

Affidavit of Historical Water Use Claim No. 11-4059

1. My Name is Cordell Passey. I am 58 Years old. My address is 435 Webster Street, Montpelier, Idaho, 83254.
2. I do not currently live on the property, but I access and use the property daily.
3. My wife and I purchased the property from my father, Roy c Passey, on October 23, 2002. The property has been family owned since it was deeded from the U.S. government in 1907.
4. The property is located in the County of Bear Lake, State of Idaho: The NE1/4SE1/4 of Section 28, Township 13 South, Range 43 East, Boise Meridian in Idaho:
EXEPTING THEREFROM the following described tract to-wit:
Commencing at the Southeast Corner of the NE1/4SE1/4 of Section 28, Township 13 South, Range 43 East, Boise Meridian in Idaho; running thence North 809 feet to the center of the road; thence Southwesterly along said road 1051 feet 3 inches to Eight Section Line; thence East on said line 815 feet 8 inches to the place of beginning.
5. As far back as I can remember, the spring has always been used primarily to provide stock water and flood irrigation.
6. My earliest memory of seeing farm use on the property was when I was five or 6 years old going out there with my father to do work projects, tend to the animals, fencing, and changing the water.
7. Currently the spring has been developed and is being used to provide stock water for cattle during the summer months and has been enhanced to provide stock water to troughs in the pasture as well as in the corals while also providing domestic/sprinklered irrigation to approximately 1.5+ acres of ground where the original homesteaded house was located.
8. The point of diversion is located east of the picnic area where the spring is captured inside of a large, vertically buried culvert 10 foot long and 5 foot in diameter.
9. The use of the water started historically when my great, great grandparents homesteaded the land when it was deeded to them from the U.S. Government in 1907. I remember as a young child coming to the farm and hearing/having discussions with my father and grandfather regarding the farm and the water use on the property. Discussion of years when drought was prominent, how the neighbors would push their cattle and other animals up to this spring daily for water as it was one of few that always had enough to satisfy the need. Those same characteristics are still evident today.

Signature: _____



Date: _____

9/11/2025