

05/22/2003

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

RIGHT NUMBER: 29-606A

NAME AND ADDRESS: LEO D LEWIS
90 N INDIAN CREEK RD
INKOM ID 83245

BONNIE J LEWIS
90 N INDIAN CK RD
INKOM ID 83245

SOURCE: INDIAN CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 06/01/1908

POINT OF DIVERSION:

T07S R36E S32 SESE Within BANNOCK County Source: INDIAN CREEK

T07S R36E S32 SESE Within BANNOCK County Source: INDIAN CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.080 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T07S R36E S32 SESE 2.7

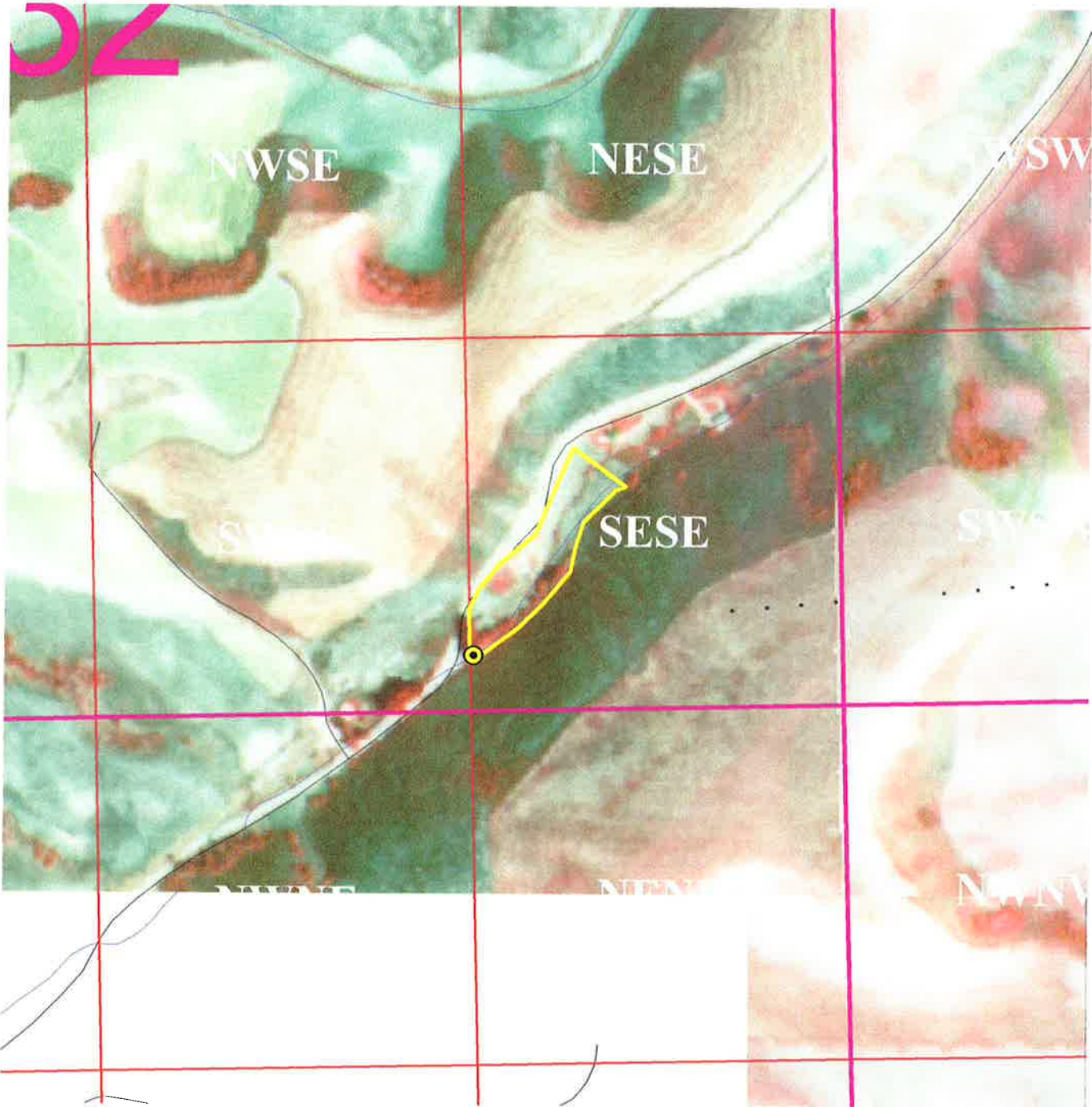
2.7 ACRES TOTAL

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.

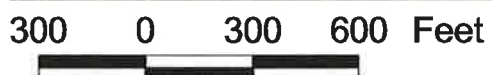
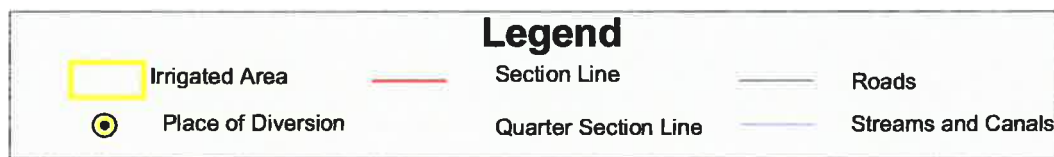
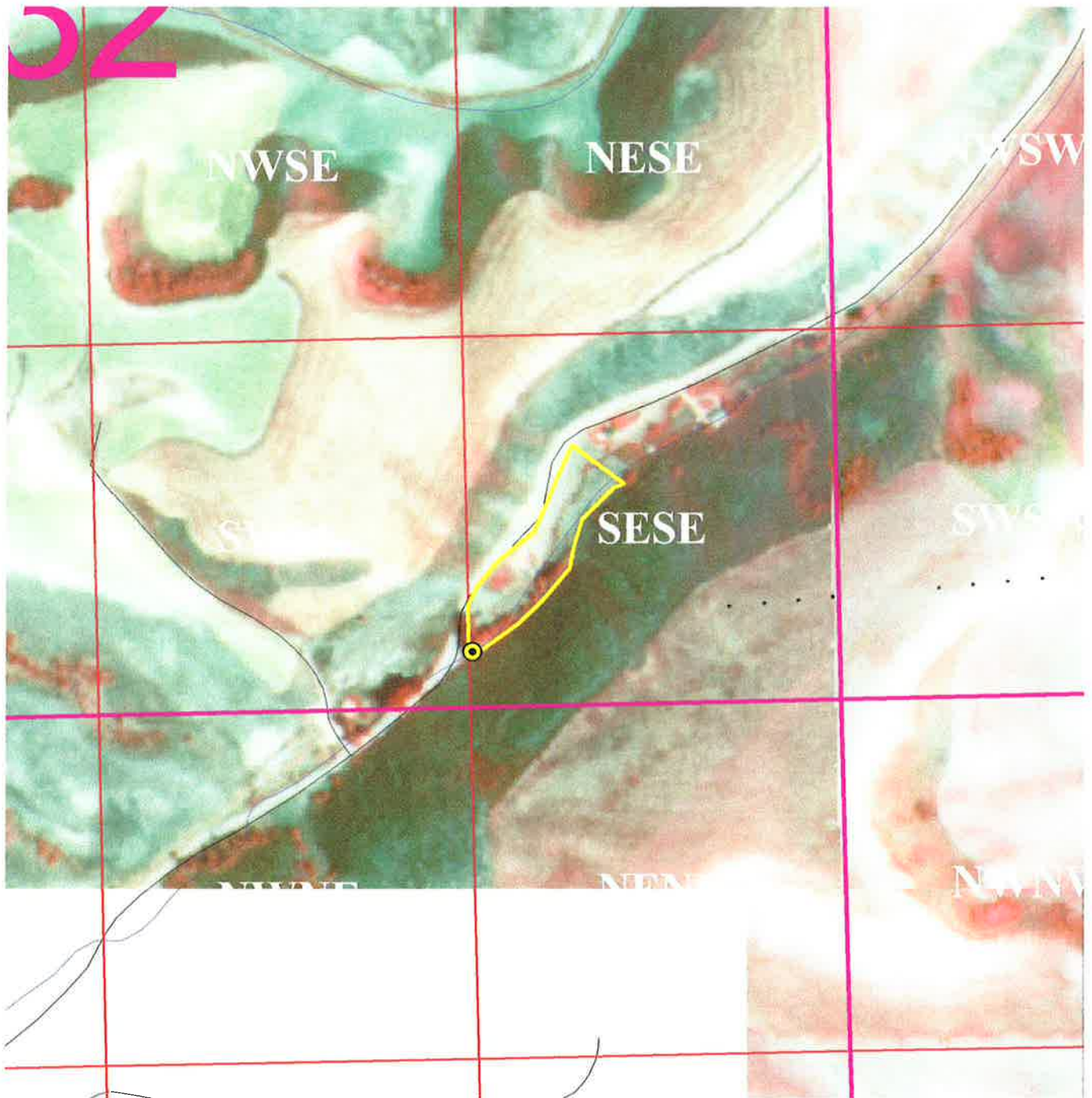
EXPLANATORY MATERIAL: Decreed

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.



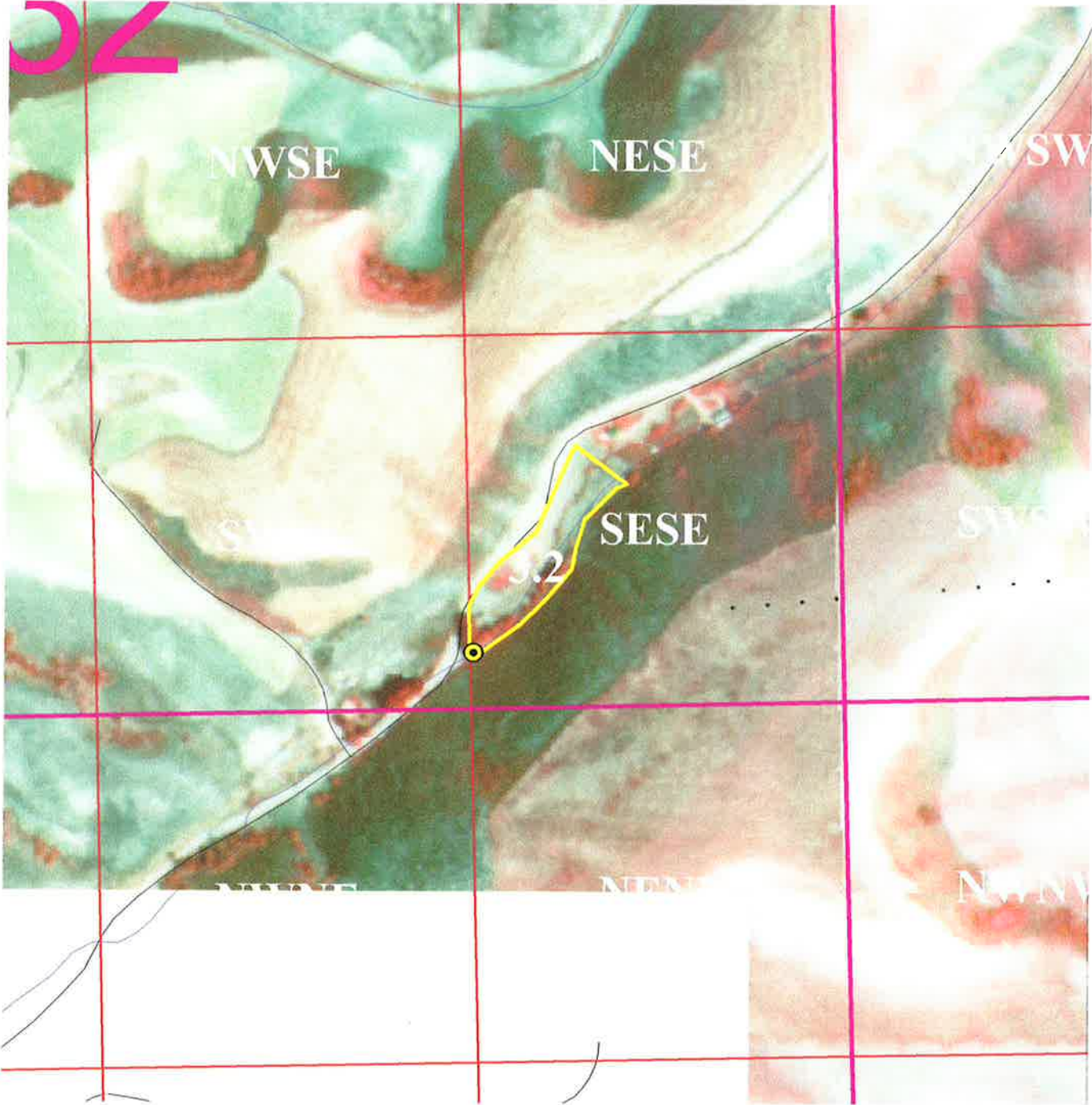
Water Right Claim Number A29-00606A
Township , 7S36E

08/28/2000



Water Right Claim Number A29-00606A
Township , 7S36E

08/28/2000



Legend

Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-606A V1

WATER RIGHT NUMBER: 29-606A V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	C S SKEEM
	, ZZ
Current Owner	LEO D LEWIS 90 N INDIAN CREEK RD INKOM, ID 83245
Original Owner	ARVILLA L LEWIS 1417 EASTRIDGE DR POCATELLO, ID 83245 (208)232-8762
Current Owner	BONNIE J LEWIS 90 N INDIAN CK RD INKOM, ID 83245

Priority Date: 06/01/1908

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
INDIAN 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	0.080 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion

INDIAN CREEK	SE1/4SE1/4	Sec. 32, Twp 07S, Rge 36E, B.M.
BANNOCK County		
INDIAN CREEK	SE1/4SE1/4	Sec. 32, 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	32																2.7	2.7

Total Acres: 2.7

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-606A V1

2. 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 1/13/2003 POD

Comment: POD decreed in 8S, 36E, S6, NWNE but is now two PODs located in 7S, 36E, S32, SESE. Both PODs in place since 1950s according to NOE. Accomplished change in Point of Diversion.

2. csaxton 5/22/2003 POU

Comment: Adjusted acreage per NOE.

3. csaxton 5/22/2003 Diversion Rate

Comment: Diversion rate adjusted per adjustment of acreage per NOE. Recommended 1.5 inches per acre. This right is underclaimed.

4. csaxton 5/22/2003 Source

Comment: Source claimed as trib to the Portneuf River. USGS quad maps indicate that Indian Creek sinks. But since water still makes it to the Portneuf thru a man-made channel which is now assumed to be the natural channel, recommend as tributary to the Portneuf river.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: OR

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

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	1/13/2003 8:35:39 AM	csaxton			Active
Priority Date	1/13/2003 8:36:27 AM	csaxton			Active
POD	1/13/2003 8:38:36 AM	csaxton			Active
Source	1/13/2003 8:41:17 AM	csaxton			Active
POU	1/13/2003 8:41:43 AM	csaxton			Active
Use	1/13/2003 8:42:41 AM	csaxton			Active
Season	1/13/2003 8:42:58 AM	csaxton			Active
Quantity	1/13/2003 8:47:08 AM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 29-606A V1

Summary		01/13/2003	csaxton	Active
<u>Verification Log:</u>				
<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>	
Contacts	1/13/2003 8:35:38 AM	csaxton	(No) 1. Do you want to schedule an appointment?	
			Comment for 1: FE 8/27/02	
Priority Date	1/13/2003 8:36:26 AM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source?	
			(Yes) 4. Is the basis of claim decree or license?	
			(Yes) 5. Does the decree or license have a Priority Date?	
			(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?	
			(Yes) 15. Is the basis of claim coded correctly?	
			(No) 16. Is a Priority Date remark and/or condition required?	
POD	1/13/2003 8:38:35 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?	
			(Yes) 4. Does the Decree or License have a POD?	
			(No) 5. Can the claimed POD be verified using the water right file?	
			(Yes) 6. Is there evidence that there has been a change in the POD?	
			(Yes) 7. Can the change be verified as an accomplished transfer?	
			(Yes) 9. Does the file contain all the necessary information to verify the POD?	
			(Yes) 10. Is a POD remark and/or condition required?	
			Description for Question 6 - No evidence to indicate that POD was not in its current location prior to 1987.	
POD	1/13/2003 8:39:27 AM	csaxton	Edited point location	
POD	1/13/2003 8:39:59 AM	csaxton	Edited PLS	
Source	1/13/2003 8:41:16 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	1/13/2003 8:41:42 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	1/13/2003 8:41:59 AM	csaxton	Edited shape boundary	
POU	1/13/2003 8:42:23 AM	csaxton	Edited PLS	

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-606A V1

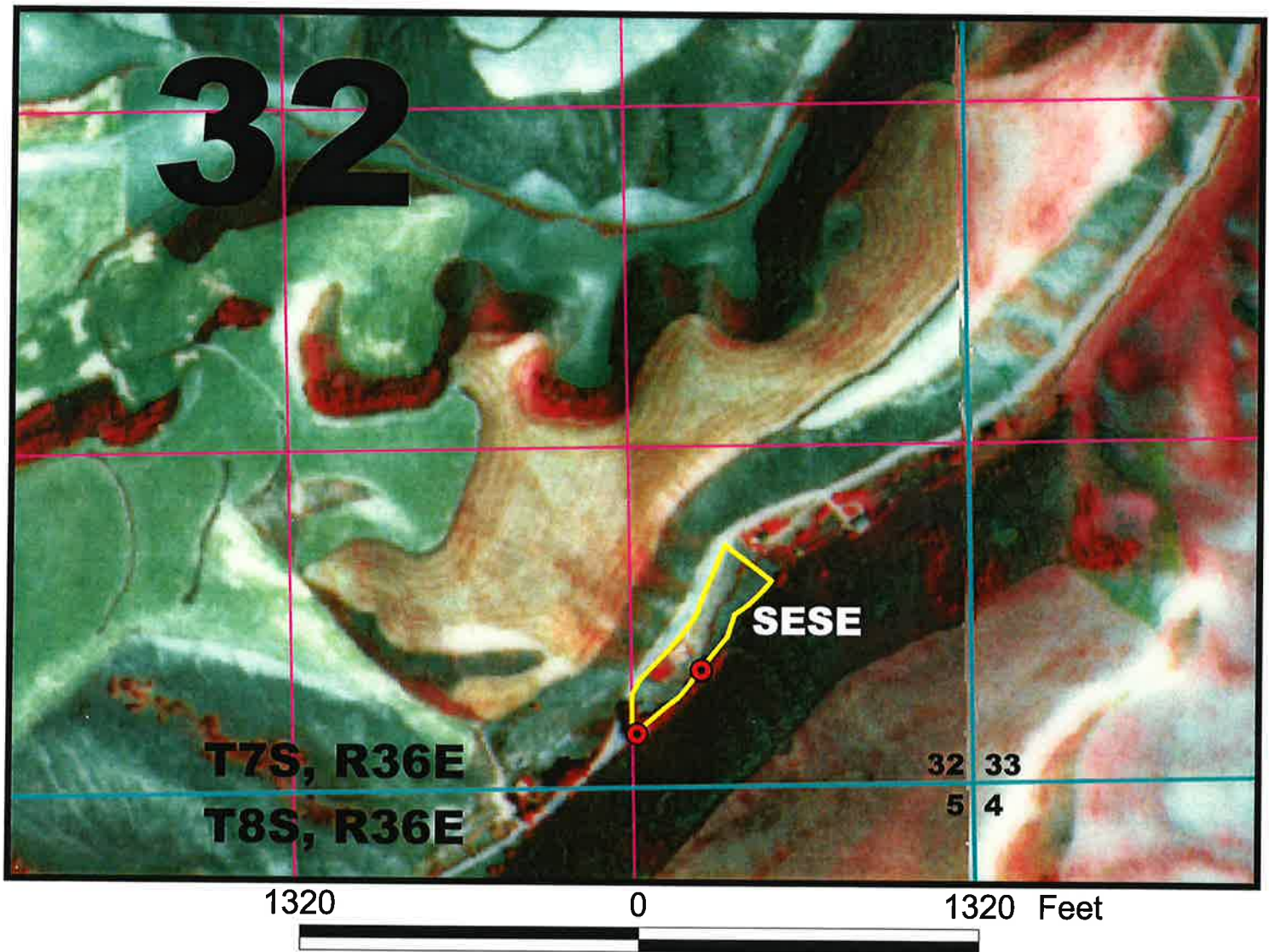
Use	1/13/2003 8:42:40 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Season	1/13/2003 8:42:57 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	1/13/2003 8:47:07 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	1/13/2003 8:57:08 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?
POU	5/22/2003 2:57:16 PM	csaxton	Edited PLS
POD	5/22/2003 2:57:53 PM	csaxton	Edited point location
POU	5/22/2003 2:57:03 PM	csaxton	Edited shape boundary



STATE OF IDAHO

Department of Water Resources
Eastern Region

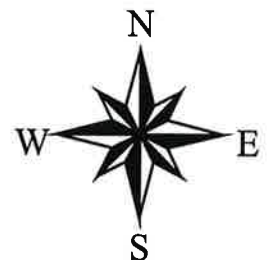
Water Right(s): 29-00606A



Total Irrigated Acres: 2.7

-  Point(s) of Diversion
-  Place of Use
-  Quarter Quarter Lines
-  Section Lines

SCANNED
DEC 14 2005



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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 22, 2003

LEO D LEWIS
BONNIE J LEWIS
90 N INDIAN CK RD
INKOM ID 83245

RE: Notice of Error Reply for Snake River Basin Adjudication (SRBA) claim 29-00606A

Dear Mr. and Ms. Lewis,

This office received your notice of error reply on March 10, 2003. I have re-reviewed the available evidence per your request and made the changes you requested to the preliminary recommendation for 29-00606A.

The SRBA court will notify you at the time the directors report is issued.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig L. Saxton'.

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

PROFILED

SCANNED

DEC 14 2005

02/13/2003

Craig

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: 29-606A

LEO D LEWIS
90 N INDIAN CK RD
INKOM ID 83245

BONNIE J LEWIS
90 N INDIAN CK RD
INKOM ID 83245

RECEIVED

MAR 10 2003

WATER RESOURCES
WESTERN REGION

RECEIVED
MAR 03 2003
Department of Water Resources
Eastern Region

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

- place of use
- point of diversion

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

- place of use to include homesite landscaping (lawn, etc.)¹
- add an additional point of diversion directly behind home²

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

- 1) water from the creek is used to water yard and landscaping
- 2) see below

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

DATE: Feb 21, 2003

SIGNATURE:

Leo D. Lewis

Bonnie J. Lewis

Please print your name:

Leo D. Lewis

Bonnie J. Lewis

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

2) Shortly after my father's death (Willis Lewis) my mother (Arvilla Lewis) leased the lower part of the creek bottom property to Sam Wanner of Inkam. This was in the early 1950's (my father died in 1952). In those years the home was located near the original point of diversion and water was used to irrigate strawberry and raspberry patches and a large garden at the south end of the creek bottom property. Mr. Wanner had use of the land from the new homesite on down the canyon and built a concrete diversion dam on the creek immediately behind the new homesite in order to flood irrigate the pasture on the creek bottom below that point. In ensuing disputes a Mr. Armond Hall dynamited the dam and Mr. Wanner resorted to canvas dams thereafter, not replacing the concrete dam. The diversion I am currently using to water my yard is built around the remnants of the concrete dam built by Mr. Wanner in the 1950's. Because of the placement of the new homesite, whose yard and landscaping block any flow from the upper diversion point from reaching the lower portion of the property, the only practical place to divert the stream for watering the lower creek bottom property is from the replacement diversion point requested as a second point.

SCANNED

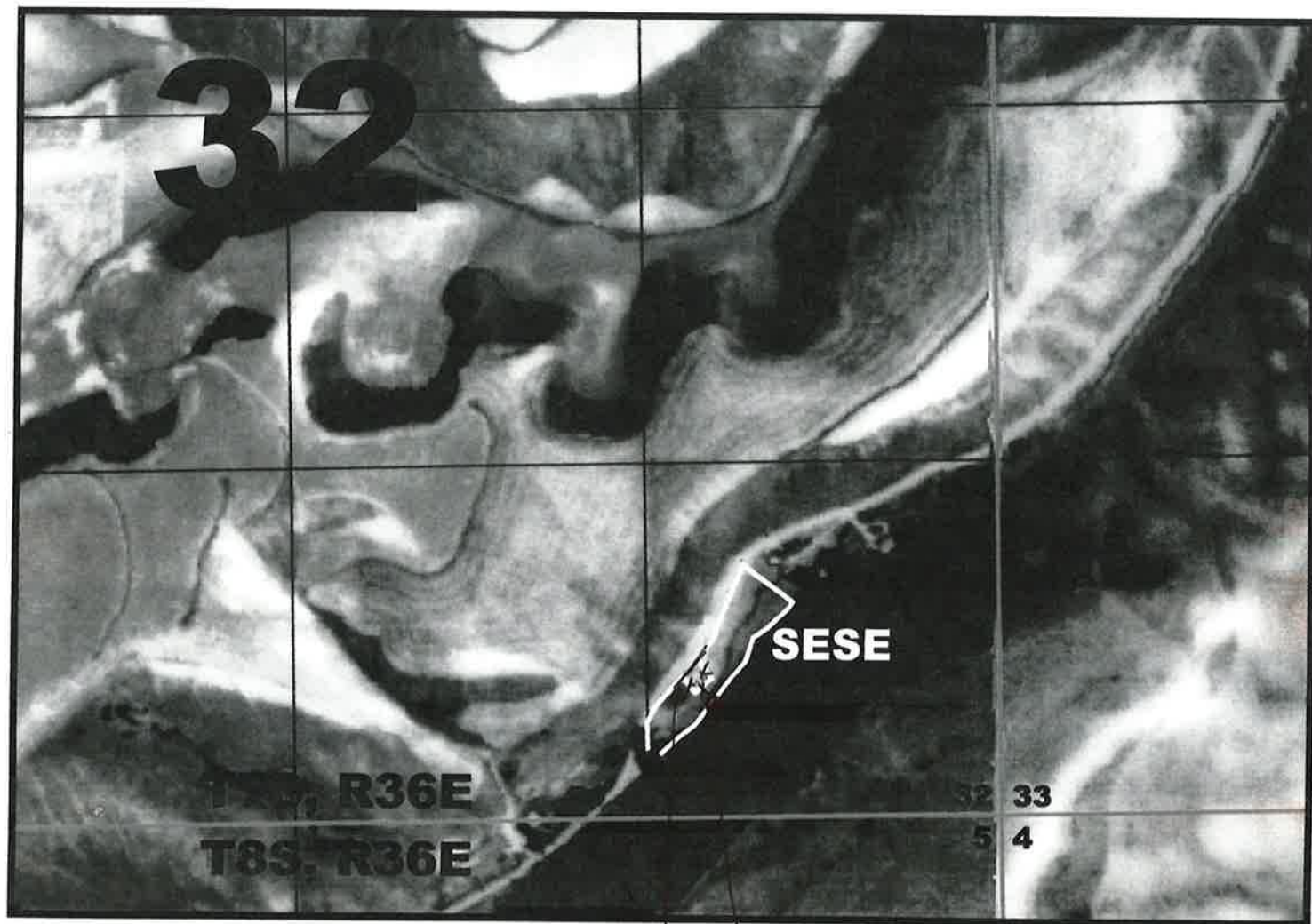
DEC 14 2005



STATE OF IDAHO

Department of Water Resources
Eastern Region

Water Right(s): 29-00606A



Total Irrigated Acres: 2.5

● Point(s) of Diversion

Place of Use



Quarter Quarter Lines



Section Lines

*place of use to
include homesite
yard*

Additional point of diversion



SCANNED
DEC 14 2005

GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: January 2002

8-26-02: Leo Dean Lewis Given Power of Attorney in 1982.
Leo seems to own the property now. NEO?

: Physical Address: 90 N Indian CK
Incom ID 83245

: Diversion Rate Claimed is excessive

8-27-02: Bought or Inherited Property 3 or 4 yrs ago
FE Sprinkler system put in Leo Bought the Property
Mother Flood Irrigated Property

: Below Irrigated in 1987 according
to Claimant

: Two points of diversion

: Pump: Wayne

1.5 HP

SD: 3981

- 1) Pic of diversion
- 2) Pic of Pipe
- 3) out let used
for flood irrigation
and black pipe
- 4) 2nd POD - Pump
Put in 4 yrs ago
- 5) Irr Row
- 6) Now Irr Row

: Mother moved in 1986 or 1987

9-5-02: Domestic 29-10704 POD From Well

9-12-02: Changed Ownership

1-10-03: Need to file a transfer to add POD from sprinkler

: GPS Point of POD taken from Road due to tree cover.
Recommended down by the street

: No Out of water in Decra. Right under recommended.
Thus Recommend $1\frac{1}{2}$ " per acre.

SCANNED

DEC 14 2005

PROFILED

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 29-606A

WATER RIGHT NUMBER: 29-606A

Owner Type Name and Address
Current Owner LEO D LEWIS ✓
 90 N INDIAN CK RD
 INKOM, ID 83245
Current Owner BONNIE J LEWIS ✓
 90 N INDIAN CK RD
 INKOM, ID 83245

Priority Date: 06/01/1908 ✓
Basis: Decreed ✓
Status: Active ✓

Source Tributary
INDIAN CREEK ✓ SINKS ✓

Beneficial Use From To Diversion Rate Annual Volume
IRRIGATION 4/01 to 11/01 ✓
 10/31 ✓ 2.080 CFS
 Total Diversion: 0.075 ✓
 2.080 CFS
 0.075 ✓

Location of Point(s) of Diversion

INDIAN CREEK ✓ SW SE1/4SE1/4 Sec. 32, Twp 07S, Rge 36E, B.M.
BANNOCK County ✓ CP3

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	32																3.0	3.0
																		2.57	2.55

Total Acres: 2.5 ✓

Conditions of Approval:

Remarks:

1. General THIS RT. WHEN COMBINED WITH RT. 29-0607 SHALL NOT EXCEED 2.08CFS.
2. Explanatory OWNERSHIP CHANGED PER REQUEST ON 9/12/02 (CSAXTON)

Comments:

Dates and Other Information:

Claim Received Date: 3/22/1990
State or Federal: S
Owner Name Connector: OR

SCANNED
DEC 14 2005

RECEIVED
SEP 05 2002

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

WATER RESOURCES
WESTERN REGION

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

PO 4329704
\$25 for 4/0
(12)

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	29-00606A				
29-10704	PO'd				

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

A. The appropriate ~~FEES~~ **FEES**. See instructions for fee amounts.

\$25.00

N/A no fee

☒ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

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

Arvilla L. Lewis Trust
90 N. Indian Creek Rd. Inkom, ID 83245
(or) 1417 Eastridge Dr. Pocatello, ID 83201

4. New Owner/Claimant(s)

Leo D. Lewis or Bonnie J. Lewis
Name Connector (Check one): ☐ and ☒ or ☐ and/or

New Mailing Address

90 N. Indian Creek Rd.

City, State and ZIP Code

Inkom, Idaho 83245

New Telephone Number

(208) 775-4473

5. Date you acquired the property

sole ownership: April 17, 1995
prior to that it was a shared ownership with siblings dating back to acquisition from Arvilla L. Lewis Trust on June 11, 1993

SCANNED
DEC 14 2005

QUIT CLAIM DEED

For Value Received

I W. Duane Lewis

95005332

do hereby convey, release, remise and forever quit claim unto Leo D. & Bonnie J. Lewis

whose current address is 1417 Eastridge Dr. Pocatello, ID 83201

the following described premises, to-wit:

Parcel # R4057003201

TR LOT 1 TAX 6 3.04 AC
S5-T8S-R36E

Parcel # R4015029603

TR SE4SE4 TAX 15 0.68 AC
0.01 AC R/W
S32-T7S-R36E

Parcel # R4015029604

TR SE4SE4 TAX 14 15.27 AC
0.52 AC R/W
TR SE4SE4 TAX 4 684 AC
0.22 AC R/W
S32-T7S-R36E

together with their appurtenances.

Dated: 5 April 1995

W. Duane Lewis

Utah

STATE OF ~~UTAH~~, COUNTY OF Salt Lake
On this 5TH day of April, 1995,
before me, a notary public in and for said State, personally
appeared

W. Duane Lewis

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Donna A. Harvey

Notary Public

Residing at Salt Lake County, Utah
Comm. Expires 16 June 1995 Utah

NO 95005332
RECORDED AT REQUEST OF
BONNIE LEWIS

APR 17 P1:00



NOTARY PUBLIC
DONNA A. HARVEY
2334 South 7750 West
Magna, UT 84044
My Commission Expires
June 16, 1995
STATE OF UTAH

BOOK NO 638
PAGE 104
RECORDED
3.00
CLERK

SCANNED

DEC 14 2005

QUITCLAIM DEED

For Value Received *I, Sharon E. Kaho*

95005331

do hereby convey, release, remise and forever quit claim unto *Leo D. & Bonnie J. Lewis*

whose current address is *1417 Eastridge Dr. Pocatello, ID 83201*

the following described premises, to-wit:

Parcel # R4057003201

*TR LOT 1 TAX 6 3.04 AC
SS - T85 - R36E*

Parcel # R4015029603

*TR SE4SE4 TAX 15 0.68 AC
0.01 AC R/W
S32 - T75 - R36E*

Parcel # R4015029604

*TR SE4SE4 TAX 14 15.27 AC
0.52 AC R/W
TR SE4SE4 TAX 4 1.84 AC
0.22 AC R/W
S32 - T75 - R36E*

together with their appurtenances.

Dated:

April 14, 1995

Sharon E. Kaho

with Gratitude and all my love!

STATE OF IDAHO, COUNTY OF

On this *14th* day of *April*, 19*95*,
before me, a notary public in and for said State, personally
appeared

NOTARY SEAL

Sharon E. Kaho

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that *Sharon E. Kaho* executed the same.

Mary Jane Dwyer

Notary Public

Residing at *Idaho*

Comm. Expires *Aug. 17, 2000*

95005331

NO
RECORDED AT REQUEST OF

BONNIE LEWIS

'95 APR 17 P1:00

OFFICIAL RECORD BOOK NO 638
BANNOCK COUNTY IDAHO
LARRY W. SHAN RECORDERS
EE 3.00 DEPUTY *DM*

SCANNED

DEC 14 2005

QUIT LAIM DEED

95005333

For Value Received

I, Bonnie A. Beck

do hereby convey, release, remise and forever quit claim unto Leo D. & Bonnie J. Lewis

whose current address is 1417 Eastridge Dr. Pocatello, ID 83201

the following described premises, to-wit:

Parcel # R4057003201
TR LOT 1 TAX 6 3.04 AC
S5-TBS-R36E

Parcel # R4015029603
TR SE4SE4 TAX 15 0.68 AC
0.01 AC R/W
S32-T75-R36E

Parcel # R4015029604
TR SE4SE4 TAX 14 15.27 AC
0.52 AC R/W
TR SE4SE4 TAX 4 1.84 AC
0.22 AC R/W
S32-T75-R36E

together with their appurtenances.

Dated: March 27, 1995
Bonnie A. Beck

STATE OF IDAHO, COUNTY OF

On this 27th day of March, 1995,
before me, a notary public in and for said State, personally
appeared Bonnie A. Beck

known to me to be the person(s) who(s) name(s)
subscribed to the within instrument, and acknowledged to
me that she (she) (they) executed the same.

Anna S. Eastley
Residing at Caldwell, Idaho
Comm. Expires 12-22-99

NOTARY SEAL

NO. 95005333
RECORDED AT REQUEST OF

BONNIE LEWIS
95 APR 17 P1:00

OFFICIAL RECORDS BOOK NO 38
BANNOCK COUNTY IDAHO
LARRY L. LARSEN RECORDER
FEE \$3.00 DEPUTY - ON -

SCANNED

DEC 14 2005

46

For Value Received, ARVILLA LEWIS, a widow, the Grantor, does hereby grant, bargain, sell and convey unto LEO DEAN LEWIS, SHARON ELAINE KOHO, BONNIE ALEENE BECK; and WILLIS DUANE LEWIS, in equal shares, the Grantees, the following described premises, in Bannock County, Idaho, to wit:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 7 SOUTH, RANGE 36 EAST, AND THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL #1

184Ac Parcel {
BEGINNING AT A POINT 3999.17 FEET EAST AND 343.67 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 32, SAID POINT BEING ON THE CENTERLINE OF INDIAN CREEK ROAD; THENCE NORTH 41°59'15" EAST ALONG SAID CENTERLINE, 309.79 FEET; THENCE NORTH 27°16'25" EAST ALONG SAID CENTERLINE 124.39 FEET; THENCE NORTH 23°43' EAST ALONG SAID CENTERLINE, 15.91 FEET; THENCE NORTH 42°40'40" WEST, 240.87 FEET; THENCE SOUTH 36°23'20" WEST, 185.28 FEET TO THE EAST 1/16TH LINE OF SAID SECTION; THENCE SOUTH 00°23'50" EAST ALONG SAID EAST LINE, 346.07 FEET TO THE POINT OF BEGINNING.

PARCEL #2

BEGINNING AT A POINT ON THE EAST 1/16TH LINE OF SECTION 32, TOWNSHIP 7 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, SAID POINT ALSO BEING ON THE CENTERLINE OF INDIAN CREEK ROAD; THENCE NORTHEASTERLY ALONG SAID CENTERLINE, 700.00 FEET TO A POINT BEING 929.00 FEET NORTH AND 4370.80 FEET EAST OF THE SOUTHWEST CORNER OF SAID SECTION 32, SAID POINT ALSO BEING THE NORTHWEST CORNER OF THAT PARCEL DESCRIBED IN INSTRUMENT NO. 526207 BANNOCK COUNTY RECORDS; THENCE SOUTH 51°35'35" EAST, 255.92 FEET; THENCE NORTH 57°01'00" EAST, 306.8 FEET TO THE WESTERLY LINE OF THAT PARCEL DESCRIBED IN INSTRUMENT NO. 536535 BANNOCK COUNTY RECORDS; THENCE SOUTH 25°40'40" EAST, 98.0 FEET TO THE SOUTHWEST CORNER OF SAID PARCEL. THENCE NORTH 69°58'20" EAST, 198.0 FEET TO THE WESTERLY LINE OF THAT PARCEL DESCRIBED IN INSTRUMENT NO. 576165 BANNOCK COUNTY RECORDS; THENCE SOUTH 14°29'06" EAST, 350.63 FEET; THENCE SOUTH 64°58'49" WEST, 351.71 FEET; THENCE SOUTH 44°40'59" WEST, 1140 FEET TO THE EAST 1/16TH LINE OF SECTION 5, TOWNSHIP 8 SOUTH, RANGE 36 EAST, BOISE MERIDIAN; THENCE NORTH ALONG SAID EAST 1/16TH LINE AND THE EAST 1/16TH LINE OF SECTION 32, TOWNSHIP 7 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, 1470 FEET TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with said Grantees, that she is the owner in fee simple of said premises; that they are free from all encumbrance except matters of public record and that she will warrant and defend the same from all lawful claims whatsoever.

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737056

DATED: this 5th day of October, 1984.

Arvilla Lucille Lewis
ARVILLA LEWIS, Grantor

STATE OF IDAHO,)
) ss
COUNTY OF BANNOCK)

On this 5 day of October, 1984 before me a notary public in and for said County and State, personally appeared ARVILLA LEWIS, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same.

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

NOTARY SEAL

(seal)

Steven Y. Wood
NOTARY PUBLIC FOR IDAHO
Residing at Pocatello

NO 737056

Steve Wood
'84 OCT -9 P1:40

415
LAW
FEE 4.00 SJH

SCANNED
DEC 14 2005

③

29-2-1

Indian
Creek

IN THE DISTRICT COURT OF THE UNITED STATES IN AND FOR THE
DISTRICT OF IDAHO, EASTERN DIVISION.

United States of America,	)	
and Turman J. Hofhine,	)	
	)	
Complainants,	)	182
	)	
vs.	)	DECREE.
	)	
O. S. Skeem, Marcus Skeem,	)	
S. H. Cotterel and L. L.	)	
Walker,	)	
	)	
Defendants.	)	

The above entitled cause having heretofore been submitted upon stipulation of facts entered into by and between the respective parties thereto, through their attorneys and solicitors of record, and thereafter the said cause having been by order of Court referred for the taking of further testimony touching certain material matter at issue therein; and thereafter, on the 8th day of October, A. D., 1919, said cause having been finally submitted for decision, and the briefs of the respective parties having been duly filed and considered, and the Court being now fully advised in the premises;

IT IS NOW, THEREFORE, ORDERED, ADJUDGED, AND DECREED, that the United States of America, in its capacity as guardian for those certain tribal Indians, its wards, in the complaint herein named, to-wit, Tindore, Mogoza, Robert Tindore, Pattish, Tsacorobe, Hevedore Tindore and Fee Emb, has a right to the use of the waters of Indian Creek superior and prior to all rights of use of the defendants herein, or and three fifths of any of them, to the extent of one/second feet of water;

374 1.6 cfs

RECORDED
MAY 16 1996

SCANNED
DEC 14 2005

29-0603 / 0.40
that^{of} the said amount, one-fourth thereof is hereby ordered and decreed held by the said United States of America for the purpose of irrigation and domestic use upon allotment No. 17 of the Fort Hall Indian Reservation, held in trust by the United States for Tsacorobe, and ²⁹⁻⁰⁶⁰⁴ one-half of said amount for like use upon allotment No. 14 of said reservation likewise held in trust for Hevedore Tindore, and ²⁹⁻⁰⁶⁰⁵ the remaining one-fourth of said amount for like use upon allotment No. 15 likewise held in trust for Tee Emb; the term all waters of Indian Creek, as used herein, shall be understood to mean and include also the waters of all springs arising in and adjacent to the bed or channel of said stream.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that neither the United States of America nor the aforesaid allottees, Tindore, Mogozah, Robert Tindore and Pattish, have any right whatever to the use of any of the waters of said creek as hereinbefore defined with which to irrigate any of the lands embraced in allotments Nos. 11, 12, 13 and 14 of the Fort Hall Indian Reservation.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that, subject to the prior and superior rights of the United States as hereinbefore decreed and defined, the defendants C. S. Skoem and S. H. Cotterel, the latter having been heretofore substituted in place of the original defendants Leroy Lewis and C. L. Bishop, have jointly, share and share alike, the right to use 2.08 second feet of the waters of said Indian Creek, said right being of the priority of, and dating from, June 1, 1908, and all water used pursuant to such right to be diverted at the present point of diversion, in the

SCANNED
DEC 14 2005

RECORDED
MAY 16 1996

northwest quarter of the northeast quarter of section 6,
 township 8 south, range 36 east, Boise Meridian, and all
 waters so diverted to be used for irrigation and domestic
 purposes upon lot 1 in section 5, lot 4 in section 4, both
 in township 8 south, and the southeast quarter of the south-
 east quarter of section 32, and the southwest quarter of the
 northwest quarter of section 33, both in township 7 south,
 and all in range 36 east of Boise Meridian, and belonging to
 the defendant U. S. Skeem, and lot 3 of section 4 in township
 8 south, and the northwest quarter of the southwest quarter,
 and the northeast quarter of the southwest quarter, and the
 southeast quarter of the southwest quarter of section 33, in
 township 7 south, and all in range 36 east of Boise Meridian
 and belonging to S. H. Cotterel.

POU 85, 36E, 6, NWNE

POU 85 36E 5.5 lot 1 NE NE
 5.4 lot 4 NW NW
 75 36E 5.32 SE SE
 33 SW NW

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that,
 subject to the prior and superior rights of the United States
 as hereinbefore decreed and defined, the defendant Marcus
 Skeem shall have the right to the use of one-tenth of one
 second foot of the waters of Indian Creek, which right is of
 the priority of, and dates from, June 1, 1908, and the fur-
 ther right to the use of one second foot of the waters of
 said Indian Creek, which last decreed right is of the priority
 of, and dates from, June 1, 1910, all the water used pursuant
 to above said rights to be diverted at the present point of
 diversion near where certain springs arise in and adjacent to
 the bed or channel of said Indian Creek, at a point about one-half
 mile from the southern boundary of the land of the United
 States comprised in the allotments hereinbefore described,

RECORDED

MAY 16 1996

SCANNED
 DEC 14 2005

all waters so diverted to be used for irrigation and domestic purposes upon the southwest quarter of the northwest quarter, and the northwest quarter of the southwest quarter, and the southwest quarter of the southwest quarter of section 28, and the northwest quarter of the northwest quarter of section 33, all in township 7 south, range 36 east, Boise Meridian.

AND IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that, subject to the prior and superior rights of the United States ²⁹⁻⁰⁶⁻¹⁰ hereinbefore decreed and defined, the defendant L. L. Walker shall have the right to the use of eight-tenths of one second foot of the waters of said Indian Creek, which right is of the priority of, and dates from, June 1, 1911, all waters used pursuant to such right to be diverted at the present point of diversion near the springs last referred to and described as in, and adjacent to, the bed or channel of said Indian Creek at a point about one-half mile from the southern boundary of the aforesaid allotments, ~~xxx~~ all water so diverted to be used for irrigation and domestic use upon the southwest quarter of the northwest quarter and the northeast quarter of the southwest quarter of section 28, township 7 south, range 36 east of Boise Meridian.

Pursuant to stipulation to such effect hereinbefore duly made by the respective parties hereto, it is ordered that this cause be dismissed as to the defendant Nelson Skeem.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that all rights of use herein decreed in and to the waters of said Indian Creek shall be exercised by all and each of the

RECORDED

MAY 16 1996

SCANNED
DEC 14 2005

parties holding such rights pursuant hereto, only when it shall be reasonably necessary to use water from said stream for the purposes of irrigation and domestic use upon the lands to which each respective right herein decreed is respectively made appurtenant.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that when at any time the waters flowing in any part of the channel of said stream would not, by the natural flow of such waters, reach the point or points of diversion of any user or users, which points are herein established, then such water may be appropriated and used by those water users whose points of diversion are reached by such waters, without regard for the priority of use, if any, herein decreed and established in favor of the plaintiff or any of the defendants whose points or points of diversion would not be reached by such water in its natural flow as aforesaid.

Federal call

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, that no artificial means shall be used to check the natural flow of said stream, or to cause it to sink or percolate into the bed of said stream, and so preventing the waters from reaching any lower user in their natural flow; but in the exercise of the rights herein decreed, such means ^{as in necessity} as necessary may be employed by any of said water users to effect a proper diversion of said waters at the point or points, and for the purposes, herein adjudged and decreed.

Each party hereto and his agents and successors in interest are enjoined from diverting, using, or in any way interfering with the waters of said creek in violation of the rights of any other party. The same are hereby decreed.
Frank S. Edwards
Judge.

Dated, April 7th, 1920.

RECORDED
MAY 16 1996

SCANNED
DEC 14 2005

Idaho Department of Water Resources Receipt

Receipt ID W029704

Payment Amount Date Received Region Status
 Payment Type Check Number

Payer
 Comment

Fee Detail

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



Signature Line (Dept. Representative)

LEO D. LEWIS OR BONNIE J. LEWIS 90 NORTH INDIAN CREEK RD. 775-4473 INKOM, ID 83245		6054 92-7307/3241
PAY TO THE ORDER OF <u>Idaho Dept of Water Resources</u>		\$ <u>25.00</u>
<u>Twenty five and no/100</u>		DOLLARS
WESTMARK CREDIT UNION POCA TELLO OFFICE 333 WEST ALAMEDA P.O. BOX 2368 POCA TELLO, IDAHO 83201		DATE <u>Sept 9, 2002</u>
FOR <u>filing fee for WR 29-10704 (cont)</u>		MEMBER <u>Leo D Lewis</u>
1:3241730791: 60 705356 6054		MP

SCANNED

DEC 14 2005





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 5, 2002

LEO D LEWIS
BONNIE J LEWIS
90 N INDIAN CK RD
INKOM ID 83245

RE: Notice of Change in Water Right Ownership for Snake River Basin Adjudication (SRBA) claims 29-00606A and 29-10704.

Dear Mr. and Ms. Lewis:

I received your completed Notice of Change in Water Right Ownership for SRBA claim 29-00606A. However, the department will need some additional information to make the change.

In order to change ownership of a water right from one person to another, IDWR needs a deed trail from the person listed on the water right/SRBA claim, to the new owner. You provided deeds from Koho, Beck, and W. Dwane Lewis showing conveyance of the property's to yourself. However, we still require a deed from Arvilla Lewis to Koho, Beck and W. Dwane Lewis.

In addition, with further research I found a domestic water right for your well 29-10704. It has been partially decreed by the SRBA court, so it is a perfected water right. However, since it has been partially decreed, there is a \$25 fee associated with changing the right into your name.

I am sending back the information you mailed to me so it can be completed. Please return all of the information with the deed from Arvilla Lewis to Koh, Beck, and W. Dwane Lewis and the \$25 filing fee for 29-10704 to this office.

I am sorry for the inconvenience. Please free to contact me if you have any further questions.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

SCANNED

DEC 14 2005

PROFILED

RECEIVED
SEP 05 2002
WATER RESOURCES
WESTERN REGION

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	29-00606A				

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

A. The appropriate ~~FILING FEE~~. See instructions for fee amounts. *N/A no fee*

☒ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

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

Arvilla L. Lewis Trust

90 N. Indian Creek Rd. Inkom, ID 83245

(or) 1417 Eastridge Dr. Pocatello, ID 83201

- ☒ 4. New Owner/Claimant(s)

Leo D. Lewis or Bonnie J. Lewis

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

New Mailing Address

90 N. Indian Creek Rd.

City, State and ZIP Code

Inkom, Idaho 83245

New Telephone Number

(208) 775-4473

SCANNED

- ☒ 5. Date you acquired the property

sole ownership: April 17, 1995
prior to that it was a shared ownership with siblings dating back to acquisition from Arvilla L. Lewis Trust on June 11, 1993

DEC 14 2005

QUITCLAIM DEED

For Value Received I, Sharon E. Koko

95005331

do hereby convey, release, remise and forever quit claim unto Leo D. & Bonnie J. Lewis

whose current address is 1417 Eastridge Dr. Pocatello, ID 83201

the following described premises, to-wit:

Parcel # R4057003201

TR LOT 1 TAX 6 3.04 AC
SS - T85 - R36E

Parcel # R4015029603

TR SE4SE4 TAX 15 0.68 AC
0.01 AC R/W
S32 - T75 - R36E

Parcel # R4015029604

TR SE4SE4 TAX 14 15.27 AC
0.52 AC R/W
TR SE4SE4 TAX 4 1.84 AC
0.22 AC R/W
S32 - T75 - R36E

together with their appurtenances.

Dated:

April 14, 1995

Sharon E. Koko

with Gratitude and all my love!

STATE OF IDAHO, COUNTY OF

On this 14th day of April, 1995,
before me, a notary public in and for said State, personally
appeared

NOTARY SEAL

Sharon E. Koko

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that Sharon E. Koko executed the same.

Mary Jane Lipe
Notary Public

Residing at Hampton, Idaho
Comm. Expires Aug. 17, 2000

95005331

NO.
RECORDED AT REQUEST OF

BONNIE LEWIS
'95 APR 17 P1:00

OFFICIAL RECORD BOOK NO638
BANNER COUNTY IDAHO
LARRY W. JEN RECORDER
EE 3.00 DEPUTY ON

QUITCLAIM DEED

95005333

For Value Received

I, Bonnie A. Beck

do hereby convey, release, remise and forever quit claim unto Leo D. & Bonnie J. Lewis

whose current address is 1417 Eastridge Dr. Pocatello, ID 83201

the following described premises, to-wit:

Parcel #R4057003201

TR LOT 1 TAX 6 3.04 AC

S5-TBS-R36E

Parcel #R4015029603

TR SE4SE4 TAX 15 0.68 AC

0.01 AC R/W

S32-T7S-R36E

Parcel #R4015029604

TR SE4SE4 TAX 14 15.27 AC

0.52 AC R/W

TR SE4SE4 TAX 4 1.84 AC

0.22 AC R/W

S32-T7S-R36E

together with their appurtenances.

Dated: March 27, 1995
Bonnie A. Beck

STATE OF IDAHO, COUNTY OF

On this 27th day of March, 1995,
before me, a notary public in and for said State, personally
appeared Bonnie A. Beck

NOTARY SEAL

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

Residing at Caldwell, Idaho
Comm. Expires 12-22-99

NO. 95005333

RECORDED AT REQUEST OF

BONNIE LEWIS
95 APR 17 P1:00

OFFICIAL RECORDS BOOK NO 638
BANNING COUNTY IDAHO
LAND & ESTATE RECORDER
FEE \$1.00 DEPUTY - ON -

QUITCLAIM DEED

For Value Received

I W. Duane Lewis

95005332

do hereby convey, release, remise and forever quit claim unto Leo D. & Bonnie J. Lewis

whose current address is 1417 Eastridge Dr. Pocatello, ID 83201

the following described premises, to-wit:

Parcel # R4057003201

TR LOT 1 TAX 6 3.04 AC
SS-TBS-R36E

Parcel # R4015029603

TR SE4SE4 TAX 15 0.68 AC
0.01 AC R/W
S32-T75-R36E

Parcel # R4015029604

TR SE4SE4 TAX 14 15.27 AC
0.52 AC R/W
TR SE4SE4 TAX 4 6.84 AC
0.22 AC R/W
S32-T75-R36E

together with their appurtenances.

Dated: 5 April 1995

W. Duane Lewis

Utah

STATE OF ~~UTAH~~, COUNTY OF Salt Lake
On this 5th day of April, 1995,
before me, a notary public in and for said State, personally
appeared

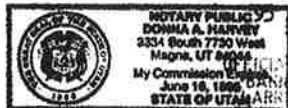
W. Duane Lewis

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.

Donna A. Harvey
Notary Public
Residing at Salt Lake County, Utah
Comm. Expires 16 June 1995

NO. 95005332
RECORDED AT REQUEST OF
BONNIE LEWIS

APR 17 P1:00



BOOK NO 638
PAGE 1040
RECORDED
3.00 FEE

696390

1513

effect on the 15th day of October, 1982, and such rights, powers and authority shall remain in effect thereafter until my death or until I revoke this power in writing.

DATED this 15th day of October, 1982.

Arvilla Lucille Lewis
ARVILLA LUCILLE LEWIS

STATE OF IDAHO)
COUNTY OF BANNOCK) ss

On this 15th day of October, 1982, before me, a Notary Public in and for said County and State, personally appeared ARVILLA LUCILLE LEWIS, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same.

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

(SEAL) NOTARY SEAL

Steven S. Wood
NOTARY PUBLIC FOR IDAHO
RESIDING AT POCA TELLO, IDAHO

NO 696390
RECORDED AT REQUEST OF

Arvilla Lucille Lewis
Oct 15 2 26 PM '82

RECORD NO. 386
BANNOCK COUNTY IDAHO
FEE \$4.00 DEPUTY 1p

29-00606A

POD

Field Exam: 8/27/02



Current POD hooked into sprinkler system. This POD and sprinkler system installed 3 or 4 yrs ago when Leo Dean inherited the property from his mother. Previous method of irrigation was flood irrigation from upstream. Must recommend historical POD (csaxton).

PROFILED

SCANNED

DEC 14 2005

29-00606A

POD

Field Exam: 8/27/02



Looking South at flood irrigation POD (csaxton).



Looking at flood irrigation POD (csaxton).

SCANNED

DEC 14 2003

29-00606A

POU

Field Exam: 8/27/02



Looking North at claimed POU. Note irrigation line in Picture (csaxton).



Looking E at claimed POU. Mink Creek shown in the picture (csaxton).

SCANNED

DEC 14 2005

29-00606A

POU

Field Exam: 8/27/02



Looking East at claimed POU. Home to the right of picture. Non-irr field to the left (csaxton)

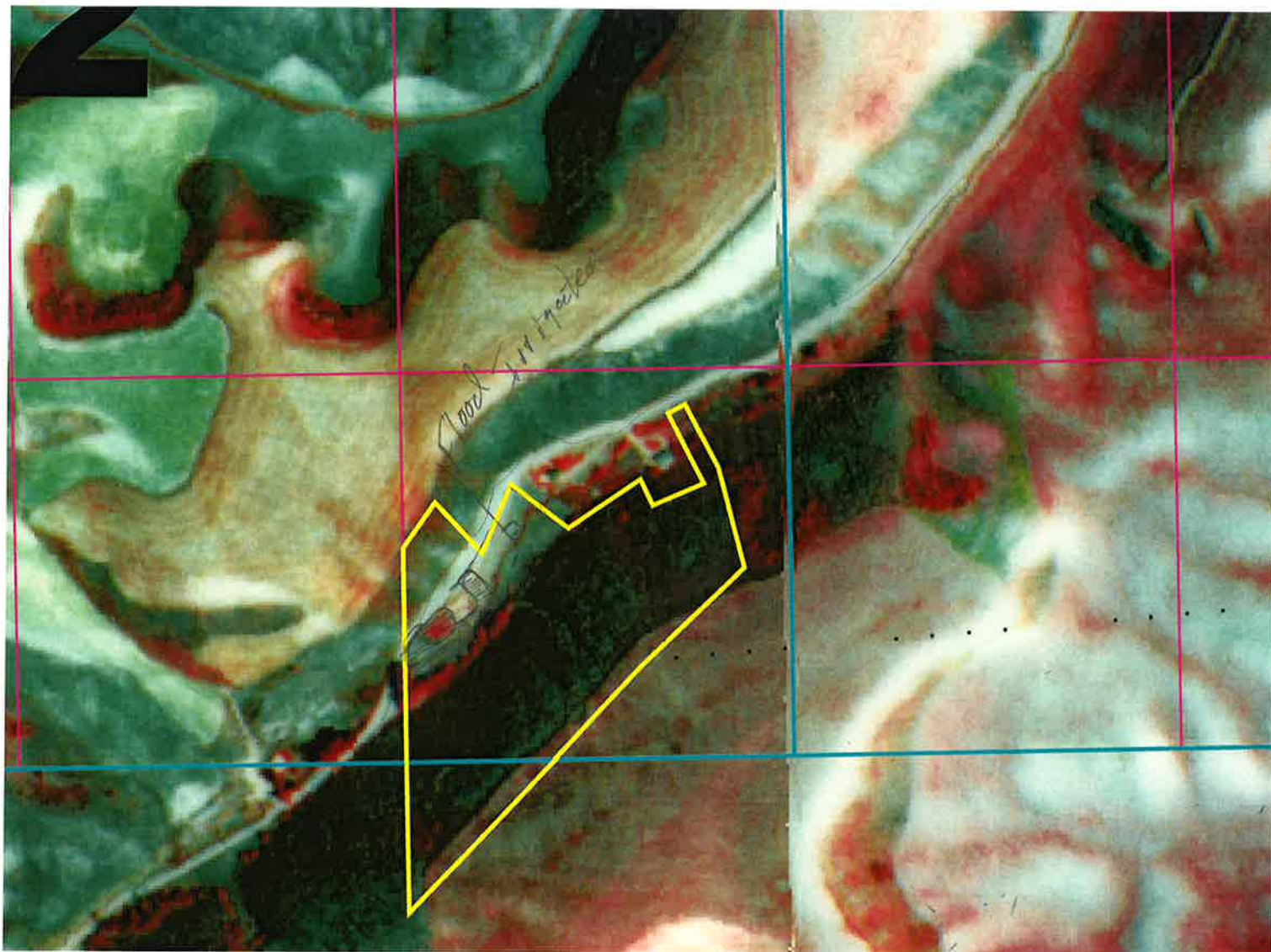


Looking North at claimed POU. No signs of recent irrigation (csaxton).

SCANNED

DEC 14 2005

29-00606A - Lewis



Point of Diversion



Claimed Place of Use



Claimant Property Boundary



Bannock Co Tax Lot Data



Section Lines



Quarter Quarter Lines

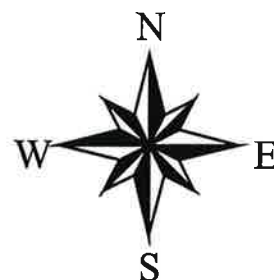
Property Acreage: 21

2.5 ac

PROVIDED

SCANNED

DEC 14 2005



Prepared By: Craig Saxton
August 2002

JUN 11 2001

Log for claim A29-00606A

Spatial Dynamics LTD

8/28/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	32	SESE	3	3.2	
Totals:			3	3.2	

6/7/01 / Attorney Name: Leo Dean Lewis
90 W Indian Creek Rd
Inkorn Id 83245

AJ5809NP
No. A29-00606A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/18/00
PAGE: 96

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARVILLA L LEWIS 1417 Eastridge Dr POCATELLO ID 83201 (208) 232-8762	06/01/1908	IRRIGATION	04-01 11-01	2.080 CFS	
TOTAL DIVERSION:					2.080 CFS	
CONSUMPTIVE USE:						2.50 AFA

Water Source: INDIAN CREEK

Tributary to: SINKS

Stage: DECREED

Point(s) of Diversion: T07S R36E S32 SESE BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE								
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
07S	36E	32	:																03	3.0
TOTAL ACRES																			3.0	

POU County: BANNOCK

Non-Irrigation Uses: S/ 6 HORSES

Other Rights: NONE

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

29-10650 29-10704 A29-10650 A29-10704

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

A29-00606

Remarks: GEN THIS RT. WHEN COMBINED WITH RT. 29-0607 SHALL NOT EXCEED 2.08CFS.

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

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

Audit: 06/23/90 DCARLSON 06/01/94 COX 03/29/95 POST-STD

WOOD & SHAW
ATTORNEYS AND COUNSELORS AT LAW
155 SOUTH SECOND AVENUE
POCATELLO, IDAHO 83201

(208) 234-1234

STEVEN G. WOOD
*STEVEN W. SHAW
(*Also Calif. Bar)

FAX: (208) 234-8466

March 21, 1990

Department of Water Resources
Eastern District Office
150 Shoup Ave. #15
Idaho Falls, Idaho 83402

RECEIVED

MAR 22 1990

Department of Water Resources
Eastern District Office

Dear Mr. Carlsen:

As per your letter of March 13, 1990, enclosed please find a Power of Attorney as you requested.

If you have any further questions please feel free to call my office.

Sincerely,

Steven G. Wood
by *S.P.*
Steven G. Wood
Attorney at Law

SGW/gp
cc: Ms. Lewis

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NOV 13 1992



**State of Id
DEPARTN**
150 Shoup Ave.,

EASTERN REGION

March 13, 1990

Arvilla L. Lewis
1417 Eastridge Drive
Pocatello, ID 83201

Dear Ms. Lewis:

The Idaho Department of Water Resources (IDWR) is returning your Notice of Claim to a water right, along with your check for \$78.00 (#1038) because of insufficient information. All items on the form must be completed and fees resubmitted before the IDWR can process the notice.

Please correct the items identified below and return the notice and filing fee to the IDWR by April 19, 1990, the filing deadline for Bannock County. If the corrected notice is not returned by then, the notice will be subject to an additional late fee.

If the Notice of Claim is signed by someone other than the claimant in Item #16, the signature must be notarized and written evidence such as a Power-of-Attorney must be submitted with the form showing that the signator has the authority to sign for the claimant.

If you wish to make an appointment to discuss the corrections, please call the IDWR at (208) 525-7161.

Respectfully submitted,

Ernest Carlsen for

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

ARVILLA L. LEWIS TRUST LEO D. LEWIS, TRUSTEE		1038
TAX ID. NO. 82-6062261 1417 EASTRIDGE DRIVE POCATELLO, ID 83201		Mar 8 19 90 $\frac{92-6}{12-1}$
PAY TO THE ORDER OF	Idaho Dept. of Water Resources	\$ 78.00
Seventy-eight and 00/100		DOLLARS
First Security Bank	First Security Bank of Idaho 100 S. Arthur Street Pocatello, Idaho 83204	
FOR	filing fee for water rights	Leo D. Lewis
1 1 1 1 1 0 0 0 6 4 1 0 0 4 2 7 2 7 6 6 1 0 3 8		

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1512

GENERAL POWER OF ATTORNEY

STATE OF IDAHO)
) ss
COUNTY OF BANNOCK)

696390

KNOW ALL MEN by these presents, that I, ARVILLA LUCILLE LEWIS, the undersigned, of the City of Inkom, County of Bannock, State of Idaho, hereby make, constitute, and appoint, LEO DEAN LEWIS, of the City of Pocatello, County of Bannock, State of Idaho, my true and lawful attorney in fact for me and in my name, place, and stead, giving unto said LEO DEAN LEWIS, full power to do and perform all and every act that I may legally do through an attorney in fact, and every proper power necessary to carry out the purposes for which this power is granted, with full power of substitution and revocation, hereby ratifying and affirming that which LEO DEAN LEWIS or his substitute shall lawfully do or cause to be done by himself or his substitute lawfully designated by virtue of the power herein conferred upon them.

I grant unto said attorney in fact full power and authority to perform all acts necessary or desirable in effectuating any action authorized by this document.

Said attorney in fact is also authorized to grant, bargain, convey, sell, or to contract for the sale and conveyance of any real property or real property interests now owned or hereafter acquired by me, and on such terms and conditions as said attorney in fact may determine, and in my name to make, execute, acknowledge and deliver a good and sufficient deed or deeds of conveyance, or other instruments necessary to effect such sale, conveyance or agreement or agreements.

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The rights, powers, and authority of said attorney in fact herein granted shall commence and be in full force and

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 29-606A
Date Received: 3/22/1990
Receipt No: E012497
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LEO D LEWIS Phone: (208) 775-4473

90 N INDIAN CK RD
INKOM ID USA 83245

BONNIE J LEWIS Phone: (208) 775-4473

90 N INDIAN CK RD
INKOM ID USA 83245

2. Date of Priority: 06/01/1908 ^{0 1/2}

3. Source: INDIAN CREEK ^{0 1/4} Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	32	SE SE	BANNOCK	

5. Description of diverting works:

CULVERT/ PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.08	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	32	SE	SE	IRRIGATION	3
					Section Acres	3
					Total Acres	3

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:

THIS RT. WHEN COMBINED WITH RT. 29-0607 SHALL NOT EXCEED 2.08CFS.

15. Basis of Claim: Decreed

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.

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: A29-00606A

Date Received: 3/22/1990

Receipt No: E012497

Received By: _____

1985

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARVILLA L. LEWIS 208-232-8762
Address: 1417 EASTRIDGE DR
POCATELLO, ID 83201

2. Date of Priority: JUN 01, 1908

3. Source: INDIAN CREEK Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07S	36E	32	SE	SE			BANNOCK

5. Description of diverting works:
CULVERT/ PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.080		

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

8. Total consumptive use is 2.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 6 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	32	SE	SE		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
					Total Acres	3.0

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:
THIS RT. WHEN COMBINED WITH RT. 29-0607 SHALL NOT EXCEED 2.08CFS.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

UNITED STATES OF AMERICA, ET.
Decree Plaintiff

C. S. SKEEM, ET. AL.
Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

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

Date Received

Receipt Number

A29-00606A

3-22-90/90

ED12497

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MAR 22 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAR 12 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Arvilla L. Lewis Phone (208) 232-8762Mailing Address 1417 Eastridge Dr. Pocatello, ID Zip 832012. Date of Priority (Only one (1) per claim) June 1, 19083. Source of water supply (a) Indian Creek
which is tributary to (b) Portneuf River4. a. Location of existing point of diversion is: Township 7 south Range 36 E Section 32,
SE 1/4 of SE 1/4 of - 1/4, Govt. Lot, N/A B.M., County of BannockAdditional points of diversion if any: none

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Weir located at exit of culvert where
Indian Creek passes under the county road as it enters the property for which this claim is
made. Water is passed through a 25 ft section of 6" pipe onto the property.

A2900606A



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Apr 1 to Nov 1 amount 2.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.05 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater: 6 horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>7S</u>	<u>36E</u>	<u>32</u>																<u>3</u>	<u>3</u>

Total number of acres irrigated 3

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks:

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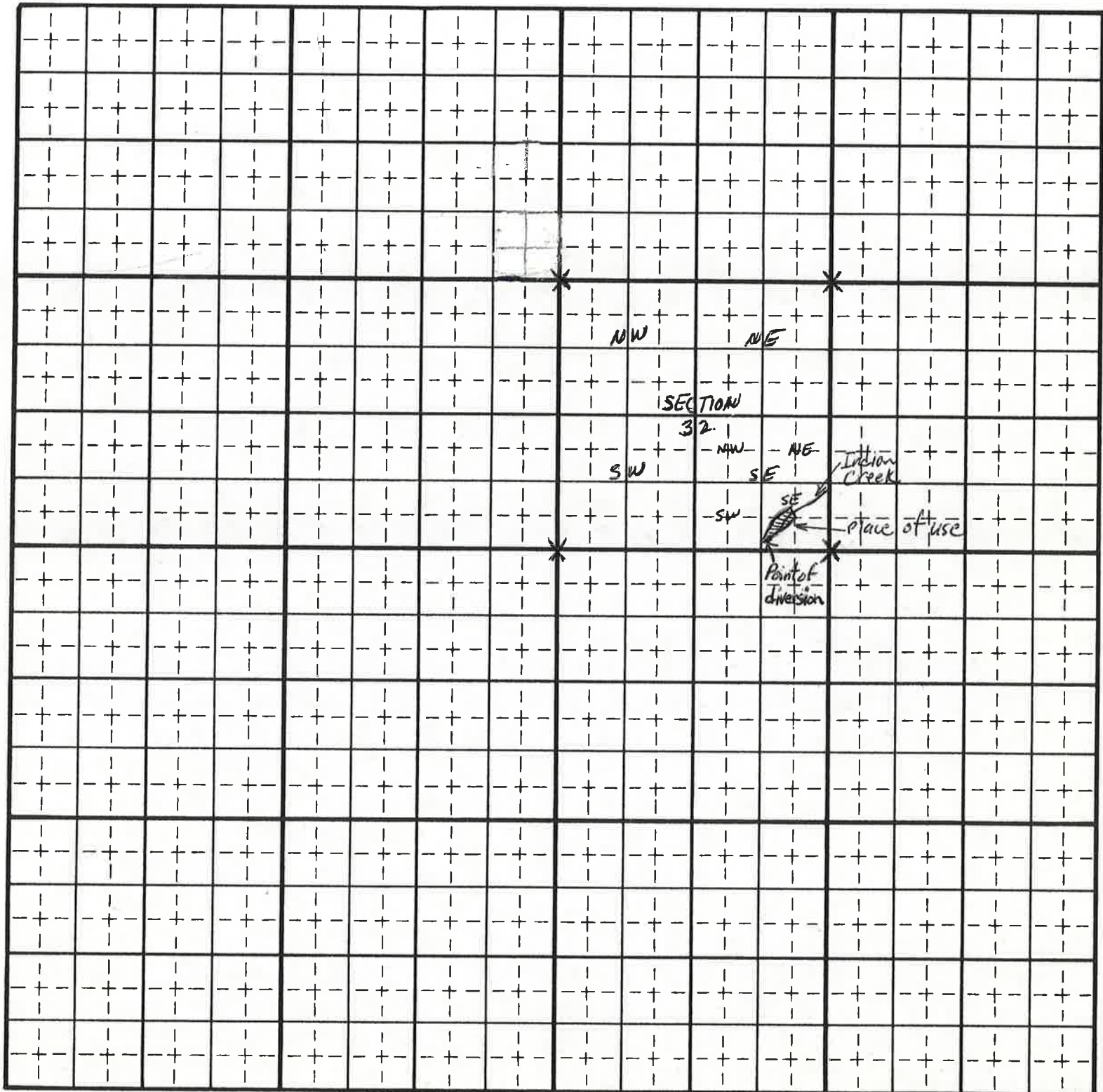
Last Name Lewis Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

Sec 32, Twp 7S, R 36E BM
SE4SE4 - Diversion and Use -



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NOV 13 1992

Last Name Lewis Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒ 29-0600
If applicable provide IDWR Water Right Number 29-0600
Court U.S. DISTRICT Case Number 182 Decree Date April 7, 1920
Plaintiff vs Defendant US v. C.S. Skeen, et al

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 0

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

Signature of Claimant (s) X Leo R. Lewis as power of attorney for Date 6-Mar-1990
Arvilla L. Lewis Date _____

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

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn (or affirmed) before me this 6th day of March 19 90

SEAL

Notary Public Michele Walters

Residing at Pocatello, Idaho

My Commission Expires 1994

Please Print Name

17. Notice of Appearance:

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

Signature Steven G. Wood

Address 155 So. 2nd Ave, Pocatello, Id. 83201

Date 3-6-90

MICROFILMED
NOV 13 1992

Last Name Lewis Ident. Number _____

Copies White-State, Yellow-Claimant