

A hand-drawn map on graph paper. The map shows a coastline on the left side, labeled 'T.' at the top and 'N' at the bottom. A river, labeled 'R. 18 E', flows from the top right towards the bottom. A point on the river is labeled '21 x 20'.

|                                                      |                     |                     |              |      |
|------------------------------------------------------|---------------------|---------------------|--------------|------|
| Received by <u>me</u>                                | Date <u>3-23-76</u> | Exception filed by: | Forwarded to | Date |
| Prelim. check by <u>upd</u>                          | Date <u>3-23-76</u> |                     | claimant by: |      |
| \$10.00 fee received by <u>cw</u>                    | Date <u>3-23-76</u> |                     |              |      |
| Approved for publication by <u>me 4-12-76 #15697</u> |                     |                     |              |      |
| Published in <u>Grandview Herald</u>                 |                     |                     |              |      |
| Dates <u>April 1 &amp; 8, 1976</u>                   |                     |                     |              |      |

u was  
Salmon  
G. H. Salmon & Pastor

UNITED STATES DEPARTMENT OF AGRICULTURE—FOREST SERVICE

St. HE.

Washington, Hugh Land district. Mag. declin. 20.450

Area 2.1 acres

517.20, 21

T. 20 N

R. 18 E

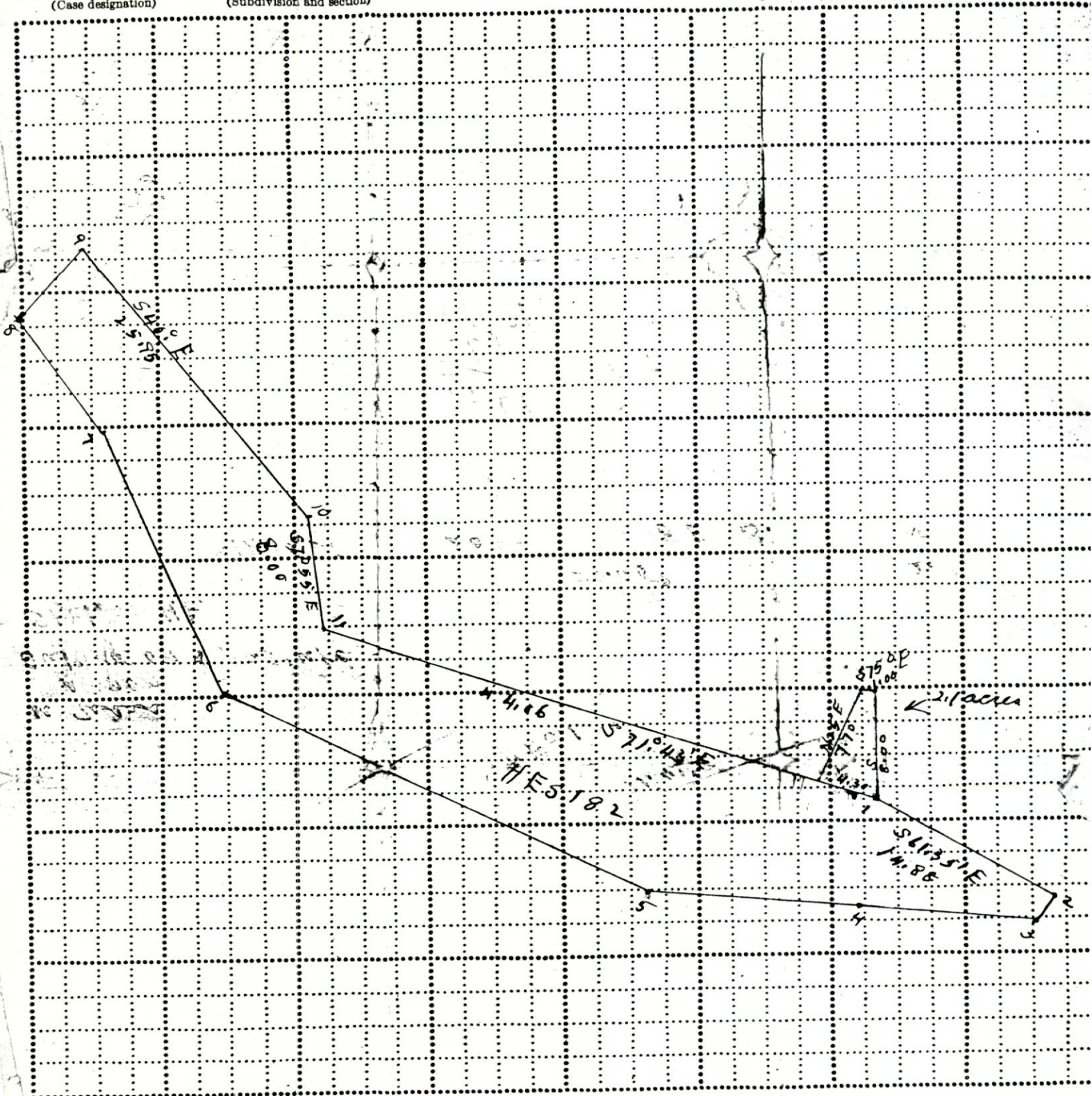
B. Mer.

Scale 8

inches=1 mile

(Case designation)

(Subdivision and section)



Field work by Andrew R. McConkie Date Sept 5, 1941

Platted by GRM

Remarks

Approved \_\_\_\_\_, 19\_\_\_\_

**NOTICE OF CLAIM TO A  
WATER RIGHT  
NO. 75-4045**

Notice is hereby given that Hugh &/or Alice Wetherington, Arco, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 0.02 cubic feet per second of water from an unnamed spring tributary to Musgrove Creek with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, T. 20N, R. 18E, B. M., Lemhi County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes for one family with a priority of April 1, 1941; the place of use is within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 21, T. 20N, R. 18E, 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.

R. KEITH HIGGINSON  
Director

Published in The Recorder-Herald, Salmon, Idaho on April 1 and April 8, 1976.

4-1-2tc

**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 a Water Right #75-4045

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 April 1, 1976 and ending with the issue dated April 8, 1976.

Subscribed and sworn to before me, this eighth  
day of April, 1976

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

Publication Fee \$ 14.04

**Section 42-225a, Idaho Code**

## CLAIM TO A WATER RIGHT

Notice is hereby given that Hugh &/or Alice Wetherington

(name of claimant)

of Rt. #1, Box 104C, Arco, ID 83213, claims a right to the diversion and beneficial use of  
(mailing address)

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) unnamed spring  
, tributary to, Musgrove Creek

- (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 0.02      Use domestic      Period of Use: From Jan. 1      To Dec. 31

Amount \_\_\_\_\_ Use \_\_\_\_\_ Period of Use: From \_\_\_\_\_ To \_\_\_\_\_

| Amount | Use | Period of Use: From | To |
|--------|-----|---------------------|----|
|--------|-----|---------------------|----|

(cfs, gpm  
or a/f)

(dom., irri.,  
stock, etc.)

(both dates inclusive)

(both dates inclusive)

- (3) Total quantity of water claimed: 0.02 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) April 1, 1941

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)

NW ¼ SE ¼, Sec. 21 Twp. 20N Rge. 18E 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. concrete spring box and delivery system to cabin.

- (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 1,000

- B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: \_\_\_\_\_  
Domestic Use at one cabin.

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

A hand-drawn map on a grid. The map shows a coastline on the left side, with a point labeled '21 x 20' marked. The grid is composed of solid lines forming a 10x10 grid, with dashed lines forming a 20x20 grid. The coastline is drawn with a solid line, and the area to the right of the coastline is shaded with diagonal lines. The point '21 x 20' is marked with a small circle and labeled. The label 'R 18 E' is written in the upper right quadrant of the grid. The label 'T. 20' is written in the lower left quadrant of the grid.

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.

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.

(Claimant)

1976

**Notary Public**

Sworn to before me

My commission expires

My commission expires 10-28-78

Received by me Date 3-23-76  
Prelim. check by upd Date 3-23-76  
\$10.00 fee received by CU Date 3-23-76  
Approved for publication by me 4-12-76 #15697  
Published in Garland, Nered.  
Dates April 1 & 8, 1976

[illegible]



U  
USES - Salmon  
Cultivation, Pasture,  
Water Storage Tank & Cellar  
Wetherington, Hugh

## SPECIAL USE PERMIT

(Case designation)

Permission is hereby granted to Hugh Wetherington  
of Arco, Idaho  
to use the following-described lands: an area embracing 2.1 acres in approximately  
(Describe the lands to be occupied, if unsurveyed, by metes and bounds, with reference to a road or  
unsurveyed sections 17, 20, and 21, T. 20 N., R. 18 E., B.M., described  
stream or well-known landmark; right of way by terminal points, direction, and lands occupied)  
as follows: Beginning at corner No. 1, H.E.S. #182; Thence N 71° W. 4.3 chains  
Thence N. 25° E. 7.7 chains; Thence S. 75° E. 1.0 chains; Thence S. 0. 8.0  
chains to the place of beginning.  
for the purpose of cultivation and pasture and maintenance of water storage tank  
(Briefly but clearly describe the use, giving area of inclosures, length and width of right of way, etc.)  
and cellar.

subject to the following conditions:

1. The permittee shall pay to the Regional Fiscal Agent designated by the Forest officer for deposit to the credit of the Treasurer of the United States, in consideration for this use, the sum of Two and 00/100 dollars (\$ 2.00 ) for the period from January 1, 19 45, to December 31, 19 45, and thereafter annually, on January 1, Two and no/100 dollars (\$ 2.00 ).
2. The permittee shall comply with the regulations of the Department of Agriculture governing the National Forest, shall observe all sanitary laws and regulations applicable to the premises, and shall keep the premises in a neat and orderly condition and dispose of all refuse and locate outhouses and cesspools as required by the Forest officers.
3. This permit is subject to all valid claims.
4. The permittee shall take all reasonable precaution to prevent and suppress forest fires.

5. The permittee, if engaged in business, shall conduct same in an orderly manner and in accordance with all requirements of the laws of the State of Idaho, as well as the laws of the United States.

6. The permittee shall pay the United States for any damage to its property resulting from this use.

7. The permittee shall fully repair all damage, other than ordinary wear and tear, to roads and trails in the National Forests caused by the permittee in the exercise of the privilege granted by this permit.

8. Construction work (or occupancy and use) under this permit shall begin within \_\_\_\_\_ months, be completed within \_\_\_\_\_ years from the date of the permit, and this use shall be actually exercised at least 100 days each year, unless the time is extended or shortened.

9. In case of change of address, permittee shall immediately notify the Forest Supervisor.

10. The charges for this use may be readjusted whenever necessary to place this permit on a basis consistent with the charge to other permittees for like privileges. A general readjustment will be made at the end of five years from the date of issuance of permit and at the end of each five-year period thereafter.

11. No National Forest timber may be cut or destroyed without first obtaining a permit from the Forest Supervisor.

12. Upon the abandonment, termination, or revocation of this permit, and in the absence of an agreement to the contrary, the permittee, if all the rental charges due the Government have been paid, may, within a reasonable period to be determined by the issuing officer, remove all structures which have been placed on the premises by him, except where the material was furnished by the Forest Service, but upon failure to remove the structures within that period they shall become the property of the United States.

13. This permit may be transferred with the approval of the officer by whom it was given or his successor, subject to such conditions as may be imposed at the time of transfer. It shall terminate upon breach of any of the conditions herein or at the discretion of the Regional Forester or the Forester.

14. The permittee shall provide, whenever requested by the Forest officers, a way across the land covered by this permit for the free ingress or egress of Forest officers and for users of National Forest land and purchasers of National Forest products.

15. All structures and fences on the area shall be maintained to a

(Special stipulations necessary)

standard satisfactory to the Forest Officer in charge.

16. The number of livestock grazed, or the period they are grazed, shall

in no case exceed the proper grazing capacity of the area as shall be

determined by the Forest Officer.

17. The right to construct roads or trails across the area is specifically

reserved.

3/2/45  
(Date)

Phan Dougherty  
(Signature of officer issuing permit)

Forest Supervisor  
(Title)

u. m. s.  
Station

Rev. Feb. 1920  
Station & Pasture

UNITED STATES DEPARTMENT OF AGRICULTURE—FOREST SERVICE

Station NE

Washington, N. H. Land district. Mag. declin. 20.450

Area 2.1

acre

517.20.21

T. 20 N

R. 18 E

B.

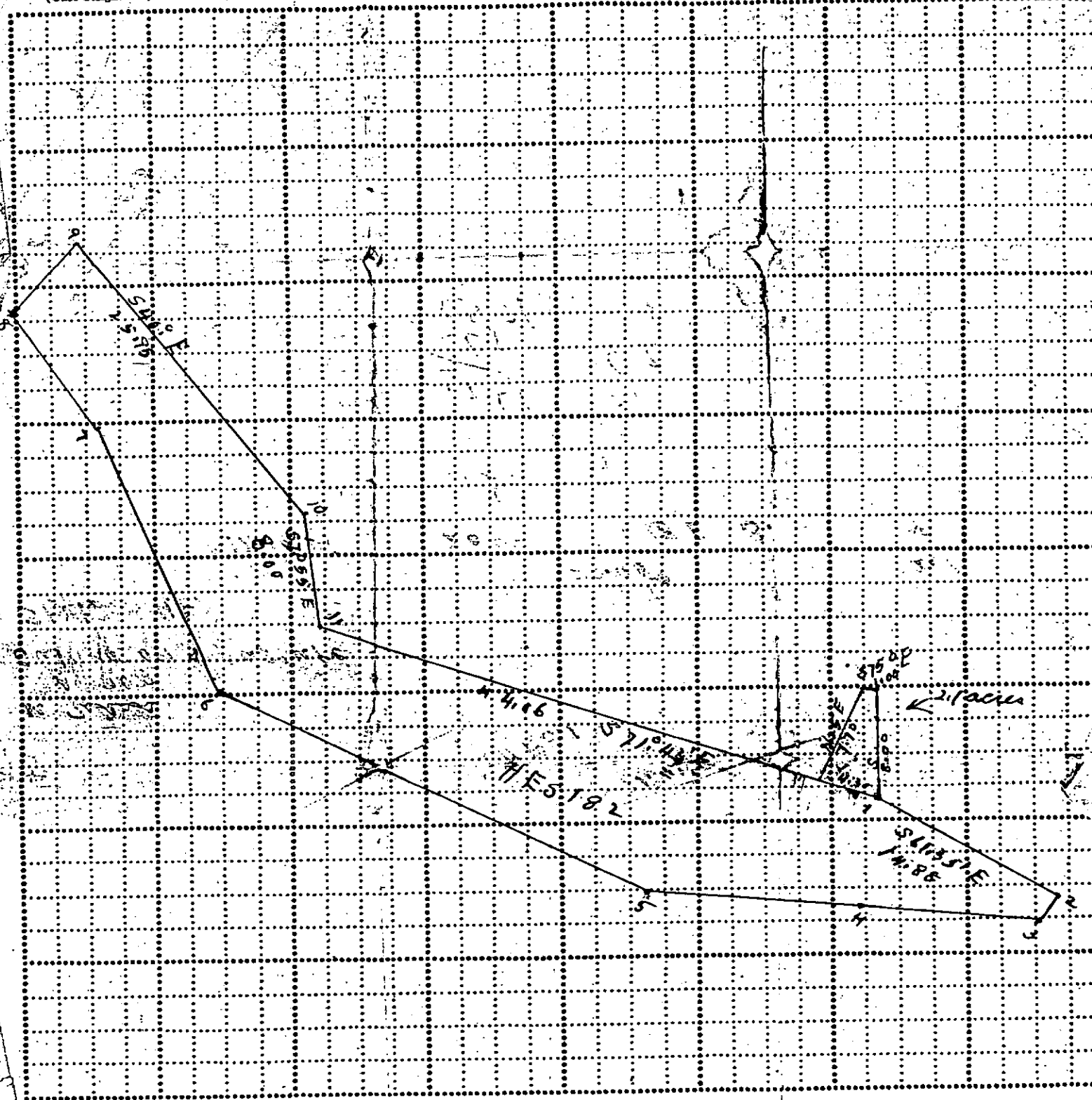
Mer.

Scale 8

inches=1 mil

(Case designation)

(Subdivision and section)



Field work by Andrew R. McConkie Date Sept 5, 1941

Platted by GRM

Remarks

Approved \_\_\_\_\_, 19

**NOTICE OF CLAIM TO A  
WATER RIGHT  
NO. 75-4045**

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R. KETH HIGGINSON  
Director

Published in The Recorder-Herald, Salmon, Idaho on April 1 and April 8, 1976.

4-1-2tc

**Affidavit of Publication**

STATE OF IDAHO

County of Lemhi

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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,

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Subscribed and sworn to before me, this eighth day of April, 1976

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

Publication Fee \$ 14.04

April 19, 1976

RE: Claim to a Water Right No. 75-4045

Mr. Hugh Wetherington  
Rt. #1, Box 104-C  
Arco, Idaho 83213

Dear Mr. Wetherington:

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:CH

Enc: Copy of Claim

March 26, 1976

RE: Claim to a Water Right No. 75-4045 WETHERINGTON

The 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

Bill submitted 4-12-76 by CW

RDC:CW

Enc: Legal Notice (1)

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**R. KEITH HIGGINSON**  
Director

Published in The Recorder-Herald, Salmon, Idaho on April 1 and April 8, 1976.

4-1-2tc

NOTICE OF CLAIM TO A WATER RIGHT

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R. KEITH HIGGINSON

Director

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*me-C.  
me-J.  
me-S.*