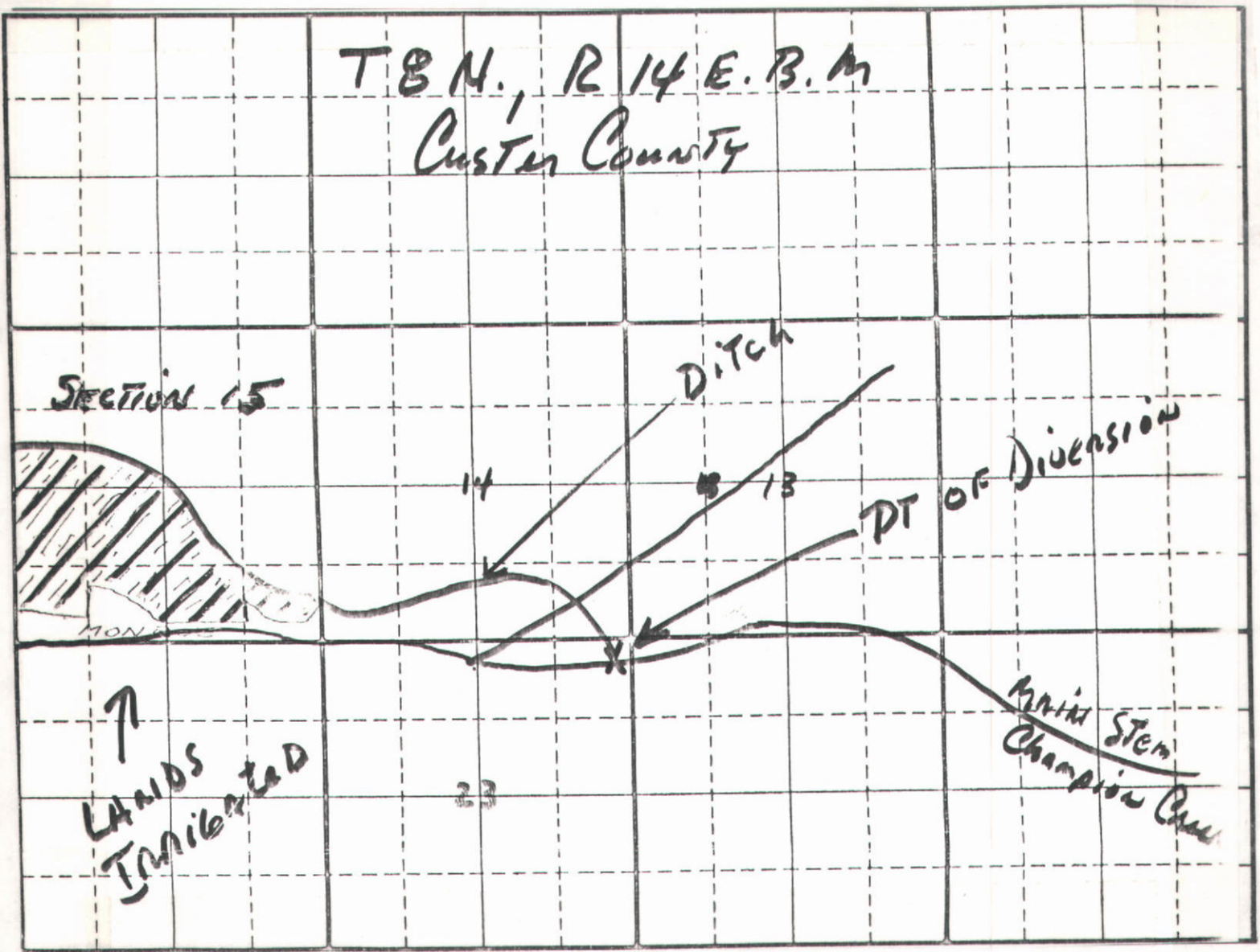


(8) Remarks _____



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 ~~Mass~~ New York)
County of New York) 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.

(Crosby J. S. Jr.)

May 2 - Kernerer
(Claimant)

Sworn to before me this 29th day of October, 1979.

Genevieve V. Foulis
Notary Public
Residing at 1663-69th St.
Brooklyn, N.Y. 11204

GENEVIEVE V. FOULIS
Notary Public, State of New York
No. 24-6366710
Qualified in Kings County

My commission expires Commission Expires March 30, 1980

FOR DEPARTMENT USE ONLY

Received by meys Date 7/4/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by meys Date 7-16-80
30.00 - \$20.00 fee received by meys Date 7/4/80 \$16.505
Published in Custer Publishing Co.
Dates 7/24 & 7/30/80

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 JULY 24, 1980 and ending with the issue dated JULY 31, 1980

Margaret Parks

Subscribed and sworn to before this 11 day of August, 1980.

Harold M. Jensen

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

April 30, 1983

RECEIVED

AUG 12 1980

Department of Water Resources
Sawtooth District Office

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.

71-4019

SMITH, LOYEL DEAN &/or JUDY

P. O. BOX 734, CHALLIS, ID 83226

Source: GROUNDWATER

Priority Date: 01/01/1960

Amount: 0.0440 CFS

Diversion Point: NENE Sec 09 T 10N R 13E, Custer Co.

Use: DOMESTIC (0.0440 CFS) from 01/01 to 12/31

Place of Use: NENE Sec. 09 T 10N R 13E

Diversion Means: PUMP & WELL

70-4018

KEMMERER, MARY ELIZABETH

P. O. BOX 661, SUN VALLEY, ID 83353

Source: CHAMPION CREEK tributary to SALMON RIVER

Priority Date: 01/01/1925

Amount: 2.40 CFS

Diversion Point: NENE Sec 23 T 08N R 14E, Custer Co.

Use: IRRIGATION (2.40 CFS) from 06/01 to 09/15

Place of Use: SWNW SENW NESW NWSW SESW NWSE SWSE Sec 15 T 08N R 14E for 220 ACRES

Diversion Means: SPRINGS & DITCH

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. C. STEPHEN ALLRED
Director

Published 7/24 & 7/31

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

JUL 14 1983
Department of Water Resources
Southern District Office

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 Mary Elizabeth Kemmerer
(Name of Claimant)

P. O. Box 661, Sun Valley, Idaho 83353 Telephone No. 726-3795
(Mailing Address) (Zip Code)

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) 1925

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)
Champion 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)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	<u>2.4 cfs</u>	Use <u>irrigation</u>	Period of Use From <u>June 1</u>	To <u>Sept. 15</u>
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 2.4 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NE 1/4, Sec. 23 Twp. 8 N. Rge 14 E. B.M., County of Custer
Additional points of diversion:

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. Approximately 600 ft. from springs to main ditch. Main ditch 7500 ft. to property boundary and pasture under irrigation.

(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.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
8 N.	14E	15							20	20	40	40	30	25		20	25		220A
Boise Meridian																			

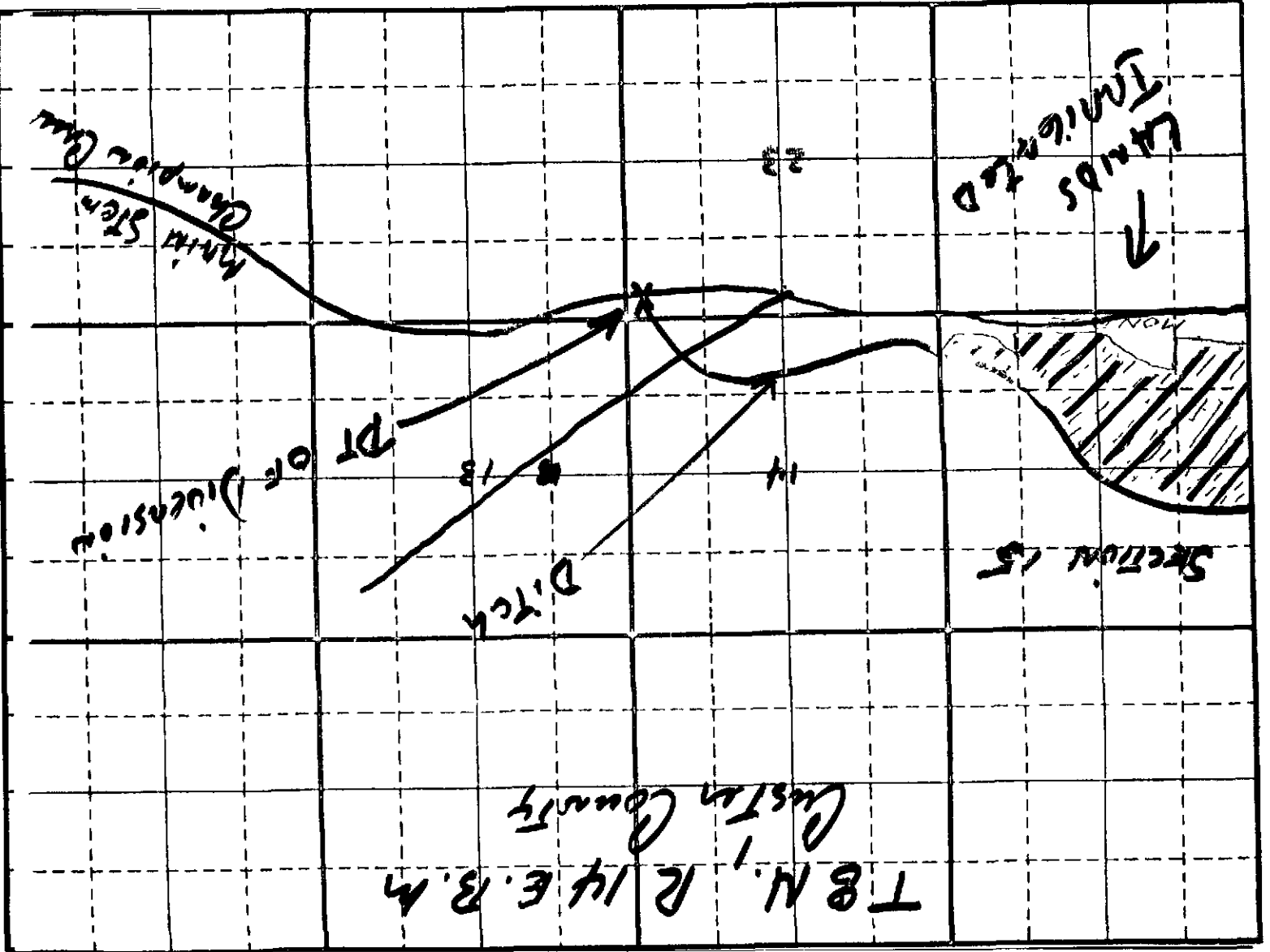
No of acres 220

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

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

RECORDED



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 ~~Mass~~ New York
County of New York
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.

(C. H. H. H. H. H.)

Sworn to before me this 29th day of October, 1979.
(Claimant)
Mary E. Korman

Notary Public
Residing at 1113.09 St.
Genevieve E. Fournier
Notary Public, State of New York
No. 77-6366710
Qualified in Kings County
My commission expires March 30, 1980

FOR DEPARTMENT USE ONLY

Received by mm Date 7/1/80
Prelim. check by mm Date 7-16-80
\$20.00 fee received by mm Date 7/1/80 #16505
Published in Custer County Dates 7/24/80 7/30/80
Exception filed by _____
Forwarded to _____
claimant by: _____
Date _____

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 JUN 24....., 1980 and ending with the issue dated JUN 31....., 1980

Margaret Parks.....

Subscribed and sworn to before this 11 day of August....., 1980

Harold P. James.....

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

April 30, 1983.....

RECEIVED
AUG 12 1980

Department of Resources
Not Office

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

71-4019

SMITH, LOYEL DEAN &/or JUDY
P. O. BOX 734, CHALLIS, ID 83226

Source: GROUNDWATER

Priority Date: 01/01/1960

Amount: 0.0440 CFS

Diversion Point: NENE Sec 09 T 10N R 13E, Custer Co.

Use: DOMESTIC (0.0440 CFS) from 01/01 to 12/31

Place of Use: NENE Sec. 09 T 10N R 13E

Diversion Means: PUMP & WELL

70-4018

KEMMERER, MARY ELIZABETH

P. O. BOX 661, SUN VALLEY, ID 83353

Source: CHAMPION CREEK tributary to SALMON RIVER

Priority Date: 01/01/1925

Amount: 2.40 CFS

Diversion Point: NENE Sec 23 T 08N R 14E, Custer Co.

Use: IRRIGATION (2.40 CFS) from 06/01 to 09/15

Place of Use: SWNW SENW NESW NWSW SWSW SESW

NWSE SWSE Sec 15 T 08N R 14E for 220 ACRES

Diversion Means: SPRINGS & DITCH

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.
C STEPHEN ALLRED
Director

Published 7/24 & 7/31

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 26, 1980

MARY ELIZABETH KEMMERER
P.O. BOX 661
SUN VALLEY ID 83353

RE: Claim No. 71-4018

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 D. HOLMES
Southern Region Supervisor

Enclosure

RECEIVED
AUG 27 1980
SUN VALLEY, IDAHO

Send letter to
Wallace Young
acknowledging affidavit

No letter was
sent because there
is no address here
or at Southern.

RECEIVED
JUN 10 1964

FILED

AUG 27 1980

IN THE MATTER OF:)
)
CLAIM TO A WATER RIGHT #71-4018)
)
MARY ELIZABETH KEMMERER.)
)

AFFIDAVIT Department of Water Resources

STATE OF IDAHO)
)
County of Blaine)

Department of Water Resources
Southern District Office

Mike Cahoon, being first duly sworn, deposes and
says:

That he has managed the "Kemmerer Ranch" on Champion
Creek since June 10, 1967. The lands of the ranch which are
irrigated are located in Section 15 of Township 8 North, Range
14 East, Boise Meridian, Custer County, Idaho.

That as manager of said ranch, the undersigned has
affected the diversion of up to 2.4 c/f/s of flood water, in
addition to the other licensed rights, in each year when said
flood water is available.

That your affiant has diverted said flood water and
has increased the moisture on 220 irrigated acres of the ranch
prior to the time the stream is on regulation and prior to the
time some water rights are cut by reason of shortages which
usually occur in the later summer months.

This affidavit is given in support of a claim to a
water right filed by Mary Elizabeth Kemmerer.

Mike Cahoon
(Signature)

Subscribed and sworn to before me this 19th day
of August, 1980.

Stella Gray
(Notary Public)
Residing at Ketchikan
My Commission Expires June 1984

RECORDED

AUG 1980

IN THE MATTER OF:

) Department of Water Resources

CLAIM TO A WATER RIGHT #71-4018)

AFFIDAVIT

MARY ELIZABETH KEMMERER.

STATE OF IDAHO

County of Blaine

Wallace Young, being first duly sworn, deposes and says:

That the undersigned is familiar with the Kemmerer Ranch in Section 15 of Township 8 North, Range 14 East, Boise Meridian, Custer County, Idaho, and the irrigation system that serves said ranch with waters from Champion Creek.

It has been traditional in the Champion Creek area that when excess flood flows are available in the spring, the ranch owners divert in excess of their licensed rights to saturate the ground so that they can better withstand the hot late summer months.

Of my own personal knowledge, I am aware that since the year 1967, the ranch now owned by Kemmerer has diverted up to 2.4 c/f/s of flood waters over and above their other licensed rights for the purpose of irrigation on the lands that are irrigated in the NW 1/4 SW 1/4 of Section 15, Township 8 North, Range 14 East, Custer County, Idaho.

This affidavit is given in support of Water Claim No. 71-4018 filed by Mary Elizabeth Kemmerer.

Your affiant is personally acquainted with and has been continually acquainted with the irrigation of the lands above-described since 1967.

Wallace Young
(Signature)

Subscribed and sworn to before me this 19th day of August, 1980.

Stella Gray
(Notary Public)
Residing at Reichen
My Commission Expires June 1984

MICROFILMED

1957
W. Y.
M. C.

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J. P. Hunter

Right Number 11-4018 Applicant KEMMERER, Mary Elizabeth

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.

By Loren O. Salmer Date 8-22-80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maureen Date 8/26/80

RECEIVED

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:

71-4018

KEMMERER, MARY ELIZABETH

P.O. BOX 661, SUN VALLEY, ID 83353

Source: CHAMPION CREEK tributary to SALMON RIVER

Priority Date. 01/01/1925

Amount: 2.40 CFS

Diversion Point: NENE Sec 23 T 08N R 14E, CUSTER Co.

Use: IRRIGATION (2.40 CFS) from 06/01 to 09/15

Place of Use: SWNW SENW NESW NNSW SWSW SESW NWSE SWSE Sec 15 T 08N R 14E
FOR 220 ACRES

Diversion Means: SPRINGS & DITCH.

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.

C. STEPHEN ALLRED

Director

Published 7/24 & 7/31.

RECEIVED

70-4818

KEMMERER, MARY ELIZABETH

P. O. BOX 661, SUN VALLEY,
ID 83353

Source: CHAMPION CREEK
tributary to SALMON RIVER

Priority Date: 01/01/1925

Amount: 2.40 CFS

Diversion Point: NENE Sec 23
T 08N R 14E, Custer Co.

Use: IRRIGATION (2.40 CFS)
from 06/01 to 09/15

Place of Use: SWNW SENW
NESW NWSW SWSW SESW
NWSE SWSE Sec 15 T 08N R
14E for 220 ACRES

Diversion Means: SPRINGS
& DITCH

Any exception to any claim
of water right may be filed
with the Director of the Idaho
Department of Water Re-
sources, 1041 Blue Lakes Blvd
North, Twin Falls, Idaho 83301.
C. STEPHEN ALLRED
Director

Published 7/24 & 7/31

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

JULY 16, 1980

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 billing to this office before AUGUST 11, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

10/13/80



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

July 16, 1980

John A. Rosholt
Attorney at Law
P. O. Box 1906
Twin Falls, Idaho 83301

Re: Claim to a Water Right No. 71-4018 - Mary Elizabeth Krenmerer

Dear Mr. Rosholt:

Enclosed is your receipt No. 16505 for check No. 92-39 in the amount of \$30.00 for the above referenced Claim to a Water Right which was received in this office July 14, 1980.

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl: