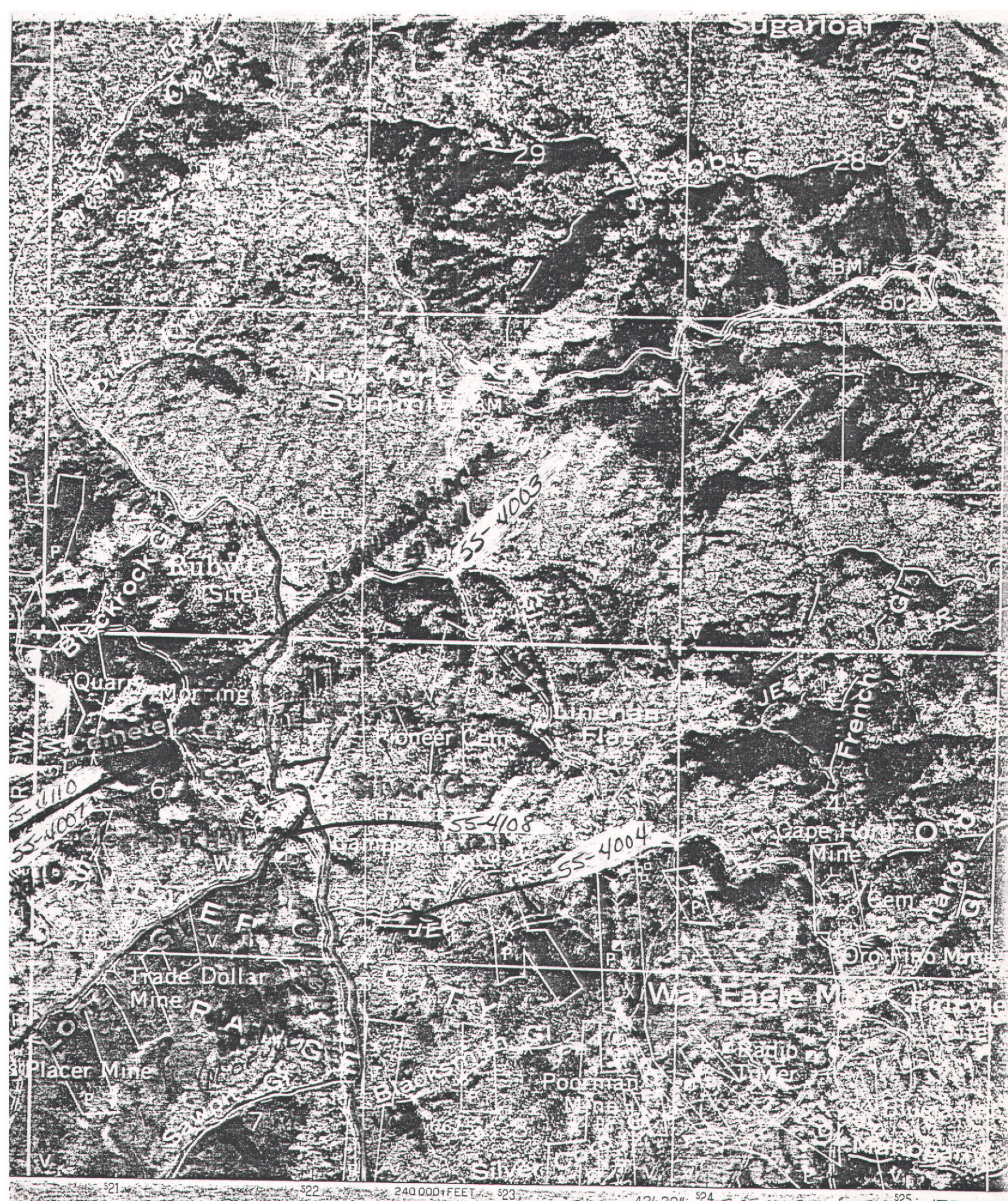




duced by the Geological Survey in cooperation with the Soil Conservation Service. The map is a composite of 100 aerial photographs prepared from 1:80,000-scale aerial photographs taken August 7, 1979. The map shows the boundary of the study area and 10,000-foot grid ticks. The map is in the Universal Transverse Mercator coordinate system, west zone.

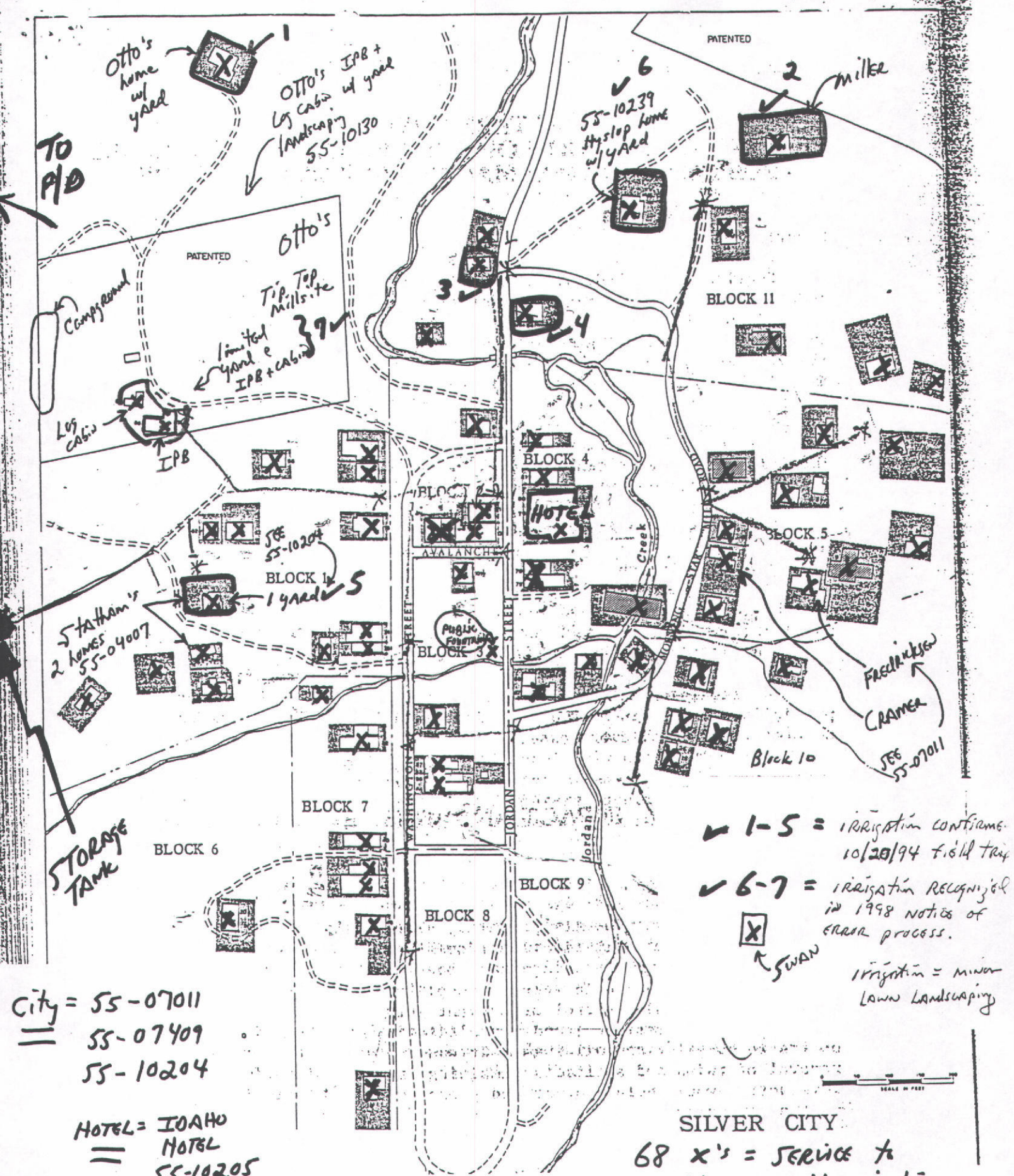
(TRIANG

SCALE 1.

MICROFILMED

SEP 29 1992

A55-04007



City = 55-07011
 = 55-07409
 = 55-10204

HOTEL = IOAHO
 = HOTEL
 = 55-10205

UNITS SERVED BY
 "city spring" via
 city distribution system
 - sz 5/11/98

MARKER MAP for 55-07011

THE IDAHO AVALANCHE

L. A. YORK, Editor and Publisher.

SATURDAY, SEPTEMBER 9, 1903.

C. O. & I. STAGE CO.

NAMPA, SILVER CITY, and DeLAMAR.

Leaves Nampa at.....6:00 a.m.
Arrives at Silver City at.....6:00 p.m.
Leaves Silver City at.....6:00 p.m.
Arrives at Nampa at.....6:30 p.m.
Leaves Nampa at.....7:00 a.m.
Arrives at Silver City at.....7:00 p.m.
Leaves Silver City at.....7:00 p.m.
Arrives at Nampa at.....6:30 p.m.
W. N. NICHOLS, Agent.

U. P. TIME TABLE (NAMPA).

MAIN LINE WEST.

No. 7, Express.....1:30 a.m.
No. 1, Mail.....11:45 a.m.
No. 21, Freight.....11:45 a.m.
No. 23, Freight.....2:41 p.m.

MAIN LINE EAST.

No. 8, Express.....7:29 a.m.
No. 2, Mail.....5:16 p.m.
No. 24, Freight.....11:45 a.m.
No. 22, Freight.....7:50 p.m.

BOISE BRANCH.

No. 33, Leaves Boise daily except Monday at 6:20 a.m., arrives at Nampa at 7:20 a.m.
No. 34, Leaves Boise daily at 10:40 a.m., arrives at Nampa at 11:40 a.m.
No. 36, Leaves Boise daily at 4:35 p.m., arrives at Nampa at 5:35 p.m.
No. 37, Leaves Nampa daily except Monday at 7:40 a.m., arrives at Boise at 8:10 a.m.
No. 38, Leaves Nampa at 11:55 a.m., arrives at Boise at 12:55 p.m.
No. 35, Leaves Nampa at 5:40 p.m., arrives at Boise at 6:40 p.m.

SUBSCRIBERS who know themselves to be in arrears, are earnestly solicited to call and settle. If you cannot pay all, we would be pleased to receive a portion of the amount due. It takes cash to run a paper, and we've been trying to run without the "wherewithal" too long now. A prompt settlement will greatly oblige.

Local Intelligence.

Pay up and help the AVALANCHE.

Smoke "La Estanello" Havana cigars

Mike Hyde is in from Oreana, on business.

Frank McMahon, of Boise, is visiting relatives in Silver.

That 1882 Hermitage whisky at Byrd's will make your hair curl.

Attorney Fraser, of Boise, was in Silver on legal business this week.

Al Valverde and Harry Snider, of DeLamar, visited Silver Thursday.

The Celebrated Fire Proof Rochester Lamp Chimney at Theo. Philipp's store.

Byrd will mix you a cocktail that will make you think silver bullion is at a premium.

Mrs. Heidleberger left Thursday morning for a week's visit with friends at DeLamar.

The dancing class held forth at the hall last evening. Excellent progress is being made.

Mr. and Mrs. Jas. Jeffries have removed to the dwelling recently built by Simon Harris.

Prof. Crawford and family have leased the Lindberg dwelling, on Clinton street, and are keeping house.

DR. PRICE'S Cream Baking Powder

The only Pure Cream of Tartar Powder.—No Ammonia; No
Used in Millions of Homes—40 Years the

Mr. S. Harris will leave to-morrow for Boise City. He will attend the meeting of the Grand Masonic Lodge at Boise next Tuesday and will then leave for a visit in the East, accompanied by his wife, who left here last Saturday, and who is visiting friends at Caldwell, Weiser, etc.

The Grand Masonic Lodge of Idaho meets at Boise City next Tuesday. Silver City will be represented by Messrs. Jos. Gross, S. Harris and J. M. Brunzell, Sr. The Grand Lodge, I. O. O. F., convenes early next month. The representatives from Silver are: R. S. Hawes, F. Grete, Sr. and R. H. Leonard, Jr.

For a lame back or for a pain in the side or chest, try saturating a piece ofannel with Chamberlain's Pain Balm and binding it onto the affected parts. This treatment will cure any ordinary case in one or two days. Pain Balm also cures rheumatism. 50 cent bottles for sale by Con Shea, druggist.

Mrs. J. M. Brunzell and daughter, Miss Julia Allen, left Thursday morning for Boise City. Mrs. Brunzell will visit relatives and friends for a week or so, and Miss Julia will remain and attend St. Margret's school. Her young friends regretted her departure, but wish her a pleasant and profitable winter at school.

Wm. McDonald is able to get around on crutches again. It will be remembered that he broke his leg some four month ago, which readily healed and he was out on crutches early in July. By an unfortunate miss-step he rebroke the limb and has been confined to his bed until very recently. Everybody is glad to see Mcaround again.

Among the incidents of childhood that stand out in bold relief, as our memory reverts to the days when we were young, none are more prominent than severe sickness. The young mother vividly remembers that it was Chamberlain's Cough Remedy cured her of cough, and in turn administers it to her own offspring and always with the best results. For sale by Con Shea, druggist.

Is the time-honored prestige of honor among the people of the Western mining camps to give way to the customs of the effete East? Time was, when the hardy miner's rude cabin was as safe from pillage as a strongly guarded treasury vault; when the "latch string" always hung out to the way-farer, and no one even thought of locking a door. But, alas! times have changed, people have changed; and we are becoming more modern. About two weeks ago, James Murray's cabin on War Eagle mountain was entered by some sneak, evidently

World's Fair Travel Have It

The public demand it when travelling. It is "Change Cars." On the vestibuled trains of the Pacific & North-Western, Chicago, Omaha and inter there is no change. The and fastest service betw

CURIOUS GROWTH

Tough Wood of the Clim Found in the Malay

Everyone knows the graceful chairs and of furniture made from rat one does not know that tough and flexible wood is that of the climbing curious climber, which vine than a tree, is said delphin times to be one characteristics of forest Celebes and other Malay Starting with a trunk than a man's arm, it v the forest, now wrapping its fold, like some gigan then descending again and trailing along in sn until it can find some tree to fasten and clin pursuit of light and air is so thick and jungle seems impossible to follo of any of these serpent there is little doubt that successful aspirant, whic cringed so long below, shooting up like a flag feet or more above the t helped it to rise. A u which is unknown to th not seen in its native water carrier. The thi has at all times a tumble freshing water at his com ting off six or eight feet putting one of the severed mouth or holding it ove catch the water.

NOT A MODERN INVENTION

The Bicycle Said to Have Be by a Young French Physic

"The popular belief is t cycle is a modern inventio fact it really dates back to tenth century," said Dr. according to the Cincinna learned this one day when ing some translations from nal de Medecine de Paris. 1694, in his 'Mathematical Recreations,' tells of a car calls it, in which one can r the use of horses.' And th on to tell of how a lackey back, makes it run by 'wal nately with his two feet b two small wheels concealed just between the wheels t attached to the axle of the

May 9, 1900 Idaho Avalanche

THE BIG STORE

for a long time, said a word about House Fur-
The Stock is very complete and embraces every-
the House Furnishing Line.

URE—Dining tables, center tables,
upholstered chairs, rockers, bed room
eds, mattresses, springs, bed lounges, etc.

RY AND GLASSWARE—Plain and
ckery, lamps and chimneys, chamber
d plain glass sets.

ARE AND KITCHEN FURNITURE—
haven't heard about that car load of
ges that we have just received. Any
stove or range that you want and at
Pots, kettles, tin pans, stew pans,
kettles, coffee pots, tea pots, etc. Quali-
taste and prices to suit the purse.

S AND CARPETS—More lace curtains
an we ever had before. Lace curtains
2.00 per pair. Another shipment of
moquettes, two and three ply ingrain
panese matting just received.

t the time to buy house furnishings
ment was never so complete before.

THE BIG STORE,
SHEA, McLAIN & GRETE.
VER CITY DEWEY MURPHY

AND PERSONAL.

up at Britt & Co.
s and Lemons at Oliver's.
t. Inquire at this office.
hs, at Maruny's barber
in jewelry at the P. O.

arrives weekly at P. O.

h came over from Boise

the sack or pound cheap

ur, of Nampa, was a visi-
the week.

een the bargains in Box
P. O. Drug Store.

idelberger's and see new
ets and wall paper.

ocratic County Central
eting in another column.

kings, of the Cumberland,
the week for the railroad.

cigars, tobaccos and
es at the City Drug Store.

manager of Britt & Co.'s

Dr. Schefstad the Boise dentist went
to DeLamar this afternoon, but will re-
turn to Silver City to complete engage-
ments before returning to Boise.

"DeWitt's Little Early Risers are the
finest pills I ever used."—D. J. Moore,
Ala. They quickly cure all liver and
bowel troubles. City Drug Store.

BORN.—At Boise, May 8th, 1900, to Mr.
and Mrs. Frank Blackinger, an 11-pound
boy. Their many Owyhee friends ex-
tend congratulations and best wishes.
Shake!

Miss Annie Jordan came over from
Boise last Monday and will visit with
relatives before returning to her home
at Reynolds. She is just recovering
from an attack of la grippe.

Dr. C. Ferguson, dentist, who spent
the winter at Salt Lake City, returned to
Silver last Saturday and has opened
dental offices at the Idaho hotel. Mrs.
Ferguson accompanied him.

Andrew J. Palmer who has been suffer-
ing several months with serocyst of the
liver, has been seriously ill for a week or
more past, but is now thought to be im-
proving. He has been a great sufferer.

J. G. Watts, who has been at Boise
for more than a year, past attending to
his duties as chairman of the Code Com-
mission, has returned to Silver. His
family will return next month.

Mr. and Mrs. J. M. Jeffrey have sold
their cottage near the AVALANCHE office
to Mrs. E. Lewis. Mr. and Mrs. Jeffrey
will leave soon for a milder climate,
going first to Genesee, this state. During
their residence here, covering a number
of years and at different intervals since
the early 70's Mr. and Mrs. Jeffrey have
made a host of friends who sincerely re-
gret their departure, but who wish them
every success in their new home.

Hon. George Ainslie, of Boise, is in
town this week renewing acquaintances
and visiting his daughter, Mrs. John F.
Nugent. Mr. Ainslie recalls several
pleasant trips to Silver City during his
thirty-eight years' residence in Idaho,
not the least of which in point of pleas-
ure was one where he attended a dance
given by the old Miners Union at Fair-
view, with supper at Doyle's on the
mountain. He will remain a week or
ten days.

H. G. Liddle, a gentleman from Hast-
ings, Minn., who recently came to Silver
City to purchase an interest in the steam
laundry and to open the same for busi-
ness, died yesterday at Miss Bailey's
residence from an attack of malarial
la grippe. His father reached Nampa
last evening. Mr. Liddle is a former ac-
quaintance of H. L. Kries, he having
known him at Duluth, Minnesota. The
remains were shipped to Nampa this
morning.

We received a letter from Probate
Judge Hardy a day or two since, in
which he states that he is recovering
from his recent operation as rapidly as
could be expected and that he is suffer-
ing but little pain. He is at St. Mark's
hospital in Salt Lake City. Judge Hardy
acknowledges friendly attention from
Mr. A. L. Simondi, formerly a promi-
nent business man of this city, and who
with his estimable wife is held in high
esteem by many of our older citizens.
George expects to leave his bed next
week.

Charles A. Dinsmore, editor of the
Idaho Mining Journal, was in Silver a
few days last week in the interest of his
journal. He visited personally the big
Trade Dollar Consolidated mines, the
Cumberland, Pauper, Dernier Resort,
Addie and other properties, and was
highly pleased with our mineral resour-
ces and the very courteous treatment ac-
corded him by all with whom he came
in contact. Mr. Dinsmore's journal is
reputable and conservative, and he is
equipped with a good reserve fund of
mining experience and journalistic abil-
ity. He will visit this district again,
later, and go over the ground thoroughly.

President Bart and General Manager

Democratic C

Notice is her
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Committee of
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and place for
convention. A
committeemen

J. C. CONNORS,
Secretary

Notice

The next reg
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Owyhee county
May 31, 1900, a
three days. Q
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Questions in T
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Questions in H
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Girl wanted
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Confection

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when your in

CHI
Wash

Opposite Rock's L.

I have secured tl
laundryman fr
better prepare
first-class work
Your

Lea Fairri.



ITEM # 6

September 20, 1909, Silver City, Idaho
Emily Brown Lewis Standing in her yard
Married on June 9, 1909

Note: The heavy growth of grass



ITEM # 7

June 15, 1911, Silver City, Idaho
Emily & William Lewis
and favorite niece, Leona Eisenhart Hoppie
born in Silver City
January 9, 1910

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: A55-04007
Date Received: ~~11/08/1988~~ 12-20-1988
Receipt No: W001697 A.E. J
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILMA L. STATHAM
Address: 4023 HOOVER
BOISE, ID 83705
OR
Name: HAROLD R. STATHAM
Address: 4023 HOOVER
BOISE, ID 83705
OR
Name: WILLIAM P. STATHAM
Address: 1421 N. 21ST ST.
BOISE, ID 83702
2. Date of Priority: JUN 12, 1909
3. Source: SPRING Trib. to: JORDAN CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05S	03W	6	NE	SE	NW		OWYHEE
5. Description of diverting works:
40" CULV. PIPE IN SPRING W/PIPELINE TO TANK W/PIPE TO HOME
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	05/15	11/01	0.020		
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
2 FULL TIME HOMES.

A55-04007

Page

1

Date: 12/16/88

MICROFILMED
SEP 29 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
05S	03W	6	NW SE		DOMEST	

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:

SOURCE LOCALLY KNOWN AS CITY SPRING.
P/U NOT LISTED. THIS CLAIM IS BEING FILED TO REFLECT ONE OF THE
FIRST USES OF THIS SPRING BY THE CLAIMANTS ANCESTORS. THIS
SPRING THEN BECAME THE WATER SOURCE FOR SILVER CITY AND IS FILED
ON UNDER PERMIT #55-7011 WHICH REFLECTS A MUCH LATER PRIORITY
DATE. THE SPRING HAS BEEN THE CLAIMANTS DOMESTIC SOURCE OF WATER
CONTINUOUSLY OVER THE YEARS.

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): William L. Statham Date: 12-20-88
Harold R. Statham Date: 12-20-88

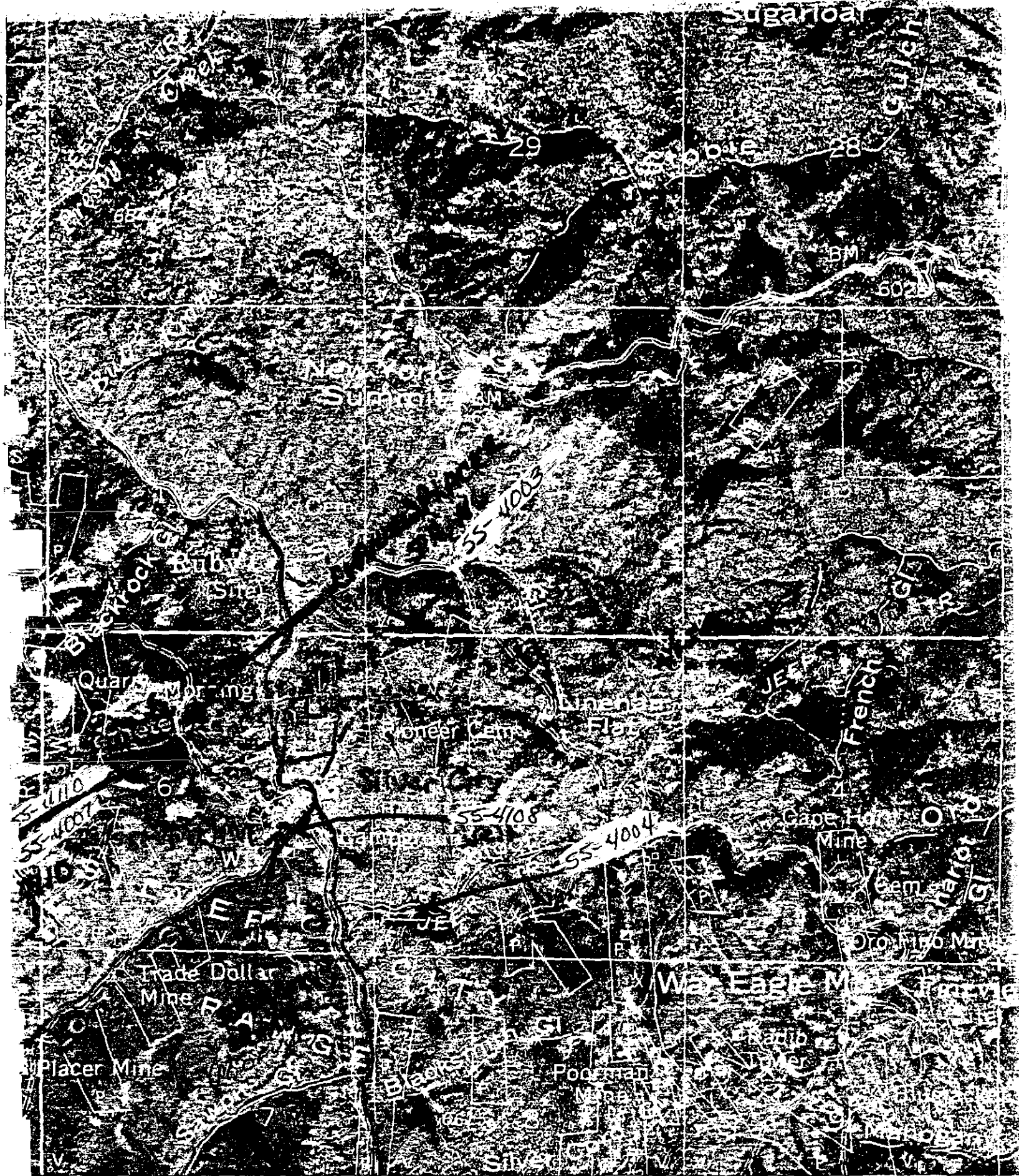
State of Idaho)
) SS.
County of Ada)

Subscribed and sworn (or affirmed) before me this 20th day
of December 19 88 Sabrina V. Humbird
Notary Public

Seal

Residing at Boise, Idaho
My Commission Expires 12-8-93

MICROFILMED
SEP 29 1992



Produced by the Geological Survey
 in cooperation with the Soil Conservation Service
 Aerial photograph prepared from 1:80,000-scale
 aerial photographs taken August 7, 1979
 Projection and 10,000-foot grid ticks
 No coordinate system; west zone

A55-04007

240,000+ FEET
 42° 30' 24" (TRIANG)
 SCALE 1:
 1000 0 1000 2000 3000
 SEP 29 1992
 R 2

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

WR0723NP
(0D-26)

Water Right Number - 55-04007 Prefix Translation: WATER RIGHT Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
LEWIS EMILY B.
1 - 4023 HOOVER ST.
2 -
3 -
City- BOISE State- ID Zip- 83705
Phone -
1 -
2 -
3 -
City- State- Zip-
Phone -

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
06/12/1909 14 WESTERN S - STATUTORY CLAIM + - - - -
+ - - - - Source - - - - + + - - - - Tributary - - - - - +
SPRING JORDAN CREEK

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County Stream Index (Blank if no Index Code) + - - - -

05S 03W 6 NE SW (73) OMWHEE 272.0 313.0 152.0 47.0 0.5

+ - - - - Description Period From Water Use Diversion Rate Diversion Volume + - - - -
Code 43 - DOMESTIC 05/15 11/01 0.020

+ - - Total Div. Rate - - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.020

+ - - - - TwN Rng Sec Tract Lot Acres Place of Use Description County + - - - -
05S 03W 6 NE SW 43 DOMESTIC (73) OMWHEE

+ - - Diversion Means -

+ - - Non-Irrigation Use - D/28 SUMMER HOMES, 3 FULL TIME HOMES.

+ - - Other Rights for Same Use -

+ - - - - SOURCE LOCALLY KNOWN AS CITY SPRING.
P/U NOT LISTED.

+ - - - - Old Water Right Numbers -
No Old Water Right Numbers found.

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Suan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	-
Start Work Date	- 00/00/0000	Verified Date	- 02/11/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 00/00/0000	Appl Received	- 00/00/0000	Transfer/Amended	-
Decree Date	- 00/00/0000	Presumption Flag	-		-

SEP 29 1992

Identification No. _____

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Mrs. Emily B. Lewis and/or Wilma L. Statham
post office address 4023 Hoover St., Boise, Idaho 83705
2. The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 6 Township 5S
Range 3W B.M. located on Florida St., at a spring known as "City Sprir
(name of source)
tributary to Jordan Creek in Owyhee County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

June 12, 1909 amount: 0.02 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.

- b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:

use Domestic * period of use from XXXXXXX to XXXXXXXXXX (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works:

- a. Surface water diversion dam and/or headgate: material is composed of Boxed spring
_____ ; length is 3 feet; height is 1 feet;
width at bottom is 1 $\frac{1}{2}$ feet; width at top is 1 $\frac{1}{2}$ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known Routine maintenance of box and spring with no increase in capacity.

- b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____

* from 1909 to 1942 - Jan. 1 to Dec. 31

from 1942 to present - May 15 to Nov. 1

W. L. Statham

_____; if so, give dates and explain _____

[illegible]

Location of reservoir by 40-acre subdivisions _____

Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

See 1903 Plat of Silver City giving water facilities.

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served 28 (Only 3 full-time summer families use from May to Oct.) 0-*

name of town supplied Silver City, Idaho

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
My home was purchased in 1900 by my mother-in-law, Mrs. Elisha Lewis, Sr. * I went to the home as a bride, June 12, 1909, ** with my late husband, William A. Lewis and have maintained my home there. The Idaho Hotel maintained the the spring, main lines and tank as long as the hotel operated and charged water rental to townspeople and county offices *** until the county seat was moved in Sept. 1935. Hotel has been closed since 1942 ****, and has not been reopened since that date, but the old families already on the lines and lined water available have had use of the facilities of the spring, lines and tank since that time and have maintained the function. My family and I have had continuous use of the "City Spring", main lines and tank for the past 60 years or since June 12, 1909. (Water was in the home prior to my living there but I cannot give exact date.)

0-0-* List of homeowners and who does have water and those who don't. _____

** Owyhee Avalanche newspaper article. On microfilm at Idaho Historical So

*** Copy of my Marriage license and certificate. _____

**** Copy of a check written by my husband, Owyhee County Auditor to the Idaho Hotel for water rental for County Offices. _____

**** My son-in-law, Harold R. Statham, was last paying guest of Hotel in 1942.

***** 2 letters indicating the plans for Silver City. I am relinquishing my unpatented mining claims for the "City Spring" is located. Mining claim located 1941. State of Idaho

County of Ada 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 affiants knowledge.

Harold R. Statham
William A. Lewis
Claimant

Sworn to before me this 17th day of September, 19 71.

Keith A. Hittman
Notary Public
Residing at Boise, Idaho

My commission expires 8-23-1975

Rec'd # 8281

For Department Use Only

Received by	Date	Exception filed by:	Forwarded to claimant by:	Date
<u>ej</u>	<u>9-17-71</u>			
Prelim. check by <u>BDF</u>	Date <u>10th</u>			
Fee received by <u>ej</u>	Date <u>9-17-71</u> fee \$ <u>12.00</u>			
Approved for publication by				
Published in <u>Owyhee</u>	Dates <u>7-16-71</u>			

10-31 & 10-28-71

AJ0749NP
No. R55-04007

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

DATE: 05/06/98
PAGE: 2

Comments: Date: 03/04/1998 User-ID: SLESTER Subject: DIVERSION WORKS
THIS RIGHT IS DIVERTED THROUGH THE CITY DISTRIBUTION SYSTEM.

Audit: 05/06/98 SLESTER

**SUPPLEMENT TO RECOMMENDED RIGHTS FROM
CITY SPRING AT SILVER CITY**

PREPARED BY STEVE LESTER *SL*
IDWR WESTERN REGION
~~MARCH 4~~ MAY 8, 1998

NOTE - THIS REPLACES THE 3/4/98 MEMO FOR RIGHTS FROM CITY SPRING & A FEW MISC. RELATED FILINGS. UPDATE BASED ON FINAL CONCLUSIONS FROM NOTICE OF ERROR PROCEDURE. OUT OF DATE INFO IS SHOWN IN ~~STRIKEOUT~~ FORMAT WHILE NEW INFO IS SHOWN IN UNDERLINE FORMAT.

~~This explanation is provided to all claimants whose Snake River Basin Adjudication Claims identify the "city spring" in Silver City as a source. The explanation is provided for the claimants because it may be confusing to receive a recommended right without a complete explanation of all uses from the city spring.~~

The following terms are used:

CAMPGROUND = Ottos' private campground uphill from IPB site

CITY = Silver City Property Owners Association

CITY SYSTEM = City's diversion works and delivery pipelines

IDWR = Idaho Department of Water Resources

IPB = Ottos' hostel at Idaho Power building

LOG CABIN = Ottos' secondary structure near the IPB site

SRBA = Snake River Basin Adjudication.

STORAGE TANK = the new City tank that replaced the old wooden tank.

~~The claims have been recommended by IDWR as shown in this mailing. The recommended rights are subject to corrections per the claimant response period provided under Idaho law.~~ IDWR recommendations are based on a review by IDWR legal and other staff. The recommendations result from a thorough review of all the evidence provided by the claimants plus IDWR field exams conducted from 1987 through 1994.

If a use for an individual owner is recommended under that owner's older claim, that use has been deleted from the City's younger claims to avoid duplication. Supplemental information shown below is arranged alphabetically by ownership.

CITY RIGHT NOS. 55-10204, 55-07011 AND 55-07409

55-10204 - recommended with 1968 priority date for domestic use for 16 homes where 2 of the homes include lawn irrigation. This right results from

*from file 55-07011 → Attachment 2
(6 pgs)*

combining a number of single family domestic uses, previously unrecorded until the SRBA, under a single priority date. The latest priority date for the combined uses must be used in such situations. The right lists the lot numbers served by this right.

55-07011 - recommended with 1971 priority date for 22 homes where 2 of the homes include lawn irrigation. ~~Also covers commercial use at the Idaho Hotel.~~ The lot numbers are not completely known for this right so have been omitted. The recommendation is based on a pending license. The right now exists as a permit which was field examined in 1987 before SRBA claims were filed. Licensing has been complicated by competing SRBA claims. It is assumed that the license can be issued ~~before the IDWR Director's Report is submitted to the SRBA Court (later this year after the claimant response period is completed).~~ in a timely manner while the SRBA Director's Report is being considered by the court.

55-07409 - this permit includes a 1990 priority date to cover those uses initiated after the November 1987 field exam of 55-07011. This right is outside of the SRBA scope and therefore will not be included in the Director's Report nor will it be decreed by the SRBA Court. The permit can be licensed for domestic use for 23 homes (includes 1 home with lawn irrigation) and a public drinking fountain assuming that the other two City rights are decreed as above.

City Summary - the 3 City rights will cover domestic use for 61 homes including lawn irrigation at 5 of those homes ~~(that is all of the irrigation found by 1994 field verification)~~ plus drinking water at the public fountain. ~~and commercial water for the Idaho Hotel.~~ All other uses via the City System are covered under individuals' rights.

FREDRICKSON RIGHT NO. 55-13655

Recommended to be disallowed based on insufficient evidence of priority date. IDWR legal staff determined that a contentious situation such as the City Spring requires better documentation to support SRBA claims. This use is recommended for 1 home (in-house use only) in City right 55-07011.

HYSLOP RIGHT NO. 55-10239

This right is recommended with a 1874 priority date for 1 home ~~(in-house use only)~~ for Lot 50. Use includes in-house and limited yard landscaping.

IDAHO HOTEL RIGHT NO. 55-10205

This right is recommended ~~for disallowal based on evidence of forfeiture from 1942-1968. This commercial use is recommended in City right 55-07011, with a 1868 priority for inside commercial use at the Idaho Hotel.~~

OTTO RIGHT NOS. 55-04151 and, 55-10130 & 55-13689

55-04151 - recommended with a ~~1937~~ 1922 priority date for 2 sources: overflow from the storage tank plus any additional water provided from the old shaft/tunnel located below the tank and the road (shaft/tunnel is near the flume by the Campground). The points of diversion include the overflow collection at

the storage tank plus the shaft/tunnel. This is not water from the City Spring except insofar as captured overflow from the Storage Tank is involved. Uses include commercial use at the campground and the IPB site plus and domestic use at the private Campground, Log Cabin and IPB sites (note dual uses depend on arrangement with guests at the site: domestic for non-paying but commercial for paying guests). This is not water piped into the IPB, rather it is water delivered via a ditch to the IPB site. Uses do not include any lawn etc. irrigation. Internal and limited yard landscaping uses are included. Landscaping of up to 1/2 acre includes non-native plants plus native plants, the latter case in which water is applied to refresh plants after campers depart so a beneficial use is derived from this practice.

55-10130 - recommended with a 1922 priority date for domestic and commercial water for the IPB and Log Cabin delivered by the City system. This is water piped into the two units and does not include lawn etc. irrigation. This right includes the dual use arrangement noted in 55-04151. The same internal and external uses occur (except not at the Campground) in this right as in 55-04151.

Additional right? - another filing is needed to cover a spring that contributes water to the delivery system in 55-04151. An old mining shaft is located above the road not far from the storage tank overflow diversion. This additional source cannot be included in any of the current Otto rights. If the use started before 5-20-1971, a late SRBA claim can be filed along with evidence to support the beneficial use claim. If the use started on or after 5-20-1971, an application for permit should be filed to establish a 1998 priority date. The appropriate filing should be made without delay. Result shown in next paragraph.

55-13689 - A 1937 beneficial use right has been recommended as claimed as a result of the claimant's notice of error action. This right is recommended for the same uses as in 55-04151. This is not water from the City Spring but is commingled with water from 55-04151.

STATHAMS' RIGHT NOS. 55-04007 AND 55-04110

55-04007 - recommended with a 1909 priority for in-house domestic use at 2 homes, Lots 91 and 92. Does not include lawn irrigation (see next right).

55-04110 - recommended to be disallowed per 1994 withdrawal of claim. This claim was for lawn irrigation at 1 of the Statham homes but has been recommended in City right 55-10204.

All of the uses regarding the City Spring are covered by the above recommendations to the extent that the uses have been verified by claimants' evidence and/or IDWR field examinations.

ADDITIONAL RIGHT NOT FROM CITY SPRING

Included in this explanation is another right not from the City Spring but serving homes also served under the City rights.

55-04000 - recommended with a 1948 priority for an unnamed stream (flow from old mining tunnel) located uphill from the homes. IDWR has been informed that this right serves Lots 36 and 44 for Cramer and Fredrickson homes. The claim lists Cramer and Statham, but IDWR has learned that Statham property is not

involved. The home owners served by this right ~~should file a change in ownership with IDWR to replace Statham with Fredricksen assuming that IDWR has the correct information for this situation.~~ filed the proper change in ownership to record the right in the names of Cramer and Fredricksen.

Original filed in permit 55-07011 with copies in all other water right and adjudication files at region and state office.

Silver City Master Plat Map

5/11/68

Attached plat replaces 1990 version. The 1990 map was best estimate then. Now, following IRBA Director's Report Recommendation, this new map is the final one.

Not possible to indicate which units are covered by which city ^{1/}

Right - no master list has been found to correlate to this map.

Key point is that we are covered by city right, or by separate rights under separate ownership.

No duplication occurs in coverage.

<u>OWNER & Right</u>	<u>Priority</u>	<u>USES</u>	<u>X's on map</u>
City SS-10204	1968	0/16 w/ 2 laws ^{2/}	16
SS-07011	1971	0/22 " 2 "	22
SS-07409	1990	0/23 " 1 "	} 24
		1 public fountain	
Hyslop SS-10239	1874	0/1 w/ 1 lawn	1
ID HOTEL SS-10205	1868	comm/1 -	1
OTTO SS-10130	1922	0/2 ^{3/} w/ 1 lawn	2
Statham SS-04007	1909	0/2 -	2

all X's accounted for $\rightarrow 68$

^{1/} city = the association.

^{2/} 1 lawn = Statham's main home w/ internal use per SS-04007.

^{3/} also includes commercial use & same 2 units (IPB & by (ASW)).
Combined yard use for 2 units (plus compound which is served by other rights not from city spring) is $\leq \frac{1}{2}$ acre.

March 6, 1998

**NOTICE OF ERROR
REPLY**

RECEIVED

MAR 30 1998

RESOURCES
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:

55-04007

WILMA L STATHAM
HAROLD R STATHAM
4023 HOOVER
BOISE ID 83705

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

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

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: 55-04007

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

CONVERSATION MEMORANDUM

DATE 4/30/98FILE See BelowNAME OF PARTY EMPLOYEE Steve LasterRE: REVISED RECOMMENDATIONS for Rights
From "CITY SPRING" AT SILVER CITY

BASED ON VARIOUS NOTICES OF ERROR, THE MARCH 1998

R files ARE REVISOR for Rights from this spring.

SOME REVISIONS ARE BASED ON ADD'L INFO SUPPLIED BY
CLAIMANT, AND SOME ARE REVISOR BECAUSE PREVIOUSLY

DISALLOWED 55-10205 (IN HOTEL) IS NOW RECOMMENDED AS OK.

REVISED Rights include:

✓ 55-04007	Station
55-07011	City
55-10130	Off
55-10204	City
55-10205	IN HOTEL (Tajals)
55-10239	Hyslop

For example - 55-04007 is REVISOR just to add 55-10205
to list of Rights from some source (QNT & EXP
Remarks).

55-07011 is REVISOR as is 04007 plus commercial
is deleted from 07011 since now covered by 10205.

DATE: 03/04/98
PAGE: 1

Stage: BENEFICIAL USE

Point(s) of Diversion:

Place of use Legal Description for: DOMESTIC

Other Rights: NONE

- THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
- THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF .20 CFS. COMBINED RIGHT NOS.: 55-55-07011, 55-10130, 55-10204 AND 55-10230.

EXP SOURCE LOCALLY KNOWN AS CITY SPRING.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 55-07011, 55-10130, 55-10204 AND 55-10239.

Objection Filed Date:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
NO. R55-04007

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

DATE: 03/04/98
PAGE: 2

Comments: Date: 03/04/1998 User-ID: SLESTER Subject: DIVERSION WORKS
THIS RIGHT IS DIVERTED THROUGH THE CITY DISTRIBUTION SYSTEM.

Audit: 03/04/98 SLESTER

SUPPLEMENT TO RECOMMENDED RIGHTS FROM CITY SPRING AT SILVER CITY

**PREPARED BY STEVE LESTER *SL*
IDWR WESTERN REGION
MARCH 4, 1998**

This explanation is provided to all claimants whose Snake River Basin Adjudication Claims identify the "city spring" in Silver City as a source. The explanation is provided for the claimants because it may be confusing to receive a recommended right without a complete explanation of all uses from the city spring.

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Additional right? - another filing is needed to cover a spring that contributes water to the delivery system in 55-04151. An old mining shaft is located above the road not far from the storage tank overflow diversion. This additional source cannot be included in any of the current Otto rights. If the use started before 5-20-1971, a late SRBA claim can be filed along with evidence to support the beneficial use claim. If the use started on or after 5-20-1971, an application for permit should be filed to establish a 1998 priority date. The appropriate filing should be made without delay.

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55-04007 - recommended with a 1909 priority for in-house domestic use at 2 homes, Lots 91 and 92. Does not include lawn irrigation (see next right).

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Recommendations for

R File

SEE ATTACHED profile
Report

-JR

3/1/98

AJ5809NP
No. A55-04007

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/01/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	WILMA L STATHAM	06/12/1909	DOMESTIC	05-15 11-01	0.02 CFS	
C	HAROLD R STATHAM 4023 HOOVER BOISE ID 83705					
TOTAL DIVERSION:					0.02 CFS	

C WILLIAM P STATHAM
1421 N 21ST ST
BOISE ID 83702

Water Source: SPRING

Tributary to: JORDAN CREEK

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T05S R03W S06

SE
NESENW

OWYHEE County

Place of use Legal Description for: DOMESTIC

NE				NW				SW				SE			
NENE	NUNE	SWNE	SENE	NENW	NUNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE
T	R	S		T	R	S		T	R	S		T	R	S	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
05S	03W	6	:	:	:	:	:	:	:	:	:	:	:	:	:

POU County: OWYHEE

Non-Irrigation Uses: 2 FULL TIME HOMES.

*use: Domestic use is govt lot 19
interior use only
for 2 homes, inside use only.*

Other Rights: NONE

Remarks: EXP GEN SOURCE LOCALLY KNOWN AS CITY SPRING.

Dates: Exam Made Date: Verified Date: 02/11/1985 Objection Filed Date:

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

This right is diverted through the city distribution system.

EXP FOE Right nos. 55-07011, 55-10130, 55-10204 and 55-10239
are also diverted through same pld.

QNT EO4 This right, when combined with right nos. same list of #s
cannot exceed .20 cfs.

EXP PIU aka Lots 91 and 92.

+J2

***** Attorney-Client Privileged Information*****

TO: Steve Lester 
FROM: John Marshall
DATE: February 26, 1998

RE: Silver City Recommendations

Steve:

Following are the suggestions I have for the recommendations of the domestic and commercial claims in Silver City based on my review of the files you provided. I did not have a chance to research outside of the information contained in the files. However, I believe that the information contained in the files provides a sufficient factual background on which to make the recommendations.

A55-10205 Idaho Hotel (Lot 34)

This right should be disallowed for forfeiture for non-use. There is solid evidence that this right was not used from 1942-1968. This use should fall under the permit right A55-07011.

A55-10239 Hyslop (Lot 50)

Priority of 1874. They have submitted convincing evidence from the *Owhyee Avalanche* that this right was developed and we do not have any evidence that it was forfeited for non-use.

A55-13655 Fredrickson (Lot 35)

This right should be disallowed. Given the contentiousness of the area, I felt that a self-signed affidavit was not good enough evidence to support an early priority date. This right should be included in the permit right 07011.

A55-04007 Statham

This is the Statham's right to the city spring water through the city system. She provided convincing evidence from her mother that they were hooked in by 1909. This is the priority I would suggest for this right.

A55-04110 Statham

Disallow based on their withdrawal.

A55-04151 Otto IPB Overflow right in combination with unnamed spring

Gloria claims a priority for this right of Jan 1, 1903. I could not find any documentation from her that supports this priority. She has affidavits from several folks supporting a priority of 1922 and 1937, but nothing that I can find that supports 1903 (which does not

mean that its tucked away in her filings somewhere). This right is problematic since it claims as its source three different (as far as I can tell) sources--1) the overflow from the city system, 2) water that comes out of the tunnel even when there is no overflow, and 3) spring water coming out of an old mine shaft (good for drinking I'm sure). I parsing through the affidavits, I noticed several that gave 1922 the date of first use, but only for sources that did not include the city spring overflow. The only affidavit I could find on overflow supported a date of 1937. The reason this matters is because I'm not sure that this overflow right is a waste water right. It may be an independent right to the use of spring water. I have not looked carefully into the law of waste, but my recollection is that waste water is water that is captured after it has been put to a beneficial use. In this case the overflow water has not yet been put to a beneficial use and the argument can be made that this is an independent right on the spring regardless of the fact that her diversion system depends on the city system. If this is the case, then she can make a call on the city spring water. In thinking through this as I write, the difference between 1922 and 1937 does not make too much difference since there are no intervening appropriators in that gap. Anyway, it seems to me like she has two different water rights--one for the spring and one for the overflow. It is my understanding that the Department can and has "spun off" new rights to correct filing errors of this sort. That may be the best bet here--a 1937 right to the overflow and a 1922 right to the unnamed spring.

I question whether or not this water is being put to beneficial use. This is your call. I have not been out there, but the documentary evidence is pretty thin. I imagine that I my suspicions are raised given her might efforts (likely at the prodding of counsel) to show that there are beneficial uses occurring. Trying so hard to prove use makes me think that a legitimate use does not exist. At the very least, as you and I discussed before, there is not an irrigation use associated with this water.

A55-10130 Otto

I do not believe that Gloria provided sufficient evidence to support her contention that predecessors in interest to her property used the city spring prior to the installation of the hotel system in 1902. She has not provided any reliable evidence connecting "willow spring" to the city spring. I do believe, however, that she has provided good enough evidence to prove her property was tapped into the city system by 1922 through the affidavit of Patrick Kidder.

A55-10204 Tax Payers

The association did not provide sufficient information to support all of the claimed uses in 1968. Roxane Brown identified the following lots as having been identified with a priority of 1968: Lot 44, 49, 54, 55, 65, 66, 67, 71, 72, 74, 75, 76, 79, 88, 91, 94, 96.

Roxane identified through looking at the license file another 21 homes that can be included in the 07011 filing.

I hope that this helps. Please feel free to give me a call this weekend. I will be in the office most of the day on Sunday (327-5404) or you can catch me at home on Sat (395-1745).



CLAIM NO. ASS - 04007

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. *clarify 10 ac. front, rest is ok*
New P/D: Twp. _____, Rge. _____, Sec. 56 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: (intermittent use only, see remarks)

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

*add
part 1 of 19*

Remarks: (Comments pertinent to field examination)

loss city system for delivery.

*0/2 into use only. 2 yard = ASS-04110 c no. 2
570 from home.*

*3/1/98 update - ASS-04110 withdrawn (on recommendation 1 yard
site #5 from 10/24/94 field check for injection) is
ASS-10204 (city b.w. claim).*

ATTACHMENTS:

Attached to
This Form.

Attachments are
in Permit File.

PHOTOS (optional) ☐
MAP ☐
SYSTEM DIAGRAM ☐

See ASS-04003

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

DATE EXAM CONDUCTED:

10-4-91

FIELD EXAMINER:

Steve Lester

Signature

[Signature]

J R B A FIELD EXAM NOTES

CLAIM # See Below

EXAM DATE 10-4-1991

EXAMINER John Letta

ASS-04000

04003 ← original info & exams filed in

04004

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

04007

04108 ← {withdrawn

04110 ← {

NOTE - Bill Statham is son - can contact
@ Tuthman - Attn 323-2288
(Eng-tism)

-R 2/17/98

SILVER CITY ADJUDICATION CLAIM

CLAIM NO. A55-04007

of

HAROLD R. & WILMA L. STATHAM
4023 Hoover St.
Boise, ID 83705

To Steve Lester ✓
From Rusty Statham
RE: Adj you requested
hand-delivered March 3, 1994 *JS*

ph # 343-0328

March 3, 1994

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

Re: Silver City Adjudication Claim
Claim No. A55-04007

Dear Mr. Lester:

I, Wilma L. Statham of 4023 Hoover St., Boise, ID, do hereby affirm that I have personal knowledge of the following statements made in this affidavit and attest to the truthfulness of said statements.

In providing you information supporting the 1909 date of first use for this water claim, I must review the notarized application my mother submitted to your department on September 17, 1971. At that time my mother, Emily B. Lewis, was eighty-four years of age and was of sound mind. My mother was of the 'old school' - when your word was as binding as a contract. She stated:

"My home was purchased in 1900 by my mother-in-law, Mrs. Elisha Lewis, Sr. I went to the home as a bride in June of 1909, and with my late husband, William A. Lewis maintained my home there. The Idaho Hotel maintained the spring, main line and tank as long as the hotel operated and charged water rental to the towns people and county offices until the County Seat was moved in September 1935. The hotel has been closed since 1942 . . . Water

was in the home prior to my living there, but I cannot give exact date."

My mother would now be 107 years of age and I'm certain you can appreciate the fact that affidavits from people knowledgeable with the above facts are impossible to find. There is a niece that is eighty-six years of age, but of course she is in no position to make a statement as she would have only been three or four years of age at the time. I do have a 1900 picture of my fathers' family in the front yard of their Silver City home and there was no lawn at that time.

I am enclosing a copy of a newspaper article telling of the building of my home in 1893, (ITEM # 1). Also, another article that tells who bought the home in September 1893, (ITEM # 2). I am enclosing a newspaper article telling of my grandmother purchasing the home in 1900, (ITEM # 3). Enclosed is a copy of my father's affidavit for a Marriage License which states they are both residents of Silver City, (ITEM # 4). Also, a certificate of their marriage here in Boise in 1909, (ITEM # 5). I am enclosing a picture of 'the bride' in her Silver City yard in September 1909, (ITEM # 6). It shows her standing in the lush grass, and the hop vines have already been pulled. There was no well or spring on the property, so the water for the lawn would have had to come from the 'City Spring' and the 1902, 20,000 gallon wooden tank, that still stands today. Needless to say, a lawn as well established as this one didn't just develop in a couple of seasons

The other picture enclosed was taken in the early

summer of 1911 of my father, mother and a favorite little niece (Leona Eisenhart Hoppie), who was born January 9, 1910, at Silver City, (ITEM # 7). Once again the lawn is lush and beautiful, as it has always been during my lifetime.

Mr. Lester, I do trust the enclosed information substantiates the 1909 date of first use. I can only submit these kinds of facts, as I was not born until 1920. With my mothers and my water filing of 1971, you must realize there were no water disputes at that time. Our only fears were of the number of 'promoters' that all had grandiose plans for Silver City and its water. The present 'on going fracas' has occurred during the many years of planning of and the unfortunate building of the 'hostel'!

Thanking you for past assistance, I remain,

Sincerely,

Enc. 7

Wilma L. Statham

(Wilma L. Statham)

Subscribed and sworn to before me this
day 3 of March 1994

Betty J. Jessen

(Notary Public)

SEAL

Residing at Boise Idaho

My Commission Expires April 26, 1999

THE IDAHO AVALANCHE

Editor and Publisher.

SATURDAY, AUGUST 19, 1893.

C. O. & J. STAGE CO.

NAMPA, SILVER CITY, and DELAMAR.

Leaves Nampa at 4:00 a.m.
Arrives at Silver City at 6:00 p.m.
Leaves Silver City at 6:00 p.m.
Arrives at Delamar at 7:30 a.m.
Leaves Delamar at 7:30 a.m.
Arrives at Nampa at 8:30 p.m.

W. N. NICHOLS, Agent.

SUBSCRIBERS who know themselves to be in arrears, are earnestly solicited to call and settle. If you cannot pay all, we would be pleased to receive a portion of the amount due. It takes cash to run a paper, and we've been trying to run without the "wherewithal" too long now. A prompt settlement will greatly oblige.

Local Intelligence.

Calling cards at this office.

Smoke "La Estancillo" Havana cigars

Silver League meeting next Thursday.

Milwaukee beer on draught at Byrd's.

Watch for the McGinleys, Saturday, Sept. 2nd.

Stationery, toilet soaps and fruit of all kinds at Wardrop's.

That 1882 Hermitage whisky at Byrd's will make your hair curl.

Have you seen the fine line of stationery carried by Wm. Wardrop?

Mrs. E. H. Dewey gave a very pleasant tea-party to a few friends, Thursday afternoon.

J. H. Crocheron made his usual trip into town this week with fruit and garden produce.

Passenger trains now run into Boise, the track having been recently extended into the city.

The board of county commissioners will meet as a Board of Equalization, Monday, August 28th.

The Idaho Soldier's Home will be located at Boise, \$5000 having been subscribed for that purpose.

E. H. Moore, who has been a visitor in Silver for some three weeks, took his departure for home this morning.

Found — A full upper set of false teeth. Owner can have same by proving property and paying for this notice.

Simon Harris is building a new house on the west side of town, between W. N. Nichols' residence and Long Gulch.

Hon. C. M. Hays returned home from Idaho City Tuesday evening, at which place he had been attending the district court.

DR. PRICE'S Cream Baking Powder.

The only Pure Cream of Tartar Powder. — No Ammonia; No Alkali.
Used in Millions of Homes — 40 Years the Standard.

The carpenters finished the bridge across Jordan Creek, near Masonic Hall, last Tuesday. It is a neat substantial structure and an honor to the commissioners, who ordered its construction.

The executive committee of the Pan-American Binmetallic Association met in Denver on the 15th inst. and issued a call for a convention of representatives from Old Mexico, South and Central America and nearly all the states in the Union, to be held in St. Louis, October 3rd.

Sheep Inspector J. N. Lewis has appointed the following named gentlemen as deputy inspectors for Owyhee county: D. Driscoll, Pleasant Valley; John Noble, Poison Creek and J. M. Duffield, Brunau Valley. These deputies are qualified to act as inspectors in any section of the county.

That little notice of ours to our subscribers that are delinquent has had the usual splendid results. Harry came in with a short bit just now and we close this day's work, he and I, to adjourn to the corner where we can get a lemonade with two straws, giving ourselves up to a day's dissipation, with the rest of the bugs.

Mr. J. C. Boswell, one of the best known and most respected citizens of Brownwood, Texas, suffered with diarrhoea for a long time and tried many different remedies without benefit, until Chamberlain's Colic, Cholera and Diarrhoea Remedy was used; that relieved him at once. For sale by C. C. Shea, Druggist.

Mrs. C. R. Shaw, who is visiting with her sister, Mrs. R. L. Euler, met with what has proven quite a serious accident last Monday. She was walking on an old sidewalk in the upper part of town when one of the boards gave way letting her fall through. Her ankle was bruised quite severely but she is now able to be around again.

With this issue the AVALANCHE turns the twenty-eighth mile stone in its history, having been established August 15th, 1865, by Watson & Co. The AVALANCHE has been issued continuously since its birth, sometimes as a daily and sometimes as a weekly. We now enter upon the 29th year with fair prospects and hopes for as bright a future as we and former publishers have enjoyed in the past.

Fly paper is a good thing to have about

Clearance Sale

My large stock of summer goods will be disposed of at a room for fall goods. Ladies' advantage.

Mrs. J.

List of Letters

Remaining uncalled for in the Silver City, Idaho, for the week ending 1893.

Bryno, Prof. P.	Bell, J.
Dillon, M. G.	Donahy
Fontana, Peter	Fitzger
Gilbert, Tom	Geaume
Holden, De'd	Hefferu
Howard, John R.	Heimin
Irwin, John B.	Knight
Lompa, S.	Patterson
Peters, John	Parsons
Pilliner, W. H.	Scherzab
Springer, Milton	Steni,
Steckner, Frank	Smith,
Thompson, Z.	Vanwin
Watson, Mrs. L.	Weaver
W. W. W.	William
	Wickham, Holsa

Persons calling for the above "advertised."

R. L.

Notice.

Notice of meeting of Board of Equalization.

Pursuant to the provision of the Revised Statute of 1864, of the Revised Statute of 1877.

Notice is hereby given that the Commissioners of Owyhee County, Idaho, will meet at the office of the County Clerk at Silver City, in said county, on the 30th day of August, 1893, at 10 o'clock, to examine the assessment of the property of the county and to equalize the assessment of the county.

Dated at Silver, Idaho, August 18, 1893.

R. H. LEON

Clerk of

Notice.

The American Binmetallic L. in the Court House, on the 30th day of each week. Everyone in the movement is invited. Ladies especially requested. J. F. ALLINGTON, Secretary.

Notice.

Notice is hereby given that the meeting of the Board of Commissioners of Owyhee County, Idaho, will be held on the 30th day of August, 1893, for the purpose of taking action in regard to wood for court use, for year 1893.

Attest: R. H. LEON

SEAL
Dated August 10th 1893.

THE IDAHO AVALANCHE

L. A. YORK, Editor and Publisher.

SATURDAY, SEPTEMBER 10, 1903.

C. O. & I. STAGE CO.

NAMPA, SILVER CITY, and DeLAMAR.

Leaves Nampa at.....6:00 a.m.
Arrives at Silver City at.....6:00 p.m.
Leaves Silver City at.....6:00 p.m.
Arrives at DeLAMAR at.....7:00 a.m.
Leaves DeLAMAR at.....7:00 a.m.
Arrives at Nampa at.....6:30 p.m.

W. N. NICHOLS, Agent.

U. P. TIME TABLE (NAMPA).

MAIN LINE WEST.

No. 7, Express.....1:30 a.m.
No. 1, Mail.....11:45 a.m.
No. 21, Freight.....11:45 a.m.
No. 23, Freight.....2:41 p.m.

MAIN LINE EAST.

No. 3, Express.....7:29 a.m.
No. 2, Mail.....5:46 p.m.
No. 24, Freight.....11:45 a.m.
No. 22, Freight.....7:30 p.m.

BOISE BRANCH.

No. 33, Leaves Boise daily except Monday at 6:20 a.m., arrives at Nampa at 7:20 a.m.
No. 34, Leaves Nampa daily at 10:40 a.m., arrives at Boise at 11:40 a.m.
No. 35, Leaves Boise daily at 4:35 p.m., arrives at Nampa at 5:35 p.m.
No. 37, Leaves Nampa daily except Monday at 7:40 a.m., arrives at Boise at 8:40 a.m.
No. 38, Leaves Nampa at 11:55 a.m., arrives at Boise at 12:55 p.m.
No. 39, Leaves Nampa at 5:40 p.m., arrives at Boise at 6:40 p.m.

SUBSCRIBERS who know themselves to be in arrears, are earnestly solicited to call and settle. If you cannot pay all, we would be pleased to receive a portion of the amount due. It takes cash to run a paper, and we've been trying to run without the "wherewithal" too long now. A prompt settlement will greatly oblige.

Local Intelligence.

Pay up and help the AVALANCHE.

Smoke "La Estanella" Havana cigars

Mike Hyde is in from Oreana, on business.

Frank McMahon, of Boise, is visiting relatives in Silver.

That 1882 Hermitage whisky at Byrd's will make your hair curl.

Attorney Frazer, of Boise, was in Silver on legal business this week.

Al Valverde and Harry Snider, of DeLAMAR, visited Silver Thursday.

The Celebrated Fire Proof Rochester Lamp Chimney at Theo. Philipp's store.

Byrd will mix you a cocktail that will make you think silver bullion is at a premium.

Mrs. Heidleberger left Thursday morning for a week's visit with friends at DeLAMAR.

The dancing class held forth at the hall last evening. Excellent progress is being made.

Mr. and Mrs. Jas. Jeffries have removed to the dwelling recently built by Simon Harris.

Prof. Crawford and family have leased the Lindberg dwelling, on Clinton street, and are keeping house.

DR. PRICE'S Cream Baking Powder

The only Pure Cream of Tartar Powder.—No Ammonia; Used in Millions of Homes—40 Years the

Mr. S. Harris will leave to-morrow for Boise City. He will attend the meeting of the Grand Masonic Lodge at Boise next Tuesday and will then leave for a visit in the East, accompanied by his wife, who left here last Saturday, and who is visiting friends at Caldwell, Weiser, etc.

The Grand Masonic Lodge of Idaho meets at Boise City next Tuesday. Silver City will be represented by Messrs. Jos. Gross, S. Harris and J. M. Brunzell, Sr. The Grand Lodge, I. O. O. F., convenes early next month. The representatives from Silver are: R. S. Hawes, F. Grete, Sr. and R. H. Leonard, Jr.

For a lame back or for a pain in the side or chest, try saturating a piece ofannel with Chamberlain's Pain Balm and binding it onto the affected parts. This treatment will cure any ordinary case in one or two days. Pain Balm also cures rheumatism. 50 cent bottles for sale by Con Shea, druggist.

Mrs. J. M. Brunzell and daughter, Julia Allen, left Thursday morning for Boise City. Mrs. Brunzell will visit relatives and friends for a week or so, and Miss Julia will remain and attend St. Margaret's school. Her young friends regretted her departure, but wish her a pleasant and profitable winter at school.

Wm. McDonald is able to get around on crutches again. It will be remembered that he broke his leg some four months ago, which readily healed and he was out on crutches early in July. By an unfortunate miss-step he rebroke the limb and has been confined to his bed until very recently. Everybody is glad to see Mc around again.

Among the incidents of childhood that stand out in bold relief, as our memory reverts to the days when we were young, none are more prominent than severe sickness. The young mother vividly remembers that it was Chamberlain's Cough Remedy cured her of croup, and in turn administers it to her own off-spring and always with the best results. For sale by Con Shea, druggist.

Is the time-honored prestige of honor among the people of the Western mining camps to give way to the customs of the effete East? Time was, when the hardy miner's rude cabin was as safe from pillage as a strongly guarded treasury vault; when the "latch string" always hung out to the way-farer, and no one even thought of locking a door. But, alas! times have changed, people have changed, and we are becoming more modern. About two weeks ago, James Murray's cabin on War Eagle mountain was entered by some sneak, evidently

World's Fair Tr Have

The public demand when travelling. It is "Change Cars." On the vestibuled trains of the Pacific & North-Western; Chicago, Omaha and int there is no change. It and fastest service betw

CURIOUS GROWTH

Tough Wood of the Clim Found in the Malaya

Everyone knows the graceful chairs and of furniture made from one does not know that tough and flexible wood is that of the climbing curious climber, which vine than a tree, is said to be one of the forest. Celebes and other Mala Starling with a trunk than a man's arm, it the forest, now wrapping its fold, like some giant then descending again and trailing along in a until it can find some tree to fasten and climb pursuit of light and air is so thick and jungle seems impossible to follow any of these serpent there is little doubt that successful aspirant, while cringed so long below, shooting up like a flag feet or more above the helped it to rise. A which is unknown to the not seen in its native water carrier. The th has at all times a tumbl freshing water at his con ting off six or eight feet putting one of the severe mouth or holding it or catch the water.

HOT A MODERN IN

The Bicycle Said to Have E By a Young French Physic

"The popular belief is cycle is a modern invent fact it really dates back to tenth century," said Dr. according to the Cincinna learned this one day when ing some translations from nal de Medicine de Paris. 1694, in his 'Mathematical Recreation,' tells of a car calls it, 'in which one can the use of horses.' And t on to tell of how a lackey back makes it run by 'wail nately with his two feet b two small wheels conceale just between the wheels attached to the axle of th This was the principle of

May 9, 1900 Idaho Herald

E BIG STORE

For a long time, said a word about House Fur-
The Stock is very complete and embraces every-
the House Furnishing Line.

FURNITURE—Dining tables, center tables,
upholstered chairs, rockers, bed room
beds, mattresses, springs, bed lounges, etc.

EVERY AND GLASSWARE—Plain and
rockery, lamps and chimneys, chamber
and plain glass sets.

WARE AND KITCHEN FURNITURE—
haven't heard about that car load of
things that we have just received. Any
kitchen stove or range that you want and at
a low price. Pots, kettles, tin pans, stew pans,
kettles, coffee pots, tea pots, etc. Quali-
ty and prices to suit the purse.

CURTAINS AND CARPETS—More lace curtains
than we ever had before. Lace curtains
\$2.00 per pair. Another shipment of
rugs, moquettes, two and three ply ingrain
Japanese matting just received.

At the time to buy house furnishings
the selection was never so complete before.

THE BIG STORE

SHEA, McLAIN & GRETE

SILVER CITY

DEWEY

MURPHY

AND PERSONAL.

at Britt & Co.

and Lemons at Oliver's.

at. Inquire at this office.

the, at Maruny's barber

in jewelry at the P. O.

arrives weekly at P. O.

th came over from Boise

the sack or pound cheap

eur, of Nampa, was a visi-

the week.

seen the bargains in Box

P. O. Drug Store.

idellberger's and see new

pets and wall paper.

ocratic County Central

eting in another column.

skins, of the Cumberland,

the week for the railroad.

f cigars, tobaccos and

les at the City Drug Store.

, manager of Britt & Co.'s

Dr. Schiefstad the Boise dentist went
to DeLamar this afternoon, but will re-
turn to Silver City to complete engage-
ments before returning to Boise.

"DeWitt's Little Early Risers are the
finest pills I ever used."—D. J. Moore,
Ala. They quickly cure all liver and
bowel troubles. City Drug Store.

BORN.—At Boise, May 8th, 1900, to Mr.
and Mrs. Frank Blackinger, an 11-pound
boy. Their many Owyhee friends ex-
tend congratulations and best wishes.
Shake!

Miss Annie Jordan came over from
Boise last Monday and will visit with
relatives before returning to her home
at Reynolds. She is just recovering
from an attack of la grippe.

Dr. C. Ferguson, dentist, who spent
the winter at Salt Lake City, returned to
Silver last Saturday and has opened
dental offices at the Idaho hotel. Mrs.
Ferguson accompanied him.

Andrew J. Palmer who has been suffer-
ing several months with serocyst of the
liver, has been seriously ill for a week or
more past, but is now thought to be im-
proving. He has been a great sufferer.

F. W. Wegner, superintendent of the

J. G. Watts, who has been at Boise
for more than a year, past attending to
his duties as chairman of the Code Com-
mission, has returned to Silver. His
family will return next month.

Mr. and Mrs. L. M. Jeffrey have sold
their cottage near the AVALANCHE office
to Mrs. E. Lewis. Mr. and Mrs. Jeffrey
will leave soon for a milder climate,
going first to Genesee, this state. During
their residence here, covering a number
of years and at different intervals since
the early 70's Mr. and Mrs. Jeffrey have
made a host of friends who sincerely re-
gret their departure, but who wish them
every success in their new home.

Hon. George Ainslie, of Boise, is in
town this week renewing acquaintances
and visiting his daughter, Mrs. John F.
Nugent. Mr. Ainslie recalls several
pleasant trips to Silver City during his
thirty-eight years residence in Idaho,
not the least of which in point of pleas-
ure was one where he attended a dance
given by the old Miners Union at Fair-
view, with supper at Doyle's on the
mountain. He will remain a week or
ten days.

H. G. Liddle, a gentleman from Hast-
ings, Minn., who recently came to Silver
City to purchase an interest in the steam
laundry and to open the same for busi-
ness, died yesterday at Miss Bailey's
residence from an attack of malarial
la grippe. His father reached Nampa
last evening. Mr. Liddle is a former ac-
quaintance of A. L. Kries, having
known him at Duluth, Minnesota. The
remains were shipped to Nampa this
morning.

We received a letter from Probate
Judge Handy a day or two since, in
which he states that he is recovering
from his recent operation as rapidly as
could be expected and that he is suffer-
ing but little pain. He is at St. Mark's
hospital in Salt Lake City. Judge Handy
acknowledges friendly attention from
Mr. A. L. Simondt, formerly a promi-
nent business man of this city, and who
with his estimable wife is held in high
esteem by many of our older citizens.
George expects to leave his bed next
week.

Charles A. Dinsmore, editor of the
Idaho Mining Journal, was in Silver a
few days last week in the interest of his
journal. He visited personally the big
Trade Dollar Consolidated mines, the
Cumberland, Pauper, Dernier Resort,
Addie and other properties, and was
highly pleased with our mineral resour-
ces and the very courteous treatment ac-
corded him by all with whom he came
in contact. Mr. Dinsmore's journal is
reputable and conservative, and he is
equipped with a good reserve fund of
mining experience and journalistic abil-
ity. He will visit this district again,
later, and go over the ground thoroughly.

President Burt and General Manager

Democratic

Notice is hereby

be a meeting
Committee

court house, or

for the purpos

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portionment o

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convention.

committeemen

J. C. CONNORS,

Secretar

Notice

The next reg

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Owyhee count

May 31, 1900.

three days. Q

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Questions in

Garma's Essen

Questions in H

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Girl wanted

Inquire at this

The
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Having
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door to Phot
add a full sto

Confection

and solicit a
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Wash

Opposite Rock's I

I have secured t
laundryman f
better prepare
first-class wor
Your

Lea Fairr

AFFIDAVIT FOR MARRIAGE LICENSE

IN THE MATTER OF THE APPLICATION OF
WILLIAM A. LEWIS
FOR LICENSE TO MARRY
EMILY U. BROWN

State of Idaho, :
 : ss.
County of Owyhee. :

William A. Lewis, being first duly sworn, deposes and says that his name is William A. Lewis, that he is the applicant for license to marry Emily U. Brown, that he is of the age of 32 years and a resident of Silver City, County of Owyhee, State of Idaho, that he knows the said Emily U. Brown, that she is of the age of 22 years and a resident of Silver City, County of Owyhee, State of Idaho, and that both and each of said applicants are legally competent to contract marriage.

William A. Lewis

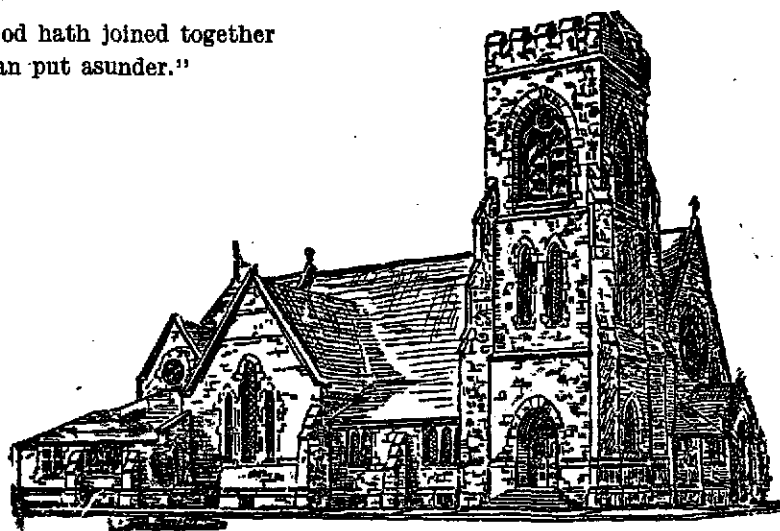
Subscribed and sworn to before me this 7th day of June, 1909.

(Seal)

J. S. StClair,
Ex-Officio Recorder.

-----:
ITEM # 4

"Those whom God hath joined together
let no man put asunder."



This Certifies,

That W. A. Lewis

and Emily Brown

were solemnly united in the bonds of

HOLY MATRIMONY

at St Michael's Cathedral Boise Idaho

on the 9th day of June A. D. 1909

David H Jones Christ Church officiating.

WITNESSES:

Ethel D Smith, Deacon, Assisting

Melitta A. Brown

James R. Brown

ITEM # 5



ITEM # 6

September 20, 1909, Silver City, Idaho
Emily Brown Lewis Standing in her yard

Married on June 9, 1909

Note: The heavy growth of grass



ITEM # 7

June 15, 1911, Silver City, Idaho
Emily & William Lewis
and favorite niece, Leona Eisenhart Hoppie
born in Silver City
January 9, 1910



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.

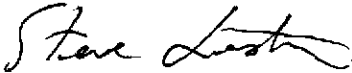
Harold and Wilma Statham
February 2, 1994
Page 2

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

WATER RIGHT NUMBER - A55-04007 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

STATE- ID ZIP- 83705

HAROLD R.

1 - 4023 HOOVER

2 -

3 -

CITY- BOISE
PHONE - 208-000-0000

STATE- ID ZIP- 83705

STATHAM

WILLIAM P.

1 - 1421 N. 21ST ST.

2 -

3 -

CITY- BOISE
PHONE - 208-000-0000

STATE- ID ZIP- 83702

*** D - ORIGINAL OWNER ***
LEWIS

EMILY B.

1 - 4023 HOOVER ST.

2 -

3 -

CITY- BOISE
PHONE - 208-000-0000

STATE- ID ZIP- 93705

+ - - - - PRIORITY DATE - - - + + - - - - REGION - - - + + - - - - STATUS - - - - +
06/12/1909 14 WESTERN S - STATUTORY CLAIM

+ - - - - SOURCE - - - - + + - - - - TRIBUTARY - - - - - +
SPRING JORDAN CREEK

+ - - - - POINT OF DIVERSION - - - - - +
TWN RNG SEC TRACT LOT RFLG COUNTY STREAM INDEX (BLANK IF NO INDEX CODE)

(73) DWYHEE

NE SE NW

05S 03W 6

+ - - - - DESCRIPTION PERIOD FROM PERIOD TO WATER USE - - - - - +
CODE DIVERSION RATE DIVERSION VOLUME

43 - DOMESTIC

05/15 11/01

0.020

+ - - - - TOTAL DIV. RATE - - + + - - - - TOTAL DIV. VOLUME - + + - - - - TOTAL CONSUMPTIVE USE - + + - - - - KW USAGE - +
0.020

+ - - - - PLACE OF USE - - - - - +
TWN RNG SEC TRACT LOT ACRES DESCRIPTION COUNTY

NW SE

6

05S 03W

43 DOMESTIC

(73) DWYHEE

+ - - - - DIVERSION MEANS - 40" CULV. PIPE IN SPRING W/PIPELINE TO TANK W/PIPE TO HOME

+ - - - - NON-IRRIGATION USE - 2 FULL TIME HOMES.

WATER RIGHT NUMBER - A55-04007 PREFIX TRANSLATION: ADJUDICATION CLAIM

+ - - OTHER RIGHTS FOR SAME USE - NONE

+ - - SOURCE LOCALLY KNOWN AS CITY SPRING.

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

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

+ - - DECREE PLAINTIFF - + - - DECREE DEFENDANT - - - +

+ - - 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	FIELD INSPECTION MADE	- 00/00/0000	CIVIL CASE NUMBER	- 39576
OBJECTION FILED DATE	- 00/00/0000	FIELD INSPECTION FLAG	-	OLD CASE NUMBER	-
RESPONSE FILED DATE	- 00/00/0000	VERIFIED DATE	- 02/11/1985	OLD JUDICIAL DISTRICT	-
CLAIM RECEIVED DATE	- 12/20/1988	LAST AMENDED DATE	- 00/00/0000	TEMPORARY RIGHT	- P
PROOF DUE DATE	- 00/00/0000	PROOF MADE DATE	- 00/00/0000	WATER DISTRICT	-
LICENSED DATE	- 00/00/0000	RECEIPT NUMBER	- W001697	FEDERAL/STATE INDICATOR	- S
CLAIMS TAPE ERROR FLG	-	PDU OWNERSHIP FLAG	- Y	PRESUMPTION FLAG	-
FEE EXEMPT FLAG	-	NAME CONNECTOR	-		-

Completed by IDWR