

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: A37-04175
Date Received: 10/ 6/1989
Receipt No: N003375
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WANDA MAE HAAS
Address: 17402 S. IBEX AVE. 213-860-5832
ARTESIA, CA 90701
OR
Name: LESLIE L. HAAS 213-860-5832
Address: 17402 S. IBEX AVE.
ARTESIA, CA 90701
2. Date of Priority: JUL 12, 1887
3. Source: ELK CREEK Trib. to: CAMAS CREEK
4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
01N 15E 23 SW SE CAMAS
5. Description of diverting works:
DAM & DITCH
6. Water is used for the following purposes:
Purpose From To C.F.S (or) A.F.A.
IRRIGATION 04/01 11/01 6.400
7. Total Quantity Appropriated is:
6.400 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:
Township Range Section 1/4 of 1/4 Lot Use Acres
01N 15E 26 NE NE IRR 40.0

A37-04175

Page 1

Date: 07/22/91

MICROFILMED
FEB 23 1993

Hand Delivered
to Southern 7/30/91

10. Place of Use: Continued

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
01N	15E	26	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	320.0
						Total Acres	320.0

11. Place of use in counties: CAMAS

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 _____ 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: _____

07/22/91
MICROFILMED
FEB 23 1993

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 _____

MICROFILMED
FEB 23 1993



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JUL 22 1991

Department of Water Resources

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 1N Range 15E
Section 26, E 1/2 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☐ Water Right Number(s)
Assigned by IDWR: A37-04175 A37-13312

☐ Name and Address of Former Owner/Claimant(s)(Seller): Viola L. Whitney

☐ New Owner/Claimant (Purchaser): WANDA MAE OR LESLIE L. Haas

☐ New Mailing Address: 17402 S. IDEX AVE
ARTESIA CA 90701

☐ New Telephone Number: (213) 860-5832

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: TITLE INSURANCE Policy, Copy of Last Will & Testament
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s) Wanda Mae Haas Date 7-22-91

☐ Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 7-22-91 By: TB

Further Action Needed: NONE

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

MICROFILMED
FEB 23 1993

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

Hand Delivered to
Southern 7/30/91



BOISE, IDAHO

FILE COPIES
ORIGINALS TO
JIM LEED BOISE
11-13-90

RECEIVED
JUL 22 1991

Owner's Title Insurance Policy

Department of Water Resources

\$ 17,500.00

No43-540

FOR VALUE, IDAHO TITLE INSURANCE COMPANY, a corporation (incorporated under the laws of the State of Idaho and duly authorized by the State Insurance Commissioner to insure titles in said state), hereinafter called the Company,

Does Hereby Insure

subject to the annexed conditions, hereby made a part of this policy,

VIOLA PECK VANDEVENTER, as her sole and separate property

heirs and devisees (or if a corporation, its successors) hereinafter called the Insured, against loss or damage not exceeding

SEVENTEEN THOUSAND FIVE HUNDRED AND NO/100 -- -- -- -- -- Dollars,

which the Insured may sustain by reason of any defect in the Insured's title to all the estate or interest in the premises specified and hereinafter described or by reason of liens or incumbrances charging the same at the date of this policy, saving and excepting, and this policy does not insure against loss or damage by reason of any estate or interest, defect, lien, incumbrance or objection hereinafter set forth in the written or printed exceptions contained in this policy.

Any loss under this policy is to be established in the manner provided in said conditions and shall be paid upon compliance by the Insured with and as prescribed in said conditions, and not otherwise.

IN WITNESS WHEREOF IDAHO TITLE INSURANCE COMPANY has caused these presents to be duly signed by its President or Vice-President, attested by its Secretary or Assistant Secretary and its corporate seal affixed this
24th day of **October**, 19 **60**, at **Five** o'clock **P. M.**

This policy not valid unless countersigned by
Camas Abstract Co.
by Tom Wokersien

CAMAS ABSTRACT CO.

By

IDAHO TITLE INSURANCE COMPANY

By

President

Attest

Secretary

MICROFILMED
FEB 23 1993

(See the following Sheet for Schedule A of this policy)

SCHEDULE A

1. The Estate or interest covered by this policy:

Fee simple Estate.

2. Description of the property, title to which is insured by this policy:

The E $\frac{1}{2}$ of Section 26, Township 1 North,
Range 15 East of the Boise Meridian in
Camas County, Idaho.

(End of Schedule A).

(See the following Sheet for Schedule B of this policy).

MICROFILMED
FEB 23 1993

IV.

RESIDUARY ESTATE

I give, devise and bequeath the residue of my estate, of whatsoever nature or description and wheresoever situated, to my daughter, WANDA MAE HAAS, or her issue, by right of representation.

V.

INVALIDITY

If a court of competent jurisdiction rules invalid or unenforceable any of the provisions hereof, each such provision shall be disregarded but the remainder of this instrument shall be given full force and effect. All questions pertaining to the validity, interpretation, construction and administration of this instrument shall be determined in accordance with the Laws of the State of Washington.

VI.

FORMER WILLS

I hereby revoke any and all former Wills by me made and declare this my LAST WILL AND TESTAMENT.

IN WITNESS THEREOF, I have hereto set my hand this 6th day of October, 1983.

Viola L. Whitney
VIOLA L. WHITNEY

The foregoing instrument, consisting of four (4) type-written pages, of which this is the third (3rd), was on the date thereof signed and published by VIOLA L. WHITNEY, who at said time, appeared to be of sound and disposing mind and memory, and was by her declared to be her LAST WILL AND TESTAMENT, in the presence of us, who at her request and in her presence and

TESTATRIX INITIALS: W.M.H.

DATE: Oct 6 1983

MICROFILMED
FEB 23 1993

B. I hereby direct and order that all just debts for which proper claims are filed against my estate, and the expenses of my last illness and funeral, be paid by my Personal Representative as soon after my death as is practicable; provided, however, that this direction shall not authorize any creditor to require payment of any debt or obligation prior to its normal maturity in due course.

C. I direct my Personal Representative to pay out to and charge to the assets of my residuary estate all the State and inheritance taxes lawfully predicated upon my death as a taxable event or lawfully imposed upon or assessed against my estate or any devise or bequest made hereby by any laws with respect to all property taxable under such laws by reason of my death, whether or not such property passes under this, my Will.

D. I further direct that my estate be settled without intervention of any Court, except to the extent required by law, and that my Personal Representative settle my estate in such a manner as shall seem best and most convenient to him or her.

III.

SPECIAL BEQUEST

A. I give, devise and bequeath to my daughter, DELORIS I. CHRISTENSON, or her issue, by right of representation, TEN THOUSAND AND NO/100 (\$10,000.00) DOLLARS, cash.

B. I give, devise and bequeath to my daughter, ELLEN M. DAHL, or her issue, by right of representation, TWELVE THOUSAND AND NO/100 (\$12,000.00) DOLLARS, cash.

C. I give, devise and bequeath to my son, LYLE W. VANDEVENTER, or his issue, by right of representation, EIGHT THOUSAND AND NO/100 (\$8,000.00) DOLLARS, cash.

D. I give, devise and bequeath to my daughter, BARBARA D. SHAY, or her issue, by right of representation, NINE THOUSAND AND NO/100 (\$9,000.00) DOLLARS, cash.

TESTATRIX INITIALS: WJH

DATE: Oct 6 1983

MICROFILMED
FEB 23 1993

RECEIVED
JUL 22 1991

LAST WILL AND TESTAMENT

Department of Water Resources

OF

VIOLA L. WHITNEY

KNOWN ALL MEN BY THESE PRESENTS: That I, VIOLA L. WHITNEY, of Moses Lake, Grant County, Washington, being of lawful age, possessed of sound mind and memory and not under the influence of any person or persons whomsoever, but realizing the uncertainties of life, do make and declare this instrument to be my LAST WILL AND TESTAMENT.

I.

DECLARATION CONCERNING FAMILY

A. I hereby declare that I am a widow and that my family consists of my children:

WANDA MAE HAAS, born July 27, 1934;
DELORIS I. CHRISTENSON, born December 15, 1935;
ELLEN M. DAHL, born July 25, 1938;
LYLE W. VANDEVENTER, born June 24, 1940;
BARBARA D. SHAY, born March 9, 1942;

at the time of the execution of this Will.

B. I make no bequest, gift, or devise to my children named in Paragraph I, or to any other child or children hereafter born or adopted by me, except as hereinafter stated.

II.

APPOINTMENT OF PERSONAL REPRESENTATIVE

A. I hereby nominate and appoint my beloved daughter, WANDA M. HAAS, Personal Representative of this My Last Will and Testament, to act without bond. In the event that my daughter WANDA M. HAAS, is for some reason unable or unwilling to act as Personal Representative, then I appoint my son-in-law, LESLIE L. HAAS, to serve as Personal Representative of my Last Will and Testament, without bond to act with full power and authority to sell, mortgage, lease, pledge, invest or otherwise to manage, encumber or dispose of all or part of my estate they shall consider best for the interest of my estate.

TESTATRIX INITIALS: Viola L. Whitney DATE: Oct 6 1983

MICROFILMED
FEB 23 1993

RECEIVED
JUL 22 1991

AFFIDAVIT SUPPORTING LAST WILL AND TESTAMENT Department of Water Resources

OF

VIOLA L. WHITNEY

STATE OF WASHINGTON)
) SS.
COUNTY OF GRANT)

BRUCE D. PINKERTON, MONTE L. SCAGGS, and MARIA LOUISA LOPEZ,
of lawful age and competent to witness, each being duly sworn
on oath, depose and say:

I reside in Grant County, Washington, and am over the age
of 18 years, I was acquainted with VIOLA L. WHITNEY
on October 6,, 19 83, and at the request of
VIOLA L. WHITNEY, the undersigned served as
attesting witnesses to her LAST WILL AND TESTAMENT which
was signed and executed by said VIOLA L. WHITNEY,
at Moses Lake, Grant County, Washington, on October 6,
19 83, in the presence of BRUCE D. PINKERTON, MONTE L. SCAGGS
and MARIA LOUISA LOPEZ, and each of the attest-
ing witnesses signed said LAST WILL AND TESTAMENT in the presence
of the testatrix and in the presence of each
other on October 6, 19 83, and said VIOLA L.
WHITNEY, did declare the same to be her
LAST WILL AND TESTAMENT, and at the same time that she was
of sound mind, legal age, and not acting under duress, menace,
fraud or the undue influence of any person whomsoever.

Bruce D. Pinkerton
BRUCE D. PINKERTON

Monte L. Scaggs
MONTE L. SCAGGS

Maria Louisa Lopez
MARIA LOUISA LOPEZ

SUBSCRIBED AND SWORN to before me this 6th day of
October, 19 83.

Judy K. Johnson
NOTARY PUBLIC in and for the State of
Washington, residing at Moses Lake.

Monte L. Scaggs
Attorney at Law
105-A West Broadway
Moses Lake, Washington 98837
509-765-1846

MICROFILMED
FEB 23 1993

in the presence of each other, have hereunto set our hand
as witnesses hereto this 6th day of October,
1983.

WITNESS:

ADDRESSES:

Maria Louisa Lopez, Moses Lake, Washington 98837

W. M. Lopez, Moses Lake, Washington 98837

Gene D. Rutter, Moses Lake, Washington 98837

TESTATRIX INITIALS:

U. L. 71

DATE:

Oct 6 1983

MICROFILMED
FEB 23 1993

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

NOV 13 1989

Ident. Number: A37-04175
Date Received: 9/07/1989
Receipt No: N/3375
Received By: TDX

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VIOLA WHITNEY 509-765-7659
Address: RT. 2 BOX 341
MOSES LAKE, WA 98837

2. Date of Priority: JUL 12, 1887

3. Source: ELK CREEK Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01N	15E	23	SW	SE			CAMAS

5. Description of diverting works:
DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.400		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01N	15E	26	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

A37-04175

Page 1

Date: 09/07/89

MICROFILMED
FEB 23 1993

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	15E	26	NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0
Section Acres								320.0
Total Acres								320.0

11. Place of use in counties: CAMAS

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 _____ 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): *x Viola L. Whitney* Date: *9/7/89*
_____ Date: _____

State of Idaho)
County of *Kootenai*) SS.

Subscribed and sworn (or affirmed) before me this *7* day

of *Sept.* 19 *89*

Allen Berckman
Notary Public

Seal

Residing at *Rathbun*

My Commission Expires *7/20/94*

NE 1/4 SEC 26
T 01 N, R 15 E B14
DAM IN STREAM
H37-04175

WHITNEY

①

Hydric

②

③

26°

A
W
89

grass

122

8

④

Hydric

⑤

Hydric

T.160

A-205

(A-96)

(A-36)

137

A

Hydric

①

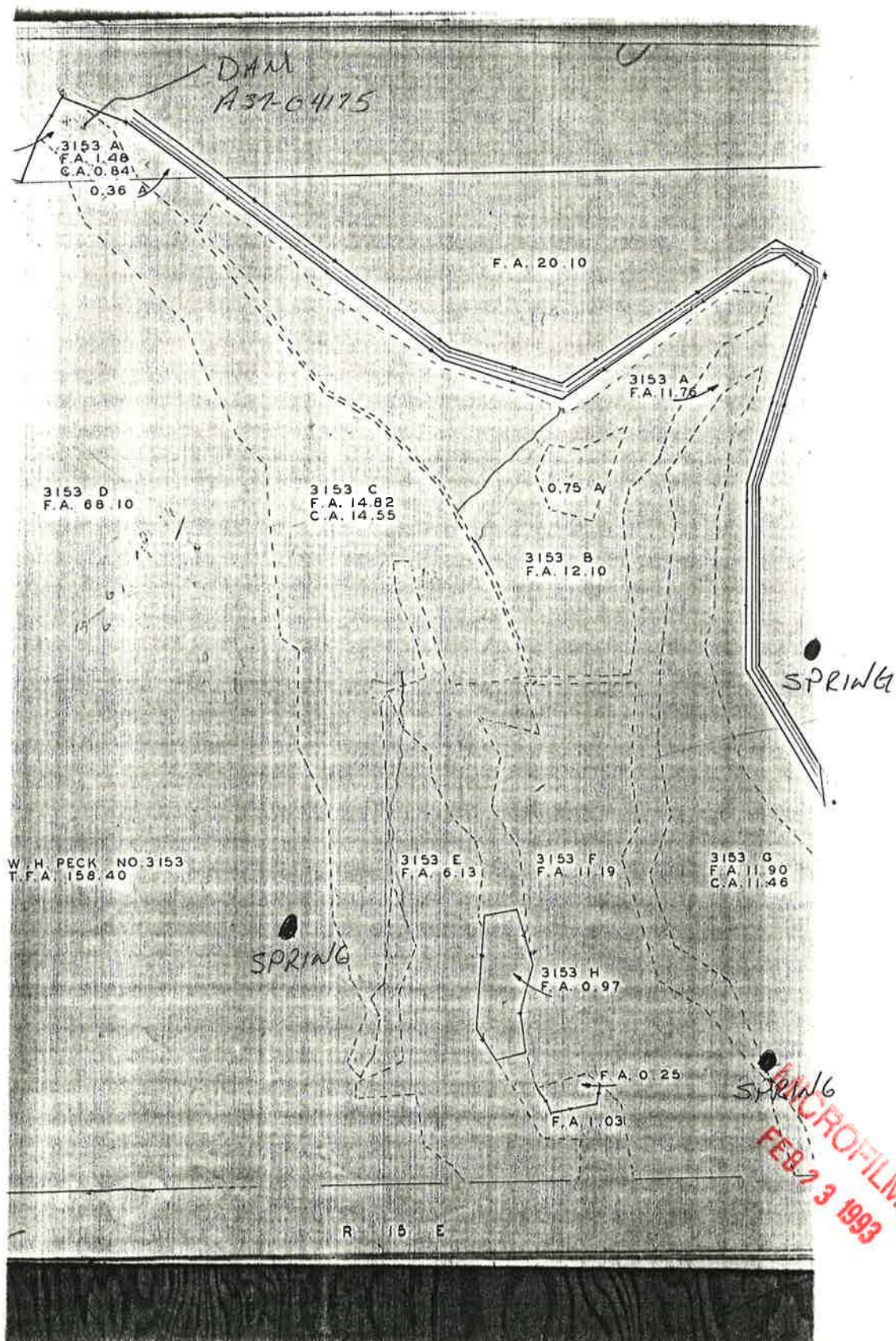
MICRO-LOINED
FEB 23 1993
T 01 N

35R

26

25

36



10/17/2006

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

RIGHT NUMBER: 37-4175

NAME AND ADDRESS: WANDA MAE HAAS
17402 S IBEX AVE
ARTESIA CA 90701

LESLIE L HAAS
17402 S IBEX AVE
ARTESIA CA 90701

SOURCE: ELK CREEK

TRIBUTARY: CAMAS CREEK

QUANTITY: 1.250 CFS

PRIORITY DATE: 12/14/1909

POINT OF DIVERSION:

T01N R15E S23 NWSWSE Within CAMAS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/15 10/31	1.250 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R15E S26	NENE	7.30	T01N R15E S26	NWNE	2.80
T01N R15E S26	SWNE	8.10	T01N R15E S26	SENE	21.00
T01N R15E S26	NESE	32.00	T01N R15E S26	NWSE	9.80
T01N R15E S26	SWSE	22.00	T01N R15E S26	SESE	37.00

140 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 140 acres in a single irrigation season. Combined Right Nos.: 37-473B, 37-474B, and 37-4175.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

SRBA Recommendation:

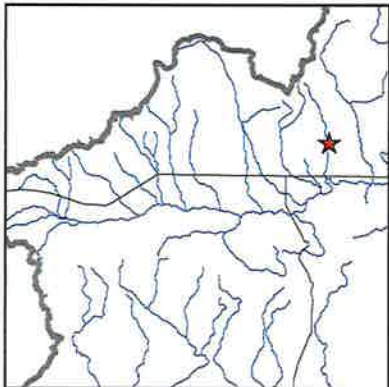
37-473B

37-474B

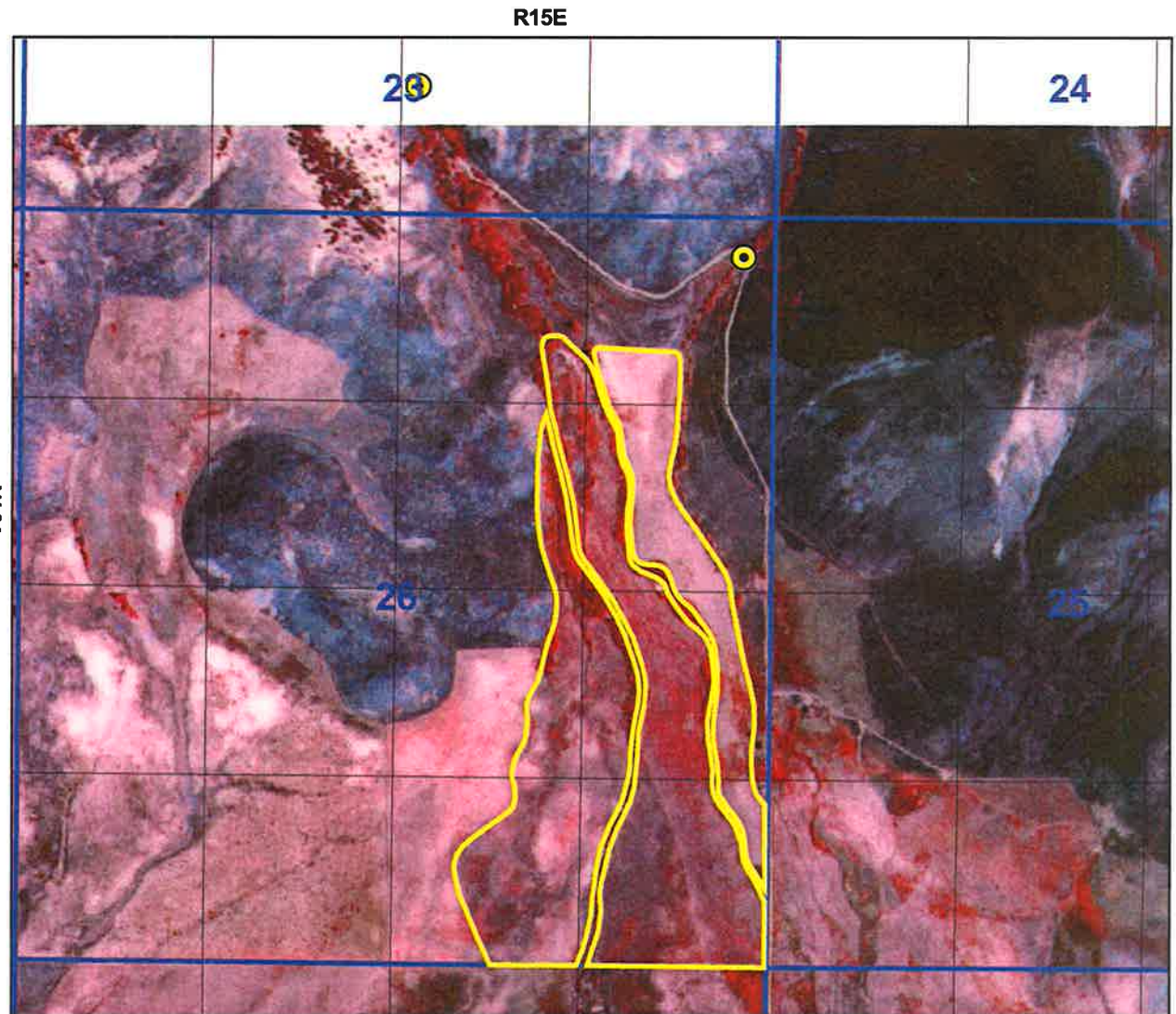
37-4175

Legend

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



Camas County
IDWR Basin 37



0 0.25 0.5 Miles



Prepared by M. Anders
On Tuesday, October 17, 2006
1987/88 Aerial Photography

37- 4175

I, Charles Gaskill, of Fairfield, Idaho, started farming the property inherited by Viola Whitney in 1957, after the death of her father, William Peck, until the present time. I have, together with the tenants farming the other half of the former William and Laura Peck property and the present owners Kenneth and Roselyn Peck, used and shared all the waters from Elk Creek and Minnehaha Creek for irrigation during the irrigating season since that time. No one else ever used any of these waters, until Dennis Craig Baldwins application for water in 1978.

Edward V. Reagan

State of Idaho

County of Camer

Sworn to before me this 8 day of March, 1982

Edward V. Reagan
Notary Public

Fairfield, Idaho
Residing at

My commission expires 9-20-83

7

We, Newell Brooks and Lola Brooks, of Fairfield, Idaho,
farmed the land in 1937 and 1938 now owned by Dennis
Craig Baldwin on Elk Creek. William Peck used all the
water of Elk Creek and Minnehaha Creek for irrigation
on his ranch above ours and no other ranches were
allowed use of these waters.

Newell Brooks

Lola Brooks

State of Idaho

County of Camas

Sworn to before me this 26 day of Feb., 1983

Edward V. Reagan
Notary Public

Fairfield, Idaho
Residing at

My Commission expires 9-30-83

RECORDED

I Dean Shaffer of Gooding, Idaho farmed the property held in the Laura Peck Trust after the death of William (Bill) Peck in 1956 until the property was purchased by Kenneth and Roselyn Peck in 1976. I, together with Charles Gaskill used and shared all the water of Elk Creek and Minnehaha Creek during the irrigating season. During the time I farmed the property no one else ever used any of these waters.

Dean Shaffer

State of Idaho

County of Gooding

Sworn to before me this 23 day of February, 1982

Pauline M. Jackson
Notary Public

Gooding, Idaho
residing at

My commission expires 11-13-85

UNRECORDED

I, Fred Walton, of 509 13 Ave. W., Gooding, Idaho, moved with my family to the ranch in 1909, which is now owned by Dennis Craig Baldwin on Elk Creek in Camas County. We lived there for many years and my father plowed up all the ditches that were on the place because all the water was used on the William Peck and Herman Mehle ranches above ours, and no water was allowed to reach ours during the irrigating seasons.

Fred Walton

State of Idaho

County of Gooding

Sworn to before me this 1st day of March, 19 82

Mary Schmitt
Notary Public for Idaho

Gooding, Idaho
Residing at

My Commission expires Feb. 10, 1985

We, Robert Gaskill and Darlene Gaskill, of 304 N. Apple, Shoshone, Idaho, farmed the William and Laura Peck property from 1951 through 1955 and we used all of the waters of Elk Creek and Minnehaha Creek for irrigation during the irrigating season on their 640 acres situated on Elk Creek in Camas County. No one else used any of these waters for irrigation during that time.

Darlene Gaskill

Robert Gaskill

State of Idaho

County of Latah

Sworn to before me this 12th day of March, 1952

Julie L. Pagnan
Notary Public

Shoshone, Idaho
Residing at

My Commission expires November 1953

MICROFILMED

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

MAY 19 2005

DEPARTMENT OF
WATER RESOURCES

Ident. Number: A37-04175
Date Received: 10/6/1989
Receipt No: N003375
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WANDA MAE HAAS
Address: 17402 S. IBEX AVE.
ARTESIA, CA

213-860-5832

OR

90701

Name: LESLIE L. HAAS
Address: 17402 S. IBEX AVE.
ARTESIA, CA

213-860-5832

90701

2. Date of Priority: JUL 12, 1887

3. Source: ELK CREEK

Trib. to: CAMAS CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01N	15E	23	SW SE		CAMAS

5. Description of diverting works:
DAM & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.400		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use
01N	15E	26	NE NE		IRR

A37-04175

Page 1

Date: 07/22/91

Evidence of Priority
response info
(see vault files for more)
37-4174, different
owner, same
stream(s), issues

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	15E	26	NW		NE		IRR	40.0
			SW		NE		IRR	40.0
			SE		NE		IRR	40.0
			NE		SE		IRR	40.0
			NW		SE		IRR	40.0
			SW		SE		IRR	40.0
			SE		SE		IRR	40.0

Section Acres 320.0

Total Acres 320.0

11. Place of use in counties: CAMAS

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



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