

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

RIGHT NUMBER: 29-4160

NAME AND ADDRESS:

DEBRA HALL
4234 S MARSH CREEK RD
MC CAMMON ID 83250

DONALD K HALL
4234 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: Source: Tributary:
SPRING SINKS

QUANTITY: 0.150 CFS ~~0.700 CFS~~

PRIORITY DATE: 05/24/1888 ~~06/14/1867~~

POINT OF DIVERSION:

T08S R36E S27 NWNWNW Within BANNOCK County
T08S R36E S27 SWNWNW Within BANNOCK County

PURPOSE AND PERIOD OF USE:	Purpose of use	Period of use:	Quantity:
	IRRIGATION	<u>04/01 10/31</u>	<u>0.150 CFS</u>
		~~4/01 11/01~~	~~0.700 CFS~~

PLACE OF USE: IRRIGATION within BANNOCK County

	~~T08S R36E S27 NENW 9.9~~
<u>T08S R36E S27 NWNW 4.9</u>	~~T08S R36E S27 NWNW 24.0~~
	~~T08S R36E S27 SENW 0.6~~

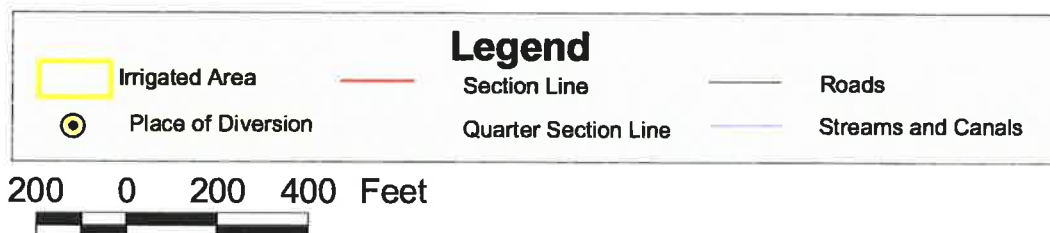
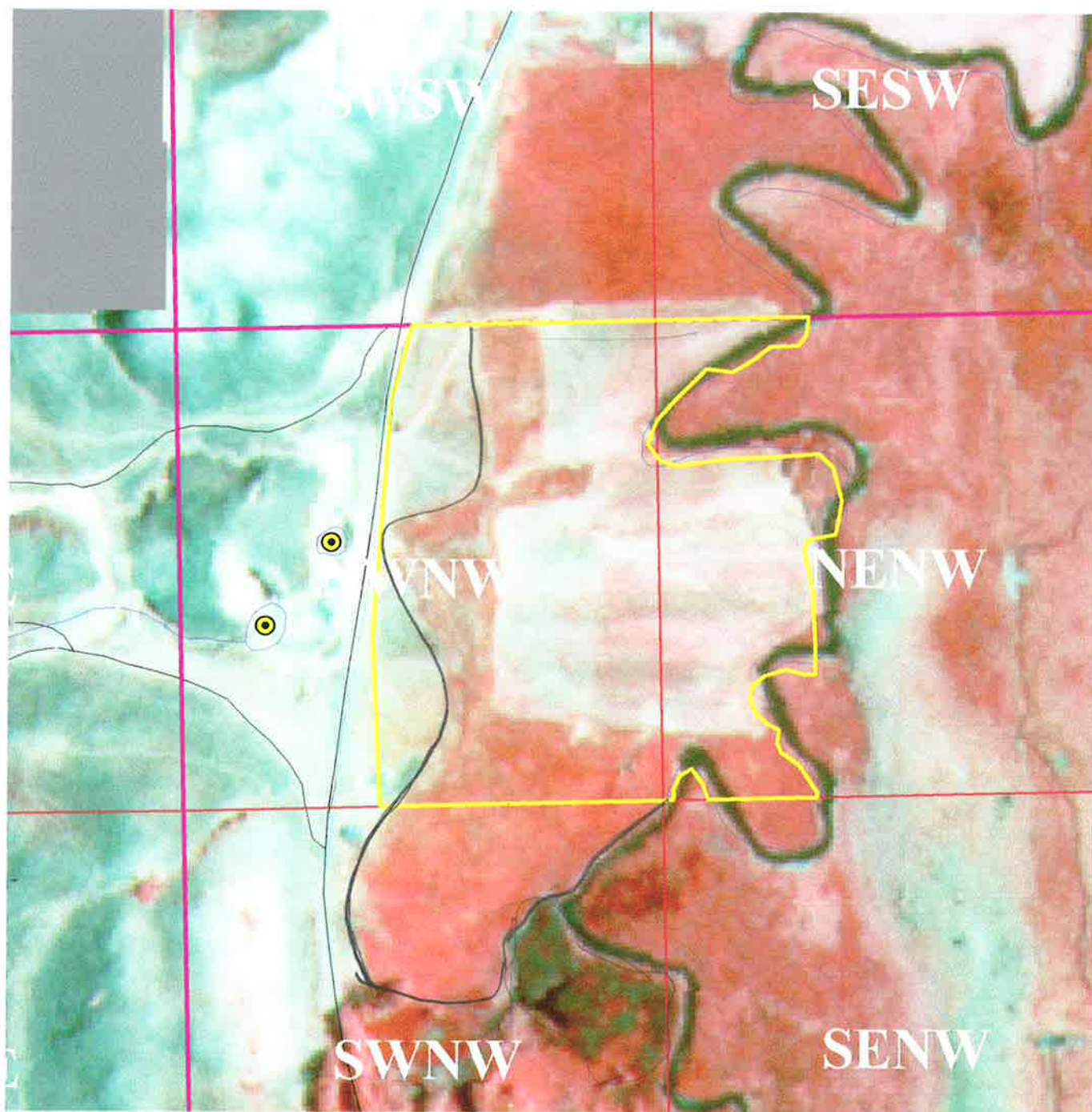
4.9 ACRES TOTAL ~~34.5 ACRES TOTAL~~

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

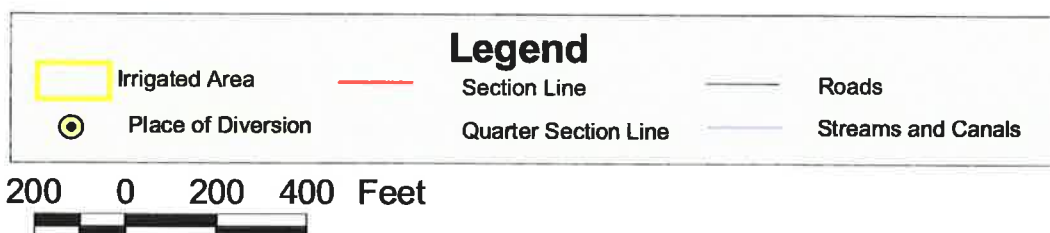
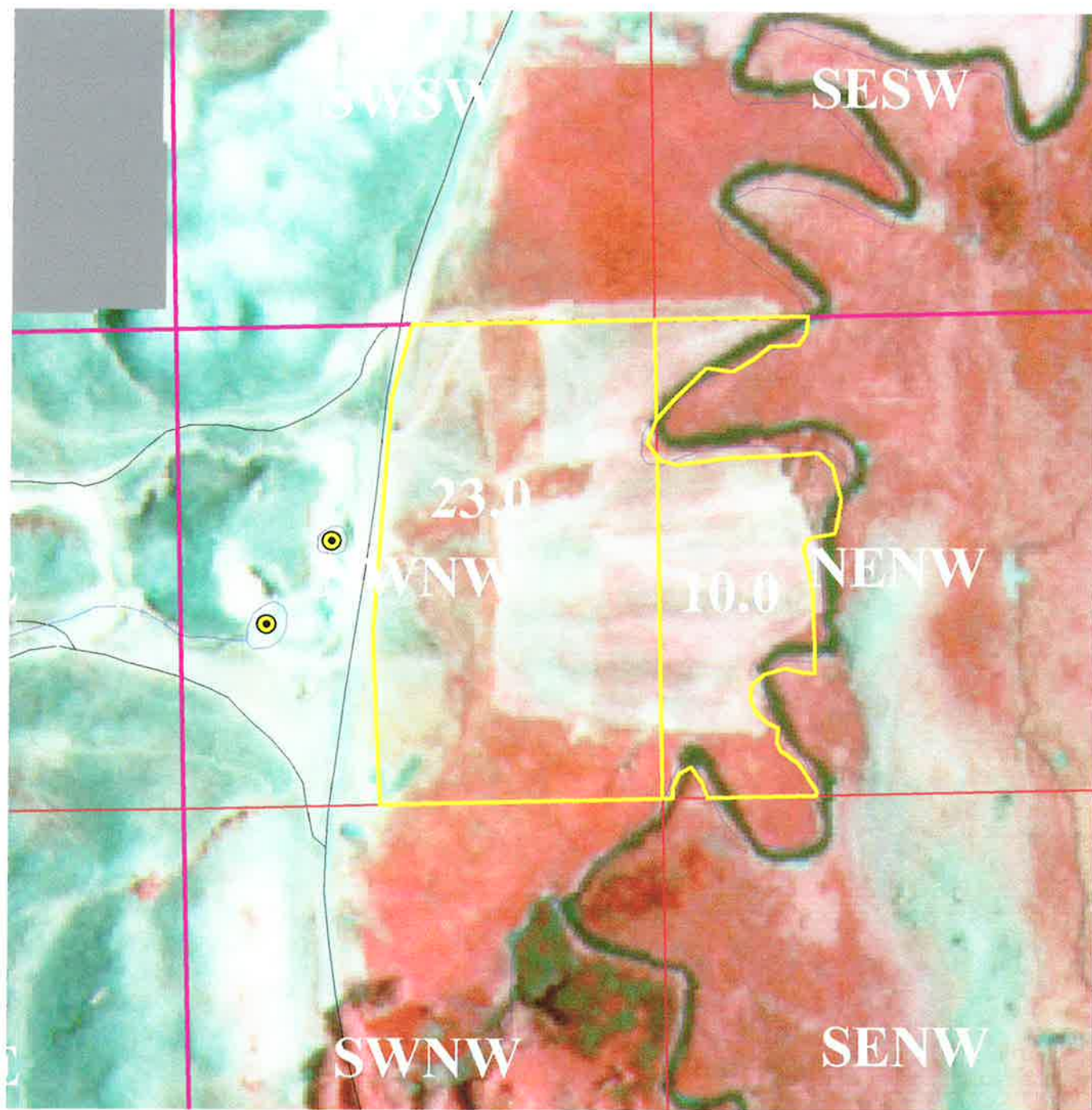
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Township , 8S36E

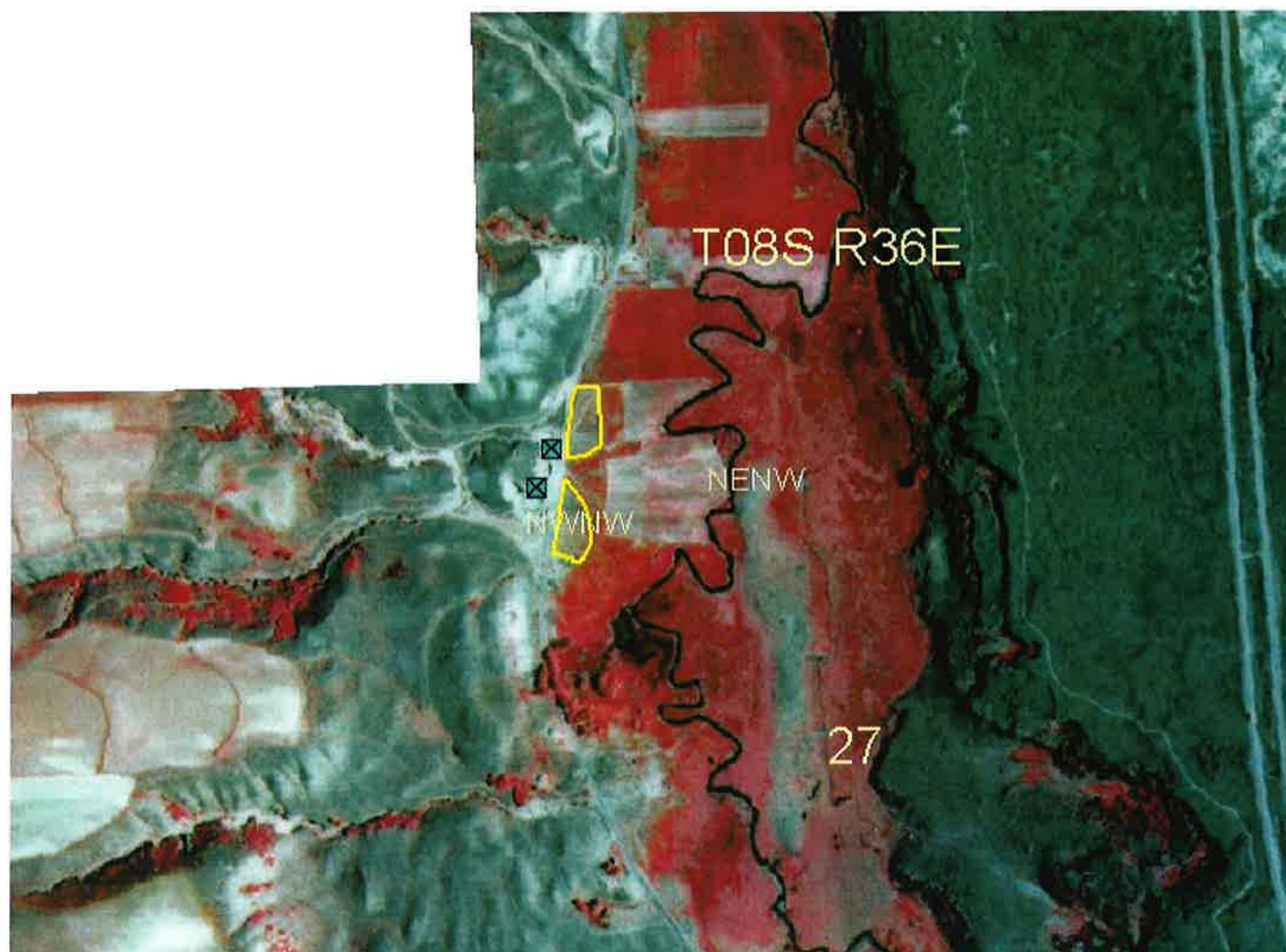


Township , 8S36E



DEPARTMENT OF WATER RESOURCES

Claim No.: 29-4160

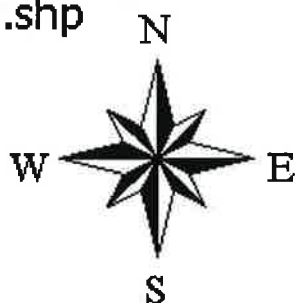


0 1320 2640 3960 5280 Feet

- Point of diversion.shp
- Place of use.shp
- Sections
- QQ

SCANNED

MAR 01 2005



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: E. Carlsen
Date: September 2004

PROFILE

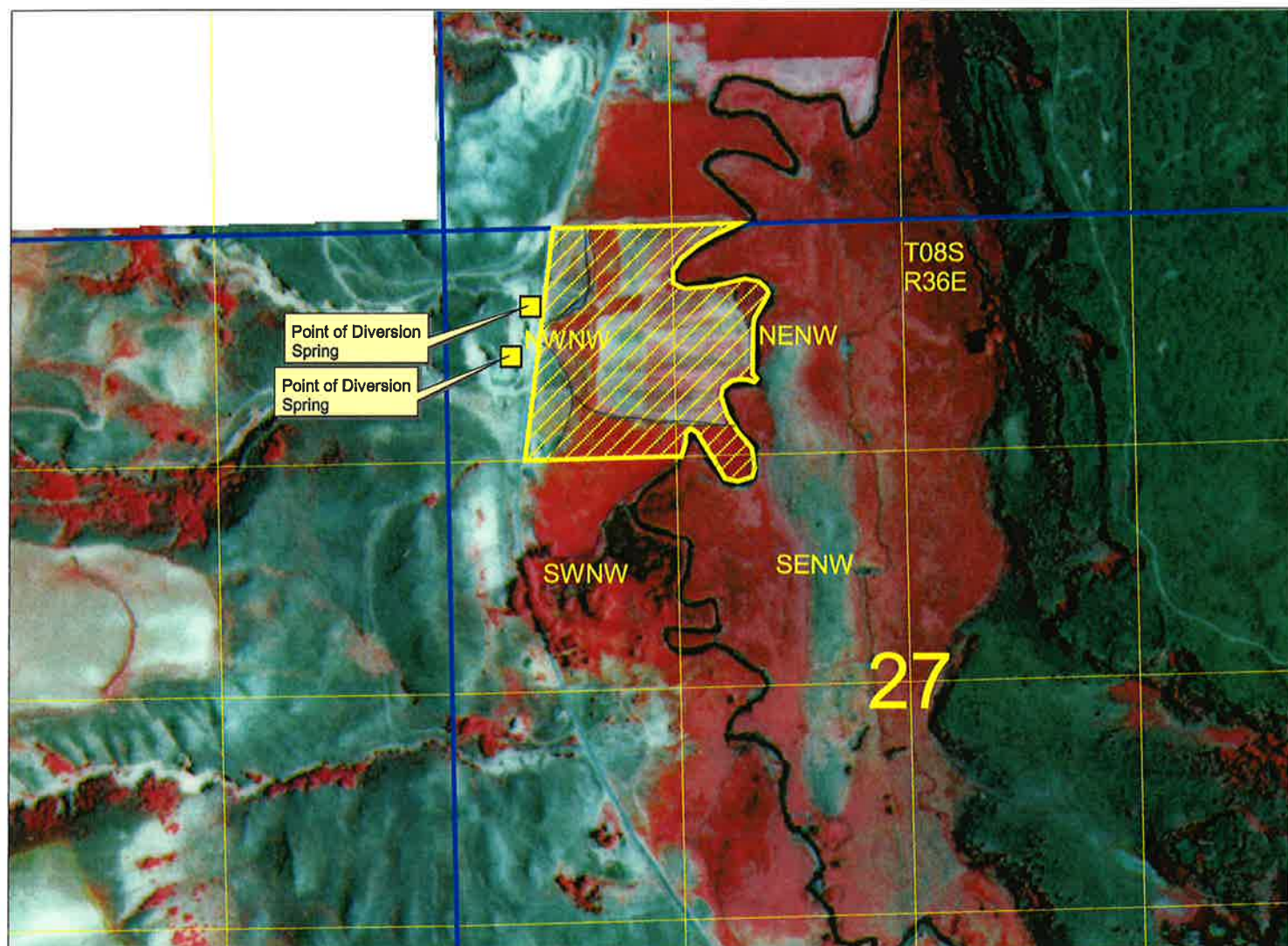


State of Idaho

Department of Water Resources

Eastern Region

Claim No.: 29-4160



0.2 0 0.2 0.4 Miles

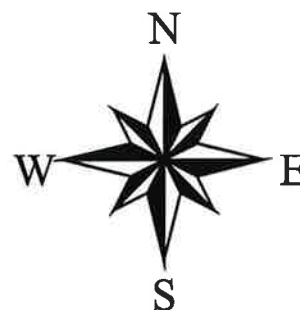
Irrigated Acres = 34.5

PROFILED

-  Diversion.shp
-  Place of use.shp
-  Sections
-  QQ

SCANNED

MAR 01 2005



GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: January, 2003

DONALD HALL

SENE
Sec. 28

NW NW

MOORE CREEK ROAD

SW NW

Charles
Creek

NW SW

NW SE

SCANNED

MAR 01 2005

PROFILED

8/28/02
dyt message
6pm.

SWNW

MICHAEL HALL

ZELLA HALL

COPIED

SCANNED

MAR 01 2005

254-9234 Mike Hall

Memo

To: file 29-4160 and 29-4161B

From: Roger Warner *WRW*

CC:

Date: 5/2/2003

Re:

This memo was prepared in order to summarize the chain of title to the Donald K. Hall property. Evidence substantiating this memo is included in the file.

1. Nanneatse Stone (Sometimes shown as "Man-ne-at-se"), Allottee #32 of Ft. Hall, Idaho
2. Ella Nephi Smart, daughter of Nanneatse, Allottee # 1203 and Henry Teton, husband to Ella, both of Ft. Hall, Idaho.
3. Lew Carlile and Wilda Carlile of McCammon Idaho.
4. Walter and Delsa Hayden of Pocatello, Idaho.
5. Clark L. and Mary J. Hubbard, of Hamilton, Montana.
6. Harry W. and Veda S. Anderson of Ann Arbor, Michigan.
7. Carl and Paul Wrensted of Pocatello, Idaho.
8. Charles S. Hall of Bannock County, Idaho
9. Donald Charles Hall of Pocatello, Idaho.
10. Zella Hall, wife of Donald Charles Hall and heir of his estate.
11. Donald K. and Debra Hall of McCammon, Idaho. Present owners and water right applicants.

SCANNED
MAR 01 2005

PROFILED

INSTRUMENT NO. 184358 V

PRINTED & BOUND, BUT NOT RECORDED

~~WARRANTY DEED~~

This Indenture, Made this 24th day of April in the year of Our Lord
One Thousand Nine Hundred and thirty-six, between Lew Carlile and Wilda Carlile, husband and
 of McCummon, County of Bannock State of Idaho wife, the part 1st of the
 first part, and James J. Facor the part 1st of the
 of second part: County of Bannock State of Idaho, the part y of the

WITNESSETH: That the said part y of the first part, for and in consideration of the sum of
One and no/100

lawful money of the United States of America, to them in hand paid by the said part y of the second part, the receipt
 whereof is hereby acknowledged, do
 by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said part y of the second part, and to
 his heirs and assigns forever: All those certain lot s, piece s or parcel s of land situate, lying and
 being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The South half of the Northeast quarter of Section 28, Township 8 South,
 Range 36 E. B. M., containing eighty acres more or less;

Also all those portions of the Southwest quarter of the Northwest quarter, and all those
 portions of the Southeast quarter of the Northwest quarter of Section Twenty-seven,
 Township 8 South, Range 36 E. B. M., lying and being west of the center line of Marsh
 Creek as the said creek is now located through said lands, said description containing
 forty acres more or less;

Also all that portion of the South half of the Southwest quarter of Section 22, Town-
 ship 8 South, Range 36 E. B. M., lying west of the center line of Marsh Creek as now
 located, containing seventy acres more or less, the said description being also des-
 cribed as all that portion of Indian Allotment No. 31, lying west of the center line
 of Marsh Creek.

Together with all water, water rights, ditch and canal rights thereunto belonging or
 in anywise appertaining.

The grantors will pay all taxes on said property for the year 1935 and prior years,
 the grantor to pay all taxes thereafter.

There is reserved from this deed all rights for right of way or easements owned by the
 Utah Power Company, a corporation.

(\$4.50 I. R. S. Attached and cancelled.)

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or otherwise appertaining, and the
 rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular: the said premises, together with the appurtenances and privileges thereunto incident, unto
 the said part y of the second part, and to his heirs and assigns forever. And the said part 1st of the first part,
 and their heirs and assigns warrant the said premises in the quiet and peaceable possession of the said part y of the second part,
 his heirs and assigns against the said part 1st of the first part, and their heirs and against all and every
 person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these premises forever defend.

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Roy L. Black

Lew Carlile (SEAL)

Wilda Carlile (SEAL)

SCANNED

MAR 01 2005

STATE OF IDAHO,

County of BANNOCK ss.

On this 24th day of April, in the year 1936, before me, Roy L. Black
 a Notary Public in and for said County and State, personally appeared LEW CARLILE and WILDA CARLILE,
 husband and wife, known to me to be the person s whose name s are
 subscribed to the within instrument, and acknowledged to me that they executed the same.
 IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in the certificate first above written

ROY L. Black

PROFILED

(2) THIS INDENTURE, Made this 26th day of June, in the year of our Lord one thousand nine hundred and forty-two, between James J. Facer and wife, Emma J. Facer of Hyrum County of Cache State of Utah, the parties of the first part, and James Vere Facer, Redmor May Facer; and Ethel F. Farnworth, of , County of Bannock, State of Idaho, the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One dollar and love and affection, lawful money of the United States of America to in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in McCammon, County of Bannock State of Idaho, to-wit:

The South half of the Northeast Quarter of Section 28, Township 8 South, Range 36 East, B.M., containing eighty acres more or less; Also all those portions of the Southwest quarter of the Northwest Quarter, and all those portions of the Southeast Quarter of the Northwest Quarter of Section twenty-seven, Township 8 South, Range 36 East, B.M., lying and being west of the center line of Marsh Creek as the said creek is now located through said lands, said description containing forty acres more or less;

Also all that portion of the South half of the Southwest Quarter of Section Twenty-two, Township 8 South, Range 36 E., B.M., lying west of the center line of Marsh Creek as now located, containing seventy acres more or less, the said description being also described as all that portion of Indian Allotment No. 31, lying west of the center line of Marsh Creek.

Together with all water, water rights, ditch and canal rights thereunto belonging or in anywise appertaining.

There is reserved from this deed all rights for right of way or easements owned by the Utah Power Company, a corporation.

Also Northeast Quarter of the Northeast Quarter of Section Twenty-eight, Township 8 South, Range 36 East of Boise Meridian.

Also the West half of the Southwest quarter of Section Twenty-seven, Township 8 South, Range 36 East of the Boise Meridian, in Idaho, subject to any and all rights-of-way now existing over or across said lands.

Together with any and all water, water rights, ditches or ditch rights.

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

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

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF
S. A. Dunn

James J. Facer (SEAL)
Emma J. Facer (SEAL)

STATE OF UTAH)
)ss.
County of Cache)

PROF

On this 26th. day of June in the year 1942, before me Simon A. Dunn, a Notary Public in and for said State, personally appeared James J. Facer and his wife Emma J. Facer known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)
My commission expires January 12, 1943.

Simon A. Dunn
Notary Public, Residing
at Hyrum, Utah.

RECORDED JAN 2 1943 at 9 30 AM in Book 67 of Deeds at page 102, records of Bannock County.

SCANNED

MAR 8 1 2005

(3)

THIS DEED, made this 5th day of August in the year of our Lord one thousand
hundred and forty-four, between James Vero Pacer and wife Bertha Pacer-Redmond
of the State of Idaho, the parties of the first part, and James J. Pacer of Hyrum, County
of Idaho, the party of the second part.

WITNESSETH, that the said parties of the first part, for and in consideration of the
sum of one hundred and forty-four DOLLARS, lawful money of the United States of Amer-
ica, to them paid by the said party of the second part, the receipt whereof is here-
unto set forth, have granted, bargained and sold, and by these presents do grant, bargain,
convey and confirm unto the said party of the second part, and to his heirs and assigns
forever, all of the following described real estate, situated in McCamden, County of Bannock,
State of Idaho, to-wit:

The North half of the Northeast Quarter of Section 28, Township 8 South, Range 36
East, B.M., containing eighty acres more or less;

Also all those portions of the Southwest Quarter of the Northwest Quarter,
and all those portions of the Southeast Quarter of the Northwest Quarter
of Section twenty-seven, Township 8 South, Range 36 East, B.M., lying
and being west of the center line of Marsh Creek as the said creek is
now located through said lands, said description containing forty acres
more or less.

Also all that portion of the South half of the Southwest Quarter of Section
Twenty-two, Township 8 South, Range 36 E., B.M. lying west of the center
line of Marsh Creek as now located, containing seventy acres more or less,
the said description being also described as all that portion of Indian
Allotment No. 21, lying west of the center line of Marsh Creek.

together with all water, water rights, ditch and canal rights thereunto
appertaining or in anywise appertaining.

There is reserved from this deed all rights for right of way or ease-
ments owned by the Utah Power Company, a corporation.

Also North east Quarter of the Northeast Quarter of Section Twenty-eight,
Township 8 South, Range 36 East of Boise Meridian.

Also the West half of the Southwest Quarter of Section Twenty-seven,
Township 8 South, Range 36 East of the Boise Meridian, in Idaho,
subject to any and all rights-of-way now existing over or across said
lands.

together with any and all water, water rights, ditches or ditch rights.

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

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises,
together with the appurtenances, unto the party of the second part, and to his heirs and
assigns forever and the said parties of the first part, and their heirs, the said premises
together with the possession of the said party of the second part his heirs and
assigns against the said parties of the first part, and their heirs, and against all and
every person and persons whatsoever, lawfully claiming or to claim the same shall and will
do and by these presents forever DEFEND.

SCANNED
MAR 01 2005

PROFILE

INSTRUMENT NO. 234617

THIS INDENTURE, Made this 19th day of September in the year of our Lord one thousand nine hundred and Forty-Four, between James J. Facer and wife, Emma J. Facer of Hyrum, County of Cache, State of Utah, the parties of the first part, and R. Fay Facer, a widower, of McCammon, County of Bannock, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of One dollar and his love and affection DOLLARS lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate, situated in County of Bannock, State of Idaho, to-wit:

The South half of the Northeast Quarter of Section 28, Township 8 South, Range 36 East of the Boise Meridian, containing 80 acres more or less;

Also all those portions of the Southwest Quarter of the Northwest Quarter, and all those portions of the Southeast Quarter of the Northwest Quarter, of Section 27, Township 8 South, Range 36 East, of the Boise Meridian, lying and being West of the center line of Larch Creek, as the said Creek is now located through said lands, said description containing 40 acres more or less.

Together with all water, water rights, ditch and canal rights thereunto belonging or in anywise appertaining.

Together with an undivided one-third interest in and to all the warm water springs, situated on the above described lands, and to the waters flowing therefrom.

Reserving and excepting an undivided two-thirds interest, in and to, all warm water springs, situated on the said lands, and to the waters flowing therefrom.

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

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

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

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

S. A. Dunn

James J. Facer
Emma J. Facer

(SEAL)
(SEAL)

STATE OF UTAH

ss.

County of Cache

On this 19th day of September in the year 1944, before me Simon A. Dunn, a Notary Public in and for said State, personally appeared James J. Facer and wife Emma J. Facer known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

My commission expires Dec 30, 1946

Simon A. Dunn
Notary Public for the State of Utah
Residing at Hyrum Utah

I hereby certify that this instrument was filed for record at request of RFA at 10:10 a.m. this 20th day of September, 1944, this 5 day of Dec, A. D. 1944 in my office, and duly recorded in Book 402.

MAR 11 1945

Fee \$1.00

PROCT

(5)

INSTRUMENT NO. 256382

THIS INDENTURE, Made this 19th day of September in the year of our Lord one thousand nine hundred and Forty-Four, between James J. Facer and his wife Emma J. Facer of Hyrum, County of Cache, State of Utah, the parties of the first part, and Ethel F. Farnworth of McCammon, County of Bannock, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of one dollar and her love and affection DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to her heirs and assigns forever, all of the following described real estate, situated in County of Bannock, State of Idaho, to-wit:

The North half of the East half of the Southeast Quarter of Section 21, in Township 8 South of Range 36 East of the Boise Meridian, containing 40 acres more or less.

Also--all of the South 40 rods of the following described land to-wit: Also all of that portion of the South half of the Southwest Quarter of Section 22, Township 8 South, of Range 36 East, Boise Meridian, lying West of the center line of Marsh Creek as now located, containing 70 acres more or less, the said description being also described as all of that portion of Indian allotment No. 32, lying West of the center line of Marsh Creek.

Together with all water rights, water, ditch and canal rights thereunto belonging or in any wise pertaining.

There is reserved from this deed all rights of right-of-way or easements owned by the Utah Power Company, a corporation.

Also the South 140 rods, of the West half of the Southwest Quarter of Section 27, Township 8 South, Range 35 East of the Boise Meridian, in Idaho, subject to any and all rights-of-way now existing over or across said lands.

Together with an undivided one-third interest in and to, all warm water springs, and to the waters flowing therefrom, situated on the lands deeded to R. Fay Facer by his father, James J. Facer.

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

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to her heirs and assigns forever and the said parties of the first part, and their heirs, the said premises do warrant and reasonable possession of the said party of the second part, her heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will lawfully and by these presents forever FOREVER.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their

hands and seals at

the first above written.

SIGNED, SEALED AND
DELIVERED OF
S. J. DUNN

James J. Facer

Emma J. Facer

JOHN A. DUNN

County of Cache

On this 19th day of September in the year 1944, before me, Simon A. Dunn, a Not Public in and for said State, personally appeared James J. Facer and wife Emma J. Facer, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed seal of said State, to say and year in this certificate first above written.

SIGNED
IN WITNESS OF MY OFFICE, this 20th day of September, 1944.

Simon A. Dunn
Notary Public for the State of Utah
Residing at Hyrum, Utah.

I hereby certify that this instrument was filed for record at request of Thos. Farnworth, McCammon, Idaho, at 10:40 a.m. West 12 o'clock P.M., this 20th day of March, A.D. 1945, in my office, and duly recorded in Book 93 of Deeds, at page 30.

Anna L. Dunn, Secretary

P. J. Dunn

FILED

SCANNED
MAR 01 2005

(b)
INSTRUMENT NO. 287444
5-183
(January 1947)

Land being conveyed was allotted
to Nanneatse Stone
Allottee No. 32

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Tract No. FHX-2-10

Probate No. 44940-35

DEED TO RESTRICTED INDIAN LAND

THIS INDENTURE, Made and entered into this 3rd day of January one thousand nine hundred and fifty-two, by and between Ella Nephi Smart, Fort Hall Allottee No. 1203, and Henry Teton, her husband heirs of Nanneatse Stone, Fort Hall Allottee No. 32, Probate File No. 44940-35, deceased, a Fort Hall Indian of Fort Hall, Idaho Indians, parties of the first part, and Lew Carlile of McCammon, Idaho, party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Five Thousand one hundred and no/100 (\$5,100.00) dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto said party of the second part the following-described real estate and premises situated in Bannock County, State of Idaho on the Fort Hall Indian Reservation, to-wit:

N/2 N W/4 Sec. 27, T. 8 S. R. 36 E.B.M./containing 80 acres.

This conveyance is made in accordance with the Act of June 18, 1934, (48 Stat. 984).

together with all the improvements thereon and the appurtenances thereunto belonging. And the said parties of the first part, for themselves and their heirs, executors, administrators, do hereby covenant, promise and agree to and with the said party of the second part, his heirs and assigns, that they will forever warrant and defend the said premises against the claim of all persons, claiming or to claim by, through, or under them only.

To have and to hold said described premises unto the said party of the second part, his heirs, executors, administrators, and assigns, forever.

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

WITNESS

Fred McMullen
Helen B. Cutler

Ella Nephi Smart

Her
Print

(Seal)

Henry Teton,
Henry Teton, her husband

Mark

(Seal)

Acknowledgments must be in accordance with the forms prescribed by the State in which the land is situated.

State of Idaho)
County of Bingham) ss.

BE IT REMEMBERED, That on this 3rd day of January, A.D. 1952, before me the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Ella Nephi Smart and Henry Teton, her husband to me personally known to be the identical persons

who executed the within instrument of writing, and such persons duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on the day and year last hereinabove written.

(SEAL)

Fred McMullen Notary Public
Fred McMullen (Title)
Address: Fort Hall, Idaho
My Commission expires December 20, 1954.

UNITED STATES DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS-PORTLAND, OREGON.

The within deed is hereby approved: pursuant to authority delegated to the Area Director by Order No. 551 of the Commissioner of Indian Affairs, dated March 29, 1951 (16 F. R. 2939).

FEB 8, 1952

Area Director

AWT

The within deed is recorded in the Office of Indian Affairs in Volume - Page -
Inherited Indian Land Deed Book. The Portland/ Office Recording Volume 1, page 56, line
22, Tract File No. FHX-10 Area

This instrument was filed for record at the request of Lew Carlile McCammon, Idaho. this
14 day of April 1952, at 11:15 AM, in Book 113 of Deeds, page 545.

Anna Keefe, Recorder

Fee \$1.50

INSTRUMENT NO. 287445

IN THE PROBATE COURT OF BANNOCK COUNTY, STATE OF IDAHO

IN THE Matter of the Estate of
of ROBERT RAY, Deceased,

ORDER SETTLING FINAL
ACCOUNT AND DECREE OF
DISTRIBUTION

On the 12th day of April, 1952, Roland Jenkins, Executor of the Last Will and Testament of Robert Ray, deceased, appeared in person and with his attorney George E.

PROF

SCANNED

MAR 8 1952

211 110 A
Index card new C.

WARRANTY DEED

This Indenture, Made this 7th day of July in the year of Our Lord One Thousand Nine Hundred and Fifty-two, between

LEW CARLILE and WILDA CARLILE, husband and wife,
 of McCammon, County of Bannock, State of Idaho, the parties of the
 first part, and
 WALTER HAYDEN and DELSA HAYDEN, husband and wife,
 of Pocatello, County of Bannock, State of Idaho, the parties of the
 second part;

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of
 TEN DOLLARS and other valuable consideration
 lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is
 hereby acknowledged, do hereby by these presents, Grant, Bargain, Sell and
 Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All that certain
 lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly
 described as follows, to-wit:

Northwest Quarter of the Northwest
 Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$), and all that por-
 tion of the Northeast Quarter of the
 Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) lying West
 of Marsh Creek, all in Section Twenty-
 Seven (27); Township Eight (8) South,
 Range 36 E.B.M.

(U.S.I.R. \$ 3.30 Attached and Cancelled)

Together with, all and singular, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and
 the rents, issues and profits thereof:

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

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Lew Carlile (SEAL)

Wilda Carlile (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

County of BANNOCK

On this 2 day of October, in the year 1952, before me, the undersigned
 a Notary Public in and for said County and State, personally appeared

LEW CARLILE and WILDA CARLILE, husband and wife,

known to me to be the persons whose names are
 subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

G. L. Stowell Notary Public

Residence: Pocatello, Idaho

PROFIT

SCANNED
 MAR 01 2005

(4)
INSTRUMENT NO. 301792

Reissue 6114974.
42158-16. I.O. 32.

THE UNITED STATES OF AMERICA,
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:
4-1067 R

WHEREAS, a schedule of allotments approved by the Secretary of the Interior has been deposited in the General Land Office, whereby it appears that Man-ne-at-se, an Indian of the Fort Hall Reservation, has been allotted the following-described land:

The north half of the northwest quarter of Section twenty-seven in Township eight south of Range thirty-six east of the Boise Meridian, Idaho, containing eighty acres.

according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General:

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in accordance with the provisions of the Act of Congress of February 23, 1889 (25 Stat., 688), HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Man-ne-at-se, and to her heirs, the lands above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Man-ne-at-se and to her heirs forever, with the provision that the title hereby acquired shall not be subject to alienation, lease, or incumbrance, either by voluntary conveyance of the grantee or her heirs, or by the judgment, order, or decree of any court, or subject to taxation of any character, but shall be and remain inalienable and not subject to taxation for the period of twenty-five years, and until such time thereafter as the President may see fit to remove the restriction. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

This patent is issued in lieu of one dated May 3, 1902.

IN TESTIMONY WHEREOF, I Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN Under my hand, at the City of Washington, the TWENTY-NINTH day of MAY in the year of our Lord one thousand nine hundred and SIXTEEN and of the Independence of the United States the one hundred and FORTIETH.

(SEAL)

66186

By the President: Woodrow Wilson
By M.P. LeRoy Secretary
L.Q.C. Lamar Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number
531279

UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Land Management: WASHINGTON 25 D.C. JUL 28, 1954
I hereby certify that this photograph is a true copy of the patent record which is in my custody in this office.

RECORDED AUG 2 1954 3:09 P.M., In Book 118 of Deeds, Page 641, RECORDS OF BUREAU OF LAND MANAGEMENT,
STATE OF IDAHO, at request of B. T.A.Co.

Sarah Deveney, Recorder

Oscar E. Collins
Certifying Officer
Fee \$ 1.25

PROFILED

SCANNED

MAR 01 2005

(9)

Bannock County, Idaho

INSTRUMENT No. 322875

GEO. PRINCE & SONS, INC., POCATELLO, IDAHO 83401

WARRANTY DEED

This Indenture, Made this 27th day of April in the year of Our Lord One Thousand Nine Hundred and fifty-seven, between

WALTER HAYDEN and DELSA HAYDEN, husband and wife,

of Pocatello, County of Bannock, State of Idaho, the parties of the first part, and

CLARK L. HUBBARD and MARY J. HUBBARD, husband and wife,

of Hamilton, County of Ravalli, State of Montana, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

TEN AND NO/100

and other valuable consideration DOLLARS, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of the Northeast quarter, Section 28, Township 8 South, Range 36 East of the Boise Meridian, and that portion of the Southwest quarter of the Northwest quarter of Section 27, Township 8 South, Range 36 East of the Boise Meridian, lying West of the center line of Marsh Creek, excepting road and ditch rights of way.

The North half of the Southwest quarter of Section 22, the Northwest quarter of the Northwest quarter and that portion of the Northeast quarter of the Northwest quarter lying Westerly of Marsh Creek, in Section 27, all in Township 8 South, Range 36 East of the Boise Meridian, Bannock County, Idaho.

Together with all water, water rights, ditch and canal rights appurtenant thereto belonging or in anywise appertaining. Together with all water springs situated on the described lands and to the waters therefrom.

(U. S. I. R. S. \$27.50 Attached to Deed and cancelled.)

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof:

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

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Walter Hayden (SEAL)

Delsa Hayden (SEAL)

(SEAL)

(SEAL)

STATE OF IDAHO,

ss.

County of BANNOCK

On this 27 day of April, in the year 1957, before me, Wesley F. Merrill a Notary Public in and for said County and State, personally appeared CLARK L. HUBBARD and MARY J. HUBBARD, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(Notarial Seal)

Wesley F. Merrill
Notary Public
Residence Pocatello, Idaho

PROFILED

SCANNED

MAR 01 2005

INSTRUMENT No. 322347

WARRANTY DEED

This Indenture, Made this 27 day of April in the year of Our Lord One Thousand Nine Hundred and fifty-seven, between

CLARK L. HUBBARD and MARY J. HUBBARD, husband and wife,

of Hamilton, County of Ravalli, State of Montana, the parties of the first part, and

HARRY W. ANDERSON and VEDA S. ANDERSON, husband and wife,

of Ann Arbor, County of Washtenaw, State of Michigan, the parties of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN AND NO/100-

and other valuable considerations DOLLAR lawful money of the United States of America/to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said parties of the second part, and to their heirs and assigns forever: All that certain lot, piece or parcels of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast quarter of the Northeast quarter, Section 28, Township 8 South, Range 36 East of the Boise Meridian, and that portion of the Southwest quarter of the Northwest quarter of Section 27, Township 8 South, Range 36 East of the Boise Meridian, lying West of the center line of Marsh Creek, excepting road and ditch rights of way.

The North half of the Southwest quarter of Section 22, the Northwest quarter of the Northwest quarter and that portion of the Northeast quarter of the Northwest quarter lying Westerly of Marsh Creek, in Section 27, all in Township 8, South, Range 36 East of the Boise Meridian, Bannock County, Idaho.

Together with all water, water rights, ditch and canal rights appurtenant thereto belonging or in anywise appertaining. Together with all water springs situated on the described lands and to the waters therefrom.

(U. S. I. R. 3. \$27.50 Attached to Deed and cancelled.)

Together with, all and singular, the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining and the rents, issues and profits thereof

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

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Clark L. Hubbard (SEAL)

Mary J. Hubbard (SEAL)

STATE OF IDAHO,

County of BANNOCK

On this 27 day of April, in the year 1957, before me, a Notary Public in and for said County and State, personally appeared CLARK L. HUBBARD and MARY J. HUBBARD, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(Notarial Seal)

Wesley F. Merrill
Notary Public
Residence Pocatello, Idaho

FILED

SCANNED

MAR 01 2005

PROFITLED

the Southeast quarter of the Northeast quarter of
Section 28, Township 8 South, Range 36 East of the
Boise Meridian, and that portion of the Southeast
quarter of the Northeast quarter of Section 27,
Township 8 South, Range 36 East of the Boise Meridian,
lying West of the center line of Narah Creek, excepting
road and ditch strips of way.

Also the North half of the Southeast quarter of Section
27, the Northwest quarter of the Northeast quarter and
that portion of the Northeast quarter of the Northeast
quarter lying West of Narah Creek in Section 27,
all in Township 8 South, Range 36 East of the Boise
Meridian, Blaine County, Idaho.

Together with all water, water rights, ditch and canal rights,
abandonments, interests, benefits or in anywise appertaining
together with all water rights situated on the described
lands and to the waters thereof.

Warranty Deed

002258

42)

117170

WARRANTY DEED

THIS INDENTURE, made this 15th day of June 1965, between Paul Wrensted, surviving partner of the partnership of Carl Wrensted and Paul Wrensted, Paul Wrensted and his wife, Virginia Wrensted, as individuals of Power County, Idaho, and Hazel Wrensted, Administratrix of the estate of Carl T. Wrensted, Carl Theodore Wrensted, Carl Theodore Wrensted and Carl Wrensted, deceased, one and the same person, and as the surviving wife of said deceased and his sole and only heir, Bannock County, Idaho, parties of the first part, and Charles S. Hall, Bannock County, Idaho, party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt of which is hereby acknowledged do by these presents, grant, bargain, sell, convey and confirm unto said party of the second part and to his heirs and assigns forever; All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

east

The South/quarter of the Northeast quarter, Section 28, Township 8 South, Range 36, E.B.M., and that portion of the Southwest quarter of the Northwest quarter of Section 27, Township 8 South, Range 36, E.B.M., lying West of the center line of Marsh Creek, excepting road and ditch rights of way.

The North half of the Southwest quarter of Section 28, the Northwest quarter of the Northwest quarter and that portion of the Northeast quarter of the Northwest quarter lying westerly of Marsh Creek, in Section 27, all in Township 8 South, Range 36, E.B.M., Bannock County, Idaho.

Together with all water, water rights, ditch and canal rights appurtenant thereto belonging or in anywise appertaining. Together with all water springs situate on the described lands and to the waters therefrom, and as evidenced.

This Deed is subject to one-half of the taxes for the year 1965.

SCANNED

MAR 01 2005

PROFILED

(14)

WARRANTY DEE

772885

FOR VALUE RECEIVED Zella Hall dealing with her sole and separate property

the Grantor , do es hereby grant, bargain, sell and convey unto

Donald K. Hall and Debra Hall, husband and wife

the Grantees , whose address is General Delivery, McCammon, Idaho 83250

the following described premises, to-wit:

Portion of land in the NW 1/4 of Section 27, Township 8 South, Range 36 East, Boise Meridian, Bannock County, Idaho and more particularly described as follows:

Commencing at the Northwest corner of Section 27 and running East along the north line of Section 27 for a distance of 640 feet more or less to the Easterly side of Marsh Creek Road being the True Point of Beginning, Thence continuing East along said line 1100.00 feet more or less to the Westerly side of Marsh Creek, Thence Southerly along Marsh Creek to a point being 400 feet more or less East of the Northwest Corner of the SE1/4NW1/4 of Section 27 on the North 1/16 line, Thence West along the N 1/16 line 170 feet more or less to the Westerly Bank of Marsh Creek, Thence following along the course of Marsh Creek in a Southerly direction to a point 510 feet more or less North of the Southeast corner of SW 1/4 NW 1/4, Thence due West to the East side of Marsh Creek Road, Thence North along the East side of Marsh Creek Road to the Point of Beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s , their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s , that t hey are the owners in fee simple of said premises; that said premises are free from all encumbrances except those of public record as disclosed by Lot Book Report of 27 May 1986

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

Dated:

Zella L Hall June 1, 1986

STATE OF IDAHO, COUNTY OF Bannock

On this 1st day of June, 1986, before me, a notary public in and for said State, personally appeared

Zella L. Hall

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

Kathleen L. Wynn
Notary Public
Residing at Linkom, Idaho, Idaho
Comm. Expires 12/31/86

STATE OF IDAHO, COUNTY OF

In
at the re

At
this
1st
of June

NO. 772885
RECORDER AT REQUEST OF
Zella Hall

86 JUN -2 P1:48

OFFICIAL
BANNOCK COUNTY, IDAHO
LARRY W. SHANLEY, RECORDER
FEE \$25.00 DEPUTY gas
Seal of
Hall L.

-- filed for record

Block m.

SCANNED
Deputy

MAR 0 2005

Also recorded under 95006251

EASEMENT

THIS AGREEMENT, Made and entered into this 26th day of July 1939, by and between Ella Nephi Smart

party of the first part, and Bannock County, a Municipal Corporation, party of the second part.

That whereas the party of the first part is desirous of having a drainage project on Marsh Creek, Bannock County, Idaho, completed as proposed by a W.P.A. Project, and the County Engineer of Bannock County, Idaho, and,

Whereas the party of the Second part and the United States Government W.P.A. Project require an easement to and through the following lands, and,

Whereas there has been prepared by W. P. Havenor, the County Surveyor of Bannock County, a blue print of said proposed changes in said Marsh Creek and which is on file in the office of the County Recorder and the County Surveyor of Bannock County, Idaho,

NOW, THEREFORE, In consideration of the party of the second part making the changes in the course and the levels of said Marsh Creek as shown upon the said plat on file, I hereby grant unto said second party full and free right and authority unto said second party, its officers, agents and servants, to enter upon the following lands and make the changes in the course and levels of said Marsh Creek as shown upon said blue print on file and the notes and specifications in the office of the surveyor pertaining thereto. Land owner assumes no expense in connection with this project.

The land to which said Easement is applicable is described as follows, to-wit:

Indian Allotment No. 32; being N/2 NW/4 Sec. 27, T. 8 S. R. 36 E.B.M.

WITNESSES

Frank Sokolik
Farm Agent, Fort Hall, Idaho

Frank Smith
Farm Agent, Fort Hall, Idaho

Ella Nephi Smart

her

mark

STATE OF IDAHO
COUNTY OF BANNOCK

ss

On this 26th day of July, 1939, personally appeared before me, the undersigned Notary Public, Ella Nephi Smart 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 first above written.

Dwight Le Gunn
Notary Public Residing at Fort Hall, Ida.

SCANNED

SCANNED

MAR 01 2005

MAR 01 2005

PROFIT

AGREEMENT

366444 26.

This agreement made this 20 day of February, 1961, between Bannock County, a Political Subdivision of the State of Idaho, and Carl Wrensted and Paul Wrensted his ^{Bros} wife, of McCurran, Idaho, in consideration of the promises and covenances hereinafter set forth it is mutually agreed between the parties hereto as follows: Carl Wrensted and Paul Wrensted, his ^{Bros} wife, agree to grant an easement for road purposes across property owned by them situated in the Tract N²N²W⁴ of Sec. 27 T. 8 S., R. 36 E., B.M., to Bannock County for and in consideration of Bannock County

Purpose of easement is to allow Bannock County ingress and egress to construct and maintain settling basins on the above described property, for flood control on the Marsh Creek Road and adjoining properties.

Easement to be for an indefinite period of time and/or until mutually agreed by both parties to terminate this agreement.

Carl Wrensted
Paul Wrensted

State of Idaho)
SS.
County of Bannock)

On this 20 day of Feb., 1961, before me Vernon H. Powell a Notary Public, for the State of Idaho, personally appeared Carl Wrensted and Paul Wrensted his ^{Bros} wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Vernon H. Powell
Notary Public
Residing at Pocatello
My commission Expires March 30, 1963

BOARD OF COUNTY COMMISSIONERS
BY Bennett D. Sprague
Chairman

Attest:
Sarah Lawrence
Clerk

Burl McNabb
Head Supervisor

366444
RECORDED AT RECORDS
Bannock County

SCANNED

MAR 01 2005 MAR 10 12 48 PM '61

RECORDS SECTION
BANNOCK COUNTY
SD

PROFILE

STATE OF IDAHO,)
)SS.
 BANNOCK COUNTY.)

Celia S. Gehring, being first duly sworn according to law, deposes and says that she is of lawful age and the claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto; that the statements in said notice contained are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at the point of diversion therein described on the 27th day of May, A.D., 1902, at 9 o'clock 40 m. her

Witness to mark.
 Theo. Turner

Celia X S. Gehring,
 mark.

Subscribed in my presence by the said Celia S. Gehring and by her sworn to before me this 27th day of May, A.D. 1902.

John S. Hyde,
 A Justice of the Peace for Marsh Precinct,
 Bannock County, Idaho.

Recorded at request of Bannock Abst. Co. at 1.07 o'clock P.M. May 28" 1902.

By D.N. Campbell Deuty. Fee J.S. Campbell, Recorder.

NOTICE OF WATER APPROPRIATION.

STATE OF IDAHO,)
)SS.
 Bannock County.)

TO ALL CONCERNED:-

Notice is hereby given:- That Thomas Lavatta, Theresa Lavatta, Christine Lavatta and Elenora Lavatta, all of McCammon, of the County of Bannock and State of Idaho, hereby claim the use of the waters of Belle Marsh Creek, here flowing to the extent or amount of three (3) cubic feet, per second of time, now and hereafter to be diverted at a point on said stream in the easterly portion of the W.E. 1/4 E. 3. 1/4 Section 33 in Township 8 South of Range 36 E.B.M., in Idaho, about 200 yards from the easterly line thereof, and at which said point a copy of this notice is posted.

It is intended to use and said waters have been used and and diverted by means of one ditch about one (1) mile in length and running in a general south-easterly direction, and one (1) ditch about one (1) mile in length running in a general northerly direction to and upon the following described lands, to-wit:- The S.E. 1/4 N.W. 1/4 and E. 1/2 S.W. 1/4 Section 27, the N. 1/2 S.E. 1/4, the S.E. 1/4 N.W. 1/4, S.W. 1/4 N.E. 1/4 and N.W. 1/4 S.E. 1/4 Section 34 in Township 8 South of Range 36 East of the Boise Meridian in Idaho, and containing 320 acres.

The said waters are to be used for agricultural and domestic purposes upon the above described lands.

A portion of the works for the diversion and use of the said waters are now completed and have been in use for fourteen (14) years last past, and will be fully completed within two (2) from date hereof. This notice is posted and recorded in the office of the County Recorder of Bannock County, Idaho, and a copy thereof filed in the office of the State Engineer of the State of Idaho, for the purpose of making of record the claim and title of claimants to the said waters which they have used for fourteen (14) years last past.

Witness the hands of claimants at McCammon, Bannock County, Idaho, this 24th day of May, A.D. 1902.

Thomas Lavatta
 Theresa Lavatta
 Christine Lavatta
 Elenora Lavatta.
 Claimants.

STATE OF IDAHO,)
)SS.
 Bannock County.)

Thomas Lavatta, being first duly sworn according to law, deposes and says that he is of lawful age and one of the claimants of the water right mentioned in the foregoing notice and whose name is subscribed thereto; that the statements in said notice contained are true and that the original notice of which the foregoing is a true copy was posted in a conspicuous place at the point of diversion therein described on the 26th day of May, A.D. 1902, at 10.00 o'clock A.M.

Thomas Lavatta

Subscribed in my presence by the said Thomas Lavatta and by him sworn to before me this 29th day of May, A.D. 1902.

(SEAL) Fred S. Caldwell,
 Notary Public.

Recorded at request of Bannock Abst. Co. at 1.10 o'clock P.M. May 31st, 1902.

By D.N. Campbell, Deuty. Fee J.S. Campbell, Recorder. **SCANNED**

MAR 01 2005

PROFILED

For Ditch coming to this point

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

CERTIFICATE OF APPRAISEMENT

Allottee Nanneatse Stone No. 32 Agency Fort Hall

I hereby certify that on the 7th day of September, 1951

I personally visited and made a careful inspection of the following-described lands:

1/2 NW 1, Sec. 27, T. 8 S., R. 36 E. B.M., Idaho, containing 80 acres

being the allotment of Ella Nephi Smart (heir Probate 44940-35)

That I find the character of the land and the value, in my best judgement, to be as follows: Agricultural 13 acres; Grazing 67 acres; Timber 0 acres; Irrigated 13 acres; Irrigable 23 acres; Oil, gas, or mineral value (if any) \$ 0.00; value for power-site purposes (if any) \$ 0.00

Land	- - - - -	\$ <u>2912.00</u>
Improvements	- - - - -	<u>505.00</u>
Total	- - - - -	\$ <u>3417.00</u>

Ray E. Solter
Ray E. Solter
Soil Scientist

Superintendent

NOTE.— The appraisement should be made to correspond with the legal divisions for which bids will be received. The appraisement should be made by the superintendent, but in cases where it is not possible for him to personally appraise the land, he should appoint an appraiser and fill out the following blank:

I hereby certify that Ray E. Solter was appointed by me to appraise the land above described; that he is well acquainted with the value of lands in the vicinity of the tract above described, and fully competent to make such appraisement, and that I verily believe the above appraisement is the true value of the land and the improvements thereon.

Dated 15th day of October, 1951

Earl Wooldridge

Superintendent.

SCANNER

MAR 01 2005

PROFILED



Photo 3. Briggs and Stratton 5.5 hp portable pump with 4-inch hand lines. Donald Hall also uses this system.

PROFILED

SCANNED
MAR 01 2005

A29-13397
MICHAEL AND SUSAN HALL
MARSH CREEK



Photo 1. Looking west at the side channel from Marsh Creek.



Photo 2. Looking west at Marsh Creek with the side channel in the foreground. The side channel developed in 1988/89.

PROFILE

SCANNED
MAR 01 2005

Donald Hall

29-4160.

Spring - Sinks.

Purchased Property: Mom's Dad 1962., 1986 - Don & Debra.

gone back to ditch about 10 yrs ago when the catchment washed out. The County was maintaining the catchment but has stopped.

POD change: The springs come from to catchments in section 28, they come together into a single ditch.

IT'S diverted from the ditch in the NW/NE of section 27. and Not in NENE of Section 28. IT'S always been this way even when Donald C. Hall owned the property.

POU: Around the creek the water subs, they still irrigate the same property.

POD HALL SP N42°42.410' W112°14.850'
8/22/02 9:40 AM (10:40 AM)

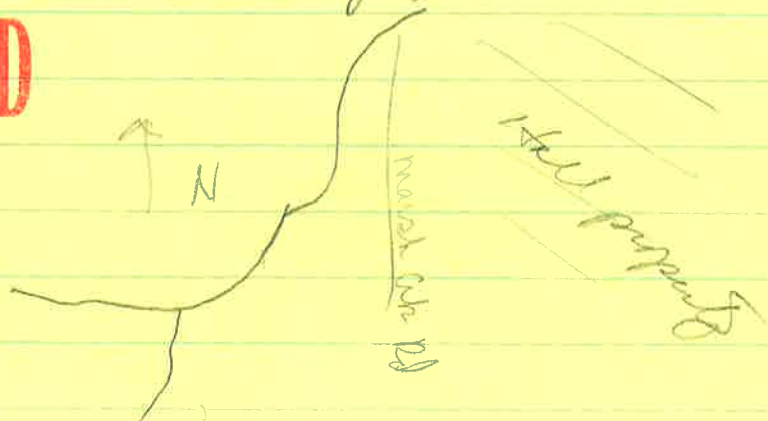
1 Photo taken looking East at First Spring

1 - Photo looking Southwesterly at 2nd Spring

PROFILED

SCANNED

MAR 01 2005



9/20/02 Hall M 14:58 (15:58) 9/20/02
N 42° 41.888'

W 112° 14.431'

Spring - Trib. Marsh Ck

SPRING. 29-10781

4:05 pm 1-Photo looking West at POD.-POU.
photo #671 Portable

29- 13397 Marsh Ck.

9/20/02 MHL MRS - Mike Hall Marsh Ck

N 42° 41.814'

15:07 (16:07)

W 112° 14.264'

Portable pump - sprinklers -

Donald Hall also uses the system.

photo
#672

4:12 pm Photo Looking West at
Side channel (old channel) for Marsh Ck.

photo #673 1-Photo 4:15 pm Close-up of Marsh Ck
(new channel) 1988/89.

photo #674 Briggs + Stratton. (Don's ^(Hall) using)
5.5 hp.

- Pacer Pump No. 3/4 #5 or model
- 4" h.p. Don's using.

PROFILED

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Mike & Susan Hall.

Purchased property 1996
- vacated through 1978-79

Dad was hired in 1982.

Spring dried up in 1989.

FSA Photo No date -

Marsh Creek.

241 - 3886 cell

PROFILED

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MAR 01 2005

29-10781

Recommend irrigation around house just east
of Marsh Creek Road. - Do not cross drainage
shown on Orthogard.

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MAR 01 2005

EXAM INFORMATION

Exam Date 9/20/02

Exam Time 1pm

CLAIM(S) 29-10781

NAME Mike & Susan Hall

ADDRESS 4494 S. Marsh Ck Rd.

PHONE () 254-9234 HOME

WORK

CELL

DOMESTIC___ STOCKWATER___ IRRIGATION X OTHER___

OTHER RIGHTS

DIRECTIONS

Dad purchase 1966-1967.

DOGS

DATE

APPOINTMENT

SCANNED

MAR 01 2005

PROFILED

- Blanche Otter

Contacts Data Entry Form

[illegible]

Current Owner _____

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

Current Owner _____

Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Date of Field Exam: 8/22/02 Time: 9am.

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

4234 S. Marsh Crk Rd.

Reviewer: _____

Date: _____

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MAR 01 2005

Priority Date Data Entry Form

Claim Number: A29-04160
Water Right Priority Date: 04-01-1909 Water Right Basis: Irrigation
Claimed Priority Date: _____ Claimed Basis: Beneficial Use
Recommended Priority Date: _____ Recommended Basis: _____

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

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

Warranty deed July 24, 1959
- need homestead documents.

4-27-1957.

Reviewer: _____

SCANNED
Date: _____

MAR 01 2005

PROFILE

Point of Diversion and Source Data Entry Form

Claim Number: A29-04160
Water Right Point of Diversion: T 8, R 36, Sec. 28, NE NE, County: Bannock
Source: Spring Tributary: Sinks
Claimed Point of Diversion: T 8S, R 36E, Sec. 27, NW NW NW, County: Bannock
Source: _____ Tributary: SW NW NW
Recommended Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____
Source: _____ Tributary: _____

_____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						
_____	_____	_____	_____	_____	_____	_____
GPS Coordinates: _____						

Other rights from this POD? _____

Document how the POD and Source were verified and/or Pump and Motor data:

POD changed when?

Transfers Changing POD _____

Reviewer: _____

Date: _____

PROFILED

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MAR 01 2005

Place Of Use Data Entry Form

Claim Number: A29-041160☐ Use Claimed POU as Recommended POU

Claimed Place of Use

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

Total Acres _____

Recommended Place of Use

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

Total Acres _____

Document how the POU was verified:

POU change from original Statutory Claims. When?
Acres increased in NE NW from 5 acres → 10 acres
NW NW 30 acres.

Transfers Changing POU _____

Reviewer: _____

Date: SCANNED

MAR 01 2005

PROFIL

Purpose of Use Data Entry FormClaim Number: A29-04160 Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
<u>Irrigation</u>			<u>35</u>	

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
<u>Irrigation</u>			<u>40</u>	

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

PROFILED**SCANNED**
MAR 01 2005

Period of Use and Quantity Data Entry FormClaim Number: A29-04160☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	0.70	

Overall Diversion Rate 0.70 Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	0.70	

Overall Diversion Rate 0.70 Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
	4/1	10/31		

Overall Diversion Rate _____ Overall Diversion Volume _____

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

Reviewer: _____

Date: _____

PROFILE**SCANNED**

MAY 21 2002



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID 29 4160
POD ID 202647
Quad McCammon
Claim Type L
Easting 644172
Northing 179458
GPSID A0012661

Diversion Description

GRAVITY PIPELINE TO SPRINKLER SYSTEM. Pipeline abandoned; now flood irrigate. Diversion combined with PODID 202648. Large diversion dam with spillway, 24" outlet pipe @ .001 (assumed) pipe shows historic depth of 6". Flow measured (bucket/stopwatch) @ 12 gpm.

Assumptions

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

D ID 202647-8 01.JPG

D ID 202647-8 03.JPG

Photos

D ID 202647-8 02.JPG

EPE (ft)

7

Date (M/D/Y)

10/9/01

Time

10.30

Flow Rate (CFS)

0.799752181378391

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 2

Depth 0.5

☐ Rectangular Channel

Width

Depth 0.5

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 0.001

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

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MAR 01 2005

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JUN 04 2001

Log for claim A29-04160

Spatial Dynamics LTD

6/29/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s36e	27	NENW	10	10	
08s36e	27	NWNW	30	23	
Totals:			40	33	

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 118

Place of use Legal Description for: IRRIGATION

[illegible]

POU County: BANNOCK

Other Rights: SUPPLEMENTS A29-04161B

Other Water Rights Listing Overlapping Place(s) of Use:
A29-02387 A29-04161 A29-04161B

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag: Presumption Flag:	
Audit:	03/27/90 BAUMHOFF	07/19/94 THOMPSON	03/29/95 POST-STD

AJ5809NP
No. A29-04160

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 117

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DEBRA HALL	04/01/1909	IRRIGATION	04-01 11-01	0.700 CFS	
C	DONALD K HALL					
	4234 S MARSH CREEK RD					
	MC CAMMON ID 83250			TOTAL DIVERSION:	0.700 CFS	
	(208) 254-3879			CONSUMPTIVE USE:		120.00 AFA
Water Source: SPRING		Tributary to: SINKS		Stage: BENEFICIAL USE		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Donald C. Hall

(Name of Claimant)

McCammon, ID 83250

(Mailing Address)

(Zip Code)

Telephone No. 254-3368

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1909

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

unnamed spring tributary to Marsh Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.7 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .7 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 NE 1/4, Sec. 28 Twp. 8S Rge. 36E B.M., County of Bannock

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 4" gravity pipeline to sprinkler system. This water was formerly taken from a ditch.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
8S	36E	27					5	30											35

No. of acres 35

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

SCANNED

MAY 31 2001

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

GRAVITY PIPELINE TO SPRINKLER SYSTEM. Pipeline abandoned; now flood irrigate. Diversion combined with PODID 202647. Large diversion dam with spillway, 24" outlet pipe @ .001 (assumed) pipe shows historic depth of 6". Flow measured (bucket/stopwatch) @ 12 gpm 10:30 10/9/01 EPE=7 ft.

Assumptions

Flow is calculated as part of POD 202647 ...

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)

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

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ 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

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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Notice is hereby given that Donald C. Hall

(Name of Claimant)

McCammon, ID 83250

(Mailing Address)

(Zip Code)

Telephone No. 254-3368

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) April 1, 1909

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

unnamed spring tributary to Marsh Creek

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates Inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>.7 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .7 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE 1/4 NE 1/4, Sec. 28 Twp. 8S Rge. 36E B.M., County of Bannock

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 4" gravity pipeline to sprinkler system. This water was formerly taken from a ditch.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	36E	27					5	30											35

No. of acres 35

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

RECEIVED

APR 03 1995

Department of Water Resources

My Grandfather homesteaded down on some land close to my property. He has told me about the water being used to irrigate from the springs and also a ditch from the Marsh Creek. He homesteaded in the 1920's.

We have lost all of our records & abstract deed in a house fire.

The information I have sent is all that I can find.

RECEIVED

APR - 6 1995

Department of Water Resources
Eastern District Office

Donald K. Hall

MICROFILMED

NOV 13 1995

Bannock County, Idaho

INSTRUMENT No. 122875

WARRANTY DEED

This Indenture, Made this 27th day of April in the year of Our Lord One Thousand Nine Hundred and Fifty-seven, between

WALTER HAYDEN and DELSA HAYDEN, husband and wife,
of Pocatello, County of Bannock, State of Idaho, the parties of the
first part, and
CLARK L. HUBBARD and MARY J. HUBBARD, husband and wife,
of Hamilton, County of Ravalli, State of Montana, the parties of the
second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of

TEN AND NO/100

DOLLARS, lawful money of the United States of America, to them in hand paid by the second part, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey and confirm unto said part 1st of the second part, and to their heirs and assigns forever: All to and certain lot 2, place 2 or parcel 2 of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to wit:

The Southeast quarter of the Northeast quarter, Section 23, Township 8 South, Range 36 East of the Boise Meridian, and that portion of the Southwest quarter of the Northwest quarter of Section 27, Township 8 South, Range 36 East of the Boise Meridian, lying West of the center line of Marsh Creek, excepting road and ditch rights of way.

The North half of the Southwest quarter of Section 22, the Northwest quarter of the Northwest quarter and that portion of the Northeast quarter of the Northwest quarter lying West of Marsh Creek, in Section 27, all in Township 8 South, Range 36 East of the Boise Meridian, Bannock County, Idaho.

Together with all water, water rights, ditch and canal rights appurtenant thereto belonging or in anywise appertaining. Together with all water springs situated on the described lands and to the waters therefrom.

(U. S. I. R. S. \$27.50 Attached to Deed and cancelled.)

Together with, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof:

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereunto incident, unto the said parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs warrant the said premises in the quiet and peaceable possession of the said part 1st of the second part, their heirs and assigns against the said parties of the first part, and their heirs and assigns against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Walter Hayden (SEAL)
Delsa Hayden (SEAL)
(SEAL)
(SEAL)

STATE OF IDAHO,

County of BANNOCK

On this 27 day of April in the year 1957, before me, Wesley F. Morrill, Notary Public in and for said County and State, personally appeared CLARK L. HUBBARD and MARY J. HUBBARD, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

(Notarial Seal)

Wesley F. Morrill
Notary Public
Pocatello, Idaho

I hereby certify that this instrument was filed for record at the request of H.E.A. Co. on this 30 day of April, 1957, at Pocatello, Idaho, this 7th day of May, A.D. 1957.
By Sarah Dayaney, Ex Officio Recorder.

072453

WARRANTY DEED

to

Dated

STATE OF IDAHO.

人

I hereby certify that this instrument was filed for record at the request of

of _____ minutes past _____

— 117 —

A. D. 1952

... was often and only recorded in Books

10

Escuela Básica

19

10

[illegible]

347200
RECORDED & INDEXED
JUL 7 3 13 PM '59
FBI - NEW YORK

Residence and P. O. Address:
Robert E. White, White County, Washington
My Commission Expires March 24, 1917.

Thompson in. Bureau

[illegible]

HARRY W. ANDERSON and VERA S. ANDERSON
Notary Public
in and for said County and State, personally appearing

STATE OF ~~MISSISSIPPI~~ *Mississippi* ss. *Shreve*
County of *Shreve*
On this *24* day of *July*
19*20* I, the undersigned, Judge of the Probate Court for and for said County and State, personally appeared

347200

3472CO

Warranty Deed

THIS INDENTURE, Made this 24th day of July in the year of our Lord One Thousand Nine Hundred and fifty-nine between HARRY W. ANDERSON and VEDA S. ANDERSON, husband and wife of the County of Bannock State of Idaho the part ies of the first part, and CARL WRENSTED and PAUL WRENSTED of Pocatello County of Bannock State of Idaho the part ies of the second part:

WITNESSETH: That the said part ies of the first part, for and in consideration of the sum of TEN AND NO/100 DOLLARS and other valuable consideration lawful money of the United States of America to them in hand paid by the said part ies of the second part, the receipt whereof is hereby acknowledged

do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said part ies of the second part and their heirs and assigns forever: All th at certain lot place of land situate, lying and being in the County of Bannock State of Idaho, bounded and more particularly described as follows, to-wit:

The Southeast Quarter of the Northeast Quarter of Section 28, Township 8 South, Range 36 East of the Boise Meridian, and that portion of the Southwest Quarter of the Northwest Quarter of Section 27, Township 8 South, Range 36 East of the Boise Meridian, lying West of the center line of Marsh Creek, excepting road and ditch rights of way.

Also the North half of the Southwest Quarter of Section 22, the Northwest Quarter of the Northwest Quarter and that portion of the Northeast Quarter of the Northwest Quarter lying Westerly of Marsh Creek in Section 27, all in Township 8 South, Range 36 East of the Boise Meridian, Bannock County, Idaho.

Together with all water, water rights, ditch and canal rights appurtenant thereto belonging or in anywise appertaining. Together with all water springs situated on the described lands and to the waters therefrom.



Together with all and singular, the premises, hereditaments and appurtenances therunto belonging or in anywise appertaining, and the rents, issues and profits thereof. TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges therunto incident unto the said part ies of the second part, and to their heirs and assigns forever. And the said part ies of the first part, and their heirs and assigns forever, the said premises in the quiet and peaceable possession and against the said part ies of the second part, and against all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said part ies of the first part has VO hereunto set their hand and seal on the day and year first above written.

Signed, Sealed and Delivered in the Presence of Margaret Van Diver Harry W. Anderson Frank R. Sawicki

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 29-4160
Date Received: 3/27/1990
Receipt No: M006373
Received By:

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

1. Name of Claimant(s)

DEBRA HALL Phone: (208)254-3879

4234 S MARSH CREEK RD
MC CAMMON ID USA 83250

DONALD K HALL Phone: (208)254-3879

4234 S MARSH CREEK RD
MC CAMMON ID USA 83250

2. Date of Priority: ~~04/01/1909~~ June 14, 1867

3. Source: SPRING , SPRING Trib. to: SINKS , SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	36E	27	NW NW NW	BANNOCK	
08S	36E	27	SW NW NW	BANNOCK	

5. Description of diverting works:

GRAVITY PIPELINE TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.7	

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

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED
MAR 01 2005

PROFILED

RECEIVED
APR 18 2003

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	36E	27	NW	NW	IRRIGATION	30
			NE	NW	IRRIGATION	10
					Section Acres	40
					Total Acres	40

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:

15. Basis of Claim: Beneficial Use

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 X do not X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

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): Donald F. Hall Debra Hall Date: _____

April 17, 2003 Date:

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 17th

of April 2003

Diana Starnes

Notary Public

Residing at Idaho

My commission Expires Oct. 27, 03

SCANNED
MAR 01 2005

PROFILED

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4160 V1

WATER RIGHT NUMBER: 29-4160 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DEBRA HALL 4234 S MARSH CREEK RD MC CAMMON, ID 83250 (208)254-3879
Current Owner	DONALD K HALL 4234 S MARSH CREEK RD MC CAMMON, ID 83250 (208)254-3879

Priority Date: 04/01/1957

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SINKS

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.700 CFS	
	<u>Total Diversion:</u>	0.700 CFS	

Location of Point(s) of Diversion

SPRING	NW1/4NW1/4NW1/4	Sec. 27, Twp 08S, Rge 36E, B.M.
BANNOCK County		
SPRING	SW1/4NW1/4NW1/4	Sec. 27, Twp 08S, Rge 36E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
08S	36E	27	9.9	24.0	.6		34.5

Total Acres: 34.5

Conditions of Approval:

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

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4160 V1

Comments: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	1/16/2003 1:36:40 PM	rwarner			Active
Priority Date	1/16/2003 1:37:34 PM	rwarner			Active
POD	1/16/2003 1:40:45 PM	rwarner			Active
Source	1/16/2003 1:55:40 PM	rwarner			Active
POU	1/16/2003 1:57:51 PM	rwarner			Active
Use	1/16/2003 1:58:15 PM	rwarner			Active
Season	1/16/2003 1:59:26 PM	rwarner			Active
Quantity	1/16/2003 2:00:12 PM	rwarner			Active
Summary			01/16/2003	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	1/16/2003 1:37:34 PM	rwarner	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4160 V1

POD	1/16/2003 1:40:45 PM	rwarnar	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	1/16/2003 1:54:41 PM	rwarnar	Edited point location
POD	1/16/2003 1:54:59 PM	rwarnar	Edited point location
Source	1/16/2003 1:55:40 PM	rwarnar	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - field visit by C. Bird.
POU	1/16/2003 1:56:43 PM	rwarnar	Edited shape boundary
POU	1/16/2003 1:56:58 PM	rwarnar	Edited PLS
POU	1/16/2003 1:57:50 PM	rwarnar	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - field visit by C. Bird.
Use	1/16/2003 1:58:15 PM	rwarnar	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-4160 V1

Season	1/16/2003 1:59:26 PM	rwarner	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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	1/16/2003 2:00:12 PM	rwarner	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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	1/16/2003 2:00:51 PM	rwarner	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (No) 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?
Contacts	1/16/2003 1:36:40 PM	rwarner	(No) 1. Do you want to schedule an appointment?

Comment for 1: desktop review

JUN 04 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: A29-04160
Date Received: 3-27-90
Receipt No: 0006373
Received By: B

RECEIVED
MAR 27 1990

Department of Water Resources

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

1. Name: DONALD K. HALL 208-254-3879
Address: 4234 S MARSH CREEK RD.
MCCAMMON, ID 83250

OR

Name: DEBRA HALL 208-254-3879
Address: 4234 S MARSH CREEK RD.
MCCAMMON, ID 83250

2. Date of Priority: APR 01, 1909

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	36E	27	NW	NW	NW		BANNOCK
			SW	NW	NW		BANNOCK

5. Description of diverting works:
GRAVITY PIPELINE TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.700		

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

8. Total consumptive use is 120.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A29-04160

Page

1

Date: 03/27/90

MICROFILMED

NOV 13 1992

A2904160



10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
08S	36E	27	NE	NW		IRR	10.0
			NW	NW		IRR	30.0
						Section Acres	40.0
						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:
SUPPLEMENTS A29-04161B

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): Debra Dall Date: 3-27/90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of March 1990

Anna Baumbach
Notary Public

Seal

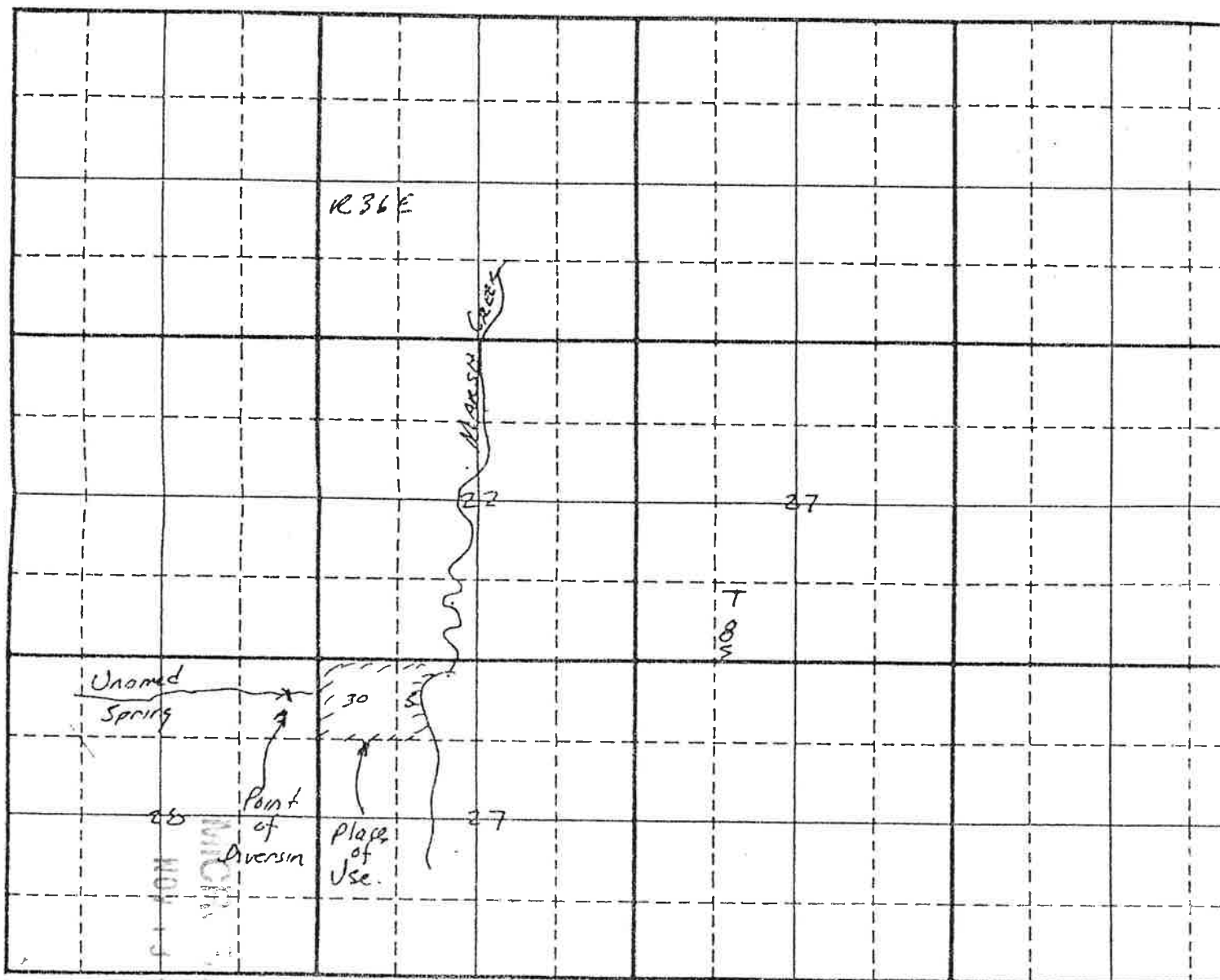
Anna Baumbach, Notary Public
Residing at Residing at Delta, Idaho
My Commission Expires December 7, 1994
My Commission Expires _____

(8) Remarks _____

RECEIVED.

APR 03 1995

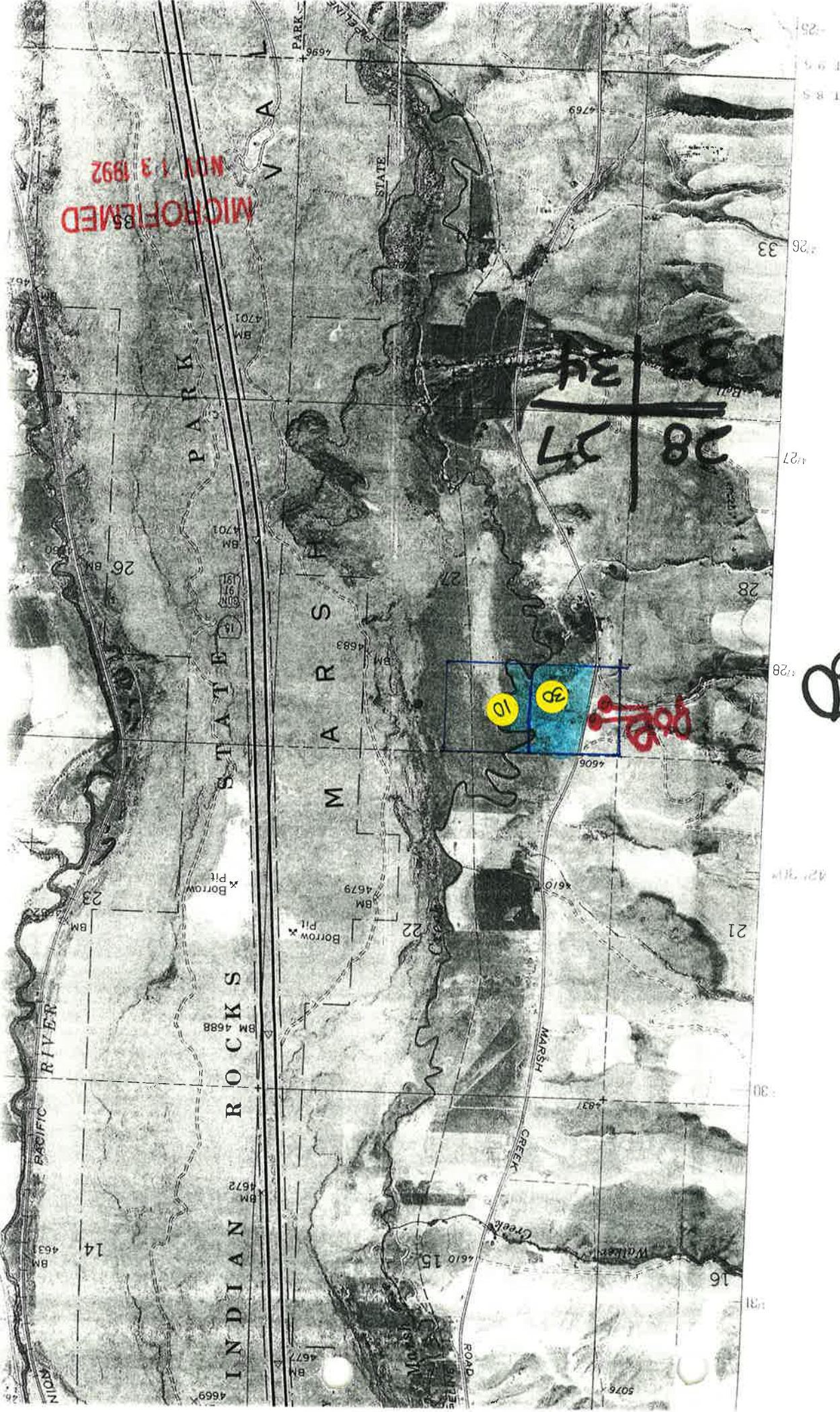
Department of Water Resources



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.

09/04/10



A. ROOT WATER RIGHT NUMBERS: A29-04160

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
08S	36E	27	NE	NW		HALL, DEBRA	A29-04160 / 10.0	29-04160 / 5.0	40.0		
			NE	NW		HALL, DONALD K	A29-04161B / 10.0	- /			
			NE	NW		BULLOCK, VELMA	A29-02387 / 30.0	29-02387 / 20.0			
			NE	NW		HALL, DONALD C.		29-04161 / 5.0			
08S	36E	27	NW	NW		HALL, DEBRA	A29-04160 / 30.0	29-04160 / 30.0	20.0		
			NW	NW		HALL, DONALD K	A29-04161B / 30.0	- /			
			NW	NW		BULLOCK, VELMA	A29-02387 / 1.0	- /			
			NW	NW		HALL, DONALD K	A29-10777 /	- /			
			NW	NW		HALL, DEBRA	29-10777 /	- /			
			NW	NW		HALL, DONALD C.		29-04161 / 30.0			

ADDITIONAL POU FOUND

TOTAL ACRES A29-04160 40.00 35.00 60.00

POU COUNTY: BANNOCK

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y() N()

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A29-04160	SPRING	HALL, DEBRA	0.700	0.017		
A29-02387	MARSH CREEK	BULLOCK, VELMA	2.720	0.016		
A29-04161B	MARSH CREEK	HALL, DONALD K	0.800	0.020		