

RECEIVED

MAY - 3 2002

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 37-10363
Date Received: 6/30/1988
Receipt No: S000652
Received By:

AMENDED

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

1. Name of Claimant(s)

SID LEZAMIZ

Phone: (208) 487-2610

1027 E 720 N

RICHFIELD ID USA 83349

2. Date of Priority: 09/01/1959

3. Source: GROUND WATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
04S	19E	33	NW	NW	NE	LINCOLN	

5. Description of diverting works:

WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
COMMERCIAL	1/01	12/31	0.39	

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

8. Total consumptive use:

SCANNED
MAY 11 6 2002

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04S	19E	33	SE	NE	COMMERCIAL	

11. Place of use in counties: LINCOLN

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

13. Other Water Rights Used:

14. Remarks:

AMENDED CLAIM FOR UPDATED PRIORITY DATE BASED ON AFFIDAVIT BY JOHN T. LEZAMIZ,
4-15-02 SCC.

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

SCANNED
MAY 11 6 2002

Number of attachments: _____

For Individuals:

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

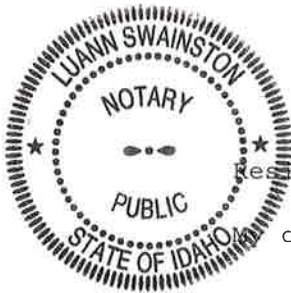
Signature of Claimant(s): *Lee Szymanski* Date: 4-29-02

_____ Date: _____

State of Idaho)
County of Lincoln) SS.

Subscribed and sworn (or affirmed) before me this

of April 29 2002



Luann Swainston

Notary Public

Residing at

Richfield Idaho

commission Expires

7-19-05

SCANNED
MAY 06 2002

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: A37-10363
Date Received: 6/30/1988
Receipt No: S000652
Received By: lw

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SID LEZAMIZ
Address:

208-487-2610

1027E 720N
RICHFIELD, ID

83349

2. Date of Priority: JAN 01, 1975

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	19E	33	NW	NW	NE		LINCOLN

5. Description of diverting works:
WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.390		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

C/ 600 DAIRY CATTLE & BARN

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04S	19E	33	SE	NE		COMMER	

11. Place of use in counties: LINCOLN

A37-10363

Page

1

Date: 06/30/88

MICROFILMED

FEB 25 1993

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: 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): Sid Lezario Date: 6/30/88

Date: _____

State of Idaho)
County of T.F.) SS.

Subscribed and sworn (or affirmed) before me this 30th day
of June 19 88

Lois White
Notary Public

Seal

Residing at T.F.
My Commission Expires 5/95

06/22/2002

RECEIVED
JUL 11 2002

NOTICE OF ERROR
REPLY

Department of Water Resources

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: July 23, 2002

Water right number: 37-10363

SID LEZAMIZ

1027 E 720 N

RICHFIELD ID 83349

Telephone Number: (208)487-2610

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:

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

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

DATE: 6/28/02 SIGNATURE: Sid Lezamy
Please print your name: SID LEZAMIZ

IDWR State Office, PO Box 83720, Boise ID 83707-9815

06/04/2002

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

RIGHT NUMBER: 37-10363

NAME AND ADDRESS: SID LEZAMIZ
1027 E 720 N
RICHFIELD ID 83349

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.11 CFS
41.0 AFY

PRIORITY DATE: 09/01/1959

POINT OF DIVERSION:

T04S R19E S33 NWNWNE Within LINCOLN County

T04S R19E S33 NENENW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

COMMERCIAL

01/01 12/31

0.110 CFS

41.00 AFY

PLACE OF USE:

COMMERCIAL Within LINCOLN County

T04S R19E S33

NWNE

T04S R19E S33

NENW

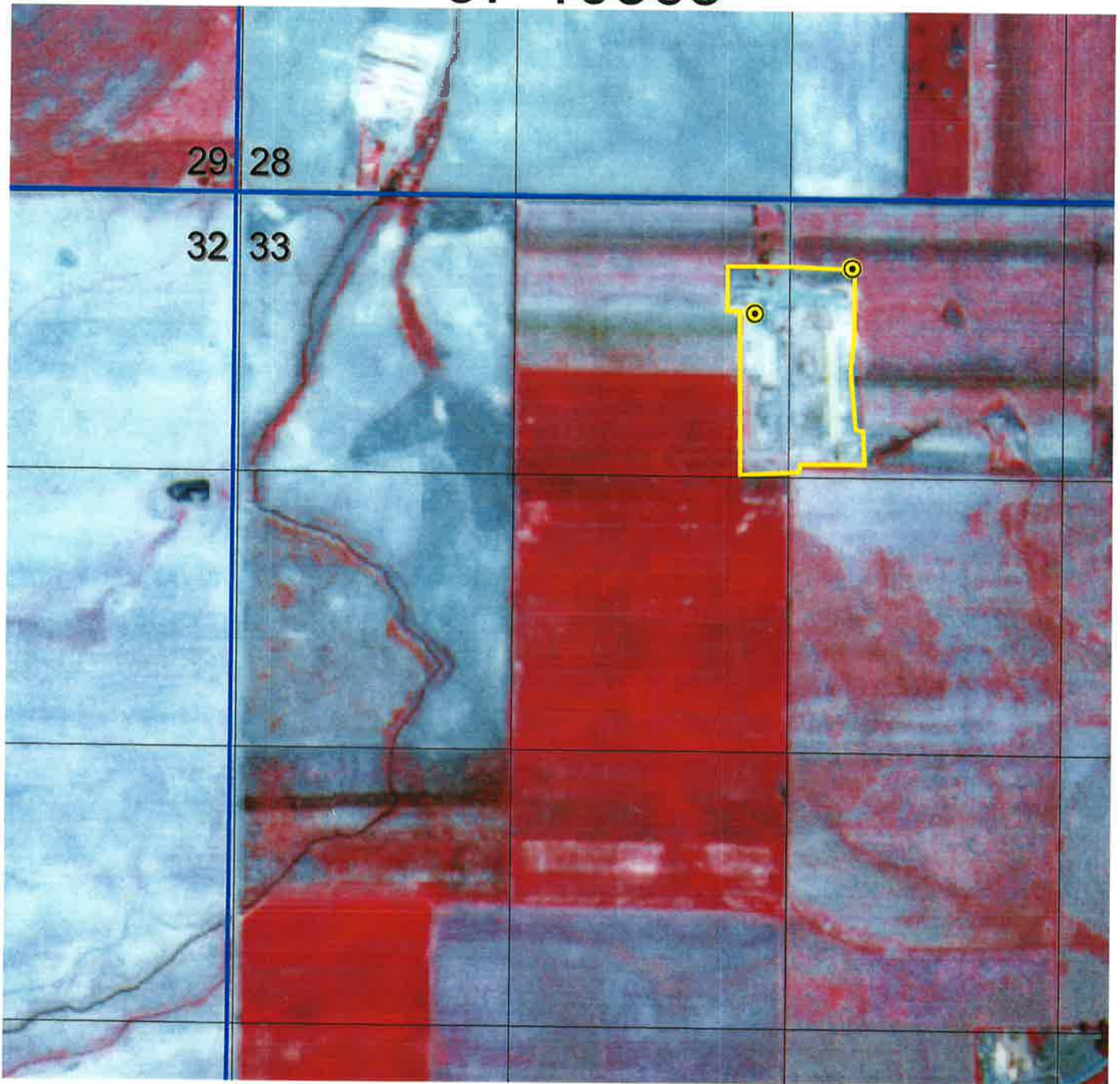
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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: Beneficial Use

IDAHO DEPT OF WATER RESOURCES

37-10363



1320 0 1320 Feet

- Basin 37 part 1-POU
- Basin 37 part 1-POD
- Ownership FED-Private
- ~ Streams
- Section Lines
- Quarter - Quarter lines

COMMERCIAL USE

TWN: 4S
RNG: 19E
SEC: 33



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: JUNE 4, 2002

5-7-02

9:40 Collect
disconnect

734-7510
(Law office)
call back
↓ (9:45)
731-2182
Robin (bro)
Exam

Barns 0.0711 cfs

Rollermill 0.0383

TOTAL 0.00.109 cfs5/15/02
SCC

Confirmed WMS Locations of the two wells,
same as shown in GIS pods.
GIS image is representative of the dairy use.

2001 measured Vol:

Barn = 29 AF

R. Mill = 12 AF

TOTAL 41 AF

Clelland, Steve

From: King, Scott
Sent: Tuesday, May 07, 2002 10:37 AM
To: Clelland, Steve
Subject: RE: WMIS query

-----Original Message-----

From: Clelland, Steve
Sent: Tuesday, May 07, 2002 9:08 AM
To: King, Scott
Subject: WMIS query

Hi Scott,

here are the two I wondered about:

1) 37-7695: does WMIS know the exact location of the well? I have two different map locations.

Nope. Doesn't look like any location data, other than PLS from claim, ever got into WMIS or the recent GPS point updates. It does have site tag number A0005522 assigned. If you gps it, we can give Tim the data to put in WMIS.

2) 37-10363: This is one I need flow data to verify the use. Claim is for 0.39 cfs.
WMIS has gps location. Two wells, measured Q = 0.038 cfs for Rollermill Well, 0.0711 cfs for Dairy Barn Well for a total of 0.109 cfs.

Any help you have is wonderfully appreciated.

steve

WMD**NENENW****POD Data****04S 19E 33 NWNWNE**

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
04S 19E 33 NWNWNE	A0004613	DAIRY BARN WELL		401687
Latitude 043:02:19.486	Longitude -114:12:16.179	GPS File R110320B	Flowmeter (8)	
Comments SEE MEMO FOR ROLLER MILL WELL DAN 3-20-98				

Flowmeter Data

Year	Date	Calibration Factor	Max CFS	Adj Max CFS	Acre-Ft	Adj Acre-Ft	Acre-Ft Qualif	Valid	Prefrd
2001	6/5/2000	1.01			28.4	28.68	MR	☐	☐
Comments IDWR audit on 1/8/02 showed 257349 X100 CRK					→ avg 0.040 cfs				
2000	6/5/2000	1.01			19.4	19.59	FE	☐	☐
Comments Had IDWR field work and end of the year info.									

Flowmeter CalibrationCalibration Date: **6/5/2000** Calibration Factor: **1.01****401687**

Installed Meter	Standard Meter	Other well(s):
Meter Type: PROPELLER	Pipe Material: STEEL	
Manufacturer: MASTER	Outside Diameter: 2.4	Other meter(s): y
Model:	Wall Thickness: 0.141	Comments:
Serial Number: 2532394	Upstream Straight: 11.5	
Rate Units: GPM	Downstream Straight: 0	
Rate Multiplier: 1	Meter Type: SONIC	
Volume Units: GAL	Measured Flow Units: GPM	
Volume Multiplier: 100	Measured Flow: 31.9	0.0711 cfs
Location: FAIR	Confidence: EXCL	
Indicated Flow: 31.6		Changed: 6/5/2000

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
6/5/2000	GMOODY	Flowmeter Calibration	6/5/2000
Notes: flowmeter calculated out pretty good but there was not sufficient diameters downstream of the meter. (GPM 6/5/00)			
11/3/1997	DNELSON	Inventory	
Notes:			

Point of Diversion

(ALL DISTRICTS)

GPS Site ID Tag

A0004613

Legal Description

04S 19E 33 NWNWNE

POD Number

401687

GPS Site ID Tag:

A0004613

Legal Description:

04S 19E 33 NWNWNE

Diversion Name:

DAIRY BARN WELL

Follow-up Date:

12

Data
Summary

Twp

04S

Rng

19E

Sect

33

QQQ

NW

1/4 of

QQ

NW

1/4 of

Q

NE

Lot

Tag Location:

ON WELL CASING

Offset:

0

Bearing:

0

Elevation

0

GPS File:

R110320B

POD Number:

401687

Description:

SEE MEMO FOR ROLLER MILL WELL DAN 3-20-98

Source:

Ground Water

Latitude:

43 : 2 : 19.486

Longitude:

-114 : 12 : 16.179

Altitude:

1320.00

Measurement Option:

Flowmeter (8)

IDTM-X: 483342.00

IDTM-Y: 215360.10

District: WMD

Reporter(s):

Network:

Use Codes:

Access Port:

Owner

Last Name: LEZAMIZ

Edit

Yes

First Name: SID

Organization: BUENA VISTA RANCH

Flowmeter

Water Levels

PCC

Site Visit

Timeclock

System

Alternate

Crop History

Annual Report

Change Date:

6/5/2000

dbo

Record:

1

1

of 1

WMD**POD Data****04S 19E 33 NWNWNE**

Legal Description	GPS Site ID	Diversion Name	Meas Option	POD
04S 19E 33 NWNWNE	A0004612	ROLLERMILL WELL		401865
Latitude 043:02:21.666		Longitude -114:12:09.884	GPS File R110320A	Flowmeter (8)
Comments Flow meter inside of insulated enclosure with pressure tanks which is inside of roller mill bldg. BHS				

Flowmeter Data

Year	Date	Calibration Factor	Max CFS	Adj Max CFS	Acre-Ft	Adj Acre-Ft	Acre-Ft Qualif	Valid	Prefrd
2001	10/27/2000	0.98			12.58	12.33	MR	☐	☐
Comments IDWR audit on 1/8/02 showed 59620 X 100 CRK. <i>→ annual avg 0.017 cfs</i>									
2000	10/27/2000	0.98			1.12	1.1	FE	☐	☐
Comments not real good data to even get a good estimate. CRK 12/5/01									

Flowmeter CalibrationCalibration Date: **10/27/2000** Calibration Factor: **0.98****401865**

Installed Meter	Standard Meter	Other well(s):
Meter Type: TURBINE	Pipe Material: STEEL	
Manufacturer: MASTER	Outside Diameter: 2.38	Other meter(s): ☐
Model:	Wall Thickness: 0.145	Comments:
Serial Number: 2738633	Upstream Straight: 1	I used the short rack and took the foot off one end to be able to mount the transducers between the union and tee. Worked good. <i>0.0383 cfs</i>
Rate Units:	Downstream Straight: 2	
Rate Multiplier: 1	Meter Type: SONIC	
Volume Units: GAL	Measured Flow Units: GPM	
Volume Multiplier: 100	Measured Flow: 17.2	
Location: GOOD	Confidence: GOOD	Changed: 10/31/2000
Indicated Flow: 17.57		

Site Visits

Site Visit Date	Site Examiner	Reason	Change Date:
10/27/2000	BSCHOLER	Flowmeter Calibration	11/6/2000
Notes: I completed the flow meter calibration check and certification. They installed a Master Meter in 1999 and it failed in April 2000. They had it replaced and this is the meter I calibrated. I used the short transducer bar and the Fuji with FLD12 transducers. I removed the foot from one end so it would mount over a union. This worked fine.			
11/3/1997	DNELSON	Inventory	
Notes: The combined diversion rate for these two wells may be below the ☐ licensed diversion rate and the WMD standard. I told the owners ☐ if they wanted to send me the pump curves and amend their claim ☐ they could possibly be waived from the district. I have not ☐ heard from them since the inventory exam. DAN 3-20-98			

Point of Diversion

(ALL DISTRICTS)

GPS Site ID Tag

A0004612

Legal Description

04S 19E 33 NWNWNE

POD Number

401865

GPS Site ID Tag:

A0004612

Legal Description:

04S 19E 33 NWNWNE

Diversion Name:

ROLLERMILL WELL

Follow-up Date:

Data
Summary

Twp

04S

Rng

19E

Sect

33

QQQ

NW

1/4 of

QQ

NW

1/4 of

Q

NE

Lot

Tag Location:

ON WELL CASING

Offset:

0

Bearing:

0

Elevation:

0

GPS File:

R110320A

POD Number:

401865

Description:

Flow meter inside of insulated enclosure with pressure tanks which is inside of rollermill bldg. BHS

Source:

Ground Water

Latitude:

43 : 2 : 21.666

Longitude:

-114 : 12 : 9.8842

Altitude:

1316.40

Measurement Option:

Flowmeter (8)

IDTM-X: 483484.60

IDTM-Y: 215427.00

District: WMD

Reporter(s):

Network:

Use Codes:

Access Port:

Owner

Last Name: LEZAMIZ

Edit

Yes

First Name: SID

Organization: BUENA VISTA RANCH

Flowmeter

Water Levels

PCC

Site Visit

Timeclock

System

Alternate

Crop History

Annual Report

Change Date:

10/31/2000

dbo

Record: 1 of 1

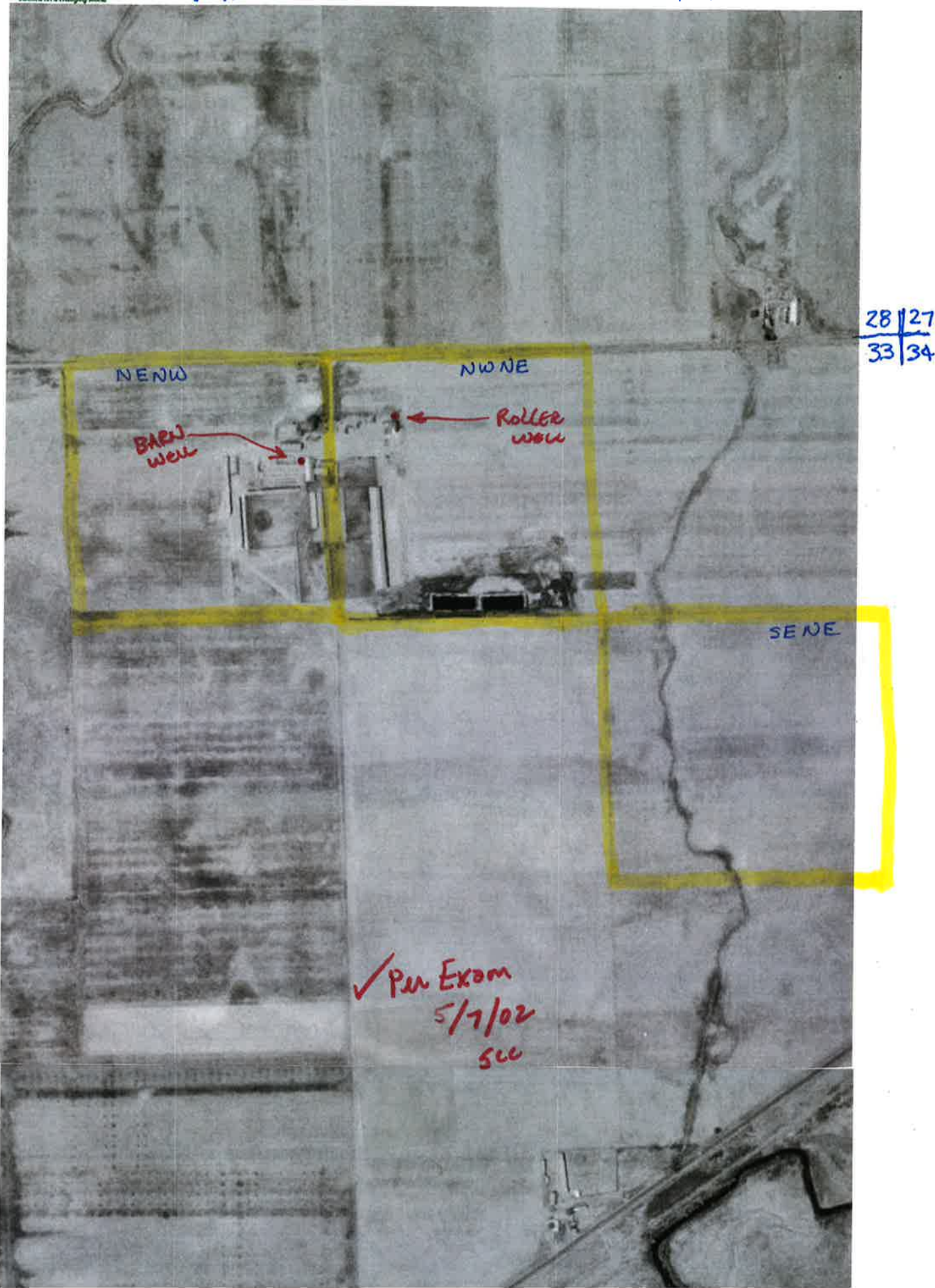
4 km SW of Richfield, Ohio, United States 26 Jul

1992



1992

TAS R19E



28	27
33	34

✓ Per Exam
5/7/02
see

29 28

32 33

A0004612
(RIDGE)

A0004613
(BARN)

POU

(1 POD)
NE NW

POD?
NW NE
(1 POD)

POU?
SE NE
NO

37-10363
T4S R19E S33
DRAFT MAP

CALLOUT to John L. at the law office number: He called me back and suggested I contact his brother Robin for help with the field exam. Call robin at 731-2182, cell phone. I told him not a lot needs to be reviewed since it appears the right is part of the WMD.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 37-10361 V1

WATER RIGHT NUMBER: **37-10361** V1Owner TypeName and Address

Current Owner

SID LEZAMIZ
1027 E 720 N
RICHFIELD, ID 83349
(208)487-2610

OVERLAPPING DOM. USE

Priority Date: 01/01/1987

Basis: Beneficial Use

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

From To

Diversion RateAnnual Volume

DOMESTIC

1/01 to 12/31

0.040 CFS

Total Diversion:

0.040 CFS

Location of Point(s) of Diversion

GROUND WATER

NW1/4NW1/4NE1/4

Sec. 33, Twp 04S, Rge 19E, B.M.

LINCOLN County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S	19E	33		X															

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. RP04S19E330000T

Comments:Dates and Other Information:**DO NOT SCAN**

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 37-10361 V1

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

APRIL 15, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SID LEZAMIZ
1027 E 720 N
RICHFIELD ID 83349

RE: AMENDED CLAIM 37-10363

Dear Mr. Lezamiz,

Enclosed is an Amended version of the claim you have filed with IDWR for your Notice of Claim to a Water Right, 37-10363. The only change made to this claim is the Priority Date in Item 2; it is changed to match the date given in the affidavit by John T. Lezamiz. If this date is correct please sign, notarize and return the claim to me as soon as possible.

I will be contacting you at a later date to schedule a field examination for the final review of this claim before reporting it to the SRBA court during the summer of 2002.

If you have further questions on this water right then please feel free to call me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

Enc:

CC: John T. Lezamiz, PO Box 389, Twin Falls, ID 83303-0389

TWIN FALLS OFFICE
(208) 734-7510
Fax: (208) 734-4115
133 Shoshone Street North
P. O. Box 389
Twin Falls, ID 83303-0389

John C. Hepworth
John T. Lezamiz
Robyn M. Brody
Benjamin J. Cluff
V. Lane Jacobson
Wm. L. Nungester, Of Counsel

HEPWORTH, LEZAMIZ & JANIS, C.A.T.D.

L A W O F F I C E S

- ESTABLISHED 1952 -

BOISE OFFICE
(208) 343-7510
Fax: (208) 342-2927
537 West Bannock Street
P. O. Box 2582
Boise, ID 83701-2582

J. Charles Hepworth*
John J. Janis

*Member CA Bar

April 8, 2002

RECEIVED

APR 10 2002

Department of Water Resources

Steve Clelland
Water Resource Agent, Sr.
State of Idaho
Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

Re: Evidence of Priority Date for SRBA Claim
Water Right No. 37-10363
HL&H File No. 88-0-004

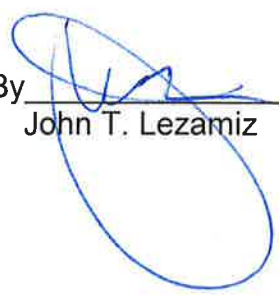
Dear Steve:

Enclosed is an affidavit relating to the priority date for the above water right. Please let us know whether you will require any additional information to correct the priority date for the above listed water right.

Thank you.

Very truly yours,

HEPWORTH, LEZAMIZ & JANIS,
CHARTERED

By 
John T. Lezamiz

JTL:bjl
Enclosures
cc: Linda Taber

(Jtl\lezamiz\corr\0408idwr)

Reply to Twin Falls office

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Twin Falls)

JOHN T. LEZAMIZ, being first duly sworn on oath, deposes and states:

1. Your affiant's name is John T. Lezamiz. I am the oldest son of Sid Lezamiz, Richfield, Idaho. I am submitting this affidavit based upon my personal information and knowledge in connection with the priority date for Water Right No. 37-10363. The above water right has a proposed priority date of January 1, 1975, that is in error. This affidavit is submitted in support of correcting the priority date to the correct date of beneficial use of the water right as a commercial dairy operation.

2. My parents purchased the above property in approximately September, 1959. At that time, there was an existing commercial dairy operation on the site that was utilizing the existing groundwater well for a number of years prior to my parents' purchase of the farm. After my parents purchased the property in 1959, our family continued operating the commercial dairy from the existing groundwater well continuously from 1959 to the present time. As part of the purchase, my parents also purchased the prior owner's dairy cows and related dairy equipment. While I know that the well in question had been beneficially used in connection with the prior owner's dairy for a number of years before our purchase, I cannot state exactly when the existing water was first beneficially used. I do, however, know of my own personal knowledge and observation by virtue of having lived and worked on the dairy, that it was beneficially used by our family beginning in September, 1959 for a commercial dairy operation; that use has continued by our family from September, 1959, to the present time without interruption.

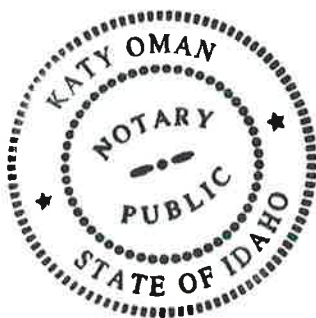
In 1960, the existing dairy barn was replaced with a more modern, four-on-each-side herringbone barn, constructed by Boise Cascade Corporation. Attached hereto as Exhibit "A" are true, accurate and correct copies of two pages of the financing document for the commercial dairy barn built in 1960. The attached documents are part of our business records showing that the commercial dairy barn was built in 1960. I can state of my own personal knowledge that the commercial dairy facility associated with Water Right No. 37-10363 was placed to beneficial use by our family in September 1959. A modern dairy barn was built in 1960 and the commercial use of that dairy has continued, uninterrupted, since that date in 1959 to the present date as a commercial dairy, together with milk cows, replacement heifers and other dairy livestock.

Dated this 8th day of April, 2002.



JOHN T. LEZAMIZ

SUBSCRIBED and SWORN to before me this 8th day of April, 2002.





NOTARY PUBLIC FOR IDAHO

Residence: Rogerson, ID
My Commission Expires: 11/24/06

WITHOUT RECOURSE
PAY TO THE ORDER OF

Construction Finance Company
Boise Cascade Corporation, dba
Bestway Building Center

(Dealer or Contractor)

By W. L. Johnson

Title Assistant Vice President

EXHIBIT

A

NOTE

No. 1007

\$ 4,459.52

October 12, 1960
(Date)FOR VALUE RECEIVED, the undersigned as principals, jointly and severally promise to pay to
Boise Cascade Corporation, dba, Bestway Building Center
(Seller), or order,

the sum of Four thousand Four hundred Fifty-nine & 52/100 * * * * * DOLLARS,
(\$ 4,459.52) in 5 consecutive annual instalments of \$ 891.91 each (except that the final instalment shall be the difference between the amount of this note and the sum of the preceding instalments), the first to become due and payable October 1, 1961, balance of instalments to be paid on the same date of each year thereafter, with interest on principal after maturing of entire balance as herein provided at the highest lawful contract rate, and 15% of the principal and interest of this note, or, at the option of the holder, a reasonable sum as attorney's fees if placed in the hands of an attorney for collection after maturity. If any instalment is not paid when due, the entire balance of this note shall become due and payable at the option of the holder. Authorized FHA "late charges" (5c per \$1, maximum \$5) are payable on any instalment more than 15 days in arrears. The makers, endorsers and guarantors of this note waive presentment for payment, protest, notice of protest, demand for payment, notice of non-payment, and declaration of acceleration of payment. If permitted by law, each maker, endorser (except without recourse) and guarantor of this note hereby authorizes any attorney, prothonotary or clerk of court of any court of record to appear in such court, in term time or vacation, at any time after maturity of this note, and waive a jury trial and confess judgment without process in favor of the holder of this note for such amount as may appear to be unpaid thereon, together with costs and attorney's fees, and waive and release all errors which may intervene on any such proceedings and consent to immediate execution upon such judgment, hereby ratifying and affirming all that may be done by virtue hereof. Insofar as permitted by law, each maker, endorser and guarantor of this note expressly waives all right to claim exemption allowed by the Constitution and laws of this or any other state.

PAID

Date May 27, 1963
Construction Finance Company

By [Signature]

SIGNATURES: (IN FULL AND IN INK)

[Signature] (Seal)
Lucia [Signature] (Seal)
[Signature] (Seal)

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. 37-10363

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent: Steve Clelland *see*

3/29/2002 9:40 AM

NAME:

LINDA LEZAMIZ

CALLIN

RE:

PRIORITY

She was concerned about missing today's deadline and I said it is okay if you continue to resolve the issue. I explained the need for the info and possible sources of the records. She said they have lived on the place since 1960 and have always had a dairy there.

I explained the problem with the claimed date of 1975 being in violation of the Permit statutes. If she can prove a date prior to 1963 then we can amend her claim; actually this is her father's claim and *he* will have to sign it as amended if necessary. If no proof can be found she can file for a permit with today's priority date or she can try to find water to transfer on to cover the dairy use. She described a 400-450 cow dairy which definitely needs to have a water right larger than the de minimis domestic use.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

37-10363
SID LEZAMIZ

March 4, 2002

1027E 720N
RICHFIELD, ID 83349

Re: Evidence of Priority Date for SRBA Claim

RESPONSE DEADLINE
MARCH 29, 2002

Dear Claimant:

The Notice of Claim identified with the number shown above 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, at a later date, 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 recommended 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 will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Submit the required evidence supporting the priority date by the date shown above, referencing all documents with the corresponding Notice number. If you have questions not covered by this letter or the enclosed pamphlet, please contact the office listed above.

Sincerely,

Steve Clelland
Water Resource Agent, Sr.

Enclosures