

05/17/2006

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

RIGHT NUMBER: 75-4313D

NAME AND ADDRESS: HOWARD C JEFFREY
3437 WINECORK WAY
SAN JOSE CA 95124

LOIS CHYNOWETH
3437 WINE CORK WAY
SAN JOSE CA 95124-2562

SOURCE: NORTH FORK SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.510 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/14/1916

POINT OF DIVERSION:

T25N R21E S28 SESWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.510 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R21E S04 NESW 3.50 T24N R21E S04 NWSW 20.00

STOCKWATER same as IRRIGATION

23.5 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: **75-4313 D**



Legend

- Section Lines
- 25N21E GCDB
- 24N21E GCDB



0 0.2 0.4 Miles

Prepared by M. Van Bussum
On Wednesday, May 11, 2005
1991 Aerial Photography

11/20/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

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: 75-4313D

HOWARD C JEFFREY
3437 WINECORK WAY
SAN JOSE CA 95124
Telephone Number: (408) 288-7800

PO Box 155
North Fork, ID 83466-0155
(208) 865-2055

LOIS CHYNOWETH
3437 WINE CORK WAY
SAN JOSE CA 95124-2562
Telephone Number: (408) 371-2260
Cell (408) 209-8470

RECEIVED
DEC 14 2006
IDWR/North

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:

Lois Chynoweth

Howard C Jeffrey
By Lois Chynoweth
HOWARD C JEFFREY
By Lois Chynoweth

Please print your name:

LOIS C. CHYNOWETH

HOWARD C JEFFREY

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

SCANNED

DEC 11 2006

Alliance Title

December 5, 2006

State of Idaho
Dept. of Water Resources
322 East Front Street
P. O. Box 83720
Boise, ID 83720-0098

RECEIVED

DEC 08 2006

DEPARTMENT OF
WATER RESOURCES

RECEIVED

DEC 14 2006

IDWR/North

Water Right # 75-4313D

Pursuant to your request, enclosed please find Notice of Error Reply form.

I have made corrections to the contact information for Howard C. Jeffrey, please correct your records as to the changes indicated thereon.

We request that any further correspondence be sent to both parties at the separate addresses since the parcel has been divided and is of public record.

Should you have any questions in this regard, please feel to contact either one of us at the numbers indicated on the reply form.

Sincerely,



Lois Chynoweth
3437 Wine Cork Way
San Jose, Ca 95124
(408) 209-8470 Cell
(408) 558-7802 Work

SCANNED

DEC 11 2006

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

CLAIM NO(s). A7504313D

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 GPS 053
☒ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0014967

Township 25N Range 21E Section 28 1/4 SE 1/4 SW 1/4 NW
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 _____	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

The points of diversion were points from other ditches. The real point from the Northfork its self was on up the river

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER:

Print Name
Jack F. Ellis
Signature

RECEIVED
JUL 29 2005
DEPARTMENT OF
WATER RESOURCES

State of Idaho
Attn: R. Brown
Idaho Department of Water Resources
P. O. Box 83720
Boise, ID 83707-9815

RE: 75-4313D

Dear Roxanne,

This letter is written on behalf of Howard C. Jeffrey and myself, in response to your request letter of June 29, 2005 requesting proof of the priority date and historic use of the water on our property.

When we Howard C. Jeffrey bought the property along with the purchase came the water right thereto.

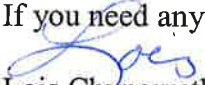
We have spent around \$1,200.00 in the last 4 years on the irrigation ditches that we use to irrigate our property and intend on doing so in the future. Up until a year and a half ago our neighbor was running his cattle on our property also. We have since fenced the cattle out.

Our property consist of 28.652 acres instead of the 23.5 as indicated on Adjudication Claim Report and we have since had the property divided into two equal parcels of 14.326 acres each.

We will have horses and goats on the property in the near future so we are planning on using the water for stockwater also, as well as for irrigation.

I don't know what proof of you require for the 1916 priority date. We were never provided with any proof at the time we purchased the property.

If you need anything further from us to maintain our water rights, please so advise.


Lois Chynoweth
3437 Wine Cork Way
San Jose, CA 95124
(408) 209-8470 Cell
(408) 558-7800 Work

Howard C. Jeffrey
P. O. Box 155
North Fork, ID 83466-0155
(208) 865-2055

SCANNED
AUG 11 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.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-4313D
LOIS CHYNOWETH
3437 WINE CORK WAY
SAN JOSE CA 95124-2562

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

SCANNED
AUG 11 2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 75-4313D

28.652
acres

WATER RIGHT NUMBER: 75-4313D

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	LETHIA CUNAN
	, ID
Current Owner	HOWARD C JEFFREY 3437 WINECORK WAY SAN JOSE, CA 95124 (408)288-7800
Original Owner	DERROLD SLAVIN PO BOX 41 CARMEN, ID 83462 (208)756-3442
Current Owner	LOIS CHYNOWETH 3437 WINE CORK WAY SAN JOSE, CA 95124-2562 (408)371-2260
Original Owner	MADGE SLAVIN PO BOX 41 CARMEN, ID 83462 (208)756-3442

Priority Date: 04/14/1916

Basis: Beneficial Use

Status: Active

Source

NORTH FORK SALMON RIVER

Tributary

SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
IRRIGATION	4/01 to 10/01	0.510 CFS	
	<u>Total Diversion:</u>	0.510 CFS	

Location of Point(s) of Diversion

NORTH FORK SALMON RIVER LEMHI County	SW1/4SE1/4NW1/4	Sec. 4, Twp 24N, Rge 21E, B.M.
NORTH FORK SALMON RIVER LEMHI County	SW1/4NW1/4SW1/4	Sec. 4, Twp 24N, Rge 21E, B.M.

Place of UseIRRIGATION Within LEMHI County

T24N R21E S04 NESW 4.8 T24N R21E S04 NWSW 18.7

Total Acres: 23.5

28.652

STOCKWATER same as IRRIGATIONConditions of Approval:

SCANNED

AUG 01 2005

17 October 2005

RECEIVED

OCT 21 2005

DEPARTMENT OF
WATER RESOURCES

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau
State of Idaho Dept. Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Ms. Brown,

Enclosed, please find several documents related to your request for verification of my water usage of water within the Snake River Basin.

Enclosed you will find an affidavit from Derrold Slavin, from whom I purchased my property, attesting to the Beneficial Water Use claim numbered 75-04313D. In that affidavit, he gives dates and years certifying that the water has been used continually for 89 years.

There is an accompanying document listing the current and previous owners, their addresses and other information pertinent to the amounts, exact locations, etc. of my water right.

Also enclosed is a copy of the certificate that the patent and certificate for this property.

I apologize for the delay in my response, and would sincerely appreciate it if you would mail copies of all future correspondence to me at my Idaho address:

Howard C. Jeffrey
P.O. Box 155
North Fork, Idaho 83466-0155

Sincerely,



HCJ/jef
Encl.

SCANNED

OCT 21 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.

RECEIVED

OCT 21 2005

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-04313
HOWARD C JEFFREY
3437 WINECORK WAY
SAN JOSE CA 95124

RESPONSE DEADLINE

JULY 29, 2005

Nov. 1st 05

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

287-4914

Enclosures

SCANNED

OCT 21 2005

Instrument No. 16755.

4-196.
DEPARTMENT OF THE INTERIOR
UNITED STATES LAND OFFICE Hailey, Idaho.

Serial No. 06708
Receipt No. 1144116

C E R T I F I C A T E
Homestead.
Act of June 11, 1906, List 4-63.

April 12, 1913, 19---
IT IS HEREBY CERTIFIED that, pursuant to the provisions of Section 2291, Revised Statutes of the United States, Edward J. Roske, North Fork, Idaho, has made payment in full for W¹/₂ E¹/₂ NW¹/₄, E¹/₂ W¹/₂ NW¹/₄, sec. 9. E¹/₂ W¹/₂ SW¹/₄, W¹/₂ SE¹/₂ SW¹/₄, NE¹/₂ SW¹/₄, E¹/₂ NW¹/₄ SW¹/₄, N¹/₂ NW¹/₄ NE¹/₂ SW¹/₄, NW¹/₄ SW¹/₄ NE¹/₂ SW¹/₄, Section 4 Township 24 North, Range 21 East, Boise Meridian, containing 105 acres.

NOW, THEREFORE, BE IT KNOWN that, on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said Edward J. Roske shall be entitled to receive a Patent for the lot above described.

Recorded at the request of PIONEER BANK & TRUST CO. MARCH 23rd, 1916, at --- minutes past 1 o'clock P. M., in Book W of Deeds page 616 Records of Lemhi County, Idaho.

By W. W. Simmons
Deputy.

P. F. Horne, Register.
J. L. Kirtley, Jr.
County Recorder.

Instrument No. 16753

Hailey 06927

4-1023

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 full payment has been made by the claimant Joseph M. Darcy according to the provisions of the Act of Congress of April 24, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the northwest quarter of the southeast quarter, the north half of the southwest quarter, and the southeast quarter of the southwest quarter of Section four in Township fourteen north of Range twenty-seven east of the Boise Meridian, Idaho, containing one hundred sixty acres, 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 the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, 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, Woodrow Wilson 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, at the City of Washington, the Eleventh day of January in the year of our Lord one thousand nine hundred and Sixteen and of the Independence of the United States the one hundred and fortieth.

SEAL.

By the President: Woodrow Wilson
By M. P. LeRoy, Secretary,
L. Q. C. Lamar,
Recorder of the General Land Office.

RECORDED: Patent Number 507233

SCANNED
OCT 21 2005

AFFIDAVIT OF DERROLD SLAVIN

I, DERROLD SLAVIN, being first duly sworn and deposed states:

1. That I have been living and ranching in the Carmen and North Fork, ID basins for 71 years, my current address is Box 41 Carmen ID.
2. That my father and mother, Theodore and Leitha Slavin owned property just north of North Fork, Idaho and I know the ranch and it's water usage very well.
3. That I grew up on the ranch.
4. That to the best of my knowledge the Beneficial Use water claim numbered 75-⁰⁰04313 has been used for at least 89 years and the waters have been used on a continual basis for agricultural purposes.

DATED this 20 day of July, 2005.

Derrold Slavin
DERROLD SLAVIN

STATE OF IDAHO)
 : ss.
County of Lemhi)

On this 20 day of July 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared DERROLD SLAVIN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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



Milton A. Slavin
Notary Public for State of Idaho
Residing at Salmon, Idaho
My Commission Expires: 10/26/05

SCANNED

OCT 21 2005



State of Idaho

SCANNED

OCT 10 2001

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 3, 1998

DERROLD & MADGE SLAVIN
PO BOX 41
CARMEN ID 83462

RE: CHANGE IN OWNERSHIP FOR A75-04313A

Dear Mr. and Mrs. Slavin:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-04313C, 0.730 cfs on 33.5 acres, Slavin
A75-04313D, 0.510 cfs on 23.5 acres, Chynoweth & Jeffrey

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Hoagland
Technical Records Specialist

Enclosure

3/3/98 DELOG DC

RECEIVED

MAR 11 1998

Department of Water Resources
Eastern Region

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) _____
Adjudication Claim Number(s) A75- 04313 A

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

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

AND

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

OR

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

3. Name and Address of Former Owner/Claimant(s) Derroll + Madge Slavin

PO Box 41 CARMEN ID 83462

4. New Owner/Claimant(s) Lois Chynoweth OR/ and Howard C. Jeffrey

Name connector (Check one): [] AND, [] OR, [X] AND/OR

New Mailing Address 3437 Wine Cork Way

City, State and ZIP Code San Jose, CA 95124

New Telephone Number (408) 288 - 7800 Ext. 345 Monday-Friday 8:00am thru 6:00pm

5. Date you acquired the property October 21, 1997

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

Number of acres actually irrigated 28.65 Number and type of stock _____

Diversion rate in CFS 1.63 cfs Number of homes _____ Other uses _____
cubic feet per second

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

7. Signature of New Owner/Claimant(s) Lois Chynoweth Date 12/15/97

Date _____

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

Warranty Deed

For Value Received

DERROLD SLAVIN, a married man dealing with his sole and separate property

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

HOWARD C. JEFFREY AND LOIS CHYNOWETH, both unmarried persons, each as to an undivided $\frac{1}{2}$ interest

whose current address is

3437 WINE CORK WAY
SAN JOSE, CA 95124

the grantee s, the following described premises, in LEMHI

County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

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

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

Dated: OCTOBER 21, 1997

Derrold Slavin

DERROLD SLAVIN



234876

STATE OF IDAHO, COUNTY OF LEMHI
On this 21st day of OCTOBER, 1997,
before me, a notary public in and for said State, personally appeared

DERROLD SLAVIN
NOTARY
Known to me to be the person whose name is
subscribed within instrument, and acknowledged to me that
executed the same.
Laurie M. Santee
LAURIE M. SANTEE Notary Public
Residing at SALMON, Idaho
Comm. Expires 6-19-2001

State of Idaho) SS No. _____
County of Lemhi)
This instrument was filed for record at the request
of Alliance Title
at 3:37 o'clock p.m. 10-21-1997
and duly filmed and indexed in the records of Lemhi
County
Alberta Wiederrick
Ex-Officio Recorder
By *Patti Burns* Deputy
Fee \$10.00
Return to alliance

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN THE SW1/4 OF SECTION 4, T. 24 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE W1/4 CORNER OF SAID SECTION 4 FROM WHICH THE SW CORNER OF SAID SECTION BEARS S. 00 DEGREES 48' 54" W., 2636.36 FT., THE BASIS OF BEARING OF THIS DESCRIPTION;

THENCE S. 89 DEGREES 56' 40" E. ALONG THE NORTHERLY BOUNDARY OF SAID SW1/4 A DISTANCE OF 325.13 FT. TO THE POINT OF BEGINNING;

THENCE CONTINUING S. 89 DEGREES 56' 40" E. ALONG SAID BOUNDARY A DISTANCE OF 1350.34 FT. TO A POINT ON THE WESTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE S. 20 DEGREES 33' 19" W. ALONG SAID RIGHT-OF-WAY A DISTANCE OF 1059.98 FT.;

THENCE N. 89 DEGREES 45' 02" W. A DISTANCE OF 16.02 FT.;

THENCE S. 00 DEGREES 45' 52" W. A DISTANCE OF 44.37 FT. TO A POINT ON SAID WESTERLY RIGHT-OF-WAY;

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

S. 20 DEGREES 33' 19" W., 181.30 FT.; 141.09 FT. ALONG A CURVE THE LEFT HAVING A RADIUS OF 5731.81 FT.; A DELTA ANGLE OF 01 DEGREES 24' 37", A CHORD BEARING S. 19 DEGREES 51' 00" W., 141.09 FT.;

THENCE N. 72 DEGREES 50' 10" W. A DISTANCE OF 489.34 FT.;

THENCE N. 16 DEGREES 33' 00" W. A DISTANCE OF 431.54 FT.;

THENCE N. 78 DEGREES 22' 14" W. A DISTANCE OF 275.36 FT.;

THENCE N. 00 DEGREES 48' 08" E. A DISTANCE OF 727.05 FT. TO THE POINT OF BEGINNING.

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DERROL D SLAVIN	04/14/1916	IRRIGATION	04-01 10-01	1.24 CFS	
C	MADGE SLAVIN PO BOX 41		STOCKWATER	01-01 12-31	0.02 CFS	
	CARMEN ID 83462 (208) 756-3442			TOTAL DIVERSION: CONSUMPTIVE USE:	1.24 CFS	142.50 AFD

Tributary to: SALMON RIVER

Stage: BENEFICIAL USE

T24N R21E S04

SWSENW

SWNWSW

LEMHI County

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
			:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	:	
24N	21E	4	:					:					:					:					:	56.7
																				TOTAL ACRES		56.7		

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: LBMHI

Non-Irrigation Uses: S/100 BEEF CATTLE

Other Rights: NONE

Remarks: GEN THIS CLAIM REPRESENTS A PORTION OF CLAIM 75-04313.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

Presumption Flag:

Audit: 04/19/90 BAUMHOFF 03/30/95 POST-STD



Title: chynoweth/jeffrey ownership 74-04313a

Date: 03-17-1998

Scale: 1 inch = 660 feet

File: slavin.des

Tract 1: 28.645 Acres: 1247757 Sq Feet: Closure = s89.4234e 0.04 Feet: Precision = 1/107047: Perimeter = 4716 Feet
 Tract 2: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision > 1/999999: Perimeter = 5280 Feet

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008: Lt, R=5731.81, Arc=141.09, Delta=01.2437
 Bng=s19.51w, Chd=141.09

015=/N00E 2640.00

002=/s89.5640e 325.13

009=n72.5010w 489.34

016=/N90W 3960.00

~~003=s89.5640e 1350.3~~

~~010=n16.33w 431.54~~

~~017=S00W 1320.00~~

004=s20.3319w 1059.98

011=n78.2214w 275.36

018=N90W 1320.00

005=n89.4502w 16.02

012=n00.4808e 727.05

019=N00E 1320.00

006=s00.4552w 44.37

013=@0 nw,sw,4,24n,21e

020=N90E 1320.00

007=s20.3319w 181.3

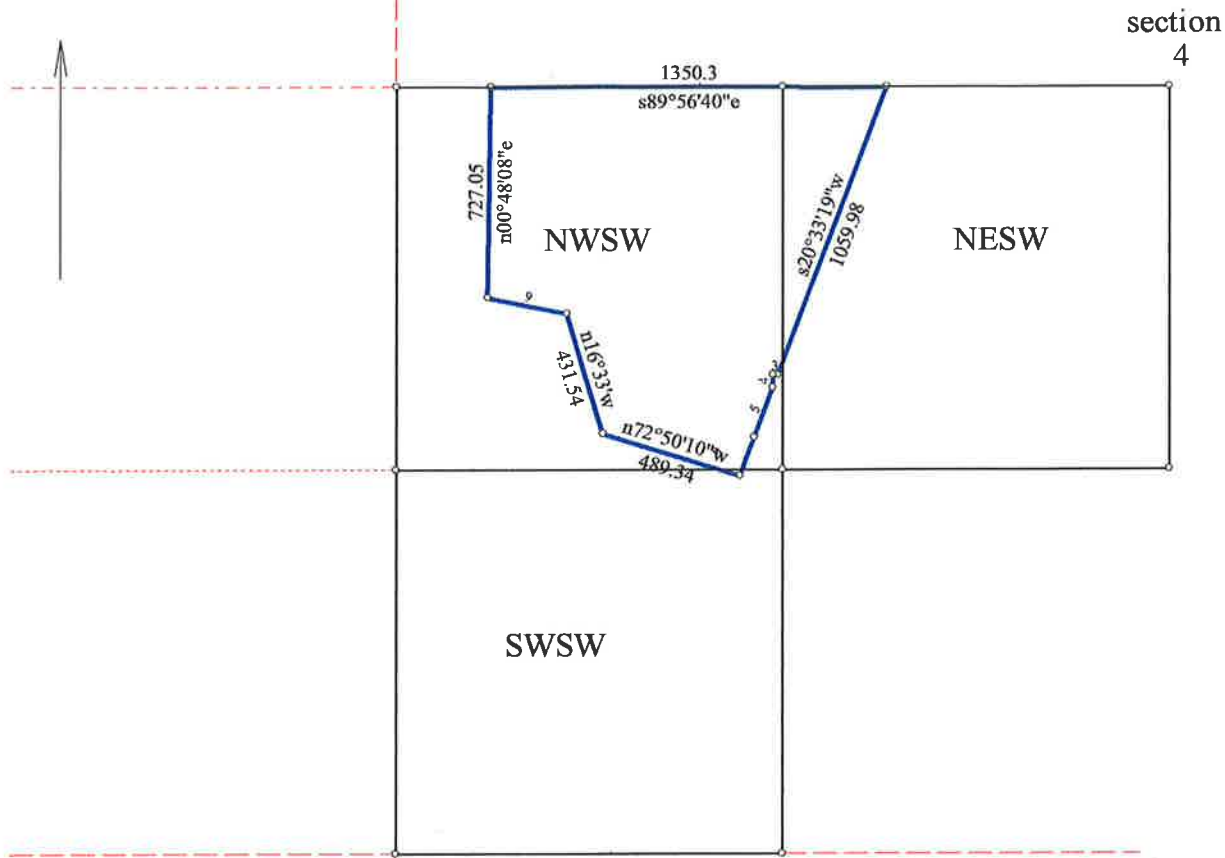
014=/SE,SE,SE,4,24N,21E

33.5

57

4.8
 18.7
 23.5

50 cfs
 73



Title: chynoweth/jeffrey ownership 74-04313a

Date: 03-17-1998

Scale: 1 inch = 660 feet

File: slavin.des

Tract 1: 28.645 Acres: 1247757 Sq Feet: Closure = s89.4234e 0.04 Feet: Precision = 1/107047: Perimeter = 4716 Feet
 Tract 2: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision > 1/999999: Perimeter = 5280 Feet
 Tract 3: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision > 1/999999: Perimeter = 5280 Feet
 Tract 4: 40.000 Acres: 1742400 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision > 1/999999: Perimeter = 5280 Feet

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014=/SE,SE,SE,4,24N,21E

027=N00E 1320.00

002=/s89.5640e 325.13

015=/N00E 2640.00

028=N90E 1320.00

003=s89.5640e 1350.3

016=/N90W 3960.00

029=@0 ne,sw,4,24n,21e

004=s20.3319w 1059.98

017=S00W 1320.00

030=/SE,SE,SE,4,24N,21E

005=n89.4502w 16.02

018=N90W 1320.00

031=/N00E 2640.00

006=s00.4552w 44.37

019=N00E 1320.00

032=/N90W 2640.00

007=s20.3319w 181.3

020=N90E 1320.00

033=S00W 1320.00

008: L1, R=5731.81, Arc=141.09, Delta=01.2437
 Bng=s19.51w, Chd=141.09

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034=N90W 1320.00

009=n72.5010w 489.34

022=/SE,SE,SE,4,24N,21E

035=N00E 1320.00

010=n16.33w 431.54

023=/N00E 1320.00

036=N90E 1320.00

011=n78.2214w 275.36

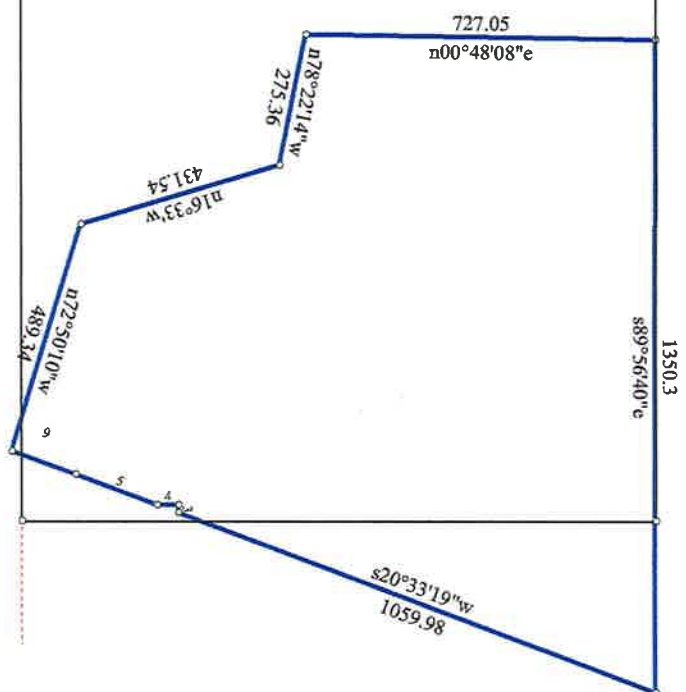
024=/N90W 3960.00

012=n00.4808e 727.05

025=S00W 1320.00

013=@0 nw,sw,4,24n,21e

026=N90W 1320.00



SCANNED
OCT 10 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: **A75-04313D**
Date Received: 4/19/1990
Receipt No: X777777
Received By: _____

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

1. Name: LOIS CHYNOWETH 408-288-7800
Address: 3437 WINECORK WAY
SAN JOSE CA 95124
AND/OR
Name: HOWARD C JEFFREY 408-288-7800
Address: 3437 WINECORK WAY
SAN JOSE CA 95124

A7504313D



2. Date of Priority: APR 14, 1916

3. Source: SALMON RIVER, NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	21E	4	SW	SE	NW		LEMHI
			SW	NW	SW		LEMHI

5. Description of diverting works:

~~2~~ PODS, HEADGATES, DITCHES, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/01	0.510		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.510 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
24N	21E	4	NE	SW		IRR	4.8
			NW	SW		IRR	18.7
Section Acres							23.5
Total Acres							23.5

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:

ACREAGE SPLIT ARE BEST ESTIMATE

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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