



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

75-10280
JOHN R CHARLTON
JUANITA E CHARLTON
103 TOWER CREEK RD
CARMEN ID 83462-4517

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

RESPONSE DEADLINE
JULY 29, 2005

MARY ANN HEISER
LEMHI COUNTY TREASURER AND
EX-OFFICIO TAX COLLECTOR
206 COURTHOUSE DRIVE
SALMON, IDAHO 83467

RECEIVED

JUL 29 2005

DEPARTMENT OF
WATER RESOURCES

Please fax water rights request to
208-756-8051, rate in my
office and doesn't have your phone #
Shute are to big to fax

Dot Alderson

To Roxanne Brown,

It there is anything else you need
please let me know or call Mary Ann Heiser the
Lemhi County Treasurer and Ex-office Tax collector
and let her know what you need and ask her to call
me at 253 312-6711.
Thank you
Athen

Jedann Charlton

Rev Charlton son of John R. Charlton

Do: 1-253-512-7669

ASSESSMENT ROLL FOR THE YEAR 1912

REAL PROPERTY

CLASSIFICATION OF LANDS

Line No.	Receipt No.	OWNER OR REPUTED OWNER'S NAME AND ADDRESS	Subdivision or Tax No.	Sec.	Twp.	Rng.	E.	Value	Acres	Value	Acres	Value	Acres	Value	Acres	Value	Acres	Value	Acres	Kind	Value
29		Carmen, Ida.	W 1/2 SW 1/4					145	15	145	15	145	15	145	15	145	15	145	15	Improvements	3
30			SE 1/4 SW 1/4					145	15	145	15	145	15	145	15	145	15	145	15		
31			SW 1/4 SE 1/4					145	15	145	15	145	15	145	15	145	15	145	15		
32	128	Bowler	S. H.					2310	59	2310	59	2310	59	2310	59	2310	59	2310	59		
33			NW 1/4 SE 1/4					2112	12	2112	12	2112	12	2112	12	2112	12	2112	12		
34		Rose	Nancy					35	1	35	1	35	1	35	1	35	1	35	1		
35		Carmen, Ida.	SE 1/4 NW 1/4					75	1	75	1	75	1	75	1	75	1	75	1		

Op David Charlton
1-253-512-7669

This Indenture, Made this 31st day of July, 1916 in the year of our Lord one thousand nine hundred and Sixteen, between William J. Rose and his wife Nannie Rose, both of Salmon, Lemhi County, Idaho, the parties of the first part, and W. L. Thompson, of Northfork, Idaho,

the part Y of the second part.

WITNESSETH, That the said part les of the first part, for and in consideration of \$500.00

FIFTY FIVE HUNDRED DOLLARS,

lawful money of the United States of America, to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, has GRANTED, BARGAINED and SOLD and by these presents do GRANT, BARGAIN, SELL, CONVEY and CONFIRM unto the said part Y of the second part and to his heirs and assigns forever, all those certain lots, pieces and parcels of land, situate, lying and being in Lemhi County, Idaho, to-wit:

The southeast quarter of the Northeast Quarter; the Northeast Quarter of the Southeast Quarter, of Section Eighteen; and the Southwest Quarter of the Northwest Quarter, Section Seventeen, and the Northwest Quarter of the Southwest Quarter of Section Seventeen; all in Township Twenty-three North, Range Twenty-two, East, Boise Meridian, containing 159 acres of land, more or less.

This being what is commonly known as the Rose Ranch, situated on Boyle Creek in said County and State.

Together with any and all water, water rights, ditches and conduits whatsoever, situate upon, belonging to, used in connection with, or appurtenant to said, or any part of said lands.

(Excepting and reserving from this conveyance, a certain tract of land, embracing about one acre, conveyed by said parties of the first part, to one S. E. Bowler by deed dated April 17th, 1911 and recorded in the County Recorder's office of said County in Book "U" of Deeds at page 334 thereof.)

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all estate, right, title, interest in and to the said property, possession, claim and demand whatsoever, as well in law as in equity, of the said part les of the first part, of in or to the said premises, and every part and parcel thereof, with the appurtenances to have and hold, all and singular, the above mentioned and described premises, together with the appurtenances, unto the part Y of the second part, and to his heirs and assigns forever. And the said part les of the first part, and the heirs, the said premises in the quiet and peaceful possession of the said part Y of the second part, and his heirs and assigns, against the said parties of the first part and their heirs, 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 part les of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

William J. Rose (SEAL)

Nannie Rose (SEAL)

(SEAL)

STATE OF IDAHO, }
COUNTY OF LEMHI }

On this 31st day of July, in the year 1916, before me, Ariel C. Cherry, a Notary Public, for the State of Idaho, and in and for the said County, personally appeared William J. Rose and his wife Nannie Rose, personally known to me, to be the person s, whose name s are subscribed to the within instrument, and acknowledged to me that he 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.

SEAL.

Ariel C. Cherry

Notary Public for Idaho, Residing at
Salmon, Lemhi County, Idaho.

Recorded at request of W. L. Thompson at 9 minutes past 9 o'clock
A.M., Nov. 13th 1916, in Book X of Deeds, on page 94 Records of

4 pages

Quitclaim Deed.

This Indenture, Made the Second day of November in the year of our Lord one thousand nine hundred and thirteen between Fredrick Meyers

of City William J. Rose County of Lenzie and State of Idaho, the party of the first part, and of Idaho the party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of Five Dollars, to have in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, doth REMISE, RELEASE and forever QUITCLAIM unto the said party of the second part, and to his heirs and assigns, the following described real estate, situated in the County of Lenzie and State of Idaho, to-wit:

The south east quarter of the north east quarter, the north east quarter of the south east quarter of Section Eighteen (18), and that certain forty acre tract of unimproved land, which when conveyed will belong to the north east quarter of the north east quarter of Section Twenty (20) all in Township Twenty Three North of Range Twenty two East, being the above land described in Deed of Fredrick Meyers, No 1884, dated United States District Land Office, Tuley, Idaho, April 8th, 1903. Also two ditches and water right taken out of Boggs Creek and carried to and upon the above said land, and all other ditches and water rights upon, belonging to, and used in connection with said land. The above mentioned water right being the subject right to the use of the water of said Boggs Creek. And the party of the first part does hereby relinquish, demise, set over and assigns to the said party of the second part, all his right, title and interest, in and to that certain West Land Cont'd of said land, No 1884, made by said party of the first part, at the United States District Land Office, Tuley Idaho, April 8th, 1903.

together with all the tenements, hereditaments and appurtenances therunto belonging, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest property, possession, claim and demand whatsoever as well in law as in equity, of the first part, of, in or to the said premises, and every part and parcel thereof.

TO HAVE AND TO HOLD, all and singular the said premises, with the appurtenances

unto the said party of the second part, his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

J. L. Lincoln

Fredrick Meyers (SEAL)

(SEAL)

STATE OF IDAHO, } ss.
County of Lenzie }

On this Second day of November 1903, before me John L. Lincoln a Notary Public in and for said County, personally appeared Fredrick Meyers known to me to be the person whose name he subscribed to the within instrument, and acknowledged to me that he executed the same, and as the day of before me, the officer above described, personally appeared

known to me to be the person whose name is subscribed to the within instrument, doctored as a married woman, and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such assertion.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Real.

John L. Lincoln
Notary Public

STATE OF IDAHO, }

County of Lenzie, } ss.

I hereby certify that this instrument was filed for record at request of William J. Rose as 27 minutes past 1 o'clock P. M., this 3rd day of November A. D. 1903, in my office, and duly recorded in Book 11 of Receiv. at page 574.

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting.

WHEREAS, on May 11, 1911 Patent No. 197664 issued to William J. Rose, Assignee of Frederick Meyers, for the southeast quarter of the northeast quarter and the northeast quarter of the southeast quarter of Section eighteen and the southwest quarter of the northwest quarter of Section seventeen in Township twenty-three north of Range twenty-two east of the Boise Meridian, Idaho, containing one hundred twenty acres, reserving to the United States all coal in said lands, and to it, or persons authorized by it, the right to prospect for, mine, and remove coal from the same upon compliance with the conditions of said subject to the limitations of the Act of March 3, 1909; and

WHEREAS, the land so conveyed have been subsequently classified as noncoal in character; NOW, THEREFORE, KNOW YE, That the UNITED STATES OF AMERICA, in accordance with the Act of Congress approved April 14, 1914 (Public No. 83) authorizing, under, such conditions, the issuance of new or supplemental patent without such reservation, does hereby remise, release, and forever quitclaim unto the said William J. Rose and to his heirs and assigns, all right, title, interest, and estate to and in the above-described lands which may be vested in and possessed by it by virtue of the reservation hereinbefore mentioned and recited.

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-fifth day of May in the year of our Lord one thousand nine hundred and fifteen and of the Independence of the United States the one hundred and thirty-ninth.

By the President: Woodrow Wilson

By M. P. LeRoy, Secretary.

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

Recorded: Patent Number 474755

Recorded at the request of W. J. Rose Aug., 12th, 1915, at... minutes past 9 O'clock A.M. in Book W of Deeds, page 521, records of Lemhi County, Idaho.

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

BY *W. W. Lamm* Deputy

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TOWNSHIP 23 RANGE 22

ASSETS

BY THE YORK CO., FIRE & BUR. 20848

CLASSIFICATION OF LANDS

Line No.	Receipt No.	OWNER OR REPUTED OWNER'S NAME AND ADDRESS	Subdivision or Tax No.	Sec.	Twp. N.	Rng. E.	Irrigated Agricultural			Natural Meadow and Pasture			Orchard Land			Grazing			Desert Waste and Swamp	Mineral
							Acres	Value	Acres	Value	Acres	Value	Acres	Value	Acres	Value	Acres	Value		
1	161	Swain Roy./.	Lots 8,9,10,11	1	23	21	385	10	350							96	701 ⁰⁰ 643	40		
2		Carmen, Ida.	Lot 8,	2												24	181 ⁰⁰ 168			
3	164	Williams F.A.	Lot 12,	1			875	25	750					2	70	31	682 680			
4		Salmon, Ida.	Lots, 1, 2, 8																	
5			Fr. Lot 5	12												29	638 586	67	---	
6																				
7																				
8																				
9																				
10	127	Baer Margaret	W ¹ / ₂ NW ¹ / ₄ NE ¹ / ₄ ,																	
11		Carmen, Ida.	W ¹ / ₂ NW ¹ / ₄ SW ¹ / ₄ NE ¹ / ₄ ,																	
12			SW ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ NE ¹ / ₄ ,																	
13			E ¹ / ₂ SE ¹ / ₄ NW ¹ / ₄ ,																	
14			E ¹ / ₂ SE ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ ,																	
15			SE ¹ / ₄ NE ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ ,																	
16			SW ¹ / ₄ SE ¹ / ₄ NW ¹ / ₄ ,																	
17			S ¹ / ₂ NW ¹ / ₄ SE ¹ / ₄ NW ¹ / ₄ ,																	
18		SE ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ , S ¹ / ₂ NE ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ , E ¹ / ₂ NW ¹ / ₄ SW ¹ / ₄ ,		4	23	22	1300	40	1200							80	1100 1000	40		
19		NE ¹ / ₄ SW ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ SW ¹ / ₄ , W ¹ / ₂ NE ¹ / ₄ SE ¹ / ₄ SW ¹ / ₄ ,																		
20	128	Kellog Orson H.																		
21		Carmen, Ida.	SE ¹ / ₄ NE ¹ / ₄ ,	8			396	12	300							23	1770 161	5		
22	129	Bowler S.E.																		
23		Carmen, Ida.	SW ¹ / ₄ SE ¹ / ₄	8				18	3160 200							22	1694 164			
24	130	Winteroud F.B.																		
25		Carmen, Ida.	SE ¹ / ₄ SE ¹ / ₄ ,	8			490	30	300											10
26			E ¹ / ₂ SW ¹ / ₄ , SW ¹ / ₄ SW ¹ / ₄ ,	9												60	330 300	60		
27		Kellog Orson H	W ¹ / ₂ NW ¹ / ₄ ,	9			490	13	300						1	40	38	292 ⁰⁰ 266	28	
28	131	Cooper Floyd.L.	SE ¹ / ₄ NW ¹ / ₄ , S ¹ / ₂ NE ¹ / ₄ ,	9																
29		Carmen, Ida.	W ¹ / ₂ SW ¹ / ₄ NW ¹ / ₄ ,																	
30			SE ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ ,																	
31			SW ¹ / ₄ SE ¹ / ₄ NW ¹ / ₄ ,	10			495	15	450							145	330 300			
32	132	Bowler S.E.	NW ¹ / ₄ NE ¹ / ₄ , E ¹ / ₂ NW ¹ / ₄ ,	17			2310	59	2100						1	35	38	292 ⁰⁰ 266	10	
33																				
34		Rose Nancy	SW ¹ / ₄ NW ¹ / ₄ ,	17																
35		Carmen, Ida.	SE ¹ / ₄ NE ¹ / ₄ , NE ¹ / ₄ SE ¹ / ₄ ,	18			2840	75	2500						1	35				44
36		Neiman F.W.	NW ¹ / ₄ SE ¹ / ₄ ,																	
37		Carmen, Ida.	Lot. 5, 8.	18			1925	50	150						7	245				

ASSESSMENT ROLL FOR THE YEAR 1911

Improvements		Cattle		Cows		Horses		Sheep and Goats		Swine		Vehicles		Harnes Etc.		Machinery		Furniture and Fixtures		Not Otherwise Classified		Share	
Kind	Value	No.	Kind	Value	No.	Value	No.	Kind	Value	No.	Kind	Value	No.	Value	No.	Kind	Value	No.	Kind	Value	No.	Kind	Value
R	300.250																						
		200	175	7	R	140	3	9375	4	Q	25												
								</															