

12/16/2005

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

RIGHT NUMBER: 67-369B

NAME AND ADDRESS: MICHAEL E PARADIS
2370 MILL CREEK RD
COUNCIL ID 83612-5221

JANICE M PARADIS
2370 MILL CREEK RD
COUNCIL ID 83612-5221

SOURCE: UNNAMED STREAM

TRIBUTARY: WEISER RIVER

QUANTITY: 0.250 CFS

PRIORITY DATE: 03/17/1913

POINT OF DIVERSION:

T17N R01W S35 SWNWSE Within ADAMS County

T17N R01W S35 NESWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.250 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S35

NESW

7.8

T17N R01W S35

NWSE

4.8

12.6 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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Idaho Department of Water Resources

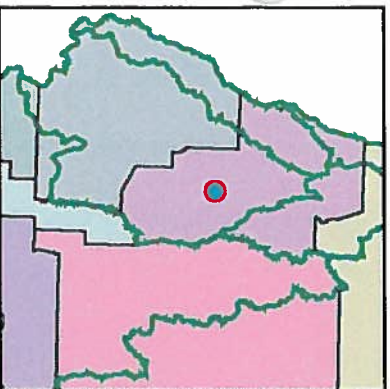


T16N R01W
T17N R01W

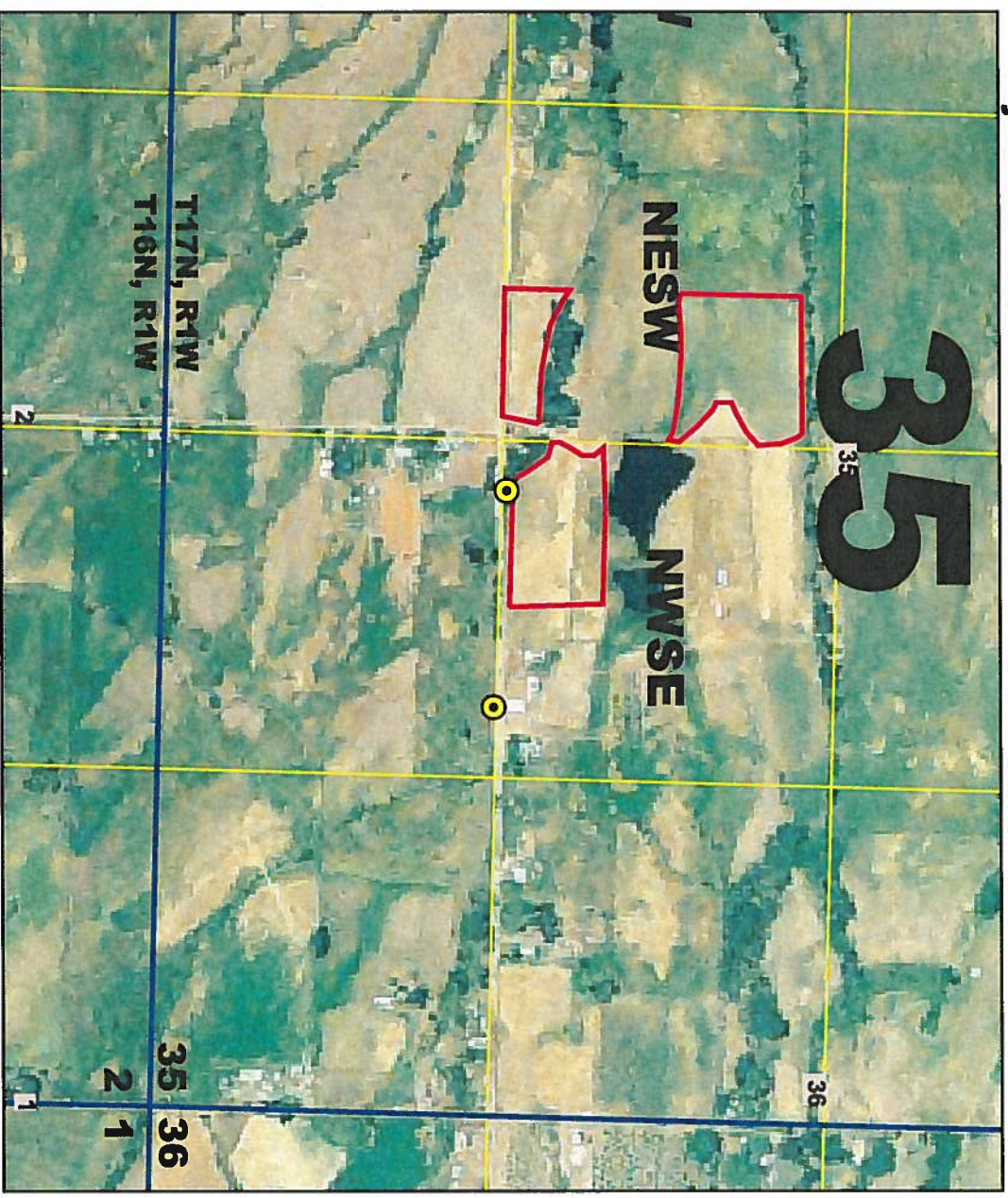
Adjudication Claim Number: **67-369 B**

Legend

-  Point of Diversion
-  Place of Use
-  B67 sections.shp
-  T16n01w.shp
-  T17n01w.shp



Adams County
IDWR Basin 67



Prepared by C. Saxton
On Friday, December 16, 2005
1987 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-369B V1

WATER RIGHT NUMBER: 67-369B V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	FRANK S GALEY COUNCIL, ID
Current Owner	MICHAEL E PARADIS 2370 MILL CREEK RD COUNCIL, ID 83612-5221 (208)253-4458
Original Owner	NANCY E HAWKINS PO BOX 624 PINE VALLEY, CA 92062 (619)473-9776
Current Owner	JANICE M PARADIS 2370 MILL CREEK RD COUNCIL, ID 83612-5221 (208)253-4458
Original Owner	MARLENA J STOVNER 2370 MILL CREEK RD COUNCIL, ID 83612
Original Owner	FRED D STOVNER 2370 MILL CREEK RD COUNCIL, ID 83612

Priority Date: 03/17/1913

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	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

UNNAMED STREAM	NE1/4SW1/4SE1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County		
UNNAMED STREAM	SW1/4NW1/4SE1/4	Sec. 35, 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									7.8					4.8			12.6

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-369B V1

Total Acres: 12.6

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.
2. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Remarks:

Comments:

1. csaxton 12/16/2005 Numbering

Comment: Claimant for 67-369A and 67-369B is the same person. All the irrigated land can be accounted for in 67-369B. Normally, I would combine 67-369A and 67-369B back into 67-369. However, the combination of portions A and B do not total the total decreed diversion rate decreed under 67-369. Disallow 67-369A as it is recommended as 67-369B. Recommend 67-369B to the extent that can be supported by beneficial use. Leave the recommendation as 67-367B because it will not be recommended for the full decreed diversion rate. I want to flag that this is only a portion of the original right.

2. csaxton 12/16/2005 Diversion Rate

Comment: Diversion of the full amount of decreed right 67-369 is supported by the water master records. However, based on acreage, I can only recommend up to one inch per acre. To add, even combining claims 67-369A & B does not bring the full combined diversion rate claimed up to the total diversion rate recommended. Another way to put it is, the claimant did not claim the full diversion rate as decreed under 67-369.

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: 67
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	8/3/2004 7:38:35 AM	segbert			Active
POD	8/3/2004 7:39:54 AM	segbert			Active
Source	8/3/2004 7:44:28 AM	segbert			Active

IDAHO DEPARTMENT OF WATER RESOURCES

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POU	8/3/2004 7:45:06 AM	segbert	Active
Use	8/3/2004 7:54:36 AM	segbert	Active
Season	8/3/2004 7:54:56 AM	segbert	Active
Quantity	8/3/2004 7:55:20 AM	segbert	Active
Contacts	12/16/2005 9:17:17 AM	csaxton	Active
Priority Date	12/16/2005 9:18:25 AM	csaxton	Active
POD	12/16/2005 9:18:38 AM	csaxton	Active
Source	12/16/2005 9:38:24 AM	csaxton	Active
POU	12/16/2005 9:39:54 AM	csaxton	Active
Use	12/16/2005 9:43:57 AM	csaxton	Active
Season	12/16/2005 9:44:12 AM	csaxton	Active
Quantity	12/16/2005 9:49:27 AM	csaxton	Active
Summary	12/16/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/16/2005 9:17:18 AM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam by Melanie Vining on 7/15/05, and in-house meeting with claimant on 9-29-05.
POD	12/16/2005 9:18:39 AM	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?
POD	12/16/2005 9:36:41 AM	csaxton	Updated PLS
POD	12/16/2005 9:37:45 AM	csaxton	Updated PLS
Source	12/16/2005 9:38:25 AM	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	12/16/2005 9:40:47 AM	csaxton	Updated PLS for Active POU
POD	8/3/2004 7:42:27 AM	segbert	Edited point location

IDAHO DEPARTMENT OF WATER RESOURCES

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Source	8/3/2004 7:44:29 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	8/3/2004 7:45:06 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?
Priority Date	8/3/2004 7:38:36 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?
Use	8/3/2004 7:54:38 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?
Season	8/3/2004 7:54:57 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	8/3/2004 7:55:21 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?
POD	8/3/2004 7:39:54 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	8/3/2004 7:43:33 AM	segbert	Edited point location
POU	8/3/2004 7:54:10 AM	segbert	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-369B V1

General	12/16/2005 9:18:26 AM	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	12/16/2005 9:37:07 AM	csaxton	Updated shape
POU	12/16/2005 9:39:55 AM	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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 8 - Some acreage recommended outside the decreed POU. Description for Question 13 - Meeting with claimant on 9-29-05.
POU	12/16/2005 9:40:34 AM	csaxton	Updated shape for Active POU
Use	12/16/2005 9:43:57 AM	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?
Season	12/16/2005 9:44:13 AM	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?

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Adjudication Recommendation Report 67-369B V1

Quantity	12/16/2005 9:49:27 AM	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?
Summary	12/16/2005 9:51:01 AM	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? (Yes) 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?
POD	12/16/2005 9:36:27 AM	csaxton	Updated shape

Water Supply Bank:

Split history for Decreed Right 67-00369

WR History

Claim History

Recommended

67-00369	Galey	67-00369	Galey
0.4	cfs	0.4	
32	ac	32	
0	af		

67-00369A	Paradis	67-00369B	Paradis
	0.06		0.3
	4.5		24.5
	0		0

Not in Decreed POU

Acreage calc at 5/8 " per acre

67-00369A	Paradis	67-00369B	Paradis
	0.006		0.25
	0		12.6

Sum CFS =	0.36
Sum Acre =	29
Sum AF =	n/a

Sum CFS =	0.25
Sum Acre =	12.6
Sum AF =	n/a

Extra CFS =	0.04
Extra Acre =	3
Extra AFA =	n/a

Extra CFS =	0.15
Extra Acre =	19.4
Extra AFA =	n/a

*Last updated 12-12-05 (csaxton)
For digital copy of Excel spreadsheet file: See Craig L. Saxton

Claim Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	349 A		Decreed	Active	1881-05-01	0.2	101	MILL CREEK	IRRIGATION	PARADIS, JAN Claim	
67	350		Decreed	Active	1884-05-01	0.25		MILL CREEK	IRRIGATION	PARADIS, JAN Claim	
67	351		Decreed	Active	1893-05-01	0.66		MILL CREEK	IRRIGATION	PARADIS, JAN Claim	
67	352 A		Decreed	Active	1894-05-01	0.42	101	MILL CREEK	IRRIGATION	PARADIS, JAN Claim	
67	352 B		Decreed	Active	1884-05-01	0.1	13.5	MILL CREEK	IRRIGATION	PARADIS, JAN Claim	
67	353 B		Decreed	Active	1882-05-01	0.03	5	MILL CREEK	IRRIGATION	PARADIS, JAN w/rdjudicationClaim	
67	353 E		Decreed	Active	1882-05-01	0.38	68	MILL CREEK	IRRIGATION	PARADIS, JAN Claim	
67	354		Decreed	Active	1891-05-01	0.06	73	MILL CREEK	IRRIGATION	PARADIS, JAN Claim	
67	369 A		Decreed	Active	3/17/1913	0.06		UNNAMED STREAM	IRRIGATION	PARADIS, JAN Claim	
67	369 B		Decreed	Active	3/17/1913	0.3		UNNAMED STREAM	IRRIGATION	PARADIS, JAN Claim	
67	4420 A		Statutory Claim	Active	5/10/1918	0.6	30.4	UNNAMED STREAM	IRRIGATION	PARADIS, JAN Claim	
67	4420 B		Statutory Claim	Active	6/1/1929	0.24	24.5	UNNAMED STREAM	IRRIGATION	PARADIS, JAN Claim	
67	4420 C		Statutory Claim	Active	6/1/1929	0.32	16	LAST CHANCE CRE	IRRIGATION	PARADIS, JAN Claim	

Page #	Parcel Number	Name	New Charge 2005	New Charge 2003	Water In Inches	File #	Original Owner	Priority Date
21	P17N01W3512(PARADIS, MC)		8.00	\$7.00	10	349	F WATRESS	5/1/81
21	P17N01W3512(PARADIS, MC)		10.00	\$8.78	12.5	350	F WATRESS	5/1/84
21	P17N01W3512(PARADIS, MC)		15.20	\$13.30	18	351	BCHAF/EGALE	5/1/81
21	P17N01W3512(PARADIS, MC)		16.40	\$14.36	20.5	353	BCHAF/EGALE	5/1/82
21	P17N01W3512(PARADIS, MC)		26.66	\$23.34	33.33	361	F WATRESS	5/1/83
21	P17N01W3512(PARADIS, MC)		16.60	\$14.52	20.74	362	F WATRESS	5/1/84
21	P17N01W3512(PARADIS, MC)		6.00	\$7.00	10	364	F WATRESS	5/1/84
23	P17N01W3512(PARADIS, MC)		4.00	\$3.60	5	362	WATRESS	5/1/84
23	P17N01W3512(PARADIS, MC)		16.00	\$14.00	20	369		5/17/13
23	P17N01W3512(PARADIS, MC)		10.40	\$9.10	13			

Recommendation	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	349 A		Decreed		1881-05-01	0.33	26.6	MILL CREEK	IRRIGATION	PARADIS, JAN Recommendation	
67	350		Decreed		1884-05-01	0.26	20	MILL CREEK	IRRIGATION	PARADIS, JAN Recommendation	
67	351		Decreed		1893-05-01	0.66	53.3	MILL CREEK	IRRIGATION	PARADIS, JAN Recommendation	
67	352 A		Decreed		1894-05-01	0.415	39.2	MILL CREEK	IRRIGATION	PARADIS, JAN Recommendation	
67	352 B		Decreed		1894-05-01	0	0	MILL CREEK	IRRIGATION	PARADIS, JAN Recommendation	
Total acres found is 84.0 This puts irrigation of this property at almost 17/ac.							1.66	84			
67	369 B		Decreed		1882-05-01	0.03	2.4	MILL CREEK	IRRIGATION	PARADIS, JAN Recommendation	
67	354		Decreed		1882-05-01	0.38	30.4	MILL CREEK	IRRIGATION	PARADIS, JAN Recommendation	
67	354		Decreed		1891-05-01	0.68	42.1	MILL CREEK	IRRIGATION	PARADIS, JAN Recommendation	
These rights in combination limited to =							0.84	42.1			
67	369 A		Decreed		3/17/1913	0	0	UNNAMED STREAM	IRRIGATION	PARADIS, JAN Recommendation	
67	369 B		Decreed		3/17/1913	0.26	12.6	UNNAMED STREAM	IRRIGATION	PARADIS, JAN Recommendation	
67	4420 A		Statutory Claim	Active	5/1/1929	0.36	30.4	UNNAMED STREAM	IRRIGATION	PARADIS, JAN Recommendation	
67	4420 B				6/1/1929	0	0	UNNAMED STREAM	IRRIGATION	PARADIS, JAN Recommendation	
67	4420 C				6/1/1929	0	0	LAST CHANCE CRE	IRRIGATION	PARADIS, JAN Recommendation	
Stat water adds acreage and brings full diversion rate to 1" per acre							0.61	30.4			

Use for 369A B

IDWR Field Exam Form

05/31/2005

Priority Date Data Entry Form

Claim Number 67-369A

Claimed Priority Date: 3/17/1913

Claimed Basis: Decreed

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date

Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

decreed

Note: 13.5 acres of this claim is not listed in the decree as POU, but claimant said ~~the~~ POU has been the same for as far back as he knows - at least early 1990s - can we treat this as an acc't p/3 hrs transfer? (As long as no competing claims?)

Reviewer: MV

Date: 7/15/05

Point of Diversion and Source Data Entry Form

Claim Number 67-369A

Claimed Point of Diversion and Source

T17N R01W S35 NESWSE Within ADAMS County Source: UNNAMED STREAM WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

unnamed stream

Tributary To

Weiser River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD?

67-4420 (A-C owned by Paradis, D owned by Tim Frahm)

Document how the POD and Source were verified:

field exam: POD for this right same as 67-4420tagged: A0016891Coord: 23 08579150 9741See map for explanation of system

Reviewer:

MV

Date:

7/15/05

Place Of Use Data Entry Form

Claim Number 67-369A

Claimed Place Of Use

T17N R01W S35

NWSE

4.5

Total Acres 4.5

☒ Use Claimed POU as Recommended POU

(re-Combine 369 A + 369 B)

Water Right Place Of Use

Recommended Place of Use

____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres ____

Document how the POU was verified:

map, field exam

369 A: 4.5 acres NWSE

369 B: 13.5 acres NESW

11.0 acres NWSE
29.0 acres

Reviewer: MVDate: 7/15/05

Purpose of Use Data Entry Form

Claim Number 67-369A

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Document how the Purpose of Use was verified:

FE, aerial photos

Reviewer:

mv

Date:

7/15/05

Period of Use and Quantity Data Entry Form

Claim Number 67-369A

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.06	

Overall Diversion Rate 0.06

Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
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Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Quantity - needs flow measurement if
combined w/ 369B.

Season: IDWR reviewer, please recommend based
on season of use maps

Reviewer: MVDate: 7/15/05

Contacts Data Entry Form

Claim Number: 67-369A

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	DONALD W MULLIGAN	2370 MILL CREEK RD	COUNCIL	ID	83612-522	(208)253-4557
Current Owner	MICHAEL E PARADIS	2370 MILL CREEK RD	COUNCIL	ID	83612-522	(208)253-4458
Current Owner	JANICE M PARADIS	2370 MILL CREEK RD	COUNCIL	ID	83612-522	(208)253-4458
Original Owner	GWENDOLYN M MULLIGAN	2370 MILL CREEK RD	COUNCIL	ID	83612-522	(208)253-4557
Original Owner	FRANK S GALEY			ZZ		

Date of Field Exam: 7/15/05 Time: 1pmAccompanied By: Mike Paradis Phone Number: _____Relationship to Claimant: n/a

Directions to Property (if different from above) and/or update owner information:

all info correct

_____Reviewer: mvDate: 7/15/05

INSTRUMENT NO. 3710

STATE OF IDAHO

Water License No. 9199

WHEREAS, On the 17th day of March A.D.1913, Frank S.Galey of Council, County of Adams, State of Idaho duly made application (No. 13895) to me for a permit to use $2/5$ of 1 cubic foot per second of the waters of an unnamed stream, County of Adams, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 5th day of April A.D.1913, Permit No. 9199 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 5th day of April A.D.1914, and for the application to beneficial use of said water on or before the 5th day of April A.D.1914, and

WHEREAS, on the 31st day of March A.D.1914, Frank S.Galey the holder of said permit, duly made proof of the completion of adequate works for the diversion of $2/5$ of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 9199, dated May 12, 1914, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use $2/5$ of 1 cubic foot per second of said water, with date of priority of March 17, 1913 and,

WHEREAS, On the 1st day of June A.D.1914, Frank S.Galey the holder of said permit duly made proof of the application, to beneficial use of $2/5$ of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Frank S.Galey of Council, County of Adams, State of Idaho, the holder and owner of said Permit No. 9199 a perpetual right, dating from March 17, 1913, to the use of $2/5$ of 1 cubic foot per second of the waters of an unnamed stream, in the County of Adams and State of Idaho, or so much thereof, as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 35, T. 17 N., R. 1 W.B.M., and conducted to and upon 20 acres, divided as follows: 19 acres in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and 1 acre in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 35, T. 17 N., R. 1 W.B.M., for the purpose of irrigation and domestic use subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 24th day of August A.D. Nineteen hundred and fourteen.

(SEAL) State Engineer
of Idaho
SEAL

F.P.King
State Engineer.

STATE OF IDAHO

Water License No. 9199

To Frank S.Galey

Council Idaho

Source of Supply-Unnamed Stream Adams County

Am't $2/5$ Sec. Feet

Place of Use NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ 35, T. 17 N. R. 1 W.

Purpose Irrigation

Date of Priority Mar. 17, 1913

Recorded Aug. 24, 1914

in Book 3 of Licenses Page 1646

Recorded at the request of F.S.Galey at 5 o'clock P.M. this 2nd day of
September, A.D.1914.

C.W.Holmes
Recorder

Fees \$1.40

2013-5-22

This Indenture, Made this Twenty fifth day of April in the year of our Lord one thousand nine hundred and eleven between Philip H. Schaff of Adams County of Idaho the party of the first part, and Frank S. Selby of Adams County of Idaho the party of the second part, Witnesseth, That the said party of the first part for and in consideration of the sum of Six Thousand DOLLARS, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Adams County, State of Idaho, to-wit:

East 1/2 of the South West 1/4 of the North East 1/4 and the East 1/2 of the North West 1/4 of the South East 1/4 of Section 35, Township 7, North Range 1, West, Boise Meridian, containing forty acres; also all waters, water rights, ditches, flumes, dams, and irrigating works of what ever nature used upon or belonging to, or in any way appertaining to said lands, including Twenty inches of water in Mule Creek.

Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

To Have and to Hold all and singular the above mentioned and described premises together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, and his heirs and assigns, against the said party of the first part, and his heirs and against all and every person and persons whomsoever, lawfully claiming or to claim, the same shall and will WARRANT and by these presents forever DEFEND.

In Witness Whereof The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

James A. Stinson

Philip H. Schaff SEAL

SEAL

SEAL

SEAL

STATE OF IDAHO,

County of Adams, ss.

On this 25th day of April in the year 1911, before me James A. Stinson, a Notary Public in and for said County, personally appeared Philip H. Schaff known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same, and on this day of April in the year 1911, before me, the officer above described, personally appeared Frank S. Selby known to me to be the person whose name is subscribed to the within instrument, described as a married woman; and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution.

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

(Seal)

James A. Stinson
Notary Public

Recorded at request of J. A. Stinson at 7:20 o'clock A. M., this 26 day of April 1911

By Edw. Selby Deputy.

Fees \$ 1.20

Edw. Selby
County Recorder.

This Indenture, Made this Twenty fifth day of April in the year of our Lord one thousand nine hundred and eleven between James A. Huston Jr. of Council County of Adams State of Idaho the party of the first part, and Frank S. Selby of Council County of Adams State of Idaho the party of the second part, Witnesseth, That the said party of the first part for and in consideration of the sum of Fifty thousand DOLLARS, lawful money of the United States of America, to have in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Adams County, State of Idaho, to-wit:

That certain piece and parcel of land, particularly described and bounded as follows: beginning at the South East corner of the North West $\frac{1}{4}$ of the South East $\frac{1}{4}$ of Section 35, thence East ten rods, thence North one hundred sixty rods, thence West ten rods to the North East corner of the South West $\frac{1}{4}$ of the North East $\frac{1}{4}$ of Section 35, thence South one hundred sixty rods to the place of beginning, all situated in Section 35 Township 17, North Range 1, West, Boise Meridian, and containing ten acres; also all waters, water rights, ditches, dams, flumes, and irrigating works of whatever nature used upon, belonging to, or in any way appertaining to the said lands, including five inches of water with Mill Creek.

Together With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

To Have and to hold all and singular the above mentioned and described premises together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said party of the first part, and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and his heirs and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

In Witness Whereof The said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

J. A. Carr

James A. Huston Jr. SEAL

SEAL

SEAL

SEAL

STATE OF IDAHO,

County of Adams, ss.

On this 25th day of April in the year 1911, before me James A. Stinson Notary Public in and for said County, personally appeared James A. Huston Jr. known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same, and on this day of April in the year 1911, before me, the officer above described, personally appeared James A. Huston Jr. known to me to be the person whose name is subscribed to the within instrument, described as a married woman; and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution.

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

(Seal)

James A. Stinson

INSTRUMENT NUMBER 182.

THIS INDENTURE

Made this 7th(Seventh) day of February, 1911, between Philip H. Schaff, (unmarried) of Council, County of Washington and State of Idaho, party of the first part, and Frank S. Galey, of the City of Pittsburgh, County of Allegheny and State of Pennsylvania, the party of the second part, WITNESSETH, That said party of the first part for and in consideration of the sum of Five Thousand Seven Hundred and Fifty(\$5,750) Dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold and by these presents doth grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in Washington County, State of Idaho, to-wit:

The West One-half($\frac{1}{2}$) of the South-west One-fourth($\frac{1}{4}$) of the Northeast One-fourth($\frac{1}{4}$) and the West One-half($\frac{1}{2}$) of the Northwest One-fourth($\frac{1}{4}$) of the Southeast One-fourth($\frac{1}{4}$) of Section Thirty-five(35), Township Seventeen(17) North of Range One West, Boise Meridian, containing forty(40) acres; also all waters, water rights, ditches, dams, flumes and irrigating works of whatever nature used upon, belonging to, or in anywise appertaining to said lands, including Twenty inches in Mill Creek.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said party of the first part.

TO HAVE AND TO HOLD all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part and to his heirs and assigns forever. And the said party of the first part and his heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said party of the first part, and his heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

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

Signed, sealed and
delivered in the presence of
Frank R. Flood
Robt C Moore.

Philip H. Schaff (SEAL)

State of Pennsylvania)
County of Allegheny.) ss.

On this seventh day of February, in the year 1911, before me, Robt C. Moore, a Notary Public, in and for said County, personally appeared Philip H. Schaff, (unmarried) known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Robt C. Moore, Notary Public. (SEAL)

Robt C. Moore
Notary Public
Pittsburgh, Pa.

My commission expires
April 17, 1911.

STATE OF PENNSYLVANIA,)
Allegheny County,) ss:

(SEAL)
Court of Quarter Sessions
Allegheny County, Pa.

I, William H. Coleman, Clerk of the Court of Quarter Sessions in and for the County of Allegheny, in the Commonwealth of Pennsylvania, the same being a Court of Law and Record, do by these presents Certify, that ROBT C MOORE, Esquire, before whom the foregoing affidavit was taken, and who has hereunto, in his own proper handwriting, subscribed his name, was at that time and is a Notary Public in and for said County of Allegheny duly commissioned and sworn, and authorized by law of the Commonwealth of Pennsylvania to take affidavits and acknowledgements of deeds for lands and real estate in said Commonwealth of Pennsylvania, and to all whose acts as such due faith and credit are, and of right ought to be, given throughout the United States and elsewhere. And further, that I am acquainted with his handwriting and verily believe the signature thereto to be his genuine signature.

I further certify that the foregoing affidavit was taken in accordance with the laws of the State of Pennsylvania.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Court, at Pittsburgh, this 9th day of Feby A. D., 1911.

Wm H. Coleman, Clerk.

Recorded at the request of Philip H. Schaff at 2:20 o'clock P. M., this 1st day of May, 1911.

Fees \$1.40.

By India C. Hess, Deputy.

C. W. Holmes, Recorder.

Not on
Mike
Property

D E E D

THIS INDENTURE, Made this 1st day of December, A. D. One Thousand Nine Hundred Fifty Three between FRANK S. GALEY and EDITH GALEY, husband and wife, now of Boise in the County of Ada, State of Idaho, the parties of the first part, and FRANK S. GALEY Jr., and GWENDOLYN R. GALEY, husband and wife, of Council, in the County of Adams, State of Idaho, the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of FIVE THOUSAND DOLLARS, lawful money of the United States of America, and other good and valuable consideration, to them in hand paid and delivered by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in the County of Adams, State of Idaho, to-wit:

In Township Seventeen (17 North, Range One (1) West, Boise Meridian:

In Section Thirty-five (35):

Parcel 1: The Northeast Quarter of the Northeast Quarter:
 Parcel 2: The Southwest Quarter of the Northeast Quarter:
 Parcel 3: The Northwest Quarter of the Southeast Quarter: and
 Parcel 4: A certain tract or parcel of land described as follows:
 Commencing at the Southeast corner of the Northwest Quarter of the Southeast Quarter of said Section 35, said Township and Range, and running thence East Ten (10) rods; thence North One Hundred Sixty (160) rods; thence West Ten (10) rods to the Northeast corner of the Southwest Quarter of the Northeast Quarter of said Section 35; thence South One Hundred Sixty (160) rods to the point and place of beginning:

In Section Thirty-four (34):

Parcel 1: All that part of the Southeast Quarter of said Section Thirty-four (34), said Township and Range, described as follows: commencing at the Southwest corner of said Southeast Quarter of said Section 34, said Township and Range as the point of beginning of the tract hereby described and running thence North 2626 feet to a point; thence East 889 feet to a point on the West side of the right of way of the Union Pacific Railroad Company, as the same is now located over and across said Southeast Quarter; thence southwesterly on and along the westerly side of such railroad right of way, 2700.8 feet to a point on the South line of said Southeast Quarter of said Section 34; thence West on and along said South line 269 feet to the point and place of beginning, containing 34.2 acres, more or less, and intending to describe and convey all that part of the Southeast Quarter of said Section 34, said Township and Range, lying West of the right of way of the Union Pacific Railroad Company: also

Parcel 2: All that part of the Southeast Quarter of said Section Thirty-four (34), said Township and Range, described as follows: commencing at a point 507 feet South of the Northeast corner of said Southeast Quarter of said Section 34, said Township and Range as the point of beginning of the tract hereby described and running thence West 1781 feet to a point, and being on the East side of the right of way of the Union Pacific Railroad Company, as the same is now located over and across said Southeast Quarter; thence Southwesterly on and along the easterly side of such railroad right of way, 830.3 feet to a point; thence East 1977 feet to a point on the East line of said Southeast Quarter of said Section 34; thence North, on and along such East line, 806 feet to the point and place of beginning, containing 34.7 acres, more or less, it being the intention, by this description, to describe and convey all of the North Half of the Southeast Quarter of said Section 34, lying East of said railroad right of way, Except Twenty (20) acres off the North end thereof: and

Parcel 3: Also, all that part of the Southeast Quarter of said Section Thirty-four (34), said Township and Range, described as follows: commencing at a point 1313 feet South of the Northeast corner of the Southeast Quarter of said Section 34 as the point of beginning of the tract hereby described, and running thence West 1977 feet to the East boundary line of the right of way of the Union Pacific Railroad Company, as the same is now located over and across said Southeast Quarter; thence southwesterly on and along the easterly side of such railroad right of way, 1350 feet to the South line of said Southeast

Quarter of said Section 34; thence East on and along such South line, 950 feet; thence North 165 feet to a point; thence East 1321 feet to the East line of said Southeast Quarter of said Section 34; thence North, on and along such East line, 1148 feet to the point of beginning, containing 59.3 acres, more or less:

And together with all water and water rights, ditches and ditch rights and irrigation works of whatever nature, used upon, connected with or in anywise appurtenant to the before described lands and premises and including, but not being limited to, the following decreed water rights, to-wit:

To lands in said Section 35:

- (a) All Mill Creek Water decreed to land described as parcel 1:
- (b) 20 inches of Mill Creek water to lands described as parcel 2:
- (c) 20 inches of Mill Creek Water to lands described as parcel 3:
- (d) 5 inches of Mill Creek Water to lands described as parcel 4:

To lands in said Section 34:

35½ inches of Mill Creek Water to all of the lands described as parcels 1, 2 and 3:

Intertal Revenue stamps attached and canceled \$44.00.

Together with all and singular, the tenements, hereditaments and appurtenances to said premises belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns, forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, and their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will Warrant and by these presents forever defend.

IN WITNESS WHEREOF The said parties of the first part have hereunto set their hands and seals the day and year first hereinbefore written.

Frank S. Galey (Seal)
Edith Galey (Seal)

STATE OF IDAHO
) .SS.
County of Ada

On this 1st day of December, A. D. 1953, before me, the undersigned, a Notary Public for Idaho, personally appeared FRANK S. GALEY and EDITH GALEY, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.

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

(Notarial Seal)

Raymond D. Givens
Notary Public for Idaho residing at
Boise, Idaho. My Commission expires
April 4 1956.

Recorded at the request of Frank S. Galey Jr. at 55 minutes ^{past} 9 A. M. o'clock
this 3rd day of December, A. D. 1953.

Fees \$3.25

Mabel Hoover, Recorder
Inez L. Clelland, Deputy

Inst # 50123

WARRANTY DEED

For Value Received FRANK S. GALEY, JR. and GWENDOLYN R. GALEY, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto IVAN S. PEARCE (a one half interest as his sole and separate property) and MONTY J. PEARCE (a one half interest as his sole and separate property), the grantees, the following described premises, in Adams County, Idaho, to wit:

PARCEL I:

All that part of Southeast Quarter Section 34, Township 17 North, Range 1 West, B.M., described as follows: Commencing at a point 507 feet South of Northeast corner of said Southeast Quarter of said Section 34, said township and range as a point of beginning of the tract hereby described and running thence West 1,781 feet to a point, on the East side of the right of way of Union Pacific Railroad Company as the same is now located over and across said Southeast Quarter; thence Southwesterly on and along the Easterly side of such railroad right of way, 830.3 feet to a point; thence East 1,977 feet to a point on the East line of said Southeast Quarter of said Section 34; thence North, on and along such East line, 806 feet to the point and place of beginning, containing 34.7 acres more or less, it being the intention, by this description, to describe and convey all the North Half of Southeast Quarter of said Section 34 lying East of said railroad right of way, except 20 acres off the North end thereof.

PARCEL II:

Also that part of the Southeast Quarter of said Section 34 said township and range described as follows: Commencing at a point 1,313 feet South of the Northeast corner of the Southeast Quarter of said Section 34 as the point of beginning of the tract hereby described, and running thence West 1,977 feet to the East boundary line of the right of way of the Union Pacific Railroad Company, as the same is now located over and across said Southeast Quarter; thence Southwesterly on and along the

Easterly side of such railroad right of way, 1,350 feet to the South line of said Southeast Quarter of said Section 34; thence East on and along such South line, 950 feet; thence North 165 feet to a point; thence East 1,321 feet to the East line of said Southeast Quarter of said Section 34; thence North, on and along such East line, 1,148 feet to the point of beginning, containing 59.3 acres more or less; Township 17 North, Range 1 West, B.M.

Also: South Half Northwest Quarter, North Half Southwest Quarter, Northeast Quarter Northeast Quarter, Southwest Quarter Northeast Quarter, Northwest Quarter, Southeast Quarter, Section 35, Township 17 North, Range 1 West, B.M. and a certain tract or parcel of land described as follows: Commencing at the Southeast corner of the Northwest Quarter Southeast Quarter of said Section 35, said township and range, and running thence East 10 rods, thence North 160 rods, thence West 10 rods to the Northeast corner of the Southwest Quarter Northeast Quarter of said Section 35; thence South 160 rods to the point of beginning.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including all water and water rights, ditches and ditch rights owned or used in connection with said real property.

Subject to that certain mortgage in favor of John Hancock Insurance Mutual Life, Spokane, Washington, recorded October 9, 1956, in Book 16, Page 161, Document 36707, in the Office of the County Recorder of Adams County, Idaho, having a present unpaid balance in the amount of \$16,000.

And excepting from the property being conveyed hereby that certain parcel of the above described real property more particularly described as follows:

A parcel of land situated in Adams County, on the west side of U. S. Highway 95, and in the S.E. $\frac{1}{4}$ of the SE. $\frac{1}{4}$ of Section 34, Township 17 North, Range 1 West, B.M., Beginning at the East $\frac{1}{4}$ Corner, Section 34, Township 17 North, Range 1 West, B.M., which is ~~E~~ Station 935+12.60 U.S. Highway 95, thence South 1328.60 feet

to a point on the section line which is E Station 921+84.0, U. S. Highway 95, thence West 33.0 feet to the Right of Way line of U. S. Highway 95, and the real point of beginning, thence West 330.0 feet to a point, thence South 396.0 feet to a point, thence East 330.0 feet to a point on the Right of Way line of U. S. Highway 95 33.0 feet West of Station 917+88.0, thence North 396.0 feet to the real point of beginning. Containing 3.0 acres.

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

Subject to all easements and rights of way of record or appearing on the land.

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

Dated: December 27, 1971.

Frank S. Galey, Jr.
Frank S. Galey, Jr.

Gwendolyn R. Galey
Gwendolyn R. Galey

STATE OF IDAHO)
) ss.
County of Ada)

On this 27th day of December, 1971, before me, a notary public in and for said State, personally appeared FRANK S. GALEY, JR. and GWENDOLYN R. GALEY, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same.



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

Howard Humphrey
Notary Public for Idaho
Residing at Boise, Idaho



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

Howard Humphrey

Notary Public for Idaho
Residing at Boise, Idaho

STATE

County

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INSTRUMENT NO. 64654

State of Idaho
County of Adams

Filed for record at the request of

Adams County Abstract

44 min. part 3:00 clock P.M.

the 6th day of August, 1982

BR 35M of Deeds pg. 395

ESTHER STOVNER RECORDER

Deputy
Fees \$ 4.00

WARPA

WARRANTY DEED

Carl R. & Martha Jean Chapman

to

Ronald H. & Ingeleiv J. Stovner

DATED: August 4, 1982

WARRANTY DEED

For value received CARL R. CHAPMAN and MARTHA JEAN CHAPMAN, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto RONALD H. STOVNER and INGELEIV J. STOVNER, husband and wife, the Grantees, whose address is 8906 Autumn Leaf Ct., Fairfax, Virginia 22031, the following described premises in Adams County, Idaho, to wit:

See attached Exhibit "A".

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 Grantees that they, the Grantors, are the owners in fee simple of said premises; that the said premises are free from all encumbrances, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 4th day of August, 1982.

Carl R. Chapman
CARL R. CHAPMAN
Martha Jean Chapman
MARTHA JEAN CHAPMAN

STATE OF IDAHO)
County of Adams) ss.

On this 4th day of August, 1982, before me, a Notary Public in and for the said State, personally appeared CARL R. CHAPMAN AND MARTHA JEAN CHAPMAN, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Ronald J. Dean
Notary Public for Idaho
Residing at Council, Idaho.

EXHIBIT "A"

A parcel of land lying and situated in Section 35, Township 17 North, Range 1 West of the Boise Meridian more particularly described as follows:

A portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section, Township and Range more particularly described as follows:

Beginning at the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35; thence N. 89°40'40" E., 795.00 feet along the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING; thence North, parallel to the west line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, 271.39 feet; thence S. 89°40'40" W., parallel to the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, 250.00 feet; thence North, parallel to the west line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, 515.00 feet; thence N. 61°36'20" E., 735.82 feet along the center of Mill Creek; thence N. 88°17'53" E., 399.89 feet along the center of Mill Creek to a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 35; thence S. 00°29'23" W., 678.62 feet; thence S. 79°41'57" W., 318.64 feet to a point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 35; thence S. 84°52'57" W., 268.15 feet; thence S. 54°43'14" W., 201.63 feet; thence N. 89°17'43" W., 16.03 feet; thence South, parallel to the west line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$, 270.85 feet to a point on the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$; thence S. 89°40'40" W., 30.00 feet along the south line of said NW $\frac{1}{4}$ SW $\frac{1}{4}$ to the TRUE POINT OF BEGINNING.

INCLUDING any and all water rights appurtenant thereto, including but not limited to 10 inches decreed water right from Mill Creek and 13 inches of water right derived from that certain claim filed May 27, 1982 from Last Chance Creek.

SUBJECT TO: 1. Liens, levies and assessments of the Flood Control District No. 3 of the State of Idaho. 2. Liens, levies and assessments of the Council Valley Rural Fire Protection District No. 1. 3. That certain easement granted to Mountain States Telephone and Telegraph Company in that instrument filed in the office of the County Recorder of Adams County, Idaho, on the 25th day of September, 1940 and recorded in Book 4M of Miscellaneous, on page 143 thereof, records of Adams County, Idaho. 4. That certain right-of-way easement granted to West Coast Power Company dated the 31st day of October, 1940, filed in the office of the County Recorder of Adams County, Idaho, and recorded in Book 4M of Miscellaneous on page 154 thereof. 5. That certain power line easement dated November 6, 1948; granted to Idaho Power Company; filed in the office of the County Recorder of Adams County, Idaho on the 29th day of June, 1949, and recorded in Book 5M of Miscellaneous on page 47 thereof. 6. That certain right-of-way deed to the State of Idaho, filed in the office of the County Recorder of Adams County, Idaho on the 31st day of March, 1936, and recorded in Book 14 of Deeds on page 367 thereof. 7. Any rights, interest or easements in favor of the public which exist, may exist or are claimed to exist over any portion of said property covered by Mill Creek, and any adverse claims based on the assertion that the location of Mill Creek has moved.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/05/99
PAGE: 1

DIVERSION
VOLUME

•

TOTAL DIVERSION:
CONSUMPTIVE USE:

73.50 AFA

Stage: DECREED

ESPM

Description for: IRRIGATION
NE NW

5

NESW NWSW
Lt AC Lt AC Lt

13

SWSE	SWSE	SESE
Ac	Lt	Ac
---	---	---
11		
TOTAL ACRES		

Other Rights: 67-00352, 67-04420

ADDRESS CHANGE BY CLAIMANT LETTER 5/5/1999 SS.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

SCANNED
APR 02 2004

return
to sender

fee due 50¢

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS

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



PB METER
7078757 U.S. POSTAGE

IMPORTANT WATER RIGHT INFORMATION

67-11152, A67-00349A, A67-00350, -00351, -00352A+B,

67-11145
JANICE M PARADIS
MICHAEL E PARADIS
PO BOX 348
COUNCIL ID 83612

A67-00353E, -00354A+B, -00369A+B,
A67-04420A, B, C
A67-07116
-07117
PARA348 836122007 1698 05 03/10/99
FORM 3547
PARADIS
2370 MILL CREEK RD
COUNCIL ID 83612-5221

AUTO 83612



U.S. POSTAL SERVICE
PS FORM 3547

return
to sender

fee due 50¢

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

PRESORTED
FIRST CLASS

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



PB METER
7081570 U.S. POSTAGE

IMPORTANT WATER RIGHT INFORMATION

67-11145, 11152, A67-00349A, A67-00350, -00351,

67-07116
MICHAEL E PARADIS
JANICE M PARADIS
PO BOX 348
COUNCIL ID 83612

-00352A-
-00352B-
-00353E-
-00354B+A-
-00369A+B-
PARA348 836122007 1698 05 03/10/99
FORM 3547
PARADIS
2370 MILL CREEK RD
COUNCIL ID 83612-5221



A67-04420A, B, C
-07116-
-07117-

U.S. POSTAL SERVICE
PS FORM 3547

cc: W.A.
Dupa

return
to sender

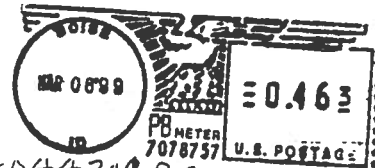
fee due 50¢

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

RESORTED
FIRST CLASS



A67-04420A, B, C
✓ -07116
✓ -07117

IMPORTANT WATER RIGHT INFORMATION

67-11152, -11195 A67-00349A
✓ -00352A+B
✓ -00353E
✓ -00354A+B
✓ -00369A+B

67-11152
MICHAEL E PARADIS
JANICE M PARADIS
PO BOX 348
COUNCIL ID 83612

PARA348 836122007 1698 05 03/10/99
PARADIS 2370 MILL CREEK RD
COUNCIL ID 83612-5221
FORM 3547

AUTO 83612



U.S. POSTAL SERVICE
PS FORM 3547

DATE: 05/10/94
PAGE: 1

DIVERSION
VOLUME

0.40 CFS

TOTAL DIVERSION: 0.40 CFS

Stage: DECREE

Tributary to: SINKS

Water Source: UNNAMED STREAMS

Place of use Legal Description for: IRRIGATION

NE

	NEWE	NWNE	SWNE	SENE	NEWW	NWNW	SWNW	SEWW	NESW	NWSW	SWSW	SESW	NESE	SWSE	LT AC	LT AC	LT AC	LT AC	SUM
T R S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
17N 01W 35													1	1					

Pou County: ADAMS

Dates:
App. Received:
Proof Due Date:
Exam Made Date:
Licensed Date:

Priority Date: 03/17/1913
Proof Made Date:
Exam Sent to S.O.:

Misc: Water District Number: 67 Field Exam Fee:

Field Exam Fee:

AG7-00369 A	0.06 cfs	4.5 Ac
AG7-00369 B	0.30 cfs	24.5 Ac
	<u>0.36</u>	<u>29.0</u>

MICROFILMED
AUG 05 1994

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

25 ✓

Frederick N Watrous, Grantee of Geo M Winkler

16 2/3 ✓

12 1/2 ✓

33 1/3 ✓

20 3/4 ✓

P H Schaff and F B Galey, Grantees of Samuel Harp

37 1/2 ✓

29 ✓

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

41 2/3 ✓

Mill Creek (Con)

Council Valley Orchards, Grantee of J Marion
Young

10 3/4 ✓

29 ✓

37 1/2 ✓

21 1/2 ✓

27 1/2 ✓

J D Poyner and John Poyner

George T Ellis

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

37 1/2 ✓

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

54 ✓

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

16 Trans 884

18 ✓

15 ✓

8 1/2 ✓

B W Turnipseed

J V Morrison

C W Holmes

Council Valley Orchards

100 ✓

Unnamed Stream.

Council Valley Orchards

100 ✓

Frank B Galey

20 ✓

C W Holmes

10 ✓

C E McDonald High water 56

34 ✓

Fort Hall Creek

C T Hamill

4 ✓

4 ✓

6 ✓

11 ✓

Louis Harp

A L Freehafer and Margaret B Bille

67 0348
May 1, 1878 Trans 504-517-537-71 ✓
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 884 67 0355

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

May 1, 1896 67 0362

May 1, 1899 67 0363

May 1, 1903 67 0364

July 1, 1909 67 0365

May 1, 1909 67 0366

June 1, 1906 67 0367

July 3, 1911 67 0368

March 17, 1913 67 0369

May 16, 1912 67 0370

July 2, 1892 67 0371

May 1, 1882 67 0372

May 1, 1889 67 0373

May 1, 1882 67 0374

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 WATRIBS: 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.

DESERRET SINKER 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.

we checked
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

EAST FORK DITCH (CON.)

Fay McBirney	20	July 1, 1905
Janet Ketchen	20	" " "
J. S. Hamilton	10	" " "
Whitney P. James	40	" " "
Council Valley Orchards Company	110	" " "
C. L. Weid	10	" " "
Henry Van Kleeck	27 1/2	
Council Valley Orchards, (Mill Creek)	100	June 1, 1906
" " " (Unnamed stream)	100	July 3, 1911
Frank S. Caley, (Unnamed stream)	20	Mar. 17, 1913
T. B. Biggerstaff (Weiser River)	45	June 1, 1890
C. W. Holmes (Unnamed stream)	10	May 16, 1912

RECEIVED
JUL 24 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: **A67-00369B**
Date Received: 10/26/1989
Receipt No: C012547
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: MICHAEL E PARADIS 208-253-4458
Address: 2370 MILL CREEK RD
COUNCIL ID 83612-5221
OR
Name: JANICE M PARADIS 208-253-4458
Address: 2370 MILL CREEK RD
COUNCIL ID 83612-5221

2. Date of Priority: MAR 17, 1913

3. Source: UNNAMED STREAM Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	35	NE	SW	SE		ADAMS
			NW	SW	SE		ADAMS

5. Description of diverting works:
ROCK DAMS, CULVERTS, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

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

8. Total consumptive use is 73.5 Acre Feet Per Annum.

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	NE	SW		IRR	13.5
			NW	SE		IRR	11.0
					Section Acres		24.5
					Total Acres		24.5

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:
67-00352, 67-04420

14. Remarks:

SOURCE IS ALSO KNOWN AS LAST CHANCE CREEK.
CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 5/10/94.
|
ADDRESS CHANGE BY CLAIMANT LETTER 5/5/1999 SS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

JOHN T. MUIR

Decree Plaintiff

WILLIAM ALLISON

vs Decree Defendant



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

RECEIVED

MAY - 5 1999

Department of Water Resources

DIRK KEMPTHORNE
GOVERNOR

April 29, 1999

KARL J. DREHER
DIRECTOR

MICHAEL E AND JANICE M PARADIS
2370 MILL CREEK RD
COUNCIL ID 83612-5221

cc: W.A.

Re: Snake River Basin Adjudication (SRBA)
Water Rights #67-07116, 67-11145, 67-11152, A67-00349A,
A67-00350, A67-00351, A67-00352A, A67-00352B, A67-00353E,
A67-00354A, A67-00354B, A67-00369A, A67-00369B,
A67-04420A, A67-04420B, A67-04420C, A67-07116 & A67-07117
Change of Address

*Records changed, NCAP prepared.
5-599M*

Dear Water Right Holders:

IDWR has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right can be sent only to the address on your water right or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by May 17, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water right referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right record.

Sincerely,

Sally

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Michael E. Paradis
Claimant Signature

208-253-4458
Telephone No.

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: **A67-00369B**
Date Received: 10/26/1989
Receipt No: C012547
Received By: _____

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

1. Name: MICHAEL E PARADIS 208-253-4458
Address: PO BOX 348
COUNCIL ID 83612
OR
Name: JANICE M PARADIS 208-253-4458
Address: PO BOX 348
COUNCIL ID 83612

2. Date of Priority: MAR 17, 1913

3. Source: UNNAMED STREAM Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
17N	01W	35	NE	SW	SE		ADAMS
			NW	SW	SE		ADAMS

5. Description of diverting works:
ROCK DAMS, CULVERTS, DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.300		

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

8. Total consumptive use is 73.5 Acre Feet Per Annum.

9. Non-irrigation uses:

MICROFILMED
AUG 05 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	35	NE	SW		IRR	13.5
			NW	SE		IRR	11.0
Section Acres							24.5
Total Acres							24.5

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:
67-00352, 67-04420

14. Remarks:

SOURCE IS ALSO KNOWN AS LAST CHANCE CREEK.
CHANGE OF OWNERSHIP COMPLETED BY L.R.W. ON 5/10/94.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date: / /

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: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

Date: _____
MICROFILMED
AUG 05 1994

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
AUG 05 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

APR 08 1994

WATER RESOURCES
WESTERN REGIONDATE OF CLOSING: 3/23/94

LEGAL DESCRIPTION OF PROPERTY: Township 17N Range 01W
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)
Assigned by IDWR:

1467-00369B

[] Name and Address of Former
Owner/Claimant(s)(Seller):

Fred A & Marlene J Stovner
2370 Mill Creek Road
Council, ID 83612

[] New Owner/Claimant
(Purchaser):

Michael E. Paradis & Janice M. Paradis

[] New Mailing Address:

P.O. Box 348
Council, ID 83612

[] New Telephone Number:

() -

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

.23 CFS

[] Attach proof of
ownership, describe
proof attached:

Copies of recorded deed(s) attached

(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)

Michael E. Paradis
Janice M. Paradis

Date 3-23-94Date 3-23-94

[] 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: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

MICROFILMED

AUG 05 1994

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

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: A67-00369B
Date Received: 10/26/1989
Receipt No: 0012547
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NANCY E. HAWKINS 619-473-9776
Address: P.O. BOX 624
PINE VALLEY, CA 92062
2. Date of Priority: MAR 17, 1913
3. Source: UNNAMED STREAM Trib. to: WEISER RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 17N | 01W | 35 | NE | SW | SE | | ADAMS |
| | | | NW | SW | SE | | ADAMS |
5. Description of diverting works:
ROCK DAMS, CULVERTS, DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.300 | | |
7. Total Quantity Appropriated is:
0.300 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 73.5 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	35	NE	SW		IRR	13.5
			NW	SE		IRR	11.0
Section Acres							24.5

10. Place of Use: Continued

Total Acres 24.5

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:
67-00352, 67-04420

14. Remarks:
SOURCE IS ALSO KNOWN AS LAST CHANCE CREEK.

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: -3-

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): [Signature] Date: 10-26-89
_____ Date: _____

State of Idaho)
County of Ada) SS.

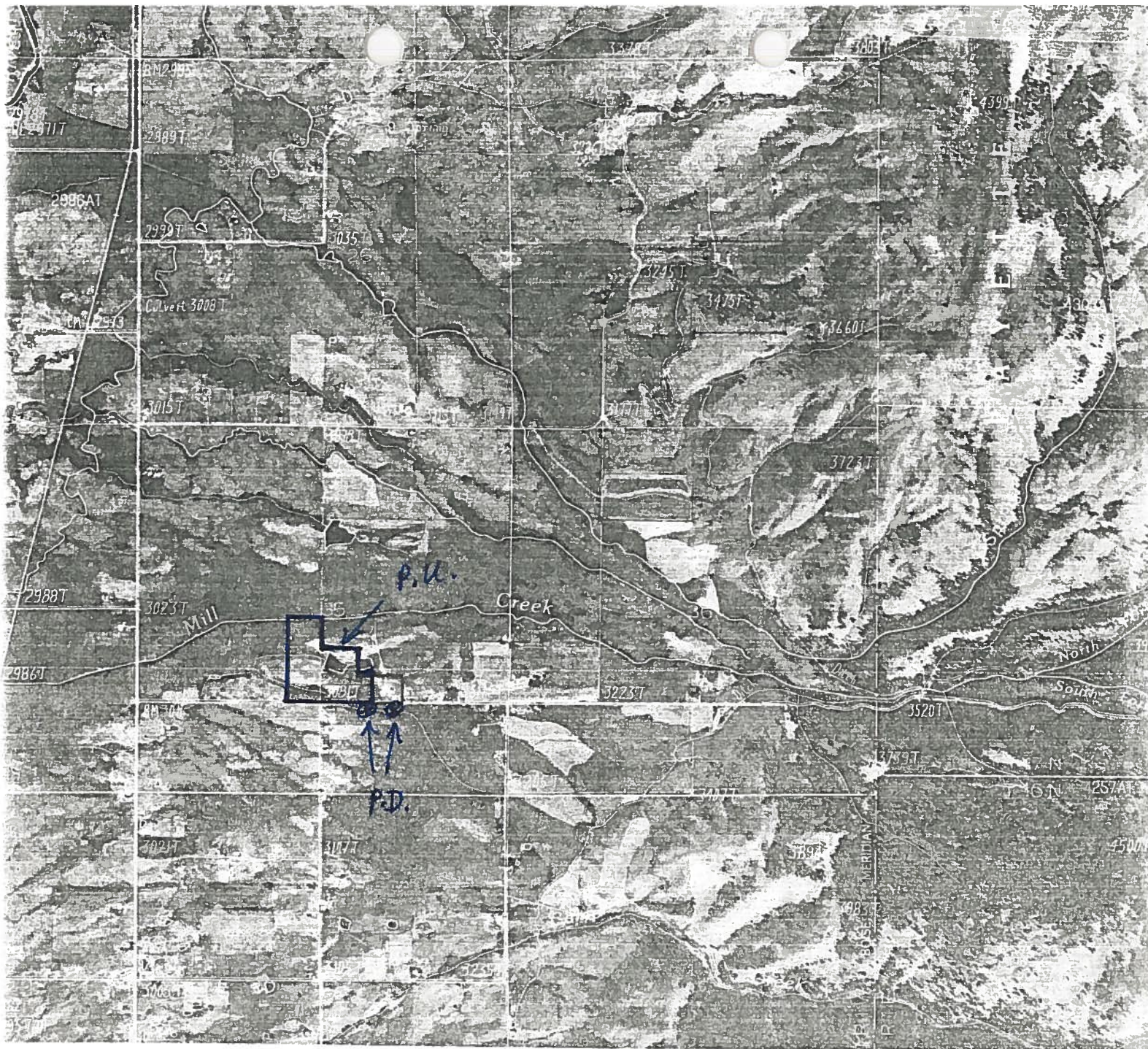
Subscribed and sworn (or affirmed) before me this 26th day
of October 19 89 Carter Fritschle
Notary Public

Seal

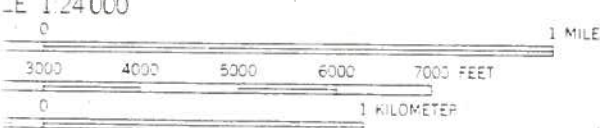
Residing at _____

My Commission Expires _____

Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994



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FRUITVALE, IDAHO
N4445-W11622.5/7.5

1981
MICROFILMED
ADVANCE PRINT
OCT 01 1992

WARRANTY DEED

FOR VALUE RECEIVED, DONALD W. MULLIGAN and GWENDOLYN M. MULLIGAN, husband and wife, Grantors, of Adams County, Idaho, hereby convey, grant and warrant to NANCY E. HAWKINS, the following-described real property located in the County of Adams, State of Idaho, more particularly described as follows, to-wit:

A parcel of land situated within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, Township 17 North, Range 1 West, Boise Meridian, more particularly described as follows:

Beginning at the southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ (southwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 35, Township 17 North, Range 1 West, Boise Meridian;

Thence South 89°40'40" West - 554.61 feet along the south line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Thence North 0°27'07" East - 1161.92 feet to a point in the center of Mill Creek;

Thence North 88°00'12" East - 537.12 feet along the center of Mill Creek;

Thence South 0°12'40" West - 426.56 feet;

Thence South 87°10'03" East - 481.45 feet to a point within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 35;

Thence South 0°19'25" East - 317.26 feet;

Thence South 89°34'14" East - 183.45 feet;

Thence South 0°44'30" West, parallel to the east line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$, a distance of 405.58 feet to a point on the south line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence South 89°44'23" West - ~~650.68~~ feet along the south line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the point of beginning.

EXCEPTING: Mill Creek Road as now established.

Together with all tenements, hereditaments and appurtenances thereto including Water Right No. 67-0352 in the amount of .10 cfs (five inches of priority right of May 1, 1894), and .30 cfs of Water Right No. 67-0369 (15 inches of priority right of March 17, 1913), as water rights appurtenant to said above-described real property.

DATED This 8 day of DECEMBER, 1986.

Donald W. Mulligan
Donald W. Mulligan

Gwendolyn M. Mulligan
Gwendolyn M. Mulligan

STATE OF IDAHO

)

ss.

COUNTY OF

)

On this 8 day of December, 1986, before me, the undersigned, a Notary Public in and for the State of Idaho, personally appeared DONALD W. MULLIGAN and GWENDOLYN M. MULLIGAN, husband and wife, known to me to be the persons executing the within instrument, and acknowledged to me that they executed the same.

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

F. Fred Glensier
Notary Public

Residing at Council

My Commission expires: 1992

Mail Deed and Tax Notices to: Nancy E. Hawkins
Post Office Box 624
Pine Valley, California 92062

WARRANTY DEED - 2

MICROFILMED

OCT 01 1992