

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 24-10681
Date Received: 10/12/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

W GREGG DRANEY Phone: (208)225-3553

2303 SMOKY CANYON RD
PO BOX 88
AUBURN WY USA 83111

2. Date of Priority: 06/01/1915

3. Source: SMOKY CREEK Trib. to: STUMP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	46E	16	NE NW	CARIBOU	

5. Description of diverting works:

PORTABLE PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/31	0.27	

7. Total Quantity Appropriated is:
0.27 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	46E	9	SW	SE	IRRIGATION	27.1
Section Acres						27.1
Total Acres						27.1

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

CHANGED OWNERSHIP PER REQUEST/CV/09-15-00

This right is a split from former right 24-4024 .

Data entered amendment on 11/17/05/bjp

15. Basis of Claim: Statutory Claim

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 24-10681
Date Received: 10/12/2005
Receipt No:
Received By:

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

1. Name of Claimant(s)

W GREGG DRANEY Phone: (208)225-3553

2303 SMOKY CANYON RD
PO BOX 88
AUBURN WY USA 83111



2. Date of Priority: ~~6/01/1925~~ 6/1/1915

3. Source: SMOKY CREEK Trib. to: STUMP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
08S	46E	16	NE NW	CARIBOU	
~~08S~~	~~46E~~	~~9~~	~~SW SE~~	~~CARIBOU~~	
08S	46E	16	NW NE	CARIBOU	

5. Description of diverting works:

PORTABLE PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
~~IRRIGATION~~	~~4/01~~	~~11/01~~	~~0.56~~	
IRRIGATION	4/15	10/31	0.27	269

7. Total Quantity Appropriated is:

~~0.56 C.F.S.~~

0.27 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
~~08S~~	~~46E~~	~~9~~	~~SE~~	~~SW~~	~~IRRIGATION~~	~~22.0~~	
			~~NE~~	~~SE~~	~~IRRIGATION~~	~~4.0~~	<u>26.9</u>
			~~SW~~	~~SE~~	~~IRRIGATION~~	~~18.0~~	<u>27.1</u>
			~~SE~~	~~SE~~	~~IRRIGATION~~	~~12.0~~	
					Section Acres	~~56.0~~	<u>27.1</u>
					Total Acres	~~56.0~~	<u>27.1</u>

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

CHANGED OWNERSHIP PER REQUEST/CV/09-15-00

This right is a split from former right 24-4024.

15. Basis of Claim: Statutory Claim

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____

[Handwritten Signature]

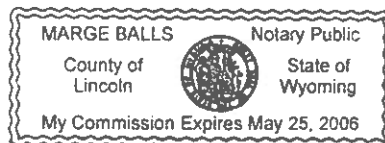
Date: 10/20/05

Date: _____

State of Wyoming ~~Idaho~~

County of Lincoln

)
) SS.
)



Subscribed and sworn (or affirmed) before me this 20 of October, 2005.

Marge Ball
Notary Public

Residing at Afton WY

My commission Expires May 25, 2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 24-4024

WATER RIGHT NUMBER: 24-4024

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	WENDELL DRANEY PO BOX 387 AUBURN, WY 83111 (208)225-3482
Current Owner	W GREGG DRANEY 2303 SMOKY CANYON RD PO BOX 88 AUBURN, WY 83111 (208)225-3553

Priority Date: 06/01/1925

Basis: Statutory Claim

Status: **Parent**

<u>Source</u>	<u>Tributary</u>
SMOKY CREEK	STUMP CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.560 CFS	
	<u>Total Diversion:</u>	0.560 CFS	

Location of Point(s) of Diversion

SMOKY CREEK	NE1/4NW1/4	Sec. 16, Twp 08S, Rge 46E, B.M.
CARIBOU County		
SMOKY CREEK	SW1/4SE1/4	Sec. 9, Twp 08S, Rge 46E, B.M.
CARIBOU County		

Place of UseIRRIGATION Within CARIBOU County

T08S R46E S09	SESW	22.0	T08S R46E S09	NESE	4.0
T08S R46E S09	SWSE	18.0	T08S R46E S09	SESE	12.0

Total Acres: 56

Conditions of Approval:

1. CHANGED OWNERSHIP PER REQUEST/CV/09-15-00
2. P22 **Split right: See Right Nos. 24-10681 & 24-10682**

Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 24-4024

Water Supply Bank:

AUG 0 2001

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 24-04024
Date Received: 1/16/90
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

W GREGG DRANEY Phone: (208) 225-3553

BOX 88
2303 SMOKY CANYON RD

AUBURN WY USA 83111

2. Date of Priority: 06/01/1925

3. Source: SMOKY CREEK Trib. to: Stump Creek

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
08S	46E	9	SW SE	CARIBOU
08S	46E	16	NE NW	CARIBOU

5. Description of diverting works:

PORTABLE PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.56	

7. Total Quantity Appropriated is:
0.56 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
08S	46E	9	SE	SW		IRRIGATION	22
			NE	SE		IRRIGATION	4
			SW	SE		IRRIGATION	18
			SE	SE		IRRIGATION	12
						Section Acres	56
						Total Acres	56

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:

14. Remarks:

CHANGED OWNERSHIP PER REQUEST/CV/09-15-00

15. Basis of Claim: Statutory Claim

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A24-04024
Date Received: 1/16/1990
Receipt No: M005529
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WENDELL DRANEY 208-255-3482
Address: P.O. BOX 387
AUBURN, WY 83111

2. Date of Priority: JUN 01, 1925

3. Source: SMOKY CREEK Trib. to: STUMP CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
08S	46E	9	SW	SE			CARIBOU
		16	NE	NW			CARIBOU

5. Description of diverting works:
PORTABLE PUMP, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.560		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
08S	46E	9	SE	SW		IRR	22.0
			NE	SE		IRR	4.0
			SW	SE		IRR	18.0

A24-04024

Page 1

Date: 01/16/90

A2404024



MICROFILM

NOV 06 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
08S	46E	9	SE SE		IRR	12.0
					Section Acres	56.0
					Total Acres	56.0

11. Place of use in counties: CARIBOU

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

13. Other Water Rights Used:
24-02003, 24-02011, 24-02022

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Wendee Draney Date: 1-16-90

Date: _____

State of Idaho)
County of Carbon) SS.

Subscribed and sworn (or affirmed) before me this 16th day

of January 19 90

Seal

Carter Fritschie
Notary Public

Residing at _____

My Commission Expires _____

Carter Fritschie, Notary Public
Residing at Eagle, Idaho
My commission Expires March 21, 1994

111° 7' 30"
42° 45'

191

192

193

5'

94

760 000
FEET

42° 45' N

42° 31'

42° 30'

42° 29'

42° 30"

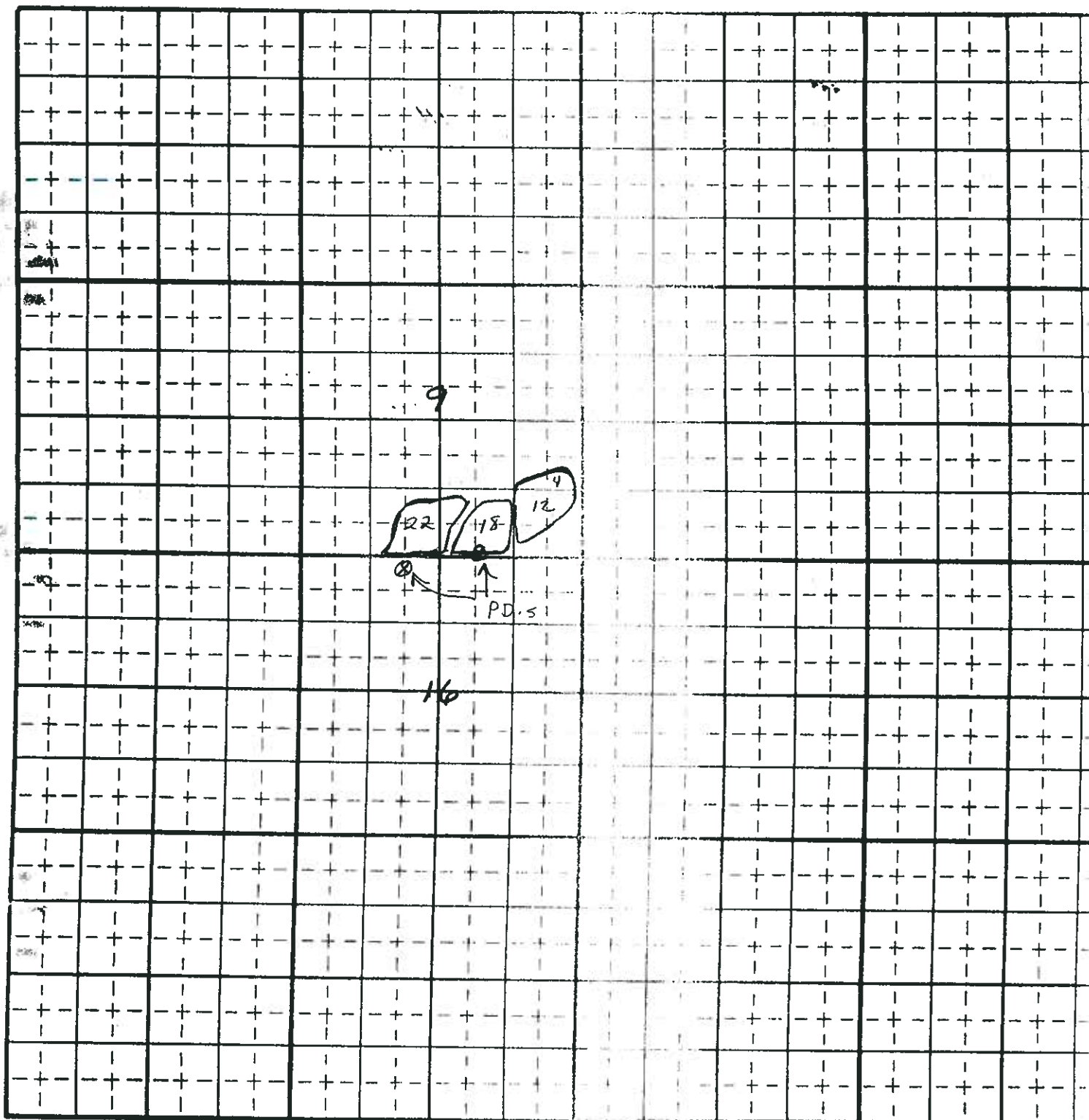
42° 28'

42° 27'



Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



T 8 S
R 46 E

Last Name Draney, Wendell Ident No. 121-04024

Copies: White-States, Yellow-Gaitman

MICROFILMED

NOV 18 1992



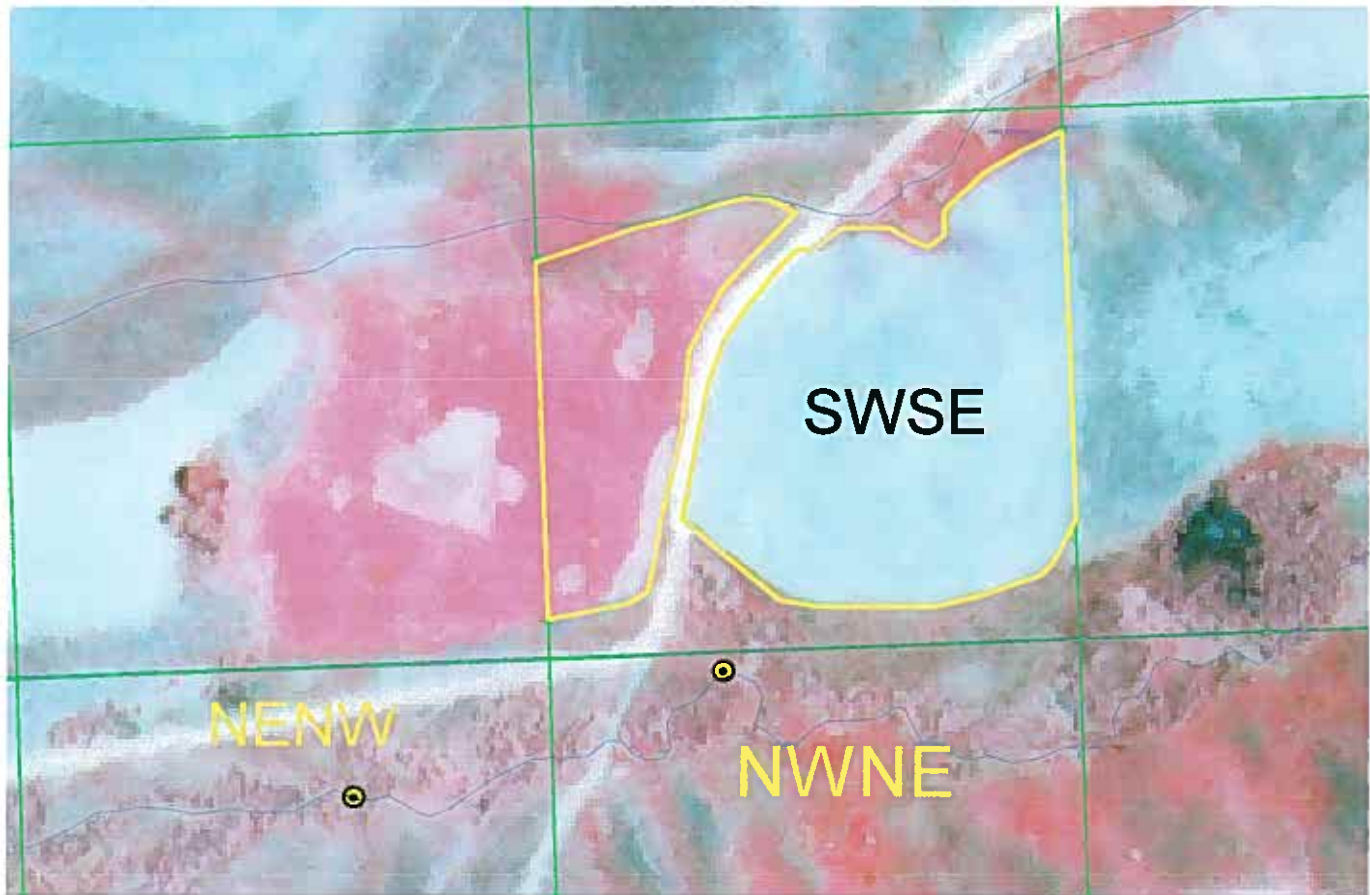
STATE OF IDAHO

Department of Water Resources

Eastern Region



Water Right(s) 24-10681



LEGEND

-  Point of Diversion
-  Place of Use
-  Townships
-  Sections
-  Quarter-Quarters

Place of Use: T8S, R46E:
(part of) Sec. 9, SWSE.

Point(s) of Diversion: T8S, R46E:
Sec. 16, NENW, NWNE.



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: B. Payne
Date: October 2005.

11/18/2005

**NOTICE OF ERROR
REPLY**

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:

Water right number: 24-10681
W GREGG DRANEY
2303 SMOKY CANYON RD
PO BOX 88
AUBURN WY 83111
Telephone Number: (208)225-3553

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:

Smoky Creek is a tributary of Tygee Creek

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: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161



COMPLETED

KMJ 10/25

Notes

1-12-05 Sent evidence of priority letter : BP

10-5-05 Claimant called. Correct address is Bx 88, Made an appt for 10-11-05

10-11-05 5pm I sent Eric an email asking him to split this claim.

10-13-05 Made copies for split 24-10682 BPT

10-14-05 Letter to claimant re amended claim. KAS

10-24-05 Received amended claim. BPT

11-18-05 Recommended as noted CB

2-13-06 Received contact - USDA - Droney, Brian

2-13-06 Greg Droney called. He contacted doesn't satisfy the evidence, call him again. BPT
Re 24-2003A for copy.

9/27/06 Gregg Droney called and Smoky Ck should be tributary to Tygee Ck, not Stump Ck.

10/16/06 Corrected tributary to Tygee Ck.
sent new PDR.

Notes

10-20-04 Amador's Ofc. Same address. BP

Parcel 17820 Sec. 9 2 irrigated ac.

" 17720 Sec 3 11 irrigated ac.

" 1782A Sec 9 no "

" 17850 " 10 61 " "

I didn't list the meadow ground, if there was any.

10-20-04 Letter to claimant re evidence of priority. BP

11-29-04 Received phone call from Gregg Draney he is getting the info. together and will send it. Would like us to let him know, after we receive the information if there is anything else we need. PB

12-28-04 Left message for him to call. BP

1-5-05 Received copy of claim. BP

1-5-05 Call Gregg. Explained type of evidence needed. He is looking. BP

1-12-05 Received docs from claimant. BP

5-19-05 Put a copy of the plat, topo & ortho maps in file PB

6-19-05 Project started 24-2011A. BP

19 July 05 225-3553 ^{Thursday} ≈ 3PM. On highway 238 until Sign Smokey Canyon Mine, turn left (west) Come up canyon on paved road 6-6 1/2 miles 2 story Brwn house white fence 2303 on gate post. Bac

21 July 05 Field insp. w/ Gregg Draney

9-20-05 Field Exam drawings from claimant. BP



State of Idaho
DEPARTMENT OF WATER RESOURCES

15 W. Center St. Soda Springs, Idaho 83276

Phone: (208) 547-3993 FAX: (208) 547-3939 www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

October 16, 2006

W Gregg Draney
2303 Smoky Canyon Rd
PO Box 88
Auburn, WY USA 83111

REF: Snake River Basin Adjudication (SRBA) Claims
24-10681 and 10682

Subject: Source tributary to Tygee Creek

Dear Gregg,

I've enclosed copies of your corrected Preliminary Directors Report for 24-10681 and 10682. According to your Notice of Error Reply Smokey Creek is tributary to Tygee Creek. If you have any questions please don't hesitate to give me a call at 547-3993.

Respectfully,

Cindy E. Bird
Adjudication Bureau

Enclosure(s): Copies of corrected Preliminary Director's Report 24-10681 and 24-10682

Priority Date Data Entry Form

Claim Number: A24-04024

Water Right Priority Date: _____ Water Right Basis: _____

Claimed Priority Date: _____ Claimed Basis: _____

Recommended Priority Date: 6-1-1915 Recommended Basis: B.U.☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

1956 aerial photo shows similar field boundaries,
irrigation status is unclear. Rec 20 Aug 05homestead plat map.Reviewer: CBDate: 11/18/05

Priority Date Data Entry Form

Contacts Data Entry Form

Owner Type _____ Full Name _____ Address _____ City _____ State _____ Zip _____ Phone _____
Current Owner _____ See amended claim
Name connector: and _____, or _____, and/or _____
Current Owner _____
Current Owner _____

Representing Attorney: _____ Phone Number: _____

Accompanied By: Gregg Draney Phone Number: 225-3553

Relationship to Claimant: _____

Date of Field Exam: 7-21-05 Time: _____

Directions to Property (if different from above) and/or update owner information:

field exam done by Bryce Contour,
10-11-05 meeting with Gregg in the Soda
Springs office to correct POU. Bryce
included land that has never been
evigated and land that Gregg doesn't
own. CB

Reviewer: CB

Date: 11/18/05

Contacts Data Entry Form

Point of Diversion and Source Data Entry Form

Claim Number: A24-04024

Water Right Point of Diversion: T____ R____ Sec.____,____,____ County:_____

Source:_____ Tributary:_____

Claimed Point of Diversion: T____ R____ Sec.____,____,____ County:_____

Source:_____ Tributary:_____

Recommended Point of Diversion: T____ R____ Sec.____,____,____ County:_____

Source:_____ Tributary:_____

____ Use Claimed POD and Source as Recommended POD and Source

Twp	Rge	Sec	Gov Lot	QQQ of Q	County	Source
8S	46E	16		NENENW	Carbon	Smoky Creek
GPS Coordinates: 2738563E				1285572N IDTM83		
GPS Coordinates: _____						
8S	46E	16		NWNWNE	Carbon	Smoky Creek
GPS Coordinates: 2738841E				1285667N IDTM83		
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						
GPS Coordinates: _____						

Other rights from this POD? 24-10682

Document how the POD and Source were verified and/or Pump and Motor data:

GPS, field inspection. Original POD is buried under new road construction, approx. location 2738257E 1285573N IDTM83.

Pump is Berkeley centrifugal SN 7734095 model 82-17220 M, 3" inlet, 30 hp spec. on pump.

Engine is Wisconsin V-4 gasoline model VH4D 150353 serial 5677391.

Transfers Changing POD _____

Reviewer: BaeDate: 20 Apr 2005

Purpose of Use Data Entry Form

Claim Number: A 24-04024☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other

Document how the Purpose of Use was verified:

Mainline & Box inspected, irrigation was not occurring
at time of exam. Claimed practice seems reasonable.
Box 20 Aug 05

Transfers Changing Purpose of Use _____

Reviewer: CBDate: 11/18/05

Purpose of Use Data Entry Form

Place Of Use Data Entry Form

Claim Number: A24-4024 (24-10681)☐ Use Claimed POU as Recommended POU

Claimed Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Recommended Place of Use

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
85	46E	9	SE SW		Caribou		13	irrigation
			SW SE		"		27	"

Total Acres 40
27different
priority

Document how the POU was verified:

GIS - see shapefile A24-4024 - pg. 54 BAC 20 Apr 05Claim split with 2 different priority. This priority only covers the land in SWSE of Sec. 9.Transfers Changing POU noReviewer: CBDate: 4/18/05

11-18-05 conversion rate:

24-4024 was filed on 5-9-1980 by Wendall Draney. Wendall describes the system quite extensively. The diversion rate is 0.56 cfs. If you look at the information Bryce Contour came up with while doing his 2005 exam, the system has been updated and therefore pumping more. However, that would be post the May 20, 1971 mandatory permit statute for development. Therefore, I'm not recommending the diversion rate that Bryce Contour estimated.

CBird 11/18/05.

24-4024 $\left\{ \begin{array}{l} 24-10681 \quad .27 \text{ cfs} \\ 24-10682 \quad 0.13 \text{ cfs} \end{array} \right.$
0.01 cfs/ac.

Period of Use and Quantity Data Entry Form

Claim Number: A24-4024☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate _____

Overall Diversion Volume _____

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/15	10/31	0.27	

Overall Diversion Rate 0.27

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Claimant states pump runs 35 rain birds w/
 13/64" nozzles. Chart value 8.71 gpm @ 50
 psi = 305 gpm = 0.68 cfs. Alternate:
 Assume 7 ft/s in pump inlet. $Q = AV = \left(\frac{3}{12}\right)^2 (\pi) (7 \text{ ft/s})$
 = 1.37 cfs. System has adequate capacity for
 0.02 cfs/acre. PAC 20 Apr 05

Reviewer: CBDate: 11/18/05

Claim No.: _____

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white. There is no handwriting or other markings on the page.

Photos 4 pages.

Reviewer _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

14 October 2005

W. Gregg Draney
2303 Smoky Canyon Rd
P. O. Box 88
Auburn, WY 83111

COPY

Re: Snake River Basin Adjudication (SRBA)
Claim 24-2003A, 24-2011A, 24-2022A, 24-10681, 24-10682

Subject: AMENDING YOUR CLAIMS

RESPONSE DATE: 31 OCTOBER 2005

Dear Claimant(s):

After reviewing your SRBA claims I am recommending you amend your claims to claim your portion of the licensed irrigated acres and diversion rate. Also, I have split your statutory claim 24-4024 with the two priority dates we discussed. Enclosed you will find the amended claims as we discussed. Please review and sign them in front of a notary and return them by the above response date.

If you have any questions please feel free to contact me at 547-3993 in Soda Springs.

Respectfully,

Cindy E. Bird
Adjudication Bureau

CEB/bjp

Enclosures:

- Amended Notice of Claim 24-2003A
- Amended Notice of Claim 24-2011A
- Amended Notice of Claim 24-2022A
- Amended Notice of Claim 24-10681
- Amended Notice of Claim 24-10682

Attributes of 24-4024_qq2.shp

<i>Tsqq</i>	<i>Tskst</i>	<i>Acres</i>
08S46E9SESW		13.2
08S46E9SWSE		8.1 ~~8.3~~
08S46E9SWSE		18.8 18.8

Prior
1915



- 24-10682



- 27.1 - 24-
10681

26.9

40.3

10/11/05 Meeting with Gregg Draney.
on 24-2003A, 2011A, 2022A & 4024.

POU shape for Gregg: (trim 0.4^{acres} (T85 R46E), NENW Sec 10)
A24-2003a-2011a-2022a-ppu.shp.

POD: As GPS'd.

They put the sprinkler system in 1964 with the help of FSA.

SPLIT: 24-4024.

T9S, R46E.

Sec. 9 SWSE priority -1915 SWSE Sec 9
SESW priority -1923 SESW Sec. 9
They don't own the land in the SESE, and can't
mitigate NESE from this source.

Amend 24-2003A, 2011A & 2022A.
with the new POU, and fix the
diversion rate; & update address.

Administrative SOU: 4/15 - 10/31 ?

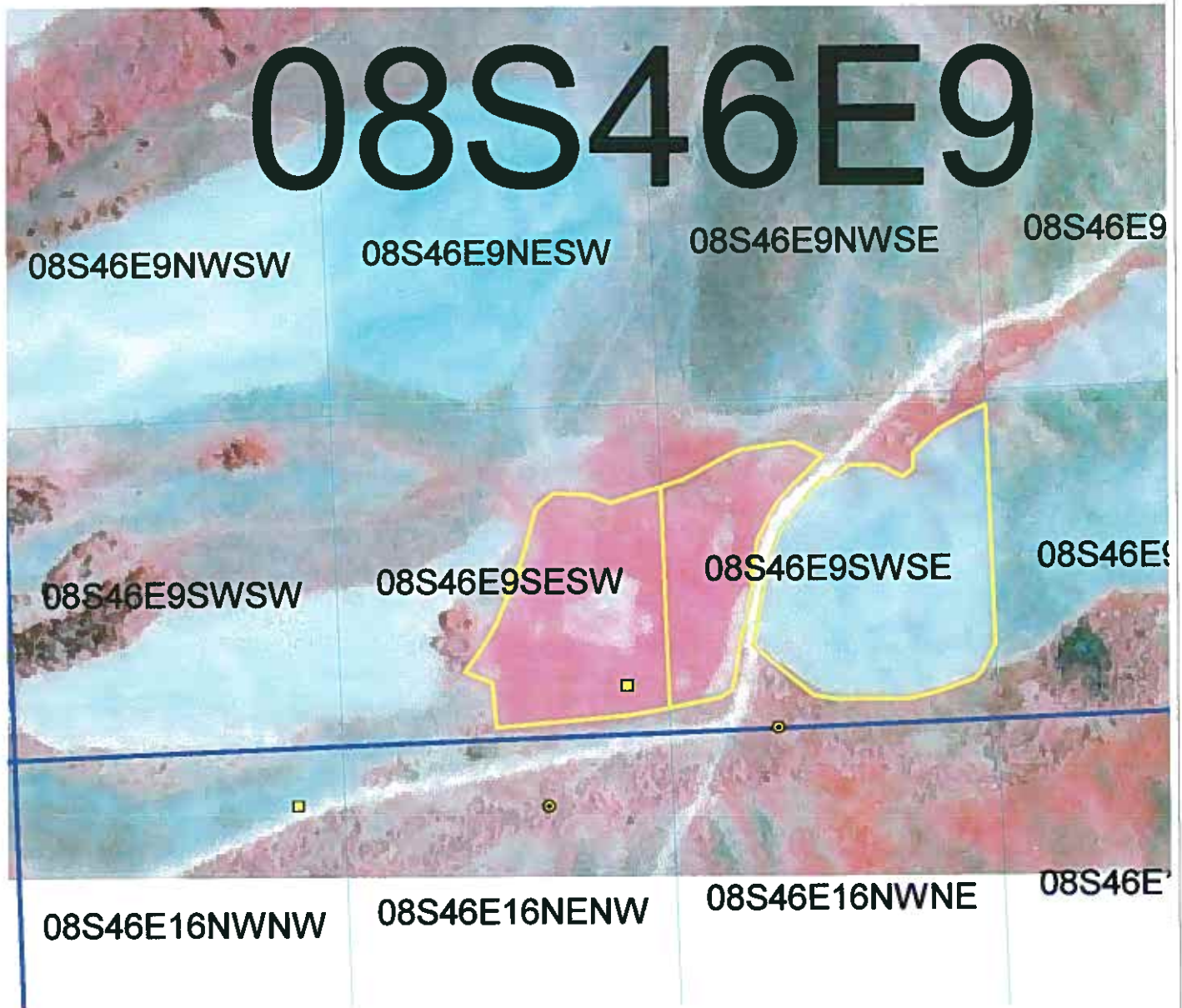
Send amended claims to Gregg for signature
and a layout.

24-2003A 2011A & 2022A 217.5 acres. (4.35 ac)
Gregg $\frac{217.5}{390} = 0.557692*$

1-837.

	Welshman.	Andrew S. Pat. 1915.	Anderson S. Peterson. Pat. 1919	(+)	John G. Miller.	V	V	Johnson 11-8-37.
	Jos Lee. Peterson	Andrew. S. Peterson. Pat. 8-15-29.	Charles. Johns. Pat. 1920.	V	Pat. 1909	V	Joseph Hasson	John G. Miller. Pat. 1926.
		Daniel C. Peterson 8-28-34.	Samuel E.	Serg. E.	Pat. 1911	V		1926.
		Elma N. Draney. Pat. 1919.	Draney. Pat. 1911.	Pat. 1909.	Hai. F. H. Pat. 1919.	V	Joseph Hasson. Pat. 1921.	Joseph Hasson. Pat. 1922.
		Jesse E. Draney. Pat. 1923.	Draney. Pat. 1915.	Mary. I.				
National			9477	Miller	Pat. 6-18-09	V	V	Christoph C. Dutson Pat. 7-6-21.
Forest						V	V	
	✓	✓	Homa R.	Arthur	Gean.	✓	✓	Orrill
	✓		Roberts	Homa R.	Roberts	✓	✓	Child
	✓	Watts	Pat. Roberts	Pat.	Pat.	✓	✓	Pat. 1-18-22
	✓	L.	5-2-18. 5-2-18	8-8-04.	6-1-19	R.M. Reed. 2-13-18	✓	Orrine & Child J.
	Bryson	Edman	Edward.	Gean.	Robert	Robert M. Reed. Pat. 4-7-18	✓	Pat. 1-18-22
	4-19-39	T. Child	T. Child.	Pat. 6-13-19	Pat.	Pat.	Charles	Pat.
	Alfred	Pat. 9-17-25	Pat.	Francis	Pat. 4-17-18	Pat.	D.C. Gilpin	Robert
A.	Wells	C.	1-21-19.	M.	4-17-18	Pat.	Pat.	9-13-37

Smoky Creek Irrigated Lands
Adjudication Field Exam 21 July 2005
B. Contor



1987 Aerial Photography from IDWR

Illustration by Water Resources Field Services 208 681 9100

A24-04024_qq.shp

Contor_gps_july05.shp

□ Other

○ POD

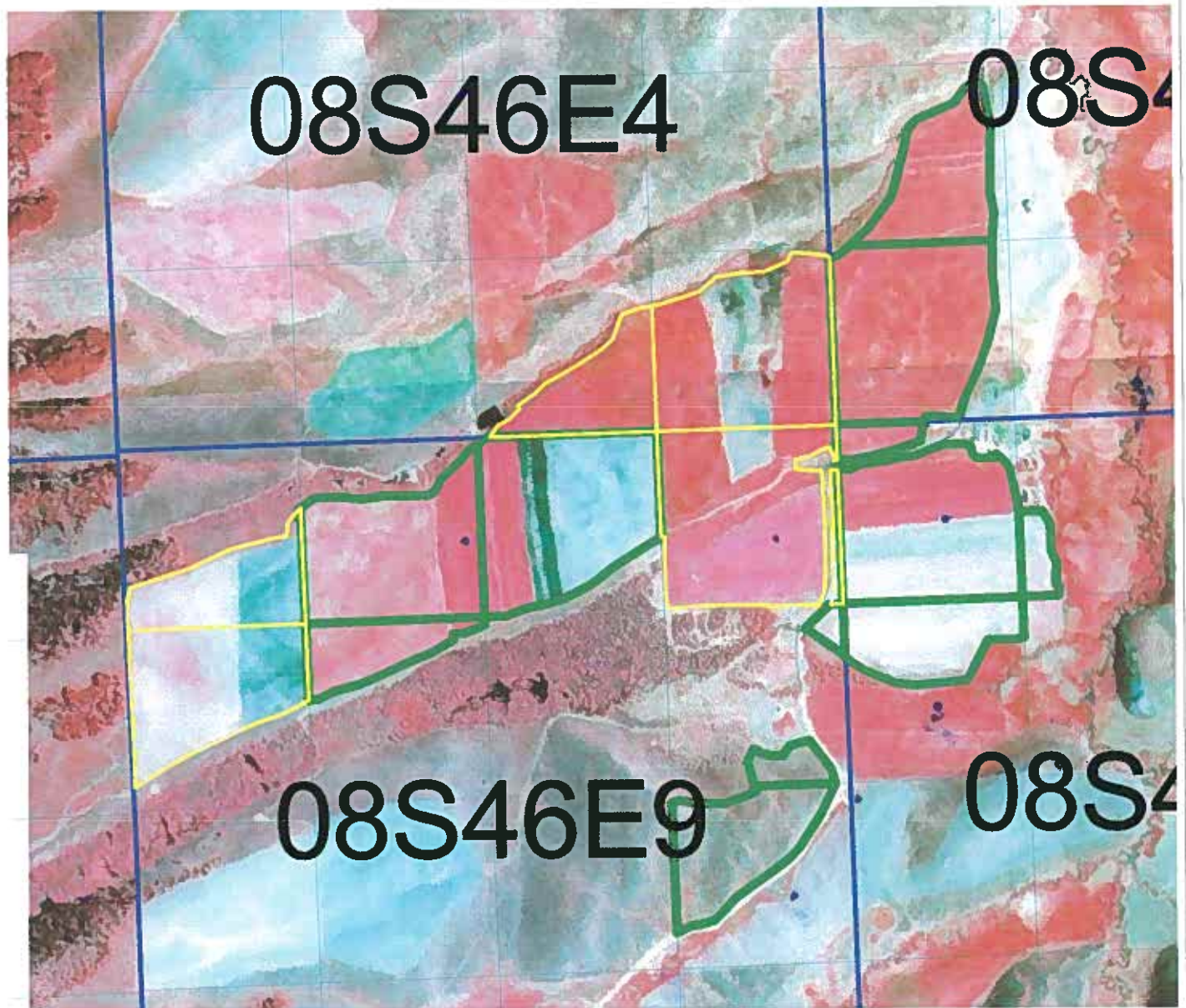
△ POU

PLSS Section LinesGcdb_sections.shp

Gcdb_qq.shp

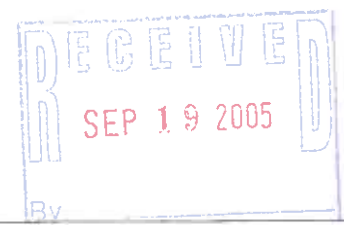


Draney Creek Irrigated Lands Adjudication Field Exam 21 July 2005 B. Contor



1987 Aerial Photography from IDWR
Illustration by Water Resources Field Services 208 681 9100

-  Gleno Draney
-  Gregg Draney
-  PLSS Section LinesGcdb_sections.shp
-  Gcdb_qq.shp



Box 58
Arbuckle, WY 83411



Cindy Bird
1 DWR
15 West Center St.
Soda Springs, ID



83276

83276+1530



GPS waypoints, A24-04024, Contor_gps_july05.shp

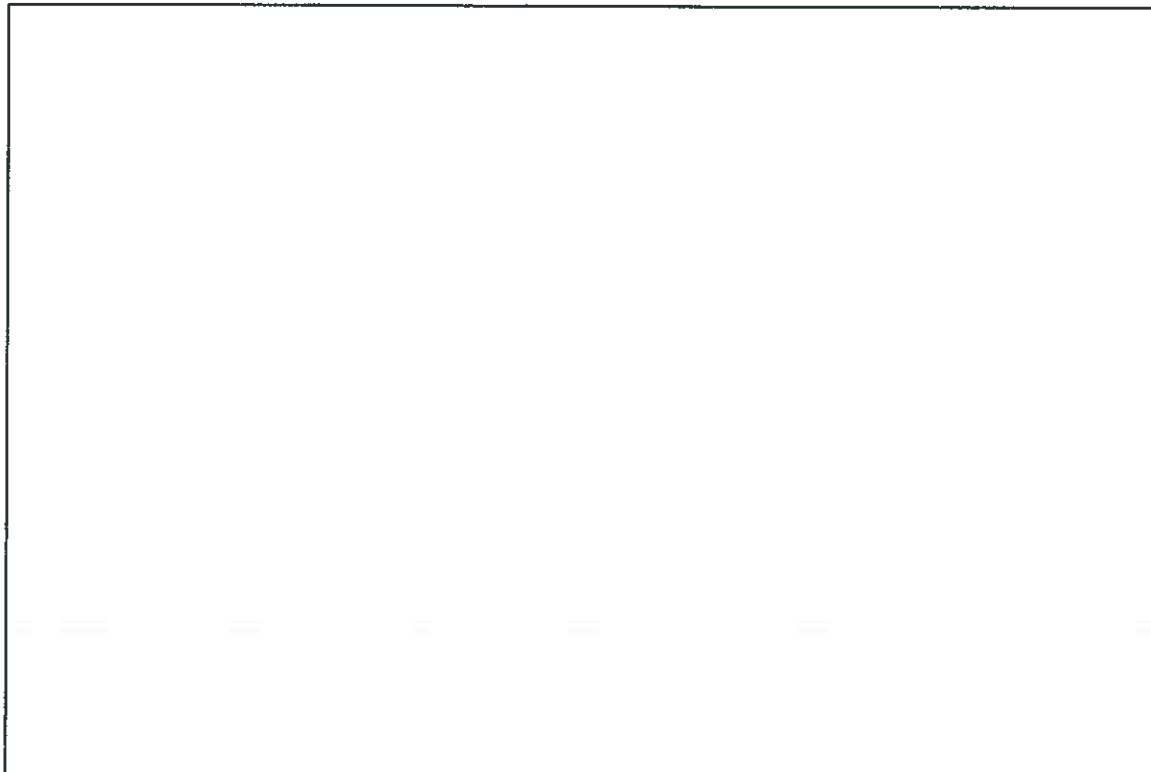
Claim	Sitetag	Feature	Waypoint	Idtm83_e	Idtm83_n	Instrument	Collected	Date	Notes
A24-04024	none	Other	13	2738659	1285719	Garmin Geko 201	B. Contor	20050721	Location of photo of original ditch
A24-04024	none	POD	14	2738563	1285572	Garmin Geko 201	B. Contor	20050721	west POD
A24-04024	none	Other	15	2738257	1285573	Garmin Geko 201	B. Contor	20050721	Approx. location of original POD now buried under new road
A24-04024	none	POD	16	2738841	1285667	Garmin Geko 201	B. Contor	20050721	east POD

Adjudication Claim no A24-04024

Field Photos



Pump used
at two
current POD.
Has not been
used yet
this year due
to wet spring
and hay-
cutting schedule
21 July 05
Bac



Adjudication Claim no A24-04024

Field Photos



Inlet to
mainline at one
cement POD (we
This is a 4"
pipe. Waypoint
14, 2738563E
1286572N
IDTM 83. No
site tag.
21 July 05



Stream where
suction hose &
Canvas dam
are placed at
West cement
POD, Waypoint 1.
21 July 05

Bac

Adjudication Claim no A24-04024

Field Photos



looking N

photos of
POU taken
near location
of East POD



looking W

21 Jul 05
Bac

Adjudication Claim no A24-04024

Field Photos



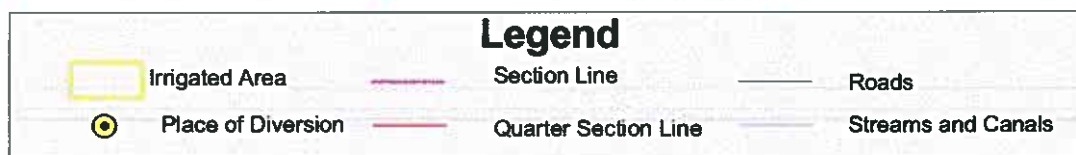
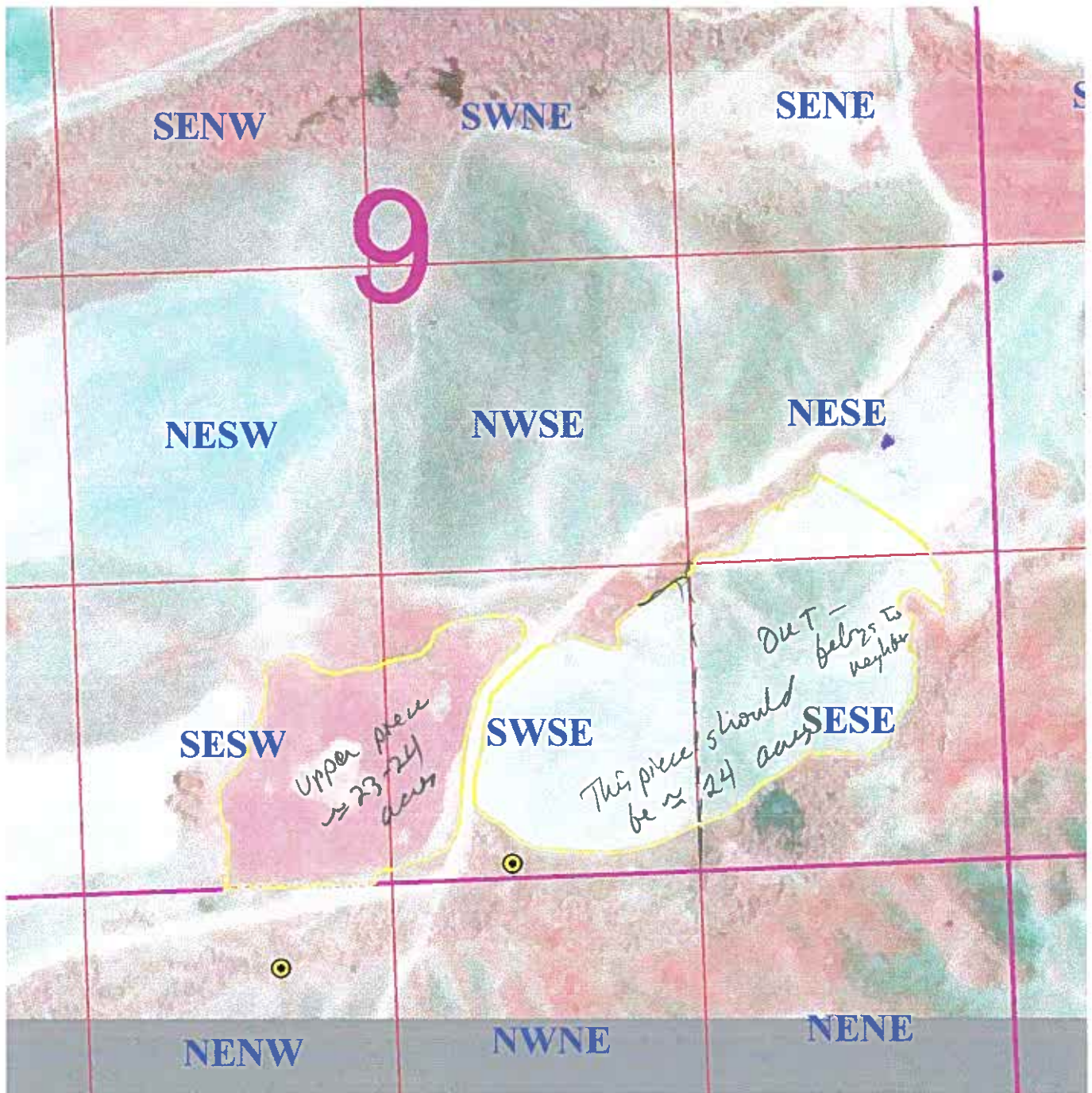
East current Por.
Canvas dam &
portable pump
are used at
this location.
Waypoint 16,
2738841 E
1285667 N
IDM 83
21 July 05
No site tag



Old ditch from
original POD,
looking east.
Dotted line
marks path of
ditch. Ditch is
more obvious
than photo
suggests. Taken
at Waypoint 13,
2738659 E
1285719 N
IDM 83
21 July 05
Bac

Water Right Claim Number 24-04024
Township , 8S46E

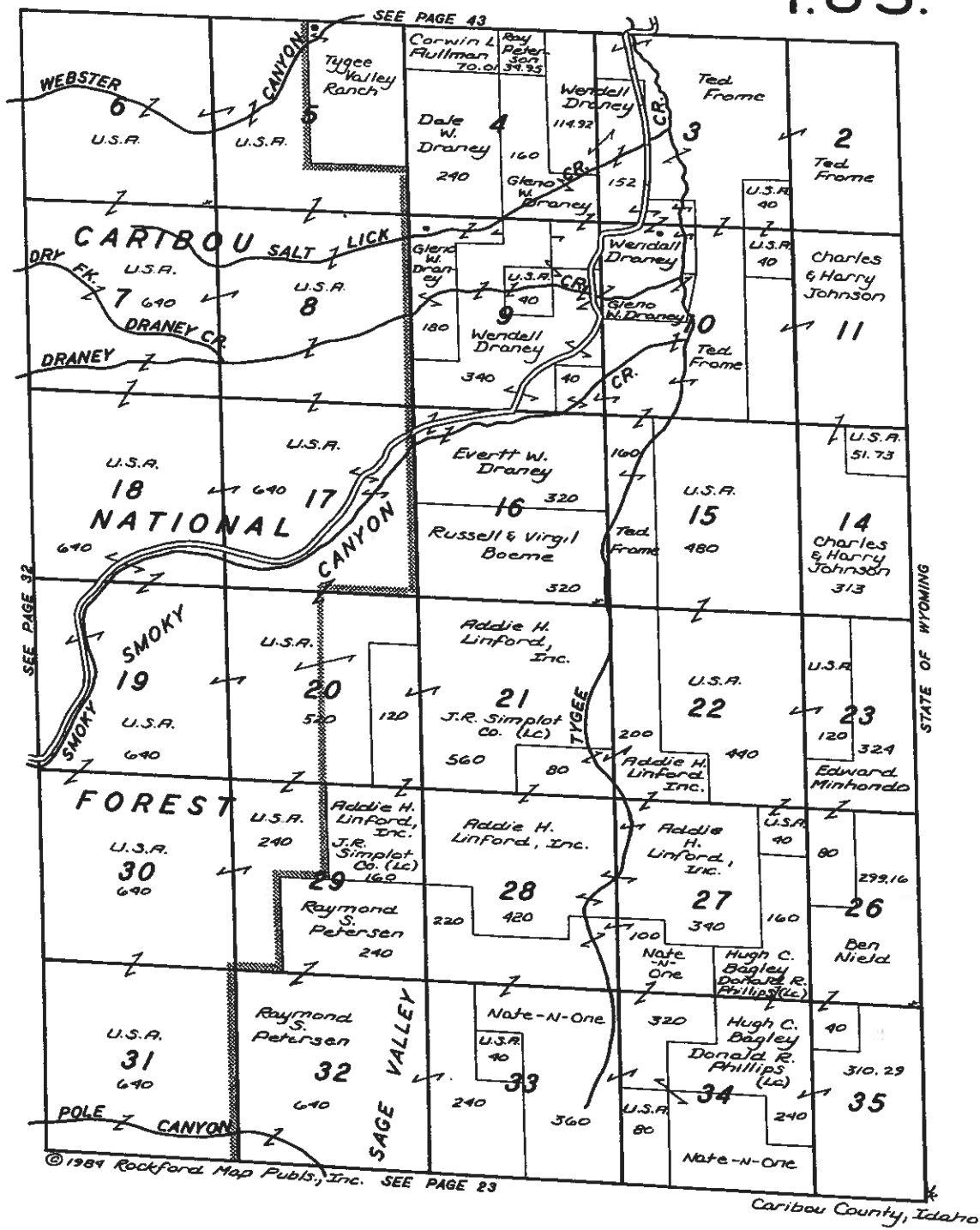
04/09/2001



500 0 500 1000 Feet



SPATIAL
DYNAMICS



UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R4

491000 E

492

230 000 FEET 493 5'

494

AUBURN 6 MI.

495





State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

12 January 2005

W. Gregg Draney
Box 88
2303 Smoky Canyon Road
Auburn, WY 83111

Re: Snake River Basin Adjudication (SRBA)
Claim 24-22A, 24-2003A, 24-2011A, 24-4024

Subject: EVIDENCE OF PRIORITY

Dear Claimant (s):

Thank you for sending the documents supporting your priority date. As requested, copies have been made and the original copies are being returned to you. After an analysis has been completed and if we find we need more information, we will be in contact with you again.

If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

Respectfully,

Barbara Payne

COPY

Barbara:

Here are the deeds
mentioning water rights
for Smoky Creek. Sorry
it's so late. I didn't
really understand what
was needed. They trace
the ownership from Jesse
Drumy who homesteaded
down to me. I don't
have other copies so
could you send me back
a copy. They told me
the storm kept you
from work. Thanks and
let me know what else
I need to do.

(208) 225-3553

Box 88

2303 Smoky Canyon Rd

Auburn WY 83111



WARRANTY DEED

THIS INDENTURE, Made this 15th day of February, 1954, by and between SAMUEL LORRAINE DRAKE and ELA URSULA WILHELM DRAKE, husband & wife

of the County of Lincoln, State of Wyoming, the parties of the first part, and William L. Jones and George C. Jones, his wife as joint tenants, and her heirs and assigns in and to, with full rights of survivorship.

of the County of San Diego, State of California, the part less of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Four dollars and other valuable considerations ----- DOLLARS lawful money of the United States of America, to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have granted granted, bargained and sold, and by these presents do grant grant, bargain, sell, convey and confirm unto the said parties of the second part and to their heirs and assigns forever, all the following described real estate, situate in the County of CARLETON, State of Idaho, to-wit:

The S¹/₄SW, S¹/₄SW, beginning at the Southwest corner of the S¹/₄SW, and running thence North 44 rods, thence East 80 rods, thence South 44 rods, thence West 80 rods to the place of beginning, containing approximately 22 acres of land, all in Section 5, township 3 South, Range 42 East of the Boise Meridian, Idaho;

Also, the Salina, L.S.P.S., S.E.S., W.S.E., Salina, Section 9, Township 8 South, Range 40 East of the Boise Meridian, Idaho;

Also beginning at the northwest corner of Section 10 Township 8 South Range 30. East of the Boise Meridian, Idaho and running thence East 160 rods, thence South 12 rods, thence East 120 rods, thence South 100 rods, thence East 30 rods, thence North 115 rods to the place of beginning.

Together with all water rights and improvements thereto subsisting or hereafter to the above described land.

Page 10 of 10

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto be-
 longing or in anywise appertaining, and the reversion or revisions, remainder and remainders, rents,
 issues and profits thereof, and all estate, right, title and interest in and to the said property as well in
 law as in equity, of the said part i.e.s of the first part.

TO HAVE AND TO HOLD, All and singular, the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, and their heirs and assigns against the said parties of the first part and their heirs and against all and every person and persons, whomsoever lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hand s and seal s the day and year first above written.

Signed, sealed and delivered in the presence of _____

C. Stuart Brown

Samuel Ebenezer Macey (SEAL)
Elma Undrea Wilker Macey (SEAL)

NOTING
STATE OF IDAHO.

County of LINCOLN

On this 19th day of February, in the year 1964 before me,

C. Stuart Brown, a Notary Public in and for the State of Idaho personally
appeared Samuel Blumzer Draper, and Ellen Andrea Walker Draper

known to me to be the persons whose names are subscribed to the within instrument, and
acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal,
the day and year in this certificate first above written.

C. Stuart Brown
Notary Public.

Residing at 2701 N. 2nd St.

My commission expires March 1, 1965.

No. 50458

WARRANTY DEED

TO

Dated _____, 19____

STATE OF IDAHO
County of Carbon, ss.

I hereby certify that this instrument
was filed for record at the request of

Opheo W. Draper

at 16 minutes past

9 o'clock P M., this

day of December, 1964

in my office and duly recorded in

Book _____ of _____, at

page _____

Kenneth M. Fowler

Ex-Officio Recorder.

By *Dorothy Draper* Deputy

Fees \$ 1.50

Instrument #

53403

WARRANTY DEED

THIS INDENTURE, MADE THIS 23RD DAY OF NOVEMBER 1964 BY AND BETWEEN IMRI W. DRANEY AND RUTH ELAINE DRANEY, HUSBAND AND WIFE, OF THE COUNTY OF LINCOLN, STATE OF WYOMING, THE PARTIES OF THE FIRST PART, AND WENDELL W. DRANEY AND JOYCE C. DRANEY, HIS WIFE, AS JOINT TENANTS AND NOT AS TENANTS IN COMMON WITH FULL RIGHTS OF SURVIVORSHIP, OF THE COUNTY OF LINCOLN, STATE OF WYOMING, THE PARTIES OF THE SECOND PART,

WITNESSETH, THAT THE SAID PARTIES OF THE FIRST PART, FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, LAWFUL MONEY OF THE UNITED STATES OF AMERICAN, TO THEM IN HAND PAID BY PARTIES OF THE SECOND PART, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED, HAVE GRANTED, BARGAINED AND SOLD, AND BY THESE PRESENTS DO GRANT, BARGAIN, SELL, CONVEY AND CONFIRM UNTO THE SAID PARTIES OF THE SECOND PART, AND TO THEIR HEIRS AND ASSIGNS FOREVER, ALL THE FOLLOWING DESCRIBED REAL ESTATE, SITUATE IN THE COUNTY OF CARIBOU, STATE OF IDAHO, TO WIT:

THE NW $\frac{1}{4}$ SW $\frac{1}{4}$ OF SECTION 3; NORTHEAST QUARTER SOUTHEAST QUARTER, SECTION 4; SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ AND NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 9, ALL IN TOWNSHIP 8, SOUTH RANGE 46 EAST OF THE BOISE MERIDIAN, IDAHO. ALSO, BEGINNING AT THE SW CORNER OF THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ SECTION 10, T. 8, S. RANGE 46 EAST BOISE MERIDIAN, IDAHO, AND RUNNING THENCE NORTH 68 RODS, THENCE EAST 80 RODS, THENCE SOUTHWESTERLY DIRECTION APPROXIMATELY 68 RODS TO A POINT APPROXIMATELY 61 RODS EAST OF THE POINT OF BEGINNING, THENCE WEST APPROXIMATELY 61 RODS TO THE POINT OF BEGINNING, CONTAINING APPROXIMATELY 30 ACRES OF LAND. ALSO BEGINNING AT A POINT WHICH IS 40 RODS EAST AND 12 RODS SOUTH OF THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 8, S. RANGE 46 E. OF THE BOISE MERIDIAN, IDAHO, AND RUNNING THENCE SOUTH 103 RODS, THENCE EAST 40 RODS, THENCE NORTH 103 RODS, THENCE WEST 40 RODS TO THE PLACE OF BEGINNING.

TOGETHER, WITH ALL AND SINGULAR THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES THERETO BELONGING OR IN ANY WISE APPERTAINING, AND THE REVERSION OR REVISIONS, REMAINDER AND REMAINDERS, RENTS, ISSUES AND PROFITS THEREOF, AND ALL ESTATE, RIGHT, TITLE AND INTEREST IN AND TO THE SAID PROPERTY AS WELL IN LAW AS IN EQUITY, OF THE SAID PARTIES OF THE FIRST PART.

TO HAVE AND TO HOLD, ALL AND SINGULAR, THE ABOVE MENTIONED AND DESCRIBED PREMISES, TOGETHER WITH THE APPURTENANCES, UNTO THE PARTIES OF THE SECOND PART, AND TO THEIR HEIRS AND ASSIGNS FOREVER. AND THE SAID PARTIES OF THE FIRST PART, AND THEIR HEIRS, THE SAID PREMISES IN THE QUIET AND PEACEABLE POSSESSION OF THE SAID PARTIES OF THE SECOND PART, AND THEIR HEIRS AND ASSIGNS AGAINST THE SAID PARTIES OF THE FIRST PART AND THEIR HEIRS AND AGAINST ALL AND EVERY PERSON AND PERSONS, WHOMSOEVER LAWFULLY CLAIMING OR TO CLAIM THE SAME, SHALL AND WILL WARRANT

AND BY THESE PRESENTS FOREVER DEFEND.

IN WITNESS WHEREOF, THE SAID PARTIES OF THE FIRST PART HAVE HEREUNTO
SET THEIR HANDS AND SEALS THE DAY AND YEAR FIRST ABOVE WRITTEN.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

[Signature]

STATE OF Idaho)
COUNTY OF Bannock) : ss.

ON THIS 23rd DAY OF NOVEMBER, IN THE YEAR 1964 BEFORE ME,
Dorothy L. Owens, A NOTARY PUBLIC IN AND FOR THE
STATE OF Idaho PERSONALLY APPEARED IMRI W. DRANEY AND RUTH
ELAINE DRANEY, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO
THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY
OFFICIAL SEAL, THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

[Signature]
NOTARY PUBLIC

RESIDING AT Pocatello, Idaho

MY COMMISSION EXPIRES 5-1-1967

DAY OF _____ 19__

DATE OF DEED
County of _____
I hereby certify that this instrument was
filed for record at the _____

Imri W. Draney
21

P. M. 3:14 Dec

10, 1964

Instrument

79190

WARRANTY DEED

GLENO W. DRANEY and ReNEE P. DRANEY, husband and wife, GRANTORS, of Caribou County and State of Idaho, for and in consideration of Ten (\$10.00) Dollars and other valuable considerations in hand paid, receipt whereof is hereby acknowledged, CONVEY AND WARRANT TO: WENDELL W. DRANEY and JOYCE C. DRANEY, husband and wife, as joint tenants and not as tenants in common with full rights of survivorship, GRANTEES, of Caribou County and State of Idaho, the following described real estate, situate in Caribou County and State of Idaho, hereby releasing and waiving all rights under and by virtue of the homestead exemption laws of the State, to-wit:

The Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Nine (9), Township Eight (8) South, Range 46 East of the Boise Meridian, Caribou County, Idaho.

WITNESS our hands this 1st day of February, 1974.

Gleno W. Draney
GLENO W. DRANEY

ReNEE P. Draney
ReNEE P. DRANEY

STATE OF WYOMING)
) SS
COUNTY OF LINCOLN)

On this 1st day of February, 1974, before me personally appeared GLENO W. DRANEY and ReNEE P. DRANEY, husband and wife, to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.



For Russell Draney
NOTARY PUBLIC

My commission expires: September 18, 1976

STATE OF IDAHO
County of Caribou

SS 103605

I hereby certify that this instrument was filed
at the request of James S. Johnson
at 9:45 o'clock A. M. this 21 day of
Jan, 1980 in my office and duly
recorded in Microfilm Records.
Elyne S. Johnson
James S. Johnson
Deputy

WARRANTY DEED

THIS INDENTURE, Made the 27th day of December, 1979, between

WENDELL W. DRANEY and JOYCE C. DRANEY, husband and wife, of Tygee
Valley, County of Caribou, State of Idaho, parties of the first part, and
W. GREGG DRANEY and LENNA C. DRANEY, husband and wife, as joint
tenants, with full rights of survivorship, of Tygee Valley, County of Caribou,
State of Idaho, (mailing address: Auburn, Wyoming 83111), parties of the
second part:

WITNESSETH, That the said parties of the first part, for and in con-
sideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the
United States of America to them in hand paid by the said parties of the second
part, and other valuable considerations, the receipt whereof is hereby acknowledged,
have granted, bargained and sold, and by these presents do GRANT, BARGAIN,
SELL, CONVEY and CONFIRM unto the said parties of the second part, and to
their heirs and assigns forever, all of the following described real estate,
situated in the County of Caribou, State of Idaho, to-wit:

The N $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T 8 S, R 46 E, B. M.,
Caribou County, State of Idaho, together with all water rights
associated therewith.

Together with all and singular the tenements, hereditaments and
appurtenances thereunto belonging, or in any wise appertaining, the reversion
and reversions, remainder and remainders, rents, issues and profits thereof;
and all estate, right, title and interest in and to the said property, as well in
law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above-mentioned and
described premises together with the appurtenances unto the parties of the
second part, and to their heirs and assigns forever.

And the parties of the first part, and their heirs, shall and will warrant
and by these presents forever defend the premises in the quiet and peaceable

possession of the parties of the second part, their heirs and assigns, against the parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Laura Padellin Wendell W. Draney
Wendell W. Draney
Laura Padellin Joyce C. Draney
Joyce C. Draney

STATE OF WYOMING :

: ss.

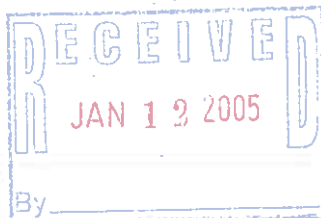
COUNTY OF LINCOLN:

On this 27th day of December, 1979, before me within and for said County and State personally appeared Wendell W. Draney and Joyce C. Draney, husband and wife, personally known to me to be the persons whose names they subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the day and year in this certificate above written.

Laura Padellin
NOTARY PUBLIC

My commission expires September 3, 1983.



STATE OF IDAHO } SS 103606
County of Caribou }

I Hereby certify that this instrument was filed
at the request of Thomas J. Shaulding
at 9:15 o'clock PM this 21 day of
Jan, 1980 in my office and duly
recorded in Microfilm Records
Signed S. Johnson by Shaulding Peterson
Deputy

WARRANTY DEED

THIS INDENTURE, Made this 2nd day of January, 1980, between

WENDELL W. DRANEY and JOYCE C. DRANEY, husband and wife, of Tygee
Valley, County of Caribou, State of Idaho, parties of the first part, and
W. GREGG DRANEY and LENNA C. DRANEY, husband and wife, as joint
tenants, with full rights of survivorship, of Tygee Valley, County of Caribou,
State of Idaho (mailing address: Auburn, Wyoming 83111), parties of the
second part:

WITNESSETH, That the said parties of the first part, for and in con-
sideration of the sum of Ten and No/100 Dollars (\$10.00) lawful money of the
United States of America to them in hand paid by the said parties of the second
part, and other valuable considerations, the receipt whereof is hereby acknow-
ledged, have granted, bargained and sold, and by these presents do GRANT,
BARGAIN, SELL, CONVEY and CONFIRM unto the said parties of the second
part, and to their heirs and assigns forever, all of the following described real
estate, situated in the County of Caribou, State of Idaho, to-wit:

The S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, T 8 S, R 46 E, B. M.,
Caribou County, State of Idaho, together with all water rights
associated therewith.

Together with all and singular the tenements, hereditaments and
appurtenances thereunto belonging, or in any wise appertaining, the reversion
and reversions, remainder and remainders, rents, issues and profits thereof;
and all estate, right, title and interest in and to the said property, as well in
law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above-mentioned and
described premises together with the appurtenances unto the parties of the
second part, and to their heirs and assigns forever.

And the parties of the first part, and their heirs, shall and will warrant
and by these presents forever defend the premises in the quiet and peaceable

possession of the parties of the second part, their heirs and assigns, against the parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming the same shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

<u>Laura Laderle</u>	<u>Wendell W. Draney</u> Wendell W. Draney
<u>Laura Laderle</u>	<u>Joyce C. Draney</u> Joyce C. Draney

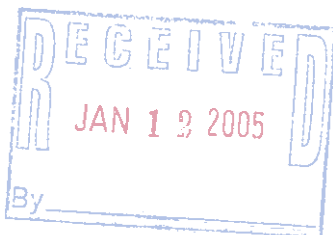
STATE OF WYOMING :
: ss.
COUNTY OF LINCOLN:

On this 15th day of January, 1980, before me within and for said County and State personally appeared Wendell W. Draney and Joyce C. Draney, husband and wife, personally known to me to be the persons whose names they subscribed to the within instrument, and duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal the day and year in this certificate above written.

Laura Laderle
NOTARY PUBLIC

My commission expires September 3, 1983.



CARIBOU COUNTY, IDAHO

subject to the right of the proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. IN TESTIMONY WHEREOF, I, Theodore Roosevelt, President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed. Given under my hand, at the City of Washington the tenth day of October in the year of our Lord one thousand nine hundred and two and of the Independence of the United States the one hundred and twenty-seventh.

(SEAL) BY THE PRESIDENT: T. Roosevelt, By F. M. McLean, Secretary.

Recorded Idaho Vol. 32, Page 463. C. H. Brush, Recorder of the General Land Office.

Filed for record at 4:15 o'clock P.M., December 11, A.D., 1917, and recorded at the request of R. R. Wilson. C. H. Pomroy, Recorder, By Lillian Sponberg, Deputy. Fee \$1.00.

Transcribed from Bannock County Records, Patent Record No. 6, Page 609.

Instrument No. 21322. ~~THE UNITED STATES OF AMERICA.~~

Blackfoot 0778 TO ALL TO WHOM THESE PRESENTS SHALL COME -- GREETING:

WHEREAS, A Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant ~~Wm. H. Taft~~ according to the provisions of the Act of Congress of April 24, 1820, entitled "An Act making further provision for the sale of the Public Lands", and the acts supplemental thereto, for the Southwest quarter of the Southwest quarter of Section three, the Southeast quarter of the Southeast quarter of Section four, and the North half of the Northeast quarter of Section five in Township eight South of Range forty six East of the Boise Meridian, Idaho, containing one hundred sixty acres, according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor General: NOW KNOW YE, That the United States of America, in consideration of the promise, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the tract above described: TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, thereto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William H. Taft, President of the United States of America, have caused these Letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed. Given under my hand, at the City of Washington, the twentieth day of July in the year of our Lord one thousand nine hundred and eleven, and of the Independence of the United States, the one hundred and thirty-sixth.

(SEAL) BY THE PRESIDENT: Wm. H. Taft, By A. S. Stewart, Assistant Secretary.

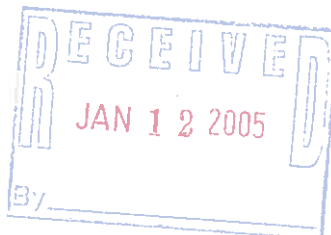
Recorded: Patent No. 213195. John O'Connell, Acting Recorder of the General Land Office.

Filed for record at 10:15 o'clock A.M., Sept. 25th, A.D., 1911, and recorded at the request of Bannock Abstract Co. E. G. Callot, Recorder, BY C. H. Pomroy, Deputy. Fee \$1.00.

Transcribed from Bannock County Records, Patent Record No. 7, Page 17.

Blackfoot 024 4-1023 Instrument No. 25159.

TO ALL TO WHOM THESE PRESENTS SHALL COME -- GREETING:
WHEREAS, A Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that full payment has



PATENT RECORD No. 1

customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed. Given under my hand, in the District of Columbia, the Nineteenth day of October in the year of our Lord one thousand nine hundred and eighteen and of the Independence of the United States the one hundred and Forty-third.

Recorded: Patent Number 651077

SEAL

By the President: Woodrow Wilson,

By M. P. LeRoy, Secretary.

Recorded at the request of Geo. W. Hale
Feb. 23, 1922, at 11:05 A.M.
Fee: \$1.40

John O'Connell, Acting Recorder of the
General Land Office.

F. Kenneth Gorton, Recorder.

By *L. A. Richards*
Deputy.

No. 3404

BLACKFOOT 016019.

4-1028

THE UNITED STATES OF AMERICA,

To All To Whom These Presents Shall Come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant John W. Druboy according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," as amended by the Act of March 3, 1891, for the Northwest quarter of Section nine in Township eight south of Range forty-six east of the Boise Meridian, Idaho, containing one hundred sixty acres, according to the Official List of the Survey of the said land, returned to the General Land Office by the Surveyor-General:

NOW KNOW YE, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, Has Given and Granted, and by these presents Does Give and Grant, unto the said claimant and to the heirs of the said claimant the tract above described; To Have and To Hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

In Testimony Whereof, I, Woodrow Wilson, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed. GIVEN under my hand, at the City of Washington, the Tenth day of April in the year of our Lord one thousand nine hundred and Twenty and of the Independence of the United States the one hundred and Forty-Fourth.

Seal

By the President: Woodrow Wilson,

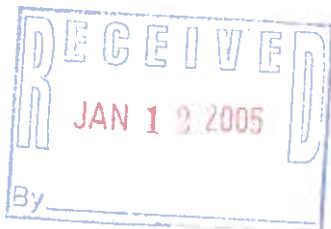
By H. P. LeRoy, Secretary,

Recorded: Patent Number 744046.

B. Q. C. Lamar, Recorder of the General Land
Office.

Recorded at the request of J. W. Taylor,

F. Kenneth Gorton, Recorder.



4-10-1920

Instrument #23949

THE UNITED STATES OF AMERICA

Blackfoot 026062

5-21-1923

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Joseph S. Draney has been established and duly consummated, in conformity to law, for the southwest quarter of Section nine in Township eight south of Range forty-six east of the Boise Meridian, Idaho, containing one hundred sixty acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is therefore, granted by the United States unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Warren G. Harding President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the Twenty-first day of May in the year of our Lord one thousand nine hundred and twenty-three and of the Independence of the United States the one hundred and forty-seventh.

RECORD OF PATENTS:
Patent Number 907015

Seal

By the President: Warren G. Harding
By Viola B. Pugh, Secretary
M. P. LeRoy, Recorder of the General Land Office

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
WASHINGTON, D. C. Oct. 28, 1947

I hereby certify that this photograph is a true copy of the patent record, which is in my custody in this office.

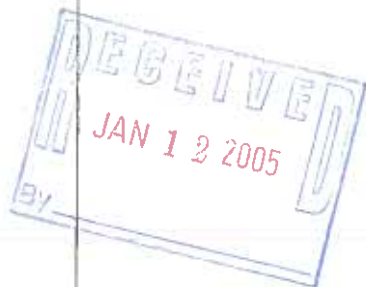
Seal

Jas. F. Homer
Acting Chief, Patents Section.

At request of Caribou County Abst. Co.
October 31st, 1947, at 2:05 P.M.
Fee \$1.00

Charles Chester
Recorder

- - - 0 0 0 - - -



said purchaser and after the sale in the name of the recorder for said Caribou County for record, and

THAT, the period of one year has expired since the date of said sale and no redemption of or for said premises has been made.

THE UNDERSIGNED, T. L. HARRISON, Registrar, that the said party of the first part, the said Frank E. Ellis Sheriff as aforesaid in order to carry into effect the sale so made by Frank E. Ellis, Sheriff as aforesaid in pursuance of said writ and in conformity to the Statutes in such case made and provided, and also in consideration of the price or, and of the said sum of \$400.00 so bid and paid by the said purchaser to Frank E. Ellis Sheriff as aforesaid, the receipt whereof is hereby acknowledged, both Grant, Bargained, Sold and Conveyed and by these presents doth Grant, Bargain, Sell and Convey unto the party of the second part and to the successors and assigns forever, all and singular the above described lands and premises.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises hereby conveyed or intended to be, together with the appurtenances unto the said party of the second part its successors and assigns forever.

IN WITNESS WHEREOF, I, Frank E. Ellis, the party of the first part to these presents, have hereunto set my hand the day and year first above written.

Frank E. Ellis
Sheriff of Caribou County, Ida.

CLERK OF DISTRICT COURT
COUNTY OF CARIBOU

On this the 11th day of August, 1933, before me Colin Chester, Clerk of the District Court, personally appeared Frank E. Ellis Sheriff of the County of Caribou, State of Idaho, known to me to be the same person whose name is subscribed to the foregoing instrument and acknowledged to me that he is such Sheriff and is executing the same.

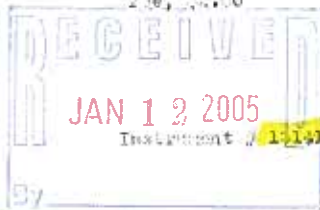
In Witness Whereof, I have hereunto set my hand and affixed my official seal the day and year last above written.

Colin Chester
Clerk of the District Court

At the Court of L. M. Linnick
Aug. 14, 1933, at 10:10 A.M.
T. L. HARRISON

Colin Chester
Recorder.

--0--



THAT, the said party of the first part, the said Frank E. Ellis Sheriff as aforesaid in order to carry into effect the sale so made by Frank E. Ellis, Sheriff as aforesaid in pursuance of said writ and in conformity to the Statutes in such case made and provided, and also in consideration of the price or, and of the said sum of \$400.00 so bid and paid by the said purchaser to Frank E. Ellis Sheriff as aforesaid, the receipt whereof is hereby acknowledged, both Grant, Bargained, Sold and Conveyed and by these presents doth Grant, Bargain, Sell and Convey unto the party of the second part and to the successors and assigns forever, all and singular the above described lands and premises.

TO HAVE AND TO HOLD all and singular the above mentioned and described premises hereby conveyed or intended to be, together with the appurtenances unto the said party of the second part its successors and assigns forever.

8-16-1933



State of Idaho

DEPARTMENT OF WATER RESOURCES

15 West Center Street, Soda Springs, ID 83276

Phone: (208) 547-3993 Fax: (208) 547-3939 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

20 October 2004

W. Gregg Draney
Box 88
2303 Smoky Canyon Road
Auburn, WY 83111

Re: Snake River Basin Adjudication (SRBA)
Claim 24-4024

Subject: EVIDENCE OF PRIORITY

Response Date: 20 November 2004

COPY

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 24. The Notice(s) of Claim identified with the number shown above, has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on a statutory claim. Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have enclosed the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the

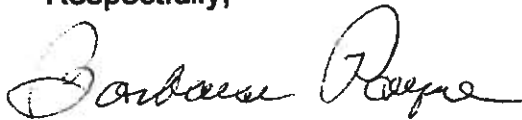
entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible.

.....
The Department cannot recommend the court decree the Notice if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by the above noted response date, referencing **all documents with the corresponding Notice number.** If you have any questions not covered by this letter, please feel free to contact me at 547-3993.

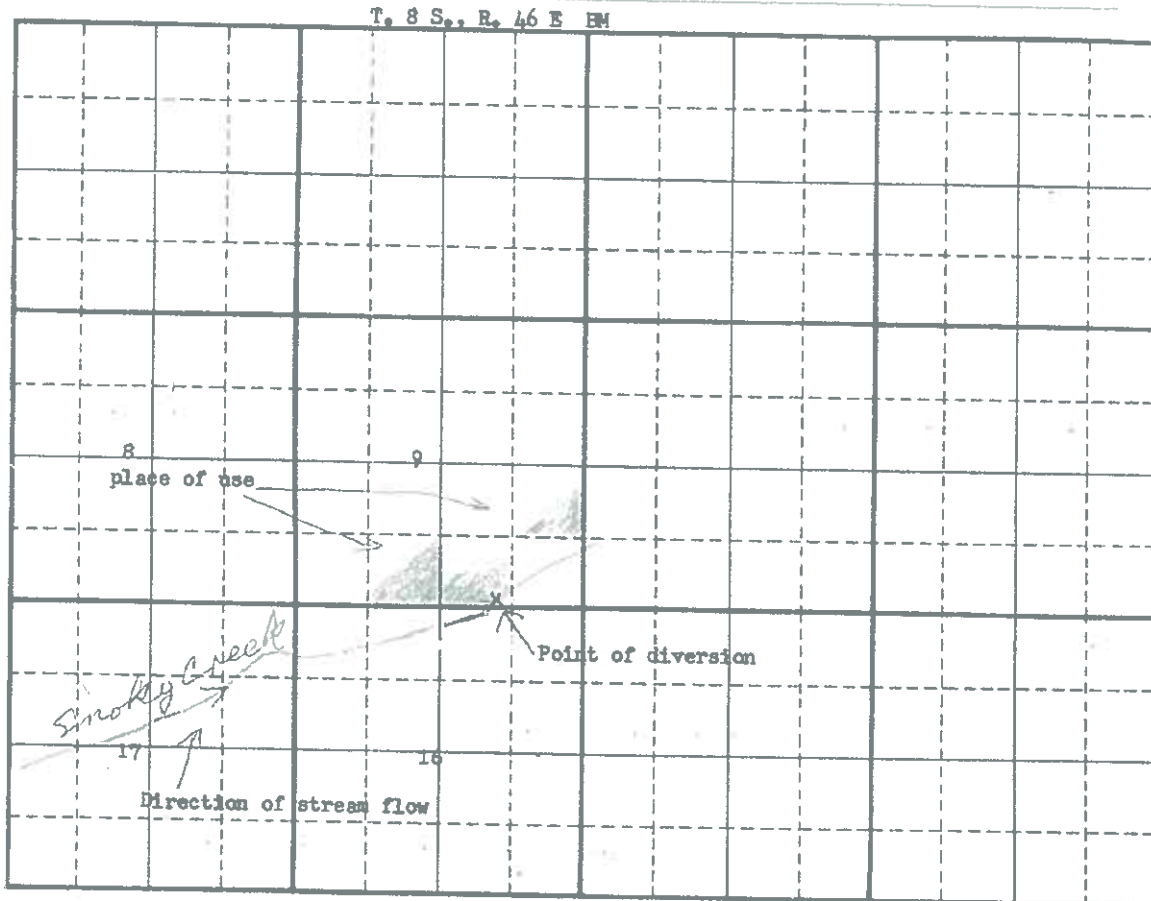
Respectfully,



Barbara Payne

Enclosure: Brochure on *"Evidence of Priority"*
Notice of Claim to a Water Right

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of ~~Wyoming~~ Wyoming)
County of Lincoln) ss.

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

Sworn to before me this 9th day of May, 1980.

Theresa Draney
(Claimant)

Floyd B. Runnaker
Notary Public
Residing at Afton, Wyoming 83110

My commission expires April 25, 1982

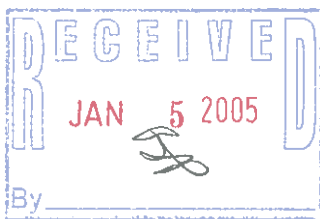
Received by <u>cat</u>	Date <u>5/21/80</u>	FOR DEPARTMENT USE ONLY	Exception filed by:	Forwarded to	Date
Prelim. check by <u>cat</u>	Date <u>5/21/80</u>			claimant by	
\$20.00 fee received by <u>cat</u>	Date <u>5/21/80</u>	<u>#4955</u>			
Published in <u>Caribou County Sun</u>					
Dates <u>8/14 & 8/21/80</u>					

Dear Barbara:

Here are some of the papers
I've been trying to locate for
claim 24-4024 on Smoky Creek

I still hope to be able to get
more from the USGS as some of
the old ditch and the sprinkler
are still in place.

Thanks
Gregg



Dated the day and year above first written.

Grantors:

Wendell W. Draney
Wendell W. Draney
Joyce C. Draney
Joyce C. Draney

Grantees:

W. Gregg Draney
W. Gregg Draney
Lenna C. Draney
Lenna C. Draney

STATE OF Idaho

County of Caribou

On this 14th day of October, 1983, personally appeared before me, Wendell W. Draney and Joyce C. Draney, husband and wife as Grantors, and W. Gregg Draney and Lenna C. Draney, husband and wife, as Grantees, the signers of the foregoing instrument who duly acknowledged to me that they executed the same.

Edith W. Clark
Notary Public
Residing at Georgetown
My Commission Expires Lifetime

STATE OF IDAHO } SS 118840
County of Caribou }

I hereby certify that this instrument was filed
at the request of Caribou Title Co
at 1:35 o'clock P. M this 14th day of
December, 1983 in my office and duly
recorded in Microfilm Records
Myrna W. Archibald
Diane C. Meade
Ex-Officio Recorder Deputy
6.00

of America, to them in hand paid by the said party of the second part, the receipt whereof is to be acknowledged, together with other good and valuable considerations, do by these presents, Grant, Bargain, Sell and Convey and Confirm unto the said party of the second part, and to his heirs, and assigns forever, and assigns forever: All those certain lots, pieces or parcels of land situate, lying and being in the County of Madison, State of Idaho, bounded and more particularly described as follows, to-wit:

Southwest quarter of the Northeast quarter (SE-NE-1), the Northeast quarter of the Southwest quarter (NE-SW-1), the West half of the Southwest quarter (W-1/2-SW-1) of Section Nine (9), in the Southwest quarter (SW-1/4) of Section Nine (9), All in Township of 16 (S) South of range forty-six (46) West of the Boise Meridian, containing 320 acres, or less.

To have with all and singular, all and every right, or every kind and description, now and hereafter payable or to be claimed thereon.

To sit or with all and singular, the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances and privileges thereto incident unto the said party of the second part, unto his heirs and assigns forever. And the said parties of the first part, and their heirs the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns against the said parties of the first part, and their heirs and assigns and against all and every person or persons whatsoever, lawfully claiming or to claim the same, shall and will carry it out by these presents forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year above written.

Given, sealed and delivered
in the presence of
Orin Jenkins
Willard Plummer

Jesse E. Draney (SEAL)
Ruby E. Draney (SEAL)

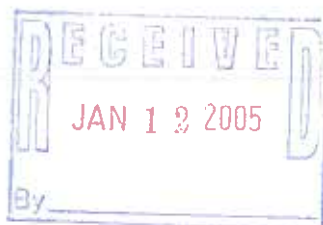
STATE OF IDAHO)
COUNTY OF MADISON)
ss)
Notary Public)

On this 10th day of August in the year 1933 before me, a Notary Public in and for said County and State, personally appeared Jesse E. Draney and Ruby E. Draney, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in it is written as first above written.

Orin Jenkins
Notary Public
Residence Afton, Wyoming
My Commission expires: Oct. 20th, 1936
Calvin Blanton
Recorder.

At request of Star Valley State Bank
August 10, 1933, at 9:10 A. M.
Fee, \$1.00



Instrument # 16306

WARRANTY DEED

3-15-1937

THIS INDENTURE, MADE this 15th day of March in the year of our Lord one thousand nine hundred and thirty-seven between LaMonte W. Draney and Verda Draney, his wife, of Auburn, County of Lincoln, State of Wyoming, the parties of the first part, and S. E. Draney of Auburn, County of Lincoln, State of Wyoming, the party of the second part:

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Three Hundred Thirty-nine and 28/100 Dollars lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described real estate, situated in County of Caribou, State of Idaho, to-wit:

Southeast quarter of the Northeast quarter (SE 1/4 NE 1/4), Northeast quarter of the Southeast Quarter (NE 1/4 SE 1/4), West Half of the Southeast quarter (W 1/2 SE 1/4), Southwest quarter (SW 1/4), Section Nine (9) Township Eight (8) South, Range Forty-six (46) East, Boise Meridian and containing 320 acres more or less.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the said parties of the first part:

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together with the appurtenances, unto the party of the second part, and to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered
in the Presence of:
David Bennion

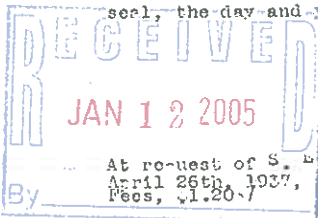
50¢ 1 K Stamp Att'd
and cancelled

LaMonte W. Draney (SEAL)
Verda Draney (SEAL)

STATE OF WYOMING)
:SS
COUNTY OF LINCOLN)

On this 12th day of April, in the year 1937, before me, David Bennion, a Notary Public for said State, personally appeared LaMonte W. Draney and Verda Draney known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



David Bennion
Notary Public in and for the State
of Wyoming, residing at Afton, Wyoming
County therein.
My Commission expires Oct. 16th, 1938

Calvin Clutter
Recorder

GRANT OF EASEMENT AND JOINT USE AGREEMENT

Agreement made and entered into this 14th day of October 1983, by and between Wendell W. Draney and Joyce C. Draney, husband and wife, hereinafter referred to as "grantors", and W. Gregg Draney and Lenna C. Draney, husband and wife, hereinafter referred to as "grantees".

WHEREAS, grantees have applied to The Federal Land Bank of Spokane for a loan to be secured by certain real property owned by grantees and described in that certain mortgage dated October 5, 1983, and recorded October 17, 1983 in the records of Caribou County, State of Idaho, under recording number 118190, said real property being hereinafter referred to as the grantee's property, and said loan being conditioned on grantees obtaining the grant of easement described below, and

WHEREAS, grantors own certain property adjacent to grantee's property, said property being described below and hereinafter referred to as the grantor's property, to wit:

Township 8 South, Range 46 East, Boise Meridian

Section 3: SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, ALSO Beginning at the Southeast corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, running thence North 44 rods, thence West 80 rods, thence South 44 rods, thence East 80 rods, to the Point of Beginning. EXCEPT THE FOLLOWING: Beginning at a point 700 feet East of the Southwest corner and running thence East 200 feet; thence North 217.8 feet; thence West 200 feet; thence South 217.8 feet to the Point of Beginning.

Section 4: Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 9: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPTING

THEREFROM the North 20 rods of the NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 10: Beginning at the Northwest corner of Section 10, running thence East 160 rods, thence South 12 rods, thence Southwesterly 68 rods, more or less, to a point 61 rods East of the Southwest corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, thence West 61 rods, thence South 35 rods, thence West 80 rods, thence North 115 rods, to the Point of Beginning.

EXCEPTING any portion of the premises in Section 10 lying within the following described tract: Beginning at the Northeast corner of the NW $\frac{1}{4}$, running thence West 6 rods, thence Southwesterly to a point 8 rods West of the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, thence East 8 rods to the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10, thence North 80 rods, to the Point of Beginning.

WHEREAS, the grantors desire to grant to grantees an easement across the grantor's property for joint use of a developed spring and accessories thereto located on the grantors property, together with a non-exclusive ingress and egress easement to repair, inspect or maintain said spring, related facilities thereto, and pipelines which carry water from the spring to grantee's property across the grantor's property. ALSO, that the Grantors will use approximately 1/6 of the water for culinary purposes and the Grantees will use approximately 1/6 of the water for culinary purposes and the balance shall be used for grantor's and grantee's livestock operation.

NOW THEREFORE; in consideration of \$10 in hand paid and for other good and valuable consideration, and the mutual covenants and promises herein contained, the parties agree as follows:

1. Grantors do hereby grant unto grantees a perpetual right and easement across the grantor's property for the purposes set forth above. The location of said easement on the grantor's property is as follows:

Township 8 South, Range 46 East, Boise Meridian

Section 9: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$

Section 10: The North 35 rods of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$

Spring is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9. Commencing at said Spring and running thence easterly 260 feet m/1 to the West line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Owned by BLM) Thence, commencing at a point which is approximately 250 feet South of the NE corner of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and running thence in a North-easterly and Northerly direction 1580 feet m/1 to the South boundary of the grantees property.

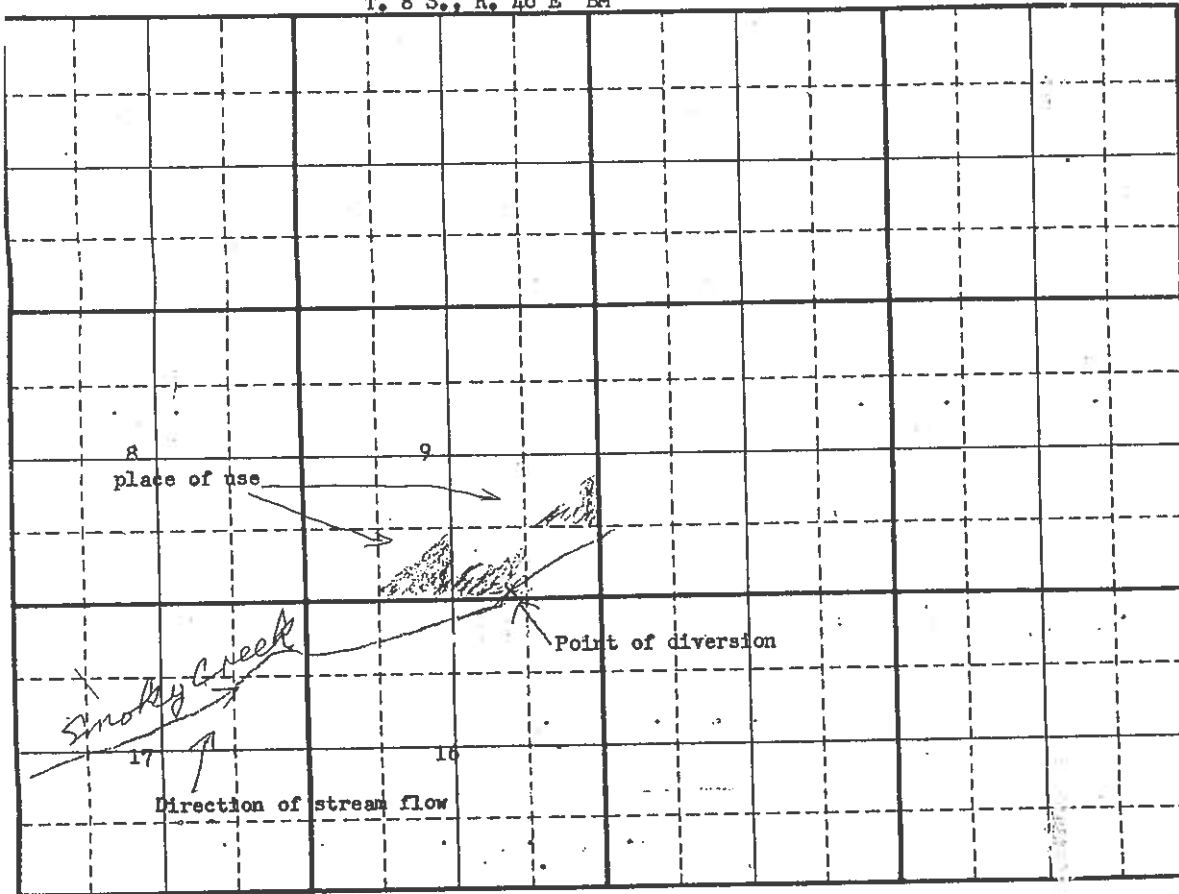
2. Grantees agree to pay fifty percent of the cost of repair, maintenance and operation of water system. Grantors agree to pay fifty percent of said cost.
3. Said easement shall run with the lands hereinabove described and shall extend to and be binding upon the heirs, executors, administrators, successors, and assigns of the respective parties, including The Federal Land Bank of Spokane under its mortgage herein described and its assigns.



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

(8) Remarks

T. 8 S., R. 46 E. BM



Scale: 2 inches equal 1 mile.

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

State of ~~Idaho~~ Wyoming)
County of Lincoln) ss.

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

Sworn to before me this 9th day of May, 1980.

William D. Dwyer
(Claimant)

Floyd B. Hunsaker
Notary Public
Residing at Afton, Wyoming 83110

My commission expires April 25, 1982

Received by CU Date 5/21/80 Exception filed by:
Prelim. check by CU Date 5/10/80 #14955
Published in Caribou County Sun
Dates 8/14 & 8/21/80

FOR DEPARTMENT USE ONLY
Received by 5/20/80 Date
Forwarded to claimant by: 5/20/80

SCANNED

Log for claim 24-04024

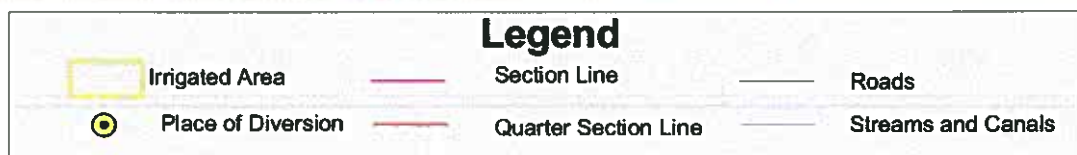
Spatial Dynamics LTD

4/9/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
08s46e	9	SESW	22	14	
08s46e	9	NESE	4	4.1	
08s46e	9	SWSE	18	27	
08s46e	9	SESE	12	20	
Totals:			56	65.1	

Water Right Claim Number 24-04024
Township , 8S46E

04/09/2001



500 0 500 1000 Feet

SPATIAL
DYNAMICS

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

(Name of Claimant)

(Mailing Address)

{ Zip Code }

Telephone No. 208 225 3482

ground water
June=1925

Flood irrigation

June 1970 Pipeline-sprinkler irrigation

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

Smoky Creek

claimed:

Quantity 7.8 gpm, or .56 cfs Irrigation

Period of Use From June 15 To Sept. 10

Quantity 32 nozzles Use _____ Period of Use From _____ To _____

Quantity 52 Nozzles Use To
 Quantity 13/64" dia 40# pressure Period of Use From To

Quantity 250 gpm from 32 nozzles @ 7.8 gpm per nozzle. To _____

Quantity 15,000 gph. $\times$ approx. 20 hrs. per da. = 300,000 gpd

(4) 37.17 TOTAL QUANTITY USED.

(of record, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

SW 1/4 SE 1/4 Sec. 9 Twp. 8 S. Rge. 46 E B.M., County of Caribou

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. 36 hp Motor w/pump into 4" mainline & 1/4 Mile Lateral, 32 nozzles 13/64" dia.
40 # pressure

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 55.0

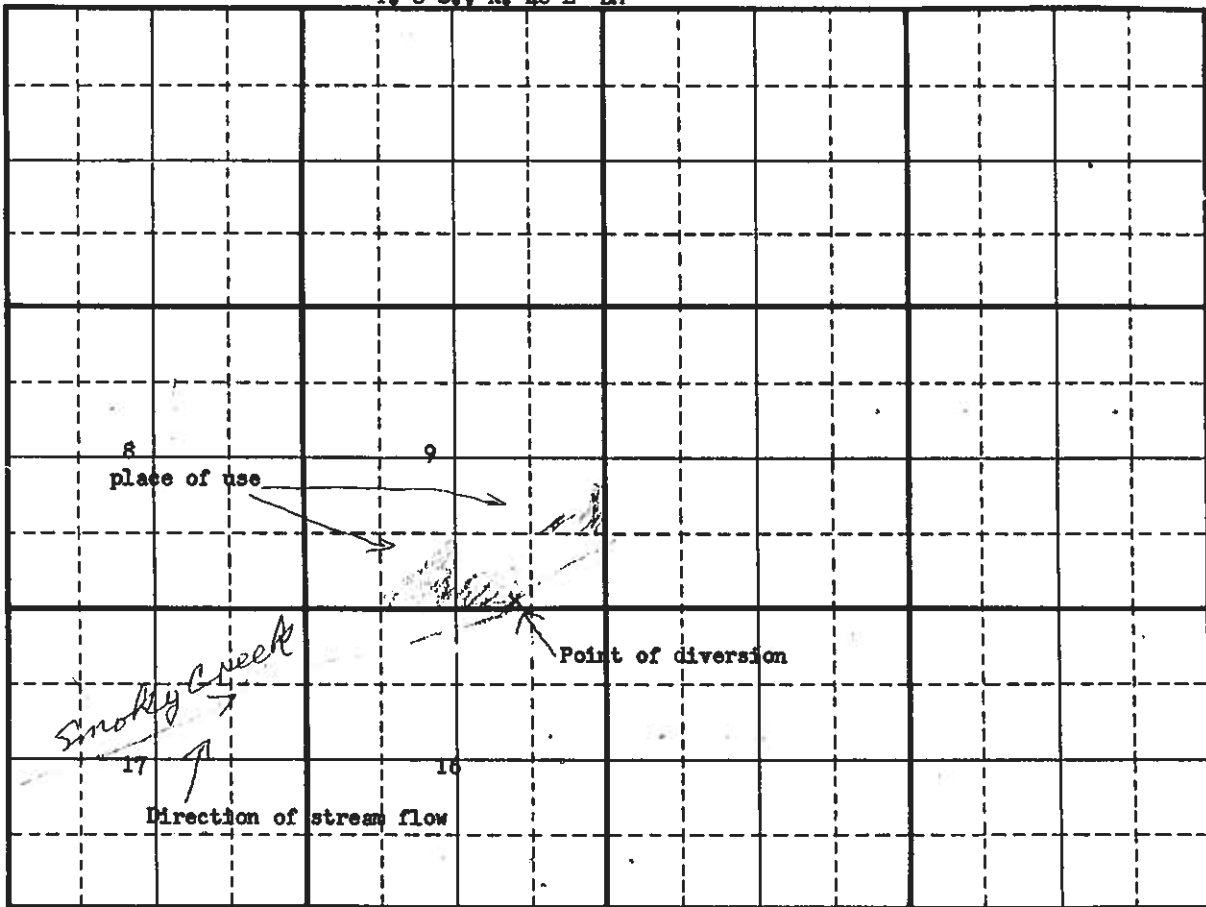
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

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

(8) Remarks _____

T. 8 S., R. 46 E. BM



Scale: 2 inches equal 1 mile.

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

State of ~~Idaho~~ Wyoming)
) ss.
County of Lincoln)

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

Sworn to before me this 9th day of May, 1980.

William M. Draney
(Claimant)

Floyd B. Hunsaker
Notary Public
Residing at Afton, Wyoming 83110

My commission expires April 25, 1982

FOR DEPARTMENT USE ONLY
Received by CW Date 5/21/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by CW/CW Date 5/10/80 #14955
Published in Caribou County Sun
Dates 8/14 & 8/21/80



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 15, 2000

W GREGG DRANEY
BOX 88
2303 SMOKY CANYON RD
AUBURN WY 83111

RE: CHANGE IN OWNERSHIP FOR A24-02003A, A24-02011A,
A24-02022A AND A24-04024

Dear Claimant:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner(s).

Enclosed is a copy of the Notice(s) of Claim, with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Cheri Vandermeulen
Records Clerk

Enclosure: Notice(s) of Claim

DELOG JC 6/29/00
OK JC

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

RECEIVED
JUN 28 2000

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s): _____
Adjudication Claim No(s): A24-02003A, A24-02011A, A24-02022A, A24-04024
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency AERIAL PHOTO with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.
3. Name and Address of Former Owner/Claimant ~~W. Gregg Draney~~ Wendell Draney
2298 Smoky Canyon Rd, Auburn WY 83111
4. New Owner/Claimant(s) W. Gregg Draney
Name Connector (Check one): ☒ and, ☐ or, ☐ and/or
New Mailing Address Box 88 2303 Smoky Canyon Rd.
City, State and ZIP Code Auburn, Wyoming 83111
New Telephone Number (208) 225-3553
5. Date you acquired the property 1 January 1999
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____	Number and type of stock _____
Diversion rate in CFS _____	Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s) W. Gregg Draney

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

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

RECEIVED

NOV 01 1994

Department of Water Resources
Eastern District Office

Auburn Wyo

Oct 29-1994

Dear Sir:

Please find Enclosed papers of
proof of irrigation used on our
farm. Hoping this will be of use
for us.

Thank you -

Wendell Draney

MICROFILMED

NOV 07 1990

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NOV 01 1994

Department of Water Resources
Eastern District Office

DEPARTMENT OF WATER RESOURCES

Eastern District Office

900 N. Skyline Drive

Idaho Falls, ID 83402-1718

I verify that Wendell Draney and Gregg Draney have used the water from Smokey Creek beginning in 1950 and since for beneficial purposes of irrigating either hay (alfalfa) or grain in Section 9 E.B.M. This has been accomplished by pumping water into 1/4 mile of sprinkler line using regular size nozzles. This water is very beneficial to them because there is no other way that water can be put on these crops. They are hoping this procedure can be continued for their crops.

Gleno W. Draney
Gleno W. Draney

Date Oct 28 - 94

*signed in my presence by
Gleno W. Draney*

Notary Roger J. Coles
MICROFILMED
NOV 01 1994
ROGER J. COLES - Notary Public
County of Lincoln State of Wyoming
My Commission Expires Jan. 29, 1998

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NOV 01 1994

DEPARTMENT OF WATER RESOURCES

Eastern District Office

900 N. Skyline Drive

Idaho Falls, ID 83402-1718

Department of Water Resources
Eastern District Office

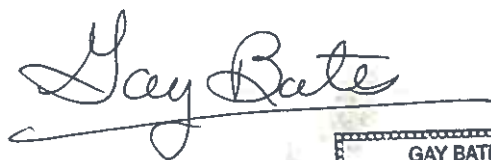
In June 1979, I helped Wendell and Gregg Draney install a sprinkler line to pump water from Smokey Creek for irrigating their grain and alfalfa. The line diverts water from Smokey Creek in the SE 1/4 of the SW 1/4 of Section 9.

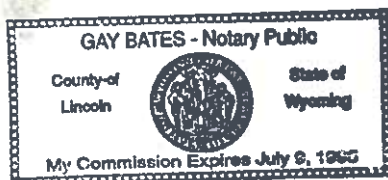
At that time, I also helped the Draneys construct a point of diversion in the SW 1/4 of the SE 1/4 of Section 9. They also pump water from this site for irrigation purposes.



Chad Erickson

Date Oct 25 1994





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NOV 07 1996