

12/09/2006

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

RIGHT NUMBER: 75-4119B

NAME AND ADDRESS: GREGORY R ENGLISH
4940 E LOMA CIR
IDAHO FALLS ID 83406

MARY ANGELA ENGLISH
4940 EAST LOMA CIRCLE
IDAHO FALLS ID 83406

SOURCE: OWL CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.010 CFS

PRIORITY DATE: 04/10/1920

POINT OF DIVERSION:

T23N R17E S15 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	
IRRIGATION	04/01 10/31	0.010 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R17E S15 SESE 0.50

DOMESTIC same as IRRIGATION

0.5 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.

Property is within Homestead Entry Survey No. 368.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

75-4119B



0 700 1400 Feet

Section 15
T23N R17E

○ Point of Diversion

□ Place of Use





Idaho Department of Water Resources

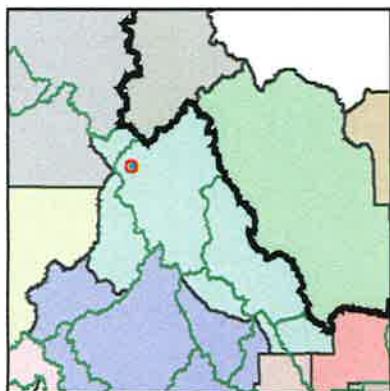
SRBA Recommendation:

75-4119B

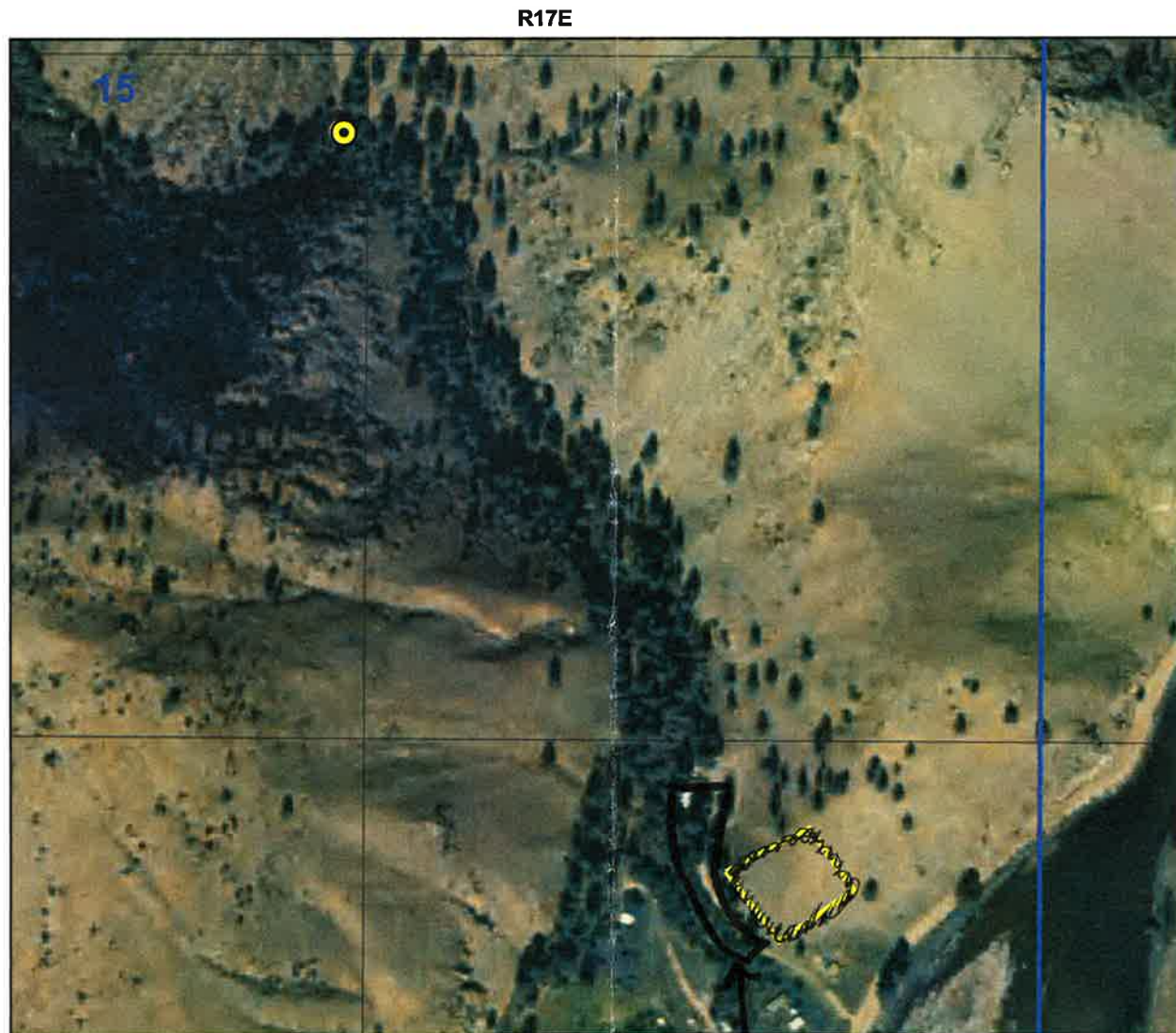
(Irrigation)

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

correct area for
irrigation use



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 11, 2006

Gregory & Mary English
4940 E Loma Cir.
Idaho Falls, ID 83406

RE: 75-4119B

Dear Mr. & Mrs. English:

Enclosed is a new map and Preliminary Recommendation reflecting the comments you made on the Notice of Error Reply. Please contact me if the changes are incorrect.

Sincerely,

A handwritten signature in black ink, appearing to read 'Knoblock', written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

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: 75-4119B

GREGORY R ENGLISH
4940 E LOMA CIR
IDAHO FALLS ID 83406
Telephone Number: (208)523-1683

MARY ANGELA ENGLISH
4940 EAST LOMA CIRCLE
IDAHO FALLS ID 83406
Telephone Number: (208) 523-1683

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

Two corrections needed 1): Map showing where water is used for irrigation incorrect 2): water right states irrigation and it is used for both irrigation and domestic.

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

1) Map sent to me was corrected showing accurate boundary area where irrigation is used. 2) Domestic should be added to irrigation since gravity fed water sys. also supplies water in the house - this was modified at the Idaho Falls water district office as advised by Ken Knoblock.

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

1) Area shown as where irrigation water is used is not an irrigated area. Area that is irrigated not identified. 2) I use this water for both irrigation and inside house water (year around).

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

DATE: 11/29/06

SIGNATURE:

Greg English

Please print your name:

Greg English

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

RECEIVED

DEC 9 2006

IDWR/North

OK je
11-06-03

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, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
75-4119B					

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) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Thomas R Powell and Terrell A Powell
4. New Owner/Claimant(s) Gregory R. English and Mary Angela English
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 4940 East Loma Circle
- City, State and ZIP Code Idaho Falls, ID. 83406
- New Telephone Number 208 523-1683
5. Date you acquired the property October 15, 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

INSTRUCTIONS FOR FILING
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

This form has been prepared to assist all claimants and owners of water rights to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. All claimants and owners of water rights are required to notify the Department of Water Resources (IDWR) of any change in mailing address or change in ownership of all or part of a water right. In addition, all purchasers of water rights within a pending general adjudication area must inquire whether a notice of claim has been filed and, if not, shall file a notice of claim if necessary.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, **the seller should be able to provide you with the water right or adjudication claim number(s)**. Please enter the number(s) at **Item 1**. Corresponding water right and adjudication claim numbers should be listed next to each other on the form. You may have purchased only a portion of the water right(s) held by the seller. If so, the water right(s) held by the seller may need to be "split" to provide you your share of each right. Indicate if a split is required by checking in the space provided next to each water right.

If you receive water from a municipal provider, an irrigation district or other water delivery organization, where the water rights are held by the organization, please do not use this form to record a change. You may need to contact the water delivery organization to determine if any action is necessary.

If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If adjudication claims for the rights are required and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner/claimant(s) of the water right(s) at **Item 3**.
4. The name, mailing address, and telephone numbers of the new owner/claimant(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector "and", "or", or "and/or." If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign; however, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may have purchased only a portion of the water right(s) held by the seller. If this 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. For each water right requiring a split between owners, fill in the appropriate spaces in the box(es) at **Item 6**. Copy the page as many times as necessary to fully describe each water right after the change. Include documentation as necessary to describe nonstandard agreements or arrangements regarding division of the water right(s). **If the water right(s) will not be split, skip Item 6 and go to Item 7.**
7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. If an "and" connector is used at Item 4, all parties must sign this form. If an "and/or" or "or" connector is used, all parties may sign; however, only one of the named parties is required to sign. If someone other than the owner signs the notice, evidence of authority to sign for the owner must be attached. If the new owner is a corporation or other organization, the person signing the notice must be an officer of the corporation or otherwise have authority to sign for the organization and must include their title with the signature.
8. The filing fee is \$25 per water right, except for those water rights which will be divided as a result of the change in ownership. The filing fee for division of a water right is \$100 per water right to be divided. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 7, 2003

GREGORY R & MARY ANGELA ENGLISH
4940 EAST LOMA CIRCLE
IDAHO FALLS ID 83406

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 75-4119B

Dear Mr. & Mrs. English:

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

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

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

AMERICAN LAND TITLE ASSOCIATION
OWNER'S POLICY
(10-17-92)

Policy No. 72106-

628018

CHICAGO TITLE INSURANCE COMPANY

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, CHICAGO TITLE INSURANCE COMPANY, a Missouri corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this policy to be signed and sealed as of Date of Policy shown in Schedule A, the policy to become valid when countersigned by an authorized signatory.

CHICAGO TITLE INSURANCE COMPANY

By:



President

By:

ATTEST



Secretary



WARRANTY DEED

256328

Order No.: 307031959L-G

FOR VALUE RECEIVED

R. Thomas Powell and Jerrelyn A. Powell, Husband and Wife

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

Gregory R. English and Mary A. English, Husband and Wife

whose current address is

4940 E. Loma Circle Idaho Falls, ID 83406

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

PARCEL A:

A PARCEL OF LAND LOCATED IN H.E.S. 368, UNSURVEYED SECTION 15, T. 23 N., R. 17 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER NO. 4 OF SAID H.E.S. FROM WHICH CORNER 3 OF SAID H.E.S. BEARS N. 34° 25' 57" W., 1448.17 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE N. 34° 25' 57" W. ALONG THE LINE BETWEEN SAID CORNERS 4 AND 3 A DISTANCE OF 211.03 FT.;

THENCE S. 53° 41' 04" W. A DISTANCE OF 247.29 FT. TO THE SE CORNER OF THE PROPERTY SHOWN ON R.O.S. INST. NO. 224867 AS RECORDED IN THE LEMHI COUNTY COURTHOUSE AND THE POINT OF BEGINNING;

THENCE S. 53° 41' 04" W. A DISTANCE OF 62.07 FT. TO A POINT ON THE CENTERLINE OF OWL CREEK;

THENCE THE FOLLOWING COURSES AND DISTANCE ALONG SAID CENTERLINE:

N. 44° 19' 28" W., 43.37 FT.; N. 18° 35' 20" W., 81.61 FT.;

N. 28° 18' 24" W., 39.68 FT.; N. 45° 32' 32" W., 106.78 FT.;

N. 10° 01' 34" E., 54.37 FT.; N. 30° 29' 18" E., 102.98 FT. TO A POINT ON THE WESTERLY BOUNDARY OF PARCEL "A" AS SHOWN ON THE R.O.S. INST. NO. 249853 AND AS PARCEL "B" AS SHOWN ON THE R.O.S. FILE LATER IN 2002;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID BOUNDARY:

S. 67° 39' 52" E., 12.57 FT.; S. 76° 24' 31" E., 57.00 FT.;

S. 08° 08' 06" E., 45.05 FT.; S. 13° 00' 21" W., 109.89 FT.;

33.58 FT. ALONG A CURVE TO THE LEFT HAVING A CHORD OF

S. 06° 28' 50" E., 32.94 FT., A DELTA OF 38° 58' 30" AND A RADIUS OF 49.37

FT.; S. 25° 57' 59" E., 51.58 FT.;

S. 40° 53' 25" E., 98.80 FT. TO THE POINT OF BEGINNING.

PARCEL B:

TOGETHER WITH; A 12 FT. WIDE EASEMENT FOR INGRESS AND EGRESS ALONG AN EXISTING ROAD AS SHOWN ON THE R.O.S. FILED IN THE LEMHI COUNTY COURTHOUSE RECORDED JULY 11, 2002 AS INSTRUMENT NO. 251042.

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: 10/7/03

R. Thomas Powell
R. Thomas Powell

Jerrellyn A. Powell
Jerrellyn A. Powell

State of Idaho

County of Lemhi

} ss.

On this October 7, 2003, before me, a Notary Public in and for said state, personally appeared R. Thomas Powell and Jerrellyn A. Powell

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.



Sheri Phillips
Notary Public for the State of Idaho
Residing at: Boise
Commission Expires: 4/30/2009

State of Idaho) SS No. 256328
County of Lemhi)

This instrument was filed for record at the request

of Alliance Title
at 10:15 o'clock p.m. 10-15-2003

and duly filmed and indexed in the records of Lemhi County

Toni J. Morton
Deputy Recorder
By Sandra Clifton Deputy
Fee 6.00

Return to AT

SCANNED

DELOG DC 9/13/97

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

DC 9/97

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

1. Water Right Number(s) Split A AP 7
 Adjudication Claim Number(s) A75-04119 B Department of Water Resources Eastern Region
2. The following **REQUIRED** information must be submitted with this form.
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) John Fredrick and Bonnie Jean Porter
Shoup Idaho
4. New Owner/Claimant(s) R Thomas and Jernelyn A Powell
 Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
 New Mailing Address HCC 64 Box 67
 City, State and ZIP Code Shoup Idaho 83469
 New Telephone Number (208) 394-2142
5. Date you acquired the property 10-19-95
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres actually irrigated .51 Number and type of stock _____
- Diversion rate in CFS 0.01 Number of homes 1 Other uses _____
cubic feet per second
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) R Thomas Powell Date 8-25-97
Jernelyn A. Powell Date 8/25/97
- (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

WARRANTY DEED

Conserved under
225213

For Value Received

John Fredrick and Bonnie Jean Porter Trustees of the John Fredrick and Bonnie J Porter Family Trust
the grantors, do hereby grant, bargain, sell and convey unto

R. Thomas and Jerrelyn A. Powell

#4 Main St. Box 326
Wolf Creek, Mt. 59648
County Idaho, town:

the grantees, the following described premises, in Lemhi

A fraction of H.E.S. 368, located in unsurveyed Section 15,
T. 23 N., R. 17 E., Boise Meridian, Lemhi County, Idaho, more
particularly described as follows:

Commencing at Corner No. 1 of H.E.S. 368, run thence
N. 70° 42' 27" E. a distance of 324.56 ft. to a point on the high
water line of Owl Creek and the POINT OF BEGINNING;

Thence the following courses and distances along said line:
N. 76° 42' 40" W. 16.58 ft.; N. 55° 31' 27" W. 35.91 ft.;
N. 16° 58' 34" W. 74.91 ft.; N. 27° 38' 25" W. 41.62 ft.;
N. 12° 39' 14" W. 109.43 ft.; N. 12° 32' 17" E. 41.63 ft.;
N. 31° 46' 59" E. 101.26 ft.;

→ Thence S. 76° 17' 54" E. a distance of 57.00 ft. to a point on
the westerly side of an existing road;

Thence the following courses and distances along said side;
S. 08° 01' 29" E. 45.05 ft.; S. 13° 06' 56" W. 109.89 ft.;
Thence 33.58 ft. along a curve to the left having a delta of
38° 58' 22", a radius of 49.37 ft., a tangent of 17.47 ft.;

S. 25° 51' 22" E. 51.58 ft.; S. 40° 48' 27" E. 98.66 ft.;

Thence S. 53° 46' 09" W. a distance of 35.39 ft. to the POINT
OF BEGINNING.

PARCEL CONTAINS 0.51 ACRES.

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

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

Dated: 10-19-95

John Frederick Porter Trustee
Bonnie Jean Porter Trustee

STATE OF IDAHO, COUNTY OF

On this 19th day of Oct., 1995,
before me, a notary public in and for said State, personally
appeared

John Frederick Porter and
Bonnie Jean Porter

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

Steve Loyer

Notary Public

Residing at Salmon

Comm. Expires 4-3-96

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for re-
cord at the request of *Porter* 227775

at 35 minutes past 9 o'clock A.M.,
this 19th day of October
1995, in my office, and duly recorded in Book
of Deeds at page

Alberta Wiederrich
Ex-Officio Recorder

By *Tharon Stevens* Deputy.

Fees \$3-

Mail to: Powell

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-4119B
Date Received: 4/17/1990
Receipt No: X999999
Received By: ACG

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

1. Name of Claimant(s)

GREGORY R ENGLISH Phone: (208) 523-1683
4940 E LOMA CIR
IDAHO FALLS ID USA 83406

MARY ANGELA ENGLISH Phone: (208) 523-1683
4940 EAST LOMA CIRCLE
IDAHO FALLS ID USA 83406

RECEIVED
DEC 04 2006
IDWR/North

2. Date of Priority: 04/10/1920

3. Source: OWL CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
23N	17E	15	NW	NW	SE	LEMHI	

5. Description of diverting works:

HEADGATES, DITCHES, PIPELINES & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.01	
DOMESTIC	01/01	12/31	0.01	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of homes: 2

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	17E	15	SE	SE	IRRIGATION	0.5
					Section Acres	0.5
					Total Acres	0.5

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

P.D. NOT INDICATED IN 1/4 SECTIONS AS LAND IS UNSURVEYED.
SEE MAP

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 X 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): [Signature] Date: 11/30/06

State of Idaho)
County of Bonneville) SS.

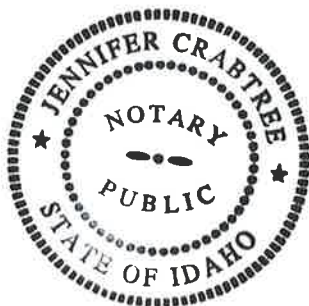
Subscribed and sworn (or affirmed) before me this 30th
of Nov 2006

Jennifer Crabtree

Notary Public

Residing at Idaho Falls

My commission Expires 9/23/09



03/31/2006

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

RIGHT NUMBER: 75-4119B

NAME AND ADDRESS: GREGORY R ENGLISH
4940 E LOMA CIR
IDAHO FALLS ID 83406

MARY ANGELA ENGLISH
4940 EAST LOMA CIRCLE
IDAHO FALLS ID 83406

SOURCE: OWL CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.010 CFS

PRIORITY DATE: 04/10/1920

POINT OF DIVERSION:

T23N R17E S15 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
4/01 10/31

QUANTITY
0.010 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R17E S15 SESE 0.50

0.5 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.

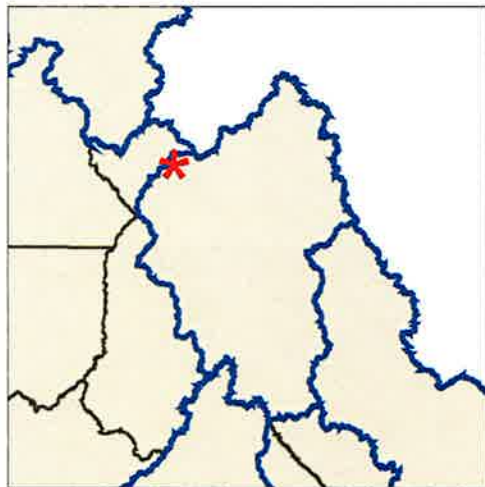
Property is within Homestead Entry Survey No. 368.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

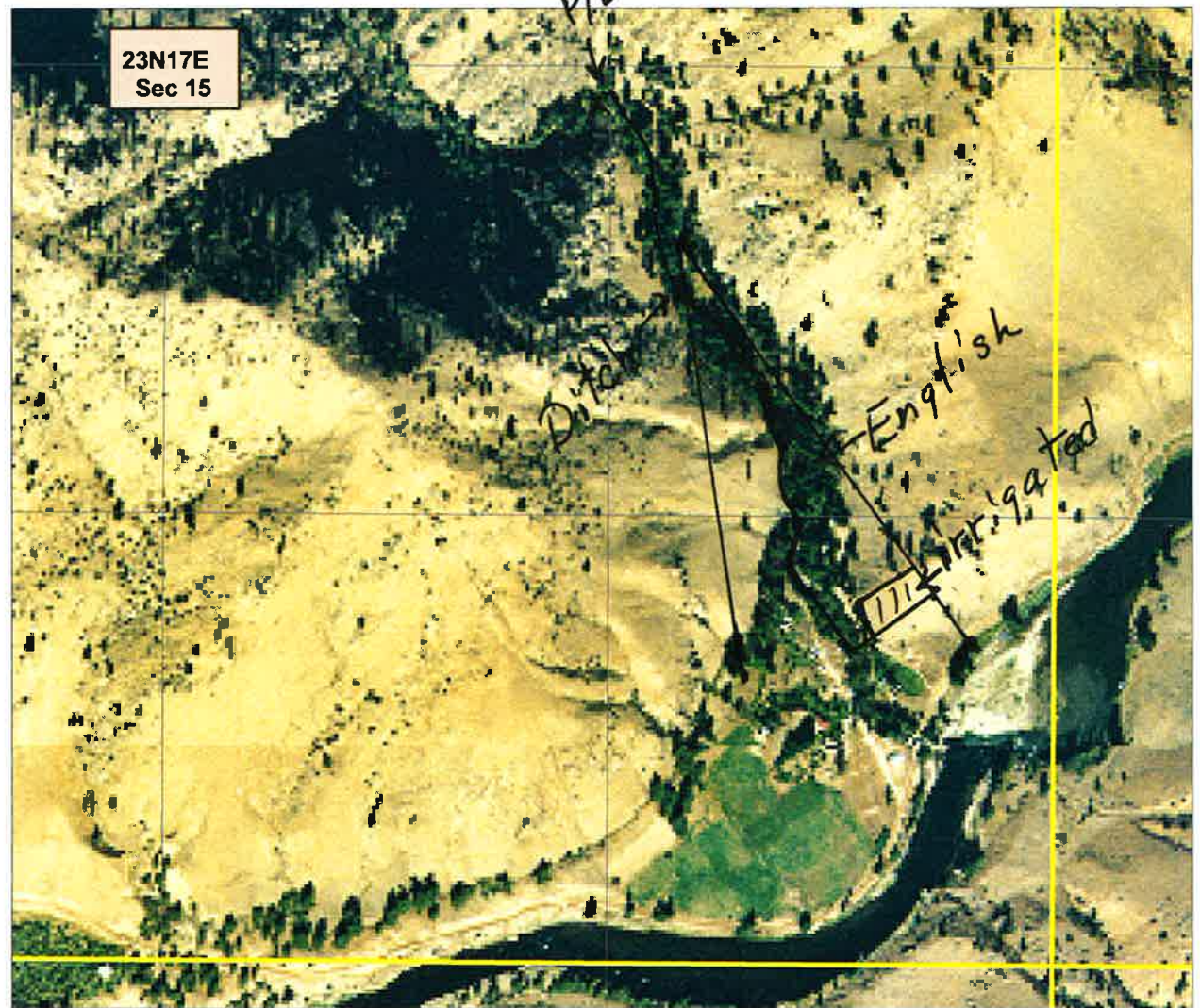


Adjudication Claim Number: **75-4119 B**



Legend

-  Section Lines
-  23N17E GCDB



0 0.2 0.4 Miles

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

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

CLAIM NO(s).

A75-4119B

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.: A0014920

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
	Signature

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-4119B
Date Received: 4/17/1990
Receipt No: X999999
Received By:

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

1. Name of Claimant(s)

GREGORY R ENGLISH Phone: (208) 523-1683
4940 EAST LOMA CIRCLE
IDAHO FALLS ID USA 83406

MARY ANGELA ENGLISH Phone: (208) 523-1683
4940 EAST LOMA CIRCLE
IDAHO FALLS ID USA 83406

2. Date of Priority: 04/10/1920

3. Source: OWL CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	17E	15	NW NW SE	LEMHI	

5. Description of diverting works:

HEADGATES, DITCHES, PIPELINES & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.01	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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23N	17E	15	SE	SE	IRRIGATION	0.5
					Section Acres	0.5
					Total Acres	0.5

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

P.D. NOT INDICATED IN 1/4 SECTIONS AS LAND IS UNSURVEYED.
SEE MAP

15. Basis of Claim: Beneficial Use

SCANNED

OCT 0 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: A75-04119B

Date Received: 4/17/1990

Receipt No: X777777

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: R THOMAS POWELL 208-394-2142
Address: HC 64 BOX 67
SHOUP ID 83469

AND/OR

Name: JERRELYN A POWELL 208-394-2142
Address: HC 64 BOX 67
SHOUP ID 83469

2. Date of Priority: APR 10, 1920

3. Source: OWL CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	17E	15	NW	NW	SE		LEMHI

5. Description of diverting works:
HEADGATES, DITCHES, PIPELINES & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	17E	15	SW	SE		IRR	0.5

A7504119B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	0.5
					Total Acres	0.5

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. NOT INDICATED IN 1/4 SECTIONS AS LAND IS UNSURVEYED.
SEE MAP

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____