

RECEIVED

JUL 29 2005

DEPARTMENT OF
WATER RESOURCES

July 25, 2005

Water Right Claim Number **75-04077**
Lemhi County Parcel Number RP 25N21E109002 A

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau
Idaho Dept. Of Water Resources
State of Idaho
P.O. Box 83720
Boise, ID 83607-9815

Dear Roxanne: Enclosed is my response to your request (dated June 29, 2005) to provide evidence of the date of first Beneficial Use. After a lot of digging through courthouse records showing early property transfers, we learned of U.S. Forest Service records which documented the original applicants and approval for application of a Homestead.

Enclosed are 10 pages sent to me by Tim Jones with Salmon-Challis National Forest Service in Salmon Idaho. On page 6, A.W Beason made an applicant on November 9, 1905, alleging settlement in Sept 15, 1907. On pages 2,3,4 dated February 18, 1909 a land manager Thompson summarizes the production of 35 tons of hay, fruits and vegetables, plus building, a six room cabin, stable, cellar, granery, fencing and cultivation 20 acres of land.

He couldn't have done that in one year (1908) in a seven month season, nor could he have raised 35 tons of hay or picked fruit to sell the first year of farming. He had to do a lot of land clearing, build ditches, a headgate for the ditch, a bridge to get to the property in 1906. He had to have the ditch build and tested in 1906 in order to be in fully working order as soon as the snow melted (March)1907 to have fruit bearing trees and a hay crop of 35 tons in two seasons or by the fall of 1908. Since there is no recognized water on the property, the water for farming described above was from a new ditch developed sometime in 1906 probably watering new fruit trees. For the above reasons I recommend a date of mid year 1906 as the first use of irrigation water from the North Fork.

Note: My father, Elmer Keith, purchased this property in 1931, my sister was born in 1932 and lived there until she died at 17 years old. I was born in 1935 and lived there until about 13 years of age when we moved to Salmon. The Ranch has been in the family, continuously leased out to various people, up to the present day. Most old buildings have either been renovated or torn down, a new log home built and all fences replaced.

Please advise if I can provide more information or clarify that which I have provided.

Yours truly,

Theodore F. Keith

Theodore F. Keith CPA inactive

Phone (208) 455-0891

Betty L. Keith RN *Betty L. Keith*

Fax (208) 459-9093

28147 Market Road

Caldwell, Idaho 83607

Subscribed and sworn to before me this day of July 2005 Theodore F. Keith
and Betty L. Keith of 28147 Market Road, Caldwell Idaho, 83607

STATE OF IDAHO
COUNTY OF CANYON

This instrument was acknowledged before me on

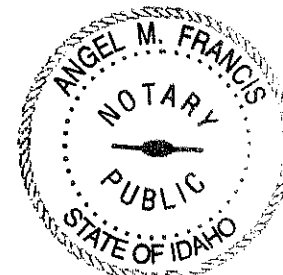
by *Theodore F. Keith & Betty L. Keith*

07-27-2005

Angel M. Francis

(Signature of notarial officer)
Angel M. Francis

commission Exp. 12-10-2008



RECEIVED

JUL 29 2005

DEPARTMENT OF
WATER RESOURCESFROM: Tim Jones

Salmon-Challis National Forest



50 Highway 93 South
Salmon, Idaho 83467
Telephone 208-756-5100
FAX 208-756-5151

Fax Transmission Form

Fax# 208-756-5151

DATE: 7/21/05TO: Ted KeithFAX#: 208 459-9093

MESSAGE: Found some good information on the homestead. There is evidence of a ditch and a settlement date of September 15, 1907. The ditch is also noted in the survey notes. If you have any questions, call at 208 756-5164. Tim

If you had any problems in receiving this fax, please call 208 756-5100 as for Mail Room.

Form 110

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

REPORT ON AGRICULTURAL HOMESTEAD APPLICATIONS

Application No. 57 Salmon National Forest.Land District Hailey. October 29-30, 1908.
(Date of examination.)1. Name and address of applicant A. W. Benson,
(The county should always be given.)
Gibbonsville, Lemhi Co., Idaho.2. Settlement Yes. Settled September 15, 1907.

(Is applicant living on land? Give date of settlement.)

3. Location Approximately sixty-seven acres of land located by
(Legal subdivision, or by metes and bounds. Relation to highways, rivers, railroads, etc. Proximity and importance of towns, settlements, etc.)
metes and bounds, and is in the extreme northern part of T.25 N.3.21 E. B. Mer. (unsurveyed). The tract lies along North Fork
just above the junction of this creek and Sheep Creek and about
three and one half miles below Gibbonsville.The survey is tied to U.S. Location Monument No. 3 of
Dahlenega Mining District, Lemhi County, Idaho.4. Area Approximately sixty-seven acres (67) more or less.

(Applied for, and recommended.)

5. Topography Comparatively level creek bottom, all of which is
(Topography of tract applied for, and relation to surrounding territory. Topography should be considered particularly in its bearing on agricultural possibilities, altitude, slope, aspect, etc.)
good agricultural land. Good ranches along the creek below but

very little tillable land above the claim. On either side of the
ranch the mountains are very precipitous. Altitude about 4,150 ft.

6. Formation The soil consists of an admixture of sandy loam and
(Nature and extent of soil, rock, etc., paying particular attention to their influence on agricultural possibilities. Presence of water for irrigation and domestic use. Possibilities for developing water.)
wash gravel which will produce good crops when irrigated.

There is practically no possibility of developing water on the
claim for the water for all purposes is diverted from North Fork
with but little expense. The one good feature of the soil is
the depth to which it extends along the bottom, in many places
being ten and twelve feet deep.

7. Climate In this locality the winter season is considerably
(Precipitation, temperature, occurrence of killing frosts.)
cooler than it is farther down the creek but the summers are such
that fine crops of hay, fruits and vegetables can be produced.
Precipitation is too light to insure crops. The killing frosts occur
during latter September.

8. Cover There are about 100 yellow pine trees scattered over the
(Nature and extent of cover, with estimate of amount and value. Accessibility and distance to market. Is cover needed for protective or seeding purposes?)
claim, which will average approximately 500 feet b.m. per tree
making a total of 50,000 feet worth \$100. Aside from this timber
the cover consists of a strip of brier brush and willows along the
creek bottom. The remainder of the claim is cleared and cultivated.
None of the cover is needed for protective or seeding purposes.

9. Claims There are no conflicting claims. Applicants improvements
(Conflicting claims to land or existing improvements--by whom and on what grounds. Examiner is not to pass upon claims--merely
consist of a six room log and frame house, stable, cellar,
to furnish all available information. Use in the past, and by what means. Existence of mining claims. Give any information available affecting
granery, fencing, orchard and about 20 acres of cultivated land.
qualifications of applicant to make a homestead entry. Show what improvements have been made, and their present state of repair.)

10. Economic possibilities Reason for application is to improve and make a
(Reason for application, and opinion as to success of applicants' plans. State fully agricultural possibilities.
home of the claim. Applicant has produced some excellent crops.
value, if any, to Forest Service for Rangers' Quarters or other administrative purposes. If withdrawal of tract for administrative use is desired.
Put up about 55 tons of timothy and clover hay, \$300 worth of
submit separate report on Form 271. Distance and market price per acre of near-by farms. Transportation facilities.)
potatoes, \$100 worth of fruits and an abundance of garden truck.
He is located on the county road and has easy access to the
markets of Salmon, and the Big Hole, Mont., each place being
about thirty miles distance and accessible by comparatively
good wagon roads.

11. Recommendations I respectfully recommend that this claim be listed
(Specific recommendation for or against listing of land, with summary of reasons for recommendation.)
for settlement. The applicant is showing good faith and at the
same time he has demonstrated that the land is more valuable
for agricultural purposes than for any other.

12. Photographs -----
(Give numbers of negatives which go with this report. Photographs should be made in each case where unfavorable action is recommended.)

13. Personal -----
(Has applicant agreed to the findings of the examiner?)

Gio C. Thompson
(Signature of examining officer.)

Land Examiner
(Title)

Approved February 18, 1907

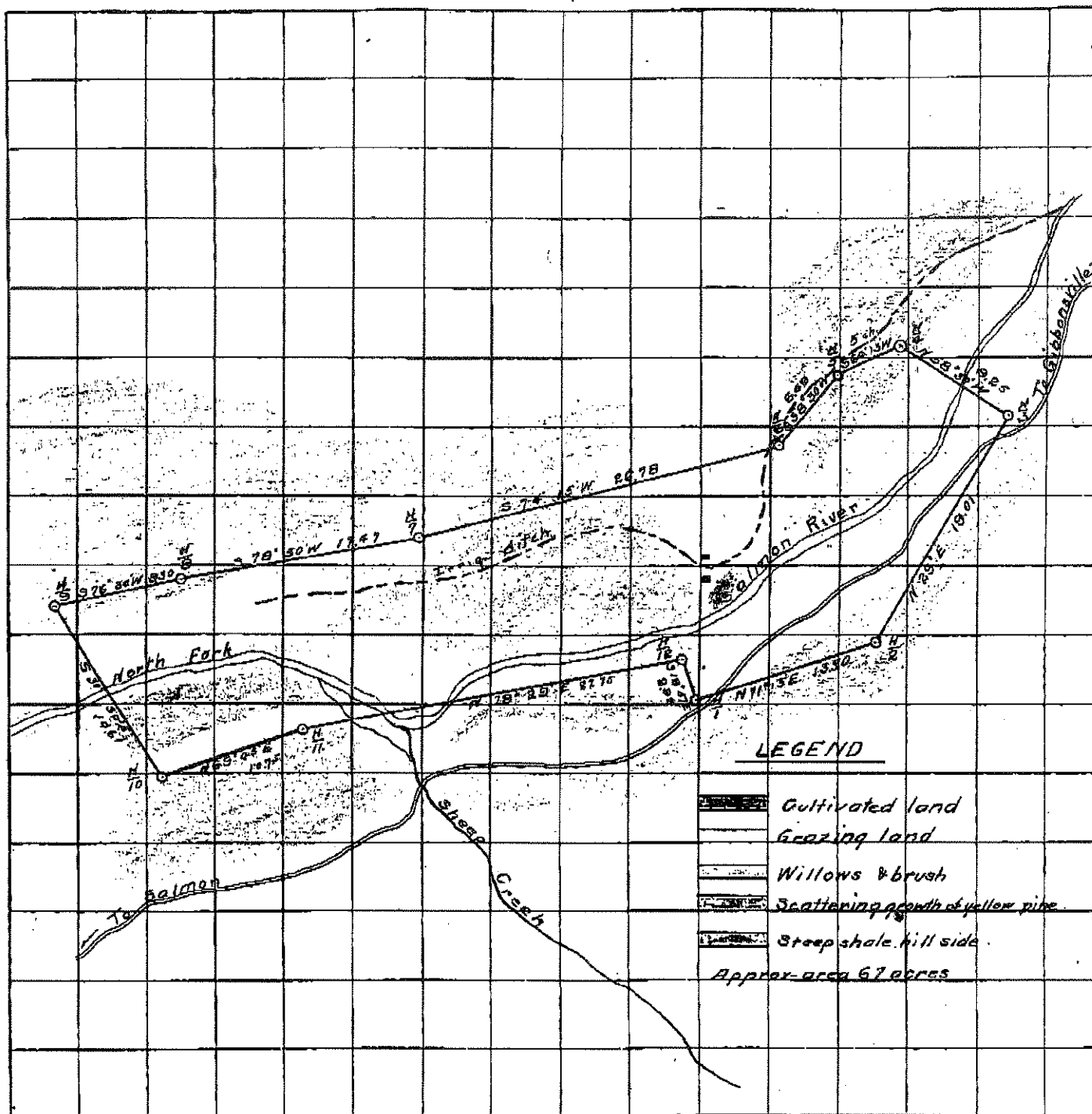
Gro Bantz
(In charge, Examinations.)

Approved -----, 190

Chief, Office of Lands.

MAP SHEET.

Tp. 25., N. R. 21., E. A. M. Section Unsurveyed¹⁰⁻¹¹, Quarter ----- Scale: 1/8 inches = 1 mile.



Sketch map, in colored pencil, of the area applied for on a scale of 8 inches to the mile, showing topography, cover, roads, trails, agricultural land, and improvements. A small amount of the surrounding country should be sketched in.

OL
Salmon, Settlement,
Beason, A. W., #57.

March 4, 1909.

The Commissioner
of the General Land Office,
Sir:

I have the honor to request that the tract of land indicated on the enclosed blue print and described in the accompanying field notes of survey (List 4-82) in the Salmon National Forest, Idaho, be opened to settlement and entry in accordance with the Act of June 11, 1906, (34 Stat. 233):

Unsurveyed, which when surveyed will probably be Township 24 North, Range 21 East, Boise Meridian, in approximately Sections 10, 11, 14 and 15. Area about 67 acres.

A. W. Beason, Gibbonsville, Idaho, applied for this tract on November 9, 1906, alleging settlement September 15, 1907.

Very respectfully yours,

Clyde Leavitt.

District Forester.

4 Enclosures.

OK
Duplicate for Forest Supervisor.
Net Duplicate for Forest Supervisor. (2)
mine.

E. L. B.

N. N.
N. N.

Description of Survey

A. W. Beason. - - - Homestead. -

Salmon National Forest, Idaho. -

October 29-30, 1908. Bears

Township 25 N. R. 21 E., Boise Meridian; Unsurveyed.

Number _____ List _____. Area approx- 67 acres, more or less.

Variation used was $19^{\circ}30'E.$, obtained from examiner of U.S. Public Lands Survey.

Beginning at corner No. 12 of Mineral Survey No. 1133-
 whence a pine tree 18" in diameter marked 12/1133 S-T, bears S.
 $41^{\circ}10'W.$ 46.5 ft. A pine tree 20" in diameter marked 12/1133,
 bears N. $61^{\circ}30'E.$ 2 ft. U. S. Location Monument No. 3 of
 Dahlonega Mining District, Lemhi County, Idaho bears S. $55^{\circ}40'E.$
 187 ft. Thence following 12-11 course of said survey S. $74^{\circ}30'W.$
 460.4 ft. to corner No. (11), thence N. $18^{\circ}57'W.$ along 11-10
 course- line running down hill and across county road

Chains-

4.07 To Corner No. 3 of Mill site survey No. 1134, a stone 8x8x20
 inches, 14" above ground- identical with corner No. 1 of Beason
 Claim and marked H/1. Whence S.W. corner quartz mill 40x20 ft.
 bears S. $77^{\circ}29'E.$ 82 ft. A pine tree 28" in diameter marked
 3/1134 BT, bears S. $13^{\circ}30'W.$ 52 ft. A pine tree 36" in
 diameter marked 3/1134 BT, bears N. $51^{\circ}W.$ 21 ft. bears N. $60^{\circ}W.$

Thence N. $71^{\circ}13'E.$ marked $\frac{WH}{7}$, bears

15.60 To $\frac{H}{3}$, a fir post 4" in diameter 3' long. Whence a pine tree
 24" in diameter marked $\frac{WH}{3}$, bears N. $23^{\circ}30'E.$ 30 lks. A fir
 tree 26" in diameter marked $\frac{WH}{2}$ bears S. $74^{\circ}E.$ 45 lks.

Thence N. $89^{\circ}E.$ 10 lks. Whence a
 along foot of hill. bears S. $11^{\circ}E.$ 12 lks.

19.01 To $\frac{H}{3}$, a fir post 4" in diameter 3' long, set in mound of rocks.
 Whence a pine tree 12" in diameter marked $\frac{WH}{3}$, bears N. $43^{\circ}E.$
 122 lks. A pine tree 1.24" in diameter marked $\frac{WH}{3}$, bears
 S. $67^{\circ}30'W.$ 107 lks. bears N. $57^{\circ}45'E.$ 34 lks.

A pine tree. Thence N. $58^{\circ}30'W.$ and named $\frac{H}{4}$, bears
 line runs across creek bottom through thick brush.

9.25 To $\frac{H}{4}$, a pine tree 14" in diameter, blazed and marked $\frac{H}{4}$, bears
 S. $70^{\circ}25'W.$ 51 lks. A pine tree 16" in diameter marked $\frac{WH}{4}$
 bears S. $10^{\circ}E.$ 45 lks.

Thence S. $64^{\circ}15'$ W.

chains
5.00

To $\frac{H}{5}$, a pine tree 16" in diameter blazed and marked $\frac{H}{5}$
Whence a pine tree 20" in diameter marked $\frac{WH}{5}$, bears N.
 54° E. 55 lks. A pine tree 30" in diameter marked $\frac{WH}{5}$,
bears S. $8^{\circ}30'$ E. 52 lks.

Thence S. $38^{\circ}30'$ W.

6.49

line runs along foot of steep shale hill side.

To $\frac{H}{6}$, a cottonwood stump 3" in diameter 2 ft. high, whence
a fir stump 30" in diameter marked $\frac{WH}{6}$, bears N. 15° E. 4 ft.
A pine tree 28" in diameter marked $\frac{WH}{6}$, bears S. 76° E.
Flume of irrigation ditch is north 4 ft.

Thence S. $74^{\circ}15'$ W.

26.78

To $\frac{H}{7}$, an aspen post 3"x3"x3' long set in mound of rock.
Whence a pine tree 26" in diameter, marked $\frac{WH}{7}$, bears S. 60° W.
76 lks. A fir tree 30" in diameter marked $\frac{WH}{7}$, bears
N. 6° W. 140 lks.

Thence S. $76^{\circ}50'$ W.

17.47 Line runs along foot of steep mountain.

To $\frac{H}{8}$, an aspen post 4" in diameter 2 ft. long. Whence a
fir tree 26" in diameter marked $\frac{WH}{8}$, bears N. 95° E. 112 lks.
A pine tree 36" in diameter, marked $\frac{WH}{8}$, bears S. 52° W. 95 lks.

Thence S. $76^{\circ}30'$ W.

9.30

To $\frac{H}{9}$, a pine tree 18" in diameter, whence a pine tree 16"
in diameter, blazed and marked $\frac{WH}{9}$, bears N. $57^{\circ}45'$ E. 34 lks.
A pine tree 18" in diameter, blazed and marked $\frac{WH}{9}$, bears
S. 13° E. 93 lks.

Thence S. $30^{\circ}30'$ E.

6.68

To North Fork.

Line
14.01

To ^H10, an aspen post 3" in diameter 3' long set in mound of rock. Whence a fir tree 26" in diameter blazed and marked ^{WH}10, bears N. 68°15' W. 82 lks. A pine tree 26" in diameter blazed and marked ^{RH}10, bears S. 17°E. 46 1/2 lks.

Whence S. 69°45' E.

The line runs along high bank to the east of North Fork.

10.75

To ^H10, a stone 8x12x24" set in mound of rocks on the brow of high bench to the east of creek. Whence a ^{pine} fir tree 20" in diameter marked ^{WH}11, bears S. 14°01' E. 85 ft. A fir tree 16" in diameter marked ^{EH}11, bears N. 37°45' E. 31.5 ft.

Thence N. 73°29' E.

The line follows the general course of North Fork, through thick brush.

6.33

To North Fork of Salmon River.

10.13

To " " " " " 25 ft. wide

X

25.76

To ditch 3' wide (Course N.W.)

27.75

To ^H12, identical with corner No. 10 of mineral survey No.

1135, a stone 8x10x20. Whence Discoc shaft bears S. 56° 20'W. 540 ft. A pine tree 26" in diameter, marked ¹⁰1135, bears N. 61°25' E. 29.5 ft. A cottonwood tree 9" in diameter marked ¹⁰1135, bears N. 68°2. 3.5 ft.

Thence S. 18°57' E.

2.99

To ^H1, place of beginning.

The tract contains approximately sixty-seven (67) acres, more or less.

Geo. C. Thompson
Land Examiner

Approved 2/10/09
ATB