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DEC - 8 2003
Department of Water Resources

December 7, 2003

State of Idaho
Department of Water Resources
P O Box 83720
Boise, Idaho 83720-0098

Attention: Mr. Carter Fritschle

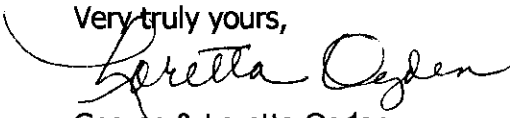
SUBJECT: 37-11564 -Evidence of Priority Date

Concerning your letter dated November 12, 2003, please find enclosed documents regarding the priority date and historic use of a beneficial use right and claim identified with 37-11564.

During our several telephone conversations concerning this matter, it has become apparent to me that the Department of Water Resources may not consider these enclosed documents as evidence of priority date and historic use of our claim 37-11564. However, the documents enclosed and others which have been secured indicate clear evidence of documented filings and use of water.

Your kind consideration to the enclosed documents and response to same shall be appreciated.

Very truly yours,


George & Loretta Ogden
565 Poplar St., Bliss, ID 83314.

Enclosure: Heather Jacobs - Homesteader - Stoddard Creek
water rights Book #4 Page 41
Alturas County
② Judgement:
Waddington Frost - The Beaver River
Power Company -

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Water Rights Book # 4 Page 41 Alturas County, Idaho

Luther Jacobs

Stoddard Creek

Notice is hereby given that I a citizen of the United States, claim by right, location, possession and final diversion 400 inches of the water of this creek, known as Stoddard Creek, not otherwise appropriated, situated in Salmon Falls Mining Dist, Alturas County, Idaho Territory, to be diverted from its natural channel, at this notice, about $\frac{1}{2}$ mile in a Southerly direction. Hereby reserving the right to change said point of diversion, and discharge. Should change be decreed more advantageous for the uses and purposes hereafter named, to be used for Agricultural and Mining purposes.

Located this 3rd Day of February 1888.

Filed for Record February 3rd, 1888

Waddington

565 Poplar St

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ALTAMAS COUNTY, CALIF.

Bliss

83314

Department of Water Resources

Theo. Thurman

Billingsby Creek

Notice, hereby given that I the undersigned, a Citizen of the United States, have this day located 300 Three hundred acres of water for Agricultural purposes, said water to be taken out of the North fork of Billingsby Creek near the head, situated in Salmon Falls Mining District, in Altamas County, Idaho. This 23rd day Jan AD 1885.

Theo. Thurman

Filed for Record this 24th day of Jan 1885.

County Recorder.

By J. L. Fuller, Deputy,

Luther Jacobs

Stoddard Creek

Notice, hereby given that I a citizen of the United States, claim the right location, possession and final decision 1000 acres of the water of this Creek, known as Stoddard Creek, not otherwise appropriated, situated in Salmon Falls Mining District Altamas County, Idaho Territory, to be diverted from its natural channel at this point, and to conveyed by ditch and flume to point of discharge about 1/2 mile, in a southerly direction. I hereby reserving the right to change said point of diversion, and discharge, should change be deemed more advantageous for the use and purpose hereinafter named, to be used for Agricultural and Mining purposes. Located this 5th Day of February 1885.

Luther Jacobs
Location.

Filed for Record February 3rd 1885.

Co. Recorder.

By J. L. Fuller, Deputy,

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Department of Water Resources

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR
LINCOLN COUNTY.

THE BEAVER RIVER POWER COMPANY
a corporation,

Plaintiff

-vs-

J U D G M E N T .

Ida Bell Waddington Frost,
John Dee Frost, her husband,
John William Waddington, a
minor, and Andrew Jackson
Waddington, a minor,

Defendants

THIS CAUSE came on regularly for hearing on the ...day of June, 1912, before Hon. E. A. Walters, District Judge of the Fourth Judicial District of Idaho, in chambers, at Shoshone, Lincoln County, Idaho, for judgment, in accordance with a stipulation heretofore filed by and between the respective parties; a jury trial and findings of fact being expressly waived, and all matters for decision being finally settled and agreed upon under the said stipulation;

NOW THEREFORE, the Court being fully advised in the premises does order, adjudge and decree that the plaintiff have and acquire for its use for the purpose of erecting and maintaining poles and transmission lines for the purpose of distributing electricity the following right of way and easement, to-wit:

For the erection, construction and maintenance of a pole line and wires for the electric transmission and distribution system of the said plaintiff, its successors and assigns over and upon the Southwest quarter of the Southeast quarter of Section 27, Township 6 South, Range 13 East B.M., in Lincoln County, Idaho, as the same is described and set forth specifically on the map Exhibit 'A', attached to and made a part of the complaint in this action.

The part of said system included in this right of way, consisting of one (1) pole, situated at a point approximately North 43° and 45' East, 30 feet from a point North 68° and 8' East, a distance of 650.7 feet from the south quarter section corner of Section 27; and of a bent consisting of two poles and a guy stub erected approximately 327 feet from the last named pole in a course North 43° and 45' East therefrom, together with the necessary cross-arms and wires for use in transmitting said electrical current, and that as compensation therefor the said plaintiff shall pay to the said defendants the sum of \$25.00, and that the plaintiff shall pay the costs in this action.

Done at Shoshone, Idaho, this 18th day of July, 1912.

EDWARD A. WALTERS,

J U D G E .

Filed July 18th, 1912
Harry W. Anderson, Clerk
By J. H. Helman, Deputy