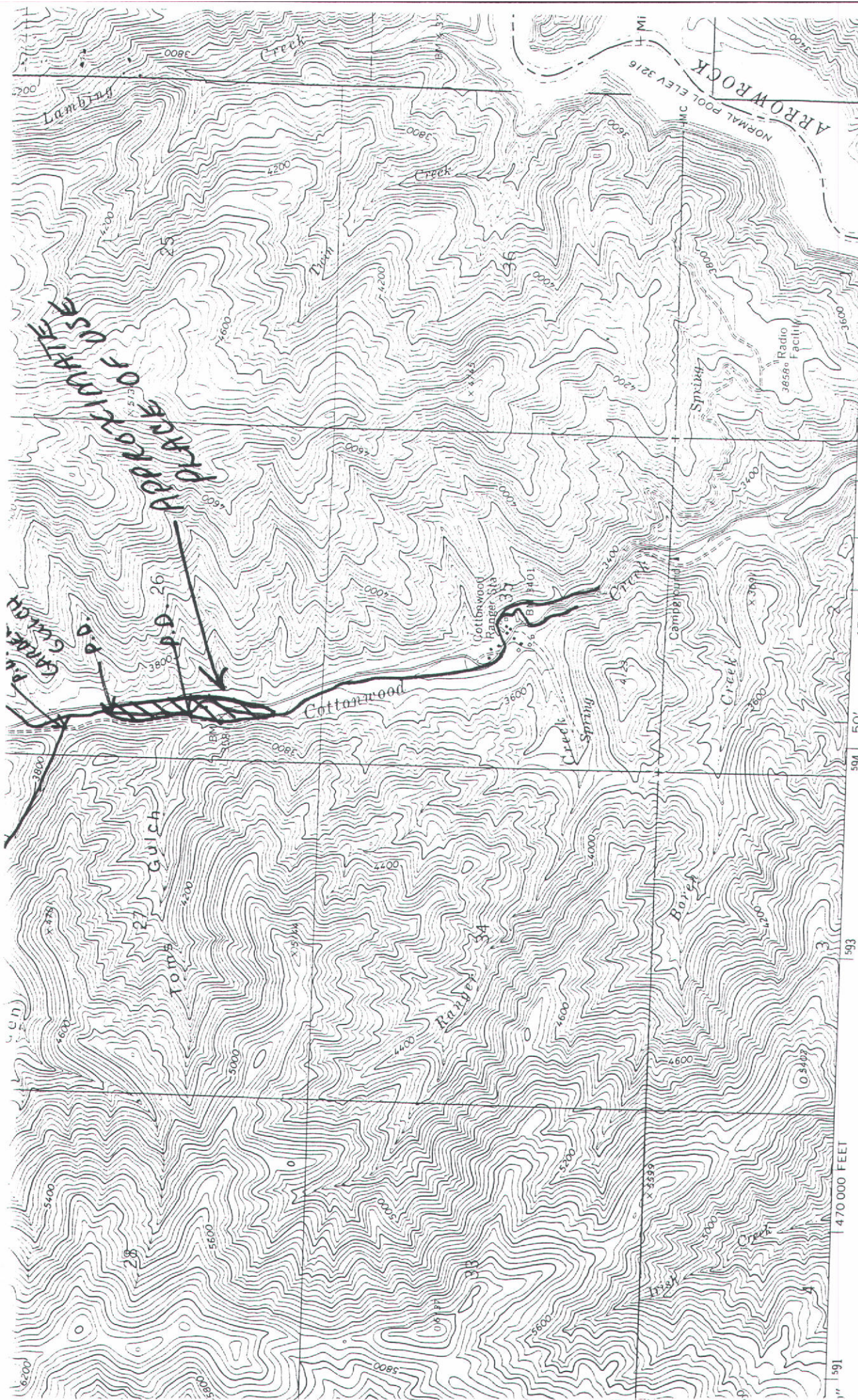


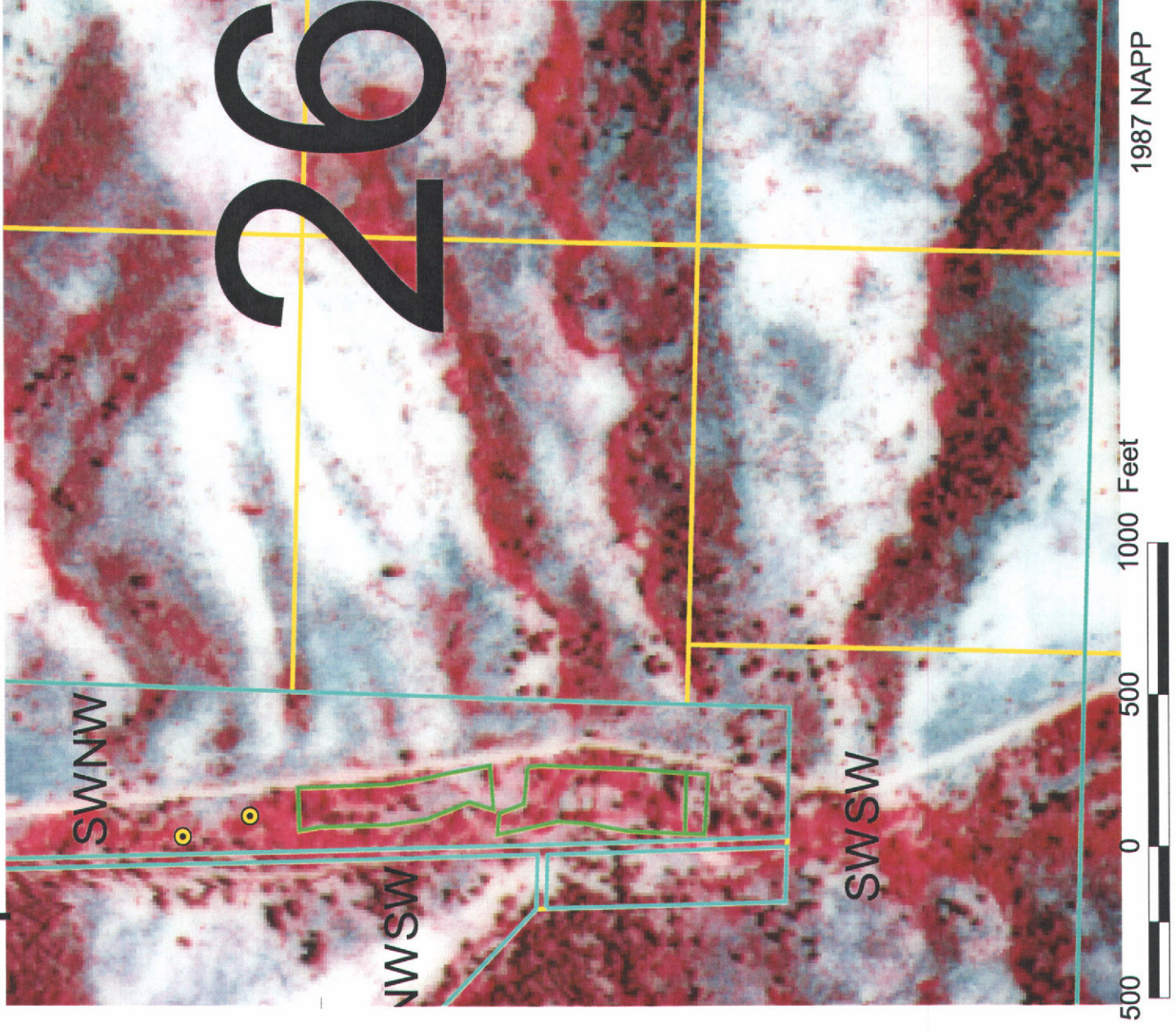


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Idaho Dept of Water Resources

Calim No. 63-5102
T04N, R05E, S 26
Prepared by: Maria Minicucci
Date: 11/01/2001

- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines



NESW

SWSW

SENW

NESW

26

35

SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer M. Newberry

Legal Description T4N R5E S29 SWNW

① Lower Point of
Diversion.

GPS measuring
location "5102A"



② Data collection
site - upper, for
lower POD.

Stream in
background



SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer P. Pinicucci

Legal Description T4N R5E S26 NWSW

③ Data collection site -
lower, for lower pool.



④ Headgate in
ditch. Diverts
water to POU,
or directs back
to stream (as
shown here).



SRBA Claim Number A63-502

Date of Photos 10/29/2001

Photographer William

Legal Description T4N25E32

⑤ Place of use

Northern-most field
on west side of
creek. Building
("barned over house") is
on other side of
creek. Photo taken
from south end of
field, looking north
and east



⑥ Place of use

NWSW

Original cabin's roof
is visible to the left.
Photo is taken from
north end of these
fields, looking south
and east. Irrigation
of this field and
area beyond cabin
Main ditch is to the
right, out of the
picture



SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer D. Newucci

Legal Description 74NRSE 526

⑦ Small field with
small pine trees,
south end of property.
Irrigated in "good"
water years.



⑧ Gulch from
Tom's Gulch under
driveway. Small
pond area also
receives water
from Cottonwood
Creek diversion.

Tom's Gulch not
claimed (not the
same as Garden
Gulch)



SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer P. Niemcewicz

Legal Description T4NRSE526 SWNW

④ Point of Diversion -
Upper GPS
measurement
location "5102C"



⑩ Data collection
site - upstream
location
Upper POD
(NORTHERN)



SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer M. Penicucci

Legal Description 74NR5E526 SWNW

(11) Data collection
site - downstream
location.

Upper Pod



(12) Place of use

NWSW

NORTHERN - most
area on east side
of creek.

Photo taken from
NORTH end, looking
SOUTH. "Burned house"
barely visible through
trees in center of
photo



SRBA Claim Number A03-5102

Date of Photos 10/29/2001

Photographer N. N. N. N. N.

Legal Description 74NR5526 NWSW

⑬ Place of use.

Southern-most area
on east side of creek.

Photo taken from
south end, looking
north. Building
is "burned 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

Ident. Number 63-5102
Date Received: 3/2/1989
Receipt No: W002336
Received By:

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

1. Name of Claimant(s): LAURA LA MAY HOLMES Phone: (208) 398-7633
2391 SHERI DR
EMMETT ID USA 83617

2. Date of Priority: 03/15/1903

3. Source: GARDEN GULCH CREEK Trib. to: COTTONWOOD CREEK
COTTONWOOD CREEK BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	05E	26	SW NW	BOISE	
04N	05E	26	NW SW	BOISE	
04N	05E	26	NW NW	BOISE	

5. Description of diverting works:

DITCHES & FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	4	

7. Total Quantity Appropriated is:
4 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
04N	05E	26	SW NW		IRRIGATION	5
			NW SW		IRRIGATION	5
			SW SW		IRRIGATION	5
					Section Acres	15
					Total Acres	15

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:

Name / address change due to marriage. DB 9/10/2001

NAME CHANGED PER REQUEST RECEIVED 3/4/96. LH

SOURCES ARE GARDEN GULCH, TRIB. COTTONWOOD CK.; COTTONWOOD CK., TRIB. BOISE R

15. Basis of Claim: Statutory Claim

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: A63-05102
Date Received: 3/ 2/1989
Receipt No: W002336
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAURA LA MAY 208-462-2987
Address: HC 42 BOX 1569
BOISE ID 83706

2. Date of Priority: MAR 15, 1903

3. Source: COTTONWOOD CREEK Trib. to: BOISE RIVER
GARDEN GULCH COTTONWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	05E	26		NW	NW		BOISE
				SW	NW		BOISE
				NW	SW		BOISE

5. Description of diverting works:
DITCHES & FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	05E	26	SW	NW		IRR	5.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	05E	26	NW	SW		IRR	5.0
			SW	SW		IRR	5.0
Section Acres							15.0
Total Acres							15.0

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:
NONE

14. Remarks:

NAME CHANGED PER REQUEST RECEIVED 3/4/96. LH
SOURCES ARE GARDEN GULCH, TRIB. COTTONWOOD CK.; COTTONWOOD CK.,
TRIB. BOISE R.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 or Adjudication Claim No(s): 63-15065 and 63-05102
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** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Laura Douthett
1321 Warm Springs; Ave. - Boise, Id. 83
4. New Owner/Claimant(s) Laura LaMay Holmes
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 2391 Sheri Dr.
 City, State and ZIP Code Emmett, ID.
 New Telephone Number (208) 398-7633
5. Date you acquired the property name change due to marriage. L.L.H.
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes _____ Other uses _____
 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.
7. Signature of New Owner or Claimant(s) Laura LaMay Holmes
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.

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: A63-05102
Date Received: 3/ 2/1989
Receipt No: W002336
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAURA DOUTHIT 208-336-1954
Address: 1321 WARM SPRINGS AVE.
BOISE ID 83712

2. Date of Priority: MAR 15, 1903

3. Source: COTTONWOOD CREEK Trib. to: BOISE RIVER
GARDEN GULCH COTTONWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	05E	26		NW	NW		BOISE
				SW	NW		BOISE
				NW	SW		BOISE

5. Description of diverting works:
DITCHES & FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	05E	26	SW	NW		IRR	5.0

A63-05102

Page 1

Date: 12/18/92

corrected entry
on name - kw 12/18/92

MICROFILMED

JUL 25 1994

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	05E	26	NW	SW		IRR	5.0
			SW	SW		IRR	5.0
Section Acres							15.0
Total Acres							15.0

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:
NONE

14. Remarks:
SOURCES ARE GARDEN GULCH, TRIB. COTTONWOOD CK.; COTTONWOOD CK.,
TRIB. BOISE R.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED

JUL 25 1994

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
JUL 25 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: A63-05102
Date Received: ~~2/14/1989~~ 3/2/89
Receipt No: W002336 D.E. J
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LAURA DOUTHIT 208-336-1954
Address: 1321 WARM SPRINGS AVE.
BOISE, ID 83712

2. Date of Priority: MAR 15, 1903

3. Source: COTTONWOOD CREEK Trib. to: BOISE RIVER
GARDEN GULCH COTTONWOOD CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	05E	26	NW	NW			BOISE
			SW	NW			BOISE
			NW	SW			BOISE

5. Description of diverting works:
DITCHES & FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	4.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
04N	05E	26	SW		NW		IRR	5.0
			NW		SW		IRR	5.0
			SW		SW		IRR	5.0
							Section Acres	15.0
							Total Acres	15.0

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:
NONE

14. Remarks:
SOURCES ARE GARDEN GULCH, TRIB. COTTONWOOD CK.; COTTONWOOD CK.,
TRIB. BOISE R.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Laura LaMay Douthett Date: Mar 2, 1989
none Date:

State of Idaho)
County of ADA) SS.

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

Jan Spente
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

Name Change
(Same owner)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____.
If you have additional legal descriptions, please attach separate sheet.

RECEIVED

MAR 04 1996

WATER RESOURCES
WESTERN REGION

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A63-05102
- ☐ Name and Address of Former
Owner/Claimant(s)(Seller): _____
- ☐ New Owner/Claimant
(Purchaser): Laura La May (Douthitt)
- ☐ New Mailing Address: H.C. 42 Box 1569
Boise, Idaho 83706
- ☐ New Telephone Number: (208) 462-3987
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of
ownership, describe
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New
Owner/Claimant(s): Laura La May Date 2-28-96
- ☐ Signature of Former
Owner/Claimant(s): Laura Douthitt (La May) Date 2-28-96

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 3-6-96 By: JD

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 3-6-96 By: JD

Claim Numbers of Split, if any:

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

MICROFILMED
OCT 07 1996

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Section 42-1409(7), Idaho Code. This statute provides that new property owners notify the Department of Water Resources (IDWR) of any change in ownership of a water right during an adjudication of water rights, and if a claim for the water right has not been filed to file the needed claim(s).

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures or if you have questions about completing this form please contact your nearest office of IDWR or you may call 1-800-451-4129 (toll-free).

The first line of the form asks for the date of closing so IDWR will have a record of the effective date of the property transfer.

The second line of information requires the legal description of the property being transferred. This information is **ESSENTIAL** and should be available from the documents that will be present at the time of closing. The first two lines of the legal description **MUST** be completed. IDWR's records are based upon legal descriptions using township, range, section and fractions of a section descriptions, and this information must be included on the form. If you also have available a legal description based upon a townsite or subdivision and lot and block number, please also include this additional information. A lot and block legal description is **NOT** a substitute for the township, range, section and fraction of a section description.

After completing the legal description, if all water is supplied by a public service water supply you may check the first box; complete the name, address and telephone information for yourself, the new owner; sign the form in the space provided and return the form to the IDWR office nearest you.

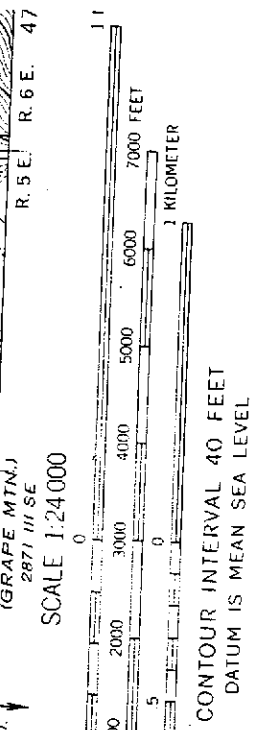
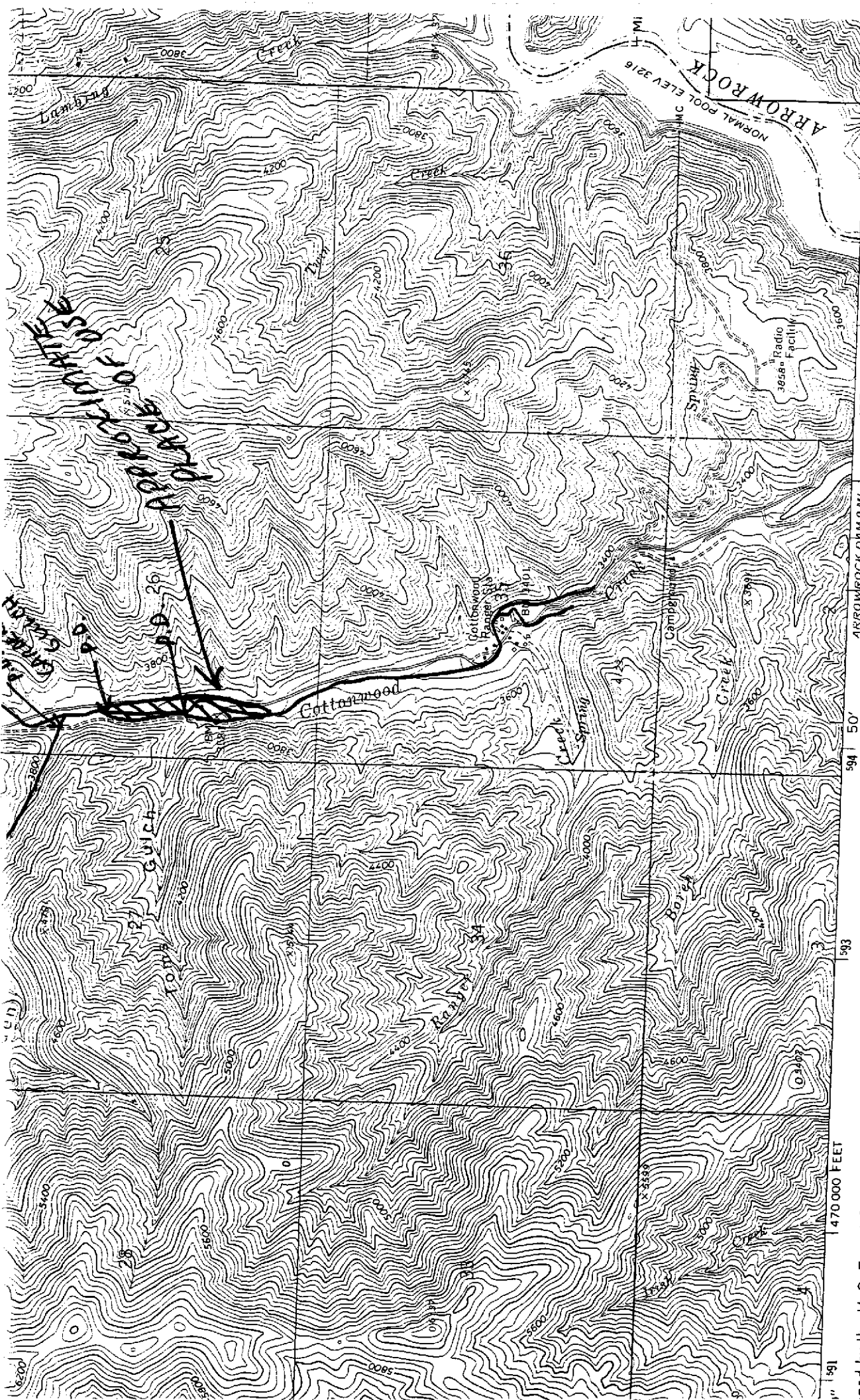
If there are water rights associated with the property, the seller should be able to provide you with the water right number(s). The water right number(s) for the property are to be put in the space provided at the second box on the form. If you or the seller believe there are water rights for the property but the numbers are unknown, then you may wish to call or come into an office of IDWR for assistance in identifying the water rights for the property involved. If claims for the property have not been filed you will be so advised by IDWR.

After the water right number(s) for the property has been entered on the form, complete the name and address information for **BOTH** the former owner/seller and for yourself, the new owner, in the spaces provided. Please also include your telephone number. If the property you have purchased is only part of the property owned by the former owner/seller, you may be purchasing only part of the total water right held by the seller. This means the water right held by the seller must be split so you get your proportionate share of the water right. Be sure to include a description of the portion of the water right you have purchased. The seller should be able to help you describe the portion of the water right for the property you have purchased.

If the former owner/seller will sign the form and the seller is shown as the claimant of the water right in IDWR's records, then you do not need to attach proof of ownership of the land or the water right. The seller should know if the original claim was filed by him, or if the seller has filed a change in ownership so the seller is shown as the claimant of the water right in IDWR's records. If the seller is not going to sign the form then you must attach some proof of ownership of the property described at the top of the form or proof of ownership referencing the specific water right(s) for the property.

The new owner must sign the form in the space provided. If the former owner/seller is available to sign the form please do so in the space provided.

When complete, the new owner and the former owner/seller should each retain one of the copies and return the original of the form to IDWR. You may return the form to the IDWR office nearest you or to: Idaho Department of Water Resources, Statehouse Mail, Boise, ID 83720-9000, Attention: Adjudication Bureau.



MICROFILME
AUG 20 1992

Prepared by the U. S. Forest Service
 Edited and published by the Geological Survey
 Produced by USGS, USC&GS, and USFS
 Cartography by photogrammetric methods from aerial
 photographs taken 1963. Field checked by USGS 1969
 Conic projection. 1927 North American datum
 30-foot grid based on Idaho coordinate system,
 zone
 meter Universal Transverse Mercator grid ticks.

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
) Water Right 63-05102

2004 AUG 23 PM 4:39
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

NAME AND ADDRESS: LAURA LA MAY HOLMES
2391 SHERI DR
EMMETT, ID 83617

SOURCE: COTTONWOOD CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 03/15/1903

POINT OF DIVERSION: T04N R05E S26 SWNW Within Boise County
SWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	0.10 CFS

DIVERSION FOR IRRIGATION UNDER THIS WATER RIGHT PRIOR TO APRIL 1 AND AFTER OCTOBER 31 SHALL OCCUR ONLY AS AUTHORIZED BY THE WATER DISTRICT 63 WATERMASTER AND ONLY WHEN WATER IS BEING RELEASED FOR FLOOD CONTROL BY THE UNITED STATES FROM THE LUCKY PEAK DAM OUTLET UNDER PROCEDURES AND REQUIREMENTS FOR THE MEMORANDUM OF AGREEMENT BETWEEN THE U.S. DEPARTMENT OF THE ARMY AND THE U.S. DEPARTMENT OF THE INTERIOR FOR FLOOD CONTROL OPERATIONS OF THE BOISE RIVER RESERVOIRS, DATED NOVEMBER 20, 1953, THE WATER CONTROL MANUAL FOR BOISE RIVER RESERVOIR DATED APRIL 1985 AND ANY FUTURE AMENDMENTS OR REVISIONS MADE THERETO PURSUANT TO STATE OR FEDERAL PROCEDURES OR LAW; PROVIDED THAT ANY SUCH USE OF THIS WATER RIGHT PRIOR TO APRIL 1 AND AFTER OCTOBER 31 SHALL BE SUBORDINATED TO WATER RIGHTS FOR STORAGE IN LUCKY PEAK RESERVOIR AND/OR LAKE LOWELL AS DECREED IN SRBA CASE NO. 39576.

PLACE OF USE:	Irrigation	Within Boise County
	T04N R05E S26 NWSW 4.5 SWSW 0.3	
	4.8 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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Recommended:

John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication

August 23, 2004

Jack H. Day

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

RIGHT NUMBER: 63-5102

NAME AND ADDRESS: LAURA LA MAY HOLMES
2391 SHERI DR
EMMETT ID 83617

SOURCE: COTTONWOOD CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.100 CFS

PRIORITY DATE: 03/15/1903

POINT OF
DIVERSION: T04N R05E S26 SWNW Within BOISE County
T04N R05E S26 SWNW Within BOISE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	0.100 CFS

Diversion for irrigation under this water right prior to April 1 and after October 31 shall occur only as authorized by the Water District 63 Watermaster and only when water is being released for flood control by the United States from the Lucky Peak Dam outlet under procedures and requirements for the Memorandum of Agreement between the U.S. Department of the Army and the U.S. Department of the Interior for Flood Control Operations of the Boise River Reservoirs, dated November 20, 1953, the Water Control Manual for Boise River Reservoir dated April 1985 and any future amendments or revisions made thereto pursuant to state or federal procedures or law; provided that any such use of this water right prior to April 1 and after October 31 shall be subordinated to water rights for storage in Lucky Peak Reservoir, Arrowrock Reservoir and/or Lake Lowell as decreed in SRBA Case No. 39576.

PLACE OF USE: IRRIGATION Within BOISE County

T04N R05E S26	NWSW	4.5	T04N R05E S26	SWSW	0.3
---------------	------	-----	---------------	------	-----

4.8 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

SF5 - 63-5102

1

LTH
Dr
Sh
Dm
DL
GAB

MEMORANDUM

TO: Claim File No. 63-5102

FROM: Jan Shurte

SUBJECT: Notes from Meeting with Laura La May Holmes, Claimant

DATE: 6-27-03

The above claimant came into my office today to discuss the season of use objections she had received from the BOR and Boise Project Board of Control.

Her concern is that if she settles for the 4-1 to 11-1 date it will give the BOR an advantage that they may come back later and reduce something else on her right. I informed her of the finalization of a decreed right with the Department. I did say that in the future, if there was a problem, anyone could file a court action, however, most decrees are final.

I also told her that the Dept and BOR/Boise Project are working on a settlement and letter to send to the claimants to try and settle prior to the initial hearings in July. I told her that what she needs to consider is whether or not she actually irrigates prior to 4-1 and after 11-1 in her decision.

She was going to speak with her neighbors that received the same objection to see what they were going to do.

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)

A. Subcase 63-5102

(Insert water right number)

Case No. 39576)

**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: Laura LA May Holmes

Address: 2391 Sheri Dr
Emmett, ID 83617

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):

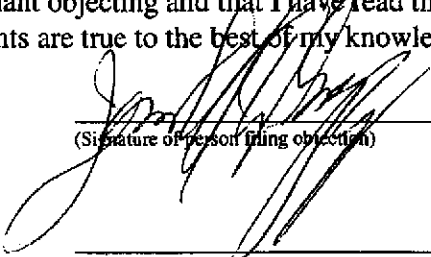
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions 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)

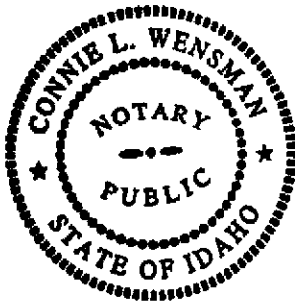
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 29, 2003



Connie L. Wensman
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: Laura LA May Holmes

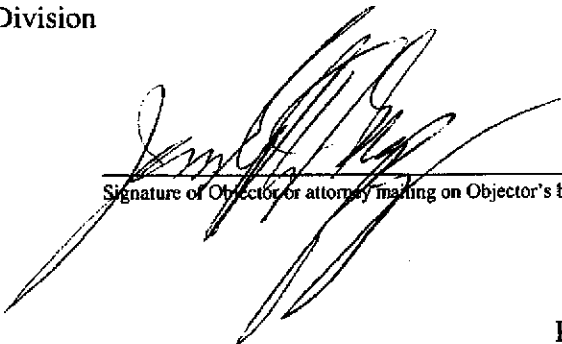
Address: 2391 Sheri Dr
Emmett, ID 83617

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

Page 1

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)

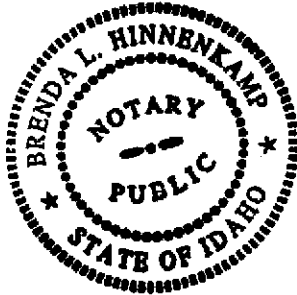
Albert P. Barker, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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:

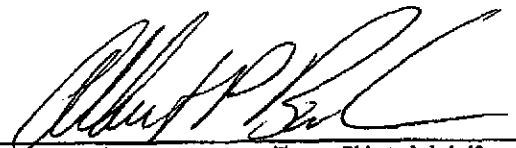
Name: See Attachment B
Address:

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 D

63-3540 Rex E Lanham 2630 Highway 21 Boise ID 83716	63-7984A Teresa L Raschke Steven L Raschke 2095 Panama St Boise ID 83705	63-7984B Lawrence Poisson Sheila Poisson 3193 Highway 21 Idaho City ID 83716
63-8624 Randall A Ambuehl HC 33 Box 1610 Boise ID 83706	63-10279 Cumer L Green PO Box 2597 Boise ID 83701	63-31335 Val Dean Schroeder 13 Blacksmith Road Boise ID 83716
63-31336 Wilderness Ranch Owners Assn Inc 46 Wilderness Ranch Rd Boise ID 83716	63-7119 Michael Robich Lynette Robich 87 Beaver Creek Rd Boise ID 83716	63-7115 Michael Robich Lynette Robich 87 Beaver Creek Rd Boise ID 83716
63-148B South Boise Water Co PO Box 6005 Boise ID 83707	63-15395 Marilyn Priest Jay R Priest PO Box 122 Idaho City ID 83631	63-2472 Chapman Ranch LLC 737 N 7th St Boise ID 83702
63-7529 Walter M Nichols Thelma E Nichols 14 Cougar Lane Boise ID 83716	63-7037 Blue Jay Creek Water & Road Users Inc C/O Robert O Walker 129 Blue Jay Creek Rd Boise ID 83706	63-2026 Hilda Larson 3015 Silver St Boise ID 83703
63-2026 James E Bryant 1915 N 11th Boise ID 83712	63-7207 Barbara W Little 1980 Myers Rd Boise ID 83706	63-31077 State of Idaho Dept of Parks & Recreation PO Box 83720 Boise ID 83720-0065
63-5102 Laura LA May Holmes 2391 Sheri Dr Emmett ID 83617	63-5192 David Steadman Lynae Steadman 8873 Ottawa Ct Boise ID 83709	63-318A Ranch Subdivision Property Owners Assn 26 Burnett Dr Boise ID 83716
63-318C Paula E Lewis Stephen E Lewis PO Box 4002 Boise ID 83711-4002	63-4629A Wilderness Ranch Owners Assn Inc 46 Wilderness Ranch Rd Boise ID 83716	63-4797 Connie Jo Cooper Douglas S Cooper 2268 Highway 21 Boise ID 83716
63-4810 Walter S Nichols Sara A Nichols 12 Cougar Ln Boise ID 83716	63-5101 Marilyn Priest Jay R Priest PO Box 122 Idaho City ID 83631	63-31074 Barry Marcus 737 N 7th St Boise ID 83702
63-31289 Walter M Nichols Thelma E Nichols 14 Cougar Lane Boise ID 83716	63-31328 Michael C Perry Tami J Perry 10 Cougar Ln Boise ID 83716	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
Lizabeth 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

07/26/2002

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

RIGHT NUMBER: 63-5102

NAME AND ADDRESS: LAURA LA MAY HOLMES
2391 SHERI DR
EMMETT ID 83617

SOURCE: COTTONWOOD CREEK TRIBUTARY: BOISE RIVER

QUANTITY: 0.10 CFS

PRIORITY DATE: 03/15/1903

POINT OF DIVERSION:

T04N R05E S26 SWNW Within BOISE County

T04N R05E S26 SWNW 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	0.100 CFS

PLACE OF USE: IRRIGATION Within BOISE County

T04N R05E S26	NWSW	4.5	T04N R05E S26	SWSW	0.3
---------------	------	-----	---------------	------	-----

4.8 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 DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-5102 V1

WATER RIGHT NUMBER: 63-5102 V1

Owner Type Name and Address
 Original Owner LAURA DOUTHIT
 1321 WARM SPRINGS AVE
 BOISE, ID 83712
 (208)336-1954
 Current Owner LAURA LA MAY HOLMES
 2391 SHERI DR
 EMMETT, ID 83617
 (208) 398-7633

Priority Date: 03/15/1903

Basis:

Status:

Source
 COTTONWOOD CREEK

Tributary
 BOISE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	4.000 CFS	
	<u>Total Diversion:</u>	4.000 CFS	

Location of Point(s) of Diversion

COTTONWOOD CREEK	SW1/4NW1/4	Sec. 26, Twp 04N, Rge 05E, B.M.
BOISE County		
COTTONWOOD CREEK	SW1/4NW1/4	Sec. 26, Twp 04N, Rge 05E, B.M.
BOISE County		

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Total
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 05E 26											4.5	.3					4.8

Conditions of Approval:Remarks:

GPS meas locations

Comments:

5102A + 5102B are PODS
 GPS meas. locations
 5102C + 5102D mark N + S ends, respectively,
 of irrigation on east side of creek

Capacity of 2 ditches is
 $1.57 + 2.56 = 4.13$
 CFS

Conveyance loss?
 See ~~final~~ calculations
 on worksheets

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

CLAIM NO(s). Ab 3-5102

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: 03/15/1903
(If the priority date, based on your exam, seems questionable, explain below.)

Supported by affidavit

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

Source found: COTTONWOOD Creek

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

Township 4N Range 5E Section 26 1/4 _____ 1/4 SW 1/4 NW
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____

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

2 points of diversion. Both are dams in the creek (rock,
wood, and canvas) to ditches to flood irrigation.

6. No Change - WATER USES
Different uses, (list uses found):

+ conveyance
loss?

Use 12249210N From 3/15 To 11/15 Amount .10 CFS AFA
Use From To Amount CFS AFA
Use From To Amount CFS AFA

7. No Change - TOTAL VOLUME

Incomplete on claim, the total is, Amount CFS AFA

Changes found, the new total is, Amount .10 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: 122 Township 4N Range 5E Section 26 1/4 NW 1/4 SW
Use: Township Range Section 1/4 SW 1/4 SW
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

2 Pools: Upper (northern) one is for lands on east side of
creek (and west of road). Lower one is for lands on west
side of creek.

Tom's Gulch not claimed, although culvert under driveway dumps
SYSTEM DIAGRAM INCLUDED YES water into small
Shown on GIS Layout pond to small
field.

CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: 10/29/2001

FIELD EXAMINER: MARIA TINICUCCI
Print Name

[Signature]
Signature

Idaho Dept of Water Resources

Calim No. 63-5102
T04N, R05E, S 26
Prepared by: Maria Minicucci
Date: 11/01/2001

● Point of Diversion

□ Place of Use

□ Section Lines

□ Quarter Quarter Lines



NES



10/29/2001

Accompanied by Ms. Holmes

Photo 6 : Lower diversion +
GPS near location "5102A"

Rock dam in stream, gravity to ditch.

Photo 7 : Upstream cross section (@ POD (lower))

Photo 8 : Downstream cross section

20' above bend where ditch goes
back to stream or through headgate to
go to POD. Part of headgate apparatus (gray board)
is visible in background.

Photo 9 : headgate : water is flowing back to stream

Photo 10 : Lowest field w/ small pines

Pond is 75' in circumference. 2' deep & deepest

11: Tom's Gulch culverted under driveway to Pond.

Used only below in field w/ small pines (except dam.)

12 : POD Old house area

13 : POD. ~~old~~ Burned house on other side of constant wood

Tom's gulch is culverted into "Pond" + then to POD w/ small pines

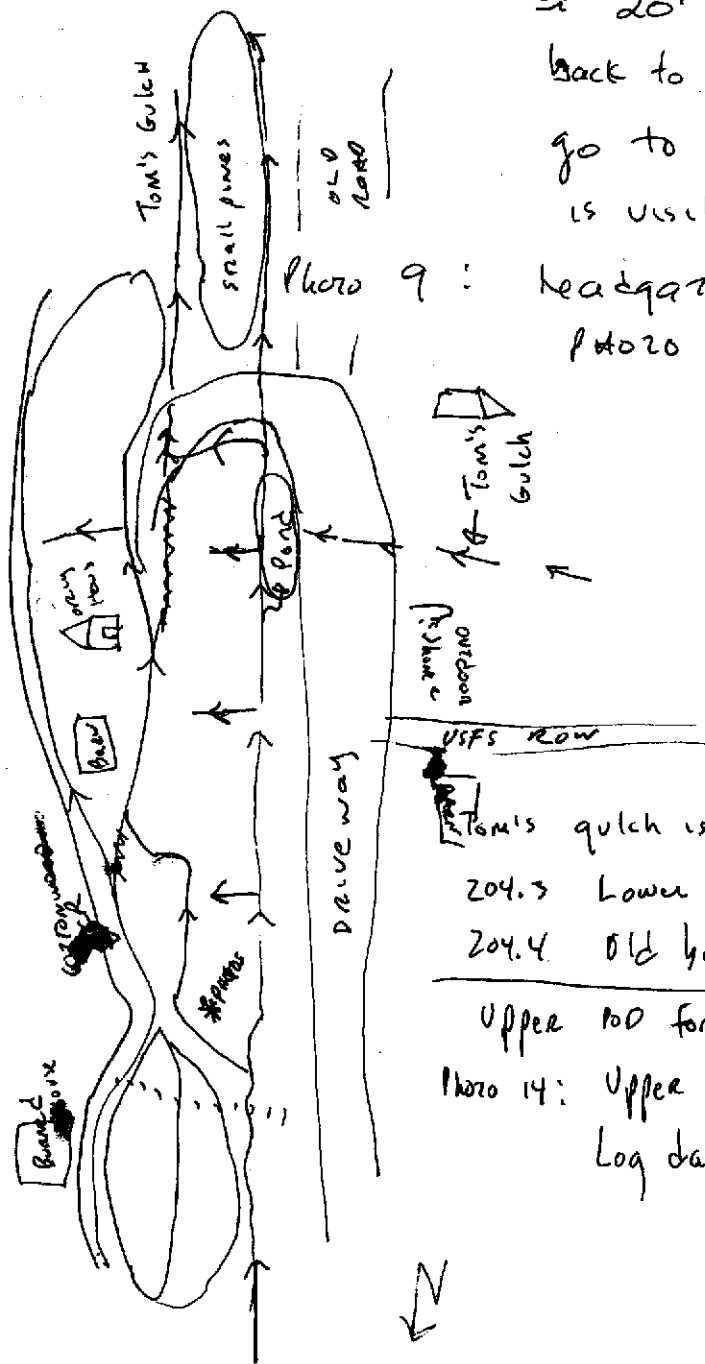
204.3 Lower POD

204.4 Old burned house & creek + start of RR

Upper POD for east side of creek (w of road)

Photo 14 : Upper POD + GPS near location "5102B".

Log dam to culvert to open ditch



10/29/2001

A63-05112

Holmes

Upstream diversion

Photos 1-3

Upstream meas. location

4

Downstream meas. location

Ditch parallels road through willows to open area around burned house. Laterals through field toward creek.

Photo 5: Upper field, upstream of burned house.

Roof in back ground. Ditch may be visible in lower portion of picture. Previous stock area.

* GPS meas. location "5102C". N'most div. on E of Creek

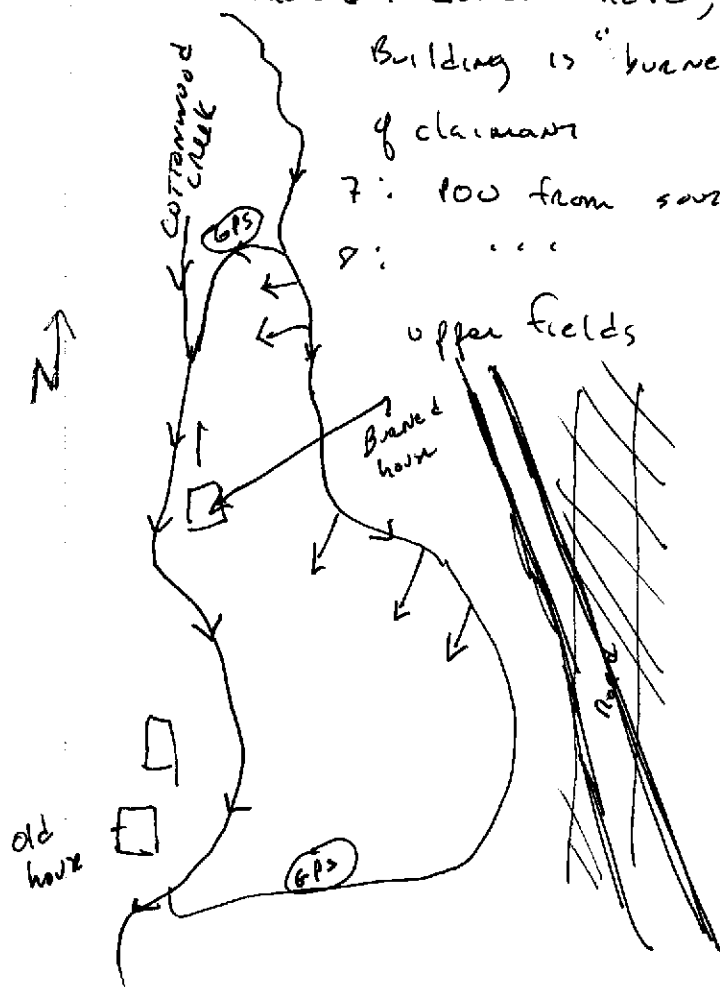
Photo 6: Lower field, on south edge looking N

Building is "burned house", once a residence of claimant

7: 100 from south edge. 2 apple trees

8: ...

, looking N toward



GPS meas. loc. 5102D

southern end of fields

SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer M. Newell

Legal Description T4N R5E S29 SWNW

① Lower Point of
Diversion.

GPS measuring
location "5102A"



② Data collection
site - upper, for
lower P.O.D.

Stream in
background



SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer P. Pirrucci

Legal Description T4N R5E S26 NWSW

- ③ Data collection site -
lower, for lower PO.



- ④ Headgate in
ditch. Diverts
water to POV,
or directs back
to stream (as
shown here).



SRBA Claim Number A63-502

Date of Photos 10/29/2001

Photographer Tim Wicucci

Legal Description T4N25E32

③ Place of use

Northern-most field
on west side of
creek. Building
(burned out house") is
on other side of
creek. Photo taken
from south end of
field, looking NORTH
and east



⑥ Place of use

NWSW

Original cabin's roof
is visible to the left.
Photo is taken from
North end of these
fields, looking south
and east. Irrigation
of this field and
area beyond cabin
Main ditch is to the
right, out of the
picture



SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer D. Neriucci

Legal Description 74N25E S26

- ⑦ Small field with small pine trees, south end of property. Irrigated in "good" water years.



- ⑧ Gulch from Tom's Gulch under driveway. Small pond area also receives water from Cottonwood Creek diversion.

Tom's Gulch not claimed (not the same as Garden Gulch)



SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer P. Newell

Legal Description T4N R5E S26 SWNW

④ Point of Diversion -
Upper GPS
measurement
location "5102C"



⑩ Data collection
site - upstream
location
Upper POD
(NORTHEAST)



SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer M. Penicucci

Legal Description T4NRSE526 SWNW

(1) Data collection
site - downstream
location.

Upper Pond



(2) Place of use

NW SW

NORTHERN - most
area on east side
of creek.

Photo taken from
North end, looking
South. "Burned house"
barely visible through
trees in center of
photo



SRBA Claim Number A63-5102

Date of Photos 10/29/2001

Photographer D. Denevici

Legal Description 74NRSE526 NWSW

⑬ Place of use.

Southern-most area
on east side of creek.

Photo taken from
south end, looking
north. Building
is "burned house"



MANNING EQUATION CHANNEL CAPACITY RESULTS

11-13-2001

File Number: A63-5102

Claimant: Laura Holmes

Channel measured: Upper diversion

Date of measurement: 10/29/2001

Measurement location:

Approximately 100 feet from point of diversion

Calculation prepared by: Maria Minicucci

Comments about the measurement:

Measurement location on flat area near diversion. Ditch then runs through very thick willow stand.

The results of the calculation are:

The length of the channel measured is 123 feet.

The upstream and downstream rod readings are 3.86 and 5.80 feet.

The channel cross section is 1.17 ft-sq.

The wetted perimeter is 3.67 feet.

The hydraulic radius is 0.32 feet.

The slope is 0.0158

The roughness coefficient is 0.0400

The flow velocity is 2.185 ft/sec.

The rate of flow is 2.56 cfs.

CROSS SECTION NUMBER 2

For File Number A63-5102 for the Upper diversion

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.15	0.15	0.50
3	0.30	0.30	1.00
4	0.42	0.42	1.50
5	0.40	0.40	2.00
6	0.24	0.24	2.50
7	0.00	0.00	3.10

The area for this cross section is 0.77 square feet
and the wetted perimeter is 3.23 feet.

CROSS SECTION NUMBER 1

For File Number A63-5102 for the Upper diversion

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.18	0.18	0.50
3	0.40	0.40	1.00
4	0.60	0.60	1.50
5	0.70	0.70	2.00
6	0.70	0.70	2.50
7	0.44	0.44	3.00
8	0.16	0.16	3.50
9	0.00	0.00	3.80

The area for this cross section is 1.57 square feet
and the wetted perimeter is 4.10 feet.

9/14/98

ESTIMATING CONVEYANCE LOSS



FIELD EXAMINER: MARIA MINICUCCI

FIELD EXAM DATE: 10/29/2001

FOR CLAIM(S) A63-5102 (Upper diversion)

FORMULA: $S = (W)(i)(0.0667)$

Where: S2= Loss in CFS per Mile
W = The top width of the high water mark in feet
i = The loss rate in feet per day (see table)
0.0667 is a factor used to convert to CFS per mile

TABLE:	Type of Soil	Loss Rate i (Ft/Day)
	Medium clay loam.....	0.5 to 1.5
	Impervious clay.....	0.5
	Medium soils.....	1.0
	Somewhat pervious soils....	1.5 to 2.0
	Gravel.....	2.5 to 5.0

WORK SHEET

S1 = (3.45 FT) i = (2.0 FT/DAY) (0.0667)

S2 = .46 CFS/MILE

CONVEYANCE LOSS = (S2) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (.46 CFS/MILE) (.125 MILE)

CONVEYANCE LOSS = .058 CFS

TOP OF DITCH = W

MAP MEASUREMENT

Section 1 = 3.8

Length in Inches = _____ = A

Section 2 = 3.1

Map Scale: _____ In. = 1 Mile = B

Section 3 = _____

Total.... = 6.9

A/X : B/5,280 = Ft./5,280 = Mile

/2or 3... = 3.45 = S1

Claim Number(s): A63-05102

Name of Claimant(s): Laura Holmes

Name of Ditch, Canal, or Stream: Upper diversion

Date of Measurement: 10/29/2001 Data Collected By: TRN

Measurement Location: 1/4 1/4 Section T R

Cross Section Data

Basis: high water mark() maximum capacity(☒)

Note: minimum of five depth or rod readings; first and last must be equal or zero

Upstream		Downstream	
depth or rod reading	distance from initial point	depth or rod reading	distance from initial point

1. <u>0</u>	<u>0.0</u> REW	2.1 <u>0</u>	<u>0</u> REW
2. <u>.18</u>	<u>.5</u>	2.2 <u>.15</u>	<u>.5</u>
3. <u>.40</u>	<u>1.0</u>	2.3 <u>.30</u>	<u>1.0</u>
4. <u>.60</u>	<u>1.5</u>	2.4 <u>.42</u>	<u>1.5</u>
5. <u>.70</u>	<u>2.0</u>	2.5 <u>.40</u>	<u>2.0</u>
6. <u>.70</u>	<u>2.5</u>	2.6 <u>.24</u>	<u>2.5</u>
7. <u>.44</u>	<u>3.0</u>		<u>3.1</u> LEW
8. <u>.16</u>	<u>3.5</u> Slope Data	<u>0</u>	

Basis: high water mark() channel bottom() land surface()

Level Readings:	upstream	downstream	
upper stadia	<u>4.16</u>	<u>6.12</u>	
center	<u>3.86</u>	<u>5.80</u>	
lower stadia	<u>3.57</u>	<u>5.48</u>	channel length
stadia difference	(<u>.59</u> + <u>.64</u>)	x 100 =	<u>123</u>

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015	X	(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
				SURFACE IRREGULARITY			
smooth	.000		(1)	low	.005		(1)
minor	.005	X	(2)		.010	X	(2)
moderate	.010		(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040		(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00	X	(1)
occasional	.005	X	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

MANNING EQUATION CHANNEL CAPACITY RESULTS

11-13-2001

File Number: A63-5102

Claimant: Laura Holmes

Channel measured: Lower Diversion

Date of measurement: 10/29/2001

Measurement location:

Channel at diversion point

Calculation prepared by: Maria Minicucci

Comments about the measurement:

The results of the calculation are:

The length of the channel measured is 124 feet.

The upstream and downstream rod readings are 4.05 and 6.40 feet.

The channel cross section is 1.25 ft-sq.

The wetted perimeter is 3.06 feet.

The hydraulic radius is 0.41 feet.

The slope is 0.0190

The roughness coefficient is 0.0900

The flow velocity is 1.256 ft/sec.

The rate of flow is 1.57 cfs.

CROSS SECTION NUMBER 1

For File Number A63-5102 for the Lower diversion

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.60	0.60	0.30
3	0.74	0.74	0.60
4	0.76	0.76	0.90
5	0.82	0.82	1.20
6	0.81	0.81	1.50
7	0.76	0.76	1.80
8	0.68	0.68	2.10
9	0.14	0.14	2.40
10	0.00	0.00	2.60

The area for this cross section is 1.59 square feet
and the wetted perimeter is 3.39 feet.

CROSS SECTION NUMBER 2

For File Number A63-5102 for the Lower diversion

Number	Rod Reading	Water Depth	Distance
1	0.00	0.00	0.00
2	0.44	0.44	0.30
3	0.48	0.48	0.60
4	0.50	0.50	0.90
5	0.50	0.50	1.20
6	0.50	0.50	1.50
7	0.50	0.50	1.80
8	0.18	0.18	2.10
9	0.00	0.00	2.30

The area for this cross section is 0.92 square feet
and the wetted perimeter is 2.74 feet.

9/14/98

ESTIMATING CONVEYANCE LOSS



FIELD EXAMINER: MARIA MINICUCCI

FIELD EXAM DATE: 10/29/2001

FOR CLAIM(S) A63-5102 (Lower diversion)

FORMULA: $S = (W)(i)(0.0667)$

Where: S2= Loss in CFS per Mile
W = The top width of the high water mark in feet
i = The loss rate in feet per day (see table)
0.0667 is a factor used to convert to CFS per mile

TABLE:	Type of Soil	Loss Rate i (Ft/Day)
	Medium clay loam.....	0.5 to 1.5
	Impervious clay.....	0.5
	Medium soils.....	1.0
	Somewhat pervious soils....	1.5 to 2.0
	Gravel.....	2.5 to 5.0

WORK SHEET

S1 = (2.45 FT) i = (2.0 FT/DAY) (0.0667)

S2 = .327 CFS/MILE

CONVEYANCE LOSS = (S2) (LENGTH OF DITCH IN MILES)

CONVEYANCE LOSS = (.327 CFS/MILE) (.25 MILE)

CONVEYANCE LOSS =

<u>.082</u>	CFS
-------------	-----

TOP OF DITCH = W

MAP MEASUREMENT

Section 1 = 2.6

Length in Inches = _____ = A

Section 2 = 2.3

Map Scale: _____ In. = 1 Mile = B

Section 3 = _____

Total.... = 4.9

A/X : B/5,280 = Ft./5,280 = Mile

/2 or 3... = 2.45 = S1

Claim Number(s): A63-0502

Name of Claimant(s): Laura Holmes

Name of Ditch, Canal, or Stream: Lower Diversion, Cottonwood Cr

Date of Measurement: 10/29/2001 Data Collected By: RN

Measurement Location: 1/4 1/4 Section T R

Cross Section Data

Basis: high water mark() maximum capacity(X)

Note: minimum of five depth or rod readings; first and last must be equal or zero

Upstream		Downstream	
depth or rod reading	distance from initial point	depth or rod reading	distance from initial point
1. <u>0</u>	<u>0</u>	1. <u>0</u>	<u>0</u> 8.18 2.1
2. <u>.6</u>	<u>.3</u>	2. <u>.44</u>	<u>.3</u> 9.0 2.3
3. <u>.74</u>	<u>.6</u>	3. <u>.48</u>	<u>.6</u>
4. <u>.76</u>	<u>.9</u>	4. <u>.50</u>	<u>.9</u>
5. <u>.82</u>	<u>1.2</u>	5. <u>.50</u>	<u>1.2</u>
6. <u>.81</u>	<u>1.5</u>	6. <u>.50</u>	<u>1.5</u>
7. <u>.76</u>	<u>1.8</u>	7. <u>.50</u>	<u>1.8</u>
8. <u>.68</u>	<u>2.1</u>		
Slope Data			

2.6 Basis: high water mark() channel bottom(~~X~~) land surface() MAX. CAPACITY

Level Readings:	upstream	downstream	
upper stadia	<u>4.30</u>	<u>6.68</u> X <u>6.72</u>	
center	<u>4.05</u>	<u>6.386</u> <u>6.40</u>	
lower stadia	<u>3.80</u>	<u>6.08</u>	channel length
stadia difference	<u>(60 + 64) x 100 = 124</u>		

Note: for elevations, the downstream rod reading must be higher than the upstream rod reading

Comments

Are maps and/or photos attached? yes()

BASIC "n" CHANNEL MATERIAL				CHANNEL OBSTRUCTIONS			
earth	.020	X	(1)	negligible	.000		(1)
rock	.025		(2)	minor	.010		(2)
fine gravel	.024		(3)		.015	X	(3)
coarse gravel	.028		(4)	appreciable	.020		(4)
					.030		(5)
				severe	.040		(6)
					.050		(7)
					.060		(8)
SURFACE IRREGULARITY				VEGETATION			
smooth	.000		(1)	low	.005		(1)
minor	.005		(2)		.010		(2)
moderate	.010	X	(3)	medium	.015		(3)
severe	.020		(4)		.020		(4)
					.025		(5)
				high	.030		(6)
					.040	X	(7)
					.050		(8)
				very high	.060		(9)
					.075		(10)
					.100		(11)
VARIATIONS IN SIZE AND SHAPE OF CROSS-SECTION				DEGREE OF MEANDERING			
gradual	.000		(1)	minor	1.00	X	(1)
occasional	.005	X	(2)	appreciable	1.15		(2)
frequent	.010		(3)	severe	1.30		(3)
	.015		(4)				

**IDWR FIELD EXAM
COMMUNICATION DOCUMENTATION**

Claim Number(s) A63-05102

Contact Person Laura Holmes

Date/Time of Exam Oct 29, 2001

IDWR Employee/Agent P. P. Wier

Directions to Property

Meet @ Western @ 9:00 am.

Info to determine measurement method

Dam in creek to ditches.

Miscellaneous

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

63-5152)

State of Idaho)
County of Boise)

AFFIDAVIT

Laura LaMay Holmes being first duly sworn,
deposes and says: In regards to water usage at
H.E.S. 492-Cottonwood Cr.: When we were buying
the property from Charles F. Woods. He came up
and showed us all the ditches & points of diversion
He loved hunting from the property & every time we
saw him he would tell us a lot of history of the place.
He said the old cabin was there in 1903 with
a squatter living there who used the pasture,
irrigated & cut grass hay. Mr Lee White bought
out the squatter's rights, and with his wife Ada
moved in around 1915. Whites proved up on the
Homestead in 1921-22; this included a water right
which was a prerequisite to a patent, according to the
B (page 2)

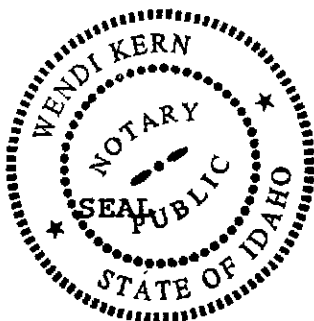
Laura LaMay Holmes
(Signature)

Subscribed and sworn to before me this
day 23rd of October, 192001.

[Signature]
(Notary Public)

Residing at Emmett Idaho.

My Commission Expires 12/15/03.



page 2

Affidavit

provisions of the Homestead Act.

Whites lived there in season for many years. They irrigated all the fields and had a permit to run 100 cows. They later sold some land to Harold Percy together with the cattle permit. They ^{Whites} sold #492 to Woods' in 1966. Charles (Dick) Woods & his wife Ethel later sold 52 acres to Maurice Douthitt and me (formerly Laura Douthitt) in 1979. I have owned this place continuously since.

We have always used all the same ditches & diversion points from Cottonwood Cr. to water fields, gardens and Orchards.

I certify that the above statement is true and accurate based on records research, and conversations with Mr. Charles F. Woods.

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
63-5102)
)
)
)

AFFIDAVIT

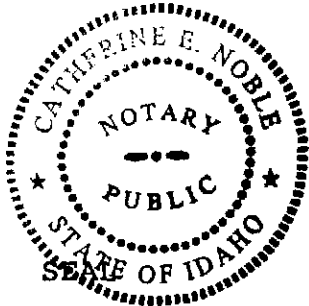
State of Idaho)
County of)

Charles F. Wood

being first duly sworn,

deposes and says: This regards the water use on property on Cottonwood Creek that belongs to Tim and Laura Holmes.

I first remember this property when I first hunted up Cottonwood Creek in 1936. Mr. Lee White owned that land then and he kept his horses there in summer. The pastures were always green and pretty when every place around it was dry. In years after that we camped just above this place and I was aware that it was irrigated. In 1966 Mr. White sold the land to me. I continued to irrigate the land by taking water from Cottonwood creek by placing rocks in the creek to raise the water level. Mr. White had shown me how he had done it, and all the ditches too. We sold it to Maury and Laura Routhat in 1979 I believe
See attachment #1



Charles F. Wood
(Signature)

Subscribed and sworn to before me this
day 12 of October, 2001.

Catherine E. Noble

(Notary Public)

Residing at Kuna, Idaho.

My Commission Expires 10/27/03.

attachment #1

When I purchased the property from Lee White known as W.E. Survey #492 he showed me the patent. I remember it was first surveyed in 1915 as a Homestead but I believe it proved up or in 1921 or 1922. It was my understanding that at that time Mr. White had a legal water right in Cottonwood Creek and I believed it stayed with the land.

Sincerely -
Charles F. Wood

Boise 018328 and 021960

THE UNITED STATES OF AMERICA,

To all to Whom these presents shall come, Greeting:

Whereas, a Certificate of the Register of the Land Office at Boise, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Lee White has been established and duly consummated, in conformity to law, for the H. E. Survey No. 492, comprising Tracts "A" "B", and "C", embracing a portion of, approximately, Sections Twenty-six and Twenty-seven in Township four north of Range five east of the Boise Meridian, Idaho, more particularly bounded and described as follows:

Beginning for the description of Tract "A" at corner No. 1, from which the corner of Sections two and three in Township three north and Sections thirty-four and thirty-five in Township four north all in Range five east of the Boise Meridian, bears south two degrees forty-seven minutes west, eighty-nine and sixty-hundredths chains distant; thence north two degrees thirty-eight minutes west, twelve and eleven-hundredths chains to corner No. 2; thence, east two and sixty-nine-hundredths chains to corner No. 3; thence south two degrees fifty-four minutes east, twelve and ten-hundredths chains to corner No. 4; thence, north eighty-nine degrees fifty-seven minutes west, two and seventy-four-hundredths chains to corner No. 1, the place of beginning;

Beginning for the description of Tract "B" at corner No. 5 from which corner No. 2 of said Tract "A", bears south two degrees thirty-eight minutes east, fifty links distant; thence, north forty-six degrees fifty-six minutes west, seven and fifty-six-hundredths chains to corner No. 6; thence, north sixty-one degrees forty-nine minutes west, eight and nineteen-hundredths chains to corner No. 7; thence, north nineteen degrees twenty minutes east, twenty-seven and fifty-seven-hundredths chains to corner No. 8; thence, north eighty-nine degrees fifty-eight minutes east, four and fifty-five hundredths chains to corner No. 9; thence, south two degrees fifty-four minutes east, thirty-five and twelve-hundredths chains to corner No. 10; thence west two and sixty-nine-hundredths chains to corner No. 5; the place of beginning;

Beginning for the description of Tract "C" at corner No. 11 from which corner No. 9 of said Tract "B" bears south eighty-nine degrees fifty-eight minutes west, fifty links distant; thence, north eight-nine degrees fifty-eight minutes east, nine and thirty-hundredths chains to corner No. 12, thence south thirty-five minutes west, forty-seven and seventy-two-hundredths chains to corner No. 13; thence, north eighty-nine degrees fifty-seven minutes west, six and forty-seven-hundredths chains to corner No. 14; thence, north two degrees fifty-four minutes west, forty-seven and seventy-two-hundredths chains to corner No. 11, the place of beginning, containing in the aggregate seventy-three and fifty-one-hundredths acres, according to the Official Plat of the Survey of the said Land returned to the General Land Office by the Surveyor General.

Now Know Ye, that there is, therefore, granted by the United States unto the said claimant the tracts of Land above described; To Have and To Hold the said tract of Land, with the appurtenances thereof, unto the said claimant, and to the heirs and assigns of the said claimant, 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 there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

In Testimony Whereof, I, Warren G. Harding, 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, in the District of Columbia, the fourteenth day of January in the year of our Lord one thousand nine hundred and twenty-two and of the Independence of the United States the one hundred and forty-sixth.

By the President: Warren G. Harding

By Viola B. Pugh, Secretary.

SEAL.

Recorded: Patent Number 843022

M. P. LeRoy,
Recorder of the General Land Office.

State of Idaho

ss.

County of Boise

I hereby certify that this instrument was filed for record at the request of Lee White at 45 minutes past 3 o'clock P. M., this 13th day of February A. D. 1922, in my office, and duly recorded in Book 8 of Patents, on page 5.

Fred Garrecht,
Ex-Officio Recorder.

James M. P.
Deputy.

146
INSTRUMENT NO. 77344

WARRANTY DEED

FOR VALUE RECEIVED, LEE WHITE and ADA WHITE, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto CHARLES F. WOOD and ETHEL M. WOOD, husband and wife, the grantees, the following described premises, in Boise County, Idaho, to wit:

The H. E. Survey No. 492, comprising Tracts "A", "B", and "C", embracing a portion of, approximately, Sections twenty-six and twenty-seven in Township four north of Range five east of the Boise Meridian, Idaho, more particularly bounded and described as follows:

Beginning for the description of Tract "A" at corner No. 1, from which the corner of Sections two and three in Township three north and Sections thirty-four and thirty-five in Township four north all in Range five east of the Boise Meridian, bears south two degrees forty-seven minutes west, eighty-nine and sixty-hundredths chains distant; thence, north two degrees thirty-eight minutes west, twelve and eleven-hundredths chains to corner No. 2; thence, east two and sixty-nine-hundredths chains to corner No. 3; thence, south two degrees fifty-four minutes east, twelve and ten-hundredths chains to corner No. 4; thence, north eighty-nine degrees fifty-seven minutes west, two and seventy-four-hundredths chains to corner No. 1, the place of beginning;

Beginning for the description of Tract "B" at corner No. 5 from which corner No. 2 of said Tract "A", bears south two degrees thirty-eight minutes east, fifty links distant; thence, north forty-six degrees fifty-six minutes west, seven and fifty-six-hundredths chains to corner No. 6; thence, north sixty-one degrees forty-nine minutes west, eight and nineteen-hundredths chains to corner No. 7; thence, north nineteen degrees twenty minutes east, twenty-seven and fifty-seven-hundredths chains to corner No. 8; thence, north eighty-nine degrees fifty-eight minutes east, four and fifty-five-hundredths chains to corner No. 9; thence, south two degrees fifty-four minutes east, thirty-five and twelve-hundredths chains to corner No. 10; thence, west two and sixty-nine-hundredths chains to corner No. 5, the place of beginning;

Beginning for the description of Tract "C" at Corner No. 11 from which corner No. 9 of said Tract "B", bears south eighty-nine degrees fifty-eight minutes west, fifty links distant; thence, north eighty-nine degrees fifty-eight minutes east, nine and thirty-hundredths chains to corner No. 12; thence, south thirty-five minutes west, forty-seven and seventy-two-hundredths chains to corner No. 13; thence, north eighty-nine degrees fifty-seven minutes west, six and forty-seven-hundredths chains to corner No. 14; thence, north two degrees fifty-four minutes west, forty-seven and seventy-two hundredths chains to corner No. 11, the place of beginning, containing in the aggregate seventy-three and fifty-one-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General;

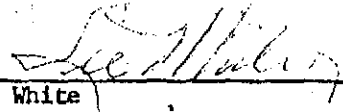
EXCEPTING all existing roads and road rights-of-way;

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever.

And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances, except current taxes for the year 1966, and that they will warrant and defend the same from all lawful claims whatsoever.

DATED this 19th day of May, 1966.



Lee White



Ada White



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

September 11, 2001

LAURA LA MAY HOLMES
2391 SHERI DR
EMMETT ID 83617

Re: Notice of Claim to a Water Right No. 63-05102

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the necessary name change for the land and appurtenant water rights 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.

Thank you for your patience and cooperation, as we have had several water right 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



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

LAURA LA MAY
HC 42 BOX 1569
BOISE, ID 83706

Re: Claim No(s). 63-5102

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

QUITCLAIM DEED

FOR VALUE RECEIVED, Maurice K. Douthit, a single man, the Grantor, does hereby Convey, Release, Remise and Forever Quitclaim unto Laura J. Douthit, a single woman, the Grantee, whose current mailing address is 1321 Warm Springs, Boise, Idaho, the following described real property located in Boise County, State of Idaho, more particularly described as follows:

Legal Description Attached Hereto as Exhibit A

together with their appurtenances.

Dated this 9th day of MARCH, 1989.

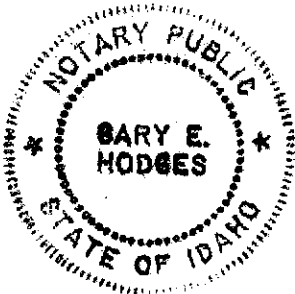


Maurice K. Douthit

STATE OF IDAHO)
County of IDAHO) ss.

On this 9th day of MARCH, 1989, before me the undersigned, a notary public in and for said state, personally appeared Maurice K. Douthit, a single man, known to me to be the person whose name is subscribed to the within and foregoing instrument, and who 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.



Gary E. Hodges
Notary Public for Idaho
Residing at Biggins Idaho
Commission Expires Jan 11, 1994

Boise County Idaho ss
Request of

Laura J. Douthit

Time 11:48 M.T

Date 3/23/89

131853

Artene C. Kolar

By Laura J. Douthit
Deputy

Fee \$9.00

EXHIBIT A

Tracts A, B and C of Homestead Entry Survey No. 492, being a portion of Sections 26 and 27, Township 4 North, Range 5 East, Boise County, Idaho, EXCEPT the following 3 tracts:

A tract which is the Southeast portion of Homestead Entry Survey No. 492 in Section 26, Township 4 North, Range 5 East, Boise-Meridian, more particularly described as follows:

Beginning at Corner No. 13 a brass cap at the Southeast corner of said Homestead Entry Survey; thence North 89°57' West 219.59 feet along the South side of said Homestead Entry Survey to a point; thence North 8°18' East 802.12 feet along the Easterly side of a forest road right of way; thence North 7°52' West 1450.95 feet along the Easterly side of a forest road right of way to a steel pin; thence North 89°58' East 316.10 feet to a steel pin; thence South 0°21' West 2231.42 feet along the Easterly said Homestead Entry Survey to the point of beginning.

The South central portion of Homestead Entry Survey No. 492, situate between the forest road right of way and Cottonwood Creek, in Section 26, Township 4 North, Range 5 East, described as follows:

Beginning at a point on the South side of said Homestead Entry Survey, which point is South 89°57' East 219.9 feet from Corner No. 1 of said Homestead Entry Survey; thence South 89°57' East 152.4 feet along the South side of said Homestead Entry Survey to a steel pin; thence North 8°18' East 608.8 feet along the West side of a forest road rights of way to a steel pin; thence along Cottonwood Creek Channel to the point of beginning as follows:

South 82°15' West 81.7 feet; thence
South 58°05' West 89.9 feet; thence
South 12°54' West 116.4 feet; thence
South 29°39' West 168.5 feet; thence
South 50°12' East 62.1 feet; thence
South 61°55' East 26.3 feet; thence

South 11°48' West 104.1 feet; thence
South 44°53' West 42.1 feet; thence
South 3°40' East 100.2 feet.

A tract which is the Northeast portion of Homestead Entry Survey No. 492 in Section 26, Township 4 North, Range 5 East, Boise-Meridian, more particularly described as follows:

Beginning at a steel pin marking corner No. 12 as re-established, which corner is
North 89°40' East 947.1 feet from corner No. 6 of said Homestead Entry Survey and
North 0°21' East 3149.5 feet from corner No. 13 of said Homestead Entry Survey; thence from said corner No. 12
South 0°21' West 918.10 feet along the Easterly side of said Homestead Entry Survey to a steel pin; thence
South 89°58' West 316.1 feet to a steel pin; thence
North 7°52' West 757.9 feet along the Easterly side of a forest road right of way; thence
North 19°03' West 174.0 feet along the Easterly side of a forest road right of way; thence
North 89°40' East 482.2 feet to the point of beginning.

All being in Boise County, State of Idaho
EXCEPTING all existing road and road rights of way.

173126
QUITCLAIM DEED

INST# 173126
REQUEST Laura LaMay Holmes
99 MAY 21 AM 10:58
BOISE COUNTY RECORDER
BY L. Lappin
TYPE 31 FEE 3.00/CA

For Value Received Laura J. Douthit

do hereby convey, release, remise and forever quit claim
unto Laura LaMay Holmes

the following described premises to-wit:

RP04N05E264170A

T4 N' R5E Sec. 26

Tracts A, B, C of H.E.S. #492

Less: A PTN Tax & PTN. of R/W

(and) RP04N05E277200A

T4N R5E Sec. 27

That portion of tract B of H.E.S. #492 lying in Sec. 27,

Less a portion of tax 4

together with their appurtenances.

Dated:

May 21, 1999

Laura LaMay Holmes
AKA Laura J. Douthit

STATE OF IDAHO, COUNTY OF BOISE

On this 21 day of May, 1999
before me, a notary public in and for said
State, personally appeared

Laura LaMay Holmes
known to me to be the person whose
name is subscribed to the within
instrument and acknowledged to me that
she executed the same.

Catherine R. Gravatt

Notary Public

Residing at Orlando City, Idaho

Commission Expires 2/19/05

