

12/13/2006

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

RIGHT NUMBER: 75-4361

NAME AND ADDRESS: MICHAEL A FRATIS JR
2600 MANZANITA DR
ROCKLIN CA 95677

SHELLEY M FRATIS
2600 MANZANITA DR
ROCKLIN CA 95677

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.230 CFS

PRIORITY DATE: 11/17/1921

POINT OF DIVERSION:

T25N R21E S28 SWNW 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	0.230 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T25N R21E S28 SWSW 4.30

4.3 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

11/12/2006

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

RIGHT NUMBER: 75-4361

NAME AND ADDRESS: MICHAEL A FRATIS JR
2600 MANZANITA DR
ROCKLIN CA 95677

SHELLEY M FRATIS
2600 MANZANITA DR
ROCKLIN CA 95677

SOURCE: NORTH FORK SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 11/17/1921

POINT OF DIVERSION:

T25N R21E S28 SWNW Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.130 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T25N R21E S28 SWSW 4.30

4.3 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Void



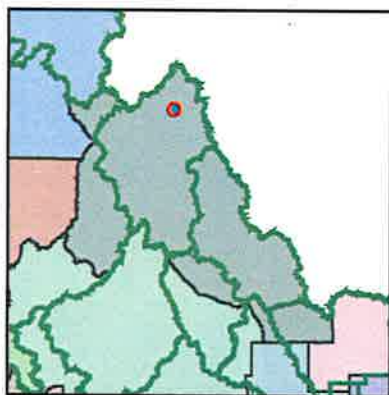
Idaho Department of Water Resources

Adjudication Claim:

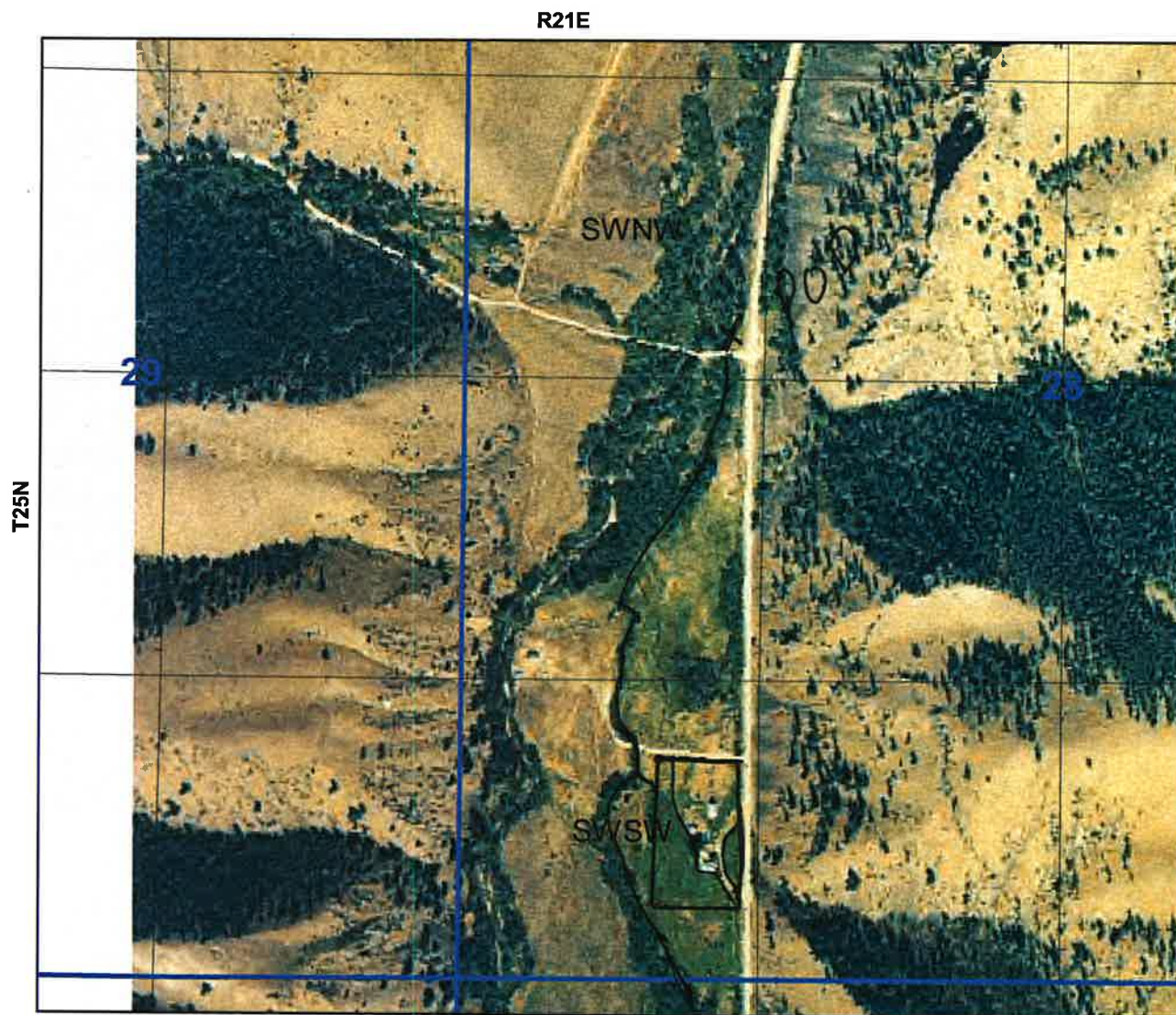
75-4361

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75

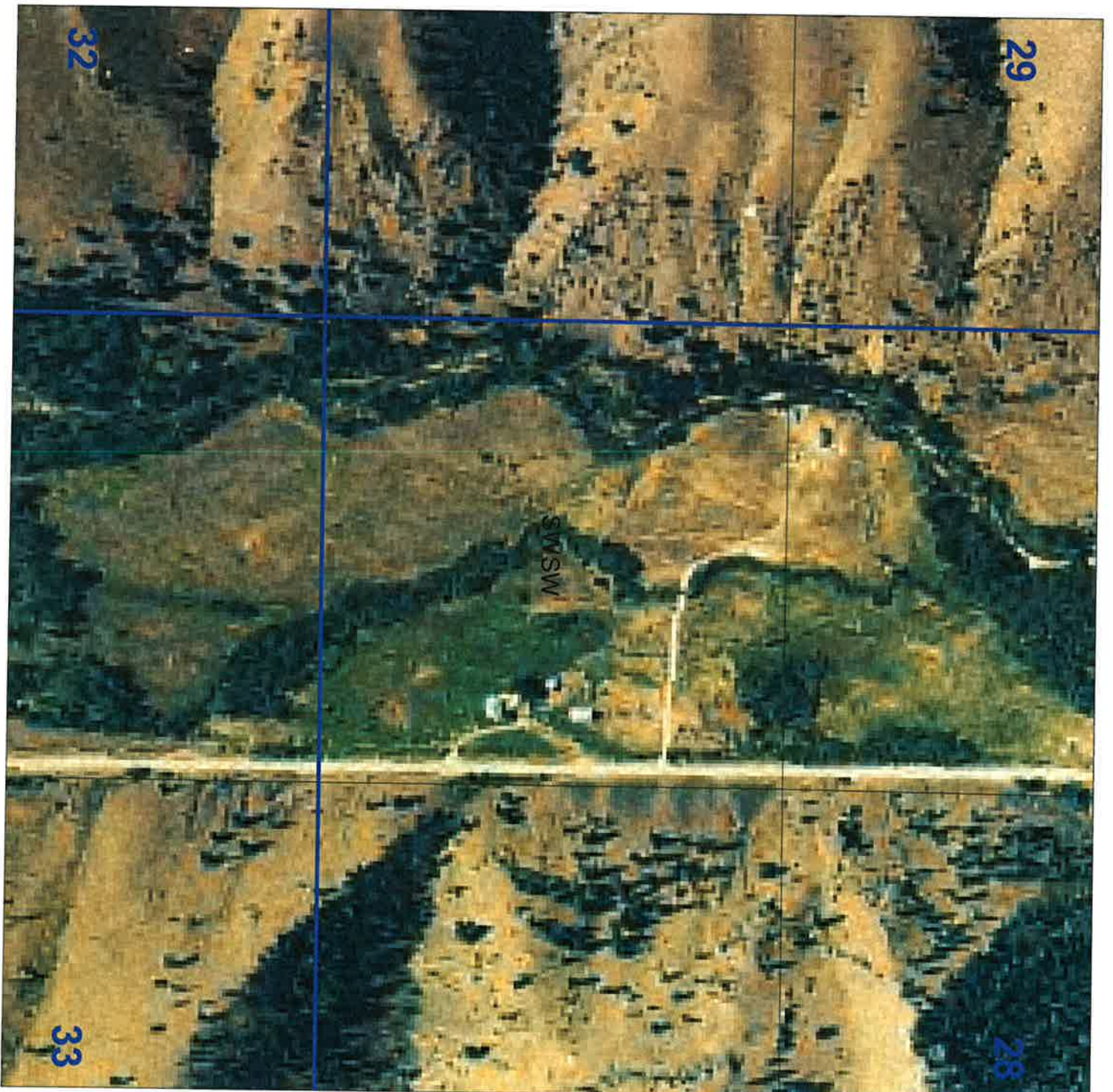
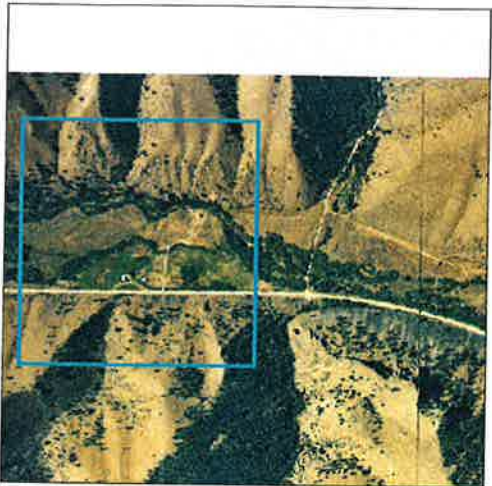


Prepared by R. Brown
On Sunday, March 5, 2006
1987/88 Aerial Photography

Owner: **MICHAEL A FRATIS JR**

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

75-4361



11/20/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 12 2006

DEPARTMENT OF
WATER RESOURCES

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: 75-4361

MICHAEL A FRATIS JR
2600 MANZANITA DR
ROCKLIN CA 95677

Telephone Number: (916) 624-3712

SHELLEY M FRATIS
2600 MANZANITA DR
ROCKLIN CA 95677

Telephone Number: (916) 624-3712

cell (916) 826-4880 off (916) 652-6105

cell (916) 257-3391

SCANNED

DEC 19 2006

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

Quantity

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

CHANGE from 0.130 CRS TO 0.400 CRS

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

* NOTE ADJUDICATION CLAIM REPORT # 754361
GIVEN TO US IN CLOSING DOCUMENTS WHEN WE PURCHASED
PROPERTY.

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

DATE: 12-5-06

SIGNATURE:

Michael A Fratis Jr

Please print your name:

MICHAEL A FRATIS JR

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

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4361

WATER RIGHT NUMBER: 75-4361

RECEIVED
DEC 12 2013
DEPARTMENT OF
WATER RESOURCES

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JULIE NOVA MERRILL PO BOX 252 NORTH FORK, ID 83466 (208)865-2266
Current Owner	MICHAEL A FRATIS JR 2600 MANZANITA DR ROCKLIN, ID 95677 (916)624-3712
Current Owner	SHELLEY M FRATIS 2600 MANZANITA DR ROCKLIN, CA 95677 (916)624-3712
Original Owner	R DANA MERRILL PO BOX 252 NORTH FORK, ID 83466 (208)865-2266
Original Owner	MARK K OLSON 842 CALLE SERRA SAN DIMAS, CA 91773 (714)599-9716

Priority Date: 11/17/1921

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

NORTH FORK SALMON RIVER	SW1/4NW1/4	Sec. 28, Twp 25N, Rge 21E, B.M.
LEMHI County		

Place of Use

IRRIGATION Within LEMHI County

T25N R21E S28 SWSW 4.3

Total Acres: 4.3

Conditions of Approval:

1. #5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT 2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE LONG.

26-119
2-104

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

CLAIM NO(s).

A75-04361

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.: A0014967 GPS 055

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

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

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	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

*4.3 acres is the totl. acres owned - they
irrigate about 3 acres.*

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack Z Ellis

Signature

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4361

WATER RIGHT NUMBER: 75-4361

RECEIVED
AUG 16 2005
Department of Water Resources

<u>Owner Type</u>	<u>Name and Address</u>
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Priority Date: 11/17/1921

Basis: Beneficial Use

Status: Active

Source

NORTH FORK SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 11/01

Diversion Rate

0.400 CFS

Annual VolumeTotal Diversion:

0.400 CFS

Location of Point(s) of Diversion

NORTH FORK SALMON RIVER

SW1/4NW1/4

Sec. 28, Twp 25N, Rge 21E, B.M.

LEMHI County

Place of UseIRRIGATION Within LEMHI County

T25N R21E S28 SWSW 4.3

Total Acres: 4.3

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26-119
2-104

SCANNED

AUG 16 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-04361
MICHAEL A FRATIS JR
SHELLEY M FRATIS
2600 MANZANITA DR
ROCKLIN ID 95677

RESPONSE DEADLINE
JULY 29, 2005

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

SCANNED
AUG 16 2005

Hailey 06492.

4-1043.

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 Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of James J. Conroy has been established and duly consummated, in conformity to law, for the H. E. Survey No. 285, embracing a portion of the unsurveyed Public Domain, Idaho, more particularly bounded and described as follows:

Beginning at corner No. 1 from which the north corner to Sections four and five in Township twenty-four north of Range twenty-one east of the Boise Meridian bears south three degrees twenty-five minutes west forty-three and eighty-four-hundredths chains distant; thence north three degrees thirty-eight minutes west forty-four and sixty-five-hundredths chains to corner No. 2; thence south seventy-eight degrees thirty-nine minutes east twenty and twenty-nine-hundredths chains to corner No. 3; thence south five degrees twenty-one minutes east forty-one and thirty-three-hundredths chains to corner No. 4; thence north eighty-eight degrees four minutes west twenty-one chains to corner No. 1, the place of beginning; containing eighty-six and eighty-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the United States unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such 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 thereon for ditches or canals constructed by the authority of the United States.

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 FOURTEENTH day of AUGUST in the year of our Lord one thousand nine hundred and SEVENTEEN and of the Independence of the United States the one hundred and FORTY-SECOND.

SEAL.

By the President: Woodrow Wilson
By M. P. LeRoy, Secretary,
L. Q. C. Lamar

Recorded: Patent Number 597273

Recorder of the General Land Office.

Recorded at the request of Leslie Dean Aug. 8th, 1919, at --- minutes past 2 o'clock P. M., in Book Z of Deeds page 104, Records of Lemhi County, Idaho.

BY

Deputy.

W. W. Simmonds
County Recorder.

This Indenture, Made this fourth day of May in the year of our Lord one thousand nine hundred and seventeen between James J. Conroy and Lula M. Conroy, his wife, both of Gibbonsville, Idaho, parties of the first part, and LESLIE V. DEAN, of Gibbonsville, Idaho, the party of the second part.

the part of the second part
WITNESSETH, That the said parties of the first part, for and in consideration of THREE THOUSAND (\$3000.00) 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, has 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 of that certain lot, piece or parcel of land situate, lying and being within the County of Lemhi, State of Idaho, more particularly described as follows, to wit: A tract of 86.80 acres within Salmon National Forest, in what will probably be, when surveyed, sections 28, 29 and 33, Township 25 North, Range 21 East, Boise Meridian, designated as Homestead Entry Survey No. 285, list No. 4-78, described by metes and bounds as follows: Beginning at corner No. 1, from which the section corner common to Sections 32 and 33, T. 25 N., R. 21 E., and Sections 4 and 5, T. 24 N., R. 21 E., B. M., bears S. 3 deg. 25' W. 43.84 chains distant; thence N. 3 deg. 38' W. 44.65 chains to corner No. 2; thence S. 78 deg. 39' E. 20.29 chains to corner No. 3; thence S. 5 deg. 21' E. 41.33 chains to corner No. 4; thence N. 88 deg. 04' W. 21 chains to corner No. 1, the place of beginning, together with any and all water, water rights, ditches and conduits, and all interest therein, situated upon, belonging to, appurtenant to or used in connection with said or any part of said lands.

Being the same lands embraced in Homestead Entry of one James J. Conroy, Serial No. 06492 Hailey, Land Office.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all estate, right, title, interest in and to the said property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties of the first part, of in or to the said premises, and every part and parcel thereof, with the appurtenances. To have and 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 peaceful possession of the said party of the second part, his heirs and assigns, against the said parties of the first part and their heirs, 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 have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

A. C. Cherry

Augusta R. Hines

James J. Conroy (SEAL)

Lula M. Conroy (SEAL)

(SEAL)

STATE OF IDAHO, } ss.
COUNTY OF LEMHI }

On this Fourth day of May in the year 1917 before me, Ariel C. Cherry a Notary Public for Idaho, and in and for the said County, personally appeared James J. Conroy and Lula M. Conroy known to me, to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

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

Ariel C. Cherry Notary Public for the State of Idaho residing at Salmon, Lemhi County, Idaho; commissioned for a term expiring July 29th, 1917

Recorded at request of Leslie V. Dean at 30 minutes past 1 o'clock P.M., May 8th 1917 in Book X of Deeds, on page 165 Records of Lemhi County, Idaho

AUG 16 2005

J. L. Kirtley, Jr. County Recorder.
By W. W. Simmonds Deputy

11/20/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 17 2006

DEPARTMENT OF
NATURAL RESOURCES

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: 75-4361

MICHAEL A FRATIS JR
2600 MANZANITA DR
ROCKLIN CA 95677

Telephone Number: (916)624-3712

Call (916) 826-4880 Off (916) 652-6105

SHELLEY M FRATIS
2600 MANZANITA DR
ROCKLIN CA 95677

Telephone Number: (916)624-3712

Call (916) 257-3391

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

Quantity

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

CHANGE from 0.130 CRS TO 0.400 CRS

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

* NOTE ADJUDICATION CLAIM RECENT # 754361
GIVEN TO US IN CLOSING DOCUMENTS WHEN WE PURCHASED
PROPERTY.

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

DATE: 12-5-06

SIGNATURE:

Michael A Fratis Jr

Please print your name:

MICHAEL A FRATIS JR

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

SCANNED

DEC 13 2006

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4361

WATER RIGHT NUMBER: 75-4361

<u>Owner Type</u>	<u>Name and Address</u>
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Original Owner	MARK K OLSON 842 CALLE SERRA SAN DIMAS, CA 91773 (714)599-9716

RECEIVED
DEC 12 2011
DEPARTMENT OF
WATER RESOURCES

Priority Date: 11/17/1921
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

<u>Location of Point(s) of Diversion</u>		
NORTH FORK SALMON RIVER LEMHI County	SW1/4NW1/4	Sec. 28, Twp 25N, Rge 21E, B.M.

Place of Use
IRRIGATION Within LEMHI County
T25N R21E S28 SWSW 4.3
Total Acres: 4.3

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26-119
Z-104



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

December 13, 2006

Michael A Fratis
2600 Manzanita Dr.
Rocklin, CA 95677

Re: Claim 75-4361

Dear Mr. Fratis:

Enclosed is a new preliminary recommendation reflecting the comments you made on the Notice of Error Reply. The diversion is based upon the statutory requirement of 0.03 cfs per acre plus an amount for ditch loss, which increased the diversion from 0.13 cfs to 0.23 cfs. If you feel this is incorrect, feel free to contact me at this office,

Sincerely,

Keith E. Franklin
Water Resources Agent

Encl/kf

Estimating Conveyance Loss using the Worstell Method

Claim No.

Formula: $S = (w)(i)(0.0667)$

Where: S = loss in cfs per mile

w = top width of the high water mark in feet

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

Type of soil	i (ft/day)
medium clay loam	0.5 - 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 - 2.0
gravels	2.5 - 5.0

Worksheet:

$$w = 3'$$

$$i = 1.0 \text{ ft/day}$$

$$\text{ditch length (mi.)} = 2,550' = 0.48 \text{ miles}$$

Conveyance Loss:

$$S = (3)(1)(0.0667) = 0.2 \text{ cfs/mile}$$

$$\text{Loss} = 0.10 \text{ cfs}$$

$$0.2 \text{ cfs/mile} \times 0.48 \text{ miles} = 0.10 \text{ cfs}$$

$$\begin{array}{r} (4.3 \text{ ac})(0.03 \text{ cfs/ac}) = 0.13 \text{ cfs} \\ \text{ditch loss} = 0.10 \\ \hline 0.23 \text{ cfs} \end{array}$$

claimed: 0.4 cfs

Recommend: 0.23 cfs

7/20/05

95-4361

Dear Roxanne Brown,

I am faxing over a copy of the water
Right that you have requested we provide.
I thought we mailed this originally but
we must have left it out. If you have
any questions please call me @ 916 624-3712.
or 208 865-2664

Sincerely,

Shelley M. Fratis

SCANNED

**State of Idaho****DEPARTMENT OF WATER RESOURCES**

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

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.DIRK KEMPTHORNE
GovernorKARL J. DREHER
Director

June 29, 2005

75-04361

MICHAEL A FRATIS JR

SHELLEY M FRATIS

2600 MANZANITA DR

ROCKLIN ID 95677

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JULY 29, 2005

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Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

SCANNED

Page 444

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4361

WATER RIGHT NUMBER: 75-4361

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	JULIE NOVA MERRILL PO BOX 252 NORTH FORK, ID 83466 (208)865-2266
Current Owner	MICHAEL A FRATIS JR 2600 MANZANITA DR ROCKLIN, ID 95677 (916)624-3712
Current Owner	SHELLEY M FRATIS 2600 MANZANITA DR ROCKLIN, CA 95677 (916)624-3712
Original Owner	R DANA MERRILL PO BOX 252 NORTH FORK, ID 83466 (208)865-2266
Original Owner	MARK K OLSON 842 CALLE SERRA SAN DIMAS, CA 91773 (714)599-9716

Priority Date: 11/17/1921

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK SALMON RIVER	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.400 CFS	
	<u>Total Diversion:</u>	0.400 CFS	

Location of Point(s) of Diversion

NORTH FORK SALMON RIVER	SW1/4NW1/4	Sec. 28, Twp 25N, Rge 21E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T25N R21E S28 SWSW 4.3

Total Acres: 4.3

Conditions of Approval:

- #5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT 2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE LONG.

SCANNED

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

COPY

Ident. Number: A75-04361
Date Received: 10/ 2/1990
Receipt No: E015288
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: R DANA MERRILL
Address: PO BOX 252
NORTH FORK ID 83466
208-865-2266

Name: JULIE NOVA MERRILL
Address: PO BOX 252
NORTH FORK ID 83466
208-865-2266

2. Date of Priority: NOV 17, 1921

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28	SW	NW			LEMHI

5. Description of diverting works:
REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	SW	SW		IRR	4.3

A75-04361

Page 1

Date: 10/03/94

SCANNED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.3
					Total Acres	4.3

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

#5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT 2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE LONG.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 42-243

Form 6-00000-100001 July 2000

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

RECEIVED
3-16-05
R. Fort

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

RECEIVED

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.

MAR 22 2005

Department of Water Resources
Adjudication Bureau

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
42-243	A75-124361				
	A75-04360-RO				

0 River
Spring

Parcel 3/29/05
RP35N21E28
4802A
Fratia, Michael

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

- A. The appropriate FILING FEE. See instructions for the amount.
- B. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document establishing the 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)

R. Sasser & Julie N. Merrill
P.O. Box 252

4. New Owner/Claimant(s)

North Fork Id. #3466
Name Commenter (Circle one): [] and [] or [] and []

New Mailing Address

Michael M. Fratis, Jr & Shelley M.

City, State and ZIP Code

21000 Manzanita Dr Fratis

New Telephone Number

Rocklin, CA 95677

5. Date you acquired the property

(916) 624-3712

Property Acquired: 12-2-2004

cc: W.A. 3-25-05

-M

O.K. to process R. Sasser 3/29/05

SCANNED

MAR 31 2005

SCANNED

MAR 25 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in Item 2, 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 (area, 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 (area, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include this if applicable) *X Shelley M. Frates*

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 *ADW* Date *3-31-05* W/R _____ Date _____

SCANNED
MAR 25 2005

SCANNED
MAR 31 2005

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: **A75-04360**
Date Received: 5/14/1990
Receipt No: E014522
Received By: _____

COPY

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: R DANA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466
AND
Name: JULIE NOVA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

2. Date of Priority: JUN 1, 1929

3. Source: SPRING Trib. to: SINKS

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28	SE	SW			LEMHI

5. Description of diverting works:
CONCRETE BOX & PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/ ONE HOME

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
25N	21E	28	SW SW		DOMEST	

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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: A75-04361
Date Received: 10/ 2/1990
Receipt No: E015288
Received By: _____

COPY

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: R DANA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

Name: JULIE NOVA MERRILL 208-865-2266
Address: PO BOX 252
NORTH FORK ID 83466

2. Date of Priority: NOV 17, 1921

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28	SW	NW			LEMHI

5. Description of diverting works:
REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	SW	SW		IRR	4.3

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.3
					Total Acres	4.3

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
#5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO
MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT
2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE
LONG.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 42-243

WARRANTY DEED

Order No.:307042622L-G

FOR VALUE RECEIVED

R. Dana Merrill, an unmarried person and Julie N. Merrill, an unmarried person

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Michael A. Fratis, Jr. and Shelley M. Fratis, Husband and Wife

whose current address is

2600 Manzanita Dr. Rocklin, CA 95677

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

A PARCEL OF LAND LOCATED IN H.E.S. NO 647, WHICH IS LOCATED IN APPROXIMATE SECTIONS 28 AND 29 IN T. 25 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT CORNER NO. 8 OF SAID H.E.S. NO. 647, A DISTANCE OF 171.36 FEET ON A BEARING OF N. 20° 48' 48" W. TO A POINT ON THE WESTERLY R.O.W. OF U.S. HIGHWAY NO. 93 AND THE REAL POINT OF BEGINNING.

FROM THIS REAL POINT OF BEGINNING A DISTANCE OF 450.00 FEET ON A BEARING OF N. 0° 57' W. ALONG THE WESTERLY R.O.W. OF U.S. HIGHWAY NO. 93;

THENCE S. 89° 03' W., 420.00 FEET;

THENCE S. 0° 57' E., 450.00 FEET;

THENCE N. 89° 03' E., 420.00 FEET TO THE REAL POINT OF BEGINNING.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 12/02/2004

R. Dana Merrill
R. Dana Merrill

Julie N. Merrill
Julie N. Merrill
ATTY in FACT

State of Idaho

County of

Lemhi

} ss.

On this 9th day of December, in the year 2004 before me, a Notary Public in and for said state, personally appeared R. Dana Merrill & Julie N. Merrill known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that they executed the same.

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

State of Idaho
County of Lemhi

SS No.

261158

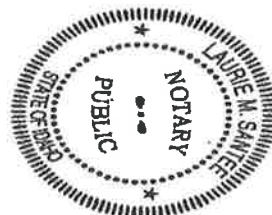
This instrument was filed for record at the request of Alliance Realty at 4:10 o'clock p.m. 12-10-2004 and duly filed and indexed in the records of Lemhi County

By Terri J. Morton
Ex-Officio Recorder

Fee 6.00

Return to AT

Laurem M. Santae
Notary Public for the State of Idaho
Residing at: Salmon
Commission Expires: 6-19-2007



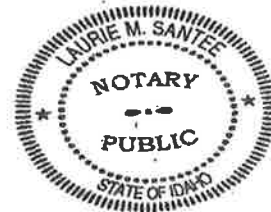
STATE OF IDAHO
COUNTY OF LEMHI

)
) SS.
)

261158

On this 9th day of December 2004
before me a Notary Public in and for said State,
personally appeared R. Dana Merrill
known to me to be the person whose name is subscribed
to the within instrument as the Attorney In Fact of
Julie N. Merrill and
acknowledged to me that he/she subscribed this name of
Julie N. Merrill thereto as principal,
and his/her own name as Attorney In Fact.

Laurie M. Santee
LAURIE M. SANTEE NOTARY PUBLIC
Residing at: Salmon
Comm. Expires: 6-19-2007





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

SCANNED

OCT 10 2001

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

OCTOBER 3, 1994

R DANA MERRILL
PO BOX 252
NORTH FORK ID 83466

RE: CHANGE IN OWNERSHIP FOR A75-04360 AND A75-04361

Dear Mr. Merrill:

The request for Change in Ownership concerning the Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed is a typed Notice with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep this Notice for your records.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure: Notice of Claim

cc: ~~Bill Allen/copy letter~~

MICROFILMED
NOV 18 1996



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

Please print or type
(see instructions on back of page)

SEP 30 1994

DATE OF CLOSING: Sept. 23, 94

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township 25 N Range 21 E
Section 28, SW 1/4 of SW 1/4 of 1/4, Govt. Lot, BM.

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)

☐ Water Right Number(s)
Assigned by IDWR: 75-04360 and 75-04361
No "R" record

☐ Name and Address of Former Owner/Claimant(s)(Seller): Mark K. Olson
842 Calle Serra,

☐ New Owner/Claimant (Purchaser): San Dimas, Ca 91773
R. Dana Merrill and Julie Nova Merrill

☐ New Mailing Address: P.O. Box 252
North Fork, Idaho 83466

☐ New Telephone Number: (208) 865 - 2266

☐ 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:

☐ Attach proof of ownership, describe proof attached: Warranty Deed

(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) [Signature] Date 9-29-94
[Signature] Date 9-29-94
☐ Signature of Former Owner/Claimant(s): [Signature] 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:

MICROFILMED
NOV 18 1996

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

4/11/1989

SREA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

Olson Mark

CLAIM IDENT. NO.

75-04361

DATE RECEIVED

CK #

AMOUNT \$

YES

NO

Require
Info:

1. Is the name and address complete with zip code? ☐ YES ☐ NO ☐ *
2. Is a priority date entered? ☐ YES ☐ NO ☐ *
3. Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☐ YES ☐ NO ☐ *
3. (a) Is a source entered? ☐ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) ☐ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☐ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☐ YES ☐ NO ☐ *
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. ☐ YES ☐ NO ☐ *
- Is the period of use included? ☐ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☐ YES ☐ NO ☐ *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ *
8. Is required is a consumptive use entered? ☐ YES ☐ NO ☐ *
- Is the consumptive use correct? ☐ YES ☐ NO ☐ *
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. ☐ YES ☐ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☐ NO ☐ *
11. Is (are) the county(ies) entered? ☐ YES ☐ NO ☐ *
12. Is the ownership of p.d. checked? ☐ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☐ YES ☐ NO ☐ *
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.) ☐ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☐ YES ☐ NO ☐ *
16. Is the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☐ YES ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☐ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☐ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☐ YES ☐ NO ☐ *
20. Is the fee enclosed correct? ☐ YES ☐ NO ☐ *
21. Is this claim based on an existing water right, has the identification number been entered? ☐ YES ☐ NO ☐ *
22. Should this claim be data entered? ☐ YES ☐ NO ☐ *

Claim checked by: JSDate: 10/31/90Claim must be returned to claimant: ☐ YES ☐ NOClaimant must be notified of modifications: ☐ YES ☐ NO

Receipt Prepared by: AK

Claim data entered by: AK

Sent to claimant by: AK

Date: 10/31/90Date: 10/31/90Checked by: AKDate: 10/31/90

Comments:

Code #3 Salmon River, North Fork (TR18) Salmon River

DEC 15 1992

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. SORENSON
DONALD L. HARRIS
GREGOR S. CHVISUK
RANDALL B. REED
MARIE T. FEELEY
ROBERT M. FOLLETT

WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W. HOLDEN (1877-1967)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1982)
WILLIAM S. HOLDEN (1907-1988)

R. VERN KIDWELL, OF COUNSEL

October 1, 1990

Idaho Department of Water Resources
150 Shoup Avenue, #15
Idaho Falls, Idaho 83402

Gentlemen:

Enclosed for filing is one Notice of Claim on behalf of Mark K. Olson in Lemhi County, Idaho. We have also enclosed Mr. Olson's check in the amount of \$104.34 for the filing fees which are as follows:

\$50.00 Flat Fee
\$50.00 Late Fee
\$ 4.34 Variable Fee

Please direct any questions or concerns you may have to our office. Thank you for your assistance with this matter.

Yours very truly,



Kent W. Foster

#3693.01/srr

Enclosure

RECEIVED

OCT 1 1990

Department of Water Resources
Eastern District Office

DEC 15 1992

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: **A75-04361**
Date Received: 10/ 2/1990
Receipt No: E015288
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name:	R DANA MERRILL	208-865-2266
Address:	PO BOX 252	
	NORTH FORK ID	83466

Name:	JULIE NOVA MERRILL	208-865-2266
Address:	PO BOX 252	
	NORTH FORK ID	83466

2. Date of Priority: NOV 17, 1921

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

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
25N	21E	28	SW NW		LEMHI

5. Description of diverting works:
REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
25N	21E	28	SW SW		IRR	4.3

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	4.3
					Total Acres	4.3

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

#5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT 2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE LONG.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 42-243

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: A75-04361
Date Received: 10/31/1990
Receipt No: E015288
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARK K. OLSON 714-599-9716
Address: 842 CALLE SERRA
SAN DIMAS, CA 91773

2. Date of Priority: NOV 17, 1921

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28	SW	NW			LEMHI

5. Description of diverting works:
REFER TO REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.400		

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

8. Total consumptive use is 15.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	SW	SW		IRR	4.3

Section Acres 4.3

Total Acres 4.3

A75-04361

Page 1

Date: 10/31/90

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11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

#5 - WOODEN HEADGATE ON NORTH FORK RIVER DIVERTS WATER INTO
MOTICHKA DITCH AND THENCE TO P.O.U. HEADGATE & DITCH ARE ABOUT
2 FEET WIDE, 1 TO 1-1/2 FEET DEEP. DITCH IS APPROX. 3/8 OF A MILE
LONG.

15. Basis of Claim: BENEFICIAL USE

Water Right Number: 42-243

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

6. Water is claimed for the following purposes:

(Both dates are inclusive)

(cfs) (acre feet)

For Irrigation purposes from 04/01 to 11/01 amount .4 or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____
For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .4 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 15 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:

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

TWP:RNG:SEC:	NE1/4	:	NW1/4	:	SW1/4	:	SE1/4	:TLS
:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:	:NE 'NW 'SW 'SE	:
25N:21E: 28:	' ' ' '	:	' ' ' '	:	' ' ' '4.34'	:	' ' ' '4.34	:
:	' ' ' '	:	' ' ' '	:	' ' ' '4.34'	:	' ' ' '4.34	:
:	' ' ' '	:	' ' ' '	:	' ' ' '4.34'	:	' ' ' '4.34	:
:	' ' ' '	:	' ' ' '	:	' ' ' '4.34'	:	' ' ' '4.34	:
:	' ' ' '	:	' ' ' '	:	' ' ' '4.34'	:	' ' ' '4.34	:
:	' ' ' '	:	' ' ' '	:	' ' ' '4.34'	:	' ' ' '4.34	:
:	' ' ' '	:	' ' ' '	:	' ' ' '4.34'	:	' ' ' '4.34	:
:	' ' ' '	:	' ' ' '	:	' ' ' '4.34'	:	' ' ' '4.34	:

Total number of acres irrigated 4.34

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

12. Do you own the property listed above as place of use? Yes 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 (X)

14. Remarks:

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Last Name Olson Ident. Number 75-04361

15. Basis of Claim (Choose one) Beneficial Use Posted Notice
Permit Decree License

If applicable provide IDWR Water Right Number 75-04361 (42-243--Claim to a
Water Right)
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 1

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

Signature of Claimant(s) Mark K. Olson Date 9-26-90
Mark K. Olson

For Organizations: I do solemnly swear or affirm that I am of , that I have signed the
Title Organization

foregoing document in the space below as Title
of and that the statements contained in the
Organization

foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization Date

State of ~~Idaho~~ or California)
County of LOS ANGELES) SS.

Subscribed and sworn (or affirmed) before me this 26th day
of September, 1990.



Notary Public Judith Kelley
Residing at 1108 Via Verde
My Commission Expires 12-20-90

17. Notice of Appearance:

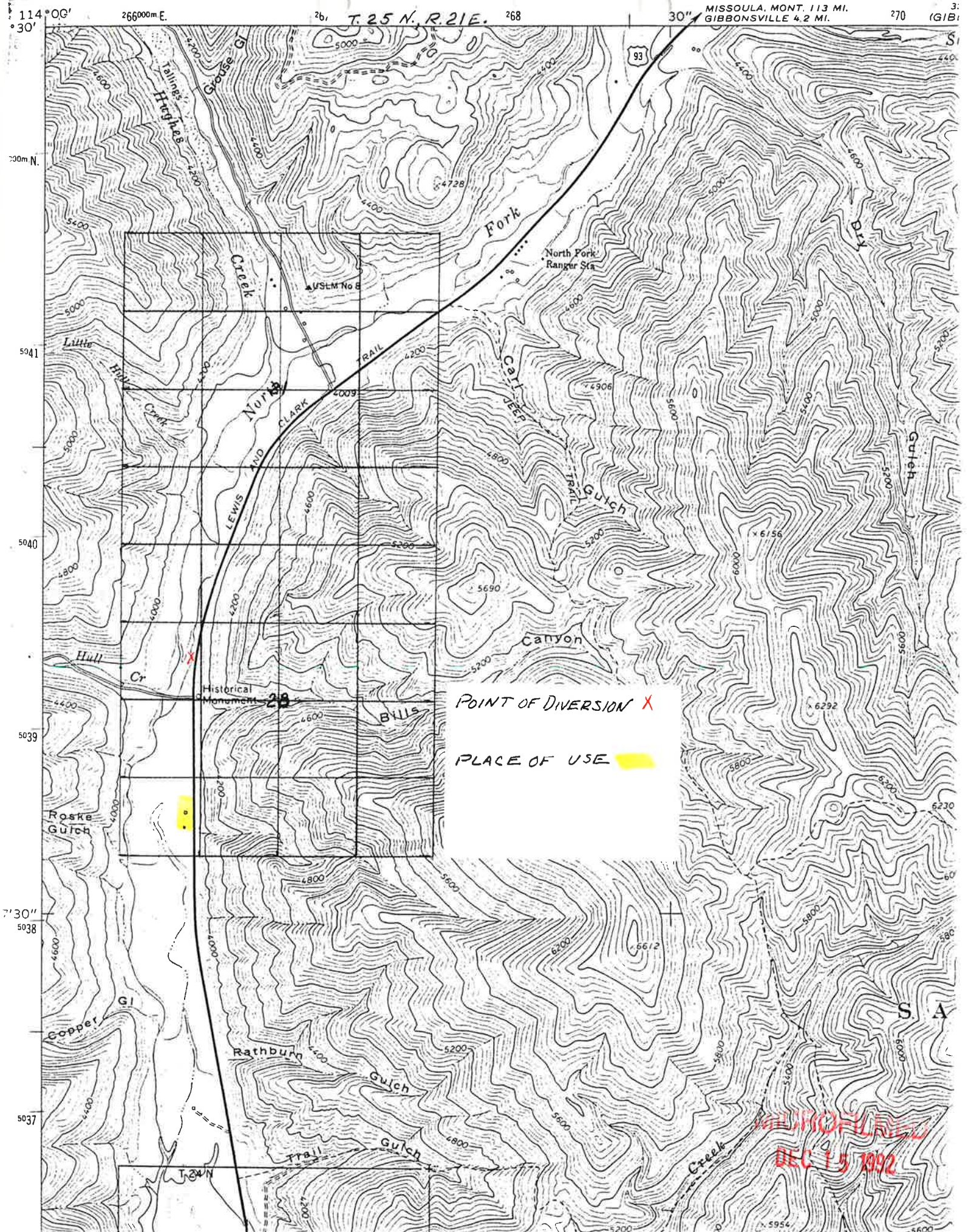
Notice is hereby given that I, Kent W. Foster will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature Kent W. Foster
Address P.O. Box 50130, Idaho Falls, Idaho 83405
Date 10/1/90

Last Name Olson Ident. Number 74-04361

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DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY



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