

12/26/2006

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

RIGHT NUMBER: 75-10138

NAME AND ADDRESS: ARTHUR W CHIDESTER
27 LOVERS LN
SALMON ID 83467

RUTH J CHIDESTER
27 LOVERS LN
SALMON ID 83467

SOURCE: WASTE WATER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.150 CFS

PRIORITY DATE: 07/30/1888

POINT OF DIVERSION:

T21N R22E S7 SENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.150 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S07 SWSE 4.70

4.7 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

11/12/2006

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TRIBUTARY: SALMON RIVER

QUANTITY: 0.150 CFS

PRIORITY DATE: 04/06/1892

POINT OF DIVERSION:

T21N R22E S7 SENE Within LEMHI County

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PERIOD OF USE:

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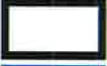
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

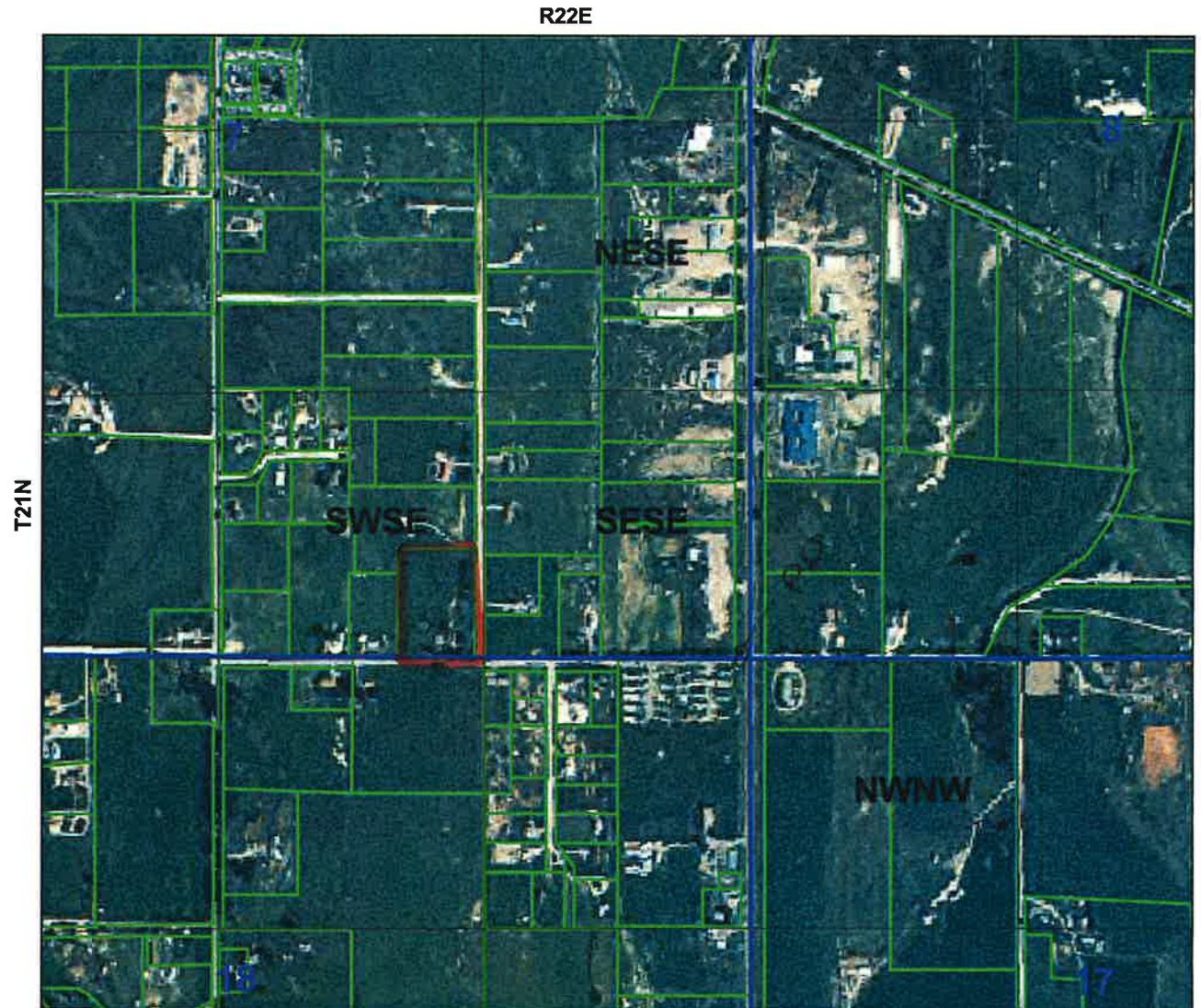
SRBA Claim:
75-10138

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.4 0.8 Miles

A horizontal scale bar with markings at 0, 0.4, and 0.8 miles.

Prepared by R. Brown
On Tuesday, May 16, 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: 75-10138

ARTHUR W CHIDESTER
27 LOVERS LN
SALMON ID 83467

Telephone Number: (208)756-4999

RUTH J CHIDESTER
27 LOVERS LN

SALMON ID 83467

Telephone Number: (208)756-4287

RECEIVED
DEC 26 2006
IDWR/North

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

30 July 1888 - from Lemhi River

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

Bill of Sale for rights from Lemhi River

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

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

DATE: *12/22/06*

SIGNATURE: *A.W. Chidester*

Please print your name: *A.W. Chidester*

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

*I realize this is late. I mislaid the envelope
when I changed to another vehicle!*

This Indenture, Made the Thirtieth day of July In the year of our Lord one thousand nine hundred and seven Between William J. Bryan of Salmon County of Lemhi and State of Idaho, the part Y of the first part, and George P. Conlee of Salmon County of Lemhi State of Idaho the part Y of the second part, WITNESSETH, that the said part Y of the first part, for and in consideration of the sum of One Hundred and Fifty (150) Dollars, lawful money of the U.S. of America to him in hand paid by the said part Y of the second part, the receipt of which is hereby acknowledged, do REMITSE, RELEASE and forever QUITCLAIM unto the said party Y of the second part, and to his heirs and assigns, the following described Property situated in the County of Lemhi and State of Idaho, to-wit: An undivided Fifty (50) cubic inches of that certain Water Right to Fourteen Hundred (1400) cubic inches of the waters of the Lemhi River, as filed on July 30th, 1883 by William J. Bryan et al. and Recorded in Book "A" of Water Rights at page 347, of the records of the said Lemhi County; Together with an undivided one-twenty-eighth interest in and to that certain ditch conveying the aforesaid water from the Lemhi River to the lands of the said party of the second part.

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

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

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

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

Signed, sealed and delivered in the presence of

P. J. Dempsey

William J. Bryan

(SEAL)

(SEAL)

STATE OF IDAHO, }
County of Lemhi } ss.
On this Thirtieth day of July 1907, before me P. J. Dempsey a Notary Public in and for said County, personally appeared William J. Bryan known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same; and on this 30th day of July 1907, before me, the officer above described, personally appeared Geo. P. Conlee known to me to be the person whose name is subscribed to the within instrument, described as a married woman, and upon examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she acknowledged to me that she executed the same, and that she does not wish to retract such execution.

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

(Seal)

P. J. Dempsey

Notary Public in and for Lemhi County, Idaho.

STATE OF IDAHO,

County of Lemhi, } ss.

I hereby certify that this instrument was filed for record at request of Geo. P. Conlee at 30 minutes past 4 o'clock P.M., this 28th day of July A. D. 1907, in my office, and duly recorded in Book 0 of Deeds at page 253.

W. C. Smith

Ex-officio Recorder.

By W. C. Smith Deputy.

RECEIVED
DEC 26 2006
IDWR/North

This Indenture, Made the 24th day of March in the year of our Lord, one thousand, eight hundred and ninety-two, Between Norman S. Andrews of the County of Lemhi, State of Idaho the party of the first part, and George C. Conlee of the same County, the party of the second part.

Witnesseth, that the said party of the first part, for and in consideration of the sum of Five Dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents, demise, release and forever Quit Claims unto the said party of the second part, and to his heirs and assigns forever all that certain ditch and water right situated in the County of Lemhi, State of Idaho, and described as follows, to wit:

A small ditch carrying water from a spring on lands of William

J. Andrews
27

G. C. Conlee

J. Bryan, to and upon the South East quarter of Section Seven, in Township Twenty-one North of Range Twenty-two East, and the water right belonging thereto consisting of the right to the use of about ten inches of the waters of said spring.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversionary remainder and remainders, rents, issues and profits thereof.

To Have and to Hold, all and singular the said premises, together with the appurtenances, unto the said party of the second part, and to his heirs and assigns forever.

In Witness Whereof, the said party of the first part has hereunto set hand and seal the day and year first above written.

Signed, sealed and delivered
in the presence of
Thos Elder

Norman S. Andrews

State of Idaho
County of Lemhi

On this Twenty fourth day of March in the year one thousand eight hundred and ninety-two before me, Thomas Elder, Probate Judge and ex-officio Clerk of the Probate Court, in and for said County of Lemhi, personally appeared Norman S. Andrews, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said Court, the day and year in this Certificate first above written.

(Seal)

Thos Elder, Probate Judge
ex-officio Clerk of the Probate Court

Recorded at the request of George C. Conlee April 6th A.D. 1892, at 9 O'Clock
A.M. in Book of Deeds page 484

Timothy Rore
Recorder Lemhi County

P. 482

This indenture made this twenty-fourth day of March, in the year of our Lord one thousand eight hundred and ninety-two, Between Herman S. Andrews, of the County of Smith, State of Idaho, the party of the first part, and George C. Conlee, of the same County, the party of the second part,

Witnesseth, That the said party of the first part for and in consideration of the sum of One thousand Five Hundred Dollars, in hands paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, remised, released, alienated and confirmed, and by these presents does grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described lot piece or parcel of land, situated in the County of Smith and State of Idaho, known and described as follows, to-wit:

The South East Quarter of Section Seven, in Township Twenty-one North, of Range Twenty-two East, of Boise Meridian, containing One Hundred and Sixty acres, according to the Government survey thereof.

And the following described water rights and ditches, and no others, are hereby ^{and} in like manner conveyed with the said lands, to-wit:

All the waste water from four hundred and forty acres of land, owned by the said party of the first part, and situated on or in the vicinity of the so called Cemetery Bar; Also, one ditch, without water right therewith, extending from a point near the south-west corner of the South-east quarter of the South-west quarter of section nine, in Township twenty-one North, of Range Twenty-two East, to and upon said land hereby conveyed - the said party of the first part reserving the right to dump water into said ditch from his ditch immediately above said ditch hereby conveyed:

And also, that certain ditch to catch waste water, extending about one half mile between the lands of the said party of the first part and lands of William J. Bryan, and to the lands hereby conveyed.

Together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and remainder, and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever of the said party of the first part, either in law or equity of, in and to the above bargained premises, with the hereditaments and appurtenances.

To have and to hold the said premises above bargained and described, with the appurtenances, unto the said party of the second part his heirs, and assigns forever. And the said party of the first part, for his heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, his heirs and assigns, that at the time of signing and delivery of these presents is well seized of the premises above conveyed, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in name and form aforesaid; and that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments and incumbrances, of what kind or nature soever; and the above bargained premises in the quiet and peaceable possession of the said party of the second part, his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the

WARRANTY DEED

For Value Received

BEN ROBERT EMERY AND RAILI TIKKA EMERY, husband and wife

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

ARTHUR W. CHIDESTER AND RUTH J. CHIDESTER, husband and wife

whose current address is

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

LOT ONE (1) BLOCK TWO (2), WAGONWHEEL DEVELOPMENT, INC., RANCHETTES, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

A PARCEL OF LAND LOCATED IN THE SW1/4SE1/4 OF SECTION 7, TOWNSHIP 21 NORTH, RANGE 22 EAST, BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTH EAST SECTION CORNER OF SAID SECTION 7, A DISTANCE OF 1335.44 FEET ON A BEARING OF NORTH 89 DEG. 49' WEST ALONG THE SOUTH SECTION LINE OF SECTION 7 OF THE REAL POINT OF BEGINNING;

FROM THE REAL POINT OF BEGINNING, A DISTANCE OF 407.94 FEET CONTINUING ON A BEARING OF NORTH 89 DEG. 49' WEST THENCE NORTH 0 DEG. 11' 00" WEST 535.77 FEET; THENCE SOUTH 89 DEG. 59' 27" EAST 409.75 FEET; THENCE SOUTH 0 DEG. 00' 33" WEST 537.00 FEET TO THE REAL POINT OF BEGINNING.

EXCEPTING THEREFROM THE EASTERLY 25 FEET THEREOF.

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 Grantee s, that they are 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:

BEN ROBERT EMERY
BEN ROBERT EMERY

RAILI TIKKA EMERY
RAILI TIKKA EMERY

STATE OF IDAHO, COUNTY OF

On this 7th day of November, 19 91, before me, a notary public in and for said State, personally appeared

BEN ROBERT EMERY AND RAILI TIKKA EMERY

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

Residing at Idaho, Idaho
Comm. Expires 2-15-97

State of Idaho)
County of Lemhi)

ss No. 212730

This instrument was filed for record at the request of American Land Title : 4:00 o'clock P m 11-15 19 91 and duly filmed and indexed in the records of Lemhi County

Alberta Wiederriek

Ex-Officio Recorder

By Lurri J. Martin Deputy

Fees: 3.00

FURNISHED BY THE AMERICAN LAND TITLE & TRUST COMPANY, BOISE

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

CLAIM NO(s). 75-10138

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: Waste water

4. ☐ No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0017205

Township 2N Range 22E Section 7 1/4 SE 1/4 SE 1/4 SE
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

headgate, ditch to pond

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: <u>1/4</u>	Township <u>21N</u>	Range <u>22E</u>	Section <u>7</u>	<u>1/4 SW</u>	<u>1/4 SE</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

This claim is for 5 ac in SW SE 21N 22E 7

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 9-27-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

3/3/05

Roxanne... RE: 75-10138

I rec'd a call from the secretary of the Conlee Ditch Co. this morning. Dave Carlson did an ownership change on this right and gave the entire 62 ac to the new owners when he should have only given them 5 ac. ^{in 1991}

Secretary is Virginia Perry – 208-756-3166.

It certainly took her a long time to notice considering Dave sent her a copy of the water right.....

Sal

75-10138

John Adams
July 12, 2003

To Whom it may Concern:

I Virginia Corda Crismon being born
and raised on this property, on Section 7
Township 21 North Range 22 East do
attest to the fact that my Grandfather
George Perry Corda irrigated Section 7 with
water from the Snake River, Spring and
waste water from the Century Bar

And to my knowledge the water is still
being used on this property.

Virginia Crismon

Virginia Crismon



Roxanne Brown
Residing in Ada Co., ID
Expires 5-11-2008

SCANNED

AUG 02 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-10138

WATER RIGHT NUMBER: 75-10138

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARTHUR W CHIDESTER 27 LOVERS LN SALMON, ID 83467 (208)756-4999
Current Owner	RUTH J CHIDESTER 27 LOVERS LN SALMON, ID 83467 (208)756-4287
Original Owner	CONLEE DITCH CO 37 LOVERS LN SALMON, ID 83467-5156 (208)756-3166

Priority Date: 04/06/1892

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	SALMON RIVER
WASTE WATER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	2.480 CFS	
	<u>Total Diversion:</u>	2.480 CFS	

Location of Point(s) of Diversion

WASTE WATER	NE1/4NW1/4NW1/4	Sec. 17, Twp 21N, Rge 22E, B.M.
LEMHI County		
WASTE WATER	NE1/4NW1/4NW1/4	Sec. 17, Twp 21N, Rge 22E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T21N R22E S07	NESE 11.0	T21N R22E S07	SWSE 26.0
T21N R22E S07	SESE 25.0		

Total Acres: 62

Conditions of Approval:

1. THIS DITCH CO. COMBINES MANY 243 CLAIMS AND LICENSED RIGHTS WITH DIFFERENT PRIORITY DATES. SEE ATTACHED LIST OF NAMES.

Remarks:

SCANNED

AUG 02 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-10138
ARTHUR W CHIDESTER
RUTH J CHIDESTER
27 LOVERS LN
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 02 2005

Brown, Roxanne

From: Spencer, Nick
Sent: March 28, 2005 2:59 PM
To: Brown, Roxanne
Subject: Lemhi ditch association water rights ATTORNEY-CLIENT PRIVELEGED COMMUNICATION

Hi Rox.

This is to follow up on our conversation of last week or late week before last regarding that entity in the Lemhi that was claiming water rights on behalf of the individuals served by it. In looking at a somewhat similar situation in Basin 21 I realized that there is a section in chapter 13 of title 42 that can be read as allowing lateral ditch users associations established pursuant to chapter 13 to borrow money, hold assets, and mortgage those assets to secure loans. (See 42-1309.) This is a peculiar power because a lateral ditch users association is more like a political subdivision than a private company, and typically the powers of political subdivisions to hold and encumber property are spelled out in much more detail. The closest analogy I can think of to a lateral ditch users association is a subdivision homeowners association, which, by statute, is expressly authorized to own real property (the common areas of the subdivision) in its own name.

In discussing this with John Homan, we are both in agreement that the purpose of the statute is to give the association the power to pledge its assets as security to obtain loans to improve the ditch. The assets such an organization typically would be expected to own would be measuring devices or the pick-up driven by the lateral manager up and down the ditch. However, the statutory language contains no such express limitations.

Anyway, I guess the point I'm trying to make here is that if the entity up on the Lemhi that you and I talked about is in fact a lateral ditch users association formed and operated in accordance with chapter 13 of title 42, an argument can be made that it is legally entitled to own water rights. This, however, does not change my prior opinion that before this critter, whatever it is, can own water rights, those rights must be conveyed by the individual appropriators to it by deed.

NBS



Department of State.

**CERTIFICATE OF INCORPORATION
OF**

CONLEE DITCH COMPANY

I, PETE T. CENARRUSA, Secretary of State of the State of Idaho, hereby certify that duplicate originals of Articles of Incorporation for the incorporation of _____

CONLEE DITCH COMPANY

duly signed pursuant to the provisions of the Idaho Nonprofit Corporation Act, have been received in this office and are found to conform to law.

ACCORDINGLY and by virtue of the authority vested in me by law, I issue this Certificate of Incorporation and attach hereto a duplicate original of the Articles of Incorporation.

Dated April 16, 1990, 19 90.



Pete T. Cenarrusa

SECRETARY OF STATE

Elizabeth M. Appala

Corporation Clerk



Idaho Secretary of State Viewing Business Entity

[[New Search](#)] [[Back to Summary](#)]

CONLEE DITCH COMPANY

RT.# 1 BOX 155 A
SALMON, ID 83467

Type of Business: CORPORATION, WATER USERS ASSOCIATION

Status: FORFEITED 01 Dec 1995

State of Origin: IDAHO

Date of 16 Apr 1990

Origination/Authorization:

Initial Registered Agent: VIRGINIA PERRY
RT.# 1 BOX 155 A
SALMON, ID 83467

Organizational ID / Filing C92050
Number:

Number of Authorized Stock
Shares:

Date of Last Annual Report:

Amendments:

Amendment filed 16 Apr 1990 INCORPORATION

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Annual Reports:

Report for year 1994 ANNUAL REPORT

[View Document Online](#)
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Report for year 1993 ANNUAL REPORT

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Report for year 1992 ANNUAL REPORT

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Report for year 1991 ANNUAL REPORT

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Comments, questions or suggestions can be emailed to: sosinfo@idsos.state.id.us

OCT 15 2001

ARTICLES OF INCORPORATION

April 10, 1990

Name of Corporation Conlee Ditch Company

This is a non-profit Organization

Period of duration shall be perpetual

The purpose of this organization is to protect our water rights and for cleaning and maintaining the ditch which carries water to lands in SE $\frac{1}{4}$ section 7 T 21N R 22E pertaining to deeds recorded Sept. 22, 1888 and April 6, 1892 to George P. Conlee.

Lover's Lane RR#1 Box 155A Virginia Perry (208) 756-3166 Salmon, Idaho

There shall be three(3) directors

Jerry A. Perry	RR#1 Box 155A Salmon, Idaho
Bill Baumert	RR#1 Box 155 Salmon, Idaho
Virginia Perry Registered agent	RR#1 Box 155A Salmon, Idaho 83467

By Laws

1. Directors are President, Vice President and Secretary
2. Directors and members are land owners in SE $\frac{1}{4}$ Section 7 T21N R22E
3. Members will meet annually in spring for election of officers and to organize ditch cleaning committees without written notice
4. Books and records will be kept at home of the secretary
5. The Conlee Ditch Company shall clean and maintain the main ditch that parallels Demick and Lovers Lane
6. Each members shall equally share cost of maintaining this ditch
7. Each member shall keep the ditch cleaned upon his or her own property

acres

List of members and addresses

10	Bill Baumert	RR#1 Box 155A	Salmon, Idaho 83467	75-4201
2.79	Mr. & Mrs. Jerry A. Perry	RR#1 Box 155A	Salmon, Idaho 83467	75-4074
5	Mr. & Mrs. Ben Emery	RR#1 Box 156A	Salmon, Idaho 83467	
5.2	Mr. & Mrs. Leone D. Portone	RR#1 Box 157A	Salmon, Idaho 83467	75-04484
2	Mr. & Mrs. Alfred Taylor	RR#1 Box 157B	Salmon, Idaho 83467	
3.2	Mr. & Mrs. Ralph Weaver	RR#1 Box 157C	Salmon, Idaho 83467	75-07170
1	Mr. & Mrs. Clyde Chaffin	RR#1 Box 137	Salmon, Idaho 83467	
5	Mr. & Mrs. Roger Tracy	P.O. Box 1023	Salmon, Idaho 83467	
2	Mr. & Mrs. Mac Yakovac	P.O. Box 1072	Salmon, Idaho 83467	75-04430
4	Mr. & Mrs. Bruce Smith	P.O. Box 888	Salmon, Idaho 83467	
10	Mr. & Mrs. Blaine White	P.O. Box 206	Salmon, Idaho 83467	75-4464
3	Mr. & Mrs. Gordon Wothe	P.O. Box 2455	Salmon, Idaho 83467	
5	Mt. State Savings	P.O. Box 930	Salmon, Idaho 83467	PART 75-4466
5	Mr. & Mrs. Gerald Pearson	P.O. Box 1625	Salmon, Idaho 83467	75-04031

Right #

Signature Virginia Perry

Notary Public Shirley K. ...

MICROFILMED
DEC 15 1992

DECEMBER 18, 1991

ARTHUR W AND RUTH J CHIDESTER
RT 1 BOX 156-A
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR A75-10138

Dear Mr. and Mrs. Chidester:

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

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

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

Respectfully submitted,

Dave Carlson
Water Rights Agent, Adjudication

DC:jt

Enclosure: Copy of Notice

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DEC 15 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED
DEC 12 1991

DATE OF CLOSING: 11-15-91

LEGAL DESCRIPTION OF PROPERTY: Township _____ Range _____ Department of Water Resources
Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____, BM.
Lot 1, Block, 2, Subdivision/Townsite Wagonwheel Development, Inc.
If you have additional legal descriptions, please attach separate sheet.

SEE ATTACHED WARRANTY DEED

[] 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)

RECEIVED

[] Water Right Number(s)
Assigned by IDWR: CONLEE DITCH COMPANY A75-10138

DEC 16 1991

[] Name and Address of Former
Owner/Claimant(s)(Seller): BEN R. & RAILI T. EMERY
451 N. 730 E. #1

Department of Water Resources
Eastern District Office

[] New Owner/Claimant
(Purchaser): SODA SPRINGS, ID 83276
ARTHUR W. & RUTH J. CHIDESTER

[] New Mailing Address: RT 1, BOX 156-A
SALMON, ID 83467

[] New Telephone Number: (208) 756 - 4999

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

[] Attach proof of
ownership, describe
proof attached: WARRANTY DEED

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

[] Signature of New
Owner/Claimant(s) Arthur W. Chidester Date 12-9-91

[] Ruth J. Chidester Date 12-9-91

[] 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:

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DEC 15 1992

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

SCANNED

OCT 15 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: **A75-10138**
Date Received: 4/18/1990
Receipt No: M006660
Received By: _____

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

1. Name: ARTHUR W CHIDESTER 208-756-4999
Address: RT 1 BOX 156-A
SALMON ID 83467

AND

Name: RUTH J CHIDESTER 208-756-4999
Address: RT 1 BOX 156-A
SALMON ID 83467

2. Date of Priority: APR 6, 1892

3. Source: WASTEWATER-LEMHI RIVER Trib. to: SALMON RIVER
WASTEWATER-SALMON RIVER SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	22E	17	NE	NW	NW		LEMHI

5. Description of diverting works:

POND TO DITCHES TO FLOOD IRRIGATION/ WASTE WATER FROM CEMETARYBAR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.480		

7. Total Quantity Appropriated is:

2.480 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 155.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/ 50 CATTLE AND HORES

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DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	7	NE	SE		IRR	11.0
			SW	SE		IRR	26.0
			SE	SE		IRR	25.0

Section Acres 62.0

Total Acres 62.0

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:
NONE

14. Remarks:

THIS DITCH CO. COMBINES MANY 243 CLAIMS AND LICENSED RIGHTS
WITH DIFFERENT PRIORITY DATES. SEE ATTACHED LIST OF NAMES.

15. Basis of Claim: BENEFICIAL USE

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: _____

MICROFILMED
DEC 15 1992

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED
DEC 15 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-10138
Date Received: 4/18/1990
Receipt No: 11006660
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CONLEE DITCH COMPANY
Address: RT 1 BOX 155A
SALMON, ID

208-756-3166

83467

2. Date of Priority: APR 06, 1892

3. Source: WASTEWATER-LEMHI RIVER
WASTEWATER-SALMON RIVER

Trib. to: SALMON RIVER
SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	22E	17	NE	NW	NW		LEMHI

5. Description of diverting works:

POND TO DITCHES TO FLOOD IRRIGATION/ WASTE WATER FROM CEMETARYBAR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.480		

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

A.F.A.

8. Total consumptive use is 155.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 50 CATTLE AND HORES

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
21N	22E	7	NE	SE		IRR	11.0
			SW	SE		IRR	26.0

A75-10138

Page 1

Date: 04/18/90

MICROFILMED
DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	7	SE	SE		IRR	25.0
Section Acres							62.0
Total Acres							62.0

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:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

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

State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____

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

A75-10138
4/18/90
M006660

A7510138



NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Conlee Ditch Company Phone (208) 756-3166
Mailing Address RR# 1 Box 155A Salmon, Idaho Zip 83467

2. Date of Priority (Only one (1) per claim) April 6, 1892

3. Source of water supply (a) Waste water from Lemhi and Salmon River via ditches and Collection
which is tributary to (b) Columbia River Pond

4. a. Location of existing point of diversion is: Township 21N Range 22E Section 17,
NE 1/4 of NW 1/4 of NW 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, 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.

Ditches and Collection pond that collect all the waste water from 440 acres on
cemetery bar to wit E $\frac{1}{2}$ section 17 SE $\frac{1}{4}$ section 8 T 21N R 22E Deeded April 6, 1892
and 1500 ft. of ditch.

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DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov. 1 amount 2.48 or 124

For Stockwater purposes from April 1 to Nov. 1 amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.48 (cfs) and/or (b) 124 (acre feet)

8. Total consumptive use claimed is 155 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 50 head mixed cattle and horses

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
21N	22E	7													11		26	25	62

Total number of acres irrigated 62

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

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

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

14. Remarks:
This is a company with each member having shares

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DEC 15 1992

Last Name Conlee Ident No. _____

Copies: White -State, Yellow-Claimant

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

16. Signature (s)

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

Number of attachments one (1)

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

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

For Organizations: I do solemnly swear or affirm that I am Secretary _____ Title _____

of Conlee Ditch Company _____, that I have signed the foregoing
Organization

document in the space below as Registered Agent of Conlee Ditch Company
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Virginia Perry

Title and Organization Secretary Conlee Ditch Co. Date 4/18/90

State of Idaho/or _____)
County of Lewhi) SS.

Subscribed and sworn (or affirmed) before me this 18 day of April 19 90

SEAL

Notary Public Dave Carls

Residing at Heise, Id

My Commission Expires 2/26/96

Please Print Name

17. Notice of Appearance:

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

Signature _____

Address _____

Date _____

Last Name Conlee Ident. Number _____

MICROFILMED
DEC 15 1992

Copies White-State, Yellow-Claimant

- A- BANTA
B- BALES
C- JENT
D- MICHEL
E- LANE
F- FAIRCHIL
G- HERBST
H- JAKICH
I- JAKOVAC