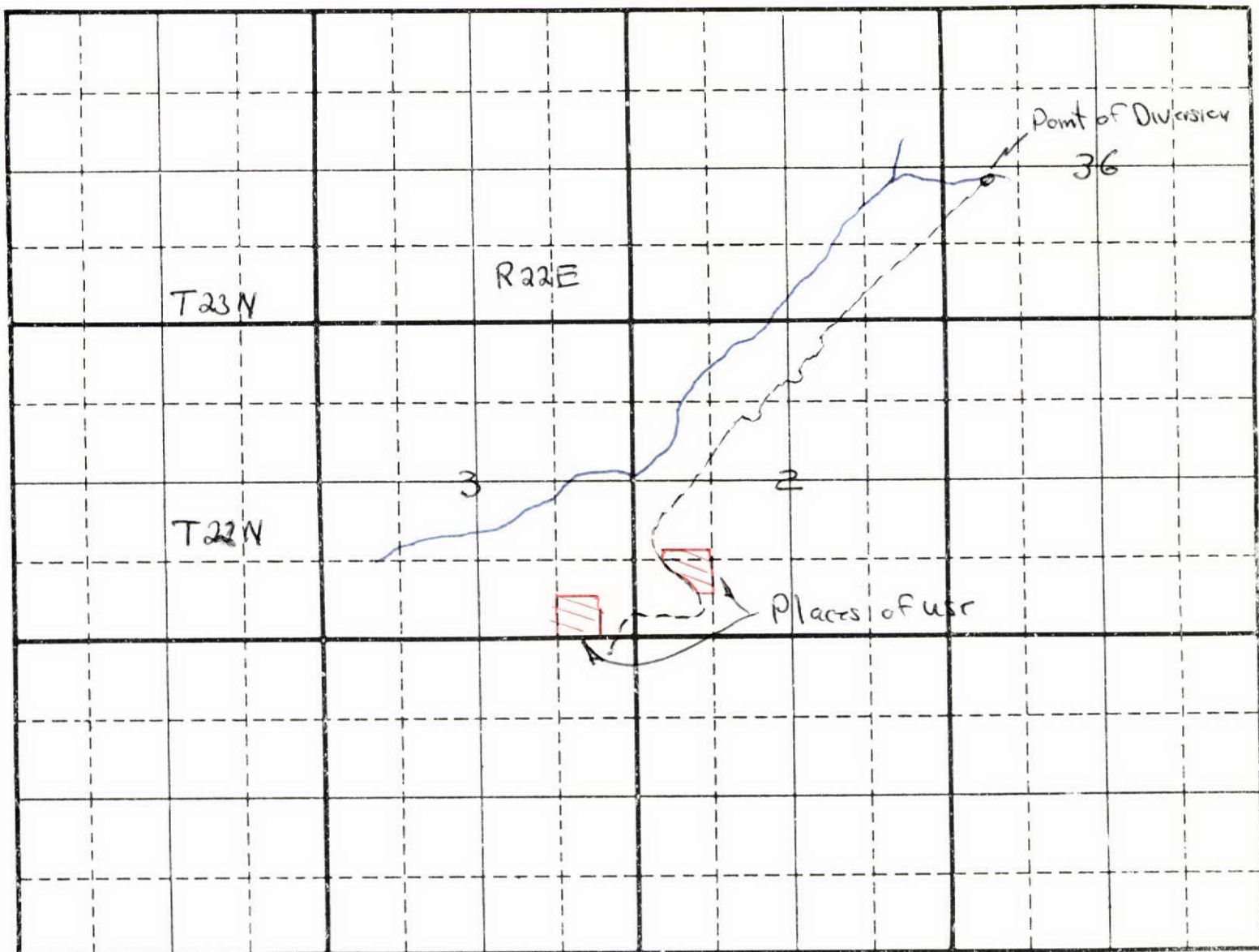


(8) Remarks _____



Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Bonneville) 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 27th day of July

Tim Lohm
(Claimant)
19 82

Callen Wray
Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/85

assisted by HWT

Received by HWT

Prelim. check by Kew

\$30.00 fee received by BP

Published in Recorder/Herald

Dates 8-5 & 8-12-82

FOR DEPARTMENT USE ONLY

Date 7-27-82

Exception filed by:

Forwarded to

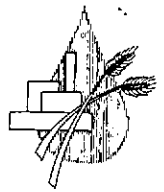
Date

Date

Date 7-27-82 #22410

claimant by:

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 Tim Koehler and/or Joe Montero
(Name of Claimant)
P.O. Box 77 Carmen, Idaho 83462 Telephone No. 756-4726
(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) 4-1-1949

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)
Freeman Creek tributary to Carmen Creek

(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, af)		(Domestic, Irrigation, Stock, Etc.)		(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity	0.60 cfs	Use	Irrigation	Period of Use From 4-1	To 11-1
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

(4) _____ TOTAL QUANTITY USED.
(cfs. af)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW ¼ SW ¼, Sec. 36 Twp. 23N Rge. 22E 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. Ditch, pump & pipeline

(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.

[illegible]

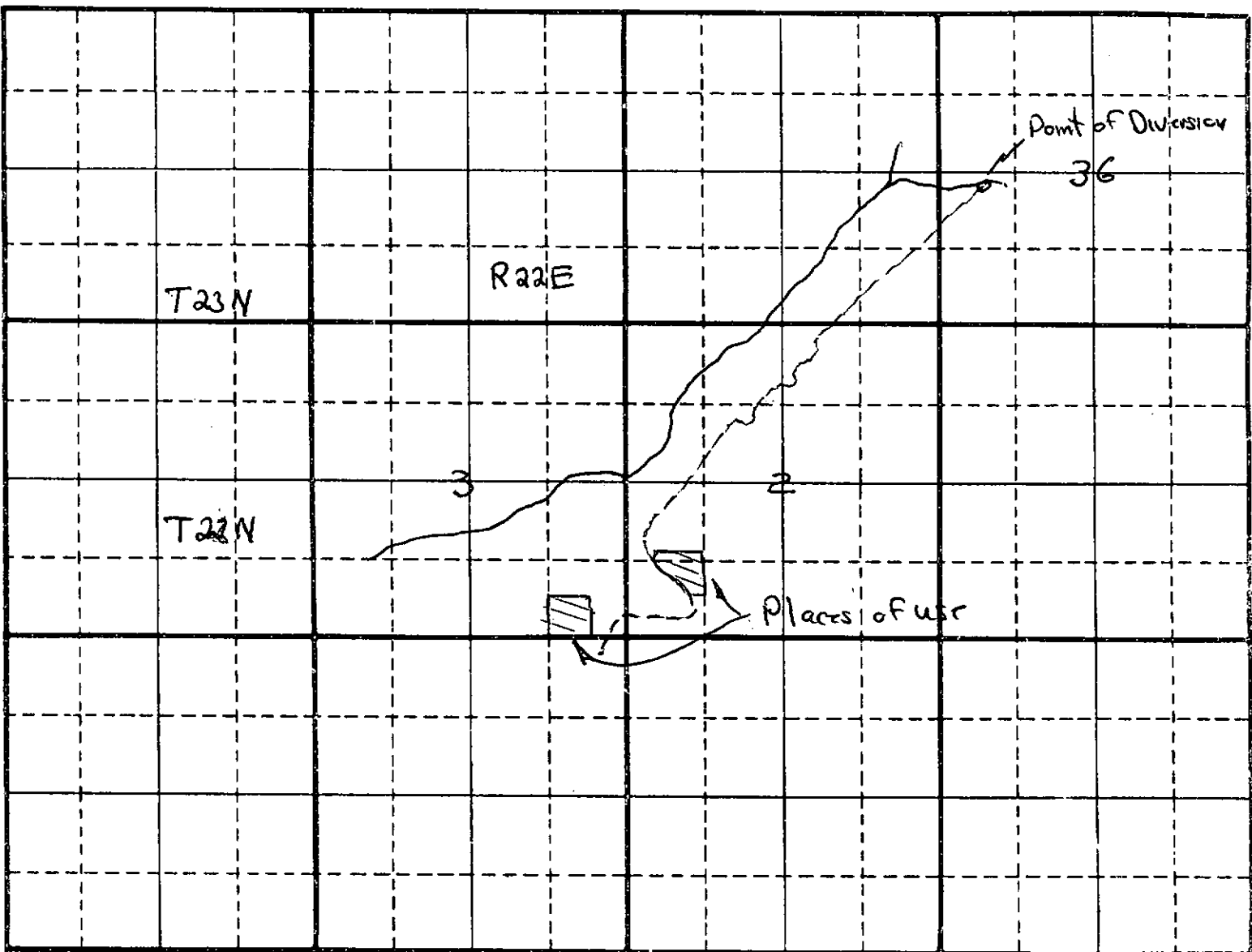
No. of acres 25

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

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

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

(8) Remarks _____

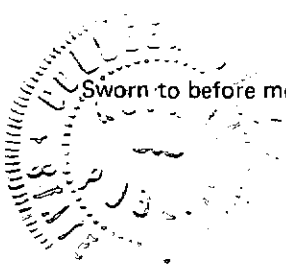


Scale: 2 inches equal 1 mile.

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

State of Idaho)
County of Bonneville) 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 27th day of July

Tim Lochle
(Claimant)
19 82
Colleen Way
Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/85

assisted by HWT		FOR DEPARTMENT USE ONLY	
Received by <u>HWT</u>	Date <u>7-27-82</u>	Exception filed by:	Forwarded to
Prelim. check by <u>Kaw</u>	Date		claimant by:
\$30.00 fee received by <u>BP</u>	Date <u>7-27-82 #22410</u>		
Published in <u>Recorder/Herald</u>			
Dates <u>8-5 & 8-12-82</u>			

AFFIDAVIT

JUL 27 1982

Department of Water Resources
Eastern District Office

FRANK PARMENTER being first duly sworn,

deposes and says:

deposes and says: I used water in said
ditch from the time I bought the ranch
in 1946. on the Sandeland Place
and extended and enlarged the ditch
down to the western boundary
of the ranch in 1949 or 1950 and used
it every year thereafter while I owned
the ranch

Frank Parmenter
(Signature)

Subscribed and sworn to before me this 22 day of

July, 1982

Robert M. G. Jones
(Notary Public)

Residing at

My Commission Expires

DARBY MONTANA

10-1-84

NOTICE OF CLAIMS TO
WATER RIGHTS

Notice is hereby given
that the following claim(s)
to water right(s) have
been established by diver-
sion and application to
beneficial use:

75-4302

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: BIG CREEK HOT
SPRING tributary to BIG
CREEK

Priority Date: 11/05/1906
Amount: 0.16 CFS

Diversion Point: NWSW
Sec 22 T 23N R 18E, LEM-
HI Co.

Use: RECREATION (0.16
CFS) from 01/01 to 12/31
Place of Use: NWSW Sec
22 T 23N R 18E

Diversion Means: POOLS

75-4303

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: OWL CREEK
HOT SPRING tributary to
OWL CREEK

Priority Date: 02/22/1897
Amount: 0.06 CFS

Diversion Point: NWNW
Sec 10 T 23N R 17E, LEM-
HI Co.

Use: RECREATION (0.06
CFS) from 01/01 to 12/31
Place of Use: NWNW Sec
10 T 23N R 17E

Diversion Means: POOLS

75-4304

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED-
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: WARM CREEK
HOT SPRINGS tributary
to WARM CREEK

Priority Date: 11/05/1906
Amount: 0.08 CFS

Diversion Point: SENW
Sec 12 T 18N R 21E, LEM-
HI Co.

Use: RECREATION (0.08
CFS) from 01/01 to 12/31
Place of Use: SENW Sec
12 T 18N R 21E

Diversion Means: POOLS

75-4305

KOEHLER, TIM
MONTERO, JOE
P. O. BOX 77, CARMEN,
ID 83462

Source: FREEMAN
CREEK tributary to CAR-
MEN CREEK

Priority Date: 04/01/1949
Amount: 0.60 CFS

Diversion Point: NWSW
Sec 36 T 23N R 22E, LEM-
HI Co.

Use: IRRIGATION (0.60
CFS) from 04/01 to 11/01
Place of Use: NWSW
SWSW Sec 02 T 22N R
22E SESE Sec 03 T 22N R
22E FOR 25 ACRES

Diversion Means: DITCH,
PUMP & PIPELINE

Any exception to any
claim of water right may
be filed with the Director
of the Idaho Department
of Water Resources, 150
Shoup Ave., Idaho Falls,
Idaho 83402.

A. KENNETH DUNN

Director

P. 11/24/82 8/5 & 8/1/82

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

AUG 13 1982

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 Nos. 75-4302 thru

75-4305

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 Aug. 5, 1982
and ending with the issue dated Aug. 12, 1982

Jerry G. Rosin
twelfth

Subscribed and sworn to before me, this August 12, 1982
day of August, 1982

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

Publication Fee \$ 44.55

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

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

AUGUST 23, 1982

TIM KOEHLER
JOE MONTERO
P.O. BOX 77
CARMEN

ID 83462

RE: Claim No. 75-4305

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
SEP 14 1982

Department of Water Resources

September 2, 1982

Jon F. Bills, Charles R. Morton,
John A Neal, Bruce A. McFarland,
and David M. McFarland
c/o Box 137
Carmen, Idaho 83462

Gentlemen:

We are returning your letter which expresses opposition to claim to a water right No. 75-4305 in the name of Tim Koehler and Joe Montero.

If you disagree with the information as set forth on the claim, then you need to file an exception which must be notarized. The exception can be submitted at any time and should clearly state the reason(s) why you feel the claim is incorrect. For your convenience, the enclosed affidavit form can be used for this purpose.

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

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure (5)

SEP 14 1982

September 2, 1982

Jon F. Bills, Charles R. Morton,
John A. Neal, Bruce A. McFarland,
and David M. McFarland
c/o Box 137
Carmen, Idaho 83462

Gentlemen:

We are returning your letter which expresses opposition to claim to a water right No. 75-4305 in the name of Tim Koehler and Joe Montero.

If you do not agree that a right has been established as set forth on the claim, then you may file an exception. The exception, which can be filed at any time, must be in affidavit form and clearly indicate why the right claimed is incorrectly represented. For your convenience, an affidavit form is enclosed.

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

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

Enclosure (5)

RECEIVED

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith C. Wilson

Right Number

75 4305

Applicant

Koehler / Montero

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.

Aug. 23, 1982

FINAL REGIONAL PROCESSING REVIEW:

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

By

Ernest Carlson

Date

Sept 8, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

9/14/82

RECEIVED
SEP 14 1982

IDENT. NO. 75 4305

WATER RIGHT
DATA ENTRY LOG

[illegible]

75-4305.

KOEHLER, TIM
MONTERO, JOE

P.O. BOX 77, CARMEN, ID 83462

Source: FREEMAN CREEK tributary to CARMEN CREEK

Priority Date: 04/01/1949

Amount: 0.60 CFS

Diversion Point: NWSW Sec 36 T 23N R 22E, LEMHI Co.

Use: IRRIGATION (0.60 CFS) from 04/01 to 11/01

Place of Use: NWSW SWSW Sec 03 T 22N R 22E SESE NWSW SWSW Sec 02 T 22N R 22E
SESE Sec 03 T 22N R 22E NWSW SWSW Sec 02 T 22N R 22E SESE
Sec 03 T 22N R 22E FOR 78 ACRES

Diversion Means: DITCH, PUMP & PIPELINE

06/11/1949

75-4305

KOEHLER, TIM
MONTERO, JOE
P. O. BOX 77, CARMEN,
ID 83462

Source: FREEMAN
CREEK tributary to CAR-
MEN CREEK

Priority Date: 04/01/1949

Amount: 0.60 CFS

Diversion Point: NWSW
Sec 36 T 23N R 22E, LEM-
HI Co.

Use: IRRIGATION (0.60
CFS) from 04/01 to 11/01

Place of Use: NWSW

~~SWSW Sec 03 T 22N R~~

~~22E SESE NWSW SWSW~~

~~Sec 02 T 22N R 22E SESE~~

~~Sec 03 T 22N R 22E~~

NWSW SWSW Sec 02 T

22N R 22E SESE Sec 03 T

22N R 22E FOR 78

ACRES 25

Diversion Means: DITCH,
PUMP & PIPELINE

Any exception to any
claim of water right may
be filed with the Director
of the Idaho Department
of Water Resources, 150
Shoup Ave., Idaho Falls,
Idaho 83402.

A. KENNETH DUNN

Director

Published 8/5 & 8/12/

82. *called*
8-2-82 BP 8-5-2tc