

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: A74-00225  
Date Received: 5/8/90  
Receipt No: X999999  
Received By: DC

RECEIVED

MAY - 5 1990

Department of Water Resources  
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: MAHAFFEY LIVESTOCK INC.  
Address: C/O STEPHEN MAHAFFEY  
P.O. BOX 4  
TENDON, ID

83468

2. Date of Priority: JUN 01, 1917

3. Source: PATTEE CREEK

Trib. to: LEMHI RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 19N      | 24E   | 16      | SE     | NE     |        |     | LEMHI  |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.200  |      |        |

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|----------|-------|---------|--------|--------|-----|-----|-------|
| 19N      | 24E   | 8       | SW     | NE     |     | IRR | 34.0  |
|          |       |         | SE     | NE     |     | IRR | 10.0  |
|          |       |         | NE     | SE     |     | IRR | 13.0  |

A74-00225

Page 1

Date: 05/01/90

A7400225



MICROFILMED  
DEC 14 1992

10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 19N      | 24E   | 8       | NW     | SE  |     | IRR           | 35.0  |
|          |       |         | SW     | SE  |     | IRR           | 36.0  |
|          |       |         | SE     | SE  |     | IRR           | 7.0   |
|          |       |         |        |     |     | Section Acres | 135.0 |
|          |       | 17      | NW     | NE  |     | IRR           | 24.0  |
|          |       |         |        |     |     | Section Acres | 24.0  |
|          |       |         |        |     |     | Total Acres   | 159.0 |

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR.=161.9.

CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER  
COURT-AUTHORIZED STIPULATION.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

\_\_\_\_\_  
Decree Plaintiff

vs

\_\_\_\_\_  
Decree Defendant

16. Signature(s)

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

Number of attachments: 2

**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): John E. Selby Date: \_\_\_\_\_

by Robert K. Charles Date: \_\_\_\_\_

State of Idaho )

County of Lewin ) SS.

Subscribed and sworn (or affirmed) before me this 2 day

of May 19 90

Seal

John McKim  
Notary Public

Residing at Salmon, Idaho

My Commission Expires 4/8/92

## SPECIAL POWER OF ATTORNEY

Know All Men by These Presents: That I John E. Sellsof P.O. Box 1278 Crystal Bay, Nevada 89407

have made, constituted, and appointed, and by these presents do make, constitute and appoint

Robert K. Charlesof Box 34 Tendoy, ID 83468, true and lawful attorney for and in hisname, place and stead, and for his use and benefit as follows:

To file all necessary claims for Water Rights appertaining  
to my real property in Lemhi County, Idaho, and to perform  
all acts required to protect the same.

and to sign, seal, execute, deliver and acknowledge such instruments in writing of whatever kind and nature  
as may be necessary or proper in the premises.

Giving and granting unto said attorney full power and authority to do and perform all and every act  
and thing whatsoever requisite and necessary to be done in and about the above stated premises, as fully to  
all intents and purposes as the signer might or could do if personally present, and hereby ratifying and confirm-  
ing all that said attorney shall lawfully do or cause to be done in the above stated premises by virtue of these  
presents.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the 28th  
day of March, 1989.

Signed, sealed and delivered in presence of

Janie Charles

John E. Sells (Seal)  
..... (Seal)

STATE OF IDAHO,  
County of Lemhi } ss.

On this 28th day of March in the year 1989, before me  
John S. McKinney, a Notary Public  
in and for said State, personally appeared John E. Sells

known to me to be the person whose name is subscribed to the within instrument, and  
acknowledged to me that he 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.

STATE OF IDAHO,  
County of \_\_\_\_\_ } ss.

John S. McKinney  
Notary Public  
4/92

I hereby certify that this instrument was filed for record at the request of \_\_\_\_\_  
\_\_\_\_\_ at \_\_\_\_\_ minutes past \_\_\_\_\_ o'clock \_\_\_\_\_ M.,  
this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 19\_\_\_\_, in my office, and duly recorded in Book \_\_\_\_\_ of \_\_\_\_\_ at page \_\_\_\_\_

Ex-Officio Recorder.

Fees, \$ \_\_\_\_\_

By \_\_\_\_\_, Deputy.

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: 3956  
Ident. No.

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

Please type or print clearly:

Name of claimant(s) John E. Sells

\_\_\_\_\_  
\_\_\_\_\_

Mailing Address  
(including zip code) Box 34

Tendoy, Idaho 83468  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Phone Number (208) 756 - 2690