

PAVED Co. Rd

25 ft EASEMENT

26

SALMON RIVER

LOT 4  
24.40

LOT 5  
32.50

LOT 8  
44.80

CHALLIS HOTSPRING

SALMON RIVER DITCH

26 | 25

R.R.

Sec. 35

SCALE 1" = 660'

TWP 14 No. R. 19 E. 3 M.

CUSTER CO., IDAHO

- (7) If you are claiming water as a member of an organization, list name of organization: \_\_\_\_\_  
None

(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 )  
 ) ss.  
County of Custer )

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 affiants knowledge.

Sworn to before me this 12<sup>th</sup> day of

Maul Stark Brenda Stark  
(Claimant)

Linda J Horsey  
Notary Public  
Residing at Challis, Ida.

My commission expires 3-20-78

**For Department Use Only**

Received by J. E. Stanton Date 3-8-78 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by JS Date 3-10-78 claimant by: \_\_\_\_\_  
\$10.00 fee received by Sm Date 3/13/78 # 1564  
Approved for publication by OK 4/5/78 \_\_\_\_\_  
Published in Custer Publishing Co. \_\_\_\_\_  
Dates 3/23 & 3/30/78 Sm \_\_\_\_\_

CUSTER CO., IDAHO

Twp 14 No. Rng 19 E. B.M.

Scale 1" = 660'

Sec. 35

Rd.

26.25

Lot 8  
44.80

Lot 5  
32.50

Lot 4  
24.40

SALMON RIVER

SALMON RIVER BRIDGE

CHALKY HOTSPRING

35 ft. ELEVATION

20 Co. 28

RECORDED  
FEB 28 1978  
CUSTER COUNTY CLERK'S OFFICE

STATE OF IDAHO )  
County of Custer ) ss. AFFIDAVIT

RALPH HUTCHINSON, being first duly sworn upon oath deposes and says that he is 69 years of age and a resident of Challis, Custer County, Idaho; and that he has personal knowledge that the lands identified in Book B, Page 166 of the Book of Water Claims, recorded in the office of the Custer County, Idaho Recorder, a copy of which is attached hereto, have been continuously irrigated with Salmon River water since 1926.

DATED: February 28, 1978.

Ralph W. Hutchinson  
Ralph Hutchinson

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of February, 1978.

Linda J. Horsey  
Notary Public for IDAHO  
Residing at Challis, Idaho  
Comm Expires: 3-20-78

(SEAL)

MICROFILMED

# 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 MAR 23,  
 1978, and ending with the issue  
 dated MAR 30, 1978.

Margaret Parks  
 Subscribed and sworn to before  
 me this 31 day of MARCH,  
 19 78.  
Raymond Quoted  
 Notary Public, residing at Challis,  
 Idaho. My commission expires on  
Life

4/5/78  
 98  
 RECEIVED

APR 3 1978

Department of Water Resources  
 Southern District Office

## NOTICE OF CLAIM TO A WATER RIGHT

NO. 72-4043

Notice is hereby given that Mark  
 &/or Brenda Stark, Challis, ID 83226  
 has filed a claim to a water right  
 established by diversion and  
 application to beneficial use of 1.00  
 cubic feet per second of water from  
 Salmon River with point of diversion  
 in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 35, Twp. 14N,  
 Rge. 19E., B.M., Custer County.

The water is claimed to be used  
 from Apr. 1 to Nov. 1 for irrigation  
 purposes of 101 acres with a priority  
 of March, 1906; the place of use is  
 within the S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ ,  
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , Sec. 26; Twp.  
 14N, Rge. 19E., B.M.

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

C. Stephen Allred  
 Director

Published in the Challis Messenger  
 on 3/23 and 3/30/78

ODD

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DEPARTMENT OF WATER RESOURCES  
STAFF ANALYSIS - CLAIM TO A WATER RIGHT

Item Initial Date

Claim No. 72-4043 - Mark &/or Brenda Stark

☒ Name, Address, Telephone  
☒ Source  
☒ Quantity, Purpose, Period of Use  
☒ Priority (Year & Month)(Day Optional)  
☒ Point of Diversion  
☒ Description of Diverting Works  
☒ Place of Use  
☒ Map  
☒ Signature  
☒ Notarized  
☒ Fee

(1) AS 3/10/78  
(2) R 3-14-78  
(3) \_\_\_\_\_  
(4) df 3/22/78

In Form To Receipt

In Form For Advertising

Exceptions Filed: Yes \_\_\_\_\_ No \_\_\_\_\_

Copy To Boise

RECEIVED



STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
SOUTHERN REGION

John V. Evans  
Governor

C. Stephen Allred  
Director

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

April 10, 1978

Mr. Mark Stark  
Box 361  
Challis, Idaho 83226

Re: Claim to a Water Right No. 72-4043 - Mark &/or Brenda Stark

Dear Mr.

The Department of Water Resources has completed the processing of your Claim to a Water Right, and no further action is authorized under Sections 42-225a and 42-225b of the Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the Court.

As you are aware, the filing of your claim does not, in itself guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

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

Sincerely,

*Michael L. Steele*

Michael L. Steele  
Southern Region Supervisor

MLS:dj

RECEIVED  
MAY 10 1978

NOTICE OF CLAIM TO A WATER RIGHT

NO. 72-4043

Notice is hereby given that Mark &/or Brenda Stark

Challis, ID 83226

has filed a claim to a water right established by diversion and application  
to beneficial use of 1.00 cubic feet per second ~~acre feet per acre~~  
of water from Salmon River

with point of diversion in the NW<sup>1</sup>/4 NE<sup>1</sup>/4, Sec. 35, Twp. 14N, Rge. 19E., B.M.,  
Custer County

The water is claimed to be used from Apr. 1 to Nov. 1 for irrigation  
purposes of 101 acres.

with a priority of March, 1906;

the place of use is within the S<sup>1</sup>/4 NE<sup>1</sup>/4, SE<sup>1</sup>/4 NW<sup>1</sup>/4, NE<sup>1</sup>/4 SW<sup>1</sup>/4, N<sup>1</sup>/4 SE<sup>1</sup>/4, Sec. 26, Twp. 14N,  
Rge. 19E., B.M.

Any exception to this claim of water right may be filed with the Idaho  
Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls,  
Idaho, 83301 ~~on or before~~                     .

C. Stephen Allred

Director

Published in the Custer Publishing Co.

on 2/23 and 3/30/78

NOTICE OF CLAIM  
TO A WATER RIGHT  
NO. 72-433

Notice is hereby given that Mark  
&/or Brenda Stark, Challis, ID 83226

has filed a claim to a water right  
established by diversion and

application to beneficial use of 1.00  
cubic feet per second of water from

Selmon River with point of diversion  
in the NW 1/4, Sec. 35, Twp. 14N,

R. 19E, B.M., Custer County.  
The water is claimed to be used

from Apr. 1 to Nov. 1 for irrigation  
purposes of 161 acres with a priority

date of March, 1903; the place of use is  
in the SW 1/4, Sec. 26, Twp. 14N,

R. 19E, B.M., Custer County.  
Application to this claim of

water right may be filed with the  
Idaho Department of Water

Resources, 1031 Blue Lakes Blvd.,  
North, Twin Falls, Idaho, 83301.

C. Stephen Alfred  
Director

on 3/26/03  
Challis Messenger

March 14, 1978

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

Re: Claim to a Water Right No. 72-4043 - Mark &/or Brenda Stark

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Michael L. Steele  
Southern Region Supervisor

MLS:sm

Enc.

Bill submitted: \_\_\_\_\_

MICROFILMED

March 14, 1978

Mr. Mark Stark  
Box 361  
Challis, ID 83226

Re: Claim to a Water Right No. 72-4043 & 72-4042 (Third Claim not numbered)

Dear Mr. Stark:

Enclosed is your receipt No. 7564 for check No. 92-297 in the amount of \$30.00 for the above referenced Claims to a Water Right, which were received in this office March 10, 1978.

If you have any questions regarding these claims, please feel free to contact this office.

Sincerely,

Sheryl Merritt  
Secretary

Enclosure

January 26, 1978

Mr. Mark Stark  
Box 361  
Challis, Idaho 83226

Re: Claim to a Water Right

Dear Mr. Stark:

I am returning your three Claims to a Water Right. The priority dates should be specific to at least the month and year. As filed, your claims show only the year of first use. The filings on Hannah Slough and the Salmon River do not show the point of diversion or the water source on the map. Diverting ditches and irrigation ditches should also be shown and labeled where possible. The filing on the spring should give the name of the spring (if known), or state that it is an unnamed spring. Again, the diverting ditches should be labeled. The spring itself should also be shown. In Item 6 of this claim, the place of use for stock water should be shown with an X. The map should also show the place of use for livestock. Where Government lots occur, as on both sides of the Salmon River, this should be shown on the map and Item 6. Although not required, you may wish to include supporting documents, such as affidavits or property deeds, with these claims. Such documents may be filed at any time.

I am also returning your check No. 92-297 for \$30.00, as we cannot hold the check while the claims are being corrected.

Our records show no licensed or decreed water rights for your ranch.

I am including copies of the Challis Creek and Garden Creek Decree abstracts for your information. You may find them helpful.

If you have any further questions, please feel free to contact this office.

Sincerely,

James E. Stanton  
Water Resource Agent

JES:dj