

06/14/2006

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

RIGHT NUMBER: 75-4077
NAME AND ADDRESS: THEODORE F KEITH
28147 MARKET RD
CALDWELL ID 83607

BETTY L KEITH
28147 MARKET RD
CALDWELL ID 83607

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 1.120 CFS
PRIORITY DATE: 06/01/1910
POINT OF DIVERSION:

T25N R21E S11 SWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	1.100 CFS 192.50 AFY

PLACE OF USE:

IRRIGATION Within LEMHI County

T25N R21E S10	SESE	7.00	T25N R21E S11	SWSW	12.00
T25N R21E S11	SESW	20.00	T25N R21E S14	NWNW	7.00
T25N R21E S15	NENW	9.00			

STOCKWATER same as IRRIGATION

55 ACRES TOTAL

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

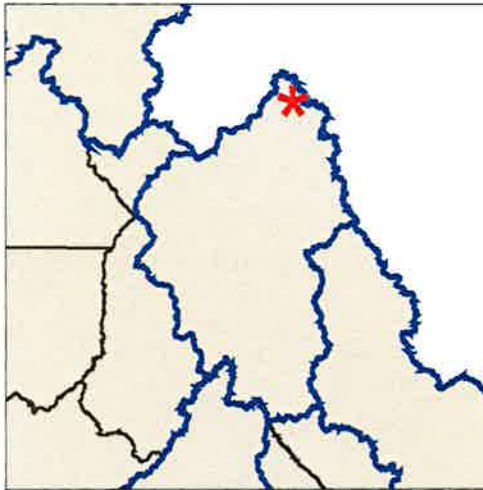
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources

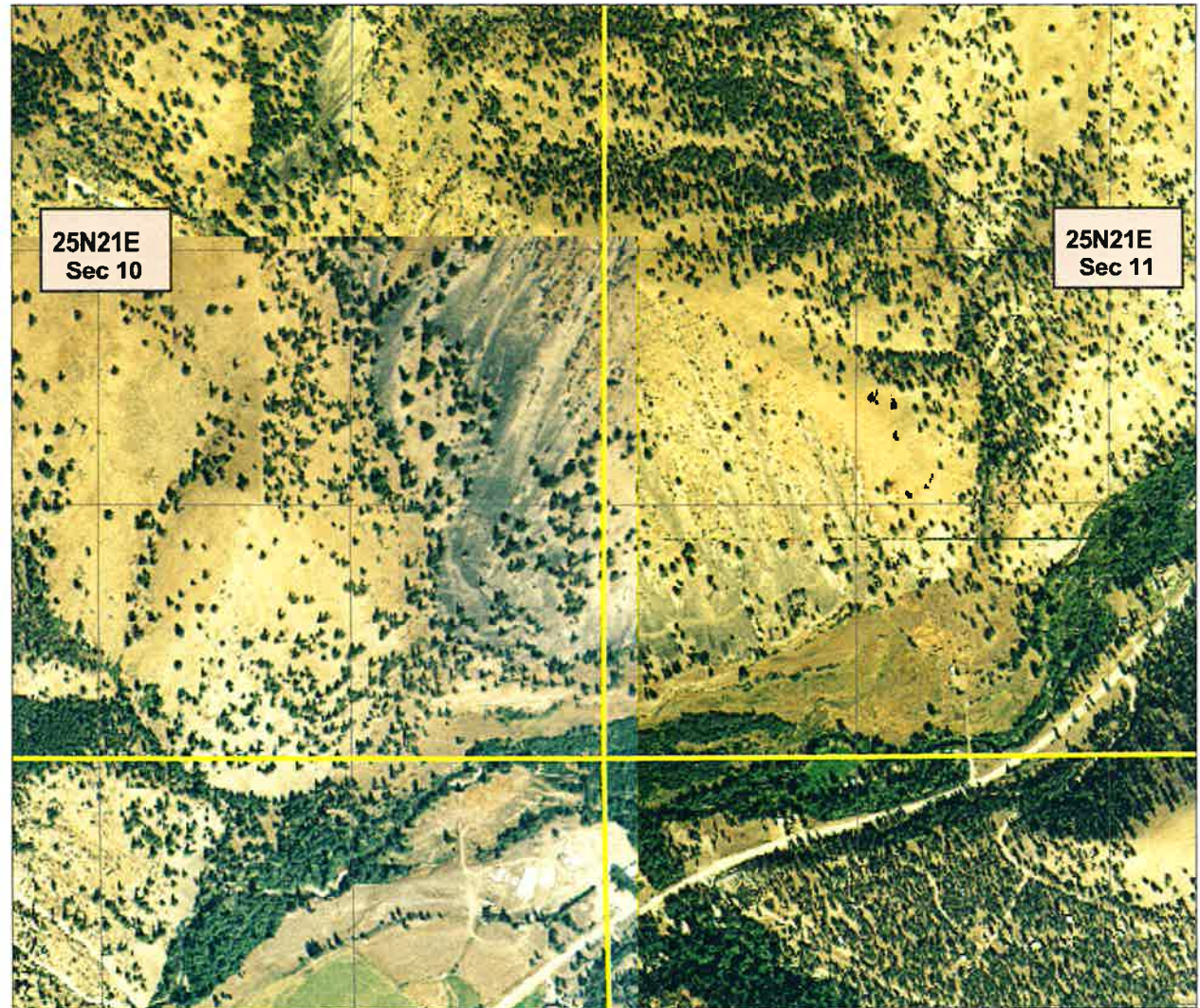


Adjudication Claim Number: **75-4077**



Legend

 Section Lines
 25N21E GCDB



0 0.4 0.8 Miles

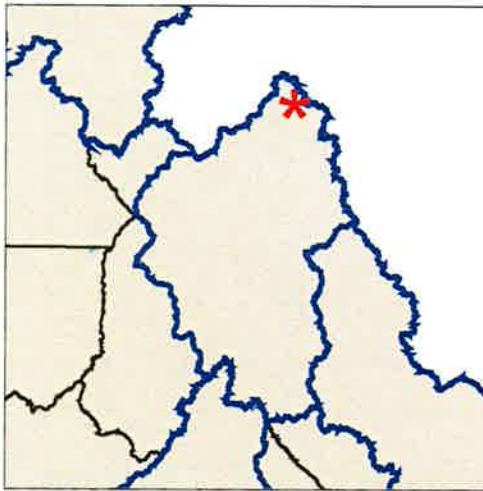
A horizontal scale bar with markings at 0, 0.4, and 0.8 miles.

Prepared by M. Van Bussum
On Tuesday, May 10, 2005
1991 Aerial Photography

Idaho Department of Water Resources



Adjudication Claim Number: **75-4077**



Legend

 Section Lines
 25N21E GCDB



**25N21E
Sec 14**

Prepared by M. Van Bussum
On Tuesday, May 10, 2005
1991 Aerial Photography

0 0.2 0.4 Miles

A horizontal scale bar with markings at 0, 0.2, and 0.4 miles.

Idaho Department of Water Resources



Adjudication Claim Number: **75-4077**



Legend

 Section Lines
 25N21E GCDB



0 0.2 0.4 Miles

A horizontal scale bar with markings at 0, 0.2, and 0.4 miles.

Prepared by M. Van Bussum
On Tuesday, May 10, 2005
1991 Aerial Photography



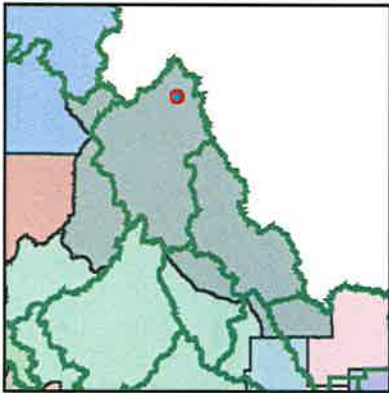
Idaho Department of Water Resources

Adjudication Claim:

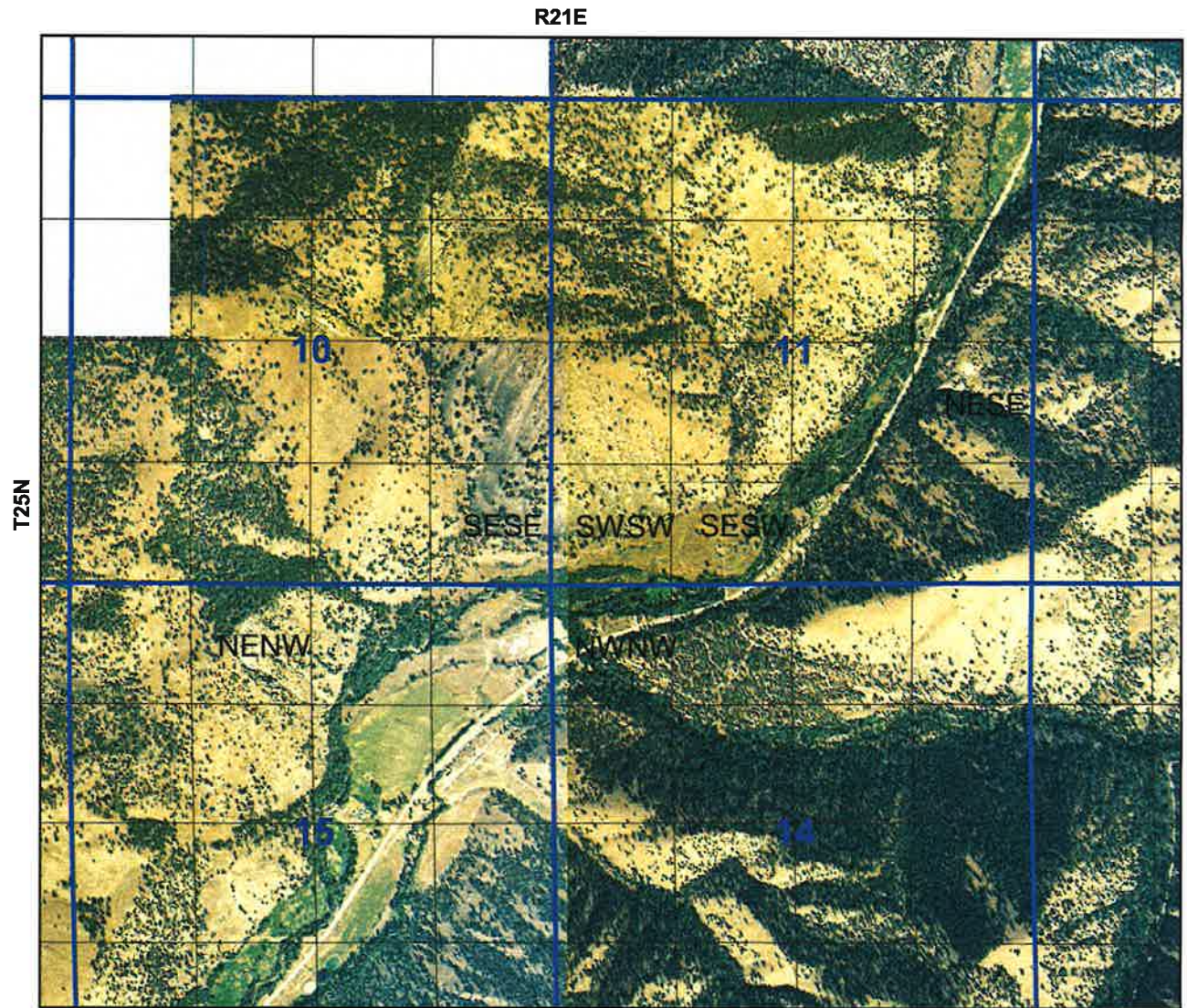
75-4077

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.8 1.6 Miles

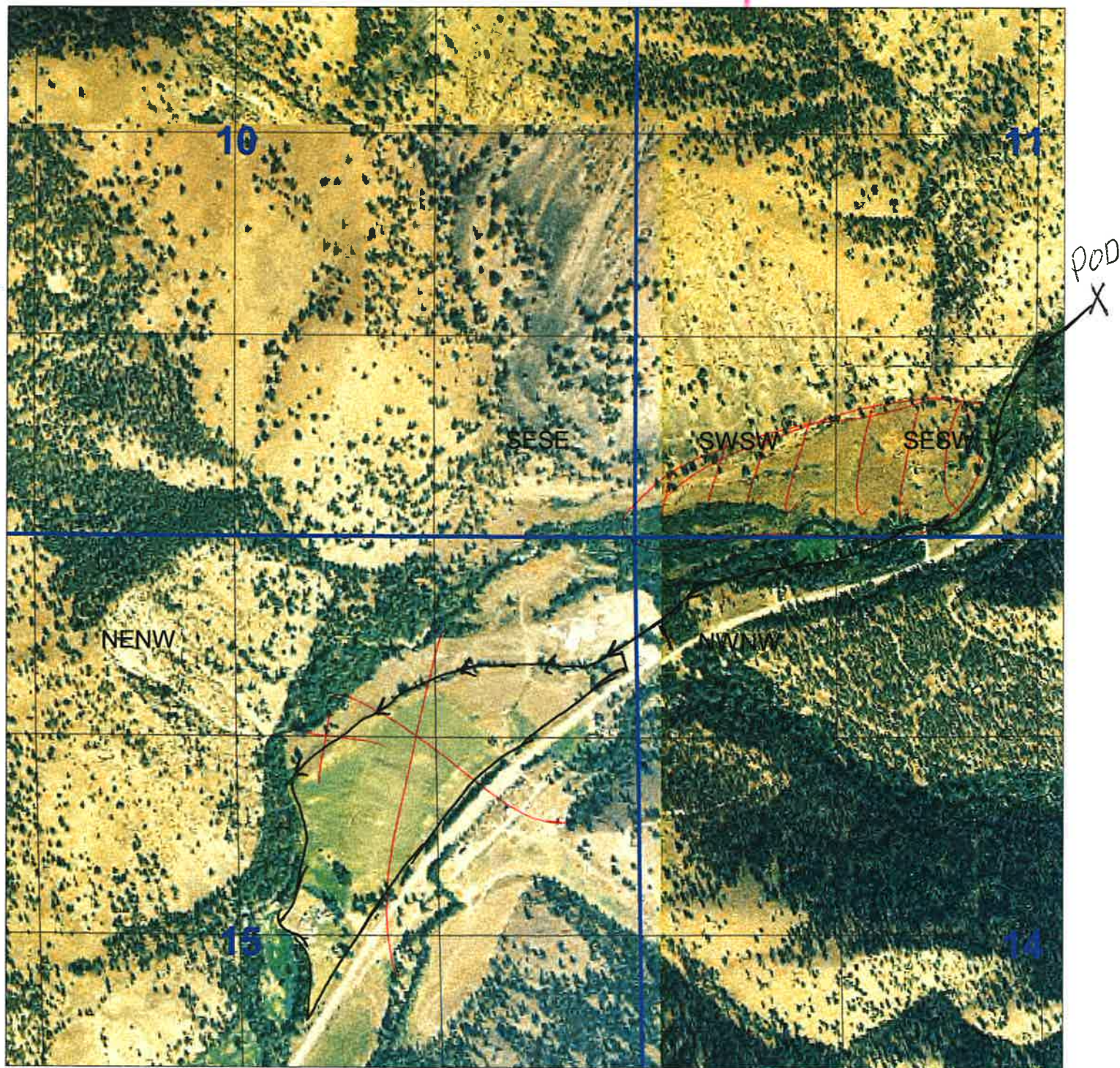
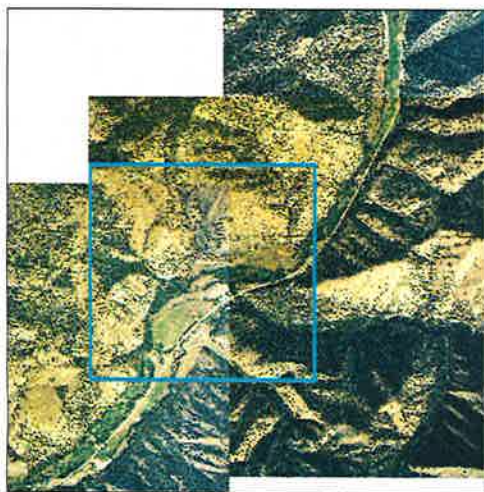


Owner: **THEODORE F KEITH**

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

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

75-4077



SCANNED

OCT 08 2001



THEODORE F KEITH
BETTY L KEITH
28147 MARKET RD
CALDWELL ID 83607

© USPS 1997  recycled

NOVEMBER 16, 2000

DEAR MR AND MRS KEITH:

WATER RIGHT NUMBERS 75-04077 AND 75-10010 HAVE BEEN
MODIFIED TO REFLECT THE ADDRESS ON THE FRONT OF THIS CARD.

IF YOU HAVE ANY QUESTIONS OR OTHER CORRECTIONS FEEL FREE TO
CONTACT THIS OFFICE AT 525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK

RECEIVED

NOV 06 2000

Department of Water Resources
Eastern Region

November 1, 2000

Idaho Department of Water Resources
900 North Skyline Drive
Idaho Falls, Idaho 83402-1718

To Whom It May Concern:

We own a 41.5 acre Homestead (HES 58 with 1910 water rights) on the North Fork of the Salmon River in Lemhi county. The water rights are 75-10010 Domestic and 75-4077 for the ranch. We recently changed our address to 28147 Market Road, Caldwell, Idaho 83607. The old address was 4340 N. Shamrock, Boise, ID 83704. Please make this change in your records. We have received the forwarded 75-10010 domestic decree but are waiting for the irrigation 75-4077 decree.

Yours truly,



Theodore F. Keith, Betty L. Keith
28147 Market Road
Caldwell, Idaho 83607

Phone 455-0891

RECEIVED

JUL 29 2005

DEPARTMENT OF
WATER RESOURCES

July 25, 2005

Water Right Claim Number 75-04077

Lemhi County Parcel Number RP 25N21E109002 A

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau
Idaho Dept. Of Water Resources
State of Idaho
P.O. Box 83720
Boise, ID 83607-9815

Dear Roxanne: Enclosed is my response to your request (dated June 29, 2005) to provide evidence of the date of first Beneficial Use. After a lot of digging through courthouse records showing early property transfers, we learned of U.S. Forest Service records which documented the original applicants and approval for application of a Homestead.

Enclosed are 10 pages sent to me by Tim Jones with Salmon-Challis National Forest Service in Salmon Idaho. On page 6, A.W Beason made an applicant on November 9, 1905, alleging settlement in Sept 15, 1907. On pages 2,3,4 dated February 18, 1909 a land manager Thompson summarizes the production of 35 tons of hay, fruits and vegetables, plus building, a six room cabin, stable, cellar, granery, fencing and cultivation 20 acres of land.

He couldn't have done that in one year (1908) in a seven month season, nor could he have raised 35 tons of hay or picked fruit to sell the first year of farming. He had to do a lot of land clearing, build ditches, a headgate for the ditch, a bridge to get to the property in 1906. He had to have the ditch build and tested in 1906 in order to be in fully working order as soon as the snow melted (March) 1907 to have fruit bearing trees and a hay crop of 35 tons in two seasons or by the fall of 1908. Since there is no recognized water on the property, the water for farming described above was from a new ditch developed sometime in 1906 probably watering new fruit trees. For the above reasons I recommend a date of mid year 1906 as the first use of irrigation water from the North Fork.

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AUG 01 2005

Note: My father, Elmer Keith, purchased this property in 1931, my sister was born in 1932 and lived there until she died at 17 years old. I was born in 1935 and lived there until about 13 years of age when we moved to Salmon. The Ranch has been in the family, continuously leased out to various people, up to the present day. Most old buildings have either been renovated or torn down, a new log home built and all fences replaced.

Please advise if I can provide more information or clarify that which I have provided.

Yours truly,

Theodore F. Keith

Theodore F. Keith CPA inactive

Betty L. Keith RN *Betty L. Keith*

28147 Market Road

Caldwell, Idaho 83607

Phone (208) 455-0891

Fax (208) 459-9093

Subscribed and sworn to before me this day of July 2005 Theodore F. Keith
and Betty L. Keith of 28147 Market Road, Caldwell Idaho, 83607

STATE OF IDAHO
COUNTY OF CANYON

This instrument was acknowledged before me on

by

Theodore F. Keith & Betty L. Keith

07-27-2005

Angel M. Francis

(Signature of notarial officer)
Angel M. Francis

commission Exp. 12-10-2008



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AUG 1 2005

RECEIVED

JUL 29 2005

DEPARTMENT OF
WATER RESOURCESFROM: Tim Jones

Salmon-Challis National Forest



50 Highway 93 South
Salmon, Idaho 83467
Telephone 208-756-5100
FAX 208-756-5151

Fax Transmission Form

Fax# 208-756-5151

DATE: 7/21/05TO: Ted KeithFAX#: 208 459-9093

MESSAGE: Found some good information on the homestead. There is evidence of a ditch and a settlement date of September 15, 1907. The ditch is also noted in the survey notes. If you have any questions, call at 208 756-5164. Tim

If you had any problems in receiving this fax, please call 208 756-5100 as for Mail Room.

SCANNED

AUG 1 2005

Form 110

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

REPORT ON AGRICULTURAL HOMESTEAD APPLICATIONS

Application No. - 57 - Salmon National Forest.Land District Hailey. October 29-30, 1908.
(Date of examination.)1. Name and address of applicant A. W. Benson,
(The county should always be given.)
Gibbonsville, Lemhi Co., Idaho.2. Settlement Yes. Settled September 15, 1907.
(Is applicant living on land? Give date of settlement.)3. Location Approximately sixty-seven acres of land located by
(Legal subdivision, or by metes and bounds. Relation to highways, rivers, railroads, etc. Proximity and importance of towns, settlements, etc.)
metes and bounds, and is in the extreme northern part of T.25 N.R.21 E. E. Mer. (unsurveyed). The tract lies along North Fork
just above the junction of this creek and Sheep Creek and about
three and one half miles below Gibbonsville.The survey is tied to U.S. Location Monument No. 3 of
Dahlenega Mining District, Lemhi County, Idaho.4. Area Approximately sixty-seven acres (67) more or less.
(Applied for, and recommended.)

SCANNED

AUG 11 2005

5. Topography Comparatively level creek bottom, all of which is
(Topography of tract applied for, and relation to surrounding territory. Topography should be considered particularly in
its bearing on agricultural possibilities, altitude, slope, aspect, etc.)
good agricultural land. Good ranches along the creek below but
very little tillable land above the claim. On either side of the
ranch the mountains are very precipitous. Altitude about 4,150 ft.

6. Formation The soil consists of an admixture of sandy loam and
(Nature and extent of soil, rock, etc., paying particular attention to their influence on agricultural possibilities. Presence of
wash gravel which will produce good crops when irrigated.
water for irrigation and domestic use. Possibilities for developing water.)

There is practically no possibility of developing water on the
claim for the water for all purposes is diverted from North Fork
with but little expense. The one good feature of the soil is
the depth to which it extends along the bottom, in many places
being ten and twelve feet deep.

7. Climate In this locality the winter season is considerably
(Precipitation, temperature, occurrence of killing frosts.)
cooler than it is farther down the creek but the summers are such
that fine crops of hay, fruits and vegetables can be produced.
Precipitation is too light to insure crops. The killing frosts occur
during latter September.

8. Cover There are about 100 yellow pine trees scattered over the
(Nature and extent of cover, with estimate of amount and value. Accessibility and distance to market. Is cover needed for pro-
tective or seeding purposes?)
claim, which will average approximately 500 feet b.m. per tree
making a total of 50,000 feet worth \$100. Aside from this timber
the cover consists of a strip of briar brush and willows along the
creek bottom. The remainder of the claim is cleared and cultivated.
None of the cover is needed for protective or seeding purposes.

SCANNED

AUG 01 2005

9. Claims There are no conflicting claims. Applicants improvements
 (Conflicting claims to land or existing improvements—by whom and on what grounds. Examiner is not to pass upon claims—merely
consist of a six room log and frame house, stable, cellar,
 to furnish all available information. Use in the past, and by what means. Existence of mining claims. Give any information available affecting
granery, fencing, orchard and about 20 acres of cultivated land,
 qualifications of applicant to make a homestead entry. Show what improvements have been made, and their present state of repair.)

10. Economic possibilities Reason for application is to improve and make a
 (Reason for application, and opinion as to success of applicants' plans. State fully agricultural possibilities.
home of the claim. Applicant has produced some excellent crops
 value, if any, to Forest Service for Rangers' Quarters or other administrative purposes. If withdrawal of tract for administrative use is desired,
puts up about 35 tons of timothy and clover hay, \$300 worth of
 submit separate report on Form 271. Distance and market price per acre of near-by farms. Transportation facilities.)
potatoes, \$100 worth of fruits and an abundance of garden truck
He is located on the county road and has easy access to the
markets of Salmon, and the Big Hole, Mont., each place being
about thirty miles distance and accessible by comparatively
good wagon roads.

11. Recommendations I respectfully recommend that this claim be listed
 (Specific recommendation for or against listing of land, with summary of reasons for recommendation.)
for settlement. The applicant is showing good faith and at the
same time he has demonstrated that the land is more valuable
for agricultural purposes than for any other.

12. Photographs -----
 (Give numbers of negatives which go with this report. Photographs should be made in each case where unfavorable action is recommended.)

13. Personal -----
 (Has applicant agreed to the findings of the examiner?)

Geo. C. Thompson
 (Signature of examining officer.)

Land Examiner
 (Title)

Approved February 18, 1907

Geo. Bantz
 (In charge, Examinations.)

Approved _____, 1907

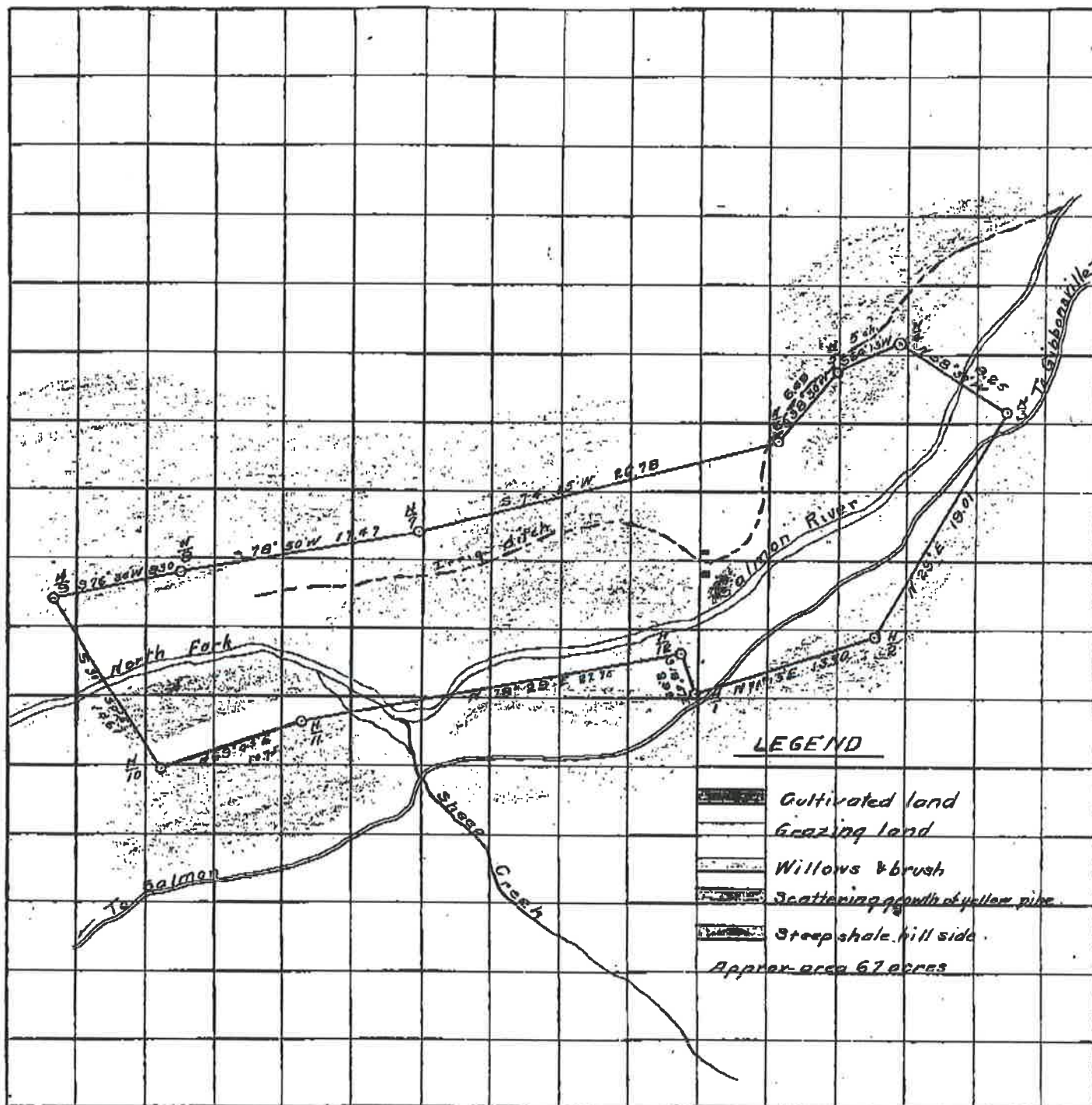
Chief, Office of Lands,

SCANNED

AUG 11 2005

MAP SHEET.

Tp. 25, N. R. 21, E. 4, M. Section Unsurveyed¹⁰⁻¹¹ Quarter Scale: 8 inches = 1 mile.



Sketch map, in colored pencil, of the area applied for on a scale of 8 inches to the mile, showing topography, cover, roads, trails, agricultural land, and improvements. A small amount of the surrounding country should be sketched in.

SCANNED

AUG 01 2005

OL
Salmon, Settlement,
Beason, A. W., #57.

March 4, 1909.

The Commissioner
of the General Land Office,
Sir:

I have the honor to request that the tract of land indicated on the enclosed blue print and described in the accompanying field notes of survey (List 4-82) in the Salmon National Forest, Idaho, be opened to settlement and entry in accordance with the Act of June 11, 1906, (34 Stat. 233):

Unsurveyed, which when surveyed will probably be Township 24 North, Range 21 East, Boise Meridian, in approximately Sections 10, 11, 14 and 15. Area about 67 acres.

A. W. Beason, Gibbonsville, Idaho, applied for this tract on November 9, 1908, alleging settlement September 15, 1907.

Very respectfully yours,

Clyde Leavitt.

District Forester.

4 Enclosures.

W. H. H.
Duplicate for Forest Supervisor.
W. H. H.
Duplicate for Forest Supervisor. (2)
W. H. H.

W. H. H.

N. N.
N. N.

SCANNED

AUG 01 2005

Form 320

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

MAP SHEET

No. 67

SALMON National Forest.

Division

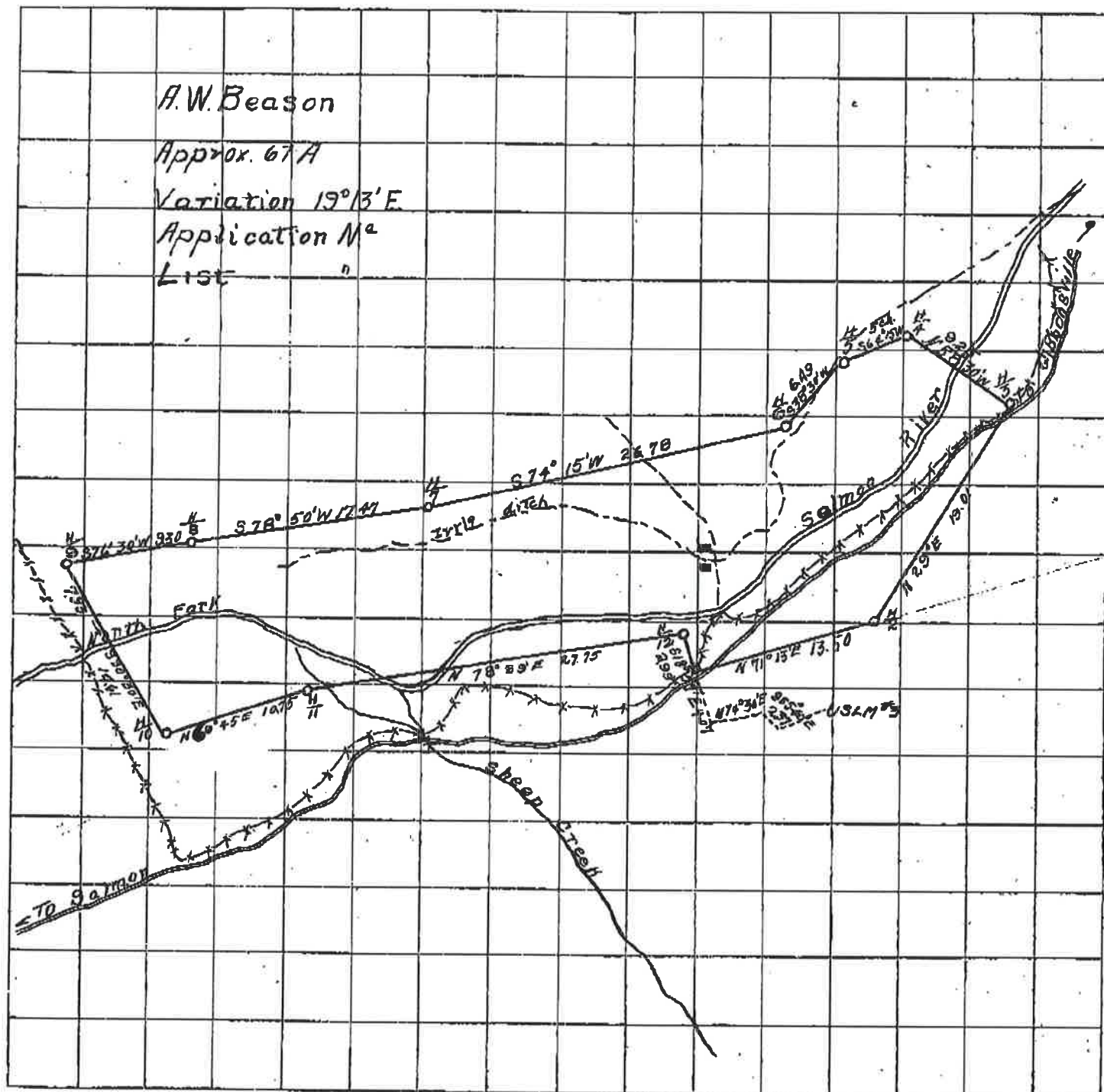
District, Block

T. 25 N, R. 21 E

B. M., Section 10, 11, 14, 15
Unsurveyed Quarter

Mapped by

Scale: 8 inches = 1 mile.



3-001

SCANNED

AUG 1 2005

Description of Survey

A. W. Beason. - - - Homestead. -

Salmon National Forest, Idaho. -

October 29-30, 1908. Bears

Township 25 N. R. 21 E., Boise Meridian; Unsurveyed.
 Number . List . Area approx- 67 acres, more or less.
 Variation used was $19^{\circ}30'E.$, obtained from examiner of
 U.S. Public Lands Survey.

Beginning at corner No. 12 of Mineral Survey No. 1133-
 whence a pine tree 18" in diameter marked 12/1133 S-T, bears S.
 $41^{\circ}10'W.$ 46.5 ft. A pine tree 20" in diameter marked 12/1133,
 bears W. $51^{\circ}30'E.$ 2 ft. U. S. Location Monument No. 2 of
 Dahlonega Mining District, Lemhi County, Idaho bears S. $55^{\circ}40'E.$
 187 ft. Thence following 12-11 course of said survey S. $74^{\circ}30'W.$
 456.4 ft. to corner No. (11), thence N. $18^{\circ}57'W.$ along 11-10
 course- line running down hill and across county road

Chains-

4.07 To Corner No. 3 of Mill site survey No. 1134, a stone 6x8x20
 inches, 14" above ground- identical with corner No. 1 of Beason
 Claim and marked H/1. Whence S.W. corner quartz mill 40x20 ft.
 bears S. $77^{\circ}29'E.$ 62 ft. A pine tree 26" in diameter marked
 3/1134 BT, bears S. $13^{\circ}36'W.$ 62 ft. A pine tree 36" in
 diameter marked 3/1134 BT, bears N. $51^{\circ}W.$ 21 ft. bears S. $63^{\circ}W.$

Thence N. $71^{\circ}13'E.$ marked $\frac{WH}{T}$, Bears

15.60 To $\frac{H}{3}$, a fir post 4" in diameter 3' long. Whence a pine tree
 24" in diameter marked $\frac{WH}{3}$, bears N. $23^{\circ}30'E.$ 30 lks. A fir
 tree 26" in diameter marked $\frac{WH}{2}$ bears S. $74^{\circ}E.$ 45 lks.

Thence N. $89^{\circ}E.$ 122 ft. Whence a
 along foot of hill. bears S. $11^{\circ}W.$ 110 lks.

19.01 To $\frac{H}{3}$, a fir post 4" in diameter 3' long, set in mound of rocks.
 Whence a pine tree 12" in diameter marked $\frac{WH}{3}$, bears N. $43^{\circ}E.$
 120 lks. A pine tree 1.24" in diameter marked $\frac{WH}{3}$, bears
 S. $67^{\circ}30'W.$ 107 lks. bears N. $37^{\circ}45'E.$ 54 lks.

A pine tree Thence N. $58^{\circ}30'W.$ and marked $\frac{WH}{3}$, bears
 line runs across creek bottom through thick brush.

9.25 To $\frac{H}{4}$, a pine tree 14" in diameter blazed and marked $\frac{H}{4}$, bears
 S. $70^{\circ}29'W.$ 51 lks. A pine tree 16" in diameter marked $\frac{WH}{4}$
 bears S. $10^{\circ}E.$ 45 lks.

Thence S. 64°15' W.

chains
5.00

To $\frac{H}{5}$, a pine tree 18" in diameter blazed and marked $\frac{H}{5}$
Whence a pine tree 20" in diameter marked $\frac{WH}{5}$, bears N.
54° E. 55 lks. A pine tree 30" in diameter marked $\frac{WH}{5}$,
bears S. 6°30' E. 52 lks.

6.49

Thence S. 38°50' W.
line runs along foot of steep shale hill side.
To $\frac{H}{6}$, a cottonwood stump 3" in diameter 2 ft. high, whence
a fir stump 30" in diameter marked $\frac{WH}{6}$, bears N. 15° E. 4 ft.
A pine tree 28" in diameter marked $\frac{WH}{6}$, bears S. 76° E.
Flume of irrigation ditch is north 4 ft.

Thence S. 74°15' W.

26.79

To $\frac{H}{7}$, an aspen post 3"x3"x3' long set in round of rock.
Whence a pine tree 26" in diameter, marked $\frac{WH}{7}$, bears S. 60° W.
76 lks. A fir tree 30" in diameter marked $\frac{WH}{7}$, bears
N. 6° W. 140 lks.

Thence S. 76°50' W.

17.47

Line runs along foot of steep mountain.
To $\frac{H}{8}$, an aspen post 4" in diameter 3 ft. long. Whence a
fir tree 26" in diameter marked $\frac{WH}{8}$, bears N. 25° E. 112 lks.
A pine tree 36" in diameter, marked $\frac{WH}{8}$, bears S. 52° W. 95 lks.

Thence S. 76°30' W.

9.30

To $\frac{H}{9}$, a pine tree 18" in diameter, whence a pine tree 16"
in diameter, blazed and marked $\frac{WH}{9}$, bears N. 57°45' E. 34 lks.
A pine tree 15" in diameter, blazed and marked $\frac{WH}{9}$, bears
S. 13° E. 23 lks.

Thence S. 30°50' E.

6.68

To North Fork.

14.01 To ^H10, an aspen post 3" in diameter 3' long set in mound of rock. Whence a fir tree 26" in diameter blazed and marked ^{WH}10, bears N. 68°15' W. 22 lks. A pine tree 26" in diameter blazed and marked ^{RH}10, bears S. 17°E. 46 1/2 lks.

Thence S. 69°45' E.

The line runs along high bank to the east of North Fork.

10.75 To ^H10, a stone 8x12x24" set in mound of rocks on the brow of high bench to the east of creek. Whence a ^{pine} fir tree 20" in diameter marked ^{WH}11, bears S. 14°51' E. 86 ft. A fir tree 16" in diameter marked ^{WH}11, bears N. 37°45' E. 51.5 ft.

Thence N. 78°29' E.

The line follows the general course of North Fork, through thick brush.

6.33 To North Fork of Salmon River.

10.18 To " " " " 25 ft. wide

X 25.76 To ditch 3' wide (Course N.W.)

27.75 To ^H12, identical with corner No. 10 of mineral survey No. 1138, a stone 8x10x20. Whence Diaco shaft bears S. 56° 30' W. 540 ft. A pine tree 22" in diameter, marked ¹⁰1138, bears N. 61°25' E. 29.5 ft. A cottonwood tree 9" in diameter marked ¹⁰1138, bears E. 62°2. 3.5 ft.

Thence S. 18°57' E.

2.99 To ^H1, place of beginning.

The tract contains approximately sixty-seven (67) acres, more or less.

Geo. C. Thompson
Land Examiner

Approved 2/10/09
ATB

SCANNED

AUG 11 2005

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

CLAIM NO(s). A75-04077

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.: A0014985 GPS 077

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:

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: 25N Township 21E Range 15 Section NE 1/4 NE 1/4
Use: " Township " Range 15 Section NW 1/4 NE 1/4
Use: " Township " Range 15 Section SW 1/4 NE 1/4
Use: " Township " Range 15 Section SE 1/4 NE 1/4
15 NW 1/4 SE 1/4

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

*The place of use is all in Section 15
Mr. Keith wanted to add that he has
applied for an earlier priority date.*

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Jack F. Ellis
Print Name

Signature

July 13, 2004

Idaho Department of Water Resources:

Dave Tuthill

Adjudication Bureau Chief

Roxanne Brown

Lead Investigator

Bob Loucks

Contractor

Bob Foster

Sr. WR Agent, Salmon

RECEIVED

JUL 19 2004

Department of Water Resources
Eastern Region

RECEIVED

JUL 30 2004

DEPARTMENT OF
WATER RESOURCES

Dear folks:

Enclosed is my amended claim for a water right Number A75-04077 received by you 7/27/1989. The purpose of this claim is to recognize a new survey of the property, which changes the acreage from 41.5 acres to 54.9 acres. Last year I leased to property to an outfitter who owned a big herd (40 head) of mules and horses. Rather than try to keep patching up old fences I elected to build all new fences that meet Idaho fish and game requirements, meet U.S. fish and wildlife requirements for salmon protection and last but not least did not encroach on the Forest Service land. To do this I had the entire place surveyed for fence placement and to determine the correct acreage. To my surprise I had a lot more acreage because I owned the river, the river changed over time and errors in original surveys. I lived there the first 12 years of my life. Nothing has changed since I was there as a kid or my original claim except that I have made a proper survey and located all the corners and the position of the river and recorded this. See survey map enclosed by Wade Surveying and the recording documents with the Lemhi County Courthouse. I trust this will also help you with your adjudication process. Please advise if you need further information. Done properly I think what you are doing is very important for the future of Idaho.

Yours truly,



Theodore (Ted) F. Keith

28147 Market Road

Caldwell, Idaho 83607

Phone 455-0891

SCANNED

AUG 03 2004

RECEIVED

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 A75-04077Date Received 7/19/2004Receipt Number n/aData Entry 11/12/04 R BrownAmended IDWRclaim to a waterright, A75-040777-27-1989

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

Please type or print clearly

1. Name of Claimant (s) Theodore F. & Betty L. Keith Phone (208) 433-0891Mailing Address 28147 Market Road Caldwell Idaho Zip 836072. Date of Priority (Only one (1) per claim) June 1, 19103. Source of water supply (a) Salmon River, North Fork
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 25 N Range 21 E Section 11,
NE 1/4 of SE 1/4 of _____ 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: _____

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

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

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

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

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.Headgate Weir to Ditch, Flood Irrigation, Weir #8

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AUG 03 2004

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov 1 amount 0.100 or 192.5

For Stock water purposes from Jan 1 to Dec 31 amount 0.020 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.120 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 40 head pack stock

10. Description of place of use:

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

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
25N	21E	10																7	7
25N	21E	11											12.20						32
25N	21E	14						7											7
25N	21E	15					9												9

Total number of acres irrigated 55

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

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

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

or None (☒)

14. Remarks:

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Last Name Keith Ident No. A25-04077

Copies: White -State, Yellow-Claimant

Section 10 T25N 21E



"D" not located by Survey

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Be. Social Use ☒ Posted Notice _____ License _____ Permit _____

Decree _____

If applicable provide IDWR Water Right Number A75-04077

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

16. Signature (s)

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

Number of attachments 2

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

Signature of Claimant (s) Theodore T. Keith Date July 17, 2004

Betty L Keith Date 7-14-04

For Organizations: I do solemnly swear or affirm that I am _____

of _____, Title _____, that I have signed the foregoing

document in the space below as _____ of _____

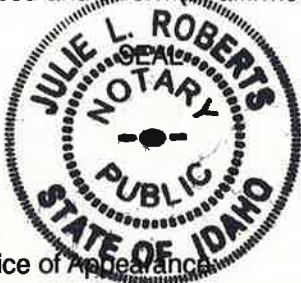
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 14th day of July 192004



Notary Public Julie L. Roberts

Residing at Caldwell, ID

My Commission Expires 8-29-2008

Please Print Name

17. Notice of Appearance

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

Signature _____

Address _____

Date _____

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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

ALLIANCE

TITLE & ESCROW CORP.

INVOICE # 1390-3507
DATE: July 1, 2004
ORDER # IND

BILL TO

┌

Theodore F. Keith
28147 Market Rd.
Caldwell, ID 83607

└

REMIT TO:

┌

205 Courthouse Drive
P.O. Box 1169
Salmon, ID 83467

└

RE:

Clerical	\$25.00
Recording	6.00
Total	<u>\$31.00</u>

TOTAL DUE \$31.00

INVOICE IS DUE UPON RECEIPT

After 30 days, invoice is subject to 1.5% service charge each month.

Keith

Re: A-75-04077

SCANNED

AUG 03 2004

Warranty Deed

For Value Received

THEODORE F. KEITH

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

THEODORE F. KEITH AND BETTY L. KEITH, HUSBAND AND WIFE

whose current address is

28147 Market Rd.
Caldwell, Idaho 83607

the grantees, the following described premises, in Lemhi

County Idaho, to wit:

SEE ATTACHED EXHIBIT "A"

State of Idaho)
County of Lemhi) SS No. 259141
This instrument was filed for record at the request
of Alliance Title Co
at 2:45 o'clock p.m. June 30, 2004
and duly filed and indexed in the records of Lemhi
County
Terri J. Morton
By Terri J. Morton Deputy
For 100
Return to _____

SCANNED

AUG 03 2004

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

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

Dated: June 23, 2004

Theodore F. Keith

Theodore F. Keith

STATE OF IDAHO, COUNTY OF Lemhi 2004
On this 28th day of June, 19
before me, a notary public in and for said State, personally appeared

Theodore F. Keith

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

Julie L. Roberts

Notary Public

Residing at Caldwell, Idaho
Comm. Expires 8-29-2008

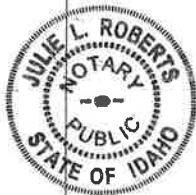


EXHIBIT "A"

WADE SURVEYING

104 S Warpath

Salmon, Idaho 83467

Phone (208) 756-3070

June 18, 2004

A parcel of land located in H.E.S. No. 58, Sections 10, 11, 14 and 15, T. 25 N., R. 21 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at Corner No. 7 of said H.E.S. run thence N 74°33'15"E a distance of 1844.32 ft. to Corner No. 6 of said H.E.S., the Basis Of Bearing of this description, run thence S 19°23'40"E along the Line between Corner No. 6 and Corner No. 2 of said H.E.S. a distance of 505.00 ft. to a point on the southerly bank of the North Fork of the Salmon River;

Thence the following courses and distances along said bank;

S 67°33'14"W	59.76 ft.;	S 24°47'49"W	192.65 ft.;
S 19°01'53"W	83.09 ft.;	S 44°01'00"W	56.68 ft.;
S 40°08'22"W	89.78 ft.;	S 41°46'18"W	108.16 ft.;
S 73°00'50"W	87.04 ft.;	S 86°15'11"W	54.02 ft.;
N 77°28'49"W	119.15 ft.;	N 81°09'10"W	51.60 ft.;
S 84°55'39"W	158.71 ft.;	S 75°19'24"W	111.30 ft.;
S 71°06'55"W	121.41 ft.;	N 89°05'15"W	154.16 ft.;
N 53°17'36"W	71.91 ft.;	N 42°37'07"W	30.63 ft.;
N 43°08'59"W	61.44 ft.;	N 62°47'16"W	65.57 ft.;
S 57°52'16"W	108.30 ft.;	S 30°22'28"W	34.47 ft.;
S 49°13'11"W	107.57 ft.;	S 58°21'48"W	134.98 ft.;
S 80°40'36"W	55.83 ft.;	S 57°25'52"W	54.38 ft.;
S 66°11'29"W	96.84 ft.;	S 60°32'01"W	111.61 ft. to a

point on the Line between Corner No. 11 and Corner No. 12 of said H.E.S.;

Thence S 78°41'11"W along said line a distance of 229.63 ft. to a point on the southerly bank of the North Fork of the Salmon River;

Thence the following courses and distances along said bank;

N 89°47'08"W	168.12 ft.;	S 87°31'14"W	68.04 ft.;
N 80°18'16"W	70.12 ft.;	N 70°48'33"W	62.14 ft.;
N 54°20'12"W	100.90 ft. to a point on the centerline of		

Sheep Creek;

Thence N 16°42'15"W along said centerline 17.31 ft. to a point on the centerline of the North Fork of the Salmon River;

Thence the following courses and distances along said centerline;

N 48°33'49"W	25.02 ft.;	N 59°57'33"W	56.78 ft.;
N 77°19'22"W	54.61 ft.;	S 83°26'45"W	64.12 ft.;
S 73°45'58"W	56.67 ft.;	S 82°34'49"W	348.65 ft.;
N 88°36'16"W	98.24 ft.;	S 29°04'41"W	79.74 ft.;
S 24°02'52"W	79.50 ft. to a point on the Line between Corner		

No. 10 and Corner No. 9 of said H.E.S.;

Thence N 28°46'45"W a distance of 636.79 ft. to Corner 9;

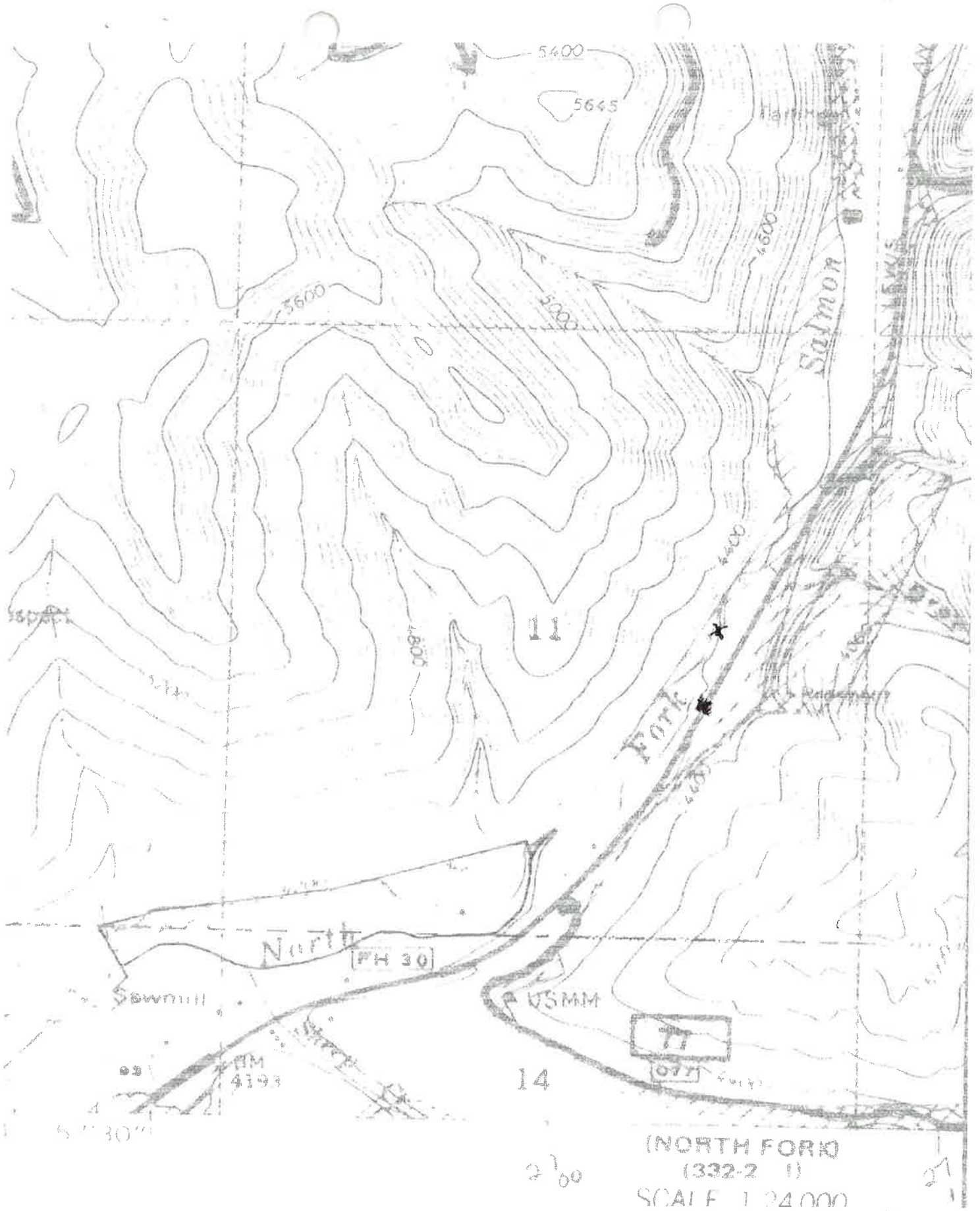
Thence N 75°32'12"E a distance of 604.46 ft. to Corner 8;

Thence N 83°39'00"E a distance of 1155.97 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 54.99 ACRES +OR-

SCANNED

AUG 03 2004



SCANNED
AUG 03 2004

Keith
A-25-04077

OCT 08 2001

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 75-4077
Date Received: 7/27/89
Receipt No:
Received By:

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

1. Name of Claimant(s)

THEODORE F KEITH Phone: (208) 455-0891

28147 MARKET RD
CALDWELL ID USA 83607

BETTY L KEITH Phone: (208) 455-0891

28147 MARKET RD
CALDWELL ID USA 83607

2. Date of Priority: 06/01/1910

3. Source: SALMON RIVER NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County
25N	21E	11	NE NE	LEMHI

5. Description of diverting works:

HEADGATE WEIR TO DITCHES, FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.83	
STOCKWATER	1/01	12/31	0.02	

7. Total Quantity Appropriated is:

0.85 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
25N	21E	11	NE	NE		IRRIGATION	6
			NW	NE		IRRIGATION	2
			SW	NE		IRRIGATION	6
			SE	NE		IRRIGATION	2
			SE	NW		IRRIGATION	4
			NE	SW		IRRIGATION	6
			NW	SW		IRRIGATION	2
			SW	SW		IRRIGATION	6
			SE	SW		IRRIGATION	2
			NW	SE		IRRIGATION	6
						Section Acres	42
						Total Acres	42

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:

14. Remarks:

AC. IRR.=41.5

CHANGED ADDRESS PER REQUEST/CV/11/08/00

15. Basis of Claim: Beneficial Use

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: A75-04077

Date Received: 7/27/1989

Receipt No: C00 8597

Received By: SS

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: THEODORE F. KEITH
Address: 4340 SHAMROCK
BOISE, ID

208-375-1574

OR

Name: BETTY L. KEITH
Address: 4340 SHAMROCK
BOISE, ID

83704

208-375-1574

83704

A7504077

2. Date of Priority: JUN 01, 1910

3. Source: SALMON RIVER, NORTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	11	NE	NE			LEMHI

5. Description of diverting works:
HEADGATE WEIR TO DITCHES, FLOOD IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.830		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

8. Total consumptive use is 105.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/25 RANGE, SEVERAL HORSES.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
25N	21E	11	NE		NE		IRR	6.0
			NW		NE		IRR	2.0
			SW		NE		IRR	6.0
			SE		NE		IRR	2.0
			SE		NW		IRR	4.0
			NE		SW		IRR	6.0
			NW		SW		IRR	2.0
			SW		SW		IRR	6.0
			SE		SW		IRR	2.0
			NW		SE		IRR	6.0
Section Acres								42.0
Total Acres								42.0

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:
AC. IRR.=41.5.

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): Theodore L. Giel Date: July 27, 1989

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of July 19 89

Anna Baunhoff
Notary Public

Seal

Residing at Anna Baunhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994