

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: A72-00106E

Date Received: 7/13/1992

Receipt No: X777777

Received By: *O/C HLB*

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PARIS ALMOND
Address: PO BOX 1039
CHALLIS ID

208-879-5987

83226

2. Date of Priority: MAY 15, 1888

3. Source: GARDEN CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
14N	18E	35	NE	SE	SE		CUSTER

5. Description of diverting works:

ELECTRIC PUMP FROM GARDEN CREEK, TO SPRINKLERS AND FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:

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

A.F.A.

8. Total consumptive use is

5.0 Acre Feet Per Annum.

9. Non-irrigation uses:

STOCKWATER, 1 TO 4 HORSES

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	18E	35	SE	SE		IRR	2.0
			SE	SE		STOCK	

10. Place of Use: Continued

Section Acres	2.0
Total Acres	2.0

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:
NONE

14. Remarks:

LAND DEED INDICATES 2 MINERS INCHES OF 1890 DECREED WATER. IDWR
COMPUTER PRINTOUT FOR WATER RIGHT 72-00109 LISTS PRIORITY 5-15-88

OWNERSHIP CHANGE MADE ON 6-14-94 BY KKC. CHANGE MADE BASED UPON
CHG OF OWNERSHIP FORM SIGNED BY FORMER OWNER.

OWNERSHIP CHANGE MADE 4/25/96 BY TLB.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/19/1914

ADAMS, ET. AL.

Decree Plaintiff

VANDERVOORT, ET. AL.

vs Decree Defendant

Water Right Number - R72-00106E

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
ALMOND

PARIS

1 - PO BOX 1039
2 -
3 -
City- CHALLIS
Phone - 208-879-2510

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
MURPHY

KENNETH

1 - PO BOX 965
2 -
3 -
City- CHALLIS
Phone - 208-879-4586
1 - PO BOX 1039
2 -
3 -
City- CHALLIS
Phone - 208-879-2510

State- ID Zip- 83226

SHANNON

MICHAEL D

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
05/15/1890 17 SOUTHERN D - DECREED

+ - - - - Source - - - - - + + - - - Tributary - - - - - +
GARDEN CREEK SALMON RIVER

+ - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
14N 18E 35 NE SE SE (37) CUSTER

+ - - - - - - - - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.040
04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
0.040 5.0

+ - - - - - - - - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
14N 18E 35 SE SE 2.0 01 IRRIGATION (37) CUSTER
14N 18E 35 SE SE 04 STOCKWATER (37) CUSTER

Total Acres: 2.0

+ - - Diversion Means - ELECTRIC PUMP FROM GARDEN CREEK, TO SPRINKLERS AND FLOOD IRR.

+ - - Non-Irrigation Use - STOCKWATER, 1 TO 4 HORSES

DEC 03 1996

Remarks

Old Water Right Numbers

+ - Decree Date - +
05/19/1914

Adjudication Rights Dates and Flags Area

| | | | | | | | | |
|----------------------|---|------------|-----------------------|---|------------|-------------------------|---|-------|
| Court Report Filing | - | 00/00/0000 | Field Inspection Made | - | 07/08/1993 | Civil Case Number | - | 39576 |
| Objection Filed Date | - | 00/00/0000 | Field Inspection Flag | - | | Old Case Number | - | |
| Response Filed Date | - | 00/00/0000 | Last Amended Date | - | 00/00/0000 | Old Judicial District | - | |
| Claim Received Date | - | 07/13/1992 | Receipt Number | - | X777777 | Temporary Right | - | P |
| | | | POU Ownership Flag | - | Y | Water District | - | 728 |
| | | | Name Connector | - | AND | Federal/State Indicator | - | S |
| | | | | | | Presumption Flag | - | C |
| | | | | | | Notice of Error Flag | - | |

DEC 03 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 12-14-95

RECEIVED

APR 08 1996

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____
 Section _____, 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, 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:

A72-00106 E

[] Name and Address of Former
Owner/Claimant(s)(Seller):

MICHAEL SHANNON & PARIS ALMONDP.O. Box 1039CHALLIS, ID 83226

[] New Owner/Claimant
(Purchaser):

PARIS ALMOND

[] New Mailing Address:

P.O. Box 1039CHALLIS, ID 83226

[] New Telephone Number:

(208) 879-5987

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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)

Date 3-29-96

Date _____

[] Signature of Former
Owner/Claimant(s):

Michael D ShannonDate 3-30-96

Date _____

(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: 4/25/96 By: HLB

Claim Numbers of Split, if any:

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

DEC 03 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

APRIL 25, 1996

PARIS ALMOND
PO BOX 1039
CHALLIS ID 83226

RE: SRBA CLAIM(S) A72-00106E
SHANNON

DEAR CLAIMANT(S):

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

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CALL ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/tlb
ENCLOSURES

DEC 03 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

JUN 13 1994

DATE OF CLOSING: 6 Apr '94

Department of Water Resources
Southern Region Office

LEGAL DESCRIPTION OF PROPERTY: Township 14 N. Range 18 E 3 M
Section 35, No 165 of SE 1/4 of SE 1/4, Govt. Lot , 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: A 72-00106 E

☐ Name and Address of Former Owner/Claimant(s)(Seller): Kenneth Murphy

☐ New Owner/Claimant (Purchaser): Michael D. Shannon & Paris Almond #N

☐ New Mailing Address: P.O. Box 1039
Challis, ID 83226

☐ New Telephone Number: (208) 879 -2561

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ 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: Warranty deed (Copy)

(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) Michael D. Shannon Date 4-06-94

☐ Signature of Former Owner/Claimant(s): Kenneth Murphy Date 4-06-94

(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:

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: 6 Apr. 94

LEGAL DESCRIPTION OF PROPERTY: Township 14 N. Range 18 E 3 M
Section 35, No. 165 1/4 of SE 1/4 of SE 1/4, Govt. Lot , 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: A 72-00106 E

☐ Name and Address of Former
Owner/Claimant(s)(Seller): Kenneth Murphy

☐ New Owner/Claimant
(Purchaser): Michael D. Shannon & Paris Almond NW

☐ New Mailing Address: P.O. Box 1039
Challis, ID 83226

☐ New Telephone Number: (208) 879 - 2501

☐ 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: Warranty deed (Copy)

(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): Michael D. Shannon

Date 4-06-94

Date 4-06-94

☐ Signature of Former
Owner/Claimant(s): Kenneth Murphy

Date 4-06-94

Date

(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:

MICROFILMED
OCT 28 1994

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

0206182

WARRANTY DEED

FOR VALUE RECEIVED, KENNETH MURPHY, an unmarried man, the Grantor, does hereby Grant, Bargain, Sell and Convey unto MICHAEL D. SHANNON and PARIS ALMOND, husband and wife, the Grantees, whose current address is P. O. Box 639, Challis, ID 83226, the following described premises, in Custer County, Idaho, to-wit:

TOWNSHIP 14 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

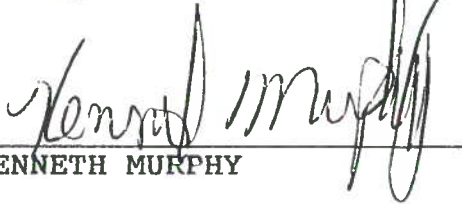
Section 35: The North 165 feet of SE $\frac{1}{4}$ SE $\frac{1}{4}$.

SUBJECT TO Restrictions contained in the Deed dated March 25, 1991, from Thomas M. Jacobs to Lynn T. Stevenson, recorded July 15, 1991, as instrument No. 199664, records of Custer County, Idaho.

ALSO SUBJECT to easements or restrictions of sight or record.

TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; that they are free from all incumbrances save and excepting therefrom all covenants, conditions and restrictions of record and all easements of sight and of record as recorded in the records of Custer County, Idaho, and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: April 6, 1994.


KENNETH MURPHY

RECEIVED

JUN 13 1994

Department of Water Resources
Southern Region Office

MICROFILMED

OCT 28 1994

206182

STATE OF IDAHO)
) : ss.
County of Custer)
On this 6th day of
April, 1994, before
me, a Notary Public, per-
sonally appeared _____
Kenneth Murphy

known or identified to me
to be the person(s) whose
name(s) are subscribed to
the within instrument, and
acknowledged to me that
he executed the same.

Devin T. Henderson
Notary Public
Residing at Challis
Commission Expires 1-24-94

STATE OF IDAHO, COUNTY OF
I hereby certify that this instru-
ment was filed for record at the
request of Salmon River Realty
at 37 minutes past 3
o'clock P.M., this 6 day of
April, 1994, in my office,
and duly recorded in Book _____
of Deeds at page _____.

Ethel M. Pech

Ex-Officio Recorder

BY Wendy Murphy
Deputy

Fee: \$ 6.00
Mail to:

MICROFILMED
OCT 28 1994

CLAIM NO A72-00109 A109 B109 CDATE 11-19-92109 D

| | NUMBER | TNS | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | TOTAL | SYSTEM TOTAL |
|---------|------------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|---------------------|
| | | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | | |
| DECREED | 72-00109 | 13N | 18E | 2 | | 40 | | | 40 | | | | | | | | | | | | } | 1.20 CFS |
| | | 14N | 18E | 35 | | | | | | | | | | | | | 40 | 40 | 40 | | | |
| CLAIMED | A72-00109A | 14N | 18E | 35 | | | | | | | | | | | | | | 6 | | | | .15 cfs
.025 cfs |
| CLAIMED | A72-00109B | | | 35 | | | | | | | | | | | | | | 6 | | | | .15 in
.025 cfs |
| CLAIMED | A72-00109C | 13N | 18E | 2 | | 4 | | | 14 | 6 | 27 | | | | | | | | | | 51 | .88 |
| CLAIMED | A72-00109D | | | 35 | | | | | | | | | | | | | | | 2 | | | .04 in
.025 cfs |

SPLIT ANALYSES:

1.20 CFS DECREED

.17 CFS A72-00109A *

.17 CFS A72-00109B *

.88 CFS A72-00109C

.06 CFS A72-00109D *

1.20 1.28 CFS

* includes yearound
lockwater .06 total★ Decreed right over claimed ??
Claimed rate per acre

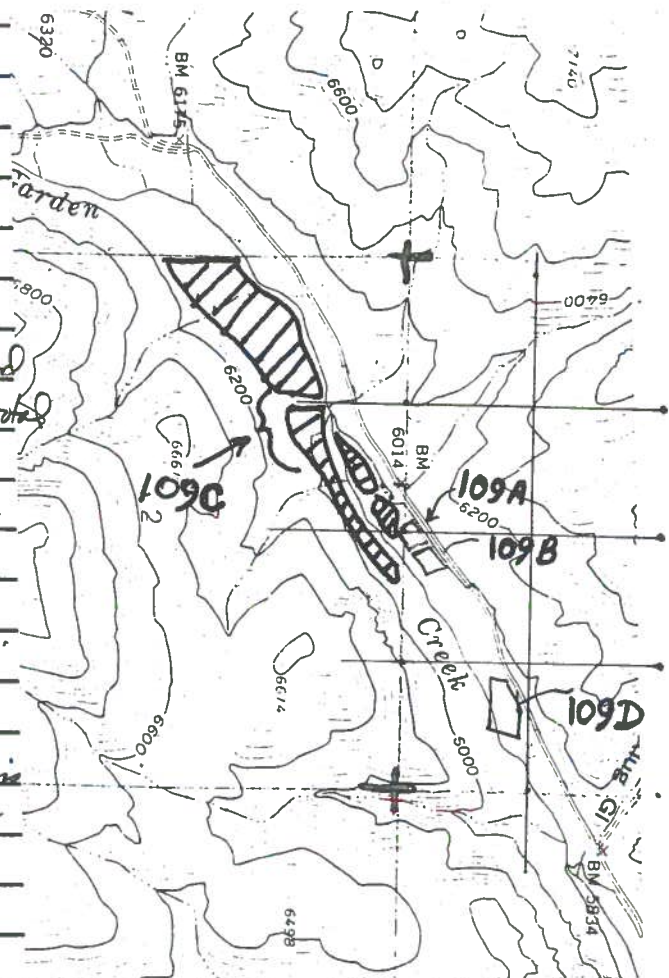
RATE PER Acre (in only)

109A = .15 CFS/6A = .025 CFS/ACRE

109B = " " = "

109C = see comb right analysis

109D = .04 CFS/2A = .02 CFS/ACRE



MICROFILMED

MAR 18 1993

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: A72-00106E
Date Received: 7/13/1992
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MICHAEL D SHANNON 208-879-2501
Address: PO BOX 1039
CHALLIS ID 83226
AND
Name: PARIS ALMOND 208-879-2501
Address: PO BOX 1039
CHALLIS ID 83226

2. Date of Priority: MAY 15, 1888

3. Source: GARDEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 14N | 18E | 35 | NE | SE | SE | | CUSTER |

5. Description of diverting works:
ELECTRIC PUMP FROM GARDEN CREEK, TO SPRINKLERS AND FLOOD IRR.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.040 | | |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 1 TO 4 HORSES

MICROFILMED
OCT 28 1994

10. Place of Use:

| | | | | | | |
|----------|-------|---------|------------|-----|---------------|-------|
| Township | Range | Section | 1/4 of 1/4 | Lot | Use | Acres |
| 14N | 18E | 35 | SE | SE | IRR | 2.0 |
| | | | SE | SE | STOCK | |
| | | | | | Section Acres | 2.0 |
| | | | | | Total Acres | 2.0 |

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:
NONE

14. Remarks:
LAND DEED INDICATES 2 MINERS INCHES OF 1890 DECREEED WATER. IDWR
COMPUTER PRINTOUT FOR WATER RIGHT 72-00109 LISTS PRIORITY 5-15-88

OWNERSHIP CHANGE MADE ON 6-14-94 BY KKC. CHANGE MADE BASED UPON
CHG OF OWNERSHIP FORM SIGNED BY FORMER OWNER.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/19/1914

ADAMS, ET. AL.
Decree Plaintiff

VANDERVOORT, ET. AL.
vs Decree Defendant

A72-00106E

Page 2

MICROFILMED
Date: 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

14-Jun-1994

MICHAEL D SHANNON
PO BOX 1039
CHALLIS ID 83226

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A72-00106E

Dear Mr Shannon

Pursuant to the notification that you presently own the property in which the above-referenced adjudication claim is appurtenant, the department has changed the ownership of that claim to show you as the current owner.

Enclosed is a copy of each computer record changed. Please review the record and if you have any questions or corrections, contact this office and someone here will assist you.

Final recommendation for the Johnny Smith place is still pending evidence of priority. I need the information before I can recommend the water use as a valid right.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

MICROFILMED
OCT 28 1994

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: A72-00106E
Date Received: 7/13/1992
Receipt No: _____
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: KENNETH MURPHY 208-879-4586
Address: PO BOX 965
CHALLIS ID 83226
2. Date of Priority: MAY 15, 1888
3. Source: GARDEN CREEK Trib. to: SALMON RIVER
4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 14N | 18E | 35 | NE | SE | SE | | CUSTER |

5. Description of diverting works:
ELECTRIC PUMP FROM GARDEN CREEK, TO SPRINKLERS AND FLOOD IRR.

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.040 | | |
| STOCKWATER | 01/01 | 12/31 | 0.020 | | |

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 1 TO 4 HORSES

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 14N | 18E | 35 | SE | SE | | IRR | 2.0 |
| | | | SE | SE | | STOCK | |

MICROFILMED

POOR ORIGINAL

10. Place of Use: Continued

Section Acres 2.0

Total Acres 2.0

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:
NONE

14. Remarks:
LAND DEED INDICATES 2 MINERS INCHES OF 1890 DECREED WATER. IDWR
COMPUTER PRINTOUT FOR WATER RIGHT 72-00109 LISTS PRIORITY 5-15-88

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 5/19/1914

ADAMS, ET. AL.

Decree Plaintiff

VANDERVOORT, ET. AL.

vs Decree Defendant

*Originally claimed
as A72-00109 D. See that
file for the original paper work
KRC*

MICROFILMED

Christensen, Kelly

From: Jones, Doug
Sent: Monday, March 06, 2000 8:27 AM
To: Christensen, Kelly
Subject: FW: 72-00106E

Novel concept - house on land owned.

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

From: Fritschle, Carter
Sent: Monday, March 06, 2000 8:11 AM
To: Jones, Doug
Subject: 72-00106E

Hi Doug,

We have completed an SF5 for Paris Almond (72-00106E) that changes the ownership to BLM and deletes the stockwater. She will attempt a land swap so that her house will be on land that she owns. I completed the data entry this morning.

Carter

ISSUE = P/U recommended
within BLM Q/Q.

Paris has paid for a
survey. She is negotiating
with BLM for a land swap.

SRBA

SUBCASE SUMMARY REPORT 72-00106E

[Return to SRBA Home Page](#)

SRBA
11-10-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-00106E FILE#: 00343
CLAIMANT: ALMOND, PARIS
STATUS: AT ISSUE
WATER SOURCE: GARDEN CREEK, SALMON RIVER
ISSUES: POINT(S) OF DIVERSION DESCRIPTION
PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

**** PARTIES INVOLVED ****

PARIS ALMOND
USDI BLM

ATTY: JOHN A ROSHOLT
ATTY: US DEPARTMENT OF JUSTICE

**** ROA ENTRIES ****

| | | | | |
|------------|--------------------------------|----|------------|------|
| 06-01-1999 | OBJ 01 F/B ALMOND, PARIS | RB | 10-04-1999 | 0001 |
| 06-02-1999 | OBJ 02 F/B USDI BLM | | | 0002 |
| 10-21-1999 | NOTICE SETTING INITIAL HEARING | 1S | 11-30-1999 | 0900 |

[Return to SRBA Home Page](#)

KC

RECEIVED

JUN 29 1999

Department of Water Resources
Southern Region

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

In Re SRBA

A. Subcase 72-00106E

(Insert water right number)

Case No. 39576

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior,
Bureau of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown 208 387-0835; R. Lee Leininger, 202 305-0242; Paul F. Holleman, 202 305-0494

United States Department of Justice: Environment and Natural Resource Division; General Litigation Section
550 West Fort Street, MSC 033; Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Paris Almond

Address: PO Box 1039 Challis, ID 83226

Name:

Address:

Name:

Address:

Name:

Address:

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☐ **Point(s) of Diversion**

Should be: _____

6. ☐ **Instream Flow Description**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☒ **Place of Use**

Should be: See attached

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which use is claimed. The claimant's use of Federal land is unauthorized. See attached POU. Claimant's water right should not include this POU.

F.

VERIFICATION (Must be Completed)

State of Idaho)

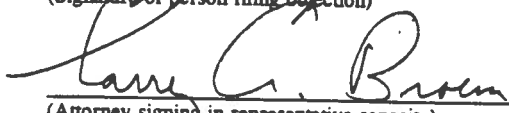
) ss.

County of Ada)

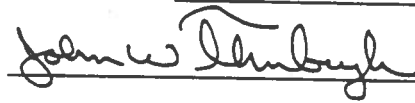
Gary A. Madenford, Water Rights Team Leader, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.


(Signature of person filing objection)


(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999


John W. Thornburgh

Notary Public for Idaho

Residing at: Boise

My Commission Expires: 05-16-2003

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on June 2nd, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Paris Almond
Address: PO Box 1039 Challis, ID 83226
Name:
Address:
Name:
Address:
Name:
Address:

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449


Signature of Objector or attorney mailing on Objector's behalf

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JAN-26-1999
PAGE: A-377

RIGHTS FROM: SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-00106E

NAME & ADDRESS: PARIS ALMOND
PO BOX 1039
CHALLIS ID 83226

Pou's on BLM; UNAUTHORIZED USE

SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.033 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 05/15/1890

POINT OF DIVERSION: T14N R18E S35 SENESE *BLM* Within CUSTER County

| PURPOSE AND PERIOD OF USE: | PURPOSE OF USE | PERIOD OF USE | QUANTITY |
|----------------------------|----------------|---------------|-----------|
| IRRIGATION | | 04-01 10-31 | 0.033 CFS |
| STOCKWATER | | 04-01 10-31 | 0.02 CFS |

PLACE OF USE: IRRIGATION Within CUSTER County
T14N R18E S35 NESE 1.1 *BLM*
1.1 ACRES TOTAL

STOCKWATER Within CUSTER County
T14N R18E S35 NESE *BLM*

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: JAN-26-1999
PAGE: A-378

RIGHTS FROM: SOURCE: GARDEN CREEK TRIBUTARY: SALMON RIVER

RIGHT NUMBER: 72-00106E (CONT)

OTHER PROVISIONS: (CONT)

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 72:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE | NONE |

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 72 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

| WATER RIGHT NO. | SOURCE |
|-----------------|--------|
| NONE | NONE |

ALL WATER RIGHTS WITHIN BASIN 72 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL:

BASIS OF CLAIM - DECREE

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO SECTION 42-1425, IDAHO CODE.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
SECTION 42-1425, IDAHO CODE.

RECEIVED
JUL 15 1999
Department of Water Resources
Twin Falls, Idaho

RECEIVED
JUN 23 1999
Department of Water Resources - 1 PM 4:23
DISTRICT COURT - SRBA
TWIN FALLS CO. IDAHO
FILED

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

In Re SRBA

Case No. 39576

A. Subcase 72-00106E
(Insert water right number)

STANDARD FORM 1

OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: PARIS ALMOND

Address: P. O. BOX 1039

CHALLIS, ID 83226

Daytime Phone: (208) 879-5987

Name & Address of Attorney, if any:

ROSHOLT, ROBERTSON & TUCKER

P. O. BOX 1906

TWIN FALLS ID 83303-1906

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: PARIS ALMOND

Address: P. O. BOX 103

CHALLIS, ID 83226

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address:**
Should be: _____

2. ☐ **Source:**
Should be: _____

3. ☐ **Quantity:**
Should be: _____

4. ☐ **Priority Date:**
Should be: _____

5. ☒ **Point(s) of Diversion:**
Should be: SE SE

6. ☐ **Instream Flow Description:**
Should be: _____

7. ☐ **Purpose(s) of Use:**
Should be: _____

8. ☐ **Period of Use:**
Should be: _____

9. ☒ **Place of Use:**
Should be: SE SE

11. **I object because:**

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S): THE POINT OF DIVERSION AND PLACE OF USE WERE LOCATED IN THE SE SE WHEN THE ORIGINAL GOVERNMENT PLAT OF THIS PROPERTY WAS DONE AND THE PROPERTY HAS BEEN DEEDED THAT WAY EVER SINCE.

VERIFICATION (Must be Completed)

State of IDAHO)
)ss.
County of TWIN FALLS)

NORMAN M. SEMANKO, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

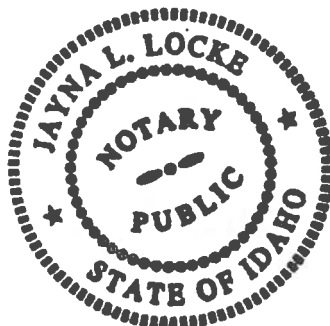
That I am the party/claimant filing this objection, as defined by I.C. § 42-1401A(1) and (6), or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

N. M. Semanko

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 1, 1999



Jayna L. Locke
NOTARY PUBLIC FOR IDAHO
Residing at: Wendell, ID
My commission expires: 9-25-03

INSTRUCTIONS FOR MAILING

You must mail the objection, including all attachments, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all of the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I hereby certify that on June 1, 1999, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707

2. One copy to the claimant of the water right at the following address:

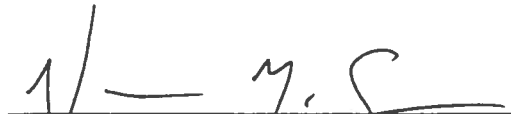
Paris Almond
P.O. Box 1039
Challis, ID 83226

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

United States Department of Justice
Environmental and Natural Resource Division
550 West Fort Street, MSC 033
Boise, Idaho 83724



Signature of party/claimant or attorney
mailing on Objector's behalf

November 20, 1998

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 18, 1998

Water right number: 72-00106E

PARIS ALMOND
PO BOX 1039
CHALLIS ID 83226

879-5987

Daytime Telephone Number:

Evening Telephone Number:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☐ I AGREE with this proposed recommendation; no changes need to be made.

DATE: 12-9-98 SIGNATURE:

Please print your name:

PARIS ALMOND

Date: December 9, 1998

From: Paris Almond
Green House on Garden Creek Road,
4 miles from Highway 93
P.O. Box 1039
Challis, Idaho 83226-1039
Phone: (208) 879-5987

To: Allen D. Merritt, P.E.
Southern Regional Manager
State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033
FAX: (208) 736-3037

Regarding: Notice of Error Reply, Snake River Adjudication Claim - 72-00106E

Dear Mr. Merritt,

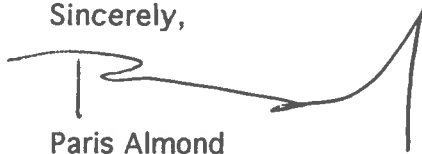
1. The portions of the proposed recommendation with which I disagree involve that which is wrongly stated, primarily the point of diversion and the place of use.
2. The changes I wish to make in the proposed recommendation involve changing it to match the *actual* legal description for my property, which is:

TOWNSHIP 14 NORTH, RANGE 18 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO
Section 35: the North 165 feet of the SE1/4 SE1/4

3. I disagree with these portions because I believe the quarter lines on your aerial map are inaccurate. I also believe your field verification is inaccurate.

I believe Judge Hurlbutt's notion that IDWR's "error correction service" comes at "no cost" to us is mistaken, as I have had to go to the expense of hiring a surveyor to confirm that I am not inadvertently trespassing on BLM land. I am very concerned about being placed in the position of having to buy back what I already own. Please correct this error as soon as possible.

Sincerely,


Paris Almond

Old (D) Number -

Phone - 208-879-2510

Phone - 208-879-2510

+ - - Other Rights for Same Use - NONE

Water right number - R72-00106E

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - -
No Remarks found.

+ - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - -
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.
N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.
N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
ADAMS, ET. AL. VANDERVOORT, ET. AL. 05/19/1914

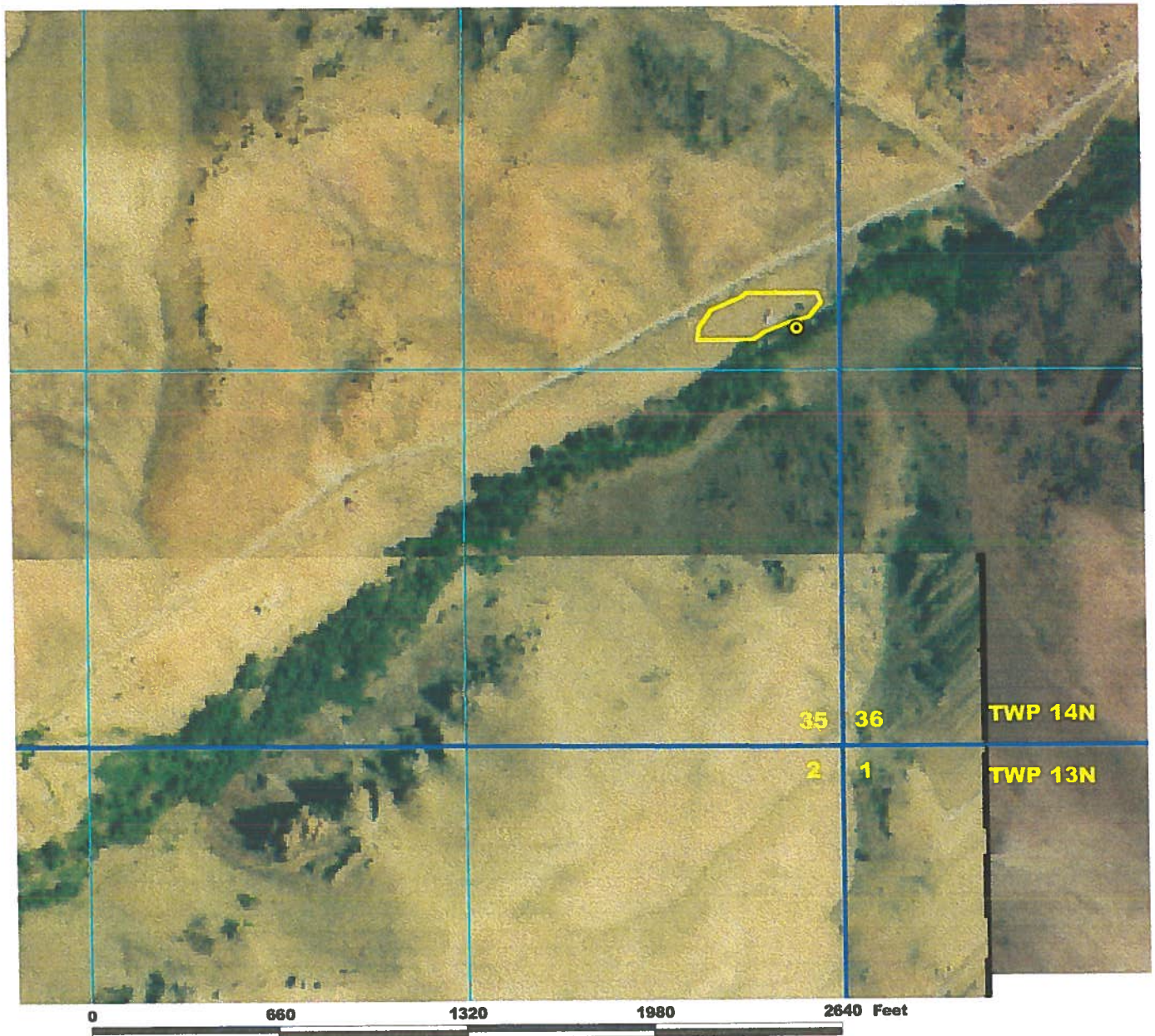
+ - - Audit Fields - 01/26/94 CHRISTEN 06/14/94 CHRISTEN 03/30/95 POST-STD 04/25/96 TBACKLUN 10/13/98 KCHRISTE

+ - - - - Comments - - - - -
Date: 01/26/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
LAND DEED INDICATES 2 MINERS INCHES OF 1890 DECREED WATER. IDWR COMPUTER PRINTOUT FOR WATER RIGHT 72-00109 LISTS PRIORITY 5-15-88
Date: 06/14/1994 User Id: CHRISTEN Subject: OWNERSHIP CHANGE
OWNERSHIP CHANGED ON 6-14-94 BY KKC BASED UPON CHG OF OWNERSHIP FORM SIGNED BY FORMER OWNER.
Date: 10/13/1998 User Id: KCHRISTE Subject: COPIED FROM REMARKS
OWNERSHIP CHANGE MADE 4/25/96 BY TLB. SHANNON/ALMOND TO ALMOND.

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

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 07/08/1993 | 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 | - 07/13/1992 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| Proof Due Date | - 00/00/0000 | Proof Made Date | - 00/00/0000 | Water District | - 72B |
| Licensed Date | - 00/00/0000 | Receipt Number | - X777777 | Federal/State Indicator | - S |
| | | POU Ownership Flag | - Y | Presumption Flag | - C |
| | | Name Connector | - AND | Notice of Error Flag | - |

72-00106E
SOURCE = GARDEN CREEK



RECOMMENDED PLACE OF USE
TWP 14N RNG 18E, SEC 35
data entry on October 19, 1998



-  **RECOMMENDED POINT OF DIVERSION**
-  **RECOMMENDED PLACE OF USE**
-  **SECTION LINES**
-  **QUARTER/QUARTER LINES**

GIS PLACE OF USE PRESENTATION
1992 USDA-F AERIAL PHOTOGRAPHY
DATA ENTRY BY KELLY K CHRISTENSEN



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

OCTOBER 19, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

PARIS ALMOND
PO BOX 1039
CHALLIS ID 83226

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM: A72-00106E

Dear Paris

I am in the process of preparing the recommendation for your claim in the Snake River Basin Adjudication and I have come across a potential problem. As I am not 100% positive of the location of your home site, I am providing you a summary of information that I have acquired.

FIELD VERIFICATION

I conducted the field verification of the claim in July of 1993 when it was still in Mr Murphy's name. At that time, I only had the orthophotographic quad map for reference (scale 2" to the mile). I identified the physical location for the claim in the southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of sec 35.

I asked Corey Skinner to check on the location of your home when he was in Challis last week. He also felt that the physical location of your home was in the southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of sec 35. If this is correct, this places your home on BLM property. As I am not 100% sure of the location of your property, I have not contacted the BLM, however my tentative recommendation does show the 'place of use' in that quarter.

WARRANTY DEED INFORMATION

When you submitted a change of ownership for the claim, you attached a copy of the warranty deed that identified the property as the north 165 feet of the SE $\frac{1}{4}$ SE $\frac{1}{4}$. That legal description matched the original claim.

REQUEST FOR RESPONSE

Please review the enclosed layout that shows the area I identified as the place of use and compare it with the physical location of your home. You may wish to contact the BLM if a conflict does exist in order to resolve it.

The department expects to mail a preliminary director's report for irrigation and other claims by the end of this month or the first part of next month. That would have notified you of the conflict, but I felt that the resolution of this issue should start now with a personal note rather than with that report. Please contact me as soon as possible after you have had time to digest this information.

Sincerely

Kelly K Christensen
Senior Water Resource Agent

Enclosure

CLAIM NUMBER 72-00106E DATE 10-12-98 TRANSFER NUMBER _____
AGENT KKC CLAIMED ACRE TOTAL 2
GIS ACRE TOTAL 1.1

| | TWP | RNG | SEC | NE | | | | NW | | | | SW | | | | SE | | | | |
|-------|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|-----|----|----|-----|-----|
| | | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| CLAIM | 14N | 18E | 35 | | | | | | | | | | | | | | | | 2 | 2 |
| GIS | | | | | | | | | | | | | | | | | | | 1.1 | |
| RECOM | | | | | | | | | | | | | | | | 1.1 | | | 1.1 | 1.1 |
| CLAIM | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | | |

B72-DBPOU.SHP
SHAPE NOS. 181
B72-DBPOD.SHP
NOS. DESCRIPTION
96 Sec 35 NESESE
SENESE
P/4 Boundary includes the 165' property bound from the M Q B line for the SE 1/4 SE 1/4 and reaching from near Garden Creek up to the approximate locat of the access road for the property.
Found P/4 appears to be in the NE 1/4 SE 1/4 and is tentatively recommended as such KKC 10-19-98
System is a sprinkler pump operation and therefore the recommendation is based upon 1 1/2" to the acre or .03 * 1.1 = .033 CFS
DBF TABLES UPDATED
B72-DBPOU.DBF ✓
B72-DBPOD.DBF ✓

Water Right Number - R72-00106E

Prefix Translation: RESEARCH

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
SHANNON

MICHAEL D

1 - PO BOX 1039
2 -
3 -

State- ID Zip- 83226

ALMOND

PARIS

City- CHALLIS
Phone - 208-879-2510
1 - PO BOX 1039
2 -
3 -

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
MURPHY

KENNETH

1 - PO BOX 965
2 -
3 -
City- CHALLIS
Phone - 208-879-4586

State- ID Zip- 83226

+ - Priority Date - - +
05/15/1890+ - - Region - - - +
17 SOUTHERN+ - - Stage - - - +
D - DECREED

+ - - Status - - - +

+ - - Source - - - - - +
GARDEN CREEK+ - - Tributary - - - - - +
SALMON RIVER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
14N 18E 35 NE SE SE (37) CUSTER+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume01 - IRRIGATION
04 - STOCKWATER04/15 10/15
01/01 12/310.040
0.020+ - Total Div. Rate - + + - Total Div. Volume - +
0.040+ - Total Consumptive Use - + + - KW Usage - +
5.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
14N 18E 35 SE SE 2.0 01 IRRIGATION (37) CUSTER
14N 18E 35 SE SE 04 STOCKWATER (37) CUSTER

Total Acres: 2.0

+ - - Diversion Means - ELECTRIC PUMP FROM GARDEN CREEK, TO SPRINKLERS AND FLOOD IRR.

+ - - Non-Irrigation Use - STOCKWATER, 1 TO 4 HORSES

MICROFILMED
OCT 28 1994MICROFILMED
OCT 28 1994

MICROFILMED
OCT 28 1994

| | | | | | |
|----------------------|--------------|-----------------------|--------------|-------------------------|---------|
| Court Report Filing | - 00/00/0000 | Field Inspection Made | - 07/08/1993 | Civil Case Number | - 39576 |
| Objection Filed Date | - 00/00/0000 | Field Inspection Flag | - | Old Case Number | - |
| Response Filed Date | - 00/00/0000 | Verified Date | - 06/14/1994 | Old Judicial District | - |
| Claim Received Date | - 07/13/1992 | Last Amended Date | - 00/00/0000 | Temporary Right | - P |
| | | Receipt Number | - X777777 | Water District | - 728 |
| | | POU Ownership Flag | - Y | Federal/State Indicator | - S |
| | | Name Connector | - AND | Presumption Flag | - C |
| | | | | Notice of Error Flag | - |

| 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 | | | 7-8-93
KKC | Y | 42, 45, 6 | 1-26-94
KKC | | |
| POINT OF DIV | Y | | " | N | " | " | | |
| SOURCE | | | " | N | " | " | | |
| PLACE OF USE | Y | | " | N | " | " | | |
| DIV. AMOUNT
CFS/VOLUME | Y | | " | Y | " | " | | |
| CONSUMPTIVE USE | - | | " | N | " | " | | |
| PURPOSES | Y | | " | N | 6 | " | | |
| PERIOD OF USE | Y | | " | Y | 6 | " | | |
| BASIS OF CLAIM | Y | | " | Y | 6 | " | | |
| REMARKS | Y | | " | N | 6 | " | | |

"VERIFIED BY" CODES

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

MAPS USED:

DATE:

X-13 1978
U-24 1974
S-7B-21 7-1-88

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: MURPHY
ADDRESS: PO BOX 965
CITY: CHALLIS
PHONE NUMBER: 208-879-4586

FIRST: KENNETH
STATE: ID ZIP: 83226

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE Y FIELD EXAMINER

CLAIM REMARKS: LAND DEED INDICATES 2 MINERS INCHES OF 1890 DECREE WATER. IDWR COMPUTER PRINTOUT FOR WATER RIGHT 72-00109 LISTS PRIORITY 5-15-88

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____

PHONE NUMBER: () -

DATE OF FIELD EXAM: 7/8/93

APPOINTMENT MADE: Y() N()

TIME: : A() P()

ACCOMPANIED BY: M. ONE

PHONE NUMBER: () -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / REMARKS:

Claim renumbered to A72-00106E & recompiled as such.

MICROFILMED
OCT 28 1994

A. AJ CLAIM: # A72-001090 PRIORITY DATE: 05-15-1888 STAGE: J
B. WR RECORD: # 72-00109 PRIORITY DATE: 05-15-1888 STAGE: D

C. FIELD EXAM REQUIRED?
DUE TO PRIORITY DATE DISCREPANCY? (Y/N) DATABASE N FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N()
IF YES EXPLAIN.

REMARKS: Based upon Warrant dated 0197903 2 minus index (.0465)
was transferred to this property with a 1890 priority date therefore
I am recommending this right based upon that transfer with
the loss right being 72-00106

RECOMMENDED PRIORITY DATE: 5-15-1890

REVIEWED BY

KRC

DATE

1-26-94

MICROFILMED

OCT 7 8 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

| RIGHT | TWP. | RGE. | SEC. | 1/4 | 1/4 | 1/4 | LOT | CNTY |
|------------|------|------|------|-----|-----|-----|-----|--------|
| A72-00109D | 14N | 18E | 35 | NE | SE | SE | | CUSTER |

OTHER AJ CLAIMS WITH SAME AJ POD

WR RECORDS IN SAME 40 ACRE TRACT

A PREFIX
R PREFIX
NONE

NONE

SOURCE: GARDEN CREEK

TRIB: SALMON RIVER

B. WR POINT OF DIVERSION AND SOURCE:

7200109 THERE IS NO POD ASSOCIATED WITH THIS WATER RIGHT NUMBER

SOURCE: GARDEN CREEK

OK

TRIB: SALMON RIVER OK

C. FIELD EXAM REQUIRED?

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

REMARKS:

Warranty deed describes the P/D as the North 165' of the SE 1/4 of Sec 35
I found the P/D in that quarter (NE 1/4) except as claimed

MICROFILMED

OCT 28 1994

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:
TWP. RGE. SEC.

1/4 1/4

1/4

LOT

COUNTY

OK as claimed

SOURCE: GARDEN CREEK OK

TRIB: SALMON RIVER OK

REVIEWED BY:

KIKC

DATE:

1-26-94

MICROFILMED

OCT 28 1994

A. ROOT WATER RIGHT NUMBERS:

A72-00109A
A72-00109B

A72-00109C

A72-00109D

B. POU LISTING

| TWP | RNG | SEC | 1/4 | 1/4 | LOT | NAME | AJ
#/ACRES | MR
#/ACRES | LANDSAT
DATA | FIELD
EXAM. | RECOMM.
ACRES |
|-------------|-----|-----|-----|-----|-----|---|------------------|------------------------------|-----------------|----------------|------------------|
| 14N | 18E | 35 | SE | SE | | MURPHY, KENNETH
KLUG, WILLIAM
SPECHT, W. C. | A72-00109D / 2.0 | 72-00109 /
72-02144 / 5.0 | | 22 | 2 |
| 14N | 18E | 35 | SE | SE | | MURPHY, KENNETH
KLUG, WILLIAM
SPECHT, W. C. | A72-00109D / | 72-00109 /
72-02144 / 5.0 | | | |
| TOTAL ACRES | | | | | | | A72-00109D | 2.00 | | | |

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

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
YFIELD
EXAMINER

POU COUNTY: CUSTER

PRESUMPTION FLAG: D

REMARKS:

1/4 boundary is not distinct however it is being recommended as the ground south of the access road to Garden Creek and from the eastern boundary of the property west for approx 550' as built corner approx 2 lines as claimed.

RECOMMENDATIONS:

TOTAL ACRES: 2

REVIEWED BY: KKC

DATE: 1-26-94

MICROFILMED
OCT 28 1994

A. AJ CLAIMED USES:

PURPOSES
A72-00109D IRRIGATION
A72-00109D STOCKWATER

4-15 10-15
FROM 04-01 TO 10-01
FROM 01-01 TO 12-31

Chg to
dept Standard

DIVERSION QUANTITY
.040 CFS
.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.060 CFS

B. WR RECORDED USES:

PURPOSES
72-00109 IRRIGATION

MONTH/DAY
FROM TO
TO

DIVERSION QUANTITY
1.200 CFS
1.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.200 CFS

PRESUMPTION FLAG: D

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

REMARKS:

Warranty deed supports .04 CFS being transferred to this prop.
Claimant indicated that normal operation includes 6 acre-bird
2 quail operating at one time.

based upon 1/8 acre @ 35 CFS the area Bird calculate gives
2.7 GPM per head therefore 2.7 * 6 = 16.2 GPM = 1036 CFS

4488 tip area unknown

Pump theoretical

$$.7548 * 8.8 * 1.7$$

$$= 0.132 \text{ CFS}$$

theoretical calculations indicate ability

$$35 + (2.31 * 0)$$

to deliver in acres of claimed rate is

legal limit for 24 acres is 2 * .03057 = .06

* (Pump is gravity fed therefore
actual lift would be negative)

Accept .04 CFS as valid.

MICROFILMED

7 8 1951

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(☒)AJ TOTAL CLAIMED DIVERSION RATE: 0.060 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 1.200 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

FIELD
DATABASE EXAMINER

The total rate was 0.04 CFS
which was recommended
to his property was
0.04 CFS.

MICROFILMED
OCT 28 1999

B.

FLOW MEASUREMENT

MEASUREMENT METHOD flow on pyle, SEE ATTACHED CALCULATIONS.C. ARE OTHER WATER RIGHTS USED? Y() N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 2 x 0.02 CFS/ACRE = 0.04 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 5.0 AF/A

ACRES 2 x CONSUMPTIVE VOL. AF/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 5 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = N/A AF/A

ACRES 2 x DIVERSION VOL. AF/A FOR AREA 2.5 =

TOTAL DIVERSION VOLUME 2.5 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

REMARKS: (Include limitations on consumptive use for combined rights.)

MICROFILMED

OCT 28 1994

POOR ORIGINAL

RECOMMENDATIONS:

| REC.
PURPOSES | REC. PERIOD
FROM TO | REC. DIV
RATE CFS | REC. DIV
VOL. AF/A | REC. CONS.
USE |
|----------------------|------------------------|----------------------|-----------------------|-------------------|
| <u>irrigation</u> | <u>4-15 - 10-15</u> | <u>.04</u> | <u>~~0~~</u> | <u>5</u> |
| <u>stockwater</u> | <u>1-1 - 12-31</u> | <u>.02</u> | <u> </u> | <u> </u> |
| | | <u>.04</u> | <u> </u> | <u> </u> |
| TOTAL FOR THIS RIGHT | | | | |

REVIEWED BY: KKC DATE: 10-26-94

MICROFILMED

OCT 28 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FORFEIT/ABANDON
ADDITIONAL DIV. AMOUNT ACCEPTED
AS CLAIMED ☒ ()
NEEDS
REVIEW () () ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 72-00109

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 1.200

EXAMINER

CFS

SPLITS:

| OLD RIGHT
NUMBERS | CURRENT
CLAIM NUMBERS | DIVERSION
RATE | CURRENT "R"
CLAIM NUM. | "R" DIV.
RATE | WR RIGHT
NUMBERS | DIVERSION
RATE |
|----------------------|--------------------------|-------------------|---------------------------|------------------|---------------------|-------------------|
| - | A72-00109A | 0.170 | - | - | - | - |
| - | A72-00109B | 0.170 | - | - | - | - |
| A72-00109 | A72-00109C | 0.880 | - | - | 72-00109 | 1.200 |
| - | A72-00109D | 0.060 | - | - | - | - |
| TOTAL CFS | | 1.280 | | | | 1.200 |

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
N FIELD
EXAMINER

REMARKS:

AUTHENTICATION:

SIGNATURE: DATE: 1-26-94NAME OF FIELD EXAMINER: TITLE: Substate Resource AgentMICROFILMED
OCT 28 1994

POOR ORIGINAL

35

P/U

P/D

3

CLAIM A72-00106E INIT KKC
T. R. S. Q/Q
P/D 1N 18E 35 NESESE enlarge
PHOTO BLM 5-78-21 200%
DT.&ID. 7-1-88 Flight

2

MICROFILMED
OCT 28 1984

PU
#72-D01098

L. KNIGHT

J.D. STERGHOS

19 A

Handwritten red:
Pm
C
P/D

336
21

CLAIM A72-07106E INIT KKC
P/D 18E 35 NESES
PHOTO X-13
DT. EID. 1972 Feb 4

POOR ORIGINAL

MICROFILMED

OCT 28 1994

CLAIM # A72-00109D
PHOTO TAKEN ON 7-8-93
PICTURE SET # 1

POOR ORIGINAL

This picture was taken from the P/U for A72-00109B and just south of the Garden Creek Road and is looking east. Shown is a headgate on the ditch but no ditch bank. Just visible is the top of the trailer on the P/U for this claim.

GARDEN CREEK

TRAILER ROOF

PROPERTY LINE



MICROFILMED
OCT 28 1994

CLAIM # A72-00109D
DATE PHOTO TAKEN; 7-26-93
PICTURE # 1

POOR ORIGINAL

This picture was taken within the pump shed and shows the gravity feed intake line the pressure tank storage and the discharge line. Note that the claim target indicates suffix 'B'. It should have read 'D'.

INTAKE LINE TO P/U PUMP DISCHARGE



PICTURE # 2

This picture is looking southeast and shows the trailer the power pole and the willows hiding the pump shed.

SHED BEHIND WILLOWS

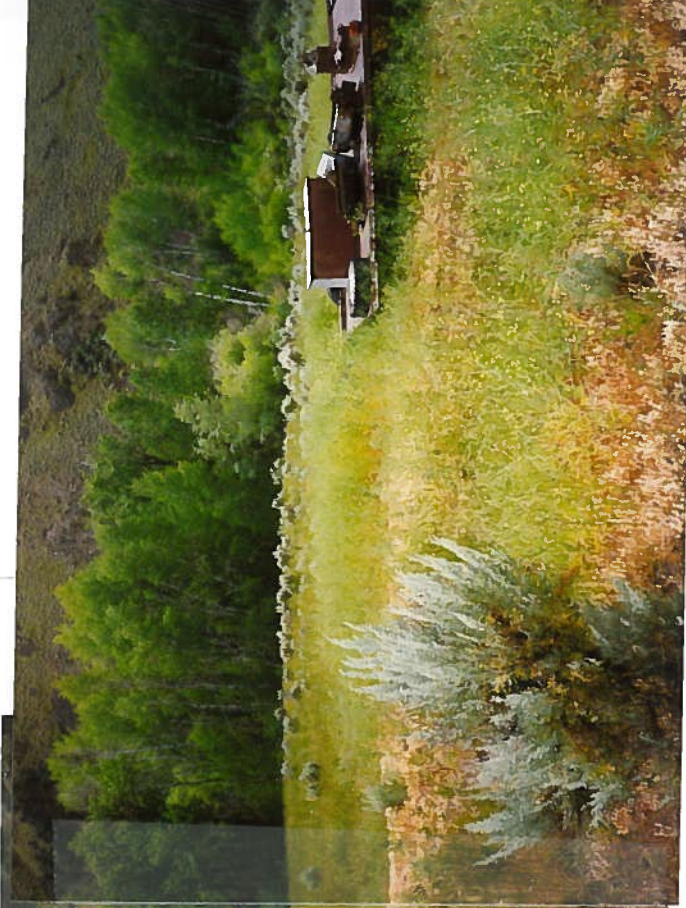
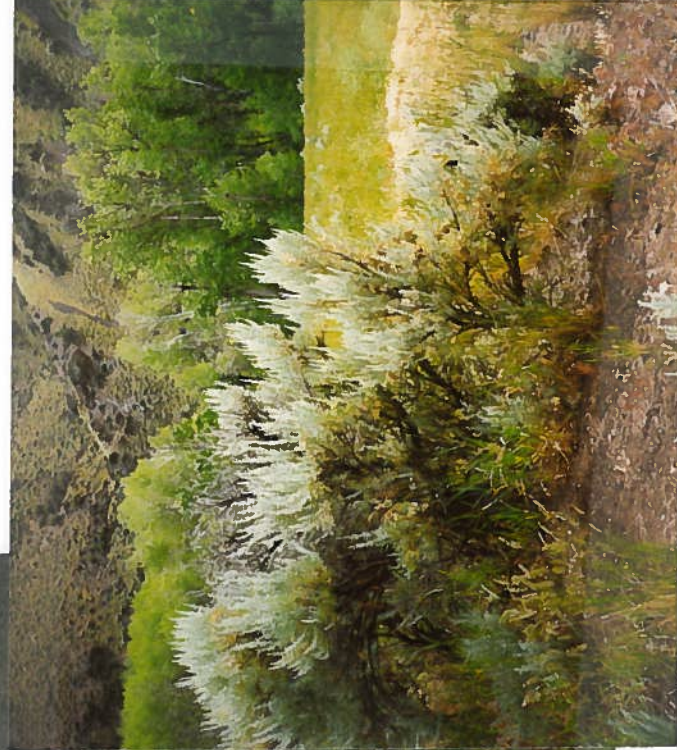


MICROFILMED
OCT 28 1994

CLAIM # A72-00109D
DATE PHOTOS TAKEN; 7-26-93
PICTURE SET # 3

POOR ORIGINAL

This picture set was taken from near the northwest corner of the P/U and is looking southeast on the left to south on the right. Near the road the ground is covered with sage brush but the majority has been planted to crested wheat. No definitive break between irrigated ground and non irrigated ground could be observed.



100
MICROFILM

POOR ORIGINAL

FIELD EXAM ATTACHMENT

DATE: 1-26-94

A72-00106A A72-00109C

A72-00106B A72-00109E

A72-00106C

A72-00106D

A72-00106E

PAGE: 1/2AGENT: KKCFILES: 72-00106- 00109ATTACHMENT SUBJECT: Analysis of -
Water right unrecorded splits & transfers

A History of water right splits and transfers is based upon warranty deed searches and the current owners apparently accept the deeds as representative of their respective ownership.

The Places of use under all claims was originally two separate parcels @ the decree date. Eventually both parcels came under one ownership and was subsequently split into smaller parcels. The two water rights decreed have 1888 & 1890 priority dates and the transfers primarily shift the 1890 water to the smaller Places of use. Original claims filed were filed based upon the decree legal description as the current owners did not research warranty deeds for water right history & their current warranty deeds only referenced appurtenant water rights. Claims with different priority dates than claimed have been re-numbered and recommended based ^{primarily} upon warranty deed history. Total acres currently irrigated do NOT appear to represent an expansion of the irrigated decreed place of use. Changes and of P/D & P/U are flagged with presumption flag "C" with the appropriate C03, C05 condition codes.

MICROFILMED

OCT 28 1994

FIELD EXAM ATTACHMENT

DATE: 1-26-94

A72-00106A A72-00109C

A72-00106B A72-00109E

A72-00106C

PAGE: 2/2AGENT: KKC

A72-00106D

FILES: _____

A72-00106E

ATTACHMENT SUBJECT: _____

Decreed right 72-00106 decreed for 1.40 CFS with a 1890 priority date

Claims against decreed right (as renumbered)

| Claim No. | Recommended
rate | Change in Decreed | | claimant |
|------------|---------------------|---|-----|------------|
| | | P/D | P/U | |
| A72-00106A | .38 CFS | No | No | Levinson |
| A72-00106B | .88 CFS | YES | YES | James |
| A72-00106C | .04 CFS | YES | YES | Strickland |
| A72-00106D | .06 CFS | YES | YES | Walsh |
| A72-00106E | .04 CFS | YES | YES | Murphy |
| Total | 1.40 CFS | total recommended matches decreed rate. | | |

Decreed right 72-00109 decreed for 1.20 CFS with a 1888 priority

Claims against decreed right

| Claim
Number | Recommended
Rate | Change in decreed | | claimant |
|-----------------|---------------------|---|-----|------------|
| | | P/D | P/U | |
| A72-00109A | N/A | renumbered to | | A72-00106C |
| A72-00109B | N/A | renumbered to | | A72-00106D |
| A72-00109C | .88 CFS | No | No | James |
| A72-00109D | N/A | renumbered to | | A72-00106E |
| A72-00109E | .32 | YES | YES | Levinson |
| Total | 1.20 CFS | total recommended matches decreed rate. | | |

MICROFILMED

OCT 28 1994

0157903

WARRANTY DEED

FOR VALUE RECEIVED

Matthew J. and Cynthia J. Hrebar
Box 568

Indian Hills, Colorado 80154

The Grantor S. do hereby grant, bargain, sell and convey unto

Thomas M. Jacob, Box 31, Challis, Idaho 83226

The Grantee, whose address is

the following described premises, to-wit:

The north 165 feet of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, section 35
T14N R18E, Boise Principal Meridiantogether with all ditches, ditch rights, water and
water rights including particularly two miners inches
of 1890 decreed water of Garden Creek, a tributary of
the Salmon River.subject to taxes and assessments for the year 1990,
easements and rights of way, reservations in federal
patents, state or railroad deeds, building or use re-
strictions, building and zoning regulations and ordi-
nances of any governmental unit, mineral rights or
claims or titles to minerals, and any liens or
encumbrances suffered, assumed or occasioned by the
grantees.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee
heirs and assigns forever. And the said Grantor S. do hereby covenant to
and with the said Grantee, that they the owners in fee simple of said premises; that said
premises are free from all encumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 11-23-90



On this 23rd day of NOV. 1990.

Matthew J. Hrebar and Cynthia J. Hrebar, both of legal age, single, and of the County of Jefferson, State of Colorado, personally appeared before me, Notary Public, and acknowledged to me that they executed the foregoing instrument.

I, Ethel M. Peck, Notary Public, do hereby certify that the foregoing instrument was filed for record at the request of Thomas M. Jacob

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the
request of Thomas M. Jacobat 5 minutes past 2 o'clock P.m.,
this 7th day of December
1990 in my office, and duly recorded in Book
of Deeds at pageEthel M. Peck
Notary PublicBy Christine A. Jones
Deputy

Fees \$3.00

Mail to:

Residing at 1224 Washington, Golden, CO.
Expires Feb 7, 1993PIONEER TITLE COMPANY
OF BANNOCK COUNTY

7-26-93

3/4 HP

SER G78

1 1/2 intake

1 Garden hose discharge

8-6-93 one logged for file (one faded)

2 pics taken inside pump house

1 pic taken looking SE showing
trailer, part of garden hose supply line

(Dead tree inside pump house)

3 pan shots emerge gate on northern
portion of P/u showing old ditch system
in foreground & pan across P/u
P/u ^{boundary} not clear.end of Roll. #1 AKA Roll #8 from previous
field trip.

8-6-93

Met Ken Murphy in Challis on 8-6-93
and discussed his claim. He indicated that the
previous owner (approx 3 yrs ago) had a larger sys.
and that he is going to a larger system. He stated
that the pump can operate 6 rainbirds on the
lower portion of P/u but has to drop one or two
when he moves to the northern portion of
of the P/u. I asked for additional info
concerning previous sys. & he said that
he would supply that info.

MICROFILMED
OCT 8 1994

7-6-93
Custer County
Records

200730
199664
198369
197903
141328

POOR ORIGINAL

36-264/- ^{miles.} Schneider to Colson 296.79 Acres
including $5\frac{1}{2}$ SE $\frac{1}{4}$ of Sec 35 together
with all ^{water} water rights & ditch & ditching
Recorded 12-5-66

141328 Colson to Hrebar N 165'
together with 2" 1890 water

197903 Hrebar to ^{from} Jacob N 165' of the SE SE
Sec 35

together with ditch & ditch rights.
2 minus inches of 1890 deced water

198369 - Jacob to Stevenson N 165'
plus 2 minus in.

199664 Jacob to Stevenson N 165'
plus 2 minus in. 1890

200730 Stevenson to Murphy N 165'
silent on water rights

MICROFILMED
OCT 28 1994

POOR ORIGINAL

Analysis of A72-00109D

As of 7-8-93

Per warranty deed 141328, Colson to Hreban
the property was sold with 2" of 1890 water.
(same legal desc as warranty deed 20073 Stevenson
to Murphy (silent on water rights))

The same 2" are mentioned in warranty
deeds 197903 & 198369 & 199664.

72-00109 has a May 15, 1888 priority date.
the claimed total diversion rate is also greater than
deed recorded rate.

within the same general area and within
a common P/U 72-00106 with a priority date
of May 15, 1890.

MICROFILMED
OCT 28 1994