

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 37-10023
Date Received: 4/22/1988
Receipt No: C000411
Received By:

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

1. Name of Claimant(s)

HYNDMAN CREEK LLC Phone:
1290 AVENUE OF THE AMERICAS
NEW YORK NY 10104

2. Date of Priority: 06/10/1900

3. Source: JOHNSTONE CREEK Trib. to: HYNDMAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	19E	16	NW NW NW	BLAINE	

5. Description of diverting works:

MEASURING DEVICE IN DITCH. GRAVITY FLOW TO MAIN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	5/15	9/15	0.2	

7. Total Quantity Appropriated is:
0.2 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
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04N	19E	16	NW	NW	IRRIGATION	8
					Section Acres	8
04N	19E	17	NE	NE	IRRIGATION	2
					Section Acres	2
					Total Acres	10

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
 APR 21 2005
 Department of Water Resources
 Southern Region

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, if the change in ownership is limited to a portion of 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
	37-10023				

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) are for ten or more acres of irrigation, you must submit 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) Doris Babin, Jean Gibson, Mary Lindstrom, Donna Mathews
7630 Cherrywood Drive, Boise, Idaho 83704
4. New Owner/Claimant(s) Hyndman Creek LLC, a Delaware limited liability company
 Name Connector (Check one): [] and, [] or [] and/or
- New Mailing Address 1290 Avenue of the Americas,
- City, State and Zip Code New York, New York 10104
- New Telephone Number _____
5. Date you acquired the property September 22, 2004

ORIGINAL IN RED

6. **IF THE CHANGE IN OWNERSHIP AFFECTS THE ENTIRE WATER RIGHTS FOR EACH WATER RIGHT OR ADJUDICATION CLAIM NUMBER LISTED IN ITEM 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change of 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.

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) Hyndman Creek LLC, a Delaware limited liability company
(include title if applicable)

By: 

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 _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

WARRANTY DEED

For Value Received RUSSELL G. LINDSTROM and MARY MACRAE LINDSTROM, husband and wife, ORIS GIBSON and JEAN MACRAE GIBSON, husband and wife, EUGENE E. BABIN and DORIS MACRAE BABIN, husband and wife and WILLIAM L. MATHEWS and DONNA MACRAE MATHEWS, husband and wife

the grantor S, do hereby grant, bargain, sell and convey unto

GARNER H. TULLIS and PAMELA A. TULLIS, husband and wife

the grantees, whose current address is 10 White Street, New York, NY 10013

the following described premises, in Blaine County, Idaho, to-wit:

SEE ATTACHED EXHIBIT "A"

STATE OF IDAHO
COUNTY OF Blaine

On this 15th day of December, 1988, in the

before me, a Notary Public, personally appeared Oris Gibson, Jean MacRae Gibson and William L. Mathews & Donna Mac Rae Mathews known or identified to me to be the person whose name S are subscribed to the within instrument, and acknowledged to me that he executed the same.



Garner H. Tullis
Notary Public
Residing in *Hailey*, Idaho
Comm. expires *3/14/91*

MARY GREEN, CLERK-S-C
FEES \$ 6.00

88 DEC 15 PM 2 14

BLAINE CO. REQUEST
OFFICIAL RECORD

301492

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor S do hereby covenant to and with the said Grantees, that the yarehe owner in fee simple of said premises; that they are free from all incumbrances

and the y will warrant and defend the same from all lawful claims whatsoever.

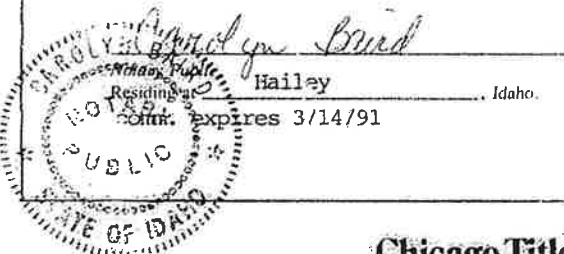
Dated: November 28, 1988

Russell G. Lindstrom Mary MacRae Lindstrom X Russell G. Lindstrom & Mary Macrae Lindstrom
Oris Gibson Jean Mac Rae Gibson X Oris Gibson and Jean Macrae Gibson
Eugene E. Babin Doris MacRae Babin X Eugene E. Babin & Doris Macrae Babin
William L. Mathews Donna MacRae Mathews X William L. Mathews & Donna Macrae Mathews

STATE OF IDAHO
COUNTY OF Blaine

On this 15th day of December, 1988, in the

before me, a Notary Public, personally appeared Russell G. Lindstrom & Mary Macrae Lindstrom Eugene E. Babin & Doris Macrae Babin known or identified to me to be the person whose name are subscribed to the within instrument, and acknowledged to me that he executed the same.



STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of

at this minutes past o'clock M. 19, in my office, and duly recorded in Book of Deeds at page

Ex-Officio Recorder

By Deputy.

Fees \$
Mail to:

INSTRUMENT NO.

EXHIBIT "A"

TOWNSHIP 4 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

H.E. SURVEY NO. 68, designated on the Blaine County Tax Assessor's Rolls as Tax Lot 725 and more particularly described as follows:

Beginning at Corner No. 1, a black limestone rock 12 x 8 x 4 inches above ground, marked "H-4" and "H.E.S. 68-1" from which the northwest corner of Section Twenty-nine (29), said Township and Range, bears South 29°58' West 108.91 chains distant; thence North 50°16' West 31.77 chains to Corner No. 2; thence North 30°55' East 32.10 chains to Corner No. 3; thence North 58°56' East 36.07 chains to Corner No. 4; thence South 18.70 chains to Corner No. 5; thence South 25°41'22" West 52.96 chains to Corner No. 1, the place of beginning.

EXCEPTING THEREFROM:

A strip of land 66 feet in width traversing H.E.S. No. 68 located in Sections 8 and 17, Township 4 North, Range 19 East, Boise Meridian, Blaine County, State of Idaho. The said strip of land being 33 feet in width on each side of the following described center line;

Commencing at Corner No. 1 of H.E.S. No. 68 (a brass cap found); Thence North 50°16'43" West, for a distance of 771.18 feet to a point on the line between Corners No. 2 and 3 of H.E.S. No. 410 and being common to H.E.S. No. 410 and H.E.S. No. 68, said point being a distance of 88.01 feet from Corner No. 3 of H.E.S. No. 410 (a brass cap found), and said point being the TRUE POINT OF BEGINNING;

Thence North 46°37'57" East, for a distance of 382.87 feet; Thence along a 5° curve to the left, having a deflection angle of 9°12'46" for a distance of 184.26 feet; Thence North 37°25'11" East, for a distance of 645.87 feet; Thence along a 2° curve to the right, having a deflection angle of 5°24'37", for a distance of 270.51 feet; Thence North 42°49'48" East, for a distance of 424.56 feet; Thence along a 5° curve to the right, having a deflection angle of 10°06'20", for a distance of 202.11 feet; Thence North 52°56'09" East, for a distance of 506.47 feet, ending on a point on the line between Corners No. 1 and 5 of H.E.S. No. 68, said point being North 27°15'01" East, a distance of 2659.31 feet from Corner No. 1 of H.E.S. No. 68 (a brass cap found).

JHAT
PAT

known or identified to me to be the person whose name are subscribed to the within instrument, and acknowledged to me that he executed the same.

Carolyn Brund
Residing at _____, Hailey, Idaho.
Notary Public
Comm. expires 3/14/91

this _____ day of _____, 19____, in my office, and duly recorded in Book _____ of Deeds at page _____

Ex-Officio Recorder

By _____

SENT No.

THIS INSTRUMENT FILED FOR RECORD
BY SUN VALLEY TITLE COMPANY AS AN
ACCOMMODATION ONLY. IT HAS NOT
BEEN EXAMINED AS TO ITS EXECUTION
OR AS TO ITS EFFECT UPON THE TITLE.

THIS BLANK FURNISHED BY TITLEWEST

QUITCLAIM DEED

For Value Received PAMELA A. TULLIS

do hereby convey, release, remise and forever quit claim unto
New York, New York 10013

CARNER H. TULLIS, 10 White Street,

the following described premises situated in Blaine County, Idaho, to-wit:

TOWNSHIP 4 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY,
IDAHO.

Pat
H.E.S. SURVEY NO. 688 designated on the Blaine County Tax
Assessor's Rolls as Tax Lot 725 and more particularly described
as follows:
Beginning at Corner No. 1, a black limestone rock 12 x 8 x 4
inches above ground, marked "H-4" and "H.E.S. 68-1" from which
the northwest corner of Section Twenty-nine (29), said Township
and Range, bears South 29°58' West 108.91 chains distant; thence
North 50°16' West 31.77 chains to Corner No. 2; thence North
30°55' East 32.10 chains to Corner No. 3; thence North 50°56' East
36.07 chains to Corner No. 4; thence South 18.70 chains to Corner
No. 5; thence South 25°41'22" West 52.96 chains to Corner No. 1,
the place of beginning.

EXCEPTING THEREFROM:

A strip of land 66 feet in width traversing H.E.S. No. 688 located
in Sections 8 and 17, Township 4 North, Range 19 East, Boise
Meridian, Blaine County, State of Idaho. The said strip of land
being 33 feet in width on each side of the following described
center line;

Commencing at Corner No. 1 of H.E.S. No. 688 (a brass cap found);
Thence North 50°16'43" West, for a distance of 771.18 feet to a
point on the line between Corners No. 2 and 3 of H.E.S. No. 410
and being common to H.E.S. No. 410 and H.E.S. No. 688 said point
being a distance of 88.01 feet from Corner No. 3 of H.E.S. No.
410 (a brass cap found), and said point being the TRUE POINT OF
BEGINNING;

Thence North 46°37'57" East, for a distance of 382.87 feet;
Thence along a 5° curve to the left, having a deflection angle of
9°12'46" for a distance of 184.26 feet;
Thence North 37°25'11" East, for a distance of 645.87 feet;
Thence along a 2° curve to the right, having a deflection angle
of 5°24'37", for a distance of 270.51 feet;
Thence North 42°49'48" East, for a distance of 424.56 feet;
Thence along a 5° curve to the right, having a deflection angle
of 10°06'20", for a distance of 202.11 feet;
Thence North 52°56'09" East, for a distance of 506.47 feet,
ending on a point on the line between Corners No. 1 and 5 of
H.E.S. No. 688 said point being North 27°15'01" East, a distance
of 2659.31 feet from Corner No. 1 of H.E.S. No. 68 (a brass cap
found).

together with their appurtenances.

Dated:

New York, New York

Pamela A. Tullis
Pamela A. Tullis

May 5 1972

NEW YORK
STATE OF NEW YORK, COUNTY OF ALBANY
On this *5th* day of *May*, 19 *72*
before me, a notary public in and for said State, per-
sonally appeared
PAMELA A. TULLIS

known to me to be the person who is name
subscribed to the within instrument, and acknow-
ledged to me that she executed the same.

[Signature]
Notary Public
Residing at *[Address]*, Idaho

[Signature]

3:00

342323

3:00

717

Carroll
Lead
340900

WARRANTY DEED

FOR VALUE RECEIVED Garner H. Tullis, a married man as his sole and separate property

the grantor, does hereby grant, bargain, sell and convey unto

Carol P. Nie, Trustee of the Carol P. Nie Revocable Trust dated March 15, 1991

the grantee, whose current address is 5659 S. Woodlawn
Chicago, IL 60637

the following described premises, in BLAINE COUNTY, IDAHO, to wit:

See Exhibit "A" Attached Hereto and Made a Part Hereof

SUBJECT TO: A Real Estate Mortgage to secure an indebtedness as shown below.
Amount: \$237,000.00
Dated: November 28, 1988
Mortgagor: GARNER H. TULLIS and PAMELA A. TULLIS, husband and wife
Mortgagee: RUSSELL G. LINDSTROM and MARY MACRAE LINDSTROM, husband and wife,
ORIS GIBSON and JEAN MACRAE GIBSON, husband and wife, EUGENE E.
BABIN and DORIS MACRAE BABIN, husband and wife, and WILLIAM L.
MATHEWS and DONNA MACRAE MATHEWS, husband and wife
Recorded: December 15, 1988
Instrument No.: 301493, records of Blaine County, Idaho, the unpaid balance of
which the grantee herein assume and agree to pay according to the terms thereof.

SUBJECT TO: Taxes, easements, restrictions, reservations, assessments and encumbrances as shown of record, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, her heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 2, 1992

Garner H. Tullis
Garner H. Tullis

STATE OF NY, COUNTY OF: Albany

On this 2 day of October, 1992,
before me a Notary Public in and for
said State, personally appeared
Garner H. Tullis known or identified
to me to be the person whose name is
subscribed to the within instrument
and acknowledged to me that he
executed the same.

Notary Public

Residing at

Commission Expires



RECEIVED
ALBANY, N.Y.
OCT 10 1992
Notary Public
Garner H. Tullis

24

08

347399

Deed

Order No. 22-11313

Exhibit "A"

TOWNSHIP 4 NORTH, RANGE 19 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO:

H.E. SURVEY NO. 68, designated on the Blaine County Tax Assessor's Rolls as Tax Lot 725 and more particularly described as follows:

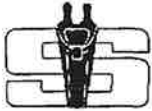
BEGINNING at Corner No. 1, a black limestone rock 12 x 8 x 4 inches above ground, marked "H-4" and "H.E.S. 68-1" from which the northwest corner of Section Twenty-nine (29), said Township and Range, bears South 29°58' West 108.91 chains distant; THENCE North 50°16' West 31.77 chains to Corner No. 2;
THENCE North 30°55' East 32.10 chains to Corner No. 3;
THENCE North 58°56' East 36.07 chains to Corner No. 4;
THENCE South 18.70 chains to Corner No. 5;
THENCE South 25°41'22" West 52.96 chains to Corner No. 1, the place of BEGINNING.

EXCEPTING THEREFROM:

A strip of land 66 feet in width traversing H.E.S. No. 68 located in Sections 8 and 17, Township 4 North, Range 19 East, Boise Meridian, Blaine County, State of Idaho. The said strip of land being 33 feet in width on each side of the following described center line;

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THENCE North 50°16'43" West, for a distance of 771.18 feet to a point on the line between Corners No. 2 and 3 of H.E.S. No. 410 and being common to H.E.S. No. 410 and H.E.S. No. 68, said point being a distance of 88.01 feet from Corner No. 3 of H.E.S. No. 410 (a brass cap found), and said point being the TRUE POINT OF BEGINNING;
THENCE North 46°37'57" East, for a distance of 382.87 feet;
THENCE along a 5° curve to the left, having a deflection angle of 9°12'46" for a distance of 184.26 feet;
THENCE North 37°25'11" East, for a distance of 645.87 feet;
THENCE along a 2° curve to the right, having a deflection angle of 5°24'37", for a distance of 210.51 feet;
THENCE North 42°49'48" East, for a distance of 424.56 feet;
THENCE along a 5° curve to the right, having a deflection angle of 10°06'20", for a distance of 202.11 feet;
THENCE North 52°56'09" East, for a distance of 506.47 feet, ending on a point on the line between Corners No. 1 and 5 of H.E.S. No. 68, said point being North 27°15'01" East, a distance of 2659.31 feet from Corner No. 1 of H.E.S. No. 68 (a brass cap found).

Together with any and all water rights appurtenant thereto.



Instrument # 510600

HAILEY, BLAINE, IDAHO

2004-09-30

09:38:00 No. of Pages: 2

Recorded for: BLAINE COUNTY TITLE

MARSHA RIEMANN

Fee: 6.00

Ex-Officio Recorder Deputy

Index to: WTYGCCORP DEED

WARRANTY DEED

For Value Received CAROL P. NIE, TRUSTEE OF THE CAROL P. NIE REVOCABLE TRUST
DATED MARCH 15, 1991

the Grantor hereby grants, bargains, sells, conveys and warrants unto HYNDMAN CREEK LLC, a
Delaware limited liability company

the Grantee whose current address is: 1290 Avenue of the Americas, New York, NY
10104

the following described premises, to-wit:

Lot 1 and Parcel B of BEAR GULCH SUBDIVISION, as shown on the official
plat thereof, recorded December 30, 1994, as Instrument No. 374370,
records of Blaine County, Idaho.

Parcel Number: RP000420000010A & BOA

SUBJECT TO: Current General Taxes, a lien in the process of assessment, not yet due or payable.
Easements, restrictions, reservations, provisions of record, and assessments, if any.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs
and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the
owner in fee simple of said premises; that said premises are free from all encumbrances and that he will warrant
and defend the same from all lawful claims whatsoever.

Dated: September 22, 2004

Carol P. Nie, Trustee by Ned C. Williamson, her Attorney in Fact
CAROL P. NIE REVOCABLE TRUST

By: Carol P. Nie, Trustee

State of

SS.

County of

On this _____ day of _____, before me, the
undersigned, a Notary Public, in and for said State, personally appeared _____

_____, known to me, and/or identified to me
on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument
and acknowledged to me that _____ executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

(SEAL)

Notary Public

Residing at:

Commission Expires:

State of Idaho

SS.

County of Blaine

On this 29th day of September, 2004, before me, the undersigned, a Notary Public, in and for said State, personally appeared NED C. WILLIAMSON

_____, known to me to be the person whose name is subscribed as the Attorney-in-Fact of CAROL P. NIE, TRUSTEE

and known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same on behalf of Carol P. Nie, Trustee.

WITNESS MY HAND AND OFFICIAL SEAL.

Jacki R. Strobe
Notary Public
Residing at: Hailey, Idaho
Commission Expires: 9/3/06





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

April 21, 2005

HYDNMAN CREEK LLC
1290 AVENUE OF THE AMERICAS
NEW YORK NY 10104

Re: SRBA Claim #37-10023

Dear Claimant,

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 this record and if there is an error, or you have any questions, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carrie Hahn', written over a horizontal line.

Carrie Hahn
Office Specialist

Enc.

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: A37-10023

Date Received: 4/22/1988

Receipt No: C000411

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEAN GIBSON 208-376-0301
Address: 7630 CHERRYWOOD DR.
BOISE, ID 83704

AND/OR

Name: MARY LINDSTROM
Address: SAME AS ABOVE
BOISE, ID 83704

AND/OR

Name: DORIS BABIN
Address: BOISE, ID 83704

AND/OR

Name: DONNA MATHEWS
Address: BOISE, ID 83704

2. Date of Priority: JUN 10, 1900

3. Source: JOHNSTONE CREEK Trib. to: HYMDMAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	19E	16	NW	NW	NW		BLAINE

5. Description of diverting works:
MEASURING DEVICE IN DITCH. GRAVITY FLOW TO MAIN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	09/15	0.200		

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

8. Total consumptive use is 30.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	19E	16	NW	NW		IRR	8.0
						Section Acres	8.0
		17	NE	NE		IRR	2.0
						Section Acres	2.0
						Total Acres	10.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
OCT 25 1994

MICROFILMED

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: A37-10023

Date Received: 4/15/1988

Receipt No: _____

OCT 20 1988

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: JEAN GIBSON
Address: 7630 CHERRYWOOD DR.
BOISE, ID 83704 208-376-0301
AND/OR
Name: MARY LINDSTROM
Address: SAME AS ABOVE
BOISE, ID 83704
AND/OR
Name: DORIS BABIN
Address: BOISE, ID 83704
AND/OR
Name: DONNA MATHEWS
Address: BOISE, ID 83704
2. Date of Priority: JUN 10, 1900
3. Source: JOHNSTONE CREEK Trib. to: HYMDMAN CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 04N | 19E | 16 | NW | NW | NW | | BLAINE |
5. Description of diverting works:
MEASURING DEVICE IN DITCH. GRAVITY FLOW TO MAIN DITCH
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 05/15 | 09/15 | 0.200 | | |
7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
- A37-10023 Page 1 Date: 04/15/88

MICROFILMED
OCT 25 1988

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	19E	16	NW	NW	IRR	8.0
					Section Acres	8.0
		17	NE	NE	IRR	2.0
					Section Acres	2.0
					Total Acres	10.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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: 4

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): Wm L. Matthews Date: _____
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of April 19 88

Seal

[Signature]
Notary Public

Residing at Boise, ID
My Commission Expires Life

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: A37-10023

Date Received: 4/15/1988

Receipt No: 0000411

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JEAN GIBSON
Address: 7630 CHERRYWOOD DR.
BOISE, ID 83704

208-376-0301

AND/OR
Name: MARY LINDSTROM
Address: SAME AS ABOVE
BOISE, ID 83704

AND/OR
Name: DORIS BABIN
Address: BOISE, ID 83704

AND/OR
Name: DONNA MATHEWS
Address: BOISE, ID 83704

RECEIVED

JUN 9 1988

Department of Water Resources
Southern Region Office

2. Date of Priority: JUN 10, 1900

3. Source: JOHNSTONE CREEK

Trib. to: HYMDMAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
04N	19E	16	NW NW NW		BLAINE

5. Description of diverting works:
MEASURING DEVICE IN DITCH. GRAVITY FLOW TO MAIN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/15	09/15	0.200		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

A37-10023

Page 1

Date: 04/15/88

MICROFILMED
OCT 25 1994

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	19E	16	NW	NW		IRR	8.0
					Section Acres		8.0
		17	NE	NE		IRR	2.0
					Section Acres		2.0
					Total Acres		10.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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): W. L. Mathews Date: _____
_____ Date: _____

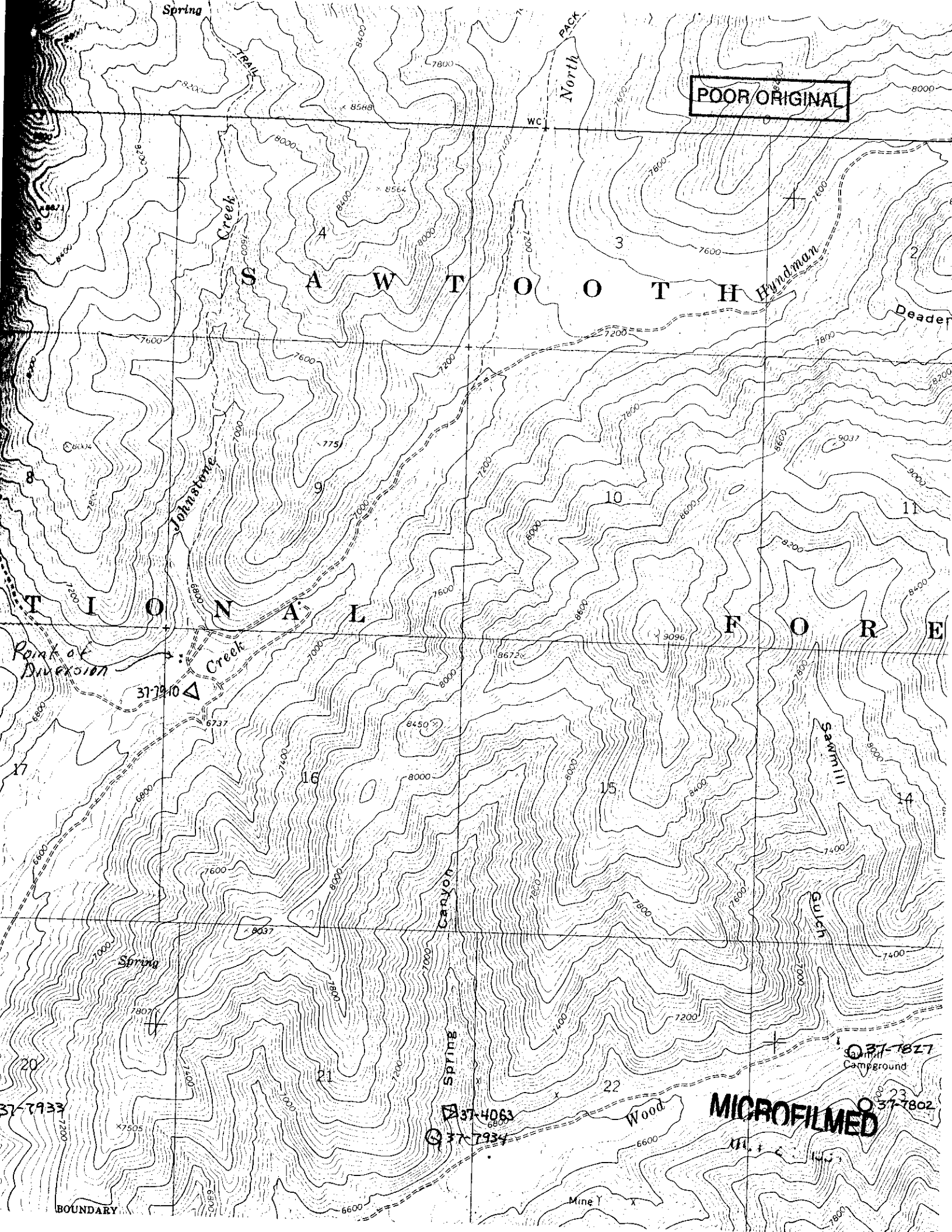
State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 15 day
of April 19 88

[Signature]
Notary Public

Seal

Residing at Boise, ID
My Commission Expires Life



REQUESTED

FIRST CLASS



UNITED STATES
02 1A
0004310839
MAILED FROM ZIP CODE 83702
\$ 00.52⁰⁰
NOV 21 2006



ATTEMPTED,
NOT KNOWN

RECEIVED

JAN 30 2007

DEPARTMENT OF
WATER RESOURCES

37-10023
37-7910

HYNDMAN CREEK LLC
1290 AVENUE OF THE AMERICAS
NEW YORK NY 10104

Box 19

51

Clark, Cynthia (Bridge)

From: Clark, Cynthia (Bridge)
Sent: Tuesday, January 02, 2007 1:06 PM
To: 'Jim Speck'
Cc: Peppersack, Jeff
Subject: RE: Hyndman Creek, LLC/37-10023 and 37-7910

Jim,

Happy New Year to you as well. Jeff Peppersack reviewed these claims. I have attached a copy of his review memorandum to address your questions. Please let either or both of us know if you have additional questions or wish to submit additional information.

Thanks,
Cynthia

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

From: Jim Speck [mailto:jim@speckandaanestad.com]
Sent: Friday, December 29, 2006 4:20 PM
To: Clark, Cynthia (Bridge)
Cc: 'Jim Bishop'
Subject: Re: Hyndman Creek, LLC/37-10023 and 37-7910

Cynthia,

I have received a copy of the preliminary recommendation and map for 37-10023, but nothing for 37-7910. Two questions -- a) what is the basis for the priority date of May 1, 1934 instead of the June 10, 1900 claimed? b) what is the basis for reducing the irrigated acres from the claimed 10 to only 4?

HAPPY NEW YEAR!!

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
208.726.0752 (fax)
jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

This email message and any attachments are intended only for the use of the addressee named above and may contain information that is privileged and confidential. If you are not the intended recipient, any dissemination, distribution, or copying is strictly prohibited. If you received this email message in error, please immediately notify the sender by replying to this email message or by telephone. Thank you.

1/2/2007

Clark, Cynthia (Bridge)

From: Jim Speck [jim@speckandaanestad.com]
Sent: Friday, December 29, 2006 4:20 PM
To: Clark, Cynthia (Bridge)
Cc: 'Jim Bishop'
Subject: Re: Hyndman Creek, LLC/37-10023 and 37-7910

Cynthia,

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HAPPY NEW YEAR!!

Jim

James P. Speck
SPECK & AANESTAD
A Professional Corporation
120 East Avenue
P.O. Box 987
Ketchum, ID 83340
208.726.4421
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jim@speckandaanestad.com

CONFIDENTIAL COMMUNICATION

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12/29/2006

12/20/2006

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

RIGHT NUMBER: 37-10023

NAME AND ADDRESS: HYNDMAN CREEK LLC
1290 AVENUE OF THE AMERICAS
NEW YORK NY 10104

SOURCE: JOHNSTONE CREEK

TRIBUTARY: HYNDMAN CREEK

QUANTITY: 0.120 CFS

PRIORITY DATE: 05/01/1934

POINT OF DIVERSION:

T04N R19E S16 NWNWNW Lot 1 Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

05/01 10/31

0.120 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T04N R19E S16

NWNW

3.40

T04N R19E S17

NENE

0.60

4 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 - Beneficial Use

Property is also known as portion of HES 68.



Idaho Department of Water Resources

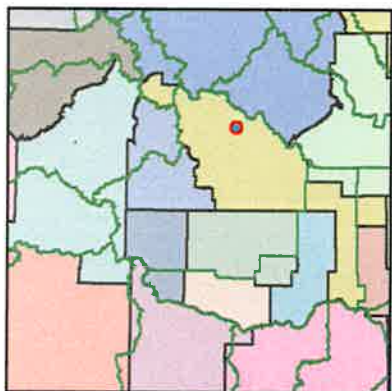
SRBA Recommendation:

37-10023

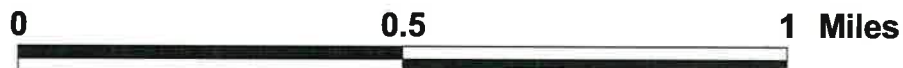
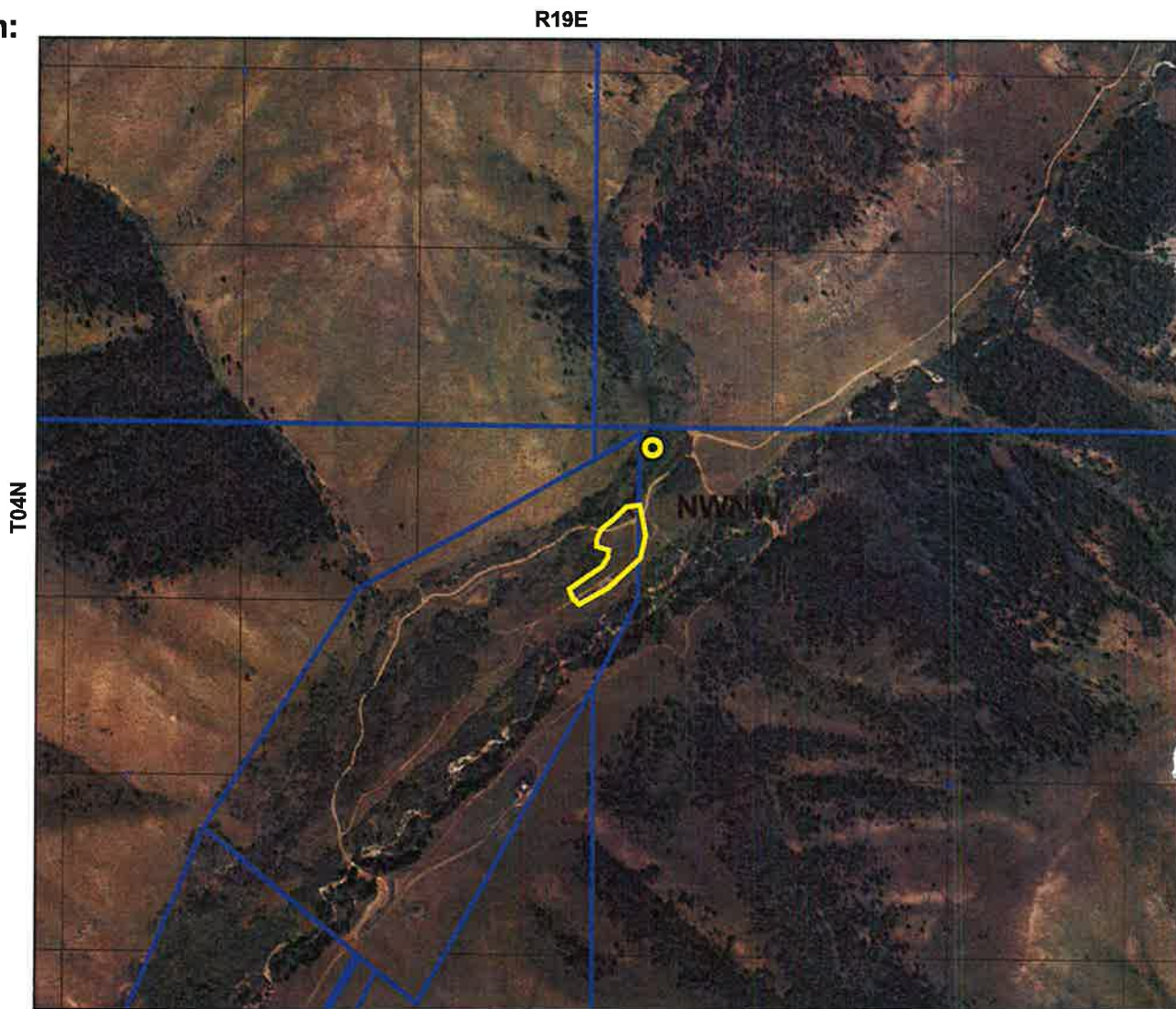
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Blaine County
IDWR Basin 37



Prepared by J. Peppers
On Wednesday, December 20, 2006
2004 Aerial Photography

MEMORANDUM

Date: December 19, 2006

To: AJ Claim Files 37-10023 and 37-7910

From: Jeff Peppersack

Re: Evidence of Priority, Place of Use and Rate of Flow for Recommendation

The water use was documented by license 37-7910. The license file includes a letter from William L. Mathews dated July 8, 1986. The letter indicates that the water has been used about 80 years to irrigate approximately 5 acres of pasture and a garden. Another letter from Williams dated October 3, 1987 indicates that water had been used each year since the homestead was first occupied in the late 1890's.

The claim file includes several statements constituting evidence of priority. Some of the statements indicate a homestead patent based on an application in 1909 and patented in 1911. The information did not include documentation of the patent to confirm irrigation. The most credible information are statements of personal knowledge of irrigation from Johnstone Creek dating back to the 1930s. The statement from Jean MacRae Gibson indicates use in the early 1930's. I recommend the beginning of the irrigation season in 1934 to indicate the latest reasonable date in the early 30's. The priority date could be supplemented by patent information to confirm an earlier priority date; however, the earliest date that could be recommended would be one day after the Frost decree. The Frost decree is dated December 13, 1909.

The license file for 37-7910 also includes a letter from Williams dated June 2, 1988 and included an aerial photo outlining the irrigated area. The photo was made part of the field exam and used to determine the irrigated place of use. Although some statements in the license and claim file estimate 10 acres of irrigation, the outlined area on the map provided by the permit holder is the only documentation of the specific area irrigated. The Department's 1987 imagery shows possible evidence of irrigation in that area. The information was used to create a shape and determine an irrigated area of 4 acres for the beneficial use right.

The license file also includes a letter from the Department dated November 18, 1987 confirming 0.20 cfs as the diversion capacity (license was limited to 0.03 cfs per acre). I recommend 0.03 cfs per acre for a total of 0.12 cfs.

A claim was also filed for license 37-7910. This claim should be disallowed because the beneficial use right covers the entire amount licensed.

Claimants Names:

Hyndman Creek LLC

Attorney Name & Address:

**James P. Speck, ISB#2067
Speck & Aanestad
A Professional Corporation
120 East Avenue
P. O. Box 987
Ketchum, Idaho 83340
(208) 726-4421
FAX: (208) 726-0752**

RECEIVED
MAY 09 2005
Department of Water Resources
Southern Region

**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

)
)
)
)
)
)

NOTICE OF APPEARANCE

DESCRIPTIVE SUMMARY

This is a notice of appearance by counsel on behalf of the new claimant and purchaser of the water rights identified below.

NOTICE OF APPEARANCE

The law firm of Speck & Aanestad, A Professional Corporation, hereby enters its appearance in the action on behalf of Claimant, Hyndman Creek, LLC, for the following water rights which are not the subject of any subcases: 37-7910 and 37-10023.

DATED this 3rd day of May, 2005.

SPECK & AANESTAD
A Professional Corporation

By 
James P. Speck

CERTIFICATE OF SERVICE

I hereby certify that on the ____ day of May, 2005, I served a true and correct copy of the foregoing NOTICE OF APPEARANCE on the following persons in the manner designated below:

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

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

The United States Department of Justice
Environmental and Natural Resources
Division
550 West Fort Street
Box 33
Boise, ID 83724

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid

Idaho Department of Water Resources
Document Depository
P.O. Box 83720
Boise, ID 83720-0098

- ☒ United States Mail, Postage Prepaid
☐ Hand Delivery
☐ Facsimile, with copy by United States Mail, Postage Prepaid


JAMES P. SPECK

SPECK & AANESTAD

A PROFESSIONAL CORPORATION
ATTORNEYS

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340

JAMES P. SPECK
jimspeck@cox-internet.com
DOUGLAS J. AANESTAD
aanestad@cox-internet.com

TELEPHONE
(208) 726-4421
FACSIMILE
(208) 726-0752

May 5, 2005

RECEIVED
MAY 09 2005
Department of Water Resources
Southern Region

Mr. Allen Merritt
Idaho Department of Water Resources
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301

RE: Notice of Appearance for 37-7910 and 37-10023
Our File No.: 1397/050030

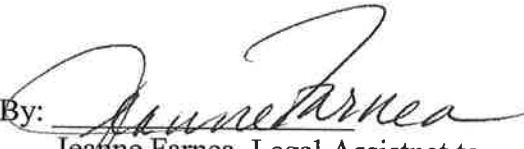
Dear Mr. Merritt:

Enclosed you will find the original and a copy of the above-referenced Notice of Appearance for the above-referenced water rights of our client, Hyndman Creek, LLC. Please receipt date stamp the copy and return it to our office in the postage prepaid, self addressed envelope I have included for that purpose.

Kindly call me if you have any questions. Thank you.

Sincerely yours,

SPECK & AANESTAD
A Professional Corporation

By: 
Jeanne Farnea, Legal Assistnat to
James P. Speck

enclosures

cc: Chief, Natural Resources Division (w/encl.)
U.S. Dept. of Justice(w/encl.)
IDWR, Document Depository (w/encl.)



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

April 15, 2005

X
X
X
X

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label 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, in the coming year, 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 required 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 may be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-_____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7910

WATER RIGHT NUMBER: 37-7910

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARY LINDSTROM
	, ID
Current Owner	DONNA MATHEWS 7630 CHERRYWOOD DR BOISE, ID 83704
Current Owner	W L MATHEWS 7630 CHERRYWOOD DR BOISE, ID 83704
Current Owner	JEAN GIBSON
	, ID
Current Owner	DORIS BABIN
	BOISE, ID 83704

Priority Date: 04/21/1981

Basis: License

Status: Active

Source

JOHNSTONE CREEK

Tributary

HYNDMAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	5/15 to 9/15	0.120 CFS	12.00 AF
	<u>Total Diversion:</u>	0.120 CFS	12.00 AF

Location of Point(s) of Diversion

JOHNSTONE CREEK

NW1/4NW1/4

Sec. 16, Twp 04N, Rge 19E, B.M.

BLAINE County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	19E	16	NE	NW	SW	SE	2.6
04N	19E	17	1.4				1.4

Total Acres: 4

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7910

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

1. General The diversion of water under this right is not authorized during the period 6/15 to 9/15 without written verification from the Big Wood River watermaster indicating all prior rights demanding water are then being filled.

Comments:

August 17, 1988

To the District Court of the Fifth Judicial District of Idaho

Re: Civil Case No. 39576
Identification No. A 37-10023

RECEIVED
OCT 20 1988
Department of Water Resources

This case involves a Notice of Claim to a Water Right for use of water on the MacRae Ranch located on Johnstone and Hyndman Creeks in Sections 16 & 17, T. 4N, R 19 E., B.M. This property was patented pursuant to a homestead application filed November 9, 1909, and patent was issued July 3, 1911, to Frank A. Gutches. The Gutches family farmed approximately 30 acres of the 153 acre homestead. They put up hay which they fed to milk cows and other livestock, and raised their family on this ranch.

The property was acquired by the MacRae Sheep Company in 1929, and was used as a summer headquarters for their sheep operation. Irrigation water useage was limited to approximately 10 acres that was used as a buck pasture and for camp horses. Use of the irrigated area during recent years has been primarily for camp horses.

I first became acquainted with the property in 1951. At that time the buck pasture and horse pasture was being irrigated by water diverted from Johnstone Creek. From the age of the old ranch house and the size of planted trees, it was obvious that the ranch was quite old. I personally know that the pasture has been irrigated each year since 1951.

William L. Mathews
William L. Mathews

8/17/88
Date

Beginning during the mid-thirties, our family would spend the summers at the sheep summer headquarter ranch on Hyndman Creek. I well remember the water diverted from Johnstone Creek being used to supply water for our household use, to water the lawn, and to irrigate the buck pasture. Although the cabin site has not been used for several years, water has been used each year to irrigate the buck pasture and lawn.

Donna MacRae Mathews
Donna MacRae Mathews

8/17/88
Date

MICROFILMED
OCT 25 1994

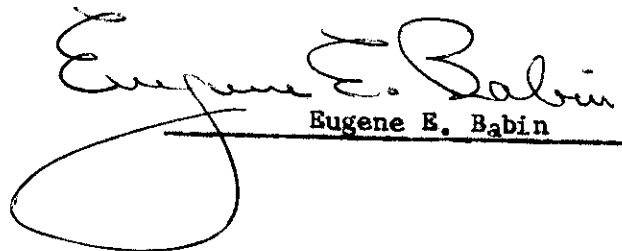
To the District Court of the Fifth Judicial District of Idaho

Re: Civil Case No. 39576

Identification No. A37-10023

The above referenced case involves a Notice of Claim to a Water Right for beneficial use of water on the MacRae Ranch situated on Johnstone and Hyndman Creeks and located in Sections 16 & 17, T. 4 N., R. 19 E., B.M., Idaho. The property, containing 153 acres, more or less, was originally homesteaded in 1909, surveyed as H.E.S. No. 68 in 1910 and patented in 1911 to one Frank J. Gutches. The property was acquired by the MacRae Sheep Company in 1929 and was used as the sheep operation's summer headquarters.

I first became acquainted with this property in 1949. At that time approximately 10+ acres was irrigated with water diverted from Johnstone Creek for buck and horse pasture and a small lawn surrounding the old homestead cabin. I personally know and have observed the continual irrigation of these pastures each year since 1949.


Eugene E. Babin

Sept. 23, 1988
Date

I can remember spending the summers at the sheep headquarters on Hyndman Creek beginning in the 1930's. The water from Johnstone Creek has always flowed through the property and has been used for domestic use in the cabin, as well as irrigation water for the lawn and pasture land used for bucks and horses. Use of the water on the pasture land has been on a continual basis up to the present time.


Doris MacRae Babin

Sept. 23, 1988
Date

MICROFILMED
OCT 25 1981

TO THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF IDAHO

Re: Civil Case No. 9777
Block Number A37-10022

I can personally certify that the Johnstone Creek water has been in constant use since 1946. The family and neighbors tell me the usage started many years before that.

Russell G. Lindstrom 8/15/88
Russell G. Lindstrom, Former Manager
MacRae Sheep Company

I can remember visiting this Wyadman Creek property every summer since my childhood in the 1930's. Each year Johnstone Creek water has flowed through the cabin site to irrigate the land used as a buck pasture and a horse pasture.

Mary MacRae Lindstrom 8/15/88
Mary MacRae Lindstrom

MICROFILMED
OCT 25 1994

October 12, 1988

District Court of the Fifth Judicial District of Idaho

Re: Civil Case No. 39576
Identification No. A 37-10023

My personal knowledge of the water usage from Johnstone Creek to irrigate property located in Sections 16 and 17, T. 4 N, R 19 EBM dates from the early 1940's. It is used to irrigate the former home site and approximately 10 acres of pasture.

Oris Gibson
Oris Gibson

10-12-88
Date

I can attest that the use of irrigation water from Johnstone Creek has been in constant summer use since the early 1930's. The property was acquired by my parents in 1929, and according to the original homesteaders, it has been used since the early 1900's.

Jean MacRae Gibson
Jean MacRae Gibson

10/17/88
Date

MICROFILMED
OCT 25 1994

BLAINE REGION CLAIMS BY STATE AS OF 2/25/91

(This list FAXed to Region with copy to Anna Baumhoff 2/25/91)

BLAINE COUNTY:

BLAINE CO....

BALDWIN, CLYDE, A37-00433A
DUNKHEIMER, ALAN, A37-12829

Woodbury, Lyle D.

All signed/notarized, d-s not completed.

A37-00198A, A37-00197B, A37-11910, A37-01135, A37-01026A

The Nature Conservancy

All signed/notarized; no d-s

Two unnumbered claims plus A37-00351B, A37-00352A, A37-12410 through A37-12413, A37-02580, A37-02609, A37-02509C

Fessenden, Helen E.

All signed/notarized, d-s not completed. Problems per note from Carter Fritschle attached.

A37-00278, A37-04250, A37-04191, A37-12363, A37-12365 and A37-12367

Notenson, Milton J. - A37-12439

Gibson, Jean/Bindstrom, Mary/Robin, Doris/Mathews, Donna

~~_____~~ data entered w/o rec't #; some consumptive use probe.

Ritten, Jeff/Debra

One claim only; checklist not complete; need add'l \$10.00; based on degree.

GOODING COUNTY:

Idaho State Ranch

A37-00855, A37-02780, A37-02778, A37-07754, A37-11480. A real mess. Don Shaff has done some work on these four claims, for Gray Lake Ranch. His notes are all attached, with the comment, "Quick Review".

TWIN FALLS CO....

STANLEY/ONE, A47-11863

MICROFILMED
OCT 25 1991