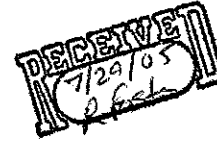


JORDAN P. SMITH
CHARTERED
ATTORNEY AT LAW
807 MAIN STREET
SALMON, IDAHO 83467
208-756-2257
TELEFAX (208) 756-4626

RECEIVED
AUG 08 2005
DEPARTMENT OF
WATER RESOURCES



July 29, 2005

Robert Foster
Idaho Department of Water Resources
206 Van Dreff
Salmon, ID 83467

Re: Water Right Nos. 75-4173 and 75-14179
Cecil T. Jackson
Judith Bailey Jackson
42 Wild Rose Rd.
Salmon, ID 83467

Dear Mr. Foster:

Please be advised that I represent Mr. and Mrs. Jackson, who have requested that I assist them in establishing their claims to the above-named water rights. I will address the status of both water rights, as follows:

Water Right No. 75-14179

Enclosed please find an Amended Claim to a Water Right, dated July 29, 2005. The amended claim is identical to the original claim, except that it claims a priority date of February 12, 1902, instead of March 21, 1914. In support of this claim, I am attaching the following:

1. Notice of Water Right signed by McElister Sanford on June 6, 1895, and recorded on July 5, 1895 in the records of the Lemhi County, Idaho, Recorder.
2. Homestead Certificate No. 1002, recorded on March 25, 1902 in Book K of Deeds on page 475, records of Lemhi County, Idaho.

Water Right No. 75-4173

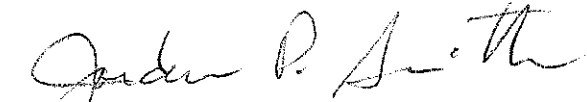
Applicants are in the process of contacting a prior owner of the property to obtain an affidavit and possibly photographs of the dam that provides for the storage use

Page 2
Robert Foster
July 29, 2005

requested in this Claim to a Water Right. It is anticipated that said evidence will be obtained and submitted to the IDWR within thirty (30) days.

I trust that this sets forth the current status of both claims, but please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jordan P. Smith".

Jordan P. Smith

JPS:sez

Enclosures

cc: Mr. and Mrs. Cecil T. Jackson

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

75-14179

Date Received

Receipt Number

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

Please type or print clearly

1. Name of Claimant (s) Cecil T. Jackson and Phone (208) 756-2429
Judith Bailey Jackson

Mailing Address 42 Wild Rose Rd., Salmon, ID Zip 83467

2. Date of Priority (Only one (1) per claim) February 12, 1902

3. Source of water supply (a) South Fork Sevenmile Creek
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 20N Range 22E Section 20,

NE 1/4 of NE 1/4 of NW 1/4, Govt Lot, B.M., County of Lemhi

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Earthen dam, 10-inch pipeline for 2,000 feet
into a ditch for 3,500 feet, then to a 4-inch buried pipeline for 1,800 feet to the
place of use.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/01 to 11/01 amount 2.500 or _____

For Stockwater purposes from 1/01 to 12/31 amount .030 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.500 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 15 Horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
20N	22E	08													2.0				2.0
20N	22E	08															28.0		28.0
20N	22E	08													12.0				12.0

Total number of acres irrigated 42

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes XX No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right

13. Describe any other water rights used at the same place and for the same purposes as described above.
No. 75-4173 or None ()

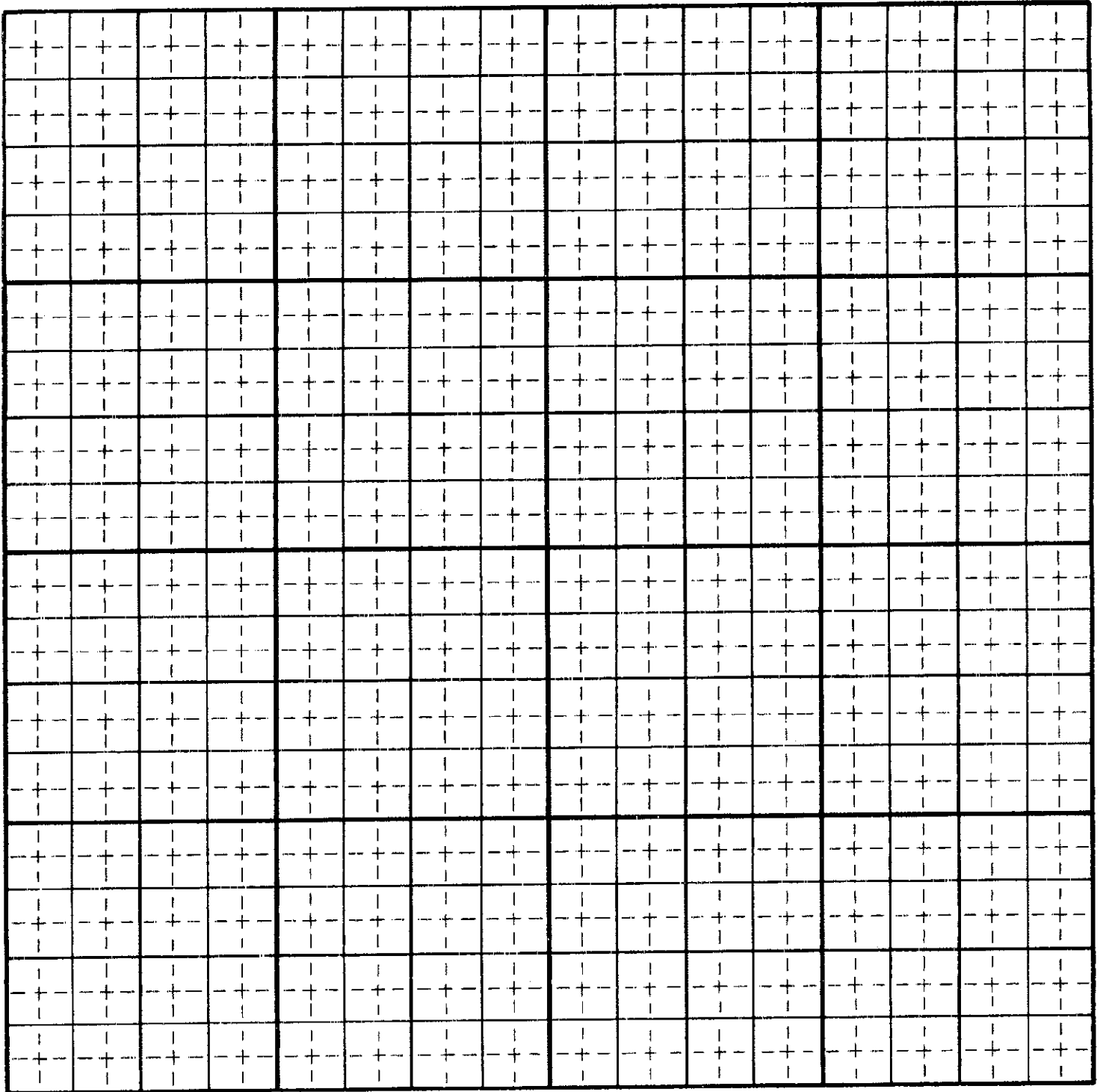
14. Remarks:

Last Name _____ Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

A map or aerial photograph required is attached to the original Claim to a Water Right, which is on file with the IDWR.



Last Name _____ Ident No _____

15 Basis of Claim (check one) Beneficial Use XX Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 XX
wish to receive and pay a small annual fee for monthly copies of the docket sheet
Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) David A. Bailey-Johnson Date 8/4/05

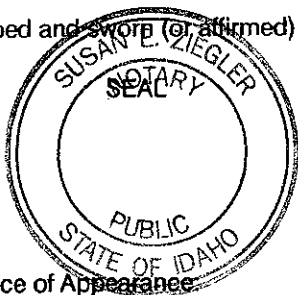
Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/or IDAHO)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 4th day of August XX 2005



Notary Public Susan E. Ziegler
Residing at Salmon, Idaho
My Commission Expires 9-4-2005

Please Print Name

17. Notice of Appearance
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below

Signature _____
Address _____
Date _____

Last Name _____ Ident. Number _____

Notice of Water Right.

State of Idaho }
County of Lemhi }^{ss} To all concerned;
Notice is hereby given:

1st That I M^cElister Sanford of Lemhi County, State of Idaho, hereby claim the use of the waters of Timber Creek, which flows into the south side of Salmon River within the limits of section No. 7, in Township 20 North of Range 22 East of Boise meridian, to the extent of five (5) cubic feet per second.

2nd, It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: A point on said Timber Creek about one mile in a southerly direction from the South east corner of section 8 in Township 20 North of Range 22 East of Boise meridian.

3d The said water is intended to be used for irrigation and domestic purposes. The place of intended use is upon the S E. ¹/₄ N. E. ¹/₄ and the E. ¹/₄ S E. ¹/₄ and the S. W. ¹/₄ S. E. ¹/₄ of section 8, T. 20, N. R. 22, E. of Boise Meridian.

4th It is intended to divert said water by means of a dam and ditch of suitable height and dimensions to hold and carry said water. The general course of the proposed canal or ditch is nearly north from the point of diversion. The length of the proposed canal is about one and one half miles. It is intended to use said water for irrigating the above described land; and for domestic purposes.

5th It is intended to have the works for diversion and use of said water as aforesaid completed within two years. Witness my hand at Lemhi County, State of Idaho, this sixth day of June 1895,

M^cElister Sanford
Claimant.

State of Idaho }
County of Lemhi }^{ss} M^cElister Sanford being first duly sworn, deposes and says that he is of lawful age and the claimant of the Water Right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion, on the 6th day of June 1895.

M^cElister Sanford.
Subscribed and sworn to before me this 8th day of June 1895,
(Seal) Chas. Elder,
Notary Public.

State of Idaho }
County of Lemhi }^{ss} I hereby certify that this instrument was filed for record at request of M^cElister Sanford, at 8 o'clock A.M., this 5th day of July A.D. 1895, in my office and

Homestead Certificate No 1002.

Application 1311.

The United States of America.

To all to whom these Presents shall come Greeting.

Whereas There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Haxley Idaho whereby it appears that pursuant to the Act of Congress approved 20th May 1862. "To secure Homestead to actual settlers on the Public Domain" and the acts supplemental thereto the claim of M^r Elester Sanford has been established and duly consummated in conformity 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 eight in Township twenty North of Range twenty two East of Brine Meridian in Idaho containing one hundred and sixty acres according to the Official Plat of the Survey of the said Land returned to the General Land Office by the Surveyor General now know ye that there is there fore granted by the United States unto the said M^r Elester Sanford the tract of Land above described to have and to hold the said tract of Land with the appurtenances thereof unto the said M^r Elester Sanford and to his heirs and assigns forever subject to any vested and accrued water rights for mining agricultural manufacturing or other purposes and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs laws and decisions of courts and also subject to the right of ^{the} proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted (as provided by law) And there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

In Testimony whereof I Theodore Roosevelt President of the United States of America have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed Given under my hand at the City of Washington the twelfth day of February in the year of our Lord one thousand nine hundred and two and of the Independence of the United States the one hundred and twenty sixth.

By the President J. Roosevelt

Seal

By

F. M. M^r Kean

Secretary

C. M. Bask - Recorder of the General Land Office.

Recorded Idaho.

Vol. 28. page 150

Recorded at the request of Thomas Elder at 10 minutes past 2 o'clock
R. M. M^r Kean 1902, in Book K of Records on page 475
Records of Lemhi County Idaho
J. P. M^r Kean County Recorder. By Deputy.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4173

WATER RIGHT NUMBER: 75-4173

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CECIL T JACKSON 42 WILD ROSE RD SALMON, ID 83467 (208)756-2429
Current Owner	JUDITH BAILEY JACKSON 42 WILD ROSE RD SALMON, ID 83467 (208)756-2329

Priority Date: 07/01/1932

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
ELI CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
RECREATION STORAGE	11/15 to 3/15		15.00 AF
STOCKWATER	1/01 to 12/31	0.020 CFS	
DIVERSION TO STORAGE	11/15 to 3/15	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	15.00 AF

Location of Point(s) of Diversion

ELI CREEK	SE1/4SE1/4	Sec 8, Twp 20N, Rge 22E, B M
LEMHI County		

Place of UseRECREATION STORAGE Within LEMHI County

T20N R22E S08 SESE

STOCKWATER Within LEMHI County

T20N R22E S08 SESE

Conditions of Approval:

1 CHANGED OWNERSHIP PER REQUEST/CV/12/21/00

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-14179

WATER RIGHT NUMBER: 75-14179

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	RALSTON W ADAMS RT 1 BOX 224-50 SALMON, ID 83467 (208)756-3611
Original Owner	GLORIA J STIGALL RR1 BOX 224-50 42 WILD ROSE RD SALMON, ID 83467 (208)756-2778
Original Owner	WILLIAM R STIGALL RR1 BOX 224-50 42 WILD ROSE RD SALMON, ID 83467 (208)756-2778
Original Owner	RACHEL L ADAMS RT 1 BOX 224-50 SALMON, ID 83467 (208)756-3611
Current Owner	CECIL T JACKSON 42 WILD ROSE RD SALMON, ID 83467 (208)756-2429
Current Owner	JUDITH BAILEY JACKSON 42 WILD ROSE RD SALMON, ID 83467 (208)756-2329

Priority Date: 03/21/1914

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SOUTH FORK SEVENMILE CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2 500 CFS	
STOCKWATER	1/01 to 12/31	0 030 CFS	
	<u>Total Diversion:</u>	2 500 CFS	

Location of Point(s) of Diversion

SOUTH FORK SEVENMILE CREEK	NE1/4NE1/4NW1/4	Sec 20 Twp 20N, Rge 22E B M
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T20N R22E S08	NESE 2 0	T20N R22E S08	NWSE 12 0
T20N R22E S08	SWSE 28 0		

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 75-14179

Total Acres: 42

STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

Water Supply Bank: