER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	28	NE	NE	SE		ADAMS
			NE	NE	SE		ADAMS

5. Description of diverting works:
DIVERSION DAM WEIR TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		
STOCKWATER	01/01	12/31	0.030		

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

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

9. Non-irrigation uses:
S/100 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	28	SW	NE		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	10.0
					Total Acres	10.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

IN THE DECREE PEEBLES VS LAY 8/9/1954 RIGHT 67-00500 ESTABLISHES A MINIMUM FLOW OF 0.16 CFS IN LESTER CREEK, AFTER WHICH RIGHT NO. 67-00499 (A.R. OR ONA LAY) "WELL SPRING" MUST BE TURNED OFF SO THAT THE FLOW IN LESTER CREEK WILL NOT GO BELOW THIS DECREE OF 0.08 CFS.

67-00500 MAY NOT BE A SEPARATE RIGHT BUT ESTABLISHES A MINIMUM FLOW FOR LESTER CREEK FOR 67-00321.
OWNERSHIP CHANGED BY LH 11/15/94.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/20/1921

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs Decree Defendant

16. Signature(s)

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

Number of attachments: _____

MICROFILMED
OCT 22 1996

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 _____

MICROFILMED
OCT 22 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
NOV 9 1994

DATE OF CLOSING: 10/25/94

LEGAL DESCRIPTION OF PROPERTY: Township 14N Range 02W Department of Water Resources
Section 21 & 28 1/4 of 1 1/4 of 1 1/4 Govt. Lot , BM.

Lot , Block, , Subdivision/Townsite .

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

RECEIVED
NOV 10 1994

WATER RESOURCES
WESTERN REGION

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR: A 67-00321

[] Name and Address of Former Owner/Claimant(s) (Seller): Peebles, Stephen L or Myrna L.

P.O. Box 445

St. Anthony, ID 83445

[] New Owner/Claimant
(Purchaser):

The Harold Wayne Salisbury Trust

[] New Mailing Address:

4570 Wynn Road

Las Vegas, NV 89103

[] New Telephone Number: () -

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached:

copy of recorded deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s)

[Signature], Trustee

Date 10/24/94

Date _____

[] Signature of Former Owner/Claimant(s):

Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 11-14-94 By: [Signature]

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 11-15-94 By: [Signature]

Claim Numbers of Split, if any:

MICROFILMED
OCT 22 1996

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

COPY

WARRANTY DEED

INSTRUMENT NO. 86959

aka Stephen Peebles

For Value Received STEPHEN LAMAR PEEBLES and MYRNA L. PEEBLES, husband and wife

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

THE HAROLD WAYNE SALSBUURY TRUST, dated April 24, 1991

the grantee, whose current address is, 4570 Wynn Road, Las Vegas, NV 89103

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

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

RECEIVED
NOV 9 1994

Department of Water Resources

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee , that they are the owners in fee simple of said premises; that they are free from all incumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title.

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

Date: October 20, 1994

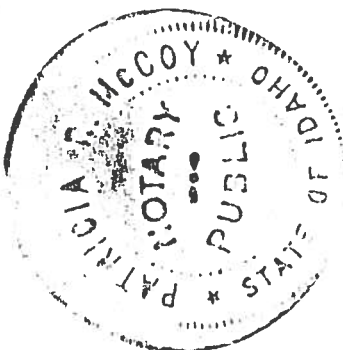
Stephen Lamar Peebles
Stephen Lamar Peebles, aka Stephen Peebles

Myrna L. Peebles
Myrna L. Peebles

STATE OF IDAHO)
COUNTY OF Fremont) ss

On this 28 day of Oct, in the year of 1994, before me a Notary Public, personally appeared /aka Stephen Peebles STEPHEN LAMAR PEEBLES & MYRNA L. PEEBLES known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same

Patricia R. McCoy
Notary Public
Residing at St. Anthony
Commission expires: 6/28/2000



#94-416

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title + Escrow at 26 minutes past 3 o'clock P.M. this 31st day of Oct, 1994, in my office, and duly recorded in Book of Deeds at page

Michael Fisk
Ex-Officio Recorder

By: Leaggy Linkal
Deputy

Fees \$ 6.00
Mail to: Timberline Title

MICROFILMED
OCT 22 1996

Township 16 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 21: SW1/4NE1/4, SE1/4NW1/4, SW1/4, W1/2SE1/4
Section 28: W1/2NE1/4, N1/2NW1/4, SE1/4NW1/4 EXCEPTING THEREFROM the following:

Commencing at the center of Section 28 and running
Thence West to the SW corner of the SE1/4NW1/4;
Thence Northerly to the Northwest corner of said quarter.
Thence Southeasterly in a straight line to the POINT AND PLACE OF BEGINNING.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1994 which are a lien.

BORROW PERMIT, and terms and conditions therein, granted to STATE OF IDAHO, recorded June 26, 1959 in Book 5M Misc. page 501 as Instr. No. 39620.

POWER LINE EASEMENT granted to IDAHO POWER COMPANY over SW1/4NE1/4 and SE1/4NW1/4 of Section 28, recorded January 30, 1974 in Book 8M Misc. page 17 as Instr. No. 52286.

POWER LINE EASEMENT granted to IDAHO POWER COMPANY over SW1/4NE1/4 of Section 28, recorded July 30, 1947 in Book 4 Misc. page 509 as Instr. No. 31237.

EASEMENT granted to WEISER RIVER FLOOD CONTROL DISTRICT No.3 over NE1/4NW1/2 of Section 28 and SE1/4SW1/4 of Section 21, recorded August 27, 1956 in Book 23 Deeds page 497 as Instr. No. 37491.

CORRECTION EASEMENT granted to WEISER RIVER FLOOD CONTROL DISTRICT over NE1/4NW1/4 Section 28 and SE1/4SW1/4 of Section 21, recorded September 10, 1956 in Book 23 Deeds at page 519 as Instr. No. 37529. (Corrects Easement Deed recorded in Book 23 Deeds page 497 as Instr. No. 37491.)

LACK OF RIGHT OF ACCESS TO AND FROM SAID LAND.

ANY PRESENT OR DEFERRED TAX LIEN on the herein described property arising under or by virtue of the Forest Products Yield Tax as provided by Idaho Code 63-1701 or 63-1706 as amended.

MICROFILMED
OCT 22 1996

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A67-00321
Date Received: 11/27/1989
Receipt No: E011205
Received By: Raw

RECEIVED
NOV 29 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEPHEN L. PEEBLES 208-624-7641
Address: P.O. BOX 445
ST ANTHONY, ID 83445
OR
Name: MYRNA L. PEEBLES 208-624-7641
Address: P.O. BOX 445
ST ANTHONY, ID 83445

2. Date of Priority: APR 01, 1896

3. Source: LESTER CREEK SPRING Trib. to: COTTONWOOD CREEK
LESTER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	01W	28	NE	NE	SE		ADAMS
			NE	NE	SE		ADAMS

5. Description of diverting works:
DIVERSION DAM WEIR TO DITCHES FOR FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.080		
STOCKWATER	01/01	12/31	0.030		

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

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

9. Non-irrigation uses:
S/100 RANGE CATTLE

A67-00321

Page 1

Date: 11/27/89

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	01W	28	SW	NE		IRR	10.0
Section Acres							10.0
Total Acres							10.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
NONE

14. Remarks:

IN THE DECREE PEBBLES VS LAY 8/9/1954 RIGHT 67-00500 ESTABLISHES A MINIMUM FLOW OF 0.16 CFS IN LESTER CREEK, AFTER WHICH RIGHT NO. 67-00499 (A.R. OR ONA LAY) "WELL SPRING" MUST BE TURNED OFF SO THAT THE FLOW IN LESTER CREEK WILL NOT GO BELOW THIS DECREE OF 0.08 CFS.

67-00500 MAY NOT BE A SEPARATE RIGHT BUT ESTABLISHES A MINIMUM FLOW FOR LESTER CREEK FOR 67-00321.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 6/20/1921

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

MICROFILMED
OCT 01 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): *Stephen P. Pelt* Date: 4/27/89
Date: _____

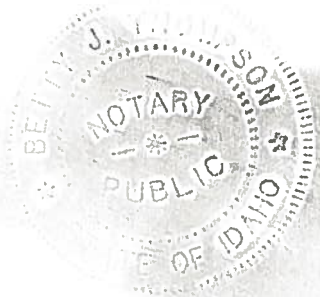
State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 27 day
of Nov 19 89

Betty J. Thompson
Notary Public

Seal

BETTY J. THOMPSON, NOTARY PUBLIC
Residing at RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94



MICROFILMED
OCT 01 1992

T
16
N R1W

PLACE OF USE

A-96
1-20
Circle C. R.

5 ALF
62
23.4A.

B-31
A.R. LAY 1 DIV PAST
63

22.3A.

16.2A.

4.6A.

20.2A.

B-225
E. WOOD

B-209
RITTER

HEADGATE POINT OF DIVERSION

A67-00321

MICROFILMED
OCT 01 1992

Receipt Details for ID E011205

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
11/27/1989 3:46:41 PM	11/27/1989	Eastern	\$135.00	Check
Payer	PEEBLES, STEPHEN L.			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1967			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$135.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	310		\$75.00	Claim
67	321		\$60.00	Claim

[Print Report](#)