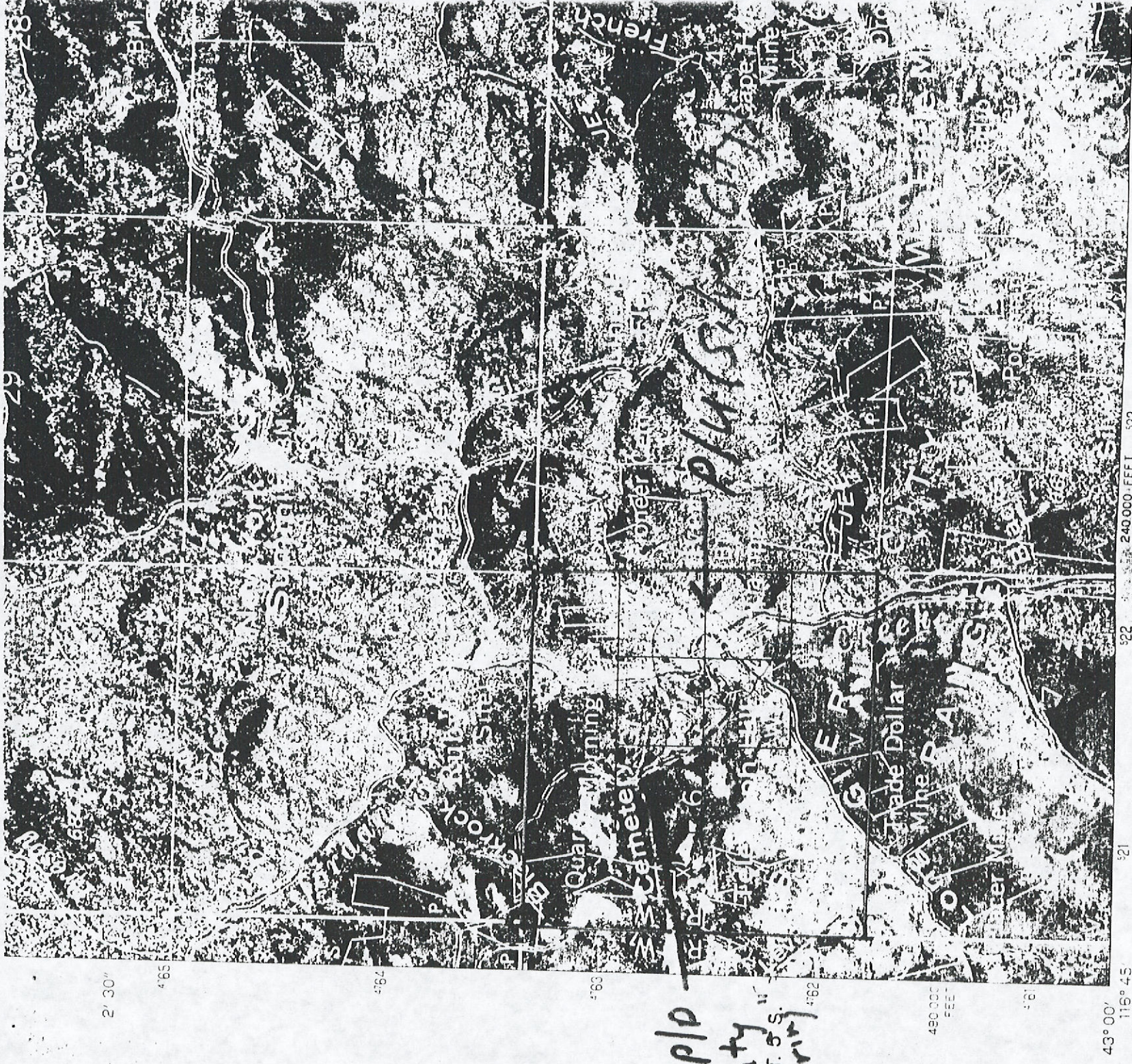


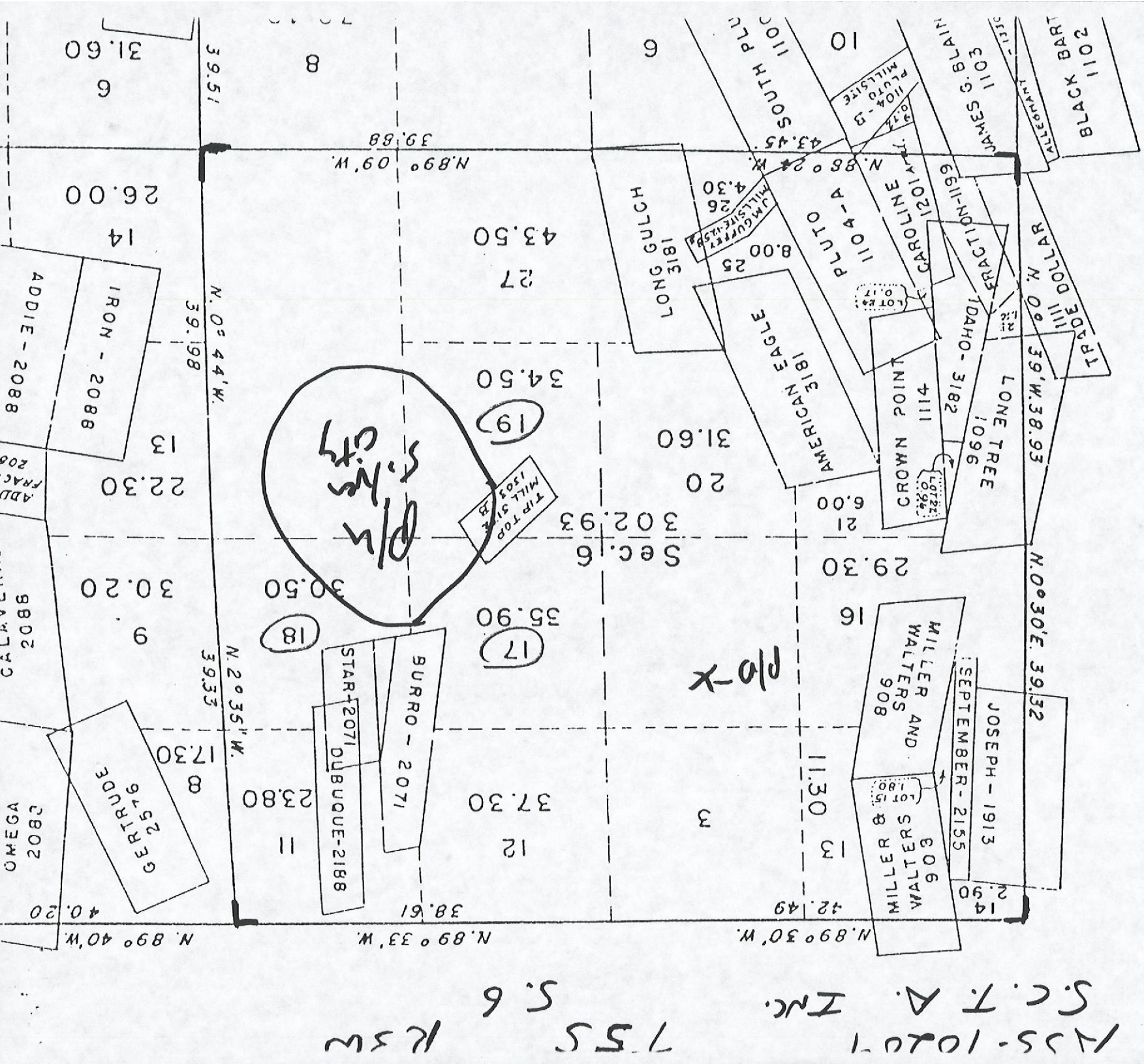


Produced by the Geological Survey
in cooperation with the Soil Conservation Service
Orthophotograph prepared from 1:80,000-scale
aerial photographs taken August 7, 1979

Projection and 10,000-foot grid ticks
Idaho coordinate system, west zone
(transverse Mercator)
1000-meter Universal Transverse Mercator grid ticks,
zone 11, 1927 North American datum
Photomagey rectified by optical scanning
Where double or mismatched image occurs use the
mean of image position for map point

A55-10204
Silver City Topogrs Assoc. Inc.
TSS R3W 5.6

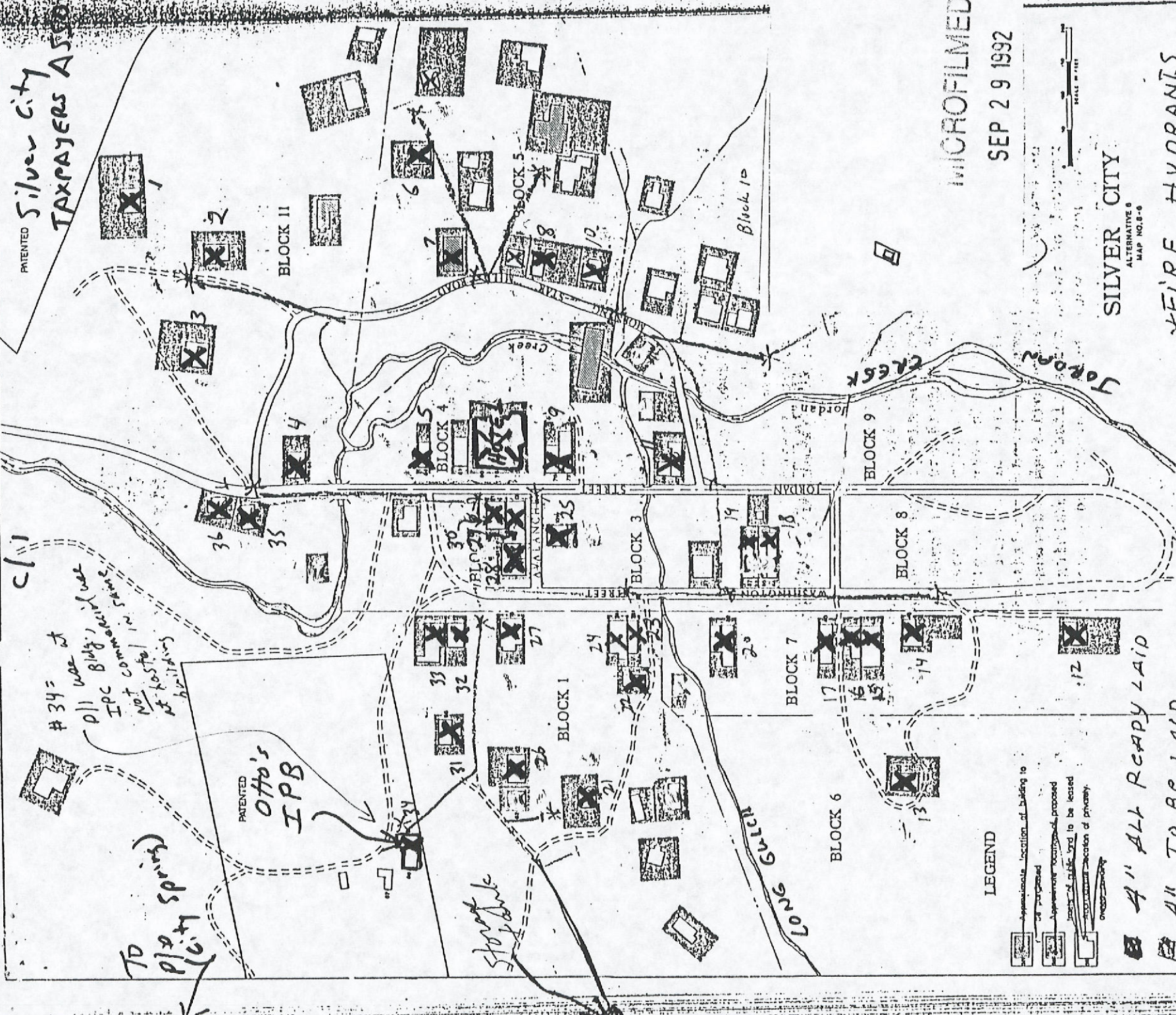
SEP 29 1992



X = UNIT WITH WATER D/ 36 UNITS

ASS-1020

Silver City
TAXPAYERS ASSOC.



TO
PLP Spring
(City Spring)

#34 =
p/l was at
IPC Bldg, Silver City
IPC community center
not postal
at building

POTENTIAL
OTTO's
IPB

Stark
Stark

MICROFILMED

SEP 29 1992

SILVER CITY
ALTERNATIVE 9
MAP NO. 9-6

*FIRE HYDRANTS
① 4" AND 3"

8-38
2 1/2" LINES OR TEES (Probably 1 1/2" instead of 2")

- 4" ALL READY LAID
- 4" TO BE LAID
- 3" TRUNK LINES
- 2 1/2" LINES OR TEES (Probably 1 1/2" instead of 2")

LEGEND

- Approximate location of building to be constructed
- Approximate location of proposed building
- Approximate location of proposed building to be leased
- Approximate location of proposed building to be leased

THIS SHOWS IMPROVING IN PROCESS TO IMPROVE WATER DELIVERY TO HOME

INTERNAL USE

MAXIMUM
INSTANTANEOUS
WATER REQUIREMENTS
FOR
* DOMESTIC USE

C.F.S.
1.50

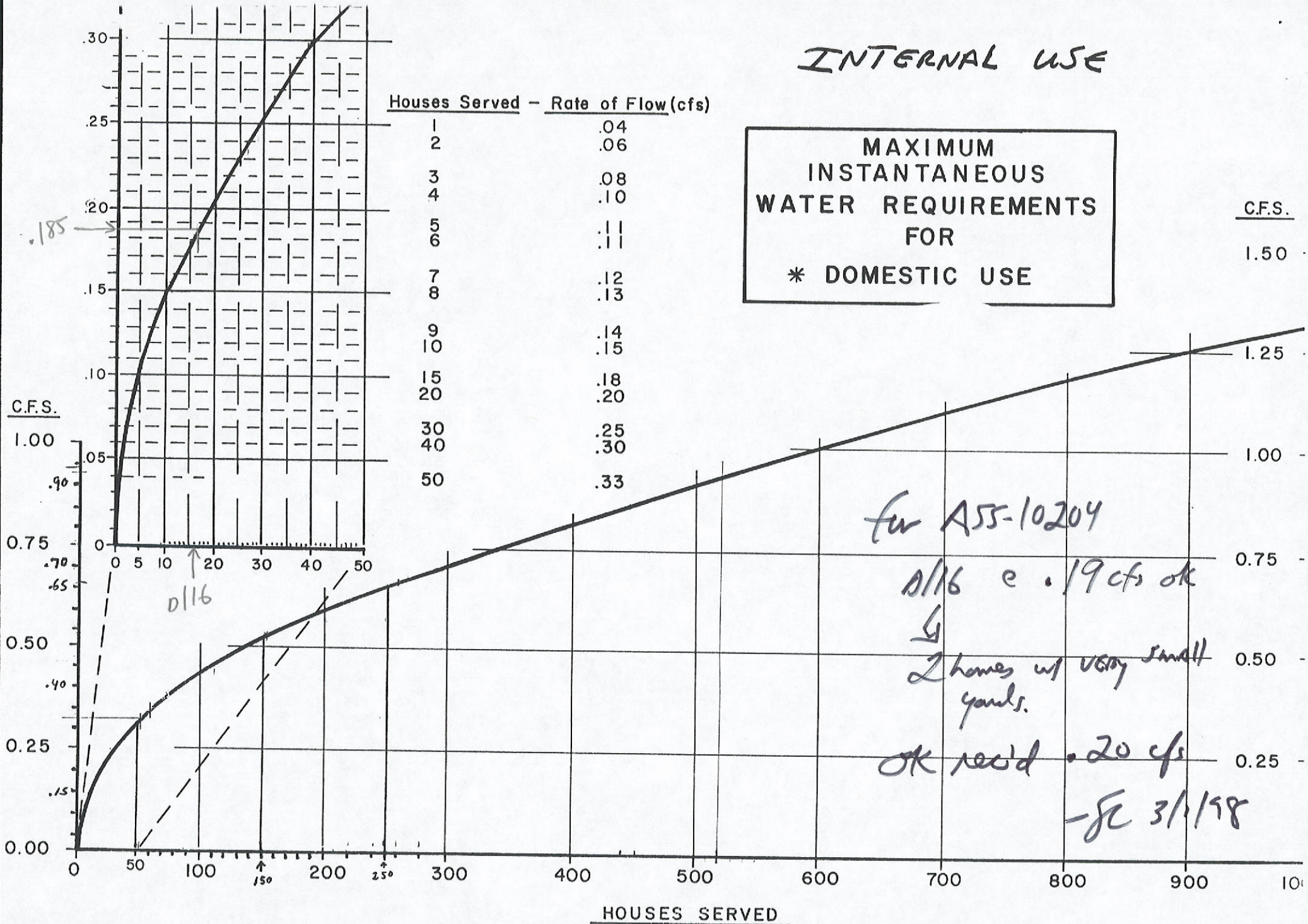


FIG. 1.

* (From Community Water Systems Source Book, J. Ameen, 1977, Technical Proceedings, North Carolina.)

Don Reich made a motion we get one watchman provided we can afford it. Seconded by Hubert Nettleton. Sid Orton says can we afford not to have one?

John Rogge suggested the board seek some way to raise assessments. Fred Leonard thinks \$10.00 can be afforded by all. All in favor of a watchman if we can afford it motion carried.

Financial problem suggestions: Mr Rogge made a motion to get contributions out of the Lodge etc., also the County Commissioners. Motion made to contact groups. Motion seconded by Sid Orton. Motion voted on and carried. Don Reich suggested a "donation Plate" for the Cattlemen group. Phil approved the idea, have something permanent donation pool such as the cripple children fund.

Souvenir cards for "preservation of Silver City" to raise money. John Rogge made a motion to appoint a Committee to put up contribution boxes and cards. Emeline Nettleton seconded the motion. Motion carried.

Mrs. Hubert Nettleton committee chairman will pick her committee. Hubert Nettleton made a motion that Vic Ford talk to the Cattlemen for a donation. Vic agreed to contact the Owyhee Cattlemen Assoc.

Mildretta Adams made a suggestion that the By Laws be changed to name a President from the floor.

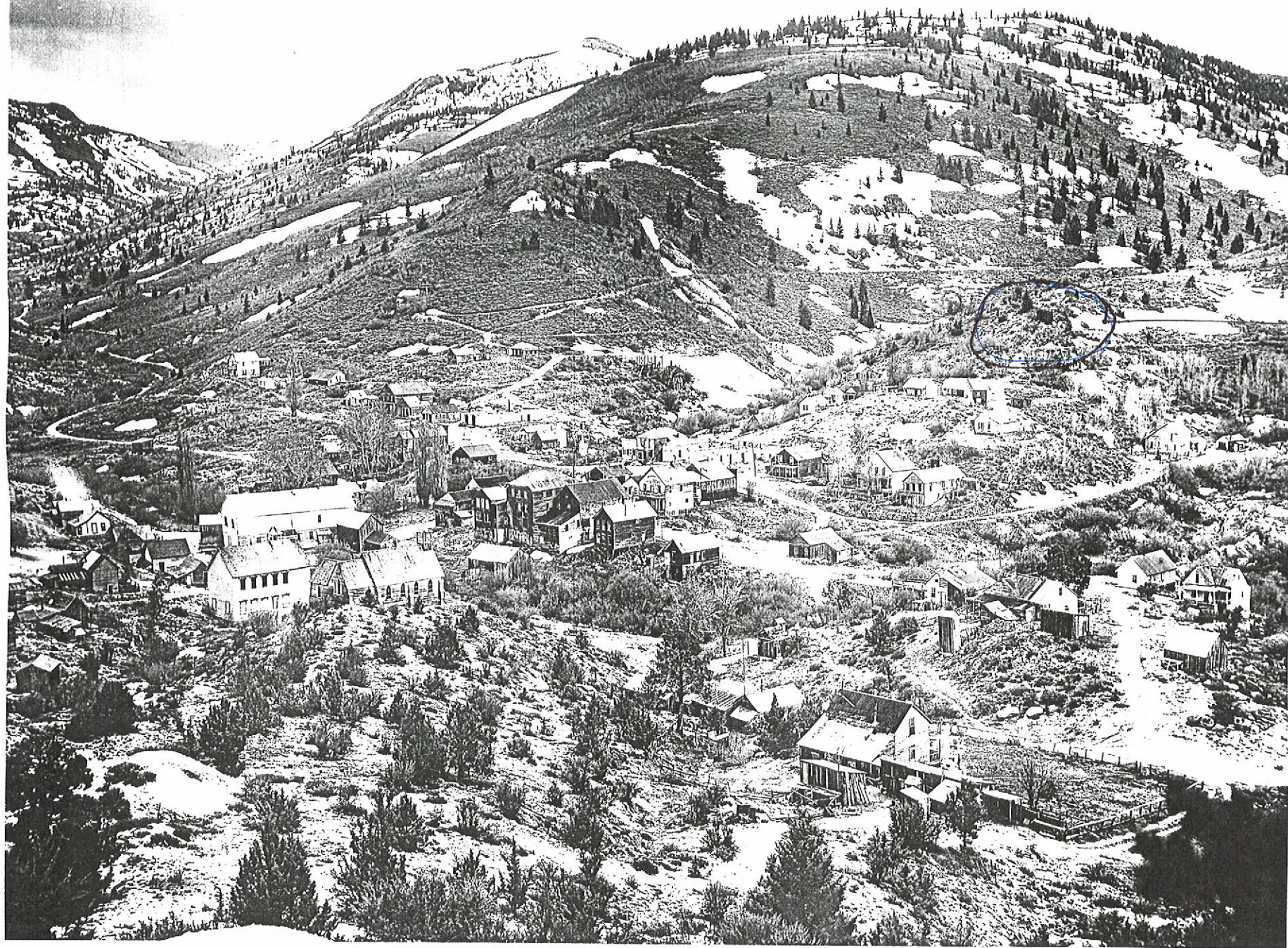
Mrs. Chadwick suggested people interested in Silver City be contacted for contributions. Phil Cramer suggested a letter of acknowledgement be sent to the one who contribute. Suggestion that the Board hire a watchman and see what we need to finance.

Water pipes need replacing. Tank needs work done on it.

Rusty Statham reported the BLM is trying for Recreation for the Northern part of Owyhee Co. New director of Commerce and Development he called asked what the Taxpayers Assoc. would approve.

Motion made to adjourn meeting by Hubert Nettleton and seconded by Eleanor Beaman.

(Income \$1620.00. Exp. \$ 1581.17 Bal on Hand \$378.59)



Location
of town
water
tank

photo: Co 1950



photo:
June 14, 1916
water
tank

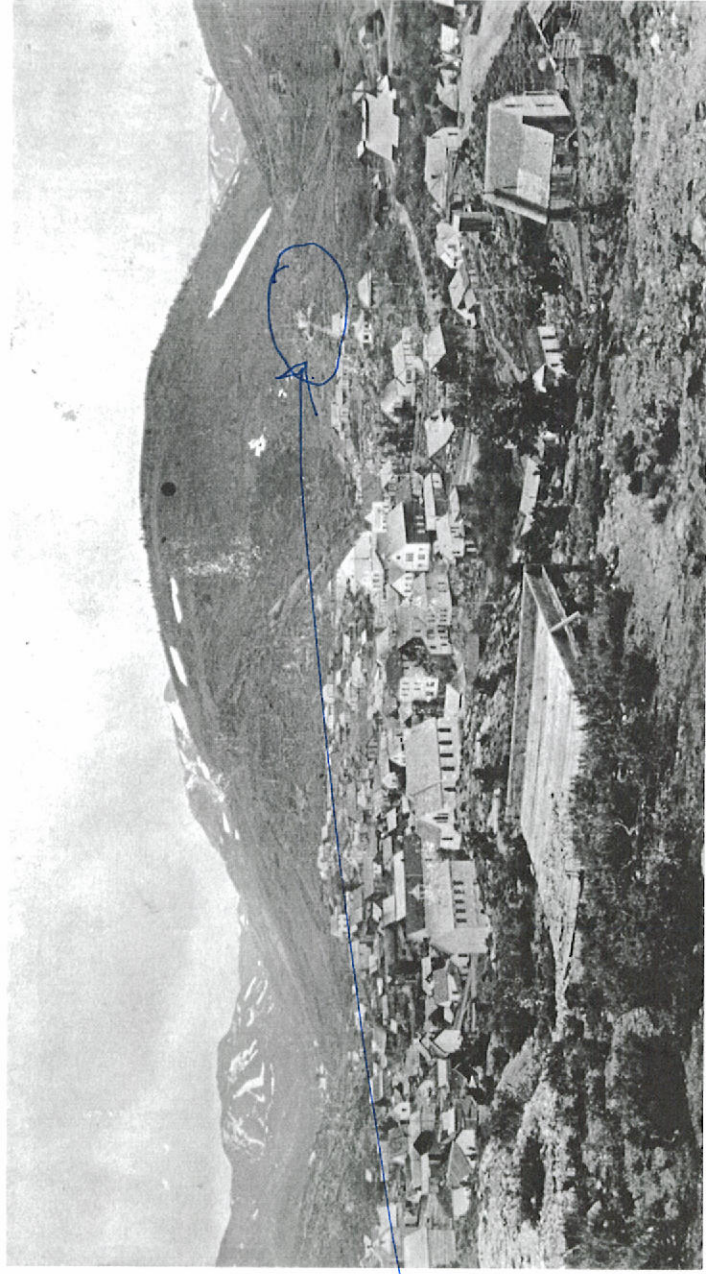


photo:
Oct. 1900

water
tank

Wagon town in the future. He will be comfortably situated there. He is a good house to live in. A complete set of assaying apparatus.

If you want to buy a plow or farming implements of any kind, go to Coffin Bros., at Boise City or Caldwell.

We understand that the old road formerly leading up Castle creek, through the ranch formerly belonging to Mr. M. H. Presby, has been fenced by Mr. Hardiman, the present owner of the land, and that he has built a road around the foothills.

Now is your opportunity if you want a good suit of clothes, drop in at Moore's. Quality good, and prices low.

We are sorry to learn that Mr. Theo. Disenbrette, who left here last week for Boise City to be gone for a week or so, to have a vacation, was recently confined to his room in that City by sickness. We hope to hear soon that he has been restored to health.

The finest lot of plush and fancy goods ever brought to Silver City can be found at Sommercamp's.

Mr. R. Butts of Castle creek, came in on Wednesday accompanied by Mrs. R. H. Leonard and her daughter Miss Addie. Miss Addie has been teaching school in that district for several months past, to the entire satisfaction of parents and children, and now comes in to spend vacation.

All merchandise marked care of M. R. Gwinn. Caldwell, will receive careful attention.

Mr. T. BENTON is having a survey made from his springs to the Idaho hotel, and will at once lay a six inch water pipe from the springs to a new reservoir, which will be erected higher on the hill than it now is. When completed, he will have all the water needed, and a pressure that will throw water over his hotel.

Gentlemen's underwear, over-shirts, hats, neckties—large assortment at Moore's.

Dr. ANXOLD, Idaho's oldest dentist, and a gentleman esteemed by all who have the pleasure of his acquaintance, after having spent a week or so here, took his departure for Boise City on Monday last, to be gone until September next. While here he was busy all the time attending to the grinders of the community.

If you want to make a present, you can find just what you want at Sommercamp's.

We hear that the winz, now being sunk on the Henrietta hole Wagon town, is being sunk as fast as possible on a hole of gold ore. This should be gratifying to all persons interested in that mine. The mine is being opened in good shape, and will, ere long, be ready to keep the ten stamp mill of the company pounding away.

Go in Sommercamp's and buy one of these elegant porcelain-lined ice-pitchers.

excelled any ever given in Silver City.

See Sommercamp's notices.

THE TARRANT.—We often hear stockmen and others say that the country would be all right so far as the range is concerned, were it not for the drought that has hung over this country for the past three years. While there is some truth in that view of the situation, there is another, which to our mind conforms nearer to the truth. It is this, that the ranges have all been and are now overstocked. That the constant nipping of the grass, the tread and wear of thousands of hoofs over it, of horses, cattle and sheep, have worn it out, in fact, killed it. Owyhee has been a fine stock range, and there would be yet a good range for a limited number of stock, but when it is made the grazing grounds for innumerable bands of sheep and horses from Montana, Nevada, Utah, Idaho and Oregon, it ceases to be a range upon which they can all live and grow fat. Hence we say that Owyhee county is overstocked, and never will be the stock country it once was, until it ceases to be overstocked. Stockmen who would save their cattle from starvation, and themselves from ruin, must raise fodder with which to feed them during the winter months at least, and until grass becomes plentiful in the spring.

Fine assortment of wall paper just received at Moore's.

We are pleased to learn that the Snake River Land and cattle Company are making good headway on their canal, and that it will not be a great while until the company will have it extended so far as to be able to cover a large area of agricultural land, which in all probability will be farmed by the company. The dam has stood the spring freshet, and proved that it will answer the purpose for which it was built. In view of the number of citizens that will come to this county when it is learned of the fine lands that will be covered by the canal, that can be taken up as homesteads, and to accommodate the traveling public, and the people of the town that will be built on the banks of Snake river the company has built at Grandview a fine hotel, which is a credit to any town, and of great convenience to travelers who pass that way. Mr. Aspinwall is now in care of the company's affairs and seems to be conducting them in a satisfactory manner, not only to the company, but to the public.

Fine assortment of men's and boys' boots and shoes at Moore's.

DAVE EDERSON, who returned from the valley on Tuesday, represents everybody happy, notwithstanding the scarcity of water and the shortness of the grass. He went as far as the Skinner ranch, where he had the pleasure of meeting Mrs. Skinner

fred feet, with a good sized load of air milling ore. From appearances the mines belonging to the Ore group are going to produce a lot of ore the coming season.

It is voting for the county seat in Malheur county, Oregon, every vote counts, and the vote is not for any one place, but for Jordan Valley, better Jordan Valley. Every man who has the interest in his valley at heart, should not vote for Jordan Valley as the best, but should pull from the top polls are opened until the close, for Jordan Valley. I vote, for large, and above all, for your fertile valley.

LANGLITZ, he waited before attempting to see how a man co-pitched out of the upper slope of the Idaho hotel one this week for raising a wind. get into the hotel after all I tired for the night. As luck have it, no one was in the room all was serene, and the general below ventured up the ladder through the window and the back into his room.

MR. S. J. PURCHARD, our assessor, and whom by the territorial officers pronounce an assessor in all Idaho, because books show it to be the case, our town a short visit during the week. He had just come in the Big Flat country, and in a very large crop of calves. range. He also reported the range of Snake river as good was last winter. He left to Thursday.

MOORE B. GWINN and Mr. S. here, the latter of the C. Tribune, made us a pleasant Wednesday last. Mr. Stun was pleased with his trip, a beautiful view he had of Snake valley from the top of War mountain. He will probably us again, when he has more to take in the country. They left Wednesday.

REVIEWS.

Windstorm on Thursday. Goto Sommercamp's for choice.

Stage arrived at 9:30 o'clock Wednesday night.

If you need a pair of boots Moore's.

We are under obligations to F. T. Dubois for the Congressional Directory of the first session Fifteenth Congress.

Choice fresh butter and eggs at Moore's.

Big Jim (Indian) is mourning the sudden death of the fairest youngest of his squaws. He "blip too bad"—no can get one young squaw.

The Oro Fino will start up as a few days pumping water the pump having arrived on Thursday. The mine will be thro opened and ore extracted and a

Issued every Satur
SILVER CITY, - - - - - AHO.
Silver City. - - - Idaho Territory.
SATURDAY.....JUNE 30, 1888.

LOCAL INTELLIGENCE.

T. W. Jones and Sam Biegle, are now erecting a substantial water tank on Tibbits View and Medical Avenue for Mr. T. Regan. When completed, it will last for years, and will hold enough water for the whole town.

Miss Minnie Lennung, who has been attending school at Salt Lake City, Utah for several months past, returned last week. She likes the school very much. Her numerous young friends here are glad to see her back.

The murder case of the Territory of Idaho against Lee and Frank Stanford, was probably the shortest ever tried in this county, the jury having been impaneled and testimony closed in about six hours. The jury is now out considering their verdict.

Major Huston and Hon. R. Z. Johnson, attorney-general of Idaho, of Boise City, and Mr. Negley of Caldwell, are in attendance at this term of court. Major Huston is defending Leo and Frank Stanford, while Hon. R. Z. Johnson and Mr. Negley have business before the court.

We call the attention of our readers to the fact that Mr. Chas. Kingsley, the popular photographer of Boise City, will open a gallery here on or about the 8th of July, and will remain for ten days. Those who desire good pictures of themselves, and their best girl, will do well to patronize him.

We call the attention of the people in town and country, to the fact that the Masons will give a grand ball at Masonic hall on the evening of the Fourth of July. All are invited to attend, and can rest assured that all will be done that can be to make the occasion an enjoyable one, as the Masons never do things by halves.

Surr. B. S. of the Henrietta mine, Wagon town was upon Thursday. He

group of miners have registered under the name of the Oro Fino Limited Company, by which name this famous group of producers will hereafter be known. Judging from the way the owners are pushing matters Silver City will soon be a lively camp. The superintendent here, is quite reticent about what the company proposes to do; but the fact that a new mill site has been located in town and the work of preparing the same for a mill been begun; fifteen hundred cords of wood advertised for, and bids for hauling 150,000 pounds of mill machinery asked for, tells more than talk. We learn that he is also making arrangements to put up a bucket tram to transport ore to the mill from the mine, one and a quarter miles distant. Everything is now about arranged to begin taking ore out of the mine. Three hundred feet of T rail track has been put in on the third level, and many important improvements have been made at the mine to enable them to work economically; and experiments are being made to ascertain the best methods of working the ores, and it is confidently expected that better results will be obtained than under the old methods. This winze connecting with the Sinker tunnel is nearly completed, and is being sunk through rich ore. As soon as this is finished they will have good air in the tunnel and it will be pushed with three shifts, operating with a diamond drill, trying to reach the rich chute of ore known to be about one hundred feet ahead. Wood, timbers and charcoal are coming into the mine quite rapidly, and a scene of activity exists there reminding all the camp of its old time prosperity.

It is too early yet to learn the particulars, but we take pleasure in announcing that a sale has been about consummated here almost equalling the Oro Fino transaction made a few months since. The famous Poorman group of mines, some twelve in number, among which are included the Belle Peck, Belle Peck Tunnel, Poorman, Silver Cork, North Empire, Oso and others, by this sale will pass into the hands of a syndicate of English capitalists, who will at once begin to work them for, all they are worth. This great combination of mines,

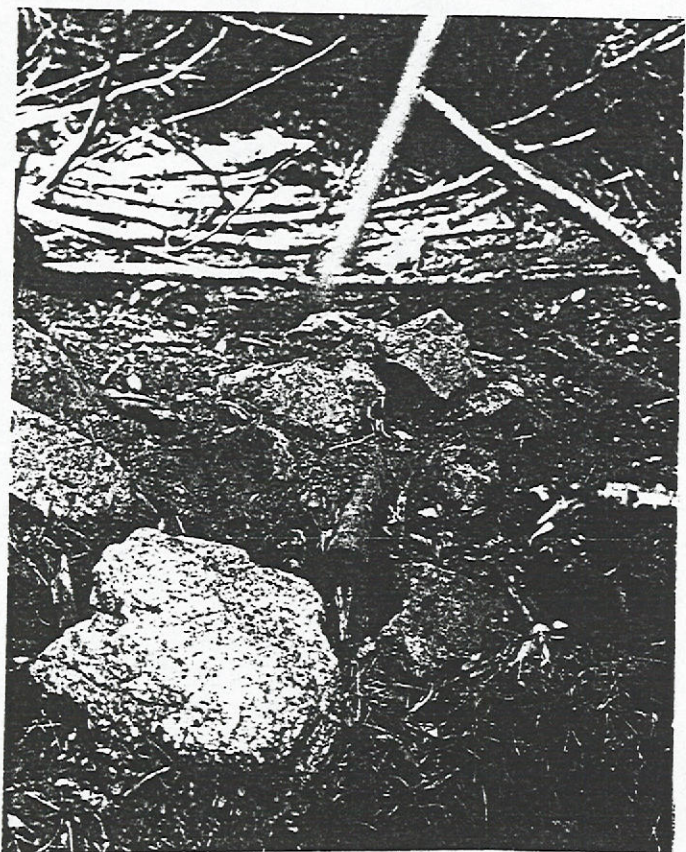
to Sommercamp's for choice groceries.
Dr. Belknap has returned from Sinker creek.
If you need a pair of boots go to Moore's.
Miss Ada Van Duzat is visiting here in this place.
Choice groceries and hams and bacon at Moore's.
Mr. A. O'Keefe was in from Williams creek during the week.
Choice groceries and hams and bacon at Moore's.
Sid Knight of Cow creek, paid our town a visit during the week.
Fine assortment of wall paper just received at Moore's.
Wm. Parks of Jordan Valley made us a pleasant call on Thursday last.
See Sommercamp's notices. Goods all fresh and new.
Go to Sommercamp's and buy one of those elegant porcelain-lined ice-pitchers.
The telegraph line will be completed to this place next week, if not before.
If you want to make a present, you can find just what you want at Sommercamp's.
Miss Ada Morse of Jordan Valley is at present the guest of the Misses Nugent at this place.
Gentlemen's underwear, over-shirts, hats, neckties—large assortment at Moore's.
Mrs. P. McCabe of Wagon town was up during the week, and remained a short time.
All merchandise marked care of M. B. Gwinn, Caldwell, will receive careful attention.
Al Sothern and Arthur O'Keefe were made citizens of the United States on Friday of this week.
The finest lot of plush and fancy goods ever brought to Silver City can be found at Sommercamp's.
Fifteen hundred cords of wood wanted by the Oro Fino Mining Co. to be delivered at Silver City. Bids must be in by July 6th.
If you want to buy a plow or farming implements of any kind, go to Coffin Bros., at Boise City or Caldwell.
We noticed Geo. Cook, C. C. Johnson, Oscar Brunzell, Frank Benson, and C. Craig, of Reynolds creek, in on Thursday. They were witnesses before the court.
Now is your opportunity if you want a good suit of clothes, drop in at Moore's. Quality good, and prices low.
Grading has already commenced for the Oro Fino mill, to be erected east of town on Jordan creek. The mill will have 50 stamps.
J. S. Robertson of Bruneau was in



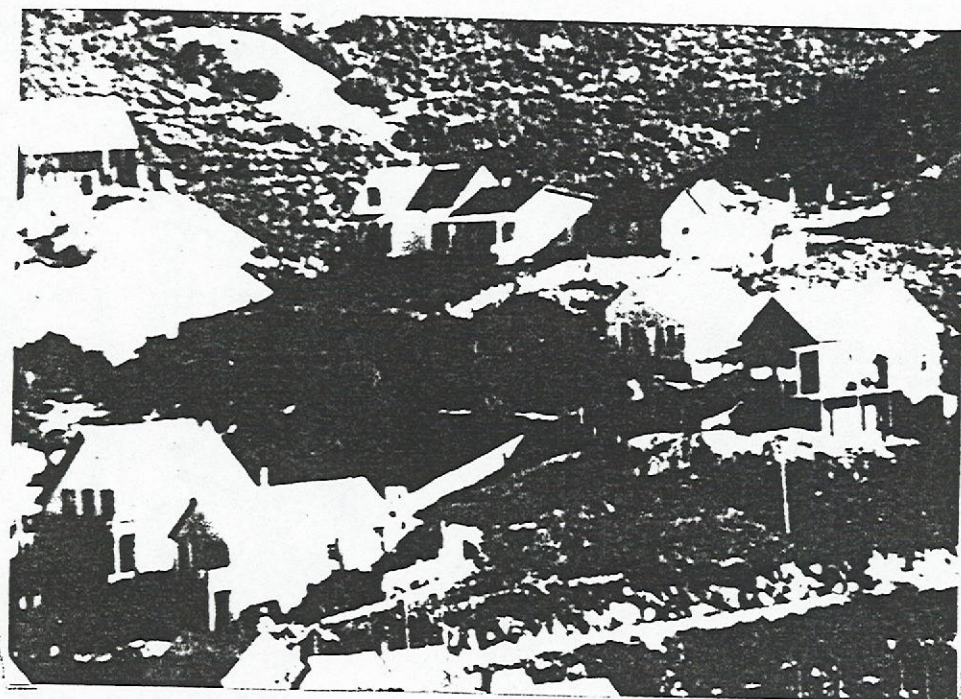
ITEM # 1:
Exposed pipeline from the
"Original" spring of the
Idaho Hotel on Florida Mt.



ITEM # 2:
Another view of the exposed pipeline
of the 1868 Idaho Hotel Spring.



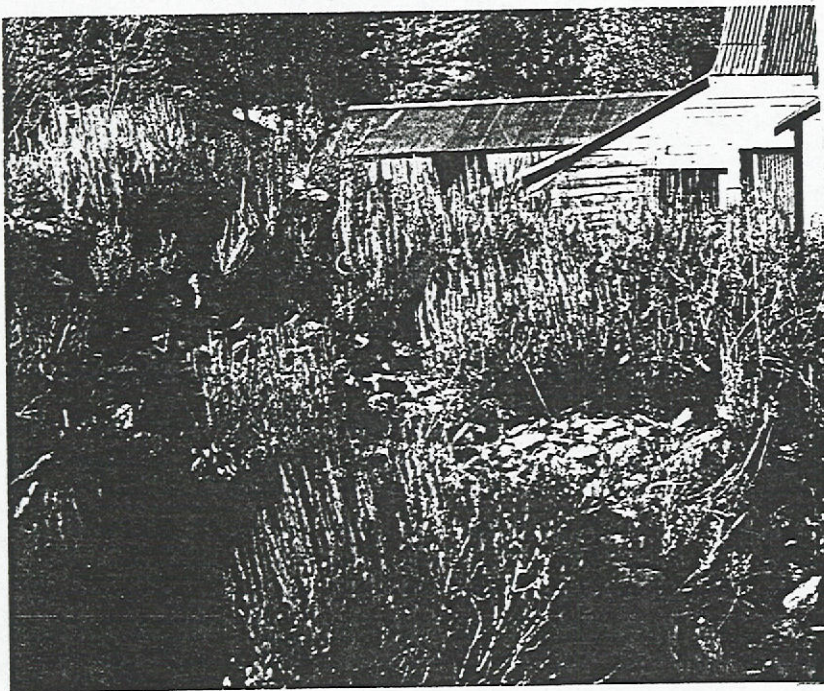
ITEM # 3:
An October 1991 picture
of Water Claim Number
A55-4003, of the Harold
Statham family at the
site of the "Original"
spring.



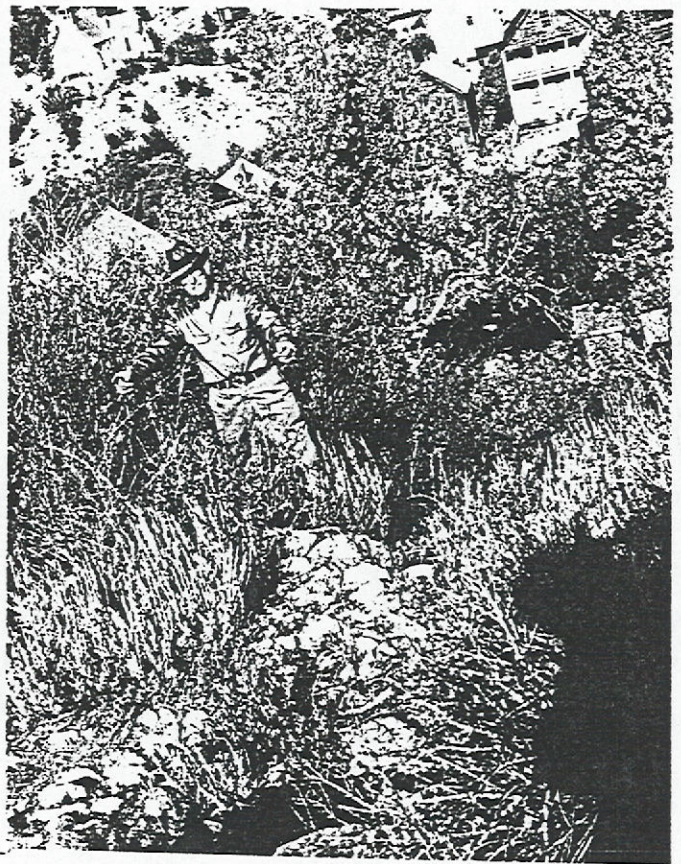
ITEM # 5:
Late 1880's photograph of Silver
City, Id., showing the water tank
on Tibbetts View and Medical Ave.



ITEM # 7:
1890 picture of Silver
City, showing water
tank on Tibbetts View
between (Heidelberg)
now C. Orton Home # 1,
and (St. Clair) now
B. Jayo Home #2.



ITEM # 8:
Location and foundation of the
1888 Tibbetts View water tank. |
(Bldg. in background is the Jayo
home.)



ITEM # 9:
October 19, 1991 picture
of Harold Statham indi-
cating the circular
foundation of Tibbetts
View water tank.

MAP

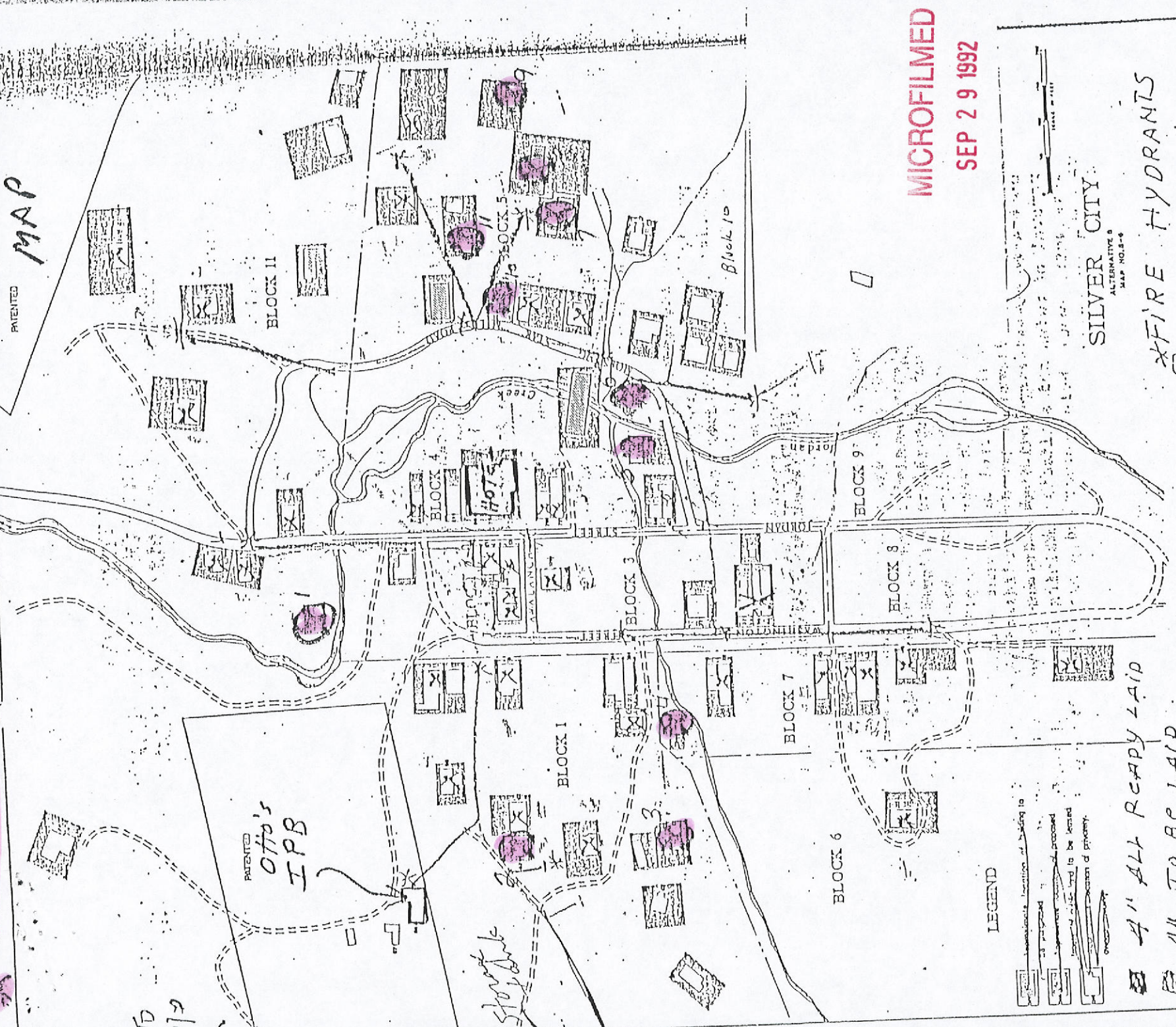
PATENTED

PATENTED

TO 10/2

OTTO'S
IPB

Stout
Lick



MICROFILMED
SEP 29 1992

SILVER CITY
ALTERNATIVE B
MAP NO. 8-4

LEGEND

- 1. Unimproved, location of building to be proposed
- 2. Improved, location of building to be proposed
- 3. Improved, location of building to be proposed
- 4. Improved, location of building to be proposed
- 5. Improved, location of building to be proposed
- 6. Improved, location of building to be proposed
- 7. Improved, location of building to be proposed
- 8. Improved, location of building to be proposed
- 9. Improved, location of building to be proposed
- 10. Improved, location of building to be proposed

- 4" ALL READY LAID
- 4" TO BE LAID
- 3" TRUNK LINES
- 2" LINES FOR TEES (1 1/2" instead of 2")

*FIRE HYDRANTS
@ 4" AND 3"

18-38

THIS SHOWS UPGRADING IN PROCESS TO IMPROVE WATER DELIVERY TO HOME

ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

1020 MAIN STREET

SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

FAX (208) 344-6034

Twin Falls Office

142 3rd AVENUE NORTH

P.O. BOX 1906

TWIN FALLS, IDAHO 83303-1906

TELEPHONE (208) 734-0700

FAX (208) 736-0041

JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY R. McDANIEL
GARY D. SLETTE
JERRY JENSEN
F. BRUCE COVINGTON
CAROLYN M. MINDER
BRUCE M. SMITH
G. RICHARD BEVAN
GARY L. QUIGLEY
TIM J. WILLIAMS
JUSTIN R. SEAMONS
JOHN O. FITZGERALD

November 20, 1990

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

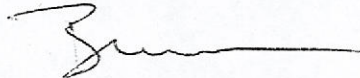
Re: Carl and Gloria Otto Water Rights/Claim Nos:
A55-10204, A55-10130, Permit No. 55-7011

Dear Steve:

Thanks for meeting with me to discuss the Silver City water rights situation. Mr. and Mrs. Otto are very interested in the situation and simply want to make sure their water rights are protected.

As part of this process, would you please send me a copy of the field exam and recommendation for licensing of permit No. 55-7011. Also, please accept this letter as notice that the Otto's would like to participate when you get ready to do the field exam on their adjudication claim in the summer of 1991. Thanks again for your help in addressing this matter.

Sincerely,



Bruce M. Smith

BMS/dj
54831

cc: State Office - adjudication section
Dave Tuthill

Response attached

MICROFILMED

SEP 29 1992

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: **A55-10204**
Date Received: 4/ 2/1990
Receipt No: W011785
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: SILVER CITY PROPERTY OWNERS ASSOCIATION 208-364-4033
Address: C/O MARTIN L PETERSON
743 HEARTHSTONE DR
BOISE ID 83702

2. Date of Priority: SEP 1, 1968

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	03W	6	NE	SE	NW		OWYHEE
			NW	SE	NW		OWYHEE

5. Description of diverting works:
SPRINGBOX, 1900' OF 2.5" PIPE & 30,000 G. TANK, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		
DOMESTIC	01/01	12/31	0.200		
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is 32.2 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 36 HOMES INTERNAL USE, COMMERCIAL USE AT IDAHO HOTEL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03W	6	SW	NE	17	IRR	1.0
			SE	NE	18	IRR	1.0
			NE	SE		IRR	1.0
			NW	SE	19	IRR	1.0
						Section Acres	4.0
						Total Acres	4.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

55-07011 & 55-07409 SAME P/D; 55-07411 DIFFERENT SOURCE

14. Remarks:

SINGLE SPRING ON TRACT LINE & LOCALLY KNOWN AS CITY SPRING. CONS. USE: 10 AFA IRRIG + 21.6 AFA DOMEST. (36 X .6) + .6 AFA COMM.. COMMERCIAL USE SERVES IDAHO HOTEL, WHICH IS PROBABLY OLDEST USER FROM SYSTEM & MAY HAVE SEPARATE CLAIM FILED FOR EARLIER D.O.P.. ALL DELIVERIES OF WATER FROM THE SPRING ARE THROUGH THE S.C.T.A. DELIVERY SYSTEM. SEE FILE 55-07011 FOR ANALYSIS OF FLOW RATE IN THE SYSTEM. DOM. + COMM. P/U = IRRIG. P/U (HOTEL @ TRACT LINES). IRRIGATION COVERS THE YARD USE. PRIMARY USE IS INTERNAL; IRRIG. ONLY AFTER THIS OCCURS. SAME ACRES AS OTHER IRRIG. FROM SAME P/D. USES IN THIS CLAIM DATE TO VARIOUS PRIORITY DATES INCLUDING SOME TO 1800'S & EARLY AS WELL AS MID-1900'S. ASSOCIATION DECIDED TO FILE 1 CLAIM FOR ALL GRANDFATHER USES SERVED BY SYSTEM FROM CITY SPRING INCLUDING IDAHO HOTEL & USE LATEST ALLOWABLE D.O.P.. THIS CLAIM RESULTS FROM CONSIDERABLE CONFUSION IN THE LICENSING OF 55-07011 & IS FILED ON RECOMMENDATION FROM WESTERN REGIONAL STAFF. STAFF RECOMMENDS NO LATE FEE. SEE JAN S. &/OR STEVE L. THIS RIGHT, WHEN COMBINED WITH OTHER RIGHTS FROM THE SAME SPRING, SHALL NOT EXCEED THE RATE OF FLOW LICENSED IN 55-07011. DOMESTIC UNITS IN CLAIM ARE DIFFERENT THAN THOSE IN 55-07011 AND 55-07409. ADDRESS CHANGE PER CLAIMANT REQUEST 1/26/98.

15. Basis of Claim: BENEFICIAL USE

CHANGE IN ADDRESS OF NOTICE OF CLAIM

RECEIVED

☒ Water Right Number (s): A55-07011
A55-10204

JAN 26 1998

WATER RESOURCES
WESTERN REGION

☒ Old Mailing Address: P.O. Box 74, Murphy, ID 83650
and

1849 NW 24th St., Fruitland, ID
Silver City Property Owners Assn. 83619
☒ New Mailing Address: Martin L. Peterson
743 Hearthstone Dr.
Boise, ID 83702

New Telephone Number: (208) 364-4033

☒ Signature of Claimant: Walter Peterson

Date: 1/22/98

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

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: A55-10204
Date Received: 3/19/1990
Receipt No: 6011785
Received By: JK

RECEIVED

APR 23 1990

Mo. v. e. vs
Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SILVER CITY TAXPAYERS ASSOC. INC. 208-834-2237
Address: C/O PAUL NETTLETON, PRESIDENT
P.O. BOX 74
MURPHY, ID 83650

2. Date of Priority: SEP 01, 1968

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05S	03W	6	NE	SE	NW		OWYHEE
			NW	SE	NW		OWYHEE

5. Description of diverting works:
SPRINGBOX, 1900' OF 2.5" PIPE & 30,000 G. TANK, PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.080		
DOMESTIC	01/01	12/31	0.200		
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is 32.2 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 36 HOMES INTERNAL USE, COMMERCIAL USE AT IDAHO HOTEL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05S	03W	6	SW	NE	17	IRR	1.0
			SE	NE	18	IRR	1.0
			NE	SE		IRR	1.0
			NW	SE	19	IRR	1.0
						Section Acres	4.0
						Total Acres	4.0

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

55-07011 & 55-07409 SAME P/D; 55-07411 DIFFERENT SOURCE

14. Remarks:

SINGLE SPRING ON TRACT LINE & LOCALLY KNOWN AS CITY SPRING. CONS. USE: 10 AFA IRRIG + 21.6 AFA DOMEST. (36 X .6) + .6 AFA COMM.. COMMERCIAL USE SERVES IDAHO HOTEL, WHICH IS PROBABLY OLDEST USER FROM SYSTEM & MAY HAVE SEPARATE CLAIM FILED FOR EARLIER D.O.P.. ALL DELIVERIES OF WATER FROM THE SPRING ARE THROUGH THE S.C.T.A. DELIVERY SYSTEM. SEE FILE 55-07011 FOR ANALYSIS OF FLOW RATE IN THE SYSTEM. DOM. + COMM. P/U = IRRIG. P/U (HOTEL @ TRACT LINES). IRRIGATION COVERS THE YARD USE. PRIMARY USE IS INTERNAL; IRRIG. ONLY AFTER THIS OCCURS. SAME ACRES AS OTHER IRRIG. FROM SAME P/D. USES IN THIS CLAIM DATE TO VARIOUS PRIORITY DATES INCLUDING SOME TO 1800'S & EARLY AS WELL AS MID-1900'S. ASSOCIATION DECIDED TO FILE 1 CLAIM FOR ALL GRANDFATHER USES SERVED BY SYSTEM FROM CITY SPRING INCLUDING IDAHO HOTEL & USE LATEST ALLOWABLE D.O.P.. THIS CLAIM RESULTS FROM CONSIDERABLE CONFUSION IN THE LICENSING OF 55-07011 & IS FILED ON RECOMMENDATION FROM WESTERN REGIONAL STAFF. STAFF RECOMMENDS NO LATE FEE. SEE JAN S. &/OR STEVE L. THIS RIGHT, WHEN COMBINED WITH OTHER RIGHTS FROM THE SAME SPRING, SHALL NOT EXCEED THE RATE OF FLOW LICENSED IN 55-07011. DOMESTIC UNITS IN CLAIM ARE DIFFERENT THAN THOSE IN 55-07011 AND 55-07409.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Organizations:

I do solemnly swear or affirm that I am PRESIDENT of _____
Title

SILVER CITY TAXPAYERS ASSN. that I have signed the foregoing
Organization

document in the space below as PRESIDENT of _____
Title

SILVER CITY TAXPAYERS ASSN. and that the statements contained in the
Organization

foregoing document are true and correct.

Saul Nettleton
Signature of Authorized Agent

PRESIDENT, S.C.T.A.
Title and Organization

March 27, 1990
Date

State of Idaho)
County of _____) SS.

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

Notary Public

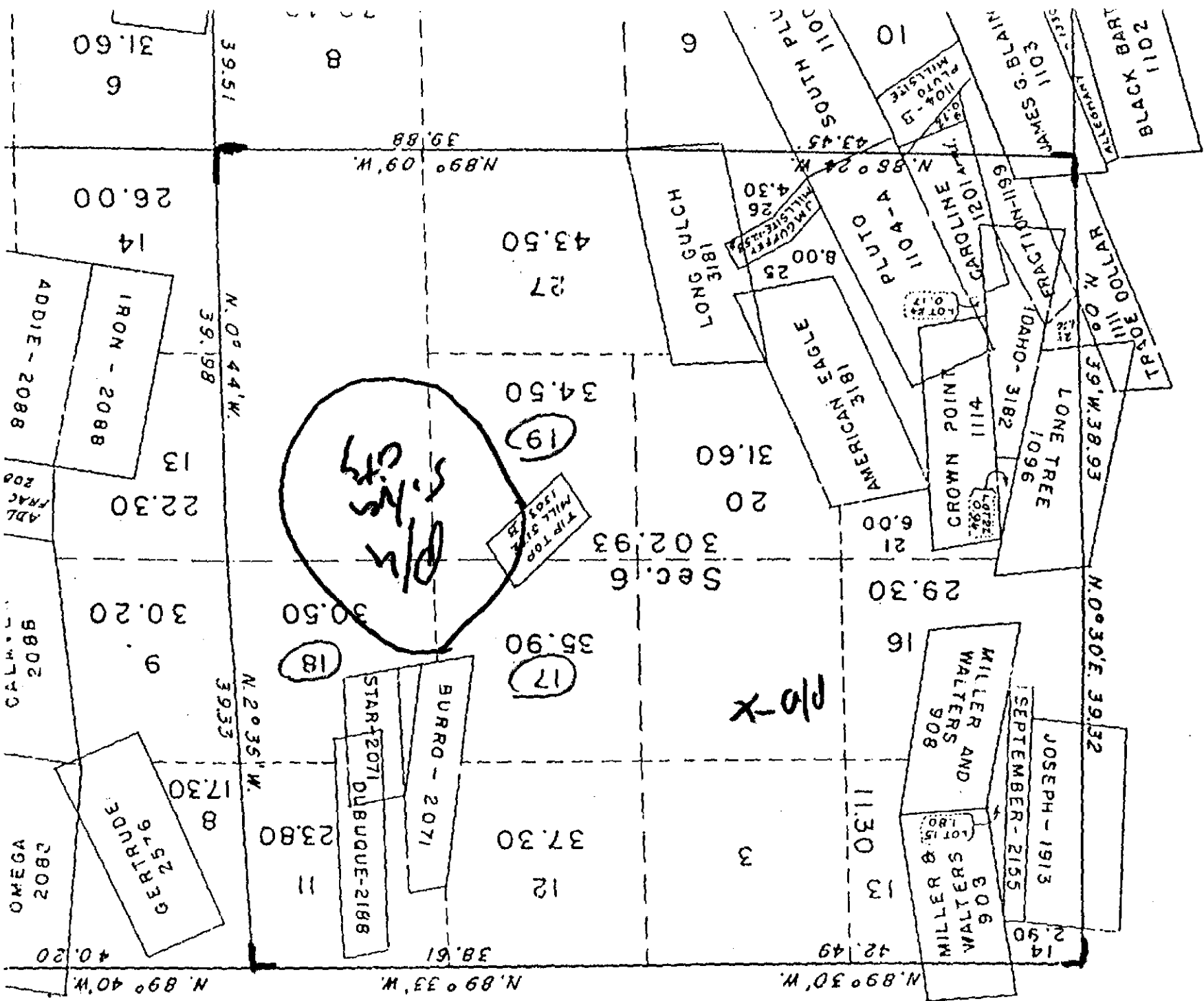
Seal

Residing at _____

My Commission Expires _____

SEP 29 1992

MICROFILMED



155-10201
S.C.T.A. INC.
755
5.6
163W

145 1020

PATENTED

EO Silver City
TAXPAYERS ASSOC.

342

34 =
D/I use at
IPC Bldg;
not commercial use
at hotel in same
building

TO
P/O
(City Springs)

PATENTED
Otto's
IPB

Storage Tank

BLOCK 1

BLOCK 4

BLOCK 5-

LONG GULCH

BLOCK 6

BLOCK 7

BLOCK 3

BLOCK 9

BLOCK 8

Block 10

MICROFILMED

SEP 29 1992

LEGEND

-  Approximate location of building to be purchased
-  Approximate location of proposed lots of public land to be leased
-  Approximate location of privately owned land

4" ALL READY LAID

4" To be Laid

3" TRUNK LINES

2" LINES OR TEES (Probably 1 1/2" instead of 2")

SILVER CITY
ALTERNATIVE 6
MAP NO. 2-1

* FIRE HYDRANTS
(16) 4" AND 3"

8-38

THIS SHOWS UPGRADING IN PROCESS TO IMPROVE WATER DELIVERY TO HOME

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)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 55-10204

2000 MAR -5 PM 1:35
DISTRICT COURT - SRBA
TWIN FALLS, IDAHO

NAME AND ADDRESS: SILVER CITY PROPERTY OWNERS AS
C/O CLARENCE ORTON, PRES.
5033 LAKES EDGE PLACE
BOISE, ID 83703

SOURCE: SPRING TRIBUTARY: JORDAN CREEK

QUANTITY: 0.20 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .20 CFS. COMBINED RIGHT NOS.:
55-04007, 55-07011, 55-10130, 55-10205 AND 55-10239.

PRIORITY DATE: 09/01/1968

POINT OF DIVERSION: T05S R03W S06 SESENW Within Owyhee County

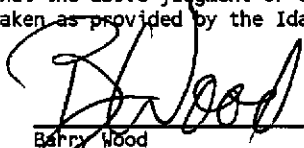
PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic	01-01 TO 12-31	0.20 CFS

PLACE OF USE:	Domestic		Within Owyhee County
	T05S R03W S06	NWSE	SENE
		NESE	SWNE

THE USE OF WATER FOR DOMESTIC PURPOSES SHALL BE LIMITED TO
PRIVATELY OWNED PROPERTY WITHIN THE DESCRIBED PLACES OF USE

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



Barry Wood
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

MAR 09 1999

Department of Water Resources

2002 MAR -5 PM 1:35

DISTRICT COURT - SRBA
TWIN FALLS CO, IDAHO

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

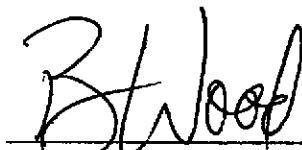
In Re SRBA	)	ORDER OF PARTIAL DECREE
	)	
Case No. 39576	)	For Water Right 55-10204
	)	

On January 12, 1999, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order I*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 55-10204 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED March 5, 1999.



BARRY WOOD
Administrative District Judge
Interim Presiding Judge of the
Snake River Basin Adjudication

1999 MAR 05 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)_____

CERTIFICATE OF MAILING

Water Right(s): 55-10204

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 55-10204 was mailed
on March 05, 1999, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

USDI BLM
Represented by:
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724
Phone: 208-387-0835

SILVER CITY PROPERTY OWNERS AS
C/O CLARENCE ORTON, PRES.
5033 LAKES EDGE PLACE
BOISE, ID 83703
Phone: 208-364-4033

DIANA DELANEY
Chief Deputy Clerk

CERTIFICATE OF MAILING

PAGE 1
03/05/99

DEC 11 1998

Department of Water Resources

**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

Subcase No. 55-10204

Case No. 39576

Standard Form 5

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right and to amend the Notice of Claim. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:

Silver City Property Owners Assn.
c/o Clarence Orton, Pres.

Clarence Orton 11/13/98
Clarence Orton, Pres. Date

Charles L. Honsinger 12/10/98
Charles L. Honsinger Date
Attorney for SCDPA

IDWR CONCURRENCE:

Robert Brown 11/19/98
Date

OBJECTOR:

United States on behalf of the
Bureau of Land Management

R. Lee Leininger 11/10/98
R. Lee Leininger, Date
Paul F. Holleman, or
Larry A. Brown
Attorneys, U.S. Department of Justice
Environment and Natural Resources Div.

IDWR CONCURRENCE:

David Weston 11/19/98
Date

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 55-10204

Name and Address: SILVER CITY PROPERTY OWNERS AS
~~C/O MARTIN L PETERSON PRES~~
~~743 HEARTHSTONE DR~~
~~BOISE, ID 83702~~
C/O CLARENCE ORTON, PRES.
5033 LAKES EDGE PLACE
BOISE, ID 83703

Source: SPRING Tributary: JORDAN CREEK

Quantity: .20 CFS

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF .20 CFS. COMBINED RIGHT NOS.: 55-04007,
55-07011, 55-10130, 55-10205 AND 55-10239.

Priority Date: 09-01-1968

Diversion Point: T05S R03W S06 SESENW Within Owyhee County

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Domestic	01-01 TO 12-31	.20 CFS

Place of Use:	Domestic	Within Owyhee County	
	T05S R03W S06	~~LOT-19~~ (NWSE) NESE	~~LOT-18~~ (SENE) ~~LOT-17~~ (SWNE)

THE USE OF WATER FOR DOMESTIC PURPOSES SHALL BE LIMITED TO
PRIVATELY OWNED PROPERTY WITHIN THE DESCRIBED PLACES OF USE.

Other Provisions Necessary for Definition / Administration of this
Water Right:

Explanatory Material: Basis of Claim - Beneficial Use

SOURCE ALSO KNOWN AS CITY SPRING.

PLACE OF USE ALSO KNOWN AS LOTS 44, 49, 54, 55, 65-67, 71,
72, 74-76, 79, 88, 94 AND 96.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 55-04007, 55-07011, 55-10130, 55-10205 AND
55-10239.

SF-5
55-10204

[DOMESTIC USE IS FOR 14 HOMES. INSIDE USE ONLY.
2 HOMES WITH INSIDE USE AND LAWN IRRIGATION.]

Page 2

IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF WATER RIGHTS.

CERTIFICATE OF MAILING

I certify that on December 10, 1998, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

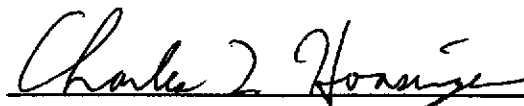
2. Copy to:

IDWR Document Depository
P. O. Box 83720
Boise, Idaho 83720-0098

3. Copies to all parties to the subcase (insert names and addresses):

U.S., Department of Justice
Environment and Natural Resources Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

Silver City Property Owners Assn.
c/o Clarence Orton, Pres.
5033 Lakes Edge Place
Boise, ID 83703



Signature of person or attorney mailing the form

RECEIVED

SEP 08 1998

Department of Water Resources
Adjudication Bureau

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

A. Subcase 55-10204

(Insert water right number)

DOMESTIC AND
STOCK WATER RIGHT
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice; Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Silver City Property Owners Association

Address: 743 Hearthstone Drive; Boise, ID. 83702

Name: c/o Martin L. Peterson, President

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Point(s) of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: See attached

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The legal description for element nine (POU) above may include Federal land. The description should be specific enough to exclude Federal land.

F.

VERIFICATION (Must be Completed)

State of Idaho)

)ss.

County of Ada)

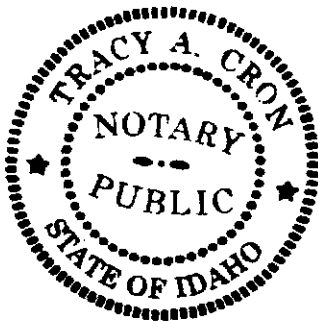
FRED PRICE
, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fred Price
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: September 4, 1998



Tracy A. Cron
Notary Public for *Idaho*
Residing at: *Meridian, ID*
My Commission Expires: *8/22/2003*

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on SEPT. 4, 1998, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

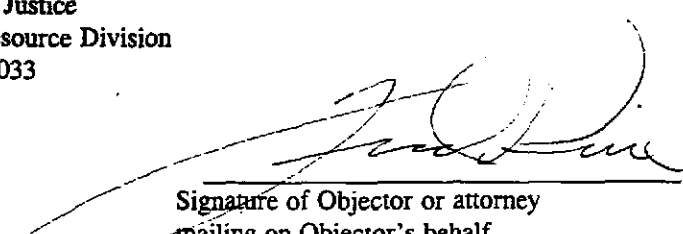
Name: Silver City Property Owners Association
Address: 743 Hearthstone Drive; Boise, ID. 83702
Name: c/o Martin L. Peterson, President
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

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

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney
mailing on Objector's behalf

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: JORDAN CREEK

RIGHT NUMBER: 55-10204 MIXED OWNERSHIP
NAME & ADDRESS: SILVER CITY PROPERTY OWNERS ASSN - POUS DESCRIBED BELOW
C/O MARTIN L PETERSON PRES CONTAIN BOTH PRIVATE
743 HEARTHSTONE DR AND PUBLIC LAND
BOISE ID 83702

SOURCE: SPRING TRIBUTARY: JORDAN CREEK

QUANTITY: 0.2 CFS
CLARIFY THE POUS SUCH THAT
IT IS CLEAR ONLY PRIVATE LAND
IS INTENDED.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .20 CFS. COMBINED RIGHT NOS.:
55-04007, 55-07011, 55-10130, 55-10205 AND 55-10239.

PRIORITY DATE: 09/01/1968

POINT OF DIVERSION: T05S R03W S06 SESEW *BLM* Within Owyhee County

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
DOMESTIC 01-01 12-31 0.2 CFS

DOMESTIC USE IS FOR 14 HOMES, INSIDE USE ONLY; 2 HOMES WITH
INSIDE USE AND LAWN IRRIGATION.

PLACE OF USE: DOMESTIC Within Owyhee County
T05S R03W S06 ~~Lot 17 (SWNE) BLM/PUT~~ Lot 18 (SENE) *BLM/PUT* NESE ~~Lot 19 (NWSE) BLM/PUT~~
1/PUT

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION
FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER
RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE
PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT
COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO
TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF WATER RIGHTS.

LOTS 17, 18 & 19
DO NOT EXIST
IN SECTION 6.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

- PRIVATE LAND WITHIN THE
TRACTS DESCRIBED ARE
ENTIRELY ~~DO~~ COMPRISED OF
LOTS. THE CORRECT LOTS
NEED TO BE IDENTIFIED.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JUN-29-19

PAGE: A-378

RIGHTS FROM: SOURCE: SPRING TRIBUTARY: JORDAN CREEK

RIGHT NUMBER: 55-10204 (CONT)

EXPLANATORY MATERIAL: (CONT)

SOURCE ALSO KNOWN AS CITY SPRING.

PLACE OF USE ALSO KNOWN AS LOTS 44, 49, 54, 55, 65-67, 71, 72,
74-76, 79, 88, 94 AND 96.THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 55-04007, 55-07011, 55-10130, 55-10205
AND 55-10239.

AJ0729NP
No. 55-10204

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/22/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SILVER CITY PROPERTY OWNERS ASSN C/O MARTIN L PETERSON PRES 743 HEARTHSTONE DR BOISE ID 83702 (208) 364-4033	09/01/1968	DOMESTIC	01-01 12-31	0.20 CFS	
TOTAL DIVERSION:					0.20 CFS	

Water Source: SPRING

Tributary to: JORDAN CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R03W S06

SESENW

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
05S	03W	6	:			17-D	18-D	:								D	19-D	:		:

POU County: OWYHEE

Other Rights: 55-07011 & 55-07409

Conditions of Approval:

- A07 - IN THE NEAR FUTURE IDWR WILL RECOMMEND A GENERAL PROVISION
- FOR THIS SUB-BASIN REGARDING THE INTERCONNECTION OF WATER
 - RESOURCES WITHIN THE SNAKE RIVER BASIN. AN OPPORTUNITY WILL BE
 - PROVIDED AT THAT TIME TO FILE AN OBJECTION WITH THE DISTRICT
 - COURT TO THAT PROVISION. THIS WATER RIGHT WILL BE SUBJECT TO
 - TO SUCH GENERAL PROVISIONS AS THE DISTRICT COURT DETERMINES
 - NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
 - ADMINISTRATION OF WATER RIGHTS.

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .20 CFS. COMBINED RIGHT NOS.:
55-04007, 55-07011, 55-10130, 55-10205 AND 55-10239.

USE DOMESTIC USE IS FOR 14 HOMES, INSIDE USE ONLY; 2 HOMES WITH
INSIDE USE AND LAWN IRRIGATION.

EXP SOURCE ALSO KNOWN AS CITY SPRING.
PLACE OF USE ALSO KNOWN AS LOTS 44, 49, 54, 55, 65-67, 71, 72,
74-76, 79, 88, 94 AND 96.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 55-04007, 55-07011, 55-10130, 55-10205
AND 55-10239.

Dates: Exam Made Date: 11/05/1987

Verified Date:

Objection Filed Date: 09/04/1998

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ0729NP
No. 55-10204

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 09/22/98
PAGE: 2

=====

Comments: Date: 03/02/1998 User-ID: LHARRIS Subject: COPIED FROM REMARKS
THIS RIGHT RESULTS FROM COMBINING A NUMBER OF SINGLE FAMILY
DOMESTIC USES IN ONE RIGHT WITH A SINGLE PRIORITY DATE (LATEST
DATE OF THE PREVIOUSLY UNRECORDED INDIVIDUAL USES).

Date: 06/25/1998 User-ID: AJU10-DS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) A07 ADDED IF NOT ALREADY PART
OF RECORD THRU

Audit: 03/02/98 LHARRIS 03/03/98 LHARRIS 05/06/98 SLESTER 06/25/98 AJU10-DS
06/29/98 CPD SHAFF 09/09/98 UPD-SEGB

AJ0749NP
No. R55-10204

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/06/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SILVER CITY PROPERTY OWNERS ASSN C/O MARTIN L PETERSON PRES 743 HEARTHSTONE DR BOISE ID 83702 (208) 364-4033	09/01/1968	DOMESTIC	01-01 12-31	0.20 CFS	
TOTAL DIVERSION:					0.20 CFS	

Water Source: SPRING

Tributary to: JORDAN CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R03W S06

SESENW

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
05S	03W	6	:			17-D	18-D	:									D	19-D	:	

POU County: OWYHEE

Other Rights: 55-07011 & 55-07409

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .20 CFS. COMBINED RIGHT NOS.:
55-04007, 55-07011, 55-10130, 55-10205 AND 55-10239.

USE DOMESTIC USE IS FOR 14 HOMES, INSIDE USE ONLY; 2 HOMES WITH
INSIDE USE AND LAWN IRRIGATION.

EXP SOURCE ALSO KNOWN AS CITY SPRING.
PLACE OF USE ALSO KNOWN AS LOTS 44, 49, 54, 55, 65-67, 71, 72,
74-76, 79, 88, 94 AND 96.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 55-04007, 55-07011, 55-10130, 55-10205
AND 55-10239.

Dates: Exam Made Date: 11/05/1987 Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/02/1998 User-ID: LHARRIS Subject: COPIED FROM REMARKS

AJ0749NP
No. R55-10204

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/06/98
PAGE: 2

=====

Comments: Date: 03/02/1998 User-ID: LHARRIS Subject: COPIED FROM REMARKS
THIS RIGHT RESULTS FROM COMBINING A NUMBER OF SINGLE FAMILY
DOMESTIC USES IN ONE RIGHT WITH A SINGLE PRIORITY DATE (LATEST
DATE OF THE PREVIOUSLY UNRECORDED INDIVIDUAL USES).

Audit: 05/06/98 SLESTER

SUPPLEMENT TO RECOMMENDED RIGHTS FROM CITY SPRING AT SILVER CITY

PREPARED BY STEVE LESTER *SL*

IDWR WESTERN REGION

~~MARCH 4~~ MAY 8, 1998

NOTE - THIS REPLACES THE 3/4/98 MEMO FOR RIGHTS FROM CITY SPRING & A FEW MISC. RELATED FILINGS. UPDATE BASED ON FINAL CONCLUSIONS FROM NOTICE OF ERROR PROCEDURE. OUT OF DATE INFO IS SHOWN IN ~~STRIKEOUT~~ FORMAT WHILE NEW INFO IS SHOWN IN UNDERLINE FORMAT.

~~This explanation is provided to all claimants whose Snake River Basin Adjudication Claims identify the "city spring" in Silver City as a source. The explanation is provided for the claimants because it may be confusing to receive a recommended right without a complete explanation of all uses from the city spring.~~

The following terms are used:

CAMPGROUND = Ottos' private campground uphill from IPB site

CITY = Silver City Property Owners Association

CITY SYSTEM = City's diversion works and delivery pipelines

IDWR = Idaho Department of Water Resources

IPB = Ottos' hostel at Idaho Power building

LOG CABIN = Ottos' secondary structure near the IPB site

SRBA = Snake River Basin Adjudication.

STORAGE TANK = the new City tank that replaced the old wooden tank.

~~The claims have been recommended by IDWR as shown in this mailing. The recommended rights are subject to corrections per the claimant response period provided under Idaho law.~~ IDWR recommendations are based on a review by IDWR legal and other staff. The recommendations result from a thorough review of all the evidence provided by the claimants plus IDWR field exams conducted from 1987 through 1994.

If a use for an individual owner is recommended under that owner's older claim, that use has been deleted from the City's younger claims to avoid duplication. Supplemental information shown below is arranged alphabetically by ownership.

CITY RIGHT NOS. 55-10204, 55-07011 AND 55-07409

55-10204 - recommended with 1968 priority date for domestic use for 16 homes where 2 of the homes include lawn irrigation. This right results from

*from file 55-07011 → Attachment 2
(6 pgs)*

combining a number of single family domestic uses, previously unrecorded until the SRBA, under a single priority date. The latest priority date for the combined uses must be used in such situations. The right lists the lot numbers served by this right.

55-07011 - recommended with 1971 priority date for 22 homes where 2 of the homes include lawn irrigation. ~~Also covers commercial use at the Idaho Hotel.~~ The lot numbers are not completely known for this right so have been omitted. The recommendation is based on a pending license. The right now exists as a permit which was field examined in 1987 before SRBA claims were filed. Licensing has been complicated by competing SRBA claims. It is assumed that the license can be issued ~~before the IDWR Director's Report is submitted to the SRBA Court (later this year after the claimant response period is completed).~~ in a timely manner while the SRBA Director's Report is being considered by the court.

55-07409 - this permit includes a 1990 priority date to cover those uses initiated after the November 1987 field exam of 55-07011. This right is outside of the SRBA scope and therefore will not be included in the Director's Report nor will it be decreed by the SRBA Court. The permit can be licensed for domestic use for 23 homes (includes 1 home with lawn irrigation) and a public drinking fountain assuming that the other two City rights are decreed as above.

City Summary - the 3 City rights will cover domestic use for 61 homes including lawn irrigation at 5 of those homes ~~(that is all of the irrigation found by 1994 field verification)~~ plus drinking water at the public fountain. ~~and commercial water for the Idaho Hotel.~~ All other uses via the City System are covered under individuals' rights.

FREDRICKSON RIGHT NO. 55-13655

Recommended to be disallowed based on insufficient evidence of priority date. IDWR legal staff determined that a contentious situation such as the City Spring requires better documentation to support SRBA claims. This use is recommended for 1 home (in-house use only) in City right 55-07011.

HYSLOP RIGHT NO. 55-10239

This right is recommended with a 1874 priority date for 1 home ~~(in-house use only)~~ for Lot 50. Use includes in-house and limited yard landscaping.

IDAHO HOTEL RIGHT NO. 55-10205

This right is recommended ~~for disallowal based on evidence of forfeiture from 1942-1968. This commercial use is recommended in City right 55-07011.~~ with a 1868 priority for inside commercial use at the Idaho Hotel.

OTTO RIGHT NOS. 55-04151 and, 55-10130 & 55-13689

55-04151 - recommended with a ~~1937~~ 1922 priority date for 2 sources: overflow from the storage tank plus any additional water provided from the old shaft/tunnel located below the tank and the road (shaft/tunnel is near the flume by the Campground). The points of diversion include the overflow collection at

the storage tank plus the shaft/tunnel. This is not water from the City Spring except insofar as captured overflow from the Storage Tank is involved. Uses include commercial use at the campground and the IPB site plus and domestic use at the private Campground, Log Cabin and IPB sites (note dual uses depend on arrangement with guests at the site: domestic for non-paying but commercial for paying guests). This is not water piped into the IPB, rather it is water delivered via a ditch to the IPB site. Uses do not include any lawn etc. irrigation. Internal and limited yard landscaping uses are included. Landscaping of up to 1/2 acre includes non-native plants plus native plants, the latter case in which water is applied to refresh plants after campers depart so a beneficial use is derived from this practice.

55-10130 - recommended with a 1922 priority date for domestic and commercial water for the IPB and Log Cabin delivered by the City system. This is water piped into the two units and does not include lawn etc. irrigation. This right includes the dual use arrangement noted in 55-04151. The same internal and external uses occur (except not at the Campground) in this right as in 55-04151.

Additional right? - another filing is needed to cover a spring that contributes water to the delivery system in 55-04151. An old mining shaft is located above the road not far from the storage tank overflow diversion. This additional source cannot be included in any of the current Otto rights. If the use started before 5-20-1971, a late SRBA claim can be filed along with evidence to support the beneficial use claim. If the use started on or after 5-20-1971, an application for permit should be filed to establish a 1998 priority date. The appropriate filing should be made without delay. Result shown in next paragraph.

55-13689 - A 1937 beneficial use right has been recommended as claimed as a result of the claimant's notice of error action. This right is recommended for the same uses as in 55-04151. This is not water from the City Spring but is commingled with water from 55-04151.

STATHAMS' RIGHT NOS. 55-04007 AND 55-04110

55-04007 - recommended with a 1909 priority for in-house domestic use at 2 homes, Lots 91 and 92. Does not include lawn irrigation (see next right).

55-04110 - recommended to be disallowed per 1994 withdrawal of claim. This claim was for lawn irrigation at 1 of the Statham homes but has been recommended in City right 55-10204.

All of the uses regarding the City Spring are covered by the above recommendations to the extent that the uses have been verified by claimants' evidence and/or IDWR field examinations.

ADDITIONAL RIGHT NOT FROM CITY SPRING

Included in this explanation is another right not from the City Spring but serving homes also served under the City rights.

55-04000 - recommended with a 1948 priority for an unnamed stream (flow from old mining tunnel) located uphill from the homes. IDWR has been informed that this right serves Lots 36 and 44 for Cramer and Fredrickson homes. The claim lists Cramer and Statham, but IDWR has learned that Statham property is not

involved. The home owners served by this right ~~should file a change in ownership with IDWR to replace Statham with Fredricksen assuming that IDWR has the correct information for this situation.~~ filed the proper change in ownership to record the right in the names of Cramer and Fredricksen.

Original filed in permit 55-07011 with copies in all other water right and adiduciation files at region and state office.

Silver City Master Plot Map 5/11/68

Attached plot replaces 1990 version. The 1990 map was lost estimate them Now, following SPBA Director's Report Recommendation, This new map is the final one.

Not possible to indicate which units are covered by which city ¹

Right - no master list has been found to correlate to this map.

Key point is that uses are covered by city rights or by separate

rights under separate ownership.

No duplication occurs in coverage.

<u>OWNER & RIGHT</u>	<u>PRIORITY</u>	<u>USES</u>	<u>X's on map</u>
City 55-10204	1968	0/16 w/ 2 lanes ²	16
55-07011	1971	0/22 " 2 "	22
55-07409	1990	0/23 " 1 "	} 24
		1 public fountain	
Hydrolp 55-10239	1874	0/1 w/ 1 lane	1
ID HOTEL 55-10205	1868	comm/1 -	1
OTTO 55-10130	1922	0/2 ³ w/ 1 lane	2
Station 55-04007	1909	0/2 -	2

all X's accounted for $\rightarrow 68$

¹ city = the association.

² 1 lane = Station's hand have w/ internal use per 55-04007.

³ also includes commercial use c lane 2 with (SPB i by G&S).

Combined yard use for 2 units (plus compound which is served by other rights not from city spring) is $\leq \frac{1}{2}$ acre.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

May 6, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

SILVER CITY PROPERTY OWNERS ASSN
C/O MARTIN L. PETERSON, PRESIDENT
743 HEARTHSTONE DR
BOISE ID 83702

RE: RECOMMENDATIONS FOR ASSOCIATION'S WATER RIGHTS

Dear Mr. Peterson:

The final Idaho Department of Water Resources (IDWR) adjudication and licensing recommendations have been made for the association's Silver City rights. Note that 55-07011 is involved in the adjudication plus licensing process, 55-07409 includes only the licensing process, while 55-10204 concerns only the adjudication process. Revised recommendations for 55-07011 are based on a recognition of the validity of the 1868 right for the Idaho Hotel, which was previously disallowed. Therefore, coverage for that hotel has been deleted from 55-07011 to avoid duplication in water right coverage. Recommendations for 55-07011 are based on pending licensing information for that right.

The recommendation for the other right held by the association and involved in the adjudication process (55-10204) remains unchanged. Through the adjudication and licensing procedures, complete coverage of the association rights will be recognized under rights 55-07011, 55-10204 and 55-07409. The latter right is beyond the scope of the adjudication and will be handled separately through the normal water right licensing process.

Soon after you receive IDWR's final adjudication recommendations for 55-07011 and 55-10204, IDWR will deliver its director's report to the court. At that time, claimants must address their adjudication concerns to the court rather than to IDWR. Also, licenses will be mailed to you for rights 55-07011 and 55-07409 for your review. The licensing mailing will be made sometime after the adjudication mailing.

Additionally, please provide the enclosed copy of the letter regarding 55-10205 to Monty Orton. He assisted Mr. Jagels in securing recognition of the old right for the hotel. I hope that the adjudication and licensing products will secure full water right protection for the Silver City system.

Sincerely,

Steve Lester
Water Rights Supervisor

c: Letter for Clarence ("Monty") Orton

CONVERSATION MEMORANDUM

NAME OF PARTY

EMPLOYEE

Steve Dotin

RE: REVISED RECOMMENDATION FOR RIGHTS

FROM "CITY SPRING" AT SILVER CITY

BASED ON WRITING NOTICE OF GRIEVANCE, THE MARCH 1978

R FILES ARE REVISED FOR RIGHTS FROM THIS SPRING.

SOME REVISING ARE BASED ON ADD'L INFO SUPPLIED BY

CLAIMANT, AND SOME ARE REVISED BECAUSE PREVIOUSLY

DISAPPROVED SS-10205 (IN HOTEL) IS NOW RECOMMENDED AS OK.

REVISED RIGHTS INCLUDE:

SS-04007 Station

SS-07011 City

SS-10130 Otho

SS-10204 City

SS-10205 IN HOTEL (Jagels)

SS-10239 Physlop

For example - SS-04007 is revised just to add SS-10205

to list of rights from same source (QNT & EXP

Remarks).

SS-07011 is revised as is Deven plus commencing

is deleted from 07011 since now covered by 10205.

DATE

4/30/98

FILE

See below

AJ0749NP
No. R55-10204

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/02/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SILVER CITY PROPERTY OWNERS ASSN C/O MARTIN L PETERSON PRES 743 HEARTHSTONE DR BOISE ID 83702 (208) 364-4033	09/01/1968	DOMESTIC	01-01 12-31	0.20 CFS	
TOTAL DIVERSION:					0.20 CFS	

Water Source: SPRING

Tributary to: JORDAN CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R03W S06

SESENW

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
05S	03W	6	:				17-D	18-D	:					:					:	D	19-D			:

POU County: OWYHEE

Other Rights: 55-07011 & 55-07409

Remarks: QNT USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF .20 CFS. COMBINED RIGHT NOS.:
55-04007, 55-07011, 55-10130, AND 55-10239.

USE DOMESTIC USE IS FOR 14 HOMES, INSIDE USE ONLY; 2 HOMES WITH
INSIDE USE AND LAWN IRRIGATION.

EXP SOURCE ALSO KNOWN AS CITY SPRING.
PLACE OF USE ALSO KNOWN AS LOTS 44, 49, 54, 55, 65-67, 71, 72,
74-76, 79, 88, 94 AND 96.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 55-04007, 55-07011, 55-10130, AND
55-10239.

Dates: Exam Made Date: 11/05/1987

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Comments: Date: 03/02/1998 User-ID: LHARRIS Subject: COPIED FROM REMARKS
SINGLE SPRING ON TRACT LINE & LOCALLY KNOWN AS CITY SPRING. CONS.
USE: 10 AFA IRRIG + 21.6 AFA DOMEST. (36 X .6) + .6 AFA COMM..
COMMERCIAL USE SERVES IDAHO HOTEL, WHICH IS PROBABLY OLDEST USER
FROM SYSTEM & MAY HAVE SEPARATE CLAIM FILED FOR EARLIER D.O.P..
ALL DELIVERIES OF WATER FROM THE SPRING ARE THROUGH THE S.C.T.A.
DELIVERY SYSTEM. SEE FILE 55-07011 FOR ANALYSIS OF FLOW RATE IN
THE SYSTEM. DOM. + COMM. P/U = IRRIG. P/U (HOTEL @ TRACT LINES).
IRRIGATION COVERS THE YARD USE. PRIMARY USE IS INTERNAL; IRRIG.
ONLY AFTER THIS OCCURS. SAME ACRES AS OTHER IRRIG. FROM SAME P/D.
USES IN THIS CLAIM DATE TO VARIOUS PRIORITY DATES INCLUDING SOME
TO 1800'S & EARLY AS WELL AS MID-1900'S. ASSOCIATION DECIDED TO
FILE 1 CLAIM FOR ALL GRANDFATHER USES SERVED BY SYSTEM FROM
CITY SPRING INCLUDING IDAHO HOTEL & USE LATEST ALLOWABLE D.O.P..
THIS CLAIM RESULTS FROM CONSIDERABLE CONFUSION IN THE LICENSING
OF 55-07011 & IS FILED ON RECOMMENDATION FROM WESTERN REGIONAL
STAFF. STAFF RECOMMENDS NO LATE FEE. SEE JAN S. &/OR STEVE L.
THIS RIGHT, WHEN COMBINED WITH OTHER RIGHTS FROM THE SAME SPRING,
SHALL NOT EXCEED THE RATE OF FLOW LICENSED IN 55-07011. DOMESTIC
UNITS IN CLAIM ARE DIFFERENT THAN THOSE IN 55-07011 AND 55-07409.
THIS RIGHT RESULTS FROM COMBINING A NUMBER OF SINGLE FAMILY
DOMESTIC USES IN ONE RIGHT WITH A SINGLE PRIORITY DATE (LATEST
DATE OF THE PREVIOUSLY UNRECORDED INDIVIDUAL USES).

Audit: 03/02/98 LHARRIS

Delete

save

SUPPLEMENT TO RECOMMENDED RIGHTS FROM CITY SPRING AT SILVER CITY

**PREPARED BY STEVE LESTER *SL*
IDWR WESTERN REGION
MARCH 4, 1998**

This explanation is provided to all claimants whose Snake River Basin Adjudication Claims identify the "city spring" in Silver City as a source. The explanation is provided for the claimants because it may be confusing to receive a recommended right without a complete explanation of all uses from the city spring.

The following terms are used:

CAMPGROUND = Ottos' private campground uphill from IPB site

CITY = Silver City Property Owners Association

CITY SYSTEM = City's diversion works and delivery pipelines

IDWR = Idaho Department of Water Resources

IPB = Ottos' hostel at Idaho Power building

LOG CABIN = Ottos' secondary structure near the IPB site

SRBA = Snake River Basin Adjudication.

STORAGE TANK = the new City tank that replaced the old wooden tank.

The claims have been recommended by IDWR as shown in this mailing. The recommended rights are subject to corrections per the claimant response period provided under Idaho law. IDWR recommendations are based on a review by IDWR legal and other staff. The recommendations result from a thorough review of all the evidence provided by the claimants plus IDWR field exams conducted from 1987 through 1994.

If a use for an individual owner is recommended under that owner's older claim, that use has been deleted from the City's younger claims to avoid duplication. Supplemental information shown below is arranged alphabetically by ownership.

CITY RIGHT NOS. 55-10204, 55-07011 AND 55-07409

55-10204 - recommended with 1968 priority date for domestic use for 16 homes where 2 of the homes include lawn irrigation. This right results from combining a number of single family domestic uses, previously unrecorded until the SRBA, under a single priority date. The latest priority date for the combined uses must be used in such situations. The right lists the lot numbers served by this right.

55-07011 - recommended with 1971 priority date for 22 homes where 2 of the homes include lawn irrigation. Also covers commercial use at the Idaho Hotel. The lot numbers are not completely known for this right so have been omitted. The recommendation is based on a pending license. The right now exists as a permit which was field examined in 1987 before SRBA claims were filed. Licensing has been complicated by competing SRBA claims. It is assumed that the license can be issued before the IDWR Director's Report is submitted to the SRBA Court (later this year after the claimant response period is completed).

55-07409 - this permit includes a 1990 priority date to cover those uses initiated after the November 1987 field exam of 55-07011. This right is outside of the SRBA scope and therefore will not be included in the Director's Report nor will it be decreed by the SRBA Court. The permit can be licensed for domestic use for 23 homes (includes 1 home with lawn irrigation) and a public drinking fountain assuming that the other two City rights are decreed as above.

City Summary - the 3 City rights will cover domestic use for 61 homes including lawn irrigation at 5 of those homes (that is all of the irrigation found by 1994 field verification) plus drinking water at the public fountain and commercial water for the Idaho Hotel. All other uses via the City System are covered under individuals' rights.

FREDRICKSON RIGHT NO. 55-13655

Recommended to be disallowed based on insufficient evidence of priority date. IDWR legal staff determined that a contentious situation such as the City Spring requires better documentation to support SRBA claims. This use is recommended for 1 home (in-house use only) in City right 55-07011.

HYSLOP RIGHT NO. 55-10239

This right is recommended with a 1874 priority date for 1 home (in-house use only) for Lot 50.

IDAHO HOTEL RIGHT NO. 55-10205

This right is recommended for disallowal based on evidence of forfeiture from 1942-1968. This commercial use is recommended in City right 55-07011.

OTTO RIGHT NOS. 55-04151 and 55-10130

55-04151 - recommended with a 1937 priority date for 2 sources: overflow from the storage tank plus any additional water provided from the old shaft/tunnel located below the tank and the road (shaft/tunnel is near the flume by the campground). The points of diversion include the overflow collection at the storage tank plus the shaft/tunnel. Uses include commercial use at the campground and the IPB site plus domestic use at the IPB site (note dual uses depend on arrangement with guests at the site). This is not water piped into the IPB, rather it is water delivered via a ditch to the IPB site. Uses do not include any lawn etc. irrigation.

55-10130 - recommended with a 1922 priority date for domestic and commercial water for the IPB and Log Cabin delivered by the City system. This is water piped into the two units and does not include lawn etc. irrigation. This right includes the dual use arrangement noted in 55-04151.

Additional right? - another filing is needed to cover a spring that contributes water to the delivery system in 55-04151. An old mining shaft is located above the road not far from the storage tank overflow diversion. This additional source cannot be included in any of the current Otto rights. If the use started before 5-20-1971, a late SRBA claim can be filed along with evidence to support the beneficial use claim. If the use started on or after 5-20-1971, an application for permit should be filed to establish a 1998 priority date. The appropriate filing should be made without delay.

STATHAMS' RIGHT NOS. 55-04007 AND 55-04110

55-04007 - recommended with a 1909 priority for in-house domestic use at 2 homes, Lots 91 and 92. Does not include lawn irrigation (see next right).

55-04110 - recommended to be disallowed per 1994 withdrawal of claim. This claim was for lawn irrigation at 1 of the Statham homes but has been recommended in City right 55-10204.

All of the uses regarding the City Spring are covered by the above recommendations to the extent that the uses have been verified by claimants' evidence and/or IDWR field examinations.

ADDITIONAL RIGHT NOT FROM CITY SPRING

Included in this explanation is another right not from the City Spring but serving homes also served under the City rights.

55-04000 - recommended with a 1948 priority for an unnamed stream (flow from old mining tunnel) located uphill from the homes. IDWR has been informed that this right serves Lots 36 and 44 for Cramer and Fredrickson homes. The claim lists Cramer and Statham, but IDWR has learned that Statham property is not involved. The home owners served by this right should file a change in ownership with IDWR to replace Statham with Fredrickson assuming that IDWR has the correct information for this situation.

AJ0749NP
No. R55-10204

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/03/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
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TOTAL DIVERSION:					0.20 CFS	

Water Source: SPRING

Tributary to: JORDAN CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion:

T05S R03W S06

SESENW

OWYHEE County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
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POU County: OWYHEE

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Dates: Exam Made Date: 11/05/1987

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Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments: Date: 03/02/1998 User-ID: LHARRIS Subject: COPIED FROM REMARKS

AJ0749NP
No. R55-10204

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

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THIS RIGHT RESULTS FROM COMBINING A NUMBER OF SINGLE FAMILY
DOMESTIC USES IN ONE RIGHT WITH A SINGLE PRIORITY DATE (LATEST
DATE OF THE PREVIOUSLY UNRECORDED INDIVIDUAL USES).

Audit: 03/03/98 LHARRIS

Recommendations for

R File

See Attached profile
Report

-JL
3/1/98

Stage: BENEFICIAL USE

Remarks: GEN SINGLE SPRING ON TRACT LINE & LOCALLY KNOWN AS CITY SPRING. CONS. USE: 10 AFA IRRIG + 21.6 AFA DOMEST. (36 X .6) + .6 AFA COMM.. COMMERCIAL USE SERVES IDAHO HOTEL, WHICH IS PROBABLY OLDEST USER FROM SYSTEM & MAY HAVE SEPARATE CLAIM FILED FOR EARLIER D.O.P.. ALL DELIVERIES OF WATER FROM THE SPRING ARE THROUGH THE S.C.T.A. DELIVERY SYSTEM. SEE FILE 55-07011 FOR ANALYSIS OF FLOW RATE IN THE SYSTEM. DOM. + COMM. P/U = IRRIG. P/U (HOTEL @ TRACT LINES). IRRIGATION COVERS THE YARD USE. PRIMARY USE IS INTERNAL; IRRIG. ONLY AFTER THIS OCCURS. SAME ACRES AS OTHER IRRIG. FROM SAME P/D. USES IN THIS CLAIM DATE TO VARIOUS PRIORITY DATES INCLUDING SOME TO 1800'S & EARLY AS WELL AS MID-1900'S. ASSOCIATION DECIDED TO FILE 1 CLAIM FOR ALL GRANDFATHER USES SERVED BY SYSTEM FROM CITY SPRING INCLUDING IDAHO HOTEL & USE LATEST ALLOWABLE D.O.P.. THIS CLAIM RESULTS FROM CONSIDERABLE CONFUSION IN THE LICENSING OF 55-07011 & IS FILED ON RECOMMENDATION FROM WESTERN REGIONAL STAFF. STAFF RECOMMENDS NO LATE FEE. SEE JAN S. &/OR STEVE L. THIS RIGHT, WHEN COMBINED WITH OTHER RIGHTS FROM THE SAME SPRING, SHALL NOT EXCEED THE RATE OF FLOW LICENSED IN 55-07011. DOMESTIC UNITS IN CLAIM ARE DIFFERENT THAN THOSE IN 55-07011 AND 55-07409

January 22, 1998

Mr. Steve Lester *SL*
Water Rights Supervisor
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

JAN 26 1998

WATER RESOURCES
WESTERN REGION

RECEIVED

JAN 28 1998

Department of Water Resources

RE: ADJUDICATION CLAIMS A55-07011 AND A55-10204

Dear Mr. Lester:

Thank you for your letter of January 9 concerning the need for additional information concerning the Silver City water system filings. The following requested information is provided:

- **Change-of-Address.** The attached change-of-address form provides our correct current mailing address as:

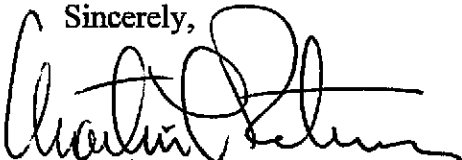
Silver City Property Owners Assn.
c/o Martin L. Peterson, President
743 Hearthstone Dr.
Boise, ID 83702

208-364-4033

- Evidence of date of priority for claim no. A55-10204. I am enclosing notarized statements by six individuals attesting that the Silver City water system was in use prior to the September 1, 1968 priority dated listed under claim A55-10204.

If I can provide any additional information, please let me know.

Sincerely,



Martin L. Peterson
President

Silver City Property Owners Association, Inc.

*Appears to be a
from 1994 evidence
in A55-10204*

-SL

cc: Silver City Water Committee

*Orig → A55-10204
cc → A55-07011*

ASS-10204

cont.

-JE 3/1/98

EXP

→ Source known locally as City Spring.

EXP

Right nos. 55-04007, 55-07011, 55-10130 and 55-10239

FOLD

are also diverted through the same pld.

QNT

This right, when combined with right nos. same list of #3

EO4

cannot exceed .20 cfs.

This right results from combining a number of

commented } single-family domestic uses in one right with a single priority date (latest date of the previously unrecorded individual uses).

EXP

→ Pluata Lots 44, 49, 54, 55, 65-67, 71, 72, 74-76, 79, 88, 94 and 96.

***** Attorney-Client Privileged Information*****

TO: Steve Lester 
FROM: John Marshall
DATE: February 26, 1998

RE: Silver City Recommendations

Steve:

Following are the suggestions I have for the recommendations of the domestic and commercial claims in Silver City based on my review of the files you provided. I did not have a chance to research outside of the information contained in the files. However, I believe that the information contained in the files provides a sufficient factual background on which to make the recommendations.

A55-10205 Idaho Hotel (Lot 34)

This right should be disallowed for forfeiture for non-use. There is solid evidence that this right was not used from 1942-1968. This use should fall under the permit right A55-07011.

A55-10239 Hyslop (Lot 50)

Priority of 1874. They have submitted convincing evidence from the *Owhyee Avalanche* that this right was developed and we do not have any evidence that it was forfeited for non-use.

A55-13655 Fredrickson (Lot 35)

This right should be disallowed. Given the contentiousness of the area, I felt that a self-signed affidavit was not good enough evidence to support an early priority date. This right should be included in the permit right 07011.

A55-04007 Statham

This is the Statham's right to the city spring water through the city system. She provided convincing evidence from her mother that they were hooked in by 1909. This is the priority I would suggest for this right.

A55-04110 Statham

Disallow based on their withdrawal.

A55-04151 Otto IPB Overflow right in combination with unnamed spring

Gloria claims a priority for this right of Jan 1, 1903. I could not find any documentation from her that supports this priority. She has affidavits from several folks supporting a priority of 1922 and 1937, but nothing that I can find that supports 1903 (which does not

mean that its tucked away in her filings somewhere). This right is problematic since it claims as its source three different (as far as I can tell) sources--1) the overflow from the city system, 2) water that comes out of the tunnel even when there is no overflow, and 3) spring water coming out of an old mine shaft (good for drinking I'm sure). I parsing through the affidavits, I noticed several that gave 1922 the date of first use, but only for sources that did not include the city spring overflow. The only affidavit I could find on overflow supported a date of 1937. The reason this matters is because I'm not sure that this overflow right is a waste water right. It may be an independent right to the use of spring water. I have not looked carefully into the law of waste, but my recollection is that waste water is water that is captured after it has been put to a beneficial use. In this case the overflow water has not yet been put to a beneficial use and the argument can be made that this is an independent right on the spring regardless of the fact that her diversion system depends on the city system. If this is the case, then she can make a call on the city spring water. In thinking through this as I write, the difference between 1922 and 1937 does not make too much difference since there are no intervening appropriators in that gap. Anyway, it seems to me like she has two different water rights--one for the spring and one for the overflow. It is my understanding that the Department can and has "spun off" new rights to correct filing errors of this sort. That may be the best bet here--a 1937 right to the overflow and a 1922 right to the unnamed spring.

I question whether or not this water is being put to beneficial use. This is your call. I have not been out there, but the documentary evidence is pretty thin. I imagine that I my suspicions are raised given her might efforts (likely at the prodding of counsel) to show that there are beneficial uses occurring. Trying so hard to prove use makes me think that a legitimate use does not exist. At the very least, as you and I discussed before, there is not an irrigation use associated with this water.

A55-10130 Otto

I do not believe that Gloria provided sufficient evidence to support her contention that predecessors in interest to her property used the city spring prior to the installation of the hotel system in 1902. She has not provided any reliable evidence connecting "willow spring" to the city spring. I do believe, however, that she has provided good enough evidence to prove her property was tapped into the city system by 1922 through the affidavit of Patrick Kidder.

A55-10204 Tax Payers

The association did not provide sufficient information to support all of the claimed uses in 1968. Roxane Brown identified the following lots as having been identified with a priority of 1968: Lot 44, 49, 54, 55, 65, 66, 67, 71, 72, 74, 75, 76, 79, 88, (91) 94, 96. = 0/16

Roxane identified through looking at the license file another 21 homes that can be included in the 07011 filing.

C + Frederickson - 0/1
IO HOTEL - commercial
for 7011 = 0/22 + IO HOTEL

already covered A55-04007
(covered A/R) = 57011tham

I hope that this helps. Please feel free to give me a call this weekend. I will be in the office most of the day on Sunday (327-5404) or you can catch me at home on Sat (395-1745).

[Handwritten signature]

MOST OF THE FOLLOWING HOMES WERE HOOKED
TO THE OLD WATER LINE LONG BEFORE THE DATES
STATED HERE, THE OLD WATER LINE DETERIORATED
AND HAD TO BE REPLACED, I AM SURE OF THE
DATES OF THE REHOOK UP.

COVERED
BY

-10239 ✓ 1. Hyslops	1943	Silver Slipper - 1944
2. Lewis-Smith	1943	Drug Store - 1944
3. Thomas's	1943	L.S. Walt Adams 1946
07011 ✓ 4. Idaho Hotel	1943	John Grote 1944
665? 5. Nettletons Paul	1943	Don ~~Reid~~ Rich 19
6. Burtons	1943	Odd Fellows 19
4007 ✓ 7. STATHAM	1943	
666 8. Swagone	1943	Old int use only
679? 9. ORTON-TACHE	1943	1944 int 10204
688 10. JAYO	1944	
671 11. CARR	1946	
12. BENNETT	1946	
679? 13. BARNES	1946	
655 14. CHADWICK	1946	
now ✓ 15. NETTLETON HAE	1946	
675 } 16. WOOD'S	1946	
674 } 17. CLARKS	1946	
-7011 ✓ 18. FREDRICKSON	1946	
19. SNELL	1946	

✓ 20. Idaho Power - 1948

✓ = IPB (3 thru 4000 per Otto's info)

(typ) Otto

See - 4157 } 50 delete from
- 10130 } any/all city & imp

from: 2/25/94 Evidence of priority in Ass-10204 -Pg 1 of 2

TO WHOM IT MAY CONCERN

The following is a listing of buildings in Silver City which were connected to, and used water from the Silver City system and the city spring during or prior to 1968. The buildings are listed by lot number and owner at the time, as well as present owner.

1. ✓ Lot 74- Hugh Nettleton family residence now owned by Dave and Sharon Clark.
2. ✓ Lot 71- Sid and Ruby Orton (Butcher Shop) now owned by the Gayland Carr family.
3. ✓ Lot 79- Sid and Ruby Orton (residence) now owned by Jim and Judy Barnes.
4. ✓ Lot 75- Cecil (Moose) Wood (Undertakers' building) now owned by Storm Spoljarik.
5. ✓ Lot 76- Don Reich family residence now owned by the Paul McGrew family.
6. ✓ Lot 72- Leonard Souvenir Store now owned by Ken and Linda Jantz.
7. ✓ Lot 94- Floyd Tegnell residence now owned by Rob O'Malley.
8. ✓ Lot 54- Walt Adams residence still owned by Walt Adams family.
9. ✓ Lot 55- Avalanche Building now owned by the Chadwick family.
10. ✓ Lot 65- Tom Rock's Bar now owned by Paul and Pat Nettleton.
11. ✓ Lot 66- Lippincott Building (Dr. S.A. Swayne) still owned by Cleo Swayne.
12. ✓ Lot 67- Post Office owned then and now by the Karl Laible family.
13. ✓ Lot 91- Rusty Statham residence still owned by Rusty and Wilma Statham. *already covered ASS-04007*
14. ✓ Lot 96- Bill and Mary Hanson residence now owned by the Loren Wahl family. *has yard*
15. ✓ Lot 88- Bryan and Ida Brunzell residence now owned by Dick and Barbara Jayo.
16. ✓ Lot 49- Mrs. Eleanor Beaman residence now owned by David and Sara Miller. *has yard*
17. ✓ Lot 44- Phil Cramer residence still owned by Phil Cramer family.

I CERTIFY THAT I HAVE PERSONAL KNOWLEDGE OF THE WATER USAGE OF EACH OF THESE BUILDINGS AS A RESIDENT OF SILVER CITY IN 1968 AND PRIOR YEARS.

SIGNED Paul Nettleton
Paul Nettleton

STATE OF IDAHO

COUNTY OF Orange

On this 24th day of Feb in the year of 1994, before me,

a Notary Public, personally appeared Paul Nettleton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Nicholas K. Shli
Notary Public for Idaho

Residing at Murphy, Id

My commission expires: 1/31/2000

- p5 2
of 2

INTERNAL USE

MAXIMUM
INSTANTANEOUS
WATER REQUIREMENTS
FOR
* DOMESTIC USE

C.F.S.
1.50

1.25

1.00

0.75

0.50

0.25

0.00

Houses Served - Rate of Flow (cfs)

1	.04
2	.06
3	.08
4	.10
5	.11
6	.11
7	.12
8	.13
9	.14
10	.15
15	.18
20	.20
30	.25
40	.30
50	.33

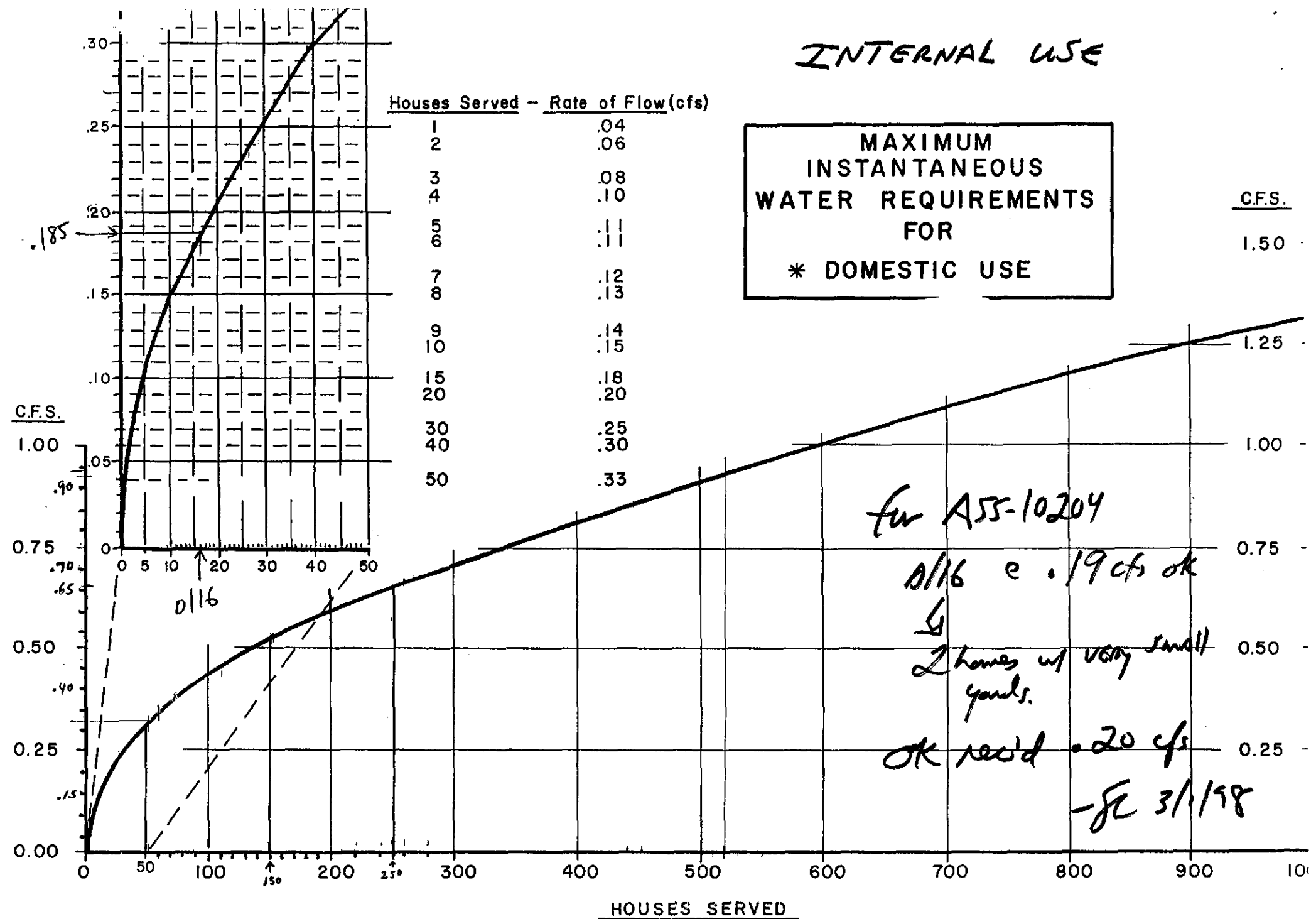


FIG. 1.

* (From Community Water Systems Source Book, J. Ameen, 1977, Technical Proceedings, North Carolina.)

S R B A FIELD EXAM

NOTES

claim # A55-10204

EXAM DATE

EXAMINER Steve Foster

See permit field exam in

55-07011 for ≥ 1987 field

exam info

-jc 3/1/58

OK to use same field exam

data in 55-07011 for

d'entry purposes in A55-10204

INTER-DEPARTMENT MEMO--1

FROM Steve Lester
TO FILE

DATE 1/25/98

SUBJECT Julia Hyslop Affidavit dated 1/12/96 & IPB etc.

Relates to # of SRA files. Received on 2/6/96.

Filed as follows:

original - w/ 1/9/92 "EXCEPTION" & ASS-04151 & ASS-10130.

copies - w/ ASS-10204 (ASSN.)

ASS-10205 (ID HATCC)

ASS-04006 (OTB & IPB from another source)

Steve Lester
SIGNATURE

RECEIVED

FEB 06 1996

WATER RESOURCES
WESTERN REGION

AFFIDAVIT

Concerning the source of water now being used in the building in Silver City Idaho known as the Idaho Power building.

I Julia J. Hyslop affirm that I have been researching the buildings and the history of Silver City for 40 some years. My card file contains information on the buildings taken from all the deed books in the Clerks office of Owyhee County. My information file contains all references to the buildings and includes some other matters taken from the newspaper accounts of the Owyhee Avalanche from 1865 through 1904. I affirm the following statements to be accurate as I have learned them from my research.

First in time, first in right, seems to be the position in decisions concerning water rights in Idaho.

Carl and Gloria Otto claim first rights to the spring on Florida Mountain now known as City Spring and used by the town of Silver City to furnish water to the buildings in Silver City. Their claim concerns the building known as the Idaho Power building which is presently on the town system.

The Ottos claim first use of City Spring from Willow Spring.

Never in all the information I have collected have I found a reference to Willow Spring, except the one Gloria Otto refers to in her claim to the water rights of the Silver City Spring. In 1898 William Williams filed on a spring he called the Willow Spring. His stated reason was to furnish water for a residence and for mining. He had purchased a house in 1898 north of the Lincoln Mill building. It was close to where the Otto storage shed is now located. It is only reasonable to suppose that Williams intended his water to go to his house for the residential use called for in his filing. There is no record to my knowledge that equates Willow Spring to the City Spring. The only connection is, that they both seem to be within a half a mile of Silver City on the same side of the mountain. Williams had no connection to the Lincoln mill at this time.

Another point that the Ottos make is that the water for running the Lincoln Mill came from this (the City Spring) in 1866. The newspaper states that the Lincoln Mill was furnished water from a ditch they purchased.

The Idaho Hotel Water System

In 1868 the Idaho Hotel brought water from a spring on Florida Mountain, down into the hotel; in later years they furnished water to many buildings in town. All of the above has been documented and submitted to Water Resources by the Silver City Property Owners, the Silver City Water Board, the organization of the people of Silver City.

During the summer months of 1902 the Idaho Hotel had commenced work on what is now called the City Spring when they upgraded the town water system. The wooden tank was installed, new pipe laid, and half the town was using water from the system. This is the system that was still in use until 1988 when the water users installed a new tank and pipes so that all residents could come onto the water line.

In my opinion the important point in the Otto filing on the water rights to City Spring hangs only on when the building referred to now as the Idaho Power building began using water. The Idaho Power building sits on the Lincoln Mill property. It was used as a shed for many years and later as a transformer house for the Owyhee Electric Light Co. which became a part of Idaho Power Co.

The Idaho Power building had been a storage building for the mill, by 1902 it was used as a transformer building for Owyhee Electric Light Co. On August 1, 1902 The Board of County Commissioners met; sitting as a Board of Equalization they referred to the transformer house used by the Owyhee Electric Light company as being sixty feet southerly from the mill building. They ordered that the Assessor add the name of the Owyhee Electric Light company and the property described to the assessment roll of Owyhee County.

In the December 12, 1902 newspaper, there appeared a story on W. B. Hurd intending to turn a portion of the transformer house into a residence. On January 16, 1903 the Hurd family moved into their newly finished home in the transformer house.

Conclusion:

1866-The Lincoln Mill was built and used water from Long Gulch transferred by a ditch.

1868 The Idaho Hotel established a water system to the hotel from water on Florida Mountain.

1898 William Williams files for a water right, he showed no connection with the Lincoln Mill or with the Idaho Hotel for the use of this water.

1902 The Idaho Hotel upgraded their water works, installing a new tanks and pipes which were attached to the present City Spring .

1902 The Owyhee Electric Light Company used the Idaho Power building as a transformer house.

1902 Hurd began to construct a residence in the transformer house.

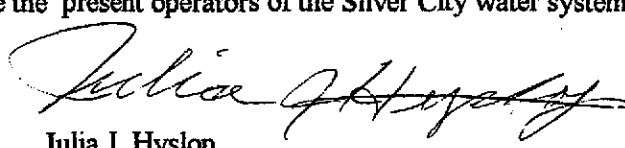
1903 January the Hurd family moved into the residence.

1903 The mill had been shut down.

1942 The hotel closed. The towns people took on the task of keeping the water lines repaired and usable. This continued until the Silver City Taxpayers was organized and took on the responsibility for the system which is continued to the present day. The Silver City Taxpayers name was changed to the Silver City Property Owners, Inc. The water is administered by the Water Board, elected from and by the water users of Silver City.

It is important to note that until the Hurds moved into the residence there was no need for water in the building known as the Idaho Power House. The Idaho Power House has been on the city water line for many years. Not always used but still attached. So, first in time first in right will be seen to be the present operators of the Silver City water system.

Sincerely


Julia J. Hyslop

Dated:

Notarized signature attached, filed with original.
-gr 1/25/98

January 22, 1998

Mr. Steve Lester 
Water Rights Supervisor
Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

RECEIVED

JAN 26 1998

WATER RESOURCES
WESTERN REGION

RECEIVED

JAN 28 1998

Department of Water Resources

RE: ADJUDICATION CLAIMS A55-07011 AND A55-10204

Dear Mr. Lester:

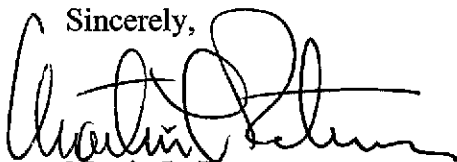
Thank you for your letter of January 9 concerning the need for additional information concerning the Silver City water system filings. The following requested information is provided:

- Change-of-Address. The attached change-of-address form provides our correct current mailing address as:
Silver City Property Owners Assn.
c/o Martin L. Peterson, President
743 Hearthstone Dr.
Boise, ID 83702

208-364-4033
- Evidence of date of priority for claim no. A55-10204. I am enclosing notarized statements by six individuals attesting that the Silver City water system was in use prior to the September 1, 1968 priority dated listed under claim A55-10204.

If I can provide any additional information, please let me know.

Sincerely,



Martin L. Peterson
President
Silver City Property Owners Association, Inc.

cc: Silver City Water Committee

Appears to be a
from 1994 evidence
in A55-10204
-SL

Orig → A55-10204
cc → A55-07011



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

January 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

Mr. Martin L. Peterson
President, Silver City Property Owners Assn.
C/O President's Office, Univ. of Idaho
800 Park Blvd.
Boise, ID 83712

RE: ADJUDICATION CLAIMS A55-07011 AND A55-10204

Dear Mr. Peterson:

The above referenced Snake River Basin Adjudication (SRBA) claims cover uses served by the city's water system by late 1987. Additional connections to the system after that date are covered under a new permit (no. 55-07409) outside of the scope of the SRBA and thus not requiring an adjudication claim.

Note that claim no. A55-07011 is based on permit no. 55-07011 while claim no. A55-10204 is based on beneficial use ("grandfather right") that was not recorded prior to the SRBA. The former claim will be adjusted in the department's SRBA recommendation process to cover those uses between the older claim (A55-10204) and the newer permit (55-07409).

The association will have a full opportunity to respond to any SRBA recommendations that the department makes prior to the forwarding of the findings to the court (the Director's report). To assist in shaping the recommendations regarding these SRBA claims, please provide the following information.

1. Completed change in address form (see enclosed) to show the current name and address for the association.

2. Evidence of the date of priority for claim no. A55-10204 (see enclosed brochure).

The department's recently identified deadline to complete its recommendations is March 1, 1998. This is much sooner than I expected. Your earliest reply will be very helpful in this process. Please let me know if you need any assistance in this matter.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

November 8, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GLORIA OTTO
250 AUSTIN AVE
ATHERTON CA 94027

**RE: RECORDED RIGHTS FOR "CITY SPRING" WATER USE AT YOUR "IDAHO
POWER BUILDING" SITE**

Dear Gloria:

Enclosed are computer reports detailing the recorded water rights that include use of water via the "city spring" for use at your hostel, also known as the Idaho Power building (IPB), in Silver City. You requested copies today in our telephone conversation to assist you in working with the BLM to obtain approval for pipeline work involving public property.

Four recorded rights include in some fashion or another the use of city spring water for the property in question. Two of the rights have been recorded by you, and the other two have been recorded by the city.

Your Snake River Basin Adjudication (SRBA) claims, nos. A55-04151 and A55-10130, include use of the overflow water associated with the city storage tank. These are beneficial use claims to be addressed in the SRBA proceedings.

The city rights include SRBA claim no. A55-10204, the city's claim to record all "grandfather" uses developed prior to May, 1971. The claim addresses water delivered via the city distribution network. The other city right is permit no. 55-07409 issued for uses developed after November, 1987. This permit is beyond the SRBA scope and therefore does not have a SRBA claim associated with it.

It appears that ample water right recordings have been made to show that the IPB site enjoys use of water from the city distribution network as well as from the city tank overflow.

If you or BLM staff have any questions about this matter, please contact me at your convenience.

Sincerely,

Steve Lester
Deputy Regional Manager

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

October 28, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Gloria Otto
250 Austin Ave.
Atherton, CA 94027

Dear Gloria:

We have received your letters requesting that Claim Nos. A55-07011 and A55-10204 be changed from designating Otto's Bed and Breakfast to Group Hostel as a non-irrigation use.

Please be advised that Claim No. A55-10204 does not state on the claim that it includes a Bed and Breakfast establishment as a part of the Commercial use. It states, under Item No. 9, that the Commercial use is at the Idaho Hotel. A copy of this claim is enclosed for your review. Claim No. A55-07011 does state in Item No. 9 both the Idaho Hotel and Otto's Bed and Breakfast. However, we cannot change this item on the claim unless an authorized agent of the Silver City Taxpayer's Association Inc., would sign the amended claim form.

In Idaho, we do not differentiate between a Bed and Breakfast and a Group Hostel. To determine the amount of water, we use a chart based on what facilities are in the establishment, the average number of people served, and the average number of days per year the establishment is used.

If you have any further questions or comments concerning these claims, please feel free to contact either myself or Steve Lester.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

Enclosure

October 3, 1994

Jan Shurte
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

OCT 11 1994

WATER RESOURCES
WESTERN REGION

Dear Jan:

I would like to ask you to help me correct something on the Claim to a Water Right A55-10204 which grew out of a mistake that was made several years ago. During the process of dealing with the problems that arose out of the overflow dispute, and the field examination for 55-07011, and then the adjudication filings, the term "bed and breakfast" was attached to the business that I conduct at the Idaho Power Building. This term was used because "group hostel" was not known to those of us involved. When I pointed this out to the Silver City Property Owners who are in charge of filing on A55-07011 and A55-10204 they thought that the distinction is not enough to bother with. In my opinion, the difference is important and the change should be made.

The term "bed and breakfast" implies that the business rents a bedroom and serves breakfast. In a group hostel situation, the business rents the whole building and the facilities. The big difference lies in the fact that the B&B owner has complete control of the use of the water except for the bath and toilets. The group hostel owner cannot control the use of the water that his guests make in the kitchen, the laundry and the other purposes that go with a facility, other than caution them, or deny certain activities. If there is a procedure recommended by the IDWR to take care of this problem, let me know. Otherwise, I'll try to convince the SCPO that the difference is important enough to amend the application.

I have just had two school groups, each numbering 60 people. They engaged all the buildings I own for sleeping quarters, because it turned cold and rainy. A group of 14 mountain bike riders (all females) were here over the ²week end. Another group from Boise school is scheduled for next week.

Sincerely, Gloria Otto

RECEIVED

OCT 04 1994

September 30, 1994

WATER RESOURCES
WESTERN REGION

SL
Steve Lester
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

Dear Mr. Lester,

In reading the files on the Silver City water right A55-10204, I noticed that ~~my~~ my business at the Group Hostel (the Idaho Power Building) is listed as a bed and breakfast. This filing was made without my participation. As a result there has been a mistake made. I have never operated a bed-and-breakfast although that term used to cover group hostels too. The difference is that the use of water in a bed-and-breakfast is controlled by the operator of the establishment. Only a bed and bath and a sweet roll and coffee constitutes a bed and breakfast service. A group hostel is quite different. That type of business offers accommodations for large groups of people, who control the use of the water, use the water themselves to cook, clean pots and pans and dishes, launder clothes as well as the bathroom facilities of bathtub or shower, flush toilets and most importantly a kitchen which is completely at the customer's disposal. In some states, a group hostel receives an allocation of 100 gallons per day per customer, whereas motels and hotels and bed-and-breakfast establishments on the average use 50 gallons per guest per day.

I am measuring the usage of water during a two-week period in which the following groups engaged Silver City Lodging, (my group hostel). The groups were Highlands Elementary 45 students and 17 chaperones; a mountain bike group of 14 for two nights and the Jackson Elementary for 45 students and ten adults. These numbers are fewer than the early groups which numbered 100 students and 20 adults. The groups used to come to Silver earlier in the year when the men opted to sleep outdoors. No matter where they sleep, each person requires more than 50 gallons per day.

Please change the wording from bed-and-breakfast to 'group hostel.'

Gloria Otto

February 25, 1994

Steve Lester
Water Rights Supervisor
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

RECEIVED

FEB 25 1994

WATER RESOURCES
WESTERN REGION

Dear Mr. Lester:

Enclosed you will find Evidence of Priority for Claim No A55-10204 furnished by the Silver City Property Owners Inc. (formerly The Silver City Taxpayers) organization.

We show, in three separate categories, the right of the Organization to claim the water and the use made of the water.

Category I

We have shown the date of the organization founding and the responsibility of the organization to function for the benefit of the people of Silver City.

See:

1. Incorporation cover by State of Idaho
2. copy of a Bill from Moffatt, Thomas Barrett & Blanton for review of Articles of Incorporation
3. check deposits of the organization dated 1968
4. list of members of the organization for the year 1968
5. Minutes of the 1969 Annual meeting of the Taxpayers (the first general meeting following the organizational year) with relevant information highlighted.

Category II

The Continuing use of the Water:

1. copy Owyhee Avalanche newspaper 02/15/1868 p3-c2 story of water into the Idaho Hotel showing commercial use.
2. Affidavit of Julia Hyslop concerning use of water at the building now known as the Miners Union Hospital for domestic use.
3. copy of Owyhee Avalanche 08/29.1874 p3-cl story of water being put into the Miners Union Hospital building for domestic use.
4. several affidavits from former Silver City home owners and present home owners that have knowledge of water use up to and including 1968. Several of these show irrigation use as well as domestic and commercial use.

5. copies of photos showing the location of the City Water Tank.

Category III

Showing the history of the water system and the present responsibility of the Water Users of Silver City.

The material in this category was formerly sent to you in 1991. As it is relevant to the past and present use of water it has been included here.

1. Water Board minutes showing responsibility for use of the water throughout the town.
2. Affidavit of Ed Jagel concerning his purchase and the reopening of the Idaho Hotel.
3. History of the Idaho Hotel water use.
4. Wilma Statham affidavit concerning her knowledge of water throughout the years.
5. copies of photos accompanying Mrs. Statham affidavit

We cannot claim commercial use in the Idaho Hotel in 1968, however there were some small business's in town that did use water at this time. See: affidavits of Ruby Townsend, Paul Nettleton and Julie Hyslop. The Idaho Hotel was granted commercial use when it was opened by Ed Jagel in 1972.

Several of the homes watered their yards during the sixties. This has never been an extensive use of the water; the Water Users Board has made this a low priority for water use.

This material has been gathered and sent to you on the authorization of the Board of Directors of the Silver City Property Owners.

Sincerely



Julie J. Hyslop
Secretary
10139 Rim Rd.
Nampa, Id 83686

to:

DEPARTMENT OF WATER RESOURCES

EVIDENCE OF PRIORITY FOR CLAIM NO A55-10204

February 25, 1994

from:

SILVER CITY PROPERTY OWNERS

RECEIVED

FEB 25 1994

WATER RESOURCES
WESTERN REGION

CATEGORY I



Department of State.

**CERTIFICATE OF CORPORATE STATUS
OF**

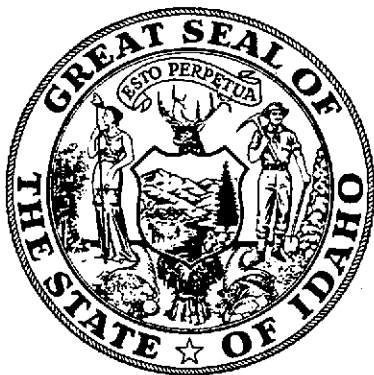
SILVER CITY TAXPAYER'S ASSOCIATION, INC.

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the corporation records of this State.

I FURTHER CERTIFY That the records of this office show that the above-named corporation was incorporated under the laws of Idaho and was issued a certificate of incorporation in Idaho on July 13, 1967.

I FURTHER CERTIFY That the corporation's authority to do business has not been forfeited.

Dated February 13, 1991.



Pete T. Cenarrusa

SECRETARY OF STATE

by *Elizabeth M. Hobbs*

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

FIRST SECURITY BUILDING

P. O. LOCK BOX 1869

BOISE, IDAHO 83701

TELEPHONE

AREA CODE 208

344-7825

WILLIS C. MOFFATT
EUGENE C. THOMAS
JOHN W. BARRETT
J. CHARLES BLANTON
JEREMIAH A. QUANE
LEO M. KRULITZ
D. DUFF MCKEE
R. B. ROCK
RICHARD C. FIELDS
WILLIAM G. CARLSON
BART W. HARWOOD

July 13, 1967

Statement of Account

Mr. Orville Peet
Post Office Box 244
Boise, Idaho

Re: Silver City Taxpayers Association

Legal Services in re: review of proposed
Articles of Incorporation

20.00

*pd. 11/7/67
ch # 3.*

ENDORSE ALL CHECKS IN THIS MANNER

Pay to the order of
The Idaho First National Bank
Your Signature (As check is drawn)

Followed by *Your Correct Signature* if necessary

ENCLOSE THIS FORM WITH CHECK IN ENVELOPE
SEND CURRENCY BY REGISTERED MAIL

WRITE YOUR NAME AND ADDRESS PLAINLY IN SPACE BELOW
SO THAT THIS DEPOSIT RECEIPT MAY BE MAILED TO YOU
WITH A NEW MAIL DEPOSIT ENVELOPE.



NAME Silver City Taxpayers, Assn., Inc.

ADDRESS c/o Nick Ihli, Treas.

CITY Murphy, I STATE Idaho 83650

JUN 5 1 38 PM '33

41000D3

Acknowledgment of Your Deposit

Date _____

We acknowledge receipt of your deposit of

_____ for \$ _____

THE IDAHO FIRST NATIONAL BANK

By _____

ENDORSE ALL CHECKS IN THIS MANNER

Pay to the order of
The Idaho First National Bank
Your Signature (As check is drawn)

Followed by *Your Correct Signature* if necessary

ENCLOSE THIS FORM WITH CHECK IN ENVELOPE
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THAT THIS DEPOSIT RECEIPT MAY BE MAILED TO YOU WITH A NEW
MAIL DEPOSIT ENVELOPE.



NAME Silver City Taxpayers, Assn., Inc.

ADDRESS c/o Nick Ihli, Treas.

CITY Murphy STATE Idaho 83650

JUN 7 5 28 PM '33

11500D3

Acknowledgment of Your Deposit

Date _____

We acknowledge receipt of your deposit of

_____ for \$ _____

THE IDAHO FIRST NATIONAL BANK

By _____

ENDORSE ALL CHECKS IN THIS MANNER

Pay to the order of
The Idaho First National Bank
Your Signature (As check is drawn)
Followed by *Your Correct Signature* if necessary

ENCLOSE THIS FORM WITH CHECK IN ENVELOPE
SEND CURRENCY BY REGISTERED MAIL

WRITE YOUR NAME AND ADDRESS PLAINLY IN SPACE BELOW SO
THAT THIS DEPOSIT RECEIPT MAY BE MAILED TO YOU WITH A NEW
MAIL DEPOSIT ENVELOPE.



NAME Silver City Taxpayers, Assn.

ADDRESS c/o Nick Ihli, Sec. Treas.

CITY Murphy, STATE Idaho 83650

JUN 7 5 56 PM '33

8263D3

Acknowledgment of Your Deposit

Date _____

We acknowledge receipt of your deposit of

_____ for \$ _____

THE IDAHO FIRST NATIONAL BANK

By _____

NICK IHLI
Clerk of District Court
Ex-officio Auditor and Recorder
Clerk, Board of County Commissioners

COUNTY OF OWYHEE
MURPHY, IDAHO

July 22, 1968

BARBARA JAYO
Deputy

IRENE TYSON
Deputy Recorder

Dear Rusty:

Enclosed is a list of the Silver City Taxpayers that have paid dues for the year, 1968.

H. R. Statham	Keith Chadwick
Orville Peet	Earll C. Blodgett
H. E. Nettleton	Mildretta Adams
Fred Leonard	Bryan Brunzell
Victor C. Ford	Gloria Otto
Gertrude Peer	Ned Williams
Julia Hyslop	John Carpenter
Roy Ganow	Lester B. Nelson
Nick Ihli	Edna Bonnell
Emaline Nettleton	Philip Cramer
J. H. Nettleton	Tom Brunzell
C. M. Orton	Mordello Lee
Jack Burke	Paul Sligar
Karl J. Laible, Jr.	

Donald L. Reich, 3423 Sunset Ave., Boise, Idaho 83707 (Cox house)

Ted Lewis, Rt. 3, Box 164, Nampa, Ida. (Joan Brogan house)

Joe Bennett (Contribution)

Elmer J. Smith
John McDaniel
Fred 7-11

Also enclosed is check for that work done with the backhoe. Please sign and forward to John McDaniel, Murphy, Idaho.

Will keep you posted if any more dues come in.

Sincerely yours,

Nick

July 19, 1969

Meeting called to order 2:30 P.M. in Silver City, Idaho.

Minutes of last years annual meeting read and approved.

Treasurers Report. Financial Statement Balance as of July 20, 1968 \$339.73
Membership \$135.00 Contributions 1,244.00 Net profit on Dance Supper - 57.91
(County Commissioners contributed \$300.00 in 1968 and \$400.00 in 1969)

Phil Cramer asked if we would be able to get County help again this year.

Roll call was taken. " member absent, Elwin Larson and Fred Leonard (Fred came late)

Report to Secretary of State made and the Incorporation is in good standing another year.

Committee report: We did have a watchman.

Orville Peet has sold his property and resigned. Elwin Larson appointed to fill Orville's term. Paul Sligar also has resigned and Fred Leonard appointed in Pauls place.

Nominated were Emeline Nettleton, Elwin Larson and Doctor Swayne. Motion made and seconded to close nominations. Election held. Emeline Nettleton and Dr. Swayne were elected.

Keith Chadwick was nominated by Sid Orton, seconded by Nick Ihli. Sid refused office. Dr. Swayne moved the nominations be closed. Emeline Nettleton for Vice Pres. by Sid and Dr. Swayne moved nomination be closed and the rest of the board be retained.

Board elected Keith Chadwick Pres. Emeline Nettleton Vice Pres. Nick Ihli ~~Secretary~~ Treas. Eleanor Beaman as Secretary.

Rusty thanked them for the opportunity of working with the Group.

New Business:

Sid Orton suggested we begin to figure on a watchman for this winter. Vic will know in 2 or 3 weeks if the Lansing's will come back. The Grete house has again been donated for the caretaker. Jack Burke knows someone who will come as watchman.

Vic Ford suggested that anyone who does not pay donation on their house, let it be robbed. Rusty Statham thanked the Gretes for the use of their home.

Fred Leonard said the Odd Fellows voted \$25.00 for 68-69 dues/ BLM has 2 or 3 outside Restrooms to be installed.

Total for watchman \$1265.80. Phil Cramer asked if we could afford a watchman. There has been a lot of unfavorable comment on the County Commissioners supporting Silver City.

Don Reich made a motion we get one watchman provided we can afford it. Seconded by Hubert Nettleton. Sid Orton says can we afford not to have one?

John Rogge suggested the board seek some way to raise assessments. Fred Leonard thinks \$10.00 can be afforded by all. All in favor of a watchman if we can afford it motion carried.

Financial problem suggestions: Mr Rogge made a motion to get contributions out of the Lodge etc., also the County Commissioners. Motion made to contact groups. Motion seconded by Sid Orton. Motion voted on and carried. Don Reich suggested a "donation Plate" for the Cattlemen group. Phil approved the idea, have something permanent donation pool such as the cripple children fund.

Souvenir cards for "preservation of Silver City" to raise money. John Rogge made a motion to appoint a Committee to put up contribution boxes and cards. Emeline Nettleton seconded the motion. Motion carried.

Mrs. Hubert Nettleton committee chairman will pick her committee. Hubert Nettleton made a motion that Vic Ford talk to the Cattlemen for a donation. Vic agreed to contact the Owyhee Cattlemen Assoc.

Mildretta Adams made a suggestion that the By Laws be changed to name a President from the floor.

Mrs. Chadwick suggested people interested in Silver City be contacted for contributions. Phil Cramer suggested a letter of acknowledgement be sent to the one who contribute. Suggestion that the Board hire a watchman and see what we need to finance.

~~Phil Cramer suggested a letter of acknowledgement be sent to the one who contribute.~~

Rusty Statham reported the BLM is trying for Recreation for the Northern part of Owyhee Co. New director of Commerce and Development he called asked what the Taxpayers Assoc. would approve.

Motion made to adjourn meeting by Hubert Nettleton and seconded by Eleanor Beaman.

(Income \$1620.00. Exp. \$ 1581.17 Bal on Hand \$378.59)

CATEGORY I I

WINES & LIQUORS
OF THE
Best Quality,
BY THE
Barrel, Case or Bottle
our
BRANDIES and WHISKIES
Are not excelled for Purity.

An Immense Stock of
TOBACCO & CIGARS.

HARDWARE

CONSISTS OF
Iron, Steel Nails, Horseshoes,
Horseshoe Nails, Screws,
Butts, Files,
Axes,

MINING TOOLS & C.

California
MADE CLOTHING
of the finest quality,

BOOTS, BLANKETS, HATS, CAPS, GLOVES
&c., &c.

WE HAVE ANY QUANTITY OF
POWDER AND FUSE!

And with call particular attention to our varied stock of

CHEMICALS
FOR USE IN
Quartz Mills!

Grain Furnished on Orders!

ORDERS FOR MERCHANDISE SOLICITED
from surrounding MINING and MILITARY
CAMPS. We have every thing to sell,
and sell everything CHEAP—FOR CASH.

We respectfully ask an examination
of our stock and prices, and in asking
continued patronage, we return
thanks for that in the past.

THOMAS EWING & CO.

Owyhee Overland

Oct 15/1868 P3-C2

McDonald & Co. \$20,000 net
Huber & Co. \$1,000 net
Webb & Myron \$2,500 net
Making a total of \$23,500 net.
Nearly equal to the amount shipped below
by Wells, Fargo & Co. during the same period,
which was \$150,000.

THE GOLDEN CHARIOT.—The Owyhee mill has
worked 200 tons of Golden Chariot ore, and
Minor's mill is constantly running on the same,
both of which, it is understood, have given
very satisfactory results. We learn that a con-
tract has just been let for sinking a shaft fifty
feet on the ledge, at forty dollars per foot.

STEAM HOISTING WORKS.—We learn that en-
gines for hoisting purposes will soon be placed
on several of the mines, among which are the
Poneman, Golden Chariot, Oro Fino and the
Rising Star, in Flint—looks like business to see
such preparation.

THE PORCUP.—Messrs. Cope and Co. are busy
at work on the Porcupi. They are running a
drift on the ledge, south into the hill, from the
bottom of the shaft that we mentioned last
week. It keeps up its character for richness,
and is increasing in width.

ROXBORO.—We learn that the Excelsior mine
in Flint has been bonded to the Rising Star
Company, who have already commenced work
thereon.

PROMISES OF THE C. P. R. R.—Work on the
Central Pacific Railroad is being vigorously
pushed forward. A large force of Chinamen
are already at work in the Truckee cañon, ten
miles below Hunter's, and as many as can find
room are at work between that and the State
line. After the grading is completed in the
cañon rapid progress will be made up the Hun-
ter's hold.

Mrs DEXMILLER.—We learn from the *Statesman*
of the 6th inst., that the Indians whom the
scouts, Picket and Hicks captured several weeks
ago on the Owyhee, have acknowledged them-
selves as being a portion of the band who killed
Sergeant Denoille and captured his wife. They
admit that Mrs. Denoille is dead, but do not re-
veal the manner of her death.

WATER WORKS.—The Idaho Hotel, kept by
Eastman & Co., is abundantly supplied with
water from a limped spring on the side of Flor-
ida Mountain. It is conducted nearly a mile to a
reservoir in the hotel, a portion of the dis-
tance in a ditch, and the remainder in pipes.
It is really a splendid and valuable acquisition.
The water is sweet, and in Summer time it is icy
cold. Taken altogether Eastman's has splendid
water works.

LOOK OUT FOR FRESHETS.—(Owing to the great
depth of snow in the surrounding valleys, and
which will most likely go off before long with
a rush, there will be a more destructive freshet
than has ever been known in this country.
People living along the rivers will do well
to prepare for it. Especially look out for your
ferry-boats, or you will be under the necessity
of building new ones.

We direct attention to the communication,
"on railroads," in another column. The writer
fields a treacherous peg, and makes some capi-
tal hits. Come again. A long one at that—
without a terminus.

Books, Books!

A. H. WEBB,

Wholesale and Retail Dealer in All kinds
Books and Stationery!

Wells, Fargo & Co.'s Envelopes,
REVENUE AND POSTAGE STAMPS,

CIGARS & TOBACCO, PIPES, &c.

CITY BOOK STORE,
Brown & Lankin,

Postoffice Building, Boise City, Idaho Territory.

NEW BOOKS! LATE PAPERS!

IMPORTERS, AND WHOLESALE AND RETAIL
Blank Books, School Books, Law, Medical,
Miscellaneous and Standard Books of all kinds.
A full stock of late Novels, all the great Authors.
SUNDRIES, MAPS, BOOKS, STATIONERY AND FANCY
SHEET MUSIC, and Musical Instruments of all kinds.
No. BRANFLOTT'S TYPE-SETTING

Letter, Note, Legal Cap and Foolscap
Writing Paper, Water-proof, Parchment, Plain-lined and
other ENVELOPES, EXTERNAL RESERVE STAMPS,
POSTAGE STAMPS and Stamped Envelopes, The latest
Eastern, Western and California Papers and
MAZARINES, direction the Publishers, Goldsmiths, PHIL
Pens, Photograph Albums, Illustrated as well
as noted, W. J. J. ALLEN'S PUBLISHED Writing
and Copying ENR. Fishing Tackle and Vases, and
time—can furnish variety. KILLET WATKINS for address
and others.
97. Orders from any part of the Territory will receive
our prompt attention. ANY BOOK SENT BY MAIL on the
receipt of Price.
Boise City & Lankin,
Postoffice Building, Boise City, I. T.

APOTHECARY'S HALL!

Best Side Washington St., Boise City, I. T.

J. A. RUPERT,
DEUGGIST & APOTHECARY,

Wholesale and Retail Dealer in
DRUGS, CHEMICALS, PAINTS, OILS,
WINDOW GLASS, PATENT MEDI-
CINES, FANCY GOODS, &c.
And Every article usually connected with the

DRUG BUSINESS.

Those who are desirous of getting FINE, PRISTINE and
MICHIGAN, and of having them delivered ANYWHERE
will find it to their interest to deal at this Establishment.
N. B.—FRESH LEVON SUGAR always on hand.
J. A. RUPERT.

Edward Borman's
Boot and Shoe Shop,

Washington Street, next door below the Number 11.

All kinds of men, women and children's boots and shoes
made to order and of the best material

Repairing of every description neatly done at short
notice.

I HAVE on hand a large supply of Leather of a Superior
Quality, specially selected and adapted to the wants of
Customers here. I will, every thing best or above boots for
your money and I'll warrant you'll be satisfied. My motto is
"I STUDY TO GIVE SATISFACTION."
J. E. BORMAN

In fact we have everything
are selling at small pro-
fits and please
to have with the land to
sell.

LATITE

GOODS FOR

I HAVE JUST RECEIVED
and Nature's Blessings
Best, Largest and

Stationery,

Novels—

DAY-BOOK

BLANK-BOOKS OF

DIARIES

Ever Brought

Fresh Fruit, receive

RAILROAD

Apples, Peaches,

Postoffice Build

Who and after Nov. 1st

at post

STOVES!

Brigham

JORDAN STREET

WE HAVE JUST

BOX AND I

SHEET IRON

BAHUTTY METAL

COPPER RIVER

AND OTHER

SAD IRON

IRON

POST OFFICE

SHEET IRON

IN fact everything capital

STOVE AND

WHILE

ALL IRON

Cash

N. B. Repinning

WOOD

100

W. A.

I, Julia J. Hyslop, of 10139 Rim Rd. Nampa Id 83686 do hereby affirm that my husband and I bought the building known as the Miners Union Hospital from the heirs of Charles Cook in 1954. Mr. Cook died in Silver City while living and working there the same year we purchased the house.

The house had been his home for many years. Water had been piped into the house in 1874, from the Idaho Hotel system. The water was used each year from that date on. The house never stood empty as each owner bought and utilized the home. During the years the hotel was closed the home owners in Silver City worked together to maintain the water system.

When we purchased the house there was running water in the kitchen and in the back porch, where an indoor flush toilet had been in use.

We have used our house continually both during the summers and winters since we purchased the building. There never has been a year that the water was not used.

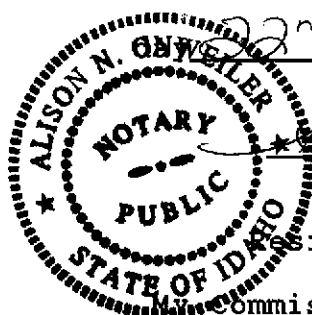
In 1954 the building now owned by Paul Nettleton was being used as living quarters and a bar, owned and run by Tom Rock. There was water from the same system in that building. Mrs. Leonard who ran the town store had water in her house. The Lewis house on Morning Star Street and the Will Lewis home north of Long Gulch had running water. All of these place and several others have used this water system continually since that time.

The 1968 filing for a water right only reinforced the commitment of the towns people to maintain the water usage already in place for so many years. It was felt that now that there was an organization of home owners the organization was the proper facility to maintain the water tank and line.


Julia J. Hyslop

02/22/1994
Date

Subscribed and sworn to before me this



22nd of February 1994


Notary Public

Residing at Nampa, Idaho

Commission Expires 1-4-99

HOUSE

3 & CO.

of Idaho,

ER CITY.

king Business
urrency Ex-
wing list

lents:

Call St., New York
San Francisco
Portland, Oregon
Boise City
Idaho City
Salt Lake City
Omaha, Neb.

sterdam,

Hanover,

Montreal.

open office.

Billings, Quartermaster
Drifts or Certif-
icate, California, or

ants in the United
States with General
attention.
G. M. and Peter Barr,

l
d Deposits.
e made for a specified

W. MOORE & CO

STORE.

State, Washington
V. J. F.

ROGER & CO.

STORE.

It is, Perishable,
ity of all kinds,
e. e. e.

and a supply of Fresh
Hot, Eggs, the best
of all kinds

Description bought and

SHLEBERGER & CO
and

TING.

VASS

House of Silver City and
proprietor to receive the
the 1st of March.

ASS, Wall PAPER, &c

Kind of
KINDS PAINTING
APPLING,
and dispatch.

ERING in all new styles
VARNISHING,
all kinds of

NTAL WORK.

OWYHEE AVALANCHE

Silver City, I. T., Saturday, Aug. 29, 1874.

Local Hints and Happenings.

P. Danne and family left for Omaha this week.

The Telegraph office is located in Moore & Co's Bank.

A. Packard, of the Middleton Flouring Mill, was over to Silver this week.

Mr. Ranney, the Revenue man, returned to Boise City last Wednesday.

Considerable rain has fallen here this week and the weather is cool and delightful.

Probate Court met in regular session last Monday and continued till one o'clock on Wednesday, September 24.

Assessor Angell has appointed John Hallett, Deputy Assessor, and has gone to South Mountain to keep a store.

When you go to South Mountain stop at J. M. Brunell's Hotel, the advertiser's merit of which will appear next week.

While two boys were witnessing a game of ball the other day, they were struck in the back of the head, the balls coming out of their mouths.

A Phœnix was taken before Justice King at Fairview, day before yesterday, and fined \$20 and costs for assaulting a white man with a club.

S. D. Beasly, assistant Superintendent for Wells, Fargo & Co., on this coast passed through here last Monday on his way to San Francisco.

H. M. Pearce, of San Francisco, is very anxious to get a letter from Wm. H. Wiley, who is supposed to be working in the mines here.

They now have two burying grounds at Fairview—That of the Union, and the Citizens—both of them nearly full and substantially fenced.

John A. Post, the popular Germanist, Boise City, came over to Fairview last, and will remain here to attend the telegraph celebration next Monday.

J. C. Curry, formerly Superintendent of the Opair Mine, at Virginia City, Nevada, arrived from San Francisco last Saturday, and is taking a look at our mines.

B. Z. Johnson, Esq., now has his residence supplied with water from the Idaho Hotel Water Works. It took him some time to get it, but he has it now.

Harry M. Kenney, who left here for Sackeen last spring, got back again this week. He only went to Fort Wraggle—plenty far enough, from all accounts.

Mr. and Mrs. J. S. Brooks arrived from San Francisco last Sunday. Mrs. Brooks remained in Jordan valley to visit friends and Mr. Brooks came into town.

Mrs. Conant, daughter of Mrs. A. Hays, of this place, went home to Boise City last Tuesday. She had been visiting her mother here during the past two weeks.

Attention is directed to Brooks & Co's dissolution notice in another column. The business will be continued by J. S. Brooks & Son, whose new advertisement will appear next week.

District Attorney Reitz has returned from Boise City, and in reply to our inquiry upon the subject, informs us that he expects to be our next Delegate to Congress.

We acknowledge the receipt of a complimentary ticket to the Union County (Ogden) Fair, commencing the 25th of next month, and regret that we will not be able to accept the kind invitation.

Our citizens were treated to the view of a magnificent lunar rainbow last night after eight o'clock night before last.

South Mountain Correspondence.

BULLION CITY, August 28, 1874.

ENTER OUR AVALANCHE—Everything in this camp seems to be on the go, and people feel as though work had begun in earnest. S. M. Wessels, Superintendent of the South Mountain Consolidated Mining Company, has his operations now fairly under way—grading all done for his furnaces, machinery on the ground, boiler set, engine in place, saw-pit at work getting out lumber for the building, yard cleaned off, grading roads to mines, miners at work on four of the Company's claims. The big mine, Grandville, Crown Point, and Ray state, only commenced with a few men, but are taking out from 25 to 30 tons of ore per day. The Grandville is looking the best so far. It is believed that the Grandville and Crown Point are the mammoth bodies of the camp, although the ore of Crown Point and Ray State are of a higher grade, averaging from \$100 to \$200 per ton in silver, and 50 per cent in lead. The Company has contracted for about 100,000 bushels of charcoal. Mr. Wessels brought with him 12 or 15 men who are miners and the different departments of the kind of mining, which shows that he knows what he is doing. It is believed that he expects to get his first furnace running the latter part of September. When Munroe and Wessels came up from San Francisco about two weeks ago, there were but two or three men in the South Mountain District, now there are from 150 to 200, opening hotels, restaurants, saloons, stores, blacksmiths' shops, and many other kinds of establishments, which shows quite a change in two weeks time.

Yours truly, SWELTER.

The Battlegrounds Murder.

Last week we mentioned the shooting and killing of a man at Battlegrounds, on the 26th inst., by Ed. Douglas, brother of the Northwestern Stage Company at that place. It now transpires that the killing was a most wanton and cold-blooded murder, without any provocation whatever. The name of the murdered man was H. Wankler, at least an Oregon county politician, being bearing that name was found in his pocket. The only article of value found upon the person of deceased was a pocket-book containing \$100 in gold notes which is now in the hands of Platte River, Superintendent of the Nevada and Northern Telegraph Company at this place. Douglas, the murderer, went over to Boise City and is thought to be out on the Overland stage road. The murdered man is supposed to have been working on the same here, and was traveling down the road in search of employment. Any information concerning him will be gratefully received at the Avalanche office.

The Tailing Mill.

Messrs. Britten, Boggs & Co's tailing mill started up on Monday from the Idaho mill last Tuesday, and operates splendidly. It has two pans and four rollers. The capacity of the pans is 25 tons each, and they are charged every four hours, making 12 tons in the mill daily. The capacity of the mill is only two tons of wood are consumed per day in driving the machinery, and it only takes four men on a shift to run the mill. A Varny pan will be put in to grind the sulphurets, which will be so much clearer. No cleanups have yet been made, but they are confident that it will pan out handsomely. Everything is in apple-pie order, and the boys receive much credit for the energy and perseverance which they have displayed in the enterprise. It is a great addition to the industrial part of the camp and will materially add to the wealth and prosperity of Silver City.

COMPLETION OF THE TELEGRAPH.

Three cheers, and a "Tiger" for the Nevada and Northern Telegraph Line! It was completed to Silver City last evening, and it affords us much pleasure to present to readers of the Avalanche to-day the first batch of dispatches ever sent over the line. We can now hold daily converse with almost every portion of the civilized globe. All honor to the projectors of the enterprise, and to those who have so liberally contributed means to make it an accomplished fact, not forgetting Superintendent Hunt, who has so perseveringly, energetically and ably overcome obstacles and brought the lightning messenger to our doors. Among other things that the building of this telegraph has demonstrated is the following:—The people of this State are free, enterprising, and hard-headed. Herald for Douglas.

THE LARGEST AND MOST COMPLETELY EQUIPPED MILL IN THE WEST. The largest and most completely equipped mill in the West. The largest and most completely equipped mill in the West.

Preaching To-morrow

Rev. Wm. Knapp will hold divine service in Murray Union Hall, Fairview, at 7 o'clock to-morrow, Sunday evening. Everybody is invited to attend.

T. W. JONES,

Carpenter and Builder,

101 West Washington Street, Boise City, I. T.
CABINET WORK AND BUILDING OF ALL KINDS.

CABINET WARE

HOUSEHOLD FURNITURE

OF ALL KINDS.

MANUFACTURED TO ORDER

A large quantity of

DOORS, SASH,

WINDOW BLINDS

Constantly on hand.

BOISE LUMBER

Of Every Variety for Sale.

Planing, Turning, &c.,

Executed on Short Notice.

Oct 2nd, 1874 T. W. JONES, Proprietor.

CENTRAL HOTEL,

REMOVED ANGELO ST.

HART'S EXCHANGE.

CORNER OF IDAHO AND 1TH STREETS.

Boise City, I. T.

HAVING PURCHASED REBUILT AND RELOCATED the above named property, we hereby announce to the public that we are now prepared to receive and transact business.

At a Special Fair, to be held in the office of

HUNT & YOUNG, Proprietors.

STAR BREWERY

AND

BILLIARD SALOON.

W. F. Sommercamp & Co,

Proprietors.

Important In

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R. H. W

JORDAN ST.

THE LARGEST AND MOST COMPLETELY EQUIPPED MILL IN THE WEST.

At Greatly Red

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MOST OF THE FOLLOWING HOMES WERE HOOKED UP
TO THE OLD WATER LINE LONG BEFORE THE DATES
STATED HERE, THE OLD WATER LINE DETERIORATED
AND HAD TO BE REPLACED, I AM SURE OF THE
DATES OF THE REHOOK UP.

1. Hyslops	1943	Silver Slipper - 1946
2. Lewis-Smith	1943	Drug Store - 1946
3. Thomas's	1943	Walt Adams 1946
4. Idaho Hotel	1943	John Croate 1946
5. Nettletons Paul	1943	Don ~~Reitz~~ Rich 194
6. Burtons	1943	Odd Fellows 1941
7. Statham's	1943	
8. Swayne	1943	
9. ORTON-Tague	1943	
10. Jayo	1944	
11. Carr	1946	check names re: all claims by individuals
12. Bennett	1946	
13. Barns	1946	
14. Chadwick	1946	
15. Nettleton Hae	1946	
16. Woods	1946	
17. Clarks	1946	
18. Fredrickson	1946	
19. Snell	1946	
20. Idaho Power	1948	

Completed 11/1/48

Johnston 11/15/48

TO WHOM IT MAY CONCERN

The following is a listing of buildings in Silver City which were connected to, and used water from the Silver City system and the city spring during or prior to 1968. The buildings are listed by lot number and owner at the time, as well as present owner.

1. Lot 74- Hugh Nettleton family residence now owned by Dave and Sharon Clark.
2. Lot 71- Sid and Ruby Orton (Butcher Shop) now owned by the Gayland Carr family.
3. Lot 79- Sid and Ruby Orton (residence) now owned by Jim and Judy Barnes.
4. Lot 75- Cecil (Moose) Wood (Undertakers' building) now owned by Storm Spoljarik.
5. Lot 76- Don Reich family residence now owned by the Paul McGrew family.
6. Lot 72- Leonard Souvenir Store now owned by Ken and Linda Jantz.
7. Lot 94- Floyd Tegnell residence now owned by Rob O'Malley.
8. Lot 54- Walt Adams residence still owned by Walt Adams family.
9. Lot 55- Avalanche Building now owned by the Chadwick family.
10. Lot 65- Tom Rock's Bar now owned by Paul and Pat Nettleton.
11. Lot 66- Lippincott Building (Dr. S.A. Swayne) still owned by Cleo Swayne.
12. Lot 67- Post Office owned then and now by the Karl Laible family.
13. Lot 91- Rusty Statham residence still owned by Rusty and Wilma Statham.
14. Lot 96- Bill and Mary Hanson residence now owned by the Loren Wahl family.
15. Lot 88- Bryan and Ida Brunzell residence now owned by Dick and Barbara Jayo.
16. Lot 49- Mrs. Eleanor Beaman residence now owned by David and Sara Miller.
17. Lot 44- Phil Cramer residence still owned by Phil Cramer family.

I CERTIFY THAT I HAVE PERSONAL KNOWLEDGE OF THE WATER USAGE OF EACH OF THESE BUILDINGS AS A RESIDENT OF SILVER CITY IN 1968 AND PRIOR YEARS.

SIGNED

Paul Nettleton
Paul Nettleton

STATE OF IDAHO

COUNTY OF Oneida

On this 24th day of Feb in the year of 1994 before me,
a Notary Public, personally appeared Paul Nettleton
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Nicholas K. Shli
Notary Public for Idaho

Residing at Murphy, ID

My commission expires: 1/31/2000

individual lot #'s

2-18-94

Born and raised in Silver City.
Family home burned in 1934,
Alvado had water for house
and garden.

Grandparents R. S. Hanes, used
water for stone, home, garden,
lawn. Also for butcher shop
and butcher shop. Family
still here, since grandparents
passed away, in early 30's.

My Jerit husband and I
purchased, Rindon home in
early 40's, had water for
house & garden. Previous
owners were never without
water.

We purchased grandparents
butcher shop in late 50's &
ran a cafe from 1962 thru
1968. had plenty of water, sold
out in early 70's.

My mother & brother & uncle
took over the store from my
grandparents ^{in 30's}, Jerit, before
my sister & her family did.

^{W.} Eisenhardt, Fred Lake, Pangencia,
Perolas, all, used water.

Paul Townsend

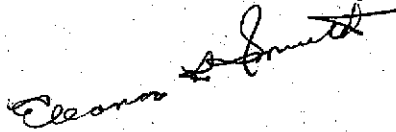
1017 N. 28th Street
Boise, ID 83702
February 9, 1994

To Whom It May Concern:

My parents, Elisha and Mamie Lewis purchased the property known as the Lewis House in Silver City, Idaho and moved into the house in May, 1912. I was six years old at that time.

From that time until the present there has continually been water obtained from the tank of the Silver City water supply connected to the house.

I owned the property from the time of the death of my parents until I sold it to the Hyslops.

A handwritten signature in cursive script, appearing to read "Eleanor L. Smith", written in dark ink.

Eleanor L. Smith

My name is Lorraine Bonnell Bjork and my parents were Edna Grete Bonnell and Herbert H. Bonnell. I was born June 20, 1929 in Silver City, Idaho as were my brothers Allen H. Bonnell and Robert G. Bonnell.

Our Father Herbert H. Bonnell owned and operated the H. H. Bonnell General Merchandice Store located next to the Court House in Silver City. We used the water from the wooden tank on the hill above the Court House all the time that we owned the store. We moved from Silver City in 1932 but returned in 1938 to attend school for the next two years.

At that time we lived with our Grandparents Charlotte and Fred Grete Jr.. Their house is the first house on the right as you come into town known as the Townsend house. We at that time also used the water from the wooden tank on the hill above the Court House.

Lorraine Bonnell Bjork
Lorraine Bonnell Bjork

ACKNOWLEDGMENT (INDIVIDUAL)

State of Idaho)
County of Canyon) ss.

On the 10th day of February in the year 1944, before me, Bertha E. Fitch
a Notary Public, in and for said State, personally appeared Lorraine Bonnell Bjork

known to me to be the person whose name LS subscribed to the within instrument, and acknowledged to me that She executed the same.

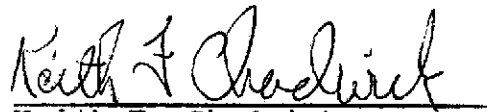
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year in this Certificate above written.

Bertha E. Fitch
Notary Public.
My comission expires 12 - 4, 1944 Residence Caldwell

February 16, 1994

My Grandfather, Fred Grete Jr., and my Grandmother, Charlotte Townsend Grete were both born in Silver City, Idaho. My Mother Alta Grete Chadwick was also born in Silver City.

During the 1930's I spent my summers in Silver City. I lived with my Grandparents in the Townsend house. It is the first house as you come into town on the right. The water for their house came from the old wooden water tank on the hill North of Long Gulch and was fed by the spring on Flordia Mountain which still supplies Silver City's water.


Keith F. Chadwick

STATE OF IDAHO)
)
COUNTY of CANYON) SS.

On this 16 day of FEB, 1994, before me, the undersigned, a Notary Public for Idaho, personally appeared KEITH CHADWICK, known to me to be the person whose name are subscribed to 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.



Notary Public for Idaho

Bill Blackburn

Residing at Middleton, Idaho 83644

My Commission Expires 09/18/94

AFFIDAVIT

I, Harold R. Statham, of 4023 Hoover St. Boise, ID 83705, do hereby affirm that I have personal knowledge of the Idaho Hotel at Silver City. This facility closed in June, 1942.

I was the last paying guest of the Idaho Hotel on June 20, 1942. (From: Wilma Lewis Stathams' daily diary.) The Hotel was being closed as the proprietor, Olive Hicks had died. The hotel was closed by the caretaker, Mr. Tipton Grover, who retained that position for the Hicks-Brumbaugh families until the early 1950's when Thomas Rock bought the Hotel and water system. Mr Rock never re-opened the hotel during his lifetime, nor did his widow. Mrs. Rock sold the Hotel about 1971-72 to the present owner, Ed. Jagels. The Idaho Hotel was unoccupied for 29 to 30 years. (See" Item # 1.)

Water was supplied to Silver City commencing in 1902 from the present City spring and distributed through a new wooden water tank. The tank and distribution system was owned by the Idaho Hotel. Wilmas' family paid water rent to the Idaho Hotel until 1941. The Silver City distribution system was updated when a new underground tank was installed and went on line in 1988 or 1989.

During and after World War II the townspeople assumed the responsibility of maintenance on the water system. They fought the never ending battle with leaks in the system.. Twice the wooden tank was re-banded. It was an endless job to plug leaks either by wrapping the leaking pipes with cut-up strips of inner tubes or by soldering. Some pipes were replaced with the only materials available which were other old pipes. Nevertheless, we maintained the water supply to our Silver City homes.

Harold R. Statham
(Signature)

Subscribed and sworn to before me this

day 6 of January 1992

SEAL

Betty J. Jessor
(Notary Public)

Residing at Boise Id

My Commission Expires April 1993

city spring 1902

Item
21

we

I Cleo Swayne residing at 311 14th Ave S. Nampa, Id 83651, do hereby affirm that when my husband and I purchased the Lippen-cott building in 1960, the owner, Tip Grover, went with us to Silver City and showed us how to turn on the water into the house. The water has been used each year since that time.

He told us at this time that he furnished water every year for the Owyhee Cattlemen's annual meeting in Silver City.

Cleo R. Swayne
Cleo R. Swayne
2-22-1994
Date

Subscribed and sworn to before me this
day 22 of February 19 94



Alison N. Onweller
Notary Public

Residing at Nampa Idaho

My Commission Expires 1-4-99

AFFIDAVIT

I, Cleo Swayne, and, my husband, Dr. Samuel A. Swayne, did pay to Tom Rock \$15.00 each year for water delivered to our house in Silver City. We paid this fee as he was the owner of the Idaho Hotel; our house was on to the hotel water system. This fee was paid from the time we purchased the building in 1960 until Mr. Rock died.

Cleo Swayne
signature

Notarized By: _____

Date: _____

Samuel A. Swayne
11-07-91

ilene
nr



Location
of Town
water
tank

photo: Co 1950



photo:
June 14, 1916
water
tank



photo:
Oct. 1900

water
tank

CATEGORY I I I

SILVER CITY WATER BOARD
BOARD OF DIRECTORS MEETING
September 23, 1989

Meeting of the Silver City Water Board, 2:25 P.M. Sept. 23, 1989,
at the Hyslop home.

Present, Del Eytchison, Bob Nettleton, Doug Hyslop, June Bowman,
Treasurer, and later: Paul Nettleton, Carl Otto, and Dave Wilper.

Discussed the sites for water holding pools for fire protection
in Jordan Creek, one behind the hotel and one just less than .4
mile up the creek. These sites had been viewed by Eytchison,
Hyslop, Otto, Wilpur earlier in the day. The gallonage of each
pool was given, 90-100 thousand gallons; 500-600 thousand gal-
lons. Considering a generator with an electric pump located in
the old stable building in front of the school house with water
pumped into the system at the hydrant at the school house.

Eytchison elected Chairman, Hyslop elected Secretary. Read and
approved with one change, the working paper of the Silver City
Water Users. that change under meetings, the line will read "the
Water Board shall call an annual meeting of all water users
before the annual meeting of the S.C.T.A. INC. (meaning prior
too, on the same day).

Under the paper titled SC Water Committee, a change and deletion
in paragraph 2 of Rules and Regulations. "An annual assessment
determined by the water board for the purpose -ect-ect. And,
paragraph 3 the change of wording July 1 instead of September 1
and "A back penalty may be charged instead of back penalty of \$5.
will be charged.

Discussed Proxy voters, will remain as stated in the working
paper.

Discussed water users working off assessment and hookup fee. It
was decided that any worker from a household that preformed 4
hours work on designated projects at a work week end, would
receive \$30. credit.

Also a KKK, Kids cleaning the Creek from the camp ground to the
culvert and reward them with a wiener roast etc was discussed.

Carl Otto stated that on the proposal to put wings out from our
spring box that it could double our volume at the sight, and, if
this practice should dry up the springs below our spring box,
that they would pay for the expense of hooking up the Otto house
and the log cabin on the SC water system.

Discussed the Nomco proposal for developing the Florida Mtn.
project, it's relation ship with us and the BLM.

Adjourned 4:30 P.M.

Stew
23

SILVER CITY WATER USERS--BOARD MEETING--JANUARY 15,1990

The meeting was called to order by the Chairman, Del Eytchison at 7:40 P.M. at the home of Bob Nettleton. In attendance were Doug Hyslop, Bob Nettleton, members and Paul Nettleton, Julie Hyslop, guests.

The minutes of the September 23, 1989 meeting were read and approved.

The first order of business was the Otto letter of December 29, 1989. The Silver City Water Users Board feels that only be co-operation of all parties involved can our problems be resolved.

The Board found that the SCTA. filing on the town spring, and, the supplemental filing of twenty six buildings, for a total of 66 buildings, (of which 4 will be commercial, including the IPB and the Id hotel) will call for more water than the spring can provide. Therefore the filing by the Otto's cannot add any appreciator water to our system.

Prior to June first the Board will meet with Steve Lester of the Department of Water Resources and by either refiling or supplemental filing will ask for the increased flow of the 2 1/2" pipe which we have; (their records show only a 2" pipe).

Via the Grand father clause we will add to the forty buildings that have a water right from the 1971 filing, an additional twenty six. Which will include the Idaho Hotel, the Idaho Power building, and perhaps two more commercials.

Those buildings (showing present owners and the date they were known to be reattached to the replaced system, done in 1943) are: 1943--Lewis-Smith, Hyslop, Thomas, Idaho Hotel, Paul Nettleton, Burtons, Statham, Swayne, Orton-Tague.

1944--Jayo

1946--Carr, Bennett, Barns, Chadwick, Hu Nettleton, Woods, Clark, Fredreckson, Snell, Silver Slipper, Drug Store, Adams, Grete Estate, Reich, Odd Fellows.

1948--Idaho Power building.

Our documentation will show that the Idaho Hotel was supplied with water from springs on the side of Florida Mountain at least as early as 02/15/1868. It will also show when some of the private citizens hooked on to the Idaho Hotel system and that when all or part of the hotel was sold, the water system stayed with the hotel ownership.

The Board is considering installing up to a 4" pipe from the spring box to the storage tank at a future date.

The Board is considering filing on other sources of water on Florida Mountain (the Metalic site or others).

The Board will not approve any connection to our system, either

at or near our spring box or above our storage tank. All buildings have the right to connect to the water system below our tank if our rules are followed.

Nerco's Silver City Water Supply Plan was discussed:

We will accept the suggestion of the collection system proposed by Nerco if it doesn't damage our quality of water. We have no objections to monitor the quality of water semi-annually.

The other proposals were found to be unacceptable.

The state health department informs us that we do not need a generator operated (chlorination) package with our closed system.

The Board decided to supply water to the public from the over flow of our system by hooking up the existing 1" PVC pipe at both ends. This is in compliance with the agreement with the BLM when they supplied the material for our system. We were to supply water to the public, By having the source for this water at the over flow it could never drain our system, would only supply water seasonally, and the waste water could be collected in our proposed pool behind the hotel and used for fire control.

Meeting Adjourned.

SILVER CITY WATER USERS BOARD OF DIRECTORS MEETING
05/09/1990

Meeting called to order 10:45 A.M. by Chairman Del Eytchison.

Minutes read and approved. No treasurer report. Doug reported that he had written a check to Water Resources for \$168.00. Del reported a \$50.00 donation for the fire department.

Discussion: Need to define two categories, Commercial and Industrial.

Commercial:

1. building or business must be listed by Owyhee County as a commercial enterprise.
2. any building built or remodeled for commercial use, may be eligible to be listed as commercial if used to accommodate human services.

Industrial:

1. industrial use will include mining, agriculture, laundries.
2. Water for industrial use will not be delivered through the town system.

Policy Concerning Commercial Use.

1. The amount of water available for commercial and domestic use will continue to remain the same. There will not be more water for commercial than for domestic use.
2. The board cannot guarantee any amount of water for any building.
3. The definition and designation of commercial use for buildings and industrial use shall be reviewed every two years. They may be revised at such a time if needed.

Bob moved and Del seconded: At such a time as Otto's show compliance to county commercial code the Water Board will take under advisement their application for commercial use. Passed.

Doug asked that the minutes show that we have approved installing a meter on the water tank; that we have filed on Long Gulch water with the understanding that Nerco will install a 3 inch pipe to our tank, improve the road in our name and that we have accepted their offer to engineer fire control pools in Jordan Creek.

Also, that the Board will be requesting a work day to build a fence around the spring box and install pipe line for visitor use.

The Board designated \$100. for the fire department, for necessities needed before the next meeting of the Board. The Board should set up a budget for fire department to be reviewed every six months.

The Annual Meeting of the Silver City Water Users will be July 21, 1990 at 10:00 A.M.

The agenda will include: Election of officers; approval of by-laws; report on Nerco; work week end; the school house shed.

SILVER CITY WATER USERS
P.O.BOX 86 MURPHY, ID 83650

Statement of Purpose

The Silver City Water Users, while operating as a unit of the Silver City Taxpayers Association, functions independently of the Taxpayers Association, and its officers. The Water Users shall administer the water system, develop a fire fighting system, regulate the usage of the water, adopt rules and regulations to govern the usage; and, investigate the possibility of increasing the flow of water from other sources. A board of directors elected from the membership shall administer the purposes of this organization.

Board of Directors

Members of the Board of Directors shall be elected for a two year term. A member of the Board may be elected for only one consecutive term. There shall be three elected, voting, members of the Board; one of whom shall be a member of the Silver City Taxpayers Association Board of Directors. Each year, the Water Users Board shall appoint a non voting water master who shall serve as a member of the Board.

Members

Each building in good standing, with access to the water system shall have one vote. Good Standing shall mean that the owners have paid the building water assessment for the year.

Proxies must present their written voting authority to the Board Secretary before the start of the meeting.

Meetings

The Water Board shall call an annual meeting of all Water Users prior to the annual meeting of the Silver City Taxpayers. Shall set meeting dates for the Board; shall call a general meeting of the Water Users if ten (10) members request such a meeting.

Duties of the Board of Directors

1. Establish policies and responsibilities for the Water Board, the Fire Department, and, the Water Master.
2. Elect a Chairman, Secretary; appoint a member of the Water User's as a Treasurer.
3. Set the annual assessment and collection per use.

4. Maintain a current list of all water users.
5. Establish priorities for all functions of the Water Users, the Board and the Fire Department.

RULES AND REGULATIONS

1. There shall be an annual assessment for purposes of providing funds for the maintenance and operation of the water system. Any water user not having previously paid into the water fund will be assessed one hundred dollars (\$100) for a hook-up fee. Any water users having paid the old water fee of twenty dollars (\$20) per year, but not for every year, during the previous five years, shall be assessed twenty dollars (\$20) for every year not paid during that five year period.
2. An annual assessment determined by the Water Board for the purpose of maintaining a water fund shall be levied against each water using structure that is served by the water system. The annual assessment shall be payable at the annual meeting of the Water Users or the annual meeting of the Taxpayers Association.
3. Water assessments not paid by July one (1) of the following year will be considered delinquent and water will be turned off. A back penalty may be charged and the overdue assessment must be paid before service will be restored.
4. The Water Board agrees to the usage of water for 56 homes for domestic use and four combined domestic/commercial uses. Those sixty users include all users in the town. Any user connected to the system recognizes the right of the Water Board to regulate the use of the system.
5. Any user who consumes water at a rate faster than can be restored in the storage tank during a ten hour period will be warned that such continued use will lead to the elimination of water service. Service may not be restored until the user agrees, in writing, to comply with the regulatory requirements of the Water Board. Continued misuse may result in the discontinuation of service for the remainder of the year, and may require the payment of a penalty.
6. All connections to the water system shall be inspected by a representative of the Water Board to insure that proper hook-up methods are utilized.

APPROVED: 07/21/1990

AFFIDAVIT

I, Ed Jagels, purchased the Idaho Hotel in 1972 from Lillian Rock. Widow of Tom Rock. At that time the water system had been maintained for a number of years by the home owners. The Silver City Taxpayers Organization (made up of home owners) had filed on the City Spring. Since that time the organization has replaced the entire system.

I agree that the only agent to own, operate, and manage the city water system is the Silver City Property Owners Inc.

Ed Jagels
signature

Notarized By: *L. D. ...*

Date: *28 Oct 91*

Notary Public residing at Boise, Idaho.

Item
23

Wagon town in the future. He will be comfortably situated there. He has a good house to live in. He has a complete set of assaying apparatus.

If you want to buy a plow or farming implements of any kind, go to Collins Bros., at Boise City or Caldwell.

We understand that the old road formerly leading up Castle creek, through the ranch formerly belonging to Mr. M. H. Presby, has been fenced by Mr. Hardiman, the present owner of the land, and that he has built a road around the foothills.

Now is your opportunity if you want a good suit of clothes, drop in at Moore's. Quality good, and prices low.

We are sorry to learn that Mr. Theo. Disenbarger, who left here last week for Boise City to be gone for a week or so, to have a vacation, was recently confined to his room in that City by sickness. We hope to hear soon that he has been restored to health.

The finest lot of plush and fancy goods ever brought to Silver City can be found at Sommercamp's.

Mr. R. Butts of Castle creek, came in on Wednesday accompanied by Mrs. R. H. Leonard and her daughter Miss Addie. Miss Addie has been teaching school in that district for several months past, to the entire satisfaction of parents and children, and now comes in to spend vacation.

All merchandise marked case of M. R. Gwynn, Caldwell, will receive careful attention.

Mr. F. Duray is having a survey made of the land between the Snake River and the Boise River. He is also having a survey made of the land between the Snake River and the Boise River. He is also having a survey made of the land between the Snake River and the Boise River.

Gentlemen's underwear, overalls, hats, neckties—large assortment at Moore's.

Dr. Anselm, Idaho's oldest dentist, and a gentleman esteemed by all who have the pleasure of his acquaintance, after having spent a week or so here, took his departure for Boise City on Monday last, to be gone until September next. While here he was busy all the time attending to the grinders of the community.

If you want to make a present, you can find just what you want at Sommercamp's.

We hear that the winz now being sunk on the Henrietta hole Wagon town, is being sunk as fast as possible on a hole of good ore. This should be gratifying to all persons interested in that mine. The mine is being opened in good shape, and will ere long be ready to keep the ten stamp mill of the company pounding away.

Go to Sommercamp's and buy one of those elegant porcelain-lined ice-pitchers.

excelled any ever given in Silver City.

See Sommercamp's notices.

THE TROUT.—We often hear stockmen and others say that the country would be all right so far as the range is concerned, were it not for the drought that has hung over this country for the past three years. While there is some truth in that view of the situation, there is another, which to our mind conforms nearer to the truth. It is this, that the ranges have all been and are now overstocked. That the constant nipping of the grass, the tread and wear of thousands of hoofs over it, of horses, cattle and sheep, have worn it out, in fact, killed it. Owyhee has been a fine stock range, and there would be yet a good range for a limited number of stock, but when it is made the grazing grounds for innumerable bands of sheep and horses from Montana, Nevada, Utah, Idaho and Oregon, it ceases to be a range upon which they can all live and grow fat. Hence we say that Owyhee county is overstocked, and never will be the stock country it once was, until it ceases to be overstocked. Stockmen who would save their cattle from starvation, and themselves from ruin, must raise a bullock with which to feed them during the winter months at least, and until grass becomes plentiful in the spring.

Fine assortment of wall paper just received at Moore's.

We are pleased to learn that the Snake River Land and Cattle Company are making good headway on their canal, and that it will not be a great while until the company will have it extended so far as to be able to cover a large area of agricultural land, which in all probability will be farmed by the company. The dam has stood the spring freshet, and proved that it will answer the purpose for which it was built. In view of the number of citizens that will come to this county when it is learned of the fine lands that will be covered by the canal, that can be taken up as homesteads, and to accommodate the traveling public, and the people of the town that will be built on the banks of Snake river, the company has built at Grandview a fine hotel, which is a credit to any town, and of great convenience to travelers who pass that way. Mr. Aspinwall is now in care of the company's affairs and seems to be conducting them in a satisfactory manner, not only to the company, but to the public.

Fine assortment of men's and boys' boots and shoes at Moore's.

Dave Ewertson, who returned from the valley on Tuesday, represents everybody happy, notwithstanding the scarcity of water and the shortness of the grass. He went as far as the Skinner ranch, where he had the pleasure of meeting Mrs. Skinner.

fred feet, with a good sized load of air milling ore. From appearances the mines belonging to the Owyhee group are going to produce a lot of ore the coming season.

Is voting for the county seal every year in Malheur county, Oregon. It is not in any of the Owyhee group. It is in the Owyhee group. It is in the Owyhee group. It is in the Owyhee group.

LAMBUKE, he waited beneath, peering to see how a man co-pitched out of the upper slope of the Idaho hotel office this week for raising a wind. get into the hotel after all. I tired for the night. As luck have it, no one was in the room all was serene, and the general blow ventured up the ladder through the window and the back into his room.

Mr. S. J. PURCHARD, our assessor, and whom by the territorial officers pronounce an assessor in all Idaho, because books show it to be the case, our town a short visit during week. He had just come in the Big Flat country, and in a very large crop of calves. range. He also reported the range of Snake river as good was last winter. He left to Thursday.

MONTE B. GWINN and Mr. S. here, the latter of the *Tri-une*, made us a pleasant Wednesday last. Mr. Skunk was pleased with his trip, a beautiful view he had of Snake valley from the top of War mountain. He will probably us again, when he has more to take in the country. They left Wednesday.

BREVITIES.

Windsor on Thursday. Goto Sommercamp's for choice.

Stage arrived at 9:30 o'clock Wednesday night. If you need a pair of boots, Moore's.

We are under obligation to F. T. Dubois for the Congressional Directory of the first session of Fifty-third Congress.

Choice fresh outter and eggs at Moore's.

Big Jim (Indian) is mourning the sudden death of the fairest youngest of his squaws. He will never get one more. He will never get one more.

The Oro Fino will start up as a few days pumping water the pump having arrived on the last. The mine will be thro opened and ore extracted and n

LOCAL INTELLIGENCE.

T. W. Jones and Sam Biegle, are now erecting a substantial water tank on Fronts View and Madison streets for Mr. T. Regan. When completed it will last for years, and enough water for the whole town.

Miss MINNIE LENDBURG, who has been attending school at Salt Lake City, Utah for several months past, returned last week. She likes the school very much. Her numerous young friends here are glad to see her back.

THE murder case of the Territory of Idaho against Lee and Frank Stanford, was probably the shortest ever tried in this county, the jury having been impaneled and testimony closed in about six hours. The jury is now out considering their verdict.

MAJOR HUSTON and Hon. R. Z. Johnson, attorney-general of Idaho, of Boise City, and Mr. Negley of Caldwell, are in attendance at this term of court. Major Huston is defending Leo and Frank Stanford, while Hon. R. Z. Johnson and Mr. Negley have business before the court.

We call the attention of our readers to the fact that Mr. Chas. Kingsley, the popular photographer of Boise City, will open a gallery here on or about the 8th of July, and will remain for ten days. Those who desire good pictures of themselves, and their best girl, will do well to patronize him.

We call the attention of the people in town and country, to the fact that the Masons will give a grand ball at Masonic hall on the evening of the Fourth of July. All are invited to attend, and can rest assured that all will be done that can be to make the occasion an enjoyable one, as the Masons never do things by halves.

Surr. B. S. of the Henrietta mine, Wagon town was upon Thursday 11

chassers of the Oro Fino group of mines have registered London under the name of Oro Fino Limited Company, by which name this famous group of producers will hereafter be known. Judging from the way the owners are pushing matters Silver City will soon be a lively camp. The superintendent here is quite reticent about what the company proposes to do; but the fact that a new mill site has been located in town and the work of preparing the same for a mill been begun; fifteen hundred cords of wood advertised for, and bids for hauling 150,000 pounds of mill machinery asked for, tells more than talk. We learn that he is also making arrangements to put up a bucket tram to transport ore to the mill from the mine, one and a quarter miles distant. Everything is now about arranged to begin taking ore out of the mine. Three hundred feet of T rail track has been put in on the third level, and many important improvements have been made at the mine to enable them to work economically; and experiments are being made to ascertain the best methods of working the ores, and it is confidently expected that better results will be obtained than under the old methods. The winze connecting with the Sinker tunnel is nearly completed, and is being sunk through rich ore. As soon as this is finished they will have good air in the tunnel and it will be pushed with three shifts, operating with a diamond drill, trying to reach the rich clints of ore known to be about one hundred feet ahead. Wood, timbers and charcoal are coming into the mine quite rapidly, and a scene of activity exists there reminding all the camp of its old time prosperity.

It is too early yet to learn the particulars, but we take pleasure in announcing that a sale has been about consummated here almost equalling the Oro Fino transaction made a few months since. The famous Poorman group of mines, some twelve in number, among which are included the Belle Peck, Belle Peck Tunnel, Poorman, Silver Cork, North Empire, Oso and others, by this sale will pass into the hands of a syndicate of English capitalists, who will at once begin to work them for, all they are worth. This great combination of mines,

BREVITIES.

to Sommercamp's for choice groceries.

Dr. Belknap has returned from Sinker creek.

If you need a pair of boots go to Moore's.

Miss Ada Van Duzet is visiting here. Choice fresh butter and eggs at Moore's.

Mr. A. O'Keefe was in from Williams creek during the week.

Choice groceries and hams and bacon at Moore's.

Sid Knight of Cow creek, paid our town a visit during the week.

Fine assortment of wall paper just received at Moore's.

Wm. Parks of Jordan Valley made us a pleasant call on Thursday last.

See Sommercamp's notices. Goods all fresh and new.

Go to Sommercamp's and buy one of those elegant porcelain-lined ice-pitchers.

The telegraph line will be completed to this place next week, if not before.

If you want to make a present, you can find just what you want at Sommercamp's.

Miss Ada Morse of Jordan Valley is at present the guest of the Misses Nugent at this place.

Gentlemen's underwear, over-shirts, hats, neckties—large assortment at Moore's.

Mrs. P. McCabe of Wagon town was up during the week, and remained a short time.

All merchandise marked care of M. B. Gwinn, Caldwell, will receive careful attention.

Al Sothern and Arthur O'Keefe were made citizens of the United States on Friday of this week.

The finest lot of plush and fancy goods ever brought to Silver City can be found at Sommercamp's.

Fifteen hundred cords of wood wanted by the Oro Fino Mining Co. to be delivered at Silver City. Bids must be in by July 6th.

If you want to buy a plow or farming implements of any kind, go to Coffin Bros., at Boise City or Caldwell.

We noticed Geo. Cook, C. C. Johnson, Oscar Brunzell, Frank Benson, and C. Craig, of Reynolds creek, in on Thursday. They were witnesses before the court.

Now is your opportunity if you want a good suit of clothes, drop in at Moore's. Quality good, and prices low.

Grading has already commenced for the Oro Fino mill, to be erected east of town on Jordan creek. The mill will have 50 stamps.

J. S. Roberson of Brn n w in

Analanche.

N. SOUTHERN IDAHO.

FRIDAY, JUNE 20, 1902.

No. 45

Ill Passes Away.

Three year old son of Mr. Brunzell died Thursday about 11:30 o'clock, accidentally taking a fatal dose. The bottle of poison, in the shape of crystals, was hired man in his room at the store. Albert and Mr. Bryan aged 6, went to play. The little fellow took the bottle of strichnine to be something good to eat. Bryan, not knowing it, spat it out immediately instead of following the example of the hired man and swallowed what was in his mouth. Neither of them realized what Albert was doing as no body else knew. There was no opportunity to give an antidote. The baby died and made his way to the water faucet. He turned on the water so as to enable him to drink. Just as he drank the poison took effect and he fell to the floor in a convulsion. No one in the kitchen was cooking at the time. He was the first who thought that the child was hurt in the fall. Dr. Grete telephoned for and left immediately at once, but little over an hour before the child was brought to Silver City where it will remain.

FUN AT DeLAMAR

Citizens of that Place to Celebrate the Fourth in Most Patriotic Manner.

SPORTS, SPEECHES, SONGS

Appropriate Exercises at the Schoolhouse.—Prize Races and Other Contests.

The eagle will scream, the cannons boom, the rockets soar, the patriot orate, the band play inspiring airs; the soul-stirring principles declared for in the Declaration of Independence will be read; gentlemen, ladies, young girls and young America will race and everybody, including the irrepressible and irresponsible small boy demon with his firecrackers and genuine, real American enthusiasm will turn loose and help to celebrate the Nation's birthday at DeLamar on the Fourth. It will be a great day in the history of Owyhee county and the committee cordially invites and earnestly hopes that

Idaho Hotel Water System.

Work on the new system of water works for the Idaho Hotel was inaugurated this morning, and will be completed within a week or ten days. A three-inch main will be laid from the tanks to the hotel. The new tank is on the ground and will be erected at once. It is twenty feet in diameter on the bottom and twelve feet in height, and has a capacity of about 25,000 gallons.

A fire plug will be put in at the hotel and a supply of hose provided sufficient to convey the water to any portion of the hotel or adjoining property. Messrs. Connors & Evans, the proprietors, are also willing that a fire plug should be put in on Washington street by the citizens to be used in case of fire, at no expense to the city except for the plug and connections.

With the completion of this system and the installation of the new four-inch line by the citizens and Mr. John Grete, Silver City will have one of the best gravity systems of water works in the West, and insurance rates will take a tumble.

Notice.

All members of Silver City Lodge No. 25, K. of P., are hereby notified to attend the Decoration Day services Saturday, June 21, at Castle Hall. The meeting will be called at 3 o'clock p. m. All visiting Knights cordially invited.

STACY HUMPHREYS,
O. D. BRUMBAUGH,
FRED HARRIS,

Committee

BON AMI

...and...

CUDOMI

Something NEW

course you know what this is. If not call at the store and look at it. Do not forget that we sell THE BEST

HIGH PATENT MADE

Oregon Club Wheat Flour \$1.50 per sack.

Open Every Day Except Sunday.

Owyhee Com'l Co.

LIMITED.

Owyhee Avalanche

SPECIAL ADVERTISING RATES:
With the following rates will be charged for notices, and no deviation will be

Long list of wedding presents, \$5.00.
Deaths of Respect, 10c per line.
Locals, 10c per line, straight.

Local and Personal

Articles at Getchell's.
Thomas Barkle left on Saturday

L. Toy returned Tuesday from Utah.

Mrs. John Alton and daughter of Denver, the sister and niece of Mrs. Chas. J. Hutchinson are visiting with Mr. and Mrs. Hutchinson at the Blaine.

Dr. Worthington's son who has been visiting with his father left on the Fourth. The Doctor expects Mrs. Worthington to arrive soon.

At considerable expense Mr. Botkin of the City Drug Store has shipped in a lot of Talcum powder. It is now on sale.

Frank Crossen and Thomas Davey of DeLamar have purchased the Cartright general store at Emmett. Mr. Crossen will go there August first to manage the business.

The yellow kid is out of date but the

One of the richest propositions in Owyhee county is what is known as the Rising Sun mine, owned by Alex. McKinnon. The property is less than a mile from Silver City. The writer visited the property during the past week and took vein matter from four different places where the ledge is exposed, crushed it and got excellent colors.

The water main of the Connors and Evans system is now in and the water has been put in a number of dwelling and business houses. There is a heavy pressure. When reduced the pressure is sufficient to throw a one inch stream fully 125 feet. It is an excellent piece of work and practically insures all those in the lower end of town against any great damage from fire.

2000 pounds of potatoes at 2 cents per pound at Wilterding's.

Mr. and Mrs. E. E. Bowen, Miss Dora Mills, and Messrs. Durant Scales and McKinnon of Wagon town Messrs. Cavanaugh and Helm of DeLamar; Mr. and Mrs. Mark Colborn Miss Hutchinson and Miss Nelli Hutchinson of Dewey; Mr. and Mrs. Wm. Roberts and Miss Rowena Hay of Black Jack were all up to enjoy the ball by the Rebekahs on the Fourth.

Miss Lewis, Miss Addie Lewis, Miss Wallace and Mr. A. K. Bishop, with Mrs. Simon Harris as chaperone to the gay crowd left today for Oreana where they will make arrangements with some of the young folks for a few days of camp life. The party does not know where it will make camp as yet but it is believed that Boulder will be selected as they camped there last year.

A number of the friends of Mrs. G. W. Irving surprised her on Tuesday evening last by walking in taking possession of her home. When it was found that the self-invited guests of the evening had come for the purpose of amusement only, however, and had brought the means for having a general good time with them, their gracious hostess soon recovered from her astonishment and accepted the situation. High five was played during the evening after which a dainty lunch was served.

The small boys and some not so small are again tying ropes and wires across the bridge at Masonic hall. The obstructions are placed at just a

Owyhee Avalanche 07/11/1902 P3 - c3

AFFIDAVIT

I, Wilma L. Statham, of 4023 Hoover St., Boise, ID, do hereby affirm that I have personal knowledge of the two separate Idaho Hotel water systems. Each system consisted of a spring and pipes to a water tank/reservoir and the distribution lines. These were located at Silver City, Owyhee County, ID. The two springs are located in the NW 1/4 of Sec. 6, T5S R3W.

This affidavit is presented in order to clarify either misleading or incorrect statements and undocumented assumptions contained in the Water Claim A55-10130 by Gloria Otto.

The "original" Idaho Hotel spring is located on Florida Mountain on our Channel Placer mining claim. We, my husband, son and I filed the Channel Placer mining claim in 1957 and later filed on the flow from this "original" spring. We established the priority date for the water claim at 1952 when my father first owned the mining claim and used the water. It is covered by our water filing A-55-04003. My knowledge of this "original" Idaho Hotel spring dates from 1952 when my father told me that it was the first spring to carry water to the Idaho Hotel. My father was born in Silver City in 1876, and was most knowledgeable concerning many of the former features of Silver City.

The pipeline from the original spring generally followed the present road up Florida Mountain. The line was buried adjacent to the roadway, however, somewhat lower than the road. While mining near the banks below the road on our Channel Placer and Holy Terror # 1 placer claims, we uncovered the old pipeline at several locations. (See: Items # 1 & 2, old pipeline and # 3, present flow.)

While doing extensive research during the spring of 1959, I recorded the following IDAHO AVALANCHE, newspaper articles:

May 26, 1888,

"...Mr. T. Regan....from his spring to the Idaho Hotel...a new reservoir which will be erected higher on the hill than it is now..." (See; Item # 4 newspaper, # 5 picture.)

June 30, 1888:

"Mr. T. Regan is building a substantial water tank on Tibbetts View and Medical Ave...." (See: Item # 6.)

The location though interesting was meaningless to me. However, during the summer of 1959, my father, Judge William A. Lewis, accompanied my husband and me to the remains of the 1888 tank location in Silver City. The tank site is located between the present (1991) Clarence Orton and Barbara Jayo homes. The site was most

evident after being shown the remains. (See: Items # 7, 8 & 9.) My father further explained that this tank was used with water from the Original 1868 Idaho Hotel spring.

It is interesting to note that on December 4, 1991, Gloria Otto did not know the location of the site of Tibbetts View and Medical Avenue water tank. This became apparent during a phone conversation with Glenda Bean, the Director of the Owyhee County Historical Museum, at Murphy, ID. She asked me, "Do you know where Tibbetts View and Medical Ave. are located in Silver City?" I inquired as to who wanted to know? Mrs. Bean replied, that Gloria Otto called wanting to know the location of the sites.

Based upon my current knowledge there is no evidence to indicate that water from the "Original" Idaho Hotel water system served the Lincoln Mill property.

In 1902 the Idaho Hotel developed the present spring, installed a wooden water tank (still standing in 1991), and performed further improvements to the water system.

During many years of familiarity with the water system, through use and maintenance on the system, my family has found no pipes going from the "original" spring to the "present" spring. Furthermore, there is no evidence at the "present" spring to indicate that there were any other water lines from the spring, other than the 1902 lines to the Idaho Hotel.

The "present" City Spring is located on our Holy Terror # 1, placer claim, which is presently leased by Nerco DeLamar Company. That spring was filed on by my mother, Emily B. Lewis and myself in 1971. The Water Claim is #A-55-04007, with a priority date of June 12, 1909. My mother said there was water at her home in 1909 (the current residence of Wilma and Harold Statham), but she was not aware if the water had been installed in 1902 at the time other residents were put on the line.

Wilma L. Statham
(Signature)

Subscribed and sworn to before me this

day 6 of January, 1992.

SEAL

Betty J. Jessor
(Notary Public)

Residing at Baise Id

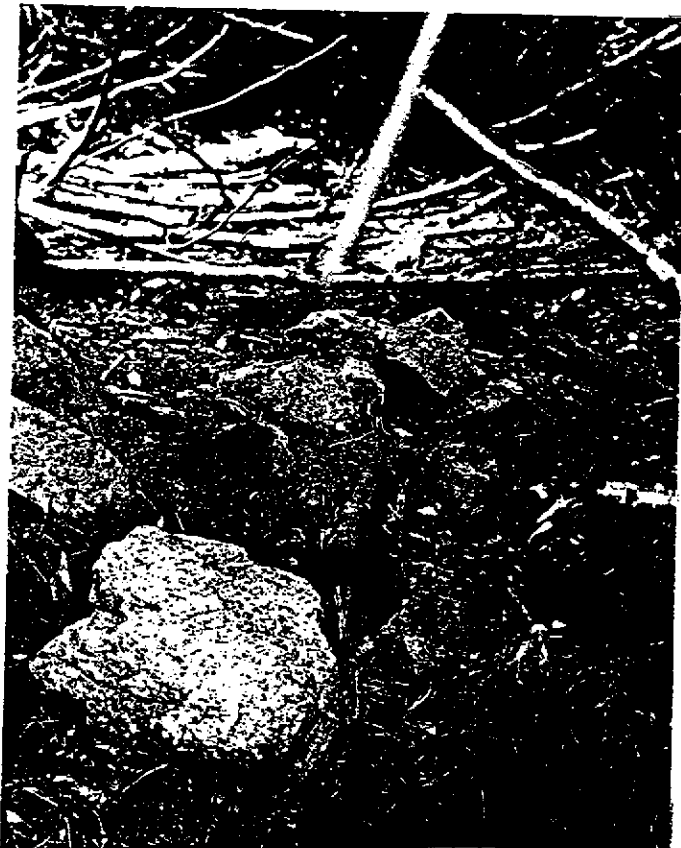
My Commission Expires April 1993.



ITEM # 1:
Exposed pipeline from the
"Original" spring of the
Idaho Hotel on Florida Mt.



ITEM # 2:
Another view of the exposed pipeline
of the 1868 Idaho Hotel Spring.



ITEM # 3:
An October 1991 picture
of Water Claim Number
A55-4003, of the Harold
Statham family at the
site of the "Original"
spring.

uhs



ITEM # 5:
Late 1880's photograph of Silver
City, Id., showing the water tank
on Tibbetts View and Medical Ave.



ITEM # 7:
1890 picture of Silver
City, showing water
tank on Tibbetts View
between (Heidelberg)
now C. Orton Home # 1,
and (St. Clair) now
B. Jayo Home #2.



ITEM # 8:
Location and foundation of the
1888 Tibbetts View water tank. |
(Bldg. in background is the Jayo
home.)



ITEM # 9:
October 19, 1991 picture
of Harold Statham indi-
cating the circular
foundation of Tibbetts
View water tank.

TO WHOM IT MAY CONCERN

The following is a listing of buildings in Silver City which were connected to, and used water from the Silver City system and the city spring during or prior to 1968. The buildings are listed by lot number and owner at the time, as well as present owner.

1. Lot 74- Hugh Nettleton family residence now owned by Dave and Sharon Clark.
2. Lot 71- Sid and Ruby Orton (Butcher Shop) now owned by the Gayland Carr family.
3. Lot 79- Sid and Ruby Orton (residence) now owned by Jim and Judy Barnes.
4. Lot 75- Cecil (Moose) Wood (Undertakers' building) now owned by Storm Spoljarik.
5. Lot 76- Don Reich family residence now owned by the Paul Mc Grew family.
6. Lot 72- Leonard Souvenir Store now owned by Ken and Linda Jantz.
7. Lot 94- Floyd Tegnell residence now owned by Rob O'Malley.
8. Lot 54- Walt Adams residence still owned by Walt Adams family.
9. Lot 55- Avalanche Building now owned by the Chadwick family.
10. Lot 65- Tom Rock's Bar now owned by Paul and Pat Nettleton.
11. Lot 66- Lippincott Building (Dr. S.A. Swayne) still owned by Cleo Swayne.
12. Lot 67- Post Office owned then and now by the Karl Laible family.
13. Lot 91- Rusty Statham residence still owned by Rusty and Wilma Statham.
14. Lot 96- Bill and Mary Hanson residence now owned by the Loren Wahl family.
15. Lot 88- Bryan and Ida Brunzell residence now owned by Dick and Barbara Jayo.
16. Lot 49- Mrs. Eleanor Beaman residence now owned by David and Sara Miller.
17. Lot 44- Phil Cramer residence still owned by Phil Cramer family.

I CERTIFY THAT I HAVE PERSONAL KNOWLEDGE OF THE WATER USAGE OF EACH OF THESE BUILDINGS AS A RESIDENT OF SILVER CITY IN 1968 AND PRIOR YEARS.

SIGNED

Paul Nettleton
Paul Nettleton

STATE OF IDAHO

COUNTY OF Curry

On this 24th day of Feb in the year of 1994, before me,

a Notary Public, personally appeared Paul Nettleton
known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Nicholas K. Shli
Notary Public for Idaho

Residing at Murphy, Id

My commission expires 1/31/2000

My name is Lorraine Bonnell Bjork and my parents were Edna Grete Bonnell and Herbert H. Bonnell. I was born June 20, 1929 in Silver City, Idaho as were my brothers Allen H. Bonnell and Robert G. Bonnell.

Our Father Herbert H. Bonnell owned and operated the H. H. Bonnell General Merchandice Store located next to the Court House in Silver City. We used the water from the wooden tank on the hill above the Court House all the time that we owned the store. We moved from Silver City in 1932 but returned in 1938 to attend school for the next two years.

At that time we lived with our Grandparents Charlotte and Fred Grete Jr.. Their house is the first house on the right as you come into town known as the Townsend house. We at that time also used the water from the wooden tank on the hill above the Court House.

Lorraine Bonnell Bjork
Lorraine Bonnell Bjork

ACKNOWLEDGMENT (INDIVIDUAL)

State of Idaho)
County of Canyon) ss.

On the 10th day of February, in the year 1994, before me Bertha E. Fitch
a Notary Public, in and for said State, personally appeared Lorraine Bonnell Bjork

known to me to be the person whose name LS subscribed to the within instrument, and acknowledged to me that She executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal, the day and year in this Certificate above written.

Bertha E. Fitch
Notary Public.

My comission expires 12-4, 1994

Residence Caldwell

February 16, 1994

My Grandfather, Fred Grete Jr., and my Grandmother, Charlotte Townsend Grete were both born in Silver City, Idaho. My Mother Alta Grete Chadwick was also born in Silver City.

During the 1930's I spent my summers in Silver City. I lived with my Grandparents in the Townsend house. It is the first house as you come into town on the right. The water for their house came from the old wooden water tank on the hill North of Long Gulch and was fed by the spring on Florida Mountain which still supplies Silver City's water.


Keith F. Chadwick

STATE OF IDAHO)
)
COUNTY of CANYON)

SS.

On this 11th day of FEB, 1994, before me, the undersigned, a Notary Public for Idaho, personally appeared KEITH CHADWICK known to me to be the person whose name are subscribed to 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.



Notary Public for Idaho
Bill Blackburn
Residing at Middleton, Idaho 83644
My Commission Expires 09/18/94

RECEIVED

FEB 04 1994

WATER RESOURCES
WESTERN REGION

SILVER CITY WATER USERS BOARD OF DIRECTORS
Bob Nettleton, Chairman
HC 79 Box 33
Melba, Idaho 83641

Carl and Gloria Otto
250 Austin Avenue
Atherton, California 94025

Dear Carl and Gloria:

In response to numerous inquiries you have made of the Silver City Water Board and in responding to various filings you have with the Idaho Department of Water Resources we as a Board herein go on record as acquiescing nothing to you pertaining to water rights to Silver City's storage tank's overflow.

Please understand that we do not recognize any agreements presumed or otherwise that you feel you may have with Silver City regarding the overflow.

In this Board's considered opinion, we understand and believe that any and all water going into the water tank is rightfully and entirely the town's to be equitably distributed.

We do not acquiesce to you any rightful claim the town may have to the overflow.

Sincerely yours,

Bob Nettleton

1-31-94

Bob Nettleton
Chairman Silver City Water Board

cc: Steve Lester, Idaho Department of Water Resources

SL 2-3-94
Steve:

Please add this
to the Silver City
File.

File in → ASS-¹⁰²⁰⁴07011 ("City")
→ ASS-~~02212~~⁰⁴¹⁵¹ ("Otto")
ASS-10130

Jim Hylop



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 1, 1994

Silver City Taxpayers Assoc., Inc.
C/O Mr. Grant Danner, President
6812 Center Lane
Nampa, ID 83687

RE: Evidence of Priority for Claim No. A55-10204

Dear Mr. Danner:

I spoke to Paul Nettleton today and he informed me that you are president of the Silver City Taxpayers Association. I am writing to you regarding the above-referenced adjudication claim (copy attached) for the city system. The claim records uses in place by 1968 and represents a single claim filed to reflect a number of uses developed by different dates but lumped together under a single 1968 date to reduce paperwork and filing expenses.

In order to be able to recommend the claim as a valid water right established under Idaho law, I need additional information that supports the date of priority claimed (item no. 2 in claim). The information does not have to be conclusive proof but should reasonably support the date in question.

Please see the enclosed brochure that discusses the date of priority concept. The brochure describes types of information that will be helpful in my review of the association's claim. Without additional documentation of the 1968 date, I will have to recommend that the claim be disallowed in the adjudication process. That would mean that a new 1994 water right permit would have to be obtained for the uses listed in the claim.

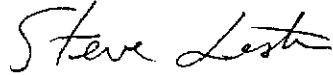
Please provide supporting documents that show that the city spring was developed and used as claimed by 1968. Perhaps the BLM would be a good source of a neutral party with information to help you. If all else fails, affidavits from some of the users covered by the claim will be helpful.

I am sending a copy of this letter to Paul Nettleton, past president of the association, and Bob Nettleton, Chairman of the Silver City Water Board, due to their past involvement in the city water right filings.

Mr. Grant Danner
February 1, 1994
Page 2

A response is necessary within 30 days to protect the claim. Please call me at 334-2190 if I can help you in this process.

Sincerely,

A handwritten signature in cursive script that reads "Steve Lester".

Steve Lester
Water Rights Supervisor

c: Paul Nettleton
Bob Nettleton

CONVERSATION MEMORANDUM

DATE 2-1-94FILE A55-10204NAME OF PARTY Paul Nettleton 834-2237A55-07011EMPLOYEE Steve LesterRE: Silver City Taxpayers Assoc. Inc.Paul is listed as President.Current president = Grant Danner6812 Center Dr.Nampa 838-83687467-3073 h467-4469 wContact Mr. Danner & Evidence of priority forA55-10204.Send copy of letter to Bob Nettleton (Chair,
Silver City Water Board).NOTE S.C.T.A. Inc now is→ Silver City Homeowners Assoc Inc. *

* Per Jim Hyslop, board member of S.C. H2O Board 2/2/94



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

December 14, 1993

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

Silver City Water Board
C/O Bob Nettleton, Chairman
HC 79 Box 33
Melba, ID 83641

RE: Questions Regarding Silver City Water Rights

Dear Mr. Nettleton:

This letter is in response to the office visit by you, Jim Hyslop, and Pat Ihli on October 29, 1993, in which you identified three questions for me. Now that the field season is ending, I have some time to respond.

The key point to keep in mind regarding all water rights, in whatever form the rights take, filed upon the city spring is that final details of the rights will be determined within the scope of the Snake River Basin Adjudication (SRBA). The only exception to this statement is permit no. 55-07409, a new right for the property owners association; the right is outside of the scope of SRBA. It is anticipated that department recommendations to the court for SRBA claims will be completed sometime this winter or by early spring, 1994.

Copies of the city water rights and SRBA claims are enclosed. Different rights have shown different names but are all lumped under city rights for purposes of this letter.

Question No. 1, Irrigation Use from the City Spring for City Water Rights

Irrigation from the city spring is part of at least two and perhaps three city water rights. Such use is implied but not yet verified by the city's SRBA claim no. A55-10204, which is a "grandfather" right based on uses in place by 9/1/1968. The claim includes four acres of irrigation for yards associated with 36 domestic units. The claim actually represents a number of individual rights with a number of priority dates up through 1968 but was filed as one right for a group of lots, all of which allegedly had beneficial use of city water by 1968. The validity of this claim will be determined in the SRBA.

Permit no. 55-07011 also implies irrigation for yards. A field exam was conducted on 11/5/1987 for this right in order to issue a license. Soon after that and based on additional questions and information, SRBA claims began to be filed. It became apparent that 55-07011 could not be licensed without completing SRBA recommendations for all uses of the city spring. The final definition of this right will be made within the context of overall SRBA recommendations this winter. Currently we can conclude that 55-07011 provides

an unspecified amount of irrigation for an unspecified number of lots. Furthermore, we can conclude that the right is intended to cover those uses in place after 9/1/1968 but by 11/5/1987 (after grandfather claim and up to field exam for permit).

A third right allows irrigation use for the city system, and this is permit no. 55-07409 filed in 1990 to cover existing or planned uses on-line after the 1987 field exam. The right includes four acres of yard irrigation.

Although not explicitly defined in the two permits, all irrigation listed or implied in city rights probably totals about four acres. This statement is based on a remark in claim A55-10204 ("Same acres as other irrig. from same P/D").

Based on the above information, it is within the city water rights to allow limited irrigation from the system, although the limits are not yet known.

Question No. Two - Specific Overflow from City Tank to Ottos

The Ottos filed SRBA claim A55-10130 (copy enclosed) that mentions overflow from the city tank as at least part of the delivery method. Overflow by itself is not a source - this is actually water from the city spring where it is a detail of the operation that overflow associated with a tank is involved. I cannot see any basis on which to conclude that overflow must be supplied - that would be analogous, at least to me, to requiring that someone irrigate his or her crops to provide waste water to another person having a waste water right below the cropland.

In my opinion, it is not reasonable to conclude that the city is obligated to provide overflow to anyone. This, and anything else in this letter, is not offered as a legal opinion nor should it be taken as one - legal counsel is recommended if you want an expert legal opinion.

Question No. Three - Irrigation Use versus Ottos' Use of Overflow

This question is really a key one in the disagreements over use of water from the city spring. I cannot answer it except to say the following. There is a difference between a valid water right and valid use of a conveyance system as part of that water right. Generally speaking, water rights do not convey easements or allow rights-of-way through other owners' property.

If the Ottos' claim is recognized by the court in the SRBA process, will the city be obligated to allow use of its conveyance system for delivery of the Ottos' use under A55-10130? I do not know but I think the answer is no. Again, legal counsel is the best source for legal advice on this question.

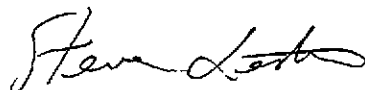
Silver City Water Board
December 14, 1993
Page 3

Well, you asked me to be brief in my reply which I tried to do as much as possible. As you can see, these questions can become complicated rather quickly and often do not have definitive answers. The final disposition of the rights mostly rests with the court, but even then all questions might not be answered. It is most likely that question three is a civil item outside of the jurisdiction of this department. Civil questions usually must be resolved between private parties, including use of the legal system if necessary, and although the department can often play a role it is not the ultimate decision maker in some of these matters.

I would like to ask you for some information at this point. Can you provide me with the name of the current president or chairman or chairwoman, along with a current address, for the Silver City Taxpayers Association and for the Silver City Property Owners Association? It will be helpful in updating the file.

I hope your questions have been addressed in a useful way. Please let me know if you need more information.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Lester".

Steve Lester
Water Rights Supervisor

CC: S. Campbell for Ottos

City Sp - 1902

AFFIDAVIT

I, Harold R. Statham, of 4023 Hoover St. Boise, ID 83705, do hereby affirm that I have personal knowledge of the Idaho Hotel at Silver City. This facility closed in June, 1942.

I was the last paying guest of the Idaho Hotel on June 20, 1942. (From: Wilma Lewis Stathams' daily diary.) The Hotel was being closed as the proprietor, Olive Hicks had died. The hotel was closed by the caretaker, Mr. Tipton Grover, who retained that position for the Hicks-Brumbaugh families until the early 1950's when Thomas Rock bought the Hotel and water system. Mr Rock never re-opened the hotel during his lifetime, nor did his widow. Mrs. Rock sold the Hotel about 1971-72 to the present owner, Ed. Jagels. The Idaho Hotel was unoccupied for 29 to 30 years. (See" Item # 1.)

Water was supplied to Silver City commencing in 1902 from the present City spring and distributed through a new wooden water tank. The tank and distribution system was owned by the Idaho Hotel. Wilmas' family paid water rent to the Idaho Hotel until 1941. The Silver City distribution system was updated when a new underground tank was installed and went on line in 1988 or 1989.

During and after World War II the townspeople assumed the responsibility of maintenance on the water system. They fought the never ending battle with leaks in the system.. Twice the wooden tank was re-banded. It was an endless job to plug leaks either by wrapping the leaking pipes with cut-up strips of inner tubes or by soldering. Some pipes were replaced with the only materials available which were other old pipes. Nevertheless, we maintained the water supply to our Silver City homes.

Harold R. Statham
(Signature)

Subscribed and sworn to before me this

day 6 of January 1992

SEAL

Betty J. Jessor
(Notary Public)

Residing at Boise Id

My Commission Expires April 1993

item
21

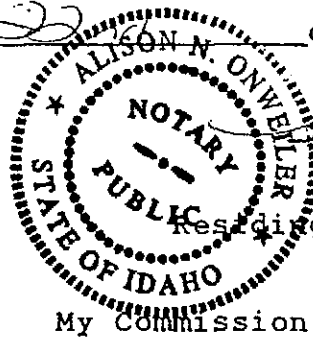
I Cleo Swayne residing at 311 14th Ave S. Nampa, Id 83651, do hereby affirm that when my husband and I purchased the Lippen-cott building in 1960, the owner, Tip Grover, went with us to Silver City and showed us how to turn on the water into the house. The water has been used each year since that time.

He told us at this time that he furnished water every year for the Owyhee Cattlemen's annual meeting in Silver City.

Cleo R. Swayne
Cleo R. Swayne

2-28-1994
Date

Subscribed and sworn to before me this
day 22 of February 19 94



Alison N. Onweiler
Notary Public

Residing at Nampa Idaho

My Commission Expires 1-4-99

AFFIDAVIT

I, Cleo Swayne, and, my husband, Dr. Samuel A. Swayne, did pay to Tom Rock \$15.00 each year for water delivered to our house in Silver City. We paid this fee as he was the owner of the Idaho Hotel; our house was on to the hotel water system. This fee was paid from the time we purchased the building in 1960 until Mr. Rock died.

Cleo Swayne
signature

Notarized By: _____
Date: _____

Samuel A. Swayne
11-07-91

den
22



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

A55-10204 *JUNE 28, 1991*
SILVER CITY TAXPAYERS ASSOC.
C/O PAUL NETTLETON, PRESIDENT
P.O. BOX 74
MURPHY ID 83650

RE: Claim No(s): A55-10204

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is NOT to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "Priority Date" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no license, decree or permit on file to verify the use of this water. For this reason, the Department is under a legal requirement to gather evidence from claimants supporting the date of first use, or "Priority Date", for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "Evidence of Priority" which describes the types of evidence required and explains what kind of documents will fulfill this requirement. While we encourage you to read the entire pamphlet, we would like to direct your attention to the right-hand half of this pamphlet once you open it. There you will find information concerning the evidence requirements mentioned above. The other sections describe to you why this evidence is necessary.

If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, cannot be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the above claim(s) have been or soon will be conducted by Department personnel.

Please submit the required evidence supporting the priority date(s) by August 1, 1991, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact a water resource agent in this office.

Sincerely,

Jan Shurte
Water Rights Supervisor
Adjudication Section

JS:lh
Enclosures

MICROFILMED

SEP 29 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:09:28
05/22/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-10204

LAST: SILVER CITY TAXPAYERS ASSOC. INC. FIRST:
ADDRESS: C/O PAUL NETTLETON, PRESIDENT
P.O. BOX 74
CITY: MURPHY STATE: ID ZIP: 83650
PHONE NUMBER: 208-834-2237

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE
Y

FIELD
EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: SINGLE SPRING ON TRACT LINE & LOCALLY KNOWN AS CITY SPRING. CONS.
USE: 10 AFA IRRIG + 21.6 AFA DOMEST. (36 X .6) + .6 AFA COMM..
COMMERCIAL USE SERVES IDAHO HOTEL, WHICH IS PROBABLY OLDEST USER
FROM SYSTEM & MAY HAVE SEPARATE CLAIM FILED FOR EARLIER D.O.P..
ALL DELIVERIES OF WATER FROM THE SPRING ARE THROUGH THE S.C.T.A.
DELIVERY SYSTEM. SEE FILE 55-07011 FOR ANALYSIS OF FLOW RATE IN
THE SYSTEM. DOM. + COMM. P/U = IRRIG. P/U (HOTEL @ TRACT LINES).
IRRIGATION COVERS THE YARD USE. PRIMARY USE IS INTERNAL; IRRIG.
ONLY AFTER THIS OCCURS. SAME ACRES AS OTHER IRRIG. FROM SAME P/D.
USES IN THIS CLAIM DATE TO VARIOUS PRIORITY DATES INCLUDING SOME
TO 1800'S & EARLY AS WELL AS MID-1900'S. ASSOCIATION DECIDED TO
FILE 1 CLAIM FOR ALL GRANDFATHER USES SERVED BY SYSTEM FROM
CITY SPRING INCLUDING IDAHO HOTEL & USE LATEST ALLOWABLE D.O.P..
THIS CLAIM RESULTS FROM CONSIDERABLE CONFUSION IN THE LICENSING
OF 55-07011 & IS FILED ON RECOMMENDATION FROM WESTERN REGIONAL
STAFF. STAFF RECOMMENDS NO LATE FEE. SEE JAN S. &/OR STEVE L.
THIS RIGHT, WHEN COMBINED WITH OTHER RIGHTS FROM THE SAME SPRING,
SHALL NOT EXCEED THE RATE OF FLOW LICENSED IN 55-07011. DOMESTIC
UNITS IN CLAIM ARE DIFFERENT THAN THOSE IN 55-07011 AND 55-07409.

See 3/1/98
Recommendations
-SC

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: ____/____/____

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A55-10204 PRIORITY DATE: 09-01-1968 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO PRIORITY DATE DISCREPANCY? (Y/N)	Y	

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:

REVIEWED BY _____ DATE _____

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-10204	05S	03W	6	NE	SE	NW		OWYHEE
A55-10204	05S	03W	6	NW	SE	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD

A PREFIX R PREFIX

A55-04003

NONE

A55-04007

A55-10205

A55-10130

WR RECORDS IN SAME 40 ACRE TRACT

55-07378

L55-07011

55-07409

SOURCE: SPRING

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)
DUE TO SOURCE DISCREPANCY? (Y/N)

DATABASE
Y
Y

FIELD
EXAMINER

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SOURCE: _____

TRIB: _____

REVIEWED BY: _____

DATE: _____

A. ROOT WATER RIGHT NUMBERS: A55-10204

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	03W	6	SW	NE	17	SILVER CITY TAXPAYERS ASSOC. IA55-10204	/ 1.0	-	/		
			SW	NE		OTTO , GLORIA W. A55-02212	/	-	/		
			SW	NE		OTTO , GLORIA W. A55-10000	/	-	/		
			SW	NE		SILVER CITY TAXPAYERS ASSN. INA55-07011	/	55-07011	/		
			SW	NE		JOYCE LIVESTOCK CO. A55-10135	/	-	/		
			SW	NE	17	SILVER CITY PROPERTY OWNERS AS		55-07409	/ 1.0		
			SW	NE	17	SILVER CITY PROPERTY OWNERS AS		55-07411	/ 1.0		
			SW	NE	17	SILVER CITY PROPERTY OWNERS AS		55-07412	/		
			SW	NE	17	SILVER CITY TAXPAYERS ASSN. IN		L55-07011	/		
05S	03W	6	SE	NE	18	SILVER CITY TAXPAYERS ASSOC. IA55-10204	/ 1.0	-	/		
			SE	NE		SILVER CITY TAXPAYERS ASSN. INA55-07011	/	55-07011	/		
			SE	NE		JOYCE LIVESTOCK CO. A55-10135	/	-	/		
			SE	NE		CRAMER , PHILIP A55-04000	/	-	/		
			SE	NE	18	IDAHO HOTEL , THE A55-10205	/	-	/		
			SE	NE		SWAYNE , CLEO		55-04040	/		
			SE	NE	18	SILVER CITY PROPERTY OWNERS AS		55-07409	/ 1.0		
			SE	NE	18	SILVER CITY PROPERTY OWNERS AS		55-07411	/ 1.0		
			SE	NE	18	SILVER CITY PROPERTY OWNERS AS		55-07412	/		
			SE	NE	18	SILVER CITY TAXPAYERS ASSN. IN		L55-07011	/		
05S	03W	6	NE	SE		SILVER CITY TAXPAYERS ASSOC. IA55-10204	/ 1.0	-	/		
			NE	SE		SILVER CITY TAXPAYERS ASSN. INA55-07011	/	55-07011	/		
			NE	SE		JOYCE LIVESTOCK CO. A55-10135	/	-	/		
			NE	SE		IDAHO HOTEL , THE A55-10205	/	-	/		
			NE	SE		SILVER CITY PROPERTY OWNERS AS		55-07409	/ 1.0		
			NE	SE		SILVER CITY PROPERTY OWNERS AS		55-07411	/ 1.0		
			NE	SE		SILVER CITY PROPERTY OWNERS AS		55-07412	/		
			NE	SE		SILVER CITY TAXPAYERS ASSN. IN		L55-07011	/		
05S	03W	6	NW	SE	19	SILVER CITY TAXPAYERS ASSOC. IA55-10204	/ 1.0	-	/		
			NW	SE		OTTO , CARL W. A55-04006	/	55-04006	/		
			NW	SE		STATHAM , WILMA L. A55-04007	/	-	/		
			NW	SE		STATHAM , WILMA L. A55-04108	/	55-04108	/		
			NW	SE		STATHAM , HAROLD R. A55-04110	/	55-04110	/		
			NW	SE		SILVER CITY TAXPAYERS ASSN. INA55-07011	/	55-07011	/		
			NW	SE		OTTO , GLORIA A55-10130	/	-	/		
			NW	SE		JOYCE LIVESTOCK CO. A55-10135	/	-	/		
			NW	SE		OTTO , GLORIA W. A55-04151	/ 2.0	55-04151	/ 2.0		
			NW	SE		WILLIAMS , M. NED		55-02212	/		
			NW	SE	19	SILVER CITY PROPERTY OWNERS AS		55-07409	/ 1.0		
			NW	SE	19	SILVER CITY PROPERTY OWNERS AS		55-07411	/ 1.0		
			NW	SE	19	SILVER CITY PROPERTY OWNERS AS		55-07412	/		
			NW	SE	19	SILVER CITY TAXPAYERS ASSN. IN		L55-07011	/		
TOTAL ACRES							A55-10204	4.00			

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-10204	IRRIGATION	FROM 04-01 TO 11-01	.080 CFS
A55-10204	DOMESTIC	FROM 01-01 TO 12-31	.200 CFS
A55-10204	COMMERCIAL	FROM 01-01 TO 12-31	.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.200 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
----------	-----------	--------------------

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y(____) N(____)

RECOMMEND TO WR STANDARDS OR OTHER? Y(____) N(____) Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) FIELD
Y DATABASE EXAMINER

B. FLOW MEASUREMENT

MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y() N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 55-07011 & 55-07409 SAME P/D; 55-07411 DIFFERENT SOURCE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A55-10204	SPRING	SILVER CITY TAXPAYERS ASSOC. I	0.200	0.050		
A55-04151	SPRING	OTTO , GLORIA W.	0.070	0.035	33.00	16.50

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A55-10204	DOMESTIC	SILVER CITY TAXPAYERS ASSOC. I	FROM 01-01 TO 12-31	.200 CFS	
A55-10204	COMMERCIAL	SILVER CITY TAXPAYERS ASSOC. I	FROM 01-01 TO 12-31	.040 CFS	
A55-02212	DOMESTIC	OTTO , GLORIA W.	FROM 01-01 TO 12-31	.020 CFS	
A55-10000	DOMESTIC	OTTO , GLORIA W.	FROM 01-01 TO 12-31	.020 CFS	
A55-07011	DOMESTIC	SILVER CITY TAXPAYERS ASSN. I	FROM 01-01 TO 12-31	.760 CFS	
A55-07011	COMMERCIAL	SILVER CITY TAXPAYERS ASSN. I	FROM 01-01 TO 12-31	.040 CFS	
A55-10135	STOCKWATER	JOYCE LIVESTOCK CO.	FROM 01-01 TO 12-31	.230 CFS	
A55-04000	DOMESTIC	CRAMER , PHILIP	FROM 01-01 TO 12-31	.040 CFS	
A55-10205	COMMERCIAL	IDAHO HOTEL , THE	FROM 01-01 TO 12-31	.040 CFS	
A55-04006	DOMESTIC	OTTO , CARL W.	FROM 01-01 TO 12-31	.040 CFS	
A55-04007	DOMESTIC	STATHAM , WILMA L.	FROM 05-15 TO 11-01	.020 CFS	
A55-04108	DOMESTIC	STATHAM , WILMA L.	FROM 01-01 TO 12-31	.020 CFS	
A55-04110	DOMESTIC	STATHAM , HAROLD R.	FROM 01-01 TO 12-31	.030 CFS	
A55-10130	DOMESTIC	OTTO , GLORIA	FROM 01-01 TO 12-31	.020 CFS	
A55-10130	COMMERCIAL	OTTO , GLORIA	FROM 01-01 TO 12-31	.040 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y(____) N(____)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y(____) N(____) ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 32.2 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(____) N(____)

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

=====

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
		DATABASE EXAMINER	DATABASE EXAMINER	DATABASE EXAMINER
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
TOTAL FOR THIS RIGHT		_____	_____	_____

REVIEWED BY: _____

DATE: _____

=====

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-10204

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE	EXAMINER	CFS
-----------------------------------	----------	----------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A55-10204	0.200	-		-	
TOTAL CFS		0.200				

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:09:28
05/22/91

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A55-10204

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

RIGHT NUMBER	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	MAXIMUM DIVERSION	STAGE
A55-10204	SILVER CITY TAXPAYERS ASSOC. INC. C/O PAUL NETTLETON, PRESIDENT P.O. BOX 74 MURPHY ID 83650	09/01/1968	IRRIGATION DOMESTIC COMMERCIAL	04-01 11-01 01-01 12-31 01-01 12-31	0.08 CFS 0.20 CFS 0.04 CFS	BENEFICIAL USE
					0.20 CFS TOTAL 0.00 AFA TOTAL	

SOURCE: SPRING TRIBUTARY: SINKS
OTHER RIGHTS: 55-07011 & 55-07409 SAME P/D; 55-07411 DIFFERENT SOURCE
CONDITIONS OF APPROVAL:

REMARKS: SINGLE SPRING ON TRACT LINE & LOCALLY KNOWN AS CITY SPRING. CONS.
USE: 10 AFA IRRIG + 21.6 AFA DOMEST. (36 X .6) + .6 AFA COMM..
COMMERCIAL USE SERVES IDAHO HOTEL, WHICH IS PROBABLY OLDEST USER
FROM SYSTEM & MAY HAVE SEPARATE CLAIM FILED FOR EARLIER D.O.P..
ALL DELIVERIES OF WATER FROM THE SPRING ARE THROUGH THE S.C.T.A.
DELIVERY SYSTEM. SEE FILE 55-07011 FOR ANALYSIS OF FLOW RATE IN
THE SYSTEM. DOM. + COMM. P/U = IRRIG. P/U (HOTEL @ TRACT LINES).
IRRIGATION COVERS THE YARD USE. PRIMARY USE IS INTERNAL; IRRIG.
ONLY AFTER THIS OCCURS. SAME ACRES AS OTHER IRRIG. FROM SAME P/D.
USES IN THIS CLAIM DATE TO VARIOUS PRIORITY DATES INCLUDING SOME
TO 1800'S & EARLY AS WELL AS MID-1900'S. ASSOCIATION DECIDED TO
FILE 1 CLAIM FOR ALL GRANDFATHER USES SERVED BY SYSTEM FROM
CITY SPRING INCLUDING IDAHO HOTEL & USE LATEST ALLOWABLE D.O.P..
THIS CLAIM RESULTS FROM CONSIDERABLE CONFUSION IN THE LICENSING
OF 55-07011 & IS FILED ON RECOMMENDATION FROM WESTERN REGIONAL
STAFF. STAFF RECOMMENDS NO LATE FEE. SEE JAN S. &/OR STEVE L.
THIS RIGHT, WHEN COMBINED WITH OTHER RIGHTS FROM THE SAME SPRING,
SHALL NOT EXCEED THE RATE OF FLOW LICENSED IN 55-07011. DOMESTIC
UNITS IN CLAIM ARE DIFFERENT THAN THOSE IN 55-07011 AND 55-07409.

POINT OF DIVERSION:

T05S R03W S06 NESENW
 NWSNW

PLACE OF USE: IRRIGATION

T05S R03W S06 Lot 17 (SWNE) 1.0 Lot 18 (SENE) 1.0 NESE 1.0 Lot 19 (NWSE) 1.0
4.0 ACRES TOTAL

PLACE OF USE: DOMESTIC

SAME AS OTHER USE

PLACE OF USE: COMMERCIAL

SAME AS OTHER USE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:09:28
07/17/91

PAGE: 1
GENERAL INFORMATION

CLAIM NUMBER: A55-10204

LAST: SILVER CITY TAXPAYERS ASSOC. INC. FIRST:
ADDRESS: C/O PAUL NETTLETON, PRESIDENT
P.O. BOX 74
CITY: MURPHY STATE: ID ZIP: 83650
PHONE NUMBER: 208-834-2237

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE
Y

FIELD
EXAMINER

CLAIM REMARKS: SINGLE SPRING ON TRACT LINE & LOCALLY KNOWN AS CITY SPRING. CONS.
USE: 10 AFA IRRIG + 21.6 AFA DOMEST. (36 X .6) + .6 AFA COMM..
COMMERCIAL USE SERVES IDAHO HOTEL, WHICH IS PROBABLY OLDEST USER
FROM SYSTEM & MAY HAVE SEPARATE CLAIM FILED FOR EARLIER D.O.P..
ALL DELIVERIES OF WATER FROM THE SPRING ARE THROUGH THE S.C.T.A.
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IRRIGATION COVERS THE YARD USE. PRIMARY USE IS INTERNAL; IRRIG.
ONLY AFTER THIS OCCURS. SAME ACRES AS OTHER IRRIG. FROM SAME P/D.
USES IN THIS CLAIM DATE TO VARIOUS PRIORITY DATES INCLUDING SOME
TO 1800'S & EARLY AS WELL AS MID-1900'S. ASSOCIATION DECIDED TO
FILE 1 CLAIM FOR ALL GRANDFATHER USES SERVED BY SYSTEM FROM
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SHALL NOT EXCEED THE RATE OF FLOW LICENSED IN 55-07011. DOMESTIC
UNITS IN CLAIM ARE DIFFERENT THAN THOSE IN 55-07011 AND 55-07409.

CONTACT PERSON: _____

PHONE NUMBER: (____) ____-____

DATE OF FIELD EXAM: __/__/__

APPOINTMENT MADE: Y(____) N(____)

TIME: ____:____ A(____) P(____)

ACCOMPANIED BY: _____

PHONE NUMBER: (____) ____-____

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A55-10204 PRIORITY DATE: 09-01-1968 STAGE: J

B. WR RECORD: NO WATER RIGHT RECORD TO MATCH THIS AJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: _____

=====

RECOMMENDED PRIORITY DATE:

__-__-__

REVIEWED BY _____

DATE _____

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A55-10204	05S	03W	6	NE	SE	NW		OWYHEE
A55-10204	05S	03W	6	NW	SE	NW		OWYHEE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A55-04003 NONE
A55-04007
A55-10205
A55-10130

WR RECORDS IN SAME 40 ACRE TRACT

L55-07011
55-07409

SOURCE: SPRING

TRIB: SINKS

B. WR POINT OF DIVERSION AND SOURCE:

THERE IS NO WATER RIGHT RECORD WITH THE SAME CLAIM NUMBER

SOURCE: NO SOURCE FOR RECORD

TRIB: NO TRIBUTARY FOR RECORD

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO POD DISCREPANCY? (Y/N)	Y	_____
DUE TO SOURCE DISCREPANCY? (Y/N)	Y	_____

REMARKS:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC. 1/4 1/4 1/4 LOT COUNTY

SOURCE: _____ TRIB: _____
REVIEWED BY: _____ DATE: _____

A. ROOT WATER RIGHT NUMBERS: A55-10204

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
05S	03W	6	SW	NE	17	SILVER CITY TAXPAYERS ASSOC. IA55-10204 / 1.0	-	/			
			SW	NE		SILVER CITY TAXPAYERS ASSN. IN	55-07011	/			
			SW	NE	17	SILVER CITY PROPERTY OWNERS AS	55-07409	/ 1.0			
			SW	NE	17	SILVER CITY PROPERTY OWNERS AS	55-07411	/ 1.0			
			SW	NE	17	SILVER CITY PROPERTY OWNERS AS	55-07412	/			
			SW	NE	17	SILVER CITY TAXPAYERS ASSN. IN	L55-07011	/			
05S	03W	6	SE	NE	18	SILVER CITY TAXPAYERS ASSOC. IA55-10204 / 1.0	-	/			
			SE	NE		SWAYNE , CLEO	55-04040	/			
			SE	NE		SILVER CITY TAXPAYERS ASSN. IN	55-07011	/			
			SE	NE	18	SILVER CITY PROPERTY OWNERS AS	55-07409	/ 1.0			
			SE	NE	18	SILVER CITY PROPERTY OWNERS AS	55-07411	/ 1.0			
			SE	NE	18	SILVER CITY PROPERTY OWNERS AS	55-07412	/			
			SE	NE	18	SILVER CITY TAXPAYERS ASSN. IN	L55-07011	/			
05S	03W	6	NE	SE		SILVER CITY TAXPAYERS ASSOC. IA55-10204 / 1.0	-	/			
			NE	SE		SILVER CITY TAXPAYERS ASSN. IN	55-07011	/			
			NE	SE		SILVER CITY PROPERTY OWNERS AS	55-07409	/ 1.0			
			NE	SE		SILVER CITY PROPERTY OWNERS AS	55-07411	/ 1.0			
			NE	SE		SILVER CITY PROPERTY OWNERS AS	55-07412	/			
			NE	SE		SILVER CITY TAXPAYERS ASSN. IN	L55-07011	/			
05S	03W	6	NW	SE	19	SILVER CITY TAXPAYERS ASSOC. IA55-10204 / 1.0	-	/			
			NW	SE		OTTO , GLORIA W. A55-04151 / 2.0	55-04151	/ 2.0			
			NW	SE		WILLIAMS , M. NED	55-02212	/			
			NW	SE		OTTO , CARL W.	55-04006	/			
			NW	SE		STATHAM , WILMA L.	55-04108	/			
			NW	SE		STATHAM , WILMA L.	55-04110	/			
			NW	SE		SILVER CITY TAXPAYERS ASSN. IN	55-07011	/			
			NW	SE	19	SILVER CITY PROPERTY OWNERS AS	55-07409	/ 1.0			
			NW	SE	19	SILVER CITY PROPERTY OWNERS AS	55-07411	/ 1.0			
			NW	SE	19	SILVER CITY PROPERTY OWNERS AS	55-07412	/			
			NW	SE	19	SILVER CITY TAXPAYERS ASSN. IN	L55-07011	/			
TOTAL ACRES							A55-10204	4.00			

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES: _____

REVIEWED BY: _____

DATE: _____

=====

A. AJ CLAIMED USES:

	PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A55-10204	IRRIGATION	FROM 04-01 TO 11-01	.080 CFS
A55-10204	DOMESTIC	FROM 01-01 TO 12-31	.200 CFS
A55-10204	COMMERCIAL	FROM 01-01 TO 12-31	.040 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED			.200 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
----------	-----------	--------------------

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	Y	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	Y	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	Y	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED? Y() N()

RECOMMEND TO WR STANDARDS OR OTHER? Y() N() Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.200 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED? FIELD
DATABASE EXAMINER
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y

B. FLOW MEASUREMENT
MEASUREMENT METHOD , SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: 55-07011 & 55-07409 SAME P/D; 55-07411 DIFFERENT SOURCE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A55-10204	SPRING	SILVER CITY TAXPAYERS ASSOC. I	0.200	0.050		
A55-04151	SPRING	OTTO , GLORIA W.	0.070	0.035	33.00	16.50

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 32.2 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

=====

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV		REC. DIV		REC. CONS.	
	FROM	TO	RATE	CFS	VOL.	AF/A	USE	
			DATABASE	EXAMINER	DATABASE	EXAMINER	DATABASE	EXAMINER
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
_____	_____	_____		_____		_____		_____
TOTAL FOR THIS RIGHT				_____		_____		_____

REVIEWED BY: _____ DATE: _____

=====

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-10204

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A55-10204

0.200

-

-

TOTAL CFS

0.200

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
N

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:09:28
07/17/91

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A55-10204

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y							
POINT OF DIV	Y							
SOURCE	Y							
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME	Y							
CONSUMPTIVE USE	-							
PURPOSES	Y							
PERIOD OF USE	Y							
BASIS OF CLAIM	Y							
REMARKS	Y							

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

November 27, 1990

CECIL D. ANDRUS

Mr. Bruce M. Smith
Rosholt, Robertson, Tolman & Tucker
Attorneys at Law
P.O. Box 2139
Boise, ID. 83701-2139

GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

RE: Permit 55-07011

Dear Bruce:

In response to your 11/20/90 letter requesting a copy of the field exam and license recommendation for the above permit, please refer to my 11/19/90 letter and the following summary. Licensing of the permit will be delayed but addressed in the adjudication review period during 1991 and possibly early 1992.

The field exam report is not complete enough to provide a meaningful copy; a summary is provided instead. At this point, the preliminary license recommendation includes the following points.

1. Point of diversion - spring (locally known as City Spring) in T5S, R3W, S. 6 SENW.
2. Place of use - 11 domestic units in T5S, R3W, S. 6 SWNE (Gov't. Lot 17), SENE (Lot 18), NESE, NWSE (Lot 19).
3. Use - domestic (internal and external), 1/1-12/31, 0.20 cfs, 13.2 afa (yearly volume). Refer to the attached map for the 11 units.

All other units on the map are covered by the association's a) beneficial use adjudication claim A55-10204, which includes domestic use for one unit at Ottos' IPB, with a 9/1/1968 priority date, or b) permit 55-07409, which covers commercial use at Otto's IPB, with a 4/23/1990 priority. An adjudication claim is not required for new permits such as 55-07409. Additional claims for the City Spring were filed by several parties to portray uses at individual units, e.g. Ottos' A55-10130 claim for commercial and domestic uses at IPB. The conflicting and/or overlapping claims, along with permit 55-07011, should be resolved via the adjudication field work, review, and recommendations.

The Ottos will be contacted prior to any field work related to their claims. You are certainly welcome to be present during such field exams. Please let me know if additional information is needed.

Sincerely,

Steve Lester
Sr. Water Resource Agent

Enclosure

MICROFILMED

SEP 29 1992

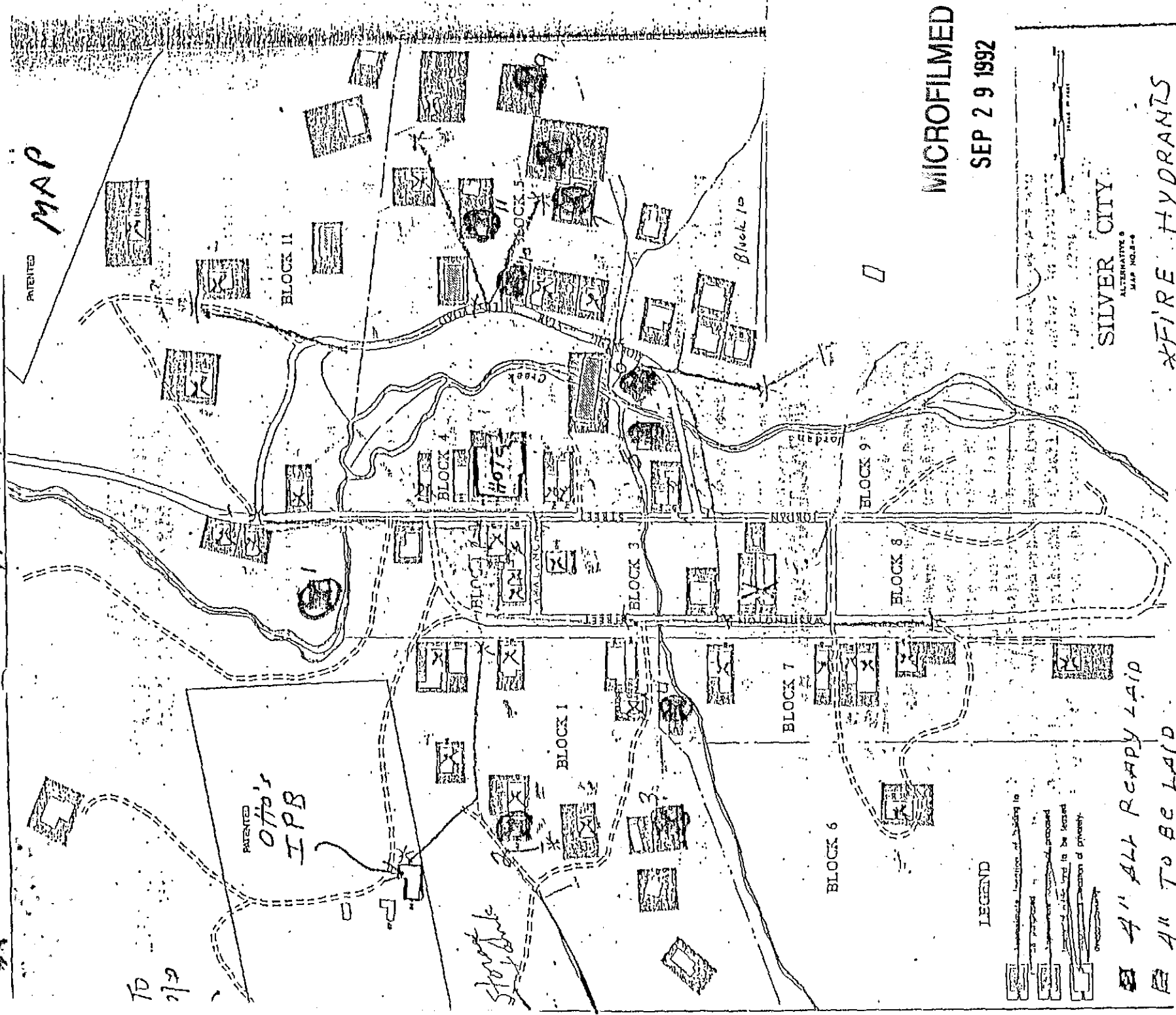
MAP

PATENTED

To 1/2

PATENTED
OFFICE
IPB

Start
Line



MICROFILMED

SEP 29 1992

SILVER CITY

ALTERNATIVE 9
MAP NO. 1-4

LEGEND

- 1. Immediate location of building to be proposed
- 2. Immediate location of building to be proposed
- 3. Immediate location of building to be proposed
- 4. Immediate location of building to be proposed

- 4" ALL READY LAID
- 4" TO BE LAID
- 3" TRUNK LINES
- 2" LINES OR TEES (Probably 1 1/2" instead of 2")

8-38

* FIRE HYDRANTS
① 4" AND 3"

THIS SHOWS UP GRADING IN PROCESS TO IMPROVE WATER DELIVERY TO HOME

ROSHOLT, ROBERTSON, TOLMAN & TUCKER

Chartered

ATTORNEYS AT LAW

1020 MAIN STREET

SUITE 400

P.O. BOX 2139

BOISE, IDAHO 83701-2139

TELEPHONE (208) 336-0700

FAX (208) 344-6034

JOHN A. ROSHOLT
J. EVAN ROBERTSON
STEVEN K. TOLMAN
JAMES C. TUCKER
TERRY R. McDANIEL
GARY D. SLETTE
JERRY JENSEN
F. BRUCE COVINGTON
CAROLYN M. MINDER
BRUCE M. SMITH
G. RICHARD BEVAN
GARY L. QUIGLEY
TIM J. WILLIAMS
JUSTIN R. SEAMONS
JOHN O. FITZGERALD

Twin Falls Office
142 3rd AVENUE NORTH
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

November 20, 1990

Steve Lester
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

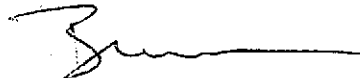
Re: Carl and Gloria Otto Water Rights/Claim Nos:
~~A55-10204~~, A55-10130, Permit No. 55-7011

Dear Steve:

Thanks for meeting with me to discuss the Silver City water rights situation. Mr. and Mrs. Otto are very interested in the situation and simply want to make sure their water rights are protected.

As part of this process, would you please send me a copy of the field exam and recommendation for licensing of permit No. 55-7011. Also, please accept this letter as notice that the Otto's would like to participate when you get ready to do the field exam on their adjudication claim in the summer of 1991. Thanks again for your help in addressing this matter.

Sincerely,



Bruce M. Smith

BMS/dj
54831

cc: State Office - adjudication section
Dave Tuthill

MICROFILMED

SEP 29 1992

INTER-DEPARTMENT MEMO — 1

FROM

Steve Lester

DATE

4/23/90

TO

FILE ASS-10204

SUBJECT

This claim was received with 3 water right applications
(SS-02409, 07411, 07412) on 4/23/90.

FEES : Application @ \$30 each = \$90
 ASS-10204 @ \$50
 \$4 (4 ones)
 \$20 (domestic)
 4 (commercial)
 \$78

MICROFILMED

SEP 29 1992

SIGNATURE

SL

Check was mailed & receipted prior to submittal of claim & application,
 thus receipt W011785 dates from 4/2/90. (over)

A Request for Ext. of Time to avail Lte fee was submitted with A 55-10204. Request was forwarded to Dave Slavi today. (Thrupp Jan 5.)

Date Received

RECEIVED
APR 23 1990

APR 30 1990

Approved
Filed on Recommendation
of S. Larter & J. Shuler

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

Department of Water Resources
Western Regional Office

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Silver City Taxpayers' Assoc., INC. () 834-2237
Name of Claimant Phone Number
c/o Paul Nettleton, Pres. P.O. Box 74 Murphy Id. 83650
Mailing Address City State Zip
Owyhee Jan. 19, 1989
County(s) where place of use is located Date claim originally due
A55-10204
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

The claim will be filed after being prepared by Western Region staff. A late claim resulted due to confusion involving the S.C.T.A. INC. water rights. This confusion involves permit 55-07011 which has been in the licensing process since the field exam in Nov. 1987. The S.C.T.A. has cooperated with the Western Region to resolve the situation, and claim A55-10204 will result from this. Claim A55-07011 (the original S.C.T.A. right) was filed by the deadline.

Paul Nettleton June 1 19 90
Signature Date of request
President, S.C.T.A. INC.
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [X granted] [_____ denied] for the following reasons:

and if granted the filing deadline is extended to June 1, 19 90

Signed this 19 day of May, 19 90

RECEIVED

Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MAY 22 1990

DAVID B. SHAW

Department of Water Resources
Western Regional Office