

09/19/2006

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

RIGHT NUMBER: 75-4114
NAME AND ADDRESS: KWEN SMITH
10643 W STATE ST
STAR ID 83669

DONNA SMITH
10643 W STATE ST
STAR ID 83669

JOE A SCHWILLING
10643 W STATE ST
STAR ID 83669

SOURCE: PANTHER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 10/12/1923

POINT OF DIVERSION:

T19N R18E S33 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.130 CFS

PLACE OF USE: IRRIGATION Within LEMHI County
T19N R18E S34 SWNW 4.30

4.3 ACRES TOTAL

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

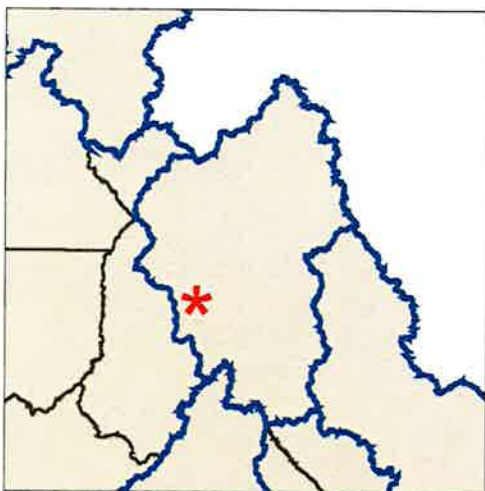
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

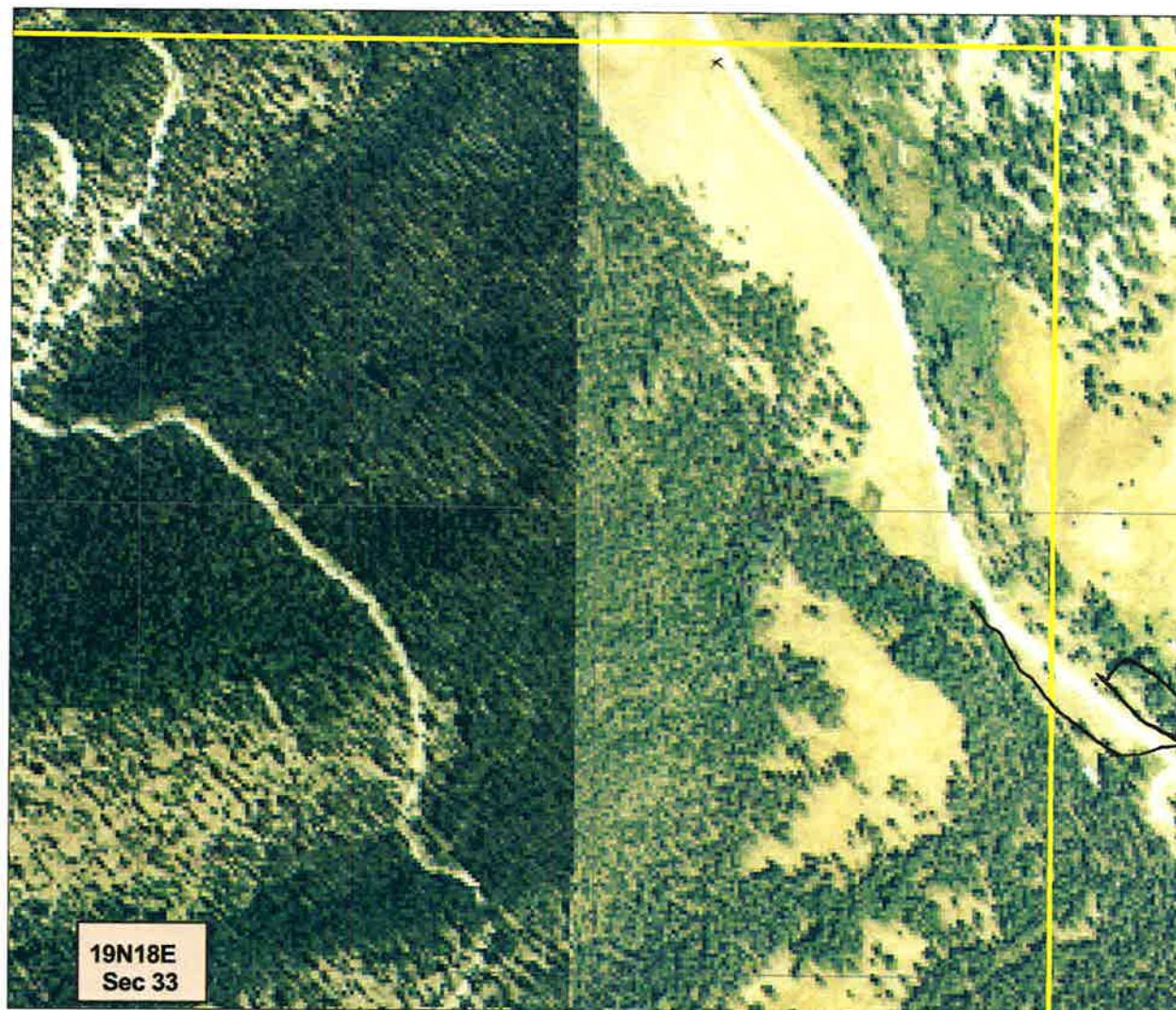


Adjudication Claim Number: **75-4114**



Legend

- Section Lines
- 19N18E GCDB
- 18N18E GCDB



Prepared by M. Van Bussum
On Tuesday, May 10, 2005
1991 Aerial Photography

0 0.2 0.4 Miles

Joe A. Schwillling

Instrument No. 69040

45763
W.B.UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
WASHINGTON
OCT 20 1948

I hereby certify that the annexed copy of patent is a true and literal exemplification from the record which is in my custody in this office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of this office to be affixed, at the city of Washington, on the day and year above written.

(((SEAL)))

4-207c (July 1940)

Nellie B. Jeffery
Acting Chief, Patents Section

Hailey 024825

4-1043-R.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Frank B. Rooker has been established and duly consummated, in conformity to law, for the H.E. Survey No. 628, embracing a portion of, approximately, Sections twenty-seven, twenty-eight, thirty-three and thirty-four in Township nineteen north of Range eighteen east of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, from which U.S. Location Monument No. 427 bears south twenty-four degrees fifty-two minutes east ninety-six and forty-five hundredths chains distant; thence, north thirty-eight degrees ten minutes west forty-two and seventy-five hundredths chains to corner No. 2; thence, north one degree twenty-seven minutes west twenty-one and twelve hundredths chains to corner No. 3; thence, south eighty-nine degrees forty-three minutes east three and thirty-nine hundredths chains to corner No. 4; thence, south twenty-two degrees thirty-five minutes east fourteen and thirty-two hundredths chains to corner No. 5; thence, south thirty-six degrees seven minutes east thirty-seven and seventy hundredths chains to corner No. 6; thence, north thirty-four degrees east forty-one and thirty-four hundredths chains to corner No. 7; thence, south forty degrees twenty-three minutes east six and seventy-eight hundredths chains to corner No. 8; thence, south twenty-two degrees fifty-seven minutes west twenty-one and eighty hundredths chains to corner No. 9; thence, south forty-nine degrees one minutes west thirty and seventy hundredths chains to corner No. 1 the place of beginning, containing ninety-one acres and seventy hundredths of an acre, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said claimant the tract of Land above described;

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Calvin Coolidge, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN Under my hand, in the District of Columbia, the FIFTEENTH day of FEBRUARY in the year of our Lord one thousand nine hundred and TWENTY-FOUR and of the Independence of the United States the one hundred and FORTY-EIGHTH

(SEAL)

By the President:
Calvin Coolidge
By Ada Braddock, Assistant Secretary,
M. P. LeRoy
Recorder of the General Land
Office.

RECORD OF PATENTS:
Patent Number 931775

STATE OF IDAHO,)
: ss.
County of Lemhi)

6-2186

Recorded at the request of Preston Thatcher, October 25th, 1948 at 59 minutes past 1 o'clock P.M., in Book 41 of Deeds Page 353, Records of Lemhi County, Idaho.

Fees, \$1.00 Paid

W. W. Simmonds, County Recorder.

By Betty Sue Smith, Deputy

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

CLAIM NO(s). A7504114

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☐ No Change ADDRESS

☒ NEW ADDRESS: 2802 Arlington Ave Caldwell, Id 208-453-8844 83605

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.: A0017088 GPS 088

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

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

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 <u>19N</u>	Range <u>18E</u>	Section <u>34</u>	1/4 <u>SW</u>	1/4 <u>NW</u>
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

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

**LEMHI COUNTY CLERK AND RECORDER
LEMHI COUNTY
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467**

TERRI J. MORTON, CLERK OF THE DISTRICT COURT

August 26, 2005

PHONE (208) 756-2815 ext 225

JOE A. SCHWILLING
10643 w State St.
Star, ID 83669

Dear Mr. Schwilling:

I searched the records of Lemhi County and found the patent deed for your property, a copy of which is enclosed. We have a few water rights recorded in Lemhi County and I searched that book but found nothing useful. I also checked to see if Mr. Rooker had filed a Location Notice for a mining claim but found no reference that he did.

Hopefully the deed on its own will help you in researching your water right. The date on the deed is 02-15-24 and your priority date is listed as 10-12-23.

It may be helpful for you to call the Natural Resources Conservation Service here in Lemhi County. The number is (208) 756-4262. This office has aerial photographs which are in color. They have photos dating back to 1913. If they have a photo of your property and it is green then that is proof it was irrigated.

The cost of the deed is \$1.00.

If we can be of further assistance please let us know.

Sincerely,



Jana Stokes Eagle
deputy clerk

SCANNED

SEP 1 2005

ATTN JANA

Page 165

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 75-4114

RECEIVED
SEP 02 2005
Department of Water Resources

WATER RIGHT NUMBER: 75-4114

Owner Type Name and Address

Current Owner KWEN SMITH
10643 W STATE ST
STAR, ID 83669
(208) 286-7292

Current Owner DONNA SMITH
10643 W STATE ST
STAR, ID 83669
(208) 286-7292

Current Owner JOE A SCHWILLING
10643 W STATE ST
STAR, ID 83669
(208) 286-7292

208-
459-2200

Priority Date: 10/12/1923

Basis: Statutory Claim

Status: Active

Source

PANTHER CREEK

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

0.300 CFS

Annual Volume

Total Diversion:

0.300 CFS

Location of Point(s) of Diversion

PANTHER CREEK

NE1/4NE1/4

Sec. 33, Twp 19N, Rge 18E, B.M.

LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T19N R18E S33 NENE 5.0

Total Acres: 5

Conditions of Approval:

1. THERE IS A TOTAL OF 4.6 ACRES OF IRRIGATION.

Remarks:

SCANNED

SFP 06 2005



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

287-4910

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-04114
JOE A SCHWILLING
10643 W STATE ST
STAR ID 83669

RESPONSE DEADLINE
JULY 29, 2005

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

Danny

SCANNED

SEP 06 2005

Not a legal survey

Assisted By: nate matlack

Legal Description: T19N, R18E, Sec 33,34



Legend



plss_blm_a_id059

twp_mosaic_a_id61029z12

Image: topography

260 0 260 520 780 1,040 Feet



SCANNED

SEP 06 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 20, 2007

SCANNED

MAR 20 2007

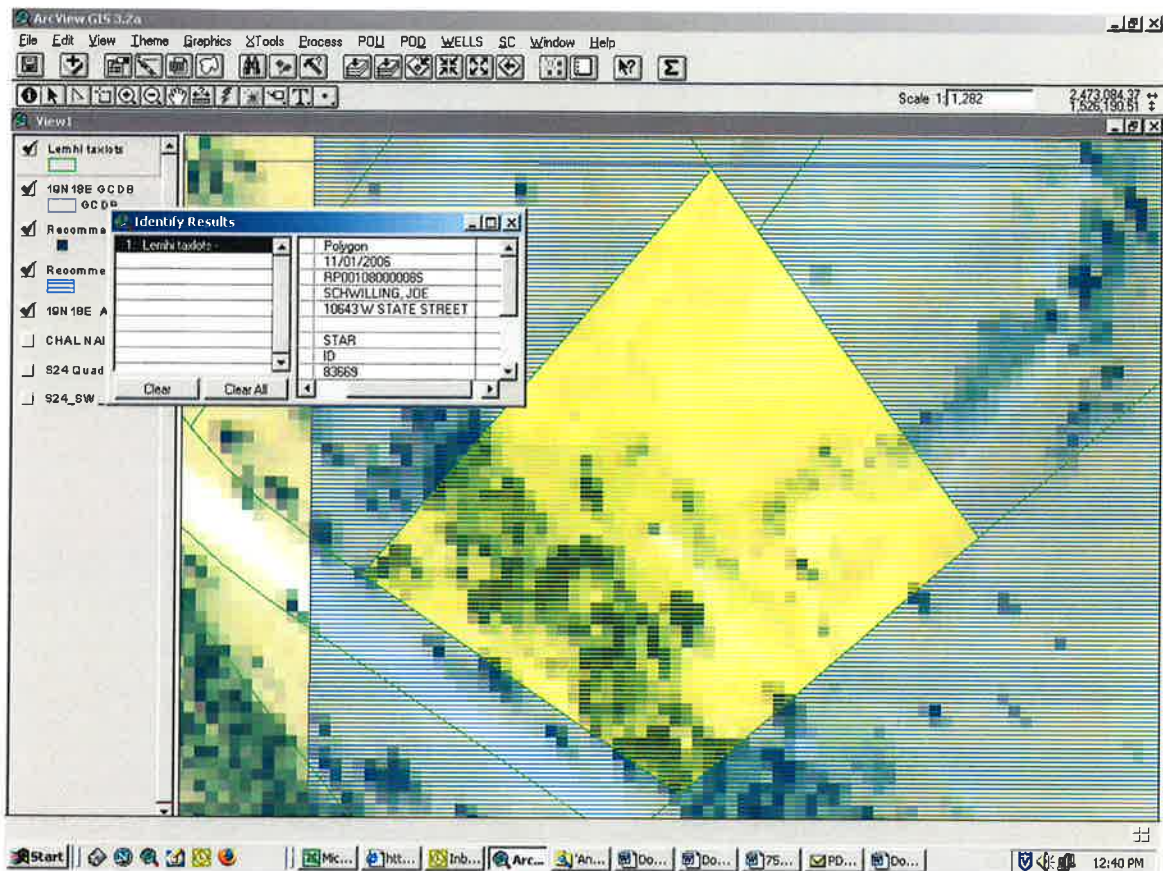
Joe Schwillling
10643 W State St
Star ID 83669

This packet was mailed to your address in Caldwell and was returned to our office. The county records show that the above is now your address. In order for you to receive future correspondence you need to file the enclosed change of address form and return it to this office.

Sincerely,

for

Kenneth Knoblock
Water Rights Supervisor



11/20/2006

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: 12/13/2006

Water right number: 75-4114

~~KWEN SMITH
10643 W STATE ST
STAR ID 83669
Telephone Number: (208) 286-7292~~

~~DONNA SMITH
10643 W STATE ST
STAR ID 83669
Telephone Number: (208) 286-7292~~

JOE A SCHWILLING
10643 W STATE ST
STAR ID 83669
Telephone Number: (208) 286-7292

Joe A. Schwilling *of r.m.*
2802 ARLINGTON Ave
Caldwell, ID 83605
Phone 208-453-8844
Cell 208-250-0201

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 12-5-06

SIGNATURE: [Signature]

Please print your name: Joe A. Schwilling

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

RECEIVED
DEC 13 2006
IDWR/North



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 24, 2003

KWEN & DONNA SMITH
JOE SCHWILLING
10643 W STATE ST
STAR ID 83669

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 75-4114

Dear Mr. & Mrs. Smith & Mr. Schwilling:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Kristen Forsgren
Office Specialist 1

Enclosure

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

RECEIVED

OCT 17 2003

Department of Water Resources
Eastern Region

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
75-4114					

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) PANTHER CREEK RECREATION ASSN
P. O. BOX 100, SALMON, IDAHO 83467
4. New Owner/Claimant(s) KWEN & DONNA SMITH, HUSBAND & WIFE & JOE SCHWILLING,
 A SINGLE PERSON. Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address 10643 W. STATE STREET
 City, State and ZIP Code STAR, IDAHO 83669
 New Telephone Number (208) 286-7292
5. Date you acquired the property OCTOBER 10, 2003

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)

[Handwritten Signature]
[Handwritten Signature]
[Handwritten Signature]

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 _____ AJ Date _____ WR _____ Date _____

Page 1

08/22/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4114

WATER RIGHT NUMBER: 75-4114

Owner Type

Current Owner

Name and Address

PANTHER CREEK RECREATION ASSN
PO 100
SALMON, ID 83467

Priority Date: 10/12/1923

Basis: Statutory Claim

Status: Active

Source

PANTHER CREEK

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

0.300 CFS

Annual VolumeTotal Diversion:

0.300 CFS

Location of Point(s) of Diversion

PANTHER CREEK

NE1/4NE1/4

Sec. 33, Twp 19N, Rge 18E, B.M.
LEMHI CountyPlace of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
19N	18E	33	5.0																5.0

Total Acres: 5

Conditions of Approval:Remarks:

- General THERE IS A TOTAL OF 4.6 ACRES OF IRRIGATION.

Comments:Dates and Other Information:

Page 2

08/22/2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4114

Dates and Other Information:

Claim Received Date: 5/10/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
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

CORPORATION DEED

For Value Received PANTHER CREEK RECREATION ASSOCIATION, INC., AN IDAHO CORPORATION

I, the corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto KWEN SMITH AND DONNA SMITH, HUSBAND AND WIFE, AND JOE SCHWILLING, A SINGLE PERSON

whose current address is 10643 W. STATE STREET
STAR, IDAHO 83669

the following described real estate, to-wit:

LOT EIGHT (8) OF THE PANTHER CREEK ESTATES, A SUBDIVISION LOCATED IN H.E.S. NO. 629, LEMHI COUNTY, IDAHO, AS IS MORE PARTICULARLY DESCRIBED ON THE PLAT FILED IN THE OFFICIAL RECORDS OF THE OFFICE OF THE RECORDER OF LEMHI COUNTY, IDAHO.

EXCEPTING THEREFROM: A PORTION OF LOT 8, PANTHER CREEK ESTATES, H.E.S. NO. 629, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT CORNER NO. 6 OF H.E.S. NO. 629, A DISTANCE OF 77.00 FEET ON A BEARING OF N.36°07'W., TO THE REAL POINT OF BEGINNING. FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 550.70 FEET ON A BEARING OF S.52°06'02"W., TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF PANTHER CREEK ROAD; THENCE S.53°06'E., 49.46 FEET ALONG THE CHORD OF A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 5°00'00" AND A RADIUS OF 567.00 FEET; THENCE S.55°36'E., 62.52 FEET ALONG THE EASTERLY RIGHT-OF-WAY OF PANTHER CREEK ROAD; THENCE N.40°24'53"E., 529.70 FEET TO THE REAL POINT OF BEGINNING.

TOGETHER WITH ALL IMPROVEMENTS, AND WATER RIGHTS APPURTENANT THERETO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and their heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this

By Ronald Radford
RONALD RADFORD
PRESIDENT.
ATTEST: Virginia Buster
VIRGINIA BUSTER
SECRETARY.

STATE OF IDAHO, COUNTY OF LEMHI
ON THIS 10th day of OCTOBER, A.D. 2003,
I, a Notary Public in and for said State, personally appeared
RONALD RADFORD, PRESIDENT and
VIRGINIA BUSTER, SECRETARY

known to me to be
President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed same.

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

Samuel H. Adams
Notary Public
Idaho

My Comm. Expires 11/10/04

State of Idaho)
County of Lemhi) SS No. 256288
This instrument was filed for record at the request
of Ronald Radford
at 3:45 clock P. on 10/10 2003
and duly filed and indexed in the records of Lemhi
County. Terri J. Horton
Erie Office Recorder
By Shirley A. Long
Fee 3.00
Return to _____

45763
W.B.UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
WASHINGTON
OCT 20 1948

I hereby certify that the annexed copy of patent is a true and literal exemplification from the record which is in my custody in this office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and caused the seal of this office to be affixed, at the city of Washington, on the day and year above written.

(((SEAL)))

4-207c (July 1940)

Nellie B. Jeffery
Acting Chief, Patents Section

Hailey 024625

4-1043-R.

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Frank B. Rooker has been established and duly consummated, in conformity to law, for the H.E. Survey No. 628, embracing a portion of, approximately, Sections twenty-seven, twenty-eight, thirty-three and thirty-four in Township nineteen north of Range eighteen east of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, from which U.S. Location Monument No. 427 bears south twenty-four degrees fifty-two minutes east ninety-six and forty-five hundredths chains distant; thence, north thirty-eight degrees ten minutes west forty-two and seventy-five hundredths chains to corner No. 2; thence, north one degree twenty-seven minutes west twenty-one and twelve hundredths chains to corner No. 3; thence, south eighty-nine degrees forty-three minutes east three and thirty-nine hundredths chains to corner No. 4; thence, south twenty-two degrees thirty-five minutes east fourteen and thirty-two hundredths chains to corner No. 5; thence, south thirty-six degrees seven minutes east thirty-seven and seventy hundredths chains to corner No. 6; thence, north thirty-four degrees east forty-one and thirty-four hundredths chains to corner No. 7; thence, south forty degrees twenty-three minutes east six and seventy-eight hundredths chains to corner No. 8; thence, south twenty-two degrees fifty-seven minutes west twenty-one and eighty hundredths chains to corner No. 9; thence, south forty-nine degrees one minutes west thirty and seventy hundredths chains to corner No. 1 the place of beginning, containing ninety-one acres and seventy hundredths of an acre, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said claimant the tract of Land above described;

TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Calvin Coolidge, President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN Under my hand, in the District of Columbia, the FIFTEENTH day of FEBRUARY in the year of our Lord one thousand nine hundred and TWENTY-FOUR and of the Independence of the United States the one hundred and FORTY-EIGHTH

(SEAL)

By the President:
Calvin Coolidge
By Ada Braddock, Assistant Secretary,
M. P. LeRoy
Recorder of the General Land
Office.

RECORD OF PATENTS:
Patent Number 931775

STATE OF IDAHO,)
County of Lemhi) ss.

6-2186

Recorded at the request of Preston Thatcher, October 25th, 1948 at 59 minutes past 1 o'clock P.M., in Book 41 of Deeds Page 353, Records of Lemhi County, Idaho.

Fees, \$1.00 Paid

W. W. Simmonds, County Recorder.

By Betty Sue Smart, Deputy

SCANNED

SEP 06 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 20, 2007

Joe Schwillling
10643 W State St
Star ID 83669

This packet was mailed to your address in Caldwell and was returned to our office. The county records show that the above is now your address. In order for you to receive future correspondence you need to file the enclosed change of address form and return it to this office.

Sincerely,

Kenneth Knoblock
Water Rights Supervisor

fa

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

Water Right Number(s): _____

Previous Mailing Address: _____

New Mailing Address: _____

Telephone Number: () _____

Signature of all Claimant(s): _____

Please print your name below your signature.

Please mail or FAX this completed form to the office nearest you:

**Adjudication Bureau
Idaho Dept. of Water Resources
7600 N. Mineral Dr., Ste. 100
Coeur d'Alene, ID 83815
Ph. 208/762-2800 or
FAX 208/762-2819**

**Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348**

**Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/736-3033 or
FAX 208/736-3037**

**Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/525-7161 or
FAX 208/525-7177**

**Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, ID 83720-0098
Ph 208/287-4800
FAX 208/287-6700**



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 10, 2007

RE: Water Rights in Reporting Area 23, Basin 75
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right claim(s) in Basin 75 that have been reported to the SRBA Court, covering water right claims from the North Fork of the Salmon River drainage. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended water right claims in your area. Water rights for most domestic and/or stockwater rights were reported earlier to the Court, and most of those have been decreed by the SRBA Court.

Note that you have until October 17, 2007, in which to review the recommendations for your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouse in Salmon, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to the recommendation for your water right, your water right will be decreed in 2008 as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process. You may also call the adjudication staff in my office at 1-800-451-4129 who can also respond to your questions.

Sincerely,

David R. Tuthill, Jr., P.E.
Interim Director

Enclosures

NOTICE OF FILING OF DIRECTOR'S REPORT FOR IRRIGATION AND OTHER WATER RIGHTS IN BASIN 75

The Director of the Idaho Department of Water Resources (IDWR) has filed with the Snake River Basin Adjudication (SRBA) District Court the *Director's Report for Irrigation and Other Water Rights in Basin 75* (Director's Report). A map of the area covered by this Director's Report is attached to this Notice. This Director's Report contains the Director's recommendation to the SRBA Court as to how each claimed water right should be decreed in the SRBA.

This Notice includes the Director's recommendation for your water right(s) claimed in the SRBA. IDWR is providing individual reports, like this one, to all claimants of irrigation and other water rights in your area. A complete copy of the Director's Report, listing all of these irrigation and other water rights claimed under state law and "dual based" claims by the federal government, is available at the SRBA courthouse in Twin Falls and the locations listed at the end of this Notice. Copies of the Director's Report can be made, but you may be charged for copying and mailing.

Also included in this Director's Report are some small domestic and stock water uses. The Director's Report for most small domestic and stockwater rights for IDWR Basin 75 was sent to the SRBA Court and individual water users on March 31, 1999. Some small domestic and stockwater claims were withheld from the earlier report. If a claim for small domestic and stockwater was withheld from the March 31, 1999 report, or was filed after that date, it is reported in this Director's Report. The Director's Report also includes General Provisions for Basin 75 that may apply to your water right.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The enclosed description of your right(s) is only the Director's recommendation to the SRBA Court on your water right(s). The Court will decide how it will decree your water right(s). You can agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right(s) and all other irrigation and other rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations for the state based water right claims are listed in two sections:

- 1) **List of Recommended Water Rights** -- Water right recommendations are listed numerically by water right number.
- 2) **List of Claims Recommended to Be Disallowed** -- Water rights claims to be disallowed are listed numerically by water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

Additional information regarding water right claims can be found on the SRBA Web Site.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed as well as when Director's Reports are filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

What if a water right is not in this report? What if a water right claim is filed late? How do I get notice of IDWR's recommendation for a late claim?

A water right for Basin 75 may not be included in this Director's Report if it was not filed in time for IDWR to investigate and report. These water rights will be reported at a later time in IDWR's *Director's Report for Late Claims* (Late Claim Report). The Late Claim Report may include recommendations for Basin 75, as well as other basins. As the Director files reports for any remaining water rights in Basin 75, he may also recommend additional general provisions that could also apply to your water rights. The Late Claim Report is issued once per year, usually in the spring. It is the responsibility of all parties to check with the SRBA Court or IDWR to see when the Late Claim Report is filed. It is also the responsibility of all parties to check this report carefully for water rights to which they want to object. No special notice will be sent to you.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. You may download a copy of a change of ownership form from the IDWR Web Site at www.idwr.idaho.gov. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office and on the IDWR Web Site at www.idwr.idaho.gov. The IDWR webpage provides information regarding claims, mapping, and other valuable information on the SRBA and IDWR. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are also available at the IDWR state or northern regional offices. You are also welcome to call IDWR at any of its offices or the SRBA Court. Additional information regarding water right claims can be found on the SRBA Web Site at www.srba.state.id.us. Finally, you may also want to consider contacting an attorney to assist you.

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 75.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in its records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "*ground water*," "*spring*," or "*Common Creek*."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your water right in relation to other water rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections or a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, and stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your water right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections or a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

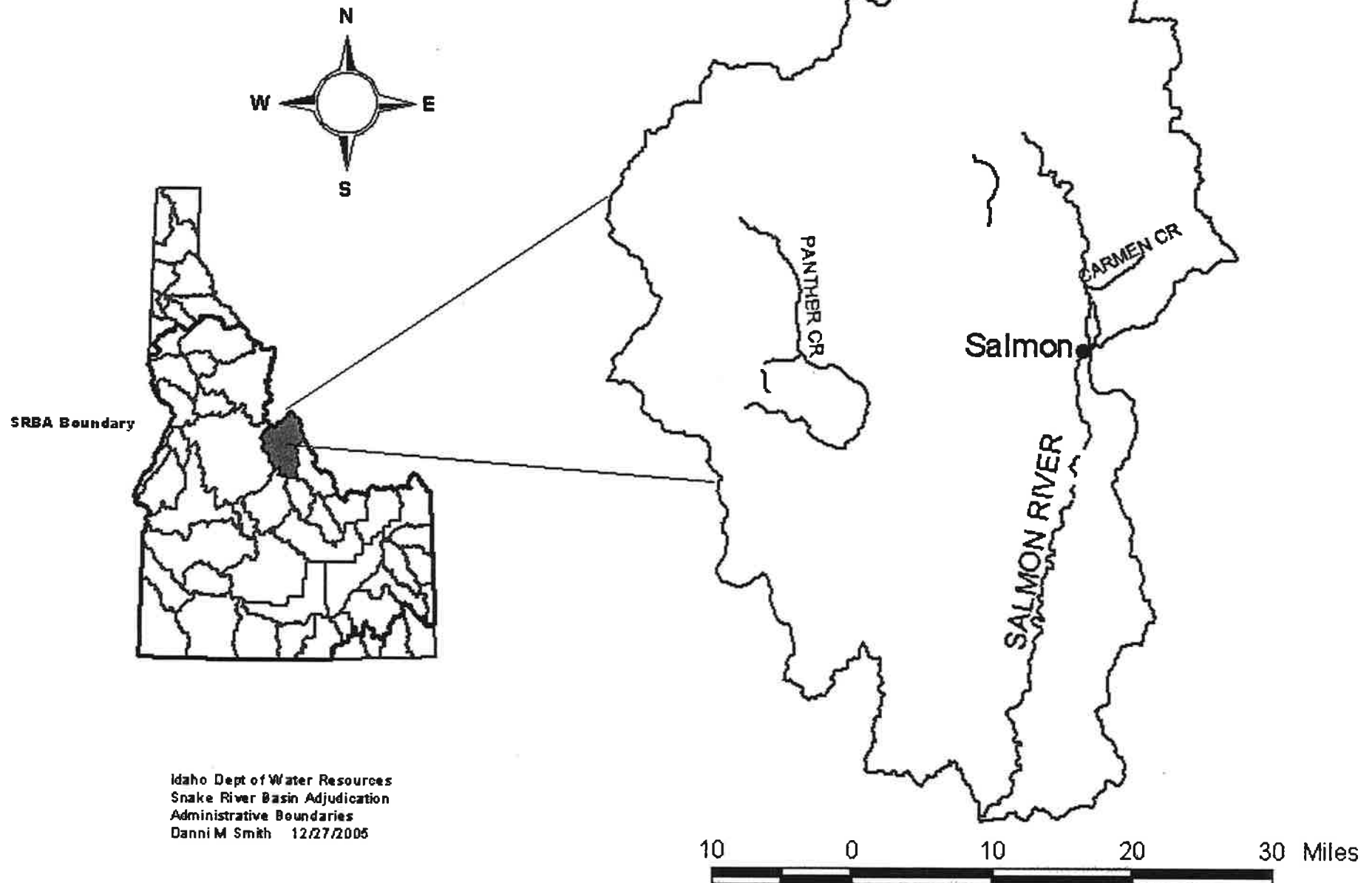
PLACE OF USE FOR IRRIGATION PROJECTS: Pursuant to Idaho Code Sections 42-219(2) and 42-1411(2)(h), IDWR has included GIS mapping for describing the place of use (digital boundary) for water rights meeting certain criteria (i.e. irrigation projects). The **PLACE OF USE** for irrigation projects is reported in digital format and uses GIS technology to particularly identify and display a geographic area encompassing the place of use with the aid of a computer. The GIS data is stored in digital format and contained on a CD-ROM and is properly marked for identification with the water right number. The CD-ROM will be retained by the SRBA Court. IDWR also retains a duplicate of the original CD-ROM. The electronic data contained on the CD-ROM is available for public use and is also accessible through the IDWR Web Site www.idwr.idaho.gov. *Upon request, IDWR will provide a copy of the CD-ROM with the electronic data to claimants.*

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, or permit.

DUAL BASED CLAIMS: In some cases, the federal government has claimed one water right under two theories: a state basis and a federal law basis. Both theories will be reported on one form for that single water right. In most cases, the priority dates are different and will be listed separately. The federal law basis is separately indicated by a remark under the priority date that reads:

*4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT *

BASIN 75 MAP



BASIN 75 GENERAL PROVISIONS

The Director of the Idaho Department of Water Resources recommends to the Snake River Basin Adjudication District Court that the following general provisions be included in the decree determining rights to water from Basin 75.

1. The following water rights from the following sources of water in Basin 75 shall be administered separately from all other water rights in Basin 75 in accordance with the prior appropriation doctrine as established by Idaho law:

WATER RIGHT NO.

SOURCE

NONE

2. The following water rights from the following sources of water in Basin 75 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriate doctrine as established by Idaho law:

WATER RIGHT NO.

SOURCE

NONE

3. Except as otherwise specified above, all other water rights within Basin 75 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

NOTICE OF FILING OF FEDERAL RESERVED WATER RIGHTS CLAIMS IN BASIN 75

INTRODUCTION

Several claims to federal reserved water rights have been filed in Basin 75 by the United States of America, acting through the agencies identified below, with the Snake River Basin Adjudication (SRBA) District Court, copies of which are attached hereto. The numbers for these federal reserved right claims are as follows:

75-11205, 75-11206, 75-11212, 75-13802, 75-14379, 75-14380, and 75-14449 – United States Forest Service

INSTRUCTIONS FOR TAKING A CLAIM TO COURT

What do I do if I disagree with a federal reserved water right claim?

If you disagree with any element of the claim to a federal reserved water right in Basin 75 and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any Idaho Department of Water Resources (IDWR) office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Objections to any federal reserved water right in Basin 75 must be **received** by the SRBA Court on or before **October 17, 2007**.

What do I do if I want to participate in the court case on a claim to a federal reserved right?

If you want to be involved in the court case on a claim to a federal reserved water right, you must file either an objection or a response to someone else's objection by the dates provided in this notice. Responses must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the SRBA Court. You may also download a copy of the response form from the SRBA Web Site at www.srba.state.id.us.

Responses must be **received** by the SRBA Court on or before **December 18, 2007**.

What happens if there are no objections to the federal reserved water right claim(s)?

An evidentiary hearing on any uncontested federal reserved water rights in Basin 75 will be held before the SRBA Court. Partial decrees will be issued by the SRBA Court following the hearing.

How will I know about the proceedings on claims to federal reserved water rights to which objections were filed?

A notice will be mailed to you for court dates on those claims where you filed an objection or a response. You will not receive notice of court dates on any other claims to federal reserved rights for which you did not file an objection or response.

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 75.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water; for example: "ground water", "spring", "unnamed stream" or "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your water right in relation to other water rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, and stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your water right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

PLACE OF USE FOR IRRIGATION PROJECTS: Pursuant to Idaho Code Sections 42-219(2) and 42-1411(2)(h), IDWR has included GIS mapping for describing the place of use (digital boundary) for water rights meeting certain criteria (i.e. irrigation projects). The **PLACE OF USE** for irrigation projects is reported in digital format and uses GIS technology to particularly identify and display a geographic area encompassing the place of use with the aid of a computer. The GIS data is stored in digital format and contained on a CD-ROM and is properly marked for identification with the water right number. The CD-ROM will be retained by the SRBA Court. IDWR also retains a duplicate of the original CD-ROM. The electronic data contained on the CD-ROM is available for public use and is also accessible through the IDWR internet website (www.idwr.idaho.gov). *Upon request, IDWR will provide a copy of the CD-ROM with the electronic data to claimants.*

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, and permit.

IDWR does not investigate or make recommendations regarding federal law based claims.

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: 75-11205

RECEIVED

DEC 20 2006

DEPARTMENT OF
WATER RESOURCES

RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 11/05/1906
3. Source of water: UPPER DUMMY CREEK SPRING Tributary: SINKS
4. Location Meridian BOISE
Description of Diversion Works: Headbox From: Spring
Location of Point of Diversion
T: 20 N R: 19 E S: 18 NENW
Location of Place of Use
T: 20 N R: 19 E S: 18 NENW
5. Quantity claimed: Period Quantity For
1/ 01 -- 12/ 31 0.06 CFS Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.06 CFS
7. Present and future uses to which the water is or will be used:
Administrative
8. Remarks:
State Basin: 75
National Forest: Salmon
Forest Service Record ID: 4 13 17060203 30 0 0003
Cobalt Ranger Station.

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer
STEVEN M. SPENCER
Consumptive Use Water Specialist

Subscribed and sworn to before me on:

OCT 20 2006
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho
OCT 17 2008

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

Ident. Number: A75-11212

Date received: _____

Receipt No: _____

NOTICE OF CLAIM

TO A

WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360

2. Date of Priority: 11/05/1906

3. Source of water supply: NF SALMON R Tributary to: SALMON R

Forest Service Record ID: 04 13 17060203 21 0 0006 0

4. a. Location of Point of Diversion:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	15	SESW		LEMHI	BOISE

b. Location of Place of Use:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	22	NENW		LEMHI	BOISE

c. Description of existing diversion: PUMP

d. If instream flows, beginning point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
----------	-------	---------	-------	-----------	--------

Boise Meridian.

e. If instream flows, ending point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
----------	-------	---------	-------	-----------	--------

Boise Meridian.

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: 75-13802

RECEIVED

DEC 20 2006

DEPARTMENT OF
WATER RESOURCES

RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 11/05/1906
3. Source of water: PANTHER CREEK Tributary: SALMON RIVER
4. Location Meridian BOISE
Description of Diversion Works: Pump From: Stream
Location of Point of Diversion
T: 20 N R: 19 E S: 18 NENW
Location of Place of Use
T: 20 N R: 19 E S: 18 NENW ac: 0 T: 20 N R: 19 E S: 18 NWNE
5. Quantity claimed: Period Quantity For
3/ 01 -- 11/ 30 0.08 CFS Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.08 CFS
7. Present and future uses to which the water is or will be used:
Administrative
8. Remarks:
State Basin: 75
National Forest: Salmon
Forest Service Record ID: 4 13 17060203 28 0 0004
Cobalt Ranger Station

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer
STEVEN M. SPENCER
Consumptive Use Water Specialist

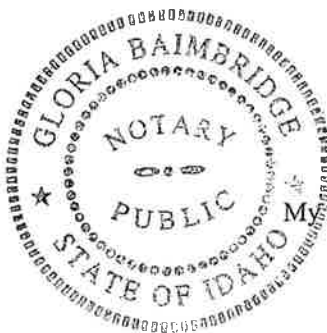
Subscribed and sworn to before me on:

OCT 20 2006
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho
OCT 17 2008

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

Ident. Number: A ~~75-62108~~ 75-14380

Date received: _____

Receipt No: _____

NOTICE OF CLAIM

TO A

WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360
2. Date of Priority: 11/05/1906
3. Source of water supply: HGHS CR RS SPR Tributary to: NF SALMON R
Forest Service Record ID: 04 13 17060203 21 0 0004 0

4. a. Location of Point of Diversion:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	22	NESW		LEMHI	BOISE

b. Location of Place of Use:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	22	NENW		LEMHI	BOISE

c. Description of existing diversion: HEADBOX

d. If instream flows, beginning point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

e. If instream flows, ending point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

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: A ~~75-64466~~ 14449

Date received: _____

Receipt No: _____

NOTICE OF CLAIM

TO A

WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360
2. Date of Priority: 11/05/1906
3. Source of water supply: SHEEP CREEK Tributary to: NF SALMON R
Forest Service Record ID: 04 13 17060203 21 0 0007 0

4. a. Location of Point of Diversion:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
-----	-----	-----	-----	-----	-----	-----
25 N	21 E	14	SENW		LEMHI	BOISE

b. Location of Place of Use:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
-----	-----	-----	-----	-----	-----	-----
25 N	21 E	15	SESW		LEMHI	BOISE

c. Description of existing diversion: DITCH or CANAL

d. If instream flows, beginning point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

e. If instream flows, ending point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

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

RIGHT NUMBER: 75-4114

NAME AND ADDRESS: KWEN SMITH
10643 W STATE ST
STAR ID 83669

DONNA SMITH
10643 W STATE ST
STAR ID 83669

JOE A SCHWILLING
2802 ARLINGTON AVE
CALDWELL ID 83605

SOURCE: PANTHER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 10/12/1923

POINT OF
DIVERSION: T19N R18E S33 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 11/01	0.130 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T19N R18E S34 SWNW 4.30		
	4.3 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 - Beneficial Use

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 75-4114
Date Received: 5/10/1990
Receipt No: M007013
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

KWEN SMITH Phone: (208) 286-7292
10643 W STATE ST
STAR ID USA 83669

DONNA SMITH Phone: (208) 286-7292
10643 W STATE ST
STAR ID USA 83669

JOE A SCHWILLING Phone: (208) 286-7292
10643 W STATE ST
STAR ID USA 83669

2. Date of Priority: 10/12/1923

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
19N	18E	33	NE NE	LEMHI	

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	0.3	

7. Total Quantity Appropriated is:
0.3 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
19N	18E	33	NE	NE	IRRIGATION	5
					Section Acres	5
					Total Acres	5

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:

14. Remarks:

THERE IS A TOTAL OF 4.6 ACRES OF IRRIGATION.

15. Basis of Claim: Statutory Claim

OCT 08 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: A75-04114
Date Received: 5/10/1990
Receipt No: MO07013
Received By: B

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PANTHER CREEK RECREATION ASSN.
Address: P.O. 100
SALMON, ID 83467

2. Date of Priority: OCT 12, 1923

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

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
19N	18E	33			NE		NE		LEMHI

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	0.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	18E	33	NE		NE		IRR	5.0
Section Acres								5.0

A75-04114

Page 1

Date: 05/10/90

A7504114



MICROFILMED
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10. Place of Use: Continued

Total Acres 5.0

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:
N/A

14. Remarks:

THERE IS A TOTAL OF 4.6 ACRES OF IRRIGATION.

15. Basis of Claim: STATUTORY CLAIM

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 Organizations:

I do solemnly swear or affirm that I am Treasurer of
Title
Panther Creek Recreation Assn., that I have signed the foregoing
Organization
document in the space below as Treasurer of
Title
Panther Creek Recreation Assn. and that the statements contained in the
Organization
foregoing document are true and correct.

Ken Bittick
Signature of Authorized Agent

Treasurer of Panther Creek Recreation Assn.
Title and Organization

5-10-90

Date

State of Idaho)

County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of May 19 90

[Signature]
Notary Public

Seal

Residing at Salmon, ID 83467

My Commission Expires 6-12-92