

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 78-4115
Date Received: 5/10/1988
Receipt No: W000165
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ALLAN RANSTROM
565 W ASHBOURNE DR
EAGLE ID USA 83616

Phone: (208) 939-2295

PAMELA RANSTROM
565 W ASHBOURNE DR
EAGLE ID USA 83616

Phone: (208) 939-2295

2. Date of Priority: 05/01/1879

3. Source: UNNAMED STREAM Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
20N	01E	13	NW SE SW	ADAMS	

5. Description of diverting works:

CREEK FLOWS TO DITCH THAT DELIV. WATER UNDER W.R. NO.78-2025.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	10/15	0.66	
STOCKWATER	1/01	12/31	0.07	

7. Total Quantity Appropriated is:
0.73 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
20N	01E	13	NW	SW		IRRIGATION	3
			SW	SW		IRRIGATION	20
			SE	SW		IRRIGATION	1
			Section Acres				
20N	01E	14	SE	SE		IRRIGATION	7
			NE	SE		IRRIGATION	2
			Section Acres				
Total Acres						33	

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:

14. Remarks:

Processed change in ownership this day. kw 12/5/2006

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.

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

RECEIVED

APR 18 2005

DEPARTMENT OF
WATER RESOURCES

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
✓ 78-4115	A78-04115	—	_____	_____	—
✓ 78-2025C	A78-02025C	—	_____	_____	—
✓ 78-10213	A78-10213	—	_____	_____	—
✓ 78-10106	A78-10106	—	_____	_____	—
_____	_____	—	_____	_____	—

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) 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**.

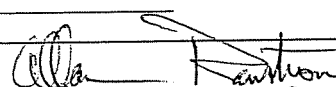
3. Name and Address of Former Owner/Claimant(s) Charles G. Harris or Theola M. Harris
P.O. Box E, New Meadows, ID 83654
4. New Owner/Claimant(s) Allan Ranstrom and/or Pamela Ranstrom
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 565 W. Ashbourne Drive
- City, State and ZIP Code Eagle, Idaho 83616
- New Telephone Number (208) 939-2295; 861-3783
5. Date you acquired the property March 15, 2005

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

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

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

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


Pamela Ranstrom

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

For Office Use Only

Received by _____ Date _____ Fee N/A
 Receipted by _____ Date _____ Receipt No. _____
 Processed by PW AJ Date 12/5/06 WR _____ Date _____

INSTRUMENT NO. **108392** WARRANTY DEED

For Value Received, CHARLES G. HARRIS and THEOLA M. HARRIS, husband and wife

the grantors do hereby grant, bargain, sell and convey unto
ALLAN RANSTROM and PAMELA RANSTROM, husband and wife

the grantees, whose current address is 565 W. Ashbourne Dr., Eagle, ID 83616

the following described premises, in Adams County, Idaho, to-wit:

SEE ATTACHED EXHIBIT 'A' MADE A PART HEREOF.

Together with all water and ditch rights appurtenant thereto.

TO HAVE AND TO HOLD THE said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting for all easements of record, rights of way, matters visible, and all matters of record and title and that they will warrant and defend the same from all lawful claims whatsoever.

Date: MARCH 11, 2005

AP PR

Charles G. Harris
CHARLES G. HARRIS

Theola M. Harris
THEOLA M. HARRIS

Instrument # 108392

COUNCIL, ADAMS, IDAHO

2005-03-15 09:48:25 No. of Pages: 2

Recorded for: TIMBERLINE TITLE & ESCROW

MICHAEL FISK

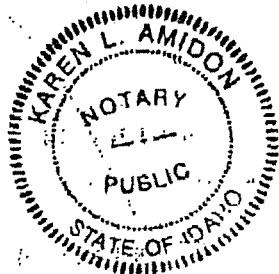
Ex-Officio Recorder Deputy

Index to: DEED

STATE OF IDAHO)

COUNTY OF Adams)

On this 11th day of MARCH, in the year of 2005, before me, a Notary Public in and for said State, personally appeared CHARLES G. HARRIS and THEOLA M. HARRIS known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me they executed the same.



Karen L. Amidon
Notary Public
Residing at: Cambridge, ID
Commission expires: 6/26/2009

EXHIBIT 'A'

Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho
Sections 13, 14, 24: A parcel of land situated within the S1/2S1/2 of
Section 13, the SE1/4SE1/4 of Section 14, and the N2N2 of Section 24,
T20NR1EBM, Adams County, Idaho, more particularly described as
follows:

Beginning at the Northeast corner of Section 24 (Southeast corner of
Section 13), T20NR1EBM;
Thence S 00° 18' 37" W a distance of 410.17 feet along the East line of
the N1/2N1/2 of said Section 24;
Thence N 89° 14' 16" W parallel to the North line of said Section 24, a
distance of 4931.90 feet to a point on the Easterly right-of-way line
of U.S. Highway 95, Project F-FR-3112(45);
Thence N 25° 16' 00" W a distance of 887.00 feet along the Easterly
right-of-way line of said U.S. Highway 95 to a point within the
SE1/4SE1/4 of Section 14, T20NR1EBM;
Thence N 25° 15' 42" W a distance of 1057.62 feet along the Easterly
right-of-way line of said U.S. Highway 95 to a point on the North line
of said SE1/4SE1/4;
Thence N 89° 06' 05" E a distance of 487.57 feet along the North line
of said SE1/4SE1/4 to the Northeast corner of said SE1/4SE1/4
(Northwest corner of the S1/2S1/2 of said Section 13);
Thence S 89° 01' 45" E a distance of 5280.68 feet along the North line
of said S1/2S1/2 to the Northeast corner of said S1/2S1/2;
Thence S 00° 09' 48" W a distance of 1332.24 feet along the East line
of said S1/2S1/2 to the Real Point of Beginning.

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: A78-04115
Date Received: 5/10/1988
Receipt No: W000165
Received By: SW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES G. HARRIS 208-347-2605
Address: HC 75, BOX 3450
NEW MEADOWS, ID 83654
AND/OR
Name: THEOLA M. HARRIS 208-347-2605
Address: HC 75, BOX 3450
NEW MEADOWS, ID 83654
2. Date of Priority: MAY 01, 1879
3. Source: UNN STREAM Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	01E	13	NW	SE	SW		ADAMS
5. Description of diverting works:
CREEK FLOWS TO DITCH THAT DELIV. WATER UNDER W.R. NO.78-2025.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.660		
STOCKWATER	01/01	12/31	0.070		
7. Total Quantity Appropriated is:
0.730 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 66.0 Acre Feet Per Annum.
9. Non-irrigation uses:
225 HEAD OF RANGE CATTLE(STEERS) PLUS COWS & CALVES

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
20N	01E	13	NW		SW		IRR	3.0
			SW		SW		IRR	20.0
			SE		SW		IRR	1.0
							Section Acres	24.0
		14	NE		SE		IRR	2.0
			SE		SE		IRR	7.0
							Section Acres	9.0
							Total Acres	33.0

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:
78-2025

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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 A78-04115
Date Received 5-10-88
Receipt Number 48815 W000165

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 1, 1879

3. Source of water supply (a) unnamed stream
which is tributary to (b) Little Salmon River

4. a. Location of existing point of diversion is: Township 20N Range 1E Section 13,
NW 1/4 of SE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of Adams

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. Creek flows into ditch
that delivers water under water Right No. 78-2025.

MICROFILMED

OCT 06 1992

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 0.66 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) 0.73 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 66 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 range cattle (steers) plus cows & 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										3	20	1					24
		14													2			7	9

Total number of acres irrigated 33

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.
78-2025 or None ()

14. Remarks:

MICROFILMED

OCT 06 1992

Last Name Harris Ident No. A78-04115

Copies: White -State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____

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 _____

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 Theola M. Harris Date 5-9-88

_____ 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 9th 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 _____

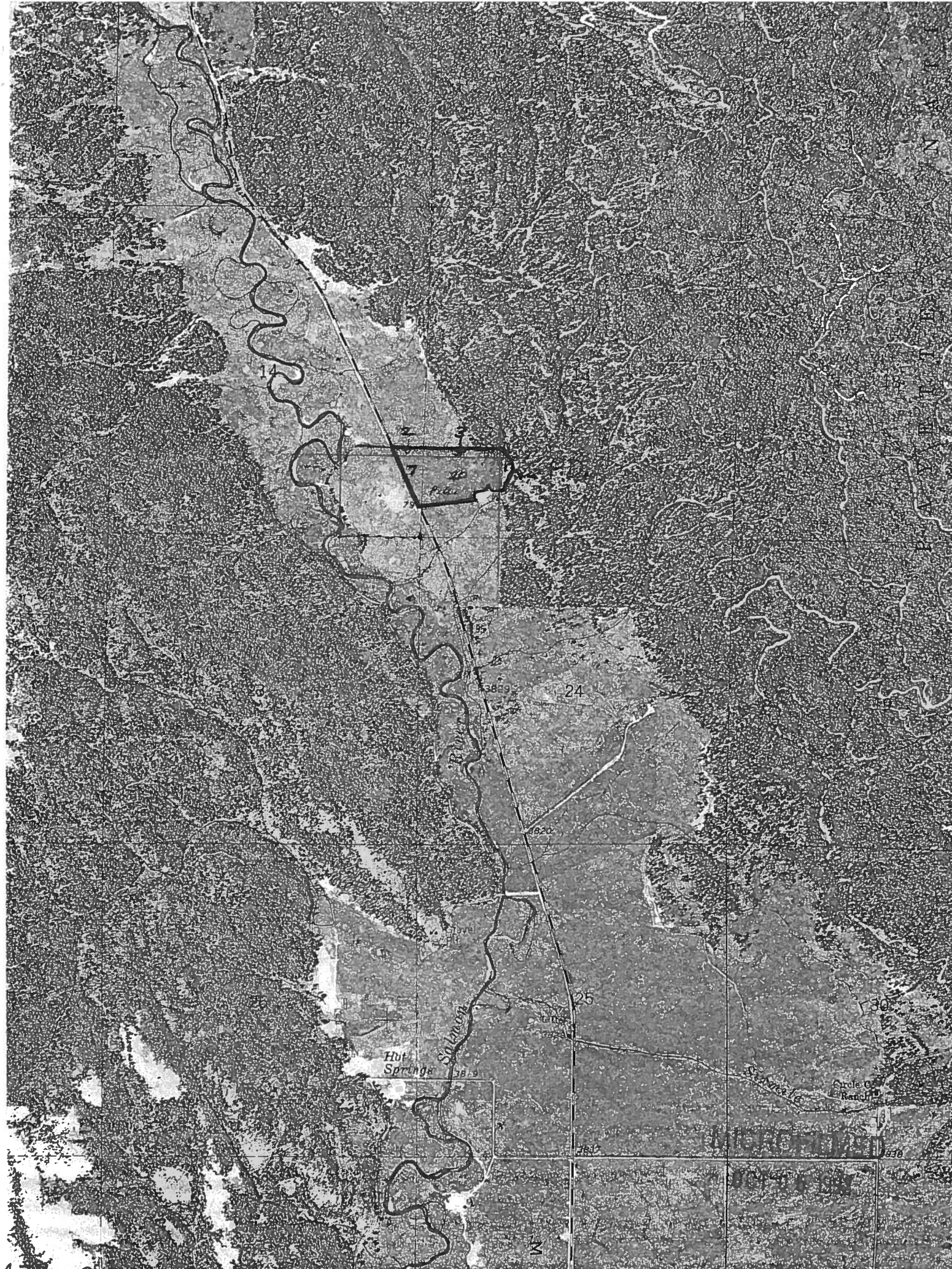
Date _____

MICROFILMED

OCT 06 1992

Last Name Harris Ident. Number A78-04115

Copies White-State, Yellow-Claimant



Walker, Kay

From: Walker, Kay
Sent: Saturday, December 16, 2006 12:33 PM
To: 'MMunther@MGSLegal.com'
Cc: 'allan@moreton.com'; Walker, Kay
Subject: FW: Evidence of Priority Dates

After sending the message below I noticed that I had messed up the priority date for Claim 78-4115 - **the recommended date is May 1, 1888** rather than the 1988 date. Sorry for the typo. Kay

-----Original Message-----

From: Walker, Kay
Sent: Saturday, December 16, 2006 12:28 PM
To: 'Merrily Munther'
Cc: 'allan@moreton.com'; Walker, Kay
Subject: RE: Evidence of Priority Dates

Ms. Munther:

I received the information you provided for Water Right Nos. 78-4115 and 78-12301 yesterday and just now completed recommendations on these claims. With the information provided I was able to recommend the following priority dates:

May 1, 1988, for Claim 78-4115
May 18, 1920, for Claim 78-12301

Thank you for the quick submittal and have a very Merry Christmas!!

Kay Walker
Sr. Water Resource Agent

12/16/2006

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

RIGHT NUMBER: 78-4115

NAME AND ADDRESS: ALLAN RANSTROM
565 W ASHBOURNE DR
EAGLE ID 83616

PAMELA RANSTROM
565 W ASHBOURNE DR
EAGLE ID 83616

SOURCE: UNNAMED STREAM

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.610 CFS

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

Right Nos. 78-4115 and 78-12280 are limited to a total combined diversion rate of 1.18 cfs.

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION:

T20N R01E S13 NWSESW 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	0.560 CFS
STOCKWATER	01/01 12/31	0.050 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T20N R01E S13	SWSW	21.00	T20N R01E S13	SESW	1.00
T20N R01E S14	SESE	6.00			

STOCKWATER same as IRRIGATION

28 ACRES TOTAL

Right Nos. 78-4115 and 78-12280 are limited to the irrigation of a combined total of 59 acres in a single irrigation season.

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 - Beneficial Use

Stockwater use is for 225 range cattle.



Idaho Department of Water Resources

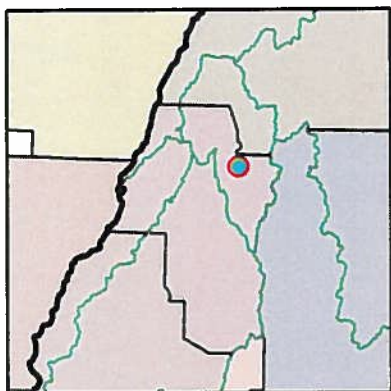
SRBA Recommendation:

78-4115

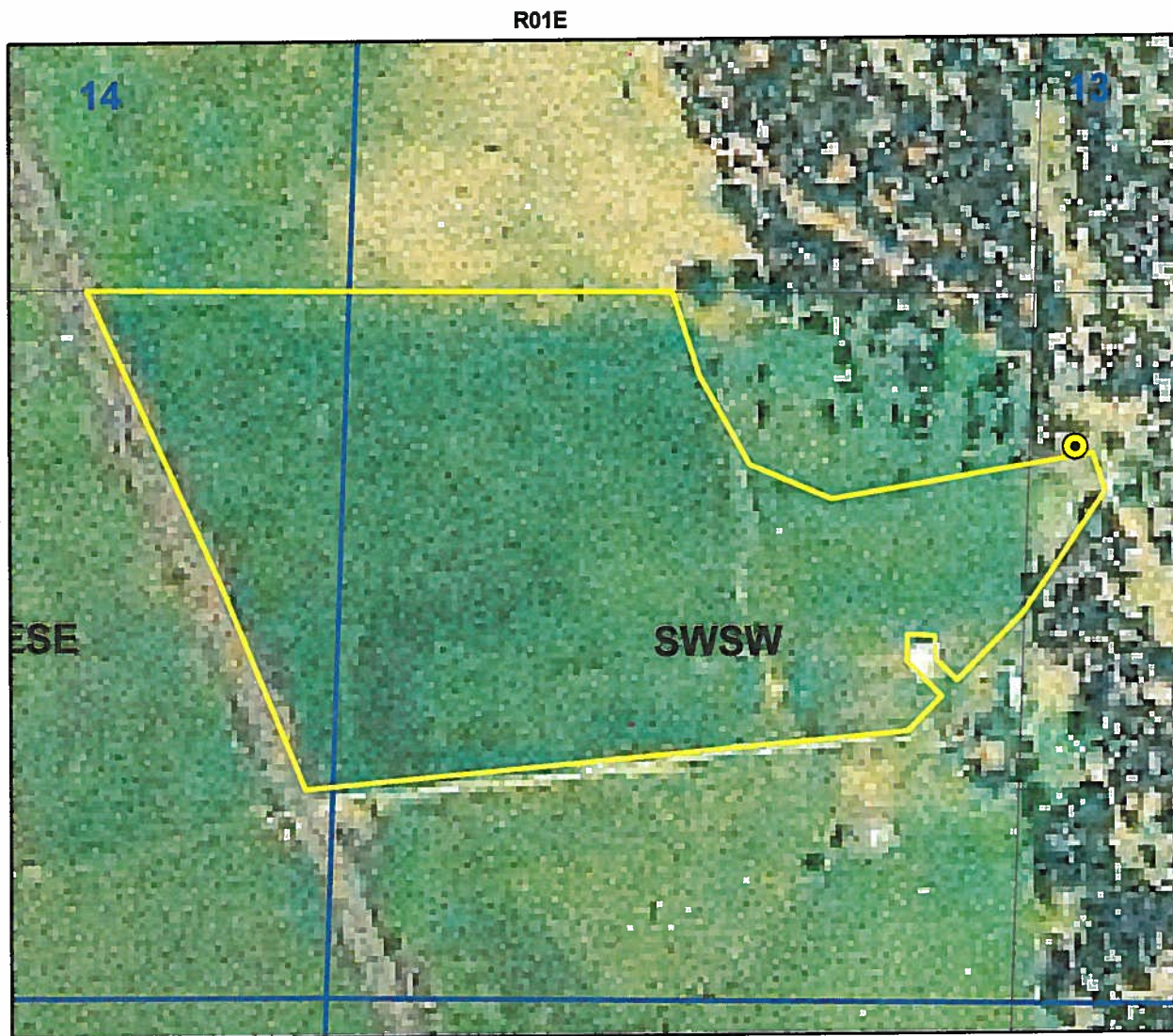
(Irrigation)

Legend

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



Adams County
IDWR Basin 78



0 0.1 0.2 Miles



Prepared by K. Walker
On Saturday, December 16, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 78-4115

WATER RIGHT NUMBER: 78-4115

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	THEOLA M HARRIS
Original Owner	CHARLES G HARRIS
Current Owner	ALLAN RANSTROM
Current Owner	PAMELA RANSTROM

Priority Date: 05/01/1879

Basis:

Statutory Claim

Status: Active

Source

UNNAMED STREAM

Tributary

LITTLE SALMON RIVER

Beneficial Use

IRRIGATION

STOCKWATER

From

To

4/15 to 10/15

1/01 to 12/31

Diversion Rate~~0.600~~ CFS~~0.070~~ CFS~~0.730~~ CFS

0.05

0.61

Annual Volume

0.56

Total Diversion:Location of Point(s) of Diversion

UNNAMED STREAM

NW1/4SE1/4SW1/4

Sec. 13, Twp 20N, Rge 01E, B.M.

ADAMS County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
20N	01E	13	NE	NW	SW	SE	22
20N	01E	14	NE	NW	SW	SE	6

Total Acres: 32

$$28 \text{ ac} \times 0.02 = 0.56 \text{ cfs}$$

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. Processed change in ownership this day. kw 12/5/2006

Remarks:Comments:

stock 225 x 0.00022 = 0.05 cfs
 1 per claim

1 = 1915 tax
 1 = 1920 tax
 = Homestead 1893
 1893
 1893

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
Rec	78 12302	JOHN WAYNE BREES, KAREN ALICE BREES,	SIXMILE CREEK	20N01E13											0.1						0.1
Rec	78 2025D	JOHN WAYNE BREES, KAREN ALICE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E13											0.1						0.1
Right	78 4115	MAXINE ROBERTS, F B ROBERTS,	UNNAMED STREAM	20N01E13										20	20						40
Rec	78 4115	ALLAN RANSTROM, PAMELA RANSTROM,	UNNAMED STREAM	20N01E13											21	1					22
Rec	78 12280	ALLAN RANSTROM, PAMELA RANSTROM,	BROWN CREEK, UNNAMED STREAMS	20N01E13											39	3.2					42.2
Rec	78 12301	ALLAN RANSTROM, PAMELA RANSTROM,	SIXMILE CREEK	20N01E13											39	3.2					42.2
Right	78 2025	FRANK D DELBAERE, W H CAMPBELL,	BROWN CREEK, UNNAMED STREAMS	20N01E13											40						40
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

OL w/ 78-12280 ← portion of Lic 78-2025
78-12301 ← flood water only -

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
Right	78 4115	MAXINE ROBERTS, F B ROBERTS,	UNNAMED STREAM	20N01E14													10			5	15
Rec	78 4115	ALLAN RANSTROM, PAMELA RANSTROM,	UNNAMED STREAM	20N01E14																6	6
Rec	78 12280	ALLAN RANSTROM, PAMELA RANSTROM,	BROWN CREEK, UNNAMED STREAMS	20N01E14																6.3	6.3
Rec	78 12301	ALLAN RANSTROM, PAMELA RANSTROM,	SIXMILE CREEK	20N01E14																6.3	6.3
Right	78 2025	FRANK D DELBAERE, W H CAMPBELL,	BROWN CREEK, UNNAMED STREAMS	20N01E14																30	30
Rec	78 12302	JOHN WAYNE BREES, KAREN ALICE BREES,	SIXMILE CREEK	20N01E14																3.6	36.6
Rec	78 2025D	JOHN WAYNE BREES, KAREN ALICE BREES,	BROWN CREEK, UNNAMED STREAMS	20N01E14																3.6	36.6
Rec	78 7000A	BROWNS INDUSTRIES INC,	LITTLE SALMON RIVER	20N01E14		0.5	23.5	20									37.5	9			90.5
Right	78 7000A	THE TRAVELERS INSURANCE CO,	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 7000B	THE TRAVELERS INSURANCE CO,	LITTLE SALMON RIVER	20N01E14			1.5		27	19	2.5	25.5	27.5						8		111



munther • goodrum • sperry

CHARTERED - ATTORNEYS AT LAW

Innovative solutions for a changing world

DEC 15 2006
DEPARTMENT OF
WATER RESOURCES

December 15, 2006

VIA HAND DELIVERY

Kay Walker
Idaho Department of Water Resources
5th floor, Idaho Water Center
322 E. Front St
PO Box 83720
Boise, Idaho 83720-0098

Re: Allan and Pamela Ranstrom
ID No. A78-4115 Priority Date Claimed 1879

Dear Kay:

I am forwarding the following documents in support of the priority date claimed for this claim of water right:

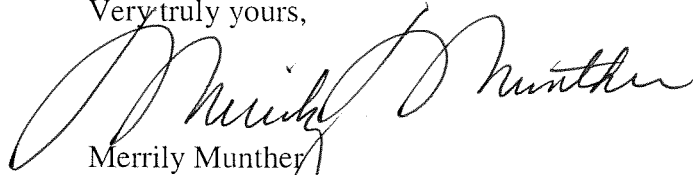
- 1945 Affidavit of Alvin Hall of observations of water use on this land from this source
- 1920 License and Certificate of Water Right, License No. 14574 (SWSW)
- 1920 Assessors Role shows classification of these lands as Irrigated Agricultural land
- 1915 Assessors Role shows classification of these lands as Agricultural land
- 1893 Homestead certificate covers SWSW Section 13, SESE Section 14, NWNW Section 24.
- 1888 Homestead Act confirms that to be entitled to a homestead certificate, an applicant must state his intent to actually settle and cultivate the land and must have done so for a period of at least five (5) years.

We contend that the Homestead Certificate certifies from the General Land Office that the land had been settled and cultivated for a period of at least 5 years prior to issuance of the Certificate and that it constitutes adequate foundation for you to recommend a priority date of 1888 for this water right. A family could not survive on and cultivate the land without the use of water. Water from this source runs directly to and past the present residence and outbuildings which are located in the same vicinity as the original homestead. We understand that water from the other source (12310) could not have been used for these purposes prior to construction of the ditch in 1920. If you advise us that you cannot recommend that priority date (1888), we may continue our search for additional records showing the application of water to beneficial use back to 1879.

We look forward to hearing from you at your earliest convenience.

The Mallard Building • 1161 W. River Street, Suite 260 • Boise, Idaho 83702
Telephone: (208) 344-4566 • Facsimile: (208) 344-9836
The Lands Building • 321 N. 3rd Street, Suite 11 • P. O. Box 2733 • McCall, Idaho 83638
Telephone (208) 724-3838

Very truly yours,



Merrily Munther
mmunther@mgslegal.com

MM/kw

cc: Mr. and Mrs. Allan Ranstrom

STATEMENT OF ALVIN E. HALL

Notary Public for Idaho
Residing in New Meadows, ID
My Commission Expires 2/2/2011

The Homestead Act of 1862
37th Congress Session II 1862

Chapter LXXV. - An Act to secure Homesteads to actual Settlers on the Public Domain.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That any person who is the head of a family, or who has arrived at the age of twenty-one years, and is a citizen of the United States, or who shall have filed his declaration of intention to become such, as required by the naturalization laws of the United States, and who has never borne arms against the United States Government or given aid and comfort to its enemies, shall, from and after the first January, eighteen hundred and sixty-three, be entitled to enter one quarter section or a less quantity of unappropriated public lands, upon which said person may have filed a preemption claim, or which may, at the time the application is made, be subject to preemption at one dollar and twenty-five cents, or less, per acre; or eighty acres or less of such unappropriated lands, at two dollars and fifty cents per acre, to be located in a body, in conformity to the legal subdivisions of the public lands, and after the same shall have been surveyed: *Provided*, That any person owning and residing on land may, under the provisions of this act, enter other land lying contiguous to his or her said land, which shall not, with the land so already owned and occupied, exceed in the aggregate one hundred and sixty acres.

Sec. 2. *And be it further enacted*, That the person applying for the benefit of this act shall, upon application to the register of the land office in which he or she is about to make such entry, make affidavit before the said register or receiver that he or she is the head of a family, or is twenty-one years or more of age, or shall have performed service in the army or navy of the United States, and that he has never borne arms against the Government of the United States or given aid and comfort to its enemies, and that such application is made for his or her exclusive use and benefit, and that said entry is made for the purpose of actual settlement and cultivation, and not either directly or indirectly for the use or benefit of any other person or persons whomsoever; and upon filing the said affidavit with the register or receiver, and on payment of ten dollars, he or she shall thereupon be permitted to enter the quantity of land specified: *Provided, however*, That no certificate shall be given or patent issued therefor until the expiration of five years from the date of such entry; and if, at the expiration of such time, or at any time within two years thereafter, the person making such entry; or, if he be dead, his widow; or in case of her death, his heirs or devisee; or in case of a widow making such entry, her heirs or devisee, in case of her death; shall prove by two credible witnesses that he, she, or they have resided upon or cultivated the same for the term of five years immediately succeeding the time of filing the affidavit aforesaid, and shall make affidavit that no part of said land has been alienated, and that he has borne true allegiance to the Government of the United States; then, in such case, he, she, or they, if at that time a citizen of the United States, shall be entitled to a patent, as in other cases provided for by law: *And provided, further*, That in case of the death of both father and mother, leaving an infant child, or children, under twenty-one years of age, the right and fee shall enure to the benefit of said infant child or children; and the executor, administrator, or guardian may, at any time within two years after the death of the surviving parent, and in accordance with the laws of the State in which such children for the time being have their domicile, sell said land for the benefit of said infants, but for no other purpose; and the purchaser shall acquire the absolute title by the purchase, and be entitled to a patent from the United States, on payment of the office fees and sum of money herein specified.

Sec. 3. *And be it further enacted*, That the register of the land office shall note all such applications on the tract books and plats of his office, and keep a register of all such entries, and make return thereof to the General Land Office, together with the proof upon which they have been founded.

Sec. 4. *And be it further enacted*, That no lands acquired under the provisions of this act shall in any event become liable to the satisfaction of any debt or debts contracted prior to the issuing of the patent therefor.

Sec. 5. *And be it further enacted*, That if, at any time after the filing of the affidavit, as required in the second section of this act, and before the expiration of the five years aforesaid, it shall be proven after due notice to the settler, to the satisfaction of the register of the land office, that the person having filed such affidavit shall have actually changed his or her residence, or abandoned the said land for more than six months at any time, then and in that event the land so entered shall revert to the government.

Sec. 6. *And be it further enacted*, That no individual shall be permitted to acquire title to more than one quarter section under the provisions of this act; and that the Commissioner of the General Land Office is hereby required to prepare and issue such rules and regulations, consistent with this act, as shall be necessary and proper to carry its provisions into effect; and that the registers and receivers of the several land offices shall be entitled to receive the same compensation for any lands entered under the provisions of this act that they are now entitled to receive when the same quantity of land is entered with money, one half to be paid by

the person making the application at the time of so doing, and the other half on the issue of the certificate by the person to whom it may be issued; but this shall not be construed to enlarge the maximum of compensation now prescribed by law for any register or receiver: *Provided*, That nothing contained in this act shall be so construed as to impair or interfere in any manner whatever with existing preemption rights; *And provided, further*, That all persons who may have filed their application for a preemption right prior to the passage of this act, shall be entitled to all privileges of this act: *Provided, further*, That no person who has served, or may hereafter serve, for a period of not less than fourteen days in the army or navy of the United States, either regular or volunteers under the laws thereof, during the existence of an actual war, domestic or foreign, shall be deprived of the benefits of this act on account of not having attained the age of twenty-one years.

Sec. 7. *And be it further enacted*, That the fifth section of the act entitled "An act in addition to an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved the third of March, in the year eighteen hundred and fifty-seven, shall extend to all oaths, affirmations, and affidavits, required or authorized by this act.

Sec. 8. *And be it further enacted*, That nothing in this act shall be so construed as to prevent any person who has availed him or herself of the benefits of the first section of this act, from paying the minimum price, or the price to which the same may have graduated, for the quantity of land so entered at any time before the expiration of the five years, and obtaining a patent therefor from the government, as in other cases provided by law, on making proof of settlement and cultivation as provided by existing laws granting preemption rights.

APPROVED, May 20, 1862.

The United States of America

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

Certificate No. 2471

WHEREAS, Jacob Knauber of Spokane County, Washington, has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the LAND OFFICE at Boise, Idaho, whereby it appears that full payment has been made by the said Jacob Knauber according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the Acts supplemental thereto, for the

South half of the South east quarter and the North east quarter of the South east quarter of Section Thirteen and the North east quarter of the North east quarter of Section twenty four in township Twenty North of Range one East of Boise Meridian in Idaho, containing one hundred and sixty acres, according to the Official Plat of the Survey of the said lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said Jacob Knauber

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, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Jacob Knauber and to his heirs, the said Tract above described;

TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Jacob Knauber and to his heirs and assigns 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 also 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; 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, 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 Twenty Sixth day of July, in the year of our Lord One thousand nine hundred and four and of the Independence of the United States the one hundred and twenty ninth

By the President: T Roosevelt

By F M Mc Kean Secretary

C H Brush Recorder of the General Land Office.

Recorded Idaho Vol 52 page 122

Filed for record at request of Payette Lumber & Mfg Co at 9 o'clock A M April 25 1906

Fees \$1.25

Frank E Smith, Ex-Officio Recorder

By Harriet Smith, Deputy

(Deeds 17-628)

Hd 5124

Apr-4 1910.

INSTRUMENT NUMBER 1363.

Certificate No. 2970.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, H U G H A. M E R R I T T has deposited in the GENERAL LAND OFFICE of the United States a Certificate of the Register of the Land Office at Boise, Idaho, whereby it appears that full payment has been made by the said Hugh A. Merritt according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the

NORTH HALF OF THE SOUTHWEST QUARTER, THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, AND THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION THIRTEEN IN TOWNSHIP TWENTY NORTH OF RANGE ONE EAST OF THE BOISE MERIDIAN, IDAHO, CONTAINING ONE HUNDRED SIXTY ACRES,

according to the Official Plat of the Survey of the said lands, returned to the GENERAL LAND OFFICE by the Surveyor General, which said Tract has been purchased by the said Hugh A. Merritt:

C. H. 1000
 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, HAVE GIVEN AND GRANTED, and by these presents DO GIVE AND GRANT, unto the said Hugh A. Merritt and to his heirs, the said Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said Hugh A. Merritt and to his heirs and assigns 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 also 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; 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.

(S E A L)

UNITED STATES GENERAL
LAND OFFICE.

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.

G I V E N under my hand, at the City of Washington, the TWENTY-FIRST day of MARCH, in the year of our Lord one thousand nine hundred and TEN and of the Independence of the United States the one hundred and THIRTY-FOURTH.

By the President: Wm H. Taft

By M. P. LeRoy, Secretary,

H. W. Sanford, Recorder of the General Land Office.

Recorded: Patent Number 119990.

Recorded at the request of P. A. McCallum at 9 o'clock, A. M., this 15th day of April, A. D., 1912.

Fees, \$1.00.

C. W. Holmes, Ex-Officio Recorder.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING;

Homestead Certificate No. 935

Application 2820.

W H E R E A S, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boise, City, Idaho whereby it appears that, pursuant to the Act of Congress approved 20th May, 1862, "To secure Homesteads to actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Isaac Irwin has been established and duly consummated, in conformity to law, for the

SOUTH HALF OF THE SOUTH EAST QUARTER OF SECTION FOURTEEN THE SOUTH WEST QUARTER OF THE SOUTH WEST QUARTER OF SECTION THIRTEEN AND THE NORTH WEST QUARTER OF THE NORTH WEST QUARTER OF SECTION TWENTY FOUR IN TOWNSHIP TWENTY NORTH OF RANGE ONE EAST OF BOISE MERIDIAN IN IDAHO CONTAINING ONE HUNDRED AND SIXTY ACRES,

according to the Official Plat of the Survey of 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 Isaac Irwin the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land with the appurtenances thereof, unto the said Isaac Irwin and to his heirs and assigns 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 also 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, 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.

273723

L. S.
#####

IN TESTIMONY WHEREOF, I, Benjamin Harrison, 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.

G I V E N under my hand, at the City of Washington, the Twenty first day of January, in the year of our Lord one thousand eight^{hundred} and ninety three, and of the Independence of the United States the one hundred and seventeenth.

BY THE PRESIDENT, Benjamin Harrison,

By E. Macfarland Asst Secretary,

D. P. Roberts, Recorder of the General Land Office.

273723

B
JAH

Department of the Interior
General Land Office.
Washington.

Jul 29 1912

I hereby certify that the annexed copy of patent is a true and literal exemplification from the record in this office.

IN TESTIMONY WHEREOF I have hereunto subscribed my name and caused the seal of this office to be affixed, at the city of Washington, on the day and year above written.

(S E A L)

UNITED STATES GENERAL LAND
O F F I C E.

H. W. Sanford

Recorder of the General Land Office.

Recorded at the request of Meadows Valley Bank at 5 minutes past 11 o'clock, A. M., this 13th day of August, A. D., 1912.

C. W. Holmes, Ex-Officio Recorder.

Fees, \$1.00

By India C. Hess, Deputy.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

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

Notice is hereby given that F. B. Roberts &/or Maxine Roberts

(Name of Claimant)

Star Route, New Meadows, ID 83654

(Mailing Address)

Telephone No. 347-2379

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) 1879

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

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

unnamed stream

tributary to Little Salmon River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)

(Domestic, Irrigation, Stock, Etc.)

(Both dates inclusive)
(Mo., Day) (Mo., Day)

Quantity 1.10 cfs Use irrigation Period of Use From 3/15 To 11/15

Quantity	.03 cfs	Use	stockwater	Period of Use From	1/1	To	12/31
----------	---------	-----	------------	--------------------	-----	----	-------

Quantity _____ Use _____ Period of Use From 1/1 To 12/31

Quantity	Use	Period of Use From	To

Quantity _____ Use _____ Period of Use From _____ To _____

(4) 1.13 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SE ¼ SW ¼, Sec. 13 Twp. 20N Rge. 1E B.M., County of Adams

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. Creek dumps into canal then to ditches, for flood irrigation.

(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

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
Stockwater for 100 head.

Stockwater for 100 head.

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: _____

MICROFILMED

State of Idaho
License and Certificate of Water Right

Water License No. 14574
Water District No.

Amount 5.6
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 tributary 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 7 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, T. 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 5.6 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	13	SW SW	40	40
		14	SW SE	40	30
		23	NE NE	40	30
		24	NW NW	40	40
			NE SW	40	40
			SE SW	40	25
			NW SE	40	35
			SW SE	40	40
			No. 1 NW SE	5	
			No. 2 NE NE	5	
(Remarks):	Tributary		No. 3 SE SE	5	
			No. 4 NE SE	5	
			No. 5 NE NE	5	
			5, all in T. 20 N., R. 2 E., B. M. Adams County.		

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

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

(SEAL)

R. W. FARIS
Commissioner of Reclamation

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Adams County Leader" was published in the regular and entire issue

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for

two consecutive weeks, the first publication of the

same being made in the issue dated April 7, 1968

and the last in the issue dated April 7, 1968 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Adams County Leader" as aforesaid.

Subscribed and sworn to before me this 19th day of April, 1968.

[Signature]

Notary Public for Idaho,
Residing at Council, Idaho

RECEIVED

APR 6 83

Department of Water Resources
Western Regional Office

(The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

67-4486

FORD, HELEN WILSON
RT. 1 BOX 236, CAMBRIDGE,
ID 83610

Source: SPRING trib. to GOOD-RICH CREEK

Priority Date: 04/01/1956

Diversion Pt: SWSW Sec 20 T 16N R 02W

Use: DOMESTIC (0.04 CFS)

In: SWSW Sec 20 T 16N R 02W

AMENDED

78-4080

HALL, ALVIN
STAR RT., NEW MEADOWS,
ID 83654

Source: UNNAMED STREAMS

trib. to BROWNS CREEK

SIX MILE CREEK trib. to

LITTLE SALMON RIVER

BROWNS CREEK trib. to

LITTLE SALMON RIVER

UNNAMED STREAMS trib. to

LITTLE SALMON RIVER

LANDERS CREEK trib. to

LITTLE SALMON RIVER

Priority Date: 02/24/1920

Diversion Pt: NENE NESE SE-

SE Sec 05 T 20N R 02E NENE

NWSE Sec 08 T 20N R 02E

SWNE Sec 17 T 20N R 02E

SWSW Sec 19 T 20N R 02E

NENE Sec 30 T 20N R 02E

NESE SWNE Sec 24 T 20N R

01E SESW Sec 30 T 20N R

02E

Use: IRRIGATION (6.00 CFS)

DOMESTIC (0.04 CFS)

In: SWNE SWNW SENW NE-

SW NWSW SESW NESE NW-

SE SWSE SESE Sec 24 T 20N

R 01E NENE NWNE NENW

Sec 25 T 20N R 01E FOR 455

ACRES

78-4267

SHUBIN, PETER H. &/or RUTH
R.

PINEHURST RESORT, HC 75

BOX 3704, NEW MEADOWS, ID

83654

Source: LITTLE SALMON RIV-

ER trib. to SALMON RIVER

Priority Date: 03/01/1954

Diversion Pt: SESE Sec 09 T

22N R 01E

Use: IRRIGATION (0.30 CFS)

In: SESE Sec 09 T 22N R 01E

78-4268

HUBBARD, WILLIAM J.

POLLOCK, ID 83547

Source: UNNAMED STREAM

trib. to LITTLE SALMON RIV-

ER

Priority Date: 04/01/1968

Diversion Pt: NWNW SENW

Sec 23 T 19N R 01E

Use: IRRIGATION (1.00 CFS)

In: NWNW SWNW SENW NE-

SW Sec 23 T 19N R 01E FOR 100

ACRES

Exceptions to a claim may be
filed with the Director, Dept. of
Water Resources, Western Reg-
ion, Statehouse, Boise, Idaho
83720.

KEN DUNN, Dir.

Published 03/31 & 04/07/83.

Adams Co
Leader (later)

Walker, Kay

From: Walker, Kay
Sent: Wednesday, December 13, 2006 3:20 PM
To: 'Merrily Munther'
Cc: 'allan@moreton.com'; Walker, Kay
Subject: RE: Water rights

Ms. Munther:

In reply to your e-mail I offer the following:

Claim 78-4115 was submitted with a date of priority of May 1, 1879. Any information you can provide that describes use of water on the land would be helpful in establishing a recommendation of the claim. As mentioned in our "Evidence of Priority" brochure that I have sent to you, homestead documents are acceptable as evidence of priority date. Please send us the homestead documents so we can review them and prepare our recommendation to the court. Anything you can submit at this point would be appreciated. Our Director's report was to be finalized by this Friday but we now have a few more days to finish up the recommendations. The report will be mailed to the court before Christmas so we need to get all the recommendations finalized by next week.

The Six Mile Creek claim was submitted by the Harris's for 140 acres of irrigation. When we processed the change in ownership for Mr. Ranstrom, it was determined that Claim 78-10213 should be split into 3 parts. When I split the claim, by ownership, new numbers were assigned as follows: 78-12301 for Ranstrom, 78-12302 for Brees, and 78-12303 for Harris. I have scanned Claim 78-12301, pursuant to your request, and attached it to this e-mail. The tax notices that you mentioned in your e-mail would provide additional evidence of the use of water and allow us to make a recommendation for that water right.

I cannot tell if the documents you have obtained will provide all the evidence that is needed until I have reviewed them with the claim files. Please submit anything you have at your earliest convenience since we have such a small time frame to complete our recommendations. If I can be of further help, feel free to contact me.

Kay

(claim 78-12301 attached)

-----Original Message-----

From: Merrily Munther [mailto:MMunther@MGSLegal.com]
Sent: Wednesday, December 13, 2006 2:04 PM
To: Walker, Kay
Cc: Allan Ranstrom
Subject: RE: Water rights

Kay,

Thank you for all of your assistance thus far.

First, in reference to 78-4115, I have reviewed the Federal statute that is the Homestead Act of 1862. That statute requires actual settlement and cultivation of the property for at least five years prior to applying for the certificate of homestead. I'll be glad to send you that statute. The certificate of homestead certifies that the applicant has complied with the requirements for homestead which means that the Federal government is satisfied that he has met the requirements for issuance of the homestead certificate. I don't understand how settlement and cultivation could be established without the use of water on the property. Therefore, it seems to me that the homestead certificate itself should support a recommendation of a priority date of 1893 less five years, or 1888. Would you please comment on our position?

12/13/2006

In the meantime I am contacting the National Archives in Maryland, which is the repository for the old General Land Office records, trying to see what documents they have which supported the issuance of the homestead certificate. I am concerned I will not be able to get whatever they have until after Friday. If they exist, I suspect they will show something about the homesteading of this property in 1879. However, if we can't get them by Friday, I think my client would be quite happy to have you recommend approval of this right with a priority of 1893.

Second, I'm confused about the Six Mile Creek claim to water right. Some of my notes indicate A78-10213 and your e-mails reference 12301. Would you please clarify that the claim to water right on Six Mile Creek for my client is 12301 and not 10213? I have a claim to water right with the latter number, but not one which references 12301. Could you please send me a copy of the latter?

Whichever that number is, we will be providing you with records showing that my client's land was taxed by the County as irrigated agricultural land in 1920. Will this be sufficient evidence for the Department to recommend the 5-18-20 priority date originally claimed? With regard to the other statement you referenced in your earlier e-mail on this date (12-12), is there any downside to our using that statement as additional support for this water right?

Thank you again for your assistance.

Merrily Munther

Walker, Kay

From: Walker, Kay
Sent: Tuesday, December 12, 2006 8:55 AM
To: 'Merrily Munther'
Cc: 'allan@moreton.com'; Walker, Kay
Subject: RE: Water rights

The documents you have obtained can be used if they mention use of water on the property. If they do mention the use of water they may provide the information we need. Kay

-----Original Message-----

From: Merrily Munther [mailto:MMunther@MGSLegal.com]
Sent: Monday, December 11, 2006 10:58 AM
To: Walker, Kay
Cc: Allan Ranstrom
Subject: Water rights

Dear Ms. Walker:

I have three instruments by which Mr. Ranstrom's predecessors took title to portions of the property he owns from the Federal government:

Instrument No. 6021, Certificate No. 2471, a public lands patent dated July 26, 1904, for S1/2SE1/4 and NE1/4SE1/4 Section 13, and NE1/4NE1/4 Section 24, T20 N, R 1 E, B.M., 160 acres.

Instrument No. 1779, Homestead Certificate No. 935, a homestead patent dated January 21, 1893, for S1/2SE1/4 Section 14 and SW1/4SW1/4 Section 13 and NW1/4NW1/4 Section 24 in Township 20 N, R 1 E, B.M., 160 acres, acknowledging that the claim of Isaac Irwin "has been established and duly consummated, in conformity to law."

Instrument No. 1363, Certificate No. 2970, a public lands patent dated March 21, 1910, for N1/2 SW1/4, SE1/4SW1/4 and NW1/4SE1/4 of Section 13 in T 20 N, R 1 E, B.M., containing 160 acres. Recorded patent number 119990.

Would these documents aid in establishing application of water to beneficial use?

Thank you for your assistance.

Merrily Munther



Merrily Munther | Attorney | mmunther@mgslegal.com
The Mallard Building, Suite 260 | 1161 W. River Street | Boise, Idaho 83702
Telephone: (208) 344-4566 | Facsimile: (208) 344-9836
Web address: <http://www.mgslegal.com>

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12/12/2006

Walker, Kay

From: Walker, Kay
Sent: Saturday, December 09, 2006 8:51 AM
To: 'Merrily Munther'
Cc: 'allan@moreton.com'; Walker, Kay
Subject: RE: Allan Ranstrom water right 78-4115

Ms. Munther:

Other types of evidence of priority are described in the pamphlet that I have sent to you and Mr. Ranstrom previously. The "Evidence of Priority" brochure discusses types of evidence that can be accepted. In the brochure it states we can only accept a statement of someone with personal knowledge of the use of the water, however, we would accept a statement from someone who had an oral conversation with an "old timer" relaying the stories. It would be helpful to have the statement in affidavit form, but it is not required.

We have found that when an objection is filed on the recommended priority date, by another party, the first thing the Court looks at is what is in the file to justify the priority date. As long as we have something from the claimant that shows why they claimed the date claimed, the Court goes from there. After that point the objector must submit evidence that refutes the priority date claimed and then the claimant must submit more evidence to defend their recommended priority date.

I hope this information is helpful. Please feel free to contact me if I can be of further assistance.

Kay Walker

-----Original Message-----

From: Merrily Munther [mailto:MMunther@MGSLegal.com]
Sent: Friday, December 08, 2006 4:11 PM
To: Walker, Kay; allan@moreton.com
Subject: RE: Allan Ranstrom water right 78-4115

So if no one is alive today who was alive in 1879, what other forms of evidence have you seen used to support such an early priority date?
Thank you for whatever suggestions you can offer.
Merrily munther

-----Original Message-----

From: "Walker, Kay" <Kay.Walker@idwr.idaho.gov>
To: "Merrily Munther" <MMunther@MGSLegal.com>
Sent: 12/8/06 2:18 PM
Subject: RE: Allan Ranstrom water right 78-4115

Ms. Munther:

If evidence provided only supports a priority date of 1966 then that is the date that we would recommend to the court for decree.
We can only recommend a priority date that has documentation to support the use of the water. The only way we can recommend the 1879 date is if there is documentation submitted that establishes the use of the water in 1879. Hope this helps.

Kay Walker

-----Original Message-----

From: Merrily Munther [mailto:MMunther@MGSLegal.com]
Sent: Friday, December 08, 2006 2:36 PM

To: Walker, Kay
Cc: allan@moreton.com
Subject: RE: Allan Ranstrom water right 78-4115

Dear ms walker,
I apologize that I am writing to you from my cell phone, so there will be typos, but I am out of the office.
My client received additional documents from idwr which I have not seen. We believe we can establish use of the water rights of which the priority has been questioned, through a neighbor, back to at least 1966. If so, will idwr recommend approval of those rights with a priority of 1879, or must we provide additional proof of use since 1879?
Since the time is short to gather and submit this information, we would appreciate your prompt reply.
Thank you.
Merrily munther

Walker, Kay

From: Merrily Munther [MMunther@MGSLegal.com]
Sent: Thursday, December 07, 2006 12:33 PM
To: Walker, Kay
Cc: allan@moreton.com
Subject: RE: Allan Ranstrom water right 78-4115

Thank you for your prompt response. We will be in touch with you by next week.

Merrily Munther

From: Walker, Kay [mailto:Kay.Walker@idwr.idaho.gov]
Sent: Thursday, December 07, 2006 12:03 PM
To: Merrily Munther
Cc: allan@moreton.com; Walker, Kay
Subject: RE: Allan Ranstrom water right 78-4115

Dear Ms. Munther:

In reply to your e-mail regarding Mr. Ranstrom's claims in the SRBA I offer the following information. Mr. Ranstrom has three claims pending in the SRBA and one decreed right for a domestic well which is numbered 78-10106. The claims that are pending in the SRBA are as follows:

78-4115 is based upon a statutory claim that was submitted by the F. B. & Maxine Roberts in 1979, and then reclaimed in the SRBA by Charles & Theola Harris. The statutory claim has been on file with IDWR since 1979 with no documentation of the priority date claimed. If the statutory claim is to be used as evidence, we can only substantiate the use of the water as of the date the statutory claim was filed (October 4th, 1979) and we would have to recommend the claim for disallow since the mandatory permit statute went into effect on May 20th, 1971, requiring submittal of an application for permit for surface water rights developed after that statute went into effect.

78-12280 is based upon a portion of licensed water right no. 78-2025. Since this right was previously licensed there is no need to document the priority date. The priority date claimed is the same date as the licensed priority date. This claim will be recommended for the irrigation of 59 acres and stockwater use.

78-12301 is based upon a beneficial use of the water. A claim was filed in the SRBA by Charles & Theola Harris for use of flood water from Sixmile Creek. The Harris's claimed a priority date of May 18, 1920, which has not been substantiated. We must have some evidence of this priority date also.

In order for Claims 78-4115 and 78-12301 to be recommended for decree the claimed priority dates must be substantiated with some type of evidence of the use prior to May 20, 1971. This evidence must document use of the water on the place of use claimed. I have attached a brochure that discusses the type of evidence that is acceptable to document the claimed priority dates.

The SRBA claims are to be submitted to the court sometime before the end of this year and if no evidence is submitted we will have no choice but to recommend the claims for disallow. The evidence of the priority dates need to be submitted **on or before December 15th** so we can finalize our recommendations. If the claims are recommended for disallow an objection can be filed with the SRBA court and evidence of priority can then be submitted and our recommendations revisited.

I will be happy to send a copy all correspondence sent to Mr. Ranstrom to you. I have added you as Mr. Ranstrom's attorney, in our data base, so you will receive copies of correspondence from the court in regard to his claims. If I can be of further assistance, please do not hesitate to contact me at 287-4953.

12/7/2006

Walker, Kay

From: Merrily Munther [MMunther@MGSLegal.com]
Sent: Wednesday, December 06, 2006 4:09 PM
To: Walker, Kay
Cc: allan@moreton.com
Subject: Allan Ranstrom water right 78-4115

Dear Mr./Ms. Walker:

Allan Ranstrom has forwarded me your e-mail relating to this water right claim. I represented Mr. Ranstrom in his acquisition of the Harris property including the water rights.

I wanted to be sure you have the records that we have. These include a Claim to a Water Right signed by F. B. Roberts and/or Maxine Roberts in October 1979, which appears to have been filed with the IDWR and published in the Adams County Leader the same month. We also have a Claim to a Water Rights filed by Alvin Hall on behalf of F. B. Roberts &/or Maxine Roberts. Your e-mail does not mention these claims, and I was not sure you had them, although we believe we got our copies from the Department. These are, of course, in addition to the Affidavit of the Harrises signed when they transferred the property to the Ranstroms.

Mr. Ranstrom is following up on the leads you gave him, and others of which he is aware, to substantiate the use of this claim prior to 1971. Please advise us exactly what is the date by which this information must be furnished to you, as we would like to try to avoid having to go back into court to file objections.

If you need either of the documents I referenced, please let me know.

I would appreciate being copied on further communications with Mr. Ranstrom relating to this claim.

Thank you.

Merrily Munther



Merrily Munther | Attorney | mmunther@mgslegal.com
The Mallard Building, Suite 260 | 1161 W. River Street | Boise, Idaho 83702
Telephone: (208) 344-4566 | Facsimile: (208) 344-9836
Web address: <http://www.mgslegal.com>

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12/7/2006

Walker, Kay

From: Walker, Kay
Sent: Monday, December 04, 2006 11:40 AM
To: 'Allan Ranstrom'
Cc: Walker, Kay
Subject: RE: Water Rights in Adams County

Mr. Ranstrom:

I have discussed the evidence that you provided with Carter Fritschle, who is the lead agent for Basin 78 water rights, and we decided that the evidence submitted will not provide enough information to recommend Claim 78-4115. The evidence submitted can only get us back to the time when Mr. and Mrs. Harris purchased the property in 1981. We must have something that will document the use prior to May 20, 1971, which is the date the mandatory permit statute for surface water went into effect. In review of our records for Rt. 78-2025 we found that there is no mention of the use of water under Rt. 78-4115 (which supposedly was developed in 1879).

It may be advantageous to try to locate F.B. or Maxine Roberts, mentioned in the Harris affidavit, that acquired the property in 1970. If they are available they could probably substantiate use of the water under this claim when they purchased the property in 1970, or maybe let you know where they came up with the 1879 date when they filed the statutory claim in 1979. I also asked Mr. Fritschle if he knew of any remaining Campbell's that might be aware of this water use since they were prior owners and he indicated that Steve Campbell has an uncle, Darrell Campbell, that may have personal knowledge of this water use. I have scanned in and attached a brochure entitled "Evidence of Priority" for your assistance. Another thought would be to check with Adams County and see if there may have been a posted notice recorded when this water use began. The brochure discusses posted notices for your information.

If I can be of further assistance, feel free to contact me. If no evidence is submitted for the use claimed under 78-4115 the claim will be disallowed when the director's report is submitted to the SRBA (Snake River Basin Adjudication) court in Twin Falls later this month. At that time, if you disagree with our recommendations, you will be able to file an objection with the SRBA court and then would have a little additional time to locate some evidence.

Kay Walker
Sr. Water Resource Agent
(208)287-4953

12/4/2006

Walker, Kay

From: Allan Ranstrom [Allan@moreton.com]
Sent: Monday, December 04, 2006 8:27 AM
To: Walker, Kay
Subject: Water Rights in Adams County

Thank you for speaking with me today. I have attached the affidavit that we received from Charles and Theola Harris at the time we purchased this property.

Please let me know if you need anything else.

Allan Ranstrom
565 W. Ashbourne Dr.
Eagle, ID 83616
Hm. Phone 208 939-2295
Wk. Phone 208 321-2001
Hm. Email a_p_ranstrom@hotmail.com
Wk Email allan@moreton.com

From: faxboise@moreton.com [mailto:faxboise@moreton.com]
Sent: December 04, 2006 1:23 AM
To: Allan Ranstrom
Subject: Attached Image

<<47370001.pdf>>

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AFFIDAVIT RELATING TO WATER RIGHTS

STATE OF IDAHO)
7th ADAMS) ss.
COUNTY OF VALLEY)

Charles G. Harris and Theola M. Harris, being first duly sworn on oath, depose and state:

- 1) At the date of execution of this Affidavit, we are the owners of the property described on Exhibit "A" attached hereto and incorporated herein by this reference, together with all water rights appurtenant to it. As such we have personal knowledge of the information stated herein.
- 2) We have been the owners of the property described on Exhibit "A" since September 18, 1981.
- 3) In or about 1988 we filed the following claims for adjudication of water rights appurtenant to this property:
 - a. 78-2025C - a licensed water rights with priority date of May 18, 1920, for surface water for irrigation and stockwater for 65 acres.
 - b. 78-4115 - a statutory claim to water with priority date of June 1, 1879, for surface water for irrigation and stockwater for 33 acres.
 - c. 78-10106 - a decreed water right with priority of April 1, 1975, for groundwater for domestic use (internal use only).
 - d. 78-10213 - a claimed beneficial use, with priority of May 18, 1920, for use of floodwater from Sixmile Creek for irrigation and stockwater, for 140 acres, used before Brown Creek is available.
- 4) When we filed for adjudication, we based our claim that these waters were first used on the priority dates described and for the purposes stated by our predecessors in interest, F. B. Roberts and/or Maxine Roberts, who acquired the property on or about July 17, 1970, and who filed a claim or claims to water rights on or about October 4, 1979.
- 5) F. B. Roberts and Maxine Roberts constructed the residence and domestic well now existing on the property. They and, subsequently, we have used the decreed water right, No. 78-10106, continuously for domestic purposes since the well was constructed.

6) The land to which these water rights are appurtenant has been used historically as a cattle ranch. Tenants of the property, or portions thereof, have included most recently John Brees; prior to that, Cal Hightower, before that Frank Land and before that, Alvin Hall.

7) A license and certificate of water right was issued November 9, 1933, with a priority of May 18, 1920, by the Director of Reclamation to Frank D. Delbaere and W. H. Campbell, for 5.6 CFS on 280 acres located in Sections 13, 14, 23 and 24 of Township 20 North, Range 1 East, B.M., a portion of which land is described in Exhibit "A" and continues to receive water through IDWR No. 78-2025C.

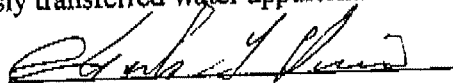
8) During our ownership of the property described on Exhibit "A", to the best of our knowledge, we and our tenants have used .73 CFS of water claimed pursuant to IDWR No. 78-4115 for irrigation of 33 acres of our property and for stockwater; 1.38 CFS of water claimed pursuant to IDWR No. 78-2025C for irrigation of 65.6 acres and for stockwater; and 2.87 CFS for irrigation of 140 acres and for stockwater for 225 head of range cattle and 50 cows and calves.

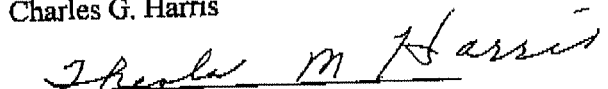
9) To this date, these water rights were used continuously during our ownership of the property described in Exhibit "A", and to the best of our knowledge, during the ownership of others who preceded us. At no time that we are aware of did a period of five years pass when any of the water rights were not applied to the uses for which they were granted or held.

10) Maps showing the place of use of each of these water rights and the points of diversion, which have been filed with the Idaho Department of Water Resources, are true and correct to the best of our knowledge.

11) We are in the process of selling the property described in Exhibit "A", and we have agreed with the Buyer to be available, as needed, and cooperate with the Idaho Department of Water Resources and the Buyer when and if a field investigation is conducted in connection with the Snake River Basin Adjudication now pending in the courts of Idaho, to provide additional information within our knowledge.

12) We are providing the foregoing information to the best of our knowledge, and we do not hereby warrant ownership of a particular amount of water or date of priority. We warrant only that we have not previously transferred water appurtenant to the property described in Exhibit "A".


Charles G. Harris


Theola M. Harris

STATE OF IDAHO

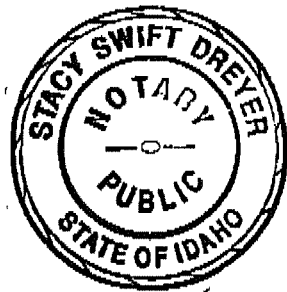
)
)ss.

Adams
COUNTY OF ~~VALLEY~~)

On this 14th day of March, 2005, before me a notary public, personally appeared Charles G. Harris, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he 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.

Stacy Swift Dreyer
Notary Public for Idaho
Residing in New Meadows, ID
My Commission Expires 3-17-2008



STATE OF IDAHO)
COUNTY OF Adams)ss.
~~VALLEY~~)

On this 14th day of March, 2005, before me a notary public, personally appeared Theola M. Harris, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she 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.

Stacy Swift Dreyer
Notary Public for Idaho
Residing in New Madrid, MO
My Commission Expires 3-17-2008

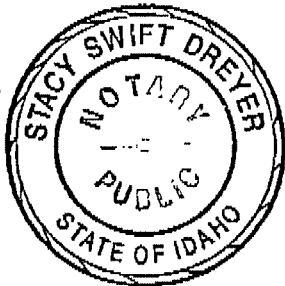


Exhibit "A"

CHARLES AND THEOLA HARRIS (215.26 Acre House Parcel)

A parcel of land situated within the S1/2S1/2 of Section 13, the SE1/4SE1/4 of Section 14, and the N1/2N1/2 of Section 24, Township 20 North, Range 1 East, Boise Meridian, Adams County, Idaho, more particularly described as follows:

Beginning at the northeast corner of Sec. 24 (southeast corner of Section 13), T.20N., R.1E., Boise Meridian:

Thence S 0°18'37"W, a distance of 410.17 feet along the east line of the N1/2N1/2 of said Section 24;

Thence N 89°14'16"W, parallel to the north line of said Section 24, a distance of 4931.90 feet to a point on the easterly right-of-way line of U. S. Highway 95, Project F-FR-3112(45);

Thence N 25°16'00"W, a distance of 887.00 feet along the easterly right-of-way line of said U. S. Highway 95 to a point within the SE1/4SE1/4 of Section 14, T.20N., R.1E., B.M.;

Thence N 25°15'42"W, a distance of 1057.62 feet along the easterly right-of-way line of said U. S. Highway 95 to a point on the north line of said SE1/4SE1/4;

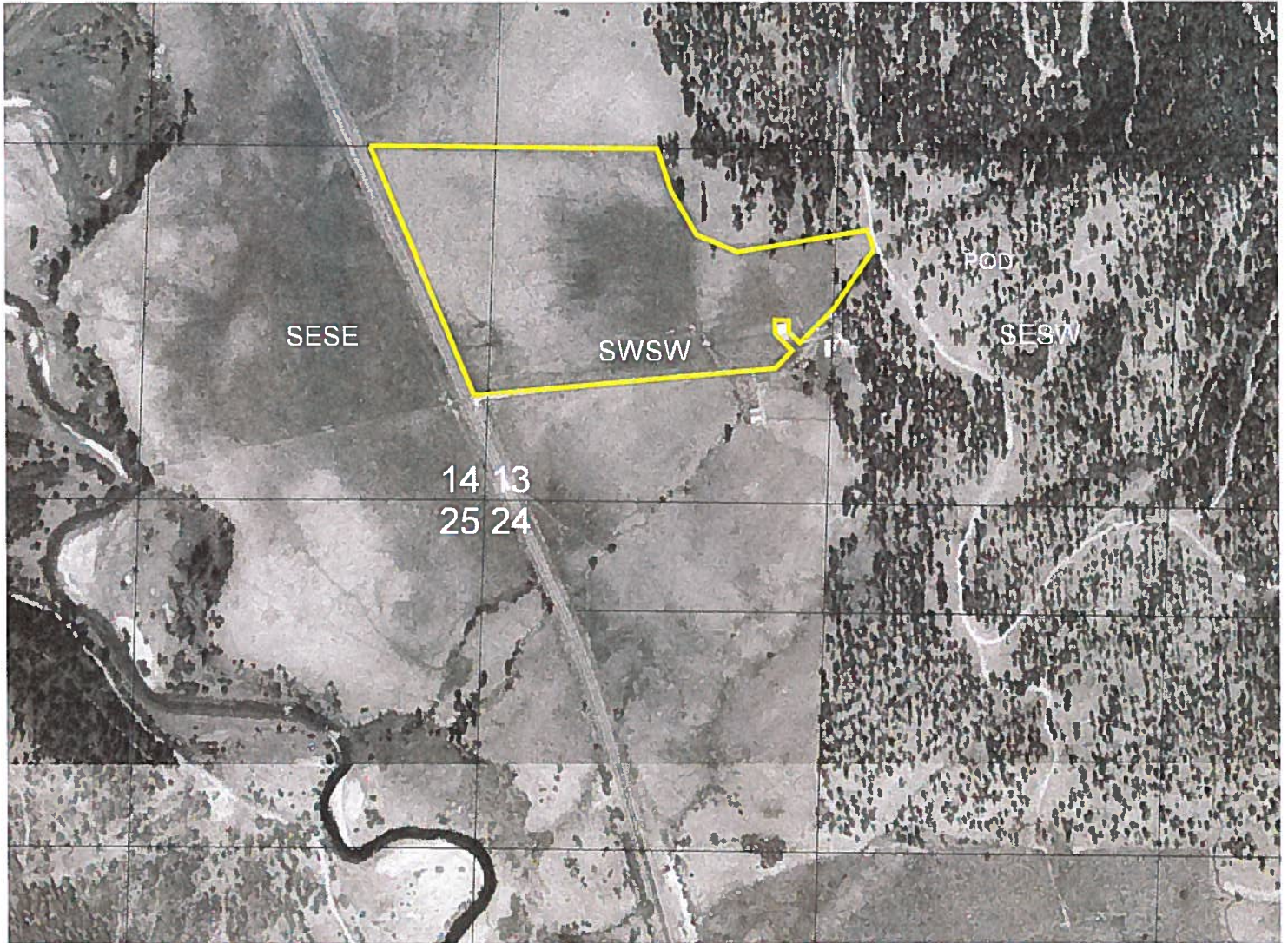
Thence N 89°06'05"E, a distance of 487.57 feet along the north line of said SE1/4SE1/4 to the northeast corner of said SE1/4SE1/4 (northwest corner of the S1/2S1/2 of said Section 13);

Thence S 89°01'45"E, a distance of 5280.68 feet along the north line of said S1/2S1/2 to the northeast corner of said S1/2S1/2;

Thence S 0°09'48"W, a distance of 1332.24 feet along the east line of said S1/2S1/2 to the point of beginning.

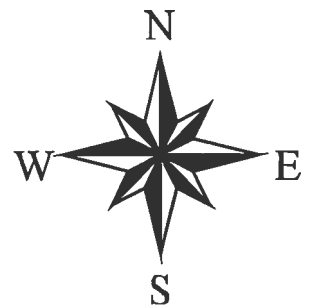
TOGETHER WITH AND SUBJECT TO all rights-of-way or easements of record or in use.

78-4115



800 0 800 1600 Feet

T20N R01E S13 & S14



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

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

Notice is hereby given that F. B. Roberts &/or Maxine Roberts

(Name of Claimant)

Star Route, New Meadows, ID 83654

(Mailing Address)

Telephone No. 347-2379

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1879

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

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

unnamed stream tributary to Little Salmon River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.10 cfs</u>		Use <u>irrigation</u>		Period of Use From <u>3/15</u>	To <u>11/15</u>
Quantity <u>.03 cfs</u>		Use <u>stockwater</u>		Period of Use From <u>1/1</u>	To <u>12/31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 1.13 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

SE 1/4 SW 1/4, Sec. 13 Twp. 20N Rge. 1E B.M., County of Adams

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. Creek dumps into canal then to ditches, for flood irrigation.

- (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.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
20N	1E	13										20	20						40
		14													10			5	15

No. of acres 55

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

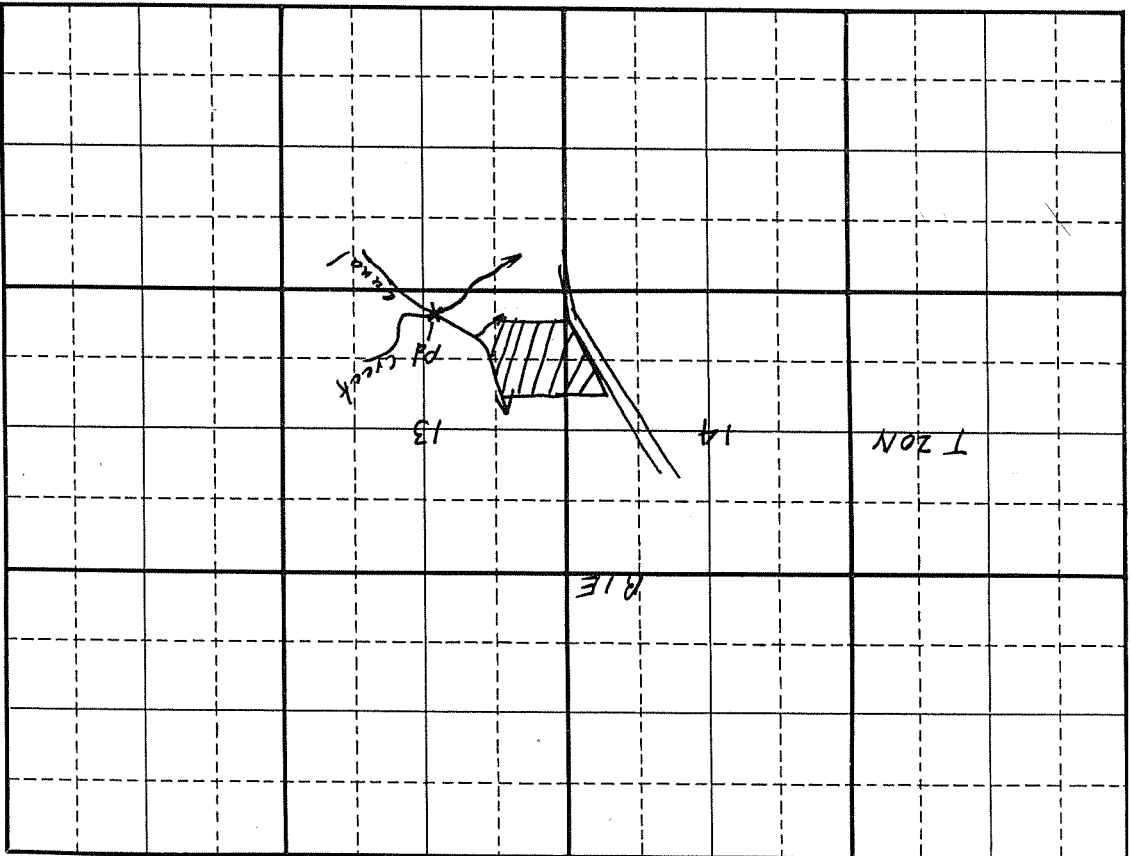
Stockwater for 100 head.

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: _____

MICROFILMED

SCANNED
DEC 18 2003



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

County of Ada ss.)
)

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

Sworn to before me this 4 day of October, 1979.
(Claimant)
J. F. J. J. J.

Kathryn A. Wheeler
Notary Public
Residing at Boise

My commission expires 11/1/79

FOR DEPARTMENT USE ONLY

Received by MS
Prelim. check by RMH
\$20.00 fee received by KK
Published in Adams County Leader
Dates 10/26 & 11/1/79
Date 10/14/79
Exception filed by: 10/14/79
Forwarded to KK
Date 11/14/79

UNITED STATES POSTAL SERVICE
FIRST CLASS PERMIT NO. 1000 NEW YORK, NY 10108
NOV 17 2006
\$00.52
02 1A
00004389393
MAILED FROM ZIP CODE 83702

FIRST CLASS

02 1A \$00.52
0004389393 NOV 17 2006
MAILED FROM ZIP CODE 93702

NOV 2 2002

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☒ Not Called
☐ Unavailable
☐ No Mail Periodicals
☐ No Cash Cycles
☐ No Mail Periodicals
Box Closed-No Order
Do Not Call Periodicals
Do Not Call Periodicals

THEOLA M HARRIS

CHARLES G HARRIS
PO BOX E
NEW MEADOWS ID 83654

PENLAND MUNTHER GOODRUM

Chartered - Attorneys at Law

The Mallard Building, Suite 260
1161 W. River Street
P.O. Box 199
Boise, Idaho 83701
Telephone: (208) 344-4566
Facsimile: (208) 344-9836

RECEIVED

APR 18 2005

DEPARTMENT OF
WATER RESOURCES

Forrest R. Goodrum
Merrily Munther
Thomas V. Munson
Paul S. Penland
Skip Sperry

April 13, 2005

Idaho Department of
Water Resources
322 E. Front St
PO Box 83720
Boise, Idaho 83720-0098

Re: Water Right Nos. 78-4115, 78-2025C, 78-10213, 78-10106
PMG File No: 6350.00000

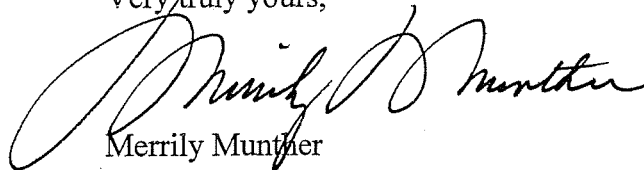
Dear Sir or Madam:

This firm represents Allen and Pamela Ranstrom, the grantees under the enclosed deed. I am enclosing a Notice of Change in Water Right for the above water rights. Also enclosed is a check for \$25.00 for filing of the transfer of Water Right No. 78-10106 which has been adjudicated to a partial decree.

If you require anything further from us, please let me know.

I would appreciate your returning a file stamped copy of the notice in the enclosed envelope. Thank you.

Very truly yours,


Merrily Munther

MM/klw
Enclosure