

12/11/2006

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

RIGHT NUMBER: 75-14179

NAME AND ADDRESS: CECIL T JACKSON
42 WILD ROSE RD
SALMON ID 83467

JUDITH BAILEY JACKSON
42 WILD ROSE RD
SALMON ID 83467

SOURCE: SOUTH FORK SEVENMILE CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 1.190 CFS

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 06/06/1895

POINT OF DIVERSION:

T20N R22E S20 NENW 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	1.170 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T20N R22E S08	NESE	3.00	T20N R22E S08	NWSE	10.00
T20N R22E S08	SWSE	29.00			

STOCKWATER same as IRRIGATION

42 ACRES TOTAL

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

The quantity of water decreed for this water right for stockwater use 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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

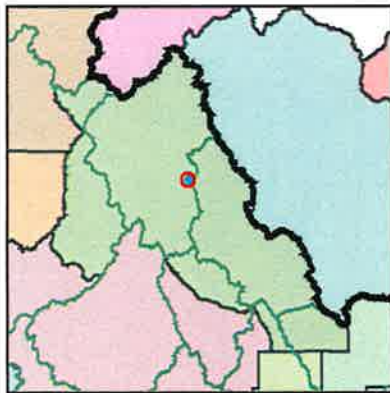
SRBA Recommendation:

75-14179

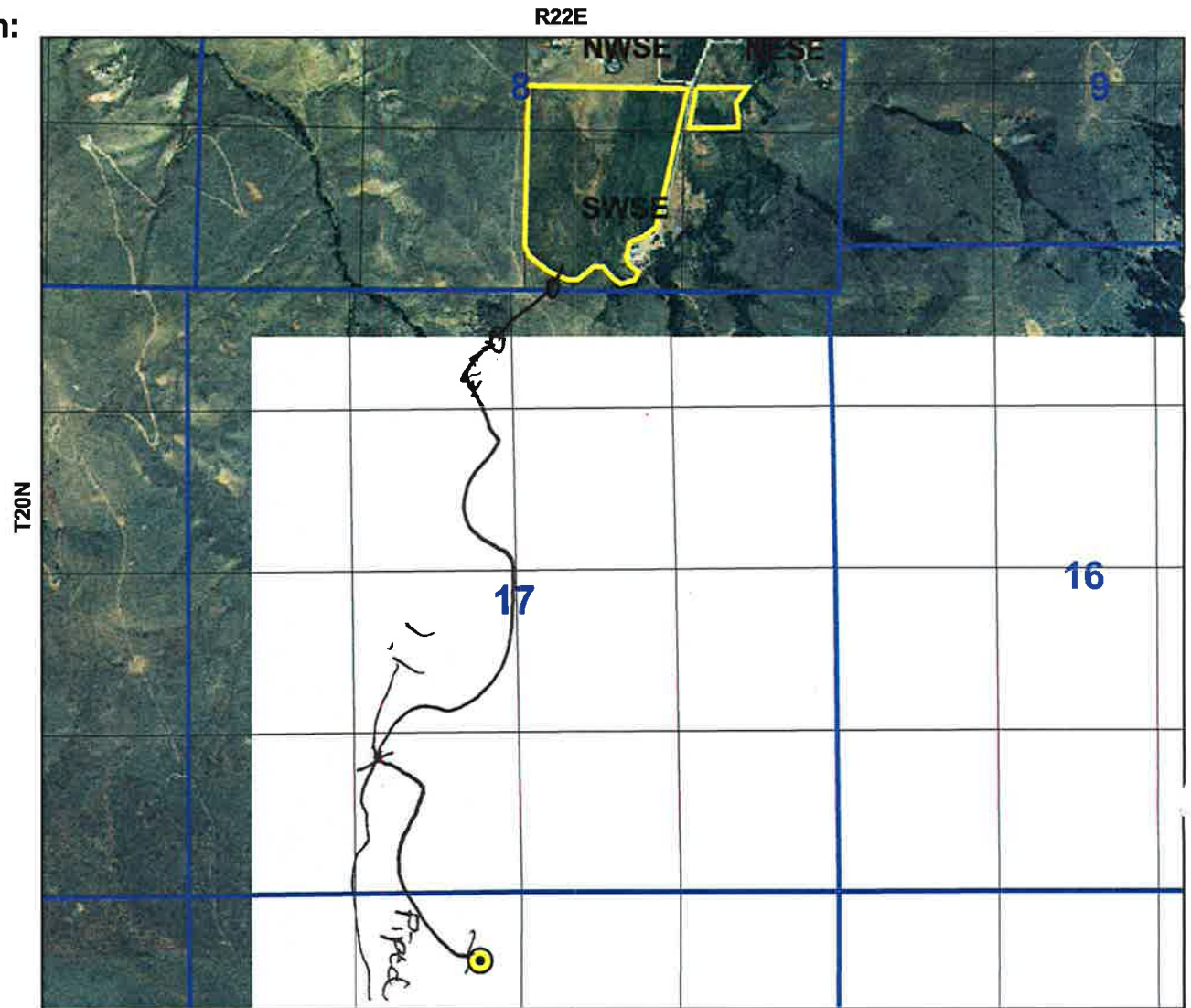
(Irrigation)

Legend

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



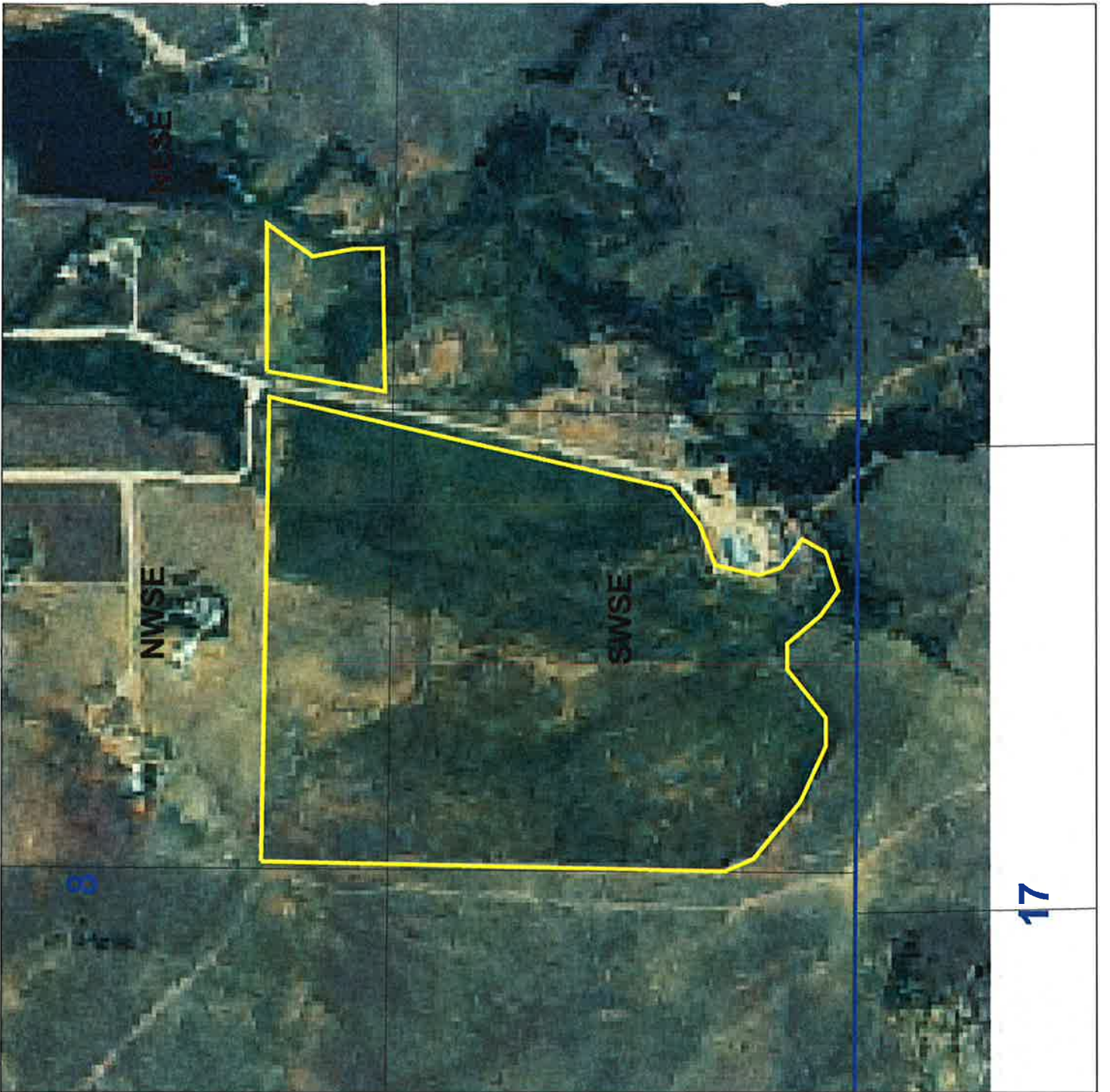
Lemhi County
IDWR Basin 75



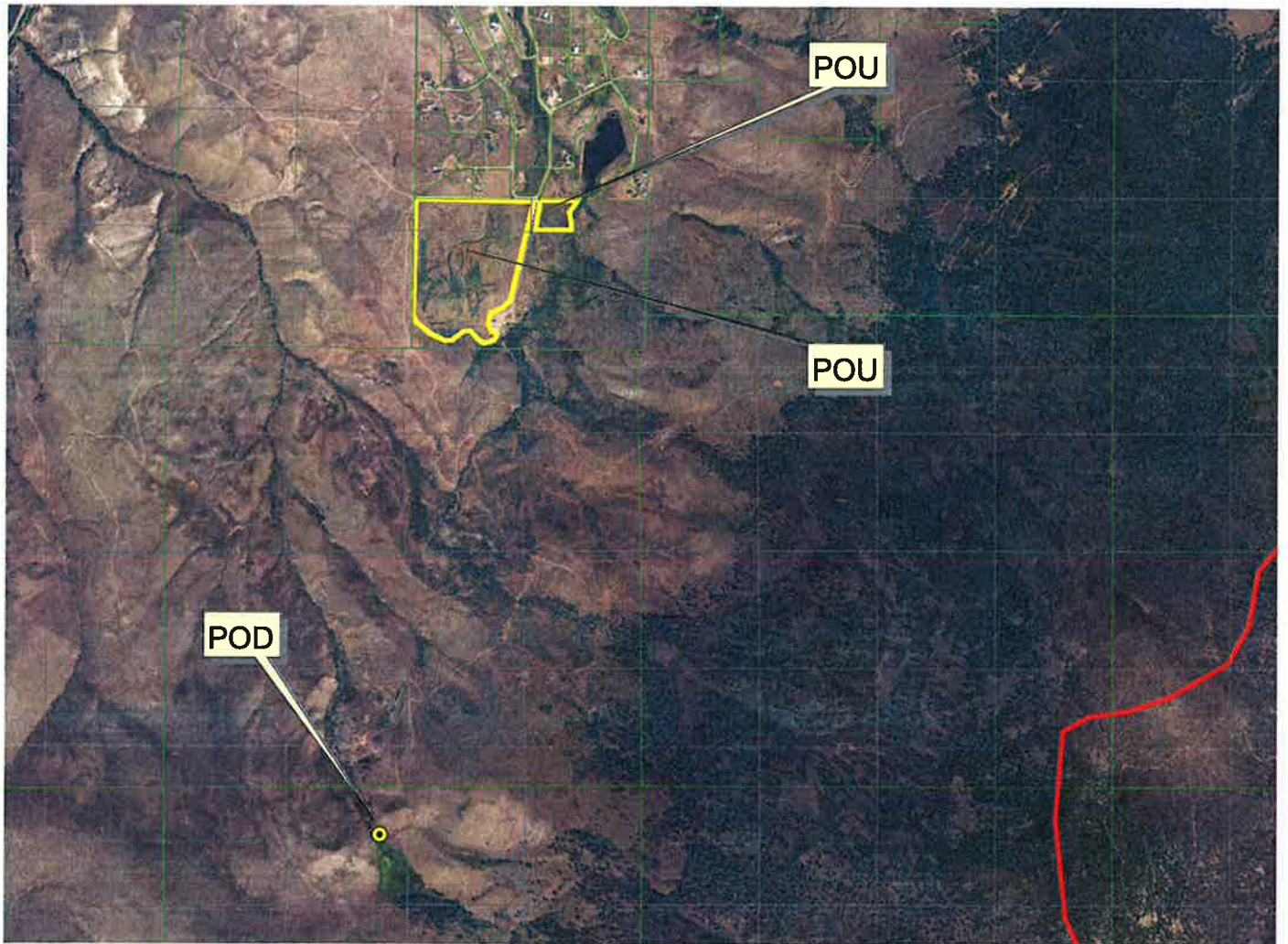
0 0.6 1.2 Miles

Prepared by D. Favreau
On Sunday, November 19, 2006
2004 Aerial Photography

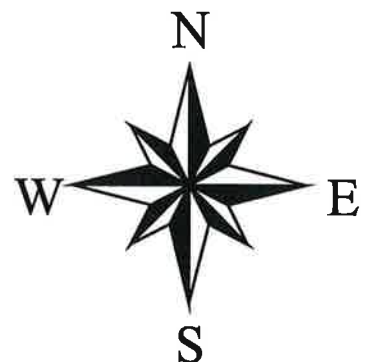
75-14179



75-14179



-  Lemhi taxlots
-  GCDB20N22E GCDB
-  Theme25.shp
-  Theme24.shp
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



**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: December 8, 2006

Water right number: 75-14179

CECIL T JACKSON
42 WILD ROSE RD
SALMON ID 83467
Telephone Number: (208)756-2429

JUDITH BAILEY JACKSON
42 WILD ROSE RD
SALMON ID 83467
Telephone Number: (208)756-2429

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

1. Irrigation diversion allotment
2. Priority date

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

1. Irrigation allotment should include ditch loss, total 1.17 cfs @ ②
2. Priority date should be 6/6/1895 as per documents in file

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

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

DATE: 12/7/06

SIGNATURE: *Cecil T. Jackson*

Please print your name: Cecil T. Jackson



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 11, 2006

Cecil T. Jackson
42 Wild Rose Rd.
Salmon, Idaho 83467

Re: Claim 75-14179

Dear Mr. Jackson:

Enclosed is a new map and a preliminary recommendation reflecting the comments you made on the Notice of Error Reply. Please contact me if the changes are incorrect.

Sincerely,

Keith E. Franklin
Water Resources Agent

Encl/kf

Estimating Conveyance Loss using the Worstell Method

Claim No. 75-14179

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

Where: S = loss in cfs per mile

w = top width of the high water mark in feet

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

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

Worksheet:

w = 3'

i = 2 ft/day

ditch length (mi.) = 5,280' = 1 mile

Conveyance Loss:

$S = (3)(2)(0.0667) = 0.334 \text{ cfs/mile}$

Loss = cfs

$(0.334 \text{ cfs})(1 \text{ mile}) = 0.334 \text{ cfs}$

$4.2 \text{ AC} \times 0.02 \text{ cfs/AC} = 0.84 \text{ cfs}$

ditch loss = $+0.334 \text{ cfs}$

1.17 cfs

Stock water $+0.02 \text{ cfs}$

Total 1.19 cfs

April 16, 1970

Re: Permit No. 10060/75-2041

James H. Tappan
and Patricia H. Tappan
Salmon, Idaho 83467

CERTIFIED MAIL NO.

30045

Dear Mr. and Mrs. Tappan:

It appearing to the State Reclamation Engineer that the terms and conditions of Permit 75-2041 to appropriate the public waters of the State of Idaho, have not been complied with as to ~~failure to~~ submit proof of beneficial use of water due on or before April 10, 1918 you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the State Reclamation Engineer on or before May 26, 1970 why said permit should not be cancelled. Permit 75-2041 claims the use of 3.2 cubic feet per second of water. The point of diversion was to be located in SW 1/4 Sec. 4 & NE 1/4 Sec. 20, R. 20N, E. 22 S., B. M. and the permit was approved April 10, 1914.

State Reclamation Engineer
R. KEITH HIGGINSON

RKH:tg
cc: Sherman F. Furey, Jr.
Professional Building
Salmon, Idaho 83467

CERTIFIED MAIL NO.

30096

75-2041
10060

75-2041
 cancelled due to failure to submit proof of
 beneficial use on or before April 10, 1918.
 432 dr

75-2041
 10060

RKH:tg
 cc: Sherman P. Furey, Jr.
 Professional Building
 Salmon, Idaho 83457

State Reclamation Engineer
 R. Keith Higginson

and the permit was approved April 10, 1914.
 was to be located in SW 1/4 Sec. 20, T. 20N, R. 22E,
 the use of 1.2 cubic feet per second of water. The point of diversion
 why said permit should not be cancelled. Permit claims
 before the State Reclamation Engineer on or before May 1, 1914.
 is hereby held for cancellation, and you are required to show cause
 the provisions of Section 42-311 Idaho Code, as amended, said permit
 you are hereby notified that under
 of the State of Idaho, have not been complied with as to
 conditions of Permit to appropriate the public waters
 It appearing to the State Reclamation Engineer that the terms and

Dear Mr. and Mrs. Furey:
 James P. Furey
 and Patricia H. Furey
 Salmon, Idaho 83457

Idaho State Reclamation Engineer
 10060-21-2041

STATE OF IDAHO
 DEPARTMENT OF RECLAMATION
 STATEHOUSE ANNEX 2
 BOISE, IDAHO 83707
 April 10, 1918



DON EAGLESON

July 31, 1970

Re: Permit No. 10060 (new no. 75-2041)

Mr. Harry F. LeMoyne
1130 Lawndale Drive
Twin Falls, Idaho 83301

Dear Mr. LeMoyne:

We have received the assignment from James H. Tappan to Marion Edmonds. We will place the assignment in the file.

You should be advised that permit no. 10060/75-2041 was cancelled by order on June 15, 1970. A copy of the permit, assignment, and cancellation order are enclosed. The file will be maintained on microfilm should the present owners wish to file evidence of a water right established by diversion and use under Section 42-225a of the Idaho Code, claim to a water right.

Proof of beneficial use cannot be accepted under this permit inasmuch as the permit has been cancelled. At best, the permit now serves as information as to what has transpired so far.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DC

Enc: copy of assignment, permit and cancellation order

75-2041

10060

November 23, 1966

Re: Permit 10060

Sherm E. Furey Jr.
Attorney at Law
Salmon, Idaho

Dear Mr. Furey:

The Bureau of Land Management called our office in reference to the above numbered permit. This permit is in the name of Ellen Gausser. Before they can grant a right of way the permit must be assigned in Mr. Furey's name. We are enclosing an assignment form to be completed and returned to our office with the \$500 recording fee.

This permit was for 3.2 cubic feet per second of a spring and reservoir on Ell Creek. Completion of work was made July 21, 1916 and beneficial use was to have been made April 10, 1918. This was never done so the permit is still valid, however, if beneficial use is made now they would lose one day's priority for each day the beneficial use proofs were late which would mean they would lose all the priority except for about four years.

If Ellen Gausser is not living or it not possible to locate her we could accept a bill of sale or contract of sale if it mentions the water rights in place of the assignment.

If we can be of further assistance in this matter please contact our office.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:kd
Encl: assignment form

10060

Permit 10060

October 12, 1966

RE: Permit 10060
Ellen Ganser

James M. Tappan
Box 1148
Salmon, Idaho

Dear Mr. Tappan:

This is in reply to your letter of October 10, 1966, regarding evidence of a water right.

The permit number you gave was filed by Ellen Ganser for water from a Spring and Reservoir. The spring was in Section 4 and the reservoir was in Section 20. They were to irrigate 180 acres of land in Section 8, all in Township 20 North, Range 22 East, B.M.

This permit had a completion of works but was never put to beneficial use. Also, this permit has never been assigned and is still in the original applicant's name. I don't see how a copy of this permit would prove your rights to use of this water. Unless you can show some legal status indicating where this land was purchased from the original owner. Once this has been established you could prove beneficial use of the water and get a license on the old permit with an advanced priority date.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ajw

10060

January 28, 1960

Re: Permit No. 10460

Carson W. Tolson
Box 1133
Salmon, Idaho

Dear Mr. Tolson:

I, Carl Dandridge, had application for permit to construct reservoirs on 24 and Seven Mile Creeks, and also divert direct flow, for irrigation of the land, Sec. 6, T. 20 N., R. 22 W., S. 4 N. He failed to comply with the provisions of the permit and the permit was cancelled.

The upper end of completion of works for diversion of 3.2 c.f.s., priority March 24, 1911, from 111 Creek in the NE 1/4, Sec. 20 and from a spring in the NW 1/4, Sec. 6, T. 20 N., R. 22 W., S. 4 N. The NE 1/4 of the NW 1/4, Sec. 6, T. 20 N., R. 22 W., S. 4 N. was returned to his office.

Confirmed use of the water would give you a use right which is legal in this state; however, it would be necessary to take action in the District Court to obtain a right dating back to first use of the water.

Any right this office could give would have priority dating from the time the application was received in this office.

Very truly yours,

WALTER H. THOMAS
Deputy State Reclamation Engineer

10060

April 7, 1919.

Re Permit No. 10060.

Mr. W. Beth Daniels,
Salmon, Idaho.

Dear Sir:--

Replying to yours of the 28th ult. would say that proof of beneficial use of water has not been made under the above permit. Notice of this proof was mailed the applicant January 8, 1918, but the letter was returned to this office unclaimed.

Very truly yours,

W. G. SWENHSEN.

State Engineer.

By _____

10060

Date of first receipt at office of State Engineer J. D. A. H. March 21, 1914.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 10060

Recorded in Book 33

Page 10060

Approved April 10, 1914.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

and in the sum of

to be filed on or before

work to begin on or before June 1, 1914

and to continue diligently and uninterruptedly

to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before April 10, 1915.

The whole of said work to be completed on or before April 10, 1916.

Beneficial use of water appropriated in accordance herewith, to be made on or before April 10, 1918.

Witness my hand this 10th day of April, 1914.

F. P. KING,

State Engineer.

Remarks: The Spring water to be appropriated is located in Unsurveyed Government Section 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1955, 1956, 1957, 1958, 1959, 1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102

60 acres of land in Sec 8, irrigated 3.2 cfs

10060

OFFICE OF STATE ENGINEER

PROOF OF COMPLETION OF WORKS

California AFFIDAVIT OF HOLDER

STATE OF ~~Idaho~~

County of **Los Angeles**

Ellen Ganser

} ss.

First: That he is the holder and owner of Permit to Appropriately Use Public Waters of the State of Idaho, No. **10060**, and that his postoffice address is **2197 W. 30 St. Los Angeles** State of **California**

Second: That the name of the stream from which said water is to be diverted is **Elk Creek**

Third: That the point of diversion of said water is **Spring SW¹/4 Sec. 4, and Reservoir NE¹/4 Sec. 20, all in Tp. 20 N. R. 22 E. B.M.**

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by **April 10th, 1916**

Fifth: That the use for which said water is intended is **irrigation**

Sixth: That on the date above mentioned, the works constructed under said permit were ~~not~~ fully completed and consisted of the following:

Ditch and Reservoir

I. Kind of work:

(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam _____ feet, length of dam at top _____ feet, length of dam at bottom _____ feet. Material used in construction _____

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir **10** acre feet.

(c) Size of headgate: Width _____ feet, height _____ feet.

(d) Kind **ditch** width at bottom **2** feet, width at water line **3** feet, depth of water **1** feet; diameter of pipe _____ inches.

(State whether ditch, flume or pipe)

Average grade per mile is **10** feet. Length of conduit is **1 1/2** miles.

Seventh: That said works are capable of conducting to the place of intended use **3.2** second feet of water.

Eighth: That the area appropriated under said permit is available for **160** acres of land described as follows: **N¹/4, SW¹/4 and NW¹/4 Sec. 8 Tp. 20 N. R. 22 E. B.M.**

Ninth: Remarks: That **said works are fully completed.**

Ellen Ganser
(Sign here)

Subscribed and sworn to before me this **20th** day of **July**, 191**6**

My commission expires **September 20, 1916**

J. H. Ganser
Notary Public

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

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

RECEIVED
SEP 09 2004
 Department of Water Resources

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

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	<u>75-4029</u>	☐	<u>75-14179</u>		☐
	<u>75-4173</u>	☐			☐
		☐			☐
		☐			☐
		☐			☐

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) William R. & Gloria J. Stigall
Salmon ID 83467
4. New Owner/Claimant(s) Cecil & Joann Bailey Jackson
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
- New Mailing Address 42 Wild Rose Road
- City, State and ZIP Code Salmon ID 83467
- New Telephone Number (208) 753-2429
5. Date you acquired the property 8-6-2004

SCANNED
OCT 27 2004

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

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

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

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

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____	AJ Date _____	WR _____ Date _____

SCANNED
OCT 27 2004

WARRANTY DEED

For Value Received WILLIAM R. STIGALL AND GLORIA J. STIGALL,
HUSBAND AND WIFE

the grantor s, do hereby grant, bargain, sell and convey unto CECIL JACKSON AND
JUDITH BAILEY-JACKSON, HUSBAND AND WIFE, A/K/A CECIL T. JACKSON & JUDITH A.
42 WILD ROSE ROAD BAILEY-JACKSON, HUSBAND AND WIFE.
SALMON, IDAHO 83467
the grantee s, the following described premises, in Lemhi County Idaho, towit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor s do hereby covenant to
and with the said Grantee s, that t he y are the owner s in fee simple of said premises; that they
are free from all incumbrances

and that t he y will warrant and defend the same from all lawful claims whatsoever.

Dated: AUGUST 6, 2004

William R. Stigall
WILLIAM R. STIGALL

Gloria J. Stigall
GLORIA J. STIGALL

STATE OF IDAHO, COUNTY OF LEMHI

On this 6TH day of AUGUST, 2004
I, a Notary Public in and for said State, personally
appeared WILLIAM R. STIGALL AND GLORIA J.
STIGALL

known to me to be the person s whose name s are
subscribed to the within instrument, and acknowledged
to me that they executed the same.

Residing at SALMON
Comm. Expires 10-6-05

Notary Public
, Idaho

STATE OF IDAHO, COUNTY OF LEMHI

I hereby certify that this instrument was filed for re-
cord at the request of LEMHI TITLE

at 19 minutes past 2 o'clock P. M.,
this 9 day of August
2004, in my office, and duly recorded in Book
of Deeds at page

Ken J. Morton
Ex-Officio, Recorder

By Shirley A. Hutchings Deputy.
Fees \$ 600
Mail to: LT

INSTRUMENT NO.

259684

LEMHI TITLE & ABSTRACT — SALMON, IDAHO

SCANNED
OCT 27 2004

WADE SURVEYING

P.O. Box 1175
Salmon, Idaho 83467

Phone (208) 756-3070

October 5, 2000

EXHIBIT "A"

A parcel of land located in the SE 1/4, Section 8, T. 20 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Beginning at the SE Corner of said section from which the E 1/4 Corner of said section bears N 01°07'49" E 2600.74 ft., the Basis Of Bearing of this description, run thence N 89°24'04" W along the southerly boundary of said section a distance of 2469.11 ft. to the SE corner of Adams Cemetery;

Thence N 00°50'14" E along the easterly boundary of said cemetery a distance of 147.58 ft.;

Thence N 89°24'04" W along the northerly boundary of said cemetery a distance of 147.58 ft. to a point on the north-south centerline of said section;

Thence N 00°50'14" E along said line a distance of 1539.72 ft. to the SW corner of Sunset Heights Subdivision Unit No. 1;

Thence the following courses and distances along the southerly boundary of said subdivision;

S 89°24'31" E 649.12 ft.; S 89°22'41" E 420.96 ft.;

S 89°22'20" E 307.32 ft.; S 89°25'34" E 400.09 ft.;

S 89°19'35" E 183.03 ft.; S 89°21'32" E 664.80 ft. to a point on the easterly boundary of said section;

Thence S 01°07'49" W along said boundary a distance of 1686.57 ft. to THE POINT OF BEGINNING.

SUBJECT TO: A 20 ft. existing water line right-of-way for Sunset Heights Water Company.

SUBJECT TO: A 30 ft. wide easement for ingress and egress, 15 ft. on either side of the following described centerline:

Commencing at the S 1/4 corner of said Section 8 run thence N 00°50' 14" E along the north-south centerline of said section 8 a distance of 147.58 ft. to the northwest corner of Adams Cemetery; Thence S 89°24'04" E along the northerly boundary of said cemetery a distance of 15.00 ft. to the POINT OF BEGINNING;

Thence N 00°50'14" E a distance of 1474.94 ft.;

Thence 78.33 ft. along a curve to the right having a central angle of 89°45'15", a radius of 50 ft.;

Thence S 89°24'31" E a distance of 584.39 ft.;

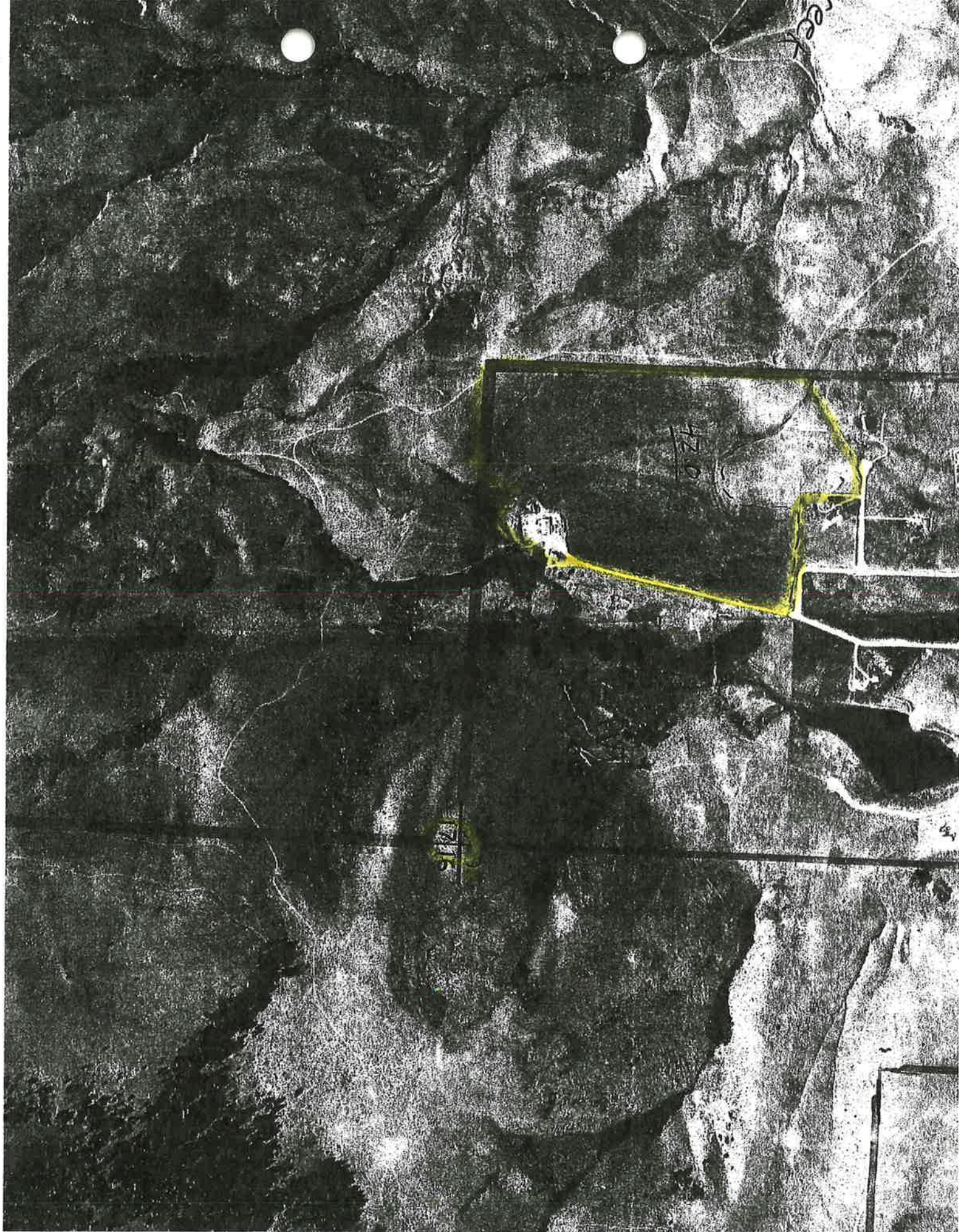
Thence S 89°22'41" E a distance of 420.95 ft.;

Thence 23.56 ft. along a curve to the left having a central angle of 89°59'39", a radius of 15.00 ft. to a point on the southerly boundary of Sunset Heights Subdivision Unit No. 1.

SUBJECT TO: A right of ingress and egress per Gift of Ownership recorded October 6, 2000, under Instrument No. 245479 and re-recorded October 11, 2000, under Instrument No. 245480, records of Lemhi County, Idaho.

SCANNED

OCT 27 2004



SCANNED

OCT 27 2004

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-14179

Date Received 8-8-05

Receipt Number

d.o. as 8-15-05

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

Please type or print clearly

1. Name of Claimant (s) Cecil T. Jackson and
Judith Bailey Jackson Phone (208) 756-2429

Mailing Address 42 Wild Rose Rd., Salmon, ID Zip 83467

2. Date of Priority (Only one (1) per claim) February 12, 1902

3. Source of water supply (a) South Fork Sevenmile Creek
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 20N Range 22E Section 20,
NE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of Lemhi

Additional points of diversion if any:

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

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

Govt. Lot B.M., County of

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

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

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Earthen dam, 10-inch pipeline for 2,000 feet
into a ditch for 3,500 feet, then to a 4-inch buried pipeline for 1,800 feet to the
place of use.

SCANNED

AUG 08 2005

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For Irrigation purposes from 4/01 to 11/01 amount 2.500 or

For Stockwater purposes from 1/01 to 12/31 amount .030 or

For purposes from to amount or

For purposes from to amount or

7. Total quantity claimed (a) 2.500 (cfs) and/or (b) (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 15 Horses

10. Description of place of use:

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

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
20N	22E	08													2.0				2.0
20N	22E	08															28.0		28.0
20N	22E	08														12.0			12.0

Total number of acres irrigated 42

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

12. Do you own the property listed above as place of use? Yes XX 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.
No. 75-4173 or None ()

14. Remarks:

Last Name

Jackson

Ident No.

75-4179

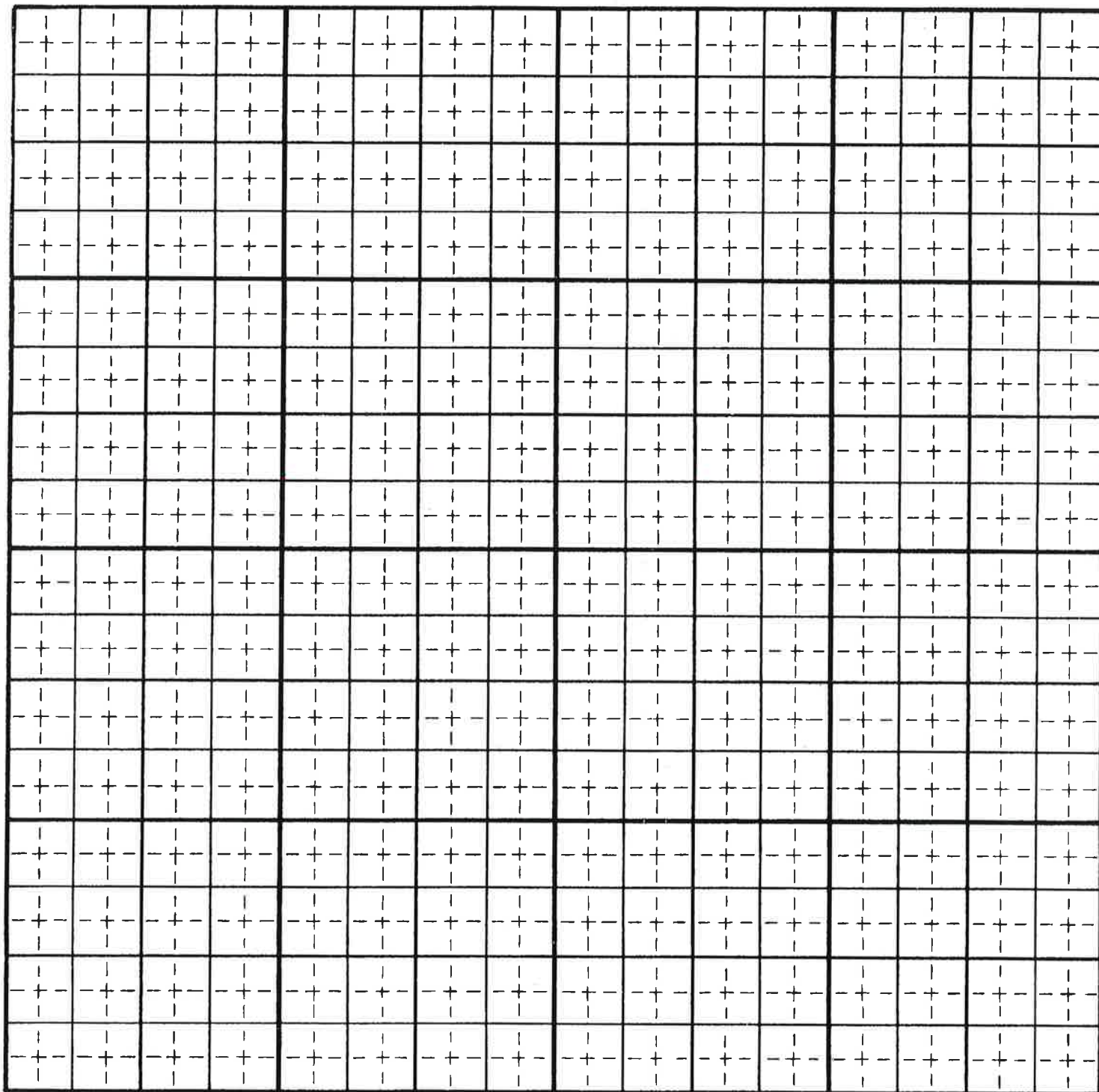
SCANNED

AUG 08 2005

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

Scale: 2 inches equals 1 mile

A map or aerial photograph required is attached to the original Claim to a Water Right, which is on file with the IDWR.



Last Name

Jackson

Ident No.

75 14179

SCANNED

AUG 08 2005

15. Basis of Claim (check one) Beneficial Use XX 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 XX
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) David A. Bailey-Jackson Date 8/4/05

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 _____

State of Idaho/or IDAHO)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 4th day of August 2005



Notary Public Susan E. Ziegler

Residing at Salmon, Idaho

My Commission Expires 9-4-2005

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 Jackson Ident. Number 75-14179

SCANNED

AUG 08 2005

Notice of Water Right.

State of Idaho } ss. To all concerned;
County of Lemhi }
Notice is hereby given:

1st That I McElister Sanford of Lemhi County, State of Idaho, hereby claim the use of the waters of Timber Creek, which flows into the south side of Salmon River within the limits of section No. 7, in Township 20 North of Range 22 East of Boise meridian, to the extent of five (5) cubic feet per second.

2nd. It is intended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: A point on said Timber Creek about one mile in a southerly direction from the South east corner of section 8 in Township 20 North of Range 22 East of Boise meridian.

3d. The said water is intended to be used for irrigation and domestic purposes. The place of intended use is upon the S. E. $\frac{1}{4}$ N. E. $\frac{1}{4}$ and the E. $\frac{1}{2}$ S. E. $\frac{1}{4}$ and the S. W. $\frac{1}{4}$ S. E. $\frac{1}{4}$ of section 8 T. 20, N. R. 22, E. of Boise Meridian.

4th. It is intended to divert said water by means of a dam and ditch of suitable height and dimensions to hold and carry said water. The general course of the proposed canal or ditch is nearly north from the point of diversion. The length of the proposed canal is about one and one half miles. It is intended to use said water for irrigating the above described land; and for domestic purposes.

5th. It is intended to have the works for diversion and use of said water as aforesaid completed within two years. Witness my hand at Lemhi County, State of Idaho, this sixth day of June 1895.

McElister Sanford
Claimant.

State of Idaho } ss. McElister Sanford being first duly sworn, deposes and says that he is of lawful age and the claimant of the Water Right mentioned in the foregoing notice and whose name is subscribed Thereto. That the statements in said notice are true, and that the original notice, of which the foregoing is a true copy, was posted in a conspicuous place at or near the place of intended diversion, on the 6th day of June 1895.

Subscribed and sworn to before me this 8th day of June 1895,
(Seal) McElister Sanford.
Chas. Elder,
Notary Public.

State of Idaho } ss. I hereby certify that this instrument was filed for record at request of McElister Sanford, at 8 o'clock A.M., this 5th day of July A.D. 1895, in my office and

SCANNED

AUG 18 2005

Homestead. file No 1002.

Application 1311.

The United States of America

To all to whom these Presents shall come greeting.

Whereas, There has been deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Boisey, Idaho, whereby it appears that, pursuant to the Act of Congress, approved 20th May, 1862, "To secure Homesteads to actual settlers on the Public Domain and the acts supplemental thereto, the claim of M^r Elester Sanford has been established and duly consummated in conformity to law, for the South East quarter of the North East quarter, the East half of the South East quarter, and the South West quarter of the South East quarter of Section eight in Township Twenty, North of Range, Twenty Two East of Brine Meridian in Idaho, containing one hundred and sixty acres, according to the Official Plat of the Survey of the said Land, returned to the General Land Office by the Surveyor General, now known by, that there is, therefore, granted by the United States unto the said M^r Elester Sanford, the tract of Land above described, to have and to hold, the said tract of Land, with the appurtenances thereof, unto the said M^r Elester Sanford, and to his heirs and assigns forever, subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws and decisions of courts, and also, subject to the right of ^{the} proprietor of a vein or lode, to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted (as provided by law.) And there is reserved from the lands hereby granted, a right of way thereon, for ditches or canals, constructed by the authority of the United States.

In testimony whereof, I Theodore Roosevelt, President of the United States of America, have caused these letters to be made Patent and the seal of the General Land Office to be hereunto affixed. Given under my hand at the City of Washington, the twelfth day of February, in the year of our Lord, one thousand nine hundred and two, and of the Independence of the United States the one hundred and twenty sixth.

By The President T. Roosevelt

Seal

By

F. M. M^r Kean

Secretary.

C. M. Bush - Recorder of the General Land Office.

Recorded Idaho.

Vol. 28, page 150.

Recorded at the request of Thomas Elder
R. H. Mores, R. S. at 10 minutes past 2 o'clock
of A. M. in Book R of Deeds on page 775
Lemhi County, Idaho.
J. P. Elder, County Recorder. By Deputy.

SCANNED

AUG 8 2005

JORDAN P. SMITH
CHARTERED
ATTORNEY AT LAW
807 MAIN STREET
SALMON, IDAHO 83467
208-756-2257
TELEFAX (208) 756-4626

RECEIVED
AUG 08 2005
DEPARTMENT OF
WATER RESOURCES

RECEIVED
7/29/05
R. Foster

July 29, 2005

Robert Foster
Idaho Department of Water Resources
206 Van Dreff
Salmon, ID 83467

Re: Water Right Nos. 75-4173 and 75-14179
Cecil T. Jackson
Judith Bailey Jackson
42 Wild Rose Rd.
Salmon, ID 83467

Dear Mr. Foster:

Please be advised that I represent Mr. and Mrs. Jackson, who have requested that I assist them in establishing their claims to the above-named water rights. I will address the status of both water rights, as follows:

Water Right No. 75-14179

Enclosed please find an Amended Claim to a Water Right, dated July 29, 2005. The amended claim is identical to the original claim, except that it claims a priority date of February 12, 1902, instead of March 21, 1914. In support of this claim, I am attaching the following:

1. Notice of Water Right signed by McElister Sanford on June 6, 1895, and recorded on July 5, 1895 in the records of the Lemhi County, Idaho, Recorder.
2. Homestead Certificate No. 1002, recorded on March 25, 1902 in Book K of Deeds on page 475, records of Lemhi County, Idaho.

Water Right No. 75-4173

Applicants are in the process of contacting a prior owner of the property to obtain an affidavit and possibly photographs of the dam that provides for the storage use

SCANNED

AUG 08 2005

Page 2
Robert Foster
July 29, 2005

requested in this Claim to a Water Right. It is anticipated that said evidence will be obtained and submitted to the IDWR within thirty (30) days.

I trust that this sets forth the current status of both claims, but please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jordan P. Smith".

Jordan P. Smith

JPS:sez

Enclosures

cc: Mr. and Mrs. Cecil T. Jackson

SCANNED

AUG 08 2005

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 75-14179
Date Received: 04/25/1990
Receipt No: M006731
Received By: EMC

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

1. Name of Claimant(s)

CECIL T JACKSON Phone: (208)756-2429
JUDITH BAILEY JACKSON Phone: (208)756-2329
42 WILD ROSE RD
SALMON ID USA 83467

2. Date of Priority: 03/21/1914

3. Source: SEVENMILE CREEK SOUTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
20N	22E	20	NE NE NW	LEMHI	

5. Description of diverting works:

HEADGATE AND 2.5 MILES OF OPEN DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.5	
STOCKWATER	1/01	12/31	0.03	

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

8. Total consumptive use:

9. Non-irrigation uses:

See claim 75-14180

10. Place of use:

Township	Range	Section	1/4	of 1/4	Lot	Use	Acres
20N	22E	8	NE	SE		IRRIGATION	2
			NW	SE		IRRIGATION	12
			SW	SE		IRRIGATION	28
						Section Acres	42
						Total Acres	42

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: Statutory Claim