

12/20/2006

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

RIGHT NUMBER: 75-4016C

NAME AND ADDRESS: MARY V. RANDOLPH  
245 SPRING CREEK ROAD  
NORTH FORK ID 83466

SHARON A. JONES  
245 SPRING CREEK ROAD  
NORTH FORK ID 83466

SOURCE: SPRING CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.120 CFS

The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 07/31/1928

POINT OF DIVERSION:

T24N R18E S12 NESE Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.080 CFS       |
| DOMESTIC              | 01/01 12/31          | 0.040 CFS       |

PLACE OF USE:

IRRIGATION in LEMHI County

T24N R19E S07 NESW 3.00

DOMESTIC in LEMHI County

T24N R19E S07 SESW

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

12/13/2006

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

RIGHT NUMBER: 75-4016C

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245 SPRING CREEK ROAD  
NORTH FORK ID 83466

SHARON A. JONES  
245 SPRING CREEK ROAD  
NORTH FORK ID 83466

SOURCE: WEST FORK SPRING CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.120 CFS

The quantity of water under this right for domestic use shall not exceed  
13,000 gallons per day.

PRIORITY DATE: 06/04/1918

POINT OF DIVERSION:

T24N R18E S12 NESE Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.080 CFS       |
| DOMESTIC              | 01/01 12/31          | 0.040 CFS       |

PLACE OF USE: IRRIGATION in LEMHI County

T24N R19E S07 NESW 3.00

DOMESTIC in LEMHI County

T24N R19E S07 SESW

3 ACRES TOTAL

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

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later than the entry of a final unified decree. Section 42-1412(6), Idaho  
Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/18/2006

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

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245 SPRING CREEK ROAD  
NORTH FORK ID 83466

SHARON A. JONES  
245 SPRING CREEK ROAD  
NORTH FORK ID 83466

SOURCE: WEST FORK SPRING CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.120 CFS

The quantity of water under this right for domestic use shall not exceed  
13,000 gallons per day

PRIORITY DATE: 09/05/1928

POINT OF DIVERSION:

T24N R18E S12 ESE Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.080 CFS       |
| DOMESTIC              | 01/01 12/31          | 0.040 CFS       |

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R19E S07 NESW 2.50

DOMESTIC Within LEMHI County

T24N R19E S07 SE2W

2.5 ACRES TOTAL

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

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Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/11/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
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TRIBUTARY: SALMON RIVER

QUANTITY: 0.120 CFS

The quantity of water under this right for domestic use shall not exceed  
13,000 gallons per day.

PRIORITY DATE: 09/05/1928

POINT OF DIVERSION:

T24N R18E S12 NESE Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.080 CFS       |
| DOMESTIC              | 01/01 12/31          | 0.040 CFS       |

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R19E S07 NESW 2.50

DOMESTIC Within LEMHI County

T24N R19E S07 SESW

2.5 ACRES TOTAL

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Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

6/4/1918 New Map  
- 4 Acres of irrigator  
Swing 4/8, 1921  
3/15/ 1918



# Idaho Department of Water Resources

SRBA Recommendation:

**75-4016C**

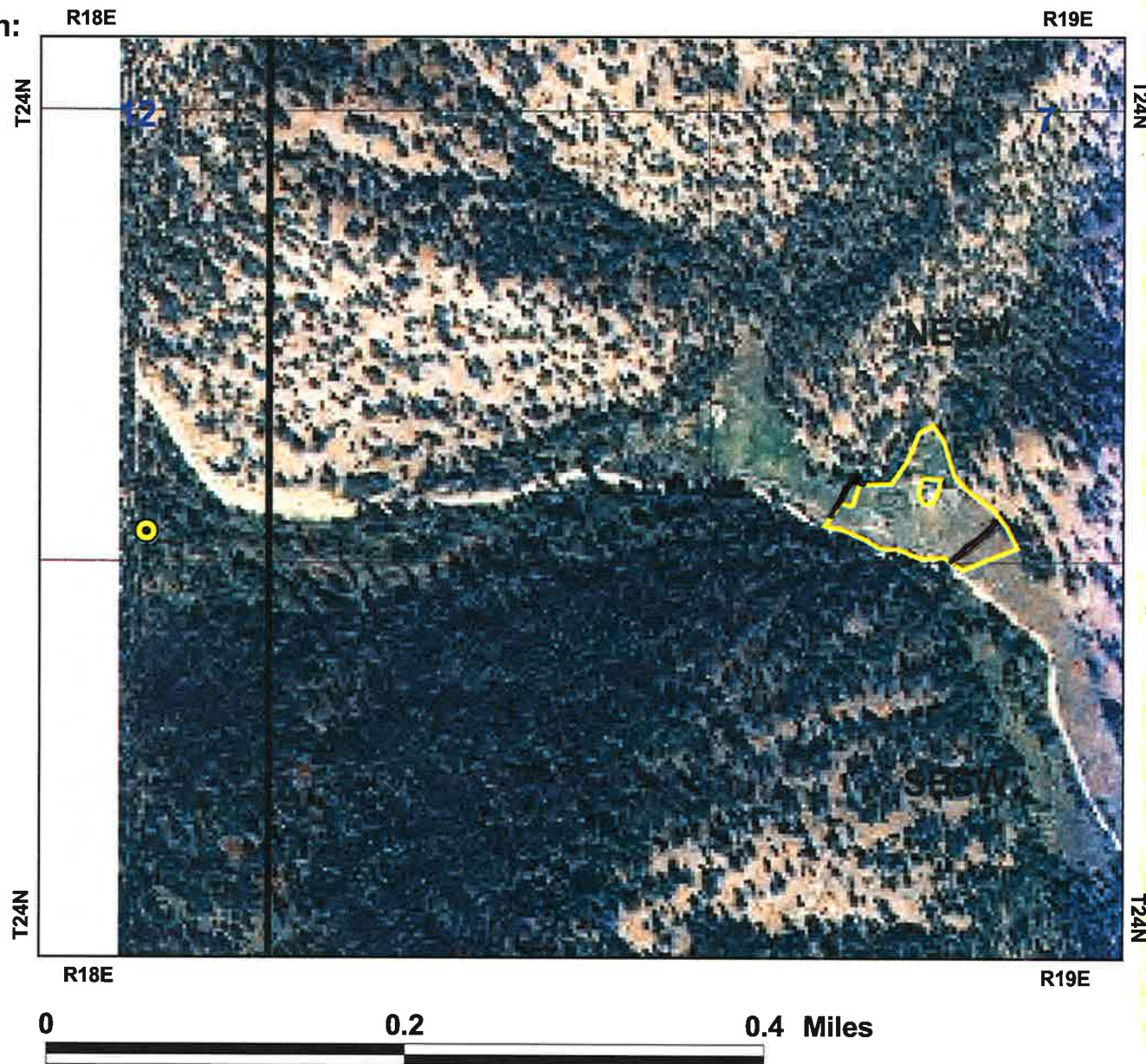
(Irrigation)

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

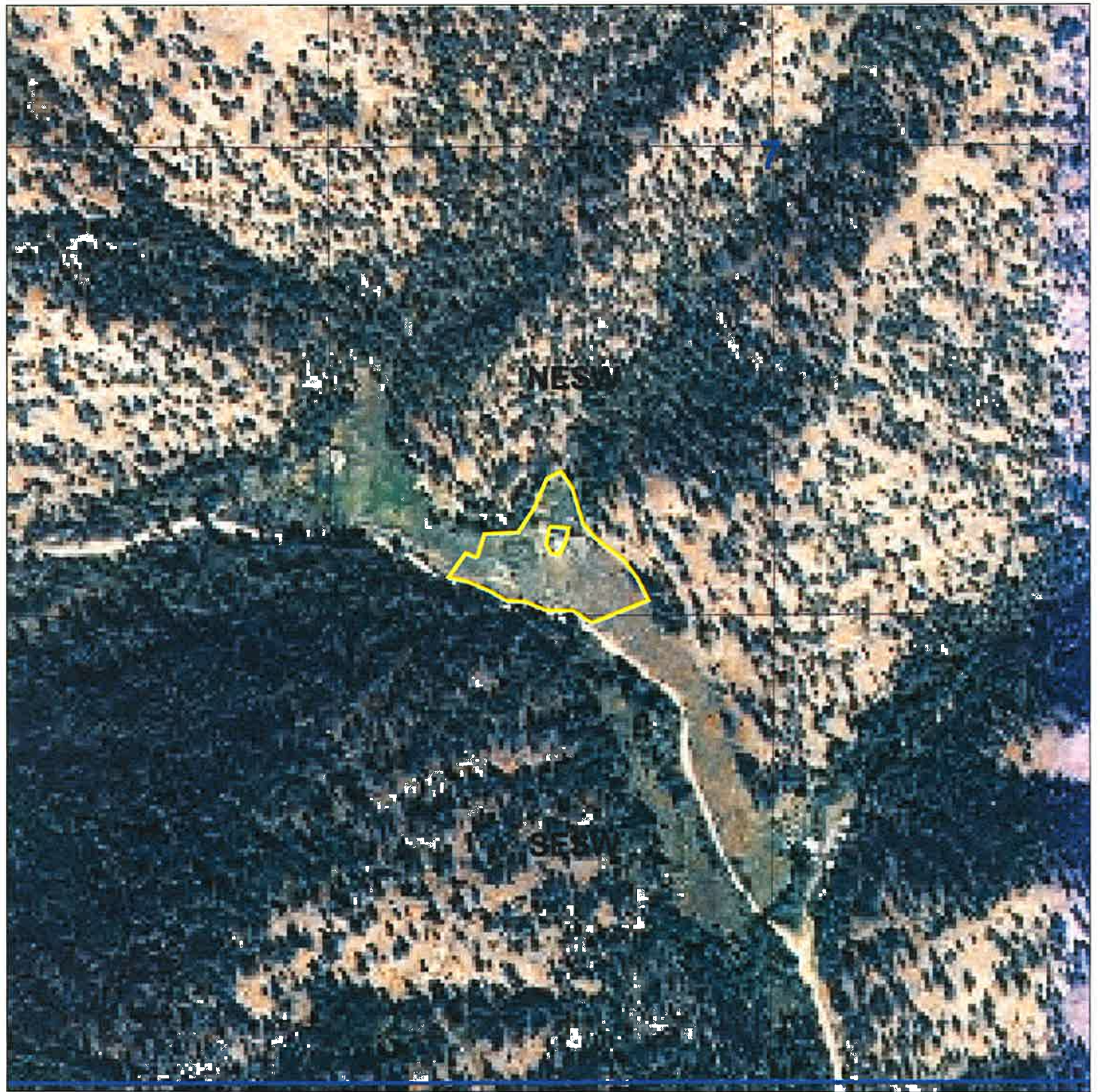


Lemhi County  
IDWR Basin 75



Prepared by D. Favreau  
On Wednesday, July 26, 2006  
1987/88 Aerial Photography

75-4016C





# Idaho Department of Water Resources

SRBA Recommendation:

**75-4016C**

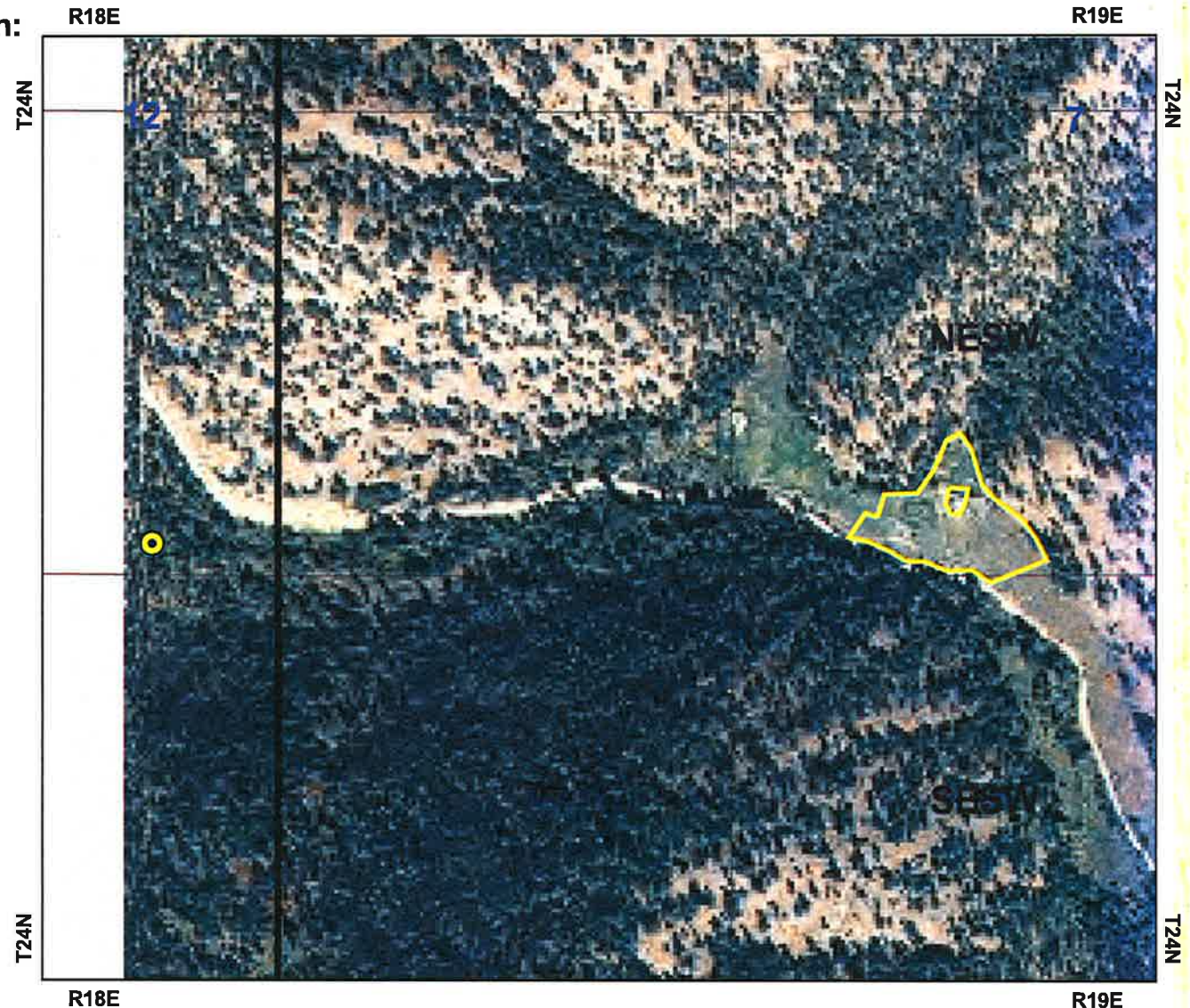
(Irrigation)

## Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County  
IDWR Basin 75

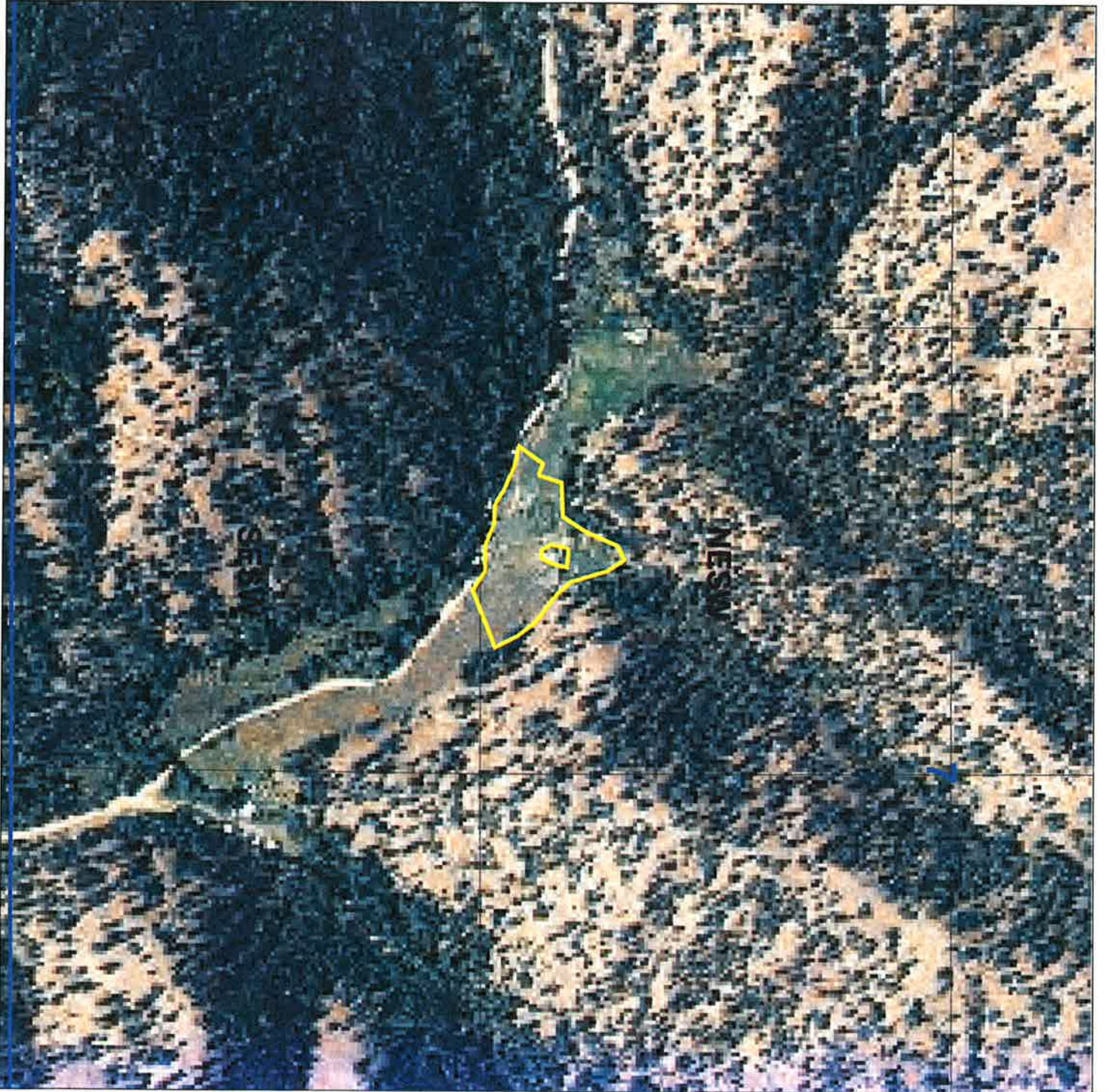


0 0.2 0.4 Miles



Prepared by D. Favreau  
On Wednesday, July 26, 2006  
1987/88 Aerial Photography

75-4016C





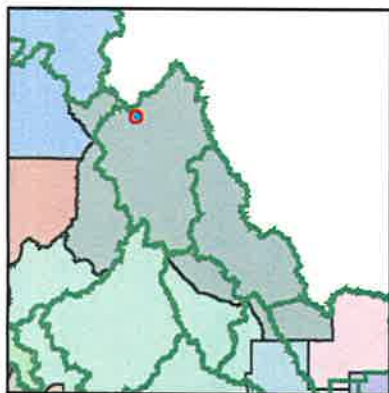
# Idaho Department of Water Resources

Adjudication Claim:

**75-4016C**

## Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County  
IDWR Basin 75



0 0.2 0.4 Miles



Owner: LUCILLE S MC DORMAN

*Jones & Randolph*

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

Prepared by R. Brown  
On Sunday, March 5, 2006  
1987/88 Aerial Photography

# Idaho Department of Water Resources

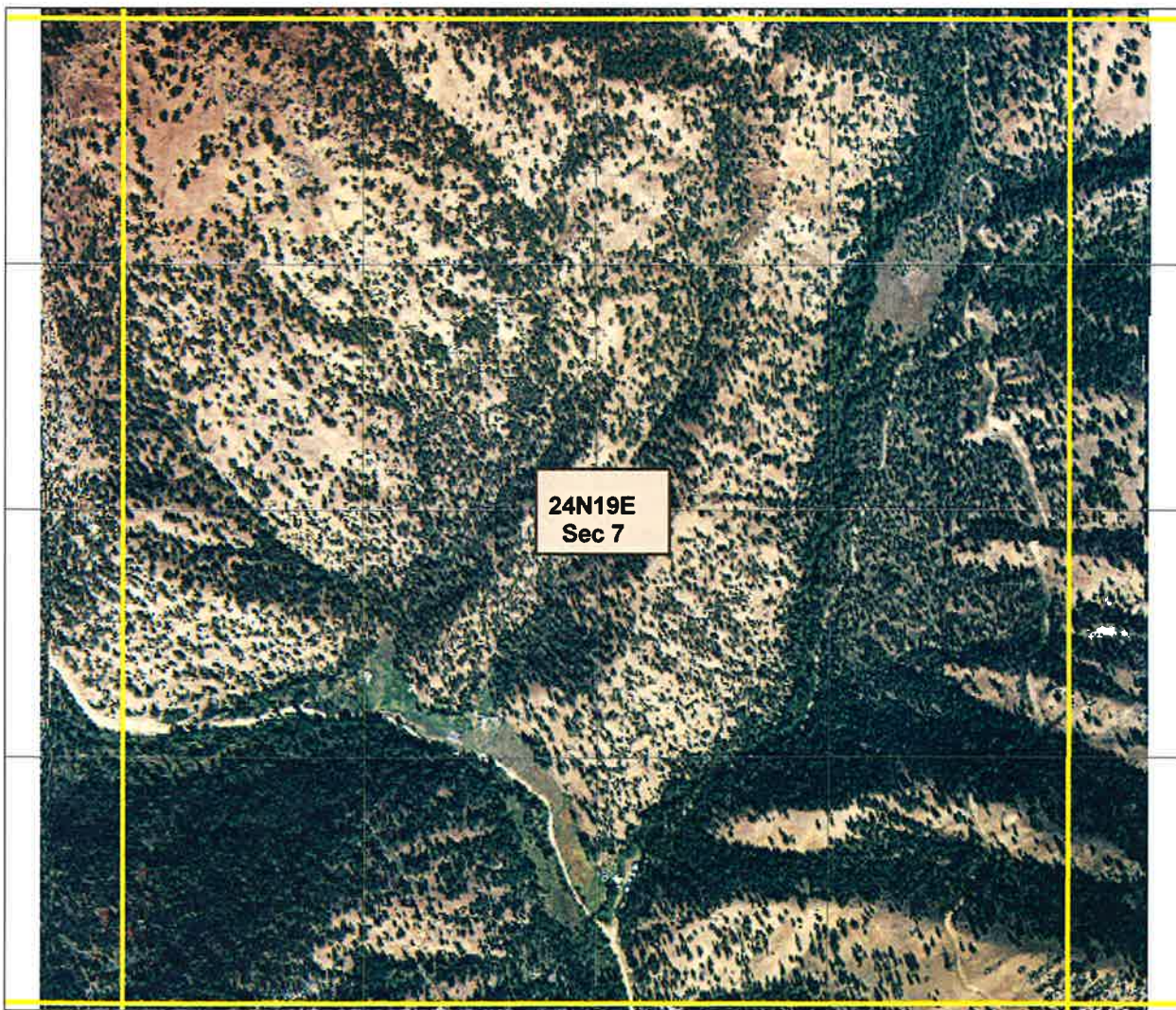


Adjudication Claim Number: **75-4016 C**



## Legend

-  Section Lines
-  24N19E GCDB
-  24N18E GCDB



Prepared by M. Van Bussum  
On Friday, April 29, 2005  
1991 Aerial Photography

0 0.4 0.8 Miles

A scale bar with markings for 0, 0.4, and 0.8 miles.

11/20/2006

NOTICE OF ERROR  
REPLY

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

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

**YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006**

Water right number: 75-4016C

MARY V. RANDOLPH  
245 SPRING CREEK ROAD  
NORTH FORK ID 83466

SHARON A. JONES  
245 SPRING CREEK ROAD  
NORTH FORK ID 83466

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

1. Map is incorrect
2. priority date does not agree with early surveys
3. Acre size should be closer to 4.3 acres

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

1. correct map - see next page
2. change priority date to 1918
3. Acre size changed from 2.5 to 4.0 acres

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

see next page

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

DATE:

12/6/06

SIGNATURE:

*Sharon Jones* *Mary Randolph*  
SHARON JONES MARY RANDOLPH

Please print your name:

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

No files found

Water right no. 75-4016 C

## Corrections

1. map



2. Priority date - Early surveys show this ditch in use as early as 1914. Bill Galligan & Sue Galligan who live on the same homestead have a priority date of 1918. (See map)

3. Acre size - property is 4.37 acres. All but area of 2 houses is being irrigated or is planned to be irrigated. Request that acre size be changed to 4.0.

Thank you  
Fajone

11/20/2006

NOTICE OF ERROR  
REPLY

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12/6/06

SIGNATURE:

*Sharon Jones* *Mary Randolph*  
SHARON JONES MARY RANDOLPH

Please print your name:

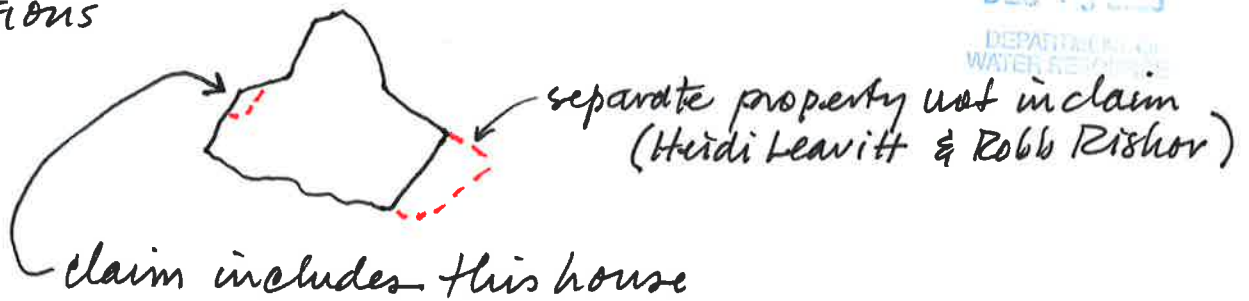
IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

SCANNED  
DEC 13 2006

water right no. 75-4016 C

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Fajone

09/18/2006

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TRIBUTARY: SALMON RIVER

QUANTITY: 0.120 CFS

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T24N R18E S12 ESE Within LEMHI County

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PERIOD OF USE:

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|-----------------------|----------------------|-----------------|
| IRRIGATION            | 04/01 10/31          | 0.080 CFS       |
| DOMESTIC              | 01/01 12/31          | 0.040 CFS       |

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R19E S07 NESW 2.50

DOMESTIC Within LEMHI County

T24N R19E S07 SESEW

2.5 ACRES TOTAL

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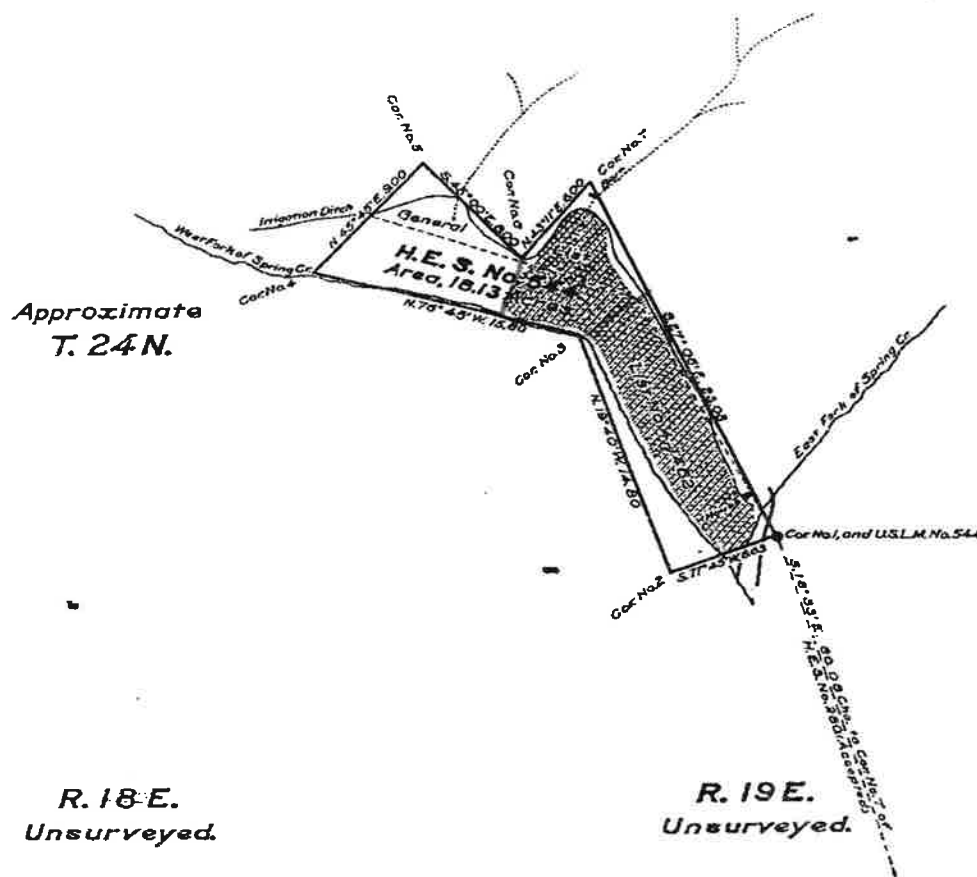
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Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED  
DEC 13 2006

75-4016C

Survey accepted April 8, 1921.  
G.L.O.



Plat of  
**HOMESTEAD  
ENTRY SURVEY**  
No. 544  
in the  
**SALMON  
NATIONAL FOREST**  
in  
Approximate  
Section 7 Unserved, T. 24 N., R. 19 E.  
Section 12 Unserved, T. 24 N., R. 18 E.  
of the  
**BOISE BASE AND MERIDIAN.**  
**IDAHO.**

This plat of Homestead Entry Survey  
No. 544 State of Idaho is  
strictly conformable to the field notes  
thereof on file in this office, which  
have been examined and approved.

U.S. Surveyor General's Office,  
Boise, Idaho, December 22, 1919.

*Edward Hedden*

U.S. Surveyor General

SCALE, 5 chains to 1 inch

| Survey<br>Designated | By whom Surveyed        | Inst. Cont. Group |               | When Surveyed  |                | Date of<br>Approval |
|----------------------|-------------------------|-------------------|---------------|----------------|----------------|---------------------|
|                      |                         | No.               | Date          | Begin          | Completed      |                     |
| H. E. S. No. 280     | Earl R. Ollbreath       | 280               | Aug. 12, 1914 | Sept. 11, 1914 | Sept. 13, 1914 | May 18, 1919        |
| H. E. S. No. 544     | Frank D. Maxwell        | 544               | Feb. 28, 1917 | June 4, 1918   | June 6, 1918   | Dec. 22, 1919       |
|                      | San U.S. Forest Service |                   |               |                |                |                     |

| Areas in Acres       |           |
|----------------------|-----------|
| H. E. Survey No. 544 | Conflicts |
| Area Listed          | 13.43     |
| Area Unlisted        | 4.71      |
| In Section           |           |
| In Section           |           |
| Total                | 18.13     |

|                          |                       |
|--------------------------|-----------------------|
| Act of June 11, 1906     | Act of March 4, 1917  |
| List No. 4-1402          | Dated July 18, 1914   |
| Latitude 45° 25' N.      | Longitude 116° 10' W. |
| Mean Mag. Dec. 21° 30' E | Corner No. 1          |

43 Spring Creek Rd.  
North Fork ID, 83466

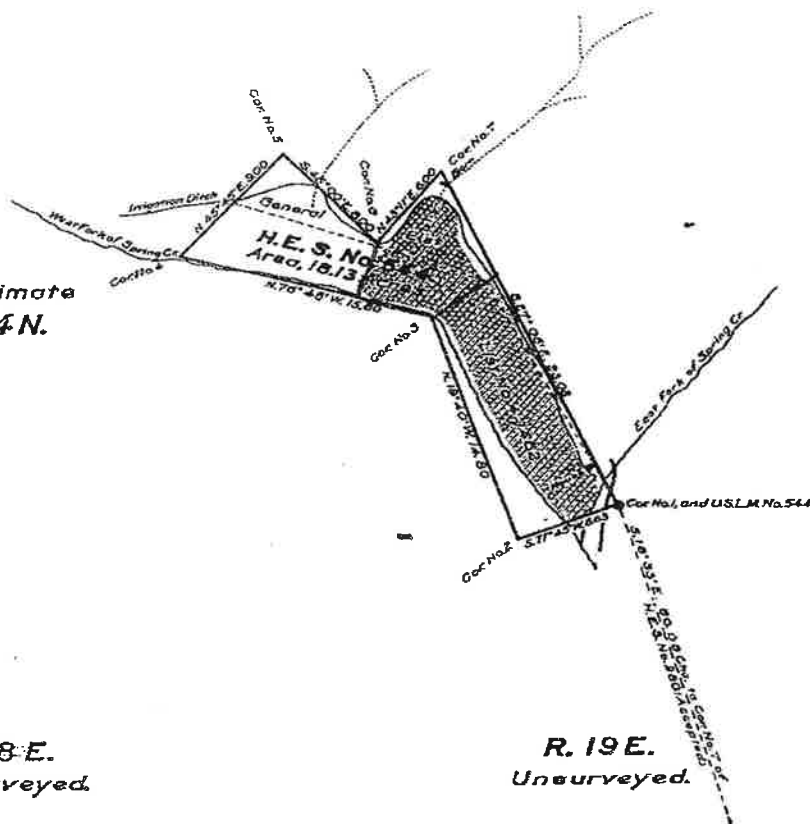
75-4016C

Survey accepted April 8, 1921.  
G.L.O.

Approximate  
T. 24 N.

R. 18 E.  
Unsurveyed.

R. 19 E.  
Unsurveyed.



Plot of  
**HOMESTEAD  
ENTRY SURVEY**  
No. 544  
in the  
**SALMON  
NATIONAL FOREST**  
in  
Approximate  
Section 7 Unsurveyed, T. 24 N., R. 19 E.  
Section 12 Unsurveyed, T. 24 N., R. 18 E.  
of the  
**BOISE BASE AND MERIDIAN.**  
**IDAHO.**

This plot of Homestead Entry Survey  
No. 544, State of Idaho, is  
strictly conformable to the field notes  
thereof on file in this office, which  
have been examined and approved.  
U.S. Surveyor General's Office,  
Boise, Idaho, December 22, 1919.

*Edward H. Hedden*

U.S. Surveyor General

SCALE, 5 chains to 1 inch

| Survey<br>Designated | By whom Surveyed          | Inst. Found. Group |               | When Surveyed  |                | Date of<br>Approval |
|----------------------|---------------------------|--------------------|---------------|----------------|----------------|---------------------|
|                      |                           | No.                | Date          | Begin          | Completed      |                     |
| H.E. S. No. 280      | Earl R. Gilbreath         | 280                | Aug. 22, 1914 | Sept. 11, 1914 | Sept. 15, 1914 | May 19, 1915        |
| H.E. S. No. 544      | Frank D. Mesurell         | 544                | Feb. 22, 1917 | June 4, 1919   | June 6, 1919   | Dec. 22, 1919       |
|                      | Surv. U.S. Forest Service |                    |               |                |                |                     |

| Areas in Acres      |          |
|---------------------|----------|
| H.E. Survey No. 544 | Contains |
| Area Listed         | 13.13    |
| Area Unlisted       | 4.71     |
| In Section          |          |
| In Section          |          |
| Total               | 18.13    |

|                           |                       |
|---------------------------|-----------------------|
| Act of June 18, 1906      | Act of March 4, 1917  |
| List No. 4-1402           | Dated July 18, 1914   |
| Latitude 45° 25' N.       | Longitude 114° 10' W. |
| Mean Mag. Dec. 21° 30' E. | Section No. 1         |



## State of Idaho

**DEP**

Northern Region

Phone: (208) 325-1234

DEPARTMENT OF WATER RESOURCES  
7600 MINERAL DRIVE SUITE 100  
COEUR D'ALENE ID 83815

**ER RESOURCES**

Coeur d'Alene, Idaho 83814-2615

Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

JAMES E. RISCH  
Governor

KARL J. DREHER  
Director

September 11, 2006

Sharon Jones & Mary Randolph  
245 Spring Creek Road  
North Fork, ID 83466

RE: 75-4016C

We have processed your change of water right ownership form. Enclosed is a copy of our recommendation, which we expect to submit in the near future.

Sincerely,

Kenneth Knoblock  
Water Resources Agent

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

CLAIM NO(s). \_\_\_\_\_

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

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: 40017092 GR5091

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_  
Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_ 1/4 \_\_\_\_\_ 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 <u>24N</u> | Range <u>19E</u> | Section <u>7</u> | 1/4 <u>NE</u> | 1/4 <u>SW</u> |
| 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

*Sharon Jones has sent in two requests for a change of ownership, but not received any notice as yet.*

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: \_\_\_\_\_

FIELD EXAMINER: \_\_\_\_\_

Print Name  
*Jack F. Ellis*  
Signature

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



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

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

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       | 75 40 16                     |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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)

D. W. Mc Dorman

address not available

4. New Owner/Claimant(s)

Sharon A. Jones & Mary V. Randolph

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

New Mailing Address

245 Spring Creek Road

City, State and ZIP Code

North Fork, ID 83466

New Telephone Number

(208) 394 2112

5. Date you acquired the property

7-19-2001

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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

*Jayouner*

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

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Received by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by \_\_\_\_\_ AJ Date \_\_\_\_\_ WR \_\_\_\_\_ Date \_\_\_\_\_

# WARRANTY DEED

Order No. 307010738L-G

FOR VALUE RECEIVED

D. W. McDorman and Lucille S. McDorman, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Mary V. Randolph and Sharon Jones, as Tenants in Common

whose current address is  
9532 Mooregate Crt  
Lorton VA 22079

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

A FRACTION OF H.E.S. NO. 544, IN APPROXIMATE SECTION 7, T. 24 N., R. 19 E.,  
BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT CORNER NO. 3 OF SAID H.E.S. NO. 544, RUN THENCE N. 75° 35'  
42" W. ALONG THE SOUTHERLY BOUNDARY OF H.E.S. NO. 544 A DISTANCE OF  
355.89 FEET; THENCE N. 32° 51' 30" E., 239.09 FEET TO CORNER NO. 6; THENCE  
N. 43° 21' 19" E., 395.41 FEET TO CORNER NO. 7; THENCE S. 27° 05' E. ALONG  
THE EASTERLY BOUNDARY OF H.E.S. NO. 544 A DISTANCE OF 518.09 FEET;  
THENCE S. 69° 22' 22" W., 310.08 FEET TO CORNER NO. 3, THE POINT OF  
BEGINNING.

EXCEPTING THEREFROM U.S.F.S. ROAD RUNNING ALONG THE SOUTHERLY  
BOUNDARY OF THE ABOVE DESCRIBED REAL PROPERTY AS DESCRIBED IN  
EASEMENT RECORDED APRIL 6, 1970 AS INSTRUMENT NO. 113587.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns  
forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in  
fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions,  
covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/16/2001

D. W. McDorman

Lucille S. McDorman

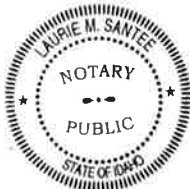
State of Idaho

County of Lemhi

On this July 16, 2001, before me, a Notary Public in and for said state, personally  
appeared D. W. McDorman and Lucille S. McDorman

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

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



Notary Public for the State of Idaho

Residing at:

Commission Expires:

Salmon  
6-19-2007

State of Idaho ) SS No. 247669

County of Lemhi )

This instrument was filed for record at the request

of Alhanna J. J. J.

at 2:30 o'clock p.m. 7-19-2001

and duly filed and indexed in the records of Lemhi

County

Terri J. Morton

Ex-Officio Recorder

By Brenda H. H. Deputy

Fee 6.00

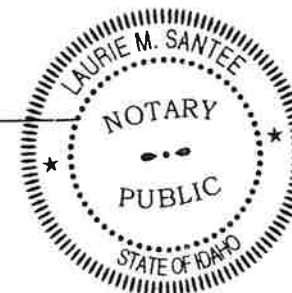
Return to

247669

STATE OF IDAHO )  
 ) SS.  
COUNTY OF LEMHI )

On this 16<sup>th</sup> day of July 2001  
before me a Notary Public in and for said State,  
personally appeared P.W. McDorman  
known to me to be the person whose name is subscribed  
to the within instrument as the Attorney In Fact of  
Lucille S. McDorman and  
acknowledged to me that he/she subscribed this name of  
Lucille S. McDorman thereto as principal,  
and his/her own name as Attorney In Fact.

Laurie M. Santee  
LAURIE M. SANTEE NOTARY PUBLIC  
Residing at: Salmon  
Comm. Expires: 6-19-2007



AFFIDAVIT TO CORRECT  
LEGAL DESCRIPTION

STEVEN R. GOTT, certifies that he is the Vice President of Alliance Title & Escrow Corp., under whose supervision a Warranty Deed was prepared from D.W. McDorman and Lucille S. McDorman, husband and wife to Mary V. Randolph and Sharon Jones, as Tenants in Common recorded on July 19, 2001 as Instrument No. 247669 records of Lemhi County, Idaho; and a Deed of Trust from Mary V. Randolph, a single person and Sharon A. Jones, a single person as Borrower to Wells Fargo Home Mortgage as Lender recorded July 19, 2001 as Instrument No. 247670 records of Lemhi County, Idaho:

WHEREAS, the legal description contained in said documents contained a typographical error, which it is the purpose of this Affidavit to reform and correct; and

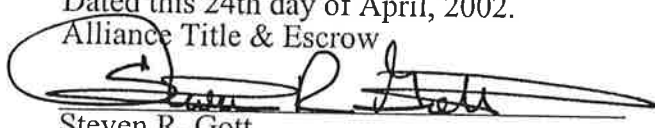
WHEREAS, Idaho Code Section 55-816 permits the recording of Affidavits affecting the description of real property as part of the record title of said real property;

NOW THEREFORE, on the aforementioned instruments, the legal description is corrected to read as follows:

See attached Exhibit "A"

Dated this 24th day of April, 2002.

Alliance Title & Escrow

  
Steven R. Gott

STATE OF IDAHO  
COUNTY OF LEMHI

On this 24th day of April, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven R. Gott, known or identified to me to be the person who executed the within instrument as Vice President of the Corporation on behalf of said Corporation and acknowledged to me that such Corporation executed the same.

  
LAURIE M. SANTEE  
Residing at Salmon, ID  
Comm. Expires: 6-19-2007



State of Idaho )  
County of Lemhi )

SS No.

250351

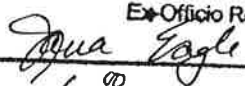
This instrument was filed for record at the request

of Alliance Title

at 10:50 o'clock AM 4-24 2002

and duly filed and indexed in the records of Lemhi County

Terri J. Morton  
Ex-Officio Recorder

By  Deputy

Fee 6.00

Return to Alliance Title

**Legal Description for a Portion of H.E.S. No. 544**

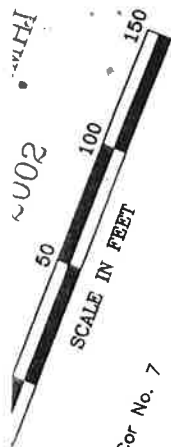
A Parcel of land lying within H.E.S. 544, Township 24 North, Range 19 East, Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at Corner No. 3 of said H.E.S. No. 544, thence North  $76^{\circ}49'35''$  West, 355.38 feet; along the Southerly Boundary of said H.E.S. 544; thence North  $32^{\circ}25'04''$  East, 239.42 feet to Corner No. 6; thence North  $43^{\circ}16'55''$  East, 395.46 feet to Corner No. 7; thence South  $27^{\circ}05'00''$  East 517.00 feet along the Easterly Boundary of H.E.S. 544; thence South  $69^{\circ}01'54''$  West 309.31 feet to Corner No.3, being the point of beginning.

EXCEPTING THEREFROM U.S.F.S. ROAD RUNNING ALONG THE SOUTHERLY BOUNDARY OF THE ABOVE DESCRIBED REAL PROPERTY AS DESCRIBED IN EASEMENT RECORDED APRIL 6, 1970 AS INSTRUMENT NO. 113587.

SHARON JONES & MARY RANDOLPH

~U02  
HILL COUN



H.E.S. Cor No. 7

U.S.F.S.

N43°16'55"E 395.46'  
(N43°16'55"E 395.46')

IRRIGATION DITCH

H.E.S. Cor No. 6

PRIVATE LAND  
Ref. Record of Survey  
Instr. No. 178542  
1986

N62°25'04"E 239.42'  
N32°42'E 170.89'  
(170.89')

Fd. 5/8" Rebar L.S. 970  
68.53' Witness Corner

U.S.F.S.

PARCEL 1  
4.3 ACRES  
Ref. Record of Survey  
Instr. No. 230449

U.S.F.S.

S27°05'00"E 1520.00' (1519.98') BASIS OF BEARINGS

S27°05'00"E 720.76' (719.98')

517.00'

Fd. 1/2" Rebar L.S. 309.31'

N69°01'54"E 309.31'

N19°21'00"E 309.31'  
N19°4'

H.E.S. Cor No. 5

ROAD

N76°49'35"W 355.38'  
N76°31'24"W 355.43'

U.S.F.S.

April 13, 2006

75-4016C

RECEIVED

APR 18 2006

DEPARTMENT OF  
WATER RESOURCES

Dear Ms Brown

We spoke about 10 days ago about our application for change of ownership of water rights submitted last spring and apparently lost. Enclosed is a resubmission which I hope you will find complete.

If you have any questions please call at 208 394 2112.

Thank you for your help.

Sharon

Sharon Jones

245 Spring Creek Road  
North Fork, ID 83466

SCANNED

APR 18 2006

Form 42-248/42-1409(6) July, 2000

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

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

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

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split |
|----------------------|-----------------------------|-------|----------------------|-----------------------------|-------|
| A-75-04016 C         |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |
|                      |                             |       |                      |                             |       |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts. **NONE**
- 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) Lucille & D.W. McDorman -  
4255 Loy Lane Box 575 Cornville, Arizona 86325
4. New Owner/Claimant(s) Sharon A. Jones and Mary V. Randolph  
Name Complete (Check one) ☐ and ☐ or ☐ and ☐
- New Mailing Address 245 & 243 Spring Creek Road  
 City, State and ZIP Code North Fork, ID 83466  
 New Telephone Number (208) 394 2112
5. Date you acquired the property July 19, 2001

**SCANNED****APR 18 2006**

Form 12-248/12-14(9/6) July, 2000

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<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| Total                                                                                                                   | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(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<br>(cubic feet per second or acre-feet per annum) | Description<br>(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)

*Jayne*  
*Mary Randolph*

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 \_\_\_\_\_

SCANNED

APR 18 2006

State of Idaho  
County of Lemhi

SS No. **247669**

## WARRANTY DEED

Order No.: 307010738L-G

### FOR VALUE RECEIVED

**D. W. McDorman and Lucille S. McDorman, Husband and Wife**

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**Mary V. Randolph and Sharon Jones, as Tenants in Common**

whose current address is  
9532 Mooregate Crt  
Lorton VA 22079

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

**A FRACTION OF H.E.S. NO. 544, IN APPROXIMATE SECTION 7, T. 24 N., R. 19 E.,  
BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY  
DESCRIBED AS FOLLOWS, TO-WIT:**

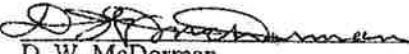
**BEGINNING AT CORNER NO. 3 OF SAID H.E.S. NO. 544, RUN THENCE N. 75° 35'  
42" W. ALONG THE SOUTHERLY BOUNDARY OF H.E.S. NO. 544 A DISTANCE OF  
355.89 FEET; THENCE N. 32° 51' 30" E., 239.09 FEET TO CORNER NO. 6; THENCE  
N. 43° 21' 19" E., 395.41 FEET TO CORNER NO. 7; THENCE S. 27° 05' E. ALONG  
THE EASTERLY BOUNDARY OF H.E.S. NO. 544 A DISTANCE OF 518.09 FEET;  
THENCE S. 69° 22' 22" W., 310.08 FEET TO CORNER NO. 3, THE POINT OF  
BEGINNING.**

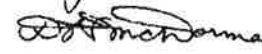
**EXCEPTING THEREFROM U.S.F.S. ROAD RUNNING ALONG THE SOUTHERLY  
BOUNDARY OF THE ABOVE DESCRIBED REAL PROPERTY AS DESCRIBED IN  
EASEMENT RECORDED APRIL 6, 1970 AS INSTRUMENT NO. 113587.**

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 7/16/2001

  
D. W. McDorman

  
Lucille S. McDorman *By her atty in fact:*  


State of Idaho

County of Lemhi

} ss.

On this July 16, 2001, before me, a Notary Public in and for said state, personally appeared D. W. McDorman and Lucille S. McDorman

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument.

This instrument was filed for record at the request  
of Alhanna Title  
at 2:50 o'clock pm 7-19 2001  
and duly filed and indexed in the records of Lemhi  
County  
Terri J. Morton  
Ex. Office Recorder  
By Sandra Tutoring Deputy  
Fee 6.00  
Return to \_\_\_\_\_

SCANNED

APR 18 2006

to me that he/she/they executed the same.

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



*Laurie M Santee*  
Notary Public for the State of Idaho  
Residing at: *Salmon*  
Commission Expires: *6-19-2007*

SCANNED

APR 18 2006

247669

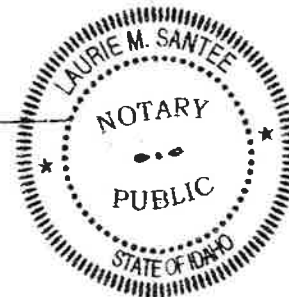
STATE OF IDAHO

)  
) SS.  
)

COUNTY OF LEMHI

On this 16<sup>th</sup> day of July 2001  
before me a Notary Public in and for said State,  
personally appeared D.W. McDorman  
known to me to be the person whose name is subscribed  
to the within instrument as the Attorney In Fact of  
Lucille S. McDorman and  
acknowledged to me that he/she subscribed this name of  
Lucille S. McDorman thereto as principal,  
and his/her own name as Attorney In Fact.

Laurie M. Santee  
LAURIE M. SANTEE NOTARY PUBLIC  
Residing at: Salmon  
Comm. Expires: 6-19-2007



SCANNED

APR 18 2006

AFFIDAVIT TO CORRECT  
LEGAL DESCRIPTION

STEVEN R. GOTT, certifies that he is the Vice President of Alliance Title & Escrow Corp., under whose supervision a Warranty Deed was prepared from D.W. McDorman and Lucille S. McDorman, husband and wife to Mary V. Randolph and Sharon Jones, as Tenants in Common recorded on July 19, 2001 as Instrument No. 247669 records of Lemhi County, Idaho; and a Deed of Trust from Mary V. Randolph, a single person and Sharon A. Jones, a single person as Borrower to Wells Fargo Home Mortgage as Lender recorded July 19, 2001 as Instrument No. 247670 records of Lemhi County, Idaho:

WHEREAS, the legal description contained in said documents contained a typographical error, which it is the purpose of this Affidavit to reform and correct; and

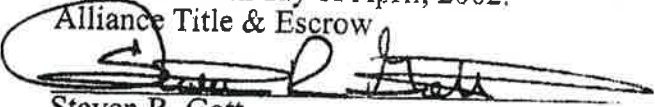
WHEREAS, Idaho Code Section 55-816 permits the recording of Affidavits affecting the description of real property as part of the record title of said real property;

NOW THEREFORE, on the aforementioned instruments, the legal description is corrected to read as follows:

See attached Exhibit "A"

Dated this 24th day of April, 2002.

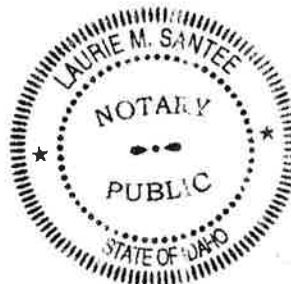
Alliance Title & Escrow

  
Steven R. Gott

STATE OF IDAHO  
COUNTY OF LEMHI

On this 24th day of April, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven R. Gott, known or identified to me to be the person who executed the within instrument as Vice President of the Corporation on behalf of said Corporation and acknowledged to me that such Corporation executed the same.

  
LAURIE M. SANTEE  
Residing at Salmon, ID  
Comm. Expires: 6-19-2007



State of Idaho  
County of Lemhi )

SS No. 250351

This instrument was filed for record at the request  
of Alliance Title

at 10:50 o'clock A.m. 4-24 2002

and duly filed and indexed in the records of Lemhi  
County

Teri J. Morton  
Ex-Officio Recorder

By Qua Eagle Deputy

Fee 6.00

Return to Alliance Title

SCANNED

APR 18 2006

**Legal Description for a Portion of H.E.S. No. 544**

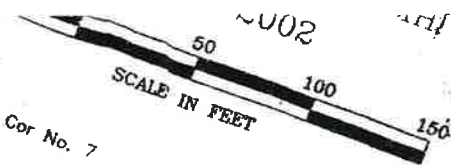
A Parcel of land lying within H.E.S. 544, Township 24 North, Range 19 East, Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at Corner No. 3 of said H.E.S. No. 544, thence North  $76^{\circ}49'35''$  West, 355.38 feet; along the Southerly Boundary of said H.E.S. 544; thence North  $32^{\circ}25'04''$  East, 239.42 feet to Corner No. 6; thence North  $43^{\circ}16'55''$  East, 395.46 feet to Corner No. 7; thence South  $27^{\circ}05'00''$  East 517.00 feet along the Easterly Boundary of H.E.S. 544; thence South  $69^{\circ}01'54''$  West 309.31 feet to Corner No. 3, being the point of beginning.

EXCEPTING THEREFROM U.S.F.S. ROAD RUNNING ALONG THE SOUTHERLY BOUNDARY OF THE ABOVE DESCRIBED REAL PROPERTY AS DESCRIBED IN EASEMENT RECORDED APRIL 6, 1970 AS INSTRUMENT NO. 113587.

**SCANNED**

APR 18 2006



SCANNED  
APR 18 2006

U.S.F.S.

N43°16'55"E 395.46'  
(N43°11'E 396.00')

H.E.S. Cor No. 7

H.E.S. Cor No. 6

PRIVATE LAND  
Ref: Record of Survey  
Instr. No. 178542  
1986

N32°25'04"E 239.42'  
(N32°42'E 239.40')

170.89'  
(170.87')

Fd. 5/8" Rebar L.S. 970  
68.53' Witness Corner

PARCEL 1  
4.3 ACRES  
Ref: Record of Survey  
Instr. No. 230449

517.00'

U.S.F.S.

S27°05'00"E 1520.00' (1519.98')  
S27°05'00"E 720.76' (719.98')  
BASIS OF BEARINGS

N76°49'35"W 355.38'  
(N76°37'24"W 355.43')

U.S.F.S.

ROAD

N69°01'54"E 309.31'

H.E.S. Cor 1

Fd. 1/2" Rebar L.S. 362

AGRICULTURAL IRRIGATION AND  
LIVESTOCK WATERING SYSTEM

EASEMENT DESCRIPTION

— SPRING CREEK

SW 1/4 SECTION 7, T24N, R19E, BOISE MERIDIAN

DITCH CENTERLINE

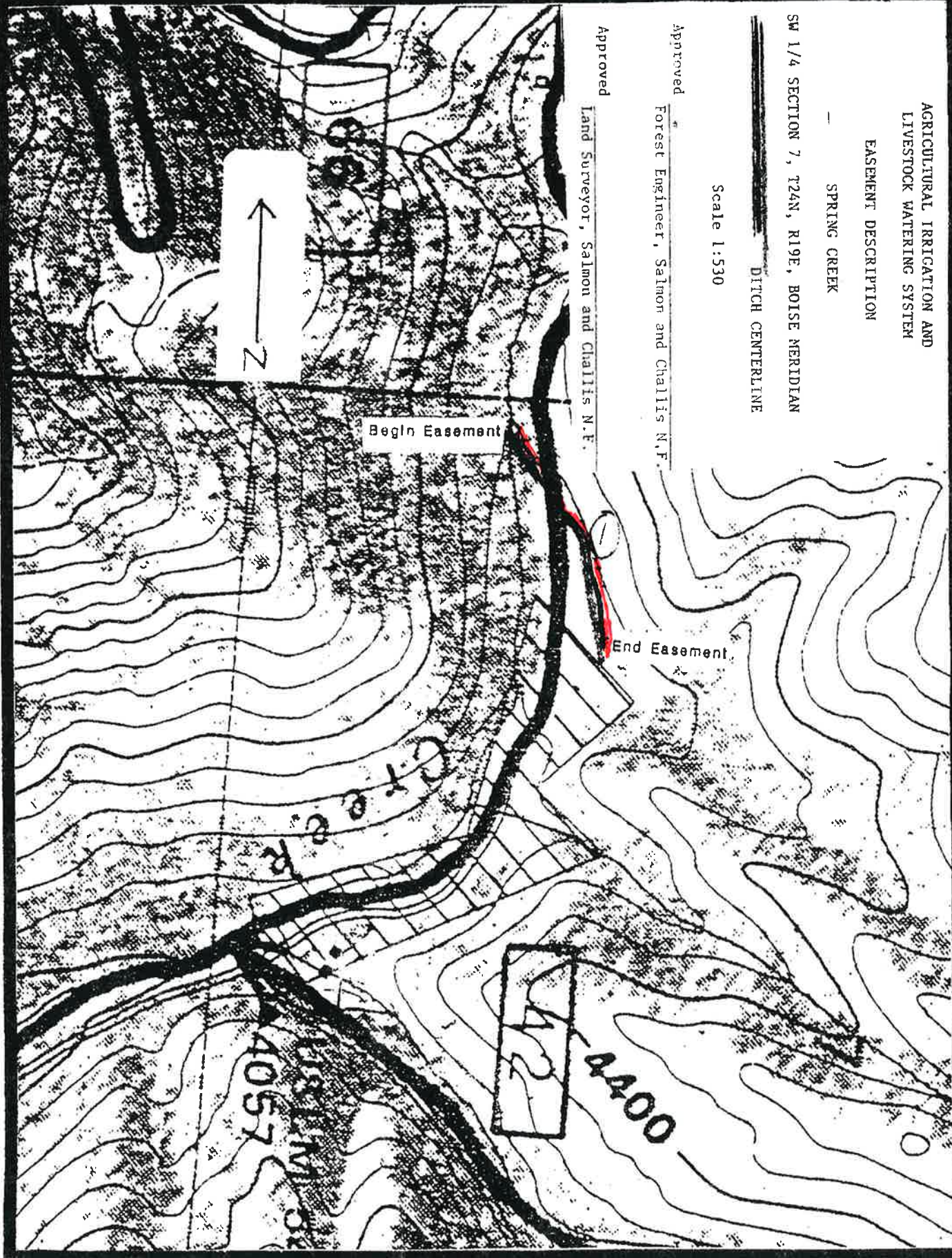
Scale 1:530

Approved

Forest Engineer, Salmon and Challis N.F.

Approved

Land Surveyor, Salmon and Challis N.F.



4/13/06

to/District Court of the 5th Judicial District  
State of Idaho, County of Twin Falls

RECEIVED

APR 21 2006

DEPARTMENT OF  
WATER RESOURCES

Dear District Court

Enclosed is a copy of the Notice of Change in water right ownership submitted to the Idaho State Department of Water Resources. Roxanne Brown of the Boise office of water Resources informed us that our previous application sent last spring has been misplaced, so we have resubmitted.

Please let us know if you require any other information in response to your legal notice, civil case no. 39576.

Thank you  
Sharon Jones  
245 Spring Creek Road  
North Fork, ID 83466

Please note that the two address numbers, 243 & 245, are for the same property. There are two numbers, one for each house on the property, in order to meet 911 and post office regulations.

2/27/06

RECEIVED

MAR 02 2006

DEPARTMENT OF  
WATER RESOURCES

to/ Bob Foster

FAX 756 6644

From/ Sharon Jones & Mary Randolph  
243/245 Spring Creek Road  
North Fork, ID 83466

FAX/phone 394 2112



Dear Mr. Foster - I spoke with you briefly about 10 days ago. We received the following legal notice from water resources. Previously, last spring, we filed with your office a claim to transfer the water rights on this property to us. What do we need to do about the legal notice? What do we need to do about not hearing anything on our change of ownership on the water rights?

Thanks for your help.

Sharon Jones

5 pages

~~4 pages~~

P.S. I couldn't get this to FAX  
Why does this come out of the Twin Falls office?  
Why isn't our part of the Salmon River on the map  
on page 4?

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 No. 39576

SECOND ROUND SERVICE OF  
COMMENCEMENT NOTICE FOR  
BASIN 75

**IMPORTANT LEGAL NOTICE:**

Records of the Idaho Department of Water Resources (IDWR) indicate that you may own or have an interest in a water right in the Snake River Basin, but have **NOT** filed a Notice of Claim with IDWR for this water right. This notice serves as your second and **FINAL** notice of your responsibility to file a Notice of Claim. **FAILURE TO FILE A REQUIRED NOTICE OF CLAIM WILL RESULT IN A DETERMINATION BY THE COURT THAT THE WATER RIGHT NO LONGER EXISTS.**

**YOUR FILING DEADLINE IS APRIL 20, 2006**

On November 19, 1987, the District Court for the County of Twin Falls issued an order commencing a general adjudication of all water rights from the Snake River Basin water system in Idaho. A general adjudication is a court case that will result in a decree determining all water rights from the water system. The purpose of the adjudication is to determine an accurate schedule of water rights to assure the proper delivery of water in times of shortage. The purpose of this notice is to inform you of your legal responsibility at this stage of the adjudication.

**WHO NEEDS TO FILE A NOTICE OF CLAIM WITH IDWR?**

Idaho Code § 42-1409 requires all persons owning water rights within the boundaries of the Snake River Basin water system in Idaho to file a Notice of Claim with IDWR for each water right, except for certain water rights specifically excluded by law. **Failure to file a required Notice of Claim will result in a determination by the court that the water right no longer exists.**

You **MUST** file a Notice of Claim with IDWR if your water right is based upon:

- a **CONSTITUTIONAL** or **HISTORIC USE RIGHT** (a diversion and application of water to a beneficial use, regardless of whether the water right has been recorded with IDWR pursuant to Idaho Code § 42-243);
- a **STATE** or **FEDERAL DECREE** (even if your water right was decreed in a previous adjudication you still must file a Notice of Claim with IDWR);
- a **LICENSED RIGHT** (based upon a license issued by IDWR, formerly known as the Idaho Department of Water Administration, the Idaho Department of Reclamation, and the State Engineer's Office);
- an **APPROPRIATION PERMIT** if proof of beneficial use was filed before November 19, 1987 (based upon a permit issued by IDWR, formerly known as the Idaho Department of Water Administration, the Idaho Department of Reclamation, and the State Engineer's Office); or

- a **FEDERAL LAW** (generally reserved rights claimed by the federal government, by or on behalf of the Indian Tribes, or by subsequent owners of former federal reserved lands).

## **WHO DOES NOT NEED TO FILE A NOTICE OF CLAIM WITH IDWR?**

- **Small Domestic and Stockwater users:** A Notice of Claim may be, but is not required to be, filed at this time for water rights used solely for small Domestic and/or Stockwater purposes (D&S), as those terms are defined by Idaho Code § 42-1401A (4) & (11). However, even if you have a D&S water right, it might be to your advantage to file a claim on this water right in this adjudication for a number of reasons. First, you will be required to have the water right adjudicated before the water right can be distributed by a watermaster or before an application for change of the water right may be filed with IDWR. Furthermore, while the filing fee for a Notice of Claim with IDWR for a D&S water right is currently \$25, the costs of filing a motion with the district court at a later date to have the water right adjudicated will be considerably higher. Before deciding not to file a Notice of Claim for small D&S claims you should be certain that your water use qualifies for the special procedure.
- **Permits for which Proof of Beneficial Use was filed on or after November 19, 1987:** A Notice of Claim may be, but is not required to be, filed for permits for which proof of beneficial use was filed on or after November 19, 1987. The director of IDWR may at a later date require holders of such permits to file a Notice of Claim. If the director does issue such an order, the permit holder will be notified by mail.
- **Fire-Fighting and In-Stream Livestock:** A Notice of Claim may be, but is not required to be, filed for water rights arising under Idaho state law that are used solely for fire-fighting purposes or solely for in-stream livestock use as defined by Idaho Code § 42-113.
- **Water users who are not the owner of the water right:** A person using water from the Snake River Basin water system is not required to file a Notice of Claim if the water user is not the owner of the water right, but the water user should make sure that the owner has filed a Notice of Claim. For example, a water user need not file a Notice of Claim where the water user receives water solely by virtue of ownership of shares of stock in a water delivery organization, or solely by virtue of being located within the boundaries of a water user organization if the water delivery organization holds legal title to the water right and if the water delivery organization has filed a Notice of Claim. Examples of water delivery organizations include cities, water utility companies, and irrigation districts, among others.

## **WHAT WATER SOURCES ARE INCLUDED IN THE SNAKE RIVER BASIN ADJUDICATION AND WHAT ARE THE BOUNDARIES?**

A Notice of Claim must be filed for water from any water source, including streams, springs, lakes, ground water, developed water, wastewater, or any other source for any purpose within the boundaries of the Snake River Basin water system in Idaho. A map showing the boundaries of the water system is included at the end of this notice.

## **WHAT ARE THE FEES AND DEADLINES FOR FILING A NOTICE OF CLAIM?**

Idaho Code § 42-1414 requires each person who files a Notice of Claim, except those exempted by law, to pay a filing fee. Failure to pay the fee will result in rejection of the Notice of Claim.

The deadline for filing Notices of Claims to water rights is **April 20, 2006**. Late-filed Notices of Claims will be accepted prior to filing the director's report with the court, but failure to file a Notice of Claim by the deadline may result in assessment of a late fee of \$50.00 or 15% of the original filing fee, whichever is greater.

A late fee may also apply if you were previously served with a Commencement Notice and did not file your claim by the deadline set forth in the previous notice.

## **NOTICE OF CLAIM FORMS AND INSTRUCTIONS**

Notices of Claims must be filed on forms prepared by IDWR or a reasonable facsimile. When filing at an IDWR office, bring a legal description of the property with Township, Section, Range and ¼, ¼. The lot and block numbers are not sufficient. Claimants should always call the nearest regional office to make an appointment if desiring assistance to fill out a Notice of Claim. The Notice of Claim forms and instructions for completing and filing the forms are available on IDWR's website at [www.idwr.idaho.gov](http://www.idwr.idaho.gov) or at the following locations:

1. IDWR, Western Region, 2735 Airport Way, Boise ID, 83705, Phone (208) 334-2190;
2. IDWR, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls ID 83301, Phone (208) 736-3033;
3. IDWR, Eastern Region, 900 N. Skyline Drive, Suite A, Idaho Falls ID 83402, Phone (208) 525-7161;
4. IDWR, Soda Springs Office, 15 W. Center St., Soda Springs ID 83276, Phone (208) 547-3993;
5. IDWR, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene ID 83814, Phone (208) 769-1450;
6. IDWR, State Office, 322 East Front Street, P.O. Box 83720, Boise ID 83720-0098, Phone (208) 287-4800, or toll free **1-800-451-4129**.

## **NOTICE TO IDWR OF CHANGE IN OWNERSHIP OR ADDRESS**

Idaho Code § 42-1409(6) requires all purchasers of a water right to inquire of IDWR whether a Notice of Claim has been filed. If not, the purchaser must file any required Notice of Claim, as described above. If a Notice of Claim has been filed, the purchaser must file with IDWR a written notice of the change in ownership along with some evidence of ownership. "Purchaser" includes any person acquiring a water right from another water user, whether it is acquired by purchase, gift, inheritance, or any other means. Idaho Code § 42-1409(6) requires all persons who have filed a Notice of Claim to file a written notice of change in address with IDWR.

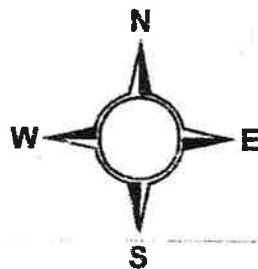
## **FURTHER INFORMATION**

The files of the District Court for Lemhi County will contain affidavits and other documents listing the persons served with copies of this notice. Documents can also be obtained at the Snake River Basin Adjudication District Court (SRBA) at the following address: SRBA District Court, 253 Third Avenue North, Twin Falls ID 83303-2707; telephone number: 208-736-3011.

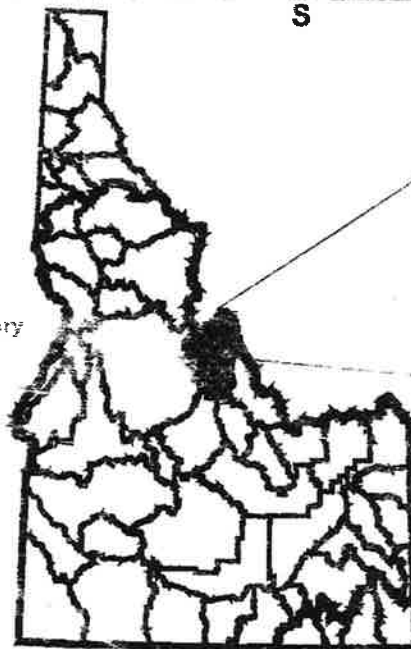
If you want information about Notices of Claims filed in this adjudication, which are filed with IDWR, you may inquire at any office of IDWR. If you want information concerning other documents filed in this adjudication, which are filed with the court, you may obtain a copy of the docket sheet from any office of IDWR or the SRBA website at [www.srba.state.id.us/docket.htm](http://www.srba.state.id.us/docket.htm). The docket sheet will be prepared each month and will reflect the court's schedule for the following three months. You can get a copy of a docket sheet for the cost of mailing and/or copying, or you can get a subscription to receive the docket sheet each month. The cost of the subscription is \$7.50 per year. The docket sheet will also be filed with the district court clerk for every county within the boundaries of the Snake River Basin water system in Idaho.

Karl Dreher, Director, Idaho Department of Water Resources

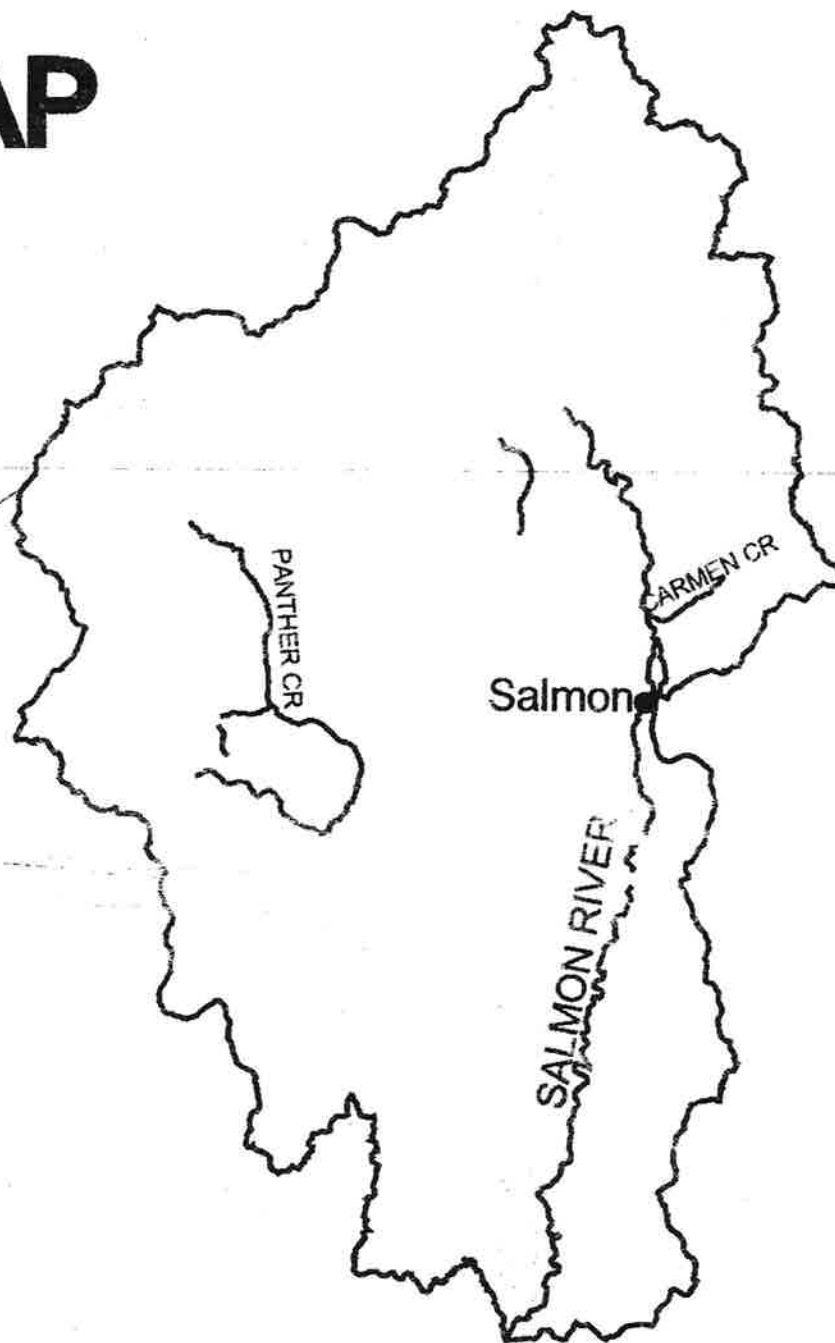
# BASIN 75 MAP



SRBA Boundary



Idaho Dept of Water Resources  
Snake River Basin Adjudication  
Administrative Boundaries  
Danni M Smith 12/27/2005



10 0 10 20 30 Miles

A horizontal scale bar with alternating black and white segments. It is marked with the numbers 10, 0, 10, 20, and 30, representing distances in miles. The word "Miles" is at the right end.

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Claim Report 75-4016C

WATER RIGHT NUMBER: 75-4016C

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Original Owner    | LUCILLE S MC DORMAN<br>PO BOX 81<br>NORTH FORK, ID 83466             |
| Current Owner     | SHARON A. JONES<br>245 SPRING CREEK ROAD<br>NORTH FORK, ID 83466     |
| Original Owner    | D W MC DORMAN<br>PO BOX 881<br>NORTH FORK, ID 83466<br>(208)756-4158 |
| Current Owner     | MARY V. RANDOLPH<br>245 SPRING CREEK ROAD<br>NORTH FORK, ID 83466    |

Priority Date: 09/05/1928

Basis: Beneficial Use

Status: Active

| <u>Source</u>          | <u>Tributary</u> |
|------------------------|------------------|
| WEST FORK SPRING CREEK | SALMON RIVER     |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01           | 0.080 CFS             |                      |
| DOMESTIC              | 1/01 to 12/31           | 0.040 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.120 CFS             |                      |

Location of Point(s) of Diversion

|                        |            |                                |
|------------------------|------------|--------------------------------|
| WEST FORK SPRING CREEK | SW1/4SW1/4 | Sec. 7, Twp 24N, Rge 19E, B.M. |
| LEMHI 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 |        |
| 24N | 19E | 7   |    |    |    |    |    |    |    |    | .5 |    |    | 3.5 |    |    |    |    | 4.0    |

Total Acres: 4

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 24N | 19E | 7   |    |    |    |    |    |    |    |    |    |    |    | X  |    |    |    |    |        |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 75-4016C

Conditions of Approval:

1. P/D & P/U H.E.S. 544, S7, T24N, R19E.  
SEE NO. A7504016B PAID UNDER RECIEPT E014825

Remarks:Comments:Dates and Other Information:

Claim Received Date: 6/13/1990  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
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

Combined Use Limits:Element Reviewed/Verified Dates:

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

Verification Log:

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

Water Supply Bank:

# Receipt Details for ID E014825

| Status | Adjustment Type  | Version |
|--------|------------------|---------|
|        | Adjusted Receipt | 1       |

**General Information:**

| Date Received        | Date Deposited | Region           | Total Amount | Payment Type |
|----------------------|----------------|------------------|--------------|--------------|
| 6/13/1990 2:35:15 PM | 6/13/1990      | Eastern          | \$55.00      | Check        |
| Payer                |                | MC DORMAN, D. W. |              |              |

**Account Information:**

| Check #              | Account #                 | Credit Card Name | Authorization # |
|----------------------|---------------------------|------------------|-----------------|
| 1789                 |                           |                  |                 |
| Card Expiration Date | Credit Card Transaction # |                  |                 |
|                      |                           |                  |                 |

**Comment** ADJUDICATION FEE**Fee Detail:**

| Amount  | Description      | PCA    | Fund | Fund Detail | Subsidiary | Object |
|---------|------------------|--------|------|-------------|------------|--------|
| \$55.00 | ADJUDICATION FEE | 410162 | 9337 | 0           | 0          | 6490   |

**Refund(s):**

| Amount | Payee | Date | Document Number |
|--------|-------|------|-----------------|
|--------|-------|------|-----------------|

**Water Right Information:**

| Basin Number | Sequence Number | Split Suffix | Amount  | Type  |
|--------------|-----------------|--------------|---------|-------|
| 75           | 4016            | B            | \$55.00 | Claim |

[Print Report](#)

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4016B

WATER RIGHT NUMBER: 75-4016B

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Original Owner    | D W MC DORMAN<br>PO BOX 881<br>NORTH FORK, ID 83466<br>(208)756-4158 |

Priority Date: 09/05/1928

**Basis:**

Status: See Remarks

| <u>Source</u>          | <u>Tributary</u> |
|------------------------|------------------|
| WEST FORK SPRING CREEK | SALMON RIVER     |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01           | 0.100 CFS             |                      |
| DOMESTIC              | 1/01 to 12/31           | 0.040 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.140 CFS             |                      |

Location of Point(s) of Diversion

WEST FORK SPRING CREEK SW1/4SW1/4 Sec. 7, Twp 24N, Rge 19E, B.M.  
LEMHI County

### Place of Use

## IRRIGATION

| Twp | Rge | Sec | NE        |           |           |           | NW        |           |           |           | SW        |           |           |           | SE        |           |           |           |               |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------|
|     |     |     | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>NE</u> | <u>NW</u> | <u>SW</u> | <u>SE</u> | <u>Totals</u> |
| 24N | 19E | 7   |           |           |           |           |           |           |           |           | .5        |           |           | 4.5       |           |           |           |           | 5.0           |

Total Acres: 5

DOMESTIC same as IRRIGATION

Conditions of Approval:

1. P/D & P/U H.E.S. 544, S7, T24N, R19E.  
SEE NO. 75 04016C AND 75 04016D

Remarks:

Comments:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

May 8, 1998

D W MC DORMAN  
LUCILLE S MC DORMAN  
PO BOX 81  
NORTH FORK ID 83466

RE: CHANGE IN OWNERSHIP FOR A75-04016B

Dear Mr. and Mrs. Dorman:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-04016C, 0.120 cfs on 4 acres, McDorman  
A75-04016D, 0.060 cfs on 1 acre, Rishor & Leavitt

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland  
Technical Records Specialist

Enclosure

SB 12-30-96  
OK SUH 5-5-98

RECEIVED

DEC 27 1996

Department of Water Resources  
Eastern Region

# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type  
(see instructions on back of page)

DATE OF CLOSING: 7-15-96

LEGAL DESCRIPTION OF PROPERTY: Township 24 Range 19  
Section 7, 1/4 of 1/4 of 1/4, Govt. Lot, BM.  
Lot, Block, Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet. *see deed*

- [ ] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- [ ] Water Right Number(s)  
Assigned by IDWR: A75-04016B
- [ ] Name and Address of Former Owner/Claimant(s)(Seller):  
D.W. McDORMAN AND LUCILLE S. McDORMAN  
P.O. BOX 81  
NORTH FORK, ID 83466
- [ ] New Owner/Claimant (Purchaser):  
ROBB RISHOR AND HEIDI LEAVITT
- [ ] New Mailing Address:  
Box 177  
North Fork, ID. 83466
- [ ] New Telephone Number: (208) 394-2131
- [ ] Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no  
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:  
0.028 cfs per acre

- [ ] Attach proof of ownership, describe proof attached: RECORDED WARRANTY DEED (COPY)

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- [ ] Signature of New Owner/Claimant(s): Robb Rishor Date 12/10/95  
Heidi Leavitt Date 12/13/95
- [ ] Signature of Former Owner/Claimant(s): D.W. McDorman Date 7-15-96  
Lucille S. McDorman Date 7-15-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## FOR IDWR USE ONLY:

Initial Review and Data-Entry  
Date: By:

Further Action Needed:

Further Action Taken  
Date: By:

Final Review and Data-Entry  
Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

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: A75-04016C  
Date Received: 6/13/1990  
Receipt No: X777777  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: D W MC DORMAN  
Address: PO BOX 81  
NORTH FORK ID 83466  
AND  
Name: LUCILLE S MC DORMAN  
Address: PO BOX 81  
NORTH FORK ID 83466

A7504016C



2. Date of Priority: SEP 5, 1928

3. Source: SPRING CREEK, WEST FORK Trib. to: SALMON RIVER

4. Point of Diversion:

|          |       |         |        |        |     |     |        |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 24N      | 19E   | 7       | SW     | SW     |     |     | LEMHI  |

5. Description of diverting works:  
ROCK DIVERSION

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.080  |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.040  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
1 HOME

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use    | Acres |
|----------|-------|---------|--------|-----|-----|--------|-------|
| 24N      | 19E   | 7       | NE     | SW  |     | IRR    | 0.5   |
|          |       |         | SE     | SW  |     | IRR    | 3.5   |
|          |       |         | SE     | SW  |     | DOMEST |       |

Section Acres      4.0

|             |     |
|-------------|-----|
| Total Acres | 4.0 |
|-------------|-----|

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:  
P/D & P/U H.E.S. 544, S7, T24N, R19E.  
SEE NO. A7504016B  
PAID UNDER RECIEPT E014825

15. Basis of Claim: BENEFICIAL USE