

27-13 ANALYSIS
PREPARED BY C. BIRD
MARCH 31, 2005

This is a continuation from Harold Jones analysis on 27-13A & B faxed to me on February 23, 2005. We requested additional information from Keith Fielding in reference to the 100" claimed under 27-13A to see if the sale was valid. If the sale is valid then there is only 200 inches left for claim 27-13B.

The attached map shows the original Dunn place of use outlined in red. The claimed POU for 27-13B is what is outlined in green. There is only 158 acres under 27-13B that is part of the original place of use.

June 24th, 1910 Henry Dunn sold to Margaret Thompson 100" of the Blackfoot River with a priority date of 7/1/1870 in a water deed. As you can see from the attached Metzger map Margaret Thompson owned the property in T3S, R36E, sections 3 and 4.

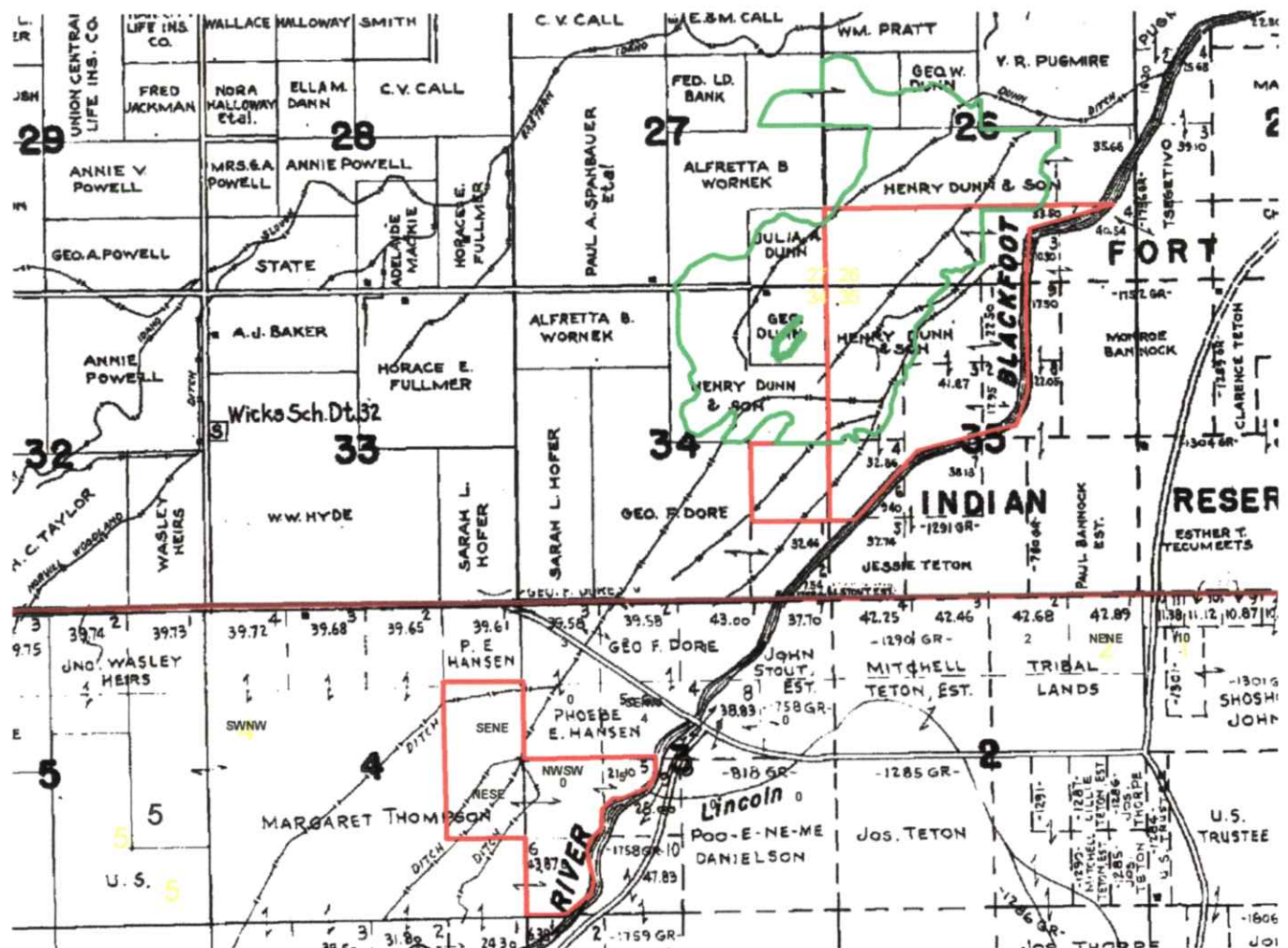
January 30th of 1959, William Ball sells the 100" of Dunn's decreed water to Warren Tew. Then in February of that same year William Ball makes application to the Department for an irrigation well to irrigate a 120 acres in the N1/2SW and SWSW of section 3 and SESE of section 4, all within township 3 south and range 36 east of the Boise Meridian.

Preceding deeds show Warren & Vera Tew together conveying different pieces of land. Then in 1970 Vera Tew sells the piece claimed under 27-13A to Arvel W. & Dorothy Fielding with all ditches and water rights. One would have to assume Warren past away prior to the sale to the Fieldings.

It is my option that the original 100 inches sold to Margaret Thompson is valid and it has been moved to the ground now owned by Keith Fielding. Therefore, there would only be 200 inches left on the piece claimed under 27-13B.

27-13 decree analysis

T2S, R36E AND T3S, R36E



0.7 0 0.7 1.4 Miles

- PLSS Township LinesGcdb_tr.shp
- 27-13a.shp
- 27-13b.shp
- 27-13original.shp
- T03s36e.shp
- PLSS Section LinesSections.shp

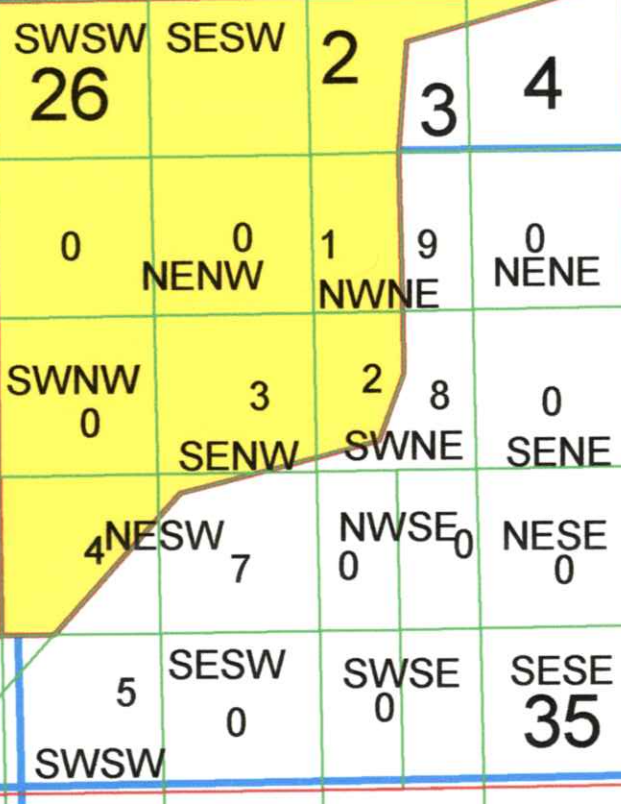


1945 Metzker Map
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27-13 B. apr

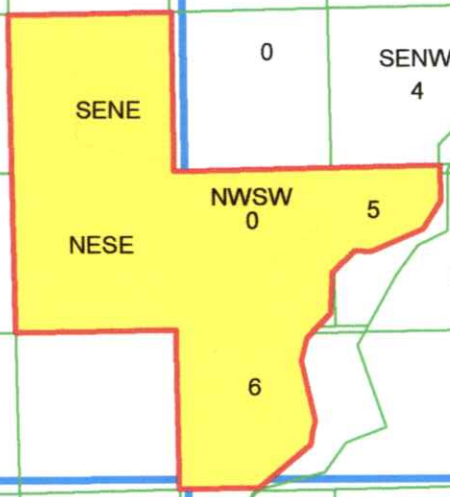
27-13 original.shp

28



34

33



10

10

NE