

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: **A78-02025D**
Date Received: 5/25/1988
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: JOHN WAYNE BREES 208-347-2714
Address: PO BOX 105
NEW MEADOWS ID 83654
OR
Name: KAREN ALICE BREES 208-347-2714
Address: PO BOX 105
NEW MEADOWS ID 83654

2. Date of Priority: MAY 18, 1920

3. Source: BROWN CREEK Trib. to: HARD CREEK
UNNAMED STREAMS BROWN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	02E	5	SE	NE	SE		ADAMS
		8	SW	SE	NE		ADAMS
			NW	NE	SE		ADAMS
			NE	SW	SE		ADAMS
		17	NW	NE	SE		ADAMS
		20	NE	NW	SE	I	ADAMS
		30	SE	SE	NE	R	ADAMS

5. Description of diverting works:
WOOD DIVERSION STRUCTURES & GRAVITY DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.490		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 223.2 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK/120 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	13	SW	SW		IRR	1.4
						Section Acres	1.4
		14	SW	SE		IRR	3.0
			SE	SE		IRR	36.0
						Section Acres	39.0
		23	NE	NE		IRR	19.0
						Section Acres	19.0
		24	NW	NW		IRR	15.0
						Section Acres	15.0
						Total Acres	74.4

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-4115

14. Remarks:

THIS WATER RIGHT WAS ORIGINALLY USED ON TWO SEPARATE PRACELS OF LAND THAT WERE UNDER DIFFERENT OWNERSHIP. EACH OWNER HAD 1/2 INTEREST IN THE WATER AND THE SAME PRIORITY DATE.
POINT OF INJECTION: TWN 20N, RGE 2E, SEC. 20, NE NW SE. POINT OF REDIVERSION: TWN 20N, RGE 2E, SEC. 30, SE SE NE.
THIS WATER RIGHT HAS BEEN SPLIT AS A RESULT OF A CHANGE IN OWNERSHIP. SEE A78-02025A FOR DETAILS. 2/12/91, L.R.W.
ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 3/9/99.

15. Basis of Claim: LICENSE

RECEIVED

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

MAR 09 1999

WATER RESOURCES
WESTERN REGION

CHANGE IN ADDRESS OF NOTICE OF CLAIM

☒ Water Right Number(s): A 78-02025D

☒ Claimant Name(s): John Wayne Brees

Karen Alice Brees

☒ Old Mailing Address: 26865 Hester Creek Rd

Los Gatos CA 95030

☒ New Mailing Address: P.O. Box 105

New Meadows ID 83654

Telephone Number: (208) 347 - 2714

☒ Signature of Claimant(s): John W Brees Karen A Brees

Date: 3/5/99

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: A78-02025D
Date Received: 5/25/1988
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN WAYNE BREES 408-248-3846
Address: 26865 HESTER CREEK RD.
LOS GATOS, CA 95030
OR
Name: KAREN ALICE BREES 408-248-3846
Address: 26865 HESTER CREEK RD.
LOS GATOS, CA 95030

2. Date of Priority: MAY 18, 1920

3. Source: BROWN CREEK Trib. to: HARD CREEK
UNNAMED STREAMS BROWN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	02E	5	SE	NE	SE		ADAMS
		8	SW	SE	NE		ADAMS
			NW	NE	SE		ADAMS
			NE	SW	SE		ADAMS
		17	NW	NE	SE		ADAMS
		20	NE	NW	SE	I	ADAMS
		30	SE	SE	NE	R	ADAMS

5. Description of diverting works:
WOOD DIVERSION STRUCTURES & GRAVITY DITCHES.

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Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.490		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 223.2 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK/120 CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	01E	13	SW	SW		IRR	1.4
						Section Acres	1.4
		14	SW	SE		IRR	3.0
			SE	SE		IRR	36.0
						Section Acres	39.0
		23	NE	NE		IRR	19.0
						Section Acres	19.0
		24	NW	NW		IRR	15.0
						Section Acres	15.0
						Total Acres	74.4

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-4115

14. Remarks:

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POINT OF INJECTION: TWN 20N, RGE 2E, SEC. 20, NE NW SE. POINT OF REDIVERSION: TWN 20N, RGE 2E, SEC. 30, SE SE NE.
THIS WATER RIGHT HAS BEEN SPLIT AS A RESULT OF A CHANGE IN OWNERSHIP. SEE A78-02025A FOR DETAILS. 2/12/91, L.R.W.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

CHANGE IN OWNERSHIP

Page 1

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim. (A78-02025A)

[✓] Water Right Number(s): A78-2025 (Lic. No. 14574 Priority 5/18/20)

[✓] Name and Address of Former Claimant(s): CHARLES G HARRIS
THEOLA M. HARRIS

HC 75 BOX 3450

NEW MEADOWS ID - 83654

[✓] New Claimant(s): JOHN WAYNE BREESE + KAREN ALICE BREESE

[✓] New Mailing Address: 26865 HESTER CREEK ROAD

LOS GATOS

CALIF - 95030

New Telephone Number: (408) 248-3846

[✓] Does the change in ownership result in a splitting of the water right claimed? yes no
If yes, then describe the portion of the water right that is now claimed by the new owner:

1/2 (one half) of water rights going to Harris.
ie - 80 acres irrigated

[✓] Attach proof of ownership
Describe proof attached: copy Assessor's notices
(Proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former claimant.)

[✓] Signature of New Claimant(s): John Robles
Karen A. Brees

Date: 12/14/90

RECEIVED
DEC 31 1990

Department of Water Resources
Western Regional Office

KAREN HATFIELD
ADAMS COUNTY ASSESSOR
P. O. BOX 46
COUNCIL, ID 83612

THIS IS NOT A BILL

PARCEL NO. RP 20N01E136360 A

TAX CODE 12-00

CATEGORY DESCRIPTION

LOTS / ACRES

MARKET VALUE

4 MEADOW

1.400 AC

349

1.400

349*

1990
TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PREVIOUS NUMBER

RP20N01E136007T

T20N R1E SEC 13

TAX #1667

IN SW4SW4SW4SW4

Mail To:

ROBERTS & HARRIS, C G & T M

% BREES, JOHN WAYNE

% BREES, KAREN ALICE

26865 OLD SAN JOSE RD

LOS GATOS, CA 95030

KAREN HATFIELD
ADAMS COUNTY ASSESSOR
P. O. BOX 46
COUNCIL, ID 83612

THIS IS NOT A BILL

PARCEL NO. RP 20N01E149100 A

TAX CODE 12-00

CATEGORY DESCRIPTION

LOTS / ACRES

MARKET VALUE

4 MEADOW

59.280 AC

12,977

5 DRY GRAZING

3.000 AC

183

19 WASTE

9.100 AC

71.380

13,160*

1990
TAXPAYERS
VALUATION

ASSESSMENT NOTICE

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listed on this statement

IF THERE ARE ANY QUESTIONS
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NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PREVIOUS NUMBER

RP20N01E148401T

T20N R1E SEC 14

PT S2SE4

Mail To:

ROBERTS & HARRIS, C G & T M

% BREES, JOHN WAYNE

& BREES, KAREN ALICE

26865 OLD SAN JOSE RD

LOS GATOS, CA 95030

MICROFILMED

OCT 05 1992

KAREN HATFIELD
ADAMS COUNTY ASSESSOR
P. O. BOX 46
COUNCIL, ID 83612

THIS IS NOT A BILL

PARCEL NO. RP 20N01E230100 A

TAX CODE 12-00

LOTS / ACRES

MARKET VALUE

CATEGORY DESCRIPTION
4 MEADOW
5 DRY GRAZING
7 FORESTLAND BARE
19 WASTE

43.000 AC 6,744
1.000 AC 5
65.000 AC 2,665
11.000 AC

120.000

9,414*

1990
TAXPAYERS
VALUATION

ASSESSMENT NOTICE

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IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER

T20N R1E SEC 23
N2NE4 SE4NE4

Mail To:

ROBERTS & HARRIS, C G & T M
& BREES, JOHN WAYNE
& BREES, KAREN ALICE
26865 OLD SAN JOSE RD
LOS GATOS, CA 95030

KAREN HATFIELD
ADAMS COUNTY ASSESSOR
P. O. BOX 46
COUNCIL, ID 83612

THIS IS NOT A BILL

PARCEL NO. RP 20N01E243150 A

TAX CODE 12-00

LOTS / ACRES

MARKET VALUE

CATEGORY DESCRIPTION
4 MEADOW
19 WASTE

31.440 AC 4,301
3.000 AC

34.440

4,301*

1990
TAXPAYERS
VALUATION

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement
IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 22, 1990

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS
PREVIOUS NUMBER

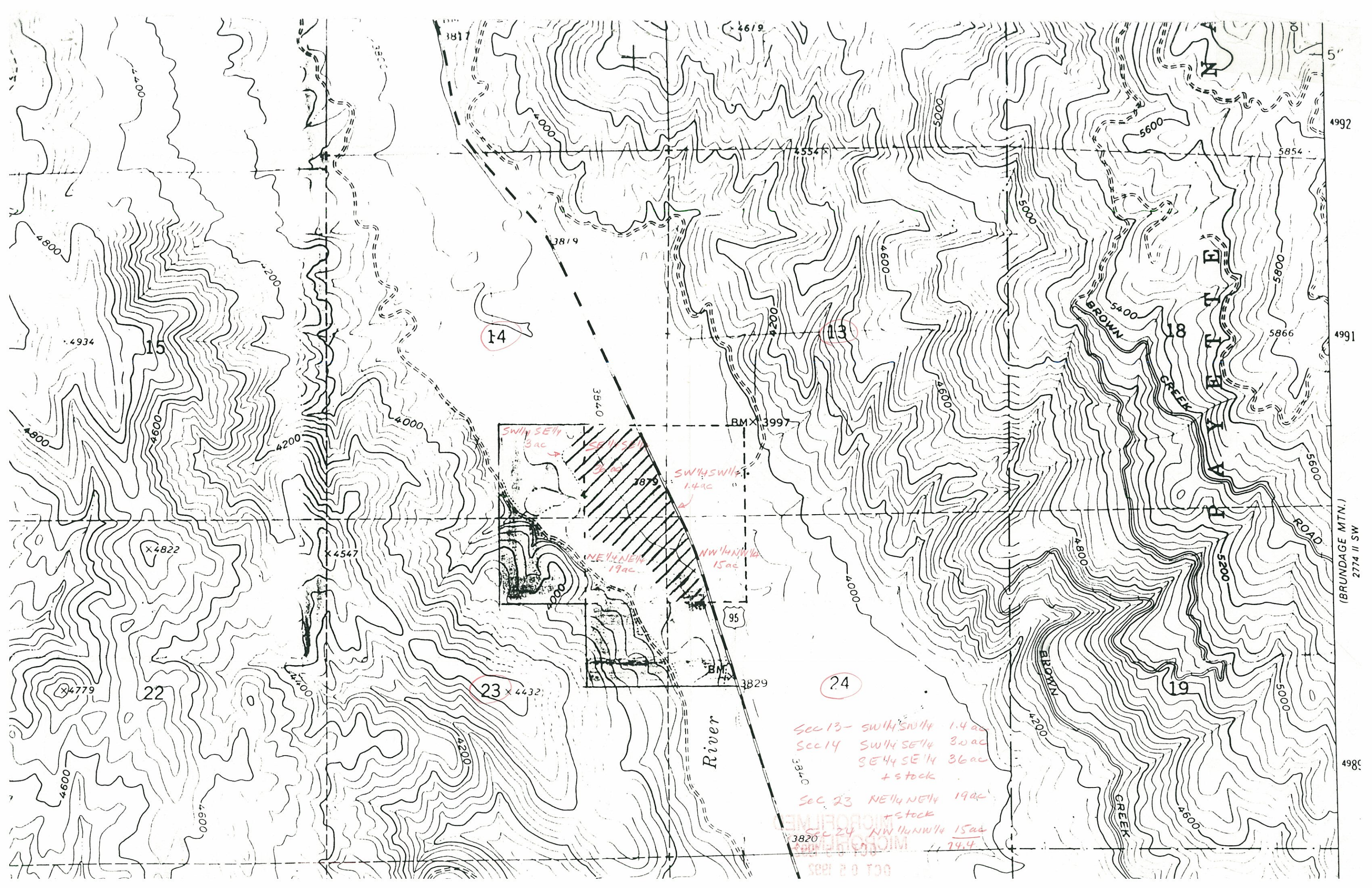
RP20N01E240100T
T20N R1E SEC 24
PT NW4NW4 PT SW4NW4

Mail To:

ROBERTS & HARRIS, C G & T M
& BREES, JOHN WAYNE
& BREES, KAREN ALICE
26865 OLD SAN JOSE RD
LOS GATOS, CA 95030

MICROFILMED

OCT 05 1992

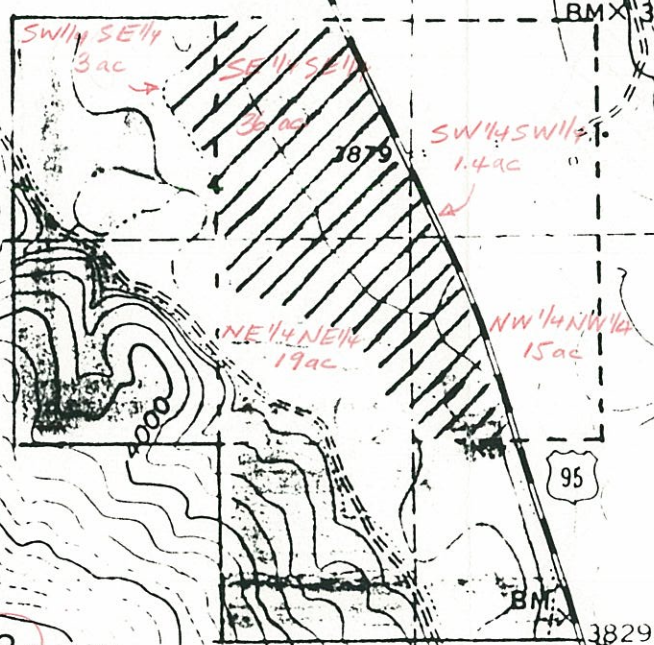


14

13

23

24



Sec 13- SW 1/4 SW 1/4 1.4 ac
Sec 14 SW 1/4 SE 1/4 3.0 ac
SE 1/4 SE 1/4 36 ac
+ stock
Sec 23 NE 1/4 NE 1/4 19 ac
+ stock
Sec 24 NW 1/4 NW 1/4 15 ac
74.4

(BRUNDAGE MTN.)
2774 II SW

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: 39356
Ident. Number A78-02025A
Date Received 5-10-88
Receipt Number 48815
0000165

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Charles G. or Theola M. Harris Phone (208) 347-2605

Mailing Address HC 75 Box 3450 New Meadows Zip 83654

2. Date of Priority (Only one (1) per claim) May 18, 1920 ID

3. Source of water supply (a) Brown Creek & Unnamed Stream
which is tributary to (b) Hard Creek & Brown Creek

4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____
see attached
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Wood diversion structures
and gravity ditches.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4-15 to 10-15 amount 2.80 or _____

For Stockwater purposes from 1-1 to 12-31 amount 0.07 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.87 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 225 head cattle (steers) plus 50 cows and calves

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
20N	1E	13										5	38	2					45
		14													3		3	36	42
		23	19																19
		24						34											34

Total number of acres irrigated 140

11. In which county (ies) are lands listed above as place of use located? Adams

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A78-4115 or None ()

14. Remarks: This water right was originally used on two separate parcels of land that were under different ownership. Each owner had 1/2 interest in the water, and the same priority date.

Last Name Harris Ident No. A78-02025A

Copies Made State of Colorado

OCT 05 1992

15. Basis of Claim: (check one) Beneficial Use _____ Posted Notice _____ License ☒ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 78-2025

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 - 3 -

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) x Theda Harris Date May 10, 1988

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Adams)

SS.

Subscribed and sworn (or affirmed) before me this 10th day of May 19 88

SEAL

Notary Public Carter Fritschle

Residing at Eagle, Id.

My Commission Expires 3-21-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Harris Ident. Number A78-02025A

MICROFILMED

OCT 05 1992

Points of Diversion

Twn	Rng	Sec.	$\frac{1}{4}$	of $\frac{1}{4}$	of $\frac{1}{4}$
20N	2E	5	SE	NE	SE
		8	~~NE~~	SW	SE
			NW	NE	SE
			SW	SE	NE
		17	NW	NE	SE

Point of Injection

Twn	Rng	Sec.	$\frac{1}{4}$	of $\frac{1}{4}$	of $\frac{1}{4}$
20N	2E	20	NE	NW	SE

Point of Rediversion

Twn	Rng	Sec.	$\frac{1}{4}$	of $\frac{1}{4}$	of $\frac{1}{4}$
20N	2E	30	SE	SE	NE

A78-02025A

MICROFILMED

OCT 05 1992

T 20 N

ADAMS CO

4°94

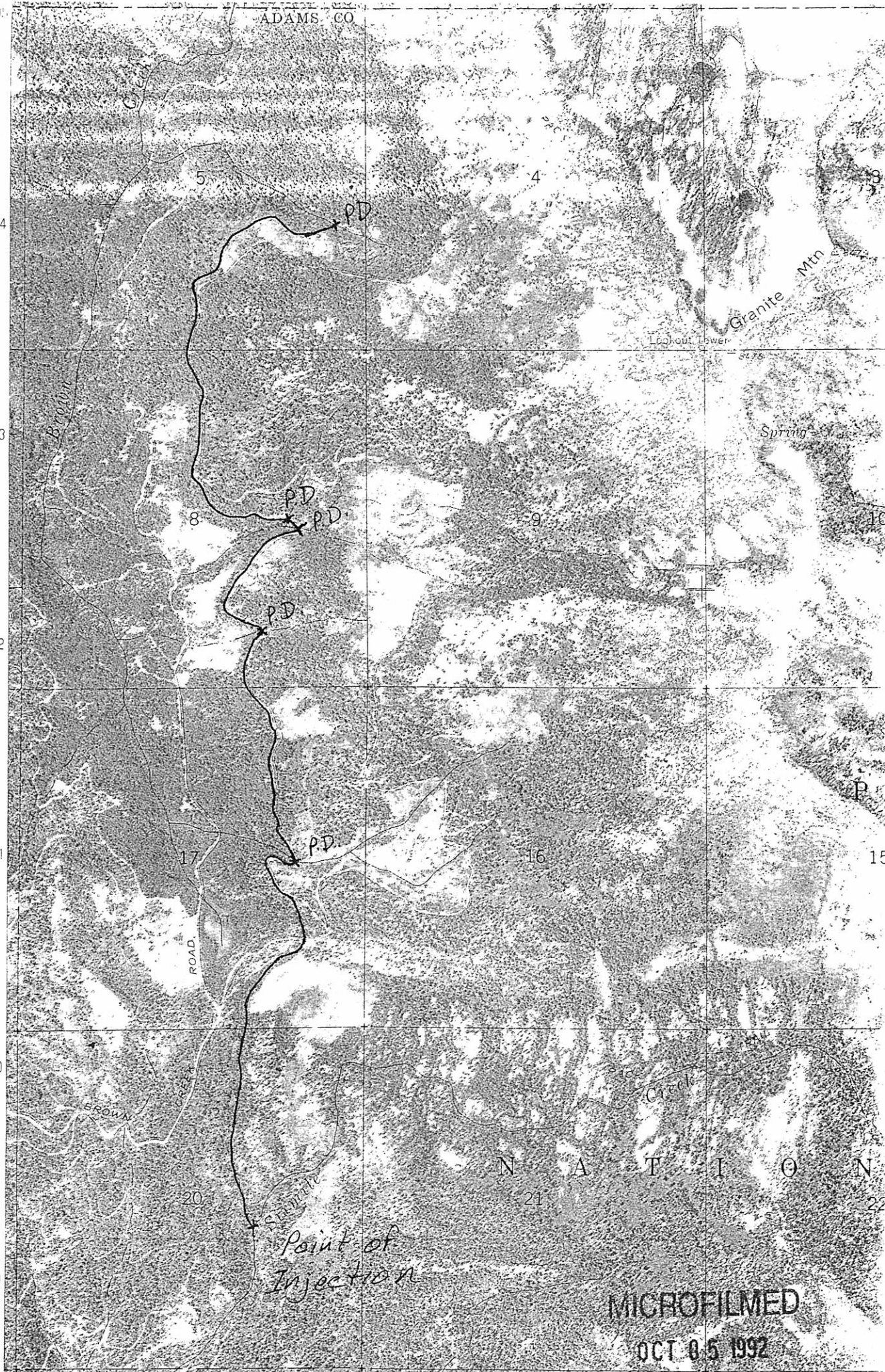
4°93

4°92

4°91

4°90

4°89



478-02025A

MICROFILMED

OCT 05 1992

12/05/2006

NOTICE OF ERROR

REPLY

DEC 12 2006
DEPARTMENT OF
WATER RESOURCES

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: December 15, 2006

Water right number: 78-2025D

JOHN WAYNE BREES
4301 HWY 95
NEW MEADOWS ID 83654-5044
Telephone Number: (208)347-2714

KAREN ALICE BREES
4301 HWY 95
NEW MEADOWS ID 83654-5044
Telephone Number: (208)347-2714

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: 12/07/06 SIGNATURE: John W. Brees
Please print your name: JOHN W. BREES

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC 13 2006

VFW

12/01/2006

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

RIGHT NUMBER: 78-2025D

NAME AND ADDRESS: JOHN WAYNE BRES
4301 HWY 95
NEW MEADOWS ID 83654-5044

KAREN ALICE BRES
4301 HWY 95
NEW MEADOWS ID 83654-5044

SOURCE: BROWN CREEK TRIBUTARY: HARD CREEK
UNNAMED STREAMS TRIBUTARY: BROWN CREEK

Point of injection into and points of redirection from Sixmile Creek.

QUANTITY: 1.320 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/18/1920

POINT OF DIVERSION:

T20N R02E S5 NESE Within ADAMS County
T20N R02E S8 NESE Within ADAMS County
T20N R02E S8 NESE Within ADAMS County
T20N R02E S8 SWSE Within ADAMS County
T20N R02E S17 NESE Within ADAMS County
T20N R02E S20 NWSE Injection Within ADAMS County
T20N R02E S30 SENE Rediversion Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.320 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T20N R01E S13	SWSW	0.10	T20N R01E S14	SWSE	3.60
T20N R01E S14	SESE	33.00	T20N R01E S23	NENE	17.00
T20N R01E S24	NWNW	9.80	T20N R01E S24	SWNW	2.50

STOCKWATER same as IRRIGATION

66 ACRES TOTAL

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

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

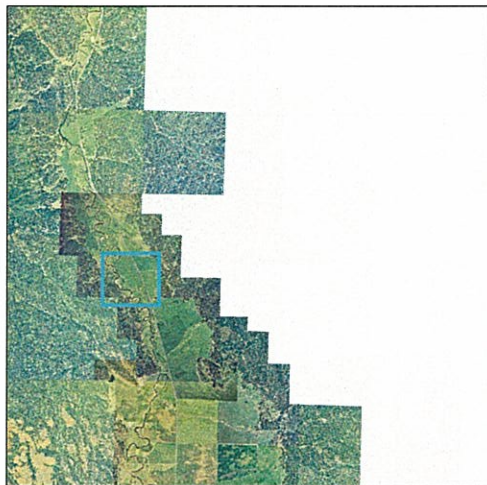
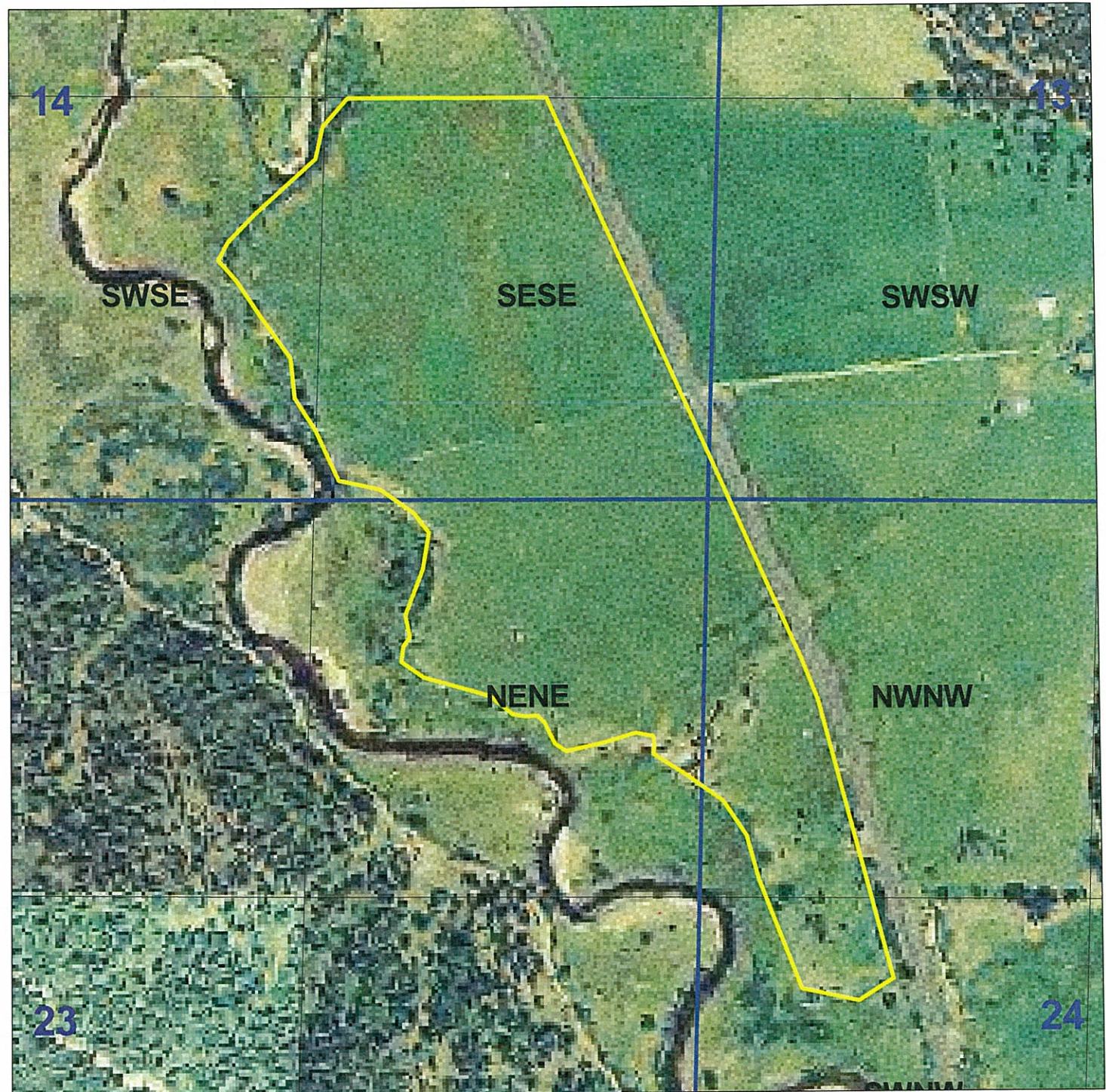
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

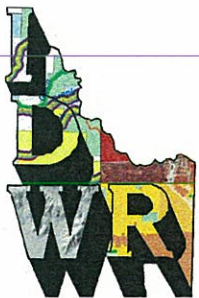
Stockwater use is for 120 range cattle.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

78-2025D





Idaho Department of Water Resources

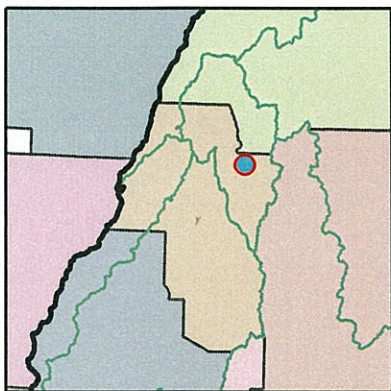
SRBA Recommendation:

78-2025D

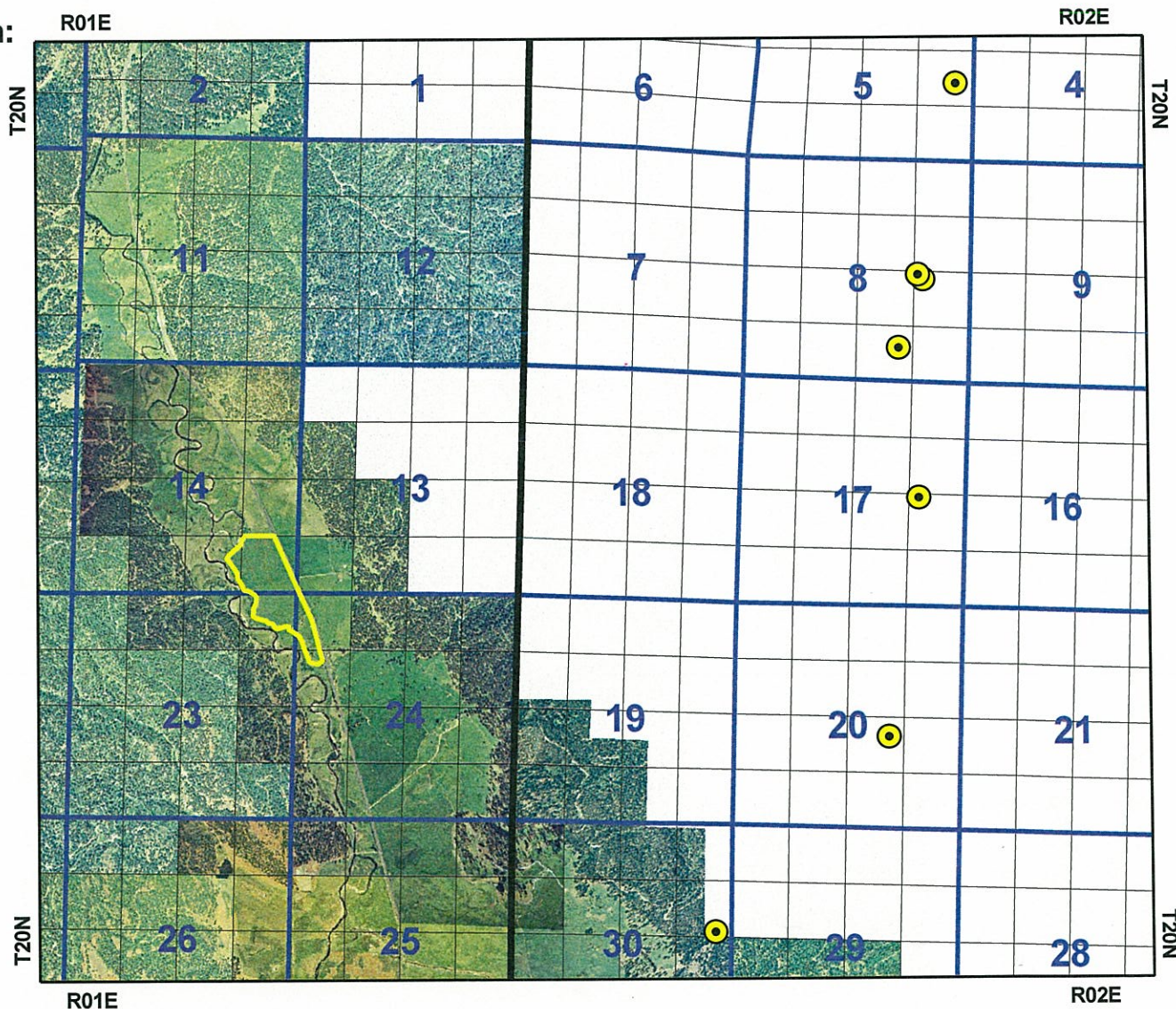
(Irrigation)

Legend

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



Adams County
IDWR Basin 78



0 2 4 Miles

Prepared by K. Walker
On Friday, December 1, 2006
1987/88 Aerial Photography

PLEASE CHANGE ADDRESS ON
WATER RIGHT 78-20251)

JOHN WAYNE BREEES

KAREN ALICE BREEES

4301 HWY 95

NEW MEADOWS ID. 83654

formerly :

P.O. Box 105-

John W. Brees
11/28/2006

Rec'd at
preliminary
meeting 11/28/06
KW

MEMORANDUM

TO: File 78-2025D, 78-12280 and 78-12281

FROM: KAY WALKER *Kay*

RE: Acres under 78-2025A

Date: December 4, 2006

.....

When Claim 78-2025A was filed it was for the irrigation of 140 acres and 2.8 cfs submitted by Charles Harris. The claim was split into 78-2025C (Harris for 65.6 acres) and 78-2025D (Brees for 74.4 acres). According to Mr. Brees the deed for his property stated that they were to split right 78-2025A in half. When the right was split, Brees obtained 74.4 acres leaving Harris with 65.6 acres (for a total of 140 acres).

In preparing recommendations for these rights, I found that the Brees portion should be 66 acres, leaving 74 acres to be split between 78-12280 (Ranstrom) and 78-12281 (Jerry Harris). Recommendations have been prepared as described herein.

Right 78-2025 has been recommended as follows:

78-2025B	2.80 cfs/140 acres
78-2025D	1.32 cfs/ 66 acres
78-12280	1.18 cfs/ 59 acres
78-12281	<u>0.30 cfs/ 15 acres</u>
	5.60 cfs/280 acres

Right 78-2025 has been claimed and recommended in full.

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	78 12280	THEOLA M HARRIS, CHARLES G HARRIS,	BROWN CREEK, UNNAMED STREAMS	20N01E13										5	36.6	2					43.6
Claim	78 12281	THEOLA M HARRIS, CHARLES G HARRIS,	BROWN CREEK, UNNAMED STREAMS	20N01E13										5	36.6	2					43.6
Claim	78 2025D	KAREN ALICE BREES, JOHN WAYNE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E13											1.4						1.4
Rec	78 12280	ALLAN RANSTROM, PAMELA RANSTROM,	BROWN CREEK, UNNAMED STREAMS	20N01E13											39	3.2					42.2
Rec	78 2025D	JOHN WAYNE BREES, KAREN ALICE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E13											0.1						0.1
Right	78 2025	FRANK D DELBAERE, W H CAMPBELL,	BROWN CREEK, UNNAMED STREAMS	20N01E13											40						40
Claim	78 7000A	BROWNS INDUSTRIES INC,	LITTLE SALMON RIVER	20N01E13										6.5							6.5
Rec	78 7000A	BROWNS INDUSTRIES INC,	LITTLE SALMON RIVER	20N01E13										6.5							6.5
Right	78 7000A	THE TRAVELERS INSURANCE CO,	LITTLE SALMON RIVER	20N01E13										6.5							6.5
Claim	78 10213	CHARLES G HARRIS, THEOLA M HARRIS,	SIXMILE CREEK	20N01E13										5	38	2					45
Claim	78 4115	THEOLA M HARRIS, CHARLES G HARRIS,	UNNAMED STREAM	20N01E13										3	20	1					24
Right	78 4115	MAXINE ROBERTS, F B ROBERTS,	UNNAMED STREAM	20N01E13										20	20						40

NO OL

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	78 12280	THEOLA M HARRIS, CHARLES G HARRIS,	BROWN CREEK, UNNAMED STREAMS	20N01E14													3				3
Claim	78 12281	THEOLA M HARRIS, CHARLES G HARRIS,	BROWN CREEK, UNNAMED STREAMS	20N01E14													3				3
Claim	78 2025D	KAREN ALICE BREES, JOHN WAYNE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E14															3	36	39
Rec	78 12280	ALLAN RANSTROM, PAMELA RANSTROM,	BROWN CREEK, UNNAMED STREAMS	20N01E14																6.3	6.3
Rec	78 2025D	JOHN WAYNE BREES, KAREN ALICE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E14															3.6	33	36.6
Right	78 2025	FRANK D DELBAERE, W H CAMPBELL,	BROWN CREEK, UNNAMED STREAMS	20N01E14																30	30
Claim	78 7000A	BROWNS INDUSTRIES INC,	LITTLE SALMON RIVER	20N01E14			0.5	23.5	20								37.5	9			90.5
Claim	78 7000B	BROWNS INDUSTRIES INC,	LITTLE SALMON RIVER	20N01E14				1.5		27	19	2.5	25.5	27.5				8			111
Rec	78 7000A	BROWNS INDUSTRIES INC,	LITTLE SALMON RIVER	20N01E14			0.5	23.5	20								37.5	9			90.5
Rec	78 7000B	BROWNS INDUSTRIES INC,	LITTLE SALMON RIVER	20N01E14				1.5		27	19	2.5	25.5	27.5				8			111
Right	78 7000A	THE TRAVELERS INSURANCE CO,	LITTLE SALMON RIVER	20N01E14			0.5	23.5	20								37.5	9			90.5
Right	78 7000B	THE TRAVELERS INSURANCE CO,	LITTLE SALMON RIVER	20N01E14				1.5		27	19	2.5	25.5	27.5				8			111
Claim	78 10213	CHARLES G HARRIS, THEOLA M HARRIS,	SIXMILE CREEK	20N01E14													3		3	36	42
Claim	78 4115	THEOLA M HARRIS, CHARLES G HARRIS,	UNNAMED STREAM	20N01E14													2			7	9
Right	78 4115	MAXINE ROBERTS, F B ROBERTS,	UNNAMED STREAM	20N01E14													10			5	15

↑ ↑

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	78 2025D	KAREN ALICE BREES, JOHN WAYNE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E23	19																19
Rec	78 2025D	JOHN WAYNE BREES, KAREN ALICE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E23	17																17
Right	78 2025	FRANK D DELBAERE, W H CAMPBELL,	BROWN CREEK, UNNAMED STREAMS	20N01E23	30																30

NO OL

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Claim	78 4080	ALVIN H HALL, LINNEA L HALL,	BROWN CREEK, SIXMILE CREEK, UNNAMED STREAMS	20N01E24			28				10	39	38	2		38	19	37	39	16	266
Claim	78 12280	THEOLA M HARRIS, CHARLES G HARRIS,	BROWN CREEK, UNNAMED STREAMS	20N01E24						19											19
Claim	78 12281	THEOLA M HARRIS, CHARLES G HARRIS,	BROWN CREEK, UNNAMED STREAMS	20N01E24						19											19
Claim	78 20258	ALVIN H HALL, LINNEA L HALL,	BROWN CREEK, UNNAMED STREAMS	20N01E24			28				10	39	38	2		38	19	37	39	16	266
Claim	78 20250	KAREN ALICE BREES, JOHN WAYNE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E24						15											15
Rec	78 12280	ALLAN RANSTROM, PAMELA RANSTROM,	BROWN CREEK, UNNAMED STREAMS	20N01E24					0.5	10											10.5
Rec	78 12281	JERRY L HARRIS, PATRICIA A HARRIS,	BROWN CREEK, UNNAMED STREAMS	20N01E24						15											15
Rec	78 20258	ALVIN H HALL, LINNEA L HALL,	BROWN CREEK, UNNAMED STREAMS	20N01E24			23				10	40	39	1.6		32	20	38	39	20	262.6
Rec	78 20250	JOHN WAYNE BREES, KAREN ALICE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E24						9.8	2.5										12.3
Right	78 2025	FRANK D DELBAERE, W H CAMPBELL,	BROWN CREEK, UNNAMED STREAMS	20N01E24						40			40			25		35	40		180
Right	78 4080	ALVIN H HALL,	LANDERS CREEK, SIX MILE CREEK, UNNAMED STREAM	20N01E24			40				12	40	40	3		40	40	40	40	40	335
Claim	78 10213	CHARLES G HARRIS, THEOLA M HARRIS,	SIXMILE CREEK	20N01E24						34											34
Right	78 4170	ALVIN H HALL,	UNNAMED STREAM	20N01E24			25														25
Claim	78 4170	LINNEA L HALL, ALVIN H HALL,		20N01E24			28				10	39	38	2		38	19	37	39	16	266

↑ ↑
NO OL

12/01/2006

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 78-2025D

WATER RIGHT NUMBER: 78-2025D

Owner Type Name and Address

Original Owner ~~CHARLES G HARRIS~~
 PO BOX E
 NEW MEADOWS, ID 83654
 (208)347-2605

Current Owner KAREN ALICE BRES ✓
 4301 HWY 95 ✓
 NEW MEADOWS, ID 83654-5044 ✓
 (208)347-2714 ✓

Current Owner JOHN WAYNE BRES ✓
 4301 HWY 95 ✓
 NEW MEADOWS, ID 83654-5044 ✓
 (208)347-2714 ✓

Original Owner ~~THEOLA M HARRIS~~
 PO BOX E
 NEW MEADOWS, ID 83654
 (208)347-2605

Priority Date: 05/18/1920

Basis: License

Status: Active

SourceBROWN CREEK
UNNAMED STREAMSTributaryHARD CREEK
BROWN CREEKBeneficial UseIRRIGATION
STOCKWATER

From To

4/15 to 10/15

1/01 to 12/31

Diversion Rate1.490 CFS
0.050 CFSAnnual Volume

N/A surface water

Total Diversion: 1.490 CFS 1.32

Location of Point(s) of Diversion

UNNAMED STREAMS

ADAMS County

SW 1/4 SE 1/4 NE 1/4

Sec. 8, Twp 20N, Rge 02E, B.M.

UNNAMED STREAMS

ADAMS County

SE 1/4 NE 1/4 SE 1/4 ✓

Sec. 5, Twp 20N, Rge 02E, B.M.

UNNAMED STREAMS

ADAMS County

NW 1/4 NE 1/4 SE 1/4 ✓

Sec. 8, Twp 20N, Rge 02E, B.M.

UNNAMED STREAMS

ADAMS County

NE 1/4 NW 1/4 SE 1/4 ✓

Sec. 20, Twp 20N, Rge 02E, B.M.

(Injection)

UNNAMED STREAMS

ADAMS County

NE 1/4 SW 1/4 SE 1/4 ✓

Sec. 8, Twp 20N, Rge 02E, B.M.

UNNAMED STREAMS

ADAMS County

SE 1/4 SE 1/4 NE 1/4 ✓

Sec. 30, Twp 20N, Rge 02E, B.M.

(Rediversion)

BROWN CREEK

ADAMS County

NW 1/4 NE 1/4 SE 1/4 ✓

Sec. 17, Twp 20N, Rge 02E, B.M.

used points identified by 78-2025D.

12/1/06
 per phone con.
 How many head of
 stock? 120 steers
 max — kw

120 range x 0.00022 = 0.03 cfs
 66 ac x 0.02 = 1.32 cfs

same pld's
 as 78-2025D

Rec.
 Standard for area
 4/1-10/31

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 78-2025D

Place of UseIRRIGATION

GIS shape = 66 acres

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
20N	01E	13											1.4						1.4
20N	01E	14															3.0	36.0	39.0
20N	01E	23	19.0																19.0
20N	01E	24					15.0												15.0

Total Acres: 74.4

STOCKWATER same as IRRIGATIONConditions of Approval:

- THIS WATER RIGHT WAS ORIGINALLY USED ON TWO SEPARATE PRACELS OF LAND THAT WERE UNDER DIFFERENT OWNERSHIP. EACH OWNER HAD 1/2 INTEREST IN THE WATER AND THE SAME PRIORITY DATE.
POINT OF INJECTION: TWN 20N, RGE 2E, SEC. 20, NE NW SE. POINT OF REDIVERSION: TWN 20N, RGE 2E, SEC. 30, SE SE NE.
THIS WATER RIGHT HAS BEEN SPLIT AS A RESULT OF A CHANGE IN OWNERSHIP. SEE A78-02025A FOR DETAILS. 2/12/91, L.R.W. ADDRESS CHANGED PER CLAIMANT REQUEST (BY DB) 3/9/99.

Remarks:Comments:Dates and Other Information:

Claim Received Date: 5/25/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

State of Idaho

License and Certificate of Water Right

Water License No. 14574
Water District No.

Amount 5.5
Priority 5-18-20

THIS IS TO CERTIFY that FRANK D. DELBAERE & W. H. CAMPBELL of New Meadows, made application for a permit to appropriate the public waters of the State of Idaho, dated February 24, 1920; that Permit No. 14574 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6 second feet, was issued thereunder on August 26, 1924, showing that said works were completed on the 23rd day of August, 1924; and that on the 26th day of May, 1930,

FRANK D. DELBAERE & W. H. CAMPBELL

of New Meadows, State of Idaho, made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Brown's Creek & tributaries, a tributaries of Little Salmon River, for the purpose of irrigation and domestic use, under Use Permit No. 14574 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 9 of Licenses, at page 3747, on the 9th day of November, 1933; The right hereby confirmed dates from May 18, 1920;

The Point of Diversion is located (Brown's Creek) in the SW 1/4 NE 1/4, Sec. 17, Tp. 20 N., R. 2 E., B. M. Adams County. (See Remarks for diversions from tributaries) That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 5.5 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
20 N	1 E	18	SW SW	40	40
		14	SE SE	40	30
		23	NE NE	40	30
		24	NE NW	40	40
			NE SW	40	40
			SE SW	40	25
			NW SE	40	35
			SW SE	40	40
(Remarks): Tributary No. 1 NW SE, Section 8,					
No. 2 NE NE, " 8,					
No. 3 SE SE, " 5,					
No. 4 NE SE, " 5,					
No. 5 NE NE, " 5, all in T. 20 N., R. 2 E., B. M. Adams County					

140 ac
2.8 cfs

140 ac
2.80 cfs

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, according to the laws of Idaho.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, on the 9th day of November, 1933.

R. W. FARIS
Commissioner of Reclamation

(SEAL)



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

March 11, 1999

DIRK KEMPTHORNE
GOVERNOR

Re: Notice of Claim to a Water Right No. A78-02025D

KARL J. DREHER
DIRECTOR

John W Brees
Karen A Brees
PO Box 105
New Meadows ID 83654

Dear Property Owners:

Enclosed is a copy of the above referenced claim which reflects your change in address.
Also enclosed is a copy for your records of your new claim number A78-12104.

The Department will contact you in the future concerning any requirements that may be needed in order to process these claims for final court decree.

Thank you for your cooperation. If you have any questions concerning the enclosed claims, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:db

Enclosure



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Date Feb. 12, 1991

[John or Karen Brees]
26865 Hester Creek Rd.
LOS Gatos, CA 95030
[]

Notice of Claim No.(s) A78-02025D

Dear Claimant:

Enclosed is a copy(s) of the above referenced claim(s) which reflect the change in ownership of the land and appurtenant water rights covered by this claim(s).

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim(s) for final court decree.

If you have any questions concerning the enclosed claim(s), please feel free to contact this office.

Sincerely,

Linda Werner

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosure(s)

MICROFILMED

OCT 15 1992

CONVERSATION MEMORANDUM

DATE 2-12-91

FILE A78-2025D

NAME OF PARTY John Brue

EMPLOYEE Linda Warner

RE: Amount to claim for stock on his portion of
A78-02025A.

Stock = 120 sh.

MICROFILMED

OCT 05 1992

RECEIVED
FEB 11 1991

Department of Water Resources
Western Regional Office

26865 Hester Creek Rd.
Los Gatos, CA 95030
February 7, 1991

Linda A. Werner
State of Idaho
Department of Water Resources Western Region
2735 Airport Way
Boise, ID 83705

Dear Ms. Werner:

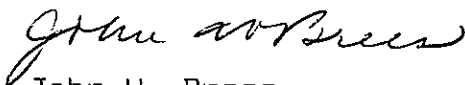
Thank you for your letter and information regarding our Water Right Claim. Enclosed is a map indicating the water rights to be split from the Harris' claim, A78-02025A. Our property includes all portions of Sec. 13, SW1/4SW1/4; Sec. 14, SW1/4SE1/4, SE1/4SE1/4; Sec. 23, N1/2NE1/4, SE1/4NE1/4; Sec. 24, NW1/4NW1/4, SW1/4NW1/4 lying to the west of Highway 95. The portions to be irrigated are as follows:

Sec. 13	SW1/4SW1/4	1.4 acres
Sec. 14	SW1/4SE1/4	3.0 acres
	SE1/4SE1/4	36.0 acres
Sec. 23	NE1/4NE1/4	19.0 acres
Sec. 24	NW1/4NW1/4	15.0 acres

Total acres to be irrigated equals 74.4. We also will be claiming stock water usage for those parts of Sec.14 and Sec.23. We will be using all five points of diversion.

We hope this will give you all the information you need to process our claim and make the required split. If you need further information, please let us know.

Sincerely,



John W. Brees
Karen K. Brees

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 29, 1991

John and Karen Brees
26865 Hester Creek Rd.
Los Gatos, CA 95030

Dear Mr. and Mrs. Brees:

This office has received your request for the change in ownership of a portion of Notice of Claim to a Water Right, number A78-02025A.

As indicated on the ownership change form, this claim will require a split. However; before I can make this split I need more information from you. Exactly how many acres are to be split in each 40 acre section (quarter, quarter)? Who is to receive which acreage? The assessors' notice you sent does indicate the legal description but it is not thorough enough to ensure the proper split for each party.

The Notice of Claim also has a stockwater usage and shows five points of diversion from Brown Creek and Hard Creek. Will you be using all diversion points as indicated and are you also claiming a stockwater usage? If so, please indicate the place of use for the stockwater and which diversions you will be using.

One other thing; this water right was split in the Adjudication between Charles and Theola Harris and Linnea and Alvin Hall. Since you bought your property from the Harris's, your portion of the water right will come from their claim. I have enclosed a copy of the Notice of Claim, A78-02025A, as filed by the Harris's. Hopefully this will make it easier for you to determine which lands are to be split off.

Also enclosed is a copy of the Notice of Claim to a Water Right, A78-02025B, as filed by the Hall's. This is for your information.

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OCT 05 1992

Page 2

Please return this information to me within 30 days so I can complete the change in ownership. If you need assistance, feel free to contact me.

Sincerely,

Linda A. Werner

Linda A. Werner
Sr. Water Resource Agent
Adjudication Section

Enclosures

MICROFILMED

OCT 05 1992

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. _____

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. E. P. Clark, 68 years, New Meadows, Idaho, Post Office New Meadows Idaho.

Ques. 2. Are you acquainted with W. H. Campbell and R. E. Gildray, the holder of Permit No. 14574? How long have you known him and where does he reside?

Ans. W. H. Campbell thirty years, Gildray Twenty five years,

both reside at New Meadows Idaho, but W. H. Campbell is away at present, on account of his health,

Ques. 3. Have you read or heard read said Permit No. 14574, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Browns Creek, SW 1/4 NE 1/4 Sec 17 TP 20 North Range 2 East B V head gate, ditch, and flume, head gate about three foot square, ditch about two feet on bottom, three and half foot wide on top and about two and one half foot deep, flume about two feet by two feet

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. about four hundred inches, have seen ample water being conveyed to irrigate all land under permit.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. NW SW 1/4 of SW 1/4 Sec 13 SE 1/4 of SE 1/4 Sec 14, NE 1/4 of NE 1/4 Sec 22 NW 1/4 of NW 1/4 Sec 24, Delbana, and S E 1/2 of SW 1/4 and W 1/2 SE 1/4 Sec 24, and all of Township 20 North Range 1 East P. 1 have seen all of the above land being irrigated, natural meadow land, irrigation has increased the crop yield,

14 MICROFILMED

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. no power.

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. farm lands, requires around one inch per acre.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. every few days, during irrigation season since completion of works, all the land heretofore described having been irrigated.

(Signed)

E. E. Elask

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in New Meadows, County of Adams, State of Idaho, on this 26th day of May, A. D. 1930.

E. E. Elask
Notary Public.

My commission expires Nov 15 1932,

14574



MICROFILMED
OCT 25 1977