

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: A71-04033
Date Received: 11/28/1989
Receipt No: 4005279
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: GARTH T. CHIVERS
Address: HC 63 BOX 1771
CHALLIS ID

83226

208-879-4407

AND/OR

Name: GLENIS M. CHIVERS
Address: HC 63 BOX 1771
CHALLIS ID

83226

RECEIVED

APR 14 1992

Department of Water Resources
Southern Region Office

2. Date of Priority: SEP 30, 1925

3. Source: SALMON RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10N	13E	15	SW	NW		3	CUSTER

5. Description of diverting works:

WING DAM, HEADGATE, EARTH DITCH, GRAVITY IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.660		

7. Total Quantity Appropriated is:

6.660 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 275.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	13E	3	SW	NE	7	IRR	40.0

A71-04033

Page 1

Date: 03/31/92

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MAR 17 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	13E	3	SE	NE		IRR	20.0
			NE	NW	4	IRR	1.0
			SE	NW	6	IRR	17.0
			NE	SW	9	IRR	6.0
			NE	SE		IRR	1.0
			NW	SE	8	IRR	25.0

Section Acres 110.0

Total Acres 110.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

AMENDED CLAIM PRIORITY DATE TO DATE OF WARRANTY DEED WHICH
DESCRIBES ALL WATER AND DITCH RIGHTS AND IS FROM MARY C.
MARSHALL TO AFFIE COTHERN DATED SEPT. 30, 1925.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Garth T. Chivers Date: 4-7-92
Heims Chivers Date: 4-7-92

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 7th day

of April 19 92

Seal

James Hill
Notary Public

Residing at Mackay, Idaho

My Commission Expires 8-1-94

From: DWR03::CARLSON 31-MAR-1992 14:03:18.64
To: DWR60::MERRITT
CC: CARLSON
Subj: A71-04033,PROOF OF PRIORITY

HELLO ALLEN:

JAY NEIDER WAS IN TODAY WITH SOME INFO FOR THE CHIVERS CLAIM. HE IS AN INLAW TO THE CLAIMANTS. THE INFO IS NOT CONCLUSIVE AS FAR AS STATING THE LAND WAS IRRIGATED. I RECOMMENDED HE SUPPLY AN AFFIDAVIT FROM HIMSELF (HE HAS PERSONAL KNOWLEDGE OF THE DITCHES FROM THE FORTIES OR SO) OR THE CLAIMANT OR NEIGHBORS TO HELP DOCUMENT THE DATE. HE ALSO INDICATED THE CHIVERS WOULD LIKE TO AMEND THE DATE OF PRIORITY. SO I AMENDED THE CLAIM CHANGING THE FLAG TO A T WITH THE NEW DATE. THIS RECORD WILL GO TO THE HOST TEMP. AND STAY THERE UNTILL YOU RECIEVE THE SIGNED AMENDMENT, AT WHICH TIME YOU MAY CHANGE THE FLAG TO P AND IT WILL UPDATE THE HOST MASTER RECORD.

THIS CLAIM WAS A LITTLE UNUSUAL IN THAT IT WAS ON THE HOST MASTER WITHOUT A RECIEPT NUMBER ON THE CLAIM. I LOCATED THE RECIEPT (THE CLAIM NUMBER AND AND THE CORRECT FEE WAS ON THE RECIEPT) AND PLACED IT ON THE CLAIM. THERE ARE OTHER CLAIMS OUT THERE ON THE HOST MASTER WITHOUT RECIEPTS BUT I JUST WANTED TO MENTION THIS IN CASE WHOEVER REVIEWS THIS CLAIM QUESTIONS WHY THE COPY OF THE CLAIM ON THE HOST MASTER DOES NOT HAVE A RECIEPT NUMBER ON IT BUT THE ONE ON THE HOST TEMP. DOES.

WELL, TO MAKE A SHORT STORY LONG, THE INFO SUBMITTED IS HERE AND WILL BE SENT OVER ON THE NEXT BOAT, UNLESS YOU NEED IT SOONER.

THANKS.
jdc.

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MAR 17 1993

1600

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: A71-04033
Date Received: ~~11/28/1989~~ 11-30-89
Receipt No: MO5279
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GARTH T. CHIVERS 208-879-4407
Address: HC 63 BOX 1771
CHALLIS, ID 83226
AND/OR
Name: GLENIS M. CHIVERS
Address: HC 63 BOX 1771
CHALLIS, ID 83226

2. Date of Priority: APR 01, 1937
3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
10N 13E 15 SW NW 3 CUSTER

5. Description of diverting works:
WING DAM, HEADGATE, EARTH DITCH, GRAVITY IRRIGATION

6. Water is used for the following purposes:
Purpose From To C.F.S (or) A.F.A.
IRRIGATION 04/01 11/01 6.660

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

8. Total consumptive use is 275.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
10N	13E	3	SW		NE	7	IRR	40.0
			SE		NE		IRR	20.0
			NE		NW	4	IRR	1.0
			SE		NW	6	IRR	17.0
			NE		SW	9	IRR	6.0
			NE		SE		IRR	1.0
			NW		SE	8	IRR	25.0

Section Acres 110.0

Total Acres 110.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: 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): Allen M. Schwiers Date: 11-30-89

Date: _____

State of Idaho)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of November 19 89

Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

March 2, 1992

R. KEITH HIGGINSON
Director

A71-04033
GARTH T. CHIVERS
GLENIS M. CHIVERS
HC 63 BOX 1771
CHALLIS

ID 83226

RE: Evidence of Priority

RESPONSE DEADLINE

MAY 1, 1992

Dear Claimant:

The Notice(s) of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice(s) indicate your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. **The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit.** The Department will soon conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided supporting the priority date you have claimed.**

The Department will not recommend the Notice(s) be decreed by the court as claimed if no evidence of a priority date is submitted.

Please find enclosed a computer printout of your Notice(s) and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. I direct your attention to the two sections entitled "What Kind of Evidence is Required" and "Some Examples of Documents Which May Be Evidence of the Priority Date".

Please submit the required evidence supporting the priority date(s) by **May 1, 1992**, referencing all documents with the corresponding Notice number(s). If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Respectfully submitted,

Allen Merritt, P.E.
Water Rights Supervisor

Enclosures

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MAR 17 1993

From: DWR03::CARLSON 16-APR-1992 09:55:58.46
To: DWR60::MERRITT
CC: CARLSON
Subj: CHIVERS A71-04033, PROOF OF PRIORITY

GOOD MORNING ALLEN:

MR. NEIDER WAS JUST IN THE OFFICE. I MENTIONED WHAT WE NEEDED AND HE WILL CHECK AT HOME TO SEE IF HE RETURNED IT TO THE CHIVERS YET. IN ANY CASE HE WILL COME BACK IN WITH IT FOR ME TO COPY AND SEND DOWN TO YOU. HE SAID IT WILL BE A WEEK OR TWO AS HE IS VERY BUSY. VERY UNDERSTANDING FELLOW, FORTUNATE FOR ME.

ON THE QUESTIONS THAT CHIVERS HAS CAN THEY WAIT TWO WKS?

THANKS
jdc

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MAR 17 1993

From: DWR03::CARLSON 15-APR-1992 10:49:17.67
To: DWR60::MERRITT
CC: CARLSON
Subj: MISSING EVIDENCE OF PRIORITY AND MR. NEIDER

GOOD MORNING ALLEN:

I HAVE REACHED THE NEIDER HOUSEHOLD AND LEFT A MESSAGE TO CALL ME BACK.

I WILL LET YOU KNOW AS SOON AS I CAN ON WHERE THE MISSING INFO WILL
COME FROM. THE NEIDERS OR CHIVERS

IT LOOKS LIKE I DID NOT RESPOND TO YOUR LAST QUESTION ON THE MAIL
MESSAGE YESTERDAY. IF SOME OF THE CHIVERS INFO WAS MIXED UP WITH THE
NEIDERS? I DID USE A YELLOW HIGHLIGHTER ON THE CHIVERS INFO WHERE DATES OR
WHATEVER MR. NEIDER THOUGHT WAS IMPORTANT TO THE CLAIM SHOWED UP. I
DON'T RECALL WHAT I DID ON MR. NEIDERS.

SORRY FOR THE MIXUP, TALK WITH YOU LATER.
jdc.

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MAR 17 1993

A71-04023

H. C. 63 Box 1771
Challis, Idaho 83226
April 10, 1992

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APR 14 1992

Department of Water Resources
Southern Region Office

Dept. of Water Resources
222 Shoshone St. East
Twin Falls, Idaho 83301

Dear Sirs;

Enclosed is another copy of the claim to a water right in the Fisher Marshall Ditch in Stanley, with an amended priority date. Jay Nieder submitted it with other information to the Boise office.

Please advise us if this is not sufficient to insure this claim.

I would also like any other information on this ditch that you have on record from Woolley, Nieder or anyone else.

I also need some information on what, besides the filing date would be needed if we used the July 5, 1983 filing date on claim No. A 72-04222A?

Thank you.

Yours truly,

Garth Chivers
Garth Chivers

Chivers 879-4407

10N 13E 15 SW NW 4.3

P/U Sec 3
110 acres

4/17/92 Phoned Mrs. Chivers & talked with her about the above questions

AP—

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Wilson Stanley

11/3

ABSTRACT OF TITLE

TO

THE FOLLOWING DESCRIBED REAL ESTATE

207 Ranch - 11/3
43

E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 3, Township 10 North, Range 13, East Boise Meridian.

Lot 3, with the exception of Tract #43;

Lot 7, Lot 8 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ all in Section 3, Township 10 North, Range 13, Last Boise Meridian.

A 71-04033

To: Allen Meritt Southern

CUSTER COUNTY ABSTRACT COMPANY, LTD.

CHALLIS, IDAHO

MAR 17 1993

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43-45.	Decree of Distribution	P.C.O.	2	120	7/8/25
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Township 10 North Range 13 East Boise Meridian

NORTH						EAST					
SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.
6	5	4	3	2	1						
			X	X							
			X	X							
SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.
7	8	9	10	11	12						
SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.
18	17	16	15	14	13						
SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.
19	20	21	22	23	24						
SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.
30	29	28	27	26	25						
SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.	SEC.
31	32	33	34	35	36						
SOUTH						WEST					

Form 4-590

THE COYOTE PUBLISHING CO., COLONY, WYO.

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CONTINUATION OF ABSTRACT OF TITLE TO THE LAND DESCRIBED
IN THE CAPTION HERETO

UNITED STATES,
Grantor

To

William H. Woolley

Grantee

Certificate No. Blackfoot 039627

No.

Character of Instrument, U. S. Patent

Date of Instrument,

April 1, 1937

Date of Record,

Dec. 12, 1938

Book 16 of Patents Deed, Page 505

Issued by authority of the Act of Congress of May 20, 1862
and the Acts supplementary thereto.

Executed by the President Franklin D. Roosevelt

By Louise Polk Wilson Secretary

R. S. Clinton

Acting

Recorder of the General Land Office

Seal of the General Land Office Affixed

Yes

Recorded Vol. , Page

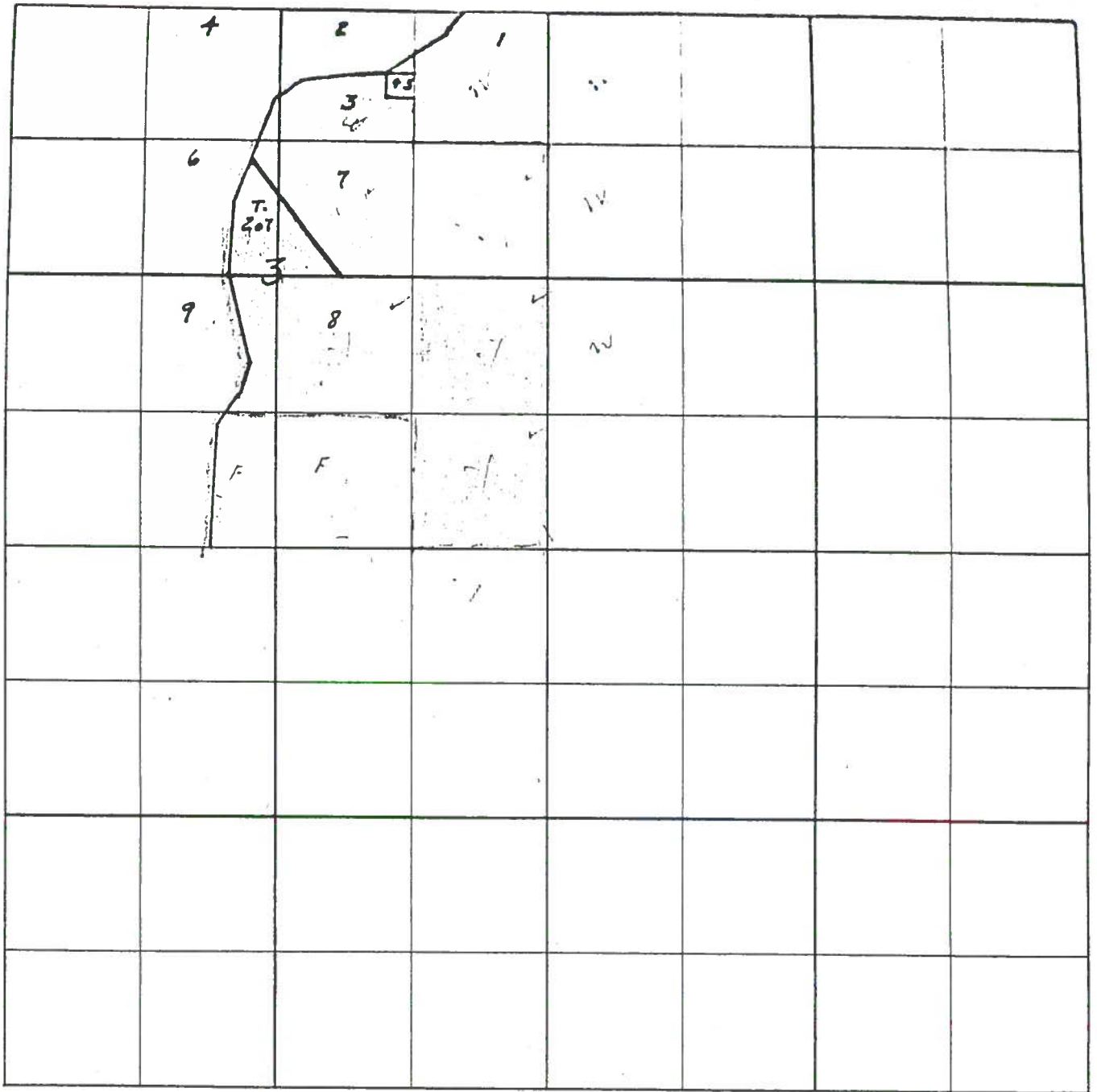
Recorded No. 1089262

DESCRIPTION:

Lots three and four, the south half of the northwest quarter, and the southwest quarter of Section two and the east half of the southeast quarter of Section three in Township ten north of Range thirteen east of the Boise Meridian, containing four hundred acres and ninety-two hundredths of an acre, according to the Official Plat of the Survey of the said Land, on file in the General Land Office.

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Scale— $3\frac{1}{2}" = 1$ mile
 $\frac{7}{8}" = \frac{1}{4}$ mile

Township 10 North Range 13 E. B.M.

Prepared by the Custer County Abstract Company, Ltd.

Bonded Abstracters

Challis, Idaho

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MAR 17 1993 7

IN THE CAPTION HERETO

UNITED STATES
Grantor

No.

To

Character of Instrument, U. S. Patent

Date of Instrument,

Herbert H. Marshall

January 16, 1915

Grantee

Date of Record,

Certificate No.

April 14, 1915

Hailey 015790

Book 6 of Deeds, Page 408

Issued by authority of the Act of Congress of May 20, 1862
and the Acts supplementary thereto.

Executed by the President Woodrow Wilson

By M. P. LeRoy, Secretary

L. Q. C. Lamar

Recorder of the General Land Office

Seal of the General Land Office Affixed
Yes

Recorded Vol., Page

Recorded No. 453934

DESCRIPTION:

The Lots three, seven and eight, and the southeast quarter of the northeast quarter of Section three in Township ten north of Range thirteen east of the Boise Meridian, Idaho, containing one hundred sixty-five and thirty-three hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General.

With appurtenances.

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Boise County Official Records, Idaho

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

HERBERT H. MARSHALL,) PETITION FOR PROBATE OF WILL

Deceased.)

TO THE HONORABLE THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO:

THE PETITION OF Mary Marshall of Stanley, Custer County, Idaho, respectfully shows:

That Herbert H. Marshall died on or about the 12 day of June, 1924 at Stanley, Idaho.

That said deceased at the time of his death was a resident of the County of Custer in said State of Idaho, and left estate therein consisting of real and personal property.

That the character and probable value of the said property are as follows, to-wit:

Homestead

That the estate and effects, for or in respect of which the probate of the will hereinafter mentioned is hereinafter applied for, does not exceed the sum of Three thousand Dollars.

That said deceased left a will bearing date the 22nd day of November, 1919, in the possession of Petitioner which your petitioner believes and therefore alleges to be the last will and testament of said deceased, and which is herewith presented to said Probate Court.

That Mary C. Marshall is named in said will as executor thereof; and Mary C. Marshall, your petitioner aged about 69 years, residing

Custer County District Court

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at Stanley, Custer County, Idaho, is named therein as devisee.

That the subscribing witnesses to said will are ----- residing in the County of -----, residing in the County of -----

That the next of kin of said testat--, whom your petitioner-- advised and believe_ and therefore allege_ to be the heir at law of said testat__, and the name, age and residence of said heir ----- aged about ----- years, residing at -----.

That at the time said will was executed, to wit, on the said twenty-second day of November, 1919, the said testator was over the age of eighteen years, to-wit, of the age of 70 years or thereabouts, and was of sound and disposing mind, and not acting under duress, menace, fraud, or undue influence, and was in every respect competent, by last will, to dispose of all his estate.

That said will is in writing, signed by the said testator and attested by said subscribing witnesses, at the request of said testat--, subscribing their names to the said will in the presence of the said testat-- and in the presence of each other; and that, as your petitioner -- advised, and therefore allege--, said witnesses, at the time of attesting the execution of said will, were, and are now, competent.

The Will referred to is an olographic Will and does not require witnesses.

Wherefore your petitioner prays that the said will may be admitted to probate, and that letters Testamentary be issued to your petitioner; and that for that purpose that the Court appoint a time for proving said will, and that all persons interested be notified and directed to appear at the time appointed for proving the same; and sub-

Custer County Abstract Company

poenas be directed to be issued to the said subscribing witnesses to the said will residing in the said Custer County; and that all other necessary and proper orders may be made in the premises.

And your petitioner will ever pray, etc.

Dated-----, 19--.

Mrs. Mary C. Marshall

Attorney for Petitioner

Filed August 30th, 1924.

Jon. Job
Clerk

Custer County Abstract Company, 2

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IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)
HERBERT H. MARSHALL,) ORDER APPOINTING TIME FOR PROBATE
Deceased.) OF WILL, AND DIRECTING PUBLICATION
OF NOTICE OF SAME.

IT IS HEREBY ORDERED, That Saturday the twentieth day of September, 1924, at two o'clock P. M. of said day, at the Court Room of said Court, at the Court-house, in the Village of Challis, County of Custer, State of Idaho, be, and the same is hereby, appointed the time for proving the last Will and Testament of Herbert H. Marshall, deceased, and hearing the application of Mary C. Marshall for letters testamentary; and any person interested may appear and contest the said Will, and may file objections in writing to the granting of letters testamentary to said petitioner.

IT IS FURTHER ORDERED, That notice be given thereof by the Clerk of said Court by publication not less than ten days before said 20th day of September, 1924, in the Challis Messenger, a newspaper printed and published in said Custer County.

Dated August 30th, 1924.

Jonathan Job
Probate Judge

Recorded in Book D, Page 362 Record of Proceedings in Probate Matters.
Filed August 30th, 1924.

Jon. Job
Clerk

Custer County Abstract Company, Inc.

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MAR 17 1993

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

HERBERT H. MARSHALL,)

Deceased.)

NOTICE FOR PUBLICATION OF TIME AP-
POINTED FOR PROVING WILL, ETC.

Pursuant to an order of said Court, made on the thirtieth day of August, 1924, notice is hereby given that Saturday the twentieth day of September, 1924, at two o'clock P. M. of said day, at the Court Room of said Court, at the Court House in the Village of Challis, County of Custer, has been appointed as the time and place for proving the Will of said Herbert H. Marshall, deceased, and for hearing the application of Mary C. Marshall for the issuance to her of letters Testamentary when and where any person interested may appear and contest the same.

Dated August 30th, 1924.

Jon. Job
Clerk

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Custer County Historical Society

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OLOGRAPHIC WILL

Stanley, Idaho, Nov. 22, 1919

I, Herbert H. Marshall, make this my last will. I give all the property of which I die possessed to my wife Mary C. Marshall. I appoint my said wife executrix of this will without bonds. I give her power to sell or convey any or all of my estate without an order of Court and I hereby revoke all wills by me heretofore made. I declare this will written, dated and signed entirely by my hand.

Herbert H. Marshall

Recorded in Book A, Page 144, Record of Wills

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Carter County Abstract Company, Lemo

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MAR 17 1993

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

HERBERT H. MARSHALL,)

Deceased.)

ORDER ADMITTING WILL TO PROBATE

The petition of Mary C. Marshall heretofore filed herein praying for the admission to probate of the last Will and Testament of Herbert H. Marshall, deceased, and that Letters Testamentary be issued to said Mary C. Marshall, coming on regularly this day to be heard, and the matter having been submitted for decision, and it appearing to the Court that said Herbert H. Marshall died on or about the twelfth day of June, 1924, at the County of Custer, State of Idaho; that said deceased was at the time of his death, a resident of the County of Custer, State of Idaho; that said document is the last Will and Testament of said deceased; that it was duly executed by him in his lifetime; and was wholly written, dated and signed by the said testator in ~~his~~ own handwriting and by his own hand; that the same was duly attested as required by law; that said decedent at the time of executing said Will, was over the age of eighteen years, was of sound mind and not acting under duress, menace, fraud or undue influence, or in any respect incompetent to execute said Will; and that due and legal notice has been given of the hearing of said petition by publication in the Challis Messenger, a newspaper printed and published in said Custer County.

IT IS ORDERED, That the said Will is proved and allowed and the same is hereby admitted to probate, and that Letters Testamentary issue

Custer County Abstract Company, Inc.

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thereon to said Mary C. Marshall without bond, said will specifying that
no bond be required.

Done in open Court, this 20th day of September, 1924.

Jonathan Job
Probate Judge

Recorded in Book D, Page 362 Record of Proceedings in Probate Matters.

Filed September 20th, 1924.

Jon. Job
Clerk

Custer County Abstract Company, Inc.

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MAR 17 1993

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

HERBERT H. MARSHALL,) LETTERS TESTAMENTARY

Deceased.)

STATE OF IDAHO)
County of Custer) ss.

THE LAST WILL OF Herbert H. Marshall, deceased, a copy of which is hereto annexed, having been proved and recorded in the Probate Court of the County of Custer, State of Idaho, Mary C. Marshall, who is named therein, is hereby appointed Executrix without bonds.

WITNESS: Jon. Job, Clerk of the Probate Court, of the County of Custer, with the seal of the Court affixed, the 20th day of September, A. D. 1924.

By order of the Court.

Jon. Job
Clerk

STATE OF IDAHO)
County of Custer) ss.

I DO SOLEMNLY SWEAR That I will perform, according to law, the duties of Executrix of the last Will and Testament of Herbert H. Marshall, deceased.

Mary C. Marshall

Subscribed and sworn to before me, this 7 day of October, 1924.

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Custer County Abstract Company, L.

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MAR 17 1993

(Seal)

P. H. Rasche
Notary Public

Recorded in Book A, Page 250, Letters of Administration

Filed October 9th, 1924.

Jon. Job
Clerk

Carter County Abstract Company, Inc.

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MAR 17 1993

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

HERBERT H. MARSHALL,) ORDER APPOINTING APPRAISERS
Deceased.)

LETTERS Testamentary having been issued to Mary C. Marshall,
an application being made to the Judge this Court for the appointment
of appraisers to appraise the estate of said deceased,

IT IS HEREBY ORDERED, That Matt Womacks, William Rose and
George C. Cummine, three disinterested persons, competent and capable
to act, be, and they are hereby appointed such appraisers.

Jonathan Job
Probate Judge

Dated October 9th, 1924.

Recorded in Book D, Page 364, Record of Proceedings in Probate Matters.
Filed October 9th, 1924.

Jon. Job
Clerk

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Custer County Abstract Company, Inc.

Microfilm

MAR 17 1993

A71-04033

IN THE PROBATE COURT OF CUSTER COUNTY, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

HERBERT H. MARSHALL,)

Deceased.)

ORDER OF PUBLICATION OF NOTICE
TO CREDITORS

IT IS ORDERED That notice to the creditors of Herbert H. Marshall, deceased, requiring all persons having claims against the said deceased to exhibit them with the necessary vouchers within four months from the date of the first publication of said notice to the Executrix of the last Will and Testament of said deceased, be given by said executrix by publication not less than once a week for four successive weeks in the Challis Messenger, a newspaper printed and published in the County of Custer, State of Idaho.

Dated October 10th, 1924.

Jonathan Job
Probate Judge

NOTICE TO CREDITORS

Estate of Herbert H. Marshall, Deceased.

Notice is hereby given by the undersigned Executrix of the last Will and Testament of Herbert H. Marshall, deceased, to the creditors of and all persons having claims against the said deceased, to exhibit them with the necessary vouchers, within four months after the first publication of this notice, to the said Executrix at Stanle County of Custer, State of Idaho, this being the place fixed for the transaction of the business of said estate.

Dated October 10th, 1924.

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Mary C. Marshall, Executrix

Custer County, Idaho

Recorded in Book D, Page 364 Record of Proceedings in Probate Matters.
Filed October 10th, 1924.

Jonathan Job
Judge of Probate

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Utah County Historical Company - MAR 17 1993

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)
HERBERT H. MARSHALL,) INVENTORY AND APPRAISEMENT
Deceased.)

I, Jon. Job, Clerk of the Probate Court, County of Custer, State of Idaho, do hereby certify that Matt Womacks, William Rose and George W. Cummine were duly appointed appraisers of the estate of Herbert Marshall, deceased, by order of the said Court, duly entered and recorded on the ninth day of October, A. D. 1924.

WITNESS, My hand and the seal of said Court this ninth day of October, A. D. 1924.

(Seal)

Jon. Job
Clerk

STATE OF IDAHO)
County of Custer) ss.

Matt Womacks, William Rose and George W. Cummine, duly appointed appraisers of the estate of Herbert H. Marshall, deceased, being duly sworn, each for himself says that he will truly, honestly and impartially appraise the property of said estate which shall be exhibited to him or which shall come to his knowledge, according to the best of his knowledge and ability.

William Rose

George W. Cumine

Madison Womacks

Custer County Abstract Company, Inc.

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MAR 17 1993

Subscribed and sworn to before me this 18 day of Oct., A. D.

1924.

(Seal)

P. H. Rasche
Notary Public

STATE OF IDAHO)
) ss.
County of Custer)

Mary C. Marshall, the Executrix of the last Will and Testament of Herbert H. Marshall, deceased, being duly sworn, says that the annexed inventory contains a true statement of all of the estate of the said Herbert H. Marshall, deceased, which has come to the knowledge or possession of said Executrix, and particularly of all money belonging to the said deceased, and of all just claims of the said deceased against the said affiant.

Mary C. Marshall

Subscribed and sworn to before me this 18 day of Oct., A. D.

1924.

(Seal)

P. H. Rasche
Notary Public

DESCRIPTION	VALUE
Ranch	\$1000.00
Improvements	\$ 200.00

all of the estate mentioned in the foregoing inventory is community property.

We, the undersigned, duly appointed appraisers of the estate of Herbert H. Marshall, deceased, hereby certify that the property mentioned in the foregoing inventory is community property.

Wm. H. Marshall, deceased, Community, Etc.

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tioned in the foregoing inventory has been exhibited to us, and that we appraise the same at the sum of Twelve Hundred Dollars, (\$1200.).

William Rose
Appraiser

George W. Cumine
Appraiser

Madison Womacks
Appraiser

Dated Oct. 18, 1924.

Recorded in Book 1, page 234, Appraisement Record.

Filed October 28th, 1924.

Jon. Job
Clerk

Under County Seal and Commission

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MAR 17 1993

IN THE PROBATE COURT OF CUSTER COUNTY, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

HERBERT H. MARSHALL,)
Deceased.) FINAL ACCOUNT AND PETITION FOR
DISTRIBUTION OF MARY C. MARSHALL,
ADMINISTRATRIX.

STATE OF IDAHO)
County of Custer) ss.

Mary C. Marshall, Administratrix, in account with the estate of
Herbert H. Marshall, deceased.

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Dr.

To Cash received as follows, to-wit: Dollars

No Cash received.

Disbursements

Nothing

Letters Testamentary were duly issued upon said estate on the
20th day of September, 1924.

Notice to Creditors have been duly published, the first publi-
cation thereof having been made on the 15th day of October, 1924.

An Inventory and Appraisement of said estate was duly returned
and filed on the 28th day of October, 1924, showing said estate to be of
the value of Twelve Hundred (\$1200.00) Dollars.

All claims presented and allowed against said estate have
been fully paid, as shown by the foregoing account.

By the terms of the last will of said deceased duly admitted
to probate herein on the 20th day of September, 1924, the said deceased
devised and bequeathed his whole estate to your petitioner: Mary C.
Marshall, widow of deceased.

Custer County, Idaho, September 2, 1924

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Wherefore said executrix asks that said account be approved, allowed and settled; and that a decree be made for the distribution of all said estate to the person entitled thereto, and for all other proper relief.

IN THE PROBATE COURT OF CUSTER COUNTY, STATE OF IDAHO.
IN THE MATTER OF THE ESTATE OF)

HERBERT H. MARSHALL,)

Deceased.)

AFFIDAVIT TO FOREGOING ACCOUNT

STATE OF IDAHO)

County of Custer)

ss.

Mary C. Marshall of said County, being duly sworn, says:
I am the executrix of the estate of Herbert H. Marshall, deceased.

The foregoing account, being filed as and for the first and final account of my administration of the said estate, is in all respects just and true, and, according to the best of my knowledge, information and belief, contains a full, true and particular account of all receipts and disbursements on account of the said estate, from the 20th day of September, 1924, to the 23d day of June, 1925, and all sums of money belonging to the said estate which have come into my hands as such executrix or which have been received by any other person, by my order or authority, for my use; and I do not know of any error or omission in the said account to the prejudice of any person interested in the said estate.

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I further state that the items of expenditure, not exceeding Twenty Dollars, for which no vouchers are annexed or produced, have actually been paid and disbursed by me at the place where, the date when, and the parties to whom the said payments are stated in the said account to have been made respectively; and that said account exhibits not only the debts which have been paid, but also a statement of all debts which have been duly presented and allowed during the period embraced in the said account.

Mrs. Mary C. Marshall

Subscribed and sworn to before me, this 23 day of June, A. D.

1925.

P. H. Rasche
Notary Public

(Seal)

Filed June 29th, 1925.

Jon. Job
Clerk

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

H. H. MARSHALL,

Deceased.

) ORDER APPOINTING DAY OF SETTLEMENT
) OF ACCOUNT AND DIRECTING NOTICE TO
) BE GIVEN

Mrs. Mary C. Marshall, the executrix of the will of H. H. Marshall, deceased, having this day filed for final settlement an account of her administration of the affairs of said estate, accompanied by the filing of a petition for the final distribution of said estate, among the persons entitled thereto,

IT IS ORDERED That Tuesday, the 14th day of July, 1925, at 10 o'clock A. M., be and the same is hereby, appointed for the settlement of the said account and the hearing of said petition; and that the Clerk give notice thereof by causing notices to be posted in at least three public places in the said Custer County, at least ten days before said day of settlement according to law.

Jonathan Job
Probate Judge

Dated July 3rd, 1925.

Recorded in Book D, Page 410 record of Proceedings in Probate Matters.

Filed July 3rd, 1925.

Jon. Job
Clerk

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IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

H. H. MARSHALL,

Deceased.)

NOTICE OF SETTLEMENT OF FINAL
ACCOUNT AND DISTRIBUTION.

Notice is hereby given: That Mary C. Marshall, administratr of the estate of H. H. Marshall, deceased, has rendered and presented for final settlement, and filed in this Court, her final account of h administration of said estate, together with her report and a petitio for final distribution, and that Wednesday, the 8th day of July, 1925 at ten o'clock in the forenoon of said day, at the Court-room of said Court at the Court-house in said County, has been fixed and appointed as the time and place for the settlement of said account and the hear ing of said report and petition, at which time and place any person i terested in said estate may appear and file his exceptions, in writin to the said account, and contest the same.

Notice is further given: That said account is for final set tlement, and the said estate is ready for distribution, and on confir tion of the said final account final distribution of said estate will be had.

Dated this 3rd day of July, 1925.

Jon. Job
Ex-Officio Clerk

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.

IN THE MATTER OF THE ESTATE OF)

H. H. MARSHALL, Deceased.)

CERTIFICATE OF POSTING

Custer County Abstract Company

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A71-04033

I, Jonathan Job, ex-officio Clerk of the Probate Court of Custer County, State of Idaho, do hereby certify that on the 3rd day of July, 1925, I posted correct and true copies of the above notice in three of the most public places in said County, to-wit: One of said copies at the place at which the Court is held, one at the 1st. State Bank of Challis, and one at the old Hull Post Office Building, all in the Village of Challis, in said County.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Probate Court, this 3rd day of July, 1925.

Jon. Job

Ex-Officio Clerk of the Probate
Court

Filed July 3rd, 1925.

Jon. Job

Clerk

Custer County District Court

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MAR 17 1993

AFFIDAVIT OF PUBLICATION
NOTICE TO CREDITORS

State of Idaho

County of Custer ss.

I, Donald Renner, Foreman of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of The Challis Messenger for four consecutive weeks, commencing with the issue dated October 22, 1924, and ending with the issue dated November 12, 1924.

Donald Renner

Subscribed and sworn to before me this 3rd day of June, 1925.

N. C. Hovey

Notary Public Residing at
Challis, Idaho. My Commission
expires 3/3/27

(Seal)

Filed June 3rd, 1925.

Clerk

Cum County Clerk's Office MICROFILMED

MAR 17 1993

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF IDAHO.
IN THE MATTER OF THE ESTATE OF)

H. H. MARSHALL,

Deceased.)

DECREE SHOWING THAT DUE AND LEGAL
NOTICE TO CREDITORS HAS BEEN GIVEN

It appearing to the satisfaction of this Court that due and
legal notice to the creditors of said estate has been given.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That due and
legal notice to the creditors of said H. H. Marshall, deceased, has
been given; that the same is established of record; and that this
decree be entered in the minutes of this Court.

Dated this seventh day of July, 1925.

Jonathan Job
Probate Judge

Recorded in Book D, Page 411 record of Proceedings in Probate Matters.
Filed July 7th, 1925.

Jon. Job
Clerk

Custer County District Court, Idaho

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MAR 17 1993

IN THE PROBATE COURT OF THE COUNTY OF CUSTER, STATE OF
IDAHO.

IN THE MATTER OF THE ESTATE OF)

HERBERT H. MARSHALL,

Deceased.

) ORDER SETTLING FINAL ACCOUNT,
REPORT AND PETITION FOR DISTRI-
) BUTION, UNDER WILL.

Now comes Mary C. Marshall, the executrix of said estate, and proves to the satisfaction of the Court that her final account and petition for distribution herein was rendered and filed on the 3rd day of July, 1925; that on the same day, the Clerk of this Court, appointed the 8th day of July, 1925, for the settlement and hearing thereof; that due and legal notice of the time and place of said settlement and hearing has been given as required by law; and the said account and petition being now presented to the Court, and no person appearing to except to or contest said account or petition, the Court, after hearing the evidence, being satisfied that all taxes upon the property of the estate have been fully paid, settles said account, and orders distribution of said estate as follows:

That said estate is community property, consisting of real estate only, hereinafter more fully described;

IT IS ORDERED, ADJUDGED AND DECREED BY THE COURT, That said account be allowed and settled; and that, in pursuance of and according to the provisions of the last will of said deceased, the said property and any other property which may belong to said estate or in which the said estate may have an interest, be, and the same is hereby distributed as follows:

Custer County, Idaho

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MAR 17 1993

To Mary C. Marshall, widow of Herbert H. Marshall, deceased,
all of the property of said estate of said deceased.

The following is a particular description of the said estate
referred to in this decree, and of which distribution is now ordered
as aforesaid:

*

Lots Three (3) Seven (7) and Eight (8) the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of
Section 3, Township 10 N. Range 13 E. B. M., contain-
ing 165.33 Acres; together with all Water and Ditch
Rights thereto belonging or in any wise appertaining.

Done in open Court, this 8th day of July, 1925.

Jonathan Job
Judge of the Probate Court

State of Idaho)
) ss.
County of Custer)

I, Jonathan Job, Probate Judge and Ex-Officio Clerk of the
Probate Court, in and for said County of Custer, State of Idaho,
hereby certify that the within is a full, true and complete copy
of the Order Settling Final Account, Report, and Petition for dis-
tribution, In the Matter of the Estate of Herbert H. Marshall, de-
ceased.

Witness my hand the seal of said Court, this 22nd day of July,
1925.

Jonathan Job
Probate Judge and Ex-Officio
Clerk

(Seal)

State of Idaho)
) ss.
County of Custer)

This instrument was filed for record at the request of Jonathan

Custer County, Idaho, 1925

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MAR 17 1993

Job, at 4 o'clock P. M., July 22nd, 1925.

Fees, \$1.00

Emmett Donahue
Ex-Officio Recorder

(Recorded in Book 2 of Probate Court Orders at page 120).

Custer County, S. D. and Neighbors

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MAR 17 1993

Mary C. Marshall, a widow,)
Grantor,)
to)
Affie Cothorn, a married woman,)
Grantee.)

WARRANTY DEED

Dated----- September 30, 1925.

Recorded----- October 16, 1928 in Book 20 of
Deeds, at page 481.

Acknowledged----- September 30, 1925, before P. H.
Rasche, N. P. Seal affixed.

Consideration----- Twelve Hundred and no/100 Dollars

Granting words----- Grant, bargain, sell and convey
and confirm.

Conveys----- Lots 3, 7 and 8 and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec.

3, Tp. 10 N. R. 13 E. B. M., ex-
cept 1 acre lying in Lot 3 of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, Tp. 10 N. R. 13,
E. B. M., which is described as follows: commencing 153 feet south
of the point where the east line of said Lot strikes Salmon River,
thence south 200 feet, thence west 217.8 feet, thence north 200 feet,
thence east 217.8 feet to the point of beginning.

* Together with all water and ditch rights thereto belonging or in any
wise appertaining.

With appurtenances.

MICROFILMED

MAR 17 1993

Certificate

The undersigned hereby certifies that the foregoing ^{continuation of} Abstract of Title consisting of sheets numbered from 17 to 47 inclusive, includes all instruments, records, judgments, files and proceedings which are matters of record in the office of the County Recorder (including Federal Court if any), in the County of Custer and State of Idaho affecting the title to, or constituting liens upon, the real estate described on the Caption of this Abstract.

Report on Taxes: Taxes for 1946 and all prior years paid in full.
Taxes for 1947 not yet levied.

Dated this 29th day of May, 1947.

CUSTER COUNTY ABSTRACT COMPANY, Limited

By

J. Lessil Sharp
President

Custer County Abstract Company, Inc.

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MAR 17 1993

Affie Cothorn,)

Grantor,)

to)

Ruth Glatzel Burnett,)

Grantee.)

WARRANTY DEED

Dated----- September 1, 1934.

Recorded----- September 19, 1934 in Book 22 of Deeds
at page 359.

Acknowledged----- September 1, 1934 before C. A. Gregory,
N. P. Seal affixed.

Consideration----- Four Hundred and no/100 Dollars.

Granting words----- Grant, bargain, sell and convey and
confirm.

Conveys----- Southwest corner Northeast $\frac{1}{4}$, Section
3, Township 10 North, Range 13 East of
the Boise Meridian, Idaho. 977 feet east 1245 feet northwest to a
point in river, 250 feet westerly along river and 812 feet south to
place of beginning, containing approximately 13.9 acres.

With appurtenances.

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MAR 17 1993

Affie Cothern and R. B.)
Cothern, wife and husband,)
Grantors,)
to)
Ruth Glatzel Burnett,)
Grantee.)

WARRANTY DEED

Dated----- February 14, 1938.

Recorded----- March 18, 1938 in Book 24 of Deeds
at page 11.

Acknowledged----- February 24, 1938, both appeared be-
fore C. A. Gregory, N. P. Seal af-
fixed.

Consideration----- Four Hundred and no/100 Dollars.

Granting words----- Grant, bargain, sell, convey and cor

Conveys----- Southwest Corner Northeast Quarter,
tion Three, Township Ten North, Rang
Thirteen East Boise Meridian. 977 feet east, 1245 feet Northwest t
point in river, 250 feet westerly along river and 812 feet south to
place of beginning, containing 13.9 acres, more or less.

(This deed is given as a correction deed to correct that certain d
given September first, 1934, said deed being of record in Custer
County, in Book 22 of Deeds at page 359).

With appurtenances.

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MAR 17 1993

Ruth Glatzel Burnett and
James V. Burnett, wife and
husband,

Grantors,

to

H. N. Beamer,

Grantee.

WARRANTY DEED

Dated----- February 28, 1938.

Recorded----- March 18, 1938 in Book 24 of Deeds
at page 12.

Acknowledged----- February 28, 1938, both appeared be
fore J. A. Ricks, N. P. Seal affixed

Consideration----- Four Hundred (\$400.00) Dollars.

Granting words----- Grant, bargain, sell, convey and
confirm.

Conveys----- Southwest corner Northeast Quarter,
Section Three, Township Ten North,
Range 13 E. B. M. 977 feet east, 1245 feet northwest to a point in
river, 250 feet westerly along river and 312 feet south to place of
beginning, containing 13.9 acres, more or less.

With appurtenances.

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A71-04033

H. N. Beamer and Lila K.)
Beamer, husband and wife,)
Grantors,)
to)
W. H. Woolley,)
Grantee.)

WARRANTY DEED

Dated----- December 29, 1947.

Recorded----- January 5, 1947 in Book 28 of Deeds
at page 183.

Acknowledged----- December 29, 1947, both appeared before
A. W. Ensign, N. P. Seal affixed.

Consideration----- Eight Hundred Fifty Dollars.
\$1.10 R. S. attached and cancelled.

Granting words----- Grant, bargain, sell, convey and convey

Conveys----- Southwest Corner Northeast Quarter,
Section Three (3), Township Ten (10) North
Range Thirteen (13) East Boise Meridian, 977 feet east, 1245 feet
northwest to a point on the river, 250 feet westerly along river
812 feet south to place of beginning, containing 13.9 acres, more or
less.

With appurtenances.

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MAR 17 1993

No. 100162
CONTRACT

This agreement, made the 1st day of July, 1947, between R. B. Cothorn and Affie Cothorn, husband and wife, hereinafter designated the seller and Raymond M. Graves, hereinafter designated the buyer, witnesseth:

That, in consideration of the covenants and agreements on the part of the buyer, hereinafter contained, the said seller agree to sell and to convey to the said buyer, and the said buyer agrees to buy, all that certain lot, piece and parcel of land situate in Custer County, Idaho, described as follows, to-wit:

E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 3, Township 10 North, Range 13, East Boise Meridian; Lot 3, with the exception of Tract #43; Lot 7, with the exception of Tract #207; Lot 8 and the SE $\frac{1}{4}$ NE $\frac{1}{4}$; all in Section 3, Township 10 North, Range 13, East Boise Meridian, together with all ditch and ditch rights, water and water rights appurtenant to said premises or used in connection therewith, and together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining;

together with certain personal property,
for the sum of Twelve Thousand Five Hundred Dollars (\$12,500.00), current lawful money of the United States of America, to be paid as follows, namely: the sum of Two Thousand Dollars (\$2,000.00) upon the execution of this contract, the receipt of which is hereby acknowledged, and the remainder in monthly and yearly instalments as follows, namely: the sum of One Hundred Dollars (\$100.00) payable on the 5th day of each and every month thereafter, commencing on the 5th day of October, 1947, and the sum of One Thousand Dollars (\$1000.00) payable on the 5th day of August of each and every year thereafter, commencing on the 5th day of August, 1948, with interest

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MAR 17 1993

on the unpaid balance at the rate of 5% per annum from date hereof until paid, said interest payable on the 5th day of August of each and every year thereafter, commencing on the 5th day of August, 1948. It is further agreed that all said payments may be made on or before the dates hereinabove designated.

And it is mutually covenanted and agreed between the parties hereto that the said buyer shall be let into, and have possession of said real and personal property on the 1st day of August, 1947; and that if the said buyer shall fail to pay the said instalments or any of them when due, the said seller shall be released from all obligation to convey said property; and, in such event, the buyer shall forfeit all right to said property, and all payments theretofore made by him shall be forfeited to the said seller as and for liquidated damages and not as a penalty.

The said seller, upon receiving payments, at the times and in the manners hereinbefore specified, agrees to execute and deliver to the said buyer, a good and sufficient warranty deed conveying a marketable title to said property, and a good and sufficient bill of sale transferring a marketable title to said personal property, and to deliver a complete abstract of title to said real property.

The said buyer agrees to pay all taxes and all assessments of whatsoever nature which are or may become due on said property; and to keep the buildings thereon insured in the sum of Three Thousand Dollars (\$3,000.00) until said property is paid for in full.

It is mutually covenanted and agreed that the provisions of this contract shall apply to and bind the heirs, executors, administrators and assigns of the respective parties hereto.

Witness my hand and seal this 1st day of August 1947.

MICROFILMED

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Witness our hands this 1st day of July, 1947.

R. B. Cothern

Affie Cothern
Seller

Raymond M. Graves
Buyer

Acknowledged----- July 1, 1947, R. B. Cothern and Affie
Cothern, husband and wife, and Raymond
M. Graves appeared before Sherman J.
Bellwood, N. P. Seal affixed.

Recorded----- July 7, 1948 in Book 4 of Bonds and Agree-
ments at page 216.

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Raymond M. Graves and Fern
B. Graves, husband and wife,

Assignors,

to

Charles M. Fiedler and Edna
M. Fiedler, husband and wife,

Assignees.

ASSIGNMENT

Dated----- July 6, 1948.

Recorded----- July 7, 1948 in Book 3 of Assign-
ments at page 184.

Acknowledged----- July 6, 1948, both appeared before
Everett B. Taylor, N. P. Seal
affixed.

Consideration----- Three Thousand and No/100
(\$3,000.00) Dollars.

Granting words----- Sell, assign and transfer.

Assigns----- All our right, title and interest
in and to a certain contract for
deed between R. B. Cothorn and Affie Cothorn, husband and wife, and
Raymond M. Graves, dated July 1, 1947, and covering the following
described real property situate in the County of Custer, State of
Idaho, to-wit:
E¹/₂SE¹/₄, Section 3, Township 10 North, Range 13 East of the Boise
Meridian; Lot 3, with the exception of Tract #43; Lot 7, with the
exception of Tract #207; Lot 8 and the SE¹/₄NE¹/₄; all in Section 3,
Township 10 North, Range 13, East of the Boise Meridian, together
with all ditch and ditch rights, water and water rights appurtenant
to said premises or used in connection therewith, and together with
all and singular the tenements, hereditaments and appurtenances there-
unto belonging or in anywise appertaining, (together with certain
personal property), and direct that upon the fulfillment of the terms
of the contract between the said R. B. Cothorn and Affie Cothorn, and
Raymond M. Graves, that a Warranty Deed and Bill of Sale covering
the above described real and personal property, now being held in es-
crow by the First Security Bank of Idaho National Association, Hailey,
Idaho, be delivered to the said Charles M. Fiedler and Edna M. Fiedler
husband and wife. There is now due on the said original contract
between R. B. Cothorn and Affie Cothorn, husband and wife, and Raymond
M. Graves, dated July 1, 1947, the sum of \$9,500.00 and interest
thereon at the rate of 5% per annum from July 1, 1947, to the date
hereof.

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MAR 17 1993

R. B. Cothern and Affie
Cothern, husband and wife,

Grantors,

to

Raymond M. Graves,

Grantee.

WARRANTY DEED

Dated----- July 1, 1947.

Recorded----- September 29, 1948 in Book 28 of
Deeds at page 400.

Acknowledged----- July 1, 1947, both appeared before
Sherman J. Bellwood, N. P. Seal
affixed.

Consideration----- One Dollar and other valuable con-
siderations.
\$11.55 R. S. attached and cancelled.

Granting words----- Grant, bargain, sell, convey and
confirm.

Conveys----- E1/4, Section 3, Township 10 North,
Range 13, East Boise Meridian; Lot
3, with the exception of Tract #43 which is described as follows:
commencing 153 feet south of the point where the east line of said
Lot strikes Salmon River, thence south 200 feet, thence west 217.8
feet, thence north 200 feet, thence east 217.8 feet to the point
of beginning; Lot 7, with the exception of Tract #207 which is de-
scribed as follows: beginning at the SW corner of NE1/4, Sec. 3, Tp.
10 N., R. 13 E. B. M., thence 977 feet east, thence 1245 feet NW
to point in Salmon River, thence 250 feet westerly along said river,
and thence 812 feet south to place of beginning; Lot 8 and the
SE1/4; all in Section 3, Township 10 North, Range 13 East Boise
Meridian, together with all ditch and ditch rights, water and water
rights appurtenant to said premises or used in connection therewith.

With appurtenances.

MICROFILMED

MAR 17 1993

Raymond M. Graves and Fern
B. Graves, husband and wife,

Grantors,

to

Charles M. Fiedler and Edna
M. Fiedler, husband and wife,

Grantees.

WARRANTY DEED

Dated----- July 6, 1948.

Recorded----- September 29, 1948 in Book 28
of Deeds at page 401.

Acknowledged----- July 6, 1948, both appeared be-
fore Everett B. Taylor, N. P.
Seal affixed.

Consideration----- Three Thousand and No/100 Dollars.
\$3.30 R. S. attached and cancelled.

Granting words----- Grant, bargain, sell, convey and
confirm.

Conveys----- E¹SE¹, Section 3, Township 10
North, Range 13, East Boise Meri-
dian; Lot 3, with the esception of Tract #43; Lot 7, with the excep-
tion of Tract #207; Lot 8 and the SE¹NE¹; all in Section 3, Township
10 North, Range 13, East Boise Meridian, together with all ditch
and ditch rights, water and water rights appurtenant to said premises
or used in connection therewith.

With appurtenances.

MICROFILMED

MAR 17 1993

W. H. Woolley (a single man),)

Grantor,)

to)

QUITCLAIM DEED

Charles M. Fiedler and wife,)

Edna M. Fiedler,)

Grantees.)

Dated----- September 22, 1948.

Recorded----- January 17, 1949 in Book 28
of Deeds at page 480.

Acknowledged----- September 22, 1948 before F. W.
Markle, N. P. Seal affixed.

Consideration----- One Dollar (and real estate of
similar value).

Granting words----- Remise, release and forever quit-
claim.

Conveys----- Commencing at the Southwest corner
Northeast Quarter, Section Three
(3), Township Ten (10) North, Range Thirteen (13) East Boise Meri-
dian, thence 977 feet East, thence 1245 Feet Northwest to a point
on the river, thence 250 feet Westerly along river and thence 812
feet South, thence to place of beginning, containing 13.9 acres
more or less.

With appurtenances.

MICROFILMED

MAR 17 1993

CERTIFICATE OF ABSTRACTER

STATE OF IDAHO

COUNTY OF CUSTER

} ss.

The undersigned hereby certifies that the foregoing/continuation of Abstract of Title consisting of sheets numbered from 48 to 59, inclusive, includes all instruments, records, judgments, files and proceedings which are matters of record in the office of the County Recorder (including Federal Courts if any), in the County of Custer and State of Idaho affecting the title to, or constituting liens upon, the real estate described on the Caption of this Abstract, from the 29th day of May, 1947, to the 27th day of July, 1951.

CUSTER COUNTY ABSTRACT CO.

Report on Taxes: Taxes for 1950 and all prior years paid in full.

BONDED ABSTRACTERS

Challis, Idaho

IN WITNESS WHEREOF, Custer County Abstract Company has caused its name to be subscribed hereto and its seal affixed this 27th day of July, 1951, at 5:00 o'clock P.M.

CUSTER COUNTY ABSTRACT COMPANY, LIMITED

By E. E. Young
Secretary

A71-04033

MICROFILMED
MAR 17 1993

No. 46937

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF BINGHAM

LELA WOOLLEY,)
 PLAINTIFF)
 VS.) D E C R E E
 WILLIAM H. WOOLLEY)
 DEFENDANT.)

This cause came on regularly to be heard before the judge of the above entitled court, the 28th day of June, 1938, at Blackfoot, Bingham County, Idaho, upon complaint of the plaintiff herein taken as confessed for failure of the said defendant to appear and answer or plead to said complaint J. H. Andersen, Esq., appearing on behalf of the plaintiff and the defendant not appearing either in person or by counsel and it appearing to the satisfaction of the court that the defendant was duly and regularly served with Summons in the County of Custer, State of Idaho, that he has not appeared, pleaded or answered to the plaintiff's complaint, that the time allowed by law for answering herein has expired and that the default of the said defendant has been duly and regularly entered according to law, the court proceeded to hear the testimony introduced on behalf of the plaintiff and considered a signed and acknowledged stipulation of property rights executed by the plaintiff and defendant and said property settlement being considered by the court fair and equitable hereby adopts the same as a basis for decree of property rights between the parties and the court being fully advised in the law and premises finds that the material allegations of the plaintiff's complaint are proved by competent

MAR 17 1993

evidence free from exceptions or objections as to sufficiency, relevancy, and admissability and that the plaintiff is entitled to the relief prayed for in the complaint.

I.

IT IS THEREFORE HEREBY ORDERED, ADJUDGED AND DECREED that the bonds of matrimony now existing between the plaintiff, Lela Woolley, and the defendant, William H. Woolley, be and the same are hereby absolutely dissolved and said parties are and each of them is hereby restored to the status ~~xx~~ of single persons.

II.

IT IS FURTHER ORDERED AND ADJUDGED THAT a sufficient number of the cattle mentioned in the complaint herein and consisting of about twenty-five (25) head may be sold to pay to J. M. Andersen, Attorney for the plaintiff, the sum of \$22.60 court costs incurred in this action and the further sum of \$100.00 as attorney's fees, and the delinquent taxes on the real property belonging to the parties hereto, Lela Woolley and William H. Woolley, and that the remaining number of cattle shall then be divided equally between the plaintiff, Lela Woolley, and the defendant William H. Woolley, according to kind.

III.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the plaintiff Lela Woolley, be and she is hereby awarded and decreed as her sole separate property the following described estate and property situate in Custer County, Idaho, to-wit:

Lot One (1) of Section Three (3) Township Ten (10) North,

Range Thirteen (13) East, Boise Meridian; Lot one (1) in Section Thirty-Four (34) in Township Eleven (11) North, Range Thirteen (13) East, Boise Meridian, together with all and singular the tenements, hereditaments, buildings and appurtenances thereunto belonging or in anywise appertaining;

Lots One (1) and Two (2) of Block Four (4) of the Stanley Townsite in Custer County, Idaho; the East Half of the Southeast Quarter ($E\frac{1}{2}SE\frac{1}{4}$) Section Three (3), and the Southwest Quarter ($SW\frac{1}{4}$) of Section Two (2), all in Township Ten (10) North, Range Thirteen (13) East, Boise Meridian, together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Also a perpetual right-of-way and easement through the Southwest Quarter of the Northwest Quarter ($SW\frac{1}{4}NW\frac{1}{4}$) Section Two (2) Township Ten (10) North, Range Thirteen (13) East along the Southerly side of said named legal subdivision for the purpose of travelling and driving live-stock to and from Lot One (1) in Section Three (3), Township Ten (10) North, Range Thirteen (13) East, and the Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$), Section Two (2) in said Township and Range.

Also the following personal property:

Five (5) head of horses known as Thistle, Joe, Needles, Chinook and Sissy;

One (1) 6 mm Binoculars;

One half of the sheep belonging to the parties, Lela Woolf and William H. Woolley, to be divided equally in kind;

All of the furniture, fixtures, rugs, cooking utensils and household equipment contained within and about the buildings and ten-

RECORDED

MAR 17 1993

situated on Lot One (1), Section Three (3) Township Ten (10) North, Range Thirteen (13) East, Boise Meridian.

Also the log cabin located on Lots Three (3) of Section Two (2), Township Ten (10) North, Range Thirteen (13) East, together with the right of ingress and egress to remove said log cabin from its present location.

IV.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the defendant, William H. Woolley, be and he is hereby awarded and decreed as his sole and separate property the following described real and personal property situate in Custer County, Idaho, to-wit:

Lots Six (6) and Eight (8) and the Southeast Quarter of the Southwest Quarter ($SE\frac{1}{4}SW\frac{1}{4}$) of Section Thirty-five (35) Township Eleven (11) north, Range Thirteen (13) East, Boise Meridian; also one acre lying in a fraction of the Northwest Quarter of the Northeast Quarter ($NE\frac{1}{4}NW\frac{1}{4}$) of Section Three (3) in Township Ten (10) North, Range Thirteen (13) East, Boise Meridian, particularly described as Lot Three (3) and by metes and bounds as follows: Commencing 153 feet South of a point where the East line of said fraction strikes Salmon River; thence South 200 feet; thence East 217.8 feet; thence North 200 feet; thence East 217.8 feet; to the point of beginning; also Lots Three (3) and Four (4) and the South Half of the Northwest Quarter ($SW\frac{1}{2}NW\frac{1}{4}$) Section Two (2) Township Ten (10) North, Range Thirteen (13) East, Boise Meridian, together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Also the following described personal property,

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MAR 17 1993

All of the horses not heretofore mentioned;
The riding and pack saddles and equipment, including tents
used in connection therewith;

All guns and other personal property mentioned in the Complaint
not heretofore stipulated to be awarded to the plaintiff herein;

Together with the said defendant's, William H. Woolley's,
personal effects and tools.

IT IS FURTHER ORDERED until further order of the court herein
that the custody of Daniel Woolley, minor son of the parties, be and the
same hereby is awarded to the plaintiff, Lela Woolley, with the provision
however, that the defendant, William H. Woolley, may visit and see said
minor child and have said minor son with him at reasonable times; Provide
further that said child shall not be taken away from the custody of the
plaintiff herein during the period when school is in session.

IT IS FURTHER ORDERED that the Defendant be and he is hereby
ordered to pay to the plaintiff such reasonable sums as may be necessary
to support and educate the said Daniel Woolley and for that purpose it
is hereby ordered that the court retain jurisdiction of the parties here
to fix such reasonable amounts of allowance for the care, support and
education of said minor child if the parties hereto cannot agree upon
the same.

Dated the 28th of June, 1938.

Guy Stevens
Judge of the District Court

STATE OF IDAHO

COUNTY OF BINGHAM SS.

MICROFILMED

MAR 17 1993

I, Jno. H. Falk, the duly elected, qualified and acting clerk of the District Court of the Sixth Judicial District of the State of Idaho, in and for the County of Bingham, do hereby certify that the above and foregoing is a full, true and correct copy of the decree entered in said court in the case of Lela Woolley, plaintiff, vs. William H. Woolley, defendant, as shown by the records of my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the court this 28th day of June, 1938.

Jno. H. Falk, Clerk of the District Court

By N. V. Turpin, Dept.

(Seal)

State of Idaho

County of Custer ss.

This instrument was filed for record at the request of Lela Woolley at 3-25 o'clock P. M. July 2, 1938.

Emmett Donahue
Ex-Officio Recorder

(Recorded in Book 4 of Judgments, page 116)

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MAR 17 1993

No. 49128

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF BINGHAM.

LELA WOOLLEY,	)	
PLAINTIFF,	)	
VS.	)	RELEASE OF JUDGMENT
	)	FOR
WILLIAM H. WOOLLEY,	)	COUNSEL FEES AND COSTS
DEFENDANT.	)	

Comes now J. H. Andersen, attorney for the plaintiff in the above entitled action, and hereby acknowledges receipt of ONE HUNDRED TWENTY TWO AND 60/100 DOLLARS (\$122.60) in full payment of the costs and counsel fees provided for in the Decree herein and the property of said parties as decreed by the Court is hereby released from the lien of said judgment and Order in said amount.

IN WITNESS WHEREOF, I Have hereunto set my hand this 30th day of August, 1938.

J. H. Andersen
Attorney for Plaintiff.

STATE OF IDAHO	)	
	)	ss. .
County of Bingham	)	

On this 30th day of August, 1938, before me, the undersigned, a Notary Public for the State of Idaho, personally appeared J. H. Andersen known to me to be the person who signed the foregoing instrument and he duly 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.

MICROFILMED
MAR 17 1993

E. P. Monson, Jr.
Notary Public for the State of Idaho, residing
at Blackfoot, Idaho

(Seal)

State of Idaho

County of Custer ss.

This instrument was filed for record at the request of J. H.
Andersen at 9 o'clock A. M., Sept. 6, 1938.

Emmett Donahue
Ex-Officio Recorder

By John Boyd, Deputy

Fees, .60

(Recorded in Book 5 of Releases, page 562)

MICROFILMED

MAR 17 1993

William H. Woolley)

Grantor)

To)

Lela Woolley)

Grantee)

QUITCLAIM DEED

Dated----- June 24th, 1938

Recorded----- July 2, 1938 in Book 24 of Deeds, page 67

Acknowledged----- June 24, 1938, Before Merle L. Drake, N. P.
Seal affixed

Consideration----- \$1.00

Granting words----- Demise, release and forever quitclaim

Conveyes----- Among other lands: The East Half of the Southeast
quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) Section Three (3), all in Township
ten (10) North, Range Thirteen (13) East, Boise
Meridian, together with the tenements, hereditaments
and appurtenances thereunto belonging or in any
wise appertaining. With appurtenances.

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MAR 17 1993

Certificate

The undersigned hereby certifies that the foregoing Abstract of Title consisting of sheets numbered from 1 to 16 inclusive, includes all instruments, records, judgments, files and proceedings which are matters of record in the office of the County Recorder (including Federal Courts if any), in the County of Custer and State of Idaho affecting the title to, or constituting liens upon, the real estate described on the Caption of this Abstract.

Report on Taxes: Paid in full todate.

MICROFILMED

Dated this 12th day of December, 1938 MAR 17 1993

CUSTER COUNTY ABSTRACT COMPANY, LIMITED

By

Merle L. Drake

Secretary.

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: **A71-04033**
Date Received: 11/28/1989
Receipt No: M005279
Received By: _____

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

1. Name: KENNETH GILMORE SMITH 208-368-3300
Address: PO BOX 15508
BOISE ID 83715
AND/OR
Name: STEVEN ROBERT APPLETON 208-368-3300
Address: PO BOX 15508
BOISE ID 83715
2. Date of Priority: SEP 30, 1925
3. Source: SALMON RIVER Trib. to: SNAKE RIVER
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
10N 13E 15 SW NW 3 CUSTER
5. Description of diverting works:
WING DAM, HEADGATE, EARTH DITCH, GRAVITY IRRIGATION
6. Water is used for the following purposes:
Purpose From To C.F.S. (or) A.F.A.
IRRIGATION 04/01 11/01 6.660
7. Total Quantity Appropriated is:
6.660 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 275.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	13E	3	SW	NE	7	IRR	40.0

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OCT 28 1994

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
10N	13E	3	SE	NE		IRR	20.0
			NE	NW	4	IRR	1.0
			SE	NW	6	IRR	17.0
			NE	SW	9	IRR	6.0
			NE	SE		IRR	1.0
			NW	SE	8	IRR	25.0

Section Acres 110.0

Total Acres 110.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

AMENDED CLAIM PRIORITY DATE TO DATE OF WARRANTY DEED WHICH
DESCRIBES ALL WATER AND DITCH RIGHTS AND IS FROM MARY C.
MARSHALL TO AFFIE COTHERN DATED SEPT. 30, 1925.
OWNERSHIP CHANGE MADE 9-22-94 BY TLB.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

MICROFILMED
OCT 28 1994

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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OCT 28 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 7/7/94

LEGAL DESCRIPTION OF PROPERTY: Township 10N Range 13E
Section 15, SW 1/4 of NW 1/4 of 1/4 Govt. Lot 3, BM.

Lot , Block , Subdivision/Townsite .

If you have additional legal descriptions, please attach separate sheet.

NO E G E I V E U

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) **AUG 18 1994**

☐ Water Right Number(s) Assigned by IDWR: A71-04033 Department of Water Resources
Northern Region Office

☐ Name and Address of Former Owner/Claimant(s)(Seller): Garth & Glenis Chivers

☐ New Owner/Claimant (Purchaser): Kenneth Gilmore Smith, Steven Robert Appleton

☐ New Mailing Address: P.O. Box 15508
BOISE, IDAHO 83715

☐ New Telephone Number: (208) 368-3300

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☐ Attach proof of _____
proof attached: _____

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) [Signature] Date 8/1/94
[Signature] Date 8/1/94

☐ Signature of Former Owner/Claimant(s) [Signature] Date 7-12-94
[Signature] Date 7-12-94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 8-2-94 By: HLB

Claim Numbers of Split, if any:

MICROFILMED

OCT 28 1994

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: 7/7/94

LEGAL DESCRIPTION OF PROPERTY: Township 10N Range 13E
Section 15, SW 1/4 of NW 1/4 of 1/4, Govt. Lot 3, BM.
Lot , Block, , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A71-04033
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): Garth & Glenis Chivers
- ☐ New Owner/Claimant (Purchaser): Kenneth Gilmore Smith, Steven Robert Appleton
- ☐ New Mailing Address: P.O. Box 15508
BOISE, IDAHO 83715
- ☐ New Telephone Number: (208) 368-3300
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes X no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

- ☐ Signature of New Owner/Claimant(s) [Signature] Date 8/11/94
[Signature] Date 7/11/94
- ☐ Signature of Former Owner/Claimant(s): [Signature] Date 7-12-94
[Signature] Date 7-2-94

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

State- ID Zip- 83226

City- CHALLIS
phone - 208-000-0000
State- ID Zip- 83226

Total Acres: 110.0

+ - - - Other Rights for Same Use -

MICROFILMED
OCT 28 1994

Water right number - A71-04033	Adj. flag translation: Adjudication Temporary Work Area	
+ - - - -	- - - - - Remarks - - - - -	- - - - - +
	No Remarks found.	
+ - - - -	- - - - - Old Water Right Numbers - - - - -	- - - - - +
	No Old Water Right Numbers found.	
+ - - - -	- - - - - Conditions of Approval - - - - -	- - - - - +
	No Conditions of Approval found.	
+ - - - - Decree Plaintiff - - - +	+ - - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
+ - - Audit Fields - 11/28/89 MOBILE3		
+ - - - -	- - - - - Adjudication Rights Dates and Flags Area - - - - -	- - - - - +
	Court Report Filing - 00/00/0000	Civil Case Number - 39576
	Objection Filed Date - 00/00/0000	Old Case Number -
	Response Filed Date - 00/00/0000	Old Judicial District -
	Claim Received Date - 11/28/1989	Temporary Right - P
	Claims Tape Error Flg -	Water District -
	Fee Exempt Flag -	Federal/State Indicator - S
		Presumption Flag -
	Field Inspection Made - 00/00/0000	
	Field Inspection Flag -	
	Verified Date - 01/28/1986	
	Last Amended Date - 00/00/0000	
	Receipt Number -	
	POU Ownership Flag - Y	
	Name Connector - AND/OR	

MICROFILMED
06/22/90

POOR ORIGINAL

MICROFILMED
OCT 28 1994

POOR

011

! investigate Acres

EXHIBIT A

Township 10 North, Range 13 East, Boise Meridian

Section 3: SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$, Lot 3 EXCEPTING THEREFROM the following:

Beginning at the Southeast corner of said Lot 3; thence West along the South boundary line of said Lot 3 a distance of 1,240 feet to a point South 272 feet, more or less, from a point of rocks on the South bank of the Salmon River; thence 272 feet, more or less, to said point of rocks; thence meandering Northeasterly along the South bank of said Salmon River to the Northeast corner of said Lot 3; thence South along the East boundary line of said Lot 3 a distance of 812 feet, more or less, to the point of beginning.

Lot 7, Lot 8 EXCEPTING THEREFROM the following:

Commencing at the Northeast corner of Lot 11, Section 3, Township 10 North, Range 13 East, Boise Meridian; thence due West to a point where the North boundary line of said Lot 11 intersects with the East bank of the Salmon River which is Corner No. 1; thence East 145.0 feet to Corner No. 2; thence North 30°30' East 408.0 feet to Corner No. 3; thence North 21°45' East 244.2 feet to Corner No. 4; thence North 02°15' West 299.7 feet to Corner No. 5; thence North 80°00' West 216.0 feet to Corner No. 6; thence in a southerly direction following the meander line of the East bank of the Salmon River to Corner No. 1, the point of beginning.

Said parcel contains 223.25 acres, more or less, and is designated as the "easement area."

SUBJECT to outstanding easements, including, but not limited to the following:

Shaded as to 1/4 sec. 3, acreage, description, and conditions of easement, and found correct.

MICROFILMED
OCT 28 1994

SEMICONDUCTOR, INC. 08-11-34 2038

2805 East Columbia Road
Boise, Idaho 83706-9698

123456789101112131415161718192021222324252627282930313233343536373839404142434445464748495051525354555657585960616263646566676869707172737475767778798081828384858687888990919293949596979899100

BOISE
AUG 7 1984
ID
FD METRA
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U.S. POSTAGE

MICROFILMED
OCT 28 1994

AUG 12 1994
Department of Water Resources
thern Region Office

ମାତା ମାତାଙ୍କୁ ସ୍ମରଣ

State of Idaho
Department of Water Resources
333 Shoshone Street
Twin Falls, Idaho
83301

SD-0604-2 Township: 10N Range: 13E Section: 3				Tract: SWNE Lot:			
S	L	STATE		O	S	Max #	Records
E	O	Water	Name	W	T	Priority	Use
L	Tract	T	Right No.	N	AC	G	Date
			Last, First				Code Desc
---	---	---	---	---	---	---	---
---	SWNE		A71-10104	WOOLLEY, BRETT	C	15	J 12/26/1928 01 IRR
---				WOOLLEY, DANIEL	C		
---	SWNE	7	A71-04033	CHIVERS, GARTH T.	C	40	S 09/30/1925 01 IRR
---				CHIVERS, GLENIS M.	C		
---	SWNE	7	R71-04033	CHIVERS, GLENIS M	C	40	J 09/30/1925 01 IRR
---				CHIVERS, GARTH T	C		

(Enter=Continue)

(GOLD7=This Query)

(Menu _____)

MICROFILMED
OCT 28 1994

STATE

(Enter=Continue)

(GOLD7=This Query)

(Menu)

MICROFILMED
OCT 28 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

22-SEPTEMBER-1994 09:25

KENNETH G SMITH
STEVEN R APPLETON
PO BOX 15508
BOISE, ID 83715

RE: SRBA CLAIMS: A71-04033
GARTH & GLENIS CHIVERS

DEAR CLAIMANT(S):

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIM, WE HAVE CHANGED THE DEPARTMENT'S RECORD(S) AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS(S) FOR ACCURACY.

SHOULD YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURE

MICROFILMED
OCT 28 1994

Water Right Number - R71-04033

Prefix Translation:

RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - -

*** C - CURRENT OWNER ***
APPLETON

STEVEN ROBERT

1 - PO BOX 15508
2 -
3 -
City- BOISE
Phone - 208-368-3300
1 - PO BOX 15508
2 -
3 -
City- BOISE
Phone - 208-368-3300

State- ID Zip- 83715

SMITH

KENNETH GILMORE

1 - HC 63 BOX 1771
2 -
3 -
City- CHALLIS
Phone - 208-879-4407

State- ID Zip- 83715

*** O - ORIGINAL OWNER ***
CHIVERS

GLENIS M

1 - HC 63 BOX 1771
2 -
3 -
City- CHALLIS
Phone - 208-000-0000
1 - HC 63 BOX 1771
2 -
3 -
City- CHALLIS
Phone - 208-879-4407

State- ID Zip- 83226

CHIVERS

GARTH T

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - Status - - - +
09/30/1925 17 SOUTHERN J - BENEFICIAL USE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County

10N 13E 15 SE NW SW 5 (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 09/30 4.560

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
4.560 0.0

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10N 13E 3 SW NE 7 40.0 01 IRRIGATION (37) CUSTER
10N 13E 3 SE NE 19.5 01 IRRIGATION (37) CUSTER
10N 13E 3 SE NW 15.1 01 IRRIGATION (37) CUSTER
10N 13E 3 NE SW 7.7 01 IRRIGATION (37) CUSTER
10N 13E 3 NE SE 0.1 01 IRRIGATION (37) CUSTER
10N 13E 3 NW SE 26.9 01 IRRIGATION (37) CUSTER

Total Acres:

109.3

Water right number - R71-04033

Prefix Translation: RESEARCH

- - - Diversion Means - WING DAM, HEADGATE, EARTH DITCH, GRAVITY IRRIGATION

- - - Non-Irrigation Use -

- - - Other Rights for Same Use - NONE

- - - Remarks - - - - -

EXP 1.08 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES
IN DELIVERY OF THIS RIGHT AND OTHER RIGHTS.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 71-02111, 71-10104, 71-10631 &
71-10725.

- - - No Old Water Right Numbers Found - - - Old Water Right Numbers - - - - -

- - - Conditions of Approval - - - - -
No Conditions of Approval found.

- - - Decree Plaintiff - - - + - - - Decree Defendant - - - + - - - Decree Date - - +
00/00/0000

- - - Comments - - - - -
Date: 01/19/1994 User Id: MERRITT Subject: COPIED FROM REMARKS DESCRIBES ALL WATER AND DITCH RIGHTS AND IS FROM MARY C.
AMENDED CLAIM PRIORITY DATE TO DATE OF WARRANTY DEED WHICH

MARSHALL TO AFFIE COTHERN DATED SEPT. 30, 1925.

Date: 09/22/1994 User Id: TBACKLUN Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE RECEIVED 8-12-94. CHIVER-FORMER OWNER

SMITH, APPLETON-NEW OWNER. BOTH PARTIES SIGNED FORM,

OWNERSHIP CHANGED 9-22-94.

Date: 06/22/1998 User Id: AMERRITT Subject: COPIED FROM REMARKS

1.08 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 71-02111, 71-10104, 71-10631 &
71-10725.

- - - Audit Fields - - +
06/22/98 AMERRITT

- - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/28/1993	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 11/28/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- M005279	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	- AND/OR	Presumption Flag	-
				Notice of Error Flag	-

Date: 6/22/98

By: AD~

Subject: Re-evaluation of Woolley & Chivers rates.

Using modified Hubble it is calculated that Woolley justifies 6.85 cfs and Chivers justifies 6.38 cfs, however they rotate ditch whose capacity is 7.21 cfs. Allow each his proportionate justified amt.

$$\text{Woolley} = (6.85 / 13.23) \times 7.21 = 3.73 \text{ cfs}$$

$$\text{Chivers} = (6.38 / 13.23) \times 7.21 = 3.48 \text{ cfs}$$

Conveyance is provided by 71-10104 for Woolley & 71-04033 as previously calculated.

$$\therefore \text{Woolley} = 2.30 + \underbrace{(1.43 + 1.17)}_{2.60} = 4.90$$

71-02111 71-10104

$$\therefore \text{Chivers} = \underbrace{(3.48 + 1.08)}_{71-04033} = 4.56$$

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

71-04030

DATE: 6/22 1998

REVIEWED BY

AD

STANLEY BASIN SOIL REVIEW								
SOIL TYPE	OPTIMUM ROTATION	BORDER EFF	BORDER CFS/AC	FURROW EFF	FURROW CFS/AC	MAD	PF	BORDER / FURROW
AM1	4.00	3.5	0.30	22.3	0.05	1.00	1.14	6.09
BG1	5.00	5.8	0.19	34.3	0.03	1.32	1.13	5.99
CNB	7.00	7.8	0.14	47.3	0.02	1.82	1.11	6.20
GO1	14.66	25.5	0.04	24.6	0.04	3.65	1.07	0.96
LA4	4.00	3.7	0.30	23.6	0.05	1.06	1.14	6.46
PY1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RD1	5.66	6.3	0.17	37.9	0.03	1.46	1.12	5.98
RP1	4.33	6.9	0.16	35.2	0.03	1.13	1.13	5.18
SN1	2.66	2.47	0.45	15.4	0.07	0.69	1.14	6.30
ST1	3.33	3.2	0.36	20.3	0.05	0.91	1.14	6.65
TN1	4.66	4.2	0.26	26.9	0.04	1.21	1.13	6.44
TP4	9.33	9.5	0.11	60.0	0.02	2.31	1.10	6.24
WG1	2.66	2.4	0.45	14.9	0.07	0.67	1.14	6.12
WV1	13.00	17.4	0.06	50.3	0.02	3.24	1.08	2.91

The rate per acre calculations are based upon a 300 foot run at a 2% slope. An 8 hour set time was also used. Individual graded border evaluations, soil characteristics work sheets, and peak irrigation diversion requirement work sheets have been created and archived separately for each soil type.

Where actual rotation is shorter than the optimal rotation, optimal rotation is the criteria to be used for the recommendation analysis and, therefore, the rotation percentage adjustment is not necessary. The rate becomes the acres per soil type times the rate per acre from the above chart.

SOIL TYPE	OPTIMAL ROTATION / (chart)	ACTUAL ROTATION / (field)	ACRES PER SOIL TYPE (field)	RATE PER ACRE (chart)	TOTAL DIVERSION RATE
AM1	/		*	*	= CFS
<u>LA4</u>	<u>4.00</u> /	<u>14</u>	*	<u>0.30</u>	= <u>0.45</u> CFS
<u>WV1</u>	<u>13.00</u> /	<u>14</u>	*	<u>0.06</u>	= <u>5.19</u> CFS
<u>RD1</u>	<u>5.66</u> /	<u>14</u>	*	<u>0.17</u>	= <u>0.74</u> CFS

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

ORIGINAL HUBBLE RATE = _____

MEASURED DIVERSION RATE = _____

6.38

71-04033

TRANSFER NUMBER _____

HOMESTEAD ENTRY NO. _____

CLAIMED ACRE TOTAL _____

GEOGRAPHIC INFO ACRES

AIM NUMBERS

DATE 6/22/85

AGENT

		NE				NW				SW				SE					
RIGHT NO	TNS	RNG	SEC	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM											0.5								
GIS	10N	13E	3	1A		40.8 39.9	19.5				14.6	7.7				0.1	26.9		109
ECOM																			
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			
CLAIM																			
GIS																			
ECOM																			

B71-DBPOD.SHP

NOS	DESCRIPTION
-----	-------------

~~117~~ 118 Sec 15

$$\begin{array}{r} L24 \\ \hline 5.3 \end{array}$$

WVL
93.2

Rd1

10.8

109.7

B71-DBPOU.SHP

SHAPE NOS

179 109.3

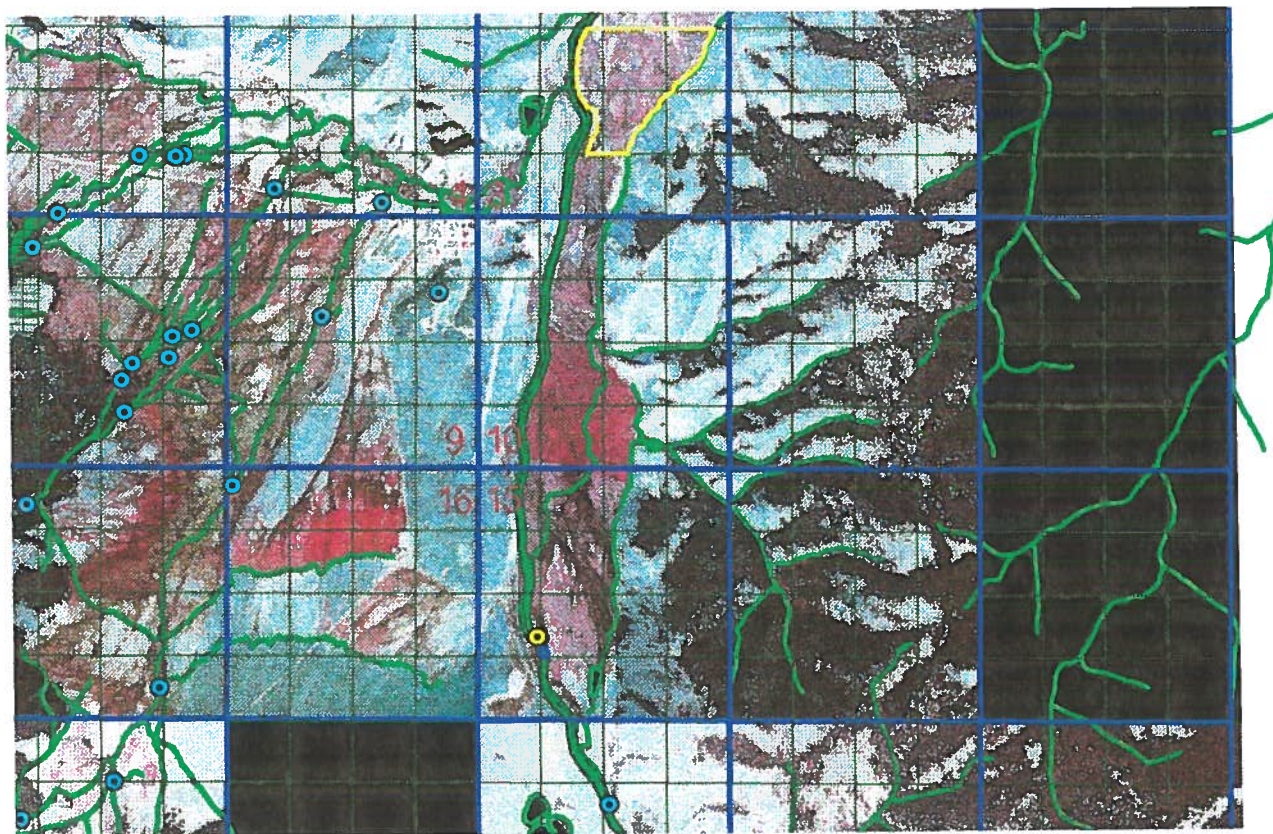
DBF TABLES UPDATED

371-DBPOD.DBF

371-DBFOU.DEF

IDAHO DEPARTMENT OF WATER RESOURCES

71-04033



1320 0 132026403960 Feet



POU:

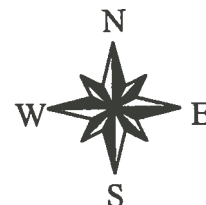
TWP 10N, RGE 13E, SEC 3

POD:

SALMON RIVER -

SENWSW (LOT 5) SEC 15,

TWP 10N, RGE 13E



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER QUARTER LINES
-  STREAM AND DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
1987 AND/OR 1988 NAPP PHOTOGRAPHY
DATA ENTRY JUNE 1998
BY ALLEN MERRITT

Water Right Number - R71-04033

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***

SMITH

1 - PO BOX 15508

2 -

3 -

City- BOISE

Phone - 208-368-3300

1 - PO BOX 15508

2 -

3 -

City- BOISE

Phone - 208-368-3300

1 - HC 63 BOX 1771

2 -

3 -

City- CHALLIS

Phone - 208-000-0000

1 - HC 63 BOX 1771

2 -

3 -

City- CHALLIS

Phone - 208-879-4407

*** O - ORIGINAL OWNER ***

CHIVERS

1 - PO BOX 15508

2 -

3 -

City- BOISE

Phone - 208-368-3300

1 - HC 63 BOX 1771

2 -

3 -

City- CHALLIS

Phone - 208-000-0000

1 - HC 63 BOX 1771

2 -

3 -

City- CHALLIS

Phone - 208-879-4407

APPLETON

STEVEN ROBERT

State- ID Zip- 83715

CHIVERS

GLENIS M

State- ID Zip- 83715

CHIVERS

GARTH T

State- ID Zip- 83226

CHIVERS

GARTH T

State- ID Zip- 83226

CHIVERS

GARTH T

State- ID Zip- 83226

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CHIVERS

GARTH T

State- ID Zip- 83226

MICROFILMED

OCT 28 1994

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

AJ0743NP
(00-124)

Water right number - R71-04033 Prefix Translation: RESEARCH

Twn	Rng	Sec	Tract	Lot	Acres	Place of Use	Description	County
10N	13E	3	NW SE	8	28.0	01 IRRIGATION	(37) CUSTER	

Total Acres: 110.0

- - - - - Diversion Means - WING DAM, HEADGATE, EARTH DITCH, GRAVITY IRRIGATION

- - - - - Non-Irrigation Use -

- - - - - Other Rights for Same Use - NONE

- - - - - Remarks - 1.08 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES IN DELIVERY OF THIS RIGHT.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 71-02111, 71-10104, 71-10631 & 71-10725.

- - - - - No Old Water Right Numbers Found
- - - - - Conditions of Approval - No Conditions of Approval found.

- - - - - Decree Plaintiff - - - - - Decree Defendant - - - - - Decree Date - 00/00/0000

- - - - - Comments -
Date: 01/19/1994 User Id: MERRITT Subject: COPIED FROM REMARKS
AMENDED CLAIM PRIORITY DATE TO DATE OF WARRANTY DEED WHICH DESCRIBES ALL WATER AND DITCH RIGHTS AND IS FROM MARY C. MARSHALL TO AFFIE COTHERN DATED SEPT. 30, 1925.
Date: 09/22/1994 User Id: TBACKLUN Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGE RECEIVED 8-12-94. CHIVER-FORMER OWNER SMITH, APPLETON-NEW OWNER. BOTH PARTIES SIGNED FORM, OWNERSHIP CHANGED 9-22-94.

- - - - - Audit Fields - - - - -
09/22/94 TBACKLUN

- - - - - Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 06/28/1993 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District -
Claim Received Date - 11/28/1989 Last Amended Date - 00/00/0000 Temporary Right - P
Receipt Number - M005279 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND/OR
Presumption Flag -
Notified Error Flag -

MICROFILMED
OCT 28 1994

Water Right Number - R71-04033

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - - - + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
CHIVERS

GLENIS M

1 - HC 63 BOX 1771
2 -
3 -

State- ID Zip- 83226

CHIVERS

GARTH T

City- CHALLIS
Phone - 208-000-0000
1 - HC 63 BOX 1771
2 -
3 -City- CHALLIS
Phone - 208-879-4407

State- ID Zip- 83226

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/30/1925 17 SOUTHERN J - BENEFICIAL USE+ - - Source - - - - - + - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER+ - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
10N 13E 15 SE NW SW 5 (37) CUSTER+ - - Code Description Period From Period To Water Use Diversion Rate Diversion Volume
01 - IRRIGATION 05/01 09/30 4.540+ - Total Div. Rate - + - Total Div. Volume - + - Total Consumptive Use - + - KW Usage - +
4.540 220.0+ - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
10N 13E 3 SW NE 7 40.0 01 IRRIGATION (37) CUSTER
10N 13E 3 SE NE 7 20.0 01 IRRIGATION (37) CUSTER
10N 13E 3 SE NW 7 15.0 01 IRRIGATION (37) CUSTER
10N 13E 3 NE SW 8 6.0 01 IRRIGATION (37) CUSTER
10N 13E 3 NE SE 8 1.0 01 IRRIGATION (37) CUSTER
10N 13E 3 NW SE 8 28.0 01 IRRIGATION (37) CUSTER

Total Acres: 110.0

+ - - Diversion Means - WING DAM, HEADGATE, EARTH DITCH, GRAVITY IRRIGATION

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

MICROFILMED
OCT 28 1994

Water right number - R71-04033

Prefix Translation: RESEARCH

1.08 CFS OF THIS RIGHT IS LIMITED TO USE FOR CONVEYANCE LOSSES
IN DELIVERY OF THIS RIGHT.
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 71-02111, 71-10104, 71-10631 &
71-10725.

No Old Water Right Numbers Found

No Conditions of Approval found.

Decree Plaintiff

Decree Defendant

Decree Date -
00/00/0000

Date: 01/19/1994 User Id: MERRITT Subject: COPIED FROM REMARKS
AMENDED CLAIM PRIORITY DATE TO DATE OF WARRANTY DEED WHICH DESCRIBES ALL WATER AND DITCH RIGHTS AND IS FROM MARY C.
MARSHALL TO AFFIE COTHERN DATED SEPT. 30, 1925.

Audit Fields -
02/23/94, MERRITT

Adjudication Rights Dates and Flags Area		Civil Case Number
Court Report Filing	- 00/00/0000	- 39576
Objection Filed Date	- 00/00/0000	- Old Case Number
Response Filed Date	- 00/00/0000	- Old Judicial District
Claim Received Date	- 11/28/1989	- Temporary Right
		- P
		- M005279
		- Water District
		- Federal/State Indicator
		- S
		- Presumption Flag
		- Notice of Error Flag
		-

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OCT 28 1994

ADM 1/19/98

Evaluation for Recommendations

71-02111 & 71-10104 (Woolley)

71-04033 (Chivers)

All three of these claims share a P/D with two rights (71-10117 & 71-10631) belonging to Neider. The capacity of this P/D was measured on 6/28/93 and found to be 43.89 cfs. On 6/17/93 the lower portion of this ditch was measured below the spill on Neider's place and the ditch was found to be flowing 9.46 cfs above the spill & 5.11 cfs in the ditch beyond the spill, the ditch that continues on down to Woolley & Chivers. On 6/28/93 this same ditch was measured again with the ditch near max capacity. It was flowing 7.21 cfs at that time. Less was spilling.

It was explained by Daniel Woolley that they & Chivers rotate the full ditch on a weekly basis. Woolley's get the entire flow for 1 wk & then Chivers gets the use of the ditch for 1 wk. Woolley's indicated they set for 24 hrs.

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The major soil for these ranches is WVI with F_n for pasture of 3.24 inch. From weather data the max use is 0.17 in/day $\therefore$ optimum rotation is

$$\frac{3.24 \text{ inches}}{0.17 \text{ inch/day}} \approx 19 \text{ days.}$$

Since this is more than the 18 day rotation used then 19 days was used in the Wild Flooding analysis.

Using the soil & 19 day rotation of 8 hr sets Woolley justified 4.3 cfs for 119 Ac. & Chivers justified 4.00 cfs but this sum exceeds the 7.21 cfs max at the ditch. The water in the ditch was then allocated on a proportionate basis.

$$\frac{\text{Chivers}}{\text{Woolley}} = \frac{110}{229} \times 7.21 = 3.46 \text{ cfs irrig. req.}$$

$$\frac{\text{Woolley}}{\text{Chivers}} = \frac{119}{229} \times 7.21 = 3.75 \text{ cfs irrig. req.}$$

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OCT 28 1994

To get this water down to where the water is restricted where the ditch was measured some seepage loss occurs. This loss is shared with Neiden.

The worstell method was used assuming a C value of 4.5 based on an average for the valley of calculated C values determined from actual measurements made during summer 1993.

The Lotus 123 program estimates Woolley & Chivers share of loss in the ditch is 2.25 cfs with Neider's share of 1.48 cfs. The 2.25 cfs was split proportionately based on acres.

Woolley $\rightarrow$ 1.17 cfs

Chivers $\rightarrow$ 1.08 cfs

Woolley's seepage loss is being placed in the ~~earliest or licensed right~~, expansion claim

!

71-04033

seepage

$$3.46 + 1.08 = 4.54 \text{ cfs on } 110 \text{ Ac.}$$

71-02111

2.30 cfs

on 115 Ac in 119 PPC

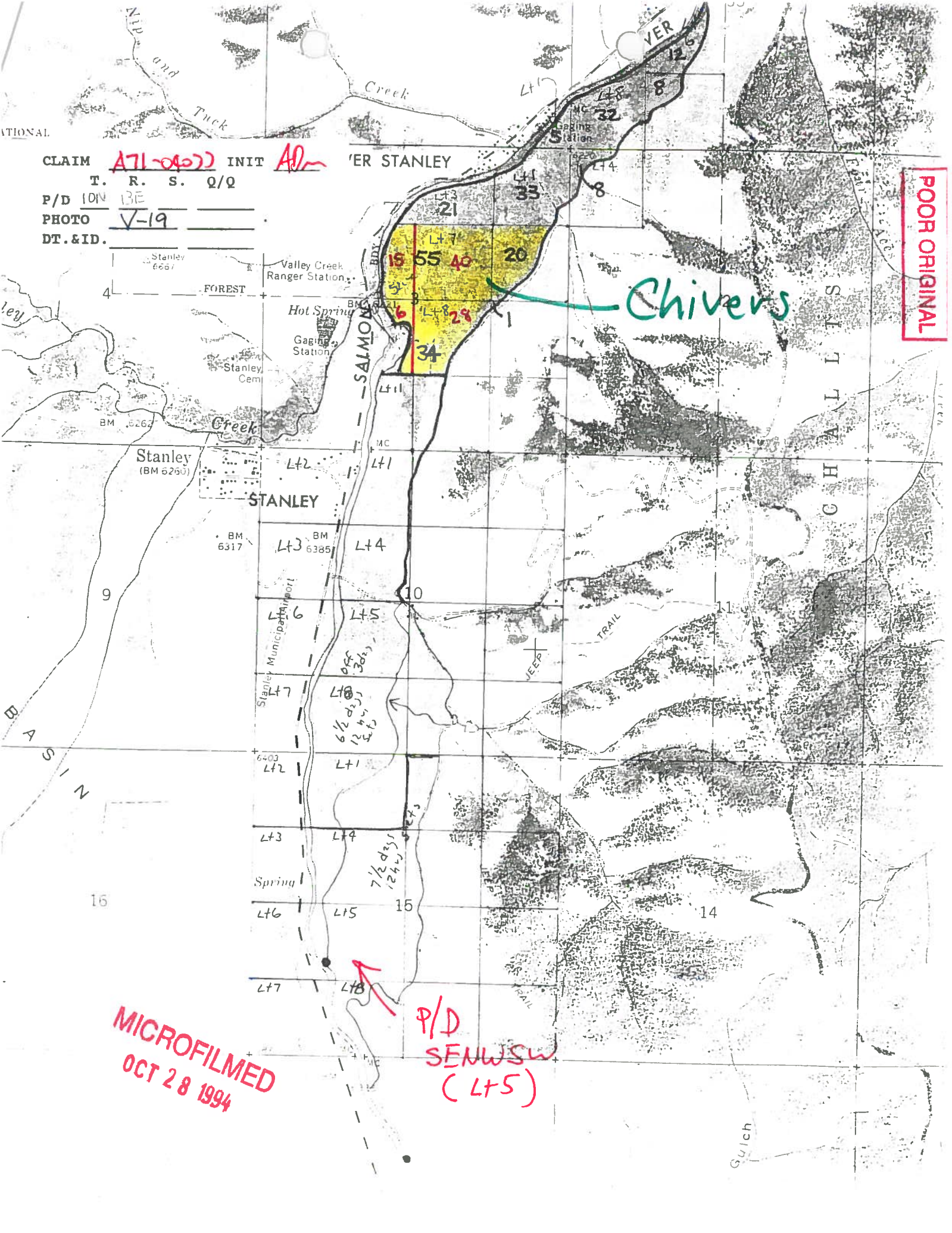
* seepage in 71-10104

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71-10104

seepage

$$(3.75 - 2.30) + 1.17 = 2.62 \text{ cfs on } 119 \text{ Ac in } 119 \text{ PA}$$



POOR ORIGINAL

CLAIM A71-0402 INIT Adm 'ER STANLEY

T. R. S. Q/Q

P/D 10N 13E

PHOTO V-19

DT.&ID.

Stanley 6661

Valley Creek Ranger Station

Hot Spring

Gaging Station

Stanley Cem

BM 5262

Stanley (BM 6250)

STANLEY

BM 6317

BM 6385

Stanley Municipal Port

Spring

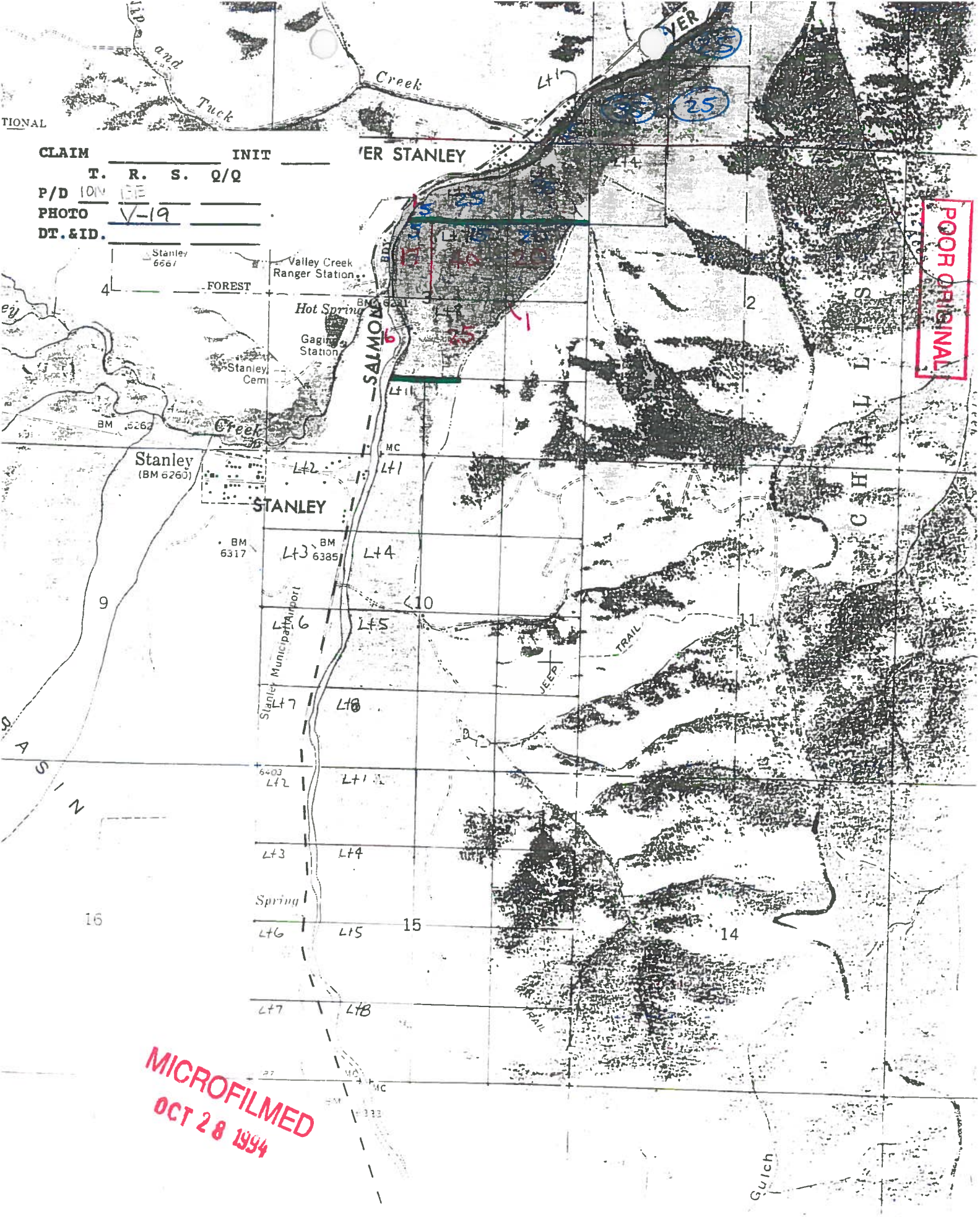
Guich

MICROFILMED
OCT 28 1994

P/D
SENWSW
(L+5)

TIONAL

CLAIM _____ INIT _____ VER STANLEY
T. R. S. Q/Q
P/D 10M 13E
PHOTO V-19
DT. & ID. _____



POOR ORIGINAL

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OCT 28 1994

CONVEYANCE LOSS - WORSTELL

Based on restricted flow of 7.21 @ rock

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	5625	9.0	4.50	2.88	7.60	14.80	0.1945	1.48	18.53
2	1875	8.0	4.50	0.85	7.20	7.20	0.1184	2.25	8.05
3				0.00		-0.00	0.0000	0.00	0.00
4				0.00		-0.00	0.0000	0.00	0.00
5				0.00		-0.00	0.0000	0.00	0.00
6				0.00		-0.00	0.0000	0.00	0.00
7				0.00		-0.00	0.0000	0.00	0.00
8				0.00		-0.00	0.0000	0.00	0.00
9				0.00		-0.00	0.0000	0.00	0.00
10				0.00		-0.00	0.0000	0.00	0.00
11				0.00		-0.00	0.0000	0.00	0.00
12				0.00		-0.00	0.0000	0.00	0.00
13				0.00		-0.00	0.0000	0.00	0.00
14				0.00		-0.00	0.0000	0.00	0.00
15				0.00		-0.00	0.0000	0.00	0.00
16				0.00		-0.00	0.0000	0.00	0.00
17				0.00		-0.00	0.0000	0.00	0.00
18				0.00		-0.00	0.0000	0.00	0.00
19				0.00		-0.00	0.0000	0.00	0.00
20				0.00		-0.00	0.0000	0.00	0.00
TOTALS	7500			3.73	14.80			3.73	

4.54 cfs

4.92 cfs

1.08 loss

1.12 loss

4.54

4.92

REACH = SECTION OF CHANNEL
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
 OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
 AVE WIDTH = AVERAGE TOP WIDTH OF REACH
 SEEPAGE = SOIL SEEPAGE RATE OF REACH
 WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
 DELIVERY = TOTAL DELIVERIES IN REACH
 DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
 LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT
 DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
 REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH
 FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

Chivers

$$\frac{110}{229} \times (7.20 + 2.25) = 4.28$$
 Woolley

$$\frac{119}{229} \times (7.20 + 2.25) = 4.70$$

MICROFILMED
 OCT 28 1994

CONVEYANCE LOSS - WORSTELL

REACH	LENGTH (FT)	AVE WIDTH (FT)	SEEPAGE (FT/DAY)	WORSTELL LOSS (CFS)	DELIVERY (CFS)	DELIVERY LEFT (CFS)	LOSS FACTOR	DELIVERY LOSS (CFS)	FLOW (CFS)
1	5625	9.0	4.50	2.88	7.60	15.90	0.1810	1.38	22.97
2	6875	8.0	4.50	3.13	4.00	8.30	0.3767	2.23	12.49
3	3750	5.0	4.50	1.07	4.30	4.30	0.2479	3.46	5.37
4				0.00		0.00	0.0000	0.00	0.00
5				0.00		0.00	0.0000	0.00	0.00
6				0.00		0.00	0.0000	0.00	0.00
7				0.00		0.00	0.0000	0.00	0.00
8				0.00		0.00	0.0000	0.00	0.00
9				0.00		0.00	0.0000	0.00	0.00
10				0.00		0.00	0.0000	0.00	0.00
11				0.00		0.00	0.0000	0.00	0.00
12				0.00		0.00	0.0000	0.00	0.00
13				0.00		0.00	0.0000	0.00	0.00
14				0.00		0.00	0.0000	0.00	0.00
15				0.00		0.00	0.0000	0.00	0.00
16				0.00		0.00	0.0000	0.00	0.00
17				0.00		0.00	0.0000	0.00	0.00
18				0.00		0.00	0.0000	0.00	0.00
19				0.00		0.00	0.0000	0.00	0.00
20				0.00		0.00	0.0000	0.00	0.00
TOTALS	16250			7.07	15.90			7.07	

REACH = SECTION OF CHANNEL
 LENGTH = LENGTH OF REACH, THE CHANNEL CAN BE DIVIDED INTO EQUAL LENGTH REACHES
 OR ACTUAL LENGTHS BETWEEN DELIVERY POINTS
 AVE WIDTH = AVERAGE TOP WIDTH OF REACH
 SEEPAGE = SOIL SEEPAGE RATE OF REACH
 WORSTELL LOSS = CONVEYANCE LOSS IN REACH BASED ON WORSTELL METHOD
 DELIVERY = TOTAL DELIVERIES IN REACH
 DELIVERY LEFT = SUM(DELIVERIES OF CURRENT AND REMAINING REACHES)
 LOSS FACTOR = WORSTELL LOSS/DELIVERY LEFT
 DELIVERY LOSS = SUM(LOSS FACTORS OF CURRENT AND PREVIOUS REACHES) X DELIVERY,
 REPRESENTS THE LOSSES ASSIGNED TO THE DELIVERIES IN THE REACH
 FLOW = TOTAL FLOW AT BEGINNING OF EACH REACH

MICROFILMED
 OCT 28 1994

Chinese
 6.23
 7.76
 wodey

GRADED BORDER EVALUATION

Job name: NEIDER
By: ADM

Location: LOWER WV1 19 DAY
Date: Aug 2, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=2.00
Slope (S)= 0.0100 ft/ft Border width (W)= 197 ft
Net application (Fn)= 3.24 inches Border length (L)= 809 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
7.00	Gross depth is less than required gross application depth					
7.10	Gross depth is less than required gross application depth					
7.20	Gross depth is less than required gross application depth					
7.30	Gross depth is less than required gross application depth					
7.40	Gross depth is less than required gross application depth					
7.50	Gross depth is less than required gross application depth					
7.60	0.039	16.48	13.06	0.18	19.7	
7.70	0.039	16.70	13.06	0.39	19.4	
7.80	0.040	16.91	13.06	0.61	19.2	
7.90	0.040	17.13	13.06	0.83	18.9	
8.00	0.041	17.35	13.06	1.04	18.7	

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OCT 28 1994

GRADED BORDER EVALUATION

Job name: CHIVERS
By: ADM

Location: WV1 19DAY
Date: Aug 2, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=2.00
Slope (S)= 0.0100 ft/ft Border width (W)= 57 ft
Net application (Fn)= 3.24 inches Border length (L)= 1475 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
3.00	Gross depth is less than required gross application depth					
3.10	Gross depth is less than required gross application depth					
3.20	Gross depth is less than required gross application depth					
3.30	Gross depth is less than required gross application depth					
3.40	Gross depth is less than required gross application depth					
3.50	Gross depth is less than required gross application depth					
3.60	Gross depth is less than required gross application depth					
3.70	Gross depth is less than required gross application depth					
3.80	Gross depth is less than required gross application depth					
3.90	Gross depth is less than required gross application depth					
→ 4.00	0.070	16.44	13.07	0.14	19.7	(2)
4.10	0.072	16.85	13.07	0.55	19.2	(2)
4.20	0.074	17.26	13.07	0.96	18.8	(2)
4.30	0.075	17.68	13.07	1.37	18.3	(2)
4.40	0.077	18.09	13.07	1.78	17.9	(2)
4.50	0.079	18.50	13.07	2.19	17.5	(2)
4.60	0.081	18.91	13.07	2.60	17.1	(2)
4.70	0.082	19.32	13.07	3.01	16.8	(2)
4.80	0.084	19.73	13.07	3.42	16.4	(2)
4.90	0.086	20.14	13.07	3.83	16.1	(2)
5.00	0.088	20.55	13.07	4.24	15.8	(2)

(2) Erosive stream-- non-sod forming crops.

MICROFILMED
OCT 28 1994

GRADED BORDER EVALUATION

Job name: WOOLEY
By: ADM

Location: WV1 19DAY
Date: Aug 2, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=2.00
Slope (S)= 0.0100 ft/ft Border width (W)= 83 ft
Net application (Fn)= 3.24 inches Border length (L)= 1091 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
4.00	Gross depth is less than required gross application depth					
4.10	Gross depth is less than required gross application depth					
4.20	Gross depth is less than required gross application depth					
→ 4.30	0.052	16.35	13.07	0.05	19.8	
4.40	0.053	16.73	13.07	0.43	19.4	
4.50	0.054	17.11	13.07	0.81	18.9	
4.60	0.055	17.49	13.07	1.19	18.5	
4.70	0.056	17.87	13.07	1.57	18.1	
4.80	0.058	18.25	13.07	1.95	17.8	
4.90	0.059	18.63	13.07	2.33	17.4	
5.00	0.060	19.01	13.07	2.71	17.0	

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OCT 28 1994

GRADED BORDER EVALUATION

Job name: WOOLEY
By: ADM

Location: WV1 19DAY
Date: Aug 2, 1993

Roughness coefficient (n)= 0.250 Intake family (If)=2.00
Slope (S)= 0.0500 ft/ft Border width (W)= 83 ft
Net application (Fn)= 3.24 inches Border length (L)= 1091 ft
Inflow time (Ti)= 8 hours, 0 minutes

Flow per Border (cfs)	Unit Flow (cfs/ft)	Gross Application (in)	Deep Percolation (in)	Runoff (in)	Application Efficiency (percent)	Notes
4.00	Gross depth is less than required gross application depth					
4.10	Gross depth is less than required gross application depth					
4.20	Gross depth is less than required gross application depth					
4.30	0.052	16.35	13.04	0.07	19.8	(2) (3) (4)
4.40	0.053	16.73	13.04	0.45	19.4	(2) (3) (4)
4.50	0.054	17.11	13.04	0.83	18.9	(2) (3) (4)
4.60	0.055	17.49	13.04	1.21	18.5	(2) (3) (4)
4.70	0.056	17.87	13.04	1.59	18.1	(2) (3) (4)
4.80	0.058	18.25	13.04	1.97	17.8	(2) (3) (4)
4.90	0.059	18.63	13.04	2.35	17.4	(2) (3) (4)
5.00	0.060	19.01	13.04	2.73	17.0	(2) (3) (4)

- (2) Erosive stream-- non-sod forming crops.
- (3) Erosive stream-- sod forming crops.
- (4) Less than minimum recommended depth of flow.

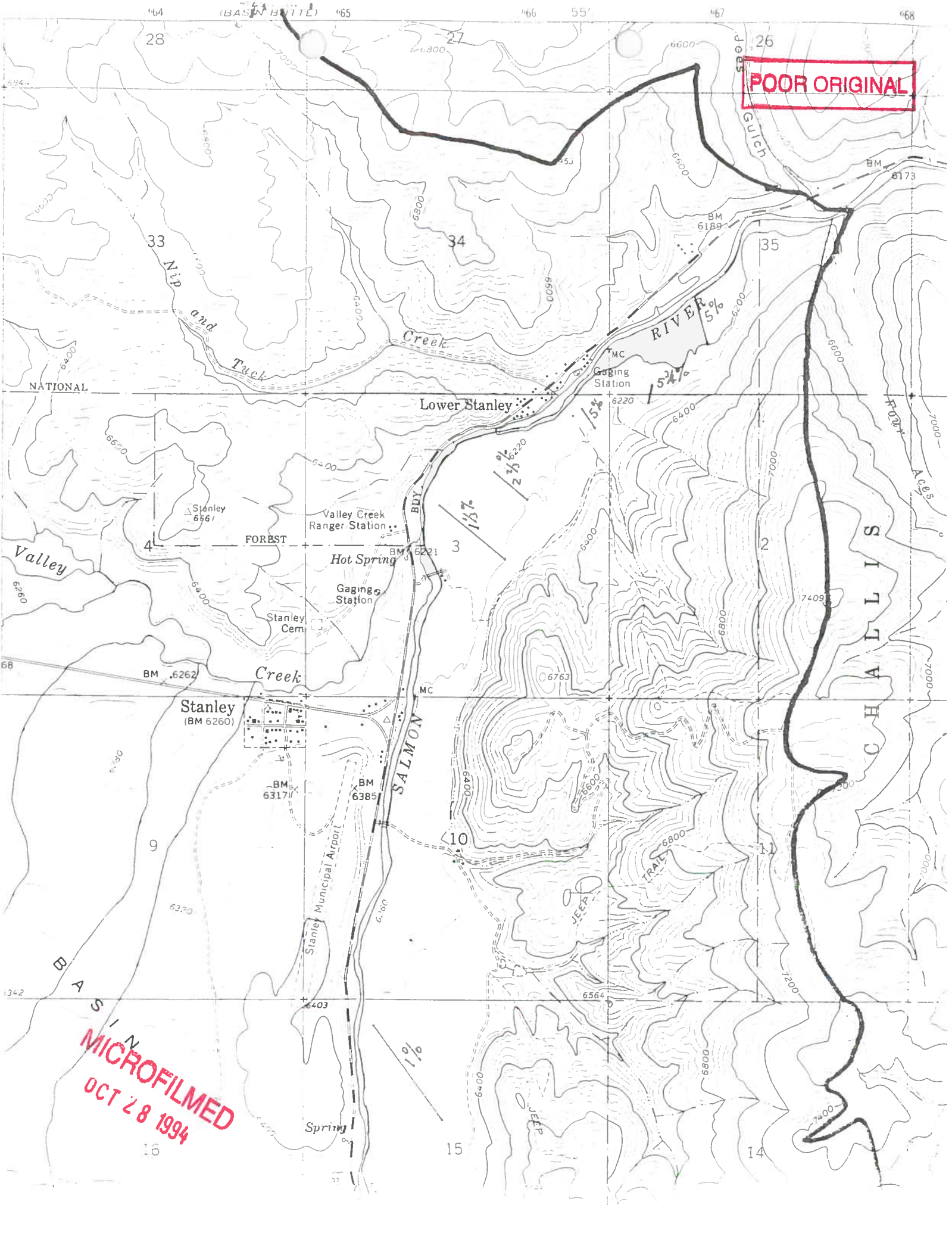
MICROFILMED
OCT 28 1994

NATIONAL FOREST LOSS

POOR ORIGINAL



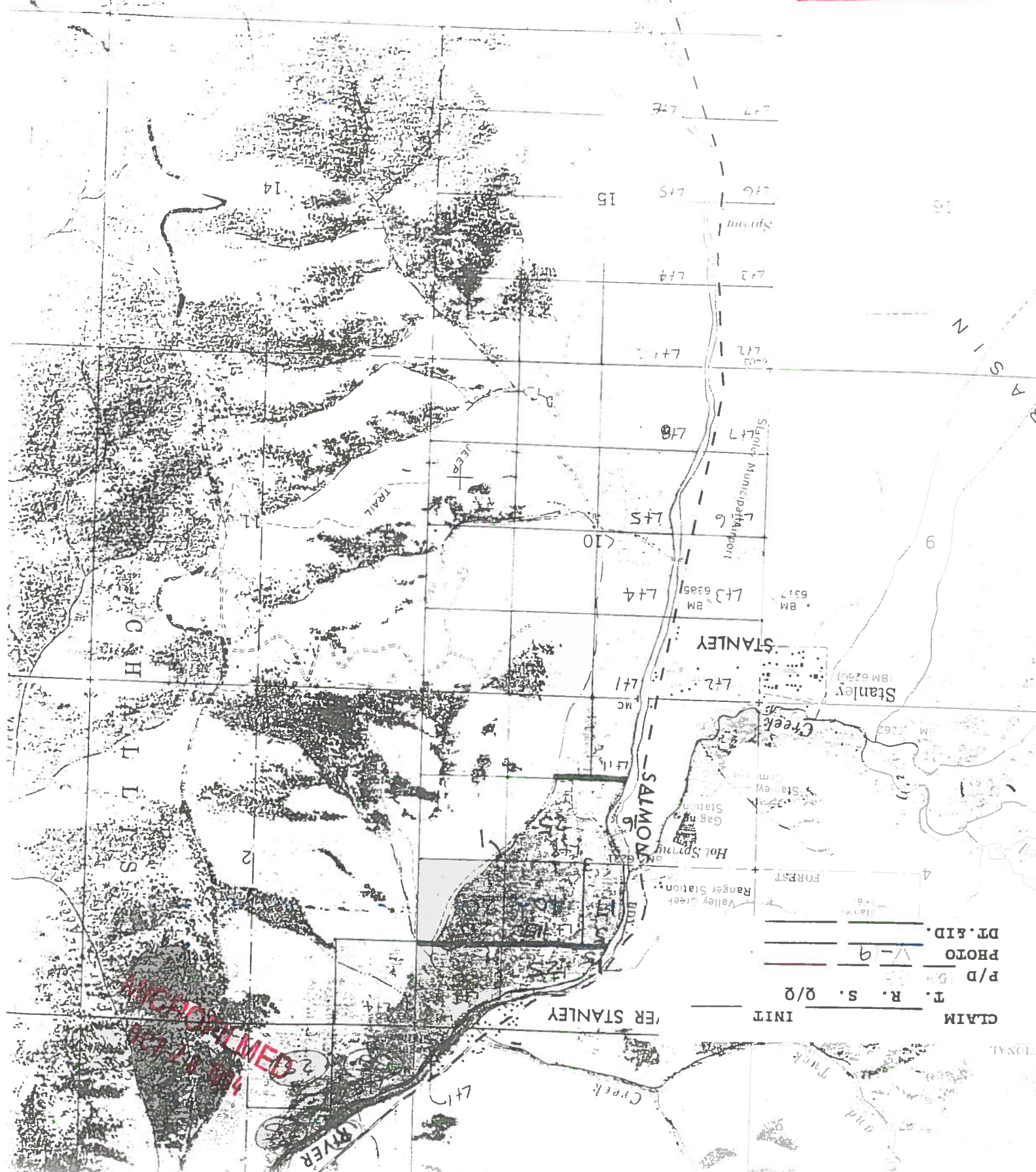
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OCT 28 1994



POOR ORIGINAL

MICROFILMED
OCT 28 1994

POOR ORIGINAL



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CLAIM
INIT
T. R. S. 2/2
P/D
PHOTO
DT. FID.

6/28/93

NAME OF STREAM OR DITCH SALMON RIVER
 LOCATION ----- LOWER DIV
 PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
 BASIS OF VELOCITY CALCULATIONS -----
 IF YOU ARE USING A PYGMY METER ENTER ----- 1
 IF YOU ARE USING A AA METER ENTER ----- 2
 ENTRY ----- 2

WATER RIGHT NUMBER IF APPLICABLE -----
 AGENT CONDUCTING MEASUREMENT -----
 ACCOMPANIED BY -----
 PREMEASUREMENT SPIN TEST (MIN/SEC) ---
 POST MEASUREMENT SPIN TEST (MIN/SEC) -
 NEIDER & WOOLEY & CHIVERS
 ADM
 NEIDER & CHIVERS

FOLLOWING THE LAST ENTRY IN: "END"
 "DISTANCE FROM INIT PT" ENTRY MUST =

INITIAL POINT	ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	1ST MEASUREMENT REVS	VELOCITY DATA 2ND MEASUREMENT	CALC WIDTH	AREA IN SQ FT	1ST POINT VELOCITY	CALCULATED VELOCITY 2ND POINT	MEAN VELOCITY	DISCHARGE IN CFS
2.00		2.00	0.90	0.45	3	28.0	1.00	0.450	0.25	1.13	0.13	0.06
4.00		4.00	2.30		5	27.9	1.00	1.350	0.41	1.34	0.25	0.34
5.00		5.00	2.30		20	23.5	1.00	2.300	1.88	2.17	0.77	1.77
6.00		6.00	2.30		20	21.0	1.00	2.300	2.10	2.17	1.61	3.70
7.00		7.00	2.30		20	22.6	1.00	2.500	1.95	2.74	2.13	4.90
8.00		8.00	2.50		20	14.8	1.00	2.500	2.96	2.78	2.35	5.86
9.00		9.00	2.50		20	18.9	1.00	2.500	2.33	2.81	2.87	7.17
10.00		10.00	2.50		20	17.4	1.00	2.500	2.32	2.02	2.27	6.42
11.00		11.00	2.50		20	23.0	1.00	2.500	1.92	2.09	2.00	5.00
12.00		12.00	2.50		20	26.9	1.00	2.000	1.24	1.12	1.12	2.25
13.00		13.00	2.00		15	27.0	1.00	1.500	0.18	1.01	0.18	0.27
14.00		14.00	1.50		2	23.0	1.00	1.200	0.21		0.21	0.25
15.00		15.00	1.20		2	46.0	1.50	1.500	0.11		0.11	0.17
16.00		16.00	1.00		2		1.00	0.500			0.06	0.03
18.00		18.00		0.50								
END												43.89

S-39

6/30/94

14.8

8/8/53

14.4

7/28 6.4

1958 o v 1953

16.4

9/1 9.6

MICROFILMED
 OCT 28 1984

Original in A71-10117

6/28/93

NAME OF STREAM OR DITCH ----- SALMON RIVER
LOCATION ----- WOOLEY/CHIVERS DITCH
PURPOSE OF MEASUREMENT -- ADJUDICATION REVIEW
BASIS OF VELOCITY CALCULATIONS -----
IF YOU ARE USING A PYGMY METER ENTER ----- 1
IF YOU ARE USING A AA METER ENTER ----- 2
ENTRY ----- 1

WATER RIGHT NUMBER IF APPLICABLE -----
AGENT CONDUCTING MEASUREMENT ----- WOOLEY & CHIVERS
ACCOMPANIED BY ----- ADM
PREMEASUREMENT SPIN TEST (MIN/SEC) ----- NEIDER
POST MEASUREMENT SPIN TEST (MIN/SEC) -

FOLLOWING THE LAST ENTRY IN: "END"
"DISTANCE FROM INIT PT" ENTRY MUST =

INITIAL POINT	ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	VELOCITY DATA				CALC AREA IN SQ FT	CALCULATED VELOCITY				DISCHARGE IN CFS
					1ST MEASUREMENT REVS	2ND MEASUREMENT REVS	TIME/SEC	TIME/SEC		1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY		
1.00				0.55					0.25	0.138	0.33	0.16	0.02	
1.50		1.10			10	30.7	0.40	0.440	0.30	0.91	0.33	0.33	0.14	
1.80		1.10			20	22.0	0.30	0.330	0.91	0.91	0.91	0.30	0.30	
2.10		1.20			20	18.0	0.35	0.420	1.11	1.11	1.11	0.47	0.47	
2.50		1.24			20	16.9	0.45	0.558	1.18	1.18	1.18	0.66	0.66	
3.00		1.22			20	13.2	0.50	0.610	1.52	1.52	1.52	0.92	0.92	
3.50		1.20			30	17.5	0.50	0.600	1.71	1.71	1.71	1.03	1.03	
4.00		1.20			30	17.6	0.50	0.600	1.70	1.70	1.70	1.02	1.02	
4.50		1.10			30	20.7	0.50	0.550	1.45	1.45	1.45	0.80	0.80	
5.00		1.10			30	21.6	0.50	0.550	1.39	1.39	1.39	0.76	0.76	
5.50		1.05			30	28.5	0.50	0.525	1.05	1.05	1.05	0.55	0.55	
6.00		0.85			30	25.7	0.50	0.425	0.78	0.78	0.78	0.33	0.33	
6.50		0.75			20	31.5	0.50	0.375	0.48	0.48	0.48	0.18	0.18	
7.00		0.50			15	30.0	0.75	0.375	0.03	0.03	0.03	0.01	0.01	
8.00		0.50		0.25	1		0.50	0.125				0.02	0.00	
END													7.21	

MICROFILMED
OCT 28 1994

6/17/93

NAME OF STREAM OR DITCH WOOLEY/CHIVERS DITCH
LOCATION ----- BELOW SPILLPURPOSE OF MEASUREMENT ---
BASIS OF VELOCITY CALCULATIONS
IF YOU ARE USING A PYGMY METER ENTER ----- 1
IF YOU ARE USING A AA METER ENTER ----- 2

ENTRY ----- 1

FOLLOWING THE LAST ENTRY IN: "END"
"DISTANCE FROM INIT PT" ENTRY MUST =WATER RIGHT NUMBER IF APPLICABLE -----
AGENT CONDUCTING MEASUREMENT -----
ACCOMPANIED BY -----
PREMEASUREMENT SPIN TEST (MIN/SEC) ---
POST MEASUREMENT SPIN TEST (MIN/SEC) -

INITIAL POINT	ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	VELOCITY DATA		CALC WIDTH	AREA IN SQ FT	CALCULATED VELOCITY			DISCHARGE IN CFS
					1ST MEASUREMENT REVS	2ND MEASUREMENT REVS			1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY	
1.0		0.25	0.50		20	20.5	0.10	0.025	0.98		0.49	0.01
1.2			0.86		20	16.5	0.25	0.125	1.21		0.98	0.12
1.5			1.06		25	16.2	0.40	0.344	1.54		1.21	0.42
2.0			1.10		25	17.8	0.45	0.477	1.40		1.54	0.74
2.4			1.02		25	18.6	0.40	0.440	1.25		1.40	0.62
2.8			1.00		25	20.0	0.40	0.408	1.34		1.34	0.55
3.2			0.95		25	17.1	0.45	0.450	1.25		1.25	0.56
3.7			0.90		20	16.3	0.45	0.427	1.46		1.46	0.62
4.1			0.90		20	20.4	0.40	0.360	1.23		1.23	0.44
4.5			0.85		20	17.9	0.40	0.340	0.98		0.98	0.35
4.9			0.70		20	21.8	0.35	0.245	1.12		1.12	0.38
5.3			0.30		15	26.0	0.35	0.105	0.92		0.92	0.22
5.6							0.17	0.026	0.58		0.58	0.06
6.0									0.29		0.29	0.01
END				0.15								5.11

MICROFILMED
OCT 28 1994

6/17/93

NAME OF STREAM OR DITCH ----- WOOLEY/CHIVERS DITCH
LOCATION ----- ABOVE SPILL
PURPOSE OF MEASUREMENT --
BASIS OF VELOCITY CALCULATIONS ----- 1
IF YOU ARE USING A PYGMY METER ENTER ----- 2
IF YOU ARE USING A AA METER ENTER ----- 1
ENTRY ----- = 1

FOLLOWING THE LAST ENTRY IN:
"DISTANCE FROM INIT PT" ENTRY MUST = "END"

WATER RIGHT NUMBER IF APPLICABLE -----
AGENT CONDUCTING MEASUREMENT -----
ACCOMPANIED BY -----
PREMEASUREMENT SPIN TEST (MIN/SEC) ---
POST MEASUREMENT SPIN TEST (MIN/SEC) -

INITIAL POINT	ANGLE OF COEFFICIENT	DISTANCE FROM INIT PT	DEPTH IN FEET	CALC DEPTH END PTS	1ST MEASUREMENT REVS	VELOCITY DATA		CALC WIDTH	AREA IN SQ FT	CALCULATED VELOCITY			DISCHARGE IN CFS
						2ND MEASUREMENT REVS	TIME/SEC			1ST POINT VELOCITY	2ND POINT VELOCITY	MEAN VELOCITY	
1.0		1.0	0.21	0.11	10	10	38.2	0.25	0.026	0.26		0.13	0.00
1.5		1.5	0.41		10	10	17.8	0.50	0.105	0.56		0.26	0.03
2.0		2.0	0.60		20	20	20.8	0.50	0.205	0.96		0.56	0.12
2.5		2.5	0.84		20	20	17.9	0.50	0.420	1.12		0.96	0.29
3.0		3.0	0.84		20	20	18.1	0.50	0.420	1.10		1.12	0.47
3.5		3.5	0.84		20	20	14.0	0.50	0.450	1.43		1.10	0.46
4.0		4.0	0.90		20	20	12.0	0.50	0.500	1.67		1.43	0.64
4.5		4.5	1.00		20	20	12.0	0.50	0.500	1.67		1.67	0.83
5.0		5.0	1.00		20	20	12.0	0.50	0.500	1.77		1.67	0.83
5.5		5.5	0.95		20	20	11.3	0.50	0.475	1.77		1.77	0.84
6.0		6.0	0.88		20	20	11.0	0.50	0.440	1.82		1.82	0.80
6.5		6.5	0.82		20	20	11.0	0.50	0.410	1.82		1.82	0.75
7.0		7.0	0.78		20	20	11.6	0.50	0.390	1.72		1.72	0.67
7.5		7.5	0.85		20	20	14.4	0.50	0.425	1.39		1.39	0.59
8.0		8.0	0.83		20	20	16.5	0.50	0.415	1.21		1.21	0.50
8.5		8.5	0.78		20	20	15.6	0.50	0.390	1.28		1.28	0.50
9.0		9.0	0.75		20	20	20.1	0.50	0.375	1.00		1.00	0.37
9.5		9.5	0.72		20	20	24.6	0.50	0.375	0.81		0.81	0.30
10.0		10.0	0.72		20	20	29.3	0.50	0.360	0.68		0.68	0.25
10.5		10.5	0.60		20	20	32.0	0.50	0.300	0.63		0.63	0.19
11.0		11.0			20	20		0.25	0.075			0.31	0.02
END				0.3									
													9.46



Adm
6/28/93

POOR ORIGINAL



Upper Canal P/D
for 71-10117 & 71-10631

Meas 40.77 cfs
Bank Full



Lower Canal P/D
for 71-10117, 71-10631,
71-04033, 71-02111 & 71-10104

Meas. 43.89 cfs
Bank Full

MICROFILMED
OCT 28 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A71-04033

02:10:51
05/28/92

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE	Y		<i>AD</i>				<i>AD</i>	
POINT OF DTG	Y			Y	1,4,5			
SOURCE				Y	1,4,5			
PLACE OF USE	Y			Y	Evolution			
DTG AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE	Y			Y	Standard			
BASIS OF CLAIM								
REMARKS	Y		<i>AD</i>				<i>AD</i>	

VERIFIED BY CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED
OCT 28 1994

LAST: CHIVERS
ADDRESS: HC 63 BOX 1771
CITY: CHALLIS
PHONE NUMBER: 208-879-4407
OWNER CODE: C
FIRST: GARTH T.
STATE: ID ZIP: 83226

LAST: CHIVERS
ADDRESS: HC 63 BOX 1771
CITY: CHALLIS
PHONE NUMBER: 208-000-0000
OWNER CODE: C
FIRST: GLENIS M.
STATE: ID ZIP: 83226

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS?
DATABASE Y
FIELD EXAMINER

CLAIM REMARKS: AMENDED CLAIM PRIORITY DATE TO DATE OF WARRANTY DEED WHICH
DESCRIBES ALL WATER AND DITCH RIGHTS AND IS FROM MARY C.
MARSHALL TO AFFIE COTHERN DATED SEPT. 30, 1925.

MICROFILMED
OCT 28 1994

PHONE NUMBER: ()

TIME = [] [] A() P()

DATE TIME FROM DATE TIME TO DATE TIME

PHONE NUMBER: ()

7 OCT 1966
MICROFILMED

A. AJ CLAIM: # A71-04033

PRIORITY DATE: 09-30-1925

STAGE: S

B. WR RECORD: # 71-04033

PRIORITY DATE: 04-01-1937

STAGE: S

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(X)

REMARKS:

Needs submitted reports 1925

Recommended as claimed.

See 2/50 files 71-02111 & 71-10104 supports
use of dict early. (maybe 18803)

RECOMMENDED PRIORITY DATE:

REVIEWED BY

DATE

1/20/99

MICROFILMED
OCT 29 1999

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A71-04033	10N	13E	15		SW	NW	3	CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
71-04033	10N	13E	15		SW	NW	3	CUSTER

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE

NONE

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY?	(Y/N)	DATABASE	FIELD EXAMINER
DUE TO SOURCE DISCREPANCY?	(Y/N)	N	

(L+5)

REMARKS:

Confined P/D is SE NW SW Sec 15 T10N, R13E.
using orthophoto grid of NAAPP photo of Golf Plot

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OCT 28 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
IMP. RGE. SEC. 1/4 1/4

1/4

LOT

COUNTY

10N 13E 15

SE

NW

SW

5

Custer

SOURCE: SALMON RIVER

TRIB: SNAKE RIVER

REVIEWED BY:

DATE:

AP *1/20/94*

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OCT 28 1994

A. ROOT WATER RIGHT NUMBERS: A71-04033
B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
10N	13E	3	SW	NE	7	CHIVERS, GARTH T.	A71-04033 / 40.0	71-04033 / 40.0	57.0	40	
			SW	NE		WOOLLEY, BRETT	A71-10104 / 15.0	-			
10N	13E	3	SE	NE		CHIVERS, GARTH T.	A71-04033 / 20.0	71-04033 / 20.0	15.0	20	
			SE	NE		WOOLLEY, BRETT	A71-10104 / 20.0	-			
10N	13E	3	NE	NW	4	CHIVERS, GARTH T.	A71-04033 / 1.0	71-04033 / 1.0		1	
			NE	NW		WOOLLEY, BRETT	A71-10104 / 5.0	-			
13E	3	SE	NW			CHIVERS, GARTH T.	A71-04033 / 17.0	71-04033 / 17.0	4.0	15	
			SE	NW		WOOLLEY, BRETT	A71-10104 / 5.0	-			
			SE	NW		SAWTOOTH INTERPRETIVE & HISTOR	71-07139 / 1.0				
10N	13E	3	NE	SW		CHIVERS, GARTH T.	A71-04033 / 6.0	71-04033 / 6.0	7.0	6	
			NE	SW		KEOHANE, JOHN	A71-10164 /	-			
10N	13E	3	NE	SE		CHIVERS, GARTH T.	A71-04033 / 1.0	71-04033 / 1.0		1	
10N	13E	3	NW	SE	8	CHIVERS, GARTH T.	A71-04033 / 25.0	71-04033 / 25.0	35.0	28	
						TOTAL ACRES	A71-04033	110.00	118.00	110	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N ()
IF YES SEE ATTACHED SHEET:

C. FIELD EXAM REQUIRED? DATABASE FIELD EXAMINER POU COUNTY: CUSTER
DUE TO POU DISCREPANCY? (Y/N) Y

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OCT 28 1994

PRESUMPTION FLAG:

REMARKS:

RECOMMENDATIONS:

TOTAL ACRES:

110

REVIEWED BY:

ADN

DATE:

1/20/94

MICROFILMED
OCT 28 1994

A. AJ CLAIMED USES:

PURPOSES
A71-04033 IRRIGATION

MONTH/DAY
FROM 04-01 TO 11-01

DIVERSION QUANTITY
6.660 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

6.660 CFS

B. WR RECORDED USES:

PURPOSES
71-04033 IRRIGATION

MONTH/DAY
FROM 06-01 TO 11-01

DIVERSION QUANTITY
6.660 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

6.660 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

	(Y/N)	DATE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY?	(Y/N)		
DUE TO DIVERSION RATE DISCREPANCY?	(Y/N)		
DUE TO PERIOD FROM/TO DISCREPANCY?	(Y/N)		

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

Standard Season 5/1 to 7/30

Y() N(X)
Y(X) N()

Explain in remarks, below.

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A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 6.660 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 6.660 CFS

*** IF NO OR IF STATUTORY CLAIM OR BENEFICIAL USE THEN FLOW MEASUREMENT REQUIRED. ***
** IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS **
** CLAIMED AND AN EXAM IS NOT REQUIRED, EXPLAIN IN REMARKS. **

FLOW MEASUREMENT REQUIRED?
DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y
DATABASE EXAMINER FIELD EXAMINER

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM:

LIST ALL RIGHTS WITH A SAME FOU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A71-04033	SALMON RIVER	CHIVERS, GARTH T.	6.660	0.060		
A71-10104	SALMON RIVER	WODDLEY, BRETT	1.700	0.008		

LIST ALL RIGHTS WITH SAME FOU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A71-10164	DOMESTIC	KEDHANE, JOHN	FROM 01-01 TO 12-31	.040 CFS	
A71-10164	STOCKWATER	KEDHANE, JOHN	FROM 04-15 TO 11-15	.020 CFS	

See Attached & Evaluation

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OCT 28 1984

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE $\times 0.02$ CFS/ACRE = CFS
ACRES (Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE?

Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 275.0 AF/A

ACRES $\times$ CONSUMPTIVE VOL. AF/A FOR AREA

TOTAL CONSUMPTIVE USE AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES $\times$ DIVERSION VOL. AF/A FOR AREA

TOTAL DIVERSION VOLUME AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

See Attached
Evaluation

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OCT 28 1994

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CFS

REC. DIV
VOL. AF/A

REC. CONS.
USE

IRRIGATION

~~02-01~~

~~11-01~~

~~6.666~~

~~454~~

~~275.0~~

~~275.0~~

~~220~~

TOTAL FOR THIS RIGHT

REVIEWED BY:

DATE:

AD

1/20/94

*Includes
seepage loss in
ditch*

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A. CHECK ONLY THE FOLLOWING THAT APPLY:

ACCEPTED
AS CLAIMED
NEEDS
REVIEW

OWNERSHIP
FOREFEIT/ABANDON
ADDITIONAL DIV. AMOUNT

()
()
()
()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 71-04033

TOTAL DIVERSION RATE OF WR SPLITS

DATABASE
6.660

EXAMINER

CFS

SPLITS:

OLD RIGHT
NUMBERS

CURRENT
CLAIM NUMBERS

DIVERSION
RATE

CURRENT "R"
CLAIM NUM.

"R" DIV.
RATE

WR RIGHT
NUMBERS

DIVERSION
RATE

- A71-04033

6.660

-

71-04033

6.660

TOTAL CFS

6.660

6.660

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

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OCT 28 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

03:27:22
05/28/92

CLAIM NUMBER: 671-04033

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD		DIVERSION RATE		DIVERSION VOLUME
				FROM	TO			
C	GARTH T. CHIVERS HC 63 BOX 1771 CHALLIS ID 83226 (208) 879-4407	09/30/1925	IRRIGATION	04-01	11-01	6.66 CFS		
				TOTAL DIVERSION:		6.66 CFS		
				CONSUMPTIVE USE:				275.0 AFA

C GLENIS M. CHIVERS
HC 63 BOX 1771
CHALLIS ID 83226

Water Source: SALMON RIVER
Tributary to: SNAKE RIVER
Stage: STATUTORY CLAIM

Point(s) of Diversion: TION RISE S15 Lot 3 (SWNW) CUSTER County

Place of use Legal Description for: IRRIGATION															
				NE				NW				SW			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
---	---	---	:	---	---	---	---	---	---	---	---	---	---	---	---
10N	13E	3	:	07-40		20	:	04-01		06-17	:	09-06		01	08-25
								</							

DIVERSION
VOLUME

6.66 CFS

6.66 CFS

Stage: STATUTORY CLAIM

T10N R13E S15 Lot 03(SW NW)

NE

		NE		NW		SW		SE			
T	R S	NE	NW	SE	NW	SW	SE	NE	NW	SW	SE
10N	13E	3	07-40	20	04-01	06-17	09-06	01	08-25	TOTAL ACRES	110.0
										SUM	110.0

04/01/1937
Priority Date:
Proof Made Date:
Exam Sent to S.O.:

Field Exam Fee:

Audit: 01/28/86 D5/28/88 CONVERT

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OCT 28 1994