

4-4 OUTFITTERS
GARY L. MADSEN

P.O. BOX 25
ELLIS, IDAHO 83235

RECEIVED

AUG 23 2004

DEPARTMENT OF
WATER RESOURCES

August 18, 2004

Dear Roxanne Brown,

Please find enclosed information as you requested concerning water rights at Meadow Creek in the Pahsimeroi Valley.

Sincerely,

Gary Madsen



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

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AUG 23 2004

DEPARTMENT OF
WATER RESOURCES

July 26, 2004

73-4099

GARY MADSEN
KENNY MADSEN
PO BOX 25
ELLIS ID 83235

RESPONSE DEADLINE
AUGUST 27, 2004

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic 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. **Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.**

Enclosed you will find a computer printout of your 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: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim 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 should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129 and ask for me or Danni Smith.

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 Idaho Department of Water Resources (IDWR). 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 IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 73-4099

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DEPARTMENT OF
WATER RESOURCES

WATER RIGHT NUMBER: 73-4099

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KENNY MADSEN PO BOX 25 ELLIS, ID 83235 (208)876-4487
Original Owner	DEAN WHEELER RT 7 BOX 389 BLACKFOOT, ID 83221
Current Owner	GARY MADSEN PO BOX 25 ELLIS, ID 83235 (208)876-4487
Original Owner	GERALDINE J WHEELER 767 W 100 N BLACKFOOT, ID 83221 (208)684-4929

Priority Date: 04/16/1902

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
MEADOW CREEK	PAHSIMEROI RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to	12/31	0.030 CFS	
IRRIGATION	4/01 to	10/15	2.000 CFS	
	<u>Total Diversion:</u>		2.030 CFS	

Location of Point(s) of Diversion

MEADOW CREEK	SE1/4NE1/4NE1/4	Sec. 13, Twp 13N, Rge 21E, B.M.
CUSTER 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	
13N	22E	18					40.0	36.0											76.0
								L 1											

Total Acres: 76

STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

Please print or type
(see instructions on back of page)

AUG 23 2004

DEPARTMENT OF
WATER RESOURCES

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 13 Range 22
 Section 11, EE 1/4 of 11E 1/4 of NW 1/4, Govt. Lot 1, BM.
 Lot _____, Block, _____, Subdivision/Townsite _____.
 If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s)
Assigned by IDWR: A73-1000, A73-1001, A73-1002
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): JOHN J. & J. J. KELLY
- ☐ New Owner/Claimant (Purchaser): GARY L. KELLY
- ☐ New Mailing Address: 1000 N. 10th St.
PO Box 1000
Flagstaff, AZ 86001
- ☐ New Telephone Number: (505) 843-1000
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- [] Attach proof of ownership, describe proof attached: _____
(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 owner/claimant.)

- [] Signature of New Owner/Claimant(s) _____ Date 11/1/11
 _____ Date 11/1/11
- [] Signature of Former Owner/Claimant(s): _____ Date 11/1/11
 _____ Date 11/1/11

(Signature of former claimant(s) is not required if proof of ownership is attached.)

Claim Numbers of Split, if any:

**Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner**



Robie Real Estate

Residential • Agricultural • Recreational • Commercial
Highway 93 & Main Street • P.O. Box 730
Challis, Idaho 83226
208-879-2211 or 208-879-2270

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AUG 23 2004

DEPARTMENT OF
WATER RESOURCES

Sande K. Hill
Brent Hill

4/5/90

5857161

Legal description for Wheeler Ranch
Lemhi County
T14N R22EBM

Sec 15 S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ less 1 ac S $\frac{1}{2}$ of NW $\frac{1}{4}$ 119ac

Sec 16 S $\frac{1}{2}$ NE $\frac{1}{4}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ 320 ac

Sec 16 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 ac

Sec 21 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 ac

519 acres in Lemhi County

Custer County

Government Lot 1 NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec 18 T13N R22E 76.52 ac

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DEPARTMENT OF
WATER RESOURCESAJ0749NP
No. A73-04099IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)DATE: 01/30/98
PAGE: 1

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OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	GARY MADSEN	04/16/1902	IRRIGATION	04-01 10-15	2.00 CFS	
C	KENNY MADSEN		STOCKWATER	01-01 12-31	0.03 CFS	
	BOX 25					
	ELLIS ID 83235					
	(208) 876-4487					
				TOTAL DIVERSION:	2.03 CFS	
				CONSUMPTIVE USE:		190.00 AFA

Water Source: MEADOW CREEK

Tributary to: PAHSIMEROI RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion:

T13N R21E S13

SENE

CUSTER County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
13N	22E	18	:																	:	76.0
																				TOTAL ACRES	76.0

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: CUSTER

Non-Irrigation Uses: S/240 CATTLE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Hal



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

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AUG 23 2004

DEPARTMENT OF
WATER RESOURCES

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FEBRUARY 23, 1994

GARY AND KENNY MADSEN
BOX 25
ELLIS ID 83235

RE: CHANGE IN OWNERSHIP FOR A73-00049, -00155A, -10061,
AND -04099

Dear CLaimants:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

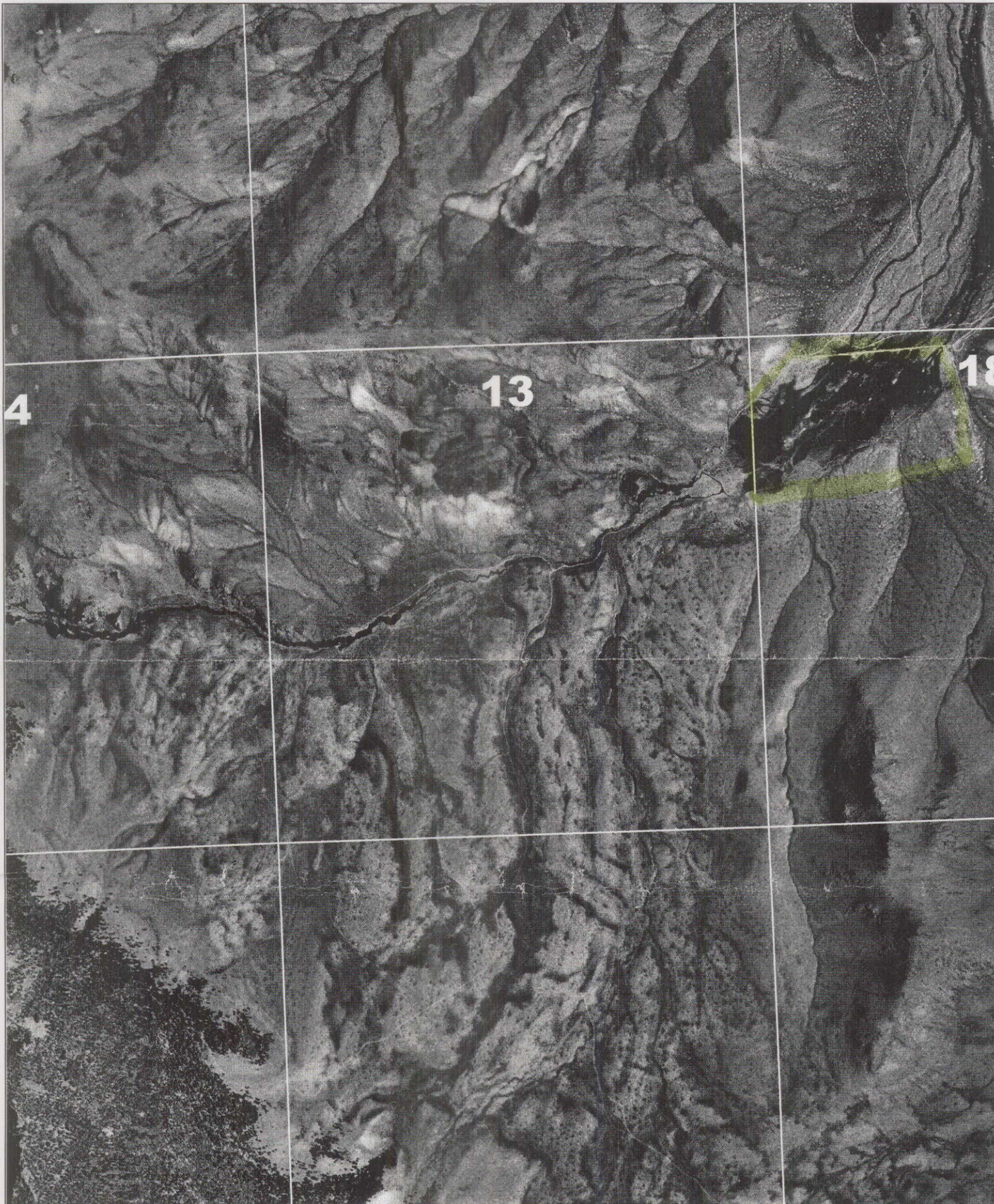
If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jo Thompson".

Jo Thompson
Secretary, Adjudications

Enclosure: Notice(s) of Claim



Map of Section 13, T13N, R21E Custer County Idaho

P1ss_a_id_utm11.shp

0.1 0 0.1 0.2 0.3 0.4 Miles



Map Printed: Aug 16, 2004