

04/09/2003

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

RIGHT NUMBER: 29-13377

NAME AND ADDRESS: MONTE LISH
2263 N INKOM RD
INKOM ID 83245

SHELLEY LISH
2263 N INKOM RD
INKOM ID 83245

SOURCE: JACKSON CREEK

TRIBUTARY: RAPID CREEK

QUANTITY: 0.074 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13372 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.111 CFS.

PRIORITY DATE: ~~06/01/1885~~ 4/2/1947

POINT OF DIVERSION:

T07S R36E S22 SWSENE Within BANNOCK County Source: JACKSON CREEK

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.074 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22 NESE 2.1 T07S R36E S22 SESE 1.6

STOCKWATER same as IRRIGATION

3.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13372 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3.7 ACRES IN A SINGLE
IRRIGATION SEASON.

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

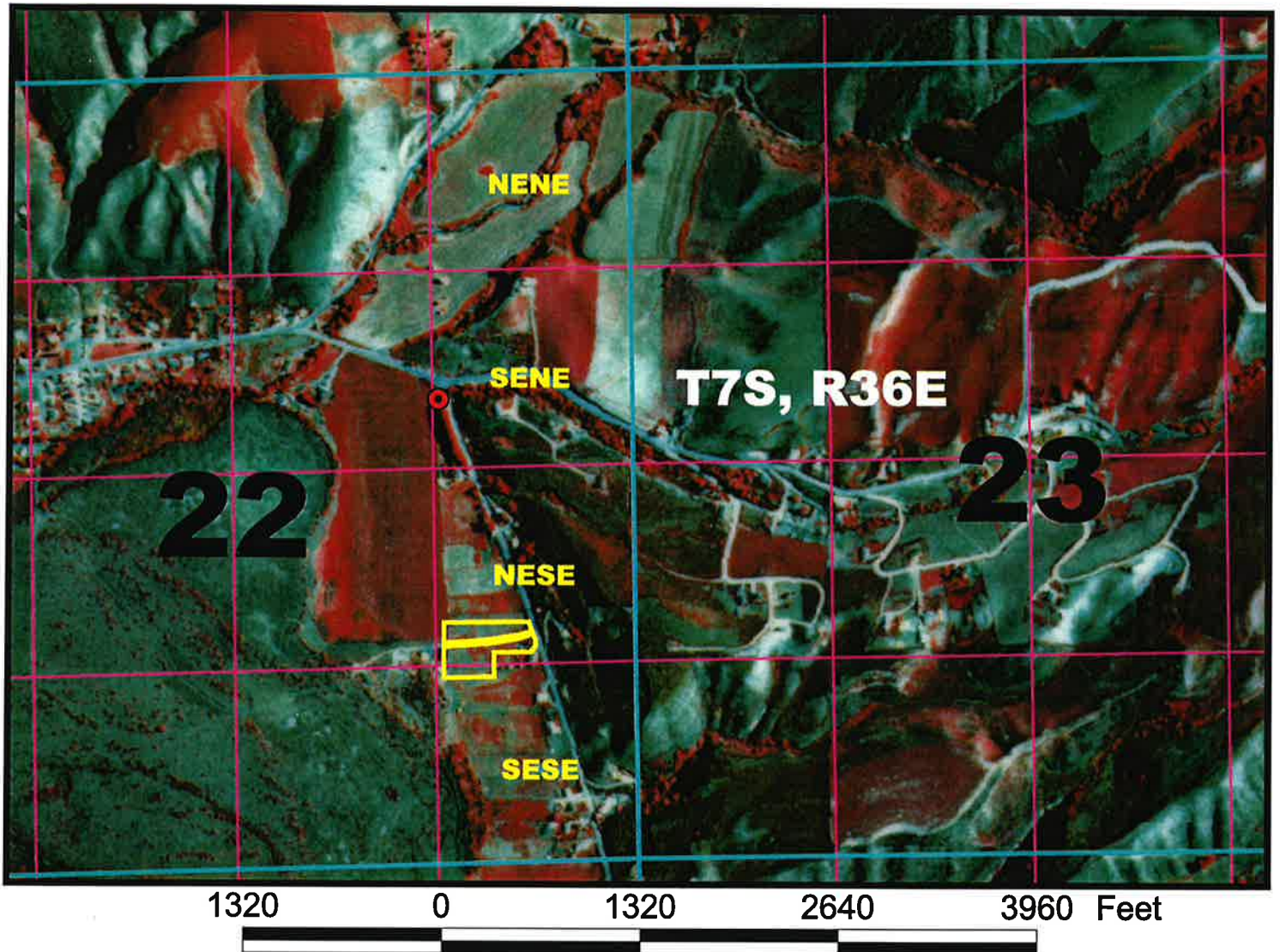
Stockwater use is for 4 horses.



STATE OF IDAHO

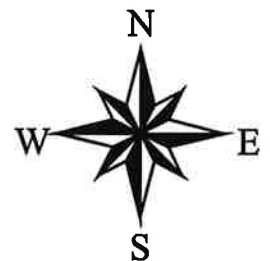
Department of Water Resources
Eastern Region

Water Right(s): 29-13377



Total Irrigated Acres: 3.7

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



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

Saxton, Craig

From: Shelley Lish [lishshel@isu.edu]
Sent: Thursday, April 24, 2003 12:46 PM
To: Saxton, Craig
Subject: Re: Amended Recommendations

Craig,
When you were at our house and we filled out the Jackson Creek claim, you told us to put the 1885 date "for starters". You told us at the time that you would have to check into it, and probably have to change it to the earliest date you could find a record for. I assumed you were probably still going to change it, so I for one am not surprised. I'm not sure about Norris Murdock's claim that he has rights before us, but it could be, I guess. I forwarded your message to Monte (not Sam), so you may be hearing from him too. As far as I'm concerned, it's no big deal. Relax!
Shelley

"Saxton, Craig" wrote:

> Dear Sam and Shelley,
>
> You are going to hate me but I just found out I made an error on the
> recommendations for 29-13377 and 29-13378 (Jackson Creek claims). I
> recommended a priority date of 6/1/1885. That is the priority date of
the
> Rapid Creek rights, not the Jackson Creek. All users in Murdock
Subdivision
> that claimed use of Jackson Creek were recommended use of Jackson
Creek with
> a 4/2/1947 priority date. I somehow missed this on your claims.
>
> I don't know if we have discussed this so I will briefly explain.
Jackson
> Creek was not mentioned in the Rapid Creek decree, so I can't
recommend a
> priority date that dates back into the decree. So I asked for
evidence of
> when Jackson Creek was first used on the land that is know Murdock
> subdivision. I got an affidavit from Norris M. Murdock that stated he
> bought the property in 1947. Then it is also my understanding that
Norris
> M. has the senior right to Jackson Creek over the Murdock subdivision
users.
> So Norris M got a 4/1/1947 priority and Murdock subdivision users got
> 4/2/1947.
>
> That being said, I should bring it to your attention that Norris KENT
> Murdock disagrees with the 4/2/1947. I told him I needed additional
> evidence of use prior to 1947 in order for me to change the priority
dates.
> If he does supply me evidence, it will change everyone's priority date
in
> Murdock Subdivision (probably to your benefit). Thus....we may not be
done
> yet.
>

> I will keep you informed if there are any changes.
>
> I am so sorry for the confusion and the error on my part. I did not
intend
> to mis-lead you by originally recommending 1885 priority date. I just
had
> everyone claim 1885 specifically for the above mentioned concern with
Norris
> Kent Murdock. If everyone claimed a 1947 priority and I found out
later
> that I could support a 1930 priority date, we would have to amend
everyone's
> claim before I could change the recommendations.
>
> Attached are yet another set of revised recommendations for your
Jackson
> Creek water right recommendations.
>
> Drop me a line if you have any questions on this issue.
>
> Respectfully submitted,
>
> Craig L. Saxton
> csaxton@idwr.state.id.us
> (208) 334-2190
>
>

> Name: 29-13377.RTF
> 29-13377.RTF Type: WINWORD File (application/rtf)
> Encoding: quoted-printable
>
> Name: 29-13378.RTF
> 29-13378.RTF Type: WINWORD File (application/rtf)
> Encoding: quoted-printable

Saxton, Craig

From: Shelley Lish [lishshel@isu.edu]
Sent: Monday, April 14, 2003 10:54 AM
To: Saxton, Craig
Subject: received papers

Hi Craig,

We received all of the water right papers you sent us. Thank you for making all of the changes that you did. I think we will leave it "as is", and not worry about filing for stock water on rapid creek. You are right, the water in our ditch in the spring is from Jackson Creek, so there is really no point. I think we are through bugging you now.

Thanks again,
Monte and Shelley Lish

4/14/2003

12-16-02 : 4-2-1947 Priority date : Norris M Murdock has
Sr Right over Murdock Sub.

2-25-03 : Changed Exp Remark from cattle to horses Per E-mail request
from Claimant's Daughter in law. Claimant Passed away on
Feb 16, 2003. C/O in the works.

4-9-03 : Changed IN 504 to stock per NOE

NOTICE OF ERROR
REPLY

MAR 26 2003

WATER RESOURCES
WESTERN 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: 29-13377

SAM LISH

2277 N INKOM RD

INKOM ID 83245

Telephone Number: (208) 775-4492

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

Dates of use
Stockwater for 4 horses instead of cattle OK
CS

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

Irrigation 3/15 to 11/15 NO - standard for area is 4-1/10-31
Stock water 1/1 to 12/31 OK
Stock water for 4 horses OK

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

We water our horses in the ditch whenever it's thawed
Runoff usually starts in March, but by late summer
water is very low.

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

DATE:

3-10-03

SIGNATURE:

Monte Lish For Sam Lish

Please print your name:

Monte LishSam Lish

RECEIVED

MAR 26 2003

WATER RESOURCES
WESTERN REGION

No #

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

RECEIVED

MAR 25 2003

Department of Water Resources

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
29-13377					
29-13372					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- 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)

Sam Lish

4. New Owner/Claimant(s)

2377 N Inkom Rd, Inkom ID 83245

Monte Lish Shelley Lish

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

New Mailing Address

2263 N Inkom Rd

City, State and ZIP Code

Inkom ID 83245

New Telephone Number

208 775-3795

5. Date you acquired the property

2/16/03



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) Monte Lish
(include title if applicable) _____

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 _____

DEED OF DISTRIBUTION
BY
TRUSTEE

THIS DEED is made by Monte Kay Lish as Trustee of the Samuel Lynn Lish Revocable Trust created by Samuel Lynn Lish, under instrument dated March 21, 1997, Grantor, to Monte Kay Lish, Grantee, whose current address is 2263 N. Inkom Road, Inkom, ID 83245.

WHEREAS, Samuel Lynn Lish created the Samuel Lynn Lish Revocable Trust on March 21, 1997 and named himself as Trustee and therein provided that upon the death or incapacity of Samuel Lynn Lish, Monte Kay Lish would serve as Trustee; and

WHEREAS, Samuel Lynn Lish died February 16, 2003; and

WHEREAS, the Grantee is the person entitled to distribution of the hereinafter-described real property according to the terms of the Trust, and Grantor is authorized to distribute the same to Grantee;

NOW, THEREFORE, Grantor conveys and releases to Grantee the following-described real property:

See Exhibit "A"

together with all tenements, hereditaments and appurtenances thereof belonging, but subject to easements and restrictions of record.

DATED this 19 day of March, 2003.

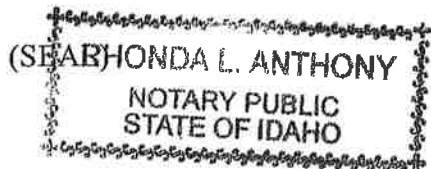


Monte Kay Lish, Trustee

STATE OF IDAHO)
 :SS
County of Bannock)

On this 19th day of March, 2003, before me, the undersigned Notary Public, in and for said State, personally appeared Monte Kay Lish, Trustee of the Samuel Lynn Lish Revocable Trust, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Ronda L. Anthony
NOTARY PUBLIC-STATE OF IDAHO
My Commission Expires: 1-25-2005

EXHIBIT "A"

1. A parcel of land located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 7 South, Range 36 E.B.M., Bannock County, Idaho and more particularly described as follows:

Commencing at the SE 1/16 corner of said Section 22; thence South along the East 1/16th line of said Section, 324.00 feet to the point of beginning; thence continuing South along said East 1/16th line, 245.00 feet; thence West, 400.00 feet; thence North, 545.00 feet; thence East, 175.00 feet; thence South, 300.00 feet; thence East, 225.00 feet to the point of beginning...

2. Beginning at the SE 1/16 corner of Section 22, Township 7 South, Range 36 E.B.M.; thence South along the East 1/16 line of said Section 22, 179.4 feet; thence S 88°59' E, 651 feet more or less to the Westerly right of way line of the Inkorn Road; thence Northwesterly along said right of way 385.5 feet; thence N 88°59' W, 545.3 feet more or less to the said East 1/16 line of Section 22; thence South along said East 1/16 line 190.7 feet more or less to the point of beginning. A tract of land in the West $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 22, Township 7 South, Range 36 E.B.M., containing 5 acres more or less.

Excepting therefrom the following: Beginning at the SE 1/16 corner of Section 22, Township 7 South, Range 36 E.B.M., thence South along the East 1/16 line of said Section 22, 179.4 feet; thence S 88°59' E, 651 feet, more or less, to the Westerly right of way line of Inkorn Road, said point being the true point of beginning; thence in a Northwesterly direction along said Westerly right of way, 175 feet, more or less; thence S 88°59' W, 246 feet, more or less, thence S 0°, 160 feet, more or less, to the South line of property; thence N 88°59' E, 276 feet to the point of beginning. A tract of land in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 22, Township 7 South, Range 36 E.B.M., Bannock County, Idaho . . .

Together with an one-half interest in the well and pumping equipment located upon adjacent property commonly known as Tax 206

CERTIFICATE OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE BUREAU OF HEALTH POLICY AND VITAL STATISTICS

DATE FILED BY STATE REGISTRAR:

State of Idaho

CERTIFICATE OF DEATH

STATE FILE NO.

Local Reg. No. 6-123

ONLY A COPY OF THIS DOCUMENT, CERTIFIED BY THE STATE REGISTRAR WITH THE DEPARTMENT OF HEALTH AND WELFARE, RAISED SEAL, SHALL BE USED AS PRIMA FACIE EVIDENCE OF THIS DEATH UNDER §25-2103 AND §25-214, IDAHO CODE

DECEDENT TYPE OR PRINT IN PERMANENT BLACK INK. DO NOT USE FELTY TIP PEN FOR INSTRUCTIONS SEE HANDBOOKS	* 1. DECEDENT'S LEGAL NAME (Include AKA's if any) (First, Middle, Last, Suffix) Samuel Lynn Lish		2. SEX Male	3. SOCIAL SECURITY NUMBER 518-26-1294
	4a. AGE-Last Birthday 4b. UNDER 1 YEAR 4c. UNDER 1 DAY 5. DATE OF BIRTH (Mo/Day/Yr) 75 (Years) Months Days Hours Minutes January 13, 1928		6. BIRTHPLACE (City and State, Territory, or Foreign Country) Inkom, Idaho	
MORTICIAN: Complete/Verify and File Within 5 Days of Death	7a. RESIDENCE - STATE OR FOREIGN COUNTRY 7b. COUNTY Idaho Bannock		7c. CITY OR TOWN Inkom	
	7d. STREET AND NUMBER 2277 North Inkom Road		7e. APT. NO. 7f. ZIP CODE 7g. INSIDE CITY LIMITS? 83245 ☐ Yes ☒ No	
INFORMANT DISPOSITION	8. MARITAL STATUS AT TIME OF DEATH ☐ Married ☐ Married, but separated ☐ Widowed ☒ Divorced ☐ Never married ☐ Unknown		9. SURVIVING SPOUSE'S NAME (If wife, give maiden name)	
	10. EVER IN U.S. ARMED FORCES? ☐ Yes ☒ No		11a. BIRTHPLACE (State, Territory, or Foreign Country) Idaho	
PLACE OF DEATH DATE OF DEATH CAUSE OF DEATH	11b. BIRTHPLACE (State, Territory, or Foreign Country) Idaho		12b. BIRTHPLACE (State, Territory, or Foreign Country) Idaho	
	13a. INFORMANT'S NAME (Type or print) Monte Lish		13b. RELATIONSHIP TO DECEDENT Son	
DATE OF DEATH CAUSE OF DEATH	13c. MAILING ADDRESS (Street and Number, City, State, Zip Code) 2263 Inkom Rd., Inkom, ID 83245		14. METHOD OF DISPOSITION ☒ Burial ☐ Cremation ☐ Donation ☐ Entombment ☐ Removal from Idaho ☐ Other (Specify)	
	15. PLACE OF DISPOSITION (Name and address of cemetery, crematory, other place) Inkom Cemetery Inkom, Idaho		16. NAME AND COMPLETE ADDRESS OF FUNERAL FACILITY Colonial Funeral Home 2005 S. 4th Ave Pocatello, ID 83201	
DATE OF DEATH CAUSE OF DEATH	17a. SIGNATURE OF FUNERAL SERVICE LICENSEE OR PERSON ACTING AS SUCH <i>Greg W. Brown</i>		17b. LICENSE NUMBER (Of licensee) M-789	
	18. WAS CORONER CONTACTED? ☐ Yes ☒ No		19. PLACE OF DEATH (19-22) 19a. IF DEATH OCCURRED IN A HOSPITAL: 19b. IF DEATH OCCURRED SOMEWHERE OTHER THAN A HOSPITAL: ☐ Inpatient ☐ ER/Outpatient ☐ DOA ☐ Hospice facility ☐ Nursing home/Long term care facility ☐ Decedent's home ☐ Other (Specify)	
DATE OF DEATH CAUSE OF DEATH	20. FACILITY NAME (If not facility, give street and number) 2277 North Inkom Road		21. CITY, TOWN, OR LOCATION OF DEATH, AND ZIP CODE Inkom, Idaho 83245	
	22. COUNTY OF DEATH Bannock		23. DATE OF DEATH (Mo/Day/Yr) (Spell month) 24. TIME OF DEATH 25. DATE PRONOUNCED DEAD (Mo/Day/Yr) (Spell month) 26. TIME PRONOUNCED DEAD February 16, 2003 0005 (24hr) February 16, 2003 0005 (24hr)	
DATE OF DEATH CAUSE OF DEATH	27. CAUSE OF DEATH PART I. Enter the chain of events - diseases, injuries, or complications - that directly caused the death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or ventricular fibrillation without showing the etiology. DO NOT ABBREVIATE. Enter only one cause on a line. IMMEDIATE CAUSE (Final disease or condition resulting in death) <i>CARCINOMATOSIS</i>		28a. WAS AN AUTOPSY PERFORMED? ☐ Yes ☒ No	
	28b. WERE AUTOPSY FINDINGS AVAILABLE TO COMPLETE THE CAUSE OF DEATH? ☐ Yes ☒ No		29. DID TOBACCO USE CONTRIBUTE TO DEATH? ☐ Yes ☐ Probably ☒ No ☐ Unknown	
DATE OF DEATH CAUSE OF DEATH	30. IF FEMALE (Aged 10-54): ☐ Not pregnant within past year ☐ Not pregnant, but pregnant 43 days to 1 year before death ☐ Pregnant at time of death ☐ Unknown if pregnant within the past year		31. MANNER OF DEATH ☒ Natural ☐ Homicide ☐ Accident ☐ Pending investigation ☐ Suicide ☐ Could not be determined	
	32. DATE OF INJURY (Mo/Day/Yr) (Spell month) 33. TIME OF INJURY 34. PLACE OF INJURY (Decedent's home, farm, street, construction site, restaurant, forest, etc.)		35. INJURY AT WORK? ☐ Yes ☒ No	
DATE OF DEATH CAUSE OF DEATH	36. LOCATION OF INJURY: State City/Town or County Zip Code Street and Number or Location Apartment Number		37. DESCRIBE HOW INJURY OCCURRED. IF TRANSPORTATION INJURY, STATE THE TYPE(S) OF VEHICLE(S) INVOLVED (Automobile, pickup, motorcycle, ATV, bicycle, etc.) SPECIFY WHICH VEHICLE DECEDENT OCCUPIED, if applicable	
	TRANSPORTATION INJURY ONLY 38a. WAS DECEDENT: ☐ Driver/Operator ☐ Passenger ☐ Pedestrian ☐ Other (Specify)		38b. WHAT SAFETY DEVICE(S) DID DECEDENT USE/EMPLOY? ☐ Seat belt ☐ Child safety seat ☐ Helmet ☐ Air bag ☐ None ☐ Unknown	
DATE OF DEATH CAUSE OF DEATH	39a. CERTIFIER (Check only one, based on official capacity for this certificate) ☒ PHYSICIAN - To the best of my knowledge, death occurred at the time, date, and place, and due to the natural cause(s)/manner stated.		39b. LICENSE NUMBER M 6974	
	☐ CORONER - On the basis of examination and/or investigation, in my opinion, death occurred at the time, date, and place, and due to the cause(s) and manner stated.		39c. DATE SIGNED Feb 25, 2003	
DATE OF DEATH CAUSE OF DEATH	Signature and Title of Certifier <i>Dr. Cree</i> M.D.		40a. CORONER'S SUBSEQUENT SIGNATURE IF NECESSARY: The coroner's signature in this item supersedes that of the physician, and the coroner becomes the certifier of record.	
	40b. DATE SIGNED Feb 26 2003		41a. REGISTRAR'S SIGNATURE <i>Jane S. Smith</i>	
DATE OF DEATH CAUSE OF DEATH	41b. DATE SIGNED Feb 26 2003		42. I have reviewed and if necessary amended the medical section	
	43. REGISTRAR'S SIGNATURE <i>Jane S. Smith</i>		44. DATE SIGNED Feb 26 2003	

This is a true and correct reproduction of the document officially registered and placed on file with the IDAHO BUREAU OF HEALTH POLICY AND VITAL STATISTICS.

DATE ISSUED:

Feb 26 2003

This copy is not valid unless prepared on engraved border displaying state seal and signature of the Registrar.

JANE S. SMITH
STATE REGISTRAR

AFFIDAVIT OF SUCCESSOR TRUSTEE

STATE OF IDAHO)
 :SS
County of Bannock)

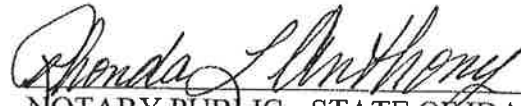
Monte Kay Lish, being first duly sworn, states:

1. I am the son of Samuel Lynn Lish, a single person who died February 16, 2003.
2. While he was alive, Samuel Lynn Lish created the Samuel Lynn Lish Revocable Trust under instrument dated March 21, 1997.
3. Under the terms of the Trust, Samuel ^{Lynn}~~Kay~~ Lish was the initial trustee upon its creation, and then after his death, I am the named successor trustee.
4. I know by my own personal knowledge that under the terms of the Trust, the real estate described on the attached Trustee's Deed was to pass outright and free of trust to me.
5. A certified copy of Samuel Lynn Lish's Death Certificate is attached to this affidavit as an exhibit.

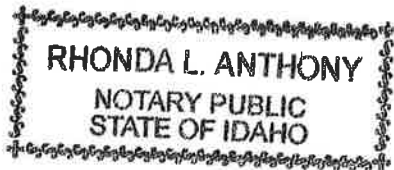
DATED this 19 day of March, 2003.

Monte Kay Lish
Monte Kay Lish

SUBSCRIBED AND SWORN TO, before me, the undersigned Notary Public, this 19th
day of March, 2003.


NOTARY PUBLIC - STATE OF IDAHO
My Commission Expires: 1-25-2005

(SEAL)



Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, February 25, 2003 11:33 AM
To: 'Shelley Lish'
Subject: RE: Sam Lish water right



29-13377_Modified.29-13372_Modified.
RTF



RTF

Shelly,

I have made the changes regarding the stockwater remark on Sam's claims as well. I appreciate your patience with this whole process.

Craig

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

From: Shelley Lish [mailto:lishshel@isu.edu]
Sent: Tuesday, February 25, 2003 10:34 AM
To: Saxton, Craig
Subject: Re: Sam Lish water right

Thanks. I can probably send you whatever you need to do this right.

"Saxton, Craig" wrote:

> Let me check with "the boss". I will get back to you as soon as I can.

>
> Craig
>
> -----Original Message-----
> From: Shelley Lish [mailto:lishshel@isu.edu]
> Sent: Tuesday, February 25, 2003 10:07 AM
> To: Saxton, Craig
> Subject: Re: Sam Lish water right
>
> Craig,
> Thanks for the information. I believe you already have the warranty deed for
> Sam's
> property. I think we gave you a copy when you were at our house. Would
> a
> copy of the
> page from Sam's trust along with the signature page be good enough
> proof of
> ownership? We have an appointment with a lawyer next week to find out
> how to
> go
> about changing everything over to Monte's name, but I'm not sure how
> long
> all of
> that will take.

>
> Sam's water right needs to say "horses" too. Thanks.

>
> Shelley

>
> "Saxton, Craig" wrote:

>

> > Dear Shelley and Monte,
> >
> > I am sorry for your loss.
> >
> > You are correct that it is easier to change the name on the
> recommendations
> > now rather than later. Plus it is free if you do it now. If we
wait
> until
> > the rights have gone through the court and been partially decreed,
there
> is
> > a \$25 fee.
> >
> > Attached is a Notice of Change of Water Right Ownership form. If it
> doesn't
> > come through, you can download the form from: www.idwr.state.id.us
> >
> > Just fill it out for Sam's water right and send it to me or the
Idaho
> Falls
> > office with a copy of the warranty deed with legal description or
means of
> > conveyance showing you are now owners of the property. Note that
you can
> > ignore item #6 on the form. That would only be applicable if we
were
> > splitting the right.
> >
> > As far as the explanatory statement that says 4 range cattle instead
of 4
> > horses. That sounds like a mistake on my part. I have made the
changes
> on
> > your water rights (attached).
> >
> > Feel free to contact me if you have further questions.
> >
> > Respectfully submitted,
> >
> > Craig L. Saxton
> >
> > -----Original Message-----
> > From: Shelley Lish [mailto:lishshel@isu.edu]
> > Sent: Tuesday, February 25, 2003 9:17 AM
> > To: Saxton, Craig
> > Subject: Sam Lish water right
> >
> > Hi Craig,
> > We got our packets from IDWR and I have a couple of questions. We
> > haven't had time to REALLY check them out, but one thing we have to
know
> > right away is if we can change Sam's water right to Monte's name.
Here
> > is why.....Sam passed away on Feb. 16th. He has a trust which
gives
> > the property to Monte, but we haven't had time to get the legalities
> > done yet. I assume it would be much easier to get the names changed
now
> > rather than after it is all done. Please advise me as to what to do
to
> > get this straightened out before the deadline. We should have death
> > certificates next week if we need one for this purpose.
> >
> > The other question is why our "4 horses" was changed to "4 range
> > cattle", and does it make any difference?
> >

> > Thanks for any help you can offer.
> >
> > Shelley & Monte Lish
> > Inkom Idaho
> >
> >

> > Name:
> Notice_Change_of_Ownership.pdf
> Notice_Change_of_Ownership.pdf Type: Acrobat
> (application/pdf)
> > Encoding: base64
> > Download Status: Not downloaded
with
> message
> >
> > Name: 29-13373_Modified.RTF
> > 29-13373_Modified.RTF Type: WINWORD File
> (application/rtf)
> > Encoding: quoted-printable
> > Download Status: Not downloaded with message
> >
> > Name: 29-13378_Modified.RTF
> > 29-13378_Modified.RTF Type: WINWORD File
> (application/rtf)
> > Encoding: quoted-printable
> > Download Status: Not downloaded with message

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13377

WATER RIGHT NUMBER: 29-13377

Owner Type Name and Address
 Current Owner SAM LISH ✓
 2277 N INKOM RD
 INKOM, ID 83245
 (208)775-4492

Priority Date: ~~06/01/1885~~ ✓ 4/2/1947

Basis: Beneficial Use ✓

Status: Active ✓

Source Tributary
 JACKSON CREEK ✓ RAPID CREEK ✓

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.074 CFS ✓	N/A
STOCKWATER	01/01 to 12/31	0.020 CFS ✓	
	4/1 to 10/31		
	<u>Total Diversion:</u>	0.074 CFS ✓	

Location of Point(s) of Diversion

JACKSON CREEK ✓ SW1/4SE1/4SE1/4 ✓ Sec. 22, Twp 07S, Rge 36E, B.M. ✓
 BANNOCK County NE ✓

Place of Use

IRRIGATION ✓

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	36E	22									2.1							1.6	3.7

Total Acres: 3.7

STOCKWATER same as IRRIGATIONConditions of Approval:

C18
 x 2 Exp 4 stock
 limited to 3.7 ac + 0.111 cfs
 1.5" per acre

Remarks:

1. Explanatory STOCKWATER: 4 HEAD
2. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13368.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-13377

Dates and Other Information:

Claim Received Date: 7/9/2002
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

As of 7/15/02

Split history for Decreed Right 29-00294

Claimed			Recommend
29-00294 0.8 Decree Silent Assumed 40	29-00294A	Murdock, Norris M	Not in Decreed POU
		0.3	
		28	
			29-13372, Sam
	29-00294B	Lish, Sam	0.074
		0.86	3.7
		4.3	
			29-13373, Monte
			0.012
			0.6
	29-00294C	Turman, Dennis	
	0.03		
	3		
29-00294D	Murdock, Norris Kent		
	0.1		
	5		
29-00294E	Whitworth, John		
	0.1		
	5		
29-00294F	Chavers, Ben		
	0.06		
	3		
29-00294G	Davis, Arnold		
	0.03		
	3		
29-00294H	Owens, Delbert		
	0.06		
	3		
29-00294J	Foltz, Michael		
	0.1		
	5.3		
Sum of claimed CFS =	1.64	Sum CFS=	0.706
Sum of claimed Acreage =	59.6	Sum Acre=	48.9
		Un-accounted for CFS=	0.094
		Un-accounted for Acres=	

To: Craig Saxton

From: Shelley Lish

Here is Sam Lish warranty deed.
The number is hard to read - 506660.
I have also included a map so
you can see why I made the
changes I did on the acreage on
the water rights.

Thanks,
Shelley

WARRANTY DEED**506660****For Value Received**

NORRIS M. MURDOCK and MERLE J. MURDOCK, husband and wife
the grantors, do hereby grant, bargain, sell and convey unto

FRED P. BRANDT and VENICE M. BRANDT, husband and wife
the grantees, the following described premises, in Bannock County Idaho, to wit:

THAT PORTION OF THE E $\frac{1}{2}$ SE $\frac{1}{4}$, SECTION 22, TOWNSHIP 7 SOUTH,
RANGE 36 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS
FOLLOWS:

BEGINNING AT THE SOUTHEAST 1/16 TH CORNER OF SAID SECTION 22; THENCE
SOUTH ALONG THE EAST 1/16TH LINE OF SAID SECTION, SOUTH 179.4 FEET;
THENCE SOUTH 88° 59' EAST 651 FEET, MORE OR LESS, TO THE WESTERLY RIGHT
OF WAY LINE OF INKOM ROAD; THENCE ALONG SAID RIGHT OF WAY LINE, NORTH-
WESTERLY 385.5 FEET; THENCE NORTH 88° 59' WEST 543 FEET, MORE OR LESS,
TO SAID EAST 1/16TH LINE; THENCE ALONG SAID EAST 1/16TH LINE, SOUTH
190.7 FEET, MORE OR LESS, TO THE POINT OF BEGINNING...

SUBJECT TO:

THE EFFECT OF AND CONDITIONS CONTAINED IN THAT CERTAIN REAL ESTATE
AGREEMENT BETWEEN NORRIS M. MURDOCK AND MERLE J. MURDOCK, HUSBAND
AND WIFE, VENDOR, AND SAMUEL L. LISH AND DONA J. LISH, HUSBAND AND
WIFE, PURCHASER, DATED JUNE 15, 1971.

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 s do hereby covenant to and
with the said Grantee s, that they are the owners in fee simple of said premises; that they are free
from all incumbrances

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

Dated: July 7, 1972

Norris M. Murdock
Norris M. Murdock

Merle J. Murdock
Merle J. Murdock

STATE OF IDAHO, COUNTY OF

On this 7th day of July, 1972,
before me, a notary public in and for said State, personally
appeared

Norris M. Murdock and
Merle J. Murdock

NOTARY SEAL

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Robert R. Black

Notary Public
, Idaho

Residing at Pocatello
Comm. Expires 12/24/74

506660

NO. 506660
RECORDED AT REQUEST OF

Am. Land Title Co.

JUL 24 1973

OFFICIAL RECORD BK. NO. 258

BANNOCK COUNTY, IDAHO
TIMOTHY L. BARNES, CLERK

OFF 1.00, DEPUTY LSH

SE 1/4
COR. SEC.
22

P.O.B.

179.4

155.31'

24.00'

24'

EASEMENT (OLD)

NEW EASEMENT

2.13 A

2.68 A

0.91

0.24

24.46

136.0'

16.15

21 22

15 14

22 2

22

TRACT LOCATION

P.O.B.

RECEIVE

JUN 28 200

WATER RESOURCE
WESTERN REGION

I Norris M. Murdock purchased in the fall of 1947, this 80 acres, which is a tract of land in Section 22 township 7 South Range 36 East Boise Meridian which is currently the Murdock Subdivision. I purchased this property from Roy Cardon, who at the time was using water from Rapid Creek and tributaries, which has an old Indian Decree water right. We would divert Jackson Creek, which runs through the place to Rapid Creek until such creek would become low of water. Then we would divert water from Rapid Creek. This has been happening before I purchased the property to the present time, June 26, 2002. As far as I know, this water has been used this way since the Indian water rights was put in place.

I declare this statement to be true.

Norris M. Murdock
NORRIS M. MURDOCK

STATE OF IDAHO
County of Bannock

On the 26th day of June, in the year 2002, before me, a Notary Public in and for said State personally appeared Norris M. Murdock known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me the he 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)

Charmain Murdock
Notary Public

My commission expires 9-15-03

Residing at Idaho, Id 83245

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 29-13377
Date Received: 7/9/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

MONTE LISH Phone: (208) 775-3795

2263 N INKOM RD
INKOM ID USA 83245

SHELLEY LISH Phone: (208) 775-3795

2263 N INKOM RD
INKOM ID USA 83245

2. Date of Priority: 06/01/1885

3. Source: JACKSON CREEK Trib. to: RAPID CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	22	SW SE SE	BANNOCK	

5. Description of diverting works:

HEADGATE DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.074	
STOCKWATER	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 4

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	22	NE	SE	IRRIGATION	2.1
			SE	SE	IRRIGATION	1.6
					Section Acres	3.7
					Total Acres	3.7

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:

STOCKWATER: 4 HEAD

CHANGED OWNERSHIP PER CLAIMANT REQUEST (CSAXTON 4/3/03).

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13368.

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.

02/25/2003

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

RIGHT NUMBER: 29-13377

NAME AND ADDRESS: SAM LISH
2277 N INKOM RD
INKOM ID 83245

SOURCE: JACKSON CREEK

TRIBUTARY: RAPID CREEK

QUANTITY: 0.074 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13372 IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 0.111 CFS.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T07S R36E S22 SWSENE Within BANNOCK County Source: JACKSON CREEK

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.074 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22 NESE 2.1 T07S R36E S22 SESE 1.6

STOCKWATER same as IRRIGATION

3.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13372 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3.7 ACRES IN A SINGLE
IRRIGATION SEASON.

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:

Stockwater use is for 4 horses.

12/17/2002

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

RIGHT NUMBER: 29-13377

NAME AND ADDRESS: SAM LISH
2277 N INKOM RD
INKOM ID 83245

SOURCE: JACKSON CREEK

TRIBUTARY: RAPID CREEK

QUANTITY: 0.074 CFS

USE OF THIS RIGHT WITH RIGHT NO. 29-13372 IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 0.111 CFS.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T07S R36E S22 SWSENE Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.074 CFS
STOCKWATER	04/01 10/31	0.020 CFS

PLACE OF USE: IRRIGATION Within BANNOCK County

T07S R36E S22 NESE 2.1 T07S R36E S22 SESE 1.6

STOCKWATER same as IRRIGATION

3.7 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NO. 29-13372 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 3.7 ACRES IN A SINGLE
IRRIGATION SEASON.

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:

Stockwater use is for 4 ~~range cattle~~.

Horses

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13377 V1

WATER RIGHT NUMBER: 29-13377 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SAM LISH 2277 N INKOM RD INKOM, ID 83245 (208)775-4492

Priority Date: 06/01/1885

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
JACKSON CREEK	RAPID CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.074 CFS	
STOCKWATER	04/01 to 10/31	0.020 CFS	
	<u>Total Diversion:</u>	0.074 CFS	

Location of Point(s) of Diversion

JACKSON CREEK	SW1/4SE1/4NE1/4	Sec. 22, Twp 07S, Rge 36E, B.M.
BANNOCK County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	36E	22													2.1			1.6	3.7

Total Acres: 3.7

STOCKWATER same as IRRIGATIONConditions of Approval:

1. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2. X02 Stockwater use is for 4 range cattle.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHT NO. 29-13372 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 0.111 CFS.
2. Place of Use - Irrigation USE OF THIS RIGHT WITH RIGHT NO. 29-13372 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 3.7 ACRES IN A SINGLE IRRIGATION SEASON.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 29-13377 V1

Comments:

1. csaxton 12/17/2002 Stock SOU
Comment: No evidence that stockwater is diverted outside the irrigation SOU.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	12/17/2002 4:02:04 PM	csaxton			Active
Contacts	12/17/2002 4:16:03 PM	csaxton			Active
Priority Date	12/17/2002 4:21:51 PM	csaxton			Active
POD	12/17/2002 4:22:03 PM	csaxton			Active
Source	12/17/2002 4:24:01 PM	csaxton			Active
POU	12/17/2002 4:24:35 PM	csaxton			Active
Use	12/17/2002 4:25:18 PM	csaxton			Active
Season	12/17/2002 4:26:10 PM	csaxton			Active
Quantity	12/17/2002 4:26:40 PM	csaxton			Active
Summary			12/17/2002	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	12/17/2002 4:02:05 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field Exam 5/31/02
POD	12/17/2002 4:22:14 PM	csaxton	Edited point location
POU	12/17/2002 4:24:52 PM	csaxton	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13377 V1

Priority Date	12/17/2002 4:21:52 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Statement from original owner of Murdock Subdivision, Norris M. Murdock.
POD	12/17/2002 4:22:04 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	12/17/2002 4:22:40 PM	csaxton	Edited PLS
Source	12/17/2002 4:24:02 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field Exam 5/31/02
POU	12/17/2002 4:24:35 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam 5/31/02 and NAPP photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13377 V1

Use	12/17/2002 4:25:18 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field exam 5/31/02
Season	12/17/2002 4:26:11 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	12/17/2002 4:26:40 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Claims for 0.20 cfs or less do not require measurement.
Summary	12/17/2002 4:27:47 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Is an additional remark and/or condition required? (Yes) 6. Would you like to view the recommended right? (Yes) 7. Is this a split or combined right? (No) 8. Do you have documents you would like to attach or link to the file? (Yes) 9. Would you like to set the verification date?
Contacts	12/17/2002 4:16:04 PM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: Field Exam 5/31/02

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 29-13377
Date Received: 7/9/2002
Receipt No:
Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SAM LISH Phone: (208) 775-4492

2277 N INKOM RD
INKOM ID USA 83245

2. Date of Priority: 06/01/1885

3. Source: JACKSON CREEK Trib. to: RAPID CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
07S	36E	22	SW	SE	SE	BANNOCK	

5. Description of diverting works:

HEADGATE DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.074	
STOCKWATER	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

RECEIVED

JUL 29 2002

WATER RESOURCES
WESTERN REGION

Number of Stock: 4

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	22	NE	SE	IRRIGATION	2.1
			SE	SE	IRRIGATION	1.6
					Section Acres	3.7
					Total Acres	3.7

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 AMENDED TO CHANGE ACREAGE DISTRIBUTION. CLAIM SET TO TEMPORARY STATUS UNTIL SIGNED IN FRONT OF A NOTARY AND RETURNED TO THIS OFFICE (CSAXTON 7-11-02).

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-13368.

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:

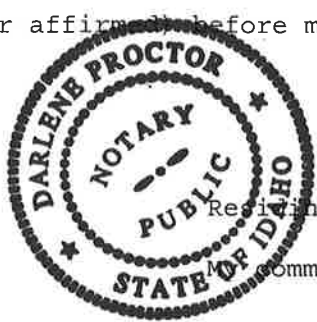
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Sam Lick Date: 7-15-002

Date: _____

State of Idaho)
County of Bannock) SS.

Subscribed and sworn (or affirmed) before me this 15th
of July 2002
Residing at Key Bank
Commission Expires 3-21-04



Darlene Proctor
Notary Public
Key Bank
Commission Expires 3-21-04

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 29-13377
Date Received: 7/9/2002 1
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

SAM LISH Phone: (208) 775-4492

2277 N INKOM RD
INKOM ID USA 83245

2. Date of Priority: 06/01/1885

3. Source: JACKSON CREEK Trib. to: RAPID CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07S	36E	22	SW SE SE	BANNOCK	

5. Description of diverting works:

HEADGATE DITCHES TO FLOOD IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.074	
STOCKWATER	01/01	12/31	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07S	36E	22	NE	SE	IRRIGATION	3.1
			SE	SE	IRRIGATION	0.6
					Section Acres	3.7
					Total Acres	3.7

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 29-13368.

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 _____