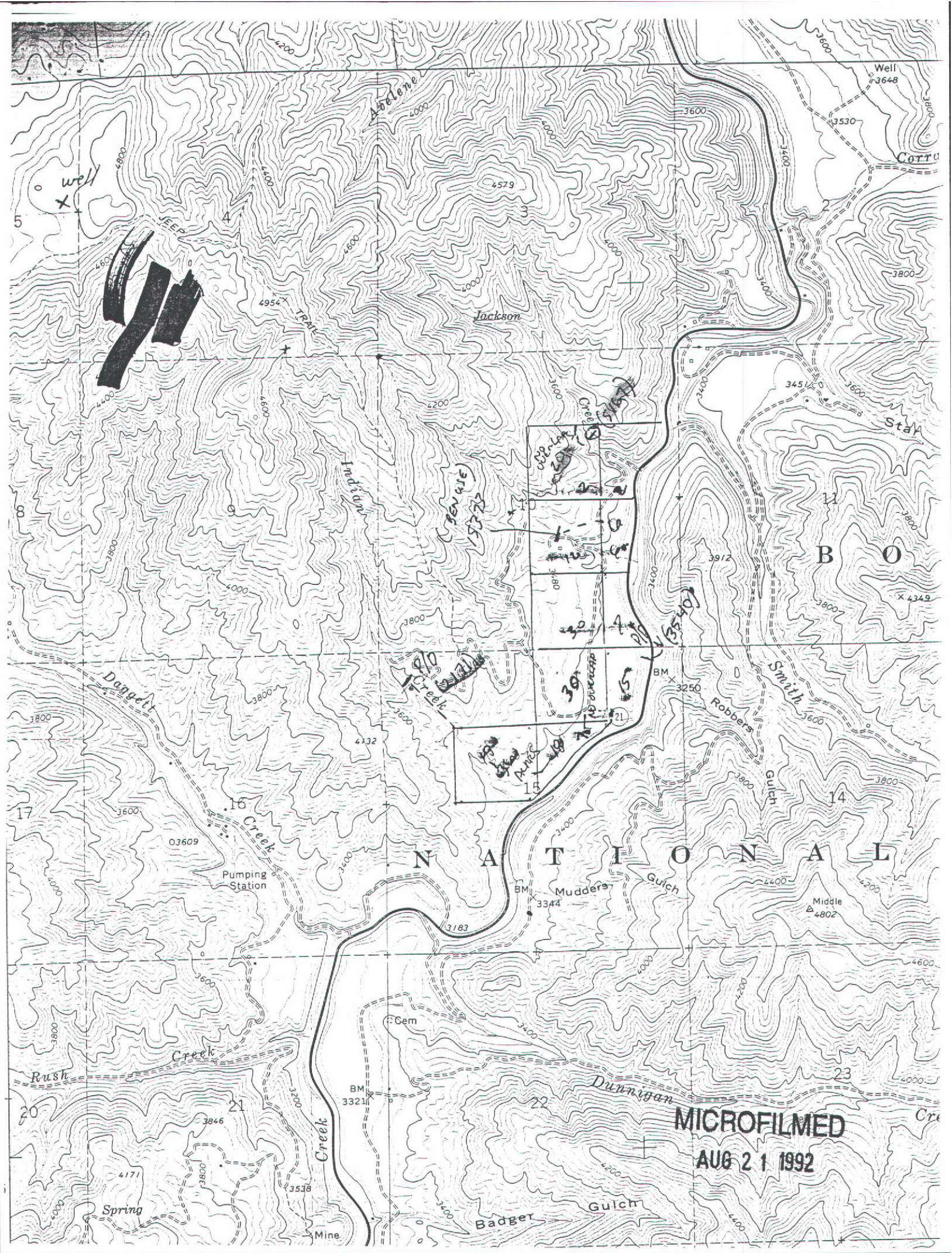
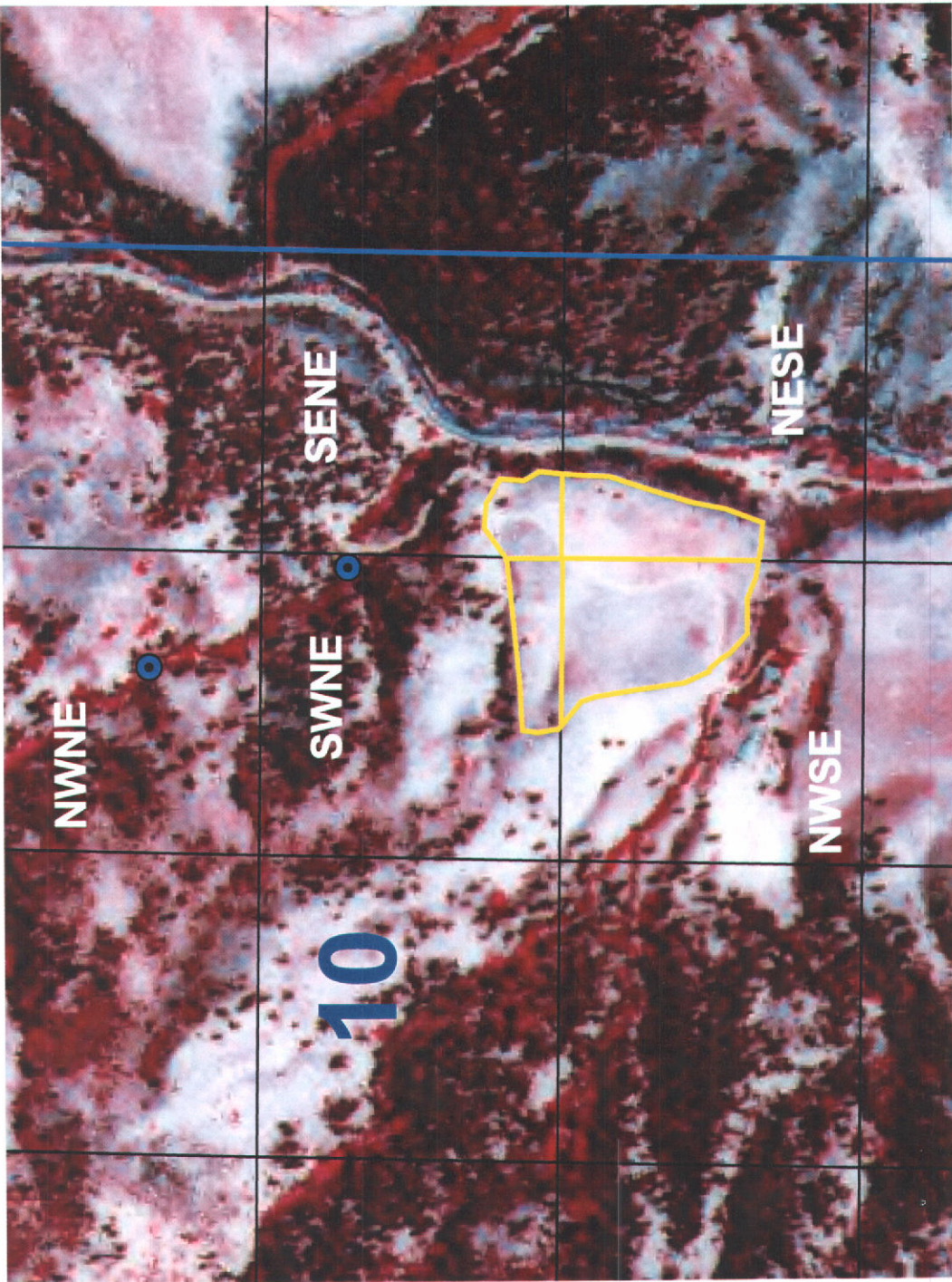




MICROFILMED  
AUG 21 1992

# IDAHO DEPARTMENT OF WATER RESOURCES

## T04N, R04E, S10



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

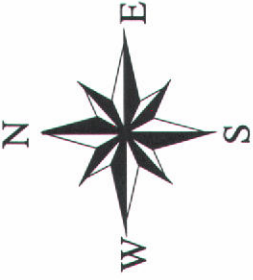
6 SECTION NUMBERS

CLAIM(S): 63-5167

OWNER(S) : LANHAM, REX

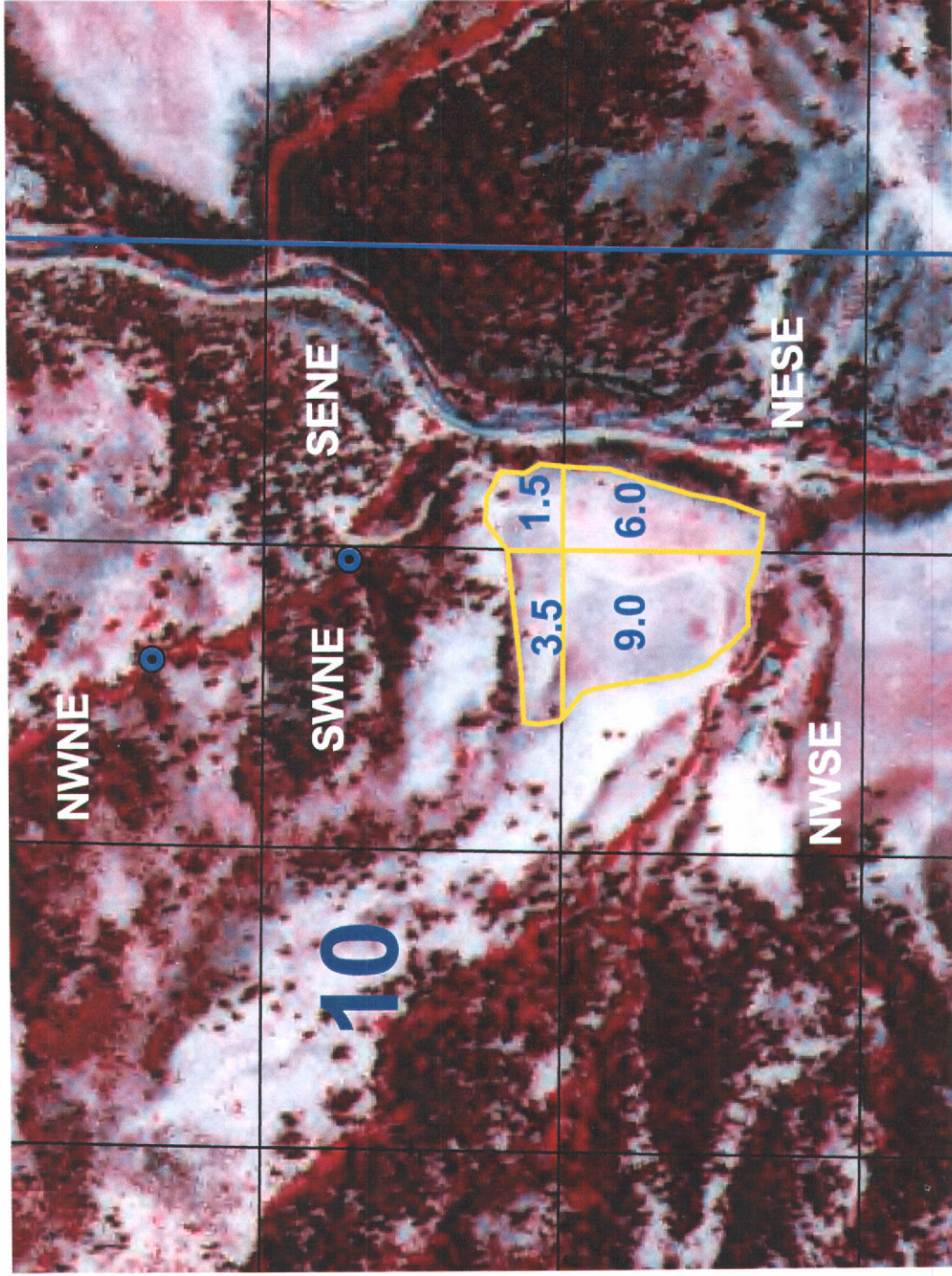
DATE: DECEMBER 27, 2001

by: Mel Schulte



# IDAHO DEPARTMENT OF WATER RESOURCES

## T04N, R04E, S10



1987 NAPP PHOTO

POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-5167

OWNER(S) : LANHAM, REX

DATE: DECEMBER 27, 2001

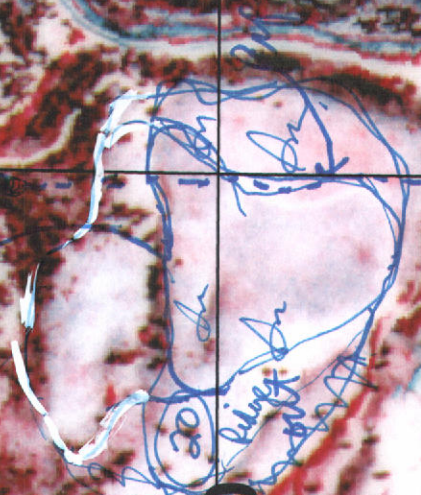
by: Mel Schulte

0 0.25 0.5 0.75 1 Miles

AGB-5169  
Jackson Co.

T04N, R04E

10



A63-5167

PHOTOS TAKEN: 10/3/2001



PHOTO # 1  
LOWER POINT OF  
DIVERSION

SEE FILE A63-3540  
FOR ADDITIONAL  
PHOTOS OF THE PLACE  
OF 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 63-5167  
Date Received: 5/17/1989  
Receipt No: W002824  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

REX E LANHAM Phone: (208)344-1971  
2630 HWY 21  
BOISE ID USA 83716

*Amended*

2. Date of Priority: 04/01/1938

3. Source: JACKSON CREEK Trib. to: MORES CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 04N      | 04E   | 10      | SW NE                 | BOISE  |      |
| 04N      | 04E   | 10      | NW NE                 | BOISE  |      |

5. Description of diverting works:

CHECK DAM, HEADGATE & DITCH

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 0.4    |            |

7. Total Quantity Appropriated is:

0.4 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      | 04E   | 10      | SE         | NE |     | IRRIGATION    | 1.5   |
|          |       |         | NW         | SE |     | IRRIGATION    | 9     |
|          |       |         | NE         | SE |     | IRRIGATION    | 6     |
|          |       |         | SW         | NE |     | IRRIGATION    | 3.5   |
|          |       |         |            |    |     | Section Acres | 20    |
|          |       |         |            |    |     | Total Acres   | 20    |

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:

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): *[Signature]* Date: Feb 5 2002

\_\_\_\_\_  
Date:

State of Idaho )  
County of *Ada* ) SS.

Subscribed and sworn (or affirmed) before me this

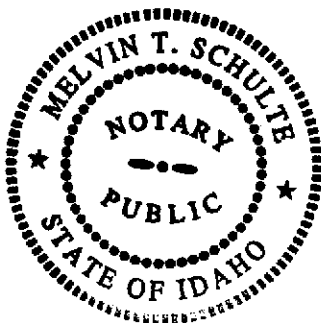
February 2002

<sup>5+7</sup>  
*Melvin T. Schulte*

Notary Public

Residing at Bosch, Idaho

My commission Expires 7-24-2007



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: A63-05167  
Date Received: 5/17/1989  
Receipt No: 4002824  
Received By: RCH

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: REX E. LANHAM 208-344-1971  
Address: HC 33 BOX 1450  
BOISE, ID 83706

2. Date of Priority: APR 01, 1938

3. Source: JACKSON CREEK Trib. to: MORES CREEK

4. Point of Diversion:

|          |       |         |        |        |     |     |        |
|----------|-------|---------|--------|--------|-----|-----|--------|
| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
| 04N      | 04E   | 10      | SW     | NE     |     |     | BOISE  |

5. Description of diverting works:  
CHECK DAM, HEADGATE & DITCH

6. Water is used for the following purposes:

|            |       |       |       |      |        |
|------------|-------|-------|-------|------|--------|
| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
| IRRIGATION | 04/01 | 11/01 | 0.700 |      |        |

7. Total Quantity Appropriated is:  
0.700 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           | 04E   | 10      | SW     | NE  |     | IRR | 20.0  |
| Section Acres |       |         |        |     |     |     | 20.0  |

10. Place of Use: Continued

Total Acres 20.0

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:

15. Basis of Claim: STATUTORY CLAIM

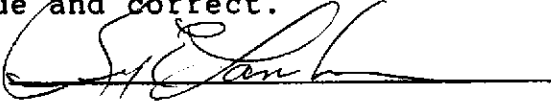
16. Signature(s)

(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:                     

**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: May 17, 89

Date:                     

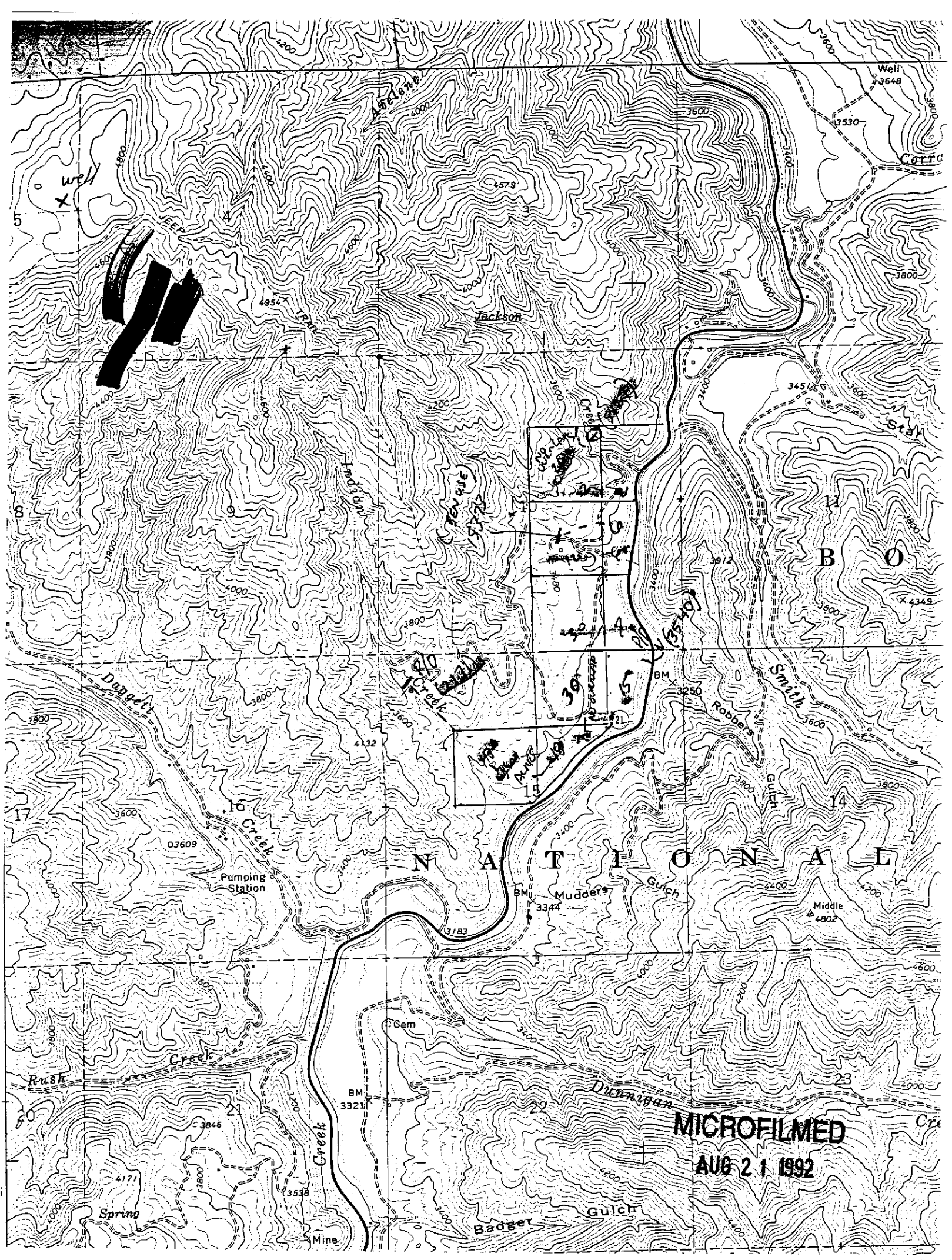
State of Idaho )  
County of ADA ) SS.

Subscribed and sworn (or affirmed) before me this 17 day  
of MAY 19 89

Ron Howerton  
Notary Public

Seal

Residing at Ron Howerton  
Residing at Boise, Idaho  
My Commission Expires December 8, 1994



MICROFILMED  
AUG 21 1992

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

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 63-05167

2004 OCT -4 AM 8:59

DISTRICT COURT - SRBA  
TWIN FALLS CO., IDAHO  
FILED *AM*

NAME AND ADDRESS: REX E LANHAM  
2630 HWY 21  
BOISE, ID 83716

SOURCE: JACKSON CREEK TRIBUTARY; MORES CREEK

QUANTITY: 0.40 CFS

PRIORITY DATE: 04/01/1938

POINT OF DIVERSION: T04N R04E S10 NWNE Within Boise County  
SWNE

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE  
Irrigation

PERIOD OF USE  
03-15 TO 11-15

QUANTITY  
0.40 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 Water Master 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 R04E S10 SWNE 3.5 SENE 1.5  
NESE 6.0 NWSE 9.0  
20.0 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).

08/12/2003

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

RIGHT NUMBER: 63-5167  
NAME AND ADDRESS: REX E LANHAM  
2630 HWY 21  
BOISE ID 83716

SOURCE: JACKSON CREEK TRIBUTARY: MORES CREEK

QUANTITY: 0.400 CFS

PRIORITY DATE: 04/01/1938

POINT OF  
DIVERSION: T04N R04E S10 NWNE Within BOISE County  
T04N R04E S10 SWNE Within BOISE County

PURPOSE AND  
PERIOD OF USE:

| PURPOSE OF USE | PERIOD OF USE | QUANTITY  |
|----------------|---------------|-----------|
| IRRIGATION     | 03/15 11/15   | 0.400 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 Water Master 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 R04E S10 | SWNE | 3.5 | T04N R04E S10 | SENE | 1.5 |
| T04N R04E S10 | NESE | 6.0 | T04N R04E S10 | NWSE | 9.0 |

20 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 - 63-5167

1

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 63-5167  
(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: Rex B Lanham  
Address: 2630 Highway 21  
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):**

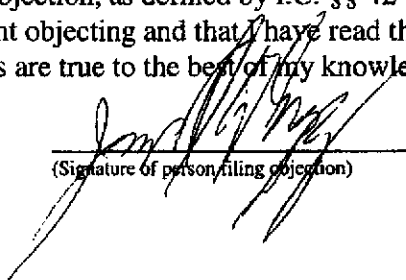
The Director's Report recommendation appears to expand the Season of Use beyond a customary maximum of April 1 to November 1, which would allow (a) injury to the United States' water rights, (b) impairment of historic river conditions conducive to regular United States Bureau of Reclamation diversions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

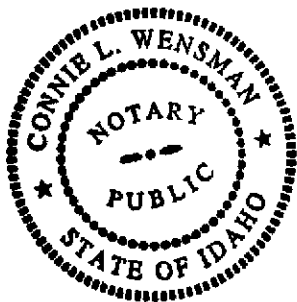
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

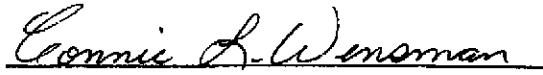
  
(Signature of person filing objection)

(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: Rex B Lanham

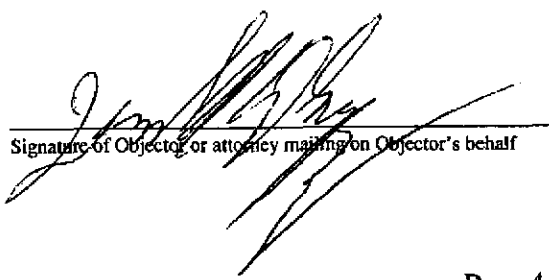
Address: 2630 Highway 21  
Boise, ID 83716

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 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.

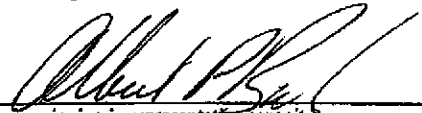
**F. VERIFICATION (Must be Completed)**

State of Idaho                    )  
                                          ) ss.  
County of Ada                    )

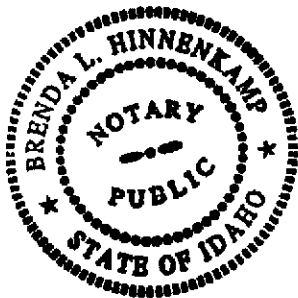
Albert P. Barker, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

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)

  
(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:

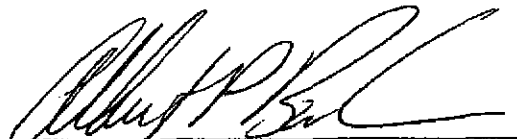
Name: See Attachment B  
Address:

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

63-8624

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  
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 7<sup>th</sup> Street  
Boise, ID 83702

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

IDAHO DEPARTMENT OF WATER RESOURCES 12/28/2001  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

63-5167

NAME AND ADDRESS: REX E LANHAM  
2630 HWY 21  
BOISE ID 83716

SOURCE: JACKSON CREEK

TRIBUTARY: MORES CREEK

QUANTITY: 0.40 CFS

PRIORITY DATE: 04/01/1938

POINT OF DIVERSION:

T04N R04E S10 NWNE Within BOISE County

T04N R04E S10 SWNE 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          | 0.400 CFS       |

PLACE OF USE: IRRIGATION Within BOISE County

|               |      |     |               |      |     |
|---------------|------|-----|---------------|------|-----|
| T04N R04E S10 | SWNE | 3.5 | T04N R04E S10 | SENE | 1.5 |
| T04N R04E S10 | NESE | 6.0 | T04N R04E S10 | NWSE | 9.0 |

20 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

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

CLAIM NO(s). A63-5167

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: 4-1-1938  
(If the priority date, based on your exam, seems questionable, explain below.)

Claimant's affidavit

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

Source found: \_\_\_\_\_

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

Township 4N Range 4E Section 10 1/4 ~~SE~~ 1/4 NW 1/4 NE - old POD  
Township " Range " Section " 1/4 NE 1/4 SW 1/4 NE - newer POD  
added 15 yrs ago.

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

dem. ditch from old POD and pump and  
pipeline from newer POD

6. ☐ No Change - WATER USES

☐ Different uses, (list uses found):

Use Irrigation From 3-15 To 11-15 Amount .40 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 .40 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: claimant is satisfied with 1"/acre.

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

\* Use: IRR Township 4N Range 4E Section 10 1/4 SW 1/4 NE - 3.5 ac  
 Use: " Township " Range " Section " 1/4 SE 1/4 NE 1.5  
 Use: " Township " Range " Section " 1/4 NW 1/4 SE 9.0  
 Use: " Township " Range " Section " 1/4 NE 1/4 SE 6.0

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

\* Reflects actual and historical irrigation.  
Photo of upper POD did not develop - additional  
photos of POD in A63-3540

C18

☒ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 10-3-2001

FIELD EXAMINER: \_\_\_\_\_

Print Name

Mel Schulte  
 Signature

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

AFFIDAVIT

A63-5167 )  
A63-31317 )

State of Idaho )  
County of \_\_\_\_\_ )

I Rex Lanham being first duly sworn,  
deposes and says: Jackson Creek have been supply  
irrigation South-the the field-when water  
were available thru the year - since 1964  
and my knowledge previous owner Nelson  
Phillips & Jackson since 1938 - The  
spring west of field was develop by  
the Home stead in field for domestic - pond  
& irrigation

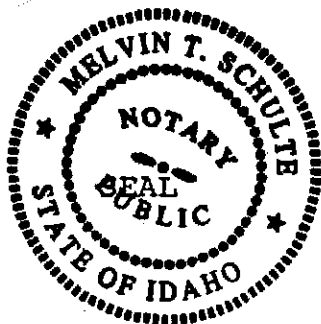
Rex Lanham  
(Signature)

Subscribed and sworn to before me this  
day 20<sup>th</sup> of December, 192001.

Melvin T. Schulte  
(Notary Public)

Residing at Bowen, Idaho.

My Commission Expires 7-24-2007.



## 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.

Idaho City Stage, Boise, ID 83707 Telephone No. 344-1971

(1) Date of priority: (When was the water first applied to a beneficial use) 1938

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

Jackson Creek tributary to Mores 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:

| (cls. of) |             | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)        |                |
|-----------|-------------|-------------------------------------|-------------------------------|----------------|
|           |             |                                     | (Mo., Day)                    | (Mo., Day)     |
| Quantity  | <u>0.70</u> | Use <u>Irrigation</u>               | Period of Use From <u>4/1</u> | To <u>11/1</u> |
| Quantity  | _____       | Use _____                           | Period of Use From _____      | To _____       |
| Quantity  | _____       | Use _____                           | Period of Use From _____      | To _____       |
| Quantity  | _____       | Use _____                           | Period of Use From _____      | To _____       |
| Quantity  | _____       | Use _____                           | Period of Use From _____      | To _____       |

(4) 0.20 TOTAL QUANTITY USED.  
(cfs. af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SW ¼ NE ¼, Sec. 10 Twp. 4N Rge. 4E B.M., County of Borke  
 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. Check dam, headgate and ditch

(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]

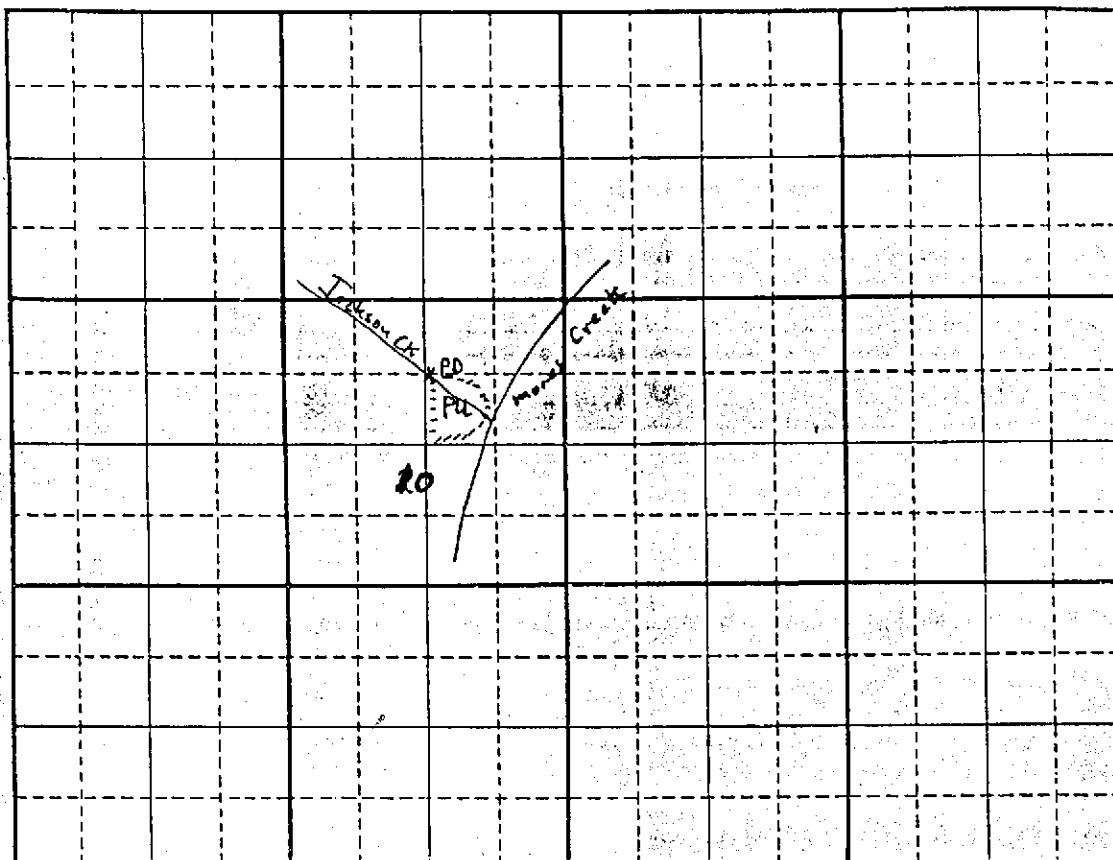
No. of acres 20

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

AC 7E: Include here the type and number of stock watered:

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

(8) Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Scale: 2 inches equal 1 mile.

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

State of Idaho )  
County of Gem ) ss.

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

Sworn to before me this 30 day of June

(Claimant)

Notary Public

Residing at Emmett

My commission expires lifetime

FOR DEPARTMENT USE ONLY

|                                    |                     |                     |      |
|------------------------------------|---------------------|---------------------|------|
| Received by <u>DBS</u>             | Date <u>6/30/83</u> | Exception filed by: | Date |
| Prelim. check by <u>625</u>        | Date <u>8/11/83</u> | Forwarded to        |      |
| \$30.00 fee received by <u>DBS</u> | Date <u>6/30/83</u> | claimant by:        |      |
| Published in <u>The Idaho Star</u> |                     |                     |      |
| Dates <u>11/21 &amp; 12/1/83</u>   |                     |                     |      |

## IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-5167

WATER RIGHT NUMBER: 63-5167

| <u>Owner Type</u> | <u>Name and Address</u>                             |
|-------------------|-----------------------------------------------------|
| Current Owner     | REX E LANHAM<br>IDAHO CITY STAGE<br>BOISE, ID 83707 |

Priority Date: 04/01/1938

Basis: Statutory Claim

Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| JACKSON CREEK | MORES CREEK      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01           | 0.700 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.700 CFS             |                      |

Location of Point(s) of Diversion

|               |            |                                 |
|---------------|------------|---------------------------------|
| JACKSON CREEK | SW1/4NE1/4 | Sec. 10, Twp 04N, Rge 04E, B.M. |
| BOISE County  |            |                                 |

Place of UseIRRIGATION Within BOISE County

T04N R04E S10 SWNE 20.0

Total Acres: 20

Conditions of Approval:Remarks:Comments:Dates and Other Information:

## IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-5167

WATER RIGHT NUMBER: 63-5167

| <u>Owner Type</u> | <u>Name and Address</u>                                         |
|-------------------|-----------------------------------------------------------------|
| Current Owner     | REX E LANHAM<br>2630 HWY 21<br>BOISE, ID 83716<br>(208)344-1971 |

Priority Date: 04/01/1938  
Basis: Statutory Claim  
Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| JACKSON CREEK | MORES CREEK      |

| <u>Beneficial Use</u> | <u>From</u> <u>To</u>   | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------------------|----------------------|
| IRRIGATION            | 4/01 to 11/01           | 0.700 CFS             |                      |
|                       | <u>Total Diversion:</u> | 0.700 CFS             |                      |

Location of Point(s) of Diversion

JACKSON CREEK  
BOISE County

SW1/4NE1/4

Sec. 10, Twp 04N, Rge 04E, B.M.

NW NE

old POD

Added 15 years ago

Place of UseIRRIGATION Within BOISE County

T04N R04E S10 SWNE 20.0

Total Acres: 20

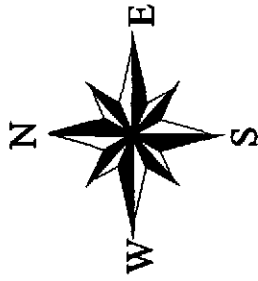
- See map

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Recommend on inch/acre

# IDAHO DEPARTMENT OF WATER RESOURCES

## T04N, R04E, S10



1987 NAPP PHOTO

● POINT OF DIVERSION

□ PLACE OF USE

□ 1/4 1/4 LINES

□ SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-5167

OWNER(S) : LANHAM, REX

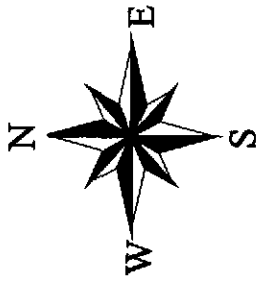
DATE: DECEMBER 27, 2001

by: Mel Schulte



# IDAHO DEPARTMENT OF WATER RESOURCES

## T04N, R04E, S10



1987 NAPP PHOTO

● POINT OF DIVERSION

PLACE OF USE

1/4 1/4 LINES

SECTION LINES

6 ACRES

6 SECTION NUMBERS

CLAIM(S): 63-5167

OWNER(S) : LANHAM, REX

DATE: DECEMBER 27, 2001

by: Mel Schulte

463-5167  
Jackson Co.



A63-5167

PHOTOS TAKEN: 10/3/2001



PHOTO # 1  
LOWER POINT OF  
DIVERSION

SEE FILE A63-3540  
FOR ADDITIONAL  
PHOTOS OF THE PLACE  
OF USE



**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

December 12, 2001

REX LANHAM  
848 JACKSON  
EMMETT, ID 83617

RE: A63-31317, A63-5167, A63-5235 & A63-15373

Dear Rex:

I'm writing to remind you we still need evidence to support the priority date claimed in the Snake River Basin Adjudication (SRBA) claims referenced above.

I'm currently preparing the recommendations for claims in the Boise Basin and plan to be finished by the end of January 2002. If I don't receive any evidence of priority for claims A63-31317, A63-5167, A63-5235 & A63-15373 by January 31, 2002 I will recommend they be disallowed.

Call me at the number below if you have any questions.

Cordially,

Mel Schulte  
Senior Water Rights Agent  
208-334-2190



## 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

REX E LANHAM  
2630 HWY 21  
BOISE, ID 83716

Re: Claim No(s) 63-5167

63-5235, 63-15373

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