

 **COPY**

9-30
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SEP 29 2011
DEPARTMENT OF
WATER RESOURCES

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase No. <u>84-12275</u>
	)	(Insert Water Right Number)
	)	
	)	STANDARD FORM 4
Case No. 39576	)	
	)	MOTION TO FILE:
	)	☒ LATE NOTICE OF CLAIM
	)	☐ AMENDED NOTICE OF CLAIM
_____	)	

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

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☒ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is State of Idaho, Department of Lands (hereinafter referred to as the "IDL")

My address is 300 North 6th Street, Suite 103, P.O. Box 83720, Boise, Idaho 83720-0050

My phone number is: Work (208) 334-0200 Home Not Applicable

I am an attorney representing the IDL

My name is Tyson K. Nelson, Deputy Attorney General

My address is JRW Building, Second Floor, 700 West State Street, P.O. Box 44449, Boise, Idaho 83711-4449

My phone number is (208) 334-2400

MOTION TO FILE LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☒ I did not file a Notice of Claim to the use of water in the SRBA because:

The IDL uses water from ponds located on State land in northern Idaho for grazing and forest practices. IDL's forest practice uses include fire suppression, training for fire suppression, pesticide applications, and dust abatement related to timber harvest activities. IDL leases State land for grazing, and the lessees use the ponds for stockwater. The ponds are typically small in size and geographically dispersed across parcels of State land. IDL's process to accurately inventory the ponds was delayed due to the large volume of ponds and the dispersed locations of the ponds.

Legal questions also delayed IDL's filing of a Notice of Claim for these uses. Idaho Code Section 42-201(3) authorizes the diversion of water "from a natural watercourse and use[] at any time, with or without a water right" for two categories of water use. First, water may be used to "extinguish an existing fire on private or public lands, structures, or equipment, or to prevent an existing fire from spreading to private or public lands, structures or equipment endangered by an existing fire." Idaho Code § 42-201(3)(a). Second, water may be used for forest practices as defined by Idaho Code Section 38-1303(1) and dust abatement. Idaho Code § 42-201(3)(b). Idaho Code Section 38-1303(1) defines forest practice to mean

(a) the harvesting of forest tree species; (b) road construction associated with harvesting forest tree species; (c) reforestation; (d) use of chemicals

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or fertilizers for the purpose of growing or managing forest tree species; (e) the management of slashings resulting from harvest, management or improvement of forest tree species; or (f) the prompt salvage of dead or dying timber or timber that is threatened by insects, disease, windthrow, fire or extremes of weather.

IDL was uncertain whether Idaho Code Section 42-201(3) would apply to all of its uses of water from the ponds. Ultimately, IDL concluded it would file a claim to provide certainty for its continued use of the ponds on State lands.

- ☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.
- ☒ I am providing legal and factual documentation for my claimed use of water. You must described these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

IDL's supporting documentation is included with the Notice of Claim, attached hereto. The Notice of Claim has three (3) attachments: Attachment 1 is a statement of claimed water purposes and quantity, Attachment 2 is a map of the pond locations, and Attachment 3 is Michael E. Denney's affidavit for proof of use with supporting evidence attached.

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR) is attached.
- ☒ A claim filing fee and a late claim fee for those claims other than domestic or stock water use for which a notice of claim was filed. To determine this amount, contact IDWR at (800) 451-4129. IDWR has advised that the claim filing fee for this notice of claim is \$105.00. IDL requests that IDWR initiate an SA-50 Interagency Billing Statement to bill IDL for the fees (see attached letter).

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on Tuesday, December 20, 2011, at 1:30 p.m.
at the SRBA courthouse, 253 Third Avenue, Twin Falls, Idaho.

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VERIFICATION (Must be completed)

State of Idaho

County of Ada

Tyson K. Nelson, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined I.C. §§42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

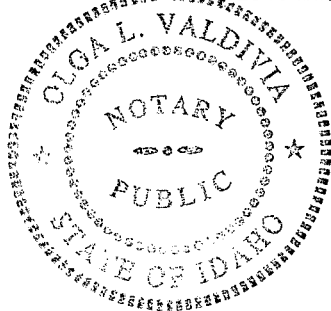
Signature of person filing motion

[Handwritten Signature]

Attorney signing in representative capacity

Subscribed and sworn to before me on September 28, 2011

(Insert Date)



Notary Public for

Residing at: Boise

My Commission expires: 2/8/2012

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

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CERTIFICATE OF MAILING

I certify that on this 28th day of September 2011, I caused to be served the original and/or copy of this form on the following persons by the indicated method:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (208) 736-2121
☐ Statehouse Mail

2. Copies to

State of Idaho,
Department of Lands
300 N. 6th St.
P.O. Box 83720
Boise, ID 83720-0050

- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile:
☒ Statehouse Mail

United States Department of Justice
Environment and Natural Resource
Division
550 West Fort Street, MSC 033
Boise, ID 83724

- ☒ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: (303) 312-7379
☐ Statehouse Mail

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

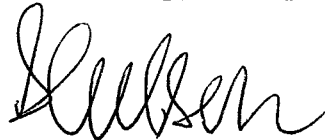
- ☐ U.S. Mail, postage prepaid
☐ Hand Delivery
☐ Federal Express
☐ Facsimile: _____
☒ Statehouse Mail

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

Not Applicable

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)



Tyson K. Nelson
Deputy Attorney General

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**MICA SUPERVISORY
AREA**

3258 West Industrial Loop
Coeur d'Alene ID 83815
Phone (208) 769-1577
Fax (208) 769-1597



TOM SCHULTS, DIRECTOR
EQUAL OPPORTUNITY EMPLOYER

STATE BOARD OF LAND COMMISSIONERS

*C.L. "Butch" Otter, Governor
Ben Ysursa, Secretary of State
Lawrence G. Wasden, Attorney General
Donna M. Jones, State Controller
Tom Luna, Sup't of Public Instruction*

September 26, 2011

Idaho Department of Water Resources
Attn: Craig Saxton
Idaho Water Center
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Fee Payment for Claim No. 84-12275

Dear Mr. Saxton:

The Idaho Department of Lands ("IDL") has prepared a late Notice of Claim for the above-referenced water right claim and will file a Motion to File Late Notice of Claim in the SRBA Court. In the event the SRBA Court grants IDL's motion, IDL requests that the Idaho Department of Water Resources initiate a SA-50 Interagency Billing Statement to bill IDL for the claim filing fee and the late claim fee.

If you have any questions, feel free to contact me at mdenney@idl.idaho.gov or 208-769-1577. Thank you for your assistance in this matter.

Sincerely,

Michael R. Denney
Area Manager- Mica

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**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

**IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM**

CIVIL CASE NUMBER: 39576

Ident. Number 84-12275

Date Received: _____

Receipt No: _____

Received By: _____

**NOTICE OF CLAIM
TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

Please type or print clearly

1. Name of Claimant (s) STATE OF IDAHO, DEPARTMENT OF LANDS Phone (208) 334-0200

Mailing Address PO BOX 83720 BOISE ID ZIP 83720-0050
Street or Box City State

2. Date of Priority (Only one (1) per claim) 09/08/1968
Month Day Year (YYYY)

3. Source of water supply (Check one) Ground Water () or Other (✓) (a) UNNAMED
which is tributary to (b) JIM FORD CREEK

4. a. Location of Point of Diversion is: Township 35N, Range 04E, Section 16,21,28,34,
1/4 of _____, 1/4 Govt. Lot _____, BM., County of CLEARWATER- SEE REMARKS

Parcel (PIN) no. _____

Additional points of diversion if any: SEE REMARKS

If available, GPS Coordinates SEE REMARKS

b. If instream flow, beginning point of claimed instream flow is:

Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4

Govt. Lot _____, BM., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates ,Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed
and as enlarged and the depth of each well. _____

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6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD)

(cfs)

(acre feet)

For SEE ATTACHED purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (cfs) and/or (b) 36.07 (acre feet)

8. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) INDUSTRIAL USE FOR ANY FOREST MANAGEMENT ACTIVITY

9. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

Twn	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
35N	04E	16	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
35N	04E	21		X	X		X	X	X	X	X	X	X	X	X	X	X	X	
35N	04E	28	X	X	X	X	X			X			X	X	X		X	X	
35N	04E	34	X	X	X	X	X	X	X	X					X	X	X	X	

Parcel (PIN) no(s). _____

Total number of acres irrigated _____

10. In which county (ies) are lands listed above as place of use located? CLEARWATER

11. Do you own the property listed above as place of use? Yes (✓) No ()

If your answer is No, describe in Remarks below the authority you have to claim this water right.

12. Describe any other water rights used at the same place and for the same purposes as described above.

_____ or None ()

13. Remarks: 42-23 SESW T35N R04E S21 46.3558 -115.969

42-24 SESW T35N R04E S28 46.34047 -115.966

42-25 SWNE T35N R04E S34 46.33208 -115.943

42-45 NWNW T35N R04E S16 46.37981 -115.971

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Last Name DEPARTMENT OF LANDS Identification No. 84-12275

14. Basis of Claim (Check One) Beneficial Use (☒) Posted Notice (☐) License (☐) Permit (☐) Decree (☐)

Court _____ Decree Date _____ Plaintiff v. Defendant _____

If applicable provide IDWR Water Right Number _____

15. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notices in the Snake River Basin Adjudication." (b.) I/We do (☐) do not (☒) wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 3

For Individuals: I/We do solemnly swear or affirm under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) _____ Date: _____

_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

AREA MANAGER - MAGGIE CREEK of IDAHO DEPARTMENT OF LANDS,
Title Organization

that I have signed the foregoing document in the space below as

AREA MANAGER - MAGGIE CREEK of IDAHO DEPARTMENT OF LANDS,
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Sam A. Clappner Date 8/19/11

Title and Organization AREA MANAGER - MAGGIE CREEK, IDAHO DEPARTMENT OF LANDS

16. Notice of Appearance:

Notice is hereby given that I, Tyson K. Nelson, will be acting as attorney at law of behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature T. Nelson Date 9/20/2011

Address Office of the Attorney General
P.O. Box 44449, Boise, ID 83711-4449

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Last Name IDAHO DEPT. OF LANDS Identification No. 84-12275

42-23, 42-24, 42-25, 42-45

Attachment 1

Statement of Claimed Water Purposes and Quantity

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PURPOSE	FROM	TO	CFS	AF
STOCKWATER STORAGE	1-1	12-31		4.60
STOCKWATER FROM STORAGE	1-1	12-31		4.60
FIRE PROTECTION STORAGE	1-1	12-31		36.07
FIRE PROTECTION FROM STORAGE	1-1	12-31		36.07
INDUSTRIAL STORAGE	1-1	12-31		36.07
INDUSTRIAL FROM STORAGE	1-1	12-31		36.07

STOCK

NONSTOCK

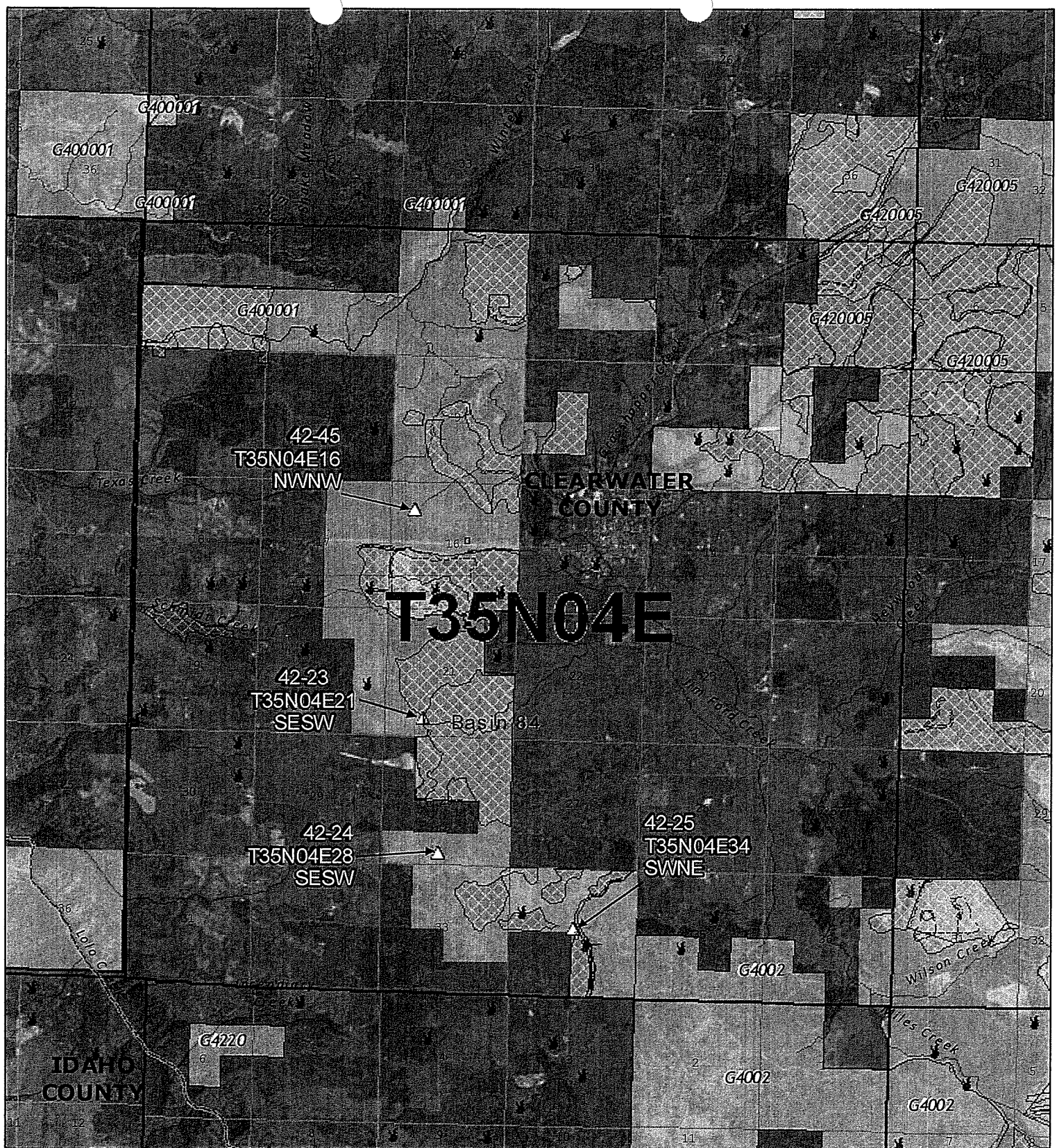
POND #	POND SIZE	EVAP	USAGE	=A/F	GPM TO AF
42-23	.29	+.30	+.2=	.79	7.2
42-24	.09	+.14	+.2=	.43	7.2
42-25	.35	+.53	+.2=	1.08	7.2
42-45	1.31	+.79	+.2=	2.30	14.47
				4.60	36.07

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Attachment 2

Map of Ponds

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Legend

- △ IDL Pond
- 🔥 Historical Fires
- All Streams
- Timber Sales
- IDL Endowment Ownership
- G1234 IDL Grazing Leases

Basin 84

Pond 42-23, 42-24, 42-25, 42-45

09/02/2011

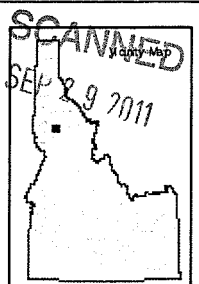
Scale 1:67,000
0 0.5 1
Miles



Map Notes

Projection: IDTM 83
Map Notes and Data Sources:
IDL Ownership current as of map date.
IDL Pond data 5/12/2011
Historical Fires Pre 1984
2004 NAP Imagery
1989 Imagery Attached

Disclaimer:
This map has been compiled using the best information available to the Idaho Department of Lands at the time and may be updated and/or revised without notice. In situations where known accuracy and completeness is required, the user has the responsibility to verify the accuracy of the map and the underlying data sources.



Attachment 3

Affidavit for Proof of Use

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Idaho Department of Lands

Affidavit for Proof of Use

I reviewed Department Lands Records to determine time of use of water sources for dust abatement, fire control, and grazing.

Dust abatement is commonly applied to provide for safe access and to reduce road damage during timber sale activities and wildfires. Past sales and wildfires are shown on the map included in the application.

I also found in speaking with Fire Wardens and found that that the pond locations are inspected and maintained every two to three years to ensure access by fire engines, helicopters, water trucks, and portable pumps. They are used for fire training during these inspections and at other planned times.

This information is intended as supplemental proof of use following the earliest date found in our research as to when the pond was constructed for these and other uses.

Pond number(s) 42-23, 42-24, 42-25, and 42-45 were constructed no later than the date of the attached photograph showing the ponds location and was used as early as 9-8-1968, during the timber sales shown in the attached evidence.

The undersigned claimant further certifies that all information contained in the affidavit is true and correct, as of the date shown, and the signature below is his true and legal signature.

Michael R. Denney

September 8, 2011

Name (Printed)

Date

Michael R. Denney

Signature

3258 W Industrial Loop, Coeur d' Alene, Idaho 83815

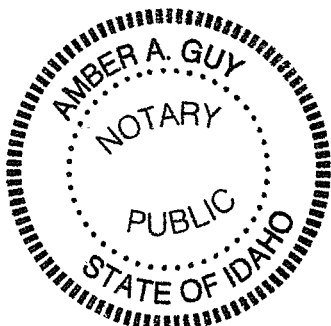
Address, City, State, Zip Code

Subscribed and sworn before me the 8th day of September, year 2011, County of Kootenai, State of Idaho.

My Commission Expires 11/15/2015
Amber A. Guy

Notary Public's Signature

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Digital Land Records Report

Township	Range	Section	Activity	Inst Number	Remarks	Description	Ownership
35N	04E	01	CLEAR LIST	4	CL Dated 12-15-1894 Subject to any valid interfering rights at date of selection.	L1(39.92),L2(39.7	Charitable Inst.
			DIRECT SALES	425290	Johnson Forest Products LLC - Hungarian Sanitation. Cancelled 6/4/2010.	6),L3(39.60)	Charitable Inst.
				425303	Idaho Crane & Machine - Hopper Blowdown. Instrument date 8/16/2010, Expires 2/16/2011. Cancelled 6/1/2011.	Parts	Charitable Inst.
			GRAZING LEASE	4070	Cancelled 3-26-1996		Charitable Inst.
				420005	Grasshopper creek cattlemens, expires 12/31/2030		Charitable Inst.
				4595	Expired 12/31/2010.		Charitable Inst.
			TIMBER SALE	2811	Empire Lumber Co. - Schlader Road Pulp - Cancelled 12-2-1998		Charitable Inst.
				423534	Potlatch Forest Products Corp. - Grasshopper Ridge - Cancelled 12/31/2008	Parts	Charitable Inst.
				423756	Clearwater Paper Corporation - North Gulch Pulp. Instrument Date 11/20/2009.		Charitable Inst.
				490	L. Cardiff & Co. - Cancelled 11-13-1940		Charitable Inst.
		03	CLEAR LIST	4	CL Dated 12-15-1894	L1(39.93),L2(40.0	
			DEED	4613	CS 7243-52; 7255-56	3),L3(40.13), L4(40.23)	Charitable Inst.
			DIRECT SALES	425264	IDAHO CRANE & MACHINE - BLOWN CONE - Cancelled 07/20/2007	Dataload April 2009	Charitable Inst.
				425279	B&K Logging bda Kelly Smith - Loaded Larch. Instrument date 8/7/2008, cancelled 10/23/2008		Charitable Inst.
			GRAZING LEASE	4070	Cancelled 3-26-1996		Charitable Inst.
				4591	Cancelled 4-16-2003		Charitable Inst.
			TIMBER SALE	3006	Konkolville Lumber Co., Inc. - Four Fortys - Cancelled 3-14-2000	Parts	Charitable Inst.
				625	Leonard Cardiff - Cancelled 3-6-1944		Charitable Inst.
				666	Leonard Cardiff - Cancelled 7-21-1943		Charitable Inst.
		04	CLEAR LIST	4	CL Dated 12-15-1894 Subject to any valid interfering rights at date of selection.	L1(40.31), L2(40.37)	Charitable Inst.
				92	CL Dated 3-30-1961 Subject to any valid interfering rights at date of selection, reserving to the U.S. R/W for ditches & canals.		Public Schools

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Digital Land Records Report

Township	Range	Section	Activity	Inst Number	Remarks	Description	Ownership
35N	04E	04	DIRECT SALES	425264	IDAHO CRANE & MACHINE - BLOWN CONE - Cancelled 07/20/2007	Dataload April 2009	Charitable Inst.
			GRAZING LEASE	400001	Bennett Creek Cattlemens Association - Expires 12/31/2030		Charitable Inst.
					Cancelled 3-26-1996		Public Schools
				4070			Charitable Inst.
					Cancelled 4-16-2003		Public Schools
				4591			Charitable Inst.
					Expired 12/31/2010	Part W2SW	Public Schools
						Part	Charitable Inst.
						Parts	Public Schools
			TIMBER SALE	1204	Potlatch Forests, Inc. - Cancelled 12-21-1954		Charitable Inst.
				2842	Weyerhaeuser Co. - Ford Creek - Assigned to Three Rivers Timber, Inc. on 2-15-1996 - Cancelled 9-20-1996	Parts	Public Schools
				423401	Potlatch Corp. - (Assigned to Potlatch Forest Products Corporation) - Winter Creek Pulp - Cancelled 2-3-2006	Parts	Charitable Inst.
				625	Leonard Cardiff - Cancelled 3-6-1944		Charitable Inst.
		05	CLEAR LIST	4	CL Dated 12-15-1894 Subject to any valid interfering rights at date of selection.		Charitable Inst.
			DIRECT SALES	425264	IDAHO CRANE & MACHINE - BLOWN CONE - Cancelled 07/20/2007	Dataload April 2009	Charitable Inst.
			GRAZING LEASE	400001	Bennett Creek Cattlemens Association - Expires 12/31/2030		Charitable Inst.
				4070	Cancelled 3-26-1996		Charitable Inst.
				4591	Cancelled 4-16-2003	Part	Charitable Inst.
					Expired 12/31/2010	Parts	Charitable Inst.
			TIMBER SALE	2842	Weyerhaeuser Co. - Ford Creek - Assigned to Three Rivers Timber, Inc. on 2-15-1996 - Cancelled 9-20-1996	Parts	Charitable Inst.
					Bennett Forest Industries, Inc. - Ford Contour. Instrument date 8/10/2007, Expires 8/10/2010 - Extended 8/10/2011. Cancelled 11/16/2010.		Charitable Inst.
				423614	C. J. Spence - (Assigned to Krogseth Brothers) - Cancelled 3-5-1951		Charitable Inst.
				887			Charitable Inst.
		06	CLEAR LIST	4	CL Dated 12-15-1894 Subject to any valid interfering rights at date of selection.	L6(36.43), L7(36.38)	Charitable Inst.



Digital Land Records Report

Township	Range	Section	Activity	Inst Number	Remarks	Description	Ownership
35N	04E	06	DIRECT SALES	425264	IDAHO CRANE & MACHINE - BLOWN CONE - Cancelled 07/20/2007	Dataload April 2009	Charitable Inst.
			GRAZING LEASE	400001	Bennett Creek Cattlemens Association - Expires 12/31/2030		Charitable Inst.
				4070	Cancelled 3-26-1996		Charitable Inst.
				4591	Expired 12/31/2010	Parts	Charitable Inst.
			TIMBER SALE	1111	L. Cardiff, Inc. - Cancelled 4-7-1952		Charitable Inst.
				2842	Weyerhaeuser Co. - Ford Creek - Assigned to Three Rivers Timber, Inc. on 2-15-1996 - Cancelled 9-20-1996	Parts	Charitable Inst.
				423614	Bennett Forest Industries, Inc. - Ford Contour. Instrument date 8/10/2007, Expires 8/10/2010 - Extended 8/10/2011. Cancelled 11/16/2010.		Charitable Inst.
		09	CLEAR LIST	4	CL Dated 12-15-1894 Subject to any valid interfering rights at date of selection.	Dataload April 2009	Charitable Inst.
			DIRECT SALES	425264	IDAHO CRANE & MACHINE - BLOWN CONE - Cancelled 07/20/2007		Charitable Inst.
				425279	B&K Logging bda Kelly Smith - Loaded Larch. Instrument date 8/7/2008, cancelled 10/23/2008		Charitable Inst.
				425295	Idaho Crane & Machine - Fordtacular Blowdown. Instrument date 8/16/2010, Expires 2/16/2011. Cancelled 6/1/2011.	Parts	Charitable Inst.
			GRAZING LEASE	4070	Cancelled 3-26-1996	Parts	Charitable Inst.
				4591	Cancelled 4-16-2003		Charitable Inst.
			SALVAGE SALES	425105	THREE RIVERS TIMBER, INC. - HYDRO COMMERCIAL PULP - Cancelled 12/13/2006	Dataload April 2009	Charitable Inst.
			TIMBER SALE	2282	Scott Paper Co. - Prairie Pulp - Cancelled 11-13-1981		Charitable Inst.
				2842	Weyerhaeuser Co. - Ford Creek - Assigned to Three Rivers Timber, Inc. on 2-15-1996 - Cancelled 9-20-1996	Parts	Charitable Inst.
				3078	Empire Lumber Co. - Ford Flats Commercial - Cancelled 8-10-2001	Parts	Charitable Inst.
				330	Potlatch Forests, Inc. - Cancelled 1/21/1935		Charitable Inst.
				675	Leonard Cardiff - Cancelled 8-11-1948		Charitable Inst.
		10	CLEAR LIST	4	CL Dated 12-15-1894 Subject to any valid interfering rights at date of selection.		Charitable Inst.
			DEED	4614	CS 11512		Charitable Inst.
				4615	CS 11511; 11513; 11516-17		Charitable Inst.



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Township Range	Section	Activity	Inst Number	Remarks	Description	Ownership
35N 04E 10		DEED	4843	CS 11415		Charitable Inst.
			5366	CS 11514		Charitable Inst.
			5402	CS 11411		Charitable Inst.
			5416	CS 11416		Charitable Inst.
			5809	CS 11414 - Cancelled 2-9-1938; Reinstated 8-30-1938 Restricted Minerals.		Charitable Inst.
			8119	CS 11413		Charitable Inst.
		GRAZING LEASE	4070	Cancelled 3-26-1996		Charitable Inst.
			4210	Cancelled 12-31-1985		Charitable Inst.
			4591	Cancelled 4-16-2003	Part	Charitable Inst.
		TIMBER SALE	423811	Clearwater Paper Corporation - E.T. Pulp. Instrument date 8/6/2010.	Parts	Charitable Inst.
			675	Leonard Cardiff - Cancelled 8-11-1948		Charitable Inst.
	11	CLEAR LIST	4	CI Dated 12-15-1894 Subject to any valid interfering rights at date of selection.		
				Quitclaim Deed dated 2-24-1992 conveyed all rights to Albert and Virginia Barnett as the result of a ruling by the Idaho Supreme Court (State v. Barnett, 116 Idaho 429, 767 P. 2d 438 (1989).		
		DEED	12695	Cancelled 3-26-1996		Charitable Inst.
		GRAZING LEASE	4070	Grasshopper creek cattlemens, expires 12/31/2030		Charitable Inst.
			420005	Expired 12/31/2010.		Charitable Inst.
			4595	Potlatch Forests, Inc. - Cancelled 12-4-1953		Charitable Inst.
		TIMBER SALE	1139	Empire Lumber Co. - Schlader Road Pulp - Cancelled 12-2-1998		Charitable Inst.
			2811	Clearwater Paper Corporation - E.T. Pulp. Instrument date 8/6/2010.	Parts	Charitable Inst.
			423811	L. Cardiff & Co. - Cancelled 11-13-1940		Charitable Inst.
			490	CI Dated 12-15-1894 Subject to any valid interfering rights at date of selection.		Charitable Inst.
	12	CLEAR LIST	4	Barking Yew - J R Forestry - Expires 12/17/2011 - Cancelled 8/1/2011		Charitable Inst.
		DIRECT SALES	425312	Cancelled 3-26-1996		Charitable Inst.
		GRAZING LEASE	4070	Grasshopper creek cattlemens, expires 12/31/2030		Charitable Inst.
			420005	Expired 12/31/2010.		Charitable Inst.
			4595	Potlatch Forests, Inc. - Cancelled 12-4-1953		Charitable Inst.
		TIMBER SALE	1139	Empire Lumber Co. - Schlader Road Pulp - Cancelled 12-2-1998		Charitable Inst.
			2811	Clearwater Paper Corporation - North Gulch Pulp. Instrument Date 11/20/2009.		Charitable Inst.
			423756			Charitable Inst.



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Township Range	Section	Activity	Inst Number	Remarks	Description	Ownership
35N	04E	TIMBER SALE	423811	Clearwater Paper Corporation - E.T. Pulp. Instrument date 8/6/2010.	Parts	Charitable Inst.
			423843	Stella-Jones Corporation - South Schlader Pole - Expires 4/8/2014		Charitable Inst.
			489	Chapin Cedar Co. - Expired 7-19-1940		Charitable Inst.
			799	Schaefer-Hitchcock Co. - Cancelled 1-18-1949		Charitable Inst.
	15	DEED	9930	CS 23872 All minerals except: Pumice and (Geothermal).	Part	Dept. of F & G
			425269	IDAHO CRANE & MACHINE - DOUGLAS FEVER - Cancelled 07/29/2008	Data load April 2009	Public Schools
			425279	B&K Logging bda Kelly Smith - Loaded Larch. Instrument date 8/7/2008, cancelled 10/23/2008		Public Schools
			425288	Harry Stenzel - O'Schmidt Blowdown - Instrument Date 6/10/09, Cancelled 10/8/2009.		Public Schools
			425295	Idaho Crane & Machine - Fordtacular Blowdown. Instrument date 8/16/2010, Expires 2/16/2011. Cancelled 6/1/2011.	Parts	Public Schools
		GRAZING LEASE	4070	Cancelled 3-26-1996		Public Schools
			4598	Expired 12/31/2010.		Public Schools
		SALVAGE SALES	425113	Mark Swanson Logging - For Schmidt's Sake. Instrument date 6/25/2010, Expires 6/25/2011.	Parts	Public Schools
		TIMBER SALE	2282	Scott Paper Co. - Prairie Pulp - Cancelled 11-13-1981		Public Schools
			2584	Kooskia, Inc. - Schmidt Creek Resale - Cancelled 11-27-1990		Public Schools
			3078	Empire Lumber Co. - Ford Flats Commercial - Cancelled 8-10-2001	Parts	Public Schools
			330	Potlatch Forests, Inc. - Cancelled 1/21/1935		Public Schools
			3319	Potlatch Corp. - Schmidt Divide Pulp - Cancelled 3-15-2005	Parts	Public Schools
			719	Oswald Pederson - Cancelled 9-14-1944		Public Schools
			730	Potlatch Forests, Inc. - Cancelled 3-1-1948		Public Schools
	17	CLEAR LIST	4	CI Dated 12-15-1894 Subject to any valid interfering rights at date of selection.		Charitable Inst.
		DIRECT SALES	425279	B&K Logging bda Kelly Smith - Loaded Larch. Instrument date 8/7/2008, cancelled 10/23/2008		Charitable Inst.
		GRAZING LEASE	4070	Cancelled 3-26-1996		Charitable Inst.
			4598	Expired 12/31/2010.		Charitable Inst.



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Township	Range	Section	Activity	Inst Number	Remarks	Description	Ownership
35N	04E	17	SALVAGE SALES	425113	Mark Swanson Logging - For Schmidt's Sake. Instrument date 6/25/2010, Expires 6/25/2011.	Parts	Charitable Inst.
			TIMBER SALE	2282	Scott Paper Co. - Prairie Pulp - Cancelled 11-13-1981		Charitable Inst.
				2343	Tyler Ranch - Schmidt Creek - Cancelled 1-5-1987		Charitable Inst.
				2584	Kooskia, Inc. - Schmidt Creek Resale - Cancelled 11-27-1990		Charitable Inst.
				330	Potlatch Forests, Inc. - Cancelled 1/21/1935		Charitable Inst.
				3319	Potlatch Corp. - Schmidt Divide Pulp - Cancelled 3-15-2005	Parts	Charitable Inst.
				730	Potlatch Forests, Inc. - Cancelled 3-1-1948		Charitable Inst.
		19	DIRECT SALES	425311	Deyo Dros. Inc. - Deyo Reservoir - Expires 12/3/2011		Dept. of F & G
		20	CLEAR LIST	4	CI Dated 12-15-1894 Subject to any valid interfering rights at date of selection.		Charitable Inst.
			GRAZING LEASE	4070	Cancelled 3-26-1996		Charitable Inst.
				4598	Expired 12/31/2010.		Charitable Inst.
			TIMBER SALE	1503	Troy Lumber Co. - Cancelled 6-20-1961		Charitable Inst.
				2343	Tyler Ranch - Schmidt Creek - Cancelled 1-5-1987		Charitable Inst.
				2584	Kooskia, Inc. - Schmidt Creek Resale - Cancelled 11-27-1990		Charitable Inst.
				3319	Potlatch Corp. - Schmidt Divide Pulp - Cancelled 3-15-2005	Parts	Charitable Inst.
				684	Potlatch Forests, Inc. - Cancelled 3-1-1948		Charitable Inst.
		21	CLEAR LIST	4	CI Dated 12-15-1894 Subject to any valid interfering rights at date of selection.		Charitable Inst.
			DIRECT SALES	425279	B&K Logging bda Kelly Smith - Loaded Larch. Instrument date 8/7/2008, cancelled 10/23/2008		Charitable Inst.
				425288	Harry Stenzel - O'Schmidt Blowdown - Instrument Date 6/10/09, Cancelled 10/8/2009		Charitable Inst.
				425301	B & K Logging DBA Kelly Smith - Grave Robber. Instrument date 8/2/2010, Expires 2/2/2011.		
			GRAZING LEASE	4070	Cancelled 12/9/2010.	Parts	Charitable Inst.
				4598	Cancelled 3-26-1996		Charitable Inst.
				1620	Expired 12/31/2010.		Charitable Inst.
			TIMBER SALE	2343	Troy Lumber Co. - Ford Creek - Cancelled 4-9-1968		Charitable Inst.
				2584	Tyler Ranch - Schmidt Creek - Cancelled 1-5-1987		Charitable Inst.
				3319	Kooskia, Inc. - Schmidt Creek Resale - Cancelled 11-27-1990		Charitable Inst.
				410	Potlatch Corp. - Schmidt Divide Pulp - Cancelled 3-15-2005	Parts	Charitable Inst.
					Chapin Cedar Co. - Cancelled 12-5-1938		Charitable Inst.



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Township	Range	Section	Activity	Inst Number	Remarks	Description	Ownership
35N	04E	21	TIMBER SALE	423650	Potlatch Forest Products Corporation - Cemetery Pulp - Instrument date 2/1/2008, Cancelled 1/21/2010		Charitable Inst.
				684	Potlatch Forests, Inc. - Cancelled 3-1-1948		Charitable Inst.
		28	CLEAR LIST	4	CI Dated 12-15-1894 Subject to any valid interfering rights at date of selection.		Charitable Inst.
			DIRECT SALES	425301	B & K Logging DBA Kelly Smith - Grave Robber. Instrument date 8/2/2010, Expires 2/2/2011. Cancelled 12/9/2010.	Parts	Charitable Inst.
			GRAZING LEASE	4070	Cancelled 3-26-1996		Charitable Inst.
				4598	Expired 12/31/2010.		Charitable Inst.
			TIMBER SALE	1339	O. R. Clark - Cancelled 12-12-1963		Charitable Inst.
				1633	Troy Lumber Co. - Weippe Sale - Cancelled 3-4-1966		Charitable Inst.
				2741	Empire Lumber Co. - Fidler's Corner - Cancelled 12-20-1993		Charitable Inst.
					Potlatch Forest Products Corporation - Cemetery Pulp - Instrument date 2/1/2008, Cancelled 1/21/2010		Charitable Inst.
				423650			Charitable Inst.
				684	Potlatch Forests, Inc. - Cancelled 3-1-1948		Charitable Inst.
		33	CLEAR LIST	4	CI Dated 12-15-1894 Subject to any valid interfering rights at date of selection.		Charitable Inst.
			GRAZING LEASE	4070	Cancelled 3-26-1996		Charitable Inst.
				4598	Expired 12/31/2010.		Charitable Inst.
			TIMBER SALE	2741	Empire Lumber Co. - Fidler's Corner - Cancelled 12-20-1993		Charitable Inst.
					Clearwater Paper Corporation - Shotgun Pulp - Instrument date 7/31/2009, cancelled 12/28/2009		Charitable Inst.
				423738			Charitable Inst.
				684	Potlatch Forests, Inc. - Cancelled 3-1-1948		Charitable Inst.
		34	CLEAR LIST	4	CI Dated 12-14-1894 Subject to any valid interfering rights at date of selection.		Charitable Inst.
					MARVIN OSWOLD - 3 MILE ROW - Cancelled 09/16/2004	Datalog April 2009	Charitable Inst.
			DIRECT SALES	425242	Silvicultural Enterprises Inc. - Dead Cat Blowdown. Instrument date 6/9/2010, Expires 12/9/2010. Cancelled 9/28/2010.	Parts	Charitable Inst.
				425300			Charitable Inst.
			GRAZING LEASE	4070	Cancelled 3-26-1996		Charitable Inst.
					Expired 12/31/2010.	Parts: NE & W2SE	Charitable Inst.
				4598	Empire Lumber Co. - Larson's Corner Pulp-Cancelled 3-20-1991		Charitable Inst.
			TIMBER SALE	2630			Charitable Inst.



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Township Range	Section	Activity	Inst Number	Remarks	Description	Ownership
35N	04E	34	TIMBER SALE	2741	Empire Lumber Co. - Fidler's Corner - Cancelled 12-20-1993	Charitable Inst.
				423738	Clearwater Paper Corporation - Shotgun Pulp - Instrument date 7/31/2009, cancelled 12/28/2009	Charitable Inst.
				684	Potlatch Forests, Inc. - Cancelled 3-1-1948	Charitable Inst.
				4	CL Dated 12-15-1894 Subject to any valid interfering rights at date of selection.	Charitable Inst.
		35	CLEAR LIST	4002	Expires 12/31/2016	Charitable Inst.
			GRAZING LEASE	4070	Cancelled 3-26-1996	Charitable Inst.
				4597	GRAZING LEASE #4597 IN LITIGATION - TEMPORARY PERMIT #42-5008 ISSUED TO GRAZING LEASE HOLDER UNTIL COURT DECREE. Cancelled 6-31-2002	Charitable Inst.
			TIMBER SALE	1028	Potlatch Forests, Inc. - Cancelled 12-17-1952	Charitable Inst.
				2072	Potlatch Corp. - Miles Creek Pulp - Cancelled 7-22-1982	Charitable Inst.
				2318	Potlatch Corporation - State Meadows - Cancelled 10-25-1990	Charitable Inst.
				2630	Empire Lumber Co.-Larson's Corner Pulp-Cancelled 3-20-1991	Charitable Inst.
					Land Exchange Deed dated 7-21-1993 conveyed all rights to Everett and Edith Chapman. The exchange was completed on 7-21-1993. No Minerals Reserved.	Charitable Inst.
		36	DEED	12830		Public Schools
				2875	CS 7943	Public Schools
				3606	CS 5335-36	Public Schools
				5011	CS 5337-38	Public Schools
				5128	CS 5334; 5339	Public Schools
				7041	CS 14704-05	Public Schools
			GRAZING LEASE	4002	Expires 12/31/2016	Public Schools
				4070	SWSE Cancelled 7-21-1993; NWNE Cancelled 4-15-1996; Balance Cancelled 3-26-1996.	Public Schools
				4597	GRAZING LEASE #4597 IN LITIGATION - TEMPORARY PERMIT #42-5008 ISSUED TO GRAZING LEASE HOLDER UNTIL COURT DECREE. Cancelled 6-31-2002	Public Schools
				4607	Paul Schroder - Instrument date 1/1/2001, Cancelled 7/10/2009	Public Schools
				1112	L. Cardiff, Inc. - Cancelled 12-18-1956	Public Schools
			TIMBER SALE	2072	Potlatch Corp. - Miles Creek Pulp - Cancelled 7-22-1982	Public Schools
				2630	Empire Lumber Co.-Larson's Corner Pulp-Cancelled 3-20-1991	Public Schools
					Weyerhaeuser Company - Lower Wilson Pulp - Assigned to Three Rivers Timber, Inc. on 2-15-1996 - Cancelled 6-7-2004	Public Schools
				2925	Parts	Public Schools