

12/20/2006

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

RIGHT NUMBER: 75-4016A
NAME AND ADDRESS: ROBERT L DANIELS
16 OVERACKER WAY RD
SALMON ID 83467-5429

WILMA C DANIELS
16 OVERACKER WAY RD
SALMON ID 83467

SOURCE: SPRING CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.040 CFS

PRIORITY DATE: 07/31/1928

POINT OF DIVERSION:

T24N R18E S12 NESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.040 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T24N R19E S07 NESW 1.20

1.2 ACRES TOTAL

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

11/20/2006

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

RIGHT NUMBER: 75-4016A
NAME AND ADDRESS: ROBERT L DANIELS
16 OVERACKER WAY RD
SALMON ID 83467-5429

WILMA C DANIELS
PO BOX 68
SALMON ID 83467

SOURCE: WEST FORK SPRING CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.040 CFS
PRIORITY DATE: 06/04/1918
POINT OF DIVERSION: T24N R18E S12 NESE Within LEMHI County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.040 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T24N R19E S07 NESW 1.20		
	1.2 ACRES TOTAL		

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



Idaho Department of Water Resources

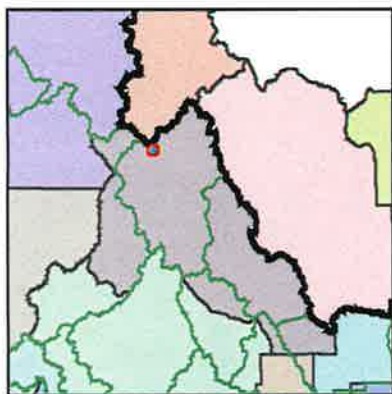
SRBA Recommendation:

75-4016A

(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Sunday, November 19, 2006
2004 Aerial Photography



Idaho Department of Water Resources

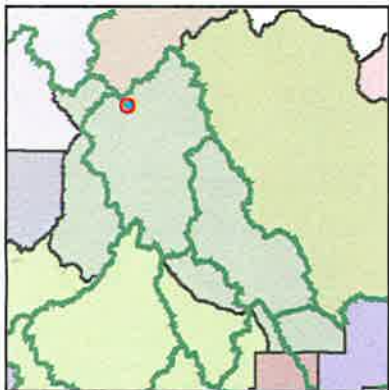
SRBA Recommendation:

75-4016A

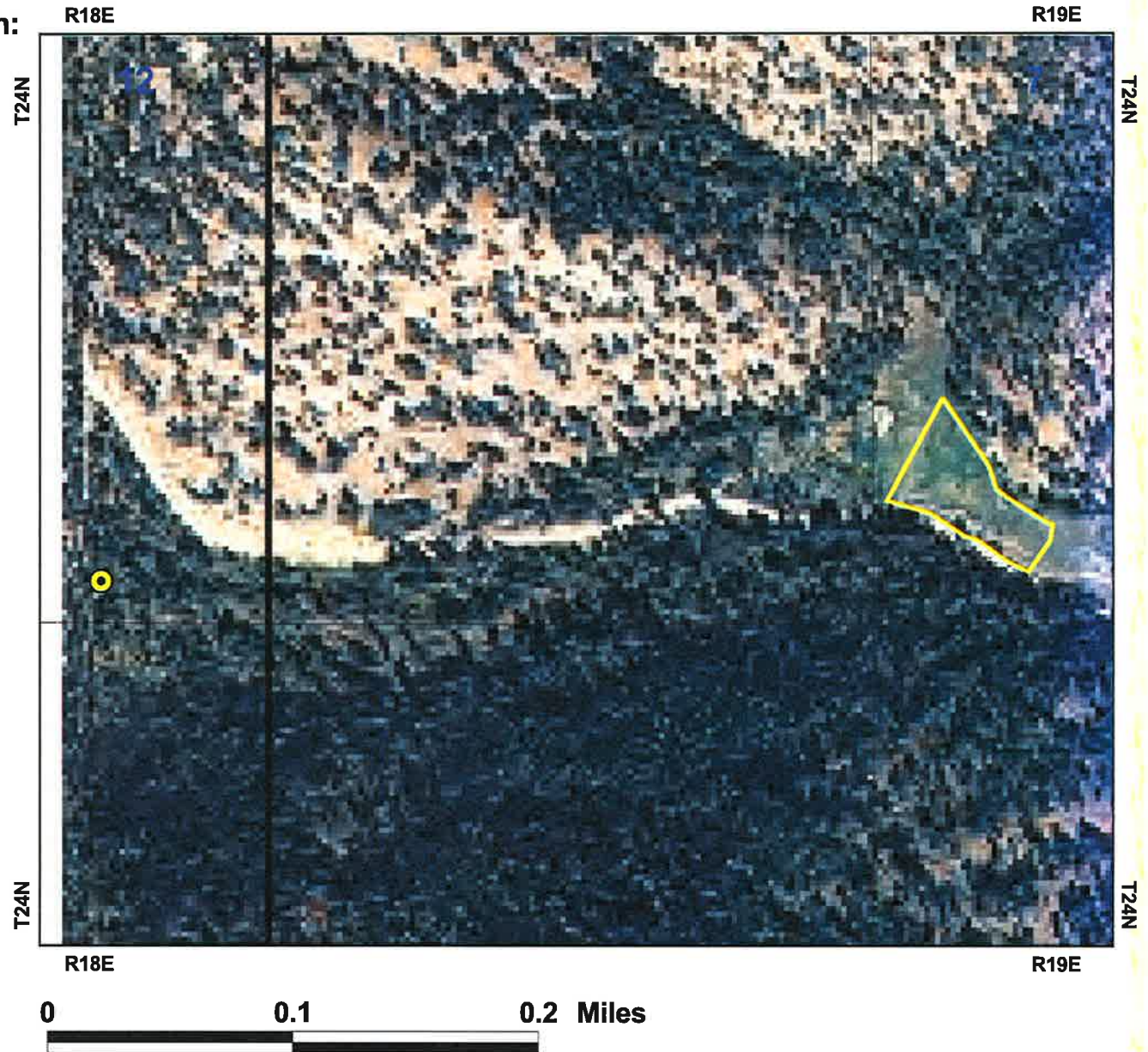
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Wednesday, July 26, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources

SRBA Recommendation:

75-4016A

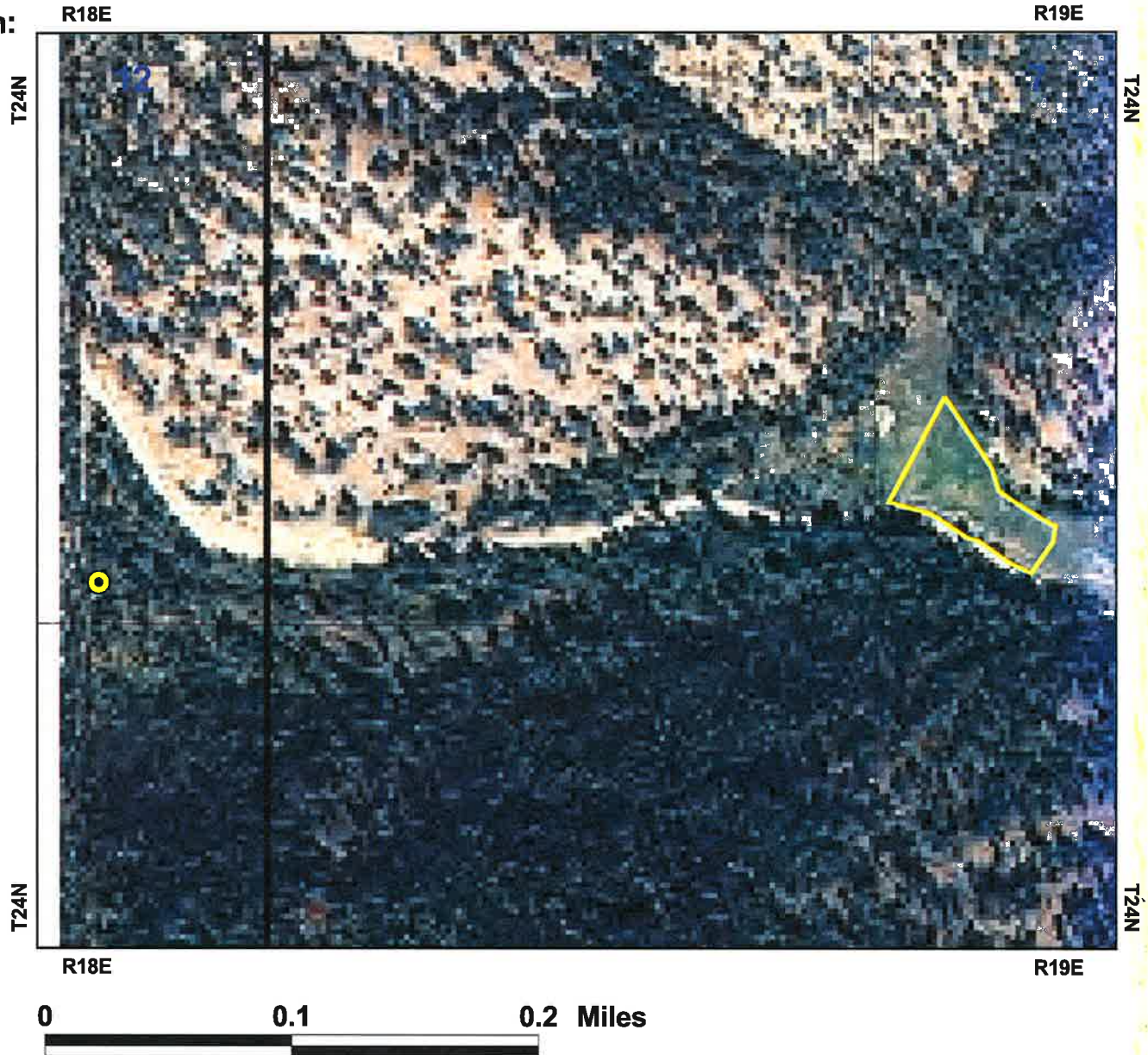
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Wednesday, July 26, 2006
1987/88 Aerial Photography



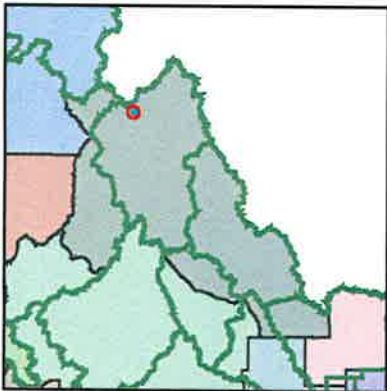
Idaho Department of Water Resources

Adjudication Claim:

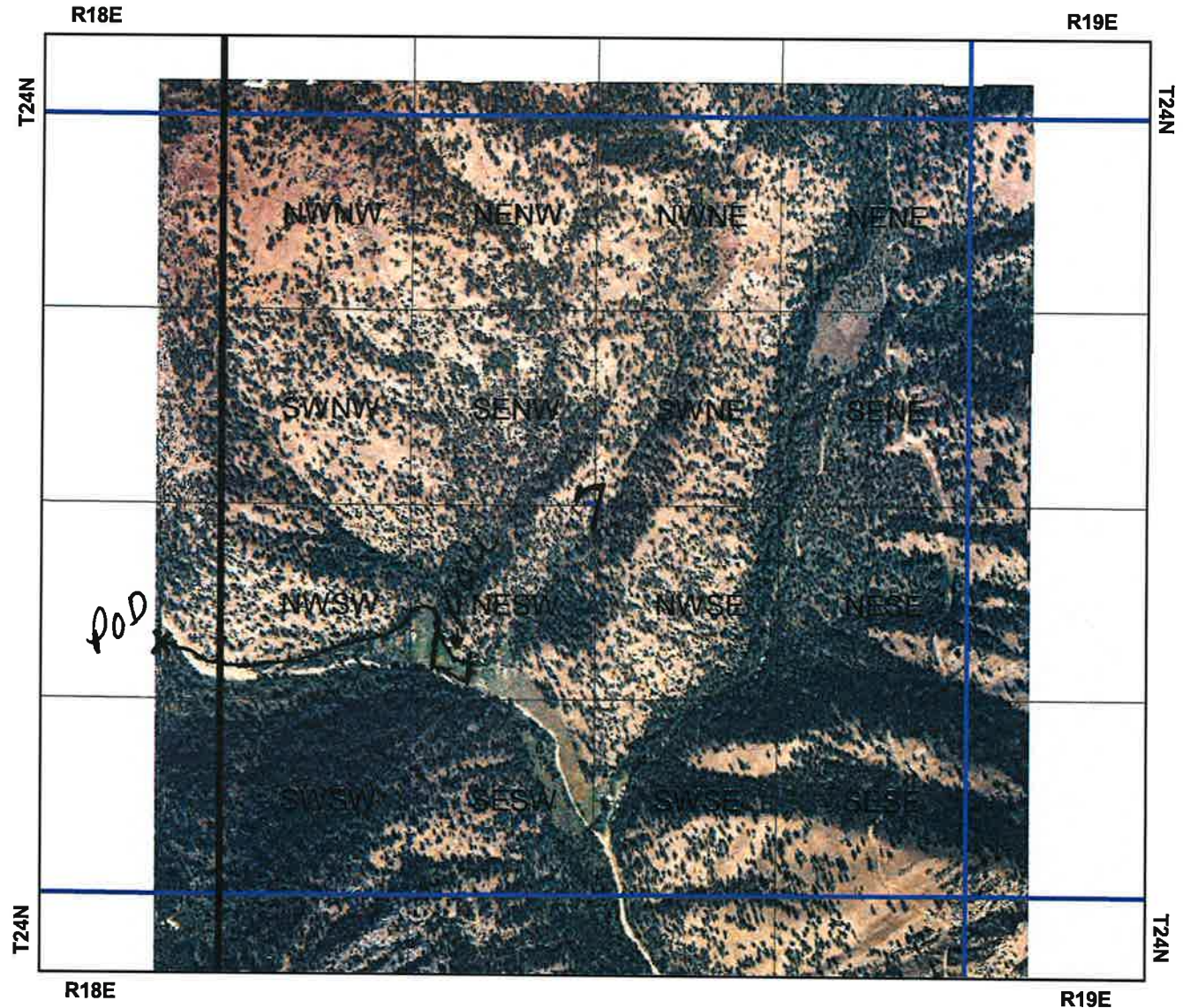
75-4016A

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Sunday, March 5, 2006
1987/88 Aerial Photography

Owner: **ROBERT L DANIELS**

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.

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: 75-4016A

ROBERT L DANIELS
16 OVERACKER WAY RD
SALMON ID 83467-5429
Telephone Number: (208)756-2156

WILMA C DANIELS

~~PO BOX 68~~

~~SALMON ID 83467~~

~~Telephone Number: (208)756-2025~~

16 OVERACKER WAY RD
SALMON ID 83467
208-756-2156

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: 12/5/06

SIGNATURE: Robert L Daniels

Please print your name: ROBERT L. DANIELS

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

RECEIVED

DEC 13 2006

IDWR/North



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 21, 2006

To Water Users of Basin 75,

Please find enclosed the Preliminary Director's Report for your water right claims in the Snake River Basin Adjudication. This is an important opportunity to review the Idaho Department of Water Resources' (IDWR) conclusions regarding your water rights, resolve errors, and have questions answered **before** the report is finalized for the SRBA Court.

CONTENTS OF THIS MAILING:

- ❖ Preliminary Director's Report Instructions (colored page, front and back)
- ❖ Letter From Karl Dreher, Director of IDWR
- ❖ General Map of Basin 75 for vicinity reference
- ❖ **Your Water Right Recommendation(s) & Map(s)** with Notice of Error form(s)
- ❖ Letter from the Presiding Judge, Snake River Basin Adjudication Court

Please join us for an informational presentation at:

2:00 P.M. or 7:00 P.M. on Wednesday, December 6, 2006, at the Conference Room of the Stagecoach Inn, 201 Highway 93 North, Salmon, Idaho.

Additional time to discuss your claims is available by appointment on December 7th at the Conference Room of the Stagecoach Inn. You may call the Adjudication Hot Line at 1-800-451-4129 to pre-schedule an appointment for December 7th.

If you miss the informational meeting or need additional assistance then give us a call to set up an appointment in Salmon, Boise or Coeur d' Alene.

Respectfully yours,

David R. Tuthill, Jr.
Division Administrator
Idaho Department of Water Resources

(Other instructions on the back)

EXPLANATION OF ELEMENTS OF A WATER RIGHT

To assist you in reviewing the preliminary recommendation of your claim are the following explanations:

Water right number: This number is assigned by IDWR to identify your claim. The first two digits indicate the sub-basin of the Snake River Basin where your claim is located.

Name and address of claimant: This is the name and address shown on the notice of claim form, or on the most recent *Notice of Change of Water Right Ownership* (see enclosed form if you need to change this information) that was filed with IDWR as required by statute.

Source: The source is the natural water body to which the claimant has a right. For surface water sources, the natural water body to which the source is tributary is also shown.

Priority Date: This is the calendar date which is used to determine the relative priority of the right in relation to other rights from the same source, and is determined based on the method of appropriation (see basis of right, below). When there is insufficient water available to satisfy all existing rights, the water right holders with the oldest priorities are entitled to have their water rights satisfied before right holders with newer priorities are entitled to water.

Purpose of Use: Purpose of use indicates the general type of use made on the water, such as irrigation, domestic, or stockwater.

Period of Use: The period of use is the portion of the calendar year when water may be used for a particular purpose.

Quantity: The quantity of the right is the rate of diversion in cubic feet per second (CFS), the volume of water diverted in acre feet per calendar year (AFY), and/or the volume of water stored in AFY. The quantity for each purpose of use is shown, as well as the total quantity.

Non-irrigation Uses: If your preliminary recommendation includes purposes of use other than irrigation, then this element further describes the other purposes of use.

Point of Diversion: The point of diversion is the point at which water is diverted from the source, and is generally described by a legal description of the 40 acre tract (1/4 1/4 section or 1/16 section) or government lot within which the point of diversion is located. In some instances the point of diversion is described by a legal description of the 10 acre tract (1/4 1/4 1/4 section or 1/64 section) within which the point of diversion is located.

"B" and "E" suffixes indicate the beginning and ending points of an instream flow right. "I" and "R" suffixes indicate points of injection and rediversion. Points of injection and rediversion are indicated where water is diverted from one source, injected into another source, and then rediverted, or where water from one source is exchanged with water from another source.

Place of Use: The place of use is the location where water is used, which is indicated by a legal description of the 40 acre tract (1/4 1/4 section or 1/16 section) or government lot where the water is used. For irrigation rights, the number of irrigated acres in each 40 acre tract or government lot is listed.

Remarks: Remarks, if any, further describe the particular right. PLEASE REVIEW THE REMARKS CAREFULLY.

Basis of Right: The basis of right may be a decree (where the water right was previously determined by a court); posted notice (an historical method of appropriation that is no longer available); beneficial use (another historical method of appropriation that is available today only in very-limited circumstances); permit (where IDWR has granted an application seeking approval of a proposed appropriation); or license (where an appropriation has been completed pursuant to permit).



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

November 15, 2006

Dear Water Right Claimant(s):

The Idaho Department of Water Resources (IDWR) has completed its initial investigation of your water right claim(s) in the Snake River Basin Adjudication (SRBA). We have enclosed a printout showing our preliminary recommendation for reporting your claim(s) to the SRBA District Court later in 2006.

Please review the preliminary recommendation carefully. If there is any information on the printout that you believe is inaccurate, please fill out the enclosed reply form Notice of Error indicating what changes you believe should be made. Further instructions to assist you with review are enclosed. For water rights with an irrigation water use, a Geographic Information System (GIS) computerized image of the place of use for your water right is also enclosed.

You may return this reply in person to us at a public meeting IDWR will be conducting in your area that is identified in the enclosed instructions. Please take advantage of one of the public meetings, where you will have an opportunity to find out more about the SRBA process and speak with a department staff member should you have questions regarding your water right claim(s). Please bring any and all information you have which will help the Department understand your claim(s) and describe them accurately. If you want to call my office, please call (800) 451-4129 or (208) 287-4922.

This process is intended to ensure IDWR recommends your water right accurately to the SRBA District Court. This is the easiest and least costly means for you to identify corrections you believe should be made to our recommendation. Completion of this process is an important step toward the overall success of the adjudication in Idaho. Your participation is necessary for and appreciated by IDWR to provide accurate information to the SRBA District Court.

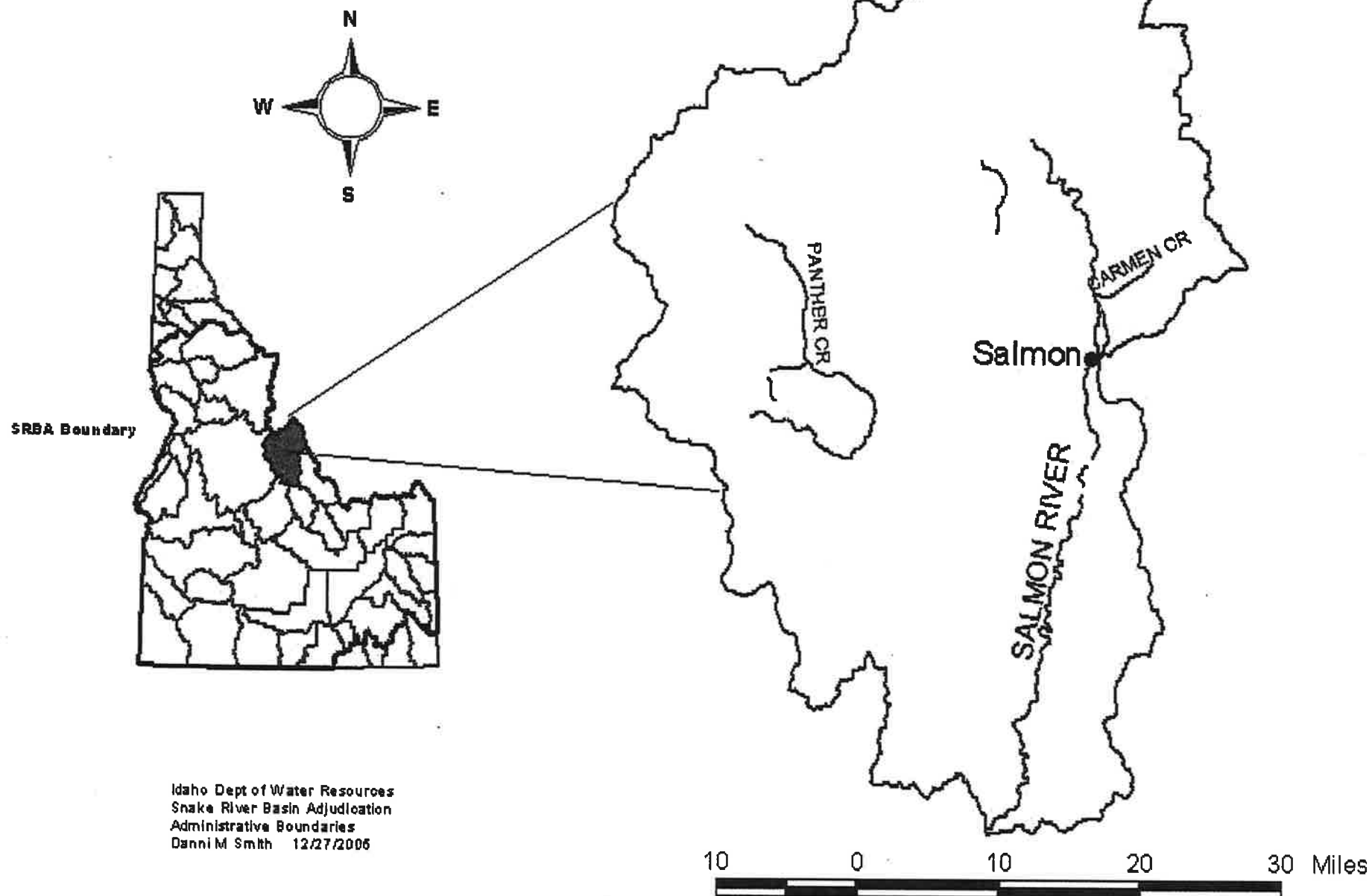
We look forward to hearing from you.

Sincerely,

Karl J. Dreher
Director

Enclosures

BASIN 75 MAP



DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
STATE OF IDAHO



JOHN M. MELANSON
PRESIDING JUDGE
(208) 736-3011
FAX (208) 736-2121

SRBA CHAMBERS
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Dear Water Right Claimant:

To help you with your water right claim(s) in the Snake River Basin Adjudication, this letter of explanation is being sent to you along with information sent by the Idaho Department of Water Resources (IDWR). Included are the following important documents which I ask you to please read carefully because they give you the opportunity to save a great deal of time and money:

1. **Preliminary Recommendation.** This is IDWR's *initial* finding and conclusion about your water right and how it should be reported to the SRBA Court. This preliminary recommendation is not filed with the court, but is provided to you to help correct errors or resolve any disagreement you may have over its content. This document has been prepared following IDWR's investigation and may be different than the claim(s) you actually filed.

Therefore, please review this preliminary recommendation carefully to find any errors or disagreements you have with IDWR's findings.

2. **Error Correction/Settlement Process.** This preliminary recommendation is a special service provided to you by IDWR to help you correct errors and resolve any other disagreement you have before the actual recommendations are ultimately filed with the court.

A description of how to work with IDWR is included. Our experience in the SRBA shows that by working in cooperation with IDWR most errors and differences can be addressed before coming into court. It's well worth your time to take full advantage of IDWR's helpful service. If your disagreement cannot be resolved, you will be able to file an objection to IDWR's actual recommendation when it is filed in court and have the final decision made by the Presiding Judge.

This error correction service is an important opportunity for you to work together with IDWR to make sure your water right claim(s) are decreed accurately. There is no cost to you other than your time reviewing the preliminary recommendation and talking to IDWR about any problem you see. Of course, you may always employ the services of an attorney if you wish.

The goal of the SRBA is to see that your water right(s) are decreed by the court as accurately and fairly as possible. It is important to me that this is done efficiently in order to reduce your costs and present you with your decree.

I strongly encourage you to take full advantage of this opportunity to use the fine and courteous services provided by IDWR.

Sincerely yours,

A handwritten signature in black ink, appearing to read "John M. Melanson".

John M. Melanson
Presiding Judge
Snake River Basin Adjudication

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: 75-4016A

ROBERT L DANIELS
16 OVERACKER WAY RD
SALMON ID 83467-5429
Telephone Number: (208)756-2156

WILMA C DANIELS
PO BOX 68
SALMON ID 83467
Telephone Number: (208)756-2026

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: _____ SIGNATURE: _____

Please print your name: _____

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

75-4016A

RECEIVED

JUL 26 2005

DEPARTMENT OF
WATER RESOURCES

7-18-05

Upon reviewing the field notes of
the surveyor of 1918 who makes
notes about a ditch on the property,
should our date (priority) be June 4 1918?

Bob Daniels

ENCLOSED

SURVEYOR NOTES	1918
F/SERVICE NOTES	1923
F/SERVICE NOTES	1928
WIEDERRICK TESTIMONY	1941
HASLETT TESTIMONY	1953
GALLIGAN TESTIMONY	1972

SCANNED

JUL 26 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4016A

WATER RIGHT NUMBER: 75-4016A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ROBERT L DANIELS PO BOX 68 SALMON, ID 83467 (208)756-2156
Current Owner	WILMA C DANIELS PO BOX 68 SALMON, ID 83467 (208)756-2026

Priority Date: 09/05/1928

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WEST FORK SPRING CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	to 11/01	0.040 CFS	
	<u>Total Diversion:</u>		0.040 CFS	

Location of Point(s) of DiversionWEST FORK SPRING CREEK
LEMHI County

Sec. 7, Twp 24N, Rge 19E, B.M.

Place of UseIRRIGATION Within LEMHI County

T24N R19E S07 2.0

Total Acres: 2

Conditions of Approval:

1. P/D & P/U H.E.S. 544, S7, T24N, R19E.
AC. IRR. = 1.67 SPLIT RIGHT.

Remarks:RECEIVED
JUL 26 2005
DEPARTMENT OF
WATER RESOURCES

SCANNED

JUL 26 2005

7-14-05

RE. SPRING CREEK HES 544

TO WHOM IT MAY CONCERN

I PERSONALLY IRRIGATED AND
CUT HAY ON THE SPRING CREEK
PROPERTY LISTED ABOVE, STARTING
IN 1953 WHEN MY FAMILY PURCHASED
IT. WE OPERATED THIS RANCH, AS A
RANCH, UNTIL IT WAS SOLD IN
1968.

Robert Haskell

Box 986 Salmon Id



Natalie Banta
my commission expires
5-18-2010

SCANNED

JUL 26 2005

July 15, 2005

Idaho Department of Water Resources
PO Box 83720
Boise, ID 83707-9815

I am an owner of a portion of H.E.S. 544 in the Spring Creek drainage of Lemhi County and in 1972 filed a claim to a water right, No. 75-4015, to use the existing ditches for irrigation.

I wish to state that since 1972, I have diverted water from Spring Creek to irrigate my property.

I also attest that the additional owners of H.E.S. 544, present and past since 1972 have also diverted water since then for irrigation purposes.

Sincerely,

William B. Galligan

William B. Galligan



Natalie Banta
my commission expires
5-18-2010

SCANNED

JUL 26 2005

RE: SPRING CREEK HES 544

TO WHOM IT MAY CONCERN

I LIVED IN THE SPRING CREEK
AREA FROM 1941 TO 1949

BEING KIDS WE WOULD
VENTURE UP SPRING CREEK
TO FISH QUITE OFTEN.

THE PROPERTY LISTED ABOVE
WAS ALWAYS IRRIGATED
WITH HAY BEING RAISED
AND HORSES AND COWS
BEING PASTURED



Robert Wiederrick
1403 Phoebe Ave
SALMON IDAHO

State of Idaho

Lemhi

County of

On this 13 day of July in the year 2005, before me, a Notary Public in and for said state,
personally appeared ROBERT WIEDERRICK known or identified to
me to be the person whose name is subscribed to the within instrument and acknowledged to me that HE
executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above
written.

Diana Dee McClain
Notary Public for the State of Idaho

Residing at: SALMON,

Commission Expires: 5/22/07

SCANNED

JUL 26 2005



UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE



L
Claims-Salmon
Bevan, Fred Jr.
Blackfoot Land Office

1. Claimant.

Fred Bevan Jr., Ulysses Idaho, unmarried.

2. Description of Land.

For a tract of land described by metes and bounds as follows.

Beginning at U.S.L.M. No. 544 from which Cor. No. 7 of H.E.S. 280 bears S. 18° 33' E. 80.98 chains as corner No. 1; thence S. 71° 45' W. 6.63 chains to Cor. No. 2; thence N. 19° 40' W. 14.80 chains to Cor. No. 3; thence N. 76° 45' W. 15.80 chains to Cor. No. 4; thence N. 45° 45' E. 9.00 chains to Cor. No. 5; thence S. 45° 00' E., 8.00 chains to Cor. No. 6; thence N. 43° 11' E. 6.00 chains to Cor. No. 7; thence S. 27° 05' E. 23.03 chains to point of beginning. List 4-1642, HES 544, located in Sec. 7, T. 24 N., R. 19 E., and Sec. 12, T. 24 N., R. 18 E. Bouse Meridian, within Salmon National Forest, containing 18.13 acres.

Spring Creek crosses the claim. The claim is 2 miles from Northfork-Shoup road and is reached by road up Spring Cr. The nearest railroad is Salmon, Idaho, a distance of 43 miles.

3. Topography and Surface.

Approximate altitude is 3600 feet above sea. Land slopes with fall of the creek gradually to the South. Agriculture possibilities are limited to a few acres of land along stream bed. Approximately 9 acres is suitable for cultivation.

4. Settlement and Residence.

Claimant settled on land during the Spring of 1925. Actual residence was established date unknown, 1925.

Claimant resided on the claim from June 1925 to 1928 with the exception of short periods of three or four weeks when necessary to be employed at other business.

Cultivation of approximately 7 acres has taken place and in hay at the present time. No cultivation can be reported for the summer of 1927 as the place was used for pasture. Examination for dwelling premises show a complete cooking and housekeeping such as cook stove, dishes, bed and bedding, chairs and table. Farm implements consisting of plow, harrow and other small tools.

SCANNED

JUL 26 2005



UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
SALMON NATIONAL FOREST

5. Improvements.

Dwelling consists of log cabin 18'x 20', three rooms. Probable value of the dwelling \$100.00. The dwelling is ~~xx~~ habitable at all seasons. Barn, 16'x 20', probable value \$60.00. Ice house, 12' x 16' probable value \$50.00. Approximately one half mile of fence has been built consisting of three poles, this fence is in fairly good state of repair.

6. Cultivation.

Approximately seven acres has been cleared and producing agricultural crops. Two acres of land has been slashed or cleared of brush. A ditch of about one half mile had been constructed. The present claimant states that he has never raised crops only as planting and using them as pasture.

7. Grazing. Claimant has 10 head of horses which are used on the claim and for packing hunters and camper.

8. Timber.

With the excepting of about 3000 ft. of yellow pine timber and some brush species there is no timber on the land.

9. Additional Information.

The claim is not used in any way for trade or business or for any purpose not contemplated by the homestead law. Claimant has never made homestead entry elsewhere. Claimant does not own any land. The claim has not been mortgaged or sold.

It is not believed that this claim has been made at the interest of others, or believed to be in any way fraudulent.

Since the land has been given a fair test as to its agriculture purposes and crops of value have been grown it is believed that the chief value of this land is for agriculture purposes. The land was examined by a Forest officer October, 1927.

10. Good Faith.

The claimant has resided on the land since June 1925, and has no other residence.

11. Recommendations.

The claimant has filed notice of intentions to submit final proof and has made arrangements therefore. Claimant has complied with all homestead laws.

Report submitted by

Heath E. Dwyer
Forest Ranger
July 31, 1928

SCANNED

JUL 26 2005

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

SALMON NATIONAL FOREST

MAR 7 1919

L
Claims-Salmon
~~Collier, Daniel~~
Hailey-H.E. 023676

1. CLAIMANT.

Daniel Collier, present residence or address unknown.
Claimant is not known to be married or to have a family.

2. DESCRIPTION OF CLAIM.

Location of claim is in unsurveyed sections 12, T 24 N, R 18 E, B.M., and in section 7, T 24 N, R 19 E, B.M., at the Forks of Spring Creek approximately three miles north of the North Fork-Shoup stage road.

3. TOPOGRAPHY AND SURFACE.

Claim lies on and about the confluence of the two main branches of Spring Creek and mainly consists of flat area of creek bottom running back to the sloping sides of the surrounding hills. The altitude is approximately 3400 feet above sea. The slope of the bottom land is gradual and slight and toward the south. The portion of the claim bordering on the surrounding hills has slopes from 20 to 45 per cent. Approximately 8 acres would be suitable for tilling.

4. SETTLEMENT AND RESIDENCE.

Claimant settled on the land March 15, 1918. Date of filing May 12, 1919. Actual residence was established March 15, 1918. During the season of 1918, claimant resided on claim and tilled and improved approximately 3 acres, constructed ditches for irrigation and fenced a small area. At this time claimant was married and his wife resided with him on the claim. In July of year 1918, the wife died and the claimant left the claim to accept employment of various short periods at nearby ranches. During the summer claimant was called in the draft and left the ranch without a tenant. During the following years of 1919, 1920, 1921, 1922 and up to the present date of 1923, no other residence of the claimant on the claim in question is to be reported. After the month of July 1918, no cultivation of the claim was performed. The implements for farming were removed in 1918, and nothing remains in the house at the present time except a few useless kitchen utensils, an iron bed, springs and a mattress partly destroyed. The following names of witnesses for reference are submitted: J. R. Hibbs, Ulysses, Oscar Westfall, Ulysses, Idaho, and Chas. Twining, Shoup, Idaho.

SCANNED

JUN 26 2005

5. IMPROVEMENTS.

The dwelling is a log structure 14'x 20', board floor, two windows, one room. At the time it was constructed it probably cost \$40, and was substantial and habitable at all seasons. Since 1918, the building has been out of repair and at present would not afford comfortable quarters for habitation during stormy or winter weather.

The water supply is Spring Creek about 50' from the dwelling. An area of 10 acres was fenced with pole, leaning fence, and brush fence, whole length being about 40 rods, the steep bank of the creek being used in places as a barrier. This fence is now out of repair and useless.

The fence is the only improvement built by the claimant.

6. CULTIVATION.

None of the land is producing agricultural crops at the present time and has not since the season of 1918, as stated in the foregoing. The area, 3 acres, as referred to under "Settlement and Residence", is all the land ever cultivated. This area was partly garden and partly seeded to clover for hay.

No orchard was planted.

The whole area was under ditch.

In addition to the tilled area, approximately one acre was slashed and cleared but not tilled. The cost of clearing the land tilled is unknown. It appears that little work of clearing was necessary.

The only crop raised, that of 1918 as stated, was only partly harvested or used. A small quantity of vegetables were used by the claimant during the summer of 1918. The hay was not cut but was grazed off by stock breaking into the inclosed area after the claimant left the claim. All of the land cultivated was cleared and ditched by the present claimant.

The claimant owned a number of horses which were grazed on the National Forest under G-5 regulation.

7. GRAZING.

As stated in the last two lines under "Cultivation".

8. TIMBER.

Approximately 8 acres of the claim supported a stand of merchantable timber. Estimated number of feet board measure, 25 M, valued at \$67.50.

Approximately 10 M feet board measure was cut by first claimant, Jay Carlan, for construction of cabin and fence. Date of cutting unknown. All the timber cut was put into improvement of claim. Claimant did not sell or negotiate for sale of any timber from the claim.

9. ADDITIONAL INFORMATION.

The claim is not used in any way for trade or business or for any purpose not contemplated by the homestead law.

It is not known that the claimant ever made homestead entry elsewhere.

Claimant does not own land of any kind.

Claim has not been sold or mortgaged.

It is not believed that the claim was made at the instance or in the interest of others.

The land of the claim is most valuable for saw mill site and log banking purposes. It is too isolated and too small to be considered a farm unit. There is a sufficient amount of merchantable timber tributary to the site to warrant a saw mill of 25 M feet capacity.

The claim was examined by Forest officer, October 8, 1922.

10. GOOD FAITH.

The claim has not the appearance of a permanent home. The dwelling is in a state of delapidation, not habitable at the present time, the ~~implements~~ for cultivation are gone and nothing of value or usable in the way of equipment is in evidence.

11. RECOMMENDATIONS.

The residence of the claimant is not known. Since his discharge from the army he has been most constantly in one or another of the various hospitals of the Government and is believed to be entirely disabled. His disability was brought on by some disease of the spine. He was not overseas with the army. On April 10, 1922, he was in a hospital at Missoula, the address being given as 528 West Spruce Street, Missoula, Montana.

No knowledge of the present residence of the claimant can be obtained from local sources, the last information of his location is as stated in the preceding paragraph. The appearance of the claim point toward abandonment. It is therefore recommended that a hearing should be ordered to determine the validity of the claim.

C. F. Clark

Forest Ranger.

Approved _____ 1923.

Supervisor.

SCANNED

11-11 6 2005

FIELD NOTES

SALMON

approximately

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Index:

CONFIDENTIAL

A tract of land classified as chiefly valuable for agriculture under the Act of August 10, 1912.

6-22-64
Jay Carlin

Salmon, Idaho.

[illegible]

4-1462 JUL 18 1964

DATE: 12-15-61 BY: [illegible] Daniel Collier

Ulysses, Idaho

Doc. No. 013378 Date: October 19 19

Mr. Office Bailey

During the trial by **Frank S. Maxwell, Attorney**

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June 6 19

Police Dept. of June 11, 1906, and March 6, 1917.

1947

RECEIVED
JUN 16 2005

Lucie P. Patterson
Henry Patterson

June 4, 1918: At a point 1 1/2 miles southeasterly from
Cor. No. 1 of this survey, at 4 P. M., I. M. I.
I observe Pelagia in position and near
the line of sight in azimuth when the ground by
a stake, firmly set, centered by a mark, 5.0
cms. dist. from my station.

Chains

Latitude = $45^{\circ} 25' N$: By account from H. E.
 Longitude = $114^{\circ} 09' W$: S. No. 250 (accepted).

From this observation I calculate the bearing to Polaris as $E. 0^{\circ} 19' 15'' E.$ (See computation sheet).

June 4, 1918: At the same station I lay off the azimuth of Polaris $0^{\circ} 19' 15''$ to the West and mark the meridian thus determined by a stake, firmly set, centered with a tack, 5.00 chs. dist. from my station.

June 5, 1918: At the same station at 2 h. 30 m. A. M. l.m.t., I begin to observe the eastern progress of Polaris. When the star begins to recede I mark the maximum position in the azimuth upon the ground, by a stake, firmly set, centered by a tack, 5.00 chs. dist. from my station.

June 5, 1918: At the same station, I lay off the azimuth of Polaris $1^{\circ} 37'$ to the West and find this meridian agrees within $0^{\circ} 02'$ of the Polaris meridian established from observation by hour angle observation on June 4, 1918.

I take the mean of these observations for a true meridian.

June 5, 1918: At the same station, at 8 h. 3 m. A. M. l.m.t., I set off $44^{\circ} 25' E.$ on the latitude arc, $22^{\circ} 31' E.$ on the declination arc and determine a meridian with the solar. This meridian agrees within $0^{\circ} 01'$ of the Polaris Meridian.

June 5, 1918: At the same station at apparent noon, I set off $22^{\circ} 31' E.$ on the declination arc and observe the sun on the meridian. The resulting latitude is $45^{\circ} 25' N.$ Latitude by account from H. E. S. No. 260 = $45^{\circ} 24' 30'' N.$ I therefore

Chains

assume my index error to be $0^{\circ} 02' 30'' N.$ and take this into account in all observations with the solar attachment.

June 5, 1918: At the same station at 4 h. 1 m. A. M. l.m.t., I set off $45^{\circ} 25' E.$ on the latitude arc, $22^{\circ} 33' E.$ on the declination arc and determine a meridian with the solar. This meridian agrees within $0^{\circ} 01'$ of the Polaris meridian. I therefore conclude my instrument is satisfactory adjustment.

Solar attachment used to determine all courses of this survey.

Magnetic Declination at Cor. No. 1 = $21^{\circ} 30' E.$

ESTABLISHMENT OF U. S. LOCATING MONUMENT NO. 544.

June 5, 1918: There being no corner of the Public Land Survey or any known Location Monument within two miles, I establish U. S. L. M. No. 544 as follows: At Cor. No. 1 of this survey, identical with Cor. No. 1 and Forest Service Monument of Mining survey, a granite stone, firmly set, and witnessed as described by the Surveyor General, I remove this stone and in its place I set a 2-in. iron post, equipped with a brass cap, 36 ins. long, 26 ins. in the ground, over broken china dishes, and 100 angle lines from the center, 1-111-544 in the easterly quadrant, 1-111-544 in the westerly quadrant for U. S. L. M. No. 544 and Cor. No. 1 of this survey.

A fir, 26 ins. in dia., bears $E. 23^{\circ} 30' E.$, 23 ins. dist.

A pine, 8 ins. in dia., bears $S. 21^{\circ} 00' E.$, 37 ins. dist.

SCANNED

JUN 26 2005

Chains

A pine, 28 ins. in dia., bears S. 20° 50' W., 73 lbs.
dist.

A fir, 10 ins. in dia., bears S. 77° 45' W., 110 lbs.
dist.

All trees blazed and mkd. X-UELK-544-BT and 1-HEB-544-BT.
Raise a mound of stone, 4 ft. base, 3 ft. high, 3½ ft.
dist., west of monument.

I deface the witnesses to P. J. M. and the listing Cor.
No. 1.

This monument is located about 3½ chs. northeasterly
from the confluence of the East and West forks
of Spring Creek, and about 2½ miles in a north-
westerly direction from the confluence of Spring
Creek and the Salmon River. Owing to the
locality being heavily timbered this monument is
not visible for any great distance.

BEGINNING AT COR. NO. 1 of this survey, identical with
the above described monument.

Thence

S. 71° 45' W.

Over rolling land, through heavy timber.

Descend.

0.70 Leave rolling and enter bottom land, bears NE. and SW.
30 ft. below Cor. No. 1.

Wagon road bears NE. and SW.

Leave timber and enter cleared land, bears NE. and SW.

2.00 East Fork of Spring Creek, 25 lbs. wide, 6 ins. deep.
flows SW.

Thence along edge of cultivation.

Chains

3.37 West Fork of Spring Creek, 25 lbs. wide, 6 ins. deep.
flows SE.

Leave cultivation, bears to the SW.

Continue over cleared land.

6.00 Leave bottom land; enter rolling land bears SW. and SE.
Leave cleared land and enter heavy timber, bears NE. and
SE.

6.63 To Cor. No. 2, identical with Cor. No. 2 of the listing
survey, a granite stone, firmly set, mkd. and
witnessed as described by the Surveyor General,
place of which I set a granite stone, 36 x 12 x
ins., 26 ins. in the ground, over a granite
stone, 3 x 2 x 1 ins., mkd. with a cross (x)
for Cor. No. 2 of this survey; mkd. 2-HEB-544 on
the side facing the claim and a cross (x) on the
top, and raise a mound of stone, 4 ft. base, 3 ft.
high, 3½ ft. dist., within the claim.

A fir, 24 ins. in dia., bears S. 72° 00' W., 53 lbs.,
dist.

A pine, 26 ins. in dia., bears S. 13° 20' W., 37 lbs.,
dist.

Both trees blazed and mkd. X-2-HEB-544-BT.

I deface the witnesses to the listing cor.

Thence

E. 19° 40' W.

Over rolling land through heavy timber.

14.30 West Fork of Spring Creek, 15 lbs. wide, 6 ins. deep.
flows SE.

14.60 To Cor. No. 3, identical with Cor. No. 3 of the listing
survey, a granite stone, firmly set, mkd. and
witnessed as described by the Surveyor General,
in place of which I set a granite stone, 36 x 10

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5.

Chains

10 ins., 14 ins. in the ground, over a granite stone, 3 x 2 x 1 ins., mkd. with a cross (x) for Cor. No. 3 of this survey; mkd. 3-HES-544 on the side facing the claim and a cross (x) on the top, and raise a mound of stone, 4 ft. base, 2 ft. high, 3 1/2 ft. dist., within the claim.

A fir, 16 ins. in dia., bears S. 60° 50' E., 20 lbs. dist.

A fir, 10 ins. in dia., bears E. 68° 15' N., 84 lbs. dist.

Both trees blazed and mkd. X-3-HES-544-37.

I deface the witnesses to the listing corner.

Thence

N. 78° 45' E.

Over rolling land, through heavy timber.

4.00 Enter dense undergrowth, bears N. and SE.

4.70 West Fork of Spring Creek, 25 lbs. wide, 6 ins. deep, flows SE.

11.86 Same Creek, 25 lbs. wide, 6 ins. deep, flows Easterly.

16.80 To Cor. No. 4, identical with Cor. No. 4 of the listing survey, a granite stone, firmly set, mkd. and witnessed as described by the Surveyor General, in place of which I set a 2-in. iron post, equipped with a brass cap, 36 ins. long, 26 ins. in the ground, over a granite stone, 2 x 2 x 1 ins., mkd. with a cross (x) for Cor. No. 4 of this survey; mkd. with angle lines from the center. 4-HES-544 in the easterly quadrant, and raise a mound of stone, 4 ft. base, 2 ft. high, 3 1/2 ft. dist., within the claim.

A pine, 30 ins. in dia., bears N. 27° 00' E., 21 lbs. dist.

7.

Chains

A fir, 30 ins. in dia., bears S. 81° 30' E., 30 lbs. dist.

Both trees blazed and mkd. X-4-HES-544-37.

I deface the witnesses to the listing corner.

Thence

N. 45° 45' E.

Over rolling land, through heavy timber and dense undergrowth.

6.67 Cor. No. 5 of the listing survey, a granite stone, firmly set, mkd. and witnessed as described by the Surveyor General, I destroy the cor. and deface the witnesses thereto.

Leave heavy timber and dense undergrowth, bears S. and S.

Continue in scattering timber.

Leave listed and enter unlisted land.

Cor. No. 6 of the listing survey, a granite stone, firmly set, mkd. and witnessed as described by the Surveyor General, bears S. 78° 00' E., 16.24 chs. dist. I destroy the corner and witness thereto.

8.00 Irrigation ditch, 2 lbs. wide, 6 ins. deep, flows SE.

9.00 To Cor. No. 5, for which I set a granite stone, 1 x 1 x 8 ins., 16 ins. in the ground, over a granite stone, 3 x 2 x 1 ins., mkd. with a cross (x) for Cor. No. 5 of this survey; mkd. 5-HES-544 on the side facing the claim and a cross (x) on the top, and raise a mound of stone, 4 ft. base, 2 ft. high, 3 1/2 ft. dist., within the claim.

A pine, 30 ins. in dia., bears N. 76° 45' E., 21 lbs. dist.

A pine, 20 ins. in dia., bears S. 41° 45' E., 14 lbs. dist.

SCANNED

10-20-2005

HOMESTEAD ENTRY SURVEY NO. 544

SALMON NATIONAL FOREST

STATE OF IDAHO.

8.

Chains

dist.

Both trees blazed and mkd. I-5-NEE-544-ET.

June 5, 1918.

June 6, 1918: At Cor. No. 5 of this survey, at 9 h. 0 m.

A. M., l.m.t., I set off $45^{\circ} 25' E.$, on the latitude arc, $22^{\circ} 36' E.$ on the declination arc and determine a meridian with the solar. This

meridian agrees within $05'$ of arc with the meridian previously determined and carried by angulation to Cor. No. 5.

Thence

S. $45^{\circ} 00' E.$

Over rolling land, through scattering timber.

2.69 Center of flat bottom gulch, course SE.

8.00 To Cor. No. 6, for which I set a granite stone, $24 \times 14 \times 6$ ins., 16 ins. in the ground, over a granite stone, $2 \times 2 \times 1$ ins., mkd. with a cross (x) for Cor. No. 6 of this survey; mkd. 6-NEE-544 on the side facing the claim, and a cross (x) on the top, and raise a mound of stone, 4 ft. base, 2 ft. high, $3\frac{1}{2}$ ft. dist., within the claim.

A pine, 12 ins. in dia., bears S. $64^{\circ} 30' E.$, 68 lks. dist.

A pine, 16 ins. in dia., bears S. $65^{\circ} 30' E.$, 47 lks. dist.

Both trees blazed and mkd. I-6-NEE-544-ET.

Thence

S. $43^{\circ} 11' E.$

Over rolling land, through scattering timber.

6.00 To Cor. No. 7, for which I set a 2-in. iron post.

HOMESTEAD ENTRY SURVEY NO. 544

SALMON NATIONAL FOREST

STATE OF IDAHO.

9.

Chains

equipped with a brass cap, 35-ins. long, 26 ins.

in the ground, over a broken china dish, for Cor.

No. 7 of this survey; mkd. with angle lines from

the center, 7-NEE-544 in the southerly quadrant,

and raise a mound of stone, 4 ft. base, 2 ft.

high, $3\frac{1}{2}$ ft. dist., within the claim.

A pine, 15 ins. in dia., bears S. $31^{\circ} 36' E.$, 141 lks. dist.

A pine, 30 ins. in dia., bears S. $41^{\circ} 30' E.$, 70 lks. dist.

Both trees blazed and mkd. I-7-NEE-544-ET.

Thence

S. $27^{\circ} 05' E.$

Over rolling land, through scattering timber.

1.00 Center of flat bottom, course SE.

10.00 Along edge of cultivation.

14.00 Leave cultivation, bears to the SE.

21.30 East Fork of Spring Creek, 25 lks. wide, 6 ins. deep, flows SE.

22.00 Baron road, bears SE. and SE.

Ascend.

23.03 To Cor. No. 1, identical with U. S. L. M. No. 544, 25 ft. above point of ascent, the place of beginning.

Leave unlisted and enter listed land at Cor. No. 1.

AREA

Area of H. E. L. No. 544 16.13 acres.

IMPROVEMENTS

The improvements within this claim, the property of the claimant herein, are as follows:

SCANNED

JUL 26 2005

10.

Chains

A log house, 18 x 24 ft., course of long sides, SE. and SW., the Southerly cor. of which bears from Cor. No. 1 N. 36° 45' W., 2.87 chs. dist., Value \$200.00
A log barn, 16 x 22 ft., course of long sides NW. and SE., the Northerly cor. of which bears from Cor. No. 1, S. 2° 15' W., 57 lks. dist., Value 100.00
About 120 rods of irrigation ditches, Value 60.00
Total value of improvements \$360.00

DESCRIPTION

This claim is situated about 3 miles in a Northerly direction from Shoup, Idaho, the nearest post-office and about 2½ miles Northwesterly from the mouth of and on Spring Creek, just above the forks of the creek. The claim lies on rolling land along the West Fork of Spring Creek. The claim lines are along the edge of and just within the timber, the claim being surrounded by heavily timbered areas. There is an abundant water supply for this claim obtained from the west fork of Spring Creek. The soil is a light granitic sandy loam with considerable amount of surface stone, a large amount of which having been removed by claimant from the cultivated portion. About 8 acres of the land in the westerly portion of the claim has been slashed for clearing. About 10 acres of the land within the claim are cultivated. No mineral or indications of mineral are found upon the claim. There are no adjoining claims.

Chains

It being impracticable to take my statements before an officer, qualified to administer oaths, without great inconvenience, delay and expense, I administer, myself, the required affidavit of the assistants.

June 6, 1912.

Surveyor - Forest Service.

SCANNED

JUL 26 2005

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

CLAIM NO(s). A7504016A

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.: A0017092 GRS 091

Township 24N Range R18E Section 12 1/4 NE 1/4 SE 1/4
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

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

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 <u>24N</u>	Range <u>19E</u>	Section <u>7</u>	1/4 <u>NE</u>	1/4 <u>SW</u>	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: _____

FIELD EXAMINER:

<u>Jack F. Ellis</u>	Print Name
<u>Jack F. Ellis</u>	Signature

OCT 03 1990

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: A75-04016A
Date Received: 5/09/1990
Receipt No: MOO 6990
Received By: J PL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT L. DANIELS 208-756-2026
Address: P.O. BOX 68
SALMON, ID 83467

AND/OR

Name: WILMA C. DANIELS 208-756-2026
Address: P.O. BOX 68
SALMON, ID 83467

2. Date of Priority: SEP 05, 1928

3. Source: SPRING CREEK, WEST FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
24N	19E	7			LEMHI

5. Description of diverting works:
CULVERT WITH FLOOD IRR. AND PUMP WITH SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.040		

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

8. Total consumptive use is 5.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A75-04016A

Page 1

Date: 05/09/90

A7504016A



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DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	19E	7			IRR	2.0
Section Acres						2.0
Total Acres						2.0

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:
NONE

14. Remarks:
P/D & P/U H.E.S. 544, S7, T24N, R19E.
AC. IRR. = 1.67
SPLIT RIGHT.

15. Basis of Claim: BENEFICIAL USE

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

Signature of Claimant(s): Robert L Davies Date: 5-09-90

Date: _____

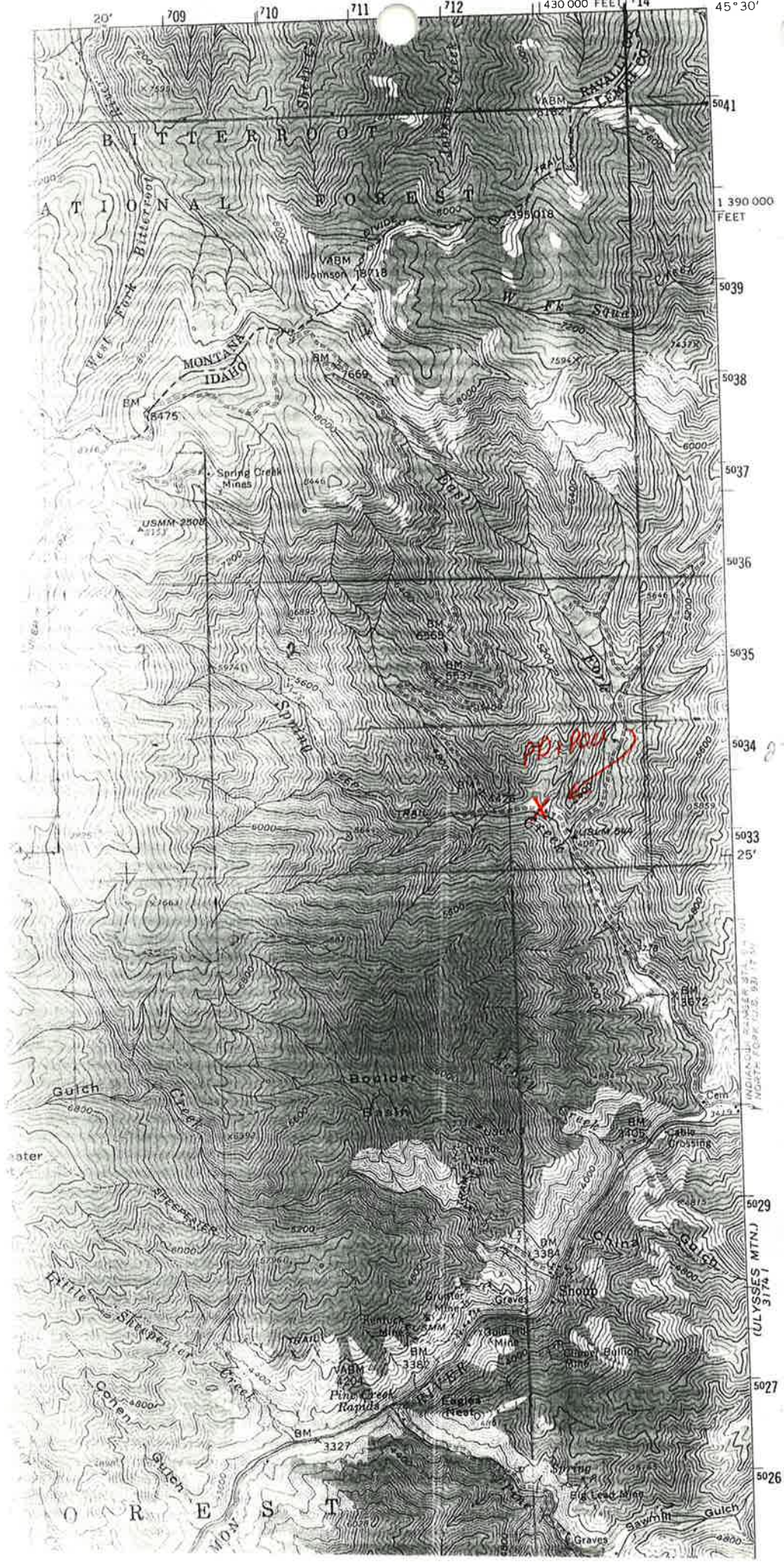
State of Idaho)
County of Latah) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of May 19 90

John Del Cacho
Notary Public

Seal

Residing at Boji, Id
My Commission Expires 4/0/94



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