

06/02/2003

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

RIGHT NUMBER: 29-293B

NAME AND ADDRESS: DORIS HUBER
2663 N INKOM RD
INKOM ID 83245

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T07S R36E S22 NWSWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.040 CFS

STOCKWATER

04/01 10/31

0.010 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T07S R36E S22 SWNE 1.7

STOCKWATER same as IRRIGATION

1.7 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: Decreed

01/10/2003

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

RIGHT NUMBER: 29-293B

NAME AND ADDRESS: DEBORA M FRAZIER
PO BOX 513
INKOM ID 83245-0513

CLEVELAND J FRAZIER
PO BOX 513
INKOM ID 83245-0513

SOURCE: RAPID CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T07S R36E S22 NWSWNE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.040 CFS
STOCKWATER	04/01 10/31	0.010 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22 SWNE 1.7

STOCKWATER same as IRRIGATION

1.7 ACRES TOTAL

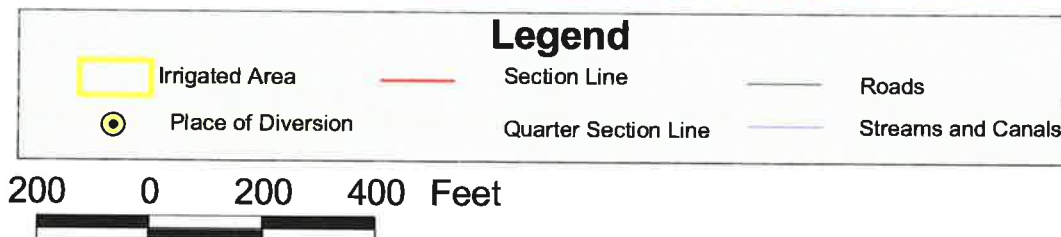
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Decreed

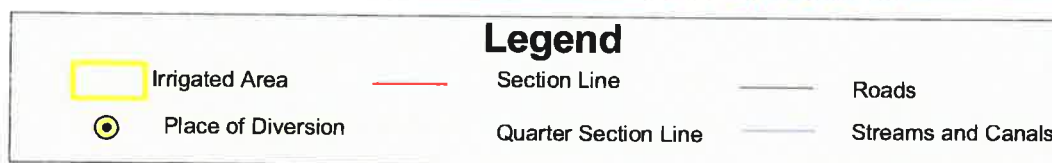
Water Right Claim Number A29-00293B
Township , 7S36E

08/24/2000



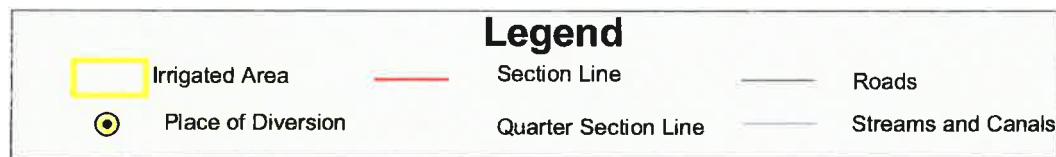
Water Right Claim Number A29-00293B
Township , 7S36E

08/24/2000



Water Right Claim Number A29-00293B
Township , 7S36E

08/24/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-293B V1

WATER RIGHT NUMBER: 29-293B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEBORA M FRAZIER PO BOX 513 INKOM, ID 83245-0513 (208)775-3642
Original Owner	JOE JACKSON , ID
Current Owner	CLEVELAND J FRAZIER PO BOX 513 INKOM, ID 83245-0513 (208)775-3642
Original Owner	G WESLEY TIBBITS 717 LENA ST SALMON, ID 83647 (208)756-6774
Original Owner	NAOMI TIBBITS 717 LENA ST SALMON, ID 83647 (208)756-6774

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
RAPID CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.040 CFS	
STOCKWATER	04/01 to 10/31	0.010 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

RAPID CREEK	NW1/4SW1/4NE1/4	Sec. 22, Twp 07S, Rge 36E, B.M.
BANNOCK 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	
07S	36E	22			1.7														1.7

Total Acres: 1.7

STOCKWATER same as IRRIGATION

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 29-293B
Date Received: 6/19/1995
Receipt No: E021157
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

DORIS HUBER
2663 N INKOM RD
INKOM ID USA 83245

Phone: (208) 775-4437

2. Date of Priority: 06/01/1885

3. Source: RAPID CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	22	SW NE	BANNOCK	

5. Description of diverting works:

PORTABLE PUMP TO FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.04	
STOCKWATER	1/01	12/31	0.01	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	22	SW	NE	IRRIGATION	2
					Section Acres	2
					Total Acres	2

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DH 6/2/2003

PROPERTY ALSO KNOWN AS 2663 NORTH INKOM ROAD CHANGE IN OWNERSHIP 4/25/96 SB

15. Basis of Claim: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-293B V1

Conditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. csaxton 1/10/2003 POU
Comment: Recommended acreage take from map provided by claimant.
2. csaxton 1/10/2003 Diversion Rate
Comment: Affidavit provided by previous claimant states that they bought the property with 2" of water. Since this does not exceed 1.5" per acre which is allowed for rights of 5 acres or less, and that the right is under recommended, recommend two inches on 1.7 acres.
3. csaxton 1/10/2003 Diversion Rate #2
Comment: Decreed diversion rate proportioned out among the three users of this right and their irrigated acres. Total irrigated acreage is 44.8 divided into 1.0 cfs is 0.022 cfs per acre.

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:
 Water District Number: 29F
 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

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>
Contacts	1/10/2003 7:52:11 AM	csaxton			Active
Priority Date	1/10/2003 7:52:31 AM	csaxton			Active
POD	1/10/2003 7:52:45 AM	csaxton			Active
Source	1/10/2003 8:19:47 AM	csaxton			Active
POU	1/10/2003 8:20:01 AM	csaxton			Active
Use	1/10/2003 8:20:47 AM	csaxton			Active
Season	1/10/2003 8:32:06 AM	csaxton			Active
Quantity	1/10/2003 8:32:57 AM	csaxton			Active
Summary			01/10/2003	csaxton	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-293B V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/10/2003 7:52:12 AM	csaxton	(No) 1. Do you want to schedule an appointment?
Priority Date	1/10/2003 7:52:33 AM	csaxton	Comment for 1: Last claimant contact on 3/27/02 (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	1/10/2003 7:52:46 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	1/10/2003 7:58:35 AM	csaxton	Edited point location
POD	1/10/2003 7:59:13 AM	csaxton	Edited PLS
Source	1/10/2003 8:19:48 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	1/10/2003 8:20:02 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? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
POU	1/10/2003 8:20:19 AM	csaxton	Edited shape boundary
Use	1/10/2003 8:20:48 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-293B V1

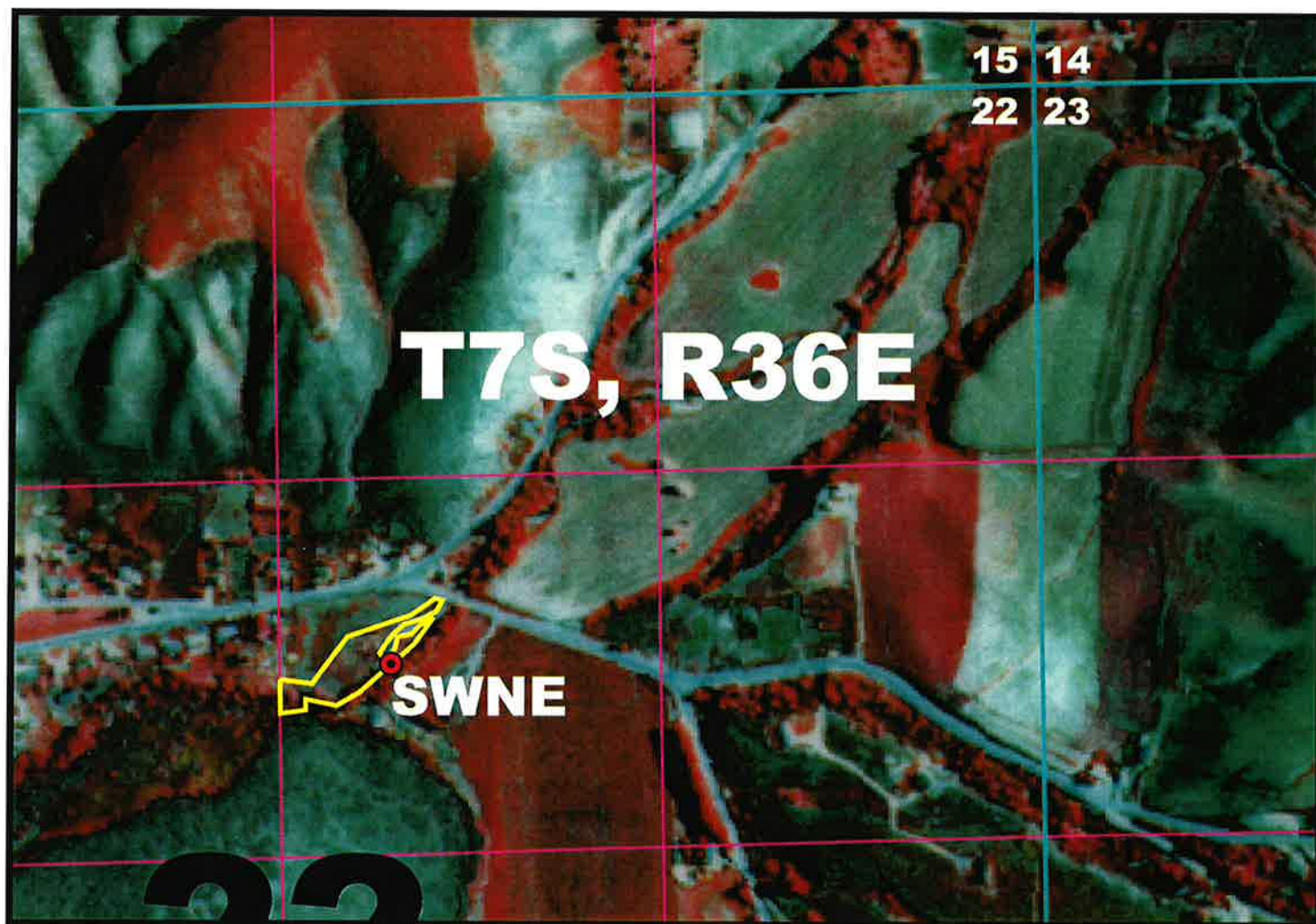
Season	1/10/2003 8:32:07 AM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period 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?
Quantity	1/10/2003 8:32:58 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	1/10/2003 8:34:12 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. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00293B



1320 0 1320 Feet

Total Irrigated Acres: 1.7



Point(s) of Diversion



Place of Use



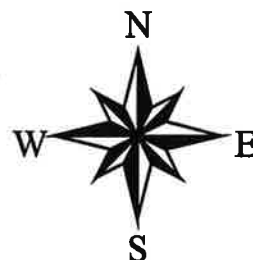
Quarter Quarter Lines



Section Lines

SCANNED

JUL 22 2005



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2003

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

delog
C5
4/29/03

OKCS

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>29-00293B</u>	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

RECEIVED

MAY 07 2003

WATER RESOURCES
WESTERN REGION

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Debora + Cleveland Frazier

4. New Owner/Claimant(s)

DORIS H. Huber

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2663 N. Inkorn Rd

City, State and ZIP Code

Inkorn, Id 83245

New Telephone Number

(208) 775-4437

5. Date you acquired the property

3/28/03

FILED

SCANNED
JUL 22 2005

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APR 29 2003

Department of Water Resources
Eastern Region

WARRANTY DEED

Order No.:3010211111

FOR VALUE RECEIVED

Cleveland J. Frazier and Debora M. Frazier, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Doris H. Huber, an unmarried person

whose current address is

2663 N. Inkom Road Inkom, ID 83245

the grantee(s), the following described premises, in Bannock County, Idaho, TO WIT:

A tract of land in the SW¼ of the NE¼ of Section 22, Township 7 South, Range 36 E.B.M., Bannock County, Idaho, more particularly described as follows:

Commencing at the Northwest corner of the Southwest quarter of the Northeast quarter of Section 22, Township 7 South, Range 36 E.B.M.;

Thence South 00°02' East 694.0 feet, to the True Point of Beginning;

Thence South 83°14' East 117.0 feet; Thence North 38°13' East 200.00 feet;

Thence North 71°23' East 230.00 feet; Thence North 55°25' East 101.30 feet;

Thence South 70°09' East along Inkom Highway 45.0 feet;

Thence South 36°20' West 200.16 feet; Thence South 51°24' West 257.14 feet;

Thence South 64°34' West 86.15 feet; Thence North 79°48' West 112.84 feet;

Thence South 00°04' East 36.00 feet; Thence South 89°58' West 75.0 feet;

Thence North 00°02' West 116.0 feet, more or less to the True Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 3/28/2003

Cleveland J. Frazier

Debora M. Frazier

State of Idaho

}

County of Bannock

{ ss.

}

On this 28th day of March, 2003, before me, a Notary Public in and for said state, personally appeared Cleveland J. Frazier and Debora M. Frazier

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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

Notary Public for the State of Idaho
Residing at: Pocatello
Commission Expires: 06-01-07

I certify that I have read and approved of the contents of the original of this copy.

Doris H. Huber

SCANNED

JUL 22 2005

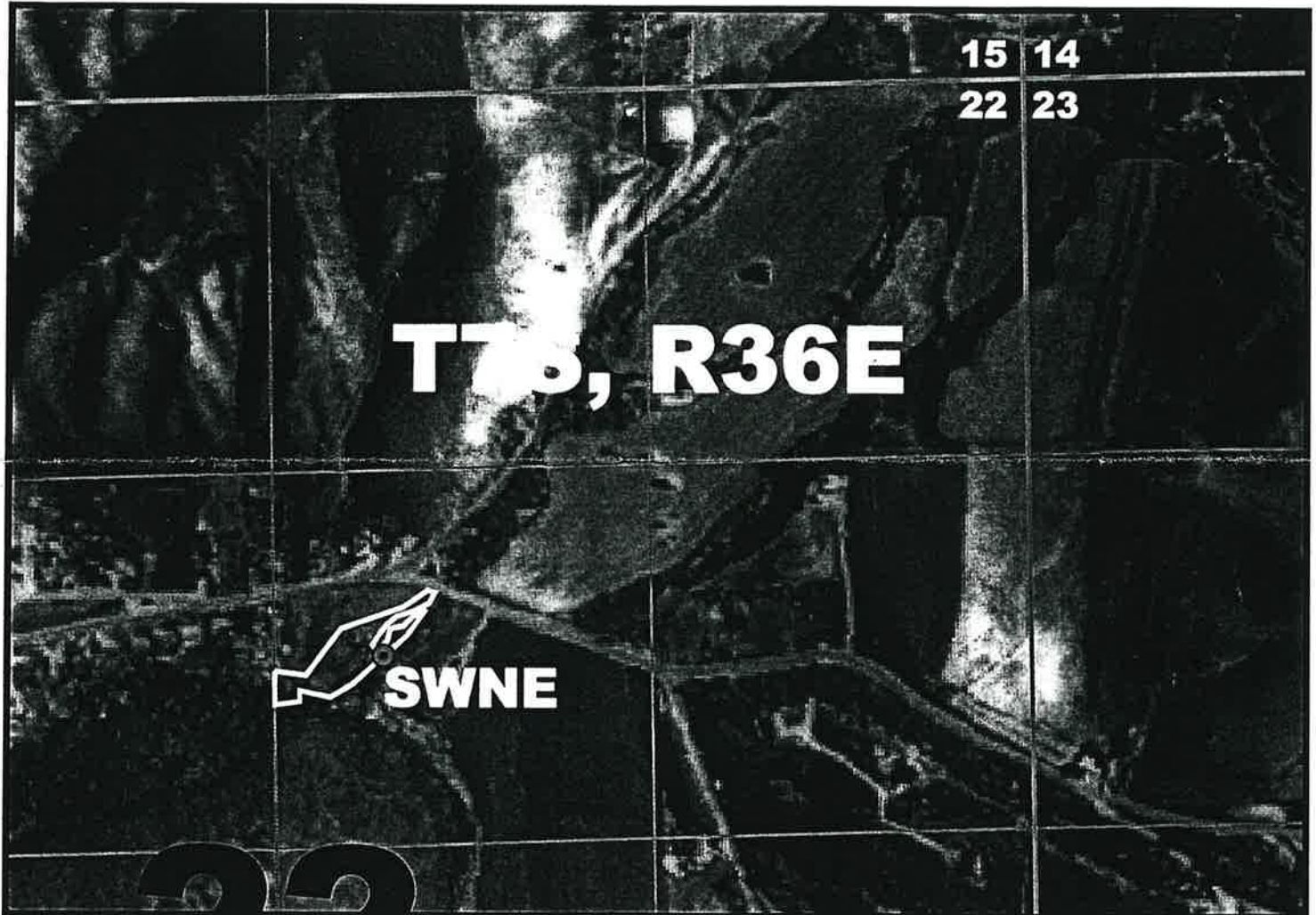
PROFILED



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00293B



1320 0 1320 Feet

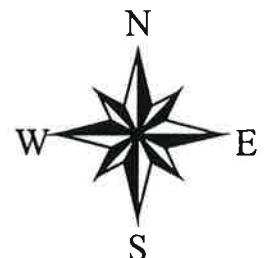
Total Irrigated Acres: 1.7

● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



SCANNED
JUL 22 2005
PROVIDED

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2003

02/08/2003

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: April 21, 2003

Water right number: 29-293B

DEBORA M FRAZIER
PO BOX 513
INKOM ID 83245-0513
Telephone Number: (208) 775-3642

CLEVELAND J FRAZIER
PO BOX 513
INKOM ID 83245-0513
Telephone Number: (208) 775-3642

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MAR 10 2003

WATER RESOURCES
WESTERN REGION

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: 2/28/03

SIGNATURE:

Please print your name:

DEBORA M FRAZIER

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

PROFILED

SCANNED

JUL 22 2005

1-9-03 : Claimed POB within Deeded POB

: Recommended acreage taken from map provided
by Claimant. 107 ac.

SCANNED

JUL 22 2005

7/30/01

Debona called concerning her water Right.

Everything looks to be in order.

Physical address is: 2663 N. Inkorn Rd

Cell: 251-8351

She has dogs so call Before field Exam

- 9-6-01:
- Affidavit From Wesley Tibbitts states conveyance of 0.04 cfs to Fraizers
 - Affidavit From Lyndon Smith Confirms beneficial use of water By Wesley Tibbitts.
 - nothing in deed
 - Right overclaimed

3-12-02: 2663 N Inkorn Rd } new address
Inkorn 50 83245 }

: spoke with Debona. She had concerns with status of Claims Review. sent her a copy of initial findings. She will look it over and send me a copy of map with POU, POD and Change of address form

3-27-02 : Spoke with Deborah Fraiser. She found 1.71 acres and is sending in the requested information

Claimed

Deed 1 inch 29-00291A Should Be
 0.02 Pamela Clark
 4.5

Renumbered 29-13385 Now B-Use
Jackson Ck

C/O	29-10376
	0.86

29-10376

Notes

29-00293

Notes

Recommend

29-00292

Notes

29-00291

Notes

OK

0.2
24

**Not for
this POU**

OK

$$\begin{array}{r} 0.76 \\ 34 \end{array}$$

Per Affidavit

$$\begin{array}{r} 0.04 \\ 1.7 \end{array}$$

C05 of 4.1 ac
Part of
29-10376

0.20
9.1

Combined

$$\begin{array}{r} 0.78 \\ 44 \end{array}$$

Sum CFS=
Sum Acre=
Decreed CFS=

Un-accounted for CFS=
Un-accounted for Acres=

1
44.8
1

0
N/A

0.2
24
0.2

0
N/A

0.6
39.4
0.6

0
N/A

Under 1" per acre

0.017 cfs per acre
Part of 29-10376

JUL 22 2005

SCANNED

PROMINENT

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MAR 29 2002

WATER RESOURCES
WESTERN REGION

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Claim Number(s):

29-00293B

Previous Mailing Address:

PO BOX 513

INCOM ID 83245

New Mailing Address:

2663 N INCOM RD

INCOM, ID 83245

Telephone Number:

(208) 775-3642

Signature of Claimant(s):

Debra M Frazier

DEBRA M FRAZIER

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: _____

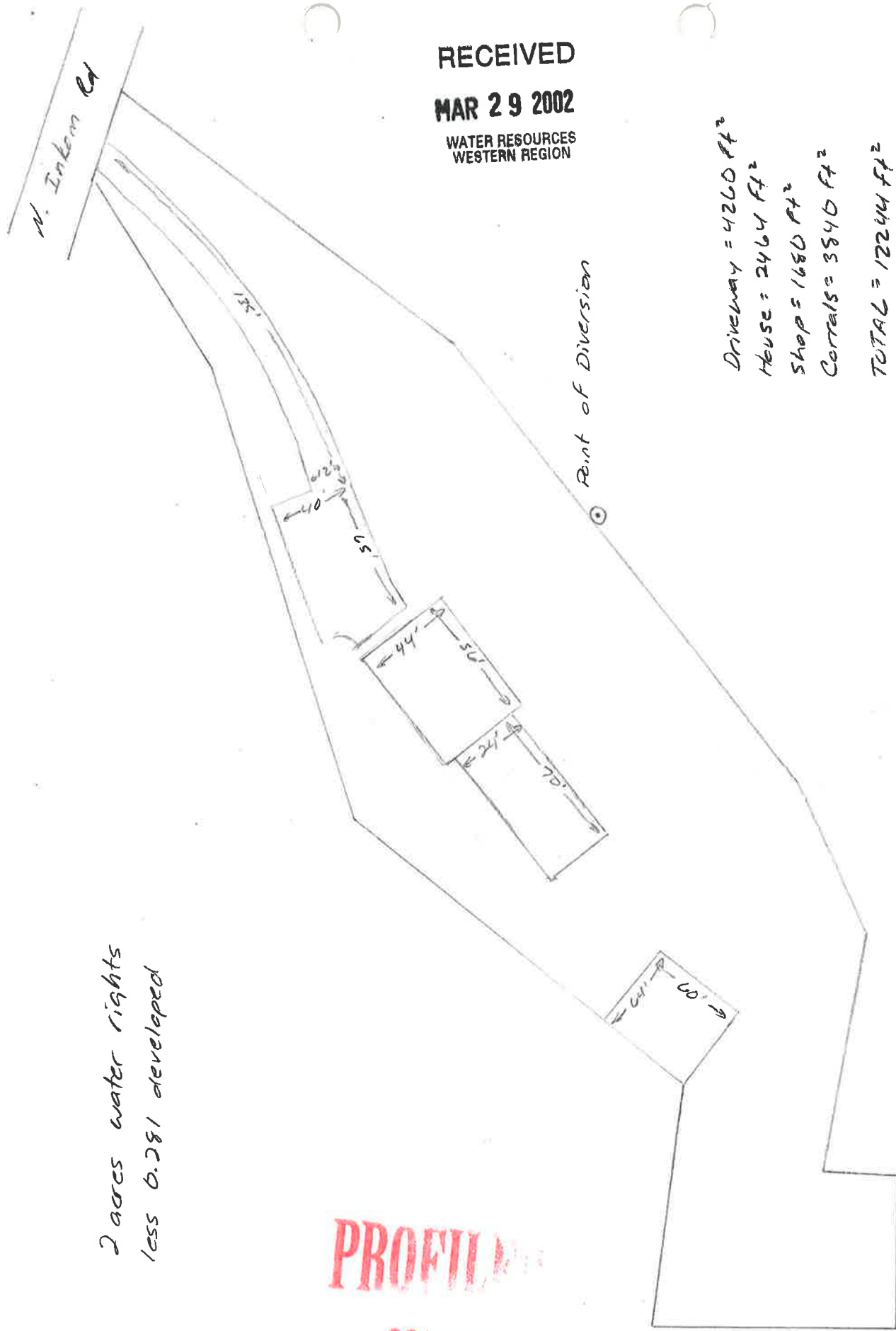
PROFILED

SCANNED Date: _____

JUL 22 2005

Debra and Cleveland Frazier
29-00293B

2 acres water rights
less 0.281 developed



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MAR 29 2002
WATER RESOURCES
WESTERN REGION

Driveway = 4260 ft²
House = 2464 ft²
Shop = 1680 ft²
Corrals = 3840 ft²
TOTAL = 12244 ft²
= 0.281 acre

PROFILE

SCANNED
JUL 22 2005

March 12, 2002

DEBORA M FRAZIER
CLEVELAND J FRAZIER
2663 N INKOM RD
INKOM ID 83245

RE: Snake River Basin Adjudication (SRBA) claim 29-00293B

Dear Debora and Cleveland:

Per my telephone conversation with Debora on March 12, 2002, I am enclosing a map that shows my preliminary findings of your irrigated place of use. As discussed, please look over the map and make any changes you feel necessary. In addition, please indicate the location of your point of diversion on either the provided map, or the map you mentioned in our phone conversation and return it to this office.

Also enclosed is the Notice of Change in Address form we discussed. Please complete the form and return it to this office so I can officially change our records.

I appreciate you working with me on this issue. The information you provide helps me make an accurate recommendation on your water right thus helping to ensure that we are both satisfied with the recommendation that will be submitted to the SRBA court.

As always, please feel free to contact me if you have any questions.

Respectfully submitted,

Craig L. Saxton
Water Resource Agent
Adjudication Bureau

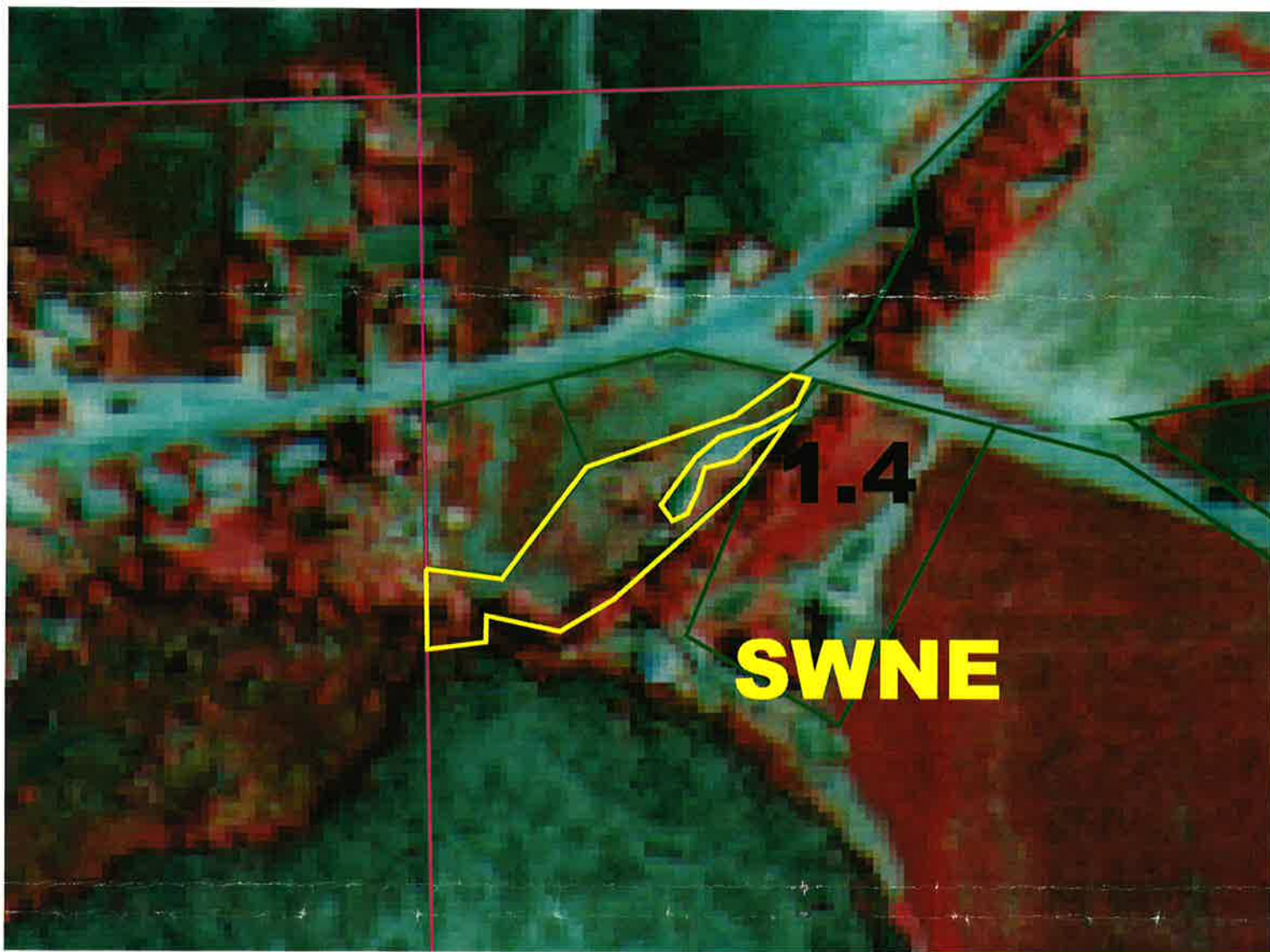
FILED

SCANNED
JUL 22 2005

Preliminary Findings

Debora and Cleveland Frazier

29-00293B



Point of Diversion

Total Irrigated Acreage: 1.5



N/A



Tax Lot/Property Boundary



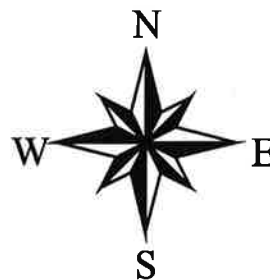
Irrigated Place of Use



Section Lines



Quarter Quarter Lines



SCANNED

JUL 22 2005

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Prepared By: Craig Saxton
March 2002

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Image Size: Small Medium Large**Advanced Find****Style:** Relief Topo Imag**Locator****2 km E of Inkom, Idaho, United States** 23 Jul**Zoom** 1m**Other Imagery:**[USGS Topo Map](#)

01 Jul 1980

HomeAdvisor Links:[Homes for sale in 83245](#)[Homes for sale in 83250](#)[Schools, Crime and Demographics for 83245](#)[Schools, Crime and Demographics for 83250](#)

SCANNED

JUL 22 2005

PROFILED



JUN 11 2001

Log for claim A29-00293B

Spatial Dynamics LTD

8/24/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	22	SWNE	2	1.7	
Totals:			2	1.7	

AJ5809NP
No. A29-00293B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 44

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLEVELAND J FRAZIER	06/01/1885	IRRIGATION	04-01 11-01	0.040 CFS	
C	DEBORA M FRAZIER		STOCKWATER	01-01 12-31	0.010 CFS	
	PO BOX 513					
	INKOM ID 832450513					
	(208) 775-3642					
				TOTAL DIVERSION:	0.040 CFS	
				CONSUMPTIVE USE:		6.00 AFA

Water Source: RAPID CREEK

Tributary to: PORTNEUF RIVER

Stage: DECREED

Point(s) of Diversion: T07S R36E S22 SWNE BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																					
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE			
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	SUM
07S	36E	22	:					02	:								:								:								2.0
																												TOTAL ACRES	2.0				

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

POU County: BANNOCK

Non-Irrigation Uses: STOCKWATER, 2 CATTLE OR HORSES

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

29-11796 A29-00288F A29-00293A A29-11796

Other Water Rights Listing Overlapping Place(s) of Use:

A29-00293 A29-00293A A29-10376

Remarks: GEN PROPERTY ALSO KNOWN AS 2663 NORTH INKOM ROAD
CHANGE IN OWNERSHIP 4/25/96 SB

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 29F Field Inspection Flag:
Presumption Flag:

Audit: 06/23/95 JTHOMPSO 04/24/96 SBALL 04/25/96 SBALL



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

APRIL 26, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CLEVELAND J FRAZIER
PO BOX 513
INKOM ID 83245-0513

RE: CHANGE IN OWNERSHIP FOR A29-00293B

Dear Mr. Frazier:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

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NOV 13 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 12-27-94

APR 18 1996

LEGAL DESCRIPTION OF PROPERTY: Township 7 Range 36 East Department of Water Resources
Section 22, SW 1/4 of NE 1/4 of 1/4, Govt. Lot , District Office
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: A29-00293B

☒ Name and Address of Former Owner/Claimant(s)(Seller): G. Wesley and Naomi R. Tibbitts
717 Lena Street
Salmon, Idaho 83467

☒ New Owner/Claimant (Purchaser): Cleveland J. and Debora M. Frazier

☒ New Mailing Address: 2663 North Inkom Road
P.O. Box 513
Inkom, Idaho 83245-0513

☒ New Telephone Number: (208) 775 - 3642

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

☒ Attach proof of ownership, describe proof attached: See attached Warranty Deed.

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

☒ Signature of New Owner/Claimant(s): Cleveland J. Frazier Date 3-22-96
Debora M. Frazier Date 3/23/96

☒ Signature of Former Owner/Claimant(s): G. Wesley Tibbitts Date 9-22-95
Naomi R. Tibbitts Date 9-28-95

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

Sent Parmenter NOA for Frazier
Go

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 4-22-96 By: S.B.

Further Action Needed:

Further Action Taken

Date: 4/25/96 By: S.B.

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

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

MICROFILMED

NOV 13 1996

WARRANTY DEED

APR 18 1996

For Value Received G. WESLEY TIBBITTS and NAOMI R. TIBBITTS, husband and wife,
 Eastern District Office

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

DEBORA

CLEVELAND J. FRAZIER and ~~DEBORA~~ M. FRAZIER, husband and wife

whose address is: 2663 NORTH INKOM ROAD, INKOM,, ID, 83245

Hereinafter called the Grantee, the following described premises situated in BANNOCK County, Idaho, to-wit:

A Tract of Land in the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, Township 7 South, Range 36 E.B.M., BANNOCK COUNTY, IDAHO, more particularly described as follows:

Commencing at the Northwest corner of the Southwest quarter of the Northeast quarter of Section 22, Township 7 South, Range 36 E.B.M.; thence South 00°02' East 694.0 feet, to the TRUE POINT OF BEGINNING; thence South 83°14' East 117.0 feet; thence North 38°13' East 200.00 feet; thence North 71°23' East 230.00 feet; thence North 55°25' East 101.30 feet; thence South 70°09' East along INKOM HIGHWAY 45.0 feet; thence South 36°20' West 200.16 feet; thence South 51°24' West 257.14 feet; thence South 64°34' West 86.15 feet; thence North 79°48' West 112.84 feet; thence South 00°04' East 36.00 feet; thence South 89°58' West 75.0 feet; thence North 00°02' West 116.0 feet, more or less to the TRUE POINT OF BEGINNING.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: DECEMBER 27, 1994


 G. WESLEY TIBBITTS

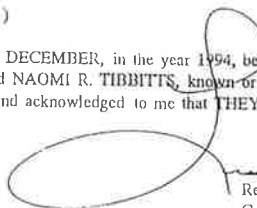

 NAOMI R. TIBBITTS

STATE OF IDAHO

: ss

COUNTY OF BANNOCK

On This 27th day of DECEMBER, in the year 1994, before me, a Notary Public in and for said State, personally appeared G. WESLEY TIBBITTS and NAOMI R. TIBBITTS, known or identified to me to be the person(s) whose name(s) ARE subscribed to the within Instrument, and acknowledged to me that THEY executed the same.



 Residing at POCA TELLO
 Commission Expires: 4-28-99

In The District Court of the Fifth Judicial District of the State of Idaho, in and for Bannock County.

Charles E. Stewart, et al,
Plaintiffs,

POOR ORIGINAL

vs.

DECREE

A. J. Dameron, et al,
Defendants.

This cause came regularly on for trial before the court without a jury a jury being waived in open court, Messrs Standrod & Terrell appearing as attorneys for all of the plaintiffs except George A. Whitworth, S. C. Winters, Esq., appearing for the said plaintiff George A. Whitworth, Messrs. Dietrich & Clark appearing for the defendants A.J. Dameron, Philip Ferguson, Sam Hargraves, William Dameron, E. M. Webb, Richard Hoffine, John Richardson and Fanny Richardson, his wife, and Fred M. Kelsey, Messrs Holzheimer & Holzheimer appearing as counsel for the defendants Bertha Shortz and Blanche Von Stein, and the Oregon Short Line Railroad Company having been made a party to this action by an order of court duly appearing by their counsel P. L. Williams and F. J. Dietrich, Esqrs, and Norscea Sorrell by leave of court having filed herein his complaint in intervention as administrator of the estate of Ethel Sorrell, deceased, duly appeared by his counsel, Messrs. Standrod & Terrell, and the defendants, Richard Douglas, George North, and Thos. Hargraves, having been duly served with summons herein, and having failed to appear and answer in said action within the time allowed by law, or at all, and the time allowed by law for appearance and answer having expired, the defaults of the said defendants George North, Richard Douglas and Thos. Hargraves was duly entered according to law;

And it appearing that the plaintiffs Bill Jackson and Ya-Ha-gwan-ha Jackson, have no interests in the matters in controversy, and were made parties to said action under a misapprehension of the facts, on motion of Messrs Standrod & Terrell the said complaint so far as it alleges rights for or on behalf of said last two named plaintiffs is dismissed and withdrawn;

And it further appearing that the said Charles E. Stewart, Norscea Sorrell, Annie Sorrell, Norscea Sorrell as the natural guardian for Edwin Sorrell, a minor, Norscea Sorrell as administrator of the Estate of Ethel Sorrell, deceased, George Jackson, Wiegata Jackson, George A. Whitworth, A. J. Dameron, Philip Ferguson, Sam Hargraves, John Richardson and his wife Fanny Richardson, William Dameron, E. M. Webb, Richard Hoffine, Bertha Shortz, Blanche Von Stein, Fred M. Kelsey and the Oregon Short Line Railroad Company, being all of the parties to said action who have appeared therein, each and all appeared in person and by their respective attorneys of record, and in open court by their said several attorneys duly authorized, duly made and entered a stipulation by the terms of which the rights and priorities of all of said parties were settled and agreed upon and admitted to be the true relations and rights of the said parties respectively to the matters in controversy, as hereinafter more specifically set forth;

And it further appearing that the said several parties so appearing by their respective counsel, in open court, duly waived findings of fact and conclusions of law;

And the cause having been finally submitted to the court upon the stipulation aforesaid, and the court now being fully advised in the law and the premises;

The west half of the southeast quarter and southeast quarter of the southeast quarter of section 21, and the northeast quarter of the northeast quarter of section 23, in Township 7 South of Range 36, East of Boise Meridian;

29 0291 That the said George Jackson is entitled to the use, at all times, of three-fifths of one cubic foot per second of time (30 miners inches) of the waters of said stream, his right to the use thereof to date from the year 1885, to be used upon and become appurtenant to the following described lands, to-wit: The northeast quarter of the northeast quarter of section 22, and the northwest quarter of the northwest quarter of section 23, in Township 7 South of Range 36 East of Boise Meridian in said County and State;

29 0292 That the said Tapap Jackson, wife of the said George Jackson, is entitled to the use, at all times, of one-fifth of one cubic foot per second of time (10 miners inches) of the waters of said stream, her right to the use thereof to date from the year 1885, to be used upon and become appurtenant to the following described lands, to-wit: The southeast quarter of northeast quarter of section 22, and the southwest quarter of the northwest quarter of section 23, in Township 7, South of Range 36 East of Boise Meridian, in said County and State;

29 0293 That the said Joe Jackson is entitled to the use, at all times, of one cubic foot per second of time (fifty miners inches) of the waters of said stream, his right to the use thereof to date from the year 1885, to be used upon and to become appurtenant to the following described lands, to-wit: The southwest quarter of the northeast quarter and the northwest quarter of the southeast quarter of section 22, in Township 7 South of Range 36 East of Boise Meridian, in said County and State;

29 0294 That the said Wegecata Jackson, wife of the said Joe Jackson, is entitled to the use at all times, of four-fifths of one cubic foot per second of time (40 miners inches) of the waters of said stream, her right to the use thereof, to date from the year 1885, to be used upon and become appurtenant to the following described lands, to-wit: The east half of the southeast quarter of section 22, in Township 7 South of Range 36, East of Boise Meridian, in said County and State;

That the said rights of the said Noracea Sorrell, Annie Sorrell his wife, Edwin Sorrell, Noracea Sorrell administrator, George Jackson, Tapap Jackson, Jose Jackson, Wegecata Jackson and Charles E. Stewart, above mentioned and defined, shall be of equal dignity in respect to the date of their respective appropriations in the use of said water; said water to be diverted from the main channel of said Rapid Creek.

29 0295 That the said Fanny Richardson and John Richardson are entitled to the joint use, at all times, of 48/100 of one cubic foot per second of time (24 miners inches) of the waters of said stream, their right to the use thereof to date from the 18th day of June 1902, and to be used upon and become appurtenant to the following described lands, to-wit: Commencing at a point 29 rods south of the northeast corner of the southeast quarter of the southwest quarter of section 2, Township 7 South of Range 36 East of Boise Meridian, running thence in a south-westerly direction in a direct line to a point 11 rods north of the southwest corner of the southeast quarter of the southwest quarter of section 21, thence south 40 rods; thence in a northeasterly direction in a direct line to a point 29 rods south of the northeast corner of the

All of said last named rights are to be of equal dignity, and are subsequent in time and inferior in right to all other rights herein decreed.

It is further ordered, adjudged and decreed that any of the parties to said action who are entitled to the use of any of the waters of said Rapid Creek, or any of its tributaries, under this decree, may pool or unite the waters so decreed to them and use the same jointly or alternately or in any manner that will secure the greatest benefits and best results from said water, so that the waters so united or pooled do not exceed the aggregate of the amount so decreed to the parties entering into such arrangements;

It is further adjudged and decreed that each and every of the parties hereto both plaintiffs and defendants, and the persons and corporation made parties by order of court, and the intervenors, and all parties to said action, their agents, servants, employees, attorneys, counselors, heirs, administrators, successors and assigns, and all and every person or persons acting by, under or in assistance of them or any of them be and they are hereby forever and perpetually restrained and enjoined from in any manner wasting or suffering the waters herein decreed to them respectively to be wasted, and are hereby further perpetually and forever restrained and enjoined from in any manner using the waters of said Rapid Creek or any of its tributaries in any other quantity or in any other manner than as herein set out, defined and decreed, each and all of said parties respecting the superior rights of the others.

And it appearing to the court that the defendant William F. Crum styled in said action as James Crum was duly served with summons in said action, and thereafter by his attorneys, Messrs Dietrich & Clark, appeared herein and answered and filed his cross-complaint, and the said attorneys in open court having withdrawn as attorneys for said defendant, and the said defendant William F. Crum failing to appear further in said action or to attend said trial, or to prosecute his claim, it is ordered, adjudged and decreed that the said said cross complaint of the said defendant William F. Crum be dismissed and the same is hereby dismissed absolutely, and the defendant William F. Crum take nothing by his answer or cross complaint filed herein.

That each of the parties hereto shall pay his own costs for witnesses, sheriff and clerk's fees; and the fees of the court's stenographer for transcribing the testimony in said cause, taxed at \$30.00 shall be paid by all of the parties to said action to whom rights are herein decreed, share and share alike, and execution may issue against any of said parties failing to pay his proportionate amount, of said sum.

Done in open District Court this the 22nd day of June, 1906
Alfred Budge,

Judge of said District Court.

STATE OF IDAHO,)
(ss
County of Bannock)

I, E. G. Gallet, Clerk of the District Court, Ex-Officio Auditor and Recorder of Bannock County, Idaho, do hereby certify that the within and foregoing is a full, true and correct copy of the original judgment in the case of C. E. Steward et al, vs. A. J. Dameron, et al, as Recorded in Book "2" of Judgments at page 280, as shown by the records of my office.

Witness my hand and official seal this 23rd day of June A. D. 1906

E. G. GALLEY (signed)
Clerk District Court, Ex-Officio
Auditor and Recorder, Bannock County,
Idaho.

LOUIS F. RACINE, JR.
WILLIAM D. OLSON
W. MARCUS W. NYE
GARY L. COOPER
RANDALL C. BUDGE
JOHN A. BAILEY, JR.
JOHN R. GOODELL*
JOHN B. INGELSTROM
DANIEL C. GREEN
REED W. LARSEN
BRENT O. ROCHE
KIRK B. HADLEY
FRED J. LEWIS
MITCHELL W. BROWN
ERIC S. HUNN
DAVID E. ALEXANDER**
JAMES P. PRICE***

*ALSO MEMBER IL & WY BARS
**ALSO MEMBER MO BAR
***ALSO MEMBER CO BAR

LAW OFFICES OF
RACINE, OLSON, NYE, COOPER & BUDGE
CHARTERED
CENTER PLAZA-CORNER FIRST & CENTER
POST OFFICE BOX 1391
POCATELLO, IDAHO 83204-1391

TELEPHONE
AREA CODE 208
232-6101

FAX
208-232-6109

April 17, 1996

Idaho Department of Water Resources
Eastern Division
Attn: Harold Jones
900 N. Skyline Drive
Idaho Falls, Idaho 83402

RECEIVED

APR 18 1996

Department of Water Resources
Eastern District Office

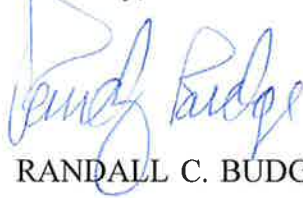
Re: Water Right No. A29-00293B

Dear Harold:

Enclosed please find a Form 42-1409(7) "New Property Owner Notice of Change of Water Right Ownership", together with attached Deed and copy of the Charles E. Stewart v. A.J. Damron Decree entered June 22, 1906, pertaining to this right. Also enclosed is the original supporting Affidavit of the former owner, Wesley G. Tibbitts, in support of the right.

Based upon these enclosures, please reflect Cleveland J. and Debora M. Frazier, whose address is 2663 N. Inkorn Road, P.O. Box 513, Inkorn, Idaho 83245-0513 as the owner of this right, continue the processing of this SRBA claim in the usual fashion, and notify me if you have any questions.

Sincerely,


RANDALL C. BUDGE

RCB:rr

cc: Cleveland and Debora Frazier
David Parmenter

MICROFILMED
NOV 13 1996

APR 18 1996

Department of Water Resources
Eastern District Office

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

SUPPORTING AFFIDAVIT OF
G. WESLEY TIBBITTS

G. Wesley Tibbitts being first duly sworn, depose and state as follows:

- SUPPORTING AFFIDAVIT OF G. WESLEY TIBBITTS- Page 1**

MICROFILMED
NOV 13 1996

end of the Inkom City limits, identified as 2663 North Inkom Road, consisting of approximately two (2) acres described as follows:

A tract of land in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 22, Township 7 South, Range 36 E., B.M. Bannock County, Idaho, more particularly described as follows:
Commencing at the Northwest corner of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 22, Township 7 South, Range 36, E., B.M.; thence South 00°02' East 694.0 feet, to the true point of beginning; thence South 83°14' East 117.0 feet; thence North 38°13' East 200.00 feet; thence North 71°23' East 230.00 feet; thence North 55°25' East 101.30 feet; thence South 70°09' East along Inkom Highway 45.0 feet; thence South 36°20' West 200.16 feet; thence South 51°24' West 257.14 feet; thence South 64°34' West 86.15 feet; thence North 79°48' West 112.84 feet; thence South 00°02' East 36.00 feet; thence South 89°58' West 75.0 feet; thence North 00°02' West 116.00 feet, more or less, to the true point of beginning, as shown on the records of the Bannock County Recorder.

I acquired the property together with the appurtenant water rights consisting of two inches of water on December 6, 1972 pursuant to a Warranty Deed from Leland D. and Melba S. Ward which deed was recorded December 7, 1972 as Bannock County Recorder's Instrument No. 502469, true and correct copy which is attached as Exhibit "B." I continuously owned and was in possession of this property until I sold and conveyed it to Cleveland J. Frazier and Debora M. Frazier, husband and wife, pursuant to Warranty Deed dated December 27, 1994, true and correct copy which is attached as Exhibit "C."

4. To the best of my knowledge, information and belief, the water right which I acquired with the property and subsequently sold to the Fraziers was part of the right identified as Idaho Department of Water Resources Right No. A29-00293B that was originally decreed to Joe Jackson by court decree entered in the District Court of the Fifth Judicial District of the State of Idaho, In and For Bannock County in the matter of Charles E. Stuart et al., Plaintiffs v. A. J.

Damron, et al., by Judge Alfred Budge dated June 22, 1906, a true and correct copy which is attached as Exhibit "D."

5. During the period that I owned this property from December 6, 1972 until December 27, 1994 my right waters in Rapid Creek were continuously diverted and applied to beneficial use upon my property in the exact manner described in the Notice of Claim attached as Exhibit "A" in each and every year, with the exception of 1986 and 1987 during which I lived in Brigham City, Utah due to work, and for a period of time in 1991 or 1992 when no water was available. I used the water for stock watering on a year round basis for horses and cattle. During the normal irrigation season from on or about April 1 until on or about November 1 each year I also used water to water my lawn, garden and adjacent pasture. Most of the time the water was diverted from Rapid Creek by means of a small portable pump until about 1982. When that pump failed it was replaced by a pump which had a smaller capacity after which I augmented the flow utilizing a PVC syphon pipe which was placed under the bridge crossing Rapid Creek. The PVC pipe was connected to a galvanized pipe. I always used my right water on a regular basis as needed when water was available. At no time did I ever abandon or forfeit my water right and I intended to transfer it in its entirety to Fraziers when they purchased my property.

6. All information set forth in my claim to a water right A29-00293B is true and correct to the best of my knowledge. This claim should be transferred to Cleveland J. and Debora M. Frazier who have owned the property since they acquired it from me. Attached as Exhibit "E" is an IDWR Form 42-1409(7) "New Property Owner Notice and Change of Water Right Ownership" form which I signed.

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NOV 13 1996

DATED this 22nd day of January, 1996.

G. Wesley Tibbitts
G. WESLEY TIBBITTS

SUBSCRIBED AND SWORN TO before me this 23 day of January, 1996.

(SEAL)

Laura Nordmark
NOTARY PUBLIC FOR IDAHO
Residing at: Salmon
My Commission Expires: 10-21-2000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17 day of April, 1996, I served a true and correct copy of the above and foregoing document to the following person(s) as follows:

David N. Parmenter, Esq.
53 South Shilling
Blackfoot, ID 83221

☒ U. S. Mail
☐ Postage Prepaid
☐ Hand Delivery
☐ Overnight Mail
☐ Facsimile

W.D. Olson
WILLIAM D. OLSON

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NOV 13 1996

RECEIVED

JUL 05 1995

Department of Water Resources
Eastern District Office

RECEIVED

JUL 05 1995

Department of
Eastern District Office

1 July 1995

A29-002938

Department of Water Resources
900 North Skyline Drive
Idaho Falls, Idaho 83401

Dear Sirs:

I am writing to give you one item of information that may be helpful in maintaining the water right on the Wes Tibbetts property here in District 29F.

Wes had a small pump which he located on the creek bank 50 feet or so below the county road, nearly opposite my own pump. He used it to irrigate his acreage.

Hope this is of some help.

Sincerely,



Lyndon R. Smith
President of District 29F
2651 North Inkom Road
Inkom, Idaho 83245
775-3589

MICROFILMED
NOV 13 1996

JUN 11 2001

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: **A29-00293B**
Date Received: 6/19/1995
Receipt No: E021157
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CLEVELAND J FRAZIER 208-775-3642
Address: PO BOX 513
INKOM ID 83245-0513 *call 251-8351*
AND
Name: DEBORA M FRAZIER 208-775-3642
Address: PO BOX 513
INKOM ID 83245-0513
2. Date of Priority: JUN 1, 1885
3. Source: RAPID CREEK Trib. to: PORTNEUF RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	22	SW		NE		BANNOCK
5. Description of diverting works:
PORTABLE PUMP TO FLOOD IRR
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
STOCKWATER	01/01	12/31	0.010		
7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 6.0 Acre Feet Per Annum.
9. Non-irrigation uses:
STOCKWATER, 2 CATTLE OR HORSES

MICROFILMED
NOV 13 1996

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	22	SW NE		IRR	2.0
Section Acres						2.0
Total Acres						2.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

PROPERTY ALSO KNOWN AS 2663 NORTH INKOM ROAD
CHANGE IN OWNERSHIP 4/25/96 SB

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

CHARLES E. STEWART, ET. AL.

Decree Plaintiff

A. J. DAMRON, ET. AL.
vs Decree Defendant

MICROFILMED
NOV 13 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: A29-00293B

Date Received: 2/23/1990

Receipt No: 8021157

Received By: DK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: G WESLEY TIBBITS 208-756-6774
Address: 717 LENA STREET
SALMON ID 83467
AND/OR
Name: NAOMI TIBBITS 208-756-6774
Address: 717 LENA STREET
SALMON ID 83467

2. Date of Priority: JUN 1, 1885

3. Source: RAPID CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	22	SW	NE			BANNOCK

5. Description of diverting works:
PORTABLE PUMP TO FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
STOCKWATER	01/01	12/31	0.010		

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

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 2 CATTLE OR HORSES

A2900293B



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	22	SW	NE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

CHARLES E. STEWART, ET. AL.
Decree Plaintiff

A. J. DAMRON, ET. AL.
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): *A. J. Damron* Date: June 19, 1995

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 19 day
of June 19 95
Dave Carl
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96

POOR ORIGINAL

47' 30"

POCATELLO 13 MI.
PORTNEUF 6 MI.

400 000
FEET

T 7 S
R 8 S

47' 34"

