



**NOTICE OF PROPOSED  
CHANGE OF WATER RIGHT  
NO.'S 75-0017A, 75-0019B,  
& 75-0007**

Notice is hereby given that the City of Salmon, Salmon, ID, has applied to the Department of Water Resources for a change in point of diversion, place of use, nature of use, & period of use of the waters of Jesse Creek tributary to Salmon River. The right sought to be changed is evidenced by:

No. 75-0017A Decreed to Delmer Manfull in case of Andrews & Andrews vs. Martin, et al dated September 30, 1893 in Salmon, County of Lemhi and is recorded as follows:

AMOUNT: 1.26 CFS

PRIORITY: June 1, 1867

POINT OF DIVERSION: NWNW SEC1 T21N R21E, B.M. (JC 1)

The water is used to irrigate within the SESW SWSE SEC30; NWNE NENW SEC31 T22N R22E

No. 75-0019B Decreed to Wheeler & Willis in case of Andrews & Andrews vs. Martin, et al dated September 30, 1893 in Salmon, County of Lemhi and is recorded as follows:

AMOUNT: .30 CFS

PRIORITY: June 1, 1868

POINT OF DIVERSION: SESW SEC2; NENE SEC10 T21N R21E B.M. (JC 1)

The water is used to irrigate within the NWSW SEC1; NESE SEC2 T21N R21E

No. 75-0007 Decreed to Citizens National Bank in case of Miller vs. Long dated June 19, 1925 in Salmon, County of Lemhi and is recorded as follows:

AMOUNT: 4.0 CFS

PRIORITY: April 1, 1894

POINT OF DIVERSION: SWNW SEC1 T21N R21E, B.M. (JC1)

The water is used to irrigate within the S½ SW¼ SWSE SEC30; NWNE NW¼ SEC31 T22N R22E

**TO BE CHANGED AS  
FOLLOWS:**

The water will be diverted within the NENE SEC2 T21N R21E, B.M. (JC 3) and used for municipal purposes from January 1 to December 31 in the City of Salmon.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before November 6, 1989.

R. Keith Higginson  
Director

Published in The Recorder-Herald on October 19 & 26, 1989.

10-19-2tc

# Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

**RICKY G. HODGES**

being first duly sworn, deposes and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the **Notice Proposed Change of Water Right Nos. 75-0017A, 75-0019B, 75-0007**

a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated **Oct. 19**, 19 **89** and ending with the issue dated **Oct. 26**, 19 **89**.

STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this **twenty sixth** day of **October** in the year of 19 **89**, before me, A Notary Public, personally appeared known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Residing At Salmon, Idaho

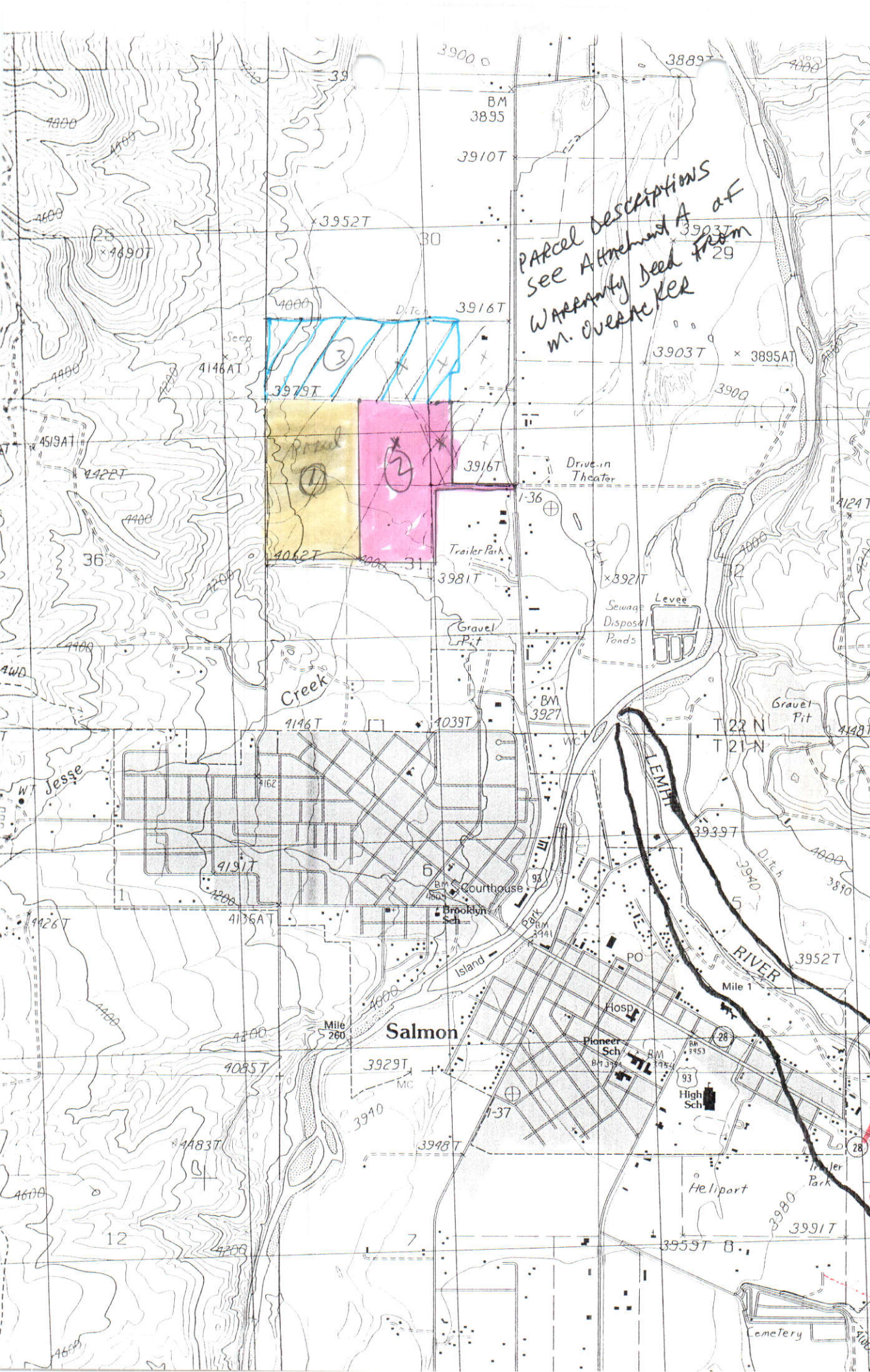
Notary Public for Idaho

**9-21-95**

My Commission expires:

Publication Fee \$ **82.08**

**JUN 26 1992**



Parcel Descriptions  
 See Attachment A of  
 Warranty Deed from  
 M. Overaker

Claim  
 75-4343

Sec 30  
 SW SW: 30 30  
 SE SW: 40 40  
 SW SE: 10 10  
 80 80

Sec 31  
 NWNW: 30 30  
 (L4)  
 SWNW: 30 25  
 (L2)  
 NENW: 40 10  
 SENW: 10 20  
 NENE: 10 10  
 120 95  
 200 175

SWSW 30 : 30  
 L1 31 : 30  
 L2 31 : 30  
 SE NW : 10  
 100 Acres  
 + 750 11  
 250

75

74  
 MICROFILMED  
 JUN 26 1992

75

7-3-81

USDA

24

614130

180

55



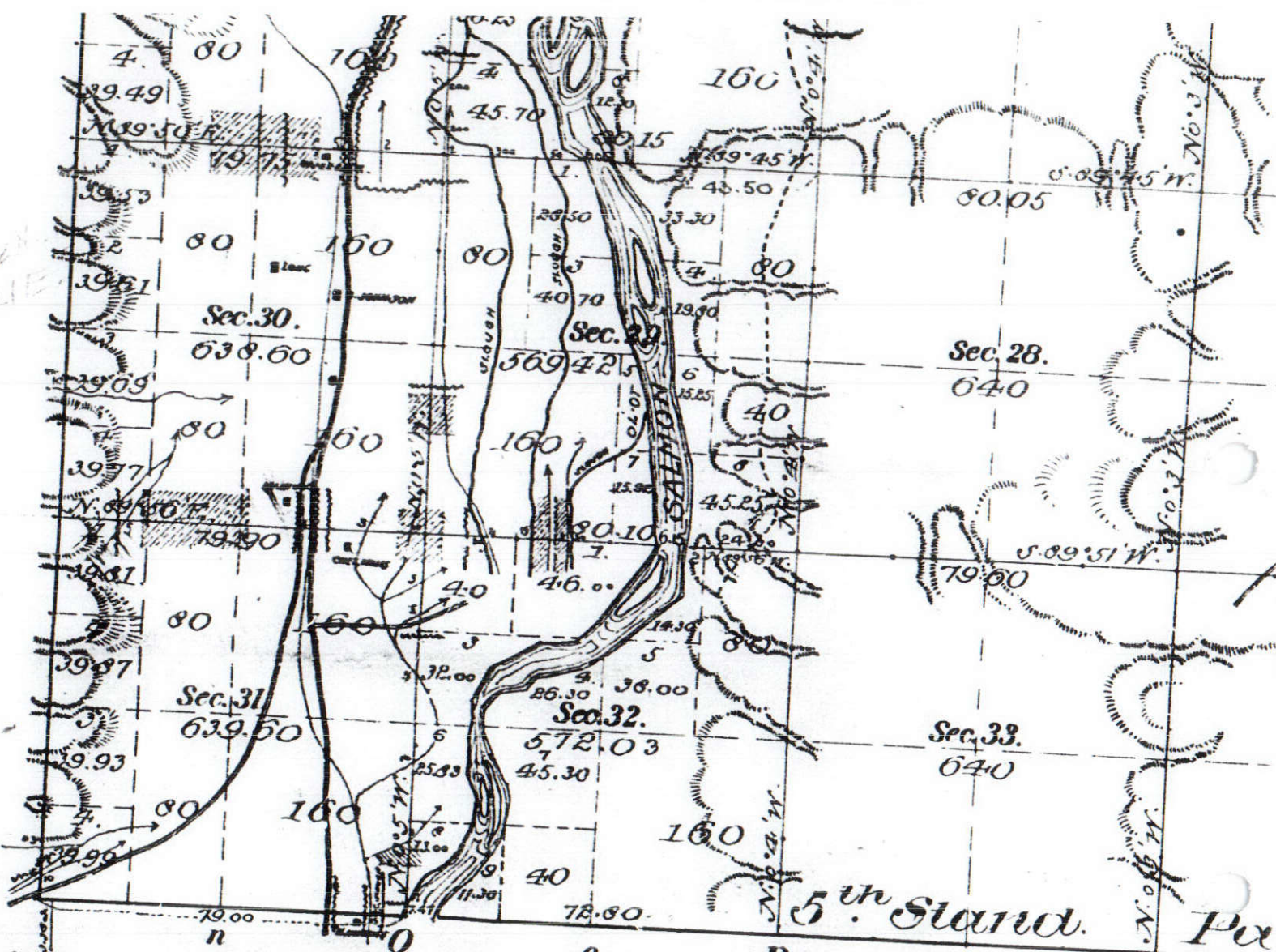
NOT FILMED  
JUN 26 1992

50

LAT. 45° 12' 2" N.  
LONG. 113° 49' 25" W.

Area of Watersurface: 465.41 ac. - of Public Land. 22568 - Total number of Acres 23033.1

| Surveys Designated | By Whom Surveyed | Date of Contract            | Amount of Surveys<br>M. Ch. Lk. | When Surveyed       | Mean Dec |
|--------------------|------------------|-----------------------------|---------------------------------|---------------------|----------|
| Township lines     | Sam'l G. Rhoades | April 17 <sup>th</sup> 1891 | 11. 79 10                       | Aug. 7-12-1891      |          |
| Subdivisions       | "                | "                           | 60 02 04                        | Aug. 17-Sep. 3-1891 | 19° 45'  |
| Guide Meridian     | "                | "                           | 6 00 00                         | Aug. 1-3-1891       |          |
| Meanders           | "                | "                           | 13 79 45                        | Aug. 29-Sep. 3-1891 |          |



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JUN 26 1992

*Blackgates  
file*

## A G R E E M E N T

THIS AGREEMENT, Made and entered into this 18th day of August, 1961, by and between LES ALDOUS and MARGARET ALDOUS, husband and wife, DARRELL ALDOUS and JOYCE ALDOUS, husband and wife, ARTHUR ALDOUS and CLAIRE ALDOUS, husband and wife, and LESLIE ALDOUS and PATRICIA ALDOUS, husband and wife, parties of the first part and the CITY OF SALMON, a municipal corporation, the party of the second part, witnesseth:

WHEREAS, The parties of the first part are the owners of decreed waters of Jessie Creek near Salmon, Idaho, the quantities and priority dates of which are as follows:

1.5 cubic feet of water per second, or namely 75 inches, with priority date of 1867;

24 2/3 inches of water with priority date of 1868; and,

4 cubic feet of water per second, or namely 200 inches, with priority date of April 1, 1894;

as set forth in the official decree of Jessie Creek on file in the office of the Clerk of the District Court at Salmon, Idaho, to which reference is hereby made for any further or more particular and detailed description;

And the parties of the first part are also the owners of ranch lands near Salmon, Idaho, where said decreed waters have heretofore been used in accordance with said decree; and,

WHEREAS, The City of Salmon, Idaho, is in need of additional domestic water from Jessie Creek; and,

WHEREAS, The parties hereto desire to enter into this agreement whereby the City of Salmon will have the right to use 200 inches of said decreed water as above described in return for water being pumped by the City of Salmon to points on property owned by the parties of the first part,

NOW, THEREFORE, It is hereby understood and agreed that in consideration for the use of 200 inches of decreed water from Jessie Creek as above described owned by the parties of the first part, the said party of the second part shall install and maintain

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POOR QUALITY

SALES AGREEMENT

THIS AGREEMENT, Made and entered into this 14th day of March, 1973, by and between DARRYL C. ALDOUS and JOYCE ALDOUS, husband and wife, of P.O. Box 807, Salmon, Idaho, 83467, hereinafter referred to as "Sellers", and CITY OF SALMON, a duly incorporated municipality, located within Lemhi County, Idaho, hereinafter referred to as "Purchaser".

WITNESSETH:

That for and in consideration of the mutual covenants and agreements hereinafter contained and the sum of TWO THOUSAND FIVE HUNDRED & NO/100 (\$2,000.00) DOLLARS, lawful money of the United States of America to be paid as hereinafter provided, sellers agree to sell and purchaser agrees to purchase all that certain personal property more particularly described as follows to-wit:

All of seller's interest in and to a twelve (12") inch water right, in large creek, and any tributary there-to, located near Salmon, Lemhi County, Idaho, which said water right is represented to be the first water right in said creek.

Sellers hereby warrant and agreed by the said City of Salmon that the above purchase price for the above described water right shall be paid in cash to the said Sellers, and the said City of Salmon shall be bound to pay the same to the said Sellers.

The said water right has been sold to Fred Smith, who is the owner of the same, and this water right is subject to the same as the said Fred Smith.

Sellers hereby warrant and agreed by the said City of Salmon that the above purchase price for the above described water right shall be paid in cash to the said Sellers, and the said City of Salmon shall be bound to pay the same to the said Sellers.

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The said water right has been sold to Fred Smith, who is the owner of the same, and this water right is subject to the same as the said Fred Smith.

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POOR QUALITY

pay all costs in connection therewith, including reasonable attorney's fees for the prevailing party.

HEIRS & ASSIGNS: It is understood and agreed that the covenants above, and are to apply to and bind the heirs, executors, administrators and assigns of the respective parties. This is the substance of the agreement.

IN WITNESS WHEREOF, the said parties have hereunto set the hands this 1st day of March, 1973.

CITY OF SALMON

By *[Signature]*  
Attested to: *[Signature]*

STATE OF IDAHO

County of Blaine

On this 1st day of March, 1973, before me, the undersigned,

Notary Public for the State of Idaho, personally appeared the

above named parties, who are known to me and who are known to me to be the persons whose names are subscribed to the foregoing instrument.

My commission expires on the 1st day of March, 1974.

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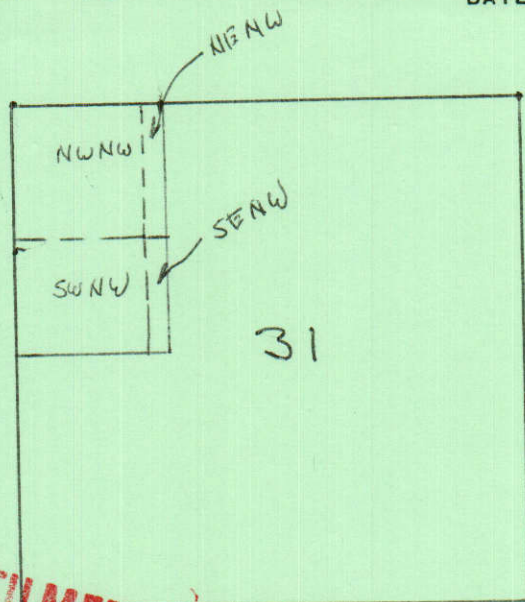
Parcel #1

DATE

FROM

TO

SUBJECT



T22N

31

**MICROFILMED**  
JUN 26 1992

R22E

SIGNATURE

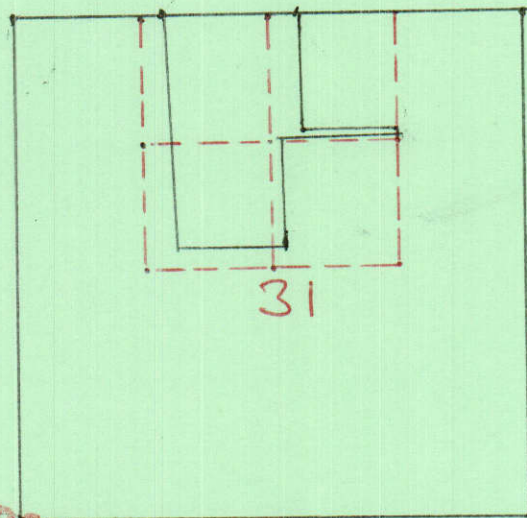
Parcel #2

DATE

FROM

TO

SUBJECT



T22N

31

MICROFILMED R22E

JUN 26 1992

SIGNATURE

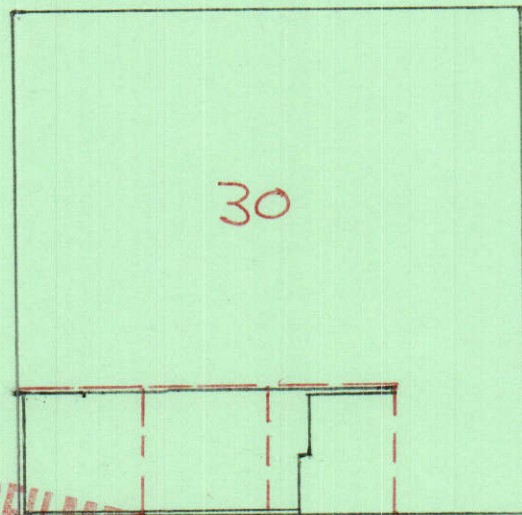
Parcel III

DATE

FROM

TO

SUBJECT



MICROFILMED

JUN 26 1992

SIGNATURE

"Exception" piece

Sec 30

Scale 1:2400

Sec 31

MICROFILMED  
JUN 26 1992

42-381 50 SHEETS 5 SQUARE  
42-382 100 SHEETS 5 SQUARE  
42-383 200 SHEETS 5 SQUARE  
MADE IN U.S.A.



RECEIVED

SEP 02 1993

Department of Water Resources

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 75-00007/75-0017A/75-00019B

Transfer No. 3615

2. Name of Water Right Holder(s): City Of Salmon

Address: 200 Main Street, Salmon ID 83467

3. Water right transfer authorized by Department is:  
(check appropriate space or provide description)

Complete X

Not Complete \_\_\_\_\_

Partially Complete (describe work completed) \_\_\_\_\_

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: \_\_\_\_\_

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

Shawn A. Rivera Clerk/Administrator 8/27/93  
Signature Date  
(& title if on behalf of a company or organization)

\* Period of use amended per letter by J. Slavin, Salmon City Attorney  
TJL 5/18/92

**PART 1**

## 6. General Information:

- a. Description of diversion system Water diverted into collection house and transferred to sand filters.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
Land will continue to be irrigated by continuing the existing pumping system from the Norton Ditch.
- d. Remarks:  
The transfer is requested in order to document the use that has been in existence since 1961.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. 75-00007/00017A/00019B  
And said application is hereby APPROVED, subject to the following limitations and conditions:  
SEE ATTACHED SHEET FOR CONDITIONS OF APPROVAL.

Witness my hand this 10<sup>th</sup> day of June, 19 92.

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JUN 26 1992

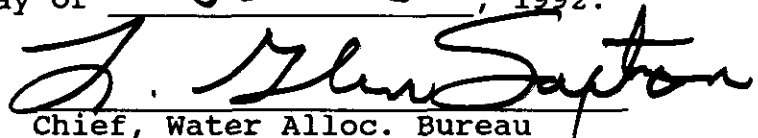
A. Glen Saylor  
Chief, Water Alloc. Bureau

**CONDITIONS OF APPROVAL**

**Transfer of Water Right Nos. 75-00007/00017A/00019B**

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this water right will be regulated by the watermaster of State Water District No. 75A.
5. A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
6. The combined annual volume of water under these rights shall not exceed 700 acre feet.

Dated this 10<sup>th</sup> day of June, 1992.

  
Chief, Water Alloc. Bureau

**RECORDED**

JUN 26 1992

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2***(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

## 1. Right evidenced by:

- a. Decree No. 75-0017A Decreed to Delmer Manfull  
in case of Andrews & Andrews Martin, etal  
dated September 30, 1893 in Salmon county of Lemhi
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

## 2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Jesse Creek tributary to Salmon River4. Date or priority 6/1/1867

## 5. Water is used for the following purpose:

amount 1.26 cfs for irrigation purposes from (not listed in decree) to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

## 7. Point(s) of Diversion:

| Lot | 1/4 | 1/4      | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|----------|-----|------|------|------|--------|--------------------------|
|     |     | NW<br>SW | NW  | 1    | 21N  | 21E  | Lemhi  | JC 1                     |
|     |     |          |     |      |      |      |        |                          |
|     |     |          |     |      |      |      |        |                          |

## 8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | 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 |        |
| 22N  | 22E  | 30   |        |        |        |        |        |        |        |        |        |        |        |        |        |        | A      |        |        |
| 22N  | 22E  | 31   |        | A      |        |        | A      |        |        |        |        |        |        |        |        |        |        |        |        |
| 22N  | 22E  | 30   |        |        |        |        |        |        |        |        |        |        |        | 40     |        |        | 28     |        | 68     |
| 22N  | 22E  | 31   |        | 8      |        |        | 40     |        |        |        |        |        |        |        |        |        |        |        | 48     |

\* P/O as recorded in IDWR DATABASE pursuant to Transfer 1773  
Amended for clarification - Tim Lake 4-20-92

Total acres 1169. Describe any other water rights used for the same purpose as described above See attached sheet"Decreed Rights on Jesse Creek Drainage"

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe \_\_\_\_\_

### B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

### C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

JUN 26 1992

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. 75-0019B Decreed to Wheeler & Willis  
in case of Andrews & Andrews vs. Martin, et al  
dated Sept. 30, 1893 in Salmon county of Lemhi
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. unknown which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Jesse Creek tributary to Salmon River

4. Date or priority 6-1-1868

5. Water is used for the following purpose:

Not listed

amount 0.493 cfs for Irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_

6. Total amount of water under right 0.493 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion: Not listed

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use: Not listed - See Dept. abstract

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above \_\_\_\_\_

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

\_\_\_\_\_ If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. 75-0007 Decreed to Citizens National Bank  
in case of Miller vs. Long  
dated June 19, 1925 in Salmon county of Lemhi
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other \_\_\_\_\_

3. Source of water Jesse Creek tributary to Salmon River

4. Date or priority 4/1/1894

5. Water is used for the following purpose:

(not listed in decree)

amount 4.0 cfs for irrigation purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | SW  | NW  | 1    | 21N  | 21E  | Lemhi  | JC 1                     |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp.  | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |         |         |        | SW 1/4 |        |         |        | SE 1/4 |        |        |        | Totals |
|-------|------|------|--------|--------|--------|--------|--------|---------|---------|--------|--------|--------|---------|--------|--------|--------|--------|--------|--------|
|       |      |      | 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 |        |
| 22N   | 22E  | 30   |        |        |        |        |        |         |         |        |        |        | LY<br>A | A      |        |        | A      |        |        |
| * 22N | 22E  | 31   |        | A      |        |        | A      | LY<br>A | LY<br>A | A      |        |        |         |        |        |        |        |        |        |
|       |      |      |        |        |        |        |        |         |         |        |        |        |         |        |        |        |        |        |        |
|       |      |      |        |        |        |        |        |         |         |        |        |        |         |        |        |        |        |        |        |
|       |      |      |        |        |        |        |        |         |         |        |        |        |         |        |        |        |        |        |        |

\* from Decree, BMD

Total acres \_\_\_\_\_

9. Describe any other water rights used for the same purpose as described above

Same as 3 of 10

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

JUN 26 1992

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | <u>New Nature of Use</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u>     |
|---|--------------------------|------------------------------|------------------------|--------------------------|
|   | <u>Municipal</u>         | <u>5.753</u> cfs             | <u>*24hrs/day</u>      | <u>Jan. 1 to Dec. 31</u> |
|   |                          | <u>5.56</u>                  |                        |                          |
|   |                          | <u>5.753</u>                 |                        | <u>to</u>                |

2. Quantity and quality of return flows and location of discharge:

Unused water diverted directly back to Jesse Creek at Pt. of Diversion.

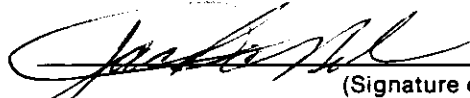
3. Describe effects on other water uses resulting from the proposed change:

None - Requested change reflects present use since 1961

\* The actual use of the water would probably be about six hours per/day or less  
during the non irrigation season.

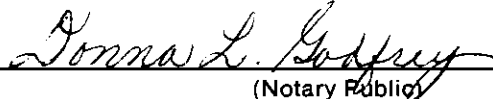
I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

Subscribed and sworn to before me this Fourteenth day of June, 19 89.



(Notary Public)

My commission expires May 10, 1992

**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by HLS Date 7-7-89Prelim. check by DMD Fee \$50.00 \*MOOS855Received by HLS Date 7-7-89Published in Recorder-HeraldPub. dates 10-19 & 26-89

Watermaster recommendation requested on \_\_\_\_\_

\_\_\_\_\_ rec'd. \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

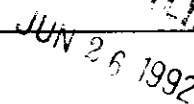
Protest filed by \_\_\_\_\_

Copies of protest forwarded by \_\_\_\_\_

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Recommended for ☐ approval ☐ denial

by \_\_\_\_\_

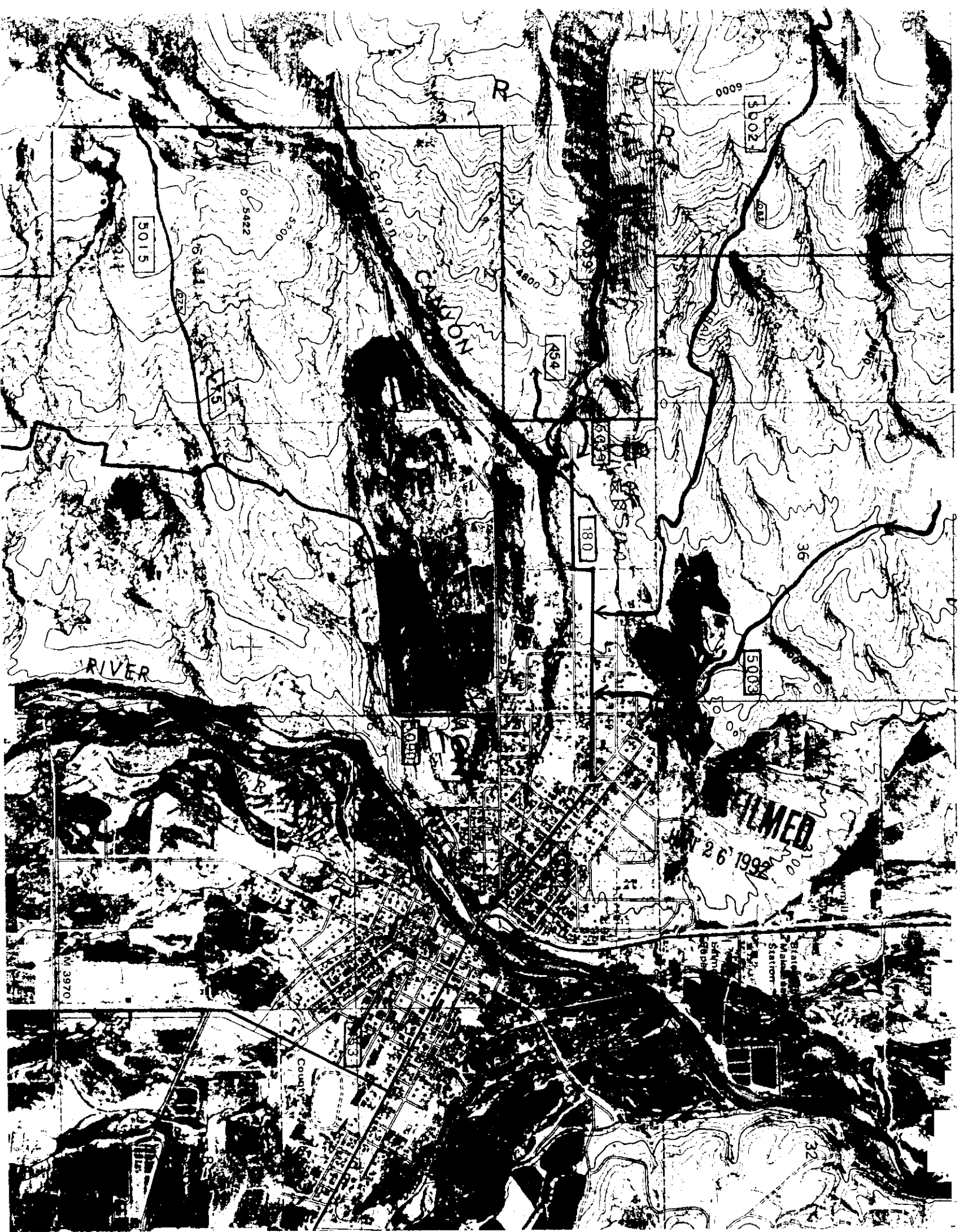


**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

( SEE ATTACHED USGS MAP )

**RECEIVED**  
**JUN 26 1992**



8.97 GPM = 1"

## DECREED RIGHTS ON JESSE CREEK DRAINAGE

LEMHI COUNTY, IDAHO

FEBRUARY 12, 1973

| <u>NO.</u>        | <u>DIVERSION</u> | <u>OWNER</u>                               | <u>PRIORITY</u> | <u>INCHES<br/>AMOUNT</u> |
|-------------------|------------------|--------------------------------------------|-----------------|--------------------------|
| 75-001 ✓          | JC1              | Axel Sorenson                              | 1894            | 35 ✓                     |
| 75-003 ✓          | JC1              | Murphus Austin                             | 1894            | 72 ✓                     |
| 75-007 ✓          | JC1              | Blackador ?                                | 1894            | 200 ✓                    |
| 75-013 ✓          | JC1              | Axel Sorenson                              | 1914            | 30 ✓                     |
| 75-017 ✓          | JC1              | Blackador                                  | 1867            | 75 ✓                     |
| 75-019 ✓          | JC1              | Blackador (Hul right)                      | 1868            | 65 1/2 ✓                 |
| 75-019 ✓          | JC1              | Blackador (Cole right)                     | 1868            | 24 2/3 ✓                 |
| 75-019            | JC1              | Reddington & Everts                        | 1868            | 30 ✓                     |
| 75-023            | JC1              | Carl Gaver (City?)                         | 1869            | 7 15" ✓                  |
| 75-026            | JC1              | Axel Sorenson                              | 1884            | 10 ✓                     |
| 75-113            | JC1              | Blackador (Edwards right)                  | 1894            | 100 ✓                    |
| 75-020            | JC2              | Axel Sorenson                              | 1888            | 15                       |
| 75-004            | JC3 & PC2        | City of Salmon                             | 1894            | 60                       |
| 75-008            | JC3 & PC2        | " " " (not active?)                        | 1894            | 7.5                      |
| 75-019 ✓          | JC3 & PC2        | " " "                                      | 1868            | 60                       |
| 75-114            | JC3 & PC2        | " " "                                      | 1894            | 25                       |
| 75-021            | JC3 & PC2        | " " "                                      | 1883            | 5                        |
| 75-024            | JC3 & PC2        | " " "                                      | 1877            | 5                        |
| 75-026            | JC3 & PC2        | " " "                                      | 1884            | 15                       |
| 75-016 ✓          | JC3 & PC2        | " " "                                      | 1867            | 100                      |
| 75-018 ✓          | JC3 & PC2        | " " "                                      | 1867            | 15                       |
| ITEM # 9 - PART 2 |                  |                                            |                 |                          |
| 75-014            | PC1              | Jacobson                                   | 1902            | 60                       |
| 75-015            | PC2              | Dave Amesworth (not active?)               | 1913            | 20                       |
| 75-005            | PC3              | PJB Ranches                                | 1894            | 250                      |
|                   | PC4 & CC1        | Present City of Salmon Points of Diversion |                 |                          |
| 75-022            | CC2              | PJB Ranches                                | 1889            | 100                      |
| 75-002            | CC3              | Guy Edwards                                | 1894            | 85                       |

JUN 26 1992

# CITY OF SALMON

200 MAIN STREET / SALMON, IDAHO 83467 / (208) 756-3214

July 5, 1989

Mr. Harold Jones  
Department of Water Resources  
150 Shoup Avenue  
Idaho Falls, Idaho 83402

Re: Water Rights Transfer - City of Salmon

Dear Mr. Jones,

Enclosed is the \$50.00 fee for the Cities request for a  
Water Right Transfer on the Jessie Creek drainage.

Sincerely,



James S. Johnston  
City Clerk

RECEIVED  
JUN 26 1992

RECEIVED

JUL - 7 1989

\* Department of Water Resources  
Eastern District Office

JORDAN P. SMITH  
ATTORNEY AT LAW  
807 MAIN STREET  
SALMON, IDAHO - 83467  
208-756-2257

June 2, 1989

RECEIVED

JUN 5 1989

Department of Water Resources  
Eastern District Office

Mr. Harold Jones  
Department of Water Resources  
150 Shoup Avenue  
Salmon, ID 83467

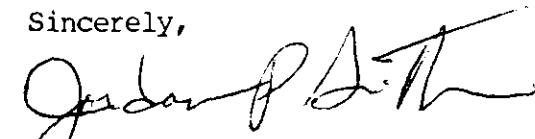
Re: City of Salmon proposed water purchase

Dear Mr. Jones:

I have been conversing with Ernest Carlson concerning a proposed purchase of water by the City of Salmon. We intend to purchase 6.0 cfs of water from Jessie Creek from a local rancher. The water has been used by the City for municipal purposes since 1961 pursuant to an agreement with the rancher, but the water right is historically one of agricultural use.

We have prepared an application for transfer of water right in anticipation that the City will purchase the water. Prior to closing the transaction, however, we would appreciate your department reviewing the application for any potential problems that you might see. Ernest indicated that he would be leaving the office on military duty until June 20, and suggested that you would be willing to help us. We hope to close the transaction with the rancher next week, and I apologize for such short notice. Please call me if there is any information you would require, or if I can be of any assistance.

Sincerely,

  
Jordan P. Smith  
City Attorney

6/14/89

JPS:sey

Enclosure

cc: Jim Johnston

HAROLD:  
MICROFILMED  
JUN 26 1992  
CORRECTED COPIES  
RECEIVED  
JUN 16 1989  
JIM  
JOHNSTON  
Department of Water Resources  
Eastern District Office

VOID

Page 1 of 10

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

Transfer No. \_\_\_\_\_

APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Name of applicant CITY OF SALMON Phone 756-3214  
Post Office address 200 Main Street Salmon, Idaho 83467

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☒ Change nature of use ☒ Change period of use ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes The City has been using the Jesse Creek Water for domestic purposes since 1961 in exchange for pumping Salmon River water to the land the Jesse Creek water was used on. The City is now making the change permanent.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority        | Amount (cfs/ac-ft) | Nature of Use    | Period of Use                   |
|-----------------|-----------------|--------------------|------------------|---------------------------------|
| <u>75-0017A</u> | <u>6/1/1867</u> | <u>1.26 cfs</u>    | <u>Municipal</u> | <u>Jan. 1</u> to <u>Dec. 31</u> |
| <u>75-0019B</u> | <u>6/1/1868</u> | <u>0.30 cfs</u>    | <u>Municipal</u> | <u>Jan. 1</u> to <u>Dec. 31</u> |
| <u>75-0007</u>  | <u>4/1/1894</u> | <u>4.00 cfs</u>    | <u>Municipal</u> | <u>Jan. 1</u> to <u>Dec. 31</u> |
|                 |                 | <u>5.56</u>        |                  | to _____                        |
2. Total amount of water being transferred 5.56 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water Jesse Creek tributary to Salmon River
4. Point(s) of Diversion: Same for each right listed above.

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | NE  | NE  | 2    | 21N  | 21E  | Lemhi  | JC 3                     |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

5. Lands irrigated or place of use: CITY OF SALMON

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. 75-0019B Decreed to Wheeler & Willis  
in case of Andrews & Andrews vs. Martin, et al  
dated September 30, 1893 in Salmon county of Lemhi
- b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Jesse Creek tributary to Salmon River

4. Date or priority 6/1/1868

5. Water is used for the following purpose:

amount 0.493 cfs for irrigation purposes from \_\_\_\_\_ (not listed in decree) to \_\_\_\_\_  
(cfs/ac-ft) 0.30 cfs  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft) \_\_\_\_\_

6. Total amount of water under right \_\_\_\_\_ cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4           | 1/4           | Sec.         | Twp. | Rge. | County | Local name for diversion |
|-----|-----|---------------|---------------|--------------|------|------|--------|--------------------------|
|     |     | <del>SW</del> | <del>NW</del> | <del>1</del> | 21N  | 21E  | Lemhi  | JC 1                     |
|     |     | SE            | SW            | 2            |      |      |        |                          |
|     |     | NE            | NE            | 10           |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | 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 |        |
| 22N  | 22E  | 30   | A      |        |        |        |        |        |        |        |        |        |        |        | A      |        |        |        |        |
| 22N  | 22E  | 29   |        |        |        |        |        | A      |        |        | A      | A      | A      |        |        |        |        |        |        |
| 22N  | 22E  | 19   |        |        |        |        |        |        |        |        |        |        |        |        | A      |        |        | A      |        |
| 21N  | 21E  | 1    |        |        |        |        |        |        |        |        |        |        | 20     |        |        |        |        |        | 20     |
|      |      | 2    |        |        |        |        |        |        |        |        |        |        |        |        | 20     |        |        |        | 20     |

Total acres 40

9. Describe any other water rights used for the same purpose as described above \_\_\_\_\_

Same as 3 of 10

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO If yes, describe \_\_\_\_\_**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | 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 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

JUN 26 1992

NOTICE OF PROPOSED  
CHANGE OF WATER RIGHT  
NO. 75-0017A, 75-0007  
& 75-0007

Notice is hereby given that the City of Salmon, Salmon, ID, has applied to the Department of Water Resources for a change in point of diversion, place of use, nature of use, & point of return of the waters of Jess Creek tributary to Salmon River. The right sought to be changed is as follows:

No. 75-0017A Decreed in *Andrews vs. Martin et al* dated September 30, 1893 in Salmon, County of Lemhi and is recorded as follows:

AMOUNT: 1.26 CFS  
PRIORITY: June 1, 1867  
POINT OF DIVERSION: SWSW SEC1 T21N R21E, B.M. (JC 1)

The water is used to irrigate within the SWSW SEC1 T21N R21E, B.M. (JC 1)

No. 75-0019B Decreed to *Wheeler & Willis* in case of *Andrews & Andrews vs. Martin et al* dated September 30, 1893 in Salmon, County of Lemhi and is recorded as follows:

AMOUNT: 30 CFS  
PRIORITY: June 1, 1867  
POINT OF DIVERSION: SWSW SEC2 T21N R21E, B.M. (JC 1)

The water is used to irrigate within the SWSW SEC2 T21N R21E, B.M. (JC 1)

No. 75-0007 Decreed to *Citizens National Bank* in case of *Miller vs. Long* dated June 19, 1925 in Salmon, County of Lemhi and is recorded as follows:

AMOUNT: 4.0 CFS  
PRIORITY: April 1, 1894  
POINT OF DIVERSION: SWSW SEC1 T21N R21E, B.M. (JC 1)

The water is used to irrigate within the SWSW SEC1 T21N R21E, B.M. (JC 1)

TO BE CHANGED AS  
FOLLOWS:

The water will be diverted within the NENE SEC2 T21N R21E, B.M. (JC 3) and used for municipal purposes from January 1 to December 31 in the City of Salmon.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before November 6, 1989.

R. Keith Higginson  
Director

Published in The Recorder-Herald on October 19 & 26, 1989.  
10-19-2tc

# Affidavit of Publication

STATE OF IDAHO

County of Lemhi

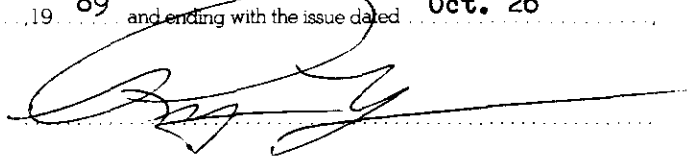
ss.

RICKY G. HODGES

being first duly sworn, deposes and says he is one of the printers (publishers) of the RECORDER-HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein.

That the Notice Proposed Change of Water Right Nos. 75-0017A, 75-0019B, 75-0007

, a true printed copy of which is attached to the margin hereof, has been and was correctly printed and published in the regular and entire issue of every number of said newspaper and not in any supplement thereof or thereto for 2 consecutive issues, commencing with the issue dated Oct. 19, 1989 and ending with the issue dated Oct. 26, 1989.



STATE OF IDAHO

COUNTY OF LEMHI

ss.

On this twenty sixth day of October in the year of 1989

before me, A Notary Public, personally appeared known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheila K. Hodges  
Notary Public for Idaho

9-21-95

Publication Fee \$ 82.08

JUN 26 1992

Residing At Salmon, Idaho

IN THE DISTRICT COURT OF THE SIXTH JUDICIAL DISTRICT  
OF THE STATE OF IDAHO, IN AND FOR LEMHI COUNTY

GEORGE G. MILLER,

Plaintiff,

vs.

ERNEST LONG, MRS. ERNEST LONG, JAMES  
MORTON, MRS. JAMES MORTON, GUY EDWARDS,  
MRS. GUY EDWARDS, WILLIAM BOOMER, MRS.  
WILLIAM BOOMER, HARRY KELLY, MRS. HARRY  
KELLY, NOLA NIDOLSKAUFF, J. C. NIDOLSKAUFF,  
GEORGE W. OLIVER, MRS. GEORGE W.  
OLIVER, CHARLES H. ROSE, MRS. CHARLES  
H. ROSE, EDSON A. MORRIS, MRS. EDSON A.  
MORRIS, ANNA B. MCCALLEN, SARAH E. VILEY  
FRANK AVARE, MRS. FRANK AVARE, MATHATHA  
RANDOLPH, E. B. RANDOLPH, S. J. BORCHSON,  
HARRIETTA WING, RICHARD HARRIS, OLIVER  
H. ASH, P. J. DENNEY, MRS. P. J. DENNEY,  
MINNIE M. HART, WILLIAM E. HART, C. H.  
DAVENPORT, MARIE RYAN, JERRY RYAN, J. B.  
ROBERT, THOMAS WEND, ALBIE B. CAMPBELL,  
HENRY B. CAMPBELL, CLARA B. FLATHERS,  
ANTHONY NICHOLS, CITIZENS NATIONAL BANK,  
CITY OF LEMHI, ALBERT CROFT, MRS. ALBERT  
CROFT, WILLIAM H. SHOUP, MRS. WILLIAM H.  
SHOUP, CHARLES A. MORTON, MRS. CHARLES A.  
MORTON, CLARK ALBEE, JOHN DRYER, JR., MRS.  
JOHN DRYER, JR., C. J. OSTRANDER, EMERSON  
HILL, MRS. EMERSON HILL,

D E C R E E.

Defendants,

This cause came regularly to be heard the 19th day of June, 1925,  
before Hon. George W. Edgington of the Ninth Judicial District of the State  
of Idaho sitting for Hon. Ralph W. Adair, Judge of the Sixth Judicial District  
of the State of Idaho, in and for the County of Lemhi, without a jury, John  
B. Padgham, Esq., appearing as attorney for the plaintiff George G. Miller,  
Messrs. Burleigh & Olmson appearing as attorneys for the defendants Anthony  
Nichols, Frank Avare and Thomas Wend, R. L. Hall, Jr., Esq., appearing as  
attorney for the defendant E. B. Randolph, and E. E. Carterlin, Esq., appear-  
ing as attorney for the defendants Ernest Long, Guy Edwards, William Boomer,  
Harry Kelly, George W. Oliver, Bertha N. Rose, otherwise known as Mrs. Charles  
I.

JUN 26 1925

That part of said Lot 10 described as follows:

Beginning at the SW corner of said Lot 10 and running thence N. 17 rods, 21 links; thence N. 43° 10' E. 9 rods; thence S. 60° 40' E. 13 rods 7 links; thence S. 34° 45' W. 21 rods, 18 links and thence W. 5 rods, 7 links to the place of beginning. Containing 263 rods. And also excepting that part of said Lot 1 described as follows: Beginning at a point 32 rods, 12 links E. from the NW corner of NE $\frac{1}{4}$  of said Section 6 and running thence E along the N. line of said Twp. 53 rods to the W. side of the Salmon River; thence S. along the W. side of Salmon River 7 rods and 10 links; thence N. 85° W. 52 rods, 15 links; thence N. 10° 30' W. 3 rods, 15 links to the place of beginning. Containing 1 acre and 120 rods. And exceptin therefrom that certain parcel conveyed to Raddolph Wright by deed recorded in Book "X" of Deeds at page 321 thereof, and those certain parcels conveyed to Ella Nieman by Deeds recorded in Book "27" of Deeds at page 117 thereof and Book "Z" of Deeds at page 74 thereof, Records of Lemhi County, Idaho).

75 0006

Edson A. Morris, twenty-six hundredths of one cubic foot per second of time, with priority date of April 1st, 1894, appurtenant to,-

Beginning at a point on the North line of Section 1, in Township 21 North of Range 21 East of the Boise Meridian, South 89° 47' 30" West, 390 feet from the Northeast corner of said Section 11, and running thence South 0° 39' East 552.48 feet to the North line of the alley in Block 14 of Arlington Heights Addition, thence South 89° 53' 30", along the North line of said alley, 380 feet to the East line of 18th Street, in said Arlington Heights Addition, thence North 0° 39' West along said East line of 18th Street, 550.24 feet to the said North line of Section 1; thence North 89° 47' 30" West along said North line of Section 1, 380 feet to the place of beginning containing eleven and forty six one hundredths (11.46) acres.

75 0007

Citizens National Bank, 4 cubic feet per second of time, with date of priority April 1st, 1894, appurtenant to,-

The SE $\frac{1}{4}$  of the SE $\frac{1}{4}$ , SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  and Lot 4 of Section 30, and the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$ , NE $\frac{1}{4}$  of the NW $\frac{1}{4}$ , SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and Lots 1 and 2 of Section 31, all in Township 22 North of Range 22 East of the Boise Meridian.

75 0008

Amerson Mill, fifteen hundredths of one cubic foot per second of time, with date of priority April 1st, 1894, appurtenant to,-

of Block 2

All of the Lots 1 and 2 in North Salmon Addition; Lot 5 and the W $\frac{1}{2}$  of Lot 6 in Block 3 of Grandview Addition to North Salmon; Lots 4 and 5 of Block 1 and Lots 1, 2, 3, 4, and 5 of Block 2 of McCordell's Addition to North Salmon in the City of Salmon, Lemhi County, Idaho.

75 0009

Gilmore and Pittsburg Railroad Company, Limited, 1.5 cubic feet per second of time, with date of priority April 1st, 1894, appurtenant to,-

The SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 31 and Lots 3, 6 and 8 of Section 32, Township 22 North, Range 22 East of the Boise Meridian; also

All that part of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  and the SE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of said Section 31, described as follows,-

From the SW corner of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 31, run East along the South line of said subdivision 13 rods to the place of beginning; thence North 20° East 165 rods, more or less, to the NW Corner of Lot 3 of said Section 31; thence South along the West line of Section 32, 160 rods to the SE corner of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 31, thence East along the South line of said subdivision to the place of beginning; also

That part of Lot 1, Section 6, Township 21 North, Range 22 East of the Boise Meridian, described as follows,-

5. JUN 26 1892

IT IS FURTHER ADJUDGED AND DECREED, That each of the parties to this action shall pay his or her own costs:

That each and every of the parties to this suit, their agents, servants, attorneys and employees and each and every and all persons acting in aid of or for any of the parties to this suit are hereby restrained and enjoined from in any manner interfering with or diverting or using the waters of said stream, or its tributaries, except in accordance with the terms and conditions of this Decree.

Dated this 19th day of June, 1923.

Geo. W. Edgington  
Judge

Filed & Entered June 23th, 1923.  
W. W. Simmonds, Clerk  
By Margaret Shoup, Deputy.  
Book "C" of Judgments, pages 294-5-6-7.

STATE OF IDAHO       )  
                              : ss.  
County of Lemhi     )

I, W. W. Simmonds, Clerk of the District Court in and for the County aforesaid, do hereby certify that the foregoing is a full, true and complete copy of a Decree on file and of record in my office, in Book "C" of Judgments at pages 294-5-6-7.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 16th day of July, 1923.

W. W. Simmonds  
Clerk of the District Court.

JUN 26 1932



State of Idaho

**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

August 9, 1993

CITY OF SALMON  
200 MAIN ST  
SALMON ID 83467

RE: Approved Transfer No. 3615/Water Right No(s). 75-00007/  
75-00017A/75-00019B

Dear Water Right Holder:

On June 10, 1992, the Department approved an application for transfer of the above referenced water right. A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 14 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON  
Water Rights Supervisor

JJ:dc

Enclosures

**RECEIVED**

AUG 31 1993



**State of Idaho**  
**DEPARTMENT OF WATER RESOURCES**

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

---

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

June 12, 1992

CITY OF SALMON  
200 MAIN ST  
SALMON ID 83467

RE: Transfer of Water Right Nos. 75-00007, 75-00017A, & 75-00019B

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3615). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON  
Water Rights Supervisor

JJ:cz

Enclosure

RECEIVED  
JUN 26 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE *TL*

DATE: *MAY* ~~April~~ 18, 1992

RE: TRANSFER APP. NO. 3615/RT NO.S 75-0017A, 75-0019B & 75-0007

=====

This transfer involves three separate decreed irrigation use rights. The transfer seeks to change the nature of use from irrigation to municipal. As evidenced by a 1961 agreement between the City of Salmon and the former water rights owners, Arthur Aldous et. al., the three rights have been used for municipal purposes since at least 1961.

A copy of the 1961 agreement and report summarizing the agreement have been added to the transfer file. The summary report appears to have been prepared at one time for the Jesse Creek watermaster by someone in the Department. The summary is very helpful in understanding the agreement and some of the events following the agreement which effected the three rights. The summary must be read in order to understand the agreement and subsequent transactions and filings. The summary has been supplemented by a letter from the Salmon City attorney dated April 9, 1992.

The rights under this transfer were finally sold to the city in 1989. After the rights were sold, the city filed this transfer. A copy of the warranty deed and description of lands to which the rights were appurtenant are contained in the transfer file. Maps outlining the area to which the rights were appurtenant are also included in the file.

Information in the file shows that the place of use to which the Jesse Creek rights were appurtenant has been irrigated with water from the Salmon River diverted through the Norton Ditch. This place of use was owned by the Aldous Family and known as the Aldous Ranch. Most of the ranch was later sold to the Blackadar family in 1971. The Aldous family retained about 40 acres of the ranch. Statutory claim 75-4310 was filed by Aldous in 1982 documenting diversion of 0.6 cfs on 40 acres from the Salmon River. Statutory claim 75-4343 was filed in 1983 by the Blackadar family for 3.5 cfs on 175 acres from the Slamon River. The priority date of both claims is August 8, 1958. The total combined irrigated acreage under the two claims is 215 acres.

Review of ~~a~~ 1977 infrared aerial photography, a 1974 black and white orthphoto and a photocopy of a 1981 aerial photo from the Forest Service confirm that the irrigated acreage for the old Aldous Ranch place of use to which the Jesse Creek rights were

*APPROVED*  
JUN 26 1992

delivered includes up to 200 acres. Review of water district records between 1957 and 1961 show a normal delivery of around 100 inches under the two earlier priority rights of 1867 and 1868 (this includes rights 75-0017A & B, & 75-0019B). The third right, 75-0007, with a priority of 1894, is a high water right and usually not deliverable through much of the irrigation season, if at all.

On April 22, 1992 the Department received correspondence from the City of Salmon attorney requesting that the period of use under the proposed change be limited to the irrigation season of April 1 to October 1, rather than year-round use. This change was requested upon the city learning that it had a separate permit covering the non-irrigation season period of use (75-7563).

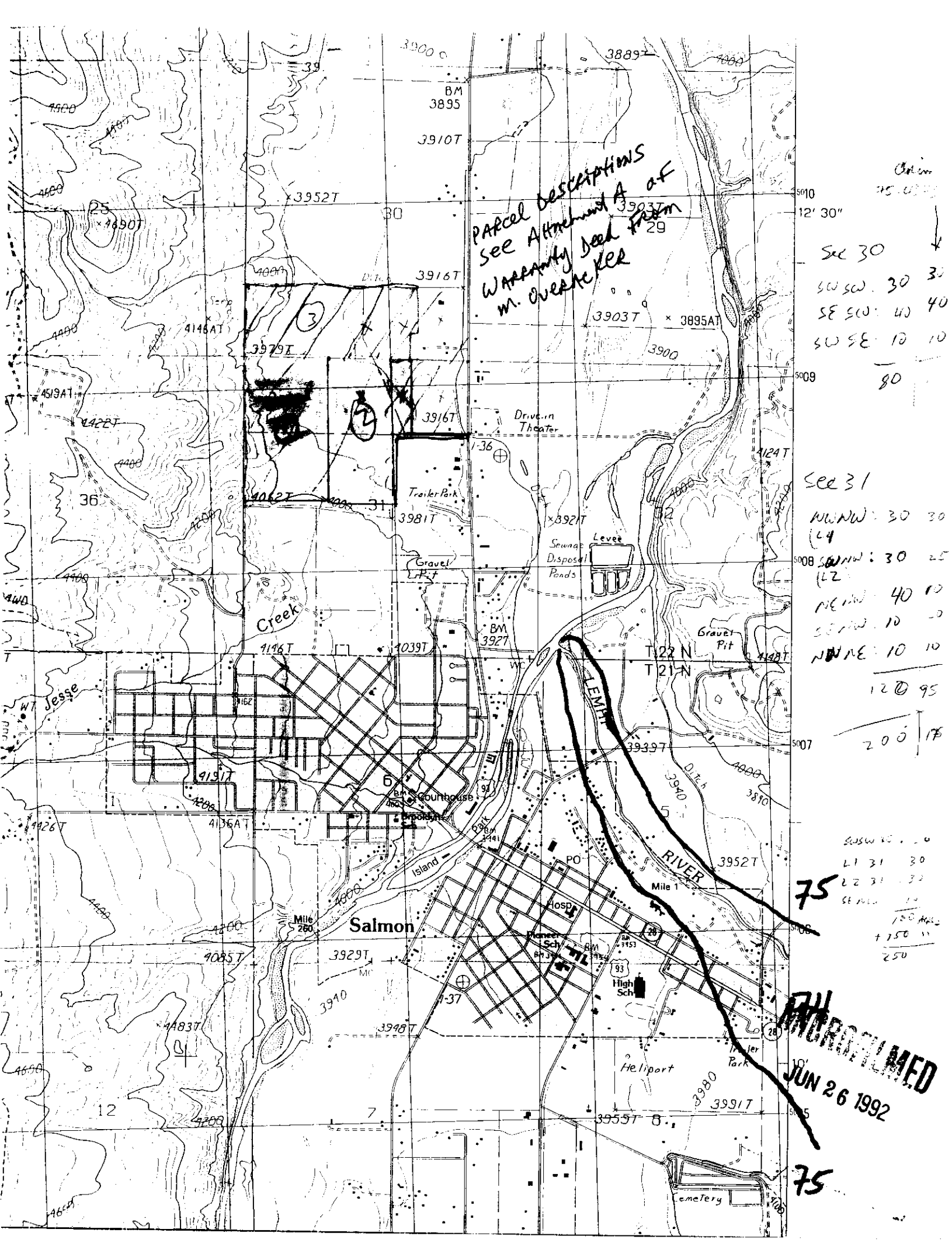
Since the period of use will essentially remain unchanged, I believe it is reasonable to approve the change to municipal use with an annual volume limitation equal to the IDWR field headgate requirement (headgate and consumptive use requirements amended by DWR in 1992). The volume therefore should be:

$$200 \text{ acres} \times 3.5 \text{ af/acre/yr} = 700 \text{ acre-feet/yr}$$

Approval of the transfer is recommended subject to the following conditions: (note: condition T07 not required since change has already been accomplished).

- 1) <<R01>> A measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
- 2) <<R04>> Use of water under this water right is subject to control by the watermaster of State Water District No. 75-A, Jesse Creek.
- 3) The combined annual volume of water under Right No.s 75-0017A, 75-0019B and 75-0007 shall not exceed 700 acre-feet.
- 4) <<T08>> Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- 5) <<T09>> Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

**MICROFILMED**  
JUN 26 1992



Parcel descriptions  
see Attachment A of  
Warranty deed from  
M. Overaker

Section 30  
SW SW 30 30  
SE SW 40 40  
SW SE 10 10  
80

Section 31  
NW NW 30 30  
(L4)  
SW NW 30 25  
(L2)  
NE NW 40 10  
SE NW 10 10  
NW NE 10 10  
12 @ 95  
200 175

75  
SW NW 30 30  
L1 31 30  
L2 31 30  
SE NW 10 10  
100 Mils  
+ 150 Mils  
250

RECORDED  
JUN 26 1992

75

75-4310

sec 30 SWSE 10  
31 NWNE 30

75-4343

sec 30 SWSE 10  
31 NWNE 10

Separate Acreages  
yet same price 8/8/1958

3-81

USDA

24

61130

180

55

APR 11 1965  
JUN 26 1965

550

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '\*' ARE ADJUDICATION CLAIMS)

| WR-NUMBER     | SOURCE       | NE       |    |    |    | NW       |    |    |    | SW       |    |    |    | SE       |    |    |    | SE |    |    |  | SUM |    |    |     |
|---------------|--------------|----------|----|----|----|----------|----|----|----|----------|----|----|----|----------|----|----|----|----|----|----|--|-----|----|----|-----|
|               |              | Lt       |    | Ac |    | Lt       |    | Ac |    | Lt       |    | Ac |    | Lt       |    | Ac |    | Lt |    | Ac |  |     |    |    |     |
|               |              | Lt       | Ac | Lt | Ac | Lt       | Ac | Lt | Ac | Lt       | Ac | Lt | Ac | Lt       | Ac | Lt | Ac | Lt | Ac |    |  |     |    |    |     |
| T22N R22E S31 |              |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7404009       | GROUNDWATE : |          |    |    | 02 |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  | 2   |    |    |     |
| 7500001       | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7500002       | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7500003       | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7500007       | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7500009       | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7500013       | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7500016       | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7500017A      | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7500017C     | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7500019A      | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7500019D     | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7500019H     | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7500113       | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7500113A     | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7500113B     | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7500113C     | JESSE CREE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7504008       | SPRINGS :    |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7504096       | GROUNDWATE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7504096      | GROUNDWATE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7504120       | GROUNDWATE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7504123       | SALMON RIV : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7504123      | SALMON RIV : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7504207       | SALMON RIV : | 22       |    | 05 |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7504207      | SALMON RIV : | 30       |    | 34 |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7504310       | SALMON RIV : |          |    | 30 |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7504310      | SALMON RIV : |          |    | 30 |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7504343       | SALMON RIV : |          |    | 10 |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7504424       | SALMON RIV : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7504424      | SALMON RIV : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7504471       | WASTE WATE : | 04       |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7507112       | GROUNDWATE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7507112A     | GROUNDWATE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| 7507552       | JESSIE CRE : |          |    | 10 |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7510342      | GROUNDWATE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7510475      | JESSE CREE : | 04       |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7510546      | GROUNDWATE : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7510725      | SALMON RIV : |          |    | 34 |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| A7510872      | SALMON RIV : |          |    |    |    |          |    |    |    |          |    |    |    |          |    |    |    |    |    |    |  |     |    |    |     |
| MAP--         | C59Q-R 27 :  | 37       |    | 38 |    | 29       |    | 37 |    | 41       |    |    |    | 25       |    | 40 |    | 22 |    | 26 |  | 08  | 03 | 28 | 334 |
| QTRS          | MAPPING      | Lot01-22 |    |    |    | Lot02-17 |    |    |    | Lot03-20 |    |    |    | Lot04-36 |    |    |    |    |    |    |  |     |    |    |     |

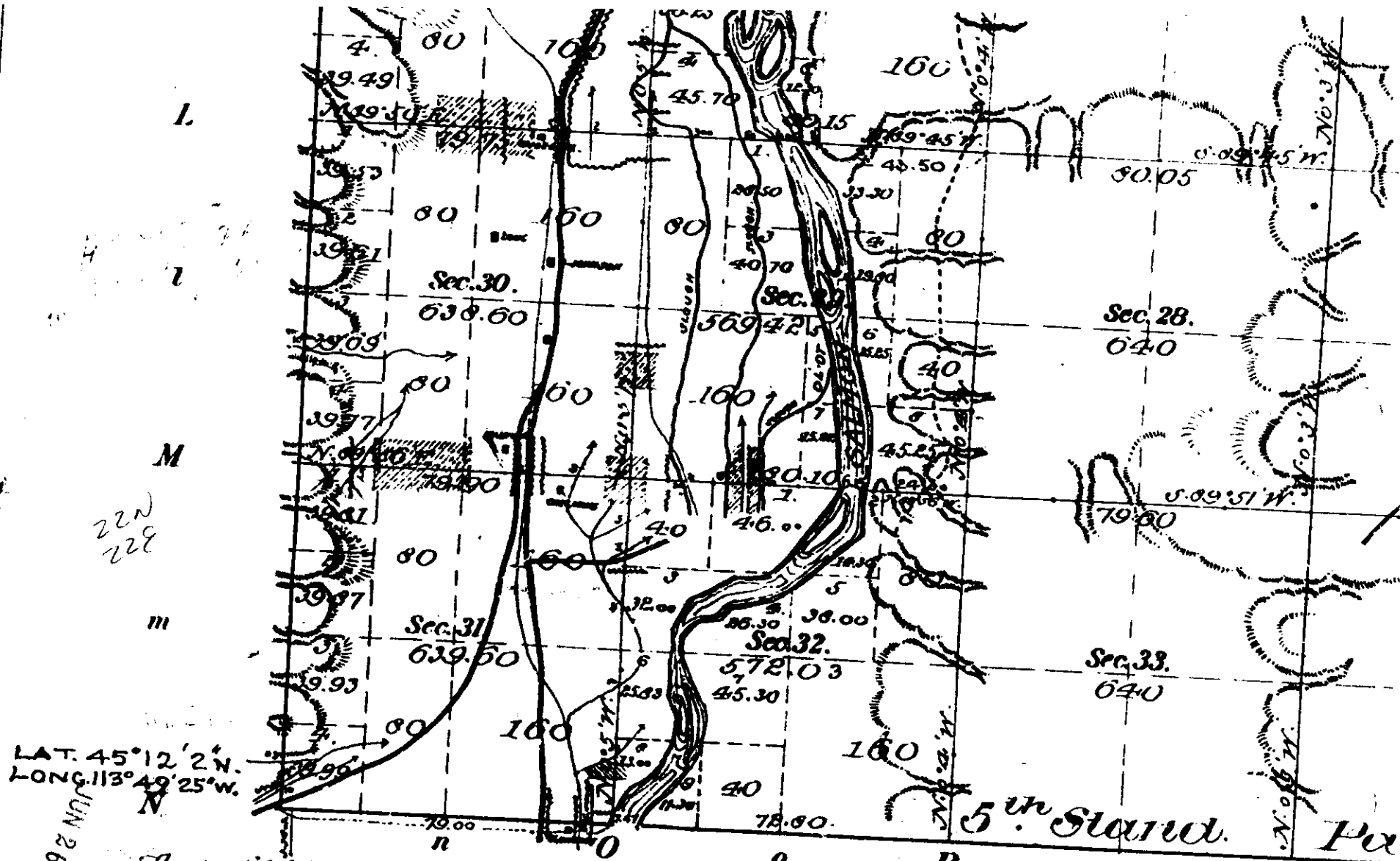
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(WATER RIGHT NUMBERS THAT BEGIN WITH AN '\*' ARE ADJUDICATION CLAIMS)

| WR-NUMBER     | SOURCE       | NE |    |    |    |    |    |    |    | NW |    |    |    |    |    |    |    | SW |    |    |    |    |    |    |    | SE |    |    |    |    |    |    |    | SUM |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
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|               |              | NE |    | NW |    | SW |    | SE |    | NE |    | NW |    | SW |    | SE |    | NE |    | NW |    | SW |    | SE |    | NE |    | NW |    | SW |    | SE |    |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
|               |              | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| T22N R22E S30 |              |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 7500007       | JESSE CREE : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |     |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |

JUN 26 1992



JUN 26 1892

Area of Watersurface: 465.41 ac. - of Public Land. 22568 - Total number of Acres 23023.

| Surveys Designated | By Whom Surveyed | Date of Contract            | Amount of Surveys<br>M. Ch. Lk. | When Surveyed        | Mean Dec |
|--------------------|------------------|-----------------------------|---------------------------------|----------------------|----------|
| Township lines     | Sam'l B. Rhoades | April 17 <sup>th</sup> 1891 | 11 79 10                        | Aug. 7-12-1891       |          |
| Subdivisions       | "                | "                           | 60 02 04                        | Aug. 17-Sep. 3-1891  | 19° 45'  |
| Guide Meridian     | "                | "                           | 6 00 00                         | Aug. 1-3-1891        |          |
| Meanders           | "                | "                           | 13 79 45                        | Aug. 29-Sep. 3 1891. |          |

MILTON A. (JOCK) SLAVIN

ATTORNEY AT LAW

1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467

208/756-2030

April 9, 1992

**RECEIVED**  
APR 22 1992

Department of Water Resources

State of Idaho  
Department of Water Resources  
Statehouse Mail  
Boise, Idaho 83720-9000

Attention: Tim Luke  
Water Resource Spec.

RE: Transfer of place of use of water rights for City of Salmon  
Water Right No.s 75-0017A, 75-0019B & 75-0007

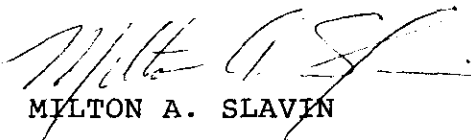
Dear Tim:

Pursuant to our telephone conversation of Tuesday, April 21, 1992, I am hereby requesting that you amend the application for transfer to make the period of use of the water rights to coordinate with the irrigation season from April 1 to October 31 of each year.

This recommendation is with the understanding that the City has already received permit #75-7563 which is for the year around use of 5 cfs. This later permit was dated December of 1990 and proof of beneficial use approved in March of 1992.

If you have any questions concerning this matter, please feel free to contact my office at your earliest convenience.

Very truly yours,

  
MILTON A. SLAVIN

MAS/rt

**MICROFILMED**  
JUN 26 1992

MILTON A. (JOCK) SLAVIN  
ATTORNEY AT LAW

1016 MAIN ST., P.O. BOX 1103, SALMON, IDAHO 83467  
208/756-2030

**RECEIVED**  
APR 13 1992  
Department of Water Resources

April 9, 1992

State of Idaho  
Department of Water Resources  
Statehouse Mail  
Boise, Idaho 83720-9000

Attention: Tim Luke  
Water Resource Spec.

RE: Application for Transfer No. 3615 (Salmon City Water  
Rights) Water Right No.s 75-0017A, 75-0019B and 75-0007

Dear Mr. Luke:

As a follow-up to our conversation on April 1, 1992, and as per your request, I will attempt to clarify some of your questions with regard to the application for transfer of Salmon City water rights.

Prior to the City of Salmon acquiring the water rights in question, the waters were used on the "Aldous" Ranch properties which are described in Exhibit "A" of the Sales Agreement and Warranty Deed from the Blackadar Estate to Mike and Merridee Overacker.

In 1961, while the "Aldous family" owned the ranch, they entered into an "Agreement" whereby the City of Salmon, during the times of short water months, would use the ranch's two older priority rights dated 1867 and 1868, consisting of approximately 100 inches. In exchange therefore, the City agreed to pump and pay for the pumping and delivery of approximately 150 to 200 inches of water from the Salmon River via the Norton Ranch, whereby the Aldouses would be assured a generous supply of water and the City would be entitled to use the Jesse Creek waters.

In 1971, when Aldouses sold their ranch to the Blackadar, Darrell Aldous kept approximately 40 acres and 12 inches of the earliest water right (1867). However, Darrell Aldous states that he was not able to receive the 12 inches of 1867 Jesse Creek water right because he was the last one on the ditch. Consequently Darrell Aldous sold his 12 inches of 1867 water right to the City of Salmon in 1973, which was then transferred to the City in 1974 and is evidenced in the documentation.

In 1989 the Overackers, who had leased the Blackadar Ranch properties, agreed to purchase the ranch properties consisting of approximately 300.572 acres. As part of the purchase/exchange Overacker agreed to sell the water rights to the properties to

Department of Water Resources  
Tim Luke  
April 9, 1992  
Page Two

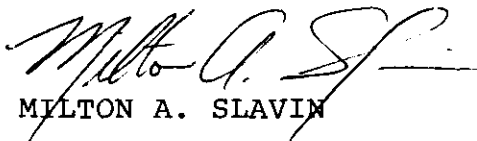
the City of Salmon. This included the remaining Jesse Creek water rights with priority dates of 1867, 1868 and 1894. In exchange therefore, the City was then released from any further pumping or water delivery obligations as per the 1961 agreement, and Overacker completed his application for water rights via the Salmon River delivered through the Norton ditch.

As a result, the City has used the 100 inches of earlier water rights of a priority date of 1867 during the short water months in exchange for pumping Salmon River water onto the properties since 1961.

The City, having purchased the water rights from Overackers, who are successors in interest to Blackadar and Aldous, now desire to transfer the point of diversion higher up on Jesse Creek in order to divert the waters into the city water treatment plant for distribution into the City water system.

Hopefully, this will satisfy any questions which you might have with regards to this application for transfer. If you have any further questions, do not hesitate to contact my office at your earliest convenience.

Very truly yours,



MILTON A. SLAVIN

MAS/rt

cc. City of Salmon Mayor

JUN 26 1992



State of Idaho  
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000  
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

February 19, 1992

Milton A. Slavin  
Attorney, City of Salmon  
City of Salmon  
200 Main St.  
Salmon, ID 83467

Re: Application for Transfer No. 3615/Water Right No.s 75-0017A,  
75-0019B and 75-0007

Dear Mr. Slavin:

The City of Salmon filed the above referenced transfer in July of 1989. The application was partially processed and reviewed by the Department but was never approved. It appears that the application fell through the cracks and final processing was merely overlooked. On behalf of the Department, I apologize for this delay and inconvenience.

Upon a second review of the application, I feel that some clarification and additional information may be needed before final approval is considered. Attached to this letter is a copy of the transfer and a copy of a 1961 agreement between the City and several owners of land to which the above rights were appurtenant. You will note that the agreement involves only 200 inches (4.0 cfs) of the above rights. Also attached to this letter is a copy of correspondence from a Department representative in our Idaho Falls office to a previous watermaster of Jesse Creek, Scott Ziegler. The correspondence is unsigned and not dated but I believe the author was Ernest Carlsen of our regional office and that the date of the letter was sometime in 1987. This latter correspondence seems to provide a good summary of the Jesse Creek water rights involved in the City transfer. You will note from the summary that 12 of the 200 inches identified in the agreement has already been formally transferred to the City under a separate transfer application.

After reviewing all of the attached information I have developed several questions which you may help to answer:

- 1) Is the 1961 agreement still effective or has the City since purchased the Jesse Creek rights? Has the City purchased the full 5.75 cfs under the three rights or only 3.76 cfs (188 inches) as bound by the agreement?
- 2) If the City has purchased the rights, is there some type of sale agreement which you could provide the Department and if not, then

MISDEMEANOR  
JUN 26 1992

can the present landowners to which the rights are appurtenant provide consent to the transfer?;

3) Does the City have any information concerning the historical use of the rights? In other words, is there information which might show the number of acres irrigated under these rights prior to 1961, and or the amount of water (such as annual volume) used by the city since 1961?

I would appreciate your review and consideration of this matter at your earliest convenience. Your prompt review will help expedite processing of the transfer application. Please contact me at this office or call me directly at 327-7864 if you have questions or require assistance with this matter.

Sincerely,



Tim Luke  
Sr. Water Resource Spec.

cc: Ernest Carlsen, Eastern Region

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JUN 26 1992

# OF WATER RESOURCES

W. State Street, Boise, Idaho

---

Mailing address:  
Statehouse  
Boise, Idaho 83720  
(208) 334-4440

2/2/92

Per Eric Carlson:

- Says A new app has  
Been filed for 201 acres on  
old P/U for three Rts.  
under this transfer.

See App No. 75-07552

**MICROFILMED**

JUN 26 1992

Tim

POOR QUALITY

August 28, 1987

Scott Ziegler, Watermaster  
Water District #75-A  
517 River Street  
Salmon, Idaho 83467

RE: Water Delivery Agreement dated August 18, 1961

Dear Scott:

To answer the question of how water is to be delivered pursuant to the 1961 agreement between Les Aldous, et al, and the City of Salmon, a meeting will have to be held with the individuals that have historically been a part of the agreement.

After careful review of the agreement and subsequent documents relating to the changes in both ownership of the water rights and irrigation practices, we find that the inherent information is inadequate for giving the watermaster direction on how to regulate the water.

The purpose of the meeting will be to gather relevant information on the intent of the agreement, how it was historically administered and the effects of subsequent sales by Mr. Aldous to both the City of Salmon and Walter Blackadar.

A specific date has not been selected. However, I hope the meeting can take place this fall. That would provide ample time to render a decision prior to the 1988 irrigation season.

Respectfully submitted,

Elnest Carlsen  
Water Rights Supervisor

EC/dg

cc Jim Johnson, City Engineer  
Robert L. Blackadar

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JUN 26 1992

Scott Ziegler, Watermaster  
Water District #75-A  
517 River Street  
Salmon, Idaho 83467

RE: Delivery of Water Under Agreement Dated August 18, 1961

Dear Mr. Ziegler:

After reviewing available documents related to the Water Delivery Agreement dated August 18, 1961, and signed by Arthur Aldous, et. al, and the city of Salmon, it is the Department's position that subsequent actions reduced the quantity of water each party or his successor is entitled to receive. Applying the reduction means under the agreement the city of Salmon would be eligible to receive from Jesse Creek an amount up to 188 inches (3.76 cfs) and would be responsible for pumping 120 inches (2.4 cfs) from the Norton Ditch.

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This decision is based on the following documents: 1) Agreement dated August 18, 1961, signed by Arthur Aldous, et. al, and the city of Salmon; 2) Sales agreement dated October 5, 1971, between Darrell C. and Joyce Aldous and Walter L. and Shirley Blackadar; 3) Sales agreement dated March 14, 1973, between Darrell C. and Joyce Aldous and the city of Salmon; 4) Transfer No. 1773 approved July 3, 1974; 5) Claim to a Water Right No. 75-4310 in the name of Darrell C. and Joyce Aldous filed September 30, 1982; 6) Claim to a Water Right No. 75-4343 in the name of Blackadar

Trust filed March 31, 1983.

The agreement dated August 18, 1961, outlines a water delivery arrangement for water from Jessie Creek and the Salmon River. In this agreement the Aldouses were recognized as holding the following water rights from Jessie Creek: 1.5 cfs with a priority date of 1867, .49 cfs with a priority of 1868, and 4.0 cfs with a priority of April 1, 1894. In the Department's records the right for 1.5 cfs has been numbered 75-0017, the right for .49 cfs represents a portion of right 75-0019, and the right for 4.0 cfs has been numbered 75-0007. The agreement states of this 5.99 cfs the city of Salmon is allowed to divert up to 4.0 cfs. To compensate for diverting this water, the City is to pump from the Norton Ditch 3.0 cfs and convey it to land historically irrigated by the decreed water. Water pumped from the Norton Ditch is diverted from the Salmon River.

This initial agreement was followed by several transactions which involved the water rights. The first occurred in October of 1971 when Darrell Aldous sold to Walter Blackadar all of the place of use for the three water rights except for 40 acres, which he retained. In the sales agreement, Mr. Aldous reserved 12 inches of water right 75-0017 and 30 inches of the water pumped by the City from the Norton Ditch. Then, in March of 1973, he sold to the city of Salmon the 12 inches of water under right 75-0017. In conjunction with this sale he filed application for transfer 1773 transferring the 12 inches of water into the water <sup>0.24 cfs</sup> ~~rights~~ **RECORDED**

JUN 26 1992

the city of Salmon. The application was approved on July 3, 1974. Eight years later on August 3, 1982, Mr. Aldous filed claim no. 75-4310. The claim was to record the use of 30 inches of water diverted from the Salmon River thru the Norton Ditch and rediverted by pump. The diversion of this water was said to have started in August, 1958, and was used for the irrigation of the 40 acres he still owned. On March 31, 1983, the Idaho First National Bank on behalf of the Blackadar Family Trust filed claim 75-4343. This claim describes the diversion of 3.5 cfs. The water was diverted into the Norton Ditch and then rediverted by pump and used for the irrigation of 175 acres. The claim indicates the water was first applied to beneficial use in August, 1958. Both claims apparently record the use of water which the city of Salmon became responsible for pumping from the Norton Ditch under the August 1961 Agreement.

The effect of these transactions was to reduce the quantity of water subject to the agreement. When Mr. Aldous sold the 12 inches of decree 75-0017 to the City, it affected the agreement in two ways. First, it reduced the amount of decreed water subject to the agreement from 200 inches to 188 inches. Secondly, by selling this water to the city of Salmon and subsequently filing application for transfer no. 1773, Mr. Aldous removed the decreed water from his property. Without decreed water being appurtenant to his property, the City was not obligated to furnish water from the Norton Ditch. Consequently, the 150 inches of water the city of Salmon was pumping from the

*Handwritten notes:*  
✓ holds 12 inches  
order 1773  
AT No. 75-0178

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Norton Ditch was now reduced by the 30 inches. Unless Mr. Aldous has negotiated another agreement with the City, he should be responsible for the diversion of the 30 inches of water under claim no. 75-4310. Since thirty inches of the original 150" pumped by the city is appurtenant to Mr. Aldous' property, it appears the amount of water identified on claim 75-4343 would be limited to 120" or 2.40 cfs.

For delivery of water under the agreement, the watermaster's records should reflect the City's diversions as follows:

| <u>Right #</u> | <u>Quantity</u> | <u>Priority</u> |
|----------------|-----------------|-----------------|
| 75-0017        | 1.26 cfs        | 1867            |
| 75-0019        | .49 cfs         | 1868            |
| 75-0007        | <u>2.01 cfs</u> | 4/1/1894 →      |

↖  
3.76 cfs

The Department does have concerns about changing the nature of use from irrigation to municipal and the possible expansion of the right resulting from this change. However, that issue will not be addressed at this time.

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AGREEMENT

THIS AGREEMENT, made and entered into this 18th day of August, 1961, by and between LES ALDOUS and MARGARET ALDOUS, husband and wife, DARRELL ALDOUS and JOYCE ALDOUS, husband and wife, ARTHUR ALDOUS and CLAIRE ALDOUS, husband and wife, and LESLIE ALDOUS and PATRICIA ALDOUS, husband and wife, parties of the first part and the CITY OF SALMON, a municipal corporation, the party of the second part, witnesseth:

WHEREAS, The parties of the first part are the owners of decreed waters of Jessie Creek near Salmon, Idaho, the quantities and priority dates of which are as follows:

1.5 cubic feet of water per second, or namely 75 inches, with priority date of 1867;

24 2/3 inches of water with priority date of 1868; and,

4 cubic feet of water per second, or namely 200 inches, with priority date of April 1, 1894;

as set forth in the official decree of Jessie Creek on file in the office of the Clerk of the District Court at Salmon, Idaho, to which reference is hereby made for any further or more particular and detailed description;

And the parties of the first part are also the owners of ranch lands near Salmon, Idaho, where said decreed waters have heretofore been used in accordance with said decree; and,

WHEREAS, The City of Salmon, Idaho, is in need of additional domestic water from Jessie Creek; and,

WHEREAS, The parties hereto desire to enter into this agreement whereby the City of Salmon will have the right to use 200 inches of said decreed water as above described in return for water being pumped by the City of Salmon to points on property owned by the parties of the first part.

NOW, THEREFORE, It is hereby understood and agreed that in consideration for the use of 200 inches of decreed water from Jessie Creek as above described owned by the parties of the first part, the said party of the second part shall install and maintain

WON 26 1992

1 a pumping system and pay all costs of operation thereof and shall  
2 place 150 inches of water to a point about 2800 feet from said  
3 pump which said points are described as follows:

4 Commencing at the southwest corner of the NW $\frac{1}{4}$  of Section 31,  
5 Township 22, North Range 22, E.B.M., in Lemhi County, State  
6 of Idaho; run North 75° 38' E. 1842.8 feet to a point where  
a valve shall be located;

7 and then by means of valves or otherwise will extend 100 inches  
8 of said water, or namely 2 cubic feet of water per second, to a  
9 point about 400 feet further than said first point, or a total of  
10 3200 feet from the pumping station which said point is described  
11 as follows:

12 Starting at the said southwest corner of the NW $\frac{1}{4}$  of said  
13 Section 31, run North 70° 13' E. 2213.1 feet to a point  
where another valve is to be located.

14 Both of said points where valves are to be located are in  
15 the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of said Section 31; and, these points have been desig-  
16 nated by the parties of the first part and the parties of the  
17 first part hereby specifically grant to the party of the second  
18 part the right to go upon the premises of the parties of the  
19 first part for the purpose of installing and maintaining said pump  
20 and irrigation system; and,

21 It is further understood and agreed that the water to be  
22 pumped in accordance with this agreement shall come from the large  
23 ditch or canal just North of Salmon, Idaho, in which the parties  
24 of the first part have an interest and said interest to the extent  
25 of 200 inches in said ditch or canal is hereby assigned to the  
26 party of the second part during the term of this agreement, and  
27 said party of the second part shall pay its portion of the ditch  
28 or canal maintenance on the basis of said 200 inches, or namely  
29 4 cubic feet of water per second.

30 It is further understood and agreed that this agreement shall  
31 continue as long as the party of the second part performs in  
32 accordance with the provisions hereof or until this agreement is

1 terminated by mutual consent of the parties, it being definitely  
2 understood and agreed that all ditch and ditch rights, water and  
3 water rights of the parties of the first part are to remain in  
4 tact and shall not be altered or disturbed in any way by this  
5 agreement except as set forth in said agreement.

6 It is also understood and agreed that the said party of the  
7 second part shall save the said parties of the first part harmless  
8 from any suits or litigation which may result from this agreement  
9 by any other interested water user or users.

10 It is also understood and agreed that in the event of a  
11 breakdown or if the party of the second part is unable to furnish  
12 said water as herein agreed upon for any reason whatsoever, then  
13 said party of the second part shall have a reasonable time within  
14 which to repair the equipment and start the water going again in  
15 accordance with this agreement, and if not so done within a  
16 reasonable length of time, then the parties of the first part  
17 shall have the right to again start using the above described  
18 decreed water and use the same until the party of the second part  
19 is able to furnish the water as herein agreed upon.

20 In determining what is a reasonable length of time under the  
21 circumstances, the use to which the parties of the first part are  
22 placing the water and the type of crops being grown by the parties  
23 of the first part, shall be taken into consideration and be the  
24 determining factor in deciding what constitutes a reasonable length  
25 of time.

26 It is also understood and agreed that in the event there is  
27 any surplus water remaining in Jessie Creek over and above the  
28 said 200 inches, then and in that event the said parties of the  
29 first part shall have the right to the use of the same.

30 IN WITNESS WHEREOF, The parties have hereunto set their hands,  
31 the day and year first above written.

32



POOR QUALITY

1 STATE OF IDAHO

2 County of Lemhi--SS

3 On the 18th day of August, 1961, before me, the undersigned,  
4 a Notary Public for Idaho, personally appeared Wm. J. Cannon,  
5 known to me to be the Mayor of the corporation that executed the  
6 instrument and acknowledged to me that such corporation executed  
7 the same.

8 IN WITNESS WHEREOF, I have hereunto set my hand and affixed  
9 my official seal the day and year in this certificate first above  
10 written.

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*Frederick H. Snook*

Notary Public for Idaho, Residing at Salmon, Idaho.

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JUN 26 1992

QUALITY

S A L E S   A G R E E M E N T

THIS AGREEMENT, Made and entered into this 5th day of October, 1971, by and between DARRELL C. ALDOUS and JOYCE ALDOUS, husband and wife, parties of the first part, hereinafter called "SELLERS", and WALTER L. BLACKADAR and SHIRLEY BLACKADAR, husband and wife, parties of the second part, hereinafter called "BUYERS", -

WITNESSETH:

That for and in consideration of the mutual covenants and agreements hereinafter contained and the sum of ONE HUNDRED SIXTY THREE THOUSAND SEVEN HUNDRED FIFTY EIGHT AND NO/100s (\$163,758.00) DOLLARS, lawful money of the United States of America, to be paid as hereinafter provided, Sellers agree to sell and Buyers agree to purchase, all of the following described real property, situate in the County of Lemhi, State of Idaho, to-wit:

Lot Four (4), the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$ ), the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section Thirty (30); Lots One (1) and Two (2), the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ), the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$ ); the Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$ ) of Section Thirty-one (31); all in Township Twenty-two (22), North, Range Twenty-two (22) East, Boise Meridian.

Together with a permanent sixty (60) foot right-of-way from U. S. Highway No. 93, commencing at the Southeast corner of the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section Thirty-one (31), Township Twenty-two (22) North, Range Twenty-two (22) East, Boise Meridian; and running thence West parallel with the South Boundary of the Northwest Quarter of the Northeast Quarter of said Section Thirty-one (31), a distance of 975.0 feet, more or less.

EXCEPTING THEREFROM a fraction of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 31, and a fraction of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 30, Township 22 North, Range 22 East, Boise Meridian, more particularly described as follows, to-wit:

Beginning at the intersection of the Westerly right-of-way line of U. S. Highway No. 93, and the Southerly boundary of said Section 30, run thence Northerly along the Westerly right-of-way line of U. S. Highway No. 93 a distance of 544.0 feet; thence S. 89° 56' W. and parallel to the Southerly boundary of Section 30 a distance of 975.0 feet; thence Southerly and parallel to the Westerly right-of-way line of U. S. Highway No. 93 a distance of 1864.0 feet, more or less, to a point on the Southerly boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 31; thence Easterly along the Southerly boundary of the NW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 31 a distance of 975.0 feet to a point on the Westerly right-of-way line of U. S. Highway No. 93; thence Northerly along said right-of-way line 1320.0 feet to the point of beginning, containing 41.722 acres.

ALSO EXCEPTING a strip of land 15.0 feet wide across the Northerly side of the SE $\frac{1}{4}$ SE $\frac{1}{4}$  and the Northerly side of the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 30, Township 22 North, Range 22 East, Boise Meridian, beginning at

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POOR QUALITY

a point on the Westerly right-of-way line of U. S. Highway No. 93, and extending Westerly for a distance of 3240.0 feet, and containing 1.116 acres.

Together with all water and water rights, ditches and ditch rights appertaining thereto or used in connection therewith. EXCEPTING AND RESERVING THEREFROM the following water, water rights, and ditch rights used in connection herewith: Twelve (12) inches of the 1867 Jessie Creek water, decreed to Delmar Manfull as recorded in Book "A" of Judgments, page 251; also, thirty (30) inches of the exchange pump right supplied by the City of Salmon, from the Norton Ditch.

I

PURCHASE PRICE: It is agreed and understood by the parties hereto that the total purchase price is ONE HUNDRED SIXTY THREE THOUSAND SEVEN HUNDRED FIFTY EIGHT AND NO/100s (\$163,758.00) DOLLARS, which shall be payable as follows:

|    |                                                                             |              |
|----|-----------------------------------------------------------------------------|--------------|
| a. | Cash Price                                                                  | \$163,758.00 |
| b. | Less: Present cash down payment, the receipt whereof is hereby acknowledged | 5,000.00     |
| c. | Deferred Cash Down Payment (Due December 31, 1971)                          | 41,758.00    |
| d. | Total Down Payment                                                          | 46,758.00    |
| e. | Unpaid Balance of Cash Price                                                |              |
|    | Amount Financed                                                             | 117,000.00   |
| f. | FINANCE CHARGE (Interest Only)                                              | 73,710.00    |
| g. | ANNUAL PERCENTAGE RATE:                                                     | 6%           |
| h. | Total Payment Price (a+f)                                                   | 237,468.00   |
| i. | Total of Deferred Payments (c+f)                                            | 190,710.00   |

The total of payments is payable by Buyers to Sellers in Twenty (20) yearly installments of Five Thousand Eight Hundred Fifty and No/100s (\$5,850.00) Dollars, or more, plus interest, on or before January 1, 1973, and Five Thousand Eight Hundred Fifty and No/100s (\$5,850.00) Dollars, or more, plus interest, on or before the 1st day of January of each and every year thereafter until paid in full. The Finance Charge applies on all deferred payments from January 1, 1972. Such payments shall be made in lawful money of the United States to the Sellers at Salmon, Idaho, or such other place or places as the Sellers may hereinafter from time to time designate.

It is agreed and understood that the Buyers shall pay no more of the the purchase price to Sellers after December 31, 1971, than one-fourth (1/4) of the original purchase price, or the sum of \$40,939.00, during any one year.

II

ESCROW: The Sellers covenant and agree to place in escrow with The Idaho First National Bank, Salmon Office, Salmon, Idaho, a good and sufficient Warranty Deed showing good and merchantable title to the property described

JUN 26 1992

POOR QUALITY

SALES AGREEMENT

THIS AGREEMENT, Made and entered into this 14th day of March, 1973, by and between DARRELL C. ALIUS and JOYCE ALIUS, husband and wife, of P.O. Box 807, Salmon, Idaho, 83467, hereinafter referred to as "Sellers", and CITY OF SALMON, a duly incorporated municipality, located within Lemhi County, Idaho, hereinafter referred to as "Buyer".

WITNESSETH:

That for and in consideration of the mutual covenants and agreements hereinafter stipulated and the sum of TWO THOUSAND DOLLARS & NO/100 (\$2,000.00) DOLLARS, lawful money of the United States of America to be paid as hereinafter provided, sellers agree to sell and buyer agrees to purchase all that certain personal property more particularly described as follows to-wit:

All of sellers' interest in and to a twelve (12") inch water right, in Jerome Creek, and any tributary thereof, located in Lemhi County, Idaho, which right is claimed to be the first water right in the creek.

That the above described and agreed by the parties to be sold property has been sold to the City of Salmon for the sum of TWO THOUSAND DOLLARS & NO/100 (\$2,000.00) DOLLARS, lawful money of the United States of America, to be paid as follows:

The sum of TWO THOUSAND DOLLARS & NO/100 (\$2,000.00) DOLLARS has been paid to Fred French, the seller's attorney, for the use of the sellers.

That the above described and agreed by the parties to be sold property has been sold to the City of Salmon for the sum of TWO THOUSAND DOLLARS & NO/100 (\$2,000.00) DOLLARS, lawful money of the United States of America, to be paid as follows:

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JUN 26 1992

pay all costs of connection therewith, including reasonable attorney's fees for the prevailing party.

WITNESSETH: WHEREFORE, it is understood and agreed that the covenants, conditions and terms herein shall be binding on the heirs, executors, administrators and assigns of the respective parties. These covenants, conditions and terms shall be binding on the heirs, executors, administrators and assigns of the respective parties.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals this 1st day of May, 1973.

CITY OF SALMON

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

ATTESTED TO:

*[Signature]*  
Notary Public

STATE OF IDAHO

County of Blaine

On this 1st day of May, 1973, before me, the undersigned authority, personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

My commission expires \_\_\_\_\_

JUN 26 1992

Scott Ziegler

756-3404

and carbon too

FRED Walchley

New W. on 5850 CK.

756-3411 Home

756-4753 wk. \*

IR-DEPARTMENT MEMO — 1

FROM Tim LKE

DATE 1-16-80

TO file

SUBJECT Phone Cons. w/ Scott Ziegler - former W.M. on Jesse Cr.

Scott said that the diversion to Indian Butte from Salmon R. is separate from Jesse Cr. water & rights. Agreement only pertains to cities actual obligation to pay for & provide facilities to divert & pump water to lands formerly owned by W&A 75-019, 75-007 & 75-017.

It appears that 1961 Agreement is somewhat misleading in that it discusses or implies some type of exchange.

RECEIVED  
JUN 26 1992

SIGNATURE

17-10-89 RB  
8-30-89 HWT

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Deanna M. Duma

1. Right number 75-0019B  
75-0017A, 75-0007 Applicant City of Salmon

2. Type of right: ☒ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☒ Other nature of use; period of use

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☐ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion. used to own quarter

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer). map does not indicate p.d. or p.u.

f. ☒ Check for correct signature, notarization, and fee.

g. ☐ Check proof of ownership of right &/or land from which water is transferred. Received HWT

h. ☒ Check for expansion in use of right. need records of ownership from city and the rancher - check the land owned by the rancher

By changing nature of use and period of use expansion is possible

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 75-02167

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? 75-A Send copy for comments - Received HWT

FINAL PROCESSING REVIEW BY: \_\_\_\_\_

1. Watermaster recommendation requested on \_\_\_\_\_ Received on \_\_\_\_\_

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

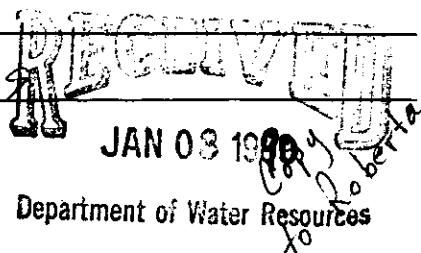
2. ☐ Deny

3. Conditions\* Control of Watermaster water, district 75-A

4. By RDC Date 12/27/89

\* All uses within Watermaster Districts require special conditions.

Department of Water Resources



TITLE  
OF  
CASE

E. T. Andrews & W. S. Andrews

Plaintiffs,

SOURCE

Jesse Creek (First Decree)

PAGE

v.s.

John Martin, et al

Defendants

WATER DIST.

75-A

COUNTY

Lemhi

JUDICIAL DIST.

5

JUDGE

D. W. Standrod

DATE OF DECREE Sept. 30, 1893

RECORDED

IN BOOK NO.

AT PAGE NO.

FILE NO.

| P.N.    | D.N. | DECREED<br>OWNER              | NAME | PRESENT<br>OWNER | AMT.<br>INCHES<br>SEC. FT. | PRIORITY | DIVERSION |      |     |     | REMARKS, LAND TO BE IRRIGATED, ETC.                                                                                                                                                                                                                                              | C.T. |
|---------|------|-------------------------------|------|------------------|----------------------------|----------|-----------|------|-----|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
|         |      |                               |      |                  |                            |          | SUBDIV.   | SEC. | TWR | R&  |                                                                                                                                                                                                                                                                                  |      |
| 75-0016 |      | E. T. Andrews & W. S. Andrews |      |                  | 100                        | 1867     |           |      |     |     | SE $\frac{1}{4}$ NE $\frac{1}{4}$ , S. 31, T22N, R22E<br>SE $\frac{1}{4}$ SE $\frac{1}{4}$ , S. 31; Lots 3, 6, 8; S. 32, T22N, R22E                                                                                                                                              |      |
|         |      | (City of Salmon)              |      |                  |                            |          |           |      |     |     |                                                                                                                                                                                                                                                                                  |      |
| 75-0017 |      | Dalmar Manfull                |      |                  | 0<br>(75)                  | 1867     |           |      |     |     | SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 30; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 31, T22N, R22E                                                                                                     |      |
|         |      | (City of Salmon)              |      |                  | 12                         |          | NENE      | 2    | 21N | 21E | Domestic supply - City of Salmon                                                                                                                                                                                                                                                 |      |
|         |      | (Walter L. Blackadar)         |      |                  | 63                         |          | NWNW      | 1    | 21N | 21E | SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ - Sec. 30; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ - Sec. 31, T22N, R22E                                                                                                     |      |
| 75-0018 |      | John Long                     |      |                  | 0<br>(15)                  | 1867     |           |      |     |     | E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ - Sec. 30, T22N, R22E                                                                                                                                                                                       |      |
|         |      | (City of Salmon)              |      |                  | 15                         |          | NENE      | 2    | 21N | 21E | Domestic supply - City of Salmon                                                                                                                                                                                                                                                 |      |
| 75-0019 |      | John Wheeler & C. C. Willis   |      |                  | 0<br>(180)                 | 1868     |           |      |     |     | NE $\frac{1}{4}$ NE $\frac{1}{4}$ - Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$ - Sec. 29; E $\frac{1}{2}$ SE $\frac{1}{4}$ - Sec. 19;<br>NE $\frac{1}{4}$ SE $\frac{1}{4}$ - Sec. 30; W $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ - Sec. 19, T22N, R22E |      |
|         |      | (Walter L. Blackadar)         |      |                  | 65 1/3                     |          |           |      |     |     | Lots 3, 4, E $\frac{1}{2}$ SW $\frac{1}{4}$ - Sec. 31, T22N, R22E                                                                                                                                                                                                                |      |
|         |      | (John Cole)                   |      |                  | 24 2/3                     |          |           |      |     |     | <i>This is The Right I Question and<br/>The Application, I am Show 30. And I HAVE<br/>493 This Need To Be Check And<br/>Put In The Right Category A-B-C-D-E or<br/>What Even So I can Deliver It To The Right<br/>Person.</i>                                                    |      |
|         |      | (City of Salmon)              |      |                  | 60                         |          |           |      |     |     | <i>THANKS Fred Webster</i>                                                                                                                                                                                                                                                       |      |
|         |      | (Ostrander)                   |      |                  | (30)<br>15                 |          |           |      |     |     | <i>WATER MASTER</i>                                                                                                                                                                                                                                                              |      |
| 75-0023 |      | Mrs. A. B. McCaleb            |      |                  | 7                          | 1869     |           |      |     |     | Fraction Lots 9 & 10, Sec. 6, T21N, R22E                                                                                                                                                                                                                                         |      |
| 75-0024 |      | Ira Tingley                   |      |                  | 5                          | 1877     |           |      |     |     | SW $\frac{1}{4}$ NE $\frac{1}{4}$ - Lots 6, 7, 8, 9 - Sec. 6, T21N, R22E                                                                                                                                                                                                         |      |
|         |      | (B. W. Jolley)                |      |                  |                            |          |           |      |     |     |                                                                                                                                                                                                                                                                                  |      |

JUN 26 1992

It appears the City now has  
parts A & B.

HUT

---



If applicant was not the original holder of this right explain how it was acquired: Applicants  
predecessors in interest was the original holders of said water  
right.

10. CHANGE IN POINT OF DIVERSION

- 75-0017B
- a. Quantity to be diverted at new point: 0.24 c.f.s. and/or \_\_\_\_\_ acre feet
- b. New point of diversion: NE 1/4 NE 1/4, Section 2, Township 21N  
Range 21E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: New point  
of diversion is at the City Water Works where said water will be  
diverted into the City Water Lines for distribution to the city  
residences.
- d. Is water to be conveyed to the lands previously irrigated? Yes \_\_\_\_\_ No X  
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion:  
Point of diversion must be changed to make beneficial uses to  
the water to the city residents
- f. Do you intend to make the transfer permanent? yes
- g. Do you intend to abandon completely the old point of diversion? No, the remainder of this  
right will continue to be diverted at this point.
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE

- a. Describe the new lands on which you wish to use your right.

| TWP. | RANGE | SEC. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTALS |
|------|-------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | 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 |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
| 22N  | 22E   | 31   |        | 8      |        |        | 40     |        |        |        |        |        |        |        |        |        |        |        | 48     |
| "    | "     | 30   |        |        |        |        |        |        |        |        |        |        | 40     |        |        |        | 28     |        | 68     |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
| 21N  | 21E   | 1    | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      |        |
| 22N  | 21E   | 36   |        |        |        |        |        |        |        |        |        |        |        |        | X      | X      | X      | X      |        |
| 22N  | 21E   | 31   |        |        |        |        |        |        |        |        | X      | X      | X      | X      | X      | X      | X      | X      |        |
| 21N  | 22E   | 5    |        |        |        |        | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      |        |
| 21N  | 22E   | 6    | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      |        |
| 21N  | 22E   | 7    | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      |        |
| 21N  | 22E   | 8    | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      | X      |        |
|      |       |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Lands still to be irrigated under this right.

Plus City of Salmon Dist. System

JUN 26 1992

Total number of acres to be irrigated \_\_\_\_\_

INTER-DEPARTMENT MEMO — 1

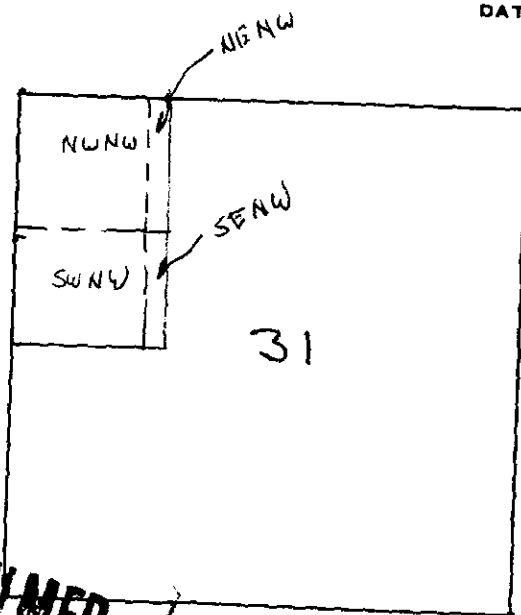
FROM

Parcel #1

DATE

TO

SUBJECT



RECEIVED

JUN 26 1992

SIGNATURE

INTER-DEPARTMENT MEMO — 1

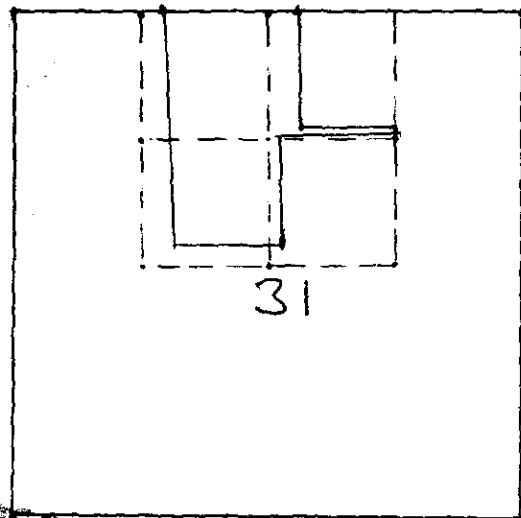
Parcel #2

FROM

DATE

TO

SUBJECT



T22N

RECEIVED R22E  
JUN 26 1992

SIGNATURE

INTER-DEPARTMENT MEMO — 1

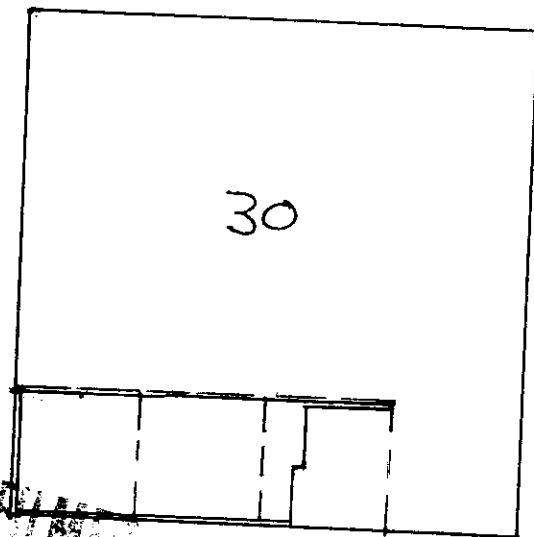
Parcel III

FROM

DATE

TO

SUBJECT



T  
ZZN

RECEIVED  
JUN 26 1992

RZZE

SIGNATURE

"Exception" piece

42-381 100 SHEETS 3 SQUARE  
42-382 100 SHEETS 3 SQUARE  
42-383 100 SHEETS 3 SQUARE  
42-384 100 SHEETS 3 SQUARE  
42-385 100 SHEETS 3 SQUARE  
42-386 100 SHEETS 3 SQUARE  
42-387 100 SHEETS 3 SQUARE  
42-388 100 SHEETS 3 SQUARE  
42-389 100 SHEETS 3 SQUARE  
42-390 100 SHEETS 3 SQUARE



Sec 30

Scale 1:2400

Sec 31

RECEIVED  
JUN 26 1992

ROUTING SLIP

To: SKIP JONES

From: TIM LUKE  
CITY of GILMAN TARRANT

JUN 26 1992

RECEIVED

NOV 22 1989

Department of Water Resources  
Eastern District Office

MEMORANDUM

TO: JIM JOHNSON, FILE  
FROM: TIM LUKE  
RE: WATER RIGHT DECREE NO. 75-0019B  
DATE: 11-17-89

---

The discrepancy between the department's data base and hard file concerning rate of diversion is explained by a review of the department's abstracts for decreed rights and a closer review of the data base itself.

Under the remarks section of the computer data base for 75-0019B is the following entry:

"Split by unknown transfer. Quantified by Feb. 12, 1973 listing and Dept. Abstract"

The vault contains several books or abstracts on older rights. These ledger type books are apparently the predecessors of computers. Under decreed right no. 75-0019, are additional entries which splits the original right of 180 inches among four separate parties (see attached copy of abstract). These four splits are recorded in the computer data base as parts A,B,C and D. **Note that part B is to John Cole for 24-2/3 inches, or .493 cfs.** The data base therefore reflects the abstracts and appears to be correct. I found nothing in the file resembling any listing from Feb. 12, 1973.

The hard copy file of 75-0019 in the vault contains no references to the first three splits, **but does document Transfer #2355, which resulted in part D.** As far as I can tell, the split of 75-0019 to A,B and C was done by one or more unknown transfers such as the remark in the data base suggests. A transfer involving 75-0019 is recorded on page 7 (which represents P/U Transfer No. 7) in Book 1 of transfers. Review of the transfer book and discussion with Roberta leads me to believe that this was actually among the first transfers actually recorded by the state. There is no documentation though that describes this transfer. It is possible therefore that Transfer No. 7 resulted in splitting the right in parts A,B and C.

UNRECORDED  
JUN 26 1992

The transfer filed by the City of Salmon should actually reference part D, not part B. Further, it is possible that the city is unaware of the fact that they actually own a portion of the original 180 inch decreed right. We should probably determine if parts A through C are still used or delivered.

NOT RECORDED  
JUN 26 1992

E. T. Andrews &amp; W. S. Andrews

Plaintiffs,

SOURCE

Jesse Creek (First Decree)

PAGE 1

V.S.

WATER DIST. 75-A

COUNTY Lemhi

John Martin, et al

Defendants

JUDICIAL DIST. 5

JUDGE D. W. Standrod

DATE OF DECREE Sept. 30, 1893

RECORDED Revised September 1974

IN BOOK NO. AT PAGE NO. FILE NO.

| DECEED<br>OWNER               | NAME | PRESENT<br>OWNER | AMT. INCHES<br>SEC. FT. | PRIORITY | DIVERSION |      |      |      | REMARKS, LAND TO BE IRRIGATED, ETC.                                                                                                                                                                                                                                              | C.T. |
|-------------------------------|------|------------------|-------------------------|----------|-----------|------|------|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
|                               |      |                  |                         |          | SUBDIV.   | SEC. | TWP. | R&G. |                                                                                                                                                                                                                                                                                  |      |
| E. T. Andrews & W. S. Andrews |      |                  | 100                     | 1867     |           |      |      |      | S $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , S.31, T22N, R22E<br>S $\frac{1}{2}$ SE $\frac{1}{4}$ , S.31; Lots 3,6,8; S.32, T22N, R22E                                                                                                                  |      |
| (City of Salmon)              |      |                  |                         |          |           |      |      |      |                                                                                                                                                                                                                                                                                  |      |
| Dalmar Manfull                |      |                  | 0<br>(75)               | 1867     |           |      |      |      | SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 30; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 31, T22N, R22E                                                                                                     |      |
| (City of Salmon)              |      |                  | 12                      |          | NENE      | 2    | 21N  | 21E  | Domestic supply - City of Salmon                                                                                                                                                                                                                                                 |      |
| (Walter L. Blackadar)         |      |                  | 63                      |          | NWNW      | 1    | 21N  | 21E  | SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ - Sec. 30; NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ - Sec. 31, T22N, R22E                                                                                                     |      |
| John Long                     |      |                  | 0<br>(15)               | 1867     |           |      |      |      | E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ - Sec. 30, T22N, R22E                                                                                                                                                                                       |      |
| (City of Salmon)              |      |                  | 15                      |          | NENE      | 2    | 21N  | 21E  | Domestic supply - City of Salmon                                                                                                                                                                                                                                                 |      |
| John Wheeler & C. C. Willis   |      |                  | 0<br>(180)              |          |           |      |      |      | NE $\frac{1}{4}$ NE $\frac{1}{4}$ - Sec. 30; NW $\frac{1}{4}$ NW $\frac{1}{4}$ - Sec. 29; E $\frac{1}{2}$ SE $\frac{1}{4}$ - Sec. 19;<br>NE $\frac{1}{4}$ SE $\frac{1}{4}$ - Sec. 30; W $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ - Sec. 29, T22N, R22E |      |
| (Walter L. Blackadar)         |      |                  | 65 1/3                  |          |           |      |      |      | Lots 3,4, E $\frac{1}{2}$ SW $\frac{1}{4}$ - Sec. 31, T22N, R22E                                                                                                                                                                                                                 |      |
| (John Cole)                   |      |                  | 24 2/3                  |          |           |      |      |      |                                                                                                                                                                                                                                                                                  |      |
| (City of Salmon)              |      |                  | 80.75 *                 |          |           |      |      |      |                                                                                                                                                                                                                                                                                  |      |
| (Ostrander)                   |      |                  | 15 3/4 **               |          |           |      |      |      |                                                                                                                                                                                                                                                                                  |      |
| Mrs. A. B. McCaleb            |      |                  | 7                       | 1869     |           |      |      |      | Fraction Lots 9 & 10, Sec. 6, T21N, R22E                                                                                                                                                                                                                                         |      |
| Ira Tingley                   |      |                  | 5                       | 1877     |           |      |      |      | SW $\frac{1}{4}$ NE $\frac{1}{4}$ - Lots 6,7,8,9 - Sec. 6, T21N, R22E                                                                                                                                                                                                            |      |
| (E. W. Jolley)                |      |                  |                         |          |           |      |      |      |                                                                                                                                                                                                                                                                                  |      |

\* 15 in transferred by transfer No. 2355

\*\* 15 transferred from this right to Person C BY TRANSFER NO. 2355

75-019

# CITY OF SALMON

200 MAIN STREET / SALMON, IDAHO 83467 / (208) 756-3214

November 15, 1989

Mr. Harold Jones  
Department of Water Resources  
150 Shoup Avenue  
Idaho Falls, Idaho 83402

RECEIVED

NOV 17 1989

Department of Water Resources  
Eastern District Office

**Re: Water Rights Transfer - City of Salmon**

Dear Mr. Jones,

Enclosed please find a copy of the original warranty deed conveying the water rights to the City as you requested.

I trust this will answer your questions concerning the water rights purchase.

Sincerely,



James S. Johnston, City Clerk

RECEIVED  
JUN 26 1992

**JORDAN P. SMITH**

**ATTORNEY AT LAW**

**207 MAIN STREET**

**SALMON, IDAHO - 83467**

**208-756-2287**

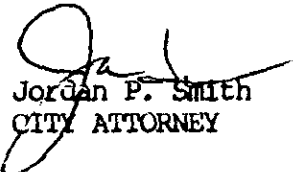
July 18, 1989

Jim Johnston  
City Clerk  
200 Main Street  
Salmon, ID 83467

Dear Jim:

Enclosed please find the original WARRANTY DEED conveying our recently purchased water rights from the Overackers to the City, recorded as Instrument No. 201828. This completes the transaction, and the Deed should be kept in a safe place.

Sincerely,

  
Jordan P. Smith  
CITY ATTORNEY

JPS:rjd

Enclosure

RECEIVED  
JUN 26 1992

THIS INSTRUMENT FILED FOR RECORD BY AMERICAN LAND TITLE CO. AS AN ACCOMMODATION ONLY. HAS NOT BEEN EXAMINED AS TO ITS EXECUTION OR AS TO ITS EFFECT UPON THE TITLE.

WARRANTY DEED

WE, MICHAEL J. OVERACKER, III and MERRIDEE S. OVERACKER, husband and wife, whose current address is 1510 Highway 93 North, Salmon, Idaho 83467, Grantors, owners of the premises in Lemhi County described on Exhibit "A," annexed hereto and by this reference made a part hereof, for good and valuable consideration, receipt of which is acknowledged, hereby grant, bargain, sell and convey unto the CITY OF SALMON, a Municipal Corporation of the State of Idaho, Grantee, of 200 Main Street, Salmon, Idaho 83467, any and all water and water rights in Jessie Creek (a tributary joining the Salmon River at the City of Salmon) and any tributaries thereto belonging or in any way appertaining to the above-described premises, including but not limited to the following:

| <u>DWR #</u> | <u>PRIORITY YEAR</u> | <u>WATER AMOUNT</u> |
|--------------|----------------------|---------------------|
| 75-0017      | 1867                 | 75 inches           |
| 75-0019      | 1868                 | 24-2/3 inches       |
| 75-0007      | 1894                 | 200 inches          |

TO HAVE AND TO HOLD the said water and water rights unto the said Grantee and its assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that they are the owners in fee simple of said water and water rights that they are free from all incumbrances. and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: June 29, 1989.

Michael J. Overacker III  
Michael J. Overacker, III

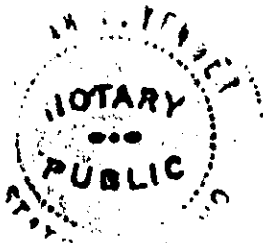
Merridee S. Overacker  
Merridee S. Overacker

RECORDED  
JUN 26 1992

STATE OF IDAHO           )  
                                  )   SS  
County of Lemhi        )

On this 29th day of June, 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL J. OVERACKER, III and MERRIDEE S. OVERACKER, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Susan E. Lynden  
Notary Public for the State of Idaho  
Residing at Salmon, Idaho  
Commission: 9-4-93

MICROFILMED  
JUN 26 1992

EXHIBIT "A"

PARCEL I

A parcel of land located in the NE4NW4, SE4NW4, Lot 1, Lot 2, Section 31, T. 22 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the Northwest Corner of said Section 31 and being the REAL POINT OF BEGINNING;

Thence S. 89° 29' 57" E. 1513.27 feet;

Thence S. 0° 02' 13" E. 2584.32 feet;

Thence N. 89° 50' 11" W. 1513.22 feet to a point on the section line;

Thence N. 0° 02' 13" W. 2593.23 feet along said section line to the REAL POINT OF BEGINNING, said parcel contains 89.93 Acres.

PARCEL II

A parcel of land located in the NE4NW4, NW4NE4, SE4NW4, Section 31, T. 22 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the Northwest Corner of said Section 31, a distance of 1513.27 feet on a bearing of S. 89° 29' 57" E. to the REAL POINT OF BEGINNING;

Thence S. 89° 29' 57" E. 1420.19 feet to a point on the west boundary of the Aldous Property;

Thence S. 0° 08' 35" E. 1243.31 feet;

Thence S. 89° 56' 30" E. 974.97 feet to a point on the right of way of U. S. Highway No. 93;

Thence S. 0° 08' 38" E. 60.00 feet along said right of way;

Thence N. 89° 56' 30" W. 1279.73 feet;

Thence S. 0° 08' 54" E. 1272.12 feet;

Thence N. 89° 50' 11" W. 1120.25 feet;

Thence N. 0° 02' 13" W. 2584.32 feet to the REAL POINT OF BEGINNING, said parcel contains 76.700 Acres.

PARCEL III

A parcel of land located in Lot 4, the SE4SW4, SW4SE4, Section 30, T. 22 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the Southwest Corner of said Section 30, and being the REAL POINT OF BEGINNING,

Thence N. 0° 07' 01" E. 1304.17 feet along the section line;

Thence N. 89° 51' 47" E. 662.29 feet;

Thence S. 0° 08' 13" E. 15.00 feet;

Thence N. 89° 51' 47" E. 3240.00 feet to a point on the right of way of U. S. Highway No. 93;

Thence S. 0° 08' 38" E. 50.00 feet along said right of way to a point on the north boundary of Ajax View;

Thence N. 89° 25' 58" W. 850.00 feet along said north boundary of Ajax View;

Thence S. 0° 08' 34" E. 719.65 feet along the west boundary of Ajax View;

Thence N. 89° 29' 57" W. 125.00 feet;

Thence S. 0° 08' 35" E. 564.00 feet;

Thence N. 89° 29' 57" W. 2933.46 feet to the REAL POINT OF BEGINNING, said parcel contains 91.102 Acres.

FILED  
JUN 6 1992

EXCEPTING FROM THE ABOVEDESCRIBED PARCELS:

A parcel of land located in Lot 4, Section 30, Lot 1 and Lot 2, Section 31, T. 22 N. R. 22 E., B.M., Lemhi County, Idaho more particularly described as follows:

Commencing at the Northwest Corner of said Section 31, and being the REAL POINT OF BEGINNING;

Thence S.  $0^{\circ} 02' 13''$  E. 2593.23 feet along the section line to the south boundary of Parcel I;

Thence S.  $89^{\circ} 50' 11''$  E. 489.81 feet along the south boundary of Parcel I;

Thence N.  $13^{\circ} 59' 30''$  E. 859.54 feet;

Thence N.  $29^{\circ} 24' 13''$  W. 513.76 feet;

Thence N.  $21^{\circ} 25' 53''$  W. 207.33 feet;

Thence N.  $5^{\circ} 43' 24''$  E. 300.03 feet;

Thence N.  $19^{\circ} 43' 04''$  W. 221.15 feet;

Thence N.  $22^{\circ} 28' 18''$  W. 80.40 feet;

Thence N.  $23^{\circ} 06' 05''$  E. 106.20 feet;

Thence N.  $7^{\circ} 43' 00''$  W. 116.95 feet;

Thence N.  $35^{\circ} 47' 36''$  W. 73.86 feet;

Thence N.  $19^{\circ} 45' 22''$  E. 81.12 feet;

Thence N.  $53^{\circ} 55' 32''$  W. 120.61 feet;

Thence N.  $12^{\circ} 17' 39''$  E. 522.77 feet;

Thence N.  $59^{\circ} 49' 07''$  E. 113.85 feet;

Thence N.  $16^{\circ} 57' 51''$  E. 257.06 feet;

Thence N.  $39^{\circ} 36' 54''$  E. 402.89 feet;

Thence N.  $16^{\circ} 37' 47''$  E. 297.50 feet to a point on the north boundary of Parcel III;

Thence S.  $89^{\circ} 51' 47''$  W. 170.38 feet;

Thence N.  $0^{\circ} 08' 13''$  W. 15.00 feet to a point on the north boundary of Lot 4;

Thence S.  $89^{\circ} 51' 47''$  W. 662.29 feet to the northwest corner of Lot 4;

Thence S.  $0^{\circ} 07' 01''$  W. 1304.17 feet to the REAL POINT OF BEGINNING, said parcel contains 42.84 Acres.

State of Idaho }  
County of Lemhi }

ss No. 201828

This instrument was filed for record at  
the request of American Land Title  
at 2:46 o'clock P.M. 7-5 1922  
and duly filed and indexed in the  
records of Lemhi County,

Albany, Nevada

Ex-Officio Recorder

By J. L. Smith Deputy  
Filed 12:00 P.M.

17-Oct-1989

City of Salmon  
200 Main Street  
Salmon, ID 83467

RE: Transfer Application

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your transfer application. Please refer to the application number above in all further correspondence.

This office is currently in the process of advertising the application in the Recorder Herald. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before final action is taken. If the protest is not resolved by the involved parties this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. Department personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When final processing of the application is complete, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Harold W. Jones  
Water Rights Supervisor

HWJ/rb

**MICROFILMED**

**JUN 26 1992**

13-Oct-1989

Fred G. Walchli  
Water District 75-A  
Box 1356  
Salmon, ID 83467

RE: Application for Transfer 75-0017A 75-0019B  
75-0007

Dear Watermaster:

Please find enclosed a copy of the above referenced application. Please review the application and complete the form, returning them to this office as soon as possible.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold Jones  
Water Rights Supervisor

HJ/rb  
Enclosure

UNRECORDED

JUN 26 1992

10-Oct-1989

Recorder Herald  
P.O. Box 310  
Salmon, ID 83467

Gentlemen:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notices 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.

Respectfully submitted,

Rita Bodell  
Office Secretary

Enclosure

100-1000000  
JUN 26 1992

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.'S 75-0017A, 75-0019B, & 75-0007

Notice is hereby given that the City of Salmon, Salmon, ID, has applied to the Department of Water Resources for a change in point of diversion, place of use, nature of use, & period of use of the waters of Jesse Creek tributary to Salmon River. The right sought to be changed is evidenced by:

No. 75-0017A Decreed to Delmer Manfull in case of Andrews & Andrews vs. Martin, et al dated September 30, 1893 in Salmon county of Lemhi and is recorded as follows:

AMOUNT: 1.26 CFS                      PRIORITY: June 1, 1867  
POINT OF DIVERSION: NWNW SEC1 T21N R21E, B.M. (JC 1)

The water is used to irrigate within the SESW SWSE SEC30;  
NWNE NENW SEC31 T22N R22E

No. 75-0019B Decreed to Wheeler & Willis in case of Andrews & Andrews vs. Martin, et al dated September 30, 1893 in Salmon county of Lemhi and is recorded as follows:

AMOUNT: .30 CFS                      PRIORITY: June 1, 1868  
POINT OF DIVERSION: SESW SEC2; NENE SEC10 T21N R21E, B.M. (JC 1)

The water is used to irrigate within the NWSW SEC4; MED  
SEC2 T21N R21E

No. 75-0007 Decreed to Citizens National Bank in case of Miller vs. Long dated June 19, 1925 in Salmon county of Lemhi and is

JUN 26 1992

recorded as follows:

AMOUNT: 4.0 CFS

PRIORITY: April 1, 1894

POINT OF DIVERSION: SWNW SEC1 T21N R21E, B.M. (JC 1)

The water is used to irrigate within the S1/2SW1/4 SWSE  
SEC30; NWNE NW1/4 SEC31 T22N R22E

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the NENE SEC2 T21N R21E,  
B.M. (JC 3) and used for municipal purposes from January 1 to  
December 31 in the City of Salmon.

Any protest against approval of the above proposed change of  
water right must be filed with the Idaho Department of Water  
Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before  
November 6, 1989.

R. Keith Higginson

Director

Published in the Recorder-Herald on October 19 & 26, 1989.

MICROFILMED  
JUN 26 1992

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO.'S 75-0017A, 75-0019B, & 75-0007

Notice is hereby given that the City of Salmon, Salmon, ID, has applied to the Department of Water Resources for a change in point of diversion, place of use, nature of use, & period of use of the waters of Jesse Creek tributary to Salmon River. The right sought to be changed is evidenced by:

No. 75-0017A Decreed to Delmer Manfull in case of Andrews & Andrews vs. Martin, et al dated September 30, 1893 in Salmon county of Lemhi and is recorded as follows:

AMOUNT: 1.26 CFS PRIORITY: June 1, 1867  
POINT OF DIVERSION: <sup>NWNE</sup> ~~SWNW~~ SEC1 T21N R21E, B.M. (JC 1)

The water is used to irrigate within the SESW SWSE SEC30;  
NWNE NENW SEC31 T22N R22E

No. 75-0019B Decreed to Wheeler & Willis in case of Andrews & Andrews vs. Martin, et al dated September 30, 1893 in Salmon county of Lemhi and is recorded as follows:

AMOUNT: <sup>.30</sup> ~~.493~~ CFS PRIORITY: June 1, 1868  
POINT OF DIVERSION: <sup>SESE 2</sup> ~~SWNW~~ SEC1 T21N R21E, B.M. (JC 1)  
<sup>NENE SEC10</sup> " " "

The water is used to irrigate within the ~~NENE NESE SEC30,~~  
~~NWNW N1/2SW SWNW SEC29, E1/2SE1/4 SEC19 T22N R22E~~  
<sup>\* N1/2SU S1/4 1; N1/2SE S1/4 2 T21N R21E</sup>

No. 75-0007 Decreed to Citizens National Bank vs. Long dated June 19, 1925 in Salmon county of Lemhi and is

MICROFILMED  
JUN 26 1992

recorded as follows:

AMOUNT: 4.0 CFS

PRIORITY: April 1, 1894

POINT OF DIVERSION: SWNW SEC1 T21N R21E, B.M. (JC 1)

The water is used to irrigate within the S1/2SW1/4 SWSE  
SEC30; NWNE NW1/4 SEC31 T22N R22E

TO BE CHANGED AS FOLLOWS:

The water will be diverted within the NENE SEC2 T21N R21E,  
B.M. (JC 3) and used for municipal purposes from January 1 to  
December 31 in the City of Salmon.

Any protest against approval of the above proposed change of  
water right must be filed with the Idaho Department of Water  
Resources, 150 Shoup Ave., Idaho Falls, ID 83402, on or before  
October 9, 1989.

R. Keith Higginson

Director

Published in the Recorder-Herald on September 21 & 28, 1989.

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JUN 26 1992