

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 67-10301
Date Received: 9/25/1989
Receipt No: W006038
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHRISTI L SMITH Phone: (208)549-1533

1855 JONES RD
WEISER ID USA 83672

STEVAN W SMITH Phone: (208)549-1533

1855 JONES RD
WEISER ID USA 83672

2. Date of Priority: 01/01/1881

3. Source: MANN CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	05W	24	SE SE SE	WASHINGTON	

5. Description of diverting works:

MANN CK DAM & RES, DITCHES, PIPES, HDGTS & FEEDER LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.2	

7. Total Quantity Appropriated is:
0.2 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
11N	04W	6	SW	NE	IRRIGATION	10
Section Acres						10
Total Acres						10

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

DIVERTED THROUGH THE WEBB DITCH.

Based on a portion of right 67-532, decreed by Jefferson v Higgenbotham in 1921.

15. Basis of Claim: Decreed

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
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CIVIL CASE NUMBER: 39576

Ident. Number 67-10301
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Received By:

AMENDED

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CHRISTI L SMITH Phone: (208)549-1533

1855 JONES RD
WEISER ID USA 83672

STEVAN W SMITH Phone: (208)549-1533

1855 JONES RD
WEISER ID USA 83672

2. Date of Priority: ~~01/10/1964~~ 01/01/1881 *W CS*

3. Source: MANN CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	05W	24	SE SE SE	WASHINGTON	

5. Description of diverting works:

MANN CK DAM & RES, DITCHES, PIPES, HDGTS & FEEDER LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.2	

7. Total Quantity Appropriated is:
0.2 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
11N	04W	6	SW NE	IRRIGATION	10

Section Acres 10

Total Acres 10

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

DIVERTED THROUGH THE WEBB DITCH.

Based on a portion of right 67-532, decreed by Jefferson v Higgenbotham in 1921

15. Basis of Claim: Beneficial Use Decreed

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do X do not X 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: 4-12-06

Date: 4-12-06

State of Idaho)
County of Washington) SS.

Subscribed and sworn (or affirmed) before me this 12th day
of April 2006

Rachelle Blackwell

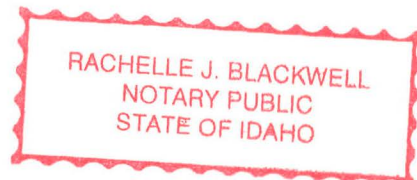
Notary Public

Residing at

Ontario, Oregon

My commission Expires

May 21, 2006



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 67-10301
Date Received: 9/25/1989
Receipt No: W006038
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**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

CHRISTI L SMITH Phone: (208)549-1533

1855 JONES RD
WEISER ID USA 83672

STEVAN W SMITH Phone: (208)549-1533

1855 JONES RD
WEISER ID USA 83672

2. Date of Priority: 01/10/1964

3. Source: MANN CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
12N	05W	24	SE SE SE	WASHINGTON	

5. Description of diverting works:

MANN CK DAM & RES, DITCHES, PIPES, HDGTS & FEEDER LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.2	

7. Total Quantity Appropriated is:
0.2 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
11N	04W	6	SW	NE	IRRIGATION	10
					Section Acres	10
					Total Acres	10

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

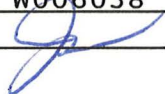
DIVERTED THROUGH THE WEBB DITCH.

15. 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: **A67-10301**
Date Received: 9/29/1989
Receipt No: W006038
Received By: 

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

1. Name: A JAMES SEIDL 907-561-0749
Address: 4880 NEWCASTLE WAY
ANCHORAGE AK 99503

2. Date of Priority: JAN 10, 1964

3. Source: MANN CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12N	05W	24	SE	SE	SE		WASHINGTON

5. Description of diverting works:
MANN CK DAM & RES, DITCHES, PIPES, HDGTS & FEEDER LINES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		

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

8. Total consumptive use is 35.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	04W	6	SW	NE		IRR	10.0

Section Acres 10.0

SCANNED
APR 08 2004
MICROFILMED
OCT 23 1996

10. Place of Use: Continued

Total Acres 10.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
DOMESTIC & STOCKWATER WELL.

14. Remarks:
DIVERTED THROUGH THE WEBB DITCH.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

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

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

CIVIL CASE NUMBER: 39576

Ident. Number

A67-10301

Date Received

9-25-89

Receipt Number

W006038

RECEIVED
SEP 25 1989

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

PT. OF DIVERSION
FOR THE WEBB
DITCH IS IN THE
SE 1/4 SE 1/4 NE 1/4,
S. 24, T. 12N, R. 3E

Please type or print clearly

1. Name of Claimant (s) A. James Seidl Phone (907) 561-0749Mailing Address 4880 Newcastle Way, Anchorage AK Zip 995032. Date of Priority (Only one (1) per claim) Jan 10 19643. Source of water supply (a) Webb Ditch
which is tributary to (b) Mann Creek4. a. Location of existing point of diversion is: Township _____ Range _____ Section _____,
_____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of WashingtonAdditional points of diversion if any: unknown

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

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

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

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

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

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

Mann Creek Dam Reservoir, necessary ditches
pipelines, headgates and feeder lines for the
Mann Creek Irrigation District

MICROFILMED

OCT 23 1996

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3/15 to 11/15 amount 0.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.20 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is ~~0.20~~ 36 acre feet per annum.

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

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11N	4W	6			10														10

Total number of acres irrigated 10

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

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

13. Describe any other water rights used at the same place and for the same purposes as described above.
Domestic + Stock water from well or None ()

14. Remarks:

MICROFILMED
OCT 23 1996

Last Name Seidl Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Unknown by me

[illegible]

OCT 23 1996

Last Name Smith

Ident No.

Copies: White-State, Yellow-Claimant

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

Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s) A. James Seidl

(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 1

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

Signature of Claimant (s) A. James Seidl Date 9/21/89

ADCA 0247272 1/1/94 Date _____

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

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or ALASKA)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this 21st day of September 19 89

SEAL

Notary Public Jeannie D. Pales

Residing at Anch, AK

My Commission Expires June 27, 1991

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

MICROFILMED
OCT 23 1996

Last Name Seidl Ident. Number _____

Copies White-State, Yellow-Claimant

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: W006038

Date: 09/25/89
Time: 14:07:00

Received
From: SEIDL, A. JAMES

Type of Payment	Program Acct Class	Amount
ADJUDICATION CLAIM FEE	0410162 9337 6490	\$60.00
Total		\$60.00

CHECK 3628

WR/ND: A67-10301

Idaho Department of Water Resources

Region: WESTERN

Signature: Bori Harris

MICROFILMED
OCT 23 1996

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10301 V1

WATER RIGHT NUMBER: 67-10301 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	A JAMES SEIDL 4880 NEWCASTLE WAY ANCHORAGE, AK 99503 (907)561-0749
Current Owner	CHRISTI L SMITH 1855 JONES RD WEISER, ID 83672 (208)549-1533
Current Owner	STEVAN W SMITH 1855 JONES RD WEISER, ID 83672 (208)549-1533

Priority Date: 01/01/1881

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
MANN CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

MANN CREEK	SE1/4SE1/4SE1/4	Sec. 24, Twp 12N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	04W	6			10.0														10.0

Total Acres: 10

Conditions of Approval:

1. 169 This right is a Primary Right, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), and, as such, irrespective of priority, is senior to all Secondary Rights on Mann Creek.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10301 V1

2. 167 This right shall receive 100% of its decreed amount until the natural flow of the waters of Mann Creek shall decrease so that all rights cannot receive 100%, at which time this right and other various decreed rights, as established by the district court in Jefferson et al. v. Higgenbotham et al. (Washington County, June 3, 1921), shall be cut to 70% of the said amounts, beginning with the latest right and proceeding to the earliest right in the order of priority.
3. C18 This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Remarks:Comments:

1. dnarsavage 3/30/2006 Evidence of Priority

Comment: This is a BU claim, but is on ground decreed to 67-532 in Jefferson vs Higginbotham. This right was claimed by others, but unnecessarily and in the wrong place (these claims were disallowed & recommended under their appropriate right numbers). As per Craig Saxton, I can use the decree as EOP to support their claimed priority date of 1964, and can amend the claim if they contact me.

Dates and Other Information:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Defendant:

Plaintiff:

Civil Case Number:

Judicial District:

Notice of Error Flag:

State or Federal: S

Owner Name Connector: AND/OR

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

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	3/30/2006 8:29:01 AM	dnarsavage			Active
POD	3/30/2006 8:30:11 AM	dnarsavage			Active
Source	3/30/2006 8:32:26 AM	dnarsavage			Active
POU	3/30/2006 8:33:14 AM	dnarsavage			Active
Use	3/30/2006 8:40:01 AM	dnarsavage			Active
Season	3/30/2006 8:42:00 AM	dnarsavage			Active
Quantity	3/30/2006 8:44:02 AM	dnarsavage			Active
Summary			03/30/2006	dnarsavage	Active

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-10301 V1

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	3/30/2006 8:23:50 AM	dnarsavage	Updated shape for Active POU
POU	3/30/2006 8:38:52 AM	dnarsavage	Updated shape for Active POU
Use	3/30/2006 8:40:02 AM	dnarsavage	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Green in 1987 and 2004 imagery. Claim fits with decree.
Quantity	3/30/2006 8:44:03 AM	dnarsavage	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required? Description for Question 7 - Decreed right here supports that flow has been checked in the past.
POD	3/30/2006 8:30:11 AM	dnarsavage	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required?
POD	3/30/2006 8:31:29 AM	dnarsavage	Updated shape
Source	3/30/2006 8:32:26 AM	dnarsavage	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Delivery system (Webb Ditch) only comes from Mann Creek. This fits with decree as well.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10301 V1

POU	3/30/2006 8:33:15 AM	dnarsavage	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (No) 7. Is there evidence that there has been a change in the POU? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 13 - Map provided by claimant. Fits with decree.
General	3/30/2006 8:29:01 AM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - This is a BU claim, but is on ground decreed to 67-532 in Jefferson vs Higginbotham. This right was claimed by others, but unnecessarily and in the wrong place (these claims were disallowed & recommended under their appropriate right numbers). As per Craig Saxton, I can use the decree as EOP to support their claimed priority date of 1964, and can amend the claim if they contact me.
Season	3/30/2006 8:42:00 AM	dnarsavage	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-10301 V1

Summary	3/30/2006 8:45:03 AM	dnarsavage	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
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Water Supply Bank:



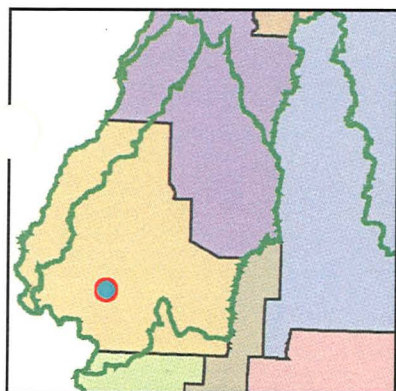
Idaho Department of Water Resources

Adjudication Claim:

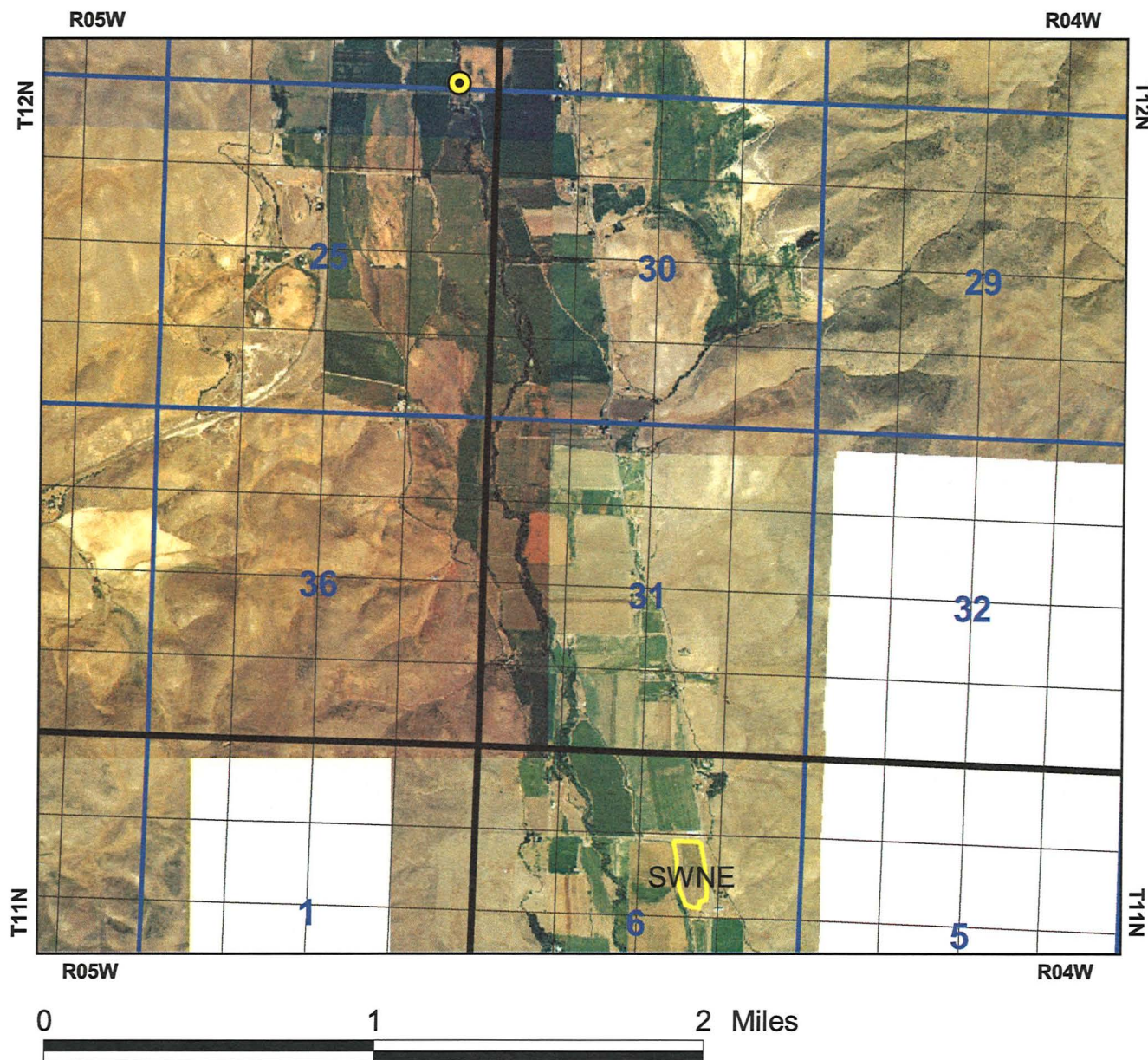
67-10301

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



Prepared by D. Narsavage
On Thursday, March 30, 2006
1987/88 Aerial Photography

67-10301





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

October 31, 2005

STEVAN AND CHRISTI SMITH
1855 JONES RD
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #67-10301

Dear Claimants:

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

Enclosed is a copy of your Notice of Claim for your file. Please refer to this record number in any future inquiries or correspondence.

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

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region

Enclosure:

Copy of Notice of Claim Referenced Above

SCANNED

OCT 31 2005

Memorandum

From: Dan Narsavage

To: Sally Sherman

Date: October 31, 2005

Re: Stevan and Christi Smith's Change in Ownership for 67-10301

Earlier this year, Craig Saxton sent a letter to the Smiths soliciting a Change of Ownership from them for 67-10301. After discussing this letter with him, it appears that he used a previous letter (regarding 67-10793) as a template for this one, and in one place, forgot to change the water right number to which he was referring from this number in the template. A scanned copy of Craig's letter has been included in the documents for these two water rights.

Being ignorant to Craig's mistake and to the water rights on their new property, the Smiths included both water right numbers on their Change of Ownership form. However, only 67-10301 is appurtenant to the Smiths' land.

Please change the ownership of 67-10301 in its entirety to reflect the Smiths' purchase from the Seidls. 67-10793 should not be changed.

Thanks.
D

SCANNED

OCT 31 2005

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

RECEIVED**SEP 30 2005**

Department of Water Resources

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-10301	67-10793				

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

- A. The appropriate ~~FILING FEE~~. See instructions for fee amounts. *No Fee*
- 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)

*A. James Seidl**4880 Newcastle Way, Anchorage, AK 99508*

4. New Owner/Claimant(s)

Steran & Christi Smith

Name Connector (Check one): [] and, [] or, [X] and/or

New Mailing Address

1855 Jones Road

City, State and ZIP Code

Weish, ID 83672

New Telephone Number

208 549-1533

5. Date you acquired the property

*7-15-91**OKAY TO CHANGE 67-10301**DO NOT CHANGE 67-10793**DLN**10/31/05***SCANNED****OCT 31 2005****SCANNED**
SEP 30 2005

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)

Steven W. Smith
Christi S. Smith
9-6-05

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 _____
 Received by _____ Date _____ Receipt No. _____
 Processed by *es/ema* Date *10-31-05* WR _____ Date _____

SCANNED

OCT 31 2005

SCANNED
SEP 30 2005

Stevan and Christi Smith

1855 Jones Road Weiser, ID 83672 (208) 549-1533

RECEIVED

SEP 30 2005

Department of Water Resources

September 20, 2005

State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720

ATTN: Craig L. Saxton, SR Water Resource Agent

RE: Change in ownership for Snake River Basin Adjudication (SRBA) 67-10793

Dear Mr. Saxton:

Enclosed please find the following regarding the above-referenced matter:

1. Copy of a letter dated August 15, 2005 from your office
2. Document entitled "State of Idaho Department of Water Resources Notice of Change in Water Right Ownership" dated 9-6-05
3. Copy of a Warranty Deed dated 7-18-91
4. Copy of a map outlining the property at issue

I apologize for the delay in returning these items to you. Please call or write should you have any questions in the matter.

Sincerely,

Christi Smith

Christi Smith

/cs

Enclosures

SCANNED
SEP 30 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

August 15, 2005

67-10301
STEVAN SMITH
1855 JONES RD
WEISER ID 83672

RE: CHANGE IN OWNERSHIP FOR SNAKE RIVER BASIN ADJUDICATION
(SRBA) 67-10793

Dear Sir or Madam:

It has come to our attention that you may have recently purchased a tract of land in Washington County. According to our records, the property to which I am referring to was most recently owned by A James Seidl. The legal description is as follows:

T11N R04W S06 SW1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 67. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call this office at 287-4800.

Respectfully submitted,

Craig L. Saxton
SR Water Resource Agent
Adjudication Bureau
Enclosure(s)

SCANNED
SEP 30 2005

WARRANTY DEED

For Value Received

A. JAMES SEIDL AND BARBARA W. SEIDL, husband and wife

The grantor s, do hereby grant, bargain, sell and convey unto

STEVAN W. SMITH AND CHRISTI L. SMITH, husband and wife

the grantee , whose current address is

1151 MANN CREEK ROAD, WEISER, ID 83672

the following described premises, in WASHINGTON

County Idaho, to-wit:

BEGINNING at a point 1167 feet East of the Northwest corner of the Southwest quarter of the Northeast quarter of Section 6, Township 11 North, Range 4 West of the Boise Meridian:

Thence Southeasterly along the West right-of-way line of the Mann Creek Road 1320 feet, more or less, to the South line of the said Southwest quarter of the Northeast quarter, Section 6; Thence West 328 feet; Thence Northwesterly 1320 feet, more or less, to a point 395 feet West of the Point of Beginning; Thence East 395 feet to the POINT OF BEGINNING.

SUBJECT TO County Road along the North boundary.

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 s do hereby covenant to and with the said Grantees , that the y the owner s in fee simple of said premises; that they are free from all incumbrances

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

Dated: 7/18/91

A. James Seidl

A. JAMES SEIDL

Barbara W. Seidl

BARBARA W. SEIDL

SCANNED
SEP 30 2005

STATE OF ~~IDAHO~~ ^{Wisconsin}, COUNTY OF Lincoln
On this 18th day of JULY, 1991,
before me, a notary public in and for the State, personally
appeared

A. JAMES SEIDL AND BARBARA W.
SEIDL, husband and wife

known or identified to me to be the person s whose name s
subscribed to the within instrument and acknowledged to me
that they executed the same.

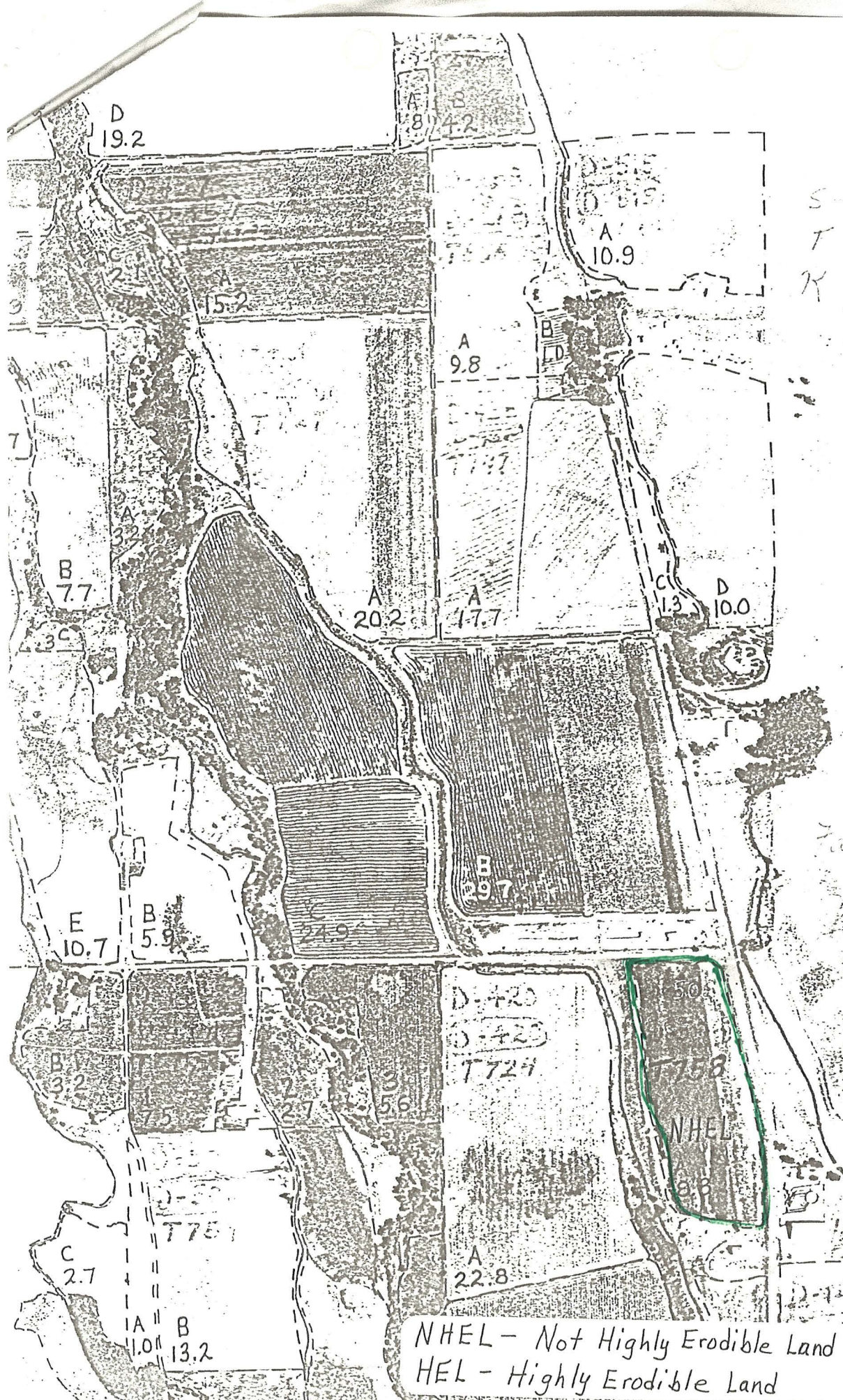
Wendy Hinsa
Residing at Lincoln County, WI
Comm. Expires September 5, 1993


STATE OF IDAHO, COUNTY OF WASHINGTON
I hereby certify that the instrument was filed for record at the
request of WEISER VALLEY TITLE
at 15 minutes past 2:00 o'clock P M.,
this 24TH day of JULY,
19 91, in my office, and duly recorded in BOOK
of Deeds at Page # 152332

MARY KAUTZ
Ex-Officio Recorder

By Carol Rhurst
Fees \$ 3.00
Mail to: WEISER VALLEY TITLE

☒ Deputy Index
☒ Comp. Rel.
☒ Film
☒ Compare
☒ Card Rel.
☒ Bk. Rel.
☒ Up-date
☒ Return



S-L
T 12 N
R 4 W

31
6

Form # 457

John W. Smith
operator

NHEL - Not Highly Erodible Land
HEL - Highly Erodible Land

SCANNED
SEP 30 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

August 15, 2005

67-10301
STEVAN SMITH
1855 JONES RD
WEISER ID 83672

RE: CHANGE IN OWNERSHIP FOR SNAKE RIVER BASIN ADJUDICATION
(SRBA) 67-10793

Dear Sir or Madam:

It has come to our attention that you may have recently purchased a tract of land in Washington County. According to our records, the property to which I am referring to was most recently owned by A James Seidl. The legal description is as follows:

T11N R04W S06 SW1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 67. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call this office at 287-4800.

Respectfully submitted,

Craig L. Saxton
SR Water Resource Agent
Adjudication Bureau
Enclosure(s)



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

August 15, 2005

67-10301
STEVAN SMITH
1855 JONES RD
WEISER ID 83672

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 67. The Notice(s) of Claim identified with the number shown **above in the "address" label and at the "end" of this letter** has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

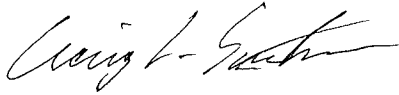
It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **September 2, 2005** **referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 287-4800.

In addition, a contractor employed by The Idaho Department of Water Resources may be contacting you to set up a field exam in order to verify the elements of your water right.

Respectfully submitted,



Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure: Brochure on "Evidence of Priority"
 Notice of Claim 67-10301

3-23-05: 67-10300 is Partially Decreed For domestic

: Need Priority, Evidence. Letter sent

: Need to confirm POU.

: Need to confirm POD.

: Don't need measurement because claim is 0.20 cfs or less. If we can get pump information or measurement, it not, no worries.

5-26-05: RP11N04W061230A = Address is According to Assessors office:
Steven Smith (?) - (couldn't confirm)
1181 Mann Co Rd
Weiser ID 83672

sent 40 to "Resident" at above address



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

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

May 26, 2005

67-10301
RESIDENT
1151 MANN CR RD
WEISER ID 83672

RE: CHANGE IN OWNERSHIP FOR SNAKE RIVER BASIN ADJUDICATION
(SRBA) 67-10301

Dear Sir or Madam:

It has come to our attention that you may have recently purchased a tract of land in Washington County. According to our records, the property to which I am referring to was most recently owned by A James Seidl. The legal description is as follows:

T11N R04W S06 SW1/4 NE1/4

This property was filed on in the Snake River Basin Adjudication (SRBA). IDWR is currently in the processing of reviewing the Adjudication claims in basin 67. We recommend that if, in fact, you now own the property in question, and do use the water for the purposes claimed, you file a "Change in Ownership" with this department in order that we may send all further correspondence to the appropriate owner(s).

Enclosed is a Change in Ownership form. Please fill out the form completely, sign and date it and return it to my attention along with a "copy" of your Warranty Deed and legal description of the property you have purchased.

If you have any questions regarding this matter, please call this office at 287-4800.

Respectfully submitted,

Craig L. Saxton
SR Water Resource Agent
Adjudication Bureau
Enclosure(s)

In Power Docs

5-26-05

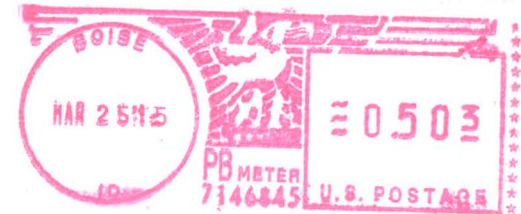
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

RECEIVED
APR - 1 2005
DEPARTMENT OF
WATER RESOURCES

A JAMES SEIDL
4880 NEWCASTLE WAY
ANCHORAGE AK 99503

PRESORTED
FIRST CLASS

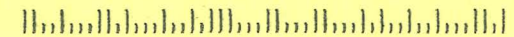


NIXIE 995 0 1 00 03/29/05

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
UNABLE TO FORWARD

BC: 837200098 *1999-01194-29-30

AAACTM5 837200098





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83730 Boise, ID 83730-0000

Phone: (208) 287-4800

March 24, 2005

67-10301

A JAMES SEIDL

4880 NEWCASTLE WAY
ANCHORAGE AK 99503

RE: EVIDENCE OF PRIOR

Dear Claimant (s):

Mr Seidl,

I have also enclosed 2 maps showing
the areas you claimed place of use
and point of diversion for this right.

Please locate the place of use + point
of diversion on maps and return with
the requested evidence of priority.

Thank you Craig Saxton

The Idaho Department of Water Resources has begun its water right review in Basin 67. The Notice(s) of Claim identified with the number shown **above in the "address" label and at the "end" of this letter** has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. **As the claimant, you are responsible for submitting the necessary proof to support the priority date.**

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **April 22, 2005** **referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 287-4916.

In addition, a contractor employed by The Idaho Department of Water Resources may be contacting you to set up a field exam in order to verify the elements of your water right.

Respectfully submitted,



Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s): Brochure on "Evidence of Priority"
Notice of Claim 63-10301

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 67-10301

WATER RIGHT NUMBER: 67-10301

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	A JAMES SEIDL 4880 NEWCASTLE WAY ANCHORAGE, AK 99503 (907)561-0749

Priority Date: 01/10/1964
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
MANN CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

MANN CREEK	SE1/4SE1/4SE1/4	Sec. 24, Twp 12N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	04W	6			10.0														10.0

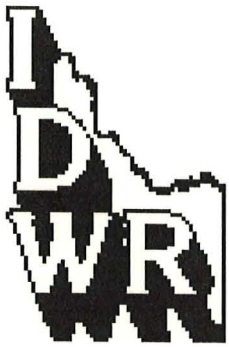
Total Acres: 10

Conditions of Approval:Remarks:

- General DIVERTED THROUGH THE WEBB DITCH.

Comments:Dates and Other Information:

Claim Received Date: 9/25/1989
State or Federal: S
Mitigation Plan: False

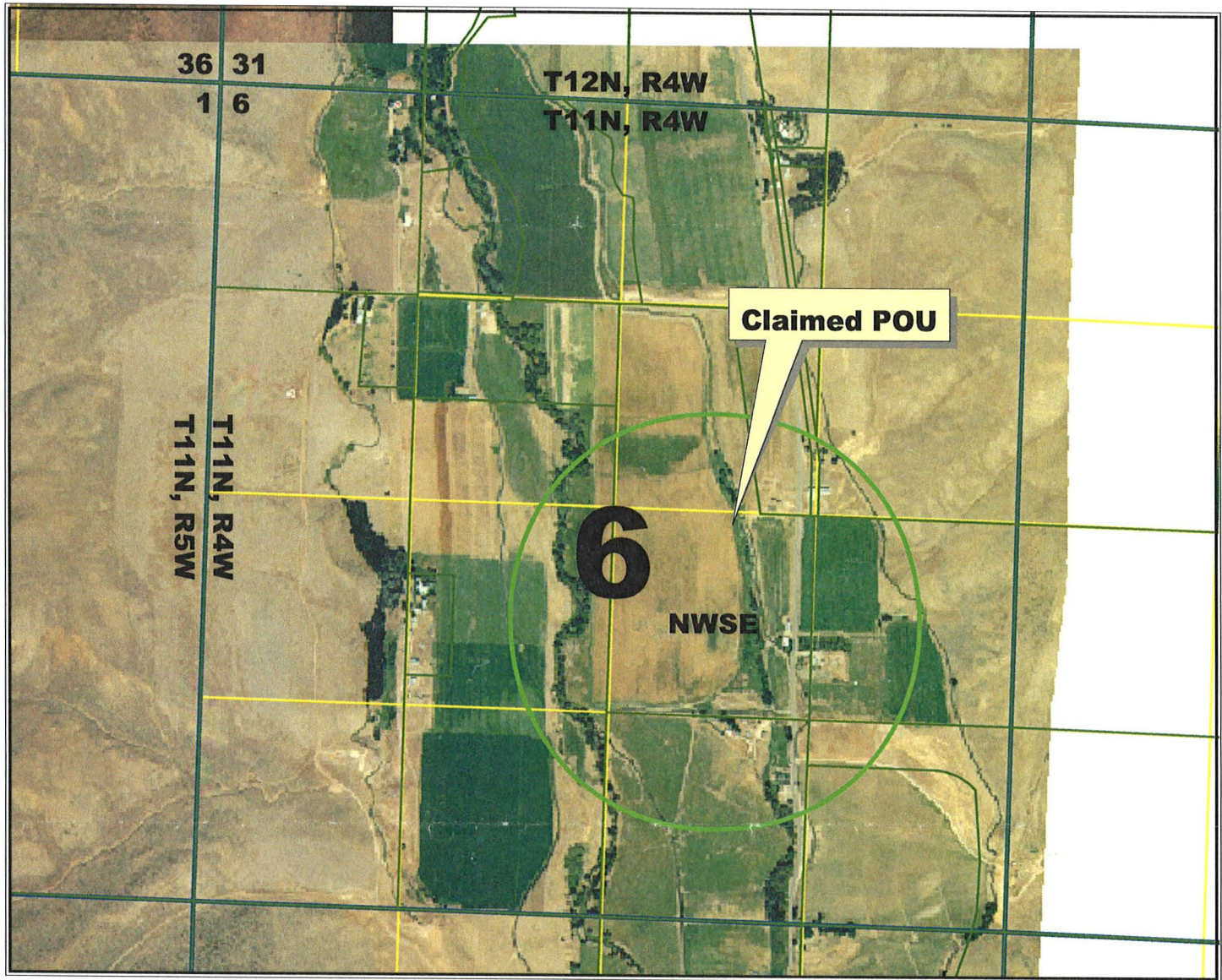


State of Idaho

Claim Map 67-10301

Map Source: 1987 NAPP

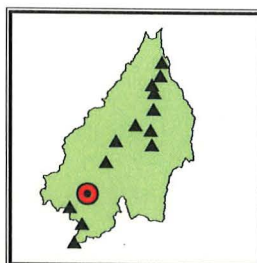
Please draw in where the 10 acres of irrigated ground is and return with evidence of Priority.



1320 0 1320 2640 Feet

-  Claimed Point of Diversion
-  Claimed Place of Use
-  N/A
-  Tax Lot Data
-  Quarter Quarter Lines
-  Section Lines

Claimed Irrigated Acres: 10.0



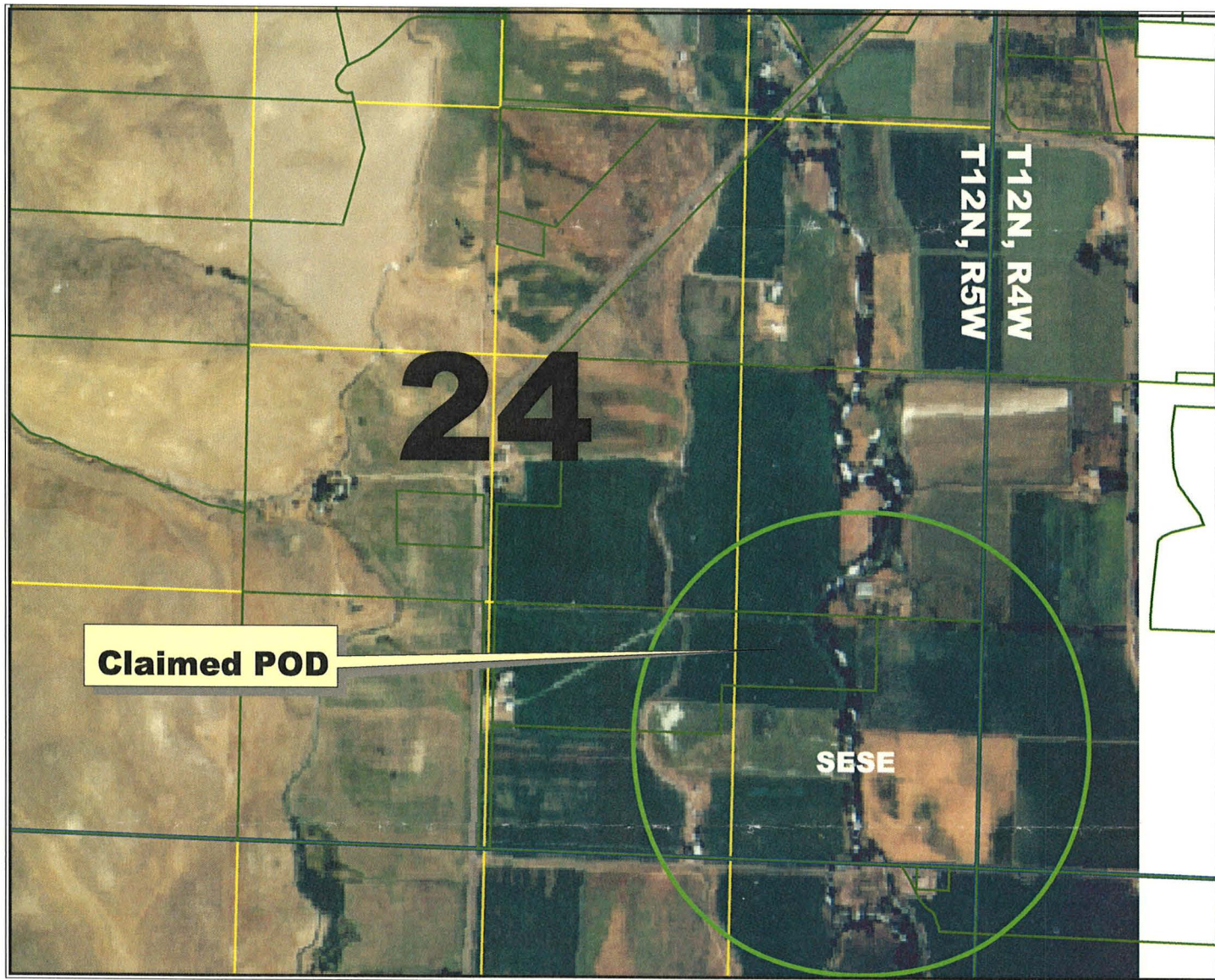
Prepared By: Craig L. Saxton
Date: March 2005



State of Idaho

Claim Map 67-10301
Map Source: 1987 NAPP

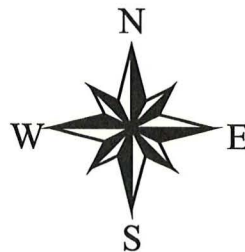
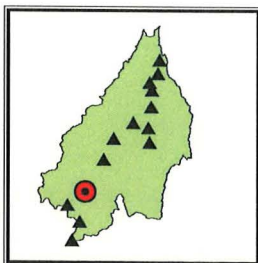
**Please draw in Point of Diversion location
and return map with evidence of Priority.**



1320 0 1320 2640 Feet

-  **Claimed Point of Diversion**
-  **Claimed Place of Use**
-  **N/A**
-  **Tax Lot Data**
-  **Quarter Quarter Lines**
-  **Section Lines**

Claimed Irrigated Acres: 10.0



Prepared By: Craig L. Saxton
Date: March 2005



State of Idaho

POU Claim Map 67-10301

Map Source: 1987 True Color

Please Draw in where the 10 acres of irrigated ground is and return with evidence of priority.



1320 0 1320 2640 3960 Feet

○ Claimed Point of Diversion - Irrigation

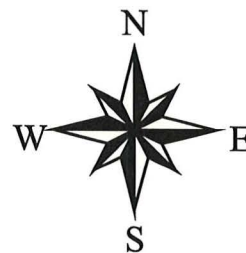
□ Claimed Place of Use

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 10.0
Initial Acres Found: ?



Prepared By: Craig L. Saxton
Date: May 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

March 24, 2005

67-10301
A JAMES SEIDL
4880 NEWCASTLE WAY
ANCHORAGE AK 99503

RE: EVIDENCE OF PRIORITY

Dear Claimant (s):

The Idaho Department of Water Resources has begun its water right review in Basin 67. The Notice(s) of Claim identified with the number shown above in the "address" label and at the "end" of this letter has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates water usage is based on "Beneficial Use". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed, at or on the place of use identified on the Notice. The date the water was first put to use, known as the priority date, has not been confirmed by a license, Decree, or Permit. For this reason, proof must be provided supporting the priority date. As the claimant, you are responsible for submitting the necessary proof to support the priority date.

It is important that each element of the Notice be substantiated. For instance, regarding claims for irrigation, the evidence should tend to show that diversion works were in place, that they were capable of diverting the claimed diversion rate, and that the diverted water was beneficially used on the entire claimed place of use on or before the claimed priority date.

For your reference, I have provided a printout of your Notice and the pamphlet entitled **"Evidence of Priority"**. The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled **"What Kind of Evidence is Required"** and **"Some examples of Documents Which May Be Evidence of the Priority Date"**.

It is our goal to recommend historical water rights within the Snake River Basin as accurately as possible. Field exams to verify other items of the Notice have been or soon will be conducted by Department personnel.

.....
The Department can not recommend the Notice be decreed by the court if no evidence of a priority date is submitted.
.....

Please submit the documentation supporting the priority date by **April 22, 2005** **referencing all documents with the corresponding Notice number.** If you have any questions not covered by this letter or the enclosed pamphlet, please feel free to contact me at (208) 287-4916.

In addition, a contractor employed by The Idaho Department of Water Resources may be contacting you to set up a field exam in order to verify the elements of your water right.

Respectfully submitted,



Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s): Brochure on "Evidence of Priority"
Notice of Claim 63-10301

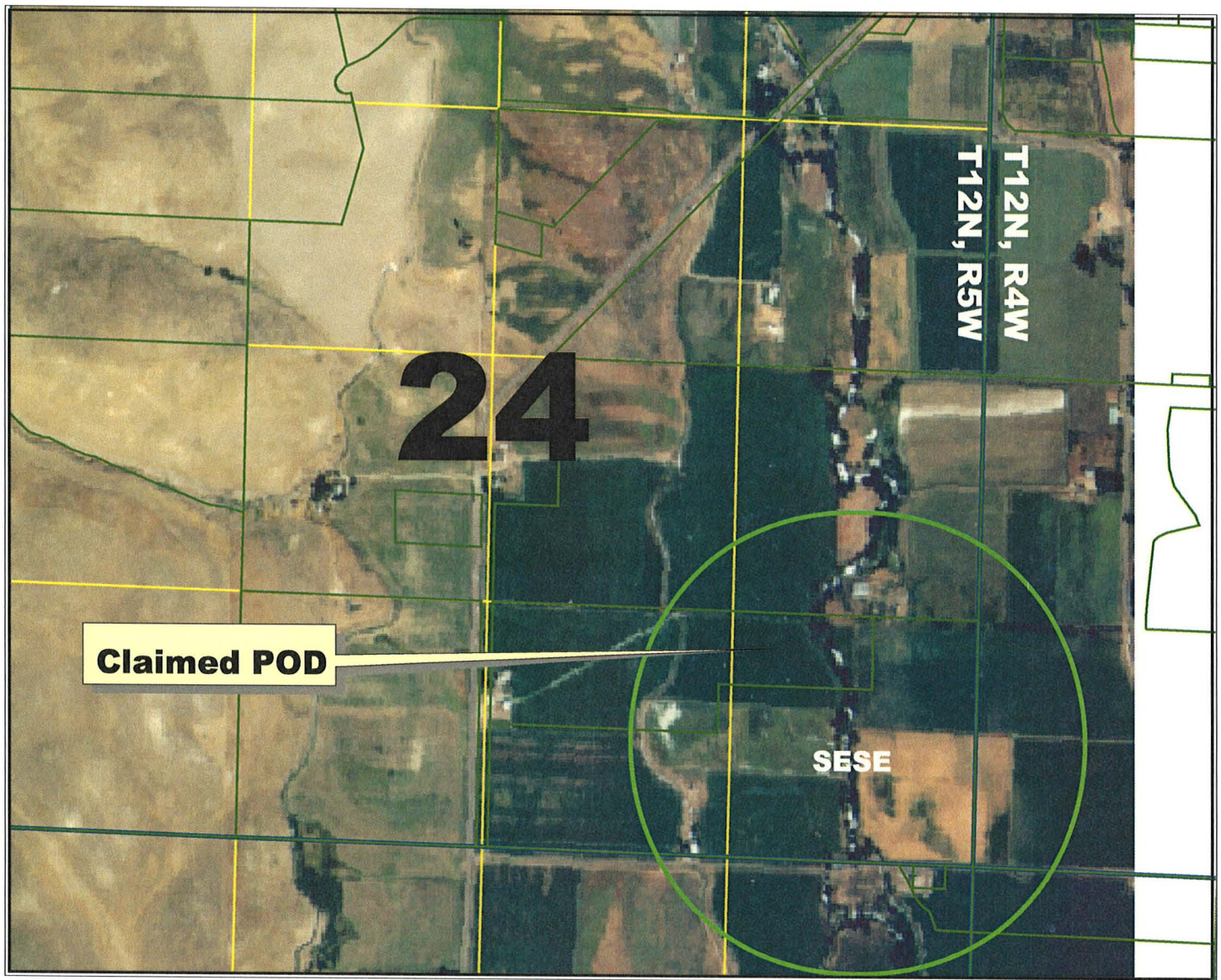


State of Idaho

Claim Map 67-10301

Map Source: 1987 NAPP

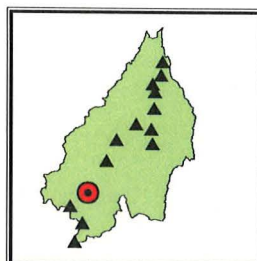
Please draw in Point of Diversion location
and return map with evidence of Priority.



1320 0 1320 2640 Feet

-  Claimed Point of Diversion
-  Claimed Place of Use
-  N/A
-  Tax Lot Data
-  Quarter Quarter Lines
-  Section Lines

Claimed Irrigated Acres: 10.0



Prepared By: Craig L. Saxton
Date: March 2005



State of Idaho

POU Claim Map 67-10301

Map Source: 1987 True Color

Please Draw in where the 10 acres of irrigated ground is and return with evidence of priority.



1320 0 1320 2640 3960 Feet

⊙ Claimed Point of Diversion - Irrigation

□ Claimed Place of Use

□ Tax Lot Data

□ Quarter Quarter Lines

□ Section Lines

Claimed Irrigated Acres: 10.0

Initial Acres Found: ?



Prepared By: Craig L. Saxton
Date: May 2005