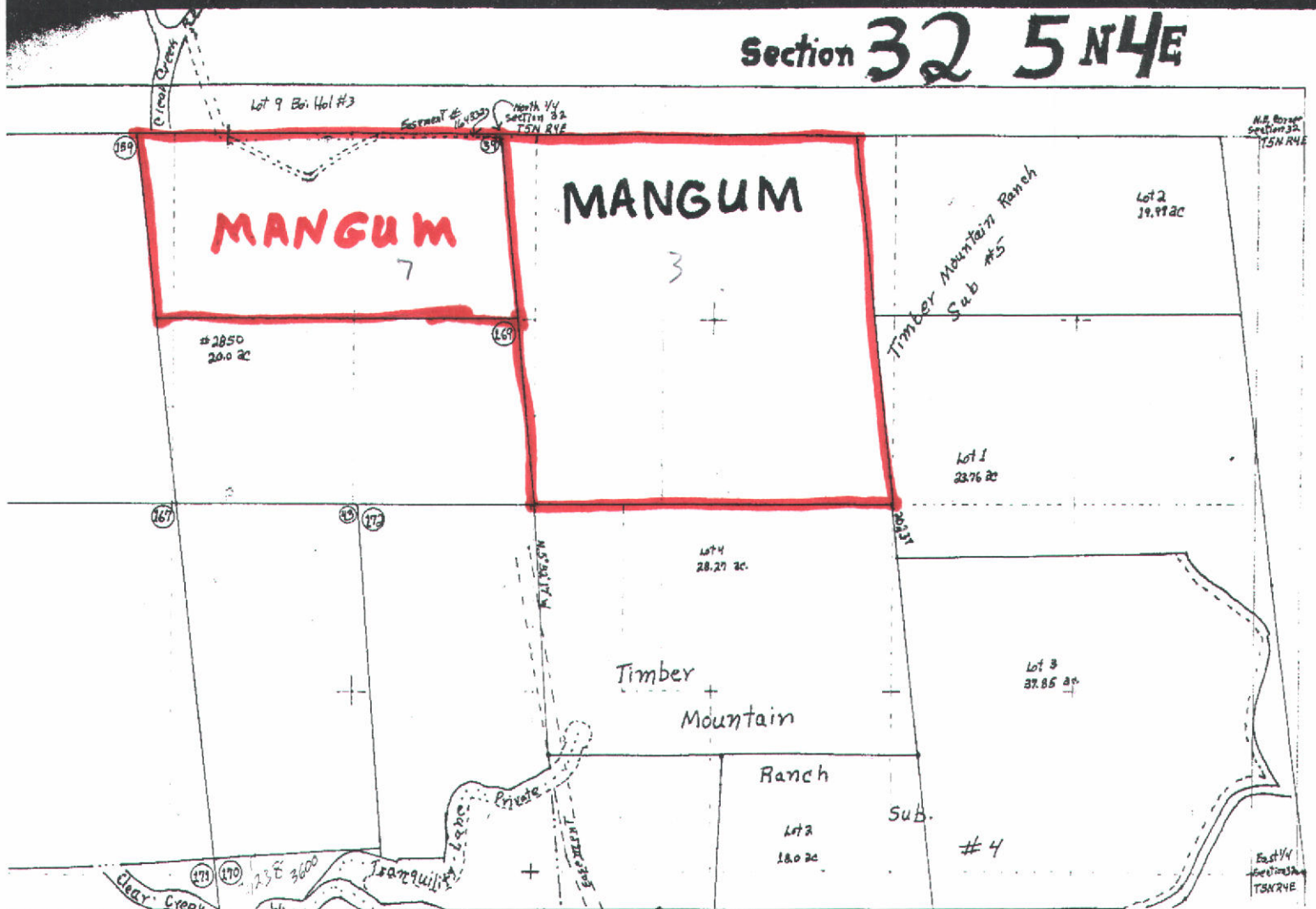
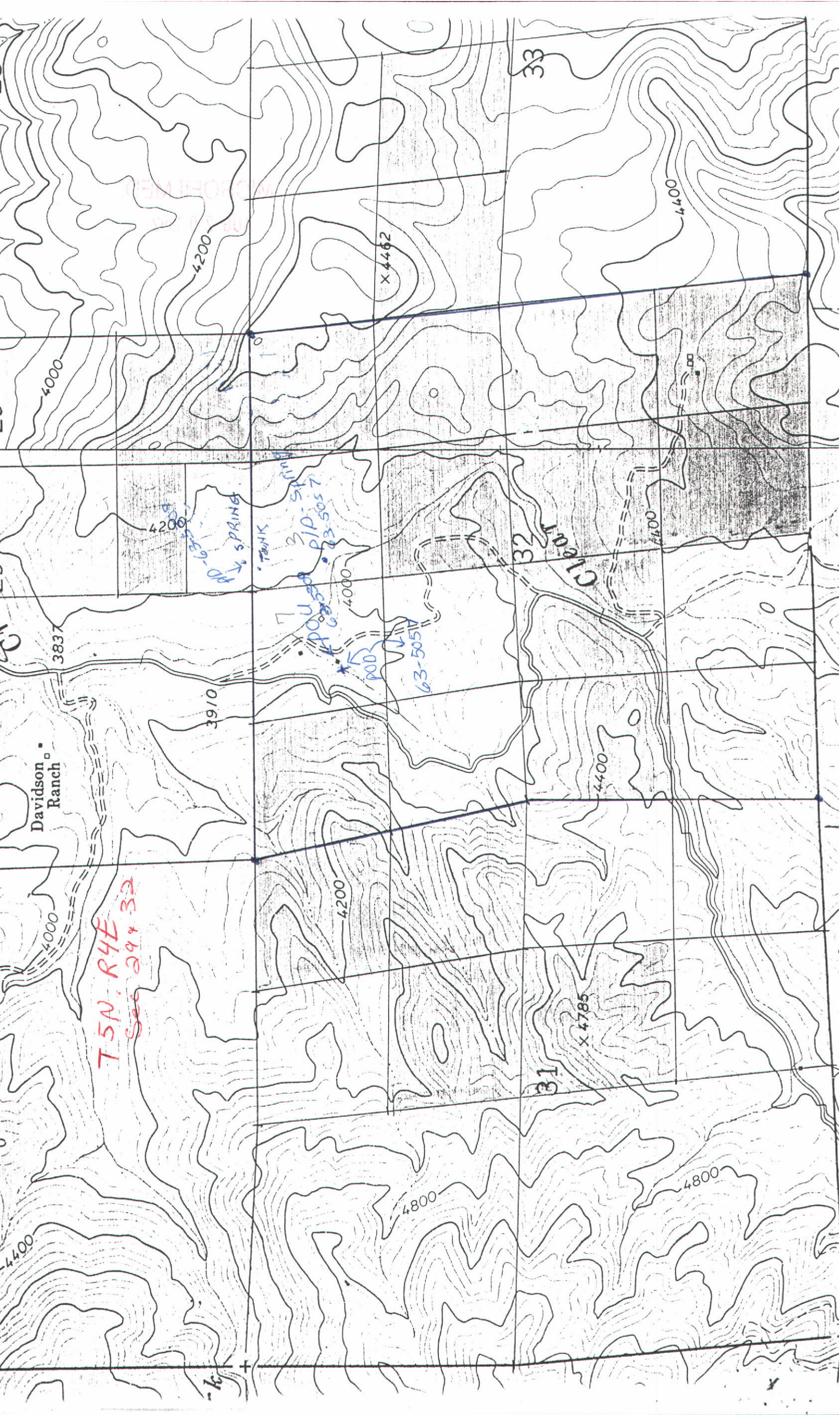


Section 32 5 N 4 E





A63-5057

PHOTOS TAKEN 08/29/2001



PHOTO #1
POD AT SPRING



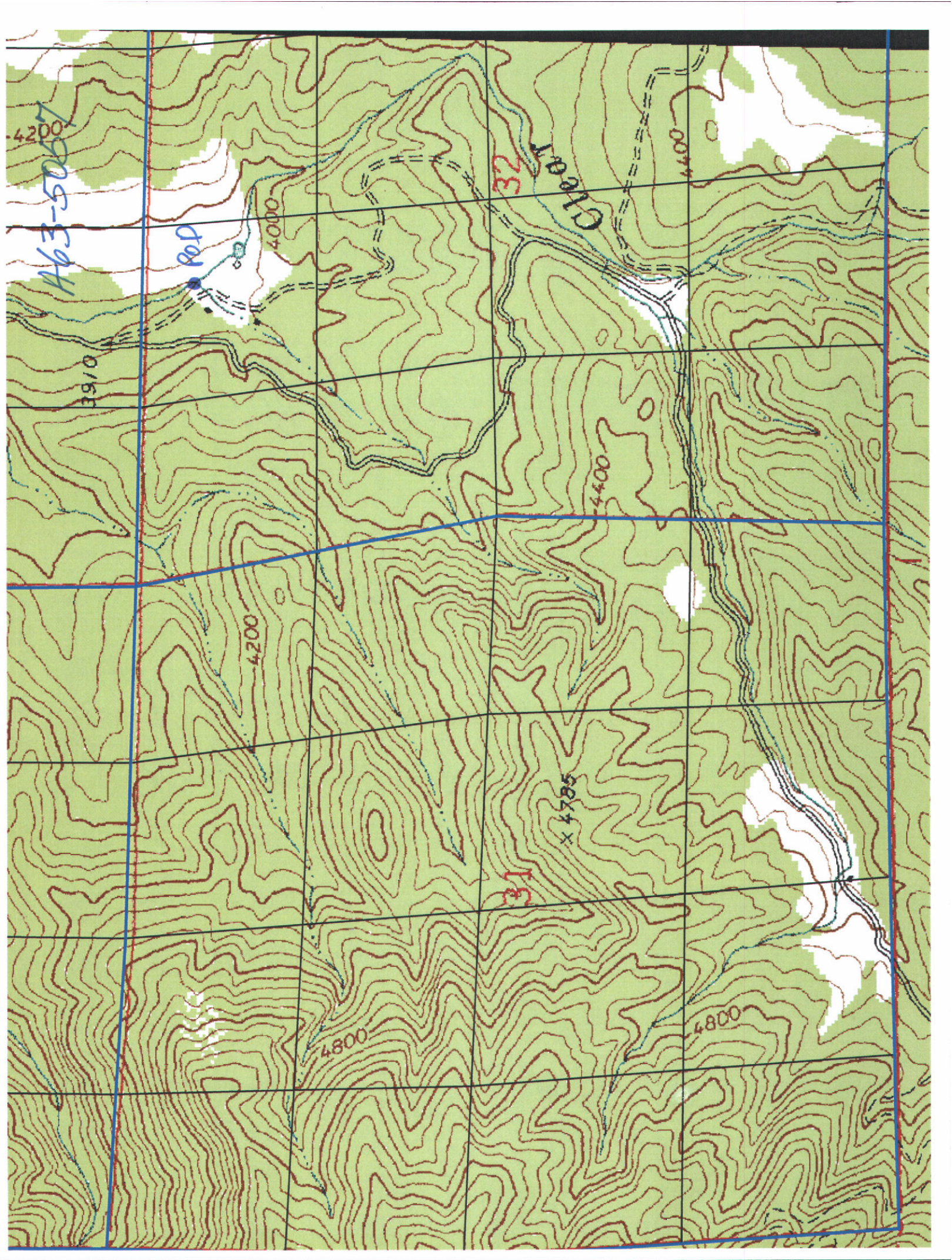
PHOTO #2
POD IN CLEAR CREEK

A63-5057

PHOTOS TAKEN 08/29/2001

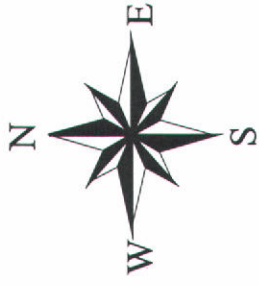


PHOTO #3
DITCH FROM SPRING
POD



IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S29 & 32



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

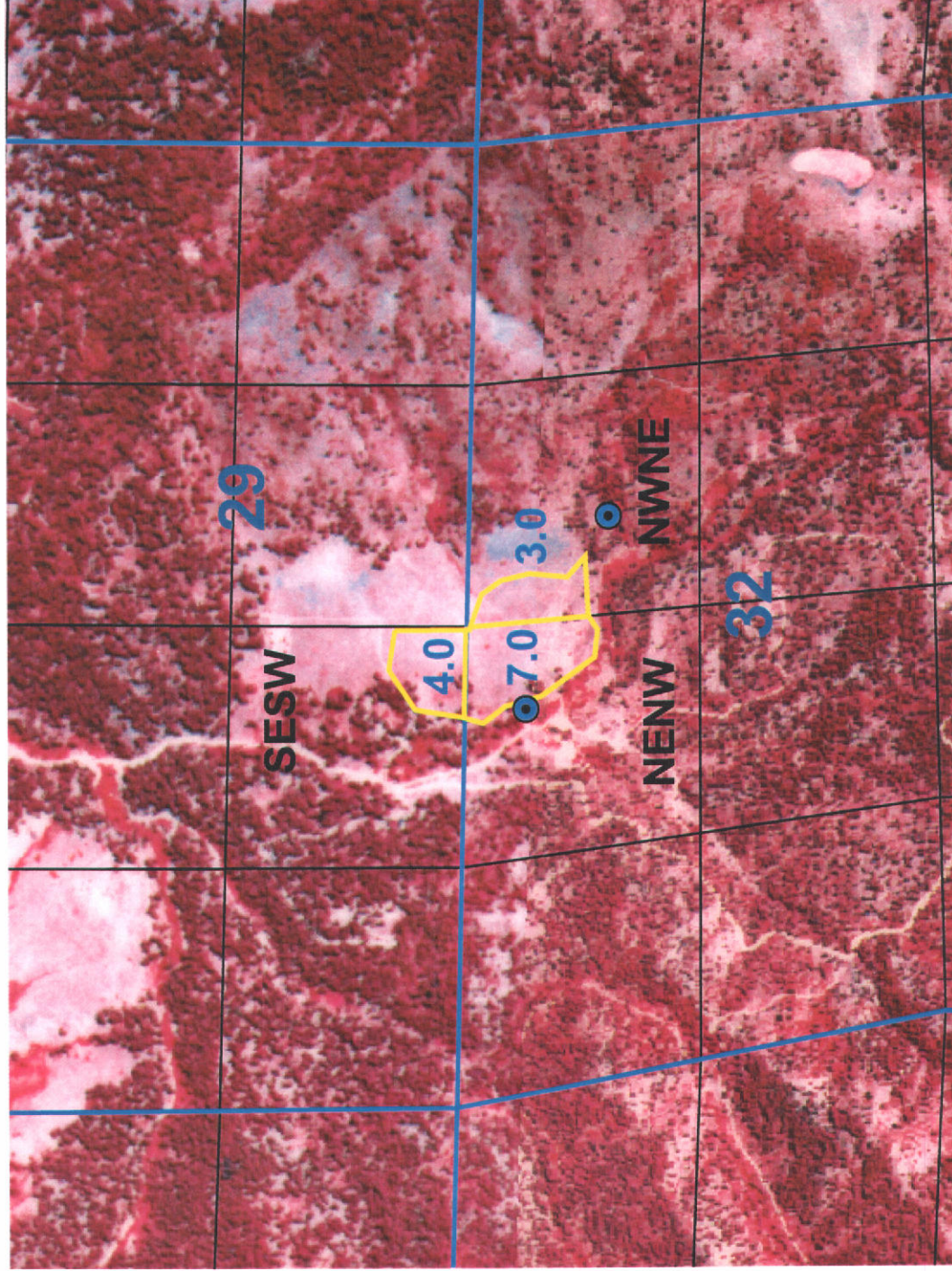
6 SECTION NUMBERS

CLAIM(S): 63-5057

OWNER(S): MANGUM, FRANCIS &
SHIRLEY

DATE: DECEMBER 6, 2001

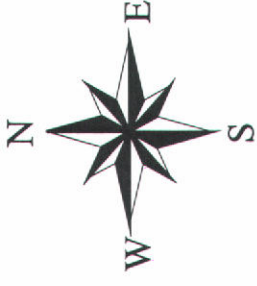
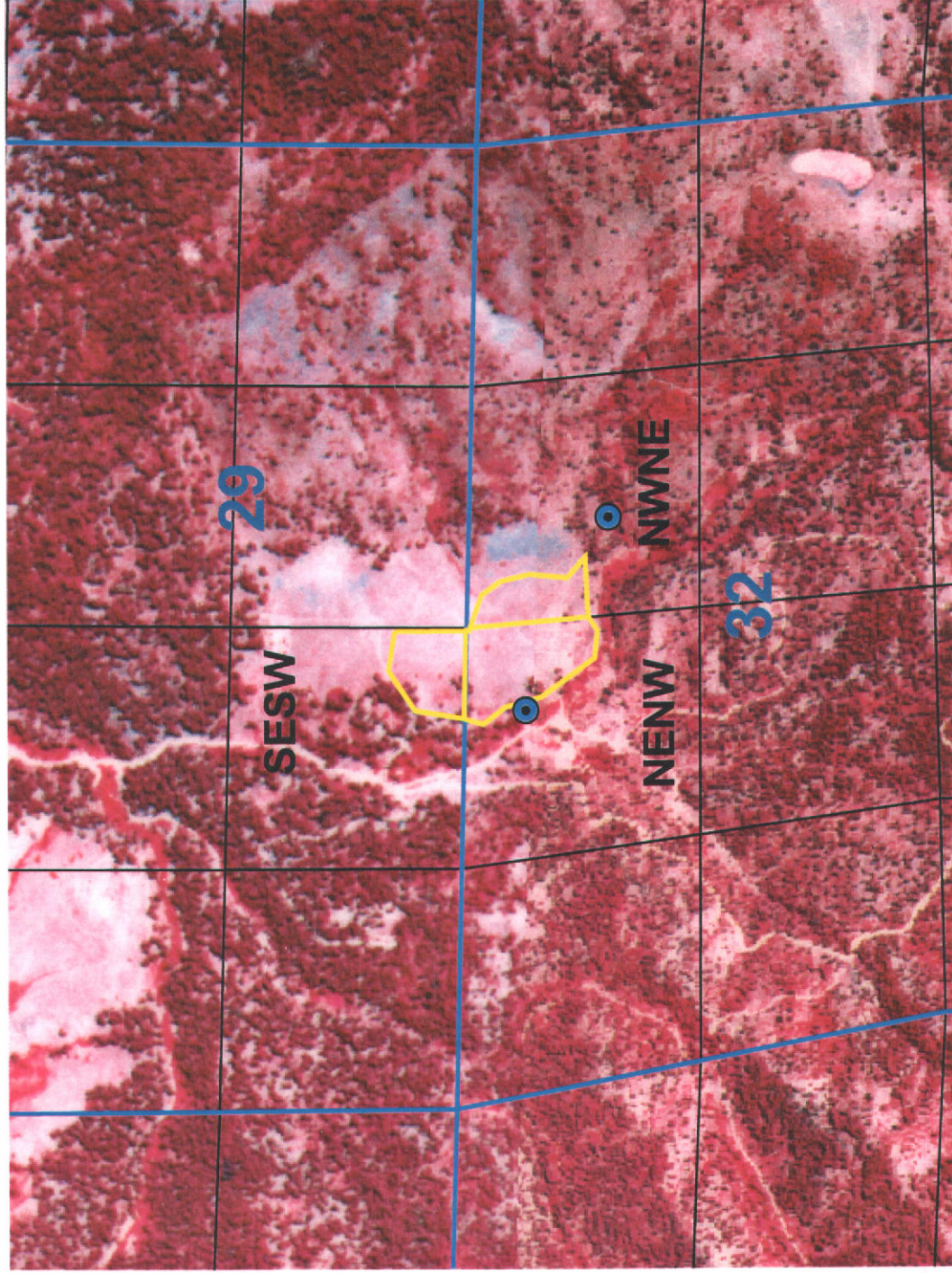
by: Mel Schulte



0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S29 & 32



1987 NAPP PHOTO

POINT OF DIVERSION



PLACE OF USE



1/4 1/4 LINES



SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-5057

OWNER(S): MANGUM, FRANCIS &
SHIRLEY

DATE: DECEMBER 6, 2001

by: Mel Schulte

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 63-5057
Date Received: 4/6/89
Receipt No: W002538
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

FRANCIS MANGUM Phone: (208)392-4350

17 OLD MILL RD
BOISE ID USA 83716

SHIRLEY MANGUM Phone: (208)392-4350

17 OLD MILL RD
BOISE ID USA 83716

*Source might
be Clear Cr.
not SF Clear Cr.*

2. Date of Priority: 09/24/1900

3. Source: SPRING

Trib. to: CLEAR CREEK,
CLEAR CREEK

~~UNNAMED STREAM~~
Clear Creek, South Fork

*Amended
8-29-2001
Francis Mangum*

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
05N	04E	32	NE NW	BOISE
05N	04E	32	NW NE	BOISE

5. Description of diverting works:

SPRING DUG OUT W/CLEANED CHANNEL TO STREAM. 10 HP PUMP IN STREAM-

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	0.28	

7. Total Quantity Appropriated is:
0.28 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	04E	29	SE	SW	IRRIGATION	4
					Section Acres	4
05N	04E	32	NW	NE	IRRIGATION	3
			NE	NW	IRRIGATION	7
					Section Acres	10
					Total Acres	14

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:

SOURCES ARE UNNAMED STREAM & SPRING, TRIB. CLEAR CK. THE SPRING IS LOCATED IN SECTION 32; NW4,NE4. THE PLACE OF USE WAS LISTED BACKWARDS ON THE 243 CLAIM. ALSO DELETED IRRIGATION ON 5 ACRES IN SW4SE4-SECTION 29, AND DROPPED 3 ACRES FROM SECTION 32. THE MINING USAGE DELETED. WATER AMOUNT REFLECTS THIS OWNERSHIP CHANGED BY DB 1/25/2000

15. Basis of Claim: Beneficial Use

**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

A63-05057

Date Received

Receipt Number

AMENDED

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

RECEIVED

NOV 30 2000

Department of Water Resources

Please type or print clearly

1. Name of Claimant (s) Francis and Shirley Mangum Phone (208) 392-4350Mailing Address 17 Old Mill Road, Boise, Idaho Zip 837162. Date of Priority (Only one (1) per claim) September 24, 19003. Source of water supply (a) Unnamed Stream Spring
which is tributary to (b) Clear Creek4. a. Location of existing point of diversion is: Township 05N Range 04E Section 32,
NW 1/4 of NE 1/4 of NE 1/4, Govt. Lot, NW B.M., County of Boise

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.Spring dug out with cleaned channel to stream. 10 HP pump in stream

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 05/01 to 10/31 amount 0.28 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.28 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is n/a 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	
05N	04E	32		3.0			7.0												10.0
05N	04E	29												4.0					4.0

Total number of acres irrigated 14.0

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

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

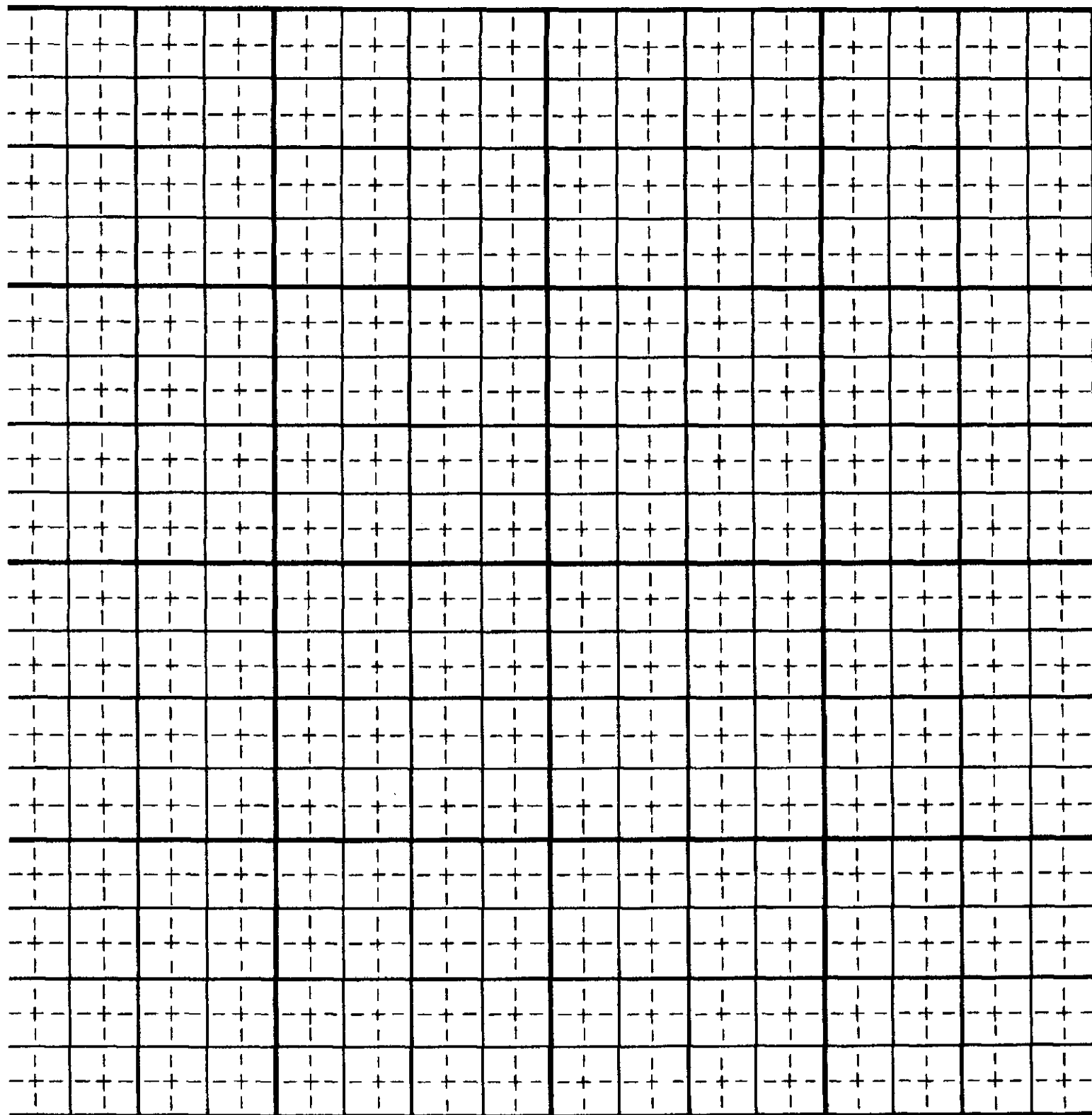
13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

Last Name Mangum Ident No. A63-05057

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Mangum Ident No. A63-05057

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

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ 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) Kramb Mangum Date 30 Nov 2000

Date _____

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

of _____ Organization _____, that I have signed the foregoing

document in the space below as _____ Title _____ of _____ Organization _____

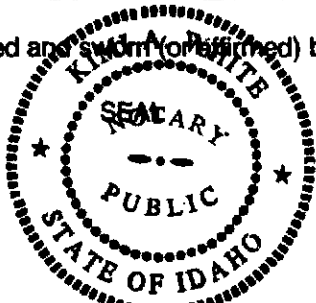
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

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

Subscribed and sworn to (or affirmed) before me this 30th day of November 19 2000



Notary Public Kimi A. White

Residing at Boise, Idaho

My Commission Expires 04/01/04

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 Mangum Ident. Number A63-05057

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: **A63-05057**
Date Received: 4/ 6/1989
Receipt No: W002538
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	FRANCIS MANGUM	208-392-4350
Address:	17 OLD MILL RD	
	BOISE ID	83716
AND		
Name:	SHIRLEY MANGUM	208-392-4350
Address:	17 OLD MILL RD	
	BOISE ID	83716

2. Date of Priority: SEP 24, 1900

3. Source: UNNAMED STREAM	Trib. to: CLEAR CREEK
SPRING	CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	04E	32		NW	NE		BOISE
				NE	NW		BOISE

5. Description of diverting works:

SPRING DUG OUT W/CLEANED CHANNEL TO STREAM. 10 HP PUMP IN STREAM-

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	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
05N	04E	32	NW	NE		IRR	3.0
			NE	NW		IRR	7.0
						Section Acres	10.0
						Total Acres	10.0

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:
A63-05309

14. Remarks:

SOURCES ARE UNNAMED STREAM & SPRING, TRIB. CLEAR CK. THE SPRING IS LOCATED IN SECTION 32; NW4,NE4. THE PLACE OF USE WAS LISTED BACKWARDS ON THE 243 CLAIM. ALSO DELETED IRRIGATION ON 5 ACRES IN SW4SE4-SECTION 29, AND DROPPED 3 ACRES FROM SECTION 32. THE MINING USAGE DELETED. WATER AMOUNT REFLECTS THIS. OWNERSHIP CHANGED BY DB 1/25/2000.

15. Basis of Claim: STATUTORY CLAIM

RECEIVED

JAN 19 2000

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): A 63-05309 A 63-05057
 Adjudication Claim No(s): _____

 2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

 3. Name and Address of Former Owner/Claimant CLINTON M GARDNER
P.O. Box 23

 4. New Owner/Claimant(s) Idaho City, ID. 83631
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address FRANCIS MANGUM & Shirley Mangum
 City, State and ZIP Code 17 Old Mill Rd. Boise, ID. 83716
 New Telephone Number (208) 392 4350

 5. Date you acquired the property Nov. 6 1997 25 Nov. 1998

 6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
- Number of acres you irrigate with this water right _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____
-
7. Signature of New Owner(s) Francis Mangum
 or Claimant(s) Shirley Mangum
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
-
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your portion of the water right: include the number of homes you acquired, number of acres irrigated with your portion of the right, if it is more than 1/2 acre, type and number of stock if your portion of the right includes stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

IDWR Northern Region
1910 Northwest Blvd., Suite 210
Coeur d'Alene, ID 83814-2615
(208) 769-1450

IDWR Eastern Region
900 N. Skyline Dr., Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161

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: A63-05057
Date Received: 4/06/1989
Receipt No: W002538
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLINTON M. GARDNER 208-392-6607
Address: P.O. BOX 23
IDAHO CITY, ID 83631

2. Date of Priority: SEP 24, 1900

3. Source: UNNAMED STREAM Trib. to: CLEAR CREEK
SPRING CLEAR CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	04E	32	NW	NE			BOISE
			NE	NW			BOISE

5. Description of diverting works:
SPRING DUG OUT W/CLEANED CHANNEL TO STREAM. 10 HP PUMP IN STREAM-

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	05/01	10/31	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 of	Lot	Use	Acres
05N	04E	32	NW	NE		IRR	3.0
			NE	NW		IRR	7.0

Section Acres 10.0

A63-05057

Page 1

Date: 04/06/89

MICROFILMED

AUG 20 1992

10. Place of Use: Continued

Total Acres 10.0

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:
A63-05309

14. Remarks:

SOURCES ARE UNNAMED STREAM & SPRING, TRIB. CLEAR CK. THE SPRING IS LOCATED IN SECTION 32; NW4,NE4. THE PLACE OF USE WAS LISTED BACKWARDS ON THE 243 CLAIM. ALSO DELETED IRRIGATION ON 5 ACRES IN SW4SE4-SECTION 29, AND DROPPED 3 ACRES FROM SECTION 32. THE MINING USAGE DELETED. ___ WATER AMOUNT REFLECTS THIS.

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: 4

For Individuals:

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

Signature of Claimant(s): X Clinton M. Gardner Date: X 4/6/89

Date: _____

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 6 day
of April 19 89 Linda Warner
Notary Public

Seal

Residing at _____ Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994

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 63-5057
Date Received 4-6-89
Receipt Number _____

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

Please type or print clearly

1. Name of Claimant (s) Clinton M. Gardner Phone (208) 392-6607
Mailing Address P.O. Box 23 Idaho City, Idaho Zip 83631

2. Date of Priority (Only one (1) per claim) September 24, 1900

3. Source of water supply (a) Unin Spring & Stream
which is tributary to (b) Clear creek

4. a. Location of existing point of diversion is: Township 5 North Range 4 East Section 32,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Boise

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.

Spring dug out w/ cleaned
channel to stream. Pump (10 hp) in stream, pipeline to
pasture.

MICROFILMED
AUG 20 1992

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 May 1 to Oct. 31 amount 0.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.20 (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	4E	32		3			7												10

Total number of acres irrigated 1011. In which county (ies) are lands listed above as place of use located? Boise12. Do you own the property listed above as place of use? Yes X 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:

32 NW NE
 Spring located in Sec. 29, SW SE T5N R4E
 The place of use was listed backwards on '243 claim. Also
 deleted irrigation on 5 acres in SW SE 1/4 - section 29.
 And dropped 3 acres from section 32. Also deleted the
 mining usage.

MICROFILMED

AUG 20 1992

Last Name Gardner Ident No. 63-5057

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 63-5057

Court _____ Case Number _____ 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 _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

) SS.

County of _____)

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ 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 _____

MICROFILMED

AUG 20 1992

Last Name Gardner Ident. Number _____

Copies White-State, Yellow-Claimant

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Zip Code)
53631

Telephone No. 392-6607

(1) Date of priority: (When was the water first applied to a beneficial use) Sept. 24th 1960

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

UN-NAMED SPRING-TYPE STREAM tributary to CACAR CREEK

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)	(Both days)	
			(Mo., Day)	(Day)
Quantity <u>5</u>	Use	IRRIGATION	Period of Use From MAY 1	To 31
Quantity <u>5</u>	Use	MINING	Period of Use From APRIL	To 30/7/31
Quantity _____	Use _____	_____	Period of Use From _____	To _____
Quantity _____	Use _____	_____	Period of Use From _____	To _____
Quantity _____	Use _____	_____	Period of Use From _____	To _____

(4) _____ TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

S.B. $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32 Twp. 54N Rge. 4E B.M., County of 50132
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities; be as specific as possible. Describe any changes in the system and give the date of the change. *3. MILE DITCH - 16 IN. DIAMETER, 1000'*

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 15

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

WINTER H.S. FOR FILLER MINING. NW 1/4 NW 1/4, NE 1/4 NW 1/4, NW 1/4 SW 1/4 SEC. 32 T. 5N. 4E

NOTE: Include here the type and number of stock watered:

(7) If you are claiming voter as a member of an organization, list name of organization:



ALLSTATE ELECTRIC INC.

Licensed • Bonded • Insured
Any and All Types of Wiring
The Problem Solvers

**Dial 344-0605
Fax 344-0629
Home 392-4350**

SD

Francis Mangum



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

January 26, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

FRANCIS MANGUM
SHIRLEY MANGUM
17 OLD MILL RD
BOISE ID 83716

Re: Notice of Claim to a Water Right No. A63-05057

Dear Claimants:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water right(s) covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Please note, the ownership has also been changed on water right number 63-05309, which has been decreed by the SRBA Court.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB:db

Enclosure



A Pioneer Company

PIONEER TITLE COMPANY
OF ADA COUNTY

8151 W. Rifleman Ave / Boise, Idaho 83704 / (208) 377-2700

P-162124 SK/CS

READ AND APPROVED BY

SK

WARRANTY DEED
(INDIVIDUAL)

FOR VALUE RECEIVED DAVID G. CAHOON, as his Separate Estate,

Grantor , does hereby grant, bargain, sell and convey unto FRANCIS MANGUM and SHIRLEY MANGUM, Husband and Wife,

the Grantee s , whose current address is: HC 33, BOX 4026, BOISE, ID 83706
the following described real property in BOISE County, State of Idaho, more particularly described as follows, to-wit:
NORTHWEST QUARTER, NORTHEAST QUARTER, ALL IN SECTION 32, TOWNSHIP 5 NORTH, RANGE 4 EAST, BOISE-MERIDIAN, IN BOISE COUNTY, IDAHO.

166676

INST# 166676
REQUEST mta View

97 NOV -7 PM 2:50

BOISE COUNTY RECORDER
BY Bruce A. Lappin
TYPE Deed FEE 3.00 /CK

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s and Grantee heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee s, the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee s and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (includes irrigation and utility assessments, (if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 06, 1997

David G. Cahoon
DAVID G. CAHOON

P-174024 JAH/CS

171147

INST# 171147
REQUEST *note view*
98 NOV 30 PM 4:00
BOISE COUNTY RECORDER
BY *Laurel Rappin*
TYPE *Real* FEE 6.00/ck

WARRANTY DEED

RESERVING LIFE ESTATE TO GRANTOR

GRANTOR, David G. Cahoon, a single man dealing with his sole and separate property, for a good and valuable consideration, the receipt of which is hereby acknowledged, does REMISE, RELEASE and forever GRANT unto Francis Mangum and Shirley Mangum, whose current address is 17 Old Mill Road, Boise, Idaho 83716, as GRANTEES, and to Grantees' heirs and assigns forever, subject to a life estate retained by Grantor for his lifetime, all of the following described real estate, situated in Boise County, State of Idaho, commonly referred to as 20 Old Mill Road, Boise, Idaho 83716, and being more particularly described as follows:

N $\frac{1}{2}$ NE $\frac{1}{2}$ NW $\frac{1}{2}$ plus statutory water rights thereon (20) acres, all in Section 32, Township 5 North, Range 4 East, Boise Meridian, in Boise County, Idaho, together with the two mobile homes located thereon.

together with all tenements, hereditament and appurtenances thereunto belonging.

In construing this deed, and where the context so requires, the singular includes the plural and the masculine, the feminine and the neuter.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand this 25 day of November, 1998.

David G. Cahoon

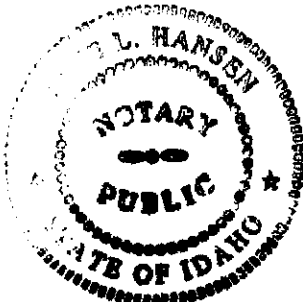
DAVID G. CAHOON

STATE OF IDAHO)

County of Ada)

On this 25th day of November, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared DAVID G. CAHOON, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Residing at Boise, ID.
Comm Exp 06/22/2003

James R. Hansen
NOTARY PUBLIC FOR IDAHO
Residing at: Boule, Idaho
My Commission Expires: 4/22/2001

David G. Cahoon

159752

96 MAR 25 PM 3:21

CLERK

See Name

0600/ce

**DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE**

THIS DEED, made by David G. Cahoon, as Personal Representative of the Estates of Clinton M. Gardner and Lucille Gardner, deceaseds, Grantor, to David G. Cahoon, Grantee, whose current address is HC 77, Box 3009, Lowman, Idaho 83634.

WHEREAS, Grantor is the qualified Personal Representative of said estate, filed as Case No. SP-95-00047, in Boise County, Idaho;

WHEREAS, Grantee is entitled to distribution of the hereinafter described real property;

THEREFORE, for valuable consideration received, Grantor quit claims, transfers, and conveys to Grantee the following described real property in Boise County, Idaho:

N $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ plus statutory water rights thereon (20 acres),
W $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ (20 acres), and the
NW $\frac{1}{4}$ NE $\frac{1}{4}$ plus statutory water rights thereon (40 acres),
all in Section 32, Township 5 North, Range 4 East, Boise Meridian, in Boise County, Idaho, together with the mobile home located thereon,

with all appurtenances.

EXECUTED this 25 day of March, 1996.

David G. Cahoon

David G. Cahoon
Personal Representative of the Estates of
Clinton M. Gardner and Lucille Gardner, deceaseds

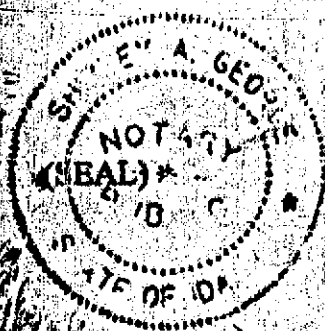
STATE OF IDAHO)

; ss.

County of Ada)

On this 25 day of March, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared David G. Cahoon, the Personal Representative of the Estates of Clinton M. Gardner and Lucille Gardner, deceaseds, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same as such Personal Representative of said estates.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Shirley A. George
Notary Public for Idaho
Residing at Idaho City, Idaho
My Commission Expires: 5-25-99

Section 32 5 N 4 E

MANGUM

MANGUM

Timber Mountain Ranch
Sub #5

Timber
+
Mountain

Ranch

#2850
20.0 ac

Lot 4
28.27 ac

Lot 2
19.11 ac

Lot 1
23.76 ac

Lot 3
37.86 ac

Lot 2
18.0 ac

#4

Lot 9 Bldg Hol #3

Section 32 5 N 4 E

North 1/4
Section 32
T5N R4E

North 1/4
Section 32
T5N R4E

East 1/4
Section 32
T5N R4E

Clay Creek

Clay Creek

Tranquility

Private

189

189

189

189

167

167

167

171

170

170



Davidson Ranch

T5N R4E
39432

SPRINGS

TANK

PO BOX 33-5057
63-5057

X 4462

X 4785

SEE COMMENTS FOR
OBJECTION RESOLUTION.

6-7-04

Page 1

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5057 V1

WATER RIGHT NUMBER: 63-5057 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CLINTON M GARDNER PO BOX 23 IDAHO CITY, ID 83631 (208)392-6607
Current Owner	FRANCIS MANGUM 17 OLD MILL RD BOISE, ID 83716 (208)392-4350
Current Owner	SHIRLEY MANGUM 17 OLD MILL RD BOISE, ID 83716 (208)392-4350

Priority Date: 09/24/1900

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
CLEAR CREEK SPRING	GRIMES CREEK CLEAR CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	<u>04/01 to 10/31</u>	0.280 CFS	
	<u>Total Diversion:</u>	0.280 CFS	

Location of Point(s) of Diversion

CLEAR CREEK BOISE County	NE1/4NW1/4	Sec. 32, Twp 05N, Rge 04E, B.M.
SPRING BOISE County	SW1/4NW1/4NE1/4	Sec. 32, Twp 05N, Rge 04E, B.M.

Place of Use

IRRIGATION Within BOISE County

T05N R04E S29	SESW	4.0	T05N R04E S32	NWNE	3.0
T05N R04E S32	NENW	7.0			

Total Acres: 10

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

Adjudication Recommendation Report 63-5057 V1

1. Explanatory THE CLEAR CREEK SOURCE IS ALSO KNOWN AS SOUTH BRANCH CLEAR CREEK.

Comments:

1. jshurte 6/7/2004 Season of Use Objection Resolution

Comment: This recommendation was amended per an SF5 signed by the right holder changing the season of use on this right from 3-15 to 11-15 to 4-01 to 10-31. This resolves the objection to the season of use by the Bureau of Reclamation on this right. According to the right holder they do not use water earlier than 4-01 or later than 10-31. Note: Due to this resolution they do not need the S43 season of use condition as proposed now for draft settlement.

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	12/7/2001 11:02:36 AM	mschulte			Active
POD	12/7/2001 11:09:39 AM	mschulte			Active
Source	12/7/2001 11:13:39 AM	mschulte			Active
POU	12/7/2001 11:15:27 AM	mschulte			Active
Use	12/7/2001 11:16:12 AM	mschulte			Active
Quantity	12/7/2001 11:20:44 AM	mschulte			Active
Summary			12/07/2001	mschulte	Active
Season	12/7/2001 11:28:52 AM	mschulte			Active
Summary			06/07/2004	jshurte	Active

SubCase:

SubCase Number: 63-5057

Class: 2

SF5 Filed Date:

Special Master Recom Signed Date:

Attorney Assigned:

Adjudication Agent: Jan Shurte

Basis of Claim: Beneficial Use

Date Filed: 1/31/2003 Objection Status: Active

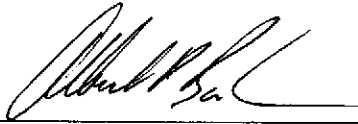
Date Filed: 1/31/2003 Objection Status: Active

JUN 03 2004

DEPARTMENT OF
WATER RESOURCES

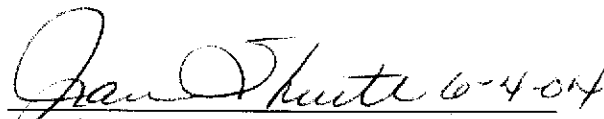
OBJECTOR(s):

Boise Project Board of Control

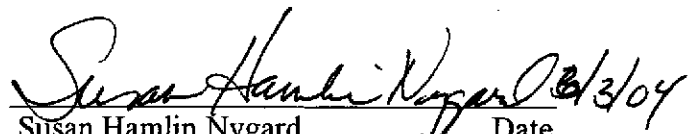

Albert P. Barker
Attorney for Objector(s)

4-13-2004
Date

IDWR Concurrence:


Jan Shurte
Adjudication Supervisor

6-4-04
Date


Susan Hamlin Nygard
Deputy Attorney General

6/3/04
Date

CERTIFICATE OF MAILING

I certify that on _____, 200~~7~~⁴, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P. O. Box 2707
Twin Falls, Idaho 83303-2707

2. Copies to:

USDI Bureau of Reclamation
US Department of Justice
Environment & Natural Resources
550 West Fort Street, MSC 033
Boise, ID 83724

Albert P. Barker
Barker, Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701-2139

Francis & Shirley Mangum
17 Old Mill Road
Boise, ID 83716

IDWR Repository
P.O. Box 83720
Boise, ID 83720

Signature of person or attorney mailing the form

09/24/2002

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

RIGHT NUMBER: 63-5057

NAME AND ADDRESS: FRANCIS MANGUM
17 OLD MILL RD
BOISE ID 83716

SHIRLEY MANGUM
17 OLD MILL RD
BOISE ID 83716

SOURCE: CLEAR CREEK
SPRING

TRIBUTARY: GRIMES CREEK
TRIBUTARY: CLEAR CREEK

QUANTITY: 0.280 CFS

PRIORITY DATE: 09/24/1900

POINT OF
DIVERSION: T05N R04E S32 SWNWNE Within BOISE County
T05N R04E S32 NENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01

QUANTITY
0.280 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T05N R04E S29	SESW	4.0	T05N R04E S32	NWNE	3.0
T05N R04E S32	NENW	7.0			

14 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: BASIS OF CLAIM - Beneficial Use

THE CLEAR CREEK SOURCE IS ALSO KNOWN AS SOUTH BRANCH CLEAR
CREEK.

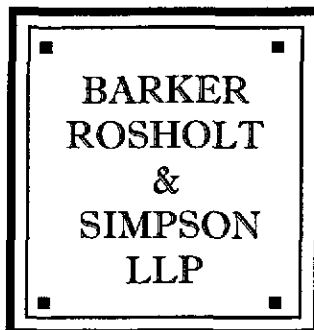
RECEIVED

JUN 03 2004

205 North 10th Street, Ste 520
Post Office Box 2239
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

113 Main Avenue West, Ste. 303
Twin Falls, ID 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile
jar@idahowaters.com

John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson



June 1, 2004

Susan Hamlin-Nygard
Department of Water Resources
1301 N. Orchard
P.O. Box 83720
Boise, Idaho 83720-0098

Re: *Water Right No. 63-5057 (Mangum), Season of Use objection*

Dear Susan:

Attached is a Standard Form 5 pertaining to the above-referenced subcase. All parties have signed and agreed to modify the season of use to conform with that agreed to in the settlement. The SF5 is now being returned to you for the appropriate approval from the Department and for filing with the Court. Please let me know if you have any questions.

Sincerely,



Amy D. Chestnut

Enclosure

cc: Dave Gehlert, DOJ
Gail McGarry, USBR
Charlie Honsinger

Harvey, Becky

From: Hamlin Nygard, Susan
Sent: Friday, April 16, 2004 11:07 AM
To: 'Amy Chestnut'; Hamlin Nygard, Susan
Cc: Albert P Barker; Harvey, Becky
Subject: RE: 63-5057 (Mangum)

Amy, After further thought if this claimant chooses to have a shorter season then this is fine with IDWR. I will keep a look out for the SF5. Susan

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

From: Amy Chestnut [mailto:adc@idahowaters.com]
Sent: Friday, April 16, 2004 8:31 AM
To: Hamlin Nygard, Susan
Cc: Albert P Barker; Harvey, Becky
Subject: RE: 63-5057 (Mangum)

Susan,
I believe Charlie Honsinger consulted with Mr. Mangum and he advised us that Mr. Magnum chose to take the April 1 date, especially since he does not use the water prior to that date. If the water right was taken as recommended, it would still show the earlier season of use which would not resolve the Board of Control's concerns. So, my understanding is that the claimant is aware of the stipulation, its implications, and has requested the April 1 date. Please let me know if you have any more questions.

Thanks,

Amy

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

From: Hamlin Nygard, Susan [mailto:SHAMLIN@idwr.state.id.us]
Sent: Friday, April 16, 2004 7:36 AM
To: 'adc@idahowaters.com'
Cc: Harvey, Becky
Subject: 63-5057 (Mangum)

Amy, I understand the claimant choose not the go with the stipulated language on the season of use. Does the water user realize that everyone else on the stream will be receiving water at a different date then he per a global settlement. Perhaps the best why to resolve this is to consider this a non-settlement and have the BOR and Boise Project with draw their objection and go with the water right as recommended? Susan

5ue

RECEIVED

FEB 4 - 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 63-5057
(Insert water right number)

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 Department of Interior,
Bureau of Reclamation, Regional Director PN Code-3100

Address: 1150 N. Curtis Rd. Suite 100
Boise, Idaho 83706-1234

Daytime Phone: (208) 378-5306 E,Gail McGarry

Name & Address of Attorney, if any:
David W. Gehlert (303 312-7352)
Trial Attorney, General Litigation Section
Environment and Natural Resource Division
U.S. Department of Justice
999 18th Street, Suite N 945
Denver, CO 80202

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

Name: Francis Mangum Shirley Mangum

Address: 17 Old Mill Rd
Boise, ID 83716

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:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. REASONS SUPPORTING EACH OBJECTION(S):

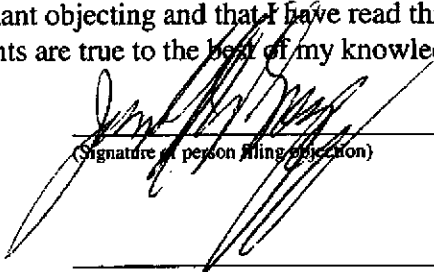
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions to storage reservoirs and the New York Canal, and (c) diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

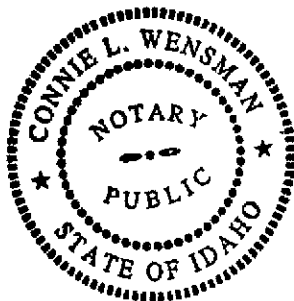
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

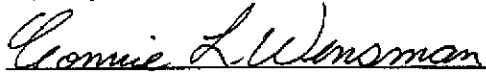

(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003




Connie L. Wensman
Notary Public for: Idaho
Residing at: Meridian
My Commission Expires: 10-06-2004

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 January 31, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: Francis Mangum Shirley Mangum

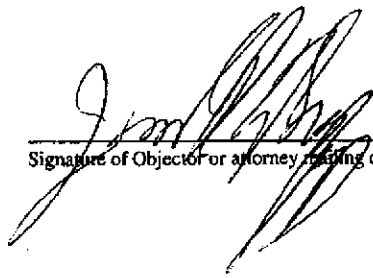
Address: 17 Old Mill Rd
Boise, ID 83716

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney acting on Objector's behalf

In Re SRBA
Case No. 39576

STANDARD FORM 1
OBJECTION RECEIVED

Department of Water Resources

B. NAME AND ADDRESS OF PERSON OBJECTING

Name & Address of Attorney, if any:
Albert P. Barker, ISB # 2867
Amy D. Chestnut, ISB # 5904
Barker Rosholt & Simpson, LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: 208-336-0700
Facsimile: 208-344-6034

Name: See Attachment B
Address:

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:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☒ **Period of Year**
Should be: April 1 to November 1
9. ☐ **Place of Use**
Should be:
11. **I object because:**
 - ☐ This water right should not exist.
 - ☐ This water right was not recommended, but should be recommended with the elements described.

E. **REASONS SUPPORTING EACH OBJECTION(S):** The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow injury to the objector's water rights and diminution of contract water reliability.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

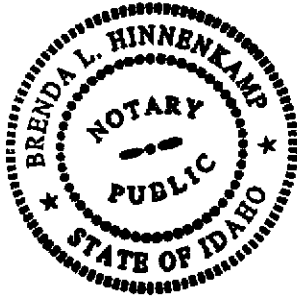
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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.

(Signature of person filing objection)

Albert P. Barker
(Attorney signing in representative capacity)

Subscribed and sworn to before me on: January 30, 2003



Brenda L. Hinnenkamp
Brenda L. Hinnenkamp
Notary Public for: Idaho
Residing at: Boise
My Commission Expires: 9/11/2004

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 January 30, 2003, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

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

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

Name: See Attachment B
Address:

3. Copies to:

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

IDWR Document Depository
P.O. Box 83720
Boise, Idaho 83720-0098

United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of Objector or attorney mailing on Objector's behalf

Attachment A

63-3540	63-7984A	63-7984B
63-8624	63-10279	63-31335
63-31336	63-7119	63-7115
63-148B	63-15395	63-2472
63-7529	63-7037	63-2026
63-7207	63-31077	63-5102
63-5192	63-318A	63-318C
63-4629A	63-4797	63-4810
63-5101	63-31074	63-31289
63-31328	63-19A	63-19B
63-378	63-4636	63-5057
63-31124	63-31173	63-31174
63-31319	63-31320	63-31397
63-4548	63-3125	63-15093
63-15677	63-31317	63-5332
63-5334	63-4071	63-31380
63-5235	63-4629C	63-31454
63-5408	63-2171	63-5167
63-317B	63-320A	63-7613D
63-30310	63-97	63-15409
63-3447D	63-3447B	63-3447C
63-5161B	63-15101	63-4731
63-3422B	63-5161C	63-3422A
63-5251	63-5250	63-15684
63-5108	63-15427	63-15094
63-15206	63-15373	63-2252

ATTACHMENT B

63-3540

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-8624

Randall A Ambuehl
HC 33 Box 1610
Boise ID 83706

63-31336

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-148B

South Boise Water Co
PO Box 6005
Boise ID 83707

63-7529

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-2026

James E Bryant
1915 N 11th
Boise ID 83712

63-5102

Laura LA May Holmes
2391 Sheri Dr
Emmett ID 83617

63-318C

Paula E Lewis
Stephen E Lewis
PO Box 4002
Boise ID 83711-4002

63-4810

Walter S Nichols
Sara A Nichols
12 Cougar Ln
Boise ID 83716

63-31289

Walter M Nichols
Thelma E Nichols
14 Cougar Lane
Boise ID 83716

63-7984A

Teresa L Raschke
Steven L Raschke
2095 Panama St
Boise ID 83705

63-10279

Cumer L Green
PO Box 2597
Boise ID 83701

63-7119

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-15395

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-7037

Blue Jay Creek Water & Road Users Inc
C/O Robert O Walker
129 Blue Jay Creek Rd
Boise ID 83706

63-7207

Barbara W Little
1980 Myers Rd
Boise ID 83706

63-5192

David Steadman
Lynae Steadman
8873 Ottawa Ct
Boise ID 83709

63-4629A

Wilderness Ranch Owners Assn Inc
46 Wilderness Ranch Rd
Boise ID 83716

63-5101

Marilyn Priest
Jay R Priest
PO Box 122
Idaho City ID 83631

63-31328

Michael C Perry
Tami J Perry
10 Cougar Ln
Boise ID 83716

63-7984B

Lawrence Poisson
Sheila Poisson
3193 Highway 21
Idaho City ID 83716

63-31335

Val Dean Schroeder
13 Blacksmith Road
Boise ID 83716

63-7115

Michael Robich
Lynette Robich
87 Beaver Creek Rd
Boise ID 83716

63-2472

Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-2026

Hilda Larson
3015 Silver St
Boise ID 83703

63-31077

State of Idaho
Dept of Parks & Recreation
PO Box 83720
Boise ID 83720-0065

63-318A

Ranch Subdivision Property Owners
Assn
26 Burnett Dr
Boise ID 83716

63-4797

Connie Jo Cooper
Douglas S Cooper
2268 Highway 21
Boise ID 83716

63-31074

Barry Marcus
737 N 7th St
Boise ID 83702

63-19A

Larry R Smith
Alda L Smith
8442 W Beachside Ct
Boise ID 83703

63-19B

Rosemary Swanstrum
Philip Swanstrum
2708 Columbus
Boise ID 83705

63-5057

Francis Mangum
Shirley Mangum
17 Old Mill Rd
Boise ID 83716

63-31174

Michal Sweeney
28 N Fork Clear Creek Rd
Boise ID 83716

63-31397

Michael E Claus
Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-15093

Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-5332

Osprey Land Co
737 N 7th St
Boise ID 83702

63-5235

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-5408

Scott R Nicholson, Thomas Emil Nicholson,
Christine Nicholson et al
C & T Ranches Inc
PO Box 690
Meridian ID 83680-0690

63-317B

Richard A Stull
K Gail Richardson
13 Robie Creek Ln
Boise ID 83716

63-97

L G Davison & Sons Inc
1969 Prairie Rd
Prairie ID 83647-9803

63-378

Dirk L Marcum
14364 E Highway 21
Boise ID 83716

63-31124

Allen Cupit
Diana Cupit
25 Old Mill Rd
Boise ID 83716

63-31319

Sandra Miner
1512 Apache Dr Unit D
Chula Vista CA 91910-8160

63-4548

James R Stringfellow
787 David Way
North Salt Lake UT 84054

63-15677

Barry Marcus
737 N 7th St
Boise ID 83702

63-4071

Robert P. Perez
Laurie A. Perez
20 Colleen Lane
Boise, ID 83716

63-4629C

Sherry Smith
James C Smith
7 Mores Creek Cir
Boise ID 83716

63-2171

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-320A

Wade C Woolery
1902 Thompson Street
Richland WA 99352

63-15409

Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-4636

Connie M Claus
105 Johnson Creek Rd
Boise ID 83716

63-31173

Hide Associates Partnership
Boise Holcomb Inc
737 N 7th St
Boise ID 83702

63-31320

David Peterson
Toni Peterson
14 Homestead Ct
Boise ID 83716

63-3125

State of Idaho
Dept of Fish & Game
PO Box 25
Boise ID 83707

63-31317

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31380

Rex E Lanham
2630 Highway 21
Boise ID 83716

63-31454

Jay D Hollinger
Carol L Hollinger
51 Daggett Creek Rd
Boise ID 83716

63-5167

Rex B Lanham
2630 Highway 21
Boise ID 83716

63-7613D

Marvenna S Hodgins
Marilyn E Dawson
PO Box 6466
Boise ID 83707

63-30310

Steven D Cummings
545 Robie Creek
Boise ID 83716

63-3447B
Biff Eshelman
31 Sonshine Lane
Boise ID 83716

63-15101
Steven D Cummings
545 Robie Creek
Boise ID 83716

63-5161C
Sterling Turner
Debbie Turner
328 Robie Creek Rd.
Boise ID 83716

63-5250
Jan Blum
27 Idaho City Stage Rd
Boise ID 83716

63-15684
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15094
Gail G Allen
Robert P Allen
14 Allen Ln
Boise ID 83716

63-2252
Twin Springs Resort LLC
PO Box 3994
Ketchum ID 83340

63-3447C
Alan K Johnson
3929 Overland Rd #840
Boise ID 83715

63-4731
Wilda Bradley
33 Wild Rose Ln
Boise ID 83716

63-3422A
Mary Lou Pote
William W H Pote
27 Idaho City Stage Rd
Boise ID 83716

63-5251
Mary Lou Pote
William W H Pote Jr
27 Idaho City Stage Rd
Boise ID 83716

63-5108
Chapman Ranch LLC
737 N 7th St
Boise ID 83702

63-15206
Val Dean Schroeder
13 Blacksmith Rd
Boise ID 83716

63-3447D
Joan Stephens
James R Stephens
3939 S Transport
Boise ID 83705

63-5161B
Dwaine Wright
Elizabeth Wright
4 Larkspur Lane
Boise, ID 83716

63-3422B
Virginia M Cafferty
Allan E Cafferty
2121 S Eagleson
Boise ID 83705

63-15427
Maurice Brown
11 Hoover Dr
Boise ID 83716

63-5334
Osprey Land Co
737 N 7th Street
Boise, ID 83702

63-15373
Rex E. Lanham
2630 Highway 21
Boise ID 83716

IDAHO DEPARTMENT OF WATER RESOURCES 12/07/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

63-5057

NAME AND ADDRESS: FRANCIS MANGUM
17 OLD MILL RD
BOISE ID 83716

SHIRLEY MANGUM
17 OLD MILL RD
BOISE ID 83716

SOURCE: CLEAR CREEK
SPRING

TRIBUTARY: GRIMES CREEK
TRIBUTARY: CLEAR CREEK

QUANTITY: 0.28 CFS

PRIORITY DATE: 09/24/1900

POINT OF DIVERSION:

T05N R04E S32 SWNWNE Within BOISE County

T05N R04E S32 NENW Within BOISE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.280 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T05N R04E S29	SESW	4.0	T05N R04E S32	NWNE	3.0
T05N R04E S32	NENW	7.0			

14 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: Statutory Claim

THE CLEAR CREEK SOURCE IS ALSO KNOWN AS SOUTH BRANCH CLEAR
CREEK.

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: 63-5057

FRANCIS MANGUM

17 OLD MILL RD

BOISE ID 83716

Telephone Number: (208)392-4350

SHIRLEY MANGUM

17 OLD MILL RD

BOISE ID 83716

Telephone Number: (208)392-4350

RECEIVED

MAR 11 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 12 2002

WATER RESOURCES
WESTERN REGION

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

DATE: 7 March 2002 SIGNATURE: Francis Mangum Shirley Mangum

Please print your name: FRANCIS MANGUM SHIRLEY MANGUM

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). 443-5057

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: 9-24-1900
(If the priority date, based on your exam, seems questionable, explain below.)

Recommendation is based on a posted notice, affidavits and homestead documents that support the Clear Creek source.

3. ☐ No Change — SAME SOURCE
☒ Source is different than that claimed:
Source found: Clear Creek, aka South Branch Clear Creek
4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

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

Ditch from spring for gravity irrigation. Pumps in creek for sprinkler irrigation. 3hp used for larger area and 1hp used for smaller area.

6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use Irrigation From 3-15 To 11-15 Amount .28 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 .3 CFS AFA

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

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: 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

Assisted by claimant - pump information
was collected but misplaced. 2 pumps & motor
3hp Franklin, Mdl 1203007407 & GE hp Mdl 5TR385N2959AX
C18

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-29-2001

FIELD EXAMINER:

Print Name

Mel Schulte
 Signature

AUG 24 2001

WATER RESOURCES
WESTERN REGION

To whom it may concern, notice is hereby given that Clinton W. Gardner of Brier, County of Ada, State of Idaho, have this 24 day of September 1900, appropriated and hereby claim the use of the water of South Branch Clear Creek to the extent of one hundred and fifty miner's inches for second flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows: at a point eighty rods Southeast of the quarter post between sections 29 and 32, township 5. North of Range 4 East Boise Meridian.

That the special purpose for which said water is claimed is for power and agriculture.

That the place of intended diversion is in sections 29 & 32, township 5. North of Range 4 East Boise Meridian.

That the general course of the proposed canal or conduit is North westerly.

That the length of said canal or conduit is one half mile.

A copy of this notice was duly posted at or near the point of intended diversion on the 24 day of Sept. 1900.

Witness my hand at Brier, State of Idaho, this 3rd day of Oct. 1900

Clinton W. Gardner.

State of Idaho }
County of Ada }

Clinton W. Gardner of Brier, County of Ada, State of Idaho, being first duly sworn, deposes and says that he is of lawful age and the appropriator and claimant of the water right described in the within and foregoing notice and whose name is subscribed thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 10 o'clock P.M. this 24 day of Sept.

Clinton W. Gardner

Subscribed and sworn to before me this 3 day of October, 1900
(Seal) W. Scott Neal

Notary Public

State of Idaho }
County of Brier } I hereby certify that this instrument was filed for record at the request of C. W. Gardner at 2 o'clock P.M. this 4 day of Oct. 1900.

Just Deed
E. L. B. B. B.

United States of America,

RECEIVED SHALL COME, GREETING:

[illegible]

according to the Official Plat of the survey of the said Lands, returned to the GENERAL LAND OFFICE by the Surveyor General,
which said Tract has been purchased by the said _____ by the United States

which said tract was then purchased by the said
 NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several acts of Congress in such case made and provided, HAVE GIVEN AND GRANTED, and by these presents do give and grant unto the said Clinton M. Gardner and to his heirs, the said tract of land above described; TO HAVE AND TO HOLD the said tract of land together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said Clinton M. Gardner and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by authority of the United States.

IN TESTIMONY WHEREOF, I, Theodore Roosevelt President of the United States of America,
have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the twentieth day of March.....
in the year of our Lord one thousand nine hundred and six....., and of the Independence
of the United States the one hundred and thirtieth.....

(SEAL)

By the President, *T. Roosevelt*

By Fr. M. M. Kees

Secretary.

Recorded Idaho. Vol. 68, Page 78.

A. W. Brush

Recorder of General Land Office.

Document submitted for record at request of C. M. Gardner

De

—

Homestead Certificate No. 2237
Application 4795

TO ALL TO WHOM THESE PRESENTS SHALL COME

WHEREAS

That the
the Land Office at Boise, Idaho

My. 862. To secure Homestead to Nathan M. Gardner

the claim of Nathan M. Gardner, in conformity to law, for the South-West quarter of the South-East quarter and the North-East quarter of Section nineteen in Township five North Meridian in Idaho, containing

according to the Official Plat of the survey of the said lands, returned to the
which said tract has been purchased by the said

NOW KNOW YE, That the United States

of Congress in such case made and provided, HAVE GIVEN AND GRANTED
said Nathan M. Gardner
TO HOLD the same, together with all the rights, privileges, immunities, and
belonging unto the said Nathan M. Gardner

any vested and accrued water rights for mining, agricultural, manufacturing or other
used in connection with such water rights, as may be recognized and established
and also subject to the right of the proprietor of a vein or lode to extend and
penetrate or intersect the premises hereby granted, as provided by law, and
of way thereon for ditches or canals constructed by authority of the

IN TESTIMONY WHEREOF, I, Theodore P. Smith

have caused these letters to be made Patent, and the seal of the

GIVEN under my hand, at the City of

in the year of our Lord one thousand nine hundred and

of the United States the one thousand

(SEAL)

Recorded Idaho

STATE OF IDAHO,
County of Boise,

I hereby certify that this
at 38 minutes past 9
and duly recorded in Book

.45.99

A63-5057

PHOTOS TAKEN 08/29/2001



PHOTO #1
POD AT SPRING



PHOTO #2
POD IN CLEAR CREEK

A63-5057

PHOTOS TAKEN 08/29/2001



PHOTO #3
DITCH FROM SPRING
POD



RECEIVED
MAR 13 2001
WATER RESOURCES
WESTERN REGION

*Phy filed
in 63-05057*

March 12, 2001

Adjudication Bureau
Idaho Dept. of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Laura E. Burri
Jeffrey R. Christenson
D. Blair Clark
Michael J. Doolittle
S. Bryce Farris
Patrick D. Furcy
David Hammerquist
Charles L. Honsinger
Joseph B. Jones
James P. Kaufman
Jennifer Reid Mahoney
James G. Reid
William F. Ringert
Daniel V. Steenson
Ailyn L. Sweeney
Samuel Kaufman (1921-1986)

Re: SRBA Claim to Water Right No. 63-05057 *ml*

To whom it may concern:

Enclosed please find affidavits that establish the use of the above referenced water right as claimed by this law firm's clients Francis and Shirley Mangum. We hope that this information assists you in your investigation of water right no. 63-05057. Please contact me with any information requests you may otherwise have.

It is my understanding that the recommendation of this water right will not occur until late this year or early in 2002. Please contact me prior to your investigation so that my clients can be present during your field visit. Thank you for your help.

Sincerely,

A handwritten signature in cursive script that reads "Charles L. Honsinger".
Charles L. Honsinger

cc: Francis Mangum

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

WATER RIGHT NUMBER 63-05057

AFFIDAVIT ESTABLISHING USE OF
WATER RIGHT NO. 63-05057

RECEIVED

MAR 13 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

COUNTY OF _____

) ss

1. My Name is Walter C. Nilles
2. I am familiar with the diversion and use of water pursuant to water right no. 63-05057 from the time period of 1957 to 1972 because
I lived on or near the place
During this time, I used the
water there as I Rented the
place for 10 of these years
or used
3. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was applied to irrigate lands encompassing approximately 4 acres in Section 29, SESW, 3 acres in Section 32, NWNE and 7 acres in Section 32, NENW, all in T05N R04E, all of which are located in Boise County, Idaho.
4. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was diverted from an unnamed stream tributary to

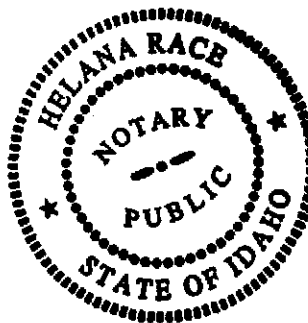
Clear Creek, and a spring tributary to Clear Creek, which were respectively
located in NENW and NWNE, Section 32, T05N R04E in Boise County, Idaho.

Dated this 12 day of Dec, 2000.

Walter C. Mills

Sworn to and subscribed before me this 12th day of December, 2000.

Helana Race
Notary Public for Idaho
Residing in Grand View, Idaho
My Commission Expires: 11-20-04



))))))

AFFIDAVIT ESTABLISHING USE OF
WATER RIGHT NO. 63-05057

WATER RESOURCES
WESTERN REGION

)

) SS
)

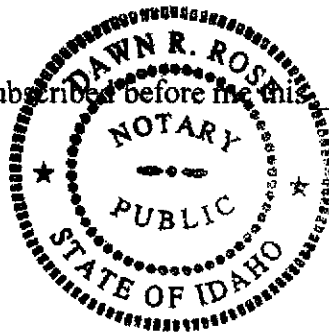
1. My Name is Harold Chapman
2. I am familiar with the diversion and use of water pursuant to water right no. 63-05057 from the time period of 1935 to 1990 because
3. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was applied to irrigate lands encompassing approximately 4 acres in Section 29, SESW, 3 acres in Section 32, NWNE and 7 acres in Section 32, NENW, all in T05N R04E, all of which are located in Boise County, Idaho.
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Clear Creek, and a spring tributary to Clear Creek, which were respectively
located in NENW and NWNE, Section 32, T05N R04E in Boise County, Idaho.

Dated this 5 day of December, 2000.

[Handwritten Signature]

Sworn to and subscribed before me this



5 day of December, 2000.

[Handwritten Signature]
Notary Public for Idaho

Residing in Boise, Idaho

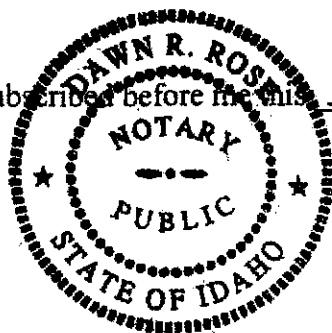
My Commission Expires: Jun 27, 2002

Clear Creek, and a spring tributary to Clear Creek, which were respectively
located in NENW and NWNE, Section 32, T05N R04E in Boise County, Idaho.

Dated this 5 day of December, 2000.

David L. Cahoon

Sworn to and subscribed before me this



5 day of December, 2000.

Dawn R. Rose
Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires: June 27, 2002

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

WATER RIGHT NUMBER 63-05057

AFFIDAVIT ESTABLISHING USE OF
WATER RIGHT NO. 63-05057

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MAR 13 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

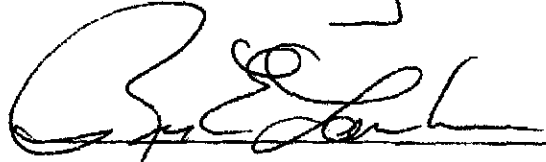
COUNTY OF _____

) ss

1. My Name is Rex E. Lanham
2. I am familiar with the diversion and use of water pursuant to water right no. 63-05057 from the time period of 1970 to 2001 because
I rented The Gardner property
from Bertha after Walt Nellie
went to Grandview - I irrigated it until the
sale of the property and observed it since because of neighbor
3. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was applied to irrigate lands encompassing approximately 4 acres in Section 29, SESW, 3 acres in Section 32, NWNE and 7 acres in Section 32, NENW, all in T05N R04E, all of which are located in Boise County, Idaho.
4. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was diverted from an unnamed stream tributary to

Clear Creek, and a spring tributary to Clear Creek, which were respectively
located in NENW and NWNE, Section 32, T05N R04E in Boise County, Idaho.

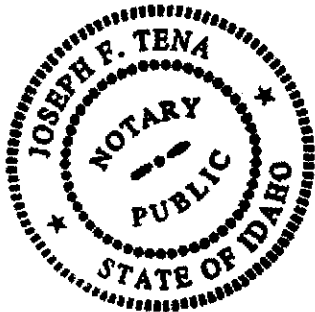
Dated this 25 day of February, 2000.



Rex Everett Canham, Jr.

Sworn to and subscribed before me this 27 day of February, 2000. ^{2001 S.T.}


Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires: 11-12-04



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

WATER RIGHT NUMBER 63-05057

AFFIDAVIT ESTABLISHING USE OF
WATER RIGHT NO. 63-05057

RECEIVED

MAR 13 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

COUNTY OF _____

) ss

1. My Name is JULIUS K. JAMES.
2. I am familiar with the diversion and use of water pursuant to water right no. 63-05057 from the time period of 1969 to 1993 because

I HELPED WALT NILLES CLEAN
DITCH IN SPRING OF YEAR

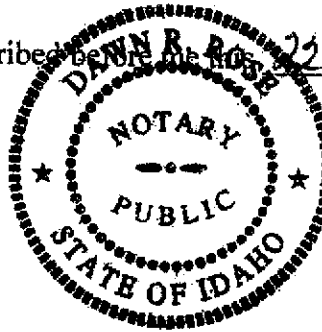
3. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was applied to irrigate lands encompassing approximately 4 acres in Section 29, SESW, 3 acres in Section 32, NWNE and 7 acres in Section 32, NENW, all in T05N R04E, all of which are located in Boise County, Idaho.
4. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was diverted from an unnamed stream tributary to

Clear Creek, and a spring tributary to Clear Creek, which were respectively
located in NENW and NWNE, Section 32, T05N R04E in Boise County, Idaho.

Dated this 22 day of JAN, 2000.

Justin H. James

Sworn to and subscribed to by Dawn R. Rose 22 day of January, 2000.



Dawn R. Rose
Notary Public for Idaho
Residing in Boise, Idaho
My Commission Expires:

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

RECEIVED

MAR 13 2001

WATER RESOURCES
WESTERN REGION

In Re SRBA
Case No. 39576

WATER RIGHT NUMBER 63-05057

AFFIDAVIT ESTABLISHING USE OF
WATER RIGHT NO. 63-05057

STATE OF IDAHO

COUNTY OF

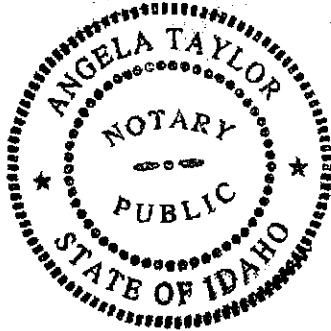
1. My Name is Rosa V. Gonzales.
2. I am familiar with the diversion and use of water pursuant to water right no. 63-05057 from the time period of 1969 to 2001 because
Ever since I was a small child and
continuing thru my adult & married life
I have known the Gardner & Cahoon
families for well over 30 years.
3. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was applied to irrigate lands encompassing approximately 4 acres in Section 29, SESW, 3 acres in Section 32, NWNE and 7 acres in Section 32, NENW, all in T05N R04E, all of which are located in Boise County, Idaho.
4. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was diverted from an unnamed stream tributary to

Clear Creek, and a spring tributary to Clear Creek, which were respectively
located in NENW and NWNE, Section 32, T05N R04E in Boise County, Idaho.

Dated this 5th day of January, 2000.

Rose Homales

Sworn to and subscribed before me this 5th day of January, 2000.



Angela Taylor
Notary Public for Idaho
Residing in Meridian, Idaho
My Commission Expires: 8-27-04

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

RECEIVED

MAR 13 2001

WATER RESOURCES
WESTERN REGION

In Re SRBA
Case No. 39576

WATER RIGHT NUMBER 63-05057

AFFIDAVIT ESTABLISHING USE OF
WATER RIGHT NO. 63-05057

STATE OF IDAHO

COUNTY OF

ss

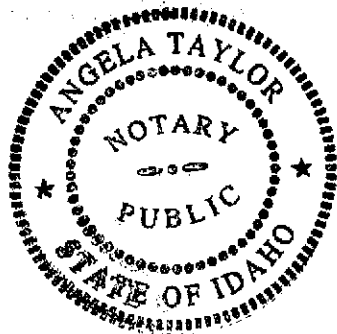
1. My Name is Rudy D. GONZALEZ Jr.
2. I am familiar with the diversion and use of water pursuant to water right no. 63-05057 from the time period of 1979 to 2001 because
PERSONAL FAMILY FRIENDS WITH BOTH THE
GARDNER & CAHOON FAMILIES. MY FAMILY
HAS VISITED THEM REGULARLY FOR OVER 20
YEARS.
3. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was applied to irrigate lands encompassing approximately 4 acres in Section 29, SESW, 3 acres in Section 32, NWNE and 7 acres in Section 32, NENW, all in T05N R04E, all of which are located in Boise County, Idaho.
4. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was diverted from an unnamed stream tributary to

Clear Creek, and a spring tributary to Clear Creek, which were respectively
located in NENW and NWNE, Section 32, T05N R04E in Boise County, Idaho.

Dated this 5th day of January, 2000.

Ralph D. Sawyer Jr.

Sworn to and subscribed before me this 5th day of January, 2000.



Angela Taylor
Notary Public for Idaho
Residing in Meridian, Idaho
My Commission Expires: 8-27-04

RECEIVED

MAR 13 2001

WATER RESOURCES
WESTERN REGION

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

WATER RIGHT NUMBER 63-05057

AFFIDAVIT ESTABLISHING USE OF
WATER RIGHT NO. 63-05057

STATE OF IDAHO

COUNTY OF Blaine

ss

1. My Name is Lesla Berry.
2. I am familiar with the diversion and use of water pursuant to water right no. 63-

05057 from the time period of 1959 to 1979 because

we lived on the Davidson ranch next to Garden and
run cattle there every year. I know the water was used
when the saw mill was there too. Clint used the water from
the creek all of the time for his place.

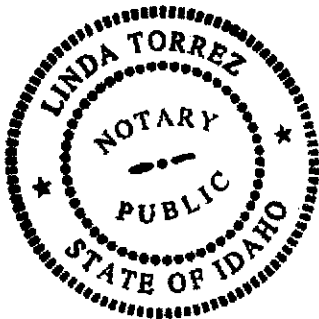
3. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was applied to irrigate lands encompassing approximately 4 acres in Section 29, SESW, 3 acres in Section 32, NWNE and 7 acres in Section 32, NENW, all in T05N R04E, all of which are located in Boise County, Idaho.
4. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was diverted from an unnamed stream tributary to

Clear Creek, and a spring tributary to Clear Creek, which were respectively
located in NENW and NWNE, Section 32, T05N R04E in Boise County, Idaho.

Dated this 14 day of December, 2000.

Linda M. Burry

Sworn to and subscribed before me this 14 day of December, 2000.



Linda Torrez
Notary Public for Idaho

Residing in Boise, Idaho

My Commission Expires: 5-8-2005

RECEIVED

MAR 13 2001

WATER RESOURCES
WESTERN REGION

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

WATER RIGHT NUMBER 63-05057

AFFIDAVIT ESTABLISHING USE OF
WATER RIGHT NO. 63-05057

STATE OF IDAHO

COUNTY OF BOISE

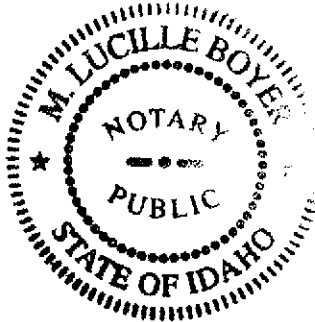
1. My Name is TERRY BROCK.
2. I am familiar with the diversion and use of water pursuant to water right no. 63-05057 from the time period of 1963 to 1977 because
I was friends with the family and
helped the irrigating as needed.
3. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was applied to irrigate lands encompassing approximately 4 acres in Section 29, SESW, 3 acres in Section 32, NWNE and 7 acres in Section 32, NENW, all in T05N R04E, all of which are located in Boise County, Idaho.
4. During the time that I observed water being used pursuant to water right no. 63-05057, I observed that water was diverted from an unnamed stream tributary to

Clear Creek, and a spring tributary to Clear Creek, which were respectively
located in NENW and NWNE. Section 32, T05N R04E in Boise County, Idaho.

Dated this 28 day of DEC, 2000.

Tim Brock.

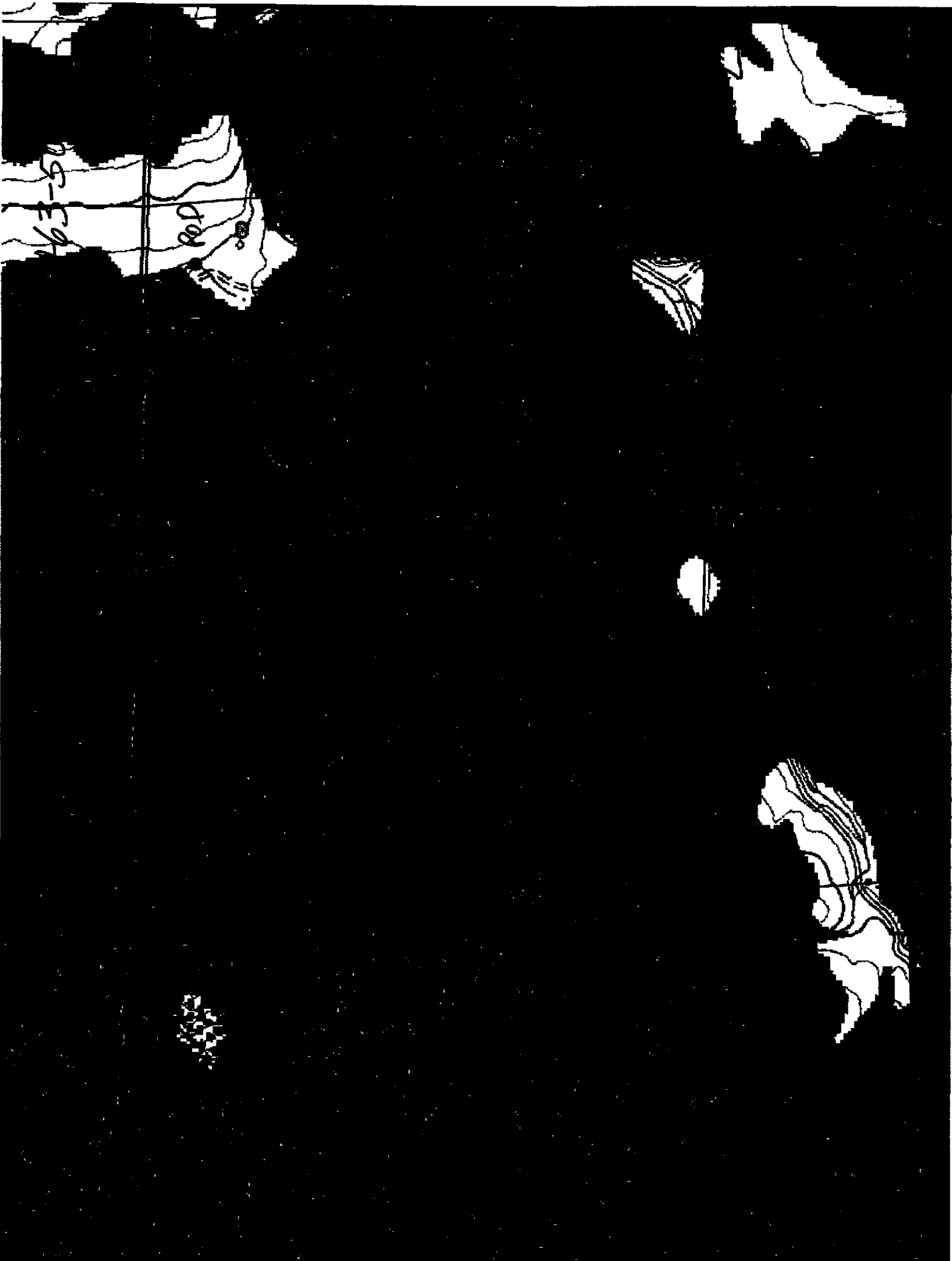
Sworn to and subscribed before me this 28 day of December, 2000.



M. Lucille Boyer
Notary Public for Idaho

Residing in Mtn. Home, Idaho

My Commission Expires: 6-10-2005



Franklin Motor 3 hp.

Mod. 1203007407.

TEEL Pump

GE. - 1 hp.

Mod. 5HC 385N 2959 AX

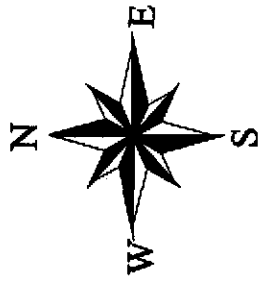
Diamond Pump 1 hp. - 35 gpm.

338 345 #528 - Creek
294 397

338-672 } Spring
294257 }

IDAHO DEPARTMENT OF WATER RESOURCES

T05N, R04E, S29 & 32



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-5057

OWNER(S): MANGUM, FRANCIS &
SHIRLEY

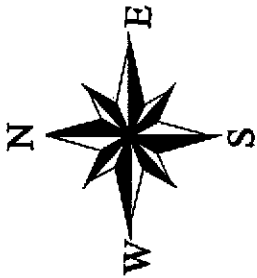
DATE: DECEMBER 6, 2001

by: Mel Schulte



0 0.25 0.5 0.75 1 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
T05N, R04E, S29 & 32



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-5057

OWNER(S): MANGUM, FRANCIS &
SHIRLEY

DATE: DECEMBER 6, 2001

by: Mel Schulte



0 0.25 0.5 0.75 1 Miles



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

FRANCIS MANGUM
17 OLD MILL RD
BOISE, ID 83716

Re: Claim No(s). 63-5057

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