



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

RECEIVED

JUL 29 2005

DEPARTMENT OF
WATER RESOURCES

June 29, 2005

75-4067

MARVIN S ENGLAND
C/O SHELLY ENGLAND
PO BOX 723
SALMON ID 83467-0723

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

RESPONSE DEADLINE
JULY 29, 2005

SELECTION-FILE: BFOSTER-1443085

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS SUMMARY REPORT

PAGE: 1

AJ-NUMBER: CURRENT OWNER:
A75-04067 MARVIN S ENGLAND

PRIORITY DATE:
06-07-1897

STAGE:
STATUTORY CLAIM

BOX 124
NORTH FORK, ID 83466
COUNTY: LEMHI
SOURCE: TOWER CREEK

TRIBUTARY: SALMON RIVER

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
IRRIGATION	0.140		04/01	11/01
STOCKWATER	0.020		01/01	12/31
TOTAL:	0.140			

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	23N	22E	17	SW NW	

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

NE										NW								SW								SE														
T		R		S		NENE		NWNW		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE				
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM				
23N	22E	18	:								07	:																									7.0			
																														TOTAL ACRES										7.0

PLACE OF USE LOCATION FOR STOCKWATER IS THE SAME LOCATION AS DESCRIBED FOR:

REMARKS: SOURCE KNOWN LOCALLY AS BOYLE CK.
ORIGINAL STATUTORY CLAIM LISTED 35 ACRES; HOWEVER, DUE TO
SLOPES AND GULLIES, THERE NEVER WOULD HAVE BEEN 35 ACRES
IRRIGATED.

AJ-NUMBER: CURRENT OWNER:
A75-04494F SHELLY GREGOIRE

PRIORITY DATE:
04-01-1908

STAGE:
STATUTORY CLAIM

305 12TH ST
SALMON, ID 83467
COUNTY: LEMHI

TRIBUTARY: SALMON RIVER

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
IRRIGATION	1.240		04/01	10/31
TOTAL:	1.240			

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	25N	21E	28	SW NW	
				NW SW	

PLACE OF USE LEGAL DESCRIPTION FOR: IRRIGATION

				NE				NW				SW				SE										
				NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:			
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
000	000	000		0000	0000	0000	0000		0000	0000	0000	0000		0000	0000	0000	0000		0000	0000	0000	0000				

Desert Land Act

From Wikipedia, the free encyclopedia.

The **Desert Land Act** was passed by the United States Congress on 3 March 1877 to encourage and promote the economic development of the arid and semiarid public lands of the Western United States. Through the Act, individuals may apply for a desert-land entry to reclaim, irrigate, and cultivate arid and semiarid public lands.

The act offered 640 acres (2.6 km²) of land to anyone who would pay 25 cents an acre (\$61.78/km²) and promise to irrigate the land within 3 years. Individuals taking advantage of the act were required to submit proof of their efforts to irrigate the land within three years, but as water was relatively scarce, a great number of fraudulent "proofs" of irrigation (estimated as high as 95% for early claims) were provided.

This article is based in part upon content from <http://www.blm.gov/hhp/landfacts/DesertLand.html>, a public domain resource provided by the United States federal government.

Retrieved from "http://en.wikipedia.org/wiki/Desert_Land_Act"

Categories: Law stubs

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Land Act of 1820

From Wikipedia, the free encyclopedia.

The **Land Act of 1820** (enacted April 20, 1820) eliminated the purchase of public land in the United States on credit. It also reduced the minimum size of the tract from 160 to 80 acres (647,000 to 324,000 m²). Additionally, the act required a down payment of \$100.00 and reduced the price from \$1.65 to \$1.25 per acre (\$408 to \$309/km²). The land was located in the Northwest and Missouri Territories (at that time referred to as the West).

The act was instrumental in ushering in a new age of Western influence. The low price made it possible for settlers to move to the West, thus increasing the population in the West, and with it, Senate seats from the eventual states.

Retrieved from "http://en.wikipedia.org/wiki/Land_Act_of_1820"

Categories: Historic U.S. land legislation | United States-related stubs

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4067

WATER RIGHT NUMBER: 75-4067

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARVIN S ENGLAND C/O SHELLY ENGLAND PO BOX 723 SALMON, ID 83467-0723 (208)756-3481

Priority Date: 06/07/1897

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
TOWER CREEK	SALMON RIVER
<u>Beneficial Use</u>	<u>From</u> <u>To</u> <u>Diversion Rate</u> <u>Annual Volume</u>
STOCKWATER	1/01 to 12/31 0.020 CFS
IRRIGATION	4/01 to 11/01 0.140 CFS
	<u>Total Diversion:</u> 0.140 CFS

Location of Point(s) of Diversion

TOWER CREEK	SW1/4NW1/4	Sec. 17, Twp 23N, Rge 22E, B.M.
LEMHI County		

Place of Use

IRRIGATION Within LEMHI County

T23N R22E S18 SWNE 7.0

Total Acres: 7

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. SOURCE KNOWN LOCALLY AS BOYLE CK
ORIGINAL STATUTORY CLAIM LISTED 35 ACRES; HOWEVER, DUE TO SLOPES AND GULLIES,
THERE NEVER WOULD HAVE BEEN 35 ACRES IRRIGATED.
ADDRESS CHANGE BY CLAIMANT LETTER 6/17/99 SS.

The United States of America. To All to whom these presents shall come. Greeting: Whereas Frederick W. Niemann of Lemhi County, Idaho, has deposited in the General Land Office of the United States Certificate No 307 a Certificate of the Register of the Land Office at Healey, Idaho. Whereby it appears that full payment has been made by the said Frederick W. Niemann according to the provisions of the Act of Congress of the 24th of April 1820. entitled "An Act making further provision for the sale of the Public Lands and the acts supplemental thereto. For the South West quarter of the 7th & 8th East quarter of Range twenty two East of Boise Meridian in Idaho. containing sixty-five acres. according to the Office Plat of the Survey of the said Lands returned to the General Land Office by the Survey General which said Tract has been purchased by the said Frederick W. Niemann. 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. have given and granted. and by these presents do give and grant unto the said Frederick W. Niemann and to his heirs. The said tract with the 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 Frederick W. Niemann. 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 rights of the proper holder 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. By 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. William M^c Kinley. President of the United States of America. have caused these letters to be made Patent by the Seal of the General Land Office to be hereunto affixed. Given under my hand at the City of Washington. the seventh day of June. in the year of our Lord one thousand eight hundred and ninety-seven. of the Independence of the United States the one hundred and twenty-first.

(Seal) By the President: William M^c Kinley.

By M. M^c Nean. Secretary.

L. W. Brush

Recorded Vol 3 A. page 242.

Recorder of the General Land Office.

Recorded at the request of F. W. Niemann. August 10-1897. at 30 minutes past 3 o'clock P. M. in Book "9" of Deeds. page 536. Records of Lemhi County - Idaho.

J. P. McLaughlin