

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: A65-10353
Date Received: 11/23/1988
Receipt No: X999999
Received By: DE M N

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF CASCADE
Address: P. O. BOX 451
CASCADE, ID 83611
208-382-4279

2. Date of Priority: MAR 01, 1919

3. Source: SKEIN LAKE
SKEIN CREEK
Trib. to: CASCADE RESERVOIR

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
13N	03E	9	SE NW		VALLEY

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MUNICIPAL FROM STORAGE	01/01	12/31			60.00
MUNICIPAL	01/01	12/31	0.800		60.00

7. Total Quantity Appropriated is:
0.800 C.F.S. (and/or) 60.00 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
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11. Place of use in counties:

A65-10353

Page

1

Date: 04/28/89

SCANNED
JUL 09 2005

MICROFILMED

SEP 24 1992

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

13. Other Water Rights Used:

14. Remarks:

POINT OF RE-DIVERSION IS BETWEEN LOTS 3 & 4, S.3, T.13N, R.3E.
SOURCES FOR THIS RIGHT ARE SKEIN LAKE & SKEIN CREEK.
PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/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. No.

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

Please type or print clearly:

Name of Claimant(s) CITY OF CASCADE, IDAHO

Mailing Address (include Zip Code) P.O. Box 451
CASCADE, IDAHO 83611

Phone Number (208) 382-4279

RECEIVED
MICROFILMED
NOV 23 1988
SEP 24 1992
Department of Water Resources
Western Regional Office

IN WASH. DIST. COURT OF THE STATE OF IDAHO,
COUNTY OF VALLEY, IDAHO.

CIVIL CASE NUMBER: 59576

IDENT. NUMBER: 55-10353

DATE RECEIVED:

RECEIPT NO:

RECEIVED BY: _____



WATER OF CLASH TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 23 1988

Department of Water Resources
Western Regional Office

1. NAME: CITY OF CASCADE
ADDRESS: P. O. BOX 75-151
CASCADE, ID.

88611

2. DATE OF FILING: FEB 01, 1988

3. NAME OF WATER RIGHT: TRAIL, TER

CASCADE RESERVOIR

4. NAME OF DIV. WATER

TRAIL, TER 1/4 OF 1/4 OF 1/4 LOT COUNTY
1/4 1/4 1/4 NW VALLEY

5. DESCRIPTION OF DIV. WATER WORKS:

6. WATER IS USED FOR THE FOLLOWING PURPOSES:

PURPOSE	FROM	TO	C.F.S.	(CR)	A.F.A.
MUNICIPAL WATER TREATMENT	01/01	12/31			60.00
MUNICIPAL	01/01	12/31	0.600		60.00

7. TOTAL QUANTITY APPROPRIATED IS:

0.600 C.F.S. (MND/AR)

60.00 A.F.A.

8. TOTAL CONSUMPTION IS:

60.00 FEET PER ANNUM.

9. NON-APPROPRIATION OF:

10. PLACE OF USE:

11. ADDRESS: 1/4 OF 1/4 OF 1/4 LOT NW ACRES

12. PLACE OF USE: VALLEY, IDAHO

MICROFILMED 424

SEP 24 1992

DATE _____ TIME _____

— — — — —

22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046 1047 1048 1049 1050 1051

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E. A. C. CORP., ET AL.
VS. GEORGE DEFENDANT

MICROFILMED

SEP 24 1992

SEP 24 1992

1/23/1988

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME City of Cascade CLAIM IDENT. NO. AG 5-10353DATE RECEIVED 11-23-88 CK # N/A AMOUNT \$ _____

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

Claim checked by: LWDate: 4-4-89

Claim must be returned to claimant:

(Yes) (No)

Claimant must be sent a copy of amended claim for approval:

(Yes) (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Checked by: _____ Date: _____

Sent to claimant by: _____

Date: _____

Comments: POU - OK

MICROFILMED

SEP 24 1992

ROBERT H. REMAKLUS, LAWYER P.A.

PROFESSIONAL CENTER BUILDING
POST OFFICE BOX 759
CASCADE, IDAHO 83611
TELEPHONE (208) 382-4267
November 21, 1988

Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705

Re: Snake River Adjudication
Twin Falls County Civil No. 39576

Gentlemen:

Enclosed are notices of claim to water right of the City of
Cascade, Idaho, to-wit:

65-10353 and 65-10354

This is to advise that we have not yet received a print-
out for City of Cascade water right No. 65-3138 and by this
letter do hereby notify you of the intention of the City of
Cascade to make such filing to protect such water right.

Very truly yours,


Robert H. Remaklus

bb

RECEIVED
NOV 23 1988

Department of Water Resources
Western Regional Office

MICROFILMED

SEP 24 1992

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

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 65-10353

2003 JUL 7 AM 10 12

NAME AND ADDRESS: CITY OF CASCADE
PO BOX 451
CASCADE, ID 83611

SOURCE: SKEIN CREEK TRIBUTARY: CASCADE RESERVOIR

QUANTITY: 0.80 CFS
60.00 AFY

PRIORITY DATE: 03/01/1919

POINT OF DIVERSION: T13N R03E S03 LOT 3 (NWNW) (Rediversion) Within Valley County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Municipal	01-01 TO 12-31	0.80 CFS 60.00 AFY

PLACE OF USE:
PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JUL - 8 2003

Department of Water Resources

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED _____

2003 JUL 7 AM 10 11

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

In Re SRBA

Case No. 39576

)
) **ORDER OF PARTIAL DECREE**
)
) **For Water Right 65-10353**
)

On May 23, 2003, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 65-10353 is hereby decreed as set forth in the attached *Partial Decree* Pursuant to I.R.C.P. 54(b).

DATED July 7, 2003



ROGER S. BURDICK
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

RECEIVED

APR 14 2000

Department of Water Resources

RECEIVED

APR 25 2000

WATER RESOURCES
WESTERN REGION

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

In Re SRBA

Case No. 39576

A. Subcase: _65-10353 _
STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America, Acting through the USDA Forest Service
Address: 550 West Fort Street
MSC 033
Boise, Idaho 83724
Daytime Phone: (208) 387-0835

Name and Address of Attorney, if any:

Randall J. Bramer
550 West Fort Street
MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN THE DIRECTOR'S REPORT

Name: City of Cascade
Address: P.O. Box 451
Cascade, ID 83611

D. I object to the following elements as recommended in the Director's Report.
(Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be:

2. ☒ **Source**

Should be: See attached page.

3. ☒ **Quantity**

Should be: See attached page.

4. ☐ **Priority Date**

Should be:

5. ☒ **Point(s) of Diversion**

Should be: See attached page.

6. ☐ **Instream Flow Description**

Should be:

7. ☒ **Purpose(s) of Use**

Should be: See attached page.

8. ☒ **Period of Year**

Should be: See attached page.

9. ☐ **Places of Use**

Should be:

11. I object because:

☐ This water right should not exist.

☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

Skein Lake dam was breached in 1982 and has not been repaired.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

Michael Collette , duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

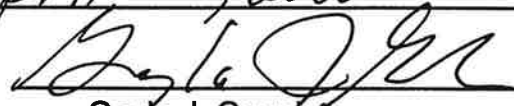


(Signature of person filing objections)



(Attorney signing in representative capacity)

Subscribed and sworn before me on: April 10, 2000



Gayla J. Gough



Notary Public for: Idaho
Residing at: Kuna, Idaho
Commission Expires: 11/17/2004

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. FAX filings will not be accepted. You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on April 12 2000, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

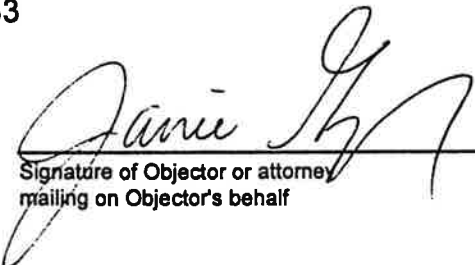
Name: City of Cascade
Address: P.O. Box 451
Cascade, ID 83611

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resource
Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resources Division
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of Objector or attorney
mailing on Objector's behalf

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

Right Number: 65-10353

Name and Address: CITY OF CASCADE
PO BOX 451
CASCADE, ID 83611

Source: ~~SKEIN LAKE~~ Tributary: ~~CASCADE RESERVOIR~~
SKEIN CREEK CASCADE RESERVOIR

Quantity: .80 CFS
60.00 AFY

Priority Date: 03-01-1919

Diversion Point: T13N R03E S03 LOT 3 (NWNW) (Rediversion)
~~S09 SENW~~

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	~~Municipal from Storage~~	~~01-01 TO 12-31~~	~~60.00 AFY~~
	Municipal	01-01 TO 12-31	.80 CFS
			60.00 AFY

Place of Use: See remarks

Place of Use: Municipal from Storage
Same as Other Use

Place of Use: Municipal
Same as Other Use

PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

Other Provisions Necessary for Definition / Administration of this Water Right:

Explanatory Material: Basis of Claim - Decreed

AJ0749NP
No. R65-10353

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 08/12/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF CASCADE PO BOX 451 CASCADE ID 83611 (208) 382-4279	03/01/1919	MUNICIPAL MUNICIPAL FROM STORAGE	01-01 12-31 01-01 12-31	0.800 CFS	60.00 AFA 60.00 AFA
TOTAL DIVERSION:					0.800 CFS	60.00 AFA
Water Source: SKEIN LAKE SKEIN CREEK		Tributary to: CASCADE RESERVOIR		Stage: DECREED		
Point(s) of Diversion: Point(s) of Re-diversion:		T13N R03E S09 T13N R03E S03 Lot03 (MNM)		VALLEY County VALLEY County		
POU County:						

Remarks: POU1 PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 65 Field Inspection Flag:
Presumption Flag:

Comments: Date: 08/12/1999 User-ID: SBOCK Subject: COPIED FROM REMARKS
POINT OF RE-DIVERSION IS BETWEEN LOTS 3 & 4, S.3, T.13N, R.3E.
SOURCES FOR THIS RIGHT ARE SKEIN LAKE & SKEIN CREEK.

Audit: 08/12/99 SBOCK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:31:01
08/11/99
30

CLAIM NUMBER: A65-10353

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CITY OF CASCADE	03/01/1919	MUNICIPAL MUNICIPAL FROM STORAGE	01-01 12-31 01-01 12-31	0.800 CFS	60.00 AFA
TOTAL DIVERSION:					0.800 CFS	60.00 AFA

Water Source: SKEIN LAKE
SKEIN CREEK

Tributary to: CASCADE RESERVOIR

Stage: DECREED

Point(s) of Diversion:

T13N R03E S00

SENE

VALLEY County

POU County:

Remarks: GEN POINT OF RE-DIVERSION IS BETWEEN LOTS 3 & 4, S.3, T.13N, R.3E.

SOURCES FOR THIS RIGHT ARE SKEIN LAKE & SKEIN CREEK.
PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:
Presumption Flag:

LAST: CITY OF CASCADE FIRST:
ADDRESS: P O BOX 451
CITY: CASCADE STATE: ID ZIP: 83611
PHONE NUMBER: 208-382-4279
OWNER CODE: C

FIELD EXAM REQUIRED?
VERIFICATION REQUIRED DUE TO REMARKS? DATABASE Y FIELD EXAMINER Y() N()
CLAIM REMARKS: GEN POINT OF RE-DIVERSION IS BETWEEN LOTS 3 & 4, S.3, T.13N, R.3E.
SOURCES FOR THIS RIGHT ARE SKEIN LAKE & SKEIN CREEK.
PLACE OF USE WITHIN CITY LIMITS OF CASCADE.

FIELD EXAMINATION INFORMATION

CONTACT PERSON: _____ PHONE NUMBER: () - -
DATE OF FIELD EXAM: _/ _/ _ APPOINTMENT MADE: Y() N() TIME: : _ A() P()
ACCOMPANIED BY: _____ PHONE NUMBER: () - -
RELATIONSHIP TO CLAIMANT: _____
DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A65-10353 PRIORITY DATE: 03-01-1919 STAGE: D

B. WR RECORD: # 65-10353 PRIORITY DATE: 03-01-1919 STAGE: D

C. CAN THE PRIORITY DATE CLAIMED BE CONFIRMED BY A DECREE OR LICENSE?

Y() N()

D. HAS THERE BEEN A LATER COURT DECREE OF THE WATER RIGHT(S) FROM THIS WATER SOURCE?

Y() N()

E. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE? (IF YES, DESCRIBE BELOW)

Y() N()

F. IF THIS CLAIM IS BASED ON A PERMIT, WHERE IS THE PERMIT IN THE LICENSING PROCESS?

PROOF OF BENEFICIAL USE SUBMITTED

N/A() Y() N()

FIELD EXAM COMPLETED

N/A() Y() N()

FIELD EXAM SENT TO STATE OFFICE

N/A() Y() N()

LICENSE ISSUED

N/A() Y() N()

* IF THE PERMIT WILL NOT BE LICENSED PRIOR TO THE DIRECTOR'S REPORT, USE CONDITION CODE A01 AND RECOMMEND AS PERMITTED.

G. IF THIS CLAIM IS BASED ON BENEFICIAL USE, IS ADDITIONAL EVIDENCE OF THE PRIORITY DATE REQUIRED?

N/A() Y() N()

* FOR CLAIMS BASED ON BENEFICIAL USE, DESCRIBE THE EVIDENCE OF PRIORITY SUBMITTED, INCLUDING THE ANALYSIS OF THE EVIDENCE.

H. IS THE STAGE OF THE CLAIM CODED CORRECTLY?

Y() N()

NOTES:

RECOMMENDED PRIORITY DATE:

03-01-1919

REVIEWED BY

SB

DATE

8/12/99

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
A65-10353	13N	03E	9			SE	NW		VALLEY		

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE

WR RECORDS IN SAME 40 ACRE TRACT
NONE

SOURCE: SKEIN LAKE
SKEIN CREEK

TRIB:
CASCADE RESERVOIR

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP. RGE.	SEC.	1/4	1/4	1/4	LOT	FLAG	POD	COUNTY	DIVERSION NAME	DIVERSION NUMBER
65-10353	13N	03E	9			SE	NW		VALLEY		

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

NONE

NONE NONE

SOURCE: SKEIN LAKE
SKEIN CREEK

TRIB:
CASCADE RESERVOIR

C. IS THE CLAIMED POD WITHIN THE SAME 40 ACRE TRACT THAT IS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N() ☒

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POD, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

D. CAN THE CLAIMED POD BE VERIFIED USING THE WATER RIGHT FILE OR GPS DATA?

N/A() Y() N() ☒

E. SHOULD THE CLAIMED POD BE VERIFIED BY FIELD EXAM?

Y() N() ☒

F. IS THE CLAIMED SOURCE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

N/A() Y() N() ☒

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN SOURCE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

G. CAN THE CLAIMED SOURCE BE VERIFIED USING THE WATER RIGHT FILE?

Y() N() ☒

H. SHOULD THE CLAIMED SOURCE BE VERIFIED BY FIELD EXAM?

Y() N() ☒

I. HOW WAS THE POD AND SOURCE VERIFIED?

LICENSING FIELD EXAM (DATE OF FIELD EXAM)

Y() N() ☒

AJ FIELD EXAM (DATE OF FIELD EXAM)

Y() N() ☒

OTHER (DESCRIBE IN NOTES BELOW)

Done

NOTES: POCs shown where city directs water. According to name in file the dam was completed in 1989. According to drawings it's from the 2000s.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE: CHECK HERE IF RECOMMENDED AS CLAIMED (_____)

DIVERSION 183

Redwood

TRIB:

100/2/00

SYSTEM DESCRIPTION: DESCRIBED BELOW (____), SEE LICENSE FILE (____), OR SEE ATTACHMENT (____)

A. ROOT WATER RIGHT NUMBERS: A65-10353

B. POU LISTING		AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
TWP	RNG SEC 1/4 1/4 LOT NAME					

ADDITIONAL POU FOUND

TOTAL ACRES A65-10353

POU COUNTRY:

C. IS WATER USAGE FOUND IN TRACTS OTHER THAN THOSE CLAIMED?

* IF YES, ARE THESE TRACTS LISTED ABOVE (), OR ARE THEY LISTED ON AN ATTACHED SHEET ()

LIST OF ALL RIGHTS WITH A SAME POU AND IRRIGATION USAGE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE
NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D. ARE OTHER WATER RIGHTS USED FOR THE SAME PURPOSE?

* IF YES, COMPLETE OVERLAP REVIEW:

OTHER RIGHTS LISTED IN CLAIM:

E. IS THE CLAIMED POU THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

* IF NO, AND IF THE CHANGE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN POU, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

F. CAN THE CLAIMED POU BE VERIFIED USING THE WATER RIGHT FILE AND AVAILABLE AERIAL PHOTOS?

G. SHOULD THE CLAIMED POU BE VERIFIED BY FIELD EXAM?

H. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THIS RIGHT?

N/A (X) Y () N ()

N/A (X) Y () N ()

N/A (X) Y () N ()

Y () N (X)

Y () N (X)

N/A Y () N ()

CHECK DOCUMENTS USED TO VERIFY POU: () ORTHOPHOTOQUAD, IDMR NO. _____; () TOPOGRAPHIC QUAD, IDMR NO. 010;

() NAPP, IDMR NO. _____; () ASCS PHOTO; () OTHER _____

NOTES: _____

RECOMMENDATIONS:

TOTAL ACRES: 121A N/A()

REVIEWED BY: SB DATE: 8/12/99

A. AJ CLAIMED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
A65-10353 MUNICIPAL FROM STORAGE	FROM 01-01 TO 12-31	0.800 CFS	60.00 AF/A
A65-10353 MUNICIPAL	FROM 01-01 TO 12-31	0.800 CFS	60.00 AF/A
TOTAL DIVERSION RATE/VOLUME		0.800 CFS	60.00 AF/A

B. WR RECORDED USES:

PURPOSE OF USE	PERIOD OF USE (MONTH/DAY)	DIV. RATE FOR EACH USE	DIV. VOL. FOR EACH USE
65-10353 MUNICIPAL FROM STORAGE	FROM 01-01 TO 12-31	0.800 CFS	60.00 AF/A
65-10353 MUNICIPAL	FROM 01-01 TO 12-31	0.800 CFS	60.00 AF/A
TOTAL DIVERSION RATE/VOLUME		0.800 CFS	60.00 AF/A

C. DOES THE CLAIMED PURPOSE OF USE CORRECTLY DESCRIBE THE WATER USE?

☒ N/A ☐ N/A

D. IS THE CLAIMED PURPOSE OF USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

☒ N/A ☐ N/A

* IF NO, AND IF THE ACTUAL WATER USE IS VERIFIED AS AN ACCOMPLISHED CHANGE IN PURPOSE OF USE, DESCRIBE THE INJURY ANALYSIS PERFORMED AND ENTER FLAG "C" WITH THE APPROPRIATE EXPLANATORY CODE.

E. SHOULD THE CLAIMED PURPOSE OF USE BE VERIFIED BY FIELD EXAM?

☒ N/A ☐ N/A

F. DOES THE CLAIMED PERIOD OF USE CONFORM TO IDWR STANDARDS?

☒ N/A ☐ N/A

G. SHOULD THE PERIOD OF USE BE RECOMMENDED TO IDWR STANDARDS?

☒ N/A ☐ N/A

* IF THE RECOMMENDED PERIOD OF USE IS DIFFERENT THAN IDWR STANDARDS, EXPLAIN IN NOTES BELOW.

H. IS THE CLAIMED DIVERSION RATE FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

☒ N/A ☐ N/A

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION RATE FOR EACH USE WAS DETERMINED.

I. SHOULD THE CLAIMED DIVERSION RATE FOR EACH USE BE VERIFIED BY FIELD EXAM?

☒ N/A ☐ N/A

J. IS THE CLAIMED DIVERSION VOLUME FOR EACH USE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

☒ N/A ☐ N/A

* IF NO, DESCRIBE IN NOTES BELOW HOW THE RECOMMENDED DIVERSION VOLUME FOR EACH USE WAS DETERMINED.

K. SHOULD THE CLAIMED DIVERSION VOLUME FOR EACH USE BE VERIFIED BY FIELD EXAM?

☒ N/A ☐ N/A

NOTES:

AU CLAIM TOTAL DIVERSION RATE: 0.800 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 0.800 CFS

A. IS THE CLAIMED TOTAL DIVERSION RATE THE SAME AS DESCRIBED IN THE WATER RIGHT FILE?

B. CAN THE CLAIMED TOTAL DIVERSION RATE BE VERIFIED USING THE WATER RIGHT FILE?

* ALL CLAIMS BASED ON BENEFICIAL USE (INCLUDING POSTED NOTICES AND STATUTORY CLAIMS) REQUIRE A FLOW MEASUREMENT.

C. IS THERE ANY INDICATION THAT THERE HAS BEEN A FIVE YEAR PERIOD OF CONTINUOUS NONUSE OF THIS RIGHT, OR ANY PORTION OF THE DIVERSION RATE?

* IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVERSION RATE IS CLAIMED AND A FIELD EXAM IS NOT REQUIRED, EXPLAIN IN NOTES.

D. SHOULD THE CLAIMED DIVERSION RATE BE VERIFIED BY FIELD EXAM?

E. FLOW MEASUREMENT

MEASUREMENT METHOD _____, SEE ATTACHED CALCULATIONS.

F. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES _____ x 0.02 CFS/ACRE = _____ CFS
(Taken from pou review)

1b. CALCULATIONS

IS A DIVERSION RATE PER ACRE GREATER THAN 0.02 CFS/ACRE CLAIMED? Y() N()
IF YES, IS AN ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N()

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = 60.00 AF/A

ACRES _____ x DIVERSION VOL. AF/A FOR AREA _____ =

TOTAL DIVERSION VOLUME _____ AF/A

3. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = _____ AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION: SEE BELOW () OR SEE ATTACHMENT ()

NOTES:

HR RECORD CONDITIONS/REMARKS:

RECOMMENDATIONS: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REC. PURPOSE OF USE	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
MUNICIPAL FROM STORAGE MUNICIPAL	01-01 12-31	0.800	60.00	0.0
TOTAL FOR THIS RIGHT		0.800	60.00	0.0

NON-IRRIGATION USES CLAIMED:

NON-IRRIGATION USES RECOMMENDED: CHECK HERE IF RECOMMENDED AS CLAIMED ()

REVIEWED BY: _____ DATE: _____

FLAG: _____

STANDARD CONDITIONS (CODE): _____

STANDARD REMARKS (CODE): _____

EXPLANATORY CONDITIONS (CODE): _____

EXPLANATORY REMARKS (CODE): _____

A. CHECK ONLY THE FOLLOWING THAT APPLY:

OWNERSHIP _____ ACCEPTED AS CLAIMED _____ NEEDS REVIEW _____
FORFEIT/ABANDON _____ () () () ()
ADDITIONAL DIV. AMOUNT _____ () () () ()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 65-10353

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 0.800

EXAMINER _____

CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A65-10353	0.800	-		65-10353	0.800
TOTAL CFS		0.800				0.800

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, IS THE WRITTEN REVIEW DESCRIBED BELOW () OR SEE ATTACHMENT ()?

DATABASE Y FIELD EXAMINER Y() N()

NOTES:

AUTHENTICATION:
SIGNATURE: _____ DATE: _____

NAME OF FIELD EXAMINER: _____ TITLE: _____

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED) IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION

COPY INCLUDED
IN FILE?

☐ ORTHOPHOTOQUAD	DATE OF PHOTO _____	IDMR ID NO. _____	Y() N()
☐ TOPOGRAPHIC	DATE FIELD CHECKED _____	IDMR ID NO. _____	Y() N()
☐ MAP	DATE OF PHOTO _____	IDMR ID NO. _____	Y() N()
☐ ASCS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ ASCS COLOR SLIDE	DATE OF PHOTO _____		Y() N()
☐ BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____		Y() N()
☐ TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____		Y() N()
☐ SCS SOIL SURVEY MAP	DATE ISSUED _____		Y() N()
☐ SUBDIVISION PLAT MAP	DATE OF MAP _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()
☐ OTHER _____	DATE _____		Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)

IF ATTACHED, SUPPLY APPROPRIATE INFORMATION

NO. OF
PAGES

NOTES

☐ LICENSING FIELD EXAM	DATE OF FIELD EXAM _____		
☐ WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
☐ IDMR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☐ SYSTEM DESCRIPTION	DATE DRAWN _____		
☐ PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☐ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED _____		
☐ HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
☐ FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☐ OTHER _____	DATE _____		
☐ OTHER _____	DATE _____		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

07:30:35
08/11/99
29
CLAIM NUMBER: A65-10353

WR ELEMENT	DATA DISCREPANCY Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	ELEMENT DOCUMENTED WHOM/DATE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV								
SOURCE								
PLACE OF USE								
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES OF USE								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS	Y							

BARCODE UPDATED
WHOM/DATE

INTER-DEPARTMENT MEMO — 1

FROM CHARLIE BRYAN

DATE 11/26/80

TO FILE 65-10353

SUBJECT SKEIN LAKE DAM

JOHN HENDERSON, U.S.F.S., BOISE NATIONAL FOREST,
CONFIRMED THE DAM WAS BREACHED 10/16/80. IT
HAS BEEN REMOVED FROM DAM SAFETY'S INVENTORY.

11/26/80

24

filed with
district court
10-4-88

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR GEM COUNTY

IN THE MATTER OF THE GENERAL	)	Civil Case No. 3667
DETERMINATION OF THE RIGHTS TO	)	
THE USE OF SURFACE AND GROUND	)	WITHDRAWAL OF OBJECTION
WATER OF THE PAYETTE RIVER	)	OF THE CITY OF CASCADE,
DRAINAGE.	)	IDAHO
	)	

On March 2, 1979, the director of the Idaho Department of Water Resources filed with this court a Proposed Finding of Water Rights for the Payette River drainage. Included among the proposed water rights were four water rights for the city of Cascade, state of Idaho. Those four water rights, listed briefly below, are fully set forth in Appendix A to this motion:

1. 65-3138 - 2.34 cfs, dating from June 1, 1899 for
(Campbell Creek) municipal use
2. 65-10354 - 2.34 cfs, dating from July 16, 1888 for
(Hazard Creek) municipal use
3. 65-10353 - 60 afa dating from March 1, 1919 for
(Skein Creek) municipal use from storage
4. 65-10353 - 60 afa dating from March 1, 1919 for
(Skein Lake) municipal use from storage

The city of Cascade had actually filed five claims in the Payette Adjudication. Those five claims are listed briefly below for comparison with what was recommended to the court after the Idaho Department of Water Resources investigated the five claims.

1. 65-3138 - 10.4 cfs dating from June 1, 1899 for
(Campbell Creek) municipal use.

2. ^{No claim} 65-3139 - 1.2 cfs dating from June 1, 1899 for
(Campbell Creek) municipal use.
3. ^{No claim} 65-10351 - 90 AF dating from Sept. 24, 1921, for
(Raft Lake) municipal use from storage.
4. 65-10353 - 60 AF dating from March 1919 for municipal
(Skein Creek/
Skein Lake) use from storage.
5. 65-10354 - 2.5 cfs dating from September, 1957 for
(Hazard Creek) municipal use.

On June 21, 1979 Water Resources received an objection from the city of Cascade, Idaho to the Proposed Findings. The city objected to the dismissal of claim 65-3139 (for an additional diversion rate from Campbell Creek) and the dismissal of claim 65-10351 (from Raft Lake).

The city of Cascade, state of Idaho, through its undersigned attorney hereby withdraws its objections to the Proposed Finding of Water Rights.

DATED this 29th day of September, 1988.

ROBERT H. REMAKLUS, Lawyer P.A.

15/

Attorney for City of
Cascade, Idaho