



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098 WATER RESOURCES
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

RECEIVED

JUL 26 2005

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-4138D
CLIFF CUMMINGS
LINDA CUMMINGS
PO BOX 143
NORTH FORK ID 83466

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

RESPONSE DEADLINE
JULY 29, 2005

Instrument No. 17510

BILL OF SALE.

This indenture and bill of sale made and entered into this 7th., day of September, A. D. 1916, by and between Charles H. Johnson, and Emma Johnson, his wife, both Gibbonsville, Lemhi County, State of Idaho, parties of the first part, and Charles H. Reynolds, of Carmen Idaho, party of the second part, W I T N E S S E T H :

That for and in consideration of the sum of fifteen dollars, lawful money of the United States, to them in hand paid, the receipt whereof is hereby acknowledged the said parties of the first part hereby sell, transfer, deliver and assign unto the said party of the second part the following described personal property, situated in Gibbonsville, Idaho, and particularly described as follows, to-wit: -

That certain Spalding buggy, colored black, and with a covered top, which said buggy was the property of and belonged to Charles H. Johnson, and was used by him and around Gibbonsville, Idaho. To have and to hold by the said Charles Reynolds, forever.

IN WITNESS WHEREOF the said parties have hereunto set their hands this 7th., day of September, 1916.

T. J. Davis Witness
W. C. Smith Witness

Charles H. Johnson
Emma Johnson
Parties of the first part.

Recorded at the request of Charles Reynolds Oct. 23, 1916, at 30 minutes past 4 o'clock P. M., in Book Y of Deeds page 108, Records of Lemhi County, Idaho.

BY W. W. Dimmick Deputy.

J. L. Kirtley, Jr.,
County Recorder.

Instrument No. 17514.

Hailey 05833.

4-1040.

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 Gilbert Hull has been established and duly consummated, in conformity to law, for the H. E. Survey No. 93, embracing a portion of the unsurveyed public domain, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, identical with the corner of Sections four and five in Township twenty-four north and Sections thirty-two and thirty-three in Township twenty-five north all in Range twenty-one east of the Boise Meridian; thence north ten chains to corner No. 2; thence east four and ninety-nine-hundredths chains to corner No. 3; thence north fifteen chains to corner No. 4; thence east four and ninety-eight-hundredths chains to corner No. 5; thence north eighteen and five-tenths chains to corner No. 6; thence south eighty-eight degrees, nine minutes east fourteen and ninety-six-hundredths chains to corner No. 7; thence south eight and two-hundredths chains to corner No. 8; thence east four and ninety-nine-hundredths chains to corner No. 9; thence south twenty-five chains to corner No. 10; thence west nine and ninety-seven-hundredths chains to corner No. 11; thence south ten chains to corner No. 12; thence west nineteen and ninety-four-hundredths chains to corner No. 1, the place of beginning, containing eighty-nine and sixty-one-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 THIRTIETH day of MARCH in the year of our Lord one thousand nine hundred and SIXTEEN and of the Independence of the United States the one hundred and FORTIETH.

By the President: Woodrow Wilson
By M. P. LeRoy, Secretary,
L. Q. C. Lamar,
Recorder of the General Land Office.

SEAL.

RECORDED: Patent Number 522236

Recorded at the request of Gilbert Hull Oct. 24, 1916, at 2 minutes past 9 o'clock A. M., in Book Y of Deeds page 108, records of Lemhi County, Idaho.

BY W. W. Dimmick Deputy

J. L. Kirtley, Jr.,
County Recorder.