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AUG 26 2005
Department of Water Resources

July 15, 2005

To whom it may concern:

Proving the Priority date of water right number 75-14201. A statutory claim dated May 1, 1948.

I, Jack F. Ellis, the under signed, was ten years old in 1948. I helped my Father lay out the ditch that comes from T22N, R23E, section 5, with a 20 foot 2x4 and a carpenters level. I watched the neighbor build the ditch with his D4 Caterpillar Tractor and helped my Father put water in it for the first time.

The ditch that comes from T22N, R23E, section 6, was the house ditch. It supplied water for the yard, garden and irrigated a small pasture just below the house. The ditch described has been there and used for as long as I can remember.

Signed:

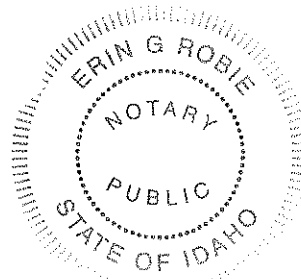
Jack F. Ellis

Jack F. Ellis
Box 301
Salmon, Idaho 83467

STATE OF IDAHO
COUNTY OF LEMHI

ON THIS 15th DAY OF JULY 2005, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JACK F. ELLIS, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.


ERIN G. ROBIE, NOTARY PUBLIC
RESIDING AT SALMON, IDAHO



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-14201

WATER RIGHT NUMBER: 75-14201

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DIANE M ELLIS PO BOX 301 SALMON, ID 83467 (208)756-2346
Current Owner	JACK F ELLIS PO BOX 301 SALMON, ID 83467 (208)756-2346

Priority Date: 05/01/1948

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
FREEMAN CREEK	CARMEN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/01	0.590 CFS	
	<u>Total Diversion:</u>	0.590 CFS	

Location of Point(s) of Diversion

FREEMAN CREEK	SE1/4NE1/4NE1/4	Sec. 6,	Twp 22N,	Rge 23E, B.M.
LEMHI County				
FREEMAN CREEK	SW1/4NW1/4NE1/4	Sec. 5,	Twp 22N,	Rge 23E, B.M.
LEMHI County				

Place of UseIRRIGATION Within LEMHI County

T22N R23E S05	SWNW	3.0	T22N R23E S05	SENE	4.0
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Total Acres: 7

Conditions of Approval:

1. This right is a split from former right 75-4204 .

Remarks:

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Department of Water Resources

August 1, 2005

To whom it may concern:

On August 29th, 1907, by this instrument No. 9023, Desert Lands Certificate No. 609, Winslow T. Smout received full ownership of lands in: T23N, R23E, Section 31 SE 1/4, NW1/4, NE1/4 SW1/4 and Lot 3, containing 118.44 acres. Mr. Smout met all of the requirements and made full payment.

One of the requirements was that you put water on part of the irrigable land. He had to have irrigated part of the land to receive the deed that he had recorded on December 29, 1909.

The two ditches coming to this land from Smout Creek came to the above described land only. This identifies that this land has been irrigated since the summer of 1907, when he received the deed from President Theodore Roosevelt, eight years before the priority date of 1915.

The two points of diversion to these lands are: T23N, R23E, Section 31 NE1/4 - SW1/4 - NE1/4 and T23N, R23E, Section 31 SW1/4 - NE1/4 - NE1/4.

Thank You,

Jack F. Ellis

Desert Lands
Certificate No. 609
THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME GREETING:

Whereas, Winslow T. Smout has 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 full payment has been made by the said Winslow T. Smout according to the provisions of the Act of Congress of the 24th of April, 1820, entitled "An Act making further provisions for the sale of the public lands," and the acts supplemental thereto for the Southeast quarter of the Northwest quarter and the Northeast quarter of the Southwest quarter and the Lot Three of Section thirty-one in Township twenty three North of Range Twenty-three East of the Boise Meridian, Idaho, containing one hundred eighteen and forty-four hundredths acres according to the official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Winslow T. Smout:

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 Winslow T. Smout and to his heirs the said 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 Winslow T. Smout 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 I Theodore Roosevelt President of the United States

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 75-14010

WATER RIGHT NUMBER: 75-14010

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACK F ELLIS PO BOX 301 SALMON, ID 83467 (208)756-2346
Current Owner	DIANE M ELLIS PO BOX 301 SALMON, ID 83467 (208)756-2346

Priority Date: 05/01/1915

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SMOUT CREEK	FREEMAN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/01	1.790 CFS	
<u>Total Diversion:</u>		1.790 CFS	

Location of Point(s) of Diversion

SMOUT CREEK	NE1/4SW1/4NE1/4	Sec. 31, Twp 23N, Rge 23E, B.M.
LEMHI County		
SMOUT CREEK	SW1/4NE1/4NE1/4	Sec. 31, Twp 23N, Rge 23E, B.M.
LEMHI County		
SMOUT CREEK	NW1/4SE1/4SE1/4	Sec. 30, Twp 23N, Rge 23E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T23N R23E S31	SWNE	4.7	T23N R23E S31	SWNW	4.5
T23N R23E S31	SENE	13.6	T23N R23E S31	NESW	12.3
T23N R23E S31	NWSW	7.0			
Total Acres: 42.1					

Conditions of Approval:

1. P21 THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-13961.

Remarks: