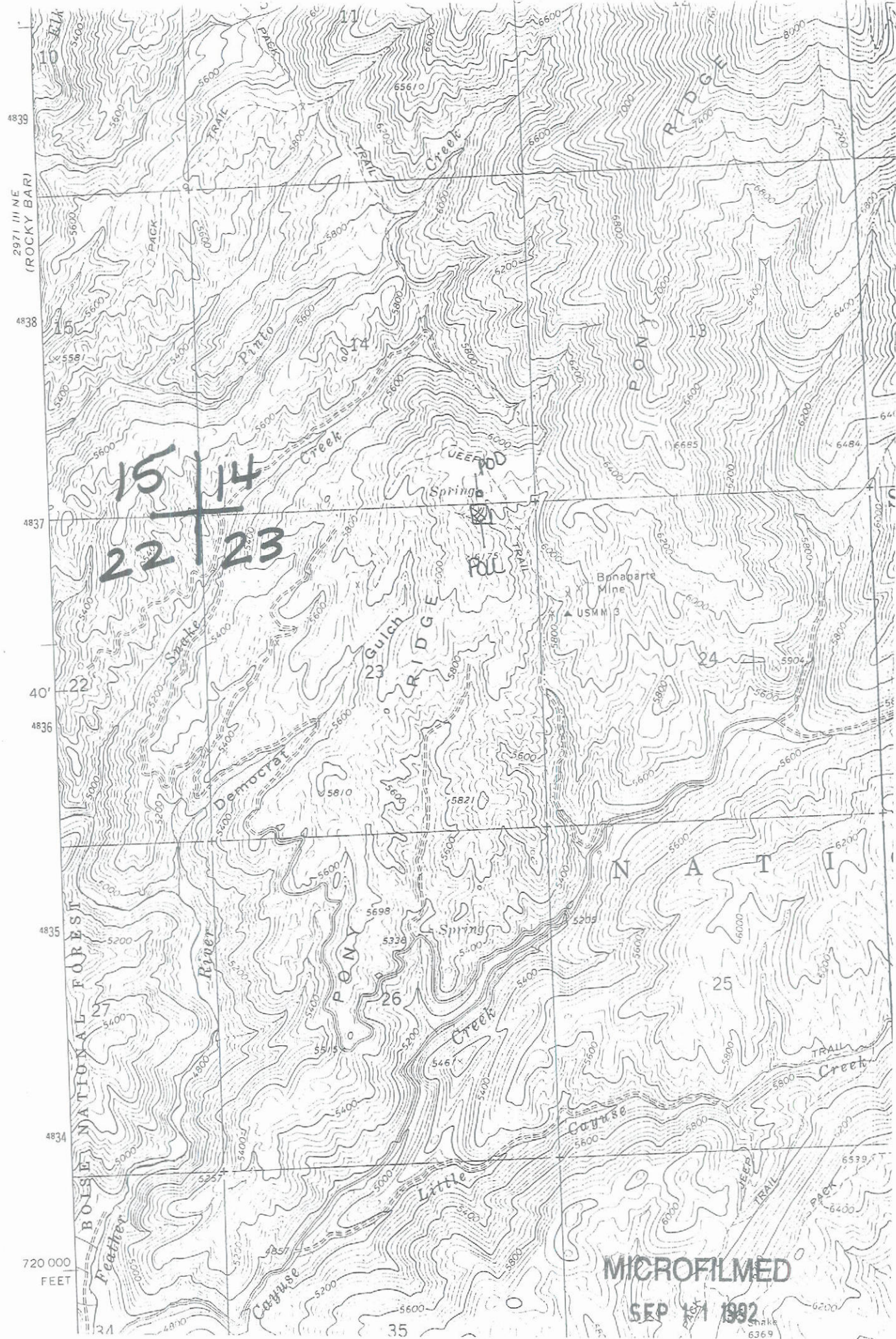


T4N
R10E



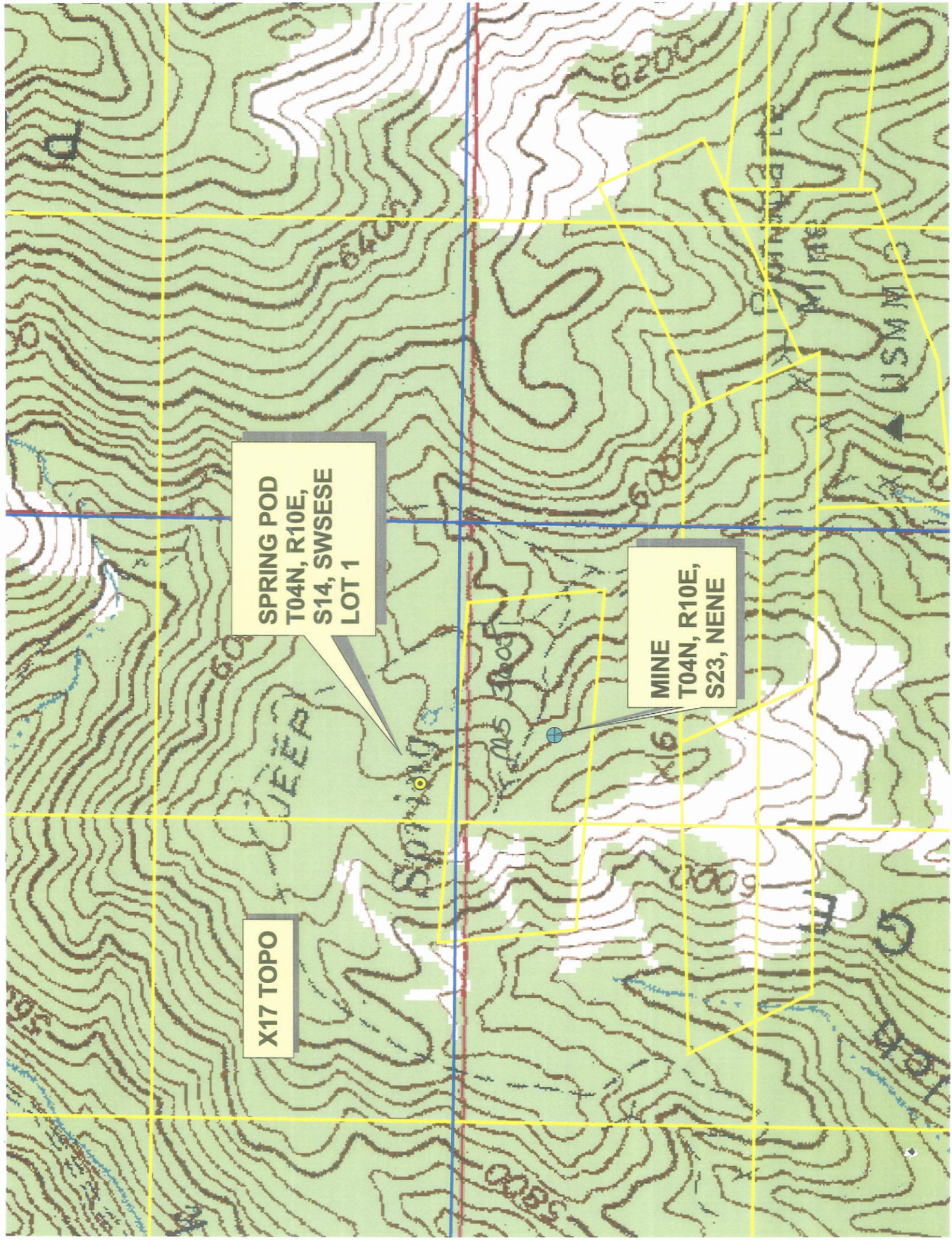
MICROFILMED

SEP 1992

X17 TOPO

SPRING POD
T04N, R10E,
S14, SWSESE
LOT 1

MINE
T04N, R10E,
S23, NENE



3

2

1

10

11

12

15

14

13

pod for 63-23584
based on gps reading
9-12-01

22

23

24

27

26

25

IDWR Field Exam 63-23548 9/12/01 Sue Bock

pod spring is just N. of trailer



Trailer is brought up for
Spring through Fall



Spicket for water.
Facing N. Mine site is up
the hill. Water is
hand carried up



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 63-23584
Date Received: 9/6/1990
Receipt No: C018243
Received By:

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

1. Name of Claimant(s)

CHARLENE M EPPERSON Phone:
PO BOX 122
ATLANTA ID USA 83601

ROBERT E SCHRAFT Phone: (702)452-9094
6234 SHENANDOAH AVE
LAS VEGAS NV USA 89115

ARTA SCHRAFT Phone: (208) 864-2164
PO BOX 143
ATLANTA ID USA 83601

2. Date of Priority: 07/03/1956

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	10E	14	SW SE SE	ELMORE	

5. Description of diverting works:

BURIED SPRING BOX WITH AT LEAST 100 GAL. STORAGE GRAVITY PIPED

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
MINING	6/01	10/31	0.01	
DOMESTIC	1/01	12/31	0.04	

7. Total Quantity Appropriated is:
0.04 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	10E	23	NE NE	NE NE	MINING DOMESTIC	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

CHANGE OF OWNERSHIP. HOWARD SCHRAFT DECEASED, ARTA SCHRAFT WIDOW. 10/2/01 SB.

THE WATER FOR THE MINE IS CURRENTLY BEING CARRIED UP IN 6 GAL BUCKETS, THE DOMESTIC WATER FLOWS IN A 3/4 IN. PVC PIPELINE

15. Basis of Claim: Beneficial Use

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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED**SEP 27 2001****WATER RESOURCES
WESTERN REGION**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
163-23589	N				

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts. no fee
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
 PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s)

Howard Schraft Deceased
P.O. Box 143

4. New Owner/Claimant(s)

Atlanta Id. 83601

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

Pat Schraft - Widow

City, State and ZIP Code

P.O. Box 143

New Telephone Number

(Atlanta Idaho 82601)

5. Date you acquired the property

11-27-99

telephone no. 208-864-2164

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Arta Schraft
Widow of Howard Schraft

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

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: A63-23584
Date Received: 9/06/1990
Receipt No: C018243
Received By: JB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT E. SCHRAFT
Address: 6234 SHENANDOAH AVE.
LAS VEGAS, NV

702-452-9094

89115

OR
Name: HOWARD M. SCHRAFT
Address: P.O. BOX 143
ATLANTA, ID

83601

RECEIVED
SEP 6 1990

OR
Name: CHARLENE M. EPPERSON
Address: P.O. BOX 122
ATLANTA, ID

83601 Department of Water Resources

2. Date of Priority: JUL 03, 1956

3. Source: SPRING

Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	10E	14	SW	SE	SE		ELMORE

5. Description of diverting works:

BURIED SPRING BOX WITH AT LEAST 100 GAL. STORAGE GRAVITY PIPED

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
MINING	06/01	10/31	0.010		

7. Total Quantity Appropriated is:

0.040 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

DOMESTIC, 1 TRAILER; MINING, WATER FOR DRILLING INSIDE MINE

A63-23584

Page

1

Date: 09/06/90

MICROFILMED
SEP 11 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	10E	23	NE	NE		DOMEST	
			NE	NE		MINING	

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
THE WATER FOR THE MINE IS CURRENTLY BEING CARRIED UP IN 6 GAL
BUCKETS, THE DOMESTIC WATER FLOWS IN A 3/4 IN. PVC PIPELINE

15. Basis of Claim: BENEFICIAL USE

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: 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): Robert E. Schaff Date: SEPT 6, 90
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 6th day
of September 19 90

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994

Topographic map of the Bonaparte Mine area in Idaho. The map shows contour lines, roads, and geographical features. Key locations include Bonaparte Mine, USMMS, and various creeks and ridges. The map includes a grid with coordinates and a scale bar. Handwritten numbers 15, 14, 22, and 23 are visible on the map.

Scale: 720 000 FEET

Microfilmed SEP 14 1992

SEP 16 1992

6369

Date Received _____

Approved

State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)

RECEIVED
SEP 6 1990

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

ROBERT E. SCHRAFT (702) 452-9094
Name of Claimant Phone Number

6234 SHENANDOAH AVE. LAS VEGAS NEV. 89115
Mailing Address City State Zip

Elmore 12-7-89
County(s) where place of use is located Date claim originally due

Domestic/mining spring AG3-23584
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

AT THE TIME I FILED FOR MY SPRING IN
ATLANTA I THOUGHT THE MINE SPRING
HAD BEEN FILED ON. MY FATHER HAD
BEN USING IT FOR MANY YEARS.
I SPEND THE SUMMER MONTHS AT THE MINE

Claimant requests an extension to Sept 6, 1990

R.E. Schraft SEPT. 6, 1990
Signature Date of request

Title _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to September 6, 1990

Signed this 26 day of October, 1990

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

SEP 11 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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 63-23584

NAME AND ADDRESS: CHARLENE M EPPERSON
PO BOX 122
ATLANTA, ID 83601

ARTA SCHRAFT
PO BOX 143
ATLANTA, ID 83601

ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS, NV 89115

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/03/1956

POINT OF DIVERSION: T04N R10E S14 LOT 1 (SWSESE) Within Elmore County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Mining	06-01 TO 10-31	0.01 CFS
	Domestic	01-01 TO 12-31	0.04 CFS

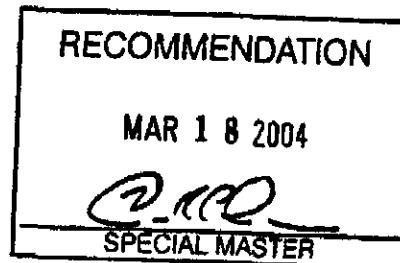
PLACE OF USE:	Mining		Within Elmore County
	T04N R10E S23	NENE	
	Domestic		Within Elmore County
	T04N R10E S23	NENE	

ALL PLACES OF USE ARE ON PRIVATE LAND WITHIN MINERAL SURVEY
(MS) 3605.

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

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

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).



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

In Re SRBA	)	Subcase No. <u>63-23584</u>
	)	
Case No. 39576	)	Standard Form 5
	)	
	)	STIPULATED ELEMENTS
	)	OF A WATER RIGHT
	)	

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

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

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

CLAIMANTS:

Charlene M Epperson
Charlene M Epperson

8-29-03
Date

Arta Schraft
Arta Schraft

8-30-03
Date

Robert E. Schraft
Robert E. Schraft

9-4-03
Date

OBJECTOR:

United States on behalf of the
USDA Forest Service

David L. Negri
David L. Negri

9/8/03
Date

IDWR CONCURRENCE:

Jan Shurte
Jan Shurte

9/8/03
Date

ATTORNEY FOR IDWR:

Nicholas B. Spencer
Nicholas B. Spencer

Date

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

RIGHT NUMBER: 63-23584

NAME AND ADDRESS:

ARTA SCHRAFT
PO BOX 143
ATLANTA ID 83601CHARLENE M EPPERSON
PO BOX 122
ATLANTA ID 83601ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS NV 89115

SOURCE: SPRING Tributary: SINKS

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 07/03/1956

POINT OF DIVERSION:

~~T04N R10E S14 SWSESE~~
~~Within ELMORE County~~T04N R10E S14 SWSESE Lot 1
Within ELMORE CountyPURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
MINING	6/01 10/31	0.010 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE:

MINING	within ELMORE County
T04N R10E S23 NENE	
DOMESTIC	within ELMORE County
T04N R10E S23 NENE	

All places of use are on private land within Mineral Survey (MS) 3605.

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.

The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

DOMESTIC USE IS FOR 1 HOME

CERTIFICATE OF MAILING

I certify that on September 9, 2003, I mailed the original and copies of this form, including all attachments, postage prepaid and addressed as follows:

Original to:

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

Copy to:

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

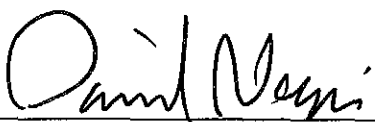
United States Department of Justice
Environment and Natural Resources Division
550 W. Fort Street, MSC 033
Boise, ID 83724

Copies to all parties to the subcase (insert names and addresses here):

Charlene M Epperson
P.O. Box 122
Atlanta, ID 83601

Arta Schraft
P.O. Box 143
Atlanta, ID 83601

Robert E Schraft
6234 Shenandoah Ave
Las Vegas, NV 89115



David L. Negri

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

RIGHT NUMBER: 63-23584

NAME AND ADDRESS:

ARTA SCHRAFT
PO BOX 143
ATLANTA ID 83601

CHARLENE M EPPERSON
PO BOX 122
ATLANTA ID 83601

ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS NV 89115

SOURCE: SPRING Tributary: SINKS

QUANTITY: 0.040 CFS

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

PRIORITY DATE: 07/03/1956

POINT OF DIVERSION:

~~T04N R10E S14 SWSESE~~
~~Within ELMORE County~~

T04N R10E S14 SWSESE Lot 1
Within ELMORE County

PURPOSE AND
PERIOD OF USE:

Purpose of use	Period of use:	Quantity:
MINING	6/01 10/31	0.010 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE:

MINING within ELMORE County
T04N R10E S23 NENE

DOMESTIC within ELMORE County
T04N R10E S23 NENE

All places of use are on private land within Mineral Survey (MS) 3605.

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.
The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use
DOMESTIC USE IS FOR 1 HOME

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

Right Number: 63-23584

Name and Address: CHARLENE M EPPERSON
PO BOX 122
ATLANTA, ID 83601

ARTA SCHRAFT
PO BOX 143
ATLANTA, ID 83601

ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS, NV 89115

*DRAFT
SFS from
per their observation.*

Source: SPRING Tributary: SINKS

Quantity: .04 CFS

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

Priority Date: 07-03-1956

Diversion Point: T04N R10E S14 SWSESE Lot 1 Within Elmore County

Purpose and

Period of Use:	Purpose of Use	Period of Use	Quantity
	Mining	06-01 TO 10-31	.01 CFS
	Domestic	01-01 TO 12-31	.04 CFS

Place of Use: Mining Within Elmore County
T04N R10E S23 NENE

Domestic Within Elmore County
T04N R10E S23 NENE

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

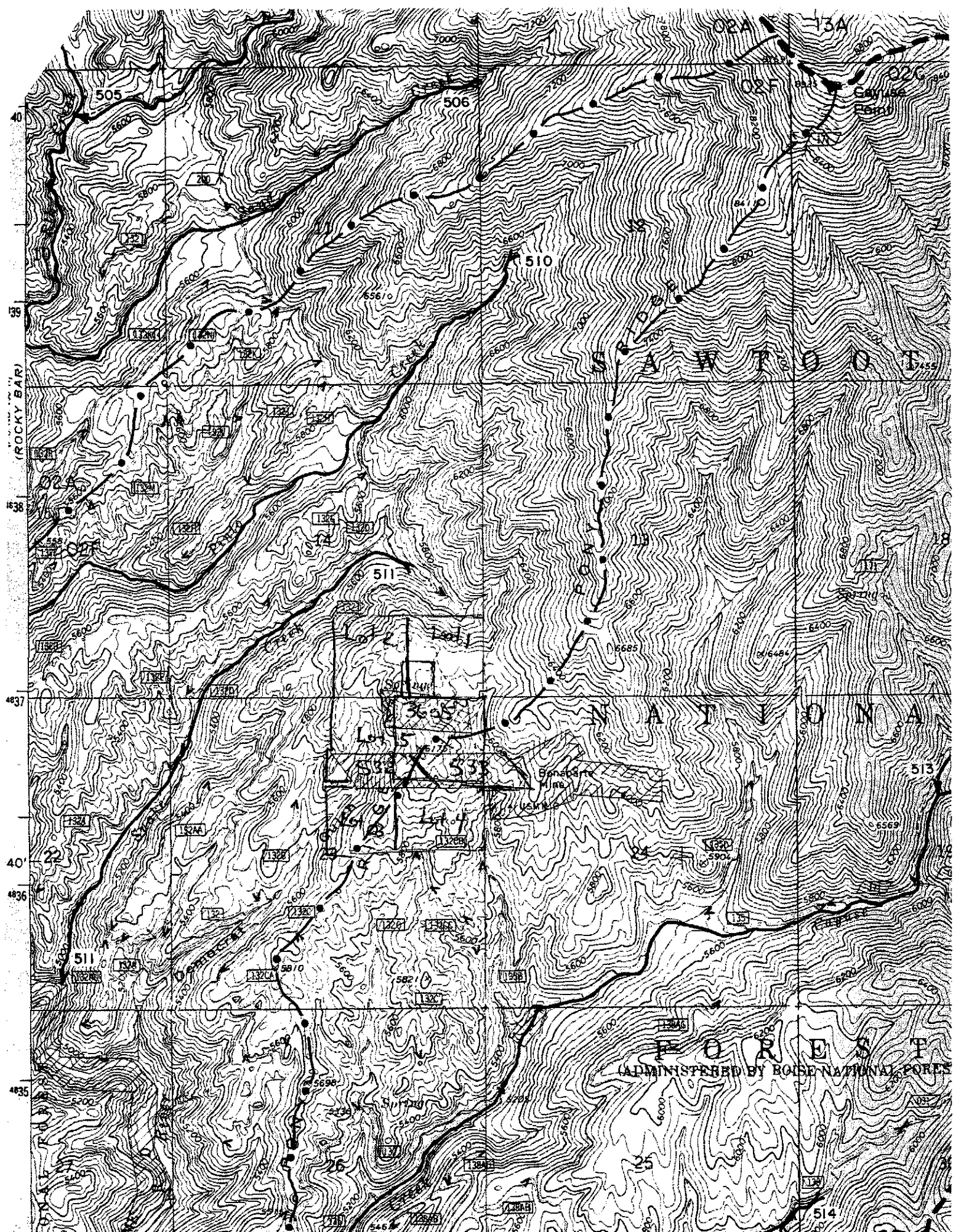
THE PLACES ARE ALL ON PRIVATE LAND MS (MINERAL SURVEY) 3605.
THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO
CODE.
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC
USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Explanatory Material: Basis of Claim - Beneficial Use

DOMESTIC USE IS FOR 1 HOME

OK Jr

OK Jr



Cayuse Point

X17 TOPO

**SPRING POD
T04N, R10E,
S14, SWSESE
LOT 1**

**MINE
T04N, R10E,
S23, NENE**

38° 31' 09 N

109° 16' 36 W

Elev. 9328 ft

Pad (mine)

43° 40' 25 N

115° 13' 28 W

Elev. 5985

10:47

Idaho

Spring (mine)

43° 40' 29 W

115° 13' 31 W

11:40

7-22-03

8+ ELEVATION
MINES

6027
Elev.

MINE PAD

AA
→ 43.6731111 stor 1
→ 115.2244444 stor 2
43° 40' 25" = T4N, R10E
115° 13' 28" S23, NENE

SPRING

DD
→ 43.67472222 stor 3
→ 115.2252778 stor 4
43° 40' 29"
115° 13' 31"

SPRING

= T4N, R10, S14, Lot 1
- SWSESE

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C018243

Date: 09/06/90
Time: 11:02:14

Received
From: SCHRAFT, ROBERT E.

Type of Payment	Program Acct Class	Amount
ADJUDICATION FEE	0410162 9337 6490	\$51.00

Total

\$51.00

CHECK 113

WR/NO: A63-23584

Idaho Department of Water Resources

Region: STATE

Signature: 

MAP AND SCALE (MIDSCALE) SURVEY 8-14-90

FORSETT SCARLET
1230 SHANNON ROAD
LAS VEGAS, NV 89115

1. EFFICIENT LOCATION OF JAMES-
GIBSON SPRING LOCATED NORTH-
WEST TO RAIN CARPENTER (1/2
MILE) DISTANCE FROM RAIN-
CARPENTER PROPERTY. JAMES GIBSON SPRING
2. LOCATED ON U.S.G.S. MAP
1:250,000 SCALE, 1969
EDITION NO. 1/2 MILE SCALE
(TOPOGRAPIHIC) 1969
3. LOCATION TOWNSHIP 4 NORTH
RANGE 10 EAST
SECTION 14
FROM THE SOUTH WEST CORNER
OF S-14 1/2 MILES EAST
ALONG SECTION BOUNDARY
APPROX. 1/2 MILE WEST NORTH
FROM SOUTH BOUNDARY OF
S-14 1/2 MILES EAST

NOTE: DIRECTION IS TAKEN DIRECT
FROM SECTION LINES.

ROBERT P. MAGEE
9452M
TWIN FALLS, ID. 83301

RECEIVED

JAN 31 2003

Department of Water Resources

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

In Re SRBA

Case No. 39576

A. Subcase: 63-23584

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

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

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

Daytime Phone: (208) 331-5943

Name and Address of Attorney, if any:

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

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

Name: Charlene M. Epperson Arta Schraft

Address: PO Box 122 PO Box 143
Atlanta, ID 83601 Atlanta, ID 83601

Robert E. Schraft
6234 Shenandoah Ave.
Las Vegas, NV 89115

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: 07/18/1958
5. ☒ **Point(s) of Diversion**
Should be: Lot 1. See E below
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Places of Use**
Should be: Lot 5. See E below

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

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

The point of diversion, SWSESE of Section 14, T4N, R10E, and the place of use, NENE of Section 23, T4N, R10E, shown on the Directors Report Recommendation are on National Forest System (NFS) Lands. The claimant is not authorized to occupy and use NFS lands for this purpose. A significant portion of the place of use is Mineral Survey No. 3605. The Black Ribbon Lode Claim was originally located on 7/18/1958. NFS land surrounding MS 3605 are identified as lots in the Public Land Survey System.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

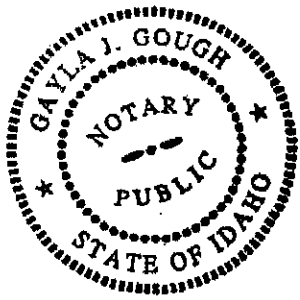
Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

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

Michael Collette
(Signature of person filing objections)

David Nepi
(Attorney signing in representative capacity)

Subscribed and sworn before me on: January 30, 2003
Gayla J. Gough
Gayla J. Gough



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

INSTRUCTIONS FOR MAILING

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

G. CERTIFICATE OF MAILING

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

1. Original to:

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

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

Name:	Charlene M. Epperson	Arta Schraft
Address:	PO Box 122 Atlanta, ID 83601	PO Box 143 Atlanta, ID 83601

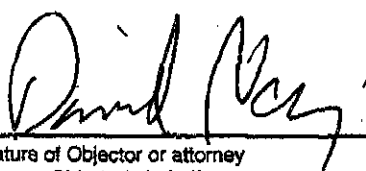
Robert E. Schraft
8234 Shenandoah Ave.
Las Vegas, NV 89115

3. Copies to:

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

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

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



Signature of Objector or attorney
mailing on Objector's behalf

02/26/2002

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

RIGHT NUMBER: 63-23584
NAME AND ADDRESS: CHARLENE M EPPERSON
PO BOX 122
ATLANTA ID 83601

ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS NV 89115

ARTA SCHRAFT
PO BOX 143
ATLANTA ID 83601

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/03/1956

POINT OF DIVERSION:

T04N R10E S14 SWSESE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINING	6/01 10/31	0.010 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: MINING Within ELMORE County

T04N R10E S23 NENE

DOMESTIC Within ELMORE County

T04N R10E S23 NENE

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

EXPLANATORY MATERIAL: Beneficial Use

DOMESTIC USE IS FOR 1 HOME

03/01/2002

RECEIVED

MAR 14 2002

NOTICE OF ERROR
REPLY

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

Department of Water Resources

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

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

Water right number: 63-23584

CHARLENE M EPPERSON
PO BOX 122
ATLANTA ID 83601

ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS NV 89115
Telephone Number: (702)452-9094

ARTA SCHRAFT
PO BOX 143
ATLANTA ID 83601

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

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

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

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

DATE: 3-13-02 SIGNATURE: Arta Schraft

Please print your name: Arta Schraft

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

RECEIVED

MAR 15 2002

WATER RESOURCES
WESTERN REGION

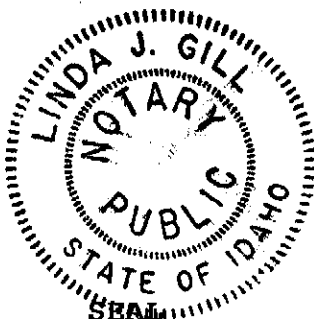
IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
63-23584)
_____)
_____))

State of Idaho)
County of Elmore)

AFFIDAVIT

RECEIVED
SEP 27 2001
WATER RESOURCES
WESTERN REGION

Arta Schraft being first duly sworn,
deposes and says: I am the Widow of
Howard Schraft. We had been
married since 1938 and since that
time I have been familiar with the
mine and use of the spring both
domestic and mining. Each summer
we camp on our property and do the
Necessary Assessment Work on the adjoining
claims. Howard passed away November 24,
1999. The mine and spring has been
used by our family since the very
early 1900's.



Arta Schraft
(Signature)

Subscribed and sworn to before me this
day 25th of September, 2001.

Linda J. Gill
(Notary Public)

Residing at Atlanta, GA Elmore County
My Commission Expires 4-12-07.

IDAHO DEPARTMENT OF WATER RESOURCES 09/13/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

NAME AND ADDRESS: CHARLENE M EPPERSON
PO BOX 122
ATLANTA ID 83601

ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS NV 89115

HOWARD M SCHRAFT
PO BOX 143
ATLANTA ID 83601

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 07/03/1956

POINT OF DIVERSION:

T04N R10E S14 SWSESE Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MINING	6/01 10/31	0.010 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: MINING Within ELMORE County

T04N R10E S23 NENE

DOMESTIC Within ELMORE County

T04N R10E S23 NENE

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

EXPLANATORY MATERIAL: Beneficial Use

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

AJ5809NP
No. A63-23584

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ROBERT E. SCHAFT 6234 SHENANDOAH AVE LAS VEGAS NV 89115 (702) 452-9094	07/03/1956	MINING DOMESTIC	06-01 10-31 01-01 12-31	0.010 CFS 0.040 CFS	
C	HOWARD M. SCHAFT PO BOX 143 ATLANTA ID 83601					
C	CHARLENE M. EPPERSON PO BOX 122 ATLANTA ID 83601					
TOTAL DIVERSION:					0.040 CFS	

Boise
389-1471

864-2164

Stage: BENEFICIAL USE
ELMORE County

Tributary to: SINKS

Water Source: SPRING

Point(s) of Diversion: T04N R10E S14

Place of use Legal Description for: MINING

NE		NW		SW		SE	
T	R	S	Ac	Lt	Ac	Lt	Ac
04N	10E	23	M				

Place of use Legal Description for: DOMESTIC

NE		NW		SW		SE	
T	R	S	Ac	Lt	Ac	Lt	Ac
04N	10E	23	D				

POU County: ELMORE

Non-Irrigation Uses: DOMESTIC, 1 TRAILER; MINING, WATER FOR DRILLING INSIDE MINE

Other Rights: NONE

Remarks: GEN THE WATER FOR THE MINE IS CURRENTLY BEING CARRIED UP IN 6 GAL BUCKETS, THE DOMESTIC WATER FLOWS IN A 3/4 IN. PVC PIPELINE

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: Presumption Flag:

NO measurement required

verify pad

use

W. of Healdsburg

864-2164

Handed
is back
from
C.O. Spence
H. to
Sant 05/14/02
PO Box 143
864-2164

5

4

1

10

11

12

15

14

13

pod for 63-23584
based on gps reading
9-12-01

22

23

24

27

26

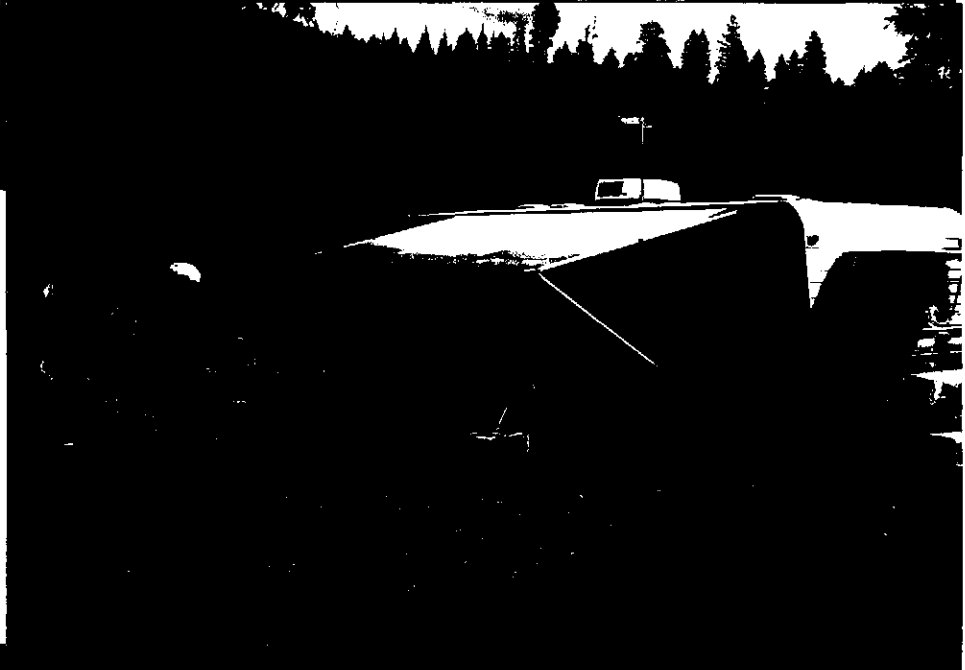
25

IDWR Field Exam 63-23548 9/12/01 Sue Bock

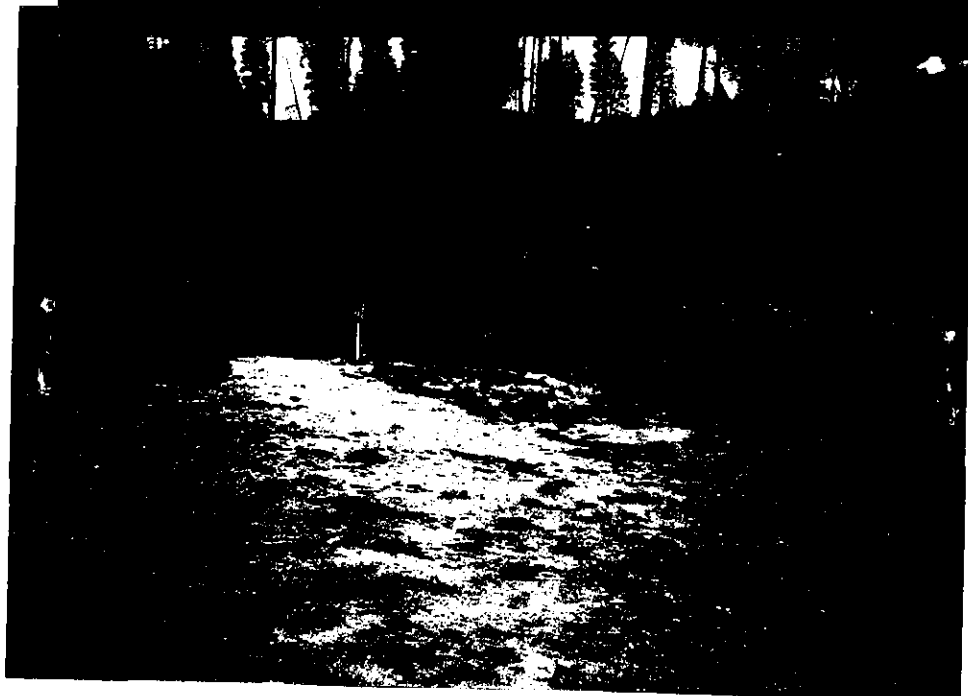
pod spring is just N. of trailer



Trailer is brought up for
Spring through Fall



Spicket for water.
Facing N. Mine site is up
the hill. Water is
hand carried up



IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))
_____)
_____)
_____)
_____)
State of Idaho)
County of _____)

AFFIDAVIT

RECEIVED
OCT 04 2001
WATER RESOURCES
WESTERN REGION

I, Robert E. Schraft being first duly sworn,
deposes and says: I have used this water
from this spring, since 1989, for
mining and domestic purposes.

Robert E. Schraft
(Signature)

Subscribed and sworn to before me this
day _____ of _____, 19____.

SEAL

(Notary Public)

Residing at _____.

My Commission Expires _____.



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

HOWARD M SCHRAFT
PO BOX 143
ATLANTA, ID 83601

Re: Claim No(s) 63-23584

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



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

ROBERT E SCHRAFT
6234 SHENANDOAH AVE
LAS VEGAS, NV 89115

Re: Claim No(s) 63-23584

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Adjudication Section
Department of Water Resources
Western Region Office

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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

CHARLENE M EPPERSON
PO BOX 122
ATLANTA, ID 83601

Re: Claim No(s). 63-23584

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Adjudication Section
Department of Water Resources
Western Region Office

JS:lh
Enclosures