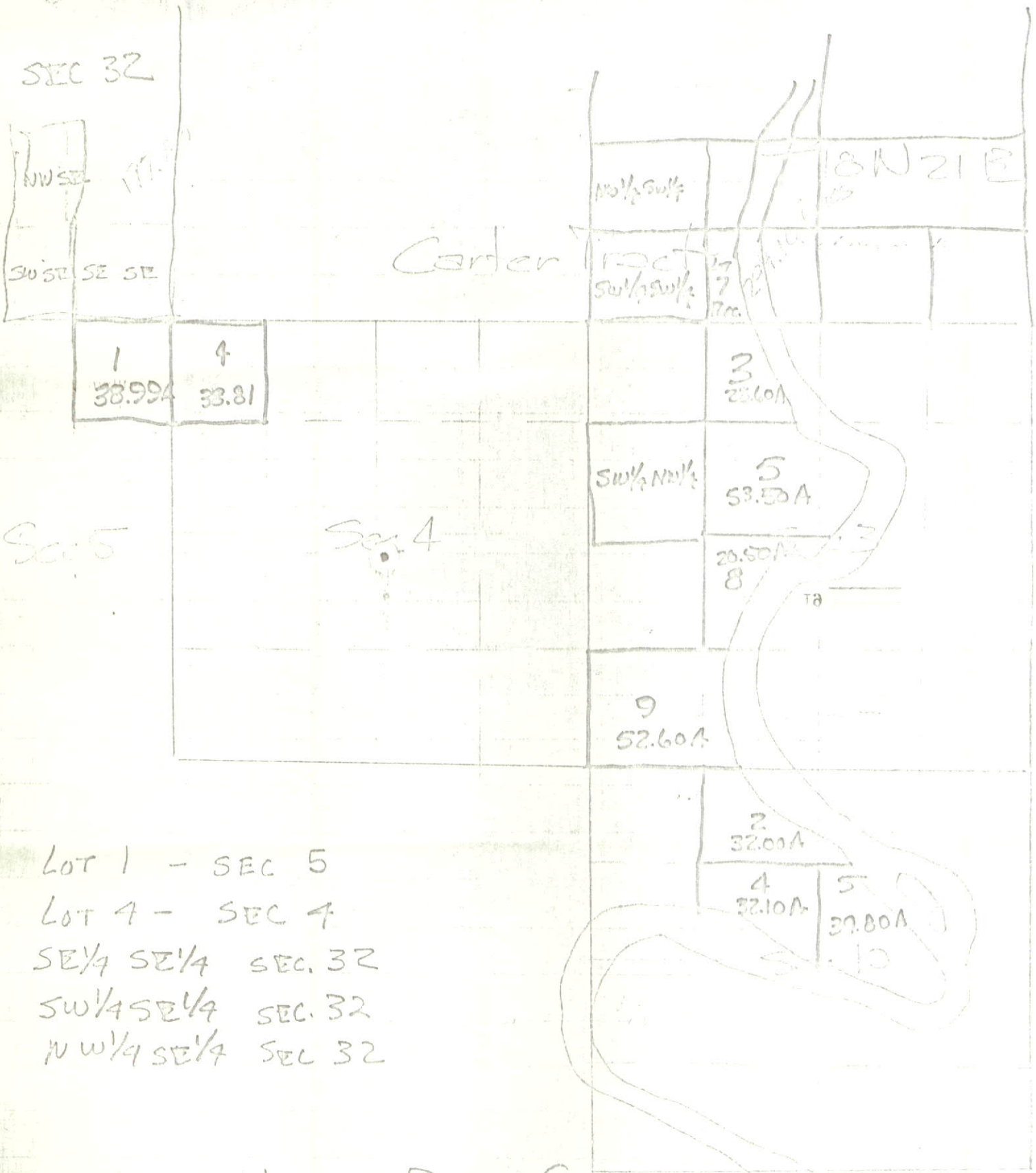




- LOT 1 - SEC 5
- LOT 4 - SEC 4
- SE 1/4 SE 1/4 SEC. 32
- SW 1/4 SE 1/4 SEC. 32
- NW 1/4 SE 1/4 SEC 32

RECEIVED

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

Department of Water Administration
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
NO. 75-4027

Notice is hereby given that Salmon River Properties, Inc., P. O. Box 789, Salmon, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 2.0 cubic feet per second of water from Deer Creek, tributary to the Salmon River with point of diversion in the NE $\frac{1}{4}$ -

NW $\frac{1}{4}$, Sec. 32, T. 19N, R. 21E, B. M., Lemhi County.

The water is claimed to be used from Jan. 1 to Dec. 31 for the irrigation of 100 acres with a priority of June 6, 1927; the place of use is within the W $\frac{1}{2}$ -SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; Lot 4, Sec. 4; Lot 1, Sec. 5, T. 19N, R. 21E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 south Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on April 26 and May 3, 1973.

4-26-2tc

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 # 75-4027

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 26, 1973 and ending with the issue dated May 3, 1973.

Jerry G. Rosin
third

Subscribed and sworn to before me, this

day of May, 1973

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

Publication Fee \$ 12.95

75-4027

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

CLAIM TO A WATER RIGHT

Notice is hereby given that SALMON RIVER PROPERTIES, INC.

(name of claimant)
James C. Herndon
of P. O. Box 789, Salmon, Idaho 83467, claims a right to the diversion and
(mailing address)

beneficial use of the surface or groundwater, of or tributary to Deer Creek trib to

The extent and nature of said claim is as follows:

Salmon River
act 4/16/23

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Stream - Deer 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 2.0 cfs Use irrigation Period of Use: From Jan. 1 To Dec. 31

Amount Use Period of Use: From To

Amount Use Period of Use: From To

(cfs or af)

(dom, irri,
stock, etc.)

(both dates inclusive)

- (3) Total quantity of water claimed: 2.0 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) 6/6/27

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

NE 1/4 NW 1/4, Sec. 32 Twp. 19 N. Rge. 21 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. Diversion dam directed to field.

- (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	
19N	21E	32														X			
19N	21E	32															X		
19N	21E	32																X	
19N	21E	4			Lot 4														
19N	21E	5			Lot 1														

Total No. of acres 100

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

- (7) If you are claiming water as a member of an organization, list name of organization: Salmon River Properties, Inc.

- (8) Remarks:

75-4027

SEE ATTACHED MAP

Scale 2 inches equal 1 mile

State of Idaho)

County of Lemhi)

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.

By: Salmon River Properties, Inc.
(Claimant) Agent

Attest

Sworn to before me this _____ day of _____ 19____.

Eugene A. Hall
Notary Public

Residing at _____

My commission expires _____

The fee for filing a Claim to a Water Right is \$10.00. Your claim and fee may be submitted to one of the following offices:

Northern District

Idaho Dept. of Water Administration
401 Front Avenue, Room 209
Coeur d'Alene, Idaho 83814

Southern District

Idaho Dept. of Water Administration
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

Eastern District

Idaho Dept. of Water Administration
240 South Holmes
Idaho Falls, Idaho 83401

Western District

Idaho Dept. of Water Administration
Statehouse - Annex-2
Boise, Idaho 83707

For Department Use Only

Received by la Date 4-16-73 Exception filed by: _____ Forwarded to _____ Date _____

Prelim. check by NCY Date 4/16/73 R# 1158

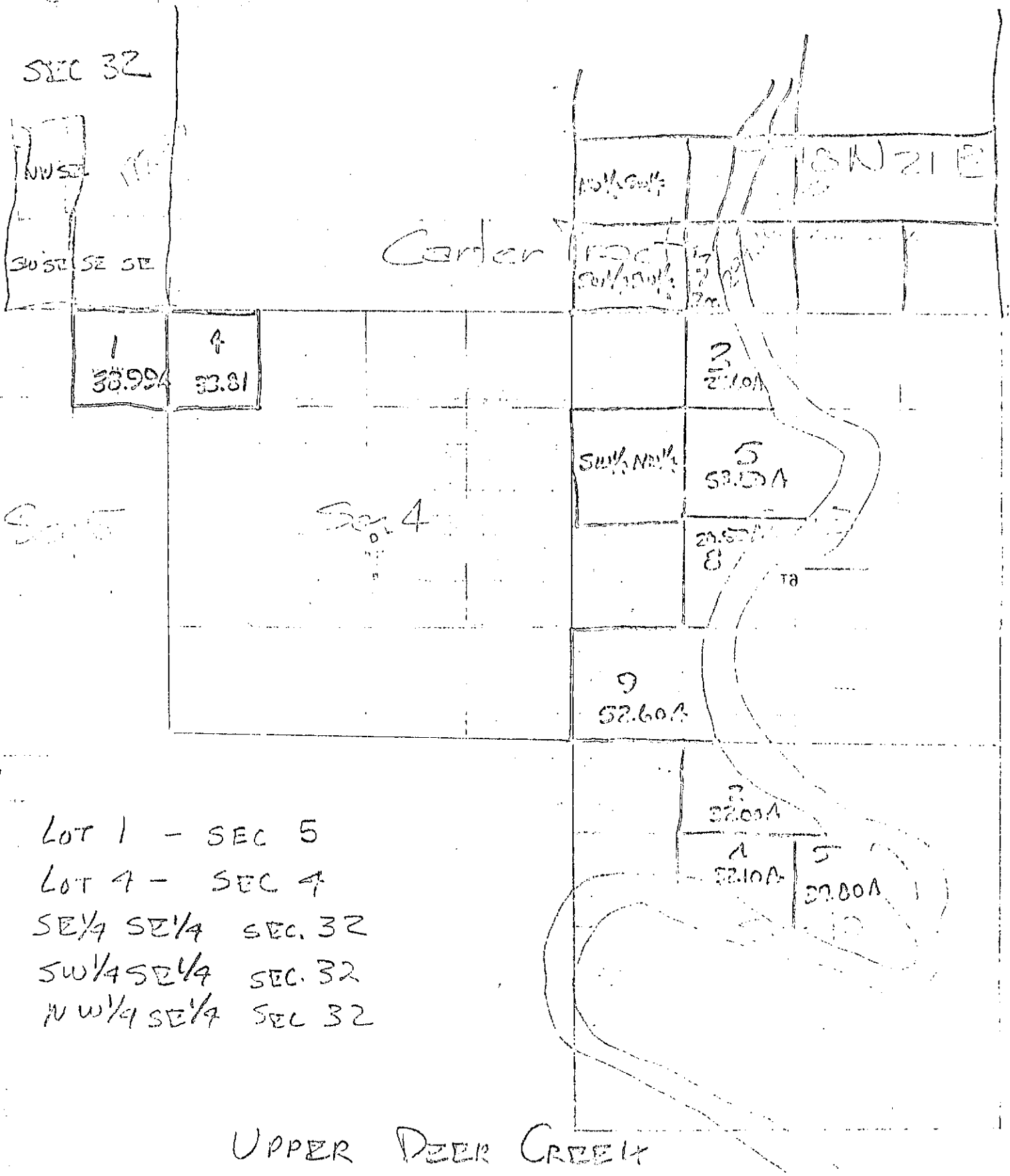
\$10.00 fee received by la Date 4-16-73

Approved for publication by NCY

Published in Burien Herald, Salmon

Dates 4-26 + 5-3-73

Public App'd 5/19/73 NCY



LOT 1 - SEC 5
 LOT 4 - SEC 4
 SE 1/4 SE 1/4 SEC. 32
 SW 1/4 SE 1/4 SEC. 32
 NW 1/4 SE 1/4 SEC 32

RECEIVED

MAY 3 1973

Department of Water Administration

C E R T I F I C A T E

I, the undersigned, Secretary of Salmon River Properties, Inc., a Nevada Corporation, do hereby certify that the following is a true and correct copy of a Resolution of the Board of Directors, duly adopted at a Special Meeting of the Board of Directors of said Corporation, held in the 11 day of April, 1973, at 10 o'clock AM, at Los Angeles, in Los Angeles, California; that the same has never been rescinded or revoked and remains in full force and effect. Said Resolution is as follows, to-wit:

WHEREAS, filings with the Department of Water Administration of the State of Idaho are necessary to protect the domestic and irrigation waters for the lands owned by the Corporation in Idaho,

NOW THEREFORE BE IT RESOLVED, That the Corporation apply for water permits, well permits and claim of water rights to develop, protect and preserve existing water and water rights and new developed water sources necessary to supply water to the properties owned by the Corporation, and

BE IT FURTHER RESOLVED, That Bernard F. Burger, Charles L. Wilmore and James C. Herndon, or any one of them, be and hereby is authorized to execute whatever documents are necessary to carry out the full force and effect of this resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation, at Los Angeles, California, this 11 day of April, 1973.

Thurt. Lewis

75-4027

RECEIVED

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

Department of Water Administration
Eastern District Office

**NOTICE OF CLAIM TO A WATER RIGHT
NO. 75-4027**

Notice is hereby given that Salmon River Properties, Inc., P. O. Box 789, Salmon, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 2.0 cubic feet per second of water from Deer Creek, tributary to the Salmon River with point of diversion in the NE $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 32, T. 19N, R. 21E, B. M., Lemhi County.

The water is claimed to be used from Jan. 1 to Dec. 31 for the irrigation of 100 acres with a priority of June 6, 1927; the place of use is within the W $\frac{1}{2}$ -SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; Lot 4, Sec. 4; Lot 1, Sec. 5, T. 19N, R. 21E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 south Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on April 26 and May 3, 1973.

4-26-2tc

JERRY G. ROSIN

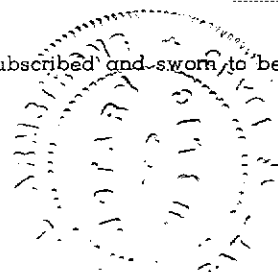
being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the Notice of Claim to Water Right # 75-4027

..... 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 26, 1973 and ending with the issue dated May 3, 1973

Jerry G. Rosin
third

Subscribed and sworn to before me, this third day of May, 1973



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

Publication Fee \$ 12.95

75-4027

ACT
ION

N OWNER LAST NAME - SALMON RIVER PROPERTIES INC.

N ADDRESS LINE 1 - C/O JAMES E. HERNDON

ADDRESS LINE 2 - P.O. BOX 789

CITY - SALMON

STATE - ID ZIP CODE - 83467

N SOURCE - DEER CREEK

TRIBUTARY OF - SALMON RIVER

N STAGE - STATRY CLM

PRIORITY - 06-06-1927 COUNTY - LEMHI

TOTAL DIV. RATE - 2.0000CFS

N DIVERSION POINT - NEW 32 19N 21E

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

USE DIV. RATE - 2.0000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 19N RNG 21E SEC 32 TRACT NWSE

TRACT SWSE

TRACT SESE

** W ** MISSING ACRES FOR IRRIGATION WATER USE

** W ** MISSING ACRES FOR IRRIGATION WATER USE

** W ** MISSING ACRES FOR IRRIGATION WATER USE

N USE - IRRIGATION

PLACE OF USE - TWN 19N RNG 21E SEC 04

LOT 04

** W ** MISSING ACRES FOR IRRIGATION WATER USE

N USE - IRRIGATION

PLACE OF USE - TWN 19N RNG 21E SEC 05

LOT 01

** W ** MISSING ACRES FOR IRRIGATION WATER USE

N REMARKS - AC. IRR.=100.

IDENT. NO. 75-4027

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 175-4027
Old No. New No.

Record

1. Original Owner: Salmon River Properties Inc.

Present Owner: _____

2. Address: C/O James E. Herndon, P.O. Box 7893. City: Salmon State: Id Zip: 834674. A. Source of Water: Deer CreekB. Tributary of: Salmon River5. A. Stage (A,P,L,D,S,J): I

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 6-6-1927D. County: 59E. Total Diversion Rate: 2.

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NE NW</u>	<u>32</u>	<u>19N</u>	<u>21E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from 1-1 to 12-31 for A purposes. Amount 2.
(cfs or AC-Ft/yr)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *Ac. irr.* = 100.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

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):

July 19, 1973

Re: Claim to a Water Right No. 75-4026, 75-~~4027~~, & 75-4028

Salmon River Properties, Inc.
c/o James C. Herndon
Attorney at Law
P. O. Box 789
Salmon, Idaho 83467

Dear Sir:

The Department of Water Administration has completed the processing of the above referenced claims to a water right and although the claims are not in the final form desired by the Department, we will retain them in our files in their present form. The Department is not authorized to take any further action under Sections 42-225a and 42-225b, Idaho Code.

As you are aware, the filing of your claims does not, in themselves, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claims.

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 files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

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

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:mb
Enc: Copies of claims (3)

75-4027

May 15, 1973

Re: Claim to a Water Right No. 75-4026, 75-4027 & 75-4028

Mr. James C. Herndon, Atty.
P.O. Box 789
Salmon, ID 83467

Dear Jim:

We have re-evaluated the above referenced claims based upon your letter indicating that the acreage in each 40-acre subdivision is shown on the plats included with each claim. However, summing the acreages in each 40-acre subdivision results in a total acreage in excess of that claimed.

We, therefore, again find it necessary to ask that you provide us with information on the acreage in each 40-acre subdivision.

These claims have been advertised using the total acreage claimed, and our final action awaits the above requested information.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:ba

75-4027

April 20, 1973

Re: Claim No. 75-4027 - Salmon River Properties, Inc.
75-4028 - " " " "

Recorder-Herald
P.O. Box 310
Salmon, ID 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 ample 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA
Enc: Legal notice

Bill submitted 5/7/73 by Cal

75-4027

NOTICE OF CLAIM TO A WATER RIGHT
BA NO. 75-4027

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75-4027
The water is claimed to be used from Jan. 1 to Dec. 31 for the irrigation of 100 acres with a priority of June 6, 1927; the place of use is within the W $\frac{1}{2}$ -SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32; Lot 4, Sec. 4; Lot 1, Sec. 5, T. 19N, R. 21E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 south Holmes, Idaho Falls, Idaho, 83401.

R. KEITH HIGGINSON
Director

Published in The Recorder-Herald, Salmon, Idaho on April 26 and May 3, 1973.

4-26-2tc

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R. KEITH HIGGINSON

Director

Published in the Recorder-Herald, Salmon, Idaho
on April 26 and May 3, 1973.

75-4027

NCY

April 16, 1973

Mr. James Herndon
Attorney-at-Law
P.O. Box 789
Salmon, ID 83467

Dear Mr. Herndon:

Attached herewith is departmental receipt No. 7158 in the amount of \$40 for the four Claim to a Water Right forms you submitted on behalf of Salmon River Properties, Inc.

There are several items that need to be clarified on the claims:

1. On the application for 1.6 c.f.s. for irrigation in Sections 8 and 9, Twp. 17N, Rge. 21E, is the source of water Upper Hat Creek, or is it Ezra Creek? The point of diversion listed is on Ezra Creek. If the right involves an exchange between Upper Hat Creek and Ezra Creek, the point of diversion from Hat Creek and the point of injection into Ezra Creek should be listed.
2. On the other three claims, the actual acreage in each 40-acre subdivision or lot should be clarified.
3. This office will require either a power of attorney for the individual signing the claims, or an indication that he is an elected official of the corporation.

Please provide this information in the form of a notarized supplement to the original claims at your earliest convenience.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:Ba

Attachment

75-4027