

06/14/2006

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

RIGHT NUMBER: 75-4090

NAME AND ADDRESS: JOHN C HEISER
PO BOX 226
CARMEN ID 83462

MARY ANN HEISER
PO BOX 226
CARMEN ID 83462

SOURCE: SPRING

TRIBUTARY: SINKS

QUANTITY: 0.320 CFS
56.000 AFY

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

PRIORITY DATE: 03/03/1927

POINT OF DIVERSION:

T23N R22E S18 SENW Lot 9 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	0.320 CFS 56.00 AFY

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R22E S18 Lot 9 NENW	1.00	T23N R22E S18 Lot 9 SWNW	1.00
T23N R22E S18 Lot 9 SENW	14.00		

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 - Statutory Claim



Idaho Department of Water Resources

SRBA Recommendation:

75-4090

(Irrigation)

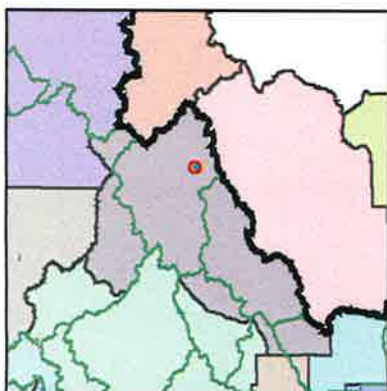
RECEIVED

DEC 26 2006

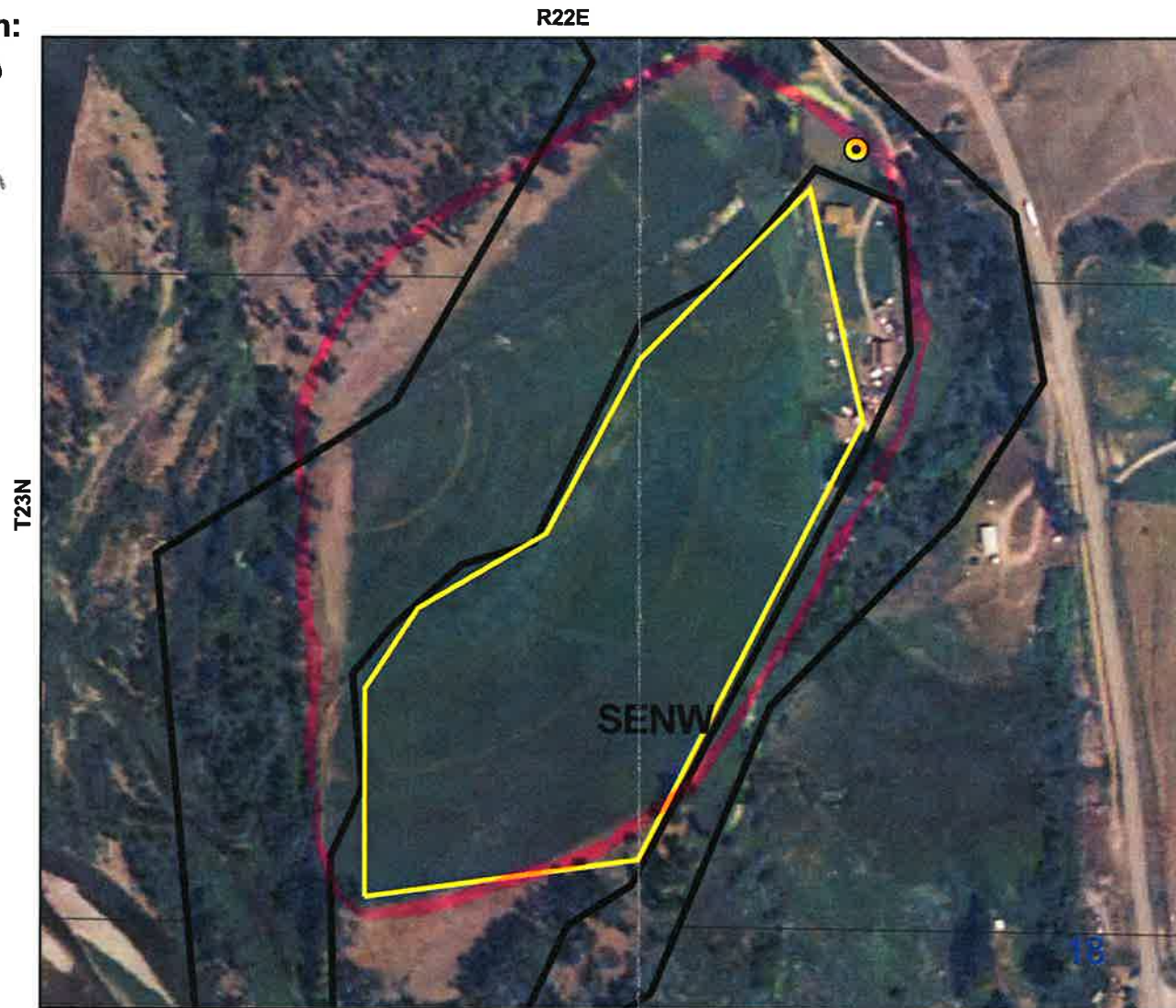
IDWR/North

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



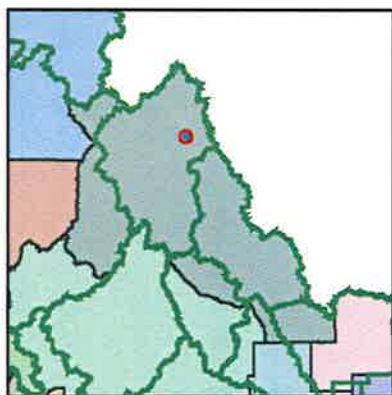
Idaho Department of Water Resources

Adjudication Claim:

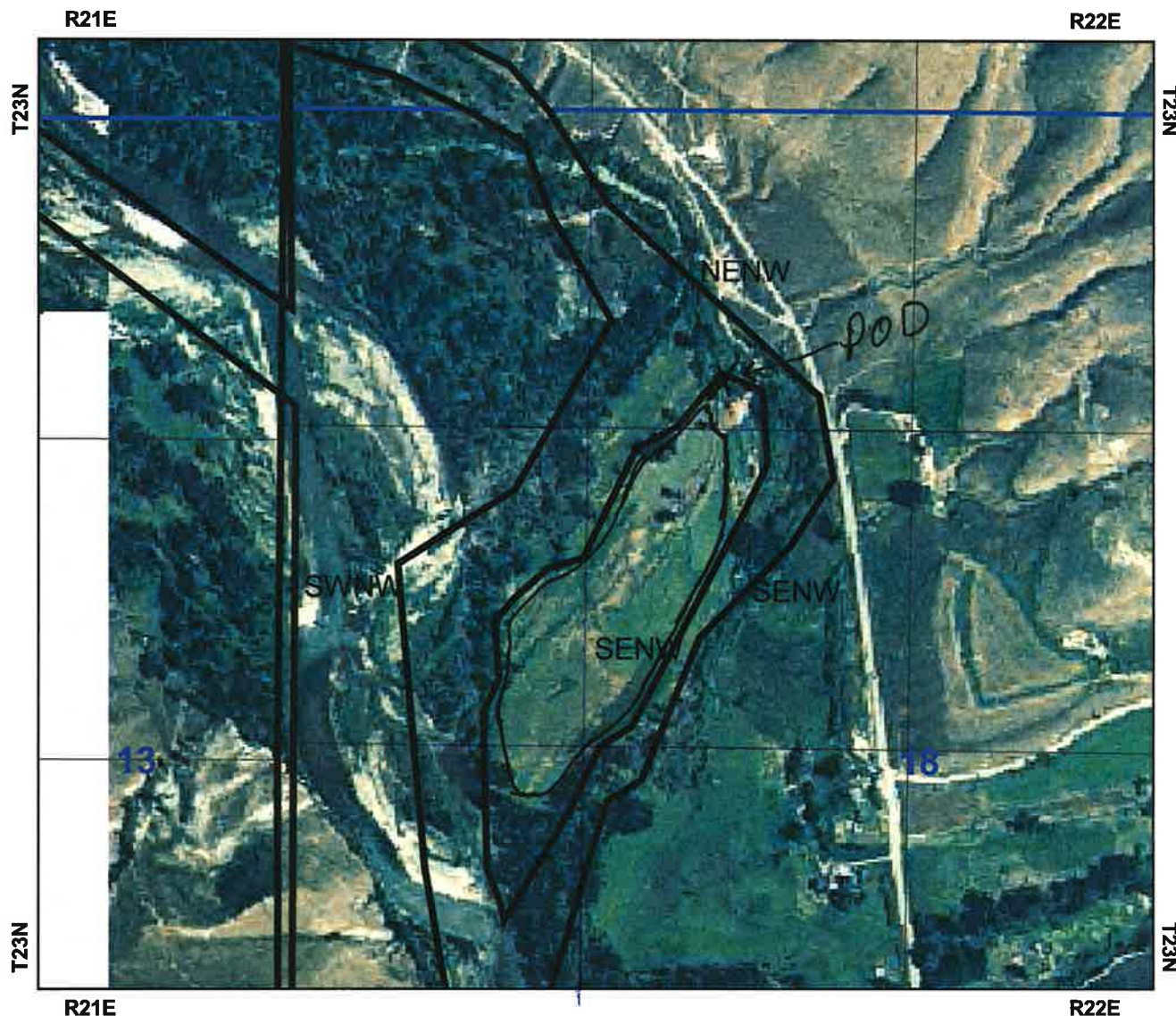
75-4090

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles



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

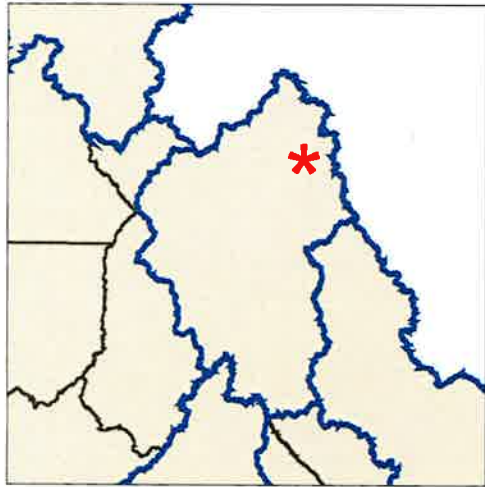
Owner: JOHN C HEISER

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

Idaho Department of Water Resources

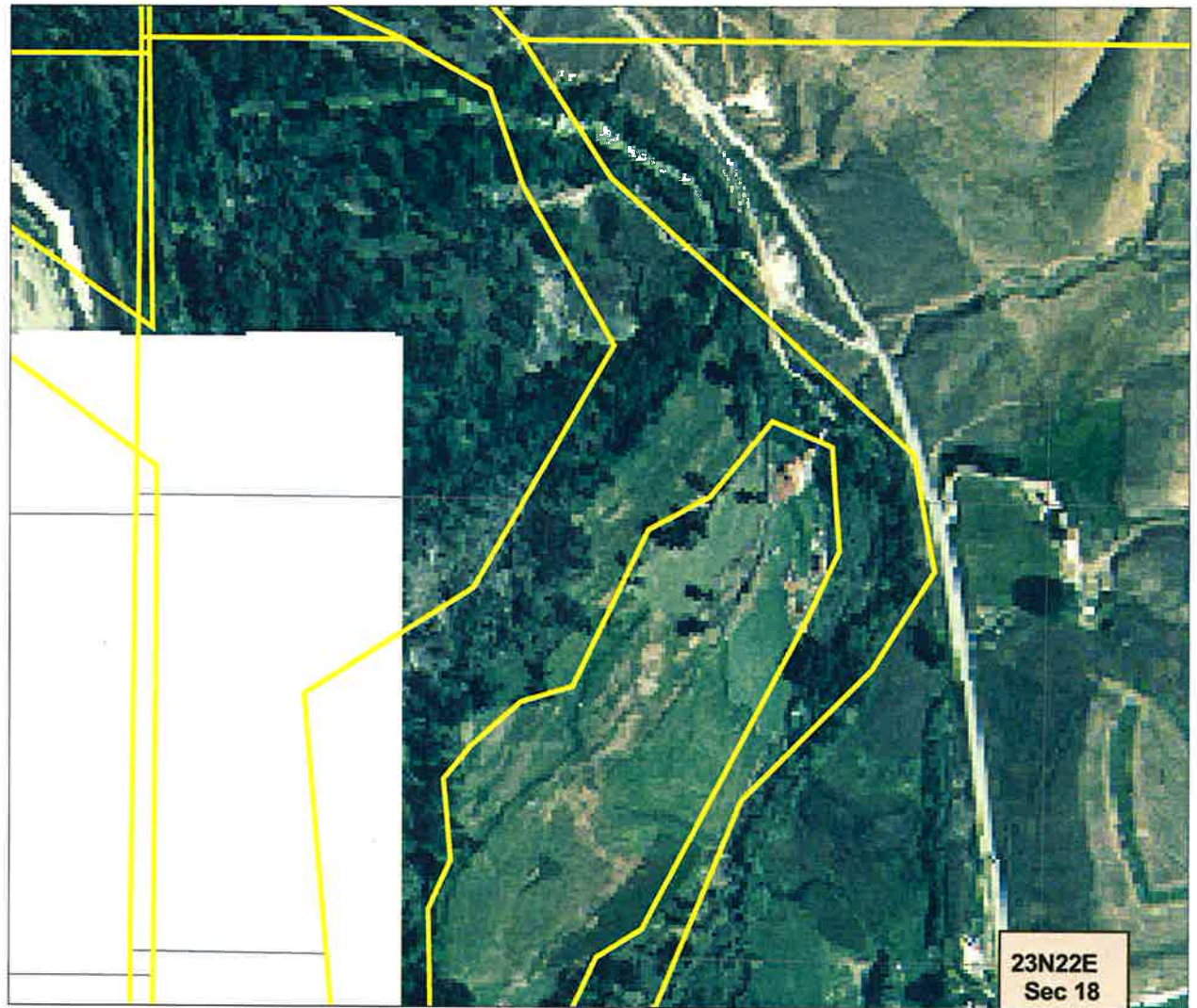


Adjudication Claim Number: **75-4090**



Legend

-  Section Lines
-  23N22E GCDB
-  23N21E GCDB



0 0.2 0.4 Miles

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

Prepared by M. Van Bussum
On Tuesday, May 10, 2005
1993/94 Aerial Photography

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

CLAIM NO(s).

A75-04090

1. ☒ No Change NAME IS SAME

☐ NEW OWNER:

Add Mary Ann's name to owners

☒ 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:

Pond T23N R22E Sec 18

4. ☐ No Change — POINT OF DIVERSION

☒ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0014963 GPS 072

Township 23N Range 22E Section 18 1/4 SW 1/4 NE 1/4 NW

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

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS

☒ Incomplete description, list below:

Pump to a center pivot

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

They claim that they are irrigating more than 16 acres - maybe like 23 acres

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name
Jack F. Ellis
Signature

John C. Heiser
PO Box 226
Carmen, ID 83467

July 29, 2005

Dear Ms. Brown:

Enclosed are the official documents from Lemhi County Tax Assessor's office showing since the patent of the property in 1932 through this year the water has been with this property and used for agriculture. As you are aware, Homestead property had to be live on for 5 years prior to obtain a patented deed. I'm not certain what documentation you need, but I can provide documentation of ownership and use though the assessment rolls if necessary. Please advise me what else is necessary.

I have enclosed an affidavit from Clair Wiley, the daughter of E. C. Bolander, about the use of the water(1948 to 1959).

All of this information pertains to Water Right # 75-4090. The water is for irrigating pastures. *and hay fields.*

Sincerely,



JohnHeiser

Enclosures

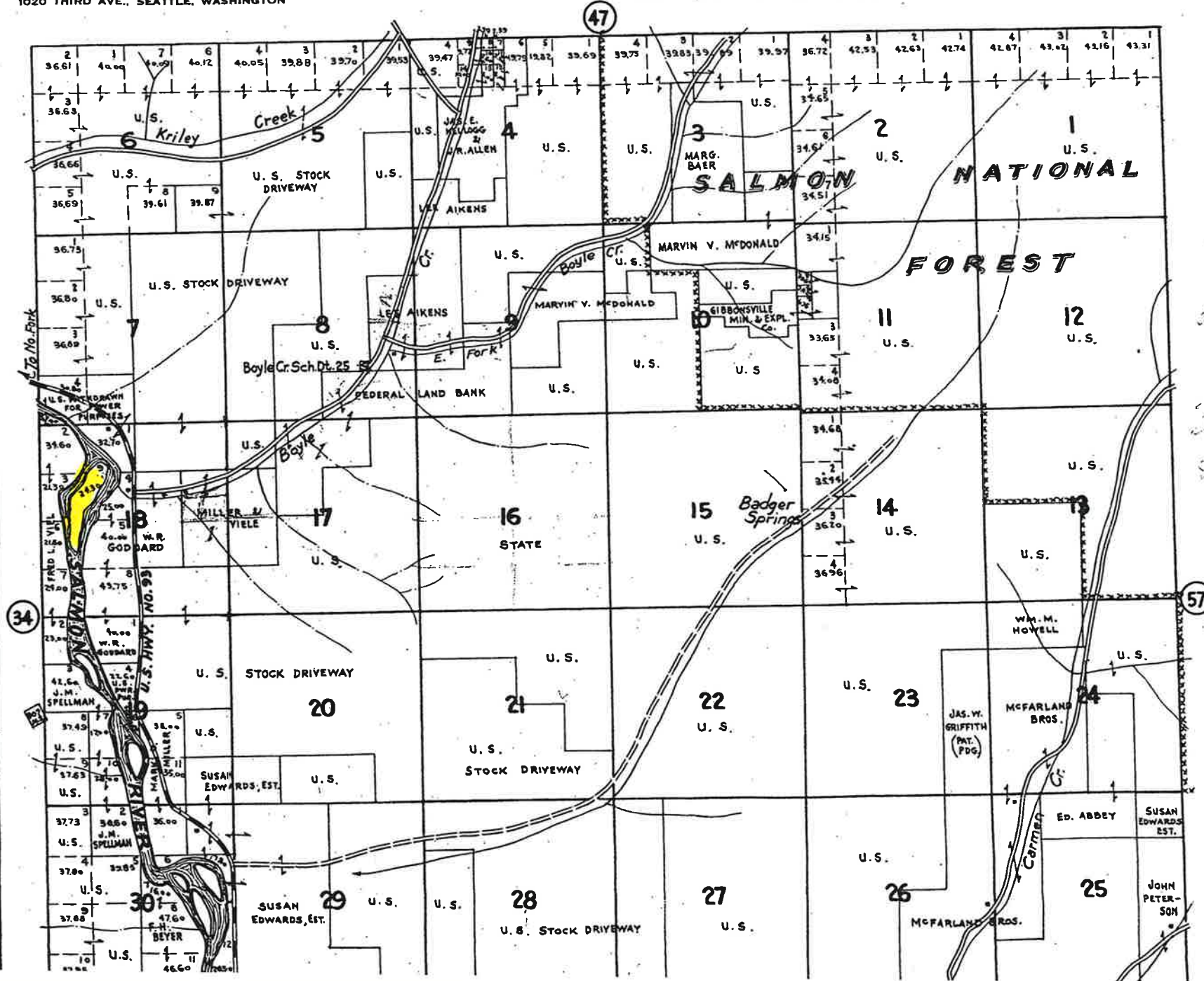
SCANNED

AUG 02 2005

SCALE 2 IN. - 1 MILE

FOR SALE BY
CHAS. F. METSKER
514 S. W. OAK STREET, PORTLAND, OREGON
111 SOUTH 10TH ST., TACOMA, WASHINGTON
1020 THIRD AVE., SEATTLE, WASHINGTON

TOWNSHIP 23 N., RANGE 22 E. B. M. LEMHI COUNTY, IDAHO



? USLM#
* SILVER STAR
First Pat.
? LNA in Ida.

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AUG 02 2005

3
E 1/2

Township No. 23 - N Range No. 22 - E Mer.



FMB001
NUMERIC ROLL

KEY: **

NO	STATUS	NAME/ADDRESS	LEGAL DESCRIPTION	CAT	QUANTITY	UNIT	MARKET	REVIEW YEAR
----	--------	--------------	-------------------	-----	----------	------	--------	----------------

84205 A		HEISER, JOHN C	T 2344	2	15.315	AC	8,898	2002
23N22E184205A		& HEISER, MARY ANN	18 23 22	4	3.000	AC	2,235	2002
		PO BOX 226		5	1.000	AC	26	2002
		CARMEN	ID 83462	10	1.000	AC	16,000	2002
				19	.685	AC		2002
				31			100,667	2002
				32			11,915	2002
LOCATION: 3200	PROPERTY ADDR: 1024		HWY 93 NORTH		21.000 **		139,741 ***	*H0*
002	CAMA AREA #: 2							

84801 A		A R R	T-3837 & T-3838	2	4.000	AC	2,836	2003
23N22E184801A		& MIKE NELSON	18 23 22	4	21.630	AC	14,449	2003
		PO BOX 221	ACREAGE CHANGE DUE TO SURVEY	10	1.000	AC	16,000	2003
		CARMEN	ID 83462					
			#234539					

LOCATION: 3200	PROPERTY ADDR: 966		HWY 93 N		26.630 **		33,285 ***	
003	CAMA AREA #: 2							

84802 A		FADNESS, CHARLES A	T-1673	12	9.989	AC	58,540	2002
		& FADNESS, ARLENE L	18 23 22	34			119,202	2002
		766 HWY 93 N						
		CARMEN	ID 83462					

LOCATION: 3200	PROPERTY ADDR: 966		HWY 93 N		9.989 **		177,742 ***	*H0*
002	CAMA AREA #: 2							

84803 A		SMITH, ROBERTA F	T-4336	12	2.449	AC	23,174	2002
23N22E187804T		980 HWY 93 NORTH	18 23 22	32			5,832	2001
		CARMEN	ID 83462	34			30,406	2001

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SUMMARY PROPERTY LISTING

'CAB100'--NUMERIC ROLL

PAGE 306

21/85
19.23

KEY NO. STATUS RCEL NO.	NAME/ADDRESS	LEGAL DESCRIPTION	CAT	QUANTITY	UNIT	VALUE	TOTAL MARKET
22E184205 A	ELLIS, ROBERT L % HEISER, J C % HEISER, M A 515 S ST CHARLES ST SALMON, IDAHO 83467	T 2344 18 23 22	1	21.000	AC	7,560	
				21.000 **			\$7,560
22E184801 A	ISLEY, M %MUNROE, DALLAS F 11666 SAGEVALE HOUSTON, TEXAS 77089	FR LOTS 5 8 SEC 18 18 ACRES 18 23 22	18	18.000	AC	44,280	
				18.000 **			\$44,280
22E184802 A	FADNESS, CHARLES A & FADNESS, ARLENE L STAR RT BOX 28 CARMEN, IDAHO 83452	T-1673 18 23 22	12 34	10.000	AC	28,000 62,474	
				10.000 **			\$90,474
22E186001 A	ISLEY, MIKE G % MUNROE, DALLAS F 11666 SAGEVALE HOUSTON, TEXAS 77089	FR LOT 8 SEC 18 FR LOT 1 SEC 19 8.62 ACRES 18 23 22	12	9.000	AC	990	
				9.000 **			\$990
22E186002 A	ISLEY, M % HUNTER, KENNETH RT 1 BOX 459 AMERICAN FORK, UTAH 84003	FR LOT 1 SEC 19 FR LOT 8 SEC 18 18 23 22	12	1.000	AC	4,770	
				1.000 **			\$4,770
22E187801 A	HOLIDAY, WALTER % SCHWARTING, DENNIS BOX 4 SALMON, IDAHO 83467	FR NW4SE4 17.7 ACRES 18 23 22	18	18.000	AC	34,810	
				18.000 **			\$34,810
22E187802 A	FERRARO, FRANK BOX 1778 SALMON, IDAHO 83467	T 2237 LESS T 2238 18 23 22	18 40	17.000	AC	40,690 22,203	
				17.000 **			\$62,893
22E187803 A	ENOCH, NELDA BOX 2225 SALMON, IDAHO 83467	T 2238 18 23 22	12 34	3.000	AC	11,370 46,539	
				3.000 **			\$57,909

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AUG 02 2005

on this sheet is situate in Lemhi County, Idaho, in

ASSESSMENT ROLL FOR THE YEAR 19⁷⁵
REAL PROPERTY

T.W.P., _____, Range _____, E.B.M. _____

PERTINENT INFORMATION	Receipt No.	DESCRIPTION OF LANDS GOVERNMENT SURVEYS BY SEC., T.W.P., RANGE OTHER SUBDIVISIONS BY LOT AND BLOCK	CLASSIFICATION OF LANDS										CITY ROLL					Or No.		
			1 IMPROVED AGRICULTURE		2 DEGRADED GRASSING		4 DRY GRASSING		5 MINORAL LAND		OTHER LANDS		WASTE	10 RESIDENCE LOTS ACREAGE		11 COMMERCIAL LOTS ACREAGE				
			Acres	Value	Acres	Value	Acres	Value	Acres	Value	Class	Acres		Value	Acres	Value	Acres		Value	
ARY ELLEN EET STON	2009 17 23 22	291 4 T-1622	17	23	22															
INA A & F I BEMOIT DIANA 46226	2010 17 23 22	291 4 T 1584	17	23	22									141	10	2850				
DEARD	2011 17 23 22	291 4 NE4NE4	17	23	22									141	4	1330				
JEWELL D	2012 18 23 22	291 4 SE4NE4 NE4SE4 LESS 11.04 ACRES LESS T 1675	18	23	22	5	48	35	44											
L GRIFFIN 3140	9/15 18 23 22	291 4 T 1675	18	23	22	16	562	9	123	41	43									
& M LEONARD	2013 18 23 22	291 4 FR SE4NE4 FR NE4SE4	18	23	22									141	4	1330				
H & MARY A	2014 18 23 22	291 4 T-1597	18	23	22									141	6	1131				
LLON & G ARTEMIS	18 23 22	291 4 FR LOTS: 4,5,9 SEC 18 40 AC	18	23	22									141	5	1131				
RT L ELLIS	18 23 22	291 4 FR LOTS: 4 9 39 A	18	23	22	40	494													
SCOTT	18 23 22	291 4 FR LOT 8 SEC 18 FR LOT 1 SEC 19 8.62 ACRES	18	23	22	39	475													
SCOTT	23 22	291 4 FR LOT 1 SEC 19 FR LOTS 5,8,NW4SE4 SEC 18 30.15 A	23	22		9	105													
			30	367																
			DA 123	1489	65	152	177							141	51	7712				
			39	1375																

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AUG 02 2005

The property described on this sheet is situate in Lemhi County, Idaho, in
Township, 23 N, Range 22 E, E.R.M.

REAL PROPERTY ASSESSMENT ROLL, 1953

CASTRO PRINTERS, CALDWELL, IDAHO 83422																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																				
Line No.	No. of Assessment List	No. of Taxpayer's Receipt	NAME AND ADDRESS OF OWNER, REPUTED OWNER, OR UNKNOWN OWNER	SUBDIVISION OR TAX NUMBER	Sec.	Twp.	Rgn.	Class	CLASSIFICATION OF LANDS AND IMPROVEMENTS										TOTAL VALUE OF REAL PROPERTY	23 Imp. on C.L.	CATTLE								HORSES																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
									1 Irrigated Land		4 Irrigated Grazing		6-7 Grass Land		10 Mineral Land		11 Waste Land				12 Improvements		24 Cattle		34 Milk Cows		36 Ewe. & Com.		37 Yearlings		39 Work Horses & Mules		40 Range & Common																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
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1			3247 Johnson, Vernon L. To John Manley Yellow Nevada. 90 C.E. Norton 11047 So. Greenville Longwood, Calif.	8*7W* 7W*7E*	17	23	22	2	29.			6 86 1/2	69.			2	686																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			

ASSESSMENT ROLL FOR THE YEAR 1975
REAL PROPERTY

T.W.P., _____, Range _____, E.B.M. _____

[illegible]

SCANNED

AUG 02 2005

The property described on this sheet is situate in Lemhi County, Idaho, in

REAL PROPERTY ASSESSMENT ROLL, YEAR 1932

Township 23 N Range 22 E.B.M.

STANDARD CO. PRINTERS & BINDERS, BOISE 11311

No. of Assessment List	No. of Taxpayer's Receipt	NAME AND ADDRESS OF OWNER, REPUTED OWNER AND UNKNOWN OWNER	SUBDIVISION OR TAX NUMBER	Sec.	Twp. N.	Rgn. E.	CLASSIFICATION OF LANDS AND IMPROVEMENTS										TOTAL VALUE OF REAL PROPERTY	Imp. on G. L.	CATTLE			CALVES			COWS			GRADED HORSES			B	B																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																													
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AUG 02 2005

43 - property described on this sheet is situate in Lemhi County, Idaho, in

Township 23 N Range 22 E.B.M.

REAL PROPERTY ASSESSMENT ROLL, YEAR 1932

STANDARD CO., PRINTERS & BINDERS, BOISE, IDAHO

No. of Assessment List	No. of Taxpayer's Receipt	NAME AND ADDRESS OF OWNER, REPUTED OWNER AND UNKNOWN OWNER	SUBDIVISION OR TAX NUMBER	Sec.	Twp. N.	Rge. E.	CLASSIFICATION OF LANDS AND IMPROVEMENTS								TOTAL VALUE OF REAL PROPERTY	Imp. on C. L.	CATTLE		CALVES		COWS		GRADED HORSES		B. B.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																						
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SCANNED
AUG 12 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

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

RECEIVED
APR 17 2003
 Department of Water Resources
 Eastern Region

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	75-4090				

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

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

3. Name and Address of Former Owner/Claimant(s) JOHN C. Heiser
4. New Owner/Claimant(s) PO Box 226 CARMEN, ID 83462
JOHN C. HEISER ^{and} OR MARY ANN HEISER
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address P.O. Box 226
- City, State and ZIP Code CARMEN - ID.
- New Telephone Number (208) 756-6234
5. Date you acquired the property 03.10.1986

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

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

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

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Mary Ann Heiser
John O. Heiser

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

For Office Use Only

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

WARRANTY DEED

For Value Received FORTY THOUSAND AND NO/100 (\$40,000.00) DOLLARS

ROBERT L. ELLIS, an unmarried man
the grantor, does hereby grant, bargain, sell and convey unto
JOHN C. HEISER and MARY ANN HEISER, husband and wife
whose current address is Box 2505, Salmon, Idaho 83467

the grantees, the following described premises, in Lemhi County Idaho, to wit:

Lot Nine (9), Section 18, Township 23 North, Range 22 East, Boise Meridian, lying West of U. S. Highway No. 93, and North of a line beginning on the Westerly Right-of-Way line of U. S. Highway No. 93 and 281.96 feet North of the Southerly boundary of Lot 4, and running thence South 81°46' West 1,443.0 feet, more or less, to a point on the Easterly bank of the Salmon River.

Together with any water and water rights, ditch and ditch rights appurtenant to said property, and all interest the Sellers may have in an access permit received from the State of Idaho that leads from U. S. Highway 93 through the State gravel pits to said property.

The above conveyance is made free and clear of all other encumbrances except: Rights-of-way and easements, reservations in Federal patents and State deeds, or other restrictions imposed by law, building and use restrictions of record, building and zoning regulations and ordinances of any governmental unit.

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 Grantee s, 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: This 28th day of January, 1983.

Robert L. Ellis
ROBERT L. ELLIS

STATE OF IDAHO, COUNTY OF LEMHI

On this 28th day of January, 19 83,
before me, a notary public in and for said State, personally
appeared ROBERT L. ELLIS, an unmarried
man.

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

Residing at Salmon, Idaho
Comm. Expires 7-15-85

Notary Public

State of Idaho }
County of Lemhi } ss. No. 179101

This instrument was filed for record at
the request of Snook Law Office
on 10:21 A.M. Mar 10 19 86

by me, and indexed in the
County of Lemhi.
Deanna Frederick
Ex-Officio Recorder
Dorothy
2.00 pd

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69098

RECEIVED
DEC 19 2002
Department of Water Resources
Eastern Region

This is to certify that: JOHN C HEISER
PO BOX 226
CARMEN ID 83462
(208)756-6234

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
75-4090	AJC/Statutory Claim	04/01/1900	1.7 cfs	N/A		19.0	SALMON RIVER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
75-4090	NO	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
75-4090	75-4090	0.32 cfs	56 af	N/A	16.0		N/A	N/A	N/A	N/A
TOTALS		0.32 cfs	56 af		16		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this

16th day of December, 2002


Chief, Water Allocation Bureau

WATER RIGHT NO. 75-4090
As Modified by Transfer No. 69098

In accordance with the approval of Transfer No. 69098, Water Right No. 75-4090 is now described as follows.

Right Holder: JOHN C HEISER
 PO BOX 226
 CARMEN ID 83462

Priority Date: April 01, 1900

Source: SPRING

Tributary: SINKS

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.32 CFS	56.0 AF
			0.32 CFS	56.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SPRING NWSENW Sec. 18 Twp 23N Rge 22E 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	
23N 22E 18					1.0		1.0	14.0									16.0
					L 9		L 9	L 9									

Total Acres: 16

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Diversion of springs is limited to those times water is available for diversion under this right and priority from the Salmon River.
7. The right holder shall cease irrigation of 3 acres previously authorized under this right, and consolidate use of water on the remaining 16 acres.
8. Approval of Transfer 69098 does not confirm Claimed Right 75-4090.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 16th day of December, 2002


 Chief, Water Allocation Bureau

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 75-4090
Date Received: 5/7/1990
Receipt No: M006927
Received By:

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

1. Name of Claimant(s)

JOHN C HEISER Phone: (208)756-6234
PO BOX 226
CARMEN ID USA 83462

2. Date of Priority: 04/01/1900

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	22E	18	NW SE NW	LEMHI	

5. Description of diverting works:

HEADGATE AND OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.32	56

7. Total Quantity Appropriated is:
0.32 C.F.S. and/or 56 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres	
23N	22E	18	NE	NW	9	IRRIGATION	1
			SW	NW	9	IRRIGATION	1
			SE	NW	9	IRRIGATION	14

Section Acres 16
Total Acres 16

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Diversion of springs is limited to those times water is available for diversion under this right and priority from the Salmon River.

The right holder shall cease irrigation of 3 acres previously authorized under this right, and consolidate use of water on the remaining 16 acres.

Approval of Transfer 69098 does not confirm Claimed Right 75-4090.

15. Basis of Claim: Statutory Claim

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.

SCANNED

DEC 0 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: A75-04090
Date Received: 5/07/1990
Receipt No: 1006927
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN C. HEISER 208-756-6234
Address: 515 S. ST. CHARLES
SALMON, ID 83467

OR
Name: MARY ANN HEISER 208-756-6234
Address: 515 S. ST. CHARLES
SALMON, ID 83467

2. Date of Priority: APR 01, 1900

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	22E	19	SE	NW			LEMHI

5. Description of diverting works:
HEADGATE AND OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.700		

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

A.F.A.

8. Total consumptive use is 47.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A75-04090

Page 1

Date: 05/07/90

A7504090



MICROFILMED

DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
23N	22E	18	NE		NW	9	IRR	1.0
			SW		NW	9	IRR	7.0
			SE		NW	9	IRR	10.0
			NW		SW	9	IRR	1.0
							Section Acres	19.0
							Total Acres	19.0

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:

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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 X 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): John C. Heiser Date: 5-7-90

Date: _____

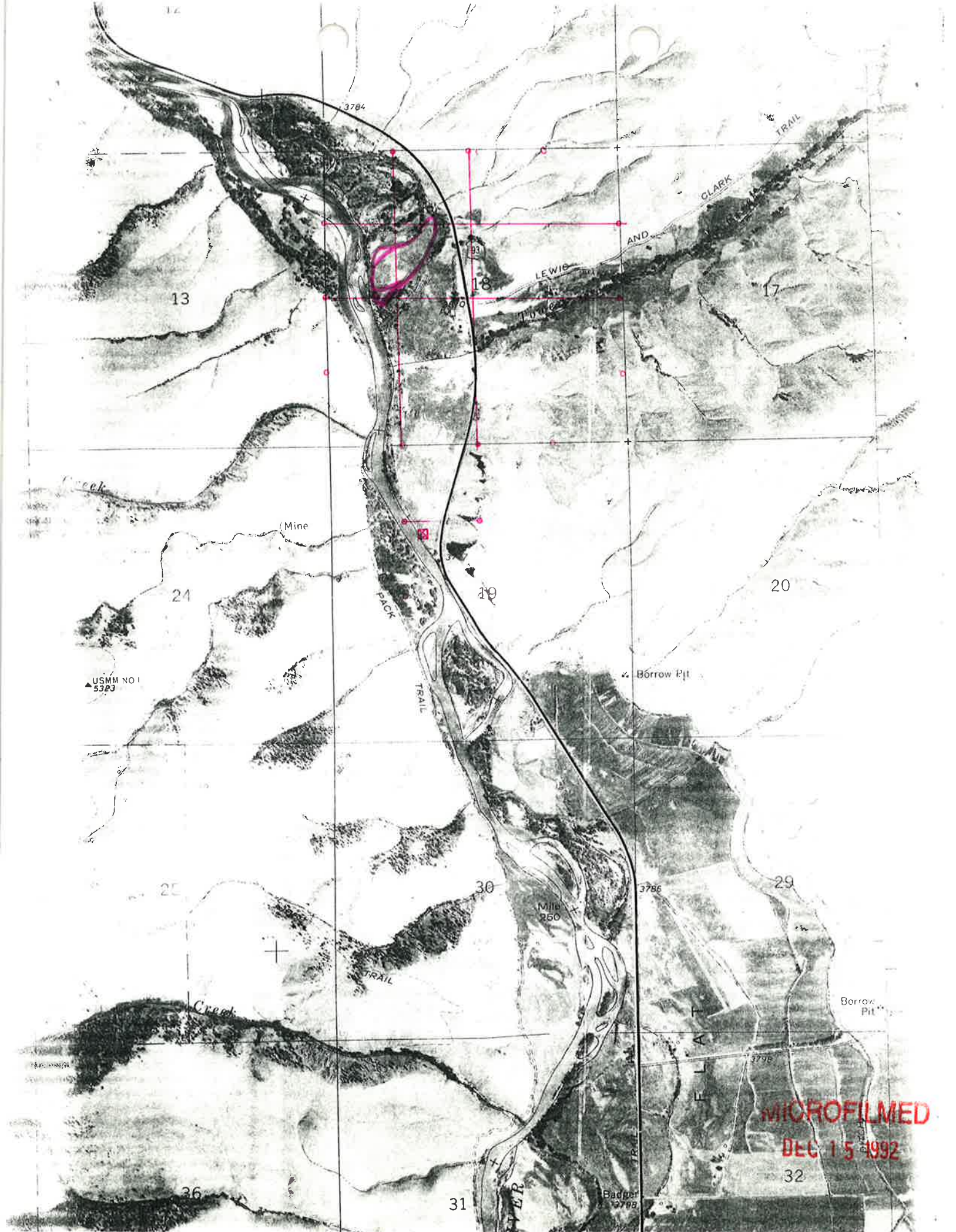
State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 7 day
of May 19 90

Ernest Carlson
Notary Public

Seal

Residing at Blair Falls, ID
My Commission Expires 6-14-1994



MICROFILMED
DEC 15 1992

4-1003

040839

THE UNITED STATES OF AMERICA,
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING.

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, deposited in the General Land Office, whereby it appears that, pursuant to the Act of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," acts supplemental thereto, the claim of HARRY ADAMS, has been established and duly recorded, in conformity to law, for the

Lot Nine of Section Eighteen in Township Twenty-three North of Range Twenty-two of the Boise Meridian, Idaho, containing twenty-four acres and thirty-four hundredths, according to the Official Plat of the Survey of the said Land, on file in the General Land Office:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said Harry Adams, the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with all the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said Harry Adams forever; subject to any vested and accrued water rights for mining, agricultural, domestic or other purposes, and rights to ditches and reservoirs used in connection with the said water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted a right of way for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, HERBERT HOOVER, President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed. GIVEN under my hand at the City of Washington, the THIRD day of MARCH, in the year of our Lord one thousand Nine hundred and THIRTY-TWO and of the Independence of the United States the one hundred and FIFTY-SIXTH.

(((SEAL)))

By the President: Herbert Hoover,
By Helen V. McLeod, Assistant Secretary.
Emma L. Warren, Recorder of the General Land Office.

Patent Number 1053624

Recorded at the request of Harry Adams, June 13th, 1932, at 15 minutes past 10 A.M., in Book 30 of Deeds, page 221, Records of Lemhi County, Idaho.

W. W. Simmons
County Recorder.

.....Instrument No. 39682.
GRANT DEED
CORPORATION.

SPRINGFIELD CONSOLIDATED MINING COMPANY, a corporation, organized under the laws of the State of Utah, in consideration of ONE (\$1.00) DOLLARS, to it in hand paid, the receipt of which is hereby acknowledged, does hereby GRANT TO J. ROSS FITCH, TRUSTEE, of Los Angeles, California, all that property in the County of Lemhi, State of Idaho, described as:

Those certain mining claims or premises known as the Lenox, Boston, Jic, Della Langdon and Della Langdon No. 2, lode mining claims, designated by the Surveyor General as Lot No. 9 of the Indian Mining District in the County of Lemhi, State of Idaho, more particularly described in the Deed of Patent of the United States of America, to Springfield Gold Mining Corporation, recorded in Volume 447, pages 229 to 233, inclusive, in the records of the General Land Office of the United States, which said Deed of Patent is also recorded in the Official Records of Lemhi County, Idaho, at page 168, Official Records of Lemhi County, Idaho.

SCANNED
AUG 02 2005