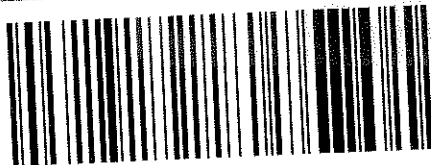
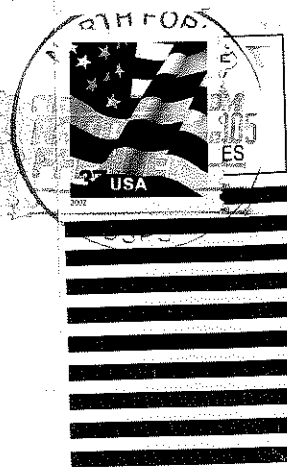
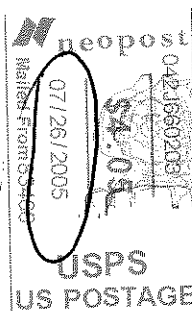
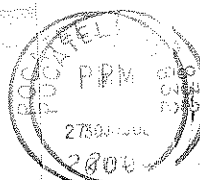


J Steele
Claim 75-04121A
Box 52
North Fork ID
83466

CERTIFIED MAIL



7002 2410 0006 7436 9377



RETURN TO SENDER
IMPROPER USE OF BUSINESS REPLY
**RETURN RECEIPT
REQUESTED**
R. Brown

BUSINESS REPLY MAIL
FIRST CLASS PERMIT NO. 1000 BOISE ID
POSTAGE WILL BE PAID BY ADDRESSEE

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
PO BOX 83720
BOISE ID 83707-9815

RETURN TO SENDER
IMPROPER USE OF BUSINESS REPLY

RETURN TO SENDER
IMPROPER USE OF BUSINESS REPLY

83707-9815



There was a mixup on
postage on this letter.
We have circled original
post mark date to show
it was in mail by the
date.

K. Steele

July 25, 2005

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

Subj: Evidence of Water Right Claim 75-04121A

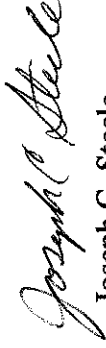
Dear Water Resource Agent:

The enclosures are documented evidence of water right usage for my property. The original owner and first private owner, George Kern, purchased the land from the United States with water rights. The United States had water rights, including an irrigation ditch which George agreed to complete for his use when he purchased the property. His original purchase was made in July 1897, and the water was to be used for a brewery. He later used the water, as evidenced by the Real Property Assessment Roll, Year 1914, for irrigation and to water cattle, horses and a hog. George sold the property, with water rights, in 1915 to Henry Newman.

I believe that this is sufficient documentation for the 1913 priority date listed on my property. If needed, I can continue to track water usage through the subsequent owners. I would contest, though, that the priority date should be listed as early as when the United States first obtained it since the United States maintains water rights on its properties.

If any other documentation supporting my priority date is required, please let me know.

Sincerely,


Joseph C. Steele


Kathleen S. Steele
Box 52
North Fork, ID 83466

Encl: Copy of George Kern water rights from county clerk
Copy of Real Property Assessment Roll, Year 1914 for George Kern
Copy of Sale to Henry E. Newman, with water rights
Letter from Butch England

July 18, 2005

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

Subj: Evidence of Water Right Claim 75-04121A

Dear Water Resource Agent:

I have lived in Lemhi County most of my life and currently still reside here. During this time I have personally witnessed the use of water on the claimant's property in the Holcomb Subdivision. The irrigation ditch has been there a long time, well before I moved here. Maynard Holcomb was one of the owners of this property, and he used the water for many years to irrigate his hay field and small orchard and to water his livestock.

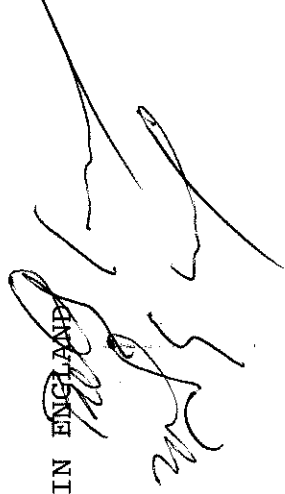
Maynard subdivided and sold the property to several folks. Lot 5, the claim in question, was sold to Henry Savage in 1990. Henry allowed livestock to be kept on the property while he owned it, and the livestock owner used the water for his animals. Henry then decided the property to his son-in-law and daughter, Joe and Kathleen Steele, in 1996.

The Steele's have used the ditch ever since to water livestock run on the property, to flood irrigate the field, and to water the orchard on the property. There is an offshoot of the main ditch that runs the center of the property that Steele uses for irrigation as well so the whole field is irrigated.

If you have any further questions concerning the property and the use of water on it the property, please contact me at (208) 756-3481.

Sincerely,

Butch England aka MARVIN ENGLAND
28 Tower Creek Road
Salmon, ID 83467

A handwritten signature in black ink, appearing to read 'Butch England', is written over a pre-printed name label.

STATE OF IDAHO

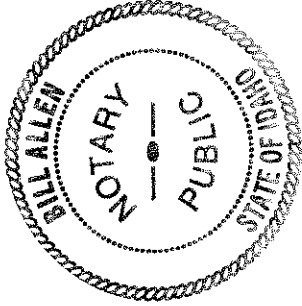
COUNTY OF Lemhi--ss

On this 19th day of JULY 2005, before me the undersigned a Notary Public in and for said state personally appeared BUTCH ENGLAND AKA MARVIN ENGLAND known to me to be the person(s) whose name(s) are subscribed to the within instrument and acknowledged to me that they executed the same.

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

Bill Allen

Notary Public for Idaho, residing at Salmon, Idaho
My commission expires: 2/29/2009



Notice of Water Right Location.

To whom it may concern. Notice is hereby given: That George Demont & Kern, proprietors of the Gibbonsville Brewery - Gibbonsville, County of Laramie, State of Idaho, and this 27th day of July 1897, appropriated by treaty claim the use of water of North Fork of Salmon River, to the extent of five cubic feet per second, flowing at the point of intended diversion, which said point of intended diversion is particularly described as follows: To wit: Taken out below the Helene and Idaho Mining & Refining Company's Ditch. The aforesaid persons claiming the water there flowing to the extent of five cubic feet on the East side of the North Fork of the Salmon River. That the special purpose or purposes for which said water is claimed is for domestic purposes.

The place of intended diversion is at the Gibbonsville Brewery. That the general course of the proposed canal or conduit is North to South. The length of said proposed canal or conduit is fifteen hundred feet.

That it is intended to complete the works for the diversion by use of said water as aforesaid within thirty days.

A copy of this notice was duly posted at or near the point of intended diversion on the twenty-seventh day of July 1897.

Witness hand at Gibbonsville, County of Laramie, State of Idaho, this 27th day of July 1897.

Appropriator -^{2nd} Claimant -

John C. Hoople.
Robert Demont.
George Kern.

State of Idaho } ss.
County of Laramie }

George Kern, being first-duly sworn, deposes & says: That he is of lawful age and one of the appropriators and claimants of the Water Right described in the within foregoing notice whose name is subscribed thereto. That the statements in said notice are true. That the original notice of which the foregoing is a true copy, was posted in a conspicuous place at or near the point of intended diversion at 8 o'clock P.M. the 27th day of July 1897.

Subscribed and sworn to before me this 27th day of July, 1897.

G. W. Hovey,
Notary Public.

State of Idaho } ss.
County of Laramie }

I hereby certify that this instrument was filed for record at the request of G. C. Hoople et al at 6 o'clock P.M. this 28-day of July, 1897, in my office and duly recorded in Book "B" of Water Rights, at page 252.

J. P. Clough
Ex-officio Recorder.
By O. J. Clough - Deputy.

THIS INDENTURE, made this 13th day of November in the year of our Lord one thousand nine hundred and fifteen between George Kern and Eliza Kern, husband and wife, of Salmon, County of Lemhi, State of Idaho, the parties of the first part, and Henry E. Newman, of Salmon, County of Lemhi, State of Idaho, the party of the second part,

Witnesseth, that the said parties of the first part, for and in consideration of Thirteen Thousand and no/100 Dollars, lawful money of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have GRANTED, BARGAINED and SOLD and by these presents do GRANT, BARGAIN, SELL, CONVEY and CONFIRM unto the said party of the second part, and to his heirs and assigns forever, all those certain lots, pieces or parcels of land, situated in the County of Lemhi, State of Idaho, and particularly described as follows, to wit: The northwest quarter of the northeast quarter of the northeast quarter and the west half of the northeast quarter of the north of Range twenty-one east of the Boise Meridian, Idaho, and that portion of said Section thirty-four and Section Twenty-seven, said Township and Range, designated by the Surveyor-General as H. E. Survey No. 50, more particularly bounded and described as follows:

Beginning at corner No. 1, from which corner of Sections twenty-six, twenty-seven, thirty-four and thirty-five, said Township and Range bears south eighty-nine degrees, fifty-four minutes east ten and two-hundredths chains distant; thence north two minutes west twenty-five chains to corner No. 2; thence north eighty-nine degrees, fifty-three minutes west twenty-one and seventy-two hundredths chains to corner No. 3; thence meandering east bank of Salmon River south two degrees, fifteen minutes west two and fourteen hundredths chains, south forty-five minutes west eight chains, south seven degrees, forty-five minutes west fifteen chains, south sixteen degrees, forty-five minutes west eight and five-tenths chains, south three degrees, thirty minutes west six chains, south seven degrees, fifteen minutes west fourteen chains, south nineteen degrees west twelve chains, south fifteen degrees, thirty minutes west twelve chains, south nine degrees, thirty minutes west four and twelve-hundredths chains to corner No. 4; thence south eighty-nine degrees, fifty-eight minutes east sixteen and thirty-three-hundredths chains to corner No. 5; thence north two minutes west twenty-five chains to corner No. 6; thence south eighty-nine degrees, fifty-seven minutes east five chains to corner No. 7; thence north two minutes west ten chains to corner No. 8; thence south eighty-nine degrees, fifty-six minutes east five chains to corner No. 9; thence north two minutes west twenty chains to corner No. 10; thence south eighty-nine degrees, fifty-four minutes east ten and two-hundredths chains to corner No. 1, the place of beginning, containing one hundred forty-nine and fifty-one-hundredths acres, acres, according to the official plats of the survey of said land returned to the General Land Office by the Surveyor-General;

Together with all water, water rights, ditches and ditch rights appurtenant to said land or heretofore used thereupon.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all estate, right, title, interest in and to the said property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of in or to the said premises, and every part and parcel thereof, with the appurtenances to have and hold, all and singular, the above mentioned and described premises, together with the appurtenances, unto the party of the second part, to his heirs and assigns forever. And the said parties of the first part, and their heirs, the said premises in the quiet and peaceful possession of the said party of the second part, his heirs and assigns, against the said parties of the first part and their heirs, against all and every person and persons whomsoever, lawfully claiming or to claim, the same shall and will warrant and by these presents forever defend.

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

Signed, sealed and delivered in the presence of

L. E. Glennon

Rev. Stamps: \$6.50: L.E.G.: 11/13/15.

Geor. Kern
Eliza Kern

(SEAL)
(SEAL)

STATE OF IDAHO,

County of Lemhi,--ss.

On this 13th day of November in the year 1915, before me L. E. Glennon a Notary Public in and for the said County, personally appeared George Kern and Eliza Kern known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

(SEAL)

L. E. Glennon, Notary Public for the State
of Idaho, residing at Salmon.

Recorded at the request of H. E. Newman at 10 minutes past 3 o'clock P. M. November 23rd 1915 in Book W of Deeds, on page 557, Records of Lemhi County, Idaho.

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

By *W. L. Kirtley, Jr.* Deputy

Claim 75-041214

TOWNSHIP 24 N RANGE 21 E.B.M.

REAL PROPERTY ASSESSMENT ROLL, YEAR 1914

H. J. JOSE CO., PRINTERS & BINDERS, PO BOX 27801

Line No.	No. of Tax Payer's Receipt	NAME OF OWNER REPORTED OWNER OR UNKNOWN OWNER	SUBDIVISION OR TAX NUMBER	Section	Twp. N.	Range E.	CLASSIFICATION OF LANDS				IMPROVEMENTS		Total Value of Real Property	Equities in State Lands	Impt. on Govt. Land & Railway Right of Way	CATTLE			Cows		HORSES			SHEEP and GOATS			Hogs			
							IRRIGATED LAND	GRAZING LAND	DESERT WASTE SWAMP	MINERAL LAND	Kind	Value				No.	Kind	Value	No.	Value	No.	Kind	Value	No.	Kind	Value	No.	Value		
																													A	Value
1			W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$,																											
2	337	Roske	E.J.	E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$,		9																								
3		North Fork, Ida.		E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$,																										
4				W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$,																										
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10	358	Holmes	Richard	N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,																										
11		Carmen,		E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$																										
12		Ida.		SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,	25		70	500	10	175	60	60	600	1485			3	90	2	80			7	8	150					
13																														
14				E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$,																										
15				S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$																										
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17				N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$,																										
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19				SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	21		21	600	57	693																				
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25				NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	27																									
26	538	Mickleson	John	NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,																										
27		Carmen, Ida.		N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$	28		17	510	70	170			700	3178						10	400			2	8	150				
28				That portion of Sec 27 & 34 designated as																										
29	1354	Kern	Geo.	H.E. # 50																										
30		Carmen, Ida.		W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,	34		85	2175	54	538	40	10	1500	4173			75	750	10	400			5	8	165					