

07/25/2006

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

RIGHT NUMBER: 67-361A
NAME AND ADDRESS: JOANNE C LAKEY
2286 HWY 95
COUNCIL ID 83612
RODNEY E LAKEY
2286 HWY 95
COUNCIL ID 83612

SOURCE: MILL CREEK TRIBUTARY: WEISER RIVER

QUANTITY: 0.250 CFS

PRIORITY DATE: 05/01/1894

POINT OF DIVERSION:

T17N R01W S36 SWNESE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.250 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S35 NWNW 20.00

20 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 - Decreed

Idaho Department of Water Resources

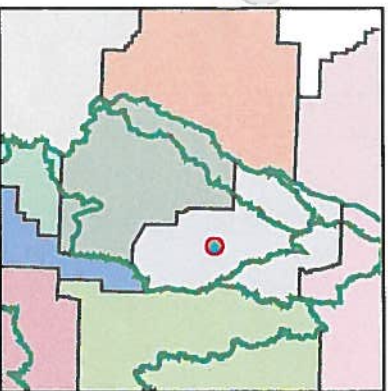


SRBA Recommendation:

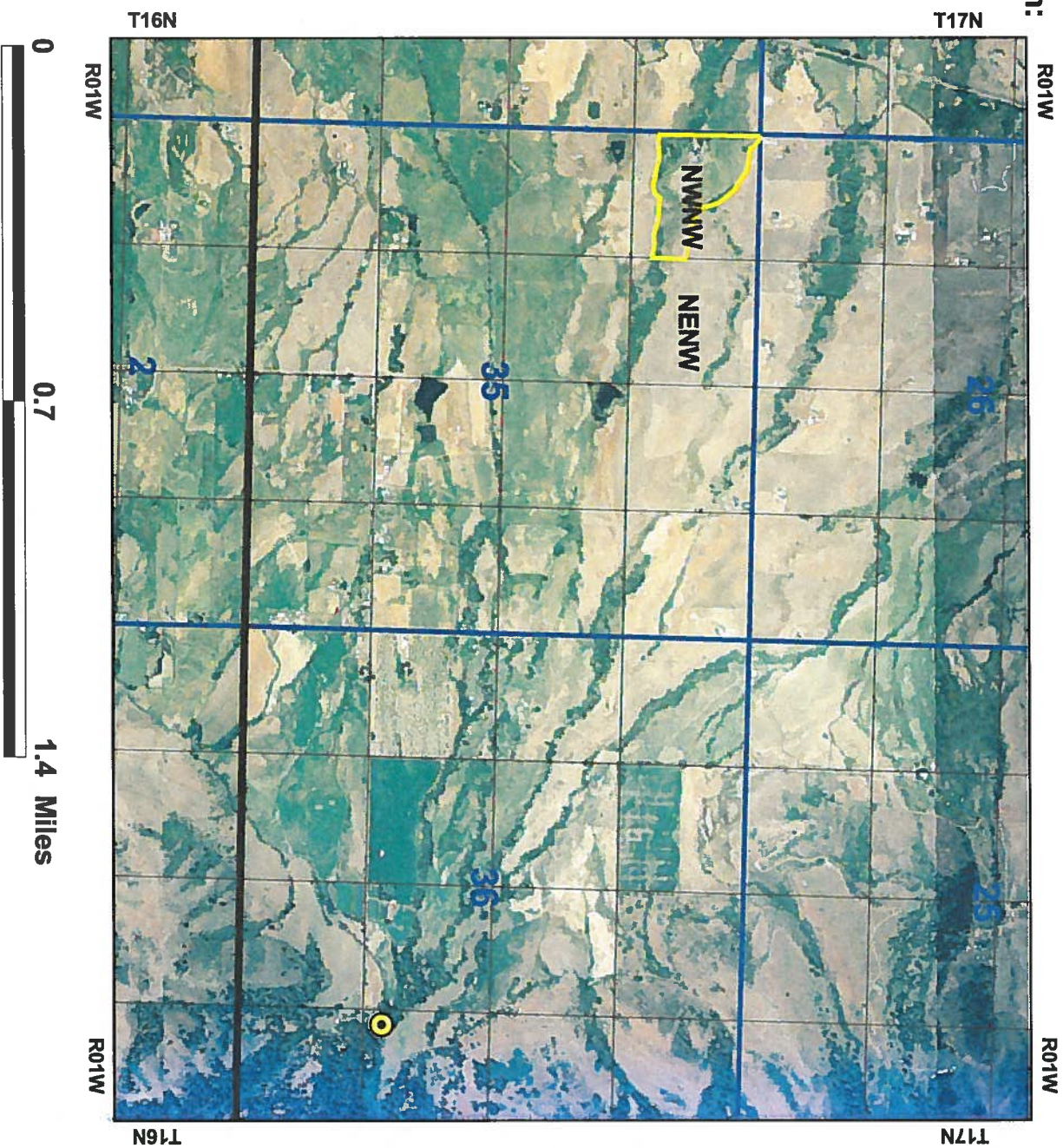
67-361A

Legend

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

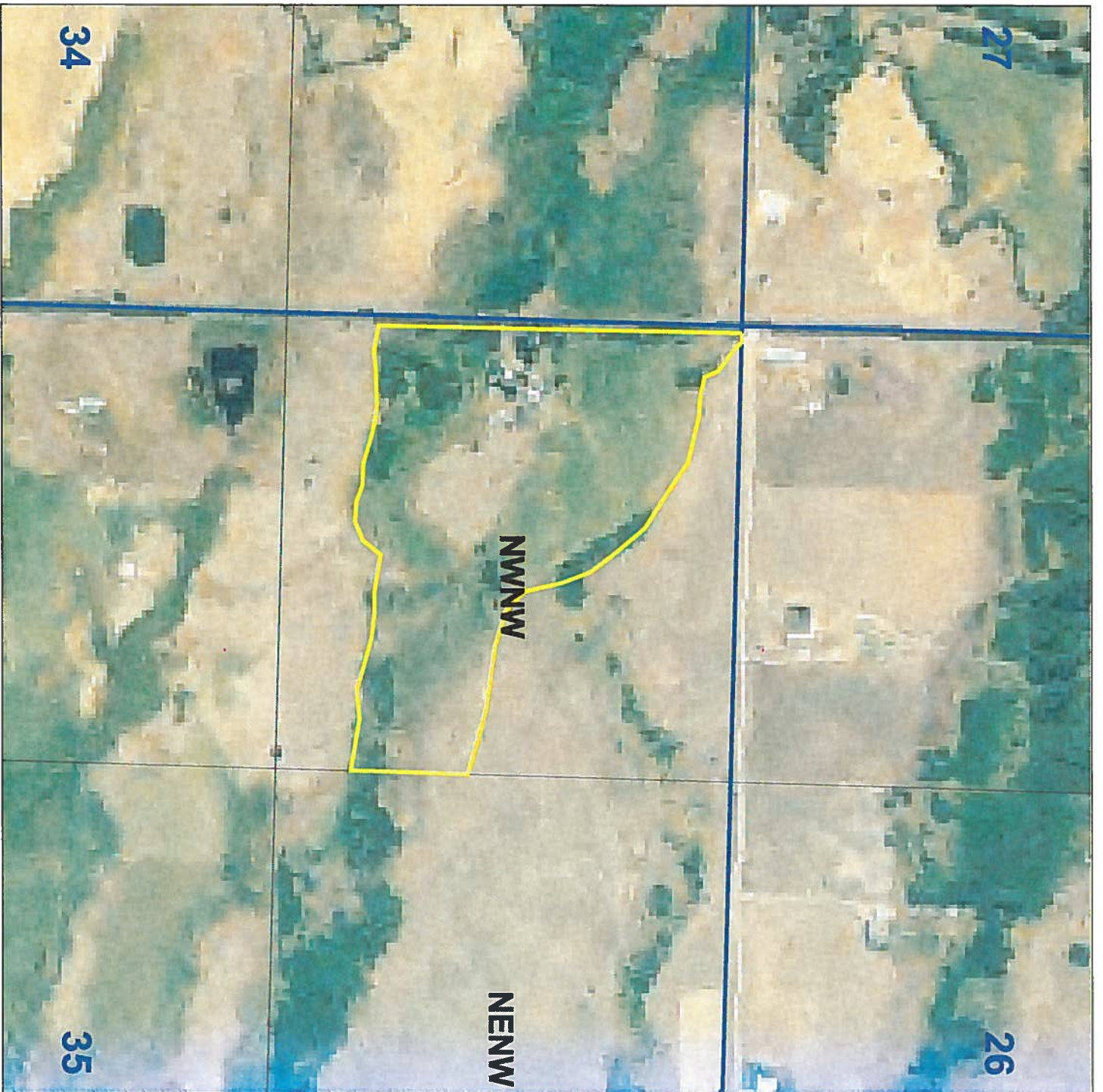


Adams County
IDWR Basin 67



Prepared by C. Saxton
On Tuesday, July 25, 2006
1987/88 Aerial Photography

67-361A



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-361A V1

WATER RIGHT NUMBER: 67-361A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOANNE C LAKEY 2286 HWY 95 COUNCIL, ID 83612 (208)253-1131
Current Owner	RODNEY E LAKEY 2286 HWY 95 COUNCIL, ID 83612 (208)253-1131
Original Owner	PHILIP H SCHAFF , ID
Original Owner	THOMAS L WATT , ID
Original Owner	FLORENCE E BROWN HC 62 BOX 1395 COUNCIL, ID 83612 (208)253-4771
Original Owner	LLOYD A BROWN HC 62 BOX 1395 COUNCIL, ID 83612 (208)253-4771

Priority Date: 05/01/1894

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.250 CFS	
	<u>Total Diversion:</u>	0.250 CFS	

Location of Point(s) of Diversion

MILL CREEK	SW 1/4 NE 1/4 SE 1/4	Sec. 36, Twp 17N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	01W	35																	20.0

Total Acres: 20

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-361A V1

Conditions of Approval:

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.

Remarks:Comments:

1. csaxton 7/25/2006 Overlap
Comment: No apparent overlap with other private rights.
2. csaxton 7/25/2006 Diversion Rate
Comment: Water master delivery records show delivery of this right as recommended.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: 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:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	8/2/2004 8:06:41 AM	segbert			Active
POD	8/2/2004 8:07:23 AM	segbert			Active
Source	8/2/2004 8:25:24 AM	segbert			Active
POU	8/2/2004 8:26:02 AM	segbert			Active
Use	8/2/2004 8:26:17 AM	segbert			Active
Season	8/2/2004 8:29:32 AM	segbert			Active
Quantity	8/2/2004 8:29:49 AM	segbert			Active
Contacts	7/25/2006 2:28:43 PM	csaxton			Active
Priority Date	7/25/2006 2:29:06 PM	csaxton			Active
POD	7/25/2006 2:29:15 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-361A V1

Source	7/25/2006 2:30:09 PM	csaxton	Active
POU	7/25/2006 2:31:25 PM	csaxton	Active
Use	7/25/2006 2:32:27 PM	csaxton	Active
Season	7/25/2006 2:33:41 PM	csaxton	Active
Quantity	7/25/2006 2:34:33 PM	csaxton	Active
Summary	07/25/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	7/25/2006 2:29:46 PM	csaxton	Updated shape
POD	7/25/2006 2:29:58 PM	csaxton	Updated PLS
POU	7/25/2006 2:30:44 PM	csaxton	Updated PLS for Active POU
Contacts	7/25/2006 2:28:43 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop Review
General	7/25/2006 2:29:06 PM	csaxton	(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? (No) 16. Is a Priority Date remark and/or condition required?
POD	7/25/2006 2:29:16 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (No) 4. Does the Decree or License have a POD? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
Source	7/25/2006 2:30:10 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	7/25/2006 2:30:33 PM	csaxton	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-361A V1

POU	7/25/2006 2:31:25 PM	csaxton	(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? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	7/25/2006 2:32:28 PM	csaxton	(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? (No) 13. Is a Purpose of Use remark and/or condition required?
POU	7/25/2006 2:33:24 PM	csaxton	Updated shape for Active POU
Season	7/25/2006 2:33:42 PM	csaxton	(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? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	7/25/2006 2:34:33 PM	csaxton	(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? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-361A V1

Summary	7/25/2006 2:35:39 PM	csaxton	(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? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 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?
Season	8/2/2004 8:29:32 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?
Quantity	8/2/2004 8:29:48 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? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
POU	8/2/2004 8:29:05 AM	segbert	Edited shape boundary
Source	8/2/2004 8:25:23 AM	segbert	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	8/2/2004 8:26:01 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? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	8/2/2004 8:26:16 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-361A V1

Priority Date	8/2/2004 8:06:40 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?
POD	8/2/2004 8:07:23 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	8/2/2004 8:22:41 AM	segbert	Edited point location

Water Supply Bank:

Split history for Decreed Right 67-361

WR History

Claim History

Recommendation

67-361	Schaff & Watt
0.75	cfs
60	ac

67-361A	Lahey
0.25	
20	

67-361A	Lahey
0.25	
20	

67-363E	Nelson
0.5	
36	

67-363E	Nelson
0.5	
36	

* calculated at 5/8 inches per acre

Sum CFS =	0.750
Sum Acre=	56
Sum AF =	n/a

Sum CFS =	0.750
Sum Acre=	56
Sum AF =	n/a

Extra CFS =	0.000
Extra Acre =	4.0
Extra AFA =	n/a

Extra CFS =	0.000
Extra Acre =	4.0
Extra AFA =	n/a

*Last updated 7-25-06 (csaxton)
For digital copy of Excel spreadsheet file: See Craig L. Saxton

Disallow
Ready to go

Page #	Parcel #	Name	Inches	File #	Original Owner	Priority Date
22	P17N01W3400	NELSON-WHITE-GOU	25	361	SCHAFF/WATT	5/1/91
23	P17N01W3524	LAKEY, RODNEY	12.5	361	SCHAFF/WATT	5/1/91

J F Lowe
L J Rhinehart
Loren Rhinehart
Anna Morrow

38 ✓
31 ✓
40 ✓
5 ✓

June 5, 1902 67 0344
June 5, 1902 67 0345
June 5, 1902 67 0346
June 5, 1902 67 0347

Mill Creek.

William Winkler, Lewis Winkler, Mrs F H Hayner,
John Kessler, Jim Kessler, Lewis Kessler, Bettie
Dickerson, Janie Hart, Ida Blanchard, William
Kessler, Elva Young and Rebecca Kessler, suc-
cessors of Alexander Kessler, deceased
Frederick N Watriss, Grantee of Geo M Winkler

25 ✓
16 2/3 ✓
12 1/2 ✓
33 1/3 ✓
20 3/4 ✓

67 0348
May 1, 1878 * Trans 504-517-539-71 ✓
May 1, 1881 67 0349
May 1, 1884 * 67 0350 ✓
May 1, 1893 * 67 0351 ✓
May 1, 1894 * 67 0352 ✓
May 1, 1882 * 67 0353 ✓
May 1, 1891 * 67 0354 ✓
May 1, 1884 * Trans 504-517-539-71 ✓

P H Schaff and F B Galey, Grantees of Samuel Harp
Deseret Sheep Company sub for C A Martin, Grantee
of Margaret Krigbaum

29 ✓

Mill Creek (Con)

Council Valley Orchards, Grantee of J Marion
Young

41 2/3 ✓
10 3/4 ✓
29 ✓
37 1/2 ✓
21 1/2 ✓
27 1/2 ✓

May 1, 1885 * 67 0356
May 1, 1894 * 67 0357 ✓
May 1, 1889 * 67 0358 ✓
May 1, 1886 * 67 0359 ✓
May 1, 1893 * 67 0360 ✓
May 1, 1894 * 67 0361 ✓

J D Poyner and John Poyner
George T Ellis

P H Schaff and Thomas L Watt, Grantees of B F
Middleton

37 1/2 ✓

Charles Lappin and A E Felmlay, Grantees of C S
Gibbs

54 ✓

May 1, 1896 * 67 0362 ✓

James A Huston Jr. and William Spahr, Grantees
of John and J D Poyner

16 ✓ Trans 384

May 1, 1899 * 67 0363 ✓

B W Turnipseed

18 ✓

May 1, 1903 * 67 0364 ✓

J V Morrison

15 ✓

July 1, 1909 * 67 0365 ✓

C W Holmes

8 ✓

May 1, 1909 * 67 0366 ✓

Council Valley Orchards

100 ✓

June 1, 1906 * 67 0367 ✓

Unnamed Stream.

Council Valley Orchards

100 ✓

July 3, 1911 * 67 0368 ✓

Frank B Galey

20 ✓

March 17, 1913 * 67 0369 ✓

C W Holmes

10 ✓

May 16, 1912 * 67 0370 ✓

C E McDonald

34 ✓

July 2, 1892 * 67 0371 ✓

Fort Hall Creek

C T Hamill

4 ✓

May 1, 1882 * 67 0372 ✓

Louis Harp

4 ✓

May 1, 1889 * 67 0373 ✓

A L Frechafer and Margaret T Bille

6 ✓

May 1, 1882 * 67 0374 ✓

11 ✓

June 1, 1911 * 67 0375 ✓

JUL 24 1996

WILLIAM WINKLER, LEWIS WINKLER, MRS F H HAYNER, JOHN KESSLER, JIM KESSLER, LEWIS KESSLER, BETTIE DICKERSON, JANIE HART, IDA BLANCHARD, WILLIAM KESSLER, ELVA YOUNG AND REBECCA KESSLER, successors of Alexander Kessler, deceased: The Southwest Quarter of the Northeast Quarter, Section 10, the East half of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 10 in Township 16 North, Range 1 West Boise Meridian.

FREDERICK N WATKINS: The South half of the Northwest Quarter and the North half of the Southwest Quarter, Section 35, Township 17 North Range 1 West Boise Meridian.

P H SCHAFY AND F S GALEY: The South half of the Northeast Quarter and the North half of the Southeast Quarter Section 35, Township 17 North, Range 1, West Boise Meridian.

DESERT SINK COMPANY: The Southeast Quarter of Section 34, Township 17 North, Range 1 West Boise Meridian.

COUNCIL VALLEY ORCHARDS: The South half of the Southeast Quarter, Section 35, Township 17 North, Range 1 West Boise Meridian and the North half of the Northeast Quarter, Section 2, Township 16 North, Range 1 West Boise Meridian.

J D POYNTER AND JOHN POYNTER: The North half of the Southwest Quarter and the West half of the Northwest Quarter of Section 36, Township 17 North, Range 1 West Boise Meridian.

GEORGE T WILLIS: The Southeast Quarter of the Southeast Quarter, Section 4, the Southwest Quarter of the Northwest Quarter, Section 3, and a tract bounded as follows, commencing at the Southwest corner of lot 1, said Section 4, thence north along the west side of said lot 20 rods, thence east 80 rods, thence south 20 rods, thence west 80 rods to the place of beginning, all in Township 16 North, Range 1 West Boise Meridian.

P H SCHAFY AND THOMAS L WATT: The North half of the Northwest Quarter Section 35, and 70 acres east of the right of way of the P & I N Ry. in the Southeast Quarter of the Southeast Quarter Section 27, and the Northeast Quarter of the Northeast Quarter Section 34, all in Township 17 North, Range 1 West Boise Meridian.

see sketch
CHARLES LAPPIN AND A E FREMLEY: The West half of the Southwest Quarter of Section 25, and the east half of the southeast Quarter of Section 26, Township 17 North, Range 1, West Boise Meridian.

JAMES A HUSTON, JR. and WM H SPAHR: The West half of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter, Section 36, Township 17 North Range 1 West Boise Meridian.

B W TURNIPSEED: Lot 4, the Southeast Quarter of the Southwest Quarter, and the South half of the Southeast Quarter Section 31, Township 17 North, Range 1 East Boise Meridian.

J V MORRISON: The Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter of Section 4, Township 16 North, Range 1 West Boise Meridian.

C W HOLMES: The Northwest Quarter of the Southwest Quarter Section 3, Township 16 North, Range 1 West Boise Meridian.

FRANK S GALEY: Northwest Quarter Southeast Quarter and Northeast Quarter Southeast Quarter Section 35, Township 17 North, Range 1 West Boise Meridian.

LOUIS HARP: The South half of the Northeast Quarter, and the Northeast Quarter of the Northeast Quarter, Section 23, and the Southeast Quarter of the Southeast Quarter Section 14, Township 17 North, Range 1 West Boise Meridian.

JUL 24 1996

MILL CREEK RIGHTS.

Deseret Sheep Company, substituted for C. A. Martin,
Grantee of Margaret Krigbaum,

41 2/3 May 1, 1884

William Winkler, Lewis Winkler,
Mrs. F. H. Hayner, John Kessler,
Jim Kessler, Lewis Kessler,
Bettie Dickerson, Janie Hart
Ida Blanchard, William Kessler,
Elva Young and Rebecca Kessler,
successors of Alexander
Kessler, deceased,

25 " " 1878

Charles Lappin and A. E.
Felmley, Grantee of C. S. Gibbs,

54 " " 1896

J. D. Poyner and John Poyner,

21 1/2 " " 1886

B. W. Turnipseed,

18 " " 1903

Frederick M. Watriss,
Grantee of Geo. M.
Winkler,

16 2/3 " " 1881
12 1/2 " " 1884
33 1/3 " " 1893
20 3/4 " " "

P. H. Schaff and
F. E. Galey, Grantees
Samuel Hark

37 1/2 " " 1882
29 " " 1891

Council Valley Orchards
Grantee J. Marion Young

10 3/4 " " 1885
29 " " 1894
37 1/2 " " 1889

James A. Huston and William
Spahr, Grantees of John and
J. D. Poyner,

16 " " 1899

P. H. Schaff and Thomas L.
Watt, Grantees of B. F.
Middleton,

37 1/2 " " 1894

George T. Ellis

27 1/2 " " 1893

J. V. Morrison,

16 July 1 1909

C. W. Holmes

8 1/2 May 1 1909

RECORDED

JUL 24 1909

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 67-361A
Date Received: 1/2/1990
Receipt No: C013758
Received By:

AMENDED

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

1. Name of Claimant(s)

JOANNE C LAKEY Phone: (208)253-1131
2286 HWY 95
COUNCIL ID USA 83612

RODNEY E LAKEY Phone: (208)253-1131
2286 HWY 95
COUNCIL ID USA 83612

2. Date of Priority: 05/01/1894

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	36	SE NW SE	ADAMS	

5. Description of diverting works:

HEADGATE AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	10/15	0.25	

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

8. Total consumptive use:

9. Non-irrigation uses:

**SCANNED
APR 02 2004**

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	35	NW	NW	IRRIGATION	20
Section Acres						20
Total Acres						20

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:

67-7766-Shallow spring for irrigation (3/15-11/15 .03 cfs) and stockwater (1/1-12/31 .02 cfs).

POU amended per claimant 3/19/03.

15. Basis of Claim: Decreed

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

A67-00361A

Date Received

11/03/1989

Receipt Number

C013758

Amended
**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW

RECEIVED

MAR 19 2003

WATER RESOURCES
WESTERN REGION

Please type or print clearly

1. Name of Claimant (s) Rodney E. + Joanne C. Lahey Phone (208) 253 1117Mailing Address 2286 Highway 95 Council ID Zip 836122. Date of Priority (Only one (1) per claim) May 01 18943. Source of water supply (a) MILL Creek
which is tributary to (b) Weiser River4. a. Location of existing point of diversion is: Township 17N Range 01W Section 36,
SE 1/4 of NW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Adams

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. Head gate in mill creeksupervised by Bosco Bosler

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 03/15 to 10/15 amount 0.250 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.250 (cfs) and/or (b) _____ (acre feet)

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

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

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	
17N	01W	35					20	X											20

Total number of acres irrigated 20

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. Ident. No. 67-07766 shallow spring irrigation 3/15-11/15 CFS 0.030
stockwater 01/01-12/31 CFS 0.020 or None ()

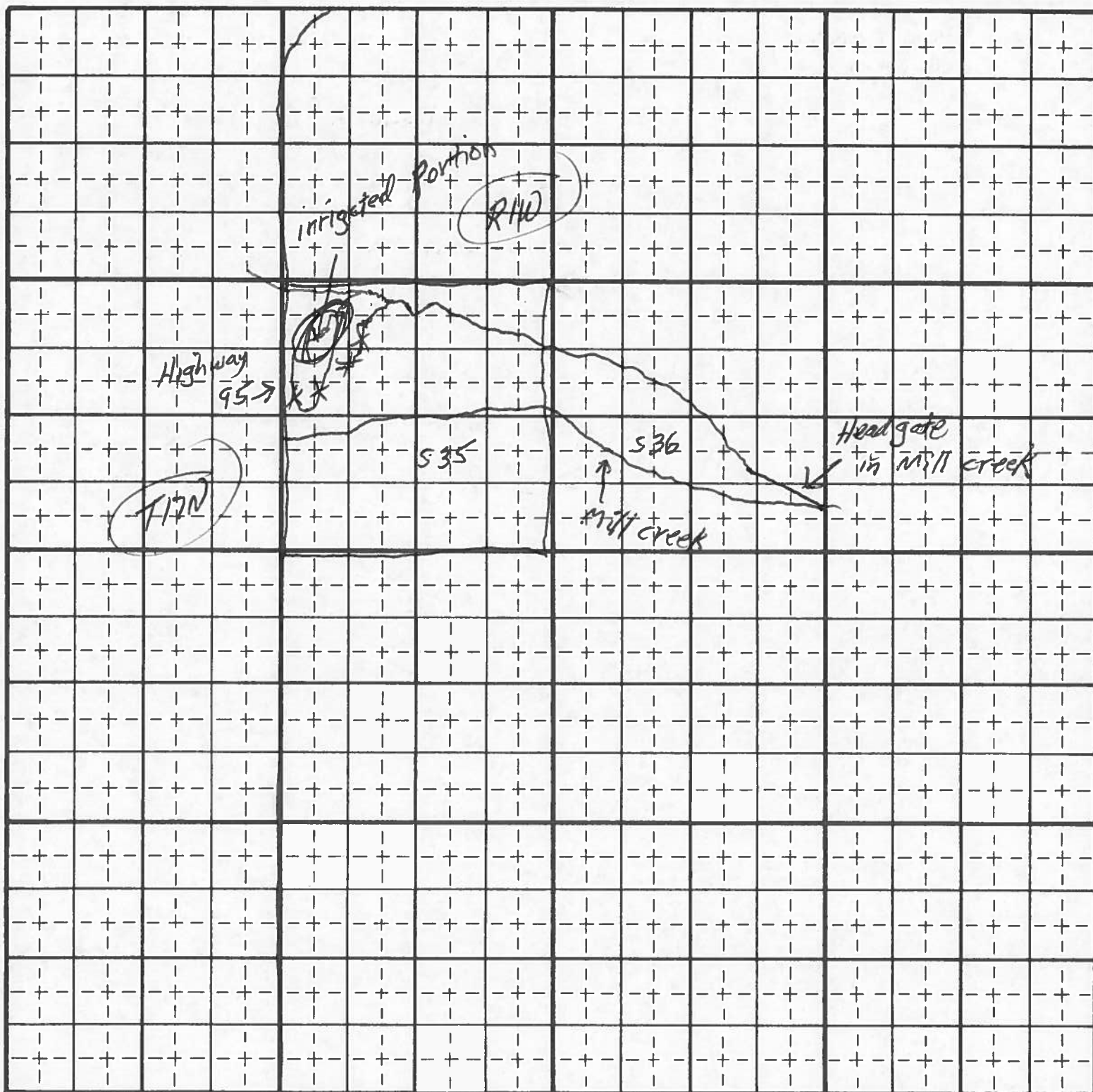
14. Remarks:

Last Name Lokey Ident No. A67-00361A

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



Last Name Lahey

Ident No. A67-00361A

Copies: White-State, Yellow-Claimant

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

If applicable provide IDWR Water Right Number A67-00361A

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Rodney E. Lakey Date 3/17/03

James C. Lakey Date 3/17/03

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

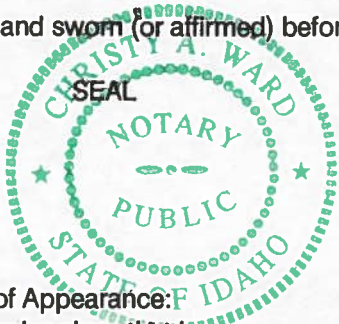
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 17th day of March 192003



Notary Public Christy A. Ward

Residing at Indian Valley, Idaho

My Commission Expires 9-17-04

Please Print Name

17. Notice of Appearance:

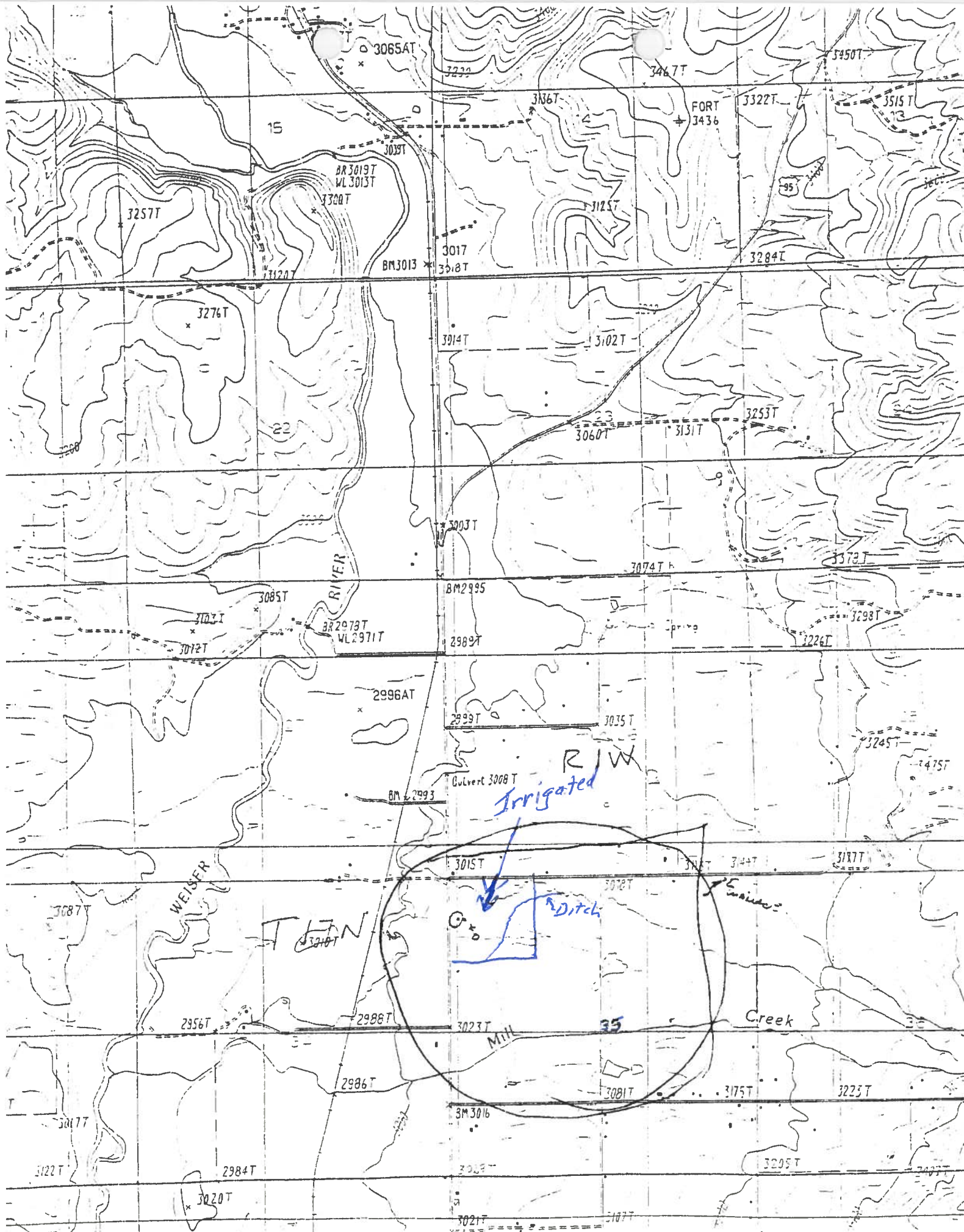
Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Lakey Ident. Number A67-00361A



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: **A67-00361A**

Date Received: 1/ 2/1990

Receipt No: C013758

Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: RODNEY E LAKEY 208-253-1131
Address: 2286 HIGHWAY 95
COUNCIL ID 83612
OR
Name: JOANNE C LAKEY 208-253-1131
Address: 2286 HIGHWAY 95
COUNCIL ID 83612

2. Date of Priority: MAY 1, 1894

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	36	SE	NW	SE		ADAMS

5. Description of diverting works:
HEADGATE AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	0.250		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:
IN-STREAM STOCK WATERING

MICROFILMED
OCT 22 1990

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	35	NW	NW		IRR	4.0
Section Acres							4.0
Total Acres							4.0

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:
DOMESTIC WELL AND 67-07766

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs

Decree Defendant

MICROFILMED
OCT 22 1998



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

AUG 25 1993

Department of Water Resources

DATE OF CLOSING: 08/10/93

LEGAL DESCRIPTION OF PROPERTY: Township 17N Range 02W
 Section 35, 1/4 of 1/4 of 1/4, Govt. Lot _____, BM.
 Lot _____, Block _____, Subdivision/Townsite _____
 If you have additional legal descriptions, please attach separate sheet.

- [] 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) A 67-10078
 Assigned by IDWR: ~~A 67-10768~~ A 67-00361A
- [] Name and Address of Former Owner/Claimant(s) (Seller): Mary Lynne Bailey or Donald Ray Bailey
P.O. Box 622
Council, ID 83612
- [] New Owner/Claimant (Purchaser): Rodney E. Lakey or Joanne C. Lakey
- [] New Mailing Address: P.O. Box 910 2286 Highway 95
Council, ID 83612
- [] New Telephone Number: (208) 253-1131
- [] 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:
Original Claimants were ~~the~~ Lloyd + Florence Brown
Property was bought by Donald + Lynne Bailey and
I bought it from them
- [] Attach proof of ownership, describe proof attached: copy of recorded Warranty 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) Rodney E. Lakey Date 8-9-93
Joanne C. Lakey Date 8/9/93
- [] Signature of Former Owner/Claimant(s) _____ Date _____
 _____ Date _____

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-3-96By: CA

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

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

New owner came into state office with the change of ownership form. Maps attached to his copies of the claims indicated the p.o.u. for these rights was within the portion of the NW 1/4 of Sec. 35 that he purchased from Bailey's Original to be mailed to Idaho Department of Water Resources
 Copies to Former Owner and New Owner

New owner has a copy of all the documents.
 Mr. Brown is deceased.

MICROFILMED

OCT 22 1993

WARRANTY DEED

For Value Received DONALD RAY BAILEY and MARY LYNNE BAILEY, also shown of record as MARY LYNN BAILEY, husband and wife

the grantors , do hereby grant, bargain, sell and convey unto RODNEY E. LAKEY and JOANNE C. LAKEY, husband and wife

the grantees, whose current address is, P.O. Box 810, Council, ID 83612

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

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

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

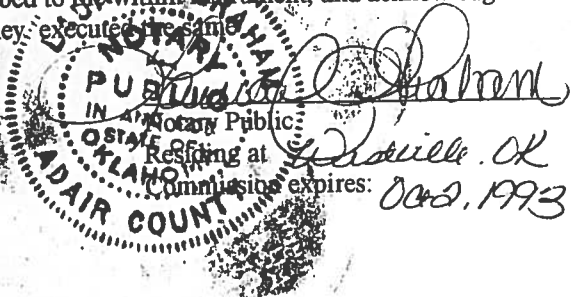
Date: August 4, 1993

Donald Ray Bailey
Donald Ray Bailey

Mary Lynne Bailey
Mary Lynne Bailey

STATE OF OKLAHOMA)
) ss
COUNTY OF ADAIR)

On this 9 day of Aug, in the year of 1993, before me a Notary Public, personally appeared DONALD RAY BAILEY & MARY LYNNE BAILEY 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.



Order #93-333

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record at the request of Timberline Title & Escrow

at 32 minutes past 11 o'clock A.M.
this 11 day of August 1993, in my office, and duly recorded in Book --- of Deeds at page ----

Michael Fisk

Ex-Officio Recorder

By: Sarah J. Wilson

Deputy

Fees \$ 6.00
Mail to:

Indexed

INSTRUMENT NO. 84506
MICROFILMED
OCT 22 1996

EXHIBIT "A"

84506

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 35: NW1/4NW1/4
EXCEPTING THEREFROM a tract described as follows:
Commencing at the Section corner common to Sections 26, 27, 34 and 35;
Thence South 89 degrees 49'15" East 1320.04 feet;
Thence South 00 degrees 14'33" West 330.00 feet;
Thence North 89 degrees 49'15" West 1320.04 feet;
Thence North 00 degrees 14'33" East 330.00 feet to the PLACE OF
BEGINNING.

ALSO EXCEPTING THEREFROM the right of way of U.S. Highway 95, as
now established.

SUBJECT TO THE FOLLOWING:

AN EASEMENT for the purpose of public utilities and rights incidental
thereto as set forth in a document granted to MOUNTAIN STATES
TELEPHONE AND TELEGRAPH COMPANY (no representation is made as to the
present ownership of said easement), recorded September 25, 1940 as
Instr. No. 25759 in Book 4M of Misc. at page 131, records of Adams
County, Idaho.

EXISTING RIGHTS-OF-WAY and easements for public highways, irrigation
canals and lines of public utilities, recorded July 24, 1984 as Instr.
No. 68700 in Book 37M of Deeds at page 417, records of Adams County,
Idaho.

THE RIGHT-OF-WAY of Highway 95 as now established.

AN EASEMENT for the purpose of public utilities and rights incidental
thereto as set forth in a document granted to IDAHO POWER COMPANY (no
representation is made as to present ownership of said easement),
recorded December 29, 1992 as Instr. No. 83375, records of Adams
County, Idaho.

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: A67-00361A
Date Received: 1/ 2/1990
Receipt No: C013758
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: FLORENCE E BROWN 208-253-4771
Address: HC 62 BOX 1395
COUNCIL ID 83612

OR

Name: LLOYD A BROWN 208-253-4771
Address: HC 62 BOX 1395
COUNCIL ID 83612

2. Date of Priority: MAY 1, 1894

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	36	SE	NW	SE		ADAMS

5. Description of diverting works:
HEADGATE AND LATERALS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/15	0.250		

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

8. Total consumptive use is 12.0 Acre Feet Per Annum.

9. Non-irrigation uses:
IN-STREAM STOCK WATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	35	NW	NW		IRR	4.0
Section Acres							4.0
Total Acres							4.0

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:
DOMESTIC WELL AND 67-07766

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs Decree Defendant

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

RECEIVED
JAN 2 1990

Ident. Number: A67-00361A
Date Received: 11/03/1989
Receipt No: C013758
Received By: _____

**Department of Water Resources NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: LLOYD A. BROWN 208-253-4771
Address: HC 62 BOX 1395
COUNCIL, ID 83612

OR

Name: FLORENCE E. BROWN 208-253-4771
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COUNCIL, ID 83612

2. Date of Priority: MAY 01, 1894

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4. Point of Diversion:

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10. Place of Use:

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Section Acres 4.0

Total Acres 4.0

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:
DOMESTIC WELL AND 67-07766

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

JOHN T. MUIR

Decree Plaintiff

vs

WILLIAM ALLISON

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): *Sheldon Brown* Date: 1-2-90

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 2nd day

of January 19 90

Danni Smith
Notary Public

Seal

Residing at Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 5, 1994