

10/04/2006

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

RIGHT NUMBER: 75-14167
NAME AND ADDRESS: SANDRA LUCE
7 PEPPER LN
SALMON ID 83467

TOMMY F LUCE
7 PEPPER LN
SALMON ID 83467

SOURCE: TWELVEMILE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.130 CFS
Right Nos. 75-4399A and 75-14167 are limited to a total combined diversion rate of 0.13 cfs.

PRIORITY DATE: 05/01/1955

POINT OF DIVERSION:
T19N R21E S1 NENWNE Lot 2 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	0.130 CFS

PLACE OF USE: IRRIGATION Within LEMHI County
T19N R21E S01 Lot 3 NENW 6.50

6.5 ACRES TOTAL

Right Nos. 75-4399A and 75-14167 are limited to the irrigation of a combined total of 6.5 acres in a single irrigation season.

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

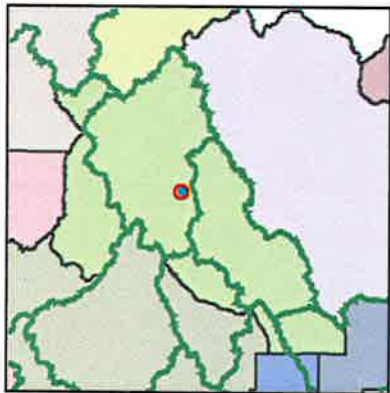


Idaho Department of Water Resources

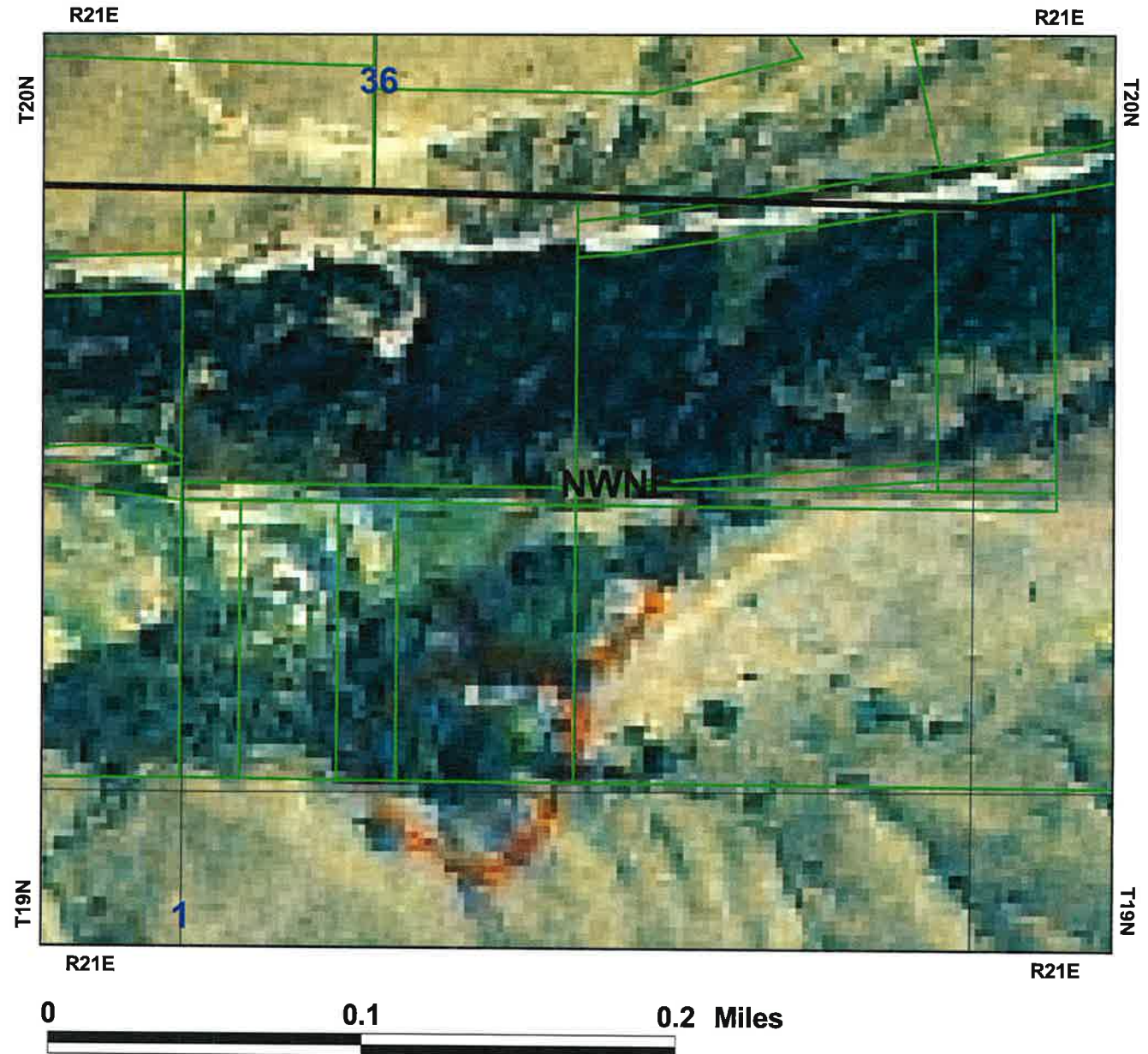
SRBA Claim:
75-14167

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



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

RECEIVED

DEC 15 2006

11/20/2006

Department of Water Resources
Adjudication Bureau

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: 75-14167

SANDRA LUCE
7 PEPPER LN
SALMON ID 83467
Telephone Number: (208)756-2855

TOMMY F LUCE
7 PEPPER LN
SALMON ID 83467
Telephone Number: (208)756-2855

RECEIVED

DEC 20 2006

IDWR/North

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:

12-11-06

SIGNATURE:

Tommy F. Luce

Please print your name:

TOMMY F. LUCE

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

SCANNED

DEC 15 2006

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: 75-14167

SANDRA LUCE

7 PEPPER LN

SALMON ID 83467

Telephone Number: (208)756-2855

TOMMY F LUCE

7 PEPPER LN

SALMON ID 83467

Telephone Number: (208)756-2855

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: 12-11-06

SIGNATURE:

Tommy F. Luce

Please print your name:

TOMMY F. LUCE

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

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

CLAIM NO(s). 75-14167

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: _____

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

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

see remarks

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

this claim describes land not owned by Luce.
claim 75-4399A covers the Luce property

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-11-06

FIELD EXAMINER: Bob Foster

Print Name

Bob Foster
Signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

AUG 09 2004

Department of Water Resources
Eastern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Tommy F. *or SANDRA Luce Phone _____
Post Office address 7 Pepper Ln Salmon ID 83467

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes change point of diversion to pipeline in
Cooperation with Model Watershed project.

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
75-14167	5-1-1955	13 cfs	irrigation	4-1 to 11-1
				to
				to
				to

2. Total amount of water being transferred 1.13 cfs cubic feet per second and/or acre-feet per annum.

3. Source of water Twelve mile Creek tributary to Salmon River

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 6.5

71484

PART 1

6. General Information:

a. Description of diversion system pipe to place of use

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NONE

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

SCANNED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. 75-14167 on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Twelvemile Creek tributary to Salmon River

4. Date or priority 5-1-1955

5. Water is used for the following purpose:

amount .13 cfs for irrigation purposes from 4-1 to 11-1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .13 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NE	NW	NE	1	19N	21E	Lemhi	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
19N	21E	1		6.5															6.5

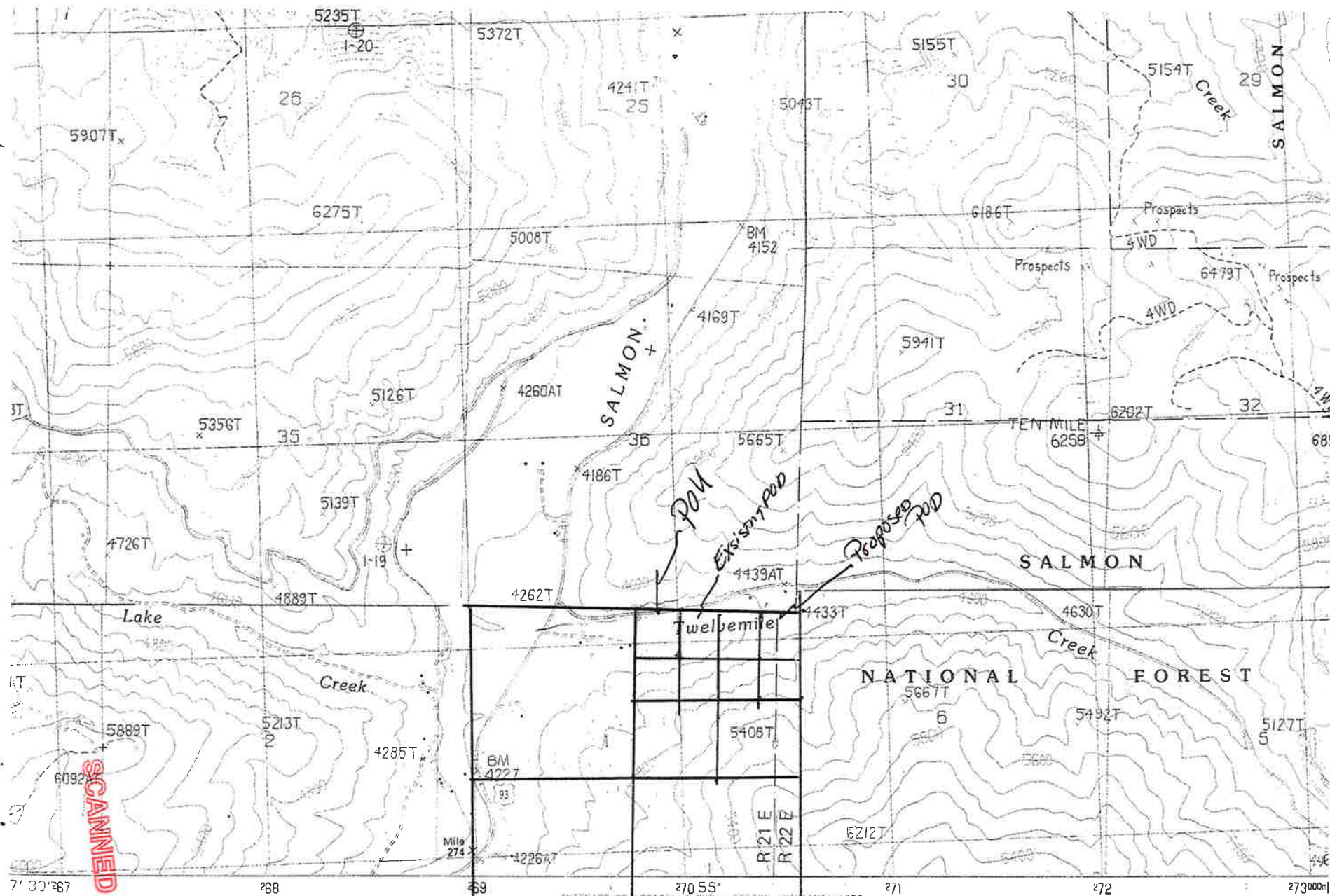
Total acres 6.5

9. Describe any other water rights used for the same purpose as described above NONE

71486

page 4 of 6

71486

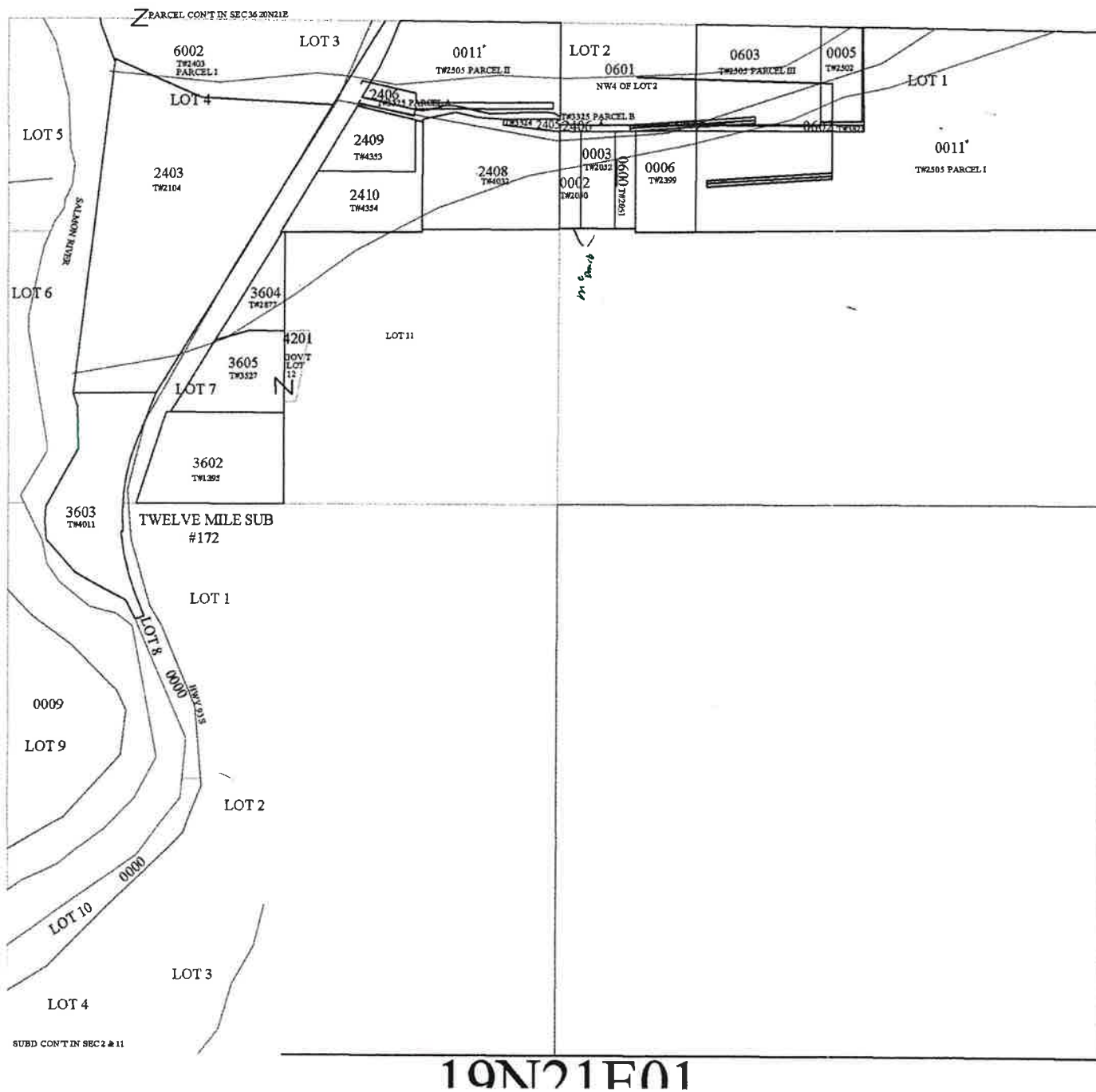


SCALE 1:24 000



ROAD LEGEND

Improved Road
Unimproved Road
Trail



SCANNED

71486

Page 5 of 6

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



Subscribed and sworn to before me this

Tommy R. Luce Andrea W. Luce
 6th day of August, 192004
Robert E. Foster
 (Notary Public)

My commission expires 02-16-07

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments
 Received by SC Date 8/9/04 Protest filed by _____
 Prelim. check by _____ Fee 100.00 E030134
 Recelpted by _____ Date _____
 Published in Recorder Herald Copies of protest forwarded by _____
 Pub. dates _____ Hearing held by _____ Date _____
 Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial
 _____ rec'd. _____ by _____
 Copy of transfer sent to lien holder _____

SCANNED

8/06/04

0100 - PARCEL MASTER INQUIR

09:36:32

PARCEL: RP 19N21E012409 A

F9=MS

F17=DD

F24=LD

LUCE, TOMMY F
& LUCE, SANDRA WELCH

LEGAL DESCRIPTION

T-4353
1 19 21

13841 AVE 192

ProVal Area Number 2

CODE AREA 21-0000 OWNER CD

PARC TYPE LOC CODE 4100

EFFDATE 3012003 EXPDATE

PREV PARCEL RP19N21E010010T

TULARE CA 93274-9501

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	2500	AC	15383				

TOTALS

2500

15383

ENTER NEXT PARCEL NUMBER RP _____ A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

SCANNED

T 71486
ATTACHMENT 1 OF 2

8/06/04

10100 - PARCEL MASTER INQUIRY

09:37:14

PARCEL: RP 19N21E012410 A

F9=MS

F17=DD

F24=LD

LEGAL DESCRIPTION

LUCE, TOMMY F
& LUCE, SANDRA WELCH

T-4354
1 19 21

13841 AVE 192

ProVal Area Number 2

CODE AREA 21-0000 OWNER CD

PARC TYPE LOC CODE 4100

EFFDATE 3012003 EXPDATE

PREV PARCEL RP19N21E010010T

TULARE CA 93274-9501

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
12	2003	4161	AC	25603				

TOTALS

4161

25603

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

SCANNED

T 71486
ATTACHMENT 2 OF 2



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

RECEIVED

JUL 09 2004

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 30, 2004

TOMMY AND SANDRA LUCE
7 PEPPER
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-14167

Dear Claimants:

We are returning your Notice of Claim referenced above. We have also enclosed your receipt #C074311 for the filing fees. Please keep the receipt for your records.

Before we can process your claim, we need your assistance. At Item #16, only Tommy F. Luce signed the claim. However, at Item #1, you wrote "and" between your names. The signature must match the name(s) at Item #1. Please either add "/or" after "and", thus eliminating the need for Sandra's signature, or have Sandra sign the claim in front of a Notary Public.

Please initial any change(s) you make to your claim and return it to me as soon as possible.

Finally, there was an overpayment of filing fees for your claim. The refund process has been initiated with the State Auditor's Office. You should receive a check in the near future.

Sincerely,

Donald V. Shaff, Manager
Adjudication Technical Section

DVS:ss:state

Enclosures:

Notice of Claim Referenced Above
Receipt #C074311

SCANNED

JUL 12 2004

REFUND REQUEST

TO: S. Sherman to Log In
 FOR: D. Shaff/D. Allen
 FROM: S. Sherman Date: 6-30-04
 SUBJ: Receipt No. C074311 (Please attach ARQ2 Receipt copy immediately behind blue form)

RE: PayOR Tommy + Sandra Luce
 Address 7 Pepper
Salmon ID 83467

Claimant(s) if NOT Payor —
 Refund Amount \$ 49.00 ✓ Claim Location (Region/Claimant) State of c
 Extension Filed? Y/N NA Copy Attached? Y/N NA
 Late Fees Paid? Y/N NA Late Fee Receipt # C074311
 S.O. Verified Ext. by — on — D.B. Query by —
 Refund Generated By () Agent () Claimant () Sal
 Refund Category:
 insufficient fees / claim incomplete / withdrawn / q-pmt

Date of Last Correspondence (copy attached) n/a

Claim No.	Use*	Fees	Correct	Rec't #
		Paid	Fee	
<u>75-14167</u>	<u>01</u>	<u>\$106.00</u> ✓	<u>\$57.00</u> ✓	<u>C074311</u>
		\$		
		\$		
		\$		
		\$		
		\$		
Total		<u>\$106.00</u>	<u>\$57.00</u>	

*Incomplete claims or insufficient fees for irrigation use will generally NOT be refunded. D.E. claim in AJSP1 at minimum.

Detailed Reason(s) for Refund Attached Y/N
fee = \$50.00 flat filing fee
+ 7.00 for 6.5 ac of irrigation
\$57.00

Region AJ Spvsr. Approval Don Shaff 6-30-04 S.O. AJ Spvsr. Approval
 Don Shaff Approval Hold To Fiscal 6-30-04
 Logged 6-30-04
 Data Base Modified? Y/N NA A &/or R Records By on

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

RECEIVED

JUN 28 2004

Department of Water Resources

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

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

75-14167

6-28-04

C074311

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

RECEIVED

JUL 09 2004

DEPARTMENT OF
WATER RESOURCES

Please type or print clearly

1. Name of Claimant (s) Tommy F. & Sandra Luce Phone (or) 756-2855Mailing Address 7 Pepper Salmon ID Zip 834672. Date of Priority (Only one (1) per claim) 5-1-19553. Source of water supply (a) Twelvemile Creek
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 19N Range 21E Section 1,NE 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of LemhiAdditional points of diversion if any: NONE

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

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

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

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

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

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

SCANNED

JUL 12 2004

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 13 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 13 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ 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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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>R9N</u>	<u>D1E</u>	<u>1</u>		<u>6.5</u>															<u>6.5</u>

Total number of acres irrigated 6.5

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 ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ☒

14. Remarks:

Last Name Luce Ident No. 75-14167

SCANNED

11/12/2004

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

Tommy E. Luce
Sandra W. Luce

Date 6-24-04

Date 7-6-04

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 _____)

County of Lea) SS.

Subscribed and sworn (or affirmed) before me this

24th

day of

June

18 2004

Notary Public

Robert E. Foster

Residing at

Salmon Id.

My Commission Expires

2-16-07

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

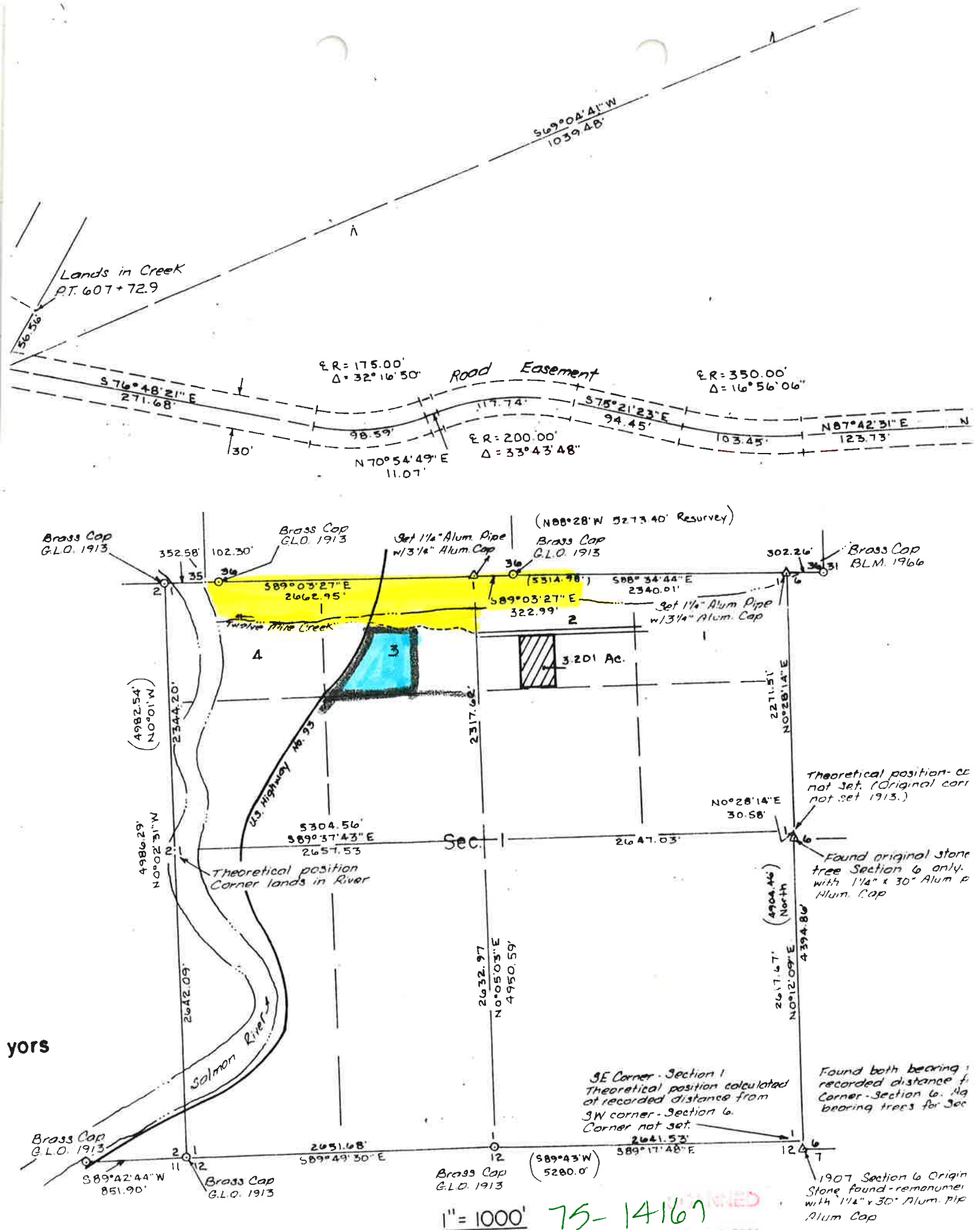
Luce

Ident. Number

75-14167

SCANNED

JUL 12 2004



yors

October 1, 1999

I, Linda Robie hereby recollect that from the year 1955 to 1965 there was water from the 12 Mile Creek irrigating the piece of property now belonging to Tommy F. Luce and Sandra Luce being 6.59 acres and the legal being attached. I remember riding my horse through the water and watching my father changing the canvas dams to flood irrigate this piece of property.

I also remember my Father did not hay this piece of property because it would stay to wet and was great pasture.

Linda Robie (Linda Pepper)

Linda Lohr

Subscribed to and sworn before me this 1st day of October, 1999

Diana D. McEl

Notary Public for Idaho
Residing at Salmon, Idaho
Comm: expires: 5-22-2001

75-14167

RECORDED

OCT 1 1999

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN U.S. GOVERNMENT LOT 3, SECTION 1, T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, A DISTANCE OF 1039.48 FEET ON A BEARING OF S. $69^{\circ} 04' 41''$ W. TO A POINT ON THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 93; THENCE S. $31^{\circ} 28' 31''$ E., 15.80 FEET ALONG THE EAST RIGHT-OF-WAY TO THE SOUTH SIDE OF AN EXISTING ROAD AND THE REAL POINT OF BEGINNING.

THENCE S. $31^{\circ} 28' 31''$ W., 703.14 FEET ALONG SAID RIGHT-OF-WAY OF U.S. HIGHWAY NO. 93 TO THE SOUTH BOUNDARY OF LOT 3;

THENCE S. $89^{\circ} 46' 55''$ E., 677.65 FEET ALONG THE SOUTH BOUNDARY OF LOT 3;

THENCE N. $0^{\circ} 15' 10''$ E., 534.11 FEET TO A POINT ON THE SOUTH SIDE OF AN EXISTING ROAD;

THENCE A DISTANCE OF 43.93 FEET ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIAL OF N. $0^{\circ} 03' 10''$ W., 190.00 FEET AND A CENTRAL ANGLE OF $13^{\circ} 14' 49''$;

THENCE N. $76^{\circ} 48' 21''$ W., 276.64 FEET ALONG SAID EXISTING ROAD TO THE REAL POINT OF BEGINNING.

75- 14167

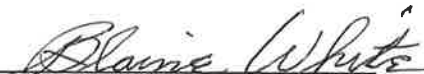
SCANNED

JUL 12 2004

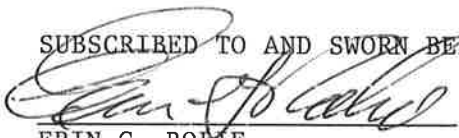


MAY 24, 2001

I BLAINE WHITE, IRRIGATED THE PIECE OF PROPERTY CONSISTING OF 6.9 ACRES; BELONGING TO TOMMY F. LUCE AND SANDRA LUCE, LEGAL DESCRIPTION BEING ATTACHED AS EXHIBIT "A". I IRRIGATED THIS PROPERTY SINCE 1965, AND THE SOURCE OF THE IRRIGATION WATER WAS FROM 12 MILE CREEK; BEING THE SAME WATER THAT RUNS THROUGH THE PROPERTY.


BLAINE WHITE

SUBSCRIBED TO AND SWORN BEFORE ME THIS 24TH DAY OF MAY, 2001


ERIN G. ROBIE
NOTARY PUBLIC FOR IDAHO
RESIDING AT SALMON, IDAHO
COMMISSION EXPIRES: 1/10/04

75-14167

JUN 12 2004

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN U.S. GOVERNMENT LOT 3,
SECTION 1, T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1,
A DISTANCE OF 1039.48 FEET ON A BEARING OF S. $69^{\circ} 04' 41''$ W.
TO A POINT ON THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 93;
THENCE S. $31^{\circ} 28' 31''$ E., 15.80 FEET ALONG THE EAST RIGHT-OF-
WAY TO THE SOUTH SIDE OF AN EXISTING ROAD AND THE REAL POINT
OF BEGINNING.

THENCE S. $31^{\circ} 28' 31''$ W., 703.14 FEET ALONG SAID RIGHT-
OF-WAY OF U.S. HIGHWAY NO. 93 TO THE SOUTH BOUNDARY OF LOT 3;

THENCE S. $89^{\circ} 46' 55''$ E., 677.65 FEET ALONG THE SOUTH
BOUNDARY OF LOT 3;

THENCE N. $0^{\circ} 15' 10''$ E., 534.11 FEET TO A POINT ON THE
SOUTH SIDE OF AN EXISTING ROAD;

THENCE A DISTANCE OF 43.93 FEET ALONG A CURVE CONCAVE TO
THE NORTHWEST HAVING A RADIAL OF N. $0^{\circ} 03' 10''$ W., 190.00 FEET
AND A CENTRAL ANGLE OF $13^{\circ} 14' 49''$;

THENCE N. $76^{\circ} 48' 21''$ W., 276.64 FEET ALONG SAID EXISTING
ROAD TO THE REAL POINT OF BEGINNING.

75-14167

SCANNED

MAY 11 2004

4/5/1989

SRDA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME	<u>Luce, Tommy F & Sandra</u>	CLAIM IDENT. NO.	<u>75-14167</u>
DATE RECEIVED	<u>6-28-04</u>	CHK #	<u>C074311</u>
AMOUNT \$	<u>6.00</u>	YES	NO
		Required Info?	
1. Is the name and address complete with zip code?	<u>✓</u>	<u>✓</u>	<u>✓</u>
2. Is a priority date entered?	<u>✓</u>	<u>✓</u>	<u>✓</u>
Is the priority date acceptable in view of mandatory filing dates?		<u>✓</u>	<u>✓</u>
See Adjudication Memos #1 and #4 to determine if a Permit is required.		<u>✓</u>	<u>✓</u>
3. (a) Is a source entered?	<u>✓</u>	<u>✓</u>	<u>✓</u>
(b) Is a tributary to entered? (if required)	<u>N/A</u>	<u>✓</u>	<u>✓</u>
4. Is the legal description of the p.d. sufficient?	<u>✓</u>	<u>✓</u>	<u>✓</u>
5. Is there a description of the diverting works?	<u>✓</u>	<u>✓</u>	<u>✓</u>
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form.	<u>✓</u>	<u>✓</u>	<u>✓</u>
Is the period of use included?	<u>✓</u>	<u>✓</u>	<u>✓</u>
Is a quantity claimed for each use?	<u>✓</u>	<u>✓</u>	<u>✓</u>
7. Is a total quantity claimed entered?	<u>✓</u>	<u>✓</u>	<u>✓</u>
8. If required is a consumptive use entered?	<u>N/A</u>	<u>✓</u>	<u>✓</u>
Is the consumptive use correct?	<u>N/A</u>	<u>✓</u>	<u>✓</u>
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4.	<u>N/A</u>	<u>✓</u>	<u>✓</u>
10. Is (are) the place(s) of use and purpose(s) indicated?	<u>✓</u>	<u>✓</u>	<u>✓</u>
11. Is (are) the county(ies) entered?	<u>✓</u>	<u>✓</u>	<u>✓</u>
12. Is the ownership of p.u. checked?	<u>✓</u>	<u>✓</u>	<u>✓</u>
13. Are other water rights listed or "none" indicated?	<u>✓</u>	<u>✓</u>	<u>✓</u>
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	<u>N/A</u>	<u>✓</u>	<u>✓</u>
15. Is the basis of the claim indicated?	<u>✓</u>	<u>✓</u>	<u>✓</u>
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	<u>N/A</u>	<u>✓</u>	<u>✓</u>
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	<u>✓</u>	<u>✓</u>	<u>✓</u>
18. Has the claim been signed, sealed, and dated by a notary?	<u>✓</u>	<u>✓</u>	<u>✓</u>
19. Was this claim filed on time, or was an extension granted?	<u>✓</u>	<u>✓</u>	<u>✓</u>
20. Is the fee enclosed correct?	<u>Exempt</u>	<u>✓</u>	<u>✓</u>
21. If this claim is based on an existing water right, has the identification number been entered?	<u>N/A</u>	<u>✓</u>	<u>✓</u>
22. Should this claim be data entered?	<u>✓</u>	<u>✓</u>	<u>✓</u>

Claim checked by: D. Sharma Date: 6-30-04
Claim must be returned to claimant: ✓(Yes) (No)
Claimant must be notified of modifications: ✓(Yes) (No)

Receipt Prepared by: M. Middle Date: 6-28-04
Claim data entered by: D. Sharma Date: 6-30-04 Checked by: _____ Date: _____
Sent to claimant by: _____ Date: _____

Comments: Name correct - only 1 signature.
fee s/b \$57.00 v \$106.00 per Don Shoff. Refund initiated 6-30-04.