

11/04/2006

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

RIGHT NUMBER: 75-14109

NAME AND ADDRESS: DEAN D FENHAUS
311 W 6TH ST
MARSHFIELD WI 54449

SUSAN L FENHAUS
311 W 6TH ST
MARSHFIELD WI 54449

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 08/01/1966

POINT OF DIVERSION:

T24N R21E S21 NENW 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	0.120 CFS
STOCKWATER	04/01 11/01	0.020 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T24N R21E S21 NWNE 0.20 T24N R21E S21 NENW 5.30

STOCKWATER same as IRRIGATION

5.5 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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MAY 12 2007

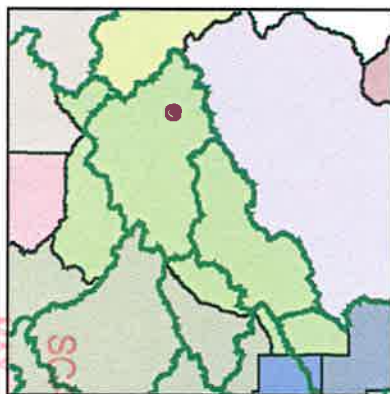


Idaho Department of Water Resources

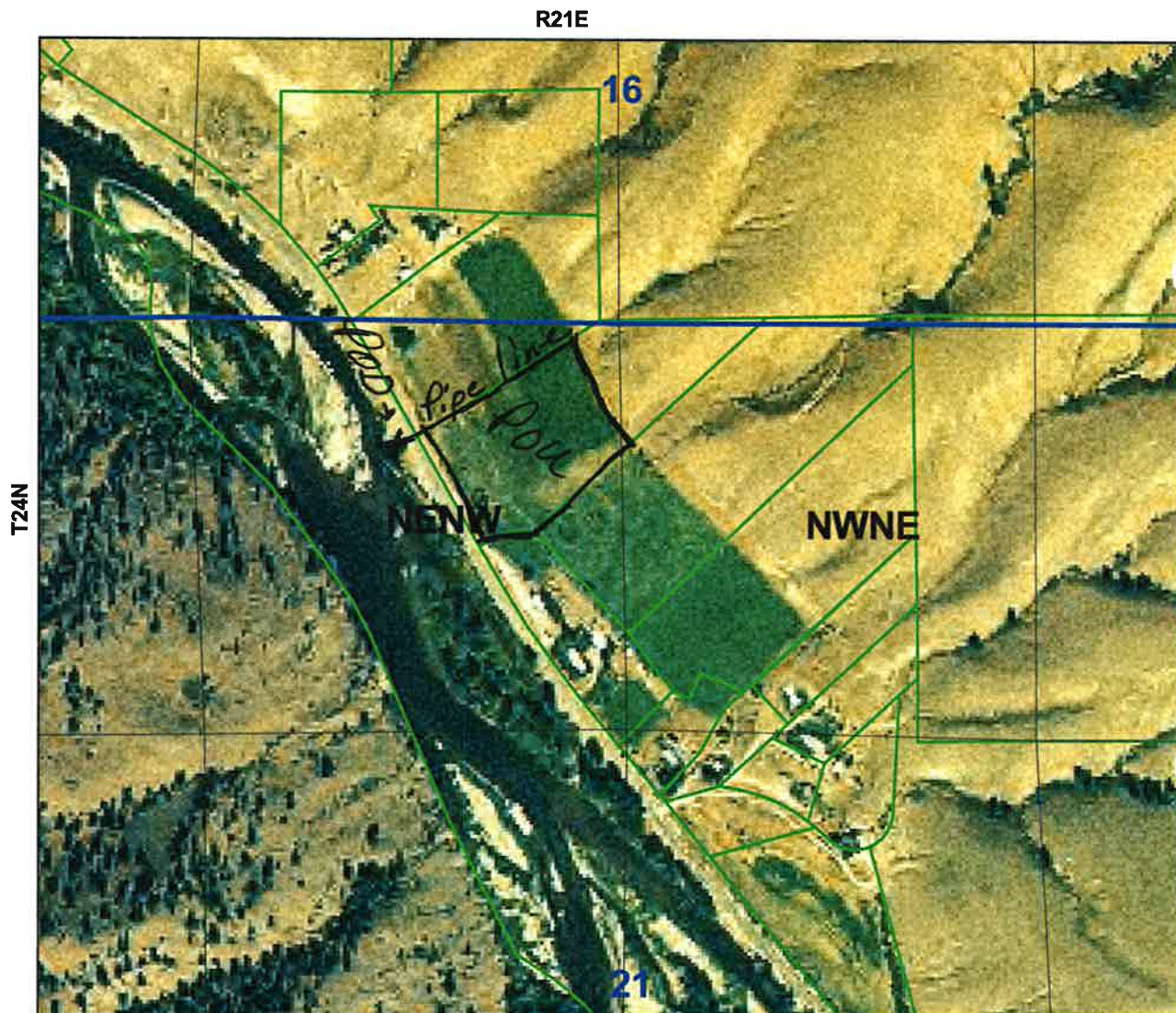
SRBA Claim:
75-14109

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.2 0.4 Miles



Prepared by R. Brown
On Friday, May 19, 2006
1987/88 Aerial Photography

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MAY 12 2007

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

CLAIM NO(s).

A 75 14109

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.: A0017064 GPS 116

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER:

Print Name

Jack F. Ellis

Signature

11/20/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-14109

DEAN D FENHAUS
311 W 6TH ST
MARSHFIELD WI 54449

SUSAN L FENHAUS
311 W 6TH ST
MARSHFIELD WI 54449

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE:

11-28-06

SIGNATURE:

Susan L Fenhaus

Please print your name:

Susan L. Fenhaus

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

SCANNED

SCANNED

DEC 12 2006

RECEIVED

DEC 11 2006

IDWR/North

SCANNED

MAY 12 2007

RECEIVED
JUL 27 2005
DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

Affidavit dated 7/19, 2005 for water right number 75-14109,
split from former water right number 75-13998, in the name of Dean and Susan
Fenhaus.

I, Richard Maydole, as previous owner of property in Sec 21, T24N, R21E BM Lemhi
County, certify by this affidavit that I have personal knowledge that the above water right
was first put to beneficial use in the year 1966 for the purpose of
irrigation and stockwater.


Richard Maydole

STATE OF IDAHO

COUNTY OF Custer

}
}ss.

Personally came before me, this 19 day of July, 2005, Richard
Maydole of Custer County, Idaho, to me known to be the person who
executed the foregoing instrument and acknowledged the same.


Notary Public, Custer County, ID.
My Commission expires April 2011



SCANNED

JUL 28 2005

SCANNED

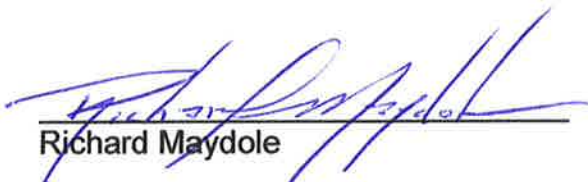
MAY 12 2007

RECEIVED
JUL 27 2005
DEPARTMENT OF
WATER RESOURCES

AFFIDAVIT

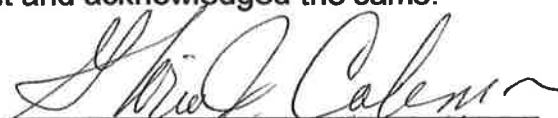
Affidavit dated 7/19, 2005 for water right number 75-13999,
split from former water right number 75-4292, in the name of Gene and Cindy Fenhaus.

I, Richard Maydole, as previous owner of property in Sec 21, T24N, R21E BM Lemhi
County, certify by this affidavit that I have personal knowledge that the above water right
was first put to beneficial use in the year 1966 for the purpose of
irrigation and stockwater.


Richard Maydole

STATE OF IDAHO }
COUNTY OF Custer } ss.

Personally came before me, this 19 day of July, 2005, Richard
Maydole of Custer County, Idaho, to me known to be the person who
executed the foregoing instrument and acknowledged the same.


Notary Public, Custer County, ID.
My Commission expires April 28, 2007



SCANNED

||| 28 2005

SCANNED

MAY 12 2007

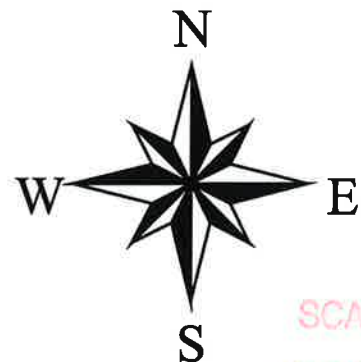
**Fenhaus
75-14109
5.5 acres**



0.04 0 0.04 0.08 Miles

A horizontal scale bar with four segments. The first segment is black, the second is white, the third is black, and the fourth is white. The segments are labeled 0.04, 0, 0.04, and 0.08 Miles respectively.

-  Lemhi taxlots
-  GCDB24N21E GCDB
-  Fenhaus.shp



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MAY 12 2007



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 22, 2003

SUSAN & DEAN FENHAUS
311 W 6TH ST
MARSHFIELD WI 54449

RE: CHANGE IN OWNERSHIP FOR 75-13998

Dear Mr. & Mrs. Fenhaus:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-13998 split into:

75-14108: 11.3 acres, 0.24 cfs, Maydole

75-14109: 5.5 acres, 0.12 cfs, Fenhaus

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

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.

RECEIVED
OCT 30 2002
 Department of Water Resources
 Eastern Region

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
75-13998		1/3			

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)
HELEN J. MAYDOLE & M. THOMAS MAYDOLE
P.O. BOX 1127, NORTH FORK, IDAHO 83466
4. New Owner/Claimant(s)
DEAN D. FENHAUS AND SUSAN L. FENHAUS
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address
311 WEST 6TH STREET
 City, State and ZIP Code
MARSHFIELD, WISCONSIN 54449
 New Telephone Number
215-486-8192
5. Date you acquired the property

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MAY 12 2007

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 <u>75-13998</u>		
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	<u>0.11 CFS</u>	<u>5.63 04/01 TO 11/01</u>
Stock	<u>0.02 CFS</u>	<u>04/01 TO 11/01</u>
Domestic	_____	_____
Other	_____	_____
Total	<u>0.11 CFS</u>	

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)

D. Doe Susan A. Ferkes

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 _____

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MAY 12 2007

WARRANTY DEED

For Value Received RICHARD M. MAYDOLE, LEVI MAYDOLE AND NANCY L. BANTA, ALL MARRIED PERSONS DEALING WITH THEIR SOLE AND SEPARATE PROPERTY.

the grantor s, do hereby grant, bargain, sell and convey unto DEAN D. FENHAUS AND SUSAN L. FENHAUS, HUSBAND AND WIFE 311 WEST 6TH STREET, MARSHFIELD, WISCONSIN 54449 the grantee , the following described premises, in LEMHI County Idaho, towit:

SEE ATTACHED EXHIBIT "A"

COPY

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , HIS heirs and assigns forever. And the said Grantor^s do hereby covenant to and with the said Grantee , that they are the owner^s 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:

RICHARD M. MAYDOLE

LEVI MAYDOLE

NANCY L. BANTA

STATE OF IDAHO, COUNTY OF LEMHI

On this day of SEPTEMBER 19 2002 before me, a notary public in and for said State, personally appeared RICHARD M. MAYDOLE, LEVI MAYDOLE AND NANCY L. BANTA

known to me to be the person s whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public

Residing at SALMON , Idaho
Comm. Expires 11/10/04

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of Lemhi Title

at 13 minutes past 3 o'clock p m., this 25TH day of October 2002, in my office, and duly recorded in Book of Deeds at page

Joni J. Mortue

Ex-Officio Recorder

By Jona Eagle

Deputy.

Fees \$ 6.00
Mail to:

INSTRUMENT NO.

252230

LEMHI TITLE & ABSTRACT — SALMON, IDAHO

SCANNED

MAY 12 2007

WADE SURVEYING

252250

P.O. Box 1175
Salmon, Idaho 83467

Phone (208) 756-3070

September 17, 2002

PARCEL "B"

A parcel of land located in the H.E.S. 192, Section 21, T. 24 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at Corner 6 of said H.E.S. 192 from which Corner 7 bears N 00°04'36" E 328.45 ft., the Basis Of Bearing of this description, run thence S 89°56'18" E along the northerly boundary of said H.E.S. 192 a distance of 528.55 ft.;

Thence S 48°18'48" W a distance of 1013.57 ft. to the centerline of a 50 ft. wide road and irrigation easement;

Thence the following courses and distances along said centerline:
128.23 ft. along a curve to the left having a chord of
S 85°12'11" W 124.36 ft., a delta of 48°58'51" and a radius of 150.00 ft.;

S 60°42'45" W 51.08 ft. to a point on the easterly right-of-way of U.S. Highway 93;

Thence the following courses and distances along said right-of-way:
100.31 ft. along a spiral curve to the right having a chord of N 28°35'46" W 100.31 ft. and a spiral delta of 00°45'26";
N 28°28'46" W 300.07 ft.;

Thence N 58°38'48" E a distance of 688.27 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 8.41 ACRES

SUBJECT TO and TOGETHER WITH: A 50 ft. road and irrigation easement for ingress and egress, 25 ft. of either side of the following described centerline:

Commencing at said Corner 6 run thence S 89°56'18" E a distance of 528.55 ft.;

Thence S 48°18'48" W a distance of 1013.57 ft. to the POINT OF BEGINNING;

128.23 ft. along a curve to the left having a chord of
S 85°12'11" W 124.36 ft., a delta of 48°58'51" and a radius of 150.00 ft.;

S 60°42'45" W 51.08 ft. to a point on the easterly right-of-way of U.S. Highway 93;

SUBJECT TO: A 20 ft. wide irrigation easement along the easterly right-of-way of U.S. Highway 93 of Parcel "B".

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MAY 12 2007

3.25 FT. WIDE
1/4 AS SHOWN
30 OF SURVEY
ENT NUMBER 213006.

R.O.S. INST.
NO. 213006

CORNER 7
C.P. & F. INST.
NO. 186416

SALMON NATIONAL FOREST
R.O.S. INST. NO. 232366

PARCEL "A"
7.56 ACRES

CORNER 6
C.P. & F. INST.
NO. 514

PARCEL "B"
8.41 ACRES

PARCEL "C"
11.84 ACRES

PARCEL "D"
9.58 ACRES

PARCEL "E"
3.78 ACRES

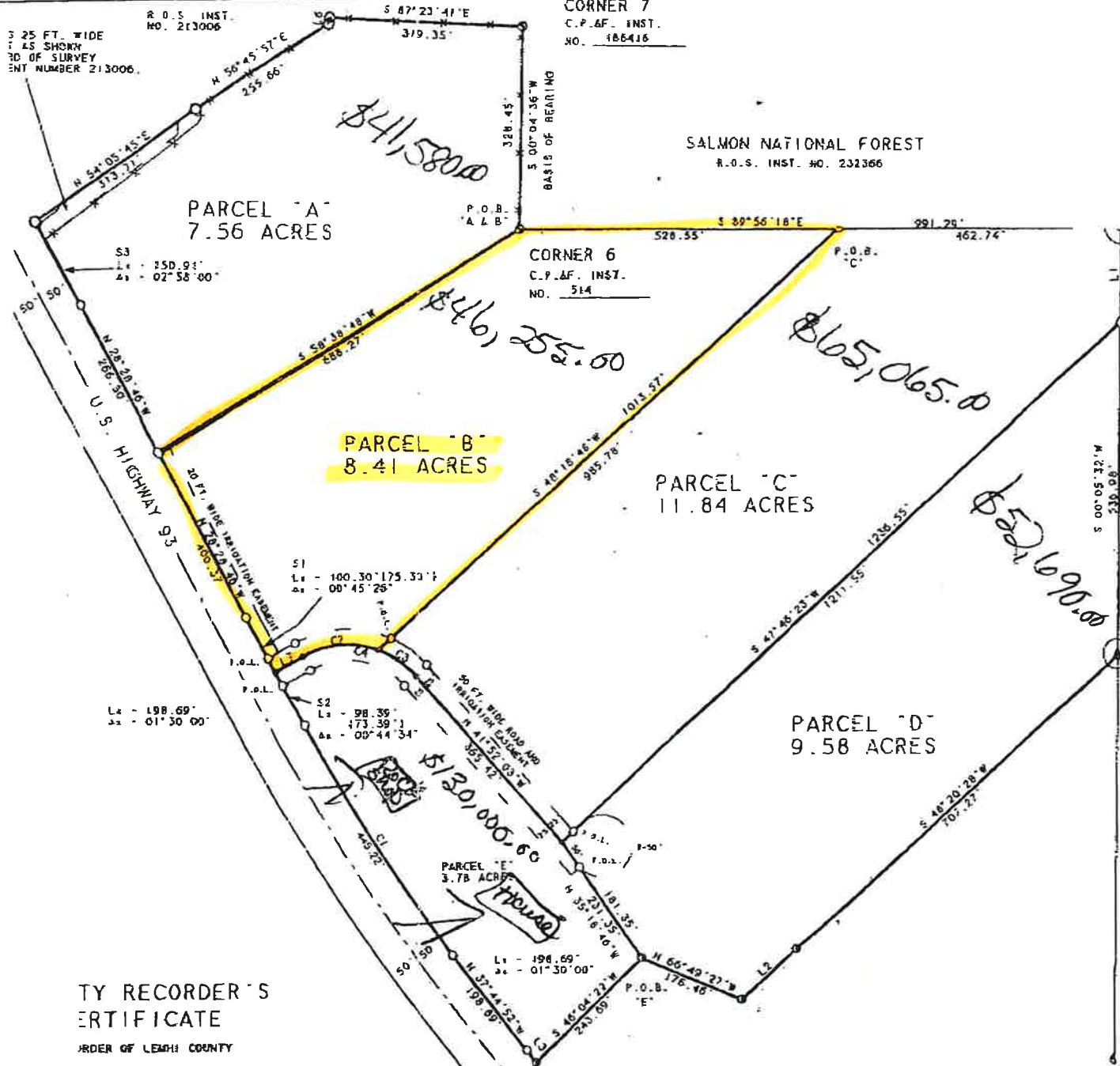
TY RECORDER'S
ERTIFICATE

ORDER OF LEWIS COUNTY

DAY: _____ MONTH: _____ 199__

MAY 12 2007

SCANNED



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

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

CIVIL CASE NUMBER: 39576

Ident. Number 75-14109
Date Received: 8/21/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

DEAN D FENHAUS Phone: (715)486-8192
311 W 6TH ST
MARSHFIELD WI USA 54449

SUSAN L FENHAUS Phone: (715)486-8192
311 W 6TH ST
MARSHFIELD WI USA 54449

2. Date of Priority: 08/01/1966

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	21E	21	SE NE NW	LEMHI	

5. Description of diverting works:

PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	
STOCKWATER	04/01	11/01	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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24N	21E	21	NW	NE	IRRIGATION	0.2
			NE	NW	IRRIGATION	5.3
					Section Acres	5.5
					Total Acres	5.5

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-13998.

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 75-14109
Date Received: 8/21/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

715
SUSAN L FENHAUS Phone: (~~215~~) 486-8192
311 W 6TH ST
MARSHFIELD WI USA 54449

715
DEAN D FENHAUS Phone: (~~215~~) 486-8192
311 W 6TH ST
MARSHFIELD WI USA 54449

2. Date of Priority: 08/01/1966

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	21E	21	SE NE NW	LEMHI	

5. Description of diverting works:

PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	
STOCKWATER	04/01	11/01	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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*Please note
phone number
correction -
area code is
715, not 215
Thank you,
Susan
Fenhaus*

RECEIVED

SEP 08 2003

Department of Water Resources
Eastern Region

SCANNED

MAY 12 2007

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

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Received By:

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1. Name of Claimant(s)

SUSAN L FENHAUS Phone: (215)486-8192
311 W 6TH ST
MARSHFIELD WI USA 54449

DEAN D FENHAUS Phone: (215)486-8192
311 W 6TH ST
MARSHFIELD WI USA 54449

2. Date of Priority: 08/01/1966

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	21E	21	SE NE NW	LEMHI	

5. Description of diverting works:

PUMP & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	
STOCKWATER	04/01	11/01	0.02	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

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

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24N

21E 21

NW NE
NE NW

IRRIGATION 0.2
IRRIGATION 5.3

Section Acres 5.5

Total Acres 5.5

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-13998.

15. Basis of Claim: Statutory Claim

SCANNED

MAY 12 2007