

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 75-4497

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JUL 26 2005

DEPARTMENT OF
WATER RESOURCES

WATER RIGHT NUMBER: 75-4497

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	BETTY J FINK 1003 HIGHWAY 93 N CARMEN, ID 83462-4508
Current Owner	CONSTANCE B HUNTER 220 BOOTHMAN LN STAHLSTOWN, PA 15687-1194 (412)593-2253
Original Owner	MICHAEL G FINK 1003 HIGHWAY 93 N CARMEN, ID 83462-4508
Current Owner	BRADLEY L HUNTER 220 BOOTHMAN LN STAHLSTOWN, PA 15687-1194 (412)593-2253
Original Owner	CONNIE M COUCH 1003 HIGHWAY 93 N CARMEN, ID 83462-4508 (208)756-2190
Original Owner	DAVID J COUCH 1003 HIGHWAY 93 N CARMEN, ID 83462-4508 (208)756-2190

Priority Date: 06/15/1948

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>		
TOWER CREEK	SALMON RIVER		
<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>
STOCKWATER	1/01 to	12/31	0.040 CFS
IRRIGATION	3/01 to	11/30	0.200 CFS
	<u>Total Diversion:</u>		0.240 CFS

Location of Point(s) of Diversion

TOWER CREEK	SE1/4SW1/4NW1/4	Sec. 17, Twp 23N, Rge 22E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T23N R22E S18	NWNE	1.0	T23N R22E S18	SWNE	1.0
T23N R22E S18	NENW	1.0	T23N R22E S18	SENW	2.0

Total Acres: 5

STOCKWATER same as IRRIGATION

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Conditions of Approval:

1. DUE TO NATURE OF SOIL MORE THAN ONE INCH TO AN ACRE IS NECESSARY. THE NEED ON THIS SOIL IS TWO INCHES TO THE ACRE DUE TO THE GRAVELS AND SOILS.
CHANGED OWNERSHIP PER REQUEST/JH/7-11-97

Remarks:

Water Supply Bank:

The United States of America. To All to whom these presents shall come. Greeting: Whereas Frederick W. Niemann, of Lemhi County, Idaho, Desert Lands.

Certificate No 307 } has deposited in the General Land Office of the United States. a Certificate of the Register of the Land Office at Bailey, Idaho. Whereby it appears that full payment has been made by the said Frederick W. Niemann, 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 West quarter of the North East quarter of the Lot numbered four of section eighteen in Township twenty-three North of Range twenty-two East of Boise Meridian in Idaho, containing sixty-five 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 Frederick W. Niemann. 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 Frederick W. Niemann 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 Frederick W. Niemann and to his heirs and assigns forever: subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and right 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 and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. 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 McKimley, President of the United States of America, have caused these letters to be made Patent by the Seal of the General Land Office to be hereunto affixed. Given under my hand at the City of Washington, the seventh day of June, in the year of our Lord one thousand eight hundred and ninety-seven, and of the Independence of the United States the one hundred and twenty-first.

(Seal) By the President: William McKimley.

By M. McKean Secretary.

C. W. Brush

Recorded Vol 3 A. page 242.

Recorder of the General Land Office.

Recorded at the request of F. W. Niemann, August 10, 1897, at 30 minutes past 3 o'clock P. M., in Book "D" of Deeds, page 536. Records of L. O. A. - Vol. 2.

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Desert Land Act

From Wikipedia, the free encyclopedia.

The **Desert Land Act** was passed by the United States Congress on 3 March 1877 to encourage and promote the economic development of the arid and semiarid public lands of the Western United States. Through the Act, individuals may apply for a desert-land entry to reclaim, irrigate, and cultivate arid and semiarid public lands.

The act offered 640 acres (2.6 km²) of land to anyone who would pay 25 cents an acre (\$61.78/km²) and promise to irrigate the land within 3 years. Individuals taking advantage of the act were required to submit proof of their efforts to irrigate the land within three years, but as water was relatively scarce, a great number of fraudulent "proofs" of irrigation (estimated as high as 95% for early claims) were provided.

This article is based in part upon content from <http://www.blm.gov/nhp/landfacts/DesertLand.html>, a public domain resource provided by the United States federal government.

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Categories: Law stubs

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