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

RECEIVED
AUG 3 1 2004
DEPARTMENT OF WATER RESOURCES

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

July 26, 2004

73-4040 73-11969 73-11971
PRESTON E DIXON
PO BOX 707
CHALLIS ID 83226

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

RECEIVED
AUG 3 1 2004
DEPARTMENT OF
WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 73-4040

WATER RIGHT NUMBER: 73-4040

Owner Type	Name and Address
Original Owner	JAMES KELSH BURSTEDT LN ELLIS, ID 83235 (208)876-4254
Original Owner	MIKE C CARR HC 62 BOX 1051 ELLIS, ID 83235 (208)876-4470
Original Owner	WILLIAM E BRADBURY BURSTEDT LN ELLIS, ID 83235 (208)876-4254
Original Owner	JACK WENDEL BURSTEDT LN ELLIS, ID 83235 (208)876-4254
Original Owner	SHAWNA CARR HC 62 BOX 1051 ELLIS, ID 83235 (208)876-4470
Current Owner	PRESTON E DIXON PO BOX 707 CHALLIS, ID 83226 (208)876-4100

Priority Date: 04/01/1870

Basis: Statutory Claim

Status: Active

Source	Tributary
PAHSIMEROI RIVER	SALMON RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	6/01 to 9/30	0.020 CFS	
IRRIGATION	4/01 to 11/01	0.360 CFS	
	Total Diversion:	0.380 CFS	

Location of Point(s) of Diversion

PAHSIMEROI RIVER SW1/4SW1/4SE1/4 Sec. 6, Twp 15N, Rge 21E, B.M.

LEMHI 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	
15N	21E	6					10.0 L 3	2.0 L 4											12.0

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 73-4040

Total Acres: 12

STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

1. General FIELD HEADGATE LOCATED NEAR BURSTEADT LANE & COUNTY ROAD

Comments:

RECEIVED
AUG 3 1 2004
DEPARTMENT OF
WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 73-11971

WATER RIGHT NUMBER: 73-11971

Owner Type	Name and Address
Original Owner	SHAWNA CARR HC 62 BOX 1051 ELLIS, ID 83235 (208)876-4470
Original Owner	THOMAS G LEVENDOFSKE HC 69 BOX 85 RIGGINS, ID 83549 (208)628-3815
Current Owner	PRESTON E DIXON PO BOX 707 CHALLIS, ID 83226 (208)876-4100
Original Owner	LESLEY C LEVENDOFSKE HC 69 BOX 85 RIGGINS, ID 83549 (208)628-3815
Original Owner	MIKE C CARR HC 62 BOX 1051 ELLIS, ID 83235 (208)876-4470

Priority Date: 04/01/1870

Basis: Beneficial Use

Status: Active

Source	Tributary
PAHSIMEROI RIVER	SALMON RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	04/01 to 11/01	0.150 CFS	
STOCKWATER	01/01 to 12/31	0.020 CFS	
	Total Diversion:	0.150 CFS	

Location of Point(s) of Diversion

PAHSIMEROI RIVER NW1/4NW1/4 Sec. 8, Twp 15N, Rge 21E, B.M.

LEMHI 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	
15N	21E	6					5.7	1.7											7.4
							L 3	L 4											

Total Acres: 7.4

STOCKWATER same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 73-11971

Conditions of Approval:

Remarks:

1. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 73-4082.

Comments:

RECEIVED
AUG 3 1 2004
DEPARTMENT OF
WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 73-11969

WATER RIGHT NUMBER: 73-11969

Owner Type	Name and Address
Original Owner	THOMAS G LEVENDOFSKE HC 69 BOX 85 RIGGINS, ID 83549 (208)628-3815
Current Owner	PRESTON E DIXON PO BOX 707 CHALLIS, ID 83226 (208)876-4100
Original Owner	SHAWNA CARR HC 62 BOX 1051 ELLIS, ID 83235 (208)876-4470
Original Owner	MIKE C CARR HC 62 BOX 1051 ELLIS, ID 83235 (208)876-4470
Original Owner	LESLEY C LEVENDOFSKE HC 69 BOX 85 RIGGINS, ID 83549 (208)628-3815

Priority Date: 04/01/1915

Basis: Beneficial Use

Status: Active

Source	Tributary
SPRING	PAHSIMEROI RIVER

Beneficial Use	From To	Diversion Rate	Annual Volume
STOCKWATER	01/01 to 12/31	0.020 CFS	
IRRIGATION	04/01 to 11/01	0.040 CFS	
	Total Diversion:	0.040 CFS	

Location of Point(s) of Diversion

SPRING NW1/4NW1/4 Sec. 8, Twp 15N, Rge 21E, B.M.

LEMHI 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	
15N	21E	6					1.8 L 3												1.8

Total Acres: 5

STOCKWATER same as IRRIGATION

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 73-11969

Conditions of Approval:

Remarks:

1. Explanatory THIS RIGHT IS A SPLIT FROM FORMER RIGHT 73-4081

Comments:

Notice is hereby given that we the undersigned have this day located and claim Five hundred (500) inches of the Water of Trout Creek, to be taken out at a certain point about one half-mile from the confluence of said Creek with the Pahsamerie in Lemhi County Idaho Territory, and to be conveyed by ditch of sufficient capacity to our respective Ranches for agricultural and other purposes,

March 1st 1886,

Boise Ellis,
William Weller
James M. Shoup,

Filed for record in this Office this 2nd day of March AD 1886 at 9 A.M, and duly recorded in Book A, of Water Rights page 289,

John Hogan,
County Recorder,

Notice, I the undersigned have on this 20th day of February AD 1886 located and claimed 500 inches of Water to be taken out of Spring Creek at this point, being about (1/2) one half-mile south of Falls and O'Neils House, said Water to be ~~taken~~ used for irrigating Milling and agricultural purposes, and to be conducted in a ditch of sufficient capacity to carry the same on to land claimed by the undersigned about (1/2) one and one half miles below where said Water is diverted.

Dated Pahsamerie Valley
February 20th 1886

James Hooper,

Filed for record in this Office this 26th day of February AD 1886, at 10, A.M and recorded in Book A, of Water rights

John Hogan
Co, Recorder,

Notice, We the undersigned have this day located five hundred (500) inches of Water of four inch pressure for agricultural and Ranch purposes, on the South side of Pattison Creek at a point about four miles East Falls & O'Neils ranch house

22nd February 1886,
Pahsamerie Valley Lemhi Co Idaho,

Falls & O'Neil

Filed for record Feby 26th AD 1886, at 10, A.M, and duly recorded in Book A, of Water Rights Page 289,

John Hogan,
County Recorder

From deed Record book "I" - Lemhi County

U. S. Patent.

Desert Lands
Certificate No. 339

The United States of America
To all whom these presents shall come, Greeting:

Whereas James M. Shoup, of Lemhi County, Idaho has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Hailey, Idaho, whereby it appears that full payment has been made by the said James M. Shoup according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto for the South East quarter of the North West quarter; the North East quarter of the South West quarter; the South half of the North East quarter and the South East quarter of Section thirty-six in Township sixteen North, and the Lots numbered one and two of Section one in Township fifteen North of Range twenty East and the Lots numbered three and four of Section six in Township fifteen North, and the Lot numbered two of Section thirty-one in Township sixteen North, of Range twenty-one East of Boise Meridian in Idaho, containing five hundred and eleven acres, and twenty-hundredths of an acre, according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said James M. Shoup

Now know ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant, unto the said James M. Shoup and to his heirs, the said Tract above described: To Have and to Hold the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature thereunto belonging unto the said James M. Shoup and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract or remove his ore therefrom should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In testimony whereof, I, William McKinley, President of the

Patent and the Seal of the General Land Office to be hereunto affixed.

Given under my hand at the City of Washington, the twenty-seventh day of August in the year of our Lord one thousand eight hundred and ninety-eight, and of the Independance of the United States the one hundred and twenty-third

(Seal) By the President- William McKinley

By F. M. McKean, Secretary.

L. W. Bruch, Recorder of the General Land Office.

Recorded in Vol. 10 Page 16.

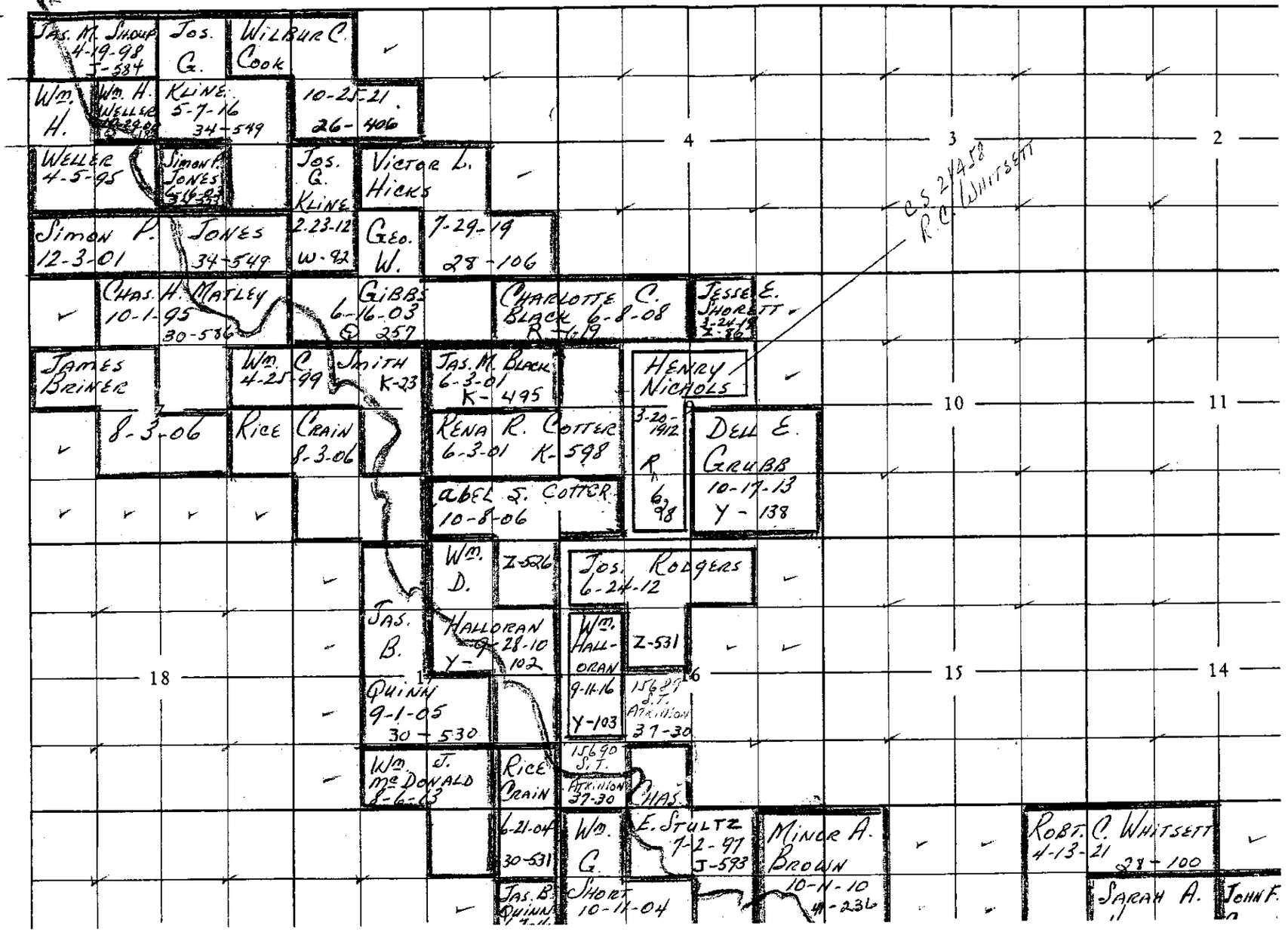
Recorded at the request of Wm. H. Stoup, April 28th 1899 at 25 minutes past 11 O'clock A. M. in Book "J" of Deeds, page 584. Records of Lemhi County, Idaho.

J. P. Clough,
County Recorder.

Warranty Deed.

This Indenture, Made this 21st day of April in the year of our Lord one thousand eight hundred and ninety-nine. Between Isaac N. Williams, and Julia A. Williams, (his wife) both of Junction, Lemhi County, Idaho parties of the first part, and Phil Shenon, of Salmon City, Idaho, the party of the second part, Witnesseth, that the said parties of the first part, for and in consideration of Two Hundred and Fifty Dollars ($250.00) lawful money of the United States of America, to them in hand paid by the said party 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 party of the second part, and to his heirs and assigns forever, all that certain lot, piece or parcel of land, situate, lying and being in the Salmon City Townsite, County of Lemhi and State of Idaho, and particularly described as follows, to wit:- All the right, title and interest of the said party of the first part, as heir at law of Richard Williams, and Margaret Williams, Deceased, of, in and to that certain lot, piece or parcel of land, situated within, upon and being a part of the Townsite of Salmon City, in said Lemhi County, bounded and described as follows, to wit: From the south-east corner of the block of land bounded southerly by Main street, and easterly by Center street, run north, 6° 30' west along the northerly

Sec. 1-19-30 + 31

EXPLANATORY NOTES.

Township No. 15 - N Range No. 21 - E