

Log for claim A29-04161B

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	

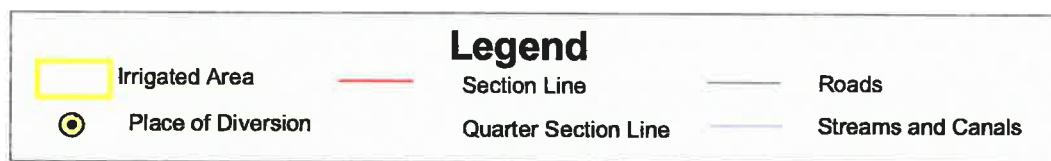
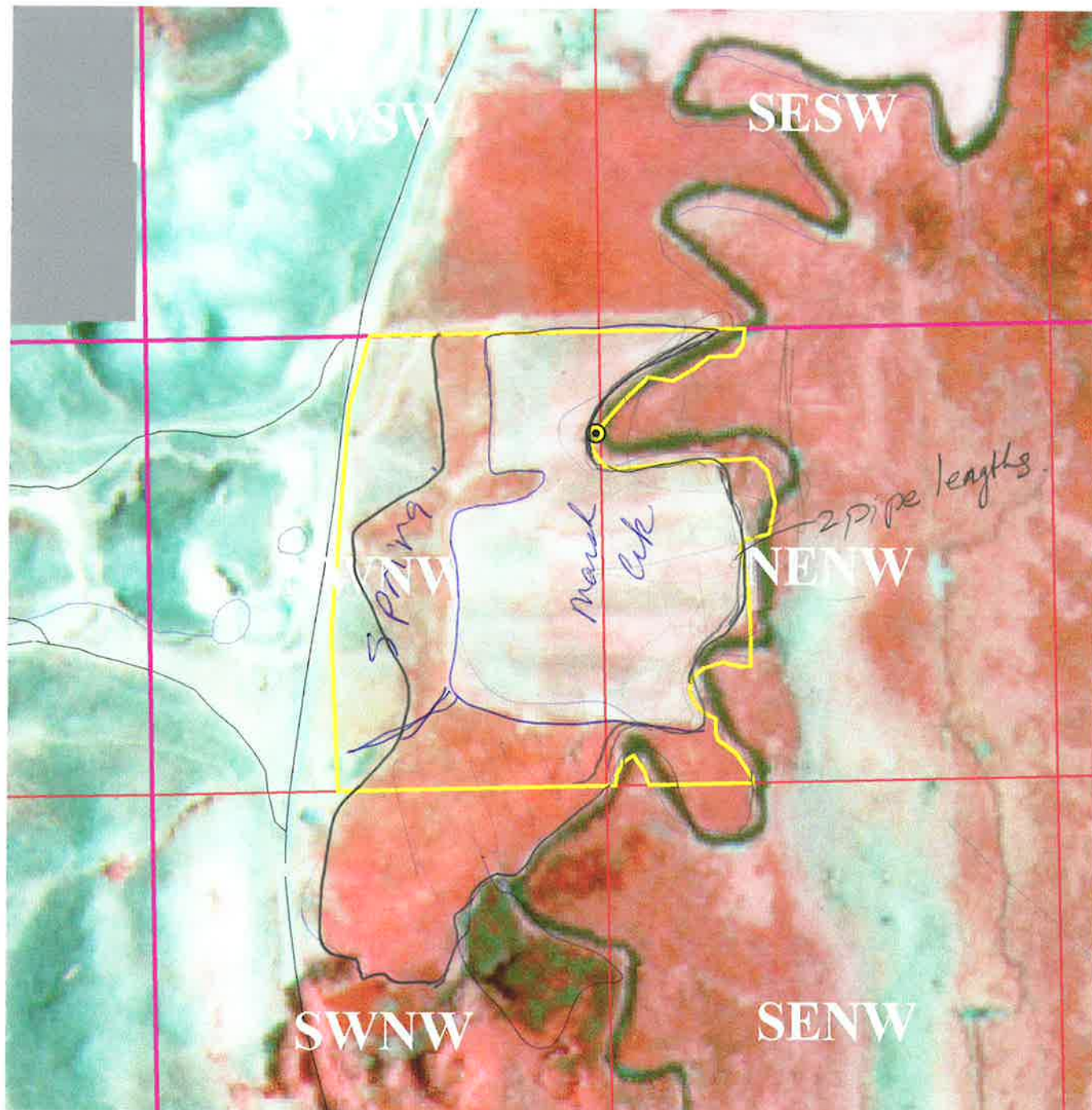
PROFILED

SCANNED

MAR 24 2005



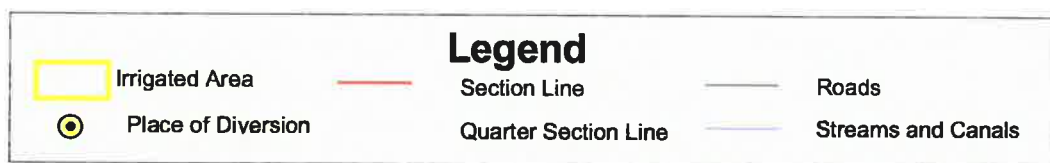
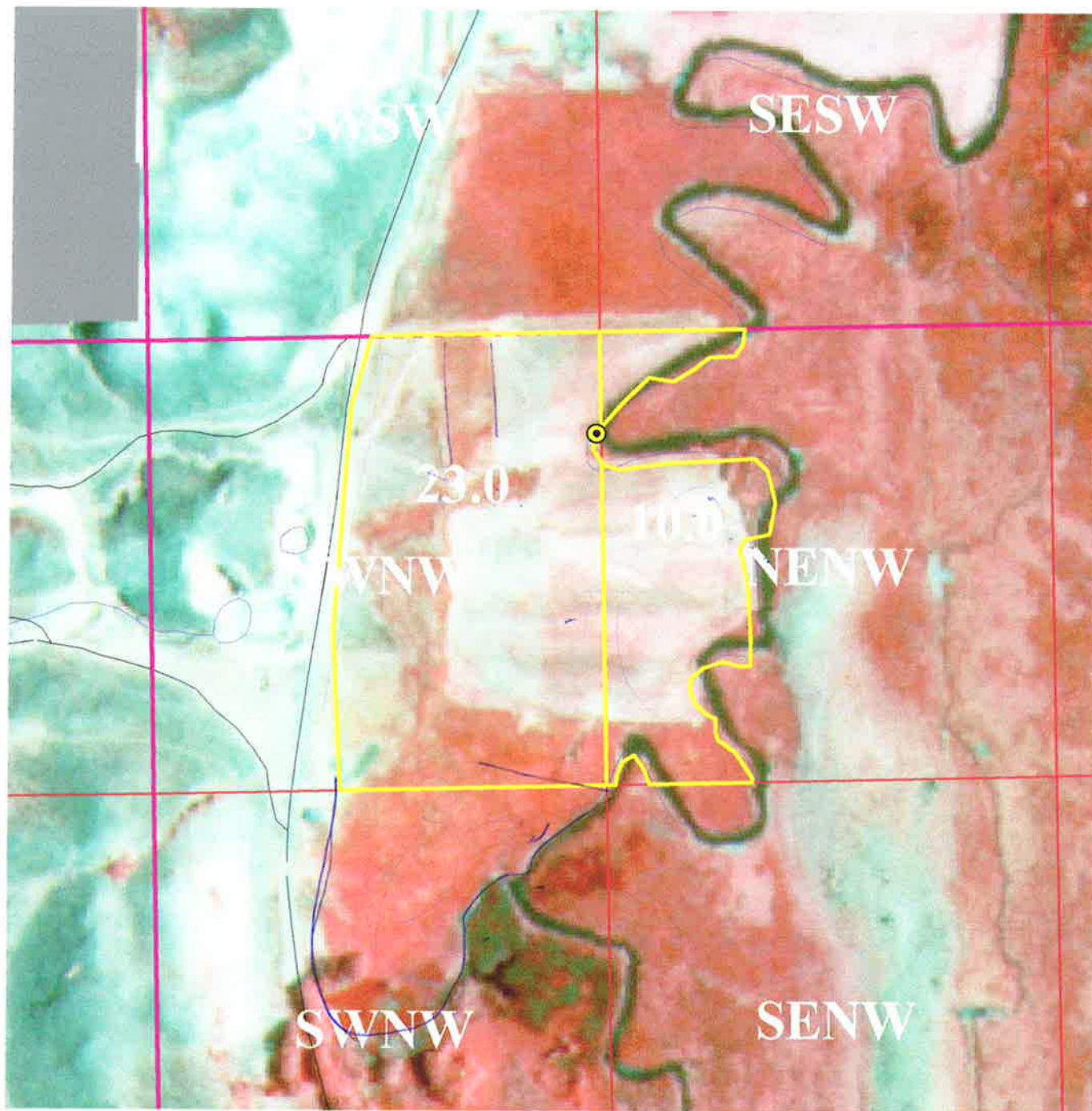
Township , 8S36E



200 0 200 400 Feet

SCANNED
MAR 21 2003

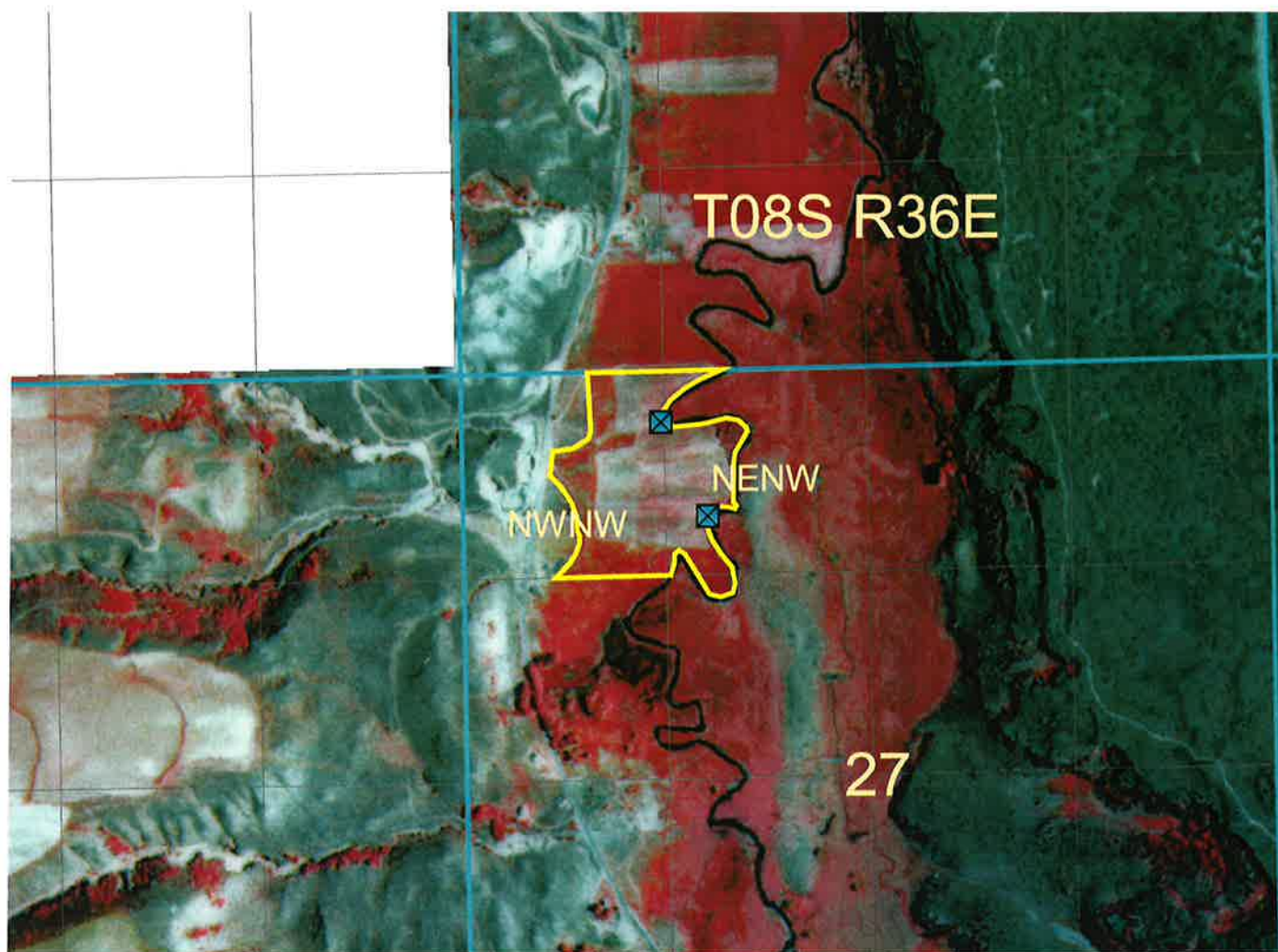
Township , 8S36E



SCANNED
MAR 21 2000

DEPARTMENT OF WATER RESOURCES

Claim No.: 29-4161B



0 1320 2640 3960 5280 Feet

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



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

SCANNED
MAR 01 2005

35

31

32

36

37

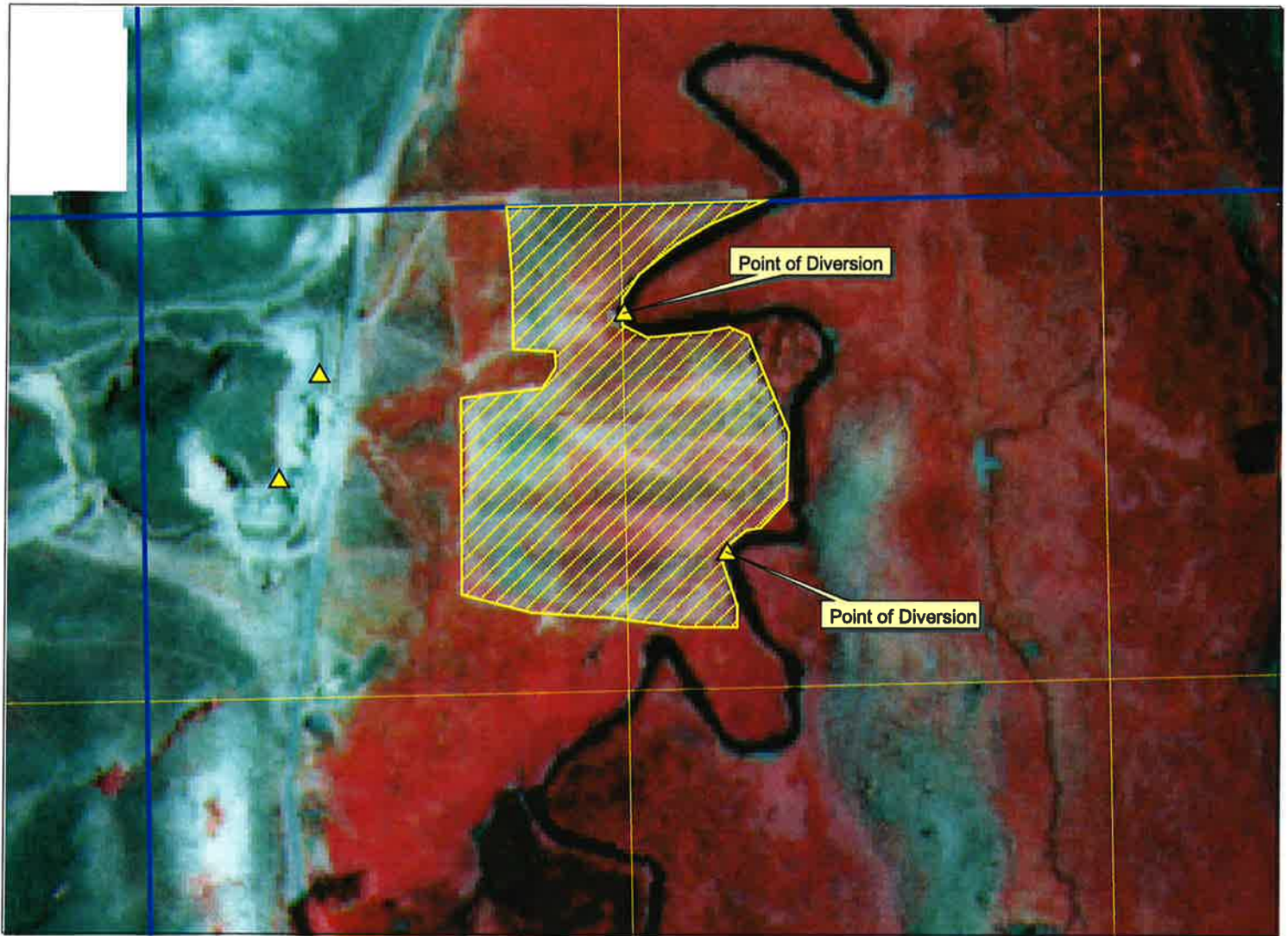
37

30

*Allotter
lands*



State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-4161B



0.09 0 0.09 0.18 Miles

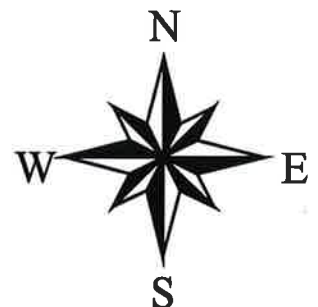
Irrigated Acres = 17.3

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

SCANNED

MAR 01 2005

PROFILED



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

Memo

To: file 29-4160 and 29-4161B

From: Roger Warner *RW.*

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.

PROFILED

SCANNED
MAR 01 2005

INSTRUMENT No. 184358 ✓

PETERS & SONS, Pocatello, IDAHO 2001

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 wife, of McCannon, County of Bannock, State of Idaho, the part 1 of the first part, and James J. Facer, County of Bannock, State of Idaho, the part 2 of the second part:

WITNESSETH: That the said part 1 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 2 of the second part, the receipt whereof is hereby acknowledged by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said part 1 of the second part, and to his heirs and assigns forever: All those certain lot 3, piece 3 or parcel 3 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, 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.

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 1 of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs and assigns warrant the said premises in the quiet and peaceable possession of the said part 1 of the second part, his heirs and assigns against the said part 2 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)

(SEAL)

(SEAL)

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 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 the certificate first above written

Roy L. Black

FILED

SCANNED

MAR 01 2005

(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; Redmond Fay 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)

SCANNED

MAR 01 2005

FILED

On this 26th day of June in the year 1942, before me Simeon 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.

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

(3)

THIS INSTRUMENT, made this 4th day of AUGUST in the year of our Lord one thousand
a hundred and forty-four, between James Vera Facer and wife Bertha Facer--Redmond Fay
Facer, Ethel Facer Farnworth and husband Thomas G. Farnworth of , County of
Boise, State of Idaho, the parties of the first part, and James J. Facer of Hyrum, County
Boise, State of Utah, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the
of the dollar and love and affection DOLLARS, lawful money of the United States of Amer-
In and said by the said party of the second part, the receipt whereof is here-
received, 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 McCammon, 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. 31, 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 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
for 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
do and by these presents forever DEFEND.

PROFILED

SCANNED

MAR 01 2005

(4)

INSTRUMENT NO. 234617

THIS INDENTURE, Made this 12th 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 Blaine, 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 Blaine, 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 Marsh 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 12th 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, 1945

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 Hyrum, Utah, at 10 o'clock A.M., this 5 day of Dec., A. D. 1944 in my office, and duly acknowledged in said County of Cache, Recorder

Fee \$1.50

SCANNED
MAR 01 2005

(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. 31, 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 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 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. Jay 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 thereon 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 to the quiet and peaceable 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 warrant and by these presents forever DEFEND.

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

hands and seals this

first above written.

SIGNED, SEALED AND DELIVERED

PRESENCE OF

S. A. Dunn

James J. Facer

Emma J. Facer

STATE OF UTAH

County of Cache

On this 19th day of September in the year 1944, before me, Simon L. 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 my official seal, this day and year in this certificate first above written.

(SEAL)

Commission Expires Dec. 30, 1946.

Simon L. 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 Ethel F. Farnworth, McCammon, Idaho, at 10 minutes past 11 o'clock P.M., this 29 day of March, A.D. 1945, in my office, and duly recorded in Book 93 of Deeds, at page 30.

Luna Keadle, Recorder

For State

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 Ban-
nock 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
Henry Teton, Mark
Henry Teton, her husband

(Seal)

(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)

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

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

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

SCANNED

PROFILED

MAR 01 2005

SCANNED

MAR 01 2005

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 R.

211 110 A
Index card new C.

(1)

Bannock County, Idaho

INSTRUMENT NO. 292447

PEPIN & SONS, POCAHELLO, IDAHO 4302

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 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 1/4 NW 1/4), and all that portion of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 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 hereunto 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 and assigns against the said parties of the second part, and their heirs and assigns forever, shall and will warrant and defend, 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 forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and seal 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. I. Stowell Notary Public
Residence: Pocatello, Idaho

PROFILED

SCANNED
MAR 01 2005

SCANNED
MAR 01 2005

(4)
INSTRUMENT NO. 301792

Reissue 614974.
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 N.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 1904 3:09 P.M., In Book 118 of Deeds, Page 641, RECORDS OF BUREAU OF LANDS,
STATE OF IDAHO, at request of B. T.A.Co.

Sarah Devaney, Recorder

Oscar E. Collins

Certifying Officer

Fee \$ 1.25

PROFILED

SCANNED

MAR 01 2005

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, and other valuable consideration is hereby acknowledged to have been 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 assigns 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,

County of BANNOCK

ss.

On this 27 day of April, in the year 19 57, 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

SCANNED

MAR 01 2005

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

and other valuable considerations, 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 one certain lot 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 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 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 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)
(SEAL)
(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

(11)

Warranty Deed

89 347200

THIS INDENTURE made this

21st

day of

JULY

in the year of our Lord One Thousand Nine Hundred and

fifty-nine

between

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

of the first part, and

CARL WENSTED and

PAUL WENSTED

Sons of

Facostello

County of

Bannock

State of Idaho

do part, less

of the second part,

WITNESSETH That the said part, less

of the first part, for and in consideration of the sum of

TEN AND NO/100

and other valuable consideration

has been paid by the said part, less

of the second part, the sum of

being to have, lawfully

of the second part, and to

their heirs

of their heirs, heirs and assigns, in the County of Bannock

State of Idaho, to have

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 the Southeast 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 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 land and to the waters therefrom.



PROFILED

SCANNED
MAR 01 2005

412

417170

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 26, 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 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, 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, never evidenced.

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

SCANNED

PROFILED

MAR 01 2005

(13)

2-1

475358 *lu*

DEED OF GIFT

THIS INDENTURE, made this 9th day of May, 1968, between CHARLES S. HALL and AZELLA HALL, husband and wife, of Pocatello, County of Bannock, State of Idaho, the parties of the first part, and DONALD CHARLES HALL, of Pocatello, County of Bannock, State of Idaho, the party of the second part;

WITNESSETH:

That the said parties of the first part for the purpose of making to Donald Charles Hall, ^{a gift, *C.S.H.*} do hereby give, grant, alien, and convey unto Donald Charles Hall, said party of the second part, all those certain pieces, lots or parcels of land situate, lying and being in the County of Bannock, State of Idaho, particularly described as follows, to-wit:

The Southeast 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; and

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 situated on the described lands and to the waters therefrom however evidenced.

To have and to hold the same unto the said party of the second part, his heirs and assigns for his own sole and separate use, benefit, behoof forever.

PROFILE

SCANNED

(14)

WARRANTY DEED

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 540 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

SCANNED

MAR 01 2005

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 s/he executed the same.

Kathleen L. Wilson
Notary Public
Residing at Linkom, Idaho, Idaho
Comm. Expires February

STATE OF IDAHO, COUNTY OF

IN
at the to

At

THIS

19

of Date

By

For

Mail

NO

RECORDER AT REQUEST OF

Zella Hall

'86 JUN -2 P 1:48

OFFICIAL
BANNOCK COUNTY, IDAHO
LARRY W. SHANLEY, CLERK
FEB 2 1986 DEPUTY gar

Filed for record

Book m.

Deputy.

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 C. Gunn
Notary Public Residing at Fort Hall, Ida.

My commission expires Nov. 22, 1942.

PROFILED

SCANNED
MAR 01 2005

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 McCannon, 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.

Paul Wrensted
Carl 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 Samuel D. Sprack
Chairman

Attest:
Sarah Lawrence
Clerk

Burl McNabb
Road Supervisor

NO 366444
RECORDED AT BANNOCK COUNTY
Bannock County

MAR 10 12 48 PM '61
OFFICIAL RECORD BOOK NO. 258
BANNOCK COUNTY, IDAHO
FILED IN BOOK 258
SD.

FILED

SCANNED

MAR 01 2005

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.

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
 Deputy. 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 Elenore 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 N.E. 1/4 S.E. 1/4 Section 23 in Township 8 South of Range 36 E.B.M., in Idaho, about 230 yards from the easterly line thereof, and at which said point a copy of this notice is posted. It is intended to use said waters have been used and diverted by means of one ditch about one (1) mile in length and running in a general south-easterly direction to and upon the following described lands, to-wit:- The S.E. 1/4 N.E. 1/4 and E. 1/2 S.W. 1/4 Section 27, the E. 1/2 S.E. 1/4, the S.E. 1/4 S.W. 1/4, E.E. 1/4 S.E. 1/4 and S.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) years 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
 Elenore 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 G. Caldwell,
 Notary Public.

Recorded at request of Bannock Abst. Co. at 1.10 o'clock P.M. May 31st, 1902.
 By D.N. Campbell, Deputy. Fee J.S. Campbell,
 Recorder.

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 E. 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

Deputy.

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 N.E. 1/4 Section 23 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 are 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.E. 1/4 and E. 1/2 S.W. 1/4 Section 27, the N. 1/2 N.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 G. Caldwell,
Notary Public.

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

Deputy.

Fee

J.S. Campbell,
Recorder.

MAR 11 2005

PROFILER

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

Deputy.

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 N.E. 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 are 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.E. 1/4 and E. 1/2 S.W. 1/4 Section 27, the N. 1/2 N.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) years 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 G. Caldwell,
Notary Public.

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

Deputy.

Fee

J.S. Campbell,

Recorder.

FILED

SCANNED
MAR 01 2005

$N \frac{1}{2} SW$
 $Sec 22$

42261

34720

2126

PAUL WHEATSTED

County of Barnack

ॐ नमो भगवते वासुदेवाय

so much for the normal person

NOTED BY THE FBI

of the second part, the second

807 and from the mother and father

... ..

Figure 1

36 East of

of the Southwest

the Boston Herald

...excepting

Figure 1

NOTES TO THE

car of the Northwest
ask in Seattle 33

East of the Boise

1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 2642, 2643, 2644, 2645, 2646, 2647, 2648, 2649, 2650, 2651, 2652, 2653, 2654, 2655, 2656, 2657, 2658, 2659, 2660, 2661, 2662, 2663, 2664, 2665, 2666, 2667, 2668, 2669, 2670, 2671, 2672, 2673, 2674, 2675, 2676, 2677, 2678, 2679, 26

649512 [unclear] pur 4031p 's2u

...the ...

DOCUMENT ID

100

1. The first of these is the fact that the

100

RECEIVED
JAN 10 1964

[Faint, illegible text at the bottom of the page]

7-1

... ..

Page # Page 17017 100.000000

1

[Illegible signature]

Handwritten signature

April 14, 2003

DONALD K HALL
DEBRA HALL
4234 S MARSH CREEK RD
MCCAMMON ID 83250

Re: Water right Nos. 29-4161B, 29-4161, & 29-10781.

Dear Mr. and Mrs. Hall,

The past several weeks we have been discussing the relationship of Indian allottee lands with respect to the above referenced water rights. In reviewing your files, we have realized that in order to process the claims for the improved allottee priority date, we require that you file an amended claim. Therefore, please find enclosed amended claims to a water right for the water rights referenced above.

Please note that the only changes between these amended claims and the ones originally filed is the priority date. The new priority date reflects the priority date for reserved water rights appurtenant to allotted Indian lands. The reserved water right priority date is June 14, 1867.

In order to process the amended claims, you are required to sign them in the presence of a notary republic and return them to me. We will process them and distribute for evaluation and recommendation.

If you have any questions in this regard, please feel free to call me at 525-7161.

Sincerely,

W. Roger Warner
Adjudication Agent

Enclosure: Amended claims for water right Nos. 29-4161B, 29-4161, & 29-10781.

SCANNED

MAR 01 2005

PROFILED

April 11, 2003

DONALD K HALL
DEBRA HALL
4234 S MARSH CREEK RD
MCCAMMON ID 83250

Re: Water right Nos. 29-4161B.

Dear Mr. and Mrs. Hall,

I am enclosing a revised preliminary recommendation for the above referenced adjudication claim for a water right.

Please note that the recommendation for this right was for 17.3 acres, which was shown on the aerial photograph as being irrigated. As a result of this acreage, the diversion amount was limited to 0.35 cfs, which is equal to one inch per acre (0.02 cfs/acre). The points of diversion are believed to be of close proximity of your portable pumps.

If this doesn't look right or if you have any further questions in this regard, please feel free to call me at 525-7161.

Sincerely,

W. Roger Warner
Adjudication Agent

Enclosure: Preliminary Recommendations for WR Nos. 29-4161B.
Layout for WR Claim No. 29-4161B

SCANNED

MAR 01 2005

PROFILED

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

RIGHT NUMBER: 29-4161B

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:

MARSH CREEK

Tributary:

PORTNEUF RIVER

QUANTITY:

0.570 CFS

~~0.350 CFS~~

PRIORITY DATE:

05/24/1888

~~06/14/1867~~

POINT OF DIVERSION:

T08S R36E S27 SWNENW Within BANNOCK County
T08S R36E S27 NENWNW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

Purpose of use

Period of use:

Quantity:

IRRIGATION

04/01 10/31

0.570 CFS

~~0.350 CFS~~

PLACE OF USE:

IRRIGATION within BANNOCK County

T08S R36E S27 NENW 9.9

T08S R36E S27 NWNW 18.0

T08S R36E S27 SENW 0.6

~~T08S R36E S27 NENW 7.8~~

~~T08S R36E S27 NWNW 9.5~~

28.5 ACRES TOTAL

~~17.3 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:

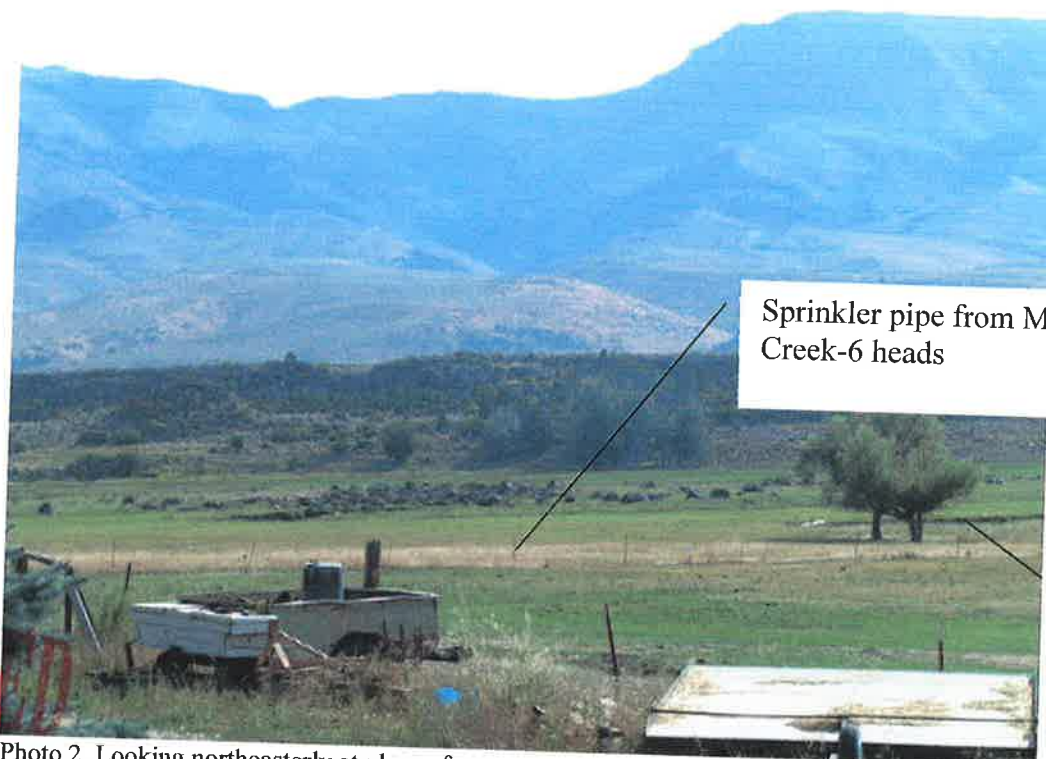
BASIS OF CLAIM - Beneficial Use

A29-4161B
Donald and Debra Hall
August 28, 2002



POU NWNW
section 27

Photo 1. Looking east at place of use.



Sprinkler pipe from Marsh
Creek-6 heads

Marsh Crk

Photo 2. Looking northeasterly at place of use.

PROFILED



5.5 hp Briggs & Stratton portable
gas pump. Runs 1 tank of gas
morning and night.

Photo 3. Close-up of portable pump on Marsh Creek

PROFILED

SCANNED

MAR 01 2005

29-4161B. Donald K, and Debra Hall 4234 S Marsh Creek Rd.



Monday, March 10, 2003. Looking southward. This is what is believed to be the beginnings of the original ditch constructed for the purpose of conveyance of irrigation water to the Don Hall farm. This particular portion of the ditch is no longer used.



Monday, March 10, 2003. Looking Eastward. This is a portion of Ditch that was used for conveying water from Marsh Creek to the Don Hall property. This portion of the ditch is still in use today but for conveyance of water from a nearby creek that is tributary to Marsh Creek. This conveyance was occurring on this day nearer to Marsh Creek.

PROFILED

**SCANNED
MAR 01 2005**



Monday, March 10, 2003. Looking Northward along the roadway of Marsh Creek Road. The creek here paralleled the road for nearly a mile before arriving at the Don Hall property. Portions of the ditch nearer the POU have since been obliterated but are viewed arriving at his property.

PROFILED

SCANNED
MAR 01 2005

Don Hall, Debra Hall.

- Provided documentation of when W.P.A. was authorized to make changes in Marsh Creek in order to divert waters. Assumed ditch may have been ready to go next day. Therefore, priority date recommended was one day following the document date or July. 27, 1939.
- Claimed acreage was 40 acres. NAPP 1987/88 photography shows only 17.3 being irrigated from Marsh Creek. Therefore recommended acres was 17.3 w/ 0.35 cfs.

SCANNED
MAR 01 2005

PROFILED

2/07/03

29-4161B

Notes to File. R. Warner

- Claims Marsh Creek water w/ portable pumps w/ 1909 priority date. Unlikely that pumps were used in 1909.
- Field exam notes that claimant said that penstock was in creek prior to pumps. No evidence of prior penstock was shown.
- ~~Re~~ Claim for right 29-4161 from Marsh Creek. Indicates water taken from ditches. No evidence of former ditches provided.
- Claim for right 29-4160 claims unnamed Spring. Cannot claim a new source of water.
- Claim " " 29-4162 - unnamed spring to pond to sprinkler line. Ok for that right but not applicable to 4161.
- 1974 photo shows no irrigation of lands claimed. Evidence of irrigation prior to this time. If irrigation occurred post 1971, a permit was required, if prior, no permit required but w/ revised priority date.

FILED

SCANNED

MAR 01 2005

SCANNED

MAR 01 2005

Needs field exam

Note to file: Don feels that this is indeed Indian allotment lands. He will do research on this to see if the claimed priority date cannot be upgraded. Otherwise, this right should be recommended.

PW.

4/

PROFILED

SCANNED
MAR 01 2005

Donald & Debra Hall 29-4161 B.

Marsh Creek

Accompanied by Debra Hall

- 2 - portable pumps

1 - is at Cal-Ranch for repair

5hp.

1 - 5.5 hp - Briggs & Stratton Pacur

6 heads @ 5 gpm/head = 30 gpm

- No. Nameplate.

1 - 3.5 hp Portable back-up pump.

1 - Morning (1 tank of gas)

1 - Night (1 tank of gas)

POU: No change from 1968

- NO GPS because they move the pump along the creek bed.

- 10 acres

NWNE NW

SWNE NW

PROFILED

They use to have a penstock in the creek but have switched to portable pump.

2 photos looking east, NE'ly at POU. 10:16 am.

accompanied by Debra Hall

1 - Photo of Portable pump.

SCANNED

MAR 01 2005

Contacts Data Entry Form

<u>Owner Type</u>	<u>Full Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Phone</u>
Individual	John Doe	123 Main St	New York	NY	10001	(212) 555-1234
Company	ABC Corp	456 Park Ave	New York	NY	10017	(212) 555-5678
Government	Federal Gov	789 Capitol Hill	Washington	DC	20540	(202) 555-9012
Non-Profit	XYZ Foundation	321 Charity Lane	Los Angeles	CA	90001	(213) 555-3456

Current Owner B

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: 7am

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

4234 S. Marsh Ck Rd.

Reviewer: _____

Date: _____

SCANNED
MAR 01 2005

PROFILED

Priority Date Data Entry Form

Claim Number: A29-04161B
Water Right Priority Date: 04-01-1909 Water Right Basis: Irrigation
Claimed Priority Date: 4-1-1909 Claimed Basis: Beneficial Use
Recommended Priority Date: _____ Recommended Basis: B.U.

____ 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:

- need honested documents
Warranty deed 1959, July 24th
~~Warranty deed 1921~~
4-27-1957

Reviewer: _____

SCANNED

Date: _____

MAR 01 2005

PROFILED

Point of Diversion and Source Data Entry FormClaim Number: A29-041618Water Right Point of Diversion: T 8, R 36, Sec. 27, _____, _____, _____, County: BannockSource: Marsh Creek Tributary: Portneuf River

Claimed Point of Diversion: T _____, R _____, Sec. _____, _____, _____, _____, County: _____

Source: _____ Tributary: _____

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:

Transfers Changing POD _____

Reviewer: _____

SCANNED

MAR 01 2005

Date: _____

PROFILED

Place Of Use Data Entry Form

Claim Number: A29-041618☐ 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:

See map

Transfers Changing POU _____

Reviewer: _____

SCANNED
MAR 01 2005

Date: _____

PROFIT

Purpose of Use Data Entry FormClaim Number: A29-04161B 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
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Claimed Purpose of Use

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

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: _____

SCANNED

Date: _____

MAR 01 2005

PROFIT

Period of Use and Quantity Data Entry FormClaim Number: A29-04161B☐ 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

Overall Diversion Rate _____ Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____ Overall Diversion Volume _____

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

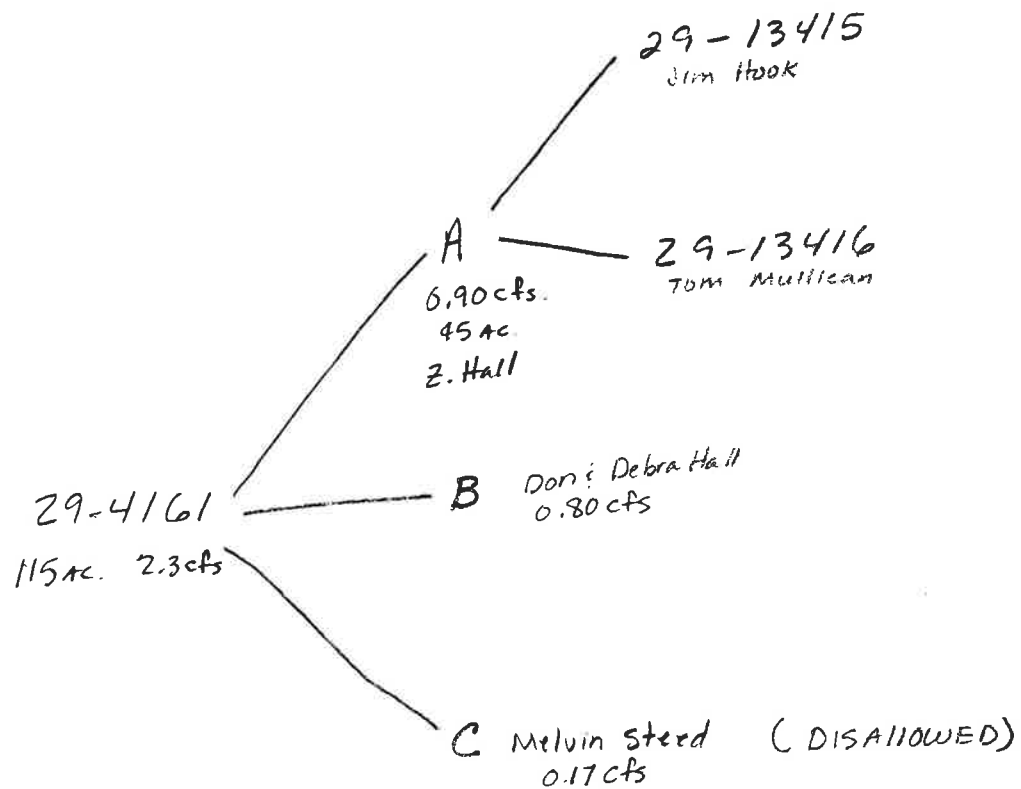
Reviewer: _____

SCANNED

MAR 01 2005

Date: _____

PROFILED



PROFILE

SCANNED
MAR 01 2005

EXAM INFORMATION

Exam Date Thursday 8/22/02

Exam Time 9 AM

CLAIM(S) _____

NAME Donald & Debra Hall

ADDRESS 4234 S. Marsh Ck Rd

PHONE (____) 254-3879 HOME

____ WORK

____ CELL

DOMESTIC____ STOCKWATER____ IRRIGATION ☒ OTHER____

OTHER RIGHTS _____

DIRECTIONS _____

DOGS _____

DATE 8/21/02 APPOINTMENT Debra

SCANNED

MAR 01 2005

PROFILE



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

Diversion Description

RIGHT ID 29 4161 B

POD ID 202650

Quad McCammon

Claim Type L

Easting 644156

Northing 179251

GPSID A0012663

PORTABLE PUMP, SPRINKLERS. Tag placed on pole for power drop to house. Pumps (10 hp, 5 hp, 3.5 hp) are placed at various locations in Marsh Creek to irrigate from handlines.

Assumptions

Pressure head.

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

Linked

OD ID 202650 01.JPG OD ID 202650 03.JPG

Photos

OD ID 202650 02.JPG

Invoice #

EPE (ft)

15

Date (M/D/Y)

10/9/01

Time

9.45

Flow Rate (CFS)

1.0466975676916

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

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

Diameter 0

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

0

☐ Orifice

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

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

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

Channel Slope

Channel Description

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

Pumped System

☒

HP 18.5

Pressure Head (psi) 45

Elevation Head (ft) 5

Motor Mfg

Motor Serial #

Pump Type Centrifugal

Pump Mfg

Pump Serial#

New Contact Information

☐

New Contact Comments

This Form and the associated query are the exclusive intellectual property of Intrepid Engineering Services, and may not be copied, modified, or distributed without the express written consent of Intrepid Engineering Serv, Inc.



SCANNED
MAR 01 2005

PROFILED

A. ROOT WATER RIGHT NUMBERS: A29-04161A
A29-04161B
A29-04161
A29-04161C

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, DONALD K	A29-04161B / 10.0	- /			40.0
			NE	NW		BULLOCK, VELMA	A29-02387 / 30.0	29-02387 / 20.0			
			NE	NW		HALL, DEBRA	A29-04160 / 10.0	29-04160 / 5.0			
			NE	NW		HALL, DONALD C.		29-04161 / 5.0			
08S	36E	27	NW	NW		HALL, DONALD K	A29-04161B / 30.0	- /			20.0
			NW	NW		HALL, DEBRA	A29-04160 / 30.0	29-04160 / 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	A29-04161B	40.00	60.00
-------------	------------	-------	-------

POU COUNTY: BANNOCK

JUN 04 2001

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 29-04161

TOTAL DIVERSION RATE OF WR SPLITS DATABASE EXAMINER CFS
2.300

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
29-04161	A29-04161A	0.900	-		29-04161	2.300
A29-04161	A29-04161B	0.800	-			
	A29-04161C	0.170	-			
TOTAL CFS		1.870				2.300

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE
N

FIELD
EXAMINER
Y() N()

NOTES:

AUTHENTICATION:

SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

AJ5809NP
No. A29-04161B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 04/27/00
PAGE: 121

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DONALD K HALL	04/01/1909	IRRIGATION	04-01 11-01	0.800 CFS	
C	DEBRA HALL					
	4234 S MARSH CREEK RD					
	MC CAMMON ID 83250			TOTAL DIVERSION:	0.800 CFS	
	(208) 254-3879			CONSUMPTIVE USE:		120.00 AFA

Water Source: MARSH CREEK

Tributary to: PORTNEUF RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T08S R36E S27 NENWNW

BANNOCK County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE														
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM		
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
08S	36E	27	:					:	10		30			:					:						:	40.0
			:					:						:					:						:	40.0
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:						:	
			:					:						:					:							

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

PROFILED

SCANNED

MAR 21 2006

RECORDED

NOV 13 1995

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

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.

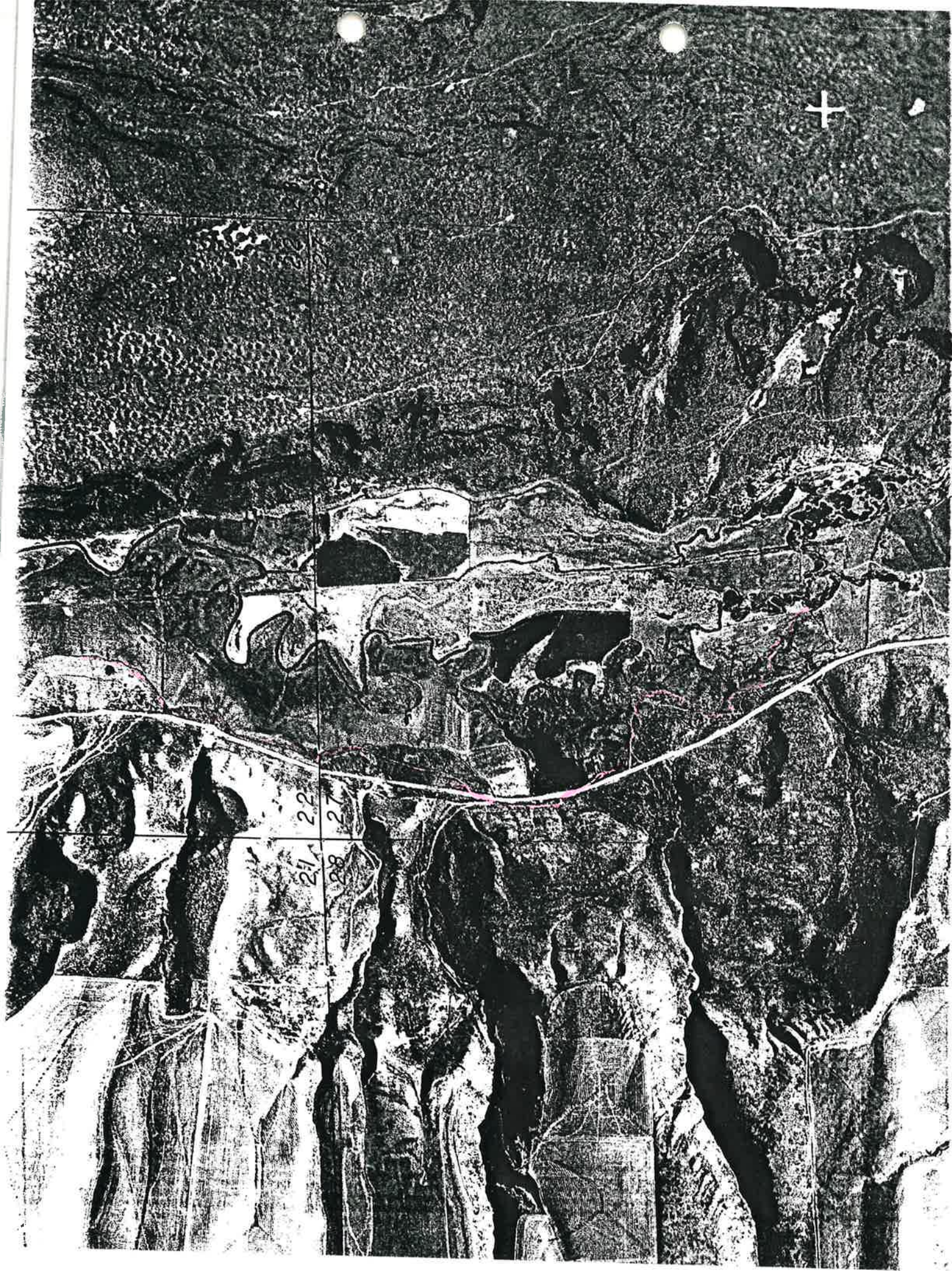
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

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

My commission expires Nov. 22, 1942.

SCANNED

MAR 21 2006



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, 19 51
I personally visited and made a careful inspection of the following-described lands:
N/2 NW/4 Sec. 27, T. 8 S., R. 36 E.B.M., Idaho, containing 80 acres

being the allotment of Ella Nephi Smart (heir Probate 111910-35)

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, 19 51

Earl Wooldridge Superintendent

SCANNED
MAR 21 2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

RECEIVED

APR 03 1995

Department of Water Resources

POOR ORIGINAL

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)
Route #1, McCammon, ID 83250 (Mailing Address) Telephone No. 254-3368
(Zip Code)

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)
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:
tributary to Portneuf River

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
Quantity	Use	(Mo., Day)	(Mo., Day)
<u>2.3 cfs</u>	<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) <u>2.3 cfs</u>	TOTAL QUANTITY USED.		
(cfs, gpd, AFA)			

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 22 Twp. 8S Rge. 36E B.M., County of Bannock
Additional points of diversion: SE 1/4 SW 1/4, Sec. 22, T. 8S, R. 36E SW 1/4 NW 1/4, NW 1/4 NW 1/4, Sec. 27, T. 8S,
R. 36E

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. Portable pump to a sprinkler system. The water was formerly taken through
ditches.

SCANNED

MAR 21 2006

(8) Remarks

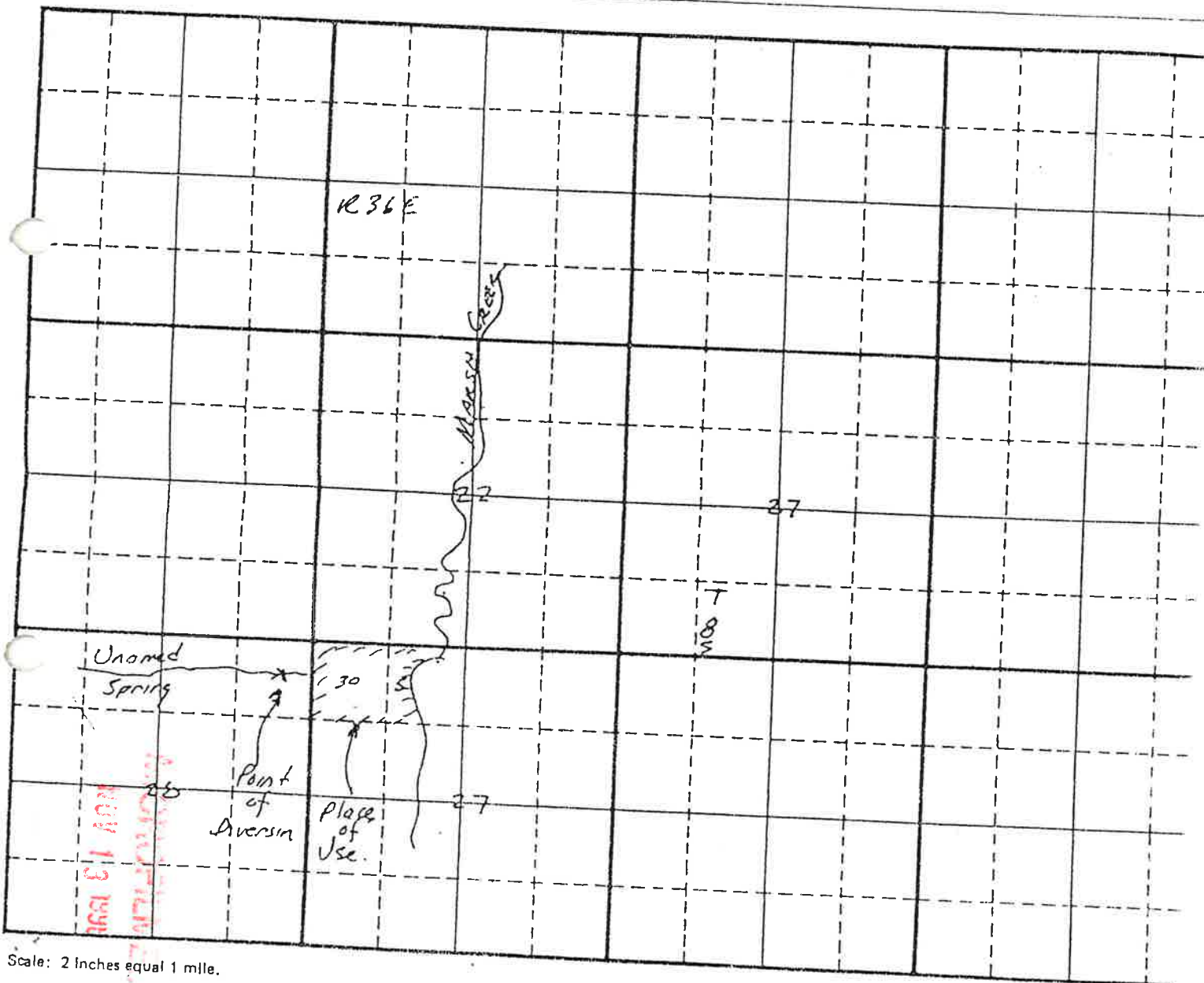
RECEIVED

APR 03 1995

Department of Water Resources

SCANNED

MAR 21 2006



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.

(8) Remarks

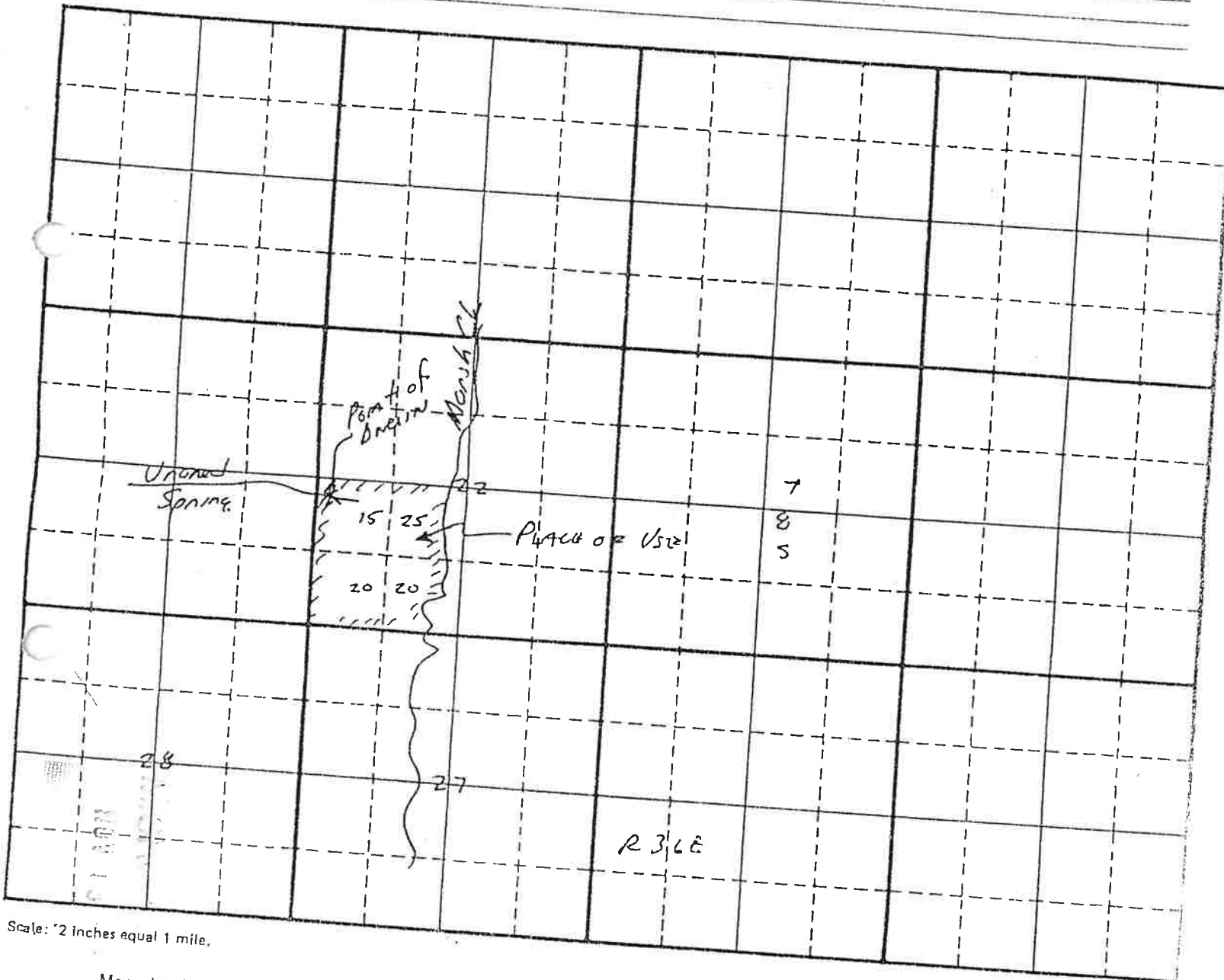
RECEIVED

APR 03 1995

Department of Water Resources

SCANNED

MAR 21 2006



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.

Claim No. 29 4160

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

McCammon, ID 83250

(Mailing Address)

(Name of Claimant)

(Zip Code)

Telephone No. 254-3368

as 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:

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

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

POOR ORIGINAL

RECEIVED

APR 03 1995

Department of Water Resources

SCANNED

MAR 21 2006

POOR ORIGINAL

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 03 1995

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
Route #1,
McCammon, ID 83250
(Mailing Address) (Name of Claimant) Telephone No. 254-3368
(Zip Code)

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)
Marsh Creek
tributary to Portneuf River
- (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)	
Quantity	Use	(Mo., Day)	(Mo., Day)
<u>2.3 cfs</u>	<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) <u>2.3 cfs</u>	TOTAL QUANTITY USED.	Period of Use From	To
(cfs, gpd, AFA)			

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 SW 1/4, Sec. 22 Twp. 8S Rge. 36E B.M., County of Bannock
Additional points of diversion: SE 1/4 SW 1/4, Sec. 22, T. 8S, R. 36E SW 1/4 NW 1/4, NW 1/4 NW 1/4, Sec. 27, T. 8S, R. 36E
- 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. Portable pump to a sprinkler system. The water was formerly taken through ditches.

(8) Remarks

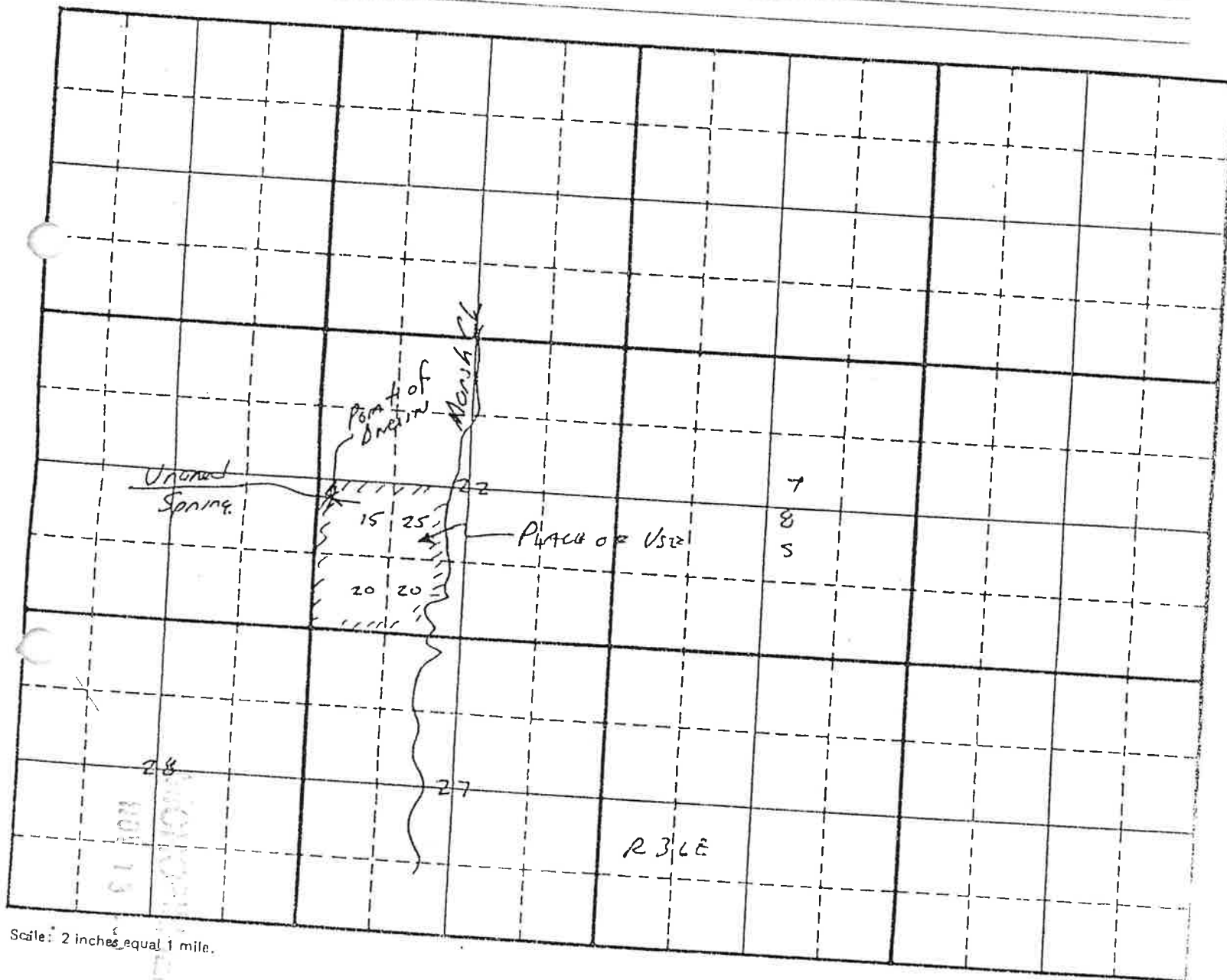
RECEIVED

APR 03 1995

Department of Water Resources

SCANNED

MAR 21 2006



Scale: 2 inches equal 1 mile.

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APR 03 1995

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.

POOR ORIGINAL

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

Rt. 1, McCammon, ID 83250

(Name of Claimant)

(Mailing Address)

(Zip Code)

Telephone No. 259-3368

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

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
Quantity	Use	(Mo., Day)	(Mo., Day)
<u>1.6 cfs</u>	<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
<u>1.6 cfs</u>	TOTAL QUANTITY USED.	Period of Use From	To

- (4) 1.6 cfs
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 SW 1/4, Sec. 22 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. Settling pond to 8" gravity sprinkler line to sprinkler system. This water was formerly taken from a ditch.

SCANNED

MAR 21 2006

POOR ORIGINAL

Ellsworth, Donner Bernard Ellsworth and Evelyn Mae George Ellsworth 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)

UNITED STATES
DEPARTMENT OF THE INTERIOR,

Bureau of Indian Affairs-Portland, Oregon.

Fred McMullin Notary Public
(Title)
Fort Hall, Idaho
My Commission expires Dec. 20, 1954.

The within deed is hereby approved: pursuant to authority delegated by the Commissioner of Indian Affairs to undersigned Sept. 10, 1946 (11 F.R. 10266) or May 10, 1948 (13 F.R. 2677). Sec. 22, T8S, R3C, EEM, Idaho
May 22, 1951

George (Illegible)

Area Director AM

The within deed is recorded in the Office of Indian Affairs in Volume -, Page -
12, Tract File No. FHX-2. The Portland Area Office Recording Volume 1, Page 49 Line

This instrument was filed for record this 23rd day of June, 1954, at 3:12 o'clock P.M., and duly recorded in Book No. 118, of Deeds, Page 583, request of B. T. A. Co.

Sarah Devaney, Recorder

Fee \$ 1.50

SCANNED

MAR 21 2306

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 29-4161B
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: MARSH CREEK Trib. to: PORTNEUF RIVER

4. Point of Diversion:

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

5. Description of diverting works:

PORTABLE PUMP, SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.8	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

SCANNED

MAR 01 2005

PROFILED RECEIVED
APR 18 2003
Department of Water Resources
Eastern Region

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

THIS CLAIM REPRESENTS A PORTION OF CLAIM 29-04161.
CLAIMING 40 ACRES AND 0.8 CFS.

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 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): Ronald Z 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

Rianna Stinner

Notary Public

Residing at Idaho

My commission Expires Oct. 27, 03

SCANNED
MAR 01 2005

PROFILED

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

04/11/2003

RIGHT NUMBER: 29-4161B
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: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.350 CFS

PRIORITY DATE: 07/27/1939

POINT OF DIVERSION:

T08S R36E S27 SWNENW Within BANNOCK County Source: MARSH CREEK
T08S R36E S27 NENWNW Within BANNOCK County Source: MARSH CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

04/01 10/31

QUANTITY

0.350 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T08S R36E S27	NENW	7.8	T08S R36E S27	NWNW	9.5
---------------	------	-----	---------------	------	-----

17.3 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: Beneficial Use

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: A29-04161B

Date Received: 3-27-90

Receipt No: 606373

Received By: RB

RECEIVED
MAR 27 1990

Department of Water Resources

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DONALD K. HALL
Address: 4234 S MARSH CREEK RD.
MCCAMMON, ID

208-254-3879

OR

83250

Name: DEBRA HALL
Address: 4234 S MARSH CREEK RD.
MCCAMMON, ID

208-254-3879

83250

2. Date of Priority: APR 01, 1909

3. Source: MARSH CREEK

Trib. to: PORTNEUF RIVER

4. Point of Diversion:

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

5. Description of diverting works:
PORTABLE PUMP, SPRINKLERS.

NW NE NW
SW NE NW. > Portable pump.

6. Water is used for the following purposes:

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

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

A.F.A.

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

9. Non-irrigation uses:

A29-04161B

Page

1

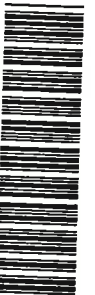
Date: 03/27/90

PROFILED

SCANNED
MAR 21 2006

MICROFILMED
NOV 13 1992

A2904161B



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:
SUPPLEMENTED BY A29-04160

14. Remarks:
THIS CLAIM REPRESENTS A PORTION OF CLAIM 29-04161.
CLAIMING 40 ACRES AND 0.8 CFS.

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 Wall Date: 3/27/90

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of March 19 90

Anna Baunthoff
Notary Public

Seal

Residing at Anna Baunthoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

A29.04161B

R236E

T8S
T9S
SCANNED
MAR 21 2006



MICROFILMED
NOV 13 1992

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
Route #1, McCammon, ID 83250 (Name of Claimant)
(Mailing Address) (Zip Code) Telephone No. 254-3368

claims a right to the diversion and beneficial use of the surface or ground water. The
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 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.

Describe the source of water: (Name of stream, etc.)

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
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: tributary to Portneuf River

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
Quantity	<u>2.3 cfs</u>	Use	<u>irrigation</u>	Period of Use From
Quantity	_____	Use	_____	To
Quantity	_____	Use	_____	Period of Use From
Quantity	_____	Use	_____	To
Quantity	_____	Use	_____	Period of Use From
Quantity	_____	Use	_____	To
	<u>2.3 cfs</u>			Period of Use From
	(cfs, gpd, AFA)			To
		TOTAL QUANTITY USED.		

(4) Quantity 2.3 cfs Use TOTAL QUANTITY USED. Period of Use From To
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE ¼ SW ¼, Sec. 22 Twp. 8S Rge. 36E B.M., County of Bannock
Additional points of diversion: SE ¼ SW ¼, Sec. 22, T. 8S, R. 36E SW ¼ NW ¼, NW ¼ NW ¼, Sec. 27, T. 8S,
R. 36E

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. Portable pump to a sprinkler system. The water was formerly taken through ditches.

(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.

[illegible]

No. of acres 115

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

~~MAY 31 2001~~

NOTE: Include here the type and number of stock watered:
If you are claiming water as a stockholder:

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

MAR 21 2006