

04/23/2003

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

RIGHT NUMBER: 29-13415

NAME AND ADDRESS: JAMES ALLEN HOOK
3618 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.260 CFS

PRIORITY DATE: 02/23/1951

POINT OF DIVERSION:

T08S R36E S22 NENESW Within BANNOCK County Source: MARSH CREEK

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.260 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T08S R36E S22

NESW 12.0

T08S R36E S22

NWSW

1.0

13 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

02/08/2003

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

RIGHT NUMBER: 29-13415

NAME AND ADDRESS: JAMES ALLEN HOOK
3618 S MARSH CREEK RD
MC CAMMON ID 83250

SOURCE: MARSH CREEK

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.900 CFS

PRIORITY DATE: 04/01/1909

POINT OF DIVERSION:
T08S R36E S22 NENESW Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.900 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County
T08S R36E S22 NESW 35.0 T08S R36E S22 NWSW 10.0

45 ACRES TOTAL

- 15 acres

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

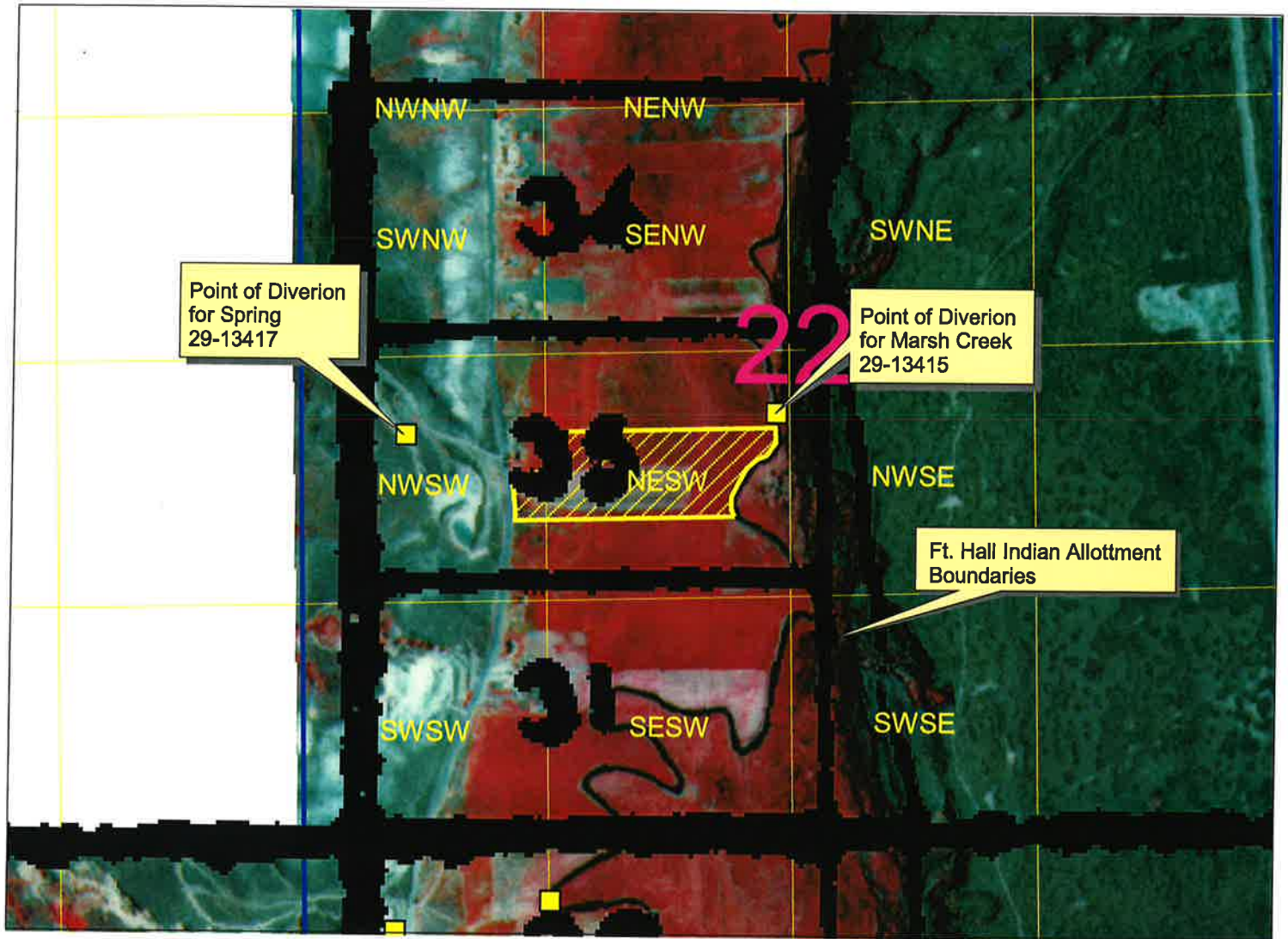
NO LAWFUL APPROPRIATION SHOWN

NO LAWFUL APPROPRIATION SHOWN.

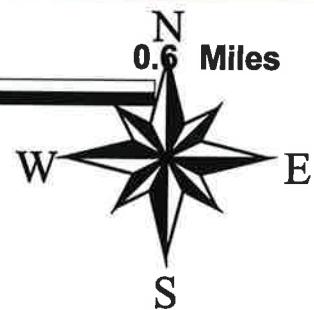
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho Department of Water Resources Eastern Region Claim No.: 29-13417



Irrigated Acres = 13



- Diversion.shp
- 29-13417.shp
- Sections
- QQ

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 22, 2003

JAMES ALLEN HOOK
3618 S MARSH CREEK RD
MC CAMMON ID 83250

Re: Water right Nos. 29-13415.

Dear Mr. Hook,

Thank you for returning your notice of error for the above referenced water right. In it you expressed disagreement of the recommendation of "no lawful appropriation" and the number of acres that was being irrigated. You also provided additional evidence dated September 7, 1993 showing evidence of survey markers for Indian Allottee lands and included a plat map.

My comments in response to your concerns are the following:

1. The number of acres shown on the preliminary recommendation reflects what either you or the previous owner claimed. If you own or irrigate substantially less than the claimed amount as you indicated, then the acreage may be adjusted to acres irrigated as of 1987, the year the Snake River Basin Adjudication commenced. For your convenience, I have included a copy of an infrared aerial photo taken in 1987. Tax lot data for Bannock County shows that you own approximately 13 acres west of Marsh Creek.
2. Review of the file shows field notes from IDWR Adjudication Agent Cindy Bird. Ms. Bird noted a conversation in regards to irrigation mainline and that it was removed in or around the year 2000. No other form (s) of irrigation past or present was noted upon the property.
3. The file also contains a copy of a "Deed to Restricted Indian Land," dated February 23, 1951. The purpose of the deed was conveyance of the property from the Ellsworths to Walter Hayden. In the deed, there is a provision that reserves lands granted for a "right-of-way thereon of ditches or canals constructed by authority of the United States." In addition, this and other file data references your property as being a portion of original Indian Allotment lands. Specifically, Allottee Number 35, Yah-man-zo-nah.
4. Based upon the information provided, it appears that your property was irrigated from waters of Marsh Creek prior to 1990 by sprinkler irrigation and perhaps prior to February 23, 1951 by conveyance of water through a ditch or canal constructed under the authority of the United States. Since it appears that waters of Marsh Creek was used prior to May 20, 1971, irrigation from Marsh Creek may be claimed on the basis of beneficial use. The priority date for this

recommendation would be February 23, 1951 based upon evidence provided. I have included a revised recommendation of water right 29-13415 to reflect these changes. However, if evidence is provided that proved the conveyance or diversion of surface waters of Marsh Creek prior to this date, then the priority date may be revised accordingly. Additional evidence to this effect may be provided to IDWR prior to compilation of the Directors Report. The Directors Report is scheduled to be sent to the adjudication court on July 1, 2003. Thereafter, all basin 29 claims will be under review of the adjudication court. New or additional information would require communication directly with the court.

5. The fact that the lands were allottee lands originally owned by an Indian may allow you the opportunity to claim the reserved water right priority date for Indian Allotments specifically for the water right for springs (29-13417). Should you decide to do this, you would need to submit an "amended claim to a water right." For your convenience, I have included an amended claim for this spring fed water right. You must sign it in the presence of a Notary Public and return to our office. Thereafter it will be reviewed by our State Attorney Generals representative prior to 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: Layout for Water right claim 29-13415
 Revised Recommendation for claim No. 29-13415
 Amended claim for water right Nos. 29-13417.

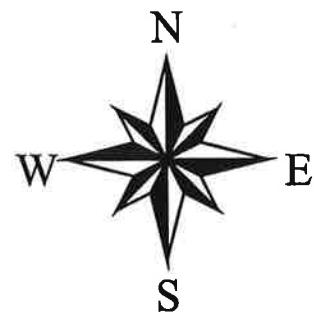


State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-13415



0.1 0 0.1 0.2 Miles

Irrigated Acres = 13



29-13417.shp
Sections
QQ

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

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 29-13417
Date Received: 10/25/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

JAMES ALLEN HOOK Phone: (208)254-9266

3618 S MARSH CREEK RD
MC CAMMON ID USA 83250

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

3. Source: SPRING Trib. to: MARSH CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	36E	22	NW NW SW	BANNOCK	

5. Description of diverting works:

SETTLING POND TO GRAVITY SPRINKLER LINE TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose
IRRIGATION

From To C.F.S.
4/01 11/01 0.9

(or) A.F.A

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
08S	36E	22	NE SW	IRRIGATION	<u>35.12</u>
			NW SW	IRRIGATION	<u>10.1</u>

Section Acres 45 13

Total Acres 45 13

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 RIGHT IS A SPLIT FROM FORMER RIGHT 29-4162

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): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

Roger

02/08/2003

NOTICE OF ERROR
REPLY

RECEIVED
APR 17 2003
Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-13415

JAMES ALLEN HOOK
3618 S MARSH CREEK RD
MC CAMMON ID 83250
Telephone Number: (208)254-9266

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source): *I disagree with your no lawful appropriation to my water rights #29-13415 from marshcreek. And the number of acres is not correct. The original 45 acres was split up in 1993. I own 15 acres of this land.*
2. Describe the changes you wish to make in the proposed recommendation: *Lawful use of water rights from marshcreek.*
3. Give a brief explanation as to why you disagree with these portions: *The land is Indian allotment land. And was watered by pump from marshcreek for years.*

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

DATE: 4-15-03

SIGNATURE: James Allen Hook

Please print your name: JAMES ALLEN HOOK

BITHELL ENGINEERING INC.

TEL. (208) 233-3986
P. O. BOX 2226
POCATELLO, IDAHO

September 7, 1993
Job No. 93-069

Zella Hall
Legal Description

A parcel of land located in the N 1/2 of the SW 1/4 of Section 22, T 8 S, R 36 E, B.M., Bannock County, Idaho, being more particularly described as follows:

Commencing at the West 1/4 corner of said section 22, said corner being marked by a 7/8-inch dia. rebar with a 3-inch dia. aluminum cap stamped "PE/LS 4440";
thence S 89°57'05" E along the latitudinal centerline of section 22, said latitudinal centerline also being the North line of Indian Allotment #35 as surveyed by the U.S. Bureau of Indian Affairs in 1912, 2596.63 feet to the Northeast corner of said Indian Allotment #35, said corner being marked by a found 1912 Indian Allotment brass cap monument;
thence S 0°17'10" E along the meridional centerline of section 22, said meridional centerline also being the East line of Indian Allotment #35 as surveyed by the U.S. Bureau of Indian Affairs in 1912, 422.64 feet to a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440", said rebar being the true point of beginning;
thence N 89°57'05" W parallel with the latitudinal centerline of said section 22, 1326.25 feet to the Northeast deed corner of inst. #92004768, said corner being marked by a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440";
thence S 6°15'51" E along the East line of said inst. #92004768, 208.71 feet to the Southeast deed corner of said inst. #92004768, said corner being marked by a 1/2-inch dia. rebar with yellow plastic cap stamped "PE/LS 4440";
thence S 83°44'08" W along the South line of said inst. #92004768, 208.71 feet to a point of non-tangency with a 1646.89 foot radius curve, said point being on the Easterly right-of-way of Marsh Creek Road and also being the Southwest deed corner of inst. #92004768 and marked by a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440";
thence Southeasterly along said Easterly right-of-way of Marsh Creek Road along a curve to the right, said curve having a central angle of 7°47'53", a radius of 1646.89 feet and a chord bearing of S 1°08'39" E, for an arc length of 224.14 feet to a point on the North deed line of inst. #671836, said point being marked by a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440";
thence N 89°44'55" E along the North deed line of said inst. #671836, 1508.72 feet to a point on the meridional centerline of section 22, said point being marked by a 1/2-inch dia. rebar with a yellow plastic cap stamped "PE/LS 4440";
thence N 0°17'10" W along the meridional centerline of section 22, said meridional centerline also being the East line of Indian Allotment #35 as surveyed by the U.S. Bureau of Indian Affairs in 1912, 446.43 feet to the true point of beginning.

Said parcel containing 14.6 acres, more or less, and said parcel being subject to a 75-foot wide easement for Northwest Pipeline Corporation's 22 inch O.D. Ignacio to Sumas pipeline.



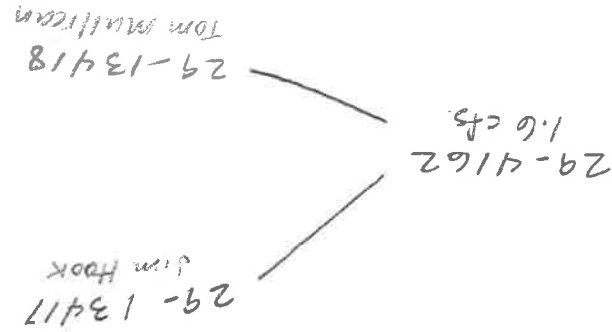
Allothe #35

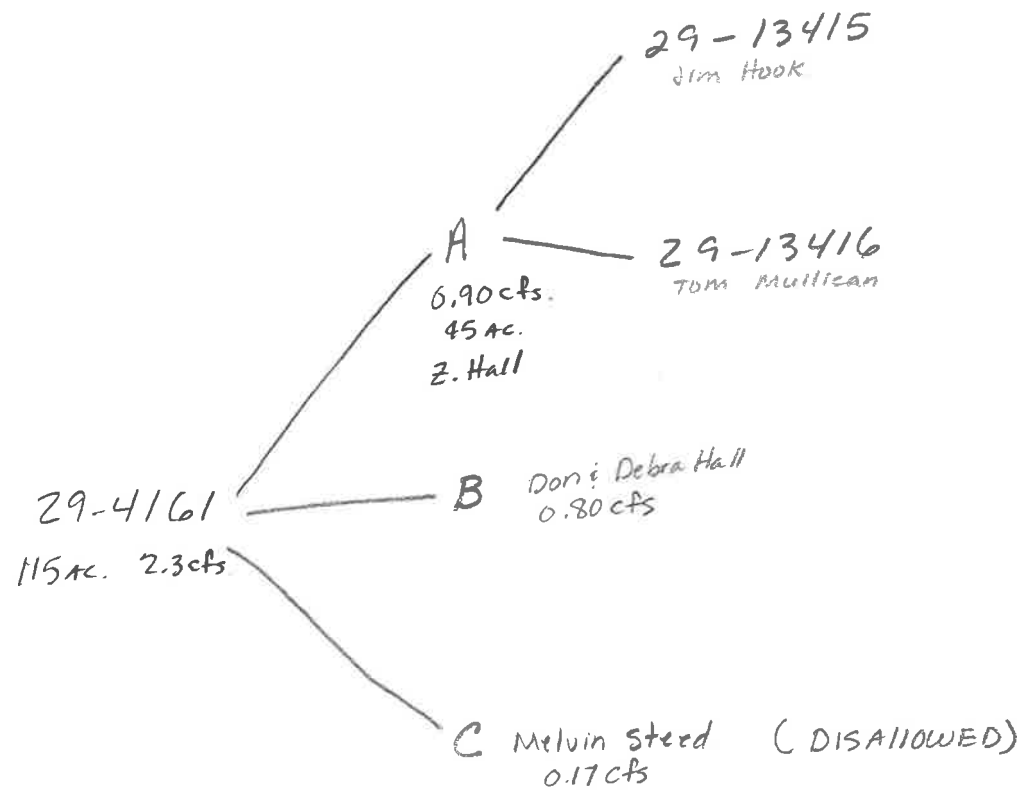
12/17/02.

- disallow

Marsh Creek

- Recommend 1957 Spring.





Bird, Cindy

From: McHugh, Candice
Sent: Tuesday, November 19, 2002 8:24 AM
To: Bird, Cindy
Cc: Carlsen, Ernie
Subject: RE: Indian lands

Cindy,

Ernie has provided me with a list of claims that potentially are entitled to an earlier priority date. The list however contains some water rights that do not meet the proper criteria. I am going to talk with Dave tomorrow (he's in Twin today and was in Burley yesterday) to see whether or not we want to evaluate the claims further and provide the claimant a letter or call to amend their priority dates or whether we want to address the issue at the public meeting. I'll get back to you on what Dave and I discuss. Thanks

Candice

-----Original Message-----

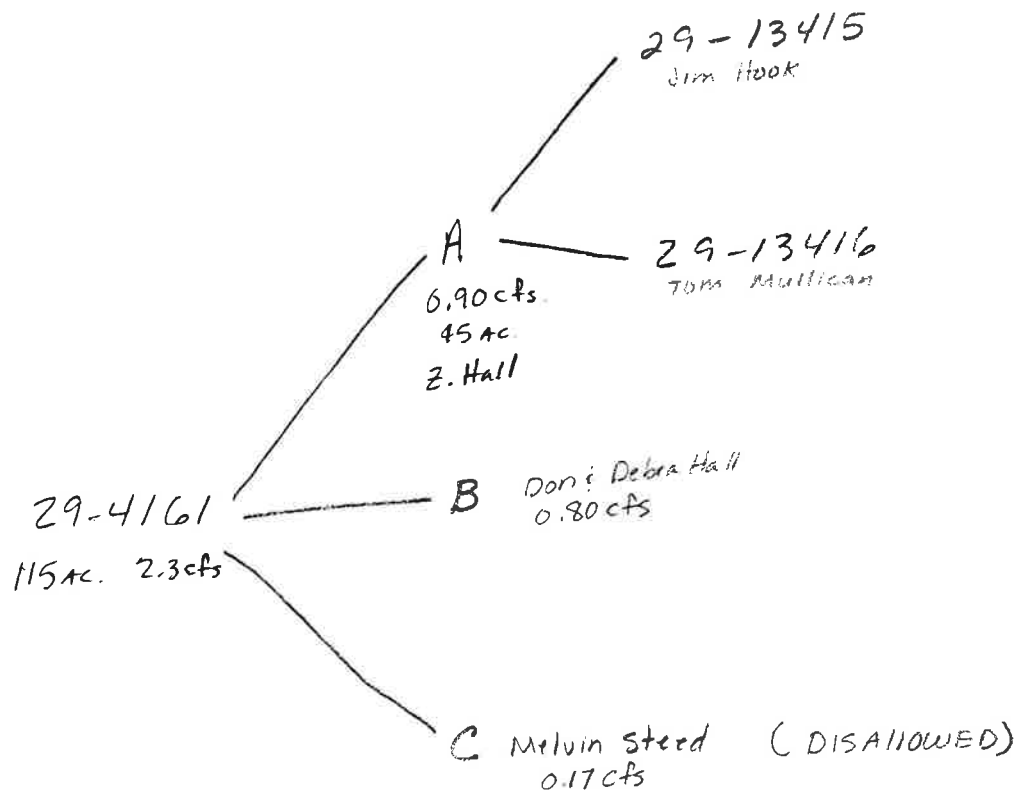
From: Bird, Cindy
Sent: Monday, November 18, 2002 1:57 PM
To: McHugh, Candice
Cc: Carlsen, Ernie
Subject: Indian lands

hi Candice,

It was difficult to hear what you were saying about the Indian rights at the Tuesday staff meeting. Can you clarify/elaborate on what you said at staff meeting about the Indian lands.

Some of the beneficial use claims that I received from Dave Carlson on Marsh Creek were lands that were previously owned by Indians. Specifically in reviewing statutory claims 29-4161 and 29-4162 the files contain documents that the land was previously owned by Yah-man-zo-nah (allottee No. 35), an Indian of the Fort Hall Reservation. Should these rights have an 18-something priority date? Would they be based on something other than beneficial use? I don't think this is the only piece of land in this area that was originally owned by an indian.

Thanks,
Cindy



Bannock County, Idaho

INSTRUMENT No. 322875

WARRANTY DEED

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

WALTER HAYDEN and DELSA HAYDEN, husband and wife,

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

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

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

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

TEN AND NO/100 ----- DOLLARS,

lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, do hereby 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 20, 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 part of the second part, their heirs and assigns against the said parties of the first part, and their heirs and assigns and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Walter Hayden (SEAL)

Delsa Hayden (SEAL)

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
29-13415	_____	___	_____	_____	___
29-13417	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. No Fee
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

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

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

Zella Hall

Rea Goodenough

4. New Owner/Claimant(s)

JAMES ALLEN HOOK Deborah Leigh Hook

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

New Mailing Address

3618 S. Marsh Creek Rd

City, State and ZIP Code

McCammon, ID 83250

New Telephone Number

208 254-9266

5. Date you acquired the property

December 17, 1993



6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. **Signature of New Owner(s) or Claimant(s)**
(include title if applicable)

James Allen Hook
Deborah L. Hook

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Jim Hook
3618 South Marsh Creek Road
McCammon, ID 83250

November 18, 2002

RE: Snake River Basin Adjudication (SRBA)
Claim No(s) 29-13415 & 29-13417

Dear Water Right Holder:

We have been advised you are the current owner of the property and water rights referenced above. Before we can modify our records to reflect your ownership of the property and water rights referenced above, we need Form 42-248/42-1409(6) completed, signed and returned. Please fill out the highlighted areas with the name(s) as you want them recorded. I have enclosed this form for your use.

Please submit the ownership change by November 26, 2002. If you have any questions not covered by this letter please feel free to contact me at 547-3993.

Sincerely,

Cindy E. Bird
Adjudication Bureau

Enclosures:

Form 42-248/42-1409(6)
Notice of Change in Water Right Ownership

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____
Current Owner James Allen Hook 3618 S. Marsh Crk Rd
Name connector: and _____, or _____, and/or _____
Current Owner McCammon, ID 83250
Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: Jim Hook Phone Number: _____

Relationship to Claimant: New owner (purchased 12-17-1993)

Date of Field Exam: 9/4/02 Time: 5:30 pm

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

left message. 8/20/02. 10:31 AM.

9/28/02 Called Jim's cell phone.

Need a copy of warranty deed.

10/29/02 Called Eric and asked him to split this claim and have

Jennifer make up 2 new folders and give to Allen to bring down next week.

11/18/02 Pauline sending letter about needing a signed ownership change form.

Reviewer: CB

Date: 11/18/02

Priority Date Data Entry Form

Claim Number: A29-04161A
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: _____

☐ 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:

evidence required

Reviewer: _____

Date: _____

Point of Diversion and Source Data Entry Form

Claim Number: A29-04161A

Water Right Point of Diversion: T 8, R 36, Sec. 22, NE, SW, County: Bannock

Source: Marsh Creek Tributary: Portneuf River

Claimed Point of Diversion: T 8S, R 36E, Sec. 22, NE, SW, County: Bannock

Source: Marsh Creek Tributary: Portneuf River

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: _____

Date: _____

Place Of Use Data Entry FormClaim Number: A29-04161A☐ 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:

Transfers Changing POU _____

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number: A29-04161A☐ 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
Irrigation			115	

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:

Document how the Purpose of Use was verified:				
29-13415				
29-13416				
29-4161				
115ac 2.3				
A	45ac.	0.90		
B	40.	0.80		
C	5ac.	0.17	(stock 0.02?)	

Transfers Changing Purpose of Use _____

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry FormClaim Number: A29-04161A *split 29-13415 + 13416.*☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	2.3	

Overall Diversion Rate 2.3 Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	11/1	0.90	

Overall Diversion Rate 0.90 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: _____

Date: _____

Claim No.: 29-13415

Summary Data Entry Form

Remarks and Conditions (Include Type, Category and Code if applicable):

C18 Gen Cond.

P21 Exp. Remark

29-4161A

Split or Combined Right Analysis:

29-4161
115 AC 2.3

A 45 AC. (0.90) — 29-13415
B 40 AC. (0.80) — 29-13416
C 5 AC (0.17) stock (0.02?)

Attached Field Notes or Other Documents:

Claim No.:

Reviewer

Date

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

EXAM INFORMATION

Exam Date

Sept 4

Exam Time

5:30pm

CLAIM(S)

29-4161A, 29-4162

NAME

Jim Hook

ADDRESS

3618 S. Marsh Ck Rd

PHONE ()

254-9266

HOME

WORK

CELL

251-4238

DOMESTIC

STOCKWATER

IRRIGATION

OTHER

X

OTHER RIGHTS

DIRECTIONS

house north of ~~Walter~~ Steed.
N. on Marsh Ck from McCammon.

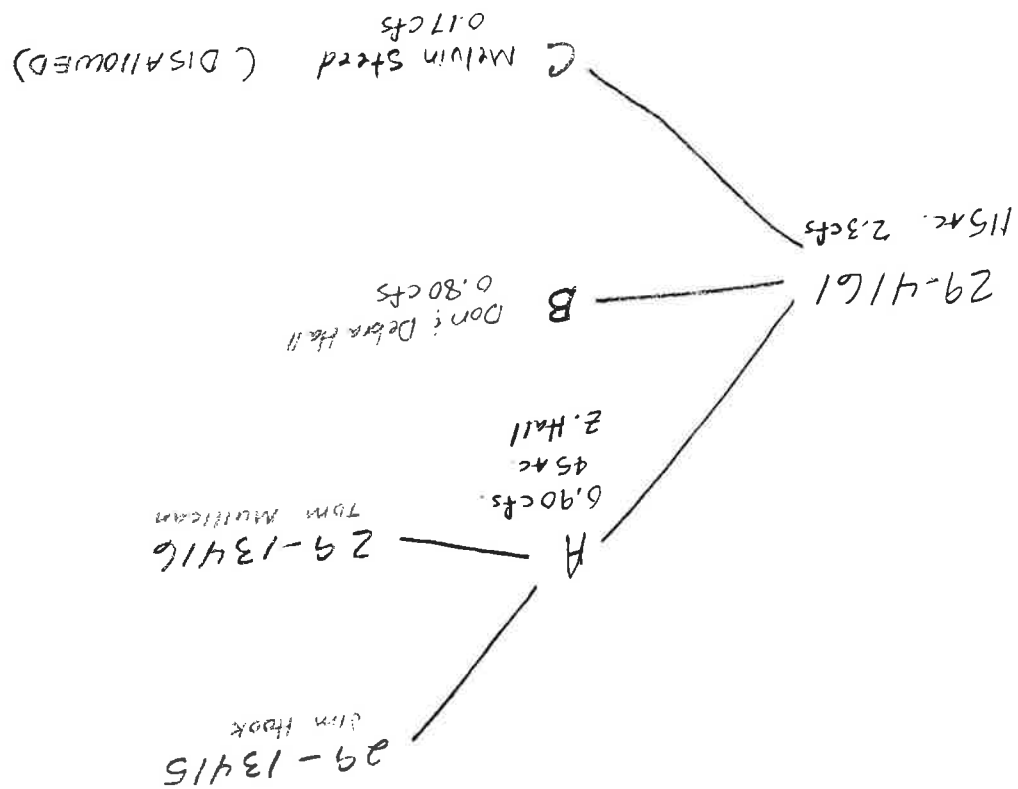
DOGS

DATE

8/27/02

APPOINTMENT

Jim



Jim Hook.

14.7 acres total.

3 hp portable pump, gas pump.
Buggs & Stratton

Model SEB2PLE3C
code No. 52402

Spring.

1- Photo of pipe when it goes into the ground.

1- photo looking W. at Catchment and buried pipe the Catchment is detached to the trees in the background.

- pipe

- Valve on west side of Marsh Creek
water goes under Marsh Creek through the 12" Culvert.

9/4/02 Hook SP 17:14 (18:14)

N 42° 42.649'

W 112° 14.533'

PHOTO LOOKING EAST AT POLI.

2 yrs ago Jim pulled out the buried mainline because

THE PIPE IS RUSTY AND WAS LEAKING. PLANS TO REINSTALL
THE BURIED MAINLINE.

THE BURIED MAINLINE WENT ABOUT $\frac{1}{2}$ WAY DOWN THE
PROPERTY. THE CULVERT GOES UNDER THE ROAD
NEXT TO JIM'S NEIGHBORS.

THERE IS A SMALL PASTURE NEXT TO THE NEIGHBORS.

C309

21
Warranty Deed

1-6/326-JN
93021387

For Value Received
ZELLA HALL, WIDOW

the grantor do hereby grant, bargain, sell and convey unto
JAMES ALLEN HOOK, A SINGLE MAN

whose current address is

1028 DEON DRIVE, POCA TELLO, ID 83201

the grantee, the following described premises, in
SEE ATTACHED EXHIBIT "A"

BANNOCK

County Idaho, to wit:

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he the owner in fee simple of said premises; that they are free from all incumbrances

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

C310

2-2
EXHIBIT A

93021387

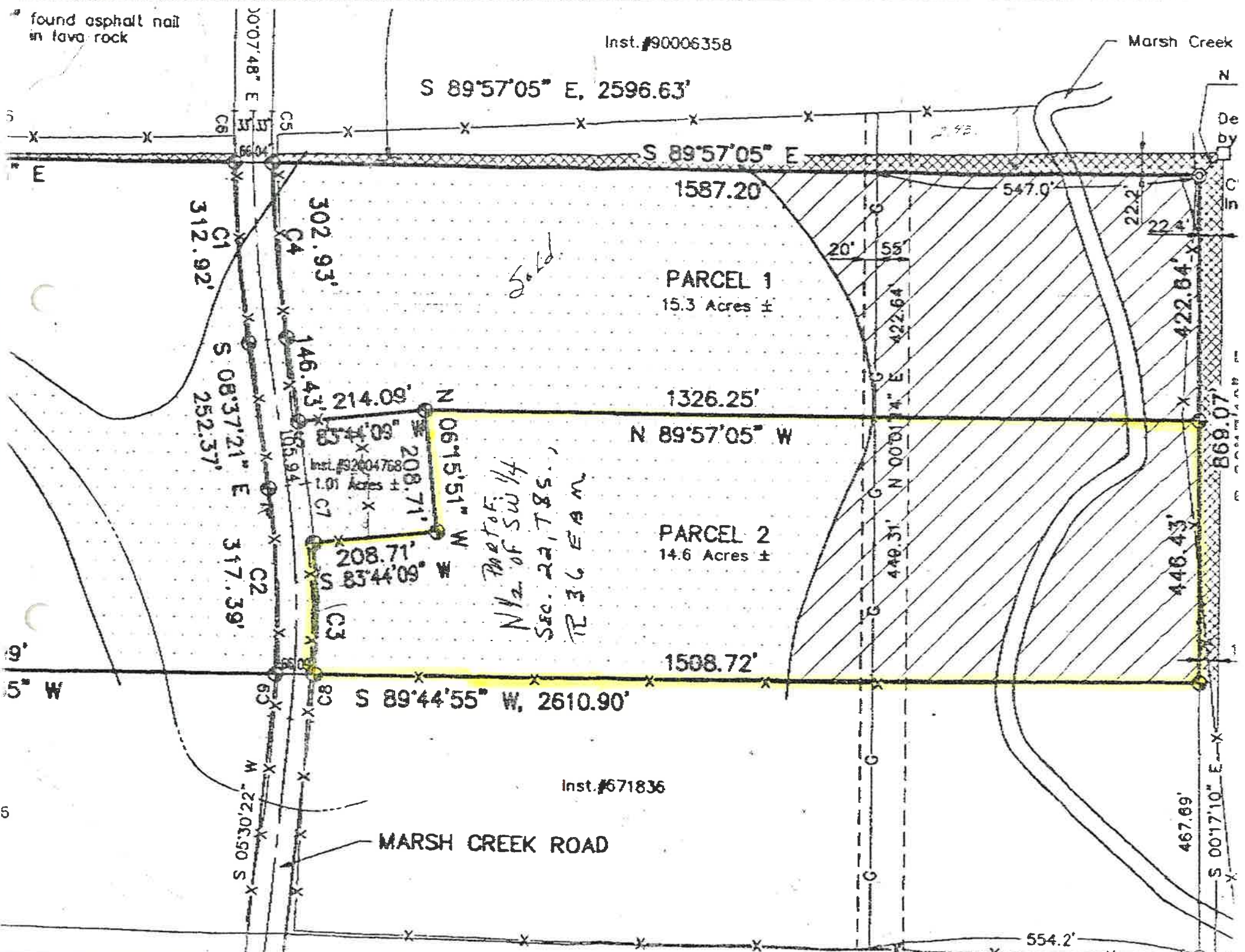
A PARCEL OF LAND LOCATED IN THE N $\frac{1}{4}$ OF THE SW $\frac{1}{4}$ OF SECTION 22, TOWNSHIP 8 SOUTH, RANGE 36 E.B.M., BANNOCK COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST 1/4 CORNER OF SAID SECTION 22, SAID CORNER BEING MARKED BY A 7/8 INCH DIA REBAR WITH A 3-INCH DIA. ALUMINUM CAP STAMPED "PE/LS 4440"; THENCE SOUTH 89°57'05" EAST ALONG THE LATITUDINAL CENTERLINE OF SECTION 22, SAID LATITUDINAL CENTERLINE ALSO BEING THE NORTH LINE OF INDIAN ALLOTMENT #35 AS SURVEYED BY THE U.S. BUREAU OF INDIAN AFFAIRS IN 1912, 2596.63 FEET TO THE NORTHEAST CORNER OF SAID INDIAN ALLOTMENT #35, SAID CORNER BEING MARKED BY A FOUND 1912 INDIAN ALLOTMENT BRASS CAP MONUMENT; THENCE SOUTH 0°17'10" EAST ALONG THE MERIDIONAL CENTERLINE OF SECTION 22, SAID MERIDIONAL CENTERLINE ALSO BEING THE EAST LINE OF INDIAN ALLOTMENT #35 AS SURVEYED BY THE U.S. BUREAU OF INDIAN AFFAIRS IN 1912, 422.64 FEET TO A 1/2 INCH DIA. REBAR WITH A YELLOW PLASTIC CAP STAMPED "PE/LS 4440", SAID REBAR BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 89°57'05" WEST PARALLEL WITH THE LATITUDINAL CENTERLINE OF SAID SECTION 22, 1326.25 FEET TO THE NORTHEAST DEED CORNER OF INSTRUMENT #92004768, SAID CORNER BEING MARKED BY A 1/2-INCH DIA. REBAR WITH A YELLOW PLASTIC CAP STAMPED "PE/LS 4440"; THENCE SOUTH 6°15'51" EAST ALONG THE EAST LINE OF SAID INSTRUMENT NO. 92004768, 208.71 FEET TO THE SOUTHEAST DEED CORNER OF SAID INSTRUMENT NO. 92004768, SAID CORNER BEING MARKED BY A 1/2 INCH DIA. REBAR WITH YELLOW PLASTIC CAP STAMPED "PE/LS 4440"; THENCE SOUTH 83°44'09" WEST ALONG THE SOUTH LINE OF SAID INSTRUMENT NO. 92004768, 208.71 FEET TO A POINT OF NON-TANGENCY WITH A 1646.89 FOOT RADIUS CURVE, SAID POINT BEING ON THE EASTERLY RIGHT OF WAY OF MARSH CREEK ROAD AND ALSO BEING THE SOUTHWEST DEED

found asphalt nail
in lava rock

Inst. #90006358

Marsh Creek



NWSW

NESW

Thomas Mullican

James Hook
Debbie - wife
Western states.

Rick Mowrey

Melvin Steed

(M-F)

Jim Hook

254-9264 hm

257-4238 cell

29-416A & 29-4162

9/14/02 7pm: Thomas Mullican

I stopped and visited with TOM ON Zella HALL'S WATER RIGHTS FROM MARSH CREEK AND A SPRING.

TOM PURCHASED THIS PROPERTY FROM ZELLA IN 1992. HE HAS NOT IRRIGATED FROM EITHER SOURCE AND DOES NOT PLAN TO PUT IN AN IRRIGATION SYSTEM BECAUSE IT IS TOO COSTLY.

THERE WAS NO IRRIGATION SYSTEM IN PLACE WHEN TOM PURCHASED THE PROPERTY.

TOM LEASES THE PROPERTY OUT FOR GRAZING BUT DOES NOT ALLOW THE COWS TO DRINK FROM THE CREEK ON HIS PROPERTY. THEY DRINK FROM THE CREEK ON JIM HOOK'S PROPERTY.

JIM HOOK. PURCHASED A PORTION OF ZELLA'S PROPERTY (14.6 ACRES)

REQUESTED AN OWNERSHIP CHANGE ON THESE RIGHTS FROM JIM HOOK.



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Jim Hook
3618 South Marsh Creek Road
McCammon, Idaho 83250

October 1, 2002

REF: Snake River Basin Adjudication (SRBA)
Adjudication No. A29-04161A and A29-04162

Subject: Change in Ownership

Dear Claimant(s),

Please find enclosed the notice of change in water right ownership. In the adjudication review process there is no filing fee. However, we will need a copy of the plat, survey map or aerial photo with the appropriate area marked and a copy of the warranty deed.

Please fill out the appropriate highlighted areas on the notice of change in water right ownership form and submit with the necessary documents.

Please submit the documentation by October 15, 2002, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter please feel free to contact me at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure: form 42-248/42-1409(6) "Change in Water Right Ownership"

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.

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)			
				(Mo., Day)		(Mo., Day)	
Quantity	2.3 cfs	Use	irrigation	Period of Use From	4/1	To	11/1
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)	2.3 cfs	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

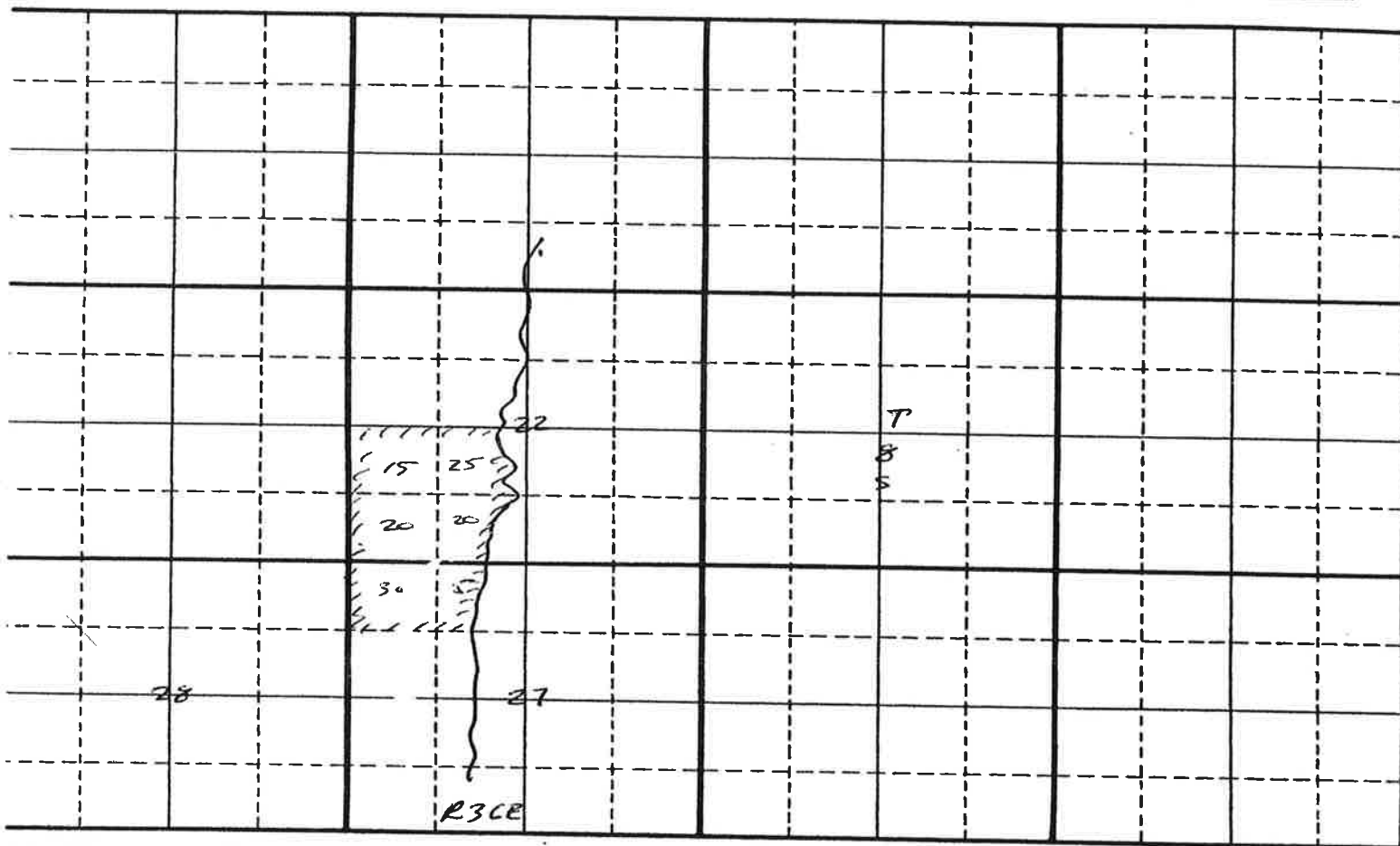
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

~~MAY 31 2001~~

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

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

(8) Remarks



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

State of Idaho)
County of Donnerville) ss.

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

Sworn to before me this 5th day of March, 1980.

Donald C. Hall
(Claimant)
William W. Way
Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/81

FOR DEPARTMENT USE ONLY

Received by OW Date 3-05-80
Prelim. check by EMC Date 3-06-80
\$20.00 fee received by OW Date 3-05-80
Published in Idaho State Journal #13834
Dates 3/13 & 3/20/80

Exception filed by:

Forwarded to
claimant by:

Date



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

PORTABLE PUMP, SPRINKLERS. New owner needs to file paperwork. He doesn't have a pump yet. Plans to place portable in river. Tag placed on meter box by house.

Assumptions

No diversion exists, so flow was calculated assuming a 10 hp pump and 45 psi.

Invoice #

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

Linked

Photos

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

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

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

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

Depth of Water
above orifice
centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water
above nappe

Width of weir

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

Channel Slope

Channel
Description

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

Pumped System

☒

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

☒

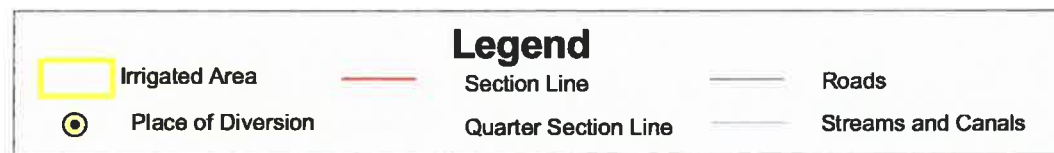
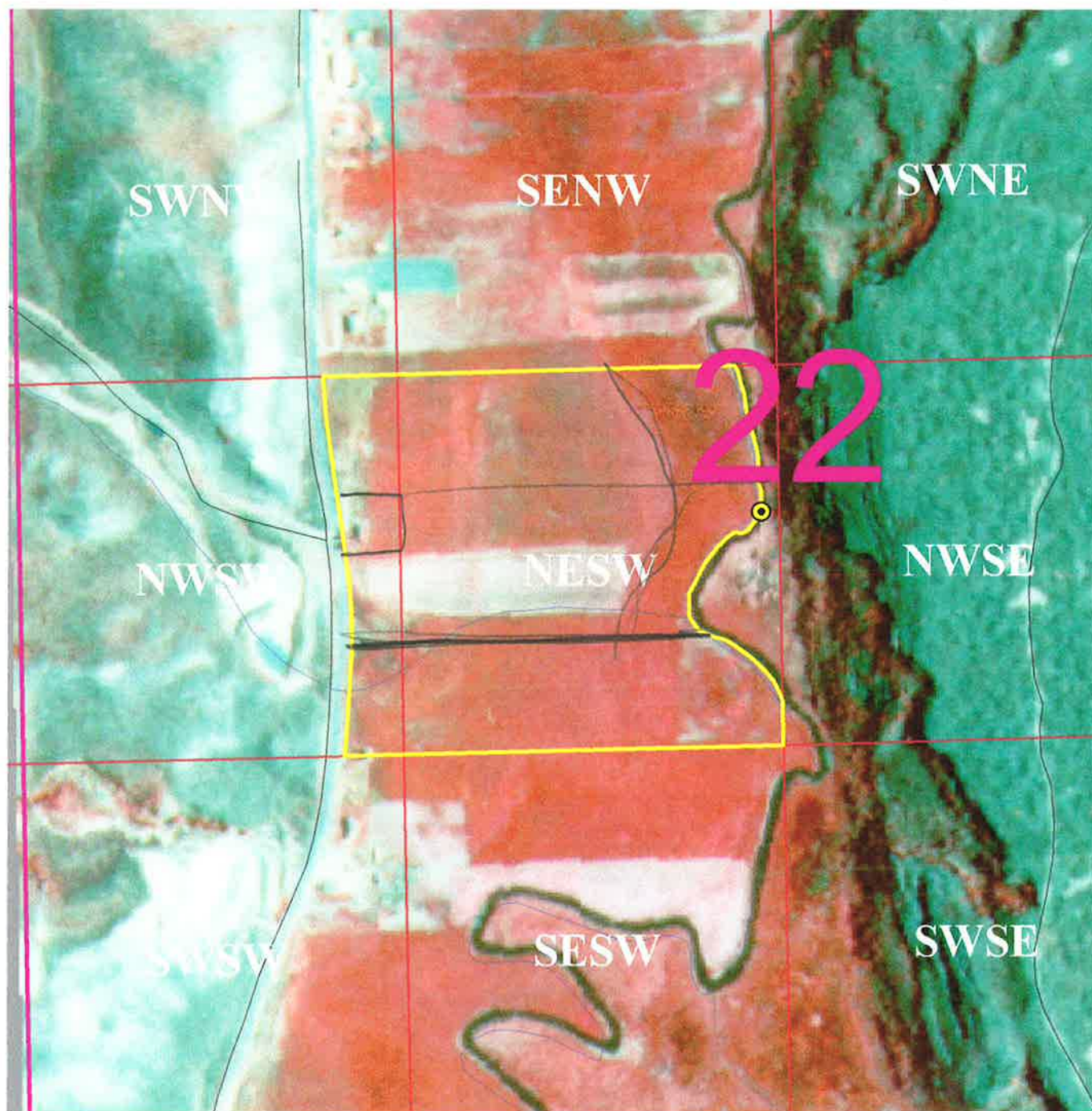
New Contact Comments

Jim Hook. Phone: 208-254-9266. Works at Caterpillar in Pocatello.

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 Servc, Inc.



Township , 8S36E



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 29-13415
Date Received: 10/25/2002
Receipt No:
Received By:

A2913415



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

1. Name of Claimant(s)

ZELLA L HALL Phone: (208)254-3145
4471 S MARSH CREEK RD
MC CAMMON ID USA 83250

REA GOODENOUGH Phone: (208)254-3145
4471 S MARSH CREEK RD
MC CAMMON ID USA 83250

2. Date of Priority: 04/01/1909

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	Type
08S	36E	22	NE NE SW	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	0.9	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

08S	36E	22	NE	SW	IRRIGATION	35
			NW	SW	IRRIGATION	10
					Section Acres	45
					Total Acres	45

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 RIGHT IS A SPLIT FROM FORMER RIGHT 29-4161A

15. Basis of Claim: Beneficial Use

Sarah Devaney, Recorder

Fee \$ 1.50

INSTRUMENT NO. 301057

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRSLt & A
21570-505-183
(January 1947) FHX-2.3Land being conveyed was
allotted to Yah-man-zo-nah
Allottee No. 35

DEED TO RESTRICTED INDIAN LAND

THIS INSTRUMENT, Made and entered into this 23rd day of February, one thousand nine hundred and Fifty One, by and between Elmer Ellsworth, a widower, Donner Bernard Ellsworth and Evelyn Mae George Ellsworth, his wife, of Fort Hall, Idaho Enrolled Indians, parties of the first part, and Walter Hayden of Route #1, South, Pocatello, Idaho, party of the second part:

WITNESSETH, That said parties of the first part, for and in consideration of the sum of THIRTY EIGHT HUNDRED TWENTY FIVE AND NO/100 DOLLARS (\$3,825.00) dollars, in hand paid, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell, and convey unto said party of the second part the following-described real estate and premises situated in Bannock County, State of Idaho on the Fort Hall Indian Reservation, to-wit:

Allotment Number 35
N/2 SW/4, Sec. 22, T 8 S, R 36 EBM, Idaho. Containing 80 acres.

Provision: "And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by authority of the United States".

with all the improvements thereon and the appurtenances thereunto belonging. And the parties of the first part, for themselves and their heirs, executors, and 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, That said parties of the first part have hereunto set their hands and seals the day and year first-above written.

WITNESSES:
Helen B. Cutler
Adrian S. McOmber

Elmer Ellsworth
ELMER ELLSWORTH, a widower (SEAL)

Donner Bernard Ellsworth
DONNER BERNARD ELLSWORTH (SEAL)

Evelyn Mae George Ellsworth
EVELYN MAE GEORGE ELLSWORTH (SEAL)
his wife,

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

STATE OF IDAHO,)
COUNTY OF BANNER) ss.

BE IT REMEMBERED, That on this 26th day of Feb., A.D. 1951, before the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared Elmer

642

N¹/₂ SW Sec 22

RECEIVED

APR 03 1995

Department of Water Resources

INSTRUMENT NO. 301793

TO ALL TO WHOM THESE PRESENTS SHALL COME, WE TAKE:

Reissue. 57th 2. 132300-14. I.O. 7. 4-1067.

WHEREAS, a schedule of allotments of land by the Secretary of the Interior has been deposited in the General Land Office, whereby it appears that Yah-man-to-nah, an Indian of the Fort Hall Reservation, has been allotted the following-described land:

The North half of the southwest quarter of Section twenty-two 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 services, and in accordance with the provisions of the Act of Congress of February 23, 1889 (Stat., 688) HAS GIVEN AND GRANTED, and by these presents DOES GRANT AND SELL, unto the said Yah-man-to-nah and to her heirs and assigns, the lands above described:

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatever nature, then and hereafter existing, unto the said Yah-man-to-nah 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-SECOND day of JANUARY 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)

By the President:

Woodrow Wilson,

By M. K. Gulick, Assistant Secretary

L. Q. C. Lamar Recorder of the General Land Office.

RECORDED: Patent Number 509476

RECORDED AUG 2 1994, 2:00 P.M., In Book 118 of Deeds, Page 402, 1900 TO OF DEWICK CO. WY, STATE OF IDAHO, at request of B. T. A. Co.

SARAH DEVARNEY, Recorder

Fee \$1.35

584

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.

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, R36, E4M, Idaho
May 22, 1951

Fred McMullin Notary Public
(Title)

Fort Hall, Idaho

My Commission expires Dec. 20, 1954.

George (Illegible)

Area Director AM

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

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