



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

Sidney Thompson
3411 Long Valley Road
Soda Springs, Idaho 83276

April 23, 2003

Re: Evidence of Priority

Claim No.(s) A27-04058

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 27. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some examples of Documents Which May Be Evidence of the Priority Date".

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
**The Department cannot recommend the court decree the Notice if no evidence of a
priority date is submitted.**
.....

Please submit the documentation supporting the priority date by May 23, 2003,
referencing all documents with the corresponding Notice number. If you have any
questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,



Cindy E. Bird
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
Adjudication Claim Report

At request of Mrs Bertha Welch
June 29, 1949 at 11: A.M.
Fee \$1.20

Colin Chester

Recorder

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Instrument #25602

WARRANTY DEED

THIS INDENTURE, Made this First day of July in the year of our Lord One Thousand Nine Hundred and Forty-nine, between Roy Vias and Wilda Vias, husband and wife, of Wayan County of Caribou, State of Idaho, the parties of the first part, and ALBERT H. THOMPSON of Logan, County of Cache, State of Utah, the party of the second part:

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of #ONE AND NO/100THS# DOLLARS, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged together with other good and valuable considerations do by these presents, Grant, Bargain, Sell and Convey and Confirm unto said party of the second part, and to his heirs and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Caribou, State of Idaho, bounded and more particularly described as follows: to-wit:

The Southwest quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$) of Section 8; the Northwest quarter of the Northwest quarter ($NW\frac{1}{4}NW\frac{1}{4}$) of Section 17; the Northeast quarter ($NE\frac{1}{4}$) and the East half of the Southeast quarter ($E\frac{1}{2}SE\frac{1}{4}$) of Section 18; ALL IN TOWNSHIP 6 SOUTH, RANGE 43 EAST BOISE MERIDIAN. Together with any and all water and water rights thereunto belonging or in anywise appertaining.

Subject only to Taxes for the year 1950 and subsequent years, and any and/or all visible and/or recorded rights of way or easements lying over, under, through or across the above described premises.

(The Consideration in this instrument is purly exchange of Real Estate and a nominal consideration. No Revenue Stamps Required)

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, and the rents, issues and profits thereof.

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

IN WITNESS WHEREOF. The said parties of the first part have hereunto set their

all and every person or persons whomsoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

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

Signed, Sealed and Delivered in
the Presence of S. E. Matthews

Roy Vias (Seal)
Wilda Vias (Seal)

STATE OF IDAHO,)
County of Caribou,) ss.

On this 1st day of July in the year 1949, before me, S.E. Matthews a Notary Public in and for said County and State, personally appeared Roy Vias and Wilda Vias, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

At request of Albert H. Thompson
July 1, 1949 at 3:05 P.M.
Fee \$1.40

Seal

S.E. Matthews
Notary Public
Residence Soda Springs, Idaho
My Commission Expires: July 28, 1952

John C. Chester
Recorder

Instrument #25603

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QUITCLAIM DEED

THIS INDENTURE, Made the 17th day of June in the year of our Lord one thousand nine hundred forty-nine, between Delbert G. Green, a single man, of Lava Hot Springs, County of Bannock, State of Idaho, the party of the first part, and Martine L. Schank of Bancroft, County of Caribou, State of Idaho, the party of the second part:

WITNESSETH, That the said party of the first part, for and in consideration of the sum of One Dollar and other valuable considerations lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents remise, release and forever QUITCLAIM, unto the said party of the second part, and to her heirs and assigns, all those certain lots, pieces, or parcels of land, situate, lying and being in Bancroft, County of Caribou, State of Idaho, bounded and particularly described as follows. to-wit:

The said dependent & admin
his grantors and predecessors
in interest are now and
during all the times mentioned
herein were Citizens of the
United States over the age
of 21 years

3"
That since the year 1884
the said dependent his
grantors and predecessors
in interest have been and
dependent now is the owner
and in the possession
and entitled to the pos-
session of that certain Tract
of ground situate in
Bingham County - Idaho
320 acres more or less
in extent and described
as follows to wit: —

N² 1/4 of Sec. 18 & NW 1/4 of Sec 17 & SW 1/4
of Sec 8, T4N, R43E and S² 1/4 E 1/2
of Sec 18 T4N, R43E, B. 2W.
and also of ~~66~~ 400 acres
of the waters of Lone Pine
a tributary of the Blackfoot
River, for the purpose of irri-
gating the same and for
domestic purposes
B.

That said & Goodwin

the said defendant, his grantors
and predecessors in interest
appropriated said 400
acres of the waters of said
creek, and by means
of dams and ditches de-
verted the same and
conveyed the same upon said
land and since have
continuously used the same
upon said lands for
domestic purposes and
for irrigating purposes
during the season of irri-
gation.

4"

That without said de-
viation and the use thereof
said land would be
valueless.

5"

That said land is refer-
able to said Pine Pine Creek
and to said Blackfoot River

6"

That except in extreme high water
none of the waters of said Creek
reaches the Blackfoot River

CONSERVATION PLAN MAP



Prepared by UNITED STATES DEPARTMENT of AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with

Caribou

OWNER Albert Thompson

OPERATOR

Caribou

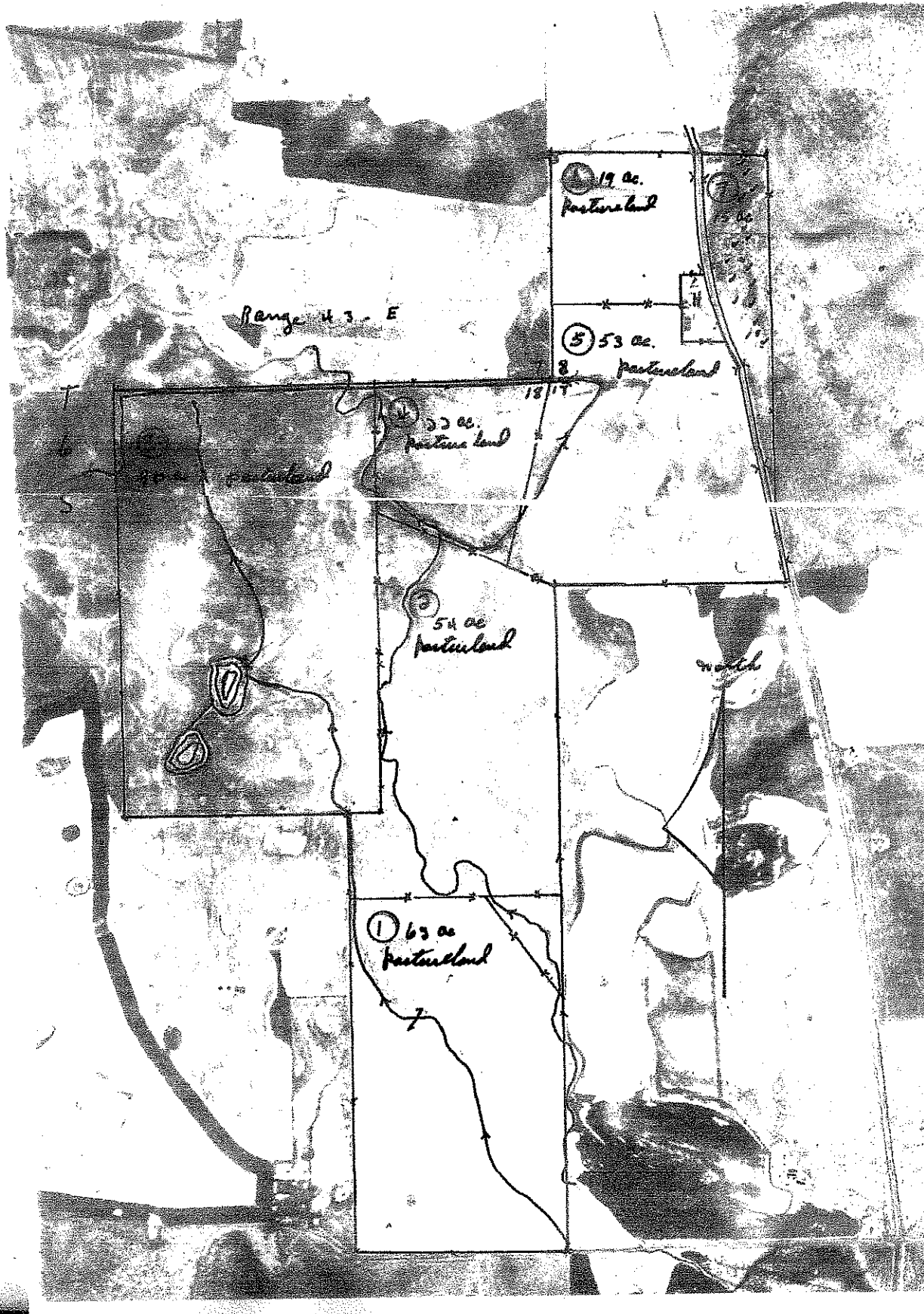
Idaho

FARM NO. 59

DATE 3/4/59

SCALE 8" = 1 mi. ACRES 320

PHOTO NO. 4A-197



Homestead Certificate No. 1536) TO ALL TO WHOM THESE PRESENTS SHALL COME -- GREETING:
Application 1820
WHEREAS, There has been deposited in the General Land Office of the United States

Certificate of the Register of the Land Office at Blackfoot, Idaho, whereby it appears
that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to
Actual Settlers on the Public Domain", and the acts supplemental thereto, the claim of
Samuel L. Goodwin has been established and duly consummated, in conformity to law, for the
North East quarter of Section eighteen, the North West quarter of the
North West quarter of Section seventeen, and the South West quarter of the South West
Quarter of Section eight in Township six South of Range forty three East of Boise
Meridian in Idaho, containing one hundred and sixty acres according to the Official Plat
of the Survey of the said Land, returned to the General Land Office by the Surveyor General:
Now, KNOW YE, That there is, therefore, granted by the United States unto the said Samuel
Goodwin the tract of land above described: TO HAVE AND TO HOLD the said tract of Land,
with the appurtenances thereof, unto the said Samuel L. Goodwin and to his heirs and
assigns, forever; subject to any vested and accrued water rights for mining, agricultural,

manufacturing or other purposes, and rights to ditches and reservoirs used in connection
with such water rights, as may be recognized and acknowledged by the local customs, laws
and decisions of Courts, and also subject to the right of the proprietor of a vein or
lode, to extract and remove his ore therefrom, should the same be found to penetrate
or intersect the premises hereby granted, as provided by law.

IN TESTIMONY WHEREOF, I, Grover Cleveland, President of the United States, have
caused these letters to be made Patent, and the Seal of the General Land Office to be
hereunto affixed. Given under my hand, at the City of Washington, the nineteenth day
of December in the year of our Lord one thousand eight hundred and ninety three, and
of the Independence of the United States the one hundred and eighteenth.

(SEAL) BY THE PRESIDENT: Grover Cleveland, By M. McKean, Secretary.

Recorded Vol. 3, Page 317. L. Q. C. Lamar, Recorder of the General Land Office.

Filed for Record at 4:15 o'clock P.M., March 8", A.D., 1900, and recorded at
the request of Fred. Crane. J.S. Campbell, Recorder, By D.N. Campbell, Deputy. Fee 1.25

Transcribed from Bannock County Records, Patent Record No. 1, Page 152.

THE UNITED STATES OF AMERICA.

Homestead Certificate No. 2258)
Application 3712

TO ALL TO WHOM THESE PRESENTS SHALL COME -- GREETING:
WHEREAS, There has been deposited in the General Land Office of the United States
a Certificate of the Register of the Land Office at Blackfoot, Idaho, whereby it appears
that, pursuant to the Act of Congress approved 20th May, 1862, "To Secure Homesteads to
Actual Settlers on the Public Domain", and the acts supplemental thereto, the claim of
Albina M. Williams has been established and duly consummated, in conformity to law, for

REVENUE STAMPS

WARRANTY DEED

For Value Received ALBERT H. THOMPSON AND JANE^{C.} THOMPSON, husband and wife

the grantor^{S.} do hereby grant, bargain, sell and convey unto SIDNEY G. THOMPSON and CHERYL THOMPSON, husband and wife, Star Route, Conda, Caribou County, Idaho 83230,

the grantee, the following described premises, in..... Caribou County Idaho, to wit:

The Southwest quarter of the Southwest quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 8; the Northwest quarter of the Northwest quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 17; the Northeast quarter (NE $\frac{1}{4}$) and the East half of the Southeast quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section 18; All in Township 6 South, Range 43 East, Boise Meridian. Together with any and all water and water rights thereunto belonging or in anywise appertaining.

subject to.... any and all visible or recorded rights-of-way or easements lying over, under, through or across the above described premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee, that they are the owner s in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: _____, 1967.

Utah
STATE OF IDAHO, COUNTY OF Cache
On this 27th day of March, 1967
before me, a notary public in and for said State, personally
appeared Albert H. Thompson and
Jane C. Thompson, husband and wife

known 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.

McHarris
Notary Public
Residing at Logan, Utah
Comm. Expires Dec. 4, 1968

Albert H. Thompson
Jane C. Thompson

83732

STATE OF IDAHO }
County of Caribou } SS

I hereby certify that this instrument was filed
at the request of *Caribou Title Co.*
at 4:00 o'clock P. M. this 12th day of
Sept. 1967 in my office and duly
recorded in Microfilm Records of *Caribou Co.*

KENNETH M. FOWLER
Notary Public

Furnished by the POCAHELLO TITLE CO.