

11/11/2006

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

RIGHT NUMBER: 75-4005A
NAME AND ADDRESS:

LUKE RUSSELL
17715 N CACHE BAR
HAYDEN ID 83835

DEBBIE RUSSELL
17715 N CACHE BAR
HAYDEN ID 83835

SOURCE: FREEMAN CREEK

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.090 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION:

T23N R22E S36 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.090 CFS

PLACE OF USE: IRRIGATION in LEMHI County

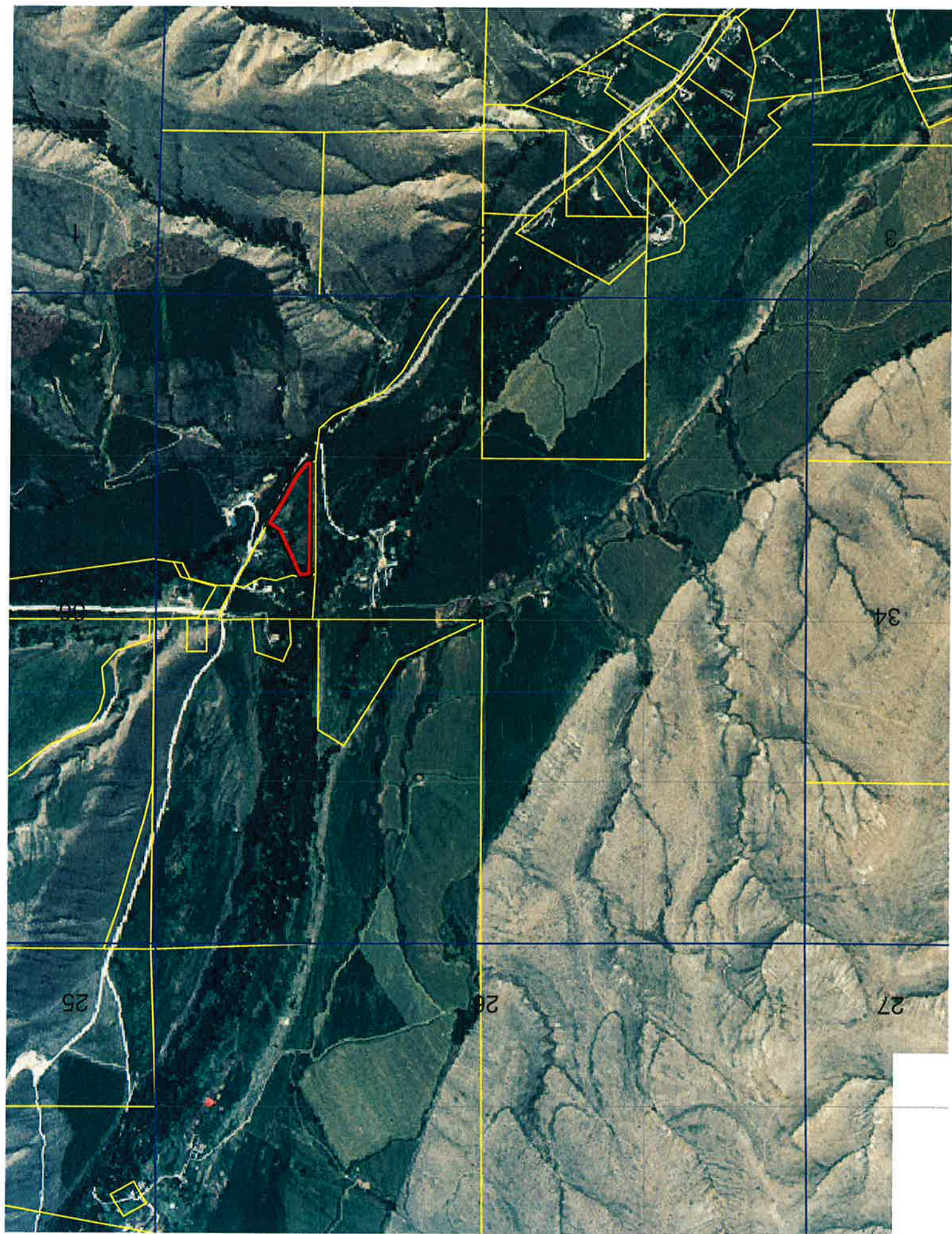
T23N R22E S35 NESE 3.00

3 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



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 75-4005A
Date Received: 5/10/1990
Receipt No: E014386
Received By:

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

1. Name of Claimant(s)

DEBBIE RUSSELL
17715 N CACHE BAR
HAYDEN ID USA 83835

Phone: (208)699-3396

LUKE RUSSELL
17715 N CACHE BAR
HAYDEN ID USA 83835

Phone: (208)699-3396

2. Date of Priority: 06/13/1912

3. Source: FREEMAN CREEK , FREEMAN CREEK Trib. to: CARMEN CREEK , CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	23E	31	NE SW	LEMHI	
23N	22E	36	NE SE	LEMHI	

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	4/01	11/01	0.11	

7. Total Quantity Appropriated is:
0.11 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
23N	22E	35	NE	SE	IRRIGATION	3
					Section Acres	3
					Total Acres	3

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

SOURCE IS ALSO KNOWN AS THE EAST FORK OF CARMEN CREEK.
PRIORITIES ARE 6-13-1912 OF 1.5 CFS, 6-1-1948 OF 1.7 CFS & 5-1-1959 OF 0.3 CFS.
AC. IRR.=2.5 CHANGED OWNERSHIP PER REQUEST/JC/5-23-00

15. Basis of Claim: Statutory Claim

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AUG 10 2006

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIPPlease print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

RECEIVED

AUG 31 2006

IDWR/North

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
75-4005 A					

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)

Jay Smith

P.O. BOX 271

CARMEN, ID 83462

4. New Owner/Claimant(s)

Lure and Debbie Russell

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

New Mailing Address

17715 N. Cache Bar

City, State and ZIP Code

Hayden, ID 83835

New Telephone Number

208) 699-3396

5. Date you acquired the property

7.14.06

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JUL 31 2006

Department of Water Resources
Eastern Region

SCANNED

AUG 10 2007

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)		
N/A 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)		
N/A 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)

[Handwritten Signature]
[Handwritten Signature]

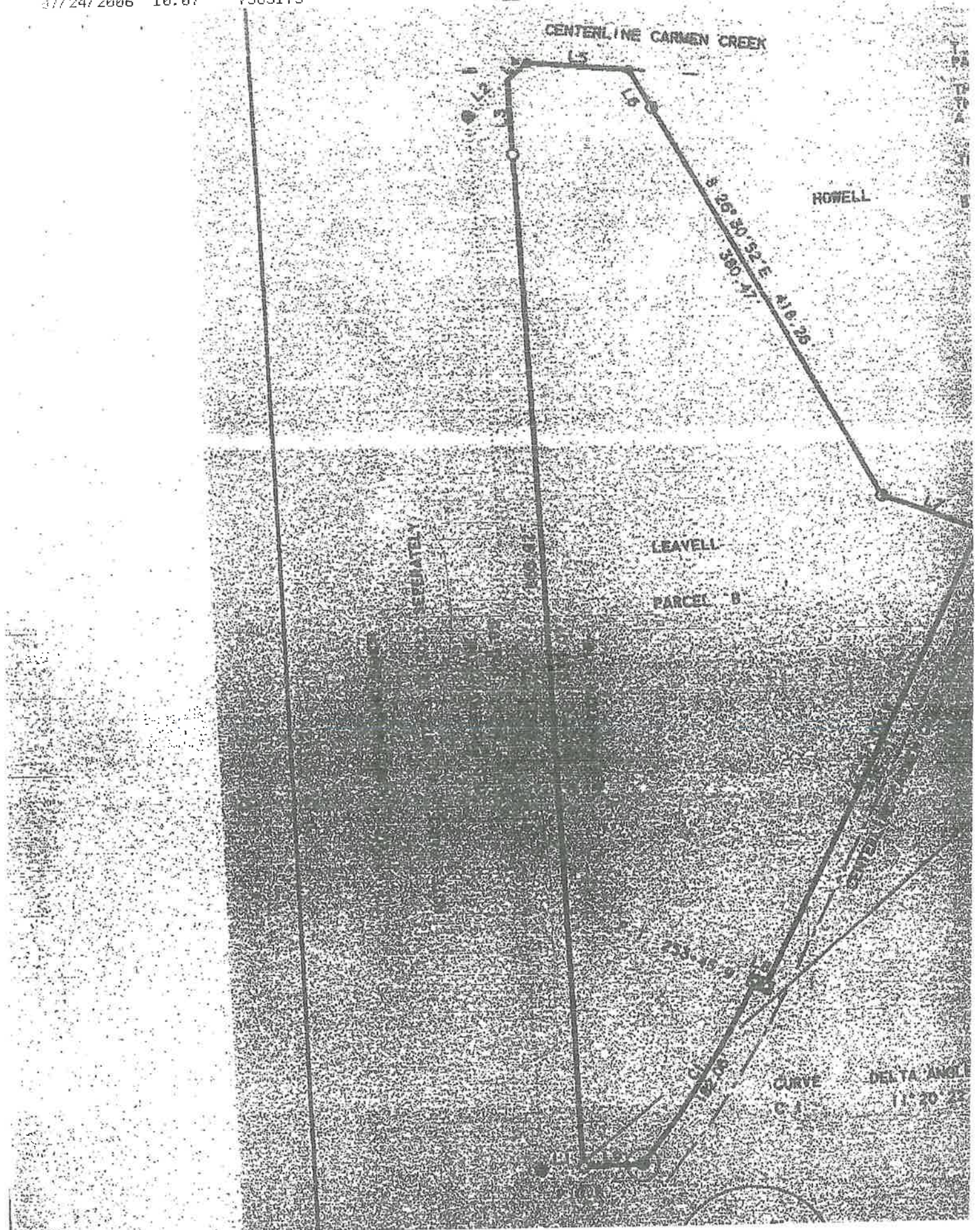
For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

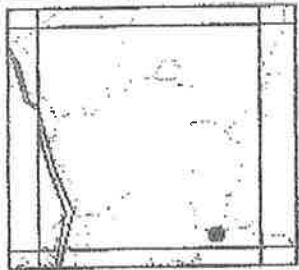
Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

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AUG 10 2007



SMITH, JAY

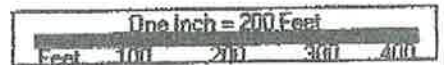


T.23N R.22E
Sec.35



-  Parcels
-  Tax lots
-  Lots
-  City Streets and no parcel available
-  Roads
-  Railroads

1:2400



THIS DRAWING IS TO BE USED FOR
REFERENCE PURPOSES ONLY. THE
COUNTY IS NOT RESPONSIBLE FOR ANY
INACCURACIES CONTAINED HEREIN.

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

First American Title Insurance Company



Agent For
First American Title Insurance Company

LEMHI TITLE & ABSTRACT COMPANY
P.O. Box J
531 South Main
Salmon, ID 83467
(208) 756-2977
Fax: (208) 756-6286

AGREEMENT TO ISSUE POLICY

We agree to issue a policy to you according to the terms of this Commitment. When we show the policy amount and your name as the proposed insured in Schedule A, this Commitment becomes effective as of the Commitment Date shown in Schedule A.

If the Requirements shown in this Commitment have not been met within six months after the Commitment Date, our obligation under this Commitment will end. Also, our obligation under this Commitment will end when the Policy is issued and then our obligation to you will be under the Policy.

Our obligation under this Commitment is limited by the following:

The Provisions in Schedule A.

The Requirements in Schedule B-1.

The Exceptions in Schedule B-2.

The Conditions on the other side of this page 1.

This Commitment is not valid without SCHEDULE A and Sections 1 and 2 of SCHEDULE B.



First American Title Insurance Company

BY

Gary L. Kenneth

PRESIDENT

ATTEST

Mark A. Arnesen

SECRETARY

BY

M. Chase

COUNTERSIGNED

SCANNED

AUG 10 2007



First American Title Insurance Company

INFORMATION

The Title Insurance Commitment is a legal contract between you and the company. It is issued to show the basis on which we will issue a Title Insurance Policy to you. The Policy will insure you against certain risks to the land title, subject to the limitations shown in the Policy.

The Company will give you a sample of the Policy form, if you ask.

The Commitment is based on the land title as of the Commitment Date. Any changes in the land title or the transaction may affect the Commitment and the Policy.

The Commitment is subject to its Requirements, Exceptions and Conditions.

THIS INFORMATION IS NOT PART OF THE TITLE INSURANCE COMMITMENT.

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SCHEDULE B-2 — Exceptions	4
CONDITIONS	
	other side of 1

YOU SHOULD READ THE COMMITMENT VERY CAREFULLY.

If you have any questions about the Commitment, please contact the issuing office.

SCANNED
AUG 10 2007

SCHEDULE A

1. Commitment Date: **June 29, 2006** Commitment No: **2145**

2. Policy or Policies to be issued:

Policy Amount

Premium Amount

✓ (a) Owners Policy **\$ 135,000.00** (Less Re-issue credit) **\$ 627.25**
Standard Owner's Policy (10/17/92) Form 1402-92
Proposed Insured:
Luther Russell and Debbie Russell, husband and wife

✓ (b) Loan Policy **\$ 108,000.00** **\$ 188.70**
Extended Loan Policy (10/17/92) Form 1056-92 (Simultaneous Issue) **\$ 75.00**

Proposed Insured:

**TBD, it's successors and/or assigns as their respective interest(s)
may appear**

Endorsements: **100, 116 & 8.1**

\$ 50.00

□ (c) \$ \$
Proposed Insured:

3. Fee Simple interest in the land described in this Commitment is owned, at
the Commitment Date, by:

Jay Smith, presumptively subject to the community interest of his spouse

4. The land referred to in this Commitment is described as follows:

See Attached Exhibit "A"

FOR INFORMATIONAL PURPOSES

Parcel No: **RP 002020000080 A**

Physical Address: **480 Carmen Creek Road, Lemhi County, ID**

2005 Property Taxes: **\$149.48**

Copy of Survey Attached

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE NE1/4SE1/4 , SECTION 35, T. 23 N., R. 22 E.,
BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE E1/4 CORNER OR SAID SECTION 35, FROM WHICH THE SE
CORNER OR SAID SECTION 35 BEARS S. 00 DEGREES 50' 41" E., 2592.65 FT., THE BASIS OF
BEARING OF THIS DESCRIPTION; RUN THENCE S. 44 DEGREES 07' 14" W. A DISTANCE OF
1784.40 FT. TO THE POINT OF BEGINNING;

THENCE N. 00 DEGREES. 37' 02" W. A DISTANCE OF 930.01 FT. TO A POINT ON THE
CENTERLINE OF CARMEN CREEK;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE;
N. 50 DEGREES 17' 39" E., 22.21 FT; S. 81 DEGREES 50' 28" E. , 84.89 FT. ;

THENCE S. 26 DEGREES 30' 52" E. A DISTANCE OF 418.26 FT.;

THENCE S. 66 DEGREES 51' 01" E. A DISTANCE OF 88.11 FT. TO A POINT ON THE
WESTERLY RIGHT-OF-WAY OF CARMEN CREEK ROAD;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY;
S. 27 DEGREES 57' 00" W., 426.71 FT., N. 62 DEGREES 03' 00" W., 10.00 FT.;

182.06 FT. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 11
DEGREES 20' 22" A RADIUS OF 919.93 FT. A CHORD BEARING OF S. 33 DEGREES
37' 11" W. FOR A DISTANCE OF 181.77 FT. ;

THENCE N. 89 DEGREES 30' 23" W. A DISTANCE OF 49.36 FT. TO THE POINT OF
BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN CARMEN CREEK ROAD.

SCANNED

Aug 10 2007

Commitment No. 2145

SCHEDULE B - Section 1

Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to the insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (e) Release(s) or Reconveyance(s) of item(s)
- (f)

Other

(g) You must give us the following information:

- 1. Any off record leases, surveys, etc.
- 2. Statement(s) of identity, all parties.
- 3. Other

NOTE: A cancellation fee will apply if policy does not go to final within six months.

Commitment No. 2145

SCHEDULE B - Section 1

Requirements

The following requirements must be met:

- (a) Pay the agreed amounts for the interest in the land and/or the mortgage to be insured.
- (b) Pay us the premiums, fees and charges for the policy.
- (c) Documents satisfactory to us creating the interest in the land and/or the mortgage to the insured must be signed, delivered and recorded.
- (d) You must tell us in writing the name of anyone not referred to in this Commitment who will get an interest in the land or who will make a loan on the land. We may then make additional requirements or exceptions.
- (e) Release(s) or Reconveyance(s) of item(s)

- (f) Other

(g) You must give us the following information:

- 1. Any off record leases, surveys, etc.
- 2. Statement(s) of identity, all parties.
- 3. Other

NOTE: A cancellation fee will apply if policy does not go to final within six months.

SCHEDULE B - Section 2

Exceptions

Any policy we issue will have the following exceptions unless they are taken care of to our satisfaction.

PART 1:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Unpatented mining claims; reservations or exceptions in patents or in sets authorizing the issuance there: water rights, claims, or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. General taxes and assessments for the year 2005 are paid. General taxes and assessments for the year 2006 are an accruing lien.
8. The right, title and interest of the public in and to those portions of the above described premises falling within the bounds of roads, and highways, dedicated and or otherwise used by the public, and subject to all easements and restrictions attendant and pertinent to said highways.
9. Any adverse claim based on the assertion that the location of the Carmen Creek has moved.
10. All matters, covenants, conditions, restrictions, easements and any rights, interests or claims which may exist by reason thereof, disclosed by the recorded plat, corrections and amendments of said subdivision, recorded July 14, 1998, under Instrument No. 237277, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
11. Easement granted to Idaho Power, recorded July 31, 1941, in Book C at Page 399, records of Lemhi County, Idaho.
12. Easement Agreement for the purposes of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass granted to the State of Idaho for the use and benefit of the Department of Fish and Game, recorded June 19, 1959 in Book E of Agreements at Page 212, records of Lemhi County, Idaho.
13. Easement Agreement for the purposes of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass granted to the State of Idaho for the use

and benefit of the Department of Fish and Game, recorded June 19, 1959 in Book E of Agreements at Page 213, records of Lemhi County, Idaho.

14. Easement granted to Idaho Power, recorded June 21, 1961, in Book E at Page 461, records of Lemhi County, Idaho.
15. Deed of Trust to secure an indebtedness of \$53,600.00, dated January 27, 2005, and any other obligations secured thereby.
Recorded: January 28, 2005 Instrument No. 261637
Grantor: Jay J. Smith, same person as Jay Smith, a single person
Trustee: Lemhi Title & Abstract Co., Inc.
Beneficiary: Northwest Farm Credit Services, PCA, a Corporation Organized under the Farm Credit Act of 1971, as amended
16. Deed of Trust to secure an indebtedness of \$44,600.00, dated November 3, 2005, and any other obligations secured thereby.
Recorded: November 4, 2005 Instrument No. 265054
Grantor: Jay J. Smith, same person as Jay Smith, a married person dealing in his sole and separate property, Cheyenne A. Smith, a married person dealing in her sole and separate property
Trustee: Lemhi Title & Abstract Co., Inc.
Beneficiary: Northwest Farm Credit Services, PCA, a Corporation Organized under the Farm Credit Act of 1971, as amended

The following numbered exceptions _____ will be eliminated in an ALTA Extended Coverage Policy.

SCANNED
AUG 10 2007

6/29/06

TAX MASTER INQUIRY - LEMHI COUNTY

PMPKEY: RP 23N22E357205 A YEAR 2005

BILL# 9394

EXPKEY: RP23N22E357205A

BILLED TO: SMITH, JAY

NAME SMITH, JAY

CODE AREA 21-0000 ACCT TYP

BANK FLB OWNER PUP

ADDRESS PO BOX 271

MARKET VALUE 18,376

HARDSHIP

HOMEOWNER

CARMEN

ID 83462

NET MARKET

18,376

TAX AMOUNT

149.48

LEGAL TAX 3975

35 23 22

LESS: CIRCUIT

PLUS: SPECIALS

AC BASED ON SURVEY #237277

NET TAX BILLED

149.48

TAX PAYMENTS

149.48

TAX CANCELLED

SPEC CANCELLED

REMAINING TAX DUE

NEXT PARCEL# RP _____ A OR NEXT BILL# RP _____ 2005

F3=EXIT F14=OTHER TAXES F2=PRT SCREEN F5=PAYMNTS F6=TRANSACTIONS F24=MORE
F17=RELATED PARCELS

SCANNED

AUG 10 2007

The First American Corporation

Lemhi Title & Abstract Company, Inc.
PO Box J
Salmon, ID 83467

Privacy Policy

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, together with our underwriter, the First American Corporation, WE have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity. First American has also adopted broader guidelines; and we have adopted these guidelines that govern our use of personal information regardless of its source. These guidelines are called *Fair Information Values*, a copy of which can be found on First American's web site at www.firstam.com

Types of Information

Depending upon which of our services you are utilizing the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means.
- Information about your transactions with us, are affiliated companies, or other; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any non-affiliated party. Therefore, we will not release your information to non-affiliated parties except (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies, and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we are affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. WE restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with the *Privacy Policy* and the *Fair Information Values*. We currently maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

SCANNED

APR 10 2007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A7504005A

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION GPS 788 6-2-05 ID tag A0011561
☐ Point of diversion is different than the claim and/or new P/D's: GPS 789 ID tag A0011562

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name _____

Jack F. Ellis
Signature

WARRANTY DEED

For Value Received TERRANCE L. HAMILTON AND
STEPHANIE J. HAMILTON,
husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

JAY SMITH, a single person,
Box 271, Carmen Id 83462

the grantee, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO:

The above conveyance is made free and clear of all other encumbrances except:
Rights of way and easements, reservation in Federal patents and state deeds, or
other restrictions imposed by law, building and use restrictions of records,
building and zoning regulations and ordinances of any governmental unit whether
of sight or of record.

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

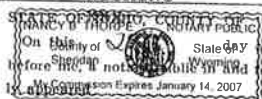
and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: October 31, 2003

TERRANCE L. HAMILTON

STEPHANIE J. HAMILTON

WYOMING



TERRANCE L. HAMILTON AND
STEPHANIE J. HAMILTON

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

Jane B. [Signature]
Notary Public
Residing at *Shoyden* WY, ~~MMXX~~
Comm. Expires *Jan 14, 2007*

STATE OF IDAHO, COUNTY OF LEMHI

I hereby certify that this instrument was filed for re-
cord at the request of Bill Allen Escrow

at 02 minutes past 2 o'clock P.M.,
this 3 day of November
2003, in my office, and duly recorded in Book
of Deeds at page

Ken Morton
Ex-Officio Recorder

By *Shanda [Signature]*
Deputy.

Fees \$ 600
Mail to: CT

INSTRUMENT NO. 256494

REAL PROPERTY ASSESSMENT ROLL, YEAR 1915...

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4005A

WATER RIGHT NUMBER: 75-4005A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAY SMITH PO BOX 271 CARMEN, ID 83462 (208) 756-4590

Priority Date: 06/13/1912
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
FREEMAN CREEK	CARMEN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.110 CFS	
	<u>Total Diversion:</u>	0.110 CFS	

<u>Location of Point(s) of Diversion</u>		
FREEMAN CREEK LEMHI County	NE1/4SW1/4	Sec. 31, Twp 23N, Rge 23E, B.M.
FREEMAN CREEK LEMHI County	NE1/4SE1/4	Sec. 36, Twp 23N, Rge 22E, B.M.

Place of Use
IRRIGATION Within LEMHI County
T23N R22E S35 NESE 3.0
Total Acres: 3

Conditions of Approval:

1. SOURCE IS ALSO KNOWN AS THE EAST FORK OF CARMEN CREEK.
PRIORITIES ARE 6-13-1912 OF 1.5 CFS, 6-1-1948 OF 1.7 CFS & 5-1-1959 OF 0.3 CFS.
AC. IRR.=2.5 CHANGED OWNERSHIP PER REQUEST/JC/5-23-00

Remarks:

SCANNED
AUG 02 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 24, 2003

JAY SMITH
PO BOX 271
CARMEN ID 83462

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 75-4005A

Dear Mr. Smith:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

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

OK JC
11-24-03
RECEIVED
NOV 21 2003
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 (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
75-4005A					

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) TERRANCE AND STEPHANIE HAMILTON
76 Dee Dr., Sheridan WY 82801
4. New Owner/Claimant(s) JAY SMITH
 Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address Box 271,
- City, State and ZIP Code Carmen Id 83462
- New Telephone Number (208 756 4590
5. Date you acquired the property 10/31/2003

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)



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 _____

A PARCEL OF LAND LOCATED IN THE NE1/4SE1/4, SECTION 35, T. 23 N., R. 22 E., BOISE MERIDIAN, LEHHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE E1/4 CORNER OF SAID SECTION 35, FROM WHICH THE SE CORNER OF SAID SECTION 35 BEARS S. 00 DEGREES 50' 41" E., 2592.65 FT., THE BASIS OF BEARING OF THIS DESCRIPTION; RUN THENCE S. 44 DEGREES 07' 14" W. A DISTANCE OF 1784.40 FT. TO THE POINT OF BEGINNING;

THENCE N. 00 DEGREES 37' 02" W. A DISTANCE OF 930.01 FT. TO A POINT ON THE CENTERLINE OF CARMEN CREEK;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE;

N. 50 DEGREES 17' 29" E., 22.21 FT.; S. 81 DEGREES 50' 28" E., 84.89 FT.;

THENCE S. 26 DEGREES 30' 52" E. A DISTANCE OF 418.26 FT.;

THENCE S. 66 DEGREES 51' 01" E. A DISTANCE OF 88.11 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF CARMEN CREEK ROAD;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY;

S. 27 DEGREES 52' 00" W., 426.71 FT.; N. 62 DEGREES 03' 00" W., 10.00 FT.;

182.06 FT. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 11 DEGREES 20' 22" A RADIUS OF 919.93 FT. A CHORD BEARING OF S. 33 DEGREES 37' 11" W. FOR A DISTANCE OF 181.77 FT.;

THENCE N. 89 DEGREES 30' 23" W. A DISTANCE OF 49.36 FT. TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN CARMEN CREEK ROAD.

SCANNED

OCT 03 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

May 23, 2000

TERRY HAMILTON
76 DEE DR
SHERIDAN WY 82801

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE OF CLAIM TO A WATER RIGHT A75-04005A

Dear Mr. Hamilton:

The request for Change of Water Right Ownership concerning the above-referenced Notice of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Please keep this report for your records.

Respectfully yours,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG JC 4/20/00

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

RECEIVED
APR 25 2000
Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): A75-04005A
2. The following **REQUIRED** information must be submitted with this form:
- A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant William G. and Jeana C. Leavelle
NC-64 Box 9934 Stanley ID 83278
4. New Owner/Claimant(s) Terry Hamilton
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 76 DEE DR
City, State and ZIP Code SHERIDAN WY 82801
New Telephone Number (307) 674-5557

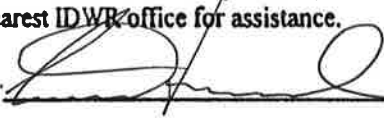
5. Date you acquired the property 10-31-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) 

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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

RECEIVED

APR 25 2000

AJ5809NP
No. A75-04005A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

Department of Water Resources
Eastern Region

DATE: 04/19/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM G LEAVELL	06/13/1912	IRRIGATION	04-01 11-01	0.110 CFS	
C	JEANA C LEAVELL					
	HC 64 BOX 9934					
	STANLEY ID 83278					
	(208) 774-3428					
TOTAL DIVERSION:					0.110 CFS	
CONSUMPTIVE USE:						6.20 AFA

Water Source: FREEMAN CREEK

Tributary to: CARMEN CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T23N R22E S36 NESE LEMHI County
R23E S31 NESW LEMHI County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NENE	NWSE	SWSE	SESE	SUM
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM
23N 22E 35 :																3.0
TOTAL ACRES																3.0

POU County: LEMHI

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN SOURCE IS ALSO KNOWN AS THE EAST FORK OF CARMEN CREEK.
PRIORITIES ARE 6-13-1912 OF 1.5 CFS, 6-1-1948 OF 1.7 CFS &
5-1-1959 OF 0.3 CFS.
AC. IRR.=2.5

Dates: Exam Made Date: Verified Date: 06/03/1985 Objection Filed Date:

Misc: Water District Number: 75C Field Inspection Flag:
Presumption Flag:

Audit: 05/11/90 MCCARTHY 03/30/95 POST-STD

Warranty Deed

RECEIVED

APR 25 2000

Department of Water Resources
Eastern Region

For Value Received

JEANA LEAVELL, a married woman dealing with her sole and separate property

the grantor, does hereby grant, bargain, sell and convey unto

TERRANCE L. HAMILTON AND STEPHANIE J. HAMILTON, husband and wife

whose current address is

76 DEE DRIVE
SHERIDAN, WY 82801

the grantee s, the following described premises, in LEMHI County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

State of Idaho)
County of Lemhi)SS No. 237658This instrument was filed for record at the request
of Alberta Wisderrickat 2:38 o'clock pm 8-11 1998and duly filed and indexed in the records of Lemhi
CountyAlberta Wisderrick
Ex-Officio RecorderBy Terri J. Norton DeputyFee 6.00

Return to _____

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

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

Dated: Aug 7, 1998
Jeana Leavell
JEANA LEAVELL

STATE OF IDAHO, COUNTY OF Custer
On this 7th day of August, 1998
before me, a notary public in and for said State, personally appeared

JEANA LEAVELL

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

Stanley S. Sclabo
Notary Public
Residing at Stanley Sclabo, Idaho
Comm. Expires 10/31/98

RECEIVED

APR 25 2000

Department of Water Resources
Eastern Region

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE NE1/4SE1/4, SECTION 35, T. 23 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE E1/4 CORNER OF SAID SECTION 35, FROM WHICH THE SE CORNER OF SAID SECTION 35 BEARS S. 00 DEGREES 50' 41" E., 2592.65 FT., THE BASIS OF BEARING OF THIS DESCRIPTION; RUN THENCE S. 44 DEGREES 07' 14" W. A DISTANCE OF 1784.40 FT. ✓
TO THE POINT OF BEGINNING;

THENCE N. 00 DEGREES 37' 02" W. A DISTANCE OF 930.01 FT. ✓
TO A POINT ON THE CENTERLINE OF CARMEN CREEK;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID CENTERLINE;

N. 50 DEGREES 17' 39" E., 22.21 FT.; ✓ S. 81 DEGREES 50' 26" E., 84.89 FT.;

THENCE S. 26 DEGREES 30' 52" E. A DISTANCE OF 418.26 FT.;

THENCE S. 66 DEGREES 51' 01" E. A DISTANCE OF 88.11 FT. ✓

TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF CARMEN CREEK ROAD;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY;

S. 27 DEGREES 57' 00" W., 426.71 FT.; N. 62 DEGREES 03' 00" W., 10.00 FT.;

182.06 FT. ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 11 DEGREES 20' 22" A RADIUS OF 919.93 FT. A CHORD BEARING OF S. 33 DEGREES 37' 11" W. FOR A DISTANCE OF 181.77 FT.;

THENCE N. 89 DEGREES 30' 23" W. A DISTANCE OF 49.36 FT.
TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN CARMEN CREEK ROAD.

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 75-4005A
Date Received: 5/10/1990
Receipt No: E014386
Received By:

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

1. Name of Claimant(s)

JAY SMITH Phone: (208) 756-4590
PO BOX 271
CARMEN ID USA 83462

2. Date of Priority: 06/13/1912

3. Source: FREEMAN CREEK , FREEMAN CREEK Trib. to: CARMEN CREEK , CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	23E	31	NE SW	LEMHI	
23N	22E	36	NE SE	LEMHI	

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	4/01	11/01	0.11	

7. Total Quantity Appropriated is:
0.11 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
23N	22E	35	NE SE	IRRIGATION	3

Section Acres 3
Total Acres 3

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

SOURCE IS ALSO KNOWN AS THE EAST FORK OF CARMEN CREEK.
PRIORITIES ARE 6-13-1912 OF 1.5 CFS, 6-1-1948 OF 1.7 CFS & 5-1-1959 OF 0.3 CFS.
AC. IRR.=2.5 CHANGED OWNERSHIP PER REQUEST/JC/5-23-00

15. Basis of Claim: Statutory Claim

AJ0749NP
No. A75-04005A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/23/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TERRY HAMILTON 76 DEE DR SHERIDAN WY 82801 (307) 674-5557	06/13/1912	IRRIGATION	04-01 11-01	0.110 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	0.110 CFS 6.20 AFA
Water Source: FREEMAN CREEK		Tributary to: CARMEN CREEK			Stage: STATUTORY CLAIM	
Point(s) of Diversion:		T23N R22E S36 R23E S31	NESE NESW	LEMHI County LEMHI County		
Place of use Legal Description for: IRRIGATION						
NE						
NW						
SW						
SE						
T	R	S	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac
23N	22E	35	:	:	:	: SUM
						03
TOTAL ACRES						3.0

POU County: LEMHI

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN SOURCE IS ALSO KNOWN AS THE EAST FORK OF CARMEN CREEK.
PRIORITIES ARE 6-13-1912 OF 1.5 CFS, 6-1-1948 OF 1.7 CFS &
5-1-1959 OF 0.3 CFS.
AC. IRR.=2.5
CHANGED OWNERSHIP PER REQUEST/JC/5-23-00

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 75C Field Inspection Flag:
Presumption Flag:

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: A75-04005A
Date Received: 4/27/1990
Receipt No: E014386
Received By: _____

MAY 10 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM G. LEAVELL 208-774-3428
Address: HC 64 BOX 9934
STANLEY, ID 83278
AND/OR
Name: JEANA C. LEAVELL 208-774-3428
Address: HC 64 BOX 9934
STANLEY, ID 83278

2. Date of Priority: JUN 13, 1912

3. Source: FREEMAN CREEK Trib. to: CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	22E	36	NE	SE			LEMHI
	~~23E~~	~~34~~	~~NE~~	~~SW~~			~~LEMHI~~

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	04/01	11/01	0.110		

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

8. Total consumptive use is 6.2 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A75-04005A

Page 1

Date: 04/27/90

MICROFILMED

DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	22E	35	NE	SE	IRR	3.0
Section Acres						3.0
Total Acres						3.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

SOURCE IS ALSO KNOWN AS THE EAST FORK OF CARMEN CREEK.
PRIORITIES ARE 6-13-1912 OF 1.5 CFS, 6-1-1948 OF 1.7 CFS &
5-1-1959 OF 0.3 CFS.
AC. IRR.=2.5

15. Basis of Claim: STATUTORY CLAIM

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): William D. Powell Date: 5/9/90

Date: _____

State of Idaho)
County of CUSTER) SS.

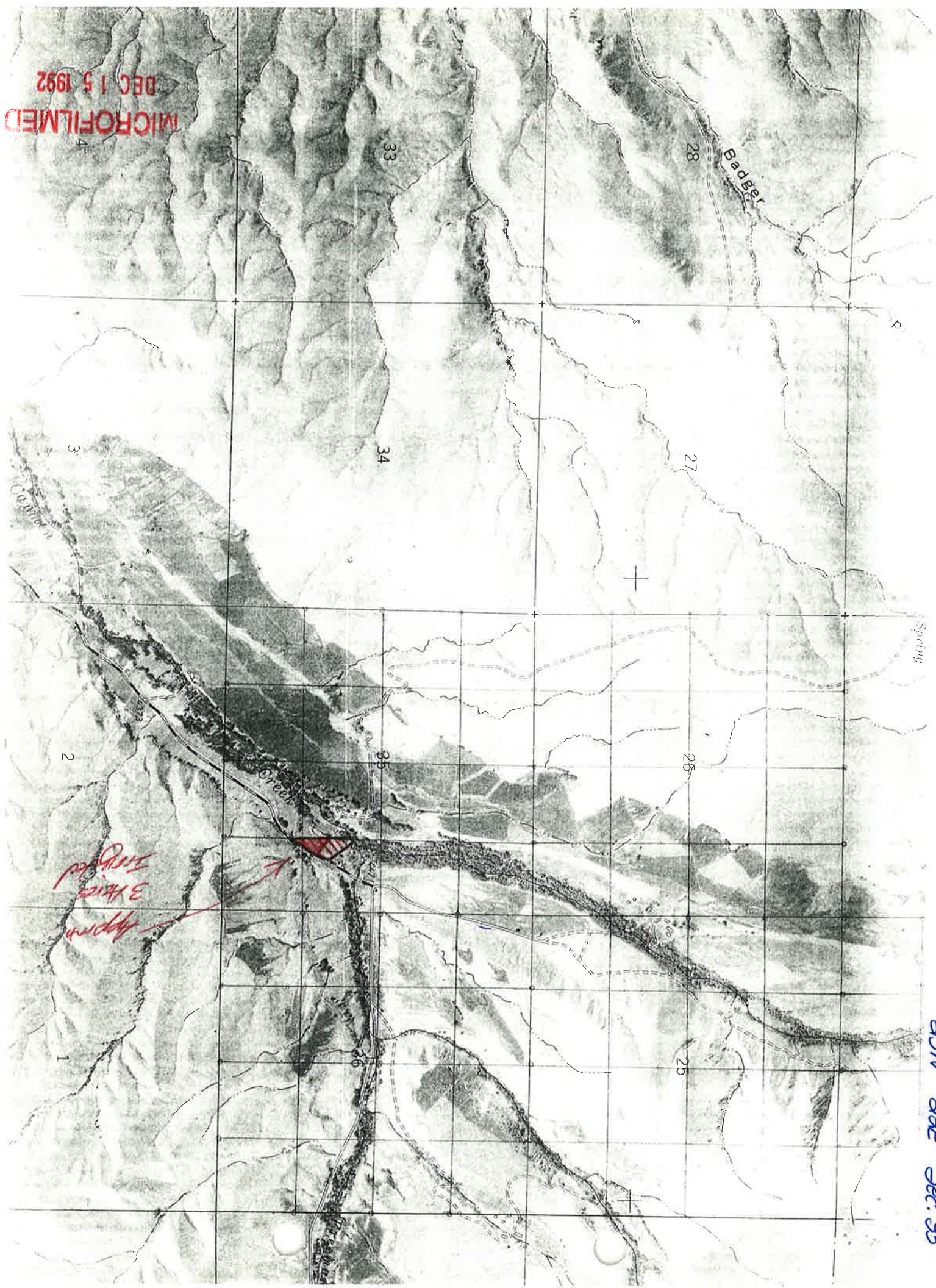
Subscribed and sworn (or affirmed) before me this 8th day
of MAY 19 90

Ruth Mace
Notary Public

Seal

Residing at STANLEY
My Commission Expires 9-23-92

MICROFILMED
DEC 15 1992



Q3N Q3E Sec. 35