



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

RECEIVED
JUL 26 2005
DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-04427; 75-04428
WILLIAM A STRICKLAN
MARIE E STRICKLAN
PO BOX 174
CARMEN ID 83462

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic 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. Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of your 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: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim 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 should be in the form of a notarized affidavit.

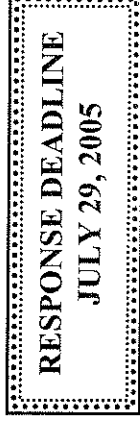
Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

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 Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures



RECEIVED

JUL 26 2005

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: A75-04428
Date Received: 4/19/1990
Receipt No: W006673
Received By: PC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM A. STRICKLAN
Address: BOX 174
CARMEN, ID 83462 208-756-2893

OR

Name: MARIE E. STRICKLAN
Address: BOX 174
CARMEN, ID 83462 208-756-2893

2. Date of Priority: APR 01, 1915

3. Source: UNNAMED SLOUGH

Trib. to: FREEMAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
23N	22E	35	SE	NE	LEMHI

5. Description of diverting works:
DAM, DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		

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

A.F.A.

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 3 HEAD CATTLE

A75-04428

Page 1

Date: 04/19/90

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	22E	35	NE	SE	IRR	5.0
Section Acres						5.0
Total Acres						5.0

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:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

Hailey 06493.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Mary Davies has been established and duly consummated, in conformity to law, for the Lots one, two, five and six, the southwest quarter of the southeast quarter of the southeast quarter of the northwest quarter, the South half of the southwest quarter of the southeast quarter of the northwest quarter and the south half of the southeast quarter of the southwest quarter of the northwest quarter of Section thirty-five in Township twenty-four north and the Lot three of Section two in Township twenty-three north all in Range twenty-one east of the Boise Meridian, Idaho. containing one hundred thirty-eight acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land office to be hereunto affixed. GIVEN under my hand, at the City of Washington, the ninth day of April in the year of our Lord one thousand nine hundred and fourteen and of the Independence of the United States the one hundred and thirty-eighth.

Seal.

By the President: Woodrow Wilson.

By M. K. Gulick, Assistant Secretary

L. Q. C. Lamar.

RECORDED: Patent Number 397229.

Recorder of the General Land Office-

Recorded at the request of E. W. Whitcomb, May 23rd, 1914, at -- minutes past 9 o'clock A.M., in Book W of Deeds, page 300, Records of Lemhi County, Idaho.



By
County Recorder.

Deputy.

THIS INDENTURE, Made the 6th day of October, A. D. 1915, at Salmon, County of Lemhi, State of Idaho, by and between Christian Van Stratt the duly appointed, qualified and acting guardian of the person and estate of Mary Davies, an incompetent person, the party of the first part, and Hugh Roberts of Gibbonsville, County of Lemhi, State of Idaho, the party of the second part;

WITNESSETH: That Whereas, on the 3rd day of July, 1915, the Probate Court of the County of Lemhi, State of Idaho, made an order of sale, authorizing the said party of the first part to sell certain real estate belonging to said estate, and which is situate in the State of Idaho, and specified and particularly described in said order of sale, reference to which is hereby made;

And Whereas, under and by virtue of said order of sale said party of the first part on the 3rd day of August, 1915, sold said real estate, subject to confirmation by said Probate Court, to said party of the second part for the sum of Two Thousand Dollars;

And Whereas, said Court did, on the 20th day of September, 1915, make an order confirming said sale and directing conveyance to be executed to the said party of the second part, a certified copy of which order of confirmation was recorded in the office of the County Recorder of Lemhi County in said State, on the 20th day of September, at 2:06 o'clock P. M. in Book "V" of Deeds at page 51; which said order of confirmation now on file and of record in said Probate Court and which said record thereof in said Recorder's Office are hereby referred to.

NOW THEREFORE, The said Christian Van Stratt, Guardian of the said person and estate of Mary Davies, an incompetent person, the party of the first part, pursuant to the order last aforesaid of the said Probate Court, for and in consideration of the sum of TWO THOUSAND DOLLARS, lawful money of the United States to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has GRANTED, BARGAINED, SOLD and CONVEYED, and by these presents does GRANT, BARGAIN, SELL and CONVEY, unto the said party of the second part, his heirs and assigns forever, all the right, title, interest and estate of the said Mary Davies, an incompetent person, in and to those certain lots, pieces or parcels of land, situated in said State of Idaho, and particularly described as follows, to-wit:

Lots One, Two, Five and Six, the Southwest Quarter of the Southeast Quarter of the Southeast Quarter of the Northwest Quarter, the South Half of the Southwest Quarter of the Southeast Quarter of the Northwest Quarter and the South Half of the Southeast Quarter of the Southwest Quarter of the Northwest Quarter of Section Thirty-five in Township Twenty-four North, and Lots 2 and 3 of Section Two in Township Twenty-three North all in Range Twenty-one East of the Boise Meridian, Idaho, containing 177.38 acres; also all improvements thereon and all ditches and water rights appurtenant thereto and used in connection therewith.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances unto the said party of the second part, his heirs and assigns forever. IN WITNESS WHEREOF, The said party of the first part, Guardian as aforesaid, has hereunto set his hand and seal the day and year first above written.

Christian Van Stratt (SEAL)
Guardian of the person and estate of
Mary Davies, an incompetent person.

Rev. Stamps: \$2.00: C. V. : 10/6/15

State of Idaho,

County of Lemhi,--ss.

On this eighth day of October in the year 1915, before me Enoch W. Whitcomb a Notary Public in and for said State and County, personally appeared Christian VanStratt 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.

Enoch W. Whitcomb, Notary Public.
Residing, at Salmon, Idaho.

Recorded at the request of A. C. Cherry Oct., 15th, 1915, at minutes past 1 o'clock P.M. in Book W of Deeds page 539, records of Lemhi County, Idaho,

J. L. Kirtley, jr., County Recorder.

By *W.H.M.*

W.H.M. Deputy.

NW4 SE4 Sec 35

T24N R21E

Bill Stricklan

756-2893

Mary Davies W-300

1-28-14

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: A75-04427
Date Received: 4/19/1990
Receipt No: 1006673
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM A. STRICKLAN 208-756-2893
Address: BOX 174
CARMEN, ID 83462

OR

Name: MARIE E. STRICKLAN 208-756-2893
Address: BOX 174
CARMEN, ID 83462

2. Date of Priority: APR 19, 1914
3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER
4. Point of Diversion:

Township Range Section 1/4 of 1/4 of 1/4 Lot County
24N 21E 35 NW SE LEMHI

5. Description of diverting works:
DAM, DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/01 11/01 0.300

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

8. Total consumptive use is 17.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	21E	2	NW SE		IRR	7.0
					Section Acres	7.0
					Total Acres	7.0

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:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 not X 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): William C. Bracken Date: 4-19-90

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of April 19 90

Wm. C. Bracken
Notary Public

Seal

Residing at Heise, Id
My Commission Expires 2/26/96

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: M0006673

Date: 04/19/90
Time: 09:00:03

Received
From: STRICKLAN, WILLIAM

Type of Payment

ADJUDICATION FEE

Program Acct Class	Amount
0410162 9337 6490	\$137.00

Total \$137.00

CHECK 2201

WR/NO: A75-04428 A75-10155 A75-04427

Idaho Department of Water Resources

Region: MOBILE I

Signature: Steve Culy

T 23⁴/N R 21 E

Point Sec 2 SW 1/4 NE 4 - 3-13-14

T 24 N R 21 E

Ditch head NW 1/4 SE 4 Sec 35

4-19-14

Priority Date

for Rock Count
Lot # 10

Filed with Water Resources
Board 6/21/83

Eastern District Office
150 Shoup

Idaho Falls Id.

83402

William
Strickland 839
County 4-1-15 254
T23N R22E
Sec 35 SE 14 NE 14

The United States of America
Homestead Certificate No. 1147 }
To all to whom these presents shall come, Greeting:
Application 1563.

Whereas There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Haley Station, whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Theodore K. Batson has been established and duly consummated, in conformity to law, for the East half of the South East quarter and the South West quarter of the South East quarter of Section Thirty-four in Township twenty three North of Range twenty two East of Price Meridian in Adams, containing one hundred and twenty acres according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General:

Now know ye, That there is, therefore, granted by the United States unto the said Theodore K. Batson the tract of land above described: To have and to hold the said tract of land, with the appurtenances thereof, unto the said Theodore K. Batson and to his heirs and assigns forever; subject to any vested and reserved water rights for mining, agricultural, manufacturing, or other purpose, and rights to ditches and reservoirs used, in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof S. Theodore Roosevelt, President of the United States of America, has caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the second day of June in the year of our Lord one thousand nine hundred and four, and of the Independence of the United States the one hundred and twenty-eighth.

By the President. J. Roosevelt

By J. M. McKeau, Secretary,

Col. H. Buck-Recorder of the General Land Office.

Recorded Idaho, Vol. 51, page 156

Recorded at the request of Theodore K. Batson August 20th 1904 at 20 minutes past 11 o'clock A. M., in Book L of Records page 201 Records of Lincoln County, Idaho.

H. C. Smith
County Recorder

State of Idaho } ss
County of Lemhi }

To All Concerned

Notice is Hereby Given

1st. That I, Theodore K. Batson of Salmon City Idaho, hereby claim the use of the waters of South Fork of Carman Creek Lemhi County Idaho, to the extent of two cubic feet per second. It is intended to divert said water at or near the point where a copy of this notice is posted and more definitely described as follows, about 40 rods east of Freeman Cabin on the South side of said creek, near a Cottonwood Tree on which this notice is posted, 2d. The purpose for which said water is intended to be used is domestic and Agricultural. The place of intended use is E 1/4 S. E. 4 & S. W. 4 S. E. 4 Sec. 35 T. 23 N. R. 22 E. Boise Meridian.

3d. It is intended to divert said water by means of ditch and flume.

The general course of the proposed conduit is Westerly. The length of the proposed conduit is 3/4 of a mile. The destination of the proposed conduit is on above described lands. It is intended to use said waters for irrigating the following described

lands, E 2 S. E. 4 & S. W. 4 S. E. 4 of Sec. 35 T. 23 N. R. 22 East, Boise Meridian.

The Area of lands proposed to be irrigated by said conduit is.

Witness my hand at Salmon Idaho, this 7th day of October 1899.

Theodore K. Batson } Claimant

State of Idaho } ss
County of Lemhi }

Theodore K. Batson being first duly sworn depose and say that he is of lawful age and the claimant of the Water Right mentioned in the foregoing notice and whose name is subscribed thereto, That the Statements in said notice are true and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion (as provided by law) on the 7 day of October 1899 at minutes past o'clock M.

Theodore K. Batson

Subscribed and sworn to before me this 20 day of October 1899. And I further certify that on date last above given personally appeared before me the affiant above named, 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.

"Seal"

J. P. Blough
County Recorder

STATE OF IDAHO, } ss.
County of Lemhi, }
I hereby certify that this instrument was filed for record at request of
at 10 minutes past 2 o'clock P. M. this 20 day of October
A. D. 1899 in my office, and duly recorded in book B of Wells, Ruggles, at page 339
By
Ex-officio Recorder.