

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 37-10118
Date Received: 6/10/1988
Receipt No: S000391
Received By: KAW

C081451

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

JUN 09 2006

DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant(s)

ARLIN KELLY DENNIS
RT 1 BOX 1278
FAIRFIELD ID USA 83327

Phone: (208)764-2397

JANET LYNN DENNIS
RT 1 BOX 1278
FAIRFIELD ID USA 83327

Phone: (208)764-2397

2. Date of Priority: 01/01/1908

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	14E	32	SE SE SE	CAMAS	

5. Description of diverting works:

WOOD AND ROCK DAM WITH DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/15	2	

7. Total Quantity Appropriated is:
2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

01N	14E	9	NW	NE	IRRIGATION	1
			NE	NW	IRRIGATION	26
			NW	NW	IRRIGATION	6
			SE	NW	IRRIGATION	5
					Section Acres	38
					Total Acres	38

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:

14. Remarks:

ONLY USED DURING FLOODWATER FLOWS.

***** OWNERSHIP CHANGE
8/29/90 BY JG.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: 1 check

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): A Kelly [Signature] Date: 6-6-06
6-6-06 Date:

State of Idaho)
County of Camas) SS.

Subscribed and sworn (or affirmed) before me this
of June 6th 2006

Karen Blodgett

Notary Public

Residing at Fairfield, ID

My commission Expires Deputy Clerk

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
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CIVIL CASE NUMBER: 39576

Ident. Number: A37-10118
Date Received: 6/10/1988
Receipt No: S000391
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARLIN KELLY DENNIS 208-764-2397
Address: P.O. BOX 213
FAIRFIELD, ID 83327
AND/OR
Name: JANET LYNN DENNIS 208-764-2397
Address: P.O. BOX 213
FAIRFIELD, ID 83327
2. Date of Priority: JAN 01, 1908
3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	14E	32	SE	SE	SE		CAMAS
5. Description of diverting works:
WOOD AND ROCK DAM WITH DITCHES
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	2.000		
7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 48.0 Acre Feet Per Annum.
9. Non-irrigation uses:
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	14E	9	NW	NE		IRR	4.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	14E	9	NE	NW		IRR	4.0
			NW	NW		IRR	4.5
			SE	NW		IRR	3.5

Section Acres 16.0

Total Acres 16.0

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:
37-0039 & 37-4412

14. Remarks:

ONLY USED DURING FLOODWATER FLOWS.

OWNERSHIP CHANGE 8/29/90 BY JG.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of) SS.
_____)

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

AUG 27 1990

CHANGE IN OWNERSHIP

Department of Water Resources Page 1

Southern Region Office

This form is solely for purposes of notifying IDWR of a change in ownership of an adjudication claim.

[] Water Right Number(s): A-3700039, A-370004412, A-3710118

[] Name and Address of
Former Claimant(s): N. E. Leek and Patricia A. Leek
Fairfield, Idaho

[] New Claimant(s): ARLIN KELLY DENNIS and JANET LYNN DENNIS

[] New Mailing Address: Box 213, Fairfield, Idaho 83327

New Telephone Number: (208) 764 - 2397

[] Does the change in ownership result in a splitting of the water right claimed? yes xx no
If yes, then describe the portion of the water right that is now claimed by the new owner:

[] Attach proof of ownership
Describe proof attached: COPY OF RECORDED WARRANTY DEED
(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 claimant.)

[] Signature of New Claimant(s): Arlin Kelly Dennis
Janet Lynn Dennis
Arlin Kelly Dennis
Janet Lynn Dennis
Date: August 21, 1990

MICROFILMED
FEB 24 1993

CHANGE IN OWNERSHIP

Page 2

[] Signature of Former 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: 8/29/90 By: LG

Further Action Needed:

Further Action Taken
Date: By:

Final Review and Data-Entry
Date: 8/29/90 By: LG

Claim Numbers of Split, if any:



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

28-Aug-1990 16:29

Arlin Kelly &/or Janet Lynn Dennis
P.O. Box 213
Fairfield, ID 83327

Re: Adjudication Water Right No.(s) A37-00039, 04412 & 10118

Dear Mr. & Mrs. Dennis:

The Department has changed the record of the current owner as you requested on the above listed adjudication water right. Please find enclosed a copy of the computer record of the claim(s) noting the change in claimant. Please review the record and if you have any corrections, please contact this office.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

Encl:

c.c. Janet Gorrell
Land Title & Escrow
Gooding

MICROFILMED

FEB 24 1993

WARRANTY DEED

COPY

For Value Received PATRICIA LEEK, CHAPMAN BALLARD LEEK, PHYLLIS IRENE
PETTEWAY, FRANCES P. MCCONNELL, and THERESA L. DENNIS

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
ARLIN KELLY DENNIS and JANET LYNN DENNIS, husband and wife
Box 213
Fairfield, Idaho 83327

Hereinafter called the Grantee, the following described premises situated in Camas County, Idaho,
to-wit:

TOWNSHIP 1 NORTH, RANGE 14 EAST BOISE MERIDIAN
Section 9: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$

Together with all water rights appurtenant thereto.

RECEIVED

AUG 27 1990

Department of Water Resources
Southern Region Office

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee
and to the successors heirs and assigns of the Grantee forever. The 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 incumbrances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

Dated: July 20, 1990.

Patricia A. Leek
Patricia Leek

Frances P. McConnell & Theresa L. Dennis
Frances P. McConnell-Attorney in Fact
Phyllis Irene Petteway & Theresa L. Dennis
Phyllis Irene Petteway-Attorney in Fact

Chapman Ballard Leek & Theresa L. Dennis
Chapman Ballard Leek-Attorney in Fact Theresa L. Dennis

STATE OF IDAHO, COUNTY OF Camas

On this 20th day of July, 1990,
before me, a notary public in and for said State, per-
sonally appeared

PATRICIA LEEK

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that she executed the same.

William M. Colter Notary Public
Residing at Fairfield
Commission Expires: 07-17-1995, Idaho.

66008
used for Record as the required
THE IDAHO DEPARTMENT OF
STATE OF IDAHO
County of Camas
I hereby certify that the foregoing
was filed for record in my office at:
11:45 AM
7-20-90
duly recorded in Book 27
Page 571
DEEDS
County Records
Tape
MICROFILMED
FEB 24 1993

ACKNOWLEDGMENT

STATE OF IDAHO)
)
County of Gooding) ss.

On this 20th day of July, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared THERESA L. DENNIS, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on the day and year in this instrument first above written.

Craig Hobbs
NOTARY PUBLIC FOR IDAHO;
Residing at Gooding
Commission Expires: 10-24-94

STATE OF IDAHO)
)
County of Gooding) ss.

On this 20th day of July, 1990, before me, the undersigned, Notary Public in and for said State personally appeared THERESA L. DENNIS known to me to be the person whose name is subscribed to the within instrument as the Attorney in Fact for PHYLLIS IRENE PETTEWAY, CHAPMAN BALLARD LEEK, and FRANCES P. MCCONNELL and acknowledged to me that she executed the name of Phyllis Irene Petteway, Chapman Ballard Leek and Frances P. McConnell thereto as principal, and her own name as Attorney in Fact.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Craig Hobbs
NOTARY PUBLIC FOR IDAHO;
Residing at Gooding
Commission Expires: 10-24-94

MICROFILMED
FEB 24 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

Ident. Number: A37-10118
Date Received: 6/10/1988
Receipt No: S000391
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: N.E. LEEK
Address: P.O. BOX 310
FAIRFIELD, ID 83327
AND/OR
Name: PATRICIA A. LEEK
Address: FAIRFIELD, ID 83327
208-764-2311
2. Date of Priority: JAN 01, 1908
3. Source: SOLDIER CREEK Trib. to: CAMAS CREEK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02N	14E	32	SE	SE	SE		CAMAS
5. Description of diverting works:
WOOD AND ROCK DAM WITH DITCHES.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	2.000		
7. Total Quantity Appropriated is:
2.000 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 48.0 Acre Feet Per Annum.
9. Non-irrigation uses:

A37-10118

Page 1

Date: 06/10/88

MICROFILMED

FEB 24 1993

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01N	14E	9	NW		NE		IRR	4.0
			NE		NW		IRR	4.0
			NW		NW		IRR	4.5
			SE		NW		IRR	3.5
							Section Acres	16.0
							Total Acres	16.0

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:
37-0039, 37-4412.

14. Remarks:
ONLY USED DURING FLOODWATER FLOWS.

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

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: _____

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): *Y E Leek* Date: 6-10-88

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 10th day

of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at *Gooding Id*
My Commission Expires 10/16/1992

DESERT

OTTO
FLORENCE
A5

A-334

617

T9 NB
LEE K

A-173

A-13

58.4

X 5.5

169

119

19

31

5

7

28

32

330

3

74

129

8

357 NB

Ed Smith 83

1

3

24

2

443

1

1

1

1

Gresler

Ed Smith A 43

144

MICROFILMED

FEB 24 1983

RECEIVED

NOV 22 2006

11/01/2006

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: November 21, 2006

Water right number: 37-10118

ARLIN KELLY DENNIS

RT 1 BOX 1278

FAIRFIELD ID 83327

Telephone Number: (208)764-2397

JANET LYNN DENNIS

RT 1 BOX 1278

FAIRFIELD ID 83327

Telephone Number: (208)764-2397

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

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

I would like this right to be allowed based on evidence presented to Dept.

3. Give a brief explanation as to why you disagree with these portions:

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

DATE: 11-18-06

SIGNATURE: A Kelly Dennis

Please print your name: A Kelly Dennis

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (800)451-4129

SCANNED
NOV 27 2006

10/10/2006

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

RIGHT NUMBER: 37-10118
NAME AND ADDRESS: ARLIN KELLY DENNIS
RT 1 BOX 1278
FAIRFIELD ID 83327

JANET LYNN DENNIS
RT 1 BOX 1278
FAIRFIELD ID 83327

SOURCE: SOLDIER CREEK TRIBUTARY: CAMAS CREEK
QUANTITY: 0.760 CFS
PRIORITY DATE: 12/31/1933
POINT OF DIVERSION:
T02N R14E S32 SESESE 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	0.760 CFS

PLACE OF USE: IRRIGATION Within CAMAS County

T01N R14E S09	NWNE	1.00	T01N R14E S09	NENW	25.00
T01N R14E S09	NWNW	6.50	T01N R14E S09	SENW	5.50

38 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



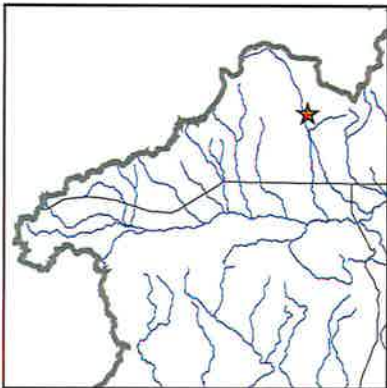
Idaho Department of Water Resources

SRBA Recommendation:

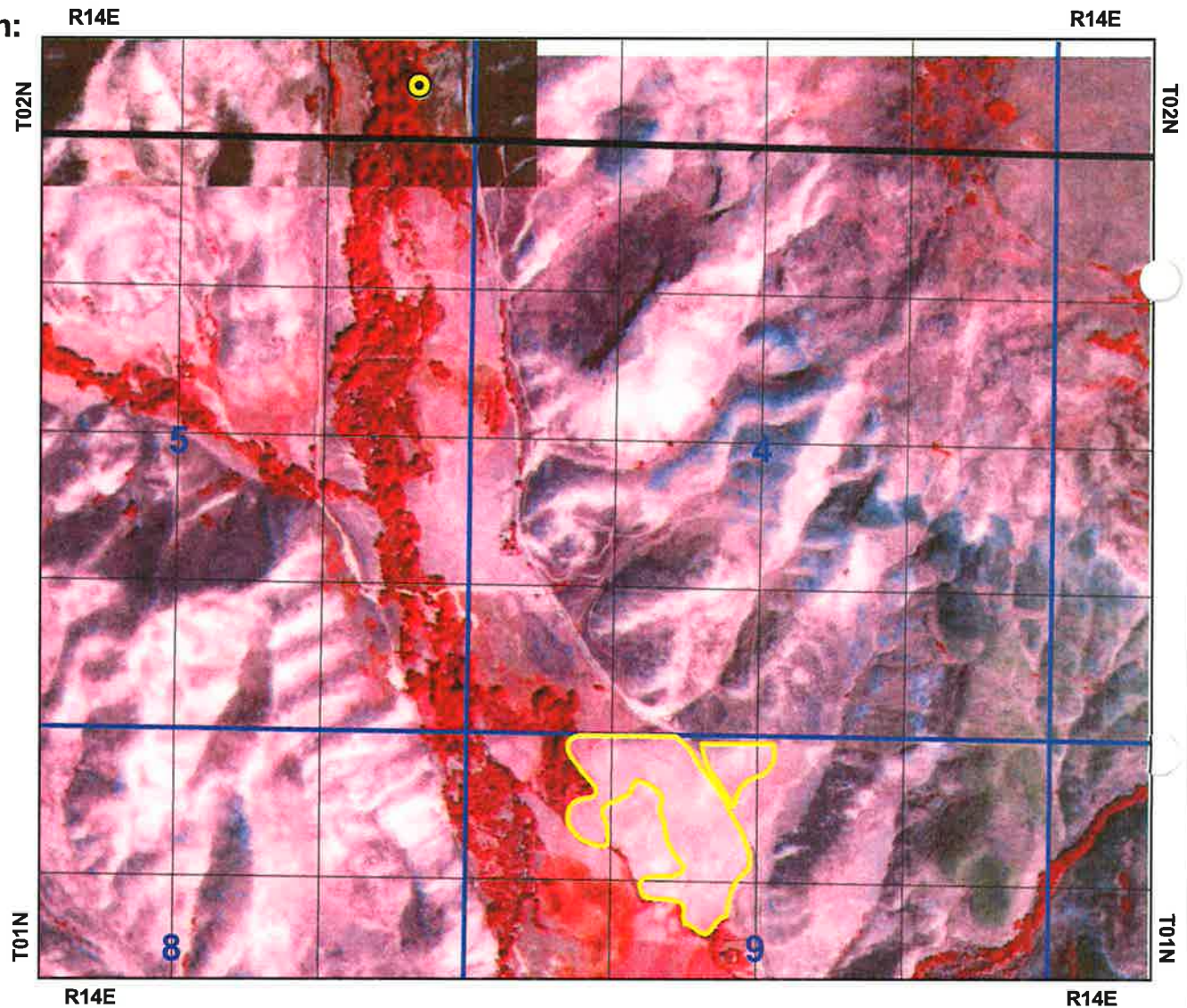
37-10118

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 10, 2006
1987/88 Aerial Photography

Adjudication Claim Notes

Claim(s): 37-10118

Background Data

- Beneficial Use Claim
- Source is Soldier Creek tributary to Camas Creek
- Claimed 2.0 cfs of Flood Water for Irrigation of 38 acres

Place Of Use Data

Yellow line is the draft Place of Use created by IDWR based on historical data and records.

Yellow dot is draft Point of Diversion created by IDWR based on historical data and records.

Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo

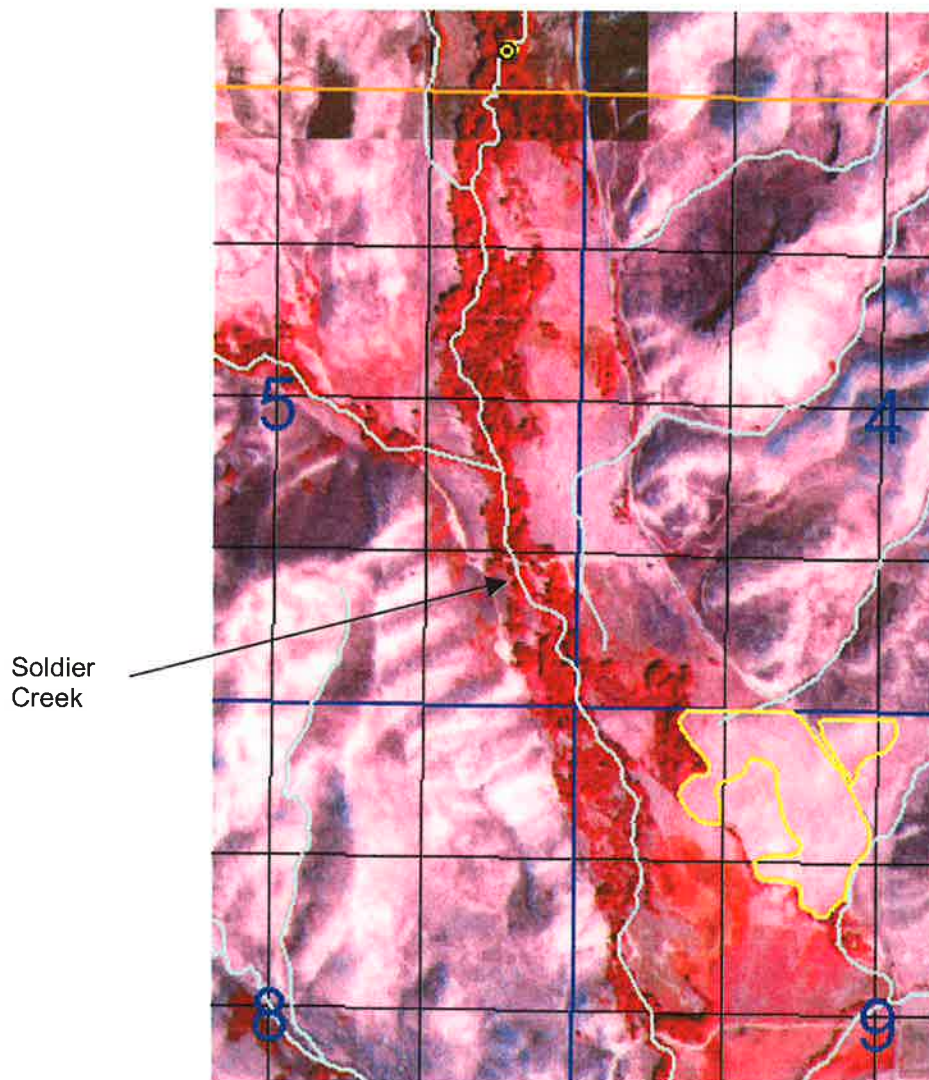




Photo of POD taken during field exam.



Photo of POD taken during field exam.

Notes

T1N R14E Section 9

- Found 38 acres for Irrigation.
- A field exam was conducted in May 2006. The ditch and piping used to deliver the water were not measured, but they were observed during a field exam and appear to be adequate to deliver 0.76 cfs. Soldier Creek had adequate water available for this claim. The claimed POU appeared irrigated on the 1987 aerial photo.
- A field exam was conducted in September 2006 to measure the diversion rate. There was insufficient water to divert from Soldier Creek.
- Recommended priority date of 12/31/1933 based on affidavit by T.L. Dennis.
- Recommended diversion rate of 0.76 cfs for 38 acres.
- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

File No.

37-10118

Arlin Kelly Dennis
Rt 1 Box 1278
Fairfield, Id

9/6/06

This afternoon I met Kelly and reviewed his file for Soldier Cr. Water and he drew the ditch from the POD to his property as shown on photo and he informed me that this POD is for his, Jerry Strickland and Otto Florence water from soldier cr. When they have water which they haven't since approx middle of July. He told me that the area marked yellow looks OK , and his land is all sub irrigated no pump sprinklers just flood by gated pipe as marked on photo flowing sort of south west on property. His property and neighbors is all dry and he told me he could not get water out of soldier creek , so we went up north to his POD , photo # 1030313 looking South down stream, is the logs in the creek to divert water out into their ditch and photo 1030314 looking SW is the head of their diversion which is dry and has been for some time. Kelly said about the only people using soldier cr. Water is the users at the head of the creek that can get it out.

Description	GPS Name & No.	Position No.	USR No.	Plate No.	Photo No.
Soldier Cr	Kelly 1	2434574	1362282	None	1030313=314

Lee R. Peterson

Adjudication Claim Notes

Claim(s): 37-10118

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- Beneficial Use Claim
- Source is Soldier Creek tributary to Camas Creek
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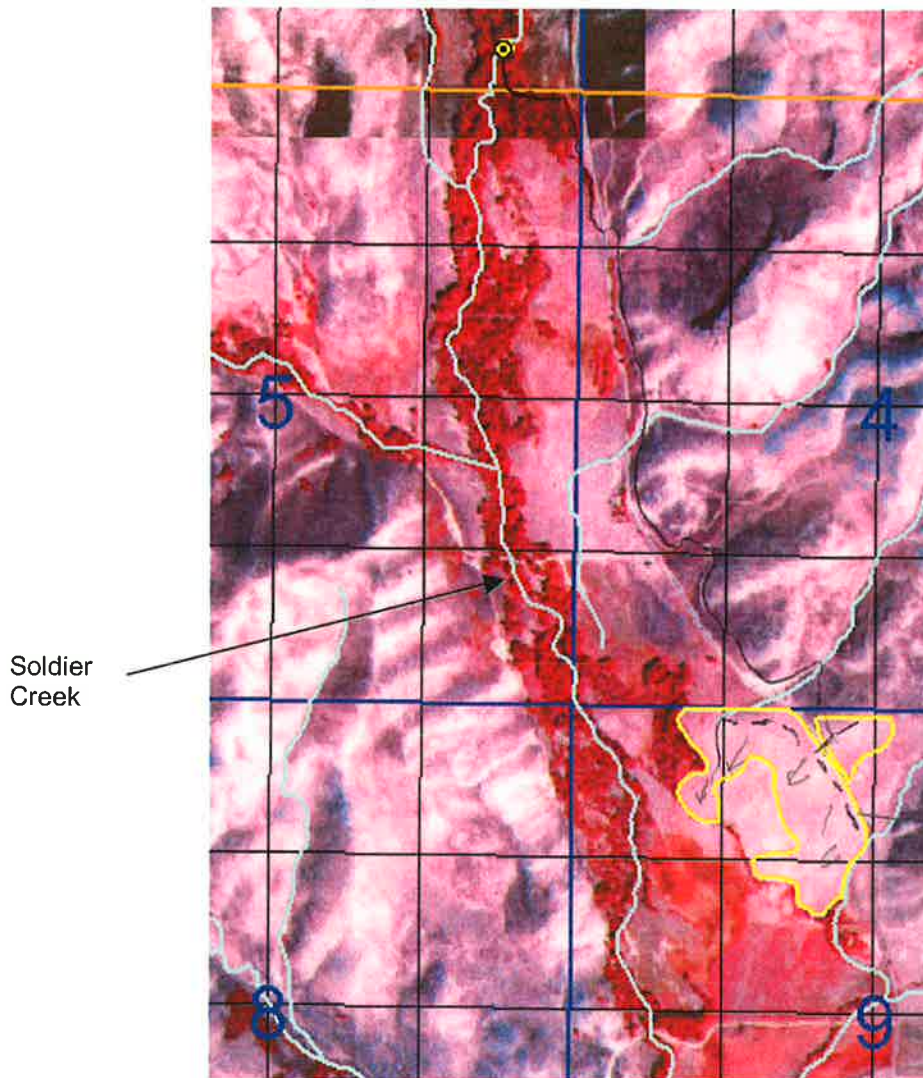
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Green line is decreed/licensed POU (this may only represent the Quarter-Quarter sections of the decree/license)

1987 Aerial Photo



share head gate
Jerry Strickland
Off Florence

Kelly - today
is dry and has
been from approx
middle July

Yellow area looks
OK

gated
pipe

211 sub irr
no pump no
sprinkler

To do for field exam:

- 1) Measure diversion rate

cell
358-2397

6 mile N. 4th St
Purple Keweenaw Tunnel
no part
W 8th St
turn off
Tunnel



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Kelly Dennis
Rt 1 Box 1278
Fairfield, ID 83327

Re: Snake River Basin Adjudication claim 37-10118

Mr. Dennis,

You filed beneficial use claim 37-10118 in Snake River Basin Adjudication for 2.0 cfs for irrigation of 16 acres. When Steve Clelland and I met with you last week, you indicated that the acreage of the claim was incorrect and you irrigate more land. Based on the area you identified, I have calculated that you irrigate 38 acres. To increase the acreage of your claimed place of use, you will need to amend claim 37-10118.

Attached is the amended claim for 37-10118. The only change from the original claim you filed is the acreage of the place of use is now 38 acres (see attached map). Please sign the claim, have it notarized, and return it to me with a check for \$22. This fee represents \$1 per acre for the additional land you are claiming.

If you do not return the signed amended claim and a check for \$22, the amendment will not be valid and your place of use will be the 16 acres you originally claimed.

Feel free to contact me at (208) 287-4937 if you have any questions.

Sincerely,

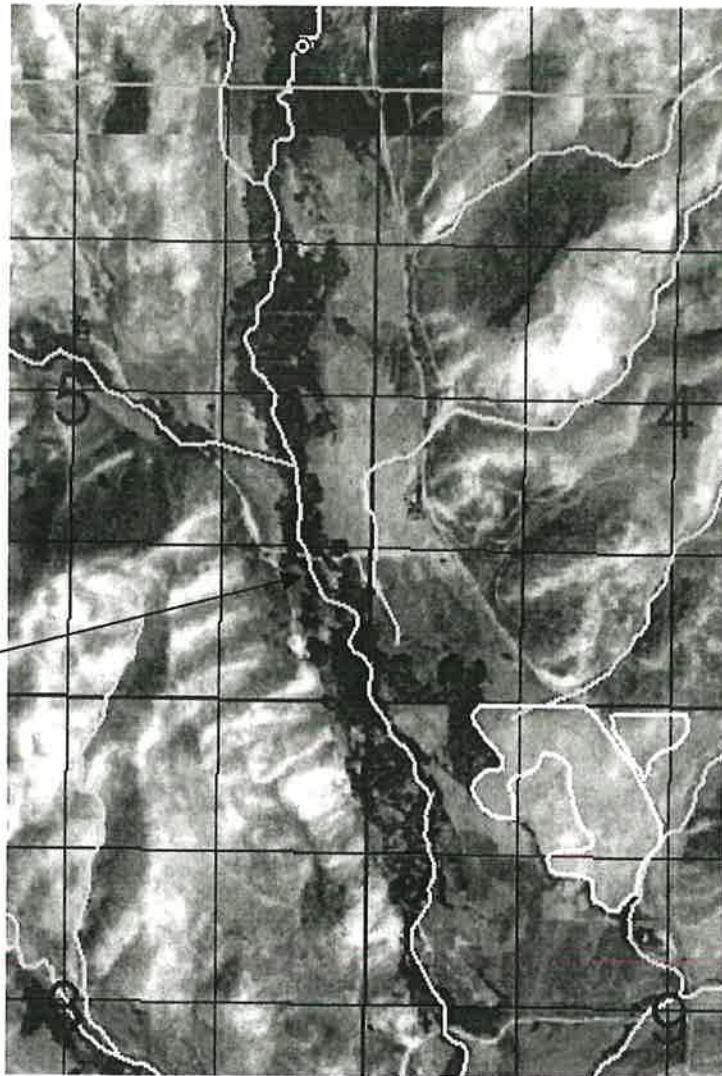
Matt Anders
GIS Specialist – Snake River Basin Adjudication

Place Of Use Data

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1987 Aerial Photo

Soldier
Creek



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IN RE THE GENERAL ADJUDICATION
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CIVIL CASE NUMBER: 39576

Ident. Number 37-10118
Date Received: 6/10/1988
Receipt No: S000391
Received By:

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

1. Name of Claimant(s)

ARLIN KELLY DENNIS
RT 1 BOX 1278
FAIRFIELD ID USA 83327

Phone: (208)764-2397

JANET LYNN DENNIS
RT 1 BOX 1278
FAIRFIELD ID USA 83327

Phone: (208)764-2397

2. Date of Priority: 01/01/1908

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
02N	14E	32	SE SE SE	CAMAS	

5. Description of diverting works:

WOOD AND ROCK DAM WITH DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/15	2	

7. Total Quantity Appropriated is:
2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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01N	14E	9	NW	NE	IRRIGATION	1
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					Total Acres	38

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

13. Other Water Rights Used:

14. Remarks:

ONLY USED DURING FLOODWATER FLOWS.

***** OWNERSHIP CHANGE
8/29/90 BY JG.

15. Basis of Claim: Beneficial Use

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Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____

Date:

State of Idaho)
County of _____) SS.

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

Notary Public

Residing at _____

My commission Expires _____

Statement

I grew up on Soldier Creek and went to Grade school at the junction of Soldier Road and Phillips creek creek road. The ditch referred to as the 'high line ditch' had water in it from 1931 to 1939. the years I lived in that area. The ditch was next to the school yard and we played in it. Further in 1968 when visiting Norman Leek, son of Irene Leek, he was irrigating with the water from the 'high line ditch' He indicted he had too much water and asked if Dad and I would shut the head gate down 2 turns , which we did. The 'high line ditch' has been a source of irrigation water for Aunt Irene's property continuously, to my knowledge. I am 79 years of age.

Jack F. Renfrow



STATE OF IDAHO)
)
COUNTY OF CAMAS)

On this 30 day of SEPTEMBER in the year 2005, before me, a Notary Public, personally appeared JACK F. RENFROW known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.



Clerk of the District Court
Presiding at Fairfield, Idaho

SCANNED
OCT - 8 2005

37-16118

OCT 05 2005

Department of Water Resources

10-04-05 Statement

My grandfather Phillip Ballard constructed the long "high line" ditch originating from Soldier Creek in the early 1880's. It was for the irrigation of his property. The property was then deeded to Irene Ballard Leek (daughter of Phillip Ballard) who was married to Chapman H. Leek. The ditch was the source of irrigation for the property owned by my parents Chapman and Irene Leek since 1908. I remember water being in the ditch and helping my father when I was ten years old. The ditch has been the source of irrigation water for this property continuously since its construction. I am now 82 years old.

Theresa Leek Benjamin

37-10118

SCANNED
OCT 05 2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-10118

WATER RIGHT NUMBER: 37-10118

06/23/2005
RECEIVED
DEC 06 2005
DEPARTMENT OF
WATER RESOURCES

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARLIN KELLY DENNIS PO BOX 213 FAIRFIELD, ID 83327 (208)764-2397
Current Owner	JANET LYNN DENNIS PO BOX 213 FAIRFIELD, ID 83327 (208)764-2397
Original Owner	PATRICIA A LEEK PO BOX 310 FAIRFIELD, ID 83327 (208)764-2311
Original Owner	N E LEEK PO BOX 310 FAIRFIELD, ID 83327 (208)764-2311

R+1 Box 1278

" A Kelly Dennis

Q: This report (37-34) was changed

Priority Date: 01/01/1908
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
SOLDIER CREEK	CAMAS CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/15	2.000 CFS	
	<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

SOLDIER CREEK	SE1/4SE1/4SE1/4	Sec. 32, Twp 02N, Rge 14E, B.M.
CAMAS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	14E	9																	
				4.0				4.0	4.5				3.5						16.0

Total Acres: 16

Conditions of Approval:

1. ONLY USED DURING FLOODWATER FLOWS.
***** OWNERSHIP CHANGE 8/29/90 BY JG.

SCANNED
DEC 06 2005



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

Re: Evidence of Priority

RESPONSE DEADLINE
JUNE 17, 2005

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