



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: [www.idwr.idaho.gov](http://www.idwr.idaho.gov)

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13 2005

DEPARTMENT OF  
WATER RESOURCES

DIRK KEMPTHORNE  
Governor

KARL J. DREHER  
Director

June 29, 2005

75-04289

RIVER OF NO RETURN RANCH HOMEOWNER ASSN

PO BOX 244

NORTH FORK ID 83466

(RNRRA)

RESPONSE DEADLINE

JULY 29, 2005

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.

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  
Adjudication Bureau

Enclosures

*Enclosed is documentation showing proof of the RNRRA claim to water right.*

*Hank Miller*

*See/Trans RNRRA 7/10/05*

IDAHO DEPARTMENT OF WATER RESOURCES  
 Adjudication Claim Report 75-4289

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 JUL 13 2005  
 DEPARTMENT OF  
 WATER RESOURCES

WATER RIGHT NUMBER: 75-4289

| <u>Owner Type</u> | <u>Name and Address</u>                                                                                   |
|-------------------|-----------------------------------------------------------------------------------------------------------|
| Current Owner     | RIVER OF NO RETURN RANCH HOMEOWNER ASSO<br>PO BOX 244<br>NORTH FORK, ID 83466<br>(406) 995-2445           |
| Original Owner    | RIVER OF NO RETURN RANCHES INC<br>C/O M GARY ANDERSON<br>PO BOX 869<br>SALMON, ID 83467<br>(208) 756-4211 |
| Original Owner    | SALMON RIVER RANCHES INC<br>RT 2 BOX 107<br>NORTH FORK, ID 83466                                          |

*change to*  
 (208) 394-2219  
 Hank Miller Sec. Treas.  
 RNRRA 7/10/05

Priority Date: 03/18/1885  
 Basis: Statutory Claim  
 Status: Active

| <u>Source</u> | <u>Tributary</u> |
|---------------|------------------|
| SQUAW CREEK   | SALMON RIVER     |

| <u>Beneficial Use</u> | <u>From</u>             | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
|-----------------------|-------------------------|-----------|-----------------------|----------------------|
| IRRIGATION            | 4/01                    | 10/31     | 2.750 CFS             |                      |
| IRRIGATION            | 04/01                   | 10/31     | 10.000 CFS            |                      |
|                       | <u>Total Diversion:</u> |           | 10.000 CFS            |                      |

Location of Point(s) of Diversion

SQUAW CREEK NW1/4NW1/4NE1/4 Sec. 15, Twp 24N, Rge 19E, B.M.  
 LEMHI County

Place of UseIRRIGATION Within LEMHI County

|                          |      |                          |      |
|--------------------------|------|--------------------------|------|
| T24N R19E S22 Lot 2 SESW | 11.0 | T24N R19E S22 Lot 1 SWSE | 39.0 |
| T24N R19E S22 Lot 4 SESE | 34.0 | T24N R19E S23 NWNW       | 17.0 |
| T24N R19E S27 NENE       | 30.0 | T24N R19E S27 NWNE       | 7.0  |
| Total Acres: 138         |      |                          |      |

Conditions of Approval:

1. CHANGED NAME ON WATER RIGHT, BUT NOT OWNERSHIP 4/2/97/JT/GJT

Remarks:

"THIS IS A COPY FROM LEMHI COUNTY'S RECORD OF WATER RIGHTS, BOOK A, PAGE 271,  
ESTABLISHING WATER RIGHTS FOR WHAT WILL BECOME HES. 52. SPAYDS + WEND WERE THE  
ORIGINAL OWNERS OF THE RNERHA PROPERTY

Bank With RNERHA Section 7/10/05

Book A, p 271  
Record of Water Rights 1885

CLAIM # 15-4289

271  
Notice is hereby given, that we, the undersigned, have this day  
located and claim a Water Right to five hundred inches of the  
waters of this stream, known as Squaw Creek. The said Water  
is to be taken out at this point and conducted in a ditch of  
sufficient capacity, to our Ranch or Land Claim, Commonly  
known as the Big Flat.

The said ditch is to be about one and one half miles in  
length and will run in a southerly direction.

Located at Squaw Creek, Lemhi County, Idaho Territory, this  
18<sup>th</sup> day of March AD 1885.

✓ Chas H. Spayds

✓ Thos Wend

Locators  
Filed for record this 18<sup>th</sup> day of March AD 1885 at 4 o'clock  
P.M. and duly recorded in Book A Page 271 of Record  
of Water Rights Lemhi County, Idaho Territory at the  
request of Chas H. Spayds.

John Hoagan

Co Recorder

R. H. Burleigh

Deputy

Location Notice, Monday March 16<sup>th</sup> 1885

We hereby claim and locate five thousand inches of the water of  
Big Creek, opposite this point, for a pipe ditch for plant mining pumps

✓ Mark Newcomb

✓ J. M. Pollard

✓ David Henderson

✓ C. A. Wood

✓ Caleb Davis

✓ Geo. Clemson

✓ J. W. Birdseye

✓ Jas K. Fuller

ESTABLISHING HES#52  
CLAIM # 75-4289

Instrument No. 12725

Hailey 06149 THE UNITED STATES OF AMERICA,  
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, A certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, Whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To secure Homesteads to Actual Settlers on the Public Domain", and the acts supplemental thereto, the claim of THOMAS WEND has been established and duly consummated, in conformity to law, for the H.E. Survey No. 52, embracing a portion of the unsurveyed public domain, Idaho, more particularly bounded and described as follows:

Beginning at Corner No.1, identical with U.S. Location Monument No. 7, Mineral Hill Mining District; thence South seventy-eight degrees, eleven minutes East thirty-three and thirty-nine-hundredths chains to Corner No.2; thence South thirty-six degrees, thirty-nine minutes East thirty-seven and ninety-five hundredths chains to Corner No.3; thence South nine minutes East ten and forty-nine-hundredths chains to Corner No. 4; thence meander right bank of Salmon River North Seventy-four degrees, fifty-five minutes West eight and ninety-eight-hundredths chains, north sixty-one degrees, five minutes west thirty-nine and eighty-one-hundredths chains, north thirty-six degrees, twenty minutes West nineteen and fifteen-hundredths chains, north eighty-six degrees, twenty-seven minutes West nine and twenty-four-hundredths chains, South eighty-eight degrees, thirty-three minutes West eleven and eighty-eight-hundredths chains to Corner No.5; thence North four minutes East two and fifty-one-hundredths chains to Corner No.6; thence North sixty-eight degrees, forty-eight minutes east twenty-two and six-hundredths chains to Corner No. 1 the place of beginning, containing one hundred thirty-eight and fifty-five-hundredths acres, according to the official plat of the survey of the said land, returned to the General Land Office by the Surveyor-General:

Now know ye, that there is, therefore, granted by the United States, unto the said claimant, the tract of land above described; to have and to hold the said tract of land, with the appurtenances thereof, unto the said claimant, and to the heirs and assigns of the said claimant 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 there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, William H. Taft, 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 Eighth day of August in the year of our Lord one thousand nine hundred and twelve and of the Independence of the United States the one hundred and thirty-seventh.

Seal.

By the President; Wm. H. Taft

RECORDED: Patent Number 287183

By M.P. LeRoy, Secretary,

H.W. Sanford, Recorder of the General Land Office.

Recorded at the request of Thomas Wend, Nov. 2nd, 1912, at 26 minutes past 11 o'clock A.M., in Book W of Deeds, page 61; Records of Lemhi County Idaho.

*W. H. Taft*  
County Recorder

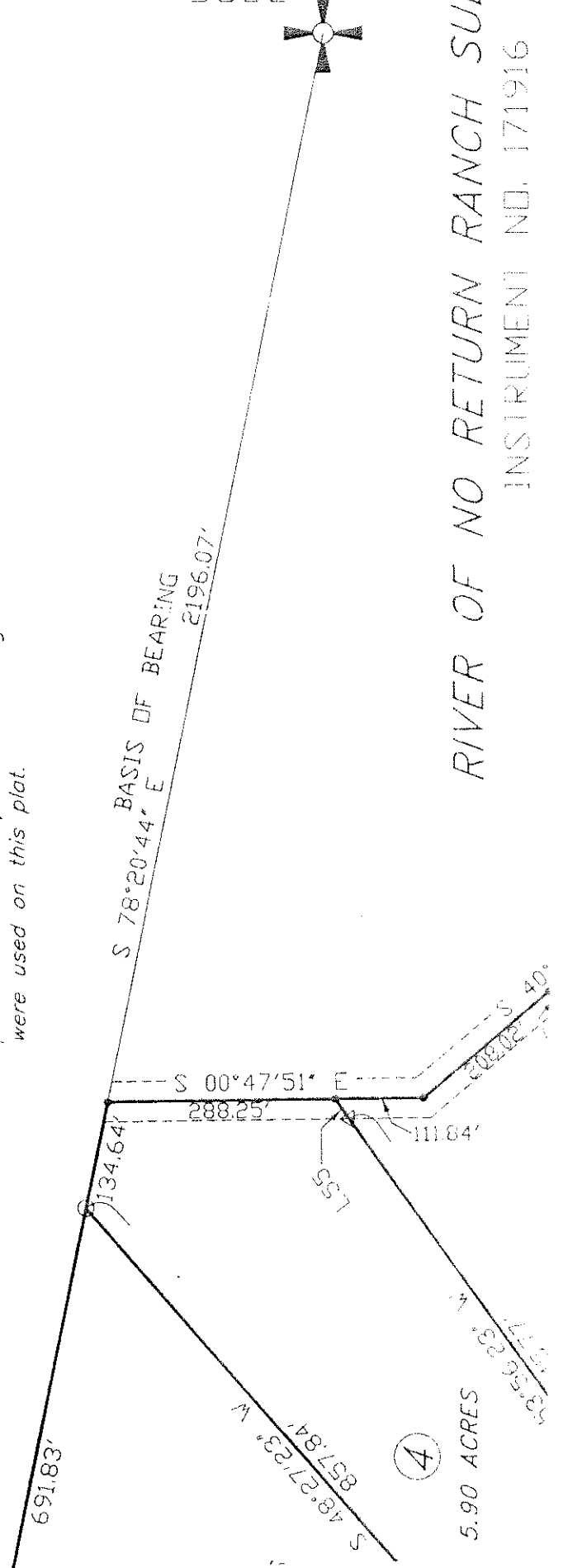
Deputy

# Amended River of No Return Ranch, Part of H.E.S. 52, Section 22, T 24 N, R 19 E, BM CLAIM # 75-4289 Lemhi County, Idaho.

## SURVEYOR'S NOTES

1.) The purpose of this survey is to amend Lots 3 and 5-11 of River of No Return Ranch by extending said lots to the river. 2.60 acres remainder will be left between Lot 4 and the river. No new parcels are being created; therefore this survey is exempt from lot split review.

2.) The pins shown on this plat were found within positional tolerance, record bearings and distances were used on this plat.



RIVER OF NO RETURN RANCH SUBDIVISION  
INSTRUMENT NO. 171916

Scale: 1" = 200'



United States Land Monument

Set 1/2" X 24" Rebar with a plastic cap marked "TMS P.L.S. 8348".

Found 1/2" Rebar with a plastic cap marked "J&C L.S. 970".

Found 5/8" Rebar with a plastic cap marked "WADE P.L.S. 5080".

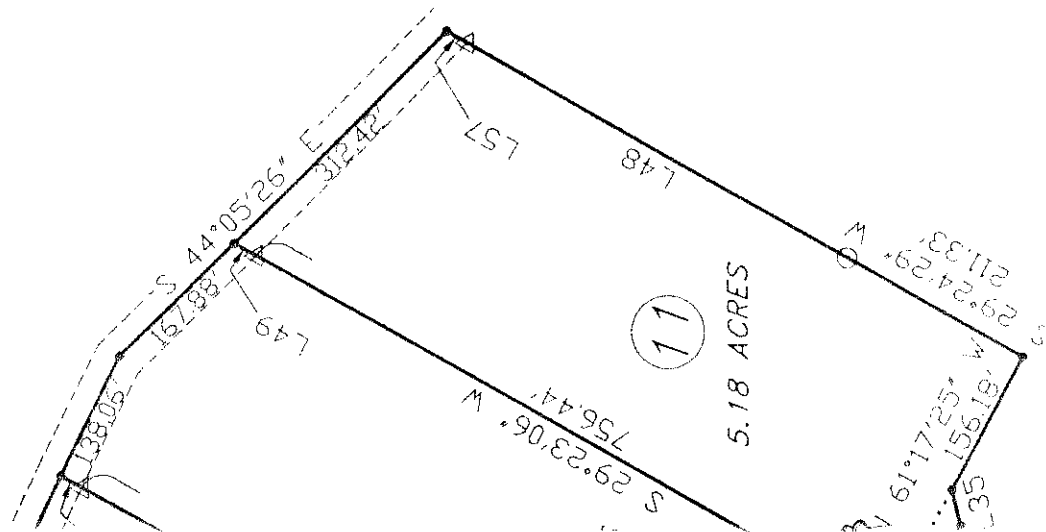
Found 5/8" Rebar with a plastic cap marked "MILLER P.L.S. 10344".

Calculated Point (not set).

Lot Number.

3

P.O.B. POINT OF BEGINNING.



|                                                                                                                        |  |                                   |         |
|------------------------------------------------------------------------------------------------------------------------|--|-----------------------------------|---------|
|                                                                                                                        |  | AMENDED SUBDIVISION PLAT          |         |
| RIVER OF NO RETURN RANCH                                                                                               |  | Sec. 22, T. 24 N., R. 19 E., B.M. |         |
| TAYLOR MOUNTAIN SURVEYING<br>PROFESSIONAL LAND SURVEYING<br>903 WALLER STREET<br>Salmon, Idaho 83467<br>(208) 756-8321 |  | JOB NO.: 040996                   | SHEET 1 |
|                                                                                                                        |  | DATE: 09-15-04                    |         |
|                                                                                                                        |  | DRWN. BY: M.S.B.                  |         |
|                                                                                                                        |  | CHKD. BY: TT                      |         |
|                                                                                                                        |  | DRAWING 040996                    | OF 1    |

CLAIM # 75-4289