

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 72-4080X

WATER RIGHT NUMBER: 72-4080X

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOSE DITCH CO INC PO BOX 274 CHALLIS, ID 83226 (208)879-5696
Directors Report Owner	STANLEY H ROYCE PO BOX 1165 CHALLIS, ID 83226 (208)879-5139
Original Owner	CHARLES VERNON WELLS PO BOX 835 CHALLIS, ID 83226 (208)879-4370

Priority Date: 12/11/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	to 10/31	0.310 CFS	
	<u>Total Diversion:</u>		0.310 CFS	

Location of Point(s) of Diversion

SALMON RIVER	L2 (NE1/4SW1/4NE1/4)	Sec. 16, Twp 13N, Rge 19E, B.M.
CUSTER County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
14N	19E	35						1.8											1.8

Total Acres: 7.8

Conditions of Approval:

1. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Explanatory PROPERTY IS ALSO KNOWN AS LOTS 37 & 38, BLK 1, WILD RIVER EST. SUBDV.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 72-4080X

Dates and Other Information:

Decreed Date: 02/07/2001
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

SubCase:

SubCase Number: 72-4080X
Class: 1
SF5 Filed Date:
Special Master Recom Signed Date: 12/13/2000
Attorney Assigned:
Adjudication Agent:
Basis of Claim:
Date Filed: 6/8/2000 Objection Status: Active

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

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

RECEIVED
FEB 25 2002
 Department of Water Resources
 Southern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>See exhibit A attached</u>		<u>None</u>			

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) See exhibit A attached
4. New Owner/Claimant(s) Jose Ditch Company, Inc.
Name Connector (Check one): [] and, [] or, [] and/or
- New Mailing Address PO Box 274
- City, State and ZIP Code Challis, ID 83226
- New Telephone Number (208) 879-5696 - Sharlene Miller Secretary/Treasurer
5. Date you acquired the property NA

6. **None** If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

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

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

7. Signature of New Owner(s) or Claimant(s) Cliff M. Hansen
(include title if applicable)
Cliff M. Hansen - President
for the Jose Ditch Company, Inc.
See attached Idaho Annual Report Form

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

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by <u>fwat</u>	Date _____	Receipt No. _____
Processed by <u>fwat</u>	Date _____	WR _____ Date _____



STATE OF IDAHO
PETE T. CENARRUSA
SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

PRESORTED
FIRST-CLASS
U.S. POSTAGE PAID
Boise, ID
PERMIT No. 1

IDAHO ANNUAL REPORT FORM

C 127416

RETURN SERVICE REQUESTED

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

JOSE DITCH COMPANY, INC., AN IDAHO NONPROFIT CORPOR
PO BOX 274
CHALLIS, ID 83226

AUP 1 83226



No. C 127416	Due no later than Feb 28, 2002 Annual Report Form	2. Registered Agent and Office NO PO BOX
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080	1. Mailing Address - Correct In this box, if applicable JOSE DITCH COMPANY, INC., AN IDAHO PO BOX 274 CHALLIS, ID 83226	SHARLENE H. MILLER HC 63 BOX 1771-1 CHALLIS, ID 83226
NO FILING FEE IF RECEIVED BY DUE DATE		3. New Registered Agent Signature

Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
President	Cliff M. Hansen	HC 63 Box 1777	Challis	ID	83226
Vice-Pres	Bill N. Savage	PO Box 5	Challis	ID	83226
Director	Thomas V. McGowan	PO Box 1040	Challis	ID	83226
Secretary	Sharlene H. Miller	HC 63 Box 1771-1	Challis	ID	83226

Organized Under the Laws of: IDAHO C 127416	6. Signature Date 12/18/2001 Name (Typed or Printed) Sharlene H. Miller Title Secretary
---	--

Issued 12/03/2001

Do Not Tape or Staple

Fold, seal and mail this portion.

724

C

Mailed 12-19-2001
PM

ASSIGNMENT

STANLEY H. ROYCE (hereinafter collectively referred to as "Assignor"), herein assigns all of his right, title and interest in and to Water Right No. 72-04080X to JOSE DITCH COMPANY, INC an Idaho non-profit irrigation corporation (hereinafter referred to as "Assignee") in consideration of the receipt of 15.5 shares of stock in Jose Ditch Company, Inc.. Said Water Right No. 72-04080X is fully described on Exhibit "A" attached hereto and made a part of this Assignment by reference.

DATED this 11 day of MAY, 2001.

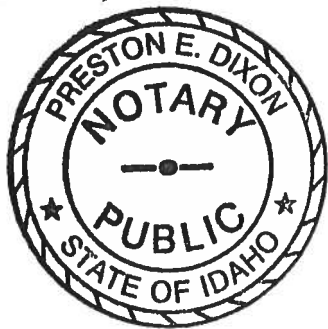
"ASSIGNOR"

Stanley H Royce
STANLEY H. ROYCE

STATE OF IDAHO)
County of Custer) ss,

On this 11th day of MAY, 2001, before me, a Notary Public for said County and State, personally appeared STANLEY H. ROYCE, known or identified to me, to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Preston E. Dixon
NOTARY PUBLIC FOR IDAHO
Residing at: Challin ID
My commission expires: 4/30/2005

04/16/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 72-4080X

Owner Type Name and Address
Current Owner STANLEY H ROYCE
PO BOX 1165
CHALLIS, ID 83226
(208)879-5139

Original Owner CHARLES VERNON WELLS
PO BOX 835
CHALLIS, ID 83226
(208)879-4370

Priority Date: 12/11/1888
Basis: Beneficial Use
Status: Active

Source Tributary to
SALMON RIVER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/31	0.31 CFS		
Total Diversion			0.31 CFS	X 50 = 15.5 shares	

Location of Point(s) of Diversion:

SALMON RIVER NESWNE Lt 2 Sec. 16 Township 13N Range 19E CUSTER County

IRRIGATION Use:
Acre Limit: 1.8

Place(s) of use:

Place of Use Legal Description: IRRIGATION CUSTER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
12	19E	35		NWNW	1.8									

Total Acres: 1.8

Conditions of Approval:

- C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

- Explanatory PROPERTY IS ALSO KNOWN AS LOTS 37 & 38, BLK 1, WILD RIVER EST. SUBDV.

Water Right 72-4080X

JOSE Ditch Rights

Basin	Sequence	Split Basis	Status	Priority	Date	Diversion	Source List	Water Use	Li Owner	List	Ver Source Table	Application	
72	4080	AB	Beneficial Use	Active	1888-12-11	0.1	SALMON RIVRRIGATION	PIVA, JANETTE	(Cur)	wr	Adjudication	Claim	
72	4055	A	Beneficial Use	Active	1888-12-11	1.9	SALMON RIVRRIGATION	FUNCK, ELAINE L	1	wr	Adjudication	Recommendation	
72	4080	B	Beneficial Use	Active	1888-12-11	0.36	SALMON RIVRRIGATION	LEUZINGER, RIC	1	wr	Adjudication	Recommendation	
72	4080	C	Beneficial Use	Active	1888-12-11	4.18	SALMON RIVRRIGATION	MC GOWAN, THO	1	wr	Adjudication	Recommendation	
72	4080	E	Beneficial Use	Active	1888-12-11	1.37	SALMON RIVRRIGATION	SAVAGE, BILL N	1	wr	Adjudication	Recommendation	
72	4080	G	Beneficial Use	Active	1888-12-11	0.04	SALMON RIVRRIGATION	SEVERE, CLAYTO	1	wr	Adjudication	Recommendation	
72	4080	J	Beneficial Use	Active	1888-12-11	0.2	SALMON RIVRRIGATION	CORGATELLI, EL	1	wr	Adjudication	Recommendation	
72	4080	K	Beneficial Use	Active	1888-12-11	1.75	SALMON RIVRRIGATION	COOK, ROBERTA	1	wr	Adjudication	Recommendation	
72	4080	L	Beneficial Use	Active	1888-12-11	0.39	SALMON RIVRRIGATION	KUDER, DAN R	(C	1	wr	Adjudication	Recommendation
72	4080	M	Beneficial Use	Active	1888-12-11	0.5	SALMON RIVRRIGATION	WARNECKE, CHA	1	wr	Adjudication	Recommendation	
72	4080	N	Beneficial Use	Active	1888-12-11	0.51	SALMON RIVRRIGATION	OUELLET, BERN	1	wr	Adjudication	Recommendation	
72	4080	P	Beneficial Use	Active	1888-12-11	0.43	SALMON RIVRRIGATION	RUKEVINA, MIKE	1	wr	Adjudication	Recommendation	
72	4080	Q	Beneficial Use	Active	1888-12-11	0.4	SALMON RIVRRIGATION	RUKEVINA, MIKE	1	wr	Adjudication	Recommendation	
72	4080	S	Beneficial Use	Active	1888-12-11	0.18	SALMON RIVRRIGATION	PETERSON, L DE	1	wr	Adjudication	Recommendation	
72	4080	T	Beneficial Use	Active	1888-12-11	0.08	SALMON RIVRRIGATION	BABB, CHARLES	1	wr	Adjudication	Recommendation	
72	4080	V	Beneficial Use	Active	1888-12-11	0.37	SALMON RIVRRIGATION	SARRELS, JESSI	1	wr	Adjudication	Recommendation	
72	4080	X	Beneficial Use	Active	1888-12-11	0.31	SALMON RIVRRIGATION	ROYCE, STANLE	1	wr	Adjudication	Recommendation	
72	16279	A	Beneficial Use	Active	1888-12-11	12.79	SALMON RIVRRIGATION	HANSEN, CLIFF	(	2	wr	Adjudication	Recommendation
72	16279	B	Beneficial Use	Active	1888-12-11	0.81	SALMON RIVRRIGATION	MORTIER, LYNN	1	wr	Adjudication	Recommendation	
72	4080	U	Decreed	Active	1888-12-11	0.53	SALMON RIVRRIGATION	CORGATELLI, ELLEN	wr	Water Right			
72	4144	C	Beneficial Use	Active	4/4/1920	1.44	SALMON RIVRRIGATION	CHESTER, JOE	(	3	wr	Adjudication	Recommendation
72	4144	A	Beneficial Use	Active	4/4/1920	0.85	SALMON RIVRRIGATION	LAVERDY, GLADY	3	wr	Adjudication	Recommendation	
72	16505		Beneficial Use	Active	10/27/1955	0.8	SALMON RIVFISH PROPA	FISH & GAME	(Also Known As)			STATE OF IDAHO (Current	
					total =		30.29						

later Rights
being transferred
into
Jose Ditch Company,
Inc. ownership
see attached
assignments

Note:
this is
A Late
Claim

Don 108 371 5150 Steve Clelland

Post-it Fax Note		7671	Date 10-23-01	# of pages 1
To: Sharlene Miller		From: Steve Clelland		
Co./Dept.		Cc.		
Phone #		Phone #		
Fax #		Fax #		
Jose Ditch				
819-2020				

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: **A72-04080X**
Date Received: 12/27/1990
Receipt No: X777777
Received By: _____

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

1. Name: STANLEY H ROYCE 208-879-5139
Address: PO BOX 1165
CHALLIS ID 83226

2. Date of Priority: JUN 1, 1885

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
13N	19E	16	SW	NE		2	CUSTER

5. Description of diverting works:
ROCK WALL & HEADGATE, JASE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.310		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
14N	19E	35	NW	NW		IRR	7.8
Section Acres							7.8

10. Place of Use: Continued

Total Acres 7.8

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:

THIS IS A PORTION OF 72-04080.
P/U IS AKA LOTS 30, 31, 32, 33, 38, 37 & PART 36, BLK. 1, DIV. 1.
LOTS 1, 2, 3, 4, 5, 6, 7 & 8, BLK. 3, DIV. 2.
LOT 6, BLK. 4, DIV. 2. ALL IN WILD RIVER EST. SUBDV.
|
AMENDED TO ADD POU: LOTS 4,5,7 & 8, BLK. 4, DIV. 2. (8 ACRES)
LOTS 4 & 5 ARE CURRENTLY RENTED AND NOT UNDER CLAIMANTS OWNER-
SHIP. THE OTHER LOTS WERE RECENTLY PURCHASED. 12-27-90 SCC.
TWO RECEIPTS FOR THIS CLAIM: S010750 ORIGINAL, S012924 AMENDED.

CORRECTION TO OWNERSHIP SPLITS OF THIS CLAIM. CURRENT PLACE OF
USE IS LOTS 37 & 38, BLOCK 1. 10/19/98 SCC.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
) SS.
County of _____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____



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 20, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

STANLEY H ROYCE
PO BOX 1165
CHALLIS ID 83226

RE: CHANGE OF OWNERSHIP SRBA CLAIM NO. A72-04080X

Dear Mr. Royce,

Pursuant to your request for a change in ownership and/or the notification that you presently own the property in which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owners as you requested for right 72-04080X.

Please find enclosed a copy of your adjudication claim, as it now appears in our records. I have also enclosed some documentation detailing the corrected split review of this claim.

If you have any further corrections or questions please contact our office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Steve Clelland'.

STEVE CLELLAND
Sr. Water Resource Agent

ENC:

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

RECEIVED

JAN 09 1997

Department of Water Resources
Southern Region

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

DE. 10/20/98 *see*
A72-4080X

1. Water Right Number(s) A72-04080D
Adjudication Claim Number(s) _____

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

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Charles Vernon Wells

P.O. Box 835 Challis, ID 83226

4. New Owner/Claimant(s) Stanley H. Royce

Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR

New Mailing Address PO Box 1165

City, State and ZIP Code Challis, ID 83226

New Telephone Number (208) 879-5139 * per telephone conversation w/ Mr. Royce 3/21/97.

5. Date you acquired the property 10-4-96

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages. this water right will need to be split

Number of acres actually irrigated _____ Number and type of stock split

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) X Stanley H. Royce Date _____

Date _____

(Corporations or other organizations must submit list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.



WAY OUT WEST REALTY

Residential • Agricultural • Recreational • Commercial

Highway 93 & Main Street

P.O. Box 730

Challis, Idaho 83226

(208) 879-2211 or (208) 879-2270

FAX (208) 879-5258

RECEIVED

JAN 09 1997

Department of Water Resources
Southern Region

Janie,

Shirley got these done. Hope
she done them right. I got put
wells as former owner since
Macomber didn't have anything to
do with the water rights. She
enclosed both copies of Warranty
deeds and maps of Wild River
Estates. Let me know if you need
anything else.

Thank You
Anna



Sande K. Hill
Broker/Owner GRI

212341

WARRANTY DEED

For Value Received CHARLES VERNON WELLS and LYNN WELLS, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto RICK MACOMBER and PATHERINE MACOMBER, husband and wife, the grantees, whose current address is P.O. Box 1179, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

Lots 37 & 38, Block 1, Old River Estates, Division No. 1, according to the official Plat thereof filed for record as instrument No. 158306, Records of Custer County, Idaho.

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 save and excepting therefrom all covenants, conditions and restrictions of record and all easements of right and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 16 day of January 1993.

Charles Vernon Wells
CHARLES VERNON WELLS
Lynn Wells
LYNN WELLS

STATE OF IDAHO)
County of Primmer : ss
On this 16 day of Feb, 1993, before me, a Notary Public, personally appeared Charles Vernon Wells and Lynn Wells, known or identified 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.

Robert J. Murphy
Notary Public
Residing at Challis, Idaho
Commission expires 3-1-95

STATE OF IDAHO, COUNTY OF CUSTER
I hereby certify that this instrument was filed for record at the request of Custer County, Idaho at 0 minutes past 9 o'clock A.M., this 24 day of Feb, 1993, in my office, and duly recorded in Book of Deeds at page .

Charles Pack
Ex-Officio Recorder
BY Robert J. Murphy Deputy

WARRANTY DEED

For Value Received CHARLES VERNON WELLS and LYNN WELLS, husband and wife, the grantors, do hereby grant, bargain, sell and convey unto RICK MACOMBER and KATHERINE MACOMBER, husband and wife, the grantees, whose current address is P.O. Box 1179, Challis, Idaho 83226, the following described premises, in Custer County, Idaho, to-wit:

Lots 37 & 38, Block 1, Wild River Estates,
Division No. 1, according to the Official
Plat thereof filed for record as instrument
No. 158306, Records of Custer County, Idaho.

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

Dated: This 16 day of February, 1993.

Charles Vernon Wells

CHARLES VERNON WELLS

Lynn Wells

LYNN WELLS

STATE OF IDAHO)

County of Bonner : ss

On this 16 day of Feb, 1993, before me, a Notary Public, personally appeared

Charles Vernon Wells

Lynn Wells
known or identified 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.

Laura Sammesfeld
Notary Public

Residing at Sandpoint
Commission Expires 3-1-93

STATE OF IDAHO, COUNTY OF CUSTER

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

Fee: \$
Mail to:

0212248

WARRANTY DEED

For Value Received, RICK MACOMBER and KATHERINE MACOMBER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto STANLEY E. ROYCE, a single man, the Grantee, whose current address is Star Route, Canby, California 96015, the following described premises, in Custer County, Idaho, to wit:

Lots 37 and 38, Block E, Wild River Estates, Custer County, Idaho, as shown by the Official Plat thereof, now on file in the office of the said County Recorder.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances 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 they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 4 day of Oct, 1996.

Rick Macomber
RICK MACOMBER

Katherine Macomber
KATHERINE MACOMBER

STATE OF IDAHO)

: ss

County of "CUSTER")

On this 4th day of October, 1996, before me, a Notary Public, personally appeared Rick Macomber and Katherine Macomber known or identified 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

Patsy Kindt
Notary Public for Idaho
Residing at Challis, ID
Commission Expires 3/22/98

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of Custer County, Idaho at 17 minutes past 4 o'clock P.M. this 18th day of Oct. 1996 in my office, and duly recorded in Book _____ of Deeds at page _____

Ethel M. Peck
Ex-Officio Recorder

M. L. Dandley - Murphy
Deputy

Fee \$ 3.00
Mail to:



WARRANTY DEED

For Value Received RICK MACOMBER and KATHERINE MACOMBER, husband and wife, the Grantors, do hereby grant, bargain, sell and convey unto STANLEY H. ROYCE, a single man, the Grantees, whose current address is Star Route, Canby, California 96015, the following described premises, in Custer County, Idaho, to-wit:

Lots 37 and 38, Block 1, Wild River Estates, Custer County, Idaho, as shown by the Official Plat thereof, now on file in the office of the said County Recorder.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances 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 they will warrant and defend the same from all lawful claims whatsoever.

Dated: This _____ day of _____, 1996.

RICK MACOMBER

KATHERINE MACOMBER

STATE OF IDAHO)

: ss

County of _____)

On this _____ day of _____, 19____, before me, a Notary Public, personally appeared _____

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.

Notary Public for Idaho

Residing at _____

Commission Expires _____

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of _____ at _____ minutes past _____ o'clock ____ M., this _____ day of _____ 199____, in my office, and duly recorded in Book _____ of Deeds at page _____.

COPY
NOT TO BE RECORDED

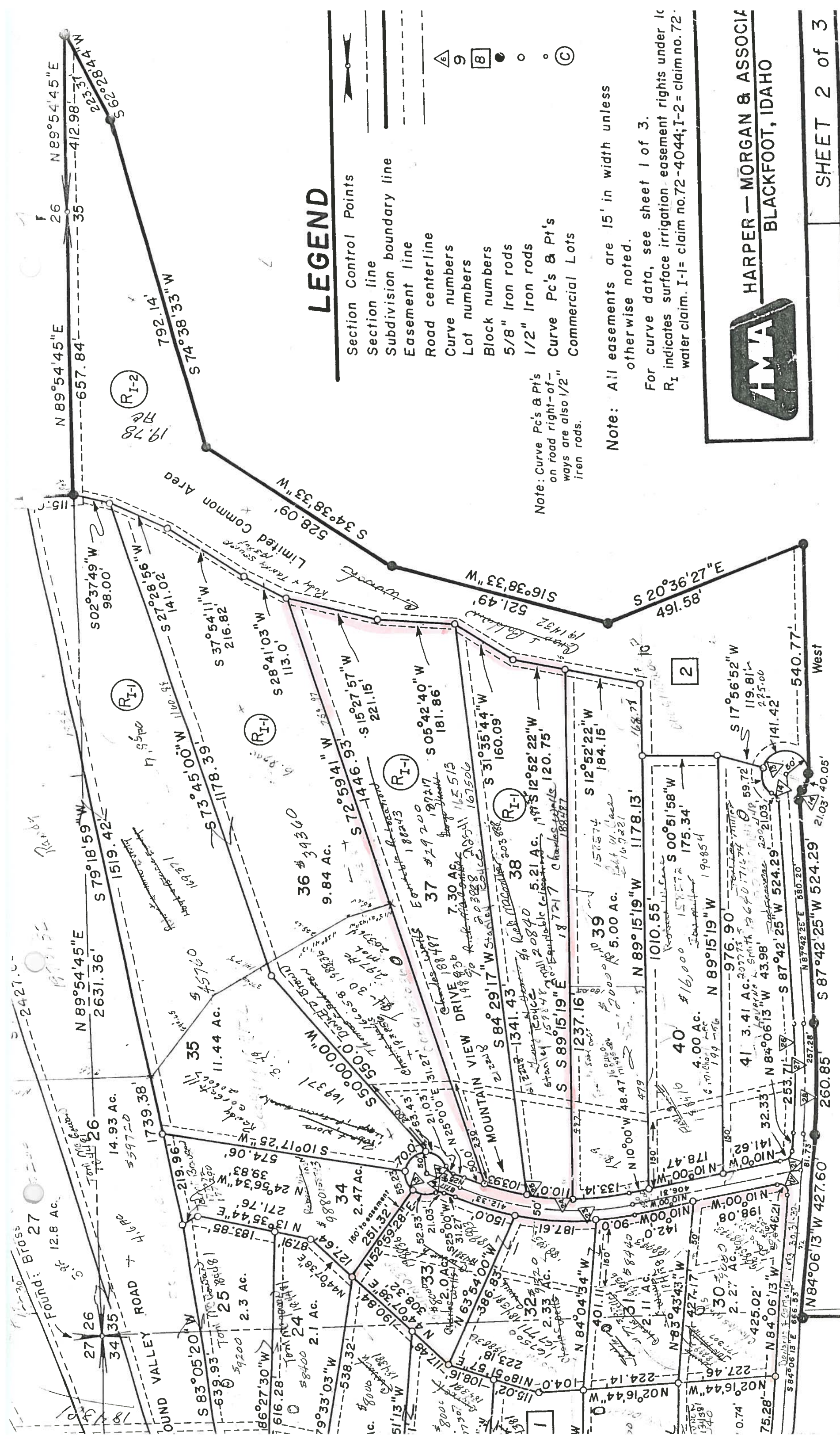
Ex-Officio Recorder

BY _____

Deputy

Fee: \$

Mail to:



LEGEND

- Section Control Points
- Section line
- Subdivision boundary line
- Easement line
- Road centerline
- Curve numbers
- Lot numbers
- Block numbers
- 5/8" Iron rods
- 1/2" Iron rods
- Curve Pc's & Pt's
- Commercial Lots

Note: Curve Pc's & Pt's on road right-of-ways are also 1/2" iron rods.

Note: All easements are 15' in width unless otherwise noted.

For curve data, see sheet 1 of 3.

R₁ indicates surface irrigation easement rights under 1c water claim. I-1 = claim no.72-4044; I-2 = claim no.72.



HARPER - MORGAN & ASSOCIATES
BLACKFOOT, IDAHO

0212248

WARRANTY DEED

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Lots 37 and 38, Block 1, Wild River Estates, Custer County, Idaho, as shown by the Official Plat thereof, now on file in the office of the said County Recorder.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that they are free from all encumbrances excepting therefrom all covenants, conditions and restrictions of record and all easements of right and of record as recorded in the records of Custer County, Idaho and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: This 21 day of Oct, 1996.

Rick Macomber
RICK MACOMBER

Katherine Macomber
KATHERINE MACOMBER

STATE OF IDAHO)

: ss

County of "CUSTER"

On this 21st day of October, 1996, before me, a Notary Public, personally appeared Rick Macomber and Katherine Macomber known or identified 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

Patsy Kindt
Notary Public for Idaho
Residing at Challis
Commission Expires 3/12/98

STATE OF IDAHO, COUNTY OF CUSTER

I hereby certify that this instrument was filed for record at the request of Custer County, Idaho at 17 minutes past 4 o'clock P.M., this 18th day of Oct. 1996, in my office, and duly recorded in Book of Deeds at page _____.

Ethel M. Peck

Ex-Officio Recorder

M. Stanley Murphy
Deputy

Fee \$ 3.00
Mail to:





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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 21, 1997

STANLEY H ROYCE
PO BOX 1165
CHALLIS ID 83326

Re: Ownership Change for Adjudication Claim #A72-10327
WELLS/MACOMBER/ROYCE

Dear Mr Royce:

Pursuant to notification that you presently own the property in which the above referenced Adjudication Claim is appurtenant, the Department has changed the record of the current owner as you requested. Please find enclosed a copy of the computer record of the claim noting the change in claimant.

Please review the record and if you have any corrections or questions, please feel free to call this office.

We also have the ownership change request for your other claim (A72-04080D) which will be processed soon. We first need to make a correction in our records to split the right from a previous transaction between Mr. Wells and Corgatelli and Donahue.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeanie', written over the printed name.

Jeanie Robertson
Sr. Water Resource Agent

/jr
Enclosures

SRBA

SUBCASE SUMMARY REPORT 72-04080X

[Return to SRBA Home Page](#)

SRBA
04-30-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 72-04080X FILE#: 00474
CLAIMANT: ROYCE, STANLEY H

STATUS: PD ISSUED

WATER SOURCE: SALMON RIVER, SNAKE RIVER

ISSUES: WATER RIGHT RECOMMENDATION

****** PARTIES INVOLVED ******STANLEY H ROYCE C PRO SE
STANLEY H ROYCE O PRO SE****** ROA ENTRIES ******

04-19-2000	MOTION TO FILE LATE OBJECTION F/B ROYCE	MG	06-08-2000 0001
04-19-2000	LDGD: LATE OBJECTION F/B ROYCE		
04-24-2000	ORDER SETTING HEARING	HS	06-08-2000 1030
	MOTION TO FILE LATE OBJECTION filed by		
06-08-2000	HEARING HELD - MOTION TO FILE LATE OBJECTION	HH	06-08-2000 1030
06-08-2000	MINUTES - MOTION TO FILE LATE OBJECTION		
06-08-2000	OBJ 01 F/B ROYCE, STANLEY H	RB	07-28-2000 0001
06-08-2000	ORDER GRANTING MTN TO FILE LATE OBJECTION		
	AND SETTING RESPONSES DEADLINE 7/28/00		
06-08-2000	ORDER SETTING STATUS CONFERENCE	US	08-25-2000 1000
08-25-2000	HEARING HELD - STATUS CONFERENCE	UH	08-25-2000 1000
08-25-2000	MINUTES - STATUS CONFERENCE		
08-25-2000	ORDER SETTING SUBCASE DEADLINES		
	AMENDED DIRECTOR'S REPORT DUE 11/3/00		
	OBJECTIONS TO AMENDED DIR RPT DUE 11/28/00		
08-25-2000	STATUS CONFERENCE SET	UV	12-07-2000 1000
10-02-2000	NOTICE RESETTING STATUS CONFERENCE	US	12-13-2000 1030
11-06-2000	AMENDED DIRECTOR'S RPT FILED -NOW RECOMMENDED		
	SOURCE =SALMON RIVER TRIBUTARY SNAKE RIVER		
	PRIORITY = 12/11/1888, POD= T13N R19E S16;		
	POU = T14N R19E S35 NWNW 1.8 ACRES		
	QUANTITY .31 CFS IRRIGATION 4/1 TO 10/31;		
	OBJECTIONS TO AMENDED DIR RPT DUE 11/28/00		
12-13-2000	HEARING HELD - STATUS CONFERENCE	UH	12-13-2000 1030
12-13-2000	MINUTES - STATUS CONFERENCE		
12-13-2000	REPORT & RECOMMENDATION OF MASTER	CB	01-29-2001
12-13-2000	NOTICE OF ISSUANCE - MASTERS R&R		
12-13-2000	CERTIFICATE OF MAILING - MASTER R&R		
02-07-2001	ORDER OF PARTIAL DECREE		
02-07-2001	CERTIFICATE OF MAILING		
02-07-2001	PARTIAL DECREE FILED		02-07-2001

[Return to SRBA Home Page](#)

11/01/2000

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

RIGHT NUMBER: 72-4080X

NAME AND ADDRESS: STANLEY H ROYCE
PO BOX 1165
CHALLIS, ID 83226

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.31 CFS

PRIORITY DATE: 12/11/1888

POINT OF DIVERSION: T13N R19E S16 LOT 2 NESWNE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04-01 10-31

QUANTITY
0.31 CFS

PLACE OF USE:

IRRIGATION Within CUSTER County

T14N R19E S35 NWNW 1.8

1.8 ACRES TOTAL

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

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

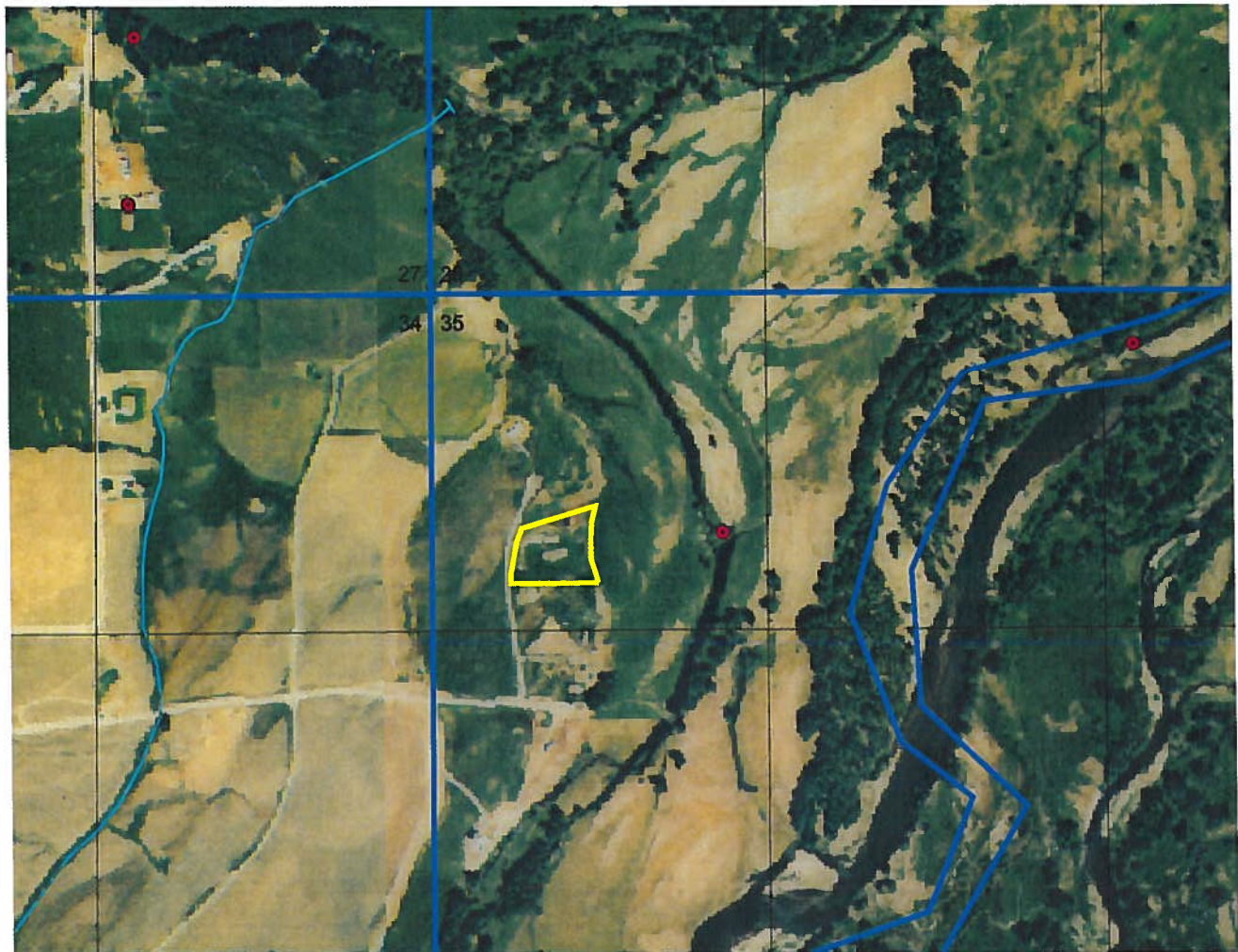
PROPERTY IS ALSO KNOWN AS LOTS 37 & 38, BLK 1, WILD RIVER
EST. SUBDV.

11/6 DJ:

A.D.R. on way out the door.
Spoke w/ Nick & Don on elements
to confirm what they see is
what they are sending. I
explained mod. Hubble & soil
reg's.

IDAHO DEPARTMENT OF WATER RESOURCES

72-04080X



660 0 660 1320 Feet



TWN: 14N
RNG: 19E
SEC: 35, NWNW

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY
BY STEVE CLELLAND

DATE: NOV. 1, 2000
** REVISED **

REEVALUATION OF IRRIGATION RATES BASED UPON 1997 REVISED HUBBLE ANALYSIS PROCEDURES

CLAIM NUMBERS

72-4080X

DATE: 11-1-00, 1998

REVIEWED BY SCC

CHALLIS AREA SOIL REVIEW

SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION		SOIL TYPE	BORDER CFS/AC		FURROW CFS/AC		OPTIMUM ROTATION	
	PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA		PAST	ALFA	PAST	ALFA	PASTURE	ALFALFA
ATC	.15	.13			6.49	7.62	PD2	.11	.12			5.15	4.74
BB1	.09	.09			6.09	6.17	Q	.26	.21			13.2	10.4
BC1	.16	.17			5.82	5.46	RE2	.29	.21			3.15	4.74
BK1	.07	.06			10.62	11.86	RP1	.19	.21			4.89	4.57
BT1	.18	.16			3.99	4.19	SH1	.06	.05			9.37	12.10
BT2	.41	.32			2.34	2.87	SOC	.08	.07			7.38	8.08
CB1	.06	.06			11.55	13.47	SSA	.15	.14			4.79	5.01
CHA	.21	.21			4.52	4.76	SXF	.12	.11			6.14	6.80
CP1	.36	.36			2.61	2.78	TC1	.06	.06			9.82	9.55
DB1	.13	.11			5.66	6.65	TD1	.04	.03			12.46	16.50
DBB	.13	.11			5.71	6.69	WB2	.13	.13			5.37	5.43
DBC	.13	.11			5.71	6.69	WAA	.19	.16			3.81	4.23
DMF	.18	.21			5.12	4.72	WBB	.17	.14			3.36	3.84
DRF	.18	.19			9.08	9.68	WC1	.07	.06			11.24	13.45
DT2	.05	.04			12.46	16.50	WPT	.19	.15			3.16	3.69
DWA	.14	.14			4.79	5.01	WV1	.07	.06			11.24	13.45
G01	.10	.12			12.47	10.51	XHS						
KEG	.08	.07			8.73	10.06	YN1	.18	.14			5.38	6.92
MBF	.15	.12			7.65	5.81							
MUG	.15	.14			4.54	4.98							
NDL	.13	.12			5.30	6.06							

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
BT2		4 days	*	.41	= .31 CFS
			*		= CFS
			*		= CFS
			*		= CFS

limited by claim

TOTAL ACRES 1.8

DECREED RATE =
CLAIMED DIVERSION RATE =
MEASURED DIVERSION RATE =

CLAIM TO A WATER RIGHT

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

(Name of Claimant)

(Zip Code)

Telephone No. 879-4477

(1) Date of priority: (When was the water first applied to a beneficial use) 1885

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

(3) Describe the purpose for which the water has been used and the _____ tributary to _____ Snake River

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

(Domestic, Irrigation, Stock, Etc.)

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

Use _____ Irrigation

Period of Use From

Apr 1 To Nov 1

Quantity

Usage

Period of Use From

To Nov 1

Quantity

Usage

Period of Use From

To

Quantity

1150

Period of Use From
Revised to 11-5-58

To

Quantity

Use

Period of Use From

To

TOTAL QUANTITY USED

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

Lot 2 (SW ¼ NE ¼, Sec. 16 Twp. 13N Rge. 19E B.M., County of Custer

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.

Rock wall & headgate, Jase Ditch to P. U.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

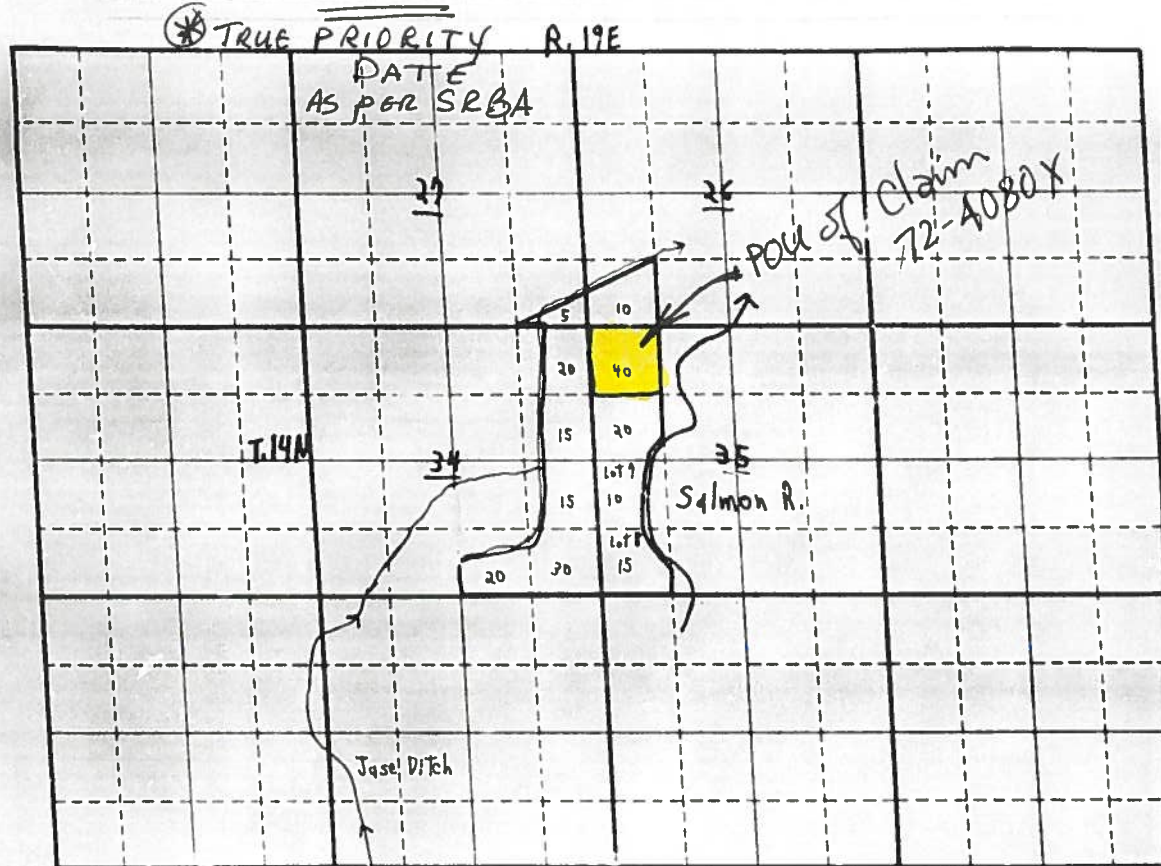
No. of acres 200

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

NOTE Include here the type and number of stock watered.
If you are a farmer, please include the number of head of stock watered.

(7) If you are tapping water as a member of an organization, list name of organization:

- (8) Remarks We have a right to half of the water right established by Thomas Jase & Charles S. Purwell in 1885. Notice of right was filed at the Custer Co. courthouse 12-11-1888 in Book A of Water Claims, p. 190-191.



Map should show the location of the point of diversion and the place of use of the water by 40 acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

) ss.

County of)

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

Sworn to before me this 3rd day of April, 1921.

Shirley M. L. L. L.
(Claimant)

Notary Public
Residing at Union Falls, Id. 83301

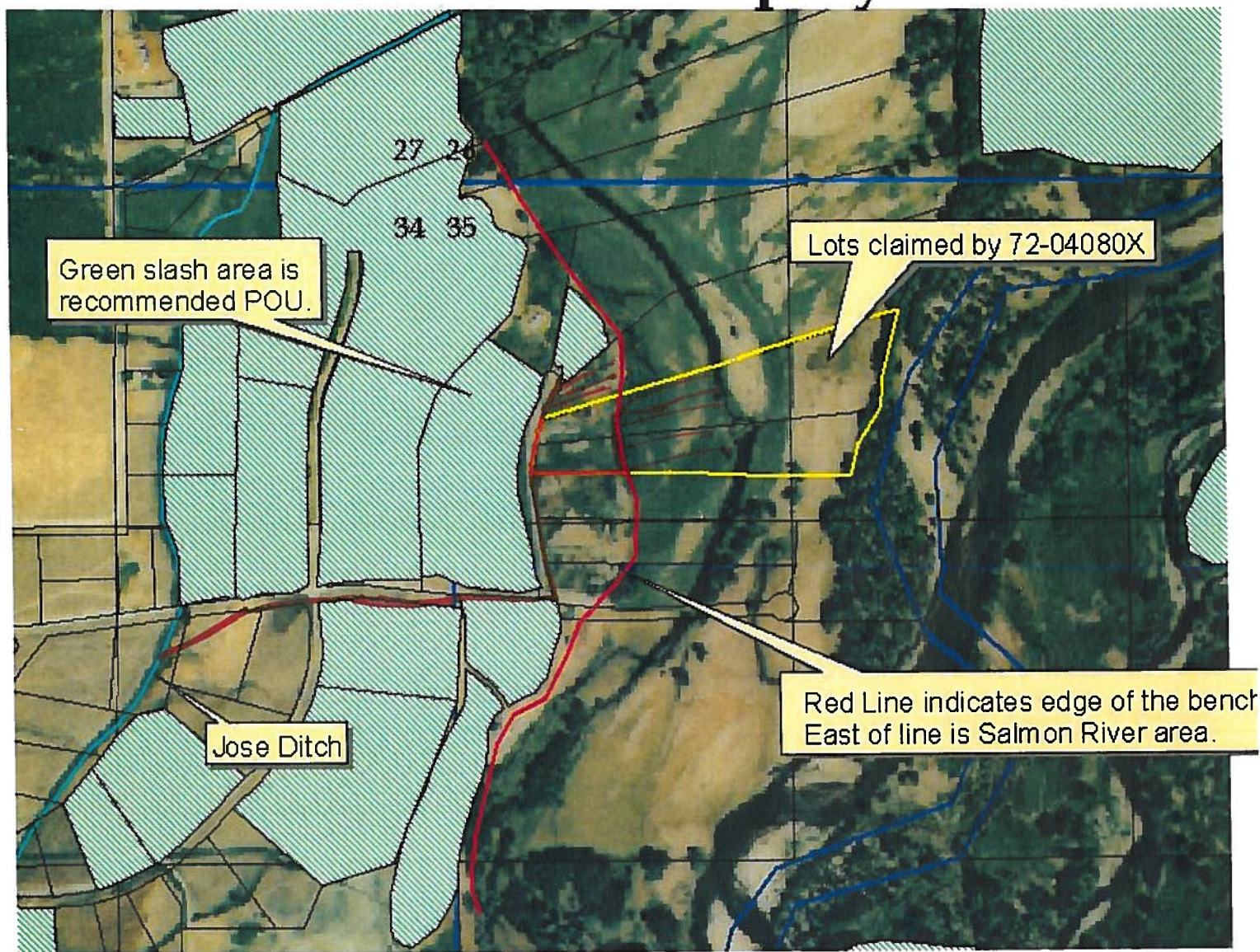
My commission expires Life

FOR DEPARTMENT USE ONLY

Received by J. H. Stanton Date 4-3-81 Exception filed by _____ Forwarded to _____ Date _____
Prelim. check by J. H. Stanton Date 4-3-81
S. D. C. received by J. H. Stanton Date 4-3-81 16745
Published in Custer Co. Abstracts
Dates 4-3-81 & 4-3-81

IDAHO DEPARTMENT OF WATER RESOURCES

72-04080X -- display



660 0 660 1320 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

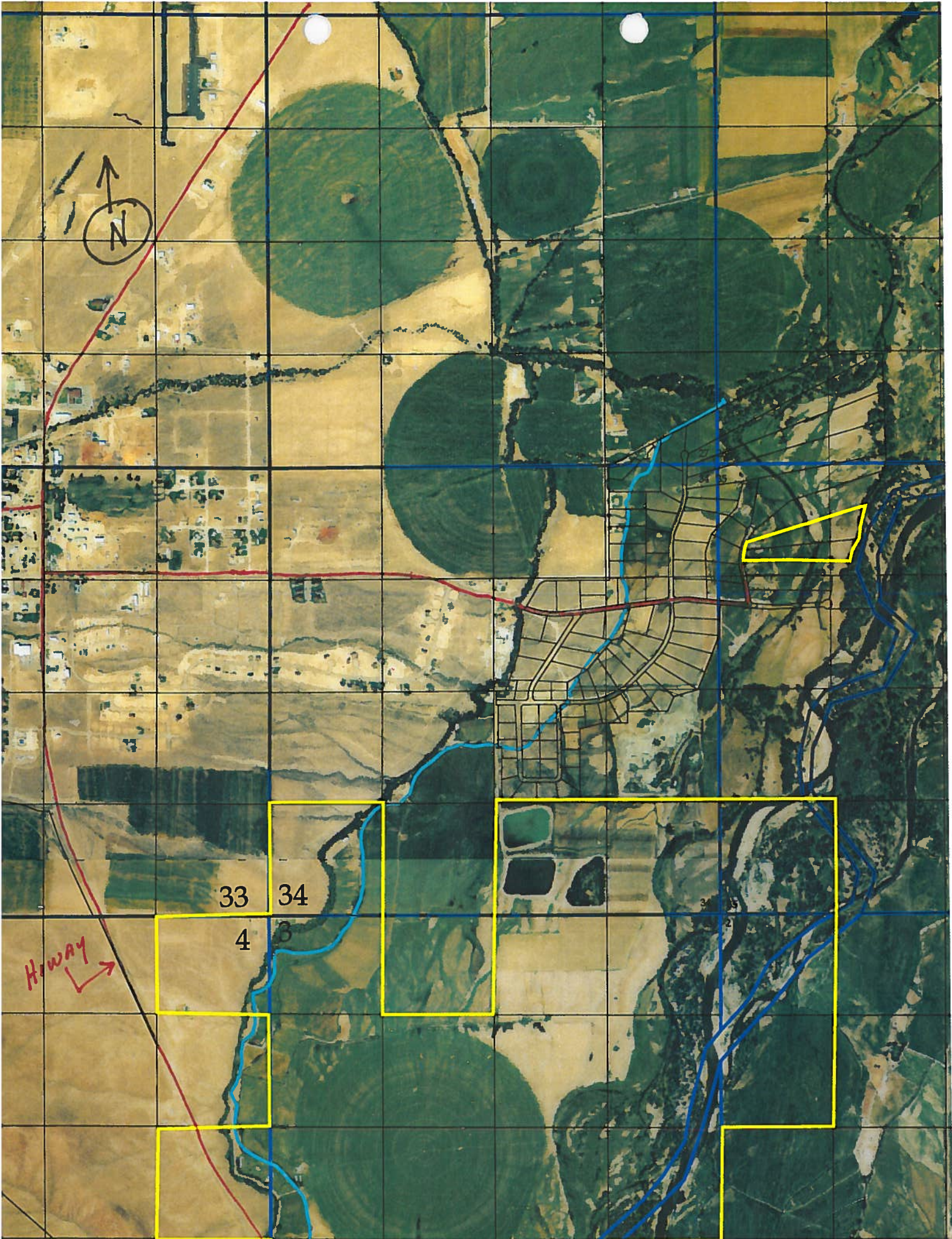
Claimant: Stanley Royce
879-5139

- ① get photos of POU.
- ② photos of culvert.

TWN: 14N
RNG: 19E
SEC: 35



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND
DATE: August 23, 2000



Sketch by
Amund A. Folsom
Exam: 8-24-00



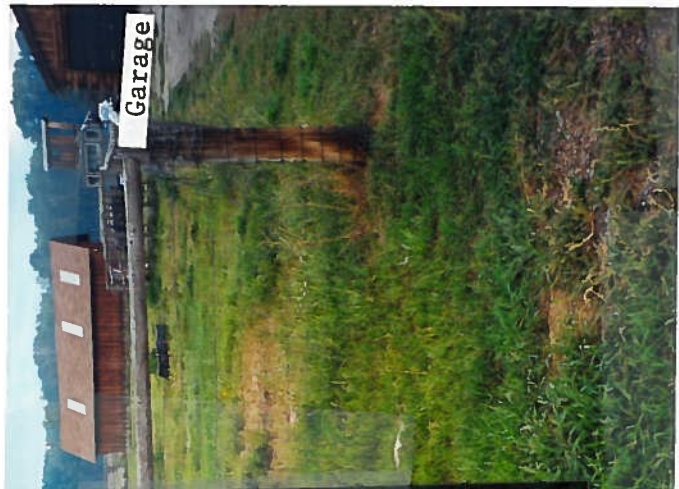


72-4080X
 FE: Amanda Folsom
 Date: August 24, 2000

Looking NE'ly



Garage



Looking SE'ly



Valley Road

FE: Amanda Folsom
Date: August 24, 2000



Ditch runs along fence



Irrig. Land



Ditch to lower land



FE: Amanda Folsom
Date: August 24, 2000

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 72-4080X

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland

8/24/2000 8:15 AM

NAME :

RE:

STANLEY ROYCE

CALLOUT

WATER USES 72-4080X

I called to get a better idea of the actual water uses he has claimed off the Jose Ditch system. He started off by saying he has about a 1/2 acre lawn by the house. He said some of the water is wastewater from the neighbors but they do stop using the water every 4-5 days so he can get full use of the stream flow; appears to be a form of rotation. He described the culvert at the Valley Road as the one being plugged up in 1993 but he says it is open now and in use. He said the water is running right now.

I asked if Amanda F. could stop by and take some pictures and talk with him about the use of the water and the system in use; he agreed. I told him it would be around 3 o'clock (I have confirmed this w/ Amanda and she will meet w/ him.)

He said he does not use water from the Hannah Slough and does not irrigate east of that stream.

Clelland, Steve

From: Clelland, Steve
Sent: Wednesday, August 23, 2000 3:53 PM
To: Spencer, Nick
Cc: Music, Vicky
Subject: Royce 72-4080X

Nick,

We were on the right track as to the previous status of this case.

I am attaching a picture which helps to illustrate my position. Please note the RED LINE in the middle of the photo. It shows the location of the dividing bench in the area. Lands to the east of the line are in the river bottoms and slough areas; they are considered to be sub-irrigated naturally. The waterway thru the middle of Royce's lots is known as Hannah's Slough.

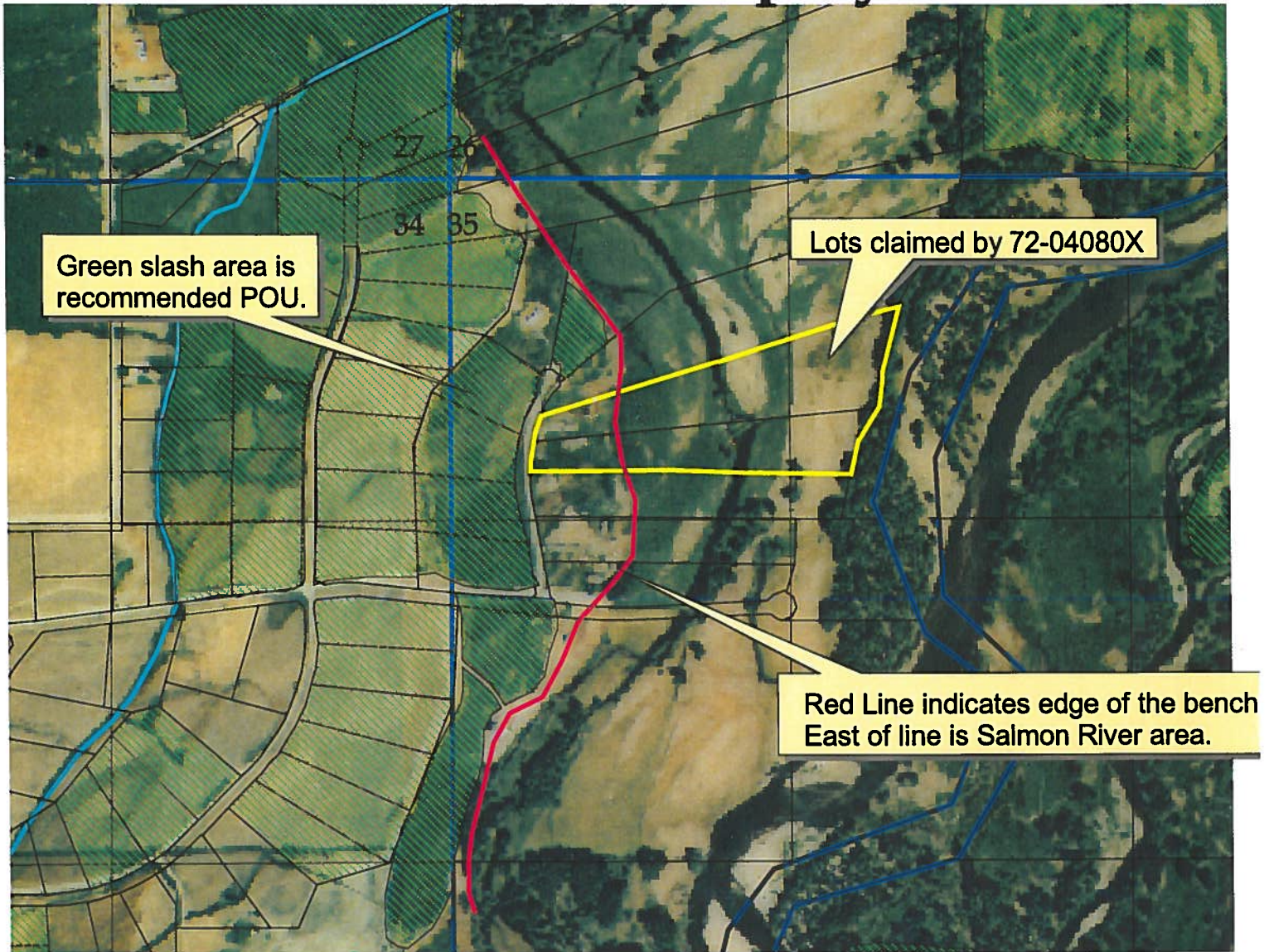
If any possible irrigation occurred in the Royce lots, it could only be in the area West of the red line and surrounded by yellow. There is no other irrigation from the Jose Ditch in the area; specifically east of the road on the west edge of Royce's Lot. The areas in the Green Slashes are the areas of recommendation for POU under other rights.

Probably will require a field visit to confirm the claim to any degree. Nothing was found for the claim in 1993 when my initial exams were completed.

Steve

IDAHO DEPARTMENT OF WATER RESOURCES

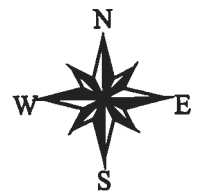
72-04080X -- display



660 0 660 1320 Feet

-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 14N
RNG: 19E
SEC: 35



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND
DATE: August 23, 2000

Southern
50 → DJ

2000 APR 24 AM 11:23
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) ORDER SETTING HEARING
Case No. 39576)
_____) SUBCASE NO: 72-04080X

Please be advised that Special Master THOMAS R. CUSHMAN
has set for hearing the MOTION TO FILE LATE OBJECTION filed by
Stanley Royce.

THURSDAY, JUNE 08, 2000 at 10:30 AM

SRBA
DISTRICT COURT
253 3RD AVENUE NORTH
TWIN FALLS, ID

Option: Parties may participate by phone if they contact the
clerk at (208) 736-3011 prior to JUNE 06, 2000.

IT IS SO ORDERED.

Dated: APRIL 24, 2000

/S/ THOMAS R CUSHMAN
Special Master
Snake River Basin Adjudication

8/25/00
Sts conf.

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

CERTIFICATE OF MAILING

I Certify that a true and correct copy of the ORDER SETTING HEARING was mailed on APRIL 24, 2000, with sufficient first-class postage to the following:

STANLEY H ROYCE
PO BOX 1165
CHALLIS, ID 83226
Phone: 208-879-5139

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

Department of Water Resources
Southern Region

I. GENERAL INFORMATION

Please fill in the following information:

1. **Party/Claimant objecting:**

Name: STADLEY H ROYCE

Address: PO BOX 1165
CHALKS ID. 83226

Phone: Work: 208-879-5139 Home: 208-879-5139

Briefly describe your interest in this water right:

My interest is for purpose of irrigating
a large lawn & a portion of 7.8 acre
pasture for live stock.

If this objection is filed by an attorney:

Attorney Name: _____

Attorney Address: _____

Attorney Phone No.: _____

If filed by an attorney, notice of pending court proceedings will be sent to the attorney only.

2. **Owner of the water right. You must identify the owner exactly as it appears in the Director's Report:**

Name: _____

Address: _____

II. STATEMENT OF THE OBJECTION

Please check each "box" which states your objection to the recommendation in the Director's Report.

1. ☐ Name and Address: I object to the name and/or address of the owner of the water right.
2. ☐ Source: I object to the source of water.
3. Quantity: I object to:
 - ☐ a. the total quantity of water used in cubic feet per second; or
 - ☐ b. the total quantity of water stored in acre-feet per year; or
 - ☐ c. the total quantity of water reserved for each and every purpose, including all present and future uses.
4. ☐ Priority Date: I object to the priority date.
5. ☐ Points of Diversion: I object to the legal description of the point(s) of diversion.
6. ☐ Instream Flow: I object to the legal description of the beginning and ending points of the instream flow.
7. ☐ Purpose(s) of Use: I object to the purpose(s) of use.
8. ☐ Period of Year: I object to the period of year when water is used or is necessary for the purpose stated.
9. Place of Use: I object to:
 - ☐ a. the legal description of the place of use; or
 - ☐ b. the number of irrigated acres within each forty (40) acre subdivision.
10. ☐ Consumptive Use: I object to the annual volume of consumptive use.
11. Water Right Recommendation: I object to:
 - ☐ a. this water right being recommended at all; or
 - ☒ b. this water right not being recommended.
12. ☐ Description of Reservation: I object to the legal description of the reservation.

13. ☐ Other: I object to: Water Right #A7204080X not being
recommended, at the time this Right was rejected
I was hospitalized, & recovering from surgery,
due to poor health I neglected to take care
of this problem in a timely manner.

REASONS SUPPORTING EACH BOX CHECKED

You must state the reason(s) by number for each box checked. You may use additional pages if necessary.

I Stan Royce was not able to use this water, because
of plugged ditches & pipes the County Road Dept has
re-opened the ditches & Plug pipes, so that I am
now able to receive water.

CHANGES TO THE DIRECTOR'S REPORT

Specifically describe how you want the Director's Report to be changed. You may use additional pages if necessary.

Would like this right to be shown as
from Wells to Macomber to Royce, as
shown in Split Analysis. 7.800 031 CFS

Note: You should attach copies of documents which support your objection. Note on each document the "box number" it supports.

- ☒ Check here if you are submitting documents. Please list each document by the title and number of pages. You may use additional pages if necessary.

Water Right Claim A72-04080X 2 Pages,

SPLIT Files of A7204080D 3 Pages,

VERIFICATION (Must be Complete)

State of IDAHO

County of CUSTER

STANLEY H ROYCE, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

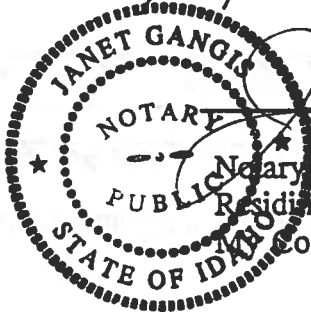
That I am the party/claimant filing this objection (as listed on Page 2, Section 2, "Party/Claimant Objecting") as defined by I.C. § 42-1401A(1) and (7), and that I have read this objection, know its contents and that the statements are true to the best of my knowledge and belief.

Stanley H Royce
Signature of person filing objection

By: Attorney signing in representative capacity

Subscribed and sworn to before me on:

4/30/2000



Notary Public for

Residing at:

Commission expires:

Janet Gangis
Idaho
Challis
4/30/04

INSTRUCTIONS FOR MAILING

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

CERTIFICATE OF MAILING

I hereby certify that on April 18, ²⁰⁰⁰~~1999~~, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

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 owner of the water right at the following address:

Name: STANLEY H ROYCE
Address: PO BOX 1165
CHALLIS IDAHO 83226

3. One copy to:

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

4. One copy to:

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, Box 033
Boise, Idaho 83734

Stanley H Royce
Signature of party/claimant or attorney



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: A72-04080X
Date Received: 12/27/1990
Receipt No: X777777
Received By: _____

COPY

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STANLEY H ROYCE
Address: PO BOX 1165
CHALLIS ID 83226
208-879-5139

2. Date of Priority: JUN 1, 1885

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
13N	19E	16	SW	NE		2	CUSTER

5. Description of diverting works:
ROCK WALL & HEADGATE, JASE DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.310		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
14N	19E	35	NW	NW		IRR	7.8

Section Acres 7.8

10. Place of Use: Continued

Total Acres 7.8

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:

THIS IS A PORTION OF 72-04080.
P/U IS AKA LOTS 30, 31, 32, 33, 38, 37 & PART 36, BLK. 1, DIV. 1.
LOTS 1, 2, 3, 4, 5, 6, 7 & 8, BLK. 3, DIV. 2.
LOT 6, BLK. 4, DIV. 2. ALL IN WILD RIVER EST. SUBDV.

AMENDED TO ADD POU: LOTS 4,5,7 & 8, BLK. 4, DIV. 2. (8 ACRES)
LOTS 4 & 5 ARE CURRENTLY RENTED AND NOT UNDER CLAIMANTS OWNER-
SHIP. THE OTHER LOTS WERE RECENTLY PURCHASED. 12-27-90 SCC.
TWO RECEIPTS FOR THIS CLAIM: S010750 ORIGINAL, S012924 AMENDED.

CORRECTION TO OWNERSHIP SPLITS OF THIS CLAIM. CURRENT PLACE OF
USE IS LOTS 37 & 38, BLOCK 1. 10/19/98 SCC.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): Stan & Royce Date: 11-9-98

Date: _____



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

SOUTHERN REGION

February 18, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

STANLEY H ROYCE
PO BOX 1165
CHALLIS ID 83226

RE: Notice of Objection for SRBA Claim No. 72-04080X

Dear Mr. Royce,

This letter is to acknowledge your stated objection for the above-mentioned claim. Enclosed you will find the proper form to file an objection with the SRBA court.

You have received the recommendation for the claim from the Jose Ditch as described above. As we discussed on the telephone earlier today, there is no claim on record for your water right from the Hannah Slough. I have also enclosed the proper form to file a late claim with the court and a blank claim form. Before you file the late claim with the court, you will need to contact IDWR to get a water right claim number for the late claim filing.

Please feel free to contact this office or me if you have further questions or need additional assistance. Best wishes during your upcoming medical stay.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

enc:



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

FEB 18 1999

Department of Water Resources
Southern Region

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 17, 1999

SRBA DISTRICT COURT
PO BOX 2707
TWIN FALLS ID 83303-2707

RE: Snake River Basin Adjudication (SRBA)
Disallowed Water Right #72-04080X
Stanley H. Royce

Peter Anderson requested that I forward the enclosed letter we received February 16, 1999, from water right holder Stanley H. Royce. We have a copy for the file.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region:legal

Enclosures:

Individual Listing from Director's Report (72-04080X)
Envelope for Above

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: January 26, 1999
PAGE: 1

RIGHT NUMBER: 72-04080X

NAME AND ADDRESS: STANLEY H ROYCE
PO BOX 1165
CHALLIS ID 83226

RECEIVED
FEB 16 1999

Department of Water Resources

CLAIM NOT RECOMMENDED NO BENEFICIAL USE FOUND.

NO BENEFICIAL USE FOUND: This is included for a claim based on beneficial use that is PROPOSED to be disallowed because beneficial use of water was not confirmed by IDWR's field examination or by other evidence submitted by the claimant.

Response To Dep of Water Resources Recommendation
I Stan H Royce do object to the Recommendation
of No Beneficial use found.

I need my rights from Nanana Slough
for irrigation of my lower pasture app. 5 acres
where there is a diversion ditch from
Nanana Slough, a diversion weir needs to
be replaced do. to flood damage.

I am in poor Health at this time &
scheduled for surgery in Medford Ore.
Probably will not be able to return home
for several months, this is inconvenient
for me to pursue being far from home

Sincerely Stan H Royce
Challis Idaho

COMMUNICATION DOCUMENTATION

Claim No. 72-04080X

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Steve Clelland

2/18/99 10:40 AM

NAME: _____

RE:

STAN ROYCE

CALLIN

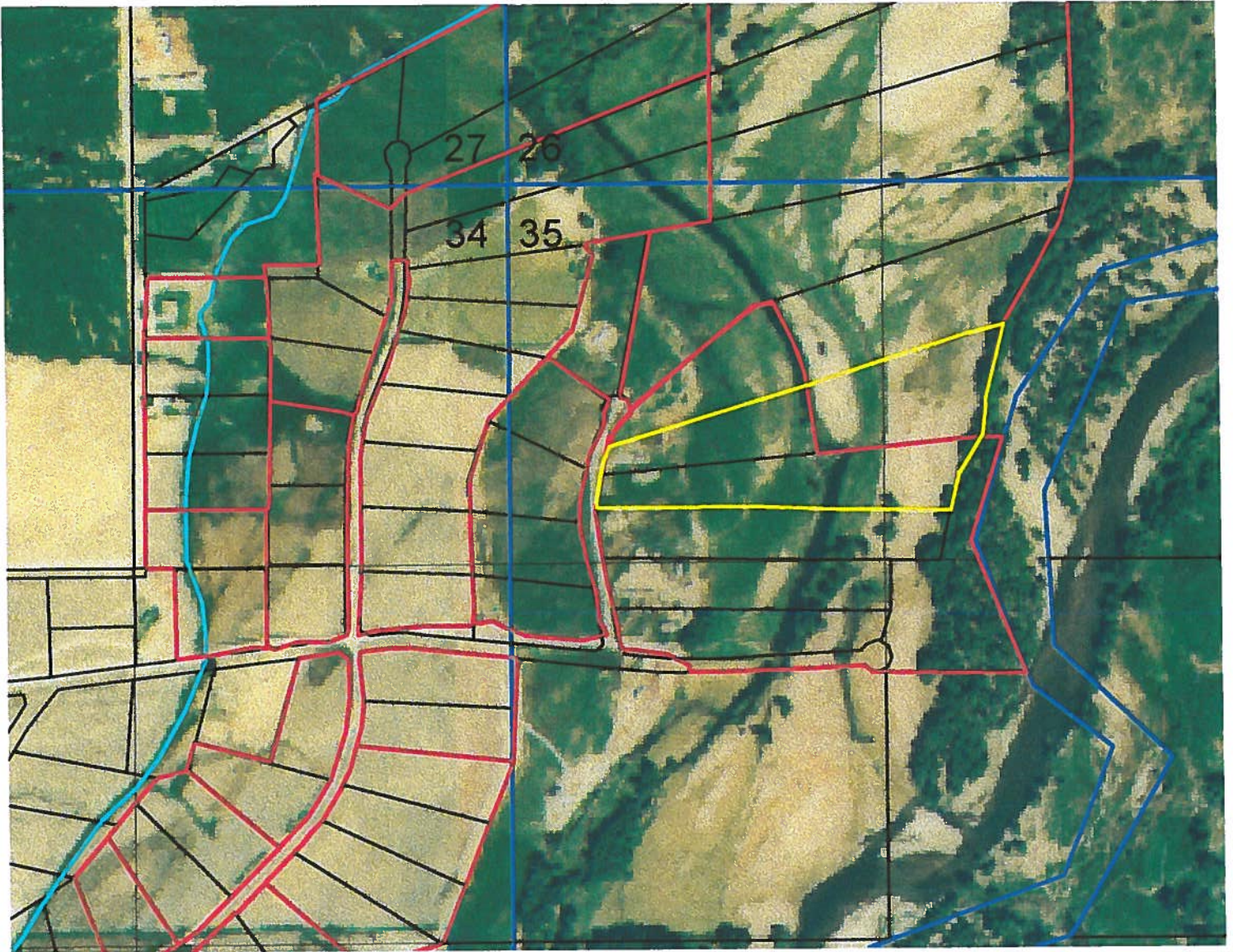
WATER RIGHTS INFO

He wanted to know what was going on with the water rights since he has been away from Challis recently. I found he bought water from Charles Wells and he lives near Corgatelli. He mentioned 4080W & 4080X and he is listed as the owner of the X portion; which is disallowed. I explained there was no use of the water in 1993, he confirmed the owners at that time, Macomber, probably did not use the water. He stated the water has not been used recently and explained it is hard to get water from the Jose ditch. We discussed the water from Hannah Slough. He has diverted water from the same dam in the slough as Tom Butts uses. I told him he would need to file a claim on this use and provide the documentation of the historic use of the water.

He is going in for some medical treatment and will be back in April. I told him he can file the late claim at that time and he should contact me when he can work on this process.

IDAHO DEPARTMENT OF WATER RESOURCES

72-04080X



660 0 660 1320 Feet

- ~~RECOMMENDED~~ **CLAIMED** PLACE OF USE
- RECOMMENDED POINT OF DIVERSION
- SECTION LINES
- QUARTER-QUARTER LINES
- ~ STREAMS & DITCH CHANNELS

TWN: 14N
RNG: 19E
SEC: 35
NNW



FOR ILLUSTRATION ONLY.
CLAIM DISALLOWED.

SEC
10/21/98

GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND

DATE: OCT. 19, 1998

AJ0743NP
(CD-124)

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

11/22/98 14:46:28
Page 1

Water Right Number - R72-D4080X

Prefix Translation:

RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***
ROYCE

STANLEY H

1 - PO BOX 1165
2 -
3 -
City- CHALLIS
Phone - 208-879-5139

State- ID Zip- 83226

*** O - ORIGINAL OWNER ***
WELLS

CHARLES VERNON

1 - PO BOX 835
2 -
3 -
City- CHALLIS
Phone - 208-879-4370

State- ID Zip- 83226

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
D6/D1/1885 17 SOUTHERN I - DISALLOWED

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

+ - - - - - - - - - - - - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County
13N 19E 16 SW NE 2 (37) CUSTER JOSE DITCH

+ - - - - - - - - - - - - - - - Water Use - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To
01 - IRRIGATION D4/01 11/01 0.310

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Consumptive Use - + + - - KW Usage - +
0.310 0.0

+ - - - - - - - - - - - - - - - Place of Use - - - - - Description County
Twn Rng Sec Tract Lot Acres Code
14N 19E 35 NW NW 7.8 01 IRRIGATION (37) CUSTER

Total Acres: 7.8

+ - - Diversion Means - ROCK WALL & HEADGATE, JASE DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - NONE

+ - - - - - - - - - - - - - - - Remarks - - - - - +

GEN NO BENEFICIAL USE FOUND.

Water right number - R72-04080X

Prefix Translation: RESEARCH

Old Water Right Numbers - - - - -
Old Water Right Numbers - - - - -
A7204080

Conditions of Approval - - - - -
P03 - NO BENEFICIAL USE FOUND: This is included for a claim based
- on beneficial use that is PROPOSED to be disallowed because
- beneficial use of water was not confirmed by IDWR's field
- examination or by other evidence submitted by the claimant.

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

Date: 10/21/1998 User Id: SCLELLAN Subject: COPIED FROM REMARKS
THIS IS A PORTION OF 72-04080.
LOTS 1, 2, 3, 4, 5, 6, 7 & 8, BLK. 3, DIV. 2.

LOTS 4 & 5 ARE CURRENTLY RENTED AND NOT UNDER CLAIMANTS OWNER-
TWO RECEIPTS FOR THIS CLAIM: S010750 ORIGINAL, S012924 AMENDED.
CORRECTION TO OWNERSHIP SPLITS OF THIS CLAIM. CURRENT PLACE OF
Date: 10/21/1998 User Id: SCLELLAN Subject: REFORMAT
REFORMAT AND GIS UPDATE.

NO DELIVERY FROM THE JOSE DITCH WAS FOUND IN 1993 EXAM.

Audit Fields - - - - -
11/22/98 DSHAFF

Adjudication Rights Dates and Flags Area - - - - -
Court Report Filing - 00/00/0000 Field Inspection Made - 05/28/1993 Civil Case Number - 39576
Objection Filed Date - 00/00/0000 Field Inspection Flag - Old Case Number -
Response Filed Date - 00/00/0000 Verified Date - 00/00/0000 Old Judicial District - P
Claim Received Date - 12/27/1990 Last Amended Date - 03/21/1994 Temporary Right -
Receipt Number - X777777 Water District -
POU Ownership Flag - Y Federal/State Indicator - S
Name Connector - AND Presumption Flag -
Notice of Error Flag -

Recommendation / Reformat Update:

DISALLOW CLAIM

A72-04080 X

Entire lot area was found to be ^{NOT} irrigated in 1993 exam
Rec'd 0 acres

Q: ~~Original claim limits rate to 0.04 cfs/sec.
Hubble analysis supports this rate as acceptable.
I cannot exceed the claimed amount as
originally shown in 1994 because ownership
has been corrected and no extra flow
amounts remain.~~

FIR: ~~0~~ x 0.04 = 0 cts

See
10/21/98

~~Priority date: 12/11/1888
Season: 4/15 to 10/15~~

~~POD: (JOSE DITCH)~~

No Diversion from Ditch found.

T13N R19E S16 Lot 2 NESWNE

POU: (as shown on GIS report.)
No irrigation found in 1993 exam.

* Similar results and Rec'd for splits of 72-4080
S-T-U-V-W-X

See
10/21/98

PD4- No Beneficial Use.

CLAIM NUMBER

A72-4080X

DATE

10/20/98

AGENT

SW

TRANSFER NUMBER

CLAIMED ACRE TOTAL

7.8

GIS ACRE TOTAL

7.8

| | 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 | 19E | 35 | | | | | 7.8 | | | | | | | | | | | 7.8 |
| GIS | | | | | | | | 7.8 | | | | | | | | | | | 7.8 |
| RECOM | | | | | | | | Ø | | | | | | | | | | | Ø |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |
| CLAIM | | | | | | | | | | | | | | | | | | | |
| GIS | | | | | | | | | | | | | | | | | | | |
| RECOM | | | | | | | | | | | | | | | | | | | |

B72-DBPOU.SHP

SHAPE NOS.

Connection to Split Claim based on GIS acres.
Any increase in Acres requires claim amendment
POU = Lots 37 & 38, Block 1. = 7.8 acres

B72-DBPOD.SHP

NOS. DESCRIPTION

No irrigation was found within the lots.
No Diversion from the Jose Ditch.

18 JOSE DITCH - No delivery found.

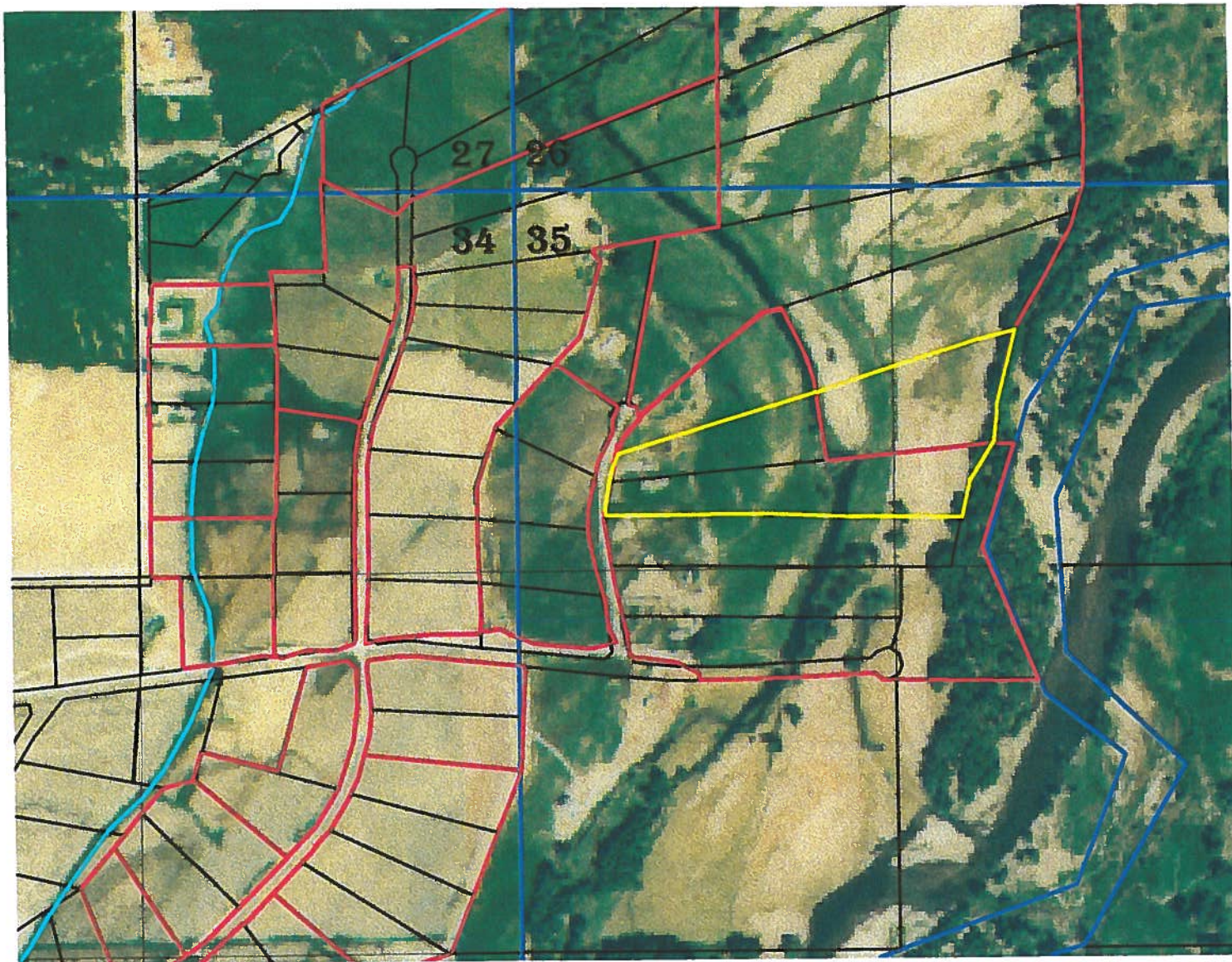
DBF TABLES UPDATED

B72-DBPOU.DBF

B72-DBPOD.DBF

IDAHO DEPARTMENT OF WATER RESOURCES

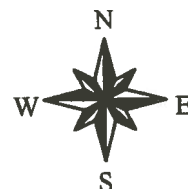
72-04080X



660 0 660 1320 Feet

-  **CLAIMED**
~~RECOMMENDED~~ PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 14N
RNG: 19E
SEC: 35
NW/NW



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND

DATE: OCT. 19, 1998

Memorandum

To: SPLIT FILES OF A72-04080D
CC: CLAIMANTS OF RECORD
From: STEVE CLELLAND
Date: 10/20/98
Re: CORRECTION TO SPLIT CLAIM ANALYSIS

Claim A72-04080D was split by a change of ownership on 11/16/98 when Wells sold a portion of the lands to Corgatelli and Donahue. The entire claim was attributed to the new owners instead of being split as shown by the deed. Wells should have been shown as the owner of almost half the claimed right because of the ownership change. I have reviewed all the splits for this portion and have revised all the resulting claims to show the correct acres and quantities.

See also the accompanying flow chart showing the splits of claim A72-04080D.

If the claimants find the current claim record is not accurately describing their water right, they will need to amend their respective claims to show the changes needed.

As CLAIMED:

CORRECTED Split Analysis
10/17/98 see
pg. 1

A72-4080 D WELLS
1.92 cfs
48 AC. (.04 cfs/AC)

CORGATELLI/DONAHUE
(8.71 + 13.72 + 6.49) = 28.92 AC
1.16 cfs (.04 cfs/AC)

SPLIT
(unRECORDED)

WELLS (RETAINED)
19.08 AC
.76 cfs

→
< NEXT PAGE >

(R)
Corg./Don.
(8.71 + 13.72) = 22.43
.90 cfs

(S)
PETERSON
4.49 AC
0.18 cfs

(T)
Babb
2.0 AC
0.08 cfs

(U)
Corg./Don.
(8.71 + 4.49) = 13.20 AC
~~.53~~ .53 cfs

(V)
SARRELS
9.23 AC
.37 cfs

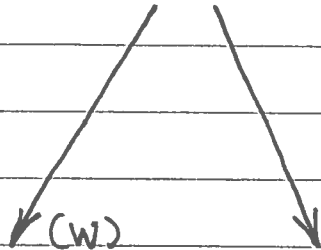
SEC
10/17/98

From page 1

WELLS (RETAINED from original sale to Corg./Dan.)

19.08 AC

0.76 cfs



WELLS

11.28 AC

0.45 cfs

MACOMBER (Lots 37 & 38)

7.8 AC

0.31 cfs



(X)

Royce (Lots 37 & 38)

7.8 AC

0.31 cfs

48 ac
1.92 cfs

37.15 ac

Blk. 1
Div. 1

8.71

WELLS?

Wild River
Est.
Subdv.

48 ac

WELLS
(Amended)
POW

Blk. 3
Div. 2

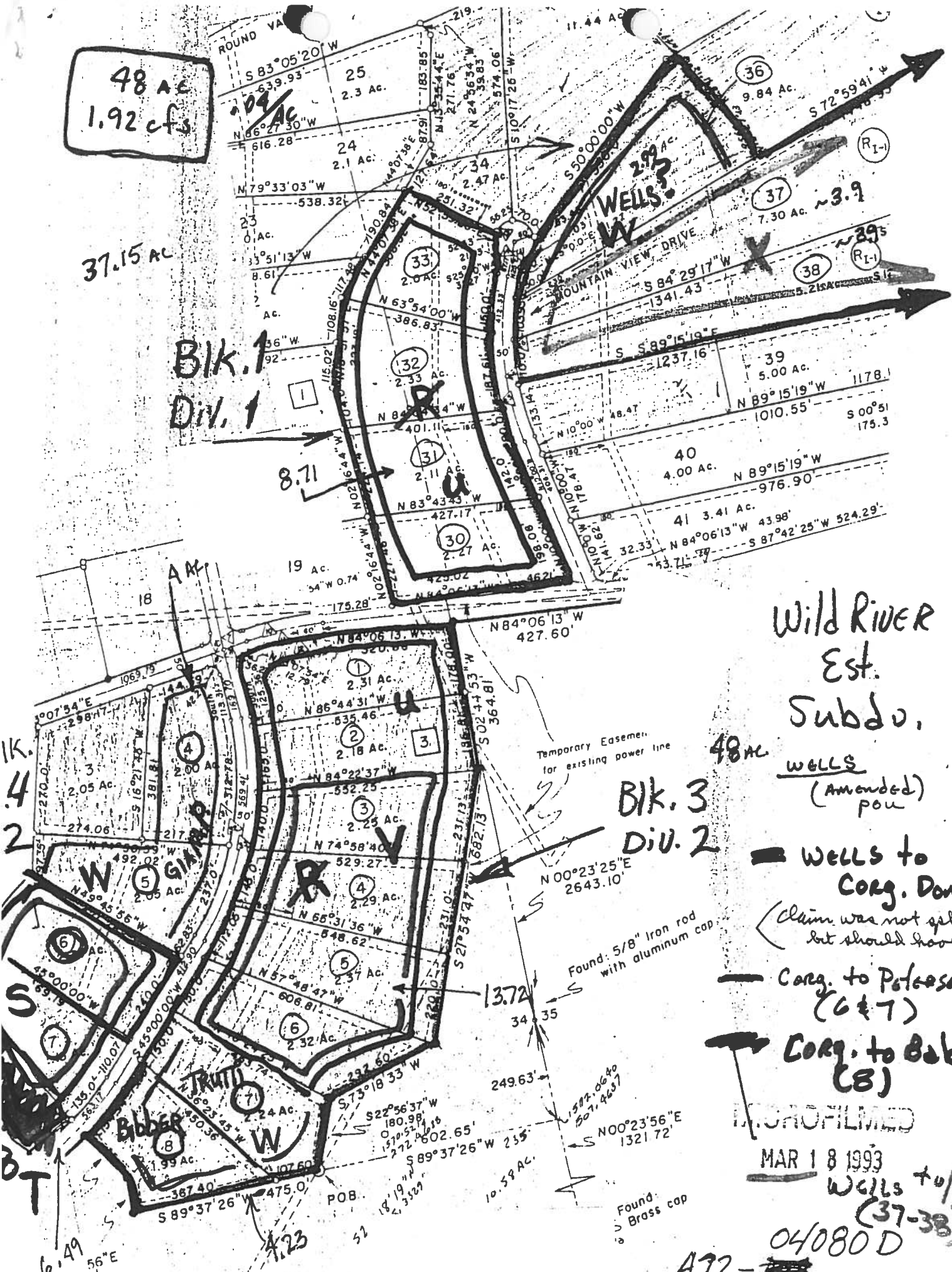
WELLS to
Corp. Don.
(claim was not split
but should have)
Corp. to Polcosra
(6 & 7)
Corp. to Babbs
(8)

REPROFILMED

MAR 18 1993

WELLS to MC
(37-38)

A72-04080 D



SPLIT OWNERSHIP

SEC

10/19/98



SPLITS OF
72-4080

3/19

Steve,

I've had this ownership change hanging around for awhile and thought I'd try to figure it out, but I think I need your help (or, YOU can do it if you want to!) You've done the recommendation and figured conveyance losses and diversion amounts for three different soil types based on the Hubble Analysis and I'm not sure how to divide things up!

Anyway, this is what I found:

When Wells filed the original claim, I'm not sure he EVER owned Lots 7 & 8 , Blk. 3, (at least according to Custer County Assessor's Office records). They show Lot 7 is owned by Joseph Trutti (a 2.2 acre bare lot) and Lot 38 was sold to David Bibber directly from Wunsch, the original developer, and no Wells involvement. I don't think we have anything on either of these transactions...

Then he amended the claim in 1990 and added 8 acres, Lots 4,5,7 & 8, Blk. 4. (File showed he was leasing Lots 4 & 5 but Assessor's Office says he never owned them.) They show Wunsch sold these two lots to Giampedraglia...nothing to us yet.

When Judy did the ownership change back in 1992 to Corgatelli/Donahue, it should have been split because according to the deeds, all the claimed lots were not conveyed. (I noticed in the file that you had questioned this yourself.)

Looks like Wells retained Lots 37 & 38, Blk. 1. (Wonder what ever happened to the PART of Lot 36?) Now Wells has sold Lots 37 & 38, Blk.1, to Macomber who subsequently sold to Royce.

Anyway, would you please look this stuff over when you get a chance and maybe we can get together to resolve this mess...

Thanks,
Jeanie

10/17/98 sec

I agree with this conclusion of events regarding the split analysis for A72-4080D.

A72-04080D