

11/03/2006

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

RIGHT NUMBER: 75-2004A

NAME AND ADDRESS: CYNTHIA D DOCKTER
PO BOX 1799
VALLEY SPRINGS CA 95252-1799

THOMAS H DOCKTER
PO BOX 1799
VALLEY SPRINGS CA 95252-1799

SOURCE: TOWER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 02/19/1907

POINT OF DIVERSION:

T23N R22E S17 NWNE Within LEMHI County

T23N R22E S17 SWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.060 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R22E S17

SWNW

0.90

T23N R22E S18

SENE

1.10

2 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 - License

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

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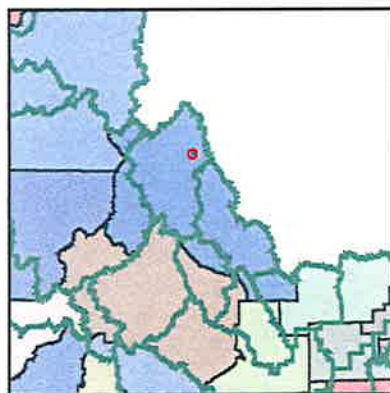
Idaho Department of Water Resources

Adjudication Claim Number: **75-2004 A**

T23N R22E

Legend

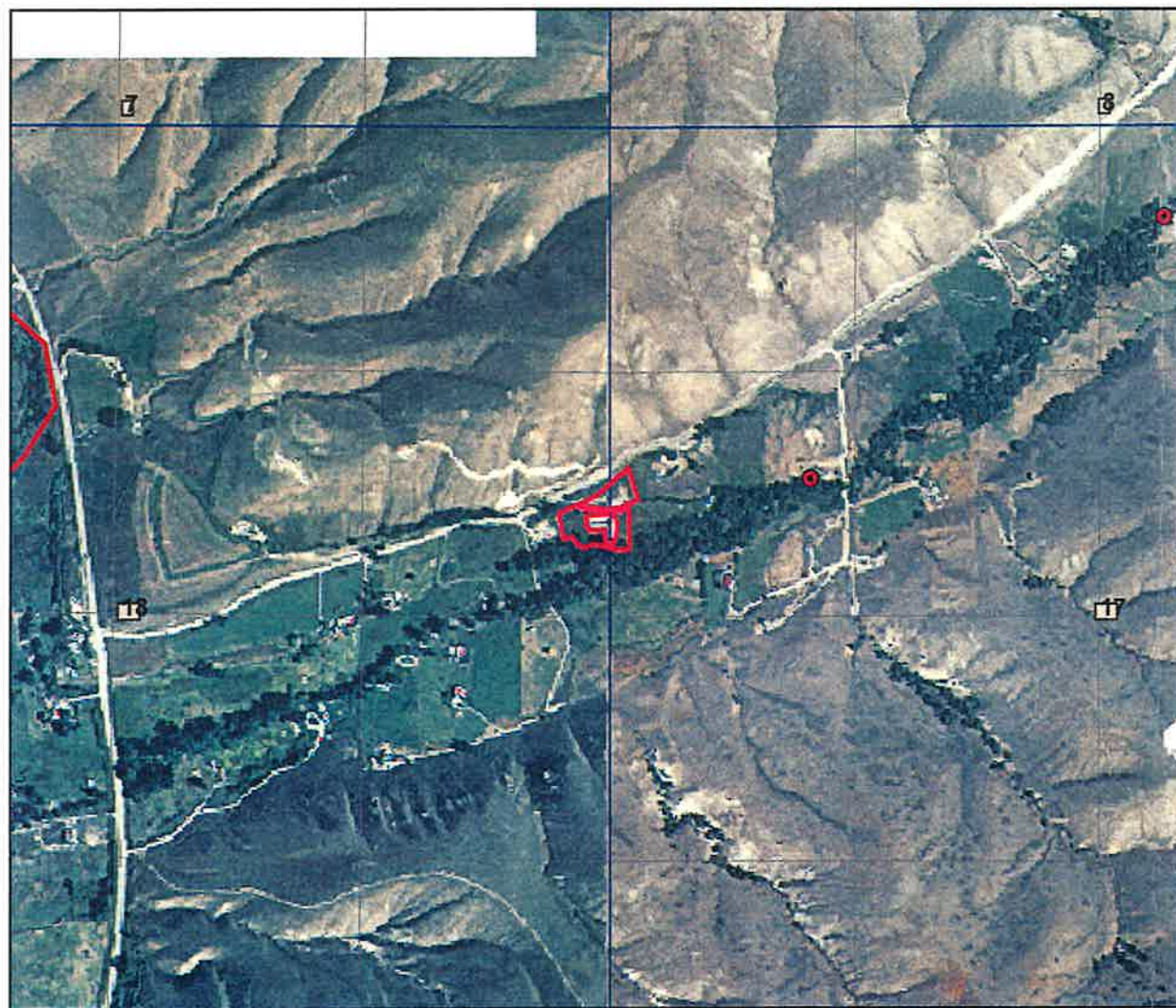
- POD
- 75-2004A
- Township/Range
- Sections
- GCDB23N22E GCDB



Lemhi County
IDWR Basin 75



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0 0.3 0.6 Miles

Prepared by R. Brown
On Wednesday, January 25, 2006
1993/94 Aerial Photography

Idaho Dept. of Water Resources
1301 N. Orchard Boise, ID
January 25, 2006

To: 75-2004A, 75-4168, 75-4314
From: Roxanne Brown
Subject: SRBA recommendations

The claimant is currently Richard Miner. Mr. Miner owns property (~3.8 acres) on the north side of Tower Creek on the old Rose Ranch.

Mr. Rose obtained a license with a priority date of February 19, 1907 (75-2004). There were apparently two ditches used on the ranch at that time, one on the north side of Tower Creek and one on the south side. It is believed the original ditch on the north side irrigates a small portion of Mr. Miner's land and he has claimed a portion of 75-2004.

At some time in the past, an additional ditch on the north side was constructed. Mr. Miner had submitted two statutory claims on this ditch, but referred to the source as "springs", not Tower Creek. (75-4168 and 75-4314). It is unknown why he submitted two claims for apparently the same use. He has claimed these records in the SRBA, changing the source to "Tower Creek".

Many claims to portions of 75-2004 were submitted, and 75-2004F,G and L are being recommended for use from this additional ditch as an accomplished transfer pursuant to §42-1425, Idaho Code. All of these claims are within the boundary of the original ranch and it is assumed the ditch was built to more efficiently deliver water from Tower Creek.

Bob Foster conducted a field exam of these claims on June 10, 2005, and found Mr. Miner to be irrigating from both the original ditch and the newer ditch. During review, it became obvious the land irrigated is part of the original ranch and the appropriate water right is a portion of 75-2004, with a change in point of diversion recognized as an accomplished transfer.

The land claimed under 75-4168 and 75-4314 will be recommended as 75-2004A, with a proportionate share of the original rate of flow.

#	claimed cfs
75-2004A	0.01
75-4168	0.07
75-4314	0.15
	0.23

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**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-2004 A

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☐ No Change ADDRESS

☐ NEW ADDRESS: _____

2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted

☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____

(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE

☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION

☒ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0015636 GPS File # T061020B T060720B

Township 23N Range 22E Section 17 1/4 NW 1/4 NW 1/4 NE

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

diversion from creek, ditch to place of use

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6. ☒ No Change - WATER USES

☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☐ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Shares pod with 75-2004H, 75-4143, 75-2004L, 75-2004K
75-4208A, 75-4208B, 75-7192, 75-10280, 75-11623, 75-13710

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-10-05

FIELD EXAMINER: Bob Foster

Print Name

Signature

Upper ditch: 0.3 0.5
Lower ditch: 0.8ac 0.4
1.1 0.9 = 2.0ac

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```
filename: c:\docs\forms\ditch flow computations upgraded.xls
```

Measurement done by: **B. Foster**

Date of measurement: 6/10/2005

REW value: 1.00

LEW value: 4.00

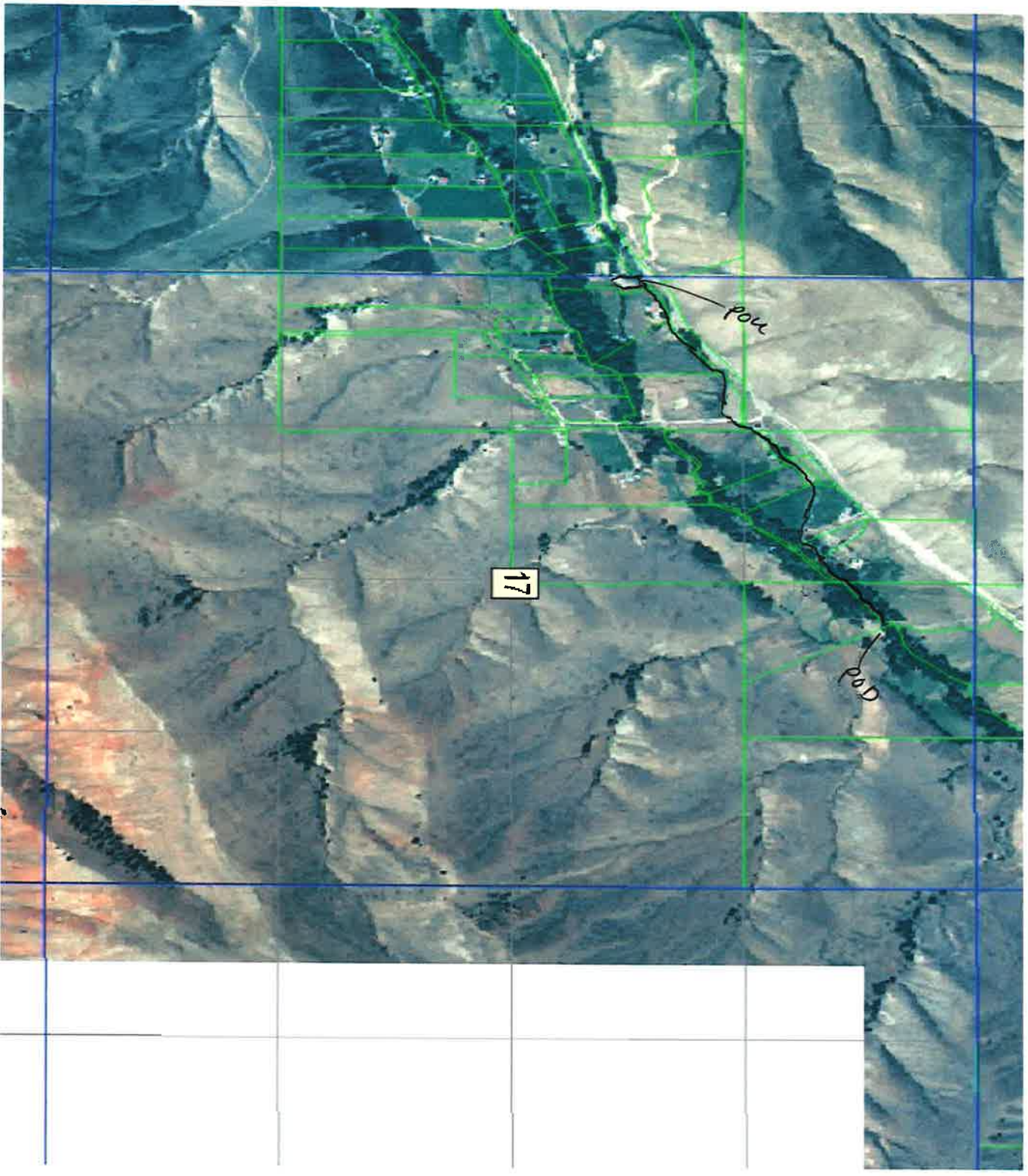
Space between

readings (ft): 0.50

Note to user:

Make entries in cells without shading.

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SEP 19 2008



75-2004A

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SEP 19 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 11, 2007

THOMAS H & CYNTHIA D DOCKTER
PO BOX 1799
VALLEY SPRINGS CA 95252-1799

Re: Tower Creek Adjudication Recommendation

Dear Mr. and Mrs. Dockter:

Enclosed is a spreadsheet that summarizes recommendations filed with the SRBA court for claims for water from Tower Creek for properties that were settled in the 1890's or early 1900's. The claims had a wide array of priority dates and evidence in support of those priority dates was received. Some of you filed a Notice of Error in response to the Recommended Findings that were mailed out to claimants in November 2006. Some of you may have already received a response from us regarding your Notice of Error.

After looking at each right separately, we concluded that a more systematic approach to how recommendations were made was required. It seemed to us that it made sense to have the same priority date recommended for all of the property that was originally part of a single homestead. To that end we evaluated the Evidence of Priority information that was submitted and used the earliest date that we felt could be verified. In some cases documents were submitted that may reference dates earlier than what we have recommended, but the extent of development was not quantified. The spreadsheet lists the various water rights and the basis for the selection of the date used. Please note that you still have the option of filing an objection with the court if you disagree with these recommendations

If you have any questions please don't hesitate to contact us.

Sincerely

A handwritten signature in black ink that reads "Robert G. Haynes". The signature is written in a cursive, flowing style.

Robert G. Haynes P.E.
Regional Manager

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SEP 19 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 13, 2006

THOMAS AND CYNTHIA DOCKTER
PO BOX 1799
VALLEY SPRINGS CA 95252-1799

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #75-2004A, 75-4314 and 75-4168

Dear Claimants:

We have processed your change in ownership of the Notices of Claim referenced above. Thank you for your patience.

Enclosed are copies of the Notices of Claim for your file. Please refer to these record numbers in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region
Enclosures:

Copies of Notices of Claim Referenced Above

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APR 13 2006

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

RECEIVED

APR 11 2006

RECEIVED

DEC 08 2005

DEPARTMENT OF
WATER RESOURCES

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

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
75-4314					
75-2004A					
75-4168					

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

- Na* ☒ 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) Richard & Sheryle Miner
P.O. Box 59, Carmen ID 83462-0059
4. New Owner/Claimant(s) Thomas & Cynthia Dockter
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address P.O. Box 1799, Valley Springs, CA
- City, State and ZIP Code Valley Springs CA 95252-1799
- New Telephone Number 809 786-6800
5. Date you acquired the property Sept. 29, 2005

D.K. to process
RBROWN 4/13/06

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APR 13 2006

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APR 11 2006

6. **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)
(include title if applicable)

Thomas H. Oseltte
Cynthia D. Decker

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.

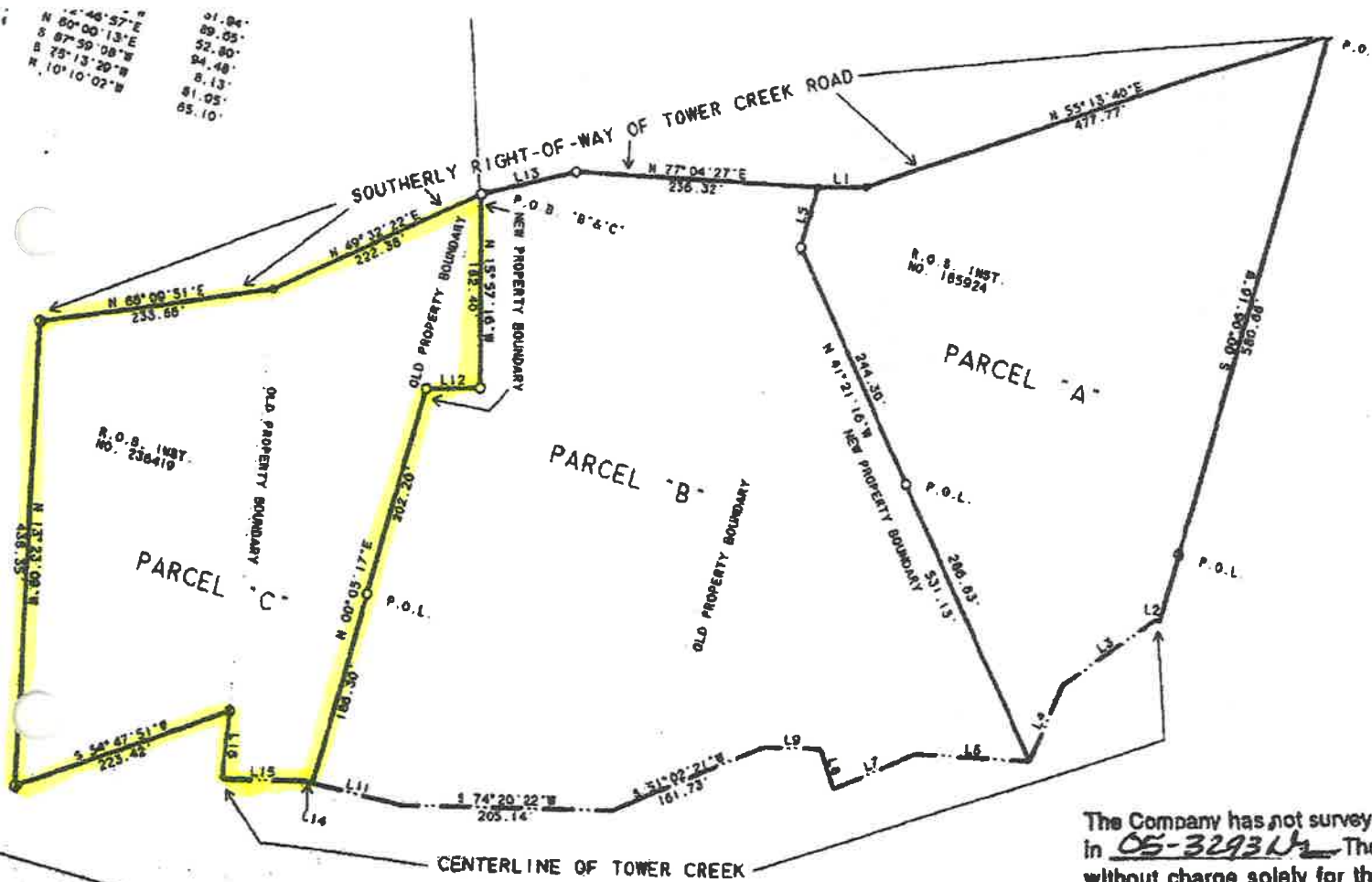
For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by AS AJ Date 4-13-06 WR _____ Date _____

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APR 13 2006

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The Company has not surveyed the premises described in 05-329314. The sketch below is furnished without charge solely for the purpose of assisting in locating said premises and the Company assumes no liability as to the validity, location, or ownership of any easement or other matter shown thereon, nor for the inaccuracies therein, including the accurate location of boundaries. This sketch does not purport to show all highways, roads and easements adjoining or affecting said premises, nor is it a part or modification of the report, commitment, policy or other title evidence to which it may be attached.

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APR 11 2006

COPY

WARRANTY DEED

Order No. 307053293L-G

FOR VALUE RECEIVED

Richard E. Miner and Sheryle W. Miner, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Thomas H. Dockter and Cynthia D. Dockter, Husband and Wife

whose current address is

8693 Mann St. Valley Springs, CA 95252

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

State of Idaho)
County of Lemhi) SS No. **264650**
This instrument was filed for record at the request
of Alliance Title
at 3:00 clock Pm 29 Sept 2005
and duly filed and indexed in the records of Lemhi
County
By Terri J. Marion Ex-Officio Recorder
Fee 6.00 Deputy
Return to C

PARCEL "C"

A PARCEL OF LAND LOCATED IN THE SW1/4NW1/4, SECTION 17 AND THE SE1/4NE1/4, SECTION 18, T. 23 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NW CORNER OF SAID SECTION 17 FROM WHICH THE N1/4 CORNER OF SECTION 17 BEARS S. 89° 57' 00" E., 2637.56 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 02° 34' 31" E. A DISTANCE OF 1808.95 FT. TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF TOWER CREEK ROAD AND THE POINT OF BEGINNING;

THENCE S. 15° 57' 16" E. A DISTANCE OF 182.40 FT.;

THENCE S. 72° 46' 57" W. A DISTANCE OF 52.80 FT. TO A POINT IN AN EXISTING FENCE LINE;

THENCE S. 00° 05' 17" W. ALONG SAID FENCE LINE A DISTANCE OF 388.50 FT. TO A POINT ON THE CENTERLINE OF TOWER CREEK;
THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES:

S. 87° 59' 08" W. 8.13 FT.; S. 75° 13' 29" W., 81.05 FT.;

THENCE N. 10° 10' 02" W. A DISTANCE OF 65.10 FT.;

THENCE S. 54° 47' 51" W. A DISTANCE OF 223.42 FT.;

THENCE N. 13° 23' 09" W. A DISTANCE OF 438.35 FT. TO A POINT ON SAID SOUTHERLY RIGHT-OF-WAY OF TOWER CREEK ROAD;

THENCE ALONG SAID RIGHT-OF-WAY THE FOLLOWING COURSES AND DISTANCES:

N. 66° 09' 51" E., 233.66.; N. 49° 32' 22" E., 222.38 FT. TO THE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 9/21/2005

Richard E. Miner
Richard E. Miner

Sheryle W. Miner
Sheryle W. Miner

State of Idaho

County of Lemhi

} ss.

SCANNED

APR 11 2006

264650

On this 23rd day of Sept, in the year 2005 before me, a Notary Public in and for said state, personally appeared Richard E Miner & Sheri W. Miner known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

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



Laurie M Santee
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 6-19-2007

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APR 11 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 27, 2006

THOMAS AND CYNTHIA DOCKTER
PO BOX 1799
VALLEY SPRINGS CA 95252-1799

RE: Snake River Basin Adjudication (SRBA)
Incomplete Notice of Change in Water Right Ownership
Notices of Claim to a Water Right #75-2004A, 75-4314 and 75-4168

Dear Claimants:

We are returning the Notice of Change in Water Right Ownership you submitted for your property in Lemhi County. Before we can process your ownership change form, we require your signature at Item #7.

Please return the completed ownership change form as soon as possible to the attention of Roxanne Brown and contact me if you have any questions at 1/800-451-4129.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Incomplete Notice of Change in Water Right Ownership

SCANNED

MAR 27 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

December 20, 1989

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Richard E. Miner
P.O. Box 59
Carmen, ID 83462

DEC 29 1989

RE: Insufficient Fees

Department of Water Resources
Eastern District Office

Dear Mr. Miner:

The Idaho Department of Water Resources (IDWR) is returning your Notices of Claim to a Water Right and the three checks, No's 7587 for \$50.00, 7586 for \$50.00, and 7585 for \$50.00, because of insufficient fees.

The filing fee for each irrigation claim is \$50.00, plus \$1.00 per acre irrigated. The correct filing fees for your claims are listed below:

Check No. 7587	
Flat claim fee	\$50.00
Variable irr. fee \$1.00/acre	5.00
Check No. 7586	
Flat claim fee	\$50.00
Variable irr. fee \$1.00/acre	2.00
Check No. 7585	
Flat claim fee	\$50.00
Variable irr. fee \$1.00/acre	2.00

Total Due	\$159.00

Please return the claims and proper fees to this office to my attention before the Lemhi County deadline of May 10, 1990, to avoid a late fee.

Sincerely,

Eric Verner
Sr. Water Agent

EV:jt

Enclosures

DEAR ERIC:

THANK YOU FOR YOUR HELP ON THIS MATTER. I HAVE ENCLOSED THE CORRECT FEE AMOUNTS, UPON VERIFYING CLAIM INFORMATION PLEASE CONTACT ME IF I NEED TO CORRECT ANYTHING. AGAIN, THANK YOU FOR YOUR ASSISTANCE.

YOURS TRULY,

SHERYLE W. MINER
208 756-3022 or 756-2259

MICROFILMED

NOV 18 1996

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Mina CLAIM J. NO. A75-02004DATE RECEIVED 12-19-89 CK # 7600 AMOUNT \$ 52.2

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | | | |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | * |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | * |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | * |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | * |
| 8. If required is a consumptive use entered? | ☒ | ☐ | * |
| Is the consumptive use correct? | ☒ | ☐ | * |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | * |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | * |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | * |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | * |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | * |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | * |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | * |
| 22. Should this claim be data entered? | ☒ | ☐ | * |

Claim checked by: ECA Date: 1-3-89Claim must be returned to claimant: (Yes) / (No)Claimant must be notified of modifications: (Yes) / (No)Receipt Prepared by: SK Date: 1/22/90 Checked by: Date:
Claim data entered by: SK Date: 1/22/90
Sent to claimant by: Date: Comments: Filed as a portion of 75-02004. Give "A" - Z-out 75-2004

#4 & #10 RANGE NOT THE SAME - PROBLEM

MICROFILMED

NOV 18 1996

SCANNED
OCT 05 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: A75-02004A
Date Received: 1/03/1990
Receipt No: E011456
Received By: CA

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: RICHARD E. MINER 208-756-3022
Address: P.O. BOX 59
CARMEN, ID 83462

AND/OR

Name: SHERYLE W. MINER 208-756-3022
Address: P.O. BOX 59
CARMEN, ID 83462

2. Date of Priority: FEB 19, 1907

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
23N	23E	17	NE NW		LEMHI

5. Description of diverting works:
HEADGATE 12" X 16" X 36"

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.010		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A75-02004A

Page 1

Date: 05/03/90



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DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	22E	17	SW NW		IRR	1.0
Section Acres						1.0
Total Acres						1.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

L. FOLKERS, PERMIT #75-02004

14. Remarks:

IT APPEARS THAT OUR UPPER DITCH IS PART OF THE OLD DITCH WM & ROSE USED TO IRRIG. 77 ACRES PERMIT #2579 DATE 02/19/1907. WE ARE AT THE END OF THE DITCH.

TOWER CREEK WAS ONCE KNOWN AS BOYLE CREEK.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 752004

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: -0-

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): Sheryl W. Miner Date: 5-3-90

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 3rd day

of May 19 90

Carter Fritschle
Notary Public

Seal

Residing at Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-02004A
Date Received: 12/29/1989
Receipt No: E011456
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RICHARD E. MINER 208-756-3022
Address: P.O. BOX 59
CARMEN, ID 83462
AND
Name: SHERYLE W. MINER 208-756-3022
Address: P.O. BOX 59
CARMEN, ID 83462
2. Date of Priority: FEB 19, 1907
3. Source: UNNAMED SPRINGS Trib. to: TOWER CREEK (BOYLE CREEK)
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------------------|---------|--------|--------|--------|-----|--------|
| 23N | 23E ¹² | 17 | SW | NE | | | LEMHI |
5. Description of diverting works:
HEADGATE 12" X 16" X 36"
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 04/01 | 11/01 | 0.010 | | |
7. Total Quantity Appropriated is:
0.010 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
23N	22E	17	SW	NW		IRR	1.0
Section Acres							1.0
Total Acres							1.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
L. FOLKERS, PERMIT #75-02004

14. Remarks:
IT APPEARS THAT OUR UPPER DITCH IS PART OF THE OLD DITCH WM &
ROSE USED TO IRRIG. 77 ACRES PERMIT #2579 DATE 02/19/1907. WE ARE
AT THE END OF THE DITCH.

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 752004

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)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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 (Portion)
Ident. Number 422 A7S-02004A
Date Received 12-29-89
Receipt Number E011456

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

DEC 19 1989
Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) RICHARD E. MINER AND SHERYLE W. MINER Phone (208) 756-3022
Mailing Address P.O. Box 59 CARMEN, IDAHO Zip 83462

2. Date of Priority (Only one (1) per claim) 2-19-1907

3. Source of water supply (a) UNNAMED SPRINGS
which is tributary to (b) TOWER CREEK (BOYLE CREEK)

4. a. Location of existing point of diversion is: Township 23 N Range 23 E Section 17,
SW 1/4 of NE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of LEMHI

Additional points of diversion if any: NONE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. HEADGATE 12" x 16" x 36"

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04/01 to 4/01 amount 0.01 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.01 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
23N	22E	17							1.0										

Total number of acres irrigated 1.0

11. In which county (ies) are lands listed above as place of use located? LEMHI

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
L. FOLKERS PERMIT# 75-02004 or None ()

14. Remarks: It appears that our upper ditch is part of the old ditch Wm + Rose used to irrigate 77 acres permit# 2579 date 02/19/1907. We are at the end of the ditch.

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NOV 13 1996

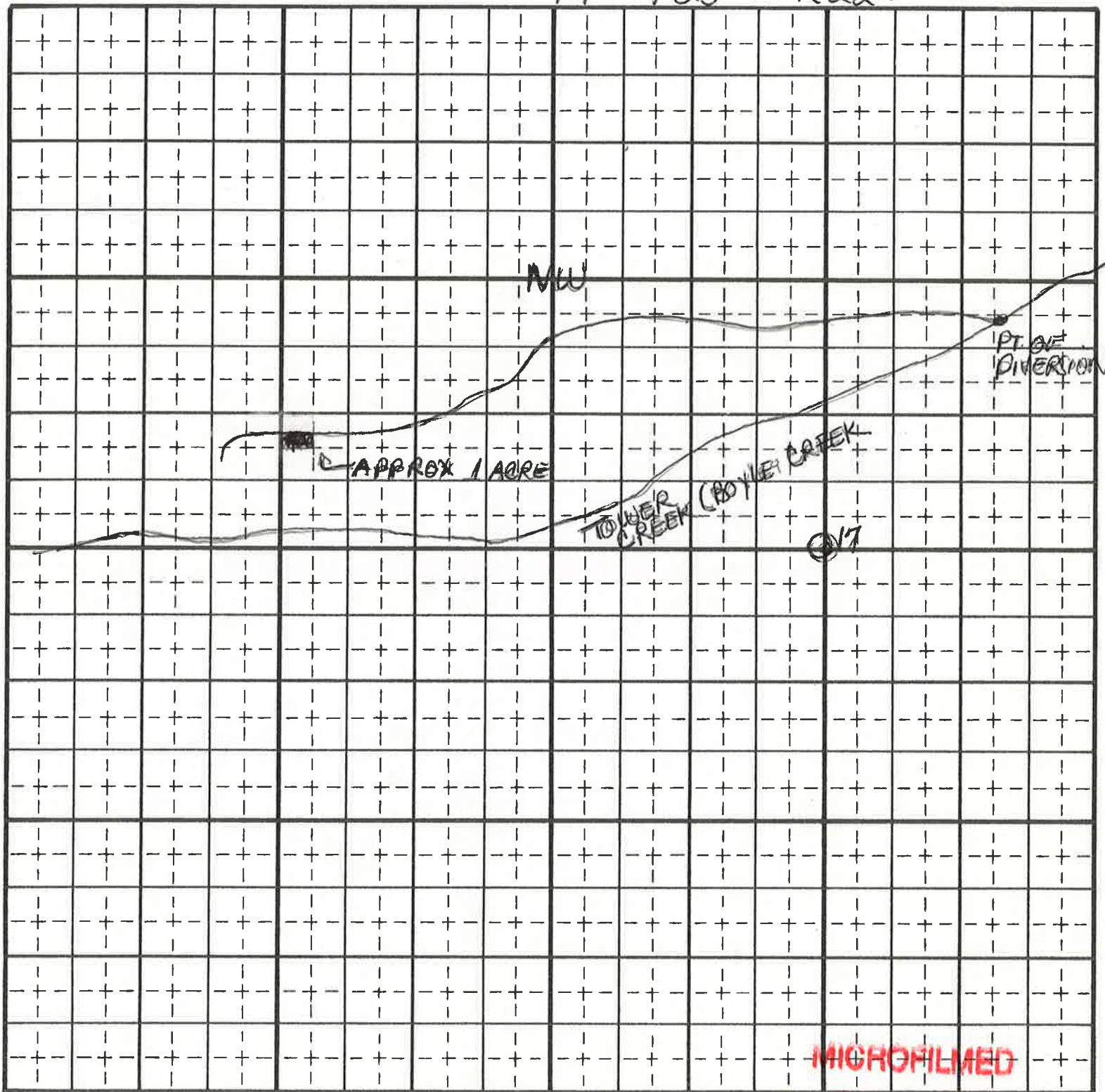
Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

SEC 17 T23 R22E



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 75-02004 - 060#2579

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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

Signature of Claimant (s) X Richard E. Miner Date X 12-14-89

Sheryle W. Miner Date 12-14-89

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of heavhi) SS.

Subscribed and sworn (or affirmed) before me this 14 day of December, 1989

SEAL

Notary Public [Signature]

Residing at [Signature]

My Commission Expires 6/12/1992

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be 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 _____

Last Name _____ Ident. Number _____

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NOV 18 1996

Copies White-State, Yellow-Claimant

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DEC 15 1992



A75-02004A

T 23 N
R 22 E