

IDWR

T02S, R07E

Claim(s) 61-04140

Owner(s) : Smith

Prepared by:

Ron Howerton

Date: 9 Sep 98

Total Acres: 54.1

 POU

 POD

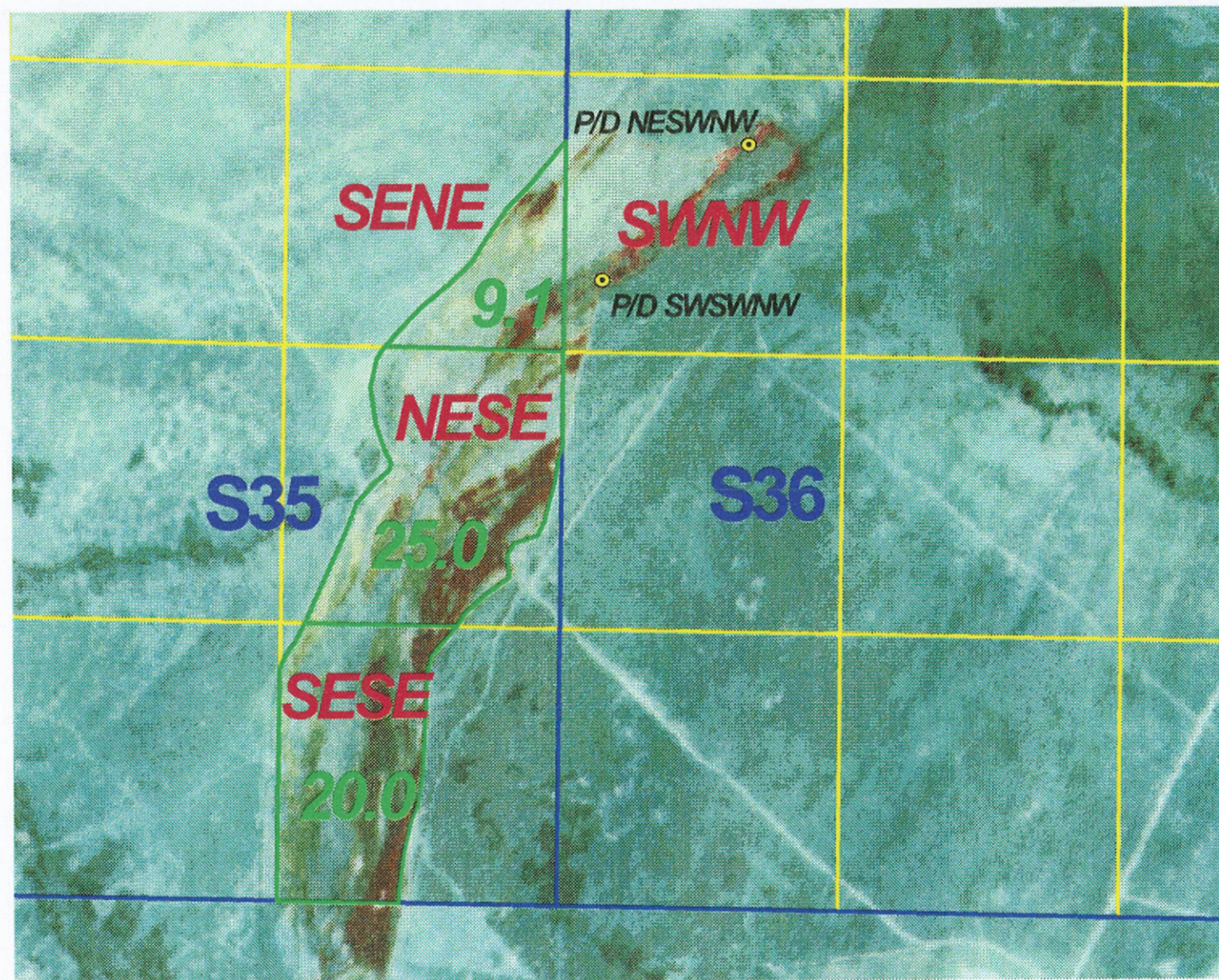
 SECTION LINES

 1/4 1/4

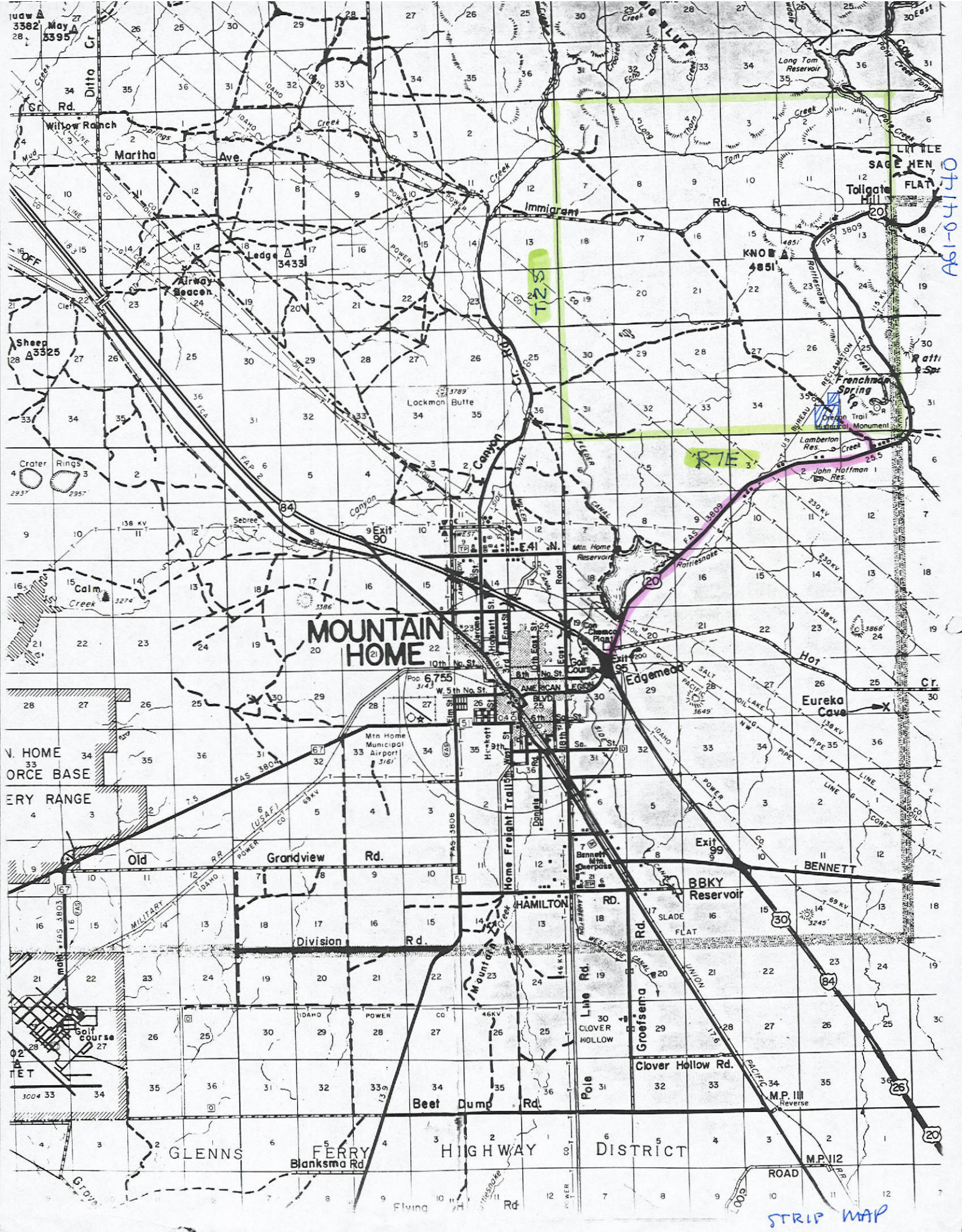
Acres = 9.1

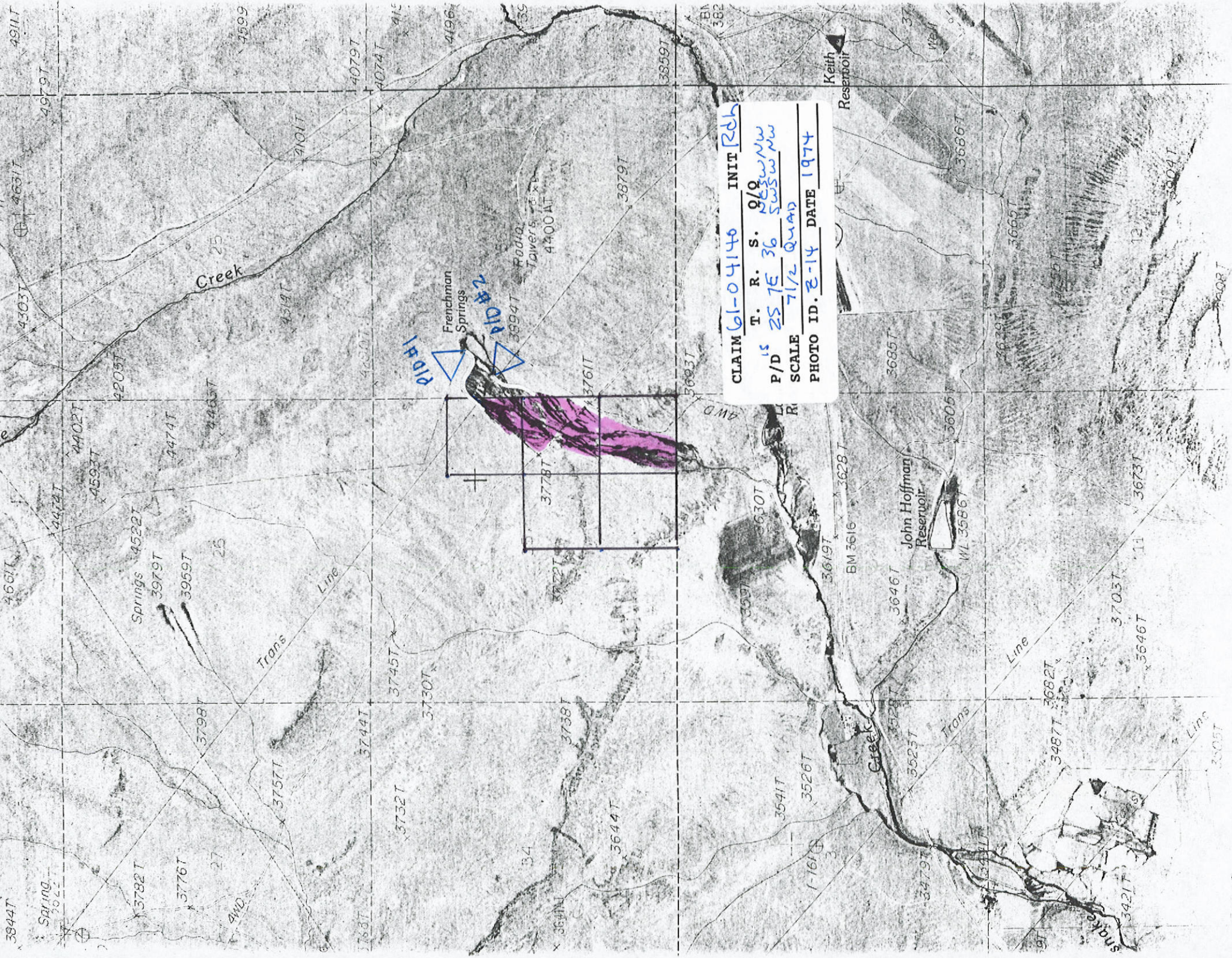


1987 NAPP



0 0.25 0.5 0.75 Miles





CLAIM 61-04140 INIT Rdh
T. R. S. 9/Q
P/D 25 7E 36 96SWNW
SCALE 7 1/2 QUAD
PHOTO ID. B-14 DATE 1974

Z-14 NW 1974

1987
ASCS MAP

CLAIM 61-04140 INIT R6h
P/D 25 7E 36 RES NW
SCALE 1000' = 1 INCH
PHOTO ID. ASCS DATE 1987

MANNING
Loc 1
PP#2

UNARMED
STRECH

34 35
3 2 T 258
182

353 NHCL
2 NHCL
53

NHCL

JEAN Smith

25 7E 53S

LOOKS strange about



444 2064

MANNING EQUATION CHANNEL CAPACITY RESULTS

10-17-1994

File Number: A61-04140

Claimant: JEAN SMITH

Channel measured: FRENCHMAN SPRINGS

Date of measurement: 14 OCT 1994

Measurement location:

SWNW S36 T2S R7E

UPPER DITCH ON WEST FIELD SIDE

Calculation prepared by: RON HOWERTON

Comments about the measurement:

ACCOMANIED BY FOREMAN: BASILO SUSAETA

The results of the calculation are:

The channel cross section is 1.61 ft-sq.

The wetted perimeter is 5.03 feet.

The hydraulic radius is 0.32 feet.

The slope is 0.0193

The roughness coefficient is 0.0250

The flow velocity is 3.868 ft/sec.

The rate of flow is 6.22 cfs.

PICTURE #1

61-04140: FX 10/14/94. Photo's by RDH. Point of diversion from spring. Located in T02S, R07E, S36, NESWNW.



PICTURE #2

Ditch from spring.



PICTURE #3

61-04140: FX 10/14/94. Photo's by RDH. Same ditch from spring looking towards the spring.



PICTURE #4

Place of use view from Spring ditch to the South.



PICTURE #5

61-04140: FX 10/14/94. Photo's by RDH. Same place of use but more to the West.



PICTURE #6

Point of diversion from unnamed stream (from Frenchman Springs). Located in T02S, R07E, S36, SWSNW.



PICTURE #7

61-04140: FX 10/14/94. Photo's by RDH. Manning measurement location. See ASCS map for location.



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

RECEIVED

DEC 4 1989

Ident. Number: A61-04140
Date Received:
Receipt No: C013180
Received By: O.K.
5-3-89

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: JEAN M. SMITH 208-342-5757
Address: 905 WARM SPRINGS AVENUE
BOISE, ID 83702

2. Date of Priority: AUG 20, 1892

3. Source: FRENCHMAN SPRINGS Trib. to: RATTLESNAKE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	07E	36	SW	NW			ELMORE

5. Description of diverting works:
DAM & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.240		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 186.0 Acre Feet Per Annum.

9. Non-irrigation uses:
~~8,1000 SHEEP~~ Stockwater 200 Range Cattle

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	07E	35	SE	NE		IRR	8.0
			SE	NE		STOCK	

A61-04140

Page 1

Date: 05/03/89

MICROFILMED

AUG 11 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	07E	35	NE	SE		IRR	28.0
			NE	SE		STOCK	
			SE	SE		IRR	26.0
			SE	SE		STOCK	
						Section Acres	62.0
						Total Acres	62.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

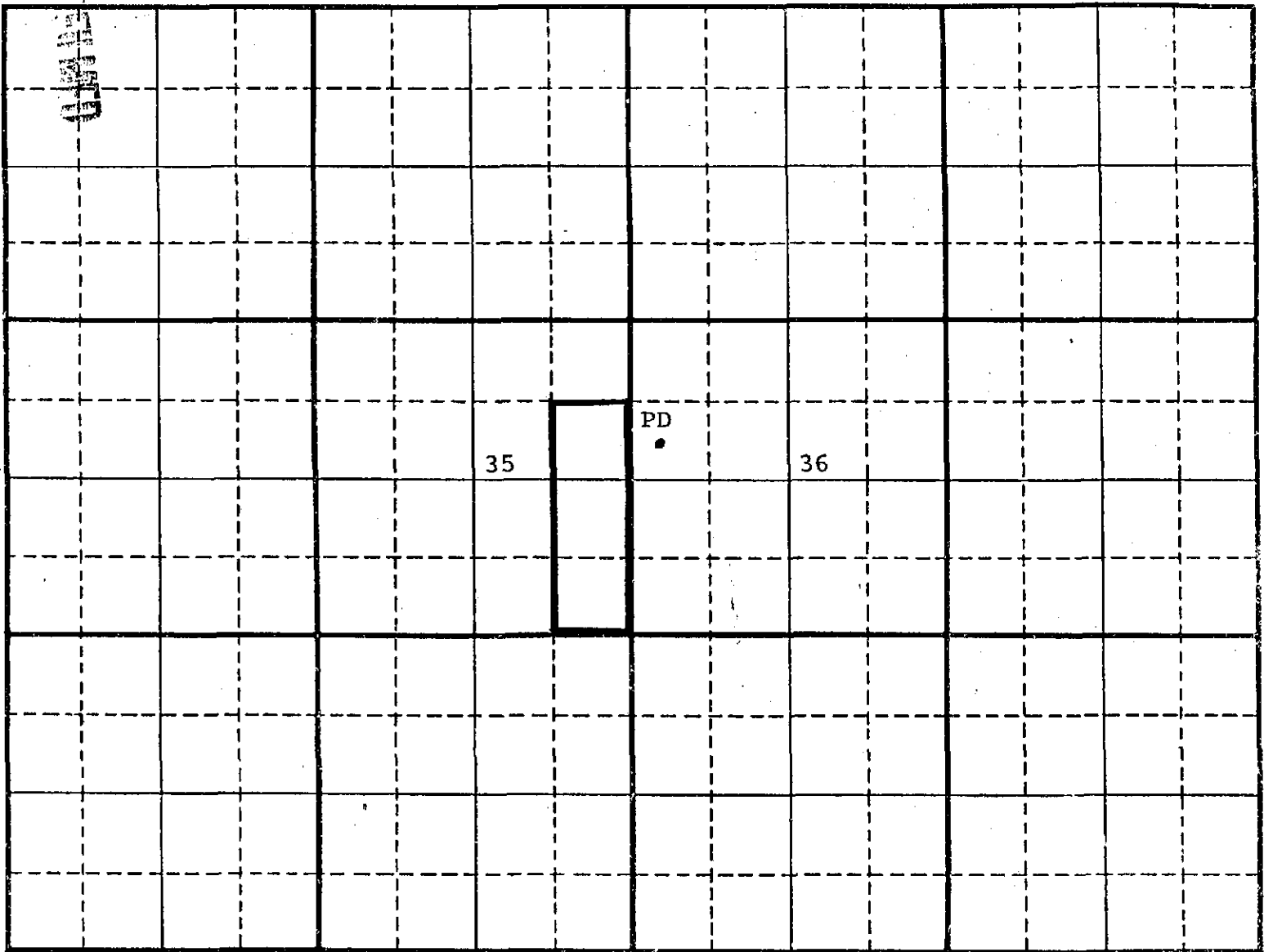
15. Basis of Claim: STATUTORY CLAIM

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

MICROFILMED
AUG 11 1992

(8) Remarks

T. 2 S., R. 7 E., B.M.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of Ada)

MICROFILMED

AUG 11 1992

Be it known that the undersigned, being duly sworn, deposes and says that he, ~~she~~, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Jean M. Smith McCarthy individually and as Personal Representative of the Estate of Bill Smith, deceased, ✓ *Jean M. Smith McCarthy* (Claimant)

Sworn to before me this 2nd day of May

19 84

Water Right Number - 61-04140 Prefix Translation: WATER RIGHT Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
SMITH

EST. OF BILL

1 - C/O JEAN M. SMITH, REP.
2 - 905 WARM SPRINGS AVE.
3 -

City- BOISE State- ID Zip- 83702

Phone -

SMITH

JEAN M.

1 - C/O JEAN M. SMITH, REP.
2 - 905 WARM SPRINGS AVE.
3 -

City- BOISE State- ID Zip- 83702

Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/20/1892 14 WESTERN S - STATUTORY CLAIM

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
FRENCHMAN SPRINGS RATTLESNAKE CREEK

Point of Diversion						Diversion Name	Diversion Rate	Diversion No.
Twn	Rng	Sec	Tract	Lot	RFlg	County		
02S	07E	36	SW NW			(39) ELMORE		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	1.240	
04 - STOCKWATER		01/01	12/31	0.050	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
1.290

Place of Use								Description	County
Twn	Rng	Sec	Tract	Lot	Acres	Code			
02S	07E	35	SE NE		8.0	01	IRRIGATION	(39) ELMORE	
02S	07E	35	NE SE		28.0	01	IRRIGATION	(39) ELMORE	
02S	07E	35	SE SE		26.0	01	IRRIGATION	(39) ELMORE	

Total Acres: 62.0

+ - - Diversion Means - DAM & DITCHES

+ - - Non-Irrigation Use - S/1000 SHEEP

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +
No Remarks found.

Water right number - 61-04140

Prefix Translation: WATER RIGHT

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
No Comments Found

+ - - Audit Fields - 01/13/86 05/01/88 CONVERT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date - 00/00/0000	Verified Date - 01/13/1986	DLE/Carey Act -
Order Show Cause - 00/00/0000	Receipt Number -	Water District -
Licensed Date - 00/00/0000	Appl Received - 00/00/0000	Transfer/Amended -
Decree Date - 00/00/0000	Name Connector -	POU Ownership Flag-
Presumption Flag -		

AJ0749NP
No. R61-04140

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

DATE: 10/27/98
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN M SMITH 905 WARM SPRINGS AVENUE BOISE ID 83702 (208) 342-5757	08/20/1892	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	1.08 CFS 0.05 CFS	
TOTAL DIVERSION:					1.13 CFS	

Water Source: FRENCHMAN SPRINGS
UNNAMED STREAM

Tributary to: RATTLESNAKE CREEK
RATTLESNAKE CREEK

Stage: BENEFICIAL USE

Point(s) of Diversion: T02S R07E S36 NESWNW SWSWNW ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE						
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
02S	07E	35	:					09	:									25		20	:	54.1
TOTAL ACRES																				54.1		

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
02S	07E	35	:					S	:									S		:	

POU County: ELMORE

Conditions of Approval:

- N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
- N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Remarks: EXP STOCKWATER, 200 RANGE CATTLE

Dates: Exam Made Date: 10/14/1994 Verified Date: 10/27/1998 Objection Filed Date:

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

Audit: 10/27/98 RHOWERTO

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. 61-04140

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	<u>Y</u>	<u>Rch 10/14/94</u>	<u>6</u>	<u>N</u>	<u>N</u>		
PT. OF DIV.			<u>5</u>	<u>Y</u>			DATA ENTRY COMPLETED BY _____ DATE _____
SOURCE			<u>5,6</u>	<u>Y</u>			
PL. OF USE			<u>6</u>	<u>N</u>			FINAL RECOMMENDATION BY _____ DATE _____
DIV. AMOUNT CFS/AF			<u>5</u>	<u>Y</u>			
CONSUMPTIVE USE			<u>NA</u>	<u>NA</u>			
NATURE OF USE			<u>6</u>	<u>N</u>			
PERIOD OF USE			<u>6</u>	<u>N</u>			
BASIS OF CLAIM			<u>6</u>	<u>N</u>			
REMARKS							

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
 SUBMITTED - YES X NO ____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
 CLAIMANT CONTACT CHECKLIST AND ATTACH.

COMMENTS: 6 - Same AS CLAIM

IDWR

T02S, R07E

Claim(s) 61-04140

Owner(s) : Smith

Prepared by:

Ron Howerton

Date: 9 Sep 98

Total Acres: 54.1

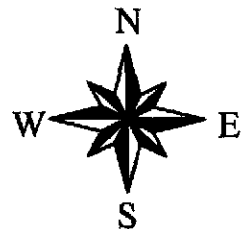
 POU

 POD

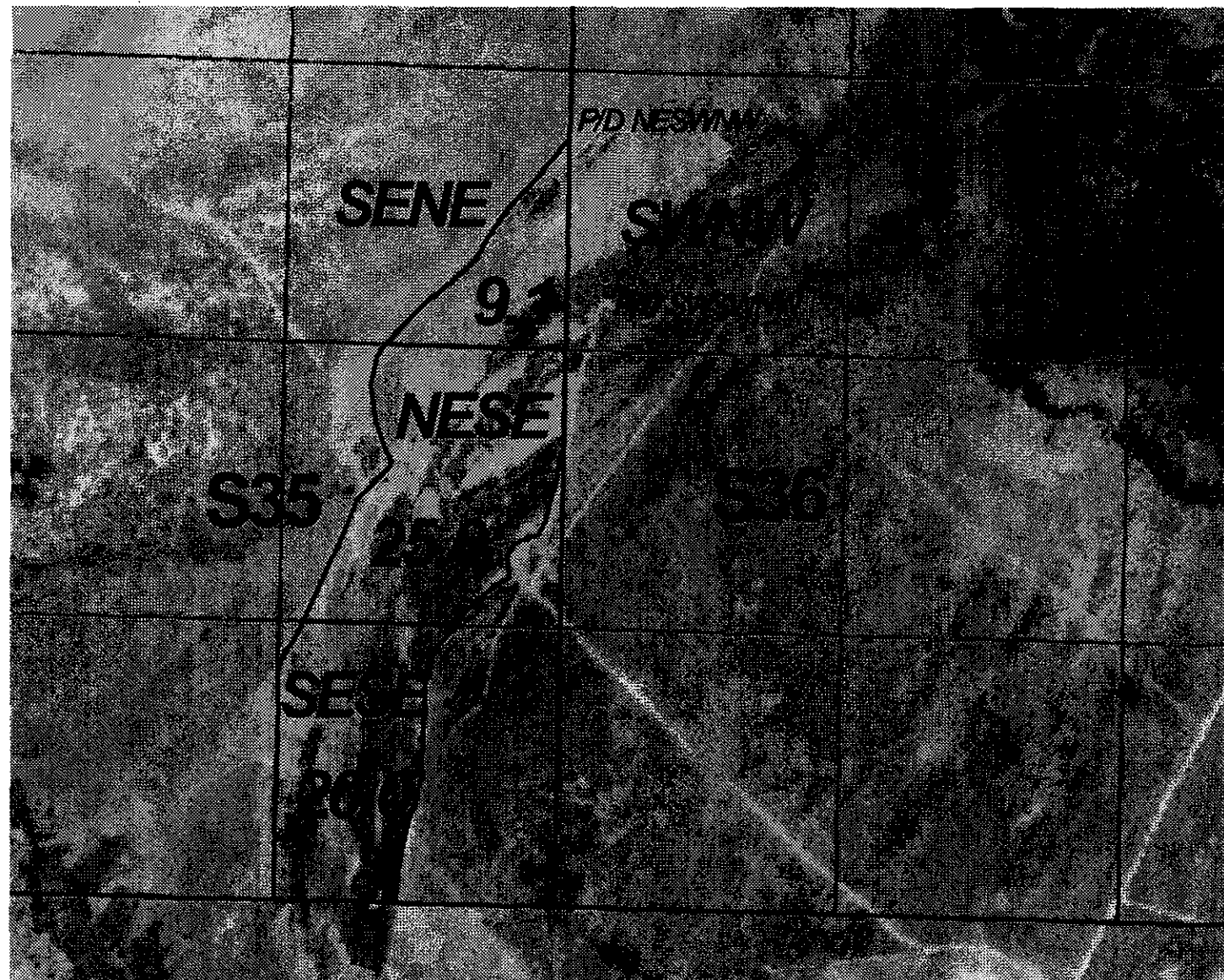
 SECTION LINES

 1/4 1/4

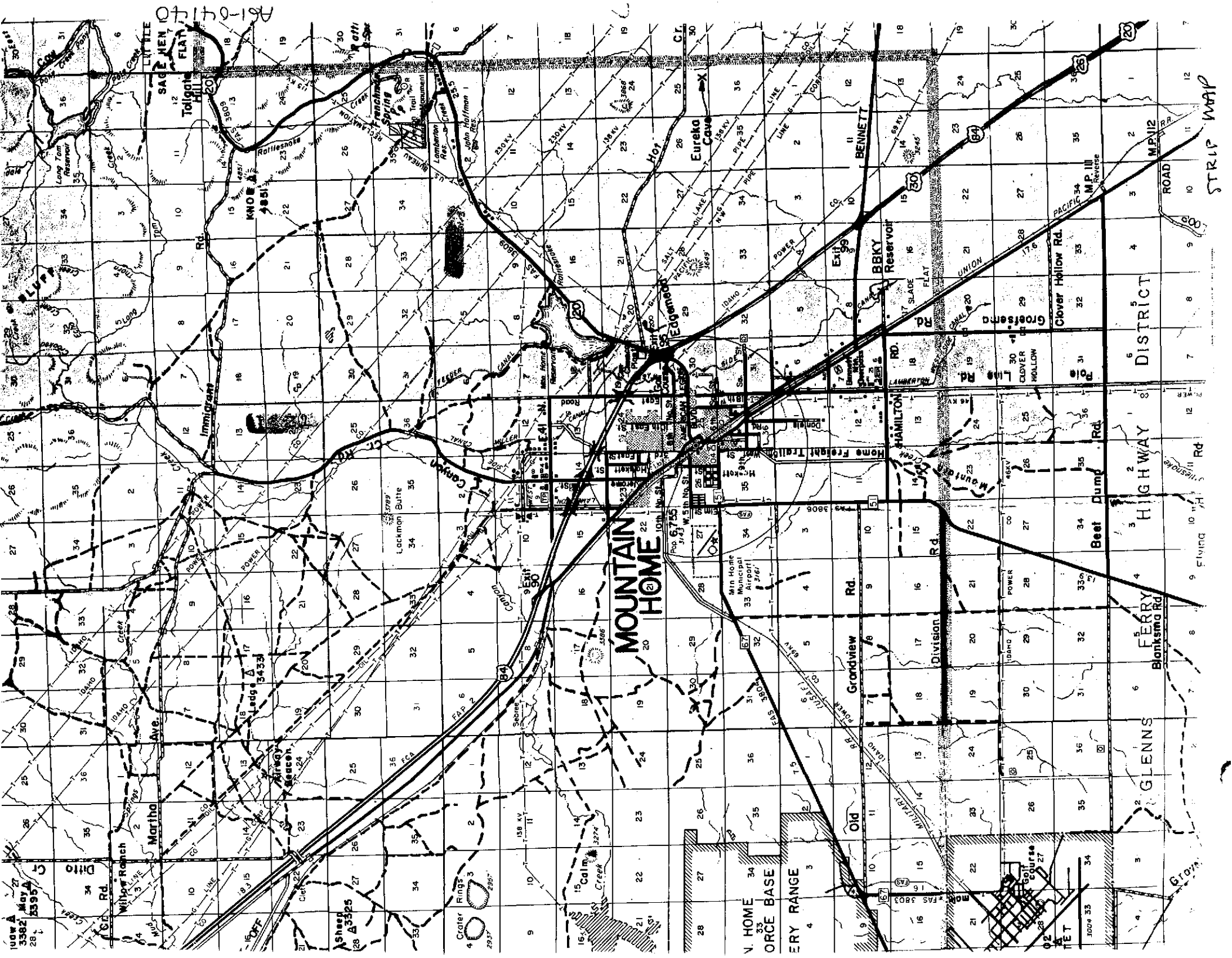
Acres = 9.1



1987 NAPP



0 0.25 0.5 0.75 Miles



STRIP MAP

DISTRICT

HIGHWAY

FERRY

GLASS

BLANKSMA RD

Beet Pump Rd

Groves Rd

Union Rd

Slade Rd

BBKY Reservoir

Exit 99

Bennett

Hamlet

Division Rd

Grandview Rd

Old

Mountain Home

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

Hamlet

1987

AICS MAP

CLAIM 61-04140 INIT R66h
P/D 25 7E 36 SWSW NW
SCALE 1000' = 1 inch
PHOTO ID. 195CS DATE 1987

UNNAMED
stream

WHEEL
WHEEL

JEAN Smith 25 7E 535

LOOKS strange about

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:48:45
07/06/94

PAGE: 1
GENERAL INFORMATION

1
CLAIM NUMBER: A61-04140

LAST: SMITH
ADDRESS: C/O JEAN M. SMITH, REP.
905 WARM SPRINGS AVE.
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: EST. OF BILL

STATE: ID ZIP: 83702

OWNER CODE: 0

LAST: SMITH
ADDRESS: C/O JEAN M. SMITH, REP.
905 WARM SPRINGS AVE.
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: JEAN M.

STATE: ID ZIP: 83702

OWNER CODE: 0

LAST: SMITH
ADDRESS: 905 WARM SPRINGS AVENUE
CITY: BOISE
PHONE NUMBER: 208-342-5757

FIRST: JEAN M.

STATE: ID ZIP: 83702

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

CONTACT PERSON: TOM MILLER

PHONE NUMBER: () 344-9883

DATE OF FIELD EXAM: 10/14/94

APPOINTMENT MADE: Y(☒) N()

TIME: ____:____ A() P()

ACCOMPANIED BY: BASILIO SUSAETA

PHONE NUMBER: () ____-____

RELATIONSHIP TO CLAIMANT: FOREMAN

DIRECTIONS TO PROPERTY / NOTES:

SEE County STRIP MAP

A. AJ CLAIM: # A61-04140 PRIORITY DATE: 08-20-1892 STAGE: S
B. WR RECORD: # 61-04140 PRIORITY DATE: 08-20-1892 STAGE: S

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER

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

NOTES: SEE AFFIDAVIT

=====

RECOMMENDED PRIORITY DATE:
08-20-1892

REVIEWED BY Rob DATE 10/27/98
=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-04140	02S	07E	36		SW	NW		ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A61-04124 NONE

WR RECORDS IN SAME 40 ACRE TRACT

61-04117
61-04124

SOURCE: FRENCHMAN SPRINGS

TRIB: RATTLESNAKE CREEK

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-04140	02S	07E	36		SW	NW		ELMORE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

61-04117
61-04124

A61-04124 NONE

SOURCE: FRENCHMAN SPRINGS

TRIB: RATTLESNAKE CREEK

C. FIELD EXAM REQUIRED?

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

DATABASE
Y
N

FIELD
EXAMINER

POH

NOTES:

THE UNNAMED-STREAM PID IS WATER FROM
FRENCHMAN SPRINGS.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:							COUNTY	DIVERSION NAME
TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT		
T25	R7E	36	NE	SW	NW		ELMORE	FRENCHMAN SPRINGS
		36	SW	SW	NW			UNNAMED STREAM (FRENCHMAN SPRINGS WATER)

SOURCE: FRENCHMAN SPRINGS
UNNAMED STREAM

TRIB: RATTLESNAKE CREEK
" "

REVIEWED BY: Rch

DATE: 10-27-98

SYSTEM DESCRIPTION:

Ditch in SPRING; DAM in UNNAMED STREAM; Ditches, gravity flows.

SEE ASCS MAP FOR SYSTEM DIAGRAM.

A. ROOT WATER RIGHT NUMBERS: A61-04140

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02S	07E	35	SE	NE		SMITH, JEAN M.	A61-04140 / 8.0	61-04140 / 8.0	14.0		9.1
02S	07E	35	SE	NE		SMITH, JEAN M.	A61-04140 /	61-04140 / 8.0	14.0		
02S	07E	35	NE	SE		SMITH, JEAN M.	A61-04140 /28.0	61-04140 /28.0	29.0		25
02S	07E	35	NE	SE		SMITH, JEAN M.	A61-04140 /	61-04140 /28.0	29.0		
02S	07E	35	SE	SE		SMITH, JEAN M.	A61-04140 /26.0	61-04140 /26.0	22.0		20
02S	07E	35	SE	SE		SMITH, JEAN M.	A61-04140 /	61-04140 /26.0	22.0		
TOTAL ACRES							A61-04140	62.00	124.00	130.00	54.1

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Rch

POU COUNTY: ELMORE

PRESUMPTION FLAG: /

NOTES:

RECOMMENDATIONS:

TOTAL ACRES:

54.1

REVIEWED BY:

Rch

DATE:

10/27/98

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-04140 IRRIGATION	FROM 03-15 TO 11-15	1.240 CFS
A61-04140 STOCKWATER	FROM 01-01 TO 12-31	.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.290 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-04140 IRRIGATION	FROM 03-15 TO 11-15	1.240 CFS
61-04140 STOCKWATER	FROM 01-01 TO 12-31	.050 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		1.290 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N() Explain in notes, below.

NOTES:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 1.290 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.290 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 notes. **

FLOW MEASUREMENT REQUIRED?

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

FIELD
DATABASE EXAMINER
Y DLH

B.

FLOW MEASUREMENT

MEASUREMENT METHOD MANNING, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

Claim No(s).: AGI-04140

Name of Claimant: JEAN SMITH - OWNER AND FOREMAN BASILO SUSACETA

ACCOMPANIED BY 8

Name of Ditch, Canal, or Stream: FRENCHMAN SPRINGS

Date of Measurement: 14 OCT 94 Data Collected By: RON HOWERTON

Measurement Location: SW 1/4 NW 1/4 Section 36 T 25 R 7E

General Description and Comments

UPPER DITCH ON WEST FIELD SIDE

Cross-section Data

Basis: High water mark (☒) Maximum capacity ()

Note: A minimum of five readings is necessary; first and last rod reading must be equal or zero.

Depth or Rod Reading	Dist. from Initial Point	Depth or Rod Reading	Dist. from Initial Point
1. <u>0</u>	<u>0</u>	11. <u>0</u>	<u>0</u>
2. <u>.12</u>	<u>.5</u>	12. <u>.6</u>	<u>1</u>
3. <u>.2</u>	<u>1.0</u>	13. <u>.7</u>	<u>2</u>
4. <u>.4</u>	<u>1.5</u>	14. <u>.6</u>	<u>3</u>
<u>.4</u>	<u>2.0</u>	15. <u>.2</u>	<u>4</u>
6. <u>.4</u>	<u>2.5</u>	16. <u>0</u>	<u>4.5</u>
7. <u>.4</u>	<u>3</u>	17. <u></u>	<u></u>
8. <u>.1</u>	<u>3.5</u>	18. <u></u>	<u></u>
9. <u>.2</u>	<u>4.0</u>	19. <u></u>	<u></u>
10. <u>.1</u>	<u>4.5</u>	20. <u></u>	<u></u>

0 UPPER X-SECTION 5.1

Slope Data

LOWER X-SECTION

Basis: High water mark (☒) Channel bottom () Land surface ()

Channel length from cross section: Upstream 110 Downstream 198

Total channel length used for slope measurement: 308

Rod reading at engineers level:

Upstream rod reading 4.28 - High Water Mark(if taken from channel bottom) =

Downstream rod reading 10.22 - High Water Mark(if taken from channel bottom) =

N : The downstream rod reading must be higher than the upstream rod reading.

Are maps and/or photos attached? Yes ()

MANNING'S "n" (roughness coefficient)

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000	X	(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015		(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000	X	(1)	low	.005	X	(1)
minor	.005		(2)		.010		(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000	X	(1)	minor	1.00	X	(1)
occasional	.005		(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

MANNING EQUATION CHANNEL CAPACITY RESULTS

10-17-1994

File Number: A61-04140

Claimant: JEAN SMITH

Channel measured: FRENCHMAN SPRINGS

Date of measurement: 14 OCT 1994

Measurement location:

SWNW S36 T2S R7E

UPPER DITCH ON WEST FIELD SIDE

Calculation prepared by: RON HOWERTON

Comments about the measurement:

ACCOMANIED BY FOREMAN: BASILO SUSAETA

The results of the calculation are:

The channel cross section is 1.61 ft-sq.

The wetted perimeter is 5.03 feet.

The hydraulic radius is 0.32 feet.

The slope is 0.0193

The roughness coefficient is 0.0250

The flow velocity is 3.868 ft/sec.

The rate of flow is 22 cfs.

CROSS SECTION NUMBER 1

For File Number A61-04140 for the FRENCHMAN SPRINGS

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.12	0.12	0.50
3	0.20	0.20	1.00
4	0.40	0.40	1.50
5	0.40	0.40	2.00
6	0.40	0.40	2.50
7	0.40	0.40	3.00
8	0.10	0.10	3.50
9	0.20	0.20	4.00
10	0.10	0.10	4.50
11	0.00	0.00	5.10

The area for this cross section is 1.16 square feet
and the wetted perimeter is 5.27 feet.

CROSS SECTION NUMBER 2

For File Number A61-04140 for the FRENCHMAN SPRINGS

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.60	0.60	1.00
3	0.70	0.70	2.00
4	0.60	0.60	3.00
5	0.20	0.20	4.00
6	0.00	0.00	4.50

The area for this cross section is 2.05 square feet
and the wetted perimeter is 4.79 feet.

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 54.1 x 0.02 CFS/ACRE = 1.08 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 = 186.0 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(☒)

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

N05, N08 Stokewater, 200 RANGE CATTLE

=====

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
IRRIGATION	03-15 11-15	~~1.240~~ 1.08	_____	~~186.0~~ _____
STOCKWATER	01-01 12-31	0.050 _____	_____	_____
TOTAL FOR THIS RIGHT		~~1.290~~ 1.13		

REVIEWED BY: Rch

DATE: 10/27/98

=====

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: 61-04140

TOTAL DIVERSION RATE OF WR SPLITS	DATABASE 1.290	EXAMINER _____	CFS
-----------------------------------	-------------------	-------------------	-----

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-04140	1.290	-		61-04140	1.290
TOTAL CFS		1.290				1.290

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 Y	FIELD EXAMINER _____ _____
---------------	-------------------------------------

NO
SPLITS

NOTES:

AUTHENTICATION:

SIGNATURE: _____

DATE: _____

NAME OF FIELD EXAMINER: _____

Ron Howerton
Sr Water Agent

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
☒ ORTHOPHOTOQUAD	DATE OF PHOTO <u>1974</u> IDWR ID NO. <u>2-14</u>	Y(☒) N(☐)
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y(☐) N(☐)
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. <u>2-14</u>	Y(☒) N(☐)
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1987</u>	Y(☒) N(☐)
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____	Y(☐) N(☐)
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y(☐) N(☐)
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y(☐) N(☐)
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____	Y(☐) N(☐)
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____	Y(☐) N(☐)
☒ OTHER <u>County map</u>	DATE <u>STRIP map TO PROPERTY</u>	Y(☒) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)
☐ OTHER _____	DATE _____	Y(☐) N(☐)

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____	_____	_____
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____	_____	_____
☐ IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____	_____	_____
☐ SYSTEM DESCRIPTION	DATE DRAWN _____	_____	_____
☒ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN <u>10-14-94</u>	<u>4</u>	<u>7 photo's</u>
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____	_____	_____
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____	_____	_____
☒ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED <u>10-14-94</u>	<u>4</u>	_____
☐ OTHER _____	DATE _____	_____	_____
☐ OTHER _____	DATE _____	_____	_____

PICTURE #1

61-04140: FX 10/14/94. Photo's by RDH. Point of diversion from spring. Located in T02S, R07E, S36, NESWNW.



PICTURE #2

Ditch from spring.



PICTURE #3

61-04140: FX 10/14/94. Photo's by RDH. Same ditch from spring looking towards the spring.



PICTURE #4

Place of use view from Spring ditch to the South.



PICTURE #5

61-04140: FX 10/14/94. Photo's by RDH. Same place of use but more to the West.



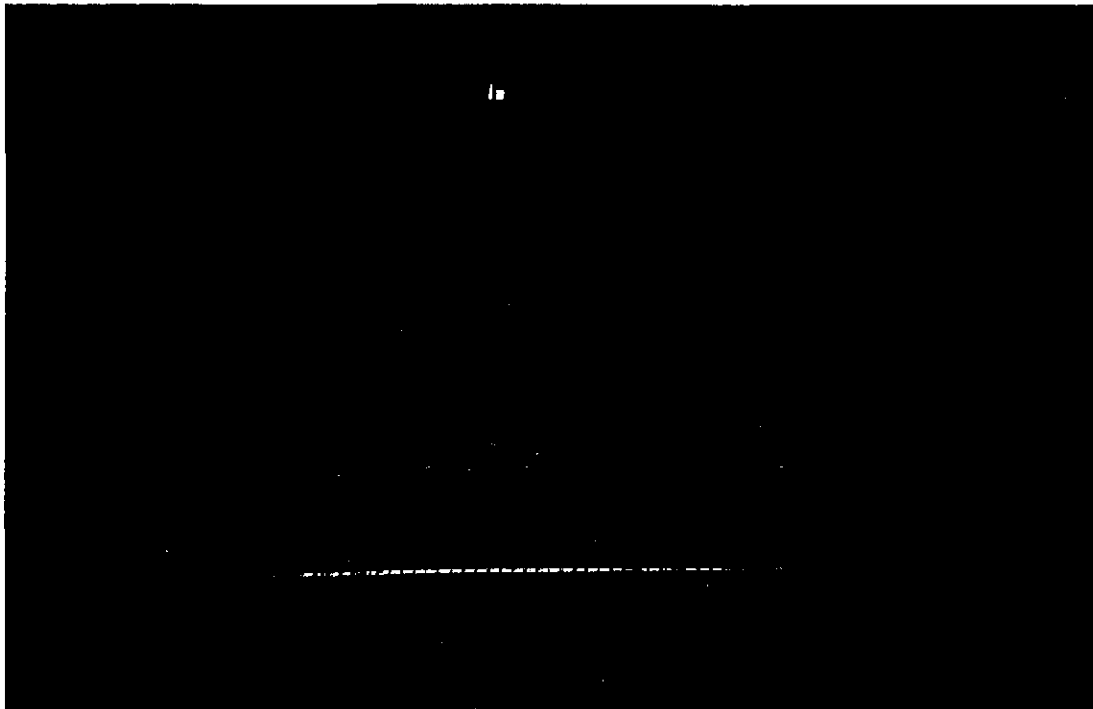
PICTURE #6

Point of diversion from unnamed stream (from Frenchman Springs).
Located in T02S, R07E, S36, SWSWNW.



PICTURE #7

61-04140: FX 10/14/94. Photo's by RDH. Manning measurement location. See ASCS map for location.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

10:48:45
07/06/94

PAGE: 12
QUICKLOOK INFORMATION

12
CLAIM NUMBER: A61-04140

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								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"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
ADJUDICATION CLAIM VERIFICATION REPORT

10:51:57
07/06/94
13

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A61-04140

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JEAN M. SMITH 905 WARM SPRINGS AVENUE BOISE ID 83702 (208) 342-5757	08/20/1892	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	1.24 CFS 0.05 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	1.29 CFS 186.00 AFA

Water Source: FRENCHMAN SPRINGS

Tributary to: RATTLESNAKE CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T02S R07E S36 SWNW

ELMORE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE															
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM			
				Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:		
02S	07E	35	:					:					:					:						:			
							08	:					:					:						:			
																							28		26	:	62.0
																							TOTAL ACRES		62.0		

Place of use Legal Description for: STOCKWATER

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	Lt	Ac	Lt	Ac
02S	07E	35	:				S	:					:					:	S			S	:	

POU County: ELMORE

Non-Irrigation Uses: S/1000 SHEEP

Other Rights: NONE

Dates: Exam Made Date: Verified Date: 01/13/1986

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Date: July 5, 1994

CECIL D. ANDRUS
GOVERNOR

Jean M Smith
905 Warm Springs Ave
Boise, Id 83702

R. KEITH HIGGINSON
DIRECTOR

RE: Field Exam Scheduling Letter for the following Adjudication Claims:

A61-04044 & A61-04140

Dear Jean,

The Adjudication Staff of the Department of Water Resources will be conducting Snake River Basin Adjudication Claim Examinations for Elmore County from July through November 1994.

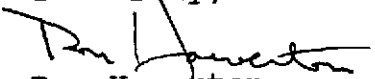
Information on your claim that may need to be verified includes, source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication.

Although it is not mandatory that you accompany me, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available during the field exam. This will help in the accuracy of collecting specific information about your water right and speed up our findings.

I would appreciate your call **ASAP** to set-up a field exam date. I may also be calling to help speed up the scheduling due to the short field season this year.

If you have other questions prior to scheduling a date or about the field examination, feel free to call me on that too. **Please call today to set-up your exam!**

Sincerely,


Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

FIRST INTERSTATE CENTER

SUITE 1000

POST OFFICE BOX 1617

BOISE, IDAHO 83701

TELEPHONE

(208) 344-6000

FAX

(208) 342-3829

March 19, 1993

POCATELLO OFFICE

125 NORTH GARFIELD

POST OFFICE BOX 4167

POCATELLO, IDAHO 83205

TELEPHONE

(208) 333-0845

RECEIVED

MAR 22 1993

Department of Water Resources
Western Regional Office

THOMAS A. MILLER

State of Idaho
Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705-5082

Re: SRBA Claims Nos. A61-04044 and A61-04140
Jean M. Smith

Gentlemen:

We write on behalf of Jean M. Smith with regard to the above-referenced Snake River Basin Adjudication claims. I spoke with Lorie on Monday and advised her that additional evidence of priority would be filed in connection with those claims.

We are enclosing herewith the following in that regard:

1. Original and one copy of Affidavit of Lauri Uriona, also known as Larry Uriona, relating to both claims.
2. Duplicate originals of Affidavit of Jean M. Smith relating to both claims.
3. Small and large copies of Homestead Certificate No. 915 in favor of Charles P. Oliver relating to Claim No. A61-04140.
4. Small and large copies of Warranty Deed Instrument No. 77700 relating to Claim No. A61-04140.
5. Small and large copies of Warranty Deed Instrument No. 77699 relating to Claim No. A61-04044.
6. Warranty Deed Instrument No. 80895 relating to Claim No. A61-04044.

HAWLEY TROXELL ENNIS & HAWLEY

IDWR

March 19, 1993

Page 2

Please call me if you have any questions concerning any of the enclosed documents or regarding either of said SRBA claims.

Based on the claims and these documents, we assume that you will assign a priority date of August 20, 1892 to Claim No. A61-04140 which involves the property known as the "Rattlesnake Property" and a priority date of 1951 with respect to Claim No. A61-04044 which is referred to as the "Grandview Property" in the enclosed Affidavits.

Yours truly,



Thomas A. Miller

TAM/jw

Encs.

cc: Mrs. Jean M. Smith
(w/Encs.)

RECEIVED
MAR 22 1993

AFFIDAVIT

Department of Water Resources
Western Regional Office

(Re Claim to Water Rights Nos. 61-4140 & 61-4044)

JEAN M. SMITH, being first duly sworn on oath deposes and says that:

1. The undersigned affiant, Jean M. Smith, is the Claimant in the above referenced Claims to Water Rights Nos. 61-4140 and 61-4044 filed with the Idaho Department of Water Resources (DWR) filed on May 9, 1984 and on November 18, 1981, respectively.

2. The DWR has requested further information concerning the water rights claimed therein. Affiant has secured and files concurrently herewith (a) the Affidavit of Lauri Uriona, also known as Larry Uriona, dated March 8, 1993, (b) copy of Homestead Certificate No. 915, from the United States of America to Charles P. Oliver dated August 20, 1892, (c) copy of Warranty Deed dated November 29, 1948, from Wood Creek Sheep Company (Isaguire, Anduiza, Urquidi and Archabal) to Bill Smith, recorded January 25, 1949, as Instrument No. 77699, records of Elmore County, Idaho, (d) copy of Warranty Deed dated November 28, 1948 from Wood Creek Sheep Company (Isaguire, Anduiza, Urquidi and Archabal) to Bill Smith, recorded January 25, 1949, as Instrument No. 77700, records of Elmore County, Idaho, and (e) copy of Warranty Deed dated October 3, 1950, from Herbert H. Mossman, a widower, to Bill Smith, recorded October 18, 1950, as Instrument No. 80895, records of Elmore County, Idaho.

3. Affiant was the wife of Bill Smith at the time of the delivery and recording of said deeds and at the time of his death in 1980. Affiant was the sole devisee of Bill Smith's estate and succeeded to his interest in the real property mentioned herein and all other real property comprising the Wood Creek Sheep Company operation, later named the Wood Creek Livestock Co. operation after the sheep were sold and it became solely a cattle operation. Affiant has continued to operate Wood Creek Livestock Co. as a sole proprietorship from the date of her husband's death and until the present time. Affiant was married for a short period of time to Keith McCarthy and used that surname in making said Claim No. 61-4140.

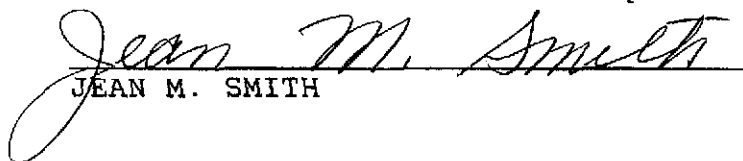
4. Affiant claims a priority date of August 20, 1892, in Claim to a Water Right No. 61-4140, based upon the date of Homestead Certificate No. 915 and the fact that the claimant under said homestead certificate would have had to have settled upon and improved the subject property described therein in order to secure the issuance of said homestead certificate. Also, the Affidavit of Larry Uriona testifies to the old homestead buildings on the property and the old irrigation ditch system used to irrigate the meadows on that subject property from the nearby spring. The real property described in said homestead certificate and in Claim No. 61-4140 (as the place of use) was referred to by Bill Smith and is

referred to by affiant as the "Rattlesnake property" because of its proximity to Rattlesnake Creek; it is described as follows:

SE1/4NE1/4, NE1/4SE1/4, and S1/2SE1/4 of Section 35, Township 2 South, Range 7 East, B.M., Elmore County, Idaho

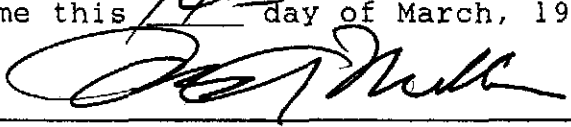
5. Affiant recalls visiting the Rattlesnake property with her husband after she and her husband, Bill Smith, acquired it in November 1948, and recalls seeing the remnants of the old Charles P. Oliver homestead referred to in the affidavit of Lauri Uriona. She and her husband have used the water referred to in Claim No. 61-4140 on the above described Rattlesnake property for irrigating the meadows and for watering stock (sheep, cattle and horses) from the time they acquired the property and up until the present time.

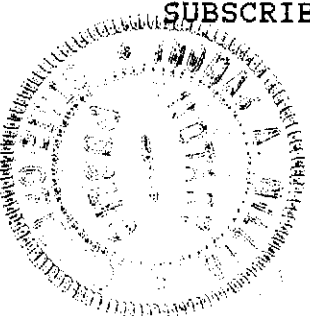
6. Affiant and her husband Bill Smith acquired the so-called "Grandview property" in two parcels - the first 120 acres by the Warranty Deed referred to in paragraph 2(c) and the remaining 160 acres by the Warranty Deed referred to in paragraph 2(e), above - as alluded to in the Affidavit of Lauri Uriona. Affiant was in error in claiming a priority date of July 15, 1950, in Claim No. 61-4044, relating to said Grandview property. That priority date should be about April 1, 1951, after the well referred to therein was drilled earlier in 1951, as mentioned in the Affidavit of Lauri Uriona. (Incidentally, the other lands referred to in the Warranty Deed referred to in paragraph 2(c), above, namely, Lots 2 and 3, Section 9, T 5 S, R 3 E., B.M., are non-contiguous lands not irrigated from the subject well.


JEAN M. SMITH

STATE OF IDAHO)
) ss.
County of Ada)

SUBSCRIBED AND SWORN TO before me this 14th day of March, 1993.


Thomas A. Miller
Notary Public for Idaho,
Residing at Boise, Idaho.
My Comm. Expires: 8-1-97



RECEIVED
MAR 22 1993

Department of Water Resources
Western Regional Office

AFFIDAVIT

(Re Claims to Water Rights Nos. 61-4140 & 61-4044)

LAURI URIONA, also known as Larry Uriona, being first duly sworn on oath, deposes and says that:

1. The undersigned Affiant resides at 535 North 5th East Street, Mountain Home, Idaho 83647, telephone number (208) 587-4541, was born in Elmore County in 1923, and has resided in Elmore County generally in or around Mountain Home since 1923.

2. Affiant was a very close friend of the Joe Urquidi family, part owners of the old Wood Creek Sheep Company, which owned the property hereinafter referred to as the "Rattlesnake" property at all times mentioned herein until 1948, when Bill and Jean Smith (husband and wife) bought the Wood Creek Sheep Company operation, name and property. Smiths continued the operation in that same name for many years, although they also owned and raised cattle, gradually phasing in the cattle and phasing out the sheep. Finally they disposed of all of their sheep and devoted the operation entirely to raising cattle, and changed the name to "Wood Creek Livestock Co.," a business name.

3. Affiant visited the so called "Rattlesnake" property, at least as early as 1935 or 1936 and probably at least yearly thereafter if not several times a year.

4. Affiant was employed from 1941 until 1948 by the old Wood Creek Sheep Company (Urquidis, et al.), and continued working for Wood Creek Sheep Company after it was acquired by Bill and Jean Smith, that employment continuing until 1953.

5. Affiant recalls from his earliest visits the old homestead buildings on the Rattlesnake property and the ditches used to divert water from the nearby springs to irrigate the meadows on the Rattlesnake property and also to water sheep and horses. The sheep bands were moved through the area in the spring and then again in the fall, going to and from the forest lands on which they grazed during the late spring and summer and into the early fall. Affiant also recalls that horses, bucks (sheep) and sometimes crippled ewes were kept on the Rattlesnake property for extended periods and that at least in the mid-1930's Wood Creek Sheep Company lambled in the open desert on or near the Rattlesnake property and used the spring water mentioned above for watering the ewes and lambs and the horses used in the lambing operation. The so called "Rattlesnake property" is described as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 35,
Township 2 South, Range 7 East, B.M.

6. When Affiant left Wood Creek Sheep Company in 1953, Bill and Jean Smith owned 280 acres near Grandview described as follows:

N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ of Section 33,
Township 4 South, Range 3 East, B.M., Elmore
County, Idaho.

(herein called the "Grandview property") of which 160 acres was acquired in 1950 from Herbert H. Mossman, a widower, although that 160 was known as the "Rogers Place," described as follows:

SE $\frac{1}{4}$ of Section 33, Township 4 South, Range 3
East, B.M., Elmore County, Idaho.

7. Bill Smith hired Art Bolts of Mountain Home, now deceased, to drill a new domestic well on the Grandview property to service the house and other farm buildings located on what is now called Collett Road on the west side of the Grandview property, and after that well was drilled Art Bolts drilled a second well located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, Township 4 South, Range 3 East, B.M., Elmore County, Idaho that was used to irrigate the above-described 280 acres located in the South Half of said Section 33 and to water stock in the west part of Section 32 and the east part of Section 31, which lie to the west of said Section 33. Affiant recalls that the domestic well was drilled soon after Smiths acquired the so called Rogers Place in the fall or winter of 1950 and then, after the domestic well was drilled, Art Bolts drilled the irrigation and stock water well which is the subject of the above-mentioned claim to a water right (No. 61-4044).

8. That well served several purposes: lowering the water table and providing irrigation water to get rid of the alkali on the newly acquired Rogers Place and on the rest of the Grandview property (which was very successful), to irrigate the Grandview property, and to water livestock on that property and further to the west on the so called "lambing shed property" owned by the Smiths or on which they had occupancy permits from the Bureau of Land Management.

9. I understand that the purpose of this affidavit is to support the two claims to water rights (Nos. 61-4140 & 61-4044) filed by Jean M. Smith for herself and as personal

representative of the estate of Bill Smith, deceased, who died in
April of 1980.

Lauri Uriona
LAURI URIONA

STATE OF IDAHO)
) ss.
County of Elmore)

March, 1993. SUBSCRIBED AND SWORN before me this 8th day of

Dorinda J. Hickay
Notary Public for Idaho
Residing at Mtn. Home, ID. 83647
My commission expires 7-22-97

To all to whom these Presents shall come

715
This has been deposited in the General Land Office of the Department of the Interior at Washington, D.C. on the 20th day of May, 1862. To secure Homesteads to actual Settlers on the Public Lands, and the acts supplemental thereto, the claim of Charles P. Oliver has been established and duly examined.

conforming to law, for the South East quarter of the North East quarter, the East half of the South East quarter and the South West quarter of the South East quarter of Section thirty-five in Township Ten South of Range seven East of Boise Meridian in Idaho containing one hundred and fifty acres

AGT 04140

according to the Official Plat of the Survey of said Land, returned to the General Land Office by the State of Idaho.

Now know ye that there is a grant made by the United States unto the said Charles P. Oliver the tract of Land above described. To have and to hold the said tract of Land with the appurtenances thereto unto the said Charles P. Oliver his heirs and assigns forever; subject to any valid and lawful water rights for mining, agricultural, manufacturing, other purposes, and rights to ditches and canals and in connection with such water rights as may be recognized or acknowledged by the local customs, laws, and decrees of courts, and also subject to the right of the proprietors of such lands to retract and remove his or their share, should the same be found to preclude or interfere the premises granted, as provided by law, and there is reserved from the lands hereby granted, a right of way through for the canals constructed by the authority of the United States.

In testimony whereof, J. Benjamin Harrison, PRESIDENT OF THE UNITED STATES OF AMERICA, has caused these letters to be made Patent, and Sent of the General Land Office to be hereunto affixed.

Given under my hand at the City of Washington, the Twentieth day of August in the year of our Lord divided eight hundred and ninety two and Independence of the United States thousand eight hundred and ninety two.

By the President, Benjamin Harrison
By E. McFarland Asst. Sec.
D. P. Roberts Recorder of the General Land

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires Oct. 6, 1955

Nancy P. Donovan
Notary Seal
Notary Public for Massachusetts
Residing at Boston, Mass.

STATE OF IDAHO,)
COUNTY OF ELMORE,) SS.

I hereby certify that this instrument was filed for record at request of Joe Urquidi at 30 minutes past 9 o'clock P. M., this 25th day of January A. D. 1949 in my office, and duly recorded in Book 49 of Warranty Deeds at Page 503.

Fees \$1.80

James A. O'Neill
Ex-Officio Recorder,
By Donna Friedman
Deputy

Instrument No. 77700

WARRANTY DEED

THIS INDENTURE, Made this 29th day of November, 1948, by and between WOOD CREEK SHEEP COMPANY, a co-partnership consisting of ZENON ISAGUIRE, MATILDA ANDUIZA, JOE URQUIDI, and FIDEL ARCHABAL; and ZENON ISAGUIRE and HAZEL ISAGUIRE, husband and wife; MATILDA ANDUIZA and JULIO ANDUIZA, wife and husband; JOE URQUIDI, a widower; and FIDEL ARCHABAL and ETHEL ARCHABAL, husband wife; the Parties of the First Part hereto, and BILL SMITH, of Shoshone, Lincoln County, Idaho, the Party of the Second Part hereto, WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of \$10.00, lawful money of the United States of America, and other good and valuable consideration, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and by these presents do grant, bargain, sell, convey, and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate situate in Elmore County, State of Idaho, to-wit:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11; all in Twp. 4 S, R 4 E, B.M.;

Tax No. 1, Sec. 13; Tax No. 2, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35; all in Twp. 2 S, R 7 E, B.M.

NE $\frac{1}{4}$, Sec. 5; Twp. 3 S, R 8 E, B.M.;

SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 4, Sec. 1; S $\frac{1}{2}$ N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Lots 1, 3, 4, Sec. 2; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12; W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14; W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24; all in Twp. 1 S, R 9 E, B.M.;

SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 25; S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26; N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 27; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35; all in Twp. 1 N, R 9 E, B.M.;

SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 5 and 6, Sec. 19; N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 20; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; W $\frac{1}{2}$ W $\frac{1}{2}$, Sec. 28; NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Lots 1, 2, 3, Sec. 30; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 32; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 34; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35; all in Twp. 1 N, R 10 E, B.M.;

Together with all water, water rights, ditches and rights-of-way for ditches appurtenant thereto used in connection therewith and thereunto belonging;

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest, in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular, the above described premises, together with the appurtenances, unto the Party of the second part, and to his heirs and assigns forever, and the said parties of the first part and their heirs, successors and assigns, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, successors and assigns, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

Zenon Isaguires, Matilda Anduiza, Joe Urquidi and Fidel Archabal hereby warrant and covenant that they are the sole and only partners of Wood Creek Sheep Company.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seals, the day and year first above written.

\$19.30 documentary stamps attached and cancelled.

Wood Creek Sheep Company,
WOOD CREEK SHEEP COMPANY, a copartnership,
By Zenon Isaguires
Matilda Anduiza
Joe Urquidi
Fidel Archabal

AGI-04140

STATE OF IDAHO
COUNTY OF ADA

SS.

Zenon Isaguirre
Hazel Isaguirre
Matilda Anduiza
Julio Anduiza
Joe Urquidi
Fidel Archabal
Ethyl M. Archabal

On this 1st day of Dec, in the year 1948, before me, the undersigned, a Notary Public in and for said State, personally appeared ZENON ISAGUIRE, MATILDA ANDUIZA and JOE URQUIDI, known to me to be three of the partners of the partnership of Wood Creek Sheep Company, and the partners who subscribed their names to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

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 Seal

E. F. Diven
Notary Public for Idaho
Residing at Boise, Idaho

STATE OF MASSACHUSETTS
COUNTY OF Suffolk

SS.

On this 10th day of December, in the year 1948, before me, the undersigned, a Notary Public in and for said state, personally appeared FIDEL ARCHABAL, known to me to be one of the partners of the partnership of Wood Creek Sheep Company, and the partner who subscribed his name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires Oct 6, 1955

Nancy P. Donovan
Notary Public for Massachusetts
Residing at Boston Mass.

STATE OF IDAHO
COUNTY OF ADA

SS.

On this 1st day of Dec, in the year 1948, before me, the undersigned, a Notary Public in and for said state, personally appeared ZENON ISAGUIRE and HAZEL ISAGUIRE, husband and wife; MATILDA ANDUIZA and JULIO ANDUIZA, wife and husband; and JOE URQUIDI, a widower; known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they 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 Seal

E. F. Diven
Notary Public for Idaho
Residing at Boise, Idaho

STATE OF MASSACHUSETTS
COUNTY OF Suffolk

SS.

On this 10th day of December, in the year 1948, before me, the undersigned, a Notary Public in and for said state personally appeared FIDEL ARCHABAL and ETHEL ARCHABAL, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they 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.

My commission expires Oct 6, 1955

Nancy P. Donovan
Notary Public for Massachusetts
Residing at Boston, Mass.

STATE OF IDAHO,
COUNTY OF ELMORE,

SS.

I hereby certify that this instrument was filed for record at request of Joe Urquidi at 35 minutes past 3 o'clock P. M., this 25th day of January A. D. 1949 in my office, and duly recorded in Book 49 of Warranty Deeds at Page 504.

James A. O'Neill
Ex-Officio Recorder,
By Donna Friedman
Deputy

Fees \$2.00

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires Oct. 6, 1955

Nancy P. Donovan
Notary Seal
Notary Public for Massachusetts
Residing at Boston, Mass.

STATE OF IDAHO,)
COUNTY OF ELMORE,) SS.

I hereby certify that this instrument was filed for record at request of Joe Urquidi at 30 minutes past 9 o'clock P. M., this 25th day of January A. D. 1949 in my office, and duly recorded in Book 49 of Warranty Deeds at Page 503.

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Ex-Officio Recorder,
By Donna Friedman
Deputy

Fees \$1.80

Instrument No. 77700

WARRANTY DEED

THIS INDENTURE, Made this 29th day of November, 1948, by and between WOOD CREEK SHEEP COMPANY, a co-partnership consisting of ZENON ISAGUIRE, MATILDA ANDUIZA, JOE URQUIDI, and FIDEL ARCHABAL; and ZENON ISAGUIRE and HAZEL ISAGUIRE, husband and wife; MATILDA ANDUIZA and JULIO ANDUIZA, wife and husband; JOE URQUIDI, a widower; and FIDEL ARCHABAL and ETHEL ARCHABAL, husband wife; the Parties of the First Part hereto, and BILL SMITH, of Shoshone, Lincoln County, Idaho, the Party of the Second Part hereto, WITNESSETH:

That the said parties of the first part, for and in consideration of the sum of \$10.00, lawful money of the United States of America, and other good and valuable consideration, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained, and sold, and by these presents do grant, bargain, sell, convey, and confirm unto the said party of the second part, and to his heirs and assigns forever, all of the following described real estate situate in Elmore County, State of Idaho, to-wit:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11; all in Twp. 4 S, R 4 E, B.M.;

Tax No. 1, Sec. 13; Tax No. 2, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14; NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 23; SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 29; SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 30; SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35; all in Twp. 2 S, R 7 E, B.M.

NE $\frac{1}{4}$, Sec. 5; Twp. 3 S, R 8 E, B.M.;

SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 4, Sec. 1; S $\frac{1}{2}$ N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Lots 1, 3, 4, Sec. 2; NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 12; W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 14; W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24; all in Twp. 1 S, R 9 E, B.M.;

SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 25; S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 26; N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 27; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 35; all in Twp. 1 N, R 9 E, B.M.;

SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Lots 5 and 6, Sec. 19; N $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 20; W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 26; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 27; W $\frac{1}{2}$ SW $\frac{1}{2}$, Sec. 28; NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Lots 1, 2, 3, Sec. 30; N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 31; N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 32; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 34; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 35; all in Twp. 1 N, R 10 E, B.M.;

Together with all water, water rights, ditches and rights-of-way for ditches appurtenant thereto used in connection therewith and thereunto belonging;

TOGETHER with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest, in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular, the above described premises, together with the appurtenances, unto the Party of the second part, and to his heirs and assigns forever, and the said parties of the first part and their heirs, successors and assigns, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, successors and assigns, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

Zenon Isaguire, Matilda Anduiza, Joe Urquidi and Fidel Archabal hereby warrant and covenant that they are the sole and only partners of Wood Creek Sheep Company.

IN WITNESS WHEREOF, The parties of the first part have hereunto set their hands and seals, the day and year first above written.

Wood Creek Sheep Company
WOOD CREEK SHEEP COMPANY, a copartnership,
By Zenon Isaguire
Matilda Anduiza
Joe Urquidi
Fidel Archabal

\$19.30 documentary stamps attached and cancelled.

STATE OF IDAHO)
COUNTY OF ADA) SS.
Zenon Isaguire
Hazel Isaguire
Matilda Anduiza
Julio Anduiza
Joe Urquidi
Fidel Archabal
Ethyl M. Archabal

On this 1st day of Dec, in the year 1948, before me, the undersigned, a Notary Public in and for said State, personally appeared ZENON ISAGUIRE, MATILDA ANDUIZA and JOE URQUIDI, known to me to be three of the partners of the partnership of Wood Creek Sheep Company, and the partners who subscribed their names to the foregoing instrument, and acknowledged to me that they executed the same in said partnership name.

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 Seal
E. F. Diven
Notary Public for Idaho
Residing at Boise, Idaho

STATE OF MASSACHUSETTS)
COUNTY OF Suffolk) SS.

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IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

My commission expires Oct 6, 1955
Nancy P. Donovan
Notary Public for Massachusetts
Residing at Boston Mass. Notary Seal

STATE OF IDAHO)
COUNTY OF ADA) SS.

On this 1st day of Dec, in the year 1948, before me, the undersigned, a Notary Public in and for said state, personally appeared ZENON ISAGUIRE and HAZEL ISAGUIRE, husband and wife; MATILDA ANDUIZA and JULIO ANDUIZA, wife and husband; and JOE URQUIDI, a widower; known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they 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 Seal
E. F. Diven
Notary Public for Idaho
Residing at Boise, Idaho

STATE OF MASSACHUSETTS)
COUNTY OF Suffolk) SS.

On this 10th day of December, in the year 1948, before me, the undersigned, a Notary Public in and for said state personally appeared FIDEL ARCHABAL and ETHEL ARCHABAL, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they 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.

My commission expires Oct 6, 1955
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Notary Public for Massachusetts
Residing at Boston, Mass. Notary Seal

STATE OF IDAHO,)
COUNTY OF ELMORE,) SS.

I hereby certify that this instrument was filed for record at request of Joe Urquidi at 35 minutes past 3 o'clock P. M., this 25th day of January A. D. 1949 in my office, and duly recorded in Book 49 of Warranty Deeds at Page 504.

James A. O'Neill
Ex-Officio Recorder,
By Donna Friedman
Deputy

Fees \$2.00



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

January 28, 1993

Re: Claim No(s) - Ala1-04044, Ala1-04140

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JEAN M SMITH
905 WARM SPRINGS AVENUE
BOISE ID 83702

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 either 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 decree, license, 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 priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not 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 claims in this area should be conducted this summer by Department personnel. Prior to conducting the field exams, we will contact you to discuss details and schedule a time convenient for you.

Please submit the required evidence supporting the priority date(s) by March 15, 1993, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the toll-free number listed on the back page of the pamphlet or the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

BOISE TOWNE SQUARE

350 N. Milwaukee
375-5220

DOWNTOWN

170 N. 8th
344-8303



ORCHARD

1310 N. Orchard
377-3686

VISTA VILLAGE

936 Vista Village
343-8075

MOMENTS TO REMEMBER WITH PHOTOS