

(8) Remarks

Sec. 3, T. 23 N R 22 E.

Point of Diversion:
NW 1/4, Sec. 3,
Twp. 23 N, Rge 22, E. B. Sec. 3

Headgate

Pipeline

EAST FORK TOWER CREEK

Place of Use:
SE 1/4, SW 1/4
Sec. 3, Twp. 23 N
Rge. 22, E. B. M.

H

Scale: 4 inches equal 1 mile.

Scale 4" to 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)

) ss.

County of Lemhi)

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

2nd day of

May

19 79.

(Claimant)

Notary Public

Residing at

My commission expires

10-87

dh 10-9-79
dh 5-23-79

FOR DEPARTMENT USE ONLY

Received by

Date

5/22/79

Exception filed by:

Forwarded to

Date

Prelim. check by

Date

5-23-79

claimant by:

\$20.00 fee received by

dh

Date

5-23-79

Published in

Recorder's Herald

Dates

Oct 18 & 25-1979

#13741

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 22 1979

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 ROLAND K. SMITH (Name of Claimant)
P.O. Box 145, Salmon, Idaho 83467 (Mailing Address) Telephone No. 756-3891 (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) April 1, 1913

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)

East Fork of Tower Creek tributary to Tower 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, gpd, AFA)	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
		(Mo., Day)	(Mo., Day)
Quantity <u>.4</u>	Use <u>Irrigation</u>	Period of Use From <u>April 1</u>	To <u>Nov. 1</u>
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____
Quantity _____	Use _____	Period of Use From _____	To _____

(4) TOTAL QUANTITY USED.

(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NW 1/4 NE 1/4, Sec. 3 Twp. 23N Rge. 22 E. 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. Headgate to pipeline, 10" steel pipe 5000', 4" pipe 300'

(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	
23N	22E	3															X	X	10

No. of acres 10

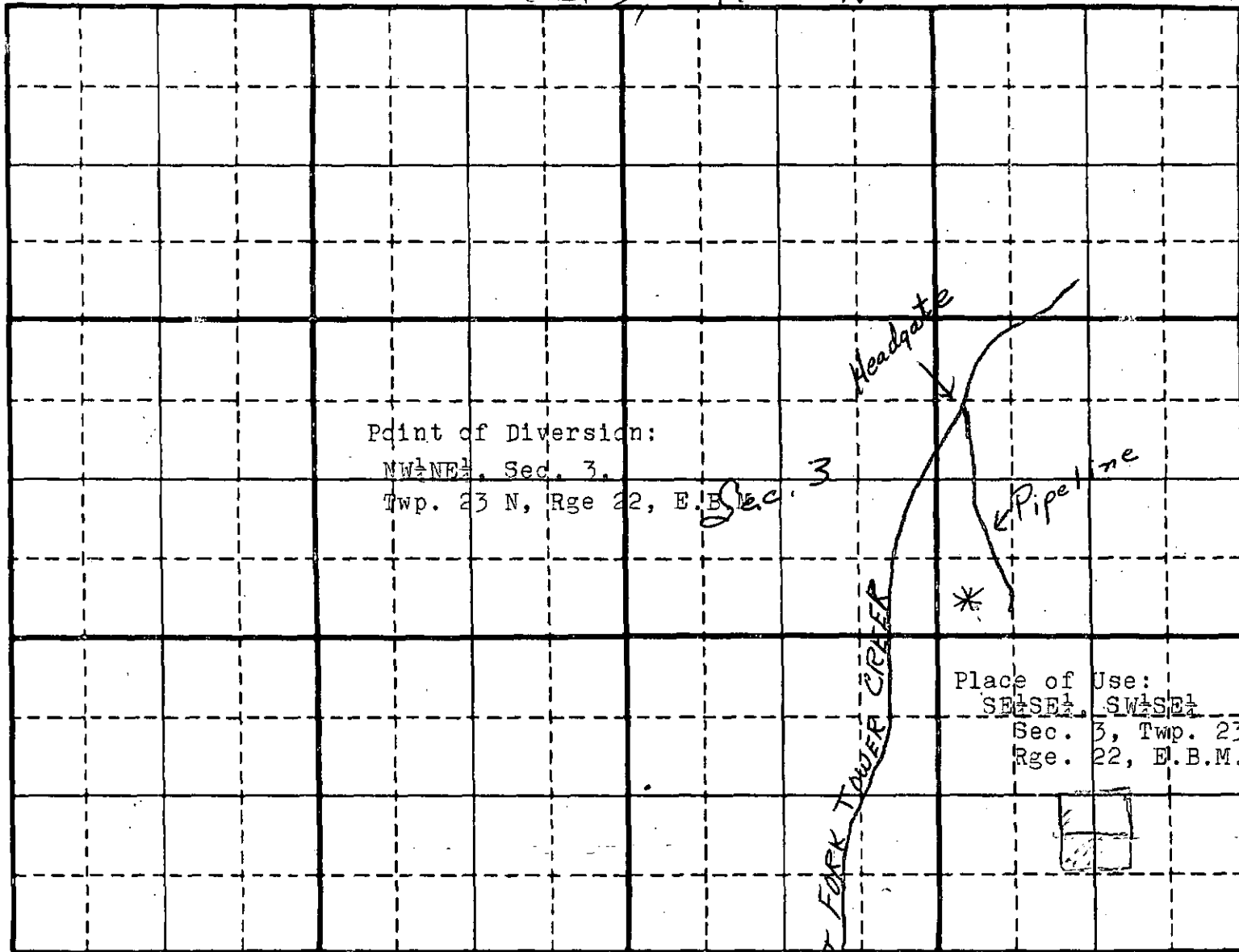
B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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:

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Sec. 3, T. 23 N R 22 E.



Scale: 1/4 inches equal 1 mile.

Scale 4" to 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

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 22nd day of May, 1979.

Robert K. Smith
(Claimant)

W. H. H. H. H.
Notary Public
Residing at Salmon, Idaho

My commission expires 10-87

dh 10-9-79
dh 5-23-79
FOR DEPARTMENT USE ONLY

Received by *ADH* Date *5/22/79* Exception filed by: Date
Prelim. check by *ARK* Date
\$20.00 fee received by dh Date *5-23-79* *10-10-79*
Published in *Recorder Herald* #1374
Dates *Oct 18 & 25-1979*

NOTICE OF CLAIMS
TO WATER RIGHTS

75-4139

SMITH, ROLAND K.
P.O. BOX 145, SALMON,
ID 83467

Source: TOWER CREEK,
EAST FORK tributary to
TOWER CREEK

Priority Date: 04/01/1913

Amount: 0.40 CFS

Diversion Point: NWNE
Sec 03 T 23N R 22E,
LEMHI Co

Use: IRRIGATION (0.40
CFS) from 04/01 to 11/01
Place of Use: SWSE SESE
Sec 03 T 23N R 22E FOR
10 ACRES

Diversion Means: HEAD-
GATE AND PIPELINE

75-4140

RANEN, JOYCE S.
810 INNSBROOK DRIVE,
DUNWOODY, GA 30043

Source: TOWER CREEK,
EAST FORK tributary to
TOWER CREEK

Priority Date: 04/01/1913

Amount: 2.00 CFS

Diversion Point: NWNE
Sec 03 T 23N R 22E,
LEMHI Co.

Use: IRRIGATION (2.00
CFS) from 04/01 to 11/01
Place of Use: SWSE SESE
Sec 03 T 23N R 22E FOR
50 ACRES

Diversion Means: HEAD-
GATE AND PIPELINE

Any exception to any
claim of water right may
be filed with the Director
of the Idaho Department of
Water Resources, 1515
Lincoln Road, Boise, Ida-
ho 83709.

C. STEPHEN ALLRED
Director
Published 10/18 &
10/25/79.

10-18-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

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 Claim to Water Rights 75-4139 and 75-4140

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 Oct. 18, 1979
and ending with the issue dated Oct. 25, 1979

Gerry H. Rosin

Subscribed and sworn to before me, this twenty fifth

day of October, 1979

Neil Armstrong

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

Publication Fee \$ 17.82

SO-A

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WATER RIGHT NUMBER 75-4139

WATER RIGHTS EDIT REPORT

10/11/79

PAGE 13

ACT
ION

N OWNER LAST NAME - SMITH FIRST NAME - ROLAND K.
N ADDRESS LINE 1 - P.O. BOX 145
N CITY - SALMON STATE - ID ZIP CODE - 83467
N SOURCE - TOWER CREEK, EAST FORK TRIBUTARY OF - TOWER CREEK
N STAGE - STATRY CLM PRIORITY - 04-01-1913 COUNTY - LEMHI TOTAL DIV. RATE - .4000CFS
N DIVERSION POINT - NWNE 03 23N 22E
N FROM - 04-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - .4000CFS
N USE - IRRIGATION PLACE OF USE - TWN 23N RNG 22E SEC 03 TRACT SWSE AC 05 TRACT SESE AC 05
N DIVERSION MEANS - HEADGATE AND PIPELINE

5 *RF*

n

IDENT. NO.

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

NOVEMBER 5, 1979

ROLAND K. SMITH
P.O. BOX 145
SALMON

ID 83467

RE: Claim No. 75-4139

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

cc: James C. Herndon

MICROFILMED

S T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
Eastern Region

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

OCTOBER 11, 1979

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 NOVEMBER 5, 1979.

Yours truly,

RONALD D. CARLSON
Supervisor
Eastern Region

Encl.

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NOTICE OF CLAIMS
TO WATER RIGHTS

75-4139

SMITH, ROLAND K.
P.O. BOX 145, SALMON,
ID 83467
Source: TOWER CREEK,
EAST FORK tributary to
TOWER CREEK
Priority Date: 04/01/1913
Amount: 0.40 CFS
Diversion Point: NWNE
Sec 03 T 23N R 22E,
LEMHI Co
Use: IRRIGATION (0.40
CFS) from 04/01 to 11/01
Place of Use: SWSE SESE
Sec 03 T 23N R 22E FOR
10 ACRES.
Diversion Means: HEAD-
GATE AND PIPELINE

NOTICE OF CLAIMS TO WATER RIGHTS

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

25-4140-

RANEN, JOYCE S.

810 INNESBROOK DRIVE, DUNWOODY, GA 30043

Source: TOWER CREEK, EAST FORK tributary to TOWER CREEK

Priority Date: 04/01/1913

Amount: 2.00 CFS

Diversion Point: NWNE Sec 03 T 23N R 22E, LEMHI Co.

Use: IRRIGATION (2.00 CFS) from 04/01 to 11/01

Place of Use: SWSE SESE Sec 03 T 23N R 22E FOR 50 ACRES

Diversion Means: HEADGATE AND PIPELINE

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 10/18 & 10/25/79.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

October 10, 1979

RE: Application for Permit No. 75-7151 ROLAND K. SMITH
" " " No. 75-7152 JOYCE S. RANEN

Claim to a Water Right No. 75-4139 ROLAND K. SMITH
" " " " No. 75-7140 JOYCE S. RANEN

Mr. James C. Herndon
Attorney at Law
P.O. Box 789
Salmon, Idaho 83467

Dear Mr. Herndon:

Attached herewith is departmental receipt No. 13741 in the amount of \$80.00 for the above referenced claims and applications.

Very truly yours,

COLLEEN WRAY
Sr. Secretary

Attachment

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LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

J. CHARLES HERNDON [1911-1966]

TELEPHONE 756-2412
AREA CODE 208

October 3, 1979

State of Idaho
Department of Water Resources
1515 Lincoln Road
Idaho Falls, Idaho 83401

Attention: Steve McCormick
Water Resource Analyst

Re: Roland K. Smith and Joyce Ranen

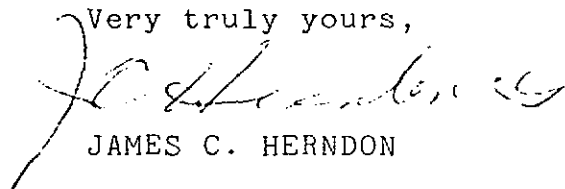
Dear Mr. McCormick:

We are enclosing herewith for filing the following:

1. Application for Permit and Claim to a Water Right, Roland K. Smith, applicant
2. Application for Permit and Claim to a Water Right, Joyce Ranen, applicant
3. Our check for \$80.00 being the filing fee.

Please advise if additional information is needed.

Very truly yours,


JAMES C. HERNDON

JCH/th

Enclosures

RECEIVED

OCT 9 1979

Department of Water Resources
Eastern District Office

RECEIVED

May 23, 1979

James C. Herndon, Attorney
P. O. Box 789
Salmon, Idaho 83467

Dear Mr. Herndon:

Re: Claims to Water Rights - Smith & Ranen

Enclosed you will find the claims submitted by your office in behalf of Roland K. Smith and Joyce S. Ranen, along with your check No. 3131 in the amount of \$80.00. We are returning these claims for the following reasons:

1. On the Smith claim from a spring tributary to Tower Creek, the priority date is later than May 29, 1971. Idaho Code requires that a filing be made for an application for permit for surface water appropriated after the above mentioned date. Therefore, this claim is not acceptable.
2. The other claims need to have additional information added. The priority date must show the month, day and year as to when water was first put to a beneficial use. Section 6 of the claim and the map under Section 8 must show the township, range, and section in the spaces provided. The number of acres irrigated must show the amount of water used for each use. The usual amount claimed for a domestic use is 0.02 cfs.

Finally, all of the documents must bear the seal of the notary public. Enclosed also is an instruction sheet to aid you in completing the claims correctly, along with some additional claim forms. Please contact me if you have any further questions regarding this matter.

Sincerely,

STEVE McCORMICK
Water Resource Analyst

SM:dh

Enclosures
Attachment: Check 92-289/\$80.00

LAW OFFICES OF
JAMES C. HERNDON
HERNDON HOTEL BLOCK
P. O. BOX 789
SALMON, IDAHO 83467

J. CHARLES HERNDON [1911-1966]

TELEPHONE 756-2412
AREA CODE 208

May 3, 1979

RECEIVED
MAY 23 1979
Department of Water Resources
Eastern District Office

RECEIVED
MAY 22 1979
Department of Water Resources

State of Idaho
Department of Water Resources
Statehouse, Annex 2
Boise, Idaho 83707

RE: Claim to Water Right
Roland K. Smith
Joyce Ranen

Gentlemen:

Enclosed herewith please find two Claim to Water Right forms for Ronald K. Smith and two Claim to Water Right forms for Joyce Ranen. Also enclosed please find our check in the amount of \$80.00 to cover cost of the filing of the claims.

Very truly yours,

James C. Herndon
JAMES C. HERNDON

JCH/rt

enc.

RECEIVED
MAY 23 1979
Department of Water Resources

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: A.R.K.

Right Number 75-4139

Applicant Roland K. Smith

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

CHECK:

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

FINAL REGIONAL PROCESSING REVIEW:

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

By Ernest Carlson Date 11/05/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By J. J. J. Date 11/7/79

RECEIVED