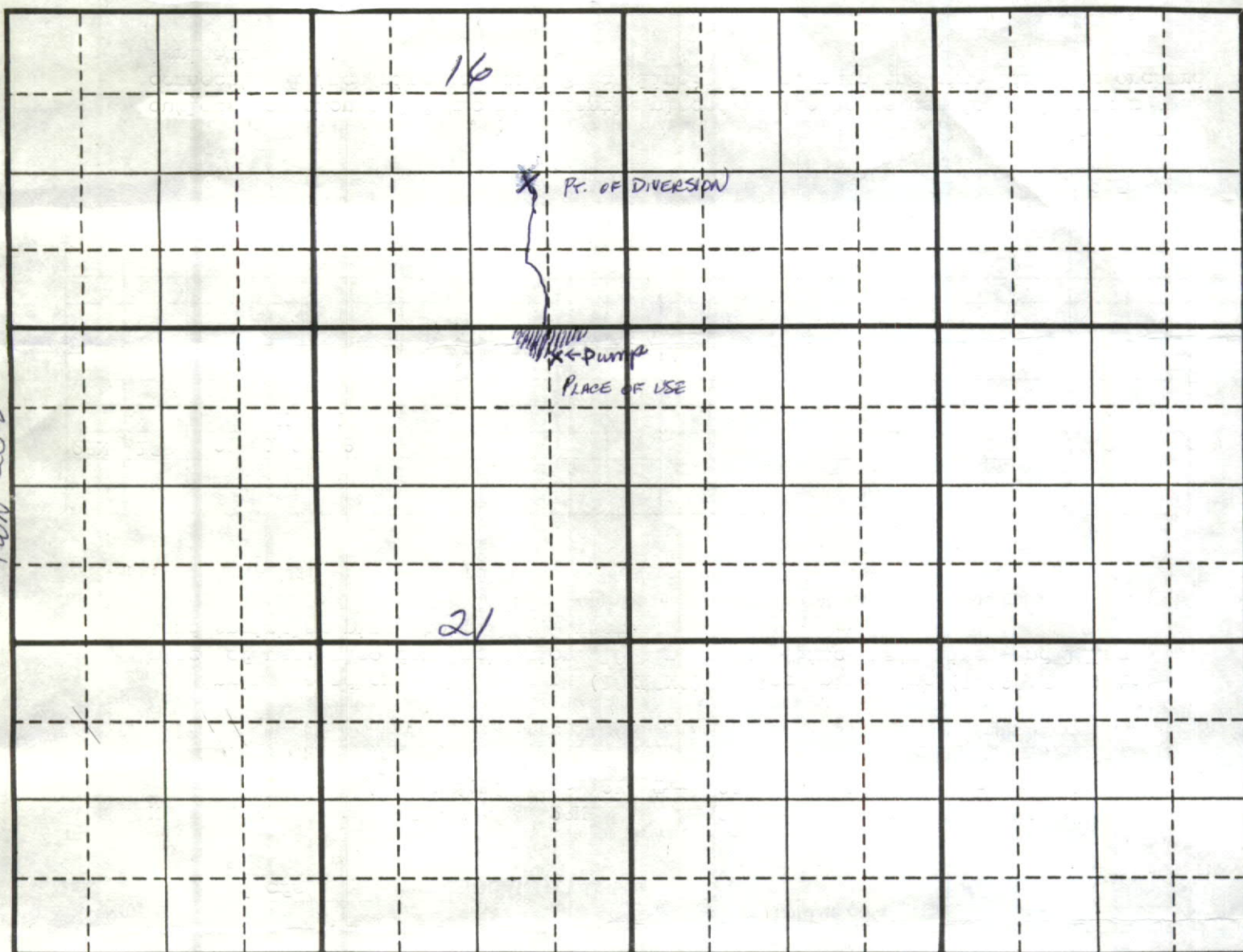


(8) Remarks Claimants Day claim one household use and 1/3 of the irrigation works
and irrigation water for the orchard. Claimant Bills-Austin Enterprises, Inc.
claims domestic use for 1 residence and 2/3 interest in the irrigation
system and irrigation waters for the orchard.



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Lemhi) 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.

BY: Richard J. Bills
Richard J. Bills (Claimant)

Sworn to before me this 25 day of August, 19 82.

[Signature]
Notary Public
Residing at Salmon, Idaho

My commission expires 10-82

Received by CW Date 8-26-82 Exception filed by: _____ Fowarded to _____ Date _____
Prelim. check by HWS Date 8-27-82
\$20.00 fee received by CW Date 12-15-82 #3239
Published in Recorder Herald
Dates 12-23 12-30-83

NOTICE OF CLAIMS TO
WATER RIGHTS

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

75-4316

BILLS-AUSTIN ENTER-
PRISES, INC.
P. O. BOX 789, SALMON,
ID 83467

Source: SKULL GULCH
SPRINGS tributary to
SALMON RIVER

Date Filed: 05/02/1967

Amount: 0.95 CFS

Diversion Point: NWSE
Sec 16 T 23N R 17E NENE
Sec 21 T 23N R 17E, LEM-
HI Co.

Use: IRRIGATION (0.05
CFS) from 06/01 to 11/01
DOMESTIC (0.90 CFS)
from 01/01 to 12/31

Place of Use: NENE
NWNE Sec 21 T 23N R
17E FOR 2 ACRES

Diversion Means: HEAD-
BOX, holding tank, &
PIPELINES

75-4317

BILLS-AUSTIN ENTER-
PRISES, INC.
P. O. BOX 789, SALMON,
ID 83467

Source: SKULL GULCH
SPRINGS tributary to
SALMON RIVER

Priority Date: 04/01/1920

Amount: 0.10 CFS

Diversion Point: NWSE
Sec 16 T 23N R 17E, LEM-
HI Co.

Use: IRRIGATION (0.06
CFS) from 04/01 to 08/01
DOMESTIC (0.04 CFS)
from 01/01 to 12/31

Place of Use: NENE
NWNE Sec 21 T 23N R
17E FOR 2 ACRES

Diversion Means: HEAD-
BOX, HOLDING TANK &
PIPELINE

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 12/23 & 12/
30/82.

12-23-2tc

JAN 3 1983

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

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 75-4316, 75-4317

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 Dec. 23, 1982
and ending with the issue dated Dec. 30, 1982

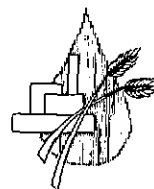
Subscribed and sworn to before me, this thirtieth
day of December, 1982

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

Publication Fee \$ 29.25

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.

Bills-Austin Enterprises, Inc., a corporation, and

Notice is hereby given that E. Ronald Day and Merlene Day, husband and wife

c/o James C. Herndon

(Name of Claimant)

P. O. Box 789, Salmon, Idaho 83467

Telephone No. 208/756-2412

(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) May 2, 1967

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)

Springs (Skull Gulch)

tributary to

Salmon River

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

	(cfs, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	.9 cfs	Use Domestic	Period of Use From 1-1	To 12-31
Quantity	.05 cfs	Use Irrigation	Period of Use From 6-1	To 11-1
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

- (4) .95 cfs TOTAL QUANTITY USED.

(cfs, gpd, AFA)

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

NW ¼ SE ¼, Sec. 16 Twp. 23N. Rge. 17E. B.M., County of Lemhi

Additional points of diversion: NE ¼ NE ¼, Sec. 21, Twp. 23N. Rge. 17E. B.M. County of Lemhi

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. Spring, headbox, holding tank (10X10X3), 1 inch pipe line (1,320 feet) to place of use; also for irrigation, 10 h.p. pump, 4 inch main line, and 1 inch hand sprinkler pipe, total 1,300 feet.

- (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.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
23N	17E	21	1.2	1.3															2.5
			X	X															

No. of acres 2.5

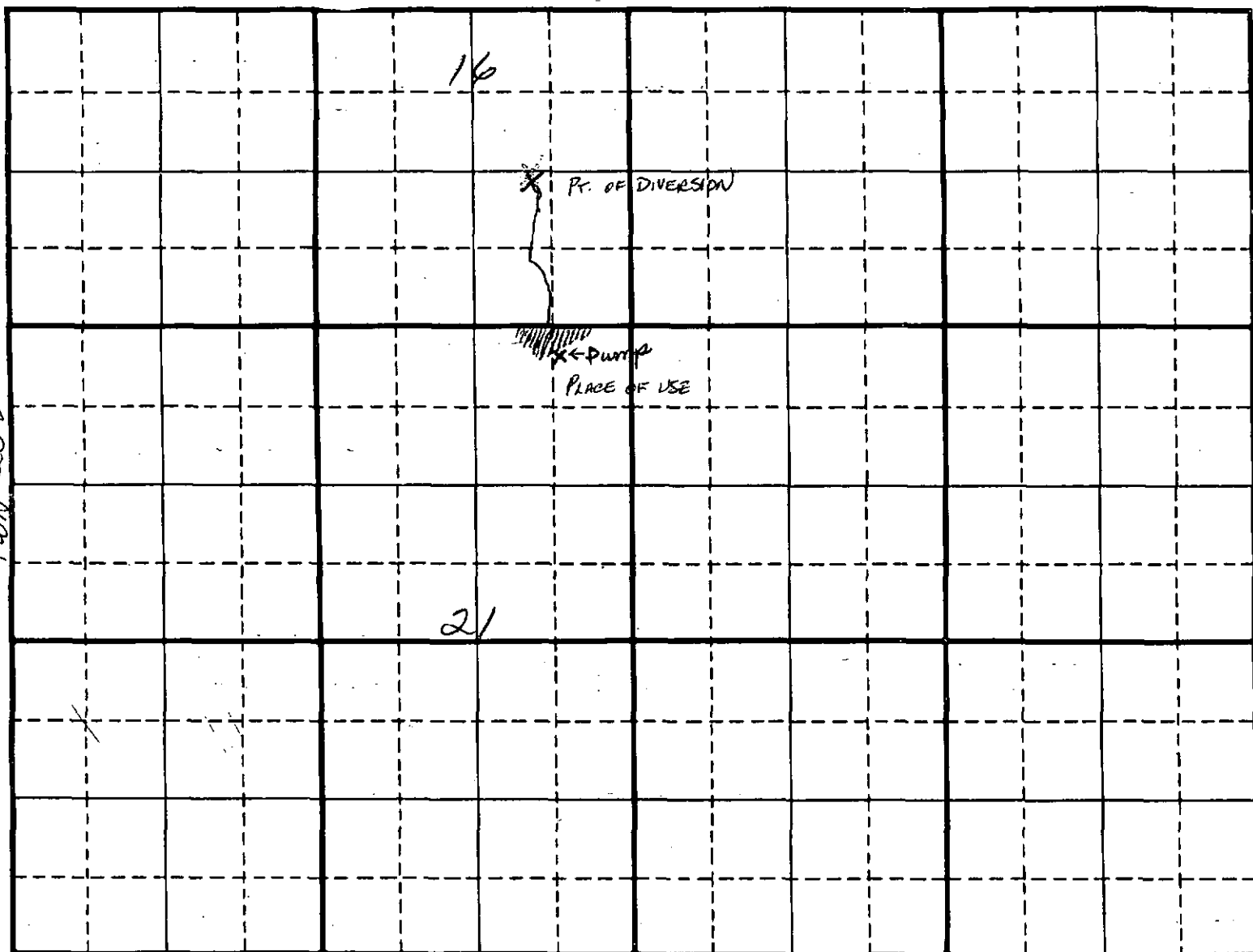
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

two permanently placed mobile homes use domestic water connection 1 inch pipe to Skull Gulch line; 10 h.p. pump and pipe line for orchard irrigation.

NOTE: Include here the type and number of stock watered:

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

(8) Remarks Claimants Day claim one household use and 1/3 of the irrigation works
and irrigation water for the orchard. Claimant Bills-Austin Enterprises, Inc.
claims domestic use for 1 residence and 2/3 interest in the irrigation
system and irrigation waters for the orchard.



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Lemhi) 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.

BY: Richard J. Bills
Richard J. Bills (Claimant)

Sworn to before me this 25 day of August, 19 82.

[Signature]
Notary Public
Residing at Salmon, Idaho

My commission expires 10-82

12-10-82 FOR DEPARTMENT USE ONLY

Received by CW Date 8-26-82 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by HWS Date 8-27-82 claimant by: _____
Published in Recorder Date 12-15-82 # 23239
Dates 12-23 12-30-83

NOTICE OF CLAIMS TO
WATER RIGHTS

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

75-4316

BILLS-AUSTIN ENTER-
PRISES, INC.

P. O. BOX 789, SALMON,
ID 83467

Source: SKULL GULCH
SPRINGS tributary to
SALMON RIVER

Date Filed: 05/02/1967

Amount: 0.95 CFS

Diversion Point: NWSE

Sec 16 T 23N R 17E NENE

Sec 21 T 23N R 17E, LEM-
HI Co.

Use: IRRIGATION (0.05

CFS) from 06/01 to 11/01

DOMESTIC (0.90 CFS)

from 01/01 to 12/31

Place of Use: NENE

NWNE Sec 21 T 23N R

17E FOR 2 ACRES

Diversion Means: HEAD-

BOX, holding tank, &

PIPELINES

75-4317

BILLS-AUSTIN ENTER-
PRISES, INC.

P. O. BOX 789, SALMON,
ID 83467

Source: SKULL GULCH
SPRINGS tributary to
SALMON RIVER

Priority Date: 04/01/1920

Amount: 0.10 CFS

Diversion Point: NWSE

Sec 16 T 23N R 17E, LEM-
HI Co.

Use: IRRIGATION (0.06

CFS) from 04/01 to 08/01

DOMESTIC (0.04 CFS)

from 01/01 to 12/31

Place of Use: NENE

NWNE Sec 21 T 23N R

17E FOR 2 ACRES

Diversion Means: HEAD-

BOX, HOLDING TANK &

PIPELINE

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 12/23 & 12/
30/82.

12-23-2tc

JAN 3 1983

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

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 75-4316, 75-4317

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 Dec. 23, 1982
and ending with the issue dated Dec. 30, 1982

Subscribed and sworn to before me, this

thirtieth

day of December, 1982

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

Publication Fee \$ 29.25

June 16, 1992

BILLS AUSTIN ENTERPRISES INC.
P.O. BOX 789
SALMON ID 83467

RE: Water Right No. 75-04316 Certified Mail No. 141112

Dear Water Right Holder(s):

By now you are probably aware that the National Marine Fishery Service (NMFS) has listed the Snake River Sockeye Salmon and the spring/summer and fall runs of Chinook Salmon under provisions of the Endangered Species Act. These actions raise concerns about many aspects of the life cycles of these fish, including their habitat within the water sheds of Idaho. Low flows of many streams, springs and rivers within the Salmon and Clearwater River Basins have increased the concerns about the habitat conditions.

In response to the combined drought conditions and the endangered species listing, the Director of the Department of Water Resources has declared a moratorium on approval of certain pending and future applications to appropriate surface water in the Salmon and Clearwater Basins. The moratorium applies only to surface water.

Department records show that you filed an application to appropriate surface water which has not been approved by the Department. Unless your application qualifies for a narrow exemption to the moratorium, the department will hold your application, and will not process it until the moratorium is lifted.

The moratorium does not apply to applications for minor stockwatering, domestic purposes or non-consumptive uses.

The Department has scheduled public information meetings where the details of the moratorium can be discussed. The times and locations of the meetings are:

Riggins, Idaho	June 25, 1992	2:00 p.m.
Riggins City Hall		
Riggins, Idaho		

Orofino, Idaho	June 25, 1992	7:00 p.m.
The Ponderosa		
220 Michigan Avenue		

Banquet Room
Orofino, Idaho

Salmon, Idaho June 26, 1992 1:00 p.m.
Lemhi County Courthouse
Upstairs Courtroom
Salmon, Idaho

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS:cz

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

JANUARY 10, 1983

BILLS-AUSTIN ENTERPRISES, INC.
P.O. BOX 789
SALMON ID 83467

RE: Claim No. 75-4316

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
JAN 17 1983

Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: HUT

Right Number

75 4316

Applicant

pulls - Austin

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.

Jan. 10, 1983

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

Jan 12, 1983.

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

1/17/83

1/17/83

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Eastern Region

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

DECEMBER 15, 1982

The Recorder-Herald
P. O. Box 310
Salmon, Idaho 83467

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 10, 1983.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

MAILED
DEC 16 1982

NOTICE OF CLAIMS TO WATER RIGHTS

The following claim(s) have been filed on water right(s) created by diversion and beneficial use:

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 12/23 & 12/30/82.

75-4316-

BILLS-AUSTIN ENTERPRISES, INC.

P.O. BOX 789, SALMON, ID 83467

Source: SKULL GULCH SPRINGS tributary to SALMON RIVER

Date Filed: 05/02/1967

Amount: 0.95 CFS

Diversion Point: NWSE Sec 16 T 23N R 17E NENE Sec 21 T 23N R 17E,
LEMHI Co.

Use: IRRIGATION (0.05 CFS) from 06/01 to 11/01
DOMESTIC (0.90 CFS) from 01/01 to 12/31

Place of Use: NENE NWNE Sec 21 T 23N R 17E FOR 2 ACRES

Diversion Means: HEADBOX, HOLDING TANK, & PIPELINES

NOTICE OF CLAIMS TO
WATER RIGHTS

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have been filed on water
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75-4316

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Sec 21 T 23N R 17E, LEM-
HI Co.

Use: IRRIGATION (0.05
CFS) from 06/01 to 11/01
DOMESTIC (0.90 CFS)
from 01/01 to 12/31

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