

F7V, R6E, Sec. 24

MICROFILMED
AUG 20 1992

CLAIM OF
JOHN D. SMITH, PETER J. SMITH,
GEORGE C. SMITH and S. FRANK SMITH

KNOWN AS THE
SMITH GROUP

CONSISTING OF
RUTHEY PLACER, MAMIE PLACER,
CORSE GOLD PLACER and
GOVERNOR PLACER CLAIMS

SITUATED IN
Sec. 2, T. 7 N., R. 6 E. and
Secs. 25, 35 and 36, T. 8 N., R. 6 E., B.M.
BOISE COUNTY, IDAHO
SUMMIT FLAT MINING DISTRICT
BLACKFOOT LAND DISTRICT

0 500 1000 1500 2000
SCALE 1 INCH = 800 FEET
MAGNETIC DECLINATION 20° 00' EAST

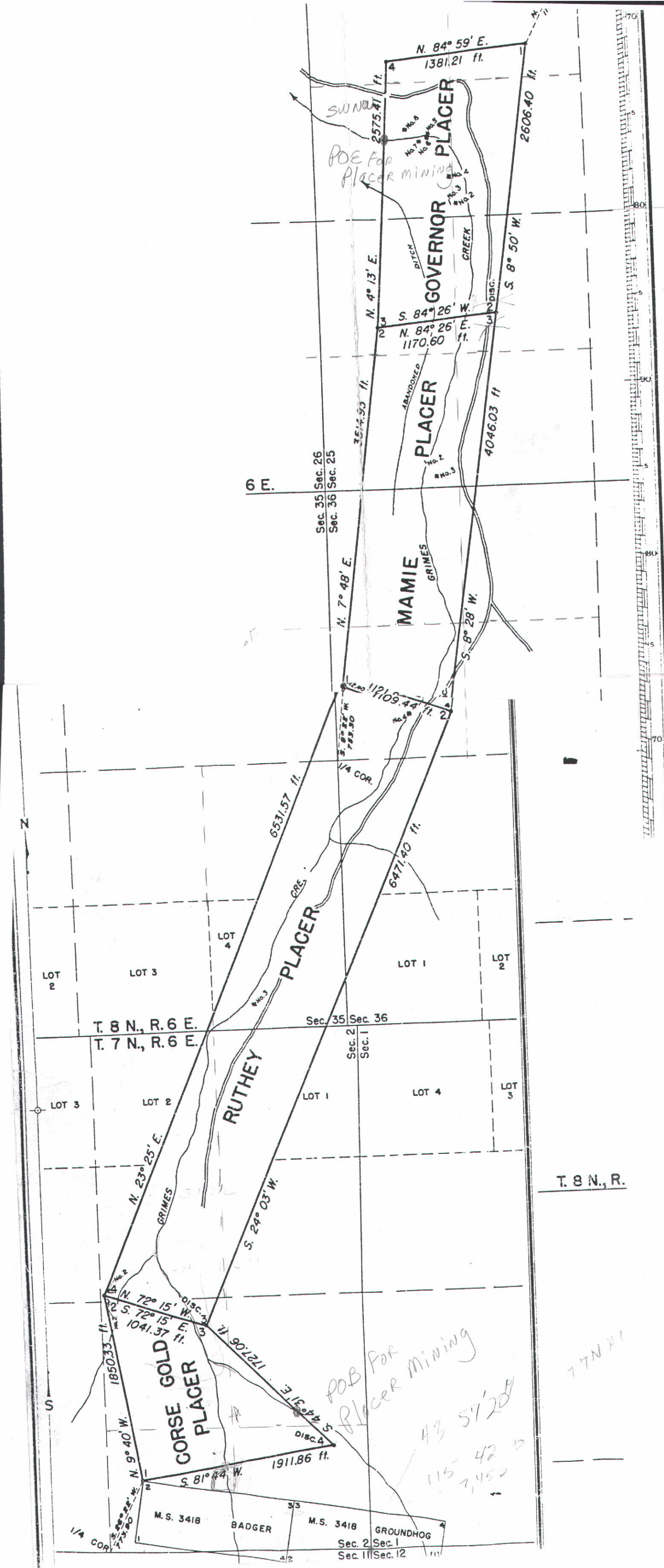
SURVEYED SEPT. 15, 1947 TO SEPT. 28, 1947
BY GORDON C. SMITH
MINERAL SURVEYOR

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

PUBLIC SURVEY OFFICE
BOISE, IDAHO DEC. 4, 1947

I hereby certify that this plat of Mineral
Survey N° 3420, Idaho is strictly conformable to
the field notes of said survey which have been
examined and approved.

Wm. L. Badgley



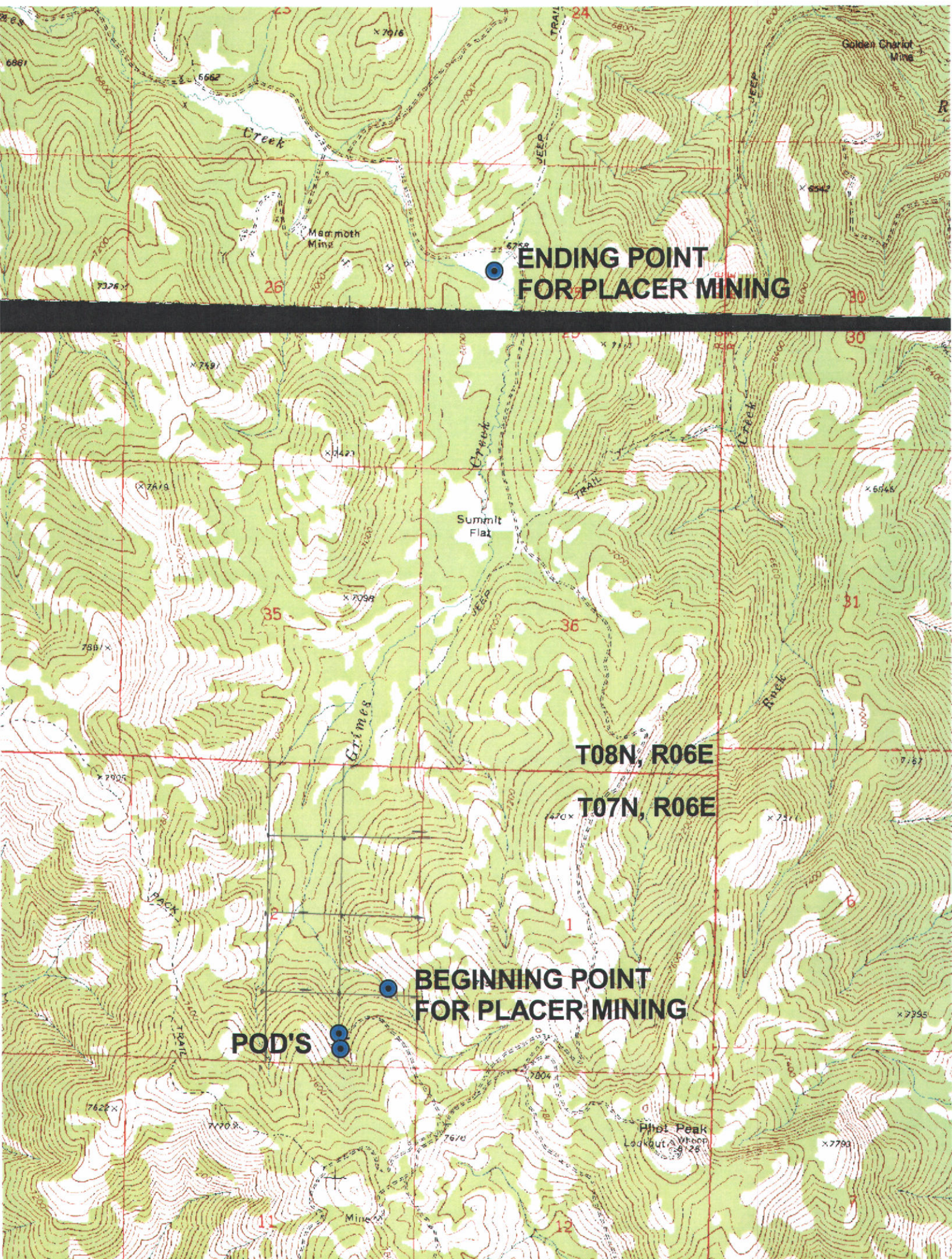
**ENDING POINT
FOR PLACER MINING**

T08N, R06E

T07N, R06E

**BEGINNING POINT
FOR PLACER MINING**

POD'S



A63-4760

PHOTOS TAKEN 10/10/2001



PHOTO #5
THE OLD MILL SITE



PHOTO #6
THE DOMESTIC CABIN

A63-4760

PHOTOS TAKEN 10/10/2001



PHOTO #3
POD FOR THE MILLING
OPERATION LOOKING
WEST FROM THE ROAD



PHOTO #4
ENTRANCE TO THE
HARD ROCK MINING
SHAFT

A63-4760

PHOTOS TAKEN 10/10/2001



PHOTO #1
POD FOR THE MILLING
OPERATION LOOKING
EAST ADJACENT TO THE
POD



PHOTO #2
POD FOR DOMESTIC

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 63-4760
Date Received: 5/12/1989
Receipt No: W002783
Received By:

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

1. Name of Claimant(s)

KING LODS INC Phone: (208)342-7227

1911 EUCLID AVE
BOISE ID USA 83706

2. Date of Priority: 06/01/1900

3. Source: GRIMES CREEK , GRIMES CREEK Trib. to: GRIMES CREEK , GRIMES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	06E	2	SW SE	BOISE	
07N	06E	2	SE SE	BOISE	

5. Description of diverting works:

DIVERSIONS & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MINING	1/01	12/31	1.34	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
1.38 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
----------	-------	---------	----------------	-----	-------

07N

06E 2

SW SE
SE SE
SE SE

MINING
MINING
DOMESTIC

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:

14. Remarks:

THIS HAS BEEN FLAGGED FOR A FIELD EXAM IN ORDER TO DETERMINE THE EXACT
LOCATION OF DIVERSION AND PLACE OF USE
RECEIPT NUMBERS W002783, W002784, W002785

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.

CHANGE IN ADDRESS OF NOTICE OF CLAIM

[] Water Right Number (s): A63-4760.

[] Old Mailing Address: 1917 Euclid Ave
Boise, 83706

[] New Mailing Address: 1911 Euclid Ave.
Boise 83706.

New Telephone Number: (1342-7227.)

[] Signature of Claimant: Jabuch Smith

Date: _____

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

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: A63-04760
Date Received: 3/02/1989 5/12
Receipt No: W2783, W2784, W2785
Received By: LU

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: KING LODS INC. 208-344-1663
Address: 1917 EUCLID AVE.
BOISE, ID 83706

2. Date of Priority: JUN 01, 1900

3. Source: GRIMES CREEK, CENTER FORK Trib. to: GRIMES CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	06E	2	SW	SE	SE		BOISE
			SE	SE			BOISE

5. Description of diverting works:
DIVERSIONS & PIPELINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MINING	01/01	12/31	1.340		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 CABIN

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	06E	2	SW	SE		MINING	

A63-04760

Page 1

Date: 03/02/89

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	06E	2	SE	SE	MINING	
			SE	SE	DOMEST	

11. Place of use in counties: BOISE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS HAS BEEN FLAGGED FOR A FIELD EXAM IN ORDER TO DETERMINE THE
EXACT LOCATION OF DIVERSION AND PLACE OF USE.

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: _____

For Organizations:

I do solemnly swear or affirm that I am President of
_____ Title
King Lodes, that I have signed the foregoing
Organization
document in the space below as President of
_____ Title
King Lodes and that the statements contained in the
Organization
foregoing document are true and correct.

George B. Smith
Signature of Authorized Agent

Title and Organization
3-2-89
Date

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 2 day
of March 19 89

Linda Warner
Notary Public

Seal

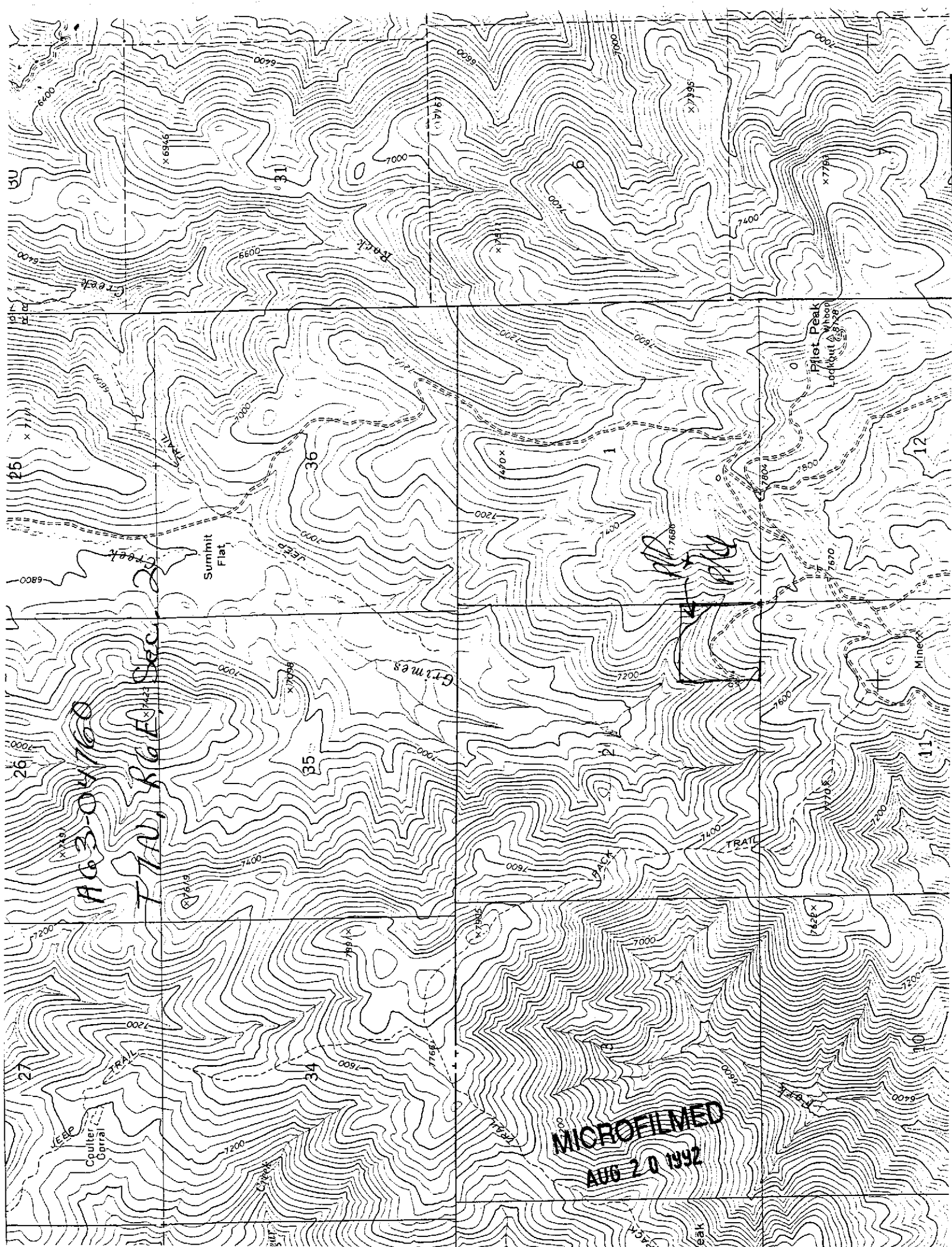
Residing at Boise, ID

My Commission Expires 12-8-94
3 Date: 03/02/89

A63-04760

Page

MICROFILMED
AUG 20 1992



DISTRICT COURT-SRBA
TWIN FALLS CO. IDAHO
FILED

PAGE 1
Oct-14-2003

SF5 signed per
hand delivery on
7-22-03 - Steve
Spencer.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

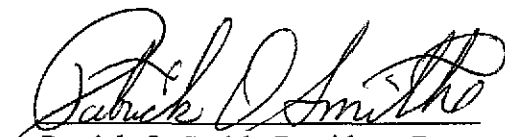
In Re SRBA	)	Subcase No. <u>63-04760</u>
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT
	)	

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine the facts, date, expert opinions and law supporting the issuance of a partial decree for the water right.

The parties agree that the Snake River Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached claim. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT:
King Lodes, Inc


Patrick O. Smith, President Date

IDWR CONCURRENCE:

 7-22-03
Jan Shurte Date

OBJECTOR:
United States on behalf of the
USDA Forest Service

David L. Negri Date

ATTORNEY FOR IDWR:

Nicholas B. Spencer Date

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

RIGHT NUMBER: 63-4760

NAME AND ADDRESS: KING LODES INC
1911 EUCLID AVE
BOISE ID 83706

SOURCE: GRIMES CREEK
UNNAMED STREAM

TRIBUTARY: MORES CREEK
TRIBUTARY: GRIMES CREEK

QUANTITY: 1.380 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:

T07N R06E S2 SENESE Begin of Stream Flow Within BOISE County
T07N R06E S2 SWSE Within BOISE County
T07N R06E S2 SWSE Within BOISE County
T08N R06E S25 NESWNW End of Stream Flow Within BOISE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
MINING	03/01 11/30	1.340 CFS
DOMESTIC MINING CAMP	03/01 11/30	0.040 CFS

PLACE OF USE: MINING Within BOISE County

T07N R06E S02	NWNE	T07N R06E S02	SWNE
T07N R06E S02	NESE	T07N R06E S02	NWSE
T07N R06E S02	SWSE	T07N R06E S02	SESE
T08N R06E S25	SWNW	T08N R06E S25	SENE
T08N R06E S25	NESW	T08N R06E S25	SWSW
T08N R06E S35	NESE	T08N R06E S35	SESE
T08N R06E S36	NWNW	T08N R06E S36	SWNW
T08N R06E S36	NWSW		
<u>DOMESTIC Within BOISE County</u>			
T07N R06E S02	SESE		

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

DOMESTIC USE IS 1 CABIN AT MINING CAMP

PLACES OF USE ARE WITHIN THE FOLLOWING CLAIMS: CORSE GOLD PLACER, RUTHEY PLACER, MAMIE PLACER AND GOVERNOR PLACER ALL WITHIN MINERAL SURVEY (MS) 3420, BADGER LOPE PART OF MS 3418 AND MAUDY MILL SITE.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use

Shurte, Jan

From: Shurte, Jan
Sent: Friday, July 18, 2003 4:52 PM
To: Spencer, Nick; 'sspencer@fs.fed.us'
Subject: Revised - 63-4760 - King Lodes Inc

Woops - left in the old remark, plus the new. Good catch Nick - that's what I get for trying to hurry so I can go home. I agree and attached is the modified version. Thanks, Jan.



Recommendation
for Rt No 63-47...

Shurte, Jan

From: Spencer, Nick
Sent: Friday, July 18, 2003 4:46 PM
To: Shurte, Jan
Subject: RE: Draft SF5 Recommendation for King Lodes Inc - 63-4760

Jan, if this approach works for the USFS it works for me. I note, however, that you have two separate remarks describing the place of use in the "Other Provisions Necessary..." portion of the water right description. They seem similar, although not identical, but pretty duplicative. The first references the placer claims associated with the right; the second references both the claims and the mineral survey in which they lie. Do we need both remarks? It seems like the second remark covers everything stated in the first remark and then some. Let me know what you think. Thanks. NBS

-----Original Message-----

From: Shurte, Jan
Sent: Friday, July 18, 2003 4:33 PM
To: 'sspencer@fs.fed.us'; Spencer, Nick
Subject: Draft SF5 Recommendation for King Lodes Inc - 63-4760

Steve and Nick,

Please review the attached revised recommendation for the above claim. This draft incorporates the manner in which the same type of objection to domestic use on a mining claim was resolved on 63-26388 (small d/s).

If anyone has a problem or would like some changes, please let me know. I incorporated both putting Mining Camp after the domestic use in period of use and as a general remark. Let me know if this is ok and I'll finalize it and send to Becky or Steve for routing.

Thanks,
Jan

<< File: Recommendation for Rt No 63-4760 King Lodes.doc >>

Shurte, Jan

From: Shurte, Jan
Sent: Friday, July 18, 2003 4:33 PM
To: Shurte, Jan
Subject: FW: Draft SF5 Recommendation for King Lodes Inc - 63-4760

-----Original Message-----

From: Shurte, Jan
Sent: Friday, July 18, 2003 4:33 PM
To: 'sspencer@fs.fed.us'; Spencer, Nick
Subject: Draft SF5 Recommendation for King Lodes Inc - 63-4760

Steve and Nick,

Please review the attached revised recommendation for the above claim. This draft incorporates the manner in which the same type of objection to domestic use on a mining claim was resolved on 63-26388 (smal d/s).

If anyone has a problem or would like some changes, please let me know. I incorporated both putting Mining Camp after the domestic use in period of use and as a general remark. Let me know if this is ok and I'll finalize it and send to Becky or Steve for routing.

Thanks,
Jan



Recommendation
for Rt No 63-47...

RIGHT NUMBER: 63-4760

NAME AND ADDRESS: KING LODES INC
1911 EUCLID AVE
BOISE ID 83706

SOURCE: GRIMES CREEK TRIBUTARY: MORES CREEK
UNNAMED STREAM TRIBUTARY: GRIMES CREEK

QUANTITY: 1.380 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:

T07N R06E S2 SENESE Begin of Stream Flow Within BOISE County
T07N R06E S2 SWSE Within BOISE County
T07N R06E S2 SWSE Within BOISE County
T08N R06E S25 NESWNW End of Stream Flow Within BOISE County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINING	03/01 11/30	1.340 CFS
DOMESTIC MINING CAMP	03/01 11/30	0.040 CFS

PLACE OF USE: MINING Within BOISE County

T07N R06E S02	NWNE	T07N R06E S02	SWNE
T07N R06E S02	NESE	T07N R06E S02	NWSE
T07N R06E S02	SWSE	T07N R06E S02	SESE
T08N R06E S25	SWNW	T08N R06E S25	SENW
T08N R06E S25	NESW	T08N R06E S25	SWSW
T08N R06E S35	NESE	T08N R06E S35	SESE
T08N R06E S36	NWNW	T08N R06E S36	SWNW
T08N R06E S36	NWSW		

DOMESTIC Within BOISE County

T07N R06E S02	SESE
---------------	------

SF5 Right No. 63-4760

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

PLACE OF USE IS WITHIN THE FOLLOWING PLACER CLAIMS: CORSE
GOLD PLACER, RUTHEY PLACER, MAMIE PLACER AND GOVERNOR
PLACER.

DOMESTIC USE IS 1 CABIN AT MINING CAMP

PLACES OF USE ARE WITHIN THE FOLLOWING CLAIMS: CORSE GOLD
PLACER, RUTHEY PLACER, MAMIE PLACER AND GOVERNOR PLACER
ALL WITHIN MINERAL SURVEY (MS) 3420, BADGER LODE PART OF MS
3418 AND MAUDY MILL SITE.

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.

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

EXPLANATORY MATERIAL: Beneficial Use

Shurte, Jan

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Thursday, July 10, 2003 9:36 AM
To: jshurte@idwr.state.id.us; ggibson@idwr.state.id.us
Subject: Domestic vs mining

This is one of the water rights we did previously in the D&S. It was originally 'domestic' for a mining cabin, however there was no mention of association with mining or use at a mining cabin in the directors report.

It's the one Charlie helped on with the final result being that 'use at a mining cabin' is specifically identified as an element of the water right purpose of use. It's 63-26388. We've done this on a few others. This one is one that I specifically remember.

The Court Decree record: <http://164.165.134.61/F6326388XX.HTM>

Steve Spencer	(208) 331-5944
Boise Adjudication Team	(208) 387-0842 FAX
161 E. Mallard, Suite A	e-mail: sspencer@fs.fed.us

Boise, ID 83706

*Print off 63-26388 & ask Nick if
OK to incorporate on this one.*

IDAHO DEPARTMENT OF WATER
RECOMMENDED WATER RIGHTS ACQUIRED

*RATHER THAN REMOVE
DOMESTIC - ADD
REMARK CONCERNING
THAT DOMESTIC GOES
WITH MINING AS LONG
AS THE MINING IS
CURRENT. IF MINING
CEASES, SO DOES DOMESTIC.*

Right Number: 63-04760

Name and Address: KING LODS INC
1911 EUCLID AVE
BOISE, ID 83706

Source: GRIMES CREEK Tributary
UNNAMED STREAM

Quantity: 1.38 CFS

~~THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.~~

Priority Date: 06-01-1900

Diversion Point: T07N R06E S02 SENESE (Instream BeginnBoise
SWSE
SWSE
T08N R06E S25 NESWNW (Instream EndingBoise

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
Mining		03-01 TO 11-30	~~1.34 CFS~~
			1.38 CFS
Domestic		03-01 TO 11-30	.04 CFS

Place of Use:	Mining	Within Boise County
T07N R06E S02	NWNE NESE SWSE	SWNE NWSE SESE
T08N R06E S25	SWNW NESW NESE	SENW SWSW SESE
S35	NWNW	SNNW
S36	NWSW	
Domestic		Within Boise County
T07N R06E S02	SESE	

*Called Steve
Spencer on
7-9-03 to get
samples of gravel
he said was used for
brother's concrete Charles.*

Other Provisions Necessary for Definition / 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.

~~THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC
USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.~~

PLACES OF USE ~~IS~~ ARE WITHIN THE FOLLOWING PLACER CLAIMS: CORSE GOLD
PLACER, RUTHEY PLACER, MAMIE PLACER AND GOVERNOR PLACER ALL

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

Right Number: 63-04760

Name and Address: KING LODES INC
1911 EUCLID AVE
BOISE, ID 83706

Source: GRIMES CREEK Tributary: MORES CREEK
UNNAMED STREAM GRIMES CREEK

Quantity: 1.38 CFS

~~THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL
NOT EXCEED 13,000 GALLONS PER DAY.~~

Priority Date: 06-01-1900

Diversion Point: T07N R06E S02 SENESE (Instream BeginnBoise
SWSE
SWSE
T08N R06E S25 NESWNW (Instream EndingBoise

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Mining	03-01 TO 11-30	~~1.34 CFS~~
			1.38 CFS
	~~Domestic~~	~~03-01 TO 11-30~~	~~.04 CFS~~

Place of Use: Mining Within Boise County

T07N R06E S02	NWNE	SWNE
	NESE	NWSE
	SWSE	SESE
T08N R06E S25	SWNW	SENW
	NESW	SWSW
S35	NESE	SESE
S36	NWNW	SWNW
	NWSW	
~~Domestic~~	~~Within Boise County~~	
~~T07N R06E S02~~	~~SESE~~	

*Called Steve
Spencer on
7-9-03 to get
samples of gravel
he said was used in
another canal to Charles.*

Other Provisions Necessary for Definition / Administration of this Water Right:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
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PLACER, RUTHEY PLACER, MAMIE PLACER AND GOVERNOR PLACER ALL

WITHIN MINERAL SURVEY (MS) 3420, BADGER LODGE PART OF MS 3418
AND MAUDY MILL SITE, ~~MS~~

Explanatory Material: Basis of Claim - Beneficial Use

~~DOMESTIC USE IS 1 CABIN~~

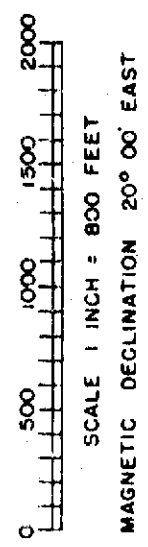
MINERAL SURVEY
No 3420
IDAHO

CLAIM OF
JOHN D. SMITH, PETER J. SMITH,
GEORGE C. SMITH and S. FRANK SMITH

KNOWN AS THE
SMITH GROUP

CONSISTING OF
RUTHEY PLACER, MAMIE PLACE
CORSE GOLD PLACER and
GOVERNOR PLACER CLAIMS

SITUATED IN
Sec. 2, T. 7 N., R. 6 E. and
Secs. 25, 35 and 36, T. 8 N., R. 6 E., B. M.
BOISE COUNTY, IDAHO
SUMMIT FLAT MINING DISTRICT
BLACKFOOT LAND DISTRICT



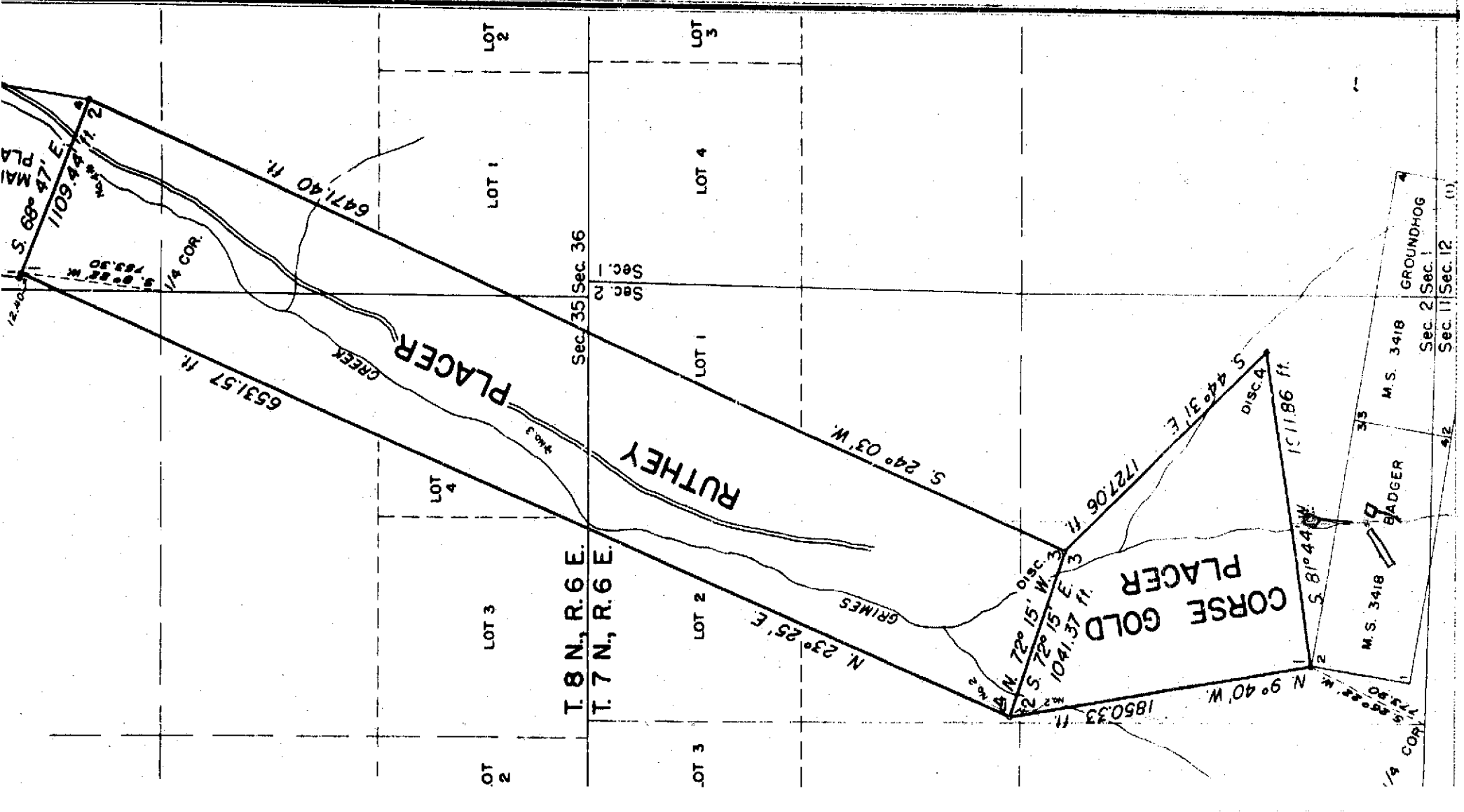
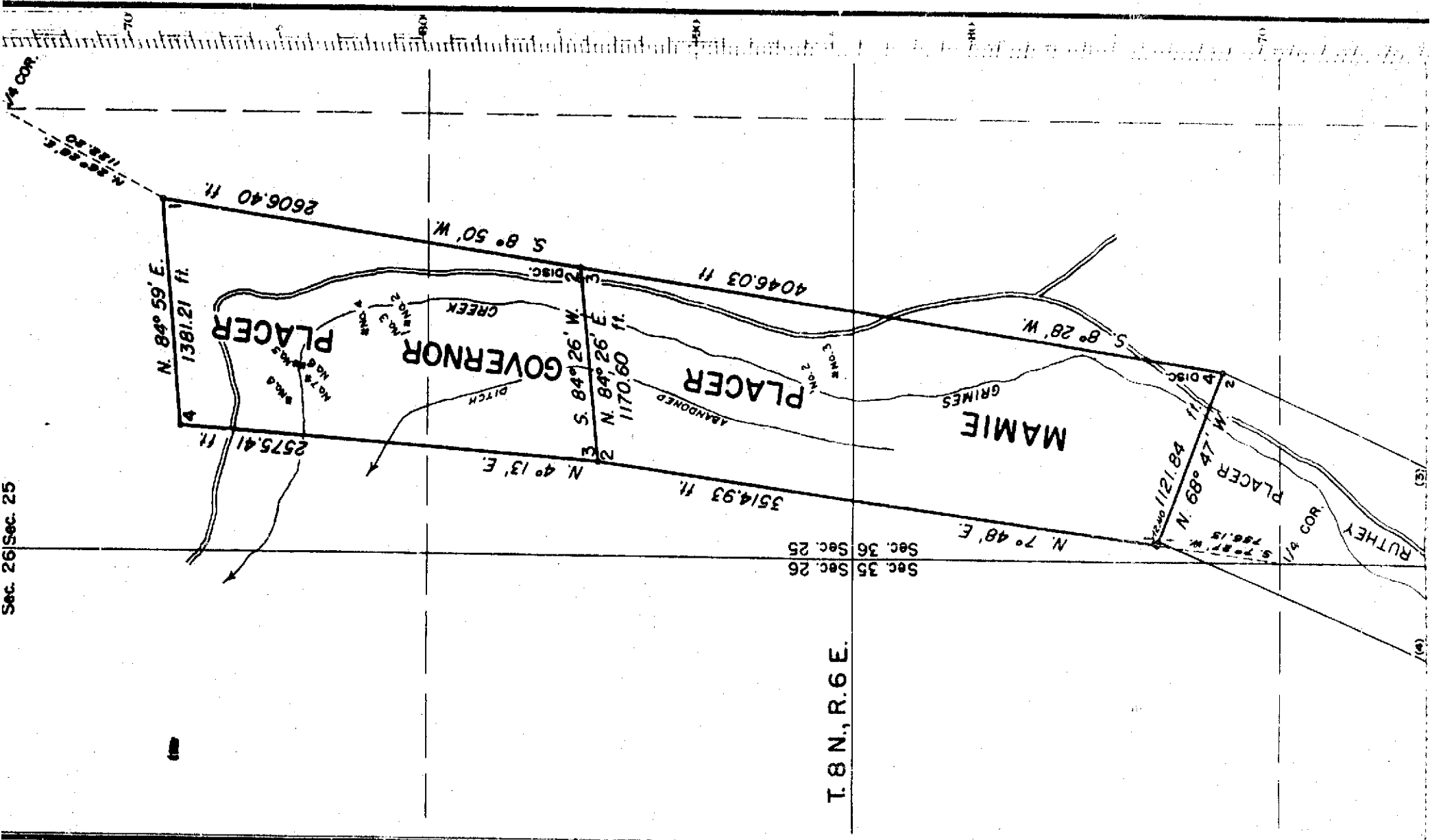
SURVEYED SEPT. 16, 1947 TO SEPT. 28, 1947
BY GORDON C. SMITH
MINERAL SURVEYOR

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

PUBLIC SURVEY OFFICE
BOISE, IDAHO DEC. 4, 1947

I hereby certify that this plat of Miners'
Survey No. 3420, Idaho is strictly conformable to
the field notes of said survey which have been
examined and approved.

[Signature]
S. B. Ogden



RECEIVED

JAN 31 2003

Department of Water Resources

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

A. Subcase: 63-04760

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service

Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724

Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

David L. Negri
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: King Lodes Inc

Address: 1911 Euclid Ave
Boise, ID 83706

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☒ **Quantity**
Should be: See E below.
4. ☐ **Priority Date**
Should be:
5. ☒ **Point(s) of Diversion**
Should be: See E below.
6. ☒ **Instream Flow Description**
Should be: See E below.
7. ☒ **Purpose(s) of Use**
Should be: Mining, no domestic. See E below.
8. ☐ **Period of Year**
Should be:
9. ☒ **Places of Use**
Should be: See E below.
11. I object because:
☐ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTION(S):**

This claim to a water right as shown on the Directors Report Recommendation is all on National Forest System land. Purpose of use should be mining with a quantity necessary to conduct existing mining operations as applied for by the claimant and approved by the USDA Forest Service. Mineral Survey No. 3420 is also a more precise legal description of the PODs and POUs.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Michael Collette
(Signature of person filing objections)

David Noyri
(Attorney signing in representative capacity)

Subscribed and sworn before me on:

January 30, 2003
Gayla J. Gough
Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on 1/30/03, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

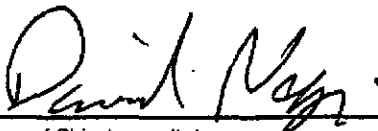
Name: King Lodes Inc
Address: 1911 Euclid Ave
Boise, ID 83706

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

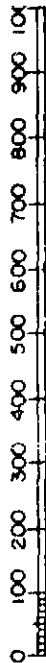
MINERAL SURVEY
N° 3418
IDAHO

CLAIM OF
JOHN D. SMITH, PETER J. SMITH,
GEORGE C. SMITH and FRED A. DAY

KNOWN AS THE
GROUND HOG GROUP

CONSISTING OF
GROUND HOG, SOUR DOUGH
WORLD WAR and BADGER
LODES

SITUATED IN
Secs. 1, 2, 11 and 12, T. 7 N., R. 6 E., B. 1 N.
BOISE COUNTY, IDAHO
SUMMIT FLAT MINING DISTRICT
BLACKFOOT LAND DISTRICT



SCALE 1 INCH = 300 FEET
MAGNETIC DECLINATION 20° 00' EAST

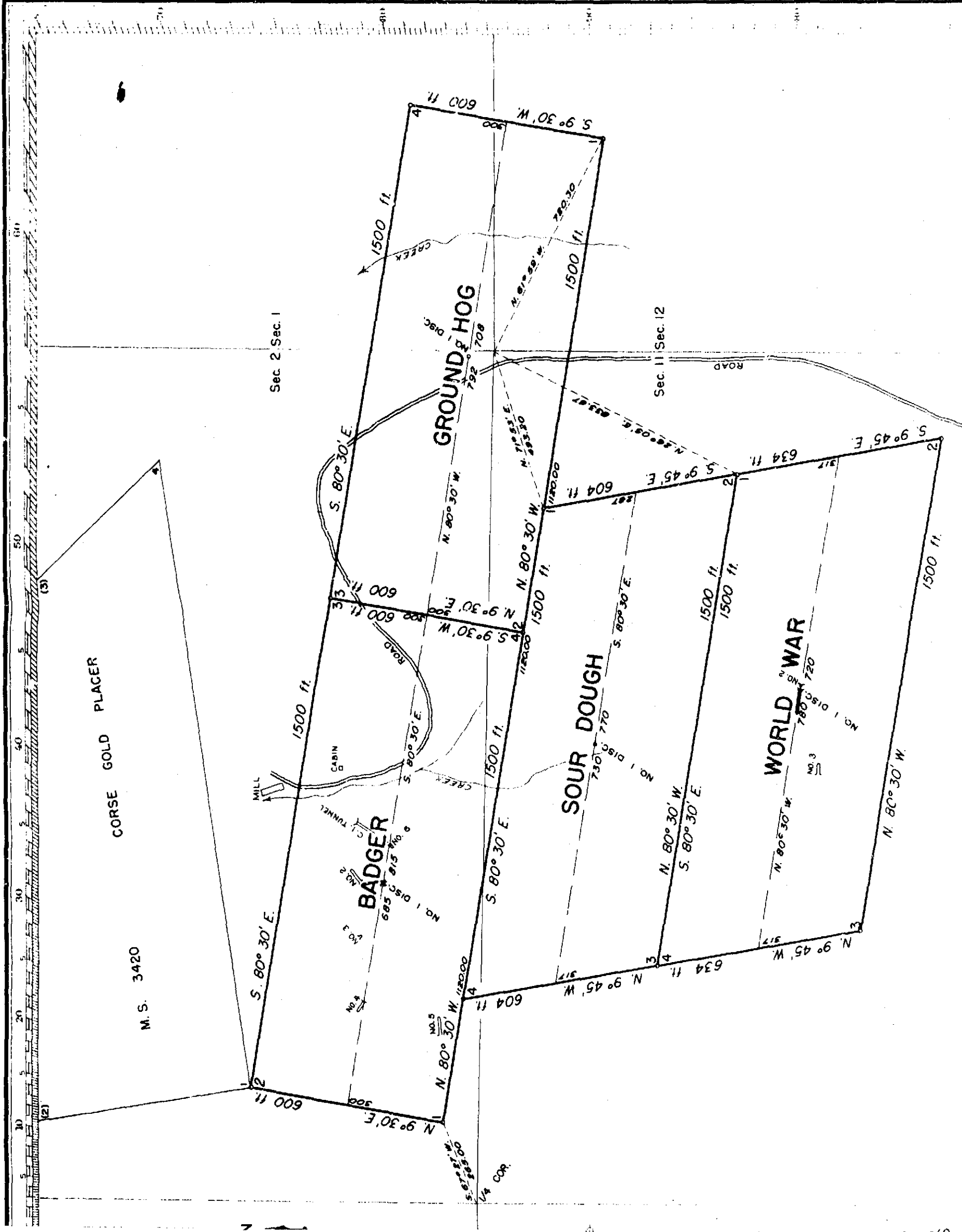
SURVEYED SEPT. 16, 1947 TO SEPT. 28, 1947
BY GORDON C. SMITH
MINERAL SURVEYOR

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

PUBLIC SURVEY OFFICE

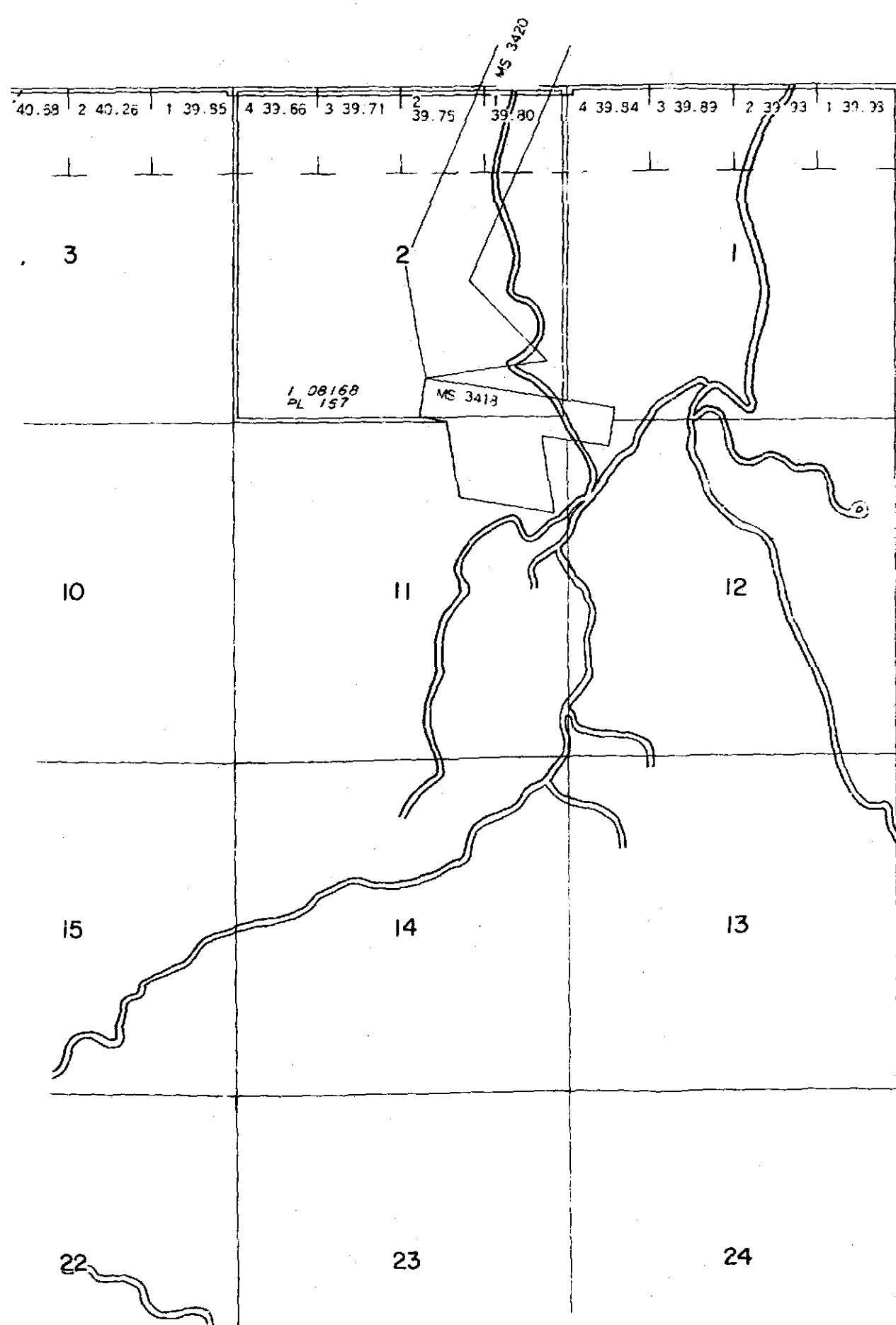
BOISE, IDAHO DEC. 4, 1947

I hereby certify that this plat of Mineral
Survey N° 3418, Idaho is strictly conformable
the field notes of said survey which have been
examined and approved.



T 7 N R 6 E R M

6 EAST OF THE BOISE MERIDIAN, IDAHO



M'

RESU
TRAC

ALL 1

1 C88G.
Comple
USFS

Mill Site
LORE MINING LOCATION NOTICE

1976 NOV 26 PM 3:28

NOTICE IS HEREBY GIVEN, That the undersigned locator S and claimant S have discovered a lore deposit of mineral or minerals, or other valuable deposits, and that the same is hereby located and claimed under the provisions of the laws of the United States and the State of Idaho;

Name of locator or locators: King Lodes, Inc., Patrick O. Smith, President; Linda Stivers, Secretary

The name of this claim is Maudy Mill Site lode
 mining claim and is situate in the Summit Flat
 Mining District, County of Boise, State of Idaho,
 and covers the area particularly described as follows, to-wit:

Commencing at this monument, which is the point of discovery corner of the claim, said monument being corner
 No. 1, upon which this notice is posted: thence in a northerly direction 250 feet along
said vein or lode from the point of discovery
 monument No. 2, the corner of the claim, thence in a westerly direction
400 feet along said vein or lode from the point of discovery
from the middle of said ledge
 direction 500 feet to corner monument No. 3, the corner of the claim; thence in a westerly
 in a southerly direction 400 feet from the middle of said ledge
discovery corner monument of the claim; thence
 The said corner monument No. 1, upon which this notice is posted, is situated about 250 feet in a
southerly direction from Maudy Mill building

The adjoining claims are Badger claim

The corner monuments Nos. 1, 2, 3, and 4 aforesaid are marked with the name of the claim and the corner which each said monument represents, and the direction of the boundary lines extending therefrom, and all of said monuments are at least four inches in diameter and at least four feet high above ground.

Such mining claim was located on the 1st day of September, 1996

King Lodes, Inc.

Patrick O. Smith, President

Linda Stivers, Secretary

Locators and
 Claimants

INST# 162861
 REQUEST Linda Stivers

RECORDED BY 1:30

NOT A COUNTY RECORD

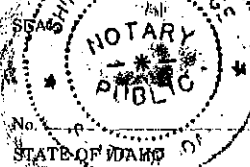
BY Shirley George
 TYPED 6.00 13.00/dk

STATE OF IDAHO

County of Boise

I, Linda Stivers, do solemnly swear that I am a citizen of the United States of America (or have declared my intention to become such) and that I am acquainted with the mining ground described in this notice of location and herewith called the Maudy Mill site lode mining claim; that the ground and claim therein described, or any part thereof, has not to the best of my knowledge and belief been located according to the laws of the United States and of this State, or if so located that the same has been abandoned or forfeited by reason of the failure of such former locators to comply in respect thereto with the requirements of said laws.

Subscribed and sworn to before me this 25 day of Nov., A. D., 1996



Linda Stivers
Rora A. Canady
 County Recorder Notary Public
 By Shirley A. George
com. 11/18 6-23-99 Deputy

County of _____

I hereby certify that this instrument was filed for record at the request of _____
 at _____ minutes past _____ o'clock _____, this _____ day of _____, A. D. 19____
 in my office, and duly filmed and indexed in _____ County records.

Ex-Officio Recorder

Fees \$ _____

By _____ Deputy

INC 178883

CLAIM OF
JOHN D. SMITH, PETER J. SMITH,
GEORGE C. SMITH and S. FRANK SMITH

KNOWN AS THE
SMITH GROUP

CONSISTING OF
RUTHEY PLACER, MAMIE PLACER
CORSE GOLD PLACER and
GOVERNOR PLACER CLAIMS

SITUATED IN
Sec. 2, T. 7 N., R. 6 E. and
Secs. 25, 35 and 36, T. 8 N., R. 6 E., B.M.
BOISE COUNTY, IDAHO
SUMMIT FLAT MINING DISTRICT
BLACKFOOT LAND DISTRICT

0 500 1000 1500 2000
SCALE 1 INCH = 800 FEET
MAGNETIC DECLINATION 20° 00' EAST

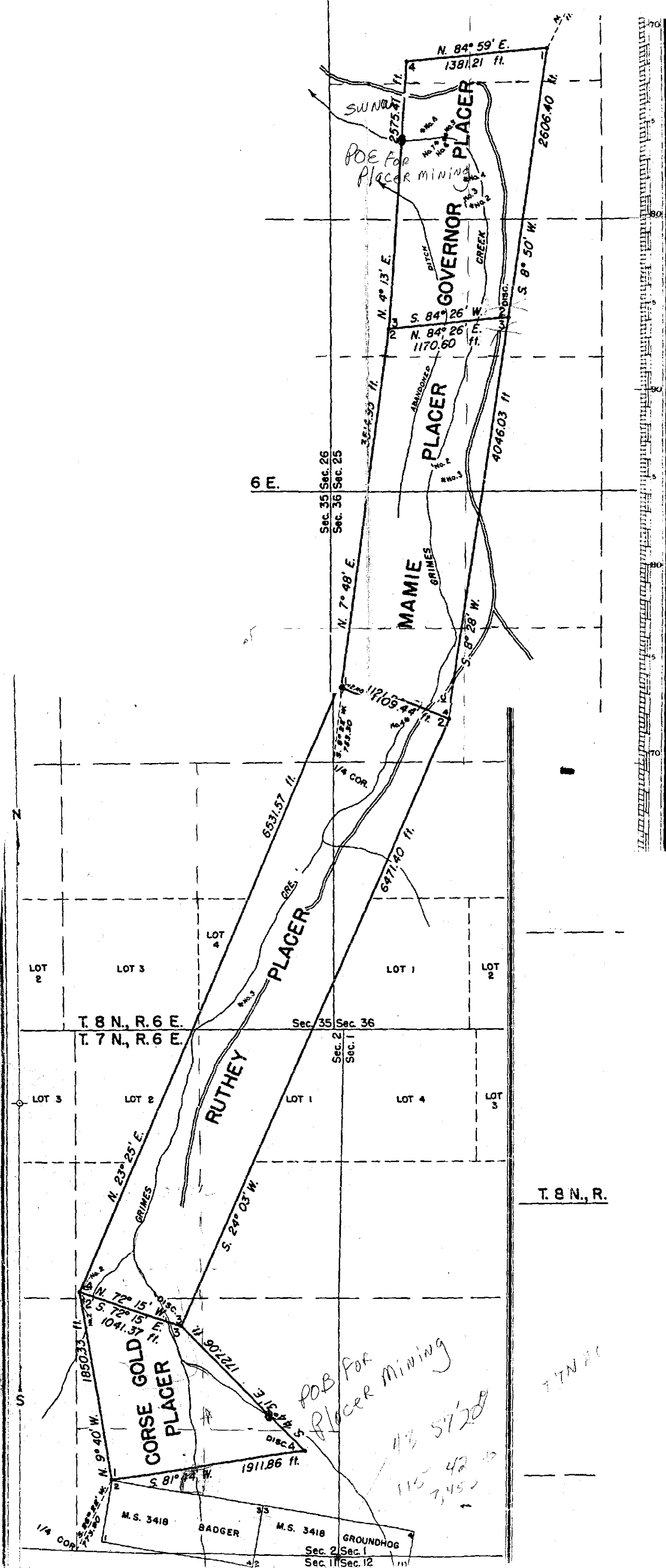
SURVEYED SEPT. 16, 1947 TO SEPT. 28, 1947
BY GORDON C. SMITH
MINERAL SURVEYOR

U. S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

PUBLIC SURVEY OFFICE
BOISE, IDAHO DEC. 4, 1947

I hereby certify that this plat of Mineral
Survey N° 3420, Idaho is strictly conformable to
the field notes of said survey which have been
examined and approved.

May L. Badgley



02/26/2002

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

RIGHT NUMBER: 63-4760

NAME AND ADDRESS: KING LODES INC
1911 EUCLID AVE
BOISE ID 83706

SOURCE: GRIMES CREEK
UNNAMED STREAM

TRIBUTARY: MORES CREEK
TRIBUTARY: GRIMES CREEK

QUANTITY: 1.38 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 06/01/1900

POINT OF DIVERSION:

T07N R06E S2 SENESE Begin of Stream Flow Within BOISE County

T07N R06E S2 SWSE Within BOISE County

T07N R06E S2 SWSE Within BOISE County

T08N R06E S25 NESWNW End of Stream Flow Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINING	03/01 11/30	1.340 CFS
DOMESTIC	03/01 11/30	0.040 CFS

PLACE OF USE: MINING Within BOISE County

T07N R06E S02	NWNE	T07N R06E S02	SWNE
T07N R06E S02	NESE	T07N R06E S02	NWSE
T07N R06E S02	SWSE	T07N R06E S02	SESE
T08N R06E S25	SWNW	T08N R06E S25	SENW
T08N R06E S25	NESW	T08N R06E S25	SWSW
T08N R06E S35	NESE	T08N R06E S35	SESE
T08N R06E S36	NWNW	T08N R06E S36	SWNW
T08N R06E S36	NWSW		

DOMESTIC Within BOISE County

T07N R06E S02 SESE

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

PLACE OF USE IS WITHIN THE FOLLOWING PLACER CLAIMS: CORSE GOLD PLACER, RUTHEY PLACER, MAMIE PLACER AND GOVERNOR PLACER. 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. THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

EXPLANATORY MATERIAL: Beneficial Use
DOMESTIC USE IS 1 CABIN

02/28/2002

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 5, 2002

Water right number: 63-4760

KING LODS INC

1911 EUCLID AVE

BOISE ID 83706

Telephone Number: (208)342-7227

RECEIVED

MAR 18 2002

Department of Water Resources

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

RECEIVED

MAR 19 2002

WATER RESOURCES
WESTERN REGION

☒ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 3/15/02

SIGNATURE: Patrick O. Smith

Please print your name: Patrick O. Smith, President

King Lodes Inc.

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). 463-4760

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: 6-1-1900 - OH
(If the priority date, based on your exam, seems questionable, explain below.)

Affidavit by Pat Smith, President of King Lodge
indicates these mining claims have been in his
family since 1900.

3. ☐ No Change — SAME SOURCE
☒ Source is different than that claimed:

Source found: Unnamed Stream Tub to Gumies Creek.
Gumies Creek Tub. to Moses Creek = Placer mining

4. ☐ No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:

Township 7N Range 6E Section 2 1/4 SW 1/4 SE = 2
Township 7N Range 6E Section 2 1/4 SE 1/4 NE 1/4 SE = POB - Placer
78N R6E S25 NE SW NW = POE - Placer

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

Pipes Plastic pipe is used to divert from the POD's
to the domestic and milling uses. A Portable
pump is used for the placer mining

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: 1 Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) See additional attachment

According to Pat Smith an error was made in the original statutory filing by not including a placer mining POU & POB's.

C18, N10 & N12, POU remark for placer mining

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 10-10-2001

FIELD EXAMINER: _____

Print Name

Neil Schulte

Signature

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

MAINTENANCE FEE WAIVER CERTIFICATION

SEE INSTRUCTIONS ON REVERSE

RECEIVED
BLM-ID STATE OFFICE

2001 AUG 29 PM 1:35

FORM APPROVED
OMB NO. 1004-0114
Expires: December 31, 2002

PUBLIC ROOM

1. This small miner waiver is filed for the assessment year beginning at noon on September 1, 2001 and ending at noon on September 1, 2002
2. The undersigned and all related parties owned ten or fewer mining claims, mill, or tunnel sites located and maintained on Federal lands in the United States of America on September 1, 2001
3. The undersigned have performed the assessment work required by law for each mining claim listed prior to filing this waiver and understand that by filing this form; an affidavit of assessment work must be recorded by the December 30th following the filing of this waiver.
4. The undersigned understand that if the assessment work obligation has not yet come due under 30 U.S.C. 28 (for those claims in their first assessment year only); a notice of intent to hold reciting this condition must be recorded by the December 30th following the filing of this waiver.
5. The undersigned understand that mill and tunnel sites may also be listed upon this waiver and be waived from payment of the maintenance fee; and that a notice of intent to hold for these sites is required to be recorded by the December 30th immediately following the filing of this waiver.
6. The undersigned understand and acknowledge that pursuant to 43 U.S.C. 1212 and 18 U.S.C. 1001; the filing or recording of a false, fictitious, or fraudulent document with the Bureau of Land Management may result in a fine of up to \$250,000, a prison term not to exceed five years, or both.
7. The mining claims, mill or tunnel sites for which this waiver from payment of the maintenance fees is requested are:

CLAIM OR SITE NAME	BLM RECORDATION SERIAL NUMBER
1. Ruthey Placer	IMC 178884
2. Governor Placer	IMC 178885
3. Corse Gold Placer	IMC 178886
4. Mamie Placer	IMC 178887
5. Maudy Mill Site	IMC 178883
6. St. Jude	IMC 178888
7. World War	IMC 178889
8. Badger	IMC 178890
9. Ground Hog	IMC 178891
10. Sourdough	IMC 178892

The owner(s) (claimants) of the above mining claims and sites are:

Patrick O. Smith

(Owner's Name - Please Print)

1911 Euclid Ave.

(Street or P.O. Box)

Boise

(City)

ID

(State)

83706

(Zip Code)

Alice M. McKee

(Owner's Name - Please Print)

5682 E. Woodcross Dr.

(Street or P.O. Box)

Boise

(City)

ID

(State)

83712

(Zip Code)

Michael J. Weaver

(Owner's Name - Please Print)

427 E. Lewis

(Street or P.O. Box)

MOSCOW

(City)

ID

(State)

83843

(Zip Code)

(Continued on reverse)

Dennis Day

(Owner's Name - Please Print)

P. O. Box 279

(Street or P.O. Box)

(Owner's Signature)

Sandpoint

(City)

ID

(State)

83864

(Zip Code)

(Owner's Name - Please Print)

(Street or P.O. Box)

(Owner's Signature)

(City)

(State)

(Zip Code)

(Owner's Name - Please Print)

(Street or P.O. Box)

(Owner's Signature)

(City)

(State)

(Zip Code)

(Owner's Name - Please Print)

(Street or P.O. Box)

(Owner's Signature)

(City)

(State)

(Zip Code)

INSTRUCTIONS

1. This certification is made under the provisions of § 1744 of Title 43 and § 28-28k of Title 30 of the United States Code; and the regulations thereunder (43 CFR Part 3830).
2. The claimant(s) must fill in the dates in paragraph 1 for the beginning and ending of the assessment year for which this waiver is sought.
3. The claimant(s) must fill in the date in paragraph 2 for the beginning of the assessment year for which this waiver is sought.
4. All claim and site names and Bureau of Land Management (BLM) serial numbers must be listed for the mining claims, mill sites, and tunnel sites for which the waiver is sought.
5. All owners of the mining claims, mill sites, and tunnel sites and their addresses must be given.
6. This waiver form must be signed by all the claimants or their designated agent, in original form. If an agent is designated, a notarized designation of agent, signed by all of the claimants with proper address given, must be submitted with this waiver.

7. This form must be filed no later than September 1st for the upcoming assessment year in the BLM State Office where the mining claims or sites are recorded, or the waiver cannot be granted by the BLM. (Example: to obtain a waiver for the assessment year 2000, which begins at noon on September 1, 1999, you must qualify for and file for a waiver no later than September 1, 1999 in the proper BLM State Office).
8. For all mining claims which require assessment work, you must record an affidavit of labor on or before the December 30th immediately following the filing of this waiver. For all other mining claims or sites waived, you must record a notice of intent to hold on or before the December 30th immediately following the filing of this waiver.
9. Mill and tunnel sites may also be listed upon this waiver and be waived from payment of the maintenance fee. A notice of intent to hold for these sites is required to be filed by the December 30th following the filing of this waiver.

NOTICE/BURDEN HOURS STATEMENT

The Privacy Act of 1974, as amended, and the regulation in 43 CFR 2.48(d) provide that you be furnished the following information in connection with the information required by this certification of waiver from rental fees.

AUTHORITY: 30 U.S.C. 28-28k; 43 U.S.C. 1201, 1457, 1740, and 1744; and 43 CFR 3830.

PRINCIPLE PURPOSE: This information is to be used to verify that the owner(s) (claimants) of a mining claim has complied with 30 U.S.C. 28f and is entitled to perform assessment work in lieu of paying the maintenance fee for the mining claims listed on this form.

ROUTINE USE: (1) Adjudication of the claimant(s) certification of waiver from paying the maintenance fee otherwise required by 30 U.S.C. 28f. (2) Disclosure may be made to appropriate Federal agencies when location is made within the agency's geographic area of responsibility. (3) Information from the record and/or the record will be transferred to the appropriate Federal, State, or local agency, or a member of the public in response to a specific request for pertinent information. (4) Information may also be provided to the Department of Justice or in a proceeding before a court or adjudicative body; or to Federal, State, local or foreign agencies when needed for enforcement of civil or criminal codes or applicable regulations concerning title rights upon the public land.

EFFECT OF NOT PROVIDING INFORMATION: Disclosure of this information is required by 30 U.S.C. 28f and 43 CFR Part 3830 for those qualified claimants wishing to take the small miner waiver allowed. Failure to supply the information required in this form to support the claimants certification of waiver from payment of the otherwise required maintenance fees will result in the waiver being disallowed and the mining claims subject to forfeiture by BLM under 30 U.S.C. 28i.

The Paperwork Reduction Act of 1995 requires us to inform you that:

This information is being collected to allow the BLM to determine if you qualify for a waiver from the payment of \$100 per mining claim or site maintenance fee established in 30 U.S.C. 28f and the implementing regulations at 43 CFR 3830. A response to this request is required in accordance with the statute to obtain your benefit.

BLM would like you to know that you do not have to respond to this, or any other, Federal agency-sponsored information collection unless it displays a currently valid OMB control number.

Public reporting burden for this form is estimated to average 8 minutes (0.133 hours) per response, including time to review instructions, gathering and maintaining data, and completing and reviewing the form. Direct comments regarding this burden estimate, or any other aspect of this form, to the U.S. Department of the Interior, Bureau of Land Management, (1004-0114) Bureau Clearance Officer (WO-630), Mail Stop 401 LS, 1849 C St., N.W., Washington, D.C. 20240.

FOR OFFICIAL USE ONLY

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

63-4760)
)
)
)

AFFIDAVIT

State of Idaho)
County of _____)

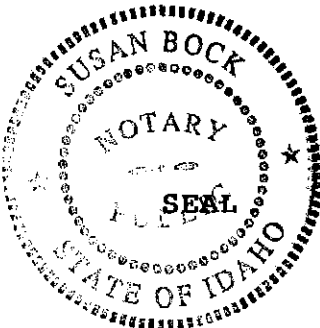
King Lodge, Inc., President being first duly sworn,
Patrick O. Smith
deposes and says:

The King Lodge, Inc., quarry claims,
located at the headwaters of Grimes Creek,
was located by ^{the} Smith family in the early
1900's and is currently an active mining
claims.

Boise Centre
GuestLodge

Patrick Smith

1314 Grove Street • Boise, Idaho 83702
Tel (208) 342-9351 • Fax (208) 336-5828



Patrick O. Smith
(Signature)

Subscribed and sworn to before me this
day 4th of Oct, 192001.

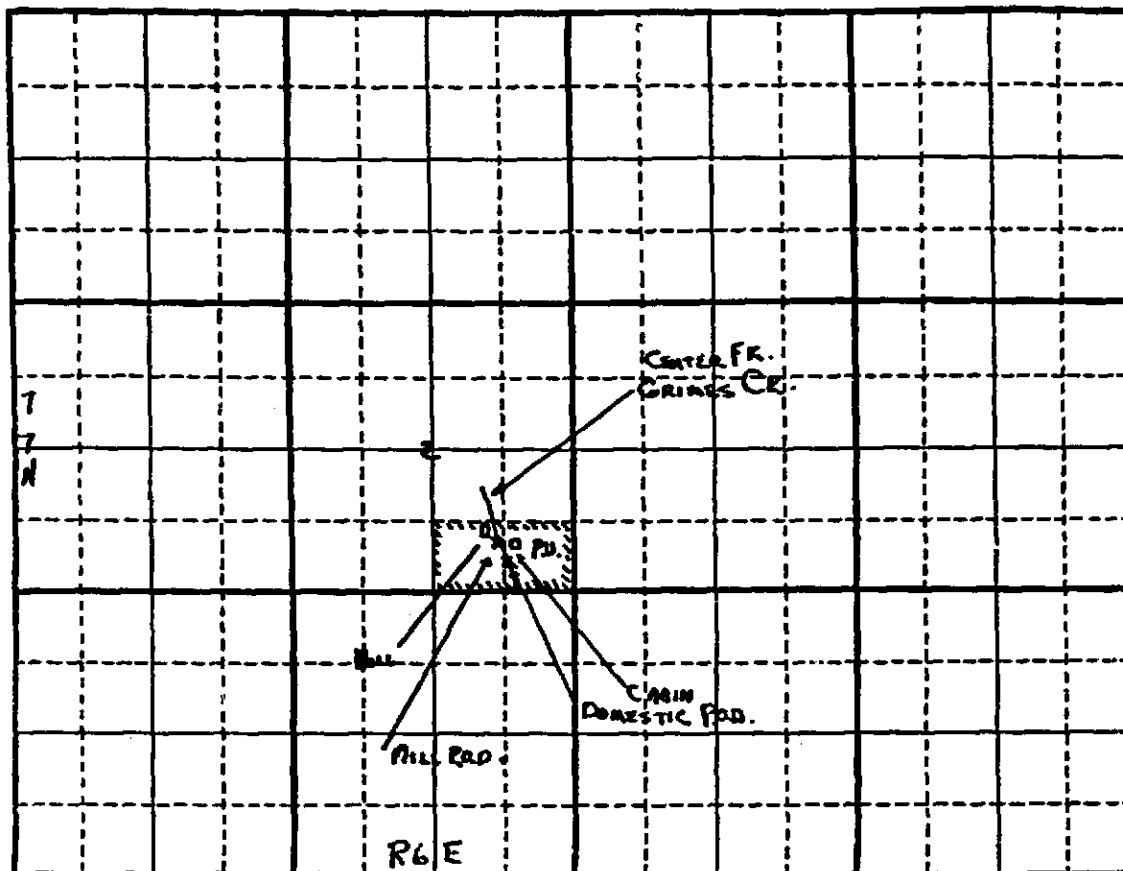
Susan Bock
(Notary Public)

Residing at Idaho
My Commission Expires 10/23/2004.

CLAIM TO A WATER RIGHT

(7) If you are claiming water as a member of an organization, list name of organization:
King Lodes, Inc., an Idaho Corporation.

- (8) Remarks Water right had actually been exercised much earlier than this but date claimed is more easily substantiated by Mr. Smith, President of Corporation.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 5 day of September, 19 80.
George Smith Pres.
(Claimant)

Nancy M. Fairway
Notary Public
Residing at Boise

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by <u>ER</u>	Date <u>9/5/80</u>	Exception filed by:	Forwarded to	Date
30- <u>elim.</u> check by <u>EAS</u>	Date <u>9/5/80</u>		claimant by:	
\$20.00 fee received by <u>EAS</u>	Date <u>9/5/80</u>	<u>115723</u>	<u>hln</u>	<u>9/6/80</u>
Published in <u>Idaho World</u>				
Dates <u>9/18 & 9/25/80</u>				

ENDING POINT
OF PLACER MINING

Summit
Flat

TEN
TOWN

BEGINNING POINT
FOR PLACER MINING

PODS

A63-4760

PHOTOS TAKEN 10/10/2001



PHOTO #5
THE OLD MILL SITE



PHOTO #6
THE DOMESTIC CABIN

A63-4760

PHOTOS TAKEN 10/10/2001



PHOTO #3
POD FOR THE MILLING
OPERATION LOOKING
WEST FROM THE ROAD

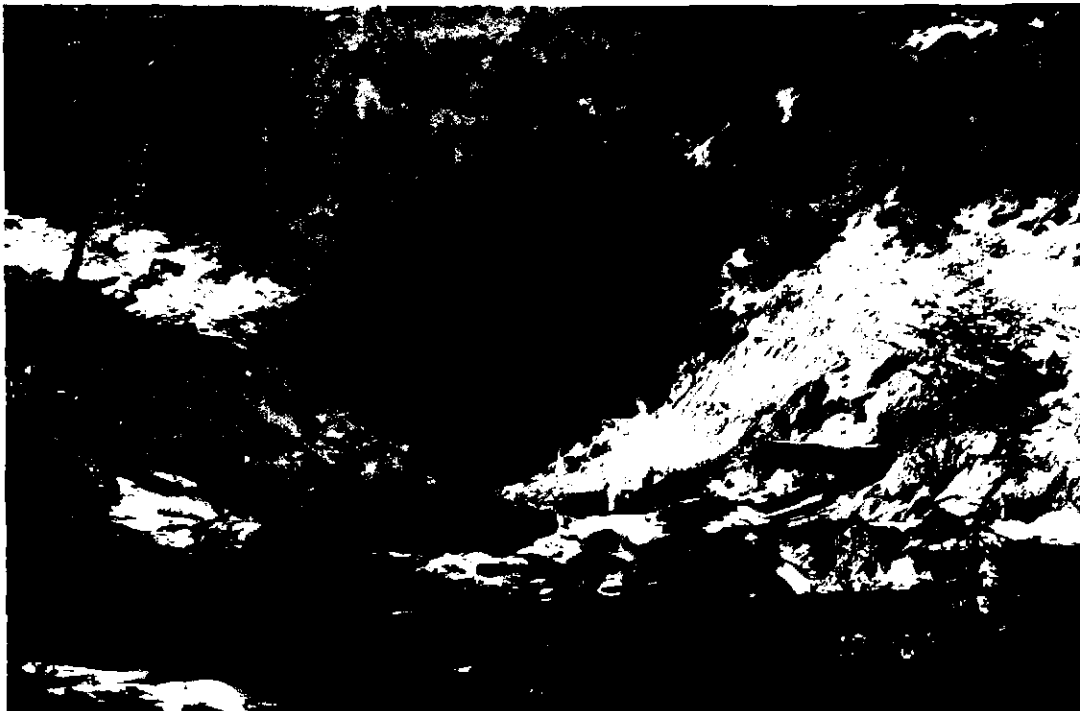


PHOTO #4
ENTRANCE TO THE
HARD ROCK MINING
SHAFT

A63-4760

PHOTOS TAKEN 10/10/2001

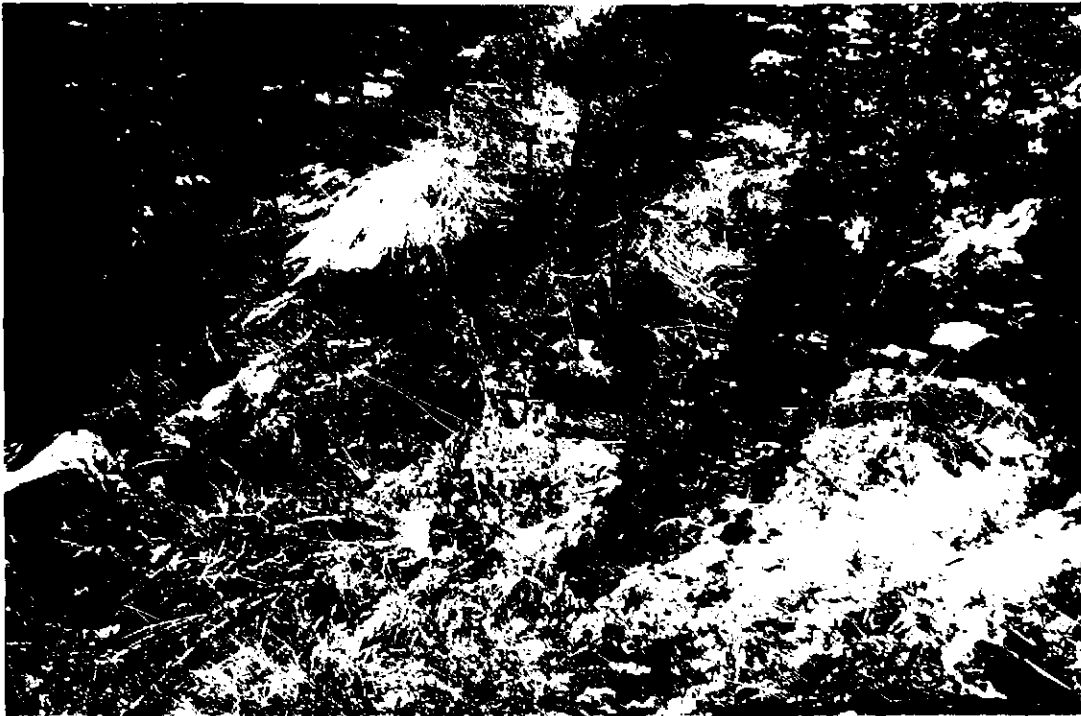


PHOTO #1
POD FOR THE MILLING
OPERATION LOOKING
EAST ADJACENT TO THE
POD



PHOTO #2
POD FOR DOMESTIC



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 15, 2001

KING LODS INC
1917 EUCLID AVE
BOISE, ID 83706

Re: Claim No(s). 63-4760

Dear Claimant(s):

In the past, you submitted the above referenced claim(s) in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim(s) for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated when this claim was filed that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. Your claim(s) has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize your water use under this right(s), if water ~~availability problems arise in the future. It is our goal to decree the historical water~~ rights within the Snake River Basin as accurately as possible. Field exams to verify claims in this area are now being conducted by Department personnel. Please contact this office as soon as possible to schedule a field exam appointment convenient for you.

The required evidence supporting the priority date(s) must be submitted by **October 15, 2001**, referencing all documents with the corresponding claim number(s). If you have any questions not covered by this letter, or the enclosed pamphlet, please call the Western Region office shown above.

Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures

Per Clement, Pat Smith

The original statutory claim 63-4760 should have included placer mining along Grimes Creek in the Coise Gold, Ruthey, Marnie and Governor Placer Claims.

Placer mining POB's on Grimes Creek

POB: 7N, 6E, S2, SE NESE

POE: 8N, 6E, S25, NE, SW NW