

12/10/2006

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

RIGHT NUMBER: 75-10850

NAME AND ADDRESS: BRUCE SMITH
19 WAGON WHEEL RD
SALMON ID 83467

ELLEN SMITH
19 WAGON WHEEL RD
SALMON ID 83467

SOURCE: UNNAMED STREAM
WASTE WATER

TRIBUTARY: SALMON RIVER
TRIBUTARY: SALMON RIVER

QUANTITY: 0.200 CFS

PRIORITY DATE: 01/01/1892

POINT OF DIVERSION:

T21N R22E S7 NWSESE Within LEMHI County

T21N R22E S8 SWSW 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	0.180 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S07 SESE 3.00

STOCKWATER in LEMHI County

T21N R22E S07 SESE

3 ACRES TOTAL

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

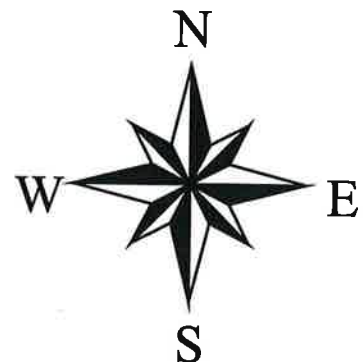
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

75-10850



-  Theme21.shp
-  Lemhi taxlots
-  GCDB21N22E GCDB
-  Theme20.shp
-  Theme19.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



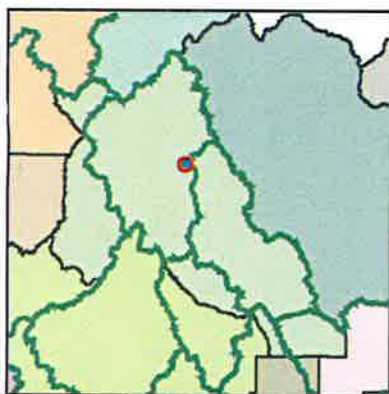


Idaho Department of Water Resources

SRBA Claim:
75-10850

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Tuesday, May 16, 2006
1987/88 Aerial Photography



0 0.1 0.2 Miles



wagon wheel Rd



Idaho Department of Water Resources

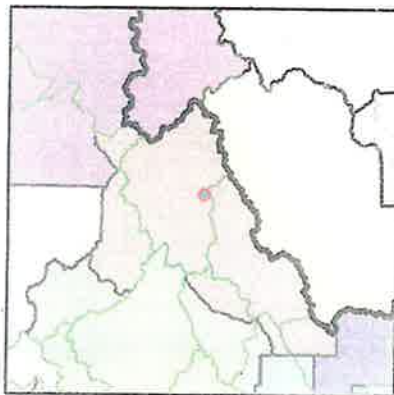
SRBA Recommendation:

75-14224

(Irrigation)

Legend

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



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

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



Idaho Department of Water Resources

SRBA Recommendation:

75-10850

(Irrigation)

Legend

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



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles



Add POP

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 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: 75-10850

BRUCE SMITH
19 WAGON WHEEL RD
SALMON ID 83467
Telephone Number: (208)756-4861

ELLEN SMITH
19 WAGON WHEEL RD
SALMON ID 83467
Telephone Number: (208)756-4861

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

- WE DISAGREE WITH A POINT OF DIVERSION.
- ALLOTTED DIVERSION

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

- A SECOND POINT OF DIVERSION WHICH WILL INCLUDE WASTEWATER NEEDS TO BE ADDED AT SWSWSW-S8 AS SHOWN ON THE MAP FOR WATER RIGHT 75-14224

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

- 0.03 CFS/ACRE + DITCH LOSS FOR WASTEWATER

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

DATE: 12/7/06

SIGNATURE:

Bruce H. Smith

Please print your name:

BRUCE H. SMITH

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 10, 2006

Bruce Smith
19 Wagon Wheel Rd.
Salmon, Idaho 83467

Re: Claim 75-10850

Dear Mr. Smith:

Enclosed is a new map and a preliminary recommendation reflecting the comments you made on the Notice of Error Reply. An additional point of diversion was added for the wastewater being used that was omitted from the original claim. Please contact me if the changes are incorrect.

Sincerely,

Keith E. Franklin
Water Resources Agent

Encl/kf

Estimating Conveyance Loss using the Worstell Method

Claim No.

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

Where: S = loss in cfs per mile

w = top width of the high water mark in feet

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

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

Worksheet:

$w = 3'$ Assumed

$i = 1.0$ ft/day

ditch length (mi.) = $2,400' = 0.45$ miles

Conveyance Loss:

$S = (3)(1)(0.0667) = 0.2$ cfs/mile

Loss = 0.09 cfs

$(0.2 \text{ cfs/mile})(0.45 \text{ miles}) = 0.09 \text{ cfs}$

$(3 \text{ ac})(0.03 \text{ cfs/ac}) = 0.09 \text{ cfs}$

ditch loss = 0.09 cfs

0.18 cfs

DECEMBER 10, 2006

MEMO: TO THE FILE
FROM: KEITH FRANKLIN
RE: 75-10850

THE SPRING, AS CLAIMED WAS CHANGED TO AN UNNAMED STREAM SINCE THE SPRING DOES NOT ADJOIN THE CLAIMANTS PROPERTY. A SECOND POINT OF DIVERSION WAS ADDED, STEMMING FROM THE NOTICE OF ERROR AS BROUGHT TO THE DEPARTMENTS ATTENTION BY THE CLAIMANT. THE SECOND POINT OF DIVERSION IS FOR WASTE WATER THAT WAS OVER LOOKED FROM BEING ADDED IN THE ORIGINAL CLAIM.

DIVERSON ALLOCATION WAS ADJUSTED TO REFLECT THE DITCH LOSS IN BRINGING THE WASTE WATER TO THE CLAIMANTS PROPERTY.

KEITH E. FRANKLIN
SENIOR WATER RESOURCES AGENT

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

CLAIM NO(s).

75-10850

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.: A00 17207

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:

4 hp pump 5' lift to sprinkler system

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

$8.8 \times .80 \times 4 \text{ hp} = 28.16 \text{ cfs}$ estimated discharge
 $5 + (2.31 \times 40) = 97.40$

☒ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-2-06

FIELD EXAMINER: _____

Print Name

Signature

October 15, 2005

Attn: Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau
State of Idaho
Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

RECEIVED

OCT 19 2005

DEPARTMENT OF
WATER RESOURCES

Re: Evidence of Priority Date: Adjudication Claim Report 75-10850

Dear Ms. Brown:

I am responding to your letter of June 29, 2005 requesting evidence of my Adjudication Water Right Claim No. 75-10850.

I apologize for the delay in responding to your letter. However, due to a variety of circumstances, I did not actually receive and become aware of your request until August 15, 2005. Prior to that date I had already made a special trip to the IDWR Idaho Falls office and met with Ernie, to inquire about and review the status of my claim. He then advised I'd need to contact the Boise office. Subsequent to receiving your letter, I also contacted IDWR's Bob Foster, here in Salmon, to try and determine what type of information would respond to your request, given the fact that by the time I received your letter, it was after the indicated 30 day response deadline. He advised that he would inform you I had responded and would be providing you additional information.

Since then, I have had quite a series of frustrating experiences trying to obtain historical documentation from our Title Company and County Assessor's office, neither of which seemed to be of much help, relative to the nature of your request. In addition, I only recently learned of additional historical evidentiary information and the existence of an affidavit from our subdivision's former ranch owner's daughter, Virginia Perry. I have tried to work with my neighbors in compiling a coordinated response to your inquiry, however have been frustrated by not learning of additional information in their possession, some of which was available and had already been sent to you for their claims.

In addition, upon discussing the Perry's water claims with them, it appears they have claimed a water right for the entirety of their family's former ranch lands in Section 7. So, not only has there been a considerable amount of confusion and uncertainty, but it also appears some individuals have differing opinions as to the amount and extent of their claims, relative to present land owner's proportionate share of the subdivided ranch property. Therefore, to try and help clarify the confusion I have experienced, I will explain the information I have found in the hopes it may be of help to you in determining proportionate amounts for my own claims.

SCANNED
OCT 19 2005

where they enter our land, after flowing into a ditch on the back of our property. This ditch also carries Salmon River water originating from the second river diversion, above the Shoup Bridge, 4-5 miles south; which flows along the west side of Highway 93 until it rejoins the Salmon River, about a mile below our place. As a perennial source which doesn't freeze in winter, the spring provides for yearlong stock-water and (combined with the ditch water) summer irrigation. At the present time, we no longer raise sheep, but now have four horses instead.

7. Following receipt of your letter in August, and unaware (until recently) of a historical affidavit and title information for water use on this former ranch, for the past several weeks I tried finding information illustrating the stated transfer of "all rights appurtenant ... from Patents of the United States...etc." language in our property title. All that I could find was information of the nature of land plats and title statements, that didn't specifically, state anything of a nature that you requested. I did find an undated historic "Land Ownership Atlas of Lemhi County" at the Forest Service office, which included the Lemhi Indian Reservation; giving indication that it may have dated to the early 1900's or, shortly after the time during which the original claims of water use in Section 7 were established. (**Enclosure 4a and 4b**) Many years ago I researched a section of the Chipman property from its origins by US Land patents in 1890 to being sold to the State of Oregon, for the former Federal Salmon Egg taking station and hatchery, in 1921. Insofar that this property is so identified on this atlas, I suspect the atlas dates from at least the 1920's and notes land ownership heirs of the original ranch owner, Mr. George Conlee. As such, this atlas does portray the existence of early 1900's Conlee family properties, referenced in subsequent historical information explained in Part 8., below.
8. Supporting information recently acquired from Mrs. Perry provides historical evidence of the purchase of water rights for Section 7 properties, as noted in **Enclosures 5a. through 5d.** Enclosure 5a. is an affidavit from what appears to be an elderly relative (notarized by yourself) which affirms the use of irrigation water by the her grandfather George Conlee, in Section T-21 N, R 22 E, Section 7. Enclosures 5b. and 5c. are historic Courthouse records documenting his purchase of both ditch and spring source water rights for his lands in Section 7 in 1892; and, Enclosure 5d. documents Mr. Conlee's 1907 purchase of a partial share of an 1888 Lemhi River filing, most likely originating from the L-6 diversion.
9. At the time of our joint subdivision member's individual filing of SNRA claims 15+ years ago, it was uncertain as to if and/or how, we could file on water use of the ditch flows this area had historically been using, under the assumption (at that time) by advising IDWR personnel, that they were solely comprised of "waste-water". However, with the recent discovery of Mrs. Perry's historical family documentation, it would appear that there is in fact, a documented historical basis for the 1892 date we originally claimed. In addition, it might more properly be combined with an 1888 claim date; considering that part of the Lemhi River ditch 1888 filing (50 inches) purchased in 1907, as part of the Conlee family's historic water use in Section 7.

SCANNED

OCT 19 2005

ENCLOSURE 1.

Page 884

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-10850

WATER RIGHT NUMBER: 75-10850

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BRUCE SMITH 19 WAGON WHEEL RD SALMON, ID 83467 (208)756-4861
Current Owner	ELLEN SMITH 19 WAGON WHEEL RD SALMON, ID 83467 (208)756-4861

Priority Date: 01/01/1892

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01	to 11/01	0.060 CFS	
STOCKWATER	1/01	to 12/31	0.020 CFS	
<u>Total Diversion:</u>			0.080 CFS	

Location of Point(s) of Diversion

SPRING NW1/4SE1/4SE1/4 Sec. 7, Twp 21N, Rge 22E, B.M.
LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T21N R22E S07 SESE 3.0

Total Acres: 3

STOCKWATER Within LEMHI County

T21N R22E S07 SESE

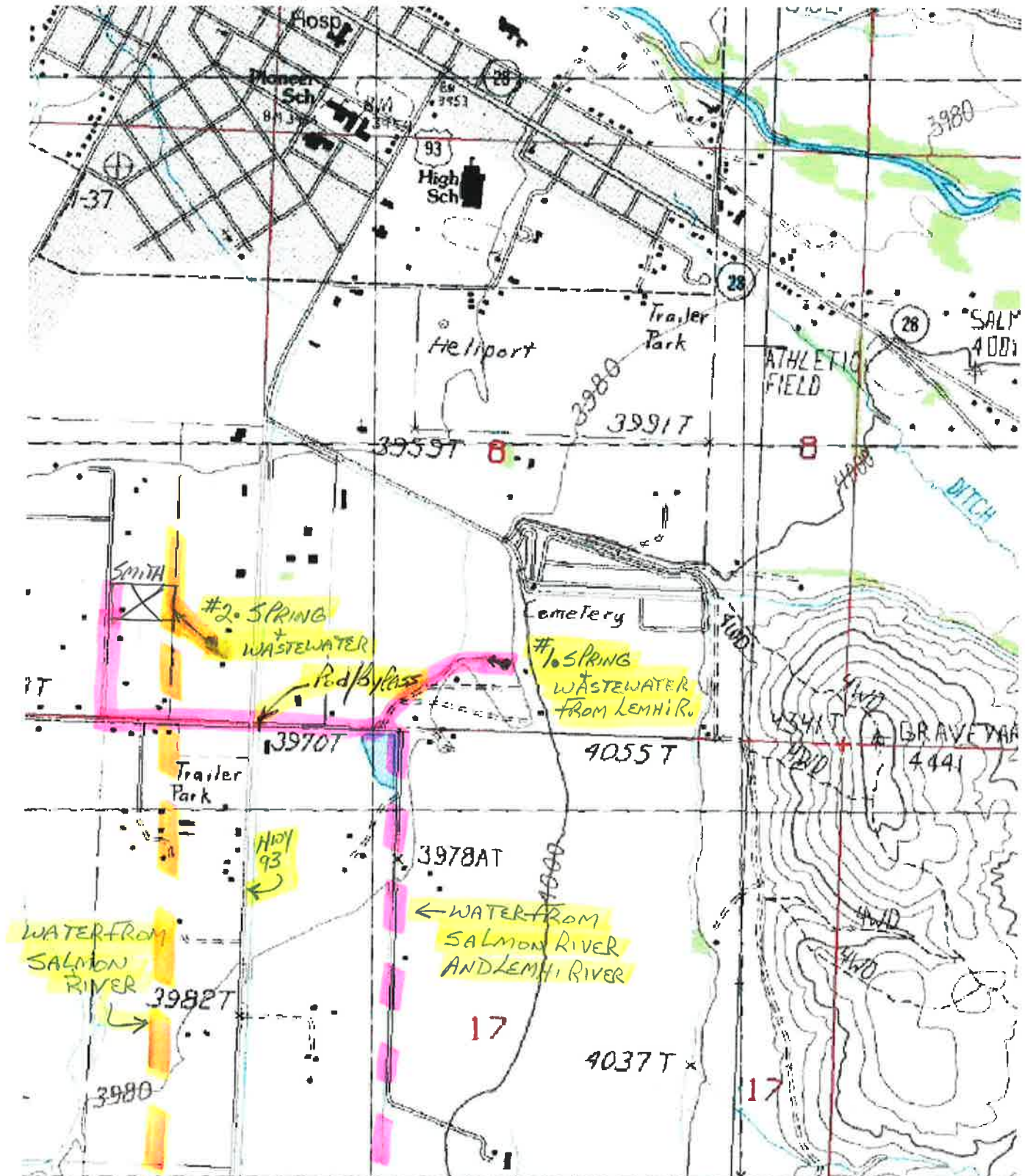
Conditions of Approval:

Remarks:

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OCT 19 2005

ENCLOSURE 2.

Page 1 of 1



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OCT 19 2005

ENCLOSURE 3a.

TerraServer Image Courtesy of the USGS

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USGS Salmon, Idaho, United States 13 Jul 1999



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ENCLOSURE 36.

TerraServer Image Courtesy of the USGS

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USGS Salmon, Idaho, United States 13 Jul 1999



0 100M

0 100yd

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OCT 19 2005

ENCLOSURE 3c.

TerraServer Image Courtesy of the USGS

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USGS Salmon, Idaho, United States 13 Jul 1999



0 100M

0 100yd

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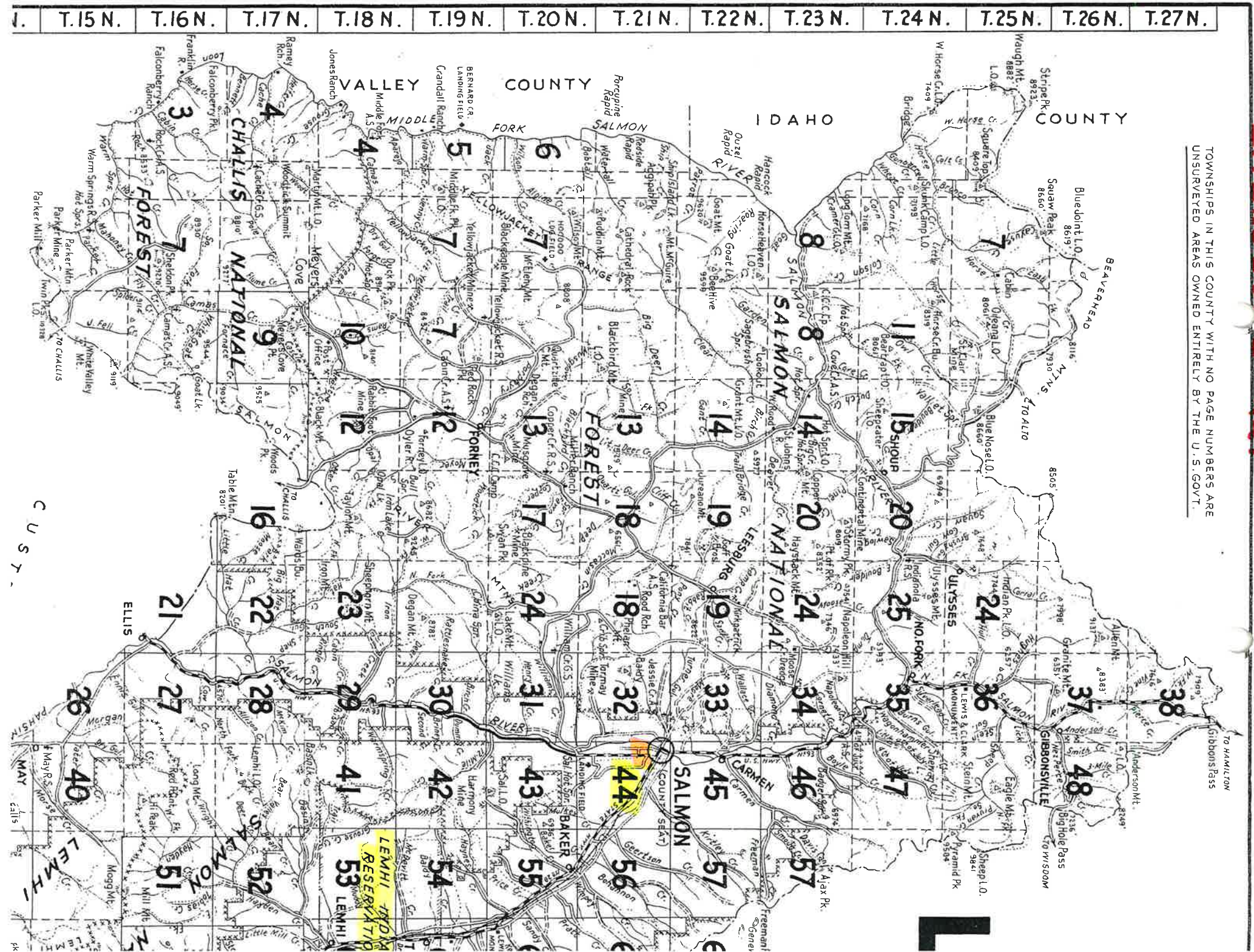
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SCANIV
OCT 19 2005

ENCLOSURE 4a.

TOWNSHIPS IN THIS COUNTY WITH NO PAGE NUMBERS ARE
UNSURVEYED AREAS OWNED ENTIRELY BY THE U.S. GOVT.



ENCLOSURE 5a.

Sahnon Idair
July 12, 2005

To Whom it may Concern:

I Virginia Corle 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 Corle irrigated Section 7 with water from the Lemhi River, Spring and waste water from the Cemetery Bar

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

Virginia Crismon

Virginia Crismon



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

SCANNED

OCT 19 2005

SCANNED

OCT 19 2005

SEPTEMBER 19, 2001

DEAR MR. SMITH:

WATER RIGHT NUMBERS A75-10850 AND A75-10851 HAVE BEEN
CHANGED TO REFLECT THE ADDRESS ON THE FRONT OF THIS CARD.

IF YOU HAVE ANY QUESTIONS FEEL FREE TO CONTACT THIS OFFICE
AT 208-525-7161.

RESPECTFULLY SUBMITTED,

Cheri Vandermeulen

CHERI VANDERMEULEN
RECORDS CLERK



BRUCE H SMITH
19 WAGON WHEEL RD
SALMON ID 83467

CHANGE IN ADDRESS

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

[] Water Right Number(s): 75-10850 75-10851

Bruce H. Smith

Contact
ID#
80909

[] Old Mailing Address: Box 157 B

(Cottonwood Rd.)

SALMON, ID 83467

[] New Mailing Address: 19 WAGON WHEEL Rd.

SALMON, ID 83467

[] Telephone Number: 208-756-4861

[] Signature of Claimant: Bruce H. Smith

[] Date: September 13, 2001

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:

RECEIVED

SEP 17 2001

Department of Water Resources
Eastern Region

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 A75-10850
Date Received 5-10-90
Receipt Number E014490

RECEIVED

MAY 11 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Bruce or Ellen Smith Phone () 756-4861
Mailing Address PO Box 888 Salmon ID Zip 83467

2. Date of Priority (Only one (1) per claim) 1/1/1892

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

4. a. Location of existing point of diversion is: Township 2N Range 22E Section 7,
NW 1/4 of SE 1/4 of SE 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 with Flood Irr

MICROFILMED

APR 19 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 11/1 amount .06 or _____

For Stockwater purposes from 1/1 to 12/31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 7.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/50hd sheep

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	
<u>2W</u>	<u>22E</u>	<u>7</u>																<u>D</u>	<u>3</u>

Total number of acres irrigated 3

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

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

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

14. Remarks:

Last Name _____ Ident No. _____

MICROFILMED

APR 19 1994

Copies: White - State, Yellow - Claimant

15. Basis of Claim (check one) Beneficial Use ☒ 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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

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 5-4-90

Date 5-10-90

~~**For Organizations:** I do solemnly swear or affirm that I am _____~~

~~Title~~

~~of _____, that I have signed the foregoing~~

~~Organization~~

~~document in the space below as _____~~

~~of _____~~

~~Title~~

~~Organization~~

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

Signature of Authorized Agent _____

Title and Organization _____

Date _____

State of Idaho/or _____)

County of Lemhi)

SS.

Subscribed and sworn (or affirmed) before me this

10th

day of

May

19 90

SEAL

Notary Public

Connie D. Trogden

Residing at

Salmon, Idaho

My Commission Expires

7-10-92

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 _____

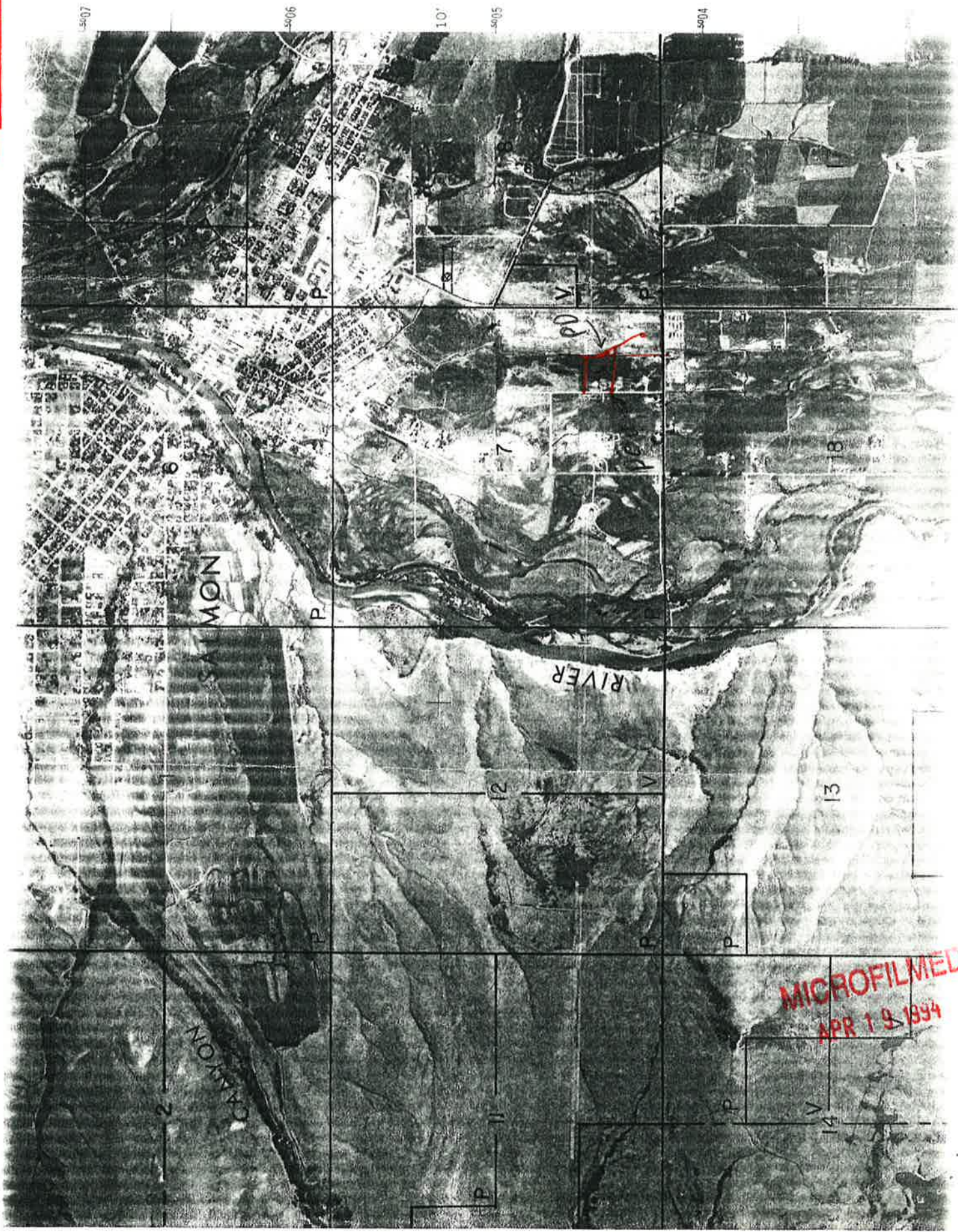
Last Name _____ Ident. Number _____

MICROFILMED

APR 19 1994

Copies White-State, Yellow-Claimant

PP-6010 ORIGINAL



MICROFILMED
APR 19 1994

SEARCHED
0011-2-1

X

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: A75-10850
Date Received: 5/27/1993
Receipt No: E014490
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BRUCE SMITH 208-756-4861
Address: PO BOX 888
SALMON ID 83467
OR
Name: ELLEN SMITH 208-756-4861
Address: PO BOX 888
SALMON ID 83467



2. Date of Priority: JAN 1, 1892
3. Source: SPRING Trib. to: SALMON RIVER

4. Point of Diversion:
Township Range Section 1/4 of 1/4 of 1/4 Lot County
21N 22E 7 NW SE SE LEMHI

5. Description of diverting works:
DITCHES WITH FLOOD IRR

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.060		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 7.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER/ 50 HD SHEEP

MICROFILMED
APR 19 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	7	SE	SE		IRR	3.0
			SE	SE		STOCK	

Section Acres 3.0

Total Acres 3.0

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:

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: _____

3/24/1892

new
lee

This Indenture, Made the 24th day of March in the year of our Lord, one thousand, eight hundred and ninety-two, Between Norman D. Andrews of the County of Lemhi, State of Idaho the party of the first part; and George T. Conley 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, do hereby present, demise, release and forever Quit Claim 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 Colony of Lemhi, State of Idaho, and described as follows, to wit:

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

N.D. Andrews

Geo T. Conley

J. Bryan, to and upon the South East quarter of Section Seven, in Town 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 water of said spring.

Together with all and singular the elements, hereditaments and appurtenances belonging, or in anywise appertaining, and the remains and unalienable 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 D. Andrews

State of Idaho }
County of Lemhi } ss

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 D. 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 T. Conley April 6th A.D. 1892, at 9 O.
A.M. in Book F of Deeds page 484

Timothy Bone
Recorder Lemhi County

Book 30, Page 88
 E 7/30/1907

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 X of the first part, and George P. Conlee of Salmon County of Lemhi State of Idaho the part X of the second part, WITNESSETH, that the said part X 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 X of the second part, the receipt of which is hereby acknowledged, do ~~ss~~ REMISE, RELEASE and forever QUITCLAIM unto the said party... 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, 1888 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 therunto 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 X 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 X of the second part, his heirs and assigns forever.

IN WITNESS WHEREOF, the said part X 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 day of

1907, before me, the officer above described, personally appeared

known to me to be the person whose name is subscribed to the within instrument, described as a married woman, and upon an examination without the hearing of her husband, I made her acquainted with the contents of the instrument, and thereupon she

SCANNED

OCT 19 2005

3/24/1892

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 Thomas J. 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 Two Thousand Two 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, 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 Remedy 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 persons or persons lawfully claiming or to claim the whole or any part thereof, the said party of the

SCANNED

OCT 19 2005