

July 12, 2005

RECEIVED
JUL 14 2005
DEPARTMENT OF
WATER RESOURCES

Dear Roxanne

Here is the information that you have requested. After review of the dates there is a problem with the date on the of the 60 acre parcel you have 1928 and it should be Oct. 2 nd 1889. Since the property has been sold many times over the years, that part of the place is now 60 acres. I would like that date changed. Thank you

John Swanson
11 Swanson Ln
Salmon Id. 83467

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4153

WATER RIGHT NUMBER: 75-4153

Owner Type Name and Address

Current Owner

JOHN R SWANSON
~~666 LOMAX~~

IDAHO FALLS, ID 83404
(208)529-0034

*11 Swanson Ln
Salmon Id. 83467
208-221-7989*

Current Owner

RICHARD J SWANSON
11 SWANSON LN
SALMON, ID 83467-5247
(208)756-3351

Priority Date: 06/18/1928

Basis: Statutory Claim

Status: Active

Source

UNNAMED SLOUGH

Tributary

SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
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STOCKWATER

1/01 to 12/31

0.030 CFS

IRRIGATION

4/01 to 11/01

2.000 CFS

Total Diversion:

2.030 CFS

Location of Point(s) of Diversion

UNNAMED SLOUGH

SW1/4SE1/4

Sec. 18, Twp 21N, Rge 22E, B.M.

LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T21N R22E S07

NESW 12.0

T21N R22E S07

SESW 20.0

Total Acres: 32

STOCKWATER same as IRRIGATION

Conditions of Approval:

Remarks:

THIS INDENTURE, made this 15th day of June, 1928,

between Arthur R. Ferguson and Louise Ferguson, his wife, of the County of Lemhi, State of Idaho, the parties of the first part, and Fred B. Conlee and Roy E. Conlee of the same place, the parties of the second part:

WHEREAS, at the time of the sealing and delivery of these presents the parties of the first part are the owners of an irrigation ditch the center line of which extends from a point at the southerly end of a slough or pond situated on the West Half of the Southwest Quarter of the Southeast Quarter of Section 18, in Township 31 North, Range 22 East of the Boise Meridian, in the County of Lemhi, State of Idaho, in a northerly direction to the Southeast corner of the Northwest Quarter of the Northwest Quarter of the Northwest Quarter of Section 18, in Township 31 North of Range 22 East of the Boise Meridian, in Lemhi County, Idaho, subject to covenants with Mary V. Claffee and Elias Thompson which relating to bridges over said ditch provided for in contracts with said last named persons, recorded in the office of the County Recorder of Lemhi County in Book "7" of Deeds at pages 517 and 518, and Book "8" of Agreements at pages 465 and 468:

AND WHEREAS, said parties of the first part are the owners of a certain other ditch which extends from a point 340 feet South of the Southeast corner of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter of said Section 18; thence on a curved course northerly and westerly to a point 100 feet East of the Northeast corner of the Southwest Quarter of the Southwest Quarter of the Northwest Quarter of said Section 18, to the intersection of the first above described ditch, being an extension of the ditch known as the Salmon River ditch on said latter 12.

AND WHEREAS, said parties of the second part desire to purchase an undivided one-third part or interest in and to said irrigation ditch for use as conduits for the conveyance of water for irrigating the Southeast Quarter of the Southwest Quarter of Section 7, in said Township:-

Place of use.

NOW THIS INDENTURE WITNESSETH, That said parties of the first part for diverse good causes and considerations, and in consideration of the sum of ONE DOLLAR to them paid by the said parties of the second part, the receipt whereof is hereby acknowledged, have GRANTED, BARGAINED, SOLD, RELEASED and CONFIRMED, and by these presents do GRANT, BARGAIN, SELL, RELEASE and CONFIRM unto the said parties of the second part, and to their heirs and assigns, an undivided one-third part or interest in and to said first mentioned ditch, the center line of which is particularly described as:

Commencing at the head or source of said ditch in the body of water on the East Half of the Southwest Quarter of the Southeast Quarter of said Section 18, in Township 21 North, Range 22 East of the Boise Meridian, in Lemhi County, State of Idaho, and continuing in a northerly course to the Southeast corner of the Northwest Quarter of the Northwest Quarter of the Northeast Quarter of said Section 18.

Subject to covenants in contracts with Mary V. Chaffee and Elias Tomonovich relating to bridges across said ditch, recorded in the office of the County Recorder of Lemhi County in Book "B" of Deeds at pages 517 and 518, and Book "B" of Agreements at pages 465 and 466.

And said parties of the first part for the consideration aforesaid have GRANTED, BARGAINED, SOLD, RELEASED and CONFIRMED, and by these presents do GRANT, BARGAIN, SELL and CONFIRM unto the said parties of the second part, and their heirs and assigns, an undivided one-third part or interest in and to said second mentioned ditch, the center line of which is particularly described as: Commencing at a point 340 feet South of the Southeast corner of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter of said Section 10, run thence on a curved course northerly and westerly to a point 198 feet East of the Northeast corner of the Southwest Quarter of the Southwest Quarter of the Northeast Quarter of said Section 10, to the intersection of the first above described ditch, Being an extension of the ditch known as the Salmon River ditch on said Section 10.

TO HAVE AND TO HOLD, all and singular, the premises and privileges hereby granted unto the said parties of the second part their heirs and assigns forever, he or they paying their just proportion of the expenses which from time to time may accrue in supporting, cleaning and repairing said ditch.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Arthur E. Ferguson (SEAL)

Louise Ferguson (SEAL)

.....

STATE OF IDAHO,)
) ss
County of Latah.)

On this 20th day of June in the year 1928, before me, John E. Padgugan, a Notary Public in and for said County and State, personally appeared Arthur E. Ferguson and Louise Ferguson, 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.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

John E. Padgugan
Notary Public: Residing at
Salmon, Idaho.

Two States
To
McPain

Desert Land Act of March 3, 1877
Register's Final Certificate
p. 11

Declaration
No 77 O.S.

Land Office at Nauvoo Idaho April 14th 1885

It is hereby certified that, in pursuance of the act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of Desert Lands in certain States and Territories," Sylvester McPain of Lemhi County Territory of Idaho has purchased of the Register of this Office, and made payment in full for the lands described as follows, to wit:

Section 4 to 7 T. 71 N. 4. Range 11 East Boise Meridian containing 80 acres, at the rate of one dollar and twenty five cents per acre, amounting to 1000⁰⁰ dollars.

Now therefore, be it known that, on presentation of this certificate to the Commissioner of the General Land Office, the said Sylvester McPain shall be entitled to receive a patent for the tract of land above described

Homer L. Conrad
Register

Note - See Original Declaration and Receipt, No 77 O.S.

Recorded at the Request of S. McPain Oct 2nd 1889 at 10 minutes past 3 O'clock A.M. in Book F of Deeds Page 15 Records of Lemhi County, Idaho Territory
Timothy Dore
County Recorder

STATE OF IDAHO
COUNTY OF LEMHI
I, TERRI J. MORTON, CLERK OF THE DISTRICT COURT
OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF LEMHI DO HEREBY
CERTIFY THAT THE PROCEEDING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
IN WITNESS WHEREOF I HAVE HEREunto SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS 17th DAY
OF July YEAR 1889

TERRI J. MORTON, CLERK
BY *Spencer* DEPUTY

Grant Lands } The United States of America, To all to whom these presents
Certificate No 74 } shall come, Greeting:

Whereas William H. Andrews of Lemhi County Idaho Territory has deposited in the General Land Office of the United States a certificate of the Register of the Land Office at Hailey Idaho Territory, whereby it appears that full payment has been made by the said William H. Andrews according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provisions for the sale of the Public lands" and the acts supplemental thereto for the South East quarter of Section seven, in Township twenty one North of Range twenty two East of Snow Meridian in Idaho Territory, containing one hundred and sixty acres, 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 William H. Andrews;

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 William H. Andrews 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 William H. Andrews 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 and 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 and remove his ore therefrom, should the same be found to penetrate or intersect the premises thereby granted as provided by law.

In testimony whereof, I, Benjamin Harrison, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the ninth day of July in the year of our Lord one thousand eight hundred and eighty nine, and of the Independence of the United States the one hundred and fourteenth.

By the President: Benjamin Harrison

By M. McKean, Secretary

Recorded Vol 1. Page 763

J. M. Townsend

Recorder of the General Land Office

Recorded at the request of Wm H. Andrews Jan 27th 1890 at 5 O'Clock
J. M. in Book "F" of Deeds page 44. Records of Lemhi County, Idaho Territory

Timothy Dore
County Recorder

STATE OF IDAHO
COUNTY OF LEMHI
I, TERRI J. MORTON, CLERK OF THE DISTRICT COURT
OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF LEMHI DO HEREBY
CERTIFY THAT THE PROCEEDING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
IN WITNESS WHEREOF I HAVE HERE UNTO SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS 11th DAY
OF JULY YEAR 1890

TERRI J. MORTON, CLERK
BY *Spencer* Deputy

Land
11

The United States of America Do allow that these premises shall come
Granting: Whereas Explorer McCarin of Lemhi County Idaho Territory
has applied in the General Land Office of the United States a petition
of the Register of the Land Office at Riley Idaho Territory where by
it appears that full payment has been made by the said Explorer
McCarin 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
Land and the act supplemental thereto for the sale of the
South West portion of Section seven in Township seven North
of Range twenty two East of Boise Meridian in Idaho Territory
containing eighty acres according to the Official Plat of the Survey
of the said Land as returned to the General Land Office by the
Surveyor General which said tract has been purchased by the
said Explorer McCarin. 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 Explorer McCarin 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 themselves belong-
ing unto the said Explorer McCarin and to his heirs and assigns
forever subject to any valid and recorded water rights forming
agricultural or manufacturing or other purposes and rights to
fitches and reservoirs used in connection with such water
rights as may be recognized and acknowledged by the local
Customs and decisions of Courts and also subject to the
rights of the proprietor of a mine or lode to extract and remove
his or their minerals the said be found to pre-^{er}er or interest the
premises hereby granted as provided by law
In testimony whereof Benjamin Harrison President of the United States
of America has caused these letters to be made Patent and the Seal of the
General Land Office to be hereunto affixed Given under my hand at the
City of Washington the third day of May in the year of our Lord one thousand
eight hundred and ninety five of the Independence of the United
States the one hundred and fourteenth

By the President Benjamin Harrison

Record Vol 1 60 By M. McCarin Secretary
Page 430 Sec. J. P. G. Long Lt
J. P. G. Long Lt

Record at the request of Mr. Johnson April 24 1895 at 8 o'clock P.M. in Book
Q. of Deeds page 787 Records of Lemhi County Idaho

STATE OF IDAHO
COUNTY OF LEMHI

I, TERN J. MORTON, CLERK OF THE DISTRICT COURT
OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF LEMHI DO HEREBY
CERTIFY THAT THE PROCEEDING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
IN WITNESS WHEREOF I HAVE HERE UNTO SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS

1895

TERN J. MORTON, CLERK
BY J. P. G. Long Lt

Locality of record.