

RECEIVED

JUL 29 2005

DEPARTMENT OF
WATER RESOURCES

July 25, 2005

Roxanne Brown
Idaho Department of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

Re: Evidence of priority date; water right # 75-13952

Dear IDWR:

I have enclosed a packet containing items supporting our priority date of 1913. You will find in the enclosed documents, the original homestead paperwork with a letter recorded in Salmon in 1890, by Mr. George Thomas, which documents the use of water on our property. I have also included later documents showing a transfer in ownership of property, as well as a map of the area. Due to the short time frame for submitting documentation, the photo is dated 1945. I could have possibly provided earlier photos from the National Archives, if I had more time. I do have a more detailed photo, but for some reason unknown to me, I am unable to print off the Internet.

I believe I have provided plenty of documentation to support our "Priority Date." If you have any questions, or need more information, please contact me at 406-458-8880.

Thank you,



Stephanie Crist



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-13952
KENT E CRIST
STEPHANIE CRIST
PO BOX 9706
HELENA MT 59604

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-13952

WATER RIGHT NUMBER: 75-13952

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEPHANIE CRIST PO BOX 9706 HELENA, MT 59604 (406)439-3002
Current Owner	KENT E CRIST PO BOX 9706 HELENA, MT 59604 (406)439-3002

Priority Date: 05/22/1913

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	to 11/01	0.140 CFS	
	<u>Total Diversion:</u>		0.140 CFS	

Location of Point(s) of Diversion

NORTH FORK SALMON RIVER	SW1/4SW1/4	Sec. 9,	Twp 24N,	Rge 21E, B.M.
LEMHI County				

Place of UseIRRIGATION Within LEMHI County

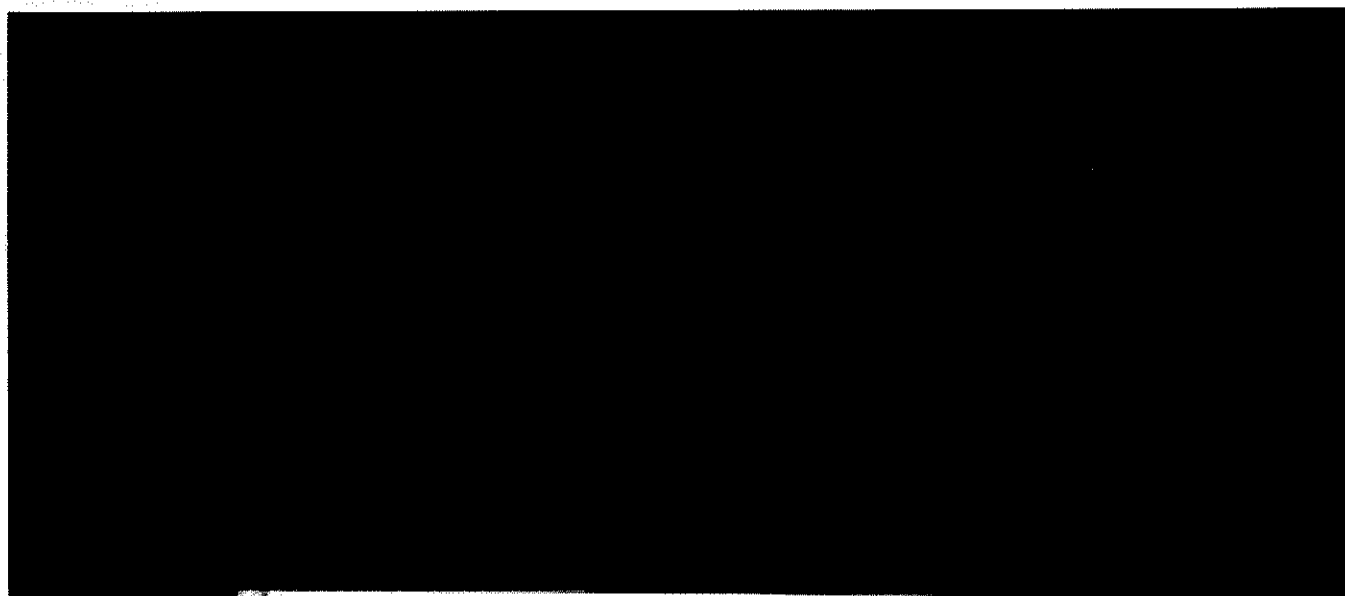
T24N R21E S16 SWNW 7.0

Total Acres: 7

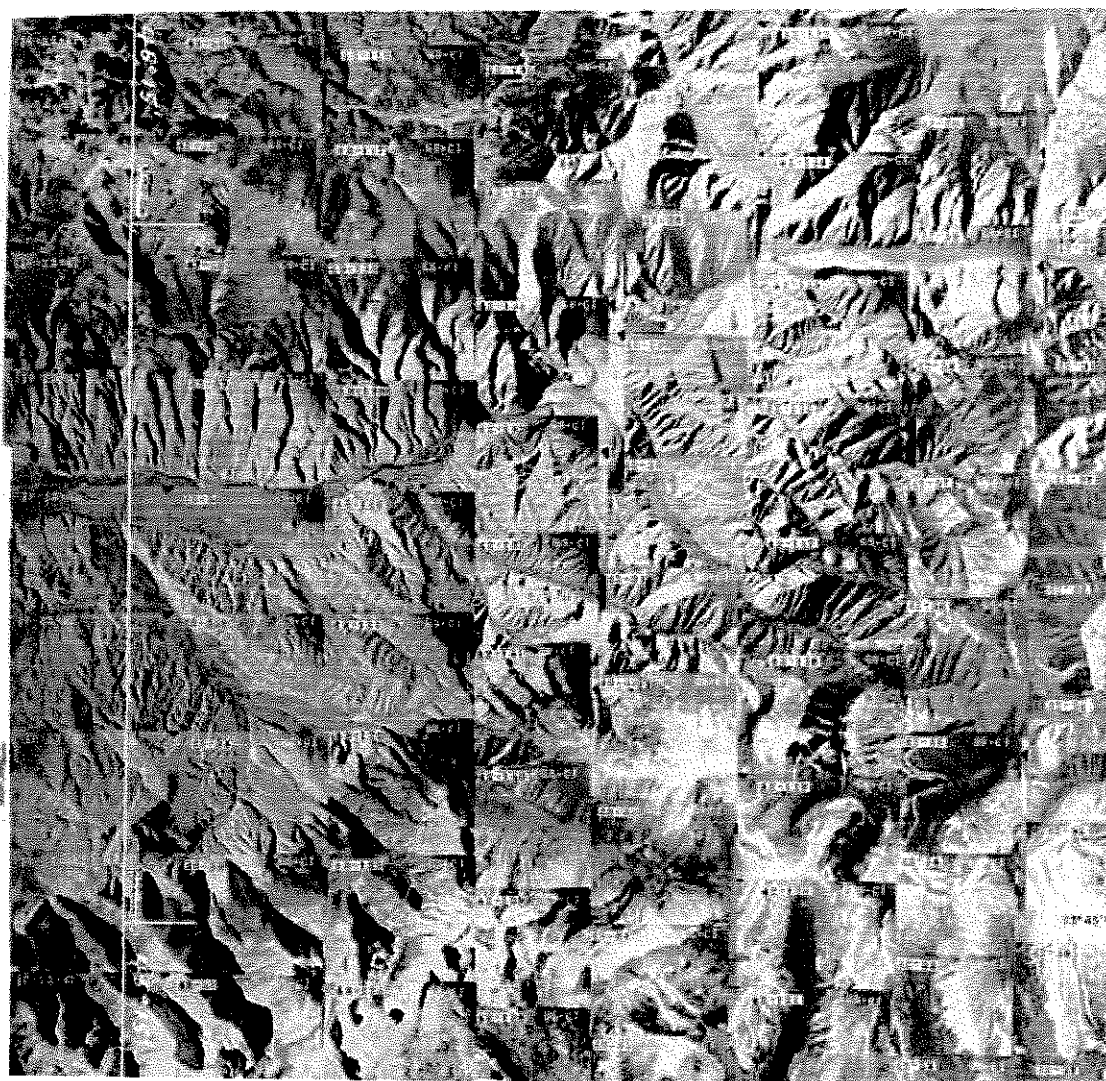
Conditions of Approval:

1. CHANGED ADDRESS PER REQUEST/CV/09-21-00

Remarks:



#75-13952



75-13952

Hailey 06425.

4-1003-R.

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 George J. Thomas has been established and duly consummated, in conformity to law, for the northwest quarter of the northwest quarter, the west half of the southwest quarter of the northwest quarter, and the west half of the northwest quarter of the southwest quarter of Section sixteen and the east half of the southeast quarter of the northeast quarter and the east half of the northeast quarter of the southeast quarter of Section seventeen in Township twenty-four north of Range twenty-one east of the Boise Meridian, Idaho, containing one hundred twenty 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,

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-SECOND

(SEAL)

day of MAY in the year of our Lord one thousand nine hundred and THIRTEEN and of the Independence of the United States the one hundred and THIRTY-SEVENTH.

By the President:

By

Woodrow Wilson
M. O. LeRoy Secretary
John O. Connell
Acting Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number

336090

#95-13952
 Hailey 06425.

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 GEORGE J. THOMAS has been established and duly consummated, in conformity to law, for the

Northwest quarter of the northwest quarter, the west half of the southwest quarter of the northwest quarter, and the west half of the northwest quarter of the southwest quarter of Section sixteen and the east half of the southeast quarter of the northeast quarter and the east half of the northeast quarter of the southeast quarter of Section seventeen in Township twenty-four north of Range twenty-one east of the Boise Meridian, Idaho, containing one hundred twenty 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, 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-SECOND day of MAY in the year of our Lord one thousand nine hundred and THIRTEEN and of the Independence of the United States the one hundred and THIRTY-SEVENTH.

SEAL.

By the President: Woodrow Wilson,

By M. P. LeRoy, Secretary,

John O'Connell

RECORDED: Patent Number 336090

Acting Recorder of the General Land Office.

Recorded at the request of W. E. Shoup May 24th, 1917, at 20 minutes past 3 o'clock P. M., in Book Y of Deeds page 249, Records of Lemhi County, Idaho.

BY

W. W. Simmons
 Deputy.

J. L. Kirtley, Jr.,
 County Recorder.

#75-13952

Instrument No. 18492

IN THE PROBATE COURT
OF THE COUNTY OF LEMHI, STATE OF IDAHO

IN THE MATTER OF THE ESTATE OF

ORDER CONFIRMING SALE OF REAL ESTATE.

GEORGE J. THOMAS, Deceased.

W. E. Shoup and W. C. Whitwell, the executors of the last will and estate of George J. Thomas, deceased, having made to this Court, and filed in the office of Clerk thereof, on the 12th day of May 1917, a return of their proceedings under the order of the sale herein, duly verified by affidavit, and the said matter, after due proof of due notice made and given as required by law, coming on regularly to be heard this 23rd day of May 1917, and the Court having examined the said return and heard the testimony of witnesses in support thereof and in duly appearing to the Court that, in pursuance of said order of sale, said executors caused notice of the time and place of holding said sale to be posted up in three of the most public places in Lemhi County, State of Idaho, in which the land ordered to be sold is situated, and to be published in the Salmon Herald a newspaper printed and published in the same Lemhi County for two weeks successively next before such sale, in which order of sale and notice the lands and tenements to be sold were described with common certainty, as follows, to wit:

NW¹ of the NW¹; W¹ of the SW¹ of the NW¹; W¹ of the NW¹ of the SW¹; all of section 16; also the E¹ of the SE¹ of the NE¹; D¹ of the NE¹ of the SE¹; all of section 17; also the E¹ of the SW¹ of the NW¹; the NE¹ of the NW¹ of the SW¹; and the SW¹ of the NW¹ of the SW¹ of the said section 16; all of said above described lands being in Township 24 North, Range 21 East of the Boise Meridian, and being situate in and lying in the said County of Lemhi, State of Idaho

That at such sale W. E. Bosch became the purchaser of all of said real estate for the sum of FOUR THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS, being the highest and best bidder and said sum being the highest and best sum bid; that said executors accepted said bid; that said sale was legally made and fairly conducted; that a sum exceeding such bid, at least ten per cent., exclusive of the expense of a new sale, cannot be obtained, (1) that said estate has been appraised within one year of the time of such sale; (2) that the sum of FOUR THOUSAND SEVEN HUNDRED AND FIFTY DOLLARS, offered by said W. E. Bosch is ninety per cent. of the appraised value of said real estate; and all and singular, the law and the premises, being by the Court here, seen, heard, understood and fully considered, wherefore it is by the Court

ORDERED, ADJUDGED AND DECREED, That the said sale be, and the same is hereby confirmed and approved, and declared valid, and the proper and legal conveyances of all said real estate are hereby directed to be executed to said W. E. Bosch purchaser, by said W. E. Shoup and W. C. Whitwell, executors.

Done in open Court this 23rd day of May 1917

Erle H. Casterlin
Probate Judge.

Filed May 23, 1917

Erle H. Casterlin
Probate Judge and Ex-officio Clerk
of Probate Court.

STATE OF IDAHO

ss.

County of Lemhi

I, Erle H. Casterlin, Probate Judge of the County of Lemhi, State of Idaho, hereby certify that the foregoing Confirmation of Sale of Real Estate is a full, true and correct copy of the original Confirmation of Sale of Real Estate in the matter of the estate of George J. Thomas, deceased, filed in my office on the 23rd day of May, 1917, and the whole thereof.

GIVEN under my hand and the seal of this Court this 24th day of May, 1917.

Erle H. Casterlin
Probate Judge SEAL.

Recorded at the request of Erle H. Casterlin May 24th, 1917, at 10 minutes past 4 o'clock P. M., in Book V of Deeds, page 167, Records of Lemhi County, Idaho.

BY W. L. Kirtley, Jr.
Deputy.J. L. Kirtley, Jr.,
County Recorder.

382

#73-13952

Notice of Location

We the undersigned Citizens of the United States and
 and 21 years of age have this day located and claim a certain water
 taking out of Camp Creek at this place. This location and Water Right
 is situated on the East side of Camp Creek 1 1/2 miles from its mouth
 boundary of District of Lemhi, Idaho State of Idaho.
 Dated this 20th day of July 1890.

John B. Thomas
 George H. Hill
 J. H. Hill
 Wm. Patton

John McDonald
 James Simonsen
 John H. H. H.
 Wm. H. H.

State of Idaho

County of Lemhi

I hereby certify that this notice was filed for Record
 in my office at 9 O'clock A.M. July 20th A.D. 1890 and is duly
 recorded in Book A Page 382 of Water Rights.

Done at the Office of the County Recorder
 Lemhi, Idaho
 July 20th 1890

County Recorder

County Recorder
 Wm. H. H.

Lemhi, Idaho August 16th 1890

Notice is hereby given that the undersigned, claim the water from Lewis
 in this creek known as Camp Creek to the amount of five hundred inches
 measured under a four inch pressure. The water so claimed is to be used for
 agricultural purposes, and is to be diverted at first different points for the
 more convenient navigation of meadows situated at the mouth of said
 Camp Creek. One ditch to be taken out 200 yards above my house, one
 ditch about one fourth mile above my house, one ditch taken out in
 my field below the house, all of the foregoing ditches are taken out on
 the North side of said Camp, and one ditch to be taken out on the south
 side of creek within the field and water conveyed to the upper or
 South end of the reach.

George J. Thomas

Recorded at the request of Geo. J. Thomas Aug 16th 1890 at 10⁴⁵ O'clock
 A.M. in Book A of Water Rights Records of Lemhi County Idaho on
 Page 382

County Recorder

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 **The Heirs or devisees of George J. Thomas,** has been established and duly consummated, in conformity to law, for the east half of the southwest quarter of the northwest quarter, the northeast quarter of the northwest quarter of the southwest quarter and the southwest quarter of the northwest quarter of the northeast quarter of the southwest quarter of Section sixteen in Township twenty-four north of Range twenty-one east of the Boise Meridian, Idaho, containing thirty-two and fifty-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 **B** the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant **B** and to the heirs and assigns of the said claimant **B** 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, in the District of Columbia, the **FIFTEENTH**

day of **OCTOBER** in the year of our Lord one thousand

nine hundred and **NINETEEN** and of the Independence of the

United States the one hundred and **FORTY FOURTH.**

By the President:

Woodrow Wilson

By

W. P. Le Roy Secretary
S. B. Samson
Register of the General Land Office

(SEAL)

712896

#75-13952

The United States of America,

Do all to whom these presents shall come, Greeting:

WHEREAS, Certificate of the Register of the Land Office at Hayley, Idaho,

has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 28, 1902,

"To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of

Columbus H. Moore

has been established and duly consummated, in conformity to law, for the Lots two and four, the northeast quarter of the southeast quarter of the southwest quarter and the north half of the southeast quarter of the southeast quarter of the southwest quarter of Section sixteen and the Lots nine and ten and the west half of the southeast quarter of the northeast quarter of Section seventeen in Township twenty-four north of Range twenty-one east of the Boise Meridian, Idaho, containing one hundred two and thirty-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, **Warren G. Harding**,

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, in the District of Columbia, the TWENTY-NINTH

(SEAL.)

day of JUNE in the year of our Lord one thousand

nine hundred and TWENTY-ONE and of the Independence of the

United States the one hundred and FORTY-FIFTH.

By the President:

By

Warren G. Harding
M. P. LeRoy
J. D. Sambar

Recorder of the General Land Office.

RECORD OF PATENTS: Patent Number **813098**

PARTIALLY SURVEYED TOWNSHIP 24 NORTH RANGE 21 EAST OF THE BOISE MERIDIAN, IDAHO

Protraction Diagram No 37 approved 3/15/1963

LEMHI COUNTY 059

SALMON DISTRICT SEC 3

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

[illegible]

1 0813a Det PL 167 (Act of Cong 7/23/1955)
completed 12/22/1960. All HF surface Mgmt by
USFS

1 00876 Del PL 167 (Act of Cong 7/23/1953)
completed 5/13/1962. All PD surface Nght by PLM

1 05002 Det PL 167 (Act of Cong 7/23/1955)
completed 4/23/1964. All NF surface Wgt by
USFS

1 GGAB) Det PL 167 (Act of Cong 7/23/1955)
completed 3/7/1966. All NF surface NWT by USFS.

IDI 31338 QCD from USFS

Sec 9: MAB 0.68 acres

DOI 31382 QCD from USFS

Sec 8: MAB

© 2000 Blackwell Science Ltd, *Journal of Internal Medicine* 247: 105–112

Sec 9:M&B **Q.I Inces**

1. *Journal of the American Medical Association*, 1997; 277: 1001-1005.

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LANDS REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS.

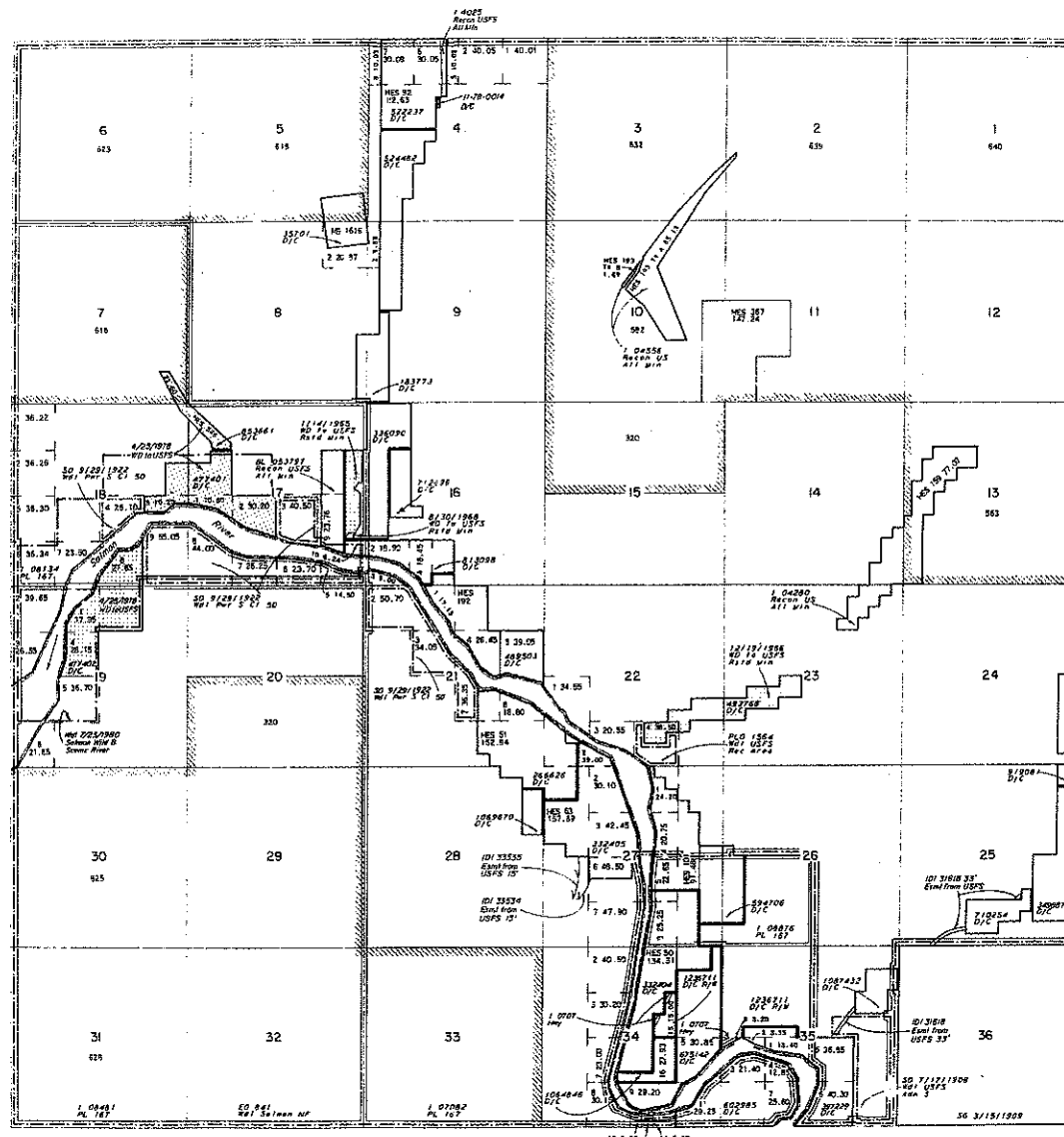
CURRENT TO	CURRENT TO
1000	1000

USE PLATS:

Boism Mar

T 24 N

21E



SCALE in Chains

WARNING STATEMENT
Bureau's Record of Title, and should be used
display of the township survey data. Rec-
not reflect title changes which may have been
movements of rivers or other bodies of water
latest surveys for official survey information.

THE NOTATION SHOWN ON WITHDRAWALS REPRESENT THE LAST ACTION TAKEN BUT MAY NOT BE THE EFFECTIVE DATE. SEE THE HISTORICAL INDEX FOR THE DATE OF THE ORIGINAL WITHDRAWAL ORDER.