

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4201

WATER RIGHT NUMBER: 75-4201

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	KAREN L BAUMERT 39 LOVERS LN SALMON, ID 83467 (208)756-2489
Current Owner	EUGENE E BAUMERT 39 LOVERS LN SALMON, ID 83467 (208)756-2489
Original Owner	WILLIAM E BAUMERT 39 LOVERS LN SALMON, ID 83467-5156 (208)756-2489

Priority Date: 05/01/1946

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	to 11/01	0.100 CFS	
	<u>Total Diversion:</u>		0.100 CFS	

Location of Point(s) of Diversion

WASTE WATER	NW1/4NW1/4	Sec. 17, Twp 21N, Rge 22E, B.M.
LEMHI County		

Place of Use

IRRIGATION Within LEMHI County

T21N R22E S07 SWSE 9.0

Total Acres: 9

Conditions of Approval:

1. OWNERSHIP CHANGED 10-23-98 SVH

Remarks:

Grant Lands }
Certificate # 74 }
The United States of America, To all to whom these presents 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 Hailu, 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 Boise 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 hereby 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 263

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
Emily Dore
County Recorder

notice, we the undersigned claim for agricultural, milling and domestic purposes, the water of this stream, the Lemhi River to the extent of fourteen hundred inches, measured under a four inch pressure, to be taken out of said stream here at the head of this the Matheus ditch near the point at which the said stream is crossed by the east line of township number twenty one north, of range number twenty two east, in the county of lemhi and territory of idaho, and the water right hear in claimed by us is intended to include and does include all of the water right pertaining to the said Mathes ditch which was made and consructed, and the water right thereto pertaining claimed in the year EIGHTEEN HUNDRED AND SEVENTY ONE, and both of which water right and ditch are now owned by James L Kirtly, Charles Currier, William J. Bryan and william Mathes, who are four of the undersigned creator and six hundred inches of water in addition to the amount pertaining to and used in connection with the said Mathes ditch, making in all fourteen hundred inches of water hereby claimed, and we intend to convey the said water so claimed by us through the aforesaid Mathes ditch, by sufficiently enlarging the same, to our respective lands in the township aforesaid.

dated this 27 day of
July a. d. 1888

James L Kirtly
Thos. Elder.
Charly Currier
Leo L Shoup
Charles W Cockrell
William Mathes
William J Bryan

whitness of signature of Charly Currier
Chev a Wood

Filed for record at the request of Tho Elder this 30th day of July a. d. 1888 at 5 P>M> and
duly recorded in the book a of waterrights

John Hogan
County Recorder

No. 10000

This indenture, made this twenty-fourth day of March, in the year of our Lord one thousand eight hundred and ninety-two, Between Norman & Andrews, of the County of Santa Clara, State of California, the party of the first part, and George C. Conlee, of the same County, the party of the second part,

Witnesseth, That the said party of the first part, for and in consideration of the sum of Two thousand Five Hundred Dollars, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, remised, released, alienated and confirmed, and by these presents does grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described lot piece or parcel of land, situated in the County of Santa Clara and the State of Santa Clara, known and described as follows, to wit:

The South East Quarter of Section Seven, in Townships Twenty-one North, of Range Twenty-two East, of Base Meridian, containing One Hundred and Sixty acres, according to the Government survey thereof,

And the following described water rights and ditches, and no other are hereby in like manner conveyed with the said lands, to wit:

All the waste water from Four hundred and forty acres of land, given by the said party of the first part, and situated on or in the vicinity of so-called Cemetery Bar; Also, one ditch, without water right therewith, extending from a point near the south-west corner of the South-east quarter of the South-west quarter of section nine, in Township twenty-one North of Range twenty-two East, to and upon said land hereby conveyed - The said party of the first part reserving the right to dump water into said ditch from his ditch immediately above said ditch hereby conveyed;

And also, that certain ditch to catch waste water, extending about or half mile between the lands of the said party of the first part and lands of William J. Bryan, and to the lands hereby conveyed,

Together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and residue, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever of the said party of the first part, whether in law or equity of, in and to the above bargained premises, with the hereditaments and appurtenances.

To have and to hold the said premises above bargained and described with the appurtenances, unto the said party of the second part, his heirs, and assigns forever, And the said party of the first part, for his heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, his heirs and assigns, that at the time of signing and delivery of these presents is well seized of the premises above conveyed, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in law, in fee simple, and has good right, full power and lawful authority to grant bargain, sell and convey the same in law and form aforesaid; and that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments and incumbrances, of what kind or nature soever; and the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against all and every persons or persons lawfully claiming or to claim the whole or any part thereof. Therefore, the said party of the

613 - WARRANTY DEED

THIS INDENTURE, Made this 5th day of November in the year of our Lord one thousand nine hundred and forty seven, between EARL STOKES and ELMINA STOKES, husband and wife, RICHARD STOKES and LILA STOKES, husband and wife, and ROBERT W. STOKES and KATHERYN STOKES, husband and wife, all of Salmon, County of Lemhi, State of Idaho, the parties of the first part, and WILLIAM E. BAUMERT of Salmon, County of Lemhi, State of Idaho, the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of the sum of THREE THOUSAND AND NO/100 (\$3000.00) DOLLARS, 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 of the following described real estate, situated in, County of Lemhi, State of Idaho, to-wit:

Commencing at the south quarter corner of Section 7, Township 21 North, Range 22 East of the Boise Meridian, run thence easterly along the southerly line of said section 7 a distance of 30/0 feet to the point of beginning; thence continuing along said section line 660.0; thence northerly 660.0 feet; thence westerly 660.0 feet to a point which is 30.0 feet east from the quarter line of Section 7; thence southerly and parallel with the quarter line 660.0 feet to the point of beginning, containing ten acres more or less.

Documentary Stamps \$3.30

Cancelled

2-4-55

TOGETHER, With all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, 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 party of the second part, and to his 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 party of the second part, and their heirs and assigns, against the said part 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.

SIGNED, SEALED AND DELIVERED IN PRESENCE OF

Robert W. Stokes
Kathryn Stokes

Earl Stokes (Seal)
Elmina Stokes (Seal)
Richard Stokes (Seal)
Lila Stokes (Seal)

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

On this 5th day of November in the year 1947, before me Frederick Hughes Snook, Notary Public in and for said State, personally appeared Earl Stokes and Elmina Stokes, Husband and wife, Richard Stokes and Lila Stokes, husband and wife, and Robert W. Stokes and Kathryn Stokes, Husband and 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.

Frederick Hughes Snook
Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

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

I hereby certify that this instrument was filed for record at request of J. W. [unclear] at 10 minutes past 10 o'clock A.M., this 4th day of February, A.D. 1955 in my office, and duly recorded in Book 45 of Deeds at page 5.

W. W. Simmonds
Ex-Officio Recorder
By *Opal Reddington*
Deputy

Fees, \$1.50 Paid

1439 aerial



