

Anderson Nelson Hall Smith, P.A.
ATTORNEYS

490 MEMORIAL DRIVE
POST OFFICE BOX 51630
IDAHO FALLS, IDAHO 83405-1630
TELEPHONE (208) 522-3001
FAX (208) 523-7254
E-MAIL anhs@anhs.net

Douglas R. Nelson
Blake G. Hall
Marvin M. Smith*
Scott R. Hall
Joel E. Tingey
Steven R. Parry*
Brian T. Tucker
Jeffery W. Banks
Wiley R. Dennert
Darren S. Robins

W. Joe Anderson
(1923-2002)

*Also member of Utah bar

July 29, 2005

RECEIVED
AUG 02 2005
DEPARTMENT OF
WATER RESOURCES

Ms. Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau
State of Idaho Dept. of Water Resources
322 East Front Street
P.O. Box 83720
Boise, ID 83720-0098

**Re: Evidence of Priority Date of Emily Sandstrom
75-04146; 75-04147; 75-04148; 75-04149**

Dear Ms. Brown:

Please find enclosed the following documents:

1. Instrument No. 25729, dated December 13, 1921;
2. Instrument No. 33021 dated May 28, 1927;
3. Instrument No. 33022 dated May 28, 1927;
4. Quitclaim Deed dated May 26, 1993;
5. Indexing/Recording Entry of Lemhi County
6. Affidavit of Roger and Vicky Tracy (with attachments);
7. Affidavit of Emily Sandstrom (with attachments);
8. Affidavit of Roger and Vicky Tracy dated June 7, 1982 (with attachments);
9. Notice of Claim to Water Rights dated February 8, 1990;
10. Notice of Claim to Water Rights dated February 8, 1990 (with attachments);
11. Claim to Water Right dated January 17, 1980;
12. Claim to Water Right dated January 17, 1980;
13. Claim to Water Right dated January 17, 1980;
14. Idaho Department of Water Resources
15. Recording Entry and Documents related to Lots 3 and 4, Section 24 T20N, R21E, B.M.

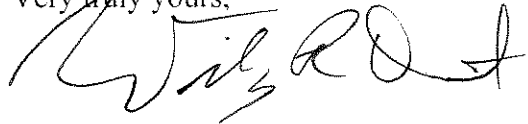
The last recording information regarding the parcel at Lot 3 and 4, Section 24, T20N, R21E, B.M. relates to property owned by Ms. Sandstrom and we have attached the Homestead Certificates. Ms. Sandstrom is unsure if this property is part of the water right claim that was previously identified. Please consider it if necessary.

July 29, 2005
Page 2

I am faxing this information to you and mailing it via certified letter on the same date. I spoke with Sally at your office who informed me that if we mailed it on this date it would be sufficient.

If additional information is needed, Ms. Sandstrom wishes to work with you in resolving this issue. If there are any "holes" in the claim, would you please notify us so that we can supplement this as soon as possible. Ms. Sandstrom appreciates your assistance in this matter and looks forward to working with you further. If you have any questions or concerns, please contact me.

Very truly yours,

 for:

Jeffery W. Banks
JWB/gp

Enc.

cc: Emily Sandstrom
L:\JWB\Current\Sandstrom\Brown.ltr.wpd

1.

Hailey 020746.

4-1003.

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 Richard D. Spellman has been established and duly consummated, in conformity to law, for the Lot eight and the southeast quarter of Section twenty-seven and the Lot one and the east half of the northeast quarter of Section thirty-four in Township nineteen north of Range twenty-one east of the Boise Meridian, Idaho, containing one hundred sixty-five and eighty-six-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. Reserving unto the United States, its permittee or licensee, the right to enter upon, or occupy and use, any part or all of said lands for the purposes provided in the Act of June 10, 1920 (41 Stat., 1063), and subject to the conditions and limitations of Section twenty-four of said Act.

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.

SEAL

GIVEN under my hand, in the District of Columbia, the THIRTEENTH day of OCTOBER 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-SIXTH.

By the President: Warren G. Harding.

By Viola B. Pugh, Secretary.

M. P. LeRoy

Recorder of the General Land Office.

RECORDED: Patent Number 828423

Recorded at the request of Allen C. Merritt December 13th, 1921 at 6 minutes past 1 o'clock P.M., in Book 26 of Deeds page 27, Records of Lemhi County, Idaho.

BY

Delia M. Glennon
Deputy.

W. H. Simmonds
County Recorder.

2.

Salmon

4-1028

Hailey 023123

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 full payment has been made by the claimant ELSIE C. WADDINGTON, according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," as amended by the Act of March 3, 1891,

for the southeast quarter of the southwest quarter of Section twenty-six and the East half of the Northwest Quarter, the Southwest Quarter of the Southwest Quarter and the East Half of the Southwest Quarter of Section thirty-five in Township nineteen North of Range twenty-one east of the Boise Meridian, Idaho, containing two hundred forty 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 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, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Claimant and to the heirs of the said claimant the 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 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, Calvin Coolidge, 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-fourth day of May in the year of our Lord one thousand nine hundred and Twenty-four and of the Independence of the United States the one hundred and Forty-Eighth.

RECORDED: Patent Number 938899

By the President: Calvin Coolidge
By Viola B. Pugh, Secretary
M. P. LeRoy, Recorder of the General Land Office,

Recorded at the request of Watts Waddington, May 28th, 1927, at 30 minutes past 3 o'clock P.M., in Book 28 of Deeds, page 568, Records of Lemhi County, Idaho.

Fee: 1.00

W. H. Gimmord
County Recorder.

- - - - - Instrument No. 33022 - - - - -

Salmon

4-1028

Hailey 023124

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 full payment has been made by the claimant WATTS WADDINGTON according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," as amended by the Act of March 3, 1891,

For the west half of the northwest quarter and the northwest quarter of the southwest quarter of Section thirty-five in Township nineteen 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 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, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant, and to the heirs of the said claimant the 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 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, Calvin Coolidge, President of the United States of

GIVEN under my hand, in the District of Columbia, the Twenty-fourth day of May in the year of our Lord one thousand nine hundred and Twenty-four and of the Independence of the United States the one hundred and Forty-Eighth.

PS E A L-
RECORDED: Patent Number 938899

By the President: Calvin Coolidge
By Viola B. Pugh, Secretary
M. P. LeRoy, Recorder of the General Land Office,

Recorded at the request of Watts Waddington, May 28th, 1927, at 30 minutes past 3 o'clock P.M., in Book 28 of Deeds, page 568, Records of Lemhi County, Idaho.

Fee: 1.00

W. W. Simmonds
County Recorder.

-----Instrument No. 33022-----

Salmon
Hailey 023124

4-1028

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 full payment has been made by the claimant WATTS WADDINGTON according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," as amended by the Act of March 3, 1891,

For the west half of the northwest quarter and the northwest quarter of the southwest quarter of Section thirty-five in Township nineteen 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 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, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant, and to the heirs of the said claimant the 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 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, Calvin Coolidge, 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 Fourteenth day of June in the year of our Lord one thousand nine hundred and Twenty-Four and of the Independence of the United States the one hundred and Forty-Eighth.

- S E A L-
RECORDED: Patent Number 939981

By the President: Calvin Coolidge
By Viola B. Pugh, Secretary
M. P. LeRoy, Recorder of the General Land Office.

Recorded at the request of Watts Waddington, May 28th, 1927, at 31 minutes past 3 o'clock P.M., in Book 28 of Deeds, page 568, Records of Lemhi County, Idaho.

Fee: 1.00

W. W. Simmonds
County Recorder.

3.

QUITCLAIM DEED

This INDENTURE, Made this 26th day of May
ninety-three between
in the year of our Lord one thousand nine hundred and
RAY SANDSTROM

of Salmon County of Lemhi

State of Idaho, the part y of the first part, and
RAY SANDSTROM and EMILY SANDSTROM, his wife

of Salmon (HC-61, Box 31A), Lemhi County
State of Idaho, the part ies of the second part.

WITNESSETH, That the said part y of the first part, for and in consideration of the
sum of Ten (\$10.00) Dollars and OVC DOLLARS
lawful money of the United States of America, to him in hand paid by the said
part ies of the second part, the receipt whereof is hereby acknowledged, do^{es} by these
presents remise, release and forever QUITCLAIM, unto the said part ies of the
second part, and to their heirs and assigns, all that certain lot
piece or parcel of land, situated, lying and being in Salmon
County of Lemhi, state of Idaho, bounded and particularly described as follows,
towit:

PARCEL A
A PARCEL OF LAND located in the SE 1/4 SW 1/4, Section 26, Lot 8 and the SE 1/4 SE 1/4, Section 27; Lot 1 and the E 1/2
NE 1/4, Section 34, W 1/2 Section 35; all in T. 19 N., R. 21 E., B.M., Lemhi County, Idaho, more specifically described as
follows:

Commencing at the Quarter corner common to said Sections 34 and 35, which is the real point of beginning, a distance of
1323.25 feet on a bearing of N. 89° 37' 18" W. to the Southwest corner of the E 1/2 NE 1/4 of Section 34; thence N. 0° 04' 57"
E., 1322.87 feet to the Southeast corner of Lot 1, Section 34; thence N. 89° 37' 37" W., 762.06 feet to a point on the Easterly
right-of-way of U.S. Highway No. 93; thence the following courses and distances along said right-of-way: N. 14° 03' 38" E.,
967.04 feet along the chord of a curve to the right having a central angle of 30° 00' 39" and a radius of 1870.00 feet; N. 28° 30'
50" E., 136.70 feet; N. 61° 29' 10" W., 10.00 feet; N. 28° 30' 50" E., 564.62 feet; thence S. 89° 37' 33" E., 536.45 feet; thence
N. 0° 07' 39" E., 1082.08 feet to a point on the North boundary of the SE 1/4 SE 1/4 Section 27; thence S. 89° 37' 33" E.,
991.46 feet to the Northeast corner of the SE 1/4 SE 1/4, Section 27; thence S. 0° 07' 39" W., 1321.56 feet to the Section corner
common to Sections 26, 27, 34 and 35; thence S. 89° 36' 18" E., 1319.37 feet to the Southwest corner of the SE 1/4 SW 1/4,
Section 26; thence N. 0° 06' 24" E., 1320.98 feet to the Northwest corner of the SE 1/4 SW 1/4, Section 26; thence S. 89° 34'
48" E., 1319.28 feet to the Northeast corner of the SE 1/4 SW 1/4, Section 26; thence S. 0° 06' 09" W., 1320.41 feet to the
Quarter corner common to Sections 26 and 35; thence S. 0° 06' 09" W., 5281.65 feet to the Quarter corner common to Section
35 and 2; thence N. 89° 39' 21" W., 2639.49 feet to the Section corner common to Sections 34, 35, 2 and 3; thence N. 0° 05' 39"
E., 2638.01 feet to the real point of beginning.

PARCEL B

A PARCEL OF LAND located in the SE 1/4 SE 1/4 and Lot 8, Section 27, T. 19 N., R. 21 E., B.M., Lemhi County,
Idaho, more specifically described as follows: Commencing at the Southeast corner of said Section 27, a distance of 1321.56 feet
on a bearing of N. 0° 07' 39" E. along the East boundary of Section 27 to the Northeast corner of the SE 1/4 SE 1/4; thence N.
89° 37' 33" W., 991.46 feet along the North boundary of the SE 1/4 SE 1/4 to the real point of beginning. From this real point
of beginning, a distance of 409.63 feet continuing on a bearing of N. 89° 37' 33" W., to a point on the easterly right-of-way of
U.S. Highway No. 93; thence along said right-of-way S. 6° 48' 56" W., 1088.95 feet along the chord of a curve to the right
having a central angle of 43° 24' 04" and a radius of 1472.50 feet; thence S. 89° 37' 33" E. 536.45 feet; thence N. 0° 07' 39" E.,
1082.08 feet to the real point of beginning.

28-568
26-27
26-27
28-568

4.

ALBERTA FREDERICK, CLERK OF THE DISTRICT COURT
THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, BEING FOR THE COUNTY OF LEMHI, DO HEREBY CERTIFY
THAT THE FOREGOING IS A TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE.
IN WITNESS WHEREOF I HAVE HEREunto SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS 16th DAY
OF JULY 1946

QUITCLAIM DEED

This INDENTURE, Made this 26th

day of

May

ninety-three

in the year of our Lord one thousand nine hundred and
RAY SANDSTROM

between

of Salmon

County of Lemhi

State of Idaho, the part of the first part, and

RAY SANDSTROM and EMILY SANDSTROM, his wife

of Salmon (HC-61, Box 31A), Lemhi County

State of Idaho, the part of the second part.

WITNESSETH, That the said part of the first part, for and in consideration of the
sum of Ten (\$10.00) Dollars and 00/100 DOLLARS

lawful money of the United States of America, to him in hand paid by the said

part of the second part, the receipt whereof is hereby acknowledged, do^{es} by these

presents remise, release and forever QUITCLAIM, unto the said part of the

second part, and to their heirs and assigns, all that certain lot

piece or parcel of land, situated, lying and being in Salmon

County of Lemhi, state of Idaho, bounded and particularly described as follows,

towit:

PARCEL A

A PARCEL OF LAND located in the SE 1/4 SW 1/4, Section 26, Lot 8 and the SE 1/4 SE 1/4, Section 27; Lot 1 and the E 1/2 NE 1/4, Section 34, W 1/2 Section 35; all in T. 19 N., R. 21 E., B.M., Lemhi County, Idaho, more specifically described as follows:

Commencing at the Quarter corner common to said Sections 34 and 35, which is the real point of beginning, a distance of 1323.25 feet on a bearing of N. 89° 37' 18" W. to the Southwest corner of the E 1/2 NE 1/4 of Section 34; thence N. 0° 04' 57" E., 1322.87 feet to the Southeast corner of Lot 1, Section 34; thence N. 89° 37' 37" W., 762.06 feet to a point on the Easterly right-of-way of U.S. Highway No. 93; thence the following courses and distances along said right-of-way: N. 14° 03' 38" E., 967.04 feet along the chord of a curve to the right having a central angle of 30° 00' 30" and a radius of 1870.00 feet; N. 28° 30' 50" E., 136.70 feet; N. 61° 29' 10" W., 10.00 feet; N. 28° 30' 50" E., 564.62 feet; thence S. 89° 37' 33" E., 536.45 feet; thence N. 0° 07' 39" E., 1082.08 feet to a point on the North boundary of the SE 1/4 SE 1/4 Section 27; thence S. 89° 37' 33" E., 991.46 feet to the Northeast corner of the SE 1/4 SE 1/4, Section 27; thence S. 0° 07' 39" W., 1321.56 feet to the Section corner common to Sections 26, 27, 34 and 35; thence S. 89° 36' 18" E., 1319.37 feet to the Southwest corner of the SE 1/4 SW 1/4, Section 26; thence N. 0° 06' 24" E., 1320.98 feet to the Northwest corner of the SE 1/4 SW 1/4, Section 26; thence S. 89° 34' 48" E., 1319.28 feet to the Northeast corner of the SE 1/4 SW 1/4, Section 26; thence S. 0° 06' 09" W., 1320.41 feet to the Quarter corner common to Sections 26 and 35; thence S. 0° 06' 09" W., 5281.65 feet to the Quarter corner common to Section 35 and 2; thence N. 89° 39' 21" W., 2632.49 feet to the Section corner common to Sections 34, 35, 2 and 3; thence N. 0° 05' 39" E., 2638.01 feet to the real point of beginning.

PARCEL B

A PARCEL OF LAND located in the SE 1/4 SE 1/4 and Lot 8, Section 27, T. 19 N., R. 21 E., B.M., Lemhi County, Idaho, more specifically described as follows: Commencing at the Southeast corner of said Section 27, a distance of 1321.56 feet on a bearing of N. 0° 07' 39" E. along the East boundary of Section 27 to the Northeast corner of the SE 1/4 SE 1/4; thence N. 89° 37' 33" W., 991.46 feet along the North boundary of the SE 1/4 SE 1/4 to the real point of beginning. From this real point of beginning, a distance of 409.63 feet continuing on a bearing of N. 89° 37' 33" W., to a point on the easterly right-of-way of U.S. Highway No. 93; thence along said right-of-way S. 6° 48' 56" W., 1088.95 feet along the chord of a curve to the right having a central angle of 43° 24' 04" and a radius of 1472.50 feet; thence S. 89° 37' 33" E., 536.45 feet; thence N. 0° 07' 39" E., 1082.08 feet to the real point of beginning.

227

5.

IX0001-2

Indexing / Recording Entry

7/25/05 16:28:39

UPDATE

Instrument #: 218635 File #: Date: 5-28-1993 Time: 8:15
Type: 060 QUIT CLAIM DEED Book: Page: SubPage:
Character: SE4SW4, SEC. 26, LOT 8, SE4SE4, SEC. 27, LOT 1 AND THE E2 SE
4, W2 SEC. 35, SE4SE4 AND LOT 8 SEC. 27, T19N, R21E B.M.

#Pages Recorded: Fees: 600 Charge? Receipt#: 9999999

Delivered: RAY SANDSTROM
HC 61 BOX 31A
SALMON ID 83467

Date: 6-02-1993

Termination Date:

Grantor
SANDSTROM, RAY

Grantee
SANDSTROM, RAY
SANDSTROM, EMILY

F1=Search F2=Notes F3=Link F4=Date F7=Exit F9=Help F10=New F12=Rcpt

6.

July 25, 2005

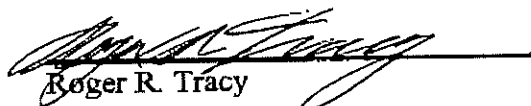
State of Idaho
Dept. of Water Resources

We, Roger R. and Vicky H. Tracy are writing this letter on behalf of Emily Sandstrom, water right no.'s 75-04146, 7504147, 7504148 and 75-04149.

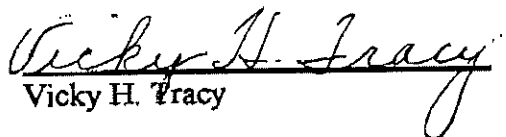
We purchased this property from Lyle H. and Muriel Adams on August 31, 1977. We sold this property on March 1, 1985 to Carl L. and Nancy A. Chalupa. Therefore, we owned this property for approximately 8 years.

During the time we owned this property we utilized 100% of the water out of (1) Upper Second Creek Ditch, (2) Lower Second Creek Ditch, (3) Lost Creek Drainage, (4) Waddington Creek Ditch and (5) Spring Water.

Enclosed is a copy of a letter we sent to the Bureau of Management on June 19, 1984 regarding the ditches (three pages).

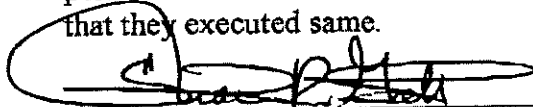

Roger R. Tracy

P. O. Box 1023
Salmon, Idaho 83467


Vicky H. Tracy

STATE OF IDAHO)
 ss
COUNTY OF LEMHI

On this 25th day of July 2005, before me, a Notary Public in and for said State, personally appeared Roger R. Tracy and Vicky H. Tracy, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed same.


Residing at Salmon, Idaho
Comm. Expires 1-13-10

Notary Public



JUNE 19, 1984

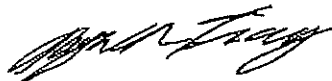
Bureau of Land Management
P. O. Box 430
Salmon, Idaho 83467

Gentlemen:

I am presently utilizing ditches which involve public lands and are shown on the attached aerial photograph. I have acquired a vested water right dated February 20, 1980 in the form of a claim. A copy of my water right is enclosed.

I feel I have established a right of way under the authority of the act of July 23, 1946. Please note this right of way on your records.

Sincerely,



Roger C. Perry
Box 1013
Salmon, Idaho 83467
106-2112

RRT:vht

Aerial Photo Ref.

1. Upper Second Creek Ditch
2. Lower Second Creek Ditch
3. Lost Creek Diversion
4. Waddington Creek Ditch
5. SPRING WATER





United States Department of the Interior

BUREAU OF LAND MANAGEMENT

SALMON DISTRICT OFFICE

P.O. Box 430

Salmon, Idaho 83467

(208) 756-2201

IN REPLY
REFER TO: 9600-30

RECORD NOTATION INSTRUCTIONS FOR DITCHES, CANALS AND RESERVOIRS AUTHORIZED UNDER THE ACT OF JULY 26, 1866

The passage of the Federal Land Policy and Management Act of October 21, 1976 repealed all previous acts authorizing right of ways.

Ditches and canals constructed on public lands on or before October 21, 1976 under the authority of the 1866 act will, however, still be recognized as an authorized use of public land. In order to recognize a ditch, canal or reservoir constructed under the authority of the 1866 act the following criteria must be met.

1. A vested accrued water right must exist prior to October 21, 1976 as established by one of the following methods:
 - a. Statutory or administrative procedure (approved water permit or license)
 - b. Judicial means (court decree)
 - c. Filing a "claim to a water right" for unappropriated water which has been diverted and applied to a beneficial use. A claim can only be made on surface waters developed before May 20, 1971 and groundwater developed prior to May 25, 1963.
2. A ditch, canal or reservoir must have been constructed and in use prior to October 21, 1976.

If you feel you have a ditch, canal or reservoir which meets this criteria, the right of way can be noted to the BLM records to serve as a reservation in future patents and land use authorizations. In order for the BLM to note these rights of ways to the record (master title plats) the following information should be sent to the Salmon District Office.

1. A letter requesting notation to the records (see attached sample letter).
2. A copy of the document showing evidence of a vested water right.
3. A USGS quadrangle map, aerial photograph or other suitable map showing the location of the ditch, canal or reservoir.

No filing fee is required nor is there any application procedure. The BLM will notify you shortly after receipt of your letter to acknowledge your right of way or request any additional information needed.

7.

AFFIDAVIT OF EMILY SANDSTROM

State of Idaho)
 ss.
County of Lemhi)

Emily Sandstrom, after being first duly sworn upon oath, deposes and states as follows:

1. I am over the age of 18 years.
2. I am the claimant of the following water rights claims: 75-04146, 75-04147, 75-04148, 75-04149.
3. I am the owner of the following described real property:

SE4SW4, SEC. 26, LOT 8, SE4SE4, SEC. 27, LOT 1 AND THE
E2 SE 4, W2 SEC. 35, SE4SE4 AND LOT 8 SEC 27, T19N, R21E
B.M.
4. Attached as **Exhibit "A"** is a copy of a Warranty Deed from Nancy A. Chalupa to Debra Jo Hoecherl and Ray Sandstrom for the real property in question.
5. Attached as **Exhibit "B"** is a copy of a Quitclaim Deed from Ray Sandstrom to Ray Sandstrom and Emily Sandstrom, his wife, for the real property in question.
6. Attached as **Exhibit "C"** is a copy of Instrument No. 25729 which was recorded under Patent No. 828423 on December 13, 1921 and which grants water rights to land within my 503 acre ranch.
7. Attached as **Exhibit "D"** is a copy of Instrument No. 33021 recorded as Patent No. 938899 on May 28, 1927 which grants water rights to land within my 503 acre ranch. Also attached as **Exhibit "D"** is Instrument No. 33022 recorded as Patent No. 939981 dated May 28, 1927 which grants water rights to land within my 503 acre ranch.
8. My husband, Ray Sandstrom, died January 8, 1996. He purchased the 503 acre ranch in 1988 and grew hay on it with Pete Stamper using ground pipe and flood irrigation. I continue to grow hay on the ranch.
9. Since my husband died, I have continually used all of the water on the ranch for beneficial purposes. I use the water to grow hay, to grow 200 fruit trees, to grow vegetables, and some flowers I feed the deer. I also use the water to flow through the elk and the mule deer pens. My house used surface water for residential purposes until 1996 when I installed a pump to draw up subsurface water. The White Tail Deer pens use hydraulic water troughs from the pump, as

JUL 29 2005 3:45PM

ANDERSON NELSON HALL SMITH

NO. 937

P. 6

do the Pea Fowl pens.

10. The water enters my ranch from government owned lands and leaves my property as "waste water" to properties across Highway 93.

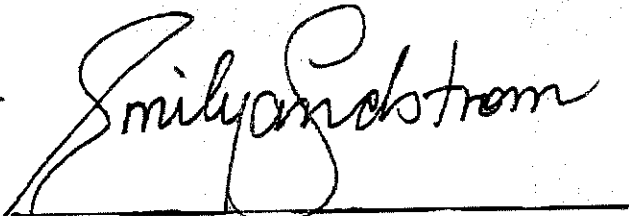
11. There is a red squared-log house on my property which historically had been the stagecoach stop building for the area and is one of the oldest buildings in the area. Evidence of the old age of the building is that it is built of wood which is ossified like concrete. It is "painted" with rust, lime and milk used historically to preserve wood. This is evidence the land and at least some of the water were used for beneficial purposes for many years.

12. My property also contains a collapsing potato storage A-frame shed which is located a short distance from the house. It is my understanding that this old potato shed was used to store potatoes grown on the property. The potato shed is a very old building. This is evidence the land and the water have been used for beneficial purposes for many years.

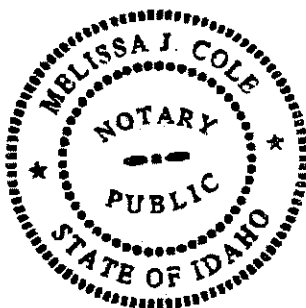
13. I am considering installing a pivot irrigation system on the ranch for the purpose of growing hay.

14. I have researched the water usage on the ranch in question by talking with many people and reviewing the records attached to this affidavit as exhibits as well as the other documents submitted in support of my water rights claims, and I believe that the water has been put to beneficial use since before the land was deeded from the Federal Government in 1921 and 1927.

DATED This 29th day of July, 2005.


EMILY SANDSTROM

SUBSCRIBED AND SWORN to before me this 29th day of July, 2005.




NOTARY PUBLIC For Idaho
Residing at: Salmon, Id
My commission expires: 11/18/2006

EXHIBIT “A”

WARRANTY DEED

For Value Received

NANCY A. CHALUPA, a single woman

the grantor, do es hereby grant, bargain, sell and convey unto

DEBRA JO HOECHERL AND RAY SANDSTROM

whose current address is

HC 61, Box 31-A
SALMON, ID 83467the grantees, the following described premises, in LEMHI County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
 their heirs and assigns forever. And the said Grantor do es hereby covenant to and
 with the said Grantees, that she is the owner in fee simple of said premises; that they are free
 from all incumbrances

and that s he will warrant and defend the same from all lawful claims whatsoever.

Dated: OCTOBER 16, 1989

Nancy A. Chalupa
 NANCY A. CHALUPA

STATE OF IDAHO, COUNTY OF LEMHI
 On this day of OCT., 1989,
 before me, a notary public in and for said State, personally
 appeared

NANCY A. CHALUPA, a single woman

known to me to be the person whose name is
 subscribed to the within instrument, and acknowledged to
 me that she executed the same.

Notary Public
 Notary Public
 Building at SALMON, Idaho
 Comm. Expires 6-12-1995

as No. 203735

This instrument was filed for record at
 the request of Debra Jo Hoecherl
11:13 o'clock P.M. 10-16-89
 and duly filed and indexed in the
 records of Lemhi County

Alma W. Widdick
 Ex-Officio Secretary
Alma W. Widdick Secretary
 Exec: 6-12-89

STATE OF IDAHO
 COUNTY OF LEMHI
 I, ALBERTA WIDDERICK, CLERK OF THE DISTRICT COURT
 OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
 IDAHO, HAVING BEEN DULY SWORN, DO HEREBY CERTI-
 FY THAT THE FOREGOING IS A TRUE AND CORRECT COPY
 OF THE ORIGINAL FILED IN THIS OFFICE
 IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND
 AND AFFIXED MY OFFICIAL SEAL THIS 16th DAY
 OF OCTOBER 1989
 ALBERTA WIDDERICK, CLERK
Alma W. Widdick SECRETARY

Recorded by the American Land Title Co. from a plat

EXHIBIT "A"

PARCEL A

A PARCEL OF LAND LOCATED IN THE SE1/4SW1/4, SECTION 26, LOT 8 AND THE SE1/4SE1/4, SECTION 27; LOT 1 AND THE E1/2NE1/4, SECTION 34, W1/2 SECTION 35; ALL IN T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE QUARTER CORNER COMMON TO SAID SECTIONS 34 AND 35, WHICH IS THE REAL POINT OF BEGINNING, A DISTANCE OF 1323.25 FEET ON A BEARING OF N. 89° 37' 18" W. TO THE SOUTHWEST CORNER OF THE E1/2NE1/4 OF SECTION 34; THENCE N. 0° 04' 57" E., 1322.37 FEET TO THE SOUTHEAST CORNER OF LOT 1, SECTION 34; THENCE N. 89° 37' 37" W., 762.06 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 93; THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY; N. 14° 03' 38" E., 967.04 FEET ALONG THE CHORD OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 30° 00' 39" AND A RADIUS OF 1870.00 FEET; N. 28° 30' 50" E., 136.70 FEET; N. 61° 29' 10" W., 10.00 FEET; N. 28° 30' 50" E., 564.62 FEET; THENCE S. 89° 37' 33" E., 536.45 FEET; THENCE N. 0° 07' 39" E., 1082.08 FEET TO A POINT ON THE NORTH BOUNDARY OF THE SE1/4SE1/4, SECTION 27; THENCE S. 89° 37' 33" E., 991.46 FEET TO THE NORTHEAST CORNER OF THE SE1/4SE1/4, SECTION 27; THENCE S. 0° 07' 39" W., 1321.56 FEET TO THE SECTION CORNER COMMON TO SECTIONS 26, 27, 34 AND 35; THENCE S. 89° 36' 18" E., 1319.37 FEET TO THE SOUTHWEST CORNER OF THE SE1/4SW1/4, SECTION 26; THENCE N. 0° 06' 24" E., 1320.98 FEET TO THE NORTHWEST CORNER OF THE SE1/4SW1/4, SECTION 26; THENCE S. 89° 34' 48" E., 1319.28 FEET TO THE NORTHEAST CORNER OF THE SE1/4SW1/4, SECTION 26; THENCE S. 0° 06' 09" W., 1320.41 FEET TO THE QUARTER CORNER COMMON TO SECTIONS 26 AND 35; THENCE S. 0° 06' 09" W., 5287.65 FEET TO THE QUARTER CORNER COMMON TO SECTION 35 AND 2; THENCE N. 89° 39' 21" W., 2639.49 FEET TO THE SECTION CORNER COMMON TO SECTIONS 34, 35, 2 AND 3; THENCE N. 0° 05' 39" E., 2638.01 FEET TO THE REAL POINT OF BEGINNING.

PARCEL B

A PARCEL OF LAND LOCATED IN THE SE1/4SE1/4 AND LOT 8, SECTION 27, T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE SPECIFICALLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27, A DISTANCE OF 1321.56 FEET ON A BEARING OF N. 0° 07' 39" E. ALONG THE EAST BOUNDARY OF SECTION 17 TO THE NORTHEAST CORNER OF THE SE1/4SE1/4; THENCE N. 89° 37' 33" W., 991.46 FEET ALONG THE NORTH BOUNDARY OF THE SE1/4SE1/4 TO THE REAL POINT OF BEGINNING. FROM THIS REAL POINT OF BEGINNING, A DISTANCE OF 409.63 FEET CONTINUING ON A BEARING OF N. 89° 37' 33" W., TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 93; THENCE ALONG SAID RIGHT-OF-WAY, S. 6° 48' 56" W., 1088.95 FEET ALONG THE CHORD OF A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 43° 24' 04" AND A RADIUS OF 1472.50 FEET; THENCE S. 89° 37' 33" E., 536.45 FEET; THENCE N. 0° 07' 39" E., 1082.08 FEET TO THE REAL POINT OF BEGINNING.

EXHIBIT “B”

James D. McRae, Esq.

After

between

County of Lemhi

to wit:

PARCEL B

226

227

EXHIBIT “C”

Instrument No. 25729

Hailey 020746.

421003.

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 Richard D. Spellman has been established and duly consummated, in conformity to law, for the Lot eight and the southeast quarter of Section twenty-seven and the Lot one and the east half of the northeast quarter of Section thirty-four in Township nineteen north of Range twenty-one east of the Boise Meridian, Idaho, containing one hundred sixty-five and eighty-six-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. Reserving unto the United States, its permittee or licensee, the right to enter upon, or occupy and use, any part or all of said lands for the purposes provided in the Act of June 10, 1920 (41 Stat., 1063), and subject to the conditions and limitations of Section twenty-four of said Act.

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.

SEAL

GIVEN under my hand, in the District of Columbia, the THIRTEENTH day of OCTOBER 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-SIXTH.

By the President: Warren G. Harding.

By Viola B. Pugh, Secretary.

M. P. LeRoy

Recorder of the General Land Office.

RECORDED: Patent Number 828423

Recorded at the request of Allen C. Merritt December 13th, 1921 at 6 minutes past 1 o'clock P.M., in Book 26 of Deeds page 27, Records of Lemhi County, Idaho.

BY

John M. Simmons
Deputy.

M. H. Simmons
County Recorder.

EXHIBIT “D”

568

Instrument No. 33021

4-1028

Salmon

Hailey 023123

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 full payment has been made by the claimant ELSIE G. WADDINGTON, according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," as amended by the Act of March 3, 1891,

for the southeast quarter of the southwest quarter of Section twenty-six and the East half of the Northwest Quarter, the Southwest Quarter of the Southwest Quarter and the East Half of the Southwest Quarter of Section thirty-five in Township nineteen North of Range twenty-one east of the Boise Meridian, Idaho, containing two hundred forty 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 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, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said Claimant and to the heirs of the said claimant the 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 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, Calvin Coolidge, 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-fourth day of May in the year of our Lord one thousand nine hundred and Twenty-four and of the Independence of the United States the one hundred and Forty-Eighth.

By the President: Calvin Coolidge

By Viola B. Pugh, Secretary

M. P. LeRoy, Recorder of the General Land Office,

S E A L-

RECORDED: Patent Number 938899

Recorded at the request of Watts Waddington, May 28th, 1927, at 30 minutes past 3 o'clock P.M., in Book 28 of Deeds, page 568, Records of Lemhi County, Idaho.

Fee: 1.00

-Instrument No. 33022-

4-1028

Salmon

Hailey 023124

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 full payment has been made by the claimant WATTS WADDINGTON according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," as amended by the Act of March 3, 1891,

For the west half of the northwest quarter and the northwest quarter of the southwest quarter of Section thirty-five in Township nineteen 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 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, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant, and to the heirs of the said claimant the 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 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, Calvin Coolidge, 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 Fourteenth day of June in the year of our Lord one thousand nine hundred and Twenty-Four and of the Independence of the United States the one hundred and Forty-Eighth.

By the President: Calvin Coolidge

By Viola B. Pugh, Secretary

M. P. LeRoy, Recorder of the General Land Office,

- S E A L-

RECORDED: Patent Number 939981

Recorded at the request of Watts Waddington, May 28th, 1927, at 31 minutes past 3 o'clock P.M., in Book 28 of Deeds, page 568, Records of Lemhi County, Idaho.

Fee: 1.00

County Recorder.

8.

AFFIDAVIT

Roger R. and Vicky H. Tracy being first duly sworn,

deposes and says: With regard to Claim No. 75-4296 by John M. & Kathleen Waite, we take exception for the following reasons: (1) The Waites should have only waste water rights out of Waddington Creek as this water is used first to irrigate my fields above where they take the diversion out for use in irrigation of their property. (2) The Waites have indicated that they have approximately 19 acres. They have subdivided these 19 acres into five parcels and have retained only a few acres. Therefore, they have filed for use on all 19 acres when, in fact, they do not own the other four parcels. Approximately 50% of the flow out of Waddington Creek during high water runoff comes from Second Creek and Lost Creek drainage through ditches on my property. The Waites have indicated that they have a right to this water at the diversion point described in their claim, where, in fact, this water is also all waste water. (3) This 19 acre parcel was part of my 520 acre ranch and was sold by me to the Waites on September 9, 1977 with the understanding that waste water was to be utilized for irrigation purposes.

Subscribed and sworn to before me this 7th day of June, 1982

Residing at Salmon, Alaska
My Commission Expires 2/15/86

9.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 75-449 39576

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) RAY SANDSTROM & DEBRA J. HOECHERL Phone (208) 894-2292Mailing Address HC-61, BOX 31A, SALMON, ID Zip 834672. Date of Priority (Only one (1) per claim) 13 OCTOBER 19213. Source of water supply (a) GROUND SPRING
which is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 19N Range 21E Section 27,
SE 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of LEMHI

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. PIPE FROM SPRING TO
HOUSE AND WATERING TROUGHS

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For DOMESTIC purposes from JAN 1 to DEC 31 amount .04 or _____

For STOCKWATER purposes from JAN 1 to DEC 31 amount 1.0 or _____

For IRRIGATION purposes from APR 1 to NOV 1 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 5.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) DOMESTIC 1 HOUSEHOLD; STOCKWATER (HORSES 10 & GAME)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	21E	27															2		2
																	D		
																	S		

Total number of acres irrigated 2

11. In which county (ies) are lands listed above as place of use located? LEMHI

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
75-4146, 75-4147, 75-4148 or None ()

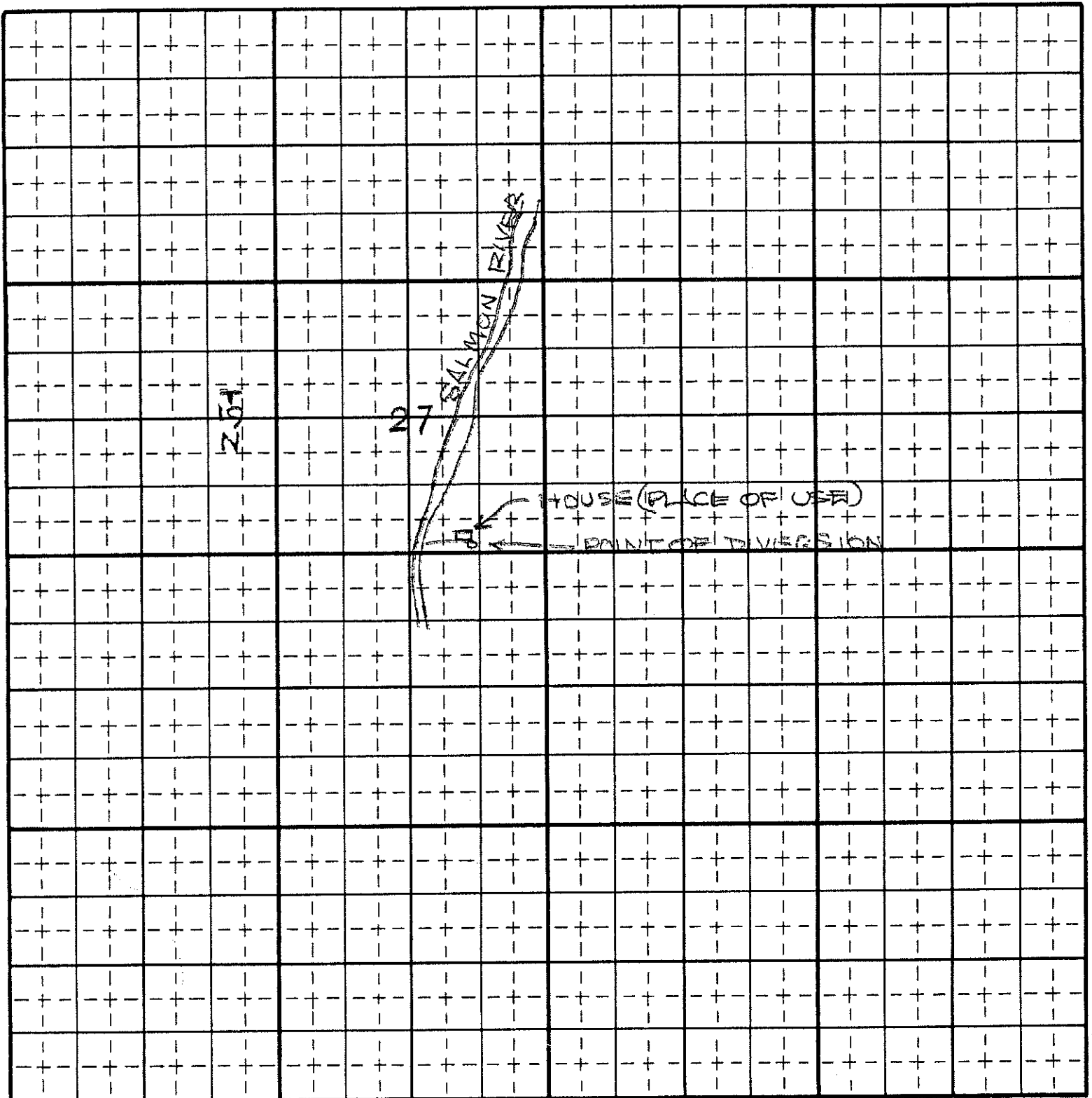
14. Remarks:

Last Name SANDSTROM/HOECHERL Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name SANDSTROM/HOECHER Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number 75-4149

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date _____

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title _____

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title _____

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____

State of Idaho/or Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 8th day of Feb. 19 90

Notary Public [Signature]

Residing at Salmon

My Commission Expires 9-5-1991

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name SWITCHER/HOECHTEL Ident. Number _____

Copies White-State, Yellow-Claimant

10.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number _____

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) RAY SANDSTROM & DEBRA JO HOECHERL Phone (208) 894-2292

Mailing Address HC-61, BOX 31A, SALMON, ID Zip 83467

2. Date of Priority (Only one (1) per claim) 13 OCTOBER 1921

3. Source of water supply (a) WADDINGTON CREEK
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 19N Range 21E Section 35,
SW 1/4 of NE 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of LEMHI

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. HEAD BOX TO DITCHES

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from APR 1 to NOV 1 amount 1.0 or _____

For STOCKWATER purposes from JAN 1 to DEC 31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.04 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 135.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER (10 HORSES, PRIVATE GAME)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	21E	35							25	10	5	10							50

Total number of acres irrigated 50

11. In which county (ies) are lands listed above as place of use located? LEMMING

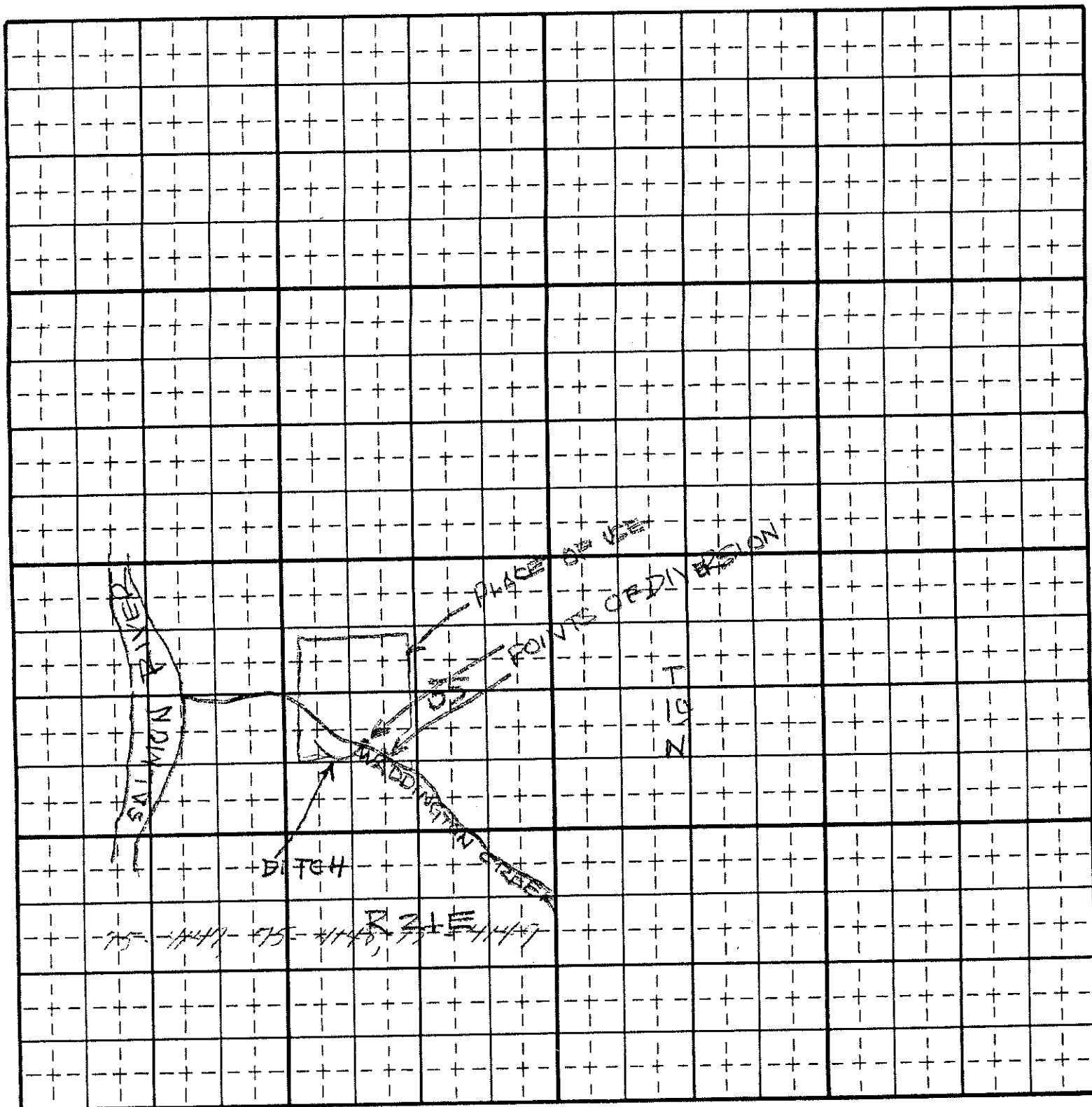
12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
75-4147, 75-4148, 75-4149 or None ()

14. Remarks:

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name SANDSTROM/HOECHERL Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 75-4146
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) [Signature] Date _____
[Signature] Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Blaine) SS.

Subscribed and sworn (or affirmed) before me this 8 day of Feb. 19 90

Notary Public [Signature]

Residing at San Juan

My Commission Expires 9-5-1991

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name SANDSTROM/HOECHER Ident. Number _____

Copies White-State, Yellow-Claimant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

FEBRUARY 20, 1980

ROGER TRACEY
BOX 1023
SALMON

ID 83467

RE: Claim No. 75-4146

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Ronald D. Carlson
by *kw*

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Ray Toney (Name of Claimant)
P.O. Box 1023 Salmon, ID 83461 Telephone No. 256-2131
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) Oct 13, 1921

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Washington Creek tributary to Salmon River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>1.0 cfs</u>		Use <u>Irrigation</u>	Period of Use From <u>April</u>	To <u>Nov 1</u>	
Quantity <u>.04</u>		Use <u>Stock water</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>	
Quantity _____		Use _____	Period of Use From _____	To _____	
Quantity _____		Use _____	Period of Use From _____	To _____	

(4) 1.04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 Sec 35 Twp. 19N Rge. 21E B.M., County of Lemhi
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Head box to ditch

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
14N	21E	35							25	10	5	10							50

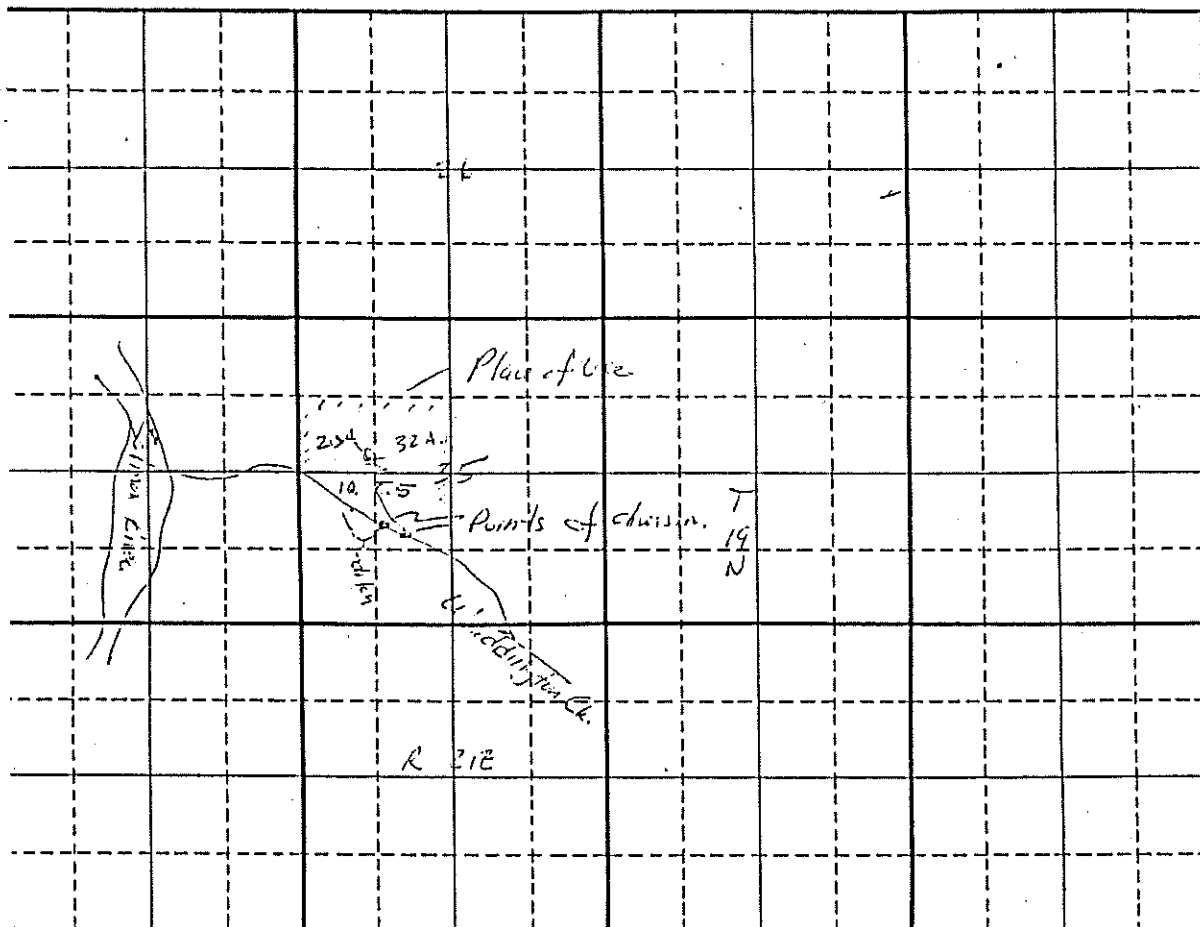
No. of acres 50

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 70 Head Range Cattle

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho _____)
County of Spokane) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of January, 1980.
Ronald J. [Signature] (Claimant)
[Signature]
Notary Public
Residing at [Signature]

My commission expires July 15, 1982

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 1/18/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by 80FW Date 1/21/80 #15521 claimant by: _____
Published in The Recorder-Herald _____
Dates 1/31/80 & 2/7/80 _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 15-4147

Date Received _____

Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) RAY SANDSTROM & DEBRA L. HOECHERL Phone (208) 894-2292Mailing Address HC-61, BOX 31A Zip 834672. Date of Priority (Only one (1) per claim) 13 OCTOBER 19213. Source of water supply (a) LOST CREEK
which is tributary to (b) SINKS4. a. Location of existing point of diversion is: Township 19N Range 21E Section 35,
SW 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of LEMHI

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. TO HEADGATE TOPIPES TO IRRIGATION

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from APR 1 to NOV 1 amount 2.60 or _____

For STOCKWATER purposes from JAN 1 to DEC 31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.64 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 325.0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCKWATER (10 HORSES + PRIVATE GAME ANIMALS)

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
19N	21E	35					32	25	25	32	2	4							120
19N	21E	36												10					10

Total number of acres irrigated 130

11. In which county (ies) are lands listed above as place of use located? LEMMING

12. Do you own the property listed above as place of use? Yes X No _____

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.

75-4146, 75-4148, 75-4149 or None ()

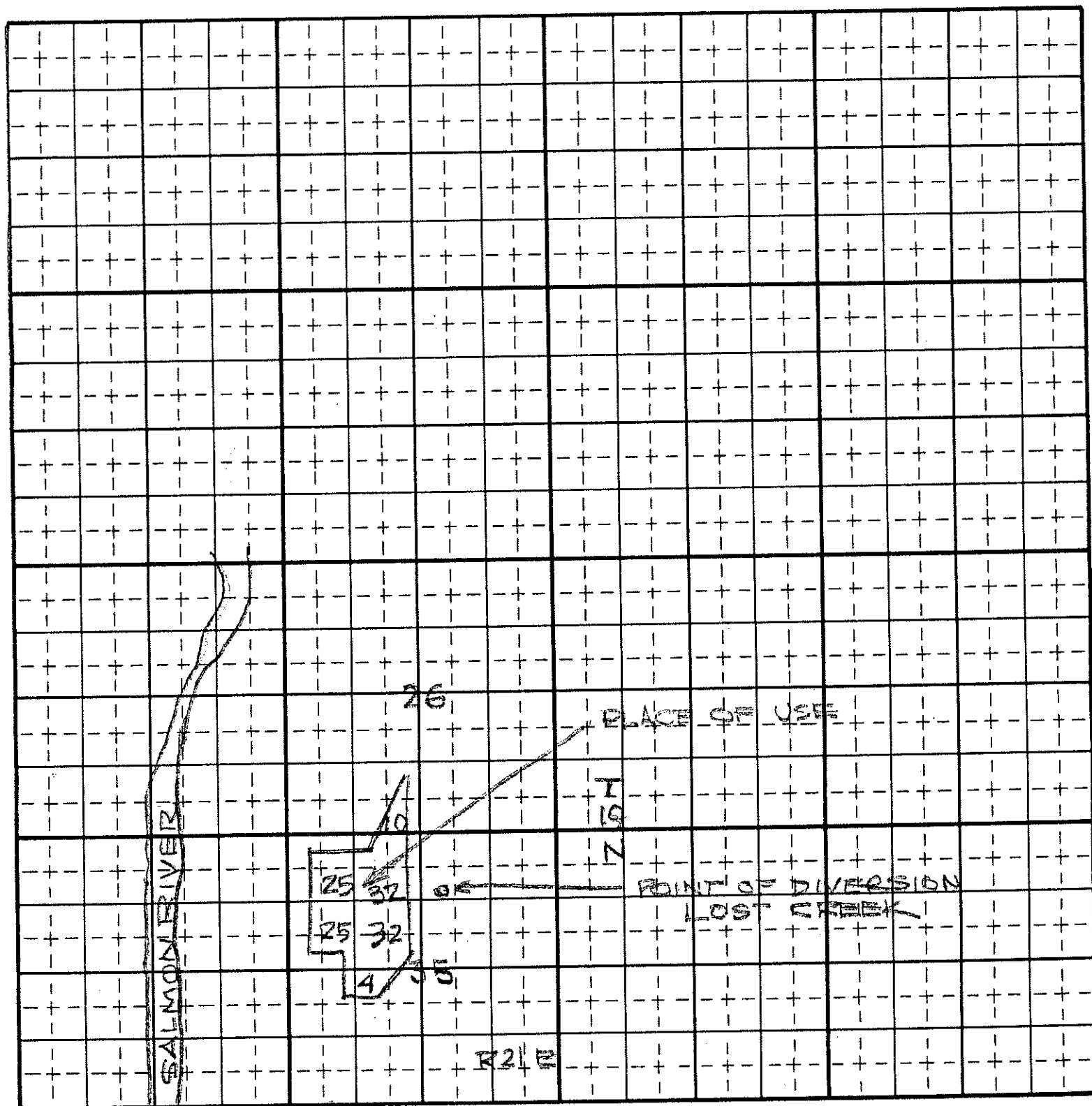
14. Remarks:

Last Name SANDSTRÖM/HAECHERL Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 75-4147
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____
wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____
For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

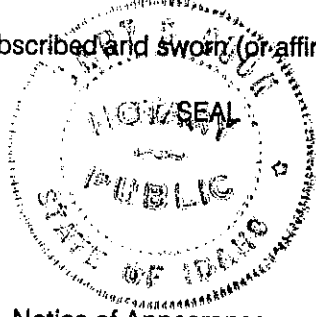
Signature of Claimant (s) [Signature] Date _____
[Signature] Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____
Title and Organization _____ Date _____

State of Idaho/pr Idaho)
County of Leoni) SS.

Subscribed and sworn (or affirmed) before me this 8th day of Feb. 19 90



Notary Public Cory Cook
Residing at Salmon
My Commission Expires 9-5-1991

Please Print Name

17. Notice of Appearance:
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____
Address _____
Date _____

Last Name _____ Ident. Number _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

FEBRUARY 20, 1980

ROGER TRACEY
BOX 1023
SALMON

ID 83467

RE: Claim No. 75-4147

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Ronald D. Carlson
by *KW*

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Roger Treacy (Name of Claimant)
P.O. Box 1623 Salmon, Id 83401 (Mailing Address) Telephone No. 756-2131 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) Oct 13, 1921

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Lost Creek tributary to Sinks

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Both dates inclusive)	
			(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)
Quantity <u>2.60 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u> To <u>Nov 1</u>		
Quantity <u>.04 cfs</u>	Use <u>Stock water</u>	Period of Use From <u>Aug 1</u> To <u>Aug 31</u>		
Quantity _____	Use _____	Period of Use From _____ To _____		
Quantity _____	Use _____	Period of Use From _____ To _____		
Quantity _____	Use _____	Period of Use From _____ To _____		

(4) 2.64 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NE 1/4, Sec. 35 Twp. 14N Rge. 21E B.M., County of Lemhi
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Canal to headgate to pipe to irrigation

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
15N	21E	35					32	25	25	32	2	4							120
15N	21E	36												10					10

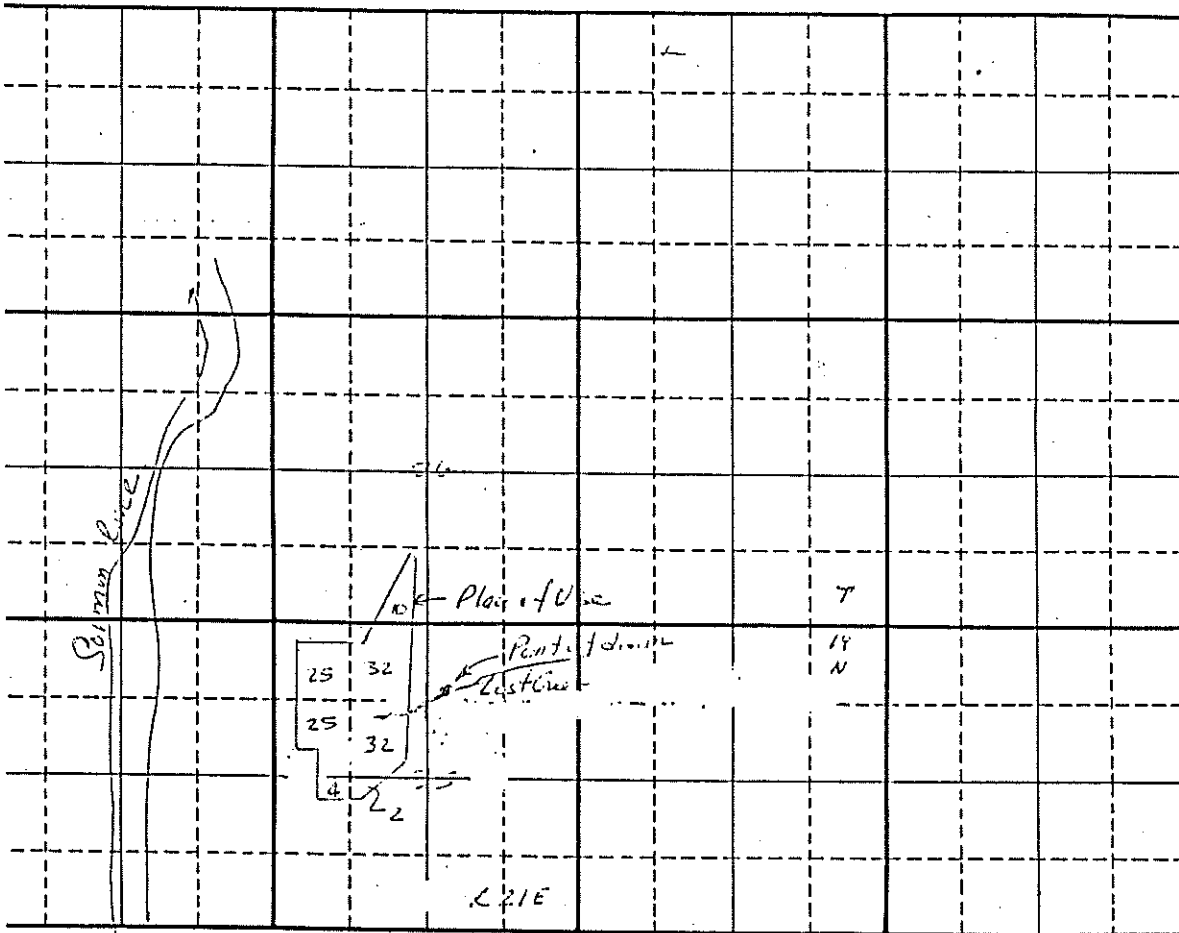
No. of acres 130

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stock water

NOTE: Include here the type and number of stock watered: 70 Head of Range Cattle

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
 County of San Juan) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of January, 1980.
Robert Thomas
 (Claimant)

Notary Public
 Residing at Albuquerque, New Mexico

My commission expires Feb 15, 1982

FOR DEPARTMENT USE ONLY

Received by tw Date 1/18/80 Exception filed by: _____ Date _____
 Prelim. check by _____ Date _____ Forwarded to claimant by: _____
 \$20.00 fee received by 1801 Date 1/21/80 # 15521
 Published in The Recorder-Herald
 Dates 1/31/80 & 2/7/80

11.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Robert T. Young (Name of Claimant)
P.O. Box 1003, Salmon, ID 83401 (Mailing Address) Telephone No. 756-2131 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) Oct 13, 1921

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Woodington Creek tributary to Salmon River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>1.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>April</u>	To <u>Nov 1</u>
Quantity <u>.04</u>	Use <u>Stock</u>	Period of Use From <u>Jan 1</u>	To <u>Dec 31</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) 1.04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 Sec. 35, Twp. 14N, Rge. 21E, B.M., County of Lemhi
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Head box to ditch

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
14N	21E	35							25	10	5	10							50

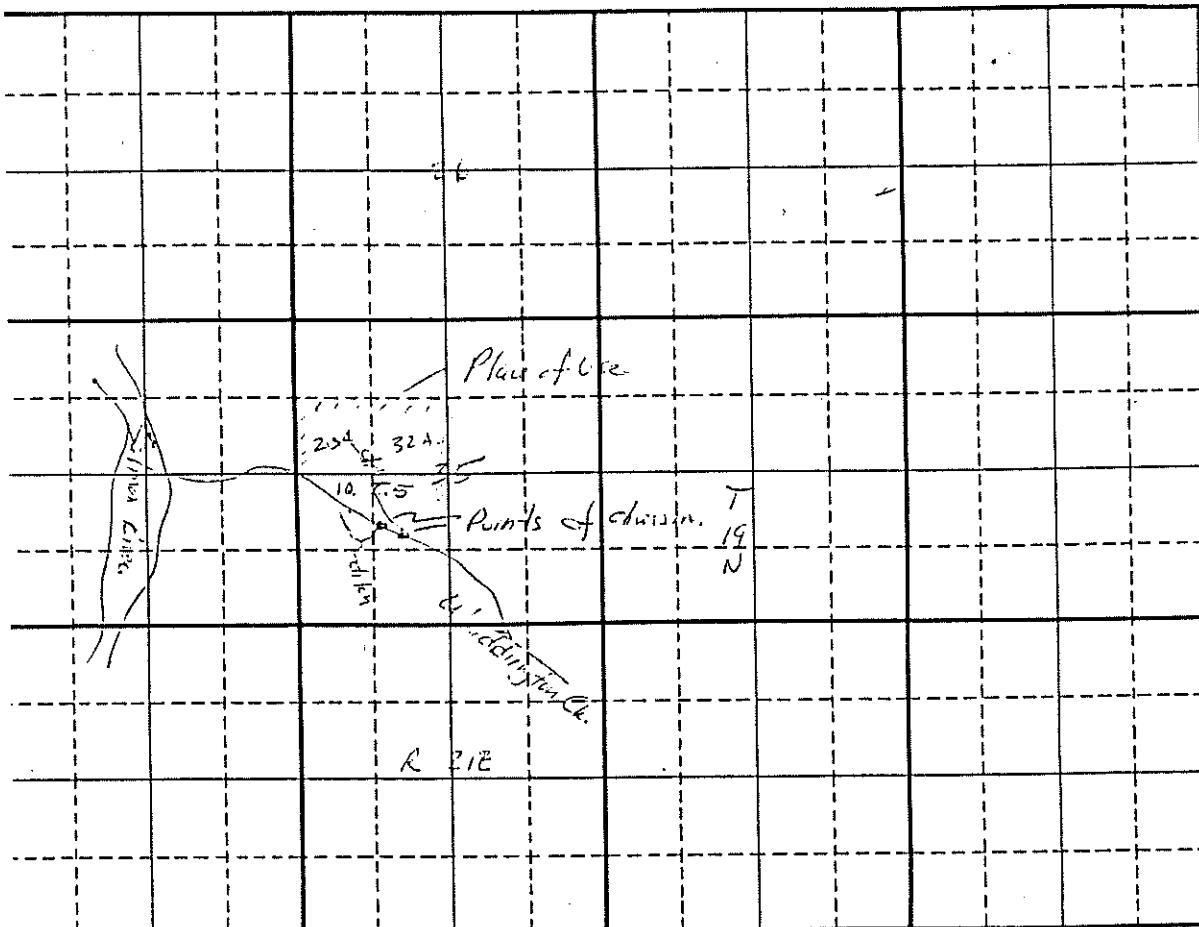
No. of acres 50

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: 20 Head Range Cattle

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Snake) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of January, 1980.
Roger H. Hays (Claimant)
Notary Public
Residing at Idaho

My commission expires July 15, 1982

FOR DEPARTMENT USE ONLY

Received by FW Date 1/18/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by _____ Date _____
\$20.00 fee received by 80FW Date 1/21/80 #15521
Published in The Recorder-Herald
Dates 1/31/80 & 2/7/80

12.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Roger Tracy (Name of Claimant)
P.O. Box 1623 Salmon, Id 83461 (Mailing Address) Telephone No. 756-2131 (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) Oct 13, 1921

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Lost Creek tributary to Sinks

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>260 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>April 1</u>	To <u>Nov 1</u>
Quantity <u>24 cfs</u>		Use <u>Stockwater</u>		Period of Use From <u>Jan 1</u>	To <u>Apr 31</u>
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____
Quantity _____		Use _____		Period of Use From _____	To _____

- (4) 264 TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NE 1/4, Sec. 35 Twp. 19N Rge. 21E B.M., County of Lemhi
Additional points of diversion: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Concrete headgate to pipe & irrigation

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
17N	21E	35					32	25	25	32	2	4							120
17N	21E	36											10						10

No. of acres 130

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Stockwater

NOTE: Include here the type and number of stock watered: 70 Head of Range Cattle

- (7) If you are claiming water as a member of an organization, list name of organization: _____

A hand-drawn map on a grid background. On the left, a vertical line represents a river, labeled "Salmon River" vertically. To the right of the river is a building footprint. The building has a main rectangular section and a smaller section to its left. The main section is labeled with "25" and "32" in two rows. The smaller section is labeled "4" and "2". To the right of the building, there is a label "Place of Use" with an arrow pointing to a specific location. Below this, there is a label "Point of View" with an arrow pointing to another location. Further down, there is a label "East Creek" with an arrow pointing to a line. To the right of the building, there is a vertical line labeled "T" at the top, "14" in the middle, and "N" at the bottom. At the bottom center, there is a label "L 21 E".

Dates 1/31/80 & 2/7/80

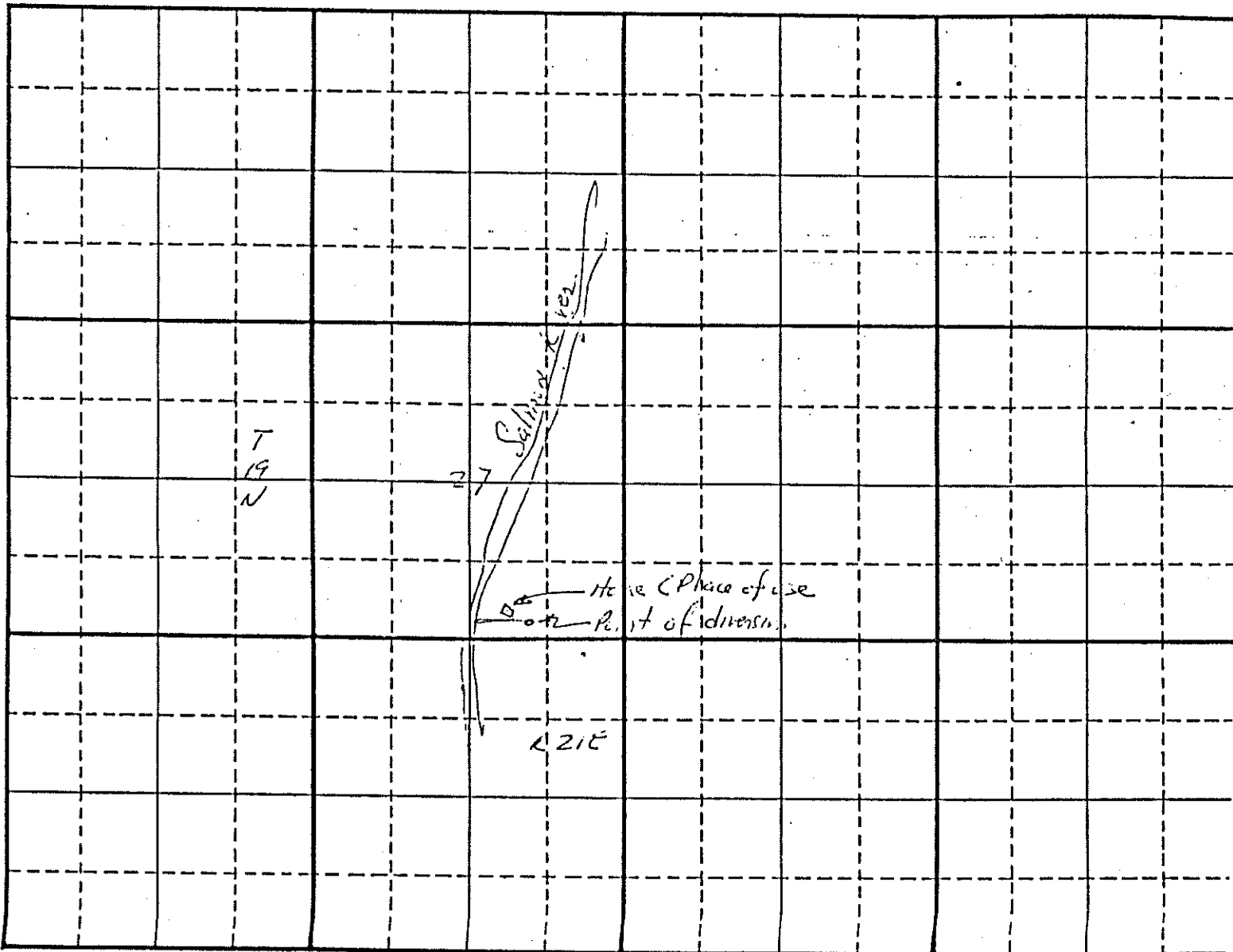
() : 7 7 1

1980-1985

13.

[illegible]

(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of Jerome) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 17th day of April, 1924

Robert Tracy
(Claimant)

14.

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 75-4146

WATER RIGHT NUMBER: 75-4146

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EMILY SANDSTROM 1792 HWY 92 S SALMON, ID 83467

Priority Date: 10/13/1921
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
WADDINGTON CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	11/01	1.000 CFS	
STOCKWATER	1/01	12/31	0.040 CFS	
	<u>Total Diversion:</u>		1.040 CFS	

Location of Point(s) of Diversion

WADDINGTON CREEK	NE1/4SW1/4	Sec. 35, Twp 19N, Rge 21E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T19N R21E S35	SWNW	25.0	T19N R21E S35	SENW	10.0
T19N R21E S35	NESW	5.0	T19N R21E S35	NWSW	10.0

Total Acres: 50

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:

To Jeff
Banks
p2

to Jeff
BANKS

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4147

WATER RIGHT NUMBER: 75-4147

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EMILY SANDSTROM 1792 HWY 92 S SALMON, ID 83467

Priority Date: 10/13/1921
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
LOST CREEK	SINKS

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.040 CFS	
IRRIGATION	4/01 to 11/01	2.600 CFS	
	<u>Total Diversion:</u>	2.640 CFS	

Location of Point(s) of Diversion

LOST CREEK SW1/4NW1/4NE1/4 Sec. 35, Twp 19N, Rge 21E, B.M.
 LEMHI County

Place of UseIRRIGATION Within LEMHI County

T19N R21E S26	SESW	10.0	T19N R21E S35	NENW	32.0
T19N R21E S35	NWNW	25.0	T19N R21E S35	SWNW	25.0
T19N R21E S35	SESW	32.0	T19N R21E S35	NESW	2.0
T19N R21E S35	NWSW	4.0			

Total Acres: 130

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:

Emily Sandstrom
 1-800-432-4635

17. Elk Land

LYLE H. & MURIEL ADAMS
 107 S. GLASSELL
 ORANGE, CA 92666

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4148

WATER RIGHT NUMBER: 75-4148

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EMILY SANDSTROM 1792 HWY 92 S SALMON, ID 83467

Priority Date: 10/13/1921
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
SECOND CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01	12/31	0.040 CFS	
IRRIGATION	4/01	11/01	2.600 CFS	
	<u>Total Diversion:</u>		2.640 CFS	

Location of Point(s) of Diversion

SECOND CREEK	SE1/4NW1/4NE1/4	Sec. 26, Twp 19N, Rge 21E, B.M.
LEMHI County		
SECOND CREEK	NE1/4NE1/4NE1/4	Sec. 26, Twp 19N, Rge 21E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T19N R21E S28	SESW	10.0	T19N R21E S35	NENW	32.0
T19N R21E S35	NWNW	25.0	T19N R21E S35	SWNW	25.0
T19N R21E S35	SENW	32.0	T19N R21E S35	NESW	2.0
T19N R21E S35	NWSW	4.0			

Total Acres: 130

STOCKWATER same as IRRIGATIONConditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4149

WATER RIGHT NUMBER: 75-4149

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	EMILY SANDSTROM 1792 HWY 92 S SALMON, ID 83467

Priority Date: 10/13/1921
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	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	0.040 CFS	
STOCKWATER	1/01 to 12/31	1.000 CFS	
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	1.080 CFS	

Location of Point(s) of Diversion

SPRING	SW1/4SE1/4	Sec. 27, Twp 19N, Rge 21E, B.M.
LEMHI County		

Place of Use

IRRIGATION Within LEMHI County

T19N R21E S27 SWSE 2.0

Total Acres: 2

STOCKWATER Within LEMHI County

T19N R21E S27 SWSE

DOMESTIC Within LEMHI County

T19N R21E S27 SWSE

15.

IX0001-2

Indexing / Recording Entry

7/25/05 16:29:03

UPDATE

Instrument #: 232385 File #: _____ Date: 1-28-1997 Time: 12:20
Type: 050 WARRANTY DEED Book: _____ Page: 2 SubPage: _____
Character: PARCEL IN GOV LOTS 3 AND 4 SEC 24, T20N, R21E, BM

#Pages Recorded: _____ Fees: 600 Charge? _____ Receipt#: 9999999
Delivered: SHARON A SMITH
HAND DELIVERED

Date: 1-28-1997

Termination Date: _____

Grantor
SMITH, SHARON A.

Grantee
SANDSTROM, EMILY

F1=Search F2=Notes F3=Link F4=Date F7=Exit F9=Help F10=New F12=Rcpt

800-432-4635

\$6.00

EXHIBIT 17A

A PARCEL OF LAND LOCATED IN GOVERNMENT LOTS 3 AND 4, SECTION 24, T. 20 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE E1/4 CORNER OF SAID SECTION 24, FROM WHICH THE SE CORNER OF SECTION 24 BEARS S. 00 DEGREES 07' 51" E., 2700.53 FT. THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 00 DEGREES 07' 51" E. ALONG THE EAST BOUNDARY LINE OF SAID SECTION 24, A DISTANCE OF 102.18 FT.;

THENCE WEST A DISTANCE OF 298.70 FT. TO A POINT ON THE EASTERLY RIGHT-OF-WAY OF U.S. HIGHWAY 93;

THENCE THE FOLLOWING COURSES AND DISTANCES ALONG SAID RIGHT-OF-WAY:

N. 00 DEGREES 36' 13" E., 133.80 FT.; S. 89 DEGREES 23' 47" E., 35.00 FT.; N. 00 DEGREES 36' 13" E., 200.00 FT.; N. 89 DEGREES 23' 47" W., 35.00 FT.; N. 00 DEGREES 36' 13" E., 198.55 FT.; 435.65 FT. ALONG A CURVE TO THE RIGHT HAVING A CHORD OF N. 07 DEGREES 14' 29" E., 434.66 FT. A DELTA OF 13 DEGREES 21' 49", A RADIUS OF 1867.81 FT.;

THENCE S. 76 DEGREES 52' 49" E. A DISTANCE OF 242.54 FT. TO A POINT ON THE EASTERLY BOUNDARY LINE OF SAID SECTION 24;

THENCE S. 00 DEGREES 07' 52" E. ALONG SAID BOUNDARY LINE, A DISTANCE OF 805.68 FT. TO THE POINT OF BEGINNING.

Q-181
Critzman
7-27-03

Patent.

The United States of America.

To all whom these presents shall come. Greeting:

Hormestead Certificate No 758.

Application 7039-

Whereas there has been deposited in the General Land Office of the United States a Certificate of the Registrar of the Land Office at Bailey Idaho, whereby it appears that pursuant to the act of Congress, approved 30th of May 1862, To secure homesteads to actual settlers on the public domain and by acts supplemental thereto, the claim of Moses C. Roadcliff has been established and duly consummated in conformity to law, for the "North East-Quarter of the South East-Quarter, and the Lots, numbered four, five and eight, of Section thirteen, and the Lots, numbered one, and three of Section twenty four, in Township, twenty North of Range twenty one east of Tenth Meridian in Idaho, containing one hundred and fifty one acres, and ten hundredths of an acre, 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 Moses C. Roadcliff, the tract of land above described, To have and to hold the said tract of Land, with the appurtenances thereof unto the said Moses C. Roadcliff and to his heirs and assigns forever, subject to any vested and accrued water right for mining, agricultural, manufacturing, or other purposes and right to ditches, and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local laws and decisions of courts, and also subject to the right of the proprietor of a vein or lode to extract and remove therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law. And there is reserved from the land hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof, I, William McKinley, 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 first day of June, in the year of our Lord, one thousand eight hundred and ninety eight; and of the Independence of the United States the one hundred and twenty second.

By the President William McKinley

(Seal)

By F. M. McKean Secretary

C. W. Bush

Recorder of the General Land Office

Record Vol 84. Page 331

W. A. McKinley, President of the United States of America, at the City of Washington, D. C., on the first day of June, 1898, in the year of our Lord, one thousand eight hundred and ninety eight, and of the Independence of the United States the one hundred and twenty second.

Valent

The United States of America.

To all whom these presents shall come. Greeting:

Homestead Certificate No 758.

Application 1039.

Whereas there has been deposited in the General Land Office of the United States a Certificate of the Registrar of the Land Office at Bailey, Idaho, whereby it appears that pursuant to the act of Congress, approved 20th of May 1862 "To secure homesteads to actual settlers on the public domain" and the acts supplemental thereto, the claim of Moses C. Radcliff, has been established and duly consummated in conformity to law, for the "North East-Quarter of the South East-Quarter, and the Lots, numbered four, five and eight, of Section thirteen, and the Lots, numbered one, and three of Section twenty four, in Township, twenty North of Range twenty one east of Boise Meridian in Idaho, containing one hundred and fifty one acres, and ten hundredths of an acre, 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 Moses C. Radcliff, the tract of land above described To have and to hold the said tract of Land, with the appurtenances thereof unto the said Moses C. Radcliff 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 used in connection with such water rights, as may be recognized and acknowledged by the local 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. And there is reserved from the land hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof, I, William McKinley President of the United States

of one 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 Moses C. Radcliff, the tract of land above described. To have and to hold the said tract of Land, with the appurtenances thereof unto the said Moses C. Radcliff 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 used in connection with such water rights, as may be recognized and acknowledged by the local 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. And there is reserved from the land hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

In testimony whereof, I, William McKinley 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 first day of June, in the year of our Lord, one thousand eight hundred and ninety eight, and of the Independence of the United States the one hundred and twenty second.

By the President William McKinley

(Seal)

By T. M. McKean Secretary

C. W. Bush

Recorder of the General Land Office

Recorded Vol 34. Page 331

U. S. McKinley, 1898, at Book of Records on page 47-73.
Reposited by the County Recorder, Lemhi County, Idaho, Deputy.

The United States of America,

To all to whom these presents shall come, Greeting:

Homestead Certificate No. 1188

Application 1482

Whereas There has been deposited in the General Land Office of the United States a certificate of the Register of the Land Office at Hailey, Idaho, whereby it appears, that, pursuant to the Act of Congress approved 20th May, 1882, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John Gutzman has been established and duly consummated, in conformity to law, for the Lots numbered four and six of Section twenty-four and the Lots numbered one four and five of Section twenty-five in Township twenty North of Range twenty-one East of Boise Meridian in Idaho, containing one hundred and thirty-four acres and seventy hundredths of an acre according to the Official Plat of the Survey of the said lands, 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 John Gutzman the tract of land above described: To have and to hold the said tract of land, with the appurtenances thereof, unto the said John Gutzman 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 used 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. 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, Theodore Roosevelt, President of the United States of America, has 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 second day of June, in the year of our Lord one thousand nine hundred and four, and of the Independence of the United States the one hundred and twenty-eighth

Est.

By the President T. Roosevelt

By F. M. Mc Kee, Secretary.

G. H. Buck Recorder of the General Land Office

Recorded Idaho, Vol 57, Page 182.

Recorded at the request of Mrs. Ellen Gutzman July 11th 1904 at 11 o'clock A.M.
in Book B. of Records of Public Lands, Idaho.

H. C. Gutzman, Register
By Mark A. Smith, Register

The United States of America,
To all to whom these presents shall come, Greeting:
Homestead Certificate No. 1188 }
Application 1482 }

Whereas There has been deposited in the General Land Office of the United States a certificate of the Register of the Land Office at Hailey Idaho, whereby it appears, that, pursuant to the Act of Congress approved 20th May, 1882, "To secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John Gutzman has been established and duly consummated, in conformity to law, for the Lots numbered four and six of Section twenty-four and the Lots numbered one four and five of Section twenty-five in Township twenty North of Range twenty one East of Boise Meridian in Idaho, containing one hundred and thirty-four acres and seventy hundredths of an acre according to the Official Plat of the Survey of the said Lands, 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 John Gutzman the tract of Land above described: To have and to hold the said tract of Land, with the appurtenances thereof, unto the said John Gutzman 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 used 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. 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, Theodore Roosevelt, President of the United States of America, has caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

Nov. 11th 1904 at 11 o'clock A.M.,
County of Blaine, Idaho.

H. C. Longley, Register
By Mabel J. Smith, Deputy

received at me request of 1 nos. letter July 11th 1904 at 11 o'clock A.M.,
in Book 2 of Records page 181 Records of Kootenai County, Idaho.

H. C. Smyth, Legation Recorder
By Mark J. Smith, Secretary

ing 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 John Gutzmaier the tract of Land above described: To have and to hold the said tract of Land, with the appurtenances thereof, unto the said John Gutzmaier 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 used 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. 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, Theodore Roosevelt, President of the United States of America, has 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 second day of June, in the year of our Lord one thousand nine hundred and four, and of the Independence of the United States the one hundred and twenty-eighth.

Sec.

By the President T. Roosevelt

By F. M. McKean, Secretary,

G. H. Bush Recorder of the General Land Office

Recorded Idaho, Vol 51, Page 182.