DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls-State of Idaho

AUG 2 0 2025

Deputy Cler

Brian Carpenter and Theresa Carpenter

559 Highway 28

Salmon, Idaho 83467

Telephone: (208) 580-8380

Self-Represented for Plaintiff/Defendants Carpenter

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

BRIAN CARPENTER AND THERESA CARPENTER

Plaintiff,

v.

ROCKIE WALKER AND LEANNE
WALKER, husband and wife, AND
JOSHUA A. MCINTOSH
Defendants

IN RE: SRBA Case No. 39576

By_

REPLY TO WALKERS' RESPONSE TO
MOTION TO FILE CLAIM OF FRAUD
AND REQUEST RELIEF AND MOTION
TO REMOVE DEFENDANTS' WATER
RIGHTS

COME NOW, Brian Carpenter and Theresa Carpenter, self-represented Plaintiffs, and reply to Defendants Rockie and Leanne Walker's Response (filed August 15, 2025) seeking dismissal of Plaintiffs' Motion to File a Claim of Fraud and Request Relief (June 6, 2025) and Motion to Remove Defendants' Water Rights (June 16, 2025) in SRBA Case No. 39576. This reply rebuts Walkers' claims of duplicative litigation, time-bar, lack of jurisdiction, meritlessness, and

attorney fees under Idaho Code § 12-121. Exhibits attached herein (D, E2, D1-D7, F1-F3, J-J2, L1-L3), previously filed with Supplemental Affidavit #2 (June 6, 2025), authenticate claims of fraud and statutory violations.

I. I.R.C.P. 12(b)(8) Inapplicable as SRBA and Lemhi Claims Are Distinct

ř.

The Walkers' argument for dismissal under I.R.C.P. 12(b)(8) (another action pending) fails. SRBA adjudicates water right elements (Idaho Code § 42-1411), distinct from Lemhi County's ditch disputes (CV30-23-0114). Fraud in Walker's 2011 application for water right 74-733H (concealing buried ditches serving other rights, Exhibit E2) affects the Final Unified Decree's validity, within SRBA's jurisdiction (City of Blackfoot v. Spackman, 162 Idaho 302, 396 P.3d 1184 (2017)). Lemhi addresses conveyance (ditches), not right adjudication—dismissal would deny SRBA's role in fraud claims.

II. Fraud Motion Is Timely Under I.R.C.P. 60(b)(3) for Fraud Upon the Court

The Walkers' claim that the fraud motion is time-barred (6 months post-August 25, 2014 decree, I.R.C.P. 60(c)(1)) ignores fraud upon the court, which has no time limit (Compton v. Compton, 101 Idaho 328, 335, 612 P.2d 1175 (1980)). Walker's false statement ("none" for other water rights, despite historic ditches serving four holders, Exhibit E2, filed June 6, 2025) misled the SRBA Court, constituting fraud upon the court warranting relief.

III. SRBA Has Jurisdiction Over Fraud and Water Right Violations

The SRBA Court has authority to address fraud in water right applications and enforce Idaho Code §§ 42-1207 (unauthorized ditch construction) and 42-1102 (encumbrances), as the illegal Southwest Ditch (post-2004, Exhibits F1-F3, J-J2, D, filed June 6, 2025) and E. coli contamination (Exhibits D1-D7, filed June 6, 2025) impact water right validity (74-733H). Relief (e.g., revocation) is within SRBA's purview, not limited to ditch disputes (Zingiber Inv., LLC v. Hagerman Highway Dist., 150 Idaho 675, 680 (2011)).

IV. Claims Are Factually and Legally Meritorious

The Walkers misconstrue evidence: Exhibit E2 (2008 sewer documentation) proves concealment of historic ditches (1946, highway, lower pasture); Exhibit D (DEQ email) confirms Southwest

Ditch illegality under §§ 42-1207/42-1102; Exhibits D1-D7 (E. coli tests) link contamination to Walker's actions, impacting water rights. Criminal referrals (§§ 18-5501, 18-5401, 18-2403) tie to fraud, not extraneous (McPheters v. Maile, 138 Idaho 391, 64 P.3d 317 (2003)). Exhibits F1-F3, J-J2, L1-L3 (filed June 6, 2025) corroborate ditch history and encumbrances.

V. No Basis for Attorney Fees Under Idaho Code § 12-121

Plaintiffs' motions are grounded in evidence (Exhibits D, E2, D1-D7, F1-F3, J-J2, L1-L3) and law (§§ 42-1207/42-1102, I.R.C.P. 60(b)(3)), not frivolous. The Walkers' collateral attack claim fails, as SRBA is distinct. Deny fees. Relief Requested: Deny Walkers' dismissal motion, proceed to September 16, 2025 hearing on fraud and water rights claims, and award costs.

VERIFICATION

We declare under penalty of perjury pursuant to Idaho Code § 9-1406 that the foregoing is true and correct.

DATED: August 18, 2025

Brian Carpenter Pro Se and Theresa Carpenter Pro Se

LIST OF EXHIBITS

- Exhibit D: DEQ Email Confirming Illegal Southwest Ditch (filed June 6, 2025, Supplemental Affidavit #2).
- Exhibit E2: 2008 Sewer Documentation (filed June 6, 2025, Supplemental Affidavit #2).
- Exhibits D1-D7: E. coli Test Results, July 9, 2024—June 11, 2025 (filed June 6, 2025, Supplemental Affidavit #2).
- Exhibits F1-F3: 2004 Goodman Photos (filed June 6, 2025, Supplemental Affidavit #2).
- Exhibits J-J2: 2006 Sewer Inspection Photos (filed June 6, 2025, Supplemental Affidavit #2).
- Exhibits L1-L3: Water Rights Documentation (filed June 6, 2025, Supplemental Affidavit #2).

Exhibit D-D7:

Find text or tools Q

Ditch and separation distances

1 message

Carlin Feisthamel <Carlin,Feisthamel@deq.idaho.gov>
To: "briantofixit@gmail.com" <bri>briantofixit@gmail.com>

Thu, Jan 30, 2025 at 4:40 PM

Brian.

Based on the pictures that you have submitted and the conversation that we had on the phone, there is currently a dry ditch that is not used for irrigation purposes. If the ditch in the photos were to be used for irrigation purposes the septic pumps, sewer line and domestic well would not meet the required minimum separation distances to surface water per the Idaho Rules. The minimum separation distance by rule are as follows:

Domestic Well IDAPA 37.03.09.d.

- 50ft, from permanent (more than six months) or intermittent (more than two months) surface water
- 25ft, from Canals, irrigation ditches or laterals, & other temporary (less than two months) surface water

Septic pump station and sewer line IDAPA 58,01,03,17:

· 25ft, from temporary surface water

Currently the domestic well appears to be within 10-feet of the ditch and the septic pumps are within 15-20 of the ditch,

Furthermore, in reviewing the water rights for your property and the neighboring properties, all the properties share a permitted point of diversion that is located approximately 0.3 miles to the southeast of your residence. There is no permitted point of diversion located on your property, Creating a point of diversion on your property without being permitted by the Idaho Department of Water Resources would not be allowed.

I hope that this answers your questions and let me know if there is anything further that I can assist you with.



Carlin Feisthamel, P.E. | Regional Engineering Manager

Idaho Department of Environmental Quality

900 N. Skyline Dr. Suite 8, Idaho Falls ID 83402

Office: (208) 528-2651

NAC System Name State	en Chipen	TE C	24 5 AD &4			1754						
En c	- C 7-7-204 CSW()								Additional			
Part of Justinian America	- Ba CA		enso in empirificación emissiones en entre en entre transitation de la companya de la companya de la companya de Espera	Te	ton M	icrobiology	;					
Condition of Trace	NOTE TO A STATE OF THE STATE OF		New 1 & Sty	* 1000 services	****							
Report Kould To	bet in the second of the second	and demand muscle from the	Public Water System Private System				Empi: Phone:					
Banno Fin	W. Control			hea	val Wide S	Mun Threwise	Fax:					
20555		me to the second	Mark Managanga Santan S			98 MICROBIOLOG 300 X. Freeman Are I s: 208-529-0077 — Fat	date Falls 1	(3.4 PM/) A	Lage	an and an area .		
	Lab Sample Number	Sample			Chlorine	A STATE OF THE PARTY OF THE PAR	Tenal Col	Jurus.	Laterate	in (ed		
Client Sample Number	Commission of the commission o	Code	Sampling Location	Fine Callected	PPM	Original Sample Date	Well-street	Promotes 14 Propriet	Mordanii Fasio. Pilitari	(Parine		
lit od owal we was given oversign	2407166 0	a confermações de la confermações	\$ 34634	736~	e de la companie de l	of the second se	*223B-PA	لىرىن دىدىك خو	92238-PA			
agamentally and a gradual and a state of the com-	entre de la martina de la proposición de la constantina de la proposición de la constantina del constantina	· · · · · · · · · · · · · · · · · · ·	est. Announce execute some en la constant		V	The state of the s	42238-PA	market a gr	12238-PA	e		
granten and the second	the the distribution of the state of the sta	ta ta a la grande de la composition de	is. The standard of the standa	The second server is		manufacture of the state of the	9223B-PA		17218-PA	gas in ing		
The state of the s	Apparent and the second of the	and the second section of the second	e Marie graph com e njihi kacilya ka thaja (* 1915), program (* 1915).	Section Section	give see and	4 - 5 - 57 - 57 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	1228 PA	Chi delinino dinen i me. v	92218 P4			
Secondary T	The same of the sa	and have			-		5223 B-P A	entransa kendala kan	9224B-P4	enjoyeense naar naare		
Etomonoustam session Chain-of-Custody L	and Maria and a	· · · · · · · · · · · · · · · · · · ·	et e en en en ett minden som en en en en e <mark>n en en e</mark> n en		iginal laps		1	in the second se	enter various to the second			
		Tes.	Principle of the	Est Messeggerine	e e esperandades que en el E 📆		Tame	* and	Complete separation of the analysis of the section is the section of the section	erron o o o o o o o o o o o o o o o o o o		
National Control		Trans.	Mary Services	And the section of th	eren an er	n para para para para para para para par	Yaki	A.res	nak k	glandersk op de eer ee ge		
DATE-TIME RICE DATE-TIME ANA DATE-TIME	AYZE 7/1/24 E	5) 630	ANALEST. SUPERVISOR LAB ID 6	L. R.		HEMARKS 5-10	Section		1/0.7	Teropea Seen		

Exhibit D1

- a fill distantian the state of the state o	42 Bay 18 Sin		Park All No.	3. 		100	graden and the same	egelenderde projekt politic kaj kaj kaj	nyaya makanga karanca ayan makana karan ayan		
Jonkel	7-11-10-14		And the second s	Nije com en				Milling Address:			
error i de de la compania del compania del compania de la compania del la compania de la compania del compan	and the second s	To art to proper proper processing		Teton M	icrobiology	, 1					
nedrace of france	ort: I have I have	_ www	No. of the last of				l Email				
Report Results To		A STATE OF THE STA	Polic W	ан: Зумен учин	Phone						
11. Cicle	his flower com			į	Processed Water So	soum Phinaellate	Fa.		of the state of th		
208 59°			agen (a. 1925) and a second of the second of	Aggregation of the State of the		IN MICROBIOLOG 300 \$ 1 resman Ave 1 c 308-529-0077 - Fa	daha Falls, II	eather a	48,		
alanderiya da mayan ka kababaha akka ya kababaha	1 at Sample	Sample	<u> </u>		Chlerac	· · · · · · · · · · · · · · · · · · ·	Tetal Cell	forms	Laterch	n Cali	
Chent Sample Number	Number	Type Code	Sampling Location	Tan Colec		Original Sample Date	*****	Thomas Shidone	Nowed Case	75.000	
	34431401		Triberta iss	[0.70 P		en e	12238-PA		97218 PA	Ā	
Agent from the company of the first order, and the	T 03		historial des	10184	M	e de la completación de magnetica de la completación de la completació	52238-PA	P	9223B-PA	ŕ	
and the second s	وسيريس يهاي والراواة	engener	the Sp. State Co	3 33.	an to g	transa merekan neri in	THE PA	color or con-	9223B-PA		
and the second superpose of the second superpose of the second se	e appending and a secretary and the first and analysis of a	- Service out one	gendenic omate transition door in 167 of a 30 g is a 122 a security	- mark the strength of the st	and the second s	happy the first of the control of the control of the specific angular control of	52238-PA	indicate process	9223B-PA	else con conservices	
Same lower C	Transport No.	SONE TO BE LOOK A TOOL		***************************************		- Ver Diverse	52238-PA	THE PERSON OF TH	9223B PA	قىملىدى جېرورونى ت	
Estamorros .			m čeni sa nas se se s	3	A: Original laps	STATES STATES	VIII A (More Proper	•			
hada of Custody i	ndermation	an a series and a series and a series				The state of the s	Anne is a respect of the residence		Andreas group graph recognision in a	ego i sossopores	
<u></u>	7.0	4 20	in Thus	C		r	7 ** *;		the second se	- Pro-Charles (Pro-Charles (Pro-	
naturalisme to the second		T same		harden and a dealer		Engr.	***	Bour	and the	- ny 133-milyangahipo	
DATE TIME ROL			Axii vat	in f	4	ELMAN,			\$1000 \$ 1000 \$ 1		
L/MR/ATA F 4 MART (/ 1/1/10)	Eine Hairn	6 00	STATES AND A STANDARD		ID00969				The Control	- Large	

Exhibit D2

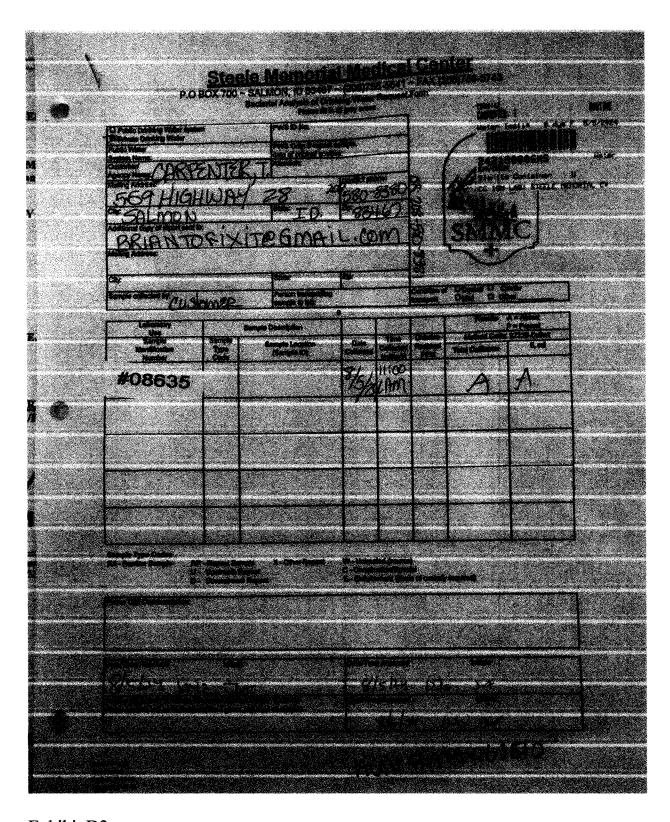


Exhibit D3

Section Size 20	is placent	£ 2-	** (*) **		1		2.					
-18-2 sa	Parameter (Kana)	· · · · · · · · · · · · · · · · · · ·	Company.					Policy.	Address;	the second second second	S-Proposition	
Trong _	18/20/ACAY	menta ne nativi i encantro y	Marchi		ار افرانیست			•		e a colo, e a su una magno dendi.		
Oracle Commission of Famous		Marin July Commission		heren er de 160 og	Te	ton M	icrobiol	oav				
	pert compe come	-40 (fe	in in the		Service of the servic	STATE CONTRACTOR AND	Contract Contraction	- well at	Email			
Rosen Rosula Tic			To consider the waterlying object on committees or the	1 (1995 h 11 h - 11 h - 11 h		SPools: W	ина Ѕучет		Pleane:			
					Direction of	SELECTION OF THE PROPERTY OF T	gracer Mittle Nicker Is	www.aderto.25/27/	Fav			
and the second of the second	en de la companya de					and the second of the second o	N MICROBIC	and the second of the second of	/100013		Managaran Managaran San Carlo	Company of the Compan
Radio Majorcy			Post Photography				101 S. Freeman c. 108-529-0977	Asr tde	to Fast. II	MHORE	AG:	
		desperant of 1970)	a Paran Malay an <mark>d daga and daga and daga and and and and and and and and and an</mark>			e en	The state of the s		Acceptance of the second			Marian San
	Lab Sample Number	Sample Type				Chlorine		1	Total Cali	lorne.	Larberkite	a Cal
Client Sample Number		Code	Sampling Encation		lime lected	PM 1	Original Sam Date	ph	Kolesal Cada Kilibad	(Parwa)	Marked Care	***
Andrew Commission	240839801	\$	من الم		48	· ·	The state of the s		12238 PA	<u> </u>	9223B PA	A
andre de la companya		5	OW	1	5.5	Andrew Control of the	Automorphism techniques of the first	The section of	1223B-PA	A	922341-PA	
Marinda Amerika da Ame	production of the second secon		The state of the s	understand of the con-	ar ar en y ar ag	· ·	endend or an about resource of the	de d'an aire	4223B-P4	. 1	9123B-PA	(, .)
and the state of t	$W_{2}^{(k)}(\Omega) = 0$, we also consider the employees $(n-1) = 0$.	. NO POPULAÇÃO PO	an Francisco (n. 1905), se esta esta de transferio esta esta en esta esta en esta en esta en esta en esta esta		or the section of the section	and the second	evaluation of the second of th	nya maha di sa manjan ditti mahaga yang	9213B PA	AND COMPANY	912JB-PA	
	Community William	erconomical references		MANUFAL STATE	P+	Lambs Law	entine Dans	************	9223H-P4	94	9223B-PA	
bin of Custons	- 15 Octo Net chance purchase in		The state of the s			girui Tapi	TO THE OWNER OF SAME	derigentis ∰ (_e galoù)e	A Green strain.	:		
i Albertage of	· Char	The same	No. of the second	APPORADE ARREST		************************	· ·	er and persone	- AND TANKS	Philippine Schallerengen	CONTRACTOR	**************************************
Teny Car	dured The	9 20	on Mists	, see	A Plante idea	ő· 🛰	6	•	(e	- Barrer	er in	
of the stand as	ther		·~~///		A Property	e in the second	(A)	6 *	T.	*Cryste	national and the second	manufic of the first
DATE FINERE.	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	20	5NAL959	1	$^{\prime}\mathcal{O}^{-}$	November 2 Mart 1 Co. Charles 27, 27, 27	NEMARKS	Ser London	residente esta esta esta esta esta esta esta es		V . 1 X	to designation
DATE/HME AS	ALYZE SIMIN	6 40	SLIPERVEXIR.	13.2 W	1,						Sani Amata In	Chi Carrier
DAYBTIME		12.50	LABIDE		10099	169					fkg:	Other

Exhibit D4

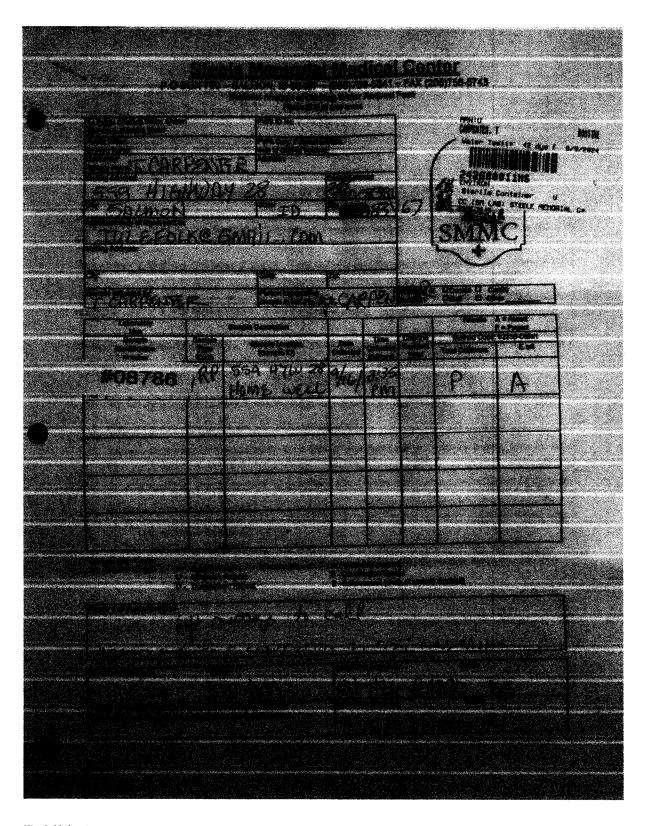


Exhibit D5

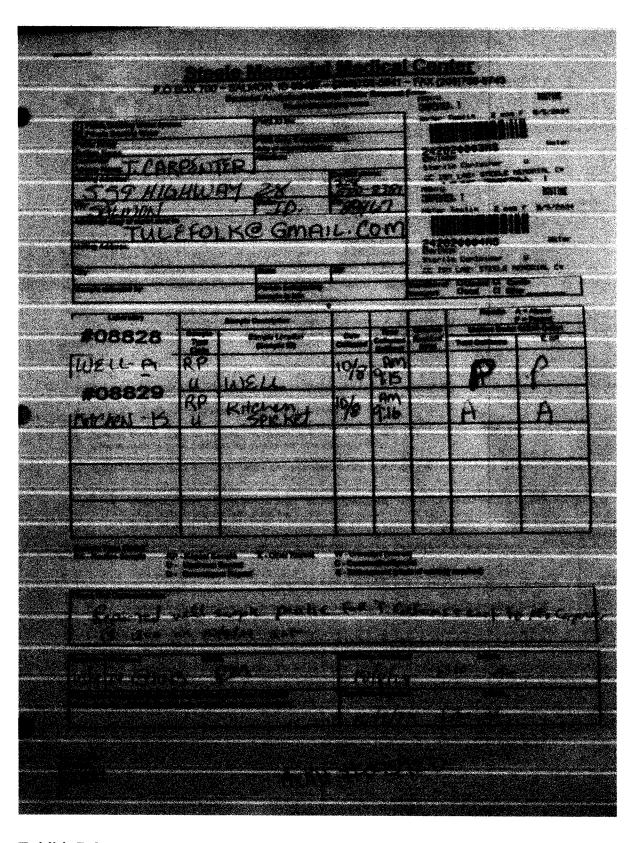


Exhibit D6

REPLY TO WALKERS' RESPONSE TO MOTION TO FILE CLAIM OF FRAUD AND REQUEST RELIEF AND MOTION TO REMOVE DEFENDANTS' WATER RIGHTS

Steele Memorial Medical Center
P O BOX 700 - SALMON, 10 83487 - (208)756-5641 - FAX (206)756-5743
Bacterial Analysis of Directory Water Request Form

C F.E.A.: Debtary Vision Syst.	ber :	PWS D No.		- Security Security (Security Security				
	managerican contra principal or 1995 M	MVS Cody (repo	e sarriva	edicina municipalme pingo.		1111		12
amenturi gency Marra	115			Calendro de norderal con en el el e	1	/ SAREID	estan at mon F	
Address Address		in A the control of the second	Contact p					
	44/1	la aprecia propriedi de la companie	er en la companya de	9-5-5		25160	8814H5	,
Address com at report sent			123		į		Carteiner	g .
		GATHILL CONT				SMIN	ing: streis fam. 111 - I	(#)@_ (
SAN ASSESS			************	sirtuminalo contrano e se celar		4	السرة	
	in registrative de la constitución	I Sum	Ze					
KLASO TOUR DATE OF THE STATE OF		Pero Turkothy		te tecapita cuming raps	Cancillion	d Coolei C (garancegaraje koji i kan i kila sil kons Santar	ĺ
		week to be	تلكليا		ransport	Diese E.C	<u> </u>	
Division of the Control of the Contr	o productive consequences	Sergie Descriptor	Ť	Ž.		News 1	A - Abobe P - Present	
March March	Sample Type	gertrift i den der der Federschaft des verschaftschaftsphilippis dies paulie sonen ei George Gertrifte	Carrier Carrier	Tipa Colorana	Children Residual		. Filie Cabo!	
<u> </u>	<u>C291</u>	(Sample O)	Critected	rer	PPM	Total Cultures	£. 68	
#09178	ê.		11110	PX1 5		13	17	
	†	ting of the second seco	AA.	an and a second of the second second	www.ee.com/com/com/	eron je Postalisti od postani se se postani postani postani		
	· A colored and a second							
	 		-	<u> </u>		e Seatement vision mensen service er petiter til den en de		
ang mang ang mang manang mang mang mang 								
	La commence a subjection			- interpretation	No. 10 to the State of the latest and the latest an	Section (1) de la company (1) de la company de la comp		
mpie type Codes I - Routes Sample - RF	- Repose Sa	riple I - Other Repeat	W - Undresid	nd Subjects)				
U.	Upateum ! Upateum	Ispesi	C - Constru L - Entorce	Service on	Ķ.	*******		
Orle Call Cocumentation		enter enterente estatut errest, errest, per enterente fere en tribitation en tribitation termente en primeiro	alphanique, 2007 et 2 e de descripto	and with which the	entrik pingeriko oli siko olen en	ont wealth, which regard graph graph and selected the contraction of t	المراجعة	l
	Con	the production of the second	San Silver	VC	- 1	agenar (1 1 1 1 1	and the second second	
r sweeter' ™tota a	W	- And the second se	* 30 ST # 1 # 1		* * 1		etiles 4	337
Description of the second of t	Martin Description of the Control of	teri erdek sejekin yana yikin semajin kamankan aliki kipancaman asal sisiana yana kitari katalan ka		semanti ini da s erva sa ina da s	and in the second s		annen eranak	
In Time Recovery	Pini	elen er Manten er	Outs/Tires	Analysed	Alexandria (Alexandria de la constitución de la constitución de la constitución de la constitución de la const	Berginger Kristelija Meropak II. Sebesah merikansan ke	and the control of th	
99.as	φ	n 109		34	è lia	E te		
ilog professor at Black Ma for records will be supplace			Date/Tres	real and the second		h-Bals		
		·····································	1310	1/015	e.	ار ودداد	,- 	

Exhibit D7

2 - 1	
9in, 536	
DISTRICT VII SEWAGE	PERKIT APPLICATION
Permit no: 47-87	Poe Paid 50 00 Dato 8/28/87
Name Rockie Walken	Phone
Current mailing address Ro Bot /Y Legal description: Township 2/4 Range	218 Section 1/4 Section
Subdivision neme	Tos Brock
Directions to property St. Auto S. c	n Hung 28 -
**************************************	**************************************
1. Lot size 8.25 cm. 2. Water supply: 3. Potential number of hedroous	
5. Soll rexture type 'Sill home for	SIN Chu Leens to 6
6. Application rate - GPD/ft2. 7. Dra. 8. Type of drainfield proposed: Treach	Y Bed Pit , Hodified
9 Programme on dimensions 3 1- 69' /	me 3 wide interconnected
 Depth to highest scasonal subvater: Proposed depth of drainfield dispos 	al system deso it.
13. Diseased from drainfield to meavest	: A) River or lake 200'. B) Canal or
ditch 50'. C) Water line 25'. D) Proveil (00'. F) Proposed propercies we	operty line <u>s'</u> . E) Neighbor's
la. Who is excavating and installing sy:	1ten
 Vake a proposed plot plan showing le 	ocation and distances between caca
of the following: House, well, wat- canals or ditches, lakes or streams	
	Actual
Proposed	
	See Attacked - 15 kay Sulf Idaho Falls kay
	Car Attend - B
	- 1 - water - 115 1 Fary
50	Sul +Outo Pari
l in	Des Late
T.	
\ MRO	. :
lises	
PROPOSTO INSTAULTICH DATE	
APPROVED WITH THE FOLLOWING CONDITIONS 1. Applicant accepts responsibility f	: ev all information provided and
acrees to install system is compli-	ance with "Idaho's Rules and
Regulations for Individual Severag	e Disposal Systems," As specified
on the permit. Any changes to thi to excavation.	a hormys made no oblinated hyper
2. Permit is walld for only one year	or must be reneved.
 A four foot (4') separation must be subvater or bgdrock and drainfield 	\$4000 v
4. Other: Taskles ambel this office	· proy so installation - fat hate
review reground water a 7'	
1 1. 41. 11	
Tool Walk	ENVIRONMENTAL SIGNATURE
Inspection date min Approved X Disapp Approval based of plans submitted by 1	roved by the follows
Approval based of plans submitted by A	TEAMBER TRREATER WAS UNDER
Reparks:	**

Exhibit E2: Showing fraud, no 1946 ditch or Southwest ditch by Walker. Self inspected.



Exhibit F1



REPLY TO WALKERS' RESPONSE TO MOTION TO FILE CLAIM OF FRAUD AND REQUEST RELIEF AND MOTION TO REMOVE DEFENDANTS' WATER RIGHTS

Exhibit F2



Exhibit F3



Exhibit J: showing no Southwest ditch existed.

ON-SITE EVALUATION

Date(s) On-Site Evaluations Conducted. Travel Time associated with evaluation. Inspection Time associated with evaluation.	
CURRENT LAND USE:	
SITE SUITABILITY:	
Slope: Does slope prohibit installation of proposed system? Yes 10.	
Soil Types:	
Based on SCS maps. Type A B C Unacceptable	
Based on Engineering Report. Type A By C Unacceptable	
Based on Test Hole. Type A B C Unacceptable	
Test Hole Information:	
Depth of Test hole.	
<i>6'</i>	
Predominant soil type observed. *\ \(\frac{1}{3} \)	
Bedrock encountered. No	and the second second
Any ground water encountered.	
Other concerns.	
Effective Soil Depth: Has sufficient soil depth below bottom of proposed system to meet rules?	io.
Depth to nearest Groundwater 3' (nottly) Depth to nearest impermeable layer. 3'	
Separation Distances: (Property has sufficient area for-tystem and replacement to meet all separation requiremplits?))
	via.
Mark and Political State of the Control of the Cont	No.
Tammanama Construction 1884	io.
Permanent or Intermittent Surface Water Yes / No	• •
_	

Exhibit J1

Pati Waddell < PWaddell@eiph.idaho.gov>

Fri. Nov 15, 2024 at 9:03 AM

To: "briantofixit@gmail.com" <bri>driantofixit@gmail.com>

Cc: Kellye Johnson dijohnson@eiph.idaho.gov>, Melinda Fuentes-Mobo diffuentes-Mobo@eiph.idaho.gov>, "Marty R. Anderson" <marty@eastidaholaw.net>, James Corbett <jcorbett@eiph.idaho.gov>, "kim@eastidaholaw.net" </marty@eastidaholaw.net>

Good morning.

Per your request. I am attaching all the information we have on file for the septic system installed at 559 Highway 28 in Salmon.

If you have any questions, please feel free to email or call me at the numbers below.

Thank you,

Pati Waddell

Administrative Assistant

Main: (208) 523-5382

Desk: (208) 533-3124



Prevent. Promote. Protect.

From: Kellye Johnson kjohnson@eioh idaho gov> Sent: Friday, November 15, 2024 8:37 AM

Exhibit J2

CUTTCLAIM DEED

QUITCLAIM DEED OF PARTITION Made on May 1, 1978, by ELMER PERMS and CHEMA L. PRIEFS, humband and wife, of P.O. Box 391, City of Salmon. County of Lanki, State of Idaho, Grantors, to SDUMEN DOLL DONE and LUCILLE DOLLINGER, humband and wife, of P.O. Box 532, City of Salmon, County of Leshi, State of Idaho, Grantaes.

The parties can as townste in common a certain tract commisting of 250 sales described as follows:

A fraction of the SMc NMC, NMC SMc, NMC SMc, and the SMc NMc, Section 3D, T. 21 H., R. 23 E., B.N., Lewis County, Idaho, more specifically described as follows:

Commencing at the southwest section corner of said Section 30 a distance of 2517.19 feet on a bearing of N. 89023 36" E., to

the south quarter corner of Section 30; Thence N. 0 17'32" W., 2260.19 feet along the cast boundary of the SM's to the HEAL POINT OF HEGINADIES.

of the Set to the MEAL FOILT OF MEDITALIS.

From this REAL FOILT OF MEDITARIA a distance of 480.04 feet
on a bearing of K. 88045'00" W.;

Thence M. 47°36' W., 323.74 feet;

Thence M. 35°37'40" E., 736.25 feet to a point on the scutiserly R.O.M. of State Hierary No. 28;

Thence S. 54°22'20" E., 904.03 feet along said R.O.W.;

Thence S. 59°56'34" W., 536.76 feet to the REAL POINT OF

HEGIDSON, said parcel contains 12.46 acres;

TOGETHER WITH:

A percel of land located in the MBk NAAk and the NBk ShAk, Section 30, T. 21 N., R. 23 E., B.M., Leshi County, Idsho, more sescifically described as follows:

Commencing at the scuttment section corner of said Section 30, a distance of 2517.19 feet on a bearing of N. 89°23'36" E. to the

a distance of 2517.19 feet on a bearing of N. 89°23'36" E. to the south quarter corner of Section 30;
Thence N. 0017'32" W., 2260.19 feet;
Thence N. 88°45' W., 280.04 feet;
Thence N. 87°36' W., 283.74 feet to the REAL FOINT OF REGIDENING.
Prom this REAL FOINT OF REGIDENING, a distance of 216.85 feet continuing on a bearing of N. 47°36' M.;
Thence N. 9°36' E., 278.00 feet;
Thence N. 59°20' N., 579.00 feet to a point on the west boundary of the SE's M&c.

of the 55% MAs;

Theree N. 0°22'50" W., 130.00 feet along said west boundary: Theree N. 35°37' E., 406.30 feet to a noist on the southerly N.O.W. of State History No. 26;

Thence 5. 50°22'20" B., 990.77 feet along said southerly R.O.W. Thence S. 35°37'40" M., 736.25 feet to the HEAL POINT OF HEALTH. NINO, said percel contains 12.46 acres;

> STATE OF IDANO 3 sa. No. . 140021

This inclinations was alled the m

QUITCLAIM DEED -- page 1

ating region of American Land Title Co-milGiologia, M. Hay 5 19 78 and thely theact and tecreted in the Dood's Records of Lemma Country, status Bleanor Aldous

as Elletona C De Others Haces *** \$2.00 Paid-

Exhibit L1

The parties have agreed to be the tract so that each may have a title in for simple to one-half thereof.

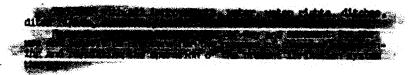
In consideration of a quitclaim deed from grantee for a mart of the aforesaid tract to granter, receirt of Which is admoviedend, granter releases. remises, and forever quitclains unto grantee, his heirs and assists, all of grantor's right, title, and interest in and to recoverty containing approximately 12:16 acres, which property is described as follows:

A fraction of the SMe NMe, NMe SMe, and the SMe NMe, Section 30, T. 21 N., R. 23 E., B.N., Lewis County, Idoho, more specifically described as follows:

Ommunion at the southwest section corner of said Section 30 a distance of 2517.19 feet on a bearing of N. 89°23'36" E. to the south quarter corner of Section 30; Thence M. 0°17'32" H., 2260.19 feet along the east boundary

of the SA, to the NEAL POINT OF RENDERING.

or the Sun to the MEAL FOIRT OF HERIDMENT a distance of 480.04 feet on a bearing of M. 88745'00" M.;
Thence M. 77036' W., 323.74 feet;
Thence M. 77036' W., 323.74 feet;
Thence M. 75037'40" E., 736.25 feet to a noint on the southerly R.O.M. of State Highway Mo. 28;
Thence S. 54022'20" E., 904.03 feet along said R.O.W.;
Thence S. 55056'34" M., 536.76 feet to the REAL FOURT OF HOUSEMBO, and percel contains 12.46 adres;



DE WITHERS MEDIEUP, Orantee has executed this deed at the Smith Law Office, Salmon, Idaho, on the day and year first shows written.

Peter

SUBSCRIMED AND SMORN before me, a Notary Public for the State of Linho on the 2 day of May, 1978.

my for the State of Lakeno Residine at Salmon, Idaho We commission emires:

CUITCLADA DEED - mane ?

ames

THIS IS BURG RE-BUTHEN TO TERRET THE THUS. WECHTFICH

WARRANTY DEED

CINER PETERS and OWN In PETERS. Per Value Received HARDAND and Wife.

the granton w. ife ... hereby grand, bangoin, will seek corrony arms

ROCKER LOWATHE HALKER and LEPART L. WALKER,

nativ for bondant

whose correspondence is 1181 for 764 Galpas, Idako 83467

the grantee &, the feltowing described premius, in . . Levelly Creaty idule, to with

A PARCEL OF LAND LOCATED IN THE SET OF THE HAT AND THE HER OF THE SHI, SECTION 10, T. 21 N., R 21 E., BOISE MERIDIAN, LEWNI COUNTY, TOURD, NORE PARTICULARLY BESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH & CORRER OF SAID SECTION 30, FROM MAICH THE SW CORNER OF SECTION 30 BEARS 5. 52° 23' 36° N. A DISTANCE OF 2517.19 FT., STM THENCE M. 05° 34' 49° N. A DISTANCE OF 3102.07 FT. TO A POINT ON THE SOUTHWRLY RIGHT-OF-MAY OF HIGGMAY 26, THE POINT OF REGINNING;

THENCE M. 13° 37' 40° N. A DISTANCE OF 736.25 FT.;

THENCE M. 47° 36° 00° N. A DISTANCE OF 720.02 FT.;

THENCE M. 47° 36° 00° N. A DISTANCE OF 720.04 FT.;

THENCE M. 35° 37' 40° E. A DISTANCE OF 721.04 FT.;

TO A POINT ON THE SOUTHERLY RIGHT-OF-MAY CHIGGMAY 26;

THENCE S. 54° 22' 20°CALONG SAID RIGHT-OF-MAY A

DISTANCE OF 113.48 FT. TO THE YOUNT OF BEGINNING.

PARCEL CONTAINS 2.8 ACRES.

TO HAVE AND TO HOLD the and prunion, with their appartmented unto the sold Grantees, their heirs and margins ferever. And the sold Grantees do hereby covenant to and with the sold Grantees, that they are the covered in fee single of sold prunions; that they are free from all incombrances except the lien for taxes for the coverent year, any liens and enquestances of record on this date, and liens or encumbrances suffered by Grantees prior to the date hereof,

and that they will warrent and defend the same from all harful chains whatesever.

DI NE HOLD COUNTY OF Lambi

On then 10 the day of August . 19 93.
before me, a parery public is said for said Blais, personally

wad I A Sent Land State of Idaha Develop of Look

The traine of Contract of Land Alle celled or and Alle

and any temas and Individua In the reserve of Leads Gaussy .

> RECEIVED MAR 1 6 2009

Orportment of Visiter Helica. Fasteen Region

Exhibit L3

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing document to be served upon the following persons as set forth below.

DATED this 18th day of August 2025.

Theresa Carpenter	1
Brian Carpenter	
Thomas J. Budge, Esq. RACINE OLSON, Elisheva M. Patterson 201 E. Center St. P.O. Box 1391 Pocatello, Idaho 83204 tj@racineolson.com elisheva@racineolson.com	[X] E Mail [] Fax [] Hand Delivery [] E-file
M. Anthony Sasser, Esq. Sasser Law Office 110 S. 8 th Ave. Pocatello, ID 83201 sasserlawoffice@gmail.com	[X] E Mail[] Fax[] Hand Delivery[] E-file
Steven L. Taggart Olsen Taggart, PLLC PO Box 3005 Idaho Falls, ID 83403 staggart@olsentaggart.com	[X] E Mail[] Fax[] Hand Delivery[] E-file