

June 18, 2005

Ms. Roxanne Brown
State of Idaho, Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

Re: Evidence of Priority Date for Water Right Claim

NO. 75-4379B

Dear Ms. Brown:

This letter is intended as an affidavit in support of a water right claim for Dick and Linda Wasia. Their claim is for .08 C.F.S. from April 1st to November 1st for 4 acres of pasture ground.

I owned and irrigated this homestead for 28 years which was a part of Indian Creek Ranch, Inc. I still irrigate this ground for Dick and Linda Wasia as a neighbor and close friend.

In 1948, I drove up Indian Creek to hunt. The family living on Homestead 195 at that time, was irrigating the property. Years ago I met Shorty Randolph and his family, who lived on the Homestead 194, which is connected to Homestead 195 on the north side. Shorty irrigated all 4 homesteads, 195, 194, 196 and 197, that made up Indian Creek Ranch. Shorty worked for the owner, Margaret Perry, and received a wage and home to live in for his work. Shorty put up 26 tons of hay one year off these homesteads. As I recall, the year was 1941.

At one time the Lemhi County Assessors office had aerial photos of Indian Creek Ranch which showed all 4 homesteads. Each homestead had orchards and hay fields which were irrigated. These photos were taken in the early 1930's. Lemhi County has admittedly lost these photos when I recently tried to get a copy of them.

Ivan Nichols, great grandson of Fred and Mary Bevan (who homesteaded 195) has done research on his great grand parents. This research indicates they began living on Homestead 195 in 1908. In order to prove up and gain title to these homesteads a portion had to be irrigated. The title to Homestead Entry 195 was recorded October 23, 1917. A copy of this instrument is included with this affidavit.

From talking to old timers there is no doubt water was used on these homesteads in the early 1900's. Enclosed with this letter is a copy of the Homestead Entry 195, recorded at the Lemhi County Clerk's office October 23, 1917.

Sincerely,


Jack Briggs

67 Indian Creek Road
North Fork, Idaho 83466

RECEIVED

JUL 26 2005

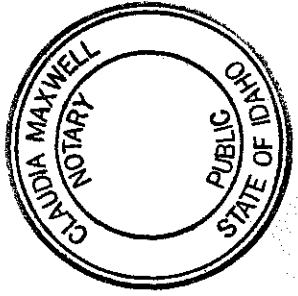
DEPARTMENT OF
WATER RESOURCES

INDIVIDUAL ACKNOWLEDGMENT

State/ }
Commonwealth of INDIANA } ss.
County of LEASMAN

On this the 19 day of July, 2005,
before me, CLAUDIA MAXWELL,
Name of Notary Public

the undersigned Notary Public, personally appeared
JACK BRIGGS,
Name of Signer(s)



☒ personally known to me
☐ proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed
to the within instrument, and acknowledged that
he/she/they executed it.

WITNESS my hand and official seal.

Claudia Maxwell
Signature of Notary Public
OPTIONAL My commission ends 03/09/06

Though the information in this section is not required by law, it may prove valuable to
persons relying on the document and could prevent fraudulent removal and
reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Letter re: water: Dept Water
Document Date: JUNE 18, 2005 Number of Pages: 1
Signer(s) Other Than Named Above: 0

RIGHT THUMBPRINT OF SIGNER #1 Top of thumb here	RIGHT THUMBPRINT OF SIGNER #2 Top of thumb here
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Instrument No. 19125.

Hailey 09047.

4-1003.

TO THE UNITED STATE 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 ^{adversely} Settlers on the Public Domain," and the acts supplemental thereto, the claim of FRED BEVAN has been established and duly consummated in conformity to law, for the H.E. Survey No. 195, embracing a portion of the unsurveyed public domain, Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1, from which U.S. Location Monument No. 196 bears north two degrees, forty-nine minutes west ninety-nine and eighty-six hundredth chains distant; thence south nine degrees west fifty-seven chains to corner No. 2; thence south seventy degrees, fifty-eight minutes east five and eight-tenths chains to corner No. 3; thence north twelve degrees, forty-nine minutes west seven and thirty-nine hundredths chains to corner No. 4; thence north nine degrees, forty-five minutes east four and eighteen-hundredths chains to corner No. 5; thence north twenty-one degrees, thirty minutes east nineteen and two-tenths chains to corner No. 6; thence north seven degrees, twenty minutes east twenty-eight and nine-tenths chains to corner No. 7; thence north eighty-seven degrees, forty-seven minutes west six and twenty-seven-hundredths chains to corner No. 1, the place of beginning, containing thirty-two and forty-eight-hundredths 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 second day of October, in the year of our Lord one thousand nine hundred and sixteen and of the Independence of the United States the one hundredth and forty-first.

SEAL.

By the President:
By M.P. LeRoy,

Woodrow Wilson
Secretary.

L.Q.C. Lamar,

Recorder of the General Land
Office.

RECORDED: Patent Number 548434

Recorded at the request of Fred Bevan October 23rd., 1917, at 4 minutes past 11 o'clock A.M., in Book Y of Deeds page 348 Records of Lemhi County, Idaho.

By W.L. Kirtley Jr.

Deputy.

J.L. Kirtley Jr.,
County Recorder.