

11/10/2006

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

RIGHT NUMBER: 75-11627

NAME AND ADDRESS: SUZANNE M ANICH
2575 BEAR VALLEY DR
CARLTON MN 55718

DALE A ANICH
2575 BEAR VALLEY DR
CARLTON MN 55718

SOURCE: LITTLE FOURTH OF JULY CREEK TRIBUTARY: FOURTH OF JULY CREEK

QUANTITY: 0.300 CFS

PRIORITY DATE: 05/22/1913

POINT OF DIVERSION:

T24N R21E S24 SESESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.300 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T24N R21E S25	NENE	11.00	T24N R21E S25	SENE	4.00
---------------	------	-------	---------------	------	------

15 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

*The township and range overlay appears to be off by 2-3 sections.

*This appears to be the correct place of use, but the point of diversion is down in T20N and I believe it should be here.

SRBA Recommendation:

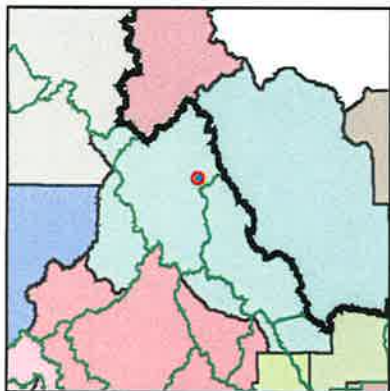
75-11627

(Irrigation)

Cal [Signature] 11-28-06

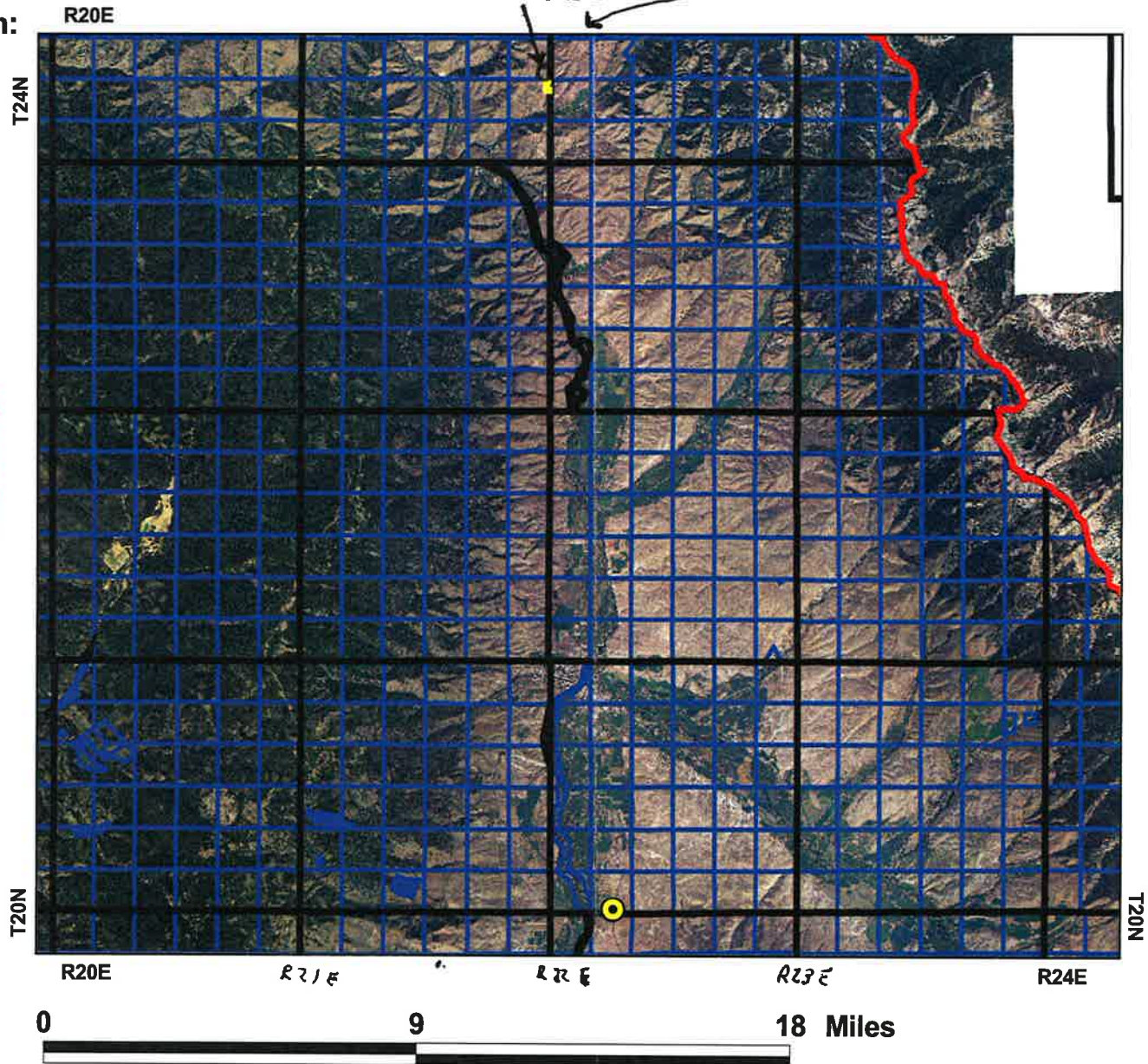
Legend

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



Lemhi County
IDWR Basin 75

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





Idaho Department of Water Resources

*The township and range overlay appears to be off by 2-3 sections.

This appears to be the correct place of use, but the point of diversion is down in T20 N and I believe it should be here.

SRBA Recommendation:

75-11627

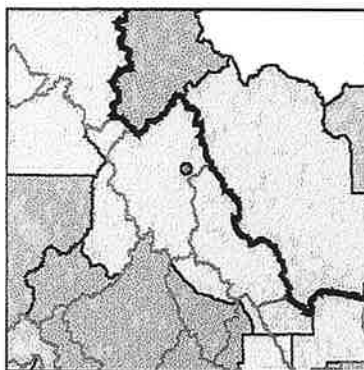
(Irrigation)

Pat [Signature] 11-28-06

Legend

○ Point of Diversion
Place of Use

□ Townships
□ PLS Sections



Lemhi County
IDWR Basin 75

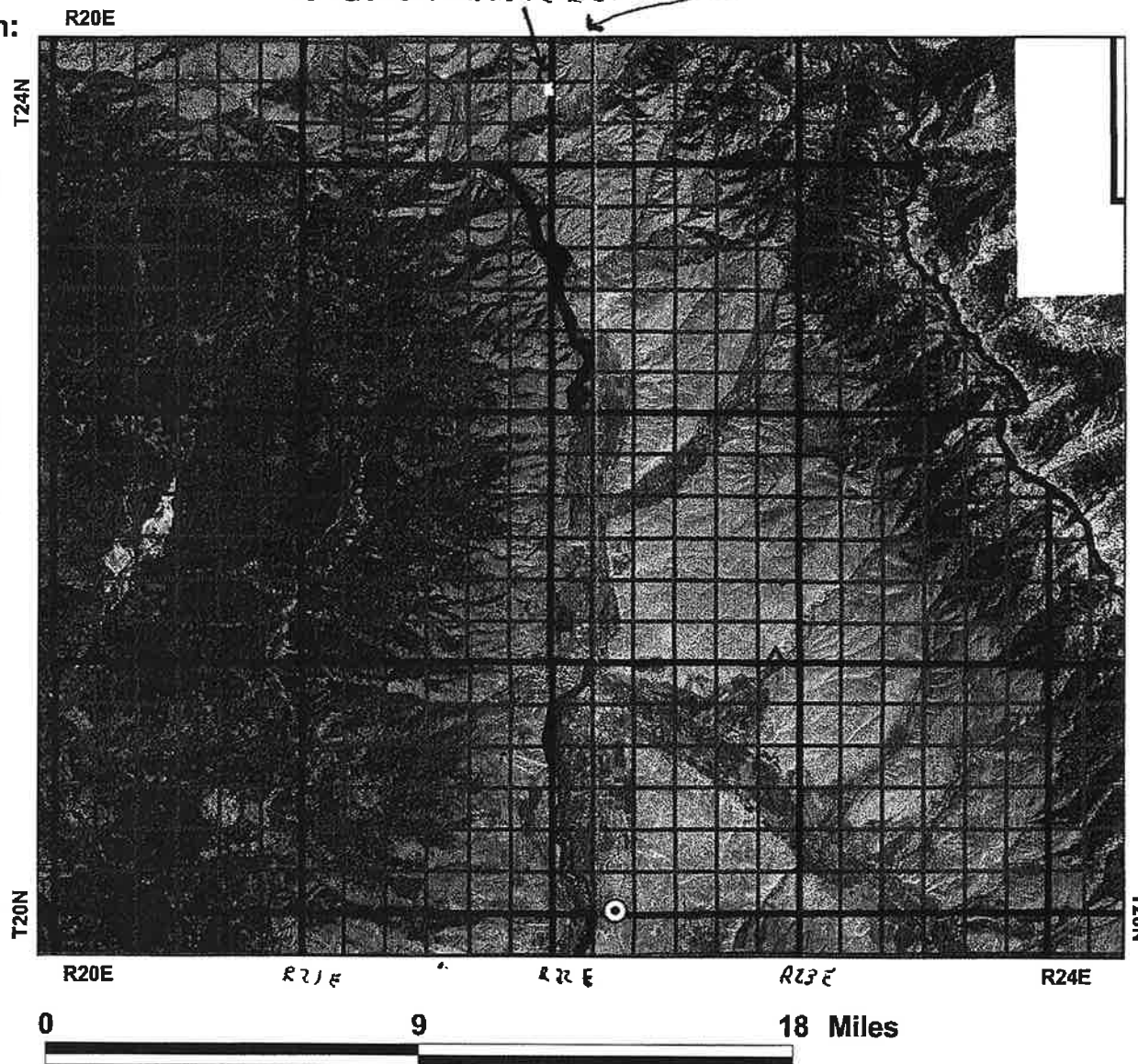
RECEIVED
DEC 12 2006
IDWR/North

RECEIVED
DEC 12 2006
IDWR/North

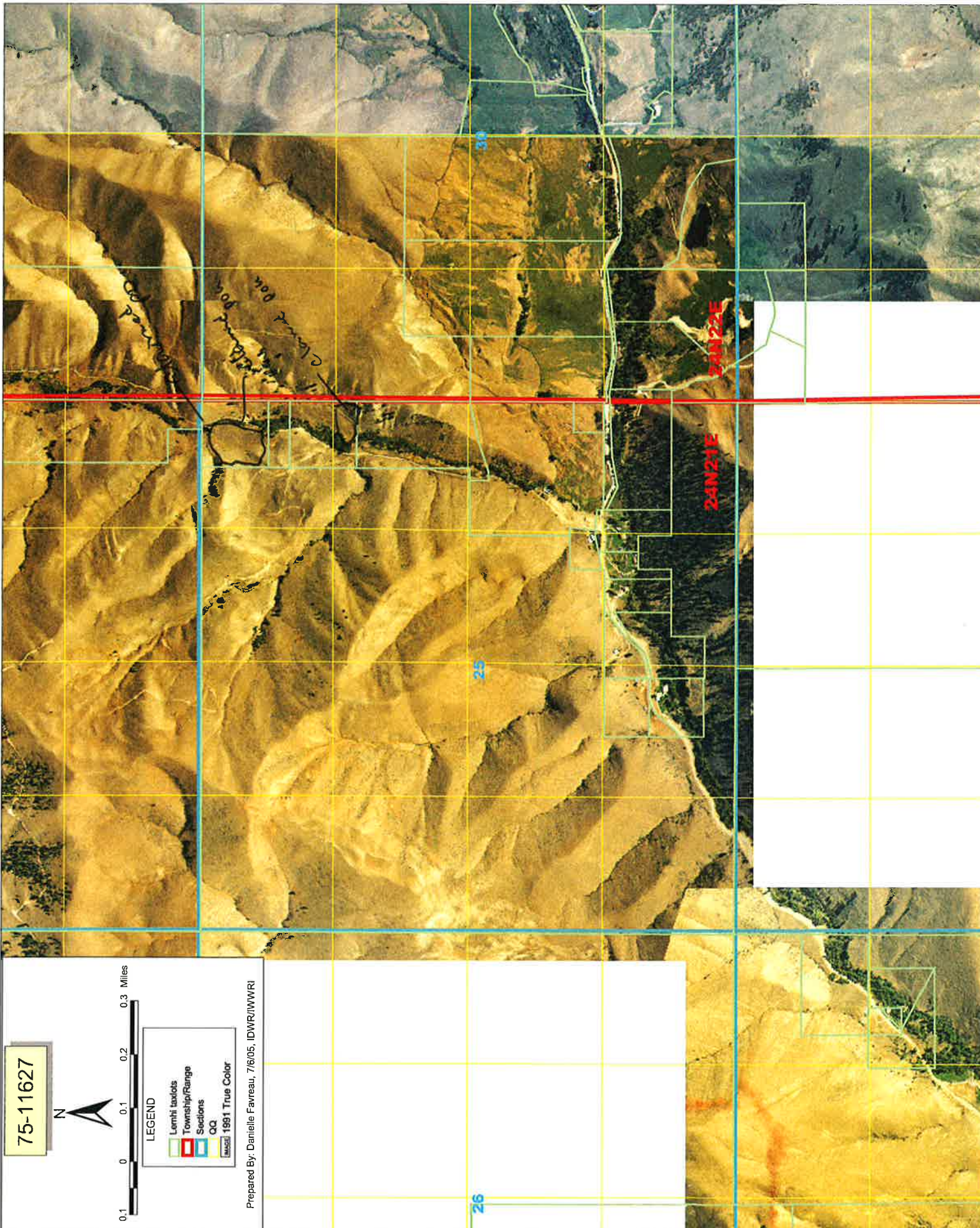


RECEIVED
DEC 12 2006
IDWR/North

SCANNED
DEC 12 2006
IDWR/North



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



75-11627

N

0.1

0

0.1

0.2

0.3

Miles

LEGEND

Lemhi landlots

Township/Range

Sections

QQ

1991 True Color

Prepared By: Danielle Favreau, 7/6/05, IDWR/IWWRI

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: 75-11627

SUZANNE M ANICH
2575 BEAR VALLEY DR
CARLTON MN 55718
Telephone Number: (218)384-3447

DALE A ANICH
2575 BEAR VALLEY DR
CARLTON MN 55718
Telephone Number: (218)384-3447

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:

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

DATE: 11-28-06

SIGNATURE:

Dale A Anich / Suzanne M Anich

Please print your name:

Dale A Anich / Suzanne M Anich

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

SCANNED

DEC 17 2006

SCANNED

DEC 29 2006

RECEIVED

DEC 1 2006

IDWR/Albany

11/20/2006

NOTICE OF ERROR
REPLY

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Please print your name:

Dale A Anich / Suzanne M Anich

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

SCANNED
DEC 12 2006

SCANNED
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IDWR/Albion

11/20/2006

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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: 11-28-06

SIGNATURE: Dale A Anich / Suzanne M Anich

Please print your name: Dale A Anich / Suzanne M Anich

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

SCANNED
DEC 12 2006

RECEIVED
DEC 11 2006
IDWR/North

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

CLAIM NO(s). 75-11627

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.: A0015090 66" 81205 P00A

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:

2 inch pipe in creek,

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

No water being diverted, does not appear to have been irrigated for an extended time

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-12-05

FIELD EXAMINER: _____

Bob Foster
Print Name

Bob Foster
Signature

a
RECEIVED

AUG 22 2006

DEPARTMENT OF
WATER RESOURCES

RECEIVED

AUG 25 2006

IDWR/North

8-15-06

Idaho Dept. Of Water Resources
Attn. Roxanne Brown
322 Front Street
P.O. Box 83720
Boise, ID 83720-0098

Dear Roxanne,

RE: Water Right Claim #7511627 in the names of Suzanne and Dale Anich. We are submitting additional information with respect to the priority date of 5-22-1913 and the irrigation history. Please find the attached Notarized statement from Fredde Runnalls.

Thank you,



Dale Anich
2575 Bear Valley Drive
Carlton, MN. 55718
218-384-3447

SCANNED

AUG 22 2006

August 10, 2006

To Department of Water Resources/State of Idaho

From Fredde Runnalls formerly Fredde Hendley resident and
Original builder of 51 Little 4th of July Creek Road

Re Irrigation History

The undersigned lived at the above referenced property with Richard Eberhardt from 1974 thru 1979. During that time we actively irrigated many sections of the property especially the open meadow/field across the road from the residence.

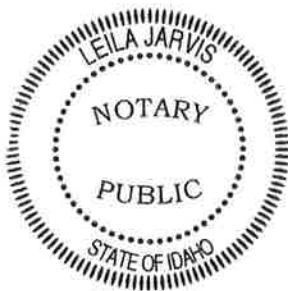
I subsequently visited the property from time to time over the years and know that Richard Eberhardt continued to irrigate the property or have it irrigated by tenants until his death and the sale of his property to Mr. Dale Anich in 2001.

If you need more information you can contact me at

Town & Country Realty
534 Main St.
Salmon, ID 83467
(208) 756-4910

Yours truly,

Fredde Runnalls
Fredde Runnalls



*In witness whereof I
hereunto set my hand and
official seal*

Leila Jarvis
Notary Public

Commission expires 10-6-2006

*State, Idaho
County of Lemhi
On this 10th day of August
2006 before me
personally appeared
Fredde Runnalls, known
to me to be the person whose
name is subscribed to the
within instrument and
acknowledged that she
executed the same for the
purposes therein contained.*

SCANNED

AUG 22 2006

RECEIVED
MAY 05 2006
DEPARTMENT OF
WATER RESOURCES

5-1-06

Idaho Dept. of Water Resources
Attn. Roxanne Brown
322 Front Street
P.O. Box 83720
Boise, ID 83720-0098

Dear Roxanne,

RE: Water Right Claim #7511627 in the names of Suzanne and Dale Anich. We are submitting additional information with respect to evidence of the priority date of 5-22-1913. Richard Holmes settled the Little Fourth of July Creek property on 8-1-1903. I have enclosed the homestead application. Our property and our neighbor's property were all part of the Richard Holmes Patent. Downstream Rob and Cindy Hallen's water rights are decreed with a date of 5-20-1913 and upstream Arnie Vetrhus water rights are decreed with a date of 5-22-1913. The ditches run through our property. I have also enclosed a notarized document from Joyce Munkres (84) and daughter Pat Jones (68). Joyce Munkres lived on our property from 1937 – 1955 and Pat Jones was born in the old cabin that still stands on the property. They irrigated the property during the years they owned it. Prior to that Joyce Munkres in-laws, Pat Jones Grandparents, Frank and Leah Munkres owned the property from March 18th of 1918 and Joyce Munkres knew that they irrigated the property.

I am obtaining further documentation from another source that lived on the property during the 1980's. I will forward when available.

Please add this information to our file.

Thank you,



Dale Anich
2575 Bear Valley Drive
Carlton, MN. 55718
218-384-3447

SCANNED

MAY 08 2006

4-28-06

Idaho Dept. of Water Resources
Attn. Roxanne Brown
RE: Water Right # 7511627

With reference to the evidence of priority date for the property located at 51 Little Fork of July Creek Rd. North Fork, Idaho, with water rights in the name of Suzanne and Dale Anich. We would like to provide further evidence of priority from Joyce Munkres and Pat Jones. Munkres lived on the property beginning in 1937 and irrigated the property and grand father Frank and Lech Munkres irrigated the property since he purchased the property in March 18th of 1918.

Joyce Munkres
Patricia A. Jones 4/27/06

County of Lemhi,

this 27th day of April, 2006 before me,

a notary public in and for said State, personally appeared Patricia A. Jones known to me to be the person whose name subscribed to the with in instrument, and acknowledged to me that Patricia A. Jones executed the same.

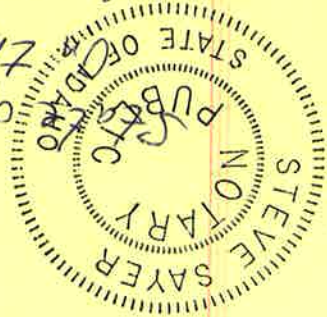
Steve Sayer

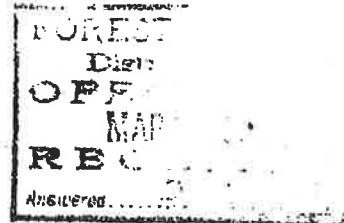
residing at Salmon, ID, Notary Public

comm. expires 4/3/08

SCANNED

MAY 08 2006





Form 110.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

REPORT ON AGRICULTURAL HOMESTEAD APPLICATIONS.

Application #30

July 8, Sept. 18, 1908. Salmon National Forest Reserve.

1. Name and address of applicant: Richard Holmes, Carmen, Idaho. (Lemhi Co.)
(If already on land, give date of settlement.)

Alleges settlement August 1, 1903.

2. Location: Land is located on Fourth of July Creek about 3 miles
(Legal subdivision, or by metes and bounds. Relation to highways, rivers, railroads, etc. Proximity and importance of towns, settlements, etc.)
above the confluence of this stream with Salmon River. More
definitely described by legal sub-divisions as follows: N 1/2
SE 1/4 SE 1/4; NE 1/4 SE 1/4; E 1/2 SE 1/4 NE 1/4 and E 1/2 NE
1/4 NE 1/4 Section 25 Twp. 24 N, R 21 E. Boise Meridian.

Recommend, Reaffirmance of survey pending in S. P. Co.

3. Area: Approximately 100 acres more or less.

(Applied for, reported on, and recommended.)

8-1011

List 4-68

SCANNED
MAY 08 2006

4. Topography: 50 acres of smooth tillable land and 50 acres of steep pasture land. 20 acres northern slope, 80 acres southern slope. Open basin at forks of creek.

(Topography of tract applied for, and relation to surrounding territory. Topography should be considered particularly in its bearing on agricultural possibilities, slope, aspect, etc.)

5. Formation: Soil, rich black loam on creek bottom. Gravel and loam on steeper slopes. Sufficient water on the land for irrigation and domestic use. Possibilities for developing water.

(Nature and extent of soil, rock, etc., paying particular attention to their influence on agricultural possibilities. Presence of water for irrigation and domestic use. Possibilities for developing water.)

6. Climate: Mild. Precipitation moderate. No killing frosts during growing season.

(Precipitation, temperature, occurrence of killing frosts.)

7. Cover: No cover, except a few scattering Douglas Fir and Yellow Pine on 10 acres of northern slope. Estimated to be 60 cords of wood @ 50 ¢. Easily accessible. 20 miles from Salmon market. Cover is not needed for protective purposes.

(Nature and extent of cover, with estimate of amount and value. Accessibility and distance to market. Is cover needed for protective or seeding purposes?)

75-11627
RECEIVED
JUL 15 2005
DEPARTMENT OF
WATER RESOURCES

7-11-05

State of Idaho
Dept. of Water Resources
P.O. Box 83707-9815

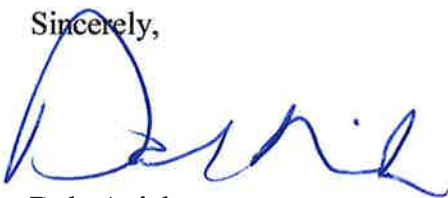
Dear Roxanne,

I received your letter the other day requesting Evidence of Priority on our Water Rights Claim. I spoke to you a few months ago on this issue. I had put an application in to Water Resources on 3-5-04 to construct a pond. The purpose is to pump water from the pond and set up a sprinkler system to irrigate as well as a trout pond. The application was postponed until a Favorable Recommendation was made on the Claim.

I have done some research and have included the following information. A copy of the Stipulation from Lemhi County for Mr. Hansen whom originally owned all the land and had the water rights up Fourth of July and Little Fourth of July Creek. Our Parcels of land are included or within the stated legal description of the Hansen Stipulation. It takes the Priority Date back to April 1 1896.

There are old irrigation ditches present on our parcels. Cook Real Estate has also given me the names of two individuals that can validate the water usage from Little Fourth of July Creek , Maxine Risbon (Huff) and a woman named Febe. If it is necessary I can try and locate them August 15th when we are out in Salmon, ID to get further validation by Affidavit. Please let me know if this will be necessary.

Sincerely,



Dale Anich
2575 Bear Valley Drive
Carlton, MN. 55718
218-384-3447

SCANNED
JUL 21 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

75-11627

SUZANNE M ANICH
DALE A ANICH
2575 BEAR VALLEY DR
CARLTON MN 55718

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

JUL 21 2005

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

02/27/2001

WATER RIGHT NO. 75-11627

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	RICHARD EBERHARDT
	PO BOX 1605
	HANALEI, HI 967141605
	(808)826-6217

Priority Date: 05/22/1913
 Basis: Beneficial Use
 Status: Active

<u>Source</u>	<u>Tributary to</u>
LITTLE FOURTH OF JULY CREEK	FOURTH OF JULY CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	1/01	12/31	0.75 CFS		
Total Diversion			0.75 CFS		

Location of Point(s) of Diversion:

LITTLE FOURTH OF JULY CREEK	SESESE	Sec. 24	Township 24N	Range 21E	LEMHI County
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IRRIGATION Use:
 Acre Limit: 15

Place(s) of use:

Place of Use Legal Description: IRRIGATION	LEMHI County
--	--------------

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
24N	21E	25		NENE	11		SENE	4						

Total Acres: 15

Remarks:

1: General ADDRESS CHANGE BY CLAIMANT LETTER. SS 01/04/99

Dates:

Licensed Date:
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): E013514
 State or Federal: S
 Owner Name Connector:
 Water District Number:
 Generic Max Rate per Acre:
 Generic Max Volume per Acre:

Water Right 75-11627

SCANNED

JUL 21 2005

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO

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

FILED
2002 OCT 25 PM 3 49

In Re SRBA

Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-10199

NAME AND ADDRESS: DALE A ANICH
SUZANNE M ANICH
2575 BEAR VALLEY DR
CARLTON, MN 55718

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY:

PRIORITY DATE: 05/22/1913

POINT OF DIVERSION: T24N R21E S24 SESESE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Lemhi County
T24N R21E S25 NENE

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

SCANNED

JUL 21 2005

FROM :

FAX NO. 1

Fri, 25 2004 09:50PM P2

75-11627

7-15-2004

Cook Real Estate
Attn: Freddie and or Cary

RE: Water Rights, Little Fourth of July Creek

I need your help!

I purchased this property in 2001. I had understood it to have water rights. I have since been informed by Roxanne Brown, the lead investigator of the adjudication process that I do not have a water right, but a claim to a water right that needs to be substantiated. Ms. Brown is requiring evidence of the priority date of the claim which is 05/22/1913. In other words a signed statement by a prior owner or witness that can validate that the property was irrigated as per the claim going back to the date of the claim.

If you know of anyone that is familiar with this property's history and could help me I would be grateful. Thank you!

Sincerely,



Dale A. Anich
2575 Bear Valley Drive
Carlton, MN. 55718
800-416-3447

What is the letter from Roxanne asking for 1913 use evidence?
#11627 - The Adjudicative claim report should be sufficient - go see Bob Foster.

Freddie, the 2 people that can substantiate water usage are: Maxine Risbon 865-2403

Lives in the little log cabin on the highway right where 4th of July Cr. Rd. takes off.

Irene Bolander
Witness
Brail

the ~~house~~ the original house
the old original house
house along the highway
on the creek side.

Been there since the 40's - maybe 30's

SCANNED

JUL 21 2005

used claim to
water rights
decreed

Don
Bellamy
865-2002

Little 4th Frank Munro was
original owner. via
signed affidavit in
Febe or
maxine Risban (Huxx)
to 1940 when Metzkow's
maps were made.

75-11627

104

Land situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township
24 North, Range 22 East, Boise Meridian, containing
4 acres, more or less.

13. Hansen are the owners, in possession and entitled to
the possession of the following described land situated in the
County of Lemhi, State of Idaho, to-wit:

North Half of Southeast Quarter of the Southeast Quarter
(N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$), the Northeast Quarter of the Southeast
Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), the East Half of the Southeast Quarter
of Northeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$), and the Southeast
Quarter of Northeast Quarter of Northeast Quarter
(SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-five (25) in Township
Twenty-four North, Range Twenty-one East, and the Lot
4 of Section 30 and the Lot 5 of Section 31, in Township
24 North, Range 22 East of the Boise Meridian, containing
149.29 acres; ALSO, the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$; the N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; and
the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; all in Section 25, in Township 24 North
of Range 21 East of the Boise Meridian, containing 37 $\frac{1}{2}$
acres of land.

All of Lots 1, 2, 3 and 4 of Section 19 of Township 24
North, Range 22 East Boise Meridian, containing 159.28
acres of land, according to the U. S. Government Survey.

E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section
24; and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 25; all in Township 24
North, Range 21 East Boise Meridian, containing 47 $\frac{1}{2}$ acres.

Together with all water and water rights, ditches and
ditch rights, range and range rights appurtenant thereto
or used in connection therewith. This is all the water
out of Little 4th of Jacky Co.

EXCEPTING THEREFROM:

A fraction of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and a fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 25, Township 24 North, Range 21 East, Boise
Meridian, more particularly described as follows, to-wit:

Commencing at the South Quarter corner of said Section 25,
run thence North 330.0 feet to the point of beginning;
thence S. 89 $^{\circ}$ 48' W. 83.7 feet; thence North 990.0 feet;
thence N. 89 $^{\circ}$ 48' E. 981.5 feet; thence South 660.0 feet;
thence S. 89 $^{\circ}$ 48' W. 566.5 feet; thence South 330.0
feet; thence S. 89 $^{\circ}$ 48' W. 331.1 feet to the point of
beginning, containing 17.966 acres, together with all
water and water rights, ditches and ditch rights used
in connection therewith.

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JUL 21 2005

1 in connection therewith.

2 Hansens are entitled to have, and they are hereby awarded
3 water rights and privileges, points of diversion and places of
4 use as follows:

5 (a) 20 miner's inches or .4 cubic feet per second of
6 the waters of Fourth of July Creek from the commence-
7 ment of the irrigation season each calendar year until
8 August 1 of each such year, and after August 1 until the
9 end of each such irrigation season 16 miner's inches or
10 .3 cubic feet per second of the waters of Fourth of
11 July Creek with a priority of appropriation dating from
12 April, 1896 and delivered through the existing ditch
13 known as the Upper Ditch (Ditch No. 4) with a point
14 of diversion in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, Township
15 24 North, Range 22 East, Boise Meridian, for irrigation
16 of the following described premises in Lemhi County,
17 Idaho, to-wit:

18 Land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township
19 24 North, Range 21 East of the Boise Meridian, con-
20 taining 10 acres, more or less.

21 (b) 40 miner's inches or .8 cubic feet per second of
22 the waters of Fourth of July Creek from the commence-
23 ment of the irrigation season each calendar year until
24 August 1 of each such year and after August 1 until
25 the end of each such irrigation season, 30 miner's
inches or .6 cubic feet per second of the waters of

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1 A fraction of the E $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 25, Township 24
2 North Range 21 East, Boise Meridian, more particularly
3 described as follows, to-wit:

4 Commencing at the Southerly quarter corner of said Sec-
5 tion 25, run thence North 330.0 feet; thence West 83.7 feet
6 to the point of beginning, and the Southeasterly corner
7 of the tract of land herein described; thence North 545.8
8 feet; thence West 578.9 feet; to a point on the Westerly
9 boundary of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, thence South
10 252.6 feet; thence East 295.2 feet; thence South 295.2
11 feet to a point on the Southerly boundary of the N $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{4}$
12 of Section 25; thence East 283.7 feet to the point of
13 beginning, containing 5.25 acres, together with all
14 water and water rights, ditch and ditch rights used in
15 connection therewith.

16 A fraction of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and a fraction of the
17 SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 24 North, Range
18 21 East, Boise Meridian, more particularly described as
19 follows, to-wit:

20 Commencing at the Southwesterly corner of the said
21 SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, run thence North 30.0 feet
22 to the point of beginning; continuing thence North
23 300.0 feet; thence N. 89°48' E. 410.6 feet; thence S.
24 6°24' W. 251.6 feet; thence S 89°48' W. 51.2 feet; thence
25 S. 79°12' W. 337.3 feet to the point of beginning, con-
26 taining 2.247 acres, together with all water and water
27 rights, ditches and ditch rights used in connection
28 therewith.

29 A fraction of the SE $\frac{1}{4}$ of Section 25, Township 24 North,
30 Range 21 East Boise Meridian, more particularly described
31 as follows, to-wit:

32 Beginning at the Southwesterly corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
33 of said Section 25, run thence North 30.0 feet; thence
34 N. 79°12' E. 337.3 feet; thence N. 89°48' E. 109.9 feet;
35 thence South 737.5 feet to a point on the Southerly
36 boundary of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25; thence S.
37 89°48' W. 537.3 feet; thence North 660.0 feet to a
38 point on the Northerly boundary of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section
39 25; thence N. 89°48' E. 96.1 feet to the point of
40 beginning. Containing 8.777 acres. Together with water
41 and water rights, ditch and ditch rights thereunto belong-
42 ing or otherwise appertaining.

43 A fraction of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 24 North,
44 Range 22, East Boise Meridian, more particularly
45 described as follows, to-wit:

46 Commencing at the Northeast Corner of said SW $\frac{1}{4}$ SW $\frac{1}{4}$ of
47 Section 30, run thence West 47.3 feet to a point
48

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JUL 12 2005

Land situated in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 24 North, Range 22 East of the Boise Meridian, containing 20 acres more or less.

(c) 24 miner's inches or .48 cubic feet per second of the waters of Fourth of July Creek from the commencement of the irrigation season each calendar year until August 1 of each such year and after August 1 until the end of each such irrigation season 18 miner's inches or .36 cubic feet per second of the waters of Fourth of July Creek with a priority of appropriation dating from April 1, 1896, and delivered through the existing ditch known as the Lower Ditch (Ditch No. 9) with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 24 North, Range 22 East of the Boise Meridian, for irrigation of the following described premises in Lemhi County, Idaho, to-wit:

Land situated in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 24 North, Range 21 East of the Boise Meridian, containing 13 acres, more or less.

14. Defendants Appleman, are the owners, in possession of and entitled to the possession of the following described land situated in the County of Lemhi, State of Idaho, hereinafter called Appleman lands, more particularly described as follows, to-wit:

All of that portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, the S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 1 and 2 of Section 35, T. 24 N., R. 21 E., Boise Meridian, lying on the Southerly side of U. S. Highway No. 93.

SCANNED

JUL 1 2005

JOINT APPLICATION FOR PERMITS
U.S. ARMY CORPS OF ENGINEERS
IDAHO DEPARTMENT OF WATER RESOURCES
IDAHO DEPARTMENT OF LANDS

**DO NOT START WORK UNTIL YOU
 RECEIVE PERMITS FROM BOTH THE
 CORPS AND THE STATE**

This application may be used to apply for both a Department of the Army permit from the U.S. Army Corps of Engineers (Corps) and for State of Idaho permits. Department of the Army permits are required by Section 10 of the Rivers and Harbors Act of 1899 for any structures or work in or affecting navigable waters of the United States and by Section 404 of the Clean Water Act for discharges of dredged or fill material into waters of the United States, including their adjacent wetlands. State permits are required under the State of Idaho, Stream Channel Protection Act (Title 42, Chapter 38, Idaho Code) and the Idaho Lake Protection Act, Section 58-142 et. seq., Idaho Code. Route Users: Information provided on this form will be used in evaluating the application. Disclosure of requested information is voluntary. If information is not provided, however, the permit application cannot be processed nor can permits be issued. Applicants should send this completed application, along with one set of good reproducible drawings showing the location and character of the proposed project, to both the Corps of Engineers and the State of Idaho. NOTE: DRAWINGS NO LARGER THAN 8-1/2 X 11 INCHES IN SIZE. The Applicant Information pamphlet provides instructions and a checklist for completing the drawings.

1. Corps of Engineers # _____ Date Received _____	2a. Department of Water Resources # _____ Date Received _____ Fee Rec'd By: _____ Receipt # _____	2b. Department of Lands # _____ Date Received _____ Fee Rec'd By: _____ Receipt # _____
--	---	---

PLEASE TYPE OR PRINT

3. a. Applicant <u>Date A. Anich</u>	4. a. Authorized Agent _____
b. Mailing Address <u>2575 Bear Valley Drive</u> <u>Carlton mn. 55118</u>	b. Mailing Address _____
c. Work Phone (<u>218</u>) <u>384-3441</u> Home (<u>218</u>) <u>384-3382</u>	c. Work Phone () _____ Home () _____
d. Fax Number <u>218-384-3497</u>	d. Fax Number _____
e. Email Address <u>anichdale@cs.com</u>	e. Email Address _____
5. Location where proposed activity exists or will occur.	5. a. Tax Assessor's Description
a. Waterway <u>Little 4th of July Creek</u> <u>5 miles from North Fork, ID</u>	<u>Parcel C</u>
b. Distance/Direction from nearest city or town County/State <u>83466 Lemhi</u>	f. 1/4 1/4 Section Township Range <u>E 1/2 N 25 74 21 E</u>
c. Zip Code <u>83466</u> Local jurisdiction (city or county) _____	g. UTM Coordinate Grid _____
d. Directions to the site <u>18 miles north of Salmon, ID on 93, Right on 4th of July Creek Rd. 601 mile</u>	Zone _____ Northing _____ Easting _____
6. a. Describe Project (Work below the ordinary high water mark or in wetlands). <u>Take Left on Little 4th of July Creek Rd. 601 mi</u>	

Dig and construct a pond using a backhoe. Dredged material will be hauled to a site away from pond. There are no wetlands. Pond will be along side of creek with a gated inlet and outlet.

b. Construction methods and equipment Backhoe, Dump Truck

c. Length of project along the stream or extension into lake or reservoir: 50' Diameter pond
 d. Size and flow capacity of proposed bridge or culvert and area of drainage served (sq. miles): (Idaho Department of Water Resources requirement.) _____

COMPLETE THE FOLLOWING FOR DISCHARGES OF DREDGED OR FILL MATERIAL

7. a. Volume dredged or fill material to be placed waterward of the ordinary high water mark (BOTH TEMPORARY AND PERMANENT)? 200
 (cubic yards)

b. Will fill be placed in wetlands? No If yes, area: _____ (acres) Type of fill material: _____
 (i.e. sand, rock, clay, concrete, etc.)

c. Will dredging be required waterward of the ordinary high water mark or in wetlands? No If yes, volume _____ (cubic yards)

d. Type of dredged material top soil and hard pan

e. Disposal site for dredged material: leveling an area on lot Method of dredging: Backhoe

f. Method to control turbidity and sedimentation: Project will be done late summer during low water

g. Is project located in a mapped floodway? No If yes, complete the Engineering "No-Rise" certification form. and dredging will be away from creek



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 17, 2004

Mr. Dale Anich
2575 Bear Valley Dr.
Carlton, Minnesota 55718

Re: Project No. US Army Corps of Engineers # NWW 023200090

Dear Mr. Anich,

I recently received a copy of a letter that was sent to you from the US Army Corps of Engineers referenced by the above number. In that letter, it indicates your wishes to construct a pond and to be able to divert water from Little 4th of July Creek into the pond.

I performed a water right search and found that you (or the former owner) made a claim to a water right from Little 4th of July Creek for irrigation purposes. The basis of the claim or the method of appropriation was by "beneficial use" with a priority date of May 22, 1913. For your convenience, I have included a copy of the proof report of this claim.

In order for you to legally divert water into the proposed pond, you need to transfer water from the above-mentioned water right. The procedures for making these changes are based upon an administrator's memorandum, a copy of which I have included.

There is one problem. The area of basin 75 of which this water right pertains is currently undergoing review for the Snake River Basin Adjudication (SRBA). Since the claim to a water right in the SRBA is a "beneficial use" claim, I would be required to wait until a favorable recommendation was made on the claim. "Favorable" meaning that it is a valid water right. Until that time, we could make the application for transfer but would not be able to process until a favorable recommendation was received. For your convenience, I have also included a transfer application and instructions.

It is likely that you have already received letters in regards to the SRBA requesting information for your claim to a water right. I encourage you to cooperate and provide them with the necessary information so they may validate your claim to a water right.

If I can be of further assistance, please feel free to call me at (208) 525-7161.

SCANNED

JUL 21 2005

75-11627

RECEIVED

DEC 30 2005

DEPARTMENT OF
WATER RESOURCES

12-21-05

Idaho Dept. of Water Resources
Attn. Roxanne Brown
322 Front Street
P.O. Box 83720
Boise, ID 83720-0098

Dear Roxanne,

I sent my initial Evidence of Priority on our Water Rights Claim in July of 2005 (75-11627 and 75-10199). To date I have not heard a response. Could you please confirm receipt of my initial paperwork. Also, I have since obtained additional information that I am forwarding to you.

Sincerely,



Dale Anich
2575 Bear Valley Drive
Carlton, MN 55718
218-384-3447

SCANNED

DEC 30 2005

8-17-05

Idaho Dept of Water Resources (75-11627)
Roxanne Brown,

With reference to the evidence of priority date
for the property at Little Fourth of July Creek.
(water rights in the name of Suzanne and Dale Anick)
Linda Munkers Allen and Patricia Munkers Jones
are daughters and grand daughters of Glenard
Jace Munkers and Leont and Leont Munkers
respectively. Linda age 57 and Patricia age 67
recall irrigation of the property when they were
5 and 6 years old and knew of irrigating by
grand parents year prior to that. In fact as
children they helped with the irrigation at the property.
Frank and Leont Munkers owned the property back to 3-18-18.
This statement accurately describes what I witnessed.

Glenn Allen

Linda Allen
322 Cabell

Salmon, ID



Erin G. Hobie
Notary Public
Salmon, Idaho
8/17/05

used claim to
water rights
decreed

Don
Bellamy
865-2002

Little 4th
FRANK Munkres was
original owner. in
1940 when Mettskov's
signed affidavits, maps were made.
Febe or
Maxine Lisbon (Husk)

Land situated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township
24 North, Range 22 East, Boise Meridian, containing
4 acres, more or less.

13. Hansen are the owners, in possession and entitled to
the possession of the following described land situated in the
County of Lemhi, State of Idaho, to-wit:

North Half of Southeast Quarter of the Southeast Quarter
(N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$), the Northeast Quarter of the Southeast
Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), the East Half of the Southeast Quarter
of Northeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$), and the Southeast
Quarter of Northeast Quarter of Northeast Quarter
(SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$) of Section Twenty-five (25) in Township
Twenty-four North, Range Twenty-one East, and the Lot
4 of Section 30 and the Lot 5 of Section 31, in Township
24 North, Range 22 East of the Boise Meridian, containing
149.29 acres; ALSO, the SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$; the N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; the NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$; the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; and
the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; all in Section 25, in Township 24 North
of Range 21 East of the Boise Meridian, containing 37 $\frac{1}{2}$
acres of land.

All of Lots 1, 2, 3 and 4 of Section 19 of Township 24
North, Range 22 East Boise Meridian, containing 159.28
acres of land, according to the U. S. Government Survey.

E $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section
24; and the NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25; all in Township 24
North, Range 21 East Boise Meridian, containing 47 $\frac{1}{2}$ acres.

Together with all water and water rights, ditches and
ditch rights, range and range rights appurtenant thereto
or used in connection therewith. This is all the water
out of Little 4th of Jolly Co.

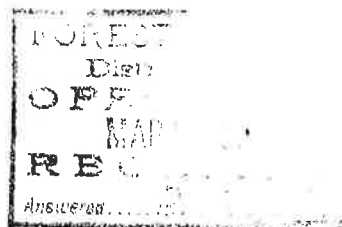
EXCEPTING THEREFROM:

A fraction of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ and a fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 25, Township 24 North, Range 21 East, Boise
Meridian, more particularly described as follows, to-wit:

Commencing at the South Quarter corner of said Section 25,
run thence North 330.0 feet to the point of beginning;
thence S. 89 $^{\circ}$ 48' W. 83.7 feet; thence North 990.0 feet;
thence N. 89 $^{\circ}$ 48' E. 981.5 feet; thence South 660.0 feet;
thence S. 89 $^{\circ}$ 48' W. 566.5 feet; thence South 330.0
feet; thence S. 89 $^{\circ}$ 48' W. 331.1 feet to the point of
beginning, containing 17.966 acres, together with all
water and water rights, ditches and ditch rights used
in connection therewith.

SCANNED
DEC 30 2005

original patent
of our property



Form 110.

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

REPORT ON AGRICULTURAL HOMESTEAD APPLICATIONS.

Application #30

July 8 Sept 18, 1908. Salmon National Forest Reserve.

1. Name and address of applicant: Richard Holmes, Carmen, Idaho. (Lemhi Co.)
(If already on land, give date of settlement.)

Alleges settlement August 1, 1903.

2. Location: Land is located on Fourth of July Creek about 3 miles
(Legal subdivision, or by metes and bounds. Relation to highways, rivers, railroads, etc. Proximity and importance of towns, settlements, etc.)
above the confluence of this stream with Salmon River. More
definitely described by legal sub-divisions as follows: N 1/2
SE 1/4 SE 1/4; NE 1/4 SE 1/4; E 1/2 SE 1/4 NE 1/4 and E 1/2 NE
1/4 NE 1/4 Section 25 Twp. 24 N, R 21 E. Boise Meridian.

more and, Reestablishment of survey points in G.P.C.

3. Area: Approximately 100 acres more or less.

(Applied for, reported on, and recommended.)

8-400

List 4-68

8. Claims: No conflicting claims. Land was squatted on by claimant
(Conflicting claims to land or existing improvements—by whom and on what grounds. Examiner is not to pass upon claims—merely to furnish all available information. Use in the past, and by what means. Existence of mining claims.)
and has been used by him as a home since date of settlement.
No mining claims.

9. Economic possibilities: Agricultural possibilities are limited only by
(Reason for application, and opinion as to success of applicants' plans. State fully agricultural possibilities. Value, if any, to Forest Service for Rangers' Quarters or other administrative purposes. Distance and market prices per acre of nearby farms. Transportation facilities.)
the area of the land. Not needed for administrative purposes.
Adjoining farms worth \$35 to \$40 per acre. Transportation all
by wagon. Applicant wishes to file on land and get a patent.

10. Recommendations: I recommend that the land be listed because
(Specific recommendation for or against listing of land, with summary of reasons for recommendation.)
applicant has shown good faith. And the land is more valuable
for agricultural than any other purposes.

11. Photographs: None.
(Give numbers of negatives which go with this report.)

(Signed) James M. Ryan,
(Signature of examining officer.)

Dep. For. Supervisor.
(Title.)

Approved: February 27, 1909.

Geo. Grantz
(In charge, Examination.)

Approved: Mar 4, 1909

J. C. H.
(In charge, Office of Reserve Organization.)

4. Topography: 50 acres of smooth tillable land and 50 acres of steep pasture land. 20 acres northern slope, 30 acres southern slope. Open basin at forks of creek.

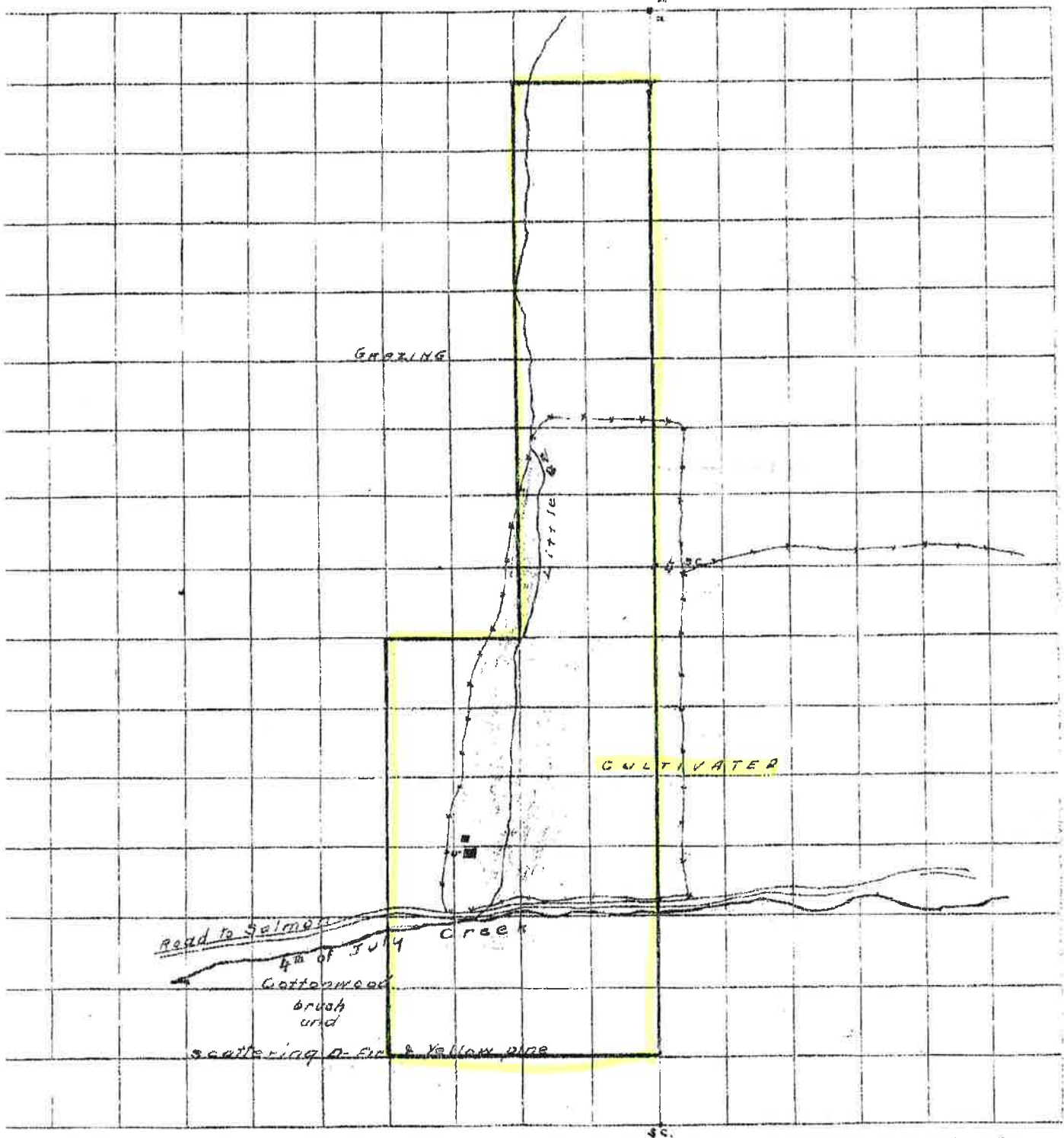
5. Formation: Soil, rich black loam on creek bottom. Gravel and loam on steeper slopes. Sufficient water on the land for irrigation.

6. Climate: Mild. Precipitation moderate. No killing frosts during growing season.

7. Cover: No cover, except a few scattering Douglas Fir and Yellow Pine on 10 acres of northern slope. Estimated to be 60 cords of wood @ 50¢. Easily accessible. 20 miles from Salmon market. Cover is not needed for protective purposes.

MAP SHEET.

Tp. 24, N. R. 21, E. B. M. Section 25, Quarter. Scale: 8 inches = 1 mile.



Sketch map, in colored pencil, of the area applied for on a scale of 4 inches to the mile, showing topography, cover, roads, trails, agricultural land, and improvements. At least one-half mile of surrounding country should be sketched in.

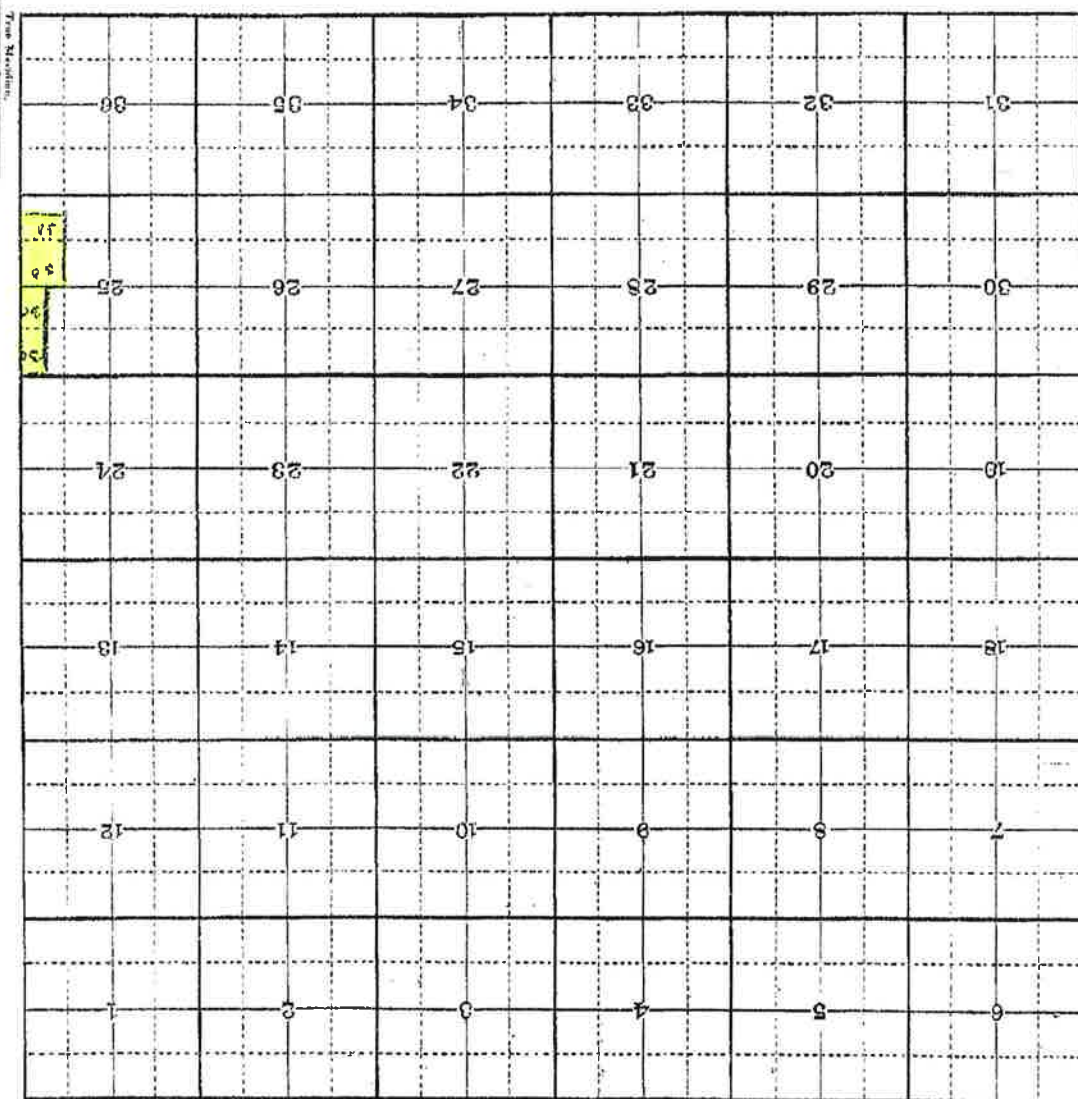
8-430

SCANNED
DEC 30 2005

SCANNED
DEC 30 2005

Scale.—One inch = 1 mile.

8-257



Mer.

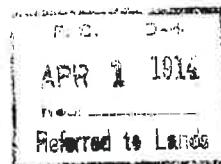
7 24 N 22 21 E

Form 874.

#30 Richard Holmes - Common, Sda - Rec. 8-13-5
- Head Aug. 1-02

Form 110.
(Revised Nov. 18, 1912.)

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE.



REPORT ON FOREST HOMESTEAD APPLICATION

Application No. 283, Salmon National Forest

Hailey Land District

Mrs. Ann Canady,
(Name of applicant.)

Carmen, Idaho.
(Address of applicant.)

Report submitted March 27, 1914, by

[Signature]
(Signature of examiner.)
Assistant Forest Ranger.
(Title.)

Approved March 30, 1914

[Signature]
Forest Supervisor.

Approved April 1, 1914
[Signature]
District Forester.

OUTLINE OF REPORT.

General Description.

1. Location.—(a) Acreage applied for. (b) Location of tract, by legal subdivisions if surveyed or metes and bounds if unsurveyed, stating approximate section, township, and range. Make clear any discrepancy between the description of the area examined and that applied for. (c) Watershed in which tract is located; its relation to roads, trails, large streams, settlements, and railways, and any other information bearing upon its accessibility.
2. Settlement.—(a) For any occupancy or settlement by applicant or other parties give inclusive dates, status (trespass, squatter's claim, special use permit), and whether initiated before withdrawal of land or creation of Forest. (b) Improvements on the land and value; live stock or other property; crops grown, etc., stating by whom constructed, owned, or raised. (c) Other facts as to the use to which the land has been put and its value as indicated by such uses.
3. Claims.—(a) Give the nature and names and the exact status of any conflicting claims, and the name and address of the claimant; give area in conflict with this application; what improvements, if any, have been made upon such conflicting claims. What use has been made of such claims in the past? (No attempt should be made by the examiner to pass upon the validity of such claims whether mineral or agricultural, but should merely give all the information available.)
4. Climate.—(a) Precipitation; rainfall, snowfall, wet and dry seasons. (b) Temperature; range, duration of growing season, occurrence of killing frosts. (c) What typical crops can be matured? (d) Can home be maintained during entire year?
5. Public uses.—(a) Need of portions of tract for ranger stations, banking grounds, lambing grounds, mill sites, and state whether area has or has not been posted as being required for ranger station; if posted, give date. (b) Needed exceptions or reservations for roads, trails, logging railroads, chutes, telephone lines, or flumes. (c) Relation of tract to use of drivable streams. These points should be covered fully in every report. Submit exact survey of exceptions or reservations referred to under (b) to accompany listing letter. (d) Does the tract include or control any power or reservoir site? Fill out Form 107. (e) Is tract essential for the protection of any important watershed to prevent contamination of a city's water supply?

Area Recommended for Listing.

6. Location and acreage.—(a) Description by legal subdivisions or metes and bounds; show relation to entire tract applied for and to adjoining claims. Will small areas of National Forest land be isolated? (b) Area. (c) Was applicant present and consulted during examination?
7. Topography and soil.—(a) Topography, slope, exposure. (b) Rock formation, outcrops, surface rock.

TO BE RETURNED TO DISTRICT

SCANNED
DEC 30 2005

- (c) Depth and character of surface and subsoil, soil moisture, and any other factors bearing upon fertility.
- (d) Water supply for irrigation and domestic use; possibilities of developing water.
8. *Agricultural value*.—(a) Discuss agricultural possibilities of land fully. To what crops is land adapted? What kinds of crops are produced on similar land? Give amount per acre and local prices obtainable. What success obtained on nearest lands of generally similar character and how does tract differ from them? Transportation facilities. (b) Cost of clearing, grubbing, or other preparation of land for cultivation. (c) Estimate actual market value of land for farming: (1) in present condition; (2) after removal of timber, if any, and (3) after improving for cultivation, from records of sales or any other data obtainable.
9. *Forest value*.—(a) Stand of merchantable timber per acre, by species; its condition and approximate age; possibility of its disposal; stumpage value; total stand on the entire area applied for. (b) Amount of young growth per acre; its composition and approximate age. (c) In all doubtful cases submit photographs of area applied for.
10. *Other factors* considered in recommendations not indicated above.

Area Not Recommended for Listing.

Report specifically in accordance with topics 6 to 10.

Map.

Use Form 878, printed with black lines only upon plain white paper, with scale of eight inches to the mile. Show by lines of different colors boundaries of (1) area applied for, (2) area recommended for listing. Show separately by colors cultivated land, grass, brush, and barren land, merchantable timber, and young growth, when apart from merchantable timber. Show by vertical red hatching over all types the exact limits of arable land. Show all details of topography which affect arability, including rock outcrops and changes in slopes. Show by comprehensive legend on the map sheet the exact significance of all colors and symbols used on the map. Show all expected strips with the course and distance of each line of the traverse and submit a tracing of such exception with the report and show the status of lands surrounding area applied for. In the case of right of any reservations for telephone lines or other purposes the course and distance of each line of the traverse should be shown and an additional tracing prepared and submitted with the report.

NOTE.—Do not begin the report on this sheet, but use blank sheets of same size. Number and letter paragraphs in report as in outline, using additional headings if needed.

12/19/05 09:25pm P. 019

L

Salmon-Settlement
Canady, Mrs. Ann, #283.

Report on Forest Homestead Application

Salmon National Forest.

1. Location - (a) 20 acres applied for.

(b) The tract examined and recommended is situated in Sec. 24; Twp. 24 N; R. 21 E; B.M. The discrepancy in the land examined is due to the applicant not knowing that a portion of the land called for in her application had been previously listed.

(c) The tract is situated on Little Fourth of July Creek, about three miles up stream from the confluence of Fourth of July Creek and Salmon River. Nineteen miles of good wagon road connects the tract with a railroad at Salmon, Idaho.

2. Settlement - (a) No settlement has ever been made on the tract.

(b) There are no improvements on the tract.

(c) The tract has been used in the past as public range and is valuable for such purposes.

3. Claims - (a) There are no conflicting claims.

(b) There are no mining claims in the immediate vicinity of the tract.

4. Climate - (a) The wet and dry season are not well defined, and the rainfall is not enough to produce the best agricultural results. The average rainfall is about 1.20 inches per month for a growing season of 5 months; that is, from May 1 to September 30, with a maximum of 1.75 inches for June and a minimum of 1 inch for August. The depth of snow seldom exceeds $1\frac{1}{2}$ feet at any time of the year.

Canady, Mrs. Ann.

(b) Temperature. The extreme range of temperature for the growing season is $+15^{\circ}$, for the minimum, and -100° , for the maximum. The average mean maximum for May is about $+70^{\circ}$ while the average mean maximum for July is about $+80^{\circ}$. The average number of days between the last killing frost in the spring and the first killing frost in the fall is about 95.

(c) Excellent crops of hay, grain, corn and potatoes can be matured on this land.

(d) No difficulty will be experienced in maintaining a home on the land throughout the year.

5. Public Uses - (a) No part of this tract is needed for a ranger station, banking grounds, lambing grounds or mill site.

This tract has not been posted as required for ranger station.

(b) There is no need for exceptions for right of way.

(c) There are no drivable streams on or near

the tract.

(d) The tract does not include nor control any

(e) The tract is not essential to prevent the contamination of any city's water supply, and does not monopolize springs that are necessary for the economical use of the surrounding range.

Area recommended for listing.

6. Location and acreage. (a) Comprising the $SE\frac{1}{4}$ $SE\frac{1}{2}$ $SE\frac{1}{4}$ $SE\frac{1}{4}$ of Sec. 24; Twp. 24 N; R. 21 E; B.M. which is all the land the applicant wants.

12/19/05 09:22pm P. 011
Canady, Mrs. Ann.

Location and acreage. (Cont'd) (a) The tract is adjoined on the north by land listed to George McGarr, List 4-325, on the east by the John H. Dryer Homestead Claim, on the south by List 4-68 and on the west by National Forest land so situated that no small areas will be isolated.

(b) Area recommended $2\frac{1}{2}$ acres.

(c) The applicant was not present; but Richard Holmes, the man designated by the applicant as the proper person to accompany the examiner, was present and carefully consulted during the entire examination.

7. Topography and soil.- (a) About 2 acres of the tract can be plowed and cultivated and consists of bottom land, while the remaining $\frac{1}{2}$ acre consists of hillsides too steep for cultivation. The whole tract slopes gently to the south. Altitude about 4000 feet.

(b) The formation is quartzite and granite which does not outcrop on the tract. There is no coarse rock strewn over the surface of the tract.

(c) The soil on the tract is a rich loam supporting a good growth of sagebrush.

(d) Water can be obtained from Little Fourth of July Creek for irrigation purposes and also for domestic use.

8. Agricultural Value. (a) About 2 acres of the tract can be plowed and cultivated. This land can be supplied with water at a very small cost and will produce excellent crops of hay, grain, fruit and vegetables. Similar crops are produced at a profit on nearby land, which does materially differ from this tract.

Canady, Mrs. Ann.

Agricultural Value. (Cont'd) (a) Hay yields from $1\frac{1}{2}$ to $2\frac{1}{2}$ tons per acre, and sells at \$5.00 to \$7.00 in the stack. Potatoes yield about 12000 pounds per acre, and sell at \$0.50 to \$1.00 on the ranch. Apples yield 150 to 200 boxes per ^{acre} and sell for \$0.75 to \$1.00 per box delivered at Salmon, Idaho. Transportation facilities are good by wagon road to nearby markets.

(b) The cost of putting this land under cultivation would be about \$15.00 per acre.

(c) 1. The land in its present state has little value for agricultural purposes.

2. There is no timber on the tract.

3. After improving for cultivation,

\$35.00 to \$40.00 per acre depending on the character of the improvements.

9. Forest Value. (a & b) There is no timber on the tract.

(c) (1 & 2) There is no timber on

tract.

(d) This tract does not seem to be of any value for Forest purposes.

(e) No photographs.

10. I respectfully recommend that the entire tract as examined and reported on, be listed.

Form 378
(Revised April 1, 1913)

UNITED STATES DEPARTMENT OF AGRICULTURE FOREST SERVICE MAP SHEET

Application No. 283

Salmon National Forest.

Division

District, Block

T. 24 N., R. 21 E., Boise M., Section 24, Quarter SE4 SE4 SE4 SE4.

Mapped by Carl J. KrileyScale: 8 inches = 1 mile.Mrs. Ann Canady No. 283
Forest Homestead

Examined March 21, 1914.

Area 25 acres.

Sagebrush & bunchgrass

Cultivated land.

Aspen.

Listed under No. 4-325.

Listed under No. 468.

Listed under No. 4-507.

Arable land.

Area recommended for listing
is enclosed with black ink lines.George McCarr
List No. 4-325John H. Dwyer
List No. 4-507.

Little Fourth of July Creek

Northwest Cor. Sec. 50, T. 24 N., R. 22 E., B.M.

Steep sagebrush covered hillsides.
National Forest land.Richard H. H. H.
List No. 4-68Steep sagebrush covered hillsides.
National Forest land.

March 27, 1914. (Date)

Assistant Forest Ranger.

(Signature of examining officer)

12. What is the nearest market for sale of electric power? 12 miles.
- If so, is this tract of value in connection therewith? No. Also.
11. Is there a site for power development in the vicinity? No.
10. Has the tract a site for development from the natural flow? No.
9. Are there any abrupt falls on the stream in the vicinity? No. Falls.
- If so, locate and describe the same.
8. Has the whole or a part of the stream in this vicinity outside of tract much fall? Yes.
- State approximate fall to the mile. 500 feet.
7. What is the approximate difference in elevation of stream at upper and lower end of tract? About 20 feet.
6. Do you know of prior appropriations of the natural flow? No.
- If so, state approximate amount in miners' inches or second feet. 25 miner's inches.
5. Is there a constant supply of water available from any source (natural flow, conduit, storage reservoir, etc.) at the tract for which application is made? Small stream.
4. Is there a dam site on the tract for a storage reservoir? No. dam.
- If so, state approximately: Height of dam. No. dam.
3. Are there possible storage sites further up stream? No.
- If so, how many acres? No. reservoir also.
2. Does the tract include in part or whole a storage reservoir site? No.
1. Is there a stream or lake on or near the tract? Yes.

Salmon
SETTLEMENT.
Mrs. Ann Canady,
(Name of applicant)
283
(Ap. No.)

I

Submitted with the following designated case:

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE
POWER POSSIBILITIES OF TRACTS APPLIED FOR UNDER THE ACT OF JUNE 11, 1906
(To accompany Form 120)
Form 107
(Revised Aug. 1, 1913)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

April 5, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

DALE & SUZANNE ANICH
2575 BEAR VALLEY DR
CARLTON MN 55718

RE: OWNERSHIP CHANGE FOR 75-10199 & 75-11627

Dear Mr. & Mrs. Anich:

Our office changed the ownership for 75-11627 and a copy is enclosed for your records. 75-10199 is being processed and will be sent to you in another mailing.

Sincerely,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

Jennifer Crabtree
Technical Records Specialist

Enclosure

OK JC
4/HOI

RECEIVED
MAR 05 2001

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

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Department of Water Resources
Eastern Region

1. Water Right No(s): 7511627 / 75-10199 / NCRP
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
AND
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
(These are usually attached to your deed or on file with the county.)
OR
 - C. If your water right or adjudication claim 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 Richard Eberhardt
51 Little 4th of July Creek Rd.
4. New Owner/Claimant(s) North Fork, ID 83466
 * Dale A. Anich and or Suzanne M. Anich Name Connector (Check one): [] and, [] or, ☒ and/or
 New Mailing Address 2575 Bear Valley Dr.
 City, State and ZIP Code Carlton, MN. 55718
 New Telephone Number (218) 384-3447
5. Date you acquired the property 2-7-01
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right <u>15</u>	Number and type of stock _____
Diversion rate in CFS <u>.75</u>	Number of homes you acquired <u>1</u> Other uses _____

7. Signature of New Owner(s) ☒ Dale A. Anich
or Claimant(s) Suzanne M. Anich
Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

234774

WARRANTY DEED

For Value Received, Namely, TEN AND NO/100 DOLLARS (\$10.00) and other valuable consideration,

RICHARD W. EBERHARDT, an unmarried man, the grantor, does hereby grant, bargain, sell and convey unto

MICHAEL T. SELTZER, a Married Man, *MS*

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

A tract of land lying and being in the E $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25, Township 24 North, Range 21 East, Boise Meridian, more particularly described as follows, to-wit:

Beginning at the Northeastly corner of said Section 25, run thence South along the Easterly boundary of Section 25 a distance of 1528.04 feet; thence West 660.0 feet to a point on the Westerly boundary of the E $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25; thence North 1525.67 feet to the Northwestly corner of the E $\frac{1}{2}$ NE $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 25; thence S. 80° E 7' East 660.0 feet to the point of beginning. Containing 23.1 acres.

Together with the right to the use of the waters of Little Fourth of July Creek, which commences its flow through the above described property.

Subject to a thirty (30) foot permanent right-of-way for ingress and egress upon the existing roadway. Said permanent road right-of-way shall be free of any gates, or obstructions, however, Grantee shall be permitted to install approved cattle guards in lieu of gates.

An express consideration hereof is that grantee covenants and agrees that any main dwelling constructed upon the above described premises shall contain a minimum of 1,000 square feet, and shall comply with the minimum standards and requirements for federal financing. The keeping of pigs and/or goats shall not be allowed on the premises.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that he is free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: October 2, 1997

Richard W. Eberhardt
RICHARD W. EBERHARDT

STATE OF HAWAII, COUNTY OF KAUAI

On this 2nd day of October, 1997, before me, a notary public in and for said State, personally appeared

RICHARD W. EBERHARDT,

an unmarried man,

known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Patti Sendar
Notary Public

Residing at Hanalei, Hawaii
Comm. Expires: 3/13/2000



STATE OF IDAHO, COUNTY OF LEMHI

I hereby certify that this instrument was filed for record at the request of Richard W. Eberhardt at 62 minutes past 2 o'clock P..m. this 7 day of Oct., 1997, in my office, and duly recorded in Book of Deeds

Alberta Widenich
Ex-Officio Recorder

By *John Little* Deputy
Fees \$ 3.00

Mail to: Richard W. Eberhardt
P.O. Box 1605
Hanalei, Hawaii 96714

WARRANTY DEED

Order No.:307000523L-C

FOR VALUE RECEIVED \$105,000.00

Michael T. Seltzer, a married man as his sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Suzanne M. Anich, a married woman, dealing with her sole and separate property

whose current address is

2575 Bear Valley Dr. Carlton, MN 55718

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

PARCEL "A"

A PARCEL OF LAND LOCATED IN THE E1/2E1/2NE1/4, SECTION 25, T. 24 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE NE CORNER OF SAID SECTION 25, RUN THENCE SOUTH 00° 02' 03" E. ALONG THE EASTERLY BOUNDARY LINE OF SAID SECTION 25 AND THE BASIS OF BEARING OF THIS DESCRIPTION, A DISTANCE OF 654.44 FT.;

THENCE S. 89° 55' 43" W. A DISTANCE OF 659.37 FT. TO A POINT ON THE WESTERLY BOUNDARY LINE OF THE E1/2E1/2NE1/4 OF SAID SECTION 25; THENCE N. 00° 01' 51" W., ALONG SAID BOUNDARY LINE, A DISTANCE OF 655.07 FT. TO A POINT ON THE NORTHERLY BOUNDARY LINE OF SAID SECTION;

THENCE N. 89° 58' 59" E. ALONG SAID BOUNDARY LINE A DISTANCE OF 659.33 FT. TO THE POINT OF BEGINNING.

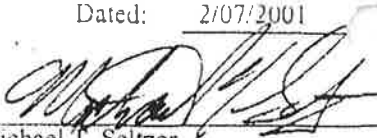
Together with the right to the use of the waters of Little Fourth of July Creek, which commences its flow through the above described property.

Subject to a thirty (30) foot permanent right-of-way for ingress and egress upon the existing roadway. Said permanent road right-of-way shall be free of any gates, or obstructions, however, Grantee shall be permitted to install approved cattle guards in lieu of gates.

Also together with a permanent right-of-way for ingress and egress to the existing roadway, to and from the Big Fourth of July Creek Road. Said permanent right-of-way shall be free of any gates, or obstructions.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

Dated: 2/07/2001


Michael T. Seltzer

State of Idaho
County of Lemhi

SS No. _____

This instrument was filed for record at the request

of Alliance Title

at 3:08 o'clock P.m. 2-13 2001

and duly filmed and indexed in the records of Lemhi
County

Terr J. Morton
Ex-Officio Recorder

By  Deputy

Fee 6.⁰⁰

Return to A.T.

WARRANTY DEED

Order No.:307000523L-C

FOR VALUE RECEIVED \$15,000.00

Michael T. Seltzer, a married man, dealing with his sole and separate property
the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Suzanne M. Anich, a married woman, dealing with her sole and separate property
whose current address is

2575 Bear Valley Dr. Carlton, MN 55718

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

PARCEL "B"

A PARCEL OF LAND LOCATED IN THE E1/2E1/2NE1/4, SECTION 25, T. 24 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NE CORNER OF SAID SECTION 25, RUN THENCE SOUTH 00° 02' 03" E. ALONG THE EASTERLY BOUNDARY LINE OF SAID SECTION 25 AND THE BASIS OF BEARING OF THIS DESCRIPTION, A DISTANCE OF 654.44 FT. TO THE POINT OF BEGINNING;

THENCE CONTINUING S. 00° 02' 03" E., ALONG SAID BOUNDARY LINE, A DISTANCE OF 210.00 FT.;

THENCE S. 89° 55' 43" W. A DISTANCE OF 659.38 FT. TO A POINT ON THE WESTERLY BOUNDARY LINE OF THE E1/2E1/2NE1/4 OF SAID SECTION 25;

THENCE N. 00° 01' 51" W., ALONG SAID BOUNDARY LINE, A DISTANCE OF 210.00 FT.;

THENCE N. 89° 55' 43" E. A DISTANCE OF 659.37 FT. TO THE POINT OF BEGINNING.

Together with the right to the use of the waters of Little Fourth of July Creek, which commences its flow through the above described property.

Subject to a thirty (30) foot permanent right-of-way for ingress and egress upon the existing roadway. Said permanent road right-of-way shall be free of any gates, or obstructions, however, Grantee shall be permitted to install approved cattle guards in lieu of gates.

Also together with a permanent right-of-way for ingress and egress to the existing roadway, to and from the Big Fourth of July Creek Road. Said permanent right-of-way shall be free of any gates, or obstructions.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby warrant that the said premises are not subject to any other liens or encumbrances.

And that (s)he will warrant and defend the same from all lawful claims whatsoever

246396

State of Idaho
County of Lemhi

SS No.

This instrument was filed for record at the request
of Albaine Title

at 3:06 o'clock P m 2-13 2001

and duly filmed and indexed in the records of Lemhi
County

Terri J. Morton
Ex-Officio Recorder

By [Signature] Deputy

Fee 6.00

Return to A.T.

Dated: 2/07/2001

[Signature]
Michael T. Seltzer

WARRANTY DEED

Order No.:307000523L-C

FOR VALUE RECEIVED \$95,000.00

Michael T. Seltzer, a married man, dealing with his sole and separate property

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Suzanne M. Anich, a married woman, dealing with her sole and separate property

whose current address is

2575 Bear Valley Dr. Carlton, MN 55718

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

PARCEL "C"

A PARCEL OF LAND LOCATED IN THE E1/2E1/2NE1/4, SECTION 25, T. 24 N., R. 21 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NE CORNER OF SAID SECTION 25, RUN THENCE S. 00° 02' 03" E., ALONG THE EASTERLY BOUNDARY LINE OF SAID SECTION 25 AND THE BASIS OF BEARING OF THIS DESCRIPTION, A DISTANCE OF 864.44 FT. TO THE POINT OF BEGINNING.

THENCE CONTINUING S. 00° 02' 03" E., ALONG SAID BOUNDARY LINE, A DISTANCE OF 660.60 FT.;

THENCE S. 89° 55' 43" W. A DISTANCE OF 659.42 FT. TO A POINT ON THE WESTERLY BOUNDARY LINE OF THE E1/2E1/2NE1/4 OF SAID SECTION 25;

THENCE N. 00° 01' 51" W., ALONG SAID BOUNDARY LINE, A DISTANCE OF 660.60 FT.;

THENCE N. 89° 55' 43" E. A DISTANCE OF 659.38 FT. TO THE POINT OF BEGINNING.

Together with the right to the use of the waters of Little Fourth of July Creek, which commences its flow through the above described property.

Subject to a thirty (30) foot permanent right-of-way for ingress and egress upon the existing roadway. Said permanent road right-of-way shall be free of any gates, or obstructions, however, Grantee shall be permitted to install approved cattle guards in lieu of gates.

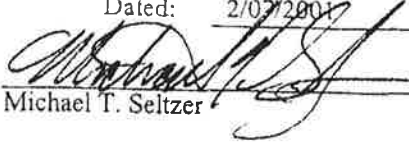
Also together with a permanent right-of-way for ingress and egress to the existing roadway, to and from the Big Fourth of July Creek Road. Said permanent right-of-way shall be free of any gates, or obstructions.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances excepting Current Mortgages, Taxes, and

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

246397

Dated: 2/07/2001


Michael T. Seltzer

State of Idaho
County of Lemhi

SS No.

This instrument was filed for record at the request
of Advance Title

at 3:07 o'clock P.m. 2-13 2001

and duly filmed and indexed in the records of Lemhi
County

Terri J. Morton
Ex-Officio Recorder

By  Deputy

Fee 6.00

Return to A.T.

23.10 август

Date: 02-15-20

Scale: 1 inch = 660 feet File: 0002.dwg

Truck 1	26.50	Acres	99328.6	Sq Feet	4256.42	Sq Meters	0.01
Truck 2	29.91	Acres	12171.5	Sq Feet	10107.4	Sq Meters	0.01
Truck 3	31.79	Acres	13469	Sq Feet	1286.42	Sq Meters	0.01
Truck 4	31.679	Acres	1133.6	Sq Feet	1256.42	Sq Meters	0.01
001	100	Acres	25.24	Sq Feet	2156.42	Sq Meters	0.01
002	80	Acres	325.6	Sq Feet	2156.42	Sq Meters	0.01

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 5, 2001

DALE & SUZANNE ANICH
2575 BEAR VALLEY DR
CARLTON MN 55718

DEAR MR & MRS ANICH:

THE "NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP" FOR
75-10199, 75-11627 HAS BEEN RETURNED FOR THE FOLLOWING ITEM(S):

___ FEE OF \$25.00 PER WATER RIGHT per Idaho Code 42-248 and 42-1409(6)

___ SIGNATURE

☒ COPY OF DEED, TITLE POLICY, CONTRACT OF SALE, OR OTHER
LEGAL DOCUMENT indicating your ownership of the property and water
rights in question, *

___ LEGAL DESCRIPTION OF PROPERTY

___ PLAT OF PROPERTY OR SURVEY MAP (usually on file with the county)

☒ USDA FARM SERVICE AGENCY (FORMERLY ASCS) AERIAL PHOTO
with irrigated acres outlined and point(s) of diversion clearly marked.

* We need the chain of title from Richard Eberhardt to Michael Seltzer. The Lemhi County Assessor, 206 Courthouse Dr., Salmon, ID 83467 (208) 756-3116 should be able to provide you with these deeds. We also need an aerial photo with your property outlined. The USDA Farm Service Agency, 201 N Church, Salmon, ID 83467 (208) 756-4262 should be able to provide this photo.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

JAN 04 1999

Department of Water Resources

December 18, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RICHARD EBERHARDT
PO BOX 1605
HANALEI HI 96714-1605

RE: Snake River Basin Adjudication (SRBA)
Water Rights #75-10199 & A75-11627

Air mail modified.

Dear Water Right Holder:

NCA prepared

01-04-99

Mail recently sent to you was returned to us by the Postal Service. They also advised us your address has changed to the above address. We have enclosed the returned mail.

Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. List any other water rights you have, and return this letter by January 4, 1999. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right referenced above, please call this office toll-free at 1/800-451-4129 to obtain a form to make this required change to the water right record.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Returned Mail

#####

The address is correct as shown above or as otherwise changed.

Claimant Signature

808-826-6217

Telephone No.

POOR ORIGINAL

CONVERSATION MEMORANDUM

DATE

5/24/93

FILE

A15-11621

NAME OF PARTY

Richard Ebenhardt

Renumbered from A75-07145

EMPLOYEE

SPR

RE:

Called Mr. Ebenhardt (808/826-6217). EXPLAINED THAT HIS

IRRIGATION CLAIM IS IN-TACT. THE RISK PROPAGATION AND POWER
GENERATION CLAIM HAS Lapsed - NO LONGER VALID.

IRRIGATION CLAIM IS FILED, RE-NUMBERED AND OK!

[Signature]

MICROFILMED

APR 19 1994

INTER-DEPARTMENT MEMO

TO: Richard EberhardtFROM: Jo Thompson, Secretary

POOR ORIGINAL

SUBJECT: A75-07145 Lapsed PermitDATE: 5-4-93

Mr. Eberhardt: Enclosed is a "copy" of a letter we sent you on 4-12-93. The Notice of Claim you submitted under A75-07145 has been removed to A75-11627 for irrigation of 15 acres. As stated in the letter and highlighted, 75-07145 has lapsed. If you wish to re-instate please follow directions in 2nd paragraph (highlighted).

A copy of A75-11627 is enclosed for your records. If you have questions please call or ask for Ellen Richberg.

() For your information

() Response required

MICROFILMED

APR 19 1994

signature

Jo Thompson

POOR ORIGINAL

49 jo - Please handle this - ⁶⁵
① Give the new claim a new number.
② Correct receipt -
③ Karen Gustafson Baine says he
has not contacted her regarding Power
First reinstatement
Pl. # 25 on 75-10199 Dan the
65 on 75-07145 Jim. the
Need Rec. # to reflect new se
10,000 # Not 07145.

5-3-93

Generated a new
10,000 No. and went into
AR9 and added the new
to the receipt.

Attachment to Notice of Claim to a Water Right
STATE OF CALIFORNIA } ss. dated 4-16-90
COUNTY OF Orange

Staple

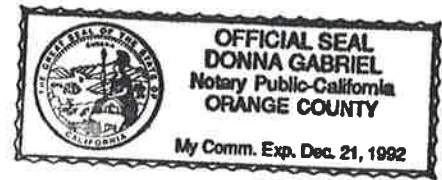
On this 16 day of April, in the year
1990, before me, the undersigned, a Notary Public in
and for said County and State, personally appeared
Richard Eberhardt

personally known to me (or proved to me on the basis of satisfactory
evidence) to be the person is whose name
he subscribed to the within instrument and
acknowledged that he executed the
same.

Signature Donna Gabriel
Donna Gabriel
Name (Typed or Printed)

Notary Public in and for said County and State

POOR ORIGINAL



MICROFILMED
APR 19 1994

FOR NOTARY SEAL OR STAMP

MICROFILMED
APR 19 1994

F2492 R 6/84

CHICAGO TITLE
INDIVIDUAL
Staple

04/03/93 Called Karen Gustafson to inquire if Mr. Eberhardt had contacted her for the Power/Fish reinstatement issue - to date, he has not. *ssm*

APRIL 12 1993

MR RICHARD EBERHARDT
BOX 121
NORTH FORK ID 83466

RE: NOTICE OF CLAIM TO A WATER RIGHT A75-07145

Dear Mr. Eberhardt:

During review of your water right claim, A75-07145, it was noted that you have incorporated the claim to include fish propagation and power generation with a previous irrigation claim. However, Department records show permit 75-07145, for fish propagation and power generation, has lapsed because proof of beneficial use was not submitted on or before the November 1, 1984, deadline. An irrigation claim may not be added to the fish propagation and power generation permit.

In some cases, reinstatement of a lapsed permit is possible. If you intend to pursue the fish propagation and power generation matter you should contact Ms. Karen Gustafson, (208) 327-7953, at the IDWR State Office in Boise.

For your convenience, I have filled out a new Notice of Claim to a Water Right form for your claim to an irrigation right. If you wish to pursue the irrigation portion of the water right and maintain the May 22, 1913, priority date, please review the enclosed form, sign the form in the presence of a Notary Public, and return the entire form to this office by May 3, 1993.

When the completed form is received by this office, signed and Notarized, it will be renumbered for the adjudication and processing of the claim will continue.

If you should have any questions regarding this matter please feel free to contact IDWR at (208) 525-7161.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudications Bureau

Enclosures: Notice of Claim to a
Water Right form-irrigation

File: TIC

MICROFILMED
APR 19 1994

4/11/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME BERNHARDT R.CLAIM IDENT. NO. 75-07145DATE RECEIVED 4/23/90

CK # _____

AMOUNT \$ 65⁰⁰ (+25⁰⁰ add)

YES

NO

Required Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ *
2. Is a priority date entered? ☒ YES ☐ NO ☐ *
- Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ *
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO ☐ *
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ *
- Is the period of use included? ☒ YES ☐ NO ☐ *
- Is a quantity claimed for each use? ☐ YES ☒ NO ☐ *
7. Is a total quantity claimed entered? ☐ YES ☐ NO ☐ ?
8. If required is a consumptive use entered? N/A ☐ YES ☐ NO ☐ ?
- Is the consumptive use correct? N/A ☐ YES ☐ NO ☐ ?
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☐ YES ☒ NO ☐ *
10. Is (are) the place(s) of use and purpose(s) indicated? ☐ YES ☒ NO ☐ *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO ☐ *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO ☐ *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO ☐ *
22. Should this claim be data entered? ☐ YES ☒ NO ☐ *

Claim checked by: ABRDate: 3/13/93Claim must be returned to claimant: ☐ (Yes) ☐ (No)Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by: _____

Claim data entered by: _____

Sent to claimant by: _____

Date: _____

Date: _____

Date: _____

Checked by: _____

Date: _____

Comments: #9 Lists Fish Prop - No mention in #6, check 75-745 - Lapsed - No P.D.

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 75-11627
Date Received: 4/23/90
Receipt No: E013514
Received By:

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

1. Name of Claimant(s)

SUZANNE M ANICH Phone: (218) 384-3447

2575 BEAR VALLEY DR
CARLTON MN USA 55718

DALE A ANICH Phone: (218) 384-3447

2575 BEAR VALLEY DR
CARLTON MN USA 55718

2. Date of Priority: 05/22/1913

3. Source: LITTLE FOURTH OF JULY CREEK Trib. to: FOURTH OF JULY CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	21E	24	SE SE SE	LEMHI	

5. Description of diverting works:

DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	1/01	12/31	0.75	

7. Total Quantity Appropriated is:
0.75 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	21E	25	NE	NE	IRRIGATION	11
			SE	NE	IRRIGATION	4
					Section Acres	15
					Total Acres	15

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Beneficial Use

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: **A75-11627**
Date Received: 5/ 4/1993
Receipt No: E013514
Received By: _____

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

1. Name: RICHARD EBERHARDT 208-865-2462
Address: BOX 121
NORTHFORK ID 83466
2. Date of Priority: MAY 22, 1913
3. Source: LITTLE FOURTH OF JULY CREEK Trib. to: FOURTH OF JULY CREEK
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 24N | 21E | 24 | SE | SE | SE | | LEMHI |
5. Description of diverting works:
DITCHES
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 01/01 | 12/31 | 0.750 | | |
7. Total Quantity Appropriated is:
0.750 C.F.S. (and/or) A.F.A.
8. Total consumptive use is 37.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
24N	21E	25	NE	NE		IRR	11.0
			SE	NE		IRR	4.0

Section Acres 15.0

10. Place of Use: Continued

Total Acres 15.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
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

Reminded to: 5-3-93 Jo
CIVIL CASE NUMBER: 39576

Ident. Number AT5-11627

Date Received

Receipt Number E013514

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 03 1993

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) RICHARD BERHARDT Phone (208) 865-2462

Mailing Address Box 121 Northfork, Idaho Zip 83466

2. Date of Priority (Only one (1) per claim) MAY 22, 1913

3. Source of water supply (a) LITTLE 4th OF JULY CREEK
which is tributary to (b) FOURTH OF JULY CREEK

4. a. Location of existing point of diversion is: Township 24N Range 21E Section 24,
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of LIMHI

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 5/22/1913.

MICROFILMED

APR 19 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 01/01 to 12/31 amount 0.75 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.75 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is ABE 37.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) NONE

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	
24N	21E	25	110			40													150

Total number of acres irrigated 15.0

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

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.

NONE

or None ()

14. Remarks:

MICROFILMED

Copies: White - State, Yellow - Claimant

APR 19 1994

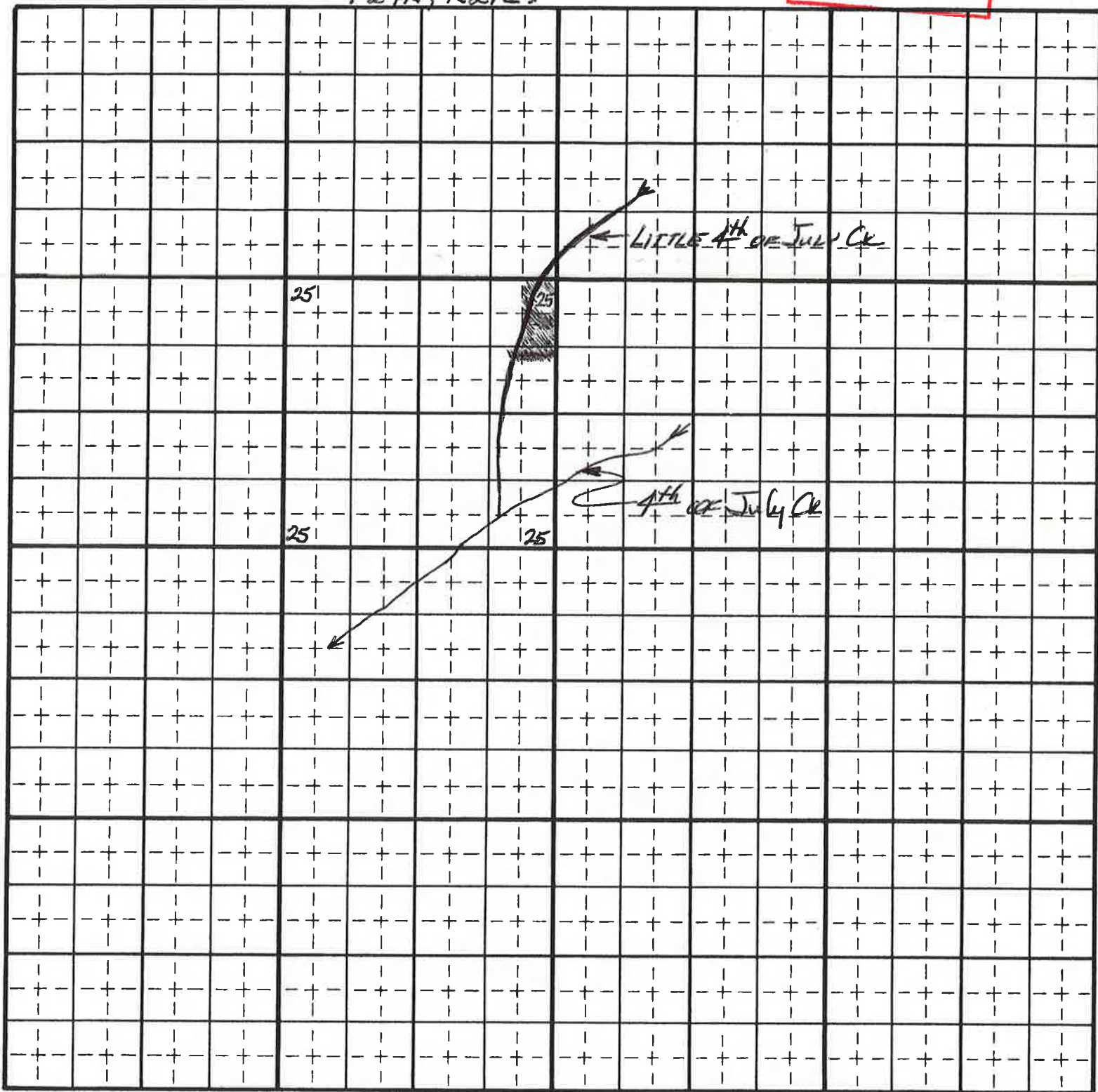
Last Name _____ Ident No. _____

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

T24N, R21E.

POOR ORIGINAL



Last Name _____ Ident No. _____

MICROFILMED
APR 19 1994
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 _____ 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) Richard E. Oberlander

Date APRIL 30, 93

Date _____

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 _____

OK State of ~~Idaho~~ or Hawaii)
County of Kauai) SS.

Subscribed and sworn (or affirmed) before me this 30th day of April 19 93

SEAL

Notary Public [Signature]

Residing at PO BOX 950, Hanalei, HI 96714

My Commission Expires 7-7-93

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

Copies White State Yellow Claimant

APR 19 1994

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

Remembered to A75-116 27/80
CIVIL CASE NUMBER: 39576

Ident. Number A75-7145

Date Received 4-23-90

Receipt Number E013514

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

APR 23 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) Richard Eberhardt Phone 808 865-2462

Mailing Address BOX 1121 NORTH FORK, IDAHO Zip 83466

2. Date of Priority (Only one (1) per claim) MAY 22, 1913

3. Source of water supply (a) LITTLE 4th OF JULY
which is tributary to (b) FOURTH OF JULY

4. a. Location of existing point of diversion is: Township 24N Range 21E Section 24
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of LEMHI

Additional points of diversion if any: EXCAVATED POND

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

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

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, 5/22/1913

EXCAVATED POND ON THE CREEK WITH
24" CMP CUTOUT AND DAM PIPE TO PELTON WHEEL

DAM HEIGHT 8' 4 ACRE FT TOTAL RESERVOIR
CAPACITY 4 ACRE FT. TOWNSHIP 24N. RANGE 21E

DAM MATERIALS, EARTH SECTION 25
NE 1/4 of NE 1/4 of NE 1/4

MICROFILMED

APR 19 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from JAN 1 to DEC 31 amount 0.75 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.75 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 2.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) POWER 4hp. 40 HEAD; FISH PROP. 4 ACRE FT

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>24N</u>	<u>21E</u>	<u>25</u>																	<u>15</u>
<u>11</u>	<u>11</u>	<u>11</u>																	
<u>11</u>	<u>11</u>	<u>11</u>																	

Total number of acres irrigated

15

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

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

EBERHARDT
Eberhardt

Ident No.

75 7145

MICROFILMED

Copies: White, State, Yellow, Claimant

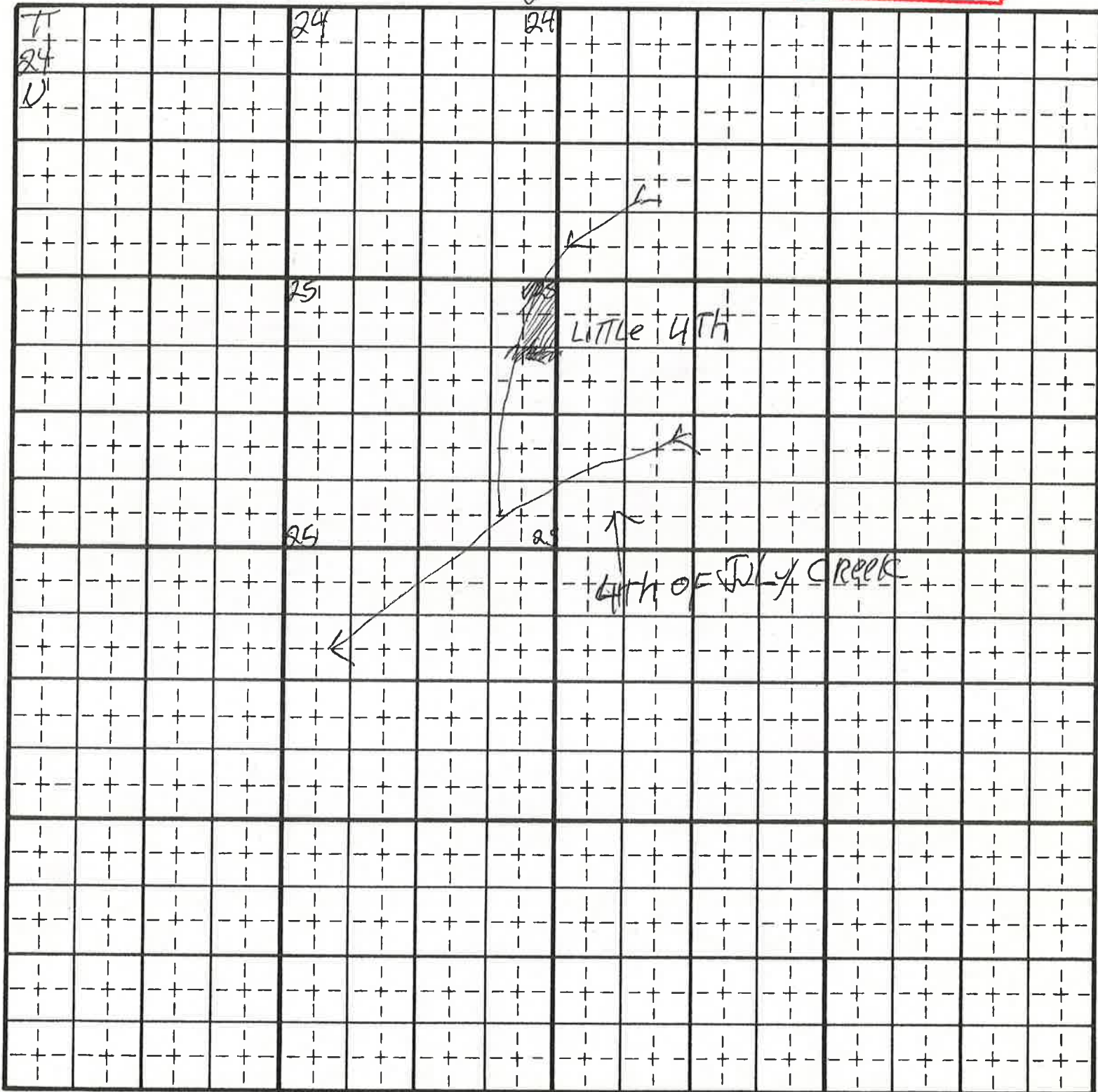
APR 19 1994

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

RANGE 21 E

POOR ORIGINAL



Last Name Eberhardt

Ident No. 75 7145

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) Richard E. Eberhardt Date 4/16/90

Date _____

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

of _____ Title _____
Organization _____, that I have signed the foregoing

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 California)

County of Orange) SS.

Subscribed and sworn (or affirmed) before me this 16 day of April 19 90

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

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 Eberhardt Ident. Number 75-7145

MICROFILMED

Copies **White-State, Yellow-Claimant**

AJ0749NP
No. A75-11627

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 01/04/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RICHARD EBERHARDT PO BOX 1605 HANALEI HI 967141605 (808) 826-6217	05/22/1913	IRRIGATION	01-01 12-31	0.750 CFS	
TOTAL DIVERSION:					0.750 CFS	
CONSUMPTIVE USE:						37.50 AFA

Water Source: LITTLE FOURTH OF JULY CREEK Tributary to: FOURTH OF JULY CREEK Stage: BENEFICIAL USE
Point(s) of Diversion: T24N R21E S24 SESESE LEMHI County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE									
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
24N	21E	25	:	11						04	:										:							:	15.0
TOTAL ACRES																												15.0	

POU County: LEMHI

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN ADDRESS CHANGE BY CLAIMANT LETTER. SS 01/04/99

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag: