

04/14/2005

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

RIGHT NUMBER: 75-7185
NAME AND ADDRESS: LE ROY H FISH
PO BOX 1081
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:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 11/01

0.040 CFS

DOMESTIC

1/01 12/31

0.040 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T21N R22E S07 SWSE 2.0

DOMESTIC Within 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: License

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO.:

75-7185

T21N R22E Sec 7

LEGEND



Point(s) of Diversion



Place(s) of Use

#

Lot Numbers



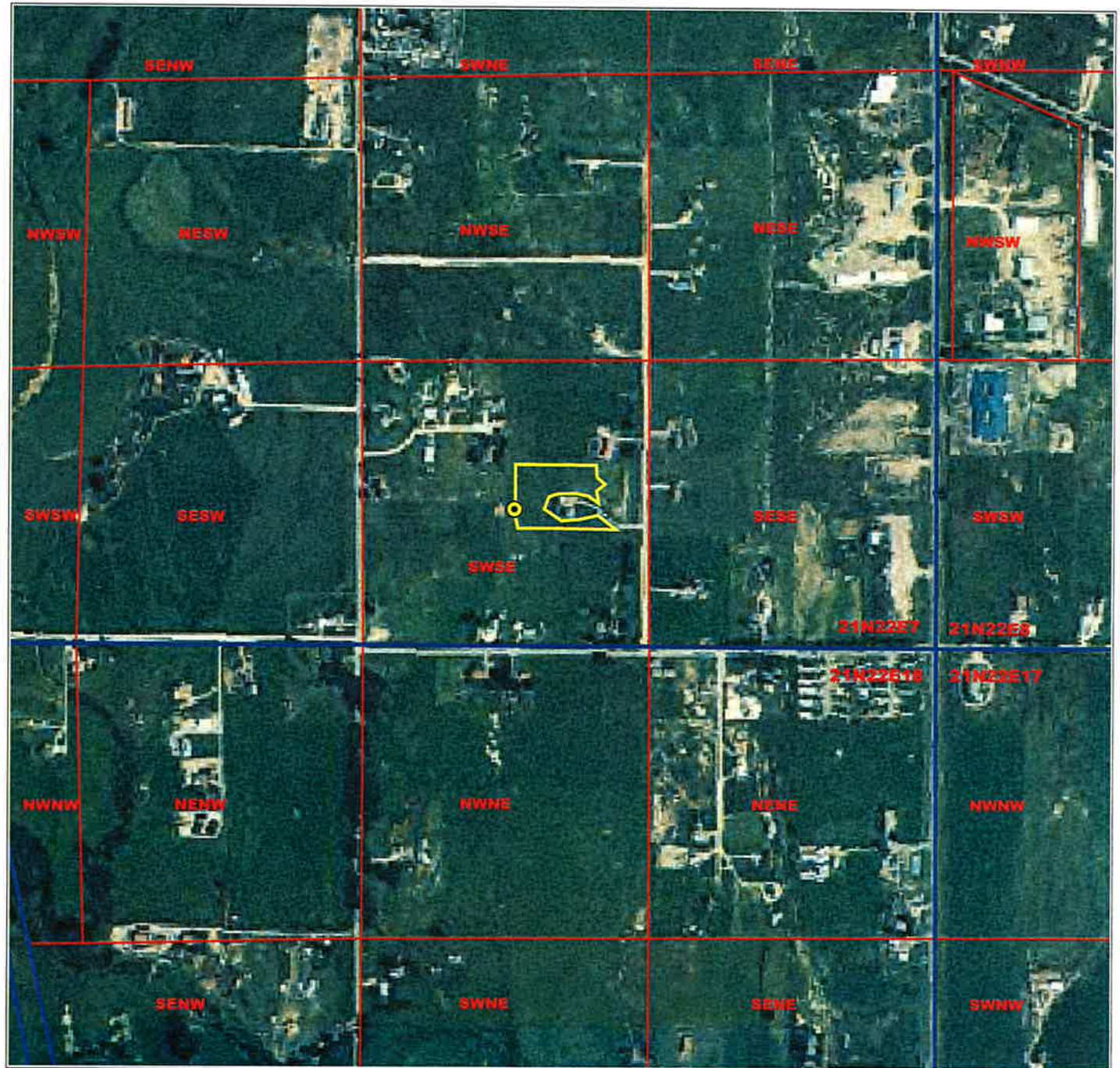
Quarter Quarter Lines



Section Lines

IMAGE

1993/1994 True Color



0.1 0 0.1 0.2 0.3 0.4 0.5 Miles



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

EASTERN REGION

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)

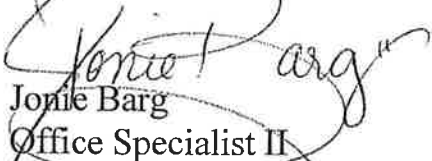
Dear Sir/Madam:

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

- ☐ point of diversion ☐ place of use
- ☐ period of use ☐ nature of use
- ☐ split of water right ☐ change in ownership

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

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

DATED: 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:

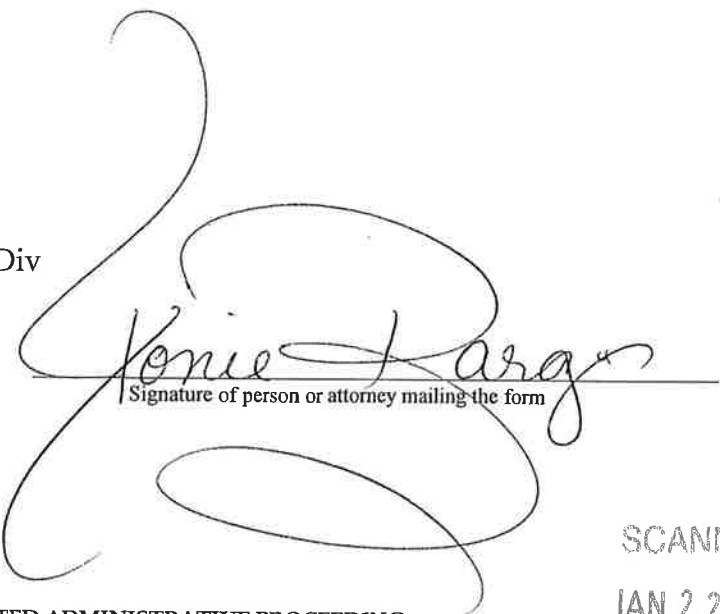
Each party in the subcase, or attorney of record

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:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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 Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	75-4477	ADJ			
pd -	75-7185	ADJ	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
Salmon ID 83467
4. New Owner/Claimant(s) Dino Brown for Clare Kovacs
 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 (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 (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

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

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

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

JAN 22 2008

State of Idaho)
County of Lemhi) SS No. 273475
This instrument was filed for record at the request
of Alliance Title
at 10:15 clock a.m. 10-15 2007
and duly filmed and indexed in the records of Lemhi
County
Terri J. Marion
Ex-Officio Recorder
By Eynice Lander 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

On this 15th day of October, in the year 2007 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.



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



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

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

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 be 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.

Jaime 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 P M 9-23 1993
and duly filmed and indexed in the
records of Lemhi County

Alberta Wiederrick
By *Lerni J. Morton* Deputy
Fee: 6.00

MICROFILMED

APR 19 1994

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. . .

MICROFILMED
APR 19 1994



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 WAGN WHEEL DEVELOPMENT, Inc. Ranchette
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 MT.
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 X 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

☐ 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

3/23/93 Mr. Portone called today regarding this
letter. He has been pre-disposed due to back-
surgery and unable to conduct business. He
does, however, intend to file for the irrigation
as described in this letter. He will be returning
to Idaho in April and will file w/ fee then.
ABR

MARCH 4, 1993

LEON D PORTONE
RT 1 BOX 157A
SALMON ID 83467

RE: ADJUDICATION NOTICE; A75-07185

Dear Mr. Portone:

Information on the Notice of Claim to a Water Right, A75-07185, indicates you are not claiming water for irrigation purposes. However, the original License for this right indicates 2.0 acres are under irrigation. The form you have used is limited to residential, stockwater and/or domestic rights with up to 1/2 acre of irrigation.

To claim irrigation of more than 1/2 acre from the well, you must use form #42-1409(2) enclosed. If you wish to maintain the irrigation portion of this right please complete the enclosed form, sign it, having your signature notarized and return it to this office.

The filing fee is \$50.00 plus \$1.00 per acre: in this case \$52.00. Taking into account the \$25.00 already paid, simply submit a check or money order for the balance due (\$27.00).

If you should have any questions regarding this matter please feel free to contact me at (208) 525-7161.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Agent - Adjudications

Enclosures: Form #42-1409
Copies of original claim and water right
license are enclosed to help complete the
new form.

File: TIC

MICROFILMED

APR 19 1994

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: **A75-07185**
Date Received: 5/ 9/1990
Receipt No: E014322
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

208-756-3250

83467

2. Date of Priority: MAY 7, 1981

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

31'6" WELL, 6" CASING, SUBMERSIBLE PUMP PIPED TO HOUSE.

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
21N	22E	7	SW	SE		IRR	2.0
			SW	SE		DOMEST	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	2.0
					Total Acres	2.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
WATER RIGHT 75-4477

14. Remarks:

15. Basis of Claim: LICENSE

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: **A75-07185**

Date Received: 5/ 9/1990

Receipt No: E014322

Received By:

*See Rec'd E018454 for add'l 27.00 to
Cover irrigation/9/4-15-93*

AMENDED

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

AMENDED

1. Name: LEON D. PORTONE 208-756-4810
Address: RT 1 BOX 157A
SALMON ID 83467

OR

Name: ALICE R. PORTONE 208-756-4810
Address: RT 1 BOX 157A
SALMON ID 83467

2. Date of Priority: MAY 7, 1981

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:

31'6" WELL, 6" CASING, SUBMERSIBLE PUMP PIPED TO HOUSE.

6. Water is used for the following purposes:

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

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 1 HOME

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	7	SW	SE		IRR	2.0
			SW	SE		DOMEST	

Section Acres 2.0

Total Acres 2.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
WATER RIGHT 75-4477

14. Remarks:

15. Basis of Claim: LICENSE

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 _____

SCANNED

SEP 26 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number A 75-07185Date Received 4-14-93Receipt Number E014322 / 5-9-90

also

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

APR 14 1993

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) LEON D. PORTONE OR ALICE R. Phone (208) 756-4810Mailing Address RT 1 BOX 157A SALMON ID Zip 834672. Date of Priority (Only one (1) per claim) 5-7-813. Source of water supply (a) _____
which is tributary to (b) _____4. a. Location of existing point of diversion is: Township 21 N Range 23 E Section 7,
_____ 1/4 of SW 1/4 of SE 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. WELL 6" DIA 31.6" DEEPSUBMERSIBLE PIPED TO HOME

A7507185



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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from JAN 1 to DEC 31 amount 0.04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is de MINIMUS acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC (1) ONE HOME

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	
21N	22E	7												2.0					2.0

Total number of acres irrigated 2.0

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.

WATER RIGHT # 75 44 77 or None ()

14. Remarks:

WAGON WHEEL DEV. INC. RANCHETTS - "A" DIV. LOT #2

Last Name PORTONE Ident No. A75-07185

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Copies: White- State, Yellow- Claimant

Scale: 2 inches equals 1 mile

A 20x20 grid of graph paper. The grid is composed of 20 columns and 20 rows of squares. In the center of the grid, the words "SECTION 7" are handwritten in a dark, bold font. Below this text, in the eighth column from the left and eighth row from the bottom, the text "40x4" is handwritten. The grid is otherwise empty, with no other markings or text.

Peritone

Ident No. A75-07185

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 75-7185
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) Leon D Portone

Date April 13 1993

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 _____

Title

of _____

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 Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 13th day of April 19 93

SEAL

Notary Public Natalie Banta

Residing at 1202 Leadore Ave

My Commission Expires 5-18-98

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 A-75-07185

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APR 19 1994

Copies White-State, Yellow-Claimant

4/11/1989

SBA CLAIMS RECEIVING CHECKLIST #1

CLAIMANT'S NAME

FORTONE

CLAIM IDENT. NO. 75-07185

DATE RECEIVED

CR #

AMOUNT \$

POOR ORIGINAL

1. Is the name and address complete with zip code? ☐
2. Is a priority date entered? ☐
3. Is the priority date acceptable in view of mandatory filing dates? ☐
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☐
- (b) Is a tributary to entered? (if required) ☐ N/A
4. Is the legal description of the p.d. sufficient? ☐
5. Is there a description of the diverting works? ☐
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. ☐
- Is the period of use included? ☐
- Is a quantity claimed for each use? ☐
7. Is a total quantity claimed entered? ☐
8. If required is a consumptive use entered? ☐ N/A
- Is the consumptive use correct? ☐ N/A
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. ☐ N/A
10. Is (are) the place(s) of use and purpose(s) indicated? ☐
11. Is (are) the county(ies) entered? ☐
12. Is the ownership of p.d. checked? ☐
13. Are other water rights listed or "none" indicated? ☐
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
15. Is the basis of the claim indicated? ☐
16. Is the claimant requested a monthly locker sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☐
18. Has the claim been signed, sealed, and dated by a notary? ☐
19. Was this claim filed on time, or was an extension granted? ☐
20. Is the fee enclosed correct? ☐ Example
21. If this claim is based on an existing water right, has the identification number been entered? ☐ N/A
22. Should this claim be data entered? ☐

Claim checked by: JX

Date: 12-5-90

Claim must be returned to claimant: ☐Claimant must be notified of modifications: ☐

Funding Prepared by: _____

Date: _____

Checked by: _____

Date: _____

Claim data entered by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Comments: WR'S Side shows this water right is for dom
ir. 2.0
3.0 acres V/Eric Needs ltr for different
See proof attached filing + fees

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APR 19 1994