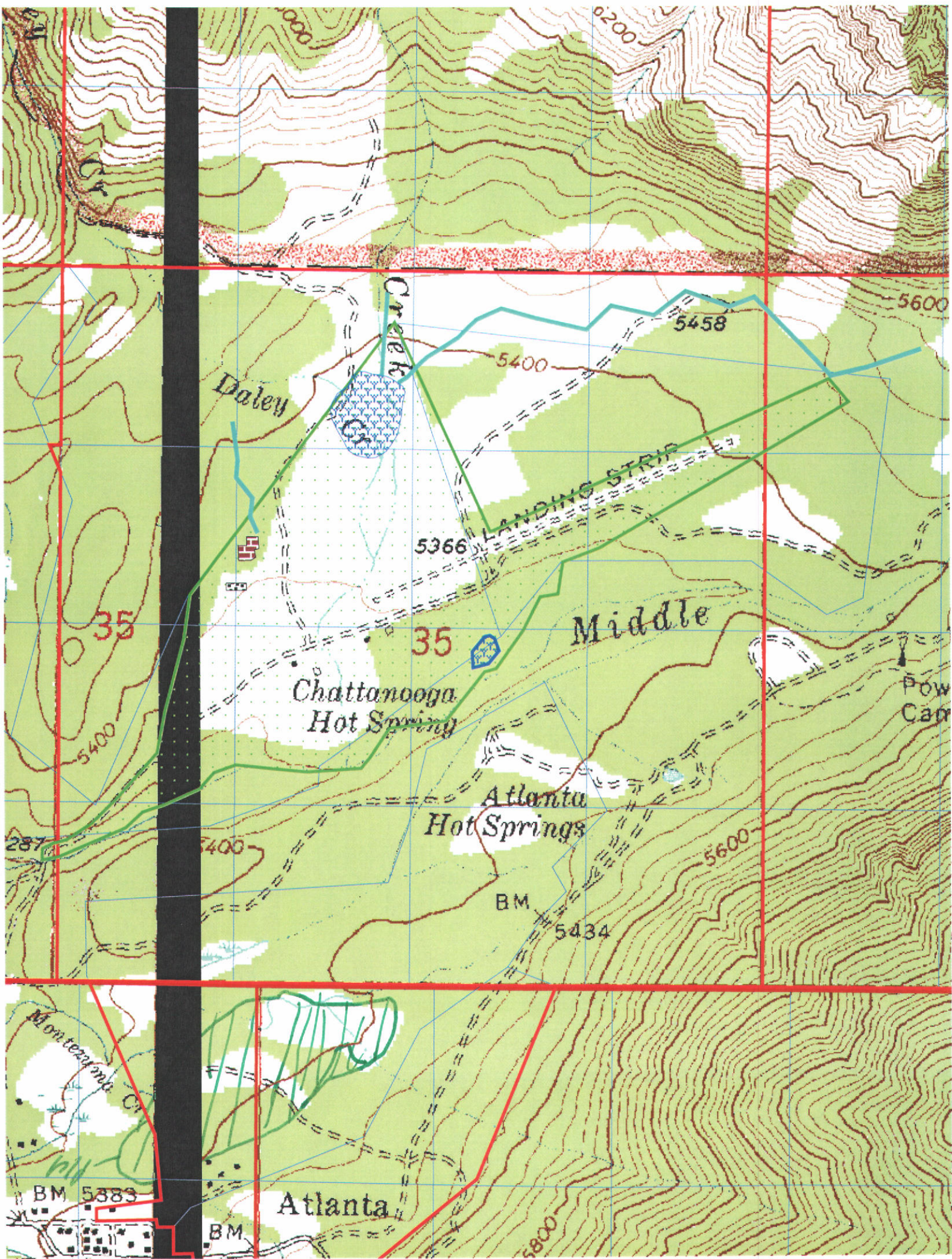
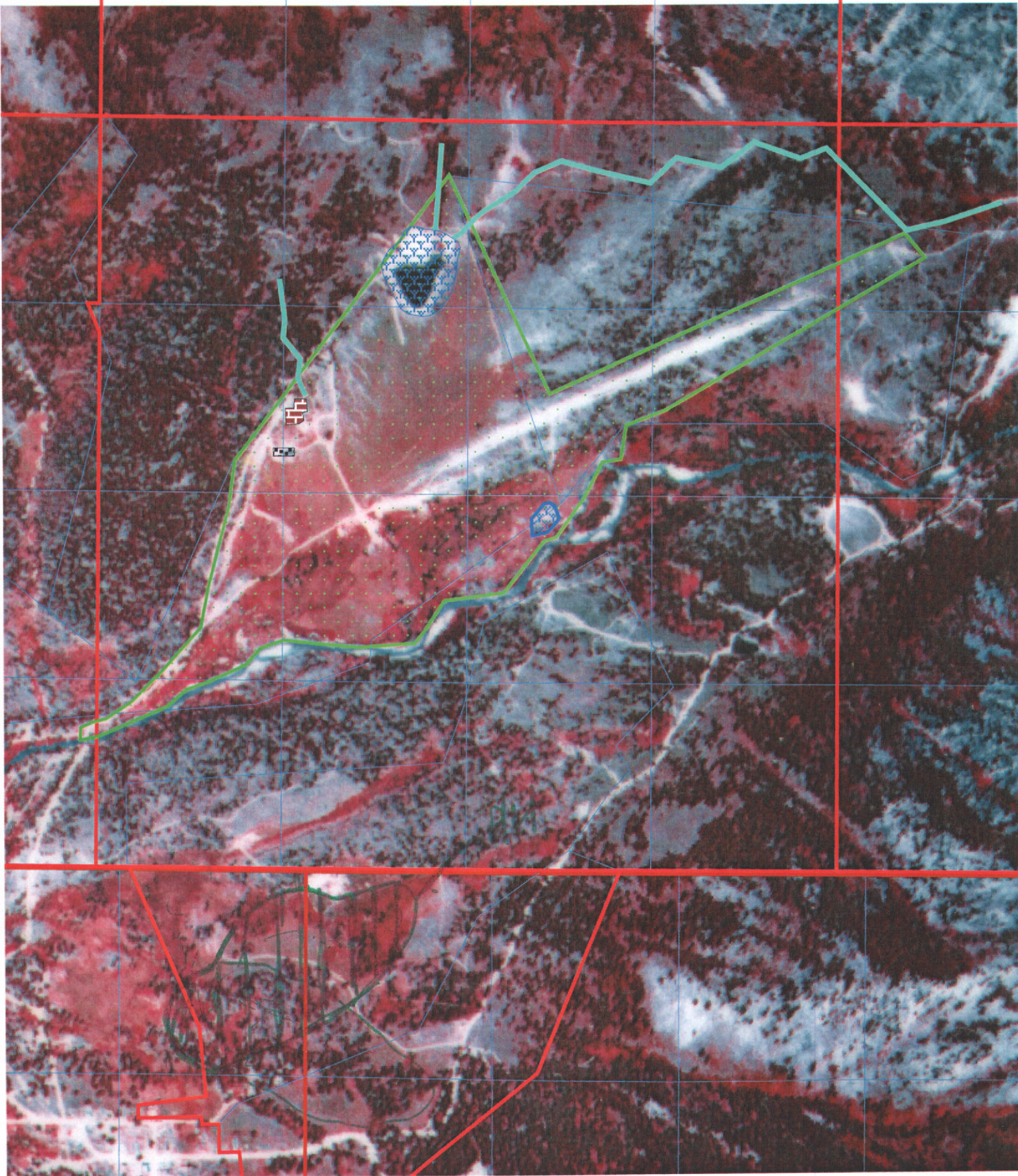


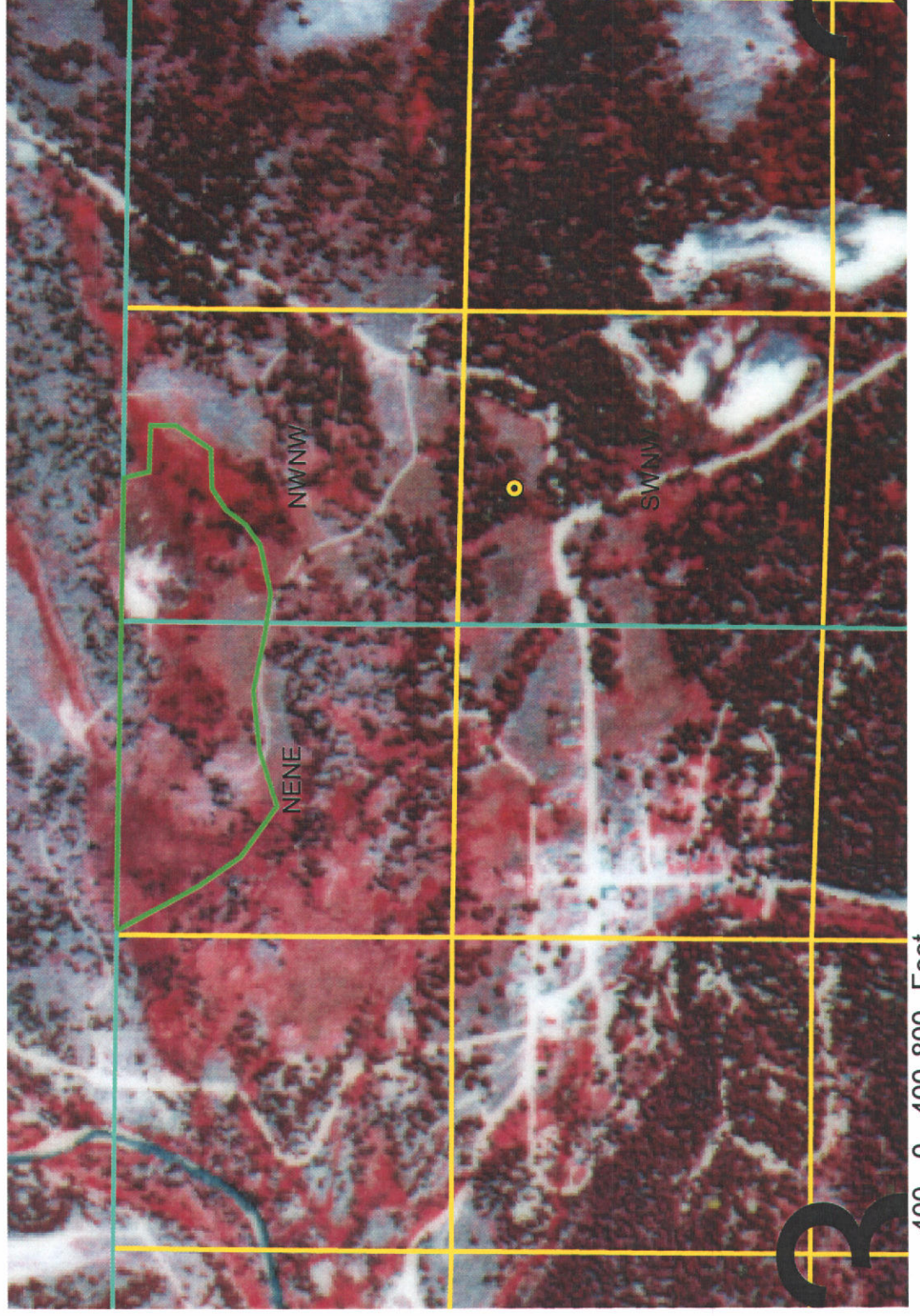




IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-2539
T05N, R11E, Sec 2, 3
Prepared by: Maria Minicucci
February 12, 2002

- Place of use
- Point of diversion
- Section Lines
- Quarter quarter lines



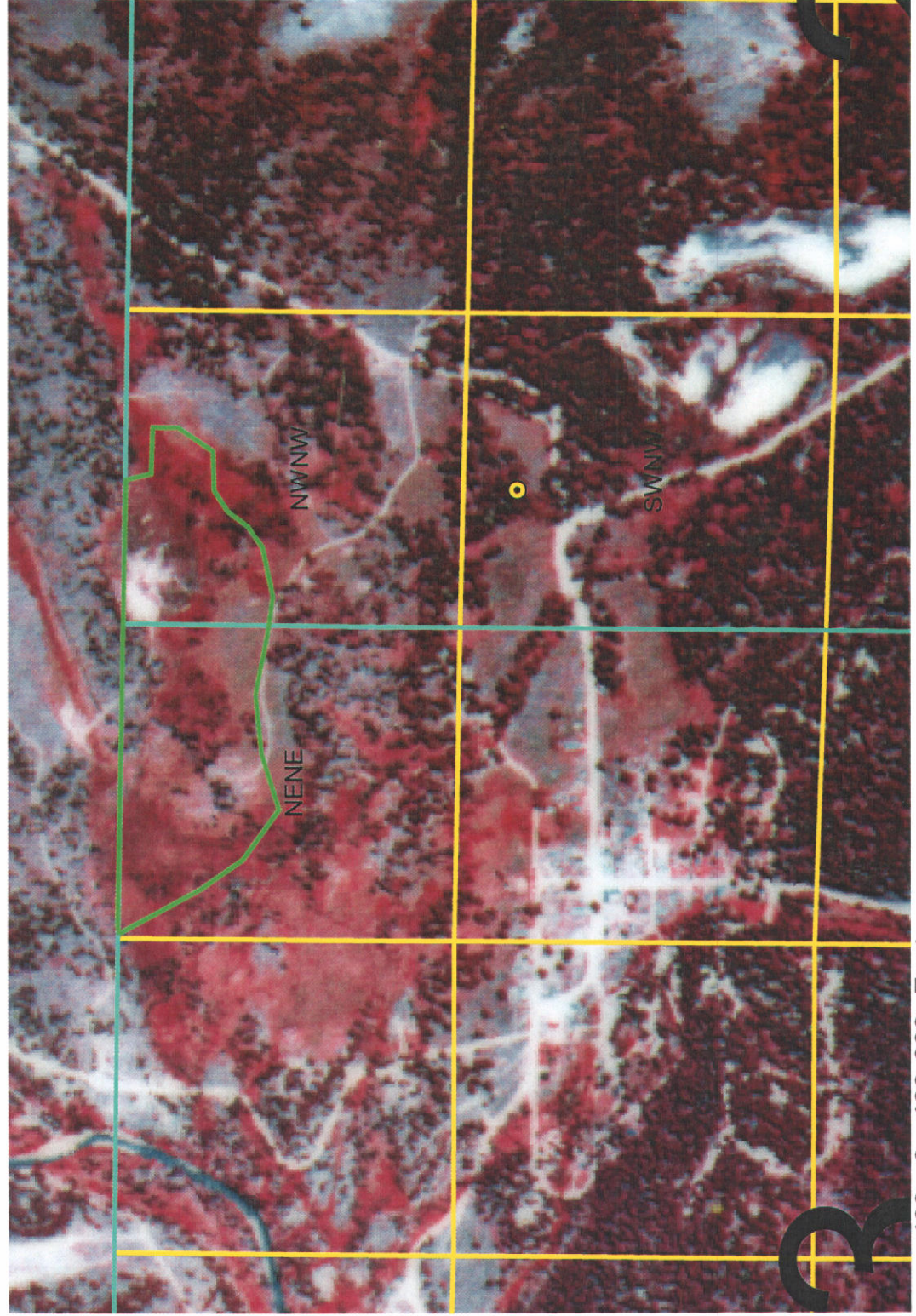
400 0 400 800 Feet

1987 NAPP

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-2539
T05N, R11E, Sec 2, 3
Prepared by: Maria Minicucci
February 12, 2002

- Place of use
- Point of diversion
- Section Lines
- Quarter quarter lines



1987 NAPP

Permit No. 18506

This proof is for Beneficial Use

1. Name of applicant H. F. COORS

2. Source of water supply Montezuma

3. Location of point of diversion: Is in the

T. 5 N. R. 11 E.

4. Describe works as they exist, giving dimensions

from stream (road)
box 3 ft long, 15 ft
which is 2 ft wide

5. Water is used for Irrigation and

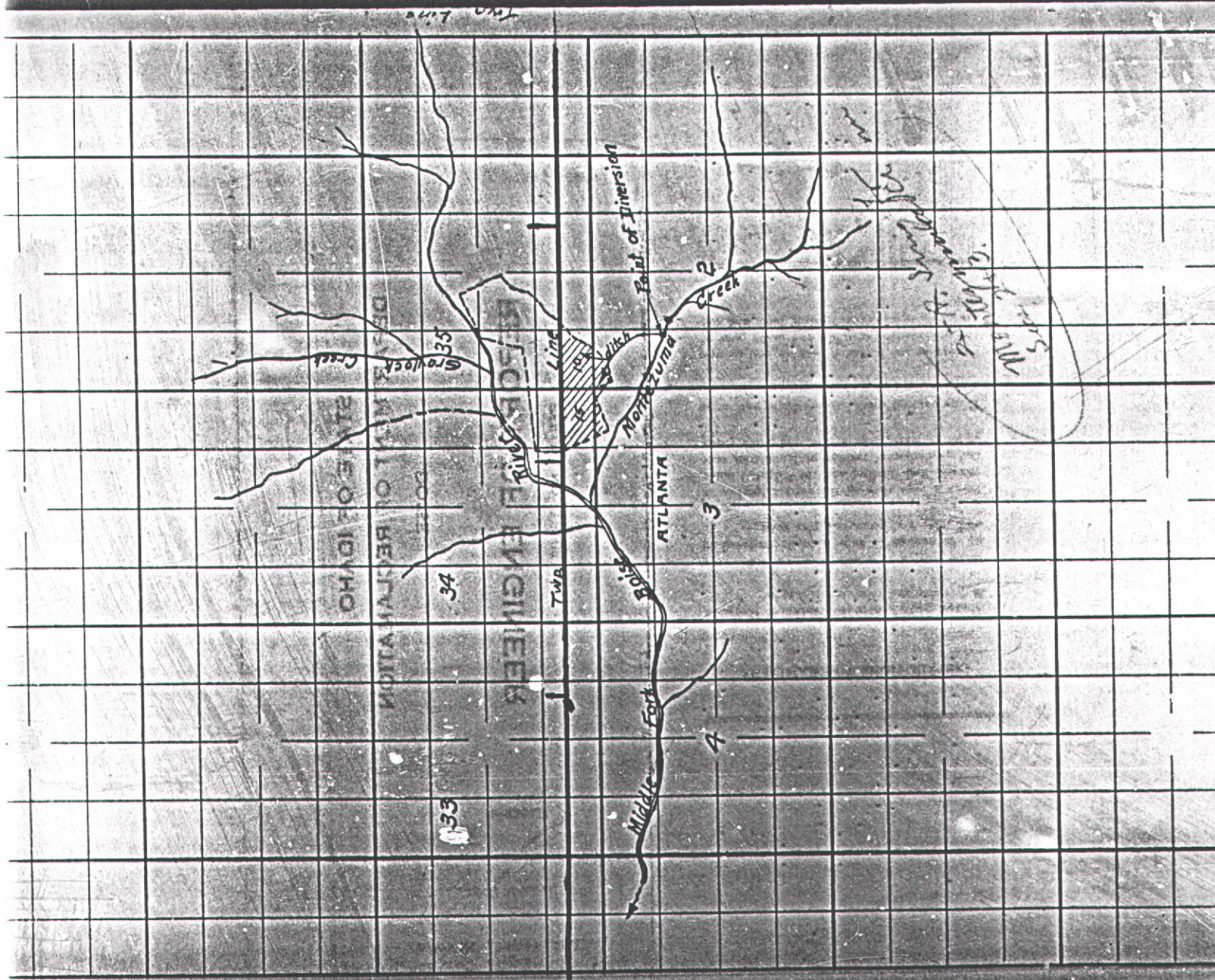
6. State whether or not water has been turned

7. List legal subdivisions of lands to be irrigated
under cultivation in each forty-acre tract

tion): Beginning at U.S. Mineral
the County of Elmore, State of Idaho,
thence N. 1° 20' W. 1.39 chains to a
N. 5° 53' W. 7.47 chains to a point; be-
nated Cor. No. 4; thence N. 24° 31' W. 19.
to Cor. No. 6; thence N. 85° 45' 30" E. 34.
Cor. No. 8; thence N. 13° 31' E. 24 chains
No. 10; thence S. 26° 43' 30" E. 15.06 c.
Cor. No. 12; thence S. 30° 21' 30" E. 3.15
to Cor. No. 14; thence S. 34° 59' W. 7.58
Cor. No. 16; thence S. 27° 27' E. 13.64 c.
point; thence N. 5° 53' W. 9.62 chains
Cor. No. 4. the place of beginning,
lands bounded and described in that
Recorder of said County of Elmore, at
at page 98. (Submit map on attached plat, show

8. What large stream would the water here at

Remarks



(4-6756)

Map of the Boise Meridian, Idaho
FILED OF THE MERIDIAN 8/13/31

1 EAST OF THE BOISE MERIDIAN, IDAHO

Sec. 34

Sec. 35

Sec. 36

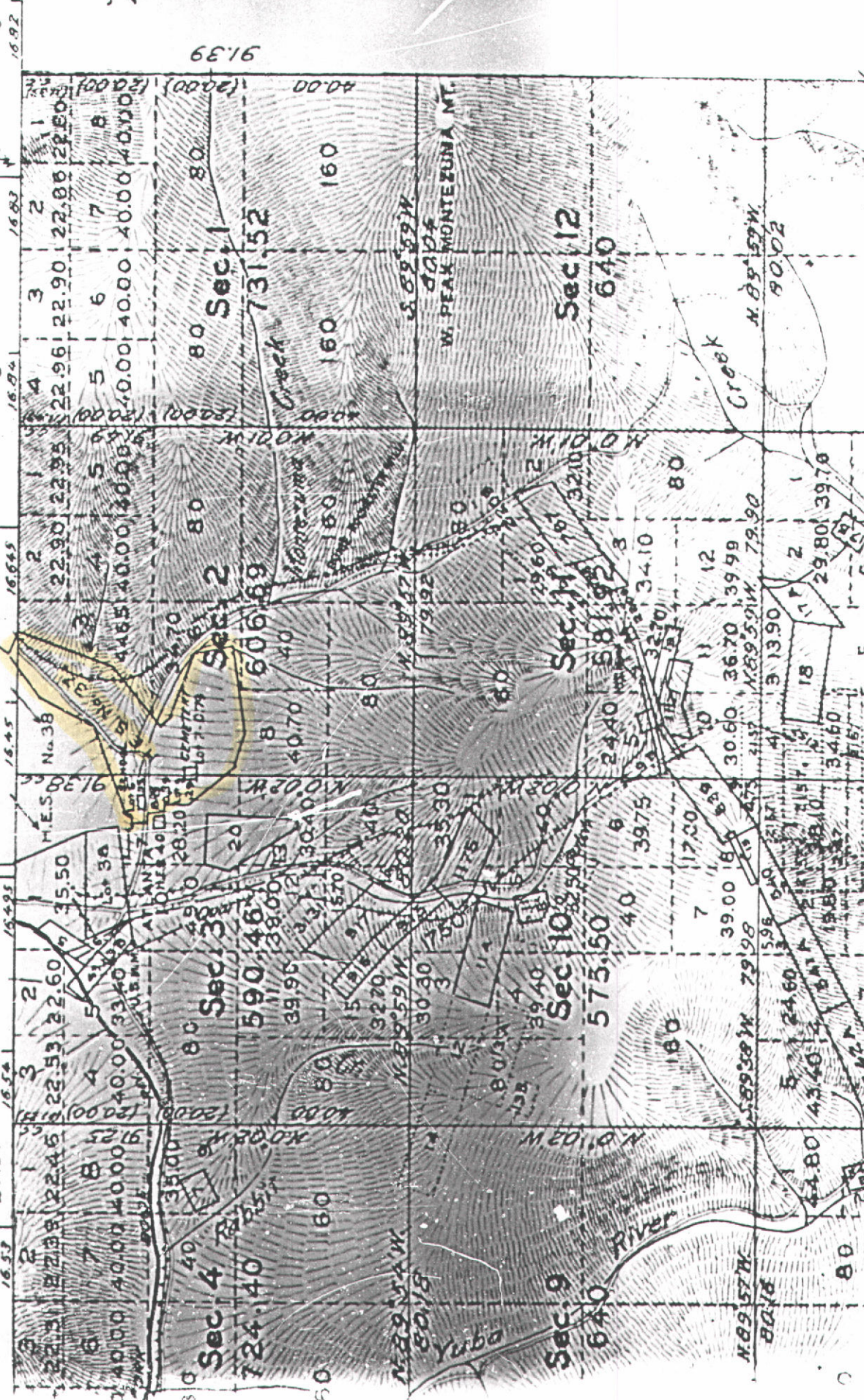
Sec. 31

ARD

PARALLEL

NORTH

EAST



Survey No
Lot 37

Survey No
Lot 38

Survey No
Lot 39

Survey No
Lot 40

Survey No
Lot 41

Survey No
Lot 42

Survey No
Lot 43

Survey No
Lot 44

Survey No
Lot 45

Survey No
Lot 46

Survey No
Lot 47

Survey No
Lot 48

Survey No
Lot 49

Survey No
Lot 50

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Lot 59

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Lot 60

Survey No
Lot 61

Survey No
Lot 62

Survey No
Lot 63

Survey No
Lot 64

Survey No
Lot 65

Survey No
Lot 66

Survey No
Lot 67

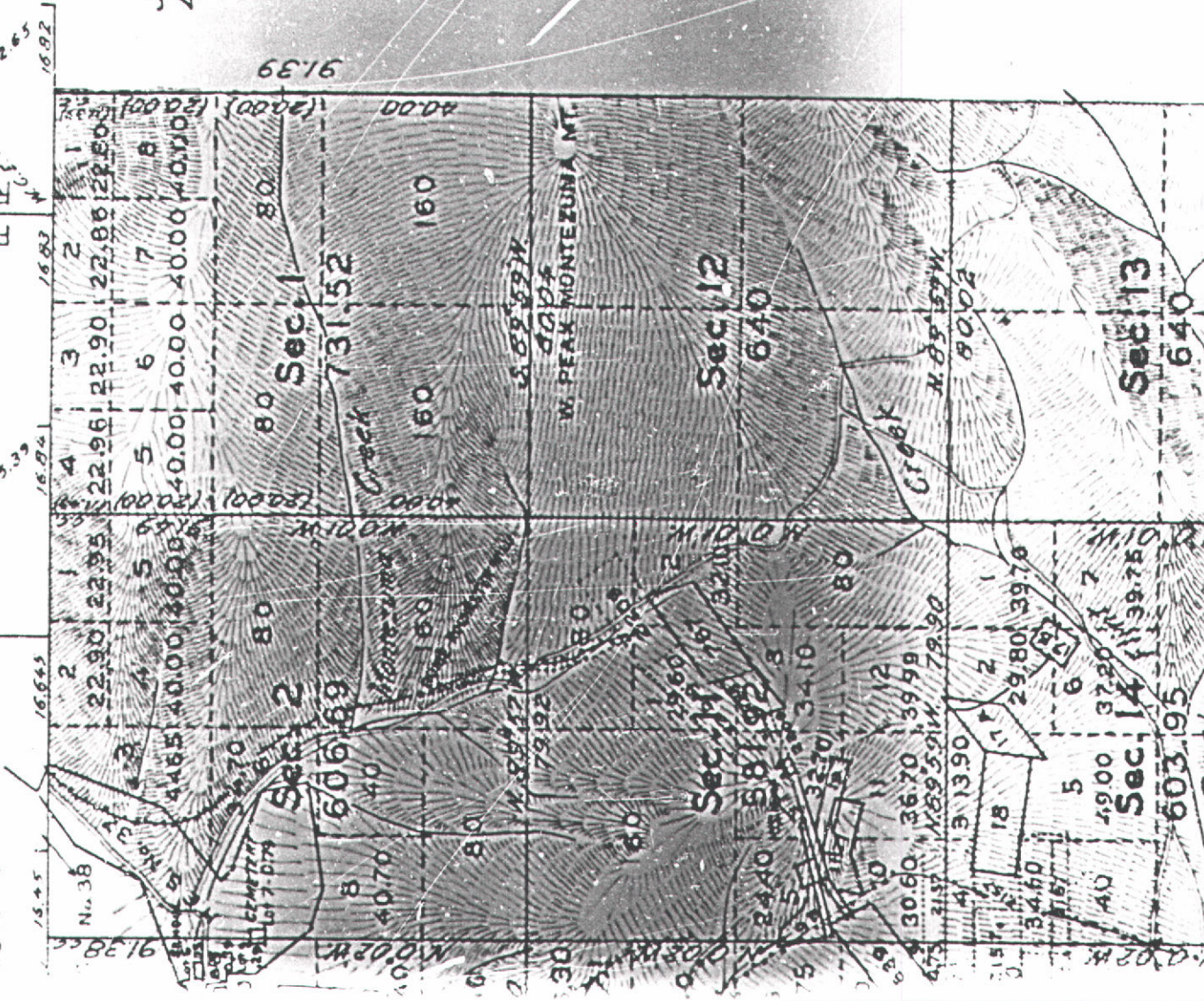
BOISE MERIDIAN, IDAHO.

Sec. 35

Sec. 36

Sec. 37

NORTH



LIST OF MINERAL CLAIMS

Survey No.	Claim Name
Lot 37	ATLANTA MINE AND MILLSITE
38	MASON CHAPMAN PLACER MINING CLAIM
3A	DALEY. LODE
3B	DALEY. MILLSITE
4	MONARCH "
5	GREENBACK "
6	MONARCH GOLD AND SILVER MINING CLAIM
7	BUFFALO MILLSITE
8	ATLANTA LODE
9A	SILVER TIDE "
9B	SILVER TIDE MILLSITE
10	ATLAS LODE
11A	MINNIE "
11B	MINNIE MILLSITE
12	LOTTIE LODE
13A	YREKA "
13B	YREKA MILLSITE
14	NELLIE LODE
15	HILL AND DAVIS "
17A	ALASKA No. 1 MILLSITE
17B	B. V. WARNER LODE
18	ALASKA No. 2 MILLSITE
19	LAST CHANCE LODE
20	ARTHUR MACY PLACER
539	ATLANTA No. 1 LODE
540	ATLANTA No. 2 "
541A	ATLANTA No. 3 "
542A	ATLANTA No. 4 "
542B	ATLANTA No. 4 MILLSITE
543A	ATLANTA No. 5 LODE
787	OLD CHUNI "
788	ATLANTA EAST EXTENSION "
915	TAHOMIA "

State of Idaho License and Certificate of Water Right

Water License No. 18506

Amount 0.5 second foot

Water District No.

Priority August 20, 1937

THIS IS TO CERTIFY that H. F. COORS of Atlanta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 20, 1937; that Permit No. 18506 was issued under said application; that Certificate of Completion of works, with a carrying capacity of Two (2) second feet, was issued thereunder on November 4, 1938, showing that said works were completed on the 7th day of October, 1938; and that on the 10th day of December, 1938,

H. F. COORS

of Atlanta, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Montezuma Creek, a tributary of No. Fork Boise River, for the purpose of irrigation and domestic use, under Use Permit No. 18506 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3968, on the 10th day of January, 1940;

The right hereby confirmed dates from August 20, 1937;

The Point of Diversion is located 781 ft. distant from the quarter corner of Secs. 2 & 3, Twp. 5 N., Range 11 E., B.M. in the SW 1/4 NW 1/4, Sec. 2, Tp. 5 N., R. 11 E., B.M. Elmore County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	11 E.		NW 1/4 NE 1/4	Metes and bounds description-being part of a certain patent recorded in the office of Co. Recorder Elmore Co. Book 17 of Patents-page 98 - 142.59	10 15 25

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of January, 1940

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

63 2589

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 63-2539
Date Received: 7/13/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

GREENE TREE INC Phone: (208)864-2168

#1 GREYLOCK LANE
ATLANTA ID USA 83601

2. Date of Priority: 05/01/1866

3. Source: MONTEZUMA CREEK Trib. to: BOISE RIVER MIDDLE FORK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
05N	11E	2	SW NW	ELMORE	
05N	11E	2	SW NW	ELMORE	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	1	

7. Total Quantity Appropriated is:
1 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
05N	11E	2	NW NW	IRRIGATION	10
Section Acres					10

05N	11E	3	NE	NE	IRRIGATION	15
					Section Acres	15
					Total Acres	25

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

This right was licensed with a priority date of 8/20/1937 for .5 cfs; however, appears decree was issued at 1.0 cfs with 1866 priority date. See decree in file. Due to tailings side in 1997, right has not been used, waiting for clean-up.

15. Basis of Claim: Decreed

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 AL3-02539
Date Received 7-13-01
Receipt Number W028032

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

Please type or print clearly

1. Name of Claimant (s) Greene Tree Inc Phone 608) 864-2168

Mailing Address #1 Greylock Lane Zip 83601

2. Date of Priority (Only one (1) per claim) 3/20/1937 May 1, 1866

3. Source of water supply (a) Monterezuma Creek
which is tributary to (b) Middle Fork of Boise

4. a. Location of existing point of diversion is: Township 5N Range 11E Section 2,
1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Elmore

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section , _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates , Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-15 to 10-31 amount 201.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
5N	11E	2						10											10
5N	11E	3	15																15

Total number of acres irrigated 25

11. In which county (ies) are lands listed above as place of use located? Elmore

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None ()

14. Remarks:
This right was licensed w/priority date of 8/20/1937 for .5 cfs;
however, appears decree was issued at 1.0 cfs with
1866 priority date. See decree in file.
Due to tailings side in 1997, right has not been used.
waiting for clean-up.

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number _____

Court _____ Case Number 555 File 9 Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) _____ Date _____

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am General Manager Title _____

of Greene Tree Inc. Organization _____, that I have signed the foregoing

document in the space below as General Mgr Title _____ of Greene Tree Inc. Organization _____

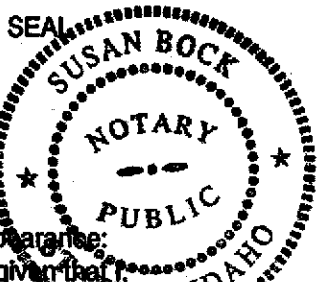
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent J-B

Title and Organization G.M. Greene Tree Inc Date 7/13/01

State of Idaho/or Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 13th day of July 2001



Notary Public Susan Bock

Residing at Helber

My Commission Expires 10/23/2004

Please Print Name

17. Notice of Appearance:
Notice is hereby given that _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

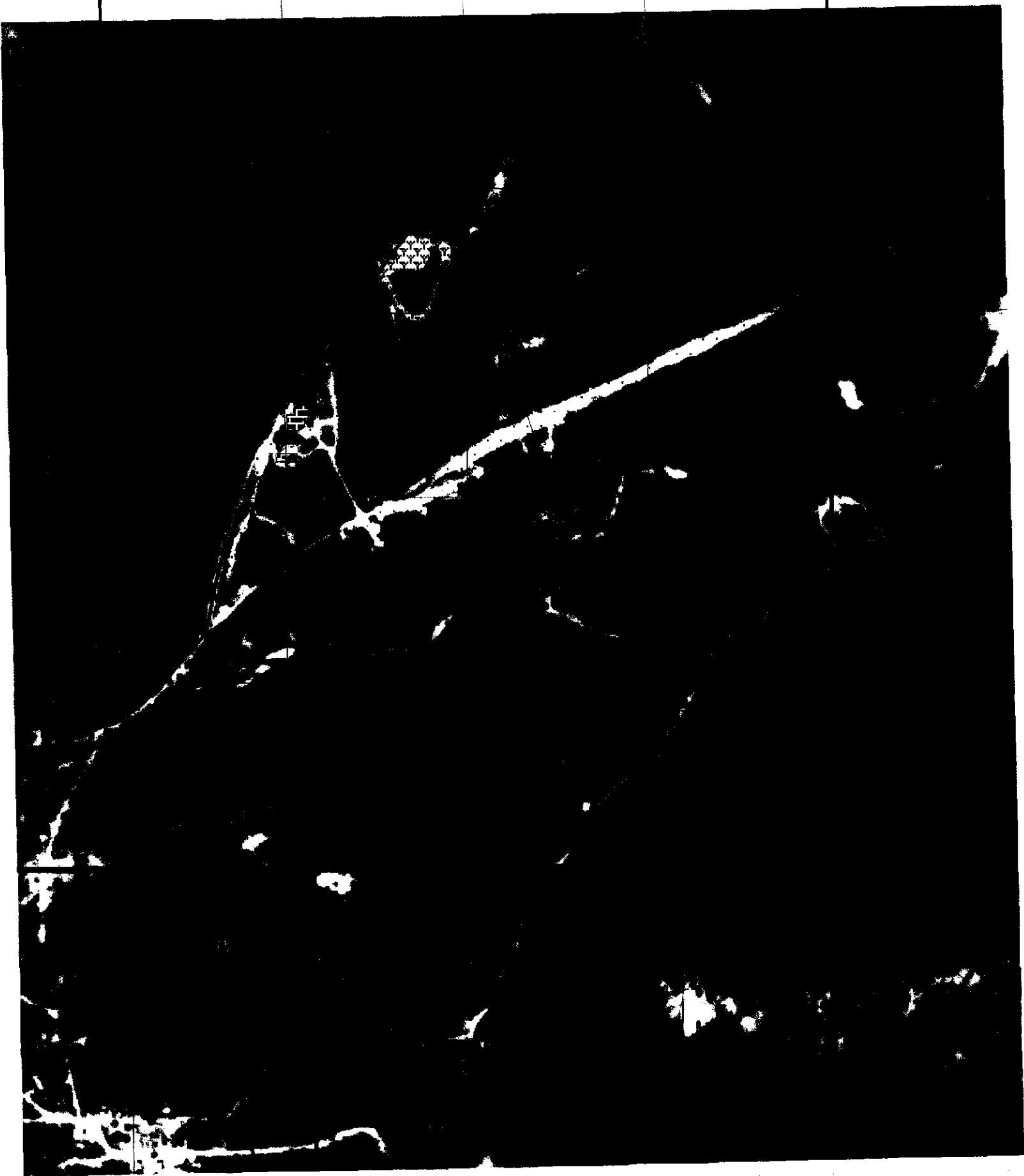
Date _____

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

NOTE: COPY FROM LICENSE
FILE - DEPOSITION OF HOLDER
- COORS - SHOWS NOTARIZED
AFFIDAVIT STATING USE
DATES BACK TO 1865. SAME
LEGAL AS ON DECKIE
& SAME LEGAL FIELD ^(ATTACHED)
EXAMINED & LICENSED.
EVIDENCE TO VALIDATE
DECKIE MATCHES.





IF IS FURTHER ORDERED, ADJUDGED AND DECREED That neither the plaintiff nor the defendant shall re-marry, except to each other, within six months from the date of this decree.

Done in chambers at Boise, in the County of Ada, State of Idaho, this 20th day of December, 1941.

Charles E. Winstead
District Judge

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF ELMORE.

File 9
Case No. 555
Date Filed 1-3-42
3:30 o'clock P.M.
James A. O'Neill
CLERK OF COURT,

H. F. COORS,

Plaintiff,

-VS-

TALACHE MINES, INCORPORATED,
a corporation,

Defendant.

DECREE

This cause came on regularly for trial before the Court on the 31st day of December, 1941, Eugene H. Anderson appearing as counsel for the plaintiff and W. H. Langroise and W. E. Sullivan, appearing as attorneys for the defendant. The cause was tried before the Court without a jury, a trial by jury having been waived by counsel for the respective parties. Thereupon, a stipulation and agreed statement of facts signed by the plaintiff and his said attorney and by the defendant and its said attorneys was submitted to the above entitled court and filed in the above entitled cause, and no further evidence was submitted by either the plaintiff or the defendant, and the cause was submitted to the Court for consideration and decision. After due deliberation thereon the Court made its decision in writing, consisting of findings of fact and conclusions of law, and ordered that judgment be entered in accordance therewith;

WHEREFORE, by reason of the law and the decision aforesaid, IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

I

That the plaintiff H. F. Coors be, and he is hereby awarded fifty miner's inches being a flow of one cubic foot per second of time of the waters of Montezuma Creek dated from and with the date of priority of the 1st day of May, 1866, for the irrigation of the lands and premises situate in the County of Elmore, State of Idaho, bounded and particularly described as follows, to-wit:

Commencing at United States Mineral Monument No. 2 in the Middle Boise Mining District, in the County of Elmore, State of Idaho, running thence south eighty-nine degrees forty minutes east 1215.06 feet to a point, being corner No. 1, thence north one degree twenty minutes west 122.87 feet to a point being corner No. 2, thence north eighty-two degrees eight minutes thirty seconds east 215.10 feet to corner No. 3, thence north five degrees fifty-three minutes west 493.02 feet to corner No. 4, thence north twenty-four degrees eight minutes west 1,279.74 feet to corner No. 5 thence north one degree thirty minutes thirty seconds west 551.76 feet to corner No. 6, thence north eighty-five degrees forty-six minutes thirty seconds east 2,272.38 feet to corner No. 7, thence north nineteen degrees thirty-nine minutes thirty seconds east 420.42 feet to corner No. 8, thence north thirteen degrees eight minutes east 609.84 feet to corner No. 9, thence north sixty degrees twenty-nine minutes thirty seconds east 1011.12 feet to corner No. 10, thence south twenty-six degrees forty-eight minutes thirty seconds east 1059.96 feet to corner No. 11, thence south forty-four degrees three minutes thirty seconds west 583.44 feet to corner No. 12, thence south thirty degrees twenty-one minutes thirty seconds east 207.90 feet to corner No. 13, thence south forty-three degrees forty-eight minutes thirty seconds west 212.52 feet to corner No. 14, thence south thirty-four degrees fifty-nine minutes west 500.28 feet to corner No. 15, thence south fifty-four degrees five minutes thirty seconds west 801.24 feet to corner No. 16, thence south twenty-seven degrees twenty-seven minutes west 900.24 feet to corner No. 17, thence south sixty-seven degrees twelve minutes west 1403.82 feet to corner No. 18, thence south forty-one degrees twenty-four minutes west 193.38 feet to corner No. 19, thence south eighty-eight degrees fifty-one minutes west 118.80 feet to corner No. 20, thence north ten degrees ten minutes west 55.44 feet to corner No. 21, thence south eighty-eight degrees thirty-five minutes west 175.38 feet more or less to corner No. 1, the corner of beginning, excepting that portion of the above described premises particularly described as follows, to-wit: Beginning at a point being corner No. 18 referred to in the within and foregoing description, running thence north thirty-four degrees thirty-seven minutes west a distance of 16.56 feet, to a point being the real point of beginning, running thence north nineteen degrees twenty-four minutes west a distance of 165.04 feet to a point, thence north sixty-nine degrees twenty-seven minutes east a distance of 91.40 feet to a point, thence north sixty-seven degrees twelve minutes east a distance of 80 feet to a point, thence north thirty-nine degrees forty-five minutes west a distance of 50 feet to a point, thence north sixty-seven degrees twelve minutes east a distance of 200 feet to a point, thence south thirty-nine degrees forty-five minutes east a distance of 50 feet to a point, thence north sixty-seven degrees twelve minutes east a distance of 100 feet to a point, thence south thirty-nine degrees forty-five minutes east a distance of 150 feet to a point, thence south sixty-seven degrees twelve minutes west a distance of 380 feet to a point, thence south thirty-nine degrees forty-five minutes east a distance of 20 feet to a point, thence south sixty-seven degrees forty-six minutes west a distance of 150.77 feet to a point being the point of the real place of beginning;

And, that certain tract of land bounded and more particularly described as follows, to-wit:

Beginning at corner No. 4, of Homestead Entry Survey No. 37; thence south 67°12' west 554 feet; thence south 64°26' east 322.74 feet; thence south 80°41'30" East 492.01 feet; thence north 18°42' East 485.43 feet; thence north 66°55' West 363.09 feet; thence south 27°27' West 190 feet to said Corner No. 4, the place of beginning.

That the plaintiff H. F. Coors owns and that he be, and he is hereby awarded for the irrigation of

his said lands the right to use the main or principal ditch constructed for the irrigation of such lands and known as the "upper ditch" which taps and has its diversion point in Montezuma Creek on the easterly bank thereof about three-eighths of a mile southeasterly from said land of the plaintiff and runs thence in a northerly direction to and upon the said land of the plaintiff, and the ditches in the lands of the plaintiff tapping Montezuma Creek for the irrigation thereof and all other ditches used by the plaintiff in the irrigation of his said lands, and the points of diversion for all such ditches;

II

That the defendant Talache Mines, Incorporated, be, and it is hereby awarded fifty miner's inches being a flow of one cubic foot per second of time of the waters of Montezuma Creek dated from and with the date of priority of the 1st day of May, 1866, for the irrigation of its lands situate, lying and being in Elmore County, Idaho, and particularly described as follows, to-wit:

That certain Homestead Survey No. 37, embracing a portion of the unsurveyed public domain in Elmore County, Idaho, which said homestead was patented to George E. Butler (sometimes called George Edmund Butler) by United States patent recorded in Book 17 of patents, at page 99 thereof, records of Elmore County, Idaho, reserving therefrom, however, a certain tract of land hereinafter particularly described.

Said Homestead Survey No. 37 is described as follows:

Beginning at corner No. 1 a fir post 6 x 6 x 40 inches, marked "Cor. No. 1, H.E.S. No. 37", from which U. S. Mineral Monument No. 2, Middle Boise Mining District, bears North eighty-eight degrees, twenty-one minutes West twenty-six and forty-four, hundredths chains distant; thence North eighty-seven degrees, thirty-seven minutes East seventy-one-hundredths of a chain to corner No. 2; thence North forty-one degrees, twenty-four minutes East two and ninety-three hundredths chains to corner No. 3; thence North sixty-seven degrees, twelve minutes East twenty-one and twenty-seven-hundredths chains to corner No. 4; thence North twenty-seven degrees, twenty-seven minutes East thirteen and sixty-four-hundredths chains to corner No. 5; thence North fifty-four degrees, five minutes, thirty seconds East twelve and fourteen-hundredths chains to corner No. 6; thence South sixty-eight degrees, fifty-two minutes East five and ninety-three-hundredths chains to corner No. 7; thence South twenty-two degrees, twenty minutes, thirty seconds West twenty-three and five-tenths chains to corner No. 8; thence South fifty degrees, forty-one minutes, thirty seconds West seventeen and fifty-six-hundredths chains to corner No. 9; thence South forty-five degrees, eighteen minutes East four and five-hundredths chains to corner No. 10; thence South sixty-nine degrees, forty-six minutes, thirty seconds East fifteen and five-hundredths chains to corner No. 11; thence South nine degrees East nine and two-hundredths chains to corner No. 12; thence South eighty-three degrees, six minutes West nineteen and forty-five-hundredths chains to corner No. 13; thence North seventy-three degrees, forty-two minutes, thirty seconds West seven and ninety-five-hundredths chains to corner No. 14; thence North thirty-nine degrees, fifty-three minutes West twelve and seventy-eight-hundredths chains to corner No. 15; thence North three degrees, thirteen minutes West five and thirty-six-hundredths chains to corner No. 16; thence South eighty-nine degrees, one minute, thirty seconds West one and fifty-four-hundredths chains to corner No. 17; thence North eight degrees, four minutes, thirty seconds West four and thirty-nine-hundredths chains to corner No. 18; thence South eighty-seven degrees, fifty-four minutes West two and seventeen-hundredths chains to corner No. 19; thence North one degree, nine minutes West three and four-hundredths chains to corner No. 1, the place of beginning; expressly excepting therefrom the Atlanta Cemetery, Stevens and Schoolhouse Tracts, more particularly described as follows:

Beginning, for the description of the Atlanta Cemetery, at corner No. 20, a fir post, marked "Cor. No. 20, H.E.S. No. 37, from which corner No. 15 of the said H. E. Survey No. 37 bears north seventy-seven degrees, one minute West five and seventy-seven-hundredths chains distant; thence North one degree, twenty minutes West three and twenty-seven-hundredths chains to corner No. 21; thence South eighty-nine degrees East three and twenty-nine-hundredths chains to corner No. 22; thence South fifty-six minutes East three and twenty-nine-hundredths chains to corner No. 23; thence North eighty-eight degrees, thirty-eight minutes West three and twenty-seven-hundredths chains to corner No. 20, the place of beginning.

Beginning, for the description of the Stevens Tract, at corner No. 24, a fir post marked "Cor. No. 24, H.E.S. No. 37", from which corner No. 16 of the said H. E. Survey No. 37 bears South fifty-two degrees, thirty-nine minutes West two and seventy-six-hundredths chains distant; thence North four degrees, fifty-one minutes West one and eighty-six-hundredths chains to corner No. 25; thence North eighty-nine degrees, thirty-nine minutes East two and six-hundredths chains to corner No. 26; thence South twelve degrees, six minutes East one and eighty-one-hundredths chains to corner No. 27; thence South eighty-seven degrees, thirty-one minutes West two and twenty-eight-hundredths chains to corner No. 24; the place of beginning.

Beginning, for the description of the Schoolhouse Tract, at corner No. 28, a fir post marked "Cor. No. 28, H.E.S. No. 37", from which corner No. 18 of the said H. E. Survey No. 37 bears South eighty-seven degrees, forty-five minutes West sixty-five-hundredths of a chain distant; thence North six degrees, eleven minutes West one and ninety-two-hundredths chains to corner No. 29; thence North eighty-seven degrees, thirty minutes East four and three-hundredths chains to corner No. 30; thence South two degrees, six minutes West one and ninety-seven-hundredths chains to corner No. 31; thence South eighty-eight degrees, fifteen minutes West three and seventy-five hundredths chains to corner No. 28, the place of beginning;

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, including all water and ditch rights of every kind, nature, and description, however evidenced, used upon said land, and especially all rights of every kind and description owned by the grantor in or to the waters of what is known as Montezuma Creek and/or Montezuma Gulch, and including those certain water rights and ditch rights conveyed to George E. Butler by Mary E. Turner and Lena Turner by deed dated November 18, 1903, and recorded in the office of the County Recorder of Elmore County, Idaho.

Except, however, from the above described property the following portion of said Homestead Survey No. 37, to-wit:

Beginning at corner No. 4 of Homestead Survey No. 37; thence South 67 degrees 12 minutes West 554 feet; thence South 64 degrees 26 minutes East 322.74 feet; thence South 80 degrees 41 minutes 30 seconds East 492.01 feet; thence North 18 degrees 42 minutes East 485.43 feet; thence North 66 degrees 55 minutes West 363.09 feet; thence South 27 degrees 27 minutes West 190 feet to said corner No. 4, the place of beginning.

That defendant has been said owner of said property since December 30, 1936.

That the defendant Talache Mines, Incorporated, owns and that it be and is hereby awarded for the irrigation of its said lands the right to use the ditches constructed for the irrigation of such lands, one of which said ditches taps said Montezuma Creek on the east bank thereof on the above described lands of such defendant at a diversion point approximately five hundred feet above the Montezuma Creek bridge, which point is more specifically described as approximately north twenty-two degrees east 950 feet from corner No. 14 at H. E. Survey No. 37, and another of which said ditches taps said Montezuma Creek on the west bank thereof

approximately 900 feet above or southerly from the Montezuma Creek bridge near what is known as the Stevens tract which point of diversion is more specifically described as being approximately north forty-two degrees east 700 feet from the corner No. 14 of said H. E. Survey No. 37, and that another of said ditches taps said Montezuma Creek on the west bank thereof approximately fifty feet below or northerly from the Montezuma Creek bridge which point of diversion is more specifically described as being approximately north eighty-seven degrees forty-seven minutes east 750 feet from the corner No. 18 of said H. E. Survey, and the point of diversion for all such ditches.

III

That the defendant Talache Mines, Incorporated, be, and it is hereby awarded the use of thirty miner's inches, being a flow of three-fifths of a cubic foot per second of time of the waters of Montezuma Creek, dated from and with the date of priority of December 31, 1913, for mining and milling purposes in connection with the following described property, situate, lying and being near Atlanta, in Elmore County, Idaho, and more particularly described as follows:

Ten patented lode mining claims described as follows:

(a) Atlanta Lode Mining Claim No. 1, being 1,500 linear feet in length along the lode or vein and 300 feet in width on each side from the center of said lode or vein, being lot No. 57, and described in the field notes and plat of the official survey as survey No. 539 and containing 20.488 acres, more or less;

(b) Atlanta Lode Mining Claim No. 2, being 1,500 linear feet in length along the lode or vein and 392.95 feet in width, known as Lot No. 58, and described in the field notes and plat of the official survey as Survey No. 540, and containing 13.571 acres;

(c) Atlanta Lode Mining Claim No. 3, being 1,500 linear feet in length along the vein or lode and 484.45 feet in width, known as Lot No. 59A, and described in the field notes and plat of the official survey as Survey No. 541A, containing 16.682 acres. Also the millsite in connection therewith known as Lot No. 59B, and Survey No. 541B, containing 3.941 acres.

(d) Atlanta Lode Mining Claim No. 4, being 1,500 linear feet in length along the vein or lode and 300 feet in width on each side of the center of said vein or lode, known as Lot No. 60A, and described in the field notes and plat of the official survey as Survey No. 542A, containing 19.439 acres. Also the millsite in connection therewith known as Lot No. 60B, and Survey No. 542B, containing 5 acres.

(e) Atlanta Lode Mining Claim No. 5, being 1,500 linear feet in length along the vein or lode and 300 feet in width on each side of the center of the vein or lode, known as Lot No. 61A, and described in the field notes and plat of the official survey as Survey No. 543A, containing 20.132 acres. Also the millsite in connection therewith, known as Lot No. 61B, and Survey No. 543B, containing 4.292 acres.

The three millsites above described are known and generally referred to as Grouse Creek Millsite Nos. 1 and 2, and Yuba River Millsite.

being the same property conveyed to Foster S. Naething by Florence O'Malia, Treasurer and ex-officio Tax Collector of the County of Elmore, State of Idaho, by deed dated March 13, 1922, and recorded March 20, 1922 in the office of the Recorder of Elmore County in Book 20 of Mining Deeds at page 500.

f) General Pettit No. 1 Lode Mining Claim, General Pettit No. 2 Lode Mining Claim, General Pettit No. 3 Lode Mining Claim, all situated in the Middle Boise Mining District in Elmore County, Idaho. Reference is hereby made to the patent of said General Pettit No. 1, General Pettit No. 2, and General Pettit No. 3 Lode Mining Claims, recorded at page 499, in Book 15 of the records of patents in the office of the County Recorder of Elmore County, Idaho, for a more full and particular description of said General Pettit No. 1, General Pettit No. 2, and General Pettit No. 3 Lode Mining Claims.

g) "Old Chunk" Lode Mining Claim, situated in the Middle Boise Mining District in Elmore County, Idaho, known and described as United States Mineral Survey Lode No. 787. Reference is hereby made to the patent of said "Old Chunk" Lode Mining Claim recorded at page 203, Book 15 of Records of Patents, in the office of the County Recorder of Elmore County, Idaho, for a more full and particular description of said "Old Chunk" Lode Mining Claim.

h) "Atlanta East Extension" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, Idaho, and known and described as U. S. Mineral Survey Lode No. 788. Reference is hereby made to the patent of said Atlanta East Extension Lode Mining Claim, recorded at page 207, in Book 15 of the Records of Patents in the office of the County Recorder of Elmore County, Idaho, for a more full and particular description of said Atlanta East Extension Lode Mining Claim.

twelve unpatented lode mining claims described as follows:

a) "Lucky Strike No. 1" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the amended location notice as recorded at page 396, in Book 9 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

b) "Lucky Strike No. 2" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the amended location notice thereof as recorded at page 398, in Book 9 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

c) "Lucky Strike No. 3" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded at page 620 in Book 11 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

d) "Lucky Strike No. 4" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded at page 619, in Book 11 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

e) "Webfoot" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the amended location notice thereof as recorded at page 142, Book 9 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

f) "Sylvan" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded at page 82, in Book 11 of the records of

quartz mining locations, in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

(g) "Honemoon" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded at page 84, Book 11 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

(h) "LaLoma" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded at page 83, in Book 11 of the records of quartz mining locations, in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

(i) "Rochester" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded at page 85, Book 11 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

(j) "Amalgamator" Lode Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded at page 96, Book 11 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

(k) "John Bascom No. 1" Lode Mining Claim, situated in the Middle Boise Mining District, near the town of Atlanta, County of Elmore, State of Idaho, on the west side of what is known as Montezuma Gulch, the same being more fully described in the location notice thereof on file in the office of the County Recorder of Elmore County, Idaho.

(l) "John Bascom No. 2" Lode Mining Claim, situated in the Middle Boise Mining District, near the town of Atlanta, County of Elmore, State of Idaho, on the west side of what is known as Montezuma Gulch, the same being more fully described in the location notice thereof on file in the office of the County Recorder of Elmore County, Idaho.

Four fractional mining claims known as the Alpha Claims, as follows:

(a) "Alpha" Quartz Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded in Book 12, at page 207 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

(b) "Alpha No. 1" Quartz Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded in Book 12, at page 208 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

(c) "Alpha No. 2" Quartz Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded in Book 12, at page 209 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

(d) "Alpha No. 3" Quartz Mining Claim, situated in the Middle Boise Mining District, in Elmore County, State of Idaho. Reference is hereby made to the location notice thereof as recorded in Book 12, at page 210 of the records of quartz mining locations in the office of the County Recorder of Elmore County, Idaho for a more full and particular description thereof.

Six unpatented placer claim locations, as follows:

(a) That certain placer claim known as the "Beta" Placer Claim, location notice of which is recorded in Book 32 of Placer Mining Claims, at page 331 thereof, records of Elmore County, Idaho, to which records reference is made for a more full and complete description thereof.

(b) That certain placer claim known as the "Beta No. 1" Placer Claim, location notice of which is recorded in Book 32 of Placer Mining Claims, at page 333 thereof, records of Elmore County, Idaho, to which records reference is made for a more full and complete description thereof.

(c) That certain placer claim known as the "Beta No. 2" Placer Claim, location notice of which is recorded in Book 32 of Placer Mining Claims, at page 335 thereof, records of Elmore County, Idaho, to which records reference is made for a more full and complete description thereof.

(d) That certain placer claim known as the "Beta No. 3" Placer Claim, location notice of which is recorded in Book 32 of Placer Mining Claims, at page 337 thereof, records of Elmore County, Idaho, to which records reference is made for a more full and complete description thereof.

(e) That certain placer claim known as the "Beta No. 4" Placer Claim, location notice of which is recorded in Book 32 of Placer Mining Claims, at page 339 thereof, records of Elmore County, Idaho, to which records reference is made for a more full and complete description thereof.

(f) That certain placer claim known as the "Beta No. 5" Placer Claim, location notice of which is recorded in Book 32 of Placer Mining Claims, at page 341 thereof, records of Elmore County, Idaho, to which records reference is made for a more full and complete description thereof.

Eight unpatented millsite locations, as follows:

(a) "Wayne D" Millsite, situated in the Middle Boise Mining District in Elmore County, State of Idaho. Reference is hereby made to the location notice of said "Wayne D" Millsite recorded at page 54, in Book 39, of the records of millsites in the office of the Recorder of Elmore County, Idaho, for a more full and particular description of said "Wayne D" Millsite.

(b) "Rochester" Millsite, situated in the Middle Boise Mining District in Elmore County, Idaho. Reference is hereby made to the location notice of said "Rochester" Millsite, recorded at page 53, in Book 39 of the records of millsites, in the office of the County Recorder of Elmore County, Idaho, for a more full and particular description of said "Rochester" Millsite.

(c) "Montezuma Millsite, situated in the Middle Boise Mining District, in Elmore County, Idaho. Reference is hereby made to the location notice of said "Montezuma" Millsite, recorded at page 57, in Book 39, of the records of millsites in the office of the Recorder of Elmore County, Idaho, for a more full and particular description of said "Montezuma" Millsite.

) "Highway" Millsite, situated in the Middle Boise Mining District in Elmore County, Idaho. Reference is hereby made to the location notice of said "Highway" Millsite, recorded at page 56, in Book 39, of the Records of Millsites, in the office of the Recorder of Elmore County, Idaho, for a more full and particular description of said "Highway" Millsite.

) "Tillman" Millsite, situated in the Middle Boise Mining District in Elmore County, State of Idaho. Reference is hereby made to the location notice of said "Tillman" Millsite recorded at page 55, in Book 39, of the records of millsites in the office of the County Recorder of Elmore County, Idaho, for a more full and particular description of said "Tillman" Millsite.

) "Newport" Millsite, situated in the Middle Boise Mining District in Elmore County, Idaho. Reference is hereby made to the location notice of said "Newport" Millsite, recorded at page 261, in Book 35 in the Miscellaneous Records in the office of the Recorder of Elmore County, Idaho, for a more full and particular description of said "Newport" Millsite.

) "Hamilton" Millsite, situated in the Middle Boise Mining District in Elmore County, Idaho. Reference is hereby made to the location notice of said "Hamilton" Millsite, recorded at page 260, in Book 35 of the Miscellaneous Records in the office of the Recorder of Elmore County, Idaho, for a more full and particular description of said "Hamilton" Millsite.

) "Daly" Millsite, situated in the Middle Boise Mining District in Elmore County, Idaho. Reference is hereby made to the location notice of said "Daly" Millsite, recorded at page 262, in Book 35, of the Miscellaneous records in the office of the Recorder of Elmore County, Idaho, for a more full and particular description of said "Daly" Millsite.

That defendant has been the owner of said property since December 30, 1936.

That the defendant Talache Mines, Incorporated, owns and that it be, and it is hereby awarded the right to use the ditches for the use of such water right in its mining and milling operations and also its rights of diversion therefor on the west bank of Montezuma Creek approximately thirty-five degrees east 1600 feet, from the mill building of the defendant, and the ditch, pipe line and conduit for conveying and conducting such water to the mill and mine of the defendant.

IV

That the defendant Talache Mines, Incorporated, be, and it is hereby awarded five miner's inches of water per second of time of water from the east fork of Montezuma Creek dated from and with the date of priority of December 31, 1905, for domestic purposes at the mining camp of the said defendant near Atlanta, Idaho, and that such defendant owns and that it be and it is hereby awarded its point of diversion and conduit for conducting and conveying said water to said mining claim, said point of diversion being on the south bank of the east fork of Montezuma Creek approximately twenty-eight degrees east 1900 feet from the mill building of defendant which mill building is on the John Bascom No. 1 lode mining claim hereinbefore described near the northeast corner thereof, and the pipe line and flumes for conveyance of said water to said mining camp.

V

That the plaintiff's said right in the amount of fifty miner's inches for the irrigation of his said lands and defendant's said right in the amount of fifty miner's inches for the irrigation of its said lands, said rights being of equal priority, be, and the same said rights shall be used for the irrigation of both said tracts of land in rotation, the plaintiff and defendant to have the right to use the entire one hundred inches with the priority of May 1, 1866, alternately, the plaintiff to use all such right for the first seven days in each irrigation season and the defendant to use all such right for the next seven days and plaintiff and defendant then to use the water alternately for seven days each thereafter during each irrigation season.

VI

That each the said plaintiff and defendant, their agents, attorneys, employees and privities and their successors in interest shall be and are hereby enjoined and restrained from interfering in any manner with the flow of such stream except as provided in this decree.

VII

That each the plaintiff and defendant shall pay his and its own costs and disbursements in this action.

Done in open Court this 31st day of December, 1941.

Charles E. Winstead
District Judge.

Idaho Department of Water Resources Receipt

Receipt ID W028032

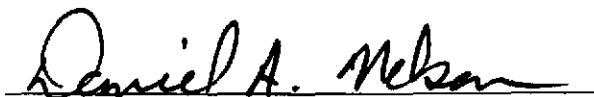
Payment Amount \$175.00 Date Received 7/13/2001 10:25:29 AM Region Western Status ☐
Payment Type Check Check Number 5501

Payer PINNACLE PEAKS SAWTOOTH LODGE, GREENE

Comment Application for permit (100.00) and adjudication claim for water right 63-22539 (75.00).

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$75.00	ADJUDICATION FILING FEE	0337		42503	1155
\$100.00	PERMITS	0229	21	62103	1155

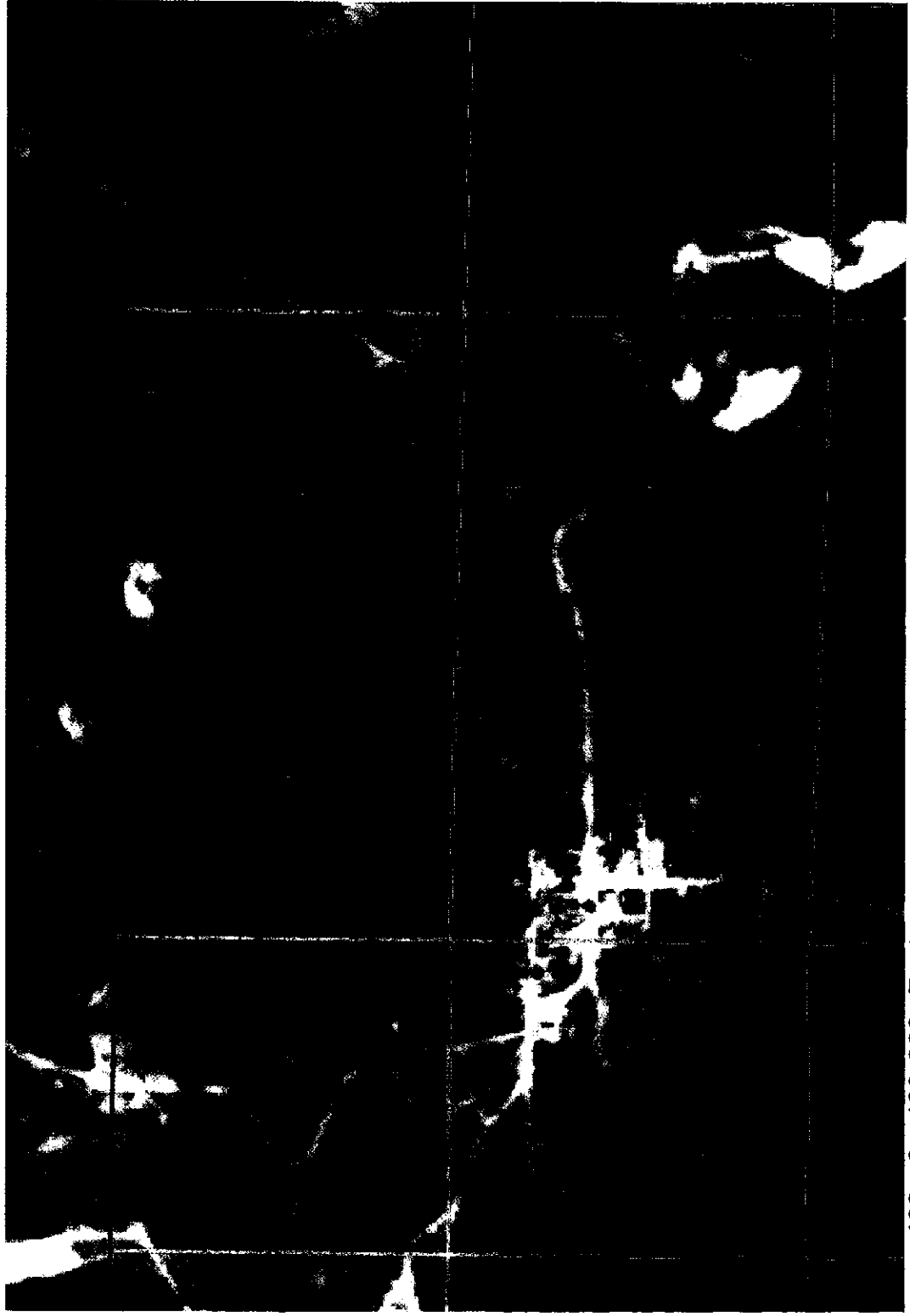


Signature Line (Dept. Representative)

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-2539
T05N, R11E, Sec 2, 3
Prepared by: Maria Minicucci
February 12, 2002

- ☐ Place of use
- ☒ Point of diversion
- ☐ Section Lines
- ☐ Quarter quarter lines



400 0 400 800 Feet

02/25/2002

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2539
NAME AND ADDRESS: GREENE TREE INC
1 GREYLOCK LN
ATLANTA ID 83601
SOURCE: MONTEZUMA CREEK TRIBUTARY: MIDDLE FORK BOISE RIVER
QUANTITY: 0.50 CFS
PRIORITY DATE: 05/01/1866
POINT OF DIVERSION:
T05N R11E S2 SWNW Within ELMORE County
PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	0.500 CFS

PLACE OF USE: IRRIGATION Within ELMORE County

T05N R11E S02	NWNW 10.0	T05N R11E S03	NENE 15.0
---------------	-----------	---------------	-----------

25 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

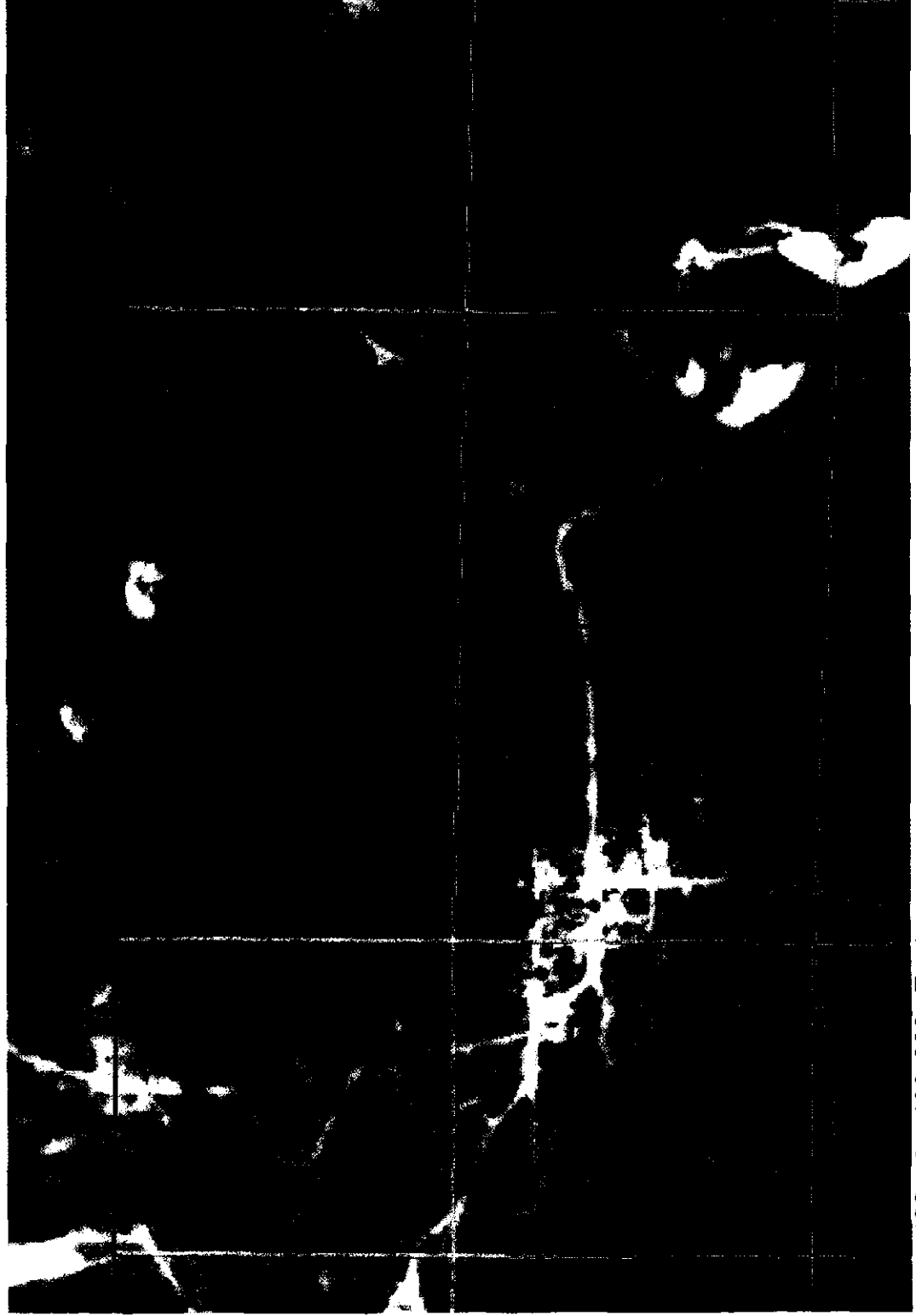
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: Decreed

IDAHO DEPT OF WATER RESOURCES

Claim No(s) 63-2539
T05N, R11E, Sec 2, 3
Prepared by: Maria Minicucci
February 12, 2002

- ☐ Place of use
- ☒ Point of diversion
- ☐ Section Lines
- ☐ Quarter quarter lines



400 0 400 800 Feet



1987 NAPP

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO.

RECEIVED

FEB 6 1937

PERMIT NO. 18506

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. H. T. Coors, Age 48, Residence, Las Vegas, Nevada.

Occupation farmer and manufacturer. Postoffice address, Atlanta, Idaho.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 18506, date of permit, Sept. 29, 1937, date of actual priority or use the year 1885.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Montezuma Creek tributary of Middle Fork of Boise River. Point of diversion 781 ft. distant from quarter sec. corner of secs. 2 & 3, Twp. 5 N., Rng. 11 E., S. 1, and in SW 1/4, Sec. 2, Twp. 5 N., Rng. 11 E., S. 1, in Elmore County.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Small diversion dam 2 ft. high, 8 ft. long at top and 4 ft. long at bottom, of earth and gravel, and head gate 2 ft. wide and 2 ft. high and ditch 1.5 ft. wide at bottom and 2.5 ft. wide at water line, with water depth of 1 ft., and 1/2 mile long.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for irrigation and domestic use on lands, Exhibit A, at the end hereof, by this reference made a part hereof. The land consists of cultivated lands and natural meadow lands and the crops produced by irrigation of forage crops, grain crops and pasture.

Ques. 7. If for other than for irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. General domestic use on E. E. Survey No. in Elmore County.

18506

Quer. 8. What is the minimum amount of water required for the purpose specified above?

Ans. 8 cu. ft. per second of time

Quer. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Quer. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The waters diverted under this permit has been used continuously for the irrigation of the lands, exhibit A, since the year 1865.

Quer. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans.

(Sign)

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 10th day of December, A. D. 1938.

Notary Public for Idaho,
Residing at Mountain Home, Idaho

My commission expires Apr. 1, 1941

Exhibit A

Commencing at United States Mineral Monument No. 2 in the Middle Boise Mining District in the County of Elmore, State of Idaho, running thence south eighty-nine degrees, fort, minutes east eighteen, and forty-one hundredths chains to a point, thence north one degree, twenty minutes west one and thirty-nine hundredths chains to a point, thence north eighty-two degrees, eight minutes, thirty seconds east seven and forty-one hundredths chains to a point, thence north five degrees, fifty-three minutes west seven and forty-seven hundredths chains to a point, being the real point of beginning and being a corner designated Corner No. 4, thence north twenty-four degrees, eight minutes west nineteen and thirty-nine hundredths chains to corner No. 5, thence north one degree, thirty minutes, thirty seconds west eight and thirty-six hundredths chains to corner No. 6, thence north eighty-five degrees, forty-six minutes, thirty seconds east thirty-four and forty-three hundredths chains to corner No. 7, thence north nineteen degrees, thirty-nine minutes, thirty seconds east six and thirty-seven hundredths chains to corner No. 8, thence north thirteen degrees, eight minutes east nine and twenty-four hundredths chains to corner No. 9, thence north sixty degrees, twenty-nine minutes, thirty seconds east fifteen and thirty-two hundredths chains to corner No. 10, thence south twenty-six degrees, forty-eight minutes, thirty seconds east sixteen and six-hundredths chains to corner No. 11, thence south forty-four degrees, three minutes, thirty seconds west eight and eighty-four hundredths chains to corner No. 12, thence south thirty degrees, twenty-one minutes, thirty seconds east three and fifteen hundredths chains to corner No. 13, thence south forty-three degrees, forty-eight minutes, thirty seconds west three and twenty-two hundredths chains to corner No. 14, thence south thirty-four degrees, fifty-nine minutes west seven and fifty-eight hundredths chains to corner No. 15, thence south fifty-four degrees, five minutes, thirty seconds west twelve and fourteen hundredths chains to corner No. 16, thence south twenty-seven degrees, twenty-seven minutes west thirteen and sixty-four hundredths chains to corner No. 17, thence south sixty-seven degrees, twelve minutes west nine and twenty-seven hundredths chains to a point, thence north five degrees, fifty-three minutes west nine and twenty-seven hundredths chains to a point.

(Sign)

I hereby certify that the foregoing testimony was read to the above subscribed before his signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Boise, County of Ada, State of Idaho, on this 10th day of December, A. D. 1938.

Edna L. Clary
Notary Public for Idaho,
Residing at Mountain Home, Idaho

My commission expires Apr 1 24 1941

Exhibit A

Commencing at United States Mineral Monument No. 2 in the Middle Boise Mining District in the County of Elmore, State of Idaho, running thence south eighty-nine degrees, forty minutes east eighteen, and forty-one hundredths chains to a point, thence north one degree, twenty minutes west one and thirty-nine hundredths chains to a point, thence north eighty-two degrees, eight minutes, thirty seconds east seven and forty-one hundredths chains to a point, thence north five degrees, fifty-three minutes west seven and forty-seven hundredths chains to a point, being the real point of beginning and being a corner designated Corner No. 4, thence north twenty-four degrees, eight minutes west nineteen and thirty-nine hundredths chains to corner No. 5, thence north one degree, thirty minutes, thirty seconds west eight and thirty-six hundredths chains to corner No. 6, thence north eighty-five degrees, forty-six minutes, thirty seconds east thirty-four and forty-three hundredths chains to corner No. 7, thence north nineteen degrees, thirty-nine minutes, thirty seconds east six and thirty-seven hundredths chains to corner No. 8, thence north thirteen degrees, eight minutes east nine and twenty-four hundredths chains to corner No. 9, thence north sixty degrees, twenty-nine minutes, thirty seconds east fifteen and thirty-two hundredths chains to corner No. 10, thence south twenty-six degrees, forty-eight minutes, thirty seconds east sixteen and six-hundredths chains to corner No. 11, thence south forty-four degrees, three minutes, thirty seconds west eight and eighty-four hundredths chains to corner No. 12, thence south thirty degrees, twenty-one minutes, thirty seconds east three and fifteen hundredths chains to corner No. 13, thence south forty-three degrees, forty-eight minutes, thirty seconds west three and twenty-two hundredths chains to corner No. 14, thence south thirty-four degrees, fifty-nine minutes west seven and fifty-eight hundredths chains to corner No. 15, thence south fifty-four degrees, five minutes, thirty seconds west twelve and fourteen hundredths chains to corner No. 16, thence south twenty-seven degrees, twenty-seven minutes west thirteen and sixty-four hundredths chains to corner No. 17, thence south sixty-seven degrees, twelve minutes west nine and twenty-seven hundredths chains to a point, thence north five degrees, fifty-three minutes west nine and sixty-two hundredths chains to a point, thence south sixty-seven degrees, twelve minutes west fifteen and forty-one hundredths chains to said corner No. 4, the place of beginning, containing 142.59 acres, and being a portion of the lands bounded and described in that certain patent recorded in the office of the County Recorder of said County of Elmore, on the 14th day of April, A. D. 1913, in Book 17 of Patents at page 98.

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

Permit No. 18506

This proof is for Beneficial Use

In Water District No.

1. Name of applicant E. F. COORS
2. Source of water supply: Montezuma Creek, tributary of Middle Fork of Boise River
3. Location of point of diversion: Is in the SW 1/4 of Section 2
T. 5 N. R. 11 E. County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same: Diverts direct from stream (no dam required) through concrete box 3 ft. long, 15 ft wide $\frac{3}{4}$ 1 ft deep into a ditch which is 2 ft wide $\frac{3}{4}$ 15 ft deep.

5. Water is used for: Irrigation and domestic use

6. State whether or not water has been turned into works of diversion: yes

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 for other than irriga-

tion): Beginning at U.S. Mineral Monument No. 2 in the Middle Boise Mining District in the County of Elmore, State of Idaho, running thence S. 89° 40' E. 18.41 chains to a point; thence N. 1° 20' W. 1.39 chains to a point; thence N. 82° 8' 30" E. 7.41 chains to a point; thence N. 5° 53' W. 7.47 chains to a point; being the real place of beginning and being a corner designated Cor. No. 4; thence N. 24° 8' W. 19.39 chains to Cor. No. 5; thence N. 1° 30' 30" W. 8.36 chains to Cor. No. 6; thence N. 85° 46' 30" E. 34.43 chains to Cor. No. 7; thence N. 19° 39' 30" E. 6.37 chains to Cor. No. 8; thence N. 13° 8' E. 9.24 chains to Cor. No. 9; thence N. 60° 29' 30" E. 15.32 chains to Cor. No. 10; thence S. 26° 48' 30" E. 16.06 chains to Cor. No. 11; thence S. 44° 3' 30" W. 8.84 chains to Cor. No. 12; thence S. 30° 21' 30" E. 3.15 chains to Cor. No. 13; thence S. 43° 48' 30" W. 3.22 chains to Cor. No. 14; thence S. 34° 59' W. 7.58 chains to Cor. No. 15; thence S. 54° 5' 30" W. 12.14 chains to Cor. No. 16; thence S. 27° 27' E. 13.64 chains to Cor. No. 17; thence S. 67° 12' W. 9.27 chains to a point; thence N. 5° 53' W. 9.62 chains to a point; thence S. 67° 12' W. 15.41 chains to said Cor. No. 4, the place of beginning, containing 142.59 acres, and being a portion of the lands bounded and described in that certain patent recorded in the office of the County Recorder of said County of Elmore, on the 14th day of April, A.D. 1913, in Book 17 of Patents at page 98.

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

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

Remarks

This examination was made on the

26th

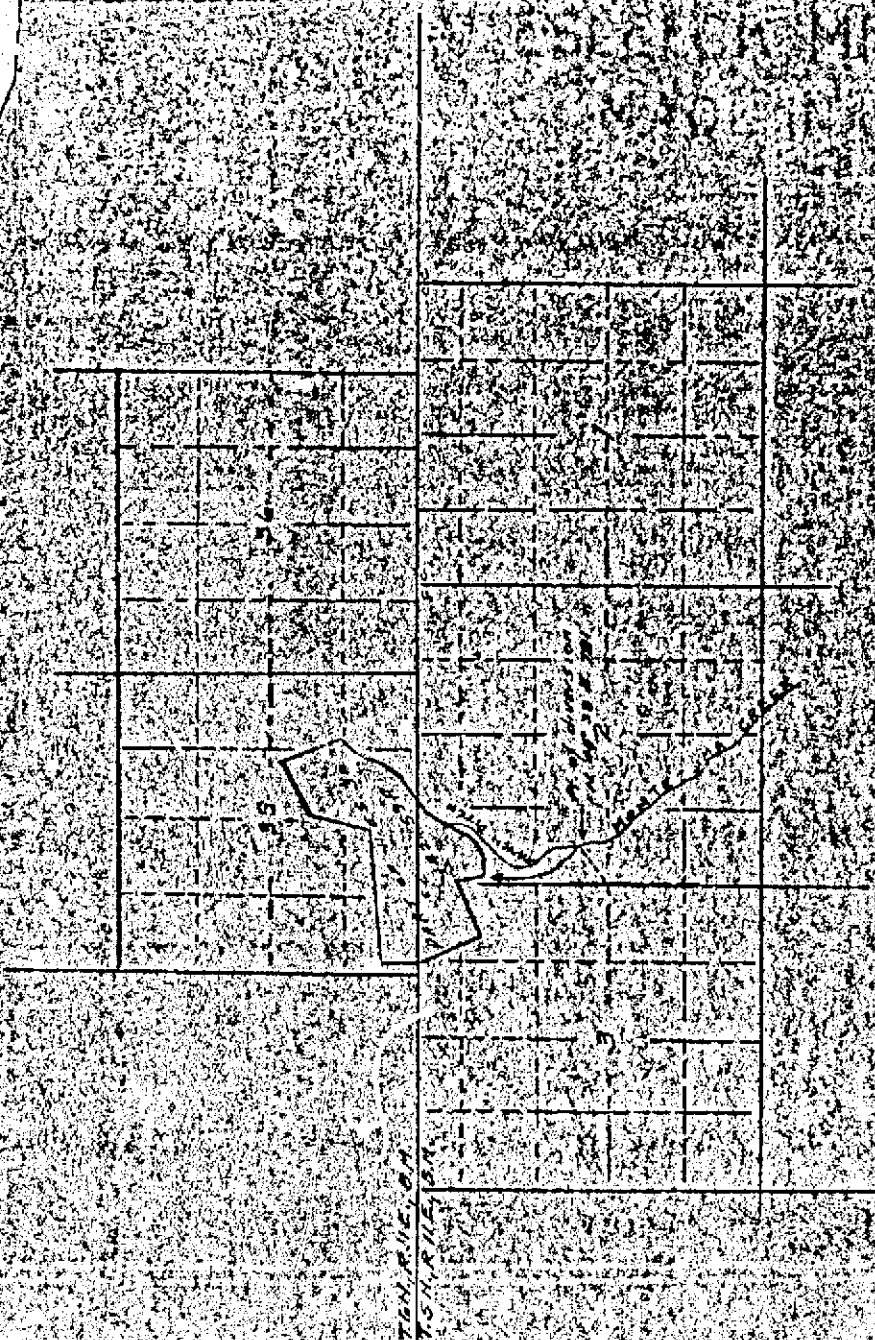
day of

June1939

(Sign)

Edith M. Coors
1939

NAME OF APPLICANT: S. H. COORS



SCALE: 2 INCHES EQUAL 1 MILE.

Permit Map No. 18506

As Approved

SEP 30 1937

R. W. PARIS

Commissioner of Reclamation

Hydrographic Union Survey

FILED IN 18506

Permit No. 18506

This proof is for Beneficial Use

1. Name of applicant H. E. OOOES
2. Source of water supply Montezuma
3. Location of point of diversion: Is in the

T. 5 N. R. 11 E.

4. Describe works as they exist, giving dimensions

from stream for a box 3 ft. long, 15 ft. wide, which is 2 ft. wide

5. Water is used for Irrigation and

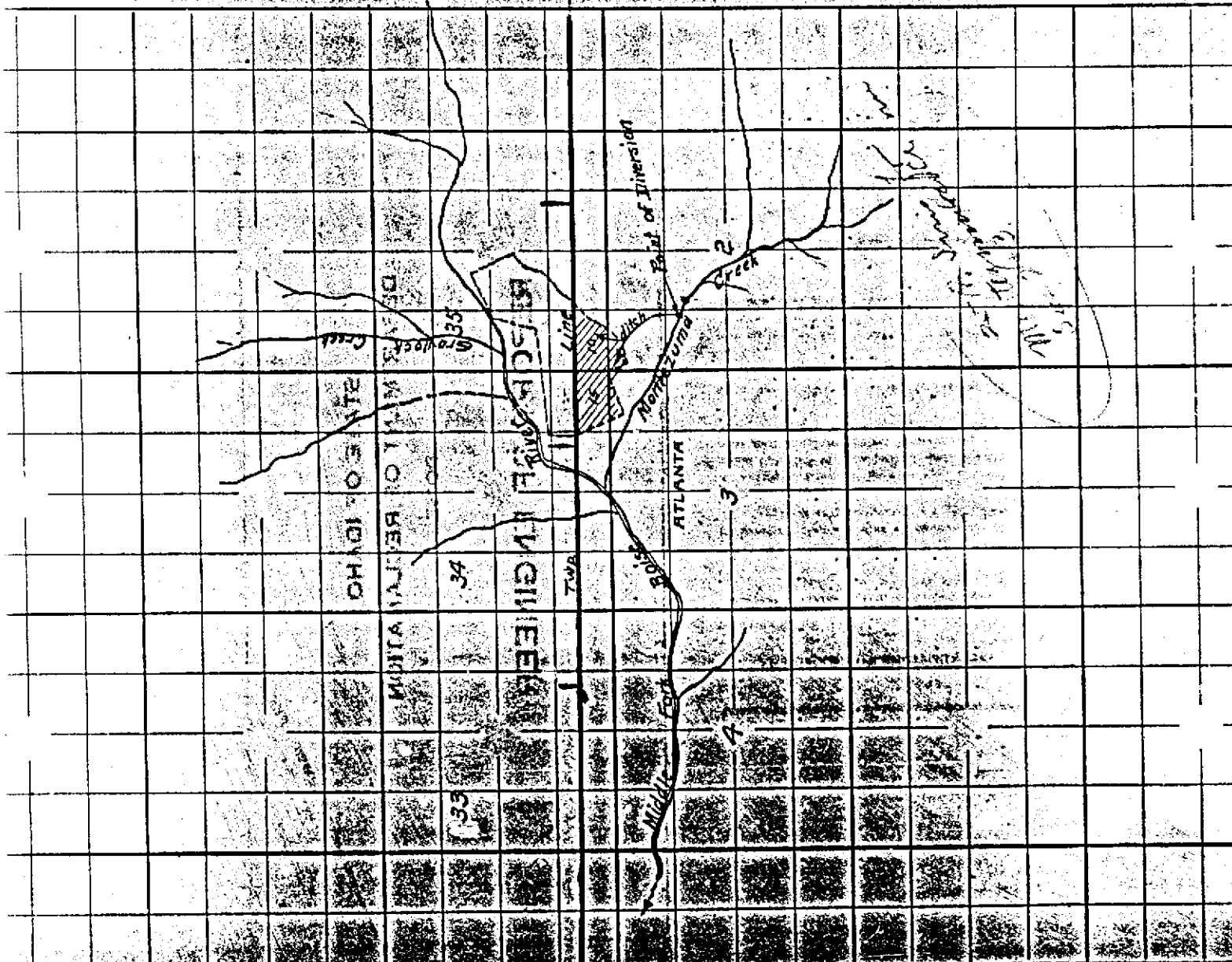
6. State whether or not water has been turned

7. List legal subdivisions of lands to be irrigated under cultivation in each forty-acre tract

tion): Beginning at U.S. Mineral the County of Elmore, State of Idaho, thence N. 1.20° E. 1.39 chains to a point; thence N. 7.47° E. 7.47 chains to a point; then to Cor. No. 4; thence N. 24° 8' E. 19. to Cor. No. 6; thence N. 85° 45' 30" E. 34. Cor. No. 8; thence N. 13° 51' E. 9.24 chains to Cor. No. 10; thence S. 26° 43' 30" E. 16.06 chains to Cor. No. 12; thence S. 30° 21' 30" E. 3.15 to Cor. No. 14; thence S. 34° 59' E. 7.78 Cor. No. 15; thence S. 27° 27' E. 13.64 chains to point; thence N. 5° 53' E. 9.63 chains to Cor. No. 4, the place of beginning, lands bounded and described in the Recorder of said County of Elmore, at page 98. (Submit map on attached plat, showing

8. What large stream would the water here be

Remarks:



(4-6756)

127/31
FILING OF PLAT 8/13

EAST OF THE BOISE MERIDIAN, IDAHO

Sec. 34

Sec. 35

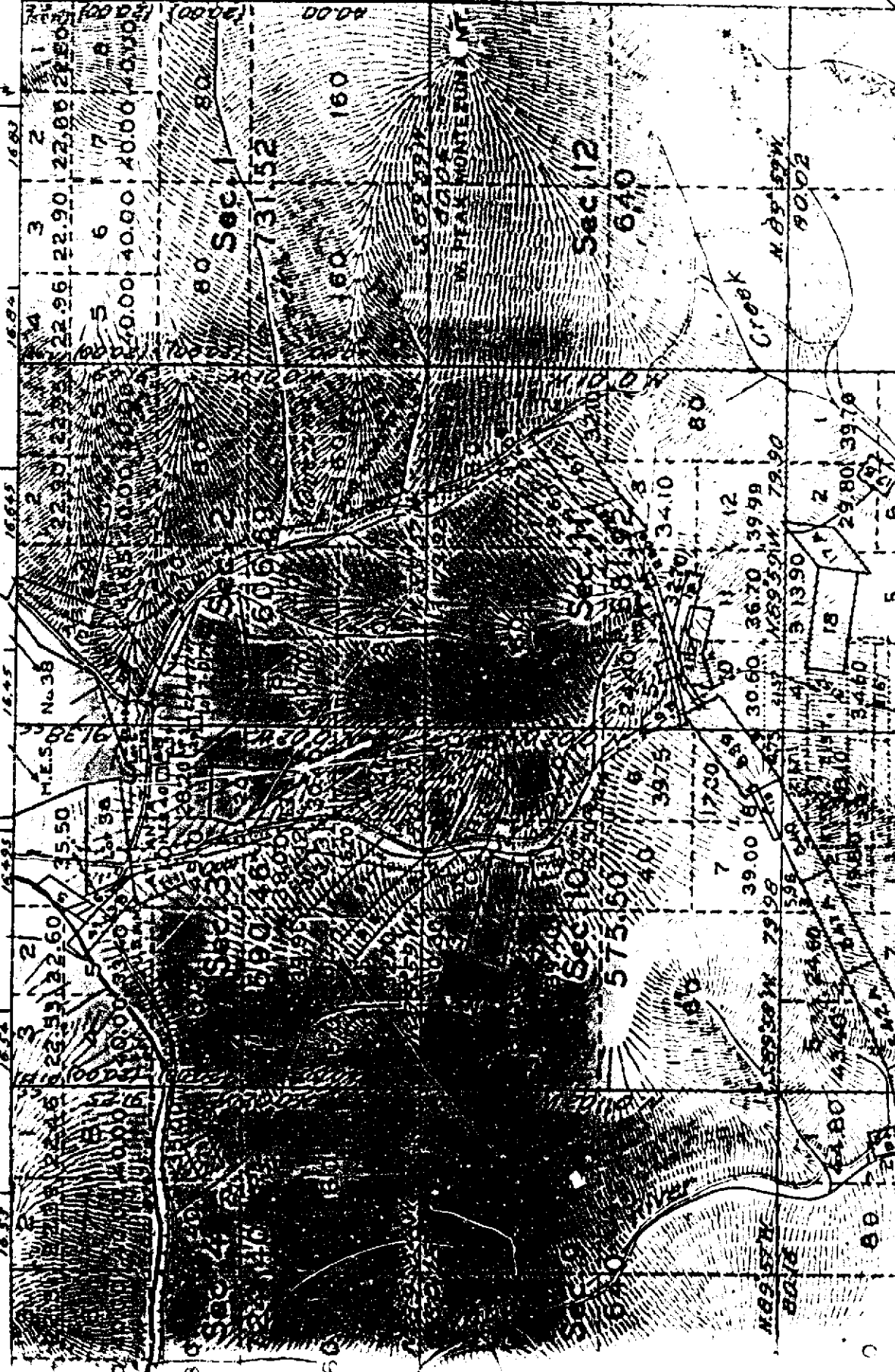
Sec. 36

Sec. 31

PARALLEL

NORTH

EAST



Survey No
Lot 37

38

3A

3B

4

5

6

7

8

9A

9B

10

11A

11B

12

13A

13B

14

15

17A

17B

18

19

20

539

540

541A

542A

542B

542B

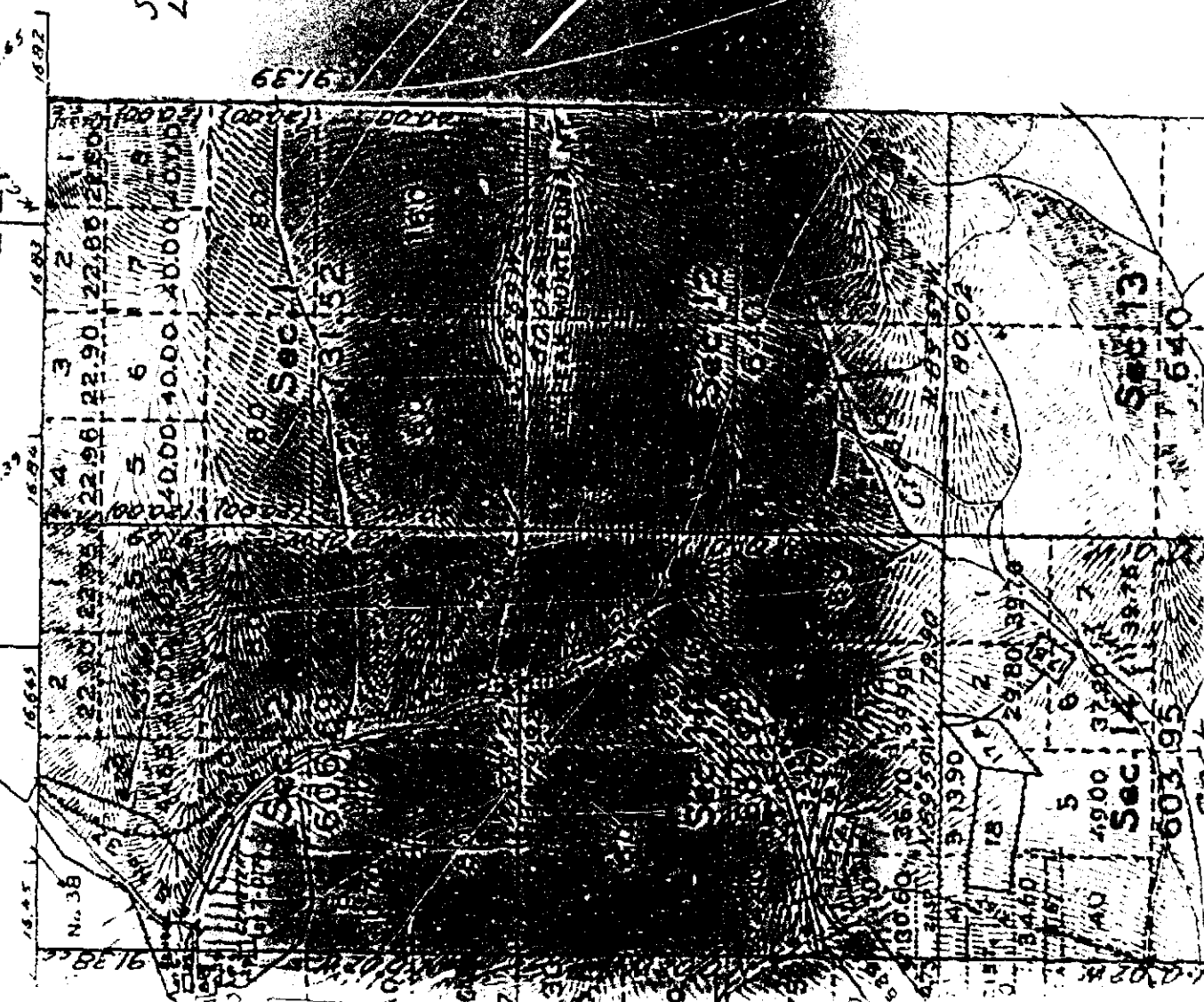
BOISE MERIDIAN, IDAHO.

Sec. 35

Sec. 36

Sec. 31

NORTH



LIST OF MINERAL CLAIMS

Survey No.	Claim Name	Claim Type
Lot 37	ATLANTA MINE AND MILLSITE	MILLSITE
38	MASON CHAPMAN PLACER MINING CLAIM	PLACER
3A	DALEY	LODE
3B	DALEY	MILLSITE
4	MONARCH	"
5	GREENBACK	"
6	MONARCH GOLD AND SILVER MINING CO. PL.	MILLSITE
7	BUFFALO	LODE
8	ATLANTA	"
9A	SILVER TIDE	MILLSITE
9B	SILVER TIDE	LODE
10	ATLAS	"
11A	MINNIE	MILLSITE
11B	MINNIE	LODE
12	LOTTIE	"
13A	YREKA	MILLSITE
13B	YREKA	LODE
14	NEEDIE	"
15	HILL AND DAVIS	MILLSITE
17A	ALASKA No. 1	LODE
17B	B. W. WARNER	"
18	ALASKA No. 2	MILLSITE
19	LAST CHANCE	LODE
20	ARTHUR MACY	"
539	ATLANTA No. 1	PLACER
540	ATLANTA No. 2	LODE
541A	ATLANTA No. 3	"
542A	ATLANTA No. 4	"
542B	ATLANTA No. 4	"
543A	ATLANTA No. 5	MILLSITE
787	OLD CHUNI	LODE
788	ATLANTA EAST EXTENSION	"
915	TAHOMIA	"

State of Idaho

License and Certificate of Water Right

Water License No. 18506

Amount 0.5 second foot

Water District No.

Priority August 20, 1937

THIS IS TO CERTIFY that H. F. COORS

of Atlanta, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated August 20, 1937; that Permit No. 18506 was issued under said application; that Certificate of Completion of works, with a carrying capacity of Two (2) second feet, was issued thereunder on November 4, 1938, showing that said works were completed on the 7th day of October, 1938; and that on the 10th day of December, 1938,

H. F. COORS

of Atlanta, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Montezuma Creek, a tributary of Ho. Fork Boise River, for the purpose of irrigation and domestic use, under Use Permit No. 18506 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3968, on the 10th day of January, 1940;

The right hereby confirmed dates from August 20, 1937;

The Point of Diversion is located 781 ft. distant from the quarter corner of Secs. 2 & 3, Twp. 5 N., Range 11 E., B.M. in the SW 1/4 NW 1/4, Sec. 2, Tp. 5 N., R. 11 E., B.M. Elmore County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
5 N.	11 E.		NW 1/4 NE 1/4	Metes and bounds description-being part of a certain patent recorded in the office of Co. Recorder Elmore Co. Book 17 of Patents-page 98 - 142.59	10 15 25

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 10th day of January, 1940

JAMES SPOFFORD

Commissioner of Reclamation

(SEAL)

62 2539