



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Donald H. Worthylake
9856 South Marsh Creek Road
McCammon, Idaho 83250

October 22, 2002

Re: Snake River Basin Adjudication (SRBA)

Subject: Evidence of Priority

Claim No: A29-4045B, A29-4113A

Response Date: November 6, 2002

DEAR CLAIMANT(S):

In August of this year we spoke in regards to needing evidence of priority on the above listed claims. Time is of the essence; I need this information by November 6, 2002 in order to make a recommendation to the court in the Snake River Basin Adjudication. These rights have never been confirmed by a court decree or by a department investigation; we need documentation that the water uses were developed prior to March 25, 1963 (ground water source) or May 20, 1970 (surface water source).

Please refer to the letter and pamphlet I gave you, and provide documentation. Remember that affidavits must clearly identify "first person" knowledge (I did..., I saw..., etc.) and clearly state when the use of water was first seen by the person.

If you have any questions, please feel free to contact me at 547-3993.

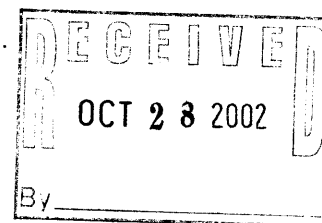
Respectfully;

Cindy E. Bird
Adjudication Bureau

cc: Kathleen Spiegel

HOPE THIS IS WHAT YOU NEED - I WILL BE
OUT OF TOWN UNTIL 2 NOV. I CAN BE
CONTACTED AGAIN ON THAT DATE IF NEEDED

R



August 20, 2002

My father, Fred R. Bishoff, bought property along the Marsh Creek, then known as the Truman Rowe ranch, in the spring of 1939.

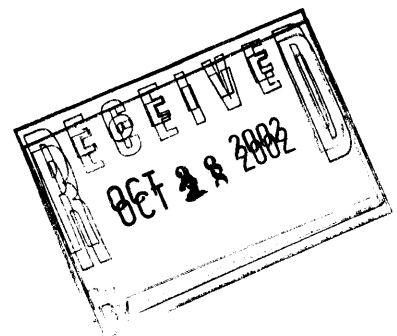
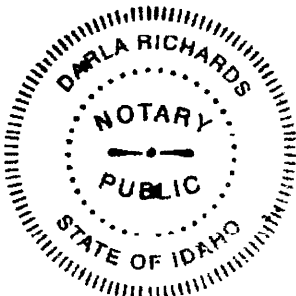
As I remember, he used water for irrigation from the snow run off that came down from the mountain south of the orchard.

Marlene B. Rowsell
Marlene Bishoff Rowsell
590 Hillview Dr.
Blackfoot, ID 83221

8/20/2002

Darla Richards

3/12/2005



March 9, 1975

I'm Fred R. Bischoff. (I'm 88 years old)
And I bought
the land from the Federal Land
Bank between 1939 and according
to their records the water was
filed on on June 18 1902. We
farmed it until 1965. We used
the water every year to flood
irrigate. We sold the place to
Frank Lee as near as I know
they used the water ever since.

Truman Rowe mortgaged the
land to the Federal Land Bank.
He got struck by lightning and it
killed him. He also used flood
irrigation method.

The main crops were hay and
grain.

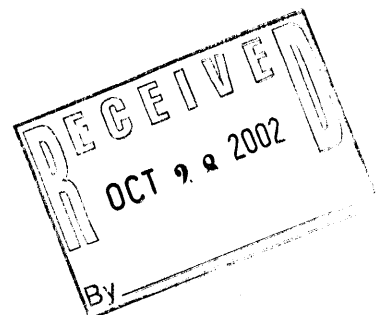
Fred R Bischoff

Fred Bischoff Came before
me 3-9-95

Belva Olsen Hansen

McCammon, Id

exp date 10-95



STATE OF IDAHO,)
(SS.
County of Bannock.)

Appropriators and Claimants.

() Joshua Munn,
() Eph Meadows,

County of Bannock.)

Joshua Munn being first duly sworn, depose and says that he is of lawful age and is one of the appropriator and claimants of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at Five o'clock P.M. the 2d day of July 1902.

Subscribed and Sworn to before me this 2d day of July 1902.
Joshua Munn,
J.J. Guheen,
Notary Public.

(SEAL)

Recorded at request of Joshua Munn, at 8.46 o'clock A.M. July 3rd. 1902.
By E.G. Gallet, Deputy. J.S. Campbell, Recorder.

Fee 80¢

Notice of Water Right Location.

To Whom it May Concern:

Notice is hereby Given, That Truman W. Rowe of McCammon, County of Bannock State of Idaho has this 18th day of June 1902 appropriated and hereby claims the use of the waters of Dry Creek, in Bannock County, State of Idaho, to the extent of Four cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: about 1/2 mile west from the N.W. Cor. of the S.E. 1/4 of the N.W. 1/4 of Sec. 21 in Township 9 South of Range 36 East B.M.

That the special purpose or purposes for which said water is claimed for irrigation and domestic use.

The place of its intended use is S.E. 1/4 of the N.W. 1/4 and south half of N.E. 1/4 of Sec. 21, and S.W. 1/4 of N.W. 1/4 of Sec. 22, in Township 9 south of range 36 east B.M. containing 160 acres.

That the general course of the proposed canal or conduit is

The length of said proposed canal or conduit is one mile.

That it is intended to complete the works for the diversion and use of said water as aforesaid within work is already completed.

A copy of this notice was duly posted at or near the point of intended diversion on the 18th day of June 1902.

Witness my hand at Robin County of Bannock State of Idaho, this 18th day of June 1902.
Appropriator and Claimant. (Truman W. Rowe.)

State of Idaho,)
(SS.
County of Bannock.)

Truman W. Rowe being first duly sworn, deposes and says that he is of lawful age and is the appropriator and claimant of the Water Right described in the within and foregoing notice and whose name ... subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at o'clock M., the 18th day of June 1902.

Subscribed and Sworn to before me this 19th day of June 1902.
Truman W. Rowe,
P.M. Larson,
Justice of the Peace.

Recorded at request of D.W. Standrod, at 9.10 o'clock A.M. July 5th, 1902.
By E.G. Gallet, Deputy. J.S. Campbell, Recorder.

Fee 80¢

Notice of Water Right Location.

To Whom it May Concern:

Notice is hereby Given, That Truman W. Rowe of McCammon County of Bannock State of Idaho, has this 18th day of June 1902 appropriated and hereby claims the use of the waters of Quaking Asp Spring in Bannock County, State of Idaho, to the extent of One cubic foot per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: about 1/4 mile west from the N.W. Cor. of the S.E. 1/4 of the N.W. 1/4 of Sec. 21 in Township 9 South of Range 36 East B.M. at what is known as a patch of Quaking Asp.

That the special purpose or purposes for which said water is claimed for irrigation and domestic use.

The place of its intended use is S.E. 1/4 of the N.W. 1/4 and south half of N.E. 1/4 of Sec. 21, and S.W. 1/4 of N.W. 1/4 of Sec. 22, in Township 9 south of range 36 east B.M.

That the general course of the proposed canal or conduit is

The length of said proposed canal or conduit is one fourth (1/4).

That it is intended to complete the works for the diversion and use of said water as aforesaid within work is already completed.

A copy of this notice was duly posted at or near the point of intended diversion on the 18th day of June 1902.

lawful age and is the appropriator and claimant of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at.....M., the 18th day of June 1902.

Truman W. Rowe,
Subscribed and Sworn to before me this 19th day of June 1902.

P.M. Larson,
Justice of Peace.

Recorded at request of D.W. Standrod, at 9.11 o'clock A.M. July 5th, 1902.

By E.G. Gallet,
Deputy.

Fee 80¢

J.S. Campbell,
Recorder.

Notice of Water Right Location.

To Whom it May Concern:

Notice is hereby Given, That Benjamin T. Rowe Sr., of McCammon, County of Bannock State of Idaho has this 18th day of June 1902 appropriated and hereby claims the use of the waters of Rowe Creek in Bannock County, State of Idaho, to the extent of Four cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: about one half mile west from the N.W. Cor. of the S.E. 1/4 of the N.W. 1/4 of Sec. 21 in Township 9 South of Range 36 East B.M.

That the special purpose or purposes for which said water is claimed for irrigation and domestic use.

The place of its intended use is the E. half of the S.E. 1/4 of Sec. 21 and lots 9 & 10 of Sec. 22, in Township 9 South of Range 36 East B.M. containing 155.25 acres.

That the general course of the proposed canal or conduit is Easterly.

The length of said proposed canal or conduit is one mile.

That it is intended to complete the works for the diversion and use of said water as aforesaid within work is already completed.

A copy of this notice was duly posted at or near the point of intended diversion on the 18th day of June 1902.

Witness my hand at Robin County of Bannock State of Idaho, this 18th day of June 1902.

Appropriator and Claimant. (Benjamin T. Rowe,
(his X mark.

State of Idaho,)
(SS.
County of Bannock.)

Benjamin T. Rowe Sr., being first duly sworn, deposes and says that he is of lawful age and is the appropriator and claimant of the Water Right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at.....o'clock.....M., the 18th day of June 1902.

Benjamin T. Rowe Sr.,
Subscribed and Sworn to before me this 19th day of June 1902.

P.M. Larson,
Justice of Peace.

Recorded at request of D.W. Standrod, at 9.12 o'clock A.M. July 5th, 1902.

By E.G. Gallet,
Deputy.

Fee 80¢

J.S. Campbell,
Recorder.

Notice of Water Right Location.

To Whom it May Concern:

Notice is hereby Given, That Truman W. Rowe of McCammon, County of Bannock, State of Idaho has this 18th day of June 1902 appropriated and hereby claims the use of the waters of Rowe Creek in Bannock County State of Idaho, to the extent of Four cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows, to-wit: about one half mile west from the N.W. Cor. of the S.E. 1/4 of the N.W. 1/4 of Sec. 21 in Township 9 S. of Range 36 East B.M.

That the special purpose or purposes for which said water is claimed for irrigation and domestic use.

The place of its intended use is S.E. 1/4 of the N.W. 1/4 and South half of N.E. 1/4 of Sec. 21, and S.W. 1/4 of N.W. 1/4 of Sec. 22, in Township 9 south of Range 36 East B.M. containing 160 acres.

That the general course of the proposed canal or conduit is Easterly.

The length of said proposed canal or conduit is one mile.

That it is intended to complete the works for the diversion and use of said water as aforesaid within work is already completed.

A copy of this notice was duly posted at or near the point of intended diversion on the 18th day of June 1902.