03/22/2005

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-14181

NAME AND ADDRESS: THOMAS BRENT RILEY
302 LOMBARD ST
SALMON ID 83467

SOURCE: SPRING TRIBUTARY: SINKS

QUANTITY: 0.020 CFS

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

PRIORITY DATE: 05/03/1913

POINT OF DIVERSION:

T25N R20E S29 NWSWNW Within LEMHI County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: DOMESTIC Within LEMHI County

T25N R20E S29 SWNW

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: Beneficial Use

Property is also known as HES 366.

Form No. 42-1409 (2) b 6/89

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FEB 11 2005
DEPARTMENT OF WATER RESOURCES

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

CIVIL CASE NUMBER: 39576

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

Identification No. 75-14181
Date Received 2-11-05
Receipt Number 0076729

NOTICE OF CLAIM TO A WATER RIGHT

d.e. 2-18-05

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee $25

Please type or print clearly

1. Name of Claimant (s) THOMAS BRENT RILEY Phone (208) 756-6543
   Mailing Address 302 LOMBARD ST. SALMON, ID Zip 83467
2. Date of Priority (Only one per claim) 05/03/1913 Month/Day/Year
3. Source of water supply (Check one) (X) Groundwater or Other ( ) (a) _____ Name or kind of source
   which is tributary to (b) N/A
4. Location of point of diversion is: Township 25N Range 20E
   Section 29, NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____, BM.,
   County of LEMHI
   Additional points of diversion if any: _____
5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. INSTALLED NEW 2'X2'X3' SPRING BOX IN 1988
6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
   For DOMESTIC purposes from JAN. 1 (Month/Day) to DEC. 31 (Month/Day) (Both dates are inclusive) amount .02 cfs (cfs)
   For _____ purposes from _____ to _____ amount _____
7. Total quantity claimed .02 (cfs)
8. Total consumptive use claimed is *de minimus*
9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) SERVES ONE HOUSEHOLD

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10. Place of use is: Township: 23N Range 20E

Section 29, SW 1/4 of NW 1/4, Govt. Lot _____, B.M.,

for (Circle One) (Domestic) Stock Domestic and Stock

Additional places of use, if any _____

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 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.
(X) None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) (Beneficial Use) Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

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

Number of Attachments _____

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

Signature of Claimant (s) Tom Riley Date 02/08/2005

_____ 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 _____ Date _____

Title and Organization _____

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

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 8th day of Feb. 2005

SEAL — ROBERT E FOSTER NOTARY PUBLIC STATE OF IDAHO

Notary Public Robert E Foster

Residing at Salmon Id.

My Commission Expires 2-16-07

Last Name Riley Ident No. 75-14181

Copies: White-State, Yellow-Claimant

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FEB 18 2005

Tom Riley
302 Lombard Street
Salmon, Idaho 83467

February 8, 2005

Dennis Dunn

State of Idaho
Department of Water Resources

Dear Dennis:

According to the documentation at the BLM office in Salmon H.E.S. 366 was applied for on 05/03/1913. According to the documentation at the Lemhi County Courthouse the land was deeded to Fred Bevan Jr. on 10/24/1936.

I believe the original homestead cabin utilized "Haydad" spring which I recently applied for a permit for in 1913.

Sincerely,

Tom Riley

Tom Riley

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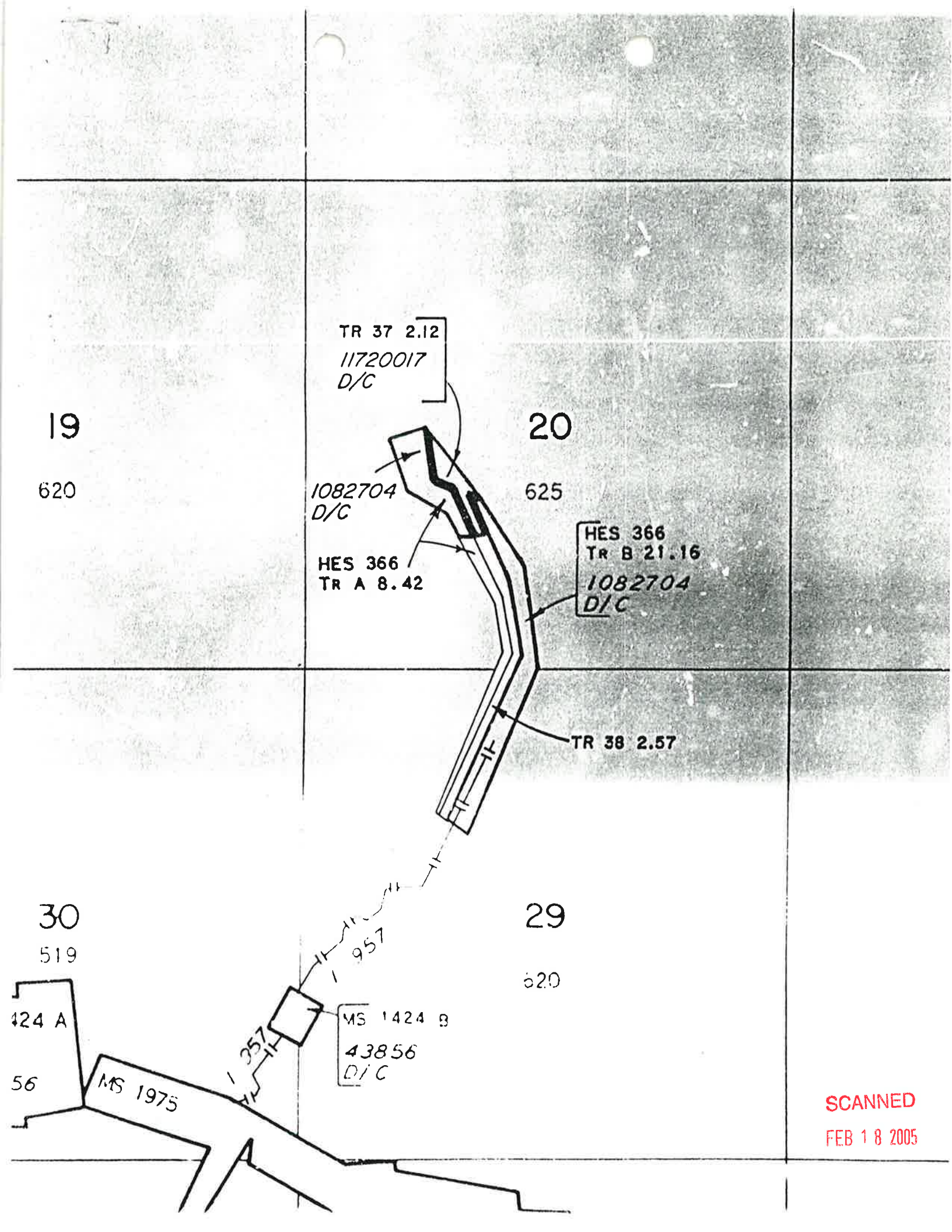
FEB 1 8 2005



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IDI 08134	05/23/1957		Det completed 12/22/1960; All NF surface Mgmt by USFS
11660191	05/17/1966		IDI 016082
IDI 3233	09/31/1969		Located by protraction in Sec 20; Pat 11720017, 08/12/1971
IDI 4025	02/26/1971	03/01/1971	Pat 11780014, 01/27/1978
IDI 3233	07/31/1971		Located by protraction in Secs 20 and 29
11720017	08/12/1971		IDI 3233; Located by protraction in Sec 20
11780014	01/27/1978		IDI 4025
IDI 32699		06/23/1998	R/W Granted 02/01/1912; 44 LD 513

	All					
	All					
	All					
	All					
	All; 23N 15E		Det PL 167 Act of Cong 07/23/1955	IDI 08134	05/23/1957	
	MS 3467; 26N 20E	93.09	ME Pat	11660191	05/17/1966	
		2.12	FX Apln	IDI 3233	09/31/1969	
	M&B; 24N 21E		FX Apln	IDI 4025	02/26/1971	03/01/1971
	M&B					
	M&B					
	M&B					
	M&B		FX WD to US	IDI 3233	07/31/1971	
	Tr 37					
	Tr 37	2.12	FX Pat	11720017	08/12/1971	
	Tr 39; 24N 21E	12.95	FX Pat	11780014	01/27/1978	
	Subdiv Und; 25N 21E		R/W Rd	IDI 32699		06/23/1998
					2	

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		MS 1424 A, B		71.642	ME Pat	43856	8/10/1906
			5N 27E		Proc Wdl Lemhi Forest Res		11/5/1906
		MS 2125		102.094	ME Pat	45452	6/22/1907
		MS 1805	24N 20E	19.941	ME Pat	45451	1/20/1908
			17N 20E		EO Trf Lemhi NF Proc 11/5/1906		
					to Salmon NF	841	6/26/1908
			M&B		R/W Pipe Line	1 957	7/1/1912
		HES 366	26N 20E	27.17	HE	H 013162	5/3/1913
		HES 277	25N 21E	29.67	HE Pat	645192	8/21/1918
X	X						
X	X		2N 40E	800.00	IL Base	20	12/27/1919
			12S 33E	400.00	IL Base	33	9/29/1922
			24N 1W	80.00	IL Base	40	3/7/1925
			All				
			All		SG	Act of Cong	1/25/1927
		HES 366	26N 20E	27.17	HE	BL 045931	6/23/1931
		HES 366		29.58	HE Pat	1082704	4/14/1936
			All				
			All				
			All				
			All				
			All				
			All				

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			MC 593
	11/5/1906		Chg to Lemhi NF Act 3/4/1907; Trfd EO 841 6/26/1908
45452	6/22/1907		MC 607
45451	1/20/1908		MC 606
841	6/26/1908		
I 957	7/1/1912		
H 013162	5/3/1913		Canc 10/7/1918; Located by protraction in Secs 20 & 29
645192	8/21/1918		H 010692
20	12/27/1919		
33	9/29/1922		
40	3/7/1925		
Act of Cong	1/25/1927		Extends Act 7/3/1890 to Min lands, Subj to prior rights
E 045931	6/23/1931		Rel 10/19/1932; Located by protraction in Secs 20 & 29
1082704	4/14/1936		BL 046502; Located by protraction in Secs 20 & 29; Partially Recon 7/31/1971

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Instrument No. 46792

Blackfoot 046502.

THE UNITED STATES OF AMERICA
TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that, pursuant to the Act of Congress of May 20, 1862, "To Secure Homesteads to Actual Settlers on the Public Domain," and the acts supplemental thereto, the claim of Fred Bevan, Junior, has been established and duly consummated, in conformity to law, for the land included in H. E. Survey No. 366, embracing a portion of, approximately, Section six in Township twenty-five north of Range twenty east of the Boise Meridian, Idaho, containing twenty-nine acres and fifty-eight hundredths of an acre, according to the Official Plat of the Survey of the said Land, on file in the GENERAL LAND OFFICE:

NOW KNOW YE, That there is, therefore, granted by the UNITED STATES unto the said claimant the tract of Land above described;

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

IN TESTIMONY WHEREOF, I, Franklin D. 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 FOURTEENTH day of APRIL in the year of our Lord one thousand nine hundred and THIRTY-SIX and of the Independence of the United States the one hundred and SIXTIETH.

((SEAL))

By the President: Franklin D. Roosevelt
By Louise Polk Wilson, Secretary

R. S. Clinton
Acting Recorder of the General Land Office.

RECORDED: Patent Number 1082704

Recorded at the request of Fred Bevan Jr., November 24th, 1936 at 18 minutes past 11 o'clock A. M., in Book 32 of Deeds page 470 Records of Lemhi County, Idaho.

W. W. Simmonds
County Recorder

By _____
Deputy

Fee: $1.00

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Accession/Serial #: 1082704 **BLM Serial #:** IDBL 0046502

Note: This record has not been checked against the Legal Land Patent. We don't have an electronic image for this document.

Names

Patentee: FRED JR BEVAN

Survey

State: IDAHO
Acres: 8.42
Metes/Bounds: No

Title Transfer

Issue Date: 4/14/1936
Land Office: Blackfoot
Cancelled: No
U.S. Reservations: Yes
Mineral Reservations: No
Authority: May 20, 1862: Homestead EntryOriginal (12 Stat. 392)

Document Numbers

Accession/Serial Nr.: 1082704
BLM Serial Nr.: IDBL 0046502

Aliquot Parts	Sec./ Block	Township	Range	Fract. Section	Meridian	State	Counties	Survey Nr.
	20/	25-N	20-E	No	Boise	ID	Lemhi	
	29/	25-N	20-E	No	Boise	ID	Lemhi	

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FEB 1 8 2005