

11/20/2006

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

RIGHT NUMBER: 75-4075
NAME AND ADDRESS: COOKIE P OBERLE
PO BOX 63
GIBBONSVILLE ID 83463

DAN OBERLE
PO BOX 63
GIBBONSVILLE ID 83463

SOURCE: DAHLONEGA CREEK TRIBUTARY: NORTH FORK SALMON RIVER
QUANTITY: 0.025 CFS
PRIORITY DATE: 12/31/1918
POINT OF DIVERSION: T26N R21E S36 SENW Within LEMHI County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	STOCKWATER	1/01 12/31	0.005 CFS
	IRRIGATION	4/01 11/01	0.020 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T26N R21E S36 SENW	2.00	
	<u>STOCKWATER in LEMHI County</u>		
	T26N R21E S36 SENW		
	2 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

09/12/2006

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

RIGHT NUMBER: 75-4075
NAME AND ADDRESS: COOKIE P OBERLE
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POINT OF DIVERSION:

T26N R21E S36 SENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.005 CFS
IRRIGATION	4/01 11/01	0.020 CFS

PLACE OF USE: IRRIGATION Within LEMHI County
T26N R21E S36 SENW 2.00
STOCKWATER Within LEMHI County
T26N R21E S36 SENW

2 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



Idaho Department of Water Resources

SRBA Recommendation:

75-4075

(Irrigation)

Legend

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



Lemhi County
IDWR Basin 75



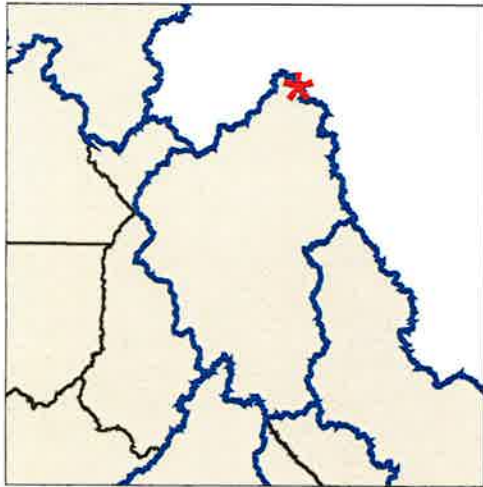
0 0.1 0.2 Miles

Prepared by M. Ciscell
On Sunday, November 19, 2006
2004 Aerial Photography

Idaho Department of Water Resources



Adjudication Claim Number: **75-4075**



Legend

- Section Lines
- 26N22E GCDB
- 26N21E GCDB
- 25N21E GCDB



Prepared by M. Van Bussum
On Tuesday, May 10, 2005
1991 Aerial Photography

0 0.2 0.4 Miles

A scale bar showing distances of 0, 0.2, and 0.4 miles.



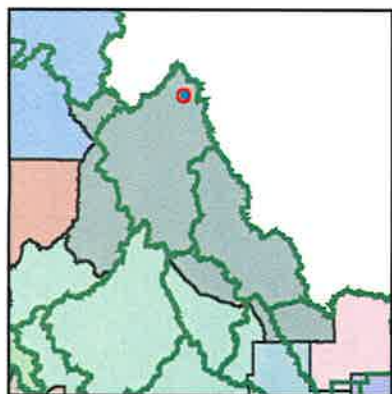
Idaho Department of Water Resources

Adjudication Claim:

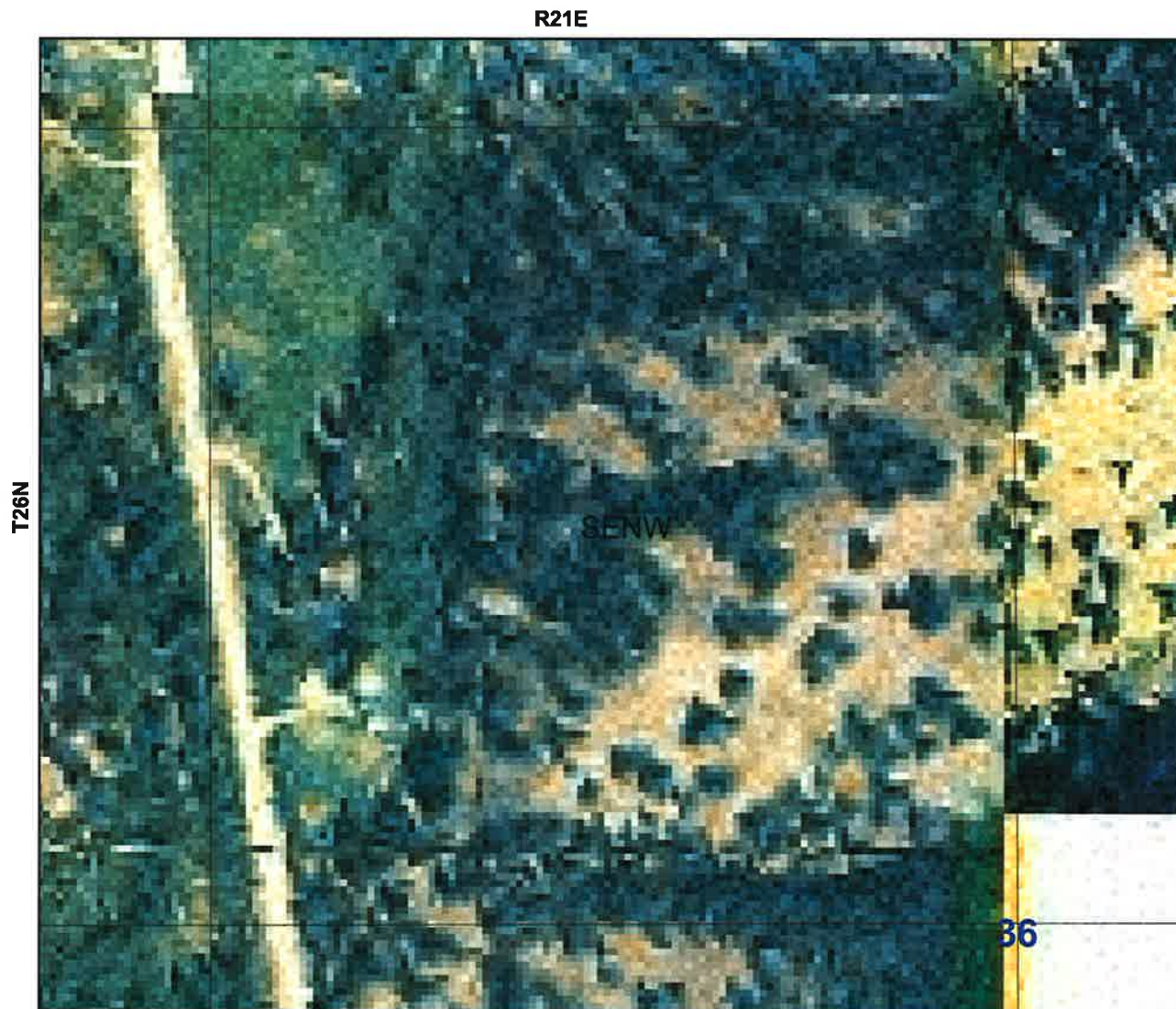
75-4075

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



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

Owner: **COOKIE P OBERLE**

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

MARCH 14, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RICHARD AND DIANE HADE
12101 W MESQUITE DR
BOISE ID 83713-0817

RE: Notice of Change of Water Right Ownership (NCO) for 75-4075 and Notice of Completed Administrative Proceeding (NCAP)

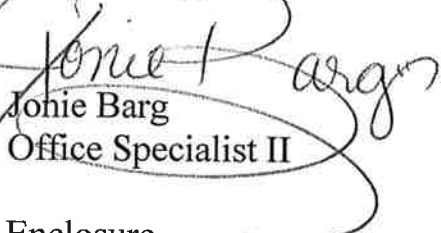
Dear Sir/Madam:

The Idaho Department of Water Resources (IDWR) acknowledges receipt of an NCO changing the right holder for the above referenced water right(s). Based on this NCO, IDWR water right records for the Snake River Basin Adjudication (SRBA) have been updated.

Furthermore, as directed by the SRBA Court, this office mailed a copy of the updated water right record(s) to each party listed on the enclosed NCAP. The intent of this mailing is to ensure each party has a current record of water right(s) as recorded in the SRBA.

Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg
Office Specialist II

Enclosure

CC: DAN & COOKIE OBERLE

SCANNED

APR 04 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 75-4075

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

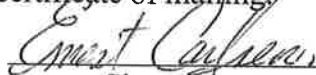
IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party OBERLE-HADE
- ☐ I.C. § 42-222 transfer
 - ☐ point of diversion ☐ place of use
 - ☐ period of use ☐ nature of use
 - ☐ split of water right ☐ change in ownership

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 28, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on March 31, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707

2. One copy to:

Claimant/Seller for Substitution of Party or attorney of record:
Dan Oberle
Cookie Oberle
PO Box 63
Gibbonsville ID 83463

3. One copy to:

Claimant/Purchaser for Substitution of Party, or attorney of record:
Richard Hade
Diane Hade
12101 W Mesquite Dr
Boise ID 83713

4. One copy to:

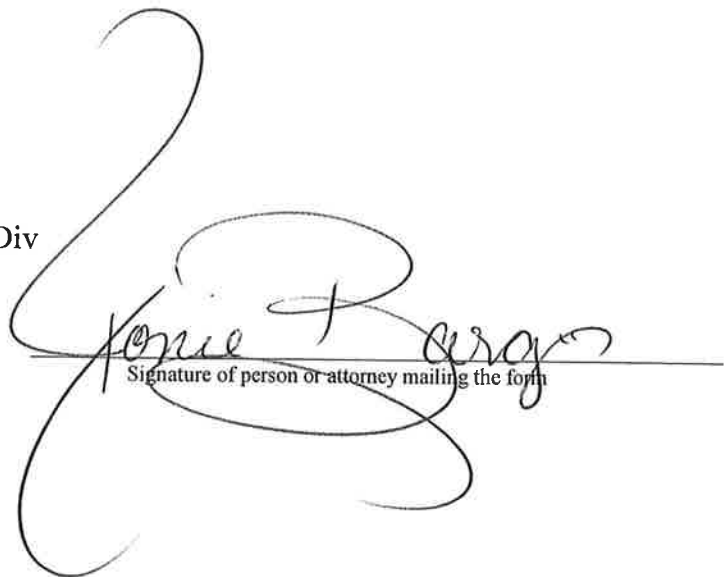
Each party in the subcase, or attorney of record

5. One copy each to:

Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449

6. One Copy to:

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

03/12/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-4075

NAME AND ADDRESS: RICHARD HADE
12101 W MESQUITE DR
BOISE ID 83713-0817

DIANE HADE
12101 W MESQUITE DR
BOISE ID 83713

SOURCE: DAHLONEGA CREEK

TRIBUTARY: NORTH FORK SALMON RIVER

QUANTITY: 0.025 CFS

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

PRIORITY DATE: 12/31/1918

POINT OF

DIVERSION: T26N R21E S36 SENW Within LEMHI County

PURPOSE AND

PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.005 CFS
IRRIGATION	4/01 11/01	0.020 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T26N R21E S36 SENW 2.00

STOCKWATER in LEMHI County

T26N R21E S36 SENW

2 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

SCANNED

APR 04 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

EASTERN REGION

MARCH 14, 2008

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

RICHARD AND DIANE HADE
12101 W MESQUITE DR
BOISE ID 83713-0817

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Please feel free to contact me if you have any questions concerning this matter.

Respectfully,


Jonie Barg
Office Specialist II

Enclosure

CC: DAN & COOKIE OBERLE

SCANNED

APR 01 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

)

Water Rights: 75-4075

Case No. 39576

)

)

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

IDWR has completed the following Administrative proceeding:

☐ Address change

☒ Substitution of Party OBERLE-HADE

☐ I.C. § 42-222 transfer

☐ point of diversion ☐ place of use

☐ period of use ☐ nature of use

☐ split of water right ☐ change in ownership

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IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: March 28, 2008

Ernest Calhoun

Signature of IDWR Representative

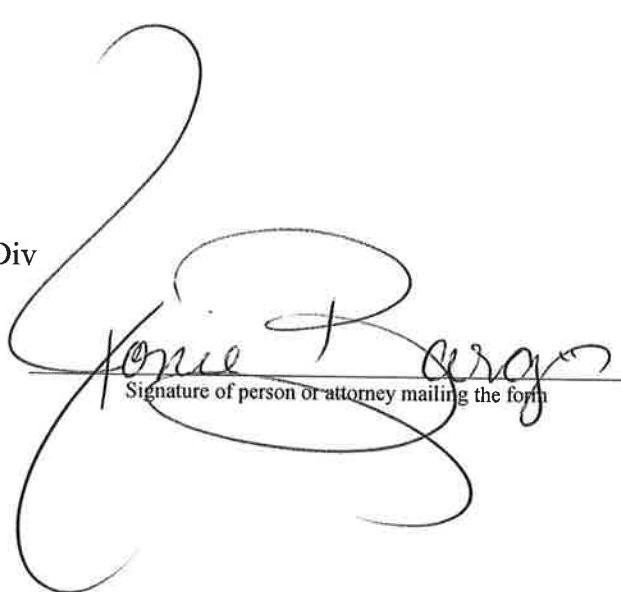
SCANNED

APR 01 2008

CERTIFICATE OF MAILING

I certify that on March 31, 2008, I mailed the original and copies of this form to the following persons, postage prepaid by regular mail and addressed as follows:

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Snake River Basin Adjudication
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Twin Falls ID 83303-2707
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Cookie Oberle
PO Box 63
Gibbonsville ID 83463
3. One copy to:
Claimant/Purchaser for Substitution of Party, or attorney of record:
Richard Hade
Diane Hade
12101 W Mesquite Dr
Boise ID 83713
4. One copy to:
Each party in the subcase, or attorney of record
5. One copy each to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
6. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724


Signature of person or attorney mailing the form

03/12/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-4075

NAME AND ADDRESS: RICHARD HADE
12101 W MESQUITE DR
BOISE ID 83713-0817

DIANE HADE
12101 W MESQUITE DR
BOISE ID 83713

SOURCE: DAHLONEGA CREEK

TRIBUTARY: NORTH FORK SALMON RIVER

QUANTITY: 0.025 CFS

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

PRIORITY DATE: 12/31/1918

POINT OF
DIVERSION: T26N R21E S36 SENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.005 CFS
IRRIGATION	4/01 11/01	0.020 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T26N R21E S36 SENW 2.00

STOCKWATER in LEMHI County

T26N R21E S36 SENW

2 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

SCANNED

APR 01 2008

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

DEV

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 IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
75-10424	WR				
75-4075	Adj. Needs WRAP				

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 on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. 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 or equivalent **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)	DAN & COOKIE OBERLE P.O. BOX 63 GIBBONSVILLE, ID 83463
4. New Owner/Claimant(s)	RICHARD & DIANE WADE
	Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address	12101 W. MESQUITE DR.
City, State and ZIP Code	BOISE, IDAHO 83713-0817
New Telephone Number	(208) 322-3660

RECEIVED

MAR 05 2008

Department of Water Resources
Eastern Region

SCANNED

APR 01 2008

5. Date you acquired the property

7-25-07

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 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 (you may copy this page, if 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 will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

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.

7. Signature(s) of New Owner(s) or Claimant(s)

Richard L Wade (title if applicable)
Diane Wade (title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by *JPO*
 Receipted by *JPO*
 Processed by AJ

Date *3-5-08*
 Date *3-5-08*
 Date

Receipt Amt. *\$25.00*
 Receipt No. *E033813*
 WR Date

SCANNED
 APR 01 2008

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

06/06/2007

WATER RIGHT NO. 75-4075

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	COOKIE P OBERLE
Current Owner	DAN OBERLE
	PO BOX 63
	GIBBONSVILLE, ID 83463
	(208)865-2186
Original Owner	CYNTHIA ERICKSON
Original Owner	MICHAEL LYNN ERICKSON
	RT 1 BOX 110
	WALLOWA, OR 97885
	(503)886-4085

Priority Date: 12/31/1918

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
DAHLONEGA CREEK	NORTH FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.02 CFS	
STOCKWATER	1/01	12/31	0.005 CFS	
Total Diversion			0.025 CFS	

Location of Point(s) of Diversion:

DAHLONEGA CREEK	SENW	Sec. 36	Township 26N	Range 21E	LEMHI County
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SCANNED

APR 01 2008

Place(s) of use:

Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
26N	21E	36		SEnw	2									

Place of Use Legal Description: STOCKWATER LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
26N	21E	36		SEnw										

Total Acres: 2

Conditions of Approval:

1.	C18	This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.
2.	N05	The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.
3.	N08	The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

Dates:

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

SCANNED
APR 11 2009

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

06/06/2007

WATER RIGHT NO. 75-10424

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	COOKIE P OBERLE
Current Owner	DAN OBERLE
	PO BOX 63
	GIBBONSVILLE, ID 83463
	(208)865-2186

Priority Date: 01/01/1870

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	NORTH FORK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

SPRING	SESENW	Sec. 36	Township 26N	Range 21E	LEMHI County
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Place(s) of use:

Place of Use Legal Description: DOMESTIC LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
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SCANNED
APR 01 2003

26N	21E	36	SE	NW															
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Conditions of Approval:

1.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3.		PARCEL NO. 26N21E362407

Dates:

Licensed Date:

Decreed Date: 11/03/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

SCANNED

APR 01 2003

State of Idaho)
County of Lemhi) SS No. 272491
This instrument was filed for record at the request
of Alliance Title
at 9:26 o'clock A.m. 7-25 2007
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Elyssa Carden Deputy
Fee 6.00
Return to AT

WARRANTY DEED

Order No.: 3070704280L-D

FOR VALUE RECEIVED

Joseph Daniel Oberle, a married man dealing as his sole and separate property

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

Richard Hade and Diane I. Hade, Husband and Wife

whose current address is

12101 W. Mesquite Boise, ID 83712

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

PARCEL I:

A PARCEL OF LAND LOCATED IN HES 650, UNSURVEYED SECTION 36, T. 26 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 3, HES 650, RUN THENCE N. 49° 52' 59" W. ALONG LINE 3-4, HES 650, A DISTANCE OF 424.27 FT. TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HWY. 93;

THENCE N. 10° 19' 01" W. ALONG SAID RIGHT-OF-WAY, A DISTANCE OF 20.25 FT.;

THENCE S. 68° 21' 00" E. A DISTANCE OF 358.28 FT. TO A POINT ON LINE 2-3 HES 650;

THENCE S. 01° 45' 00" W. ALONG LINE 2-3, A DISTANCE OF 161.19 FT. TO THE POINT OF BEGINNING.

PARCEL II:

PROPERTY SITUATED IN UNSURVEYED SECTION 36, T. 26 N., R. 21 E., BOISE MERIDIAN, IN THE COUNTY OF LEMHI, STATE OF IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER NO. 3 HES 650 FROM WHICH CORNER NO. 2 HES 650, BEARS N. 01° 45' E., RUN THENCE S. 18° 19' 10" W., A DISTANCE OF 186.47 FEET TO AP-1; THENCE S. 88° 07' 17" W., A DISTANCE OF 272.71 FEET TO AP-2, A POINT ON LINE 8-9 HES 98; THENCE N. 03° 36' 13" W., ALONG LINE 8-9 HES 98 A DISTANCE OF 492.03 FEET TO CORNER NO. 8 HES 98 AND CORNER NO. 4 HES 650; THENCE S. 49° 52' 59" E., A DISTANCE OF 473.50 FEET TO CORNER NO. 3, THE POINT OF BEGINNING.

EXCEPTING THEREFROM THAT PORTION LYING WITHIN THE HIGHWAY 93 RIGHT OF WAY.

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.

SCANNED
APR 11 2008

272491

Dated:

4/20/07

Joseph Daniel Oberle
Joseph Daniel Oberle

State of Idaho

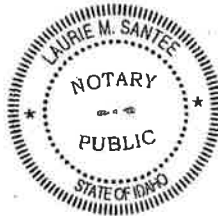
County of

Lemhi

ss.

On this 20th day of July, in the year 2007 before me, a Notary Public in and for said state, personally appeared Joseph Daniel Oberle known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

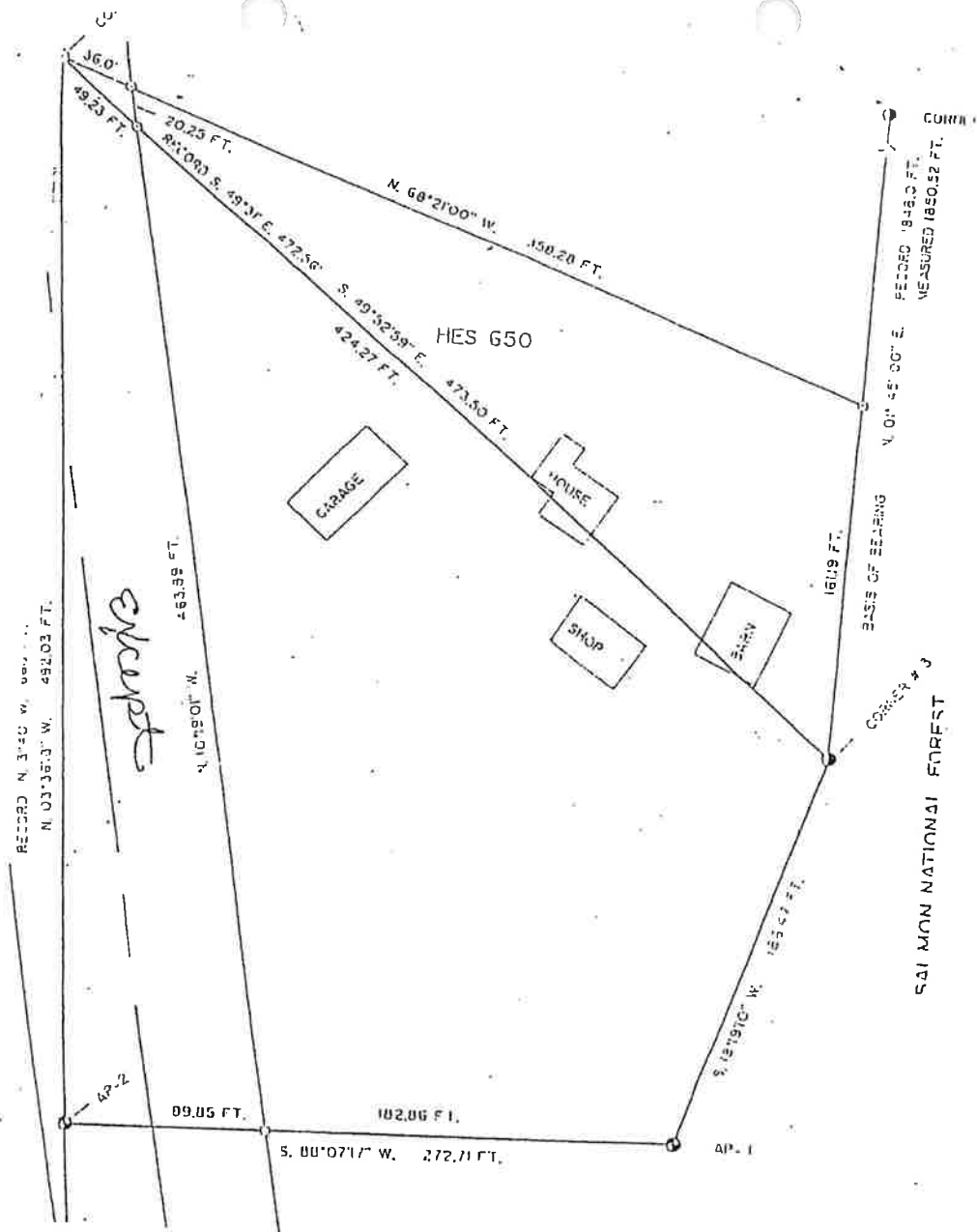
IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.



Laurie M. Santee
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 6-19-2013

SCANNED

APR 01 2008



The Company has not surveyed the premises described in 3070704280. The sketch below is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability as to the validity, location, or ownership of any easement or other matter shown thereon, nor for the inaccuracies therein, including the accurate location of boundaries, including water boundaries. This sketch does not purport to show all highways, roads and easements adjoining or affecting said premises, nor is it a part or modification of the report, commitment, policy or other title evidence to which it may be attached.

Parcel I
Parcel II

SCANNED

APR 11 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 12, 2004

DAN AND COOKIE P OBERLE
PO BOX 6
GIBBONSVILLE ID 83463

*Response
6-18-04*

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-4075 and Decree #75-10424

Dear Claimants:

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by May 25, 2004. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

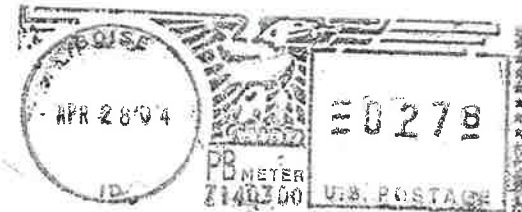
Telephone No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

75-4075 c/m
75-10924 devalued

PRESTATED
FIRST CLASS



RECEIVED

MAY 12 2004

Department of Water Resources

COOKIE P OBERLE

DAN OBERLE
PO BOX 62
GIBBONSVIL

OBER006 T834632001 1304 04 05/06/04
RETURN TO SENDER
DAN OBERLE ENTERPRISES
TEMPORARILY AWAY
RETURN TO SENDER

CA [REDACTED]



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

SCANNED

OCT 08 2001

EASTERN REGION

OCTOBER 19, 1992

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

CYNTHIA ERICKSON
RT 1 BOX 110
WALLOWA OR 97885

RE: NOTICE OF CLAIM

Dear Mrs. Erickson:

While accepting claims for the Salmon River and tributaries, the Department received two Notices based on Statutory Claim 75-4075. A copy of your Notice of Claim A75-04075 is enclosed. The other Notice was filed by Dan and Cookie Oberle.

Recently, I spoke with Cookie by telephone and she indicated they are purchasing the home in Gibbonsville referenced on A75-04075. Since it appears you no longer have possessory interest in this property, consideration should be given to withdrawing your Notice. Should you decide to pursue this action, complete the enclosed withdrawal form and return it to this office.

Please feel free to contact this office should you have any questions (525-7161).

Respectfully submitted,

Ernest Carlsen
Adjudication Supervisor

EC:jt

Enclosure

FILE:

MICROFILMED

DEC 15 1992

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: 75-4075

COOKIE P OBERLE
PO BOX 63
GIBBONSVILLE ID 83463
Telephone Number: (208)865-2186

DAN OBERLE
PO BOX 63
GIBBONSVILLE ID 83463
Telephone Number: (208)865-2186

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

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

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

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

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

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

CLAIM NO(s). A75 04075

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: 208-865-2609
☐ No Change ADDRESS
☒ NEW ADDRESS: 3119 Hwy 93N Gibbonsville, Id
83463
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.: A0017099 GPS097

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 _____	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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Eastern Regional Office
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718

RETURN SERVICE REQUESTED

DAN OBERLE
COOKIE OBERLE
PO BOX 63
GIBBONSVILLE ID 83463

POCATELLO ID 877

31 MAR 2008 PM 1

1611

8995 \$00.410 MAR 31 2008
0875 MAILED FROM ZIP CODE 83402

NIXIE 837 DC 1 00 04/02/08

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD

83463+0000

83402@1700

BC: 83402170073 *1836-05720-31-40

|||||

APR 04 2003
SCANNED

83402

SCANNED

OCT 08 2001

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: A75-04075

Date Received: 5/02/1990

Receipt No: 5-10-90 P. M

Received By: E014534

MAY 14 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DAN OBERLE 208-865-2186
Address: P.O. BOX 63
GIBBONSVILLE, ID 83463

AND/OR

Name: COOKIE P. OBERLE 208-865-2186
Address: P.O. BOX 63
GIBBONSVILLE, ID 83463

2. Date of Priority: DEC 31, 1918

3. Source: DAHLONEGA CREEK Trib. to: SALMON RIVER, NORTH

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
26N	21E	36	SE	NW			LEMHI

5. Description of diverting works:
DIVERSION DAM AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	01/01	12/31	0.005		
IRRIGATION	04/01	11/01	0.020		

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

A.F.A.

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/10 HEAD MIXED CATTLE, HORSES AND MULES

A75-04075

Page 1

Date: 05/02/90

A7504075



MICROFILMED

DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
26N	21E	36	SE	NW		STOCK	
			SE	NW		IRR	2.0
					Section Acres		2.0
					Total Acres		2.0

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:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Cookie P. Oberle Date: 5-2-90

Date: _____

State of Idaho)
County of Lewiston) SS.

Subscribed and sworn (or affirmed) before me this 2 day

of May 19 90

Seal

John Paul Carter
Notary Public

Residing at Boise ID

My Commission Expires 6/30/91

