

Claim No(s): 63-4941
T02N, R10E, S 18
Prepared by: Sue Bock
Date: 7/25/2001

 Place of Use

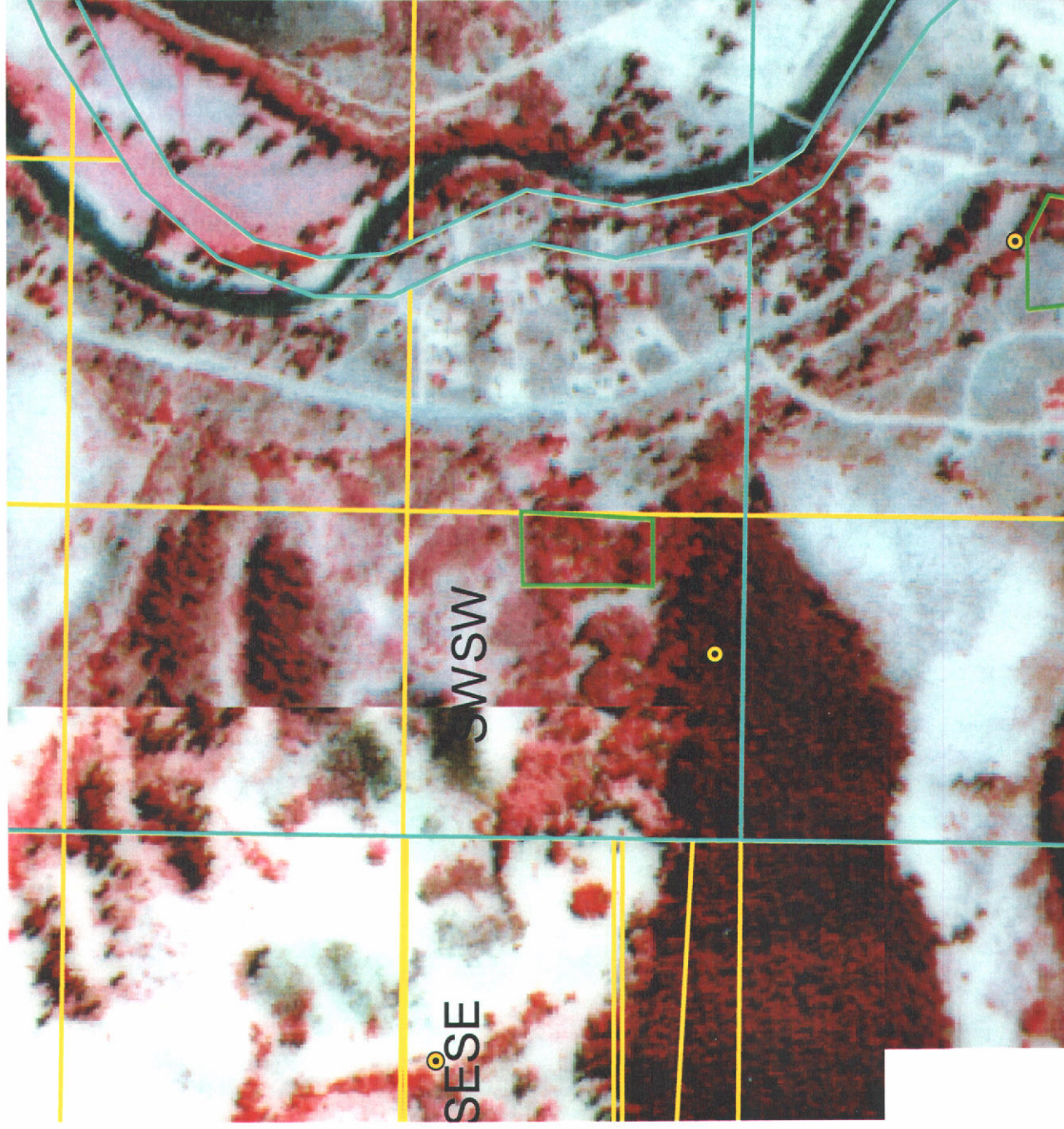
 Point of Diversion

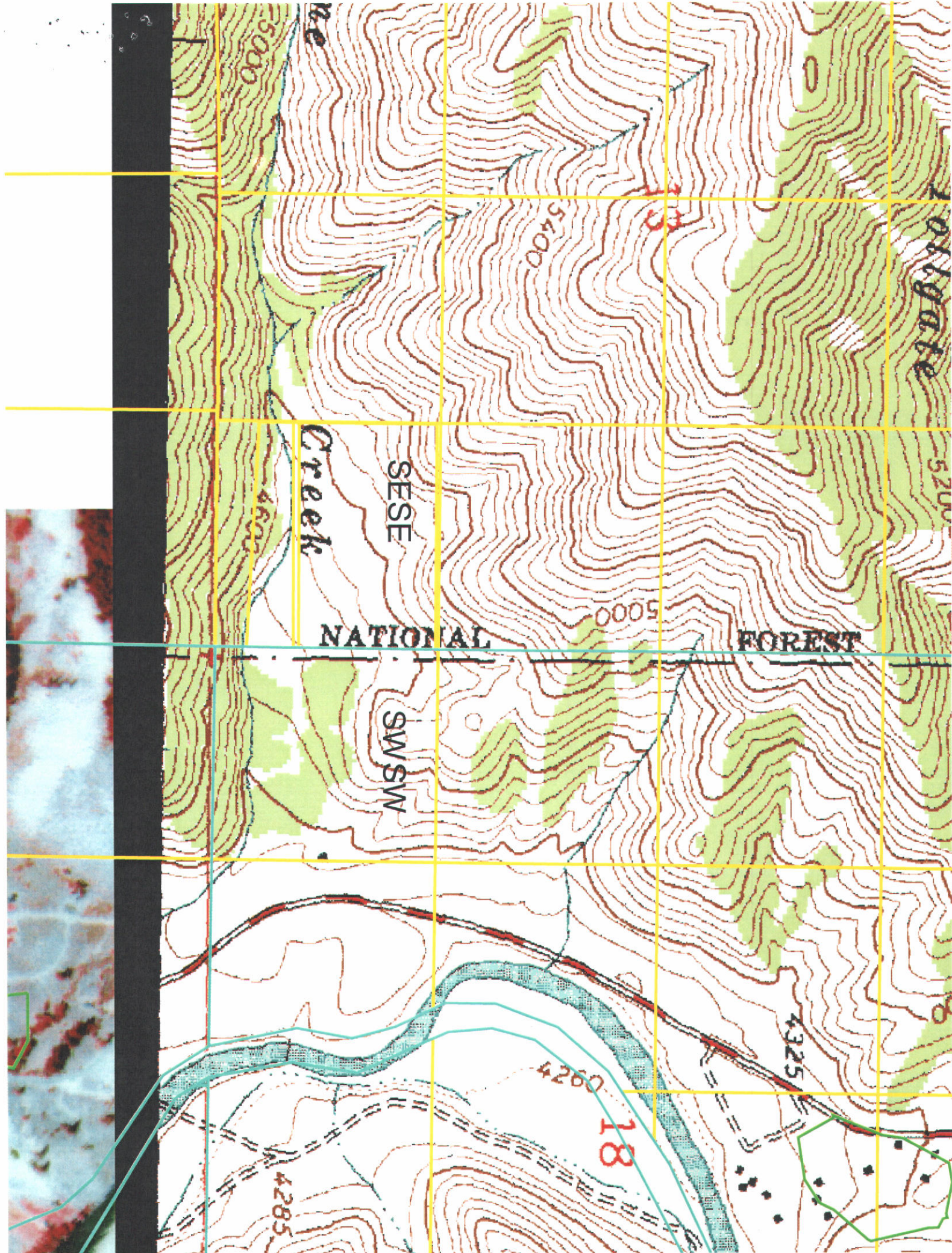
 Section lines

 1/4 1/4 lines



600 0 600 1200 Feet





Water Resources Field Exam
July 23, 2001 Sue Bock Claim No. 63-4941



TOWNE
Creek
pool
1" pipe in creek



yard & orchard
looking toward Road

Water Resources Field Exam
July 23, 2001 Sue Bock Claim No. 63-4941

yard facing N



POU goes
back to treeline
behind house.

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

RECEIVED

AUG 02 1989

Ident. Number: A63-04941
Date Received: ~~8/01/1989~~ 8-2-89
Receipt No: W0003984
Received By: JH

Department of Water Resources
Western Regional Office

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

1. Name: SALOME MC NEILLY
Address: 1410 N. 16TH APT. C
BOISE, ID

83702

2. Date of Priority: JUL 01, 1896

3. Source: SPRING
TOWNE CREEK

Trib. to: TOWNE CREEK
BOISE RIVER, SOUTH FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	09E	13	SE	SE			ELMORE
	10E	18	SW	SW			ELMORE

5. Description of diverting works:
DAM, PIPELINES & SUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.200		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	09E	13	SE	SE		IRR	5.0
Section Acres							5.0

A63-04941

Page 1

Date: 08/01/89

MICROFILMED
AUG 20 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02N	10E	18	SW	SW		IRR	5.0
Section Acres							5.0
Total Acres							10.0

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:

SOURCES ARE SPRING, TRIB. TOWNE CK.; TOWNE CK., TRIB. BOISE R.
S. FK.

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): *Salome M. Kelly* Date: 8-1-89
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 2 day

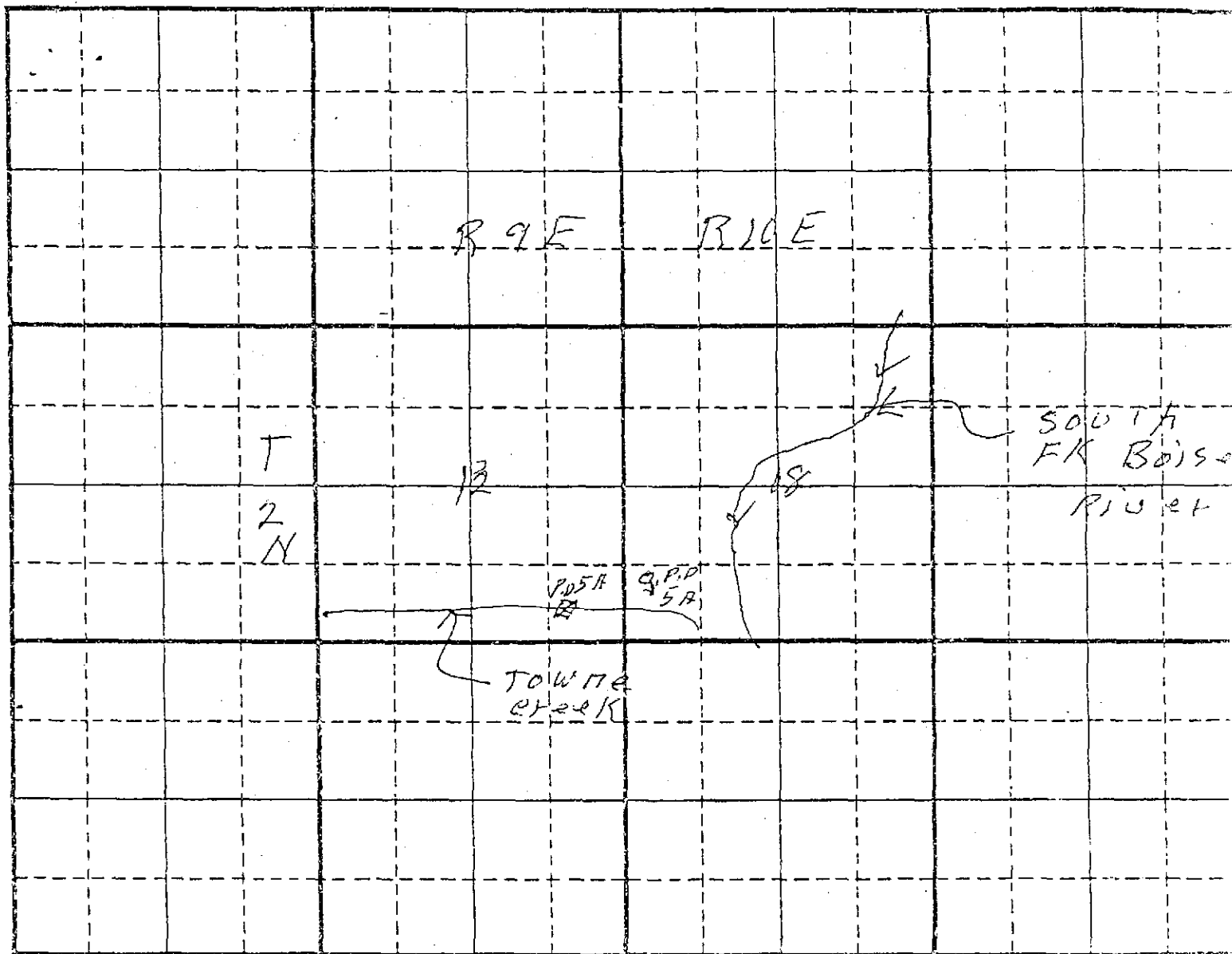
of August 19 89

Lori Harris
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12-8-94



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.

MICROFILMED

AUG 20 1992

State of Idaho)

) ss.

County of Adair)

Water Right Number - 63-04941 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
MC NEILLY

SALOME 1 - 1410 N. 16TH APT. C
2 -
3 -
City- BOISE State- ID Zip- 83702
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
07/01/1896 14 WESTERN S - STATUTORY CLAIM

+ - - - - Source - - - - + + - - - - Tributary - - - - +
SPRING TOWNE CREEK
TOWNE CREEK BOISE RIVER, SOUTH FORK

+ - - - - Point of Diversion - - - - - Stream Index (Blank if no Index Code)
Twn Rng Sec Tract Lot RFlg County + - - - -

02N 09E 13 SE SE (39) ELMORE
02N 10E 18 SW SW (39) ELMORE

+ - - - - Water Use - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To + - - - -
01 - IRRIGATION 04/15 10/15 0.200

+ - - Total Div. Rate - - + + - - Total Div. Volume - + + - - Total Div. Capacity - + + - - Total Consumptive Use - + + - - KW Usage - +
0.200

+ - - - - Place of Use - - - - - County
Twn Rng Sec Tract Lot Acres Code Description + - - - -
02N 09E 13 SE SE 5.0 01 IRRIGATION (39) ELMORE
02N 10E 18 SW SW 5.0 01 IRRIGATION (39) ELMORE

Total Acres: 10.0

+ - - Diversion Means - DAM, PIPELINES & SUMP

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - -
SOURCES ARE SPRING, TRIB. TOWNE CK.; TOWNE CK., TRIB. BOISE R.
S. FK.

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

MICROFILMED
AUG 20 1992

MICROFILMED
AUG 20 1992

ADJUDICATION CLAIM REVIEW CHECKLIST

4-3-91

CLAIMANT'S NAME Salome McNeilly

CLAIM IDENT. NO. A63-04941

DATE RECEIVED 8-1-89 RECEIPT # W003985 AMOUNT \$ 60.00

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required) N/A	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
7. Is a total quantity claimed entered?	☒	☐	
8. If required is a consumptive use entered? N/A	☒	☐	
Is the consumptive use correct? N/A	☒	☐	
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated? (See Item No.'s 16 & 17 for checking other water rights)	☒	☐	
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the basis of claim is shown as license, permit, or decree is the existing water rt. no. listed? N/A	☐	☐	*
(Compare claim with the existing water rt. and either attach a proof report or state in comments that the existing right was compared to the claim)			
17. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal desc. or name on the claim? N/A	☒	☐	
(If yes, describe the right in "Comments" and attach a proof report) NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
18. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A	☒	☐	
19. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
20. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
21. Was this claim filed on time, or was an extension granted?	☒	☐	*
22. Is the fee enclosed correct? Exempt	☐	☐	

MICROFILMED

AUG 20 1992

23. Should this claim be data entered?

YES

NO

Claim reviewed by: WJ

Date 4-17-91

Claim data entered by: _____

Date _____

Claim is being returned to claimant: _____

(Yes) (No)

Claimant is being notified of modifications: _____

(Yes) (No)

Comments:

Proof Report Attached

2nd letter



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

26
June 27, 2003

JUDY MC NEILLY
1851 MIDVALE DR
POMONA CA 91768-1449

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-4941

Dear Property Owner(s):

We have been advised you may be the current owner of the property with the water right referenced above. Enclosed is a copy of the water right for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Denise Hatfield
Office Specialist I
Adjudication Section
Western Region

DH: dh

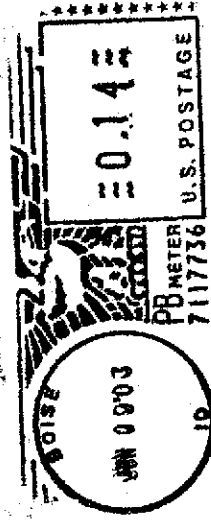
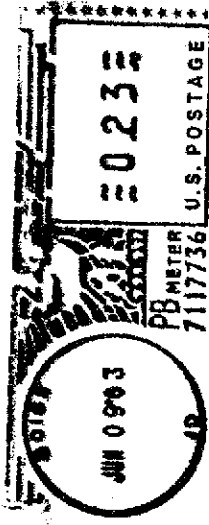
Enclosures

DEPARTMENT OF WATER RESOURCES
2785 AIRPORT WAY
BOISE, IDAHO 83705

625-490611

RECEIVED
JUN 16 2003
WATER RESOURCES
WESTERN REGION

JUDY MC NEILLY
C/O 1410 N 16TH APT C
BOISE ID 83702



MCNE410 037022017 1302 06 06/12/03
FORWARD TIME EXP RTN TO SEND
MC NEILLY
1851 MIDVALE DR
POMONA CA 91768-1449

RETURN TO SENDER

83702+2637 06

Sent 2nd letter 6/17/03



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Sue

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 9, 2003

JUDY MC NEILLY
c/o 1410 N 16TH ST, APT C
BOISE ID 83702

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 63-4941

Dear Property Owner(s):

We have been advised you may be the current owner of the property with the water right referenced above. Enclosed is a copy of the water right for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions attached to the form and return to this office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Adjudication Section
Western Region

DH: dh

Enclosures

Hatfield, Denise (Buffington)

From: Sherman, Sally
Sent: Friday, June 06, 2003 1:04 PM
To: Hatfield, Denise (Buffington)
Subject: 63-4941

Hi Denise. Had a voicemail when I returned from lunch - Judy McNeely said she received the information and the address is correct. Her mom is deceased, Judy is the executrix. Sounds like an o-change is in order. She can be reached at 213-633-6881.

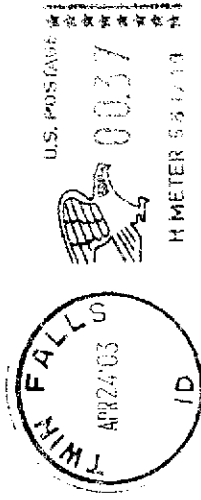
Hope your w/e is great.

STATE OF IDAHO
District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

63-4941

RECEIVED
MAY - 1 2003

Department of Water Resources



NAME AND ADDRESS:

SALOME MC NEILLY
1410 N 16TH APT C
BOISE, ID 83702

SOURCE:

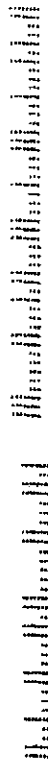
SPRING

TRIP

83303-2707

MCNE410 837022016 1302 09 04/28/03
FORWARD TIME EXP RTN TO SEND
MC NEILLY
1851 MIDVALE DR
POMONA CA 91768-1449

RETURN TO SENDER





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 27, 2003

SALOME MC NEILLY
1851 MIDVALE DR
POMONA CA 91768-1449

RECEIVED

JUN 17 2003

WATER RESOURCES
WESTERN REGION

RE: Snake River Basin Adjudication (SRBA)
Water Right #63-4941

Record Modified 6-10-03.

Dear Water Right Holder:

Mail sent to you by the SRBA District Court was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by June 13, 2003. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

#####

The address is correct as shown above or as otherwise changed.

Salome McNeilly - Harvey, Ex. Est. Salome McNeilly
Water Right Holder's Signature

213-633-6881
Telephone No.

SCANNED

JUN 10 2003

IDAHO DEPARTMENT OF WATER RESOURCES
 Adjudication Recommendation Report 63-4941 V1

WATER RIGHT NUMBER: 63-4941 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SALOME MC NEILLY 1410 N 16TH APT C BOISE, ID 83702

Priority Date: 07/01/1896

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING TOWNE CREEK	TOWNE CREEK SOUTH FORK BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

TOWNE CREEK	SW1/4SW1/4	Sec. 18, Twp 02N, Rge 10E, B.M.
ELMORE County		
SPRING	SE1/4SE1/4	Sec. 13, Twp 02N, Rge 09E, B.M.
ELMORE County		

Place of Use

IRRIGATION Within ELMORE County

T02N R10E S18 SWSW 2.0

Total Acres: 2

Conditions of Approval:

1. C18 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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Comments:

1. sbock 7/25/2001 INFO

Comment: I conducted a field exam of this right on 7-23-01. I met with Salome Mc Neilly, she is 80 years old. Salome grew up in this area and knew the original man that owned the property. He was an old man when she was a little girl. He married a prostitute and was ashamed to be seen with her so he build a cabin near the spring in Sec 13 and another cabin in section 18. All the area around the original cabin in sec 13 has had no irrigation for many year. The only irrigated area is around Salomes home and the apple orchard in front of her home. The orchard is over 100 years old. There is no water for the internal cabin use. It is hard to determine irrigated acres from the napp photo. I am streaching it to say there is 2 acres of irrigation at the present time. I told Salome that I would probably only be able to recommend 2 acres, and she said that was fine.

2. sbock 7/25/2001 measurement

Comment: No measurement required as this is claimed at .2 cfs

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

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

63-4941)

State of Idaho)
County of Ada)

AFFIDAVIT

RECEIVED

OCT 16 2001

WATER RESOURCES
WESTERN REGION

Salome McNeilly, being first duly sworn,
deposes and says:

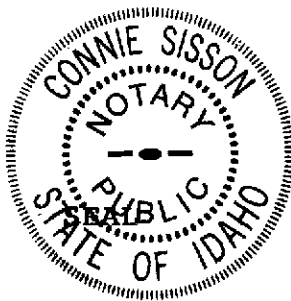
I was born May 8, 1921, on a homestead located on Deer Creek, Elmore County, Idaho, which is about four miles from the Town^e property which is the site of the subject water right.

My father purchased the Towne acreage in 1955 and I purchased it from my mother in 1979. I have personal knowledge of the use of the water for irrigation on the orchard and lawn since the early 1900's and have reason to believe that the water was used to irrigate the orchard since 1896. The trees, while still bearing fruit, are obviously very old and I have been told many times that the orchard is one hundred years old. It is obvious that the trees have had the benefit of irrigation during all that time. In fact, during the years before my father's death he reaped enough of a crop of apples, pears, plums and crab apples that he sold fruit to passers by.

Salome McNeilly
(Signature)

Subscribed and sworn to before me this
day 15th of October, 18 2001.

Connie Sisson
(Notary Public)



Residing at Boise, Idaho.
My Commission Expires 2-2-2005.



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

SALOME MC NEILLY
1410 N 16TH APT C
BOISE, ID 83702

Re: Claim No(s). 63-4941

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

RIGHT NUMBER: 63-4941

NAME AND ADDRESS: SALOME MC NEILLY
1410 N 16TH APT C
BOISE ID 83702

SOURCE: SPRING
TOWNE CREEK

TRIBUTARY: TOWNE CREEK
TRIBUTARY: SOUTH FORK BOISE RIVER

QUANTITY: 0.04 CFS

PRIORITY DATE: 07/01/1896

POINT OF DIVERSION:

T02N R09E S13 SESE Within ELMORE County

T02N R10E S18 SWSW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.040 CFS

PLACE OF USE:

IRRIGATION Within ELMORE County

T02N R10E S18 SWSW 2.0

2 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: Beneficial Use

Idaho Dept of Water Resources

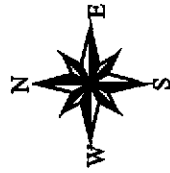
Claim No(s): 63-4941
T02N, R10E, S 18
Prepared by: Sue Bock
Date: 7/25/2001

☐ Place of Use

● Point of Diversion

☐ Section lines

☐ 1/4 1/4 lines



600 0 600 1200 Feet



1987 NAPP Photo

AJ5809NP
No. A63-04941

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/22/01
PAGE: 26

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME

C SALOME MC NEILLY 1410 N 16TH APT C BOISE ID 83702 07/01/1896 IRRIGATION 04-15 10-15 0.200 CFS

TOTAL DIVERSION: 0.200 CFS

Water Source: SPRING TOWNIE CREEK Tributary to: TOWNIE CREEK Stage: STATUTORY CLAIM

Point(s) of Diversion: T02N R09E S13 R10E S18 SESE SWSW ELMORE County ELMORE County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE								
		NENE		SWNE		SENE		NNW		SWNW		SENW		NWSW		SWSW		NESW		SESE		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		Lt Ac		
		Lt Ac		Lt																		

WR5809NP
No. 63-04941

Water Source: SPRING
TOWNE CREEK

T02N R09E S13
R10E S18

Place of use Legal Description for: IRRIGATION																								
NE					NW					SW					SE									
HENE		HNNE		SWNE		SENE		HNW		NNW		SNW		SEW		HNE		NWSE		SESE		SUM		
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
T	R	S																						
32N	09E	13																						
32N	10E	18																						
															05					05				
															05					TOTAL ACRES				
																				5.0				
																				5.0				
																				10.0				

POW County: ELMORE

Remarks: GEN SOURCES ARE SPRING, TRIB. TOWNE CK.; TOWNE CK., TRIB. BOISE R. S. FK.

Dates:	App. Received:	Priority Date:	07/01/1896
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: _____
Water District Number: _____
Field Exam Fee: _____

Call back in Sept. Too hot!

FIELD EXAM
TELEPHONE CONVERSATION MEMORANDUM

NAME OF CONTACT McNulty Salome
PHONE NUMBER 342-7374 ADJ. AGENT Linda
DATE SET FOR EXAM _____
LOCATION/DIRECTIONS _____

Diverting at full rates? _____

Type of measuring devices? _____

Places to make measurements? _____

Type of System? (pipelines, ditches) _____

How many laterals are used? _____

Length and size of mainline? _____

Size of motor used for each P/D? _____

Estimate of depth to water? _____

Pressure at well? _____

Pressure at sprinkler heads? _____

COMMENTS Nose from spring & creek also -
buried.

Creek dry, spring running
Born & raised in that area. All old timers
are gone now. Very knowledgeable on
history. Born on Deer creek. Then moved
to Toone creek place. Elmer Towne
founded the area.

December 9th, 1994

Ms. Linda Werner
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

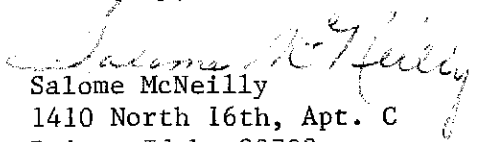
Dear Linda:

Re: Claim to Water
Right No. 63-4941

With regard to the above Claim to Water Right, there is enclosed affidavits of beneficial use which have been executed by Vern Orr and Clyde Winings. I understand these are to be filed with your office. If there is a filing fee, please let me know the amount and I will promptly remit.

Thanks for your help.

Sincerely,


Salome McNeilly
1410 North 16th, Apt. C
Boise, Idaho 83702

RECEIVED

DEC 12 1994

WATER RESOURCES
WESTERN REGION

COMMUNICATION DOCUMENTATION

Claim No. AG3-4941

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Linda Werner Date 10-26-94Contact Person(s) Salome McNeillyNature of Contact Field exam

Substance of Communication When will we do field exam.
She is concerned about losing her right. Explained to
her the SRBA process & that exam would be completed.
Forewarned her re. evidence of priority requirement. Said
we would send her an official letter but in meantime I
will send her pamphlet & affidavit so she will be
prepared.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 26, 1994

SALOME MCNEILLY
1410 N 16 APT C
BOISE ID 83702

SUBJECT: Notice of Claim to a Water Right, A63-04941

Dear Ms. McNeilly;

Please find enclosed a pamphlet entitled "Evidence of Priority" explaining the proof of priority date requirement. Also included are two blank affidavits.

We will be contacting you at a later date in order to set up an appointment for a field exam. Thank you for your assistance.

Sincerely,

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

CLAIM TO WATER RIGHT NO. 63-4941

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

CLYDE WININGS, being first duly sworn, deposes and
says:

That he is a citizen of the United States of America,
of the age of 62 years, and a resident of Elmore County,
Idaho.

During the year 1966 affiant became acquainted with
Lewis E. McGuire and Hazel McGuire, husband and wife, who
owned the real property located on the West side of the
Pine-Featherville Road in Elmore County, which property
includes the following described real property, to-wit:

The Southeast Quarter of the Southeast
Quarter of Section Thirteen, Township
Two North, Range Nine East, Boise Meridian,
and the Southwest Quarter of the Southwest
Quarter of Section Eighteen, Township Two
North, Range Ten East, Boise Meridian.

RECEIVED

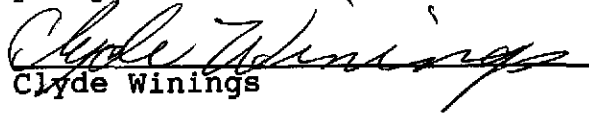
DEC 12 1994

WATER RESOURCES
WESTERN REGION

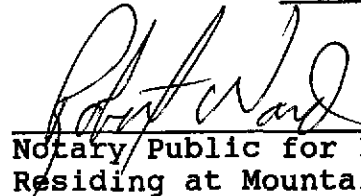
Since the year 1966, affiant has spent most of his
weekends residing on said property during the spring, summer
and fall of each year, and affiant has personally assisted
in the cultivation, irrigation and maintenance of the
orchard and yard on said property.

Water for irrigating said property has been diverted
from Towne Creek and the spring adjacent to the creek,
located a short distance above the orchard and yard. Water
was diverted by means of a dam and pipeline to transport the

water to the place of use. All water produced by Towne Creek and said spring was used on the property above-described, which water amounted to approximately 10 inches during the peak irrigation season and the land irrigated consisted of approximately 10 acres as described above. So far as known to affiant, no other person has used the water from the creek and spring and no water would have been available for any one else's use, since all of said water was being used on the real property described above.


Clyde Winings

SUBSCRIBED AND SWORN to before me this 11 day of
November, 1994.


Notary Public for Idaho
Residing at Mountain Home, ID

CLAIM TO WATER RIGHT NO. 63-4941

STATE OF Arizona)
Idaho) ss.
COUNTY OF Yuma)
Elmore)

RECEIVED

DEC 12 1994

WATER RESOURCES
WESTERN REGION

VERN ORR, being first duly sworn, deposes and says:

That he is a citizen of the United States of America, of the age of 84 years, and that he has resided on weekends and during vacations at Featherville, Idaho, ever since the year 1950. After retiring in 1975, he made his permanent residence at Featherville, in Elmore County, Idaho.

Affiant is personally acquainted with Lewis E. McGuire and Hazel McGuire, husband and wife, who owned the real property located on the West side of the Pine-Featherville Road, which property includes the following described real property, to-wit:

The Southeast Quarter of the Southeast Quarter of Section Thirteen, Township Two North, Range Nine East, Boise Meridian, and the Southwest Quarter of the Southwest Quarter of Section Eighteen, Township Two North, Range Ten East, Boise Meridian.

The said Lewis E. McGuire and Hazel McGuire are now both deceased and said real property is presently owned by Salome McNeilly, who is their daughter.

Said property and the residence house in which McGuires resided is located adjacent to the Pine-Featherville Highway and on numerous occasions affiant visited on said property with the McGuires, was personally acquainted with the McGuires, and also passed said property several times during the Spring, Summer and Fall of each year and observed the property being irrigated by the owners during each year.

Affiant knows of his own personal knowledge, that ever since the year 1950, McGuires have kept up and maintained an orchard and yard on said property and have used all of the water produced by Towne Creek and the spring which flows into Towne Creek, for the purpose of irrigating the orchard and yard which consists of approximately 10 acres. The water produced by the creek and spring amounted to approximately 10 inches, all of which was used during each and every year and put to beneficial use in irrigating said orchard and yard.

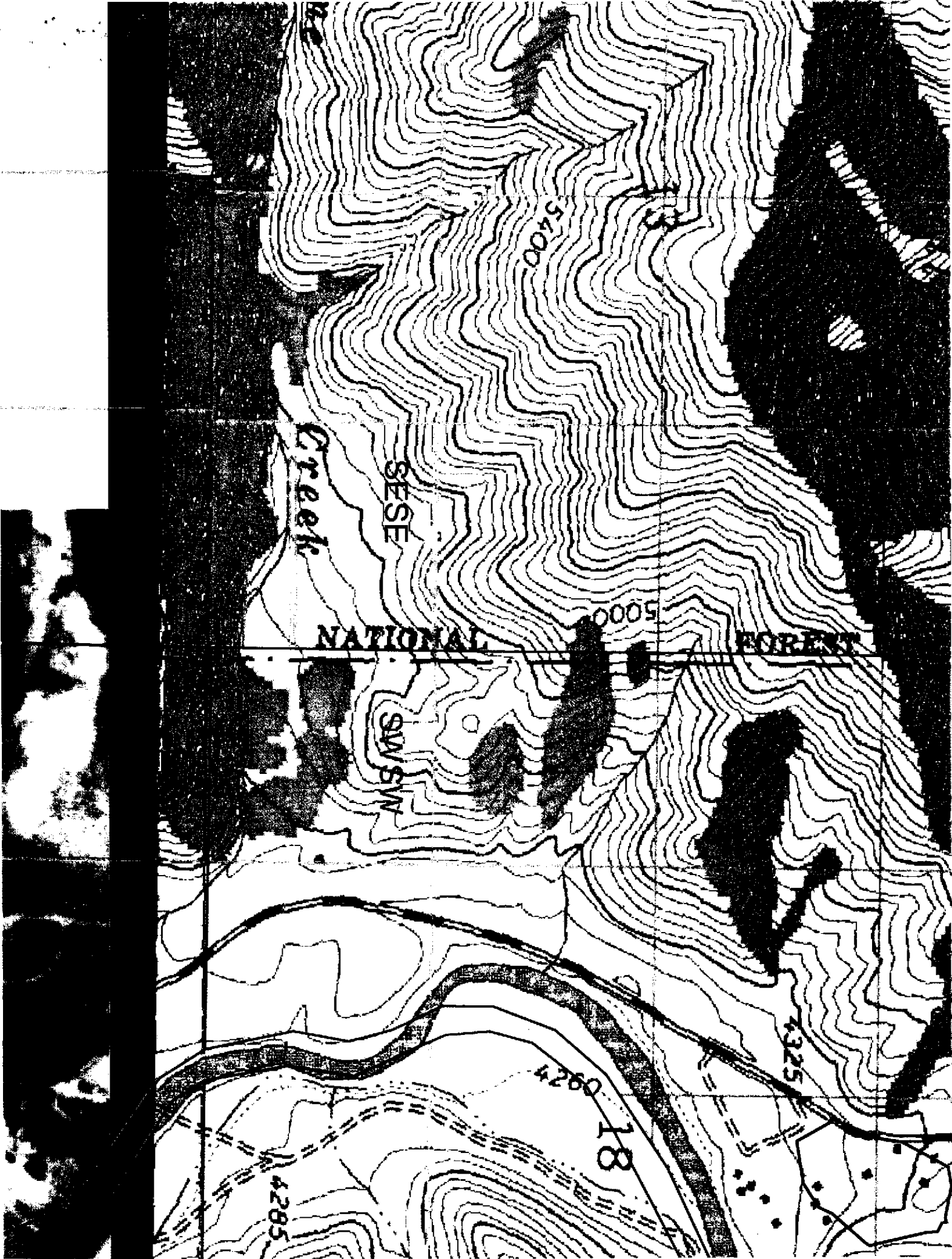
Salome McNeilly has owned said property ever since the year 1979 and she has continued to use said water for said purposes each and every year down to the present time, in the same manner in which it was used by her parents, prior to her ownership.

Vern Orr
Vern Orr

SUBSCRIBED AND SWORN to before me this 2 day December,
1994.

Jeanne Louise Kinsack
Notary Public for Yuma, Ariz.
Residing at Yuma, Ariz.

MY COMMISSION EXPIRES
JANUARY 14, 1995



Water Resources Field Exam
July 23, 2001 Sue Bock Claim No. 63-4941



TOWNE
Creek
pool
1" pipe in creek



yard & orchard
looking toward Road

Water Resources Field Exam
July 23, 2001 Sue Bock Claim No. 63-4941

yard facing N



you goes
back to treeline
behind house.