

11/04/2006

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

RIGHT NUMBER: 75-4409

NAME AND ADDRESS: JOEL BENDER
633 FISH HATCHERY RD
HAMILTON MT 59840

NANCY BENDER
633 FISH HATCHERY RD
HAMILTON MT 59840

SOURCE: INDIAN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 10/02/1916

POINT OF DIVERSION:

T24N R19E S13 NWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	0.080 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T24N R19E S13	SWNE	0.80	T24N R19E S13	NWSE	2.70
---------------	------	------	---------------	------	------

3.5 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



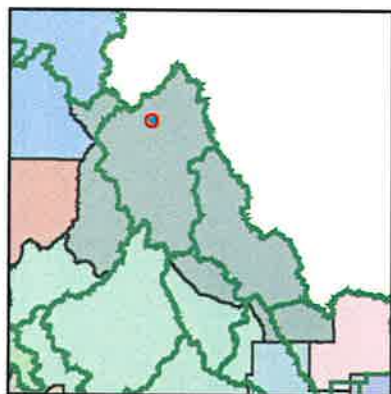
Idaho Department of Water Resources

Adjudication Claim:

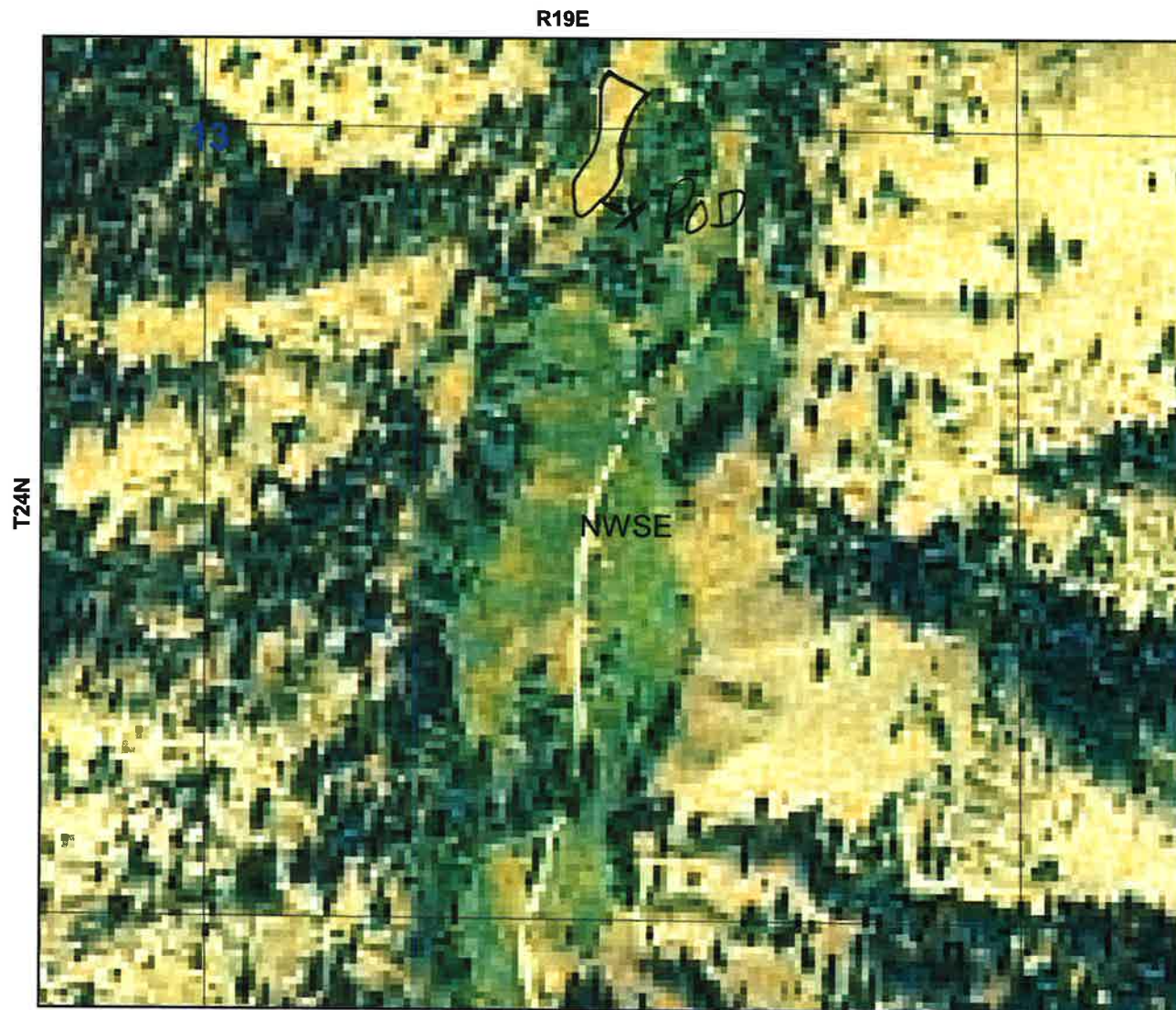
75-4409

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



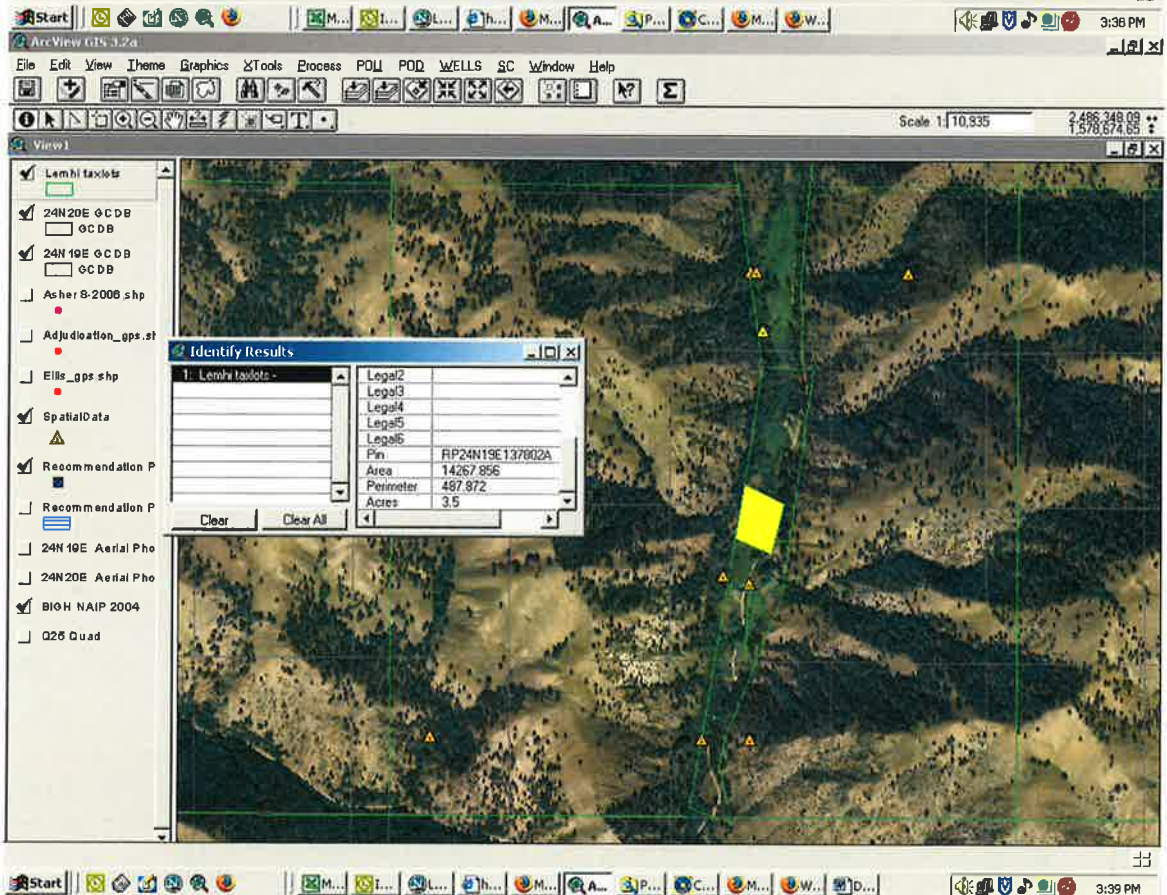
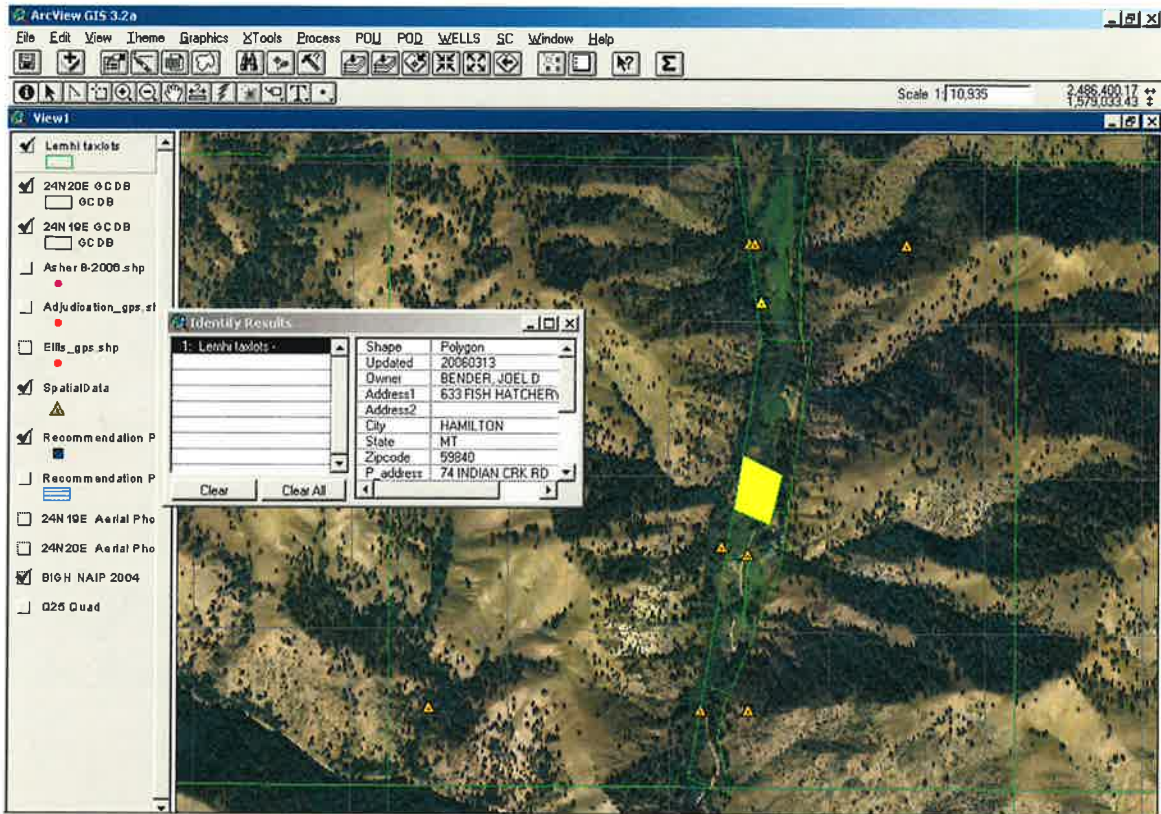
0 0.1 0.2 Miles



Owner: **JOEL BENDER**

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



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

CLAIM NO(s). A7504409

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.: _____

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:

Pump, pipe, sprinkler

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

The Benders have gone to a pump and sprinklers

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name
Jack Z. Ellis
Signature

RT2 Box 105; North Fork, Idaho (Mailing Address)

83446 (Zip Code)

Telephone No. None

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) Oct 2, 1916

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Indian Creek tributary to Sidman River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity (cfs, af)	Use (Domestic, Irrigation, Stock, Etc.)	Period of Use From To	
		(Mo., Day)	(Mo., Day)
Quantity <u>0.8 cfs</u>	Use <u>IRRIGATION</u>	Period of Use From <u>APR 1st</u>	To <u>NOV 1st</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 0.8 cfs TOTAL QUANTITY USED.
(cfs, af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
N.W. 1/4 S.E. 1/4, Sec. 13 Twp. 24N Rge. 17E B.M., County of Lemhi
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
IRRIGATION DITCHES - DIVERTED DIRECT FROM STREAM

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
24N	ME	13														4			4

No. of acres 4

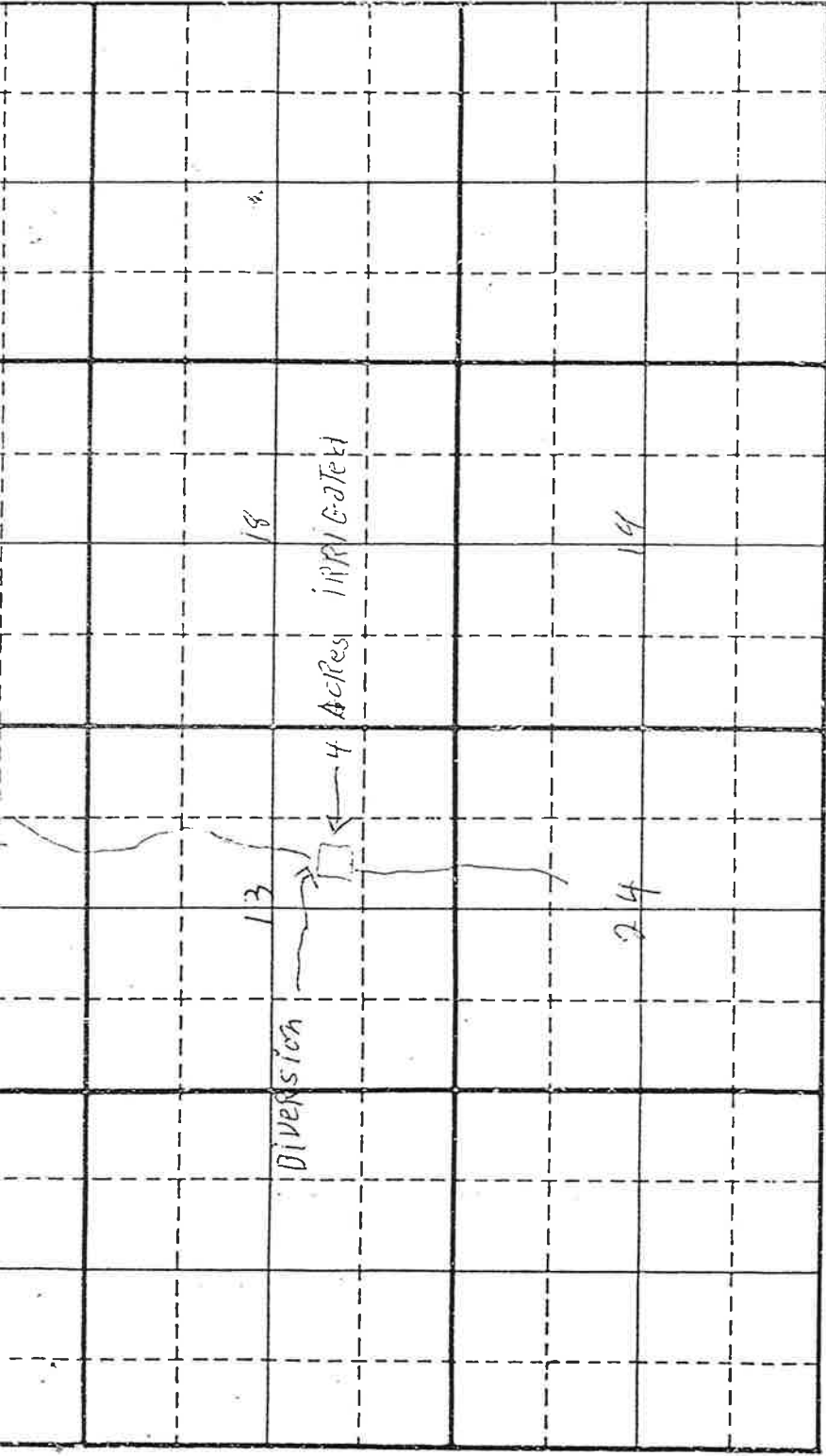
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

SCANNED

AUG 09 2005



R19E S3 R20E

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Lemhi) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 13th day of June

Bernard F. Paul
(Claimant)

19 83.

Erileen R. Hansen
Notary Public
Residing at Laurens, ID

My commission expires 1984

FOR DEPARTMENT USE ONLY

Received by Cul Date 6-17-83
Prelim. check by gm Date 6-20-83
\$30.00 fee received by Cul Date 6/20/83 # 30940
Published in Recorder Herald
Dates 8/4 - 8/11/83

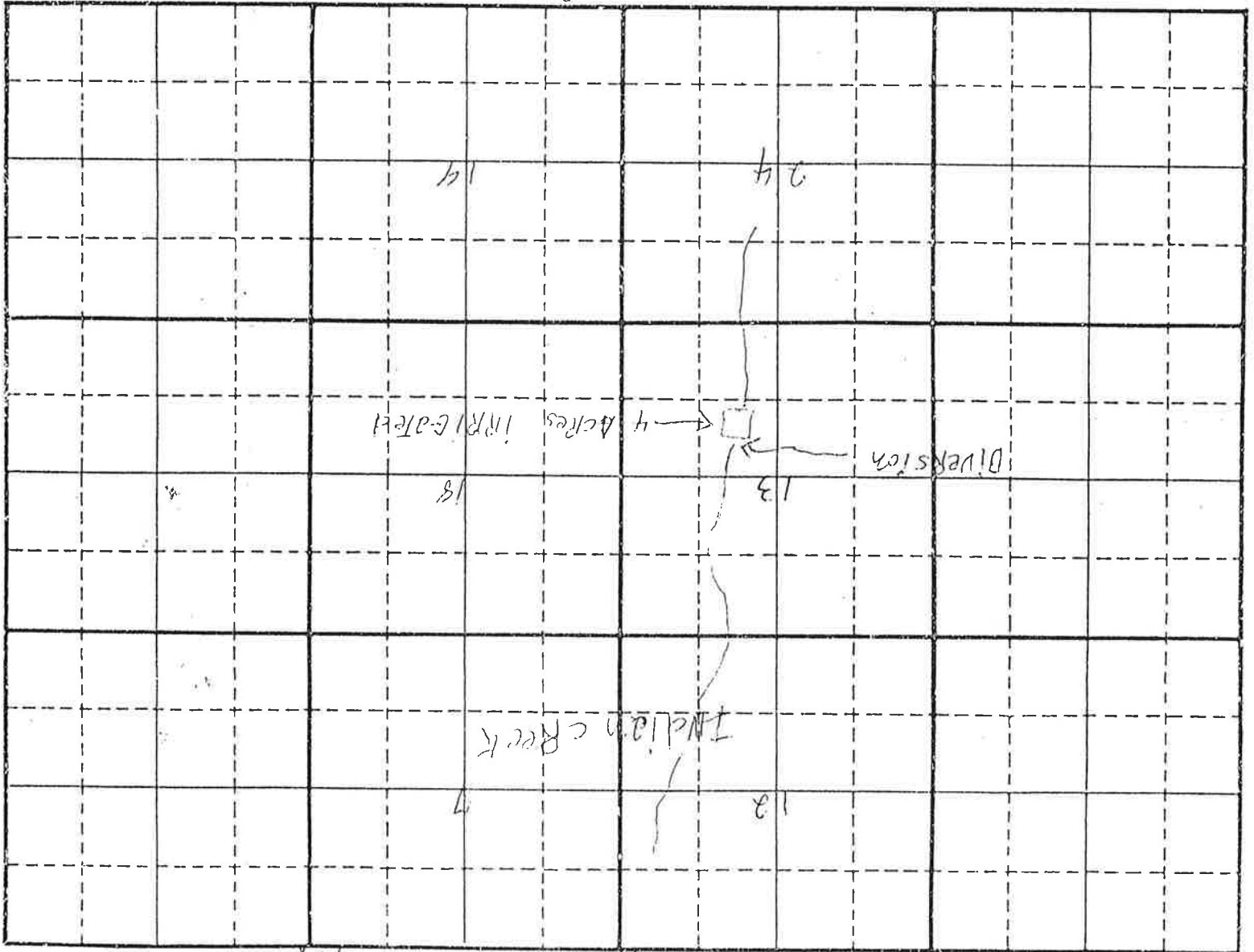
Forwarded to
claimant by: _____
Date _____

SCANNED
AUG 09 2005

(8) Remarks Priority date is based on date Patent was issued
 And Land placed on tax rolls.

T4N

N



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho
 County of Blaine
)
) ss.
)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 13th day of June

(Claimant)
Alma C. F.
1983

AUG 19 2005

SCANNED

SCANNED
AUG 09 2005

STATE OF IDAHO		N ^o 30940	
Department of Water Resources			
Boise, Idaho, <u>June 20</u> , 19 <u>83</u>			
RECEIVED FROM	<u>Bernard Saul</u>	of <u>North Ford</u>	\$ <u>30.00</u>
			<u>Thirty and 00/100</u> DOLLARS
FOR	<u>Claim</u>	\$ <u>30</u>	<u>00</u>
		\$	
		\$	
		\$	
		\$	
TOTAL - - -		\$ <u>30</u>	<u>00</u>
<u>Barbara L. Powers</u>			

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 75-4409
Date Received: 5/5/1989
Receipt No: E007180
Received By:

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

1. Name of Claimant(s)

JOEL BENDER Phone: (406) 363-6818

633 FISH HATCHERY RD
HAMILTON MT USA 59840

NANCY BENDER Phone: (406) 363-6818

633 FISH HATCHERY RD
HAMILTON MT USA 59840

2. Date of Priority: 10/02/1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	19E	13	NW SE	LEMHI	

5. Description of diverting works:

IRRIGATION DITCHES, DIVERTED DIRECTLY FROM STREAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.08	

7. Total Quantity Appropriated is:
0.08 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
24N	19E	13	NW	SE	IRRIGATION	4
					Section Acres	4
					Total Acres	4

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:

CHANGED OWNERSHIP 3/17/97/JT

15. Basis of Claim: Statutory Claim



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

January 22, 2002

JOEL & NANCY BENDER
633 FISH HATCHERY RD
HAMILTON MT 59840

RE: CHANGE IN OWNERSHIP FOR A75-04409

Dear Mr. & Mrs. Bender:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

A handwritten signature in cursive script that reads "Cheri Vandermeulen".

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

OK 1-22-02
RECEIVED

JAN 03 2002

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

Department of Water Resources
Eastern Region

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

1. Water Right Number(s) _____
Adjudication Claim Number(s) A75-04409

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) SHERRY M. HEIDEN
8924 Appaloosa Rd, Austin TX

4. New Owner/Claimant(s) JOEL AND NANCY BENDER
New Mailing Address 633 Fish Hatchery Rd
City, State and ZIP Code Hamilton MT 59840
New Telephone Number (406) 363-6818

5. Date you acquired the property 11/27/2001

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 _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ 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) Joel Bender Date 12/18/01
Nancy E. Bender Date 12/18/01

(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

For Value Received SHERRY M. HEIDEN, a single person,

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

JOEL D. BENDER AND NANCY E. BENDER,
husband and wife,

whose current address is

633 Fish Hatchery Rd
Hamilton Mt 59840

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

A FRACTION OF H.E.S. NO. 195, IN APPROXIMATE SECTION 13, T. 24 N., R. 19 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT CORNER NO. 6 OF H.E.S. NO. 195, RUN THENCE N. 15° 33' W., 347.8 FEET TO THE POINT OF BEGINNING, AND THE SOUTHEASTERLY CORNER OF THE TRACT OF LAND HEREIN DESCRIBED; THENCE N. 66° 30' W., 354.4 FEET TO A POINT ON THE WEST BOUNDARY OF H.E.S. NO. 195, THENCE N. 8° 50' 27" E., ALONG THE WESTERLY BOUNDARY OF H.E.S. NO. 195, A DISTANCE OF 454.2 FEET; THENCE S. 66° 30' E., 396.3 FEET; THENCE S. 13° 48' W., 445.0 FEET TO THE POINT OF BEGINNING.

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

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

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

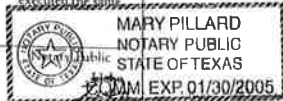
Dated: November 20th 2001

Sherry M. Heiden
SHERRY M. HEIDEN

STATE OF TEXAS, COUNTY OF IDAHO
On this 20 day of November, 2001
before me, a notary public in and for said State, personally appeared
SHERRY M. HEIDEN

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

Residing at Austin
Comm. Expires 1-30-05



State of Idaho
County of Lemhi) SS No. 200124
This instrument was filed for record at the request
of Alliance Title
at 2:20 o'clock m 11-27 2001
and duly filed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder
By Sherry M. Heiden Deputy
Fee 3.00
Return to AT



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

March 18, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SHERRY M HEIDEN
PO BOX 263
NORTH FORK ID 83466

RE: CHANGE IN OWNERSHIP FOR A75-04409

Dear Sherry:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim



80/3-17-97
DE-109

NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED
FEB 24 1997
Department of Water Resources

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

DATE OF CLOSING: 11-18-96

LEGAL DESCRIPTION OF PROPERTY: Township 24N. Range 19E A FRACTION OF
Section _____, 1/4 of _____ 1/4 of _____ 1/4 Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite H.E.S. NO. 195.
If you have additional legal descriptions, please attach separate sheet.

- ☐ 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: A-75-04409
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): ROBERT & KAREN DODDER, (previous owners)
JEFF REYNOLDS (CLAIMANT)
BOX 404 HAMILTON, MT 59840
- ☐ New Owner/Claimant (Purchaser): SHERY M. HEIDEN
- ☐ New Mailing Address: RT. 6 BOX 582 PO Box 263
AUSTIN, TX 78732 North Fork ID 83466
- ☐ New Telephone Number: (512) 288-9548 208-394-2179
- ☐ 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:

- ☐ Attach proof of ownership, describe proof attached: warranty deed

(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) Shery M. Heiden Date 2-19-97
Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
Date _____

(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

Warranty Deed

RECEIVED

FEB 24 1997

Department of Water Resources

For Value Received

ROBERT K. DODDER AND KAREN M. DODDER, husband and wife

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

SHERRY M. HEIDEN, a single person

whose current address is

RT. 6, BOX 582
AUSTIN, TX 78737

the grantee, the following described premises, in

LEMHI

County Idaho, to wit:

A FRACTION OF H.E.S. NO. 195, IN APPROXIMATE T. 24 N., R. 19 E., BOISE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT CORNER NO. 6 OF H.E.S. NO. 195, RUN THENCE N. 15 DEGREES 33' W. 347.8 FEET TO THE POINT OF BEGINNING, AND THE SOUTHEASTERLY CORNER OF THE TRACT OF LAND HERIN DESCRIBED; THENCE N. 66 DEGREES 30' W., 354.4 FEET TO A POINT ON THE WEST BOUNDARY OF H.E.S. NO. 195, THENCE N. 8 DEGREES 50' 27" E., ALONG THE WESTERLY BOUNDARY OF H.E.S. NO. 195, A DISTANCE OF 454.2 FEET; THENCE S. 66 DEGREES 30' E., 396.3 FEET; THENCE S. 13 DEGREES 48' W., 445.0 FEET TO THE POINT OF BEGINNING.

* * SUBJECT TO A DEED OF TRUST AND ADJUSTABLE RATE RIDER BETWEEN ROBERT K. DODDER AND KAREN M. DODDER, husband and wife, AS GRANTOR, AND AMERICAN LAND TITLE COMPANY AS TRUSTEE FOR CFC MORTGAGE CORPORATION, A CALIFORNIA CORP., AS BENEFICIARY, IN THE AMOUNT OF \$95,200.00, RECORDED MARCH 25, 1994 AS INSTRUMENT NO. 222030, RECORDS OF LEMHI COUNTY, IDAHO

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

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

Dated: NOVEMBER 16, 1996

Robert K. Dodder

ROBERT K. DODDER

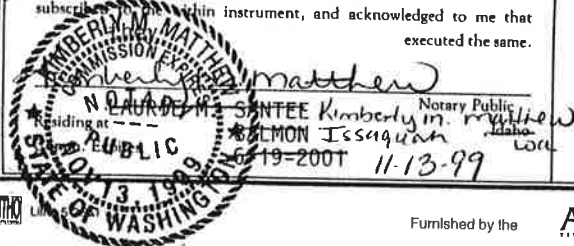
Karen M. Dodder

KAREN M. DODDER

Washington
STATE OF IDAHO, COUNTY OF Lemhi
On this 16th day of NOVEMBER, 1996
before me, a notary public in and for said State, personally appeared

ROBERT K. DODDER AND
KAREN M. DODDER

known to me to be the personS whose nameS are
subscribed to the within instrument, and acknowledged to me that
executed the same.



231854

State of Idaho
County of Lemhi

SS No.

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

at 3:30 o'clock P.M. Nov. 20, 1996

and duly filmed and indexed in the records of Lemhi

County

Alberta Wiederrick
Ex-Officio Recorder

By Jana L. Atkins Deputy,

File 3.00

Return to Alliance Title



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

August 8, 1996

KARL J. DREHER
DIRECTOR

JEFF REYNOLDS
PO BOX 404
HAMILTON MT 59840-0404

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim No. A75-04409
Change of Address

Dear Claimant,

IDWR has been notified the address presently in our claim records is incorrect. Although we have reached you at the address above, we need you to confirm this is your correct mailing address. Future notices related to your SRBA claim can be sent only to the address on your claim or as otherwise changed by you. The staff of this agency must avoid relying upon the word of others about your mailing address.

If the address above is correct, please sign your name at the bottom of this letter, and return it to this office. Otherwise, please make the proper corrections, sign, and return this letter. Thank you for your help. We hope to assure that you receive future notices about SRBA matters.

If the ownership of the property to which the water right referenced above apply has changed, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Adjudication Bureau Staff

SO:ss:region

#####

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

Claimant Signature

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME REYNOLDS CLAIM IDENT. NO. A75-04409DATE RECEIVED 5/5/89 CK # _____ AMOUNT \$ _____

- | | YES | NO | Required Info? |
|--|----------|----------|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | _____ | * |
| 2. Is a priority date entered? | <u>X</u> | _____ | * |
| Is the priority date acceptable in view of mandatory filing dates? | <u>X</u> | _____ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | _____ | * |
| 3. (a) Is a source entered? | <u>X</u> | _____ | * |
| (b) Is a tributary to entered? (if required) N/A | <u>X</u> | _____ | * |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | _____ | * |
| 5. Is there a description of the diverting works? | <u>X</u> | _____ | * |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | <u>X</u> | _____ | * |
| Is the period of use included? | <u>X</u> | _____ | * |
| Is a quantity claimed for each use? | <u>X</u> | _____ | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | _____ | * |
| 8. If required is a consumptive use entered? N/A | <u>X</u> | _____ | * |
| Is the consumptive use correct? N/A | <u>X</u> | _____ | * |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <u>X</u> | _____ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | _____ | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | _____ | * |
| 12. Is the ownership of p.u. checked? | <u>X</u> | _____ | * |
| 13. Are other water rights listed or "none" indicated? | _____ | <u>X</u> | * |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A | <u>X</u> | _____ | * |
| 15. Is the basis of the claim indicated? | <u>X</u> | _____ | * |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A | <u>X</u> | _____ | * |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | <u>X</u> | _____ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | _____ | * |
| 19. Was this claim filed on time, or was an extension granted? | <u>X</u> | _____ | * |
| 20. Is the fee enclosed correct? Exempt | <u>X</u> | _____ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? N/A | <u>X</u> | _____ | * |
| 22. Should this claim be data entered? | <u>X</u> | _____ | * |

Claim checked by: TO Date: 5/11/89Claim must be returned to claimant: (Yes) X (No)Claimant must be notified of modifications: (Yes) X (No)Receipt Prepared by: _____ Date: _____
Claim data entered by: _____ Date: _____
Sent to claimant by: _____ Date: _____
Checked by: _____ Date: _____

Comments: _____

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DEC 15 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: December 21, 1988

Jeff Reynolds
P.O. Box 1141
North Fork, ID 83466

RE: Water Right Claim Returned

Dear Mr. Reynolds:

The Idaho Department of Water Resources (IDWR) is returning your check #339 and Notice of Claim to Water Right because of insufficient information. All items on the claim form must be correctly completed and fees submitted before the IDWR can process the claim.

Please complete or correct the claim form items identified below and return the form to the IDWR before the Lemhi County filing deadline (tentatively scheduled 5/10/1990).

- ✓ - Item #8: Enter the consumptive use. The consumptive use for your area should be 2.5 multiplied by the number of acres irrigated (= 10 ac-ft/annum).
- ✓ - Insufficient Fee: The filing fee for irrigation claims is \$50.00 plus \$1.00 per irrigated acre (\$54.00 total).

If you have any questions, please call the IDWR at (208)-525-7161.

Sincerely,

Tony Olenichak
Water Rights Agent, SR

Enclosure

RECEIVED

MAY 5 1989

Department of Water Resources
Eastern District Office

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

In Re Snake River Basin Adjudication Case)
No. 39576)

Notice of Filing Director's Report and Supplemental
Director's Report Part II & III, United States' and Tribal
Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH THE DISTRICT COURT. A SUPPLEMENTAL DIRECTOR'S REPORT PART II & III HAS ALSO BEEN FILED WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORTS, AND DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

**THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORTS OF U.S. AND
TRIBAL NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT**

34716
Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720

C
A75-04409

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

RECEIVED

APR 2 1993

Department of Water Resources

REYN141

JEFF REYNOLDS
PO BOX 141
NORTH FORK ID 83466

REYN141 834663007 1C93 04/18/93
FORWARDING TIME EXPIRED
REYNOLDS
PO BOX 404
HAMILTON MT 59840-0404
RETURN TO SENDER



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 75-4409
Date Received: 5/5/1989
Receipt No: E007180
Received By:

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

1. Name of Claimant(s)

JOEL BENDER Phone: (406) 363-6818

633 FISH HATCHERY RD
HAMILTON MT USA 59840

NANCY BENDER Phone: (406) 363-6818

633 FISH HATCHERY RD
HAMILTON MT USA 59840

2. Date of Priority: 10/02/1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	19E	13	NW SE	LEMHI	

5. Description of diverting works:

IRRIGATION DITCHES, DIVERTED DIRECTLY FROM STREAM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.08	

7. Total Quantity Appropriated is:
0.08 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
24N	19E	13	NW	SE	IRRIGATION	4
					Section Acres	4
					Total Acres	4

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:

CHANGED OWNERSHIP 3/17/97/JT

15. Basis of Claim: Statutory Claim

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: **A75-04409**
Date Received: 5/ 5/1989
Receipt No: E007180
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: SHERRY M HEIDEN 208-394-2179
Address: PO BOX 263
NORTH FORK ID 83466

2. Date of Priority: OCT 2, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	19E	13	NW	SE			LEMHI

5. Description of diverting works:
IRRIGATION DITCHES, DIVERTED DIRECTLY FROM STREAM

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		

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

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	19E	13	NW	SE		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
----------	-------	---------	------------	-----	-----	-------

					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:
CHANGED OWNERSHIP 3/17/97/JT

15. Basis of Claim: STATUTORY CLAIM

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: A75-04409
Date Received: 5/05/1989
Receipt No: E007180
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEFF REYNOLDS 208-549-3014
Address: P.O. BOX 1141
NORTH FORK, ID 83466

2. Date of Priority: OCT 02, 1916

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	19E	13	NW	SE			LEMHI

5. Description of diverting works:
IRRIGATION DITCHES, DIVERTED DIRECTLY FROM STREAM

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		

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

8. Total consumptive use is 10.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	19E	13	NW	SE		IRR	4.0
Section Acres							4.0

A75-04409

Page 1

Date: 06/19/89

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10. Place of Use: Continued

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:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A75-04409

Date Received 5/5/89

Receipt Number E007180

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MAY 5 1989

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 26 1988

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Jeff Reynolds Phone (503) 579-3014
Mailing Address Po Box 1141 North Fork ID Zip 83466

2. Date of Priority (Only one (1) per claim) Oct 2, 1916

3. Source of water supply (a) Indian Creek
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 24N Range 19E Section 13,
NW 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Irrigation ditches. Diverted

direct from stream

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 11/1 amount .08 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 10 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
24N	19E	13														4			4

Total number of acres irrigated

4

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

or None ()

14. Remarks:

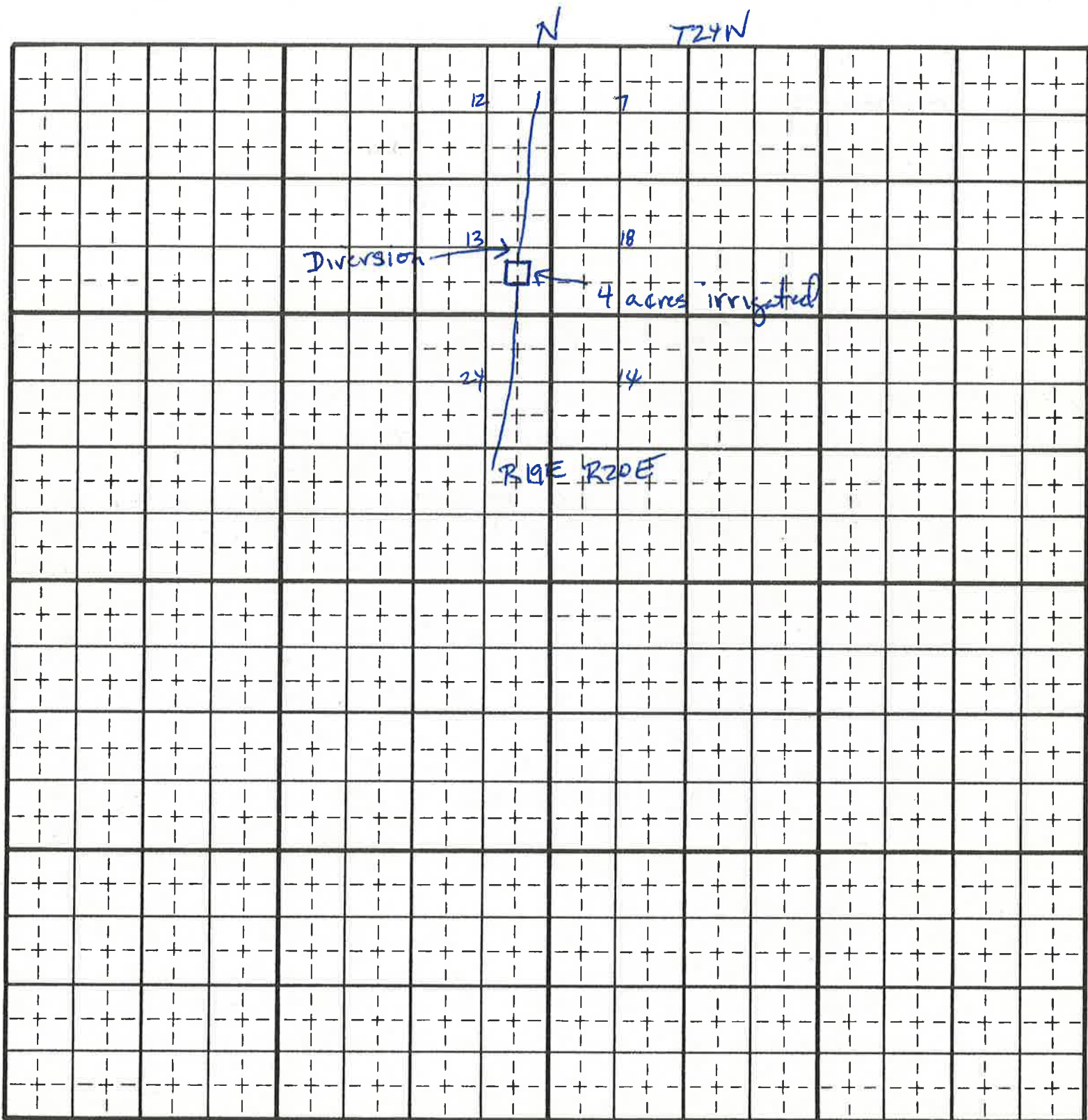
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Last Name Reynolds Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



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DEC 15 1992

Last Name Reynolds

Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 75-4409

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____

Date 10/17/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of ~~Idaho~~ or OREGON)

County of DESCHUTES)

SS.

Subscribed and sworn (or affirmed) before me this 24th day of OCTOBER 19 88

SEAL

Notary Public William R. Nelson

Residing at BEND, OREGON

My Commission Expires 3/29/89

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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DEC 15 1992

Last Name Reynolds Ident. Number _____

Copies White-State, Yellow-Claimant