

**IDAHO FISH & GAME**

600 South Walnut
P.O. Box 25
Boise, Idaho 83707-0025

RECEIVED**AUG 26 2005**

Department of Water Resources

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

August 25, 2005

Mr. Carter Fritschle
Water Rights Supervisor
Adjudication Bureau
Idaho Department of Water Resources
322 E. Front St., P.O. Box 83720
Boise, ID 83720-0098

RE: Field Examination and Evidence of Priority Date for water right claims 77-4179,
77-4180, and 77-4181

Dear Mr. Fritschle:

I have enclosed evidence of historic use and priority dates for two of the above water right claims (77-4179 and 77-4181) for irrigation use at the Loon Creek and Cougar Creek ranches. We were not able to find neither documentation nor people who could attest to uses as far back as the claimed priority dates of the mid to late 1940s, but we did provide an affidavit of someone who has personal knowledge of the uses from the late 1950s. We also included county tax information from the 1990s and affidavits from someone who could attest to the uses from the early 1980s as evidence of continued use of the water for irrigation purposes.

With respect to claim number 77-4180 for irrigation at the Marble Creek Ranch, I was informed by our regional staff in Salmon that we no longer wish to pursue this water right claim. If you require a more formal notification that we will not pursue this claim, please let me know and I will provide it to you.

If I can provide any additional information to you, or you have questions or concerns regarding the enclosed information, please contact me at 287-2715 or via email at crobertson@idfg.idaho.gov.

Sincerely,

Cindy Robertson
Staff Biologist
Natural Resources Policy Bureau

Cc: Greg Painter, Salmon Region

RECEIVED

AUG 26 2005

Department of Water Resources

AFFIDAVIT

IN THE MATTER OF
NOTICE OF CLAIM TO
WATER RIGHT NO.
A77-4179

State of Idaho

County of Lemhi

I, Jerry Mallet, state from my personal knowledge the water identified in claim number A77-4179 has been diverted from Cache Creek, tributary to Loon Creek, located at T17N R14E Section 22 NENW and used for irrigation at the Loon Creek Ranch as early as summer 1959.

Signed,

Jerry Mallet

NOTARY:

Subscribed and sworn to me this day,

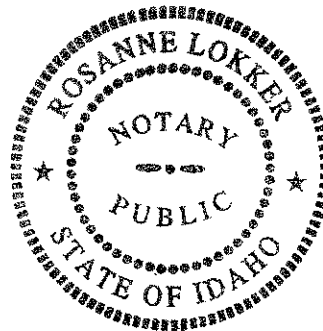
20th of August, 2005.

Rosanne Lokker

Notary Public, State of Idaho

Residing at Boise

My Commission Expires 11/5/2010





IDAHO FISH AND GAME
SALMON REGION
1215 Highway 93 North
P.O. Box 1336
Salmon, Idaho 83467

Dirk Kempthorne/Governor
Steven Huffaker/ Director

STATEMENT OF BENEFICIAL WATER USE

Ref: Loon Cr. Ranch aka Simplot Ranch
HES #90

To whom it may concern,

I have been employed as a Conservation Officer with the Idaho Department of Fish and Game since 1981. As part of my duties, I have spent time in the Middle Fork Salmon River and usually stay at various Department-owned properties and facilities.

During the time since 1981, I can attest that the property known as Loon Creek Ranch or Simplot Ranch located at T17N, R14E, Section 15, the water right for pasture and some hay production has been applied every year.

Sincerely,

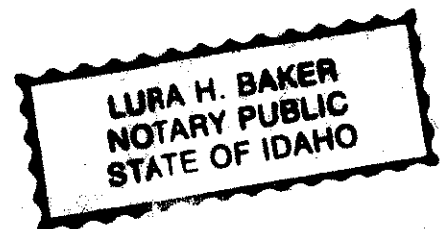
Mark A. Armbruster
Sr. Conservation Officer
Idaho Dept. Fish and Game

10 August 2005

STATE OF IDAHO)
SS.
COUNTY OF CUSTER)

On this 10th day of August, 2005,
before me, a notary public in and for the said State, personally
appeared MARK A. ARMBRUSTER
known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me that
(he) she they executed the same.

Notary Public
Residing in Clayton
My Commission Exp. 12-12-09



DATE 3/18/2005

RURAL INVESTMENT LAND APPRAISAL

PAGE 1

PARCEL # RP17N14E183602A

OWNER : IDAHO FISH & GAME
600 SOUTH WALNUT

LEGAL : FR HES 90
18 17 14

OK

BOISE

ID 83730

TAX CODE 4-0000
APPRaiser WSRM
APPR DATE 03182005 RY 200:
MAP # 18243031
PHOTO #

CLASSIFICATION QUANTITY
CAT LOC CLASS TYPE

BASE VALUE DOLLAR
PER ACRE ADJUS

ADJUS VALUE MARKET VALUE MARKET VALUE
PER ACRE

01 3B FO1 43.000
05 6E 39.550
TOTAL QUANTITY CAT 1 43.000
TOTAL QUANTITY CAT 5 39.550

588.00
53.00

588.0000
53.0000
TOTAL VALUE CAT 1
TOTAL VALUE CAT 5

25,287
2,094
25,287
2,094

*** TOTAL QUANTITY

82.550

*** TOTAL VALUE

27,387

RESIDENCE NONE
OUTBLDGs: NONE
OPERATED BY:
UTILITIES: NONE
MILES FROM ROAD

REMARKS:

Ken Creel/Kend

PROPERTY CATEGORY LISTING

EQUALIZATION BY CATEGORY -- IDENTIFICATION AND REAPPRAISAL

Property shall be identified for assessment purposes in the categories outlined below. These categories are to be used on the assessment notice and on the abstract of assessment. Categories segregate properties into groups of like status and function.

Category 1 Irrigated Agricultural Land. Irrigated land capable of and normally producing machine harvestable crops.

Category 2 Irrigated pasture Land. Irrigated land used for pasture and not normally capable of producing machine harvestable crops.

Category 3 Non-irrigated Agricultural Land. Land capable of and normally producing machine harvestable crops without man-made irrigation.

Category 4 Meadow Land. Land capable of lush production.

Category 5 Dry grazing Land. Land capable of supporting grasses and browse, but incapable of supporting crops on regular rotation.

Category 6 Productivity Forestland. Forestland assessed under the productivity option.

Category 7 Bare Forestland. Forestland assessed as bare land with the yield tax option.

Category 8 Reforestation Land. Land for which the owner agrees to carry on specified reforestation practices. These lands shall be assessed at five dollars (\$5) per acre.

Category 9 Patented Mineral Land. Lands which are either lode claims or placer claims.

Category 10 Homestead Land. Land being utilized for homesteads on categories 1 through 9.

Category 11 Recreation Land. Land used in conjunction with recreation but not individual homesteads.

Category 12 Rural Residential Tracts. Rural residential land not in a properly recorded subdivision.

Category 13 Rural Commercial Tracts. Rural commercial land not in a properly recorded subdivision.

Category 14 Rural Industrial Tracts. Rural industrial land not in a properly recorded subdivision.

Category 15 Rural Residential Subdivision. Rural residential land in a properly recorded subdivision.

Category 16 Rural Commercial Subdivisions. Rural commercial land in a properly recorded subdivision.

Loon C/K

Instrument No. 18553

Hailey 09190

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 ROBERT L. RAMEY has been established and duly consummated, in conformity to law, for the

H. E. Survey No. 90, embracing a portion of the unsurveyed public domain, Idaho, more particularly bounded and described as follows: Beginning at corner No. 1, from which U. S. Location Monument No. 90 bears north eighty-nine degrees, twenty minutes east two and twenty-four-hundredths chains distant; thence north sixty-one degrees, thirty-four minutes east seven and nine-hundredths chains to corner No. 2; thence north six degrees, thirteen minutes west fifty-six and seven-tenths chains to corner No. 3; thence north sixty six degrees, fifty-seven minutes west six and fifty-eight-hundredths chains to corner No. 4; thence meandering Middle Fork of Salmon River, south twenty-six degrees, fortyfive minutes west twelve and ninety-one-hundredths chains, south thirty-four degrees, thirty-six minutes west twelve and sixty-seven-hundredths chains, south twenty-five degrees, thirteen minutes west ten and six-tenths chains, south forty-seven degrees, fifty minutes west ten and thirty-two-hundredths chains to corner No. 5; thence south fifty-two degrees, eighteen minutes east thirty-nine and forty-two-hundredths chains to corner No. 1, the place of beginning, containing one hundred twenty-one and five-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.

IN TESTIMONY WHEREOF, I, Woodrow Wilson 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 TWENTY-EIGHTH day of JULY in the year of our Lord one thousand nine hundred and SIXTEEN and of the Independence of the United States the one hundred and FORTY-FIRST.

SEAL.

By the President: Woodrow Wilson

By M. P. LeRoy, Secretary

L. Q. C. Lamar

Recorder of the General Land Office.

RECORDED: Patent Number 540314

Recorded at the request of W. C. Smith June 11th, 1917, at 20 minutes past 1 o'clock P. M., in Book Y of Deeds page 259, Records of Lemhi County, Idaho.

BY W. W. Simmons
Deputy.

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

DA
3/16/93
11:20:52

UNIFORM ASSESSMENT DEVELOPMENT
SOFTWARE SYSTEMS
SUMMARY PROPERTY LISTING
BY SPECIFIC COMMENTS
FMB106

PAGE

** PARCEL KEY **	NAME/ADDRESS	LEGAL DESCRIPTION	QUANTITY ACRES	TAX DUE
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TYPE	PARCEL NO.	STATUS	CODE	OLD PARCEL NO.
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RP	16N20E241203 A	IDAHO FISH AND GAME	LOT 3	Meadow @1.90	11.850	AC	\$ 22.52
5-00		6005 WALNUT	24 16 20				
		BOISE, ID 83730					

TYPE: AU	LOCATION: 4100	FEE	11.850 **				
COMMENTS----							

RP	16N20E241204 A	IDAHO FISH AND GAME	S 1/2 LOT 6	Dry Grazing @ .53	17.050	AC	9.04
5-00	RP16N20E241204T	600 SOUTH WALNUT	24 16 20				
		BOISE, ID 83707					

TYPE: AU	LOCATION: 4100	FEE	17.050 **				
COMMENTS----							

RP	16N20E241205 A	IDAHO FISH AND GAME	NORTH 1/2 LOT 6	Dry Grazing @ .53	18.830	AC	9.98
5-00			24 16 20				

TYPE: AU	LOCATION: 4100	FEE	18.830 **				
COMMENTS----							

RP	16N21E043002 A	STATE OF IDAHO	LOT 5 IN SEC 4 LOTS	Dry Grazing @ .53	98.500	AC	52.21
29-00		FISH & GAME	5 6 IN SEC 5				
			4 16 21				

TYPE: A	LOCATION: 4100	FEE	98.500 **				
COMMENTS----							

RP	17N14E183602 A	STATE OF IDAHO	FR HES 90	Irrigated Pasture @4.58	43.000	AC	196.94
4-00		FISH & GAME	18 17 14	Dry Grazing @ .53	39.550	AC	20.96

TYPE: AI	LOCATION: 9000	Loon Creek Ranch			82.550 **		\$217.90
COMMENTS----		FEE					

RP	18N14E283601 A	STATE OF IDAHO	FR HES 498	Irrigated Pasture @4.58	22.500	AC	103.05
4-00		FISH & GAME	28 18 14	Dry Grazing @ .53	36.770	AC	19.49

TYPE: AU	LOCATION: 9000	FEE	59.270 **				\$122.54
COMMENTS----							

RP	18N24E215402 A	STATE OF IDAHO	T-1352	Meadow @1.90	5.176	AC	9.83
22-00		FISH & GAME	21 18 24				

TYPE: AU	LOCATION: 1200	FEE	5.176 **				
COMMENTS----							

RP	18N24E283001 A	STATE OF IDAHO	FR NW4NW4	Meadow @1.90	9.722	AC	18.47
3-00		FISH & GAME	28 18 24	Dry Grazing @ .53	1.498	AC	.79

TYPE: AU	LOCATION: 1200	FEE	11.220 **				\$ 19.26
COMMENTS----							

RP	18N14E220600 A	STATE OF IDAHO	LOTS 5 10 11 IN SEC 22	Dry Grazing @ .53	82.650	AC	43.80
4-00		FISH & GAME	LOT 1 IN SEC 27				
			22 8 27 19 14				

TYPE: AU	LOCATION: 9000	FEE	82.650 **				
COMMENTS----							

20

TAX DUE

\$135.70

23.75

\$666.53

\$666.53

Date: March 16, 1993