

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 37-21358
Date Received: 10/26/2004
Receipt No:
Received By: *5027137*
DA

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

1. Name of Claimant(s)

JEFFREY C HUBER Phone: (208)345-0063
5209 TURRET WAY
BOISE ID USA 83703

2. Date of Priority: 12/31/1956

3. Source: CLEAR CREEK Trib. to: BIG WOOD RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	18E	31	SE NW	BLAINE	
04N	18E	31	SW NE	BLAINE	

5. Description of diverting works:

SEE ATTACHED MAP OF DIVERSION POINT. I HAVE ONE 2.5 HORSEPOWER PUMP THAT FEEDS MY SPRINKLER SYSTEM THAT IRRIGATES APPROXIMATELY ONE ACRE OF LAWN AND FLOWERS. PLEASE SEE ATTACHED PHOTOS FROM 1956 AND 1981.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	0.03	

7. Total Quantity Appropriated is:
0.03 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
04N	18E	31	SE	NW	IRRIGATION	1
Section Acres						1
Total Acres						1

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

REMARK FROM CLAIMANT: WE HAVE USED THIS METHOD OF IRRIGATION SINCE 1956.

10/26/2004: CLAIMANT DID NOT ENTER PLACE OF USE BUT NOTED TO SEE ATTACHED LEGAL. ATTACHED LEGAL WAS POWER LINE AGREEMENT DESCRIBING RIGHT OF WAY THROUGH 51.19 ACRES. PROBABLE POU WAS DETERMINED FROM MAP SUBMITTED WITH CLAIM. NO MONTH OR DAY WAS CLAIMED FOR PRIORITY DATE THEREFORE LAST DAY OF YEAR WAS ENTERED. LOCATION OF POINT OF DIVERSION WAS ENTERED AS DESCRIBED IN CLAIM. SEE MAP SUBMITTED.

15. Basis of Claim: Beneficial Use

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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 _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

OCT 25 2004

Department of Water Resources
Southern Region

Please type or print clearly

1. Name of Claimant (s) JEFFREY CLARK HUBER Phone (208) 345-0063
Mailing Address 5209 TURRET WAY BASE ID. Zip 83703

2. Date of Priority (Only one (1) per claim) 1956

3. Source of water supply (a) CLEAR CREEK (I AM NOT SURE IF IT HAS BEEN FORMALLY
which is tributary to (b) WOOD RIVER NAMED "CLEAR CREEK")

4. a. Location of existing point of diversion is: Township 4N Range 18E Section 31,

SE 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of BLAINE
AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/2 (SEE ATTACHED LEGAL)
Additional points of diversion if any: NONE

b. If instream flow, beginning point of claimed instream flow is: SAME AS ABOVE

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well.

SEE ATTACHED MAP OF
DIVERSION POINT. I HAVE ONE (1) TWO AND 1/2 HORSEPOWER
PUMP THAT FEEDS MY SPRINKLER SYSTEM THAT IRRIGATES
APPROXIMATELY ONE (1) ACRE OF LAWN AND FLOWERS.

PLEASE SEE ATTACHED PHOTOS FROM 1956 AND 1981.

SCANNED

APR 13 2006

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 5/11 to 10/31 amount .03 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .03 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
			SEE ATTACHED LEGAL																

Total number of acres irrigated ONE (1)

11. In which county (ies) are lands listed above as place of use located? BELLEVILLE

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: WE HAVE USED THIS METHOD OF IRRIGATION
SINCE 1956.

Last Name HUBER Ident No. _____

SCANNED

APR 19 2006

Copies: White-State, Yellow-Claimant

Scale: 2 inches equals 1 mile

SER2 ATTACHED MAP

Ident No.

SCANNED

APR 4 2 2006

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____

If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments THREE (3)

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Jeffrey Clark Huber Date 10-21-04

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 21st day of October 2004



Notary Public S. Sherman

Residing at Boise

My Commission Expires 11-19-2010

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name HUBER Ident. Number _____

SCANNED

APR 13 2006

Copies White-State, Yellow-Claimant

POWER LINE EASEMENT

Ulela Snook Bramble, Dorothy Snook Perry and Frances G. Snook
Grantor(s), of Blaine County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to a line of poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, over, on and across the following premises, belonging to the said Grantor(s) in Blaine County, State of Idaho, in the following location, to-wit:

The Southeast Quarter of the Northwest Quarter ($SE\frac{1}{4} - NW\frac{1}{4}$); and that portion of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4} - NE\frac{1}{4}$) lying West of the Stock Driveway right-of-way containing 11.19 acres more or less; all in Section Thirty One (Sec. 31), Township 4 North (Tp. 4N), Range 18 East of the Boise Meridian (R. 18 E B M), containing in all approximately 51.19 acres of land

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 6th day of August, 19 51.
WITNESS:

STATE OF Idaho } ss.
County of Blaine

Ulela Snook Bramble
Dorothy Snook Perry
Frances G. Snook

If individuals, use this form.

On this 6th day of August, 19 51, before me, H. K. Putzier, a Notary Public, personally appeared Ulela Snook Bramble, Dorothy Snook Perry and Frances G. Snook, known to me to be the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

Notary Public, residing at
(Notarial Seal)

H. K. Putzier
Hailey, Idaho
Commission expires July 31, 19 52

STATE OF _____ } ss.
County of _____

If corporation, use this form.

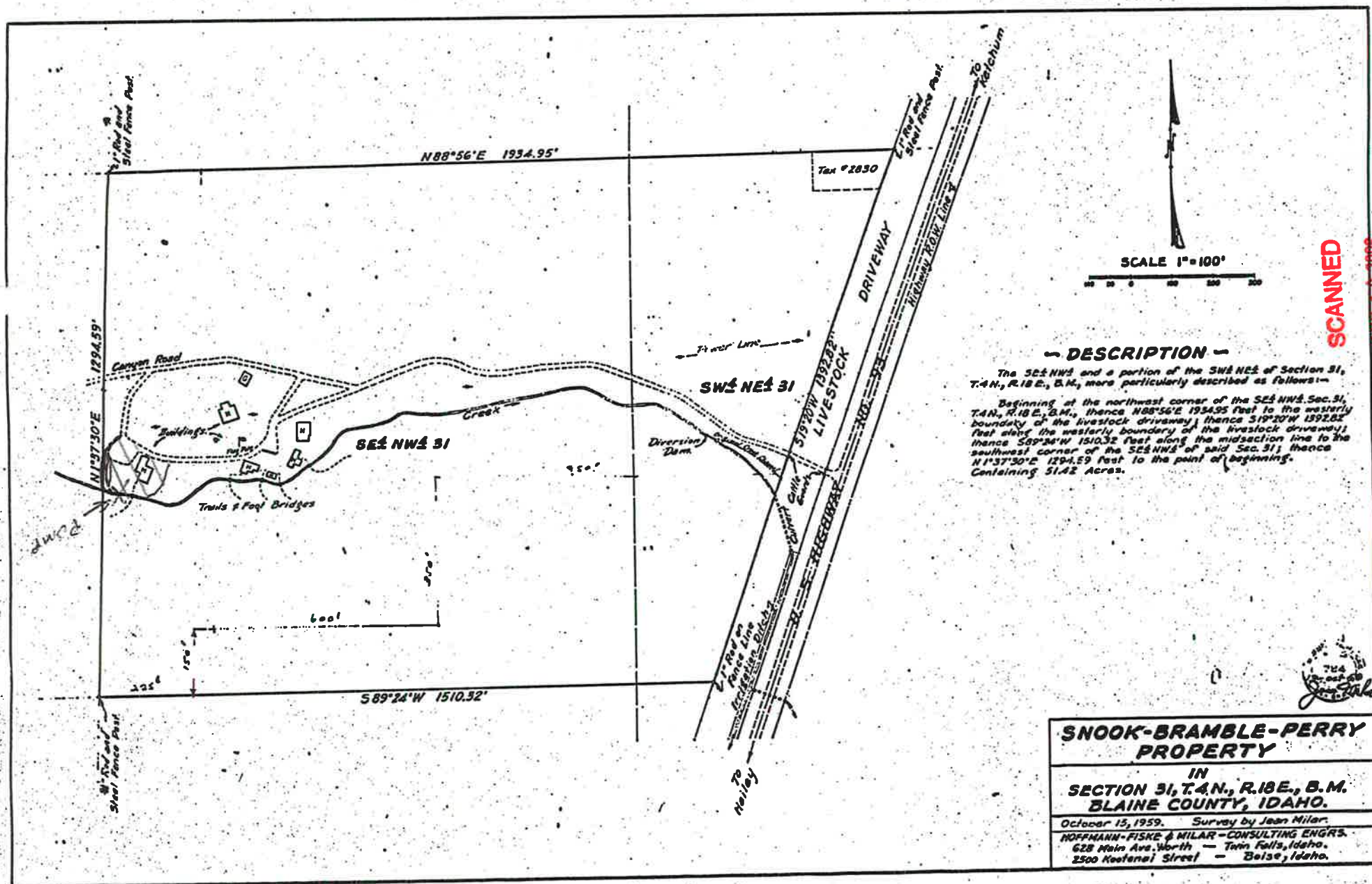
On this _____ day of _____, 19 _____, before me, _____, a Notary Public, personally appeared _____ and _____, to me personally known, who being duly sworn, did say that they are respectively the _____ President and the _____ Secretary of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same as the free act and deed of said corporation.

(Notarial Seal)

Notary Public, residing at _____
Commission expires _____, 19 _____

SCANNED

APR 13 2006



DESCRIPTION

The SE 1/4 NW 1/4 and a portion of the SW 1/4 NE 1/4 of Section 31, T.4N., R.18E., B.M., more particularly described as follows:-

Beginning at the northwest corner of the SE 1/4 NW 1/4 Sec. 31, T.4N., R.18E., B.M., thence N 88° 56' E 1934.95 feet to the westerly boundary of the livestock driveway; thence S 19° 20' W 1392.82 feet along the westerly boundary of the livestock driveway; thence S 89° 34' W 1510.32 feet along the midsection line to the southwest corner of the SE 1/4 NW 1/4 of said Sec. 31; thence N 1° 37' 30" E 1294.59 feet to the point of beginning. Containing 51.42 Acres.

**SNOOK-BRAMBLE-PERRY
PROPERTY**

**IN
SECTION 31, T.4N., R.18E., B.M.
BLAINE COUNTY, IDAHO.**

October 15, 1959. Survey by Jean Milar.
HOFFMANN-FISKE & MILAR - CONSULTING ENGRS.
628 Main Ave., North - Twin Falls, Idaho.
2500 Keefaufer Street - Boise, Idaho.

SCANNED

APR 13 2006

1956



Before: The look of the land when the place was new

A

family

C

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R

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E

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S

un Valley

*From sagebrush to a showplace garden—
how a family with pioneering pluck and tenacity
transformed its Sun Valley home, "Fancy Acres,"
into a fabulous fantasy of flowers.*



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 26, 2004

Jeffrey C. Huber
5209 Turret Way
Boise, Idaho 83703

RE: Snake River Basin Adjudication (SRBA)
New Claim Nos.: 37-21358 & 37-21359

Dear Claimant,

Enclosed are copies of your new claims for irrigation use. Please review the documents for any data entry errors and let me know of any corrections necessary.

These new claims will be included in our future Basin 37 Director's Report to the Court. The investigation of these claims, and the subsequent issuance of the Director's Report for this basin, is not scheduled to begin until next year. At that time, you may be contacted for additional information that will help us correctly describe your water right in the decree.

Don't hesitate to contact the Department with any questions regarding this or any other SRBA claims.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Vikie Hancock', is written over a horizontal line.

Vikie Hancock
Sr. Water Resource Agent
Southern Regional Office, Twin Falls
vikie.hancock@idwr.idaho.gov

SCANNED

APR 13 2008

01/23/2007

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

RIGHT NUMBER: 37-21358

NAME AND ADDRESS: JEFFREY C HUBER
5209 TURRET WAY
BOISE ID 83703

SOURCE: CLEAR CREEK

TRIBUTARY: BIG WOOD RIVER

QUANTITY: 0.020 CFS

PRIORITY DATE: 12/31/1959

POINT OF DIVERSION:

T04N R18E S31 NWSNW Within BLAINE County

T04N R18E S31 SWSNW Within BLAINE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

0.020 CFS

PLACE OF USE:

IRRIGATION in BLAINE County

T04N R18E S31 SENW 0.50

0.5 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 - Beneficial Use



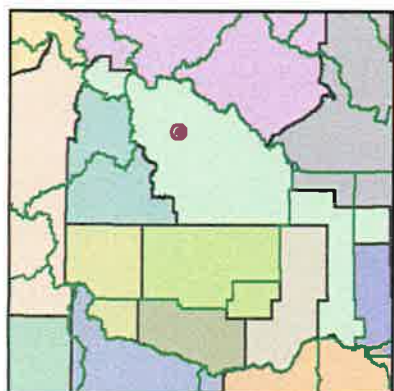
Idaho Department of Water Resources

SRBA Recommendation:

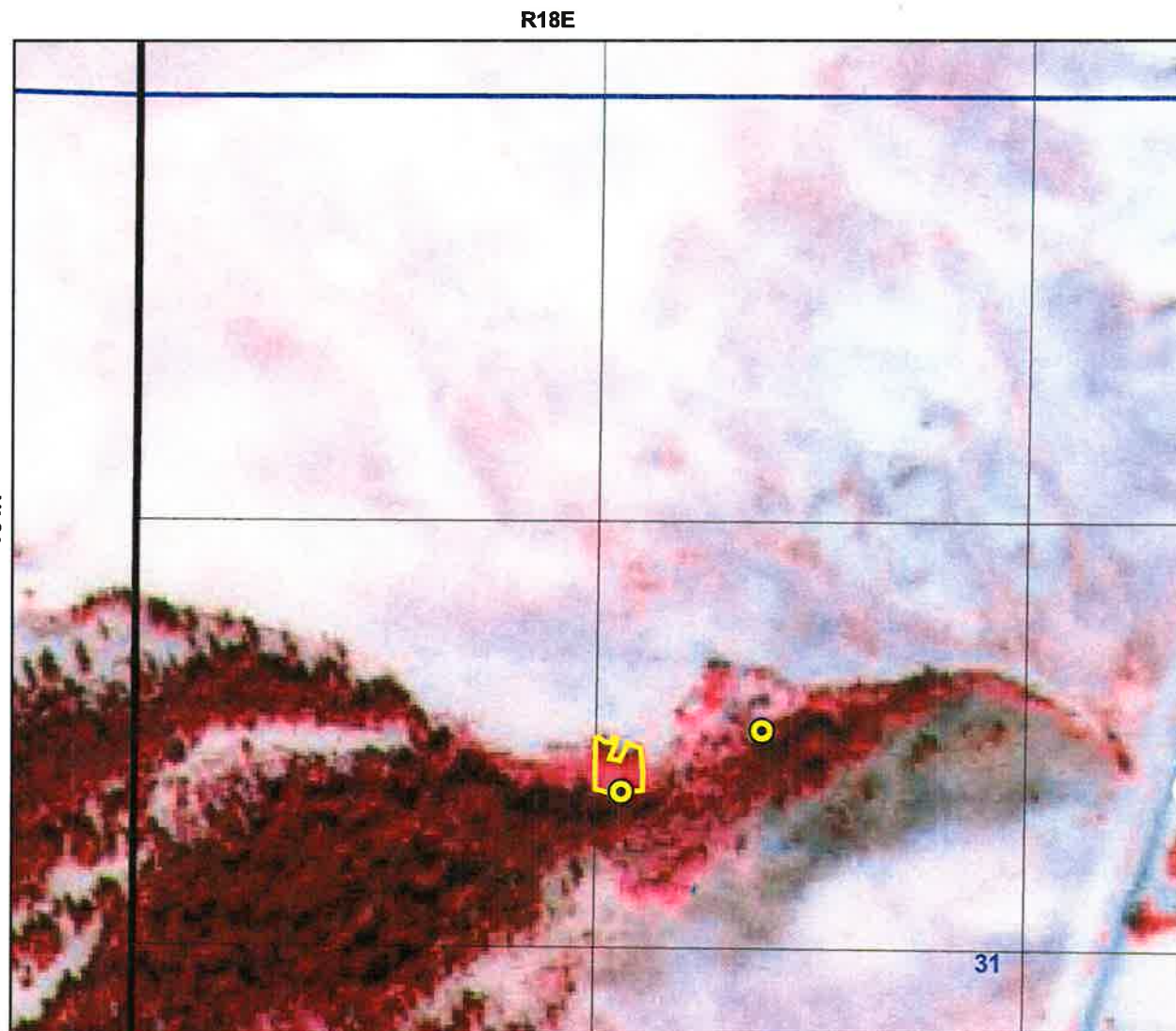
37-21358

Legend

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



Blaine County
IDWR Basin 37



0

0.2 Miles



Prepared by M. Anders
On Tuesday, January 23, 2007
1987/88 Aerial Photography

Anders, Matthew

From: Anders, Matthew
Sent: Tuesday, January 23, 2007 9:06 AM
To: 'jhuber@white-leasure.com'
Subject: water claim recommendations

Mr. Huber,

Attached are copies of my water right recommendations and maps for 37-21358 and 37-21359.

To determine the amount of irrigation for each claim, I used the plat map showing irrigation you submitted with each claim and aerial photos. For 37-21358 I found 0.5 acres of irrigation and for 37-21359 I found 1.6 acres of irrigation. The duty of water I recommended is 0.03 cfs/acre (for a place of use less than 5 acres), for a total of 0.02 cfs for 37-21358 and 0.05 cfs 37-21359.

I have also attached the updated recommendation for 37-20399 that shows the corrected location of the well.

Please give me a call at 208-287-4937 if you have any questions.

Thanks!

Matt



37-21359.jpg



37-21358.jpg



37-20399.doc



37-21358.doc



37-21359.doc

Matt Anders
GIS Specialist
Idaho Water Resources Research Institute
Idaho Department of Water Resources
322 East Front St.
PO Box 83720
Boise, ID 83720-0098

Ph. 208-287-4937

Adjudication Claim Notes

Claim(s): 37-21358, 37-21359

Background Data

37-21358

- Beneficial Use claim
- Source is Clear Creek tributary to Big Wood River
- Claimed for 0.03 cfs for Irrigation of 1 acre

37-21359

- Beneficial Use claim
- Source is Clear Creek tributary to Big Wood River
- Claimed for 0.12 cfs for Irrigation of 3 acres

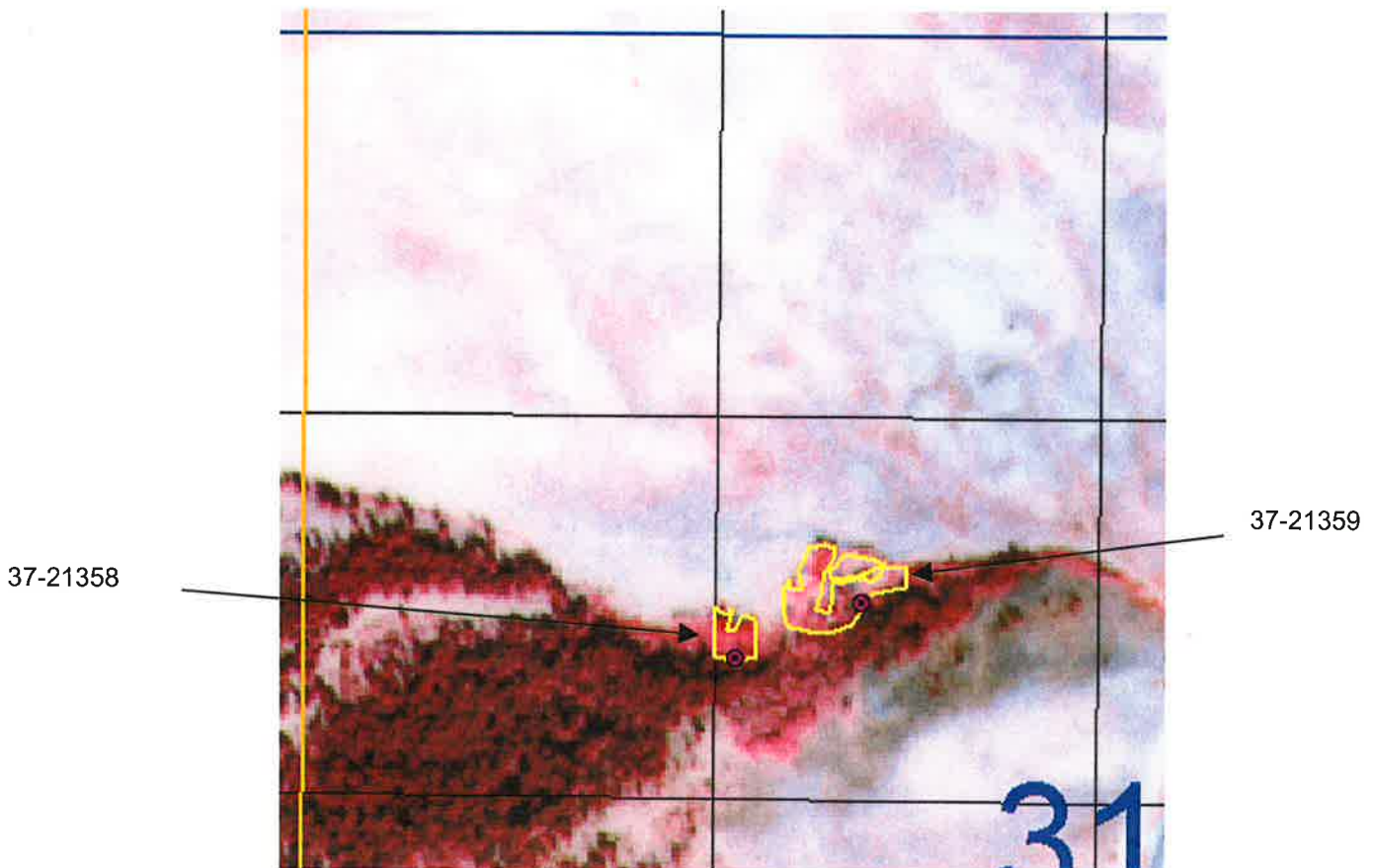
Place Of Use Data

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



Notes

T4N R18E Section 31

➤ 1/11/07

- Submitted a newspaper article from 1981 with two photos as evidence of priority
 - 1981 photo is color and indicates irrigation. Since photo was 1981 printing of magazine, it establishes use back to 1981
 - 1956 photo is inset on the 1981 photo. There is no documentation that this is a 1956 photo and it is black & white so it is unclear if irrigation was occurring.
 - Evidence of priority submitted does not support 1956 priority date or water use prior to 5/20/1971.
 - Need additional evidence of priority.
- Available water?
 - 37-458 is decreed from Clear Creek spring tributary to Clear Creek for all the water from the spring. Does this mean there is no water available for downstream beneficial use claims?
 - Shelley Keen felt (I agree) that there may recharge of the stream between the spring the downstream beneficial use claims. Field work is need to confirm this, but is not possible at this time.
 - Shelley recommended 37-21262 and 37-21263 based on written testimony.

➤ 1/22/07

- Claimant submitted written testimony documenting water use to 1959.
- Recommended priority date: ~~4/15/1959~~ 12/31/1959
 - ~~Start of irrigation season.~~

➤ Recommendations:

- 37-21358
 - 0.02 cfs for Irrigation of 0.5 acres
- 37-21359
 - 0.05 cfs for Irrigation of 1.6 acres

- Data used for review: 1987, 1992, & 2004 aerial photos, Camas Co Tax Records, Idaho Ownership (idown.shp), & USGS 1:24,000 Topo

01/12/2007

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: January 23, 2007

Water right number: 37-21358

JEFFREY C HUBER

5209 TURET WAY

BOISE ID 83703

Telephone Number: (208)345-0063

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 WISH TO AMEND MY PRIORITY DATE TO 1959.

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

PLEASE SEE ATTACHED LETTERS SUPPORTING
MY CLAIM.

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

DATE:

1-22-07

SIGNATURE:

Jeffrey C. Huber

Please print your name:

JEFFREY C. HUBER

IDWR Regional Office, 1341 Fillmore St, Suite 200, Twin Falls, ID 83301, 208/363033

Jeff Huber

State Department of Water Resources

Attention: Matt Anders

322 East Front Street

P.O. Box 83720

Boise, Idaho 83720-0098

RE: Right Number: 37-21359 and 37-21358

Dear Mr. Anders,

This letter shall serve as my confirmation and testimony to you regarding both of the above claim numbers that I spent each summer since 1954 with my great-grandparents(Snooks), grandparents(Perrys), great aunt and uncle(Brambles) on the property where the spring creek known as Clear Creek runs and both of these claims are located. My great-grandparents purchased the property (approx 53 acres) in or about 1950. They then built five log cabins for their children, grandchildren, and great-grandchild(me), to come and spend each summer. All the cabins were finally completed in 1958 and at that time we had permits for three wells which were used for domestic purposes and to water the garden and lawns which at that time were in their infancy. My grandmother loved to garden and each year the gardens got larger and larger. In 1959 the gardens and lawns had become so large that watering them by hoses was too time consuming and a constant chore. She hired two men and they devised a crude but efficient sprinkler system that consisted of rubber hoses buried in the ground and were fed by drawing water from Clear Creek with electric pumps. Since that summer of 1959 to the present the gardens and lawns have been continuously watered with water drawn from Clear Creek by electric pumps. My great aunt who lived in cabin further up the creek thought my grandmother's sprinkler system was so neat that she had one like it installed the following summer(1960). Originally we would have to turn on the pump manually and open one valve manually to sprinkle different sections of the garden. When one section was fully watered someone would then have to manually turn off the valve and open another valve to water another section of the garden. I can attest to this as it was often my job. The sprinkler system has been modified and upgraded over the years and eventually automatic valves and timers were installed. The gardens became quite famous and were known locally as the Dorothy Perry Gardens. She grew over 125 different varieties of perennial flowers. Eventually my grandmother opened the gardens to the public, free of charge, on Thursdays each summer for six weeks at the height of the summer bloom and my grandmother and girls that she would hire to help her gave informative tours and instructions on high altitude gardening. Year after year her plants adapted to the high altitude climate. At the garden tours she would sell seed packets and donate the money to the Ketchum library. Many of the perennial flowers that grace Blaine County today were from seeds from her garden. In 1983 her gardens were featured in "House and Garden" magazine.

I hope this additional information will be helpful to you in reaching your determination of the status of my claims. Should you have any questions please do not hesitate to contact me on my cell phone (208-724-1315). Thank you for your time and efforts in processing my claims.

Sincerely,

Jeffrey C. Huber

Jeffrey C.
Huber

Way

Boise, Idaho 83703

P.O. Box 234

Sun Valley, Idaho 83353



1/20/2007

State of Idaho

County of Ada

5209 Turret

On this 22nd day of January, in the year of 2007, before me, Rebecca Mills, a notary public, personally appeared Jeffrey C. Huber as an individual, personally known to me to be the person(s) whose name is subscribed to the within instrument, and acknowledge to me that they executed the same.

Witness my hand and official seal:

Rebecca S. Mills

Boise, Idaho 1/20/07

January 17, 2007

Mr. Matt Anders
Department of Water Resources
322 E. Front Street
Boise, Idaho 83702

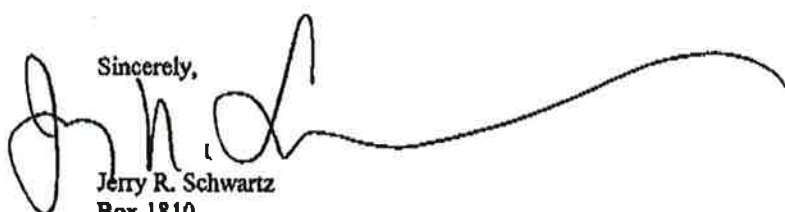
Dear Mr. Anders:

I have known Jeffrey Huber since 1962, and during the summer of that year I was invited to visit him and his family in Ketchum.

During that visit, and in many subsequent visits (I moved to Idaho in 1970 as a permanent resident), I observed the extensive gardens on his family property, and the irrigation by which they were maintained and propagated, all from the Clear Creek stream, which I believe to be a "year round" spring creek (as opposed to a seasonal creek).

I have revisited that property many times over the years, almost on an annual basis, and can say with certainty that the gardens and lawns have been maintained and watered by irrigation and sprinkling provided by Clear Creek water, as observed and witnessed by me.

Sincerely,


Jerry R. Schwartz
Box 1810
Boise, Idaho 83701

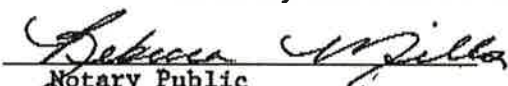
State of Idaho)

County of Ada)

On this 17th day of January, in the year of 200 7, before me Rebecca S. Mills, a notary public, personally appeared Jerry R. Schwartz as an individual, personally known to me to be the person(s) whose name is subscribed to the within instrument, and acknowledged to me that they executed the same.



Witness my hand and official seal:


Notary Public
Boise, Idaho
My commission expires: 3/2010

FROM : HICKEY FOODS INC

FAX NO. : 2087898879

Jan. 22 2007 02:15PM P1

Department of Water Resources
Matt Anders
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Dear Mr. Anders,

This letter shall serve as my affirmation to you that I have observed Mr. Jeff Huber, his grandparents, his great aunt and great uncle, and his aunt and uncle all water their gardens and lawns from water drawn from Clear Creek in Blaine County from the time I first met Mr. Huber, in the summer of 1968, continuously until the present. I first met Mr. Huber in the summer 1968 and was invited to his grandparents and great aunts homes that border Clear Creek in Blaine County. At that time they were drawing water from the creek into their sprinkler systems to water the extensive gardens and lawns. I have been a frequent visitor to Mr. Huber's property each summer from 1968 to the present and each year he or his ancestors have always watered their gardens and lawns with the creek water. Three summers ago I even helped him repair one of the two pumps that draw water from the creek. Please do not hesitate to contact me should you have any questions or need any further information.

Sincerely,



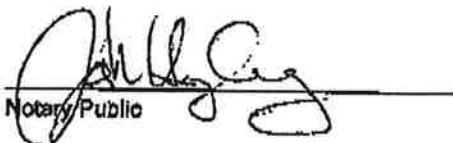
Thomas Hickey
P.O. Box 4009
Hailey, Idaho 83333

STATE of IDAHO

COUNTY of BLAINE

On this 22nd day of January in the year of 2007 before me
Josh Hagley a notary public, personally
appeared Thomas Hickey as an individual, personally known to me to
be the person(s) whose name is subscribed to the within instrument, and acknowledged to me
that they executed the same.

Witness my hand and official seal:


Notary PublicMy commission expires: 01/08/2013

State Department of Water Resources
Attention: Matt Anders
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098
RE: Right Number: 37-21359 and 37-21358
Dear Mr. Anders,

This letter shall serve as my confirmation and testimony to you regarding both of the above claim numbers that I spent each summer since 1954 with my grandparents(Snooks), parents(Perry's), aunt and uncle(Brambles) on the property where the spring creek known as Clear Creek runs and both of the above referenced claims are located. My grandparents purchased the property (approx 63 acres) in or about 1950. They then built five log cabins for their children, grandchildren, and great-grandchild(Huber), and my children, to come and spend each summer. All the cabins were finally completed in 1956 and at that time we had permits for three wells which were used for domestic purposes and to water the garden and lawns which at that time were in their infancy. My mother loved to garden and each year the gardens got larger and larger. In 1959 the gardens and lawns had become so large that watering them by hoses was impractical, too time consuming, and a constant chore. She hired two men and they devised a crude but efficient sprinkler system that consisted of rubber hoses buried in the ground and was fed by drawing water from Clear Creek with electric pumps. Since that summer of 1959 to the present the gardens and lawns have been continuously watered with water drawn from Clear Creek by electric pumps. My aunt(Bramble) who lived in a cabin further up the creek thought my mother's sprinkler system was so neat that she had one like it installed the following summer(1960). Originally we would have to turn on the pump manually and open one valve manually to sprinkle different sections of the garden. When one section was fully watered someone would then have to manually turn off the valve and open another valve to water another section of the garden. The sprinkler system has been modified and upgraded over the years and eventually automatic valves and timers were installed. The gardens became quite famous and were known locally as the Dorothy Perry Gardens. My mother grew over 125 different varieties of perennial flowers. Eventually my mother opened the gardens to the public, free of charge, on Thursdays each summer for six weeks at the height of the summer bloom and my mother and girls that she would hire to help her gave informative tours and instructions on high altitude gardening. Year after year her plants adapted to the high altitude climate. At the garden tours my mother would sell seed packets and donate the money to the Ketchum library. Many of the perennial flowers that grace Blaine County today were from seeds from her garden. In 1983 her gardens were featured in "House and Garden" magazine.

I hope this additional information will be helpful to you in reaching your determination of the status of my claims. Should you have any questions please do not hesitate to contact me at (760 564 3709). Thank you for your time and efforts in processing these claims.

Sincerely,

Polly Biedebach

Polly Perry
Biedebach
P.O. Box 234
Sun Valley, Idaho
83353

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Riverside

} ss.

On 21 Jan 07, before me,Cathy L. Brown, notary public

personally appeared

Polly Biedbach

Name and title of Officer (e.g., John Doe, Notary Public)

Name(s) of Signer(s)

☒ personally known to me☐ I proved to me on the basis of satisfactory evidence

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 in ~~his/her~~ their authorized capacity(ies), and that by ~~his/her~~ their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual☐ Corporate Officer — Title(s): _____☐ Partner in Limited General☐ Attorney in Fact☐ Trustee☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
 Imp of Thumb Print

State Department of Water Resources
Attention: Matt Anders
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098
RE: Right Number: 37-21359 and 37-21358
Dear Mr. Anders.

1/19/07

This letter shall serve as my confirmation and testimony to you regarding both of the above claim numbers that I have spent every summer since roughly 1960 with my great grandparents (George and Fancy Snook), Grandparents (Dorothy and Clark Perry), Aunt and Uncle (Dave and Deal Bramble) on the property where the spring creek known as Clear Creek runs and both of the above referenced claims are located. My great grandparents purchased the property (approx 53 acres) in or about 1950. They then built five log cabins for their children, grandchildren, and great-grandchild (myself, sibling and cousins), to come and spend each summer. All the cabins were finally completed in 1956 and at that time we had permits for three wells which were used for domestic purposes and to water the garden and lawns which at that time were in their infancy. My grandmother loved to garden and each year the gardens got larger and larger. In 1959 the gardens and lawns had become so large that watering them by hoses was impractical, too time consuming, and a constant chore. She hired two men and they devised a crude but efficient sprinkler system that consisted of rubber hoses buried in the ground and was fed by drawing water from Clear Creek with electric pumps. Since that summer of 1959 to the present the gardens and lawns have been continuously watered with water drawn from Clear Creek by electric pumps. My aunt (Deal Bramble) who lived in a cabin further up the creek thought my mother's sprinkler system was so neat that she had one like it installed the following summer (1960). Originally we would have to turn on the pump manually and open one valve manually to sprinkle different sections of the garden. When one section was fully watered someone would then have to manually turn off the valve and open another valve to water another section of the garden. The sprinkler system has been modified and upgraded over the years and eventually automatic valves and timers were installed. The gardens became quite famous and were known locally as the Dorothy Perry Gardens. My grandmother grew over 125 different varieties of perennial flowers. Eventually my grandmother opened the gardens to the public, free of charge, on Thursdays each summer for six weeks at the height of the summer bloom and my grandmother and girls that she would hire to help her gave informative tours and instructions on high altitude gardening. Year after year her plants adapted to the high altitude climate. At the garden tours my grandmother would sell seed packets and donate the money to the Ketchum library. Many of the perennial flowers that grace Blaine County today were from seeds from her garden. In 1983 her gardens were featured in "House and Garden" magazine.

I hope this additional information will be helpful to you in reaching your determination of the status of my claims. Should you have any questions please do not hesitate to contact me at (760-346-3719). Thank you for your time and efforts in processing these claims.

Sincerely,



Beckie E.
Biadebach
74-071 Chinook Circle
Palm Desert, CA
92211

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of

Riverside

} ss.

On 21 Jan 2007 before me, Cathy L. Brown, notary public

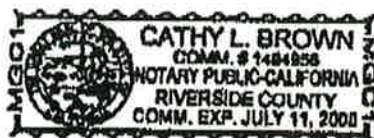
personally appeared

Beckie E. Bidebach

Name(s) of Signer(s)

☒ personally known to me☐ proved to me on the basis of satisfactory evidence

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 in ~~his/her~~ her authorized capacity(ies), and that by ~~his/her~~ her signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Print: Notary Carol Almon

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____

Number of Pages: _____

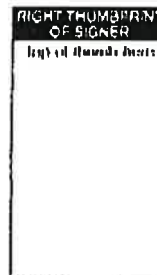
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

☐ Individual☐ Corporate Officer — Title(s): _____☐ Partner — ☐ Limited ☐ General☐ Attorney in Fact☐ Trustee☐ Guardian or Conservator☐ Other: _____

Signer Is Representing: _____





WHITE-LEASURE Development Company

FACSIMILE

Telephone: (208) 345-1842

Fax: (208) 343-3143

TO:
Matt Anders**FROM:**
Jeff HuberCo: DEPT. OF WATER RESOURCES
#37-21358
Re: #37-21359 #37-20399
Project: WLDCDate: 1-22-07
Time: 1:50 PM
Fax#: 287-6700Comment: MATT - HERE ARE 5 NOTARIZED LETTERS SUPPORTING
MY CLAIM. I HAVE ATTACHED A SET OF THE LETTERS TO
 EACH NOTICE OF ERROR REPLY. CALL ME IF YOU HAVE ANY
QUESTIONS.Total pages, including this page 18

As per our telephone conversation

In accordance with your request

Will call you to review

For your information

Please review and call

Please sign

For your approval

Original sent via mail

Thank you,
Jeff C. Huber