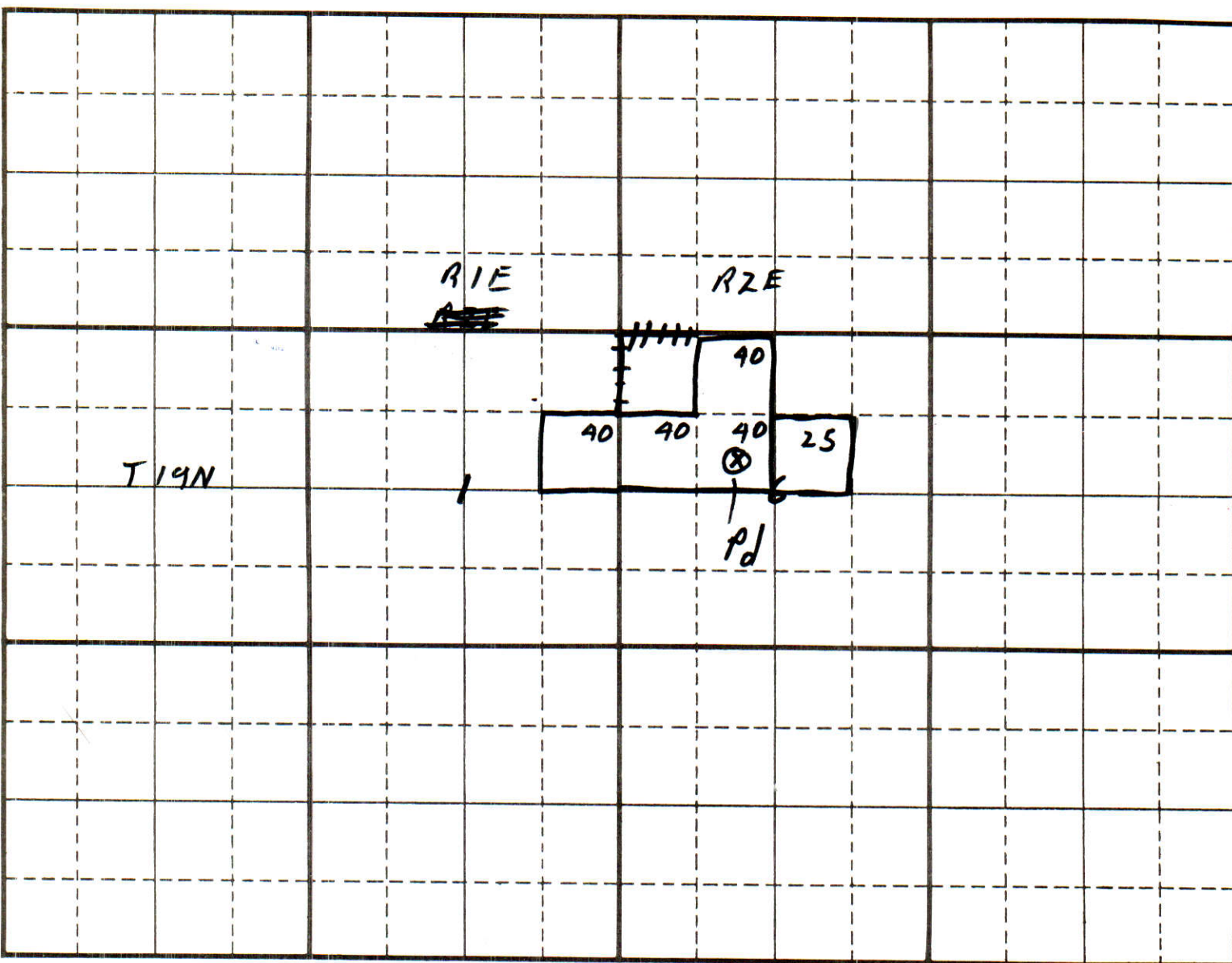


(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Ada) ss.

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

Eugene McManan
(Claimant)

Sworn to before me this 10 day of July, 19 79.

Kathleen A. Walker
Notary Public
Residing at Boise

My commission expires life

FOR DEPARTMENT USE ONLY

Received by GLS Date 7/10/79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by CWB Date 7/10/79 claimant by: _____
\$20.00 fee received by fw Date 7/10/79 #14436
Published in Adams County Leader _____
Dates 7/19 & 7/26/79 _____

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Claims to Water Rights"

No. 78-4113 McMahan & Jones

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two (2) consecutive weeks, the first publication of the

same being made in the issue dated July 19, 1979

and the last in the issue dated July 26, 1979 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 30th

day of July, 1979

Notary Public for Idaho,
Residing at Council, Idaho

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

78-4113
MC MAHAN, EUGENE
JONES, MARY M.
10910 MC MILLAN ROAD,
BOISE, ID 83702
Source: FOUR MILE CREEK tributary to LITTLE SALMON RIVER
Priority Date: 05/07/1900
Amount: 3.00 CFS
Diversion Point: SENW Sec 06 T 19N R 02E ADAMS Co.
Use: IRRIGATION (3.00 CFS) from 05/01 to 09/30
STOCKWATER (0.04 CFS) from 01/01 to 12/31
Place of Use: SENE Sec 01 T 19N R 01E SWNE NENW SWNW SENW Sec 06 T 19N R 02E FOR 185 ACRES
Diversion Means: HEADGATES & DITCH
Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.
C. STEPHEN ALLRED
Director
Published 7/19 & 7/26/79.

RECEIVED
JUL 31 1979

Department of Water Resources
Western Regional Office

OK
K14
8/16/79

RECEIVED

INTER-DEPARTMENT MEMO — 1

FROM

Jan

TO

File # 78-4113

DATE

3/5/80

SUBJECT

The present owner under this

claim is Dorsey Campbell

P.O. Box 296

New Meadows, ID

83654

A copy of all correspondence pertaining to this file should be mailed to Mr. Campbell.

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that EUGENE McMAHAN &/or MARY M. JONES
(Name of Claimant)
10910 McMillan Rd., Boise, ID 83702 Telephone No. 376-1655
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) May 7, 1900

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

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Four Mile Creek tributary to Salmon River (Little)

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	3.0 cfs	Use	irrigation	Period of Use From 5/1	To 9/30
Quantity	.04 cfs	Use	stockwater	Period of Use From 1/1	To 12/31
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
(4)	3.0 cfs	TOTAL QUANTITY USED.			
(cfs, gpd, AFA)					

(5) A) Point of diversion: (Location of point where water is diverted from its source)
SE ¼ NW ¼, Sec. 6 Twp. 19N Rge. 2E B.M., County of Adams
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. metal and wood and canvas headgates and ditch

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
19N	1E	1				40													40
19N	2E	6			25		40		40	40									145

No. of acres 185

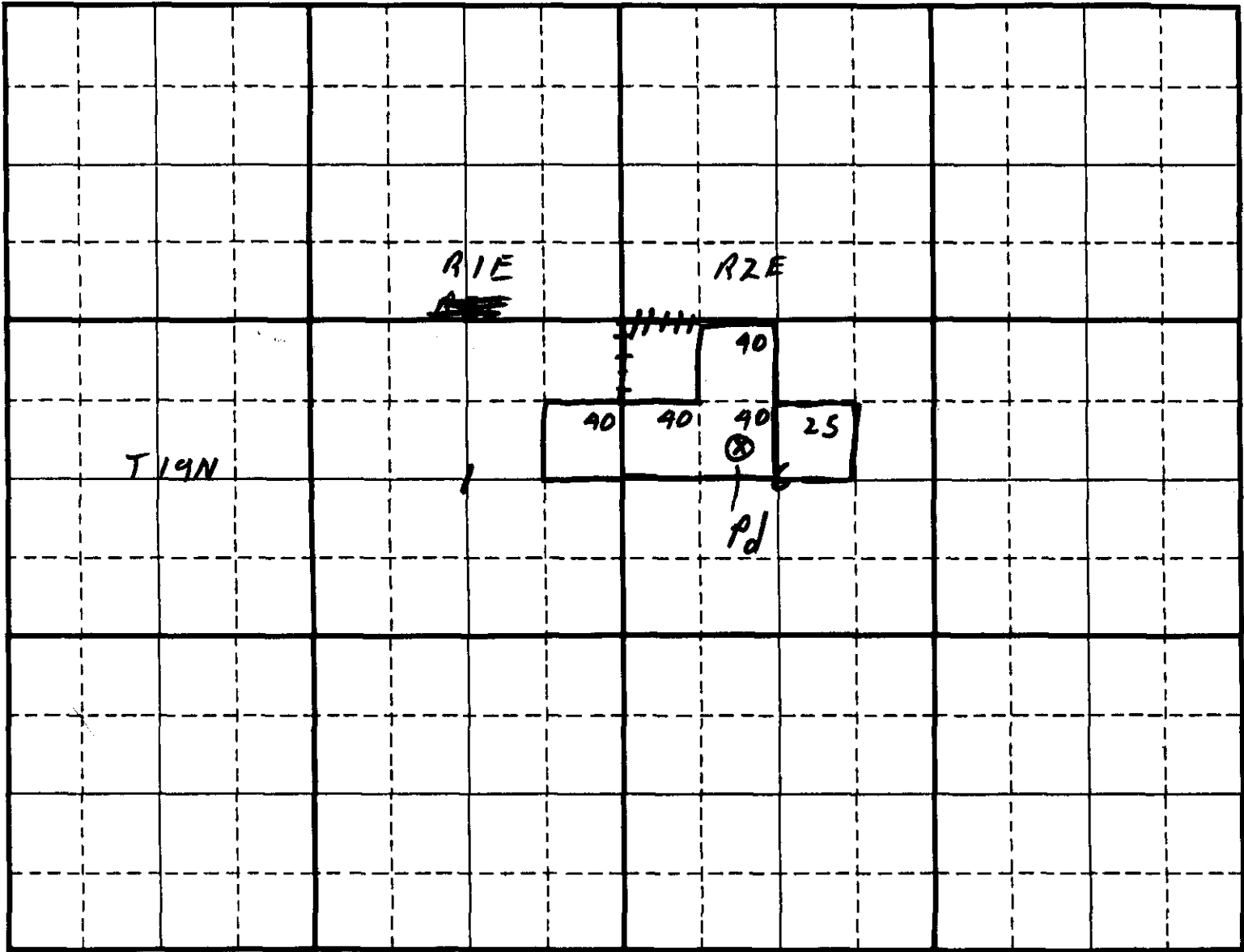
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 160 beef cattle

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

McMAHAN

(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Ada) ss.

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

Eugene Mc Mahan
(Claimant)

Sworn to before me this 10 day of July, 19 79.

Kathleen A. Walker
Notary Public
Residing at Boise

My commission expires life

FOR DEPARTMENT USE ONLY
Received by GLS Date 7/10/79 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by LWB Date 7/10/79 claimant by: _____
\$20.00 fee received by FW Date 7/10/79 #14436
Published in Adams County Leader
Dates 7/19 & 7/26/79 KL 8/8/79

Affidavit of Publication

State of Idaho, County of Adams, ss:

I, Bert J. Rogers, being first duly sworn upon my Oath, depose and say that I am the publisher of The Adams County

Leader, a newspaper; that a copy of the "Notice of Claims to Water Rights"

no. 78-4113 McMaham & Jones

as per clipping

hereto attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two (2) consecutive weeks, the first publication of the

same being made in the issue dated July 19, 1979

and the last in the issue dated July 26, 1979 that said newspaper is of general circulation in Adams County Idaho, printed and published weekly at Council therein and that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of

said "Notice" as aforesaid.

Subscribed and sworn to before me this 10th

day of July, 1979

Bert J. Rogers

Notary Public for Idaho,
Residing at Council, Idaho

Notice is hereby given that the following claims to water rights have been established by diversion and application to beneficial use:

78-4113
MC MAHAM, EUGENE
JONES, MARY M.
1880 MC MAHAM ROAD,
BOISE, IDAHO

Source: FISH CREEK tributary to LITTLE KAMAHEN RIVER

Priority Date: 05/07/1979
Amount: 1.00 CFS

Diversion Point: HWY Sec 04 T 18N R 04E Adams Co.

Use: IRRIGATION (1.00 CFS)
from 05/01 to 06/01

STOCK WATER (0.04 CFS)
from 05/01 to 12/31

Place of Use: HWY Sec 04 T 18N R 04E SW 1/4 Sec 04 T 18N R 04E Adams Co. 160 ACRES

Examiner: MRS. HENRIETTA & DUTCH

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 815 Cole Road, Boise, Idaho 83726

C. STEPHEN ALLEN, Director
Published 7/19 & 7/26/79

RECEIVED

JUL 31 1979

Department of Water Resources
Western Regional Office

OK
R14
8/6/79

INDEXED

4113

SW NE 6 25 AC

OWNED BY BECKER &

KELLIE

September 22, 1983

Kevin Campbell
Campbell Meadows Ranch
P. O. Box 296
New Meadows, ID 83654

Dear Kevin,

We have received the proof of beneficial use card you submitted for Claim No. 78-4113.

However, this claim does not require a proof of beneficial use card as it is claiming a use that has been used since 1900. If you had filed on a new water right and developed it, then proof needs to be submitted and the Department then proceeds to verify your water right. A claim is usually verified by the claimant submitting notarized statements from individuals in the area who can testify to the use of that water as far back as possible.

Therefore, I am returning the beneficial use postcard to you. If you have any questions, please contact me.

Sincerely,

Jan Grover
Senior Water Resource Agent

JG:kb

Enclosure

122 Book A of Water Rights Records

State of Idaho
County of Adams } ss

I, the undersigned Recorder and Clerk of the District Court of Adams County, State of Idaho, do hereby certify that the foregoing instrument is a true and correct copy of the original on file in my office and in my custody.
IN WITNESS WHEREOF, I have set my hand and affixed my official seal on this 27 day of July, 1917

Gordon H. Allen
Clerk of the District Court
and County Recorder
Deputy

Notice of Water Right.

State of Idaho

County of Washington

To All Concerned, Notice is Hereby Given:

1st. That I, John McManahan of Meadows, Ida, hereby claim the use of the waters of Four Mile Creek to the extent of 250 cubic inches.

2nd. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: at or about the NE corner of the SE qr of the NW qr of Sec 6 Township 19 North of Range Two East of Boise Meridian or near wagon road.

3d. The said water to be used is irrigation. The place of intended use is the farm of the above subscribed land.

4th. It is intended to divert said water by means of a ditch. The general course of ditch is West. It is intended to use said water for irrigating the following described land Lots No 3 & 5 and the SEqr of the NW qr of Sec 6 in Twp 19 N of Range 2 East and the SE qr of the NWqr of Sec One in Twp 19 North of Range One East of Boise Meridian

Witness my hand at Meadows, Washington Co Idaho, this 5th day of May 1900

Jonathan McManahan

WITNESSES my hand at Pocatello, Washington Co Idaho, this 5th day of May 1900

Jonathan McMahan

Claimant.

State of Idaho

County of Washington

John McMahan being first duly sworn deposes and says that he is a citizen of lawful age, and a lawful claimant of the water right mentioned in the foregoing notice and whose name is subscribed thereto. That the statements in the said notice are true, and that the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion (as provided by law) on the 5th day of May 1900

Jonathan McMahan

Subscribed and sworn to before me this 5th day of May 1900

Thos. B Snyder

Justice of the Peace.

Filed for record at the request of Jonathan McMahan this 7th day of May A D 1900 at 9 o'clock A M

I F Smith

Ex-Officio Recorder

Fees \$1.00 Paid

(Water Rights-2-12-)

Jonathan McMahan and
Caroline P. McMahan, his wife,

WARRANTY DEED.

Dated March 1st, 1918.
Ack'd March 16th, 1918.
Filed March 22nd, 1918.
Book 6 Deeds page 352.
Consideration \$2500.00.

10.

to

Daisy Phillips and
Mason Phillips.

First parties grant, bargain, sell, convey
and confirm unto
second parties, all the following described real estate situated in
Adams County, Idaho, to wit, -

Southeast Quarter of Section One, in Township Nineteen North,
Range One East of the Boise Meridian, containing 160 acres, more or
less. Also 1/2 of 200 inches of water and water rights from waters
of Four Mile Creek filed upon by G F Smith and E S Smith, May 25, 1888.
Covenants of warranty. I R \$2.50 canceled.

Acknowledged by Jonathan McMahan and Caroline P. McMahan, his
wife, before F D Stover, Notary Public, Adams County, Idaho, residing at
New Meadows, Idaho. Seal.

5.

Information regarding first Smith place (now owned by) on 1/4 mile filing

THIS INDENTURE, made this ----- day of March in the year of our Lord,

One thousand nine hundred and eighteen (1918) between Jonathan McMahon and Caroline P. McMahon, his wife, of Meadows, County of Adams, State of Idaho, the parties of the first part, and Daisy Phillips and Mason Phillips, of New Meadows, County of Adams, State of Idaho, the parties of the second

part, WITNESSETH, That the said parties of the first part, for and in consideration of the sum of Two Thousand Five Hundred Dollars, lawful money of the United States of America, to them in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do Grant, bargain, sell, convey and confirm unto the said parties of the second part, and to their heirs and assigns forever, all the following described real estate, situated in the County of Adams, State of Idaho, to-wit:-
The South east Quarter of Section One (1) in Township Nineteen (19) North of Range One (1) East of Boise Meridian, containing 160 acres more or less, according to the Government Survey.

One-half of the Two hundred inches of water and water right from the waters of Four Mile Creek filed upon by G. F. Smith and E. S. Smith on May 25, 1888 and appropriated by them for irrigation of the above land (See Book 1 page 196 of records of Washington County, Idaho) is hereby conveyed to the grantees herein, but the remaining one-half thereof, to-wit:- one hundred inches is hereby expressly reserved by the grantors for use upon other lands. All ditches and ditch rights to carry water from Four Mile Cr. to above described land are hereby conveyed to grantees.

TOGETHER with all and singular the tenements, hereditaments and appurtenances therunto belonging or in anywise appertaining, the reversion and reversions thereunto

5/25/88
File of Smith place
(carry place)

County of Adams
I, the undersigned Recorder and Clerk of the District Court of Adams County, State of Idaho, hereby certify that the foregoing instrument is a true and correct copy of the original on file in my office and in my custody. IN WITNESS WHEREOF, I have set my hand and affixed my official seal on this 31st day of August 1918.

Esther Stover
Clerk of the District Court
and County Recorder
Alfred Stover
Deputy

set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of
JOHNATHAN McLAHAN (SEAL)
CAROLINE P. McLAHAN (SEAL)

Documentary \$2.50
United States Internal Revenue
3/16/18 J.M.M. C.P.M.M.

State of Idaho
County of Adams
SS
On this 16th day of March in the year 1918, before me F. D. Stover, a Notary Public in and for said county, personally appeared Jonathan McLahan and Caroline P. McLahan, his wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property as well in law as in equity, of the said parties of the first part.

TO HAVE AND TO HOLD All and singular the above mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will WARRANT and by these presents forever DEFEND.

Waters of Four Mile Creek and appropriated by them for irrigation of the same. (See Book 1 page 196 of records of Washington County, Idaho). is hereby conveyed to the grantees herein, but the remaining one-half thereof, to-wit: one hundred inches is hereby expressly reserved by the grantors for use upon other lands. All ditches and ditch rights to carry water from Four Mile Cr. to above described land are hereby conveyed to grantees.

RECEIVED
SEP 5 1918
Department of Water Resources
Western Regional Office

SEE N. R. 1 E
WATER R. MEMPHAN RIVER

Sec 1 (40 acres)

INSTRUMENT NO. 13356

8.

T 19 N R 2 E

Book 1 of 100

WINE SE NW 40 TS 3 + 5
Ac 6 (157.36 acres)

AGREEMENT

On Division of Water.

THIS AGREEMENT made and entered into at New Meadows, Idaho, February 10, 1935, by and between EDWARD McCAHAN and LULA McCAHAN, his wife, owners of the NE 1 of the NW 4 and the SW 1 of the NW 5 in Twp 19 N., R 2 E; and the SE 1 of the NE 1 of Sec 1 in Twp 19 N., R 1 East, party of the first part, and J. H. ARCHINE and GEORGE V. ARCHINE, his wife, owners of the SE 1 of Sec 1 in Twp 19 N., R 1 East, party of the second part,

WITNESSETH, That whereas both parties depend on the waters of Four Mile Creek for irrigation and domestic purposes it is desirable to set forth by formal agreement the rights and privileges to be shared by each.

Therefore in consideration of the mutual advantages to be derived, the following stipulations are entered into.

First and second parties shall have and enjoy equal priority rights in and to the waters of Four Mile Creek. When the available supply of water in the creek shall fall so low that both parties shall not have enough to supply their needs...

enough to supply their needs then a system of rotation shall be used. First party shall use the water for four days, then second party shall use it for four days, thus alternating back and forth. However, the party using the water shall leave sufficient in the stream to supply drinking water for the live stock of the other party.

This agreement shall continue in force and effect until by mutual consent of the parties hereto, or their successors in ownership, it shall be abrogated.

Edward Weirhan

Lula Weirhan

E. H. Abshire

Florence V. Abshire

On this the 14 day of April, 1935, before me, a Notary Public, personally appeared Edward Weirhan and Lula Weirhan, his wife and E H Abshire and Florence V. Absshire, his wife, and acknowledged to me that they executed the same.

Geo. J. Mitchell

(NOTARIAL SEAL)

Residence, New Meadows, Idaho.

Notary Public.

Recorded at the request of Lee Highley at 1 o'clock P. M. this 16th day of April, 1935.

Walter Foster,

Recorder.

Fees \$0.60

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: CW Bryan

Right Number 79-4113 Applicant McManan + Jones

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By [Signature] Date 8 Aug 79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By [Signature] Date 8/10/79

CLERK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 384-2190

AUGUST 15, 1979

EUGENE MC MAHAN
MARY M. JONES
10910 MC MILLAN ROAD
BOISE ID 83702

RE: Claim No. 78-4113

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


WILLIAM R. GOSSETT
Acting Western Region Supervisor

Enclosure



NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 7/19 & 7/26/79.

RECEIVED
JUL 26 1979
IDAHO DEPARTMENT OF
WATER RESOURCES
BOISE, IDAHO

28-4113.

MC MAHAN, EUGENE
JONES, MARY M.

10910 MC MILLAN ROAD, BOISE, ID 83702

Source: FOUR MILE CREEK tributary to LITTLE SALMON RIVER

Priority Date: 05/07/1900

Amount: 3.00 CFS

Diversion Point: SENW Sec 06 T 19N R 02E, ADAMS Co.

Use: IRRIGATION	(3.00 CFS)	from 05/01 to 09/30
STOCKWATER	(0.04 CFS)	from 01/01 to 12/31

Place of Use: SENE Sec 01 T 19N R 01E SWNE NENW SWNW SENW Sec 06 T 19N R 02E
FOR 185 ACRES

Diversion Means: HEADGATES & DITCH

MICROFILMED