

HUGH M. COINER

SURVEYOR

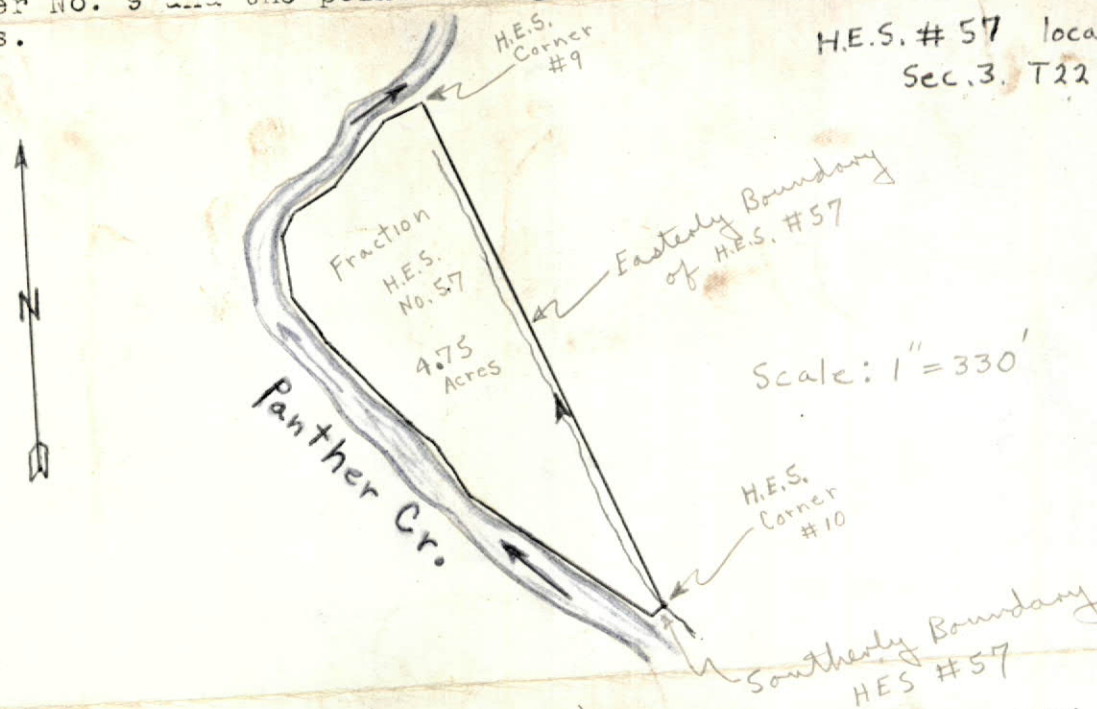
SALMON, IDAHO - 83467

July 27, 1967

* DESCRIPTION ** BACON TO STRAWN *

A fraction of H. E. S. No. 57 within the Salmon National Forest, Lemhi County, Idaho, more particularly described as follows, to wit:

Beginning at Corner No. 9 of said H. E. S. No. 57 run thence S. $62^{\circ} 27'$ W. 70.9 feet to a point on the Easterly bank of Panther Creek; thence meandering the Easterly bank of Panther Creek in a Southerly direction as follows, S. $37^{\circ} 19'$ W. 133.7 feet; S. $55^{\circ} 59'$ W. 92.4 feet; S. $26^{\circ} 01'$ W. 55.4 feet; S. $10^{\circ} 21'$ E. 92.3 feet; S. $31^{\circ} 42'$ E. 109.1 feet; S. $44^{\circ} 17'$ E. 142.4 feet; S. $50^{\circ} 34'$ E. 98.4 feet; S. $34^{\circ} 39'$ E. 115.0 feet; S. $56^{\circ} 03'$ E. 136.1 feet; S. $55^{\circ} 23'$ E. 138.0 feet; S. $57^{\circ} 38'$ E. 93.8 feet to a point on the Southerly boundary of H. E. S. No. 57; thence N. $43^{\circ} 42'$ E. along the Southerly boundary of H. E. S. No. 57 a distance of 21.0 feet to Corner No. 10 of H. E. S. No. 57; thence N. $24^{\circ} 01'$ W. along the Easterly boundary of H. E. S. No. 57 a distance of 960.96 feet to Corner No. 9 and the point of beginning. Containing 4.75 acres.



75-4006

NOTICE OF CLAIM TO A WATER RIGHT
NO. 75-4006

Notice is hereby given that Agness H. Strawn, 27th 4th Street, Idaho Falls, Idaho has filed a claim to a water established by diversion and application to beneficial use of 0.20 cubic feet per second of water from Panther Creek, tributary to Salmon River with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 22N, R. 18E, B.M., Lemhi County.

The water is claimed to be used from April 1 to Nov. 1 with a priority of April 1, 1918; the place of use is within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3, T. 22N, R. 18E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, 240 So. Holmes, Idaho Falls, Idaho 83401.
 R. Keith Higginson
 Director

Published in the Recorder-Herald, Salmon, Idaho on Sept. 16 and Sept. 23, 1971.

9-16-2tc

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 # 75-4006

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 Sept. 16, 19 71 and ending with the issue dated Sept. 23, 19 71

Jerry G. Rosin
 twenty third

Subscribed and sworn to before me, this

day of September, 19 71

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

Publication Fee \$ 12.21

75-4006

Identification No. _____

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

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.

(Please refer to the instructions on the back of this form)

1. Name of claimant Agness H. Strawn
post office address 274 4th Street Idaho Falls, Idaho 83401
2. The point of diversion is in ^{Unsurveyed} NW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 3 Township 22N
Range 18E B.M. located on Panther Creek
(name of source)
tributary to Salmon River in Lemhi County.
3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.
 - a. Date of priority claimed:
1 April 1918 amount: 0.20 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed _____ c.f.s. or _____ acre feet.
 - b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed:
use Irrigation period of use from 1 April to 1 November (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).
4. Description of diverting works: ***** See Remarks**
 - a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known No increase known

 - b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____ ;

75-4006

attach well logs if available; has there been any change in pump or motor since well was first completed _____; if so, give dates and explain _____

- c. Conveying works: length of ditch to place of use is 300 feet; width of ditch at top is 2 feet; width of bottom of ditch is 1 feet; depth of water is 1 feet; grade of ditch per 1000 feet is 2 feet; material through which ditch passes is Sandy - Gravel; maximum length of pipe line to first place of use is _____ feet; diameter of pipe line is _____ inches; type of pipe _____; grade of pipe per 1000 feet is _____.
- Please explain any changes or increase in size of conveying system since water was first appropriated, giving date and dimensions if possible: None

- d. If water is stored: name of reservoir _____; total capacity of reservoir is _____ acre feet; active capacity of reservoir is _____ acre feet; year construction commenced _____; year completed _____; date first used _____; period of storage is from _____ to _____; is reservoir drained each year _____; is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			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	
22N	18E	3				4.75													4.75

Located in Southern part of H.E.S. #57

Total number of acres to be irrigated 4.75

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

None Known

b. Do you get water through a ditch owned by several users? No If yes, give the name of the ditch
_____. The other users and their respective
interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation
Claimant's property is part of H.E.S. No. 57 which has also been
known as the Rood Ranch.

*** The diversion is located on U. S. Forest Service land. The rate
of flow into claimant's irrigation ditch is controlled by hand shoveling sod
into diversion there is no wooden head works. Sometimes a large rock
is used to shut off flow into the ditch.

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.

Sworn to before me this 24th day of August, 1971

X Agnes H. Strawn
Claimant

Lyle Glen Layton
Notary Public

Residing at Salmon, Idaho

My commission expires 14 July 1974

For Department Use Only

Received by <u>ej</u>	Date <u>8-26-71</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>ej</u>	Date <u>8-26-71</u>		claimant by:	
Fee received by <u>ej</u>	Date <u>8/26/71</u>	Fee \$ <u>10.00</u>		
Approved for publication by				
Published in <u>RECORDING HERALD</u>	Dates <u>9-16+23-71</u>			
<u>AT SALMON IDAHO</u>				

7A 110010

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8 c.f.s.</u> or _____	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4 c.f.s.</u> or _____	acre feet
		Total claimed:	<u>1.2 c.f.s.</u> or _____	acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

HUGH M. COINER

SURVEYOR

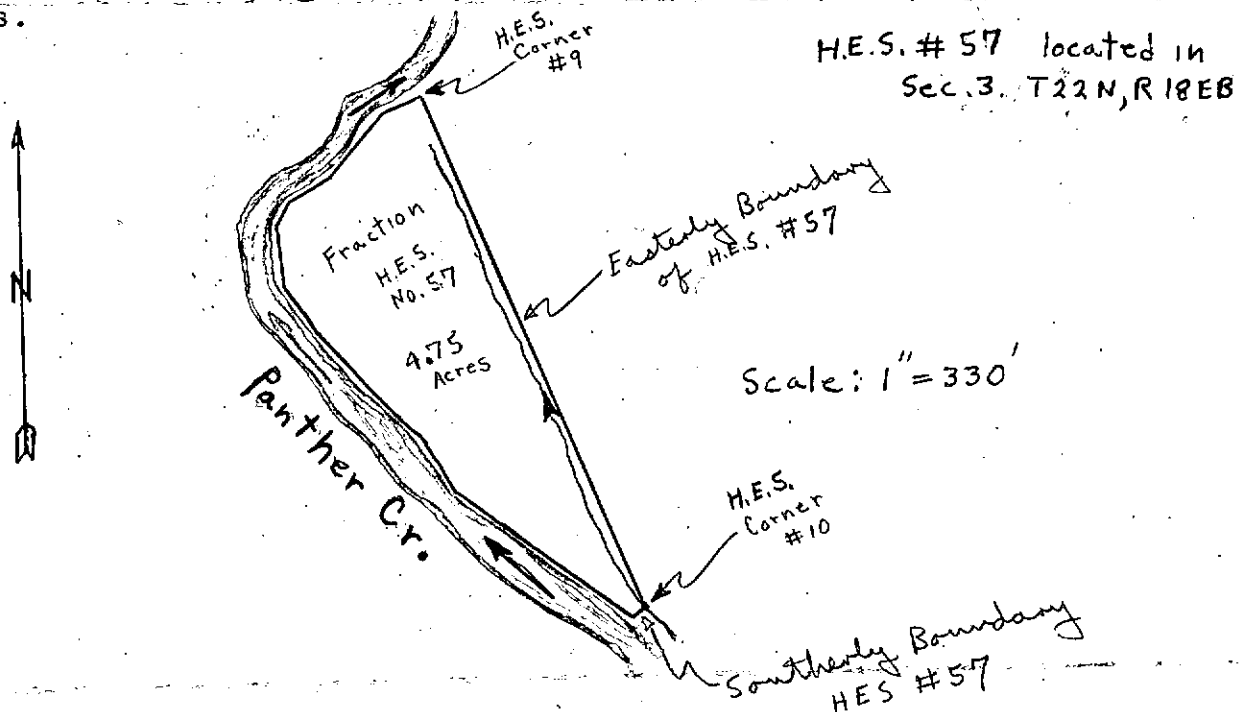
SALMON, IDAHO - 83467

July 27, 1967

* DESCRIPTION ** BACON TO STRAWN *

A fraction of H. E. S. No. 57 within the Salmon National Forest, Lemhi County, Idaho, more particularly described as follows, to wit:

Beginning at Corner No. 9 of said H. E. S. No. 57 run thence S. $62^{\circ} 27'$ W. 70.9 feet to a point on the Easterly bank of Panther Creek; thence meandering the Easterly bank of Panther Creek in a Southerly direction as follows, S. $37^{\circ} 19'$ W. 133.7 feet; S. $55^{\circ} 59'$ W. 92.4 feet; S. $26^{\circ} 01'$ W. 55.4 feet; S. $10^{\circ} 21'$ E. 92.3 feet; S. $31^{\circ} 42'$ E. 109.1 feet; S. $44^{\circ} 17'$ E. 142.4 feet; S. $50^{\circ} 34'$ E. 98.4 feet; S. $34^{\circ} 39'$ E. 115.0 feet; S. $56^{\circ} 03'$ E. 136.1 feet; S. $55^{\circ} 23'$ E. 138.0 feet; S. $57^{\circ} 38'$ E. 93.8 feet to a point on the Southerly boundary of H. E. S. No. 57; thence N. $43^{\circ} 42'$ E. along the Southerly boundary of H. E. S. No. 57 a distance of 21.0 feet to Corner No. 10 of H. E. S. No. 57; thence N. $24^{\circ} 01'$ W. along the Easterly boundary of H. E. S. No. 57 a distance of 960.96 feet to Corner No. 9 and the point of beginning. Containing 4.75 acres.



Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

NOTICE OF CLAIM TO A WATER RIGHT NO. 75-4006

Notice is hereby given that Agness H. Strawn, 27th 4th Street, Idaho Falls, Idaho has filed a claim to a water established by diversion and application to beneficial use of 0.20 cubic feet per second of water from Panther Creek, tributary to Salmon River with point of diversion in the NW 1/4 SE 1/4, Sec. 3, T. 22N, R. 18E, B.M., Lemhi County.

The water is claimed to be used from April 1 to Nov. 1 with a priority of April 1, 1918; the place of use is within the SE 1/4 NE 1/4, Sec. 3, T. 22N, R. 18E, B. M.

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

R. Keith Higginson
Director
Published in the Recorder-Herald, Salmon, Idaho on Sept. 16 and Sept. 23, 1971.

9-16-2tc

JERRY G. ROSIN

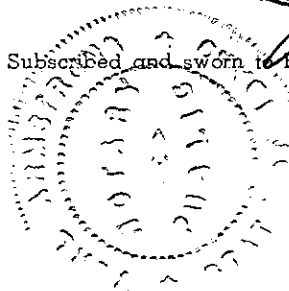
being first duly sworn, deposes and says that he is one of the printers (publisher) of the RECORDER HERALD, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein,

That the Notice of Claim to Water Right # 75-4006

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 Sept. 16, 1971 and ending with the issue dated Sept. 23, 1971

Jerry G. Rosin
twenty third

Subscribed and sworn to before me, this day of September, 1971



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

Publication Fee \$ 12.21

75-4006

ACTION

N OWNER LAST NAME - STRAWN FIRST NAME - AGNESS H.

N ADDRESS LINE 1 - 274 4TH ST.

N CITY - IDAHO FALLS STATE - ID ZIP CODE - 83401

N SOURCE - PANTHER CREEK

N TRIBUTARY OF - SALMON RIVER

N STAGE - STATRY CLM

N PRIORITY - 04-01-1918 COUNTY - LEMHI TOTAL DIV. RATE - .2000CFS

N DIVERSION POINT - NWSE 03 22N 18E

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

N USE DIV. RATE - .2000CFS

N USE - IRRIGATION PLACE OF USE - TWN. 22N RNG 18E SEC 03 TRACT SENE AC 05

N REMARKS - AC. IRR.=4.75.

N P/U H.E.S. 57, ROOD RANCH.

IDENT. NO. 75-4006

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 75-4006
Old No. New No.

Record

1. Original Owner: Agness H. Strawn

Present Owner: _____

2. Address: 274 4th St.
3. City: Idaho Falls State: ID Zip: 83401
4. A. Source of Water: Panther Creek
B. Tributary of: Salmon River

5. A. Stage (A,P,L,D,S,J): S
B. Status (D,L,R,C,A,I,F - leave blank if valid):
C. Priority Date: 4-1-1918
D. County: 59
E. 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>NW 1/4</u>	<u>3</u>	<u>22N</u>	<u>18E</u>		

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

from 4-1 to 11-1 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 _____

P/11979

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *Ascaris*, = 4.75.
B. P/U HES. #57, Road Ranch.
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):

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

October 5, 1971

Re: Claim to a Water Right No. 75-4006

Agness H. Strawn
274 4th Street
Idaho Falls, Idaho 83401

Dear Ms. Strawn:

The Department of Water Administration has completed the processing of your claim to a water right and no further action is authorized under Section 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,

Donald W. McEldowney
Appropriation Supervisor

DWM/bb

Enclosure: Copy of Claim

75-4006

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Lemhi)

WILLARD T. ROOD, being first duly sworn, deposes and says:

That he is a citizen of the United States of America, over the age of twenty-one (21) years, and has resided in Lemhi County approximately forty (40) years.

That affiant is personally and well acquainted with the irrigation of H. E. S. No. 57 located on Panther Creek which is a tributary to the Salmon River.

That H. E. S. No. 57 was patented approximately in the year 1912 or 1913 by affiant's father, Willard Rood.

That a fraction of H. E. S. No. 57 is now owned by Agness H. Strawn.

That an irrigation ditch diverted from Panther Creek for the irrigation of the property now owned by Agness H. Strawn existed and was used as early as 1918 and possibly earlier in time.

That affiant has maintained the above described ditch for approximately twenty (20) years.

That said irrigation ditch is approximately one quarter (1/4) to one-half (1/2) mile in length and is approximately two (2) feet in width and is approximately one and one-half (1 1/2) feet in depth.

That said irrigation ditch was and is capable of carrying forty (40) to fifty (50) miner's inches of water.

That the fraction of H. E. S. No. 57 now owned by Agness H. Strawn is approximately located in the unsurveyed section 3, township 22 North, range 18 East, Boise Meridian

That said ditch could physically irrigate only the fraction of H. E. S. No. 57 now owned by Agness H. Strawn.

Willard T. Rood

Subscribed in my presence and sworn to before me this 23rd day of July 1971

Lyle Glen Saxton

Notary Public for Idaho
Residing at: Salmon, Idaho
My Commission Expires: 7-14-74

Seal

75-4004

AFFIDAVIT

STATE OF IDAHO)
) ss.
County of Lemhi)

RECEIVED

AUG 23 1971

Department of Public Administration

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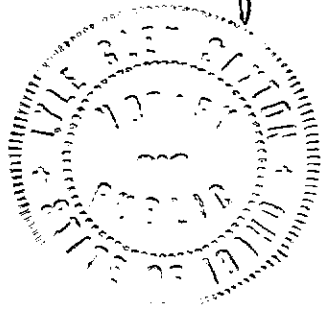
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Willard T. Rood

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Lyle Glen Saxton
Notary Public for Idaho
Residing at: Salmon, Idaho
My Commission Expires: 7-14-74

7B-4006

September 7, 1971

Re: Claim No. 75-4006 - Agness H. Strawn

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 ample time for you to submit us a galley proof for our 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 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. 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

Bill submitted to Boise Office 9-29-71 by CR

NCY:BJ
Enc: Legal notice

75-4006

NOTICE OF CLAIM TO A WATER RIGHT

No. 75-4006

Notice is hereby given that Agness H. Strawn, 27th 4th Street,
Idaho Falls, Idaho

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 0.20 cubic feet per second ~~acres~~ XXXXXXX
of water from Panther Creek, tributary to Salmon River
with point of diversion in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T. 22N, R. 18E, B.M., Lemhi
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The water is claimed to be used from April 1 to Nov. 1

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R. KEITH HIGGINSON

Director

Published in the Recorder-Herald, Salmon, Idaho
on Sept. 16 and Sept. 23, 1971.

75-4006

August 31, 1971

Agness H. Strawn
274 - 4th St.
Idaho Falls, Idaho 83401

Dear Mrs. Strawn:

Attached herewith is your receipt No. 7565 in the amount of \$ 10.00
for your claim application
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

75-4006