

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 37-4076
Date Received: 10/21/88
Receipt No:
Received By:

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

1. Name of Claimant(s)

JAMES R LASKI Phone: (208) 788-2972
48 TOWNSEND GULCH ROAD
BELLEVUE ID USA 83313

JENNIFER M CARD Phone: (208) 788-2972
48 TOWNSEND GULCH ROAD
BELLEVUE ID USA 83313

2. Date of Priority: ~~06/01/1947~~ 02/15/1945 *grd*

3. Source: LEES GULCH CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
01N	18E	2	SE NW NE 2	BLAINE

5. Description of diverting works:

DIVERSION DAM AND PUMP FOR SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.3	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:
0.32 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
01N	18E	2	NW	NE	2	IRRIGATION
			NW	NE	2	STOCKWATER
						Section Acres
						5
						Total Acres
						5

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

ADDRESS CHANGE BY CLAIMANT LETTER 7/19/99 SS

10-31-00, FM. CHANGE OF OWNER PER REQUEST RECEIVED 6-27-00.

15. Basis of Claim: ~~Statutory Claim~~ License 37-2468

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): [Signature] Date: 12/4/06

_____ Date: _____

State of Idaho)
County of Ada) SS.

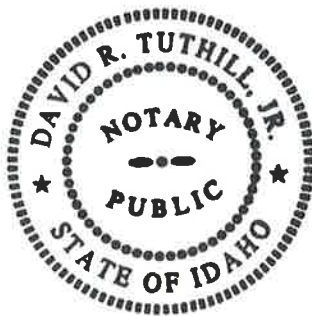
Subscribed and sworn (or affirmed) before me this
4th of Dec 2006

[Signature]

Notary Public

Residing at Boise Id

My commission Expires 9/24/2008



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.

RECEIVED
JUN 27 2000
Department of Water Resources
Southern Region

1. Water Right Number(s) 37-11881 ; ~~123456789~~
Adjudication Claim Number(s) A37-04076
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) Glenn J. Sherman, 149 W. Magic Rd Unit 32, Shoshone ID 83352
then James Michael Evans
4. New Owner/Claimant(s) James R. Laski and/or Jennifer M. Card
Name connector (Check one): ☐ AND, ☐ OR, ☒ AND/OR
New Mailing Address 48 Townsend Guck Road
City, State and ZIP Code Bellvue, ID 83313
New Telephone Number (208) 788-2972
5. Date you acquired the property May 31, 2000
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 _____ Number and type of stock _____

Diversion rate in 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) James R. Laski Date 6/25/00
Jennifer M. Card Date 6-25-00
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
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.

Jim

AJS855NP

3484

IDAHO DEPARTMENT OF WATER RESOURCES
INDIVIDUAL LISTING FROM DIRECTOR'S REPORT
OF WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: March 3, 1999

PAGE: 1

RIGHT NUMBER: 37-11881

NAME AND ADDRESS: GLENN J SHERMAN
BOX 48
TOWNSEND GULCH RD
BELLEVUE ID 83313

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY-DATE: 06/15/1967

POINT OF DIVERSION T01N R18E S02 LOT 2 (SEWNNE) Within BLAINE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOME	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within BLAINE County
T01N R18E S02 LOT 2 (NWNE)

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE
PARCEL NO. 01N18002040DA

AJ5809MP
No. A37-04076

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/04/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GLENN J SHERMAN 149 W MAGIC RD UNIT 32 SHOSHONE ID 833525255 (208) 487-2047	06/01/1947	IRRIGATION STOCKWATER	04-01 11-01 01-01 12-31	0.300 CFS 0.020 CFS	
TOTAL DIVERSION:					0.320 CFS	
CONSUMPTIVE USE:						12.50 AFA

Water Source: LEES GULCH

Tributary to: BIG WOOD RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T01N R18E S02 Lot02(SENNWE)

BLAINE County

Place of use Legal Description for: IRRIGATION

				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		
01N	18E	2	:			02-05		:					:					:						5.0
TOTAL ACRES																							5.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE								
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
01N	18E	2	:			02-S		:					:					:						

POU County: BLAINE

Non-Irrigation Uses: S/6 RANGE.

Other Rights: NONE

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER 7/19/99 SS.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 37

Field Inspection Flag:

Presumption Flag:

Audit: 10/20/88 MOBILE3 01/24/89 LESTER 03/30/95 POST-STD 07/19/99 SSHERMAN

Instrument # 439743

HAILEY BLAINE, IDAHO

2000-05-31

03:56:00 No. of Pages: 1

Recorded for : SAWTOOTH TITLE

MARSHA RIEMANN

Fee: 3.00

Ex-Officio Recorder Deputy

Index to: WTY/OICORP DEED

Order No. 26863

A12.86

WARRANTY DEED

FOR VALUE RECEIVED

JAMES MICHAEL EVANS, an unmarried man

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto

JAMES R. LASKI and JENNIFER M. CARD, husband and wife

GRANTEE(s) whose address is: 48 Townsend Gulch Road, Bellevue, ID 83313

the following described real property in Blaine County, Idaho, to wit:

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 2: A parcel of land in the NE1/4, more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 2; thence
 N. 89° 42' W., 1,320.00 feet; thence
 N. 00° 13' E., 1,345.74 feet; thence
 N. 89° 42' W., 150.00 feet; thence
 N. 23° 53' W., 109.34 feet; thence
 N. 22° 10' W., 529.58 feet to the TRUE POINT OF BEGINNING; thence
 N. 89° 42' W., 300.00 feet; thence
 N. 22° 10' W., 60.00 feet; thence
 N. 47° 20' E., 295.98 feet; thence
 S. 22° 10' E., 276.35 feet to the TRUE POINT OF BEGINNING. (TL 4278)

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 2: A tract of land in the NE1/4 more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 2; thence
 N. 89° 42' W., 1,320.00 feet; thence
 N. 00° 13' E., 1,345.74 feet; thence
 N. 89° 42' W., 150.00 feet; thence
 N. 23° 53' W., 109.34 feet; thence
 N. 22° 10' W., 249.58 feet; thence
 N. 89° 42' W., 300.00 feet to the TRUE POINT OF BEGINNING; thence
 N. 89° 42' W., 465.00 feet; thence
 N. 47° 20' E., 458.76 feet; thence
 S. 22° 10' E., 340.00 feet to the TRUE POINT OF BEGINNING. (TL 5254)

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: May 24, 2000

James Michael Evans

JAMES MICHAEL EVANS

State of Idaho

} ss.

County of Blaine

On this 25th day of May, in the year 2000, before me, the undersigned, personally appeared JAMES MICHAEL EVANS, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Marla G. Mink

Notary Public

Commission Expires:

12/01/2000

J:\sawtooth\forms\wtd



417178

Order No. 24570

me 6

WARRANTY DEED

Blaine Co. Request
Deed
OF: SAWTOOTH TITLE

FOR VALUE RECEIVED

GLENN SHERMAN and AMY SHERMAN, husband and wife

'98 JUL 31 PM 4 14

GRANTOR(s), do(es) hereby GRANT, BARGAIN, SELL and CONVEY unto MARY SHERMAN, CLERK mpp

JAMES L. EVANS, an unmarried man

FEES \$ 6.00

GRANTEE(s) whose address is: 1457 130th Avenue NE, Bellevue, WA 98005

the following described real property in Blaine County, Idaho, to wit:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE A PART HEREOF.

Subject To: Taxes, easements established or of record, restrictions and encumbrances of record, rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit.

TO HAVE AND TO HOLD said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 29, 1998

[Signature]
GLENN J. SHERMAN

[Signature]
AMY SHERMAN

State of Idaho

County of Blaine

On this 30th day of July, in the year 1998, before me, the undersigned, personally appeared GLENN SHERMAN and AMY SHERMAN, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

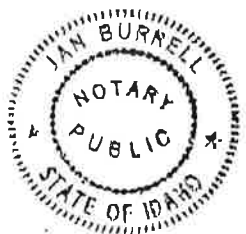
WITNESS my hand and official seal.

[Signature]

Notary Public

Commission Expires: 2-18-2004

J:\unc\m\1061wd



Form No. 1402.92
(10/17/92)
ALTA Owner's Policy

ORDER NO. 24570
LEGAL DESCRIPTION

EXHIBIT "A"

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

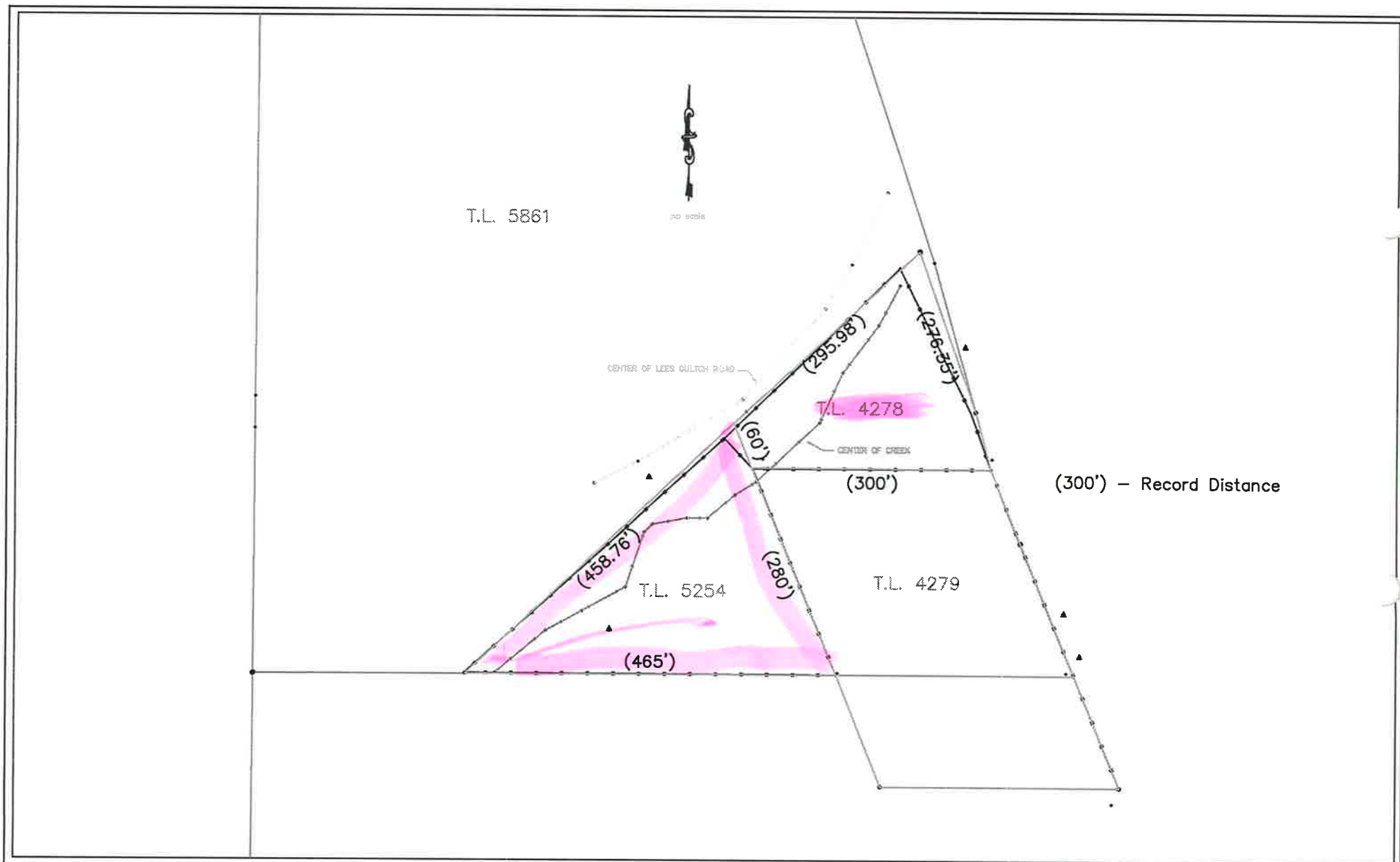
SECTION 2: A parcel of land in the NE¼, more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 2; thence
N. 89° 42' W., 1320.00 feet; thence
N. 00° 13' E., 1345.74 feet; thence
N. 89° 42' W., 150.00 feet; thence
N. 23° 53' W., 109.34 feet; thence
N. 22° 10' W., 529.58 feet to the TRUE POINT OF BEGINNING; thence
N. 89° 42' W., 300.00 feet; thence
N. 22° 10' W., 60.00 feet; thence
N. 47° 20' E., 295.98 feet; thence
S. 22° 10' E., 276.35 feet to the TRUE POINT OF BEGINNING. (Tax Lot 4278)

TOWNSHIP 1 NORTH, RANGE 18 EAST, BOISE MERIDIAN, BLAINE COUNTY, IDAHO.

SECTION 2: A tract of land in the NE¼ more particularly described as follows:

COMMENCING at the East Quarter corner of said Section 2; thence
N. 89° 42' W., 1320.00 feet; thence
N. 00° 13' E., 1345.74 feet; thence
N. 89° 42' W., 150.00 feet; thence
N. 23° 53' W., 109.34 feet; thence
N. 22° 10' W., 249.58 feet; thence
N. 89° 42' W., 300.00 feet to the TRUE POINT OF BEGINNING; thence
N. 89° 42' W., 465.00 feet; thence
N. 47° 20' E., 458.76 feet; thence
S. 22° 10' E., 340.00 feet to the TRUE POINT OF BEGINNING. (Tax Lot 5254)



NO.	DATE	BY	APPROV.	REVISIONS

Galena Engineering Inc. 800 Second Avenue North P.O. Box 430 Solvang, Idaho 83340 (208) 758-0770 (208) 758-0770 fax email galena@idnet.net	Civil Engineers & Land Surveyors 800 Second Avenue North P.O. Box 430 Solvang, Idaho 83340 (208) 758-0770 (208) 758-0770 fax email galena@idnet.net	ELECTRONIC TRANSMITTAL DISCLAIMER This document has been transmitted electronically for use by a third party. Galena Engineering accepts no responsibility or liability for the distribution and accuracy of any information taken from this electronic document for reuse by said third party.	REUSE OF DRAWINGS These drawings, or any portion thereof, shall not be used on any project or extension of this project except by agreement in writing with Galena Engineering, Inc.	DRAWN BY: <u> JIM </u> DATE: <u> 5/26/00 </u> CHECKED BY: <u> JIM </u> DATE: <u> 5/26/00 </u> DESIGNED BY: <u> JIM </u> DATE: <u> 5/26/00 </u>	A SITE SURVEY SHOWING TAX LOTS 5254 AND 4278 WITHIN SE, T.1N., E.16E., B.M., BLAINE COUNTY, IDAHO PREPARED FOR JIM LASKI	PROJECT INFORMATION: P:\SDSG\RD\1\T111\DWG\01408fta.dwg 5-23-00 4:13:50 pm	SHEET <u> 1 </u> OF <u> 1 </u>
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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: A37-04076
Date Received: 10/20/1988
Receipt No: M00/676
Received By: AD

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLENN J. SHERMAN 208-788-4772
Address: BOX 48
TOWNSEND GULCH ROAD
BELLEVUE, ID 83313

2. Date of Priority: JUN 01, 1947

3. Source: LEES GULCH Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	2	SE	NW	NE	2	BLAINE

5. Description of diverting works:
DIVERSION DAM AND PUMP FOR SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/6 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	2	NW	NE	2	IRR	5.0

A37-04076

Page 1

Date: 10/20/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	2	NW	NE	2	STOCK	

Section Acres 5.0

Total Acres 5.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

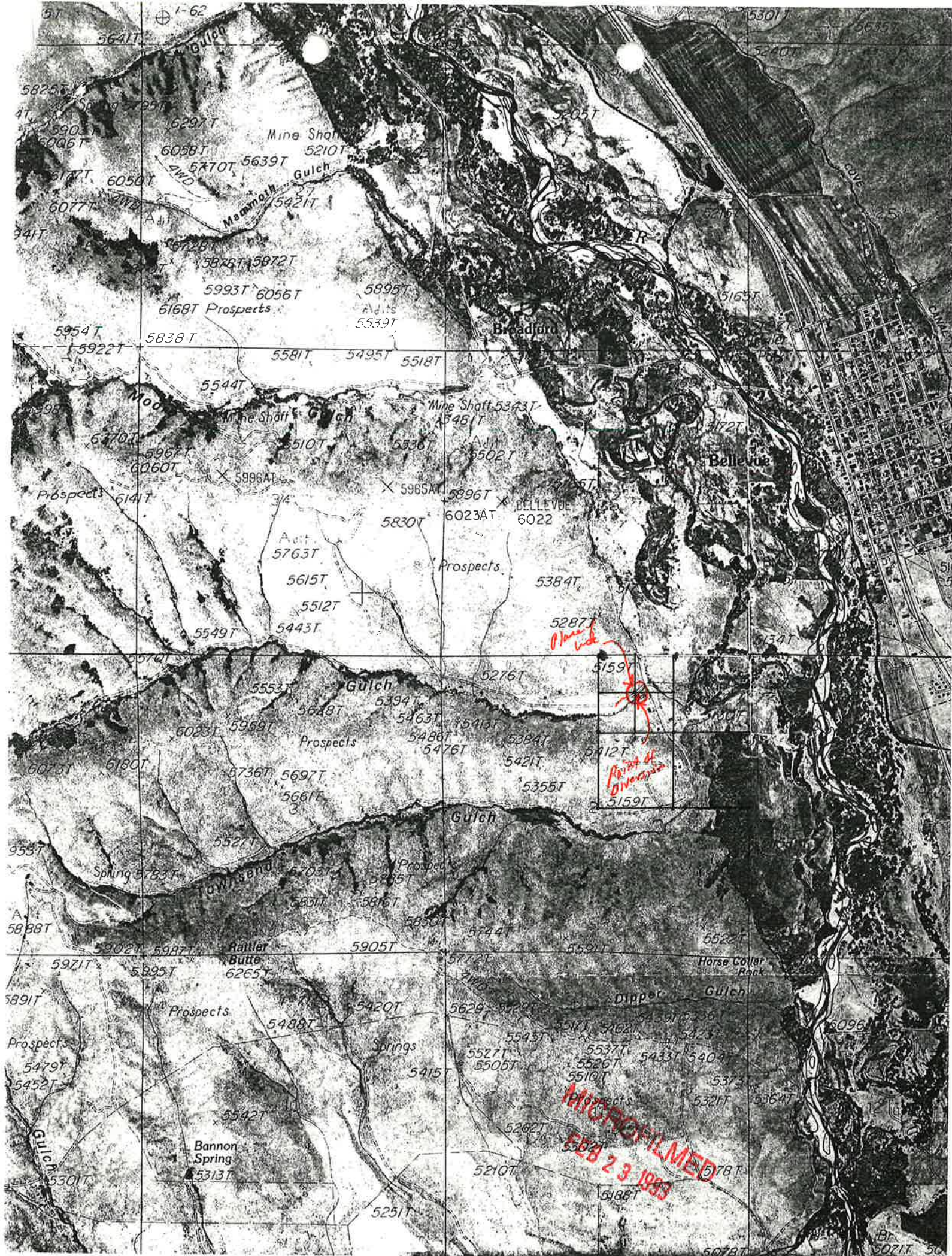
Signature of Claimant(s): [Signature] Date: 10/21/88
Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of Oct. 19 88 [Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/92



01/23/2007

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

RIGHT NUMBER: 37-4076

NAME AND ADDRESS: JAMES R LASKI
48 TOWNSEND GULCH RD
BELLEVUE ID 83313

JENNIFER M CARD
48 TOWNSEND GULCH RD
BELLEVUE ID 83313

SOURCE: LEES GULCH

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 02/15/1945

POINT OF DIVERSION:

T01N R18E S2 NWNE Lot 2 Within BLAINE 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	04/15 10/31	0.060 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S02 Lot 2 NWNE 2.50

STOCKWATER in BLAINE County

T01N R18E S02 Lot 2 NWNE

2.5 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 - License

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



Idaho Department of Water Resources

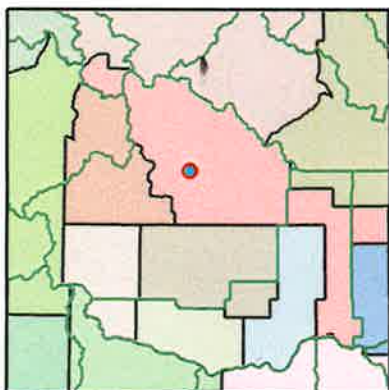
SRBA Recommendation:

37-4076

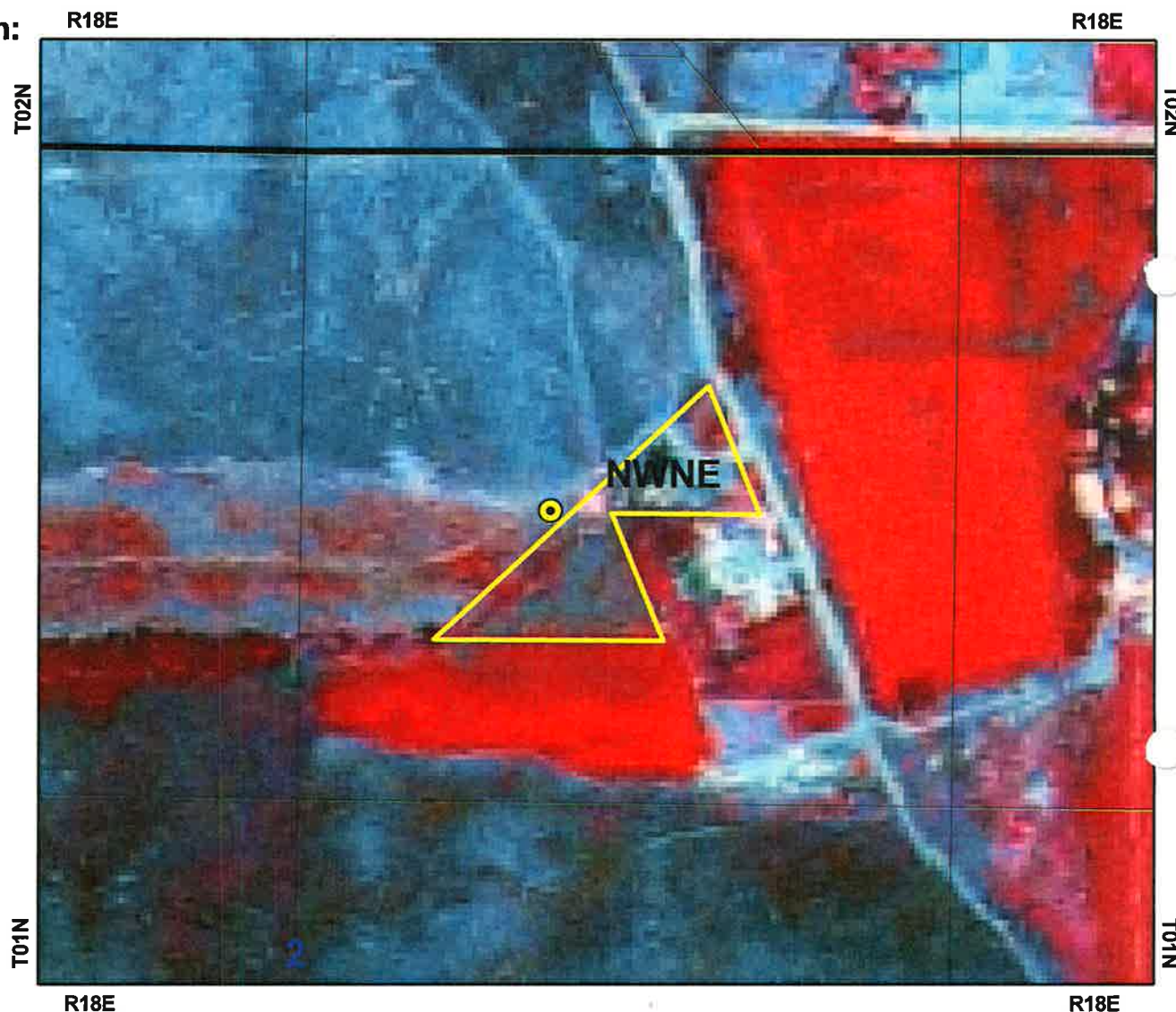
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.1 0.2 Miles



Prepared by K. Walker
On Tuesday, January 23, 2007
1987/88 Aerial Photography

12/18/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 01/05/2007

Water right number: 37-4076

JAMES R LASKI
48 TOWNSEND GULCH RD
BELLEVUE ID 83313
Telephone Number: (208)788-2972

JENNIFER M CARD
48 TOWNSEND GULCH RD
BELLEVUE ID 83313
Telephone Number: (208)788-2972

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

~~Point of Diversion~~ - Point of Diversion
- Total Acres irrigated
- Quantity

2. Describe the changes you wish to make in the proposed recommendation:

- Point of Diversion should be move to 20 ft upstream on lot 5254
(see mark on attached map and email from previous neighbor re location of diversion in 1987)
- Total Acres irrigated is Approx 2.5, not 2.0
3. Give a brief explanation as to why you disagree with these portions:
- The Claimed water Right was reduced based on acres irrigated. Total Acres irrigated is 2.5, therefore Quantity should be adjusted to 2.5 (see attached map)

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

DATE: 1/3/06

SIGNATURE: 

Please print your name: James R. Laski

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

* Note Shelley been worked on this proposal

SCANNED

JAN 04 2007



Idaho Department of Water Resources

SRBA Recommendation:

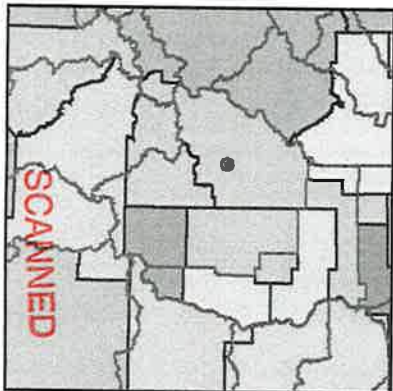
37-4076

(Irrigation)

Legend

⊙ Point of Diversion
Place of Use

▭ Townships
▭ PLS Sections
▭ Quarter Quarters



Blaine County
IDWR Basin 37

Prepared by M. Ciscell
On Monday, December 18, 2006
2004 Aerial Photography



0 0.2 0.4 Miles

*I think the outlined area
is close to 2.5 acres, not 2.0 acres

* Actual pt of
Diversion since
at least 1987

Jim Laski

From: J.Deer May [jdmay@tflaw.com]

Sent: Wednesday, December 27, 2006 8:38 PM

To: Jim Laski

RECEIVED

JAN 04 2007

DEPARTMENT OF
WATER RESOURCES

Jim,

I purchased tax lots 5860 and 4279 in 1987. I remember at that time that the then owner of tax lots 4278 and 5254 had a small dam located on tax lot 5254 about 20 feet upstream from the northwest corner of my property.

Please let me know if you need anything further.

James J. May

SCANNED

JAN 04 2007

1/2/2007

12/11/2006

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

RIGHT NUMBER: 37-4076

NAME AND ADDRESS: JAMES R LASKI
48 TOWNSEND GULCH RD
BELLEVUE ID 83313

JENNIFER M CARD
48 TOWNSEND GULCH RD
BELLEVUE ID 83313

SOURCE: LEES GULCH CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 02/15/1945

POINT OF DIVERSION: T01N R18E S2 SENWNW Lot 4 Within BLAINE 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	04/15 10/31	0.050 CFS

PLACE OF USE: IRRIGATION in BLAINE County

T01N R18E S02 Lot 2 NWNE 2.00

STOCKWATER in BLAINE County

T01N R18E S02 Lot 2 NWNE

2 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



Idaho Department of Water Resources

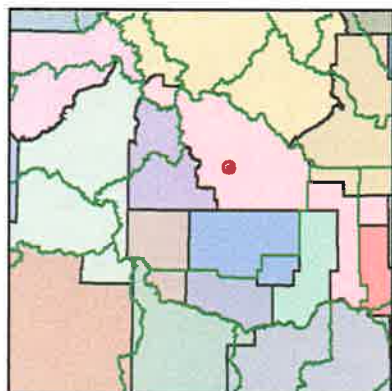
SRBA Recommendation:

37-4076

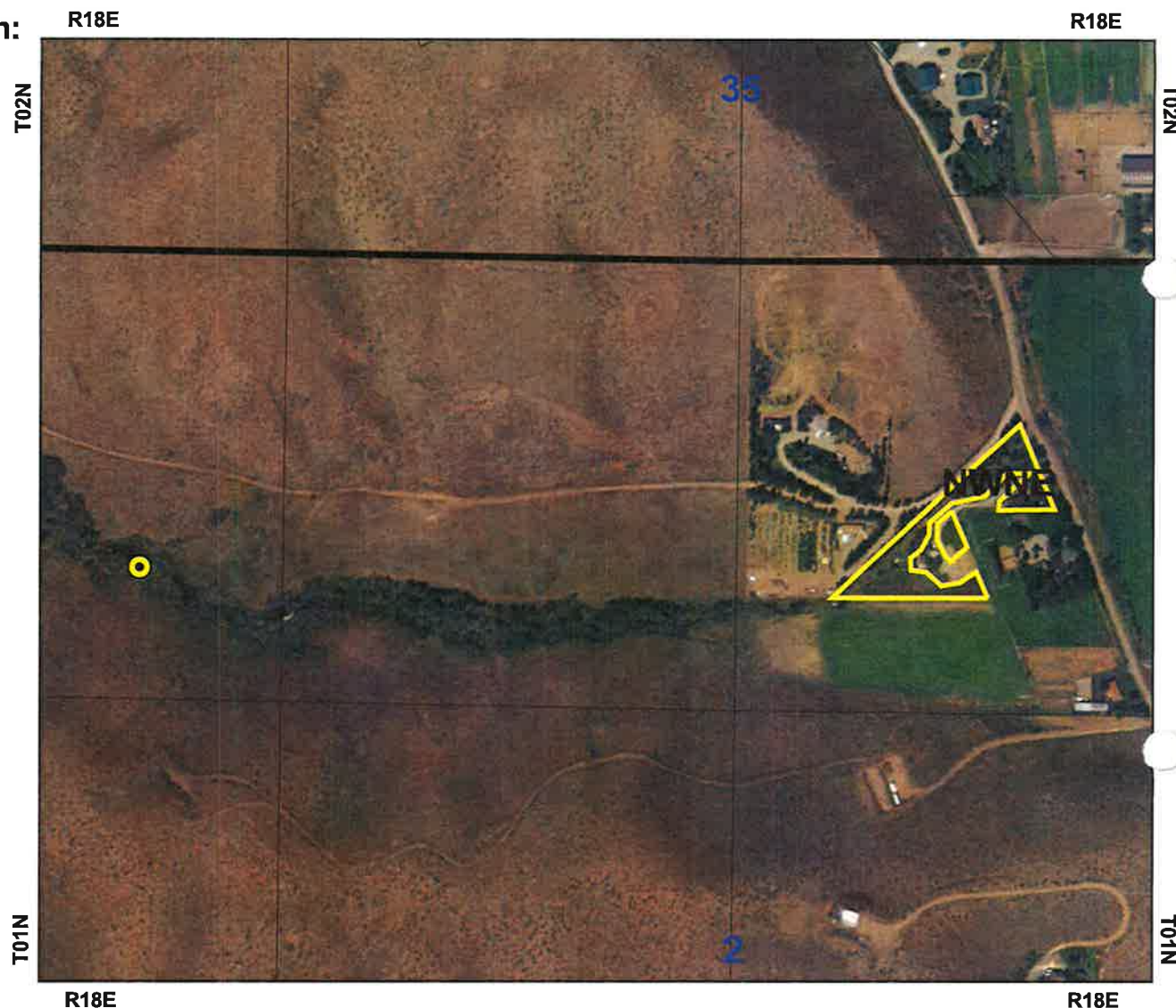
(Irrigation)

Legend

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



Blaine County
IDWR Basin 37



0 0.2 0.4 Miles



Prepared by S. Keen
On Monday, December 11, 2006
2004 Aerial Photography

37-4076

S. Keen

met with Jim Laski

POU - Probably 2.5 acres or so

POD - Need evidence from before 1987

for change
Amend claim to change priority date

Notes from meeting in Sun Valley on 12/4/2006

- Jim Laski said he would provide evidence of a pre-1987 POD change. Until then, use the licensed POD for 37-2468.
- I agreed to review the POU
- The priority date was amended.

12/11/06 Irrigated POU = 2 acres

0.026 rfp/acre * 2 acres = 0.05 rfp

37- 4076

Claim Review

12/3/2006

The Laski parcel of land does not fall within the parcels described in the affidavits submitted by the various Williams family members to support the claim. Both of those parcels are on the east side of the road on Eccles Window Rock Ranch parcels. However, the claimed POU falls partly within the area licensed under Right 37-2468. I am recommending this claim as a portion of 37-2468. I see no need to change the claim number.

Priority date: License 37-2468 is 2/15/1945.

Claim 37-4076 is 6/1/1947

Must recommend 6/1/1947 unless/until claimant amends the claim to 2/15/1945.

★ Point of Diversion: Claimed a POD on their own property. Location has not been confirmed, nor has the timing of the change in order to recommend an accomplished transfer. ~~Need~~ Need more evidence!

37-4076 Claim Review Continued

Place of Use

Photography

- 1964 - Looks farmed
- 1974 - Can't tell
- 1980 - Can't tell
- 1987 - Not clearly irrigated but maybe some activity
- 1992 - Cleared but not irrigated
- 2004 - Irrigated
- 2006 - Irrigated

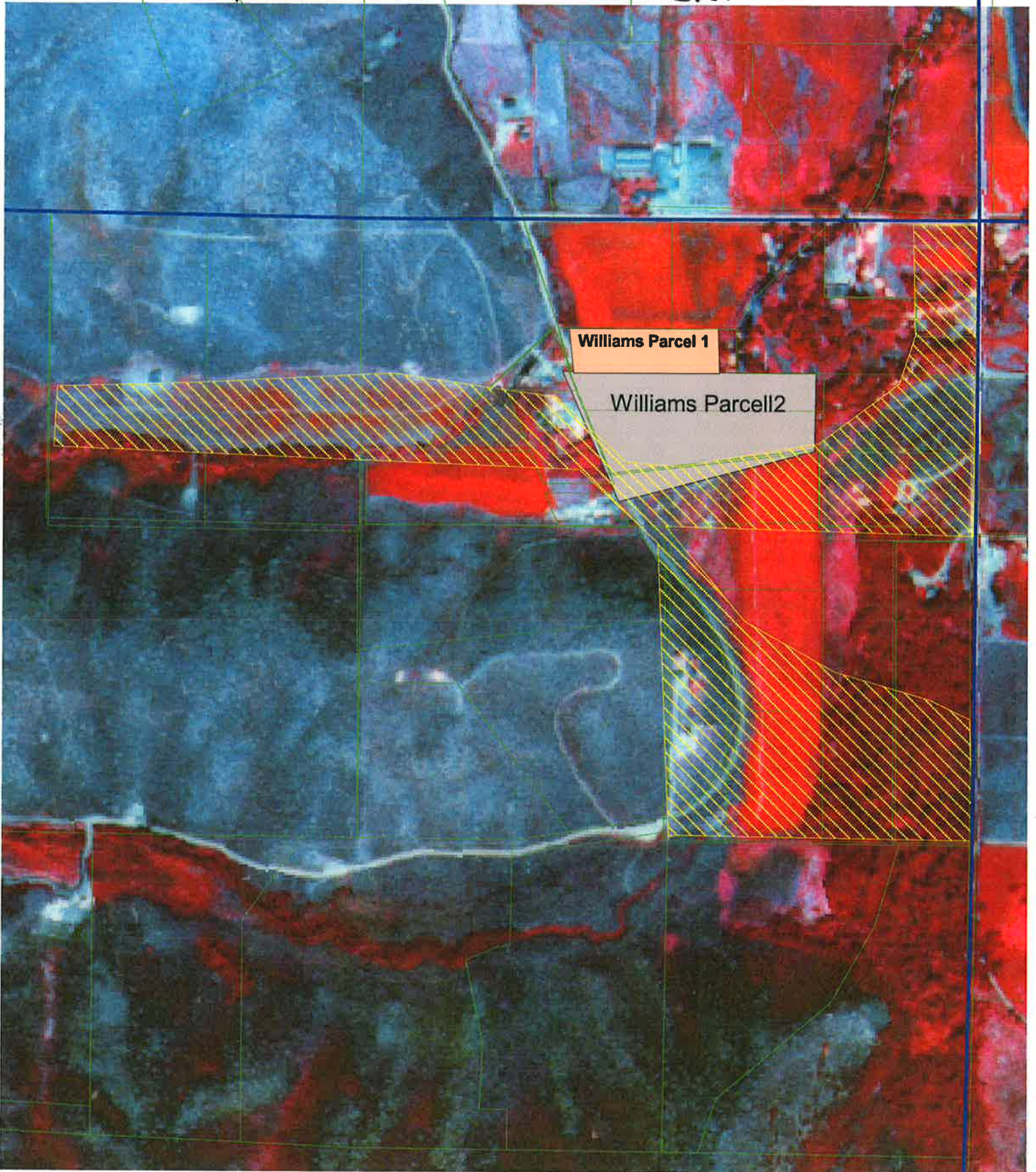
Recommend 1.5 acres because can't be sure of forfeiture.
Stockwater POU - use entire lot.

Water Use - Claim indicates 6 head. Stockwater can be recommended as a change from the licensed domestic use. Amount is not additive to irrigation use.

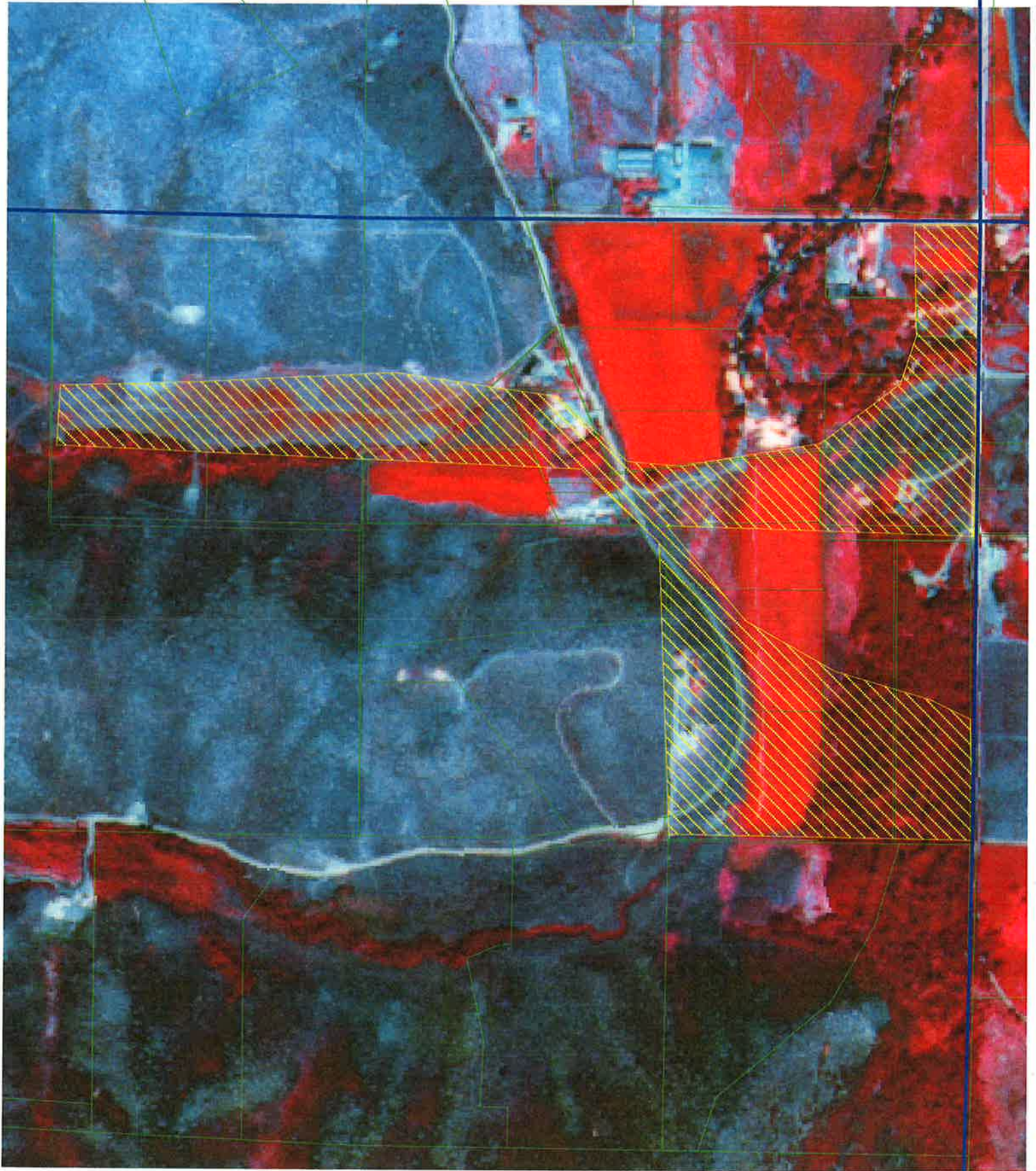
Period of Use - No licensed period of use. Use standard.

Quantity - Licensed rate/acre comes to 0.026 afp ~~for~~ for 1.5 acres. Because right will not be recommended for all of the licensed amount, round up to 0.03 afp.

Williams parcels overlaid on approximate POA for
License 37-2468



Approximate POU for License 37-2468



JAMES R. LASKI - JENNIFER M. CARD

RECEIVED
JUN 13 2005
Department of Water Resources
Southern Region

June 10, 2005

State of Idaho
Department of Water Resources
1341 Fillmore Street, Suite 200
Twin Falls, ID 83301-3380

Re: Statutory Claim # 37-4076
Evidence of Priority

Dear Sir or Madam:

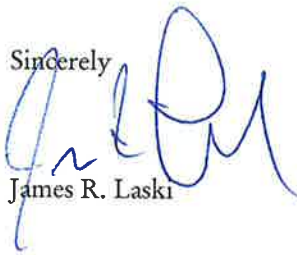
Enclosed is the following evidence of priority with respect to the above-referenced claim:

- Affidavit of Carol Williams dated March 31, 1977;
- Affidavit of Michael Williams dated March 7, 1977;
- Affidavit of Kay Williams dated March 7, 1977;
- Affidavit of Forrest J. Williams dated March 8, 1977;
- Amended claim to Water Right of Forrest &/or Kay Williams dated July 26, 1977; and
- Notice of Claim to Water Right of Glenn Sherman dated October 21, 1988.

If you are in need of any additional information, please do not hesitate to contact me. I can be reached by phone at my office 208-725-0055 or by email at jrl@lawsonlaski.com.

Thank you for your assistance in this matter.

Sincerely


James R. Laski

Enc.

AFFIDAVIT
OF
CAROL WILLIAMS

STATE OF IDAHO)
)
County of Blaine) ss.

I, CAROL WILLIAMS, being first duly sworn, depose and
state:

RECEIVED

JUN 13 2005

Department of Water Resources
Southern Region

1. I am a resident of the County of Blaine, State of Idaho, and my mailing address is Rt. 1, Bellevue, Idaho 83313. I am not related to either Mr. Forrest Williams or Mrs. Kay Williams.

2. Between the approximate dates of 1947 and 1967, I resided with my family on approximately three hundred and eighty (380) acres two and one-half ($2\frac{1}{2}$) miles southwest of Bellevue known at that time as the J. Ray Williams Ranch. J. Ray Williams was my husband.

3. Contained within the J. Ray Williams' Ranch was two parcels of land now owned by Mr. and Mrs. Forrest Williams. The land now owned by Mr. and Mrs. Forrest Williams is described as follows:

A certain parcel of land lying within the Northeast Quarter (NE- $\frac{1}{4}$) of Section 2, Township 1 North, Range 18 East, Boise Meridian, further described as follows:

Beginning at a point 660.00 feet North $89^{\circ} 42'$ West and 1675.74 feet North $0^{\circ} 13'$ East of the Quarter Corner ($\frac{1}{4}$) common to Section 2 and Section 1, Township 1 North, Range 18 East, Boise Meridian; thence North $0^{\circ} 13'$ East 330.00 feet to a one-half ($\frac{1}{2}$) inch buried steel rod; thence north $89^{\circ} 42'$ West 1085.50 feet to a one-half ($\frac{1}{2}$) inch buried steel rod; thence South $22^{\circ} 10'$ East 606.26 feet to a one-half ($\frac{1}{2}$) inch buried steel rod; thence North $75^{\circ} 13'$ East 884.80 feet to a one-half ($\frac{1}{2}$) inch buried steel rod at the point of beginning. Containing approximately 7.14 acres more or less.

A certain parcel of land lying within the Northeast Quarter (NE- $\frac{1}{4}$) of Section 2, Township 1 North, Range 18 East, Boise Meridian, further described as follows:

Commencing at the East $\frac{1}{4}$ corner of said Section 2; thence N. $89^{\circ} 42'$ W. 1320.00 feet; thence N. $0^{\circ} 13'$ E. 1345.74 feet; thence N. $89^{\circ} 42'$ W. 150.00 feet; thence N. $23^{\circ} 53'$ W. 109.34 feet; thence N. $22^{\circ} 10'$ W. 606.26 feet to the TRUE POINT OF BEGINNING; thence S. $89^{\circ} 42'$ W. 620.00 feet; thence S. $0^{\circ} 13'$ W. 188.00 feet to the TRUE POINT OF BEGINNING. Containing approximately 2.68 acres, more or less.

4. Between approximately 1947 and 1967, all water draining from Lee's Gulch was appropriated and applied to beneficial agricultural uses on the two parcels of land now owned by Mr. and Mrs. Forrest Williams described above.

MICROFILMED

sent original to Boise 4/4/77

If sworn as a witness in any proceeding concerning the establishment of the water rights referred to above from Lee's Gulch, I could testify competently and truthfully to the facts stated above.

Dated this 31st day of March, 1977.

Carol Williams
CAROL WILLIAMS

SUBSCRIBED AND SWORN to before me this 31st day of March, 1977.

Eileen M. Asafire
Notary Public for Idaho
Residing at: Bellevue, Idaho
My commission expires: March 1, 1981

MICROFILMED

RECEIVED
JUN 13 2005Department of Water Resources
Southern RegionAFFIDAVIT
OF

MICHAEL WILLIAMS

STATE OF IDAHO)
) ss.
County of Blaine)

I, MICHAEL WILLIAMS, being first duly sworn, depose and state:

1. I am a resident of the County of Blaine, State of Idaho, and my mailing address is Post Office Box 672, Hailey, Idaho (83333). I am not related to either Mr. Forrest Williams or Mrs. Kay Williams.

2. Between the approximate dates of 1947 and 1967, I resided with my family on approximately three hundred and eighty (380) acres two and one-half (2-1/2) miles southwest of Bellevue known at that time as the J. Ray Williams Ranch. J. Ray Williams was my father.

3. Contained within the J. Ray Williams' Ranch was two parcels of land now owned by Mr. and Mrs. Forrest William. The land now owned by Mr. and Mrs. Forrest Williams is described as follows:

A certain parcel of land lying within the Northeast Quarter (NE-1/4) of Section 2, Township 1 North, Range 18 East, Boise Meridian; further described as follows:

Beginning at a point 660.00 feet North 89° 42' West and 1675.74 feet North 0° 13' East of the Quarter Corner (1/4) common to Section 2 and Section 1, Township 1 North, Range 18 East, Boise Meridian; thence North 0° 13' East 330.00 feet to a one-half (1/2) inch buried steel rod; thence North 89° 42' West 1085.50 feet to a one-half (1/2) inch buried steel rod; thence South 22° 10' East 606.26 feet to a one-half (1/2) inch buried steel rod; thence North 75° 13' East 884.80 feet to a one-half (1/2) inch buried steel rod at the point of beginning. Containing approximately 7.14 acres more or less.

A certain parcel of land lying within the Northeast Quarter (NE-1/4) of Section 2, Township 1 North, Range 18 East, Boise Meridian, further described as follows:

Commencing at the East 1/4 corner of said Section 2; thence N. 89°42' W. 1320.00 feet; thence N. 0° 13' E. 1345.74 feet; thence N. 89°42' W. 150.00 feet; thence N. 23°53' W. 109.34 feet; thence N. 22°10' W. 606.26 feet to the TRUE POINT OF BEGINNING; thence S. 89° 42' W. 620.00 feet; thence S. 0°13' W. 188.00 feet to the TRUE POINT OF BEGINNING. Containing approximately 2.68 acres, more or less.

MICROFILMED

4. Between approximately 1947 and 1967, all water draining from Lee's Gulch was appropriated and applied to beneficial agricultural uses on the two parcels of land now owned by Mr. and Mrs. Forrest Williams described above.

If sworn as a witness in any proceeding concerning the establishment of the water rights referred to above from Lee's Gulch, I could testify competently and truthfully to the facts stated above.

Dated this 7 day of march, 1977.

M. J. Williams
MICHAEL WILLIAMS

SUBSCRIBED AND SWORN to before me this 7 day of
march, 1977.

Robert W. Thompson
Notary Public for Idaho
Residing at: Harley, IDAHO
My commission expires: 7-20-81

MICROFILMED

RECEIVED

JUN 13 2005

Department of Water Resources
Southern Region

AFFIDAVIT OF KAY WILLIAMS

STATE OF IDAHO)
) ss.
County of Blaine)

I, KAY WILLIAMS, being first duly sworn, depose and state:

1. I am a resident of the County of Blaine, State of Idaho, and my mailing address is Post Office Box 45, Bellevue, Idaho (83313).

2. On June 6, 1969, my husband, FORREST J. WILLIAMS, and I purchased a parcel of land located two and one-half miles (2½) southwest of Bellevue in Blaine County, State of Idaho, from Gerald Sherman and Lola Sherman, husband and wife, of Bellevue, Idaho, more particularly described as follows:

A certain parcel of land lying within the Northeast Quarter (NE¼) of Section 2, Township 1 North, Range 18 East, Boise Meridian, further described as follows:

Beginning at a point 660.00 feet North 89° 42' West and 1675.74 feet North 0° 13' East of the Quarter Corner (¼) common to Section 2 and Section 1, Township 1 North, Range 18 East, Boise Meridian; thence North 0° 13' East 330.00 feet to a one-half (½) inch buried steel rod; thence North 89° 42' West 1085.50 feet to a one-half (½) inch buried steel rod; thence South 22° 10' East 606.26 feet to a one-half (½) inch buried steel rod; thence North 75° 13' East 884.80 feet to a one-half (½) inch buried steel rod at the point of beginning. Containing approximately 7.14 acres more or less.

3. On June 24, 1970, my husband, FORREST J. WILLIAMS, and I purchased a second parcel of land adjacent to the parcel of land described above from Gerald Sherman and Lola Sherman, husband and wife, of Bellevue, Idaho, more particularly described as follows:

A certain parcel of land lying within the Northeast Quarter (NE¼) of Section 2, Township 1 North, Range 18 East, Boise, Meridian, further described as follows:

Commencing at the East ¼ corner of said Section 2; thence N. 89° 42' W. 1320.00 feet; thence N. 0° 13' E. 1345.74 feet; thence N. 89° 42' W. 150.00 feet; thence N. 23° 53' W. 109.34 feet; thence N. 22° 10' W. 606.26 feet to the TRUE POINT OF BEGINNING; thence S. 89° 42' E. 620.00 feet; thence N. 0° 13' E. 188.00 feet; thence N. 89° 42' W. 620.00 feet; thence S. 0° 13' W. 188.00 feet to the TRUE POINT OF BEGINNING. Containing approximately 2.68 Acres, more or less.

MICROFILMED

4. At the time of these purchases, we were informed by Mr. Gerald Sherman that all water draining from Lee's Gulch passed over the two parcels of land described above and had for numerous years been appropriated for beneficial agricultural uses on these two parcels of land and that we were entitled to continue to appropriate whatever water that drained from Lee's Gulch for agricultural uses on land.

5. Since the purchases in 1969 and 1970, my husband and I have appropriated and applied for beneficial uses on our land all water draining from Lee's Gulch.

6. I also have been informed by two former residents of the land in question, Michael and Richard Williams, that the drainage water from Lee's Gulch had been appropriated and used for agricultural purposes on the two parcels of land described above by they and their family between approximately 1947 and 1967.

If sworn as a witness in any proceeding concerning the establishment of the water rights referred to above from Lee's Gulch, I could testify competently and truthfully to the facts stated above.

Dated this 7 day of March, 1977.

Kay Williams
KAY WILLIAMS

SUBSCRIBED AND SWORN to before me this 7 day of
March, 1977.

Robert W. Thompson
Notary Public for Idaho
Residing at: Harley, Idaho
My commission expires: 7-26-1981

MICROFILMED

37-4076

RECEIVED
JUN 13 2005

Department of Water Resources
Southern Region

AFFIDAVIT OF FORREST J. WILLIAMS

STATE OF IDAHO)
) ss.
County of Blaine)

I, FORREST J. WILLIAMS, being first duly sworn, depose
and state:

1. I am a resident of the County of Blaine, State of
Idaho, and my mailing address is Post Office Box 45, Bellevue,
Idaho (83313).

2. On June 6, 1969, my wife, KAY WILLIAMS, and I purchased
a parcel of land located two and one-half miles (2½) southwest of
Bellevue in Blaine County, State of Idaho, from Gerald Sherman
and Lola Sherman, husband and wife, of Bellevue, Idaho, more
particularly described as follows:

A certain parcel of land lying within the Northeast
Quarter (NE¼) of Section 2, Township 1 North, Range
18 East, Boise Meridian, further described as follows:

Beginning at a point 660.00 feet North 89° 42' West and
1675.74 feet North 0° 13' East of the Quarter Corner
(¼) common to Section 2 and Section 1, Township 1 North,
Range 18 East, Boise Meridian; thence North 0° 13' East
330.00 feet to a one-half (½) inch buried steel rod;
thence North 89° 42' West 1085.50 feet to a one-half (½)
inch buried steel rod; thence South 22° 10' East 606.26
feet to a one-half (½) inch buried steel rod; thence
North 75° 13' East 884.80 feet to a one-half (½) inch
buried steel rod at the point of beginning. Containing
approximately 7.14 acres more or less.

3. On June 24, 1970, my wife, KAY WILLIAMS, and I purchased
a second parcel of land adjacent to the parcel of land described
above from Gerald Sherman and Lola Sherman, husband and wife, of
Bellevue, Idaho, more particularly described as follows:

A certain parcel of land lying within the Northeast
Quarter (NE¼) of Section 2, Township 1 North, Range
18 East, Boise Meridian, further described as follows:

Commencing at the East ¼ corner of said Section 2; thence
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thence N. 89°42' West 150.00 feet; thence N. 23°53' W. 109.34
feet; thence N. 22°10' W. 606.26 feet to the TRUE POINT OF
BEGINNING; thence S. 89°42' E. 620.00 feet; thence N. 0°13' E.
188.00 feet; thence N. 89°42' W. 620.00 feet; thence
S. 0°13' W. 188.00 feet to the TRUE POINT OF BEGINNING.
Containing approximately 2.68 acres, more or less.

MICROFILMED

4. At the time of these purchases, we were informed by Mr. Gerald Sherman that all water draining from Lee's Gulch passed over the two parcels of land described above and had for numerous years been appropriated for beneficial agricultural uses on these two parcels of land and that we were entitled to continue to appropriate whatever water that drained from Lee's Gulch for agricultural uses on land.

5. Since the purchases in 1969 and 1970, my wife and I have appropriated and applied for beneficial uses on our land all water draining from Lee's Gulch.

If sworn as a witness in any proceeding concerning the establishment of the water rights referred to above from Lee's Gulch, I could testify competently and truthfully to the facts stated above.

Dated this 8 day of March, 1977.

Forrest J. Williams
FORREST J. WILLIAMS

SUBSCRIBED AND SWORN to before me this 8 day of March, 1977.

Colene T. Fortkett
Notary Public for Idaho
Residing at: Hailey, Idaho
My commission expires: Oct 21 - 1977

INDEXED
FILED

RECEIVED

JUN 13 2005

Department of Water Resources
Southern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

AMENDED CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Forrest J. &/or Kay Williams

(name of claimant)

of P. O. Box 45, Route #1, Bellevue, ID 83313, claims a right to the diversion and beneficial use of
(mailing address)

the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Lee's Gulch
_____, tributary to, Big Wood River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount .30cfs Use irrigation Period of Use: From Apr. 1 To Nov. 1

Amount .02cfs Use livestock Period of Use: From Jan. 1 To Dec. 31

Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: .32 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) June 1, 1947

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NW ¼ NE ¼, Sec. 2 Twp. 1N Rge. 18E, B. M. County of Blaine
 Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. Headgate, ditch

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

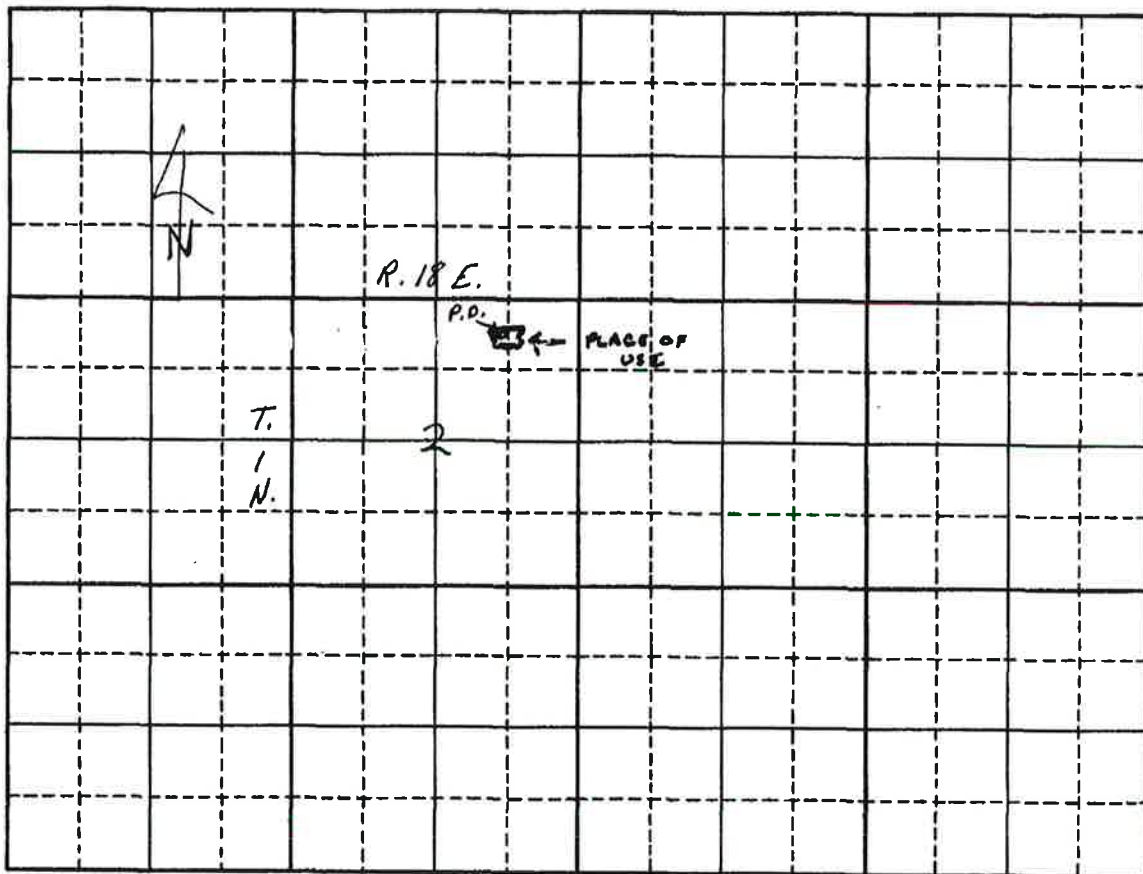
Total No. of acres 9

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:**

6 head livestock

- (7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Twin Falls) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Sworn to before me this 26th day of July, 19 77.

Kay Williams
(Claimant)
[Signature]
Notary Public
Residing at Hansen

My commission expires 2-22-81

For Department Use Only

Received by <u>OF</u>	Date <u>7/26/77</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ADM</u>	Date <u>8-8-77</u>		claimant by:	
\$10.00 fee received by <u>N/A</u>	Date			
Approved for publication by <u>DA</u>	<u>2/13/78</u>			
Published in <u>Flood River Journal</u>				
Dates <u>9/15 + 9/22/77</u>				

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

RECEIVED

JUN 13 2005

Ident. Number: A37-04076
Date Received: 10/20/1988
Receipt No: M001676
Received By: AD

Department of Water Resources
Southern Region

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLENN J. SHERMAN 208-788-4772
Address: BOX 48
TOWNSEND GULCH ROAD
BELLEVUE, ID 83313

2. Date of Priority: JUN 01, 1947

3. Source: LEES GULCH Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01N	18E	2	SE	NW	NE	2	BLAINE

5. Description of diverting works:
DIVERSION DAM AND PUMP FOR SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.300		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/6 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	18E	2	NW	NE	2	IRR	5.0

A37-04076

Page 1

Date: 10/20/88

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
01N	18E	2	NW NE	2	STOCK	

Section Acres 5.0

Total Acres 5.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

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

Number of attachments: 1

For Individuals:

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

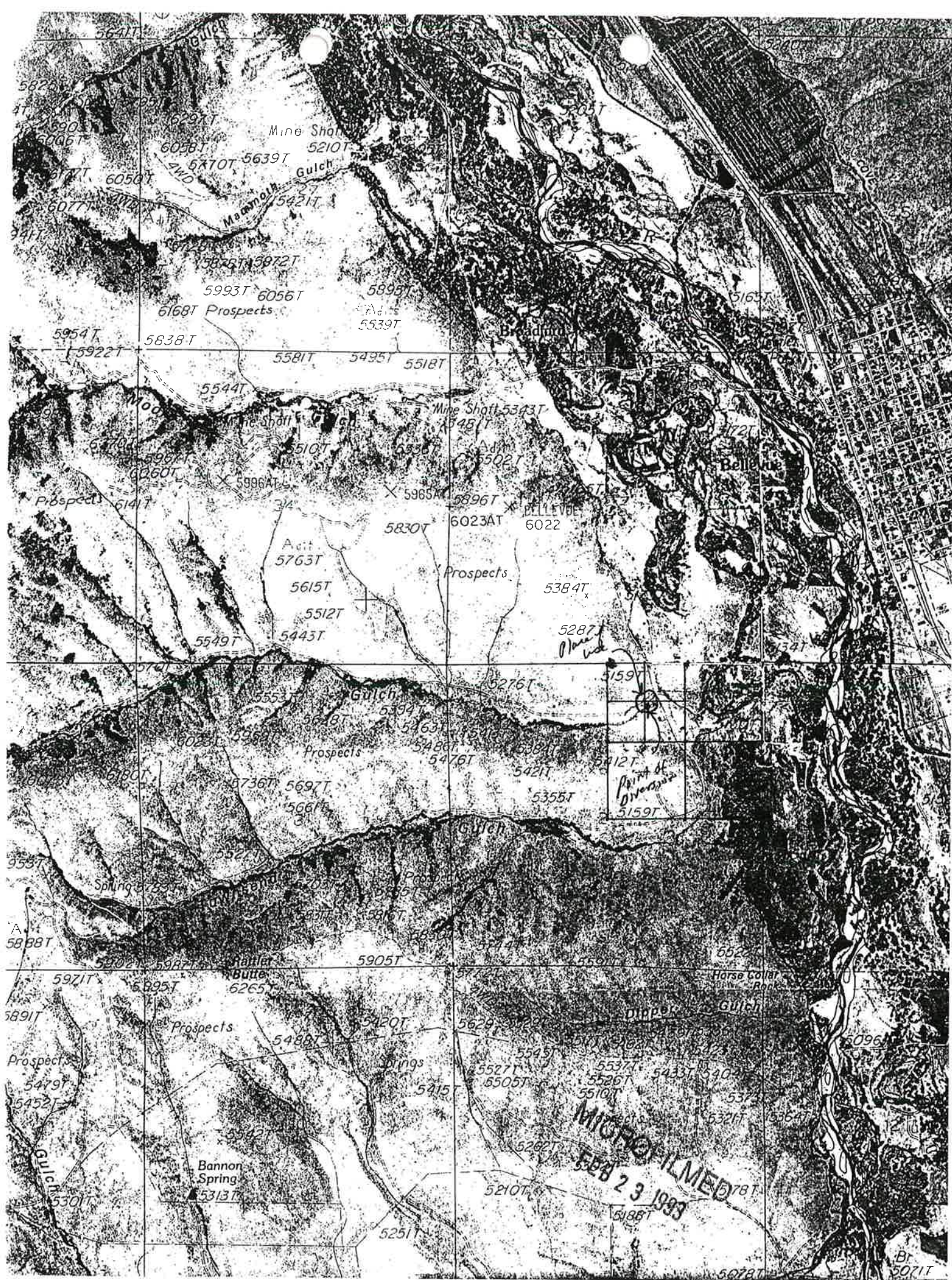
Signature of Claimant(s): [Signature] Date: 10/21/88
Date: _____

State of Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 21st day
of Oct. 19 88 [Signature]
Notary Public

Seal

Residing at Kimberly, Id.
My Commission Expires 6/30/91





State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2005

X
X
X
X

RESPONSE DEADLINE
JUNE 17, 2005

Re: Evidence of Priority

Dear Claimant:

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." 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. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, in the coming year, conduct reviews and/or field exams for the claims in your area. Since the priority date of a beneficial use water right cannot be confirmed by field examination, **proof must be provided by the claimant** supporting the priority date claimed.

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 the Department. If you have received this correspondence from the previous owner of the property it is required that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Enclosed you will find a computer printout of your Notice of 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: The Department will not recommend the court decree the notice **as claimed** if no evidence of a priority date is submitted – it may 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 does **not** need to be in the form of a notarized affidavit as described in the brochure, but must relate first hand knowledge of the water right in question and include dates, quantities of water and extent of water use.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice of Claim number (i.e. 37-____). If you have questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,

Douglas Jones, P.E.
Water Rights Supervisor

Enclosures



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

**DIRK KEMPTHORNE
GOVERNOR**

**KARL J. DREHER
DIRECTOR**

October 31, 2000

James R. Laski
Jennifer M. Card
48 Townsend Gulch Road
Bellevue, ID 83313

RE: OWNERSHIP CHANGE FOR ADJUDICATION CLAIM A37-04076

Dear Claimant:

Pursuant to the change in ownership request that has been submitted to the department, we have changed the record of current ownership of the above referenced claim to you. Please find the enclosed copy of the computer record of the claim, noting the change in claimant. Review these records and if there is an error, or if you have any questions, please contact this office.

Sincerely,

Florence Munzenrieder
SRBA Records Clerk

Enclosure

FM

10/31/2000

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO. 37-4076

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JAMES R LASKI 48 TOWNSEND GULCH ROAD BELLEVUE, ID 83313 (208) 788-2972
Current Owner	JENNIFER M CARD 48 TOWNSEND GULCH ROAD BELLEVUE, ID 83313 (208) 788-2972
Original Owner	GLENN J SHERMAN 149 W MAGIC RD UNIT 32 SHOSHONE, ID 833525255 (208)487-2047
Original Owner	FORREST J WILLIAMS
Original Owner	KAY WILLIAMS PO BOX 45 RT 1 BELLEVUE, ID 83313

Priority Date: 06/01/1947
Basis:
Status:

<u>Source</u>	<u>Tributary to</u>
LEES GULCH CREEK	BIG WOOD RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	11/01	0.3 CFS		
STOCKWATER	1/01	12/31	0.02 CFS		
Total Diversion			0.32 CFS		

Point(s) of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01N	18E	2	SE NW NE	2	BLAINE

IRRIGATION Use:
Acre Limit: 5

Place(s) of use:

Place of Use Legal Description: IRRIGATION BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01N	18E	2	2	NWNE	5									

Place of Use Legal Description: STOCKWATER BLAINE County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
01N	18E	2	2	NWNE										

Water Right 37-4076

Total Acres: 5

Dates:

Licensed Date:
Claim Received Date: 10/21/1988
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Decreed Date:
Date Filed with Court:
Objection Filed Date:
SF5 Filed:
Special Master Recom Signed Date:

Element Reviewed/Verified Dates: No dates found

Other Information:

Receipt Number(s):
State or Federal: S
Owner Name Connector:
Overall Max Diversion Rate: 0.32
Overall Max Diversion Volume: 0
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
PresumptionFlag:
Notice of Error Flag:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Verification Log: No log entries

JAMES R. LASKI

Email: JRL@hteh.com

June 26, 2000

RECEIVED
JUN 27 2000
Department of Water Resources
Southern Region

Idaho Department of Water Resources
Attention: John Freitag
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

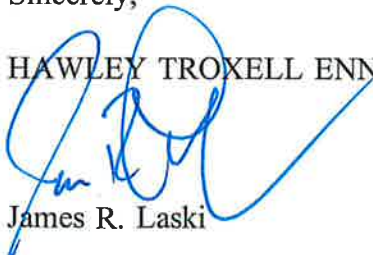
Re: Laski/Card

Dear Mr. Freitag:

Attached is a completed Notice of Change of Water Right Ownership and supporting documentation related to the property I recently purchased. If any additional information is required, please contact me at 726-1700.

Sincerely,

HAWLEY TROXELL ENNIS & HAWLEY LLP


James R. Laski

JRL/rlt

Enclosure

g:\author\jrl\letter\idwr.ltr