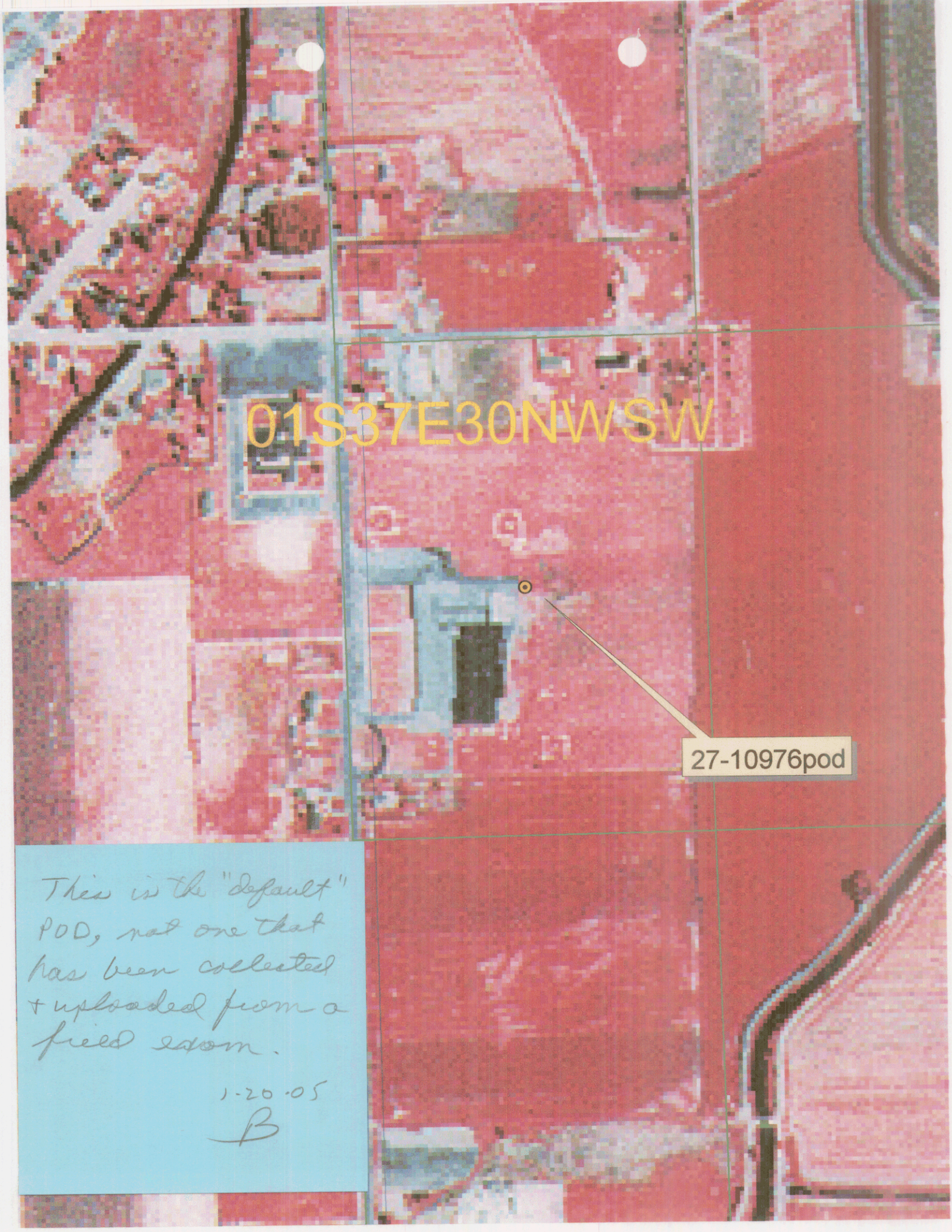


This is the "default" POD, not one that has been collected + uploaded from a field room.

1-20-05

B

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

16 November 2004

First School District No. 59
P. O. Box [illegible]
Firth, ID 83236

RECEIVED
NOV 30 2004
By

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10976

Subject: EVIDENCE OF PRIORITY

Response Date: 30 NOVEMBER 2004

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. The purpose is listed as domestic for the elementary school. We have attempted to discover the date the school was built. However, because of conflicting dates, we are asking the District to please provide this office with documentation as to when the school was built. Some items that can be used to establish the date could include the Board minutes authorizing the construction, a building permit, or other forms of authorization necessary to construct the building. .

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 the above referenced response date. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Barbara Payne

Barbara Payne

Enclosure: Notice of Claim to a Water Right"

Firth School District # 59

PO BOX #69
FIRTH IDAHO
83236

January 18, 2005

State of Idaho
Department of Water Resources
15 West Center Street, Soda Springs, ID 83276

RE: Snake River Adjudication Claim 27-10976

Dear Madam:
This Letter is in response to the issue of evidence of priority clarification for the A.W. Johnson elementary school in Firth Idaho.

Find enclosed copies of the signed release documents from the general contractor and each of the sub-contractors involved in this project dated December 21, 1960 .

I hope this helps to mitigate this situation. If there is anything else that I need to do please let me know.

sincerely,

Brett Malcom

Brett Malcom
Maintenance supervisor

RECEIVED
JAN 19 2005
By PB

NORMAN J. HAMILL & ASSOCIATES
ARCHITECTURE • PLANNING • ENGINEERING

OFFICES:
BUTTE, MONTANA — 58 WEST QUARTZ ST. — PHONE 2-9115 OR 2-9116
IDAHO FALLS, IDAHO — 200 EARL BUILDING — PHONE JA 2-6157

ASSOCIATES
MERLE E. WHITNEY
L. E. MATSON

December 22, 1960

Board of Trustees
School District No. 59
Firth, Idaho

RE: Elementary and Junior High School
Firth, Idaho

Gentlemen:

We are enclosing herewith Certificate No. 13 for final payment to W. R. Cahoon Construction Company on the above referenced project.

As agreed between yourselves and Mr. Cahoon at the Board meeting held December 21, 1960, the amount of five hundred dollars ($500.00) has been deducted from the amount due the Contractor. This amount represents the assessment of liquidated damages, in accordance with the terms of the Contract, for failure by the Contractor to complete the building on the specified completion date.

Very truly yours,
NORMAN J. HAMILL & ASSOCIATES, A.I.A.

Lawrence E. Matson

Lawrence E. Matson

LM:lm
Incl.
cc W. R. Cahoon Construction Co.

RECEIVED
JAN 19 2005
By PB

W. R. CAHOON CONSTRUCTION CO.

General -- Contractors

Phone 3217

3208 POLE LINE ROAD
POCATELLO, IDAHO

P. O. Box 449

December 21, 1960

Mr. Lawrence Matson
Norman J. Hamill & Associates
578 Third Street
Idaho Falls, Idaho

Re: Elementary & Junior High School
Firth, Idaho

Dear Sir:

Attached herewith is a Release from each of the subcontractors and material suppliers on the above-referenced project:

Quality Roof Co.
Lloyd Nash & Sons
Bannock Steel Co.
B. Karl Bluhm
Centre Paint Co.
Associated Specialties
Commercial Floors
W. L. Clezie
Green Plumbing & Heating
John E. Getty, Inc.
Gardner Stone Company
Lumber Dealers Supply, Inc.
Babbitt Electric Co.
Idaho Acoustical Co.
Frank Harker
Guy M. Nielson Co.
Portneuf Lumber & Supply Co., Inc.

Yours truly,

W. R. CAHOON CONSTRUCTION COMPANY

By W. R. Cahoon

W. R. Cahoon, Owner

RECEIVED
JAN 19 2005
By PB

WRC:aw
Encls.

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

NAME OF FIRM

By: _____
(Title)

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

LLOYD NASH & SONS, INC.
NAME OF FIRM

By: Lloyd Nash
PRESIDENT (Title)

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

BANNOCK STEEL COMPANY
Name of Firm

By: A. J. Minton
Title

RECEIVED
JAN 19 2005
By

RELEASE

This will certify that W. R. Cahoon Construction Company has paid us in full for services performed by us on the Firth School, Firth, Idaho.

B. KARL BLUHM
Name of Firm

By: B. Karl Bluhm Owner
Title

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for services performed by us on the Firth School, Firth, Idaho.

CENTRE PAINT COMPANY Inc.
Name of Firm

By: H. Fred W. Snyder President
Title

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for services performed by us on the Firth School, Firth, Idaho.

ASSOCIATED SPECIALTIES
Name of Firm

By: H Bennion Pres
Title

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho .

COMMERCIAL FLOORS

NAME OF FIRM

By: Arthur G. Jamison (Owner)

(Title)

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for services performed by us on the Firth School, Firth, Idaho.

W. R. Cahoon
Name of Firth

By: Preston Jones
Title

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

GREENE PLUMBING & HEATING COMPANY
Name of Firm

By: Geo. A. Greene
Title
Pres

RECEIVED
JAN 19 2005
By

RELEASE

This will certify that W. R. Cahoon Construction Company has paid us in full for services performed by us on the Firth School, Firth, Idaho.

JOHN E. GETTY, INC.
Name of Firm

By: John E Getty
Title

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

GARDNER-STONE COMPANY
NAME OF FIRM

By: _____ (Title)

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for services performed by us on the Firth School, Firth, Idaho.

LUMBER DEALERS SUPPLY, INC.
Name of Firm

By: Edward H. Bolen Mgr
Title

RECEIVED
JAN 19 2005
By

RELEASE

This will certify that W. H. Calvon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

BABBIT ELECTRIC COMPANY
Name of Firm

By: Loyale Babbit Owner.
Title

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. M. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

IDAHO ACOUSTICAL COMPANY
Name of Firm

By: Wm. Koetsmann, Pres.
Title

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

FRANK HARKER
Name of Firm

By: Frank Harker
Title

RECEIVED
JAN 19 2005
By

R E L E A S E

This will certify that W. R. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

GUY M. NIELSON COMPANY
Name of Firm

By: Guy M. Nielson
Title

RECEIVED
JAN 19 2005
By

RELEASE

This will certify that W. B. Cahoon Construction Company has paid us in full for all services performed by us on the Firth School, Firth, Idaho.

PORTNEUF LUMBER & SUPPLY CO., INC.
Name of Firm

By: Henry D Rinehart
Title

RECEIVED
JAN 19 2005
By

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

21 December 2004

Firth School District No. 59
P. O. Box 69
Firth, ID 83236

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10976

Subject: EVIDENCE OF PRIORITY CLARIFICATION

Response Date: 30 DECEMBER 2004

Dear Claimant (s):

Thank you for the copy of the Official Minutes of the Class A School District No. 59 dated February 13, 1961. Within the minutes we noted the following: "The Supt. was to arrange for printed programs for the dedicatory service at the Elementary Bldg."

We assume from this statement that the building was completed or near completion. However, it does not provide when the water was first put to beneficial use.

Also attached to the minutes was a list of expenses incurred. The amount due W. R. Cahoon Contruction Co. was circled. We assume this was for the school in question. Can you please provide us with a copy of the signed and dated contract supporting the construction?

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. If we do not hear from you by the above response date the claim will be recommended to the Court based on the evidence that has been provided.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Barbara Payne

Barbara Payne

OFFICIAL MINUTES

CLASS A SCHOOL DISTRICT NO. 59

FIRTH, IDAHO

RECEIVED
NOV 30 2004
By

The regular meeting of the Board of Trustees of School Dist #59 was held Monday Feb. 13, 1961 at 7:30 P. M. in the Firth High School with all members present also Norma Miles.

The minutes of Jan. 9, 1961, Jan. 11, 1961, and Jan. 23, 1961 were read. A motion was made by Harold Brewington and seconded by Arnold Backlund for acceptance of the minutes of Jan. 9, Jan. 11 ahd Jan. 23, 1961 and the motion passed.

The list of attached bills was presented and a motion made by Arnold Backlund that the attached bills be paid except for the one to Norman J. Hamill and associates. The motion was seconded by Vincent Reid and passed.

Motion by Harold Brewington that the state dept. of Ed. proposed foundation program be rejected was seconded by W. R. Messick and motion carried.

The Board went on record opposing the passage of the slaes tax proposal now in the State Legislature.

Mrs. Miles made the hot lunch report for the month as follows: receipts$4,116.21; expenditures $2,430.61; State owes $754.28.

Motion by Vincent Reid that the bills as presented from hot lunch be accepted and paid. Motion was seconded by Harold Brewington and motion carried.

The milk shake machine was loosing money and the contract with the Co. was reviewed. A motion was made by Harold Brewington and seconded by W. R. Messick that since the milk shake machine does not have sufficient patronage to justify continuation of this service, therefore the milk shake machine be treturned to the company and the motion carried.

The curtain quotation and sketches from the Chapman Co. was presented. This matter was taken under advisement for additional study.

A general review of all teachers employed in the District was made. The Supt. reported that Mrs. Orlena Hall, Mr. Forrest Cordon, Mrs. Rosemary Mickelson were not interested in returning as teachers. Mr. Kidman wished to be released of Administrative duties but would like to continue as a classroom teacher all other teachers were enterested in teaching in the District. Mr. Martin had not been contacted

The request of Howard Brooder for use of the Gym to hold dance classes was refused on the grounds of a commercial enterprise and he was not a patron of the District.

The Supt. was to arrange for printed programs for the dedicatory service at the Elementary Bldg.

The question of complimentary tickets for the Trustees to School activities was discussed.

A camparative study of the District-Teacher salary schedule and the Index Salary Schedule of the I. E. A. teacher welfare committee was made.

The attached capital outlay on building was presented.

Motion was made by Harold Brewington for adjournment and passed. Meeting ajourned at 11.04 P. M.

Darrell L. Cook
Chairman

Clark E. Bell
Clerk of Board

Part of Minutes Feb 13 1961

Firth Elementary School

Norman J. Mamill & Associates:

Base Bid $381,529.00 X 4%		$15261.16
Base Bid and Change orders $417,680.76 X 2%		$8353.61
		$23,614.77

W. R. Cahoon Construction Co.

Original Contract		$381,529.00
Change order #1 add		8,166.00
Change order #2 ext. of time		.00
Change order #3 Deduct	865.24	
Change order #4 Add		28,851.00
Change order #5 Deduct	60.00	
Liquidated Damages	$500.00	
	$1425.24	418,546.00
Total Due		$417,120.76
Total Payed		417,120.76

High School Cafetorium

Norman J. Mamill & Associates

Base Bid	$51,610.00 X 4%	$2,064.40
Base Bid and change orders	52,567.00 X 2%	1,031.34
		3,095.74
		$3,095.74

Loveland Construction Co.

Base Bid		$51,900.00
Alternate #2 deduct	$290.00	
Change order #1 Add		73.00
Change order #2 deduct	116.00	
	$406.00	$51,973.00
Total Due		$51,567.00
Total Payed		51,567.00

Hartwell Excavating Co.

Original Contract		$5,720.00
Extension under road add		169.12
24 add Ft. @ 2.80 add		67.20
Total		$5,956.32
Payed		5,000.69
Balance Due		$ 955.63

RECEIVED NOV 30 2004 By

David Benton

Original Contract	$5,956.32 X 8%	476.50
Balance Due		476.50

Mel Brown

Original Contract		$1,250.40
Payed		1,250.00
Balance		00

Bird, Cindy

From: Carlsen, Ernie
Sent: Thursday, December 16, 2004 2:05 PM
To: Bird, Cindy
Subject: RE: Firth School District

Roger Warner and I spoke with the Maintenance Supervisor. The claims you have reflect the ground water rights they have. Go ahead and prepare your recommendations based on the licenses and transfer. The school district needs to decide the least painful way for them to irrigated the football field and baseball field. They have some options but they should not impact the SRBA. He is also going to look for more documents verifying the priority date on the BU claim for the elementary school. He is pretty sure construction started in 1960. If he can verify that then the project was under construction prior to March 1963.
Ernie

Also I heard the Miner's Ditch consolidation failed to happen. Hold off on making those recommendations for a couple of weeks just in case the water users change their minds.
Ernie

-----Original Message-----
From: Bird, Cindy
Sent: Thursday, December 16, 2004 1:04 PM
To: Carlsen, Ernie
Subject: Firth School District

good afternoon,
I was talking to Skip yesterday on the City of Blackfoot and he mentioned that you had a meeting with the Firth School District? You talked to them about the irrigation?

Cindy

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

Firth School District No. 59
P.O. Box 69
Firth, Idaho 83236

December 9, 2004

Re: Snake River Basin Adjudication (SRBA)
Claim: 27-10976

Subject: CLAIM RECOMMENDATION - DISALLOW

Dear Claimant(s):

Please be advised that since we have had no response from you, we will recommend to the Court that the above referenced claims be disallowed.

Respectfully,

Pauline Bassett

COPY

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

16 November 2004

First School District No. 59
P. O. Box 69
Firth, ID 83236

COPY
Resent
11-18-04

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10976

Subject: EVIDENCE OF PRIORITY

Response Date: 30 NOVEMBER 2004

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. The purpose is listed as domestic for the elementary school. We have attempted to discover the date the school was built. However, because of conflicting dates, we are asking the District to please provide this office with documentation as to when the school was built. Some items that can be used to establish the date could include the Board minutes authorizing the construction, a building permit, or other forms of authorization necessary to construct the building. .

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

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

16 November 2004

First School District No. 59
P. O. Box 68
Firth, ID 83236

COPY

Re: Snake River Basin Adjudication (SRBA)
Claim 27-10976

Subject: EVIDENCE OF PRIORITY

Response Date: 30 NOVEMBER 2004

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.**

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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 the above referenced response date. If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Barbara Payne

Barbara Payne

Enclosure: Notice of Claim to a Water Right"