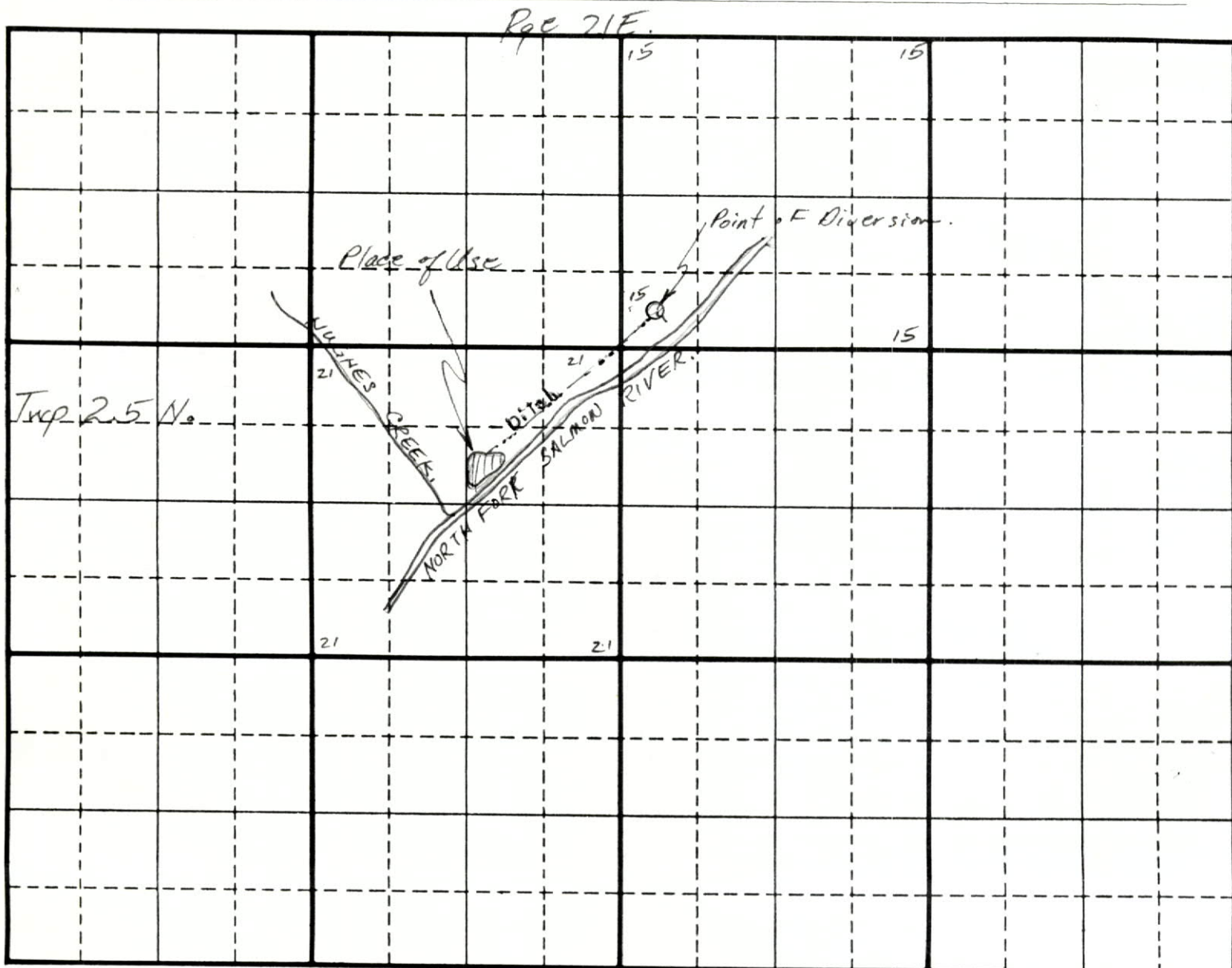


(8) Remarks See attached Forest Service Special Use Permit. Water wheel and generator will be installed in ditch to provide electricity.



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 Bern Co ) 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 13 day of June, 19 79.

Russell J. Kozak (Claimant)  
Sue Kozak

Alice K. Hanson  
Notary Public  
Residing at North Fork Id 83466

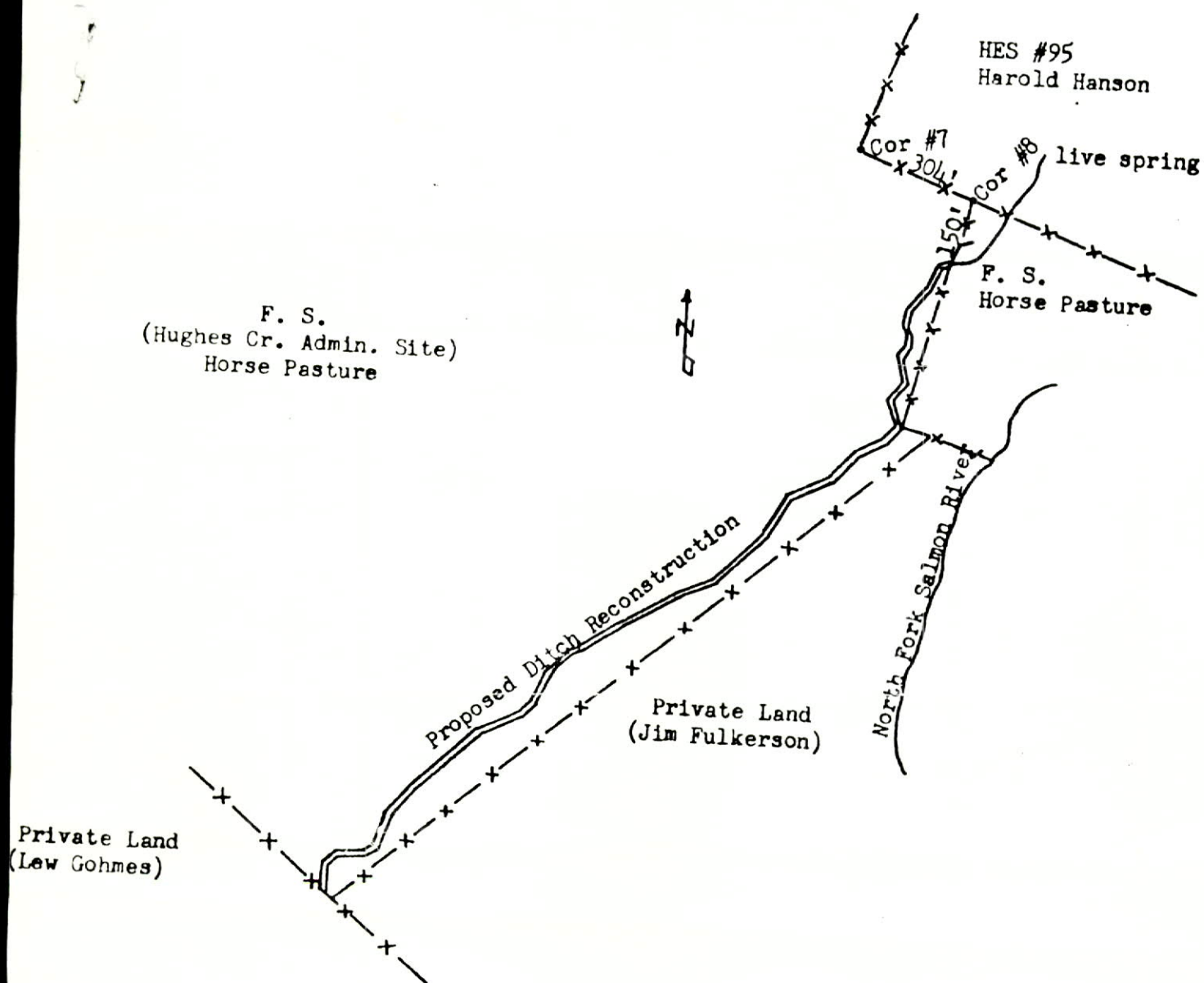
My commission expires 10 03 80

FOR DEPARTMENT USE ONLY

Received by dh Date 6-14-79 Exception filed by: \_\_\_\_\_ Forwarded to \_\_\_\_\_ Date \_\_\_\_\_  
Prelim. check by EMC Date 6-06-79 claimant by: \_\_\_\_\_  
\$20.00 fee received by dh Date 6-14-79 #11934  
Published in Recorder Herald  
Dates June 21 & 28, 1979

2710

Special Use Permit - Go e Lew R., Ditch (Proposed)



# Legend

Scale 1 inch - 400 ft.  
 Proposed Ditch -   
 Fence -   
 Length of Ditch on FS - 2502 Ft.  
 Width - 14 Ft.  
 Area -.8 Acre  
 Location - T25N; R21E; NW $\frac{1}{4}$  sec. 22,  
 NE $\frac{1}{4}$  sec. 21

Date of Survey - 9/17/62 by REL - AJS

MICROFILMED

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:

75-4126

KOZACEK, RUSSELL J.  
&/or SUSAN K.

BOX 1128, NORTH  
FORK, ID 83466

Source: UNNAMED  
SPRING Tributary to  
SALMON RIVER, NOR-  
TH FORK

Priority Date: 05/01/1880

Amount: 0.36 CFS

Diversion Point: SWSW  
Sec 15 T 25N R 21E,  
LEMHI Co.

Use: DOMESTIC (0.04  
CFS) from 01/01 to 12/31  
IRRIGATION (0.32 CFS)  
from 03/01 to 11/01

Place of Use: SWNE Sec  
21 T 25N R 21E FOR 8  
ACRES

Diversion Means: HEAD-  
BOX & DITCH

Any exception to any  
claim of water right may  
be filed with the Director  
of the Idaho Department  
of Water Resources, 1515  
Lincoln Road, Idaho Falls,  
Idaho 83401.

C. STEPHEN ALLRED

Director

Published 6/21 & 6/28/  
79.

6-21-2tc

# 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 Claim to Water Right No. 75-4126

..... 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 .....<sup>2</sup>  
consecutive issues, commencing with the issue dated June 21, 19 79  
and ending with the issue dated June 28, 19 79.

*Jerry G. Rosin*

Subscribed and sworn to before me, this twenty eighth

day of June, 19 79

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

Publication Fee \$ 14.85

Department of Water Resources  
Eastern District Office

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.

1 Notice is hereby given that Russell J. Kozacek and/or Susan K. Kozacek  
Box 1128, North Fork, Idaho 83466 (Name of Claimant) Telephone No. 865-2152  
(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 1880

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)  
unnamed spring tributary to Salmon River, North Fork

(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>0.04 cfs</u> | Use <u>Domestic</u>                 | Period of Use From <u>1/1</u> | To <u>12/31</u> |
| Quantity | <u>0.32 cfs</u> | Use <u>Irrigation</u>               | Period of Use From <u>3/1</u> | To <u>11/1</u>  |
| Quantity |                 | Use                                 | Period of Use From            | To              |
| Quantity |                 | Use                                 | Period of Use From            | To              |
| Quantity |                 | Use                                 | Period of Use From            | To              |

(4) 0.36 cfs TOTAL QUANTITY USED.  
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)  
SW 1/4, Sec. 15 Twp. 25N 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. Water is diverted by means of headbox & open ditch approx. 14' x 3975'. A USFS permit has been issued in conjunction with this use. Flood irrigation methods are used. Animals receive water directly from ditch. Also, water is pumped from well

(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.  
which is fed directly from irrigation ditch.

| T   | R   | SEC. | NE% |     |     |     | NW% |     |     |     | SW% |     |     |     | SE% |     |     |     | TOTAL |
|-----|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
|     |     |      | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% | NE% | NW% | SW% | SE% |       |
| 25N | 21E | 21   |     |     | 8   |     |     |     |     |     |     |     |     |     |     |     |     |     | 8     |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |
|     |     |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |       |

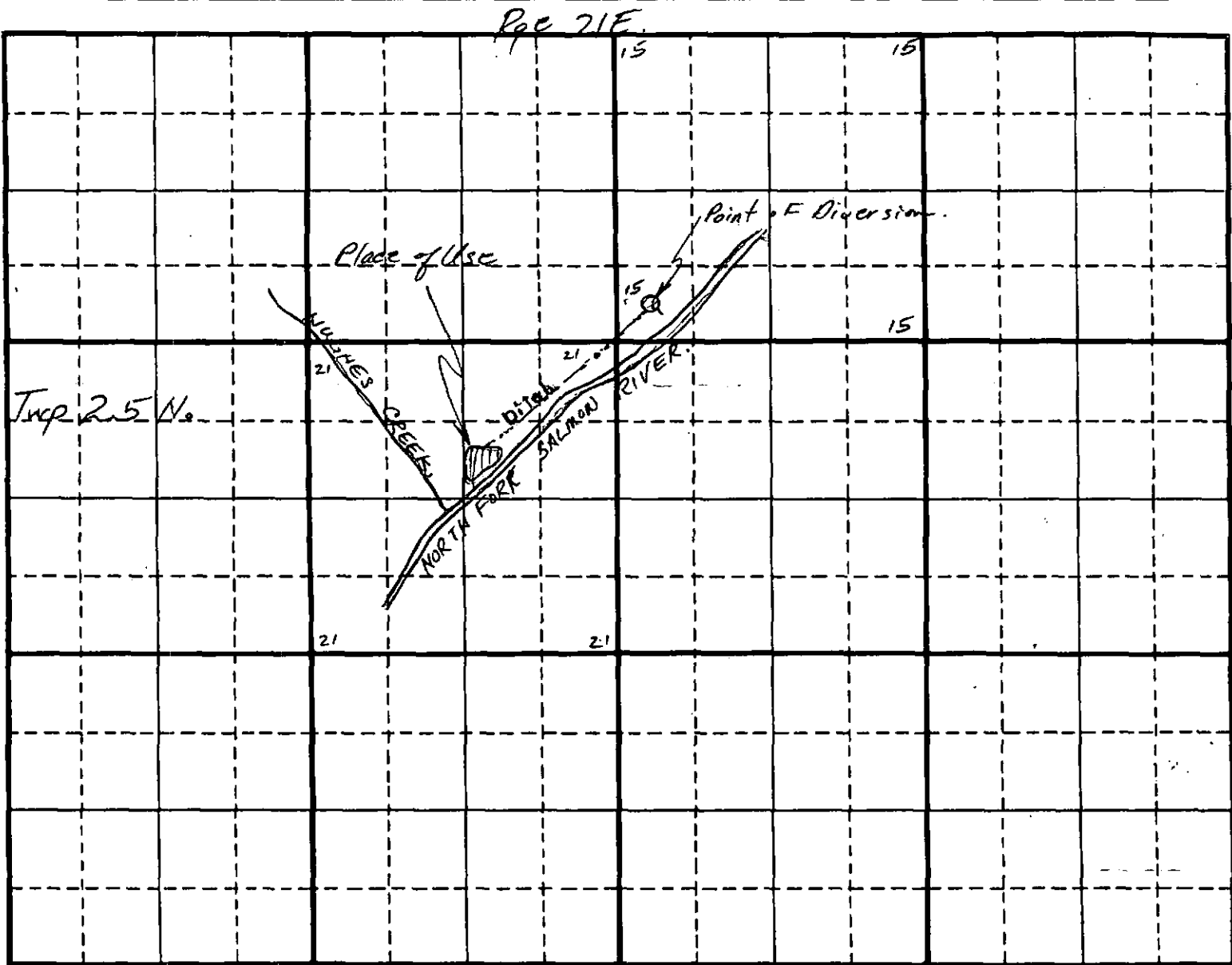
No. of acres 8

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

NOTE: Include here the type and number of stock watered: horses & mules (approx. 50)

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

(8) Remarks See attached Forest Service Special Use Permit. Water wheel and generator will be installed in ditch to provide electricity.



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 Bern Co ) 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 13 day of June, 19 79.

Russell J. Kozak Sue Kozak  
(Claimant)

Alice K. Hanson  
Notary Public  
Residing at North Fork Id 83466

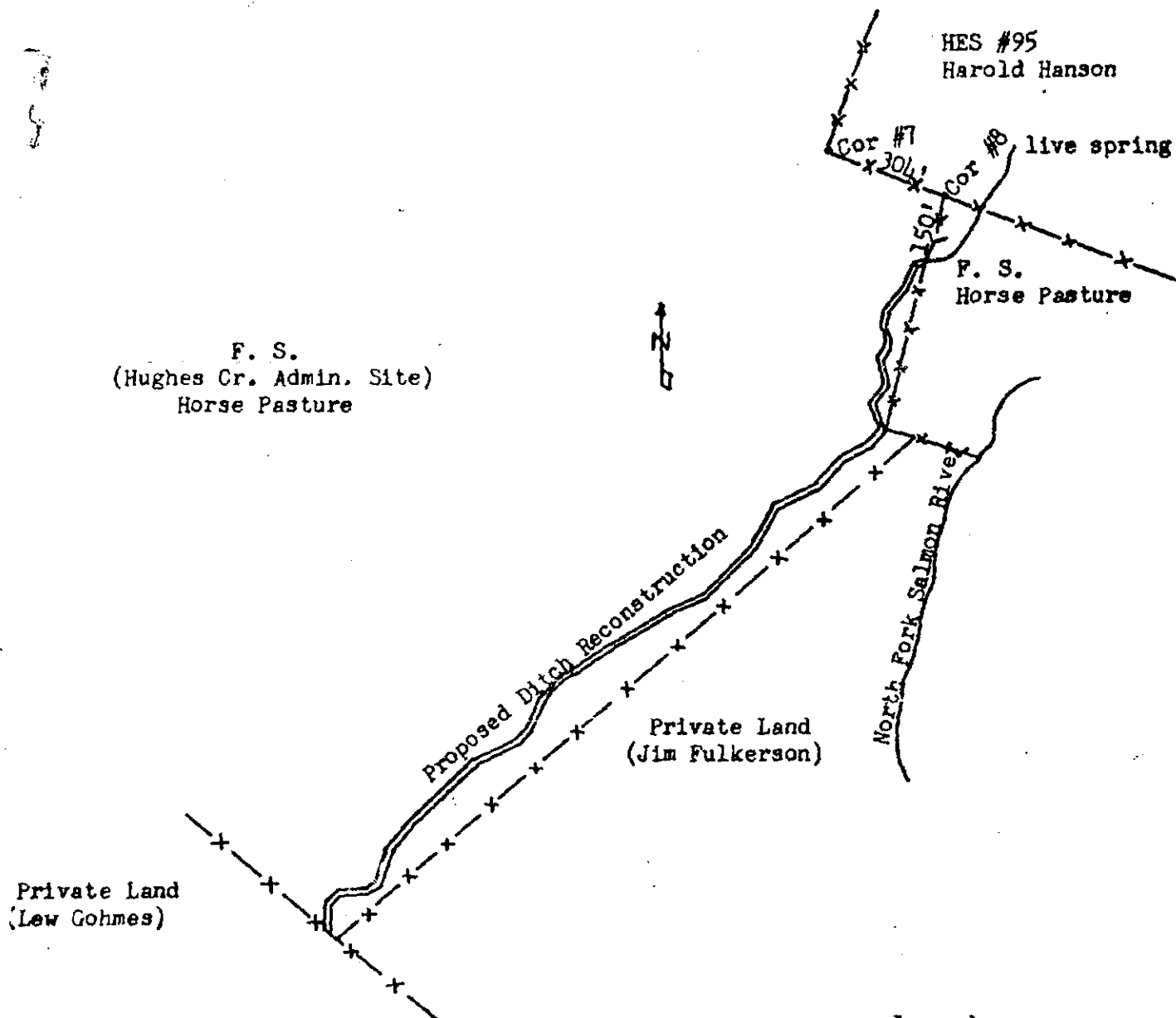
My commission expires 10 03 80

FOR DEPARTMENT USE ONLY

|                                     |                     |                     |              |      |
|-------------------------------------|---------------------|---------------------|--------------|------|
| Received by <u>dh</u>               | Date <u>6-14-79</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>EMC</u>         | Date <u>6-06-79</u> |                     | claimant by: |      |
| \$20.00 fee received by <u>dh</u>   | Date <u>6-14-79</u> | #11934              |              |      |
| Published in <u>Recorder Herald</u> |                     |                     |              |      |
| Dates <u>June 21 &amp; 28, 1979</u> |                     |                     |              |      |

2710

Special Use Permit - Go e Lew R., Ditch (Proposed)



Legend

Scale 1 inch - 400 ft.

Proposed Ditch -

Fence -

Length of Ditch on FS - 2502 Ft.

Width - 14 Ft.

Area -.8 Acre

Location - T25N; R21E; NW $\frac{1}{4}$  sec. 22,  
NE $\frac{1}{4}$  sec. 21

Date of Survey - 9/17/62 by REL - AJS

MICROFILMED

IN THE MATTER OF:  
WATER RIGHTS

AFFIDAVIT

State of Idaho

County of LEMHI

HAROLD H. HANSON

being first duly sworn,

deposes and says: I HAVE LIVED ON H.E.S. 95 SINCE 1948 AND DO HEREBY

CERTIFY THE WATER THAT RAISES ON THE LOWER END OF MY RANCH IS CAUGHT

IN A DITCH THAT GOES TO IRRIGATE PART OF THE RANCH KNOWN TO ME AS THE

OLD RAVNDAL RANCH ON HUGHES CREEK, NORTH FORK, IDAHO, PART OF WHICH

RUSS KOZACEK HAS PURCHASED.

Harold H. Hanson  
(signature)

Subscribed and sworn to before me this 5 day of MARCH 19 79.

Alice K. Hanson  
(notary public)

Residing at NORTH FORK Id 83466

My commission expires 10 03 80

MICROFILMED

## 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:

75-4126

KOZACEK, RUSSELL J.  
&/or SUSAN K.  
BOX 1128, NORTH  
FORK, ID 83466

Source: UNNAMED  
SPRING Tributary to  
SALMON RIVER, NOR-  
TH FORK

Priority Date: 05/01/1880

Amount: 0.36 CFS

Diversion Point: SWSW  
Sec 15 T 25N R. 21E,  
LEMHI Co.

Use: DOMESTIC (0.04  
CFS) from 01/01 to 12/31  
IRRIGATION (0.32 CFS)  
from 03/01 to 11/01

Place of Use: SWNE Sec  
21 T 25N R 21E FOR 8  
ACRES

Diversion Means: HEAD-  
BOX & DITCH

Any exception to any  
claim of water right may  
be filed with the Director  
of the Idaho Department  
of Water Resources, 1515  
Lincoln Road, Idaho Falls,  
Idaho 83401.

C. STEPHEN ALLRED

Director

Published 6/21 & 6/28/

79.

6-21-2tc

# 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 Claim to Water Right No. 75-4126

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 June 21, 1979  
and ending with the issue dated June 28, 1979.

Subscribed and sworn to before me, this twenty eighth  
day of June, 1979

Publication Fee \$ 14.85

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

Department of Water Resources  
Eastern District Office

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

JULY 9, 1979

RUSSELL J. KOZACEK  
SUSAN K. KOZACEK  
BOX 1128  
NORTH FORK ID 83466

RE: Claim No. 75-4126

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

MICROFILMED

July 13, 1979

Russell J. Kozacek  
P. O. Box 1128  
North Fork, Idaho 83466

Dear Mr. Kozacek:

You indicated in your claim to a water right of an unnamed spring tributary to the Salmon River that consideration is being given to the installation of a water wheel for the generation of electricity. It would be to your benefit to file an application for permit with the Department prior to proceeding with this project. We will be glad to provide the necessary forms upon request and assist you in completing the application.

Should you have any questions pertaining to this matter, feel free to contact our eastern regional office.

Respectfully submitted,

ERNEST M. CARLSEN  
Water Resource Analyst

EMC:dh

RECEIVED  
JUL 15 1979  
WATER RESOURCES DIVISION

7  
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES  
Eastern Region

---

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

JUNE 15, 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 JULY 9, 1979.

Yours truly,

RONALD D. CARLSON  
Supervisor

Encl.

MICROFILMED  
1980

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:

75-4126

KOZACEK, RUSSELL J.  
&/or SUSAN K.

BOX 1128, NORTH  
FORK, ID 83466

Source: UNNAMED  
SPRING Tributary to  
SALMON RIVER, NOR-  
TH FORK

Priority Date: 05/01/1880

Amount: 0.36 CFS

Diversion Point: SWSW  
Sec 15 T 25N R 21E,  
LEMHI Co.

Use: DOMESTIC (0.04  
CFS) from 01/01 to 12/31  
IRRIGATION (0.32 CFS)  
from 03/01 to 11/01

Place of Use: SWNE Sec  
21 T 25N R 21E FOR 8  
ACRES

Diversion Means: HEAD-  
BOX & DITCH

Any exception to any  
claim of water right may  
be filed with the Director  
of the Idaho Department  
of Water Resources, 1515  
Lincoln Road, Idaho Falls,  
Idaho 83401.

C. STEPHEN ALLRED  
Director

Published 6/21 & 6/28/  
79.

6-21-2tc

KOZACEK, RUSSELL J. &/or SUSAN K.

BOX 1128, NORTH FORK, ID 83466

Source: UNNAMED SPRING tributary to SALMON RIVER, NORTH FORK

Priority Date: 05/01/1880

Amount: 0.36 CFS

Diversion Point: SWSW Sec 15 T 25N R 21E, LEMHI Co.

|               |            |                     |
|---------------|------------|---------------------|
| Use: DOMESTIC | (0.04 CFS) | from 01/01 to 12/31 |
| IRRIGATION    | (0.32 CFS) | from 03/01 to 11/01 |

Place of Use: SWNE Sec 21 T 25N R 21E FOR 8 ACRES

Diversion Means: HEADBOX & DITCH

RECORDED

NOTICE OF CLAIMS TO WATER RIGHT

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

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho 83401.

C. STEPHEN ALLRED

Director

Published 6/21 & 6/28/79.

MICROFILMED

June 14, 1979

Russell J. Kozacek  
P. O. Box 1128  
North Fork, Idaho 83466

Dear Sir:

Re: Claim to Water Right

Attached herewith is Departmental receipt No. 11934 in the amount of \$20.00 for the above referenced claim.

Very truly yours,

RONALD D. CARLSON  
Supervisor  
Eastern Region

RDC:dh

Attachment

ENCLOSURE

June 7, 1979

Russell J. Kozacek  
P. O. Box 1128  
North Fork, Idaho 83466

Dear Mr. Kozacek:

The Department has reviewed your claim to a water right for an unnamed spring tributary to Salmon River and finds it necessary to return this claim as it was not accompanied by the statutory filing fee of \$20.00. Furthermore, to provide a neater copy for our records, we have enclosed a typed copy of your claim which requires your notarized signature. Upon returning the claim to our office, please include the affidavit and special use permit, along with a check for \$20.00 to cover the filing fee.

Respectfully submitted,

ERNEST M. CARLSEN  
Water Resource Analyst

EMC:dh

Enclosures

RECEIVED  
JUN 11 1979

State of Idaho  
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: ARK

Right Number \_\_\_\_\_

Applicant

Russell T. #102 Susan K. Kozacek

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 7/5/79

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Juni Date 7/20/79

MICROFILMED