

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 78-12301
Date Received: 5/27/1988
Receipt No:
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: 05/18/1920

3. Source: SIXMILE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
20N	02E	30	SE	SE	NE	ADAMS	

5. Description of diverting works:

WOOD DIVERSION STRUCTURE DIVERTS INTO GRAVITY DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/15	10/15	1.26	
STOCKWATER	01/01	12/31	0.06	

7. Total Quantity Appropriated is:
1.32 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		STOCKWATER	
			SW	SW		STOCKWATER	
			SE	SW		STOCKWATER	
			SW	SW		IRRIGATION	39
			SE	SW		IRRIGATION	3.2
						Section Acres	42.2
20N	01E	14	SE	SE		IRRIGATION	6.3
			NE	SE		STOCKWATER	
			SW	SE		STOCKWATER	
			SE	SE		STOCKWATER	
						Section Acres	6.3
20N	01E	19	NE	NE		STOCKWATER	
20N	01E	24	NW	NW		STOCKWATER	
			NE	NW		IRRIGATION	0.5
			NW	NW		IRRIGATION	10
						Section Acres	10.5
						Total Acres	59

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:

THIS CLAIM IS FOR FLOOD WATER FROM SIXMILE CREEK THAT IS USED BEFORE THE DIVERSION FROM BROWN CREEK IS AVAILABLE.

This right is a split from former right 78-10213 .

Change in ownership processed 12/5/2006. kw

15. Basis of Claim: Beneficial Use

No ✓

RECEIVED
APR 18 2005
DEPARTMENT OF
WATER RESOURCES

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

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
<u>78-4115</u>	<u>A78-04115</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>78-2025C</u>	<u>A78-02025C</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>78-10213</u>	<u>A78-10213</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>78-10106</u>	<u>A78-10106</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ 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

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

Fee 6.00

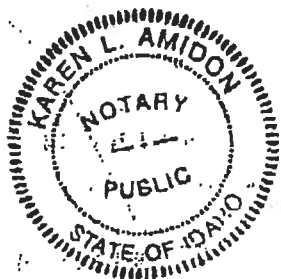
Ex-Officio Recorder Deputy

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: A78-10213
Date Received: 5/27/1988
Receipt No: M000037

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
OR
Name: THEOLA M. HARRIS 208-347-2605
Address: HC 75 BOX 3450
NEW MEADOWS, ID 83654
2. Date of Priority: MAY 18, 1920
3. Source: SIXMILE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
20N	02E	30	SE	SE	NE		ADAMS
5. Description of diverting works:
WOOD DIVERSION STRUCTURE DIVERTS INTO GRAVITY DITCH.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.000		
STOCKWATER	01/01	12/31	0.170		
7. Total Quantity Appropriated is:
3.170 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 280.0 Acre Feet Per Annum.
9. Non-irrigation uses:
225 HEAD CATTLE (STEERS) PLUS 50 HEAD COWS AND CALVES.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
20N	01E	13	NW		SW		IRR	5.0
			NW		SW		STOCK	
			SW		SW		IRR	38.0
			SW		SW		STOCK	
			SE		SW		IRR	2.0
			SE		SW		STOCK	
							Section Acres	45.0
		14	NE		SE		IRR	3.0
			NE		SE		STOCK	
			SW		SE		IRR	3.0
			SW		SE		STOCK	
			SE		SE		IRR	36.0
			SE		SE		STOCK	
							Section Acres	42.0
		19	NE		NE		IRR	19.0
			NE		NE		STOCK	
							Section Acres	19.0
		24	NW		NW		IRR	34.0
			NW		NW		STOCK	
							Section Acres	34.0
					Total Acres	140.0		

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, 78-4115

14. Remarks:
THIS CLAIM IS FOR FLOOD WATER FROM SIXMILE CREEK THAT IS USED
BEFORE THE DIVERSION FROM BROWN CREEK IS AVAILABLE.

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

16. Signature(s)

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

Number of attachments: -1-

For Individuals:

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

Signature of Claimant(s): Theodore M. Harris Date: 5-27-88

Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 27th day

of May 19 88

Seal

Carter Fritschle
Notary Public

Residing at Eagle, ID
My Commission Expires 3-21-94

T
20
N

PLATE 1



A-78-10213

MICROFILMED
OCT 05 1992

12/16/2006

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

RIGHT NUMBER: 78-12301

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

PAMELA RANSTROM
565 W ASHBOURNE DR
EAGLE ID 83616

SOURCE: SIXMILE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.180 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 S30 SESENE 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	1.180 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T20N R01E S13	SWSW	39.00	T20N R01E S13	SESW	3.20
T20N R01E S14	SESE	6.30	T20N R01E S24	NENW	0.50
T20N R01E S24	NWNW	10.00			

STOCKWATER in ADAMS County

T20N R01E S13	SWSW	T20N R01E S13	SESW
T20N R01E S14	SESE	T20N R01E S24	NENW
T20N R01E S24	NWNW		

59 ACRES TOTAL

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

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 120 range cattle.

This right is a split from former right 78-10213.

See evidence submitted 12-15-06
by Merryly Munther -

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
20N	01E	13	NW SW		IRR	5.0
			NW SW		STOCK	
			SW SW		IRR	38.0
			SW SW		STOCK	
			SE SW		IRR	2.0
			SE SW		STOCK	
Section Acres						45.0
		14	NE SE		IRR	3.0
			NE SE		STOCK	
			SW SE		IRR	3.0
			SW SE		STOCK	
			SE SE		IRR	36.0
			SE SE		STOCK	
Section Acres						42.0
		19	NE NE		IRR	19.0
			NE NE		STOCK	
Section Acres						19.0
		24	NW NW		IRR	34.0
			NW NW		STOCK	
Section Acres						34.0
Total Acres						140.0

USFS

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, 78-4115

14. Remarks:

THIS CLAIM IS FOR FLOOD WATER FROM SIXMILE CREEK THAT IS USED
BEFORE THE DIVERSION FROM BROWN CREEK IS AVAILABLE.

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

#1779 Homestead

#1363 Homestead

Rec. claimed
priority
for
78-12301
78-12301
78-12301
20
12/16/01



munther · goodrum · sperry

CHARTERED - ATTORNEYS AT LAW

Innovative solutions for a changing world

RECEIVED

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. A78-12301 Priority Date Claimed 5/18/20

Dear Kay:

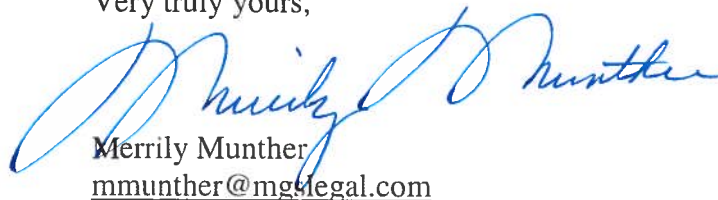
I am forwarding the following documents in support of the priority date claimed for this claim of water right:

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
1920 Assessors Role shows classification of these lands as Irrigated Agricultural land
1915 Assessors Role shows classification of these lands as Agricultural land

Please confirm that with this additional information you will recommend the priority date claimed on the Notice of May 18, 1920.

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

Very truly yours,



Merrily Munther
mmunther@mgslegal.com

MM/kw

cc: Mr. and Mrs. Allan Ranstrom

STATEMENT OF ALVIN E. HALL

Residing in New Meadows, CT
My Commission Expires 2/7/201

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 of 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 domicil, 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)

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

 I 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
 OFFICE.

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.

By India C. Hess, Deputy.

Fees, \$1.00

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, HUGH A. MERRITT 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:

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)

IN TESTIMONY WHEREOF,
UNITED STATES GENERAL

Patent, and the seal of the General Land Office to be hereunto
affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-FIRST day of 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,

Recorded: Patent Number 119990.

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

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.

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) (Name of Claimant) Telephone No. 347-2379 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The following:

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

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) _____ tributary to _____

(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)

Quantity	1.10 cfs	Use	irrigation	Period of Use	3/15	11/15
Quantity	.03 cfs	Use	stockwater	Period of Use	1/1	12/31
Quantity		Use		Period of Use		
Quantity		Use		Period of Use		
Quantity		Use		Period of Use		

(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. 1
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.

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: _____

100-443886-100

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, 19 20; 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, 19 24, showing that said works were completed on the 23rd day of August, 19 24; and that on the day of May, 19 30,

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 7 of Licenses, at page 3747, on the 9th day of November, 19 33;
The right hereby confirmed dates from May 18, 19 20;
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 1/4 SW 1/4	40	40
		14	SE 1/4 SW 1/4	40	30
		23	NE 1/4 NE 1/4	40	30
		24	NW 1/4 NE 1/4	40	40
			NE 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	25
			NW 1/4 SE 1/4	40	35
			SW 1/4 SE 1/4	40	40
(Remarks):	Tributary	No. 1	NW 1/4 SE 1/4, Section 8,		
		No. 2	NW 1/4 NE 1/4, "		
		No. 3	SE 1/4 SE 1/4, "		
		No. 4	NE 1/4 SE 1/4, "		
		No. 5	NW 1/4 NE 1/4, "		
			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 is controlled by the laws of Idaho.

Witness the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, the 9th day of November, 19 33.

(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" for the

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

consecutive weeks, the first publication of the

same being made in the issue dated April 7, 1983

and the last in the issue dated 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 as aforesaid.

Subscribed and sworn to before me this

day of 19

Notary Public for Idaho,
Residing at Council, Idaho

RECEIVED

APR 6 83

Department of Water Resources
Western Regional Office

WATER RIGHTS
(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 SESE Sec 30 T 20N R

02E

Use: IRRIGATION (6.00 CFS)

DOMESTIC (0.04 CFS)

In: SWNE SWNW SENW NE-

SW NWSW SESE NESE NW-

SE SWSE SESE Sec 24 T 20N

R 01E NENE NWNE SENW

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 Region, Statehouse, Boise, Idaho 83720.

KEN DUNN, Dir.

Published 03/31 & 04/07/83.

about 20
acres later

12/12/2006

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

RIGHT NUMBER: 78-12301

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

PAMELA RANSTROM
565 W ASHBOURNE DR
EAGLE ID 83616

SOURCE: SIXMILE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 1.180 CFS

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

PRIORITY DATE: 04/01/1930

POINT OF DIVERSION:

T20N R02E S30 SESENE 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	1.180 CFS
STOCKWATER	01/01 12/31	0.030 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T20N R01E S13	SWSW	39.00	T20N R01E S13	SESW	3.20
T20N R01E S14	SESE	6.30	T20N R01E S24	NENW	0.50
T20N R01E S24	NWNW	10.00			

STOCKWATER in ADAMS County

T20N R01E S13	SWSW	T20N R01E S13	SESW
T20N R01E S14	SESE	T20N R01E S24	NENW
T20N R01E S24	NWNW		

59 ACRES TOTAL

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

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

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 120 range cattle.

This right is a split from former right 78-10213.

Walker, Kay

From: Walker, Kay
Sent: Tuesday, December 12, 2006 8:15 AM
To: 'Allan Ranstrom'
Cc: 'MMunther@MGSLegal.com'; Walker, Kay
Subject: RE: Allan Ranstrom water right 78-4115



Proof 78-2025.pdf

Mr. Ranstrom:

The priority date of Rt. 78-12280 is based upon licensed Right No. 78-2025. The field examination for that right was conducted in June of 1930 and does not discuss the use of other sources of water on this property. If the exam had mentioned the other sources, it would be easier to come up with some evidence for those other rights.

I have looked through file 78-2025 this morning and found a statement by H.C. Campbell, received by the Department on May 28, 1930, that says: "use flood water out of six mile creek during high water saeson not decreed, no permit". This statement is found on the "Proof of Application of Water to Beneficial Use" form - "Deposition of Holder" and would allow us to recommend the claim from Six Mile Creek for flood water back to the day it was submitted to the Department if you wish to utilize that information. I have scanned the "Proof" form and attached it so you can review the form (see question 11 on back of form) and decide if you want to use it or not. This form will not work for the unnamed stream under Rt. 78-4115 but appears to me that it would substantiate a use under 78-12301.

If I can be of further assistance, please feel free to contact me.

Kay

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

From: Allan Ranstrom [mailto:Allan@moreton.com]
Sent: Monday, December 11, 2006 8:02 AM
To: Walker, Kay; Merrily Munther
Subject: RE: Allan Ranstrom water right 78-4115

Good Morning Kay:

You have sent me some forms indicating that our claim 78-12280 is being recommended with a priority date of 1920. Could the same evidence used to approve that claim also be applied to claims 78-4115 and 78-12301?

Please advise as soon as possible so that we can know how to proceed.

Allan

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

from file
78-2025-
kw

see #11

Permit No. _____

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. R. E. Gildroy New Meadows Idaho, Farmer Successor to F Delbaere

H. C. Campbell New Meadows Idaho, Farmer manager
of W. H. Campbell Farm,

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Successor to Delbaere, and Manager W. H. Campbell Farm,

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. 14574 March 4th 1920. August 15 1924.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Browns Creek and tributaries as shown by permit,
Diversion, SW 1/4 SW 1/4 Sec 17 TP, 20 North R 2 East, DM.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Head gate, two feet by three ditch, two feet wide at bottom

four feet wide at top, two feet deep, two hundred foot of flume

two feet wide and eighteen inches deep,
Delbaere ditch,

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) 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. Irrigation, SW 1/4 SW 1/4 of SW 1/4 Sec 13, SE of SE 1/4 sec 14,

NE 1/4 of NE 1/4, sec 23, NW 1/4 of NW 1/4 Sec 24,

E 1/2 SW 1/4 W 1/2 SE 1/4 Sec 24, all of TP. 20 N Range 1 E. BM.

water is used on all the above land, is set to natural meadow.

Ques. 7. If for other than for irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. _____

14574

Ques. 8. What is the minimum amount of water required for the purpose specified above?
Six cubic feet per second,

Ans.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Gildroy, contract to purchase Delbaere place, H. C. Campbell
Manager, W. H. Campbell place,

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. August 1924, used the full amount granted by permit,
completed construction of ditch and flume at that time.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. use flood waters out of six mile creek during high water season
not decreed, no permit.

(Sign)

I hereby certify that the foregoing testimony was read to the above subscribed 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, at my office in New Meadows, County of Adams, State of Idaho; on this 26 th day of May, A. D. 1930.

My commission expires Nov 15 th 1932.

The hearing of proof of claims and witness was extended from May 25 to May 29 as the former date fell on Sunday.

14574

Recommend 1st day of
irrig. season, 1930, for
priority based on above.
kw
12/12/06

Walker, Kay

From: Walker, Kay
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.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

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.

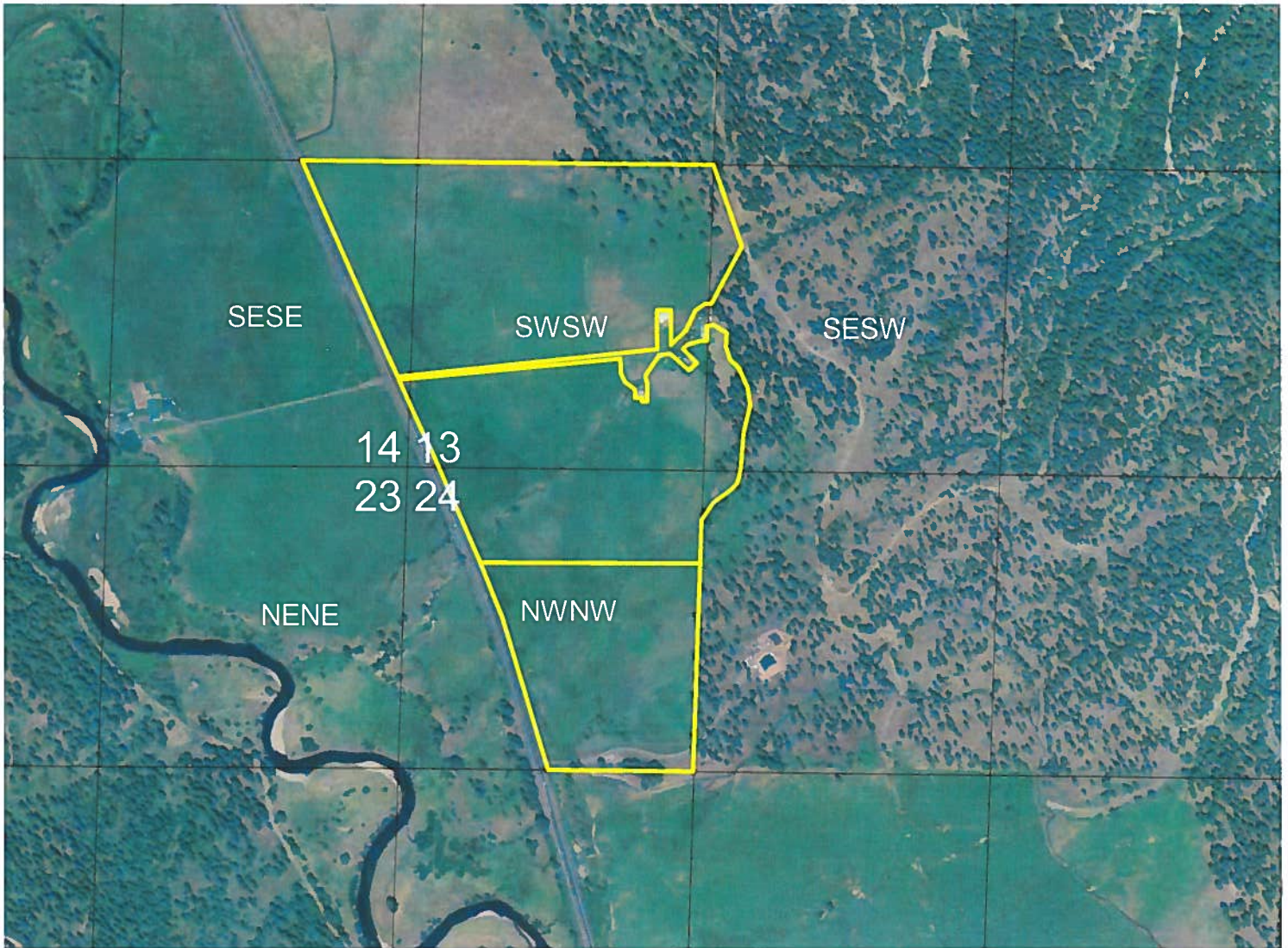
Merrily Munther



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>

The contents of this email message and any attachments may contain confidential and/or privileged information and is solely for the addressee. Review, transmission or dissemination of information other than for its intended use is prohibited. If you receive this message in error, please notify the sender immediately and destroy all copies of the message and its attachments.

78-2025C



900 0 900 1800 2700 Feet

T20N R01E S13
S14 S23 & S24

