

SEP 18 2006

DEPARTMENT
WATER RESOURCES

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 37-606D
Date Received: 7/10/2003
Receipt No:
Received By:

AMENDED

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

1. Name of Claimant(s)

LEROY LEE

Phone: (208) 544-2616

PO BOX 61
SHOSHONE ID USA 83352

DIANA LEE

Phone: (208) 544-2616

PO BOX 61
SHOSHONE ID USA 83352

2. Date of Priority: 11/28/1882

3. Source: LITTLE WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	17E	35	SW SE SE	LINCOLN	

5. Description of diverting works:

PUMP FROM RIVER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.04	

7. Total Quantity Appropriated is:
0.04 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
05S	17E	35	SE	SE	IRRIGATION	2
					Section Acres	2
					Total Acres	2

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

THIS WATER RIGHT ORIGINATES FROM A DEEDED WATER RIGHT FROM THE CITY OF SHOSHONE. ORIGINALLY WATER WAS RECEIVED FROM THE DITY FROM A CITY DITCH. THE DITHC WAS ABANDONED AND THE CITY DEEDED THE WATER FROM THE LITTLE WOOD RIVER FOR REPLACEMENT.

THIS CLAIM RENUMBERED FROM 37-10524 ON 7-10-03 SCC.

15. Basis of Claim: Decreed

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): *Leroy Lee* Date: 9/14/06

Leroy Lee

Date: _____

State of Idaho

County of Twin Falls } SS.

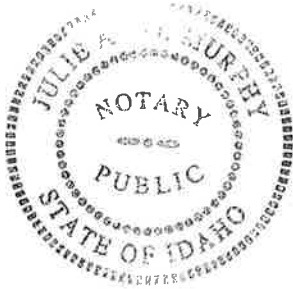
Subscribed and sworn (or affirmed) before me this

of September 20 2006

14th day
Julie Anne Murphy
Notary Public

Residing at Twin Falls, Idaho

My commission Expires 1-26-2011



RECEIVED

SEP 18 2006

DEPARTMENT OF
WATER RESOURCES

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

In Re SRBA

Subcase

37-006 D

(Insert water right number)

Case 39576

STANDARD FORM 4

MOTION TO FILE:

☐ LATE NOTICE OF CLAIM

☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is Le Roy Lee

My address is Po Box 61
Shoshone F.D. 83352

My phone number is: Work 208-280-1025 Home 208-544-2616

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on _____
(Insert Date and Time)
at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

my Deed STATES The WATER RIGHT
IS 1882 NOT 1905

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

These have already been Filed with
The Court

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of IDAHO

County of TWIN FALLS ID

LeRoy Lee

(Insert name of person filing form)

, being first duly sworn, upon oath, deposes and says:

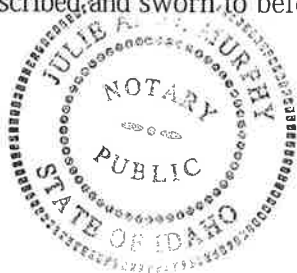
That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

LeRoy Lee

Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on September 14, 2006
(Insert Date)



Julie Anne Murphy
Notary Public for Idaho
Residing at: Twin Falls ID
My Commission expires: 1-26-2011

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on September 21 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

Leroy Lee
Diana Lee
P.O. Box 61
Shoshone, ID 83352



Signature of person or attorney mailing the form

RECEIVED
JUL 06 2004
DEPARTMENT OF
WATER RESOURCES

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 37-606D
Date Received: 7/10/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

LEROY LEE Phone: (208)487-2545
602 E 4TH
SHOSHONE ID 83352

DIANA LEE Phone: (208)487-2545
602 E 4TH
SHOSHONE ID 83352

2. Date of Priority: 12/31/1905

3. Source: LITTLE WOOD RIVER Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	17E	35	SW SE SE	LINCOLN	

5. Description of diverting works:

PUMP FROM RIVER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.04	

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

SCANNED

JUL 06 2004

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	17E	35	SE	SE	IRRIGATION	2
Section Acres						2
Total Acres						2

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

THIS WATER RIGHT ORIGINATES FROM A DEEDED WATER RIGHT FROM THE CITY OF SHOSHONE. ORIGINALLY WATER WAS RECEIVED FROM THE DITY FROM A CITY DITCH. THE DITHC WAS ABANDONED AND THE CITY DEEDED THE WATER FROM THE LITTLE WOOD RIVER FOR REPLACEMENT.

THIS CLAIM RENUMBERED FROM 37-10524 ON 7-10-03 SCC.

15. Basis of Claim: Decreed

SCANNED

JUL 06 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 2, 2004

LEROY LEE
DIANA LEE
602 E 4TH
SHOSHONE ID 83352

Re: SRBA Claim(s) 37-606D

Dear Mr. and Mrs. Lee:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership to you. Please find the enclosed copy of the computer record of the claim noting the change in claimant. Review the record and if there is an error, or you have any questions, please contact this office.

Because this claim has not yet been decreed by the SRBA court, no fee was due to complete the owner change; consequently, I am herein returning your check number 7587 in the amount of \$25.00.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Trish Fawcett'.

Trish Fawcett
Technical Records Specialist

Enc.

SCANNED

JUL 06 2004

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
37-606D					

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) Byron W Hall Joyce Hall
465 Limarick Dr Merritt Island, FL 32953
4. New Owner/Claimant(s) Diana Lee and LeRoy Lee
 Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
- New Mailing Address 602 East 4th
- City, State and ZIP Code Shoshone, ID 83352
- New Telephone Number (208) 487-2545
5. Date you acquired the property June 28, 2004

SCANNED

JUL 06 2004

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.

RECEIVED

JUN 30 2004

Department of Water Resources
Southern Region

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

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

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

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

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

Diana Lee

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by <u>[Signature]</u>	Date <u>7/1/04</u>	WR _____ Date _____

RECEIVED

WARRANTY DEED

#GL-05521

JUN 30 2004

Department of Water Resources
Southern Region

For Value Received

Byron W. Hall and Joyce Hall, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Diana Lee and LeRoy Lee, wife and husband**Address: 602 E 4th, Shoshone, ID 83352***(D) L.L.*

Hereinafter called the Grantee, the following described premises situated in County, Idaho, to-wit:

Lot O of Mountain View Addition, to the City of Shoshone, Lincoln County, Idaho, as the same is platted in the official plat thereof, now of record in the office of the Recorder of said County.

SUBJECT TO:**All reservations in patents or deeds in the chain of title.****Taxes for 2004 and subsequent years, taxes are an accruing lien, not yet due or payable.****Assessments levied or to be levied by the City of Shoshone.****Any adverse claim based on the assertion that the location of the Little Wood River has moved.**

Any adverse claim base on the assertion that some portion of said land is now or at any time has been within the boundaries of the Little Wood River or any other navigable body of water or by reason of the fact or claim that any portion or portions thereof have been rendered unnavigable by artificial means or have accreted to such portions so created.

Any rights, interests or easements in favor of the public which exist or are claimed to exist over any part of said land covered by water.

Decree in the case of Lee J. Mott and Idaho Irrigation Company, Limited, a corporation, Plaintiffs, versus Charles W. Dill, etal, Defendants, dated June 17, 1916, recorded June 17, 1916 in Book 3 Page 382, Lincoln County records, pertaining to the flowage of Gooding Mott Ditch. Together with 2.0 inches of Decreed River Water with a priority date of 11-28-1882, Water right number 37-0606D.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumberances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: June 18, 2004

Byron W. Hall

Byron W. Hall

Joyce Hall

Joyce Hall

STATE OF IDAHO)

COUNTY OF *Gooding*) ss.

On this *25th* day of **June, 2004**, before me, the undersigned, a Notary Public in and for said State, personally appeared **Byron W. Hall and Joyce Hall**, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Becky Shubert
Notary Public
Residing at: *Wendell ID*
My Commission expires *02-23-05*

Becky Shubert
Notary Public
State of Idaho



RECEIVED
JUN 30 2004

Department of

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sub division

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CITY OF SHOSHONE

SCANNED

JUN 06 2004

Scal e 1" = 100'



Sec 1. 1. 5. 7. 1. 7. E
Sec 1. 1. 5. 7. 1. 7. E

[illegible][illegible]

7th June 1944

Dear Sir,

I have the honor to acknowledge the receipt of your letter of the 2nd inst. in relation to the above.

I am sorry to hear that you are unable to visit the office at the present time. I shall be glad to hear from you again when you are able to do so.

Yours faithfully,

John Doe

John Doe

JUN 30 2004

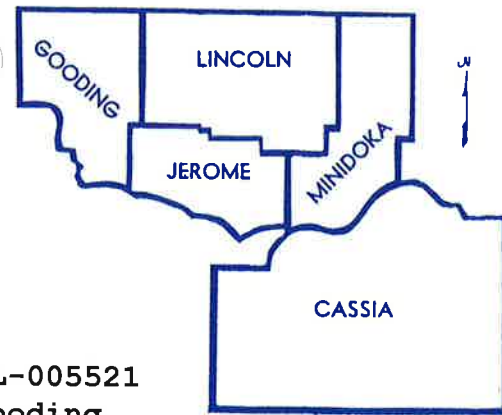
Department of Water: Marine Southern Region

THIS PLAT IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING THE LAND, AND THE CO. ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY, WITH AN ACTUAL SURVEY.

SCANNED
JUL 06 2004

Land Title and Escrow, Inc.

A FULL SERVICE TITLE COMPANY



REFER TO: GL-005521
OFFICE: Gooding

June 29, 2004

RECEIVED

JUN 30 2004

Department of Water Resources
Southern Region
1341 Fillmore Suite 200
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region

RE: Notice of Change of Water Right Ownership
Hall to Lee
Cert Mail #7003 1010 0001 2518 1417

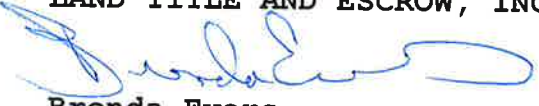
Dear Sirs:

At the request of the buyer, we are forwarding to your office the following in connection with the above referenced:

- Notice of Change of Water Right Ownership on
on Byron W Hall and Joyce Hall to Diana Lee and Leroy Lee
for Water Right Number 37-606D
- Copy of Deed #177051
- Copy of Map

Thank you,

LAND TITLE AND ESCROW, INC.


Brenda Evers
(208) 934-8477
P.O. Box 473, 546 Main Street
Gooding, Idaho 83330

cc:
Diana Lee and LeRoy Lee
602 E 4th
Shoshone, ID 83352

SCANNED

JUL 06 2004

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 **37-606D**
Date Received: 7/10/2003
Receipt No:
Received By:

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

1. Name of Claimant(s)

BYRON W HALL

Phone: 321-454-4137

465 LIMARICK DR
MERRITT ISLAND FL USA 32953

JOYCE HALL

Phone: 321-454-4137

465 LIMARICK DR
MERRITT ISLAND FL USA 32953

2. Date of Priority: 12/31/1905

3. Source: LITTLE WOOD RIVER

Trib. to: MALAD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05S	17E	35	SW SE SE	LINCOLN	

5. Description of diverting works:

PUMP FROM RIVER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/31	0.04	

7. Total Quantity Appropriated is:
0.04 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
05S	17E	35	SE	SE	IRRIGATION	2
					Section Acres	2
					Total Acres	2

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

THIS WATER RIGHT ORIGINATES FROM A DEEDED WATER RIGHT FROM THE CITY OF SHOSHONE. ORIGINALLY WATER WAS RECEIVED FROM THE DITY FROM A CITY DITCH. THE DITHC WAS ABANDONED AND THE CITY DEEDED THE WATER FROM THE LITTLE WOOD RIVER FOR REPLACEMENT.

THIS CLAIM RENUMBERED FROM 37-10524 ON 7-10-03 SCC.

15. Basis of Claim: Decreed

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: A37-10524
Date Received: 7/11/1988
Receipt No: 5000 837
Received By: 9

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BYRON HALL 208-886-7502
Address: 602 E. 4TH ST.
SHOSHONE, ID 83352

OR
Name: JOYCE HALL 208-886-7502
Address: 602 E. 4TH ST.
SHOSHONE, ID 83352

2. Date of Priority: DEC 31, 1905

3. Source: LITTLE WOOD RIVER Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	17E	35	SW	SE	SE		LINCOLN

5. Description of diverting works:
PUMP FROM RIVER

6. Water is used for the following purposes:

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

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

8. Total consumptive use is 6.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	17E	35	SE	SE		IRR	2.0
Section Acres							2.0
Total Acres							2.0

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS WATER RIGHT ORIGINATES FROM A DEEDED WATER RIGHT FROM THE CITY OF SHOSHONE. ORIGINALLY WATER WAS RECEIVED FROM THE CITY FROM A CITY DITCH. THE DITCH WAS ABANDONED AND THE CITY DEEDED THE WATER FROM THE LITTLE WOOD RIVER FOR REPLACEMENT.

15. Basis of Claim: BENEFICIAL USE

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): Joyce Hall Date: 7-11-88

Date: _____

State of Idaho)
County of Butte Falls) SS.

Subscribed and sworn (or affirmed) before me this 11th day

of July 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Lodi, Idaho
My Commission Expires 10-16-1992

460

57' 30"

459

TSS
R17

458

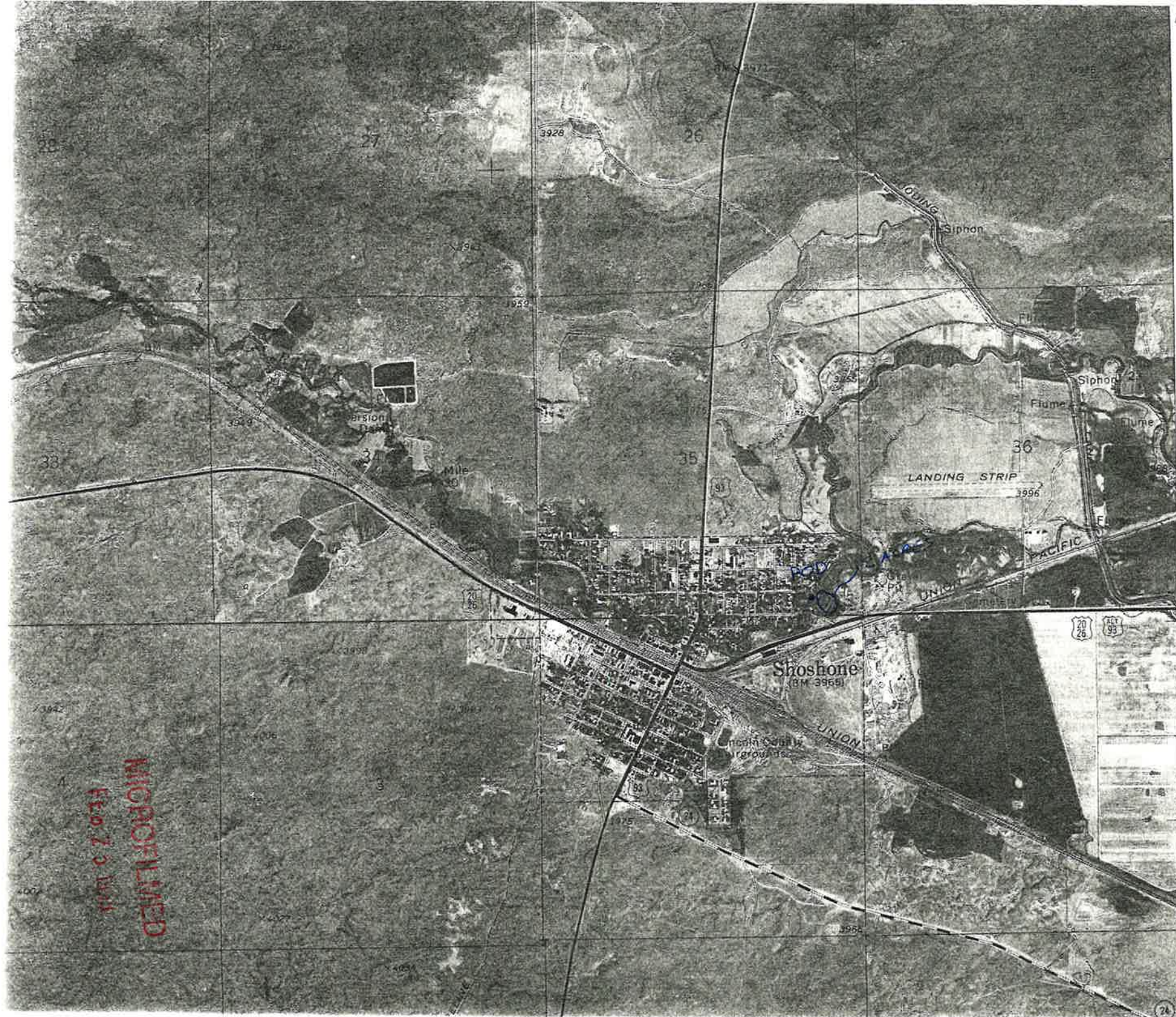
T 5 S
RICH. TELD 15. M.I.S.
ARCO 82 M.I.

457

T 6 S

456

455
TETRICH 7 M.I.



MICROFILMED
FEB 7 3 1961

10/21/2006

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

RIGHT NUMBER: 37-606D

NAME AND ADDRESS: LEROY LEE
PO BOX 61
SHOSHONE ID 83352

DIANA LEE
PO BOX 61
SHOSHONE ID 83352

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 11/28/1882

POINT OF DIVERSION:

T05S R17E S35 SWSESE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.040 CFS

PLACE OF USE:

IRRIGATION Within LINCOLN County

T05S R17E S35 SESE 1.60

1.6 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 - Decreed

THIS RIGHT IS FROM FORMER RIGHT 37-10524.

COPY

RECEIVED

MAY 31 2006

2005 DEC 16 PM 2:38

DEPARTMENT OF
WATER RESOURCES

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Case No. 39576

SUBCASE NO. 37-606D

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

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

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

Dated:

12/16/05

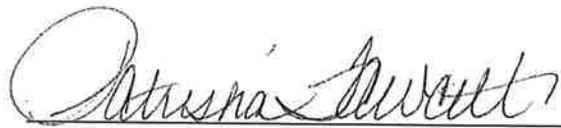
Douglas Jones

Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 12/16, 2005, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Leroy Lee
Diana Lee
PO Box 61
Shoshone ID 83352
3. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
4. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

11/17/2005

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 37-606D

NAME AND ADDRESS: LEROY LEE
PO BOX 61
SHOSHONE ID 83352

DIANA LEE
PO BOX 61
SHOSHONE ID 83352

SOURCE: LITTLE WOOD RIVER

TRIBUTARY: MALAD RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 12/31/1905

POINT OF
DIVERSION: T05S R17E S35 SWSESE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
0.040 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County
T05S R17E S35 SESE 1.6

1.6 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 - Decreed

THIS RIGHT IS FROM FORMER RIGHT 37-10524.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

December 16, 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LEROY LEE
DIANA LEE
PO BOX 61
SHOSHONE ID 83352

RE: SRBA Claim(s) 37-606D

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

RECEIVED
NOV 15 2005
Department of Water Resources
Southern Region
RECEIVED
NOV 16 2005
Department of Water Resources

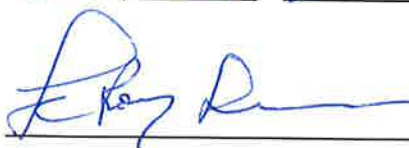
[] Water Right Number(s): 37-606D

[] Name(s): Leroy or DIANA Lee

[] Old Mailing Address: 540 maple RD
Richfield ID
83349

[] New Mailing Address: PO Box 61
Shoshone ID
83352

Telephone Number: 208) 544-2616

[] Signature(s) of Owner(s) 

(Include your title if on behalf of company or organization)

Date: Nov. 15-05

SCANNED
NOV 15 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 15, 2005

LEROY AND DIANA LEE
PO BOX 61
SHOSHONE ID 83352

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim No #37-606D
Change of Address Notification

Dear Mr. and Mrs. Lee

Thank you for notifying us of your change in address on the water right claim referenced above. Our record has been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Carrie Hahn
Clerk

SCANNED

NOV 15 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

RECEIVED

NOV 10 2005

Department of Water Resources

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 8, 2005

COPY

LEROY LEE
PO BOX 61
SHOSHONE ID 83352

RE: Address Change on 37-606D

Dear Mr. Lee,

Enclosed is the **CHANGE IN ADDRESS** form I promised I'd send. Please fill it out, sign it and return to us. (Even though you have notified us by phone of the new address, we must have the notification in writing in order to update our records.)

I looked into your question regarding the priority date. It looks like the claim was originally filed by Byron Hall as 37-10524 with a priority date of **12/31/1905**. When it was determined that the claim matched old decreed water right 37-606D, priority date 11/28/1882, the claim was renumbered to 37-606D but it carried along the **claimed** priority date of 12/31/1905.

The Director's Report was issued last Friday on this right so in order to make any changes you must **OBJECT** to the Recommendation of your right with the Snake River Basin Adjudication (SRBA) Court. I have enclosed an Objection form and Instructions for that purpose. Once the process has been stayed, you will need to **AMEND** your claim to ask for the correct priority date of 1882.

Feel free to call the office if you have any other questions.

Sincerely,

Jeanie Robertson
Sr. Water Resource Agent

SCANNED

NOV 10 2005

Clelland, Steve

From: Robertson, Jean
Sent: Wednesday, November 09, 2005 11:47 AM
To: Clelland, Steve
Subject: RE: 37-606D

Okay, well I sent him a letter yesterday along with an Objection form. I sent a copy of the letter to you for your files or whatever. Chances are, someone from here will get to deal with him anyway though...We'll let you know! Thanks, Jeanie

-----Original Message-----

From: Clelland, Steve
Sent: Wednesday, November 09, 2005 11:41 AM
To: Robertson, Jean
Subject: RE: 37-606D

Hi Jeanie,

I discussed this with Nick and we concluded the best approach is to have the claimant file the Obj. to stop the process then file a SF4 to ask for the modified priority date. He may even get the SF4 processed before the Obj. is scheduled for hearing. Let me know if you need more help with this claim.

steve

-----Original Message-----

From: Robertson, Jean
Sent: Tuesday, November 08, 2005 2:51 PM
To: Clelland, Steve
Subject: RE: 37-606D

Thanks for the reply. (I guess I hadn't realized that the Director's Report just went out in that area!) Anyway, I am sending him a letter and an Objection form. I'll send you a copy of the letter so you know what's going on...
Jeanie

-----Original Message-----

From: Clelland, Steve
Sent: Tuesday, November 08, 2005 2:27 PM
To: Robertson, Jean
Subject: RE: 37-606D

Hi Jeanie,

I didn't verify the dates or numbers but it sounds like you have the puzzle figured out. The Director's Report has been issued for this right as of last week. He will probably need to file an Objection for the claim if he wants something different and he will need to amend his claim to cover an earlier priority date. I need to refresh my brain on the Post-Director's processing... I think he can combine this into one step... I would need to ask Carter on the details to be sure. I will drop you note after I gather more info. (Unless you already have the answers, then you can email me!)

FYI, the Director's Report for Basin 37 Part 1 Surface water went out last Friday 4th covers the lands from Carey thru Shoshone to Gooding and Bliss. Mostly claims held by me and Carter. You may be seeing contacts from these folks over the next couple weeks.

steve

-----Original Message-----

From: Robertson, Jean
Sent: Tuesday, November 08, 2005 1:46 PM
To: Clelland, Steve
Subject: 37-606D

Hi Steve,

Had a call from a Leroy Lee for a change of address form on this right, which I will send him. He also asked about the discrepancy of the priority date between 11/28/1882 and 12/31/1905? Looks like it was claimed as 37-10524 with the 1905 date. It was renumbered to 37-606D, carrying along the claimed priority date. It is based on 37-606D that has a date of 1882. I'm assuming he got the later date because it was claimed that way. Should he just **amend** his claim to get the earlier date? Thanks, Jeanie

09/05/2003

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

RIGHT NUMBER: 37-606D
NAME AND ADDRESS: BYRON W HALL
465 LIMARICK DR
MERRITT ISLAND FL 32953

JOYCE HALL
465 LIMARICK DR
MERRITT ISLAND FL 32953

SOURCE: LITTLE WOOD RIVER TRIBUTARY: MALAD RIVER
QUANTITY: 0.040 CFS
PRIORITY DATE: 12/31/1905
POINT OF DIVERSION:

T05S R17E S35 SWSESE Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.040 CFS

PLACE OF USE: IRRIGATION Within LINCOLN County
T05S R17E S35 SESE 1.6

1.6 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: Decreed

THIS RIGHT IS FROM FORMER RIGHT 37-10524.

IDAHO DLPT OF WATER RESOURCES

37-606D



660 0 660 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 5S
RNG: 17E
SEC: 35



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: SEPTEMBER 5, 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JULY 10, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BYRON W HALL
JOYCE HALL
602 E 4TH ST
SHOSHONE ID 83352

RE: AMENDED AND RENUMBERED CLAIM 37-10524 TO 37-606D

Dear Mr. & Mrs. Hall

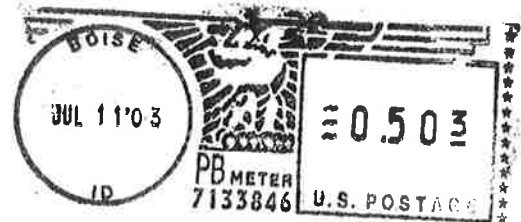
AHO
T OF WATER RESOURCES
ard Street, P.O. Box 83720
0-0098

Requested

RECEIVED

JUL 18 2003

Department of Water Resources



HALL602 833522001 1702 17 07/16/03
FORWARD TIME EXP RTN TO SEND
HALL
465 LIMERICK DR
MERRITT ISLAND FL 32953-8083
RETURN TO SENDER

ELECTRONIC MAIL

STEVE CLELLAND
Sr. Water Resource Agent

ENC:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

JULY 10, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

**BYRON W HALL
JOYCE HALL
602 E 4TH ST
SHOSHONE ID 83352**

RE: AMENDED AND RENUMBERED CLAIM 37-10524 TO 37-606D

Dear Mr. & Mrs. Hall,

After initially reviewing your claim along with the evidence of priority that you submitted it appears your claim should be renumbered to the decreed number of 37-606D. Your claim needs to be Amended if you wish to claim the earlier priority date given in the decree. I have effected both these changes in the enclosed claim form. If you wish to enact these changes please review the claim, sign with Notary Public and return to my office. If you fail to return this claim you will get the 1905 priority date you have currently claimed. In either case the claim has been renumbered to reflect the basis of your claimed right as the decree.

Again, review the claim, sign with Notary Public and return the claim to IDWR at the address above to my attention.

If you have further questions on this water right, please feel free to call me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

37-10524

6/13/03 Returned their call to our office
10:40 AM @ 321-454-4137 left a msg. w/#.
SCC

Bryon W. Hall 37-10524
Joyce Hall
465 Linmarick Dr
Merritt Island FL 32953
Home (321) 454-4137
Work (321) 452-8989
Joyce will be home Monday A.M.
Can fax in on June 30.
Steve - I will try to fill you in. Curt

7/1/03 WM records show this claim is Decreed R# # 37-606D
SCC
★ Needs to amend claim to 1882 priority date!

7/10/03 sent letter w/ amended claim to be signed & returned.
SCC

7/18/03 Letter & package returned - re sending to FL address (7/30/03)
Claim amended to new address shown above.

9/5/03 No Response. Set Priority back to Claimed date 12/31/1905,
to be rec'd as claimed.

Pou: GIS = 1.6 Ac (rounded up) x 0.03 cts = 0.048 cts

Q: decree/claimed 0.04 cts

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

WATER DISTRICT NO. 37 & 37 M

P.O. Box T
Shoshone, Idaho 83352
(208) 886-2451



LEE R. PETERSON
Watermaster

Steve Clelland

For your letter May 20, 2003
Evidence of Priority for SRBA claim

Lee R. Peterson
Watermaster

BYRON HALL

B HALL

69-P3

37-0606D VILLAGE OF SHOSHONE 11/28/1882

2.00

0.04

37-10524

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-606D

WATER RIGHT NUMBER: 37-606D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CITY OF SHOSHONE PO BOX 208 SHOSHONE, ID 83352 (208)886-2030
Current Owner	BYRON W HALL 602 E 4TH ST SHOSHONE, ID 83352 (208)886-7502

Priority Date: 11/28/1882

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WOOD RIVER	MALAD RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

LITTLE WOOD RIVER	SE1/4SE1/4	Sec. 35, Twp 05S, Rge 17E, B.M.
LINCOLN 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	
05S	17E	35																3.0	3.0

Total Acres: 3

Conditions of Approval:

1. R01 A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.

Remarks:

1. General TRANS. 279 & 1745.
P/U IS TAX LOT O, MOUNTAIN VIEW ACRES, SHOSHONE, ID.
AC. IRRIG. = 2.5.

Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-606D

Dates and Other Information:

Licensed Date:
Decreed Date: 12/13/1909
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number: 37M
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant: Alturas Water Co, et al
Decree Plaintiff: S C Frost, et al
Civil Case Number:
Judicial District: Fourth District
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

37-10524
BYRON W HALL
602 E 4TH ST
SHOSHONE ID 83352

May 20, 2003

37-10524
JOYCE HALL
602 E 4TH ST
SHOSHONE ID 83352

RESPONSE DEADLINE
JUNE 20, 2003

Re: Evidence of Priority Date for SRBA Claim

Dear Claimant:

The Notice of Claim identified with the number shown above has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the Department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice number. If you have questions not covered by this letter or the enclosed pamphlet, please contact the office listed above.

Sincerely,

Steve Clelland
Water Resource Agent, Sr.

Enclosures



R17E

35 36 T5S

T6S

2 1

GIS = 1.55 AC

12/30/02
sec

37-10524