



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

May 11, 2009

David I. Stanish
Deputy Attorney General
Natural Resources Division
PO Box 83720
Boise ID 83720

RE: Transfer 74584, 21-2100, Measuring Device

Dear David:

I am writing to advise you the Department approves your request to locate a measuring device at the Highway 87/287 culvert instead of at the mouth of the Unnamed Stream. This letter is your approval to make the change without further administrative action to amend transfer 74584. Below is a summary of the circumstances and conditions considered in making this decision.

In February 2009 the Department of Water Resources ("department") issued transfer no. 74584 approving a change in point of diversion for water right 21-2100. A condition of this approval reads: Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow from Unnamed Stream at the original point(s) of diversion, at the mouth of Unnamed Stream and at the point of diversion from Henrys Lake.

In April 2009 council for the Department of Fish and Game ("Fish and Game") requested moving the measuring device from the mouth of Unnamed Stream to a culvert where the Unnamed Stream flows under Highway 87/287. Fish and Game contends the culvert is the more appropriate/practical measuring location for the following reasons: (a) Fish and Game would have easy access to the highway culvert because it is located on a public right-of-way. Access to the mouth of the stream would require passing over private property. (b) The culvert creates a defined water conduit, providing for better measurement accuracy. (c) The culvert is located approximately 300 yards from the stream mouth, and there are no diversions between the culvert and the stream mouth.

In light of these reasons, consultation between me and other department staff concluded measurement at the culvert would be reasonably representative of what would otherwise reach the mouth and therefore maintains the spirit of the original condition of accounting for the quantity of water that reaches Henrys Lake from the unnamed stream. In addition, Fish and Game will still need to provide a means of measuring the flow from the Unnamed Stream at the original point of diversion and at the point of diversion from Henrys Lake.

Respectfully,

Ernest Carlsen
Water Resource Program Manager
emc

RECEIVED

FEB 08 2010

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA)
Case No. 39576) A. Subcase Nos 21-02100 21-10015
_____)

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Lana Esplin, North Henry's Lake Homeowners Association

Winter Address: 4317 Windsong Way, St. George, Utah 84790

Summer Address: 3897 Teton Road, Island Park, Idaho 83429

Daytime Phone: Winter Home: 435-674-0712; Cell: 435-669-6643 ;
Summer Home: 208-558-7214

NEW EVIDENCE SUBMITTED FOR SUBCASES 21-02100 21-10015

Negotiations between the NHLHA and the IDFG on a proposed settlement agreement have fallen apart. The NHLHA is currently without legal council and have not yet had an initial hearing on the Motion to Set Aside Water Right 21-02100 with the SRBA. The NHLHA hereby petitions the court to schedule a hearing on the Motion to Set Aside Water Right 21-02100.

We also petition the court to disregard the IDFG Conditional Transfer #74584 for water right #21-02100 and the Order Granting Extension of Time to Complete Transfer. Both were based on wrong or withheld information given to Ernie Carlson and Shelly Keen. Certain conditions were not met in the proposed agreement between NHLHA and the IDFG, which should render any transfer or extension of time void.

October 29, 2008

An initial Discharge Measurement of Pittsburg Creek was requested by NHLHA, with Gail Blanchard taking the measurement on October 29, 2008 at the Highway culvert, with Mont Harris, NHLHA Water Commissioner, present. This measurement shows there is not 4 cfs of water in Pittsburg Creek as claimed by the IDFG in their water right #21-02100 and was in fact less than ½ cfs. Any transfer or use of this water by the IDFG would clearly injure the NHLHA water right #21-10015 and would not be in the public interest. The NHLHA uses water out of Pittsburg Creek both above and below the highway where the measurement was taken. In addition, water right #21-10015 has a priority date of 1904 and supercedes the IDFG abandoned water right #21-02100, priority date 1949.

Sec Exhibit A

February 23, 2009

The conditional transfer #74584 of water right #21- 02100 was signed by Ernie Carlson on February 23, 2009. This transfer was based on wrong or withheld information given to Mr. Carlson by Mr. Stanish who represents the IDFG. Lana Esplin later called Mr. Carlson and pointed out that the wording in the document violated a proposed agreement between the Fish

and Game and the NHLHA. Mrs. Esplin said the wording would injure NHLHA water right #21-10015 and was not in the public interest. Mr. Carlson informed Mrs. Esplin that Mr. Stanish had not given him a copy of the proposed agreement between the Fish & Game and NHLHA and ask her to email him a copy which she did.

See Exhibit B

May 11, 2009

Mr. Carlson later amended the conditional transfer on May 11, 2009. However the wording in that document was such that it would still injure the NHLHA water right and was not in the public interest. The transfer which is based on the amount of water reaching the mouth of Pittsburg Creek affects the Howe Spring portion of water right # 21-10015 which flows into Pittsburg Creek below the highway. The NHLHA uses water out of Pittsburg Creek both above and below the highway, so a measurement taken at the Highway would injure NHLHA also.

See Exhibit C

January 5, 2010

On January 5, 2009, Mr. Stanish sent a letter to Shelly Keen, IDWR requesting an extension of time to complete the conditional transfer.

See Exhibit D

January 7, 2010

Shelly Keen received Mr. Stanish's Form #222-Ext Request for Extension of Time to Complete Transfer dated January 5, 2010, which she signed on January 7, 2010.

See Exhibit E

January 8, 2010

On January 8, 2010, Shelly Keen signed an Order Granting Extension of Time To Complete Transfer #74584 for water right #21-02100.

The extension of time was listed as February 3, 2014, four years away. This extension should not be granted because the Conditional Transfer #74584 was based on wrong or with held information that would injure the NHLHA water right #21-10015. In addition, the IDFG had violated the proposed Agreement, resulting in no agreement which would void any transfer.

See Exhibit F

Dated February 5, 2010



Lana Esplin
NHLHA Representative

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 74584

This is to certify that: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707
(208)334-3700

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
21-2100	WR/Decreed	02/03/1948	6 cfs	N/A	N/A	N/A	SHERWOOD SPRING, UNNAMED STREAM

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
21-2100	NO	YES	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
21-2100	21-2100	6.0 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		6.0 cfs	N/A	N/A	N/A		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 23 day of February, 2009


for Ernest Carlson
Chief, Water Allocation Bureau

SUPPORT DATA
IN FILE # 21-2100

WATER RIGHT NO. 21-2100
As Modified by Transfer No. 74584

In accordance with the approval of Transfer No. 74584, Water Right No. 21-2100 is now described as follows.

Right Holder: STATE OF IDAHO
 DEPT OF FISH & GAME
 PO BOX 25
 BOISE ID 83707

Priority Date: February 03, 1948 ✓

Source: SHERWOOD SPRING ✓
 HENRYS LAKE ✓

Tributary: HENRYS LAKE ✓
 HENRYS FORK ✓

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
FISH PROPAGATION ✓	01/01 to 12/31 ✓		6.00 CFS ✓

LOCATION OF POINT(S) OF DIVERSION:

HENRYS LAKE	L2 (SESW)	Sec. 33 Twp 16N Rge 43E FREMONT County ✓
SHERWOOD SPRING	NWSE	Sec. 33 Twp 16N Rge 43E FREMONT County ✓

PLACE OF USE: FISH PROPAGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
16N	43E	33	X	X	X	X	X

CONDITIONS OF APPROVAL

- Q ✓ 1. Diversion of water from the additional point(s) of diversion authorized under Transfer 74584 located in L2, SESW, Sec. 33, T16N, R43E shall not exceed a maximum diversion rate of 4.00 cfs.
- GEN ✓ 2. Diversion of water from Henrys Lake is limited to those times water is available for diversion under this right and priority from Unnamed Stream at the original point of diversion in the NESE, S33, T16N, R43E, and to the amount of water that actually reaches Henrys Lake.
- EXP ✓ 3. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.
- EXP ✓ 4. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).
- GEN ✓ 5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department for measuring the flow from Unnamed Stream at the original point(s) of diversion, at the mouth of Unnamed Stream and at the point of diversion from Henrys Lake.
- EXP ✓ 6. This right does not grant any right-of-way or easement across the land of another.

WATER RIGHT NO. 21-2100
As Modified by Transfer No. 74584

CONDITIONS OF APPROVAL

- EXP ✓ 7. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.
- EXP ✓ 8. The right holder shall accomplish the change authorized by this transfer within one year(s) of the date of this approval.
- EXP ✓ 9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 23 day of February, 2007

Ernest Carlson
Chief, Water Allocation Bureau

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JAN 07 2010

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME
TO COMPLETE TRANSFER

The holder of the water rights listed below requests an additional period of time in which to accomplish change(s) authorized by approval of Application for Transfer of Water Right(s) No. 74584 approved on February 23, 2009.
Water Right No(s). 21-02100

Number of Year(s) Authorized in which to Accomplish Change(s) X (1) (2) (3) (4) (5)

Number of Additional Year(s) Requested in which to Accomplish Change(s) (1) (2) (3) X (4)
(Not to exceed 5 years total from date of the approval.)

Name(s) of Right Holder: State of Idaho, Dept of Fish & Game
(If not the right holder of record, submit a Notice of Change of Water Right Ownership, appropriate fee and documentation.)

Mailing Address: PO Box 25
City Boise State ID Zip 83707
Phone No.: (208) 334-3700 Email:

Explain why additional time to complete transfer is needed and show a reasonable cause for the delay:

IDFG conducted an initial survey and evaluation of new POD and measuring locations in June 2009. IDFG contacted ITD and US Bureau of Reclamation to determine which permits are required to construct transfer works. IDFG is currently evaluating availability of engineering staff to develop and install works. Once cost estimates are determined, IDFG can move towards budgeting this project into the Department's annual budget. IDFG expects this project to be included in the Department's FY 2012 budget request. Henry's Lake Foundation has already pledged \$10,000 towards this transfer project. Costing \$
Given budget and personnel constraints, IDFG requests additional 4 years to complete transfer.

[Signature] 1/5/10
(Signature) If other than right holder, Power of Attorney must be supplied. (Date)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Department approved the above referenced Application for Transfer with a condition that it be completed within 1 year(s).

The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 74584 is granted an extension to February 23, 2014 in which to accomplish the transfer. IT IS FURTHER HEREBY ORDERED that this extension does not stay the accumulation of the 5 year period associated with forfeiture of a water right for non-use.

OR Extension is not granted. (See correspondence in water right file.)

Signed this 7th day of January, 2010. Shelley W. Keen

Galbraith, Trent

From: lgesplin [lgesplin@sunrivertoday.com]
Sent: Tuesday, July 31, 2007 3:24 PM
To: Carlsen, Ernie
Cc: Galbraith, Trent
Subject: re: claim #21-02100

Attachments: Error Water Right IDAHO FISH AND GAME DEPARTMENT.doc; "AVG certification"



Error Water Right _AVG
IDAHO FISH A... tification_.bt (227 I

Mr. Carlsen:

Mr. Fritschle emailed me that he had just forwarded my attachment: "notice of error on claim #21-02100" to you. I'm attaching it again, since Trent was working with me on our NHLHA adjudication, in case he hasn't seen it.

NHLHA has no problem with the Sherwood Springs portion of the water claim. The way we read the "Agreement" portion of the claim is that it was an "limited" agreement to share a wooden pipeline for the water diversion. Wooden pipelines do not last. Remnants of the rotten pipeline are below several of the homes West of George and Margaret Lang.

We couldn't see any documentation in your online records for the ownership of "Pittsburg Creek" in 1947 by Mr. Howell and Mr. Harvey who signed the agreement. It appears to us that an "agreement" to share a pipeline, now rotting and abandoned for over 50 years is not a valid agreement any more. In addition it was changed in 1990 to show an all year diversion instead of 3 1/2 months. I think the problem here is because the two sources of water were combined into one water right. In addition, NHLHA was never notified of the 1990 adjudication of #21-02100 which concerned them. This was probably because whoever looked at the water rights was seeing two different streams: "No Name Creek" flowing into Henry's Lake and "Unnamed Creek" flowing into Henry's Fork which was later changed to Pittsburg Creek. In addition, the IFGD never, at any time, notified anyone at the IDWR that they were no longer using or diverting the water from Pittsburg Creek. We also question the 4cfs claimed in 1947 because our 1907 water right said ALL the waters of Pittsburg Creek and listed 1cfs. Maybe this is common to overstate the actual water or is there another claim to the Pittsburg Creek?

It appears that since Sherwood Springs has had sufficient water since 1947 for the Wild Rose Fish Hatchery to operate, that IFGD doesn't need the water. They would also be showing a conflict of interest in diverting the water since they are using "Pittsburg Creek" for fish spawning. While the fish from Henry's Lake can spawn below Highway 87, they can't get under the highway to spawn above it unless there is a maximum flow in the stream, which is in the spring.

Do you have any other records on #21-02100 that are not showing online?

I'd appreciate talking with you or Trent on the phone for further advice on the matter. Could one of you call me at 208-558-7214.

Thank you!

Lana Esplin

TO: IDAHO DEPARTMENT OF WATER RESOURCES – ADJUDICATION
c/o Carter Fritschle, Adjudication
FROM: Lana Esplin, past secretary North Henry's Lake Homeowners Association
3897 Teton Rd. Island Park, Id 83429
summer phone: 208-558-7214; cell phone: 435-669-6643

RE: IDAHO FISH AND GAME DEPARTMENT – WATER RIGHT #21-02100

Notice of Error for Idaho Fish and Game claiming "No Name Creek" as a water right in Water Claim #21-2100

This water right error was just discovered when a new development "Henry's Lake Overlook," which adjoins the NHLHA Subdivision, was granted permission to begin construction. The NHLHA Subdivision was formerly known as the Henry's Lake Lodge Subdivision. Recently, some NHLHA residents were told by Damon Keen, Wild Rose Fish Hatchery Manager, that the IFGD had withdrawn their objections to the development under some agreed concessions, including a "new" pipeline right of way over the developers land to "Pittsburg Creek," which is known in certain legal documents as "No Name Creek" or "Unnamed Creek." This was the first time that anyone from the NHLHA had ever heard that the Idaho Fish and Game Department thought they had rights to divert water from Pittsburg Creek. The Henry's Lake Overlook Development has a small portion of the water rights to Sherwood Springs (.04 cfs #21-4061). They also have a well drilling permit (Tag #D0044052) for 40 GPM dated June 28, 2007.

History

In February, 1948 the Idaho Fish and Game Department obtained water claim #21-2100 when they combined an "Agreement," (dated June 19, 1947), with the said 1947 owners of "No Name Creek" rights and a "Sale/Grant" with the owners of Sherwood Estates and Sherwood Springs.

Agreement

Note: This agreement can be viewed online under adjudication back file #21-2100, p. 28-29

1. In 1947 Alton R. Howell and Harold R. Harvey, land owners in the area, entered into an "Agreement" with the Idaho Fish and Game Department for "limited" diversion of 4 cfs from "No Name Creek" in Pittsburg Canyon.
2. The IFGD was to construct an 8 inch wooden diversion pipe from a diversion box on "No Name Creek" which was to run through Mr. Howell and Mr. Harvey's property to Sherwood Springs (now known as Hatchery Springs) and then to the Fish Hatchery.
3. The purpose of the diversion was to operate the Fish Hatchery and for Mr. Howell and Mr. Harvey to share the pipeline for their own use.
4. The "limited" use of the diverted water by the IFGD was limited to March through June 15th.
5. Mr. Howell and Mr. Harvey could have full use of the water in the pipe the rest of the year, with domestic use all year.
6. The IFGD was to place an 8 inch valve on the pipeline 1,000 feet east of the hatchery where land owners Mr. Howell and Mr. Harvey could take water from the pipeline.
7. This agreement made no mention of any water right number or pedigree showing Mr. Howell or Mr. Harvey actually owned the water rights. It simply said they were "the prior appropriators of all waters of No Name Creek in Pittsburg Canyon."

SCANNED

AUG 01 2007

Use of Pipeline:

The Sherwood Springs portion of IFGD Water Claim #21-2100 had sufficient water to operate the Fish Hatchery.

The shared pipeline in the "Agreement" for the "No Name Creek" portion of the claim, may have been used for a short period of time with Mr. Howell and Mr. Harvey sharing the use from it to irrigate their land. However it was abandoned a few years later when they sold their land to developers. In the 1960s or before, lots were being sold in the area where the pipe line had been. Remnants of the pipeline were seen by Mr. and Mrs. George Lang on their property (at a point on the property line between their two lots) during the digging of their cabin construction in 1969. It turned west on their property and remains can be seen on residents lots to the west of the Langs. Their Lots are in the Henry's Lake Lodge Subdivision, #4/1/10 & #5/1/11.

Use of "No Name Creek," or "Unnamed Creek" flowing from Pittsburg Canyon:

There is approximately 1 cfs minimum flow in this creek with possibly 4 cfs flowing during spring runoff.

The creek above, now known as Pittsburg Creek, is shown on the IFGD map on this link:

https://research.idfg.idaho.gov/Fisheries%20Research%20Reports/Volume%20088_Article%2009.pdf

Pittsburg Creek has been used for Fish spawning by the IFGD for many years as shown on the link above. For many years the creek has been used by previous owners and by NHLHA owners for irrigation near the creek by diversion ditches, temporary pipes, and pumping.

Proof of NHLHA claim to the water rights to "Unnamed Creek" #21-169 now #21-10015:

On June 5, 1979, Henry's Lake Lodge, Inc deeded their water rights to North Henry's Lake Homeowners Association. See copy of deed online at:

<http://www.idwr.idaho.gov/apps/ExtSearch/SearchWRAJ.asp>

under #21-10015, Amended Notice of Claim SF4. These water rights were for "Unnamed Creek" flowing from Pittsburg Canyon (#21-169 - **priority date of September 15, 1904**) and Howe Springs (#21-168 – priority date of September 15, 1904). These two water rights were combined into water right #21-10015 in October 1988 (See under Adjudication back file).

Adjudications for the "Unnamed Creek" water rights were completed in 1988 and 2007.

Idaho Fish and Game Adjudication Back File #21-0211

On July 16, 1990 an adjudication back file for IFGD water right #21-0211 showed that "No Name Creek" was still being claimed in conjunction with Sherwood Springs. However, now it was showing "year round use" even though the wooden pipeline had been abandoned for over 50 years from the date of the original "Agreement."

Correction Needed:

1. The NHLHA has a decreed, deeded, and recorded water right to "Unnamed Creek" or "No Name Creek" with a priority date of September 15, 1904.
2. The IDFG has shown no deeded or recorded water right or proof of ownership to "Unnamed Creek" or "No Name Creek."
3. The pipeline in the limited "Agreement" has been abandoned for over 50 years.
4. Somehow this error was missed in previous adjudications in Snake River Basin and needs to be corrected.

Prepared by Lana Esplin, past secretary for North Henry's Lake Homeowners Association.

RECEIVED
AUG 01 2007

06/24/2005

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: OCTOBER 14, 2005

Water right number: 21-2100

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707
Telephone Number: (208)334-3700

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

✓ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 9/27/05 SIGNATURE: [Signature]
Please print your name: Damon Keen

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

RECEIVED
OCT 07 2005
Department of Water Resources
Eastern Region

PROFILED

SCANNED
OCT 12 2005

Kuo
10/11

Contacts Data Entry Form

Claim Number: AZI-02100

Owner Type	Full Name	Address	City	State	Zip
------------	-----------	---------	------	-------	-----

Current Owner: Idaho P&G Phone No.: _____

Current Owner: _____ Phone No.: _____

Current Owner: _____ Phone No.: _____

Name connector: and _____, or _____, and/or _____.

Representing Attorney: _____ Phone No.: _____

Accompanied By: _____ Phone No.: _____

Relationship to Claimant: _____ Date of Field Exam: _____

Discussion of right origin and split history. Questions and problems.Field Exam 12-01-04 by STEVEN H. McLENNANReviewer: RAM Date: 12-01-04SCANNED
JUL 10 2008

Claim no. A21-02100

Claimant Contact Log

Date _____

Remarks

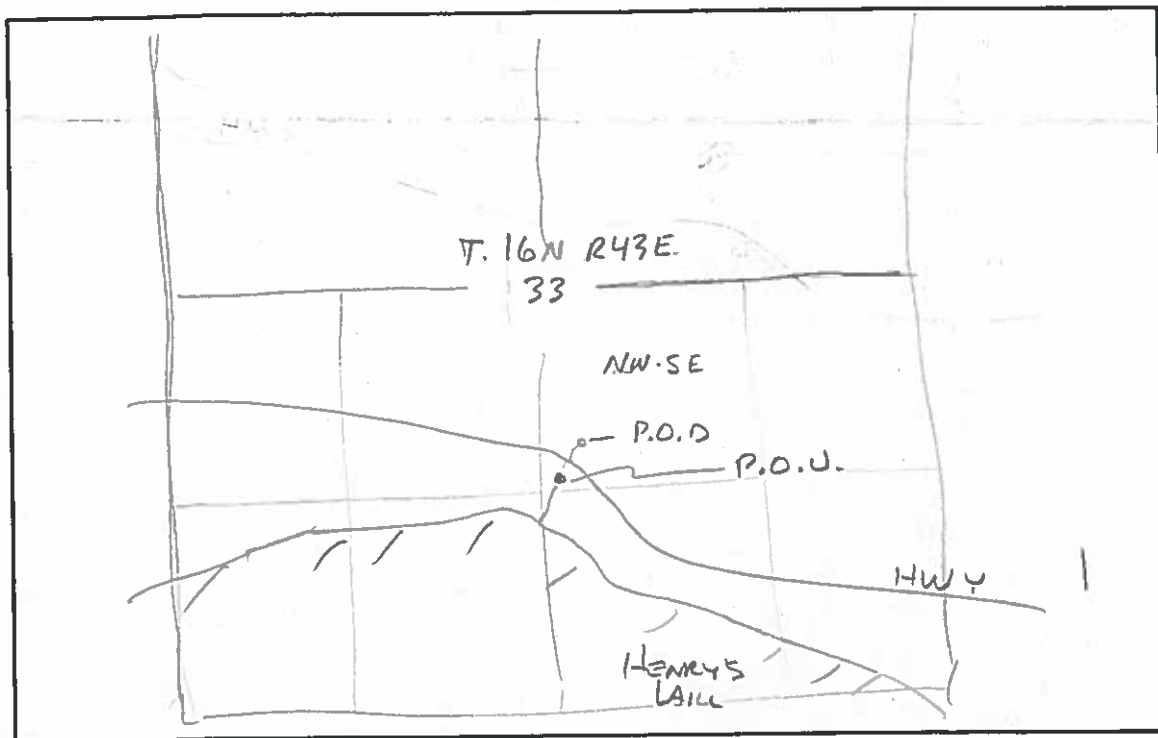
Agent initials

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

SCANNED

JUL 10 2008

Water Right No(s). A21-02100



GPS DATA:

Tag # _____ Location: _____

Diversion Data:

Source: SHERWOOD SPRING Trib to: HENRY'S LAKE

MOTOR

Make: NA Model: _____ Hp: _____
SN: _____

PUMP

Make: NA Model: _____ Disch: _____
SN: _____

NOTES:

ACCORDING TO DAMON OF IDAHO FISH & GAME THE
ONLY SOURCE OF WATER FOR THE HATCHERY IS SHERWOOD
SPRINGS. THERE IS NO SOURCE OF WATER FROM
AN "UNAMED CREEK" AS SHOWN ON THE CLAIM.

Field Exam Date: 12-01-04 Agent: STEVE MCCORMICK

SCANNED

JUL 10 2008

Claim Number: 21-02100

Water Right Point(s) of diversion and Source.

Water Right Point of Diversion: T 16N, R 43E, Sec. 33, SW, NW, SE, County: fremont

Source: SITERWOOD SPRINGS Tributary to: HENRY'S LAKE

Water Right Point of Diversion: T _____ R _____ Sec. _____, _____, _____ County: _____

Source: _____ Tributary to: _____

Claimed Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
16N	43E	33		NE. SE	FREMONT	STRAWWOOD SP.	HENRY'S LAKE

NW-SE

Recommended Point(s) of Diversion and Source.

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source	Tributary to
16N	43E	33		NE-SE	FREMONT	SITERWOOD SP.	HENRY'S LAKE

Other rights from this POD? NONE

Transfers Pending or approved: NONE

Document how the POD and Source were verified:

Document how the POD and Source were verified:
P.O.D WAS VERIFIED DURING FIELD INSPECTION ON 12-01-04

Reviewer: SHM Date: 12-01-04

SCANNED

JUL 10 2008

Place Of Use Data Entry Form

Claim Number: 21-02100

Claimed Place Of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
16N	43E	33	NW	SE	FREMONT			FISH PROP

Total acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
16N	43E	33	NW	SE	FREMONT			FISH PROP

Total acres _____

Pending or approved Transfers: NAOverlapping rights: NONE

Document how the POU was verified:

POU WAS VERIFIED DURING FIELD INSPECTION ON 12-01-04Reviewer: SHM Date: 12-01-04

SCANNED

JUL 10 2008

Priority Date Data Entry Form

Claim Number: 21-02100Water Right Priority Date: FEB 3, 1948 Water Right Basis: LICENSE 21-2100 (20294)Claimed Priority Date: " Claimed Basis: "Recommended Priority Date: " Recommended Basis: "

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

REVIEW OF LICENSE.Reviewer: SAMDate: 12-01-01

SCANNED

JUL 10 2008

Season of Use and Quantity Data Entry Form

Claim Number: 21-02100Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
FISH PROP.	1-1	12-31	6.0 CFS.	

Overall Diversion Rate 6.0 CFS. Overall Diversion Volume _____Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
FISH PROP	1-1	12-31	6.0 CFS	

Overall Diversion Rate 6.0 CFS. Overall Diversion Volume _____Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
FISH PROP	1-1	12-31	6.0 CFS	

Overall Diversion Rate 6.0 CFS Overall Diversion Volume _____Document how the Period of Use and/or Diversion Rate were verified:PERIOD OF USE VERIFIED BY CLAIM REVIEW.Reviewer: StmDate: 12-01-04

SCANNED

JUL 10 2008

Claim No 21-2100

Document Checklist

☐ Copy License/Decree

☐ Copy Transfer

☐ Copy Licensing Field Exam

☐ Check if Ownership/Address Change is Required

☐ Generate, mail and file "Evidence of Priority" letter

☐ Generate Arcview Map

not organization

SCANNED

JUL 10 2008



SCANNED

AUG 15 2011

State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

JULY 13, 1992

STATE OF IDAHO
DEPARTMENT OF FISH & GAME
PO BOX 25
BOISE ID 83720

RE: NOTICE OF CLAIM A21-02100

Dear Sirs:

While reviewing Notices of Claim in Basin 21, I discovered the enclosed Notice has not been "sealed" by the Notary Public. The Notice has been signed by Dorothy Baker. Please have her seal the Notice and return promptly to my attention.

Respectfully submitted,

Jo
Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim A21-02100

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

RECEIVED

JUL 22 1992

Department of Water Resources
Eastern District Office

Sorry we overlooked this seal

*Jerry Venholm
Office Coordinator*

MICROFILMED

OCT 20 1992

JUL 16 1992

State of Idaho
License and Certificate of Water Right

Water License No. 20294

Amount Six second feet

Water District No. _____

Priority February 3, 1948

THIS IS TO CERTIFY that IDAHO STATE FISH AND GAME DEPARTMENT
of Boise, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 3, 1948; that Permit No. 20294
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
six second feet, was issued thereunder on February 25, 1948, showing that said works
were completed on the 25th day of February, 1948; and that on the 14th
day of May, 1948,

IDAHO STATE FISH AND GAME DEPARTMENT
of Boise, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of No Name Creek and
Sherwood Spring, ~~subsidiary of~~ for the purpose of Fish hatchery.
under Use Permit No. 20294 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4453, on the 3rd day of March, 1949;

The right hereby confirmed dates from February 3, 1948;
from No Name Creek
The Point of Diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, and from Sherwood Spring
in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, Tp. 16 N., R. 43 E., B. M. Fremont County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed Four (4) cubic feet per second. from No Name Creek and Two (2) cubic feet per sec.
from Sherwood Spring.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
			Place of use is in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, Township 16 North, Range 43 East, B.M.		

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
3rd day of March, 1949.

MARK R. KULP

State Reclamation Engineer

(SEAL)

21-2100

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20294

This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Fish & Game Department, Boise, Idaho
2. Source of water supply: No Name Creek and Sherwood Spring
From No Name Creek- NE 1/4 SE 1/4
3. Location of point of diversion: Is in the From Sherwood Spring in NW 1/4 SE 1/4 of Section 33
T 16 N. R. 43 E. County of Fremont
4. Describe works as they exist, giving dimensions and capacities of same: Diversion from Creek (Pittsburg Canyon)* is by a small concrete dam with stoplog control, a concrete headbox 4'x 5'x 4 feet deep, and an 8 inch pipe line 5/8 mile long leading to hatchery, which is equipped with 12 hatching troughs. The Spring diversion consists of a concrete control wall 2 feet high, x 10 feet long, with a building 10'x 12' over the spring. An 8" wire wound wood stave pipe leads thence to the hatchery. Also a 2" galvanized pipe supplies domestic water to the hatchery buildings.
5. Water is used for Fish hatchery
6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
Place of use- NW 1/4 SE 1/4 Section 33, Township 16 North, Range 43 East, S. M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? Snake River
- Remarks: Two lines of 1 inch pipe lead from the "spring" for use upon the adjacent Sherwood Property
"Output of the hatchery consists of 11,000,000 eggs per year."

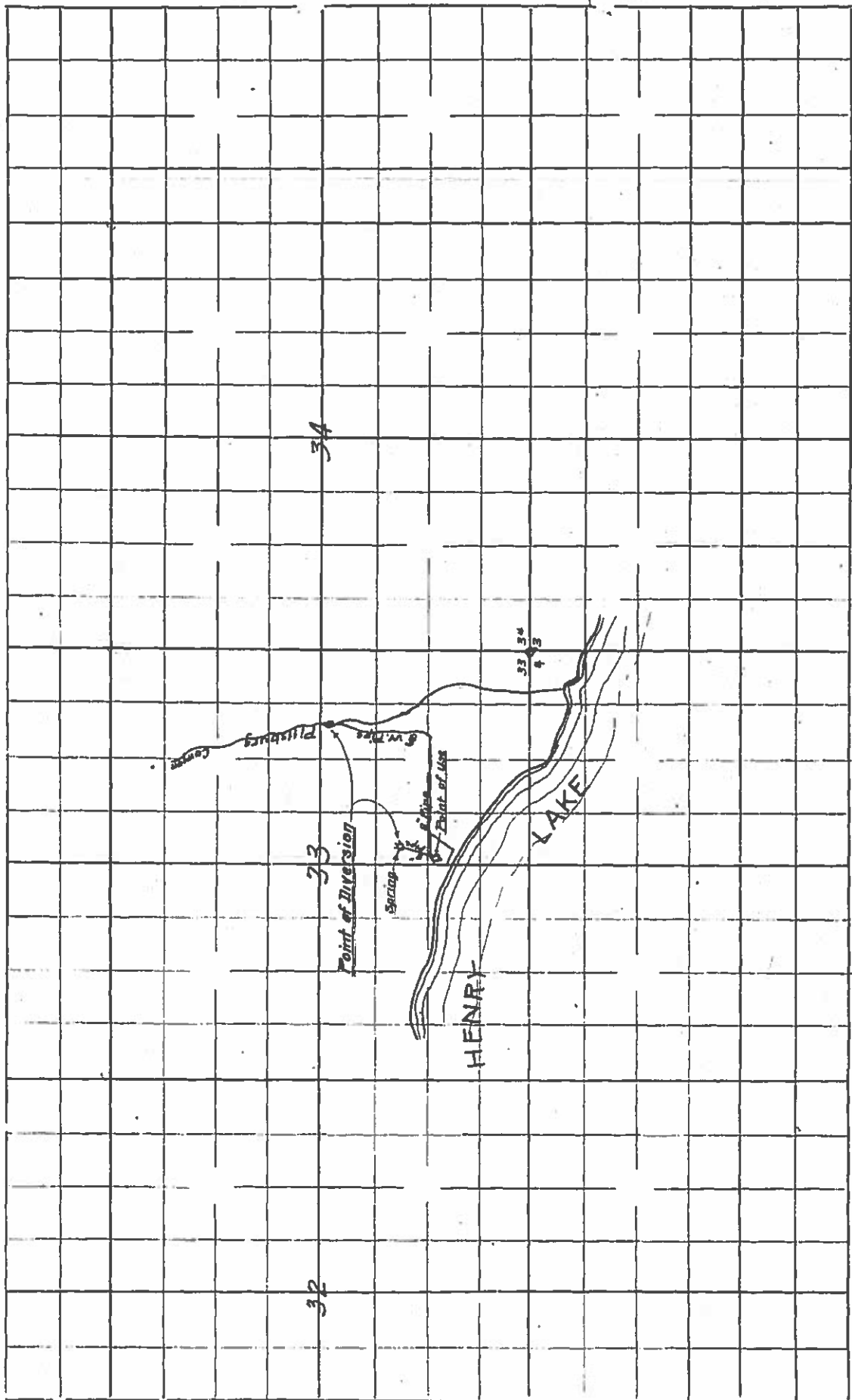
This examination was made on the 27th day of July, 1948

(Signed)

F. A. Hoffman

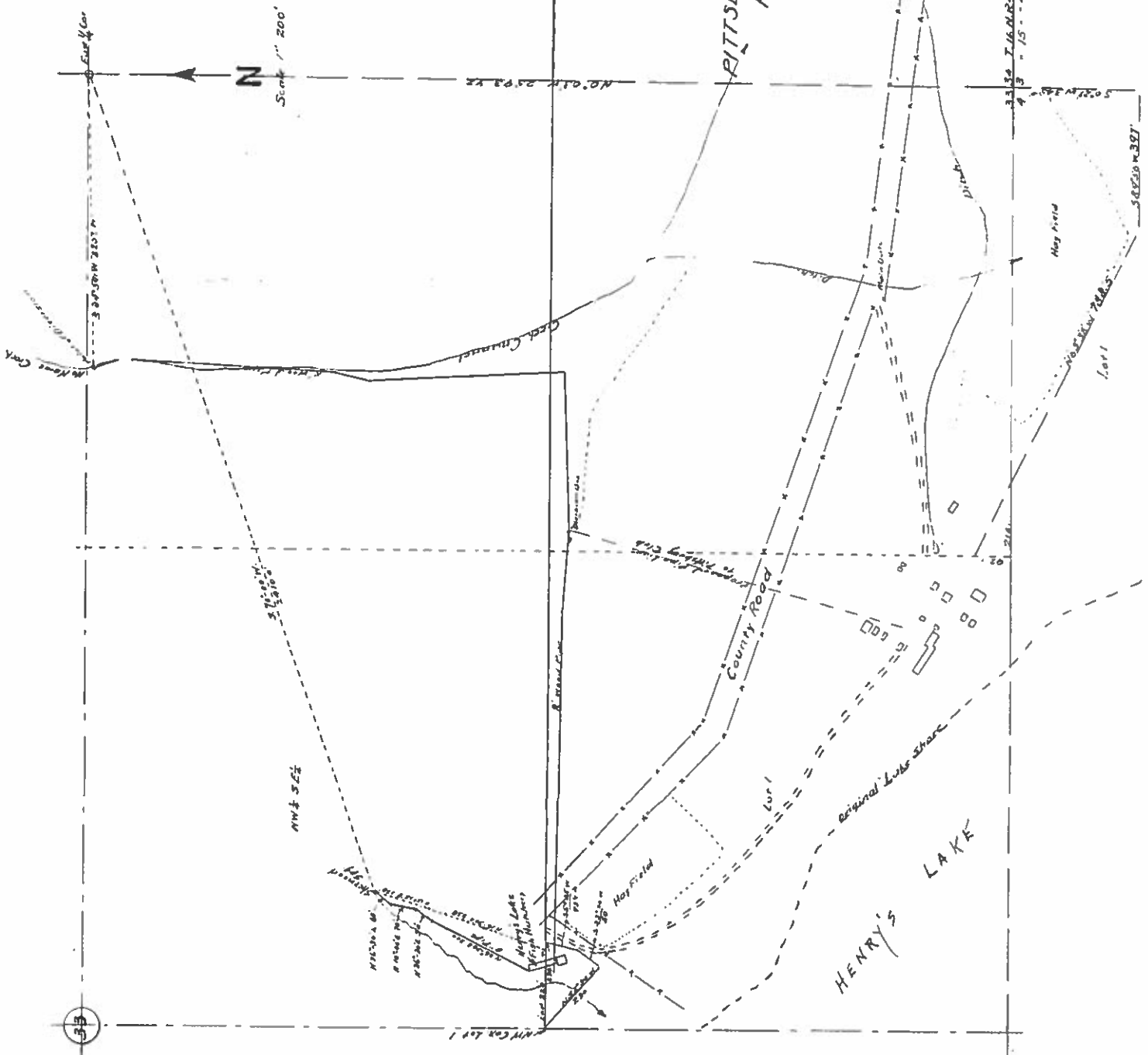
Examiner.

20294



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

20294



Henry's Lake Hatchery
 Sec 33, T. 14 N. R. 33 E. S. 14
 State Fish & Game Dept.
 Boise, Idaho
 Jan. 1948, 1949

Submitted Map No. 21291
 Approved
 J. K. R. Kulp
 State Game Warden

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

1/19/2010

RIGHT NUMBER: 21-2100

NAME AND ADDRESS:

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE:

Source:

SHERWOOD SPRING

Tributary:

HENRYS LAKE

Source:

HENRYS LAKE

~~UNNAMED STREAM~~

Tributary:

HENRYS FORK

~~HENRYS LAKE~~

QUANTITY:

6.000 CFS

Diversion of water from the additional point of diversion authorized under Transfer 74584 located in L2, (SESW), Sec. 33, T16N, R43E shall not exceed a maximum diversion rate of 4.00 cfs.

PRIORITY DATE:

02/03/1948

POINT OF DIVERSION:

T16N R43E S33 Lot 2 SESW
Within FREMONT County

T16N R43E S33 NWSE
Within FREMONT County

~~T16N R43E S33 NESE~~
~~Within FREMONT County~~

PURPOSE AND
PERIOD OF USE:

Purpose of use:

FISH PROPAGATION

Period of use:

01/01 12/31

Quantity:

6.000 CFS

PLACE OF USE:

FISH PROPAGATION within FREMONT County

T16N R43E S33 NESW

T16N R43E S33 Lot 2 SESW

T16N R43E S33 NWSE

T16N R43E S33 Lot 1 SWSE

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

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.

Diversion of water from Henrys Lake is limited to those times water is available for diversion under this right and priority from Unnamed Stream at the original point of diversion in the NESE, S33, T16N, R43E, and to the amount of water that actually reaches State Highway 287 in the SESE, S33, T16N, R43E or at another suitable location and then flows into Henrys Lake.

Unnamed stream is known locally as Pittsburg Creek.

The use of water under this right shall in no way affect the water rights or use of water of senior water users, including water right no. 21-10015.

Prior to diversion of water under Transfer 74584, the right holder shall provide a means of measurement acceptable to the department for measuring the flow from Unnamed Stream at: the original point of diversion in the NESE, S33, T16N, R43E; where Unnamed Stream flows under State Highway 287 in the SESE, S33, T16N, R43E or at another suitable location; and at the point of diversion from Henrys Lake in Lot 2 (SESW), S33, T16N R43E.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

This right does not grant any right-of-way or easement across the land of another.

Upon approval by the department, the right holder may rely on measurements taken at the location where Unnamed Stream flows under State Highway 287 in the SESE, S33, T16N, R43E or at another suitable location as evidence of the flows occurring at the original point of diversion.

Failure of the right holder to comply with the conditions of Transfer 74584 is cause for the Director to rescind approval of the transfer.

Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

The right holder shall accomplish the change authorized by Transfer 74584 by February 23, 2014.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 01.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion(s).

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

In Re SRBA }
 }
Case No. 39576 }

 } PARTIAL DECREE PURSUANT TO
 } I.R.C.P. 54(b) FOR
 } Water Right 21-02100

NAME AND ADDRESS: STATE OF IDAHO
 DEPT OF FISH & GAME
 PO BOX 25
 BOISE, ID 83707

SOURCE: SHERWOOD SPRING TRIBUTARY: HENRYS LAKE
 UNNAMED STREAM TRIBUTARY: HENRYS LAKE

QUANTITY: 6.00 CFS

PRIORITY DATE: 02/03/1948

POINT OF DIVERSION: T16N R43E S33 NESE Within Fremont County
 NWSE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Fish Propagation	01-01 TO 12-31	6.00 CFS

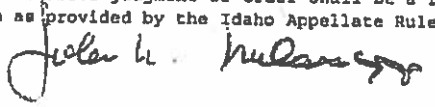
PLACE OF USE: Fish Propagation Within Fremont County
 T16N R43E S33 NWSE

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 21-2100 V1

WATER RIGHT NUMBER: 21-2100 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE, ID 83707 (208)334-3700

Priority Date: 02/03/1948

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SHERWOOD SPRING	HENRYS LAKE
UNNAMED STREAM	HENRYS LAKE

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
FISH PROPAGATION	1/01 to 12/31	6.000 CFS	
	<u>Total Diversion:</u>	6.000 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NE1/4SE1/4	Sec. 33, Twp 16N, Rge 43E, B.M.
FREMONT County		
SHERWOOD SPRING	NW1/4SE1/4	Sec. 33, Twp 16N, Rge 43E, B.M.
FREMONT County		

Place of Use

FISH PROPAGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
16N	43E	33															X		

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:

07/12/2005

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

RIGHT NUMBER: 21-2100

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: SHERWOOD SPRING
UNNAMED STREAM

TRIBUTARY: HENRYS LAKE
TRIBUTARY: HENRYS LAKE

QUANTITY: 6.000 CFS

PRIORITY DATE: 02/03/1948

POINT OF DIVERSION:

T16N R43E S33 NESE Within FREMONT County

T16N R43E S33 NWSE Within FREMONT County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
FISH PROPAGATION

PERIOD OF USE
1/01 12/31

QUANTITY
6.000 CFS

PLACE OF USE: FISH PROPAGATION Within FREMONT County

T16N R43E S33 NWSE

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

SCANNED

AUG 10 2001

8

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: A21-02100

Date Received:

Receipt No: C018457

Received By:

Dec 2004 - Source limited to
Sherwood Springs.

No use from "Unnamed Creek."

1. N
A

2. D

3. S

4. P

Tow
1

5. D

6. W

Pu
FI

7. Tot

8. Tot

9. Non
F

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	43E	33	NW SE		FISH	

A21-02100

Page 1

Date: 07/16/90

ER RIGHT
LAW

to: HENRYS LAKE
HENRYS LAKE

1/4	Lot	County
SE		FREMONT
SE		FREMONT

C.F.S.	(or)	A.F.A.
6.000		

A.F.A.

Feet Per Annum.

30' X 80'

A2102100



MICROFILMED
OCT 20 1992

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:
NONE

14. Remarks:

DIVERTING WORKS: SPRING ENCLOSED WITH BUILDING WITH PIPELINE
TO HATCHERY AND SPAWN HOUSE.

15. Basis of Claim: LICENSE

Water Right Number: 20294

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 Organizations:

I do solemnly swear or affirm that I am _____ of

Title
_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: A21-02100
Date Received: 2/15/1989
Receipt No: _____
Received By: _____
CA 2-15-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO
Address: DEPT. OF FISH & GAME
P.O. BOX 25
BOISE, ID

83720

2. Date of Priority: FEB 03, 1948

3. Source: UNNAMED CREEK
SHERWOOD SPRING

Trib. to: HENRYS LAKE
HENRYS LAKE

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	43E	33	NE	SE			FREMONT
			NW	SE			FREMONT

5. Description of diverting works: *Spring enclosed with building with pipeline to hatchery and spawn house.*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	<i>1/1</i>	<i>12/31</i>	6.000		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses: *Fish propagation (10) Incubators (1) spawn house*
(1) Pond (30'x80')

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	43E	33	NW	SE		FISH	

A21-02100

Page 1

Date: 02/15/89

11. Place of use in counties: FREMONT

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20294

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: _____

For Organizations:

I do solemnly swear or affirm that I am Director of
IDAHO DEPT. OF FISH & GAME Title

_____, that I have signed the foregoing
Organization document in the space below as _____ of
IDAHO DEPT. OF FISH & GAME Title

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

Director,

Signature of Authorized Agent
IDAHO DEPT. OF FISH & GAME
Title and Organization

June 20, 1990
Date
Date: 02/15/89

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of June 19 90

Bartholomew Baker
Notary Public

Seal

Residing at Emmett, Idaho
My Commission Expires October 31, 1991