

RECEIVED

JUN 01 2015

WATER RESOURCES
WESTERN REGION

RECEIVED

Amended Application

NOV 30 2015

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

Ident. No. 77-14361

1. Name of applicant(s) Salmon River Tours Co. Phone 208-865-2375
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 7 City North Fork
 State Idaho Zip 83466 Email _____

2. Source of water supply Lemhi Creek which is a tributary of Salmon River

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
25N	9E	29			SW	SW	Idaho	Lemhi Creek	

4. Water will be used for the following purposes:

Amount 0.01 for Irrigation purposes from 3/15 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 0.10 for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 0.11 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. 4" PVC pipe directly in stream at P/D, pipe splits into (2) 1" pipes to buildings with irrigation from portable hoses to rain birds.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? _____; drilling firm _____;
 well was drilled for (well owner) _____; Drilling Permit No. _____

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households (3) Cabins included w/ commercial

e. Other; describe fully. Commercial is for lodge for maximum of 30 people, with bathrooms and restaurant service. Approx 1/4 acre yard irrigated around lodge and (3) cabins.

8. 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 the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25N	9E	29											0.08	C					0.11
													C	.03					

Total number of acres to be irrigated: 0.11

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

10. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Homestead Entry Survey No. 707. See Attachment 1.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Randall C. Budge
Signature of Applicant

Signature of Applicant

Randall C. Budge, Attorney for Applicant
Print Name (and title, if applicable)

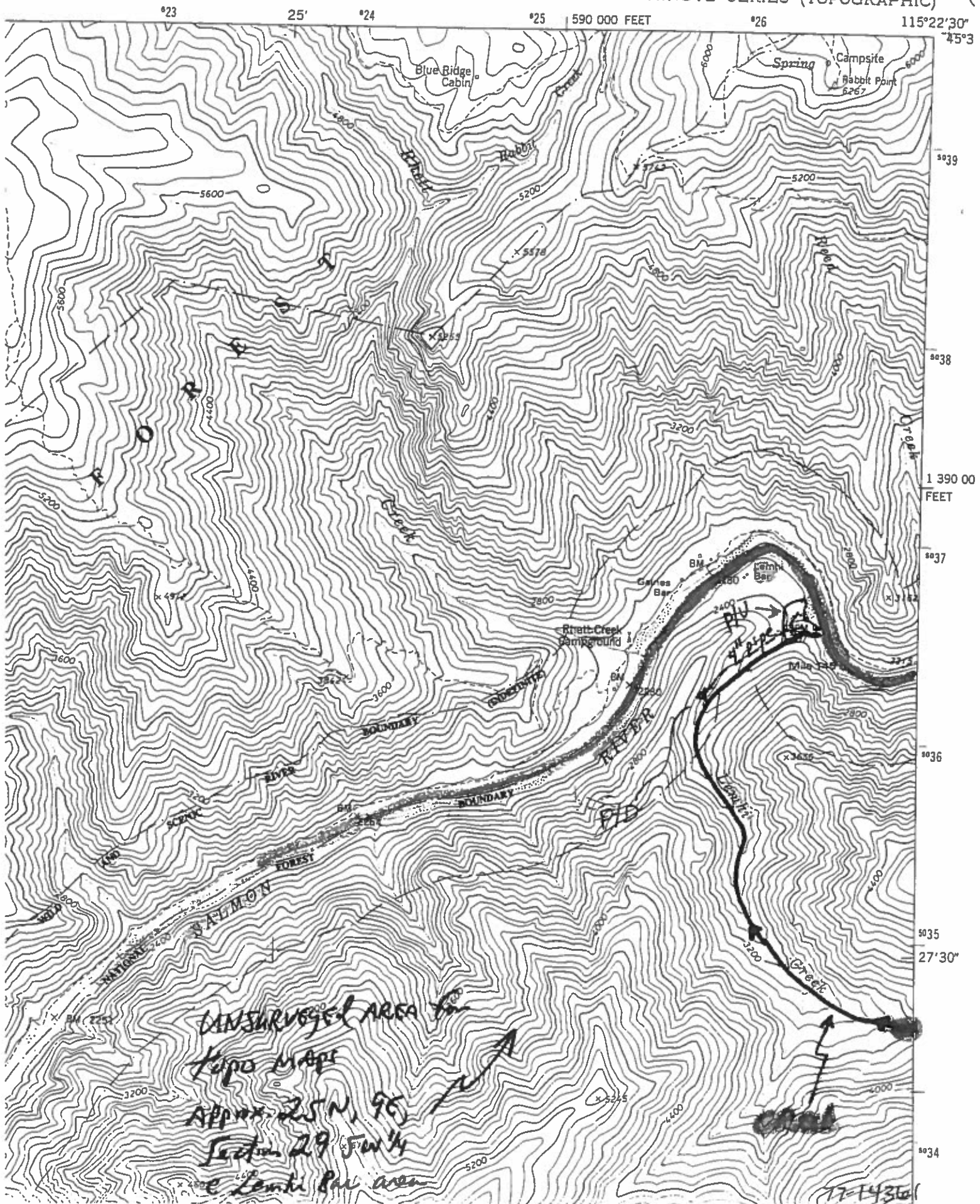
Print Name (and title, if applicable)

For Department Use:

Received by CJ Date 5-12-15 Time 1:30 Preliminary check by DM
Fee \$ 100.00 Received by CJ Receipt No. W043088 Date 5-12-15

7.5 MINUTE SERIES (TOPOGRAPHIC)

7.5 MINUTE SERIES (TOPOGRAPHIC)



R. 7 E.

R. 8 E.

R. 9 E.

R. 10 E.



77-1-1301

Attachment 1

Phone (208) 983-2742

COUNTY OF IDAHO

Fax (208) 983-0667

OFFICE OF THE ASSESSOR

JIM BECKMAN

320 WEST MAIN, ROOM 1
GRANGEVILLE, ID 83530

Mr. McClain,

I'm sorry but this is the only map that we have for your area, because there are not too many private owners down in that area we do not maintain a map.

This is the H.E.S. (homestead entry survey) #707

I have also enclosed the legal descriptions of tax # 5 and #6.

I hope this will do for what you are looking for.

Thanks

Shawna Hilbert

Property clerk/deputy

Shawna Hilbert deputy

P.S.

I hope that your place is not too close to the fire. Good luck !

77-14361

7/29/03

P 0100 - PARCEL MASTER INQUIRY

14:38:58

PARCEL: RP 25N09E296340 A

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

T25N R9E SEC 29

.25 AC

TAX # 6

(PT OF H E S 707)

SALMON RIVER TOURS CO

*

P O BOX 7

CODE AREA 10-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 11261980 EXPDATE

PREV PARCEL

NORTH FORK ID 83466

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
11	2001	250	AC	14280				

TOTALS

250

14280

ENTER NEXT PARCEL NUMBER RP

A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

77-14361

7/29/03

P 100 - PARCEL MASTER INQUIRY

14:39:12

PARCEL: RP 25N09E296330 A

F9=MS

F12=RC F14=HO

F17=DD F19=SP

LEGAL DESCRIPTION

T25N R9E SEC 29

.31 AC

TAX # 5

(PT OF H E S 707)

SALMON RIVER TOURS CO

*

P O BOX 7

CODE AREA 10-0000 OWNER CD

PARC TYPE

LOC CODE

NORTH FORK ID 83466

EFFDATE 11261980

EXPDATE

PREV PARCEL

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
11	2001	310	AC	17707				
33	2001			162864	162864	50000		

TOTALS

310

180571

162864

50000

ENTER NEXT PARCEL NUMBER RP

A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

77-14361

RCE

25

9E

AX NUMBER RECORD

TAX NUMBER	DESCRIPTION	YEAR	PRESENT OWNER
5	A parcel of land situated in the East end of Homestead Entry Survey Number 707 in unsurveyed Section 29, Township 25 North, Range 9 E.U.M., Idaho County Idaho, more particularly described as follows: beginning at a point on the South boundary of said NES 707, from which point a 24"x10"x5" granite stone marked "1 EE" bears S59°11'W, 6.5 feet, and Corner Number 1 of said NES 707 bears S68°06'E, 279.4 feet, 1. Thence N59°11'E, 219.2 feet to intersect the meander line of said NES 707, from which point a 10" dbh Douglas-fir bears S59°11'W, 54.5 feet, marked "5/EE", 2. Thence S18°10'E, 80.7 feet, 3. Thence S66°08'W, 153.74 feet to the South line of said NES 707, 4. Thence N68°06'W, 79.4 feet to the place of beginning containing a calculated area of 0.31 acres, more or less.	8-7-75 2-20-76 3-23-76	Frank Santos et ux Salmon River Towns. Co. Salmon River Towns. Co. (600)
6	A parcel of land situated in the East Corner of Homestead Entry Survey Number 707, in unsurveyed Section Twenty-Nine (29), Township Twenty-Five (25) North, Range Nine (9), E.U.M., Idaho County, Idaho, more particularly described as follows: Beginning at N.E.S. #707 Corner Number One, 1. Thence North 68°06'W., 200 feet to a point along the line to Corner 2, 2. Thence North 66°08'E., 154 feet to the left bank of the Salmon River mean high water line, 3. Thence South 18°10'E., 144 feet along said mean high water line to the place of beginning, containing a calculated area of 0.25 acres, more or less.	8-25-75 2-20-76 3-23-76	Robert Lee Roy Smith et ux Salmon River Towns. Co. Salmon River Towns. Co.
7	Approximately 1.013 acres, more or less, situate within the H.E. Survey No. 726 embracing a portion of, approximately Township 25 and 26 North, Range 9 East, Boise Meridian, in Idaho County, Idaho more particularly described as follows, to-wit: Commencing at Corner No. 1, from which U.S.L.M. No. 726 bears S.87°20' 45" E. 88.74 chains distant; thence S. 28°45'W. 22.37 chains to Cor. No. 2; thence S.48°47'W. 15.43 chains to Cor. No.3; thence S. 53°33'W 30.15 chains to Cor. No. 4; thence N. 31°34'W. 15.01 chains to Cor. No. 5; thence N. 89°35'W. 2.04 chains to Cor. No. 6; thence N. 36°6' W. 8.10 chains to Cor. No. 7; thence N. 60°8' E. 65.07 chains to Cor. No. 8; which said Corner no. 8 is the point and place of beginning. Thence S.51°37'E. 335 ft. to Point A.; Thence S. 87° W 342 ft to Point B. Thence N. 2° 56'29" E. 186.30 feet to Point C; Thence N. 60°08'E. 80 ft. to the point of beginning at Corner No. 8.	5-25-78 8-26-81 4/13/81 6/5/81	Lester West et ux Marlene A. West MARLENE A WEST MARLENE A WEST
8	A tract of land containing approximately 2.00 acres located in Govt. Homestead Entry Survey No. 726 (H.E.S. 726); T25N R9E of the B.M., Section 1 (unsurveyed), Idaho County, Idaho, and more particularly described as beginning at corner 8 for said H.E.S. 726 (a brass cap and pipe) thence S 51°37'00"E (the bands of bearing), 414.24 feet to corner 1 of H.E.S. 726 (a brass cap and pipe) and the True Point of Beginning; thence S 28°43'42"W, 691.00 feet along line 1-2 of said H.E.S.; thence leaving line 1-2, N 57°30'00"W, 183.87 feet to an existing road; thence along said road N 08°00'00"E, 116.00 feet; thence N 50°12'51"E, 613.00 feet to corner 1 and the Place of Beginning. Together with an easement, water right and right to use airport.	4/25/89 1-14-91 5/11/91	Edward I. Robertson et ux Lester West Lester West (367310 Comm. W.D.) LESTER & ERIENNE WEST (H.E.W.)
3	Beginning at corner No.1, from which U.S.L.M. No.726 bears S 97° 20' 48" E. 88.74 chains distant; thence S. 28° 45' W. 22.37 chains to corner No.2; thence S. 48° 47' W. 15.43 chains to corner No.3; thence S. 53° 33' W. 30.35 chains to corner No.4; thence N. 31° 34' W. 15.01 chains to corner No.5; thence N. 89° 35' W. 2.04 chains to corner No.6; thence N. 36° 6' W. 8.10 chains to corner No.7; thence N. 60° 8' E. 65.07 chains to corner No.8; thence S. 51° 37' E. 6.29 chains to corner No.1 the place of beginning containing 120.22 acres according to the official plat and survey of said land. Embracing a portion of, approximately, Townships 25 and 26 North of Range 9 East, B.M.	1927 1924 1930 1/1/40 4/10/40 5-10-40 8-2-72 6-1-73 5-11-94	Bertie Lyon and Joseph A. Hoover Helen Dale L.O. Russell et al James E. Shultz Edward I. Robertson, trustee Thomas & Patricia Bowen Patricia Ann Bowen

77-14361

Attachment 2

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, my/our true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on my/our behalf.

DATED this 6th day of May, 2015.

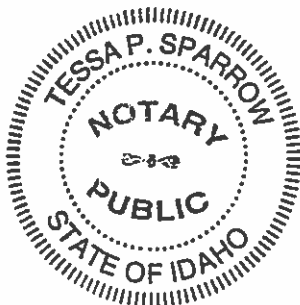
SALMON RIVER TOURS CO.

By: [Signature]
Name: Mike McLain
Title: President

STATE OF IDAHO)
 :SS
County of Bannock)

On this 6th day of May, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Mike McLain, known or identified to me to be the President of the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, ID
Commission expires: 10/05/15

77-14361

Attachment 3

State of Idaho

Office of the Secretary of State

CERTIFICATE OF EXISTENCE

OF

SALMON RIVER TOURS CO.

File Number C-87340

I, LAWRENCE DENNEY, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the corporation records of this State.

I FURTHER CERTIFY That the records of this office show that the above-named corporation was incorporated under the laws of Idaho on 8/17/1988.

I FURTHER CERTIFY That the corporation is in goodstanding on the records of this office.

Dated: 5/06/2015 11:24 AM



A handwritten signature in cursive script, reading 'Lawrence Denney', with a long, sweeping underline.

SECRETARY OF STATE

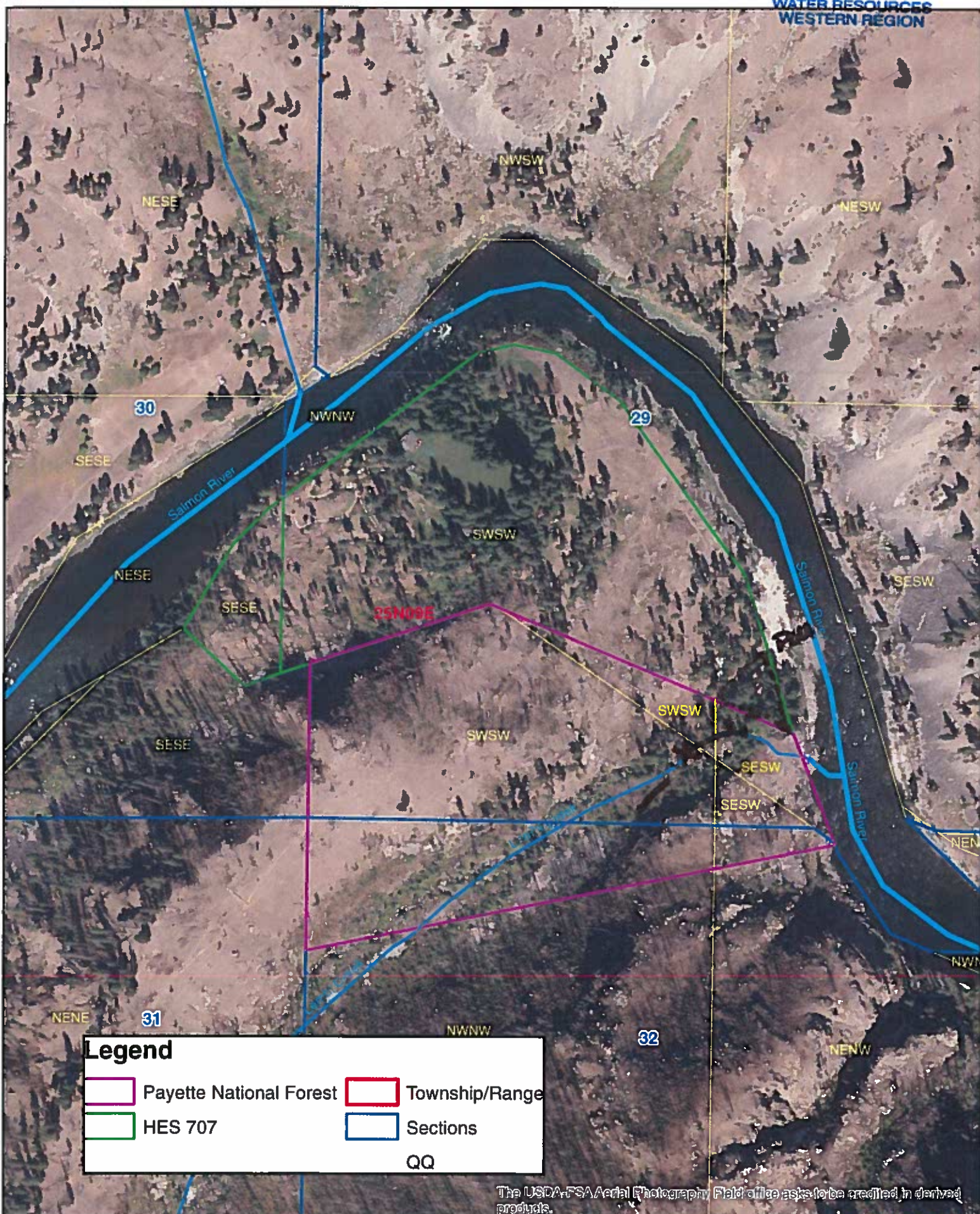
Authentic Access Idaho Document (<http://www.accessidaho.org/public/portal/authenticate.html>)
Tag: b5ae5f5ff8d74087c1be19756a38253fe290b350dbbedfc23372fda17f2b94185000f2ec5d5b7972

77-14361
Application for Permit

RECEIVED

NOV 30 2015

WATER RESOURCES
WESTERN REGION



77-14361

RECEIVED**JUN 01 2015****WATER RESOURCES
WESTERN REGION**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of applicant(s) Salmon River Tours Co. Phone 208-865-2375
 Name connector (check one): ☐ and ☐ or ☐ and/or
 Mailing address P.O. Box 7 City North Fork
 State Idaho Zip 83466 Email _____

2. Source of water supply Lemhi Creek which is a tributary of Salmon River

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
25N	9E	29			SW	SW	Idaho	Lemhi Creek	

4. Water will be used for the following purposes:

Amount 0.01 for Irrigation purposes from 3/15 to 10/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount 0.10 for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
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5. Total quantity to be appropriated is (a) 0.11 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

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c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No

e. If well is already drilled, when? _____; drilling firm _____; well was drilled for (well owner) _____; Drilling Permit No. _____.

7. Description of proposed uses (if irrigation only, go to item 8):

a. Hydropower; show total feet of head and proposed capacity in kW. _____

b. Stockwatering; list number and kind of livestock. _____

c. Municipal; complete and attach the Municipal Water Right Application Checklist.

d. Domestic; show number of households (3) Cabins _____

e. Other; describe fully. Commercial is for lodge for maximum of 30 people, with bathrooms and restaurant service. Approx 1/4 acre yard irrigated around lodge and (3) cabins.

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														I					

Total number of acres to be irrigated: 0.11

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- b. Who owns the land to be irrigated or place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Homestead Entry Survey No. 707. See Attachment 1.

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The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Randall C. Budge
Signature of Applicant

Signature of Applicant

Randall C. Budge, Attorney for Applicant
Print Name (and title, if applicable)

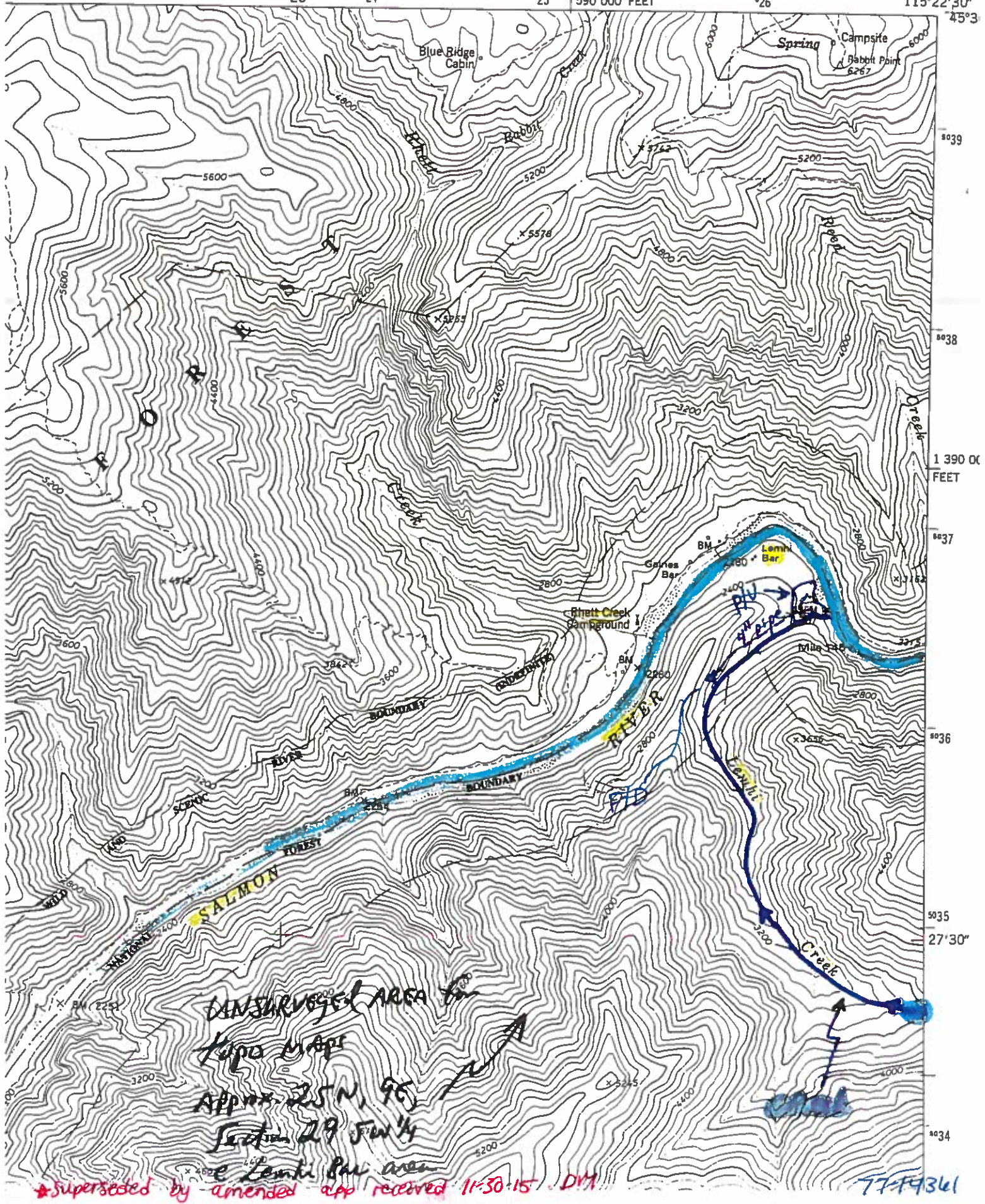
Print Name (and title, if applicable)

For Department Use:

Received by CJ Date 5-12-15 Time 2:30 Preliminary check by DM
Fee \$ 100.00 Receipted by CJ Receipt No. W043088 Date 5-12-15

7.5 MINUTE SERIES (TOPOGRAPHIC)

45°3



R. 7 E.

R. 8 E.

R. 9 E.

R. 10 E.



Copy from
Angeles Natl. Forest Map

superseded by amended app received 11-30-15-AM

77-149306

Attachment 1

Phone (208) 983-2742

COUNTY OF IDAHO

Fax (208) 983-0667

OFFICE OF THE ASSESSOR

JIM BECKMAN

320 WEST MAIN, ROOM 1

GRANGEVILLE, ID 83530

Mr. McLain,

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Thanks

Shawna Hilbert

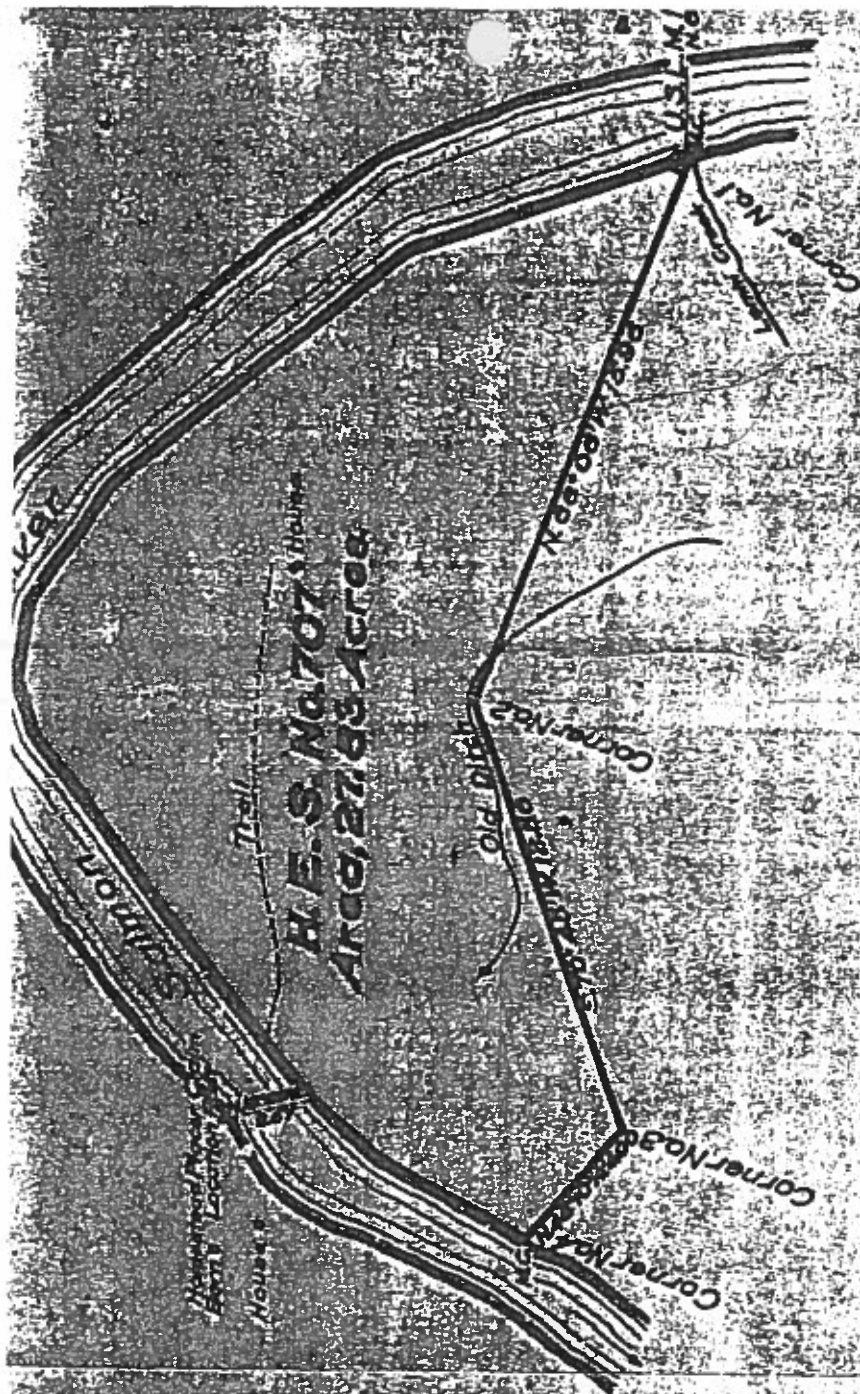
Property clerk/deputy

Shawna Hilbert deputy

P.S.

I hope that your place is not to close to the fire. Good luck !

77-14361



T.25N. R.9E.
Unsurveyed.
Approximate Section 29.

7/29/03

F 100 - PARCEL MASTER INQUIRY

14:38:58

PARCEL: RP 25N09E296340 A

SALMON RIVER TOURS CO
*

P O BOX 7

NORTH FORK ID 83466

x for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
11	2001	250	AC	14280				

TOTALS

250

14280

ENTER NEXT PARCEL NUMBER RP

A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

T25N R9E SEC 29 .25 AC

TAX # 6

(PT OF H E S 707)

CODE AREA 10-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 11261980 EXPDATE

PREV PARCEL

77-14361

7/29/03

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F17=DD F19=SP

LEGAL DESCRIPTION

SALMON RIVER TOURS CO

T25N R9E SEC 29

.31 AC

*

TAX # 5

(PT OF H E S 707)

P O BOX 7

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NORTH FORK ID 83466

PARC TYPE LOC CODE

EFFDATE 11261980 EXPDATE

PREV PARCEL

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
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33	2001			162864	162864	50000		

TOTALS

310

180571

162864

50000

ENTER NEXT PARCEL NUMBER RP

A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

77-14361

IDAHO COUNTY,
IDAHO

SEC.

TWP.
25

RGE.
9E

AX NUMBER RECORD

NOT VALID FOR RECORDS, (1915, 1916, 1917, 1918, 1919)

TAX NUMBER	DESCRIPTION	YEAR	PRESENT OWNER
5	A parcel of land situated in the East end of Homestead Entry Survey number 707 in unsurveyed Section 29, Township 25 North, Range 9 E.B.M., Idaho County Idaho, more particularly described as follows: beginning at a point on the South boundary of said HES 707, from which point a 24"x10"x5" granite stone marked "1 EE" bears S59°11'W, 6.5 feet, and Corner Number 1 of said HES 707 bears S68°06'E, 279.4 feet, 1. Thence N59°11'E, 219.2 feet to intersect the Meander line of said HES 707, from which point a 10" dbh Douglas-fir bears S59°11'W, 54.5 feet, marked "5/EE", 2. Thence S18°10'E, 80.7 feet, 3. Thence S66°08'W, 153.74 feet to the South line of said HES 707, 4. Thence N68°06'W, 79.4 feet to the place of beginning containing a calculated area of 0.31 acres, more or less.	8-7-75 2-20-76 3-23-76	Frank Santos et ux Salmon River Towns. Co. Salmon River Towns. Co. (80-11)
6	A parcel of land situated in the East Corner of Homestead Entry Survey Number 707, in unsurveyed Section Twenty-Nine (29), Township Twenty-Five (25) North, Range Nine (9), E.B.M., Idaho County, Idaho, more particularly described as follows: Beginning at H.E.S. #707 Corner Number One, 1. Thence North 68°06'W., 200 feet to a point along the line to Corner 2, 2. Thence North 66°08'E., 154 feet to the left bank of the Salmon River mean high water line, 3. Thence South 18°10'E., 144 feet along said mean high water line to the place of beginning, containing a calculated area of 0.25 acres, more or less.	8-25-75 2-20-76 3-23-76	Robert Lee Roy Smith et ux Salmon River Towns. Co. Salmon River Towns. Co.
7	Approximately 1.013 acres, more or less, situate within the H.E. Survey No. 726 embracing a portion of, approximately Township 25 and 26 North, Range 9 East, Boise Meridian, in Idaho County, Idaho more particularly described as follows, to-wit: Commencing at Corner No. 1, from which U.S.L.M. No. 726 bears S.87°20' 45" E. 88.74 chains distant; thence S. 28°45'W. 22.37 chains to Cor. No. 2; thence S.48°47'W. 15.43 chains to Cor. No.3; thence S. 51°33'W 30.15 chains to Cor. No. 4; thence N. 31°34'W. 15.01 chains to Cor. No. 5; thence N. 89°35'W. 2.04 chains to Cor No. 6; thence N. 36°6' W. 8.10 chains to Cor. No. 7; thence N. 60°8' E. 65.07 chains to Cor. No. 8; which said Corner no. 8 is the point and place of beginning. Thence S.51°37'E. 335 ft. to Point A.; Thence S. 87° W 342 ft to Point B; Thence N. 2° 56'29" E. 186.30 feet to Point C; Thence N. 60°08'E. 80 ft. to the point of beginning at Corner No. 8.	5-25-78 8-26-81 4/13/81 4/25/81	Lester West et ux Theresa A. West MARIE A MIDSTOKRE MARIE A WEST
8	A tract of land containing approximately 2.00 acres located in Govt. Homestead Entry Survey No. 726 (H.E.S. 726); T25N R9E of the B.M., Section 1 (unsurveyed), Idaho County, Idaho, and more particularly described as beginning at corner 8 for said H.E.S. 726 (a brass cap and pipe) thence S 51°37'00"E (the basis of bearing), 414.24 feet to corner 1 of H.E.S. 726 (a brass cap and pipe) and the True Point of Beginning; thence S 28°43'42"W, 691.00 feet along line 1-2 of said H.E.S.; thence leaving line 1-2, N 57°30'00"W, 183.87 feet to an existing road; thence along said road N 08°00'00"E, 116.00 feet; thence N 50°12'51"E, 613.00 feet to corner 1 and the Place of Beginning. Together with an easement, water right and right to use airport.	4/25/89 1-14-89 4/14/89	Edward I. Robertson et ux Z. WEST, Lester Lester West (307300 Corners W.D.) LESTER & ERIENE WEST (H.E.S.) 394
3	Beginning at corner No.1, from which U.S.L.M. No.726 bears S 47° 20' 48" E. 88.74 chains distant; thence S. 28° 45' W. 22.37 chains to corner No.2; thence S. 48° 47' W. 15.43 chains to corner No.3; thence S. 53° 33' W. 30.35 chains to corner No.4; thence N. 31° 34' W. 15.01 chains to corner No.5; thence N. 89° 35' W. 2.04 chains to corner No.6; thence N. 36° 6' W. 8.10 chains to corner No.7; thence N. 60° 8' E. 65.07 chains to corner No.8; thence S. 51° 37' E. 6.29 chains to corner No.1 the place of beginning containing 120.22 acres according to the official plat and survey of said land. Embracing a portion of, approximately, Townships 25 and 26 North of Range 9 East, B.M.	11-27-80 1924 1930 11/10/80 11/10/80 11-2-80 11-13-80 5-14-84	Bertie Lyon and Joseph A. Hoover Helen Dale Lester West Edward I. Robertson, trustee Theresa Patricia Bowen Patricia Ann Bowen

77-14361

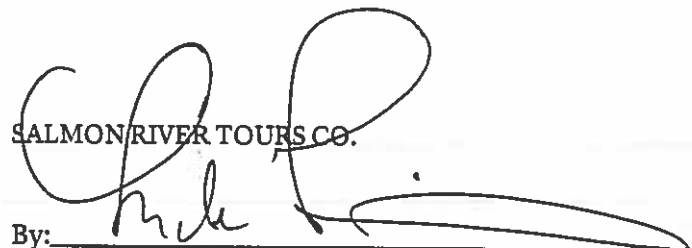
Attachment 2

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, my/our true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on my/our behalf.

DATED this 6th day of May, 2015.

SALMON RIVER TOURS CO.

By: 

Name: Mike McLain

Title: President

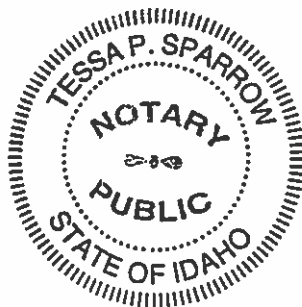
STATE OF IDAHO)

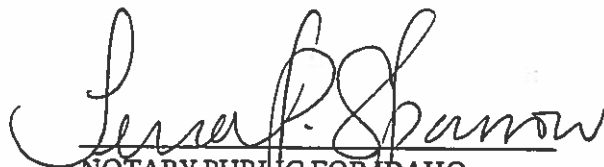
:ss

County of Bannock)

On this 6th day of May, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Mike McLain, known or identified to me to be the President of the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.




NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, ID
Commission expires: 10/05/15

Attachment 3

State of Idaho

Office of the Secretary of State

CERTIFICATE OF EXISTENCE

OF

SALMON RIVER TOURS CO.

File Number C-87340

I, LAWERENCE DENNEY, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the corporation records of this State.

I FURTHER CERTIFY That the records of this office show that the above-named corporation was incorporated under the laws of Idaho on 8/17/1988.

I FURTHER CERTIFY That the corporation is in goodstanding on the records of this office.

Dated: 5/06/2015 11:24 AM



A handwritten signature in black ink, reading "Lawrence Denney".

SECRETARY OF STATE

Authentic Access Idaho Document (<http://www.accessidaho.org/public/portal/authenticate.html>)
Tag: b5ae5f5ff8d74087c1be19756a38253fe290b350dbbedfc23372fda17f2b94185000f2ec5d5b7972



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

February 25, 2016

SALMON RIVER TOURS CO
PO BOX 7
NORTH FORK, ID 83466

Application for Permit No. 77-14361

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the IDAHO COUNTY FREE PRESS on 3/2/2016 and 3/9/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

Rachel Neely
Administrative Assistant

CC:
RACINE LAW OFFICE
C/O RANDALL C BUDGE
PO BOX 1391
POCATELLO, ID 83204-1391

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, February 25, 2016 8:52 AM
To: 'IFP Legals'
Subject: Idaho Legal Ad
Attachments: Idaho Cover Letter.docx; Idaho Legal Ad.docx

Good Morning Legal Clerk,

Please see the attached ad for publication on 3/2/2016 & 3/9/2016.

Please confirm these are okay to publish as shown.

Thank you,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

February 25, 2016

LEGAL NOTICE DEPARTMENT
IDAHO COUNTY FREE PRESS
PO BOX 690
GRANGEVILLE, ID 83530

RE: Application for Permit No. 77-14361

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 3/21/2016. Your cooperation is appreciated.

Sincerely,

Rachel Neely
Administrative Assistant

Enclosure(s)

The following application has been filed to appropriate the public waters of the State of Idaho:

77-14361

SALMON RIVER TOURS CO

PO BOX 7

NORTH FORK, ID 83466

Point of Diversion SWSW S29 T25N R09E IDAHO County Source LEMHI CREEK Tributary SALMON RIVER

Use: COMMERCIAL 01/01 to 12/31 0.1 CFS

Use: IRRIGATION 03/15 to 10/31 0.01 CFS

Total Diversion: 0.11 CFS

Date Filed: 6/1/2015

Places of Use: COMMERCIAL, IRRIGATION

T25N R09E S29 SWSW SESW

Total Acres: 0.2

This application proposes the diversion and use of water tributary to a federally designated Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for 0.11 cfs and 0.2 acres for irrigation/commercial purposes that will be applied to the subordination amounts specified in the decree for the applicable Wild & Scenic River.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov/WaterManagement/WaterRights. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of the application(s) must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 3/21/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 3/2/2016 and 3/9/2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

February 25, 2016

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

STEVE SPENCER
WATER USE SPECIALIST
C/O BOISE NATIONAL FOREST
1805 HWY 16, ROOM 5
EMMETT ID 83617

Re: Applications for Permit No's. 63-34186 & 77-14361

Dear Mr. Spencer:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications. Copies of the applications are enclosed with this letter for your reference. Please review the applications, complete the enclosed recommendation form, and submit your reply, if any, to this office within 21 days.

If your agency desires to formally protest approval of either of these applications, you may do so by filing a written protest along with a \$25.00 filing fee by March 21, 2016.

IDWR will assume your agency does not object to these applications if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Rachel Neely
Administrative Assistant

Neely, Rachel

From: Neely, Rachel
Sent: Thursday, February 25, 2016 10:10 AM
To: Thiel, Sandra
Subject: Applications for Permit No's. 77-14361 & 63-34170
Attachments: Agency Recommendation Form.docx; Application for Permit No. 77-14361.pdf; Application for Permit No. 63-34170.pdf

February 25, 2016

STATE OF IDAHO
DEPT OF WATER RESOURCES
PLANNING BUREAU
ATTN: SANDRA THIEL

RE: Applications for Permit No's. 77-14361 & 63-34170

Dear Ms. Thiel:

The Idaho Department of Water Resources (IDWR) is seeking written comment and/or recommendation(s) from the Planning Bureau regarding the above referenced water right application(s). Copy(s) of the application(s) are enclosed with this email for your reference. Please review the application(s), complete the enclosed recommendation form, and submit your reply, if any, to this office by the protest deadline of March 21, 2016.

If the Planning Bureau desires to formally protest approval of this application, you may do so by filing a written protest along with a \$25.00 filing fee for each protested application by the protest deadline.

IDWR will assume your agency does not object to this application if a timely response is not received. Please contact me if you have any questions regarding the application. Thank you for your help.

Sincerely,

Rachel Neely

Administrative Assistant I
IDWR-Western Region
2735 Airport Way Boise, ID 83705
Rachel.Neely@idwr.idaho.gov

MEMORANDUM

TO: Application No.77-14361
FROM: D. Merriman
DATE: 2/19/15
RE: Salmon-Clearwater Processing, Basins 77-79 Western Region

The application proposes .01 cfs to irrigate .11 acres of yard around the lodge and .10 cfs of commercial for lodge and three cabins for maximum of 30 people with bathrooms and restaurant service.

The site is approximately 7 miles southeast of Dixie, ½ mile east of Rhett Creek Campground on Lemhi Bar of the Salmon River.

Contact person for the applicant is Randall C. Budge of Racine Law in Pocatello Idaho.

Wild & Scenic River (WSR) Processing

General Information - WSR processing applies to portions of Bs 77 and 78 but not to Bs 79. It is rarely expected in Bs 78 since WSR right 78-11961 covers federal land upstream from the Rapid River Fish Hatchery slightly southwest of Riggins.¹

Typically WSR issues would be in Bs 77 upstream from Long Tom Bar on the Salmon River, WSR right 77-11941.² This also incorporates the entire Middle Fork Salmon River drainage, MSR right 77-13844.³

WSR processing is required for any source/diversion upstream from any WSR right. This applies to all sources and uses unless the applicant shows the source is not hydraulically connected to any WSR rights.

Specific Information for this Application - WSR processing is required because the proposed source/diversion are upstream from and hydraulically connected to WSR right 77-11941. The WSR spreadsheet was updated, and the WSR legal notice remark was added to the database.

Minimum Streamflow Rights (MSF)

General Information - MSF analysis applies to all surface water upstream⁴ from any MSF rights. Basins 77-79 have various MSF rights that might affect applications. By agreement with SO regarding these basins, specific MSF conditions of approval are not necessary provided the reviewer checks MSF issues and documents the file with the results (7/8/09 telephone conference).

Downstream MSF right 3-8 on the Snake River⁵ is not subordinate to "future dcmi" uses or "future non-dcmi (with cfs limits)" uses. Downstream Salmon River MSF right 79-14119⁶ is subordinated to future dcmi uses but not to future non-dcmi uses.

All Basin 77-79 MSF rights upstream from the ending point of 79-14119 (mouth of Salmon River) include subordination to future dcmi uses. Most of those upstream MSF rights are also subordinate to various amounts of future non-dcmi uses. None of the future non-dcmi cfs rates have been exceeded yet by new approvals. Further MSF analysis is generally not needed until a specific future non-dcmi cfs rate is exceeded.

Because the review memo extensively covers WSR and MSF issues, SO Planning Bureau comments are not needed yet (prior agreement with SO). Planning will be contacted for comments during the legal notice process as a precaution.

¹ POD = T23N-R1W-S12.

² POD = T25N-R5E-S31.

³ POD = T23N-R16E-S33.

⁴ Shallow ground water tributary to surface water might involve MSF issues under conjunctive management thinking. Discuss with your supervisor if this comes up.

⁵ POD = T31N-R5W-S10.

⁶ From mouth of river T29N-R4W-S14 upstream thru about Shepp Ranch T24N-R6E-S12.

Specific Information for this Application –MSF analysis is required for the proposed source and use upstream from MSF rights 3-8 and 79-14119.

This leads to the following MSF conclusions for this application:

- Senior MSF right 3-8 will not be subordinated to the proposed use(s).
- Senior MSF right 79-14119 will be subordinated to the proposed dcmi use.
- Senior MSF right 79-14119 will not be subordinated to the proposed non-dcmi use.

The attached MSF spreadsheet shows the application meets the criteria for MSF rights in the same basin.

Discussion

Local Public Interest:

Idaho Fish and Game submitted a comment letter regarding the application on February 8, 2016. This letter detailed the status of fish populations on the main Salmon River downstream of Lemhi Creek, the source of the proposed diversion. There are four endangered species that utilize this stretch of river along with numerous other popular species. Idaho Fish and Game understands that there is already a screen at the POD, but detailed some of the construction requirements that the applicant may be unaware of and required to retrofit. Based on their findings, they did not think that water withdrawal should negatively impact fish or aquatic resources. Condition 029 will be added to approval document to address fish screen requirements.

The Department of Environmental Quality submitted a comment letter on December 14, 2015. This letter detailed the status of the creek in the Idaho Water Quality Standards. They called attention to Water Right 77-7161 that appropriates 2.0 cfs from the same stretch of Lemhi Creek. No flow data was included with request for comment, so the DEQ cannot determine if the additional 0.11 cfs removal will impact beneficial uses. They recommend that the stream flow be maintained at a level suitable to protect and maintain that aquatic life during the withdrawal and at no time should the stream be allowed to go dry as a result of legally appropriated and allowable water withdrawals. A modified condition will be added to address this request.

Conditions of Approval

In addition to typical standard conditions (004, 121 etc.), use the following standard, modified &/or unique conditions for Basins 77-79.

Per IDFG comments, use the following:

- **029 standard** - Prior to the diversion and use of water under this approval, the right holder shall comply with all fish screening and/or fish passage requirements of the Idaho Department of Fish and Game.

Per WSR processing, part of Basin 77 & 78, no water district currently planned, use the following:

Exceeding 42-111, any source – must use all 4 conditions 195 thru 198:

- **195 standard** - Prior to diversion of water under this right, the right holder shall install a lockable device, subject to the approval of the Department, in a manner that will provide suitable control of the diversion.
- **196 standard** - As part of the diversion works, the right holder shall install a straight length of conduit that will accommodate a device for measuring the entire flow of water being diverted in connection with this right. The straight length of conduit shall be at least ten times the diameter of the conduit and shall be above ground or otherwise easily accessible.
- **197 standard** - Upon specific notification by the Department, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
- **198 standard** - When notified by the Department or by a watermaster with regulatory authority over this right, the right holder shall report the amount of water diverted in connection with this right. The report shall be submitted in the manner and frequency specified by the Department or the watermaster.

BS 77 MINIMUM STREAMFLOW RIGHTS -- QUERY 12/31/2014 (no change from 2013)

Basin	Sequence	Priority	Source	Subordinate to Future DCMI	Subordinate to Future Non DCMI (CFS Limit)	Non DCMI CFS Approved Since 4/1/2005
77	14167	4/1/2005	BARGAMIN CREEK	YES	1.2	0
77	14209	4/1/2005	BEAR VALLEY CREEK	YES	4.7	0
77	14178	4/1/2005	BIG CREEK - downstream	YES	12.8	0
77	14182	4/1/2005	BIG CREEK - upstream	YES	0.5	0
77	14202	4/1/2005	BLACKMARE CREEK	YES	0.4	0
77	14191	4/1/2005	BRUSH CREEK	YES	0.6	0
77	14195	4/1/2005	BUCKHORN CREEK	YES	1	0
77	14204	4/1/2005	BURNTLOG CREEK	YES	0.7	0
77	14198	4/1/2005	CAMAS CREEK	YES	9	0
77	14171	4/1/2005	CHAMBERLAIN CREEK	YES	4.8	0
77	14170	4/1/2005	CHAMBERLAIN CREEK WEST FK	YES	0.3	0
77	14199	4/1/2005	DYNAMITE CREEK	YES	0.4	0
77	14211	4/1/2005	ELK CREEK	YES	1.9	0
77	14188	4/1/2005	FITSUM CREEK	YES	0.5	0
77	14173	4/1/2005	FRENCH CREEK	YES	2.3	0
77	14172	4/1/2005	HORSE CREEK	YES	3.6	0
77	14200	4/1/2005	INDIAN CREEK	YES	1.9	0
77	14194	4/1/2005	JOHNSON CREEK	YES	4.1	0
77	14212	4/1/2005	LAKE CREEK	YES	0.4	0
77	14183	4/1/2005	LICK CREEK	YES	0.6	0
77	14180	4/1/2005	LOGAN CREEK	YES	0.4	0.02
77	14203	4/1/2005	LOON CREEK	YES	8.1	0
77	14201	4/1/2005	MARBLE CREEK	YES	2.8	0
77	14210	4/1/2005	MARSH CREEK	YES	3.5	0
77	14179	4/1/2005	MONUMENTAL CREEK	YES	2.1	0
77	14205	4/1/2005	PISTOL CREEK	YES	2.6	0
77	14176	4/1/2005	PORPHYRY CREEK	YES	0.6	0
77	14187	4/1/2005	PROFILE CREEK	YES	0.4	0
77	14186	4/1/2005	QUARTZ CREEK	YES	0.3	0
77	14207	4/1/2005	RAPID RIVER	YES	2.5	0.04
77	14184	4/1/2005	RUSH CREEK	YES	1.5	0
77	14190	4/1/2005	SALMON RIVER EAST FK SOUTH FK	YES	8.2	0
77	14174	4/1/2005	SALMON RIVER SOUTH FK - downstream	YES	20.6	0.4
77	14192	4/1/2005	SALMON RIVER SOUTH FK - upstream	YES	7.7	0
77	14175	4/1/2005	SECESH RIVER - upstream	YES	2.3	0
77	14181	4/1/2005	SECESH RIVER - downstream	YES	4	0
77	14168	4/1/2005	SHEEP CREEK - trib Salmon R.	YES	0.8	0
77	14185	4/1/2005	SHEEP CREEK - trib South FK Salmon R.	YES	0.9	0
77	14197	4/1/2005	SHEEP CREEK - trib Middle FK Salmon R.	YES	0.5	0
77	14196	4/1/2005	SILVER CREEK	YES	1.1	0
77	14177	4/1/2005	SMITH CREEK	YES	0.4	0
77	14193	4/1/2005	SUGAR CREEK	YES	0.3	0
77	14208	4/1/2005	SULPHUR CREEK	YES	1.2	0
77	14189	4/1/2005	TAMARACK CREEK	YES	0.3	0
77	14206	4/1/2005	WARM LAKE CREEK	YES	0.4	0
77	14169	4/1/2005	WIND RIVER	YES	0.9	0

DCMI APPL OK, NON-DCMI APPL OK WITHIN ALLOWABLE PARAMETERS. SEE "PROCEDURE" BELOW.

PROCEDURE: DCMI APPL ok for all msf rights in Bs 77 as noted in review memo. NON-DCMI CONSUMPTIVE USE APPL: See if within drainage with msf right. For that msf right, if column G (last) is less than column F (2nd to last), ok to process appl. Note in review memo that senior msf right will be subordinate to junior application under the future non-dcmi clause. Do not need to repeat for msf rights downstream from the msf right you are actively checking since the downstream future non-dcmi rates are higher for those bigger sources. Satisfying the smaller upstream rate test satisfies the larger downstream rate test. For the msf right you are actively checking, if column G (last) is equal to or greater than column F (2nd to last), consult supervisor for next step.

EXAMPLE: Appl 77-14234 for 0.14 cfs irrigation, future non-dcmi consumptive use, unnamed streams trib to Johnson Creek. Johnson Creek msf right with 4/1/2005 priority is subordinate to 4.1 cfs future non-dcmi use, zero approved since 4/1/2005. Process appl and note review memo that senior msf rights will be subordinated to this junior application. Updates to this spreadsheet will eventually show 0.14 of the 4.1 future non-dcmi cfs has been approved for Johnson Creek.

Scenic Jet Boat Tours
Lodging
Steelhead Fishing

Salmon River Tours

c/o Mike McLain
P.O. Box 7
North Fork, Idaho 83466
(208) 865-2375
Fax (208) 865-2276

Jet Boat Sales
Marine Parts
Marine Accessories
EZ Loader Trailers

February 10, 2016

Danie Merriman
Water Resource Agent
IDWR, Western Region
2735 Airport Way
Boise, Idaho 83705-5082

RECEIVED

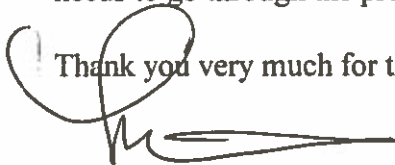
FEB 16 2016

WATER RESOURCES
WESTERN REGION

Danie,

You probably received the approval letter from Tom Curet, Regional Supervisor for IDFG. I thought perhaps I should send you an update for our file. The Forest Service Special use permit may still take some time. I contacted Anthony Botello, Forest Service District Ranger for the Krassel District on the Payette Natl. Forest some time ago. It is rather confusing as to who is going to administer this. Anthony is in favor of this yet it needs to go through the process. I'm kind of at a standstill waiting on them.

Thank you very much for the help you have given me on this and for your patience.



Mike McLain



IDAHO DEPARTMENT OF FISH AND GAME
SALMON REGION
99 Highway 93 North
Salmon, Idaho 83467

C.L. "Butch" Otter / Governor
Virgil Moore / Director

February 4, 2016

RECEIVED

FEB 08 2016

**WATER RESOURCES
WESTERN REGION**

IDWR
Panie Merriman
2735 Airportway
Boise, ID 83705

Mike McLain
P.O. Box 7
North Fork, ID 83466

RE: Water Right Application No. 77-14361 (Salmon River Tours)

Dear Paine Merriman and Mike McLain:

The Idaho Department of Fish and Game (Department) has reviewed the application for permit no. 77-14361 submitted by Randy Budge on behalf of Mike McLain (Applicant). The Applicant seeks to appropriate 0.11cfs of public water from Lemhi Creek. The proposed beneficial uses are for irrigation of approximately ¼ acre yard, commercial building (lodge) and three cabins. Water distribution would be accomplished by using a screened four inch pipe charged at the POD that then splits into two one inch pipes which serves the buildings with irrigation from portable hoses to sprinklers.

The purpose of these comments is to assist the decision-making authority by providing technical information addressing potential effects on fish and wildlife and their associated habitat and how any adverse effects might be avoided, minimized, or mitigated. It is not the purpose of the Department to support or oppose the water right application. The Department and Idaho Fish and Game Commission are expressly charged with statutory responsibility to preserve, protect, perpetuate, and manage all fish and wildlife in Idaho. I.C. § 36-103(a). In fulfillment of our statutory charge and direction as provided by the Idaho Legislature, we offer the following comments and recommendations.

Lemhi Creek is a tributary of the main Salmon River and may provide habitat for fish species listed as endangered or threatened under the Endangered Species Act, caution is necessary to ensure that new appropriations of water do not undermine the substantial state, private, and federal efforts to restore and protect ESA-listed fish species and other public values in the state's rivers and streams. The main stem of

Keeping Idaho's Wildlife Heritage

the Salmon River is just downstream of the proposed water right, which is utilized by four ESA- listed species (Steelhead, Bull Trout, Chinook and Sockeye Salmon, respectively). It also contains resident populations of Rainbow Trout, Westslope Cutthroat Trout, Mountain Whitefish and White Sturgeon.

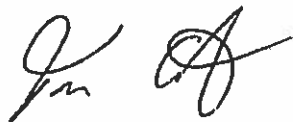
Based on you original letter submitted to the Department a screen is in place and since installing a flange on the rear of the screen, you feel it is sufficient for proper protection of fish that may utilize Lemhi Creek. You also stated that if we felt that additional screening or a screen from the Department was required, you would be more than willing to have the Department work with you to make those adjustments.

Based on whether your fish screen was constructed prior to the establishment of the NMFS (National Marine Fisheries Service) 2011 criteria, approval of your screen may be considered providing that all six of the following conditions are met:

1. The entire screen facility must function as designed.
2. The entire screen facility has been maintained and is in good working condition.
3. When the screen material wears out, it must be replaced with screen material meeting the current criterion stated in this document (NMFS 2011). To comply with this condition, structural modifications may be required to retrofit an existing facility with new screen material.
4. No mortality, injury, entrainment, impingement, migrational delay, or other harm to anadromous fish has been noted being caused by the facility.
5. No emergent fry are likely to be located in the vicinity of the screen, as agreed to by NMFS and/or Department biologist familiar with the site.
6. When biological uncertainty exists, access to the diversion site by NMFS and/or Department personnel is permitted by the diverter for verification of the above criteria.

Based on our findings this water withdrawal should not negatively impact fish or aquatic resources. We appreciate the opportunity to review this application and provide comments. If you need additional assistance, please contact the Region's Environmental Staff Biologist, Jeff Richards at (208) 756-2271.

Sincerely,



Tom Curet
Regional Supervisor

Literature Cited

NMFS (National Marine Fisheries Service). 2011. Anadromous Salmonid Passage Facility Design. NMFS, Northwest Region, Portland, Oregon.

Keeping Idaho's Wildlife Heritage



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

RECEIVED

DEC 14 2015

WATER RESOURCES
WESTERN REGION

1118 F Street • Lewiston, Idaho 83501 • (208) 799-4370
www.deq.idaho.gov

C.L. "Butch" Otter, Governor
John H. Tippetts, Director

December 10, 2015

Mr. Patrick Kelly
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Subject: Application for Permit, Identification No. 77-14361

Dear Mr. Kelly:

DEQ received a request for comment on an application for a water appropriation permit to withdraw 0.11 cfs of water from Lemhi Creek, tributary of the Salmon River, Idaho County. The withdrawal will be for irrigation and commercial purposes from March 15 to October 31 and January 1 to December 31 respectively. Assuming all federal, state and local permits have been obtained, regulations met, and reviews completed, we offer the following comments.

In the Idaho Water Quality Standards, the Lemhi Creek water body identification number is ID17060207SL011_02 (IDAPA 58.01.02.130.09). Lemhi Creek is listed in Category 1 of the 2012 Integrated Report. Waters in Category 1 are wholly within a designated wilderness or inventoried roadless area and presumed to be fully supporting all beneficial uses.

DEQ has previously provided comment on the IDWR Application for Permit Identification No. 77-7161 to appropriate 2.0 cfs of water from Lemhi Creek (2007). Flow data for Lemhi Creek is not included with the request for comment; therefore, DEQ cannot determine if removal of 0.11 cfs in addition to legally appropriated 2.0 cfs from application #77-7161 will impact existing aquatic life beneficial uses.

In order to protect and maintain aquatic life beneficial uses, stream flow adequate to sustain existing aquatic life needs to be maintained (IDAPA 58.01.02.100.01). We recommend that stream flow be maintained at a level suitable to protect and maintain that aquatic life during the withdrawal and at no time should the stream be allowed to go dry as a result of legally appropriated and allowable water withdrawals.

Thank you for the opportunity to comment on your application. If you have any questions regarding the Idaho Water Quality Standards or the conditions listed above, please call us at (208) 799-4370.

Sincerely,

A handwritten signature in black ink that reads "Cindy Barrett".

Cindy Barrett
Surface Water Quality Manager

c: Salmon River Tours, Mike McLain, North Fork, ID
John Cardwell, DEQ
TRIM

MEMORANDUM

TO: 77-14361 Salmon River Tours Co. file
FROM: Danie Merriman (Western)
DATE: November 30, 2015
RE: Meeting with Mike McLain at 4:20 pm

The following responses were acquired per an in-person conversation with the applicant in regards to a letter sent to Salmon River Tours on November 6, 2015.

1. *The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the Idaho Department of Fish and Game and the Idaho Department of Environmental Quality.*
The applicant will contact each of the entities and get comment letters regarding their water application in the upper basin.
2. *Point of Diversion. You listed the Point of Diversion as being on Lemhi Creek in T25N R09E Sec 29 SWSW. Based on the maps included with your application, it is difficult to locate precisely where the point of diversion is to occur and it is possible that it may actually be in the NWNW or SESW quarter. Please review the enclosed map and mark where the diversion is to take place. If it occurs in the NWNW or SESW corner, please amend your application to show this.*
The applicant drew approximately where the point of diversion is. Although the aerial photography is not perfectly clear, it was determined that the POD is in the SWSW corner.
3. *Point of Diversion. The immediate land bordering HES 707 is owned by the Payette National Forest. Based on the map included with your application, your proposed point of diversion may be on this forest service land. If you are planning on developing the point of diversion on Forest Service land, please describe the arrangement you have with the Payette National Forest that allows you to make this filing.*
The applicant does not currently have an arrangement with the National Forest to divert water on their land. He will contact the Forest Service and pursue a special use permit for his diversion. He will send me written documentation of this contact.
4. *Point of Diversion. There are several other water rights in the immediate area that come from Lemhi Creek. Are there any others who would use the exact point of diversion you are describing?*
The applicant's neighbor Groves also has a pipe in the stream. It is at the exact same location, but is a different pipe. No others are pulling water at the same point.
5. *Quantity. The parcel descriptions included with your application denote 0.56 acres of land owned by Salmon River Tours. Your application proposes .01 cfs for the irrigation of .11 acres. Please confirm this is the amount of land you would like to irrigate. Your application also proposes .1 cfs for commercial use. Please explain how you calculated .1 cfs to be used for commercial use.*
The applicant's attorney, Randall Budge, helped decide the quantities. .11 acres is approximately the amount of land that is left on their .56 acre property once you remove land occupied by buildings. .1 cfs was determined to be the capacity of water the three cabins and lodge require for water. The original application indicates that there are three cabins for domestic use. The applicant described that cabins of being occupied irregularly by customers of the company, so these cabins will be covered with a commercial use rather than a domestic use.
6. *Place of Use. There is a little confusion on where precisely your place of use will be. Please see the enclosed map and draw where the commercial use and irrigation are to take place. Section 8 of the application for permit form describes the commercial use in the SESW quarter and irrigation in the SWSW quarter. If the use is to take place entirely within the HES 707, section 8 of the form should be amended to indicate both uses occurring in the SWSW corner. If some irrigation will occur in the SESW quarter, please amend your application to show how many acres will be irrigated here.*
The applicant drew on the map approximately where the .11 acres will be irrigated. The shape seems bigger than this due to the cabins that occupy the majority of the space. The place of use descriptions for both the commercial and irrigation use were expanded to the SWSW and SESW corners to fully cover where the cabins and irrigated land may be.
7. *Overlap. Department records indicate that active water right 77-14280 is for irrigation on the same land using water from the same creek. Does anyone besides Salmon Rivers Tours irrigate the land you described?*
After examining the map, it was determined that water right 77-14280 does not overlap with the proposed place of use. No others irrigate the land described by the applicant.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

November 6, 2015

SALMON RIVER TOURS CO
PO BOX 7
NORTH FORK, ID 83466

RE: Application for Permit 77-14361 in Salmon and Clearwater River Basins

Dear Applicant(s),

This letter is in regards to your Application for Permit 77-14361 which requests water from Lemhi Creek which is tributary to the Salmon River. Additional information is needed to further process your request.

You are applying for water that is within the Salmon River and Clearwater River drainages. Because the waters of these river drainages are habitat for fish species listed as endangered or threatened under the federal Endangered Species Act, caution is necessary to ensure that new appropriations of water do not undermine efforts to protect and restore the ESA listed fish species and other public values for rivers and streams. IDWR is, therefore, requiring applicants to submit additional information required by Rules 40.05.g, local public interest.

Rule 40.05 g requests information relative to conflict with the local public interest, section 42-203A(5)(e), Idaho Code, and shall be submitted as follows:

The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the Idaho Department of Fish and Game and the Idaho Department of Environmental Quality.

The following state agency representatives will help you respond to the local public interest requirement of Rule 40.05.g. IDWR must receive written comments from both of those agencies.

Idaho Department of Fish & Game contact list for water right applications:

Panhandle Region:	Mary Terra-Berns at 208-769-1414
Clearwater Region:	Ray Hennekey at 208-799-5010
McCall Subregion:	Dale Allen at 208-634-8137
Salmon Region:	Tom Curet at 208-756-2271
Southwest Region:	Rick Ward at 208-465-8465

Idaho Department of Environmental Quality contact list for water right applications:

Lewiston:	Cindy Barrett at 208-799-4370 (Clearwater or lower Salmon River basins)
Boise:	Josh Schultz at 208-373-0550 (South Fork Salmon River basin)
Idaho Falls:	Troy Saffle at 528-2650 (Upper Salmon, Lemhi, Pahsimeroi basins)

In addition to the written comments from IDFG and DEQ, the Department requires clarification on a number of sections of your application form.

1. Point of Diversion. You listed the Point of Diversion as being on Lemhi Creek in T25N R09E Sec 29 SWSW. Based on the maps included with your application, it is difficult to locate precisely where the point of diversion is to occur and it is possible that it may actually be in the NWNW or SESW quarter. Please review the enclosed map and mark where the diversion is to take place. If it occurs in the NWNW or SESW corner, please amend your application to show this.
2. Point of Diversion. The immediate land bordering HES 707 is owned by the Payette National Forest. Based on the map included with your application, your proposed point of diversion may be on this forest service land. If you are planning on developing the point of diversion on Forest Service land, please describe the arrangement you have with the Payette National Forest that allows you to make this filing.
3. Point of Diversion. There are several other water rights in the immediate area that come from Lemhi Creek. Are there any others who would use the exact point of diversion you are describing?
4. Quantity. The parcel descriptions included with your application denote 0.56 acres of land owned by Salmon River Tours. Your application proposes .01 cfs for the irrigation of .11 acres. Please confirm this is the amount of land you would like to irrigate. Your application also proposes .1 cfs for commercial use. Please explain how you calculated .1 cfs to be used for commercial use.
5. Place of Use. There is a little confusion on where precisely your place of use will be. Please see the enclosed map and draw where the commercial use and irrigation are to take place. Section 8 of the application for permit form describes the commercial use in the SESW quarter and irrigation in the SWSW quarter. If the use is to take place entirely within the HES 707, section 8 of the form should be amended to indicate both uses occurring in the SWSW corner. If some irrigation will occur in the SESW quarter, please amend your application to show how many acres will be irrigated here.
6. Overlap. Department records indicate that active water right 77-14280 is for irrigation on the same land using water from the same creek. Does anyone besides Salmon Rivers Tours irrigate the land you described?

Please submit the comment letters and requested information for the application to be processed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. The application will be voided without a timely written reply within the next sixty (60) days. Refunds are not issued for voided applications. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information or have any questions. Thank you for your attention to these matters.

Sincerely,



Danie Merriman
Water Resource Agent
IDWR, Western Region

Enclosed: Copy of original Application for Permit
Additional map

CC: Randall C. Budge





RACINE
OLSON
NYE
BUDGE
BAILEY

201 E. Center St.
P.O. Box 1391
Pocatello, ID 83204
O 208.232.6101
F 208.232.6109
racinelaw.net

RECEIVED

JUN 01 2015

WATER RESOURCES
WESTERN REGION

RANDALL C. BUDGE
rcb@racinelaw.net

May 28, 2015

Jeff Peppersack
Water Right Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Salmon River Tours Co. - Application for Permit

Dear Jeff:

The Application for Permit received May 12, 2015 was returned to complete Section 6a. Enclosed please find the original and two extra copies of the completed Application. Please file and process the original and conform stamp and return the extra copies to me and to the Applicant in the enclosed stamped and addressed return envelopes.

d 6/1/15

Thanks for your assistance.

Sincerely,

RANDALL C. BUDGE

RCB:ts

Enclosures

c: Mike McLain, President, Salmon River Tours Co.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

May 12, 2015

SALMON RIVER TOURS CO
PO BOX 7
NORTH FORK, ID 83466

COPY

Re: Water Right Application Incomplete - Returned

Dear Applicant:

This office received your application on May 11, 2015. The application cannot be accepted into the records of the Idaho Department of Water Resources (IDWR) until the following item is addressed:

- Description of Diverting works was incomplete. Complete section 6a to describe the system you will use to divert water from this source. An example of this is using a pump in a creek to connect to your sprinkler or drip irrigation system and/or home.

The original incomplete application is enclosed. Please make the necessary amendments to the original form and re-submit within the next thirty (30) days. If IDWR does not receive your written response within thirty (30) days, a refund will be issued for this filing. IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please consult the IDWR website or contact this office at 208-334-2190 and ask for the "office day person" if you have any questions about the necessary information or fee.

Sincerely,

Western Region Water Rights Staff

Enclosure: Original Application

CC: Randall Budge

Incomplete application
FORM 2021/1/13
RECEIVED

MAY 12 2015

**WATER RESOURCES
WESTERN REGION**

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. _____

COPY

1. Name of applicant(s) Salmon River Tours Co. Phone 208-865-2375
Name connector (check one) ☐ and ☐ or ☐ and/or
Mailing address P.O. Box 7 City North Fork
State Idaho Zip 83466 Email _____
2. Source of water supply Lemhi Creek which is a tributary of Salmon River
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
25N	9E	29			SW	SW	Idaho	Lemhi Creek	

4. Water will be used for the following purposes:
- Amount 0.01 for Irrigation purposes from 3/15 to 10/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount 0.10 for Commercial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) 0.11 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
6. Proposed diverting works:
- a. Describe type and size of devices used to divert water from the source. _____
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☐ No
- e. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____.
7. Description of proposed uses (if irrigation only, go to item 8):
- a. Hydropower; show total feet of head and proposed capacity in kW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; complete and attach the Municipal Water Right Application Checklist.
- d. Domestic; show number of households (3) Cabins
- e. Other; describe fully. Commercial is for lodge for maximum of 30 people, with bathrooms and restaurant service.
Approx 1/4 acre yard irrigated around lodge and (3) cabins.



RACINE
OLSON
NYE
BUDGE
BAILEY

201 E. Center St.
P.O. Box 1391
Pocatello, ID 83204
O 208.232.6101
F 208.232.6109
racinelaw.net

RANDALL C. BUDGE
rcb@racinelaw.net

May 11, 2015

RECEIVED

MAY 12 2015

WATER RESOURCES
WESTERN REGION

Jeff Peppersack
Water Right Manager
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705-5082

Re: Salmon River Tours Co. - Application for Permit

Dear Jeff:

Per our phone conversation, since the previous Application for Permit No. 77-7303 appears to have lapsed and can not be reinstated, I am enclosing a new Application for Permit as follows:

1. Original and two copies of Application for Permit;
2. Check for filing fees in the amount of \$100.00; and
3. Stamped and addressed return envelopes. *Q 5/12/15*

Please file and process the original and conform stamp and return the extra copies to me and to the Applicant in the stamped and addressed return envelopes.

If you have any questions don't hesitate to give me a call. Thank you for your cooperation and assistance.

Sincerely,

RANDALL C. BUDGE

RCB:ts

Enclosures

c: Mike McLain, President, Salmon River Tours Co.

8. Description of place of use:

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
25N	9E	29											0.11	C					0.11
														I					

Total number of acres to be irrigated: 0.11

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

Homestead Entry Survey No. 707. See Attachment 1.

12. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year).

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

Randall C. Budge
Signature of Applicant

Signature of Applicant

Randall C. Budge, Attorney for Applicant
Print Name (and title, if applicable)

Print Name (and title, if applicable)

Received by CS Date 5/12/15 Time 1:30 Preliminary check by _____
Fee \$ 100⁰⁰ Received by CS Receipt No. W043088 Date 5/12/15

FIVE MILE BAR QUADRANGLE

IDAHO—IDAHO CO.

7.5 MINUTE SERIES (TOPOGRAPHIC)

23

25'

24

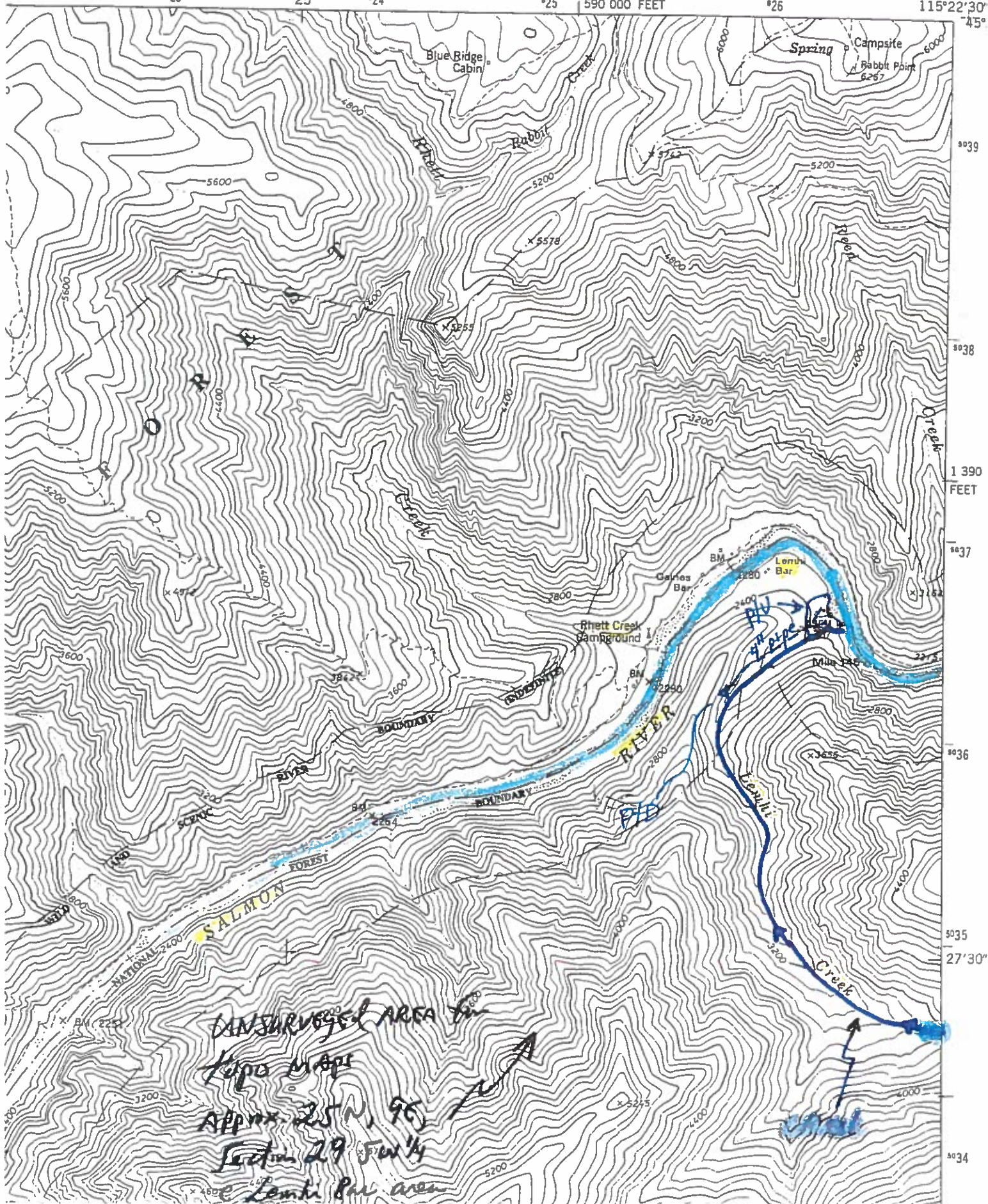
25

590 000 FEET

26

115°22'30"

45°



R. 7 E

R. 8 E

R. 9 E

R. 10 E



Copy from
Angeles Nat'l. Forest Map

Attachment 1

Phone (208) 983-2742

COUNTY OF IDAHO

Fax (208) 983-0667

OFFICE OF THE ASSESSOR

JIM BECKMAN

320 WEST MAIN, ROOM 1
GRANGEVILLE, ID 83530

Mr. McLain,

I 'm sorry but this is the only map that we have for your area, because there are not to many private owners down in that area we do not maintain a map.

This is the H.E.S. (homestead entry survey) #707

I have also enclosed the legal descriptions of tax # 5 and #6.

I hope this will do for what you are looking for.

Thanks

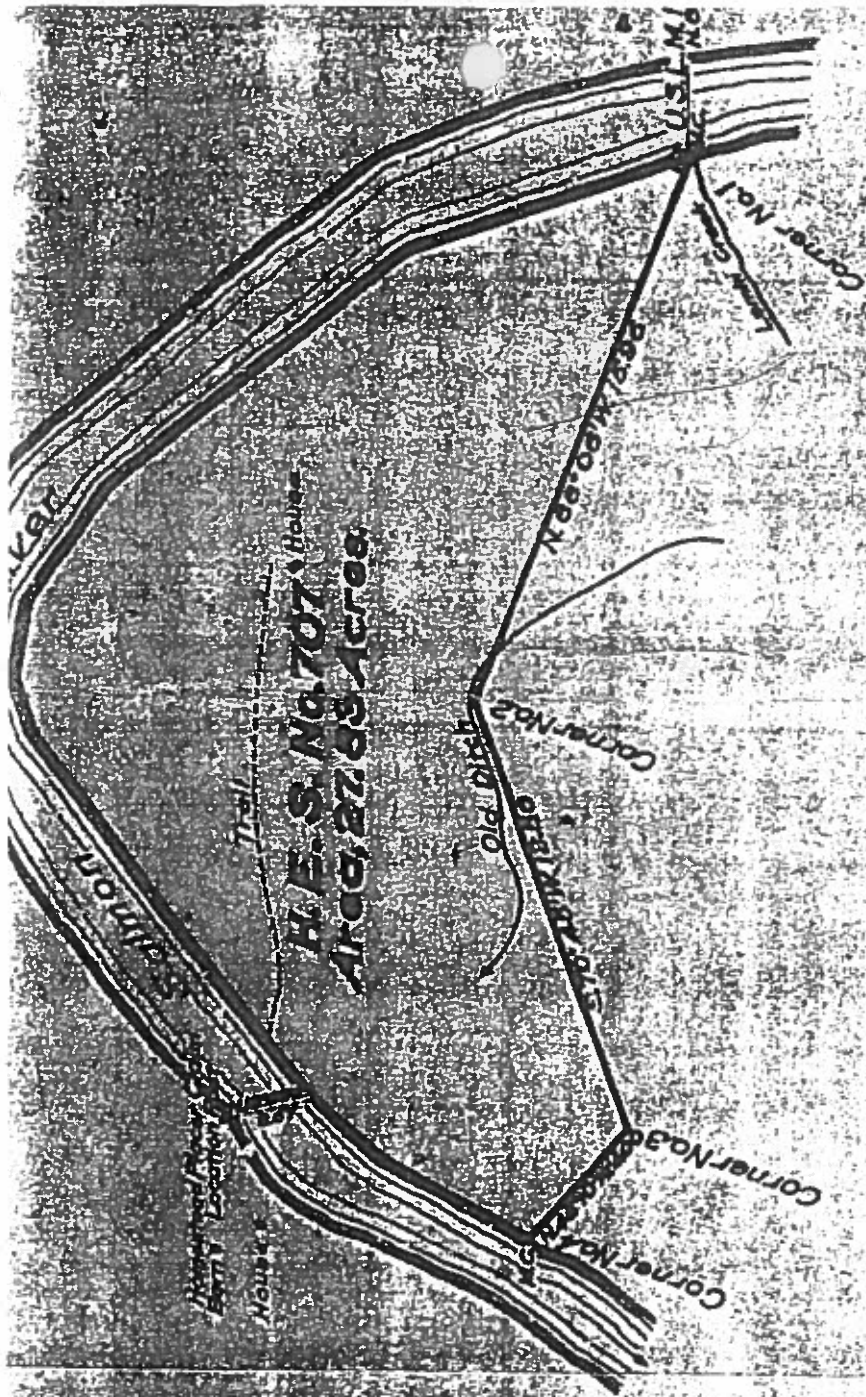
Shawna Hilbert

Property clerk/deputy

Shawna Hilbert deputy

P.S.

I hope that your place is not to close to the fire. Good luck !



T.25N. R.9E.
Unsurveyed.
Approximate Section 29.

7/29/03

PMO100 - PARCEL MASTER INQUIRY

14:38:58

PARCEL: RP 25N09E296340 A

F9=MS

F17=DD F19=SP

LEGAL DESCRIPTION

T25N R9E SEC 29

.25 AC

TAX # 6

(PT OF H E S 707)

SALMON RIVER TOURS CO

*

P O BOX 7

CODE AREA 10-0000 OWNER CD

PARC TYPE LOC CODE

EFFDATE 11261980 EXPDATE

PREV PARCEL

NORTH FORK ID 83466

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
11	2001	250	AC	14280				

TOTALS

250

14280

ENTER NEXT PARCEL NUMBER RP

A

FKeys: F2=TX F3=Exit F5=SS F6=Nm F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

7/29/03

PMO100 - PARCEL MASTER INQUIRY

14:39:12

PARCEL: RP 25N09E296330 A

F9=MS

F12=RC F14=HO

F17=DD F19=SP

LEGAL DESCRIPTION

SALMON RIVER TOURS CO

T25N R9E SEC 29

.31 AC

*

TAX # 5

(PT OF H E S 707)

P O BOX 7

CODE AREA 10-0000 OWNER CD

NORTH FORK ID 83466

PARC TYPE LOC CODE

EFFDATE 11261980 EXPDATE

PREV PARCEL

X for parcel comments

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
11	2001	310	AC	17707				
33	2001			162864	162864	50000		

TOTALS 310 180571 162864 50000

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH F22=EU

IDAHO COUNTY,
IDAHO

SEC.

TWP.

RGE.

25

9E

AX NUMBER RECORD

TAX
NUMBER

DESCRIPTION

YEAR

PRESENT OWNER

A parcel of land situated in the East end of Homestead Entry Survey Number 707 in unsurveyed Section 29, Township 25 North, Range 9 E.B.L., Idaho County Idaho, more particularly described as follows:

Beginning at a point on the South boundary of said NES 707, from which point a 24"x10"x5" granite stone marked "1 EE" bears S59°11'W, 6.5 feet, and Corner Number 1 of said NES 707 bears S68°06'E, 279.4 feet,
1. Thence N59°11'E, 219.2 feet to intersect the Meander line of said NES 707, from which point a 10" dbh Douglas-fir bears S59°11'W, 54.5 feet, marked "5/EE",
2. Thence S16°10'E, 60.7 feet,
3. Thence S66°08'W, 153.74 feet to the South line of said NES 707,
4. Thence N68°06'W, 794.4 feet to the place of beginning containing a calculated area of 0.31 acres, more or less.

8-7-75 Frank Santos etux
12-26-90 Salmon River Twp. Co.
3-23-92 Salmon River Twp. Co. (60' W)

A parcel of land situated in the East Corner of Homestead Entry Survey Number 707, in unsurveyed Section Twenty-Five (25), Township Twenty-Five (25) North, Range Nine (9), E.B.L., Idaho County, Idaho, more particularly described as follows:

Beginning at N.E.S. #707 Corner Number One,
1. Thence North 68°06'W., 200 feet to a point along the line to Corner 2,
2. Thence North 66°08'E., 154 feet to the left bank of the Salmon River mean high water line,
3. Thence South 18°10'E., 144 feet along said mean high water line to the place of beginning, containing a calculated area of 0.25 acres, more or less.

4-25-75 Robert Lee Roy Smith etux
12-26-90 Salmon River Twp. Co.
3-23-92 Salmon River Twp. Co.

Approximately 1.013 acres, more or less, situate within the H.E. Survey No. 726 embracing a portion of , approximately Township 25 and 26 North, Range 9 East, Boise Meridian, in Idaho County, Idaho more particularly described as follows, to-wit:

Commencing at Corner No. 1, from which U.S.L.M. No. 726 bears S.87°20'45" E. 88.74 chains distant; thence S. 28°45'W. 22.17 chains to Cor. No. 2; thence S.48°47'W. 15.43 chains to Cor. No.3; thence S. 53°33'W 30.15 chains to Cor. No. 4; thence N. 31°34'W. 15.01 chains to Cor. No. 5; thence N. 89°35'W. 2.04 chains to Cor. No. 6; thence N. 36°6' W. 8.10 chains to Cor. No. 7; thence N. 60°8' E. 65.07 chains to Cor. No 8; which said Corner no. 8 is the point and place of beginning. Thence S.51°37'E. 335 ft. to Point A.; Thence S. 87° W 342 ft to Point B. Thence N. 2° 56'29" E. 186.30 feet to Point C; Thence N. 60°08'E. 80 ft. to the point of beginning at Corner No. 8.

5-25-78 Lester West etux
8-26-81 Marlene A. West
4/13/00 MARIENE A WEST
6/23/01 MARIENE A WEST

A tract of land containing approximately 2.00 acres located in Govt. Homestead Entry Survey No. 726 (H.E.S. 726); T25N R9E of the B.M., Section 1 (unsurveyed), Idaho County, Idaho, and more particularly described as beginning at corner 2 for said H.E.S. 726 (a brass cap and pipe) thence S 51°37'00"E (the basis of bearing), 414.24 feet to corner 1 of H.E.S. 726 (a brass cap and pipe) and the True Point of Beginning; thence S 28°43'42"W, 691.00 feet along line 1-2 of said H.E.S.; thence leaving line 1-2, N 57°30'00"W, 183.87 feet to an existing road; thence along said road N 08°00'00"E, 116.00 feet; thence N 50°12'51"E, 613.00 feet to corner 1 and the Place of Beginning. Together with an emsement, water right and right to use airport.

4/25/89 Edward I. Robertson etux
1-14-91 Z. WEST, Lester
4/17/94 Lester West (307320 C. 100' W) 31'
LESTER & ERIENK WEST (H&W) 2A.

TAX
NUMBER

DESCRIPTION

YEAR

PRESENT OWNER

3

Beginning at corner No.1, from which U.S.L.M. No.726 bears S 87° 20' 48" E. 88.74 chains distant; thence S. 20° 45' W. 22.37 chains to corner No.2; thence S. 48° 47' W. 15.43 chains to corner No.3; thence S. 53° 33' W. 30.35 chains to corner No.4; thence N. 31° 34' W. 15.01 chains to corner No.5; thence N. 89° 35' W. 2.04 chains to corner No.6; thence N. 36° 6' W. 8.10 chains to corner No.7; thence N. 60° 8' E. 65.07 chains to corner No.8; thence S. 51° 37' E. 613.00 chains to corner No.1 the place of beginning containing 120.22 acres according to the official plat and survey of said land.

Embracing a portion of, approximately, Townships 25 and 26 North of Range 9 East, B.M.

1924 Bertie Lyon and Joseph A. Hoover
1930 Walter Dale
1/1/42 L.O. Bunker et al
3/26/42 James E. Sheldahl
3-16-44 Edward I. Robertson, Trustee
2-1-73 Thomas & Patricia Bowen
5-17-94 Patricia Ann Bowen 374357 Deed Vesting Title

LESS TAX
#7

13
7-1-3
7-2-5
7-1-17

Attachment 2

SPECIAL POWER OF ATTORNEY FOR WATER RIGHTS

The undersigned hereby appoints the law firm of RACINE OLSON NYE BUDGE & BAILEY, CHARTERED, 201 E. Center Street, Post Office Box 1391, Pocatello, Idaho 83204, my/our true and lawful attorney for the purpose of dealing with the Idaho Department of Water Resources relative to the management and transaction of water rights, and to allow them to receive all information, opinions, and records regarding water rights, and to sign and submit applications and other filings on my/our behalf.

DATED this 6th day of May, 2015.

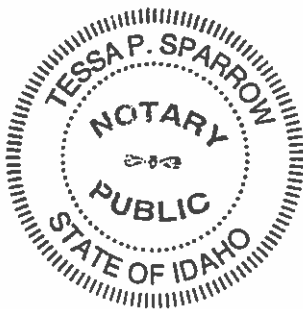
SALMON RIVER TOURS CO.

By: [Signature]
Name: Mike McLain
Title: President

STATE OF IDAHO)
 :SS
County of Bannock)

On this 6th day of May, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Mike McLain, known or identified to me to be the President of the company that executed the instrument or the person who executed the instrument on behalf of said company, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.



[Signature]
NOTARY PUBLIC FOR IDAHO
Residing at: Pocatello, ID
Commission expires: 10/05/15

Attachment 3

State of Idaho

Office of the Secretary of State

CERTIFICATE OF EXISTENCE

OF

SALMON RIVER TOURS CO.

File Number C-87340

I, LAWERENCE DENNEY, Secretary of State of the State of Idaho, hereby certify that I am the custodian of the corporation records of this State.

I FURTHER CERTIFY That the records of this office show that the above-named corporation was incorporated under the laws of Idaho on 8/17/1988.

I FURTHER CERTIFY That the corporation is in goodstanding on the records of this office.

Dated: 5/06/2015 11:24 AM



A handwritten signature in black ink, reading "Lawrence Denney". The signature is fluid and cursive, with a long, sweeping underline.

SECRETARY OF STATE

Authentic Access Idaho Document (<http://www.accessidaho.org/public/portal/authenticate.html>)
Tag: b5ae5f5ff8d74087c1be19756a38253fe290b350dbbedfc23372fda17f2b94185000f2ec5d5b7972