

04/21/2003

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

RIGHT NUMBER: 29-4038A

NAME AND ADDRESS: ARLEN M LISH
410 VALLEY VIEW ROAD
KINGSTON ID 83839

SOURCE: SPIDER CREEK

TRIBUTARY: LOWER ROCK CREEK

QUANTITY: 0.420 CFS

PRIORITY DATE: 04/01/1905

POINT OF DIVERSION:

T07S R36E S36 SWNE Within BANNOCK County Source: SPIDER CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.420 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T07S R36E S36 NWSE 21.0

21 ACRES TOTAL

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

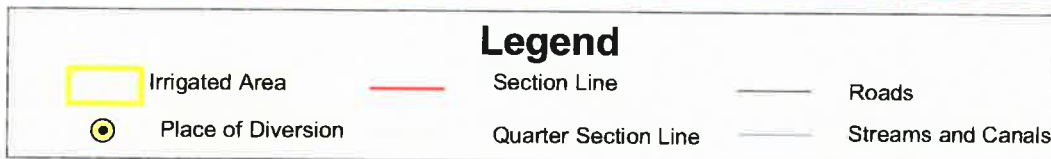
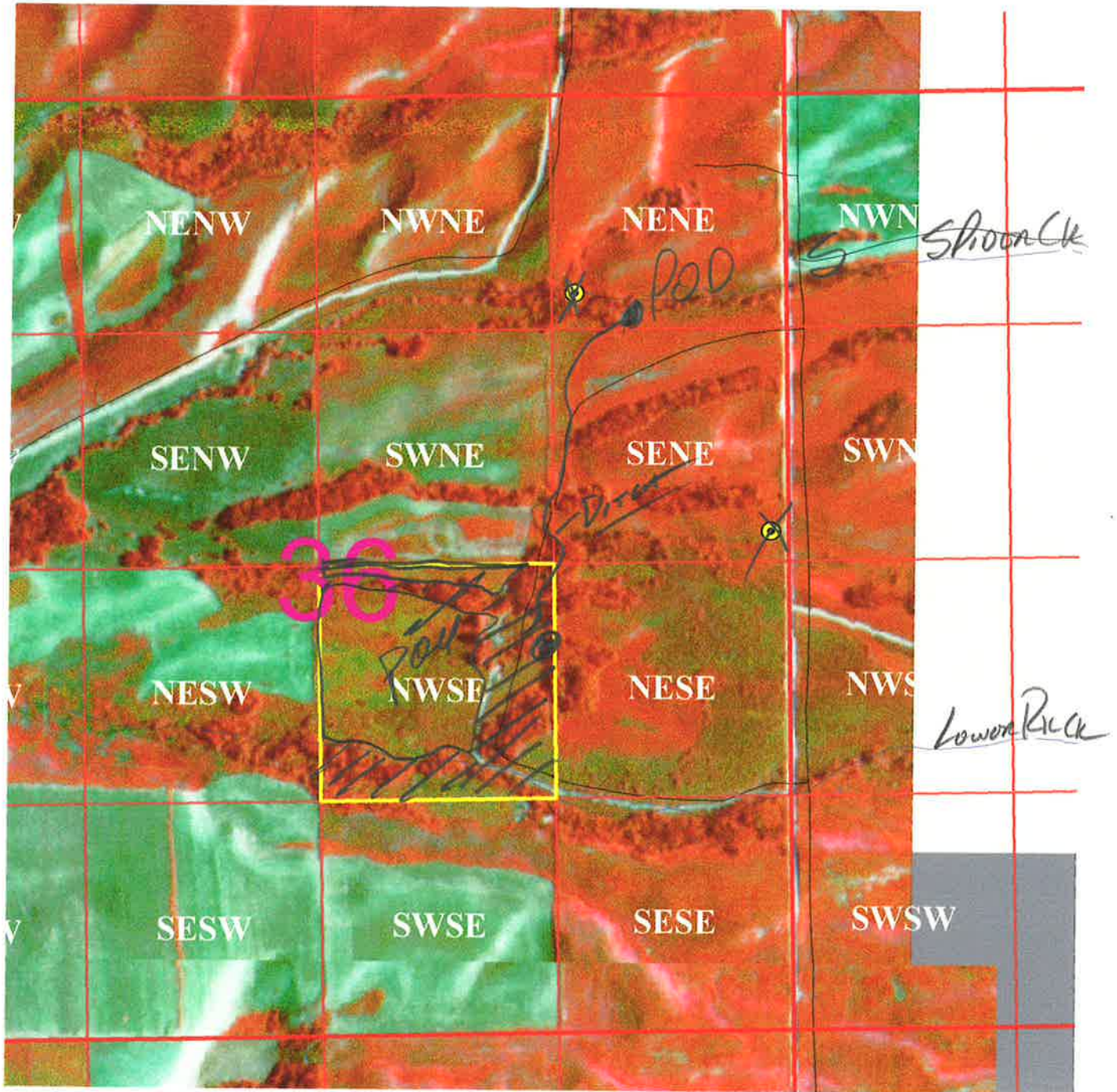
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

Water Right Claim Number A29-04038A

08/11/2000

Township , 7S36E



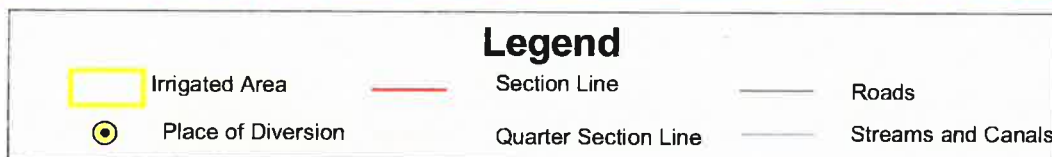
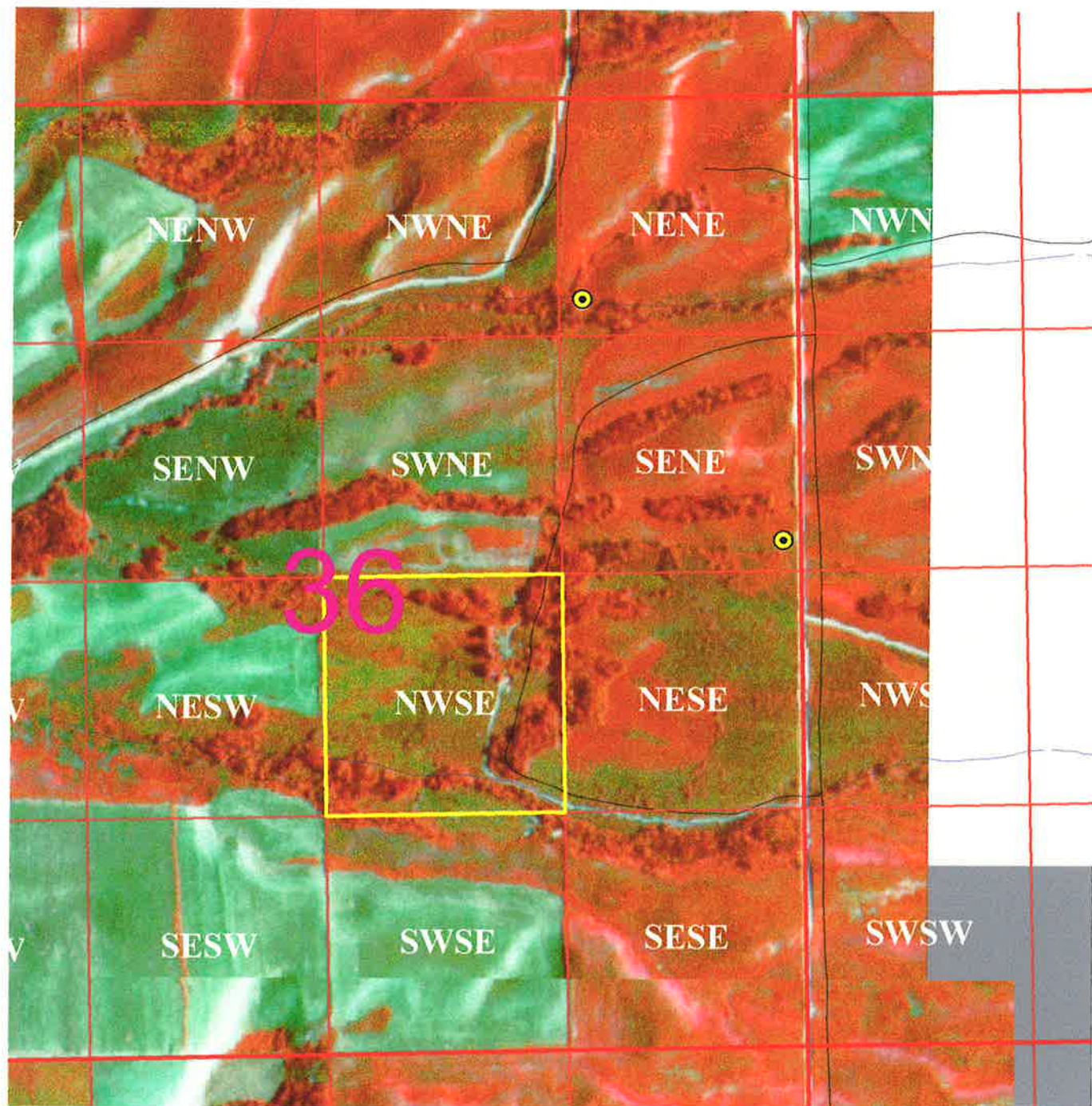
SCANNED
MAR 07 2006

N
10/25/01
[Signature]

Water Right Claim Number A29-04038A

08/11/2000

Township , 7S36E

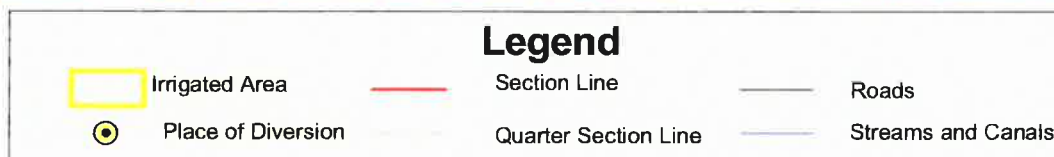
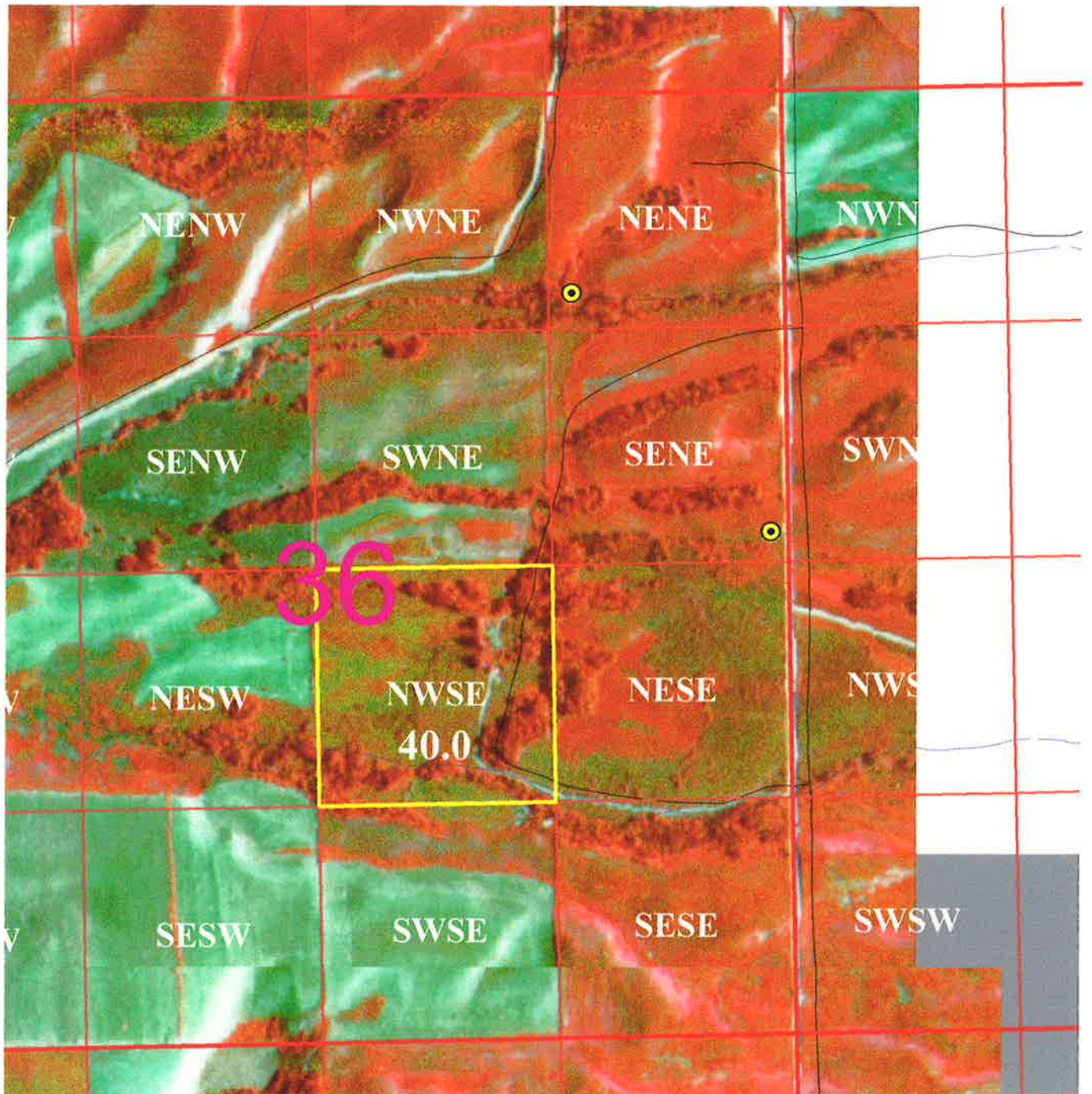


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MAR 07 2006

Water Right Claim Number A29-04038A

08/11/2000

Township , 7S36E



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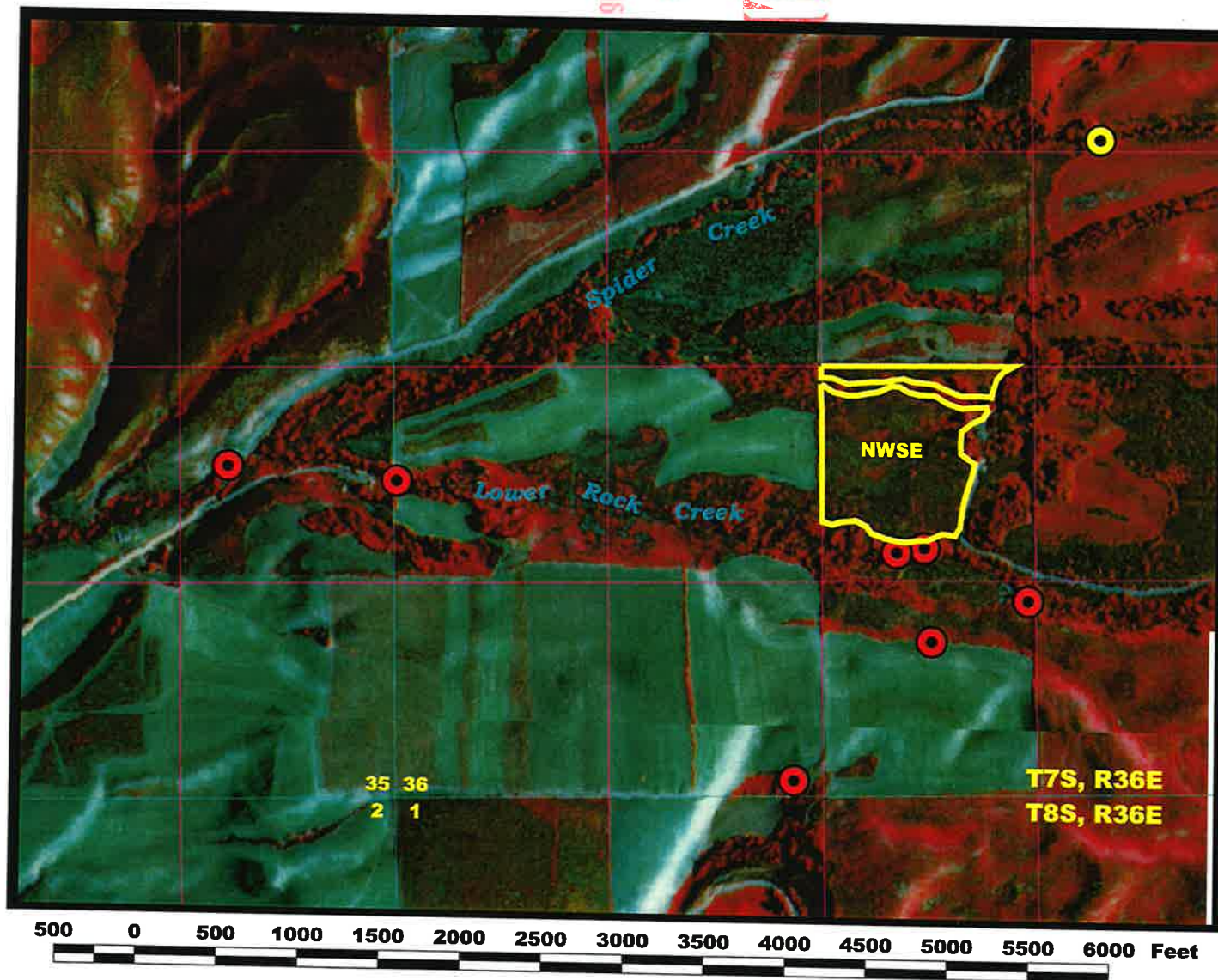
State of Idaho

Department of Water Resources

Eastern Region



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MAR 0 2006
PROFIT



Water Right(s):

29-04038A

**Place of Use: (parts of): T7S, R36E
Sec. 36 NWSE**

**Point(s) of Diversion: T7S, R36E
Sec. 36 SWNENE**



LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter

02/13/2003

allen

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: 29-4038A

ARLEN M LISH

PO BOX 230

KINGSTON ID 83839

Telephone Number: (208)682-3548

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

TOTAL ACRAQE .

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

INCREASE 18 TO 21 ACRES
WATER Right INCREASED BY .086 TO TOTAL OF .846

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

there WAS 3 ACRES ON NORTH SIDE OF PROPERTY MISSED

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

DATE: 9-8-D3

SIGNATURE:

Please print your name:

Arden Lish

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

Arden Lish

4/21/03 Appox Well overlooks from RB - $\Sigma_{ac} = 21^{\circ}$

$Q = 21ac @ 0.02 cfs/ac = 0.42$

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MAR 0 - 2006

CHANGE IN ADDRESS

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim

[] Water Right Number(s): 29-04038A Spdon Ch 4 Sec 3

9-04037 SARAC

☐ Old Mailing Address: _____

[] New Mailing Address: 410 Valleyview Rd

[] Telephone Number: 208 602-3548 FAX: _____

[] Signature of Claimant: Alan Fish

[] Date: Oct 24-01

FOR IDWR USE ONLY:

Initial Review and Data-Entry
Date: By:

Further Action Needed:
Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry
Date: By:



Department of Water Resources

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

ALLEN B. RUBERRY
SR. WATER RESOURCE AGENT
ADJUDICATION BUREAU
PH. (208) 525-7161
FAX (208) 525-7177
 aruberry@idwr.state.id.us

Post-Net Fax Note	7671	Date		# of pages	1
To <i>Amex List</i>		From	<i>IDWR</i>		
Co. Dept.		Co.	<i>AC</i>		
Phone #		Phone #	<i>525-7161</i>		
Fax # <i>682-3549</i>		Fax #	<i>525-7777</i>		

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M **O** **P** **S**

PROFILE

29-04038 (42-225a DC)

Original claim as recorded;

- ① Priority Date: 04/01/1905 - Supported by a statement from Arla Lish; makes reference to WTB being "FILED IN 1905 AND DITCHES MADE AND WERE IN USE..." STATEMENT DATED 9 July 1974.
- ② Sources of Original claim: A.) Lower Rock Cr NWS & Sec. 36
B.) Spider Creek NENE Sec. 36
T. 7S. R. 36E.
- ③ $Q_1 = 1.2$ cfs on 69 acres (irrigation)

SPLIT BY SRBA CLAIMS AS: DOCUMENTS CONTAINED IN Part A.

29-04038A, 0.80 cfs on 40 ac. (Same Priority Date as above)

2 POD's / Sources: Spider Cr @ SW NENE Sec. 36 7S/36E
Spring @ SE SE NENE Sec. 36

* CONTINUATION OF ABSTRACT OF TITLE (CIRCA 1913)

DESCRIPTION... TOGETHER ... CERTAIN SPRINGS ARISING
NORTHEAST OF SAID LAND, ALSO WATERS OF Little Rock Cr.
FOR 40 ACRES.

29-04038B, 0.40 cfs on 26 ac. (Same Priority Date as above)

1 POD / Sources: Lower Rock Cr @ SW NWS & Sec. 36 7S/36E

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Claims: Irrig 0.40 → NON-ADDITIVE = 0.40 cfs
Stock 0.02
(20 CATTLE/Horses)

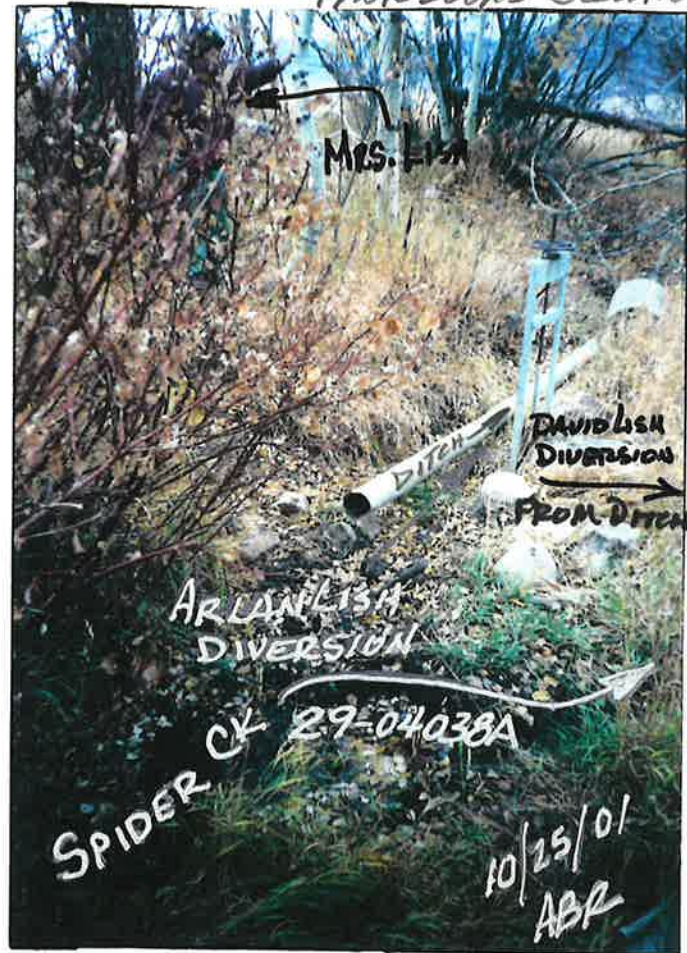
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Σ OF CLAIMS: 1.20 cfs on 66 ac, Spider Cr, Spgs, Lower Rock Cr
Priority April 01, 1905 ⇒ OK

NOTE REMARKS IN #14 OF CLAIM REFERENCING SOURCE(S)
AND POD/System - NONE OF THIS FITS WITH WHATS ON
THE GROUND EXCEPT THAT PART FOR 29-7204 SHOWN IN
THE PHOTO - BUT THATS A LICENSE - THIS CLAIM A BW.

Photo looks Southwesterly



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THE DITCH SHOWN HERE (WITH THE POD IN IT) TURNS IN A
SOUTHWESTLY DIRECTION FLOWING TO CLAIMED POD NEAR
THE HOUSE. POD IS THE PILE OF ROCKS SHOWN IN OUR #
29-04038A. AFTER REACHING THE HOUSE THE DITCH AGAIN
TURNS SOUTH AT PLACE OF USB. ANOTHER SOURCE OF
SPRING IS CLAIMED IN SESENE SEC. 36 BUT IT WAS NOT
LOCATED BY CONTRACTOR OR MYSELF.

MAY 18 2001

29-04038 A10/25/01 RENTAL: Mike Christensen 775-3250

Mike Christensen SHOWED CLAIMED POD AREAS AND POA AREAS.

I. Photo of Diversion Attached is from Spider Cr.
Shows delivery of TWO Rts from Spider Cr.II. POA is BY stretch of IMAGINATION- DOES NOT
APPEAR to HAVE RECENT IRRIGATION- ALTHOUGH
THE DITCHING IS DONE WORKED ON. Crooks Dry.III. Q claimed @ 0.80. $18^{\circ}\text{ac} \times 0.02 = 0.36 \text{ cfs (RECOMMENDED)}$
ON 40 AC.
Spider Cr onlyFIELD EXAM: 10/25/01

✓ ① POD'S/SOURCES

✓ ② POA Layout

③ MEASUREMENTS $\Rightarrow$ Contractor $\Rightarrow$ NO WATER - Stream is Dry
in October

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Spider Creek

NWSE
18

Lower Rock Creek

35 36

2 1

T7S, R36E

T8S, R36E



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID 29 4038 A

POD ID 181758

Quad Bonneville Peak

Claim Type S

Easting 0

Northing 0

GPSID

Diversion Description

Located drainage channel, but could not find any permanent or temporary diversion.

Assumptions

Diversion does not exist. OF COURSE NOT. WHEN YOU'RE IN THE WRAID PLACE - SEE MY PHOTO - READ THE MAP

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin)
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

10/25/01

14.22

0

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
- ☐ Half full
- ☐ More than half full
- ☐ Full

Diameter 0

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

Measure taken for Lic. of 29-7204. Primarily Data show Differences

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IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

Diversion Description

RIGHT ID 29 4038 A

ABANDONED MAKINGS OF A DAM

POD ID 181757

Quad Bonneville Peak

Claim Type S

Easting 648255

Northing 187448

GPSID A0011644

Assumptions

Invoice

2000-037-01-0

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked

OD ID 181757 01.JPG

Photos

OD ID 181757 02.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
- ☐ Half full
- ☐ More than half full
- ☐ Full

Diameter 0

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity 0

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☐ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
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Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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03/07/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO. 29-4038

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARLA M LISH RT 1 BOX 117 INKOM, ID 83245

Priority Date: 04/01/1905
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary to</u>
LOWER ROCK CREEK SPIDER CREEK	PORTNEUF RIVER PORTNEUF RIVER

*This don't happen
any more - if it ever is*

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	1.2 CFS		
Total Diversion			1.2 CFS		

Location of Point(s) of Diversion:

NENE	Sec. 36	Township 07S	Range 36E	BANNOCK County
NWSE	Sec. 36	Township 07S	Range 36E	BANNOCK County

IRRIGATION Use:
Acre Limit: 69

Place(s) of use:

Place of Use Legal Description: IRRIGATION BANNOCK County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
08S	36E	1		NENW	40		NWNW	9		SWNW	20			

Total Acres: 69

Remarks:

1. General SOURCES ARE SPIDER CK. & LOWER ROCK CK.

Dates:

Licensed Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Application Received Date:
Protest Deadline Date:
Number of Protests: 0

Other Information:

Receipt Number(s):
State or Federal:

Log for claim A29-04038A

Spatial Dynamics AMH

8/11/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
07s36e	36	NWSE	40	40	
Totals:			40	40	

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MAR 07 2006

 **SPATIAL
DYNAMICS**

AJ5809NP
No. A29-04038A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/00
PAGE: 139

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ARLEN M LISH BOX 230 KINGSTON ID 83839 (208) 682-3548	04/01/1905	IRRIGATION	04-01 11-01	0.800 CFS	
TOTAL DIVERSION:					0.080 CFS	

Water Source: SPIDER CREEK
SPRING

Tributary to: PORTNEUF RIVER
IRRIGATION DITCH

Stage: STATUTORY CLAIM

Point(s) of Diversion: T07S R36E S36 SWNE SESENE 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	36	:																	:	
																			40	:	40.0
																			TOTAL ACRES	:	40.0

POU County: BANNOCK

Other Rights: DOMESTIC & ORCHARD WATER A29-04037

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A29-07204

Other Water Rights Listing Overlapping Place(s) of Use:
A29-04037

Remarks: GEN THIS WATER RIGHT WAS SPLIT AS PER WILL OF ARLA M. LISH. THE
TOTAL AMOUNT OF IRRIGATION IS LIMITED TO 69 ACRES.
THE DIVERSION WORKS INCLUDE A DITCH FROM THE RIVER TO A PIPE.
THE SPRING FLOWS INTO THE DITCH NEAR THE PIPE INTAKE. THE PIPE
TAKES THE WATER TO THE DITCH GRAVITY FLOW IRRIGATION SYSTEM.

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

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

Audit: 10/16/89 BEARDSLE 07/15/94 THOMPSON 03/29/95 POST-STD

CORRECTION
3-1
DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVES

745187

740427

THIS DEED, made by DAVID H. LISH, ARLEN M. LISH, SHARON LAKE, and ANA LEE LISH, as Personal Representatives of the Estate of ARLA M. LISH, Deceased, Grantors, to ARLEN M. LISH, individually, and ARLEN M. LISH, as Conservator of the estates of JEFFREY JACK LISH, ZACHARY SAMUEL LISH, and BRYCE CLAIN LISH, minors and protected persons, Grantees, whose address is P. O. Box 230, Kingston, Idaho 83839.

WHEREAS, Grantors are the qualified Personal Representatives of said estate, filed as Case No. SP-1434, in Bannock County, Idaho; and

WHEREAS, Grantees are entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantors convey and release to Grantees the following described real property in Bannock County, Idaho:

An undivided one-fourth interest to each Grantee (including the minors and protected persons by and through their conservator) above named in and to the following described real property:

S 1/2 N 1/2 SW 1/4 SE 1/4, S 1/2 SW 1/4 SE 1/4, Section 36, Township 7 South, Range 36 E.B.M., Bannock County, Idaho, containing 30.985 acres, more or less, according to the Record of Survey as recorded in the Office of the Bannock County Recorder.

together with all improvements and appurtenances, and together with rights to water out of Spider Creek.

Grantors further convey and release to Grantees a 50-foot wide easement for ingress and egress over that portion of the following described property consisting of the existing road which intersects with Lower Rock Creek Road and generally runs in a northeasterly direction to the southwest corner of the above described property:

A tract of land situate in Government Lot 3 of Section 1, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the N.W. corner of said Government Lot 3 (W 1/16 corner) monumented with a 5/8 inch diameter rebar with a plastic cap attached marked L.S. 4477; thence S. 0°16'02" W., along the westerly boundary of said Government Lot 3 a distance of 915.21 feet to the centerline of Lower Rock Creek Road; thence along said centerline as follows: 155.73 feet along the arc of a 1339.39 foot radius curve left the long chord of which bears N 77°57'15" E., a distance of 155.64 feet; thence N. 74°37'24" E., a distance of 58.68 feet; thence N. 69°23'47" E., a distance of 248.75 feet; thence 130.52 feet along the arc of a 508.94 foot radius curve left the long chord of which bears N. 62°02'57" E., a distance of 130.17 feet; thence N. 54°42'08" E., a distance of 246.11 feet; thence 136.39 feet along the arc of a 143.46 foot radius curve right the long chord of which bears N. 81°56'13" E., a distance of 131.31 feet; thence S. 70°49'40" E., a distance of 182.88 feet; thence 163.11 feet along the arc of a 145.79 foot radius curve right the long chord of which bears S. 38°46'23" E., a distance of 154.73 feet; thence S. 6°42'51" E., a distance of 101.07 feet; thence 80.69 feet along the arc of 91.54 foot radius curve right the long chord of which bears S. 18°32'12" W., a distance of 78.10 feet; thence S. 43°47'16" W., a distance of 134.77 feet; thence 267.85 feet along the arc of a 138.32 foot radius curve left the long chord of which bears S. 11°41'10" E., a distance of 227.92 feet; thence S. 67°09'39" E., a distance of 263.39 feet; thence leaving said centerline N. 0°03'43" W., along the easterly boundary of said Government Lot 3 a distance of 1340.95 feet; thence S. 89°46'48" W., a distance of 1334.04 feet to the Point of Beginning.

This parcel contains 25.33 acres, more or less. This parcel is subject to a 25 foot road right of way along the southerly boundary.

All according to the Record of Survey as recorded in the Office of the Bannock County Recorder.

Excepted from the property conveyed and released to Grantees herein is an easement for use, inspection, maintenance and repair of an existing underground water pipeline, with said easement running in favor of the owners of the following described property:

A tract of land situate in Government Lot 4 of Section 1, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho, more particularly described as follows:

Beginning at the N.W. corner of Government Lot 4 (section corner) monumented with a 3 inch diameter brass tablet marked Bannock County; thence N. 89°46'48" E., along the Northerly boundary of said Government Lot 4 a distance of 1334.04 feet; thence S. 0°16'02" W., along the easterly boundary of said Government Lot 4 a distance of 808.68 feet; thence S. 85°32'54" W., a distance of 947.08 feet; thence S. 87°35'19" W., a distance of 395.75 feet; thence N.

745187
740427

3-3
0°36'02" E., along the westerly boundary of said Government Lot 4 a distance of 893.75 feet to the Point of Beginning.

This parcel contains 26.31 acres, more or less.

All according to the Record of Survey as recorded in the office of the Bannock County Recorder.

EXECUTED THIS 15 day of November, 1984.

David H. Lish
DAVID H. LISH

Arlen M. Lish
ARLEN M. LISH

Sharon Lake
SHARON LAKE

Ana Lee Lish
ANA LEE LISH

Personal Representatives of the Estate of Arla M. Lish, Deceased

STATE OF IDAHO)
County of Bannock)

On this 15 day of November, 1984, before me, the undersigned Notary Public in and for said State, personally appeared David H. Lish, Arlen M. Lish, Sharon Lake, and Ana Lee Lish, known to me to be the persons whose names are subscribed to the within instrument, as Personal Representatives of the Estate of Arla M. Lish, Deceased, and acknowledged to me that they executed the same as such Personal Representatives.

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

Patricia Boring
Notary Public for Idaho
Residing at: Pocatello, Idaho

NOTARY SEAL

Rerecorded to correct property description.

NO. 745187
RECORDED BY REQUEST OF
Brent Roche
'85 MAR -6 A9:52
OFFICIAL RECORD BY NO. 421
BANNOCK COUNTY CLERK
LARRY W. GILMAN RECORDER
FEE 6.00 DEPUTY ka

NO. 740427
RECORDED BY REQUEST OF
Brent Roche
'84 DEC -7 A9:27
OFFICIAL RECORD BY NO. 417
BANNOCK COUNTY CLERK
LARRY W. GILMAN RECORDER
FEE 6.00 DEPUTY ka

Chas M. Lusk
Continuation of Abstract of Title.

Sheet No. 4

Miller & Vile, First Mortgage Loans, Salt Lake City, Utah.

Abstract No.

Heber K. Peirce and Inez C.
Peirce, his wife.

Character of Instrument, Mortgage
Date of Instrument, July 12, 1913,
Date of Record, July 19, 1913, 10:35 A.M.
Book "17" of Mortgages, Page 247 Records of
Bannock County, State of Idaho.
Consideration, \$ 1200.00

TO
Union Central Life Insurance
Company, a corporation.

Acknowledgment.

Date July 14, 1913, acknowledged before
Charles O. Benting, a N. P.
in and for Bannock County, State of Idaho.
Is official seal attached? Yes
Is the acknowledgment regular? Yes
Does wife duly acknowledge on examination without the hearing of
her husband?

What is the date of maturity? July 12, 1923
When is the interest payable? Annually

\$ U. S. Internal Revenue Stamps attached and duly canceled.
Where principal and interest payable? Cincinnati, Ohio.

DESCRIPTION: Lands in Bannock County, State of Idaho.

Lots Three (3) and Four (4) and the South half of the Northwest
quarter of Section One (1) Township Eight (8) South of Range Thirty-
six (36) East of the Boise Meridian, in Idaho, containing 160 acres,
more or less, according to the Official Plat of the survey of the said
lands returned to the General Land Office by the Surveyor General,
Together with all the waters of certain springs arising Northeast
of said land, also waters from Little Rock Creek for forty (40) acres.

If released on margin of record give VERBATIM COPY of RELEASE.

MICROFILMED

13 1992

NOTE: Are there any irregularities or defects in instrument or release?

'ARLA WISH'S WILL

I have by will & sign

The following property to my children & Grandchildren

from all debt and

Incumbrance, Taylor said

Administered

Signed

William J. Ash

Lot 3 - South of Lower R. Road

Belongs to Anna Lee, House & Barn

etc.

Remainder of Lot 3 - To Lee Ann & Children

Anna Lee - Guardian this land can

not be sold only with her permission

then only to members of family

Claudia v. used

Sherry - Lake extends

both of Road to include

side ditch

David & Ash & Children

Remainder of Lot 4 together

with water out of Lower

Rock Creek - a portion of this

should go to

Cl. Lee & Chas' Burnhardt. Signed Clara M. Ash

relative out of Spider Creek

30 acres

S36 T75 R36E

S7/2 SW 1/4 SE 1/4

S7/2 N 1/2 SW 1/4 SE 1/4

Arden Lee & Children

Lot 3

Lee Ann & Children

4.1 acres

Anna Lee

Sec. I TWP 8, S Rng. #36 E.B.M.

Lot 4

David & Ash & Children

4.0 acres

Sharon & Children

1320 #4

985 to N. Cor.

1320 #4

50 ft. R of Hwy

100 purchase

183

1320 lot #4

WEST

CR. Road

E. S. C. W. - given
L. A. P. A. - B. W. C.
Anna Lee & Children
Equal part
Signed Clara M. Ash

Claudia

W. C.

Children

80 acres

Sec. I, TWP 8, S Rng. #36 E.B.M.

Sharon & Children

1320 #4

985 to N. Cor.

1320 #4

50 ft. R of Hwy

100 purchase

183

1320 lot #4

WEST

CR. Road

Ronald Anderson

Signed Clara M. Ash

MICROFILMED
NOV 13 1992

MAR 07 2006

SCANNED

NOTICE OF APPROVAL
BY

FEDERAL LAND BANK ASSOCIATION OF Preston, Idaho OFFICE NO. 9-D

\$5,000

AMOUNT APPLIED FOR

TO: Arla M. Lish

128083

F. L. B. NO.

Rt 1, Box 117

Inkom, Idaho

2647-B

ASS'N. APPL'N. NO.

WE ARE PLEASED TO ADVISE THAT THE LOAN COMMITTEE OF THE ABOVE FEDERAL LAND BANK ASSOCIATION HAS CONSIDERED YOUR APPLICATION AND HAS APPROVED A FEDERAL LAND BANK LOAN, TO BE SECURED BY A FIRST MORTGAGE, AS FOLLOWS:

AMOUNT	F.L.B.A.	TERM	RATE	REPAYMENT	ACRES	INSURANCE					
	STOCK			PLAN		HOUSE	BARN	GRANARY	OTHER		
\$5,000	\$250	20 Yrs	5½%	Standard	190		None				

Private Water Rights: 40 M.I., Evidenced by Use, Lower Rock Creek
10 M.I. " " Spider Creek

Proceeds of the loan to be disbursed for the purposes listed in the application.

NOV 13 1992
MICROFILMED

WATER RIGHT TO MRS. PEOPLES (KELLER PLACE)

WATER DECREE OF DELL R. LISH,

Owner of lots one two and three of section 2, Township 8 south, Range 36 E.B.M. and it was decreed to the said Dell R. Lish the right to use for the irrigation of the last described lands, and for culinary and domestic purposes, 2 (two) cubic feet per. second of time at all times, of the water mentioned. The same being known as LOWER ROCK CREEK, a tributary of the Portneuf River, the right to the use there of to date from the 19th. day of June 1902, and the said waters was made appurtenant to the lands aforementioned.

PETE
DAILLIPS

MAR 07 2006

SCANNED

NOV 13 1992

MICROFILMED

10 Feb. 1904, Fifth Dist. court Decreed Dell R. Lish, water from Lower Rock Creek for culinary purposes and irrigation purposes. Said right consists of two cubic ft. per second of time. At all times.

Arla M. Lish water right (Heber Pierce)

Dec 21, 1912

Lots 3 and Four (4) and the South Half of the North east Quarter of section One (1) Township eight (8), South, Range Thirty Six (36), East of the Boise Meridian.

Together with all waters of certain springs arising north east of said land, also waters from Little Rock Creek, some times called Lower Rock creek, for 40 acres of land.

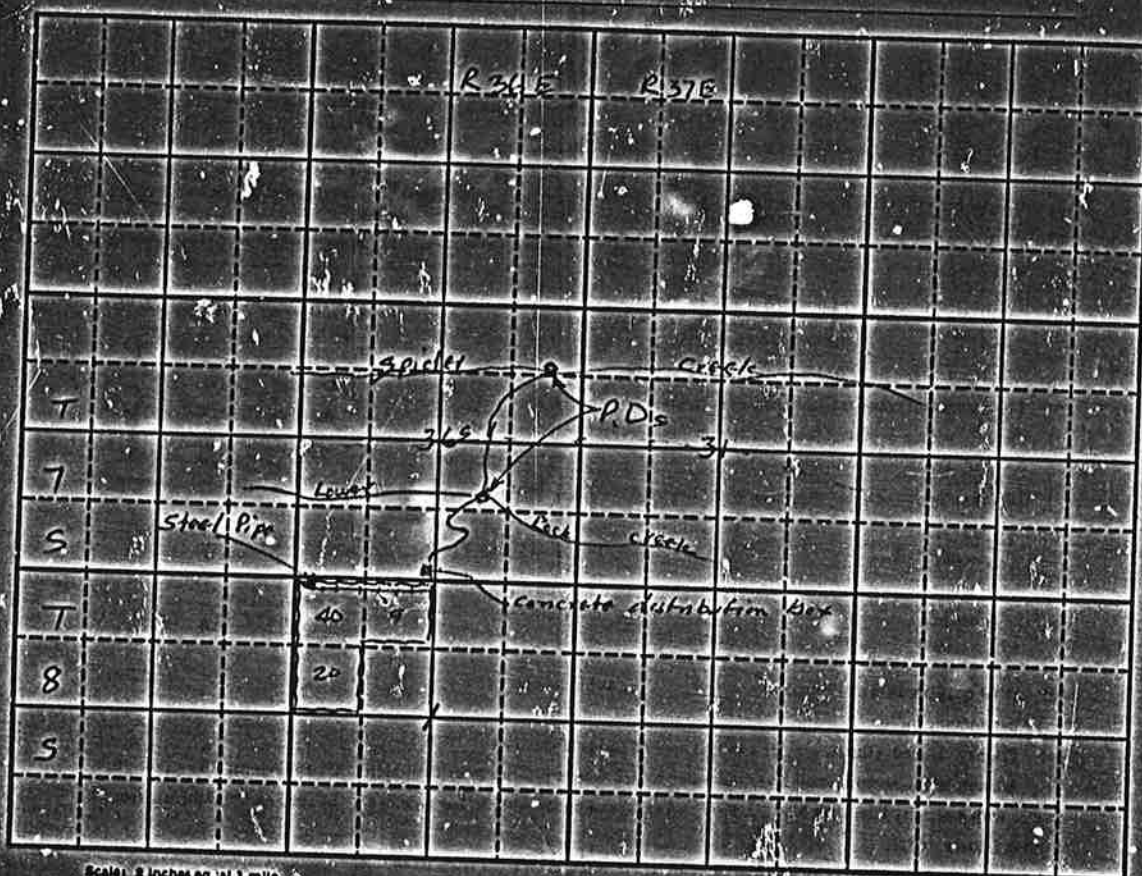
Together with all ditches, Dams and other works used in conveying water to and upon said premises.

MAR 07 2006

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NOV 13 1992
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(8) Remark



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of BONNEVILLE)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15 day of JULY

(Claimant)

Notary Public

Residing at FIRTH, IDAHO

My commission expires 2/19/78

For Department Use Only

Received by MB Date 7-15-74
Prelim. check by MB Date 7-15-74
\$10.00 fee received by MB Date 7-15-74
Approved for publication by US 805/74 #12924
Published in Idaho State Journal
Dates July 25 & August 1, 1974

Exception filed by: _____ Forwarded to claimant by: _____ Date: _____

RECORDED

Continuation of Abstract

Record 7-14-24

Miller & Vile, First Mortgage Loans, Salt Lake City, Utah.

Abstract No.

Heber K. Peirce and Inez C. Peirce, his wife.

Mortgage

Date of Recording July 12, 1913.

Date of Receipt July 19, 1913, 10:35 A.M.

Book 177, Page 247

Bannock County, State of Idaho.

Amount \$1200.00

Union Central Life Insurance Company, a corporation.

Acknowledgment

Date July 14, 1913

Charles O. Benting

acknowledged before

N. P.

in and for Bannock

County, State of

Idaho

Is official seal attached? Yes

Is the acknowledgment regular? Yes

Does wife deny acknowledgment on examination without the presence of her husband?

When is the date of maturity? July 12, 1923

When is the interest payable? Annually

U. S. Internal Revenue Stamp attached and duly canceled.

Where principal and interest payable? Cincinnati, Ohio.

DESCRIPTION: Lands in Bannock County, State of Idaho.

Lots Three (3) and Four (4) and the South half of the Northwest quarter of Section One (1) Township Eight (8) South of Range Thirty-six (36) East of the Boise Meridian, in Idaho, containing 160 acres, more or less, according to the Official Plat of the survey of the said lands returned to the General Land Office by the Surveyor General.

Together with all the waters of certain springs arising Northeast of said land, also waters from Little Rock Creek for forty (40) acres.

If released on margin of record give VERBATIM COPY of RELEASE.

NOTE: Are there any irregularities or defects in instrument or release?

294638

IN THE MATTER OF

Alvin Lusk
State of Idaho
County of Bannock

AFFIDAVIT

being first duly sworn,

deposes and says: I have lived at my present location for the past 43 years and have used the water from Lower Rock Creek and springs arising No 4 East of Lower Rock Creek to Spider Creek. Also the water from Spider Creek arising below Port Pidecock ditch on Red water of Spider Creek.

The water right was filed prior to 1905 and ditches made and were in use at the time we purchased the property in Oct 1931.

Alvin Lusk
(signature)

Subscribed and sworn to before me this 9th day of July 1944

Grace Ashton
(notary public)

Residing at Idaho
My commission expires 7-20-77

29 4038

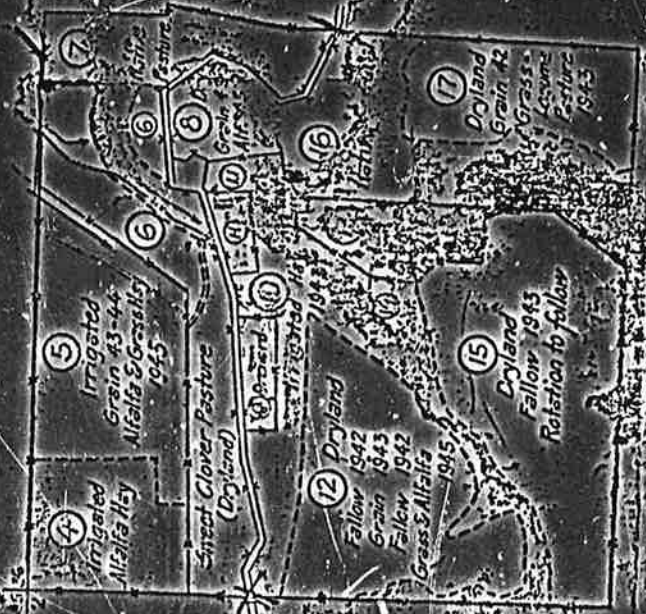
Record 7-11-76
MB



FIELD	ACRES
1	16
2	5
3	15
4	10
5	17
6	15
7	10
8	4
9	2
10	11
11	2
12	20
13	5
14	5
15	25
16	16
17	11
Estimated roads and unfenced lands	11
Total	200 Acres

R36E

T8S



29-4028

Y name same

Sept 3-3-

Spencer

Frank Bell
G.E. Hedger

NE 1/4 SW 1/4 - SE 1/4 NW 1/4 - 105 60 acres

Dec-31-775-1837E

Map 2103-35

Onu
NE 1/4 SW 1/4

NE 1/4 SW 1/4

Onu notes
NE 1/4 SE 1/4

40 acres

on 10/10/60

Barclay H. Bell
46 acres
SW 1/4 NE 1/4

NE 1/4 SE 1/4

536 775. R36E 536-775. R36E

Lower Rd

Lower Rd

Barclay

Concrete Box

Part of driveway and of driveway

Start Sept 1960

59-4038

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: A29-04038A
Date Received: 9/25/1989
Receipt No: N/003408
Received By: RB

RECEIVED

OCT 30 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARLEN M. LISH *410 Valley View* 208-682-3548
Address: ~~BOX 230~~ 83839 *FAX*
KINGSTON, ID

2. Date of Priority: APR 01, 1905

3. Source: SPIDER CREEK SPRING Trib. to: PORTNEUF RIVER IRRIGATION DITCH

4. Point of Diversion:

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

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
IRRIGATION	04/01	11/01	0.800	

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07S	36E	36	NW	SE		IRR	40.0
Section Acres							40.0

A29-04038A

Page 1

Date: 10/16/89

PROFILED

SCANNED
MAR 02 2006

MICROFILMED
NOV 13 1992

A2904038A



10. Place of Use: Continued

Total Acres 40.0

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:
DOMESTIC & ORCHARD WATER A29-04037

14. Remarks:
THIS WATER RIGHT WAS SPLIT AS PER WILL OF ARLA M. LISH. THE
TOTAL AMOUNT OF IRRIGATION IS LIMITED TO 69 ACRES.
THE DIVERSION WORKS INCLUDE A DITCH FROM THE RIVER TO A PIPE.
THE SPRING FLOWS INTO THE DITCH NEAR THE PIPE INTAKE. THE PIPE
TAKES THE WATER TO THE DITCH GRAVITY FLOW IRRIGATION SYSTEM.

15. Basis of Claim: STATUTORY CLAIM

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.

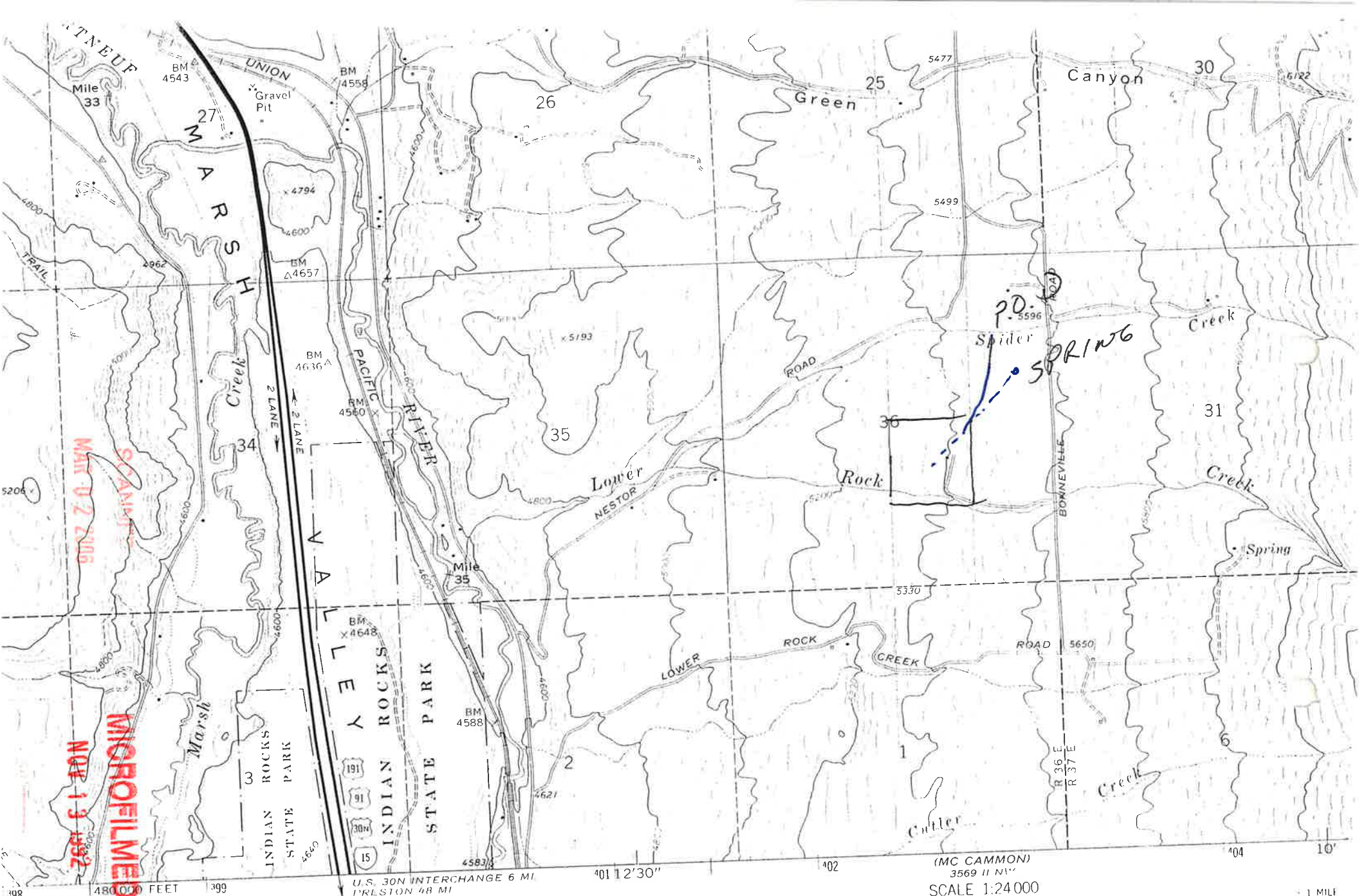
Signature of Claimant(s): *Chew Lih* Date: _____
_____ Date: _____

State of Idaho)
County of Kootenai) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of October 19 89 *Allen Benson*
Notary Public

Seal

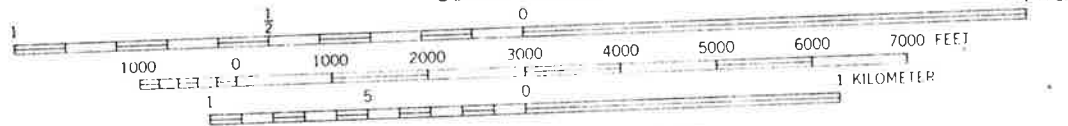
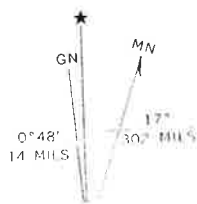
Residing at *Rathbun*
My Commission Expires 7/20/94



edited, and published by the Geological Survey
by USGS and USC&GS

by photogrammetric methods from aerial
photos taken 1967. Field checked 1968

c projection. 1927 North American datum
foot grid based on Idaho coordinate system.



CONTOUR INTERVAL 40 FEET
DOTTED LINES REPRESENT 20-FOOT CONTOURS
DATUM IS MEAN SEA LEVEL