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NOE
WR# 67-14366

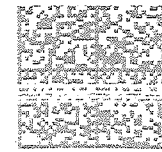
C/O Deadog? + Kathi York
6248 875
PO Box 1 ID 83613
Countryside

CARYN FIEGER
CATHERINE FIEGER
HARRY FIEGER
2822 HWY 95
COUNCIL ID 83612

SCANNED
FEB 27 2007

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

FIRST CLASS



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JAN 23 2007
DEPARTMENT OF
WATER RESOURCES

RETURN TO
SENDER
UNDELIVERABLE AS ADDRESSEE
FORWARD TO ORDER FINDER

CARYN FIEGER

CATHERINE FIEGER

HARRY FIEGER
2822 HWY 95
COUNCIL ID 83612

Director's Report
WR # 67-14366

SCANNED

MAR 13 2007

06/02/2006

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

RIGHT NUMBER: 67-14366

NAME AND ADDRESS: HARRY FIEGER
2822 HWY 95
COUNCIL ID 83612

CARYN FIEGER
2822 HWY 95
COUNCIL ID 83612

CATHERINE FIEGER
2822 HWY 95
COUNCIL ID 83612

SOURCE: UNNAMED STREAM

TRIBUTARY: UNNAMED STREAM

QUANTITY: 0.030 CFS

PRIORITY DATE: 01/01/1883

POINT OF DIVERSION:

T18N R01E S32 NWSESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.030 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T18N R01E S31 SWSE 1.20

1.2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



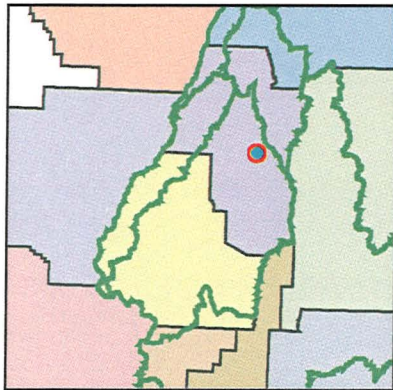
Idaho Department of Water Resources

SRBA Recommendation:

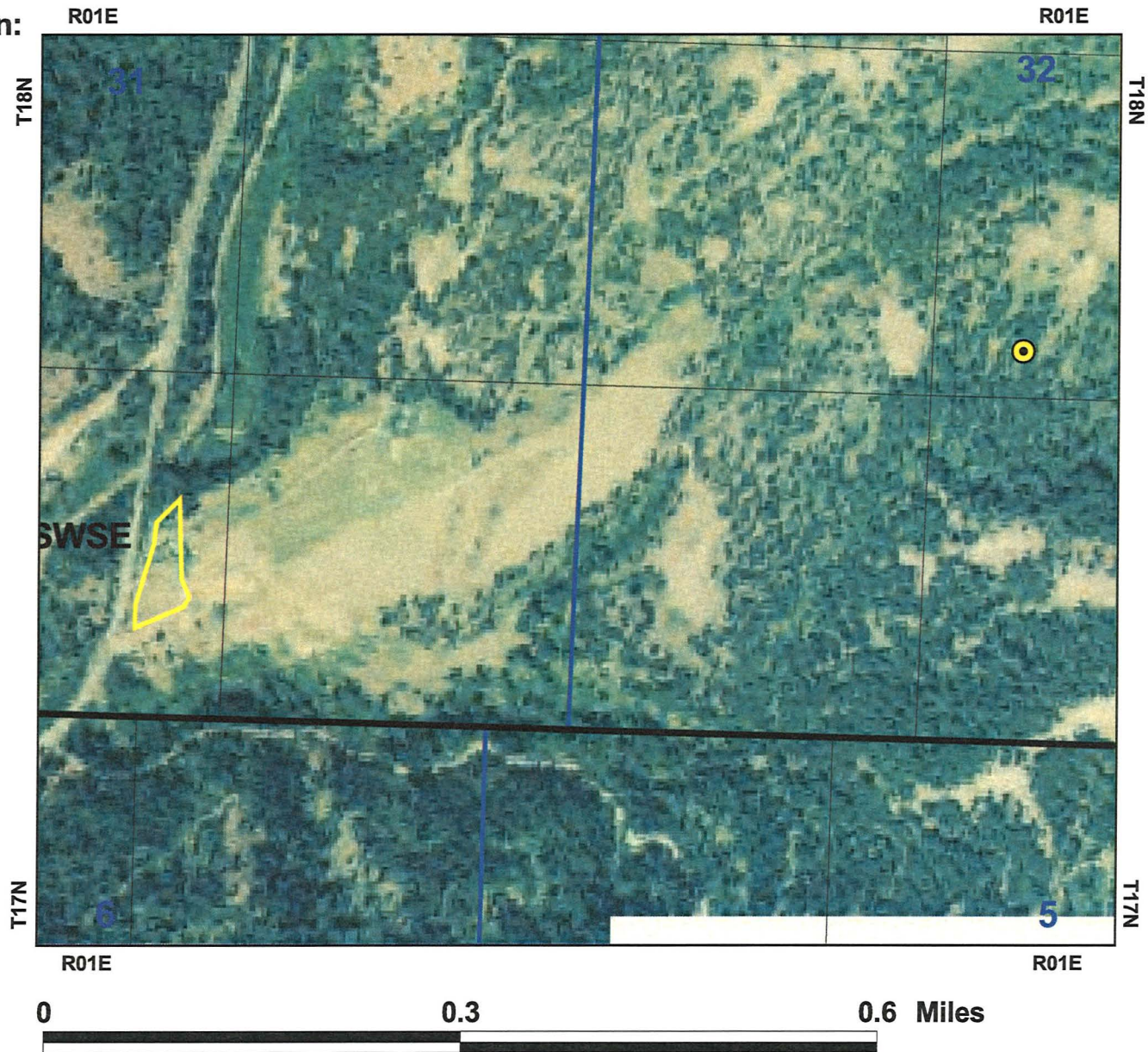
67-14366

Legend

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

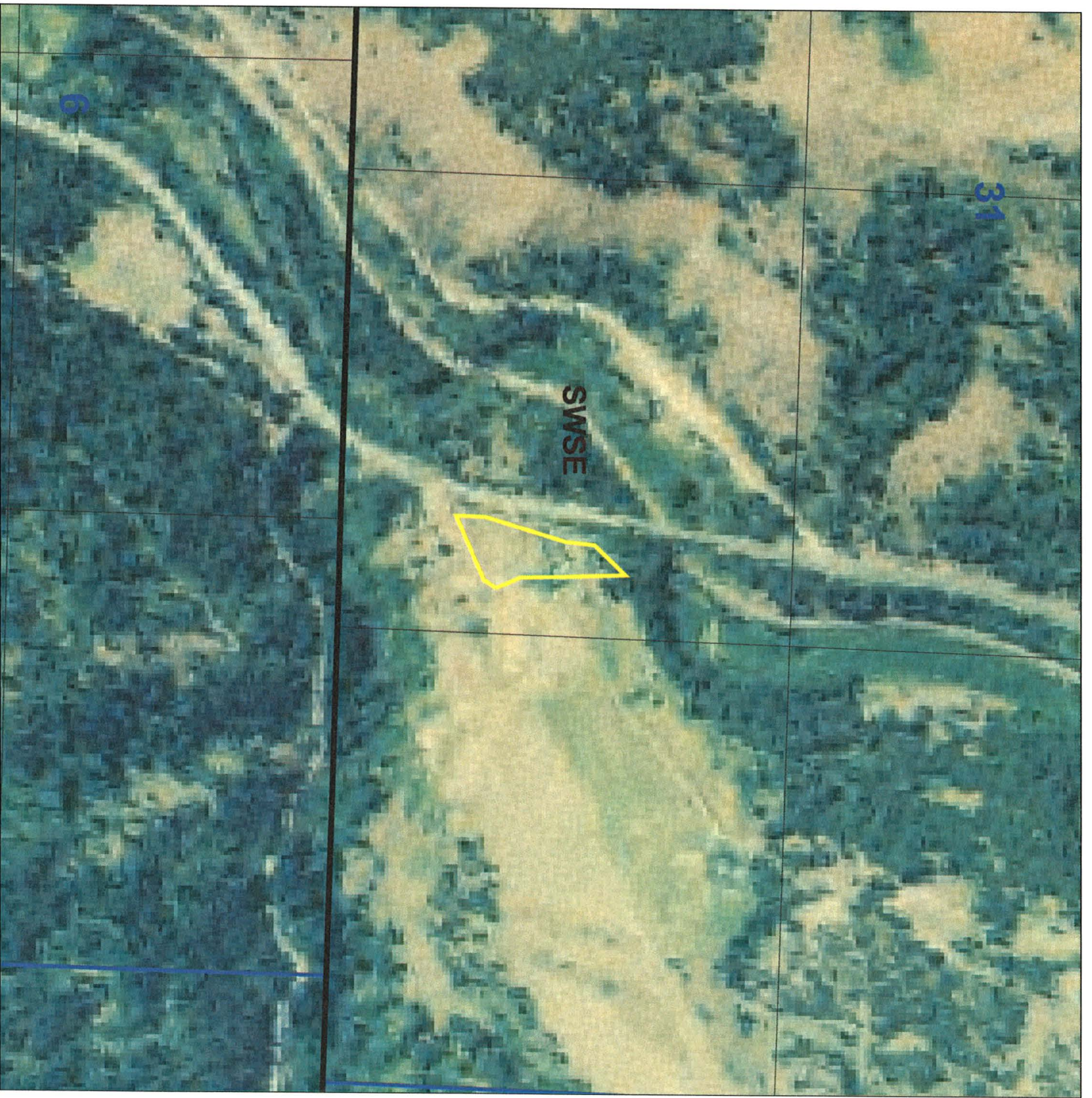
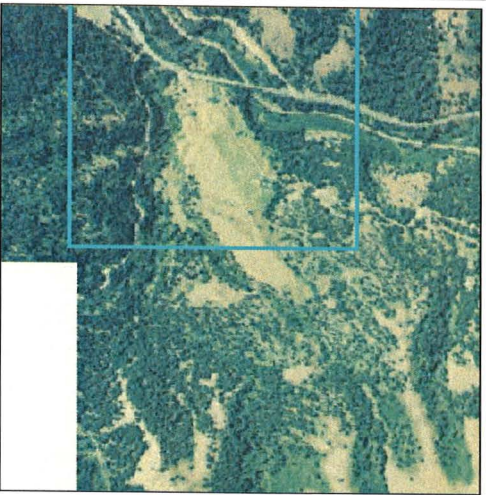


Adams County
IDWR Basin 67



Prepared by M. Van Bussum
On Thursday, June 15, 2006
1987/88 Aerial Photography

67-14366



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14366 V1

WATER RIGHT NUMBER: 67-14366 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	DAVID C VERNER TAMARACK STAR RT COUNCIL, ID 83612
Current Owner	HARRY FIEGER 2822 HWY 95 COUNCIL, ID 83612 (208)253-4723
Current Owner	CARYN FIEGER 2822 HWY 95 COUNCIL, ID 83612 (208)253-4723
Original Owner	JACK A VERNER TAMARACK STAR RT COUNCIL, ID 83612
Original Owner	CARYN C VERNER , ID
Current Owner	CATHERINE FIEGER 2822 HWY 95 COUNCIL, ID 83612 (208)253-4723

Priority Date: 01/01/1883

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	UNNAMED STREAM

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.030 CFS	
	<u>Total Diversion:</u>	0.030 CFS	

Location of Point(s) of Diversion

UNNAMED STREAM	NW1/4SE1/4SW1/4	Sec. 32, Twp 18N, Rge 01E, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
18N	01E	31															1.2		1.2

Total Acres: 1.2

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-14366 V1

Conditions of Approval:

1. 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.

Remarks:Comments:

1. mvanbussum 6/2/2006 Source

Comment: Recommending source as unnamed stream trib to unnamed stream. Spring is about 50m upstream of diversion point, at which point the system is clearly a stream. This stream appears to be trib to another unnamed stream, although it may have a local name, trib to East Fork Weiser River.

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: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits: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>
Contacts	6/2/2006 1:25:16 PM	mvanbussum			Active
Priority Date	6/2/2006 1:25:50 PM	mvanbussum			Active
Priority Date	6/2/2006 1:25:55 PM	mvanbussum			Active
POD	6/2/2006 1:26:15 PM	mvanbussum			Active
Source	6/2/2006 1:26:54 PM	mvanbussum			Active
POU	6/2/2006 1:27:14 PM	mvanbussum			Active
Use	6/2/2006 1:29:40 PM	mvanbussum			Active
Season	6/2/2006 1:29:57 PM	mvanbussum			Active
Quantity	6/2/2006 1:31:19 PM	mvanbussum			Active
Summary			06/02/2006	mvanbussum	Active
Source	6/2/2006 1:42:07 PM	mvanbussum			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14366 V1

Summary		06/02/2006	mvanbussum	Active
Quantity	6/2/2006 1:51:38 PM		mvanbussum	Active
Summary		06/02/2006	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Source	6/2/2006 1:42:08 PM	mvanbussum	(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 - Imagery verifies source.
Summary	6/2/2006 1:42:59 PM	mvanbussum	(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? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 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?
Quantity	6/2/2006 1:51:39 PM	mvanbussum	(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 - Per Dave Tuthill of IDWR, if claimed diversion rate is below 0.2 cfs, a flow measurement is not needed. Visual inspection of ditch by IDWR employee Monica Van Bussum confirms capacity exceeds 10 cfs.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14366 V1

Summary	6/2/2006 1:52:36 PM	mvanbussum	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (Yes) 4. Is any portion of the claim be recommended? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 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?
Contacts	6/2/2006 1:25:17 PM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	6/2/2006 1:26:16 PM	mvanbussum	(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?
POU	6/2/2006 1:29:03 PM	mvanbussum	Updated PLS for Active POU
General	6/2/2006 1:25:51 PM	mvanbussum	(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? Description for Question 12/13 - Printed history of Stevens Stage Coach Inn in file, and a photo of property from 1883 in backfile of 67-4335.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14366 V1

General	6/2/2006 1:25:56 PM	mvanbussum	(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 - Printed history of Stevens Stage Coach Inn in file, and a photo of property from 1883 in backfile of 67-4335.
Source	6/2/2006 1:26:55 PM	mvanbussum	(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 - Imagery and FE conducted on 67-4335 on 5-24-2006.
POU	6/2/2006 1:27:15 PM	mvanbussum	(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? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Imagery verifies POU.
POD	6/2/2006 1:26:28 PM	mvanbussum	Updated shape
POU	6/2/2006 1:28:37 PM	mvanbussum	Updated shape for Active POU
Use	6/2/2006 1:29:41 PM	mvanbussum	(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 - Imagery verifies purpose of use.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14366 V1

Season	6/2/2006 1:29:58 PM	mvanbussum	(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	6/2/2006 1:31:20 PM	mvanbussum	(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 - Per Dave Tuthill, if diversion rate below 0.2 cfs, no measurement needed. Visual inspection of dam by field examiner Monica Van Bussum confirms ditch capacity in excess of 10 cfs.
Summary	6/2/2006 1:31:56 PM	mvanbussum	(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? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 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?

Water Supply Bank:

Priority Date Data Entry Form

Claim Number 67-14366

Claimed Priority Date: 1/1/1872

Claimed Basis: Statutory Claim

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

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date Recommended Basis

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

good to 1883.

History of Steven's Stagecoach Inn

- picture of property from 1883 in backfile
of 67-4335Reviewer: MVBDate: 5-22-06

Point of Diversion and Source Data Entry Form

Claim Number 67-14366

Claimed Point of Diversion and Source

T18N R01E S32 NWSESW Within ADAMS County Source: SPRING WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

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:

(67-4335)
same as Mayfield - FE to be completed
5-24-06 - FE completed 5-24-06 MVB
A0017645 - 3+ pictures - same source
as 67-4335 - spring leading into
un-named stream & 8-inch pipe
submerged in un-named stream

Reviewer: MVBDate: 5-22-06

Place Of Use Data Entry Form

Claim Number 67-14366

Claimed Place Of Use

T18N R01E S31 SWSE 5.00

Total Acres 5

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Tw	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

see C-Saxton for shape
layout of shape in this file

Reviewer: MVBDate: 5-22-06

Purpose of Use Data Entry Form

Claim Number 67-14366

Claimed Purpose of Use

Water Use
IRRIGATION

Number of Homes

Number of Stock

Acre Limit

☐ 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

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:

imagery & correspondence w/ other claimants
supports purpose of use

Reviewer:

MUB

Date:

5-22-06

Period of Use and Quantity Data Entry Form

Claim Number 67-14366

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	04/01	10/31	0.16	

Overall Diversion Rate 0.16

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

Overall Diversion Rate

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:

Recommend IDWR standard SOU
no div. volume limit needed
~~see FE for 67-14335 for measurement info~~
~~on ditch (to be conducted 5-24-06)~~

Per field examiner, ditch can carry at
 least 10cfs. MVB 5-24-06

Reviewer: MVBDate: 5-22-06

Contacts Data Entry Form

Claim Number: 67-14366

Owner Type	Full Name	Address	City	State	Zip	Phone
Original Owner	DAVID C VERNER	TAMARACK STAR RT	COUNCIL	ID	83612	
Current Owner	HARRY FIEGER	2822 HWY 95	COUNCIL	ID	83612	(208)253-4723
Current Owner	CARYN FIEGER	2822 HWY 95	COUNCIL	ID	83612	(208)253-4723
Original Owner	JACK A VERNER	TAMARACK STAR RT	COUNCIL	ID	83612	
Original Owner	CARYN C VERNER			ID		
Current Owner	CATHERINE FIEGER	2822 HWY 95	COUNCIL	ID	83612	(208)253-4723

Date of Field Exam: _____ Time: _____

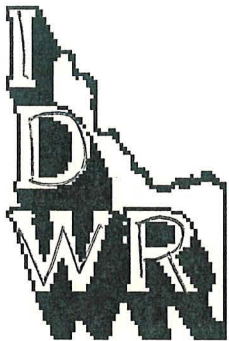
Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

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

new owners appear to be Gene & Kathy Vogt
of Council (PO Box 875 Council ID
83612)
They were contacted in writing 8-2005 &
1-2006 re. change of ownership & have
not responded

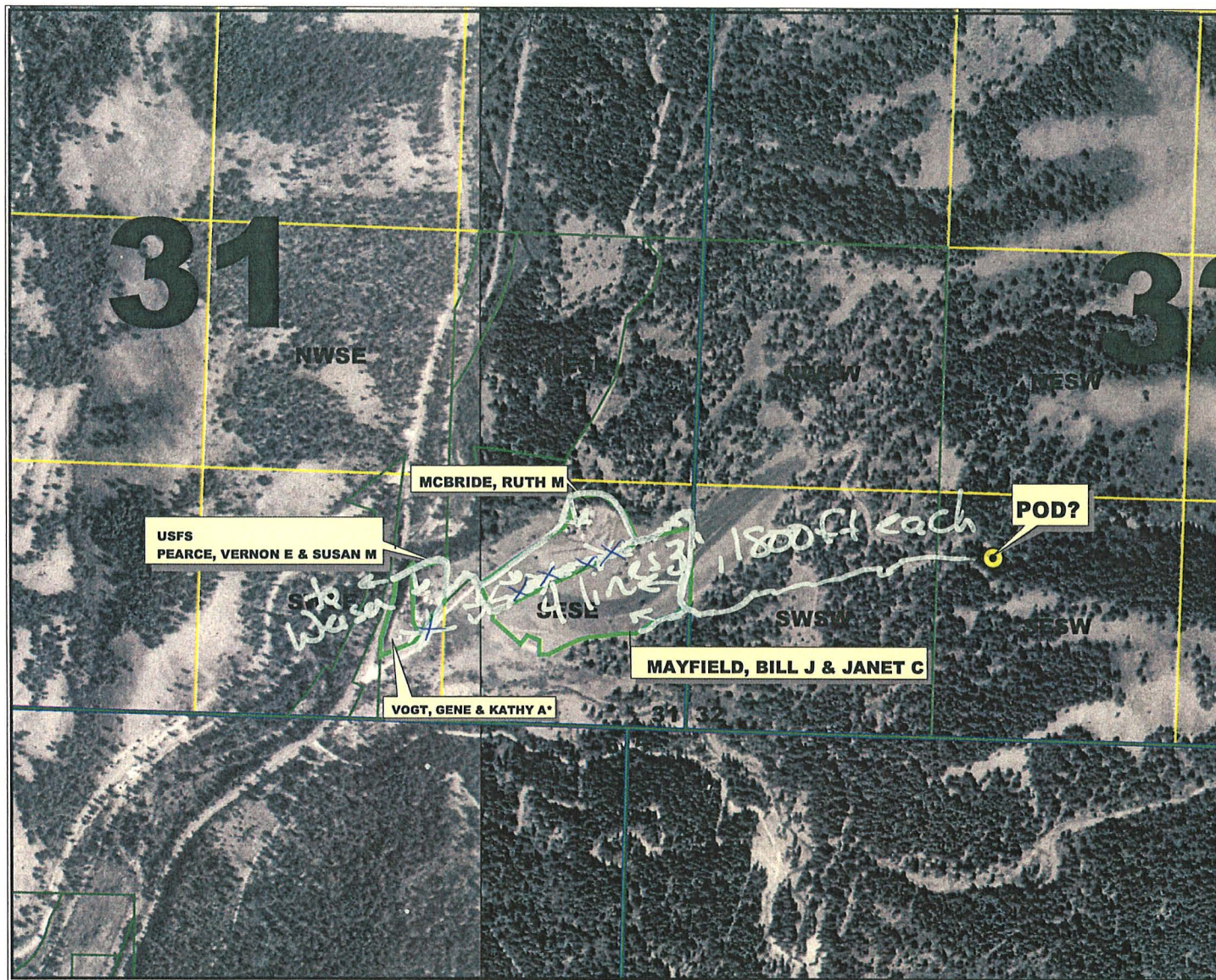
Reviewer: MVBDate: 5-22-06



State of Idaho

Location Map
Claim Stage Coach Springs
Map Source: USGS DOQQ

*pipeline is under
ditch*



1320 0 1320 Feet

*X means out - correct
line to the north*

● Point of Diversion

□ Irrigated Place of Use

□ State Land

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres:

Initial Acres Found:



Prepared By: Craig L. Saxton
Date: July 2005



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

January 17, 2006

GENE VOGT
KATHY A VOGT
PO BOX 875
COUNCIL ID 83612

RE: CHANGE IN OWNERSHIP FOR SNAKE RIVER BASIN ADJUDICATION (SRBA) CLAIM
67-14366

Dear Claimants:

It has come to our attention that you may have recently purchased a tract of land in Adams County, Idaho. According to our records, the property to which I am referring was most recently owned by Harry, Caryn and Catherine Fieger. The legal description is as follows:

T18N R1E S31 SW1/4SE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 67. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a copy of your Warranty Deed and legal description of the property you have purchased. Additionally, at some point we may need to measure the capacity of the ditch supplying water to the property. We will contact you should that be necessary.

If you have any questions regarding this matter, please call me at (208) 287-4907.

Respectfully submitted,

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

HISTORY OF STEVEN'S STAGE COACH INN - OUR PLACE

The first people, of course, who inhabited this area were the fierce Nez Pierce and Shoshone Indians. They were short, well-proportioned, similar in appearance to the midwest tribes. Their skin ranged from light yellow to dark reddish. There were also many forts in the area, one only a mile south of here.

The first white settlers in the area were both young and fantastically energetic.

This house was built in the year 1872 or 1873 as a stage coach stop, and was named Steven's Stage Station. The first living room was the bar, the second living room was the dining room, and the upstairs was lined with bunks for overnight guests. At a later date, the kitchen girls doubled for the upstairs girls. Steven's daughter married Ketchup Bottle Tommy (Tommy Estes). It is not known what happened to the other members of the family. The bar was a favorite spot for travelers, local cattle and sheep herders, and the loggers who worked in the nearby woods. Solo was the most popular card game played in the bar room.

Steven's Stage Station was the only stop between Council and New Meadows. The stage coach started in Weiser, Idaho, and ended in New Meadows in the 1800's. The Indians were very troublesome to the settlers and travelers, many of the white people were killed including women and children.

Mr. and Mrs. Bert Gilmore bought this place, which was then 40 acres, in 1917 for \$ 350.00. They proceeded to repair existing irrigation ditches and build more to irrigate their crops. They planted a large garden and some fruit trees, with their field crops of grain, potatoes and some pasture. The former farmer and Doubleday Sheep Company owned the back 80 acres. Later on the Gilmore's bought the other 80 acres and proceeded to build more ditches to irrigate the back fields. Many of the original ditches are still in use today, doing a remarkable engineering layout.

Later on the Gilmores built a log cabin, at the time Steven's Station house was almost 50 years old, which has been gone for some 25 years now while Steven's Station is still inhabited.

Mrs. Gilmore's parents moved to the Council area in 1883 when she was three years old, later buying what is now known as Zim's Hot Springs. At the time there was no North or South roads, only a trail used by all and crossing the Weiser River 75 time between Council and New Meadows. At the age of 89 and living in Payette, Mrs. Gilmore still recalls how rough it was when the coach wheels hit the rocks.

The railroad was built to Steven's Station in 1890, where passengers stayed overnight and went on by coach to New Meadows, and points North.

We bought this property from Art Capps in 1965. This history was compiled and written in 1966, one year later. Mrs. Gilmore was our main source, but we talked to several other pioneers, including an elderly gentleman at the Old Soldiers Home in Boise, who worked for the Doubleday Sheep Company and frequented Steven's Station.

Mrs. Gilmore also gave us the original photograph of Steven's Station which was taken in 1882 or 1883.



This document was given to the Forest Service by Villard Surgenor

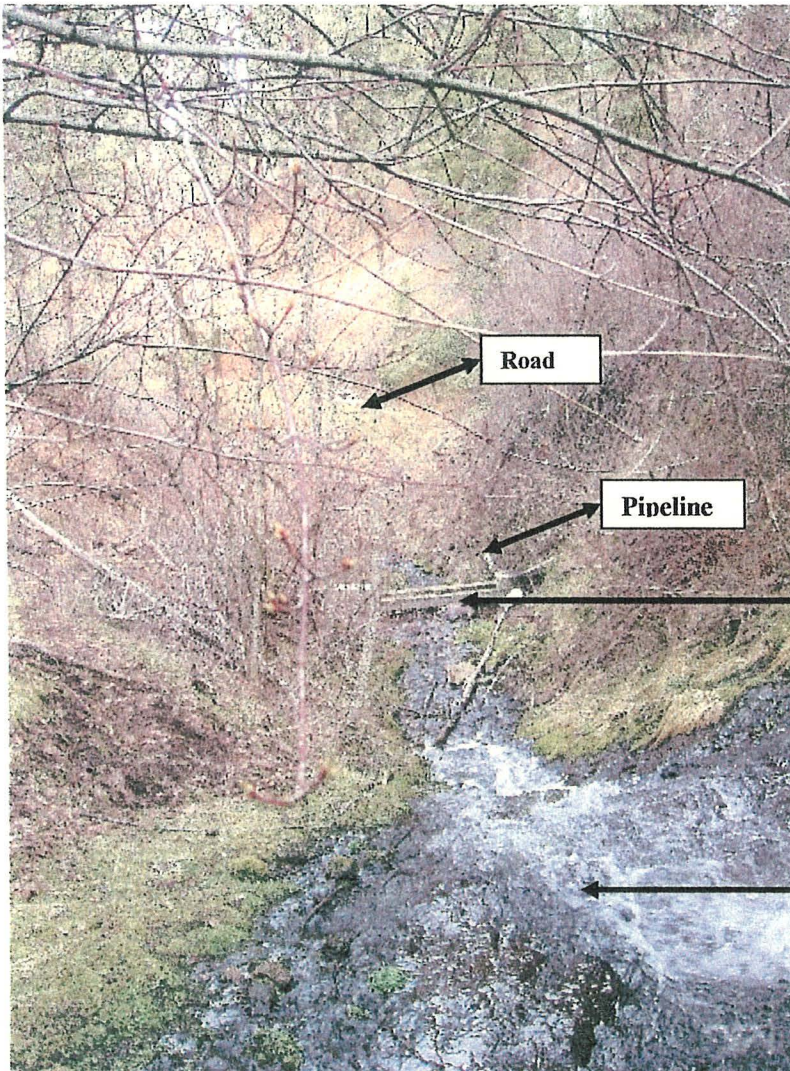
McBRIDE EASEMENT



McBride Spring



McBride Spring



This spring provides water for Ruth McBride (DB applicant), Surgener (1866) and Vern & Susie Pierce, (208-253-1105) (SUP).

Per phone call with B.Klarich (5/25/05), Sue and Jill will contact all of the above and present the option of DB easement for all concerned as "tenets in common".

From McBride Spring looking down on concrete barrier 'catch basin'. Surgener's water pipe buried in road bed. McBride & Pierce water piped from catch basin to ditch.

MEMORANDUM

Date: July 25, 2005

To: File

From: Craig L. Saxton

RE: Meeting with Jill Kemp and Sue Foster of the Forest Service on Friday July 22, 2005

Discussion concerning claims

67-4335, Mayfield (Surgner)

67-4323 (parent), then split into:

67-14366, Fieger (Fieger does not own property anymore, should be Vogt)

67-14367, McBride (Fieger – original owner)

67-14368, Pearce (Fieger – original owner)

Questions:

Is the source for 67-4335 the same as the source for 67-4323? Is it a spring, un-named stream, are there two springs. They claim different legals, is there an error?

What is the location of the source for each right?

Forest service notes state that after the 1997 flooding, Willard Surgener, now passed, cut a road up to the source and changed the system. IDWR for the most part does not care about this short of if the POD location changed which in turn changed the source from Spring to Un-named stream. I think it is an un-named stream now. If it was originally diverted directly from the spring, we need to know the location of the spring.

If all of the above mentioned parties use the same ditch for irrigation, we need to know that. If not, we need to know how each system works and if the water co-mingles.

Need to know the capacity of the ditch. Can the ditch carry 50 inches? About 48 inches is what is claimed between the four claims.

It is not clear whether the POD was ever located on the spring itself or the new irrigation system changed it from the spring to the ditch.

There is also a question whether the source from 67-4335 and parent right 67-4323 were/are from the same source. 67-4335 and 67-4323(parent) claim the POD location to be in different legal descriptions.



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

October 18, 2005

GENE & KATHY VOGT
PO BOX 875
COUNCIL ID 83612

RE: Investigation of Snake River Basin Adjudication (SRBA) claim **67-14366**

Dear Claimant(s):

As you may be aware, the Idaho Department of Water Resources (IDWR) is currently in the process of reviewing Snake River Basin Adjudication (SRBA) claims in the Weiser River Basin (Basin 67). My initial investigation found several issues regarding claim 67-14366 that need to be addressed.

1) Our initial investigation indicates that you are now owner of the property to which this claim is applicable. According to our records, the property was most recently owned by Harry, Caryn & Catherine Fieger. The legal description is as follows:

T18N R01E S31 SW1/4 SE1/4

We recommend that if, in fact, you now own the property in question, and use the water for the purposes claimed, you file a "Change in Ownership" (enclosed) with this department in order that we may send all further correspondence to the appropriate owner(s).

If you do not own the property applicable to this water right claim, you may disregard the remainder of this letter.

2) Second, this investigation is a major effort, and IDWR has hired contractors to assist us with this task. In order to make a recommendation on claim 67-14366, a field exam may need to be conducted.

Please feel free to contact me at (208) 287-4907 if you have any questions.

Respectfully submitted,

Monica P. Van Bussum
Water Resource Agent/GIS Technician
Adjudication Bureau

Enclosure(s)

PEARCE SPLIT
1 ACRE

MCBRIDE SPLIT
6 ACRES

SWSE

SESE

S31

FIEGER REMAINDER SPLIT
5 ACRES

SCANNED
APR 18 2018



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2002

HARRY FIEGER
51 CREST RD E
ROLLING HILLS CA 90274

Re: Original Notice of Claim to a Water Right No. 67-4323

Renumbered to Notice of Claim to a Water Right No. 67-14366

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office.

If you have any questions concerning this ownership change, or the enclosed claim copy, please feel free to contact this office.

Sincerely,

Adjudication Section
Western Region Office

DH: dh

Enclosure

cc: Catherine Fieger
Caryn Fieger



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2002

CATHERINE FIEGER
100 SOUTHERN BLVD
NESCONSET NY 11767

Re: Original Notice of Claim to a Water Right No. 67-4323

Renumbered to Notice of Claim to a Water Right No. 67-14366

Dear Claimant(s):

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Sincerely,

Adjudication Section
Western Region Office

DH: dh

Enclosure

cc: Harry Fieger
Caryn Fieger



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2002

CARYN FIEGER
1011 HIAWATHA PL
ASHLAND OR 97520

Re: Original Notice of Claim to a Water Right No. 67-4323

Renumbered to Notice of Claim to a Water Right No. 67-14366

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

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Sincerely,

Adjudication Section
Western Region Office

DH: dh

Enclosure

cc: Harry Fieger
Catherine Fieger

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

RETURN SERVICE
REQUESTED

PRESORTED
FIRST CLASS



67-14364

RETURNED
TO
SENDER
UNDELIVERABLE AS ADDRESSED
FORWARDING ORDER EXPIRED

Forwd Exp

RECEIVED

AUG 26 2002

WATER RESOURCES
WESTERN REGION

HARRY FIEGER
CARYN FIEGER
CATHERINE FIEGER
2822 HWY 95
COUNCIL ID 83612



See attached address found.
Sent again 8/27/02

SCANNED
APR 16 2004

Free 7-Day trial of leading acid reflux medication! Do you suffer from frequent and persistent heartburn two or more days per week? Click Here for more information and a FREE 7-Day trial.

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Try Public Records!

Listings 1-1 of 1

Fieger, Harry
51 Crest Rd East
Rolling Hills, CA 90274
310-377-8257

Did you go to school with Harry Fieger?
Search public records.

More Info On Harry Fieger



Listings 1-1 of 1

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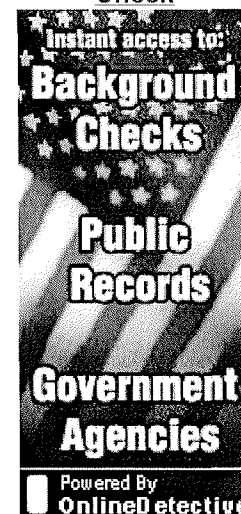
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Fieger, Catherine

100 Southern Blvd
Nesconset, NY 11767
631-724-2611

[Did you go to school with Catherine Fieger?](#)
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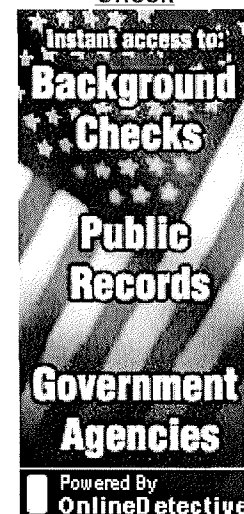
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Listings 1-1 of 1

Fieger, Caryn

1011 Hiawatha Place

Ashland, OR 97520

541-482-0327

[Did you go to school with Caryn Fieger?](#)

[Search public records.](#)

[More Info On Caryn Fieger](#)



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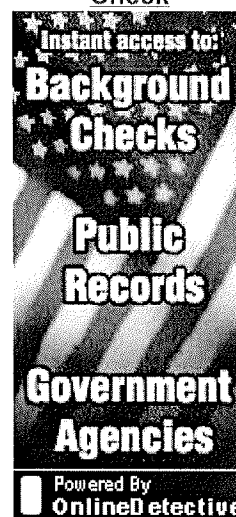
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IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

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 67-14366
Date Received: 10/10/1989
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

HARRY FIEGER
2822 HWY 95
COUNCIL ID USA 83612

Phone: (208)253-4723

CARYN FIEGER
2822 HWY 95
COUNCIL ID USA 83612

Phone: (208)253-4723

CATHERINE FIEGER
2822 HWY 95
COUNCIL ID USA 83612

Phone: (208)253-4723

2. Date of Priority: 01/01/1872

3. Source: SPRING Trib. to: WEISER RIVER EAST BRANCH

4. Point of Diversion:

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

5. Description of diverting works:

DITCH FROM SPRING FOR FLOOD IRRIG. W/SPRINGBOX W/PIPE TO HOMES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.16	

7. Total Quantity Appropriated is:
0.16 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
18N	01E	31	SW	SE	IRRIGATION	5
					Section Acres	5
					Total Acres	5

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:

14. Remarks:

This claim is the result of a split due to change in ownership for a portion of 67-4323. DH 8/21/2002

15. Basis of Claim: Statutory Claim

3-WAY SPLIT TREE

CLAIM: 67-04323

AGENT: Ron Howerton

Date: 4-10-02

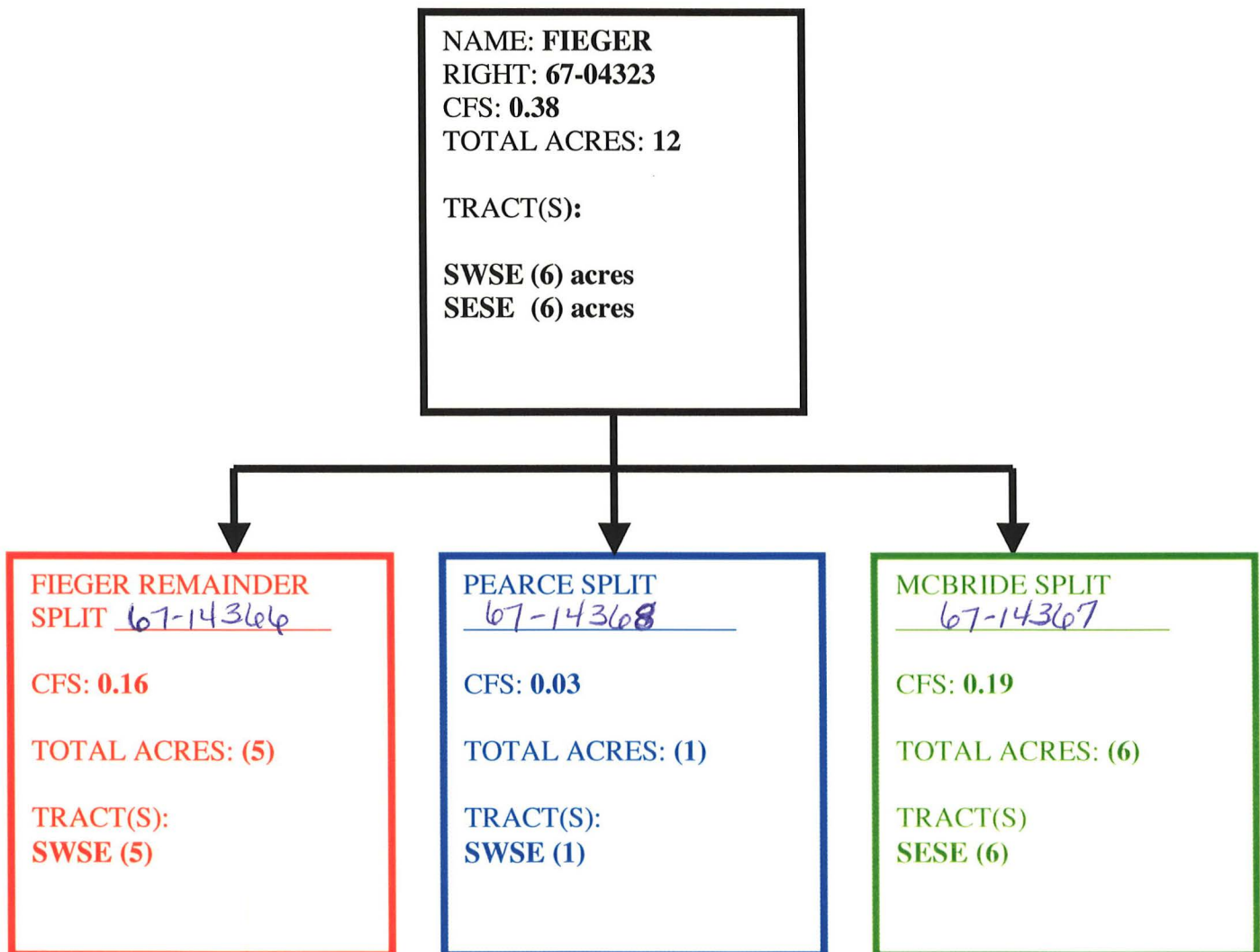
FACTOR = $\frac{\text{CFS } 0.38}{\text{ACRES } 12} = 0.031666667 \text{ CFS/ACRE}$

FIEGER REMAINDER SPLIT = 5 acres $(0.031666667) = 0.16 \text{ CFS}$

PEARCE SPLIT = 1 acre $(0.031666667) = 0.03 \text{ CFS}$

MCBRIDE SPLIT = 6 acres $(0.031666667) = 0.19 \text{ CFS}$

SPLIT TOTALS = 12 acres @ 0.38 CFS



67-14366

~~IDAHO DEPARTMENT OF WATER RESOURCES~~
~~ADJUDICATION CLAIM PROFILE REPORT~~

DATE: 04/10/02
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	HARRY FIEGER	01/01/1872	IRRIGATION	04-01 10-31	0.380 CFS	.16
C	CATHERINE FIEGER					
C	CARYN FIEGER					
	2822 HWY 95					
	COUNCIL ID 83612					
	(208) 253-4723					
				TOTAL DIVERSION:	0.380 CFS	.16

Tributary to: WEISER RIVER, EAST FORK

Stage: STATUTORY CLAIM

T18N R01E S32

NWSESW

ADAMS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
18N	01E	31	:					:					:					:							:	
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POU County: ADAMS

Non-Irrigation Uses: NONE.

Other Rights: 31" ADDITIONAL WATER FROM SPRING UNDER DIFF. OWNERS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 10/10/89 MOBILE3 03/15/93 HARRIS 08/26/94 DTUTHILL 03/30/95 POST-STD

4-10-02 NEW
NO MAP WAS
MADE FOR SPLIT
REMAINDER ACRES THAT
BECAUSE ACRES NOT
REMAIN ARE NOT
EVIDENT IN THE
SW SE⁴ AS NO
TAX RECORDS AT
THIS TIME SHOW
ANY OWNERSHIP
IN THIS TRACT
FOR FIEGER.
RCH

NOTE;
[OTHERS
MAY FILE
LATER
ON THIS
REMAN

Note:
[OTHERS
MAY RILE
LATER
ON THIS
REMARKS

SEE SPLIT TREE
FOR PRO RATED
CALCULATIONS

Part SPLIT MAP IN FILE

ATTN: FIELD EXAMINER

NOTE: THE 5 ACRE
REMAINDER MAY BELONG
OVER IN THE
SESE BECAUSE
THE CLAIM
HAS NEVER
BEEN
FIELD EXAMINED
AND BELONG
TO
MC BRIDE!
NOT A
TRANSFER JUST
BAD CLAIM
DATA.



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

COPY

RECEIVED

AUG 28 1996

DATE OF CLOSING: 8/15/96

LEGAL DESCRIPTION OF PROPERTY: Township 18N Range 01E
Section 31, 1/4 of 1/4 of 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.

If you have additional legal descriptions, please attach separate sheet.

RECEIVED

SEP 05 1996

WATER RESOURCES WESTERN REGION

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A67-04323
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Harry Fieger, or Catherine Fieger or Caryn Fieger
2822 Hwy 95
Council, ID 83612
- ☐ New Owner/Claimant (Purchaser): Ruth M. McBride
- ☐ New Mailing Address: 3501 LaCosta St.
Backersfield, CA 93306
- ☐ New Telephone Number: () _____ - _____
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: Copy of recorded Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s): Ruth M. McBride Date: 8-15-96
- ☐ Signature of Former Owner/Claimant(s): _____ Date: _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

WARRANTY DEED

INSTRUMENT NO. 90535

For Value Received CARYN C. FIEGER, an unmarried woman

the grantor , does hereby grant, bargain, sell and convey unto
RUTH M. McBRIDE, a widow

the grantee, whose current address is, 3501 LaCosta St., Bakersfield, CA 93306

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

SEE ATTACHED EXHIBIT "A" MADE A PART HEREOF.

TOGETHER WITH 15.5 inches of the flow of a certain spring for the purpose of irrigation
and all filings with the Idaho Department of Water Resources appurtenant to said land.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantee
her heirs and assigns forever. And the said Grantor does hereby covenant to and with the
said Grantee, that she is the owner in fee simple of said premises; that they are
free from all encumbrances excepting for all easements of record, rights of way, matters
visible, and all matters of record and title.

and that she will warranty and defend the same from all lawful claims whatsoever.

Date: August 12, 1996

Caryn C. Fieger
CARYN C. FIEGER

STATE OF Idaho)
COUNTY OF Adams) ss

On this 13th day of Aug, in the year of 1996, before me
a Notary Public, personally appeared
CARYN C. FIEGER
known or identified to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same

STATE OF IDAHO, COUNTY OF ADAMS
I hereby certify that this instrument was filed for record
at the request of Timberline Title & Escrow
at 41 minutes past 1 o'clock P.M.
this 19th day of August, 19 96, in my
office, and duly recorded in Book
of Deeds at page

Christy A. Bury
Notary Public
Residing at Fruitvale, Idaho
Commission expires: 8/4/98

MICHAEL FISK
Ex-Officio Recorder

By: Leahy Linde
Deputy

Fees \$9.00
Mail to: Timberline Title & Escrow

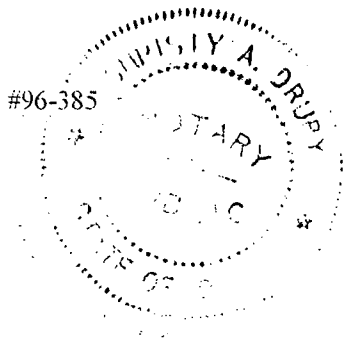


EXHIBIT "A"

Township 18 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 31: All that part of the W1/2SE1/4SE1/4 lying North and West of the County Stock Driveway.

ALSO

A parcel of land situated in the NE1/4SE1/4 of said Section 31, T18NR1EBM, and more particularly described as follows:

Commencing at the SE corner of said NE1/4SE1/4;

Thence North 89°54'03" West along the Southerly boundary of said NE1/4SE1/4 a distance of 715.08 feet to the centerline of a county road, which point is the TRUE POINT OF BEGINNING;

Thence continuing North 89°54'03" West a distance of 450.62 feet;

Thence North 13°00'03" West a distance of 159.87 feet;

Thence South 89°19'22" East a distance of 110.73 feet;

Thence South 82°35'09" East a distance of 370.88 feet;

Thence South 63°33'22" East a distance of 28.60 feet to said centerline;

Thence South 17°42'54" West along said centerline a distance of 74.40 feet;

Thence South 12°08'19" East along said centerline a distance of 24.32 feet to the TRUE POINT OF BEGINNING.

ALSO

A parcel of land situated in said Section 31, T18NR1EBM, Adams County, Idaho, more particularly described as follows:

Commencing at the Standard Section Corner common to Sections 31 and 32 of said Township;

Thence South 89°36'44" East 240.845 feet;

Thence North 40°00'00" West 36.362 feet;

Thence North 47°26'24" West 328.032 feet;

Thence North 00°14'43" East 342.380 feet;

Thence North 37°39'14" West 496.372 feet to the REAL POINT OF BEGINNING.

Thence North 17°28'04" East 55.452 feet;

Thence North 28°16'22" West 145.406 feet;

Thence North 55°11'36" West 152.200 feet;

Thence South 83°02'31" West 192.957 feet;

Thence South 12°08'19" East 90.117 feet;

Thence South 53°56'28" West 615.064 feet;

Thence South 28°30'28" East 220.383 feet;

Thence North 61°42'19" East 842.486 feet to the REAL POINT OF BEGINNING.

EXCEPTING from all of the above the County Road right-of-way as now established.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1996 which are a lien but not yet due or payable.

RIGHT-OF-WAY DEED, including terms and conditions thereof, granted to STATE OF IDAHO, recorded in Book 14 of Deeds page 448 and 16 Deeds page 113.

POWERLINE AND FENCE LINES as shown in Record of Survey entitled Gaylord Creek Survey, Payette National Forest, recorded September 21, 1976 as Instr. No. 55099.

ROAD EASEMENTS as disclosed in Record of Survey entitled Pacific Land & Livestock recorded May 4, 1979 as Instr. No. 59108.

BOUNDARY LINE AGREEMENT and terms and conditions thereof recorded June 18, 1979 as Instr. No. 59156.

RESERVATIONS FOR SPRING AND PIPELINE as set forth in deed recorded in Book 23 of Deeds at page 252 and as Instr. Nos. 59538, 62029.

RESERVATION of easement for water pipe line as set forth in deed recorded February 17, 1981 as Instr. Nos. 61941, 70218 and 88414.

POWER LINE EASEMENT granted to IDAHO POWER COMPANY recorded February 21, 1991 as Instr. No. 79761.

SUBJECT TO LIENS for any taxes deferred by virtue of the designation of the insured property, or any portion thereof, as Forest Lands as provided in Section 63-1701, et. seq., Idaho Code.

RECEIVED

OCT 29 1996

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources

COPY

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

OCT 30 1996

WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) A67-04323
Adjudication Claim Number(s) _____
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) Caryn Fieger
1011 Hiawatha Pl. Ashland, OR 97520
4. New Owner/Claimant(s) Vernon E Pearce Susan M. Pearce
Name connector (Check one): ☒ AND, ☐ OR, ☐ AND/OR
New Mailing Address P.O. Box 399 (2810 Hwy 95)
City, State and ZIP Code Council, Id, 83612
New Telephone Number 208) 253-1105
5. Date you acquired the property 10-1-96
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 1 Number and type of stock 1-2 horses
Diversion rate in CFS _____ Number of homes 1 Other uses _____
cubic feet per second
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Vernon E Pearce Date 10-8-96
Susan M Pearce Date 10-8-96
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

INSTRUMENT NO. **90882**

WARRANTY DEED

FOR VALUE RECEIVED, CARYN FIEGER, /aka CARYN C. FIEGER, a single woman Grantor, does hereby grant, bargain, sell, and convey to **VERNON E. PEARCE and SUSAN M. PEARCE**, husband and wife, Grantees, P. O. Box 399, Council, Idaho, 83612, the following described real property situated in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

And also subject to easements, liens or encumbrances of record, in use, or visible on the property.

To have and to hold the said premises, together with improvements and appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor hereby covenants to and with said Grantees, that she is the owner in fee simple of said premises; that the said premises are free from all encumbrances except as noted above; and, that she will warrant and defend the same from all lawful claims whatsoever.

DATED this 1st day of October, 1996.

Caryn Fieger
CARYN FIEGER, aka CARYN C. FIEGER

STATE OF IDAHO,)
) ss.
 County of Valley.)

On this 30 day of Sept, 1996, before me, *Randall D. Simonson*, a Notary Public in and for said State, personally appeared **CARYN FIEGER**, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Randall D. Simonson
 NOTARY PUBLIC FOR IDAHO
 Residing at: *Boise, ID*
 My Commission Expires: 7/14/97

warranty deed

WARRANTY DEED

EXHIBIT "A"

INSTRUMENT NO. 90882

Township 18 North, Range 1 East, Boise Meridian, Adams County, Idaho

Section 31: A parcel of land situated in the E1/2E1/2SW1/4SE1/4 more particularly described as follows:

Beginning at the CS-SE 1/64 corner of Section 31 noted above, which falls on the North right-of-way of the "Stevens" County Road;

Thence along said right-of-way South 43°48'52" West 146.66 feet to a point;

Thence South 29°36'19" West 82.35 feet to a point;

Thence departing said right-of-way North 26°56'29" West 55.63 feet to a point;

Thence North 03°59'55" West 128.29 feet to a point on the Section subdivision line, being the SW corner of the small tract conveyed by Quitclaim Deed #87096;

Thence along the lines of said small tract North 02°59'31" West 180.29 feet to a point;

Thence North 87°29'54" East 82.15 feet to a point;

Thence North 72°34'44" East 108.52 feet to a point;

Thence South 00°02'35" East 216.26 feet to a point, the SE corner of said small tract and the REAL POINT OF BEGINNING.

EXCEPTING County Road right-of-way.

TOGETHER WITH 1.5 inches of the flow of a certain spring for the purpose of irrigation.

SUBJECT TO THE FOLLOWING:

GENERAL TAXES AND ASSESSMENTS for the year 1996 which are a lien but not yet due or payable.

EASEMENT granted to STATE OF IDAHO for relocation of all irrigation and/or drainage ditches and structures, recorded May 20, 1936 in Book 14 Deeds page 448.

RIGHT-OF-WAY DEED, including terms and conditions thereof, granted to STATE OF IDAHO, recorded April 29, 1939 in Book 16 Deeds page 113.

POWERLINE AND FENCE LINES as shown on a Record of Survey entitled Gaylord Creek Survey, Payette National Forest, recorded September 21, 1976 as Instr. No. 55099.

POWERLINE EASEMENT granted to IDAHO POWER COMPANY, a corporation, recorded February 21, 1991 as Instr. No. 79761.

RESERVATIONS, including terms and conditions to a spring and pipeline, recorded September 13, 1955 in Book 23 of Deeds at Page 252.

MATTERS disclosed in a record of survey, recorded August 22, 1996 as Instr. No. 90559.

BOUNDARY LINE AGREEMENT, including terms and conditions thereof, recorded August 26, 1996 as Instr. No. 90569.

INSTRUMENT NO. 90882

State of Idaho)
County of Adams) ss.

Filed for record at the request of

Timberline Title & Escrow

53 min. past 2 o'clock P.M.

this 1st day of Oct, 1996

MICHAEL FISK, RECORDER

by Deputy
Deputy

RECEIVED

OCT 29 1996

Department of Water Resources

RECEIVED

OCT 30 1996

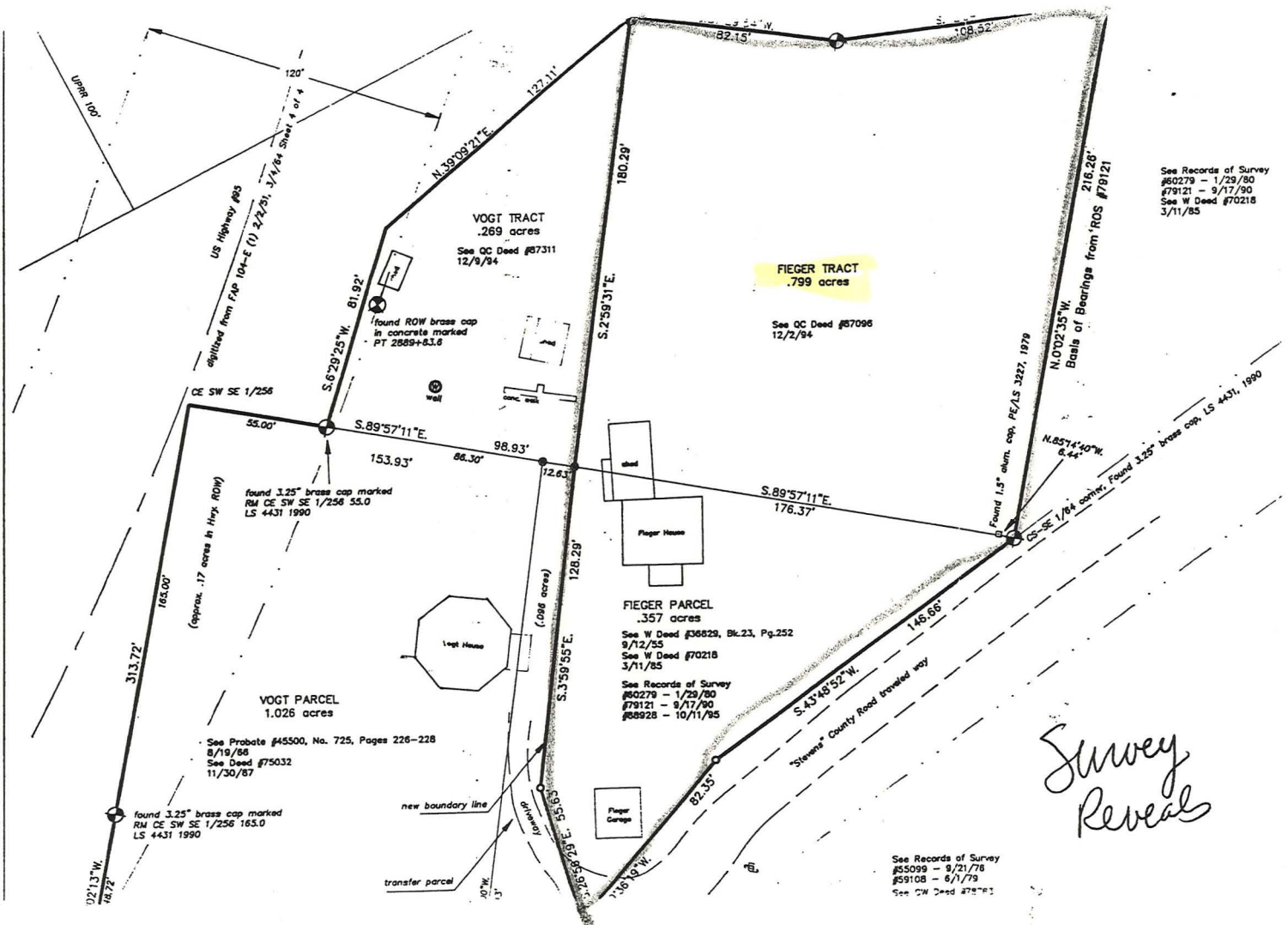
WATER RESOURCES
WESTERN REGION

COMPLIMENTS OF

Timberline Title & Escrow

This sketch is made solely for the purpose of assisting in locating the premises. The Company assumes no liability for alleged errors or damage which may result from reliance on this map.

Restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent that such restrictions violate 42 USC 3604 (c).



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: A67-04323
Date Received: 10/10/1989
Receipt No: M004867
Received By: N/A

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CARYN FIEGER 208-253-4723
Address: 2822 HWY 95
COUNCIL ID 83612
OR
Name: HARRY FIEGER 208-253-4723
Address: 2822 HWY 95
COUNCIL ID 83612
OR
Name: CATHERINE FIEGER 208-253-4723
Address: 2822 HWY 95
COUNCIL ID 83612
2. Date of Priority: JAN 1, 1872
3. Source: SPRING Trib. to: WEISER RIVER, EAST FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
18N	01E	32	NW	SE	SW		ADAMS
5. Description of diverting works:
DITCH FROM SPRING FOR FLOOD IRRIG. W/SPRINGBOX W/PIPE TO HOMES.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.380		
7. Total Quantity Appropriated is:
0.380 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	01E	31	SW	SE		IRR	6.0
			SE	SE		IRR	6.0
Section Acres							12.0
Total Acres							12.0

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:

31" ADDITIONAL WATER FROM SPRING UNDER DIFF. OWNERS.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): *Paula Flego* Date: 8-26-94

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of Aug 19 94

D. R. Tuttle Jr.
Notary Public

Seal

Residing at Bain Id

My Commission Expires Sept 10, 1994