

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 67-4121
Date Received: 6/8/1989
Receipt No: W003157
Received By:

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

1. Name of Claimant(s)

SUSAN J LOVELACE Phone: (208)383-0775

2774 E MIGRATORY
BOISE ID USA 83706

GLEN S LOVELACE Phone: (208)383-0775

2774 E MIGRATORY
BOISE ID USA 83706

2. Date of Priority: 06/01/1900

3. Source: WEISER RIVER WEST FORK, WEISER RIVER WEST FORK Trib. to: WEISER RIVER ,
WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
18N	01W	32	SE	SE		ADAMS	
17N	01W	9	NW	SW		ADAMS	

5. Description of diverting works:

FLOOD WATER TO DITCH TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	7/15	1.5	
STOCKWATER	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
1.5 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
17N	01W	9	SE	NW	IRRIGATION	27
			NE	SW	IRRIGATION	38
					Section Acres	65
					Total Acres	65

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

WATER DELIVERED VIA OSBORN GROOM DITCH AND T. J. GLENN DITCH.
THIS CLAIM IS FOR FLOOD WATER.
CHECK FOR CORRECT LOCATION OF POINT OF DIVERSION.
ADDRESS CHANGED PER CLAIMANT LETTER (DB) 3/16/99.

15. Basis of Claim: Statutory Claim



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 20, 2006

GLEN AND SUSAN LOVELACE
2774 E MIGRATORY
BOISE ID 83706

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #67-4121 and 67-10129
and Decree #67-10127

Dear Claimants:

We have processed your change in ownership of the Notices of Claim referenced above. Thank you for your patience. I have given a copy of your Ownership Change Form to KariLynn Townsend of our Water Allocations Bureau. She will be contacting you regarding your decreed right.

Enclosed are copies of the 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 Technical Section

SS:region

Enclosures:

Copies of Notices of Claim Referenced Above

SCANNED

APR 20 2006

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ADDRESS CHANGED PER CLAIMANT LETTER (DB) 3/16/99.

15. Basis of Claim: Statutory Claim

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
DEC 20 2005
WATER RESOURCES
WESTERN 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
67-4121 <u>AJ</u>		<u>no</u>			
67-10129 <u>AJ</u>		<u>no</u>			
cc: W.A. → 67-10127 <u>PD</u>		<u>no</u>			

RECEIVED
DEC 23 2005
DEPARTMENT OF
WATER RESOURCES

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) Ladell and Margaret Merk
2671 West Fork Rd., Fruitvale, ID 83612
4. New Owner/Claimant(s) Glen S. and Susan J. Lovelace
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 2774 E. Migratory
- City, State and ZIP Code Boise, ID 83706
- New Telephone Number (208) 383-0775
5. Date you acquired the property October 13, 2005

SCANNED
APR 18 2006

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 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	_____	_____

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(If the right(s) will not be split, skip this area and proceed to item 7)

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)

Mr. A. Condon
[Signature]

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 <u>\$25-</u>
Received by <u>LG</u>	Date <u>12-20-05</u>	Receipt No. <u>W033691</u>
Processed by <u>JD</u>	AJ Date <u>4-18-06</u>	WR _____ Date _____

OK to change in full MVB 12-23-05

SCANNED
APR 18 2006

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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	_____	_____

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Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7.

Signature of New Owner(s) or Claimant(s) *Ken A. Louder*
(include title if applicable)

John

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

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Processed by <u>JD</u>	AI Date <u>4-18-06</u>	WR _____ Date _____

OK to change in full MVB 12-23-05

SCANNED

APR 18 2006

For Value Received, LADELL MERK and MARGARET MERK, husband and wife

the grantors do hereby grant, bargain, sell and convey unto
GLEN S. LOVELACE and SUSAN J. LOVELACE, husband and wife

the grantees, whose current address is 2774 E. Migratory, Boise, ID 83706

the following described premises, in Adams County, Idaho, to-wit:

Township 17 North, Range 1 West, Boise Meridian, Adams County, Idaho
Section 9: SE1/4NW1/4 and the NE1/4SW1/4

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: OCTOBER 11, 2005

La dell Merk
LADELL MERK

Margaret Merk
MARGARET MERK

Instrument # 110173

COUNCIL, ADAMS, IDAHO

2005-10-13

02:07:48 No. of Pages: 1

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

Fee: 3.00

Ex-Officio Recorder Deputy Peggy Pinkel

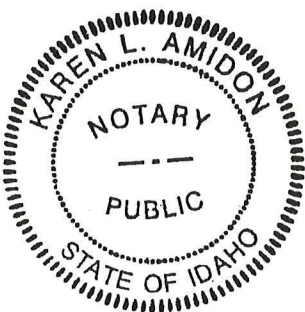
Index to: DEED

Marg

STATE OF IDAHO)

COUNTY OF Adams) : ss

On this 12th day of OCTOBER, in the year of 2005, before me, a Notary Public in and for said State, personally appeared LADELL MERK and MARGARET MERK known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me they executed the same.



Karen L. Amidon
Notary Public
Residing at: Cambria, ID
Commission expires: 6/26/2009

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

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CIVIL CASE NUMBER: 39576

Ident. Number: **A67-04121**
Date Received: 6/ 8/1989
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Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: LADELL MERK 208-253-4751
Address: 2671 WEST FORK RD
FRUITVALE ID 83620
AND/OR
Name: MARGARET MERK 208-253-4751
Address: 2671 WEST FORK RD
FRUITVALE ID 83620

2. Date of Priority: JUN 1, 1900

3. Source: WEISER RIVER, WEST FORK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	9	NW	SW			ADAMS
18N	01W	32	SE	SE			ADAMS

5. Description of diverting works:
FLOOD WATER TO DITCH TO P.O.U.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	07/15	1.500		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/50 HORSES & 30 MULES

SCANNED
MAY 10 2004

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
17N	01W	9	SE	NW		IRR	27.0
			NE	SW		IRR	38.0
						Section Acres	65.0
						Total Acres	65.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

67-00145, 00147, 02053, 00081D

14. Remarks:

WATER DELIVERED VIA OSBORN GROOM DITCH AND T. J. GLENN DITCH.
THIS CLAIM IS FOR FLOOD WATER.

CHECK FOR CORRECT LOCATION OF POINT OF DIVERSION.
ADDRESS CHANGED PER CLAIMANT LETTER (DB) 3/16/99.

15. Basis of Claim: STATUTORY CLAIM

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: March 3, 1999

PAGE: 1

RIGHT NUMBER: 67-10127

NAME AND ADDRESS: LADELL MERK
MARGARET MERK
PO BOX 10
FRUITVALE ID 83620NEW ADDRESS
-----LaDell Merk 2671-West Fork Rd.
Margaret Merk Fruitvale, Id.83620

SOURCE: GROUNDWATER

QUANTITY: 0.09 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 06/01/1920

POINT OF DIVERSION T17N R01W S09 SENW Within ADAMS County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	STOCKWATER	01-01 12-31	0.04 CFS
	DOMESTIC 1 HOME	01-01 12-31	0.05 CFS

PLACE OF USE:	STOCKWATER	Within ADAMS County
	T17N R01W S09	SENE
	DOMESTIC	Within ADAMS County
	T17N R01W S09	SENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
STOCKWATER, 50 RANGE CATTLE & 30 HORSES/MULES
PARCEL NO. RP 17N01W094200 A

RECEIVED

MAR 16 1999

WATER RESOURCES
WESTERN REGION

Address change sent to I.D.W.R. Western Region and N. Orchard

Also Changed:

Margaret Merk

A67-00081 D

A67-02053 B

A67-04121

A67-10129

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AND/OR

Name: MARGARET MERK 208-253-4751
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A67-04121

Page 1

Date: 08/17/89

Added date
received
7-31-91
JHL

MICROFILMED
OCT 02 1992

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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): Ladell Merks Date: 8-21-89
Margaret Merks Date: 8-21-89

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 31 day
of August 19 89
Patricia Col
Notary Public

Seal

Residing at Council
My Commission Expires 10-23-93

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Number of attachments: _____

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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 _____

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - 67-04122

Adj. Flag Translation: Standard Water Right Number

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
T.J. GLENN DITCH

1 - AKA WEST FORK DITCH CO.

2 -

3 -

City- FRUITVALE

State- ID Zip- 83620

Phone - 208-000-0000

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - - +
05/01/1898 14 S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - - Tributary - - - - - +
WEISER RIVER, WEST FORK WEISER RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
18N 01W 32 SW SE (3) ADAMS

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/14 8.000

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
8.000

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	4	SW SW		4.0	01	IRRIGATION	(3) ADAMS
17N	01W	5	SW NE		7.0	01	IRRIGATION	(3) ADAMS
17N	01W	5	NE SE		8.0	01	IRRIGATION	(3) ADAMS
17N	01W	5	NW SE		2.0	01	IRRIGATION	(3) ADAMS
17N	01W	5	SE SE		5.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	NW NW		22.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	SE NW		9.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	NE SW		6.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	NE SE		8.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	NW SE		39.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	SW SE		33.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	SE SE		32.0	01	IRRIGATION	(3) ADAMS
17N	01W	15	NW NW		30.0	01	IRRIGATION	(3) ADAMS
17N	01W	15	SW NW		26.0	01	IRRIGATION	(3) ADAMS
17N	01W	16	NE NE		30.0	01	IRRIGATION	(3) ADAMS

Total Acres: 261.0

+ - - Diversion Means -

OCT 02 1992
MICROFILMED

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee,	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 02/11/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED
OCT 02 1992

Water Right Number - 67-04121 Adj. Flag Translation: Standard Water Right Number Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***

MERK LADELL 1 -
2 -
3 -
City- FRUITVALE State- ID Zip- 83620
Phone -

MERK MARGARET 1 -
2 -
3 -
City- FRUITVALE State- ID Zip- 83620
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +

06/01/1900 14 S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +

WEISER RIVER, WEST FORK WEISER RIVER

+ - - - - Point of Diversion - - - - - +

TwN	Rng	Sec	Tract	Lot	RFlg	County
17N	01W	9	NW SW		(3)	ADAMS
18N	01W	32	SW SE		(3)	ADAMS

+ - - - - Water Use - - - - - +

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	07/15	1.500	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +

1.500

+ - - - - Place of Use - - - - - +

TwN	Rng	Sec	Tract	Lot	Acres	Code	Description	County
17N	01W	9	SE NW		18.0	01	IRRIGATION	(3) ADAMS
17N	01W	9	NE SW		32.0	01	IRRIGATION	(3) ADAMS

Total Acres: 50.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +

No Remarks found.

MICROFILMED
OCT 02 1992

10/28/2006

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

RIGHT NUMBER: 67-4121

NAME AND ADDRESS: SUSAN J LOVELACE
2774 E MIGRATORY
BOISE ID 83706

GLEN S LOVELACE
2774 E MIGRATORY
BOISE ID 83706

SOURCE: WEST FORK WEISER RIVER TRIBUTARY: WEISER RIVER

QUANTITY: 0.720 CFS

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T18N R01W S32 NWSE Within ADAMS County

T18N R01W S32 SWSE Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
IRRIGATION	03/15 11/15	0.720 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S09 SENW 25.00 T17N R01W S09 NESW 37.00

STOCKWATER same as IRRIGATION

62 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 62.0 acres in a single irrigation season. Combined Right Nos.: 67-4121, & 67-10129

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
Stockwater use is for 50 cows & 30 mules.



Idaho Department of Water Resources

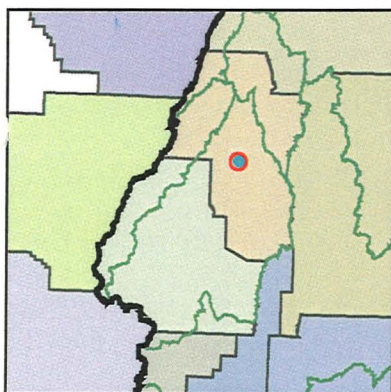
SRBA Recommendation:

67-4121

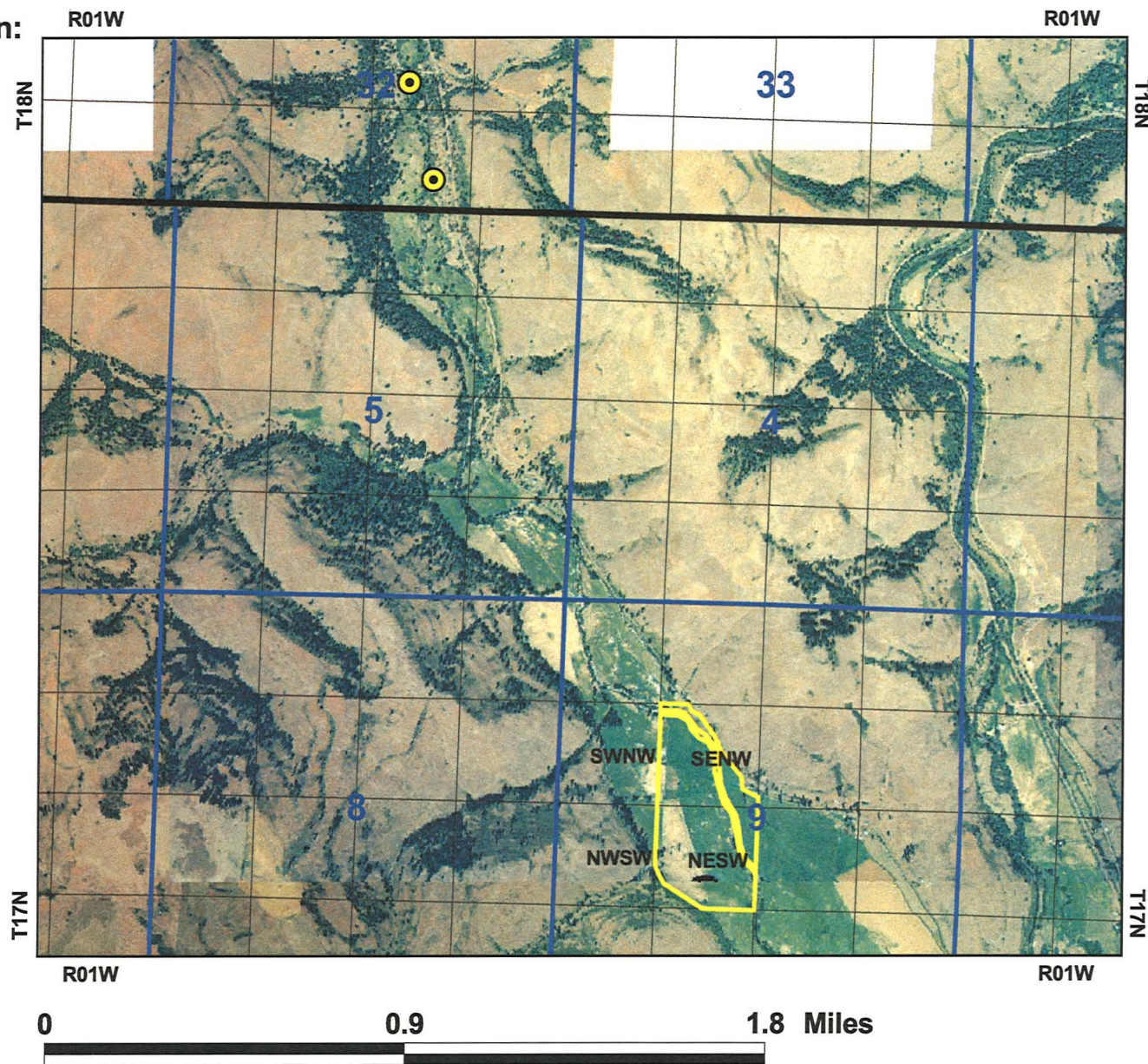
(Irrigation)

Legend

-  **Point of Diversion**
-  **Place of Use**
-  **Townships**
-  **PLS Sections**
-  **Quarter Quarters**

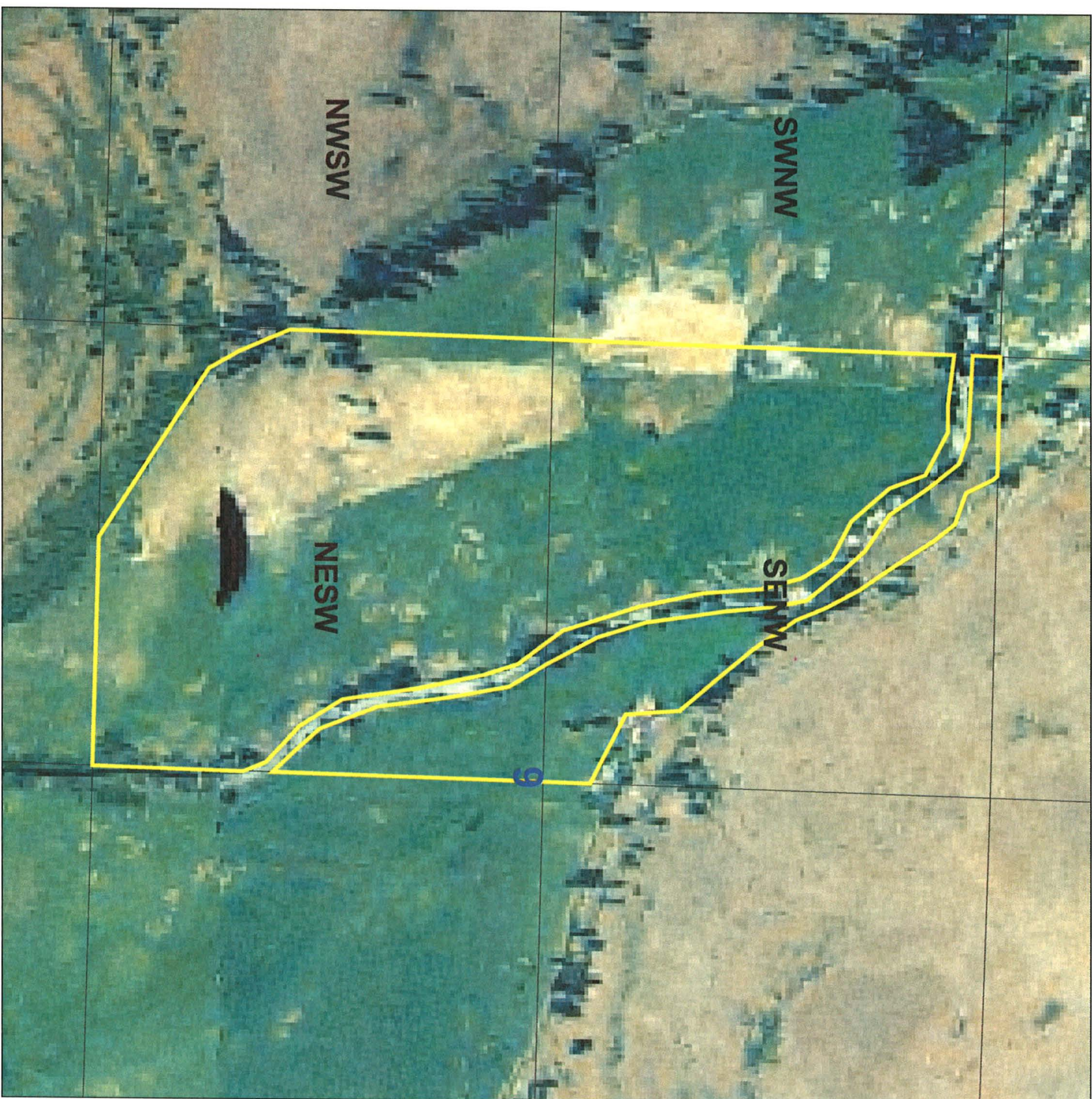
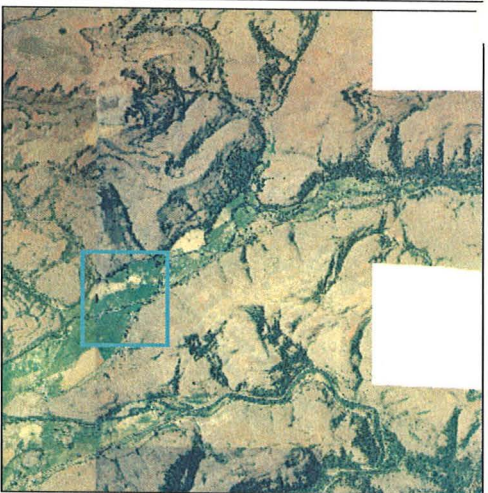


Adams County
IDWR Basin 67



Prepared by C. Saxton
On Saturday, October 28, 2006
1987/88 Aerial Photography

67-4121



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4121 V1

WATER RIGHT NUMBER: 67-4121 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LADELL MERK 2671 WEST FORK RD FRUITVALE, ID 83612-6017 (208)253-4751
Original Owner	MARGARET MERK 2671 WEST FORK RD FRUITVALE, ID 83612-6017 (208)253-4751
Current Owner	SUSAN J LOVELACE 2774 E MIGRATORY BOISE, ID 83706 (208)383-0775
Current Owner	GLEN S LOVELACE 2774 E MIGRATORY BOISE, ID 83706 (208)383-0775

Priority Date: 05/10/1918

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WEST FORK WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.040 CFS	
IRRIGATION	03/15 to 11/15	0.720 CFS	
	<u>Total Diversion:</u>	0.720 CFS	

Location of Point(s) of Diversion

WEST FORK WEISER RIVER ADAMS County	NW1/4SE1/4	Sec. 32, Twp 18N, Rge 01W, B.M.
WEST FORK WEISER RIVER ADAMS County	SW1/4SE1/4	Sec. 32, Twp 18N, Rge 01W, B.M.

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	
17N 01W 9								25.0				37.0					62.0

Total Acres: 62

STOCKWATER same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 67-4121 V1

Conditions of Approval:

1. X02 Stockwater use is for 50 cows & 30 mules.
2. C18 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.
3. E56 The rights listed below are limited to the irrigation of a combined total of 62.0 acres in a single irrigation season. Combined Right Nos.: 67-4121, & 67-10129

Remarks:Comments:

1. csaxton 10/28/2006 Qnt

Comment: Storage water delivered to this property as well so system should have the capacity to carry one inch per acre of water when flood water is available.

2. csaxton 10/28/2006 Priority Date

Comment: Direct overlap with decreed live flow and decreed storage water. Recommend one day after Muir v. Allison.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: AND
 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		62
Combined Water Rights: 67-4121 , 67-10129		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	10/28/2006 1:43:16 PM	csaxton			Active
POD	10/28/2006 1:43:36 PM	csaxton			Active
Source	10/28/2006 1:45:49 PM	csaxton			Active
POU	10/28/2006 1:46:12 PM	csaxton			Active
Use	10/28/2006 1:47:13 PM	csaxton			Active
Season	10/28/2006 1:47:30 PM	csaxton			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4121 V1

Quantity	10/28/2006 1:48:37 PM	csaxton	Active
Summary	10/28/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	10/28/2006 1:44:50 PM	csaxton	Updated PLS
POU	10/28/2006 1:46:37 PM	csaxton	Updated shape for Active POU
General	10/28/2006 1:43:27 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Direct overlap with decreed live flow and decreed storage water. Recommend one day after Muir v. Allison.
POD	10/28/2006 1:43:47 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	10/28/2006 1:44:25 PM	csaxton	Updated PLS
POD	10/28/2006 1:44:42 PM	csaxton	Updated shape
POD	10/28/2006 1:44:16 PM	csaxton	Updated shape
POU	10/28/2006 1:46:46 PM	csaxton	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4121 V1

Summary	10/28/2006 1:50:22 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
Source	10/28/2006 1:46:00 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Direct overlap with decreed rights where the source has been previously verified.
POU	10/28/2006 1:46:23 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - Direct overlap with decreed rights where the POU has been previously verified.
Use	10/28/2006 1:47:24 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Direct overlap with decreed rights where the purpose of use has been previously verified.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4121 V1

Season	10/28/2006 1:47:42 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	10/28/2006 1:48:48 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Storage water delivered to this property as well so system should have the capacity to carry one inch per acre of water when flood water is available.

Water Supply Bank:

Claim

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acre</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	4121		Statutory Clai	Active	6/1/1900	1.5		65 WEISER RIV	IRRIGATION,	LOVELACE,	(Claim
67	10129		Decreed	Active	5/1/1900	0.52		65 WEISER RIV	IRRIGATION,	LOVELACE,	(Claim

Recommendation

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acre</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	4121				6/1/1900	0.72		62 WEISER RIV	IRRIGATION,	LOVELACE,	(Recommendation
67	10129				5/1/1900	0.52	41.6	WEISER RIV	IRRIGATION,	LOVELACE,	(Recommendation
						1.24	63				

WR

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acre</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	10127		Decreed	Active	6/1/1920	0.09		GROUND W/ DOMESTIC,	(LOVELACE,	(wrWaterRight	
67	145		Decreed	Active	5/1/1900	0.08		WEISER RIV IRRIGATION	HAM, C L (CL	wrWaterRight	
67	147		Decreed	Active	5/1/1900	0.44		WEISER RIV IRRIGATION	HAM, C L (CL	wrWaterRight	

<u>Parcel #</u>	<u>Name</u>	<u>Inches</u>	<u>File #</u>	<u>iginal Own</u>	<u>Priority</u>	
RP17N01W094200	MERK, LADELL	22	147		5/1/00	Now owner is Lovelace
RP17N01W094200	MERK, LADELL	4	145	CL HAM	5/1/00	Now owner is Lovelace
RP17N01W094200	MERK, LADELL	4.44		20 STG		
RP17N01W094201	MERK, LADELL	6		27 STG		

Priority Date Data Entry Form

Claim Number 67-4121

Claimed Priority Date: 6/1/1900

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 6/1/1900

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Use 1918 (earliest after decree) this
POU same as decreed for 6/10/29.

Reviewer: MVDate: 6/28/05

Point of Diversion and Source Data Entry Form

Claim Number 67-4121

Claimed Point of Diversion and Source

T17N R01W S9 NWSW Within ADAMS County Source: WEISER RIVER WEISER RIVER

T18N R01W S32 SESE Within ADAMS County Source: WEISER RIVER WEISER RIVER

Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T17N R01W S9 NWSW Within ADAMS County

T18N R01W S32 SWSE Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

field exam - water drawn from Osborn-Groom &
 TJ Glenn ditches.
 GPS tag #s: TJ Glenn - A0014009
 Osborn-Groom A0014010

both appear to be in sec 32
 sec 9 listed POD describes where
 Marks get water out of ditch -
 not true POD.

Reviewer: mv

Date: 6/28/05

Place Of Use Data Entry Form

Claim Number 67-4121

Claimed Place Of Use

T17N R01W S09 SENW 27.0 T17N R01W S09 NESW 38.0
Total Acres 65

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

T17N R01W S09 SENW 18.0 T17N R01W S09 NESW 32.0
Total Acres 50

Recommended Place of Use

_____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____

Total Acres _____

Document how the POU was verified:

See shape (ArcView)

Reviewer: MV

Date: 6/28/05

Idaho Department of Water Resources



Adjudication Claim Number:

*this side river -
TJ Glenn
ditch*
67-4121



*this side -
Abraham
ditch*



Legend

 Section Lines
 GCDB17N01W GCDB



0 0.3 0.6 Miles



Prepared by D. Narsavage
On Wednesday, April 13, 2005
1987/88 Adjudication True Color Imagery

Purpose of Use Data Entry Form

Claim Number 67-4121

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
STOCKWATER			
IRRIGATION			

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

field exam

Reviewer: mvDate: 6/28/05

Period of Use and Quantity Data Entry Form

Claim Number 67-4121

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	7/15	1.5	
STOCKWATER	1/01	12/31	0.04	

Overall Diversion Rate 1.5

Overall Diversion Volume

Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	7/15	1.5	

Overall Diversion Rate 1.5

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate

Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

IDWR reviewer - please look at/verify season of use

Quantity: This right is overclaimed. I told Mrs. Mark that IDWR would only recommend 1¹/₂ acre for each Adu. 67-10129 (decreed) should be looked at first, then adjust quantity on this claim accordingly.

Reviewer: MVDate: 6/28/05

Contacts Data Entry Form

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	LADELL MERK	2671 WEST FORK RD	FRUITVALE	ID	83612-601 7	(208)253-4751
Current Owner	MARGARET MERK	2671 WEST FORK RD	FRUITVALE	ID	83612-601 7	(208)253-4751

Date of Field Exam: 6/28/05 Time: 10 amAccompanied By: claimant Phone Number: _____Relationship to Claimant: n/a

Directions to Property (if different from above) and/or update owner information:

Reviewer: MVDate: 6/28/05



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

March 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Water Right No. 67-10127

LaDell Merk
Margaret Merk
2671 West Fork Rd
Fruitvale ID 83620

Dear Claimants:

Enclosed is a copy of the above referenced water right which reflects your change in address. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

The address has also been changed on claim numbers A67-00081D, A67-02053B, A67-04121, and A67-10129.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

LADELL AND/OR MARGARET MERK
BOX 10
FRUITVALE, ID. 83620

08/17/1989

DEAR CLAIMANTS:

ENCLOSED ARE NOTICE OF CLAIM NUMBERS A67-02053B, A67-00081D, A67-10129, A67-04121, AND A67-10127.

A67-02053B IS FOR THE 20 (C) SHARES OF LOST CREEK RESERVOIR AND REQUIRES YOUR SIGNATURE, NOTARIZATION, AND A FEE OF \$50.00.

A67-00081D IS FOR THE 10 (A) SHARES OF LOST VALLEY RESERVOIR AND REQUIRES YOUR SIGNATURE, NOTARIZATION, AND A FEE OF \$50.00.

A67-10129 IS FOR 26 MINERS INCHES OF WATER FROM THE WEST FORK OF THE WEISER RIVER AND IS BASED ON DECREES TO C. L. HAM (67-00145 & 67-00147). THE TWO DECREES HAVE BEEN COMBINED IN ORDER TO SAVE YOU AN ADDITIONAL \$50.00 FILING FEE IF A CLAIM HAD BEEN FILED ON EACH DECREE. THIS CLAIM REQUIRES YOUR SIGNATURE ON THE AUTHORIZATION TO COMBINE THE TWO WATER RIGHTS INTO ONE CLAIM AND ALSO REQUIRES YOUR SIGNATURE ON THE CLAIM, NOTARIZATION, AND A FEE OF \$50.00.

A67-04121 IS A CLAIM FOR FLOOD WATER FROM THE WEST FORK OF THE WEISER RIVER AND REQUIRES YOUR SIGNATURE AND NOTARIZATION. THE FEE HAS ALREADY BEEN PAID (RECEIPT # W003157). ATTACHED IS THE ORIGINAL CLAIM THAT YOU HAD SUBMITTED 06/08/1989 THAT CAN EITHER BE RETAINED OR DESTROYED.

A67-10127 IS A CLAIM FOR THE DOMESTIC/STOCKWATER USES FROM THE GROUNDWATER SOURCE AND REQUIRES YOUR SIGNATURE AND NOTARIZATION. THE FEE HAS ALREADY BEEN PAID (RECEIPT # W003157). ATTACHED IS THE ORIGINAL CLAIM THAT YOU HAD SUBMITTED 06/08/1989 THAT CAN EITHER BE RETAINED OR DESTROYED.

TOTAL FEES DUE= \$150.00

FEES CAN BE PAID ON ONE CHECK.

IF YOU HAVE ANY QUESTIONS, FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

ELDON L. ROUSH
SENIOR WATER RESOURCE AGENT

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OCT 02 1992

Claim No. 67-4121

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that LADELL MERK and MARGARET MERK
 (name of claimant)
 of FRUITVALE IDAHO
 (mailing address), claims a right to the diversion and beneficial use of
 the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) WEST FORK WEISER RIVER, tributary to, WEISER RIVER
 (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>75"</u>	Use	<u>IRR1</u>	Period of Use: From	<u>4-15</u>	To	<u>7-15</u>
Amount		Use		Period of Use: From		To	
Amount		Use		Period of Use: From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)				(both dates inclusive)

- (3) Total quantity of water claimed: _____ cubic feet per second, or 75" acre-foot per annum, and/or _____ gallons per minute.
 (4) Priority claimed: (the date water was first applied to beneficial use) 1900

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

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
SW 1/4 SE 1/4, Sec. 32, Twp. 18N Rge. 1W B. M. County of ADAMS
 Additional points of diversion: NW SW SEC 9 17N R 1W

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible.

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
17N	1W	9																	128
11	11	9																	32

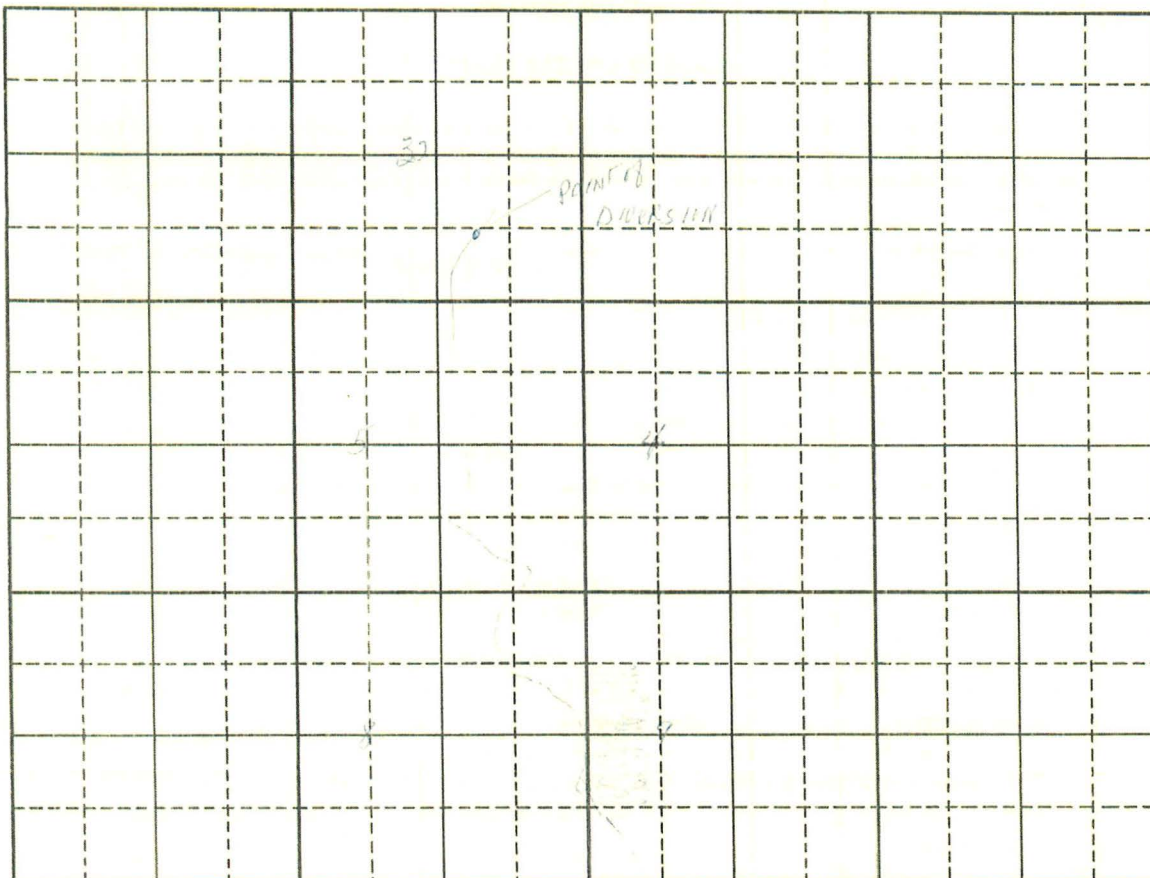
Total No. of acres 52

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

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

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(8) Remarks THIS CLAIM IS FOR FLOOD WATER IN
OSBORN GRASS DITCH



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Adams) ss.

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

Sworn to before me this 14 day of

Robert Marks
(Claimant)
April, 1975
David J. Harris
Notary Public
Residing at Council

My commission expires 9-16-76

For Department Use Only

Received by <u>CW</u>	Date <u>4/16/75</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>CW</u>	Date <u>4/16/75</u>		claimant by:	
\$10.00 fee received by <u>CW</u>	Date <u>4/16/75</u> #496			
Approved for publication by <u>Ch. Ch. 3-13-75</u>				
Published in <u>Adams County Leader</u>				
Dates <u>May 1 & May 8 4/16/75</u>				

O. L. Hum and Belle Hum,
husband and wife,

to

William Walker.

WARRANTY DEED

Dated May 22, 1909
Recorded Dec. 31, 1909
Book F of Deeds
Page 249
Consideration \$2250.00

Grant, bargain, sell, convey and confirm

All the following described real estate, situate in the County
of Washington, State of Idaho to-wit:

The West Half ($\frac{1}{2}$) of the North West Quarter ($\frac{1}{4}$)
of Section nine (9) Township seventeen (17)
North of Range One (1) East Boise Meridian con-
taining eighty (80) acres.

also all waters, water rights, dams, ditches, flumes and irrigating
works of whatever nature used upon belonging to or in anywise appertain-
ing to said lands said water rights including right to in both ditch on
west side and on east side of the Salter River used in irrigating said
lands.

COVENANTS: Quiet and peaceable possession will warrant and defend
against all lawful claims.

O. L. Hum (Seal)

Witness: A. L. Freesefer

Belle Hum (Seal)

Acknowledged May 22nd, 1909 in Washington County,
Idaho by O. L. Hum and Belle Hum, known to be
the persons whose names are subscribed to the
within instrument, before A. L. Freesefer, Notary
Public for said County. Seal.

*This property now belongs to Harvey Harrington. They are claiming
half of the 26' of water that shows on our deed & on the water records
by this transaction.*

Deeds
(Transcribed from Book 25/page 565, Records of Washington County, Idaho)

Trinitvale, Ida
april 14 1975
RECEIVED

APR 15 1975

Department of Water Resources
APR 15 1975

Water Resource Board

Mr Bob Hamilton

Dear Sir:

We need some help in confirming our water rights. Harrington came to our home and told us 2 of our 26" of adjudicated water was theirs because of a division made of the Ham property in 1909.

We believe all records indicate the 26" of water is ours. We would like for you to check this out, also the dates when the water was filed for and put in the T.J. Glenn Ditch & the Osborn Groom Ditch. I am sending water information I have. If there is any question please call us Cal.

We are wondering also when there are problems like this; where an individual stands. Does the Water Dist stand behind you.

We are sending in a claim for flood water for (50 A) that is irrigated from the Osborn Groom Ditch now.

We are filing a claim for (15 A) with the T.J. Glenn ditch group also.

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Thank you
Mrs LaDell Merk

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THIS INDENTURE, Made this 16th day of June
 in the year of our Lord one thousand nine hundred and Fifty Two between
 TED. R. BLESSINGER and EDNA FAYE BLESSINGER, husband and wife,**
 of Fruitvale County of Adams State of Idaho
 the parties of the first part, and LA DELL MERK and MARGARET MERK, husband and wife,
 of Mt. Vernon County of State of Oregon
 the parties of the second part,

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
 *****TEN AND NO/100***** DOLLARS,
 (and other valuable consideration)
 lawful money of the United States of America, to them in hand paid by the said parties of
 the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and
 by these presents do grant, bargain, sell, convey and confirm unto the said parties of the second
 part, and to their heirs and assigns forever, all the following described real estate situated in
 the County of Adams State of Idaho, to-wit:

The Southeast Quarter of the Northwest Quarter and the
 Northeast Quarter of the Southwest Quarter of Section
 Nine (9) in Township Seventeen (17) North, Range One (1)
 West, Boise Meridian, and together with all water and water
 rights, ditches and ditch rights and irrigating works of
 whatever nature, used upon, connected with or in anywise
 appurtenant to said premises, and particularly including,
 but not being limited to
 26 inches of the water of West Fork of the Weiser River
 and Twenty (20) Acre Feet of the storage water of Lost
 Valley Reservoir, as evidenced by Stock Certificate
 for 20 shares of the Class C stock of Lost Valley
 Reservoir Company.

This conveyance is made subject to taxes on said premises for
 1952, to be paid by second parties.



IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - 67-04121 Adj. flag translation: Standard Water Right Number

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields -

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Start Work Date	- 00/00/0000	Verified Date	- 02/11/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000				

MICROFILMED
OCT 02 1992