

12/21/2006

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

RIGHT NUMBER: 75-4191
NAME AND ADDRESS: ROBERT D NALL
PO BOX 236
CARMEN ID 83462

SOURCE: TOWER CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.080 CFS
PRIORITY DATE: 02/19/1907
POINT OF DIVERSION:

T23N R22E S18 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 11/01	0.080 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R22E S18 NESE 4.00

4 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



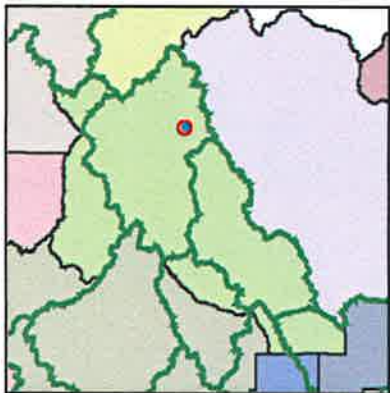
Idaho Department of Water Resources

SRBA Claim:

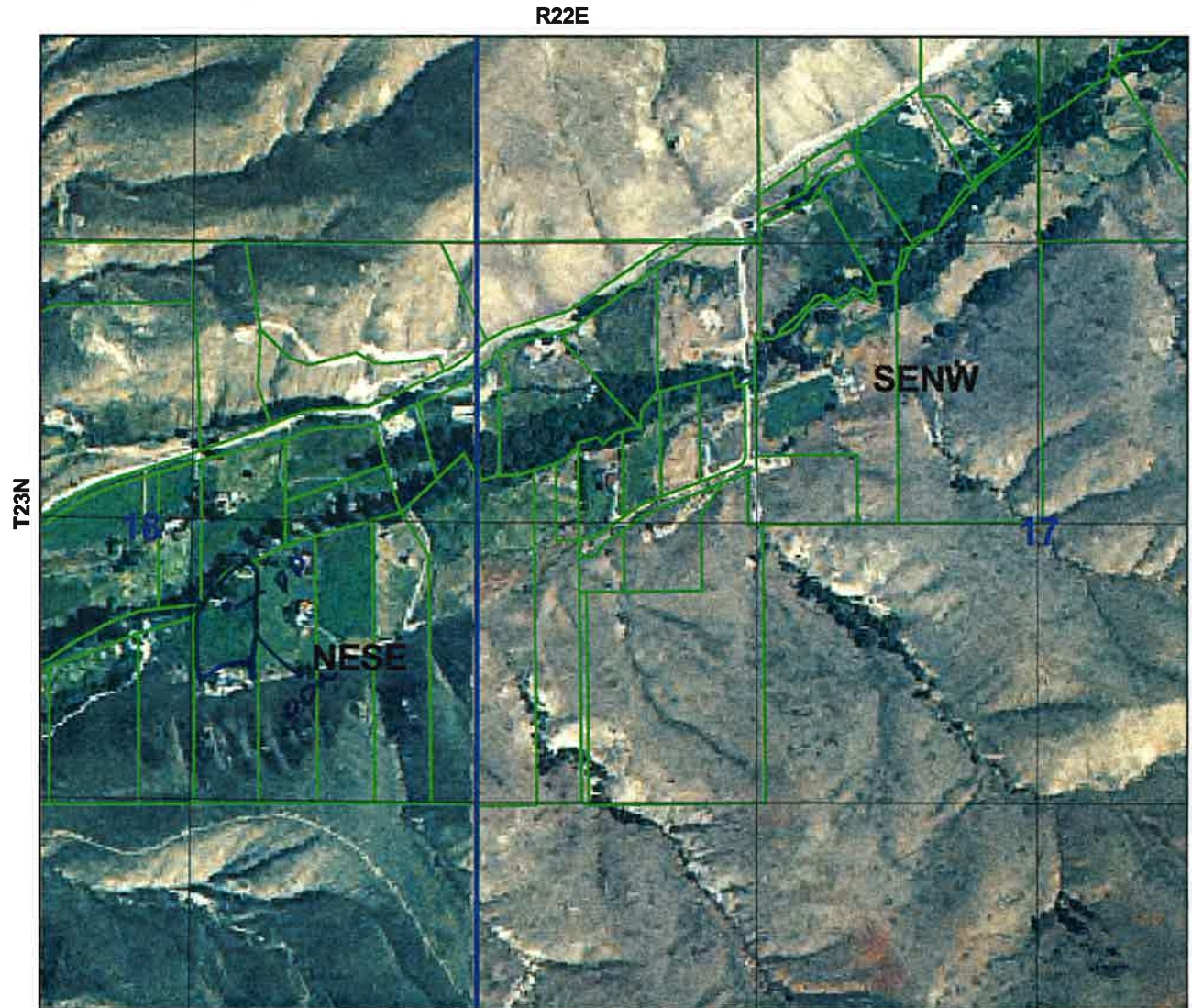
75-4191

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles



Prepared by R. Brown
On Friday, May 19, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 75-4191

WATER RIGHT NUMBER: 75-4191

Owner Type Name and Address
Current Owner ROBERT D NALL
 PO BOX 236
 CARMEN, ID 83462
 (208)756-2264

Priority Date: 08/10/1897
Basis: Beneficial Use
Status: Active

Source Tributary
TOWER CREEK SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 11/01	0.080 CFS	
	<u>Total Diversion:</u>	0.080 CFS	

Location of Point(s) of Diversion
TOWER CREEK
LEMHI County

SE1/4NW1/4

Sec. 17, Twp 23N, Rge 22E, B.M.

Place of Use
IRRIGATION Within LEMHI County
T23N R22E S18 NESE 4.0
Total Acres: 4

Conditions of Approval:

Remarks:

*may be evidence of priority
for:*

Nall 75-4191

~~Cookson 75-20440~~

Warren 75-10272

Harrison 75-14130

Barnett 75-14131

SCANNED

JUL 26 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 11, 2007

ROBERT D NALL
PO BOX 236
CARMEN ID 83462

Re: Tower Creek Adjudication Recommendation

Dear Mr. Nall:

Enclosed is a spreadsheet that summarizes recommendations filed with the SRBA court for claims for water from Tower Creek for properties that were settled in the 1890's or early 1900's. The claims had a wide array of priority dates and evidence in support of those priority dates was received. Some of you filed a Notice of Error in response to the Recommended Findings that were mailed out to claimants in November 2006. Some of you may have already received a response from us regarding your Notice of Error.

After looking at each right separately, we concluded that a more systematic approach to how recommendations were made was required. It seemed to us that it made sense to have the same priority date recommended for all of the property that was originally part of a single homestead. To that end we evaluated the Evidence of Priority information that was submitted and used the earliest date that we felt could be verified. In some cases documents were submitted that may reference dates earlier than what we have recommended, but the extent of development was not quantified. The spreadsheet lists the various water rights and the basis for the selection of the date used. Please note that you still have the option of filing an objection with the court if you disagree with these recommendations

If you have any questions please don't hesitate to contact us.

Sincerely

A handwritten signature in black ink that reads "Robert G. Haynes". The signature is written in a cursive, flowing style with a large, prominent 'R' at the beginning.

Robert G. Haynes P.E.
Regional Manager

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

CLAIM NO(s). 75-4191

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.: _____

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

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

2 hp pump in creek 10' left to sprinkle system

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

ditch no longer used in SE NW 23N 22E 17
claimant started pumping from creek in late 1980's

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-11-06

FIELD EXAMINER: Bob Paul

Print Name

Bob Paul
Signature

Rose HES #197644

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>
T23N R22E SENE Sec 18								
75	2004 A		2/19/1907	0.06		TOWER CREEK	IRRIGATION	DOCKTER, CYNTHIA D (Current); DOCKTEF
75	2004 D		2/19/1907	0.1		TOWER CREEK	IRRIGATION	PERISHO MC KAY, KRISTI (Current); RADT
75	2004 F		2/19/1907	0.04		TOWER CREEK	IRRIGATION	GARN, JAMES N (Current); GARN, JOAN B (
75	2004 G		2/19/1907	0.06		TOWER CREEK	IRRIGATION	DAVIS, DANI (Current)
T23N R22E NESE Sec 18								
75	2004 D		2/19/1907	0.1		TOWER CREEK	IRRIGATION	PERISHO MC KAY, KRISTI (Current); RADT
75	2004 E		2/19/1907	0.14		TOWER CREEK	IRRIGATION	COCHRAN, CATHERINE M (Current)
75	4191		1897-08-10	0.08		TOWER CREEK	IRRIGATION	NALL, ROBERT D (Current)
75	10272		2/19/1907	0.06		TOWER CREEK	IRRIGATION	WARREN, DAVID F (Current); WARREN, TH
T23N R22E SWNW Sec 17								
75	2004 A		2/19/1907	0.06		TOWER CREEK	IRRIGATION	DOCKTER, CYNTHIA D (Current); DOCKTEF
75	2004 C		2/19/1907	0.06		TOWER CREEK	IRRIGATION	BAIRD, CLAIR K (Current); BAIRD, JANELL (
75	2004 H		2/19/1907	0.15		TOWER CREEK	IRRIGATION	KLINGER, BARRY P (Current); KLINGER, KA
75	2004 K		2/19/1907	0.05		TOWER CREEK	IRRIGATION	LUTCH, JEFFREY (Current)
75	2004 L		2/19/1907	0.11		TOWER CREEK	IRRIGATION	BLANKINSHIP, CAROLYN L (Current)

R, THOMAS H (Current)
TKE, DENNIS (Current)
(Current)

TKE, DENNIS (Current)

TYRA (Current)

R, THOMAS H (Current)
(Current)
AY L (Current)

Rose HES #197644

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Volume(af)</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>
T23N R22E SENE Sec 18								
75	2004 A		2/19/1907	0.06		TOWER CREEK	IRRIGATION	DOCKTER, CYNTHIA D (Current); DOCKTEF
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75	2004 F		2/19/1907	0.04		TOWER CREEK	IRRIGATION	GARN, JAMES N (Current); GARN, JOAN B (
75	2004 G		2/19/1907	0.06		TOWER CREEK	IRRIGATION	DAVIS, DANI (Current)
T23N R22E NESE Sec 18								
75	2004 D		2/19/1907	0.1		TOWER CREEK	IRRIGATION	PERISHO MC KAY, KRISTI (Current); RADT
75	2004 E		2/19/1907	0.14		TOWER CREEK	IRRIGATION	COCHRAN, CATHERINE M (Current)
75	4191		1897-08-10	0.08		TOWER CREEK	IRRIGATION	NALL, ROBERT D (Current)
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75	2004 A		2/19/1907	0.06		TOWER CREEK	IRRIGATION	DOCKTER, CYNTHIA D (Current); DOCKTEF
75	2004 C		2/19/1907	0.06		TOWER CREEK	IRRIGATION	BAIRD, CLAIR K (Current); BAIRD, JANELL (
75	2004 H		2/19/1907	0.15		TOWER CREEK	IRRIGATION	KLINGER, BARRY P (Current); KLINGER, KA
75	2004 K		2/19/1907	0.05		TOWER CREEK	IRRIGATION	LUTCH, JEFFREY (Current)
75	2004 L		2/19/1907	0.11		TOWER CREEK	IRRIGATION	BLANKINSHIP, CAROLYN L (Current)

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75	2004 E		2/19/1907	0.14		TOWER CREEK	IRRIGATION	COCHRAN, CATHERINE M (Current)
75	4191		1897-08-10	0.08		TOWER CREEK	IRRIGATION	NALL, ROBERT D (Current)
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TKE, DENNIS (Current)
(Current)

TKE, DENNIS (Current)

TYRA (Current)

R, THOMAS H (Current)
(Current)
AY L (Current)

RECEIVED

JUN 15 2005

Department of Water Resources

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER:

Ident. Number

Date Received

Receipt Number

39576

75-4191

6-15-05

C078276

D.C. P-22-05

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAWRECEIVED
6-13-05
R. Foster

Please type or print clearly

1. Name of Claimant (s)

Robert D. Nell

Phone (208) 756 2264

Mailing Address

Box 236 Carmen Id

Zip

83462

2. Date of Priority (Only one (1) per claim)

8-10-1897

3. Source of water supply (a)

Tower cr.

which is tributary to (b)

Salmon River

4. a. Location of existing point of diversion is:

Township 23N

Range 22E

Section 17

SE

1/4 of NW

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 of

1/4, Govt. Lot

B.M., County of

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

pump n ditch

ditch from creek

SCANNED

JUN 22 2005

Book W Page 521

Instrument No. 15910

4-1050

Hailey 0730

THE UNITED STATES OF AMERICA,

To all to whom these presents shall come, Greeting:

WHEREAS, on May 11, 1911 Patent No. 197664 issued to William J. Rose, Assignee of Frederick Meyers, for the southeast quarter of the northeast quarter and the northeast quarter of the southeast quarter of Section eighteen and the southwest quarter of the northwest quarter of Section seventeen in Township twenty-three north of Range twenty-two east of the Boise Meridian, Idaho, containing one hundred twenty acres, reserving to the United States all coal in said lands, and ~~to~~ it, or persons authorized by it, the right to prospect for, mine, and remove coal from the same upon compliance with the conditions of said subject to the limitations of the Act of March 3, 1909; and

WHEREAS, the land so conveyed have been subsequently classified as noncoal in character; NOW, THEREFORE, KNOW YE, That the UNITED STATES OF AMERICA, in accordance with the Act of Congress approved April 14, 1914 (Public No. 83) authorizing, under, such conditions, the issuance of new or supplemental patent without such reservation, does hereby remise, release, and forever quitclaim unto the said William J. Rose and to his heirs and assigns, all right, title, interest, and estate to and in the above-described lands which may be vested in and possessed by it by virtue of the reservation hereinbefore mentioned and recited.

IN TESTIMONY WHEREOF, I, Woodrow Wilson, 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 twenty-fifth day of May in the year of our Lord one thousand nine hundred and fifteen and of the Independence of the United States the one hundred and thirty-ninth.

(SEAL)

By the President: Woodrow Wilson

By M. P. LeRoy, Secretary.

L.Q.C. Lamer, Recorder of the General Land Office.

Recorded: Patent Number 474755

Recorded at the request of W.J. Rose Aug., 12th, 1915, at...minutes past 9 O'clock A.M. in Book W of Deeds, page 521, records of Lemhi County, Idaho.

J. L. Kirtley, Jr., County Recorder.

By *W. J. Rose* Deputy

STATE OF IDAHO
COUNTY OF LEMHI
I, THOMAS J. MORTON, CLERK OF THE DISTRICT COURT
OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF LEMHI DO HEREBY
CERTIFY THAT THE PROCEEDING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.
IN WITNESS WHEREOF I HAVE HERE UNTO SET MY HAND
AND AFFIXED MY OFFICIAL SEAL THIS *11th* DAY
OF *July* YEAR *1915*

THOMAS J. MORTON, CLERK
BY *James Taylor* DEPUTY

SCANNED

JUL 26 2005

BOOK 0 Page 54

Quitclaim Deed.

This Indenture, Made the Second day of November in the year of our Lord one thousand nine hundred and thirteen between Ferdinand Meyer

of the County of Lemhi and State of Idaho, the party of the first part, and

County of Lemhi State of Idaho the party of the second part,

WITNESSETH, that the said party of the first part, for and in consideration of the sum of One Thousand (\$1000) Dollars, lawful money of the United States to him in hand paid by the said party of the second part, the receipt of which is hereby acknowledged, do L.S. REMISE, RELEASE and forever QUITCLAIM unto the said party of the second part, and to his heirs and assigns, the following described real estate, situated in the County of Lemhi and State of Idaho, to-wit:

The south east quarter of the north east quarter, the north east quarter of the south east quarter of Section Eighteen (18) and that certain forty acre tract of unincorporated land, which were surveyed by the Lemhi County, south west quarter of the north east quarter of Section Seventeen (17) all in Township Twenty Three North of Range Twenty Two, East, being the same land described in Record Book Entry, No 1086, dated United States District Land Office, Hailey, Idaho, April 8th 1903. Also two ditches and water right taken out of Boyle Creek, and carried to and from the above said land, and all other ditches and water rights upon, belonging to, and used in connection with said land. The above mentioned water right, being the second right to the use of the water of said Boyle Creek. And the party of the first part does hereby relinquish, demise, release and assigns to the said party of the second part, all his right, title and interest, in and to that certain Record Book Entry of said land, No 1086, made in said party of the first part, at the United States District Land Office, Hailey Idaho, April 8th 1903.

together with all the tenements, hereditaments and appurtenances thereunto belonging, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest properly, possession, claim and demand whatsoever as well in law as in equity, of the said party of the first part, of, in or to the said premises, and every part and parcel thereof.

TO HAVE AND TO HOLD, all and singular the said premises, with the appurtenances

unto the said party of the second part, his heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

J. C. Sinclair

Ferdinand Meyer

(SEAL)

(SEAL)

STATE OF IDAHO,

County of Lemhi,

On this Second day of November 1903, before me John C. Sinclair a Notary Public in and for said County, personally appeared Ferdinand Meyer

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same; and on this day of

1903, before me, the officer above described, personally appeared known to me to be the person whose name is subscribed to the within instrument, described as a married woman, and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution.

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

Seal

John C. Sinclair
Notary Public

STATE OF IDAHO,
County of Lemhi,

I hereby certify that this instrument was filed for record at request of William J. Rose at 2 minutes past 1 o'clock P. M., this 3rd day of November A. D. 1903, in my office, and duly recorded in Book 0 of Reeds at page 54

W. C. Smith

SCANNED

JUL 26 2005

This Indenture. Made This twelfth day of April in The year of our Lord. one thousand eight hundred and ninety. seven. Between Robert Dunlop and Minnie Dunlop. his wife. both of Salmon City. County of Lemhi. State of Idaho The parties of The first part. and Friedrich Meyers of The County of Lemhi. State of Idaho. The party of The second part.

Witnesseth. That The said parties of The first part. for and in consideration of The sum of seven Hundred and fifty (750) Dollars. lawful money of The United States of America - to Them in hand paid by The said party of The second part. The receipt whereof is hereby acknowledged. have granted. bargained and sold. and by these presents do grant. bargain. sell. convey and confirm unto The said party of The second part. and to his heirs and assigns forever. all The following described real estate. situated in Lemhi County. State of Idaho. to wit: All of lot numbered Two (2) of Section eighteen (18) in Township twenty-one (21) North. of Range twenty. Two (22) East of The Boise Meridian. in Lemhi County Idaho. containing forty acres and fifty hundredths of an acre according to The Government survey thereof. together with all ditches and water rights owned and used in connection with The aforesaid premises or in any wise belonging or appertaining thereto.

Together with all and singular The tenements. hereditaments. and appurtenances thereto belonging or in any wise appertaining. and The reversion and reversions. remainders and remainders. rents. issues and profits thereof. and all estate. right. title and interest in and to The said property as well in law as in equity. of The said parties of The first part.

To have and to hold. All and singular. The above mentioned and described premises. together with The appurtenances unto The party of The second part. and to his heirs and assigns forever. And The said parties of The first part. and their heirs. The said premises in The quiet and peaceable possession of The said party of The second part. his heirs and assigns. against The said parties of The first part and their heirs. and against all and every person and persons. whomsoever lawfully claiming or to claim the same. shall and will warrant and by these presents forever defend.

In Witness Whereof. The said parties of The first part

COANNED

MAY 26 2005

Have hereunto set Their hands and seals The day and year first above written.

Signed, sealed, and delivered

in presence of
Timothy Dore.

Robert Dorel op Seal
Minnie Dorel op Seal

State of Idaho } ss.
County of Lemhi }

On this 13th day of April 1897. before Timothy Dore - a Notary Public in and for said County. personally appeared Robert Dorel op. known to me to be the person whose name is subscribed to the within instrument. and acknowledged to me that he executed the same; and on this 13th day of April 1897. before me. The officer above described. personally appeared Minnie Dorel op. known to be the person whose name is subscribed to the within instrument. described as a married woman; and upon an examination without the hearing of her husband - I made her acquainted with the contents of the instrument and thereupon she acknowledged to me that she executed the same. and that she does not wish to retract such execution.

In Witness Whereof - I have hereunto set my hand and affixed my official seal. The day and year in this certificate first above written.

(Seal)

Timothy Dore.
Notary Public.

State of Idaho } ss.
County of Lemhi }

I hereby certify that this instrument was filed for record at request of Timothy Dore at 30 minutes past 10 o'clock A.M. this 13th day of April A.D. 1897 - in my office and duly recorded in Book "I" of Deeds at page 378.

J. P. Clough
Ex officio Recorder
By O. T. Clough Deputy.

SCANNED

JUN 26 2005

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 108 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 108 (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.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>23N</u>	<u>22E</u>	<u>18</u>													<u>4</u>				<u>4</u>

Total number of acres irrigated 4

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

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

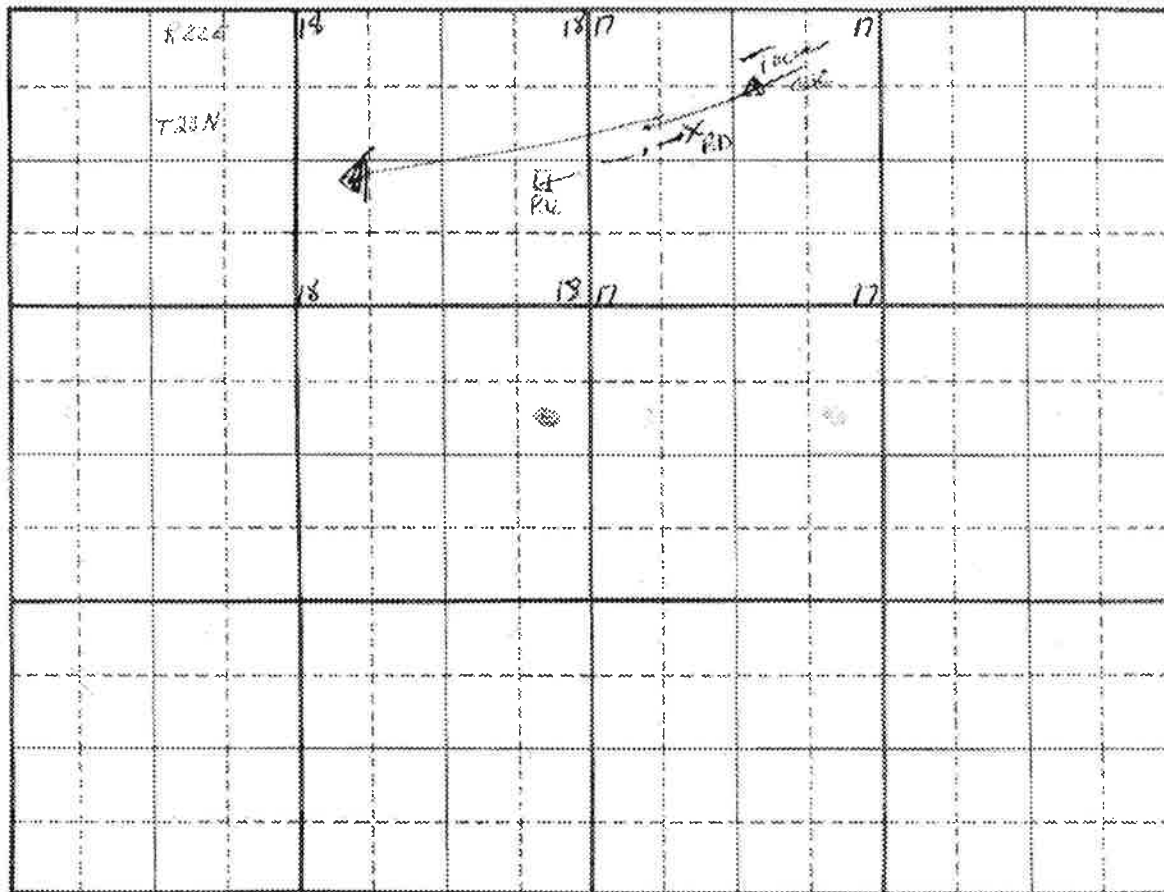
13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (Y)

14. Remarks:

Last Name NALL Ident No. 75-4191

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(8) Remarks _____



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40 acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of LEMHI) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 13 day of April

Jimmy L. Prince
(Claimant)
19 21

William Rhoads
Notary Public
Residing at Id. Falls

My commission expires MAY 4, 1984

FOR DEPARTMENT USE ONLY

Received by BR. Co. Date 4/15/81 Exception filed by: _____ Date _____
Refund check by BR. Co. Date 4/15/81
\$30.00 fee received by BR. Co. Date 4/15/81 # 177186
Published in Bozeman Journal
Dates 4/20/81 4/21/81

Nall

75-4191

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice ☐ License ☐ Permit ☐
Decree 75-4191
If applicable provide IDWR Water Right Number 75-4191
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

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

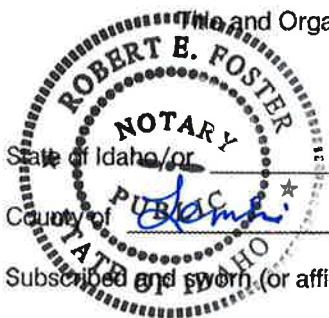
Signature of Claimant (s) [Signature] Date 6-13-05

Date _____

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

Signature of Authorized Agent _____

Title and Organization _____ Date _____


State of Idaho or _____)
County of Blaine) SS.
Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 2005

SEAL

Notary Public Robert E. Foster
Residing at Salmon, ID
My Commission Expires 08-12-07

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name WALL Ident. Number 75-4191

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JUN 22 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Tommy BRISCOE (Name of Claimant)

Box 575 SALmon Id. 83467 Telephone No. 756-3283

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 8-10-1897

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- ✓ (2) Describe the source of water; (Name of stream; lake, spring, etc., or ground water)
Tawen Creek tributary to Salm River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
Quantity	Use	Period of Use From	(Mo., Day)	To	(Mo., Day)
Quantity <u>50 cfs</u>	Use <u>Irrigation</u>	Period of Use From	<u>April</u>	To	<u>Nov 1</u>
Quantity _____	Use _____	Period of Use From	_____	To	_____
Quantity _____	Use _____	Period of Use From	_____	To	_____
Quantity _____	Use _____	Period of Use From	_____	To	_____
Quantity _____	Use _____	Period of Use From	_____	To	_____

- (4) .50 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)
- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17 Twp. 23N Rge. 22E B.M., County of Lemhi
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Community Ditch from Creek Thence into private ditch system.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 8

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

Nell

75-4191

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JUN 22 2005

754191

N/du

FOR DEPARTMENT USE ONLY

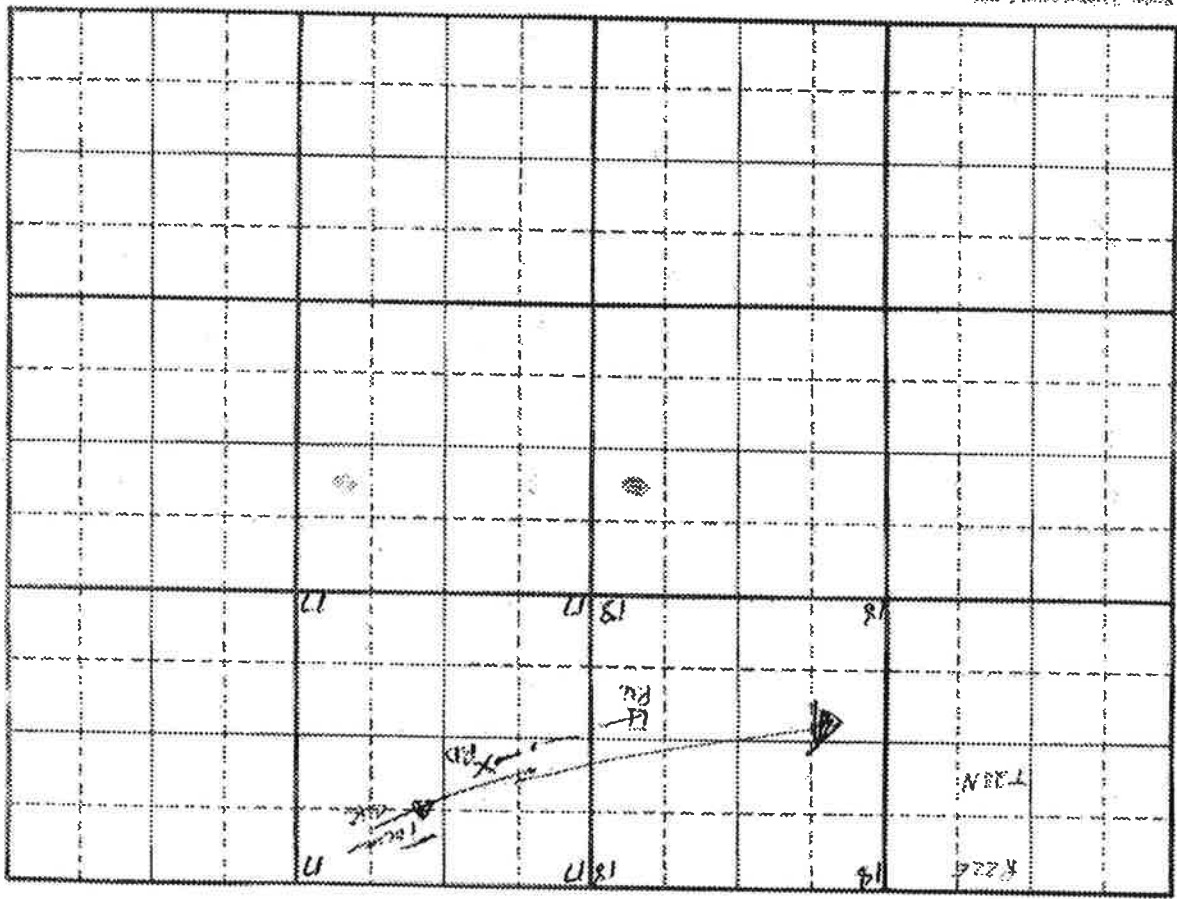
Received by: *R.E. D.* Date: *4/27/81*
Exemption filed by: *4/27/81* Date: *4/27/81*
Exception filed by: *4/27/81* Date: *4/27/81*
Forwarded to: *4/27/81* Date: *4/27/81*
Forwarded by: *4/27/81* Date: *4/27/81*

My commission expires *MAY 4, 1984*

Sworn to before me this *13* day of *April*, 19*81*
Notary Public *William J. Brice*
Residing at *1111 1/2*

State of Idaho)
County of *LEMHI*) ss.
I, *William J. Brice*, do hereby certify that the foregoing is a true and correct copy of the original as the same appears to me.

When shown the location of the point of division and the place of use of the water by adverse subdivisions, section, township and range of the public land survey system.



4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Nall, Robert D.CLAI DENT. NO. 15-4191DATE RECEIVED 6-15-05CK # C078276AMOUNT \$ 54.-

- | | YES | NO | Required Info? |
|--|-------------------------------------|--------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates? | ☒ | ☐ | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | ☒ | ☐ | * |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | ☒ | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | ☒ | ☐ | |
| Is the consumptive use correct? | ☒ | ☐ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | ☒ | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | ☒ | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | ☒ | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | ☒ | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | ☒ | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: S. HermaDate: 6-22-05

Claim must be returned to claimant:

(Yes) ☒ (No) ☐

Claimant must be notified of modifications:

(Yes) ☒ (No) ☐Receipt Prepared by: M. M. MilckClaim data entered by: 20Sent to claimant by: 20Date: 6-15-05Date: 6-22-05Checked by: 20Date: 6-22-05Comments: