

07/08/2008

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

RIGHT NUMBER: 1-10021

NAME AND ADDRESS: BYRON LAWRENCE BLAKELY
113 N 5050 E
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.968 CFS

PRIORITY DATE: 04/30/1900

POINT OF
DIVERSION:

T04N R40E S36 SWNWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.968 CFS

PLACE OF USE: IRRIGATION in JEFFERSON County

T04N R40E S25 Lot 17 NWSW 1.90 T04N R40E S25 Lot 18 NWSW 4.20

T04N R40E S25 Lot 1 SWSW 13.00 T04N R40E S26 Lot 23 NESE 1.20

T04N R40E S26 Lot 1 SESE 15.00

35.3 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 - Decreed

This right is a split from former right 1-125A.

Use of this right is combined with water from Palisades Reservoir.

Water is delivered through Mattson-Craig Canal.





RECEIVED

MAY 14 2008

Department of Water Resources
Eastern Region

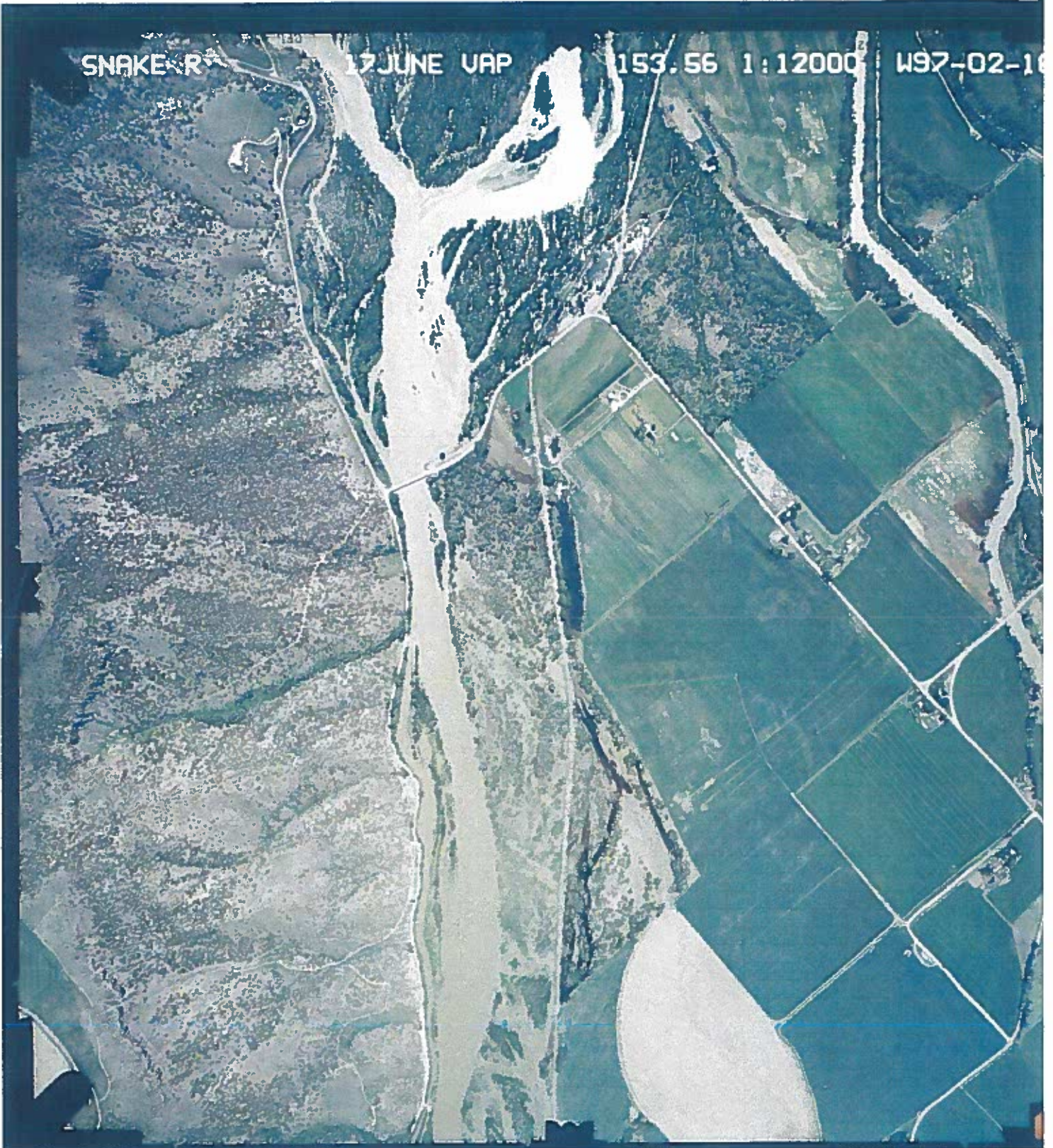
SNAKE R

17 JUNE UAP

153.56

1:12000

W97-02-18



September 8, 2008

BYRON LAWRENCE BLAKELY
113 N 5050 E
RIGBY ID 83442

Dear Mr. Blakely,

Thanks for showing me around your farm earlier this summer. Having seen the irrigation system I feel that I now have a better understanding of your operation. I think that the information I gained from my time on the ground helped me make a more accurate recommendation to the court. By now you should have received your amended Director's Report which was recommended as claimed.

However I do have one concern. While you do have a legitimate right to divert water out of the Snake River via the Mattson Craig Canal, my research shows that the pump near your pond is not a legal point of diversion. You may want to consider taking action to correct this. If this problem is not resolved, you could be issued a notice of violation if your property continues to be irrigated when water is not being received from the Mattson Craig Canal. Feel free to contact me at 525-7161 if you have questions or would like assistance.

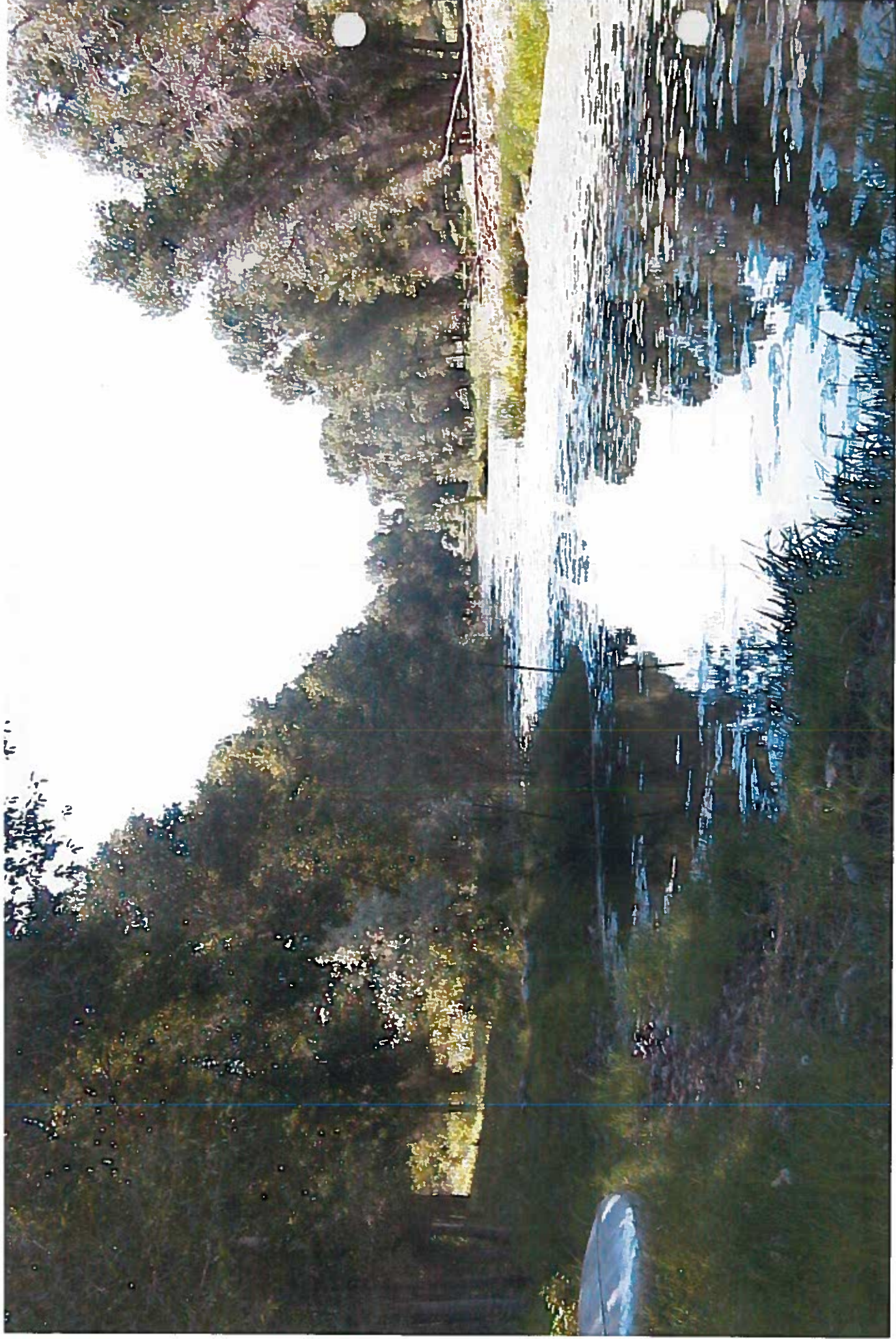
Respectfully,

Michael Holliday
Water Resource Agent, Sr.

sent ✓

To: File 1-10021
From: Michael Holliday
Date: July 2, 2008
Re: Field Exam

Accompanied by Byron Blakely, I observed the place of use and delivery system now in use for the irrigation of his property. There are about 3 or 4 acres at the north end of his biggest field that are flood irrigated in the spring out of a ditch that comes off the Mattson-Craig Canal. The remainder of the place of use is irrigated via wheel lines and hand lines. The source of this water use is mixed. In the spring water from the canal is diverted into a long, narrow pond that is about 12 feet deep according to the claimant. The claimant said that the pond was there at the time that the dike was built. However, the pond was deepened about 15 years ago according to the claimant so that it would hold water better. After the initial filling of the pond in the spring the pond remains full because the sub-water level comes up due to irrigation in the area. For most of the irrigation season, the claimant is pumping sub-water because his priority is cut early in the season, and according to the claimant, the majority share holder on the canal monopolizes the water use from the canal. There is currently no water right for the pond.



7/2/2008 POND



7/2/2008 PUMP IN CISTERN NR POND



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709
<http://www.id.blm.gov>



In Reply Refer To:
IDI-34375 (933)

APR 07 2006

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

PATENT NO. 11-2006-0009

Byron and Teresa Blakely
113 N. 5050 E.
Rigby, Idaho 83442

Boise Meridian, Idaho
T. 4 N., R. 40 E.,
Section 25, lot 18.

Containing 5.81 acres

Dear Mr. and Mrs. Blakely:

We are happy to transmit the enclosed patent for the land described above. Please note that the United States of America has retained a Conservation Easement on the property as stipulated in the Court Order. We have enclosed a copy of the Conservation Easement for your records.

The enclosed patent is the original document conveying title to the described land from the United States. We strongly recommend that you record this patent in the Jefferson County recorder's office for the purpose of preservation.

The patent is issued based on a public land survey approved on May 28, 2003. Enclosed for your information is a copy of this Dependent Resurvey and Metes-and-Bounds Survey Plat. The patented lands have been highlighted in yellow on this plat. We are also providing a copy of the patent and plat to the Jefferson County Assessor.

Sincerely,

Jimmie Buxton
Branch Chief, Lands, Minerals & Water Rights
Resource Services Division

Enclosures

cc:
Jefferson County Assessor

TOWNSHIP 4 NORTH, RANGE 40 EAST,

CORNER DESCRIPTIONS

- (A) The 1960-68 witness cor. to the 1878 meander cor. of secs. 25 and 26, for the left bank of the Snake River, monumented with an iron post, 2 1/2 in. diam., firmly set, projecting 6 in. above the ground, with brass cap marked as described in the official field notes of the 1960-68 and 1979 dependent resurveys, with the exception of a missing arrow pointing to the true cor. Add the marks 2003 and an arrow to the brass cap which is now marked as shown.



Corner is located on a moderate N. slope, 5 ft. N. of the N. edge of a flat field edge, bears SE and NW; 15 ft. N. of a ditch, 1 ft. wide, bears SE and NW; and 20 ft. N. of a barbed wire fence, paralleling said ditch.

- (B) True point for the 1878 meander cor. of secs. 25 and 26, for the left bank of the Snake River, of proportionate dist. based on the 1960-68 and the 1979 dependent resurvey records. There is no remaining evidence of the 1878 cor. Note: A monument was not set at this true point in the 1960-68 nor the 1979 dependent resurveys. The cor. falls in a slough where it is impracticable to establish a permanent monument.

- (C) Point for intersection point, of the intersection of line 1-2, former Tract 38, currently the line bet. angle point No. 1, former Tract 38, and cor. No. 2, Lot 23, sec. 26, identical with cor. No. 1, Lot 24, sec. 26, both hereinafter described. Point not monumented.

From this point, cor. No. 2, Lot 18, sec. 25, this survey, bears S. 56°30' E. 2.36 chs. dist., hereinafter described.

From this same point, angle point No. 1 of former Tract No. 38, identical with cor. No. 3, Lot 18, sec. 25, this survey, bears S. 56°30' E. 13.77 chs. dist., hereinafter described.

From this same point, cor. No. 2, Lot 23, sec. 26, identical with cor. No. 1, Lot 24, sec. 26, bears N. 56°30' W. 9.94 chs. dist., monumented with an iron post, 2 1/2 in. diam., firmly set, flush with the surface of a road, with brass cap marked as described in the official field notes of the 1979 dependent resurvey.

Corner is located in center of gravel road on dila, 15 ft. wide, bears SE and NW, and under a pipe gate in a fence line, bears N. and S.

DEPENDENT RESURVEY AND M

- (D) The 1960-68 witness cor. to the 1960-68 meander cor. of secs. 25 and 26, for the left bank of the Snake River, monumented with an iron post, 2 1/2 in. diam., firmly set, projecting 6 in. above the ground, with brass cap marked as described in the official field notes of the 1960-68 and 1979 dependent resurveys, with the exception that a W and an arrow pointing to the true cor. were missing. Add the marks W 2003 and an arrow to the brass cap which is now marked as shown.



Corner is located on a small barn, 30 ft. S. of the pole's edge of the S. shore of the Snake River, bears SE and NW.

LOT 18 CORNER DESCRIPTIONS

Note: Refer to the plat memorandum for information describing how Lot 18, sec. 25, was located.

- (1) The point for cor. No. 1, Lot 18, sec. 25, established on the as-built centerline of Heise Road.

Set a railroad spike, 7 in. long, flush with the surface of the road, marked X.

Corner is located in the centerline of Heise Road, paved, 20 ft. wide, in curve, bears S. 25° E. and N. 20° W.

From this cor., U.S. Coast and Geodetic station HEISE 1946 bears N. 75°07'32" E. 96.036 chs. dist., monumented with a standard brass cap, 3 1/2 in. diam., firmly cemented into a drill hole in a rock outcrop, 3x2x1/2 ft. above ground, with top marked HEISE 1946 and a triangle, with National Geodetic Survey published coordinates, in NAD 83(1982):

Latitude: 43°36'57.17826" N. Longitude: 112°40'41.45963" W.

From this same cor., a point selected for a witness point on line 1-2, Lot 18, sec. 25, bears N. 75°57' W. 0.70 chs. dist.

Set on aluminum post, 30 in. long, 28 in. in the ground, over a plastic-coated magnet, with aluminum cap marked as shown.

Witness point is located in barbed wire fence, bears N. and S.; 12 ft. N. of gate support post of NW end of pipe gate and 1/2 ch. N. of Heise Road, paved, 20 ft. wide, bears S. 25° E. and N. 20° W.

The point for cor. No. 2, Lot 18, sec. 25, established at intersection with line 1-2 of former Tract 38, currently the line bet. angle point No. 1 of former Tract 38, identical with cor. No. 3, Lot 18, sec. 25, this survey, hereinafter described, and bet. cor. No. 2, Lot 23, sec. 26, identical with cor. No. 1, Lot 24, sec. 26, hereinafter described.

Set a rubber, 3/4 in. diam., 30 in. long, 4 in. below the surface of a road, with drive-on aluminum cap marked as shown.

Corner is located in center of gravel road on top of dila, 15 ft. wide, bears SE and NW.

From this cor., a point selected for a witness point on line 1-2, Lot 18, sec. 25, bears S. 75°57' E. 1.50 chs. dist.

Set on aluminum post, 30 in. long, 23 in. in the ground, over a plastic-coated magnet, with aluminum cap marked as shown.

Witness point is located in a mesh wire and barbed wire fence, bears SE and NW, and 1 ch. N. of gravel road on top of dila, 15 ft. wide, bears SE and NW.

Corner No. 3, Lot 18, sec. 25, identical with angle point No. 1, former Tract 38, monumented with a copperweld, 1/2 in. diam., firmly set, 1 in. below the surface of a road, with brass cap marked as described in the official field notes of the 1963 dependent resurvey and as shown.

Note: There was not sufficient space on the brass cap to add marks indicating cor. No. 3, Lot 18.

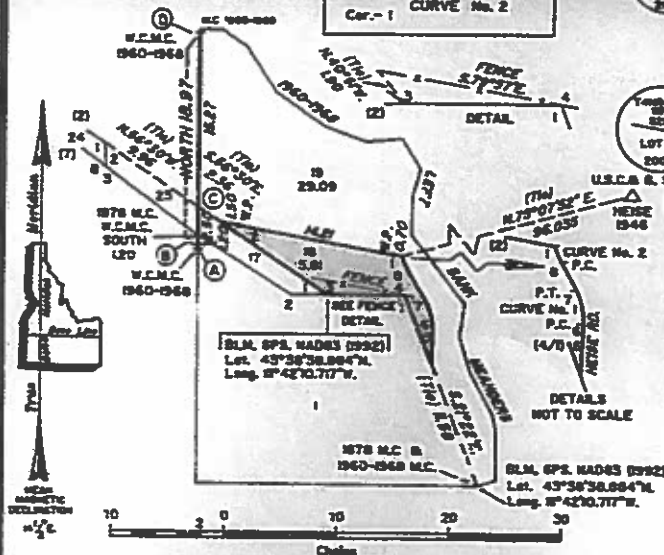
Corner is located in the center of a gravel road on top of dila, 15 ft. wide, bears SE and NW.

From this cor., the W. end of a pole fence bears N. 40°51' W. 1.90 chs. dist. Fence extends S. 75°57' E. for 3.08 chs. dist. to the E. end of pole fence. This fence is a controlling element in establishing the direction of line 1-2 of Lot 18, sec. 25 of this survey, which is parallel with the pole fence.

CURVE No. 1	
AS-BUILT CENTERLINE OF HEISE RD.	
R= 375.00'	
L.C.= N13°41'W. 3.19	
Δ= 32°36'	
L= 3.24	

CURVE No. 2	
AS-BUILT CENTERLINE OF HEISE RD.	
R= 580.00'	
L.C.= N24°38'W. 1.64	
Δ= 10°44'	
L= 1.63	

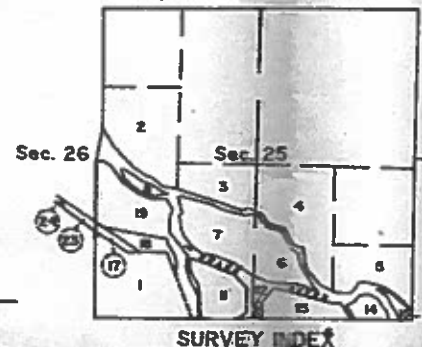
LOT 18 SURVEY DATA	
Cor.- 1	N.75°57'W. 14.41
Cor.- 2	S.56°30'E. 14.41
Cor.- 3	S.89°5'E. 6.95
Cor.- 4	S.2°22'E. 6.95
Cor.- 5	N.2°38'E. 2.53
Cor.- 6	N.30°00'W. 2.52
Cor.- 7	CURVE NO. 1
Cor.- 8	CURVE NO. 2



I, John S. Zink, Cadastral Surveyor, HEREBY CERTIFY upon honor that I have dependently resurveyed a portion of the subdivisional lines, a portion of the 1878 meanders of the left bank of the Snake River in section 25, and a portion of former Tract 38, and surveyed by metes-and-bounds Lot 18, section 25, Township 4 North, Range 40 East, Boise Meridian, Idaho, beginning May 19, 2003 and completed May 21, 2003, and that said survey has been made in strict conformity to the special instructions for Group 153, Idaho, dated May 19, 2003, the assignment instructions, dated May 19, 2003, and the Manual of Surveying Instructions, 1973, and in the specific manner described and shown on this plat.

5-28-03
Date

John S. Zink
Cadastral Surveyor



CONSERVATION EASEMENT RESERVATION

~~IDI-33756~~ IDI 35378

KNOW ALL MEN BY THESE PRESENTS, that the United States of America, acting by and through the Bureau of Land Management, U.S. Department of the Interior, in accordance with the Idaho Code (I.C. 55-2101 to 55-2109), and pursuant to the Federal Land Policy and Management Act of 1976, Public Law 94-579 (90 Stat. 2743-2794), and regulations issued thereunder, hereby reserves to itself and to its assigns an easement to protect and preserve certain Conservation Values in the following described real property situated in the County of Jefferson, State of Idaho, in perpetuity:

A parcel of land described as Lot 18, Section 25, Township 4 North, Range 40 East, Boise Meridian, Jefferson County, Idaho.

The parcel of land to which the above description applies contains 5.81 acres, more or less.

Conservation Values

It is the intent of the United States to protect the ecological integrity of the South Fork of the Snake River, and natural habitat for wildlife, fish, and plants. The Conservation Values protected by this easement will contribute to the conservation of the ecological health and functionality of the South Fork of the Snake River, open spaces, and agricultural lands.¹ The purpose of this easement through the following use restrictions is to prevent development or use of the described parcel that would mar or detract from the Conservation Values, and to that end reasonably encumber the property described herein, so as to accomplish such ecological objectives. The conditions, restrictions and limitations set forth herein shall be considered covenants running with the land.

Use Restrictions

A. The use of the above-described real property shall be limited to farming, ranching, and other agricultural activities. No practice, substance, device, or activity shall

¹ A 1980 report by the United States Fish and Wildlife Service rates this area as Idaho's most valuable diverse and unique ecosystem. The South Fork of the Snake River provides one-half of Idaho's bald eagle productivity and is an important winter roosting area. It supports over 120 different bird species, a wide variety of big game and upland game species, and Idaho's largest native Yellowstone cutthroat trout fishery.

be permitted which would be detrimental to the current ranching and/or agricultural and open space character and use of the property. Cultivation and livestock grazing activities shall not degrade the current condition of the property.

B. The landowner shall have the right to enroll all cultivated fields in the Conservation Reserve Program or any other similar state or federal program.

C. The landowner shall have the right to control weeds in a manner consistent with state laws. The landowner further shall have the right, on the property, to control predatory and other problem animals, so long as such action is consistent with generally applicable state and federal laws and regulations.

D. No residential, commercial, or retail uses shall be allowed on the property. Some examples, without being an exhaustive list, of such prohibited uses are: hotels, motels, guest ranches, outfitting, retail shops or stores, restaurants, commercial feedlots, commercial dairy operations, commercial meat or poultry processing facilities, commercial greenhouses, sawmills or logging operations, or other similar intensive uses.

E. No new structures, facilities, constructed trails, or roads of any kind, either permanent or temporary, shall be placed on or erected upon the property. No permanent camping facilities, mobile homes, house trailers, quonset huts or similar structures, above-ground utilities, livestock feeding or water facilities, or communications towers shall be erected or placed anywhere on the property. Notwithstanding the foregoing, the landowner shall remain entitled to install and maintain fences on any portion of the property. All fences shall be constructed and maintained in accordance with State of Idaho fencing standards. Notwithstanding the foregoing, the landowner shall be entitled to build, install and maintain a south-facing loafing shed for livestock south of and along the existing east-west fence adjacent to the existing corral area, which loafing shed shall have the following approximate dimensions: 50' in length, 20' in depth and not to exceed 20' in height, the final dimensions and appearance subject to discussion and final approval by BLM, which approval shall not be unreasonably denied.

F. No mining or extraction of soil, sand, gravel, rock, oil, natural gas, coal, fuel, or any other mineral substance on the property shall be permitted. No excavating, grading, cutting and filling, berming, road construction, or similar material, topographical changes shall be permitted, except that ordinary agricultural use and maintenance, repair and replacement of roads, fences, gates, and trails shall be permitted.

G. No dumping nor contained/uncontained accumulation of any kind of trash or refuse nor animal waste nor derelict machinery on the property shall be permitted.

H. No storage, dumping, or other disposal of toxic and/or hazardous material or non-compostable refuse on the property shall be permitted.

I. No division, subdivision, or *de facto* subdivision of the land shall be allowed.

J. No intentional introduction of non-native plant or animal species shall be permitted, except for agricultural uses, livestock grazing, or the use of insects for biological weed control.

K. The property shall be fenced to restrain livestock from the adjacent public lands. All fences shall meet or exceed the State of Idaho fencing standards. Maintenance shall be the responsibility of the landowner of record.

Enforcement

The above restrictions shall be binding upon the owners of record of the subject land, their heirs, successors, and assigns. In order to assure compliance with this easement, the Bureau of Land Management reserves the right to inspect subject property after prior notification to the owners of record. This easement shall remain in full force and effect in perpetuity, or until the property no longer warrants the protection that the above restrictions provide. Such determination shall be made by the authorized officer of the Bureau of Land Management.

In the event of a violation of the above restrictions, the United States Government, acting through the Bureau of Land Management, may institute a suit to enjoin such violations. Any failure to act shall not be deemed to be a waiver or forfeiture of the right to enforce any term, condition, covenant or purpose of this easement in the future.

In the event of a violation of the restrictions, the Bureau of Land Management shall have the right to require the restoration of that portion of the property affected by such activity prior to the undertaking of such prohibited activity. In such case, the cost of restoration shall be borne by the land owner of record.

Dispute Resolution

The parties agree to resolve any disputes that arise out of this Easement by submitting any dispute to mediation. Any party shall have the right to begin the process

by giving the other party a written notice requesting mediation, describing the issues involved. A mutually agreeable mediator and a time frame for the mediation meetings shall be agreed upon. The parties and the mediator may adopt any procedural format that seems appropriate for the particular dispute. Unless agreed otherwise, the contents of all discussions during the mediation shall be confidential and non-discoverable in subsequent litigation, if any. If the parties can agree upon a mutually acceptable agreement, it shall be reduced to writing, signed by all parties, and the dispute shall be at an end. The costs of mediation shall be shared equally by the parties. If, after continuing the mediation process the parties recognize that the dispute cannot be successfully mediated, or if any party refuses to mediate or to name a mutually acceptable mediator and a timeframe for mediation within a period of time that is reasonable considering the urgency of the disputed matter, then the parties may take appropriate legal action. Nothing herein shall prevent any party from seeking injunctive relief where appropriate under the law.

Dated this 2nd day of February, 2006.

IN THE MATTER OF:
IRRIGATED LANDS OF
BOISE MERIDIAN, IDAHO
T. 4 N., R. 40 E.,
SECTIONS 25 & 26

AFFIDAVIT

RECEIVED
MAY 14 2008
Department of Water Resources
Eastern Region

I Byron Blakely being first duly sworn, depose and says: that I rented the entire farm for several years prior to this from Kenneth Jacobson (includes that now developed N & W of Hwy). Some fencing, irrigation and land improvements of the property were made while renting. I then purchased the first parcels of land contained approximately 27 acres from Kenneth Jacobson/Amle Landon on 26 April 1982. A couple of years later purchased the 2.24 acre parcel on 22 April 1984 where our barn is built with a 21/2" water line from our well. On 6 August 1984 I purchased Lots 17 & 23 from BLM, half of which is a drainage pond from our fields and later became the water source of our irrigation system. The other half that was not pond became farmed and sprinkled.

On or before 1990, I installed sprinkler pump system at the edge of the pond just west of our new home. Fields by the barn, those adjacent to the pond as well as the main field were watered by this system. This system was improved over the years with main line improvements that eventually extended north through the dike (on 23 July 2001) rather than going over it with hand lines to Lot 18 and parcels by barn. With the purchase of the farm came 102 shares of capital stock in the Craig Mattson Canal Co. with 153 acre feet of Palisade Storage water. Farm is approximately 42 acres today (incl. roads, dike, pond).

Lot 18 was part of disputed lands with the BLM- see Possessory Claim of 1916. It had been farmed and irrigated through a ditch depicted in attached photos. The roadway to Heise Bridge and construction of the Dike in the early 1950's severed Lot 18 from the rest of the farm prior to our ownership. We were restricted to use this property on 8 June 1998 by the BLM in spite of the Claim and even though there had been earlier history of irrigated farm activity on it.

In 2002 Motion of Summary Judgment was granted by the BLM granting us to water and farm Lot 18 until an Environmental Assessment and Appraisal could be completed so we could purchase the parcel.

The Environmental Assessment, Appraisal, Conservation Easement, Patent and Purchase issues for Lot 18, (5.18 acres), became finalized at the close of 2006.

Subscribed and sworn to before me this

14th

day of

May

2007.8

Byron L. Blakely
(Signature)

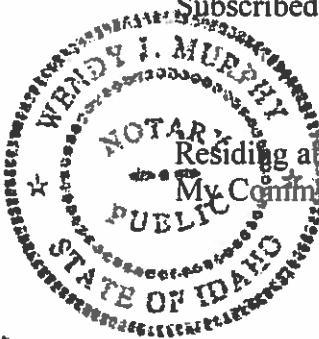
Wendy J. Murphy
(Notary Public)

Residing at

Idaho Falls

My Commission Expires

11/6/2013



IN THE MATTER OF:

AFFIDAVIT

IRRIGATED LANDS OF
BOISE MERIDIAN, IDAHO
T. 4 N., R. 40 E.,
SECTION 25, LOT 18
CONTAINING 5.81 ACRES

I Earl Wilcox being first duly sworn, depose and says: that since the early 1950's I have worked with and for the Flood Control District No. 1 of Idaho and have become familiar with water diversion features such as this irrigation ditch depicted in and for this small parcel described above and depicted in attached photos. I recall the ditch being in existence from the early 1950's when I came to work for the District and as late as the 1980's running parallel to the roadway leading to the Heise bridge crossing and was used as a source of surface irrigation in its earlier years.

Earl Wilcox
(Signature)

Subscribed and sworn to before me this 21 day of Feb, 2007.

Kristy Tupper
(Notary Public)

Residing at Rebburg
My Commission Expires 6-15-12



IN THE MATTER OF:

AFFIDAVIT

IRRIGATED LANDS OF
BOISE MERIDIAN, IDAHO
T. 4 N., R. 40 E.,
SECTION 25, LOT 18
CONTAINING 5.81 ACRES

I Lee Mattson being first duly sworn, depose and says: that between the approximate dates of March 1940 to March 1953 when my father, C. Charles Mattson owned and operated a small family farm which included the small parcel described above being irrigated from the ditch (depicted in attached photos) diverted from the Craig Mattson Canal diversion. For years this ditch ran parallel the roadway that led to the Heise bridge crossing and was used as a source of surface irrigation for such crops as hay, grain, pasture, and potatoes of which I participated in providing labor for such. The irrigation of this parcel of land continued as described for the entire duration of the operation of the family farm.

Lee Mattson
(Signature)

Subscribed and sworn to before me this 31 day of Jan, 2007.



Residing at Hamilton, Montana

My Comm. Expires Sept 24, 2009

Susan S. Smith
(Notary Public)

Residing at Hamilton, MT
My Commission Expires Sept 24, 2009

Possessory Claim

KNOW ALL MEN BY THESE PRESENTS:

That I, Charles W. Mattson

a citizen of the United States, and over the age of twenty-one years, do hereby select and claim 20

acres of the unsurveyed public lands of the United States, described as follows, to-wit:

That portion of land lying north of lot one (1) in section twenty-five (25)
in township Four North, Range 40 E.B.M., and south of the South Fork
of Snake River, said land being what is commonly referred to as land that
has been deposited by the high water of said South Fork of Snake River
since the government survey of said lot one in said section. It being the
intention of applicant to claim all that land from the north boundary of said
lot one (1) north to the said South Fork of Snake River.

Charles W. Mattson

STATE OF IDAHO, }
County of Jefferson } ss.

I, Charles W. Mattson, being first duly sworn,

deposes and says, that he has read the foregoing notice and that the same is true; that he owns no other

land under this act, and that it does not contain more than twenty

acres, and is in compact form, and that he knows of no adverse claimant to the said land.

Charles W. Mattson

Subscribed and sworn to before me, the 27th day of May, 1916

Barth L. Penner

Notary Public.

Rigby, Idaho.

My Commission expires Nov. 9th, 1918.

5098

POSSESSORY CLAIM

Of

Charles W. Mattson

COUNTY OF JEFFERSON
STATE OF IDAHO

Filed for Record at the Request of

Bash L. Bennett

at 9:35 o'clock A. M., and recorded

in Book 48, Page 244

This 29th day of

May 1916

B. L. Bennett
Ex-Officio Recorder.

By _____

Deputy.

Fees for filing, *Woots*

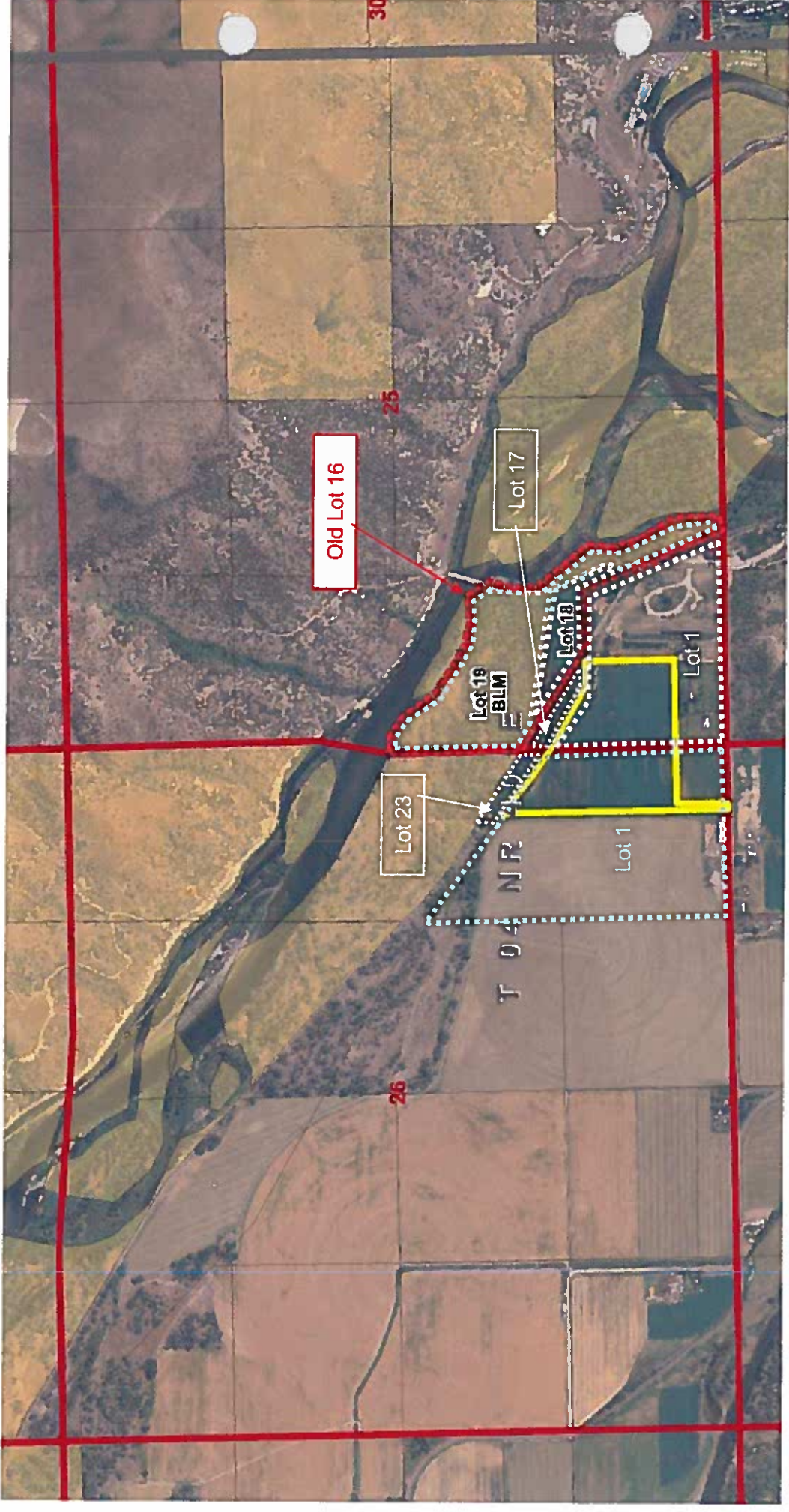
Star Printing Co., Ripby, Idaho.



SESW L18
NWSW L17

01-10021

T04N, R40E



In terms of resolving the Claimant's objection, BLM will not have to raise a mixed ownership issue if any future amended director's report describes the use by current government lots. The Lot 16 in S25 that the claimant refers to in his objection has been resurveyed into Lots 18 & 19. BLM issued a patent for Lot 18 but Lot 19 remains as public land. A shapefile in IDWR's file suggests that land should also be included within Lots 17 & 18, S25 and Lot 23 of S26. BLM won't have an issue with this claim if it is described using the following lots rather than QQs:

- S25, Lots 1, 17, and 18;
- S26, Lots 1 and 23

CANNED

AC-10021

INSTRUMENT No. 98809.

This Indenture, Made this 7th day of March in the year of our Lord one thousand nine hundred and Fifty-three, between CLARENCE CHARLES MATTSON and DOROTHA MATTSON, his wife, of the County of Jefferson and State of Idaho the parties of the first part, and JAMES IVAN SMITH and SARA SMITH, his wife, of the County of Jefferson and 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

Ten 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 the following described real estate, situated in Jefferson County, State of Idaho, to-wit:

All of Lot One (1) in Section Twenty-five (25), in Township Four North (4N) Range Forty (40), East Boise Meridian, and commencing at the Southeast corner of Lot One in Section Twenty-six (26), in Township Four North, Range Forty East Boise Meridian, and running thence West 33 1/2 rods, thence North 90 rods, more or less, to the North Boundary line of said Lot One, as aforesaid, thence in a south-easterly direction, and Easterly direction following the North Boundary line of said Lot One, where the same intersects the East boundary line of said Section 26, at a point about 85 rods North of the place of beginning, thence South, following the East boundary line of said Section 26, to the place of beginning, a distance of about 85 rods. With all water and ditch rights belonging thereto, or used in any manner in connection therewith, and including 93 inches of 1900 decreed water from Snake River, and 200 shares of the Capital Stock of the Craig and Mattson Canal Co., Ltd.

This Deed is made subject to one certain mortgage on above described land, upon which there is a balance due of \$2,500.00 which the parties of the second assume and agree to together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profit 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 said parties of the second part, 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 the first part, and their heirs, and against all and every person and persons whosoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written. (\$9.90 U.S. I.R.S. Attached and Duly Cancelled.)

Signed, Sealed and Delivered in the Presence of

CLARENCE CHARLES MATTSON (SEAL)

DOROTHA MATTSON (SEAL)

(SEAL)

STATE OF IDAHO,

County of Bonneville.

ss.

On this 9th day of March, in the year 1953, before me,

C.W. Mulhall

* Notary Public

In and for said County and State,

personally appeared Clarence Charles Mattson and Dorothea Mattson, his wife,

known to me to be the persons whose names are 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.

(SEAL)

C.W. MULHALL, Notary Public

My Commission Expires: Oct. 16, 1955.

Residing at Idaho Falls, Idaho.

Recorded at the request of C.L. Jones this 17th day of March

A.D. 1953, at 30 minutes past 1 o'clock P. M.

By Otis R. Lemmon

, Deputy.

Eileen Madsen

, Recorder.

A01-10019
A01-10020
A01-10021

To: File 1-10021
From: Michael Holliday
Date: December 15, 2006
Re: Meeting with claimant to discuss NOE

I met with Byron and Teresa Blakely this morning to discuss the NOE reply form that was received in this office on 12/14/2006. At issue was 5.81 acres of land located on the river side of the levee. The claimant wanted to have this land included within the irrigated place of use of claim no. 1-10021. The claimant thought that the land had historically been irrigated. Because he owned the land he insisted that he had a water right. While the claimant did own 2.24 acres of the land located in Lot 1 at the time claim no. 1-10021 was filed, the remainder was owned by the BLM and was located outside of Lot 1. Only recently has the claimant come into possession of the entire 5.81 acres.

The claimant said that he bought the 2.24 acres in about 1981. He began to irrigate the land on the river side of the levee in 1991 after installing a pump in a pond located on the south side of the levee on his property. The pond fills with sub-water and is also filled with water carried by the Mattson-Craig Canal.

I explained to the claimant that based on the evidence contained in the file, I had no intention of altering my recommendation, but that he was welcome to file an objection if he disagreed with my recommendation.

I decided against changing the preliminary recommendation for the following reasons:

1. Mr. Blakely claimed the 28 acres that he owned on the south side of the levee. This is evident based on the 2 maps that accompanied the original claim. I recommended the 26 acres that I could confirm to be irrigated. The remaining 2 acres in the parcel represents the pond mentioned above.
2. Irrigation of the land on the river side of the levee could not be confirmed after the construction of the levee in the 1950's, until the pump was installed in 1991. There were at least 10 years (1981 to 1991), based on the testimony of the claimant, that the land on the river side of the levee was not irrigated. There seems therefore to be an issue of forfeiture that needs resolution.
3. At least part of the land on the river side of the levee was owned by the BLM at the time the claim was filed. Therefore legal issues related to the establishment of a water right in trespass may be a factor in this case.

SCANNED

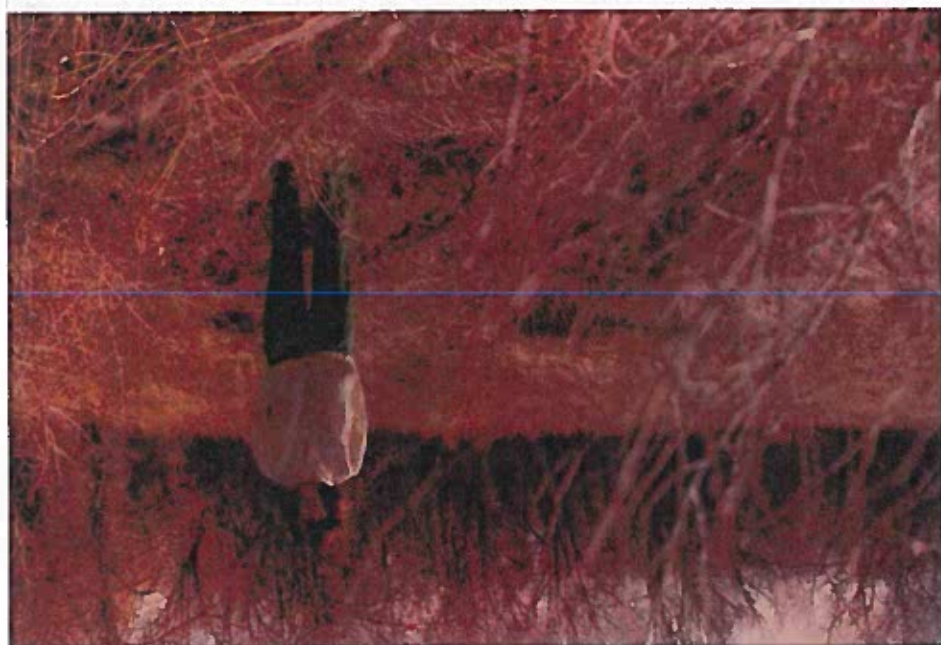
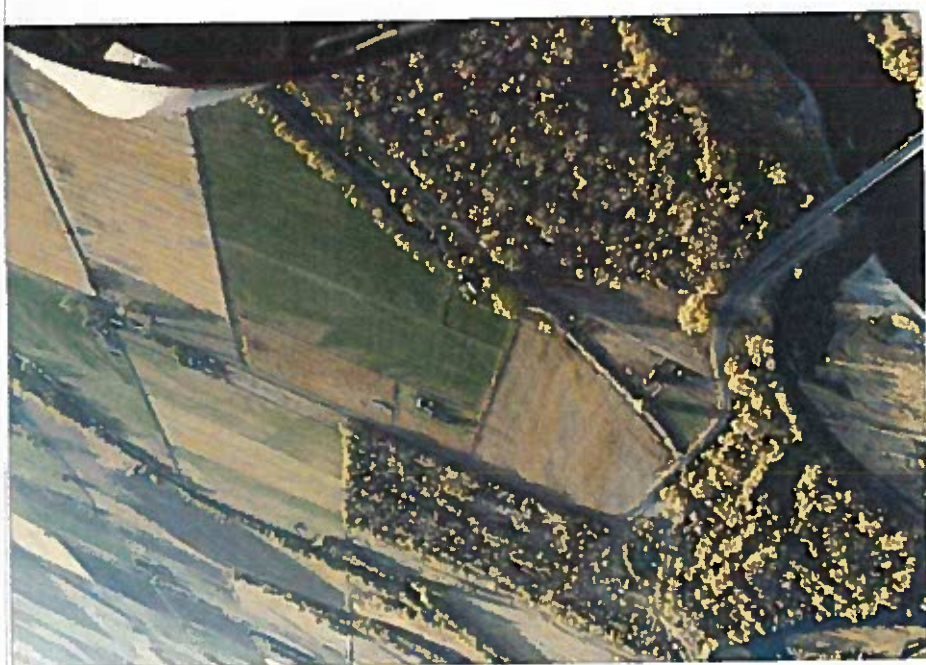
APR 06 2007

PROFILED



PROFILED

SCANNED
APR 06 2007



SCANNED
APR 06 2007

The United States of America

To all to whom these presents shall come, Greeting:

IDI-34375

4:39

O'Clock

A M

CHRISTINE BOULTER

Jefferson Co. Recorder

300

DM

Deputy

Recorded at Request of

Byron Blakely

WHEREAS

Byron L. Blakely and Teresa B. Blakely

are entitled to a land patent pursuant to Sections 203 and 209 of the Act of October 21, 1976 (43 U.S.C. 1713 and 1719), for the following described land:

Boise Meridian, Idaho
Township 4 N., Range 40 E.,
Section 25, lot 18.

Containing 5.81 acres.

NOW KNOW YE, that there is, therefore, granted by the **UNITED STATES** unto Byron L. Blakely and Teresa B. Blakely, the land described above; **TO HAVE AND TO HOLD** the said land with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto Byron L. Blakely and Teresa B. Blakely and to their heirs and assigns, forever; and

EXCEPTING AND RESERVING TO THE UNITED STATES:

1. A right-of-way thereon for ditches and canals constructed by the authority of the United States. Act of August 30, 1890 (43 U.S.C. 945).
2. A Conservation Easement as reserved under Serial Number IDI 35378 pursuant to the Federal Land Policy and Management Act of 1976, Public Law 94-579 (43 U.S.C. 1701) and in accordance with Idaho Code (I.C. 55-2101 to 55-2109).

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

GIVEN under my hand, in Boise, Idaho, the seventh day of April in the year of our Lord two thousand and six and of the Independence of the United States the two hundred and THIRTIETH.

By:



Jimmie Buxton
Branch Chief, Lands and Minerals
Resource Services Division



Patent Number 11-2006-0009

PROFILED

SCANNED
APR 06 2007

BLAKELY, BYRON L TERESA
RP04N40E255900A

Ownership

Parcel ID	RP04N40E255900A		
Owner Name(s)	V	BLAKELY, BYRON L & TERESA	
Property Add	0	0	
Mailing Address	BLAKELY, BYRON L & TERESA 113 N 5050 EAST RIGBY ID 83442		
Legal Description	LOT 18 SEC 25 TWP 4 NORTH RGE 40 EBM		
Deed Change	0		
Deed References	PATENT # 11-2006- 0009 48-244		

Assessment

Category	Rev Year	Area	Market Value	HQ Value	Exempt	Circuit B
3	2006	5.81	660	0	0	0
Totals		5.81	660	0	0	0

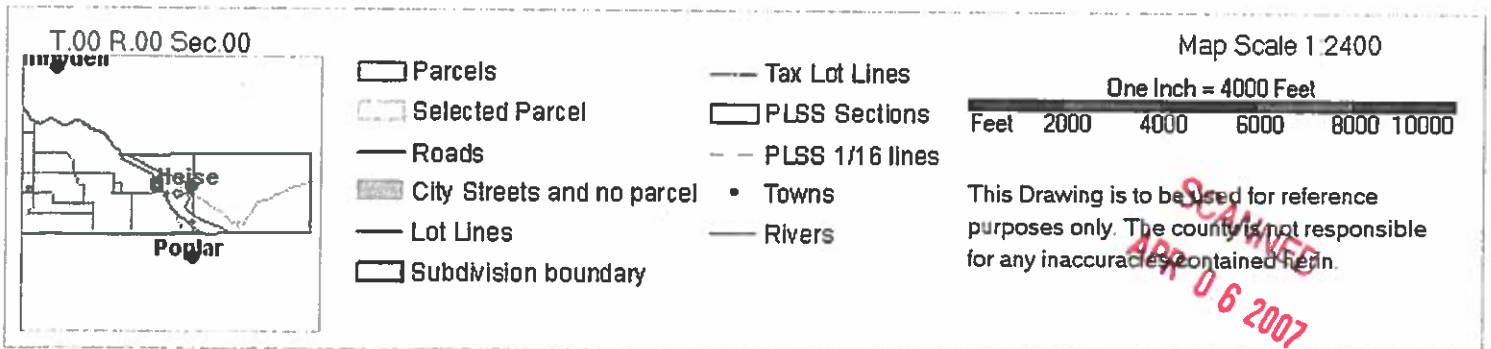
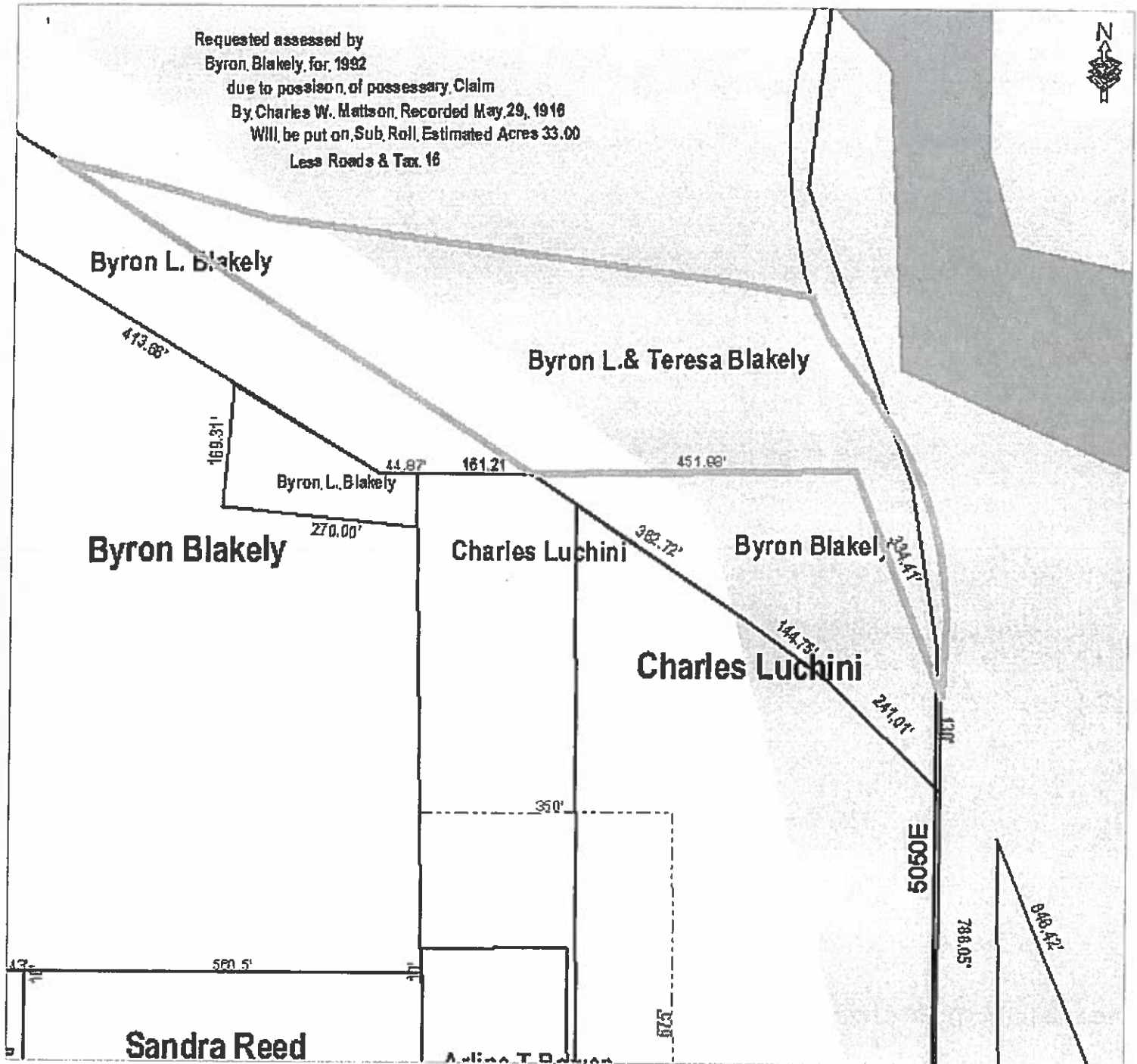
Tax Code 63-0000

Land Use Types

Primary	Exempt	34.91
Secondary		0

PROFILED

SCANNED
APR 06 2007



02/16/2005

NOTICE OF ERROR
REPLY

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

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

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 1-10021

BYRON LAWRENCE BLAKELY
113 N 5050 E
RIGBY ID 83442
Telephone Number: (208)538-7304

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

SEE MARK UP AREA ON MAP

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

CHANGE MAP SHOWING AREA OF WATER USEAGE

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

TO HAVE WATER AT REGULAR 2WK INTERVALS WE DRAW WATER FROM CANAL SOURCE SHOWN, DRAIN INTO POND, & PUMP FROM POND RECIRCULATING WATER.

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

DATE: 12-4-2006 SIGNATURE: Byron L. Blakely

Please print your name: BYRON L. BLAKELY

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

PROFILED

SCANNED
APR 06 2007

CMJ
12/14

11/28/2006

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

RIGHT NUMBER: 1-10021

NAME AND ADDRESS: BYRON LAWRENCE BLAKELY
113 N 5050 E
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.968 CFS

PRIORITY DATE: 04/30/1900

POINT OF DIVERSION:
T04N R40E S36 SWNWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.968 CFS
PLACE OF USE:	<u>IRRIGATION in JEFFERSON County</u>		
	⊕ T04N R40E S25 Lot 1 SWSW	12.00 ⊕	T04N R40E S26 Lot 1 SESE 14.00
	⊕ 26 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 - Decreed

This right is a split from former right 1-125A.

Use of this right is combined with water from Palisades Reservoir.

Water is delivered through Mattson-Craig Canal.

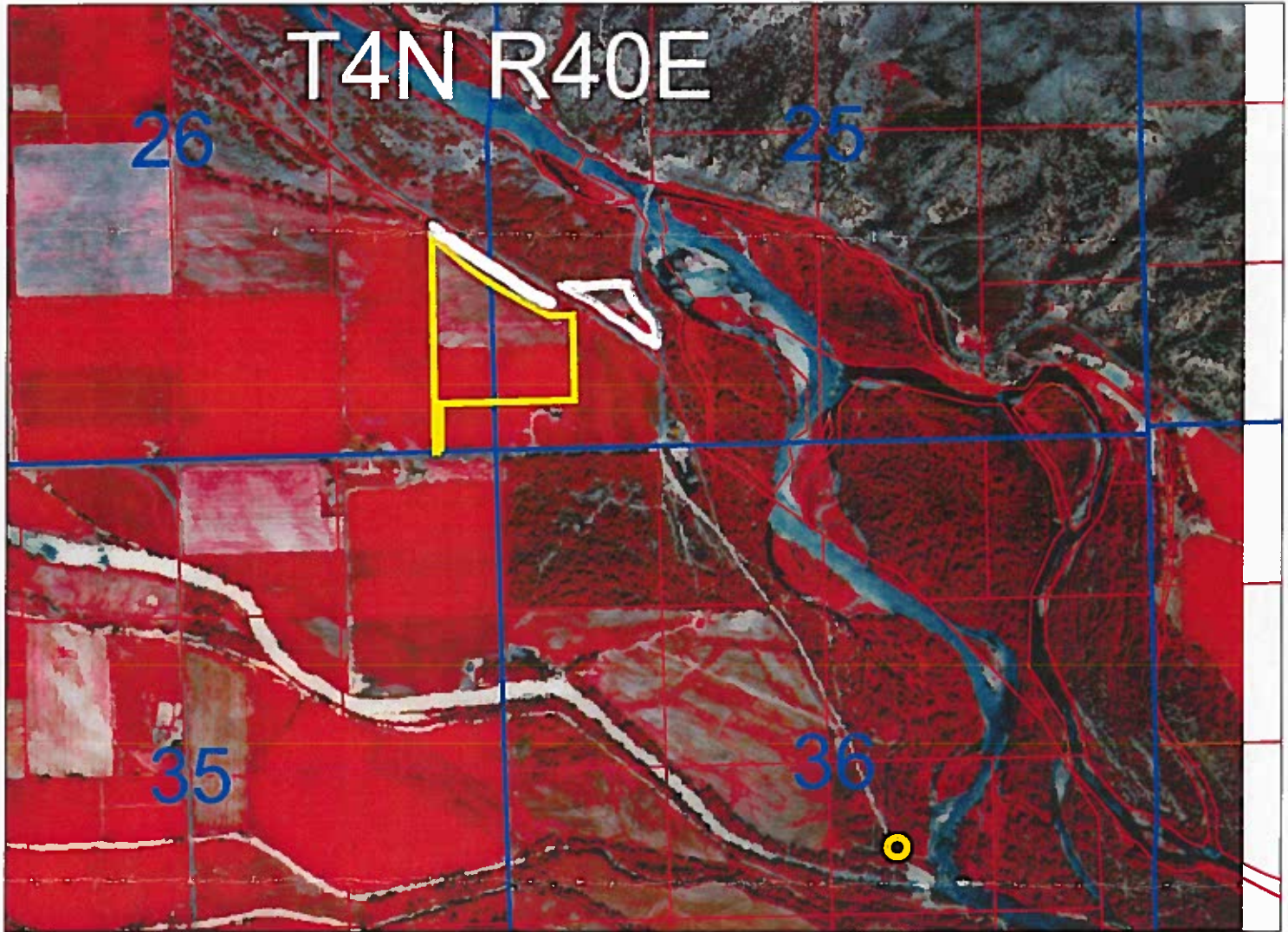
PROFILED

SCANNED
APR 06 2007



Department of Water Resources

Claim No.: 01-10021



0 1320 2640 3960 5280 Feet



Place of Use

ALSO SHOWN IN WHITE



Point of diversion



Sections



QQ

PROFILED

SCANNED

APR 06 2007

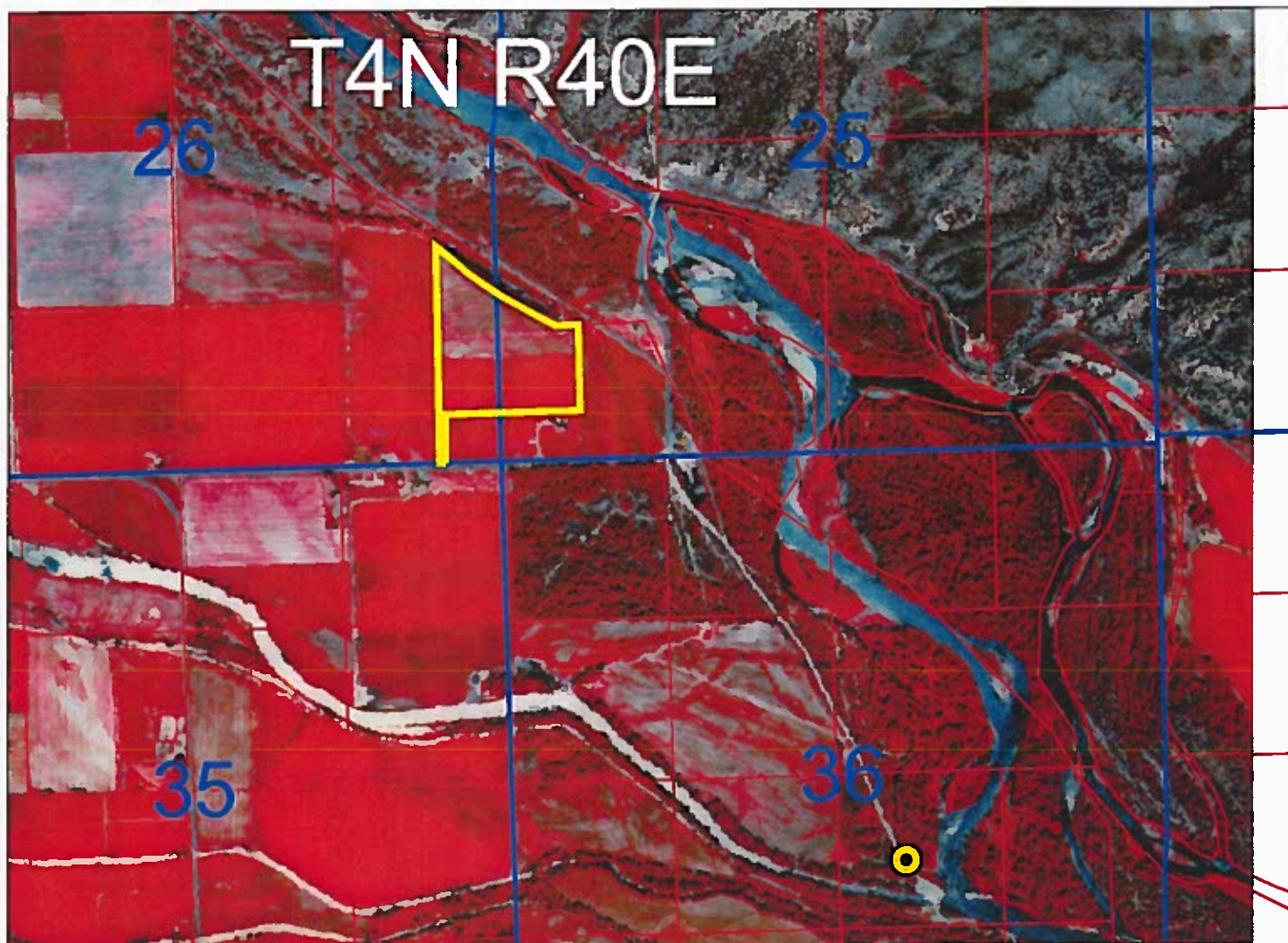


GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: February 2005



Department of Water Resources

Claim No.: 01-10021



0 1320 2640 3960 5280 Feet



Place of Use



Point of diversion

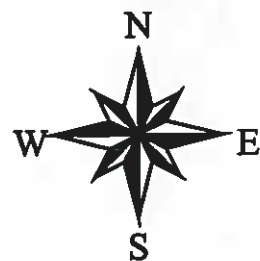


Sections



QQ

SCANNED
APR 06 2007



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by M. Holliday
Date: February 2005

0.025 CFS/AC

1-125 A

15.32 CFS
MATTSON, BC + CG
XFR 809

1-125

MATTSON, BC + CG

4/30/1900

20 CFS

SNAKE RIVER

P.O.M.

B.G. MATTSON

4N 40E 35 NW 1/4

160 AC

C.G. MATTSON

4N 40E 25 SW 1/4

26 SE 1/4

36 NW 1/4

35 NE 1/4

640 AC

XFR 809

SCANNED
APR 06 2017

- 0.58 CFS ABANDONED TO COMPENSATE FOR TRANSMISSION LOSSES
- WATER MOVED OFF OF SENW + E 1/2 SWNW OF SECTION 36

1-125 B

2.05 CFS

W.G. BURKE

P/D: GREAT WESTERN HEAD

POH: 2N 37E 7 NE 1/4

E 1/2 NW 1/4
LOTS 1+2

1-125 C

2.05 CFS

C.W. BURKE

P/D GREAT WESTERN HEAD

POH: 2N 37E 5 LOTS 3+4

5 1/2 NW 1/4

6 LOT 1

SENE

XFR 1025

P/D UNCHANGED

1-125 D

PARREL W BURKE

0.80 CFS

127.7 AC

WIN 2N 37E 5

1-125 E

C.W. BURKE

0.20 CFS

3N 37E 33 SW 1/4

1-125 F

A.N. 150M

1.05 CFS

2N 37E 16 N 1/2 NE 1/4

AUG 24 1953

INSTRUMENT No. 98809.

This Indenture, Made this 7th day of March In the year of our Lord one thousand nine hundred and Fifty-three, between CLARENCE CHARLES MATTSON and DOROTHA MATTSON, his wife, of the County of Jefferson and State of Idaho the parties of the first part, and JAMES IVAN SMITH and SARA SMITH, his wife, of the County of Jefferson and 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

Ten 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 the following described real estate, situated in Jefferson County, State of Idaho, to-wit:

All of Lot One (1) in Section Twenty-five (25), in Township Four North (4N) Range Forty (40), East Boise Meridian, and commencing at the Southeast corner of Lot One in Section Twenty-six (26), in Township Four North, Range Forty East Boise Meridian, and running thence West $33\frac{1}{2}$ rods, thence North 90 rods, more or less, to the North Boundary line of said Lot One, as aforesaid, thence in a south-easterly direction, and Easterly direction following the North Boundary line of said Lot One, where the same intersects the East boundary line of said Section 26, at a point about 85 rods North of the place of beginning, thence South, following the East boundary line of said Section 26, to the place of beginning, a distance of about 85 rods. With all water and ditch rights belonging thereto, or used in any manner in connection therewith, and including 93 inches of 1900 decreed water from Snake River, and 200 shares of the Capital Stock of the Craig and Mattson Canal Co., Ltd.

This Deed is made subject to one certain mortgage on above described land, upon which there is a balance due of \$2,500.00 which the parties of the second assume and agree to together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profit 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 said parties of the second part, 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 the first part, and their heirs, and against all and every person and persons whosoever, lawfully claiming or to claim the same, shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, The said parties of the first part have hereunto set their hands and seals the day and year first above written. (\$9.90 U.S. I.R.S. Attached and Duly Cancelled.)

Signed, Sealed and Delivered in the Presence of

CLARENCE CHARLES MATTSON (SEAL)
DOROTHA MATTSON (SEAL)
(SEAL)

STATE OF IDAHO,

County of Bonneville. } ss. On this 9th day of March, in the year 1953, before me, C.W. Mulhall a Notary Public in and for said County and State, personally appeared Clarence Charles Mattson and Dorothea Mattson, his wife, known to me to be the person whose names are 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.

(SEAL) My Commission Expires: Oct. 16, 1955.

C.W. MULHALL, Notary Public
Residing at Idaho Falls, Idaho.

Recorded at the request of C.L. Jones this 17th day of March

A.D. 1953, at 30 minutes past 1 o'clock P. M.

By Otis R. Lemmon, Deputy. Eileen Madsen, Recorder.

A01-10019
A01-10020
A01-10021

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 1-10021
Date Received: 10/12/1988
Receipt No: E003089 + E033952
Received By: MWH

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

1. Name of Claimant(s)

BYRON LAWRENCE BLAKELY Phone: (208)538-7304
113 N 5050 E
RIGBY ID USA 83442

2. Date of Priority: 04/30/1900

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	40E	36	SE NW SE	JEFFERSON	

5. Description of diverting works:

HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.968	

7. Total Quantity Appropriated is:
0.968 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
04N	40E	25	NW	SW	18	IRRIGATION	4.2
			SW	SW	1	IRRIGATION	13
			SW	SW	17	IRRIGATION	1.9

04N 40E 26

NE SE 23
SE SE 1

Section Acres 19.1

IRRIGATION 1.2
IRRIGATION 15

Section Acres 16.2

Total Acres 35.3

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF 93 INCHES DEEDED TO JAMES IVAN SMITH AND SARA SMITH FROM DECREED RIGHT 01-0125A.

AMENDED CLAIM ON 4/11/2008 IN ORDER TO ADD ACREAGE.

15. Basis of Claim: Decreed

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): Byron L. Blakely Date: 4/11/2008
_____ Date:

State of Idaho)
County of Bonneville) SS.

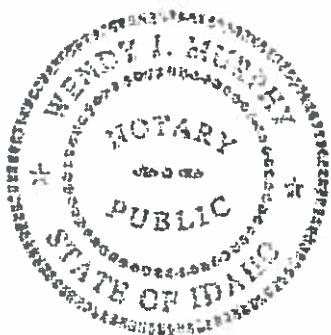
Subscribed and sworn (or affirmed) before me this 11th

of April 2008

Wendy J. Magaly
Notary Public

Residing at Idaho Falls

My commission Expires 11/6/2013



11/28/2006

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

RIGHT NUMBER: 1-10021

NAME AND ADDRESS: BYRON LAWRENCE BLAKELY
113 N 5050 E
RIGBY ID 83442

SOURCE: SNAKE RIVER

TRIBUTARY: COLUMBIA RIVER

QUANTITY: 0.968 CFS

PRIORITY DATE: 04/30/1900

POINT OF DIVERSION:
T04N R40E S36 SWNWSE Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.968 CFS
PLACE OF USE:	<u>IRRIGATION in JEFFERSON County</u>		
	T04N R40E S25 Lot 1 SWSW 12.00	T04N R40E S26 Lot 1 SESE	14.00
	26 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 - Decreed

This right is a split from former right 1-125A.

Use of this right is combined with water from Palisades Reservoir.

Water is delivered through Mattson-Craig Canal.

PROFILED

SCANNED

APR 06 2007

AUG 24 2001

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: ~~A25-10507~~ A01-10021
Date Received: 10/12/88
Receipt No: E003089
Received By: TO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BYRON BLAKELY
Address: 113 N. 5050 E.

208-538-7304

~~RIRIE~~, ID
~~RIGBY~~

8344²

2. Date of Priority: APR 30, 1900

3. Source: SNAKE RIVER, SOUTH FORK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	40E	36	SE	NW	SE		JEFFERSON

5. Description of diverting works:
HEADGATE/DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.968		

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

A.F.A.

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

SCANNED

APR 06 2007

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	25	SW	SW		IRR	12.0

Section Acres 12.0

A25-10507

Page

1

Date: 10/12/88

MICROFILMED

OCT 20 1992

A0110021



PROFILED

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	40E	26	SE	SE		IRR	16.0
Section Acres							16.0
Total Acres							28.0

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

CRAIG-MATTSON CANAL CO. & PALISADES STORAGE.

14. Remarks:

THIS CLAIM IS BASED ON A PORTION OF 93 INCHES DEEDED TO
JAMES IVAN SMITH AND SARA SMITH FROM DECREEED RIGHT 01-0125A.

15. Basis of Claim: DECREEED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

SCANNED

APR 06 2007

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: 2

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): *Byron L. Oakely* Date: *Oct 12, 1988*
Date: _____

State of Idaho)
County of *Bonneville*) SS.

Subscribed and sworn (or affirmed) before me this *12th* day
of *October* 19 *88*

Anthony S. Olenick
Notary Public

Seal

Residing at *Idaho Falls*

My Commission Expires *9/12/1994*

17. Notice of Appearance:

Notice is hereby given that I, _____ will be
Print Name

acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

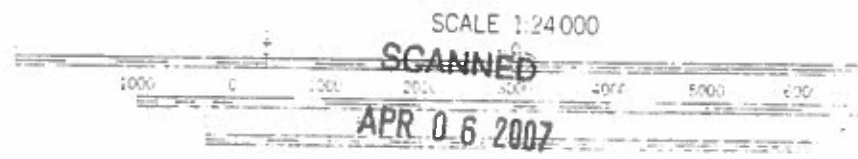
Date _____

SCANNED

APR 06 2007



by
ervation Service
i-scale
ho coordinate
i grid ticks.
hiques
images:
point.



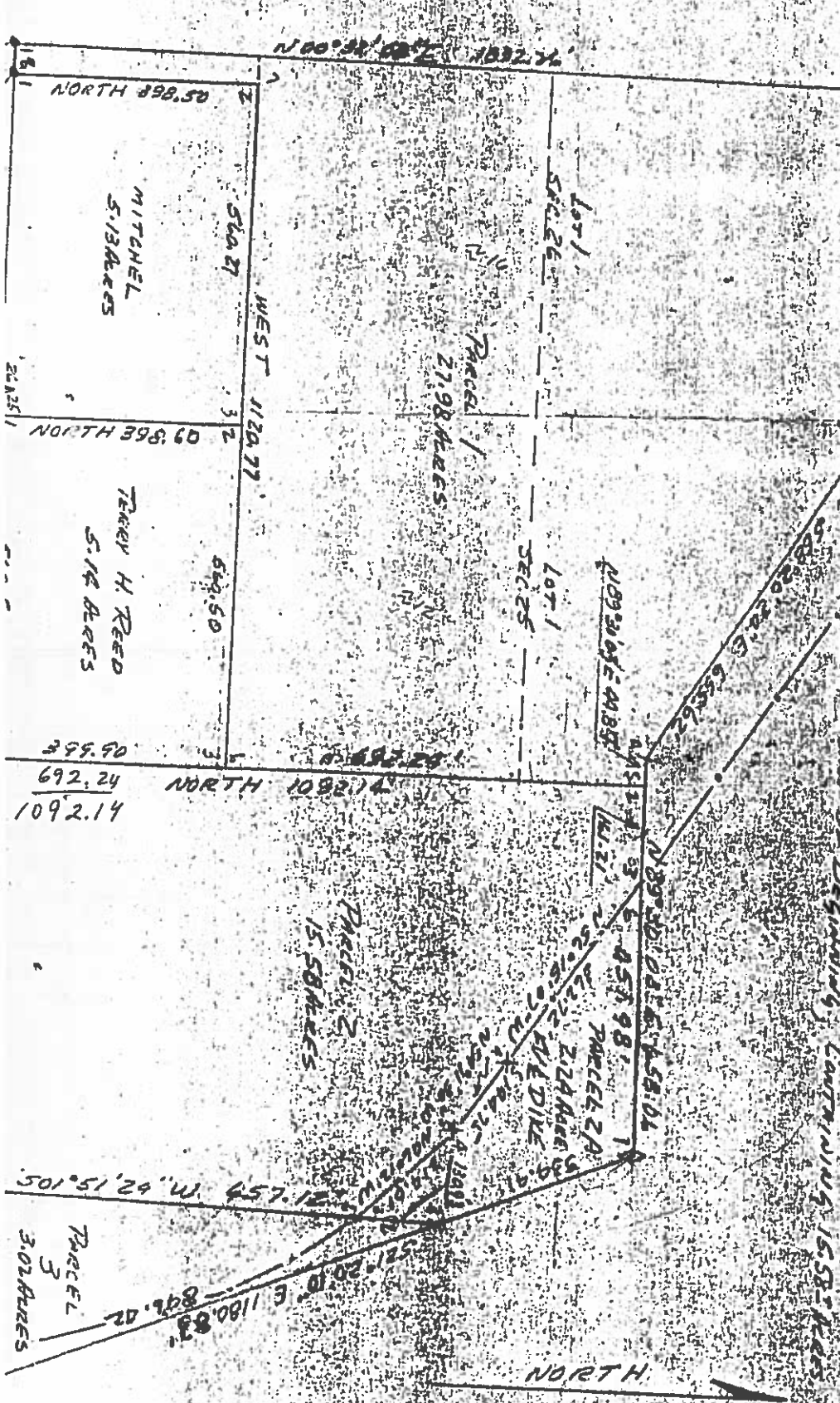
A01-10021

MICROFILMED
OCT 20 1992

WEST 49.56' TO CORNER NO. 1, THE TRUE POINT OF BEGINNING,
CONTAINING 27.98 ACRES.

PROFILED

BEING AT THE SOUTHWEST CORNER OF SECTION 25
T4N, R20E, B.M., RUNNING THENCE S89°52'E
603.5' TO CORNER NO. 1, THE TRUE POINT OF
BEGINNING, RUNNING THENCE NORTH 109°14'
THENCE N189°50'03"E 161.74', THENCE S56°15'01"E
312.72', THENCE S54°31'30"E 744.75', THENCE
S45°21'E 214.01', THENCE S01°51'24"W 65.712',
THENCE N189°52'W 709.30' TO CORNER NO. 1, THE
TRUE POINT OF BEGINNING, CONTAINING 15.58 ACRES.



SCANNED
APR 06 2007

2.24
27.98
1.86
32.07
acres

Parcel
Beg
Run
To
53
N4
N5
Ten