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AUG 18 2005

Department of Water Resources

Frederick B. Park

PARK RANCH, INC.

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August 15, 2005

Roxanne Brown, Senior Water Resource Agent
Adjudication Bureau
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

RE: Claim to a Water Right No. 75-04130

Dear Ms. Brown:

In my letter to you dated July 20, 2005, I included a number of documents providing proof of the Beneficial Use priority date pertaining to the above referenced claim to water right. Item 1 in this letter is a copy of the original "Report on Agricultural Homestead Applications" dated December 6, 1908 and prepared on behalf of homestead applicant Mrs. Johanna Mulcihy, signed by Mr. Geo. C. Thompson, Land Examiner, and approved on January 20 1909 by Mr. Geo. G. Brutz (sp?). Attached to this report is Map Sheet 24N, 22E, Sec. 33 denoting cultivated land, grazing land, willows and brush, and contours covering the 120 acre parcel which is the ranch property pertaining to the above referenced Claim to Water Right. These different land use classifications are distinguished by colored pencil shading. Years ago, when I first obtained copies of these documents from the U.S. Forest Service, they were black and white and, as such, the various land use classifications are not easily distinguishable. Since sending you my July 20, 2005 letter containing these black and white copies, I have had opportunity to visit the U.S. Forest Service office in Salmon, Idaho and have obtained color copies of this "Report on Agricultural Homestead Applications" including the Map Sheet (copy attached) This colored Map Sheet clearly shows the in red shading the cultivated land.

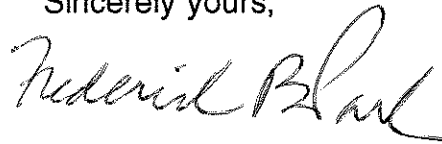
Also enclosed herewith are the Soil Conservation Service (1988?) black and white aerial photograph and the 2004 color aerial photograph, each showing the ranch property. The red outlines on each of the aerial photographs show the boundaries of the irrigated fields. Also, accompanying my IDWR submission dated April 27, 1999 and sent to your Idaho Falls Eastern Region Office, is a copy of the (1988?) Soil Conservation Service aerial photograph on which the irrigated fields are outlined and the four diversion points are denoted.

The location of the cultivated lands are shown with greater precision on the aerial photographs because the physical characteristics of topography are clearly visible, a level of precision not available to Mr. Geo. C. Thompson, the examining officer in 1908. Within the limits of accuracy available to Mr. Thompson, the location of the irrigated fields on the ranch today are essentially unchanged from those depicted on the 1909 Map Sheet (24N, 22E, Sec. 33).

It would be greatly appreciated if you would attach the accompanying aerial photographs and the color copy of the "Report on Agricultural Homestead Applications" including Map Sheet 24N, 22E, Sec. 33 to the Claim to a Water Right No. 75-04130 file.

Thank you for your time and consideration. Please let me know if you desire additional information or have questions.

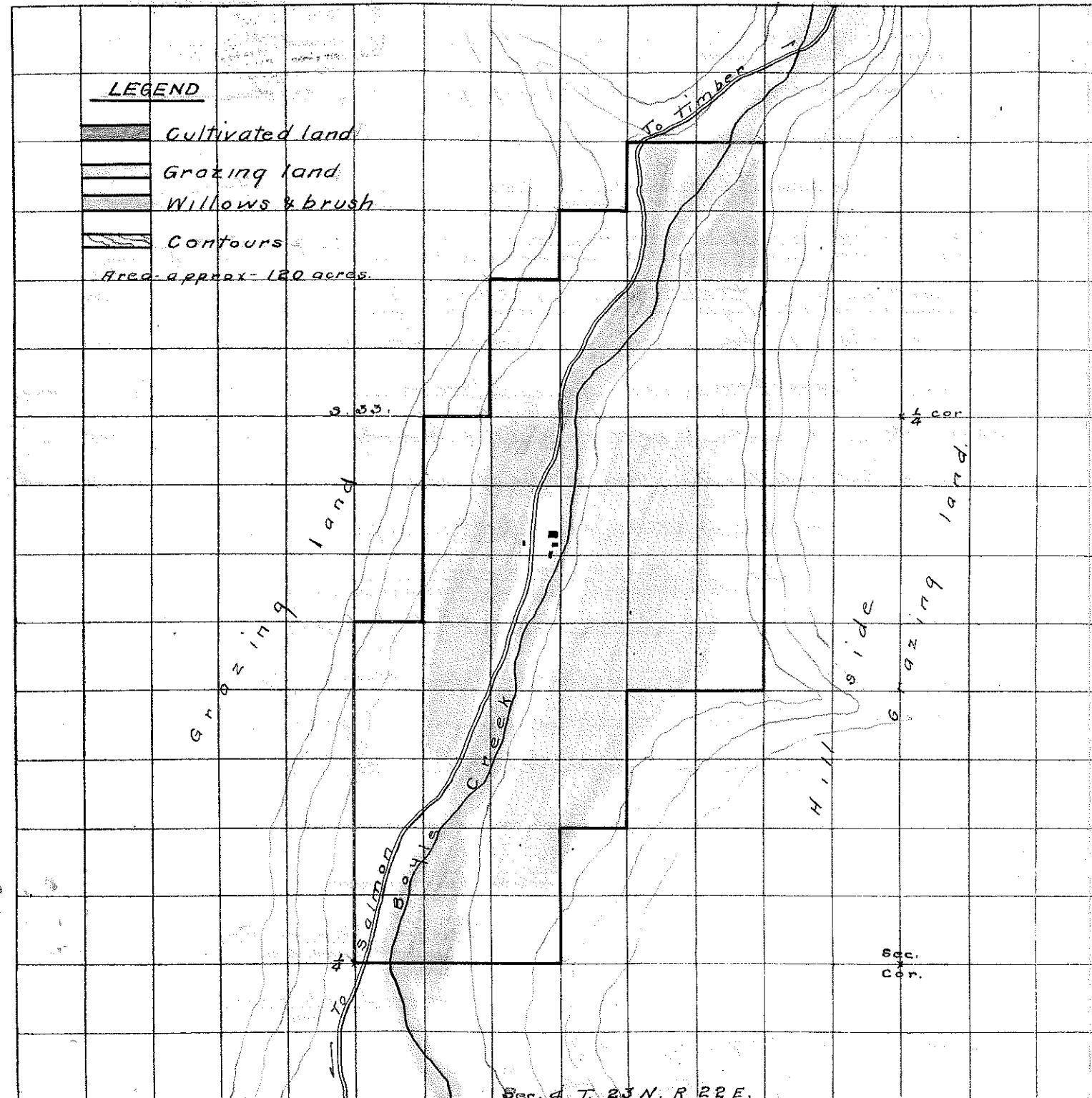
Sincerely yours,

A handwritten signature in cursive script, appearing to read "Frederick Blair". The signature is written in dark ink and is positioned below the typed name "Frederick Blair".

encl: "Report on Agricultural Homestead Applications w/ Map Sheet 24N23ESec.33
Soil Conservation Service Aerial Photograph (1988? edition)
Soil Conservation Service Aerial Photograph (2004 edition)

MAP SHEET.

Tp. 24 N. R. 22 E. B. M. Section 33, Quarter _____ Scale: 8 inches = 1 mile.



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

Form 110

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

REPORT ON AGRICULTURAL HOMESTEAD APPLICATIONS

Application No. _____ *Salmon* National Forest.

Land District *Hailey* *Sec. 6, 1908.*
(Date of examination.)

- Name and address of applicant *Mrs. Johanna Mulchey,*
Salmon, Lemhi Co., Idaho.
(The county should always be given.)
- Settlement *Settled December 1898.*
(Is applicant living on land? Give date of settlement.)
- Location *The W² SE⁴ NE⁴; SE⁴ NE⁴ and SE⁴ SW⁴ NE⁴; W² NE⁴ SE⁴; E² NW⁴ and E² and SW⁴ SW⁴ and E² NW⁴ of SE⁴; N² & SW⁴ and W² SE⁴ of SW⁴ SE⁴, all of section 33.*
(Legal subdivision, or by metes and bounds. Relation to highways, rivers, railroads, etc. Proximity and importance of towns, settlements, etc.)
Imp. 24 N. R. 22 E. Boise Meridian.
The claim lies on Boyle Creek, about three miles off the county road and fifteen miles below Salmon, the county seat. Road facilities throughout this section of country are comparatively good. Railroad connections are made at Red Rock, Mont. via Salmon, Ida.
- Area *One hundred twenty acres (120).*
(Applied for, and recommended.)

5. Topography *The claim is located in a widening cut of Bayh Creek Canyon, and is comprised of bottom and bench land, equal areas of each.*
(Topography of tract applied for, and relation to surrounding territory. Topography should be considered particularly in its bearing on agricultural possibilities, altitude, slope, aspect, etc.)
Aside from these narrow strips of comparatively level land along the streams, the country is exceedingly mountainous.

6. Formation *The soil of the bottom land is made up chiefly of sandy loam or wash soil from the mountains higher up, while that composing the bench is more of a gravel, loam and clay mixture. Possibilities are good for the production of all kinds of fruits and hay with an abundance of water to insure crops.*
(Nature and extent of soil, rock, etc., paying particular attention to their influence on agricultural possibilities. Presence of water for irrigation and domestic use. Possibilities for developing water.)

7. Climate *As a general rule the climate is very mild. The winter season usually breaks during April or the fore part of May, and the summer season lasts well into October. Very seldom that killing frosts occur before latter September.*
(Precipitation, temperature, occurrence of killing frosts.)

8. Cover *Aside from the narrow strip of brush along the creek bottom the cover consists of sage brush. This cover is valueless for forest purposes. The claim is easily accessible by wagon road.*
(Nature and extent of cover, with estimate of amount and value. Accessibility and distance to market. Is cover needed for protective or seeding purposes?)

9. Claims *There are no existing conflicts to the land or any of the improvements. The improvements consist of house, stable, sheds and various other out houses.*
(Conflicting claims to land or existing improvements—by whom and on what grounds. Examiner is not to pass upon claims—merely to furnish all available information. Use in the past, and by what means. Existence of mining claims. Give any information available affecting qualifications of applicant to make a homestead entry. Show what improvements have been made, and their present state of repair.)
50 acres cleared land, 2 1/2 miles fencing, ditches, etc.: all the improvements are in good condition.

10. Economic possibilities *Applicant desires to secure patent. The agricultural possibilities are good. Large crops of hay, vegetables and fruit are produced annually. All the land along the creek suitable for agriculture is being tilled. Transportation facilities to various markets are fair. Considerable of the produce of this locality is now being taken into the Big Hole, Mont. This market was made practicable through combined efforts of service and public in furthering road facilities.*
(Reason for application, and opinion as to success of applicants' plans. State fully agricultural possibilities, value, if any, to Forest Service for Rangers' Quarters or other administrative purposes. If withdrawal of tract for administrative use is desired, submit separate report on Form 271. Distance and market price per acre of near-by farms. Transportation facilities.)

11. Recommendations *It is recommended that the claim under consideration be listed for settlement. For the specific reason that an early adjustment of these agricultural claims will tend greatly to facilitate the records and administration of the Forest.*
(Specific recommendation for or against listing of land, with summary of reasons for recommendation.)

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

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

Geo. C. Thompson
(Signature of examining officer.)

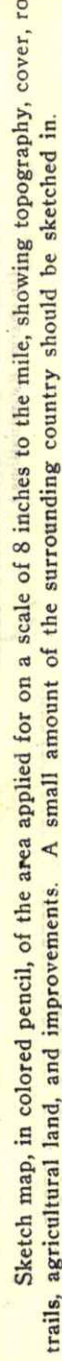
Land Examiner
(Title.)

Approved *January 20* 1909
Geo. G. Brink
(In charge, Examinations.)

Approved _____ 1909

Chief, Office of Lands.

Tr. 24 N. R. 22 E. B. M. Section 33, Quarter _____, Scale: 8 inches = 1 mile.

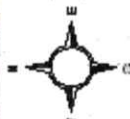


ESN 516
T 708

1
11.7

2
8.8

3
15.3

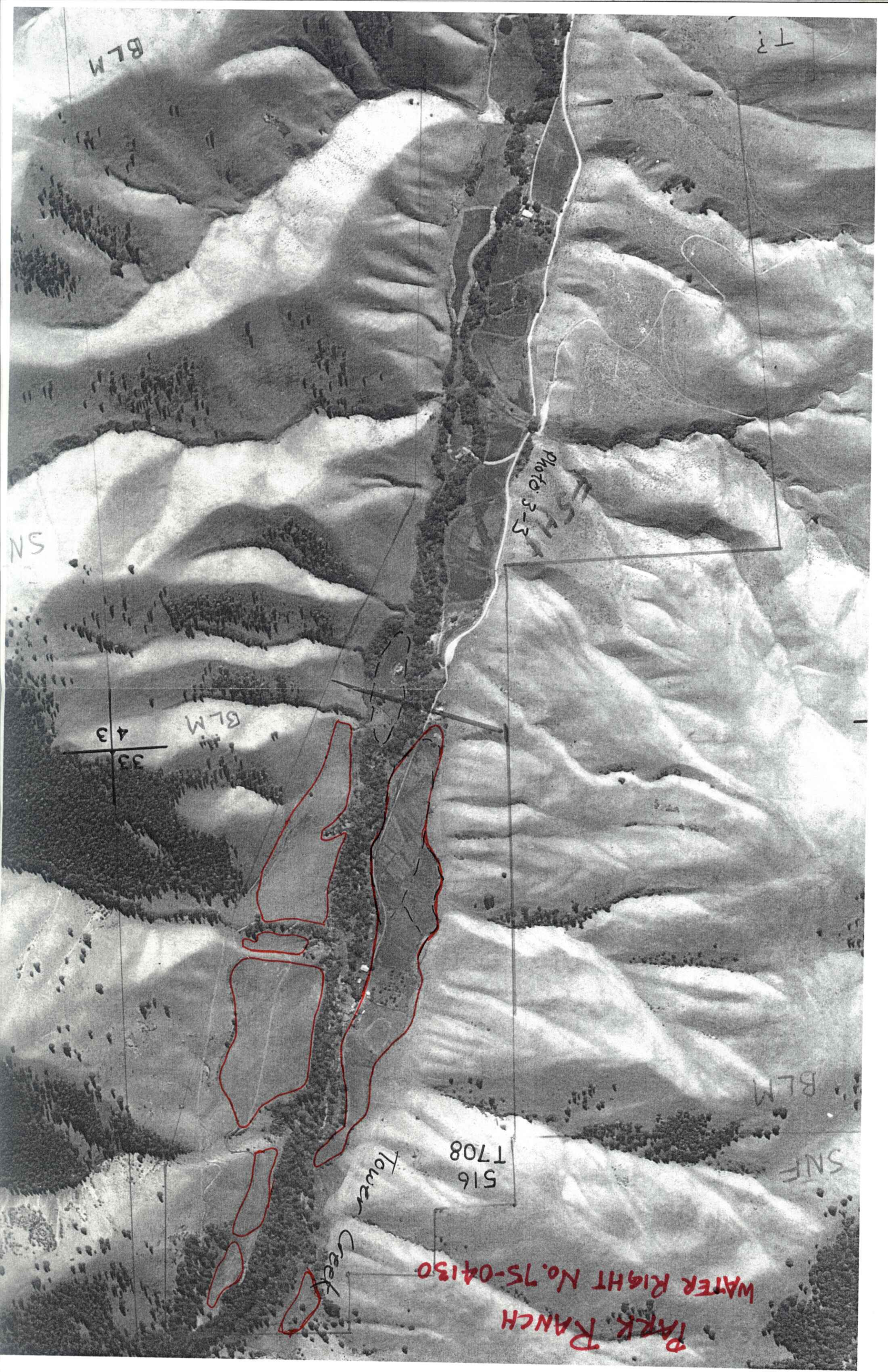


Tract 708
Farm 516^W

0.07 0 0.07 0.14 0.21 0.28 Miles

Map Printed: Feb 28, 2005

PARK RANCH - WATER RIGHT NO. 75-04130



BLM

T 3

Photo 3-3

NS

43

33

BLM

BLM

SNF

516
T708

Tower Creek

WATER RIGHT NO. 75-04130

PARK RANCH