

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13403 V1

WATER RIGHT NUMBER: 29-13403 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LYLE LESLIE PO BOX 494 INKOM, ID 83245 (208)775-3733

Priority Date: 04/01/1942
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
MARSH CREEK	PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/15 to 09/15	0.030 CFS	
<u>Total Diversion:</u>		0.030 CFS	

Location of Point(s) of Diversion

MARSH CREEK	NE1/4SE1/4NW1/4	Sec. 34, 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	34								1.1									1.1

Total Acres: 1.1

Conditions of Approval:

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

Remarks:

- Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 29-12182.

Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13403 V1

Dates and Other Information:

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

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Contacts	1/16/2003 11:23:23 AM	rwarner			Active
Priority Date	1/16/2003 11:27:19 AM	rwarner			Active
POD	1/16/2003 11:28:40 AM	rwarner			Active
Source	1/16/2003 11:46:17 AM	rwarner			Active
POU	1/16/2003 11:47:43 AM	rwarner			Active
Use	1/16/2003 11:48:14 AM	rwarner			Active
Season	1/16/2003 11:48:50 AM	rwarner			Active
Quantity	1/16/2003 11:50:10 AM	rwarner			Active
Summary			01/16/2003	rwarner	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	1/16/2003 11:23:23 AM	rwarner	(No) 1. Do you want to schedule an appointment? Comment for 1: desktop review
Priority Date	1/16/2003 11:27:19 AM	rwarner	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date claimed after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

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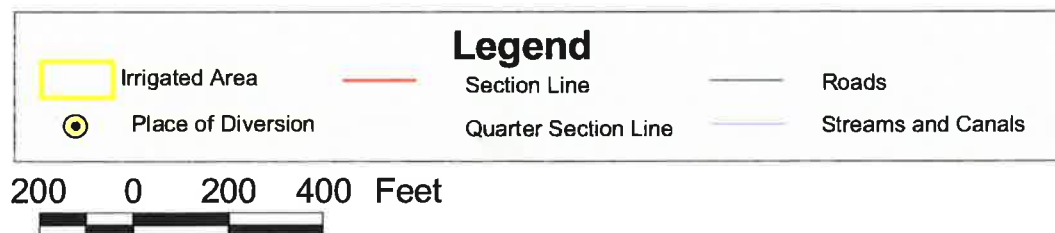
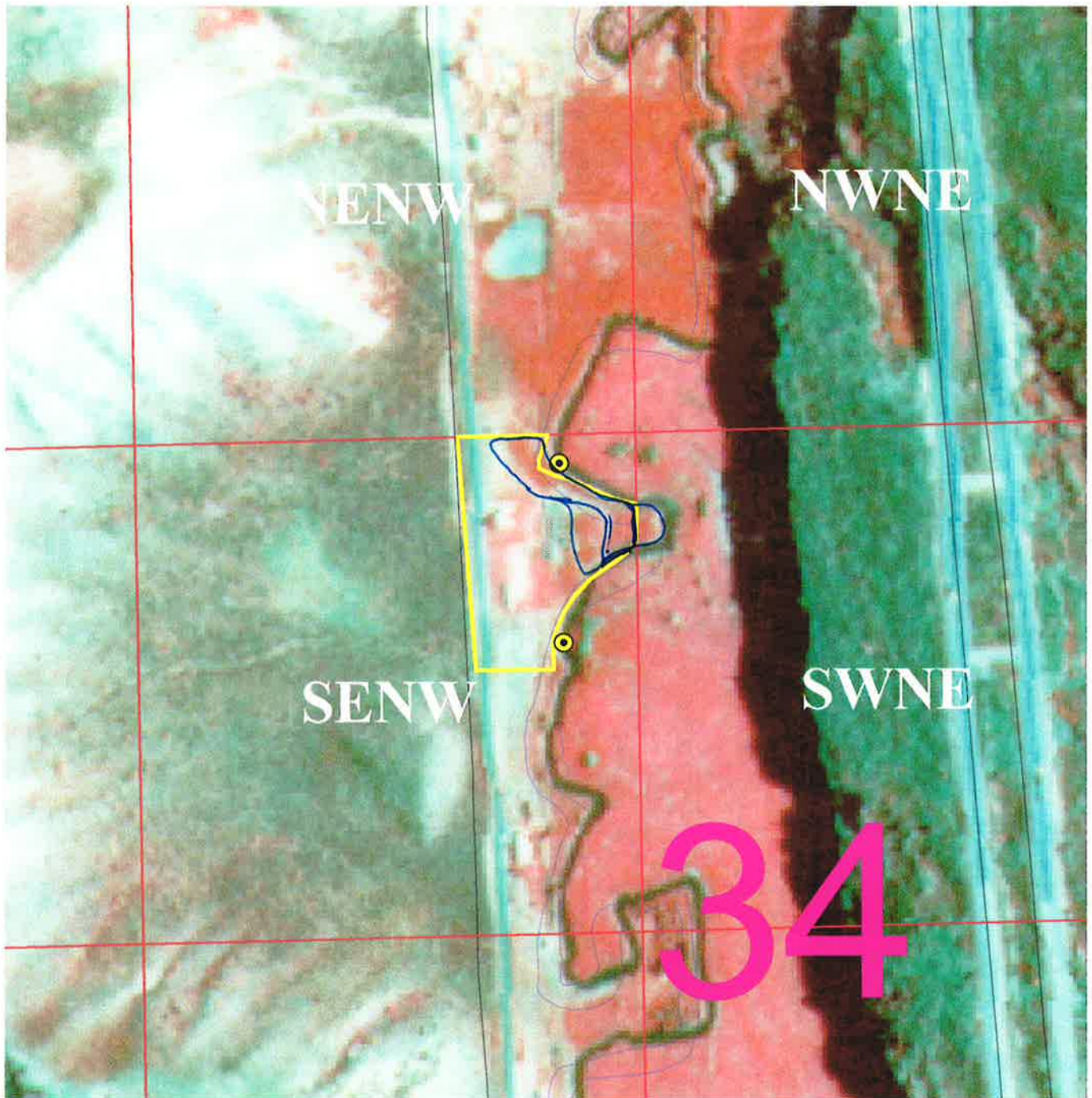
POD	1/16/2003 11:28:40 AM	rwarner	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	1/16/2003 11:45:33 AM	rwarner	Edited point location
Source	1/16/2003 11:46:17 AM	rwarner	(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 inspection by C. Bird.
POU	1/16/2003 11:46:38 AM	rwarner	Edited shape boundary
POU	1/16/2003 11:46:50 AM	rwarner	Edited PLS
POU	1/16/2003 11:47:43 AM	rwarner	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - field visit by C. Bird.
Use	1/16/2003 11:48:14 AM	rwarner	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (No) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 29-13403 V1

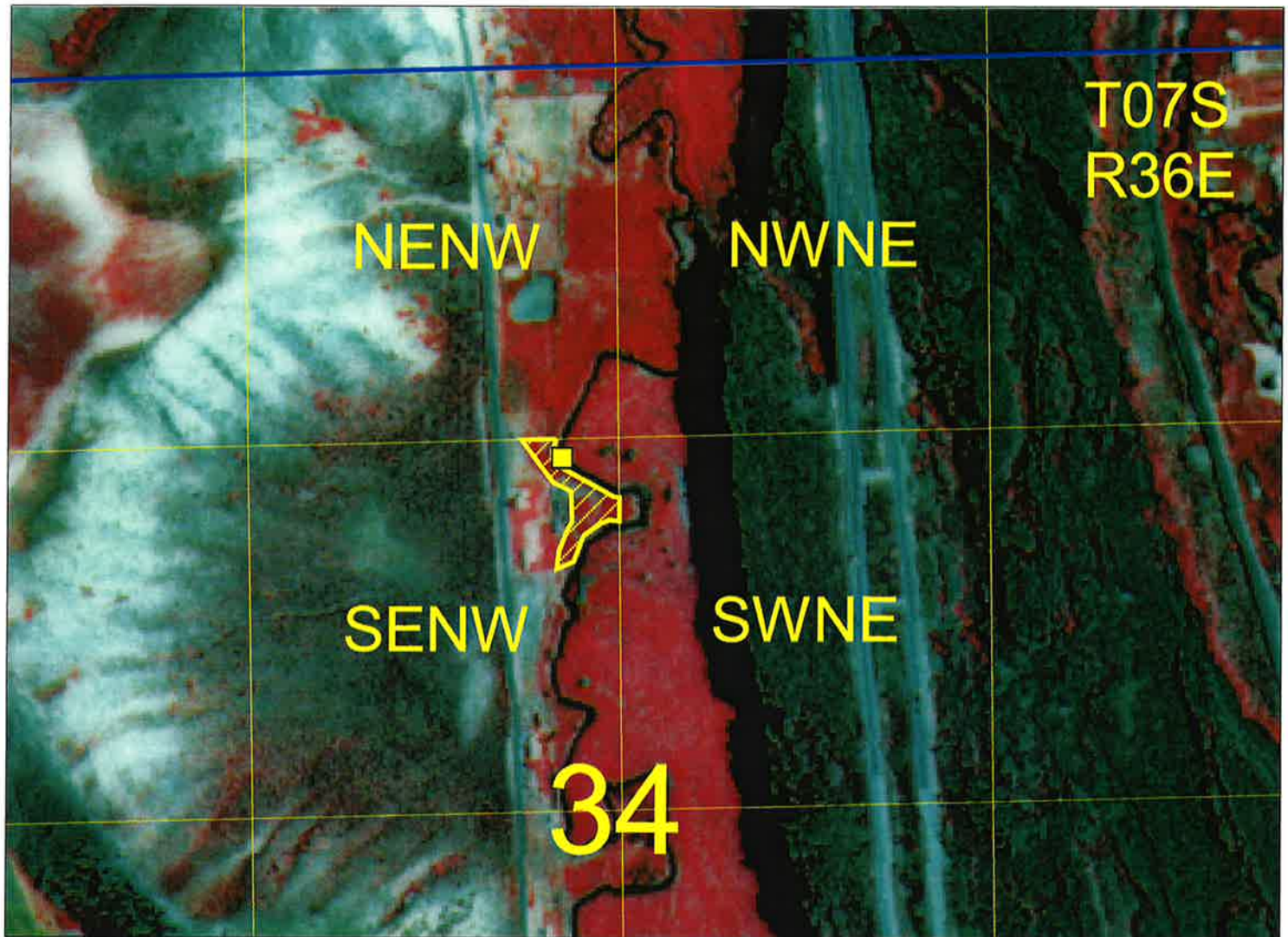
Season	1/16/2003 11:48:51 AM	rwarnar	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	1/16/2003 11:50:10 AM	rwarnar	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	1/16/2003 11:51:53 AM	rwarnar	(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?

Township , 7S36E



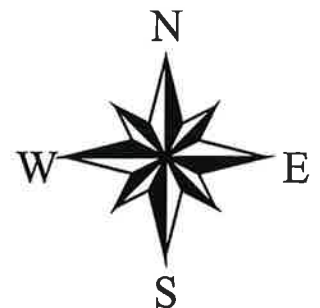


State of Idaho
Department of Water Resources
Eastern Region
Claim No.: 29-13403



500 0 500 1000 Feet

Irrigated Acres = 1.0



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

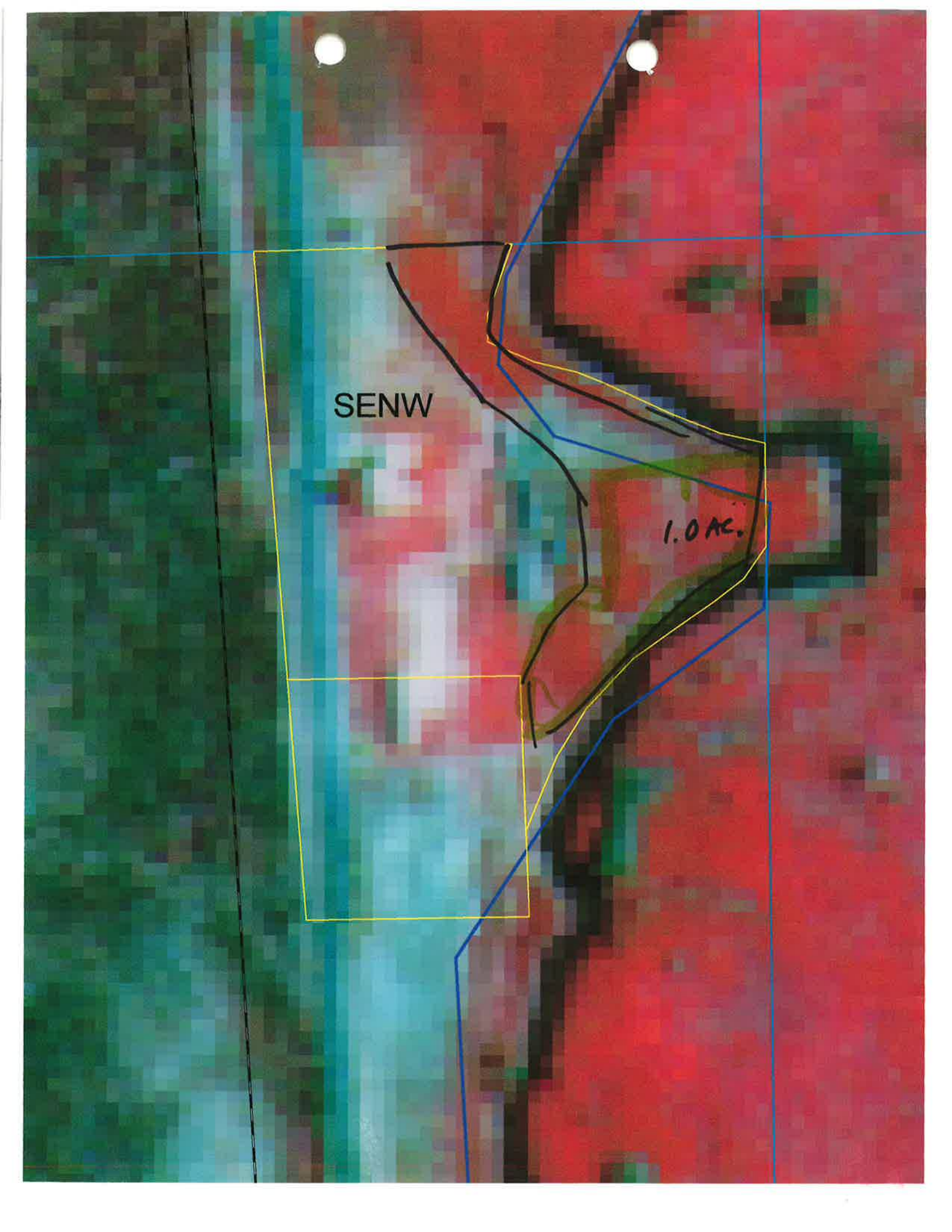
GIS Place of Use Illustration
1987/88 NAPP PHOTOGRAPHY
Prepared by R. Warner
Date: January, 2003

A29-12182
August 21, 2002
Lyle Leslie



Photo 1. Taken looking northeasterly at the point of diversion and place of use. Claimant uses portable pumps.

Photo was taken at 11:22 am August 21,2002, IMG_0618.JPG. Accompanied by Marcella Leslie, Lyle's widow.

An aerial photograph of a landscape, likely a wetland or agricultural area, with various colored overlays. A yellow rectangular boundary is drawn on the left side, enclosing a portion of the land. A blue line runs diagonally across the right side of the image. A black line follows a path through the center-right. The text 'SENW' is written in black in the upper left quadrant. The text '1.0 AC.' is written in black in the lower right quadrant. Two white circular punch holes are visible at the top of the page.

SENW

1.0 AC.

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

RECEIVED

MAY 13 2002

Department of Water Resources
Eastern Region

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, 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
29-12163					
29-12182					

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. \$25.00
- 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) are 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) LYLE LESLIE TORVELLA
P.O. Box 494 INKOM, ID. 83245
4. New Owner/Claimant(s) JOHN AND TAMRA Ammon
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address P.O. Box 484
- City, State and ZIP Code INKOM, IDAHO 83245
- New Telephone Number (208) 775-3082
5. Date you acquired the property SEPTEMBER 1994

10/8/02 Sent original and
 check to Kari Lynn
 Townsend in
 Boise for
 ownership
 10/10/02

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 _____

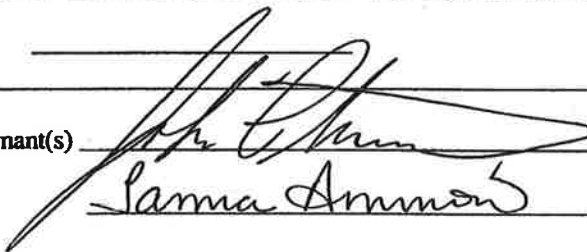
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	_____

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)


Larina Ammon

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 _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

DEED OF TRUST

THIS DEED OF TRUST, Made this 14th day of September, 20 01. BETWEEN John Patrick Ammon and Tamra Jo Ammon, husband and wife

herein called GRANTOR, whose address is PO Box 484 Inkom, Idaho 83245, Alliance Title and Escrow Corporation, herein called TRUSTEE, and Farm Bureau Finance Company, herein called BENEFICIARY, whose address is P.O. Box 4848, Pocatello, Idaho 83205-4848, WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of Bannock, State of Idaho, described as follows, and containing not more than forty acres:

A tract of land in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho;

X Beginning at a point where the East line of Marsh Creek Road intersects the North line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, that point being the True Point of Beginning; Thence South along said right of way line 630 feet, more or less, to the Northwest corner of property deeded to Stanley M. Jensen, Deed No. 528711; Thence at right angles East along the North boundary line of the Jensen Place 195 feet, more or less, to the Westerly bank of Marsh Creek; thence following the Westerly bank of Marsh Creek in a Northerly direction to a point where it intersects the North line of SE $\frac{1}{4}$ NW $\frac{1}{4}$; thence West along the North line to the True Point of Beginning.

Less the Following:

A parcel of land in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 7 South, Range 36 East, Boise Meridian, Bannock County, Idaho, and further described as follows:

Beginning at the intersection of the North 1/16 and the Easterly right of way line of Marsh Creek Road. Said point being 910 feet, more or less, East of the Northwest 1/16 corner. Thence South along the Easterly right of way line of said Marsh Creek Road a distance of 400 feet to the True Point of Beginning; thence due East parallel to the North 1/16 line a distance of 200 feet; thence South parallel to the East right of way of Marsh Creek Road 235 feet; thence West 200 feet to the Easterly right of way of Marsh Creek Road; thence North along the Easterly right of way of Marsh Creek Road; thence North along the Easterly right of way of Marsh Creek Road 235 feet to the True Point of Beginning.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits,

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of Seventeen Thousand Nine Hundred Two and 59/100 Dollars, (\$ 17,902.59),

final payment due September 14, 2006

and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment of Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this Trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at the rate of interest specified in the above described promissory note.

6. Should Grantor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.



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

September 9, 2002

Lyle Leslie
P.O. Box 494
Inkom, Idaho 83245

RE: Snake River Basin Adjudication Claim(s)
A29-12182

Subject: Conveyance System

Response Date: October 4, 2002

Dear Claimant (s):

Under the Idaho Code 42-101, all the waters of the state, when flowing in their natural channels, belong to the State of Idaho. A water right must be obtained to divert the water and it must be applied to the property described under the water right.

It is important that each element of a claim be substantiated. For instance, regarding claims for irrigation, **the evidence should show that diversion works were in place and being used, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use.**

The Idaho Department of Water Resources (IDWR) has recently begun its water right review and field exams in Basin 29. During the recent field exam of your claim, it was determined that there was no way to convey the water onto the ground claimed in your adjudication claim.

The IDWR has investigated the Notice of Claim listed above, but so far has been unable to verify the irrigation use claimed. To establish the existence of the right, you must submit persuasive evidence of the use claimed.

This office must receive your response by the response date shown above. If no response is received, then your claim will be recommended for **disallowal** on the basis that no beneficial use was found. If you feel this determination has been made in error, or if you have any questions, please feel free to contact me at 547-3993.

Respectfully,

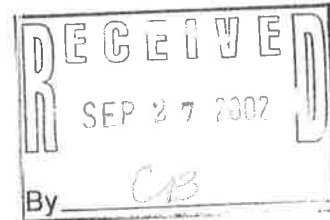
A handwritten signature in cursive script that reads "Cindy E. Bird".

Cindy E. Bird
Adjudication Bureau

September 24, 2002

To: State of Idaho
Department of Water Resources

Re: 29-12163 / 29-12182



I certify that I have knowledge of the aforementioned property (copy of Deed of Trust attached) since about 1972. At such time I moved to Inkom and met the Leslies. I worked for Lyle Leslie hauling hay and helped him to move water lines that were connected to pumps in Marsh Creek which irrigated the garden, the pasture and the yard.

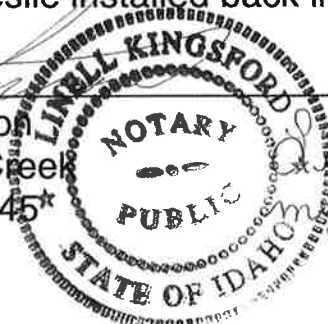
In 1975 I married Tamra Jo Leslie and continued to help Lyle with the Marsh Creek property. There was continuous use of water from the Marsh Creek for irrigation during this time.

In 1986 Lyle deeded one acre of his property to myself and my wife, (Tamra Jo Leslie) and we put a manufactured home on the one acre. At that time we maintained the pump on our portion of the property and continued to irrigate the pasture and the yard. Lyle also maintained a pump on the north end of the property to water the pasture and yard with.

In 1994 my wife and I purchased the bigger house and larger piece of property from my parents and "traded in" to them the one acre plot with manufactured home. This is where my mother-in-law still lives.

My wife and I maintain two one horse power pumps with lines that water the pasture and the yard. They are still using the same power source that Lyle Leslie installed back in 1968.

John Patrick Ammon
494 North Marsh Creek
Inkom, Idaho 83245



Linell Kingsford
my comm. - 6-17-06

September 24, 2002

To: State of Idaho
Department of Water Resources

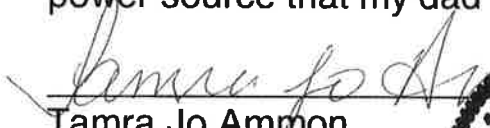
Re: 29-12163 / 29-12182

I certify that I have knowledge of the aforementioned property (copy of Deed of Trust attached) since about 1965. At such time my grandparents lived on this property and watered their garden, pasture and yard with water from Marsh Creek. In 1968 when my Grandfather drowned in Marsh Creek, my Dad built a new a new home on the property and we moved out there. I remember my dad replacing the existing water system, a water wheel, with electric pumps which attached to various lines across the property that we used to irrigate the garden, the pasture and the yard.

In 1986 my Dad deeded one acre of his property to myself and my husband, (John Patrick Ammon) and we put a manufactured home on the one acre. At that time we maintained the pump on our portion of the property and continued to irrigate the pasture and the yard. Dad also maintained a pump on the north end of the property to water the pasture and yard with.

In 1994 my husband and I purchased the bigger house and larger piece of property from my parents and "traded in" to them the one acre plot with manufactured home. This is where my mother still lives.

My husband and I maintain two one horse power pumps with lines that water the pasture and the yard. They are still using the same power source that my dad installed back in 1968.


Tamra Jo Ammon
494 North Marsh Creek
Inkom, Idaho 83245



Linell Kingsford
my com expires 6-17-06
annock, Id -
Idaho

9/24/2002

To: The State of Idaho
Department of Water Resources

RE: Snake River Basin Adjudication Claim
(A29-12182)

To whom it may concern:

In response to the Water Resource letter to me dated 9/19/2002 (photocopy attached) I hereby verify the following information to be true & correct:

I have personally known the aforementioned property (copy of deed enclosed) since my husband and I (James Lyle & Orvella Leslie) purchased the property from Dave & Grace Phillips in 1954. At that time the property was habited by Charles & Lola Leslie (Lyle's parents) and there was a water wheel on the property ~~in~~ⁱⁿ the creek, which ~~conveyed~~^{conveyed} water from Marsh Creek to irrigate the garden, water the pasture & water the yard. In 1968 when Charles died, Lyle & I built a new house

on the property & moved in it. At that time Lyle replaced the water wheel with two electric pumps (one @ the north end of the property & one @ the south end of the property). Lyle ran electricity from the power pole to the pump stations on the creek to power the pumps. That same electrical run is still in place to power the pumps we use to irrigate the pasture & water the yard today.

The person who made the inspection of my property (Andy Bird) did not bother to walk into the field to examine the pumps or the lines. His inspection was made from the deck of my home.

Orvella Leslie

ORVELLA LESLIE

Linell Kingsford

my comm expires 6-17-06

Barnock City

Idaho





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

October 1, 2002

Lyle Leslie
P.O. Box 494
Inkom, ID 83245

REF: September 9th, 2002 letter

Subject: Conveyance System

RESPONSE DATE: October 15, 2002

Dear Mrs. Leslie,

I received your information from Jodeana Dunn on September 27th, 2002. Your signed letter dated September 24th, 2002 stated "The person who made the inspection of my property (Cindy Bird) did not bother to walk into the field to examine the pumps or the lines. Her inspection was made from the deck of my home." That is true, I didn't "bother" to go into the field because your statement to me on August 21st, 2002 was "I don't know where the pumps are, I think one is in the shop and the other pump, I just don't know." The location that was pointed out to me as the point of diversion didn't have a pump there. If your conveyance system is in place and you found the pumps I will gladly revisit your property to get the information I need otherwise your claim will be recommended for DISALLOWAL.

Sincerely,

Cindy E. Bird

29- 12182 Lyle Leslie.

2" black PVC pipe
3 sprinklers.

2 portable pumps.-

Marcella didn't know where the pumps
are.

1- She thought was put into the shop for
repair.

1- other she wasn't sure.

Split the ownership- her daughter & Son-in-
law purchased

1- Photo looking east at POU behind Lyle's
home.

As far as Marcella knew they irrigated
from Marsh Creek to the fence. See
map

Contacts Data Entry Form

Split

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____
Current Owner: Lyle Leslie P.O. Box 464 Inkom, ID 83245
Name connector: and _____, or _____, and/or _____
Current Owner: 775-3733
Current Owner: _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: Marvella Leslie Phone Number: 775-3733

Relationship to Claimant: widow

Date of Field Exam: 8/21/02 Time: 11 AM

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

484 N. Marsh Crk Rd.
Mobil home

4-yr ago Lyle past away.

(John) Pat & Tammy Ammon. - 2 acres - (split)
about 7 yrs.

- Copy of warranty deed. for the sale of
land to daughter.

Reviewer: CB

Date: 8/21/02



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29

RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

2" pipe comes out of ground approx. 4'

Assumptions

Invoice

2000-037-01-0

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

Linked

OD ID 255099 01.JPG

Photos

OD ID 255099 02.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

0

Open Channel Flow

☐ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

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

Diameter

Depth

☐ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

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

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

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

Channel Slope

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

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

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March 20, 1995

Lyle Leslie
P.O. Box 494
Inkom, Idaho 83245

To: Idaho Water Resources

Re: A29-12182

At the time I aquired the land described in the above referenced adjudication claim number, January 2, 1943, approximately 2 acres of the land was being irrigated by water from Marsh Creek, provided by a water wheel in place. In 1947 when electricity was brought to the Marsh Valley area, we converted to an electric pump, which we now use with sprinklers.

I hereby attest to this statement as being True and Correct.

Lyle Leslie
P.O. Box 494
Inkom, Idaho, 83245

Subscribed and sworn to before me this 22nd day of March, 1995.

J. Lynn Hudson
Pocatello
1/20/2001

RECEIVED

MAR 23 1995

MICROFILMED

Department of Water Resources
Eastern District Office
NOV 14 1996

DUPLICATE

A G R E E M E N T

POOR ORIGINAL

This agreement entered into this 7 day of Jan 1973
by and between DAVID PHILLIPS, of Inkom, Bannock County,
State of Idaho, party of the first part, and _____

C. G. Leslie and Lola Leslie
of Inkom, Idaho, Bannock County, party of the second part:

Witnesseth; that the said party of the first part, for and
in consideration of the sum of THREE HUNDRED DOLLARS (\$300),
the receipt of SEVENTY FIVE DOLLARS (\$75) of which is here-
by acknowledged, does by these presents agree to sell and
convey unto the party of the second part that certain parcel
of land situated, lying and being in the County of Bannock,
State of Idaho, bounded and more particularly described as
follows, to-wit:

Four (4) Acres, more or less, of the Northeast
Corner of the property secured from Chas H.
Renfro lying Northwest of Marsh Creek and
adjoining the T.H.Gathe Ranch.

Together with all and singular, the tenements and appurtenances
thereunto.

It is further agreed that the party of the second part will pay
unto the party of the first part the balance of TWO HUNDRED
TWENTY FIVE (\$225) DOLLARS within 120 days from the day and year
first written above without interest.

In witness whereof, the said parties have hereunto set their
hands and seals the day and year first written above.

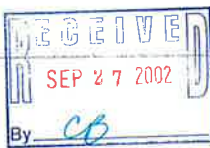
*Paid in full
Thank you*

C. G. Leslie
Mrs. Lola Leslie
David Phillips

RECEIVED MICROFILMED
NOV 14 1996

MAR 23 1995

Department of Water Resources
Eastern District Office



681

DOCUMENT No 121732

0 This Indenture, Made this 13th day of May in the year of Our Lord one Thousand Nine Hundred and Thirty-Seven between Charles H. Renfro and Laura J. Renfro, his wife, Idaho, the parties of the first part, and David Phillips, Bonanza, Idaho, the party of the second part.

WITNESSETH: That the said part Y of the first part, for and in consideration of the sum of \$100.00 and no/100 Dollars, Federal money of the United States of America, to him in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged.

By these presents, Grant, Bargain, Sell and Convey and Confirm unto the said part Y of the second part, and to his heirs and assigns forever: All that certain lot, piece or parcels of land situate, lying and being in the County of Bonanza, State of Idaho, bounded and more particularly described as follows, to-wit:

Southeast quarter of Northwest quarter, East half of Southwest quarter of Northwest quarter, and Northeast quarter of Southwest quarter of Section 36, Township 7 South, Range 36 East Boise Meridian, in Bonanza County, Idaho.

Together with any and all water, water rights, ditch and ditch rights together with any part or parcel thereof.

(Said L. S. S. duly attached and cancelled.)

This water right is on the property in question! Deeds enclosed from 1937 to present.

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

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

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

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Charles H. Renfro

Laura J. Renfro

STATE OF IDAHO,

County of Bonanza

On this 13th day of May, in the year to 37, before me, C. W. Penney, Notary Public in and for said County and State, personally appeared Charles H. Renfro and Laura J. Renfro, his wife, known to me to be the persons whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.

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

C. W. Penney
Notary Public for Idaho,
Bonanza, Idaho.

I hereby certify that this instrument was filed for record at the request of Charles H. Renfro and Laura J. Renfro, his wife, on the 11th day of May, A.D. 1937, in Book 73 of Deeds, at page 630.

File S 1-100

Ex Office Recorder

By Sylvia W. Glendon

Bannock County, Idaho

INSTRUMENT No. 298286

This Indenture, Made this 26th day of February in the year of Our Lord one Thousand Nine Hundred and Fifty-four between

DAVID PHILLIPS and GRACE PHILLIPS, husband and wife,

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

LYLE LESLIE of Pocatello County of Bannock State of Idaho, the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of DOLLARS, ONE & 00/100 and other good and valuable consideration lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged do hereby presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs and assigns forever: All that certain lot, piece or parcel of land situate, lying and being in the County of Bannock, State of Idaho, bounded and more particularly described as follows, to-wit:

Commencing at the NE corner of the SE¹/₄ of the NE¹/₄ of Section 34, Township 7 S.R. 36, E.B.M., and running due South on the Westerly side of Marsh Creek a distance of 1400 feet more or less to the North bank of a certain water-ing hole located on Marsh Creek; thence at right angles due West to the Easterly side of County Road running through the SE¹/₄ of Section 34, Township 7 S.R. 36 E.B.M.; thence following the Easterly side of said County Road in a North-westerly direction to the section line between the NE¹/₄ of the NE¹/₄ and the SE¹/₄ of said Sec. 34; thence running Easterly along said section line to the point of beginning contain-ing six acres, more or less.

(U.S.I.R.S. S 1.10 Attached to Deed and Cancelled)

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

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to his heirs and assigns forever. And the said parties of the first part, do hereby presents, Grant, Bargain, Sell and Convey unto the said party of the second part, and to his heirs and assigns forever, the said premises, in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and assigns forever, 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 hand and seal of said S and said S the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

David Phillips

(SEAL)

Grace Phillips

(SEAL)

(SEAL)

STATE OF IDAHO.

County of BANNOCK

On this 26th day of February in the year 1954 before me, the undersigned, a Notary Public in and for said County and State, personally appeared

DAVID PHILLIPS and GRACE PHILLIPS, husband and wife,

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

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

(SEAL)

Ralph H. Jones

Notary Public

Residence:

Pocatello, Idaho

I hereby certify that this instrument was filed for record at the request of Lyle Leslie, 67 Birch Street, Pocatello, Idaho, on this 26th day of March, A.D. 1954, in Book 119 of Deeds, Page 200.

ALMA KEEFE, Notary Public, Pocatello, Idaho

QUIT CLAIM DEED

438670

THIS INDENTURE, Made the 3rd day of March in the year of our Lord, One Thousand Nine Hundred and Sixty-Seven, between

GRACE PHILLIPS, the widow of David Phillips,
of Inkom County of Bannock and
State of Idaho the party of the first part, and LYLE LESLIE and
ORVELLA E. LESLIE, husband and wife,

of Pocatello of the County of Bannock and
State of Idaho the parties of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Dollar and other valuable consideration DOLLARS
lawful money of the United States of America to her in hand paid by the said parties of
the second part, the receipt of which is hereby acknowledged, do by these presents demise, re-
lease and forever Quitclaim unto the said parties of the second part, and to their heirs
and assigns, all that certain parcel of land
situated in Bannock County, of the State of Idaho, particularly described as
follows, to-wit:

Beginning at the point where the North Line of the SE 1/4 of Section 34, Township 7 South, Range 36 E.B.M. Intersects the easterly right of way line of Marsh Creek Road; thence South along the easterly right of way line of Marsh Creek road approximately 1400 feet; thence East to the Westerly Bank of Marsh Creek; thence Northerly along the Westerly Bank of Marsh Creek to the Point where it intersects the north line of the SE 1/4; thence West along said North line to the point of beginning.

This Deed is given to correct the description in the Deed heretofore given by David Phillips, and Grace Phillips, husband and wife.

Together with all and singular, the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD all and singular the said premises, together with the appurtenances unto said parties of the second part, and to their heirs and assigns forever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set her hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Grace Phillips (Seal)
(Seal)
(Seal)

438680

STATE OF IDAHO
County of BANNOCK

}

On this

3rd

day of

March

in the year 1967, before

me, the undersigned

, a Notary Public

in and for

, personally appeared GRACE PHILLIPS

, known

to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that s/he executed the same.

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

Robert A. Hall
Notary Public
Residing at Pocatello, Idaho

NOTARY SEAL

438680

NO. 438680
RECORDED AT REQUEST OF
Lyle Leslie
46 Purkey
MAY 5 4 22 PM '67

OFFICIAL RECORDS CO., INC. 213
BANNOCK COUNTY, IDAHO
CLERK OF DISTRICT COURT
FEE \$1.50 DEEDS \$1.00

438680

No.

to

QUIT CLAIM DEED

Dated

Filed for record at the request of

19

at minutes past o'clock

M., in Record of Deeds, page

County Recorder

Dipate

Recorder's Fees \$

WARRANTY DEED

94022758

FOR VALUE RECEIVED

JAMES Lyle Leslie and Orvella E. Leslie, husband and wife

The Grantors, do hereby grant, bargain, sell and convey unto Anabel Lee Jensen, a single person

The Grantees, whose address is po Box 494 Inkom, Idaho 83245

the following described premises, to-wit:

A PARCEL OF LAND IN THE SW1/4 OF SECTION 34, TOWNSHIP 7 SOUTH, RANGE 36 EAST, BOISE MERIDIAN, AND FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTH 1/16 LINE AND THE EASTERLY RIGHT OF WAY LINE OF MARSH CREEK ROAD. SAID POINT BEING 910 FEET MORE OR LESS EAST OF THE NORTHWEST 1/16 CORNER. THENCE SOUTH ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID MARSH CREEK ROAD, A DISTANCE OF 400 FEET TO THE TRUE POINT OF BEGINNING; THENCE DUE EAST PARALLEL TO THE NORTH 1/16 LINE A DISTANCE OF 200 FEET; THENCE SOUTH PARALLEL TO THE EAST RIGHT OF WAY OF MARSH CREEK ROAD 235 FEET; THENCE WEST 200 FEET TO THE EASTERLY RIGHT OF WAY OF MARSH CREEK ROAD; THENCE NORTH ALONG THE EASTERLY RIGHT OF WAY OF MARSH CREEK ROAD 235 FEET TO THE TRUE POINT OF BEGINNING.

THIS DEED IS BEING GIVEN SUBJECT TO THE LIFE ESTATE
OF JAMES LYLE LESLIE AND ORVELLA E. LESLIE

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

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

Dated: 12/29/94

James Lyle Leslie
Orvella E. Leslie

STATE OF IDAHO, COUNTY OF Bannock

On this 29 day of Dec, 1994,
before me, a notary public in and for said State, personally appeared
James Lyle Leslie and
Orvella E. Leslie

NOTARY SEAL

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

James Lyle Leslie
Notary Public

Residing at Pocatello, Idaho
Comm. Expires 1/12/95

STATE OF IDAHO, COUNTY OF

I
request

red of the

at
this
19
of Dec

NO. 94022758
RECORDED AT REQUEST OF
JAMES LYLE LESLIE
'94 DEC 29 P2:53

ck m.

By

OFFICE OF THE CLERK OF THE DISTRICT COURT
BANNOCK COUNTY IDAHO
LARRY W. SHAN RECORDS
DEPUTY

nty.

Fees \$
Mail to:

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 29-13403
Date Received: 10/16/2002
Receipt No:
Received By:

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

1. Name of Claimant(s)

LYLE LESLIE Phone: (208)775-3733
PO BOX 494
INKOM ID USA 83245

A2913403



2. Date of Priority: 04/01/1942

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
07S	36E	34	NE SE NW	BANNOCK	

5. Description of diverting works:

2, 3/4 HP PUMPS, 1" PLASTIC MAINLINE SERVING 4 SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	9/15	0.09	

7. Total Quantity Appropriated is:
0.09 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	34	SE NW	IRRIGATION	3
Section Acres					3

Total Acres 3

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 29-12182.

15. Basis of Claim: Beneficial Use