

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: **A72-00106C**
Date Received: 1/ 2/1990
Receipt No: X777777
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: PATSY STRICKLAND 707-869-3403
Address: 19479 HIDDEN VALLEY RD
GUERNEVILLE CA 95446

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
13N	18E	2	NE	NW			CUSTER

5. Description of diverting works:
ROCK DIVERSION, HEADGATE, 3' DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.150		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/10 HORSES, CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	18E	35	SW	SE		IRR	6.0
			SW	SE		STOCK	

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OCT 28 1994

10. Place of Use: Continued

Section Acres 6.0

Total Acres 6.0

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:
CLAIMANT IS CONSIDERING CHANGING THE P/D DOWNSTREAM AND
UTILIZING A PUMP.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

ADAMS, ET. AL.

Decree Plaintiff

VANDERVOORT, ET. AL.

vs

Decree Defendant

*originally claimed
as A72-00109A & original
claim can be found in
that file. K/KC*

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OCT 28 1994

Patsy L. Strickland
19479 Hidden Valley Rd.
Guerneville, CA 95446

October 19, 1993

Mr. Kelly K. Christensen
Sr. Water Resource Agent
State of Idaho
Department of Water Resources
Southern Region
222 Shoshone St. East
Twin Falls, Idaho 83301

RECEIVED

OCT 22 1993

Department of Water Resources
Southern Region Office

RE: Snake River Basin Adjudication Claim # A72-00109A

Dear Mr. Christensen:

In looking over all the papers I have regarding my water rights relating to my property, parcel # RP 14N18E356610 A, located on Garden Creek; I feel there has been a slight error on page 2 of the analysis sheet you sent to me with your letter dated July 14, 1993.

I am enclosing a copy of my Taxpayers Valuation Assessment Notice showing a total of 22.941 acres, and a copy of page 2 of your analysis sheet where you state: "14.88 Acres and 6.95 acres within the SWSW SEC 35 with all appurtenances." (14.88 acres + 6.95 acres = 21.83 acres. A difference of 1.11 acres.)

Mr. Savage, Tax Assessor in Challis, met with my husband quite some time ago and by using the property measurements; feet, inches, degrees, and his computer program, he adjusted his tax records to reflect the actual acreage. At that time he stated that the acreage on the Plat Plan would be corrected to reflect this change. However, he apparently had not made this correction prior to your researching the county records.

The adjustment to the acreage on the Plat Plan shown as 6.95 acres should be corrected to read 8.06 acres prior to your computation and recommendation.

If you have any questions, please call my husband or me at (707) 869-3403.

Sincerely,

Patsy L. Strickland

cc: James R. Bennetts

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POOR ORIGINAL

133657 STARK TO
06-30-72 CUMMINGS

14N 18E 35 SWSF
(With 5" or .10cfs of 1890 water)
This is consistent with the
place of use for A72-00109A and
A72-00109B.

139317 CUMMINGS TO
05-28-75 BRACK

11.56 Acres within the SWSW SEC 35
with all appurtenances.
This is consistent with the
place of use for A72-00109A and
A72-00109B.

156185 BRACK TO
10-06-80 HUSTON

8.69 Acres within the SWSW SEC 35
(With 3" or .06cfs of 1890 water)
This is consistent with the
place of use for A72-00109B

165397 BRACK TO
09-30-82 ODLUM

14.88 Acres and 6.95 acres within
the SWSW SEC 35 with all
appurtenances.
This is consistent with the
place of use for A72-00109A

Subsequent land sales do not indicate a change in water right
appurtenances.

ANALYSIS OF WARRANTY DEED TRANSFERS

As the adjudication claims relating to the two decreed rights
currently do not reflect the warranty deed information, the
analysis will be reflected by place of use ownership rather
than claim number. The place of use is further identified on
the attached orthophotographic quad map.

P/U LABEL	CURRENT OWNER	APPLICABLE PORTION OF DECREED RIGHT	
		72-00106 (1890)	72-00109 (1888)
A	LEVINSON et al	0.38 cfs	0.32 cfs
B&C	JAMES	0.88 cfs	0.88 cfs
D		No water appurtenant	
1	STRICKLAND	0.04 cfs	
2	WALSH	0.06 cfs	
3	MURPHY	0.04 cfs	

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POOR ORIGINAL

ROBERT N. SAVAGE
CUSTER COUNTY ASSESSOR
P. O. BOX 997
CHALLIS, ID 83226

THIS IS NOT A BILL

PARCEL NO. RP 14N18E356610 A

TAX CODE

24-00

LOTS / ACRES

MARKET VALUE

CATEGORY DESCRIPTION
12 RURAL RES TR
18 OTHR RUR LND
19 WASTE
34 BLDG RES TR

1.000 AC
19.941 AC
2.000 AC

5,500
29,912
66,187

1993
TAXPAYERS
VALUATION

22.941

101,599

ASSESSMENT NOTICE

Taxes are based on the valuation
listed on this statement

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

JUNE 23, 1993

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

PROPERTY ADDRESS

PREVIOUS NUMBER

TRACTS 75-46, 76-57, 76-89
SEC 35 T14N R18E

Maid To:

CUNNINGHAM, PATSY L
19479 HIDDEN VALLEY RD
GUERNEVILLE, CA 95446

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OCT 28 1994

(208) 879-4488

JAMES R. BENNETTS
ATTORNEY AT LAW
P.O. Box 36
CHALLIS, IDAHO 83226

RECEIVED

AUG 23 1993

Department of Water Resources
Southern Region Office

August 19, 1993

Kelly K. Christensen
Sr. Water Resource Agent
Idaho Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

Re: Strickland, Claim No. A72-00109A

Dear Mr. Christensen:

Please drop by and discuss the above matter with me. Patsy Strickland has forwarded your letter of July 14, 1993, and other material to me, but I am not sure I fully understand the events.

I have left messages for you at the Village Inn but haven't received a response so I assume word is not getting through.

Very truly yours,

James R. Bennetts

JRB:jab

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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-Jul-1993

PATSY STRICKLAND
19479 HIDDEN VALLEY RD
GUERNEVILLE CA 95446

RE: SNAKE RIVER BASIN ADJUDICATION CLAIM A72-00109A

Dear Ms Strickland

I have conducted a warranty deed search for information concerning intent to transfer water rights relating to your property. The information I have obtained I consider the current 'best' information available.

Your water use is related to claims filed by Christopher James, Jarold Walsh, Madi Levinson et al, and Kenneth Murphy as outlined in the two page analysis sheet (attached).

The warranty deed transfers indicate that the applicable water use for your property is a maximum of 0.04 cfs of 1890 priority date water.

Your options are;

1. Do nothing and I will renumber your claim and recommend that claim based upon the available documentation and field examination findings.

2. Provide additional information to support a total of 0.17 cfs of 1888 decreed water being appurtenant to your property.

I realize that this may be confusing so please call if you have any additional questions.

Sincerely

Kelly K. Christensen
Sr. Water Resource Agent

enclosures

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OCT 28 1994

ANALYSIS OF DECREED WATER RIGHTS 72-00106 AND 72-00109

DECREED RIGHT NO	PRIORITY DATE	DIVERSION RATE	DECREED TWN	PLACE OF USE RNG	SEC	QUARTERS
72-00106	5-15-1890	1.40 CFS	13N	18E	3	SENE, NESE
			13N	18E	2	LOT 4, SWNW
72-00109	5-15-1888	1.20 CFS	13N	18E	2	N1/2NW1/4
			14N	18E	35	S1/2SE1/4, NESE
			14N	18E	36	NWSW

Evidence of intent to transfer a water right as documented in warranty deed recordings is the basis for this analysis.

WARRANTY DEED NO. AND DATE	PARTIES INVOLVED	LEGAL DESCRIPTION OF PROPERTY TRANSFERRED TWN RNG SEC QUARTERS
20-519	KAISER TO CAMERON KENNETH	13N 18E 2 LOTS 2, 3, & 4; SWNW 13N 18E 3 SENE, NESE 14N 18E 35 S1/2SE1/4
	(With all ditch rights and water rights appurtenant there to)	
22-270	KLUG TO	13N 18E 3 NESE
05-28-34	CAMERON (a quit claim deed)	(With all ditch rights and water rights appurtenant there to)

These deeds, in effect, placed both decreed rights and the relevant places of use under one ownership. The property was then referred to as containing 296.79 acres more or less and the water rights were transferred by reference to all appurtenances from that date until 1966. In 1966 the property was split and the intent to transfer water was identified in the warranty deeds as follows;

34-265	COLSON TO	13N 18E 3 SENE, NESE*
12-05-66	KRISTAN	{With 16" or .32cfs of 1888 water & 19" or .38cfs of 1890 water.}
		* This is consistent with the place of use for A72-00106A
130824	COLSON TO	13N 18E 2 LOTS 2, 3, & 4; SWNW
04-29-71	STARK	14N 18E 35 SWSE SESE (With 44" or .88cfs of 1888 water & 51" or 1.02cfs if 1890 water.) {Reserving 5+- acres, aka the north 165' of the SESE SEC 35 together with 2 miners inches .04cfs of 1890 water}**
		** This is consistent with the place of use for A72-00109B

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06-30-72 CUMMINGS

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D		No water appurtenant	
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2	WALSH	0.06 cfs	
3	MURPHY	0.04 cfs	

POOR ORIGINAL

DECREED P/U FOR:

72-00106 = (A) & (B) 1890

72-00109 = (C) & (D) 1888

P/U BY OWNERSHIP AS OF 1993

(A) = LEVINSON et al

(B) & (C) = JAMES

(D) = NO ADJ CLAIMS FILED IN
THESE QUARTERS

- ① STRICKLAND
- ② WALSH
- ③ MURPHY

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027 28 1994

SRBA

SUBCASE SUMMARY REPORT 72-00106C

[Return to SRBA Home Page](#)

SRBA
11-10-1999

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-00106C FILE#: 00389
CLAIMANT: STRICKLAND, PATSY L
STATUS: READY FOR PD
WATER SOURCE: GARDEN CREEK, SALMON RIVER
ISSUES: QUANTITY OF WATER USED
PRIORITY DATE
PLACE OF USE OR IRRIGATED ACRES IN EACH 40 A.

**** PARTIES INVOLVED ****

PATSY L STRICKLAND

ATTY: MICHAEL D. HANSON

**** ROA ENTRIES ****

06-16-1999	MTN TO FILE LATE OBJECTION (F/B STRICKLAND)	MG	07-16-1999	0001
06-16-1999	LDGD: LATE OBJECTION			
06-23-1999	AMENDED CERTIFICATE OF MAILING			
06-23-1999	NOTICE SETTING HEARING	HV	07-23-1999	1030
	MOTION TO FILE LATE OBJECTIONS filed by PATSY STRICKLAND			
07-16-1999	ORDER GRANTING MOTION TO FILE LATE OBJECTION			
07-16-1999	OBJ 01 F/B STRICKLAND, PATSY L	RB	10-04-1999	0001
09-09-1999	NOTICE OF WITHDRAWAL OF OBJECTION		09-09-1999	0001
09-13-1999	AMENDED ORDER OF REFERENCE APPOINTING THOMAS R CUSHMAN SPECIAL MASTER ASSIGNED MASTER WAS: 702 HAEMMERLE, FRITZ			
09-14-1999	REPORT & RECOMMENDATION OF MASTER	CB	10-28-1999	
09-14-1999	NOTICE OF ISSUANCE - MASTERS R&R			
09-14-1999	CERTIFICATE OF MAILING - MASTER R&R			

[Return to SRBA Home Page](#)

RECEIVED
IDWR SOUTHERN REGION
JUN 11 1999

RECEIVED
JUN 29 1999
Department of Water Resources
Southern Region

Department of Water Resources

KC
COPY

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 Nos A72-00109A & A72-00106C

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information

B. NAME AND ADDRESS

Name: PATSY L.

Address: 19479 H

Guerne

Daytime Phone: 70

*objection
withdrawn*

if any:

PO BOX

CHALLIS, IDAHO 83226

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

Name: PATSY L. STRICKLAND

Address: 19479 HIDDEN VALLEY ROAD

GUERNEVILLE, CA 95336

RECEIVED
IDWR SOUTHERN REGION
JUN 11 1999

KC

RECEIVED
JUN 29 1999
Department of Water Resources
Southern Region

Department of Water Resources

COPY

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 Nos A72-00109A & A72-00106C

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: PATSY L. STRICKLAND

Address: 19479 Hidden Valley Road

Guerneville, CA 95446

Daytime Phone: 707-824-7325

Name & Address of Attorney, if any:

MICHAEL D. HANSON

PO BOX 737

CHALLIS, IDAHO 83226

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

Name: PATSY L. STRICKLAND

Address: 19479 HIDDEN VALLEY ROAD

GUERNEVILLE, CA 95336

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: 0.150 CFS irrigation, 0.020 CFS - Stock water
4. ☒ **Priority Date**
Should be: May 15, 1888
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: 14N18E35S SW 1/4 of SE 1/4 8.955 acres

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):

SEE NOTICE OF CLAIM _ COPY ATTACHED HERETO BASED ON PRIOR RIGHT

NOS A72-00109A and A72-00106C and historical use

F.

VERIFICATION (Must be Completed)State of IDAHOCounty of CUSTER

)ss.

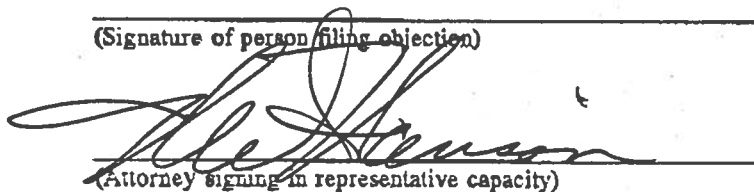
MICHAEL D. HANSON

, duly sworn, upon oath, deposes and says:

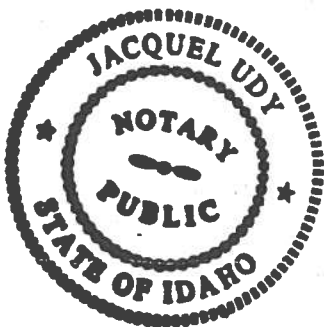
(Name of person filing objection)

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 8, 1999

Jacquiel Udy
Notary Public for Idaho
Residing at: Challis
My Commission Expires: 6/2/2005

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 8, 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
PO Box 2707
Twin Falls, ID 83303-2707

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

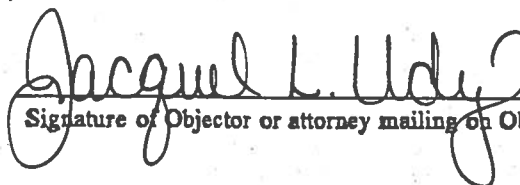
Name: PATSY L. STRICKLAND
Address: 19479 HIDDEN VALLEY ROAD
GUERNEVILLE, CA 95446

3. Copies to:

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

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

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



Signature of Objector or attorney mailing on Objector's behalf

Christensen, Kelly

Subject: status of 72-00106c & d; 72-10356 72-00109a & b
Entry Type: Phone call
Contact: Mike Hanson

Start: Mon 6/14/99 12:00 AM
End: Mon 6/14/99 12:00 AM
Duration: 0 hours

He talked to Corey and Corey referred him to me. I checked on the SRBA status rpt and found that 72-10356 has been decreed since 12-29-97 and that there are currently no objections against the two valid irrigation rights 72-00106C & D. I also stated that the 00109 series rights are not valid but recommended as the 00106 series.

5/22/99

Water Right Number - R72-00106C Prefix Translation: RESEARCH Old (D) Number -

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

*** C - CURRENT OWNER ***
STRICKLAND PATSY 1 - 19479 HIDDEN VALLEY RD
2 -
3 -
City- GUERNEVILLE State- CA Zip- 95446
Phone - 707-869-3403

+ - - 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 Diversion Name
13N 18E 2 SW NE NW 3 (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 0.030
04 - STOCKWATER 01/01 12/31 0.020

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
0.030 0.0

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

+ - - Diversion Means - ROCK DIVERSION, HEADGATE, 3' DITCH
+ - - Non-Irrigation Use - LIVESTOCK, 10 HORSES, AND/OR RANGE CATTLE
+ - - Other Rights for Same Use - NONE
+ - - - - Remarks - - - - - +

EXP THE FOLLOWING RIGHTS ARE DIVERTED THROUGH THE POINT OF
DIVERSION DESCRIBED ABOVE: 72-00106C, 72-00106G, 72-00106H,
72-00109G, AND 72-10486B.
+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

Water right number - R72-00106C

Prefix Translation: RESEARCH

+ - - - - 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.

+ - - - Decree Plaintiff - - - +
ADAMS, ET. AL.

+ - - - Decree Defendant - - - +
VANDERVOORT, ET. AL.

+ - Decree Date - +
05/19/1914

+ - - Audit Fields - 01/26/94 CHRISTEN 01/27/94 CHRISTEN 03/30/95 POST-STD 10/21/98 KCHRISTE

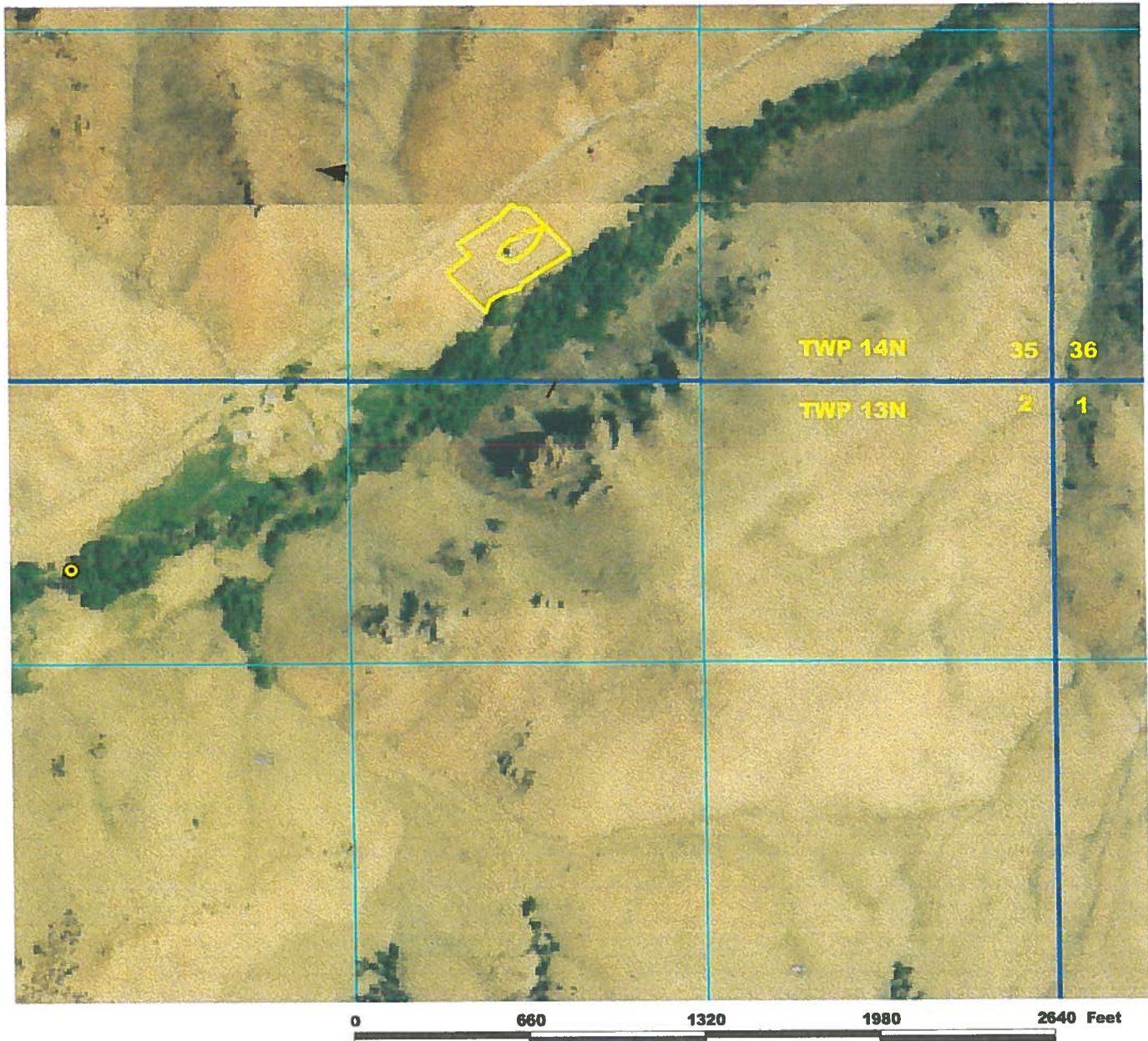
+ - - - - Comments - - - - - +

Date: 01/27/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
CLAIMANT IS CONSIDERING CHANGING THE P/D DOWNSTREAM AND UTILIZING A PUMP.

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

Court Report Filing	- 00/00/0000	Field Inspection Made	- 06/15/1993	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	- 01/02/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	- 728
Licensed Date	- 00/00/0000	Receipt Number	- X777777	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	- C
		Name Connector	-	Notice of Error Flag	-

72-00106C
SOURCE = GARDEN CREEK



RECOMMENDED PLACE OF USE
TWP 14N RNG 18E, SEC 35
data entry on October 20, 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

CLAIM NUMBER72-00106C

DATE10-20-98

TRANSFER NUMBER

AGENTKKC

CLAIMED ACRE TOTAL6

GIS ACRE TOTAL2

	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															6	6
GIS																		2	
RECOM																		2	2
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP

SHAPE NOS.

250

B72-DBPOD.SHP

NOS. DESCRIPTION

138 Sec 2

SW NENW

DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

Heg

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-00106C

DATE: 10-20, 1998

REVIEWED BY RKC

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62
BB1	.09	.09			6.09	6.17
BC1	.16	.17			5.82	5.46
BK1	.07	.06			10.62	11.86
BT1	.18	.16			3.99	4.19
BT2	.41	.32			2.34	2.87
CB1	.06	.06			11.55	13.47
CHA	.21	.21			4.52	4.76
CP1	.36	.36			2.61	2.78
DAF	.18	.15			5.33	7.27
DB1	.13	.11			5.66	6.65
DBB	.13	.11			5.71	6.69
DBC	.13	.11			5.71	6.69
DMF	.18	.21			5.12	4.72
DRF	.18	.19			9.08	9.68
DT2	.05	.04			12.46	16.50
DWA	.14	.14			4.79	5.01
G01	.10	.12			12.47	10.51
KEG	.08	.07			8.73	10.06
MBF	.15	.12			7.65	5.81
MUG	.15	.14			4.54	4.98
NDL	.13	.12			5.30	6.06

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
PD2	.11	.12			5.15	4.74
Q	.26	.21			13.2	10.4
RE2	.29	.21			3.15	4.74
RP1	.19	.21			4.89	4.57
SH1	.06	.05			9.37	12.10
SOC	.08	.07			7.38	8.08
SSA	.15	.14			4.79	5.01
SXF	.12	.11			6.14	6.80
TC1	.06	.06			9.82	9.55
TD1	.04	.03			12.46	16.50
WB2	.13	.13			5.37	5.43
WAA	.19	.16			3.81	4.23
WBB	.17	.14			3.36	3.84
WC1	.07	.06			11.24	13.45
WPT	.19	.15			3.16	3.69
WV1	.07	.06			11.24	13.45
XHS						
YN1	.18	.14			5.38	6.92

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
CP1	2.61	—	2	.36	= .72 CFS
_____	_____	_____	_____	_____	= _____ CFS
_____	_____	_____	_____	_____	= _____ CFS
_____	_____	_____	_____	_____	= _____ CFS

TOTAL ACRES _____

DECREED RATE = _____

CLAIMED DIVERSION RATE = _____

MEASURED DIVERSION RATE = _____

ANALYSIS OF TWP 14N, RNG 18E, SEC 35 SW¼SE¼
BASED UPON WARRANTY DEED INFORMATION

Registered	Parties involved	P/U acreage	Water right identification
1972	Stark sold to Cummings WD no. 133657	all 40 acres	with 0.10 cfs of 1890 water (a part of 72-00106)

Cummings then split the forty into 5 tracts and subsequently sold the tracts to 4 different individuals

1974	Cummings to Brack WD no 139317	11.56 acres	with appurtenances
Mar 1976	Cummings to Gritton WD no 141925	10 acres ±	with 0.03 cfs
Apr 1976	Cummings to Edmunston WD no 142030	8.44 acres	with 0.04 cfs (he purchased 2 joining lots)
1979	Cummings to Brack & Negri WD no 152182	10 acres ±	with 0.03 cfs

RECOMMENDATION

The above transactions represent sales of all of the tracts of the quarter and identifies all 40 acres. To determine the appurtenant share for the 1974 sale to Brack I based my analysis on the currently irrigated place of use for each tract.

Claim	Irrigated P/U	Proportionate share	Recommended rate
A72-00106H	3.3 acres	$3.3/6.3 * 0.10 \text{ cfs} = 0.05$	0.04 cfs (limited to rate specified in warranty deed)
A72-00106C	2.0 acres	$2.0/6.3 * 0.10 \text{ cfs} = 0.03$	0.03 cfs (proportionate share)
A72-00106D	1.0 acres	$1.0/6.3 * 0.10 \text{ cfs} = 0.02$	0.03 cfs (rate specified in warranty deed)
Total	6.3 acres		0.10 cfs

Analysis by
Kelly K Christensen
October 19, 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

~~*****~~
Governor PHILLIP E BATT

R. KEITH HIGGINSON
Director

April 7, 1995

BILL MOYER
PO BOX 648
CHALLIS ID 83226

RE: REQUEST FOR INFORMATION ON A72-00106C

Dear Bill

Enclosed is a copy of my July 14, 1993 letter to Patsy that outlines my findings as related to the ground covered by decreed rights 72-00106 and 72-00109. I also enclosed a copy of my hand sketch of the property as described in the noted warranty deeds. This same information is available at the Custer County court house.

This information should help you better understand what water is appurtenant to the ground but if you have additional questions please call me.

Sincerely

Kelly K Christensen
Sr Water Resource Agent

Enclosures

DEC 03 1996

Water Right Number - R72-00106C

Prefix Translation: RESEARCH

Old (D) Number -

*** C - CURRENT OWNER ***
STRICKLAND

PATSY

1 - 19479 HIDDEN VALLEY RD
2 -
3 -
City- GUERNEVILLE
Phone - 707-869-3403

State- CA Zip- 95446

VERIFIED BY KKC

MICROFILMED
OCT 28 1994

Priority Date - 05/15/1890

Region - 17 SOUTHERN

Stage - 0 - DECREED

Status -

Source - GARDEN CREEK

Tributary - SALMON RIVER

Point of Diversion -
Twn Rng Sec Tract Lot Rflg County
13N 18E 2 SW NE NW 3 (37) CUSTER

Code Description
01 - IRRIGATION
04 - STOCKWATER

Period From Period To
04/15 10/15
01/01 12/31

Water Use -
Period To
04/15 10/15
01/01 12/31

Diversion Rate Diversion Volume
0.040 0.020

Total Div. Rate - 0.040
Total Div. Volume -

Total Consumptive Use - 5.0
KW Usage -

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

Total Acres: 2.0

- - - Diversion Means - ROCK DIVERSION, HEADGATE, 3' DITCH
- - - Non-Irrigation Use - LIVESTOCK, 10 HORSES, AND/OR RANGE CATTLE
- - - Other Rights for Same Use - NONE
- - - Remarks
THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 72-00106B, 72-00106D, & 72-00109C.
- - - No Old Water Right Numbers Found
- - - Old Water Right Numbers -

Water right number - R72-00106C Prefix Translation: RESEARCH

Conditions of Approval
C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
PURSUANT TO IDAHO CODE 42-1416A.
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
IDAHO CODE 42-1416A.

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

Date: 01/27/1994 User Id: CHRISTEN Subject: COPIED FROM REMARKS
CLAIMANT IS CONSIDERING CHANGING THE P/D DOWNSTREAM AND UTILIZING A PUMP.

Audit Fields - 01/27/94 CHRISTEN

Adjudication Rights Dates and Flags Area	
Court Report Filing	00/00/0000
Objection Filed Date	00/00/0000
Response Filed Date	00/00/0000
Claim Received Date	01/02/1990
Field Inspection Made	06/15/1993
Field Inspection Flag	01/27/1994
Verified Date	00/00/0000
Last Amended Date	X777777
Receipt Number	Y
POU Ownership Flag	
Name Connector	
Civil Case Number	39576
Old Case Number	
Old Judicial District	
Temporary Right	P
Water District	72B
Federal/State Indicator	S
Presumption Flag	C
Notice of Error Flag	

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OCT 28 1994

PAGE: 1
GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A72-00109A

07:44:30
05/30/92

LAST: KLUG
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000
OWNER CODE: 0

FIRST: WILLIAM
STATE: ID ZIP: X

LAST: STRICKLAND
ADDRESS: 19479 HIDDEN VALLEY RD
CITY: GUERNEVILLE
PHONE NUMBER: 707-869-3403

FIRST: PATSY
STATE: CA ZIP: 95446

OWNER CODE: C

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

DATABASE FIELD
EXAMINER

CLAIM REMARKS: CLAIMANT IS CONSIDERING CHANGING THE P/D DOWNSTREAM AND
UTILIZING A PUMP.

MICROFILMED
OCT 28 1994

CLAIM NUMBER: A72-00109A

CONTACT PERSON: *Gary Foster*

DATE OF FIELD EXAM: 6/15/93 APPOINTMENT MADE: Y() N()

AFPO INTMENT RATE = $Y(\text{---}) N(\text{---})$

ACCOMPANIED BY :

PHONE NUMBER: ()
TIME: : A() P()
PHONE NUMBER: ()

RELATIONSHIP TO CLAIMANT: *Partner*

DIRECTIONS TO PROPERTY / REMARKS:

A. AJ CLAIM: # A72-001094 PRIORITY DATE: 05-15-1988 STAGE: D

B. WR RECORD: # 72-00109 PRIORITY DATE: 05-15-1988 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: *Warranty deed transfer indicates that 1890 was also transferred to the property during the sale. Cordeley, rec'd & split rec'd indicate that the 1890 was in apartment to the property. Claim was recommended to reflect the parent deeded right that this claim was split from. Parent dec'd 72-00106 priority date of 5-15-1980. See also attachment.*

RECOMMENDED PRIORITY DATE: *5-15-1890*

REVIEWED BY

KKC

DATE

1-27-94

MICROFILMED

CT 28 1994

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A72-00109A	13N	18E	2		NE	NW		CUSTER

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A72-00109B 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 TRIB: SALMON RIVER

C. FIELD EXAM REQUIRED?

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

REMARKS:

P/D found as claimed. Recommend adding 10 acre tract of sd 3 but lot 3 is done.

0 then rights showing this P/D one, A72-00106 B, A72-00106 D & A72-00109 C
total dis rights of all rights is less than capacity therefore was removed

Code ~~00~~ F 06 →

MICROFILMED
OCT 5 8 1984

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:	1/4	1/4	LOT	COUNTY
TWP. RGE. SEC.				
13N 18E 2	SW	NE NW	3	Custer
SOURCE: GARDEN CREEK DK				
TRIBE: SALMON RIVER DK				
REVIEWED BY: KKC				
DATE: 1-27-94				

MICROFILMED
OCT 28 1994

A. ROOT WATER RIGHT NUMBERS: A72-00109A
A72-00109B

A72-00109C

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
14N	18E	35	SW	SE		STRICKLAND, PATSY	A72-00109A / 6.0	-	-	2	2
			SW	SE		CURL, JAMES L.	A72-10006 /	-	/		
			SW	SE		STRICKLAND, PATSY	A72-00109B / 6.0	-	/		
			SW	SE		STRICKLAND, PATSY	A72-10356 /	-	/		
			SW	SE		KLUG, WILLIAM	72-00109 /	72-02144 / 15.0	/		
			SW	SE		SPECHT, W. C.					
18E	35	SW	SE			STRICKLAND, PATSY	A72-00109A /	-	/		
		SW	SE			CURL, JAMES L.	A72-10006 /	-	/		
		SW	SE			STRICKLAND, PATSY	A72-00109B / 6.0	-	/		
		SW	SE			STRICKLAND, PATSY	A72-10356 /	-	/		
		SW	SE			KLUG, WILLIAM	72-00109 /	72-02144 / 15.0	/		
		SW	SE			SPECHT, W. C.					
TOTAL ACRES							6.00				6.00

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

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

MICROFILMED
OCT 5 8 1984

PRESUMPTION FLAG:

REMARKS:

of the 22 acres owned by the claimant of found 22 acres being irrigated. The Main ditch parallels the Garden Creek Road and forms the North water border. The P/A with the flood irrigated from this ditch to the access road and/or the home site on the west side is conveyed across the road through a series of pipes (see pic 2). This place has been used in rotation with A72-00106D (pump to the east). Irrigation has been sporadic over the last few years but apparently has occurred within the last five years. Therefore RECOMMENDATIONS: I recognize the found area as valid.

TOTAL ACRES:

2

REVIEWED BY:

KAC

DATE:

1-27-94

A. AJ CLAIMED USES:

PURPOSES
A72-00109A IRRIGATION
A72-00109A STOCKWATER

FROM 04-01-01
FROM 01-01-01

15 MONTH/DAY
10-15
Recom to Dept Standards

DIVERSION QUANTITY
.150 CFS
.020 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

.170 CFS

B. WR RECORDED USES:

PURPOSES
72-00109 IRRIGATION

FROM MONTH/DAY
TO

DIVERSION QUANTITY
1.200 CFS

TOTAL DIVERSION RATE/VOLUME CLAIMED

1.200 CFS

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

FIELD EXAM REQUIRED?	DATE	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?

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

Explain in remarks, below.

REMARKS:

Based upon warranty deed record, LCEs of 1890 water was transferred to the SW/SE quarter of Sec 35 (deed 133657) the irrigated ground was split with a sale under warranty, deed 156185 with 106 CFS going to that prop. (claimed under A72-00106D) therefore the may legal for this right is 0.04 CFS

NOT RECORDED
01181224

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N(~~X~~)

AJ TOTAL CLAIMED DIVERSION RATE: 0.170 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)

FIELD DATABASE EXAMINER
Y

MEASUREMENT METHOD *see A72-00106B* FLOW MEASUREMENT 5.28 CFS, SEE ATTACHED CALCULATIONS.

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

OTHER RIGHTS LISTED IN CLAIM: NONE

LIST ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	DIV. RATE	DIV. RATE/ACRE	DIV. VOL.	DIV. VOL./ACRE
A72-00109A	GARDEN CREEK	STRICKLAND, PATSY	0.170	0.028		
A72-00109B	GARDEN CREEK	STRICKLAND, PATSY	0.170	0.028		

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

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A72-10006	DOMESTIC	CURL, JAMES L.	FROM 01-01 TO 12-31	.040 CFS	

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OCT 28 1994

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 2 $\times$ 0.02 CFS/ACRE = 0.04 CFS
(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 = 15.0 AE/A

ACRES 2 $\times$ CONSUMPTIVE VOL. AE/A FOR AREA 2.5 =

TOTAL CONSUMPTIVE USE 5 AE/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AE/A

ACRES 2 $\times$ DIVERSION VOL. AE/A FOR AREA 2.5 =

TOTAL DIVERSION VOLUME 5 AE/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

*Stock water recommended @ 0.02 CFS
No stock found at examination but Mr. Toorl
indicated that horses are at times run on pasture
west of house.
Total div rate is limited to the standard
rate of 0.04 CFS (per summary sheet.)*

NOT RECORDED
OCT 5 8 1994

RECOMMENDATIONS:

REC.
PURPOSES

REC. PERIOD
FROM TO

REC. DIV
RATE CES

DATABASE EXAMINER

REC. DIV
VOL. AF/A

DATABASE EXAMINER

REC. CONS.
USE

DATABASE EXAMINER

Investor
Stock water

4-15 *10-15*
1-0 *12-31*

1.04
1.02
1.04

—
—
—

5

TOTAL FOR THIS RIGHT

EWED BY:

KHC

DATE:

1-27-94

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OCT 28 1994

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP
FOREFEIT/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

See Attached
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

TOTAL CFS

1.220

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:

Kelly A. Christensen

DATE:

1-27-94

NAME OF FIELD EXAMINER:

TITLE:

So Water Resource Agent

MICROFILMED

OCT 28 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:44:30
05/30/92

PAGE: 13
QUICKLOOK INFORMATION

CLAIM NUMBER: A72-00109A

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			6-15-93 K K C	Y	4,2,5,6	1-27-94 K K C		
POINT OF DIV	Y		6-15-93 K K C	N	"	"		
SOURCE			"	N	"	"		
DATE OF USE	Y		"	Y	"	"		
DIV. AMOUNT CFS/VOLUME	Y		"	Y	"	"		
CONSUMPTIVE USE	-		"	Y	6	"		
PURPOSES	Y		"	N	"	"		
PERIOD OF USE	Y		"	Y	"	"		
BASIS OF CLAIM	Y		"	Y	"	"		
REMARKS	Y		"	Y	"	"		

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OCT 28 1994

VERIFIED BY CODES

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

MAPS USED:

ASCS X-13 1978
ORTHO 4-24 1974
NAPP
BLM 5-76-21 7-1-88

DATE:

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

POOR ORIGINAL

Ditch 1 P/W
P/W

CLAIM A72-00106D INIT KKC
T. R. S. Q/Q
P/D 13A 18E 2 SWNEW enlarged
PHOTO BLM 5-7B-21 200%
DT. & ID. 7-1-88 Flight

SCALE: $1" = 1333'$

CA = $\frac{(1333)^2 \cdot .009699}{43,560} = .3956$

MICROFILMED
OCT 28 1994

5894

P/D 1
P/42
O

POOR ORIGINAL

4 3 2 10 11

CLAIM A72-00106C INIT KKC
T. R. S. Q/Q
P/D 135 18E 2 SWAIE/W
PHOTO U-24
DT. & ID. 1974 Flight

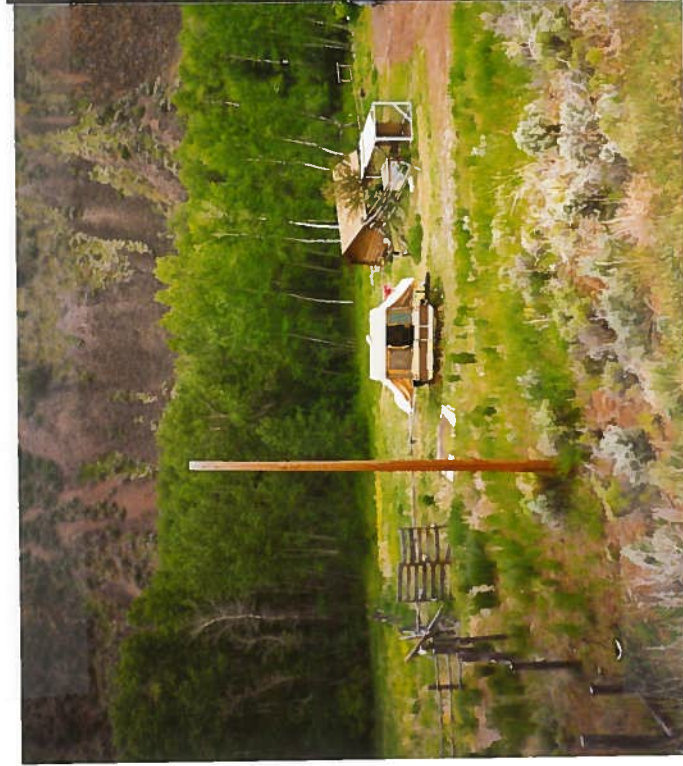
MICROFILMED
OCT 28 1994

CLAIM # A72-00109A
DATE PHOTOS TAKEN; 6-15-93
PICTURE SET # 1

POOR ORIGINAL

This picture set shows most of the P/U for this claim. The picture is looking southwest on the left to west on the right. Several buried lines cross the road and/or driveway shown in this picture to allow irrigation of the ground beyond the home and out-buildings. The main ditch follows the fence on the right until it loops out to the point marked as Picture # 2 location.

PICTURE # 2 LOCATION



CLAIM # A72-00109A
PHOTO TAKEN ON 6-15-93
PICTURE # 2

POOR ORIGINAL

This picture was taken primarily to show one of the buried black plastic lines used to carry water across the roadway. There is a 'horse pasture' beyond the fence corner shown that is a part of the P/U. The plastic line is in the side-wall of the main supply ditch.

CHRISTOPHER
JAMES P/U

DITCH



BLACK PLASTIC LINE

MICROFILMED
OCT 28 1994

FIELD EXAM ATTACHMENT

POOR ORIGINAL

DATE: 1-26-94

A72-00106A A72-00109C

A72-00106B A72-00109E

A72-00106C

PAGE: 1/2AGENT: KKC

A72-00106D

FILES: 72-00106

A72-00106E

- 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)

Claims 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.		

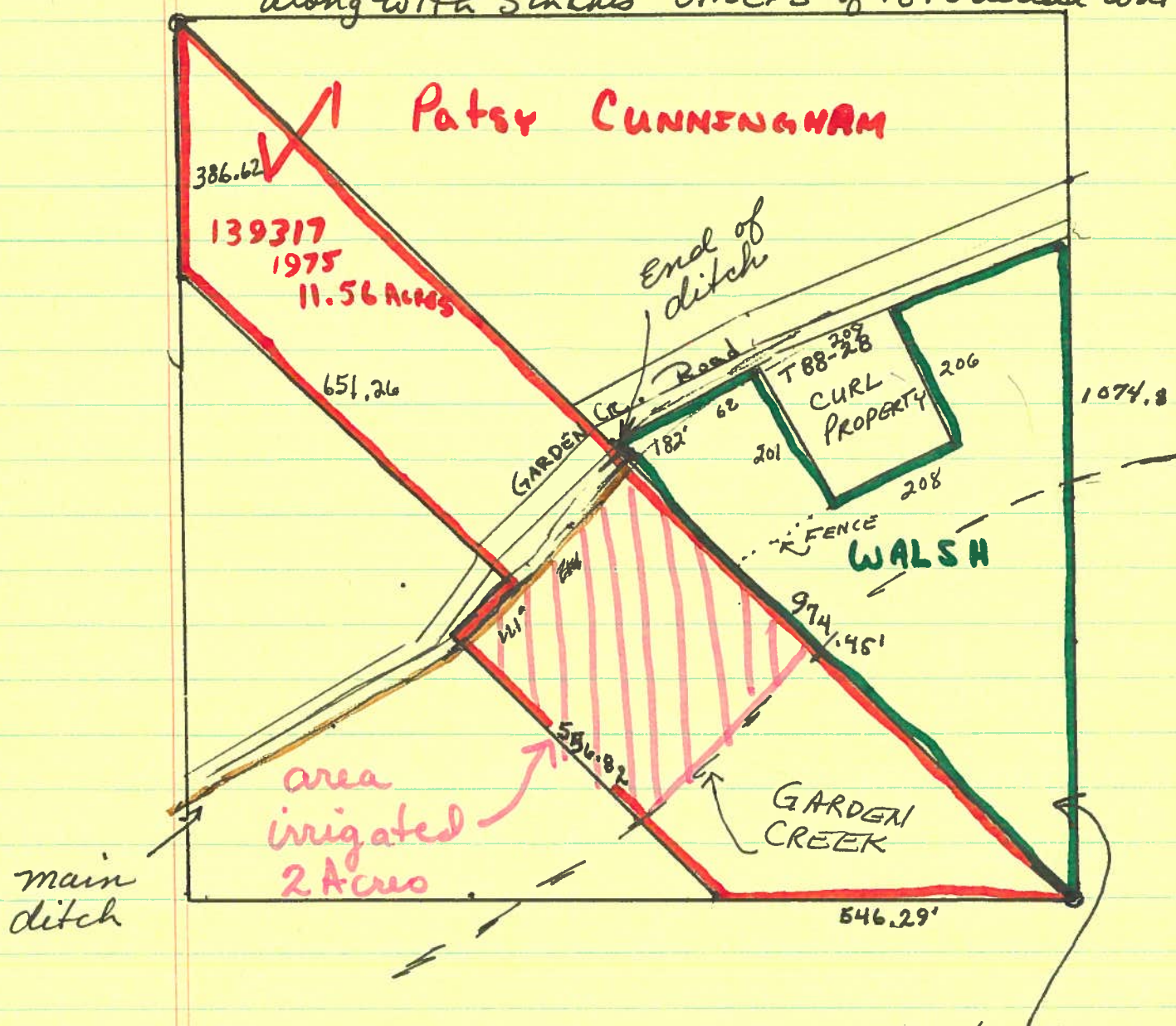
MICROFILMED

OCT 28 1994

POOR ORIGINAL

Sec 35 SW/SE

6-30-1972 Stark to Cummings; All 40 acres E 133657
along with 5 inches 0.10 CFS of 1890 deced water



10-6-1980 Back to Houston 156185

8.69 Acres

8.69 Acres
3 inches or more of
1890 decreed water

MICROFILMED

OCT 28 1994

6-16-93

info from Gary Trostel.

virtually all of the P/U is irrigated
the Ditch runs along the northern border
of the P/U & ir. is accomplished via flood.
from the ditch to the driveway and house &
the water is piped via 2" Black plastic in 4 places
across the drive way to the Ground south of the
driveway and house site.

Livestock use is for 2 or 3 horses

3 or 4 pics taken at end of roll 4

MICROFILMED

OCT 28 1994

IDAHO DEPARTMENT OF WATER RESOURCES

DATE: 10-14-98

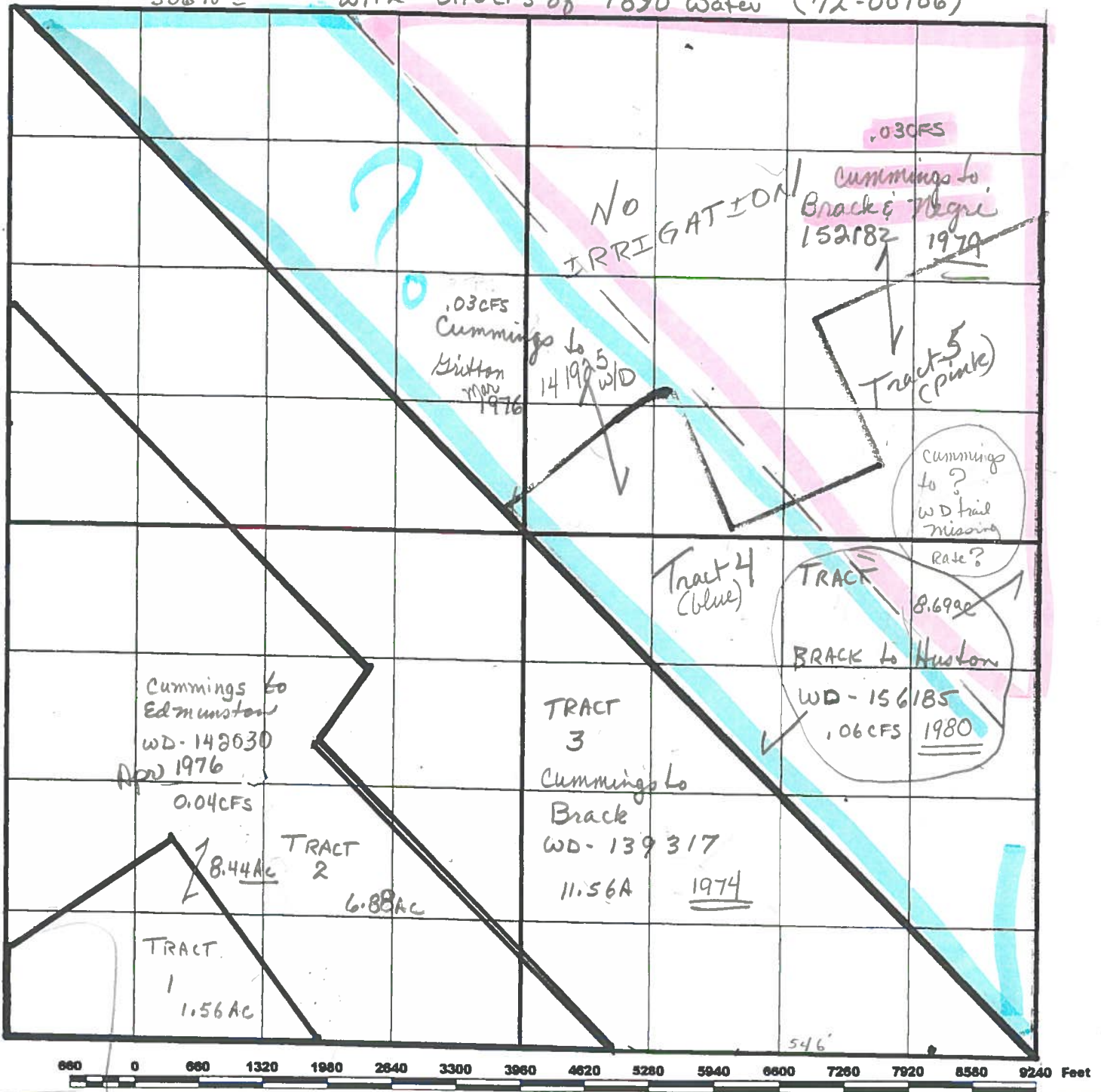
STARK to Cummings 1972

14N, 18E Sec 35 SWSE

with 0.10 CFS of 1890 water (72-00106) Part of

KKC

386.6' ±



14N, 18E Sec 35 SWSE

62.8

30's
year

WARRANTY DEED 139317

For Value Received

DONALD F. CUMMINGS and MILDRED L. CUMMINGS, Husband and Wife,
the grantors, do hereby grant, bargain, sell and convey unto GEORGE D. BRACK
and LOUISE H. BRACK, husband and wife, 2575 West Dry Creek Rd.
Healdsburg, California 95448
the grantees, the following described premises, in Custer County Idaho, to-wit:

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, T. 14N., R. 18 E.,
Boise Meridian, more particularly described as follows, to wit:

Beginning at the Northwesterly corner of the said SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 35, run thence S. 45° 00'E., 1866.76 feet to the
Southeasterly corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35; thence West
along the Southerly boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35 a
distance of 546.29 feet; thence N. 45° 00'W. 556.82 feet; thence
N. 46° 44'E. 111.0 feet; thence
N. 45° 00'W. 651.26 feet to a point on the Westerly boundary
of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35; thence North 386.62 feet to the
point of beginning. Containing 11.56 acres.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantee s, their heirs and assigns forever. And the said Grantors do hereby
covenant to and with the said Grantees, that they are the owner s in fee simple of said
premises; that they are free from all incumbrances

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

Dated: 14 day of August, 1974.

Donald F. Cummings
DONALD F. CUMMINGS

Mildred L. Cummings
MILDRED L. CUMMINGS

STATE OF ~~Idaho~~ COUNTY OF Teton

On this Wyoming day of July, 1974,
before me, a notary public in and for said State, personally
appeared.

Donald F. Cummings and Mildred L.
Cummings, Husband and Wife.

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Norma L. Rice
Notary Public
Residing at Jackson, Wyoming . Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
at the request of

at minutes past o'clock p. m.
this day of
1974, in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By Deputy.

Fees \$

Mail to:

INSTRUMENT NO. 139317

WARRANTY DEED

For Value Received GEORGE D. BRACK and BEATRICE L. BRACK, a/k/a BEATRICE L. NEGRI, husband and wife,

the grantor s, do hereby grant, bargain, sell and convey unto HOWARD H. HUSTON and DELORES A. HUSTON, husband and wife,

the grantee s, whose current address is P. O. Box 378
Challis, Idaho 83226

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

A fraction of the SW1/4SE1/4, Section 35, Township 14 North, Range 18 East, Boise Meridian, Custer County, Idaho, described as:

Commencing at the Southeast corner of said Section 35; thence 1321.38 feet on a bearing of West to the Southeast corner of said SW1/4SE1/4, Section 35, the REAL POINT OF BEGINNING; thence North 45° West, 973.63 feet to a point on the Southeasterly Right-of-Way of a County Road; thence the following courses and distances along said Southerly Right-of-Way, North 51°56'48" East, 182.25 feet, a distance of 350.78 feet along a curve concave to the Southeast having a radial of South 38°03'12" East, 775.00 feet and a central angle of 25°55'59"; North 77°52'47" East, 31.60 feet; a distance of 210.34 feet along a curve concave to the Northwest having a radial of North 12°07'13" West, 1025.00 feet and a central angle of 11°45'28" to the East line of said SW1/4SE1/4; thence South 0°02'15" West, 1019.82 feet to the Real Point of Beginning. Containing 8.619 acres, more or less.

TOGETHER WITH 3 miners inches of water from Garden Creek, a tributary of the Salmon River, 1890 Decree.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s, their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee s, that t hey are the owner s in fee simple of said premises; that they are free from all incumbrances

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

Dated: October 1, 1980.

George D. Brack
Beatrice L. Negri

STATE OF IDAHO, COUNTY OF CUSTER
On this 1 day of October, 1980,
before me a Notary Public in and for the said State, personally appeared GEORGE D. BRACK and BEATRICE L. BRACK a/k/a BEATRICE L. NEGRI, husband and wife,

known to me to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that they executed the same.

Alfreda M. Morgan
Notary Public
Challis, Idaho
Comm. Expires: *Augustine*

STATE OF IDAHO, COUNTY OF CASTER
I hereby certify that this instrument was filed for record at the request of *Custer County Title*

at 3 minutes past 10:00 o'clock A.M.
this 2 day of October
1980, in my office, and duly recorded in Book
of Deeds at Page

Howard H. Huston
Deputy
Barbara Huston
Deputy

Fee \$ 200
Mail to C.C.T.

INSTRUMENT NO. 156185

QUITCLAIM DEED

For Value Received We, Donald F. Cummings and Mildred L. Cummings, husband and wife,

do hereby convey, release, remise and forever quitclaim unto George D. Brack and Beatrice L. Negri, husband and wife,

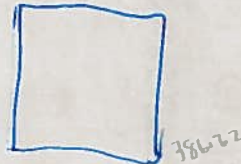
whose current address is Challis, Idaho 83226

the following described premises, to-wit:

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 14 North, Range 18 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at the Southeast Corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence North along the East line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 386.62 feet to the TRUE POINT OF BEGINNING; thence North 45° West, 1320 feet to a point on the North line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence East, 933.38 feet to the Northeast corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence South along the East line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 933.38 feet to the True Point of Beginning.

TOGETHER with 1 1/2 inches of 1890 decreed water from Garden Creek, Salmon River tributary.



together with their appurtenances.

Dated: X October 11, 1979

Donald F. Cummings

Donald F. Cummings

Mildred L. Cummings

Mildred L. Cummings

STATE OF IDAHO, COUNTY OF *Idaho*
On this *11* day of *Oct*, 19*79*,
before me, a notary public in and for the said State, personally appeared Donald F. Cummings
and Mildred L. Cummings

STATE OF IDAHO, COUNTY OF *Custer*
I hereby certify that this instrument was filed for record at the request of *Elaine Cummings*
at *1* minutes past *9* o'clock *PM*
this *1* day of *Nov*.
19*79*, in my office, and duly recorded in Book
of Deeds at Page

known to me to be the person(s) who name(s) are
subscribed to the within instrument, and acknowledged to
me that *SAINT RAY JOHNSON* executed the same.

SAINT RAY JOHNSON
Notary Public
Residing at *Idaho*
Comm. Expires *Idaho*

Howard A. Beyer
Ex-Officio Recorder

Kathy Thompson
Fees \$ *2.00*
Mail to:

Challis, Idaho

INSTRUMENT No. 15282

(B)
WARRANTY DEED

For Value Received **DONALD F. CUMMINGS and MILDRED L. CUMMINGS**, husband and wife

the grantors, do hereby grant, bargain, sell and convey unto **GEORGE R. GRITTON and SHIRLEY L. GRITTON**, husband and wife,
of Challis, Idaho 83226

the grantees, the following described premises, in **Custer** County Idaho, to-wit:

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 14 North, Range 18 East, Boise Meridian, Custer County, Idaho, described as:

Beginning at the Southeast corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence North along the East line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$, 386.62 feet; thence North 45° West, 1320 feet to a point on the North line of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence West 386.62 feet to the Northwest corner of said SW $\frac{1}{4}$ SE $\frac{1}{4}$; thence South 45° East, 1866.76 feet to the Point of Beginning.

TOGETHER with 1 $\frac{1}{2}$ inches of water used in connection therewith.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: 29 day of March, 1976.

Donald F. Cummings
DONALD F. CUMMINGS

Mildred L. Cummings
MILDRED L. CUMMINGS

STATE OF IDAHO, COUNTY OF Teton
I, **Notary Public**, do hereby certify that the within instrument, personally appeared **Donald F. Cummings and Mildred L. Cummings, Husband and wife**

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Marion H. Wells
Notary Public

Residing at *504 Kelly, Jackson, Tenn.*
My Comm. Expires *March 1977*

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at the request of *George Grifton*

at 5 minutes past 1 o'clock p.m.
this 30 day of March
1976, in my office, and duly recorded in Book of Deeds at page

Marion H. Wells
Notary Public

By *Edna L. Lott*
Deputy

Fees \$ 1.00
Mail to *George Grifton*
Box 322
Challis

WARRANTY DEED 139317

For Value Received

DONALD F. CUMMINGS and MILDRED L. CUMMINGS, Husband and Wife,
the grantors, do hereby grant, bargain, sell and convey unto GEORGE D. BRACK
and LOUISE H. BRACK, husband and wife, 2575 West Dry Creek Rd.
Healdsburg, California 95448
the grantees, the following described premises, in Custer County Idaho, to-wit:

A fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35, T. 14N., R. 18 E.,
Boise Meridian, more particularly described as follows, to-wit:

Beginning at the Northwestern corner of the said SW $\frac{1}{4}$ SE $\frac{1}{4}$ of
Section 35, run thence S. 45° 00'E., 1866.76 feet to the
Southeasterly corner of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35; thence West
along the Southerly boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35 a
distance of 546.29 feet; thence N. 45° 00'W. 556.82 feet; thence
N. 46° 44'E. 111.0 feet; thence
N. 45° 00'W. 651.26 feet to a point on the Westerly boundary
of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35; thence North 386.62 feet to the
point of beginning. Containing 11.56 acres.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said
Grantees, their heirs and assigns forever. And the said Grantors do hereby
covenant to and with the said Grantees, that they are the owners in fee simple of said
premises; that they are free from all incumbrances

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

Date: 14 day of August, 1974.

DONALD F. CUMMINGS

MILDRED L. CUMMINGS

STATE OF ~~Idaho~~ COUNTY OF Teton

On this 14th day of August, 1974,
before me, a notary public in and for said State, personally
appeared

Donald F. Cummings and Mildred L.
Cummings, Husband and Wife.

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Reading at Jackson, Wyoming
Comm. Expires

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record
at the request of

at _____ minutes past _____ o'clock _____ m.
this _____ day of _____
19 _____ in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.

Fees \$

Mail to: 2575 West Dry Creek Rd.
Healdsburg, Calif. 95448

INSTRUMENT No. 139317

133657

WARRANTY DEED

For Value Received James M. Stark and Jean G. Stark, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

Donald F. Cummings and Mildred L. Cummings, husband and wife, the grantees, the following described premises, in Custer County Idaho, to-wit:

TOWNSHIP 14 NORTH, RANGE 18 EAST, BOISE MERIDIAN.

Section 35: SW1/4.

Together with all ditch and ditch rights and water and water rights to the extent of 5 miners inches of 1890 decreed water of Garden Creek, a tributary of Salmon River, Custer County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that they be the owners in fee simple of said premises; that they are free from all incumbrances

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

Dated: June 29, 1972

James M. Stark

Jean G. Stark

STATE OF IDAHO, COUNTY OF Custer
On this 29th day of June, 1972,
before me, a Notary Public in and for said State, personally
appeared James M. Stark and Jean G.
Stark, husband and wife,

known to me to be the persons whose names
are subscribed to the foregoing instrument, and acknowledged to
me that they executed the same.
Chellis
Notary Public
Custer, Idaho
Expiring 10-10-74

STATE OF IDAHO, COUNTY OF Custer
I hereby certify that this instrument was filed for record in
the records of Custer County, Idaho

at 15 o'clock on the 30th day of June, 1972, in my office, and duly recorded for Book 10-10-74
at Book 10-10-74
Eva M. Magar
County Recorder

By _____ Deputy.
Fees \$1.00
Mail to _____

Stark to
Cummings
Sec 35 SWSE
(40 A)

5" of 1890

INSTRUMENT NO. 133657

Brack to Huston

B 181

POOR ORIGINAL

10-6-1980 Brack to Huston 156185
8.69 Acres Parcel 101
+ 3 minus inches of 1890 water

~~7-29-88~~ 3-29-88
+ note's deed 188445
Huston to Transamerica Mortgage Co
silenton water

Huston to Patsy Cunningham 50% 189226
Loi Brack 25%
Michelle Brack 25%

MICROFILMED
OCT 28 1994

Brack to Odum

Pg 1 of 3 **POOR ORIGINAL**
7-6-93

Recorded 5-28-75 mildred L. Donald F. Cummings To George Brack 139317
11.56 acres (silent on water rights)
Sold on 8-14-74 Warranty deed

Atwood Weeks - George Cumming 20 635

Recorded

6-30-1972 Stark to Cummings 133657

14N - 18E Sec 35 SWSE

40A

includes 5 inches of 1890 decreed water

5-28-75 Cummings to G. Brack 11.56 Acres 139317
with all appurtenances central portion

9-30-82 Brack to Odum 14.88A 165397
with all appurtenances and 6.75A

Brack assigned to Patsy Cunningham 50%

Joni Brack 25%

Michelle Brack 25%

189226

describes

Parcel 101
(my number)

further to Howard & Delores Houston

all within
so far as

Tract I 6.95 Acres panel 102
Tract II panel 103
MICROFILMED
OCT 28 1994

7-6-93

POOR ORIGINAL

189919

Michelle Brack to Patsy Cunningham

189920

Lou Brack to Patsy Cunningham
transfer of eaches 25% share to Patsy.
She now has 100%

189921

Catherine Neal & Christopher Cunningham
to Patsy Cunningham

All refer to tracts I parcel 102
& II parcel 103

MICROFILMED

OCT 28 1994

7-6-93

Patsy Strickland

201574

189919

POOR ORIGINAL

AKRY ~~to~~ Brack to Cunningham/Strickland

190264

Probate court order

E-88-03 Brack

Louise to George Brack

141439

Odium

(lost prop)

165397

Cunningham to Brack

139317

MICROFILMED

OCT 28 1994

Pg 1/2

7-9-93

recorded

Christopher James

32-357 13N 18E Lots 2, 3, 4 & SW 1/4 NW 1/4 Sec 2

5-22-59

S ~~E~~ NE NESE SEC 3

14N 18E S 1/2 SE SEC 35

296.79 Acres (all water rights)

Dorothy DeCamp to Cummings (Clarence/opad)

POOR ORIGINAL

34-571

SAME 296.79 Acres (all water Rights)

1-31-63

Cummings to Schneider (Miles/Stella)

34-584

Schneider to Colson (Byrd F/A Allen)

3-11-63

Same 296.79 Acres (all water rights)

★

↑
★

32-18

Millie DeCamp to Dorothy DeCamp

6-5-58

Same 296.79 Acres (all water Rights)

31-289

Joint Tenancy Deed

1-24-~~57~~⁵⁷Millie DeCamp to Millie & Dorothy DeCamp
(Same Acres) (all rights)

30-568

William Specht to DeCamp (s)

3-29-55

(Same Acres) (all rights)

28-29

Ward/Mildred Hendrick to Specht

6-23-47

(Same Acres) (all rights)

MICROFILMED

OCT 28 1994

26-79

Garoutte (Fred/Maud) to Hendrick
(Same Acres) (all rights)

Christopher James

Pg 2/2
7-9-93

POOR ORIGINAL

24-386 Kenneth Cameron to Fred Garoutte
1-15-1940 same legal (all water)

k 22-270 quit claim deed

-28-34 Willie Kug to Kenneth Cameron

2-10-28 13N 18E Sec 3 NESE (with all ditch & water rights
Appurtenant)

k 20-519 13N 18E Sec 2 Lot 2, 3, 4 SW 1/4 NW 1/4

14N 18E Sec 35 S 1/2 SE 1/4

13N 18E Sec 3 SE NE, NESE

(with all ditch rights and water rights
appurtenant thereto.)

Nick Kaiser to Kenneth Cameron

MICROFILMED
OCT 28 1994

POOR ORIGINAL

4-584 Schneider to Colson
8-11-63 296.79 Acres (w/ all water rights)

34-264 Schneider to Colson quit claim
12-5-66 296.79 Acres with all water with all water

34-265 Colson to Kristan Louis L / ~~Kristan~~ Betty A.
12-5-66 13N 18E Sec 3 SE NE NE SE
with 16" 1888 19" 1890

30824 Colson to Stark
4-29-71 13N 18E Sec 2 Lots 2, 3, 4, SW NW
14N 18E Sec 35 SW SE, SESE reserving 5 Acres ±
(the north 165' of SE SE Sec 35.)
with ditch rights
44" 1888 51 inches 1890
excepting 2 minus inches

MICROFILMED
OCT 28 1994

508 ORIGINAL

Colson to Stark

THIS INDENTURE, Made this 15th day of April,
in the year of our Lord one thousand nine hundred and Sixty-seven, between
BYRD F. COLSON and A. ILEEN COLSON, husband and wife,
of Blackfoot, County of Bingham, State of Idaho
the parties of the first part, and JAMES H. STARK and JEAN G. STARK, husband and
wife,
of the, County of Custer, State of Idaho
the parties of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of
TWENTY-FIVE THOUSAND AND NO/100----- DOLLARS,

lawful money of the United States of America,
to them in hand paid by the said
parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained
and sold, and by these presents do grant, bargain, sell, convey and confirm unto the said parties
of the second part, and to their heirs and assigns forever, all of the following described real estate,
situated in the, County of Custer, State of Idaho, to-wit:

The SW¹/₄ NW¹/₄, Lot 2 (NW¹/₄ NE¹/₄), Lot 3 (NE¹/₄ NW¹/₄), and Lot 4 (NW¹/₄ NW¹/₄), Section 2,
Twp. 13 N., R. 18 E., B. N. and
SW¹/₄ SE¹/₄, Sec. 35, Twp. 14 N., R. 18 E., B. N., and
SE¹/₄ SE¹/₄, Sec. 35, Twp. 14 N., R. 18 E., B. N., reserving and excepting there-
from 5 acres, more or less, being the North 165 feet of said SE¹/₄ SE¹/₄, Sec.
35, Twp. 14 N., R. 18 E., B. N.

Together with all ditch and ditch rights and water and water rights to the
extent of 44 inches of 1888 and 51 inches of 1890 decreed water of Garden
Creek, a tributary of Salmon River, Custer County, Idaho,
RESERVING AND EXCEPTING Therefrom 2 miners inches of the 1890 decreed
water of Garden Creek, the same being the two inches of first and best
priority and of latest season of the 1890 decree.
Together with the Buster Lake storage water.

TOGETHER, With all and singular the tenements, hereditaments and appurtenances therunto
belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents,
issues and profits thereof; and all estate, right, title and interest in and to the said property, as well
in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD, All and singular the above mentioned and described premises, together
with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever
and the said parties of the first part, and their heirs, the said premises in the quiet and peaceable
possession of the said parties of the second part, their heirs and assigns, against the said parties of
of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
and by these presents forever DEFEND.

RECORDED
APR 18 1967
IDAHO

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

[Signature] [Seal]
[Signature] [Seal]
[Seal]
[Seal]

STATE OF IDAHO

County of

Custer

ss.

On this 15th day of April

in the year 1967, before me

, a Notary Public

the undersigned

in and for said State, personally appeared BYRD F. COLSON and A. ILEEN COLSON, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.



[Signature]
Notary Public for the State of Idaho,
Residing at Chellis, Idaho
My Com. Expires: 7-14-68

No. 130824

WARRANTY DEED

-TO-

Dated _____, 19 _____

STATE OF IDAHO

ss.

County of Custer

I hereby certify that this instrument was filed

for record at request of

James M. Stok
at 40 minutes past 3:00
o'clock P. M., this 29th day
of April, A. D. 1971

in my office, and duly recorded in book
at Filed & Indexed at page

Wm. M. Munn
Ex-Officio Recorder.

By Margaret Beatson Deputy.

Fees, \$2.00

Mail to

POOR ORIGINAL

christopher

75-66

T-1756

138882

126812 ✓

196876

32-357 ✓

36-265 ✓

34-571 ✓

202253

34-584 ✓

36-244 NA

186179

130824

198242

149768

149769 Anderson

132051

428

212

Cummings to Covington WV / PM July 8-1959

126812 Colson to Startz

quit claim deed for ~~for~~ approx 2 Acres.

MICROFILMED

OCT 28 1994

POOR ORIGINAL

CONVERSATION MEMORANDUM

EMPLOYEE: _____

FILE A72-00109ARE: Patsy Stickland

DATE _____

NAME OF PARTYGary Trost 208-879-4285 - ReuterJames Bennett - deals with legal issuesHe ^{Mr. Stickland} will call Gary & let him know that I will
be up there next week to review the ir practices.

MICROFILMED

OCT 28 1954