

12/14/2006

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

RIGHT NUMBER: 75-4385D
NAME AND ADDRESS: DOROTHY A OLSEN
PO BOX 131
CARMEN ID 83462

NORMAN C OLSEN
PO BOX 131
CARMEN ID 83462-0131

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.180 CFS
PRIORITY DATE: 04/17/1923
POINT OF DIVERSION:

T22N R21E S1 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.180 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06 Lot 4 NENW	4.00	T22N R22E S06 Lot 5 NWNW	4.00
T22N R22E S06 Lot 6 SWNW	1.00		

9 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

11/20/2006

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

RIGHT NUMBER: 75-4385D
NAME AND ADDRESS: DOROTHY A OLSEN
PO BOX 131
CARMEN ID 83462

NORMAN C OLSEN
PO BOX 131
CARMEN ID 83462-0131

SOURCE: WALLACE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.120 CFS
PRIORITY DATE: 04/17/1923
POINT OF DIVERSION: T22N R21E S1 NESW Within LEMHI County
PURPOSE AND PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.120 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S06 Lot 4 NENW 1.00	T22N R22E S06 Lot 5 NWNW 3.00	
	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

9 1/2 acres

11/13/2006

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

RIGHT NUMBER: 75-4385D

NAME AND ADDRESS: DOROTHY A OLSEN
PO BOX 131
CARMEN ID 83462

NORMAN C OLSEN
PO BOX 131
CARMEN ID 83462-0131

SOURCE: WALLACE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.120 CFS

PRIORITY DATE: 04/17/1923

POINT OF DIVERSION:

T22N R21E S1 NESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.120 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S06 Lot 4 NENW	1.00	T22N R22E S06 Lot 5 NWNW	3.00
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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

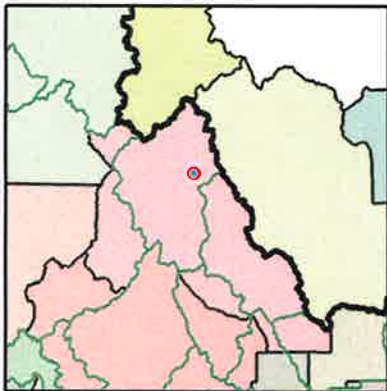
SRBA Recommendation:

75-4385D

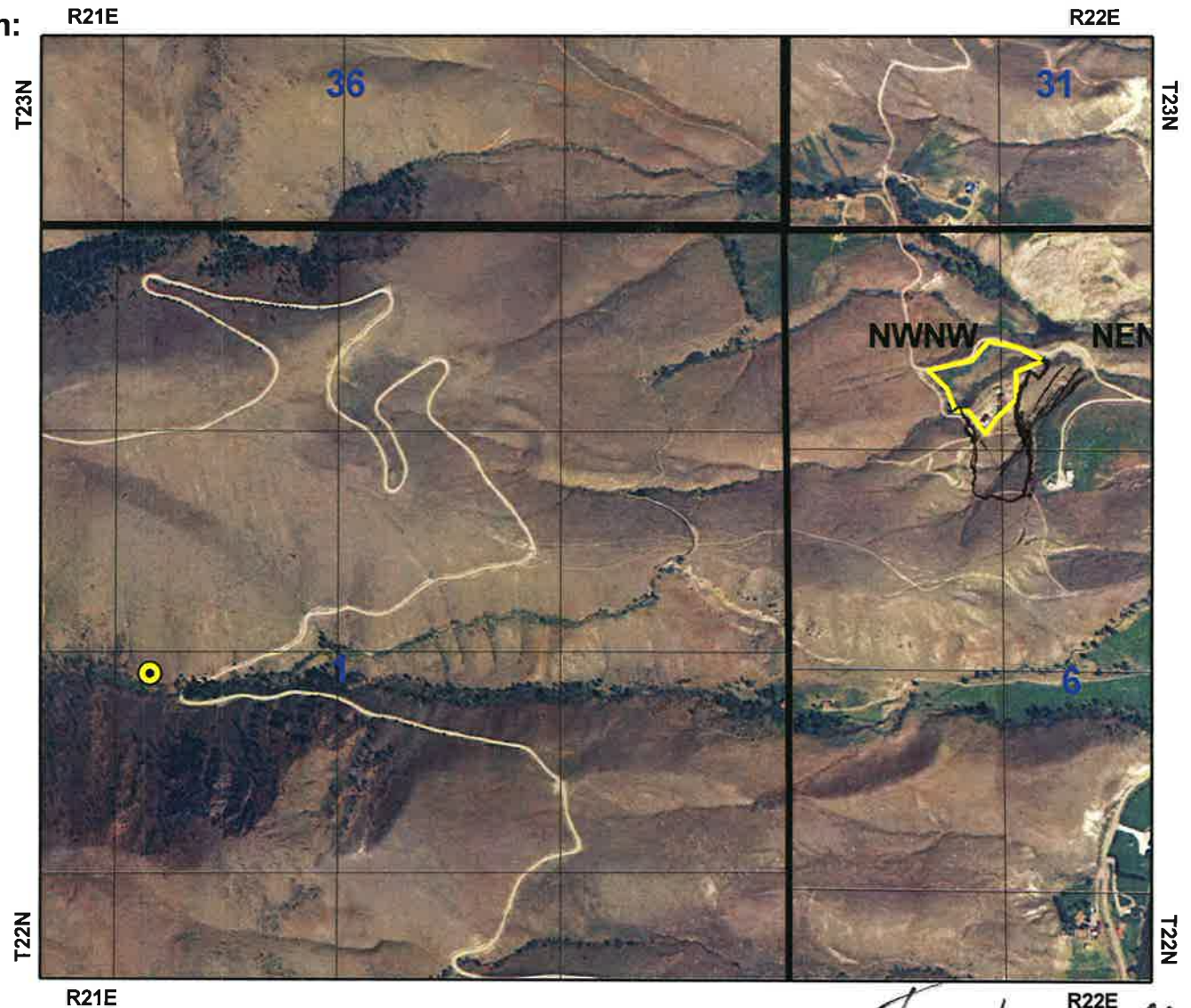
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.4 0.8 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

to 9 1/2 acres



Pedigree Search (History of Water Right Number splits)

Adjudication Pedigree for 75-4385

-- Water Right Number / Status / Reason for split

--75-4385 / See Remarks / Ownership Change 1.88 90

--75-4385A / Parent / Ownership Change .82 70

--75-14090 / Active / Ownership Change .042 SNEED

--75-14091 / Active / Ownership Change DISALLOW MARCUS, SIMS ETC

--75-14092 / Active / Ownership Change .19 9.7 GOODY

--75-14093 / Active / Ownership Change .16 9 YANDOFF

--75-4385B / Parent / Ownership Change .98

--75-4385C / Parent / Ownership Change

--75-14302 / Active / Ownership Change .147 BOURDON 18 .36

--75-14303 / Active / Ownership Change .15 GEIDEL

--75-4385D / Active / Ownership Change OLSEN .124 9 .18

51.7 1.03

Water Right Pedigree for 75-4385

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

CLAIM NO(s). 75-43850

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.: A0015060 File 62624 PDD1 W62405 PDD1

Township 22N Range 22E Section 1 1/4 NE 1/4 NE 1/4 SW

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

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

headgate with open ditch to pipeline for gravity flow sprinkler system

Adrian H. Adams

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 *See Remarks*

☐ 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

*system consists of headgate in creek with open ditch to pipeline
to gravity sprinkler system. 12 5/32 rainbirds at an estimated 40 psi
55.32 gpm = .12 cfs. Reading on 1.5' Cippoletti Wire was 3"
on lower crest .636 cfs*

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: *6-27-05*

FIELD EXAMINER: _____

Bob Foster
Print Name

Bob Foster
Signature

Norman and Dorothy Olsen
P.O. Box 131
Carmen, Idaho 83462-0131
208-756-4034

RECEIVED
JUL 27 2005
DEPARTMENT OF
WATER RESOURCES

State Of Idaho
Department Of Water Resources
322 East Front Street
P.O. Box 83720
Boise, Idaho 83720-0098
Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Re: Evidence of Priority Date: #75-04385D

Dear Ms. Brown:

In support of our Statutory Claim, # 75-04385D, 1923 priority date, we are submitting copies of the following documents:

1. Instrument # 30973, granting Homestead title to Joseph Sanderson, dated April 17, 1923
2. Transfer of property, including water rights, from Joseph Sanderson to Herbert N. Benham, dated August 10, 1925
3. Transfer of property, including water rights, from Herbert Benham to Frank Malcolm, dated August 11, 1925.
4. Transfer of property, including water rights, from Frank Malcolm to William H. Anders, dated July 6, 1929.
5. Notarized statement from Robert C. Anders, grandson of William H. Anders, stating that his grandfather either built or rebuilt the ditch while he owned the property.
6. An Ariel photograph dated 1968, showing irrigated acres.

In 1923, part of our land was included in the original Sanderson homestead, in the original document mention was made to all water rights, ditches to be used for mining and agriculture purposes. The 1923 Statutory claim # 75-04385D for this area is apparent evidence that the claim was made by Sanderson in 1923 in order to prove up the land to satisfy requirements needed to be granted his Homestead title. Even if the ditch that delivers water to our acreage today was not completed in 1923, there is strong physical evidence, on the ground, that these lands were flood irrigated by ditches, gullies and natural draws long before the current configuration was completed or installed.

SCANNED

JUL 28 2005

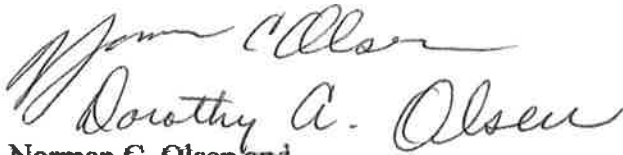
Norman and Dorothy Olsen
P.O. Box 131
Carmen, Idaho 83462-0131
208-756-4034

RECEIVED
JUL 27 2005
DEPARTMENT OF
WATER RESOURCES

The land passed from Sanderson to Benham in 1925; then to Malcom in 1925; to Anders in 1929. Due to the length of time involved we have only been able to obtain a statement from Mr. Anders's grandson, stating the ditch was completed or improved in 1929. However, in our opinion this is proof that the original 1923 system was enhanced in 1929.

The 1968 Ariel photograph shows this property was still being irrigated.

Sincerely,



Norman C. Olsen and
Dorothy A. Olsen

July 25, 2005

SCANNED

JUL 28 2005

Hailey 027276

4-1023

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 full payment has been made by the claimant GUST O. SWANSON according to the provisions of the Act of Congress of April 24, 1920, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for the Lot two and the southwest quarter of the northeast quarter of Section one in Township sixteen north of Range twenty-four east of the Boise Meridian, Idaho, containing seventy nine acres and sixty-six hundredths of an acre, 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 the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, 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, Calvin Coolidge, 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, in the District of Columbia, the SEVENTEENTH day of MARCH in the year of our Lord one thousand nine hundred and TWENTY-FIVE and of the Independence of the United States the one hundred and FORTY-NINTH

By the President: Calvin Coolidge
By Viola B. Pugh, Secretary.

M. P. LeRoy

Recorder of the General Land Office.

-Seal-

RECORDED: Patent Number 955402

Recorded at the request of Francis R. Hall Jr. August 7th, 1925 at 32 minutes past 11 o'clock A. M., in Book 28 of Deeds page 224. Records of Lemhi County, Idaho.

By William M. Simmonds
Deputy.

W. W. Simmonds
County Recorder.

Fee: 1.00

Instrument No. 30973

Hailey 021045

4-1003.

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 JOSEPH SANDERSON has been established and duly consummated, in conformity to law, for the Lots ten and eleven of Section thirty-one in Township twenty-three north and the Lot five of Section six in Township twenty-two north all in Range twenty-two east of the Boise Meridian, Idaho, containing one hundred eleven acres and eighty-four hundredths of an acre, 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, Warren G. Harding, 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 SEVENTEENTH day of APRIL in the year of our Lord one thousand nine hundred and TWENTY-FIVE and of the Independence of the United States the one hundred and FORTY-SEVENTH.

By the President: Warren G. Harding
By Viola B. Pugh, Secretary.

M. P. LeRoy

Recorder of the General Land Office.

-Seal-

RECORDED: Patent Number 903446

Recorded at the request of Jos. Sanderson August 10th, 1925 at -- minutes past 3 o'clock P. M., in Book 28 of Deeds page 224. Records of Lemhi County, Idaho.

By William M. Simmonds
Deputy.

W. W. Simmonds
County Recorder.

Fee: 1.00

SCANNED

28 2005

This Indenture, Made this _____ in the year of our

Lord one thousand nine hundred and twenty-five between JOSEPH SANDERSON and LAURA SANDERSON, husband and wife, of Salmon, County of Lemhi, State of Idaho,

the parties of the first part, and HERBERT N. BENHAM of Salmon, 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 FOUR HUNDRED AND NO/100 - - - - - 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

those certain lots, pieces or parcels of land situate, lying and being in the County of Lemhi, State of Idaho, and particularly described as follows, to wit:-

All of Lots Ten and Eleven of Section Thirty-one in Township twenty-three north and the Lot Five of Section Six in Township twenty-two north all in Range twenty-two east of the Boise Meridian in Lemhi County, Idaho, containing 111.84 acres.

Together with any and all ditches, water and water rights belonging to said premises, appertaining thereto or used in connection therewith.

STATE OF IDAHO
COUNTY OF LEMHI

I, TERRI 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.

Documentary Stamp: .50; J.S., L.S., 8/10/25.

IN WITNESS WHEREOF I HAVE HERE UNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL THIS 11th DAY OF JULY, YEAR 2005

TERRI J. MORTON, CLERK
BY *[Signature]* DEPUTY

Together with all and singular tenements, hereditaments and appurtenances thereunto belonging or in anywise 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 party 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 party 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 party 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 party 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

Joseph Sanderson (SEAL)
Laura Sanderson (SEAL)
(SEAL)

STATE OF IDAHO, } ss.
COUNTY OF LEMHI, }

On this 10th day of August, in the year 1925, before me, Allen C. Merritt

Notary Public

in and for the said County, personally appeared Joseph Sanderson and Laura Sanderson, husband and wife, 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-

Allen C. Merritt
Notary Public for the State of Idaho.
residing at Salmon, Idaho.

Recorded at request of Allen C. Merritt at 55 minutes past 11 o'clock A. M., 11th August, 1925, in Book 27 of Deeds, on page 174, Records of Lemhi County,

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Recorder.

Deputy.

This Indenture, Made this 11th day of August in the year of our Lord one thousand nine hundred and twenty-five between HERBERT N. BENHAM and ELIZA J. BENHAM, husband and wife, of the County of Lemhi, State of Idaho, FRANK MALCOLM, of the County of Lemhi, State of Idaho, the parties of the first part, and the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of SIX HUNDRED AND NO/100 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

all those certain lots, pieces or parcels of land situate, lying and being in the County of Lemhi, State of Idaho, and described as follows to wit:-

All of Lots Ten and Eleven of Section Thirty-one Township Twenty-three North and Lot Five of Section Six, Township Twenty-two North all in Range Twenty-two East of the Boise Meridian, containing 111.84 acres of land,

Together with all the ditches, water and water rights belonging to said premises appertaining thereto or used in connection therewith.

Documentary Stamp: 1.00; E.J.B.,
E.N.B., 8/11/25.

STATE OF IDAHO
COUNTY OF LEMHI

I, TERRY 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 August, YEAR 2005

TERRY J. MORTON, CLERK
BY [Signature] DEPUTY

Together with all and singular and tenements, hereditaments and appurtenances thereunto belonging or in anywise 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, 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 have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

Herbert N. Benham

Eliza J. Benham

STATE OF IDAHO,
COUNTY OF LEMHI, ss.

On this 11th day of August, in the year 1925, before me Allen C. Merritt, Notary Public

in and for the said County, personally appeared Herbert N. Benham and Eliza J. Benham, husband and wife, 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.

Allen C. Merritt

Notary Public for the State of Idaho,
Residing at Salmon, Idaho.

Recorded at request of Frank Malcolm at 30 minutes past 4 o'clock P. M. 11th August 1925, in Book 27 of Deeds, on page 175, Records of Lemhi County,

date

Fee: 1.50

By [Signature] County Recorder.

By [Signature] Deputy.

SCANNED

28 2005

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This Indenture, Made this Sixth day of July

Lord one thousand nine hundred and twenty-nine between

FRANK MALCOLM and BERTHA N. MALCOLM, husband and wife, of Lemhi County, State of Idaho,

the parties of the first part, and

WILLIAM H. ANDERS of the same place the party of the second part.

WITNESSETH, That the said parties of the first part, for and in consideration of

EIGHT HUNDRED 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

of the following described pieces and parcels of land situated, lying and being in the

County of Lemhi, State of Idaho, to-wit:

Lots Nos. 10 and 11 of Section 31 Township 23 North and Lot No. 5 in Section

6, Township 22 North, all in Range 22 East of the Boise Meridian, together with all

water, water rights, ditches and ditch rights, tenements, hereditaments and appurtenances

thereto appertaining or used in connection therewith.

STATE OF IDAHO
COUNTY OF LEMHI

I, TERRI 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 2005

TERRI J. MORTON, CLERK
BY [Signature] DEPUTY

Together with all and singular and tenements, hereditaments and appurtenances thereunto belonging or in anywise 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, 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 have hereunto set their hand and seal the day and year first above written.

Signed, sealed and delivered in the presence of

John H. Padgham

Frank Malcolm

Bertha N. Malcolm

STATE OF IDAHO,
COUNTY OF LEMHI, ss.

On this Sixth day of July, in the year 1929, before me John H. Padgham

Notary Public

in and for the said County, personally appeared Frank Malcolm and Bertha N. Malcolm

known to me to be the person whose names 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)

John H. Padgham
Notary Public for Idaho,
Residing at Salmon, Idaho.

Recorded at request of J. A. Herndon at 30 minutes past 1

o'clock P.M., July 29th, 1931, in Book 27 of Deeds, on page 567, Records of Lemhi County, Idaho.

Fee: 1.50

W. W. Simmons
County Recorder.

SCANNED

Deputy.

1111 28 2005

July 10, 2005

Re: Wallace Creek Ditch

To Whom It May Concern:

My grandfather, William Henry Anders, either built or rebuilt the Wallace Creek Ditch.

According to my father, Esmond W. Anders, they acquired the property in 1929 and worked on the ditch while they owned the property. At that time, there were no trees along the ditch bank, contrary to the present, where the trees are almost solid along the ditch bank.

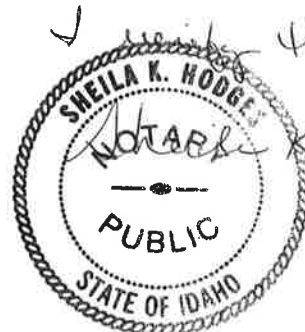
Sincerely,



Robert C. Anders
306 S. Terrace St.
Salmon, Idaho 83467-4141
208-756-4373



2-19-08

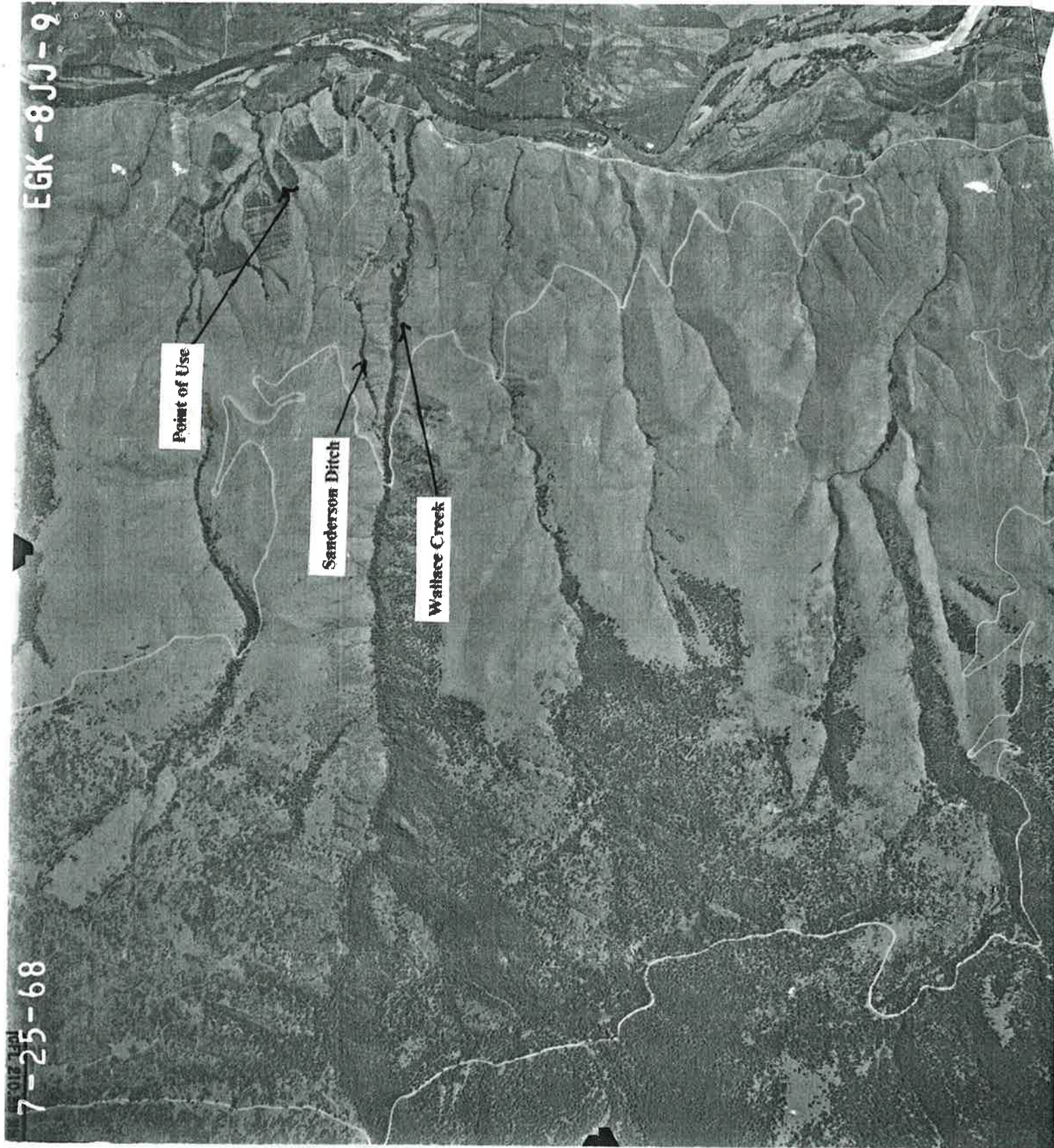


I hereby certify these are true copies of the originals.

Sheila K. Hodges 7.12.05

SCANNED

JUL 28 2005



The riparian growth along Sanderson Ditch appears to be almost as mature as the growth along Wallace Creek. This would indicate water flow in the ditch for a number of years.

SCANNED

JUL 28 2005

Table 9.—Discharge of standard suppressed rectangular weirs in second-feet. Computed from the formula $Q=3.33LH^{3/2}$. (See sec. 17.)—Continued

Head H , feet	Length of weir, L , in feet			Head H , feet	Length of weir, L , in feet		
	3.0	4.0	5.0		3.0	4.0	5.0
0.93	8.96	11.95	14.93	1.47	17.81	23.74	29.68
.94	9.10	12.14	15.17	1.48	17.99	23.98	29.98
.95	9.25	12.33	15.42	1.49	18.17	24.23	30.28
.96	9.40	12.53	15.66	1.50	18.35	24.47	30.59
.97	9.54	12.73	15.91	1.51	-----	24.72	30.89
.98	9.69	12.92	16.15	1.52	-----	24.96	31.20
.99	9.84	13.12	16.40	1.53	-----	25.21	31.51
1.00	9.99	13.32	16.65	1.54	-----	25.46	31.82
1.01	10.14	13.52	16.90	1.55	-----	25.70	32.13
1.02	10.29	13.72	17.15	1.56	-----	25.95	32.44
1.03	10.44	13.92	17.41	1.57	-----	26.20	32.75
1.04	10.60	14.13	17.66	1.58	-----	26.45	33.07
1.05	10.75	14.33	17.91	1.59	-----	26.71	33.38
1.06	10.90	14.54	18.17	1.60	-----	26.96	33.70
1.07	11.06	14.74	18.43	1.61	-----	27.21	34.01
1.08	11.21	14.95	18.69	1.62	-----	27.47	34.33
1.09	11.37	15.16	18.95	1.63	-----	27.72	34.65
1.10	11.53	15.37	19.21	1.64	-----	27.98	34.97
1.11	11.68	15.58	19.47	1.65	-----	28.23	35.29
1.12	11.84	15.79	19.74	1.66	-----	28.49	35.61
1.13	12.00	16.00	20.00	1.67	-----	28.75	35.93
1.14	12.16	16.21	20.27	1.68	-----	29.01	36.26
1.15	12.32	16.43	20.53	1.69	-----	29.26	36.58
1.16	12.48	16.64	20.80	1.70	-----	29.52	36.91
1.17	12.64	16.86	21.07	1.71	-----	29.79	37.23
1.18	12.81	17.07	21.34	1.72	-----	30.05	37.56
1.19	12.97	17.29	21.61	1.73	-----	30.31	37.89
1.20	13.13	17.51	21.89	1.74	-----	30.57	38.22
1.21	13.30	17.73	22.16	1.75	-----	30.84	38.55
1.22	13.46	17.95	22.44	1.76	-----	31.10	38.88
1.23	13.63	18.17	22.71	1.77	-----	31.37	39.21
1.24	13.79	18.39	22.99	1.78	-----	31.63	39.54
1.25	13.96	18.62	23.27	1.79	-----	31.90	39.88
1.26	14.13	18.84	23.55	1.80	-----	32.17	40.21
1.27	14.30	19.06	23.83	1.81	-----	32.44	40.55
1.28	14.47	19.29	24.11	1.82	-----	32.71	40.88
1.29	14.64	19.52	24.40	1.83	-----	32.98	41.22
1.30	14.81	19.74	24.68	1.84	-----	33.25	41.56
1.31	14.98	19.97	24.97	1.85	-----	33.52	41.90
1.32	15.15	20.20	25.25	1.86	-----	33.79	42.24
1.33	15.32	20.43	25.54	1.87	-----	34.06	42.58
1.34	15.49	20.66	25.83	1.88	-----	34.34	42.92
1.35	15.67	20.89	26.12	1.89	-----	34.61	43.26
1.36	15.84	21.13	26.41	1.90	-----	34.89	43.61
1.37	16.02	21.36	26.70	1.91	-----	35.16	43.95
1.38	16.20	21.59	26.99	1.92	-----	35.44	44.30
1.39	16.37	21.83	27.29	1.93	-----	35.71	44.64
1.40	16.55	22.06	27.58	1.94	-----	35.99	44.99
1.41	16.73	22.30	27.88	1.95	-----	36.27	45.34
1.42	16.90	22.54	28.17	1.96	-----	36.55	45.69
1.43	17.08	22.78	28.47	1.97	-----	36.83	46.04
1.44	17.26	23.02	28.77	1.98	-----	37.11	46.39
1.45	17.44	23.26	29.07	1.99	-----	37.39	46.74
1.46	17.62	23.50	29.37	2.00	-----	37.68	47.10

Table 10.—Discharge of standard Cipolletti weirs in second-feet. Values below and to the left of heavy lines determined experimentally; others computed from the formula $Q=3.367LH^{3/2}$. (See sec. 19.)

Head H , feet	Length of weir, L , feet						
	0.5	1.0	1.5	2.0	3.0	4.0	5.0
0.01	0.002	0.003	0.005	0.007	0.010	0.013	0.017
.02	.005	.010	.014	.019	.029	.038	.048
.03	.009	.018	.026	.035	.053	.070	.087
.04	.013	.027	.040	.054	.081	.108	.135
.05	.019	.038	.057	.075	.113	.151	.188
.06	.025	.050	.074	.099	.148	.198	.247
.07	.031	.062	.093	.125	.187	.249	.312
.08	.038	.076	.114	.152	.229	.305	.381
.09	.045	.091	.136	.182	.273	.364	.455
.10	.053	.107	.160	.213	.319	.426	.532
.11	.061	.123	.184	.246	.369	.491	.614
.12	.070	.140	.210	.280	.420	.560	.700
.13	.079	.158	.237	.316	.473	.631	.789
.14	.088	.176	.265	.353	.529	.705	.882
.15	.098	.196	.293	.391	.587	.782	.978
.16	.108	.216	.323	.431	.646	.862	1.08
.17	.118	.236	.354	.472	.708	.944	1.18
.18	.129	.257	.386	.514	.771	1.03	1.28
.19	.139	.279	.418	.558	.837	1.12	1.39
.20	.151	.301	.452	.602	.903	1.20	1.51
.21	.162	.324	.486	.648	.972	1.30	1.62
.22	.174	.347	.521	.695	1.04	1.39	1.74
.23	.186	.371	.557	.743	1.11	1.48	1.86
.24	.200	.396	.594	.792	1.19	1.58	1.98
.25	.214	.421	.631	.842	1.26	1.68	2.10
.26	-----	.446	.669	.893	1.34	1.78	2.23
.27	-----	.472	.709	.945	1.42	1.89	2.36
.28	-----	.499	.748	.998	1.50	2.00	2.49
.29	-----	.526	.788	1.05	1.58	2.10	2.63
.30	-----	.553	.830	1.11	1.66	2.21	2.77
.31	-----	.581	.872	1.16	1.74	2.32	2.90
.32	-----	.609	.914	1.22	1.83	2.44	3.05
.33	-----	.638	.957	1.28	1.92	2.55	3.19
.34	-----	.667	1.00	1.34	2.00	2.67	3.34
.35	-----	.697	1.05	1.39	2.09	2.79	3.49

0.56 cfs 75-4385C
 .22 cfs 75-4385D
 .79 cfs

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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 Derrold Slavin, Sandy Sims, Barry Marcus

(Name of Claimant)

Box 41, Carmen, Idaho

83462

Telephone No. 756-3442

(Mailing Address)

(Zip Code)

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) 4-17-1923

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)

Wallace Creek tributary to Salmon 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:

				(Both dates inclusive)	
(cfs, af)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)	(Mo., Day)
Quantity	<u>1.8 cfs</u>	Use	<u>Irrigation</u>	Period of Use From <u>4-1</u>	To <u>10-15</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) | 1.8 cfs | TOTAL QUANTITY USED. |
|-----|---------|----------------------|

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

SE ¼ NW ¼, Sec. 1 Twp. 22N Rge. 21E 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. Runs directly into a 1/2 mile ditch thru a headgate

- (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 90

- 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: Partnership

PROFILMED

RECEIVED

SEP 22 2003

CHANGE IN ADDRESS

Department of Water Resources

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number(s): 75-83K

75-84H75-4385D

[] Old Mailing Address: 11091 2 1/2 MILE Road

Pocatello, ID 83202

[] New Mailing Address: P.O. Box 131

CARMEN, ID 83462

[] Telephone Number: (208) 756-4034

[] Signature of Claimant: Dorothy A. Olsen

[] Date: Sept. 20, 2003

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 9-25-03By: J. ShumFurther Action Needed: none

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

PLEASE MAIL TO: ~~ALLOCATIONS BUREAU~~ ^{AJ}
IDAHO DEPT. OF WATER RESOURCES
1301 N. ORCHARD
BOISE, ID 83706

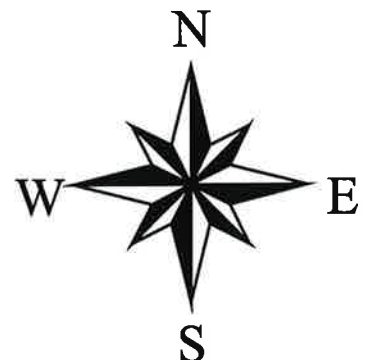
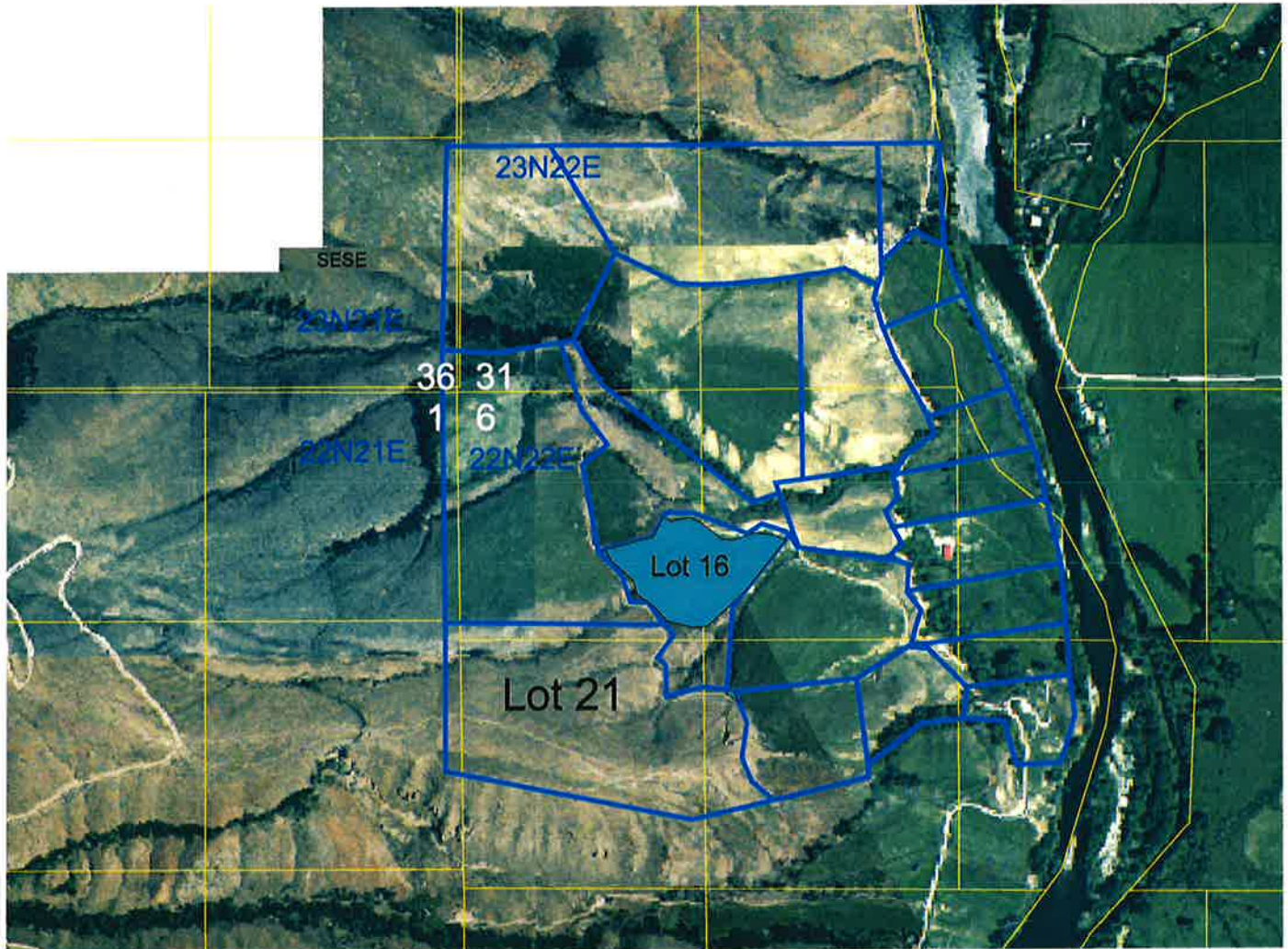
SCANN

SEP 25 2003

SCANNED

SEP 23 2003

75-83K
75-84H
75-4385D





State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

SCANNED

OCT 18 2001

EASTERN REGION

November 18, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

NORMAN & DOROTHY OLSEN
11091 2 ½ MILE RD
POCATELLO ID 83202

RE: CHANGE IN OWNERSHIP FOR A75-00083H, A75-00084F,
A75-04385B

Dear Mr. & Mrs. Olsen:

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

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

A75-00083J, 0.06 CFS ON 35 ACRES, MILLER
A75-00083K, 0.03 CFS ON 15 ACRES, OLSEN

A75-00084G, 0.09 CFS ON 35 ACRES, MILLER
A75-00084H, 0.04 CFS ON 15 ACRES, OLSEN

A75-04385C, 0.68 CFS ON 35 ACRES, MILLER
A75-04385D, 0.30 CFS ON 15 ACRES, OLSEN

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or

questions, please contact this office.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jennifer Crabtree". The signature is written in dark ink and is positioned above the printed name and title.

Jennifer Crabtree
Technical Records Specialist

Enclosure

DELOG DC
10-1-99

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

RECEIVED

SEP 29 1999

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

Department of Water Resources
Eastern Region

1. Water Right or Adjudication Claim No(s): A75-04385B A75-00083H A75-00084A ^{CD} _{84F}
2. The following **REQUIRED** information must be submitted with this form: _{835 K} _{GH}

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

JOSNUA & ANGIE MillerSalmon ID 83467

4. New Owner/Claimant(s)

NORMAN C & Dorothy A OLSENName Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

11091 2 1/2 mile Rd.

City, State and ZIP Code

POCATELLO Idaho 83202

New Telephone Number

(208) 237 4079

5. Date you acquired the property

23 Sept 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate 7.00 ^{15A} 17.79 Number and type of stock _____

Diversion rate in CFS _____ Number of homes 1 Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s)

Norman Olsen
Dorothy A. Olsen

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.

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

Warranty Deed

For Value Received JOSHUA J. MILLER AND ANGELIA J. MILLER,
husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto

NORMAN C. OLSEN AND DOROTHY A. OLSEN,
husband and wife,

whose current address is

1109 2 $\frac{1}{2}$ Mile Rd
Pocatello ID 83202

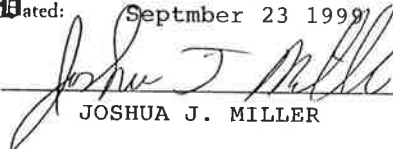
the grantee s, the following described premises, in Lemhi County Idaho, to wit:

Lot 16 and 21 in Diamond Creek Subdivision, according
to the official plat thereof filed in Book 5 of Plats
at Page 45 records of Lemhi County, ID

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

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

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

Dated: September 23 1999

JOSHUA J. MILLER


ANGELIA J. MILLER

STATE OF IDAHO, COUNTY OF Lemhi--ss
On this 23rd day of September¹⁹ 99
before me, a notary public in and for said State, personally appeared

JOSHUA J. MILLER AND

ANGELIA J. MILLER

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged to me that
they executed the same.



Notary Public
, Idaho

Residing at SALMON
Comm. Expires 2-19-2003

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: A75-04385D

Date Received: 4/23/1990

Receipt No: X777777

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: NORMAN C OLSEN 208-237-4079
Address: 11091 2 1/2 MILE RD
POCATELLO ID 83202

AND/OR

Name: DOROTHY A OLSEN 208-237-4079
Address: 11091 2 1/2 MILE RD
POCATELLO ID 83202

2. Date of Priority: APR 17, 1923

3. Source: WALLACE CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	21E	1	NE	NE	SW		LEMHI

5. Description of diverting works:
ROCK DIV. DAM WITH GRAVITY FEED PIPE AND SPRINKLER SYSTEM.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.300		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
22N	22E	6	NE	NW	4	IRR	5.0

A7504385D



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	22E	6	NW	NW	5	IRR	4.0
			SW	NW	6	IRR	5.0
			SE	NW		IRR	1.0
						Section Acres	15.0
						Total Acres	15.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
TWO EARLY DECREED RIGHTS.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ 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: _____