

05/30/2006

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

RIGHT NUMBER: 75-10755
NAME AND ADDRESS: ALYCE FELKER
PO BOX 177
CARMEN ID 83462

KEN FELKER
PO BOX 177
CARMEN ID 83462

SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.120 CFS
PRIORITY DATE: 07/01/1932
POINT OF DIVERSION:

T22N R22E S17 NWSWSW Lot 3 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
COMMERCIAL	01/01 12/31	0.040 CFS
IRRIGATION	04/01 11/01	0.120 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T22N R22E S17 Lot 2 NWSW	0.30	T22N R22E S17 Lot 3 SWSW	0.30
T22N R22E S18 NESE	0.60	T22N R22E S18 SESE	2.80
<u>COMMERCIAL same as IRRIGATION</u>			

4 ACRES TOTAL

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Ranch

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

CLAIM NO(s). 75-10755

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.: A0014947

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:

8" well 5hp pump, sprinklers for irrigation

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

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 4/19/06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 75-10755RECEIVED
AUG 10 2005
DEPARTMENT OF
WATER RESOURCES

WATER RIGHT NUMBER: 75-10755

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALYCE FELKER PO BOX 177 CARMEN, ID 83462 (208)756-6210
Current Owner	KEN FELKER PO BOX 177 CARMEN, ID 83462 (208)756-6210

Priority Date: 07/01/1932

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01 to 12/31	0.040 CFS	
IRRIGATION	4/01 to 11/01	0.120 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4SW1/4SW1/4	Sec. 17, Twp 22N, Rge 22E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T22N R22E S17 SWSW 4.0

Total Acres: 4

COMMERCIAL same as IRRIGATIONConditions of Approval:Remarks:

SCANNED

AUG 11 2005

Hailey 04738

THE UNITED STATES OF AMERICA,

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Hailey, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of John H. Roske has been established and duly consummated, in conformity to law, for the Lot three of Section seventeen in Township twenty-two north of Range twenty-two east of the Boise Meridian, Idaho, containing thirty-one and seventy-hundredths acres, according to the Official Plat of the Survey of the said Land, returned to the GENERAL LAND OFFICE by the Surveyor-General:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described; TO HAVE AND TO HOLD the said tract of Land, with the appurtenances thereof, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States.

IN TESTIMONY WHEREOF, I, Woodrow Wilson President of the United States of America, have caused these letters to be made Patent, and the seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the SIXTEENTH day of MAY in the year of our Lord one thousand nine hundred and THIRTEEN and of the Independence of the United States the one hundred and THIRTY-SEVENTH.

SEAL.

By the President: Woodrow Wilson,
By M. P. LeRoy, Secretary,
H. M. Sanford

Recorder of the General Land Office.

RECORDED: Patent Number 334046

Recorded at the request of Mrs. Thos. Palmer May 3rd, 1916, at 20 minutes past 3 o'clock P. M., in Book Y of Deeds page 2, Records of Lemhi County, Idaho.

By W. W. Simmonds
Deputy

J. L. Kirtley, Jr.,
County Recorder.

SCANNED

AU- 1 - 2005

This Indenture, Made this 26th day of March in the year of our Lord one thousand nine hundred and thirteen between John H. Roske and Minnie E. Roske his wife, of the County of Lemhi, State of Idaho, the parties of the first part, and Thomas Palmer of the County of Lemhi, State of Idaho,

the part Y of the second part.

WITNESSETH, That the said part^{ies} of the first part, for and in consideration of Seven Hundred (\$700) DOLLARS,

lawful money of the United States of America, to them in hand paid by the said part Y of the second part, the receipt whereof is hereby acknowledged, have GRANTED, BARGAINED and SOLD and by these presents do GRANT, BARGAIN,

SELL, CONVEY and CONFIRM unto the said party of the second part, and to his heirs and assigns forever, all that certain lot, piece or parcel of land situate, lying and being in the County of Lemhi, State of Idaho, and particularly described as follows, to wit:-

All of Lot Three of Section Seventeen, Township Twenty-two North, Range Twenty-two East of the Boise Meridian in Lemhi County, Idaho, Containing 31.70 acres of land,

Together with all ditches, water and water rights belonging to said premises, used in connection therewith, or appurtenant thereto. with all buildings, and improvements on said premises.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and also all estate, right, title, interest in and to the said property, possession, claim and demand whatsoever, as well in law as in equity, of the said part^{ies} of the first part, of in or to the said premises, and every part and parcel thereof, with the appurtenances to have and hold, all and singular, the above mentioned and described premises, together with the appurtenances, unto the part Y of the second part, and to his heirs and assigns forever. And the said part^{ies} of the first part, and their heirs, the said premises in the quiet and peaceful possession of the said part Y of the second part, his heirs and assigns, against the said part^{ies} of the first part and their heirs, against all and every person and persons whomsoever, lawfully claiming or to claim, the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said part^{ies} of the first part have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of

John H. Roske (SEAL)

Minnie E. Roske (SEAL)

(SEAL)

STATE OF IDAHO, } ss.
COUNTY OF LEMHI }

On this 26th day of March in the year 19 13 before me, W.C. Smith

a Notary Public in and for the said County, personally appeared John H. Roske and Minnie E. Roske his wife known to me, to be the person s whose name s are subscribed to the within instrument, and acknowledged to me that he y 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.

W.C. Smith Notary Public in and for Lemhi

SEAL

County, Idaho.

Recorded at request of L.E. Glennon at --- minutes past 3 o'clock

P. M., May 24th 1916 in Book X of Deeds, on page 56 Records of

SCANNED
AUG 1 1 2005

SCANNED

001-201

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: A75-10755
Date Received: 5/10/1990
Receipt No: 12807924
Received By: 13

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

1. Name: ALYCE FELKER 208-756-6210
Address: P.O. BOX 177
CARMEN, ID 83462
OR
Name: KEN FELKER 208-756-6210
Address: P.O. BOX 177
CARMEN, ID 83462

A7510755



2. Date of Priority: JUL 01, 1932

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

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

5. Description of diverting works:
WELL AND PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.120		
COMMERCIAL	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
C/ RESTURANT AND BAR (SEATING TOTAL 100)

A75-10755

Page 1

05/10/90

MICROFILMED
DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	22E	17	SW	SW		IRR	4.0
			SW	SW		DOMEST	

Section Acres 4.0

Total Acres 4.0

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

MICROFILMED
DEC 15 1992

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: 6/10/90
_____ Date: _____

State of Idaho)
County of Lewiston) SS.

Subscribed and sworn (or affirmed) before me this 10th day

of May 19 90

Seal

Anna Baumhoff
Notary Public

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires My Commission Expires December 7, 1994

W LINE

NW $\frac{1}{16}$ COR

SW $\frac{1}{4}$ OF NW $\frac{1}{4}$

SE $\frac{1}{4}$ OF NW $\frac{1}{4}$

W $\frac{1}{4}$ COR

LATITUDINAL

W $\frac{1}{16}$ COR

NW $\frac{1}{4}$ OF SW $\frac{1}{4}$

S $\frac{1}{16}$ COR

W LINE

SW $\frac{1}{16}$ COR

SW $\frac{1}{4}$ OF SW $\frac{1}{4}$

SE $\frac{1}{4}$ OF SW

22N
22E

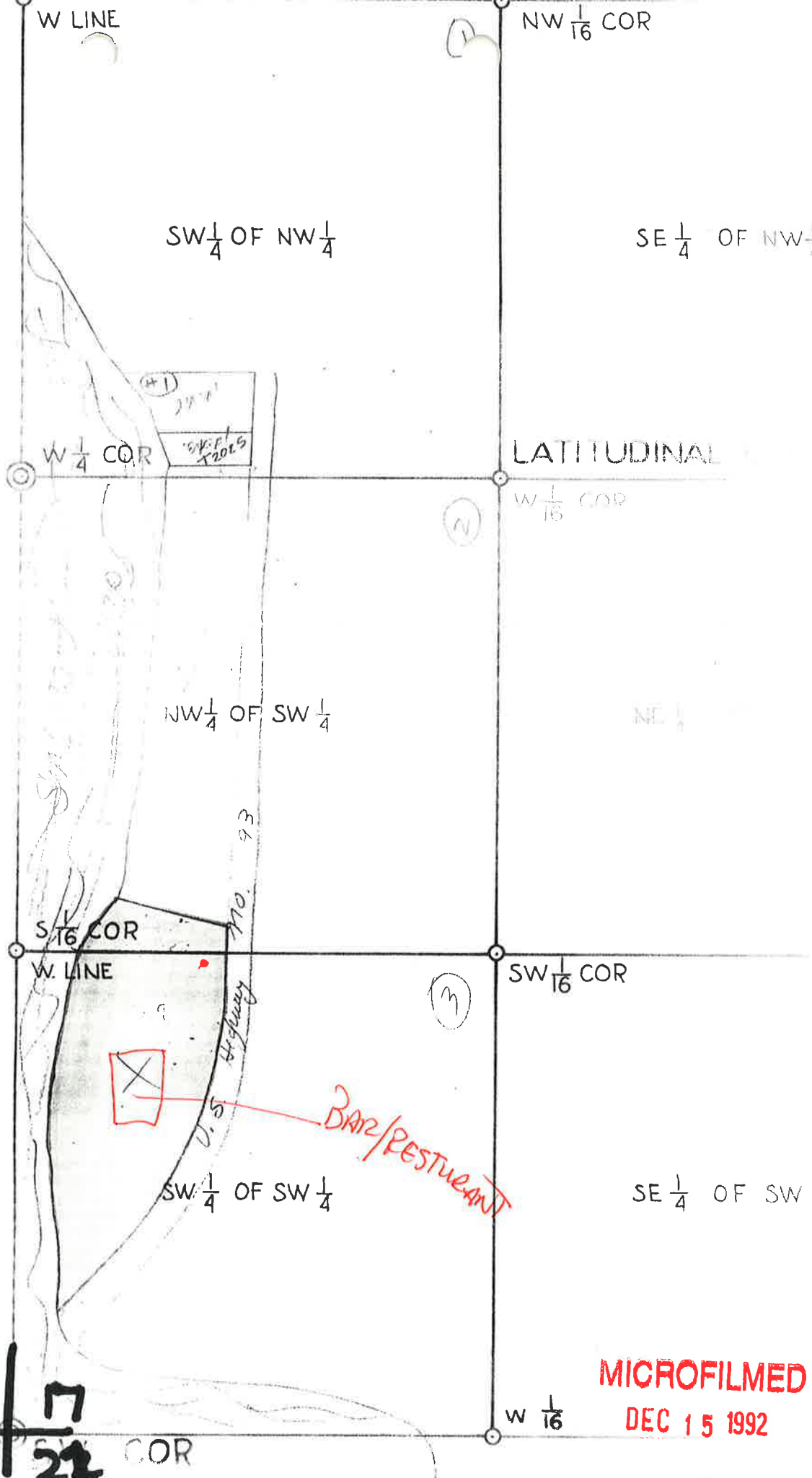
18 | 17
20 | 24

COR

W $\frac{1}{16}$

MICROFILMED

DEC 15 1992



Township 22 N Range 22 E.B.M.

STAN-704K CO. PRINTERS & SUPPLIES 80122 SH40

REAL PROPERTY ASSESSMENT ROLL, YEAR 1916

[illegible]