

12713 Memory Lane
Nampa, ID 83686
April 6, 2004

April 7, 2004

RECEIVED

APR 12 2004

Department of Water Resources
Eastern Region

Nick L. Olson
IDWR
900 N. Skyline Dr.
Idaho DFalls, ID 83402-1718

Re: SRBA Claim 22-12155

Dear Mr. Olson,

We own jointly with Boyd and Barb Norton 400 acres you refer to in your letter as Rammel Hollow. There are three streams that flow on our land from the Forest Service land that is our West boundary. We filed the above Water Right Claim in May, 1989. However, we know that these streams have been used continually for livestock prior to our claim.

We are here requesting an extension on the deadline for our claim for beneficial water use for the following reasons. Your original letter went to Boyd Norton in Evergreen, Colorado while he was out of the country. We own the Rammel Hollow 400 acres jointly with the Nortons but we weren't sent a letter. After Boyd got home he sent us a copy of what you'd sent him so we could deal with it. (We live in Nampa, ID. so it's easier for us to deal with our jointly owned land) Unfortunately, by the time we received your letter the deadline was fast approaching.

The senior members of the Cook family are deceased, their children long gone from the valley. It's been very difficult and time consuming to locate others in Teton County to establish and verify Cook's livestock grazing on the land before we bought it in 1966, especially since we had a shortened time frame because we didn't receive immediate notification.

With many calls to the "old timers" in Teton County we finally contacted Terry Kay, a neighboring land owner, who remembers sheep being run on our property while it still belonged to Adrian Cook. He is willing to sign an affidavit to that effect, but we can't get it mailed to you in time to meet the deadline.

In the meantime I'm sending you the documentation we have:

- information on the history of the 400 acres indicating that it's been in use since the 1900s.
- Adrian Cook acquiring the various parcels of our land beginning as early as 1940.
- We and the Nortons bought 400 acres from Adrian Cook in Dec. 23, 1966. According to an affidavit to be signed by Terry Kay, Cook was running sheep on the land prior to the sale. There was also evidence of neighboring cows using the land for grazing. Both used the streams for watering.
- A copy of our current grazing lease agreement with Jim Douglass.

Again, I'm asking for an extension until we can get Terry Kay's affidavit to you.

Thank you for your help on this.

Sincerely,


Lee McGlinsky

Registered at Teton County Courthouse

Property Ownership History

Re: SRBA claim # 22-12155
The ownership history of the McGlinsky-Norton Property begins in the early 1900s. On January 23, 1920, Benjamin Myers took ownership of land he homesteaded comprised of the NE 1/4 of the SW 1/4 and the NW 1/4 of the SE 1/4 of Section 6 in Patent #7658. Henry Myers on the same day took possession of land he homesteaded, the W 1/2 and SE 1/4 of the SW 1/4 and the SW 1/4 of the SE 1/4 of Section 6, T5N, R44E, Boise Meridian with Patent #7657.

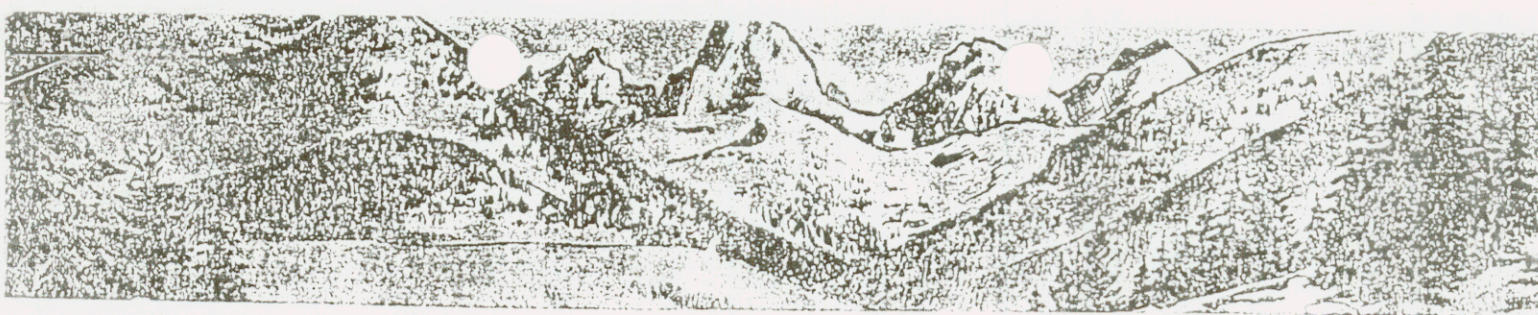
All of these properties were foreclosed on and sold at public auction to the highest bidder on Sept. 27, 1923. The North American Mortgage Co. (Kingdom of the Netherlands, Europe) obtained the properties with a bid of \$3,220.52 (Sheriff's Deed #13006). After holding the properties for eleven years, the North American Mortgage Co. sold them to Emma H. Hanks (WD#27013 dated 12/1/34). On December 6, 1965, Adrian H. Cook acquired the properties from Emma Hanks as recorded on quit claim deed #63335.

A parcel of this property no longer included in the holdings, was sold by Adrian Cook and now belongs to Jeff and Cheryl Copeland. The remaining descriptions of the properties exclude the Copeland parcel as described below:

"Beginning at the NE Corner of the NW 1/4 SE 1/4, Section 6, Township 5 North, Range 44 East, Boise Meridian, Teton County, Idaho and running thence West 1540 feet, thence South 1100 feet, thence East 1540 feet, thence North 1100 feet to the point of beginning."

On December 9, 1935, Parley Rammell received ownership, through Patent #28366, of the South 1/2 of the NW 1/4 and Lot 4 (which is the majority of the NW 1/4 of the NW 1/4), Section 6, T5N, R44E, Boise Meridian and Lots 3 and 4 of Section 31, T6N, R44E, Boise Meridian. He later lost the properties to the Teton County Tax Collector due to delinquent taxes of \$13.71 plus penalty (Tax Deed #34234 dated 3/22/40). The properties were advertised in the *Teton Valley News* on 4/10/40 and sold at public auction on 5/13/40 to the highest bidder. The bidder was Adrian Cook who bid \$120 (County Deed #40431). Adrian Cook now had possession of all the properties previously described with the exception of the Copeland parcel.

On December 23, 1966, Adrian Cook deeded all these properties to Boyd E. Norton (WD#100130). A corrected WD#102651 was later filed on June 13, 1988. A quit claim deed, #103688, changed ownership from Boyd E. Norton to Boyd E. Norton, Barbara M. Norton, Alfred M. McGlinsky and Lee McGlinsky on January 18, 1989. The last recording dated October 30, 1998, is a bargain and sale deed putting the McGlinsky share of the properties into the Alfred M. & Lee McGlinsky Family Trust (#131919). Barbara M. and Boyd E. Norton and Alfred M. and Lee McGlinsky own the property with a half-interest each family.



OFFICE OF THE ASSESSOR

TETON COUNTY

DRIGGS, IDAHO 84322

89 N Main #2

Driggs, Id 83422

DATE: NOV. 10, 2000

FARM LEASE STATEMENT

TO WHOM IT MAY CONCERN:

This is to verify that LEE AND AL MCGLINSKY,
BOYD AND BARBARA NORTON, lessors, and
JIM DOUGLASS, lessee, of Teton County, Idaho.

We have agreed that JIM DOUGLASS, lessee will actively devote the land to agricultural use or keep it in agricultural production as described below.* The land is APPROX. 380 acres; Legal Description as follows

PARCEL # RP 05N44E063000 A
LOTS 4-5-6-7, SE4NW4, SE4SW4,
SW4SE4 SEC 6 T5N R44E

and

PARCEL # 06N44E315400 A
LOTS 3-4 SEC 31 T6N R44E
(SEE ATTACHED LEGAL DESCRIPTION)

* LIVESTOCK GRAZING

The lease shall remain in effect for 2 years from this date, unless the Teton County Assessor's Office is otherwise notified. If either lessor/lessee nullifies the lease, they are then responsible for notifying the Teton County Assessor's Office of changes that may affect this lands status in agricultural production.

Lee McGlinsky Al McGlinsky
Barbara Norton Boyd Norton
Lessors

Jim Douglass
Lessee

Please be advised, under Idaho Code 18-3203 it is a felony to offer any false or forged instrument to be filed, registered or recorded in any public office with the state.

*Reviewed / 2 yrs.
Nov 10, 2002*