

To all Concerned;

Notice is hereby given:

1st. That Bertha Cooper & Timothy Cooper of Custer County Idaho hereby claim the use of the waters of Birch Creek to the extent of One cubic foot per second.

2d. It is extended to divert said water at or near the point where a copy of this notice is posted, and more definitely described as follows: On the north side of Birch Creek which empties into Salmon River opposite Arystad about one half mile up from the mouth of said Birch Creek. In above description give legal subdivision of land or describe the place with reference to some prominent landmark.)

3d. The purpose for which said water is intended to be used is irrigation and domestic use on the land claim occupied by said claimant - The place of intended use is on what was formerly known as the Frank Smith land claim on the west side of Salmon River about 6 miles below Plaster.

4th. It is intended to divert said water by means of ditch. The general course of the proposed canal is Northerly. The length of the proposed canal is one and one half miles. It is intended to use said water for irrigating the following described land: Frank Smith land claim this day purchased by claimant - said water has been in actual use on said land claim for the last 8 years past, but it is intended to enlarge said ditch.

5th. It is intended to have the works of diversion and use of said water as afore said completed within 5 years (This must in no case exceed five years)

Witness my hand at Custer County Idaho this 28 day of October 28th 1891.

Timothy Cooper } Claimants
Bertha Cooper }

Seal of Custer } ss
County of Custer }

Timothy Cooper being first duly sworn deposes and says that he is of lawful age and one of the claimants 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

9.5

57736
4764
4764
4764

74
m d

5 1/2 sections completed

$$\begin{array}{r} 16 \\ 2 \\ \hline 6 \end{array}$$

27.61
58.03

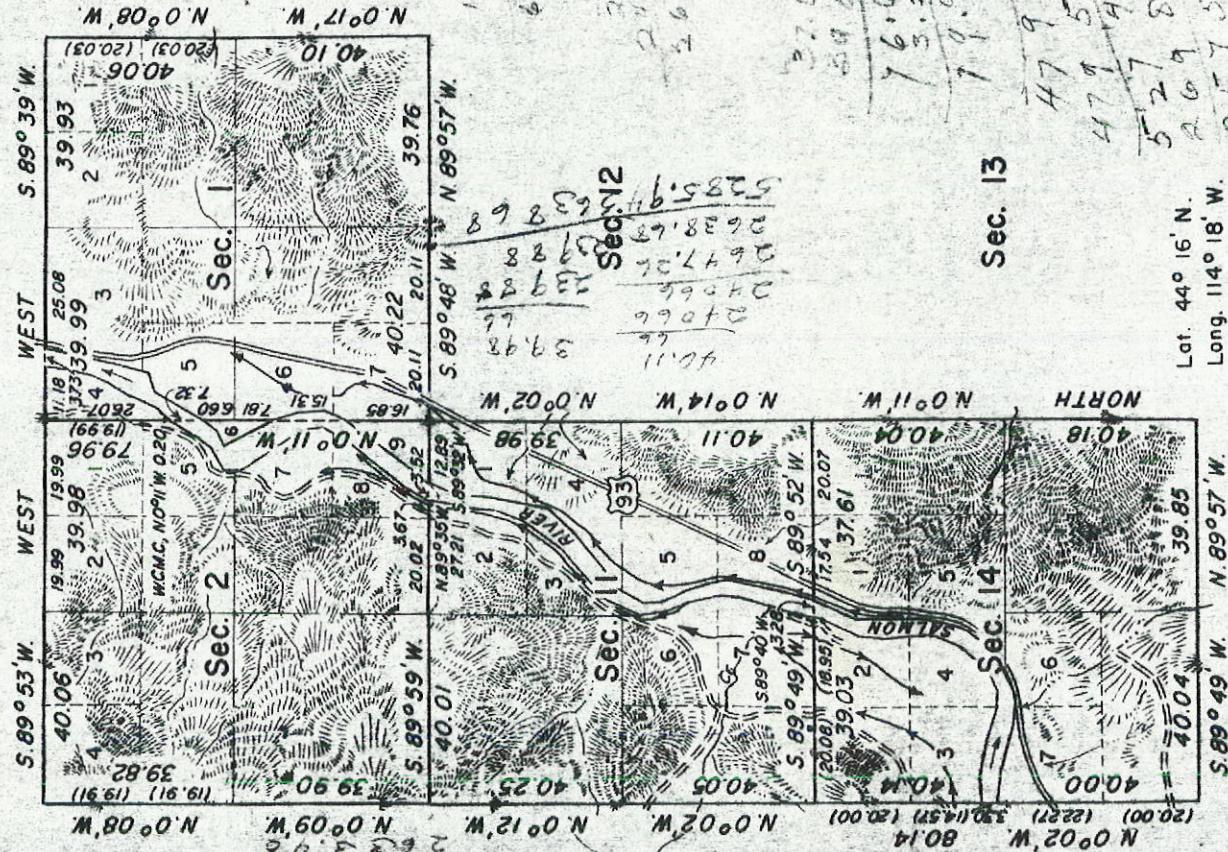
76.67
73.22
70.96
67.53

4795272
4795272
529898
529898

Lat. $44^{\circ} 16' N.$
Long. $114^{\circ} 18' W.$

RECEIVED

Sec. 23



75
 318873
 35892
 3885
 97
 251952
 21827

$$\begin{array}{r}
 526 \overline{) 47832} \\
 \underline{412} \\
 663 \\
 \underline{610} \\
 532 \\
 \underline{526} \\
 60
 \end{array}$$

Sec 3

39.00
 229.40
 268.40

21006
21006
21006

30109

$\begin{array}{r} 40.0 \\ \times 3.7 \\ \hline 280 \\ 1200 \\ \hline 148.0 \end{array}$

Sec. 15

$$\begin{array}{r} 40.25 \\ 24.150 \\ \hline 64.400 \\ 26.56.50 \\ \hline \end{array}$$

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. W.
Twin Falls, Idaho 83301
(208) 734-3579

FEBRUARY 8, 1982

LEWIS CARLISLE
MILDRED CARLISLE
STAR ROUTE
CHALLIS

ID 83225

RE: Claim No. 72-4089

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

Loren O. Holmes

LOREN O. HOLMES
Southern Region Supervisor

Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES



CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Lewis and/or Mildred Carlisle
(Name of Claimant)

Star Route, Challis ID.
(Mailing Address)

83226
(Zip Code)

Telephone No. 838-2387

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) May 1st, 1902

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

#1 Salmon River, #2 Birch Creek tributary to Salmon River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Mo., Day)	(Both dates inclusive) (Mo., Day)
Salmon River	Quantity <u>8.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
Birch Cr.	Quantity <u>1.0 cfs</u>	Use <u>Irrigation</u>	Period of Use From <u>Apr. 1</u>	To <u>Nov. 1</u>
	Quantity <u>.02 cfs</u>	Use <u>Stockwater</u>	Period of Use From <u>Jan. 1</u>	To <u>Dec. 31</u>
	Quantity _____	Use _____	Period of Use From _____	To _____
	Quantity _____	Use _____	Period of Use From _____	To _____
(4)	<u>9.0 cfs</u>	TOTAL QUANTITY USED.		
	(cfs, gpd, AFA)			

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Lot #4 SE 1/4 NW 1/4, Sec. 14 Twp. 11N Rge. 18E B.M., County of Custer

Additional points of diversion: Birch Cr NE NW Sec 22 Twp 11N Rge 18E

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Rock wingdam on river to earth ditch was replaced by pump & sprinkler system from river at existing point of diversion. old diversion was located in SW NE Sec. 28 Twp 11N R. 18E

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>11N</u>	<u>18E</u>	<u>11</u>									<u>36</u>			<u>47</u>					<u>13</u>
<u>11N</u>	<u>18E</u>	<u>14</u>					<u>45</u>	<u>11</u>	<u>17</u>	<u>11</u>									<u>51</u>

No. of acres 64

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered: 200 Range cattle

- (7) If you are claiming water as a member of an organization, list name of organization:

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(8) Remarks _____

[illegible]

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho

County of

Custer

SS.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this

17th day of December

, 19 8/1

matters and facts therein are true to the best of the

Deena L. Carls
Mildred M. Carls (Claimant)

~~Claimant~~

51

Notary Public
Residing at _____

Residing at

mes Bennett
Challis, Idaho

Chellis Lake

My commission expires _____

Life

FOR DEPARTMENT USE ONLY

Received by TGB

Date 12-22-81

Exception filed by:

Forwarded to

Date _____

Prelim. check by ADA

Date 12-28-81

claimant by:

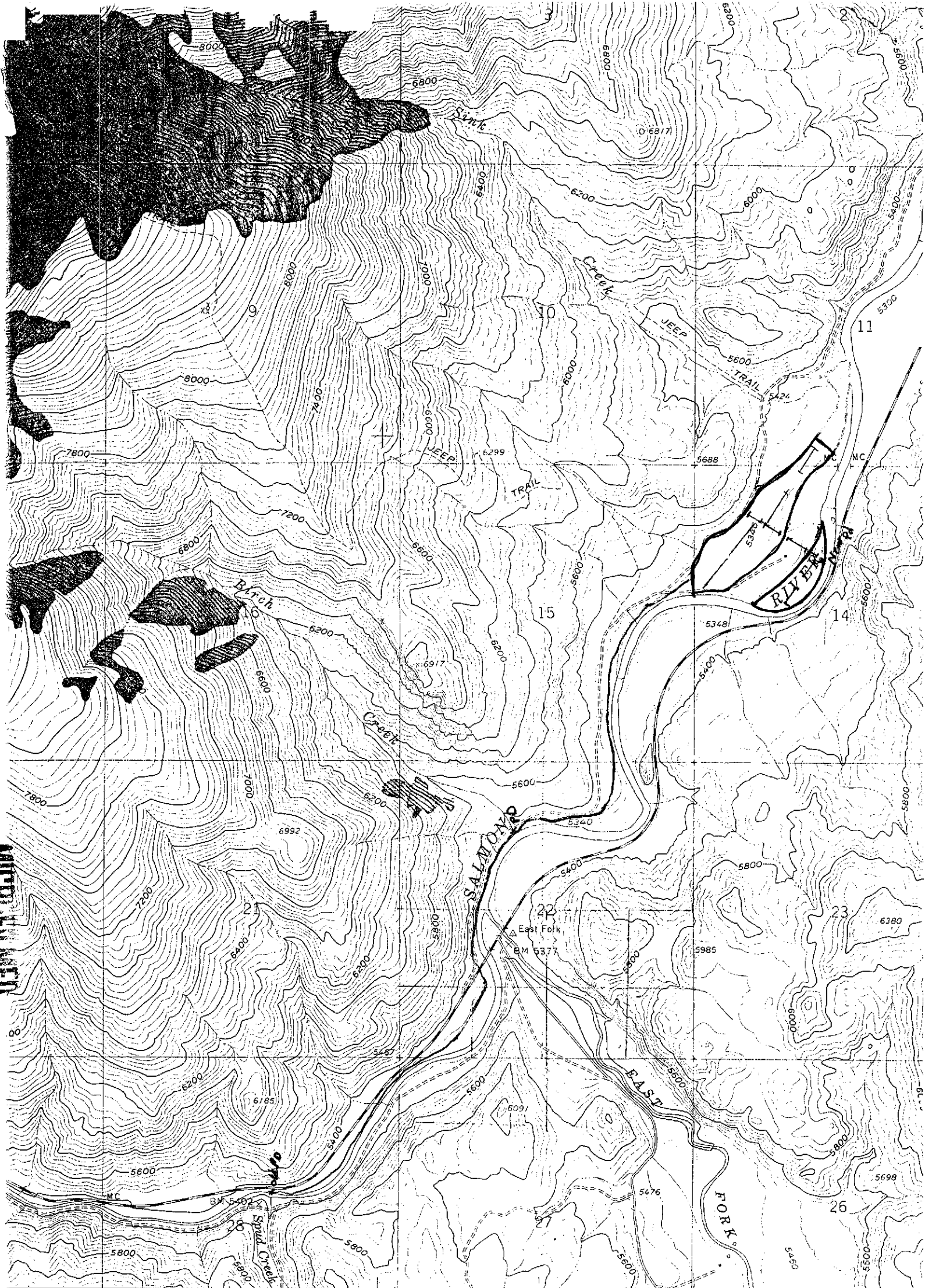
~~\$30.00~~ fee received by

Date 12-23-81 #20732

Published in Custer Publishing Co

Dates 1-7-76

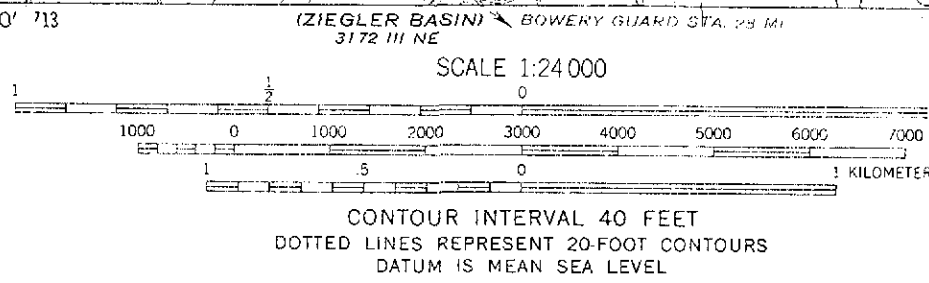
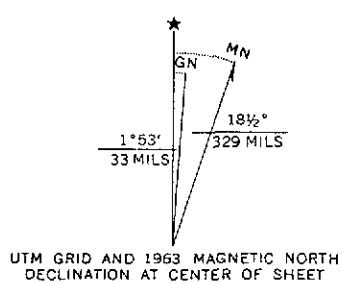
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Geological Survey

from aerial
1963
can datum
ate system, central zone
or grid ticks,

established



THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER 25, COLORADO OR WASHINGTON
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

To all Concerned:

Notice is hereby given:

1st. That Bertha Cooper & Timothy Cooper of Custer County Idaho hereby claim the use of the waters of Birch Creek to the extent of One cubic foot per second.

2d. 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: On the north side of Birch Creek which empties into Salmon River opposite Crystal about one half mile up from the mouth of said Birch Creek. The above description give legal subdivision of land or describe the place with reference to some prominent landmark.

3d. The purpose for which said water is intended to be used is irrigation and domestic use on the land claim occupied by said claimant. The place of intended use is on what was formerly known as the Frank Smith land claim on the west side of Salmon River about 6 miles from Crystal.

4th. It is intended to divert said water by means of ditch. The general course of the proposed canal is Northerly. The length of the proposed canal is one and one half miles. It is intended to use said water for irrigating the following described land: Frank Smith land claim this day purchased by claimant. Said water has been in actual use on said land claim for this last 8 years past, but it is intended to make a new ditch.

5th. It is intended to have the works of diversion and use of said water as afore said completed within 5 years (This must in no case exceed five years).

Witness my hand at Custer County Idaho this 28 day of October 28th 1896.

Timothy Cooper } Claimants
Bertha Cooper }

Seal of Custer County ss.
Clerk of Custer

Timothy Cooper being first duly sworn deposes and says that he is of lawful age and one of the claimants 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

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AFFIDAVIT OF PUBLICATION

State of Idaho, County of Custer, ss.

I, MARGARET PARKS

Publisher of the Challis Messenger, a weekly newspaper, published at Challis, Idaho, do solemnly swear that the notice hereto attached and made a part hereof, was published in the regular and entire issue of the Challis Messenger for 2 consecutive weeks, commencing with the issue dated January 14, 1982 and ending with the issue dated January 21, 1982.

Margaret Parks

Subscribed and sworn to before this 21st day of January, 1982

Ethel M. Beck

Notary Public, residing at Challis, Idaho. My commission expires on

January 21, 1986

72-4089

CARLISLE, LEWIS &/or MILDRED
STAR ROUTE, CHALLIS,
ID 83226

Source: SALMON RIVER tributary to SNAKE RIVER and BIRCH CREEK tributary to SALMON RIVER

Priority Date: 05/01/1902

Amount: 9.00 CFS

Diversion Point: Lot 04 (SESW) Sec 14 T 11N R 18E NENW Sec 22 T 11N R 18E, CUSTER Co.

Use: IRRIGATION (9.00 CFS) from 04/01 to 11/01 and STOCKWATER (0.02 CFS) from 01/01 to 12/31

Source of Use: Lot 06 (NESW) Lot 07 (SESW) Sec 11 T 11N R 18E LOT 02 (NENW) NWNW LOT 03 (SWNW) LOT 04 (SESW) Sec 14 T 11N R 18E FOR 64 ACRES

Diversion Means: PUMP, SPRINKLER

OB
macys

RECEIVED

JAN 27 1982

DEPT. OF AGRICULTURE
LAND OFFICE

NOT RECORDED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

22-4089-

CARLISLE, LEWIS &/or MILDRED

STAR ROUTE, CHALLIS, ID 83226

Source: SALMON RIVER tributary to SNAKE RIVER
BIRCH CREEK tributary to SALMON RIVER

Priority Date: 05/01/1902

Amount: 9.00 CFS

Diversion Point: LOT 04 (SENW) Sec 14 T 11N R 18E NENW Sec 22 T 11N R 18E,
CLUSTER Co.

Use: IRRIGATION
STOCKWATER

(9.00 CFS) from 04/01 to 11/01
(0.02 CFS) from 01/01 to 12/31

Place of Use: LOT 06 (NESW) LOT 07 (SESW) Sec 11 T 11N R 18E LOT 02 (NENW)
NNNW LOT 03 (SWNW) LOT 04 (SENW) Sec 14 T 11N R 18E
FOR 64 ACRES

Diversion Means: PUMP, SPRINKLER

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

A. KENNETH DUNN

Director

Published 1/14 & 1/21/82.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JANUARY 6, 1982

Custer Publishing Company
P. O. Box 405
Challis, Idaho 83226

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billings to this office before FEBRUARY 1, 1982.

Yours truly,

Mary A. Hill
Secretary

Encl.

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State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ADM

Right Number 72-4089 Applicant CARLISLE, Lewis &/or Mildred

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☒ Exceptions processed. None

By ADM Date 2/3/82

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 2/5/82

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POINT OF DIVERSION AND STREAM INDEX INFORMATION

Salmon River

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
SE NW	14	11 N	18 E	04		340.9

IDAHO STREAM CODE INDEX

2720.0920

Birch Creek

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
NE NW	22	11 N	18 E			0.1

IDAHO STREAM CODE INDEX

2720.0920.4050

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH

IDAHO STREAM CODE INDEX

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