

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

07/09/2008

RIGHT NUMBER: 75-113A

NAME AND ADDRESS: LOIS BLACKADAR
PO BOX 321
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.185 CFS

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T21N R21E S1 NESW~~1~~W Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.185 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S31 Lot 4 SWSW 22.00

22 ACRES TOTAL

Right Nos. 75-19D and 75-113A are limited to the irrigation of a combined total of 22 acres in a single irrigation season.

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 - Decreed

11/16/2006

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

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SALMON ID 83467

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QUANTITY: 0.185 CFS

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T21N R21E S1 NESWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.185 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T22N R22E S31 Lot 4 SWSW 22.00

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

**Prepared by R. Brown
On Friday, March 3, 2006
1987/88 Aerial Photography**

75-19D
75-19H
75-113A
75-113C
75-20
75-24
75-113B
75-14123
75-14124
75-14125

Jesse Creek/Pollard Canyon Creek Confluence Area

This memo serves to document two field trips that I have taken to review the area of the Jesse Creek/Pollard Creek confluence and a review of what is currently mapped as Jesse Creek below the City of Salmon water treatment plant.

Since the Salmon-Challis National Forest took the lead on watershed delineation for the Middle Salmon-Panther Subbasin, the Forest Service has an interest in the correct representation of the streams and watershed boundaries in the Jesse and Pollard Canyon drainages.

I have conducted several field reviews of this area one with Bob Blackadar, local citizen and irrigator, on December 7, 2007 and one with Monica Van Bussum, Senior Water Resource Agent from Idaho Department of Water Resources, on August 29, 2008.

Current topographic maps depict Pollard Canyon and Jesse Creek as separate channels that do not intersect but come close in the SWNW of Section 1 just below the water treatment plant. In reality these streams intersect at a diversion structure located below the road that goes to the Forest Service storage area located south of the water treatment plant. At this structure water can be diverted into what is mapped as Jesse Creek or into Pollard Canyon Creek.

A debate is currently underway in the Snake River Adjudication as to whether the stream course that is mapped as Jesse Creek is a natural channel or an irrigation ditch. From the Roosevelt Street stream crossing downstream the channel is located in a topographic low and appears to be a natural channel, though highly modified as it flows through the residential areas on the upper bar. However, from the diversion structure at the Jesse/Pollard confluence to the Roosevelt Street crossing the channel that is mapped as Jesse Creek is a perched channel that has been bermed to keep the water in the channel. If the water breached this channel it would flow south towards what is mapped as Pollard Canyon Creek.

This stream reach from the diversion structure to the road crossing is not a natural channel. However, remnants of a natural channel can be observed below the existing water treatment plant. It is possible that the natural Jesse Creek channel was moved to the south to its current location when the water treatment plant was constructed.

I have lived and worked as a hydrologist in the Salmon, Idaho area since 1977. Until recent maps were produced the stream channel flowing down the bar hill into the Salmon River adjacent to the Idaho Adventures office has been known as Jesse Creek. Locals still call this channel Jesse Creek. Old maps have variously called both Pollard Canyon and Jesse Creek as forks of Jesse Creek, or called the southern stream Pollard Canyon down to the confluence with Jesse Creek then Jesse Creek below that point. Recent maps

SCANNED

SEP - 3 2008

Fish & Game - may need fish screen
Bob Esselman - Reg. Biologist
Tom Curet - Reg Fish. Mgr.



Priority Date Data Entry Form

Claim Number 75-113A

Claimed Priority Date: 4/1/1894

Claimed Basis: Decreed

☒ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

decreed for 4/1/1894

Reviewer: MVBDate: 6/23/2008

Point of Diversion and Source Data Entry Form

Claim Number 75-113A

Claimed Point of Diversion and Source

T21N R21E S1 NESWNW Within LEMHI County Source: JESSE CREEK SALMON RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? 75-113B, 75-113C, 75-10475, 75-20, 75-24, 75-14123,
75-14124, 75-14125

Document how the POD and Source were verified:

Objection from L. Blackadar says source should be
Jesse Creek and there are 2 PODs (Recommended source is Jesse Cr.)
need to confirm source during field exam - also meet w/
Betsy Reefenberger of USFS
Where is 2nd POD? Ask claimant.

Reviewer: MVBDate: 6/23/2008

Place Of Use Data Entry Form

Claim Number 75-113A

Claimed Place Of Use

T22N R22E S31 Lot 4 SWSW 22.00

Total Acres 22

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres

Document how the POU was verified:

Decreed POU: way north of this POU (claimed)75-113 from WR record covers the Q in which this POU
is located

There is a transfer. Good map of transfer p. 4 of 75-113
water right backfile. Transfer 1090. Transferred
water right ~~is file~~ in full.

Reviewer: MVBDate: 6/23/2008

Purpose of Use Data Entry Form

Claim Number 75-113A

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Irrigation	—	—	—	—
↳ incidental to irrigation				

Document how the Purpose of Use was verified:

decreed for irrigation

Reviewer:

MVB

Date:

6/23/2008

Period of Use and Quantity Data Entry Form

Claim Number 75-113A

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/01	11/01	1.5	

Overall Diversion Rate 1.5 Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
-----------	-------	-----	------	--------

Overall Diversion Rate Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.80 cfs	surface water, no volume needed
standard season for this PLS				

Overall Diversion Rate 0.80 cfs Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

75-113 decreed for 2.0 cfs

Claims:	A	1.5	22 ac
B	1.0	14 ac	
C	0.25	15 ac	
	2.75	51 ac	

overclaimed

No explanation in the files for how quantities were assigned in initial recommendations.

No other claims for 75-113.

If break them up & recommend them for same acreage, it works out to almost 2 inches/ac (0.039 cfs/ac).
No duty of water in Jesse Creek decrees.

Reviewer: MVB

Date: 6/23/2008

$$0.039 \frac{\text{cfs}}{\text{ac}} * 22 \text{ ac} = 0.86 \text{ cfs for } 75-113A$$

$$75-113B \ 14 \text{ ac} * 0.039 = 0.55$$

$$75-113C \ 15 \text{ ac} * 0.039 = 0.59 \text{ cfs}$$

Contacts Data Entry Form

Claim Number: 75-113A

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	LOIS BLACKADAR	PO BOX 321	SALMON	ID	83467	(208)756-2094
Original Owner	WALTER L BLACKADAR			ID		
Original Owner	ESTATE OF JOHN LONG			ID		

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

NOE from Lois Blackadar
contacts appear okay.

Reviewer: MVBDate: 6/23/2008

History for decreed right 75-113

WR History

Transfer 1090
moved POU to Sec 31

75-113 Estate of John Long

2 cfs
ac
Irrigation

Claim History

Claim

Recommendation

75-113	cfs ac	75-113A	L. Blackadar	75-113A	L. Blackadar
		1.5	cfs	0.185	cfs
		22	ac	22	ac
			IRRIGATION		IRRIGATION
			Jesse Creek		Jesse Creek
		75-113B	Bills	75-113B	Bills
		1	cfs	0.124	cfs
		14	ac	14	ac
			IRRIGATION		IRRIGATION
			Jesse Creek		Jesse Creek
		75-113C	R. Blackadar	75-113C	R. Blackadar
		0.25	cfs	0.25	cfs
		25	ac	15	ac
			IRRIGATION		IRRIGATION
			Jesse Creek		Jesse Creek

*Last updated 6/23/2008 (mvanbussum)

For digital copy of Excel spreadsheet see Monica Van Bussum

Sum recommended cfs	0.559
Sum recommended ac	51
Sum recommended af	N/A

Unaccounted for cfs	1.441
Unaccounted for ac	N/A
Unaccounted for af	N/A

Split/Overlap Analysis - Water Right No.: 75-113

[illegible]

0.559 cfs recommended
27.95 inches
51 acres

*FE from Bob Foster shows POU in SWSW and SESW

RECEIVED

OCT 15 2007
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

Case No. 39576

A.

Subcase

75 - 113 A

(Insert water right number)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Robert L. Blackadar

Address:

10 N Cherokee Rd

Salmon, ID 83467

Daytime Phone:

208 756-4967

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Lois Blackadar

Address:

P.O. Box 321

Salmon, ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☐ **Quantity**
Should be: _____
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point of Diversion** *There are 2 P.O.D's SE 1/4 SE 1/4 SE 1/4 Section 36, T22N., R21E., B.1*
Should be: *S 1/2 Lot 4 Section 31, T22N., R22E., Blaine mandia*
Both P.O.D's within Lemhi County
6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☐ **Place of Use**
Should be: _____
10. ☐ **I object because:**
 - ☐ This water right Should not exist.
 - ☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** *With a priority date of 04/01/1894, this water right had to be delivered by way of a natural stream known as Jesse Creek. This ^{description} refers to the point where the water right is diverted from Jesse Creek.*

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Kern)

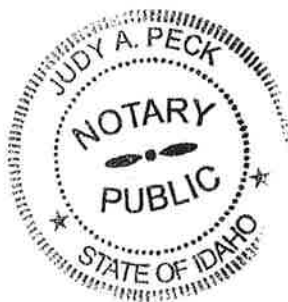
Robert L. Blackadar, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Robert L. Blackadar
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Oct. 12, 2007



Judy A. Peck
Notary Public for East Idaho C.U.
Residing at: Carmen, Id.
My Commission Expires: 7-31-2012

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on October 13, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

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

2. One copy to the claimant of the water right at the following address:

Name: Lois Blackadar
Address: P.O. Box 321
Salmon, ID 83467

3. Copies to:

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

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Robert J. Blackadar
Signature of objector or attorney
mailing on Objector's behalf

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

#1090
15-0113
RECEIVED

APR 19 1974

CERTIFICATE OF DECREEED WATER RIGHT
TRANSFERRED RIGHT NO. 1090

Department of Water Administration
Eastern District Office

THIS IS TO CERTIFY, That Walter L. Blackadar of Salmon, Idaho, is the owner of and using a certain water right of 2.0 cubic feet per second of the waters of Jesse Creek, with priority of April 1, 1894, decreed to the Estate of John Long by decree of Judge Geo. W. Edgington of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, in the case of

GEORGE G. MILLER, et al

Plaintiffs

vs.

ERNEST LONG, et al

Defendants

said decree bearing date of June 19, 1925, and being appurtenant to the following described lands, to-wit:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 2 & 3,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, parts NE $\frac{1}{4}$ NW $\frac{1}{4}$,
and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30, Town-
ship 22 North, Range 22 E.B.M.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 5 at Page 35;

That said Walter L. Blackadar has become the owner of said water right by purchase;

And that now, upon the application of Walter L. Blackadar for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 2.0 cubic feet per second of the waters of Jesse Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right and to which the water right HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation and domestic purposes, is described as follows, to-wit:

All of Lots Numbered Three and Four and the East Half of the Southwest Quarter of Section 31, in Township 22 North of Range 22 East of the Boise Meridian, in Lemhi County, Idaho, containing 159.92 acres of land; together with all ditches, water and water rights belonging to said premises, appertaining thereto or used in connection therewith, including 65 $\frac{1}{2}$ inches of the water of Jesse Creek as the same was awarded to John H. Wheeler and C. C. Willis, by decree of the District Court, recorded in Judgment Book "A", page 251, being 30 inches of the said water right conveyed by John H. Wheeler and Emma Wheeler to James Hockensmith by deed dated February 24, 1904, and recorded in Book "Q" of Deeds, Page 76, and 35 $\frac{1}{2}$ inches of said water right conveyed by Chester C. Willis to James H. Hockensmith by deed dated October 7, 1904, and recorded in Book "Q" of Deeds at Page 210, and all ditch and ditch rights appurtenant thereto; also, water right in Book "C" of Judgments, Pages 294-5-6-7, records of Lemhi County, Idaho;

Together with all water and water rights, ditches and ditch rights thereto belonging or in anywise appertaining:

EXCEPTING AND RESERVING THEREFROM THE following five tracts of land, to-wit:

Tract 1: A part of the East Half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Hiram Martin by deed dated September 11, 1939, and recorded in Book 35 of Deeds at Page 630 of the Records of Lemhi County, Idaho, more particularly described as follows to-wit:

Beginning at a point 1574 feet east and 404 feet north of the S. W. Corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres of land more or less.

Always reserving from the above described 5 acre tract of land, a strip of land 10 feet in width, running North and South along the East side of said 5 acre tract.

Together with all water, water rights, ditches and ditch rights, appertaining thereto or used in connection therewith.

Tract 2: A part of the East Half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Bedell E. Veldez by deed dated September 11, 1939,

and recorded in Book 37 of Deeds at Page 190 of the Records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Beginning at a point 1574 feet East of the SW Corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres, more or less.

Always reserving from the above 5 acre tract of land a strip of land 10 feet in width, running North and South, along the East side of said 5 acre tract of land. Said reservation being for the purpose of a road.

Together with all water, water rights, ditches and ditch rights, appertaining thereto or used in connection therewith.

Tract 3: A part of the East Half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Stanley W. Greig by deed dated September 11, 1939, and recorded in Book 37 of Deeds at Page 450 of the Records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Beginning at a point 2113 feet East of the SW corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres, more or less.

Always reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South, along the West side of said 5 acre tract of land. Said reservation being for the purpose of a road.

Tract 4: A part of the East half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to James Gutzman by deed recorded in Book 39 of Deeds, Page 222, records of Lemhi County, Idaho, more particularly described as follows to-wit:

Beginning at a point 2113 feet East and 404 feet North of the SW corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres, more or less.

Always reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South, along the West side of said 5 acre tract of land.

Said reservation being for the purpose of a road.

Tract 5: A part of the East Half of the SW¼ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Florin C. Beller by deed recorded in Book 47 of Deeds, Page 603, records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Commencing at the South Quarter Corner of Section 31, Twp. 22 N., R. 22 E.B.M., in Lemhi County Idaho, and running thence North along the center line of said Section 31, 808 feet to the place of beginning; thence North on the same course 404 feet; thence West 539 feet; thence South 404 feet; thence East 539 feet to the place of beginning, containing 5 acres, more or less.

Excepting and reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South along the West side of said 5 acre tract of land, as and for a road way easement of ingress and egress.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.0 cubic feet per second of the waters of Jesse Creek, with priority of April 1, 1894;

That the water right hereby transferred has heretofore been conducted to the first described lands through un-named ditch; the decree does not describe the point of diversion except as place where water was being diverted at time of decree;

That the water right hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 26th day of July, 1967.

(SEAL)

s/

R. KEITH HIGGINSON

R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)
Walter L. Blackadar)
of) ORDER GRANTING TRANSFER
Salmon, Idaho)
For a Transfer of Water Right) NO. 1090
in the County of Lemhi, State)
of Idaho,)

WHEREAS, On the 8th day of May, 1967, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Walter L. Blackadar of Salmon, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and,

WHEREAS, a protest was made in person by Dale Arave against the approval of said application, and,

WHEREAS, a decision was rendered on July 26, 1967, authorizing the transfer of water right;

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer of Water Right be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 26th day of July, 1967.

(SEAL)

s/

R. KEITH HIGGINSON

R. KEITH HIGGINSON
State Reclamation Engineer

BLACKADAR TRANSFER

WALTER L. BLACKADAR

QUANTITY 2.00 CPS

PRIORITY 4/1/1894

PLACE OF USE:

FORMER NW $\frac{1}{4}$ SE $\frac{1}{4}$
NE $\frac{1}{4}$ SW $\frac{1}{4}$
LOTS 2, 3
SE $\frac{1}{4}$ NW $\frac{1}{4}$
SW $\frac{1}{4}$ NE $\frac{1}{4}$
PARTS NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$
SEC 30

T22N R22E

PROPOSED LOTS 3, 4

E $\frac{1}{2}$ SW $\frac{1}{4}$

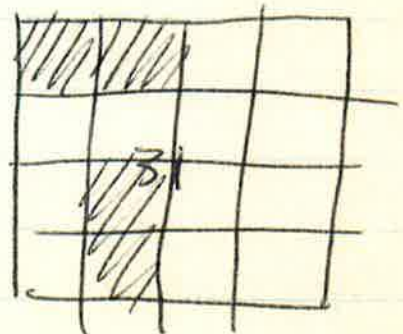
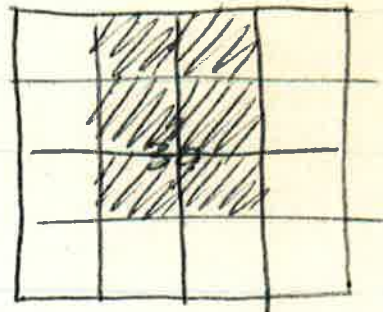
SEC 31

T22N

R22E

PROTESTS

CITY OF SALMON
SMITH EDGAR S. EDWARDS
DARREN AUDOUS
DALE ARAR
~~EARL T. GARR~~

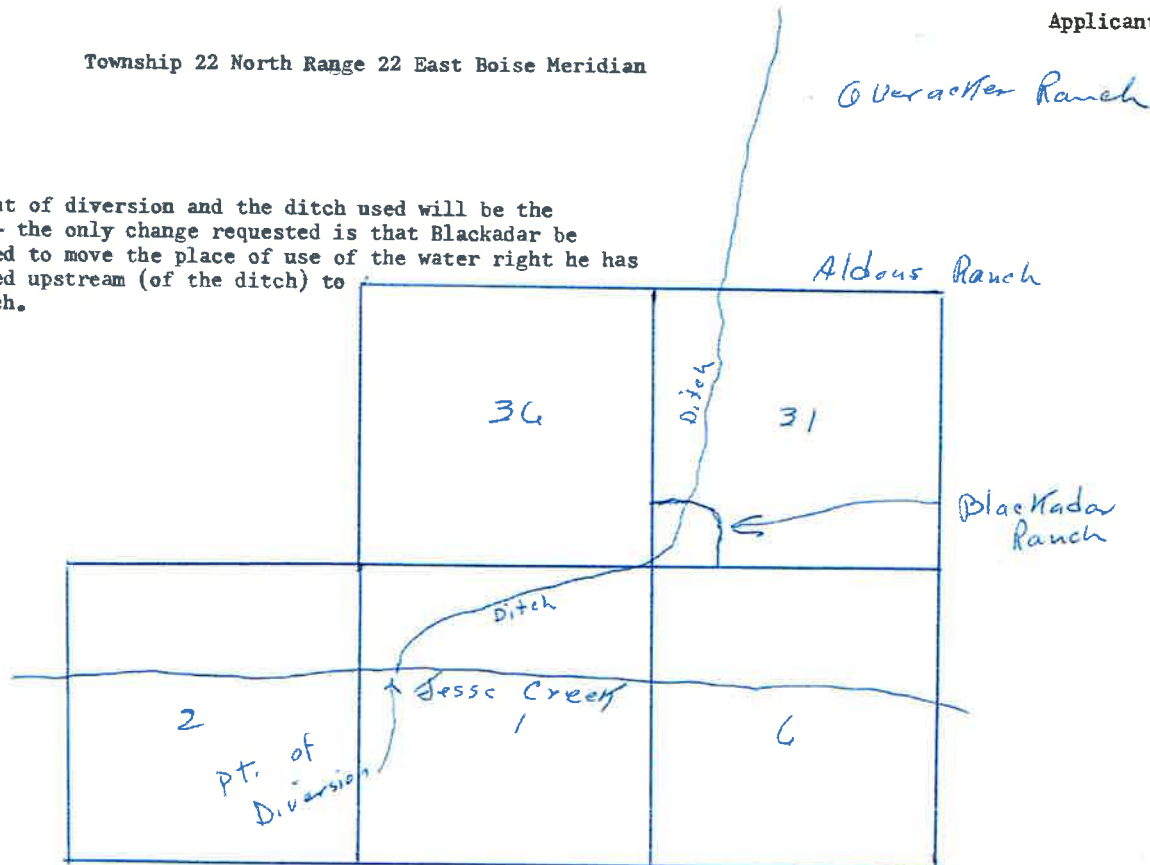


from 75-113

Township 22 North Range 22 East Boise Meridian

Applicant: Walter L. Blackadar

The point of diversion and the ditch used will be the same — the only change requested is that Blackadar be permitted to move the place of use of the water right he has purchased upstream (of the ditch) to his ranch.



North

EXHIBIT "C"

75-0113

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

CERTIFICATE OF DECREEED WATER RIGHT
TRANSFERRED RIGHT NO. 1090

THIS IS TO CERTIFY, That Walter L. Blackadar of Salmon, Idaho, is the owner of and using a certain water right of 2.0 cubic feet per second of the waters of Jesse Creek, with priority of April 1, 1894, decreed to the Estate of John Long by decree of Judge Geo. W. Edgington of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, in the case of

GEORGE G. MILLER, et al
Plaintiffs

vs.

ERNEST LONG, et al
Defendants

said decree bearing date of June 19, 1925, and being appurtenant to the following described lands, to-wit:

NW¹/₄SE¹/₄, NE¹/₄SW¹/₄, Lots 2 & 3,
SE¹/₄NW¹/₄, SW¹/₄NE¹/₄, parts NE¹/₄NW¹/₄,
and NW¹/₄NE¹/₄, Section 30, Town-
ship 22 North, Range 22 E.B.M.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 5 at Page 35;

That said Walter L. Blackadar has become the owner of said water right by purchase;

And that now, upon the application of Walter L. Blackadar for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 2.0 cubic feet per second of the waters of Jesse Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right and to which the water right HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation and domestic purposes, is described as follows, to-wit:

Probably 75-19
 $65 \frac{1}{3} = 30 + 35 \frac{1}{3}$
 Wheeler
 to
 Hockensmith
 Willis
 to
 Hockensmith.

Tract 2: A part of the East Half of the SW¼ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Bedell E. Veldez by deed dated September 11, 1939.

and recorded in Book 37 of Deeds at Page 190 of the Records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Beginning at a point 1574 feet East of the SW Corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres, more or less. Always reserving from the above 5 acre tract of land a strip of land 10 feet in width, running North and South, along the East side of said 5 acre tract of land. Said reservation being for the purpose of a road. Together with all water, water rights, ditches and ditch rights, appertaining thereto or used in connection therewith.

Tract 3: A part of the East Half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Stanley W. Greig by deed dated September 11, 1939, and recorded in Book 37 of Deeds at Page 450 of the Records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Beginning at a point 2113 feet East of the SW corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning containing 5 acres, more or less. Always reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South, along the West side of said 5 acre tract of land. Said reservation being for the purpose of a road.

Tract 4: A part of the East half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to James Gutzman by deed recorded in Book 39 of Deeds, Page 222, records of Lemhi County, Idaho, more particularly described as follows to-wit:

Beginning at a point 2113 feet East and 404 feet North of the SW corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres, more or less. Always reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South, along the West side of said 5 acre tract of land. Said reservation being for the purpose of a road.

Tract 5: A part of the East Half of the SW¼ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Florin C. Beller by deed recorded in Book 47 of Deeds, Page 603, records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Commencing at the South Quarter Corner of Section 31, Twp. 22 N., R. 22 E.B.M., in Lemhi County Idaho, and running thence North along the center line of said Section 31, 808 feet to the place of beginning; thence North on the same course 404 feet; thence West 539 feet; thence South 404 feet; thence East 539 feet to the place of beginning, containing 5 acres, more or less.

Excepting and reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South along the West side of said 5 acre tract of land, as and for a road way easement of ingress and egress.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.0 cubic feet per second of
the waters of Jesse Creek, with
priority of April 1, 1894;

That the water right hereby transferred has heretofore been conducted to the first described lands through un-named ditch; the decree does not describe the point of diversion except as place where water was being diverted at time of decree;

That the water right hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 26th day of July, 1967.

(SEAL)

s/

R. KEITH HIGGINSON

R. KEITH HIGGINSON
State Reclamation Engineer

11/20/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: 12/13/2006

Water right number: 75-113A

LOIS BLACKADAR

PO BOX 321

SALMON ID 83467

Telephone Number: (208)756-2094

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-29-06

SIGNATURE: Lois Blackadar

Please print your name: Lois Blackadar

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

RECEIVED
JAN 04 2007
DEPARTMENT OF
WATER RESOURCES

RECEIVED
JAN 10 2007
IDWR/North

SCANNED
SCANNED
JAN 03 2007
JAN 04 2007

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). 75-113A

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

2. ☒ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0014938 fl 412508002

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

headgate in creek, ditch to place of use

113A - 1.86
113B - .69
113C .25
7.80

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☒ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 4-18-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

75-1
75-1

George G. Miller, seven-tenths of one cubic foot per second of time with date of priority April 1st, 1894, appurtenant to,-

All that certain piece or parcel of land bounded as follows:-

Beginning at corner No. 1, identical with the standard corner of Township 22 N.R. 21 and 22 D.B.M., thence N. 89° 55' W. 40 chains to corner No. 2; thence N. 5' E. 20 chains to corner No. 3; thence S. 89° 55' E. 39.9 chains to corner No. 4; thence S. 20.06 chains to corner No. 1, the place of beginning, containing 80.02 acres of land.

Estate of John Long, Deceased, 2 cubic feet per second of time, with date of priority April 1st, 1894, appurtenant to,-

75-113

All of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and Lots No. 2 and 3, and the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 30, all in Township 22 North, Range 22 East of the Boise Meridian, also

The NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 30 in said Township and Range excepting therefrom that part heretofore conveyed by John Long and Nancy Long to John H. Wheeler by Deed dated September 7th, 1901, and recorded in the office of the County Recorder of said Lemhi County, in Book "L" of Deeds page 225, also the following described tract of land, to-wit,-

From the NE Corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 30 in said Township and Range run thence South 17 rods to the place of beginning, thence South 63 rods, thence East 80 rods, thence North 64 rods 23.48 links, thence North 88° 20' West 57 rods 38 links, thence West 23 rods to the place of beginning, being the same land conveyed by John H. Wheeler and Emma Wheeler to John Long by Deed dated April 3rd, 1909, and recorded in the office of the Recorder of said Lemhi County in Book "S" of Deeds page 378, being a part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 30.

75-2

Guy Edwards, 1.7 cubic feet per second of time, with date of priority April 1st, 1894, appurtenant to,-

Lots No. 3 and 4 and the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 31, Township 22 North, Range 22 East of the Boise Meridian.

75-3

William Boomer, 1.44 cubic feet per second of time, with date of priority April 1st, 1894, appurtenant to,-

S $\frac{1}{2}$ of the NE $\frac{1}{4}$, N $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 31 of Township 22 North of Range 22 East of the Boise Meridian, (Excepting therefrom that parcel of land conveyed to William S. Andrews by Deed dated June 1st, 1901, recorded in Book "L" of Deeds at page 163, and excepting therefrom that parcel conveyed to the Gilmore & Pittsburg Railroad Company by Deed dated May 10th, 1909, recorded in Book "S" of Deeds at page 410, and excepting therefrom that

1868
Water Right 75-19A 1.307 cfs in sw 1/4 Sec 31

75- 19H .807 74.8 + 14 = 88.8
19D .50

1.307

75-113 4-1-1894

2.0 160-25 = 135 Ac.
2.0 cfs / 135 ac = .014815 cfs / Ac.

113C R. Blackadar ^{12R} owns 15 of 135

113A L. Blackadar Irr 22 of 135

113B Bills Irr 7.4

19H R. Blackadar Irr 74.8 of 135 claimed in 19H
119.2 actually irrigated

R. Blackadar 15 / 119.2 = .126 = .25

L. Blackadar 22 / 119.2 = .185 = .37

Bills 7.4 / 119.2 = .062 = .124

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

#1090
45-0113
RECEIVED

APR 19 1974

CERTIFICATE OF DECREEED WATER RIGHT
TRANSFERRED RIGHT NO. 1090

Department of Water Administration
Eastern District Office

THIS IS TO CERTIFY, That Walter L. Blackadar of Salmon, Idaho, is the owner of and using a certain water right of 2.0 cubic feet per second of the waters of Jesse Creek, with priority of April 1, 1894, decreed to the Estate of John Long by decree of Judge Geo. W. Edgington of the Sixth Judicial District of the State of Idaho, in and for the County of Lemhi, in the case of

GEORGE G. MILLER, et al

Plaintiffs

vs.

ERNEST LONG, et al

Defendants

said decree bearing date of June 19, 1925, and being appurtenant to the following described lands, to-wit:

NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Lots 2 & 3,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, parts NE $\frac{1}{4}$ NW $\frac{1}{4}$,
and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30, Town-
ship 22 North, Range 22 E.B.M.,

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho in Volume 5 at Page 35;

That said Walter L. Blackadar has become the owner of said water right by purchase;

And that now, upon the application of Walter L. Blackadar for a Certificate of Transfer of Water Right, made before the State Reclamation Engineer of the State of Idaho, and the said application having been granted, the right to the use of 2.0 cubic feet per second of the waters of Jesse Creek upon the above described lands is hereby abandoned, and the lands to be irrigated under such right and to which the water right HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation and domestic purposes, is described as follows, to-wit:

SCANNED

JAN 03 2003

All of Lots Numbered Three and Four and the East Half of the Southwest Quarter of Section 31, in Township 22 North of Range 22 East of the Boise Meridian, in Lemhi County, Idaho, containing 159.92 acres of land; together with all ditches, water and water rights belonging to said premises, appertaining thereto or used in connection therewith, including 65 1/2 inches of the water of Jesse Creek as the same was awarded to John H. Wheeler and C. C. Willis, by decree of the District Court, recorded in Judgment Book "A", page 251, being 30 inches of the said water right conveyed by John H. Wheeler and Emma Wheeler to James Hockensmith by deed dated February 24, 1904, and recorded in Book "Q" of Deeds, Page 76, and 35 1/2 inches of said water right conveyed by Chester C. Willis to James H. Hockensmith by deed dated October 7, 1904, and recorded in Book "Q" of Deeds at Page 210, and all ditch and ditch rights appurtenant thereto; also, water right in Book "C" of Judgments, Pages 294-5-6-7, records of Lemhi County, Idaho;

Together with all water and water rights, ditches and ditch rights thereto belonging or in anywise appertaining:

EXCEPTING AND RESERVING THEREFROM THE following five tracts of land, to-wit:

Tract 1: A part of the East Half of the SW 1/4 of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Hiram Martin by deed dated September 11, 1939, and recorded in Book 35 of Deeds at Page 630 of the Records of Lemhi County, Idaho, more particularly described as follows to-wit:

Beginning at a point 1574 feet east and 404 feet north of the S. W. Corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres of land more or less.

Always reserving from the above described 5 acre tract of land, a strip of land 10 feet in width, running North and South along the East side of said 5 acre tract.

Together with all water, water rights, ditches and ditch rights, appertaining thereto or used in connection therewith.

Tract 2: A part of the East Half of the SW 1/4 of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Bedell E. Veldez by deed dated September 11, 1939,

and recorded in Book 37 of Deeds at Page 190 of the Records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Beginning at a point 1574 feet East of the SW Corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres, more or less. Always reserving from the above 5 acre tract of land a strip of land 10 feet in width, running North and South, along the East side of said 5 acre tract of land. Said reservation being for the purpose of a road. Together with all water, water rights, ditches and ditch rights, appertaining thereto or used in connection therewith.

Tract 3: A part of the East Half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Stanley W. Greig by deed dated September 11, 1939, and recorded in Book 37 of Deeds at Page 450 of the Records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Beginning at a point 2113 feet East of the SW corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning containing 5 acres, more or less. Always reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South, along the West side of said 5 acre tract of land. Said reservation being for the purpose of a road.

Tract 4: A part of the East half of the SW $\frac{1}{4}$ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to James Gutzman by deed recorded in Book 39 of Deeds, Page 222, records of Lemhi County, Idaho, more particularly described as follows to-wit:

Beginning at a point 2113 feet East and 404 feet North of the SW corner of Section 31, Twp. 22 N., R. 22 E.B.M., thence East 539 feet; thence North 404 feet; thence West 539 feet; thence South 404 feet to the place of beginning, containing 5 acres, more or less.

Always reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South, along the West side of said 5 acre tract of land. Said reservation being for the purpose of a road.

Tract 5: A part of the East Half of the SW¹/₄ of Section 31, Twp. 22 N., R. 22 E.B.M., heretofore conveyed to Florin C. Beller by deed recorded in Book 47 of Deeds, Page 603, records of Lemhi County, Idaho, more particularly described as follows, to-wit:

Commencing at the South Quarter Corner of Section 31, Twp. 22 N., R. 22 E.B.M., in Lemhi County Idaho, and running thence North along the center line of said Section 31, 808 feet to the place of beginning; thence North on the same course 404 feet; thence West 539 feet; thence South 404 feet; thence East 539 feet to the place of beginning, containing 5 acres, more or less.

Excepting and reserving from the above described 5 acre tract of land a strip of land 10 feet in width, running North and South along the West side of said 5 acre tract of land, as and for a road way easement of ingress and egress.

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.0 cubic feet per second of the waters of Jesse Creek, with priority of April 1, 1894;

That the water right hereby transferred has heretofore been conducted to the first described lands through un-named ditch; the decree does not describe the point of diversion except as place where water was being diverted at time of decree;

That the water right hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the right to the use of the water aforesaid, hereby confirmed, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 26th day of July, 1967.

(SEAL)

s/

R. KEITH HIGGINSON

R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

Walter L. Blackadar)
of)
Salmon, Idaho)

ORDER GRANTING TRANSFER

NO. 1090

For a Transfer of Water Right)
in the County of Lemhi, State)
of Idaho,)

WHEREAS, On the 8th day of May, 1967, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Walter L. Blackadar of Salmon, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and,

WHEREAS, a protest was made in person by Dale Arave against the approval of said application, and,

WHEREAS, a decision was rendered on July 26, 1967, authorizing the transfer of water right;

NOW, THEREFORE, IT IS HEREBY ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer of Water Right be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 26th day of July, 1967.

(SEAL)

s/

R. KEITH HIGGINSON

R. KEITH HIGGINSON
State Reclamation Engineer

SCANNED

JAN 03 2003

OCT 03 2 11

THIS INSTRUMENT HAS NOT BEEN EXAMINED AS TO ITS
 CORRECTNESS OR AS TO ITS EFFECT UPON THE
 TITLE.

WARRANTY DEED

For Value Received NANCY JOY BRYANT, a married woman dealing with
 her sole and separate property

the grantor, does hereby grant, bargain, sell and convey unto

LOIS BLACKADAR, a married woman dealing with her sole
 and separate property

whose current address is

726 Lombard Street, Salmon, Idaho 83467

the grantee, the following described premises, in LEMHI County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
 her heirs and assigns forever. And the said Grantor does hereby covenant to and
 with the said Grantee, that she is the owner in fee simple of said premises; that they are free
 from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated: 6/1/88

Nancy Joy Bryant
 NANCY JOY BRYANT

STATE OF IDAHO, COUNTY OF LEMHI
 On this 1st day of June, 1988,
 before me, a notary public in and for said State, personally
 appeared

NANCY JOY BRYANT

known to me to be the person whose name is
 subscribed to the within instrument, and acknowledged to
 me that she executed the same.

Residing at Salmon, Idaho
 Comm. Expires 12-14-1991

Notary Public

State of Idaho } ss No. 190521
 County of Lemhi }

This instrument was filed for record at
 the request of Amelia Handlett
 at 3:00 o'clock P. M. 6-1-1988
 and duly filmed and indexed in the
 records of Lemhi County.

Alberta Wiederrick
 Ex-Officio Recorder

By Terri J. Minter Deputy

Fees: 6.00

Furnished by the AMERICAN LAND TITLE CO., Pocatello, Idaho

JAN 03 2003

EXHIBIT "A"

PARCEL "A"

A parcel of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Lot 3, Lot 4, Section 31, T. 22 N., R. 22 E., and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 22 N., R. 21 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the West Quarter Corner of said Section 31 and being the REAL POINT OF BEGINNING;
Thence S. 0°13'30" W. 859.30 feet along the Section

line;

Thence S. 58°17'06" E. 861.94 feet;
Thence S. 89°45'25" E. 175.00 feet;
Thence S. 38°59'42" E. 656.72 feet;
Thence S. 89°55'01" E. 250.00 feet;
Thence S. 0°04'59" W. 808.00 feet;
Thence N. 89°55'01" W. 1574.00 feet to the Southwest

corner of Section 31;

Thence N. 0°05'02" E. 1320.35 feet;
Thence N. 89°59'55" W. 702.59 feet to a point

in the center of a 60 foot wide county road right of way;
Thence the following courses and distances along the center of said county road:

N. 19°44'45" W. 25.39 feet;
N. 84°39'43" W. 111.45 feet;
N. 62°04'37" W. 454.73 feet;
N. 43°47'57" W. 262.88 feet;
N. 28°30'51" W. 228.03 feet;

Thence N. 63°24'24" E. 333.04 feet;

Thence East 115.00 feet;

Thence N. 35°20'42" E. 643.13 feet;

Thence S. 89°51'57" E. 735.00 feet to the REAL POINT OF BEGINNING.

SUBJECT TO: The following described road and utility easement across Parcel A:

Commencing at the Southwest Corner of said Section 31, a distance of 1249.00 feet on a bearing of S. 89°55'01" E. along the section line to the REAL POINT OF BEGINNING.

Thence N. 0°04'59" E. 900.36 feet;

Thence S. 38°59'42" E. 118.97 feet;

Thence S. 0°04'59" W. 808.00 feet;

Thence N. 89°55'01" W. 75.00 feet to the POINT OF BEGINNING. . .

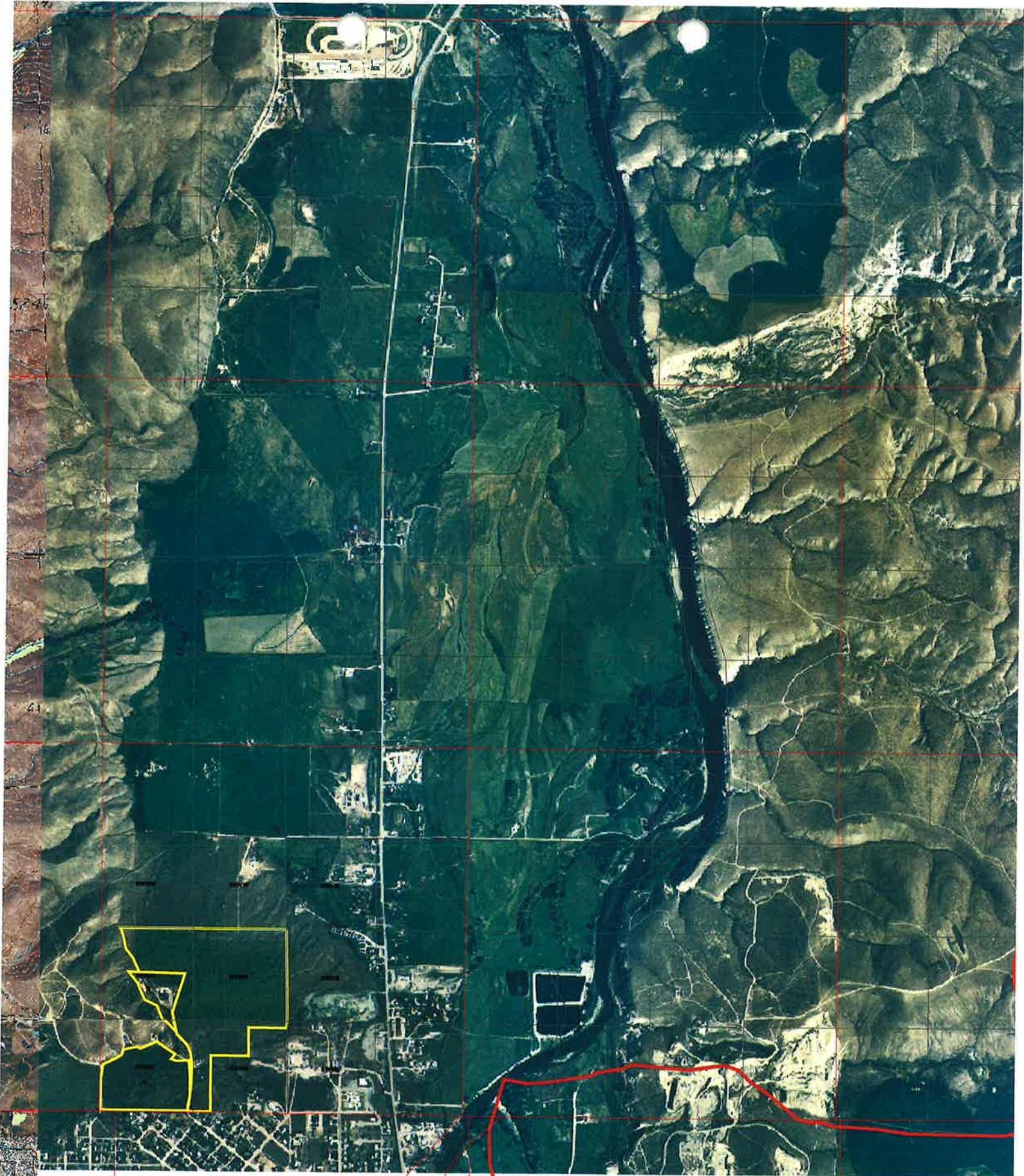
* * *

Together with all water, water rights, ditches and ditch rights including but not limited to the following:

Water Right No.	Priority Date	Amount	Source
75-0019	1868	25"	Jessie Creek
75-0113	1894	75"	Jessie Creek

All of First Party's rights are to be used for the irrigation of the following lands as further described in Parcel A of the record of survey for the Blackadar Ranch duly recorded in the record of survey Book 4 at Page 52 and as Lemhi County Instrument No. 188384.

JAN 03 2009



SCANNED
JAN 03 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-113

WATER RIGHT NUMBER: 75-113

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ESTATE OF JOHN LONG , ID
Current Owner	WALTER L BLACKADAR , ID

Priority Date: 04/01/1894

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
JESSE CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	/	to /		
IRRIGATION	/	to /	2.000 CFS	
		<u>Total Diversion:</u>	2.000 CFS	

Location of Point(s) of Diversion

JESSE CREEK NW1/4NW1/4 Sec. 1, Twp 21N, Rge 21E, B.M.
LEMHI County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
22N	22E	31									X	X	X	X					
												L3	L4						

DOMESTIC same as IRRIGATION

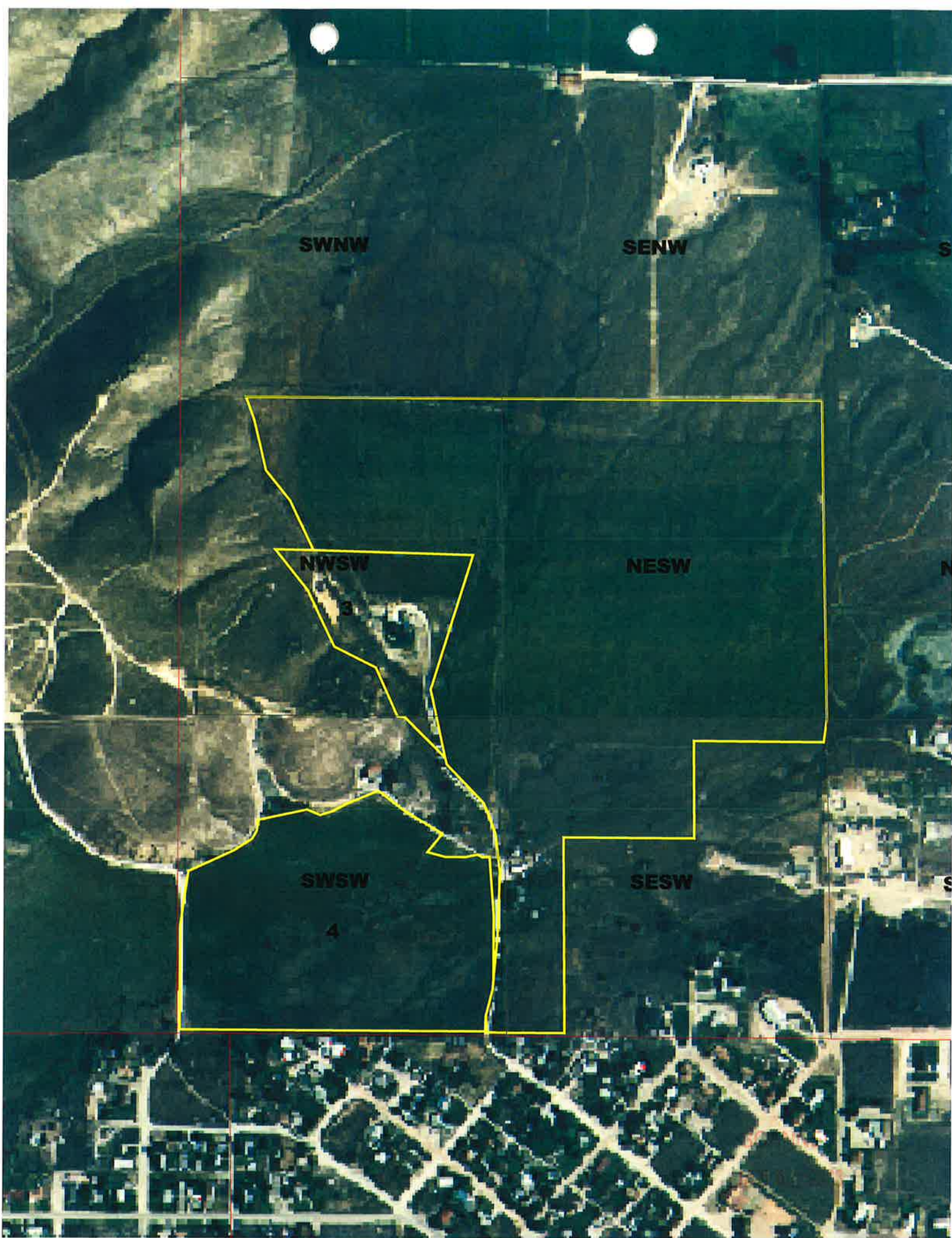
Conditions of Approval:

1. TRANS. 1090. P/D SOURCE J. FEREBAYER.

Remarks:

Comments:

JAN 03 2008



50° X
SCANNED

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: A75-00113A

Date Received: 4/12/1990

Receipt No: ~~2999999~~ 6013112

Received By: SAV

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOIS BLACKADAR 208-756-2094
Address: P.O. BOX 321
SALMON, ID 83467

2. Date of Priority: APR 01, 1894

3. Source: JESSE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	21E	1	NE	SW	NW		LEMHI

5. Description of diverting works:
HEADGATE IN STREAM TO DITCH. FLOOD AND SPRINKLER IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		

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

8. Total consumptive use is 55.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
22N	22E	31	SW	SW	4	IRR	22.0
Section Acres							22.0

A75-00113A

Page 1

Date: 04/12/90

SCANNED
JAN 03 2008

MICROFILMED
DEC 15 1992

10. Place of Use: Continued

Total Acres 22.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
PORTION OF 75-00019A

14. Remarks:
THIS RIGHT IS CLAIMED AS A PORTION OF 75-00113 ACQUIRED THROUGH
DIVISION OF PROPERTY. SEE ATTACHED DEED.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

MILLER

Decree Plaintiff

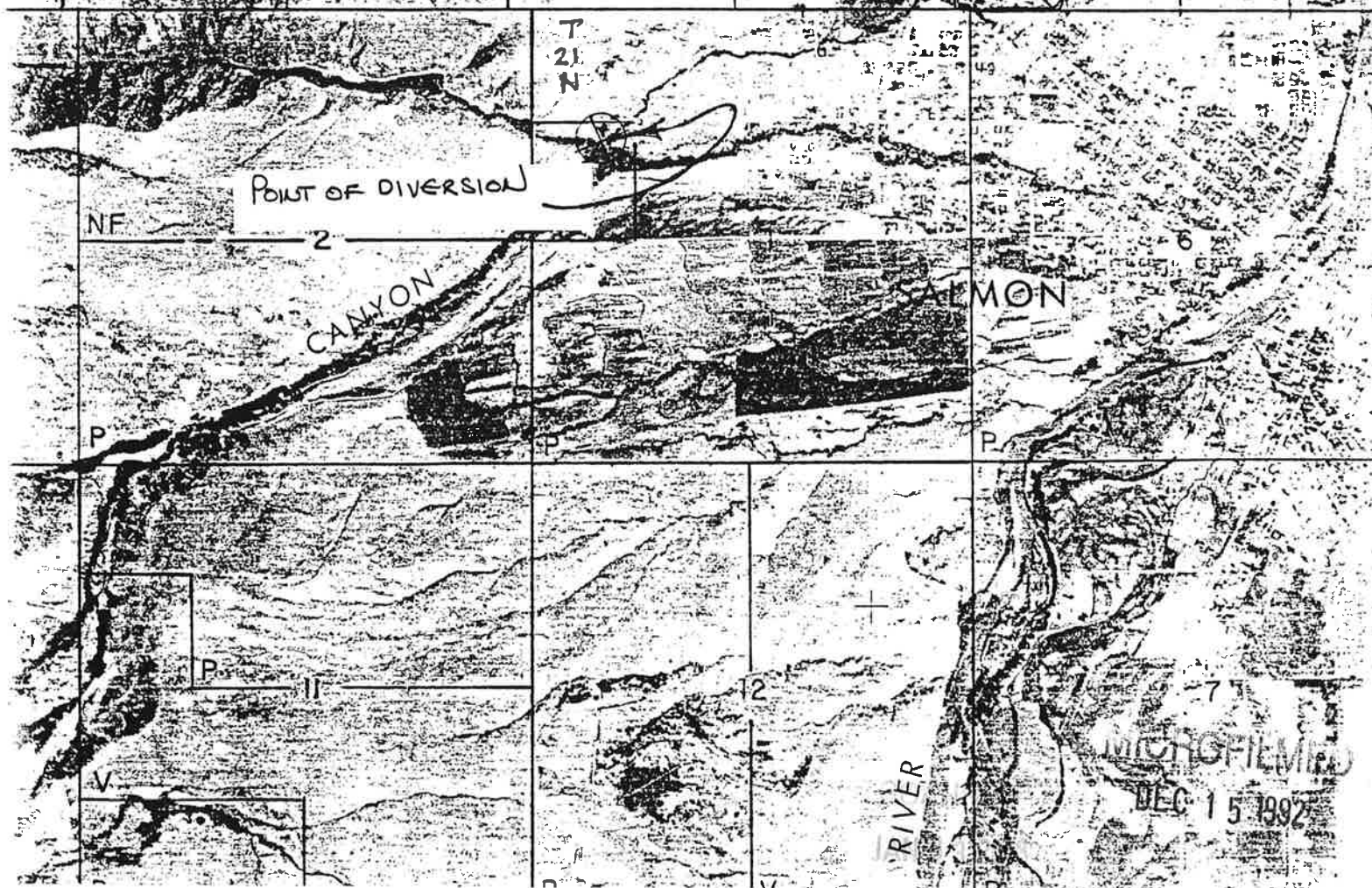
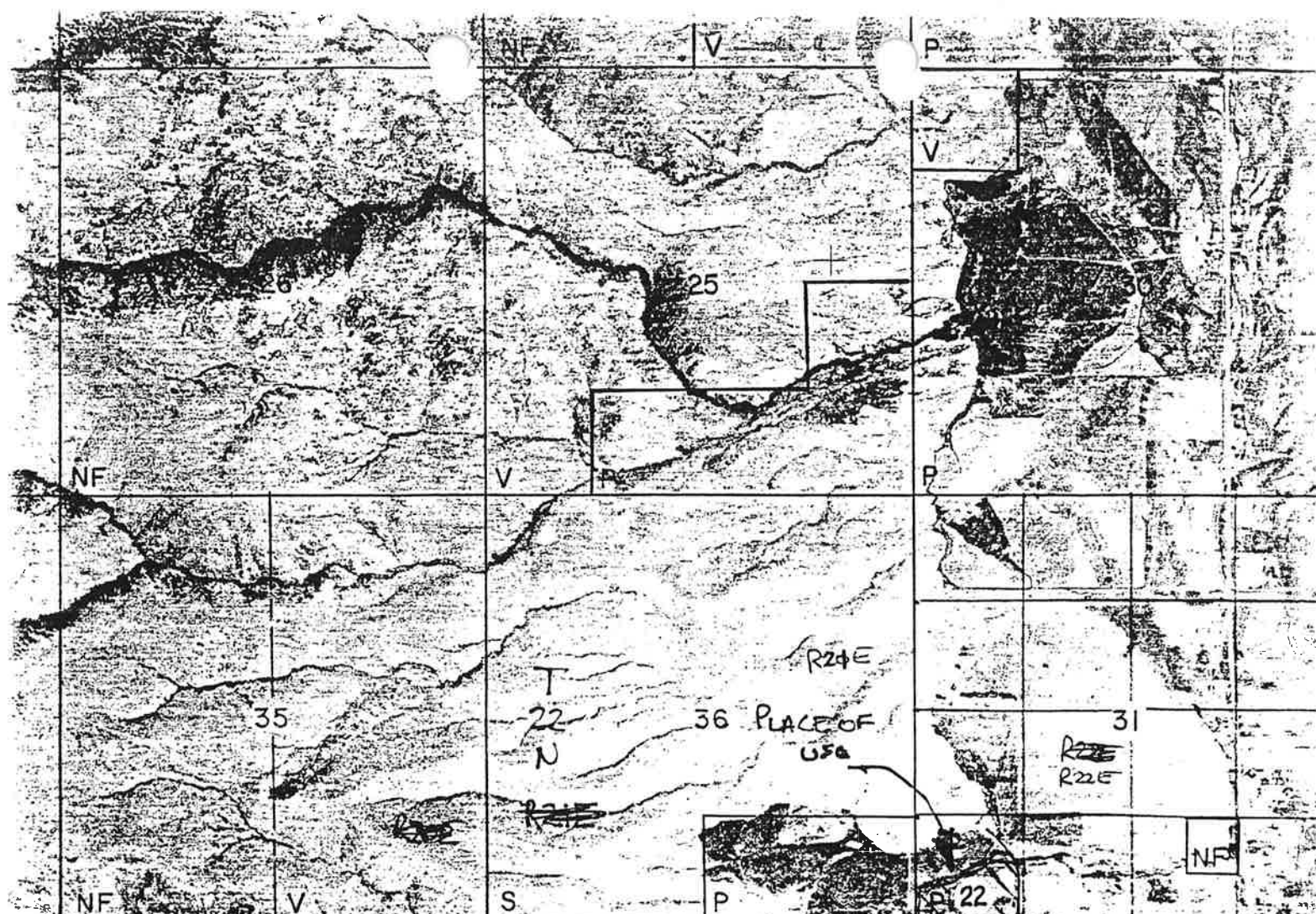
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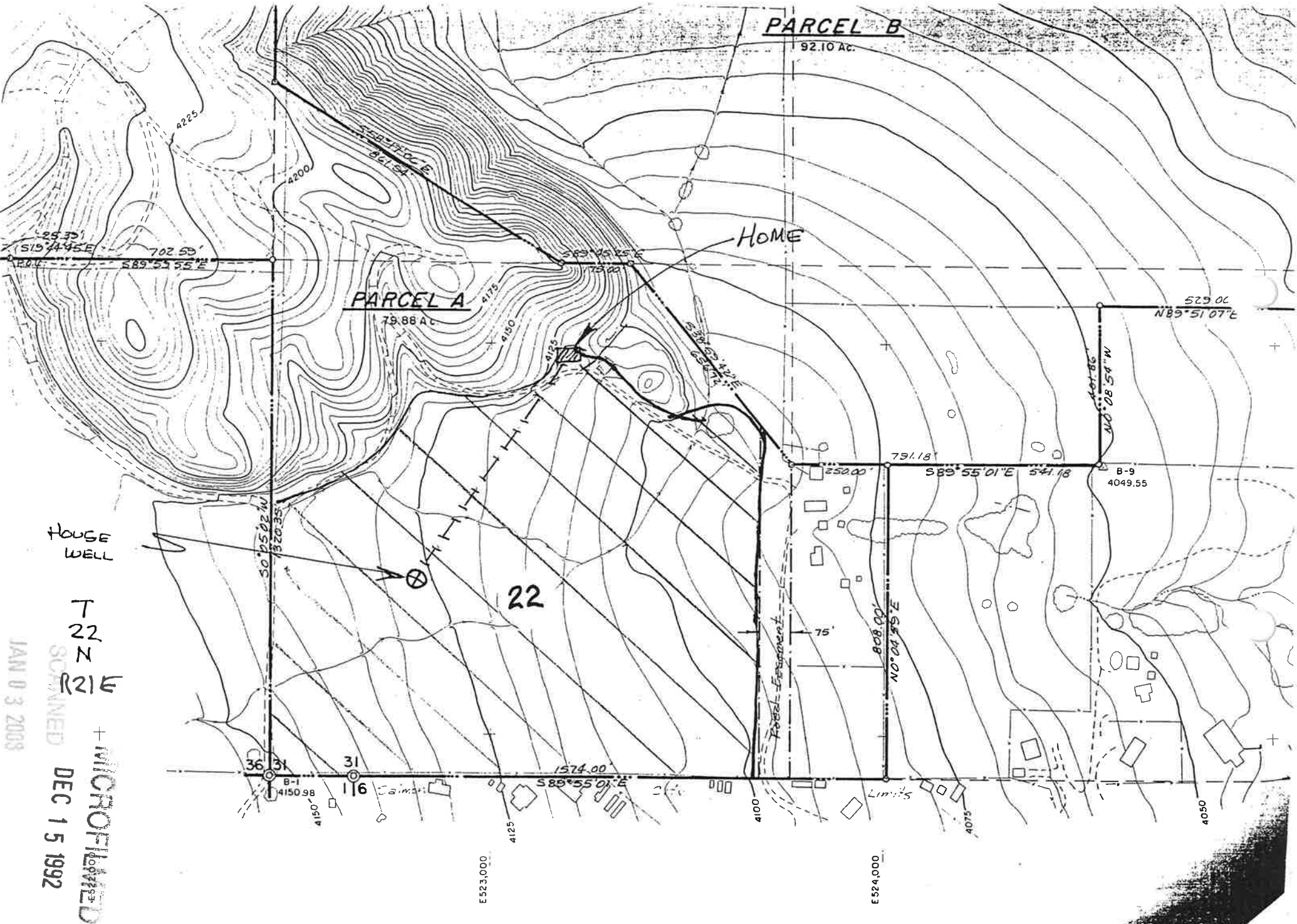
LONG ET AL

Decree Defendant

(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 ~~o~~ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

MICROFILMED
DEC 15 1992





JAN 03 2003
SCANNED
DEC 15 1992
+ MICROFILMED

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-19A

WATER RIGHT NUMBER: 75-19A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WALTER L BLACKADAR
	, ID
Original Owner	C C WILLIS
	, ID
Original Owner	JOHN WHEELER
	, ZZ

Priority Date: 06/01/1868

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
JESSE CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	1.307 CFS	
	<u>Total Diversion:</u>	1.307 CFS	

Location of Point(s) of Diversion

JESSE CREEK	SW1/4NW1/4	Sec. 2, Twp 21N, Rge 21E, B.M.
LEMHI County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22N	22E	31									X	X	X	X					
											L 3	L 4							

Conditions of Approval:

1. SPLIT BY UNKNOWN TRANSFER.
QUANTIFIED BY FEB. 12, 1973 LISTING.
P/D SOURCE J. FEREBAYER.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-19A

WATER RIGHT NUMBER: 75-19A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	WALTER L BLACKADAR

	, ID
Original Owner	C C WILLIS

	, ID
Original Owner	JOHN WHEELER

, ZZ

Priority Date: 06/01/1868

Basis: Decreed

Status: Active

Source

JESSE CREEK

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

/ to /

Diversion Rate

1.307 CFS

Annual VolumeTotal Diversion:

1.307 CFS

Location of Point(s) of Diversion

JESSE CREEK

SW1/4NW1/4

Sec. 2, Twp 21N, Rge 21E, B.M.

LEMHI County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22N	22E	31									X	X	X	X					
												L 3	L 4						

Conditions of Approval:

1. SPLIT BY UNKNOWN TRANSFER.
QUANTIFIED BY FEB. 12, 1973 LISTING.
P/D SOURCE J. FEREBAYER.

Remarks: