



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.
A77-4181

State of Idaho

County of Custer

I, Jerry Mallet, state from my personal knowledge the water identified in claim number A77-4181 has been diverted from Cougar Creek, tributary to the Middle Fork Salmon River, located at T16N R13E Section 7 SWNE and used for irrigation at the Cougar Creek Ranch as early as summer 1959.

Signed,

Jerry Mallet

NOTARY:

Subscribed and sworn to me this day,

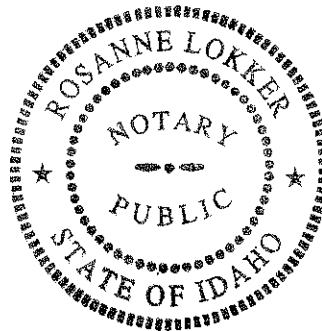
25th of August, 2005.

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: Cougar Creek Ranch
HES #78

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 Cougar Creek Ranch located at T16N, R13E Section 5,6,7 and 8, the water right for pasture irrigation 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



Caesar Ranch

NEW PARCEL NUMBER 16N13E070001A

CAT	YR	QUANTITY	UNIT	VALUE
81	2	30		
Exempt	5	35.95		
	10			

NAME Idaho Dept of Fish & Game
600 South Walnut St
Po Box 25
Boise Id 83705

ATTN: Greg

DESC FHE 78
T16N13E SEC 7
Dutch John Helms
Property

TOTALS 66.95

36

TAX CODE AREA

DEED NUMBER

DATE

PARCEL TYPE

LOCATION CODE

VERIFICATION LETTER

HOMESOWNERS LETTER

COMMENTS Can't find where the

Fish & Game dept acquired the

from Kenneth Cameron

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 Homesite Land. Land being utilized for homesites on categories 1 through 9.
- Category 11 Recreation Land. Land used in conjunction with recreation but not individual homesites.
- 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.