

P.O. & Ph.OF
USE FOR
55-4005



T. 5 S.

(TRIANGLE NW)



QUADRANGLE LOCATION

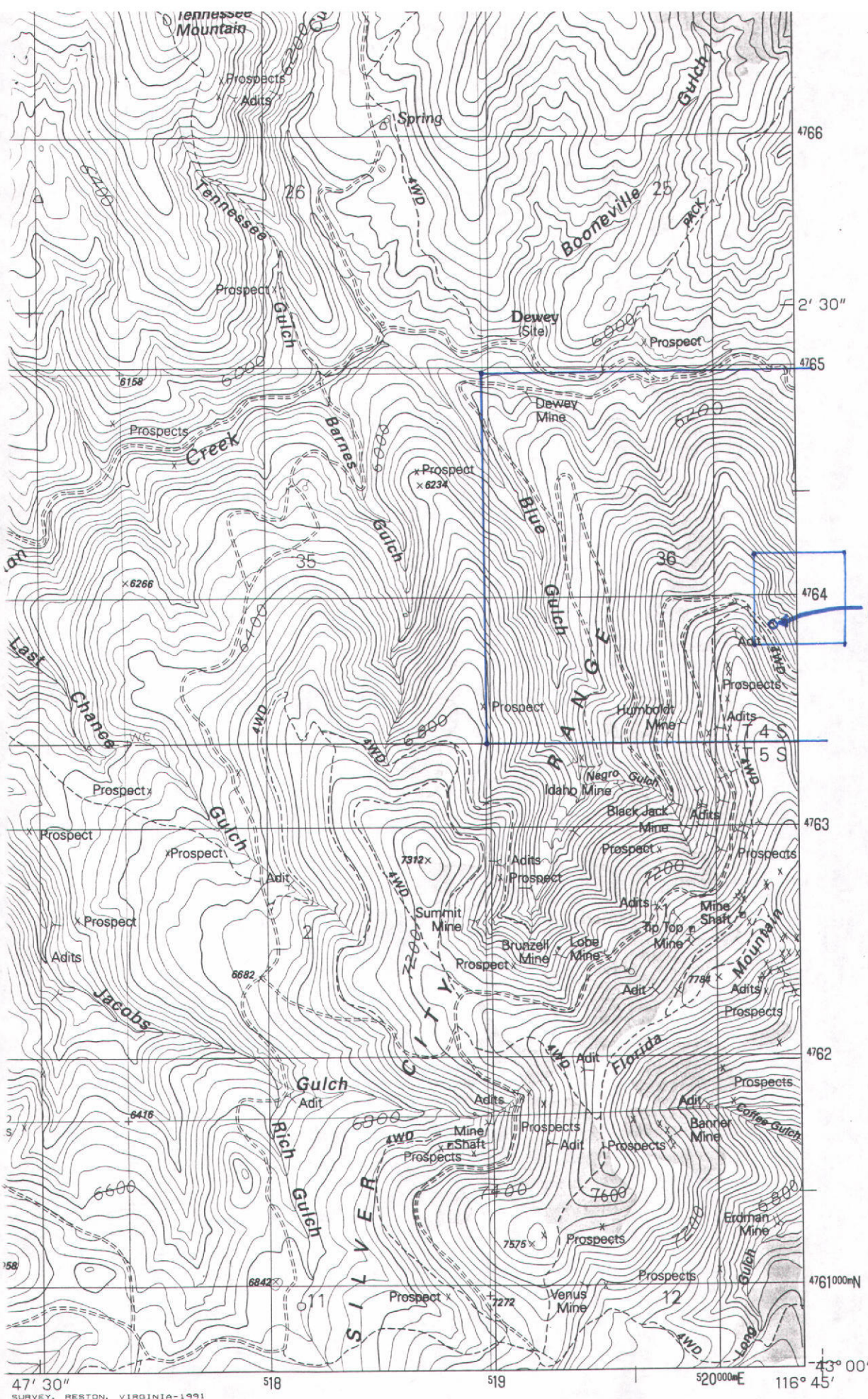
ROOSTER COMB PEAK SE, IDAHO
N4300-W11645/7.5

1979
ADVANCE PRINT

MICROFILMED

SEP 29 1992

A55-04005



T4S R4W
S.36

P/O & P/U
SWNESE

No gov't lot for
location; within
North Extension
Humboldt #1911
mineral claim.

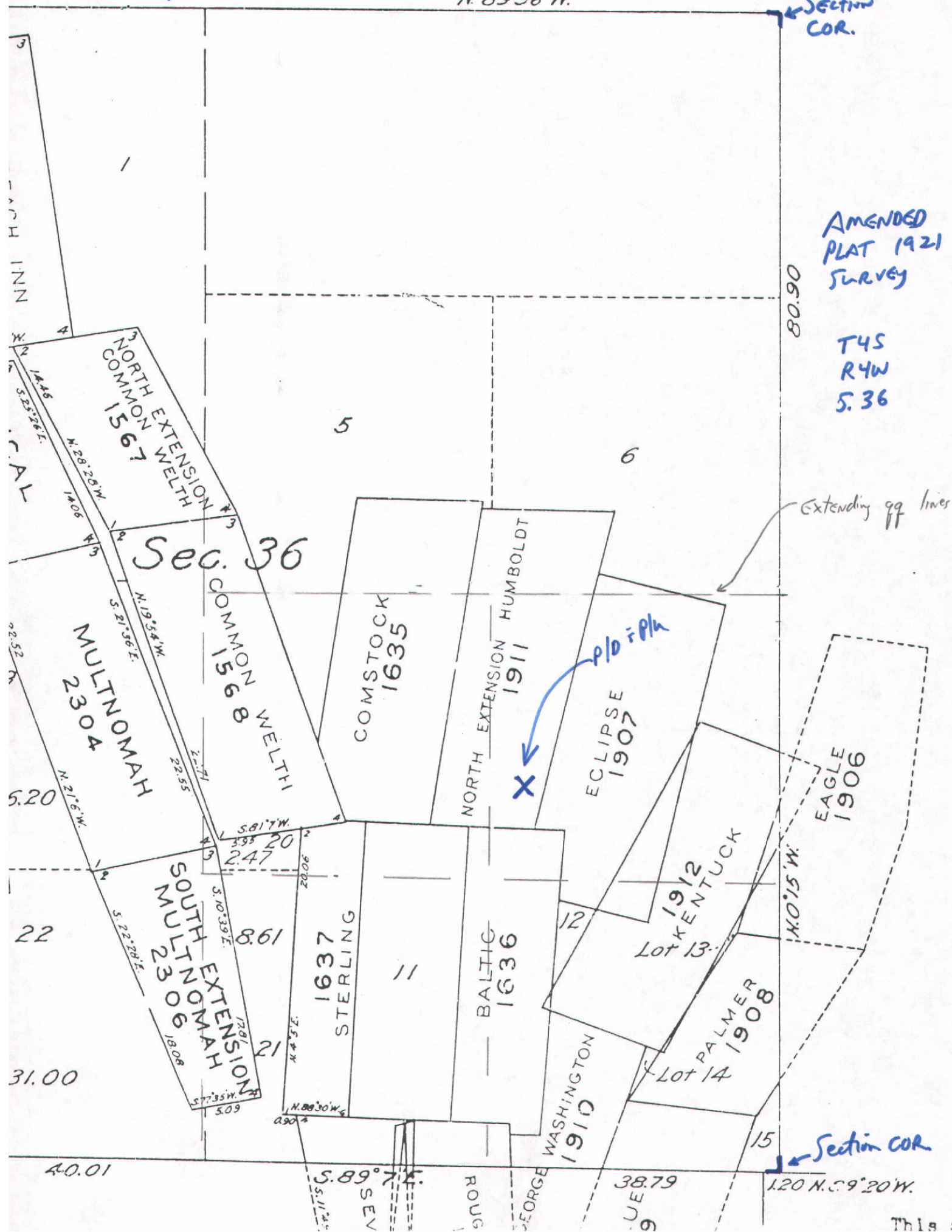
A55-04005

ROAD LEGEND

Improved Road



This ar



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: A55-04005

Date Received: ~~11/08/1988~~ 12-20-1988

Receipt No: W001697

Received By: [Signature] D.E. Q

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILMA L. STATHAM
Address: 4023 HOOVER
BOISE, ID 83705

OR

Name: WILLIAM P. STATHAM
Address: 1421 N. 21ST ST.
BOISE, ID 83702

OR

Name: HAROLD R. STATHAM
Address: 4023 HOOVER ST.
BOISE, ID 83705

2. Date of Priority: MAY 01, 1931

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04S	04W	36	SW	NE	SE		OWYHEE

5. Description of diverting works:

DUG OUT SPRING IN ROCKS W/GRAVITY FLOW DOWN TO 3X30X30 POND

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		
STOCKWATER STORAGE	01/01	12/31			0.10
STOCKWATER FROM STORAGE	01/01	12/31			0.10
MINING	01/01	12/31	0.100		

7. Total Quantity Appropriated is:

0.140 C.F.S. (and/or) 0.10 A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

A55-04005

Page

1

Date: 12/16/88

MICROFILMED

SEP 29 1992

9. Non-irrigation uses:

D/DRINKING WATER WHILE CAMPING, NO HOME. S/300 HEAD CATTLE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	04W	36	NE	SE	STOC S	
			NE	SE	STO FS	
			NE	SE	DOMEST	
			NE	SE	MINING	

11. Place of use in counties: OWYHEE

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

13. Other Water Rights Used:

NONE

14. Remarks:

AKA NORTH EXTENSION OF HUMBOLT MINERAL CLAIM. LAND IS UNDER
LEASE TO NERCO MINERAL CO.

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: 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): Helma L. Stethem Date: 12-20-88
Harold R. Stethem Date: 12-20-88

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of December 19 88

Edna V. Humbird
Notary Public

Seal

Residing at Boise, Idaho

My Commission Expires 12-8-93

(TRIANGLE NW)

ROOSTER COMB PEAK SE, IDAHO
N4300-W11645/7.5

1979

ADVANCE PRINT

MICROFILMED

SEP 29 1992

A55-04005

March 6, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

MAR 30 1998

**WATER RESOURCES
WESTERN REGION**

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

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

NOTICE OF ERROR REPLY IS: March 30, 1998

Water right number: 55-04005

WILLIAM P STATHAM
1421 N 21ST ST
BOISE ID 83702

Daytime Telephone Number:

Evening Telephone Number:

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:

WPS **I AGREE with this proposed recommendation; no changes need to be made.**

DATE: 27 Mar 98

SIGNATURE: William P. Statham
Please print your name: WILLIAM P STATHAM

March 6, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED
MAR 30 1998
WATER RESOURCES
WESTERN REGION

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

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

NOTICE OF ERROR REPLY IS: March 30, 1998

Water right number: 55-04005

WILMA L STATHAM
HAROLD R STATHAM
4023 HOOVER ST
BOISE ID 83705

Daytime Telephone Number: 208-343-0328
Evening Telephone Number: 208-343-4328

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: 3-27-98

SIGNATURE: Wilma L. Statham

Please print your name: Wilma L. Statham

AJ0749NP
No. R55-04005

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 03/03/98
PAGE: 2

Comments: Date: 02/18/1998 User-ID: LHARRIS Subject: COPIED FROM REMARKS
AKA NORTH EXTENSION HUMBOLT #1911.

Audit: 03/03/98 LHARRIS

Recommendations for
R File

SEE ATTACHED profile
Report

-JR

2/17/98

AJ5809NP
No. A55-04005

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 02/17/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILMA L STATHAM 4023 HOOVER BOISE ID 83705	05/01/1931	DOMESTIC	01-01 12-31	0.04 CFS	
C	WILLIAM P STATHAM 1421 N 21ST ST BOISE ID 83702					
C	HAROLD R STATHAM 4023 HOOVER ST BOISE ID 83705					

Stockwater storage
Stockwater farm storage
TOTAL: .04 cfs .1 AFA

Water Source: SPRING

Tributary to: SINKS

Stage: STATUTORY CLAIM

Point(s) of Diversion: T04S R04W S36

SWNESE

OWYHEE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE						
T	R	S	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac	: Lt Ac	Lt Ac	Lt Ac	Lt Ac
04S	04W	36	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: OWYHEE

Non-Irrigation Uses: D/DRINKING WATER WHILE CAMPING, NO HOME. S/300 HEAD CATTLE

Other Rights: NONE

Remarks: GEN AKA NORTH EXTENSION OF HUMBOLT MINERAL CLAIM. LAND IS UNDER

Dates: Exam Made Date: Verified Date: 01/21/1985 Objection Filed Date:

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

#1911
add stockwater storage
5/10/ farm storage -
however AJ standard
is for d'entry
Delete mining - not sure why d'base is odd e
plus entries (see attached vs. this profile report).

- J. L. Lark

SD-4109
INQUIRY

Idaho Department of Water Resources
Adjudication Places of Use Screen

Date: 02/16/98
Time: 13:08:51

Water Right Number: A55-04005

FIRST PAGE

10. TWP	RNG	SEC	1/4	1/4	Lot	Acres	Use	Use Desc.	County	County Name
04S	04W	36	NE	SE			05	STOC S	73	OWYHEE
04S	04W	36	NE	SE			06	STO FS	73	OWYHEE
04S	04W	36	NE	SE			43	DOMEST	73	OWYHEE
04S	04W	36	NE	SE			13	MINING	73	OWYHEE

Keep

Delete

(Enter=Exit)

(GOLD4=Prev Screen)
(GOLD5=Next Screen)

(GOLD6=End of Data)
(GOLD8=Cancel)

J R B A FIELD EXAM NOTES

CLAIM # See Below

EXAM DATE 10-4-1991

EXAMINER John Latta

ASS-04000

04003 ← ORIGINAL info & EXAMS filed in

04004

04005 ← contains some add'l. original exam info
& this claim only

04007

04108 ← {withdrawn

04110 ← {

NOTE - Bill Statham is gone - can contact
e. Toothman - at 323-2288
(Eng. firm)

-R 2/17/98

CLAIM NO. ASS - 04005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET

(use in place of the CVR for small Domestic/Stock exams)

1. ☒ No Change NAME
NEW OWNER: _____
☐ No Change ADDRESS
NEW ADDRESS: _____
2. ☒ No Change - DATE OF PRIORITY: Completed - No Field Verification Needed.
☐ Incomplete - Claim shows no priority date, claimant should be asked during the exam when was water first used.
Priority date, per claimant, is _____
(if the priority date, based on your exam, seems questionable, explain in remarks.)
3. ☒ No Change - SOURCE
☐ Source is different than that claimed:
Source found: _____
4. ☒ No Change - POINT OF DIVERSION
☐ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, _____ 1/4 _____ 1/4 _____ 1/4
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete desc., complete items missing, IF KNOWN.
☐ Additional comments in remarks.
HP of pump _____ Pump Ser. # _____ Pumping water level _____
Well depth _____ Motor Ser. # _____ Static water level _____
Casing size _____ Method of irr. _____
6. ☒ No Change - WATER USES
☐ Different uses, (list uses found).

Use _____ From _____ To _____ Amount _____ cfs _____ af
Use _____ From _____ To _____ Amount _____ cfs _____ af
7. ☒ No Change - TOTAL VOLUME
☐ Incomplete on claim, the total is, -- -- _____ cfs _____ af
☐ Change found, the new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:

Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____

Consult w/ SRBA staff & standards for rec'd divert flow
(claim) & storage (stock). NO mining per field exam.
Also see claimant's 2/26/94 letter & NO mining.

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4,

Delete
mining

Remarks: (Comments pertinent to field examination)

Pond capacity .06 Af, allow .01 Af (min. standard).

Dom. vol. same as other stations existing for
similar situation (0.3 Af).

Stock storage - low best to ~~ref~~ Retent this - allow
multiple fills with Remarks?

Aka North Extension Humboldt #1911.

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional)

MAP

SYSTEM DIAGRAM

☒
☒
☒

☒
☒
☒

See ASS-04003 for photos
& notes

☐ Changes found during exam or additional information in the permit
file, see permit file.

DATE EXAM CONDUCTED:

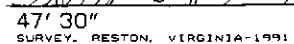
10/4/1991

FIELD EXAMINER:

Steve Lester

Signature

Steve Lester

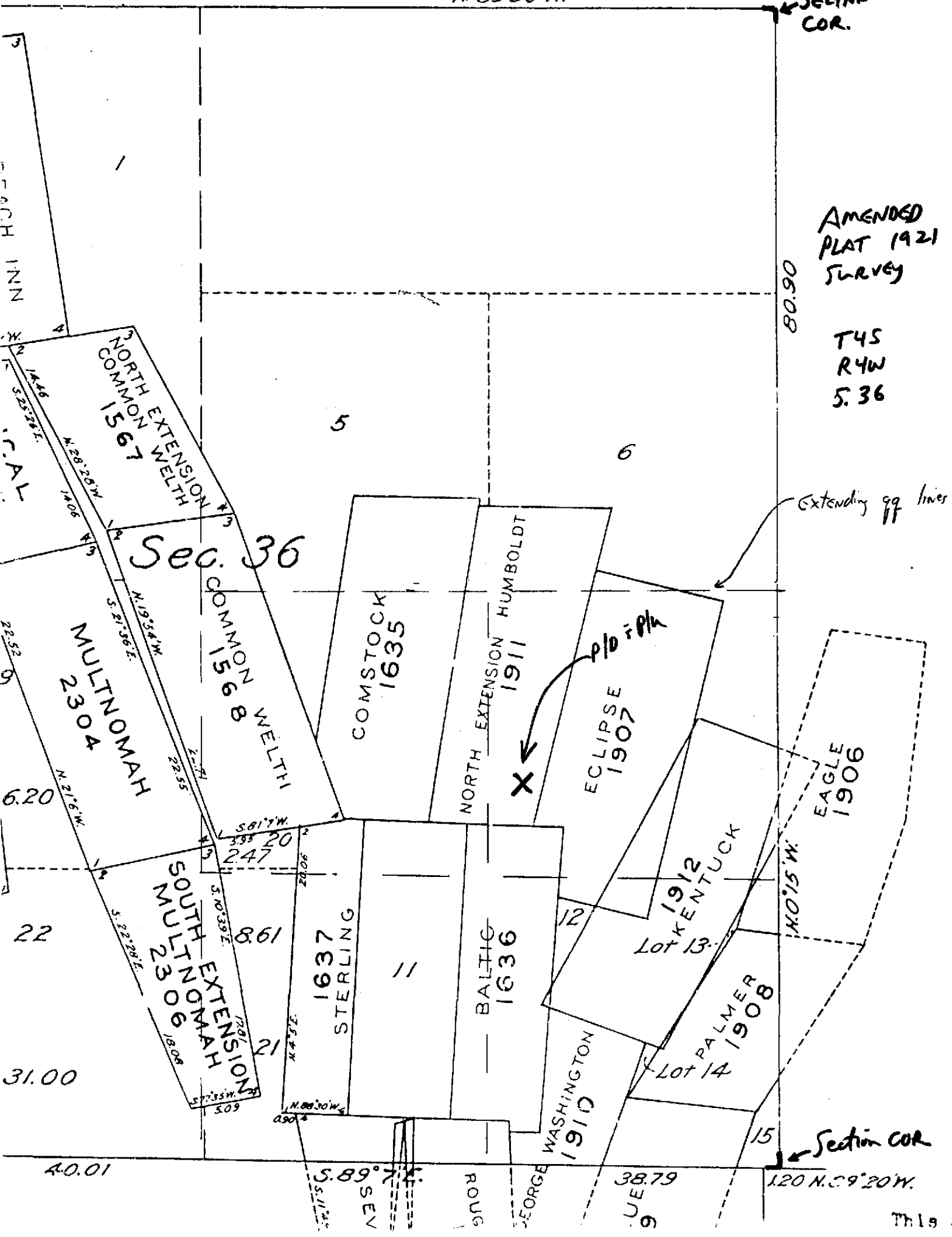


no govt lot for
location; within
North Extension
Humboldt #1911
mineral claim.

A55-04005

Improved Road
Unimproved Road

This is



WATER RIGHT NUMBER - A55-04005 PREFIX TRANSLATION: ADJUDICATION CLAIM OLD (D) NUMBER -

+ - - - - LAST NAME - - - - + + - - - - FIRST NAME - - - - + + - - - - ADDRESS - - - - - +

*** C - CURRENT OWNER ***
STATHAM

WILMA L.

1 - 4023 HOOVER

2 -

3 -

CITY- BOISE

PHONE - 208-000-0000

1 - 1421 N. 21ST ST.

2 -

3 -

CITY- BOISE

PHONE - 208-000-0000

1 - 4023 HOOVER ST.

2 -

3 -

CITY- BOISE

PHONE - 208-000-0000

STATHAM

STATE- ID ZIP- 83705

STATE- ID ZIP- 83702

STATHAM

STATE- ID ZIP- 83705

*** O - ORIGINAL OWNER ***
LEWIS

EMILY B.

1 - 4023 HOOVER ST.

2 -

3 -

CITY- BOISE

PHONE - 208-000-0000

STATE- ID ZIP- 83705

+ - - - - PRIORITY DATE - - - - + + - - - - REGION - - - - + + - - - - STAGE - - - - + + - - - - STATUS - - - - +
05/01/1931 14 WESTERN S - STATUTORY CLAIM

+ - - - - SOURCE - - - - - + + - - - - TRIBUTARY - - - - - + SINKS

+ - - - - POINT OF DIVERSION - - - - - + STREAM INDEX (BLANK IF NO INDEX CODE)

COUNTY

POINT OF DIVERSION

(73) OWYHEE

SW NE SE

04S 04W 36

+ - - - - WATER USE - - - - - + DIVERSION RATE DIVERSION VOLUME

PERIOD FROM PERIOD TO

DESCRIPTION

CODE

0.040

12/31

01/01

43 - DOMESTIC

+ - - - - TOTAL DIV. RATE - - - - + + - - - - TOTAL DIV. VOLUME - - - - + + - - - - TOTAL CONSUMPTIVE USE - - - - + + - - - - KW USAGE - - - - +
0.140 0.10

+ - - - - PLACE OF USE - - - - - + DESCRIPTION COUNTY

ACRES

LOT

TRACT

SEC

TWN

(73) OWYHEE
(73) OWYHEE
(73) OWYHEE
(73) OWYHEE

05 STOCKWATER STORAGE
06 STOCKWATER FROM STORAGE
13 MINING
43 DOMESTIC

NE SE
NE SE
NE SE
NE SE

36
36
36
36

04S
04S
04S
04S

+ - - - - DIVERSION MEANS - DUG OUT SPRING IN ROCKS W/GRAVITY FLOW DOWN TO 3X30X30 POND

WATER RIGHT NUMBER - A55-04005

PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - NDN-IRRIGATION USE - D/DRINKING WATER WHILE CAMPING, NO HOME. S/300 HEAD CATTLE

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - REMARKS - - - - - AKA NORTH EXTENSION OF HUMBOLT MINERAL CLAIM. LAND IS UNDER

+ - - OLD WATER RIGHT NUMBERS - - - - - NO OLD WATER RIGHT NUMBERS FOUND.

+ - - CONDITIONS OF APPROVAL - - - - - NO CONDITIONS OF APPROVAL FOUND.

+ - - DECREE PLAINTIFF - - - + - - - DECREE DEFENDANT - - - + - - - DECREE DATE - - - 00/00/0000

+ - - AUDIT FIELDS - 12/20/88 SHURTE 10/24/89 REFUNDML

+ - - COMMENTS - - - - - NO COMMENTS FOUND

+ - - ADJUDICATION RIGHTS DATES AND FLAGS AREA - - - - -

COURT REPORT FILING - 00/00/0000
OBJECTION FILED DATE - 00/00/0000
RESPONSE FILED DATE - 00/00/0000
CLAIM RECEIVED DATE - 12/20/1988
PROOF DUE DATE - 00/00/0000
LICENSED DATE - 00/00/0000
CLAIMS TAPE ERROR FLG -
FEE EXEMPT FLAG -

FIELD INSPECTION MADE - 00/00/0000
FIELD INSPECTION FLAG -
VERIFIED DATE - 01/21/1985
LAST AMENDED DATE - 00/00/0000
PROOF MADE DATE - 00/00/0000
RECEIPT NUMBER - W001697
POU OWNERSHIP FLAG - Y
NAME CONNECTOR - OR

CIVIL CASE NUMBER - 39576
OLD CASE NUMBER -
OLD JUDICIAL DISTRICT -
TEMPORARY RIGHT - P
WATER DISTRICT -
FEDERAL/STATE INDICATOR - S
PRESUMPTION FLAG -

Completed by IDWR

RECEIVED

FEB 28 1994

WATER RESOURCES
WESTERN REGION

February 26, 1994

Steve Lester
Water Rights Supervisor
DEPARTMENT OF WATER RESOURCES
2735 Airport Way
Boise, ID 83705-5082

Re: Silver City Adjudication Claim
Claim No. A55-04005

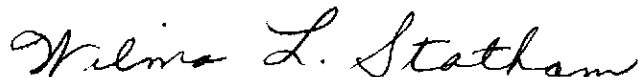
Dear Mr. Lester,

In response to your inquiry regarding this claim, enclosed you will find a document from Kinross DeLamar Mining Company. Kinross indicates they are not interested in further retaining the mining right on this claim.

We wish to retain our claim for domestic and stock uses. This claim has first use of 1931.

Thanking you for your past assistance, we remain,

Sincerely,



Wilma L. Statham


Harold R. Statham

Enc. 1

KINROSS

DeLamar Mining Co.

February 14, 1994

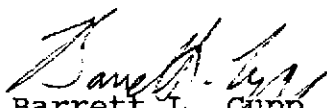
Mr and Mrs. Harold Statham
4023 Hoover Street
Boise, Idaho 83705

Re: Silver City Adjudication Claims

Dear Mr. and Mrs. Statham:

As you are aware, following our discussions concerning the adjudication claims no.s A55-04003 and A55-04005, I have researched the history of the beneficial water use for mining purposes. Upon review the files and discussing the facts with Mr. John Woodward, I cannot document any beneficial mining use for the aforementioned claims. I submit to you that the Kinross DeLamar Mining Company (formerly known as the Nerco DeLamar Company, subsidiary of NERCO Minerals Company) has no further interest in the mining use associated with the water right claims A55-04003 and A55-04005.

Very truly yours,


Barrett L. Cupp
Land Representative



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 2, 1994

Harold and Wilma Statham
4023 Hoover Street
Boise, ID 83705

RE: Silver City Adjudication Claims

Dear Mr. and Mrs. Statham:

I am soliciting additional information in support of several of your adjudication claims in the Silver City area. It is possible that some of the desired information is found in documents at this office such as the "Exception" document filed on behalf of the Silver City Taxpayers Association regarding two of the Ottos claims. If so, perhaps you could call me to arrange an office visit to point out this material. I was not able to find it in the "Exception" document or in other files.

Information for the following items for particular claims is needed. The enclosed brochure discusses types of evidence to help support your claims.

1. **Claim No. A55-04003** -- Evidence is needed to support the date of priority for mining use and also that mining use had occurred for this right within a five year period ending by 1987 (when the adjudication started). Without such documentation, the claim can only be recommended for domestic and stock uses dating to 1952.
2. **Claim No. A55-04005** -- Similarly, evidence is required to support a mining date and mining use for this claim. The claim can be recommended for domestic and stock uses from 1931 without additional information.
3. **Claim No. A55-04007 (via "City Spring")** -- Although domestic use as claimed here does not normally need evidence of priority, information is requested due to the controversy over the city spring. Please provide information supporting a 1909 date of first use for this claim.
4. **Claim No. A55-04110** -- This claim also involves the city spring. Again, although the domestic use does not normally require evidence of priority, any claim for the city spring source does need to be supported. In this case, the claimed date of first use is 1935.

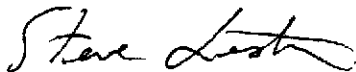
Harold and Wilma Statham
February 2, 1994
Page 2

Without sufficient supporting documentation, the first two claims listed above will not be recommended to include mining as a beneficial use. Instead, the first two claims would be recommended for domestic and stock uses. If reliable evidence does not support the dates for the latter two claims (city spring), these two must be recommended for a later date as supported by your information, or they must be recommended to be disallowed in the adjudication if no information can be obtained.

Again, it is entirely possible that I have overlooked some good information that you have already provided to me. Please set me straight if that is the case.

A response within thirty (30) days will avoid delays or complications in the adjudication analysis. Please let me know if I can be of assistance in this or other matters.

Sincerely,

A handwritten signature in cursive script, appearing to read "Steve Lester".

Steve Lester
Water Rights Supervisor