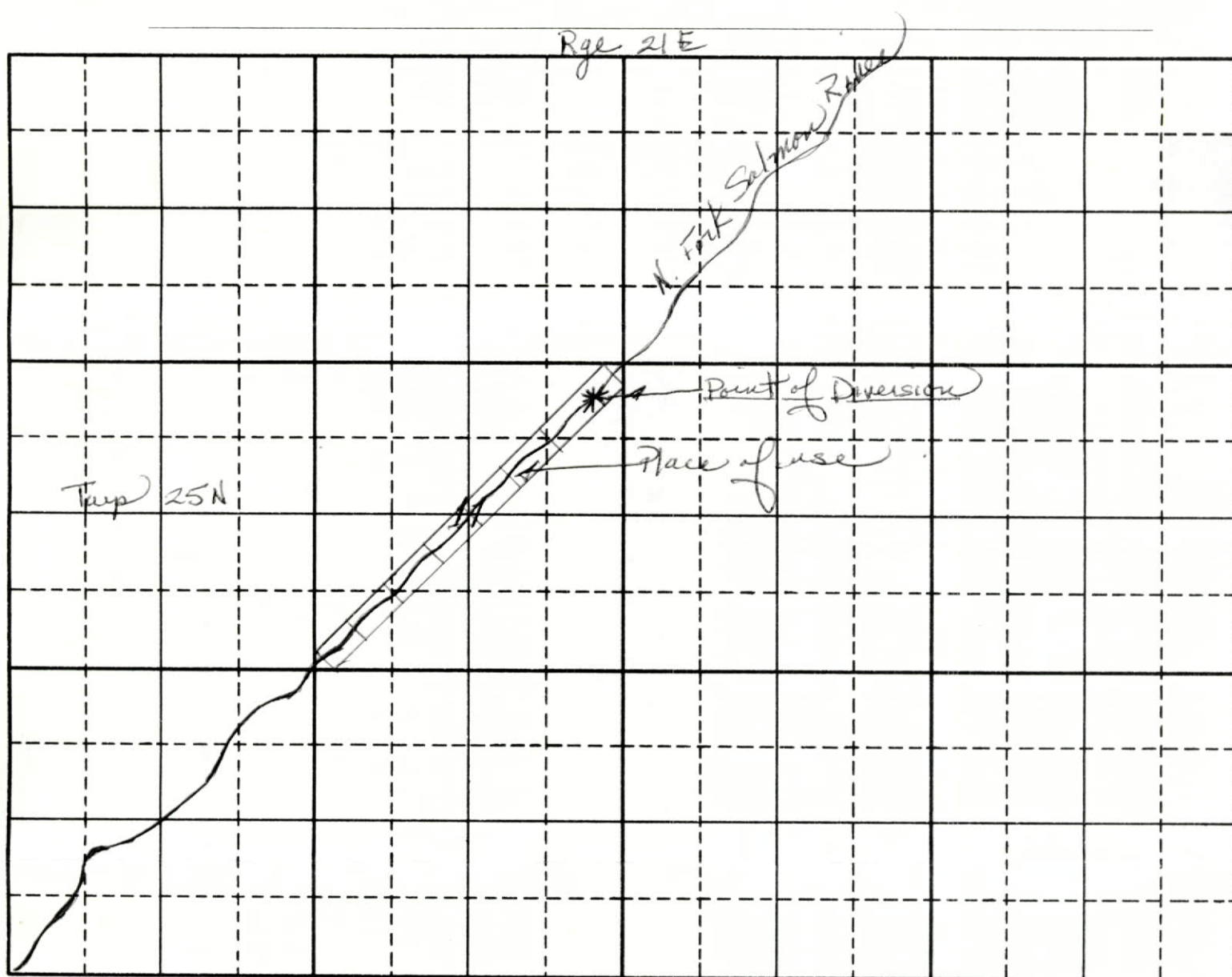


- (8) Remarks This is also known as Homestead Entry Survey No. 58. It was homesteaded in 1910, purchased by my father, Elmer Keith, in 1931 and gifted to me in 1976. See map attached.



Scale: 2 inches equal 1 mile.

Section 11

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 Ada) 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 affiants knowledge.

Sworn to before me this 19th day of January, 1978.

Theodore Frank Keith
(Claimant)

Garrison B. Phillips
Notary Public
Residing at Boise, Idaho

My commission expires 8-11-80

For Department Use Only

Received by <u>CAW</u>	Date <u>1-20-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ARK</u>	Date <u>1-16-78</u>		claimant by:	
\$10.00 fee received by <u>me</u>	Date <u>1-12-78</u>			
Approved for publication by <u>me</u>	Date <u>2-7-78</u>			
Published in <u>Recorder, 2nd ed</u>				
Dates <u>Jan 26 & Feb 2-1978</u>				

HOMESTEAD ENTRY SURVEY No 58

1891

1892

Sage Creek

Sage Creek Place

USM 1891

Survey No. 1113

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MICROFILM

1940 by Allen C. Merritt
under Special Instructions

[illegible]

**NOTICE OF CLAIM TO A
WATER RIGHT
NO. 75-4077**

Notice is hereby given that Theodore Frank Keith, Boise, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.85 cubic feet per second of water from North Fork Salmon River tributary to Salmon River with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 25N, R. 21E, B. M., Lemhi County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 25 cattle and several horses and from Apr. 1 to Nov. 1 for the irrigation of 41.5 acres with a priority of 1910, the place of use is within the NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 25N, R. 21E, B. M.

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

C. STEPHEN ALLRED
Director

Published in The Recorder-Herald, Salmon, Idaho on January 26 and February 2, 1978.
1-26-2tc

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

FEB 7 1978

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 Right No. 75-4077

a true printed copy of which is attached to the margin hereof, has been and was correctly 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 Jan. 26, 1978 and ending with the issue dated Feb. 2, 1978.

Jerry G. Rosin

Subscribed and sworn to before me, this second day of February, 1978

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

Publication Fee \$ 15.12

MICROFILMED

**NOTICE OF CLAIM TO A
WATER RIGHT
NO. 75-4077**

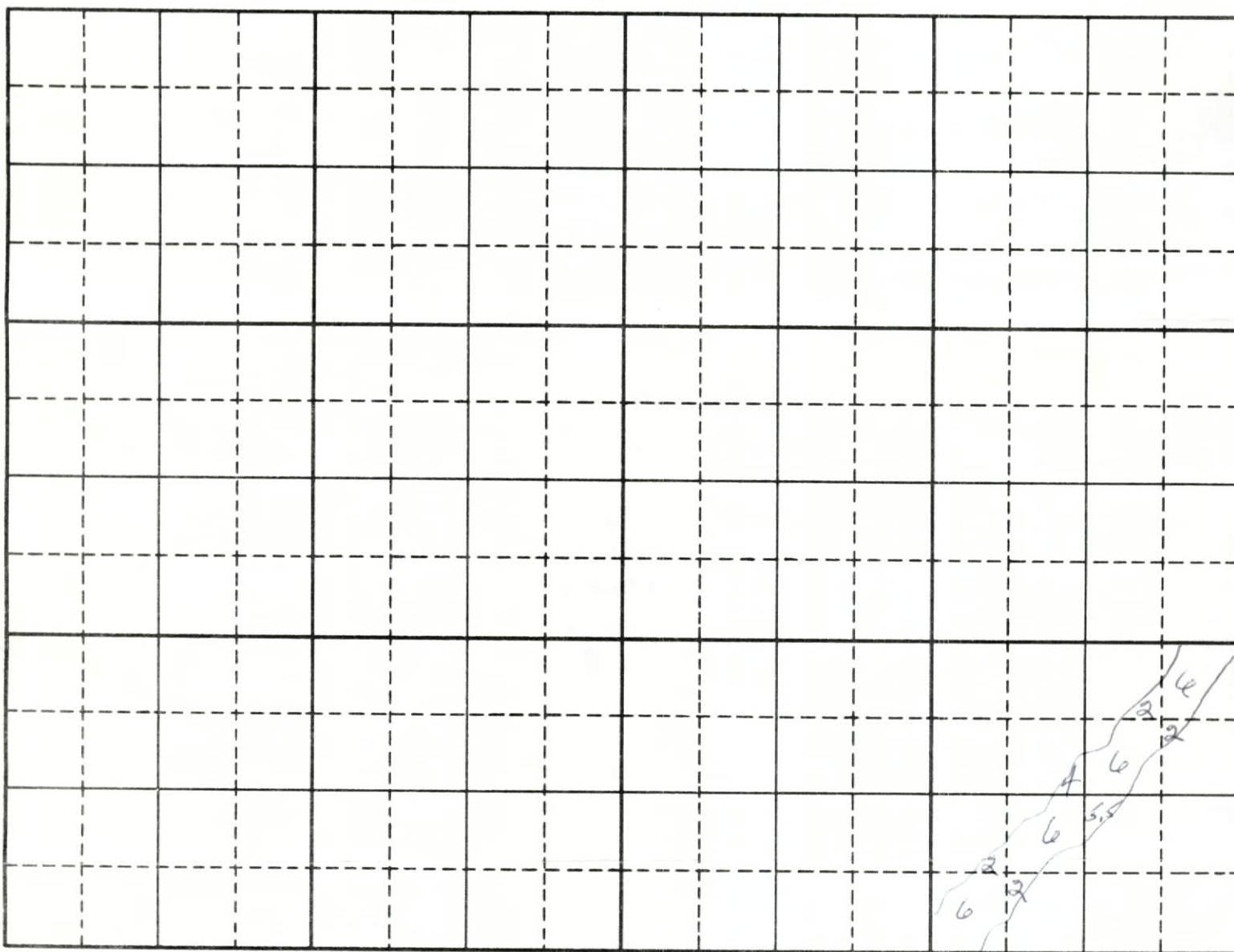
Notice is hereby given that Theodore Frank Keith, Boise, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.85 cubic feet per second of water from North Fork Salmon River tributary to Salmon River with point of diversion in the NE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 11, T. 25N, R. 21E, B.M., Lemhi County. The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 25 cattle and several horses and from Apr. 1 to Nov. 1 for the irrigation of 41.5 acres with a priority of 1910 the place of use is within the NE $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 11, T. 25N, R. 21E, B.M.

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

C. STEPHEN ALLRED
Director

Published in The Recorder-Herald, Salmon, Idaho on January 26 and February 2, 1978.
1-26-2tc

(8) Remarks This is also known as Homestead Entry Survey No. 58. It was
homesteaded in 1910, Purchased by my father, Elmer Keith, in 1931
and gifted to me in 1976. See map attached.



Scale: 2 inches equal 1 mile.

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

Section 11
T 25 N R 21E
by 40-acre subdivisions,
Above is approximate
shape, see map attached.

State of Idaho)
County of ADA) 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 affiants knowledge.

Sworn to before me this 11th day of January, 1978.

Theodore Frank Smith
(Claimant)

Gale Maloney
Notary Public
Residing at Boise, 205th St

My commission expires March 25, 1978

For Department Use Only

Received by <u>SW</u>	Date <u>1-16-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>Wtm</u>	Date <u>1-12-78</u>		claimant by:	
\$10.00 fee received by <u>meb</u>	Date <u>1-12-78</u>			
Approved for publication by				
Published in				
Dates				

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Theodore Frank Keith
(name of claimant)
of 2760 Christine, Boise, ID 83704, claims a right to the diversion and beneficial use of
(mailing address)
the public water of the State of Idaho

The extent and nature of said claim is as follows:

- The extent and nature of said claim is as follows:
- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) North Fork Salmon River
, tributary to, Salmon River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
- | | | | | | | | | |
|--------|----------------------|-----|-------------------------------|----------------|------|---------------|----|------------------------|
| Amount | <u>0.83</u> | Use | <u>Irrigation</u> | Period of Use: | From | <u>Apr. 1</u> | To | <u>Nov. 1</u> |
| Amount | <u>0.02</u> | Use | <u>Stockwater</u> | Period of Use: | From | <u>Jan. 1</u> | To | <u>Dec. 31</u> |
| Amount | <u></u> | Use | <u></u> | Period of Use: | From | <u></u> | To | <u></u> |
| | (cfs, gpm
or a/f) | | (dom., irri.,
stock, etc.) | | | | | (both dates inclusive) |

- (3) Total quantity of water claimed: 0.85 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1910

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
NE ¼ NE ¼, Sec. 11 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. gravity flow ditch approximately 3/4 mi. long

- (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.

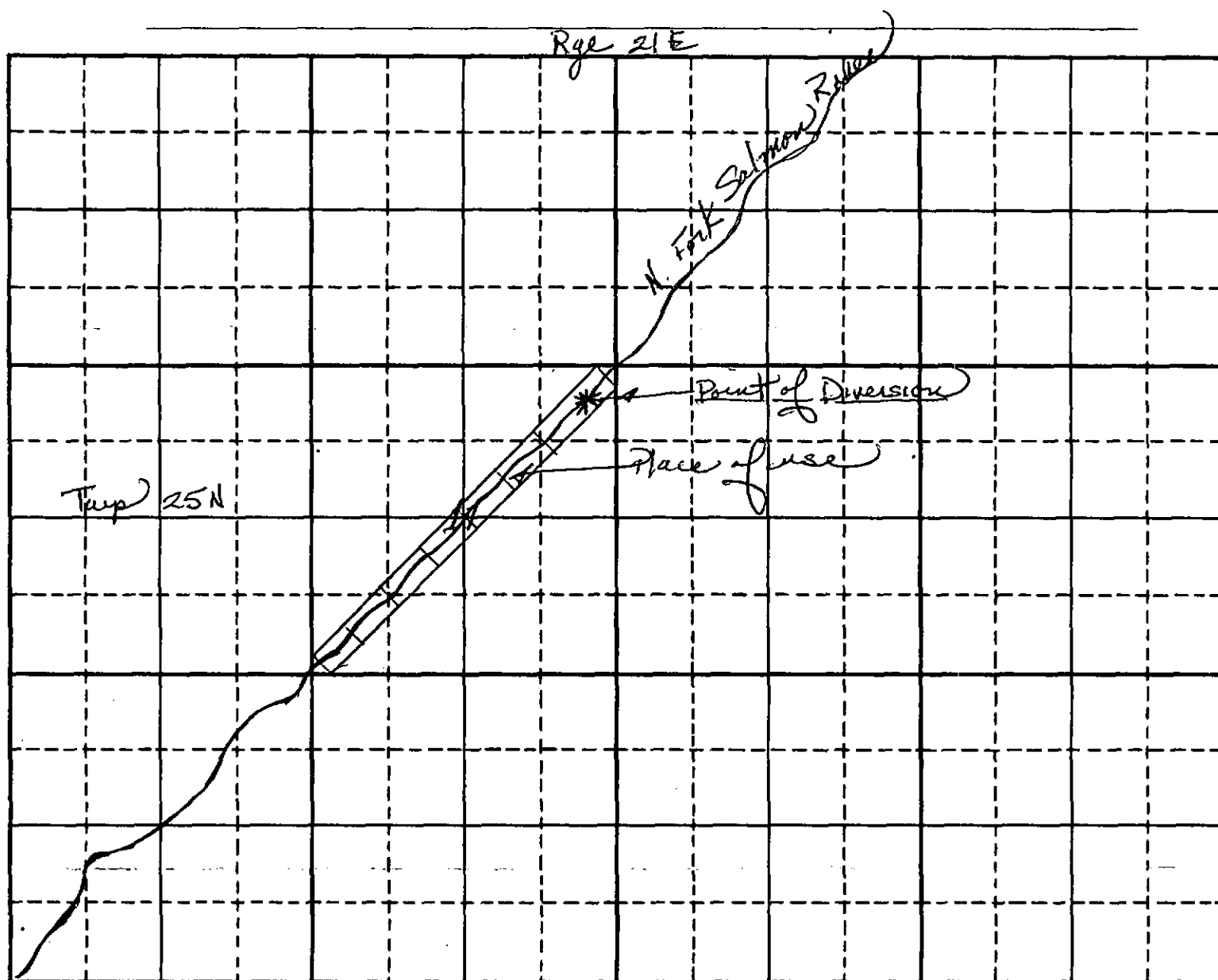
[illegible]

Total No. of acres 41.5

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: _____
approximately 25 cattle and several horses are watered on a year-around basis

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

- (8) Remarks This is also known as Homestead Entry Survey No. 58. It was homesteaded in 1910, purchased by my father, Elmer Keith, in 1931 and gifted to me in 1976. See map attached.



Scale: 2 inches equal 1 mile.

Section 11

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 Ada) 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 affiants knowledge.

Sworn to before me this 19 day of January

Theodore Frank Keith
(Claimant)

Gordon B. Phillips
Notary Public

Residing at Boise Idaho

My commission expires 8-11-80

For Department Use Only

Received by <u>CAW</u>	Date <u>1-20-78</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ARK</u>	Date <u>Jan 16, 1978</u>		claimant by:	
\$10.00 fee received by <u>mk</u>	Date <u>1-12-78</u>	<u># 10266</u>		
Approved for publication by <u>Dep</u>	<u>2-7-78</u>			
Published in <u>Recorded</u>	<u>2-14-78</u>			
Dates <u>Jan 26 & Feb 2-1978</u>				

**NOTICE OF CLAIM TO A
WATER RIGHT
NO. 75-4077**

Notice is hereby given that Theodore Frank Keith, Boise, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.85 cubic feet per second of water from North Fork Salmon River tributary to Salmon River with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 25N, R. 21E, B. M., Lemhi County.

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 25 cattle and several horses and from Apr. 1 to Nov. 1 for the irrigation of 41.5 acres with a priority of 1910. the place of use is within the NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 25N, R. 21E, B. M.

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

C. STEPHEN ALLRED
Director

Published in The Recorder-Herald, Salmon, Idaho on January 26 and February 2, 1978.

1-26-78

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

FEB 7 1978

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 Right No. 75-4077

a true printed copy of which is attached to the margin hereof, has been and was correctly 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 Jan. 26, 1978 and ending with the issue dated Feb. 2, 1978

Jerry G. Rosin

Subscribed and sworn to before me, this second

day of February, 1978

Earl Armstrong

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

Publication Fee \$ 15.12

MICROFILMED

ACT
IONN OWNER LAST NAME - KEITH
N ADDRESS LINE 1 - 2760 CHRISTINE

FIRST NAME - THEODORE FRANK

N SOURCE - SALMON RIVER, NORTH FORK

CITY - BOISE
TRIBUTARY OF - SALMON RIVER

STATE - ID ZIP CODE - 83704

N STAGE - STATRY CLM

PRIORITY - 06-01-1910

COUNTY - LEMHI

TOTAL DIV. RATE - .8500CFS

N DIVERSION POINT - NENE 11 25N 21E

N FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE - .8300CFS

N FROM - 01-01 TO - 12-31 USE - STOCKWATER

USE DIV. RATE - .0200CFS

N USE - IRRIGATION

PLACE OF USE - TWN 25N RNG 21E SEC 11

TRACT NENE

AC 06 TRACT NWNE

AC 02

TRACT SWNE

AC 06 TRACT SENE

AC 02

TRACT SENW

AC 04 TRACT NESW

AC 06

TRACT NWSW

AC 02

TRACT SWSW

AC 06 TRACT SESW

AC 02

TRACT NWSE

AC 06

N USE - IRRIGATION

PLACE OF USE - TWN 25N RNG 21E SEC 11

N REMARKS - AC. IRR.=41.5.

N NON IRRIG USE - S/25 RANGE.

5000

IDENT. NO. 75-4077

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

- DATA ENTRY -

Record

- Present Owner: _____

- | | Tract | Sec. | Twp. | Rge. | Gov't
Lot | Rediv. |
|--------------------------|-------|------|-----------------|-----------------|--------------|--------|
| 6. A. Point of Diversion | NE NE | 11 | 25 ^N | 21 ^E | | |
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| | | | | | | |

- [illegible]

8. Use Code: ~~A~~

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. Ac. Sn. = 41.5.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information): S/ 25 Range.

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval:

14. Diversion Means (brief narrative):

[illegible]



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

February 13, 1978

RE: Claim to a Water Right No. 75-4077

Theodore Frank Keith
2760 Christine
Boise, ID 83704

Dear Mr. Keith:

The Department of Water Resources has completed the processing of your claim to a water right and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves 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 in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

RONALD D. CARLSON
Supervisor
Eastern Region

RDC:CD

Enclosure

MICROFILMED

January 20, 1978

RE: Claim to A Water Right No. 75-4077 KEITH

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

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CW

Enc: Legal Notice (1)

Bill submitted 2-07-78 by CW

MICROFILMED

**NOTICE OF CLAIM TO A
WATER RIGHT
NO. 75-1077**

Notice is hereby given that Theodore Frank Koith, Boise, Idaho, has filed a claim to a water right established by draft and application to benefit use of 0.65 cubic feet per second of water from North Fork Salmon River tributary to Salmon River with point of diversion in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 11, T. 25N, R. 21E, B. M., Lemhi County. The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering purposes for 25 cattle and several horses and from Apr. 1 to Nov. 1 for the irrigation of 41.5 acres with a priority of 1910 the place of use is within the NE $\frac{1}{4}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 11, T. 25N, R. 21E, B. M.

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

C. STEPHEN ALLRED
Director

Published in The Recorder-Herald, Salmon, Idaho on January 26 and February 2, 1978.
1-26-2tc

NOTICE OF CLAIM TO A WATER RIGHT

NO. 75-4077

Notice is hereby given that **Theodore Frank Keith,**

Boise, Idaho

has filed a claim to a water right established by diversion and application
to beneficial use of 0.85 cubic feet per second ~~XXXXXXfeetXXXXXX~~

of water from North Fork Salmon River tributary to Salmon River

with point of diversion in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 25N, R. 21E, B.M.

Lemhi County

The water is claimed to be used from Jan. 1 to Dec. 31 for stockwatering
purposes for 25 cattle and several horses and from Apr. 1 to Nov. 1 for the
irrigation of 41.5 acres
with a priority of 1910 ;

the place of use is within the NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 25N,
R. 21E, B.M.

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

C. STEPHEN ALLRED
XXXXXXXXXXXXXXXXXXXX

Director

Published in the Recorder-Herald, Salmon, Idaho

on **January 26** and **February 2, 1978**

MICROFILMED

Me. G.
Me. G.
Me. G.

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that Theodore Frank Keith

(name of claimant)

~~of~~ 2760 Christine, Boise, Idaho 83704

(mailing address)

, claims a right to the diversion and beneficial use of

· the public water of the State of Idaho

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Northfork, tributary to, Salmon River
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>706 a/f</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>April</u>	To	<u>October</u>
Amount	<u>12 a/f</u>	Use	<u>Water Stock</u>	Period of Use:	From	<u>October</u>	To	<u>April</u>
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri., stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: _____ cubic feet per second, or 718 _____ acre feet per annum, and/or _____ gallons per minute.
- (4) Priority claimed: (the date water was first applied to beneficial use) 1910

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

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

NE ¼ NE ¼, Sec. 11 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. Gravity flow ditch approximately
3/4 mile long.

- (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]

Total No. of acres 41.5

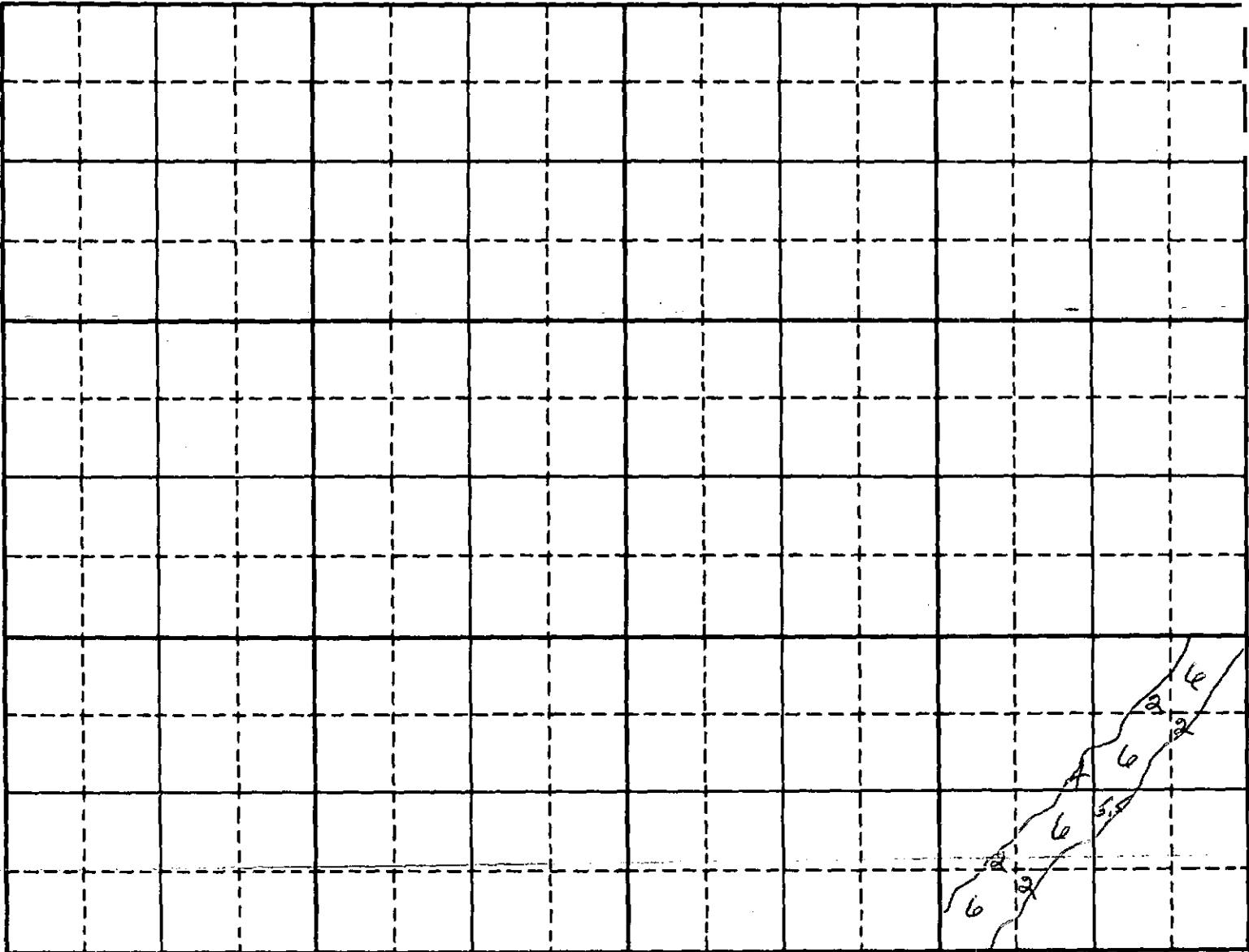
- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

Approximately 25 cattle and Horses are watered on a year-round basis.

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

MICROFILMED

(8) Remarks This is also known as Homestead Entry Survey No. 58. It was
homesteaded in 1910, Purchased by my father, Elmer Keith, in 1931
and gifted to me in 1976. See map attached.



Scale: 2 inches equal 1 mile.

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

Section 11
T 25 N R 21E
by 40-acre subdivisions,
Above is approximate
shape, see map attached.

State of Idaho)
County of AOA) 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 affiants knowledge.

Sworn to before me this 11th day of January 1978
Theodore Frank Keith (Claimant)
Steve Maloney
Notary Public
Residing at Boise, Idaho
My commission expires March 25, 1978

For Department Use Only
Received by OW Date 1-16-78 Exception filed by: Forwarded to Date
Prelim. check by Wtm Date 1-12-78 \$10.00
\$10.00 fee received by meb Date 1-12-78 #10264
Approved for publication by _____
Published in _____
Dates _____



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

January 16, 1978

Theodore Frank Keith
2760 Christine
Boise, Idaho 83704

Dear Mr. Keith:

As the North Fork area lies within our district, we recently received your claim to a water right in our Eastern Region Office. However, the claim was received and receipted in Boise even though it was not in acceptable form. The following changes need to be made:

- 1) The amount for each use should be specified in cubic feet per second, a continuous flow, instead of acre feet which indicates storage of water. The amount I have indicated is in line with the Idaho Code maximum diversion of 0.02 cfs/acre for irrigation and the stockwater amount is based on 12 gallons per head per day.
- 2) You should also claim stockwater from Jan. 1 to Dec. 31, if stock are watered on a year-around basis.
- 3) I have also more clearly defined the source as being the North Fork of Salmon River tributary to Salmon River.

I have taken the liberty to complete a new claim form making the necessary changes indicated above. Please review this document and place your notarized signature on the reverse side. If it meets with your approval return to this office as soon as possible, as we can not begin processing of your claim until we have received the retyped claim.

Very truly yours,

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK: CW

Attachment: Receipt No. 10266 \$10.00

Enclosure: retyped claim