

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: **A72-04183**
Date Received: 12/13/1989
Receipt No: S010674
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: ANTHONY MARIANI 208-887-1000
Address: 4000 E MCMILLAN
MERIDIAN ID 83642
AND/OR
Name: LAURI MARIANI 208-887-1000
Address: 4000 E MCMILLAN
MERIDIAN ID 83642

2. Date of Priority: JUN 3, 1944

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	16E	29	NE	NE	SW		CUSTER
			NW	NW	SE		CUSTER

5. Description of diverting works:

2 - 2 HP PUMPS AT EDGE OF RIVER, PIPE TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.250		
STOCKWATER	01/01	12/31	0.010		

7. Total Quantity Appropriated is:

0.260 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum

9. Non-irrigation uses:

S/10 HORSES

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	16E	29	SW	NE		IRR	2.0
			SE	NW		IRR	2.0
			NE	SW		IRR	3.0
			NW	SE		IRR	3.0

Section Acres 10.0

Total Acres 10.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-04182 COMMERCIAL USE.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: _____

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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 _____

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State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

MARCH 10, 1994

R. KEITH HIGGINSON
Director

ANTHONY OR LAURI MARIANI
4000 E MCMILLAN
MERIDIAN ID 83642

RE: CHANGE IN OWNERSHIP FOR SRBA CLAIM NOS. A72-04182 & A72-04183

DEAR MR. & MRS. MARIANI,

PURSUANT TO YOUR REQUEST FOR A CHANGE IN OWNERSHIP AND/OR THE NOTIFICATION THAT YOU PRESENTLY OWN THE PROPERTY IN WHICH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S) IS APPURTENANT, THE DEPARTMENT HAS CHANGED THE RECORD OF THE CURRENT OWNERS AS YOU REQUESTED. PLEASE FIND ENCLOSED A COPY OF YOUR ADJUDICATION CLAIMS AS THEY NOW APPEAR IN OUR RECORDS.

IF YOU HAVE ANY FURTHER CORRECTIONS OR QUESTIONS PLEASE CONTACT OUR OFFICE.

SINCERELY,

A handwritten signature in cursive script, appearing to read 'Steve Clelland', followed by a horizontal line.

STEVE CLELLAND
WATER RESOURCE AGENT

ENC:
SCC

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NOV 01 1994

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A72-4182
A72-4183

RE: OWNERSHIP @ TORREY'S

DATE 3-10-94

NAME OF PARTY

TOM VACOMELLA

879-2325

Tom confirmed his records show the current owner at Torrey's to be Anthony Mariani.

IDWR Note:

Since no official change of ownership form was submitted, this confirms the warranty needs are correct as submitted.

Due to the many contacts with Mr. Mariani, Jim Bennetts & others, it is clear that these claims should now list Mr. Mariani as the current owner.

Steve Clelland 3-10-94

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NOV 01 1994

WARRANTY DEED

0204879

For Value Received

PHILLIP A. JOHNSON and VALERIE L. JOHNSON,

the grantor S, do hereby grant, bargain, sell and convey unto

MAR 1 1994

ANTHONY MARIANI and LAURI MARIANI, husband and wife, Department of Water Resources
Southern Region Office

the grantee S, whose current address is 4000 E. McMillan, Meridian, ID 83642,

the following described premises, in Custer County, Idaho, to-wit:

SEE EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee S, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, 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: September 3rd, 1993.

Phillip A. Johnson
PHILLIP A. JOHNSON

Valerie L. Johnson
VALERIE L. JOHNSON

STATE OF IDAHO

COUNTY OF CUSTER

On this 3rd day of September, in the year 1993, before me, a Notary Public, personally appeared PHILLIP A. JOHNSON & VALERIE L. JOHNSON h/w known or identified to me to be the person whose name S are subscribed to the within instrument, and acknowledged to me that they executed the same.

Daisy Kindt
Notary Public

Residing at Challis, Idaho.

My Comm. Expires: 3/12/98

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of Custer County Title

at 25 minutes past 7 o'clock AM.,
this 7th day of September, 1993, in my office, and duly recorded in Book of Deeds at page

Ethel M. Peck

Ex-Officio Recorder

By Quandary Murphy Deputy.

Fees \$6.00
Mail to:

INSTRUMENT NO.

Chicago Title Insurance
Company of Idaho



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: A72-04183
Date Received: 12/13/1989
Receipt No: 5019674
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHILLIP A. JOHNSON 208-838-2313
Address: HC 67 BOX 725
CLAYTON, ID 83227
CR
Name: VALERIE L. JOHNSON 208-838-2313
Address: HC 67 BOX 725
CLAYTON, ID 83227

2. Date of Priority: JUN 03, 1944

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	16E	29	NE	NE	SW		CUSTER
			NW	NW	SE		CUSTER

5. Description of diverting works:
2 - 2 HP PUMPS AT EDGE OF RIVER, PIPE TO SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.250		
STOCKWATER	01/01	12/31	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/10 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	16E	29	SW	NE		IRR	2.0
			SE	NW		IRR	2.0
			NE	SW		IRR	3.0
			NW	SE		IRR	3.0
						Section Acres	10.0
						Total Acres	10.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A72-04182 COMMERCIAL USE.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): X *Valerie L. Johnson* Date: X 12-13-89

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 13th day
of December 1989

Robert V. Thorstall
Notary Public

Seal

Residing at Twin Falls, Idaho

My Commission Expires January 16, 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A72-04183
PHILLIP A. JOHNSON
VALERIE L. JOHNSON
HC 67 BOX 725
CLAYTON

ID 83227

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". 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. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. 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".

Please submit the required evidence supporting the priority date(s) by **May 1, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

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MAR 18 1993



BURNT CREEK INN

CLAYTON, IDAHO

On the Salmon River

Val & Phil Johnson

H/C 67 Box 725

Clayton, Idaho 83227

(208) 838-2313

April 26, 1992

State of Idaho
Dept. of Water Resources
222 Shoshone St. E.
Twin Falls, Idaho 83301

Mr. Allen Merritt, P.E.
Water Rights Supervisor

RECEIVED

MAR 27 1992

Department of Water Resources
Southern Region Office

Re: A72-04182

Dear Sir:

We filed this claim to water rights on 6/30/83 (Receipt #29141) because of published information that such action was required by law. The claim is based on the statement of a previous owner, John and Charlotte Smith, that they had the well drilled in 1956 by Bob Cole of Stanley, Idaho. Prior to the well, water was obtained from Burnt Creek as set forth in Water License #72-2088.

Re: A72-04183

We filed this claim at the same time as A72-04182. This claim is based on the evidence of the same previous owner. The fenced areas for grazing sheep and horses, irrigation ditches, irrigation pipe, abandoned water pump, a water right at the edge of the river (if we found the right spring, it now empties into the Salmon River). It is listed in our Warranty Deed as 0.02 sec. ft. under State License #21792 along with all water rights, ditch rights, and improvements.

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

Signature of Claimants:

Chetley A. Johnson

Date

4/27/92

Valerie L. Johnson

Date

4-27-92

State of Idaho
County of Custer

Subscribed and sworn before me this 27th day
of April 19 92

Virienne Kinslaugh
Notary Public

Seal

Residing at Clayton, Idaho
My Commission Expires 2-9-93

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MAR 18 1993

Water Right Number - A72-04183

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

JOHNSON

PHILLIP A.

1 - HC 67 BOX 725

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2313

JOHNSON

VALERIE L.

1 - HC 67 BOX 725

2 -

3 -

City- CLAYTON

State- ID Zip- 83227

Phone - 208-838-2313

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
06/03/1944 17 SOUTHERN S - STATUTORY CLAIM+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Stream Index (Blank if no Index Code)
11N	16E	29	NE NE SW NW NW SE			(37) CUSTER (37) CUSTER		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15	0.250	
04 - STOCKWATER		01/01	12/31	0.010	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.260 0.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
11N	16E	29	SW NE		2.0	01	IRRIGATION	(37) CUSTER
11N	16E	29	SE NW		2.0	01	IRRIGATION	(37) CUSTER
11N	16E	29	NE SW		3.0	01	IRRIGATION	(37) CUSTER
11N	16E	29	NW SE		3.0	01	IRRIGATION	(37) CUSTER

Total Acres: 10.0

+ - - Diversion Means - 2 - 2 HP PUMPS AT EDGE OF RIVER, PIPE TO SPRINKLER SYSTEM.

+ - - Non-Irrigation Use - S/10 HORSES

+ - - Other Rights for Same Use - A72-04182 COMMERCIAL USE.

MAR 18 1993
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RECEIVED

FEB 19 1992

IDAHO DEPARTMENT OF WATER RESOURCES
200 N. BROADWAY
BOISE, IDAHO 83725

Water right number - A72-04183

Prefix Translation: ADJUDICATION CLAIM

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 12/13/89 WORSTELL

+ - - - - Comments - - - - -
No Comments Found

+ - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing - 00/00/0000	Field Inspection Made - 00/00/0000	Civil Case Number - 39576
Objection Filed Date - 00/00/0000	Field Inspection Flag -	Old Case Number -
Response Filed Date - 00/00/0000	Verified Date - 01/28/1986	Old Judicial District -
Claim Received Date - 12/13/1989	Last Amended Date - 00/00/0000	Temporary Right - P
Proof Due Date - 00/00/0000	Proof Made Date - 00/00/0000	Water District -
Licensed Date - 00/00/0000	Receipt Number - S010674	Federal/State Indicator - S
Claims Tape Error Flg -	POU Ownership Flag - Y	Presumption Flag -
Fee Exempt Flag -	Name Connector -	Notice of Error Flag -

MICROFILMED
MAR 18 1993

HOLLAND & HART^{LLP}
ATTORNEYS AT LAW

DENVER • ASPEN
BOULDER • COLORADO SPRINGS
DENVER TECH CENTER
BILLINGS • BOISE
CHEYENNE • JACKSON HOLE
SALT LAKE CITY

SUITE 1400
101 SOUTH CAPITOL BOULEVARD
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
FACSIMILE (208) 343-8869

TERESA J. TURNER
PARALEGAL
tturner@hollandhart.com

August 15, 2000

RECEIVED
AUG 16 2000
Department of Water Resources
Southern Region

Idaho Department of Water Resources
State Office
1301 North Orchard Street, Box 83720
Boise, ID 83720-0098

Idaho Department of Water Resources
Southern Regional Office
1341 Fillmore, Suite 200
Twin Falls, Idaho 83301-3380

Re: Water Right A72-04183

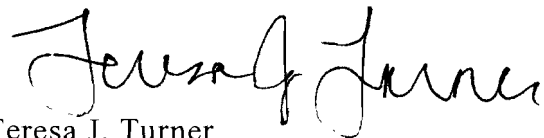
Dear Sir or Madame:

This firm represents Tait Johnson, who has an interest in the above-referenced water right. We find it necessary to research the history of this water right. Please provide us with a complete copy of your file on A72-04183.

Please forward the copies, together with your statement for any charges incurred, to my attention at the address shown above. If you need anything further to complete this request, please let me know. Thank you!

Sincerely,

HOLLAND & HART^{LLP}



Teresa J. Turner
Paralegal

2694044_1.DOC

8/18/00
Total file copied & sent on
8/18 w/ charge of \$2.90.



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST SUITE 200
TWIN FALLS ID 83301
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

January 7, 1999

WILLIAM A KNIGHT
HC 67 BOX 725
CLAYTON ID 83227

RE: Change of Ownership Incomplete without Deed; 72-04182 & 72-04183

Dear Mr. Knight,

I have requested a deed to show the ownership change from Mariani to you for the lands at Torrey's and to date have still not received the necessary deed. I have temporarily listed you as the owner for the SRBA claims based on my conversation with Mr. Mariani. However, to properly confirm your ownership of this right I need to receive the deed conveying the parcels from Mariani to you. This must be completed as soon as possible due to the pending Director's Report for the area. (This report will be sent out after January 15, 1999.)

Without this documentation, you could jeopardize the ownership of these claims for yourself and future owners.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steve Clelland', with a long, sweeping horizontal line extending to the right.

STEVE CLELLAND
Sr. Water Resource Agent

Enc: proofs

—

Claim No. 72-04182 & 72-04183

IDWR Employee/Agent Steve Clelland

1/7/99 4:15 PM

ANTHONY MARIANI

RE:

OWNERSHIP ISSUES

I called 887-1000 to find out his current address (mailing returned to sender) and found out he sold all his property at Torrey's to Bill Knight. I cannot support this without a Deed so letter is being sent to Mr. Knight to get final documentation.

AJ0749NP
No. R72-04183

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

DATE: 11/14/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILLIAM A KNIGHT HC 67 BOX 725 CLAYTON ID 83227 (208) 838-2313	06/03/1959	IRRIGATION	04-01 10-31	0.10 CFS	15.00 AFA
TOTAL DIVERSION:					0.10 CFS	15.00 AFA

Water Source: SALMON RIVER

Tributary to: SNAKE RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion:

T11N R16E S29 Lot06(NENWSE)

CUSTER County

Place of use Legal Description for: IRRIGATION

	NENE	NAME	SWNE	SENE	NEWN	NWNW	SNW	SEW	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
11N 16E 29	:																SUM
11N 16E 29	:			03-.5	:												5.0
11N 16E 29	:				:												5.0
TOTAL ACRES																	5.0

POU County: CUSTER

Other Rights: NONE

Remarks: POD TWO POINTS OF DIVERSION LOCATED IN NENWSE, LOT 6, S29, T11N, R16E.

GEN PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 583.

Dates: Exam Made Date: 06/15/1993 Verified Date: 11/14/1998 Objection Filed Date:

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

CLAIM NUMBER A72-04183 DATE 10/28/98
 AGENT SCU

TRANSFER NUMBER _____
 CLAIMED ACRE TOTAL 10
 GIS ACRE TOTAL 5

				NE ^{Lot 3}				NW				SW				Lot 6 SE ^{Hes 583}				
	TWP	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
CLAIM	11N	16E	29			2					2	3					3			10
GIS						0.5					0	0					1.6	2.9		5
RECOM						0.5											1.6	2.9		5
CLAIM																				
GIS																				
RECOM																				
CLAIM																				
GIS																				
RECOM																				

B72-DBPOU.SHP HES 583

SHAPE NOS. 391

B72-DBPOD.SHP

NOS. DESCRIPTION POD's same legal (NENWSE) L6

245 NORTH Pod

246 South Pod

std season 4/01 10/31

Q = 0.02 x 5 = .10

DBF TABLES UPDATED

B72-DBPOU.DBF 11/9/98

B72-DBPOD.DBF SCU

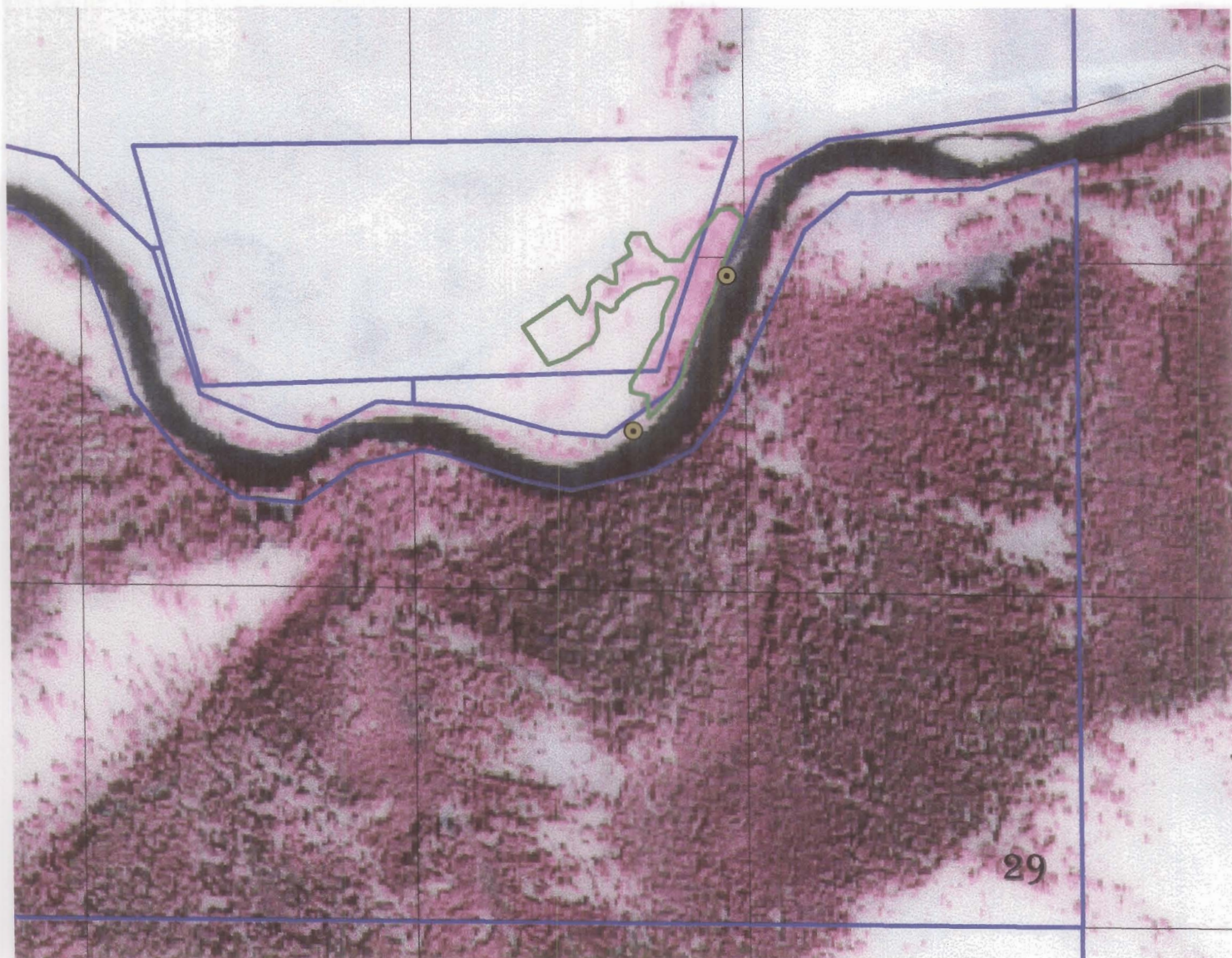
JPEG LAYOUT 72-04183.jpg

* Proof of change of owner is in another set of files = KNIGHT - OK -

SCU 11/14/98

IDAHO DEPARTMENT OF WATER RESOURCES

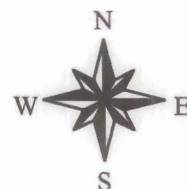
72-04183



660 0 660 1320 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 11N
RNG: 16E
SEC: 29



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND

DATE: OCT. 28, 1998

EXHIBIT "A"

204879

MAR 1994

A parcel of land located in H.E.S. 583, Section 29, T. 11 N., R. 16 E., Boise Meridian, Custer County, Idaho, more particularly described as follows:

Commencing at Corner 2 of said H.E.S. 583, run thence S. 18° 36' 02" W. along Line 2-3 H.E.S. 583 a distance of 571.57 ft. to the POINT OF BEGINNING;

Thence continuing S. 18° 36' 02" W. a distance of 407.12 ft. to Corner 3 H.E.S. 583;

Thence S 87° 34' 00" W. along Line 3-4 of H.E.S. 583, a distance of 1057.70 ft. to a point on the southerly right-of-way of Highway 75;

Thence along a curve to the left having a central angle of 22° 53' 04.5", a radius of 762.75 ft. and a chord of 302.63 ft.;

Thence N. 56° 36' 40" E. a distance of 823.54 ft.;

Thence S. 57° 40' 22" E. a distance of 260.01 ft. to the POINT OF BEGINNING.

SUBJECT TO Public Law 92-400, creating Sawtooth National Recreation Area; regulation promulgated thereunder, published March 29, 1974, in Volume 39, Federal Register, Pages 11544 to 11547.

ALSO SUBJECT TO Right of Way Deed Easement dated July 11, 1933, from Clyde A. Torrey and Ella Torrey, husband and wife, to State of Idaho, recorded July 12, 1933, in Book 22 Deeds, Page 107, records of Custer County, Idaho.

MICROFILMED
NOV 01 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DEC 13 1993

DATE OF CLOSING: _____

Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.

Lot _____, Block _____, 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: ~~A72-04088B~~, A72-04182, A72-04183
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): PHILLIP A JOHNSON OR VALERIE L JOHNSON
HC 67 Box 725
CLAYTON ID 83227
- ☐ New Owner/Claimant (Purchaser): William A. Knight
- ☐ New Mailing Address: HC 67, Box 725
Clayton, ID 83227
- ☐ New Telephone Number: (208) 838-2313
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:
- _____
- _____
- _____

- ☐ 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) William A Knight Date 12-9-93
- ☐ Signature of Former Owner/Claimant(s): _____ 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: 12-16-93 By: See

Further Action Needed:

Further Action Taken

Date: 3-10-96 By: See

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Called to Bill Knight.

Knight is Not the owner.

Failed to show ownership of claims on property.

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NOV 01 1994

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

MAY 10

, 1993

R. KEITH HIGGINSON
Director

. PHILLIP A OR VALERIE L JOHNSON
• HC 67 BOX 725
• CLAYTON ID 83227

RE: SECOND REQUEST EVIDENCE OF PRIORITY - CLAIMS

A72-4182 &
A72-4183.

DEAR MR. & MRS. JOHNSON,

YOU WERE ASKED TO SUBMIT SOME EVIDENCE OF PRIORITY FOR THE ABOVE WATER RIGHT AND THE INFORMATION HAS NOT BEEN RECEIVED IN THE INITIAL REVIEW OF YOUR CLAIM INVESTIGATION.

YOUR CLAIM IS CURRENTLY RECOMMENDED FOR DISALLOWAL DUE TO LACK OF EVIDENCE SUPPORTING THE PRIORITY DATE CLAIMED. AS EXPLAINED IN OUR PREVIOUS LETTER, BEFORE THE DEPARTMENT CAN MAKE A RECOMMENDATION TO THE COURT TO DECREE THE CLAIM, SOME EVIDENCE OF THE PRIORITY DATE MUST BE SUBMITTED. WE REQUEST THAT YOU SUBMIT YOUR EVIDENCE OF PRIORITY AS SOON AS POSSIBLE. IF WE DO NOT RECEIVE THE REQUESTED DOCUMENTATION, YOUR CLAIM WILL BE RECOMMENDED FOR DISALLOWAL IN THE DIRECTOR'S REPORT DUE TO LACK OF EVIDENCE SUPPORTING ANY PRIORITY DATE.

PLEASE SUBMIT THE REQUIRED EVIDENCE SUPPORTING THE PRIORITY DATE WITHIN 30 DAYS OF THIS DATED LETTER. PLEASE REFERENCE THE CLAIM NUMBER ON YOUR CORRESPONDENCE. IF YOU HAVE QUESTIONS OR NEED OTHER ASSISTANCE PLEASE CONTACT THIS OFFICE.

SINCERELY,

STEVE CLELLAND
WATER AGENT, SR.

P.S. ATTACHED IS THE INFORMATION YOU FIRST SUBMITTED.
IT DOES NOT SUPPORT THE CLAIMED WATER RIGHTS.

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RECEIVED

DEC 16 1993

Department of Water Resources
Southern Region Office

AFFIDAVIT - WATER USE

RE: WATER RIGHT NOS. A72-04182
A72-04183

STATE OF IDAHO)
) ss.
County of Custer)

The undersigned, first being duly sworn, deposes and says as follows:

1. That I am 70 years of age. I have resided in Custer County for 50 years. My first visit to Torrey's was in 1929 although I have no basic recollection of that time. The Smiths purchased Torrey's about 1953 and I worked at Torrey's off and on from 1959-1963.

2. I have reviewed the attached Notice of Claim to Water Right A72-4182 and A72-4183. I believe the claims are accurate as best my memory serves me.

DATED: December 13, 1993.

George Jewitt
George Jewitt

SUBSCRIBED AND SWORN TO before me this 13th day of December, 1993.

Vernice Kinsfather
Notary Public for Idaho
Residing at: Clayton, Idaho
My Comm. Expires: 2-9-99

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A72-4183 copy - original filed w/ A72-4182

12-16-93
sc

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ANTHONY MARIANI	06/03/1959	IRRIGATION	05-01 09-30	0.11 CFS	
C	LAURI MARIANI					
	4000 E MCWILLAN					
	MERIDIAN ID 83642					
	(208) 887-1000					
						11.20 AFA

Water Source: SALMON RIVER
Tributary to: SNAKE RIVER
Stage: BENEFICIAL USE
Point(s) of Diversion: T11N R16E S29 Lot06(NENWSE)
CUSTER 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	: Lt Ac Lt Ac Lt Ac Lt Ac	: Lt Ac Lt Ac Lt Ac Lt Ac	: SUM
11N 16E 29	: 03-.5	:	:	:	: 5.6
11N 16E 29	:	:	:	:	: 5.6
					: 06-01
					: TOTAL ACRES
					: 5.6

POU County: CUSTER
Other Rights: NONE

Remarks: TWO POINTS OF DIVERSION LOCATED IN NENWSE, LOT 6, S29, T11N, R16E.
PROPERTY IS ALSO KNOWN AS HOMESTEAD ENTRY NO. 583.

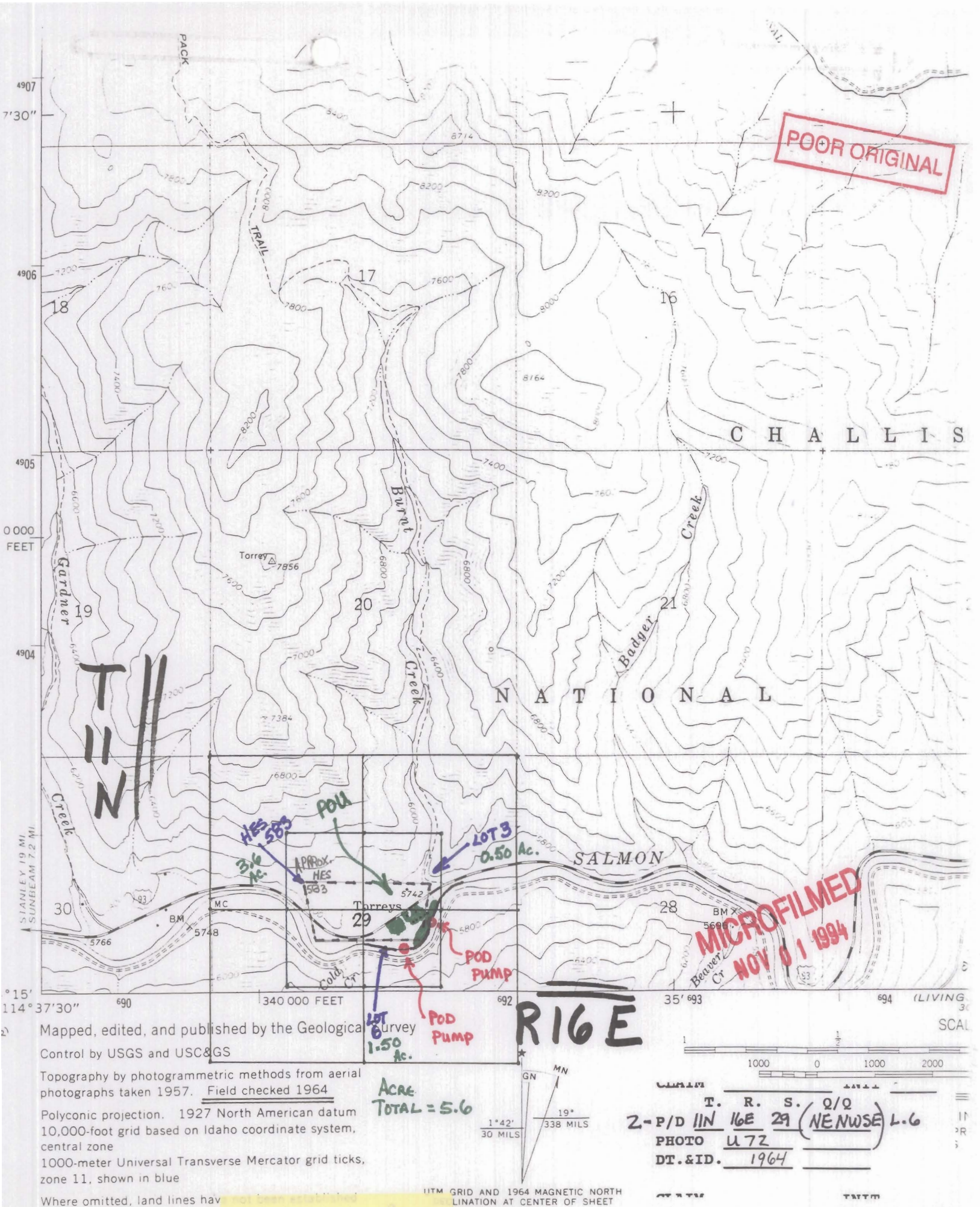
Dates: Exam Made Date: 06/15/1993 Verified Date: 03/10/1994

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

Comments: Date: 12/02/1993 User-ID: CLELAND Subject: RECOMMENDATION STOCKWATER CLAIMED IS FOR INCIDENTAL USE WITH IRRIGATION, WINTER USES WOULD COME FROM THE WELLS OR INSTREAM USES. MEASUREMENT WAS NOT PERFORMED AND THEORETICAL CALC. SHOWS DIV. CAPACITY EXCEEDS BENEFICIAL USE.
Date: 03/10/1994 User-ID: CLELAND Subject: CHANGE OF OWNERSHIP WARRANTY DEEDS SUBMITTED BY MARIANI AND CALL TO ASSESSOR CONFIRM THE CORRECT OWNERSHIP. MARIANI NEVER RETURNED A SIGNED CHANGE OF OWNERSHIP FORM.

Audit: 03/10/94 CLELAND

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Where omitted, land lines have not been established.

UTM GRID AND 1964 MAGNETIC NORTH
LOCATION AT CENTER OF SHEET

THIS MAP COMPLIES WITH N
FOR SALE BY U. S. GEOLOGICAL SURVEY, DEN
A FOLDER DESCRIBING TOPOGRAPHIC M

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A72-04183

01:38:03
06/05/92

LAST: JOHNSON
ADDRESS: HC 67 BOX 725
CITY: CLAYTON
PHONE NUMBER: 208-838-2313
OWNER CODE: C

FIRST: PHILLIP A.
STATE: ID ZIP: 83227

AST: JOHNSON
DRESS: HC 67 BOX 725
CITY: CLAYTON
PHONE NUMBER: 208-838-2313
OWNER CODE: C

FIRST: VALERIE L.
STATE: ID ZIP: 83227

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
NO REMARKS IN CLAIM

DATABASE FIELD
N EXAMINER

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CONTACT PERSON:

DATE OF FIELD EXAM: 6/15/93

APPOINTMENT MADE: Y () N ()

ACCOMPANIED BY: Phil Johnson

RELATIONSHIP TO CLAIMANT:

DIRECTIONS TO PROPERTY / REMARKS:

PHONE NUMBER: () -

TIME: : A () P ()

PHONE NUMBER: () -

A. AJ CLAIM: # A72-04183
B. WR RECORD: # 72-04183

PRIORITY DATE: 06-03-1944
PRIORITY DATE: 06-03-1944

STAGE: S
STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE N
FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? (Y) (N) ()
IF YES EXPLAIN.

REMARKS:

Affidavit Submitted does not address the date claimed on the memo.

12-2-93 QND Reg not sent - 5-10-93 see
Still no proof - call to Tony's (see Memo) A in owner

12-16-93 Affidavit by George Stewart supports a date of 1959.

RECOMMENDED PRIORITY DATE:

~~06-03-1944~~ 6-3-1959

REVIEWED BY

gr

DATE 12-16-93

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A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-04183	11N	16E	29	NE	NE	SW		CUSTER
A72-04183	11N	16E	29	NW	NW	SE		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
72-02093
72-07451
72-07481

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
72-04183	11N	16E	29		NW	SE		CUSTER

OTHER WR RECORDS WITH SAME WR POD
72-02093

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX
A72-10385 NONE

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	Y

REMARKS:

Confirmed by: field exam, Topo 472, Gov't lot map, ADS R20 map.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
 TWP. RGE. SEC. 1/4 1/4 LOT COUNTY
 11N 16E 29 NE NW SE 06 37

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

REVIEWED BY:

Sc

DATE:

12-2-93

(F02) 2 PODS in this tract

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A. ROOT WATER RIGHT NUMBERS: A72-04183
B. FOU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
11N	16E	29	SW	NE	NE	JOHNSON, PHILLIP A.	A72-04183 / 2.0	72-04183 / 2.0		0.50	0.50
			SW	NE	NE	SCHIERMEIER, TOM L.	A72-10322 /	-			
			SW	NE	NE	SCHIERMEIER, EARLA J.	A72-10323 /	-			
			SW	NE	NE	KAREN, MARY	A72-02088A /	-			
			SW	NE	NE	KAREN, MARY	A72-10122 /	-			
			SW	NE	NE	JOHNSON, PHILLIP A.	A72-04182 /	72-04182			
			SW	NE	NE	KINSEATHER, VIVIANNE	A72-10344 /	-			
			SW	NE	NE	SCHIERMEIER, EARLA J.	A72-02088C / 0.5	-			
			SW	NE	NE	SCHIERMEIER, EARLA J.	A72-02088D / 0.5	-			
			SW	NE	NE	KINSEATHER, HOWARD	A72-02088E /	-			
			SW	NE	NE	ROOS, GUS A.	A72-10415 /	-			
			SW	NE	NE	ROOS, GUS A.	A72-02088F /	-			
			SW	NE	NE	KAREN, MARY	R72-02088A /	-			
			SW	NE	NE	SCHIERMEIER, EARLA J.	R72-02088C / 0.5	-			
			SW	NE	NE	SCHIERMEIER, EARLA J.	R72-02088D / 0.5	-			
			SW	NE	NE	KINSEATHER, HOWARD	R72-02088E /	-			
			SW	NE	NE	ROOS, GUS A.	R72-02088F /	-			
			SW	NE	NE	RAMSAY, E. A.	72-02088 /	72-02088			
			SW	NE	NE	RAMSAY, ADELLA	72-02093 /	72-02093			
			SW	NE	NE	ALEXANDER, WILLIAM L.	72-07409 / 3.0	72-07409			
11N	16E	29	SE	NE	NE	JOHNSON, PHILLIP A.	A72-04183 / 2.0	72-04183 / 2.0			
			SE	NE	NE	ALEXANDER, WILLIAM L.	A72-02088G / 1.5	72-02088 /			
			SE	NE	NE	RAMSAY, E. A.	72-07409 / 1.0	72-07409			
			SE	NE	NE	ALEXANDER, WILLIAM L.					
11N	16E	29	SW	NE	NE	JOHNSON, PHILLIP A.	A72-04183 / 3.0	72-04183 / 3.0			
			SW	NE	NE	ALEXANDER, WILLIAM L.	A72-02088G / 2.5	72-02088 /			
			SW	NE	NE	RAMSAY, E. A.	72-07409 / 2.0	72-07409			
			SW	NE	NE	ALEXANDER, WILLIAM L.	72-07481 /	72-07481			
11N	16E	29	SW	NE	NE	JOHNSON, PHILLIP A.	A72-04183 / 3.0	72-04183 / 3.0			
			SW	NE	NE	JOHNSON, PHILLIP A.	A72-02088H / 2.0	-			
			SW	NE	NE	JOHNSON, TAIT	A72-10385 /	-			
			SW	NE	NE	RAMSAY, E. A.	72-02088 /	72-02088			
			SW	NE	NE	RAMSAY, ADELLA	72-02093 /	72-02093			
			SW	NE	NE	ALEXANDER, WILLIAM L.	72-07409 / 4.0	72-07409			
			SW	NE	NE	JOHNSON, VALERIE L.	72-07451 /	72-07451			
TOTAL ACRES							A72-04183	10.00	10.00		

JP2 = FOU AKA Hes 583

Lot 6 = 1.5
Hes 583 = 3.6

5.6

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER
X

POU COUNTY: CUSTER

PRESUMPTION FLAG:

REMARKS:

Confirmed by Field Exam, ASCS R20 1978 map, N49P N21 NE #441-185 dtd 8-2-88,
Soil lot maps & field sketch.

RECOMMENDATIONS:

TOTAL ACRES:

5.6

REVIEWED BY:

sa

DATE: 12-2-93

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A. AJ CLAIMED USES:

PURPOSES
A72-04183 IRRIGATION
A72-04183 STOCKWATER

MONTH/DAY
FROM 04-15 TO 10-15
FROM 01-01 TO 12-31

DIVERSION QUANTITY
*250 CFS
*010 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

*260 CFS

B. WR RECORDED USES:

PURPOSES
72-04183 IRRIGATION
72-04183 STOCKWATER

MONTH/DAY
FROM 04-15 TO 10-15
FROM 01-01 TO 12-31

DIVERSION QUANTITY
*250 CFS
*010 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

*260 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

FIELD EXAM REQUIRED?	DATE	EXAMINER
DUE TO WATER-USE DISCREPANCY?	(Y/N)	
DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)	
DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)	

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y() N()

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()

Explain in remarks, below.

REMARKS:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(X) N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.260 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.260 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in remarks. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N)

Y

yes - Not in operation @ full exam

FLOW MEASUREMENT

MEASUREMENT METHOD

theo. Calc.

SEE ATTACHED CALCULATIONS.

Div. Capacity Check Beneficial Use.

C. ARE OTHER WATER RIGHTS USED? Y(Y) N() IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: A72-04183 COMMERCIAL USE.

A72-02088B.

add to Superficial

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-04183	SALMON RIVER	JOHNSON, PHILLIP A.	0.260	0.026		
A72-02088B	BURNT CREEK	JOHNSON, PHILLIP A.	0.040	0.020		
A72-02088C	BURNT CREEK	SCHIERMEIER, FARLA J.	0.040	0.080		
A72-02088C	BURNT CREEK	SCHIERMEIER, FARLA J.	0.040	0.080		
A72-02088D	BURNT CREEK	SCHIERMEIER, FARLA J.	0.040	0.080		
A72-02088D	BURNT CREEK	SCHIERMEIER, FARLA J.	0.040	0.080		
A72-02088E	BURNT CREEK	ALEXANDER, WILLIAM L.	0.080	0.020		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10322	DOMESTIC	SCHIERMEIER, TOM L.	FROM 04-01 TO 10-15	.040 CFS	

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D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 5.6 $\times$ 0.02 CFS/ACRE = 0.11 CFS
(Taken from p/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y () N ()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y () N () ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AE/A

ACRES 5.6 $\times$ CONSUMPTIVE VOL. AE/A FOR AREA 3.0 = _____

TOTAL CONSUMPTIVE USE 11.2 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AE/A

ACRES 5.6 $\times$ DIVERSION VOL. AE/A FOR AREA 3.0 = _____

TOTAL DIVERSION VOLUME 16.8 AE/A *11/9 for Surface Water*

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y () N ()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

Stockwater incidental to irrigation

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD		REC. DIV RATE CES	REC. DIV VOL. AF/A	REC. CONS. USE
	FROM	TO			
IRRIGATION	5-1	9-30	0.250	N/A	0.0
ORGANIZATION	01-01	12-31	0.010	0.11	11.2
TOTAL FOR THIS RIGHT					

REVIEWED BY:

Se

DATE: 12-2-93

$F\phi 2 = 29005$
 $J\phi 2 = 583$

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

ACCEPTED
AS CLAIMED
()
()
()
NEEDS
REVIEW
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-04183

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
0.260

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

-

A72-04183

0.260

-

72-04183

0.260

TOTAL CFS

0.260

0.260

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 sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

N/A

AUTHENTICATION:

SIGNATURE:

Jim Ball

DATE:

12-2-93

NAME OF FIELD EXAMINER:

TITLE:

MR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	(X)	off receipt 4-29-92 sent 2nd pag 5-10-93 sent	SL-93 6-15-93 Sent	(X)	(?)	ad 2-1-94 Sec 12-2-93	ad 1-16-93 Sec 12-2-93	sent 1-19-93 V
POINT OF DIV	Y			(X)	1256			
SOURCE				2	12456			
PLACE OF USE	Y	Call to Toney's see memo 12-2-93 Sec		(X)				
DIV. AMOUNT CFS/VOLUME				(X)				
CONSUMPTIVE USE				(X)				
PURPOSES				(X)	5			
PERIOD OF USE				(X)	6.			
BASIS OF CLAIM				2	6.			
REMARKS	Y	Δ 4 over pending		(X)				

VERIFIED BY CODES

TOPO MAP/ORTHO-PQ = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER (SEE REMARKS) = 6

Made from priority

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

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[illegible][illegible]

	SE	SESE	SESE	SESE	SESE	SESE	SESE	SESE
NASE								
Lt AC								
NASE								
Lt AC								
TOTAL ACRES								
- 3.6								
- 1.5								
SUM								
10.8								
5.6								

SE	SUSE	SESE	SUM
NESE	NESE	SESE	
Lt AC	Lt AC	Lt AC	
3.6	3.6	10.0	
4.46 - 1.5	4.46 - 1.5	10.0	
TOTAL ACRES	TOTAL ACRES	TOTAL ACRES	
5.6	5.6	5.6	

Other Rights: ~~A72-04182 COMMERCIAL USE.~~ **NONE**

Dates: Exam Made Date: 6-15-93

Verified Date: 01/28/1986

Field Inspection Flag:
Presumption Flag:

$$F\phi_2 = 2\phi_0ds$$

See Field notes
6-15-93

Phil Solow

Map Review
\$ upgrade
12-2-93
See

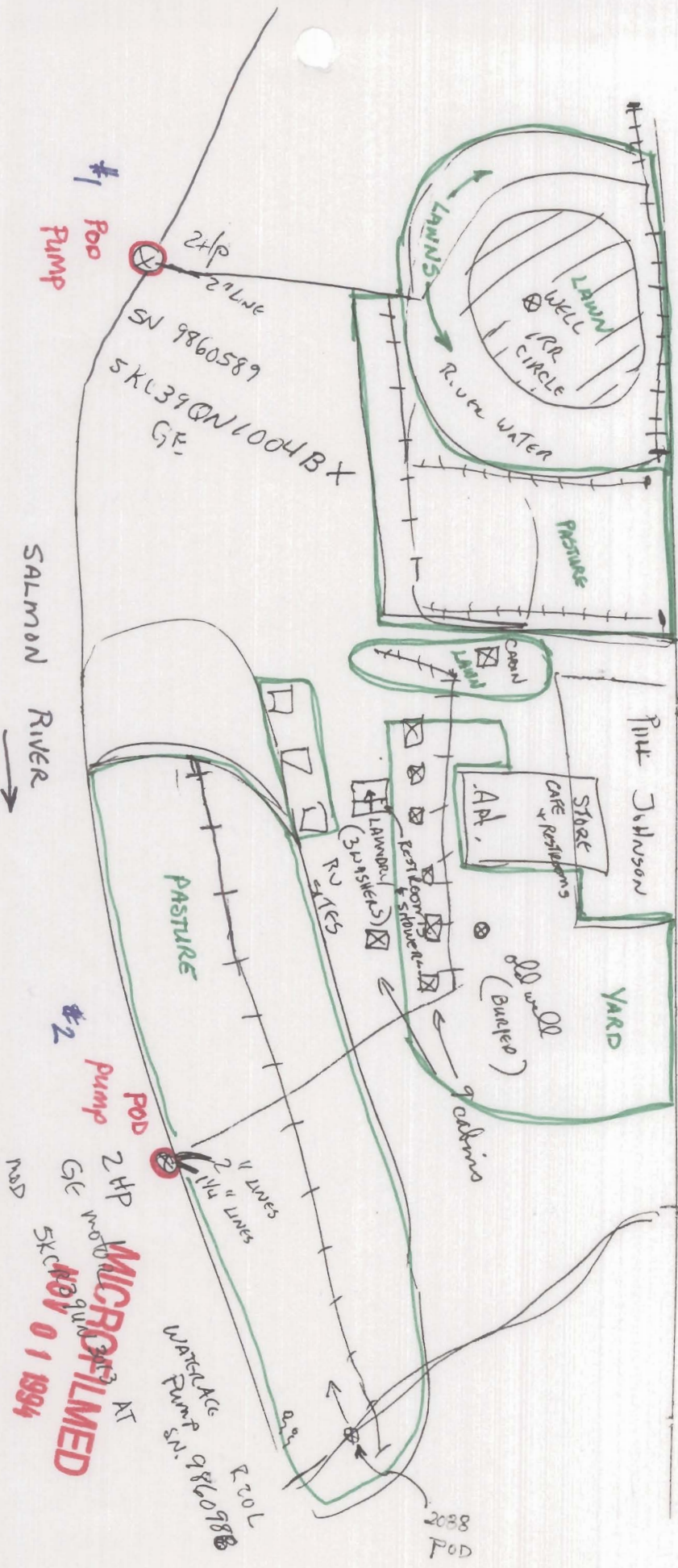
Bunt Cr.

Kruskalyn

KAREN
Rods
McKINLEY

ALEXANDER
412-74109

Irrigated areas
outlined in Green as shown



MICROFILMED
NOV 01 1994
SKC 9860589
GE

* Pumps NOT in operation @ Field Exam

APPROX.
SCALE
8" PER MILE

original copy
see
#72-2088A

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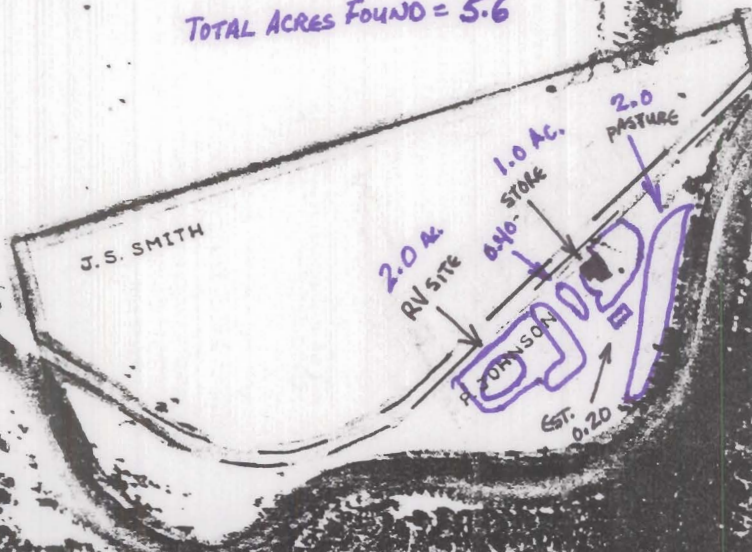
NOV 01 1986

POOR ORIGINAL

from Assessor's
OFFICE
Custer Co.
12-2-93
see
PLANIMETER
ACRE CALC:
set @ 0.09699 1" = 660'
TOTAL ACRES FOUND = 5.6

BCS MAP
R20

c. 1978



2000
3000
ORIGINAL

ABCS MAP
R20
C.1978
from Assessor's
Office
Custer Co.

J.S. SMITH

P. JOHNSON

ME

01

8-22-88

POL SITE
↓

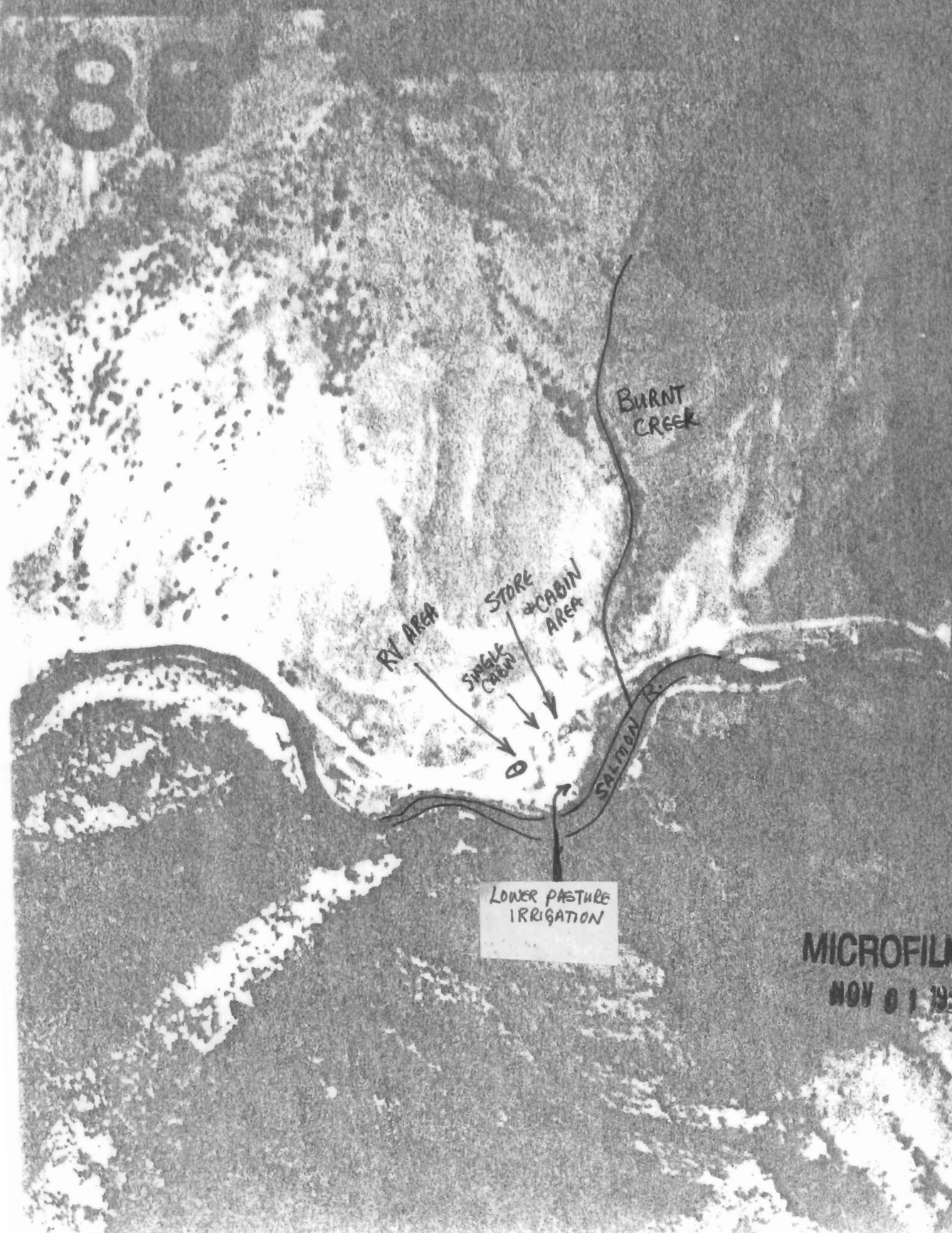
CLAIM 472-4183 INIT SCC
T. R. S. Q/Q 12-2-93
P/D _____
PHOTO NAPP #441-185 V21 NE
DT.&ID. 8-22-88

MICROFILMED

NOV 01 1994

POOR ORIGINAL

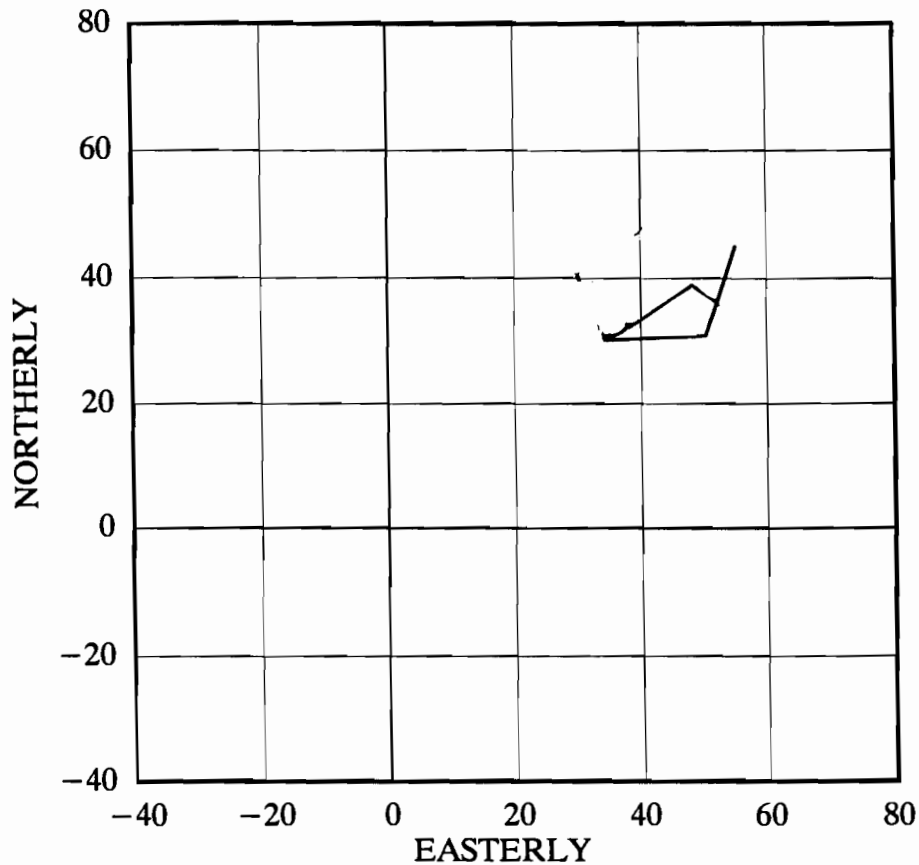
NAPP #441-185 200X Enlarged
of 200X enlarged
copy



MICROFILMED

NOV 8 1984

PARCEL PLOT - METES & BOUNDS
DISTANCE IS IN CHAINS



3-10-94

This parcel
is listed as per
in claims:

A72-4182

A72-4183

See

From
"EXHIBIT A"
WARRANTY DEED
ANTHONY MARIANI
#0204879

MICROFILMED

NOV 01 1994

A72 4182

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A72-4182 & 4183

RE: Change of Ownership

DATE 1-10-94

NAME OF PARTY

TONY MARIANI

he called about request for Warranty Deed
and why. I explained Bill Knight had filed the
change of ownership and needed proof on file.

He said he is the owner as per the Warranty Deed.

I will send a new change of owner form for him
to Return.

TONY MARIANI

4000 E McMILLAN

MERIDIAN ID 83642

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NOV 01 1994

TELEPHONE MEMORANDUM

Incoming Call

✓
Outgoing Call

Returning Call

TO: JIM BENNETTS 879-4488
DATE: 03-01-1994
FROM: 7H

FILE: JOHNSON → KNIGHT → & correct
FILE NO: A7Z-04182, -04183

SUBJECT: Ownership Change by Jim - sept due to
retention of 1st or 2nd by owner -

REMARKS: wanting to get proof (former owner)
looking for another source of proof
representing seller - JOHNSON -

Jim W. send us W. Seal - he wrote letter in 10/43
couldn't support the date of priority as
Jim remembers.

ROUTING INSTRUCTIONS: He W. send us the signed original
after he gets same from our company.
CALENDAR DATES: NOV 01 1994

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TELEPHONE MEMORANDUM

✓ Incoming Call

Outgoing Call

915

Returning Call

TO:

A. MARLANI

DATE:

03-01-1954

FROM:

FH

FILE:

KNIGHT (SIC)

FILE NO:

A72-04182, -04183

SUBJECT:

CIV. TIM BENNETTS - Change of
Ownership forms

REMARKS:

Jim W/ get form from title co. -
emphasized need for original.
Asked MARLANI to send me W.
Deed so can process if seller didn't
sign form @ closing.
He agreed - gave him mailing
address.

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

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NOV 01 1954

TELEPHONE MEMORANDUM

✓
Incoming Call *830/835*
Outgoing Call
Returning Call
TO: *H* *208-887-1000*
DATE: *03-01-1994*
FROM: *ANTHONY MARIANI*
LAURIE
FILE: *?*
FILE NO: *?*
SUBJECT: *Ownership Change - ?*

REMARKS:

8 1/2 AC
7 1/2 sold - split str up
12 MI W *1) well*
@ TORRITES *2) SALMAN R.*
Cabin across st.
ROSS-MARIANI

JOHNSON, PHILLIP

ROUTING
INSTRUCTIONS:

CALENDAR
DATES:

signed change
@ escrow **MICROFILMED**
Jim Bennett **NOV 1 1994**

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CHELLAND

FILE A72-4182
A72-4183

RE: change of Ownership

DATE 12-16-93

NAME OF PARTY

BILL KNIGHT

838-2313

I called to explain a copy of the Warranty Book
or an equivalent, is needed to prove ownership.

He said he will send a copy soon.

I also told him I have received adequate proof
of priority for the claims from Phil Johnson today.

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NOV 01 1994

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A72-4183

RE: PROOF OF PRIORITY A72-4183 & A72-4182

DATE 12-2-93

NAME OF PARTY

BILL KNIGHT (manager/owner @ Torrey's)
4 LORI 838-2313

I called to talk to Phil Johnson and he has sold the place @ Torrey's. Spoke to New owner Bill Knight and requested the proof of priority info or I will have to disallow the 2 claims.

He gave me Phil Johnson's phone number, 838-2355, and said he will be back home by 12-4-93.

I agreed to call Phil J. and get info and encouraged him to do the same.

I will send a change of ownership to Knight at address same as in the claim.

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NOV 01 1993

CONVERSATION MEMORANDUM

EMPLOYEE: STEVE CLELLAND

FILE A72-4182
A72-4183

RE: PROOF OF PRIORITY

DATE 12-6-93

NAME OF PARTY

PHIL JOHNSON

838-2355

I called to remind him about the need for this information. I explained the write up is complete for this right except for this item. He said he had tried to get something from a previous owner but nothing yet.

I told him this is needed soon, within a couple weeks, so I can get the recommendation completed.

He will pursue some other sources for proof.

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NOV 01 1994

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

A72-4/83
FILE: ~~A72-4/83~~
DATE: 12-2-93
BY: SCL

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump (if open discharge assume zero [0])

Per Pump $Q = \frac{(8.8) (\dots 2 \text{HP} \dots) (0.70)}{[(\dots 10 \dots) + (\dots 50 \dots \times 2.31)]} = \frac{12.32}{125.5} = 0.098$ per pump

0.10 cfs

LIFT FROM:	PSI FROM:	NOTES ON PUMP:
measurement ()	measurement ()	Motor Make, Serial or ID
owner ()	owner ()	
area estimate (X)	estimate (X)	Pump Make, Serial or ID, rating
well logs ()	owner gage ()	(#2) WATER ACE R2DL
Booster (Y) (N)		

REMARKS Two pumps:
1 - 2HP SN 9860589; SKC390N1004BX, GE MOTOR
2 - 2HP SN 9860986; MODEL SKCR394N3013AT, GE MOTOR

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season)	(days)	CV-DV	POTENTIAL =
5/01-09/30	153	2-3	(.....) X (1.98) X (.....)
4/15-10/15	184	2.5-3.5	
4/01-10/31	214	3-4	
3/01-11/30	275	VARIES	(.....)
3/15-11/15	246	VARIES	

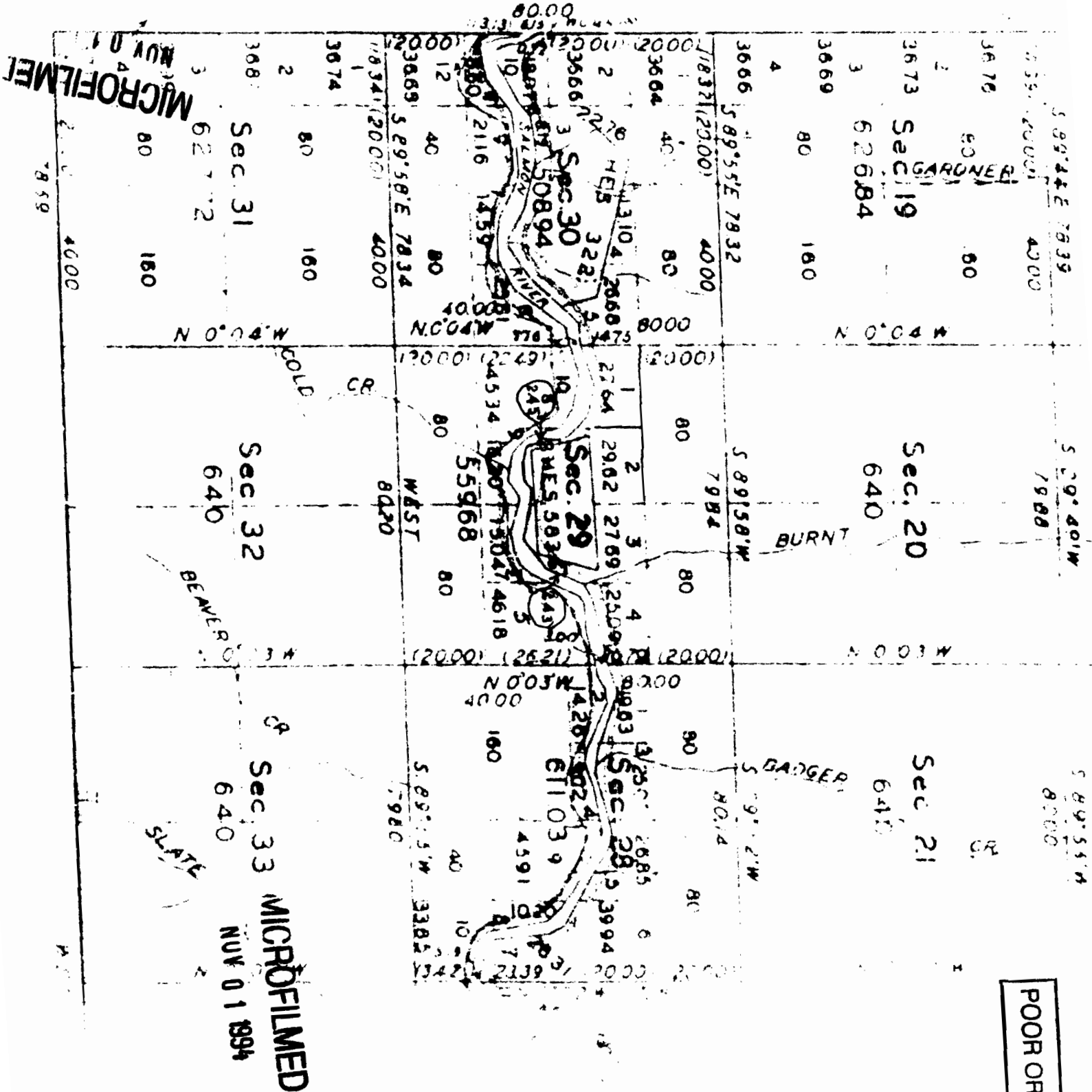
POTENTIAL = _____

REQUIRED Acre Feet/Acre/Annum = _____
(AF/Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY

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NOV 01 1993

TIN RLE



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Copy of Microfilm
72-2093
5-10-93
SCC

Permit No. 21792

This proof is for Beneficial use

In Water District No.

POOR ORIGINAL

1. Name of applicant Mrs. Adella Ramsay, (w/o Torrey's Ranch, Layton, Idaho)
2. Source of water supply: A spring on the river bank. (N. side Salmon River)
3. Location of point of diversion: Is in the NW 1/4 SE 1/4 of Section 29
T. 11 N. R. 16 E. County of Custer

4. Describe works as they exist, giving dimensions and capacities of same: The point of diversion is a spring located in the river channel near the north bank of the Salmon River and close to the mouth of Burnt Creek. The diversion works consist of a shallow hole scooped out of the river bed, with the rocks taken from this hole placed on the upstream side of the hole to deflect the river water away from the flow of this submerged spring. Water is dipped from this spring with buckets by hand.

5. Water is used for: Domestic purposes.
6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Torrey's Ranch- H. E. No. 583- NW 1/4 SE 1/4 and SW 1/4 N 1/4 Section 29,

Twp. 11 North, Range 16 East, B. M.

Water from this spring is used for domestic purposes during the time of year when the regular supply of water from Burnt Creek is not available. ^{Pincer} Mining operations on the Salmon River makes the Salmon River water unfit for domestic use. With no other usable water available during certain parts of the year, the purpose of this filing is the protection of the above mentioned spring as a seasonal source of domestic water.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: This spring is located in the channel of the Salmon River.

12-2-92
SCC

This info does not
support the irrigation
of lands from Salmon River
is claimed in
A72-4/83

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NOV 01 1994

Proof of Priority
21792

AK4

72-2093

This examination was made on the 17th day of October, 1951

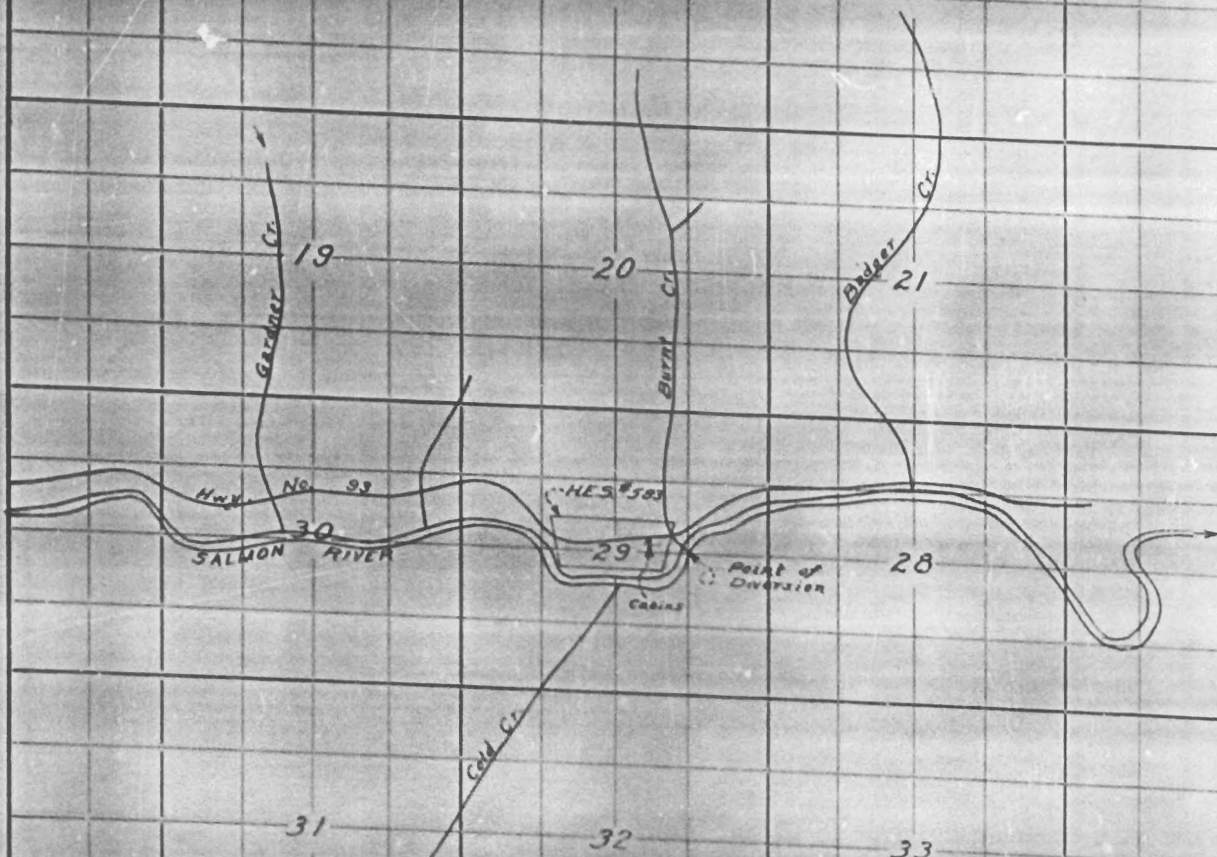
(Signed)

Alfred H. Larson
Examiner.

1792

ger

T. 11 N., R. 16 E. B. M.



This is an unimproved land

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NOV 01 1994

Scale: 2 Inches Equals 1 Mile. Draw Map in Ink.

21792

Water Right Number - 72-04183

Prefix Translation:

WATER RIGHT

Old (D) Number -

*** C - CURRENT OWNER ***
JOHNSON
Last Name
First Name
PHILLIP A.
1 - HC 67 BOX 725
2 -
3 -
City- CLAYTON
Phone -
1 - HC 67 BOX 725
2 -
3 -
City- CLAYTON
Phone -
State- ID Zip- 83227

JOHNSON

VALERIA L.

State- ID Zip- 83227

Priority Date - 06/03/1944
Region - 17 SOUTHERN
Stage - S - STATUTORY CLAIM
Status -

Source - SALMON RIVER
Tributary - SNAKE RIVER

Twn Rng Sec Tract Lot Rflg County Point of Diversion
11N 16E 29 NW SE (37) CUSTER
Stream Index (Blank if no Index Code)

Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.250
04 - STOCKWATER 01/01 12/31 0.010

Total Div. Rate - 0.260
Total Div. Volume -
Total Div. Capacity -

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
11N	16E	29	SW NE		2.0	01	IRRIGATION	(37) CUSTER
11N	16E	29	SE NW		2.0	01	IRRIGATION	(37) CUSTER
11N	16E	29	NE SW		3.0	01	IRRIGATION	(37) CUSTER
11N	16E	29	NW SE		3.0	01	IRRIGATION	(37) CUSTER

Total Acres: 10.0

Diversion Means - PUMP, PIPE
Non-Irrigation Use - S/10 HORSES
Other Rights for Same Use -
Remarks - No Remarks found.
MICROFILMED
NOV 01 1994

Water right number - 72-04183

Prefix Translation:

WATER RIGHT

+ - - - - - Old Water Right Numbers - - - - - +
+ - - - - - Old Water Right Numbers - - - - - +
+ - - - - - No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
+ - - - - - No Conditions of Approval found.

+ - - - - - Decree Plaintiff - - - - - + - - - - - Decree Defendant - - - - - +
+ - - - - - Decree Date - - - - - +
00/00/0000

+ - - - - - Comments - - - - - +
+ - - - - - No Comments Found

+ - - - - - Audit Fields - 01/28/86 05/28/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - - +
+ - - - - - Proof Due Date - 00/00/0000 Field Exam Made - 00/00/0000 Field Exam Fee -
+ - - - - - Approved/Denied - 00/00/0000 Protested Date - 00/00/0000 Swan Falls -
+ - - - - - Proof Made Date - 00/00/0000 Hearing Date - 00/00/0000 Temporary Right - P
+ - - - - - Exam to S.O. Date - 00/00/0000 Verified Date - 01/28/1986 DLE/Carey Act -
+ - - - - - Order Show Cause - 00/00/0000 Receipt Number - Water District -
+ - - - - - Licensed Date - 00/00/0000 Appl Received - 00/00/0000 Transfer/Amended -
+ - - - - - Decree Date - 00/00/0000 Presumption Flag -

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NOV 01 1994