

RECEIVED
AUG 17 2006
IDWR/North

MEMORANDUM

TO:

✓ Department of Environmental Quality
Department of Water Resources
Department of Fish & Game
Thom Hawkins, Craig Mountain Area office
Bureau of Land Management

FROM:

Sharon A. Murray SM, Minerals Program Manager

DATE:

August 11, 2006

SUBJECT:

Mineral Lease Renewal Applications

Attached is a copy of the application to renew the above cited mineral lease, which has been in place since 1955, and a map showing the section of river under lease.

If you have any comments and/or recommendations concerning this application, please ensure they are received in this office by September 22, 2006. If I do not receive comments by September 22, 2006, I will assume you have no concerns.

If you have any questions, please contact me at the above address or telephone (208) 3340-231.

954 w. Jefferson

Boise ID

WATER RIGHT

#79-4095

To Greg
Date 1-3 Time 3:25 ☐ AM ☒ PM

WHILE YOU WERE OUT

M Tim Kaschmitter
of Franksville
Phone (208) 985-0800

Area Code	Number	Extension
TELEPHONED	☒	PLEASE CALL ☒
CALLED TO SEE YOU		WILL CALL AGAIN
WANTS TO SEE YOU		URGENT

RETURNED YOUR CALL ☐

Message Re his d/c
79-4095

Tried calling 1-6-06

Sal

Operator

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 79-4095

WATER RIGHT NUMBER: 79-4095

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RONALD MAHURIN HC 1 BOX 60B WHITE BIRD, ID 83554 (208)839-2336
Lessee	KASCHMITTER ENTERPRISES INC 616 W NORTH ST GRANGEVILLE, ID 83530-1240 (208)983-0800

Priority Date: 12/31/1980 *6/955*

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
MINING	1/01 to 12/31	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

SALMON RIVER	SE1/4NE1/4	Sec. 15, Twp 27N, Rge 01E, B.M.
IDAHO County		

Place of Use

MINING

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
27N	01E	15				X													

Conditions of Approval:

- CLAIMANT HAS LEASE FROM GEORGE RUSSELL TO USE GROUND

12/29/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 79-4095

NAME AND ADDRESS: RONALD MAHURIN
HC 1 BOX 60B
WHITE BIRD ID 83554

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 12/31/1980 1955

POINT OF DIVERSION:

T27N R01E S15 SENE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MINING

PERIOD OF USE
1/01 12/31

QUANTITY
0.500 CFS

PLACE OF USE: MINING Within IDAHO County

T27N R01E S15 SENE T27N R01E S15 Lot 1 SENE

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

RECEIVED
DEC 24 10 42 AM '05

DEC 28 2005

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

REC'D AUG 23 2005

RECEIVED

JAN 09 2006

IDWR/North

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	79-4095	N			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) RONALD MAHURIN
HC 1 Box 60B Whitebird, ID 83554
4. New Owner/Claimant(s) Kaschmitter Enterprises, Inc.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
New Mailing Address 616 West North Street
City, State and ZIP Code Grangeville, ID 83530-1240
New Telephone Number () (208) 983-0800
5. Date you acquired the property 12/1/2005

SCANNED

DEC 30 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) Kaschmitter Enterprises, Inc DBA
 (include title if applicable) Salmon River Rock Products by
Tim Kaschmitter President

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

**Salmon River Rock Products
616 West North Street
Grangeville, ID 83530-1240
Phone (208)983-0800
(208)983-5331**

RECEIVED
DEC 28 2005
DEPARTMENT OF
WATER RESOURCES

State of Idaho
Department of Water Resources

To Whom It May Concern:

RE: Notice of change in water right ownership

Enclosed is a Notice of change, an ownership map, a letter from Ron Mahurin, and a letter from George Russell. If you have any concerns or need further information please give me a call at the number on the above letterhead or my cell number at (208)983-7497.

Thank you



Tim Kaschmitter

SCANNED
DEC 30 2005

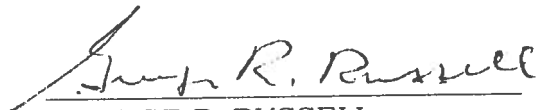
REC'D DEC 9 2005

Camas Gravel Company
616 W. North Street
Grangeville, ID 83530

To Whom It May Concern:

We the undersigned, hereby certify that we are the owners of said real property set forth in Exhibit A, said property being served by Idaho Water Right Number 79-4095. We further certify that we entered into a lease dated the 22nd day of November, 2005, leasing said real property to Timothy Kaschmitter, dba Camas Gravel Co.

Dated this 7th day of December, 2005.



GEORGE R. RUSSELL



LOIS S. RUSSELL

Exhibit A

A parcel of land located in Idaho County, Idaho more particularly described as follows:

Beginning at a steel pin marking the NE corner of the NW1/4 of the SE1/4 of Section 15 Township 27 North Range 1 East BM and running thence North 82°00' East 360 feet to a fence corner, thence North 79°19' East 101 feet to a pear tree, thence South 55°08' East 214 feet more or less to the US Highway 95 right-of-way fence, thence Northeasterly along said row fence 300 feet to the bank of the main Salmon River, thence Southwesterly along said river bank to a point that is South 69°12' West 1030 feet from the Point of Beginning, thence North 69°12' East 326 feet to a pine tree, thence North 69°12' East 704 feet to the Point of Beginning.

Ronald Mahurin
HC 1 Box 60B
Whitebird, ID 83554

To Whom It May Concern:

I Ronald Mahurin hereby relinquish any and all ownership of Water Right Number 79-4095 and convey the same to Kaschmitter Enterprises, Inc. DBA Salmon River Rock Products residing at 616 West North Street Grangeville, ID 83530.

Ronald S Mahurin
Ronald Mahurin

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: A79-04095
Date Received: 7/05/1988
Receipt No: m000297
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RONALD MAHURIN 208-839-2336
Address: HC-01, BOX 60B
WHITEBIRD, ID 83554

2. Date of Priority: DEC 31, 1950

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
27N	01E	15	SE	NE			IDAHO

5. Description of diverting works:
PUMP AND PIPELINES, 10 HP PUMP, 2-2 1/2" PIPES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
MINING	01/01	12/31	0.500		

7. Total Quantity Appropriated is:
0.500 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
USED IN WASHING PLANT TO SEPARATE SAND FROM GRAVEL AND WASH DIRT

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
27N	01E	15	SE	NE		MINING	

11. Place of use in counties: IDAHO

A79-04095

Page 1

Date: 07/06/88

MICROFILMED
OCT 06 1992

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:
79-4095

14. Remarks:
CLAIMANT HAS LEASE FROM GEORGE RUSSELL TO USE GROUND

15. Basis of Claim: BENEFICIAL USE
Water Right Number: 794095

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice 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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 39356

Ident. Number

Date Received

Receipt Number

H79-04095

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Ronald Mahurin Phone (208) 839-2336Mailing Address HC-01, Box 60 B. Whitebird, ID Zip 835542. Date of Priority (Only one (1) per claim) Dec. 31, 19503. Source of water supply (a) Salmon River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 27N Range 1E Section 15,
_____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of _____

Additional points of diversion if any: _____

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

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

Govt. Lot _____ B.M., County of _____

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

_____ 1/4, Govt. Lot _____ B.M., 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.Pump + pipe lines 10 HP Pump, 2 - 2 1/2" Pipes

MICROFILMED

Copies: White, Stone, Yellow. Claimant
OCT 06 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Mining purposes from 1-1 to 12-31 amount 0.50 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.50 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Used in washing plant to separate sand from gravel & to wash the dirt out of sand.

10. 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.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>27N</u>	<u>1E</u>	<u>15</u>				<u>X</u>													

Total number of acres irrigated _____

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

12. 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.

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

79-4095 or None ()

14. Remarks: Claimant has lease from George Russell to use ground.

Last Name Maharin Ident No. _____

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Copies: White-State, Yellow-Claimant

OCT 06 1992

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 79-4095
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

16. Signature (s)
(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled
"How you will receive notice 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 _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

Signature of Claimant (s) X Ronald S Mahurin Date X July 5, 88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Jo
Title and Organization _____ Date _____

State of Idaho/or Id)
County of Idaho) SS.

Subscribed and sworn (or affirmed) before me this 5 day of July 19 88

SEAL

Notary Public John Dale Carlson

Residing at Bon Id

My Commission Expires 6/3/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on 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 _____

Address _____

Date _____

Last Name _____ Ident. Number _____

MICROFILMED
Copies: White-State, Yellow-Claimant
OCT 06 1992



TO 700 D. J. Taylor State Capital Emergency Agency

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