

# IDAHO DEPARTMENT OF WATER RESOURCES

## T18N, R03E, S33



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-07002C

OWNER(S): SILA

Prepared by Mel Schulte

DATE: JULY 27, 1999

SWNW

33

1.0

SESW

0

0.25

0.5

0.75

1 Miles

STRAIN A65-07002C INIT \_\_\_\_\_  
T. R. S. Q/Q \_\_\_\_\_  
P/D 18N3E 33 SUNW \_\_\_\_\_  
SCALE PRBA mg \_\_\_\_\_  
PHOTO ID. ASC5 DATE 1961

② Mud Cr.

→ mud green h

From PRBA map.

X2503

32

ad

CLAIM AGS-07002C INIT           

T. R. S. Q/Q           

P/D 18N 3E 33 SUNW

SCALE           

PHOTO ID. PRBA DATE           



① unknown

From PRBA blue print map

2BB-239

Sec 29

32

2BB-107

Sec 2



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: A65-07002C  
Date Received: 11/21/1988  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JAY L SILA 208-634-3951  
Address: 36 HEINRICH LANE  
MCCALL ID 83638

2. Date of Priority: JUN 15, 1967

3. Source: WASTE WATER Trib. to: MUD CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 18N      | 03E   | 33      | SW     | NW     |     |     | VALLEY |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.145 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 18N           | 03E   | 33      | SE     | SW  |     | IRR | 7.2   |
| Section Acres |       |         |        |     |     |     | 7.2   |

10. Place of Use: Continued

Total Acres 7.2

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-2367 SHALL PROVIDE NO MORE THAN .02 CFS/ACRE.

CHANGE OF OWNERSHIP AND SPLIT COMPLETED BY L.R.W. ON 1/19/95.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

PD Undelivered

10-31-2000

RECEIVED

AUG 01 2001

WATER RESOURCES  
WESTERN REGION

July 6, 2001

RECEIVED

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

JUL 18 2001

JAY SILA  
PO BOX 1084  
CASCADE ID 83611-1084

Department of Water Resources

RE: Snake River Basin Adjudication (SRBA)  
Water Rights #65-2367B, 65-7002C

Records Modified 7-24-01  
-B

Dear Water Right Holder:

Mail sent to you by the SRBA Court was returned to the SRBA Court by the Postal Service. We received the returned mail on July 2. The Postal Service advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by July 31, 2001. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

*Sally Sherman*  
Sally Sherman

Technical Records Specialist  
Adjudication Bureau

SS:region  
Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

*Jay L Sila*

Telephone No.

208-382-3951



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098  
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: [www.idwr.state.id.us](http://www.idwr.state.id.us)

May 4, 2001

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

Dear Basin 65 water user:

This letter is to inform you that you may be eligible to file a stockwater claim with the Idaho Department of Water Resources (IDWR) in connection with the Snake River Basin Adjudication (SRBA). IDWR is sending this letter to water users in Basin 65 who might have relied upon the non-irrigation season stockwater provision in the Payette Adjudication. This provision states:

"When stockwater is not a specifically mentioned use for a right that includes irrigation, a reasonable flow is implied and included for the watering of livestock during the non-irrigation season."

In another basin, the Idaho Supreme Court struck down general provisions that contained similar language. The non-irrigation season stockwater language quoted above was not included in the General Provisions for Basin 65 because of the Idaho Supreme Court's ruling.

IDWR recognizes that in reliance on the non-irrigation season stockwater language in the Payette Adjudication, water users might not have filed stockwater claims in the SRBA to cover the non-irrigation season period. Individuals who historically watered livestock during the non-irrigation season without a separate stockwater claim might desire to file a new stockwater claim with IDWR.

To be eligible for a new non-irrigation season stockwater claim:

1. You must have actually and historically watered livestock during the non-irrigation season without a separate stockwater right.
2. You must have filed a surface water irrigation claim in both the Payette Adjudication and the SRBA.
3. You must not have filed a stockwater claim with the surface water irrigation claim.

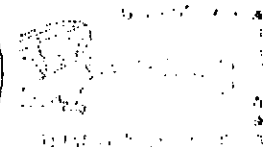
If you meet these three requirements, you may file a Notice of Claim form for stockwater with IDWR. **To have a timely filing you must file this claim with IDWR by May 25, 2001.** IDWR will waive filing fees for these stockwater claims if filed before this deadline. Failure to file your claim in a timely manner may prevent you from claiming it in the future. Notice of Claim forms are available on IDWR's website at [www.idwr.state.id.us/info/water/srba/forms.htm](http://www.idwr.state.id.us/info/water/srba/forms.htm) or from any IDWR office. Claimants can call IDWR, Western Region at (208) 334-2190 to make an appointment if they need assistance filling out a Notice of Claim form.

Sincerely,

David R. Tuthill, Jr., P.E.  
Adjudication Bureau Chief

STATE OF IDAHO  
District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707

65-2367B  
65-7002C



NAME AND ADDRESS:

JAY L SILA  
36 HEINRICH LN  
MCCALL, ID 83638

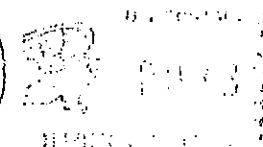
SILA036 836382004 1A99 06 11/11/00  
FORWARD TIME EXP RTN TO SEND  
SILA  
PO BOX 1084  
CASCADE ID 83611-1084

RETURN TO SENDER

836382004  
83638/2707



STATE OF IDAHO  
District Court  
Snake River Basin Adjudication  
P.O. Box 2707  
Twin Falls, ID 83303-2707



65-2367B  
65-7002C

NAME AND ADDRESS:

JAY SILA  
36 HEINRICH LN  
MC CALL, ID 83638

SILA036 836382004 1A99 06 11/11/00  
FORWARD TIME EXP RTN TO SEND  
SILA  
PO BOX 1084  
CASCADE ID 83611-1084

RETURN TO SENDER

836382004  
83638/2707



AJ0749NP  
No. R65-07002C

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

DATE: 07/27/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                      | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|---------------------------------------------------------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | JAY L SILA<br>36 HEINRICH LANE<br>MCCALL ID 83638<br>(208) 634-3951 | 06/15/1967       | IRRIGATION | 04-15 10-15           | 0.020 CFS         |                     |
| TOTAL DIVERSION: |                                                                     |                  |            |                       | 0.020 CFS         |                     |

Water Source: WASTE WATER

Tributary to: MUD CREEK

Stage: DECREED

Point(s) of Diversion: T18N R03E S33 SWNW

VALLEY 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 |
| 18N         | 03E | 33 | : |    |    |    |    |    |    |    |    |    |    |    |    | 01 |    |    |    | :   | 1.0 |
| TOTAL ACRES |     |    |   |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | :  | 1.0 |     |

POU County: VALLEY

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF  
DIVERSION DESCRIBED ABOVE: 65-07002A & 65-07002D.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:  
Presumption Flag:

Comments: Date: 07/27/1999 User-ID: MSCHULTE Subject: COPIED FROM REMARKS  
CHANGE OF OWNERSHIP AND SPLIT COMPLETED BY L.R.W. ON 1/19/95.

Audit: 07/27/99 MSCHULTE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:13:58  
03/10/99  
18

PAGE: 18  
PROFILE REPORT

CLAIM NUMBER: A65-07002C

| OWNER<br>CODE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | NAME & ADDRESS | PRIORITY<br>DATE        | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE   | DIVERSION<br>VOLUME      |       |       |       |       |    |       |       |       |       |    |       |       |       |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------------|------------|-----------------------|---------------------|--------------------------|-------|-------|-------|-------|----|-------|-------|-------|-------|----|-------|-------|-------|-------|----|-------------|--|--|-----|----|--|--|--|--|--|--|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|------|------|------|------|---|--|--|---|-----|---------|-------|-------|-------|---|-------|-------|-------|-------|---|-------|-------|-------|-------|---|-------|-------|-------|-------|---|-----|-------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--------------|--|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|---|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|----|--|--|---|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|---|--|--|---|--|--|-------------|--|--|-----|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|---|--|--|-----|--|--|--|--|--|
| C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | JAY L SILA     | 06/15/1967              | IRRIGATION | 04-15 10-15           | <del>0.44 cfs</del> | <del>1.02</del>          |       |       |       |       |    |       |       |       |       |    |       |       |       |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                         |            |                       | TOTAL DIVERSION:    | <del>0.44 cfs</del> 1.02 |       |       |       |       |    |       |       |       |       |    |       |       |       |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
| Water Source: WASTE WATER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                | Tributary to: MUD CREEK |            | Stage: DECREED        |                     |                          |       |       |       |       |    |       |       |       |       |    |       |       |       |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
| Point(s) of Diversion:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                | T18N R03E S33           | SNNW       | VALLEY County         |                     |                          |       |       |       |       |    |       |       |       |       |    |       |       |       |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
| Place of use Legal Description for: IRRIGATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                |                         |            |                       |                     |                          |       |       |       |       |    |       |       |       |       |    |       |       |       |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
| <table border="0"> <tr> <td colspan="4"></td> <td>NE</td> <td colspan="4"></td> <td>NW</td> <td colspan="4"></td> <td>SW</td> <td colspan="4"></td> <td>SE</td> <td colspan="4"></td> </tr> <tr> <td colspan="2"></td> <td>NENE</td> <td>NWNE</td> <td>SWNE</td> <td>SENE</td> <td>:</td> <td>NENW</td> <td>NWNW</td> <td>SWNW</td> <td>SENW</td> <td>:</td> <td>NESW</td> <td>NWSW</td> <td>SWSW</td> <td>SESW</td> <td>:</td> <td>NESE</td> <td>NWSE</td> <td>SWSE</td> <td>SESE</td> <td>:</td> <td colspan="2"></td> </tr> <tr> <td>T</td> <td>R S</td> <td>: Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>Lt Ac</td> <td>:</td> <td>SUM</td> </tr> <tr> <td colspan="23">-----</td> </tr> <tr> <td colspan="2">18N 03E 33 :</td> <td colspan="4"></td> <td>:</td> <td colspan="4"></td> <td>:</td> <td colspan="4"></td> <td>:</td> <td colspan="4"></td> <td>:</td> <td colspan="2"></td> </tr> <tr> <td colspan="16"></td> <td>07</td> <td colspan="2"></td> <td>:</td> <td colspan="2"></td> <td></td> <td colspan="2"></td> <td></td> <td colspan="2"></td> </tr> <tr> <td colspan="16"></td> <td>1</td> <td colspan="2"></td> <td>:</td> <td colspan="2"></td> <td>TOTAL ACRES</td> <td colspan="2"></td> <td>7.2</td> <td colspan="2"></td> </tr> <tr> <td colspan="16"></td> <td></td> <td colspan="2"></td> <td>:</td> <td colspan="2"></td> <td>7.2</td> <td colspan="2"></td> <td></td> <td colspan="2"></td> </tr> </table> |                |                         |            |                       |                     |                          |       |       |       |       | NE |       |       |       |       | NW |       |       |       |       | SW |             |  |  |     | SE |  |  |  |  |  |  | NENE | NWNE | SWNE | SENE | : | NENW | NWNW | SWNW | SENW | : | NESW | NWSW | SWSW | SESW | : | NESE | NWSE | SWSE | SESE | : |  |  | T | R S | : Lt Ac | Lt Ac | Lt Ac | Lt Ac | : | Lt Ac | Lt Ac | Lt Ac | Lt Ac | : | Lt Ac | Lt Ac | Lt Ac | Lt Ac | : | Lt Ac | Lt Ac | Lt Ac | Lt Ac | : | SUM | ----- |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 18N 03E 33 : |  |  |  |  |  | : |  |  |  |  | : |  |  |  |  | : |  |  |  |  | : |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 07 |  |  | : |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | 1 |  |  | : |  |  | TOTAL ACRES |  |  | 7.2 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  | : |  |  | 7.2 |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                         |            | NE                    |                     |                          |       |       | NW    |       |    |       |       | SW    |       |    |       |       | SE    |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                | NENE                    | NWNE       | SWNE                  | SENE                | :                        | NENW  | NWNW  | SWNW  | SENW  | :  | NESW  | NWSW  | SWSW  | SESW  | :  | NESE  | NWSE  | SWSE  | SESE  | :  |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
| T                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | R S            | : Lt Ac                 | Lt Ac      | Lt Ac                 | Lt Ac               | :                        | Lt Ac | Lt Ac | Lt Ac | Lt Ac | :  | Lt Ac | Lt Ac | Lt Ac | Lt Ac | :  | Lt Ac | Lt Ac | Lt Ac | Lt Ac | :  | SUM         |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
| -----                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                |                         |            |                       |                     |                          |       |       |       |       |    |       |       |       |       |    |       |       |       |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
| 18N 03E 33 :                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                |                         |            |                       |                     | :                        |       |       |       |       | :  |       |       |       |       | :  |       |       |       |       | :  |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                         |            |                       |                     |                          |       |       |       |       |    |       |       |       |       | 07 |       |       | :     |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                         |            |                       |                     |                          |       |       |       |       |    |       |       |       |       | 1  |       |       | :     |       |    | TOTAL ACRES |  |  | 7.2 |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                |                         |            |                       |                     |                          |       |       |       |       |    |       |       |       |       |    |       |       | :     |       |    | 7.2         |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |
| POU County: VALLEY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                |                         |            |                       |                     |                          |       |       |       |       |    |       |       |       |       |    |       |       |       |       |    |             |  |  |     |    |  |  |  |  |  |  |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |      |      |      |      |   |  |  |   |     |         |       |       |       |   |       |       |       |       |   |       |       |       |       |   |       |       |       |       |   |     |       |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |              |  |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |    |  |  |   |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |   |  |  |             |  |  |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |   |  |  |     |  |  |  |  |  |

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2367 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.  
CHANGE OF OWNERSHIP AND SPLIT COMPLETED BY L.R.W. ON 1/19/95.

Dates: Exam Made Date: Verified Date: 01/19/1995 Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:  
Presumption Flag:

EXP-F06  
QNT-E28

WR5809NP  
No. 65-07002A

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 03/09/99  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS     | PRIORITY<br>DATE | WATER USE  | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|--------------------|------------------|------------|-----------------------|-------------------|---------------------|
| C                | BENJAMIN L. WHITE  | 06/15/1967       | IRRIGATION | 04/15 10/15           | 0.580 CFS         |                     |
| C                | BARBARA D. WHITE   |                  |            |                       |                   |                     |
|                  | 5182 FILLMORE      |                  |            |                       |                   |                     |
|                  | OGDEN UT 844030000 |                  |            |                       |                   |                     |
| TOTAL DIVERSION: |                    |                  |            |                       | 0.580 CFS         |                     |

Water Source: WASTE WATER

Tributary to: MUD CREEK

Stage: DECREED

Point(s) of Diversion:

T18N R03E S33

SWNW

VALLEY 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  | :    | ---  |
| 18N | 03E | 33  | :   |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      | :  |      |      |      |      |             |     | :    | 29.0 |
|     |     |     |     |      |      |      |      |    |      |      |      |      |    |      |      |      |      |    |      |      |      |      | TOTAL ACRES |     | 29.0 |      |

Pou County: VALLEY

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
65-03823 65-07002X

Other Water Rights Listing Overlapping Place(s) of use:  
65-02367 65-03825

Remarks: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2367 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.

Dates: App. Received: Priority Date: 06/15/1967  
Proof Due Date: Proof Made Date:  
Exam Made Date: Exam Sent to S.O.:  
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Audit: 09/26/86 04/30/88 CONVERT

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 _____ IDWR ID NO. _____                  | Y( ) N( )                                               |
| ( ) TOPOGRAPHIC                                            | DATE FIELD CHECKED _____ IDWR ID NO. _____             | Y( ) N( )                                               |
| <input checked="" type="checkbox"/> NAPP <i>GIS</i>        | DATE OF PHOTO <i>1987 7-27-99</i> IDWR ID NO. _____    | Y( <input checked="" type="checkbox"/> ) N( ) <i>6b</i> |
| <input checked="" type="checkbox"/> ASCS AERIAL PHOTO      | DATE OF PHOTO <i>1961 PRBA map</i>                     | Y( <input checked="" type="checkbox"/> ) N( ) <i>6c</i> |
| ( ) 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( )                                               |
| <input checked="" type="checkbox"/> OTHER <i>GIS Table</i> | DATE <i>7-27-99</i>                                    | Y( <input checked="" type="checkbox"/> ) N( ) <i>6a</i> |
| <input checked="" type="checkbox"/> OTHER <i>PRBA map</i>  | DATE _____                                             | Y( <input checked="" type="checkbox"/> ) N( ) <i>6d</i> |
| ( ) 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 _____                  | _____        | _____            |
| ( ) SPLIT RIGHT REVIEW                                            | DATE REVIEW COMPLETED _____                 | _____        | _____            |
| ( ) HUBBLE ANALYSIS                                               | DATE ANALYSIS COMPLETED _____               | _____        | _____            |
| ( ) CONVEYANCE LOSS ANALYSIS                                      | DATE ANALYSIS COMPLETED _____               | _____        | _____            |
| ( ) FLOW MEASUREMENT CALCULATIONS                                 | DATE SYSTEM MEASURED _____                  | _____        | _____            |
| <input checked="" type="checkbox"/> OTHER <i>Page from decree</i> | DATE <i>3-2-79</i>                          | <i>1</i>     | _____            |
| <input checked="" type="checkbox"/> OTHER <i>PRBA claim</i>       | DATE <i>11-9-76</i>                         | <i>1</i>     | <i>65-07002A</i> |

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:10:44  
03/10/99

PAGE: 17  
QUICKLOOK INFORMATION

17  
CLAIM NUMBER: A65-07002C

| WR ELEMENT                | DATA<br>DISCREPANCY<br>Y/N | CORRESPONDENCE<br>SENT/RECEIVED<br>BY WHOM/DATE | FIELD EXAM<br>BY WHOM/DATE | CHANGE<br>CLAIM<br>Y/N | ELEMENT<br>DOCUMENTED<br>WHOM/DATE | COMPLETED<br>REVIEW<br>WHOM/DATE | COMPLETED<br>DATA ENTRY<br>WHOM/DATE | VERIFIED<br>DATE<br>WHOM/DATE |
|---------------------------|----------------------------|-------------------------------------------------|----------------------------|------------------------|------------------------------------|----------------------------------|--------------------------------------|-------------------------------|
| PRIORITY DATE             | Y                          |                                                 | MS<br>In office<br>7-27-99 | N                      |                                    | MS<br>7-27-99                    | MS<br>7-27-99                        |                               |
| POINT OF DIV              | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| SOURCE                    | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PLACE OF USE              | Y                          |                                                 |                            | Y                      |                                    |                                  |                                      |                               |
| DIV. AMOUNT<br>CFS/VOLUME | Y                          |                                                 |                            | Y                      |                                    |                                  |                                      |                               |
| CONSUMPTIVE USE           | -                          |                                                 |                            | NA                     |                                    |                                  |                                      |                               |
| PURPOSES OF USE           | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| PERIOD OF USE             | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| BASIS OF CLAIM            | Y                          |                                                 |                            | N                      |                                    |                                  |                                      |                               |
| REMARKS                   | Y                          |                                                 |                            | Y                      |                                    |                                  |                                      |                               |

BARCODE UPDATED  
WHOM/DATE

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM VERIFICATION REPORT

08:10:44  
03/10/99

PAGE: 1  
GENERAL INFORMATION

1  
CLAIM NUMBER: A65-07002C

LAST: WHITE  
ADDRESS: PO BOX 44721  
CITY: WASHINGTON  
PHONE NUMBER: 202-586-3293

FIRST: BENJAMIN L  
STATE: DC ZIP: 200264721

OWNER CODE: O

LAST: WHITE  
ADDRESS: PO BOX 44721  
CITY: WASHINGTON  
PHONE NUMBER: 202-586-3293

FIRST: BARBARA D  
STATE: DC ZIP: 200264721

OWNER CODE: O

LAST: SILA *36 Heinrich Lane*  
ADDRESS: ~~612 CARTER COURT #64~~  
CITY: MCCALL  
PHONE NUMBER: 208-634-3951

FIRST: JAY L  
STATE: ID ZIP: 83638

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE  
Y

FIELD  
EXAMINER  
Y( ) N( )

CLAIM REMARKS: GEN THIS RIGHT WHEN COMBINED WITH RIGHT 65-2367 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.  
CHANGE OF OWNERSHIP AND SPLIT COMPLETED BY L.R.W. ON 1/19/95.

PAGE: 2  
FIELD EXAMINATION INFORMATION

CLAIM NUMBER: A65-07002C

CONTACT PERSON: Jay Sila

PHONE NUMBER: ( ) -

DATE OF FIELD EXAM: 11

APPOINTMENT MADE: Y( ) N( )

TIME: : A( ) P( )

ACCOMPANIED BY: \_\_\_\_\_

PHONE NUMBER: ( ) -

RELATIONSHIP TO CLAIMANT: same

DIRECTIONS TO PROPERTY / NOTES:

In office exam

A. AJ CLAIM: # A65-07002C PRIORITY DATE: 06-15-1967 STAGE: D

B. WR RECORD: # 65-07002 PRIORITY DATE: - - STAGE:

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE? Y(☒) N(☐)

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE? Y(☐) N(☒)

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE?  
(IF YES, DESCRIBE BELOW) Y(☐) N(☒)

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED N/A(☒) Y(☐) N(☐)

FIELD EXAM COMPLETED N/A(☒) Y(☐) N(☐)

FIELD EXAM SENT TO STATE OFFICE N/A(☒) Y(☐) N(☐)

LICENSE ISSUED N/A(☒) Y(☐) N(☐)

\* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT,  
USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE  
OF THE PRIORITY DATE REQUIRED? N/A(☒) Y(☐) N(☐)

\* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED,  
INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY? Y(☒) N(☐)

NOTES: Recommended as decreed in the PRBA

=====

RECOMMENDED PRIORITY DATE:

6-15-1967  
REVIEWED BY Meel Schutte

DATE 7-27-99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT      | TWP. RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | POD<br>FLAG | COUNTY | DIVERSION NAME | DIVERSION NUMBER |
|------------|-----------|------|-----|-----|-----|-----|-------------|--------|----------------|------------------|
| A65-07002C | 18N 03E   | 33   |     | SW  | NW  |     |             | VALLEY |                |                  |

OTHER AJ CLAIMS WITH SAME AJ POD

| A PREFIX   | R PREFIX |
|------------|----------|
| A65-03823  | 65-03823 |
| A65-07002A |          |
| A65-07002B |          |
| A65-07002D |          |

WR RECORDS IN SAME 40 ACRE TRACT

|           |
|-----------|
| 65-03823  |
| 65-07002A |
| 65-07002X |

SOURCE: WASTE WATER

TRIB: MUD CREEK

B. WR POINT OF DIVERSION AND SOURCE:

6507002 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y(✓) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA? N/A( ) Y(✓) N( )

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM? Y( ) N(✓)

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y(✓) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE? Y(✓) N( )

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM? Y( ) N(✓)

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM \_\_\_\_\_) Y( ) N(✓)

AJ FIELD EXAM (DATE OF FIELD EXAM \_\_\_\_\_ NAME OF EXAMINER \_\_\_\_\_) Y( ) N(✓)

OTHER (DESCRIBE IN NOTES BELOW)

NOTES: Recommended as decreed in the PRBA

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

=====

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED ( )

| TWP.<br>18N | RGE.<br>03E | SEC.<br>33 | 1/4   | 1/4<br>SW | 1/4<br>NW | LOT   | POD<br>FLAG | COUNTY<br>VALLEY | DIVERSION NAME | DIVERSION NBR |
|-------------|-------------|------------|-------|-----------|-----------|-------|-------------|------------------|----------------|---------------|
| _____       | _____       | _____      | _____ | _____     | _____     | _____ | _____       | _____            | _____          | _____         |
| _____       | _____       | _____      | _____ | _____     | _____     | _____ | _____       | _____            | _____          | _____         |
| _____       | _____       | _____      | _____ | _____     | _____     | _____ | _____       | _____            | _____          | _____         |
| _____       | _____       | _____      | _____ | _____     | _____     | _____ | _____       | _____            | _____          | _____         |
| _____       | _____       | _____      | _____ | _____     | _____     | _____ | _____       | _____            | _____          | _____         |
| _____       | _____       | _____      | _____ | _____     | _____     | _____ | _____       | _____            | _____          | _____         |

SOURCE: Waste Water TRIB: Mud Creek

REVIEWED BY: Meel Schults DATE: 7-27-99

=====

SYSTEM DESCRIPTION: DESCRIBED BELOW ( ), SEE LICENSE FILE ( ), OR SEE ATTACHMENT ( )

A. ROOT WATER RIGHT NUMBERS: A65-07002B  
A65-07002A

A65-07002C

A65-07002D

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME           | AJ<br>#/ACRES     | WR<br>#/ACRES    | LANDSAT<br>DATA | FIELD<br>EXAM. | RECOMM.<br>ACRES |
|-----|-----|-----|-----|-----|-----|----------------|-------------------|------------------|-----------------|----------------|------------------|
| 18N | 03E | 33  | SE  | SW  |     | SILA, JAY L    | A65-07002C / 7.2  | - /              |                 | 37.0           |                  |
|     |     |     | SE  | SW  |     | BAILEY, LEIGH  | A65-07002A / 14.5 | 65-07002A / 29.0 |                 |                |                  |
|     |     |     | SE  | SW  |     | CLARK, CHRIS   | A65-07002D / 7.2  | - /              |                 |                |                  |
|     |     |     | SE  | SW  |     | BANKS, WAYNE E | A65-17827 /       | - /              |                 |                |                  |
|     |     |     | SE  | SW  |     | BANKS, WAYNE E | A65-17828 /       | - /              |                 |                |                  |
|     |     |     | SE  | SW  |     | ELD RANCHES    | A65-03825B / 25.0 | - /              |                 |                |                  |
|     |     |     | SE  | SW  |     | ELD RANCHES    | A65-02367 / 10.0  | 65-02367 / 10.0  |                 |                |                  |
|     |     |     | SE  | SW  |     | BANKS, WAYNE E | 65-17827 /        | - /              |                 |                |                  |
|     |     |     | SE  | SW  |     | ELD, WILLIAM   |                   | 65-03825 / 25.0  |                 |                |                  |
|     |     |     | SE  | SW  |     | ELD, JOICE     |                   | 65-13782 /       |                 |                |                  |

ADDITIONAL POU FOUND

TOTAL ACRES A65-07002C 7.20 37.00

POU COUNTY: VALLEY

6a

# WESTERN REGION

OWNER (S): Sila

CLAIM NUMBERS: A65-07002C

AGENT: MEL SCHULTE DATE 7-27-99

| RIGHT NO |     |     |     | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|----------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
|          | TNS | RNG | SEC | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |
|          | 10N | 3E  | 33  |    |    |    |    |    |    |    |    |    |    |    | 1  |    |    |    | 1  |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|          |     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    | 1  |

POLYGON CREATED ON 330

POLYGON # ( ) ( ) ( ) ( ) UPDATED BY MTS

ATTRIBUTES OF B65-POU.SHP (793)(934)( )( )( )

ATTRIBUTES OF B65-POD.SHP (706)( )( )( )( )

8-16-99 B65-DBPOU.DBF UPDATED BY MTS

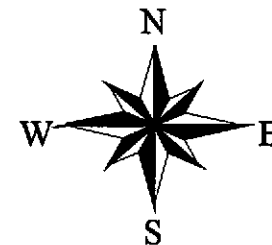
8-16-99 B65-DBPOD.DBF UPDATED BY MTS

NOTES:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# IDAHO DEPARTMENT OF WATER RESOURCES

## T18N, R03E, S33



1987 NAPP PHOTO

● POINT OF DIVERSION

▭ PLACE OF USE

▭ 1/4 1/4 LINES

▭ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 65-07002C

OWNER(S): SILA

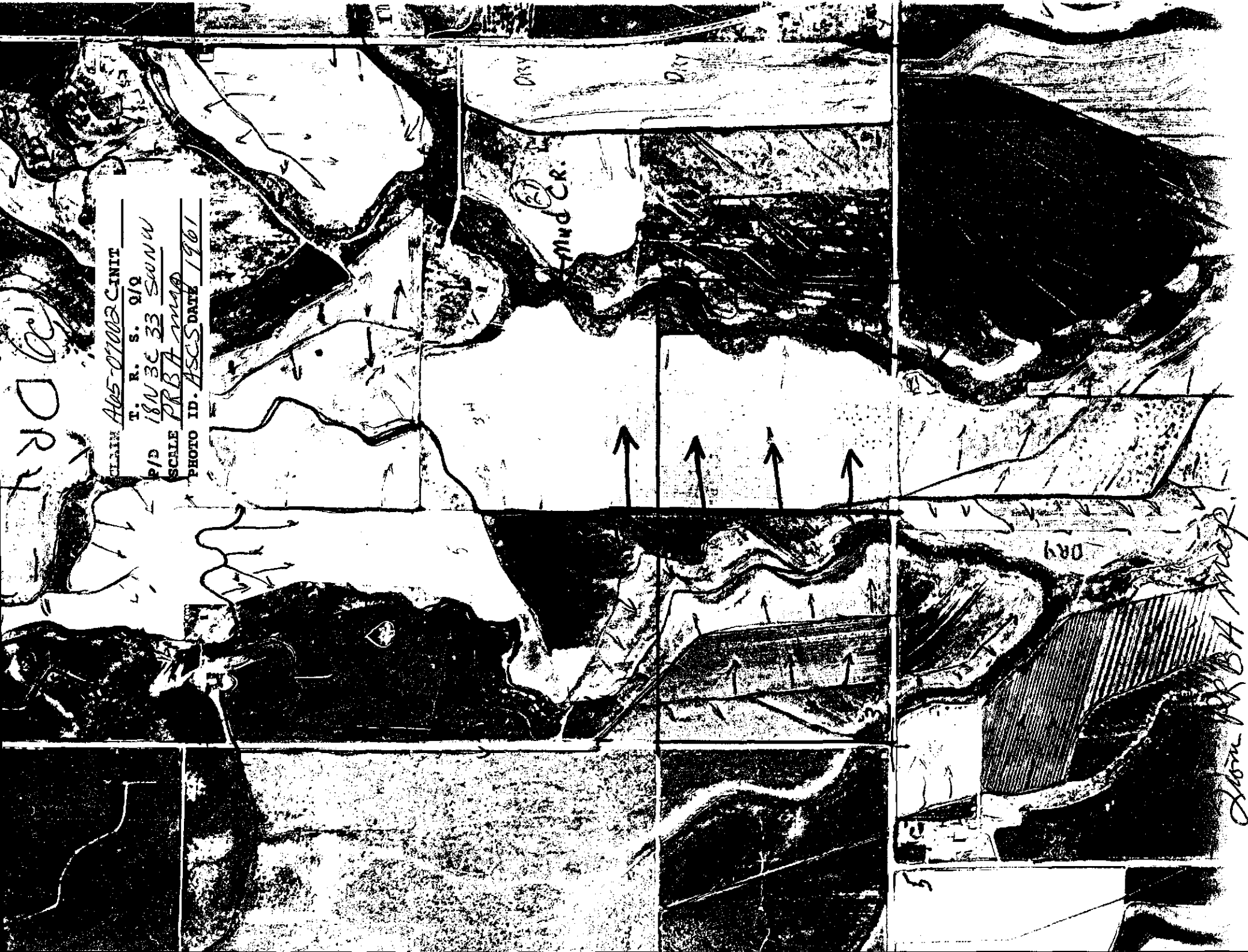
Prepared by Mel Schulte

DATE: JULY 27, 1999

0 0.25 0.5 0.75 1 Miles

120 DRY

CLARK A65-07003 C-INIT  
T. R. S. 9/9  
P/D 18N 3E 33 S. NW  
SCALE PRBA map  
PHOTO ID. ASCS DATE 1961



from PRBA map

822

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

Y( ) N(☒)

\* IF YES, ARE THESE TRACTS LISTED ABOVE ( ), OR ARE THEY LISTED ON AN ATTACHED SHEET ( )

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

| CLAIM NO.  | SOURCE      | NAME          | DIV. RATE | DIV. RATE/ACRE | DIV. VOL. | DIV. VOL./ACRE |
|------------|-------------|---------------|-----------|----------------|-----------|----------------|
| A65-07002C | WASTE WATER | SILA, JAY L   | 0.145     | 0.020          |           |                |
| A65-02367  | WASTE WATER | ELD RANCHES   | 1.000     | 0.020          |           |                |
| A65-03825B | WASTEWATER  | ELD RANCHES   | 1.200     | 0.009          |           |                |
| A65-07002A | WASTE WATER | BAILEY, LEIGH | 0.290     | 0.020          |           |                |
| A65-07002D | WASTE WATER | CLARK, CHRIS  | 0.145     | 0.020          |           |                |

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

| CLAIM NO. | PURPOSES   | NAME           | MONTH/DAY           | RATE      | VOLUME |
|-----------|------------|----------------|---------------------|-----------|--------|
| A65-17827 | DOMESTIC   | BANKS, WAYNE E | FROM 01-01 TO 12-31 | 0.040 CFS |        |
| A65-17827 | STOCKWATER | BANKS, WAYNE E | FROM 01-01 TO 12-31 | 0.030 CFS |        |
| A65-17828 | DOMESTIC   | BANKS, WAYNE E | FROM 01-01 TO 12-31 | 0.040 CFS |        |
| A65-17828 | STOCKWATER | BANKS, WAYNE E | FROM 01-01 TO 12-31 | 0.030 CFS |        |
| 65-17827  | DOMESTIC   | BANKS, WAYNE E | FROM 01-01 TO 12-31 | 0.040 CFS |        |
| 65-17827  | STOCKWATER | BANKS, WAYNE E | FROM 01-01 TO 12-31 | 0.030 CFS |        |

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

Y( ) N( )

\* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

\* E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A( ) Y(☒) N( )

\* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

N/A( ) Y(☒) N( )

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

Y( ) N(☒)

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

Y( ) N(☒)

CHECK DOCUMENTS USED TO VERIFY POU: ( ) ORTHOPHOTOQUAD, IDWR NO. \_\_\_\_\_; ( ) TOPOGRAPHIC QUAD, IDWR NO. \_\_\_\_\_;

☒ <sup>GTS</sup> NAPP, IDWR NO. \_\_\_\_\_; ☒ APCS PHOTO; ☒ OTHER <sup>PRBA map</sup>

NOTES: Recommended as decreed in the PRBA but based on the amended split fee dated 7-12-99 for A65-07002A. Jay Sila was informed that only one acre of right A65-07002A is appurtenant to land he owns. He was also advised that A65-02367 is appurtenant to his property on the East side of Mud Creek and he should file a Change of Ownership for part of A65-02367.

RECOMMENDATIONS:

TOTAL ACRES: 1 N/A( )

REVIEWED BY:

Mel Schultz

DATE:

7-27-99

A. AJ CLAIMED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| A65-07002C IRRIGATION       | FROM 04-15 TO 10-15       | 0.145 CFS              |                        |
| TOTAL DIVERSION RATE/VOLUME |                           | 0.145 CFS              |                        |

B. WR RECORDED USES:

| PURPOSE OF USE              | PERIOD OF USE (MONTH/DAY) | DIV. RATE FOR EACH USE | DIV. VOL. FOR EACH USE |
|-----------------------------|---------------------------|------------------------|------------------------|
| TOTAL DIVERSION RATE/VOLUME |                           |                        |                        |

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE? Y(☒) N(☐)

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☒) N(☐)

\* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM? Y(☐) N(☒)

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS? Y(☒) N(☐)

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS? Y(☒) N(☐)

\* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☐) Y(☐) N(☒)

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A(☒) Y(☐) N(☐)

\* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM? N/A(☐) Y(☐) N(☒)

NOTES: The diversion rate recommended is based on the  
split tree dated 7-12-99. These other components are  
recommended as decreed in the PRBA.

AJ CLAIM TOTAL DIVERSION RATE: 0.145 CFS

WR ROOT RIGHT TOTAL DIVERSION RATE: CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE? N/A( ) Y( ) N(☒)

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE? N/A( ) Y(☒) N( )

\* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE? Y( ) N(☒)

\* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM? Y( ) N(☒)

E. FLOW MEASUREMENT

MEASUREMENT METHOD None, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE  
ACRES 1 x 0.02 CFS/ACRE = 0.02 CFS  
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y( ) N(☒)

IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y( ) N( )

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = NA AF/A

ACRES \_\_\_\_\_ x DIVERSION VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL DIVERSION VOLUME \_\_\_\_\_ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = NA AF/A

ACRES \_\_\_\_\_ x CONSUMPTIVE VOL. AF/A FOR AREA \_\_\_\_\_ =

TOTAL CONSUMPTIVE USE \_\_\_\_\_ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW ( ) OR SEE ATTACHMENT ( )

NOTES:

*See the split tree dated 7-12-99 for A65-07002A*

WR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED (\_\_\_)

| REC.<br>PURPOSE OF USE | REC. PERIOD |       | REC. DIV          |                 | REC. DIV |          | REC. CONS.      |          |
|------------------------|-------------|-------|-------------------|-----------------|----------|----------|-----------------|----------|
|                        | FROM        | TO    | RATE              | CFS             | VOL.     | AF/A     | USE             |          |
| IRRIGATION             | 04-15       | 10-15 | DATABASE<br>0.145 | EXAMINER<br>102 | DATABASE | EXAMINER | DATABASE<br>0.0 | EXAMINER |
| _____                  | _____       | _____ | _____             | _____           | _____    | _____    | _____           | _____    |
| _____                  | _____       | _____ | _____             | _____           | _____    | _____    | _____           | _____    |
| _____                  | _____       | _____ | _____             | _____           | _____    | _____    | _____           | _____    |
| _____                  | _____       | _____ | _____             | _____           | _____    | _____    | _____           | _____    |
| TOTAL FOR THIS RIGHT   |             |       |                   | 102             |          |          |                 |          |

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED (\_\_\_)

REVIEWED BY: Mel Schulte

DATE: \_\_\_\_\_

FLAG: \_\_\_\_\_

STANDARD CONDITIONS (CODE):

STANDARD REMARKS (CODE):

QNT-E28  
EXP-F06

EXPLANATORY CONDITIONS (CODE):

EXPLANATORY REMARKS (CODE):

A. CHECK ONLY THE FOLLOWING THAT APPLY:

|                              | ACCEPTED<br>AS CLAIMED | NEEDS<br>REVIEW |
|------------------------------|------------------------|-----------------|
| OWNERSHIP _____              | (✓)                    | ( )             |
| FORFEIT/ABANDON _____        | ( )                    | ( )             |
| ADDITIONAL DIV. AMOUNT _____ | ( )                    | ( )             |

B. SPLIT WATER RIGHT REVIEW

*See Split tree dated 7-12-99 labeled 14a*

ROOT WATER RIGHT NUMBER: 65-07002

|                                   | DATABASE | EXAMINER | CFS |
|-----------------------------------|----------|----------|-----|
| TOTAL DIVERSION RATE OF WR SPLITS | 1.560    | _____    |     |

SPLITS:

| OLD RIGHT<br>NUMBERS | CURRENT<br>CLAIM NUMBERS | DIVERSION<br>RATE | CURRENT "R"<br>CLAIM NUM. | "R" DIV.<br>RATE | WR RIGHT<br>NUMBERS | DIVERSION<br>RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| -                    | A65-07002A               | 0.290             | -                         |                  | 65-07002            |                   |
| -                    | A65-07002B               | 0.090             | -                         |                  | 65-07002A           | 0.580             |
| -                    | A65-07002C               | 0.145             | -                         |                  | 65-07002X           | 0.980             |
| -                    | A65-07002D               | 0.145             | -                         |                  | -                   |                   |
|                      | TOTAL CFS                | 0.670             |                           |                  |                     | 1.560             |

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 DESCRIBED BELOW ( ) OR SEE ATTACHMENT ( )?

| DATABASE | FIELD<br>EXAMINER |
|----------|-------------------|
| N        | Y( ) N( )         |

NOTES:

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7-12-99

14a

## Amended Split Tree 65-07002A

\* A65-07002A N/O Bailey & Miller  
 DR: .40 cfs Source: Waste water  
 POD: 18N, 3E, S33, SWNW  
 POU: " " " SESW - 20ac.  
 (W $\frac{1}{2}$  SESW)

\* A65-07002C N/O Lila  
 DR: .02 cfs Source: Waste water  
 POD: 18N, 3E, S33, SWNW  
 POU: " " " SESW - 1ac  
 (E $\frac{1}{2}$  E $\frac{1}{2}$  SESW)

\* A65-07002D N/O Clark  
 DR: .16 cfs Source: Waste water  
 POD: 18N, 3E, S33, SWNW  
 POU: 18N, 3E, S33, SESW - 8  
 (W $\frac{1}{2}$  E $\frac{1}{2}$  SESW)

Summary and Comparison  
 DR - Acres

|            |         |          |
|------------|---------|----------|
| 65-07002A  | .58 cfs | 29 acres |
| A65-07002A | .40 cfs | 20 acres |
| -07002C    | .02 cfs | 1 acre   |
| -07002D    | .16 cfs | 8 acres  |
| Totals     | .58 cfs | 29 acres |

\* Based on Warranty Deed conveyances that are silent as to water rights.

=====

AUTHENTICATION:

SIGNATURE:

*Mel Schulte*

DATE:

*7-27-99*

NAME OF FIELD EXAMINER:

TITLE:

=====



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Jay Sila  
36 Heinrich Lane  
McCall, ID 83638

DIRK KEMPTHORNE  
GOVERNOR

KARL J. DREHER  
DIRECTOR

Re: A65-07002C & A65-02367

Dear Jay:

I received your letter dated May 13, 1999 and the attached map. I now have a better picture of what water rights are appurtenant to your property.

First, it appears the land you own on the West side of Mud Creek (about one acre) is entitled to a pro-rated share of the claim you filed, A65-07002C. The source for this right is waste water which according to our records is only deliverable to land on the West side of the creek.

Your land on the East side of Mud Creek also has water appurtenant to it from a different waste water source under right A65-02367. Our records indicate this water can only be delivered on the East side of the Creek. We have not split any part of A65-02367 into your name as of yet. If you will sign and return the enclosed Notice of Change of Water Right Ownership form we will split a pro-rated portion of this right into your name. You do not have to provide a copy of a deed. We already have one in file.

I find no Mud Creek water rights appurtenant to your land. If you want to obtain one you need to file an application for a new water right from this source. Enclosed is an application form and instructions. If you need help with the form let me know.

As I indicated in my previous letter, the deed conveying your property to you is silent as to water rights. Therefore, unless there are other legal documents that address water rights, the water rights appurtenant to the land is what you received as part of the conveyance.

At this time it is my intention to recommend one acre of water under A65-07002C for your land West of Mud Creek. If you return the ownership change form I will recommend eight acres of water under A65-02367 in your name.

If you have any questions or additional questions call me at the number below.

Cordially,

Mel Schulte  
208-334-2190

Jay & Jeannie Sila  
36 Heinrich Lane  
McCall, ID 83638

May 13, 1999

Department of Water Resources  
Adjudication Bureau  
Attn: Mel Schulte  
Western Region Office  
2735 Airport Way  
Boise, ID 83705-5082

**RECEIVED**

**MAY 19 1999**

**WATER RESOURCES  
WESTERN REGION**

Dear Mr. Schultz,

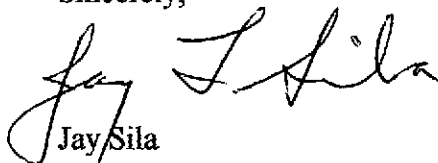
Attached you will find a map of the 10 acres we received from the grandfathered 40 acres which had the water rights. On it I have located the approximate location of Mud Creek and three original irrigation ditches. There are more ditches but they need maintenance, which I have not had time to do yet. The point of diversion on the creek would be approximately where the X is marked. At this time a gas engine pump will be used to deliver water from the diversion point on Mud Creek to the high point of each ditch. In the future I wish to upgrade to an electric pump and a small sprinkler system which would be quieter and a more efficient use of water. Until we received your letter, we assumed that our split of claim A65-07002A gave us water rights for our pasture lands on both sides of the creek.

Please review this information and send us whatever paperwork is necessary to clear up this matter.

Also, we would really appreciate it if you could send us any documentation that involves our acreage in the files at your office at this time. This is to update our files because some papers were misplaced while moving. Our new address is 36 Heinrich Lane, McCall, ID 83638.

Thank you for looking into and helping us with this problem. If you have any further questions regarding this matter, please do not hesitate to contact me. My work number is (208) 634-7125 and my home number is (208) 634-3951.

Sincerely,

  
Jay Sila

Enclosure: 1



## State of Idaho

# DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

March 10, 1999

DIRK KEMPTHORNE  
GOVERNOR

JAY SILA  
812 CARICO COURT #C4  
MC CALL, ID 83638

KARL J. DREHER  
DIRECTOR

RE: A65-07002C

Dear Mr. Sila:

I'm currently reviewing the above referenced Snake River Basin Adjudication claim registered in your name. This claim was established by a Change of Ownership you filed for a parcel of property you purchased in 1994 from Benjamin & Claudia White. Your change of ownership resulted in a split of a portion of claim A65-07002A.

The deed that conveyed the property to you is silent as to what water rights were transferred with the 10 acres described in the deed. Our records indicate the water right represented by A65-07002A is not appurtenant to the land you own lying on the East side of Mud Creek. The records do however indicate the land East of the creek may be part of at least one and possibly two other water rights claimed by Eld Ranches.

If you have any information or documentation that addresses which water right(s) you purchased with the land we need to know as soon as possible. We also need to know how water is delivered to your land and from what source it originates. Enclosed is a copy of a 1987 infra-red aerial map of the area where your property is located. Please outline the location of your land on this map and describe the ditches used for your delivery of water used for irrigation.

I'm sending a copy of this letter to Eld Ranches to advise them of this problem. Please call me at the number below if you want to discuss this matter in more detail. Please return the map to my attention at the address above.

Sincerely,

A handwritten signature in cursive script that reads "Mel Schulte".

Mel Schulte  
ADJUDICATION BUREAU  
Department of Water Resources  
Western Region Office  
(208) 334-2190

Enc

CC: Eld Ranches



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

Date JANUARY 19, 1995

**CECIL D. ANDRUS**  
**GOVERNOR**

**R. KEITH HIGGINSON**  
**DIRECTOR**

[ JAY L SILA  
812 CARICO COURT #C4  
[ MCCALL ID 83638 ]

Notice of Claim No.(s)      A65-07002C

**Dear Claimant:**

Enclosed is **your** copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda A. Werner  
Sr. Water Resource Agent  
Adjudication Section

Enclosure(s)

MICROFILMED  
OCT 21 1996

MAR 02, 1979

## PROPOSED FINDING OF WATER RIGHTS - PAYETTE RIVER DRAINAGE

PAGE 631

\*INDICATES TOTAL\*

SOURCE: WASTE WATER

TRIBUTARY TO: MUD CREEK

| RIGHT<br>NUMBER | NAME AND<br>ADDRESS                                                                                                                                                                          | PRIORITY<br>DATE | USE        | USE PERIOD<br>FROM TO | MAX AMOUNT<br>MAX RATE                     | DIVERSION<br>POINT    | PLACE OF USE<br>AND ACREAGE                                                   | BASIS FOR<br>RIGHT |
|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------|-----------------------|--------------------------------------------|-----------------------|-------------------------------------------------------------------------------|--------------------|
| 65-3025         | ELD, WILLIAM<br>ROUTE 1, BOX 63, MC CALL,<br>IDAHO 83638                                                                                                                                     | 4/20/1945        | IRRIGATION | 4/15 10/15            | --- AFA<br>2.00 CFS                        | NWSE S33<br>T18N R 3E | SESW(40) NESW(29)<br>SESW(25), NWSE( 2)<br>SWSE(25)<br>S33 T18N R 3E<br>*121* | BENEFICIAL<br>USE  |
| 65-8589         | SANFORD, DONALD C.<br>BOX 582, MC CALL, IDAHO 83638<br>REMARKS: THIS RIGHT WHEN<br>COMBINED WITH RIGHTS 65-8590 &<br>LAKE IRRIGATION DISTRICT SHALL<br>PROVIDE NO MORE THAN .02<br>CFS/ACRE. | 7/ 1/1948        | IRRIGATION | 4/15 10/15            | --- AFA<br>.04 CFS                         | SESE S33<br>T18N R 3E | SESE( 2)<br>S33 T18N R 3E *2*                                                 | BENEFICIAL<br>USE  |
|                 |                                                                                                                                                                                              |                  | STOCKWATER | 1/ 1 12/31            | .40 AFA<br>.02 CFS<br>*---*AFA<br>*.06*CFS |                       | SAME AS OTHER USE                                                             |                    |
| 65-4192         | RAINBOW RANCH, INC.<br>BOX 637, LAKE FORK, IDAHO<br>83635<br>REMARKS: THIS RIGHT WHEN<br>COMBINED WITH RIGHTS OF LAKE<br>IRRIGATION DISTRICT SHALL<br>PROVIDE NO MORE THAN .02<br>CFS/ACRE.  | 6/ 1/1952        | IRRIGATION | 4/15 10/15            | --- AFA<br>1.50 CFS                        | SESE S 4<br>T17N R 3E | NESE(36) SESE(39)<br>S 4 T17N R 3E<br>*75*                                    | BENEFICIAL<br>USE  |
| 65-8575         | ODDUS, EARL F.<br>BOX 156, MC CALL, IDAHO 83638                                                                                                                                              | 6/ 1/1957        | IRRIGATION | 4/15 10/15            | --- AFA<br>.04 CFS                         | SWSW S28<br>T18N R 3E | SWSW( 2)<br>S28 T18N R 3E *2*                                                 | BENEFICIAL<br>USE  |
|                 |                                                                                                                                                                                              |                  | STOCKWATER | 1/ 1 12/31            | .20 AFA<br>.02 CFS<br>*---*AFA<br>*.04*CFS |                       | SAME AS OTHER USE                                                             |                    |
| 65-7002X        | ELD, WILLIAM<br>ROUTE 1, BOX 63, MC CALL,<br>IDAHO 83638<br>REMARKS: THIS RIGHT WHEN<br>COMBINED WITH RIGHTS 65-10246<br>& 65-3213 SHALL PROVIDE NO<br>MORE THAN .02 CFS/ACRE.               | 6/15/1967        | IRRIGATION | 4/15 10/15            | --- AFA<br>.98 CFS                         | SWNW S33<br>T18N R 3E | SWNW(10) NESW(34)<br>NWSW( 5)<br>S33 T18N R 3E<br>*49*                        | LICENSE            |
| 65-7002A        | WHITE, BENJAMIN L. &<br>WHITE, BARBARA D.<br>5192 FILLMORE, CREGON, UTAH<br>84403<br>REMARKS: THIS RIGHT WHEN<br>COMBINED WITH RIGHT 65-2367<br>SHALL PROVIDE NO MORE THAN .02<br>CFS/ACRE.  | 6/15/1967        | IRRIGATION | 4/15 10/15            | --- AFA<br>.58 CFS                         | SWNW S33<br>T18N R 3E | SESW(29)<br>S33 T18N R 3E<br>*29*                                             | LICENSE            |

NOV 12 1978  
INT. NO. 65 PLAT NO. 7002A  
Water Resources  
Western Region Office

Benjamin - Barbara -  
(Name of Criminal)

(1) Date of priority: (When was the claim first applied to beneficial use, or priority date of decreed, licensed or permit right)  
1-1-1944

(2) Describe the source of water: (Name of stream, lake, spring, etc., or groundwater) Land 1-1-1944 NW 1/4 Sec 33  
T-18-N R-2-E Land NW 1/4 Sec 33 T-18-N R-2-E

|                  |                                     |                           |            |
|------------------|-------------------------------------|---------------------------|------------|
| <b>Quantity</b>  | <b>Use</b>                          | <b>Period of Use From</b> | <b>To</b>  |
| (ICFS, GPD, AF.) | (Domestic, irrigation, stock, etc.) | (Mo., Day)                | (Mo., Day) |
|                  |                                     | (Both Dates Inclusive)    |            |

(5) A) Point of Diversion: Give location of point where water is diverted from its source Sec 24 NW 1/4 T12N R12E  
Sec. 33, Twp. 18N, Rge. 3E, B.M.; additional points: None

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

| Irrigation, place an X in appropriate box to show location. |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |
|-------------------------------------------------------------|----|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| T                                                           | R  | SEC. | NE $\frac{1}{4}$ |                  |                  | NW $\frac{1}{4}$ |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTAL            |
| ✓                                                           | ✓  | ✓    | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |
| 180                                                         | 3E | 33   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 29               |                  |                  |                  | 29               |
|                                                             |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 25               |                  |                  |                  | 25               |
|                                                             |    |      |                  |                  |                  |                  |                  |                  |                  | X                |                  |                  | 14               |                  |                  |                  | 14               |
|                                                             |    |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 29               |
| 180                                                         | 3E | 33   |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 29               |                  |                  |                  | 29               |

Total No. of acres 400-2-2

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

**NOTE:** Include here the type and number of stock watered.

(7) Effluent, sewage waste, or return water from this use is discharged into eventually into Payco River

(8) If you are claiming water as a member of an organization, list name of organization. None provide

(9) Remarks *This night when combined with R. 64 65-2662 shows some*  
*The water use has varied from year to year depending on use*

and availability. The figures listed are estimates based on current usage.  
I will review the data for adjustments.

(10) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right decreed by court, cite title of case.

(C) Right based on application, permit, license, or claim filed with the Idaho Department of Water Resources. *File 71025*

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge. *Individual*

11/9/76 (Date)

### Individuals

Jim White  
(Signature of Claimant)

(Signature of Spouse)

State of Ark, Organization

### Organization

Organization *None* (Signature of Spouse) *h. m. m.*

County of Alameda Seal

(Signature of Authorized Agent)

On this 9 day of February, in the year 1966, before me,  
a notary public, personally appeared \_\_\_\_\_  
known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they,  
corporation, partnership of \_\_\_\_\_) executed the same.

Notary Public residing at 1000 7th St

**My commission expires**

**STATE OF IDAHO**  
**DEPARTMENT OF WATER ADMINISTRATION**

Cecil D. Andrus  
Governor  
R. Keith Higginson  
Director

614 State Street  
Statehouse Annex  
Boise, Idaho 83720  
(208) 384-2100



Water Rights Administration  
Water Resource Investigations  
Dam and Reservoir Safety  
Water Well Drilling  
Waste Disposal Wells  
Stream Channel Protection

September 11, 1973

Mr. William Eld  
Route 1, Box 63  
McCall, Idaho 83638

Dear Mr. Eld:

A representative of this Department has made an examination of the works covered by your Permit No. 65-7002 and has found the following:

Quantity of water diverted: 1.73 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.53 cfs

The maximum quantity diverted shall not exceed 312 acre feet per year.

Beneficial use: Irrigation of 78 acres within the SW1/4NW1/4, N1/2SW1/4, SE1/4SW1/4, Sec. 33, Twp. 18 N, Rge. 3 E.B.M.

Point of diversion: SW1/4NW1/4 Sec. 33, Twp. 18 N, Rge. 3 E.B.M.

Source: Waste Arwin

Priority date established: June 15, 1967

The place of use found by our field examiner differs from that listed under your permit, therefore, it will be necessary for you to amend the permit before a Water License can be issued. We are enclosing a partially completed application for amendment for your use. Please sign the application and return it to this office with a \$10.00 filing fee within 10 days of the date of this letter in order that we may issue a water license as set forth above.

If you do not concur with these findings or have any questions, please contact this office within the 10 day period.

Sincerely,

*Bobby D. Fleenor*  
BOBBY D. FLEENOR  
Assistant Director

BDF/bjg  
Enclosure

65-7002

\* Split tree A65-07002A

65-07002A N/O White  
DR: .58 cfs Source: Waste water  
POD: 18N, 3E, S33, SWNW  
POU: " " " , SESW - 29ac

65-07002X N/O Ella  
DR: .98 cfs Source: Waste water  
POD: 18N, 3E, S33, SWNW  
POU: " " " , SWNW - 10  
" , NESW - 34  
" , NWSW - 5

A65-07002A N/O Bartley & Muller  
DR: .29 cfs Source: Waste water  
POD: 18N, 3E, S33, SWNW  
POU: " " " , SESW - 14.5  
" " " (W $\frac{1}{2}$  SESW)

A65-07002C N/O Lela  
DR: .145 cfs  
POD: 18N, 3E, S33, SWNW  
POU: 18N, 3E, S33, SESW - 7.2

A65-07002D N/O Clark  
DR: .145 cfs  
POD: 18N, 3E, S33, SWNW  
POU: 18N, 3E, S33, SESW - 7.2  
" " " (W $\frac{1}{2}$  E $\frac{1}{2}$  SESW)

\* Based on ownership changes - See amended split tree dated 7-12-99.



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: A65-07002C  
Date Received: 11/21/1988  
Receipt No: X999999  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JAY L SILA 208-634-3951  
Address: 812 CARICO COURT #C4  
MCCALL ID 83638

2. Date of Priority: JUN 15, 1967

3. Source: WASTE WATER Trib. to: MUD CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 18N      | 03E   | 33      | SW     | NW     |        |     | VALLEY |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/15 | 10/15 | 0.145 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 of | Lot | Use | Acres |
|---------------|-------|---------|--------|--------|-----|-----|-------|
| 18N           | 03E   | 33      | SE     | SW     |     | IRR | 7.2   |
| Section Acres |       |         |        |        |     |     | 7.2   |
| Total Acres   |       |         |        |        |     |     | 7.2   |

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-2367 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.

CHANGE OF OWNERSHIP AND SPLIT COMPLETED BY L.R.W. ON 1/19/95.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs

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

Number of attachments: \_\_\_\_\_

**For Individuals:**

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_ Date: \_\_\_\_\_

State of Idaho )  
 ) SS.  
County of \_\_\_\_\_ )

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

\_\_\_\_\_  
Notary Public

Seal

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_



# NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

RECEIVED

JAN 10 1995

WATER RESOURCES  
WESTERN REGIONDATE OF CLOSING: Nov. 30, 1994

LEGAL DESCRIPTION OF PROPERTY: Township 18N Range 3E  
 Section 33, 1/4 of SE 1/4 of SW 1/4 Govt. Lot \_\_\_\_\_, BM.  
 Lot \_\_\_\_\_, Block, E 1/2 E 1/2, Subdivision/Townsite \_\_\_\_\_  
 If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)  
Assigned by IDWR:

A65-07002A

☐ Name and Address of Former  
Owner/Claimant(s)(Seller):

Benjamin L. WhiteP.O. Box 44721Washington, D.C. 20026 4721

☐ New Owner/Claimant  
(Purchaser):

Jay L. Sila

☐ New Mailing Address:

812 Carico Ct #C4McCall, Id. 83638

☐ New Telephone Number:

(208) 634-3951

☐ Does the change in ownership result in a splitting of the water right owned/claimed? X yes no  
 If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

Waste water from a tributary to Mud Creek is claimed  
for irrigation purposes from 4/15 to 10/15. Total  
quantity appropriated is .145 cfs. on 7.25 acres

☐ Attach proof of  
ownership, describe  
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New  
Owner/Claimant(s)

Jay L. SilaDate 12/28/94

Date

☐ Signature of Former  
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

## 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:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources  
Copies to Former Owner and New Owner

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## INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.

**WARRANTY DEED**

For Value Received Benjamin L. White and Claudia J. White, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Jay Sila, a single man,

whose address is: 812 Carico Court -CR, McCall, ID 83638

Hereinafter called the Grantee, the following described premises situated in Valley County, Idaho, to-wit:

E1/2 E1/2 SE1/4 SW1/4 Section 33, Township 18 N., Range 3 E., B.M., subject to rights of way and easements in use or of record.

Subject to current year's taxes, irrigation district assessments, public utility easements, subdivision restrictions and U.S. Patent reservations, any easements in use or of record.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: 11/28/94

Benjamin L. White  
Benjamin L. White

Claudia J. White  
Claudia J. White

STATE OF  
COUNTY OF

)  
: ss.

On this 28<sup>th</sup> day of November, 19 94 before me, the undersigned Notary Public, personally appeared Benjamin L. White and Claudia J. White, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.



Victoria A. Peters  
Notary Public State of Colorado  
Residing at: P.O. Box 464, Golden, CO 80402  
My Commission Expires: Sept 30, 1995

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## DEED OF TRUST

THIS DEED OF TRUST dated 11/30, 19 94, BETWEEN Jay Sila, a single man herein called GRANTOR whose address is 812 Carico Court -C4, McCall, ID 83638, CENTRAL IDAHO TITLE, INC. herein called TRUSTEE, and Benjamin L. White and Claudia J. White, husband and wife herein called BENEFICIARY, WITNESSETH: That Grantor does hereby irrevocably GRANT, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of Valley, State of Idaho, described as follows, either within an incorporated city or village at the date hereof, or containing not more than twenty acres:

E1/2 E1/2 SE1/4 SW1/4 Section 33, Township 18 N., Range 3 E., B.M., subject to rights of way and easements in use or of record.

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits, for the purpose of securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by grantor in the sum of THIRTY THREE THOUSAND AND NO/100 Dollars, (\$33,000.00), final payment due April 1, 1995 and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of further loans advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties of this Deed of Trust that it shall stand as containing security until paid for all such advances together with interest thereon.

### A. To protect the security of this Deed of Trust, Grantor agrees:

1. Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor at his address hereinbefore set forth.

2. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefore; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

3. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

4. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

5. To pay at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due, Grantor's failure so to pay shall constitute a default under this trust.

6. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at the highest lawful rate permissible under Idaho law.

7. Should Grantor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing the Deed of Trust by Judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

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**B. It is mutually agreed that:**

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may: reconvey all or any part of said property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this Deed and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in any reconveyance executed under this Deed of Trust of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto."

5. As additional security, Grantor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Grantor the right, prior to any default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

6. Upon default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary. In the event of default, Beneficiary shall execute or cause the Trustee to execute a written notice of such default and of his election to cause to be sold the herein described property to satisfy the obligations hereof, and shall cause such notice to be recorded in the office of the recorder of each county wherein said real property or some part thereof is situated.

Notice of sale having been given as then required by law, and not less than the time then required by law having elapsed, Trustee, without demand on Grantor, shall sell said property at the time and place fixed by it in said notice of sale, either as a whole or in separate parcels and in such order as it may determine, at public auction to the highest bidder for cash in lawful money of the United States, payable at time of sale. Trustee shall deliver to the purchaser its deed conveying the property so sold, but without any covenant or warranty express or implied. The recitals in such deed of any matters or facts shall be conclusive proof of the truthfulness thereof. Any person, including Grantor, Trustee, or Beneficiary, may purchase at such sale.

After deducting all costs, fees and expenses of Trustee and of this Trust, including costs of evidence of title and reasonable counsel fees in connection with sale, Trustee shall apply the proceeds of sale to payment of: all sums expended under the terms hereof, not then repaid, with accrued interest at the highest lawful rate permissible under Idaho law; all other sums then secured hereby; and the remainder, if any, to the person or persons legally entitled thereto.

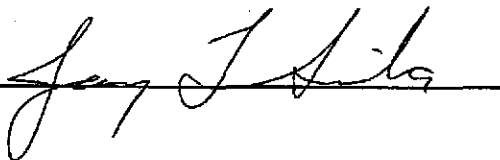
Notwithstanding any other provisions hereof or of any other agreement between the parties hereto, under no circumstances shall the amount paid or agreed to be paid to such Beneficiary for the use, forbearance or detention of money exceed the highest lawful rate permissible, and if a court or competent jurisdiction shall determine that the performance of any provision hereof or thereof shall result in payment of amount in excess thereof, then such provision shall be deemed appropriately modified to the extent necessary to reduce such amount to that not in excess of such rate, and any excess amount theretofore received shall be deemed applied to the principal amount of the debt.

7. This Deed applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. The term Beneficiary shall mean the holder and owner of the note secured hereby; or, if the note has been pledged, the pledgee thereof. In this Deed, whenever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

8. Trustee is not obligated to notify any party hereto of pending sale under any other Deed of Trust or of any action or proceeding in which Grantor, Beneficiary or Trustee shall be a party unless brought by Trustee.

9. In the event of dissolution or resignation of the Trustee, the Beneficiary may substitute a trustee or trustees to execute the trust hereby created, and when any such substitution has been filed for record in the office of the Recorder of the county in which the property herein described is situated, it shall be conclusive evidence of the appointment of such trustee or trustees, and such new trustee or trustees shall succeed to all of the powers and duties of the trustee or trustees named herein.

Jay Sila



STATE OF IDAHO )  
COUNTY OF VALLEY ) ss.

On this 30TH day of NOVEMBER, 1994 before me, the undersigned Notary Public, personally appeared Jay Sila, known or identified to me to be the person(s) whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

(SEAL)



Notary Public State of IDAHO  
Residing at: McCall  
My Commission Expires: 1-29-99

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OCT 21 1996

RECORDED  
NOV 21 1988

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: Department of Water Resources

Ident. Number: A65-07002A  
Date Received:  
Receipt No:  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: BENJAMIN L. WHITE  
Address: 5182 FILLMORE  
OGDEN, UT 84403-0000  
  
Name: BARBARA D. WHITE  
Address: 5182 FILLMORE  
OGDEN, UT 84403-0000
2. Date of Priority: JUN 15, 1967
3. Source: WASTE WATER Trib. to: MUD CREEK
4. Point of Diversion:  

|          |       |         |        |        |        |     |        |
|----------|-------|---------|--------|--------|--------|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
| 18N      | 03E   | 33      | SW     | NW     |        |     | VALLEY |
5. Description of diverting works:
6. Water is used for the following purposes:  

|            |       |       |        |      |        |
|------------|-------|-------|--------|------|--------|
| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
| IRRIGATION | 04/15 | 10/15 | 0.580  |      |        |
7. Total Quantity Appropriated is:  
0.580 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:

A65-07002A

Page 1

Date: 11/10/88

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10. Place of Use:

| Township      | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|---------------|-------|---------|--------|-----|-----|-----|-------|
| 18N           | 03E   | 33      | SE     | SW  |     | IRR | 29.0  |
| Section Acres |       |         |        |     |     |     | 29.0  |
| Total Acres   |       |         |        |     |     |     | 29.0  |

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT WHEN COMBINED WITH RIGHT 65-2367 SHALL PROVIDE NO  
MORE THAN .02 CFS/ACRE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree 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 X do not \_\_\_\_\_ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: -1-

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): *Sam White* Date: Nov. 18, 1988  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of ~~Idaho~~ DISTRICT )  
OF COLUMBIA ) SS.  
County of \_\_\_\_\_ )

Subscribed and sworn (or affirmed) before me this 18th day  
of November 19 88

*George D. Huntington*  
Notary Public

Seal

Residing at District of Columbia

My Commission Expires Nov. 14, 1989