

11/12/2006

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

RIGHT NUMBER: 75-4494G
NAME AND ADDRESS: MELISSA J COLE
612 MAIN ST
SALMON ID 83467

BRUCE A COLE
612 MAIN ST
SALMON ID 83467

SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 0.500 CFS

PRIORITY DATE: 04/01/1908
POINT OF DIVERSION:

T25N R21E S28 NWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 10/31	0.500 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T25N R21E S28	SWNW	1.00	T25N R21E S28	NWSW	23.70
T25N R21E S28	SWSW	0.30			

25 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

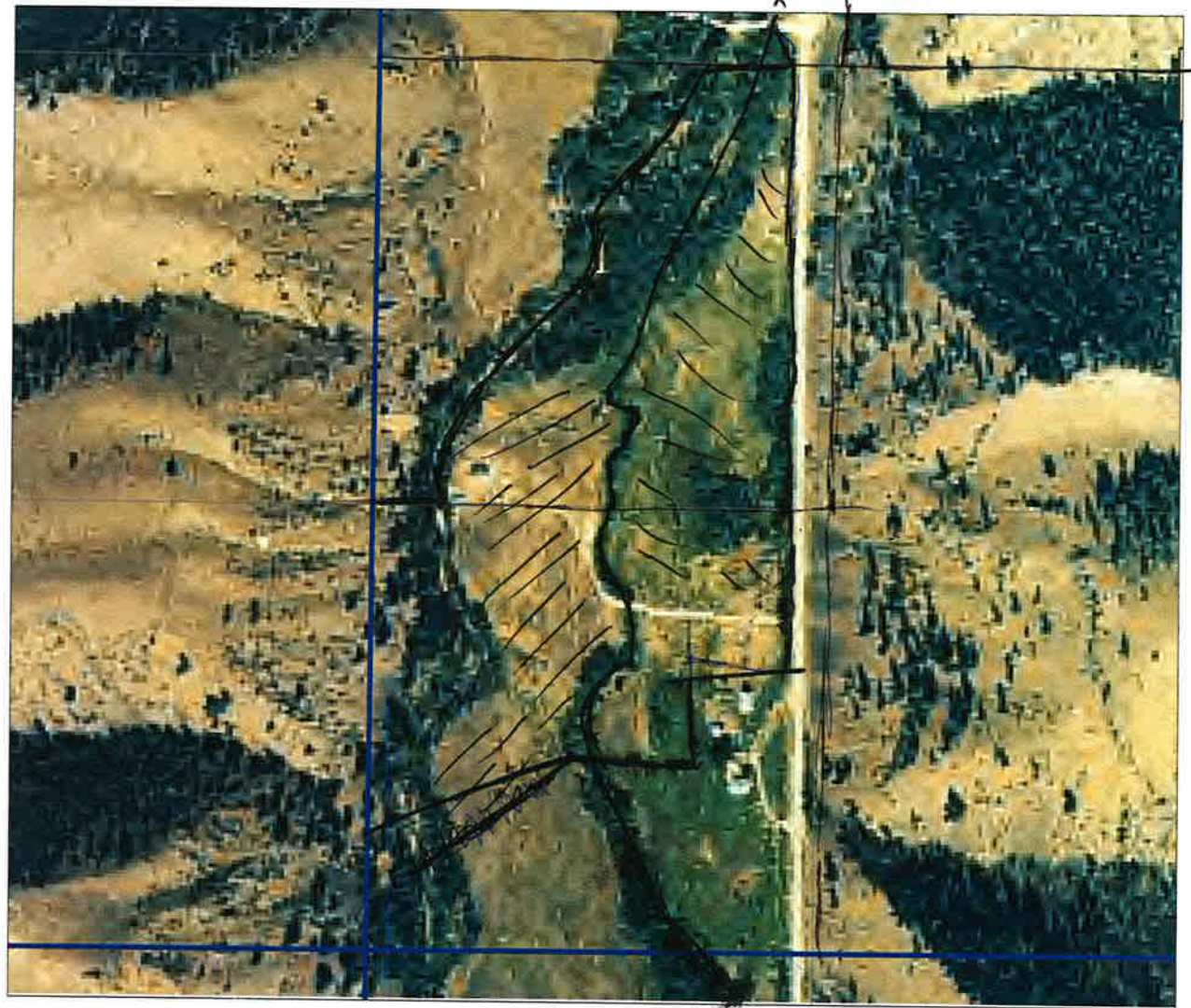


Adjudication Claim Number: **75-4494G**



Legend

-  PLS Sections
-  Quarter Quarters



0 0.2 0.4 Miles



Prepared by M. Vanbussum
On Thursday, May 12, 2005
1991 Aerial Photography



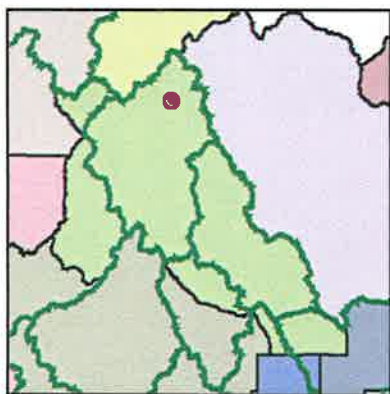
Idaho Department of Water Resources

SRBA Claim:

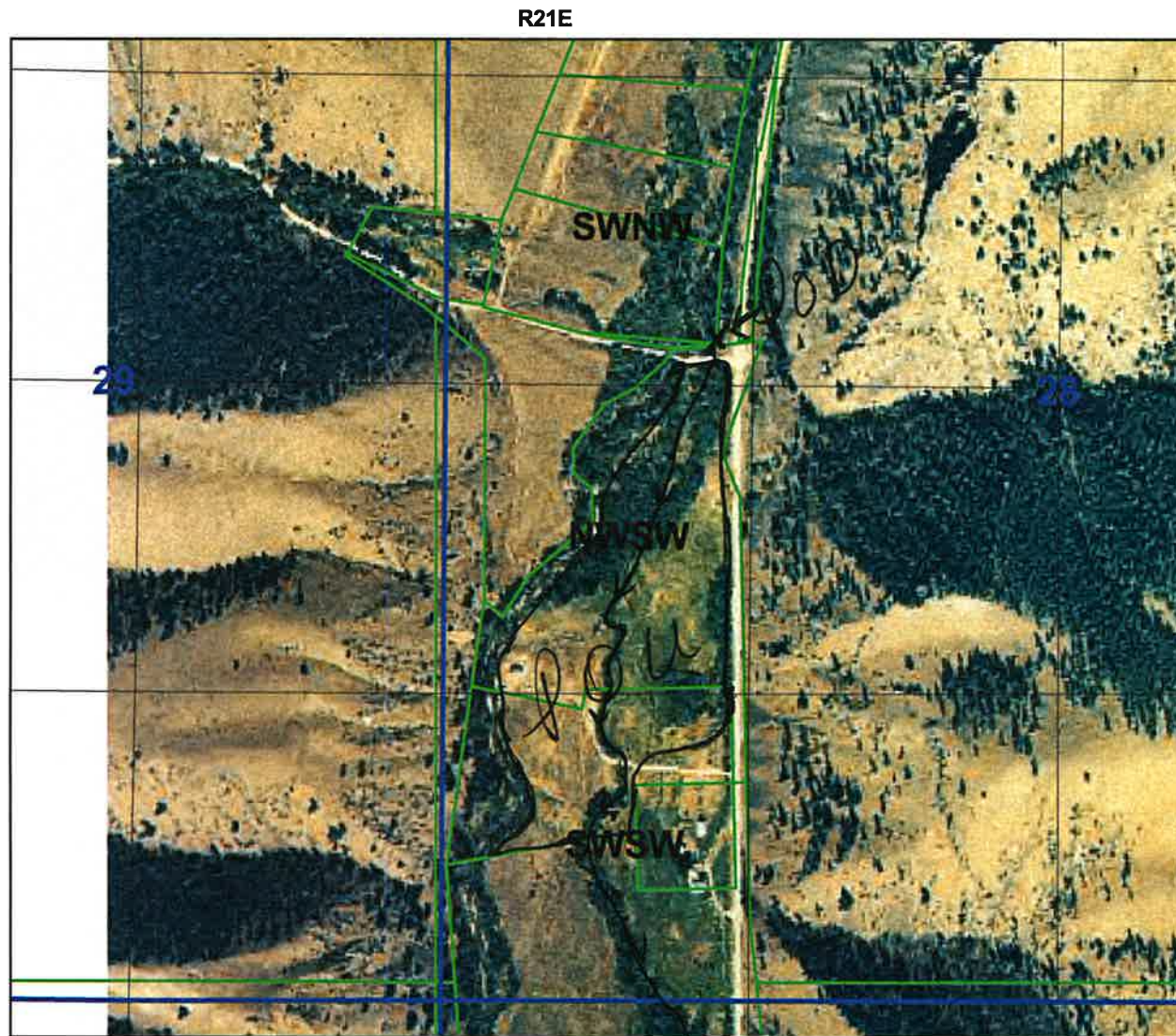
75-4494G

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles

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

11/20/2006

**NOTICE OF ERROR
REPLY**

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

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

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

Water right number: 75-4494G

MELISSA J COLE
612 MAIN ST
SALMON ID 83467

BRUCE A COLE
612 MAIN ST
SALMON ID 83467

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

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

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

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

DATE:

12/4/06

SIGNATURE:

Bruce A. Cole

Please print your name:

Bruce A. Cole

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

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

CLAIM NO(s). A75 04494G

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

Bruce and Melissa Cole now own the
Nangle property

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER:

Print Name
Jack Z Ellis
Signature



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

RECEIVED

AUG 01 2005

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-4494G, 75-4494H

BRUCE A COLE

MELISSA J COLE

612 MAIN ST

PO BOX 1987

SALMON ID 83467

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 01 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4494H

WATER RIGHT NUMBER: 75-4494H

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUCE A COLE PO BOX 1987 SALMON, ID 83467 (208)756-2649
Original Owner	FREDERICK B NAUGLE PO BOX 111 NORTH FORK, ID 83466
Original Owner	B & W LAND CO INC PO BOX 339 IDAHO FALLS, ID 83402 (208)522-1619
Current Owner	MELISSA J COLE PO BOX 1987 SALMON, ID 83467 (208)756-2649
Original Owner	JACQUELINE C NAUGLE PO BOX 111 NORTH FORK, ID 83466

Priority Date: 04/01/1908

Basis: Statutory Claim

Status: Active

Source

NORTH FORK SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

4/01 to 10/31

Diversion Rate

0.300 CFS

Annual VolumeTotal Diversion: 0.300 CFSLocation of Point(s) of DiversionNORTH FORK SALMON RIVER
LEMHI County

NW1/4SW1/4

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

NORTH FORK SALMON RIVER
LEMHI County

SW1/4NW1/4

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

Place of UseIRRIGATION Within LEMHI County

T25N R21E S28 SWSW 15.0

Total Acres: 15

Conditions of Approval:

1. NOTICE IS RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF A75-04494B, PAID FOR UNDER E013680. EMC 06-04-91 *CHANGE IN OWNESHIP 2-13-95 GJT.

SCANNED

AUG 01 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4494G

WATER RIGHT NUMBER: 75-4494G

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	B & W LAND CO INC PO BOX 339 IDAHO FALLS, ID 83402 (208)522-1619
Current Owner	MELISSA J COLE 612 MAIN ST SALMON, ID 83467
Original Owner	JACQUELINE C NAUGLE PO BOX 111 NORTH FORK, ID 83466
Original Owner	FREDERICK B NAUGLE PO BOX 111 NORTH FORK, ID 83466
Current Owner	BRUCE A COLE 612 MAIN ST SALMON, ID 83467

Priority Date: 04/01/1908

Basis: Statutory Claim

Status: Active

Source

NORTH FORK SALMON RIVER

Tributary

SALMON RIVER

Beneficial Use

IRRIGATION

From To

04/01 to 10/31

Diversion Rate

0.500 CFS

Annual VolumeTotal Diversion:

0.500 CFS

Location of Point(s) of DiversionNORTH FORK SALMON RIVER
LEMHI County

SW1/4NW1/4

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

NORTH FORK SALMON RIVER
LEMHI County

NW1/4SW1/4

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

Place of UseIRRIGATION Within LEMHI County

T25N R21E S28 NWSW 24.0

T25N R21E S28

SWSW 1.0

Total Acres: 25

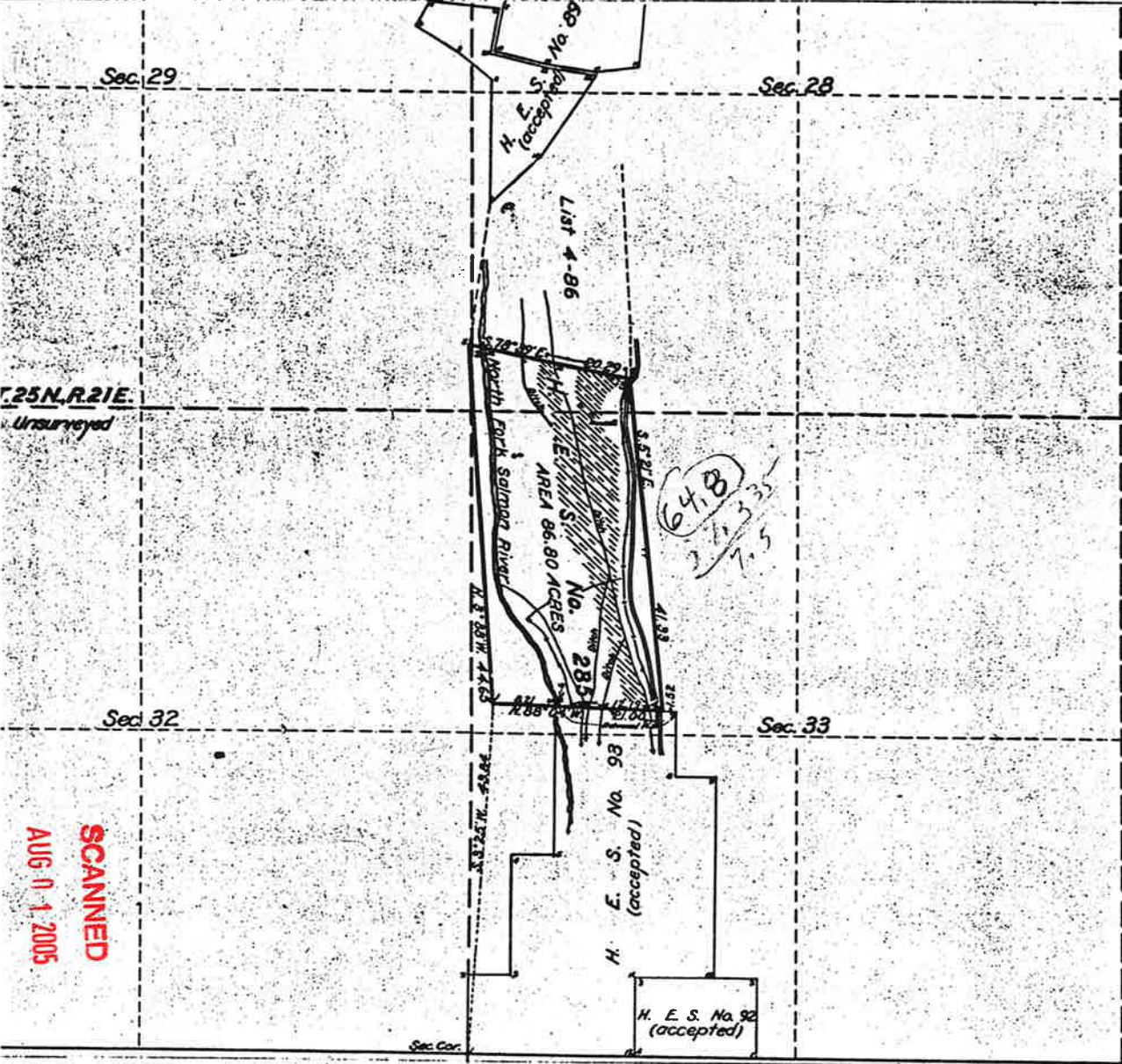
Conditions of Approval:

1. NOTICE IS RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF A75-04494B, PAID FOR UNDER E013680. EMC 06-04-91 *CHANGE IN OWNERSHIP 2-13-95 GJT.

Remarks:

SCANNED

AUG 0 1 2005



Plat of
**HOMESTEAD
ENTRY SURVEY**

No. 285.

in the

**SALMON
NATIONAL FOREST**

in

Sections 28-29-33
unsurveyed, T.25N.R.21E.
of the

**BOISE BASE AND MERIDIAN
IDAHO**

This plat of Homestead Entry Survey
No. 285 State of Idaho is strictly
conformable to the field notes thereof
on file in this office, which have been
examined and approved.

U. S. Surveyor General's Office
Boise, Idaho.

January 14, 1916

Darius A. Ulter
U. S. Surveyor General

SCALE 10 chains to 1 inch

Survey Designated	By whom Surveyed	Inst. Cont. Group No.	Date	When Surveyed Began	Completed	Date of Approval
E. Survey No. 89	James H. Caples	89	Oct. 22, 1912	May 5, 1913	May 7, 1913	Dec. 20, 1913
92		92	Dec. 12, 1912	May 1, 1913	May 2, 1913	Nov. 29, 1913
E. Survey No. 93		93	Nov. 7, 1912		May 3, 1913	" "
E. Survey No. 285	Earl R. Gilbreath Forest Ranger Surveyor		Aug. 11, 1914	Sept. 23, 1914	Sept. 23, 1914	" "

H. E. Survey No. 285		Areas in Acres	
In Section		Conflicts	
In Section			
In Section			
In Section			
Total	86.80		

Act of June 11, 1906 Act of June 30, 1914
List No. 4-78 Dated Mar. 4, 1909
Latitude 45° 28' 42" N.
Longitude 113° 53' W.
Mean Mag. Decl. 20° 29' E.
At Corner No. 1.

Amplified Jan. 22, 1916

SCANNED
AUG 01 2005

Survey accepted April 14, 1921.
G.L.O.

Plot of
**HOMESTEAD
ENTRY SURVEY**
No. 647
in the
**SALMON
NATIONAL FOREST**
in
**Unsurveyed Sections 2829
T. 25N., R. 21E.**
of the
BOISE BASE & MERIDIAN.
IDAHO.

This plot of Homestead Entry Survey
No. 647 State of Idaho is
strictly conformable to the field notes
thereof on file in this office, which
have been examined and approved.

U.S. Surveyor General's Office
Boise, Idaho, July 22, 1920.

Edward Hedden
U.S. Surveyor General

SCALE: 5 chains to 1 inch

Survey Designated	By whom Surveyed	Inst. Cont. Group		When Surveyed		Date of Approval
		No.	Date	Began	Completed	
H. E. S. No. 89	Charles M. Hull	89	Oct. 22, 1912	May 5, 1913	May 7, 1913	Dec. 20, 1913
H. E. S. No. 285	Earl R. Gilbreath	285	Aug. 11, 1914	Sept. 23, 1914	Sept. 23, 1914	Jan. 14, 1915
N.Bdy. T. 24N. R. 21E.	William D. Bush	289	June 10, 1907	July 27, 1907	Sept. 9, 1907	Nov. 27, 1908
U.S.L.M. No. 5	Peter Cardell	1909		Aug. 11, 1898	Oct. 15, 1898	
H. E. S. No. 647	Frank D. Maxwell	647	Feb. 27, 1918	May 4, 1918	May 7, 1918	July 22, 1920.

Sur. U.S. Forest Service.

Areas in Acres	
H. E. Survey No. 647	Conflicts
In Section	
In Section	
In Section	
In Section	
Total	51.00

Act of June 11, 1906	Act of March 4, 1907
List No. 4-86	Issued March 4, 1909
Latitude 45° 28' 30" N.	Observations of
Longitude 113° 53' 30" W.	Survey No. 1
Mean May Dec 21° 30' E.	

46.8 A
4.395

SCANNED
AUG 11 2005

Barry and Jackie Naugle

From: "Vern and Madeline Bishop" <vern6561@ida.net>
To: "Barry & Jackie Naugle" <fbn@salmoninternet.com>
Sent: Thursday, July 07, 2005 6:22 PM
Attach: P7070027.jpg
Subject: Hay.....Photo #2

**SCANNED****AUG 01 2005**

7/7/05

Barry and Jackie Naugle

From: "Vern and Madeline Bishop" <vern6561@ida.net>
To: "Barry & Jackie Naugle" <fbn@salmoninternet.com>
Sent: Thursday, July 07, 2005 6:19 PM
Attach: P7070025.jpg
Subject: Hay.....Photo #1

**SCANNED****AUG 01 2005**

7/7/05

Barry and Jackie Naugle

From: "Vern and Madeline Bishop" <vern6561@ida.net>
To: "Barry & Jackie Naugle" <fhn@salmoninternet.com>
Sent: Thursday, July 07, 2005 6:26 PM
Attach: P7070029.jpg
Subject: Hay.....Photo #4

**SCANNED****AUG 01 2005**

7/7/05

Barry and Jackie Naugle

From: "Vern and Madeline Bishop" <vern6561@ida.net>
To: "Barry & Jackie Naugle" <fhn@salmoninternet.com>
Sent: Thursday, July 07, 2005 6:23 PM
Attach: P7070028.jpg
Subject: Hay.....Photo #3



SCANNED

AUG 01 2005

7/7/05

Pg 64

installations in said canal channel or ditch. The Ditch Owners hereby covenant and agree that in the operations of their canal, that during such periods of time when waters excess to their needs are available, their canal headgate will be so regulated as to divert into said canal the additional waters needed to operate said fish bypass.

All such installations placed on, within and across said canal or ditch by the Department shall be and remain the property of the Department and may be removed by the Department at any time.

All expenditures to be made by the Department under the provisions of this agreement shall be subject to appropriations being available for the purpose.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals, the day and year first above written.

Ditch Owners
Theodore C. Slavin (Seal)
Leitha I. Slavin (Seal)
Department
STATE OF IDAHO
Department of Fish and Game
By Ross Leonard
Ross Leonard, Director

STATE OF IDAHO } ss
County of Lemhi }

On this 30th day of July in the year 1958, before me, the undersigned, a Notary Public in and for said State, personally appeared Theodore C. Slavin and Leitha I. Slavin known to me to be the persons whose names are subscribed to the within instrument, as Ditch Owners, 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.

Charles Herndon
Notary Public for the State of Idaho
Residing at Salmon, Idaho
My commission expires 2-14-59

(SEAL)
STATE OF IDAHO } ss
County of Ada }

On this 12th day of August in the year 1958, before me, the undersigned, a Notary Public in and for said State, personally appeared ROSS LEONARD, known to me to be the Director of the State of Idaho Department of Fish and Game, that executed the said instrument, and acknowledged to me that the State of Idaho Department of Fish and Game 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.

Anna Mastro
Notary Public for the State of Idaho
Residing at Boise, Idaho
My commission expires June 1, 1962

(SEAL)
State of Idaho } ss
County of Lemhi }

Recorded at the request of Idaho Fish & Game Dep't. February 20th 1959 at 13 minutes past 8 o'clock A.M. in Book E of Agreements Page 63-64 Records of Lemhi County, Idaho.

Fees, \$2.25 paid

T. H. Ball, County Recorder
By *Opal Reddington* Deputy

Instrument No. 90969

(Water User)
NF-3A

EASEMENT AGREEMENT

THIS INDENTURE, Made and entered into this 3rd day of October, 1958, by and between Ettie E. Suydam hereinafter called Ditch Owners, and the STATE OF IDAHO for the use and benefit of the Department of Fish and Game, hereinafter called the Department, WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid by the Department to the Ditch Owners, receipt whereof is hereby acknowledged, the Ditch Owners, being the owners in common of that certain ditch/canal located in Lemhi County, and known as Lower Suydam Ditch, have this day bargained and sold and by these presents do hereby grant, bargain, sell, convey, transfer and deliver unto the Department a permanent easement for the purposes of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass thereto on, within, and across said canal or ditch at a point located within the Homestead Entry Survey 93, which point is approximately 460 feet north 70°55' west from corner No. 12 thereof.

Together with the right of ingress and egress for Department personnel or its authorized agent or agents on and over the right of way of said ditch or canal for the purposes herein designated, together with the right to remove debris, logs, log jams, mud or gravel bars, that may accumulate in the canal channel or ditch immediately above or below the fish screen and which have been caused to accumulate by installation of said fish screen.

The Department hereby covenants and agrees that the construction, operation, maintenance, renewal, and removal of said installations shall be accomplished by the Department at its sole expense and in such a manner so as not to diminish the flow of water in said canal or ditch below said fish screen.

The Department further covenants and agrees that in the construction of its fish bypass that it will install a gate to provide for control of waters allowed to flow through said bypass during those periods of time that the supply of waters may be insufficient to operate the fish bypass without diminishing the flow of waters carried by the canal or ditch below said fish screen and when during said periods of time the operation of this control facility is demanded by the ditch owners.

In construction of the fish bypass, the Department will assume responsibility for the future stability of any dike, ditch, or canal bank, or similar structure penetrated by said bypass, in the immediate, contiguous and adjacent area disturbed by the penetration and installation of the bypass pipe.

SCANNED

AUG 01 2005

Pg 65

In the event of any future alterations of the line or grade of the canal channel, ditch, or stream course necessitating changes in or relocation of the Department's installations, the Department at its expense will make such changes in or relocation of its installations as may be necessary in connection with such alterations. The Ditch Owners hereby grant, covenant and agree that in the event the line and/or grade of the canal channel, ditch, or stream course is changed necessitating relocation of the Department's installation, that this instrument shall also permit the Department to relocate its installations in said canal channel or ditch. The Ditch Owners hereby covenant and agree that in the operations of their canal, that during such periods of time when waters excess to their needs are available, their canal headgate will be so regulated as to divert into said canal the additional waters needed to operate said fish bypass.

All such installations placed on, within and across said canal or ditch by the Department shall be and remain the property of the Department and may be removed by the Department at any time.

All expenditures to be made by the Department under the provisions of this agreement shall be subject to appropriations being available for the purpose.

IN WITNESS WHEREOF, The parties hereto have hereunto set their hands and seals, the day and year first above written.

Ditch Owners
Ettie E. Suydam (Seal)
Department

STATE OF IDAHO Department of Fish and Game
By Ross Leonard
Ross Leonard, Director

STATE OF IDAHO } ss
County of Lemhi

On this 3rd day of October in the year 1958, before me, the undersigned, a Notary Public in and for said State, personally appeared Ettie E. Suydam known to me to be the person whose name -- subscribed to the within instrument, as Ditch Owners, and acknowledged to me that she 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.

Charles Herndon
Notary Public for the State of Idaho
Residing at Salmon, Idaho
My commission expires 2-14-59

(SEAL)
STATE OF IDAHO } ss
County of Ada

On this 4th day of Dec. in the year 1958, before me, the undersigned, a Notary Public in and for said State, personally appeared ROSS LEONARD, known to me to be the Director of the State of Idaho Department of Fish and Game, that executed the said instrument, and acknowledged to me that the State of Idaho Department of Fish and Game 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.

Anna Mastro
Notary Public for the State of Idaho
Residing at Boise, Idaho
My commission expires 6-1-62

(SEAL)
State of Idaho } ss
County of Lemhi

Recorded at the request of Idaho Fish & Game Dep't. February 20th 1959 at 14 minutes past 8 o'clock A.M., in Book E of Agreements Page 64-65. Records of Lemhi County, Idaho

T. H. Ball, County Recorder

Fees, \$2.25 Paid

By

Opal Reddington, Deputy

Instrument No. 90970

(Water User)
N.F. 4

EASEMENT AGREEMENT

THIS INDENTURE, Made and entered into this 3rd day of October, 1958, by and between CHARLES AND NELLIE B. MOTICHKA, husband and wife, and ETTIE E. SUYDAM, a widow, hereinafter called ditch Owners, and the STATE OF IDAHO for the use and benefit of the Department of Fish and Game, hereinafter called the Department, WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid by the Department to the Ditch Owners, receipt whereof is hereby acknowledged, the Ditch Owners, being the owners in common of that certain ditch/canal located in Lemhi County, and known as Motichka Ditch, have this day bargained and sold and by these presents do hereby grant, bargain, sell, convey, transfer and deliver unto the Department a permanent easement for the purposes of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass thereto on, within, and across said canal or ditch at a point located within the Homestead Entry Survey 647, which point is approximately 430 feet south 70°30' west from corner No. 6 thereof.

Together with the right of ingress and egress for Department personnel or its authorized agent or agents on and over the right of way of said ditch or canal for the purposes herein designated, together with the right to remove debris, logs, log jams, and or gravel bars, that may accumulate in the canal channel or ditch immediately above or below the fish screen and which have been caused to accumulate by installation of said fish screen.

The Department hereby covenants and agrees that the construction, operation, maintenance, renewal, and removal of said installations shall be accomplished by the Department at its sole expense and in such a manner so as not to diminish the flow of water in said canal or ditch below said fish screen.

The Department further covenants and agrees that in the construction of its fish bypass that it will install a gate to provide for control of waters allowed to flow through said bypass during those periods of time that the supply of waters may be

SCANNED

AUG 11 2005

STATE OF IDAHO } ss
County of Lemhi }

On this 29th day of July in the year 1958, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles Motichka and Nellie B. Motichka, known to me to be the persons whose names are subscribed to the within instrument, as Grantors, 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.

Charles Herndon
Notary Public for the State of Idaho
Residing at Salmon, Idaho
My commission expires 2-14-59

(SEAL)

State of Idaho } ss
County of Lemhi }

Recorded at the request of Idaho Fish & Game Dep't. February 20th 1959 at 47 minutes past 8 o'clock A.M., in Book E of agreements Page 100 Records of Lemhi County, Idaho.

Fees, \$1.25 Paid

By *Opal Reddington* T. H. Ball, County Recorder Deputy

Instrument No. 91003
EASEMENT AGREEMENT (Land Owner) N.F. 5

THIS INDENTURE, Made and entered into this 29th day of July, 1958, by and between Charles and Nellie B. Motichka, husband and wife, hereinafter called Grantors, and the STATE OF IDAHO for the use and benefit of the Department of Fish and Game, hereinafter called Grantee, WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid by the Grantee to the Grantors, receipt whereof is hereby acknowledged, the Grantors have this day bargained and sold and by these presents do hereby grant, bargain, sell, convey, transfer and deliver unto the Grantee a permanent easement for the purposes of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass thereto on, within, and across a canal or ditch known as Suydam Ditch and located in Lemhi County upon lands of the Grantors at a point within the Homestead Entry Survey 89, which point is approximately 255 feet south 89°10' west from corner No. 16 thereof, said fish bypass to run from said fish screen to the adjacent stream course known as North Fork of Salmon River. Together with the right of ingress and egress for personnel of the Grantee or its authorized agent or agents on and over property of the Grantors for the purposes herein designated, together with rights of way along the canal channel to provide for removal of debris, logs, log jams, mud or gravel bars that may accumulate in the canal channel or ditch immediately above or below the fish screen and which have been caused to accumulate by installation of said fish screen.

In the event of any future alterations in the line or grade of the canal channel ditch or stream course necessitating changes in or relocation of the Grantee's installations, the Grantors, by these presents, also grant, bargain and sell to the Grantee an easement as herein first above granted to relocate its installations in said canal channel or ditch as the same may be located on the lands of the Grantors, their heirs and assigns.

All such installations placed on, within and across said canal or ditch by the Grantee shall be and remain the property of the Grantee and may be removed by the Grantee at any time.

All expenditures to be made by the Grantee under the provisions of this agreement shall be subject to appropriations being available for the purpose.

IN WITNESS WHEREOF, The said Grantors have hereunto set their hands and seals, the day and year first above written.

Charles Motichka (Seal)
Nellie B. Motichka (Seal)

STATE OF IDAHO } ss
County of Lemhi }

On this 29th day of July in the year 1958, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles Motichka and Nellie B. Motichka known to me to be the persons whose names are subscribed to the within instrument, as Grantors, 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.

Charles Herndon
Notary Public for the State of Idaho
Residing at Salmon, Idaho
My commission expires 2-14-59

(SEAL)

State of Idaho } ss
County of Lemhi }

Recorded at the request of Idaho Fish & Game Dep't. February 20th 1959 at 48 minutes past 8 o'clock A.M., in Book E of Agreements Page 100 Records of Lemhi County, Idaho.

Fees, \$1.25 Paid

By *Opal Reddington* T. H. Ball, County Recorder Deputy

Instrument No. 91004
EASEMENT AGREEMENT (Land Owner) N.F. 6

THIS INDENTURE, Made and entered into this 22nd day of October, 1958, by and between Lew R. and Syble Gohmes, husband and wife, hereinafter called Grantors, and the STATE OF IDAHO for the use and benefit of the Department of Fish and Game, hereinafter called Grantee, WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid by the Grantee to the Grantors, receipt whereof is hereby acknowledged, the Grantors have this day bargained and sold and by these presents do hereby grant, bargain, sell, convey, transfer and deliver unto the Grantee a permanent easement for the purposes of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass thereto on, within, and across a canal or ditch known as Gohmes No. 1 and located in Lemhi County upon lands of the Grantors at a point within Homestead Entry Survey #61, Tract A, which point bears north 46°35' west an approximate distance of 495 feet west from corner No. 9 thereof, said fish bypass to run from said fish screen to

SCANNED

AUG 11 2005

EASEMENT AGREEMENT

(Land Owner) NF-3A

THIS INDENTURE, Made and entered into this 3rd day of October, 1958, by and between Ettie E. Suydam, hereinafter called Grantors, and the STATE OF IDAHO for the use and benefit of the Department of Fish and Game, hereinafter called Grantee, WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid by the Grantee to the Grantors, receipt whereof is hereby acknowledged, the Grantors have this day bargained and sold and by these presents do hereby grant, bargain, sell, convey, transfer and deliver unto the Grantee a permanent easement for the purpose of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass thereto on within, and across a canal or ditch known as Lower Suydam Ditch and located in Lemhi County upon lands of the Grantors at a point within the Homestead Entry Survey 93, which point is approximately 460 feet north 70°55' west from corner No. 12 thereof. said fish bypass to run from said fish screen to the adjacent stream course known as North Fork of Salmon River. Together with the right of ingress and egress for personnel of the Grantee or its authorized agent or agents on and over property of the Grantors for the purposes herein designated, together with rights of way along the canal channel to provide for removal of debris, logs, log jams, mud or gravel bars that may accumulate in the canal channel or ditch immediately above or below the fish screen and which have been caused to accumulate by installation of said fish screen.

In the event of any future alterations in the line or grade of the canal channel, ditch or stream course necessitating changes in or relocation of the Grantee's installations, the Grantors, by these presents, also grant, bargain and sell to the Grantee an easement as herein first above granted to relocate its installations in said canal channel or ditch as the same may be located on the lands of the Grantors, their heirs and assigns.

All such installations placed on, within and across said canal or ditch by the Grantee shall be and remain the property of the Grantee and may be removed by the Grantee at any time.

All expenditures to be made by the Grantee under the provisions of this agreement shall be subject to appropriations being available for the purpose.

IN WITNESS WHEREOF, The said Grantors have hereunto set their hands and seals, the day and year first above written.

Ettie E. Suydam (Seal)

STATE OF IDAHO }
County of Lemhi } ss

On this 3rd day of October in the year 1958, before me, the undersigned, a Notary Public in and for said State, personally appeared Ettie E. Suydam, known to me to be the person whose name -- subscribed to the within instrument, as Grantors, and acknowledged to me that she 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.

Charles Herndon
Notary Public for the State of Idaho
Residing at Salmon, Idaho
My commission expires 2-14--59

(SEAL)

State of Idaho }
County of Lemhi } ss

Recorded at the request of Idaho Fish & Game Dep't. February 20th 1959 at 46 minutes past 8 o'clock A.M., in Book E of Agreements Page 99 Records of Lemhi County, Idaho

T. H. Ball, County Recorder

Fees, \$1.25 Paid

By

Opal Reddington

Deputy

Instrument No. 91002

EASEMENT AGREEMENT

(Land Owner) N.F. 4

THIS INDENTURE, Made and entered into this 29th day of July, 1958, by and between Charles and Nellie B. Motichka, husband and wife, hereinafter called Grantors, and the STATE OF IDAHO for the use and benefit of the Department of Fish and Game, hereinafter called Grantee, WITNESSETH:

That for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid by the Grantee to the Grantors, receipt whereof is hereby acknowledged, the Grantors have this day bargained and sold and by these presents do hereby grant, bargain, sell, convey, transfer and deliver unto the Grantee a permanent easement for the purposes of construction, operation, maintenance, alteration, renewal and removal of a self-cleaning fish screen and fish bypass thereto on, within, and across a canal or ditch known as Motichka Ditch and located in Lemhi County upon lands of the Grantors at a point within the Homestead Entry Survey 647, which point is approximately 430 feet south 70°30' west from Corner No. 6 thereof, said fish bypass to run from said fish screen to the adjacent stream course known as North Fork of Salmon River. Together with the right of ingress and egress for personnel of the Grantee or its authorized agent or agents on and over property of the Grantors for the purposes herein designated, together with rights of way along the canal channel to provide for removal of debris, logs, log jams, mud or gravel bars that may accumulate in the canal channel or ditch immediately above or below the fish screen and which have been caused to accumulate by installation of said fish screen.

In the event of any future alterations in the line or grade of the canal channel, ditch or stream course necessitating changes in or relocation of the Grantee's installations, the Grantors, by these presents, also grant, bargain and sell to the Grantee an easement as herein first above granted to relocate its installations in said canal channel or ditch as the same may be located on the lands of the Grantors, their heirs and assigns.

All such installations placed on, within and across said canal or ditch by the Grantee shall be and remain the property of the Grantee and may be removed by the Grantee at any time.

All expenditures to be made by the Grantee under the provisions of this agreement shall be subject to appropriations being available for the purpose.

IN WITNESS WHEREOF, The said Grantors have hereunto set their hands and seals, the day and year first above written.

Charles Motichka (Seal)
Nellie B. Motichka (Seal)

SCANNED

AUG 01 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

Date Received

Receipt Number

A75-04494

4-25-90/20

E013680

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) B and W Land Co., Inc. Phone (208) 522-1619Mailing Address P.O. Box 51394 Idaho Falls, Id. Zip 83405-13942. Date of Priority (Only one (1) per claim) April 1, 19083. Source of water supply (a) North Fork of the Salmon River
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 25N Range 21E Section 28,
and SW NW 1/4 of NW 1/4 of SW 1/4, Govt. Lot, B.M., County of LemhiAdditional points of diversion if any: SW 1/4 of NW 1/4 of SW 1/4, 25N 21 E Section 28

b. If instream flow, beginning point of claimed instream flow is:

Township 25N Range 21E Section 28, 1/4 of 1/4 of 1/4Govt. Lot B.M., County of Lemhiending point is: Township 25N Range 21E Section 28, 1/4 of 1/4 of 1/41/4, Govt. Lot B.M., County of Lemhi5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. See attachment to Claim to a Water Right.

SCANNED

AUG 01 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
IN STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS
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
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576
Ident. Number: 175-04495
Date Received: 4-25-90
Receipt Number: E013680
Receipt Number:

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

Please type or print clearly

1. Name of Claimant (s) B and W Land Co., Inc. Phone (208) 522-1619
Mailing Address P.O. Box 51294, Idaho Falls, Id 8 Zip 83405-1394

2. Date of Priority (Only one (1) per claim) April 1, 1908

3. Source of water supply (a) Spring

which is tributary to (b) (a) N/A

4. a. Location of existing point of diversion is: Township 25N Range 21E Section 28

SW 1/4 of NE 1/4 of SW 1/4, Govt. Lot, B.M., County of Lemhi

Additional points of diversion if any:

Additional points of diversion if any: SW 1/4 of NW 1/4 of SW 1/4, 20

b. If instream flow, beginning point of claimed instream flow is:

If instream flow, beginning point of claimed instream flow is:

Township Range Section 1/4 of 1/4 of 1/4,

Township Range Section 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

Govt. Lot B.M., County of

ending point is: Township Range Section 1/4 of 1/4 of

ending point is: Township Range Section 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well, use Diversion by culvert from east side of
Highway to westside of each well. See attachment to claim for a sketch of

SCANNED

AUG 01 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 475-04496
Date Received 4-25-90/90
Receipt Number EO13680

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) B and W Land Co., Inc. Phone (208) 522-1619
Mailing Address P.O. Box 51394 Idaho Falls, Id Zip 83405-1394

2. Date of Priority (Only one (1) per claim) April 1, 1908

3. Source of water supply (a) Spring
which is tributary to (b) North Fork of the Salmon River

4. a. Location of existing point of diversion is: Township 25N Range 21E Section 29
SE 1/4 of SE 1/4 of NE 1/4, Govt. Lot, B.M., County of Lemhi

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section 1/4 of 1/4 of 1/4,

Govt. Lot B.M., County of

ending point is: Township Range Section 1/4 of 1/4 of 1/4,

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
Including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion ditch is controlled by
canvas headgate.

SCANNED

AUG 01 2005

RECEIPT For Monies Paid to the

IDAHO DEPARTMENT OF WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IT BE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NO.

Ident. Number

Date Received

Receipt Number

Receipt No: E013680

Date: 04/25/90

Time: 16:21:09

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

Please type or print clearly

1. N. **Received** (mark /s)
From: WILLIAMS: RULAND N. Co., Inc.

Mailing Address **P.O. Box 51394 Idaho Falls Id**

Type of Payment**Program Acct Class****Amount**

2. Date of Priority (Only one (1) per claim) **April 11, 1990** **0410162 9337 6490** **\$301.00**
ADJUDICATION FEE

3. Source of water supply (a) **Hell Creek**
which is tributary to (b) **North Fork of the Salmon River**

4. a. Location of existing point of diversion is: Township **22N** Range **3E** Section **36** **Total**
SE 1/4 of SW 1/4 of NE 1/4, Govt. Lot, B.M., County of **\$301.00**

Additional points of diversion if any:

b. If headgate flow, beginning point of claimed instream flow is:

CHECK **OE** Range **3E** Section **36** 1/4 of **36**

Govt. Lot **WR/NO: A75-04496 A75-04495 A75-04494**

ending point is: Township **Idaho Department of Water Resources**

Region: **EASTERN** B.M. County of **Idaho**

Signature: *Thompson*

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

SCANNED**AUG 01 2005**

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

DATE OF CLOSING: 5/15/91

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

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

Fraction of HES 647 and 29 B. - See attached legal.
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:

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

B & W Land Co., Inc

P.O. Box 51394

Idaho Falls, Idaho 83405-1394

New Owner/Claimant (Purchaser):

Frederick B. & Jacqueline C. Naugle

New Mailing Address:

Box 111

North Fork, Idaho 83466

Type of Payment

ADJUDICATION FEE

New Telephone Number:

() _____ - NOT YET.

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:

Approx 40.3 acres - north part of approx 102
acres owned by B & W lands.

Attach proof of ownership, describe proof attached:

Warranty Deed - recorded.

(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)

Frederick B. Naugle

Date 5/30/91

Jacqueline C. Naugle

Date 5/30/91

Signature of Former Owner/Claimant(s):

Date

Date

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date:

By:

Further Action Needed:

Further Action Taken

Date:

By:

Final Review and Data-Entry

Date:

By:

Claim Numbers of Split, if any:

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

AUG 01 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
9. **Non-irrigation uses:** IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION

10. **Place of use:** SE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
25N	21E	28	NW	SW	IRRIGATION	24
			SW	SW	IRRIGATION	1

COPIES FOR RECORD FILE

NOTICE OF CLAIM TO A WATER RIGHT

ACQUIRED UNDER STATE LAW

Section Acres 25

Total Acres 25

1. Name of Claimant(s)

11. **Place of use in counties:** LEMHI

MELISSA J COLE Phone:

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

SALMON ID USA 83467

13. **Other Water Rights Used:**

612 MAIN ST

SALMON ID USA 83467

14. **Remarks:**

2. Date of Priority: 04/01/1993

15. **Basis of Claim:** Statutory Claim

4. **Point of Diversion:**

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

5. **Description of diverting works:**

HEADGATE & DITCH

6. **Water is used for the following purposes:**

Purpose	From	To	C.F.S.	(cc) A.P.S.
IRRIGATION	04/01	10/31	0.5	

7. **Total Quantity Appropriated is:**
0.5 C.F.S.

8. **Total consumptive use:**

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
Non-irrigation uses: 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

Township Range Section

25N 21E 28

1/4 of 1/4 of 1/4

SW NW

SW NW

Ident. Number 75-4494G

Date Received: 4/25/1990

Receipt No: X999999

Received By:

COPY FOR YOUR FILE

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

1. Name of Claimant(s)

11. Place of use in counties: LEMHI

MELISSA J COLE Phone:

12. 612 MAIN ST property located on ground 1/4 of 1/4 of 1/4

SALMON ID USA 83467

13. BRUCE A COLE Phone:

612 MAIN ST

SALMON ID USA 83467

14. Remarks:

2. Date of Priority: 04/01/1908

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	Type
25N	21E	28	SW NW	LEMHI	
25N	21E	28	NW SW	LEMHI	

5. Description of diverting works:

HEADGATE & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.5	

7. Total Quantity Appropriated is:

0.5 C.F.S.

8. Total consumptive use:



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

April 20, 2005

BRUCE A AND MELISSA COLE
612 MAIN ST
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-4494G

Dear Claimants:

We have processed the change in ownership of the Notice of Claim to a Water Right referenced above for your property in Lemhi County. Thank you for your patience.

Enclosed is a copy of this water right claim. Please retain this copy for your file, and refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claim.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Copy of Notice of Claim Referenced Above

SCANNED

AUG 01 2005



7/10/2009 photo of Cole et al. diversion from North Fork Salmon River
Photo taken by Bob Foster.

SCANNED

AUG 14 2009

75-4494G#75-4494H

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

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

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A 75-04494G					

RECEIVED

APR 13 2005

Department of Water Resources

RECEIVED

MAR 28 2005

Department of Water Resources

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)
Frederick B. Naugle
Box 111, North Fork, Ida 83466
4. New Owner/Claimant(s)
Bruce A and/or Melissa J Cole
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address
612 Main St
- City, State and ZIP Code
Salmon Id 83467
- New Telephone Number
208 756-4929
5. Date you acquired the property
12/31/04

D.K. to process
4/15/05 R/Brown

SCANNED

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

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

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

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

Bruce A. Cole
Melissaf. Cole

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 *APherman* Date *4-20-05* WR _____ Date _____

SCANNED

APR 20 2005

SCANNED

261336

WARRANTY DEED

For Value Received FREDERICK B. NAUGLE AND JACQUELINE
C. NAUGLE, husband and wife,

the grantors, do hereby grant, bargain, sell and convey unto
BRUCE A. COLE AND MELISSA J. COLE, husband and wife,
612 Main St., Salmon Id 83467
the grantees, the following described premises, in Lemhi County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO:

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 Grantors do hereby covenant to
and with the said Grantees , that they the owners in fee simple of said premises; that they
are free from all incumbrances

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

Dated: December 30 2004

Frederick B. Naugle
FREDERICK B. NAUGLE

Jacqueline C. Naugle
JACQUELINE C. NAUGLE

STATE OF IDAHO, COUNTY OF Lemhi--ss

On this 30th day of Dec. , 20 2004
before me, a notary public in and for said State, personal-
ly appeared

FREDERICK B. NAUGLE AND
JACQUELINE C. NAUGLE

known to me to be the persons whose names are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Notary Public

Residing at Salmon, Idaho
Comm. Expires 2/19/2009

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for re-
cord at the request of Bill Allen Escrow

at 56 minutes past 2 o'clock p m.,
this 30 day of December
2004 in my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By Joe Dickson Deputy.
Fees \$ 6⁰⁰
Mail to:

INSTRUMENT NO.

261336

LEMHI TITLE & ABSTRACT — SALMON, IDAHO

SCANNED



261336

EXHIBIT "A"

A FRACTION OF H.E.S. 647 AND 89B, LOCATED IN SECTION 28, TOWNSHIP 25 N., RANGE 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER #1, H.E.S. 647, RUN THENCE N.08°21'36"E., A DISTANCE OF 1142.82 FEET TO CORNER #2, H.E.S. 647; THENCE S.48°00'00"E., A DISTANCE OF 106.55 FEET TO A POINT IN THE CENTERLINE OF THE NORTH FORK OF THE SALMON RIVER; THENCE ALONG SAID CENTERLINE N.32°59'59"E., A DISTANCE OF 205.95 FEET; THENCE N.49°30'58"E., A DISTANCE OF 369.46 FEET; THENCE N.03°09'44"W., A DISTANCE OF 143.67 FEET; THENCE N.50°15'19"W., A DISTANCE OF 95.37 FEET; THENCE N.01°32'09"W., A DISTANCE OF 107.41 FEET; THENCE N.35°21'31"E., A DISTANCE OF 227.65 FEET; THENCE N.62°25'01"E., A DISTANCE OF 150.43 FEET; THENCE N.49°11'05"E., A DISTANCE OF 170.09 FEET; THENCE N.29°40'30"E., A DISTANCE OF 67.93 FEET TO A POINT ON THE LINE 21-22 H.E.S. 89B; THENCE S.80°31'08"E., FROM SAID CENTERLINE A DISTANCE OF 38.40 FEET TO CORNER #4, H.E.S. 647 AND CORNER #22 H.E.S. 89B, THENCE N.83°58'40"E., A DISTANCE OF 352.97 FEET TO CORNER #5, H.E.S. 647; THENCE S.20°17'19"W., A DISTANCE OF 511.33 FEET TO CORNER #6, H.E.S. 647; THENCE S.23°12'25"E., A DISTANCE OF 203.08 FEET TO CORNER #7, H.E.S. 647; THENCE S.01°07'11"E., ALONG LINE 7-8 OF H.E.S. 647, A DISTANCE OF 1227.71 FEET; THENCE S.88°54'14"W., A DISTANCE OF 477.84 FEET; THENCE S.01°05'46"E., A DISTANCE OF 243.00 FEET; THENCE S.88°51'00"W., A DISTANCE OF 324.11 FEET; THENCE S.80°03'46"W., A DISTANCE OF 507.86 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM:

A FRACTION OF H.E.S. 647 LOCATED IN SECTION 28, TOWNSHIP 25 NORTH, RANGE 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT CORNER #1, H.E.S. 647, RUN THENCE N.08°21'36"E., A DISTANCE OF 767 FEET; THENCE S.78°E., A DISTANCE OF 486 FEET; THENCE N.10°E., A DISTANCE OF 86.19 FEET; THENCE N.88°57'13"E., A DISTANCE OF 630.49 FEET; THENCE S.01°07'11"E., A DISTANCE OF 410 FEET; THENCE S.88°54'14"W., A DISTANCE OF 420 FEET; THENCE S.01°05'46"E., A DISTANCE OF 243 FEET; THENCE S.88°51'00"W., A DISTANCE OF 324.11 FEET; THENCE S.80°03'46"W., A DISTANCE OF 507.86 FEET TO THE POINT OF BEGINNING.

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

RECEIVED

APR 13 2005

Department of Water Resources

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 31, 2005

BRUCE AND MELISSA COLE
612 MAIN ST
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Change of Water Right Ownership
Notice of Claim to a Water Right #75-4494G

Dear Claimants:

We are returning your Notice of Change of Water Right Ownership. Before we can process your ownership change, we need a Deed showing conveyance from Frederick Naugle to you.

Please return the ownership change form with the correct deed to the attention of **Roxanne Brown** at this office.

Please call me toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Incomplete Ownership Change Form

Warranty Deed enclosed

4/11/05

SCANNED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

FEBRUARY 13, 1995

BRUCE A COLE
PO BOX 1987
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-04494D

Dear Mr. Cole:

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

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

A75-04494G (Naugle) 0.50 cfs; 25 acres
A75-04494H (Cole) 0.30 cfs; 15 acres

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

Respectfully submitted,

A handwritten signature in cursive script, appearing to read 'Jo Thompson'.

Jo Thompson
Adjudications Secretary

Enclosure:

cc: Frederick B Naugle/copy claim/letter

MICROFILMED
NOV 18 1996

RECEIVED

NEW PROPERTY OWNER
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type

(see instructions on back of page)

FEB 08 1995

DATE OF CLOSING: July 1992Department of Water Resources
FEB 06 1995
Eastern District OfficeLEGAL DESCRIPTION OF PROPERTY: Township 25N Range 21E
Section 28, 1/4 of SW NW 1/4 of SW SW 1/4 Govt. Lot _____, BM.

Lot _____, Block _____, Subdivision/Townsite _____

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

Leimhi County

☐ 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:

A75-04494D

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

Frederick B. & Jacqueline C. Naugle
Box 111

☐ New Owner/Claimant
(Purchaser):

North Fork, Idaho 83466
Bruce A. & Melissa J. Cole

☐ New Mailing Address:

Box 1987,
Salmon, Idaho 83467

☐ New Telephone Number:

(208) 756-2649

☐ 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:

For south 15.43 Acres of land in recorded survey #6-4793-GT25N R21E Sec. 28 1/4 of 1/4
NW SW
SW SW

☐ Attach proof of
ownership, describe
proof attached:

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

☐ Signature of New
Owner/Claimant(s)

Bruce A. Cole
Melissa J. ColeDate Jan 23, 1993Date Jan 23, 1993

☐ Signature of Former
Owner/Claimant(s):

Frederick B. Naugle
Jacqueline C. NaugleDate Jan 23, 1993Date Jan 23, 1993

(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 _____ on Needed:

_____ Taken

By: _____

_____ and Data-Entry

By: _____

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

SCANNED

OCT 1 1991

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: **A75-04494G**
Date Received: 4/25/1990
Receipt No: X777777
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILE**

1. Name: FREDERICK B NAUGLE
Address: PO BOX 111
NORTH FORK ID

83466

AND

Name: JACQUELINE C NAUGLE
Address: PO BOX 111
NORTH FORK ID

83466

2. Date of Priority: APR 1, 1908

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 of	Lot	County
25N	21E	28		SW	NW		LEMHI
				NW	SW		LEMHI

5. Description of diverting works:
HEADGATE & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.500		

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

A.F.A.

8. Total consumptive use is 62.5 Acre Feet Per Annum.

9. Non-irrigation uses:

A7504494G



MICROFILMED

NOV 18 1996

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	28	NW	SW		IRR	24.0
			SW	SW		IRR	1.0
Section Acres							25.0
Total Acres							25.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

NOTICE IS RESULT IN CHANGE OF OWNERSHIP FOR A PORTION OF
A75-04494B, PAID FOR UNDER E013680. EMC 06-04-91
*CHANGE IN OWNERSHIP 2-13-95 GJT.

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED

NOV 18 1996