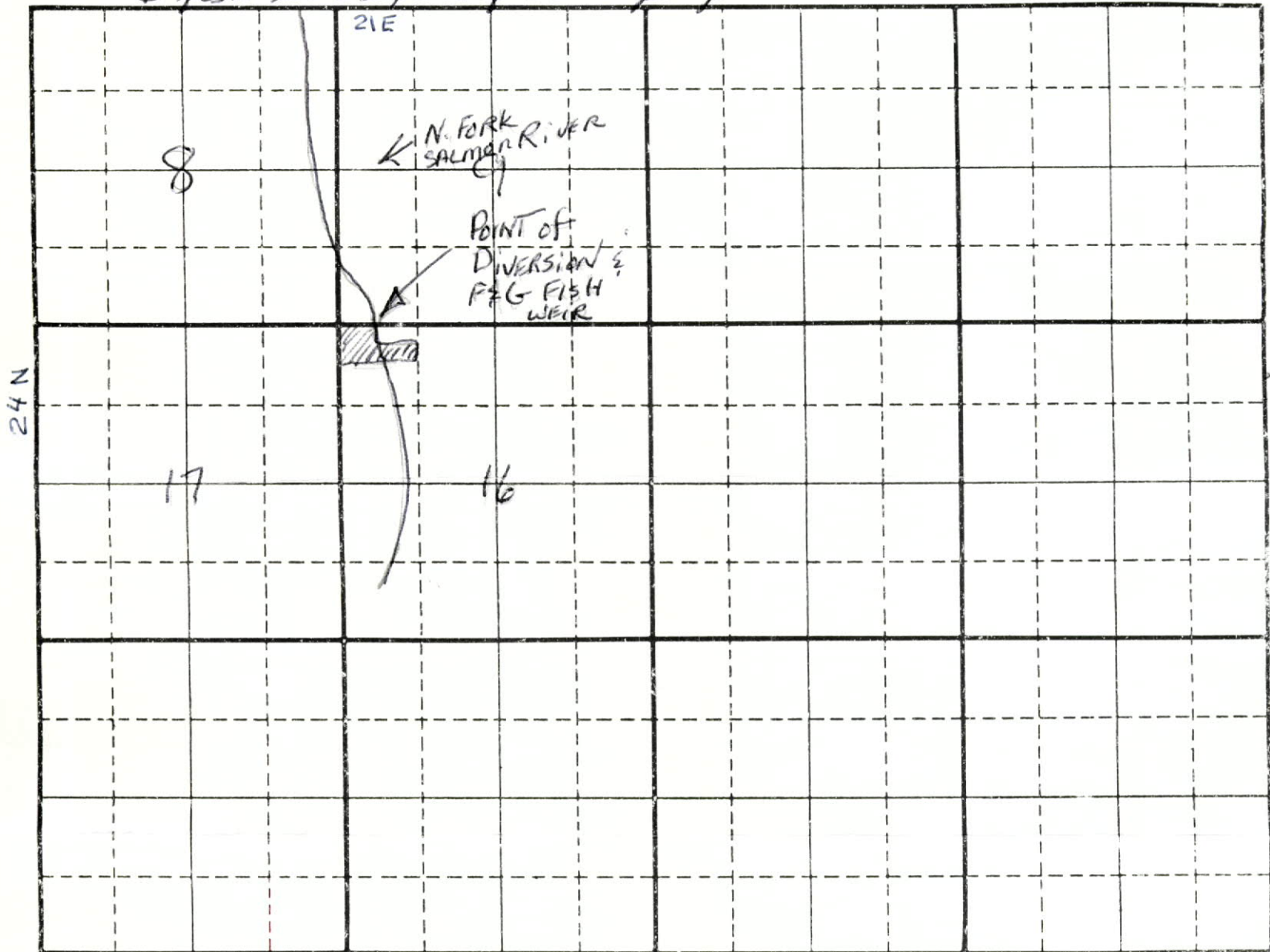


(8) Remarks

Nyke Powers was the original water user. Don Smith then purchased the property in the 50's. We purchased in 1970. The acreage has been continuously irrigated by all 3 owners in the past. An elaborate dam & fish weir exists for this purpose.



Scale: 2 inches equal 1 mile.

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

State of Montana

County of Paralli

) ss.

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

Sworn to before me this 31 day of January, 1983.

Nyke B. Powers  
(Claimant)

Shirley F. Wynn  
Notary Public  
Residing at Shirleyville, Mont.

My commission expires July 22, 1985

FOR DEPARTMENT USE ONLY

Received by CW Date 2-2-83 Exception filed by: \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by Kaw Date 2-3-83 Forwarded to claimant by: \_\_\_\_\_  
\$30.00 fee received by CW Date 2-3-83 #23367  
Published in Recorder Herald  
Dates 2/17 & 2/24/83

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



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

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

Notice is hereby given that GARY B. HAEFNER  
(Name of Claimant)  
SW 1/4 160 BOBCAT LANE, HAMILTON, MT. 59840 Telephone No. 363-5208  
(Mailing Address) (Zip Code)

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

- (1) Date of priority: (When was the water first applied to a beneficial use) JUNE 1, 1960

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

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

NORTH FORK OF SALMON RIVER tributary to SALMON RIVER

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

| Quantity                  | (cfs, af) | Use                    | (Domestic, Irrigation, Stock, Etc.) | (Both dates inclusive)          |                  |
|---------------------------|-----------|------------------------|-------------------------------------|---------------------------------|------------------|
|                           |           |                        |                                     | (Mo., Day)                      | (Mo., Day)       |
| Quantity <u>.24 cfs</u>   |           | Use <u>IRRIGATION</u>  |                                     | Period of Use From <u>APR 1</u> | To <u>OCT 30</u> |
| Quantity <u>.0044 cfs</u> |           | Use <u>STOCK WATER</u> |                                     | Period of Use From <u>JAN 1</u> | To <u>DEC 31</u> |
| Quantity _____            |           | Use _____              |                                     | Period of Use From _____        | To _____         |
| Quantity _____            |           | Use _____              |                                     | Period of Use From _____        | To _____         |
| Quantity _____            |           | Use _____              |                                     | Period of Use From _____        | To _____         |

- (4) .2444 cfs TOTAL QUANTITY USED.  
(cfs, af)

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

SW 1/4 SW 1/4, Sec. 9 Twp. 24N Rge. 21E B.M., County of LEMHI

Additional points of diversion: \_\_\_\_\_

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. DIVERSION dam and ditch

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

| T          | R          | SEC.      | NE 1/4 |        |        |        | NW 1/4 |           |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | TOTAL     |
|------------|------------|-----------|--------|--------|--------|--------|--------|-----------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|-----------|
|            |            |           | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4    | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |           |
| <u>24N</u> | <u>21E</u> | <u>16</u> |        |        |        |        |        | <u>12</u> |        |        |        |        |        |        |        |        |        |        | <u>12</u> |
|            |            |           |        |        |        |        |        |           |        |        |        |        |        |        |        |        |        |        |           |
|            |            |           |        |        |        |        |        |           |        |        |        |        |        |        |        |        |        |        |           |
|            |            |           |        |        |        |        |        |           |        |        |        |        |        |        |        |        |        |        |           |
|            |            |           |        |        |        |        |        |           |        |        |        |        |        |        |        |        |        |        |           |
|            |            |           |        |        |        |        |        |           |        |        |        |        |        |        |        |        |        |        |           |
|            |            |           |        |        |        |        |        |           |        |        |        |        |        |        |        |        |        |        |           |
|            |            |           |        |        |        |        |        |           |        |        |        |        |        |        |        |        |        |        |           |
|            |            |           |        |        |        |        |        |           |        |        |        |        |        |        |        |        |        |        |           |

No. of acres 12

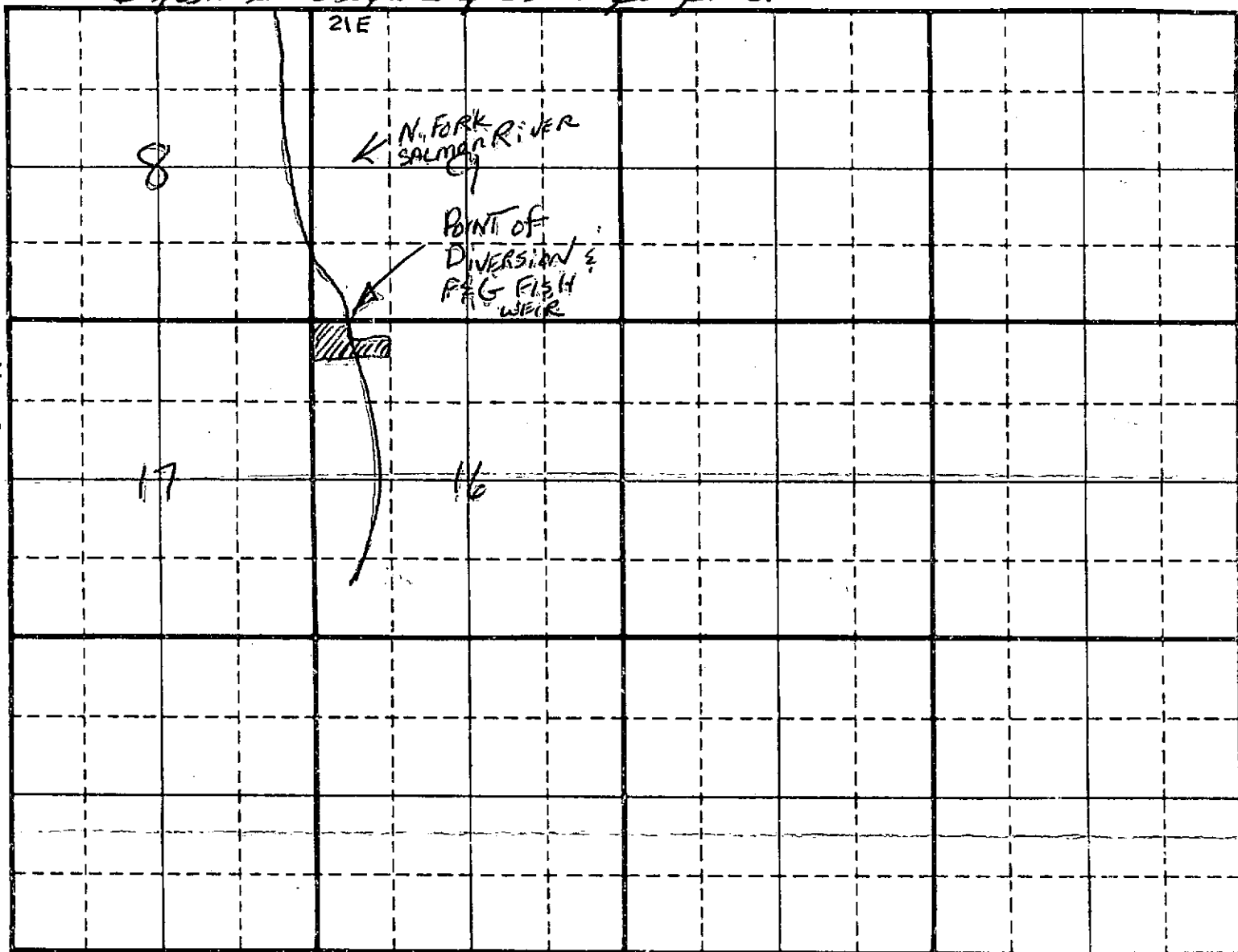
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: stockwater

NOTE: Include here the type and number of stock watered: 20 head stock cattle

If you are claiming water as a member of an organization, list name of organization: n/a

(8) Remarks

Nyke Powers was the original water user. Don Smith then purchased the property in the 50's. We purchased in 1970. The acreage has been continuously irrigated by all 3 owners in the past. An elaborate dam & fish weir exists for this purpose.



Scale: 2 inches equal 1 mile.

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

State of Montana

County of Garfield

) ss.

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

Nary B. Lapham  
(Claimant)

Sworn to before me this 31 day of January, 1983

Notary Public

Residing at Stromville, Mont.

My commission expires July 22, 1985

FOR DEPARTMENT USE ONLY

Received by CW

Date 2-2-83

Exception filed by:

Forwarded to

Date

Prelim. check by Kaw

Date 2-3-83

claimant by:

\$30.00 fee received by CW

Date 2-3-83

#63367

Published in Recorder Herald

Dates 2/17 & 2/24/83

NOTICE OF CLAIMS TO  
WATER RIGHTS

The following claim(s)  
have been filed on water  
right(s) created by diver-  
sion and beneficial use:  
75-4322

OVERACKER, MICHAEL &/or MERRIDEE S.  
&/or M. J. &/or FERNE  
1510 HWY 93 NO., SAL-  
MON, ID 83467

Source: SALMON RIVER  
trib. to SNAKE RIVER  
Priority Date: 06/01/1965  
Diversion Pt: SENE Sec  
06 T 21N R 22E  
Use: IRRIGATION (2.00  
CFS)

In: NENW SWNW SENW  
NESW NWSW Sec 30 T  
22N R 22E, FOR 147  
ACRES

75-4323

HAEFNER, GARY B.  
SW 760 BOBCAT LANE,  
HAMILTON, MT 59840

Source: SALMON RIVER  
NORTH FORK trib. to  
SALMON RIVER

Priority Date: 06/01/1960  
Diversion Pt: SWSW Sec  
09 T 24N R 21E

Use: IRRIGATION (0.24  
CFS)  
STOCKWATER (0.0044  
CFS)

In: NWNW Sec 16 T 24N  
R 21E FOR 12 ACRES

75-4324

HARMON, DONALD H.  
HILL, KENNETH C. &/or  
DIANE I.  
BOX 808, NORTH FORK,  
ID 83466

Source: SALMON RIVER  
NORTH FORK trib. to  
SALMON RIVER

Priority Date: 04/01/1904  
Diversion Pt: NWNW Sec  
16 T 24N R 21E

Use: IRRIGATION (0.40  
CFS)  
STOCKWATER (0.02  
CFS)

RECREATION (0.40 CFS)  
In: SWSW Sec 16 T 24N R  
21E SESE Sec 17 T 24N R  
21E FOR 10 ACRES

Exceptions to a claim  
may be filed with the  
Director, Dept. of Water  
Resources, 150 Shoup  
Ave., Suite 15, Idaho  
Falls, Idaho 83402.

KEN DUNN, Dir.

Published 2/17 & 2/24/  
83.

2-17-2tc

# Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

FEB 20 1983

Department of Water Resources  
Eastern District Office

JERRY G. ROSIN

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

That the Notice of Claims to Water Rights 75-4322, 75-4323,  
75-4324

a true  
printed copy of which is attached to the margin hereof, has been and was correct-  
ly 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 Feb. 17, 1983  
and ending with the issue dated Feb. 24, 1983

*Jerry G. Rosin*

Subscribed and sworn to before me, this twenty fourth  
day of February, 1983

*Wesley C. ...*

Notary Public for the State of Idaho,  
Residing at Salmon, Idaho

Publication Fee \$ 32.85

MICROFILMED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

150 Shoup Ave., Suite 15  
Idaho Falls, Idaho 83402  
(208) 525-7161

MARCH 7, 1983

GARY B. HAEFNER  
501 760 BOBCAT LANE  
HAMILTON

MT 59840

RE: Claim No. 75-4323

Dear Claimant:

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

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

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

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

Yours truly,

RONALD D. CARLSON  
Eastern Region Supervisor

Enclosure

RECEIVED  
MAR 14 1983

Department of Water Resources

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: Keith C. Wilson

Right Number 75 4323

Applicant Gary B. Haefner

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

CHECK:

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

March 7, 1983

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Ernest Carlson Date March 8, 1983

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By KW Date 3/15/83

RECEIVED

75 4323

WATER RIGHT  
DATA ENTRY LOG

Item

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied  
(Proof due date, stage and/or status,  
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

### Partial Proof

Proof Complete

Field Exam Received

Field Exam Accepted  
and changes entered

License Signed

Transfer Approved

Keypunched by State Office

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25-4323

HAEFNER, GARY B.

SW 760 BOBCAT LANE. HAMILTON, MT 59840

Source: SALMON RIVER NORTH FORK trib. to SALMON RIVER

Priority Date: 06/01/1960

Diversion Pt: SWSW Sec 09 T 24N R 21E

Use: IRRIGATION (0.24 CFS)  
STOCKWATER (0.0044 CFS)

In: NWNW Sec 16 T 24N R 21E FOR 12 ACRES

75-4323

HAEFNER, GARY B.  
SW 760 BOBCAT LANE,  
HAMILTON, MT 59840  
Source: SALMON RIVER  
NORTH FORK trib. to  
SALMON RIVER  
Priority Date: 06/01/1960  
Diversion Pt: SWSW Sec  
09 T 24N R 21E  
Use: IRRIGATION (0.24  
CFS)  
STOCKWATER (0.0044  
CFS)  
In: NWNW Sec 16 T 24N  
R 21E FOR 12 ACRES

MICROFILMED