

Roxanne Brown
Dept Water Resources
Boise, Idaho

July 22, 2005
95-10772

RECEIVED

JUL 26 2005
DEPARTMENT OF
WATER RESOURCES

Enclosed are exhibits to support
proof of claim for H.E.S. 432.

1. Survey maps
2. Patent number
3. Probate of Buster estate
4. Sale of property to wheelers

Hope this will be
sufficient evidence.

Sincerely

To:
(406) 363-1371
Joint Owners

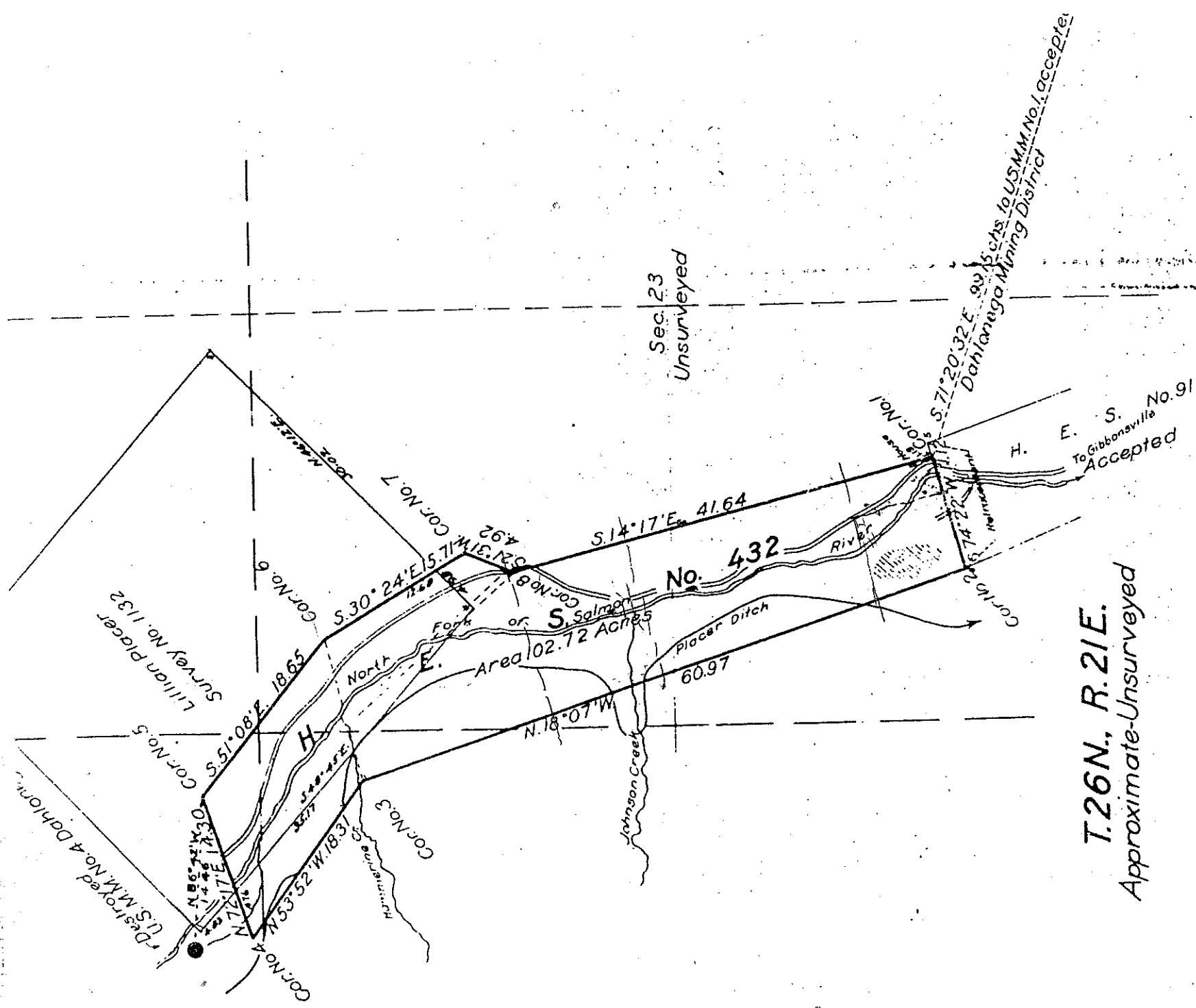
Helen H. Baker
501 S. 3rd Hamilton
mt.
59840-2727

Barbara Sherrill
George Baker



Mrs. Helen H. Baker
501 S. 3rd St.
Hamilton, MT 59840-2727

(406) 363-1371



T.26N., R.21E.
Approximate-Unsurveyed

No.	Date	When Surveyed	Completed	Date of Approval
1132	Feb 27, 1895	Mar 11, 1895	Apr 20, 1895	July 12, 1895
4	Feb 27, 1895	Apr 6, 1895		
1	Nov 19, 1883	Dec 5, 1883		June 4, 1884
91	June 23, 1913	Sept 30, 1913	Oct 2, 1913	Mar 30, 1914
432	Apr 28, 1916	Oct 13, 1916	Oct 18, 1916	May 22, 1917

H.E. Survey No.	432	Areas in Acres
In Section		Conflicts
In Section		M.S. 1132
In Section		26
Total	102.72	



Mrs. Helen H. Buker
501 S. 3rd St.
Hamilton, MT 59840-2727

Hailey 012583

4-1043.

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 John W. Buster has been establishing and duly consummated, in conformity to law, for the H.E. Survey No. 432, embracing a portion of, approximately, Section 34, fifteen, twenty-two and twenty-three in Township twenty-six north of Range twenty-one east of the Boise Meridian, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, from which U.S. Mineral Monument No. 1, Dahlenberg Mining District, bears south seventy-one degrees twenty minutes thirty-two seconds east ninety-nine and fifteen hundredths chains distant; thence, south seventy-four degrees twenty-two minutes west eleven and twelve hundredths chains to corner No. 2; thence, north eighteen degrees seven minutes west sixty and ninety-seven hundredths chains to corner No. 3; thence, north fifty-three degrees fifty-two minutes west eighteen and thirty-one hundredths chains to corner No. 4; thence, north seventy-two degrees seventeen minutes east fourteen and thirty hundredths chains to corner No. 5; thence, south fifty-one degrees eight minutes east eighteen and sixty-five hundredths chains to corner No. 6; thence, south thirty degrees twenty-four minutes east fifteen and seventy-one hundredths chains to corner No. 7; thence, south twenty-one degrees thirty-one minutes west four and ninety-two hundredths chains to corner No. 8; thence, south fourteen degrees seventeen minutes east forty-one and sixty-four hundredths chains to corner No. 1, the place of beginning, containing one hundred two and seventy-two hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

Hailey 012583

4-1044.

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, Woodrow Wilson, 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 TWENTY-EIGHTH day of SEPTEMBER in the year of our Lord one thousand nine hundred and TWENTY and of the Independence of the United States the one hundred and FORTY-FIFTH.

By the President: Woodrow Wilson
By M. P. LeFoy, Secretary,

I. Q. C. Lamar,
Recorder of the General Land Office.

RECORDED: Patent Number 775371

Recorded at the request of Allen C. Merritt July 19th, 1921, at 10 minutes past 1 o'clock P.M., in Book Z of Deeds page 580, Records of Lemhi County, Idaho.

BY _____
Deputy.

M. P. LeFoy
County Recorder.



Mrs. Helen H. Buker
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C O P Y
IN THE PROBATE COURT OF LEMHI COUNTY, STATE OF IDAHO
IN THE MATTER OF THE ESTATE OF }
JOHN WILLIAM BUSTER, Deceased }
DECREE OF FINAL DISTRIBUTION OF ESTATE

Georgia A. Buster, the administratrix of the estate of John William Buster Deceased, having on the 29th day of May, 1940, filed in this Court her petition, setting forth, among other matters, that her final accounts have been finally settled and said estate is in a condition to be closed, and that a portion of said estate remains to be divided among the heirs of said deceased, said matter coming on regularly to be heard this 10th day of June, 1940, upon proof that due and legal notice of such hearing has been given as directed by the order of this Court heretofore made; the said Georgia A. Buster appearing by Fred H. Snook, her Attorney, this Court proceeded to the hearing of said petition; and it appearing to the satisfaction of this Court that the estimated expense of closing the estate will amount to

FIVE AND NO/100 DOLLARS, leaving a residue of THIRTY NINE AND NO/100 DOLLARS; and it appearing that all claims and debts against the said decedent, and all State, County and Municipal taxes legally levied on the personal property of said estate, and all transfer and estate taxes that have attached to or accrued against the said estate, and all debts, expenses and charges of administration have been fully paid and discharged, and that said estate is ready for distribution and in condition to be closed:

And it further appearing to the Court that the said John William Buster died testate, in the County of Silver Bow, State of Montana on the 17th day of October, A. D. 1939, leaving surviving

Georgia A. Buster, his widow, of Salmon, Idaho
Blanche Buster Brownfield, daughter, of Nevada City, California
Francis Buster, son, of Nevada City, California
Opal Buster Bernard, daughter, of Nevada City, California
Vivian Buster Huestis, daughter, of Nevada City, California
Grace Buster, daughter, of Jackson, California
Eugene H. Buster, son, of Salmon, Idaho.

That the said Georgia A. Buster is the surviving widow and as such is entitled to all of the community property, and that the said Georgia A. Buster and Blanche Buster Brownfield, Francis Buster, Opal Buster Bernard, Vivian Buster Huestis, Grace Buster and Eugene H. Buster are entitled to the separate property of said estate.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, That the residue of said estate of John William Buster, deceased, hereinafter particularly described and now remaining in the hands of said administratrix is described as follows, to-wit:

COMMUNITY PROPERTY

Lots Number 7, 8 and 11 of Section 20, and Lot Number 2 of Section 31, all in Township 23 North Range 22 East of the Boise Meridian, containing 138.5 acres, with water right for said land out of the Salmon River, all of said property being in the County of Lemhi, State of Idaho.

COMMUNITY PERSONAL PROPERTY

1 mare, very old branded ³¹ L Shoulder
1 horse, about eight years old
2 colt branded ⁹ on rt. hip
7 cows " ⁹ " " "

3 heifer ⁹ on Rt. hip
5 calves " " "
2 sows
1 yearling bull

FARM MACHINERY

1 walking plow
1 sulkey plow
1 shovel plow
1 disk
1 mower
1 rake
1 spring tooth harrow
1 spike harrow
1 1936 Ford V8 Sedan, 4-door, Motor No. 2780958

1 marker
1 Martin ditcher
1 cultivator
1 set of work harness
1 saddle
1 anvil
1 vice
1 grind stone

1 hay staking outfit
1 cream separator
1 slip
1 set of work harness
Fresno scraper
shop tools

SEPARATE PROPERTY

All of that piece or parcel of land known as the addition to the Willard Dunton Homestead embraced in the H. E. 91 U. S. Survey, the Serial Number of which is 08685 and containing 14.32 acres, within unsurveyed but what will probably be when surveyed in Section 22, Township 26 North, Range 21 East, described by metes and bounds as follows: Beginning at corner No. 1 which is identical with Corner No. 6 of the applicants original survey extending thence South 74° W. 11.83 chains; thence North 23° 30' West 12 chains; thence North 73° 40' East 12.20 chains; thence South 21° East 12 chains to place of beginning. All of said property being in the County of Lemhi, State of Idaho.

H. E. Survey No. 432, embracing a portion of, approximately, Sections 14, 15, 22 and 23 in Township 26 North of Range 21 East of the Boise Meridian, Idaho, more particularly bounded and described as follows:

Beginning at Corner No. 1, from which U. S. Mineral Monument No. 1, Dahlonega Mining District, bears South 71° 20' 32" East 99.15 chains distant; thence, South 74° 22' West 11.12 chains to Corner No. 2; thence, North 18° 7' West 60.97 chains to Corner No. 3; thence, North 53° 52' West 18.31 chains to Corner No. 4; thence, North 72° 17' East 14.30 chains to Corner No. 5; thence, South 51° 8' East 18.65 chains to Corner No. 6; thence, South 30° 24' East 15.71 chains to Corner No. 7; thence South 21° 31' West 4.92 chains to Corner No. 8; thence, South 14° 17' East 41.64 chains to Corner No. 1, the place of beginning, containing 102.72 acres, according to the Official Plat of the Survey of the said land, returned to the General Land Office by the Surveyor-General, all of said land being in the County of Lemhi, State of Idaho. There is a water right with this land consisting of all of the water of Johnson Creek which is not sufficient to irrigate this land. The U. S. Patent to said land is recorded in Book "Z" of Deeds at page 580 on July 19, 1921, records of Lemhi County, Idaho.

Also all of Lots Numbered 14 and 15 of Block 7, of and in Finstun's Subdivision of the Salmon City Townsite in the City of Salmon, County of Lemhi, State of Idaho. This property was sold under contract by John W. Buster, now deceased, who is the same person as John William Buster, on the 15th day of April, 1939, to Harry Lamunyan and Norma Lamunyan, husband and wife; Georgea A. Buster, then wife, and now widow of John William Buster, now deceased, joined in the execution of said contract of sale. The sale price thereof being \$1600.00 on which there has been paid the following sums: \$150.00 on signing of said contract, \$200.00 on April 18, 1939, \$225.00 on April 15, 1940, and \$225.00 to be paid on or before each following April until paid with interest at 5% on deferred payments, and there is still due the sum of \$1,025.00 with interest at the rate of 5% per annum.



Mrs. Helen H. Buker
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THIS INDENTURE, made this 30th day of October, 1961, between Stanley R. Bauer, and Kathie Bauer, husband and wife, of Fallbrook, County of San Diego, State of California, the parties of the first part and Lawrence J. Wheeler and Jean Ann Wheeler, husband and wife, County of Ada, State of Idaho, the City of Boise,

WITNESSETH, that the said parties of the first part, for and in consideration of the sum of lawful money of the United States of America and other valuable consideration, have granted, bargained, sold, and by these presents, do grant, bargain, sell and convey and confirm unto the said parties of the second part, and to their heirs and assigns, forever, all the following described real estate, situated in State of Idaho, to-wit:

H.E. Survey No. 432, embracing a portion of approximately, Sections 14, 15, 22 and 23, in Township 26 North, Range 21, East of the Boise Meridian, Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1, from which U.S. Mineral Monument No. 1 Bablonega Mining District, bears south 71 deg. 20 min. 32 seconds East 99.15 chains distant; thence, South 74 deg. 22 min. West 11.12 chains to corner No. 2; thence, North 18 deg. 7 min. West 60.97 chains to corner No. 3; thence North 53 deg. 52 min. West 18.11 chains to corner No. 4; thence, North 73 deg. 17 min. East 14.30 chains to corner No. 5; thence South 51 deg. 8 min. East 18.65 chains to corner No. 6; thence, South 30 deg. 25 min. East 15.71 chains to corner No. 7; thence South 21 deg. 11 min. West 4.92 chains to corner No. 8; thence, South 14 deg. 17 min. East 41.64 chains to corner No. 1, the place of beginning.

ALSO, that part and portion of Homestead Entry Survey No. 91, more particularly described as follows, to-wit:

Beginning at Corner No. 6 of said H.E.S. No. 91 which is identical with Corner No. 2 of H.E.S. No. 432; thence South 22 deg. 22 min. East along the westerly sideline of said H.E.S. No. 91, 396 feet to a point; thence North 74 deg. 30 min. East 792 feet, more or less, to a point on the easterly sideline of said H.E.S. No. 91; thence North 19 deg. 09 min. West along said sideline, 390 feet, more or less, to Corner No. 5 of said H.E.S. No. 91; thence South 74 deg. 22 min. West along the northerly end line of said H.E.S. No. 91 which is also along the southerly end line of said H.E.S. No. 432, 810.49 feet to Corner No. 2, the place of beginning, being 7.22 acres, more or less.

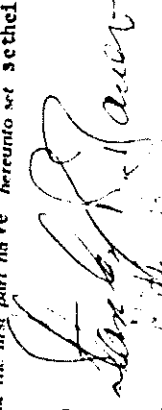
Together with all water, water rights, ditches and ditch rights appertaining thereto or used in connection therewith. EXCEPTING AND RESERVING unto the parties of the first part and their heirs or assigns, a right-of-way and easement of ingress and egress of not less than 8 feet in width extending from the right-of-way line of U. S. Highway No. 93, to the graves of the ancestors of first parties, together with the license and right forever to visit said graves and to care for, keep, mark and preserve the same on said premises above described.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together with the appurtenances unto the parties of the second part, and to their heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable possession of the said parties of the second part, their heirs and assigns, against the said parties of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully claiming or to claim the same shall and will warrant and by these presents forever defend.

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

Executed and Delivered in the Presence of

 [SEAL]
[SEAL]
[SEAL]
[SEAL]



Mrs. Helen H. Buker
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