

10/04/2006

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

RIGHT NUMBER: 75-4477

NAME AND ADDRESS: WILLIAM A LANE  
12 WAGON WHEEL RD  
SALMON ID 83467

SOURCE: WASTE WATER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.090 CFS

PRIORITY DATE: 09/08/1911

POINT OF DIVERSION:

T21N R22E S7 SWSE Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.090 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T21N R22E S07 SWSE 3.00

3 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



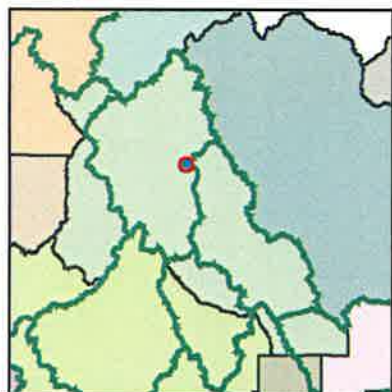
# Idaho Department of Water Resources

SRBA Claim:

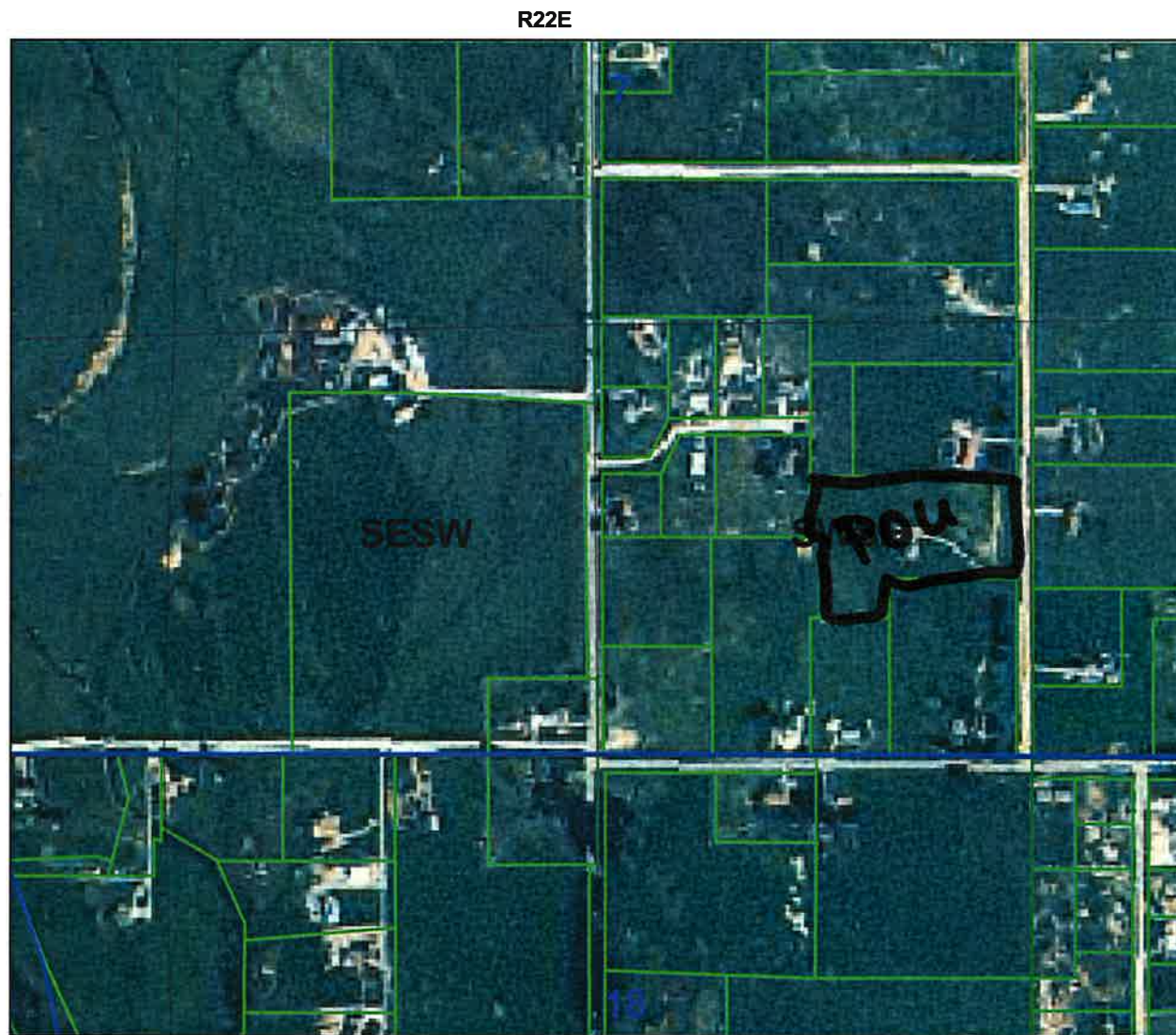
**75-4477**

## Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County  
IDWR Basin 75



0 0.2 0.4 Miles

Prepared by R. Brown  
On Tuesday, May 16, 2006  
1987/88 Aerial Photography



**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](http://www.idwr.idaho.gov)

**EASTERN REGION**

**C. L. "BUTCH" OTTER**  
Governor

**DAVID R. TUTHILL, JR.**  
Director

January 15, 2008

DINO BROWN & CLARE KOVACS  
12 WAGON WHEEL RD  
SALMON ID 83467

RE: Notice of Change of Water Right Ownership (NCO) for 75-4477 & 75-7185  
and Notice of Completed Administrative Proceeding (NCAP)

Dear Sir/Madam:

On October 26, 2008 the Idaho Department of Water Resources (IDWR) received 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: WILLIAM LANE

SCANNED  
JAN 22 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: 75-4477 & 75-7185

Case No. 39576

NOTICE OF COMPLETED  
ADMINISTRATIVE  
PROCEEDING

IDWR has completed the following Administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party LANE-BROWN & KOVACS
- ☐ I.C. § 42-222 transfer
- |                                               |                                              |
|-----------------------------------------------|----------------------------------------------|
| <input type="checkbox"/> point of diversion   | <input type="checkbox"/> place of use        |
| <input type="checkbox"/> period of use        | <input type="checkbox"/> nature of use       |
| <input type="checkbox"/> split of water right | <input type="checkbox"/> 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: Jan 15, 2008

Ernest Carlson

Signature of IDWR Representative

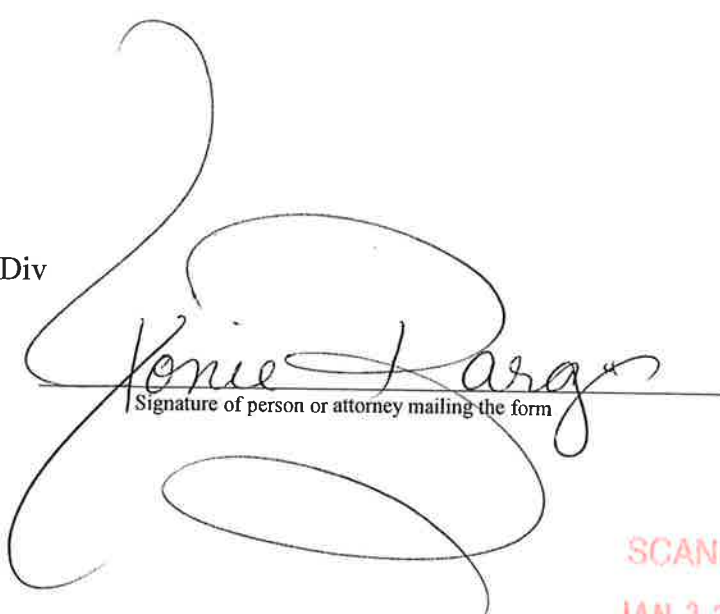
SCANNED

JAN 22 2008

### CERTIFICATE OF MAILING

I certify that on January 18, 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:  
William A lane  
12 Wagon Wheel Rd  
Salmon ID 83467
3. One copy to:  
Claimant/Purchaser for Substitution of Party, or attorney of record:  
Dino Brown and Clare Kovacs  
12 Wagon Wheel Rd  
Salmon ID 83467
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

01/15/2008

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

RIGHT NUMBER: 75-4477

NAME AND ADDRESS: DINO BROWN  
12 WAGON WHEEL RD  
SALMON ID 83467

CLARE KOVACS  
12 WAGON WHEEL RD  
SALMON ID 83467

SOURCE: WASTE WATER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.090 CFS

PRIORITY DATE: 09/08/1911

POINT OF  
DIVERSION: T21N R22E S7 SWSE Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.090 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S07 SWSE 3.00

3 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

JAN 22 2008

01/15/2008

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

RIGHT NUMBER: 75-7185

NAME AND ADDRESS: DINO BROWN  
12 WAGON WHEEL RD  
SALMON ID 83467

CLARE KOVACS  
12 WAGON WHEEL RD  
SALMON ID 83467

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

PRIORITY DATE: 10/27/1980

POINT OF  
DIVERSION: T21N R22E S7 SWSE 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           | 0.040 CFS       |
| DOMESTIC                    | 1/01 12/31           | 0.040 CFS       |
| Domestic use is for 1 home. |                      |                 |

PLACE OF USE: IRRIGATION in LEMHI County  
T21N R22E S07 SWSE 2.00  
DOMESTIC in LEMHI County  
T21N R22E S07 SWSE

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 - License

SCANNED

JAN 22 2008

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

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

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

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
|                       | 75-4477                      |       |                       |                              |       |
| pd -                  | 75-7185                      |       | OK JC                 |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

**OR**

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

3. Name and Address of Former Owner/Claimant(s) William A. Lane

4. New Owner/Claimant(s) Salmon ID 83467

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

New Mailing Address 12 Wagon Wheel RD

City, State and ZIP Code Salmon ID 83467

New Telephone Number (208) 303-0310

5. Date you acquired the property 10/15/2007

RECEIVED

OCT 26 2007

Department of Water Resources  
 Eastern Region

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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

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

**For Office Use Only**

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

SCANNED  
JAN 22 2009

State of Idaho  
County of Lemhi ) SS No. 273475  
This instrument was filed for record at the request  
of Alliance Title  
at 10:15 o'clock am 10-15 2007  
and duly filmed and indexed in the records of Lemhi  
County  
Terri J. Marion  
Ex-Officio Recorder  
By Elycia Carder Deputy  
Fee 6.00  
Return to A-T

## WARRANTY DEED

Order No.:3070704406L-D

### FOR VALUE RECEIVED

**William A. Lane, a single person**

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

**Dino Brown and Clare Kovacs**

whose current address is

**P.O. Box 6035 Hinton, AB T7V1X-4000 Canada**

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

**A PARCEL OF LAND LOCATED IN THE SW1/4SE1/4 OF SECTION 7,  
TOWNSHIP 21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:**

**COMMENCING AT THE SOUTHEAST SECTION CORNER OF SAID  
SECTION 7, A DISTANCE OF 1355.44 FEET ON A BEARING OF N. 89° 49' W.,  
ALONG THE SOUTH SECTION LINE OF SECTION 7; THENCE N. 0° 00' 33" E., A  
DISTANCE OF 537.00 FEET TO THE REAL POINT OF BEGINNING.**

**FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 306.11 FEET  
CONTINUING ON A BEARING OF N. 0° 00' 33" E.;**

**THENCE N. 89° 59' 27" W., 647.86 FEET;**

**THENCE S. 0° 04' 21" E., 179.80 FEET;**

**THENCE S. 89° 50' 00" E., 30.00 FEET;**

**THENCE S. 0° 04' 21" E., 244.05 FEET;**

**THENCE S. 89° 49' 00" E., 207.89 FEET;**

**THENCE N. 0° 11' 00" W., 118.37 FEET;**

**THENCE S. 89° 59' 27" E., 409.75 FEET TO THE REAL POINT OF  
BEGINNING.**

### ALSO DESCRIBED AS:

**LOT 2 IN BLOCK 2 OF WAGON WHEEL DEVELOPMENT, INC., RANCHETTES  
SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF FILED FOR  
RECORD IN BOOK 4 OF PLATS AT PAGE NO. 32, RECORDS OF LEMHI COUNTY,  
IDAHO.**

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: 10-15-07

William A. Lane  
William A. Lane

SCANNED  
JAN 22 2008

State of Idaho

}

} ss.

County of Lemhi

}

On this 15<sup>th</sup> day of October, in the year 20 07 before me, a Notary Public in and for said state, personally appeared William A. Lane 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.



Sheri Hall  
Notary Public for the State of Idaho  
Residing at: Salmon  
Commission Expires: 4/24/2009

SCANNED

JAN 22 2008

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

CLAIM NO(s). 75-4477

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.: A0017299

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:

Ditch to pump

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

Ditch to pump to sprinklers

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 08-01-06

FIELD EXAMINER: Asher Barton

Print Name

Asher Barton  
Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov).

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 1, 2005

WILLIAM A LANE  
12 WAGON WHEEL RD  
SALMON ID 83467

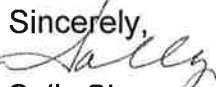
RE: Snake River Basin Adjudication (SRBA)  
Notices of Claim to a Water Right #75-4477 and 75-7185

Dear Claimant:

We have processed your change in ownership of the Notices of Claim referenced above. Thank you for your patience.

Enclosed are copies of your Notices of Claim for your file. Please refer to these record numbers in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Sincerely,  
  
Sally Sherman  
Technical Records Specialist  
Adjudication Bureau

SS:region  
Enclosures:

Copies of Notices of Claim Referenced Above

75-1464

SCANNED  
JUN - 1 2005

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

**RECEIVED**  
**AUG 18 2004**  
**DEPARTMENT OF**  
**WATER RESOURCES**

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

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

| Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split | Water<br>Right No(s). | Adjudication<br>Claim No(s). | Split |
|-----------------------|------------------------------|-------|-----------------------|------------------------------|-------|
| 75-7185               | 75-7185                      |       |                       |                              |       |
| 75-4477               | 75-4477                      |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |
|                       |                              |       |                       |                              |       |

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):  
**PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

**OR**

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

3. Name and Address of Former Owner/Claimant(s) Glenda M. Fish
4. New Owner/Claimant(s) William A. Lane  
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or  
 New Mailing Address 12 Wagon Wheel Rd,  
 City, State and ZIP Code Salmon ID 83467  
 New Telephone Number ( )
5. Date you acquired the property 7/19/2004

*O.K. to process*  
*5/18/05 RBrown*

**SCANNED**

JUN - 1 2005

**SCANNED**  
**AUG 18 2004**

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

| DESCRIPTION OF YOUR PORTION OF WATER RIGHT<br>(If the right(s) will not be split, skip this area and proceed to item 7) |                                                                            |                                                              |
|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|--------------------------------------------------------------|
| Water Right and/or Adjudication Claim Number _____                                                                      |                                                                            |                                                              |
| Water Use                                                                                                               | Diversion Rate or Volume<br>(cubic feet per second or acre-feet per annum) | Description<br>(acres, number and type of stock, homes, etc) |
| Irrigation                                                                                                              | _____                                                                      | _____                                                        |
| Stock                                                                                                                   | _____                                                                      | _____                                                        |
| Domestic                                                                                                                | _____                                                                      | _____                                                        |
| Other _____                                                                                                             | _____                                                                      | _____                                                        |
| <b>Total</b>                                                                                                            | _____                                                                      | _____                                                        |

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

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

**For Office Use Only**

Received by \_\_\_\_\_ Date \_\_\_\_\_ Fee \_\_\_\_\_  
 Receipted by \_\_\_\_\_ Date \_\_\_\_\_ Receipt No. \_\_\_\_\_  
 Processed by AP AJ Date 6-7-05 WR \_\_\_\_\_ Date \_\_\_\_\_

SCANNED  
AUG 18 2004

SCANNED  
JUN - 1 2005

A PARCEL OF LAND LOCATED IN THE SW1/4SE1/4 OF SECTION 7,  
TOWNSHIP 21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEAST SECTION CORNER OF SAID  
SECTION 7, A DISTANCE OF 1355.44 FEET ON A BEARING OF N. 89° 49' W.,  
ALONG THE SOUTH SECTION LINE OF SECTION 7; THENCE N. 0° 00' 33" E., A  
DISTANCE OF 537.00 FEET TO THE REAL POINT OF BEGINNING.

FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 306.11 FEET  
CONTINUING ON A BEARING OF N. 0° 00' 33" E.;

THENCE N. 89° 59' 27" W., 647.86 FEET;

THENCE S. 0° 04' 21" E., 179.80 FEET;

THENCE S. 89° 50' 00" E., 30.00 FEET;

THENCE S. 0° 04' 21" E., 244.05 FEET;

THENCE S. 89° 49' 00" E., 207.89 FEET;

THENCE N. 0° 11' 00" W., 118.37 FEET;

THENCE S. 89° 59' 27" E., 409.75 FEET TO THE REAL POINT OF  
BEGINNING.

ALSO DESCRIBED AS:

LOT 2 IN BLOCK 2 OF WAGON WHEEL DEVELOPMENT, INC., RANCHETTES  
SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF FILED FOR  
RECORD IN BOOK 4 OF PLATS AT PAGE NO. 32, RECORDS OF LEMHI COUNTY,  
IDAHO...

SCANNED  
AUG 18 2004

AUG 18 2004

DEPARTMENT OF  
WATER RESOURCES

06/23/2004

Page 1

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-7185

WATER RIGHT NUMBER: 75-7185

| <u>Owner Type</u> | <u>Name and Address</u>                                               |
|-------------------|-----------------------------------------------------------------------|
| Original Owner    | LEON D PORTONE<br>RT 1 BOX 157A<br>SALMON, ID 83467<br>(208)756-4810  |
| Original Owner    | ALICE R PORTONE<br>RT 1 BOX 157A<br>SALMON, ID 83467<br>(208)756-4810 |
| Current Owner     | LE ROY H FISH<br>PO BOX 1081<br>SALMON, ID 83467<br>(208)756-3250     |

Priority Date: 05/07/1981

Basis: License

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| GROUND WATER  |                  |

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

Location of Point(s) of Diversion

|              |            |                                |
|--------------|------------|--------------------------------|
| GROUND WATER | SW1/4SE1/4 | Sec. 7, Twp 21N, Rge 22E, B.M. |
| LEMHI County |            |                                |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |     |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW  | SE |        |
| 21N | 22E | 7   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 2.0 |    | 2.0    |

Total Acres: 2

DOMESTIC

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 21N | 22E | 7   |    |    |    |    |    |    |    |    |    |    |    |    |    |    | X  |    |        |

SCANNED  
AUG 18 2004

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 75-7185

Conditions of Approval:

Remarks:

Comments:

Dates and Other Information:

Claim Received Date: 5/9/1990  
Enlargement Use Priority Date:  
Enlargement Statute Priority Date:  
State or Federal: S  
Owner Name Connector: OR  
Water District Number:  
Generic Max Rate Per Acre:  
Generic Max Volume Per Acre:  
Swan Falls Trust or Nontrust:  
Swan Falls Dismissed:  
DLE Act Number:  
Carey Act Number:  
Mitigation Plan: False

Combined Use Limits:

SCANNED  
AUG 18 2004

SCANNED

OCT 1 1993

OCTOBER 22, 1993

LE ROY H FISH  
PO BOX 1081  
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-04477 AND -07185

Dear Mr. Fish:

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

Enclosed are typed Notices 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 these Notices for your records.

Respectfully submitted,

Gregory J. Taylor  
Sr. Water Agent, Adjudications

GT:jt

Enclosure: Notice(s) of Claim

MICROFILMED

APR 19 1994

# Warranty Deed

RECEIVED  
AUG 18 2004  
DEPARTMENT OF  
WATER RESOURCES

For Value Received GLENDA M. FISH, a single woman,

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

WILLIAM A. LANE, a single person,

whose current address is 12 Wagon Wheel Rd, Salmon ID 83467

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

SEE EXHIBIT "A" ATTACHED HERETO;

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, 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: July 19 2004

*Glenda M. Fish*  
GLENDA M. FISH

STATE OF IDAHO, COUNTY OF Lemhi--ss  
On this 19th day of July, 1904  
before me, a notary public in and for said State, personally appeared

GLENDA M. FISH



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

Notary Public,  
Idaho

259375  
State of Idaho ) SS No.  
County of Lemhi )  
This instrument was filed for record at the request  
of Alliance Title  
at 3:31 o'clock P.M. 7-21-2004  
and duly filed and indexed in the records of Lemhi  
County Terri J. Morton  
Ex-Officio Recorder  
By *Anna Eagle* Deputy  
Fee 6.00  
Return to A.T.

SCANNED  
AUG 18 2004



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

OCT 12 1993

Department of Water Resources  
Eastern District Office

DATE OF CLOSING: 9/23/93

LEGAL DESCRIPTION OF PROPERTY: Township 21N Range 22E  
Section 7, SW 1/4 of SE 1/4 of 1/4 Govt. Lot       , BM.

A.K.A. Lot 2, Block, 2, Subdivision/Townsite WAGON WHEEL DEVELOPMENT, Inc. RANCHETTES  
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:

(well) A75-04477 OK BT.  
75-7185 and ditch claim 5/8/1990 COPIES ATTACHED.  
(4-19-1990)

☐ Name and Address of Former  
Owner/Claimant(s)(Seller):

LEON D. PORTONE  
RT. 1 Box 157A  
Salmon, Idaho 83467

☐ New Owner/Claimant  
(Purchaser):

LEROY H. FISH

☐ New Mailing Address:

P.O. Box 1081  
Salmon, Idaho  
83467

☐ New Telephone Number:

(208) 756-3250

☐ 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 with legal descrip.

(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)

LEROY H. FISH Date 10-6-93

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

MICROFILMED

APR 19 1994

OCT 10 1991

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: A75-04477  
Date Received: 5/10/1990  
Receipt No: E014361  
Received By: \_\_\_\_\_

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: LE ROY H FISH  
Address: PO BOX 1081  
SALMON ID 83467  
208-756-3250

2. Date of Priority: SEP 8, 1911

3. Source: WASTEWATER Trib. to: SALMON RIVER

4. Point of Diversion:

|          |       |         |        |        |     |     |        |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 21N      | 22E   | 7       | SE     | SW     |     |     | LEMHI  |

5. Description of diverting works:  
DITCH/ GRAVITY SYSTEM

6. Water is used for the following purposes:

|            |       |       |       |      |        |
|------------|-------|-------|-------|------|--------|
| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 0.100 |      |        |

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:  
NONE

10. Place of Use:

|          |       |         |        |     |     |     |       |
|----------|-------|---------|--------|-----|-----|-----|-------|
| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
| 21N      | 22E   | 7       | SW     | SE  |     | IRR | 3.0   |

Section Acres 3.0

10. Place of Use: Continued

Total Acres                      3.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:  
    NONE

14. Remarks:

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: A75-04477  
Date Received: 5/09/1990  
Receipt No: E014361  
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: LEON D. PORTONE  
Address: RT. 1, BOX 157A  
SALMON, ID 83467  
208-756-4810
2. Date of Priority: SEP 08, 1911
3. Source: WASTEWATER Trib. to: SALMON RIVER
4. Point of Diversion:  
Township Range Section 1/4 of 1/4 of 1/4 Lot County  
21N 22E 7 SE SW LEMHI
5. Description of diverting works:  
DITCH/ GRAVITY SYSTEM
6. Water is used for the following purposes:  
Purpose From To C.F.S. (or) A.F.A.  
IRRIGATION 04/01 11/01 0.100
7. Total Quantity Appropriated is:  
0.100 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 7.5 Acre Feet Per Annum.
9. Non-irrigation uses:  
NONE
10. Place of Use:

| Township | Range | Section | 1/4 of        | 1/4 of        | Lot | Use | Acres |
|----------|-------|---------|---------------|---------------|-----|-----|-------|
| 21N      | 22E   | 7       | <del>SE</del> | <del>SW</del> |     | IRR | 3.0   |
|          |       |         | SW            | SE            |     |     |       |

A75-04477

Page 1

Date: 05/24/90

MICROFILMED

DEC 15 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of 1/4 | Lot | Use           | Acres |
|----------|-------|---------|------------|-----|---------------|-------|
|          |       |         |            |     | Section Acres | 3.0   |
|          |       |         |            |     | Total Acres   | 3.0   |

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:  
NONE

14. Remarks:

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: \_\_\_\_\_

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

A75-04477

Date Received

5-9-90

Receipt Number

E014361  
CK# 3751 5300

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 9 1990

Department of Water Resources  
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) LEON D PORTONE Phone (208) 756-4810Mailing Address RT 1 BOX 157 A SALMON ID Zip 834672. Date of Priority (Only one (1) per claim) SEPT 8 19113. Source of water supply (a) WASTE WATER  
which is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 21 N Range 22 E Section 7,  
\_\_\_\_\_ 1/4 of S/E 1/4 of S/W 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 \_\_\_\_\_

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. DITCH WITH GRAVITY SYSTEM

A7504477



MICROFILMED

DEC 15 1992

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 0.10 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.10 CFS (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 0 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   |
|------------|------------|----------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|--------|-------|----------|-------|----------|
|            |            |          | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4    | SE1/4 |          |
| <u>21N</u> | <u>22E</u> | <u>7</u> |        |       |       |       |        |       |       |       |        |       |       |       |        |       | <u>3</u> |       | <u>3</u> |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |          |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |          |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |          |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |          |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |          |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |          |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |        |       |          |       |          |

Total number of acres irrigated 3

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.  
75 44 77 or None ( )

14. Remarks: WAGON WHEEL DEV. INC. RANCHETTES "A" DIV.  
LOT # 2

MICROFILMED  
DEC 15 1992

Last Name PORTONE Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

A 20x20 grid of squares, each containing a crosshair symbol. The grid is used for plotting data points. Handwritten blue ink annotations include "R 22E" at row 12, column 10; "4 21 N" at row 13, column 4; "7" at row 13, column 10; and "SE 1 SW" at row 14, column 6.

POINT OF DEVERSION  
PLACE OF USE

MICROFILMED

DEC 15 1992

Last Name PORTONE

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 754477  
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 0

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

Signature of Claimant (s) Leon D Portone

Date May 8 1990

Date \_\_\_\_\_

For Organizations: I do solemnly swear or affirm that I am \_\_\_\_\_

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 \_\_\_\_\_ )  
County of Lemhi ) SS.

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

SEAL

Notary Public Kenneth Bittick

Residing at Salmon, ID 83467

My Commission Expires 4-26-94

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 \_\_\_\_\_

Last Name PORTONE Ident. Number \_\_\_\_\_

MICROFILMED

DEC 15 1992

Copies White-State, Yellow-Claimant

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4477

WATER RIGHT NUMBER: 75-4477

| <u>Owner Type</u> | <u>Name and Address</u>                                              |
|-------------------|----------------------------------------------------------------------|
| Original Owner    | LE ROY H FISH<br>PO BOX 1081<br>SALMON, ID 83467<br>(208)756-3250    |
| Original Owner    | LEON D PORTONE<br>RT 1 BOX 157A<br>SALMON, ID 83467<br>(208)756-4810 |
| Current Owner     | WILLIAM A LANE<br>12 WAGON WHEEL RD<br>SALMON, ID 83467              |

Priority Date: 09/08/1911

Basis: Statutory Claim

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| WASTE WATER   | SALMON RIVER     |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01           | 0.100 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.100 CFS             |                      |

Location of Point(s) of Diversion

|              |            |                                |
|--------------|------------|--------------------------------|
| WASTE WATER  | SE1/4SW1/4 | Sec. 7, Twp 21N, Rge 22E, B.M. |
| LEMHI County |            |                                |

Place of UseIRRIGATION Within LEMHI County

T21N R22E S07 SWSE 3.0

Total Acres: 3

Conditions of Approval:Remarks:

SCANNED

JUL 21 2005

# Warranty Deed

For Value Received

LEON D. PORTONE AND ALICE R. PORTONE, husband and wife  
the grantor S, do hereby grant, bargain, sell and convey unto

LEROY H. FISH AND GLENDA M. FISH, husband and wife  
whose current address is

PO BOX 1081  
SALMON, ID 83467

the grantee S, the following described premises, in

LEMHI

County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

SUBJECT TO: ALL existing patent reservations, easements, rights of way, protective covenants, zoning ordinances and applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S,  
their heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said  
Grantee S, that they're the owner 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: September 23, 1993

*Leon D. Portone*  
LEON D. PORTONE

*Alice R. Portone*  
ALICE R. PORTONE

STATE OF IDAHO, COUNTY OF LEMHI  
On this 23rd day of SEPTEMBER, 1993,  
before me, a notary public in and for said State, personally appeared

LEON D. PORTONE  
ALICE R. PORTONE  
HUSBAND AND WIFE.

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

*Janice M. Santee*  
SALMON, ID Notary Public  
Residing at 06/19/95  
Comm. Expires , Idaho

State of Idaho ) 220013  
County of Lemhi ) ss No. \_\_\_\_\_

This instrument was filed for record at  
the request of *American Land Title*  
at 3:48 o'clock *7* m *9-23* 19 *93*  
and duly filmed and indexed in the  
records of Lemhi County

Alberta Wiederrick  
EX OFFICIO Recorder  
By *Lerni J. Morton* Deputy  
Fees: *6.00*

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE SW1/4SE1/4 OF SECTION 7,  
TOWNSHIP 21 N., RANGE 22 E., BOISE MERIDIAN, LEMHI COUNTY,  
IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEAST SECTION CORNER OF SAID  
SECTION 7, A DISTANCE OF 1355.44 FEET ON A BEARING OF N. 89  
DEGREES 49' W., ALONG THE SOUTH SECTION LINE OF SECTION 7;  
THENCE N. 0 DEGREES 00' 33" E., A DISTANCE OF 537.00 FEET TO  
THE REAL POINT OF BEGINNING.

FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 306.11  
FEET CONTINUING ON A BEARING OF N. 0 DEGREES 00' 33" E.;  
THENCE N. 89 DEGREES 59' 27" W., 647.86 FEET;  
THENCE S. 0 DEGREES 04' 21" E., 179.70 FEET;  
THENCE S. 89 DEGREES 50' 00" E., 30.00 FEET;  
THENCE S. 0 DEGREES 04' 21" E., 244.05 FEET;  
THENCE S. 89 DEGREES 49' 00" E., 207.89 FEET;  
THENCE N. 0 DEGREES 11' 00" W., 118.37 FEET;  
THENCE S. 89 DEGREES 59' 27" E., 409.75 FEET TO THE REAL  
POINT OF BEGINNING.

ALSO DESCRIBED AS:

LOT 2 IN BLOCK 2 OF WAGON WHEEL DEVELOPMENT, INC., RANCHETTES  
SUBDIVISION ACCORDING TO THE OFFICIAL PLAT THEREOF FILED FOR  
RECORD IN BOOK 4 OF PLATS AT PAGE NO. 32, RECORDS OF LEMHI  
COUNTY, IDAHO. . .

State of Idaho  
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 75-7185 Priority October 27, 1980 Amount 0.04 cfs

THIS IS TO CERTIFY, that Leon D. Portone

of Salmon, Idaho, has complied with the terms and conditions of Permit No. 75-7185 issued pursuant to Application for Permit dated October 27, 1980 and has submitted proof to the Department of Water Resources on April 25, 1983 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 0.04 cfs of water from a groundwater source tributary to \_\_\_\_\_, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

| Beneficial Use    | Period of Use                               | Rate of Diversion   | Annual Volume        |
|-------------------|---------------------------------------------|---------------------|----------------------|
| Domestic (1 Unit) | from <u>January 1</u> to <u>December 31</u> | <u>0.04</u> cfs and | <u>1.2</u> acre feet |
| Irrigation        | from <u>April 1</u> to <u>November 1</u>    | <u>0.04</u> cfs and | <u>6.0</u> acre feet |
|                   | from _____ to _____                         | at _____ cfs and    |                      |

(both dates inclusive)

Subject, however, to the condition that no more than 0.04 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed

7.2 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SE $\frac{1}{4}$  Section 7,

Twp 21N, Rge 22E in the County of Lemhi

Description and location of place of use:

| Twp. | Range | Sec. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | Totals |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 21N  | 22E   | 7    |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 2      |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 2

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, and is subject to all prior water rights, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29<sup>TH</sup> day of

JUNE

19 84

Acting for the Director

Norman C. Young

W. H. Andrews

J. Andrews

This Indenture made the Ninth day of July, in the year of our Lord One Thousand Eight Hundred and Nineteen, between William H. Andrews of Salma City, Lemhi County, Idaho, the party of the first part, and Norman J. Andrews of the same place, the party of the second part,

Witnesseth: That the said party of the first part, for and in consideration of the sum of Two Thousand Five Hundred (\$2500.00) Dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents, grant, bargain, sell and convey and confirm unto the said party of the second part, and to his heirs and assigns forever, All of that certain tract of land, situate, lying and being in Lemhi County, State of Idaho, and more particularly described as follows, to wit:

The South East quarter (SE 1/4) of Section Seven (7) in Township Twenty one (21) North of Range twenty two (22) East of Boise Meridian containing One Hundred and Sixty (160) acres of land, with all ditches and water

together with all and singular the tenements, hereditaments and appurtenances therunto belonging, or in anywise appertaining, and the rents, issues and profits thereof.

To have and to hold, all and singular the said premises, together with the appurtenances and privileges thereto incident, unto the said party of the second part, and to his heirs and assigns forever, And the said party of the first part, and his heirs, the said premises in quiet and peaceable possession of the party of the second part, his heirs and assigns, against the said party of the first part, and his heirs, and against all and every person and persons whomsoever lawfully claiming or to claim the same, shall and will Warrant, and by these presents defend.

In Testimony Whereof the said party of the first part has hereunto set his hands and seal the day and year first above written.

Signed sealed and delivered in the presence of

Timothy Dore

William H. Andrews

State of Idaho

County of Lemhi. On this Ninth day of July, in the year 1891, before me, Timothy Dore, Clerk of the District Court of the Fifth Judicial Dist of the State of Idaho in and for said County, personally appeared William H. Andrews, known 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 the seal of said Court the day and year first above written.

(Seal)

Timothy Dore  
Clerk

Recorded at the request of W. H. Andrews July 9th 1891, at 30 minutes past 4 o'clock P.M. in Records of Books Page 282 Records of the County of Lemhi, Idaho.

Timothy Dore  
County Recorder

SCANNED

JUL 21 2005

Deed Lands  
Certificate 474

The United States of America, To all to whom these presents shall come, Greeting:

Whereas William H. Andrews of Lemhi County Idaho Territory has deposited in the General Land Office of the United States a certificate of the Register of the Land Office at Hailey Idaho Territory, whereby it appears that full payment has been made by the said William H. Andrews according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provisions for the sale of the Public Lands" and the acts supplemental thereto for the South East quarter of Section seven, in Township twenty one North of Range twenty two East of Boise Meridian in Idaho Territory, containing one hundred and sixty acres, according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said tract has been purchased by the said William H. Andrews.

Now know ye, That the United States of America, in consideration of the premises and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said William H. Andrews and to his heirs, the said tract above described:

To have and to hold the same, together with all the rights, privileges, immunities and appurtenances of whatsoever nature thereunto belonging, unto the said William H. Andrews and to his heirs and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes and rights to ditches and reservoirs and in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted as provided by law.

In testimony whereof, Benjamin Harrison, President of the United States of America, has caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the ninth day of July in the year of our Lord one thousand eight hundred and eighty nine, and of the Independence of the United States the one hundred and fourteenth.

By the President: Benjamin Harrison

By M. McKean, Secretary

Recorded Vol 1, Page 263

J. M. Townsend  
Recorder of the General Land Office

Recorded at the request of Wm H. Andrews Jan 22nd 1890 at 5 O'Clock  
P. M. in Book D of Deeds page 44. Records of Lemhi County, Idaho Territory

Timothy Dore  
County Recorder

SCANNED

JUL 21 2005