

12/21/2006

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

RIGHT NUMBER: 75-4208B

NAME AND ADDRESS: RICHARD E FOUST
PO BOX 281
CARMEN ID 83462

SOURCE: TOWER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.030 CFS

PRIORITY DATE: 02/19/1912

POINT OF DIVERSION:

T23N R22E S17 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.030 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T23N R22E S17 NENW 0.50

0.5 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

02/09/2006

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PERIOD OF USE:

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PERIOD OF USE

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04/01 10/31

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PLACE OF USE: IRRIGATION Within LEMHI County

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

01/11/2007

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

RIGHT NUMBER: 75-4208B

NAME AND ADDRESS: RICHARD E FOUST
PO BOX 281
CARMEN ID 83462

SOURCE: TOWER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.030 CFS

PRIORITY DATE: 07/10/1911

POINT OF DIVERSION:

T23N R22E S17 NWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.030 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T23N R22E S17 NENW 0.50

0.5 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

WATER RIGHT NO.:

75-4208B

T23N R22E Sec. 17

LEGEND

 Point(s) of Diversion

 Place of Use

Gov. Lot Numbers

 Townships

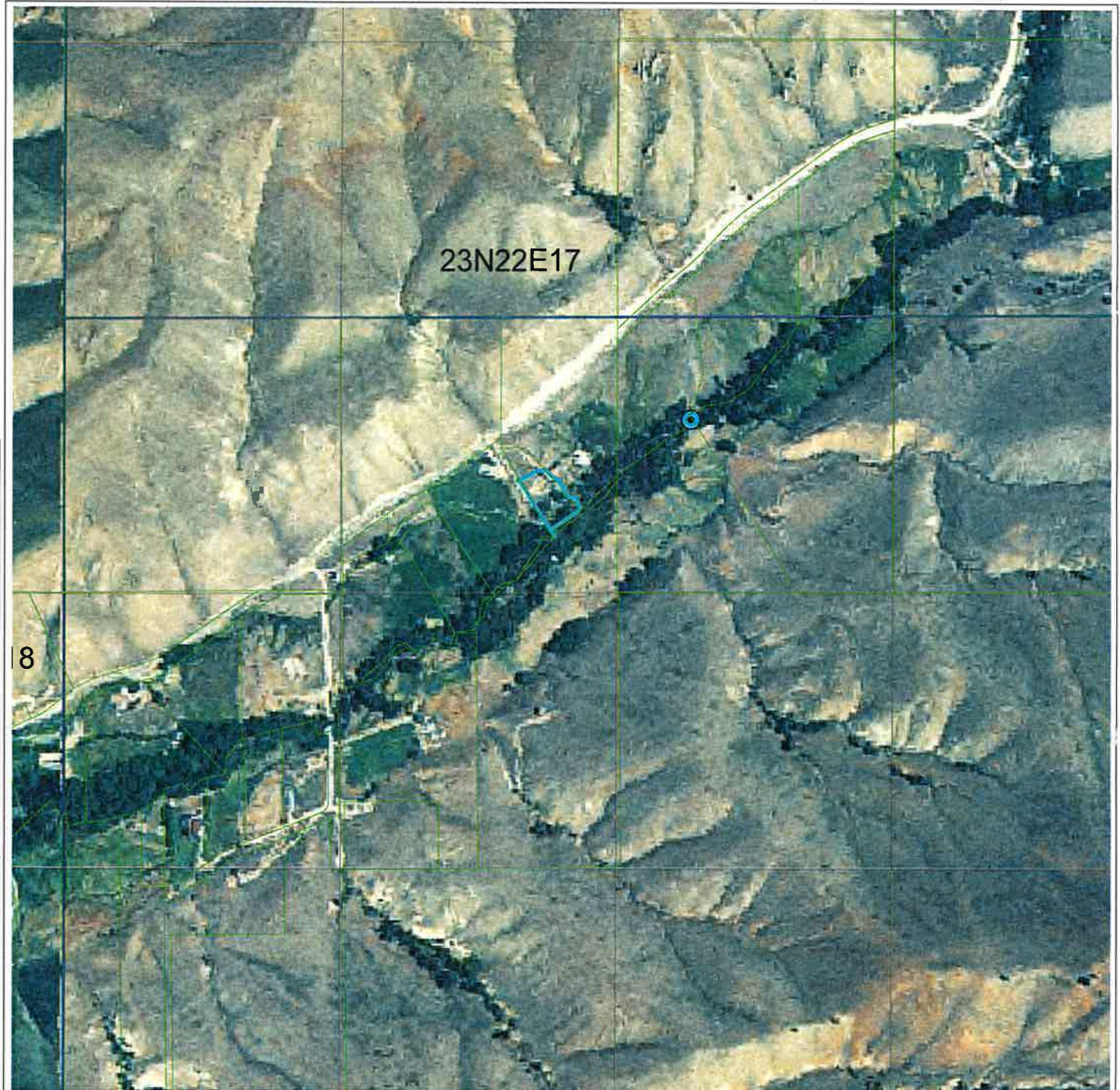
 Sections

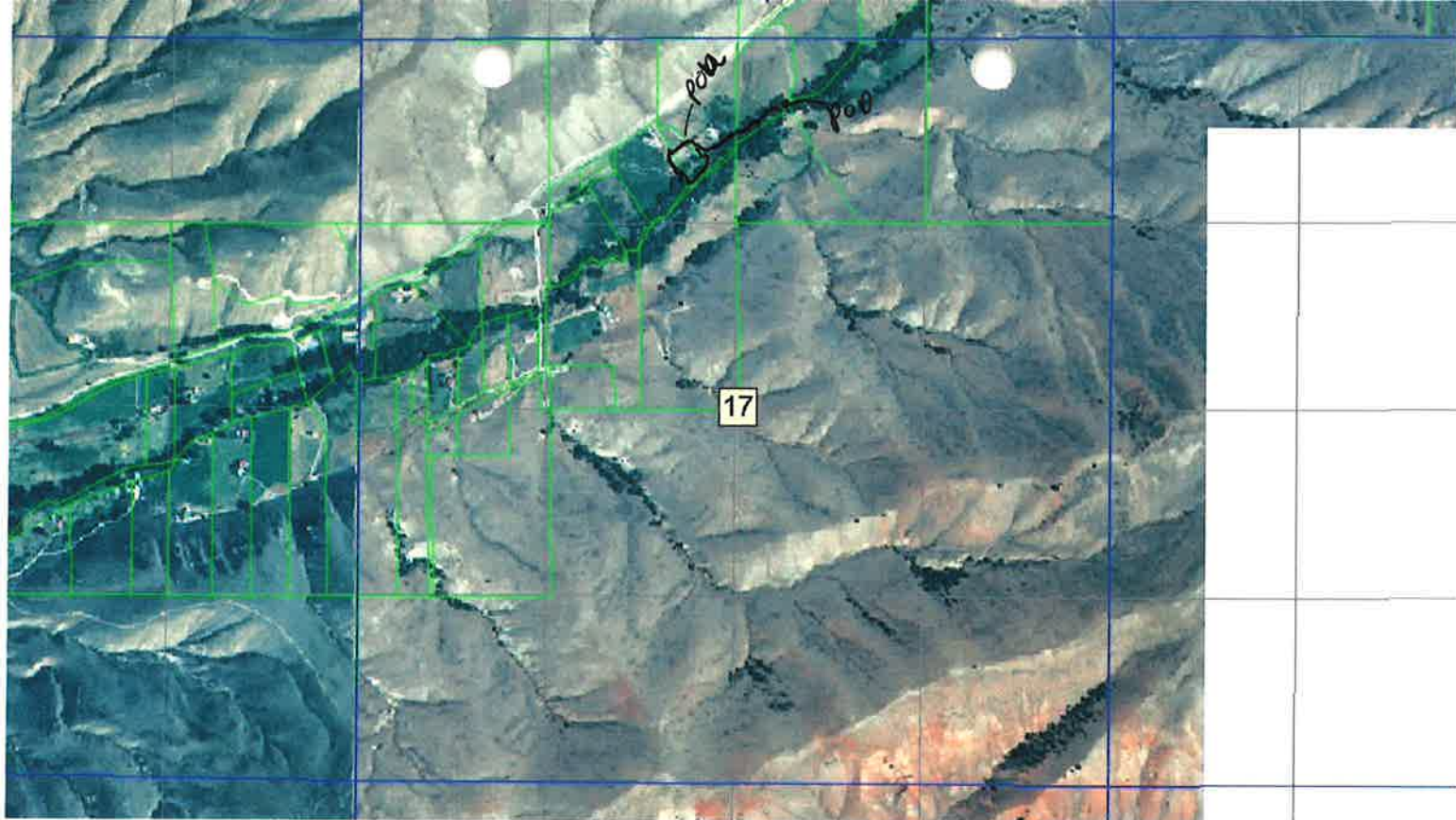
 Quarter Quarter

IMAGE 1993 True Color



Prepared By: Asher Barton
November 7, 2005





75-4208B



Idaho Department of Water Resources

SRBA Recommendation:

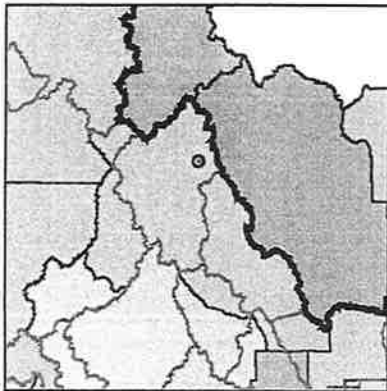
75-4208B

(Irrigation)

Legend

- ⊙ Point of Diversion
- Place of Use

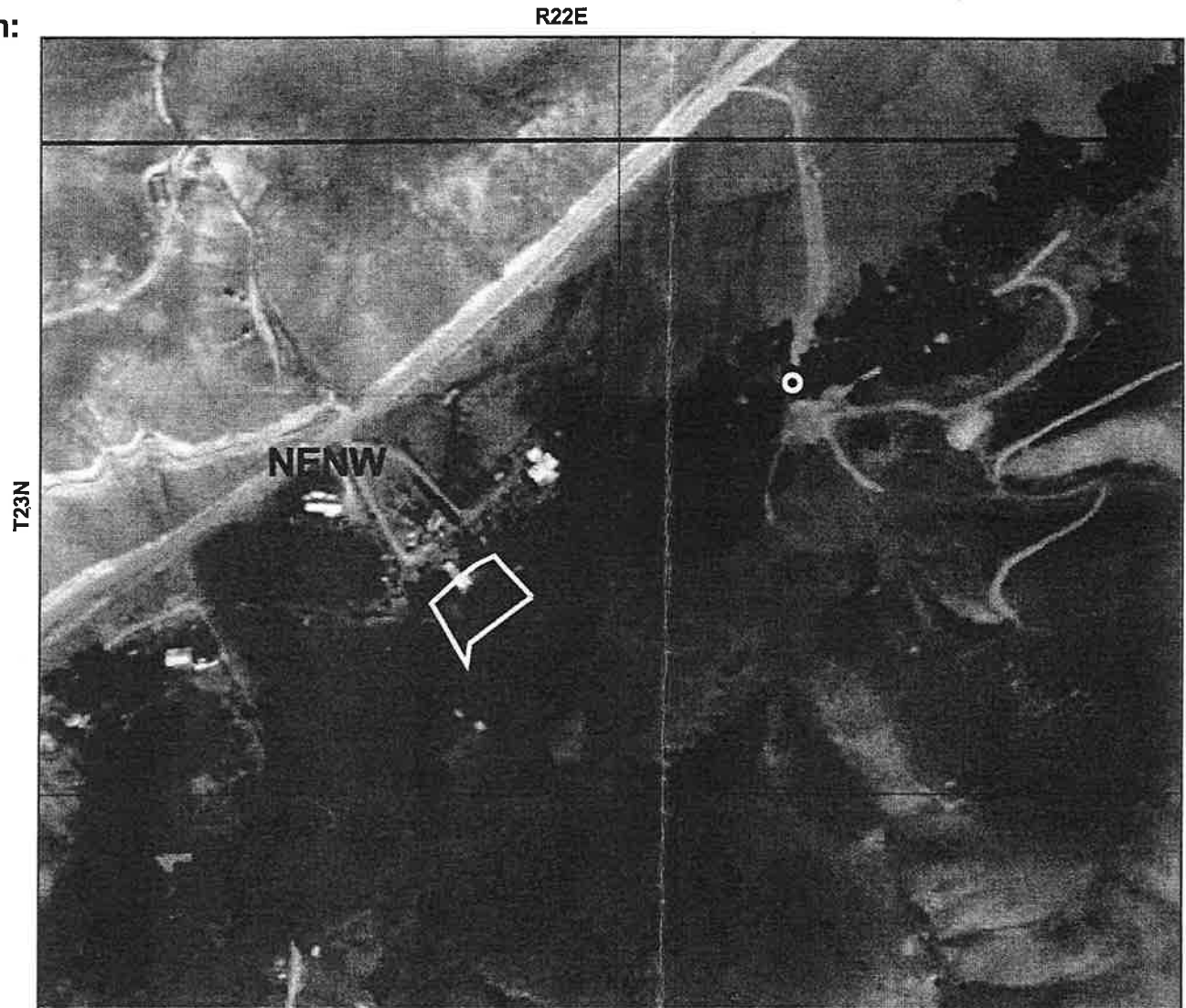
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



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



0 0.1 0.2 Miles





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

RICHARD E FOUST
PO BOX 281
CARMEN ID 83462

Re: Tower Creek Adjudication Recommendation

Dear Mr. Foust:

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.

Robert G. Haynes P.E.
Regional Manager

11/20/2006

NOTICE OF ERROR
REPLY

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

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

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

Water right number: 75-4208B

RICHARD E FOUST

PO BOX 281

CARMEN ID 83462

Telephone Number: (208) 756-2281

RECEIVED

DEC - 4 2006

IDWR/North

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

Quantity: 0.030 CFS
Acreage: 0.5 ACRES TOTAL

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

Quantity: 0.060 CFS
Acreage: 1.0 ACRES TOTAL

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

BENEFICIAL USE: AREA TO BE INCLUDED 0.5 AC
TURNED PRODUCTIVE FROM KNAPWEED INFESTED ROCK
PATCH TO PASTURE / ORCHARD FROM SPRINKLE
IRRIGATION system.

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

DATE: 28 Nov 06

SIGNATURE:

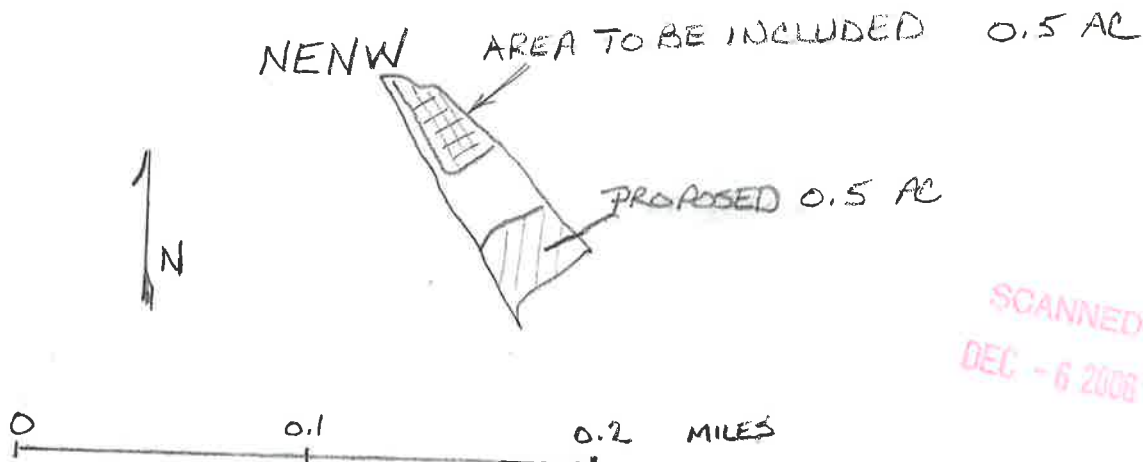
Richard E Foust

Please print your name:

RICHARD E FOUST

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

Range 22E



Tower Creek Upper ditch

GPS Site Tag No.: A0015036

POD Location: T23N, R22E, S17, NWNE

Rate Measured: 4.59 cfs

Claim No.	Priority Claimed	Rate Claimed (cfs)	Priority Rec.	Rate (0.02 cfs/acre)	Ditch Length (mi.)	Conveyance Loss (cfs)	Max. Rate (cfs)	Rec. Rate (cfs)
75-2004A	2/19/1907	0.230	2/19/1907	0.016	0.653	0.261	0.28	0.15
75-2004H	2/19/1907	0.123	2/19/1907	0.084	0.417	0.167	0.25	0.12
75-2004K	2/19/1907	0.047	2/19/1907	0.046	0.481	0.192	0.24	0.05
75-2004L	2/19/1907	0.110	2/19/1907	0.038	0.581	0.233	0.27	0.11
75-4208A	4/1/1911	0.065	4/1/1912	0.012	0.076	0.030	0.04	0.04
75-4208B	4/1/1911	0.025	4/1/1912	0.010	0.137	0.055	0.06	0.03
75-7192	4/17/1981	0.090	4/17/1981	0.028	0.170	0.068	0.10	0.09
75-10280	8/10/1904	0.180	4/1/1912	0.036	0.170	0.068	0.10	0.10
75-11623	7/10/1906	0.060	4/1/1912	0.046	0.268	0.107	0.15	0.06
75-13710	8/21/1911	0.150	4/1/1912	0.078	0.313	0.125	0.20	0.15
						0.000	0.00	

1.70 0.63

Conveyance Loss (Worstell Method)

$$S = (W)(i)(0.0667)$$

where: S = loss in cfs/mile

W = top width of ditch high water mark in feet

i = loss rate in feet per day (see table)

0.0667 is a factor to convert to cfs/mile

W = 3.0 ft.

i = 2.0 ft/day

S = 0.40 cfs/mi.

Type of Soil	Loss Rate i (ft/day)
med. Clay loam	0.5 to 1.5
impervious clay	0.5
med. Soils	1.0
somewhat pervious	1.5 to 2.0
gravel	2.5 to 5.0

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

CLAIM NO(s). 75-4208B

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☐ No Change ADDRESS _____

☒ NEW ADDRESS: PO Box 281 CARMEN ID 83462

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.: A0615036 GPS file # T0615036

Township 23N Range 22E Section 17 1/4 NW 1/4 NW 1/4 NE
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

diversion in Creek, ditch to place of use

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

Shares POD with 75-2004A, 75-2004H, 75-2004K, 75-2004L
75-4208A, 75-4143, 75-7192, 75-10280, 75-11623 75-13710

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-14-05

FIELD EXAMINER: Bob Foster
 Print Name

Bob Foster
 Signature

```
filename: c:\docs\forms\ditch flow computations upgraded.xls
```

Measurement done by: B. Foster

Date of measurement: 6/10/2005

REW value: 1.00

LEW value: 4.00

Space between

readings (ft): **0.50**

Note to user:

Make entries in cells without shading.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4208B

WATER RIGHT NUMBER: 75-4208B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD E FOUST PO BOX 32 GIBBONSVILLE, ID 83463 (208)756-2281
Original Owner	PAUL HENNIG PO BOX 55 CARMEN, ID 83462 (208)756-3126
Original Owner	SHARON HENNIG PO BOX 55 CARMEN, ID 83462

Priority Date: 04/01/1911

Basis: Statutory Claim

Status: Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	11/01	0.025 CFS	
	<u>Total Diversion:</u>		0.025 CFS	

Location of Point(s) of Diversion

TOWER CREEK	NW1/4NE1/4	Sec. 17, Twp 23N, Rge 22E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T23N R22E S17 NENW 1.4

Total Acres: 1.4

Conditions of Approval:

1. THIS RIGHT PAID FOR UNDER RECEIPT #M007029. CHANGE IN OWNERSHIP 1-23-95 GJT.

Remarks:

See additional info. in 75-4208A
R. Brown

SCANNED

SEP 01 2005

DEPARTMENT OF THE INTERIOR,
UNITED STATES LAND OFFICE HAILEY, IDAHO.
DESERT LANDS

Serial No. 0901
Receipt No. 540860

Patent to contain provisions, CERTIFICATE
reservations, conditions and
limitations of the Act of June 22,
1910 (36 Stat., 583)

July 10th, 1911.

It is hereby certified that, in pursuance of the act of Congress approved March 3, 1877, as amended by the act of March 3, 1891, entitled "An Act to provide for the sale of desert lands in certain States and Territories," Samuel E. Bowler, Assignee of Joseph Goodin, Carmen of Lemhi County, State of Idaho has purchased of the Register of this Office, and made payment in full for the land described as follows, to wit: SW1/4SE1/4, Sec. 8 NW1/4NE1/4 E1/2NW1/4 Section 17 Township 23 N., Range 22 E., Boise Meridian, Idaho, containing 160 acres, at the rate of \$1.25 per acre amounting to Two Hundred Dollars and 00 cents.

NOW, THEREFORE, BE IT KNOWN THAT, on presentation of this Certificate to the COMMISSIONER OF THE GENERAL LAND OFFICE, the said Samuel E. Bowler, assignee of Joseph Goodin, shall be entitled to receive a Patent for the land above described.

P.F. Horne, Register.

Recorded at the request of Samuel E. Bowler, August 21, 1911, at 40 minutes past 2 o'clock P.M., in Book R of Deeds, page 551, Records of Lemhi County, Idaho.



County Recorder



Deputy.

SCANNED

SEP 01 2005

Desert Land Act

From Wikipedia, the free encyclopedia.

The **Desert Land Act** was passed by the United States Congress on 3 March 1877 to encourage and promote the economic development of the arid and semiarid public lands of the Western United States. Through the Act, individuals may apply for a desert-land entry to reclaim, irrigate, and cultivate arid and semiarid public lands.

The act offered 640 acres (2.6 km²) of land to anyone who would pay 25 cents an acre (\$61.78/km²) and promise to irrigate the land within 3 years. Individuals taking advantage of the act were required to submit proof of their efforts to irrigate the land within three years, but as water was relatively scarce, a great number of fraudulent "proofs" of irrigation (estimated as high as 95% for early claims) were provided.

This article is based in part upon content from <http://www.blm.gov/nhp/landfacts/DesertLand.html>, a public domain resource provided by the United States federal government.

Retrieved from "http://en.wikipedia.org/wiki/Desert_Land_Act"

Categories: Law stubs

- This page was last modified 16:15, 23 May 2005.
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RECEIVED
SEP 01 2005
Department of Water Resources

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Water Right Number(s): 75-4208 B

Previous Mailing Address: Richard E Foost

Po Box 32
Gibbsville ID 83462

New Mailing Address:

Richard E Foost
Po Box 281
Carmen ID 83462

Telephone Number:

(208) 756-2281

Signature of all Claimant(s):

Richard E Foost

Please print your name below your signature.

Richard E Foost

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

JANUARY 25, 1995

RICIHARD E FOUST
PO BOX 32
GIBBONSVILLE ID 83463

RE: CHANGE IN OWNERSHIP FOR A75-04208

Dear Mr. Foust:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with new Notice(s) being generated to reflect you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim for the others, the rights were split as follows:

A75-04208A, Hennig, 0.065 cfs; 3.6 acres
A75-04208B, Foust, 0.025 cfs; 1.4 acres

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if there are other corrections or questions, feel free to contact this office.

Respectfully submitted,

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Paul Hennig/copy claim/letter

MICROFILMED
NOV 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

DATE OF CLOSING: 6-26-91

RECEIVED

JUL 13 1994

NORTHERN REGION

RECEIVED

JUL 18 1994

LEGAL DESCRIPTION OF PROPERTY: Township 23N Range 22E IDWR
Section 17, Fraction 1/4 of NE 1/4 of NW 1/4, Govt. Lot

Lot _____, Block _____, Subdivision/Townsite _____

If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) Department of Water Resources Eastern District Office

☐ Water Right Number(s)
Assigned by IDWR:

ID # A75-04208 ^{SPLIT} CIVIL CASE # 39576

☐ Name and Address of Former
Owner/Claimant(s)(Seller):

Paul Hennig
605 LENA ST.

RECEIVED

☐ New Owner/Claimant
(Purchaser):

SALMON ID 83467
Richard E Foust

JUL 15 1994

WATER RESOURCES
WESTERN REGION

☐ New Mailing Address:

PO Box 32
Gibbonsville, ID

83463

☐ New Telephone Number:

(208) 756-2281

☐ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

(1.4 acres) A Fraction of the NE 1/4 NW 1/4

Section 17 T23N R. 22E

Boise Meridian, Lemhi County, IDAHO

☐ Attach proof of
ownership, describe
proof attached:

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New
Owner/Claimant(s)

Richard E Foust

Date 6-30-94

Date _____

☐ Signature of Former
Owner/Claimant(s):

Date _____

Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

ADJUDICATION BUREAU
DEPARTMENT OF WATER RESOURCES
1301 N. ORCHARD
STATEHOUSE MAIL
BOISE, IDAHO 83720

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MICROFILMED
NOV 18 1996

WARRANTY DEED

For Value Received

PAUL BRYON HENNIG, a single person

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

RICK FOUST, a single person

whose current address is P.O. BOX 32
GIBBONSVILLE, IDAHO 83463

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

A FRACTION OF THE NE 1/4 NW 1/4, SECTION 17, T. 23 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO.

COMMENCING AT THE 1/4 CORNER COMMON TO SECTION 8 AND SECTION 17, RUN THENCE S. 34° 55' 58" W., 765.85 FT. TO THE POINT OF BEGINNING, A SET 5/8" X 24" STEEL PIN WITH A PLASTIC CAP MARKED LS 5080;

THENCE S. 41° 57' 51" E., 393.87 FT. TO THE CENTERLINE OF TOWER CREEK;

THENCE ALONG SAID CENTERLINE S. 55° 22' 51" W., 65.52 FT.;

THENCE ALONG SAID CENTERLINE S. 52° 07' 47" W., 88.95 FT.;

THENCE ALONG SAID CENTERLINE S. 22° 14' 33" W., 46.80 FT.;

THENCE N. 28° 51' 05" W., 498.02 FT. TO A FOUND 1/2" REBAR.

THENCE S. 86° 03' 23" E., 119.08 FT. TO THE POINT OF BEGINNING.

COPY

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee , his heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee , 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 26, 1991

PAUL BRYON HENNIG

STATE OF IDAHO, COUNTY OF LEMHI

On this 26th day of JUNE , 1991 ,
before me, a notary public in and for said State, personally
appeared

PAUL BRYON HENNIG

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

LAURIE M. SANTEE

Notary Public

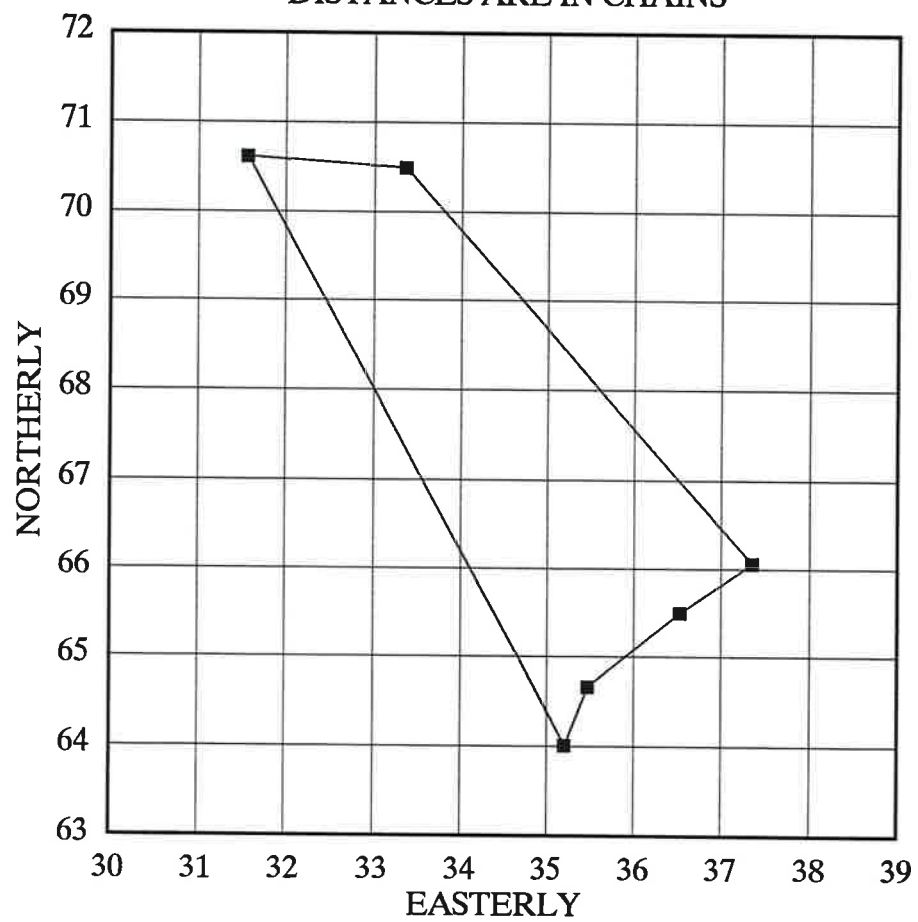
Residing at Salmon

, Idaho

Comm. Expires 6-19-1995

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

METES & BOUNDS POLAR LOCATION PLOT
DISTANCES ARE IN CHAINS

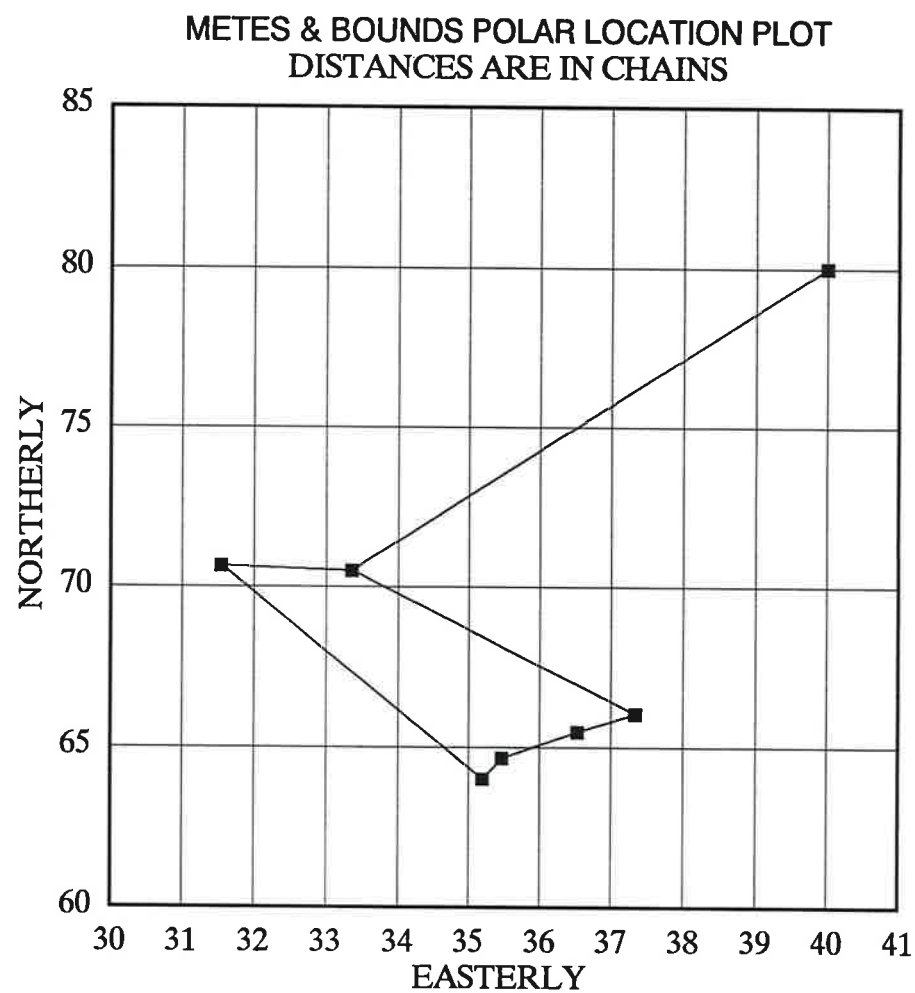


MICHO FILMED
NOV 18 1996

POLAR COORDINATE X-COR Y-COR (CHAINS)		ANGLE			BEARING ANGLE DIRECTION	DIST (FT)	CUMULATIVE ACRES
		DEGREES	MINUTES	SECONDS			
33.36	70.49						
33.36	70.49	0.00	0.00	0.00	SW	0.00	0.00
37.35	66.05	41.00	57.00	51.00	SE	393.87	0.89
36.53	65.49	55.00	22.00	51.00	SW	65.52	1.09
35.47	64.66	52.00	7.00	47.00	SW	88.95	1.31
35.20	64.00	22.00	14.00	33.00	SW	46.80	1.44
31.56	70.61	28.00	51.00	5.00	NW	498.02	1.42
33.36	70.49	86.00	3.00	23.00	SE	119.08	1.41

MICHO-FILMED
NOV 18 1996

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SCANNED

OCT 10 - 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: A75-04208B

Date Received: 5/10/1990

Receipt No: X777777

Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: RICHARD E FOUST
Address: PO BOX 32 PO Box 281
GIBBONSVILLE ID

208-756-2281

83462

2. Date of Priority: APR 1, 1911

3. Source: TOWER CREEK

Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	22E	17	NW	NE			LEMHI

5. Description of diverting works:
DITCH, SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.025		

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

A.F.A.

8. Total consumptive use is 3.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
23N	22E	17	NE	NW		IRR	1.4

Section Acres 1.4

Total Acres 1.4

A7504208B



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:

THIS RIGHT PAID FOR UNDER RECEIPT #M007029. CHANGE IN OWNERSHIP
1-23-95 GJT.

15. Basis of Claim: STATUTORY CLAIM