

No. 12601.

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

1. Name of applicant. Charles W. Temple.

Postoffice address. Carmen County. Lemhi State. Idaho.
1. If applicant is a corporation, give (a) Date and place of incorporation
(b) The amount of capital stock. (c) The amount paid in.
(d) Names and addresses of directors.

II. The financial resources of the applicant are: (a) Cash on hand.
(b) Treasury stock. (c) Bonds to be issued.
(d) Other resources.

2. The quantity of water claimed is 3 cubic feet per second.

3. Source of water supply. South Fork of Carmen Creek.

4. Location of point of diversion. NE $\frac{1}{4}$ Sec. 36, T₂, 23 N. R. 22 E.

5. To be used for: Irrigation and domestic purposes. County of Lemhi.

I. Irrigation and domestic use. (a) Amount of land to be irrigated. 200 acres.
(b) In the following legal subdivisions. E $\frac{1}{2}$ Sec. 36, E $\frac{1}{2}$ Sec. 36, and E $\frac{1}{2}$ Sec. 36, T₂,
23 N. R. 22 E. S. 1.

II. Mining, milling, power, manufacturing, transportation or other purposes.

[a] At what point:

[b] Amount of power to be generated. H. P. under ft. head
[c] Is water to be returned to any stream? (d) If so, name stream and locate point of return.

6. Estimated cost of works: \$300.00

7. Description of works for diversion.

I. Kind of works: Dam and Ditch.

II. Dimensions of works: [a] Height of dam 2 feet, length of dam at top 10 feet.
length of dam at bottom 8 feet Material used in construction: earth, wood and stone.

[b] Capacity of reservoir acre feet. [c] Size of headgate, width 3 feet.
Height 2 feet. [d] Conduit ditch width at bottom 2 $\frac{1}{2}$ feet.
width at water line 3 feet, depth of water 1 feet, diameter of pipe
inches, average grade per mile is 20 feet. Length of conduit is $\frac{3}{4}$ miles,
and it crosses the following quarter sections: E $\frac{1}{2}$ Sec. 36, T₂, 23 N. R. 22 E.

8. The time required for the completion of the construction of such work is Two years.

9. Time required for the complete application of the water to the proposed use is Two additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Charles W. Temple, Applicant.

7B-4005

Date of first receipt at office of State Engineer 2400 A.M. Jan 13, 1912.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 8398.

Recorded in Book 27

Page 8398

Approved July 6, 1912.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of to be filed on or before

Work to begin on or before September 4, 1912

and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 6, 1913.

The whole of said work to be completed on or before July 6, 1914.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 6, 1916.

Witness my hand this sixth day of July, 1912.

A. E. Robinson,
State Engineer.

Remarks:

Proof of Completion of Works made May 19, 1914.

Certificate of Completion of Works issued June 11, 1914.

Permit No. 8398

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Charles W. Temple of Salmon, County of Lemhi, and State of Idaho, the holder of Permit No. 8398, issued upon Application No. 12601, bearing date of priority of June 13, 1912, authorizing the diversion of 3 second feet of the waters of South Fork of Carmen Creek, County of Lemhi, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 3 second-feet of the waters of South Fork of Carmen Creek; that the point of diversion of said waters is at a point in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 36, Tp. 23 N. R. 22 E. S. 14. N., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 36, E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, Tp. 23 N. R. 22 E. S. 14. N., containing 200 acres.

Witness my hand this 11th day of June, A. D. 1914.

F. P. KING,

State Engineer of the State of Idaho.

Recorded by
Checked by

75-4005

75-4003

OFFICE OF STATE ENGINEER
PROOF OF COMPLETION OF WORKS
 AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Lemhi

Charles T. Temple

being first duly sworn upon his oath deposes and says:

First: That he is the holder and owner of Permit to appropriate the Public Waters of the State of Idaho, No. 8398 and that his postoffice address is Salmon, Lemhi County, Idaho,
 State of Idaho,

Second: That under the terms and conditions of said permit, construction thereunder was required to be completed by July 6th, 1914

Third: That the use for which said water is intended is Irrigation and domestic

Fourth: That on the date above mentioned, the works constructed under said permit were ~~not~~ fully completed and consisted of the following:

I. Kind of works: Dam and Ditch

(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work:

(a) Height of dam 2 feet, length of dam at top 10 feet, length of dam at bottom 6 feet. Material used in construction earth, wood and stone

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir acre feet

(c) Size of headgate: Width 3 feet, height 2 feet.

(d) Conduit ditch width at bottom 2 1/2 feet, width at water

line 3 feet, depth of water 1 feet; diameter of pipe inches

average grade per mile is 20 feet. Length of conduit is 2 miles.

Fifth: That said works are capable of conducting to the place of intended use three cu.ft. second feet of water.

Sixth: That water appropriated under said permit is available for 200 acres of land described as follows: E1SW1/4 Sec.36, E4SE1/4, and SW1SE1/4 Sec.35, Tp.23 N.R.22 E. E.M.

E.M.

Seventh. Remarks: That Said ditch is fully completed, and capable of carrying the amount of water set out in the Permit from point of diversion to place of use.

Sign here.

Subscribed and sworn to before me this 19th day of May, 1914

My commission expires December 31st, 1914

Notary Public

8398

**NOTICE OF CLAIM TO A WATER RIGHT
NO. 75-4005**

Notice is hereby given that Morgan DeBoard, P. O. Box F, Salmon, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3.50 cubic feet per second of water from Freeman Creek, tributary to Carmen Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 23N, R. 22E, B. M.; NE $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 31, T. 23N, R. 23E, B. M., Lemhi County.

The water is claimed to be used from April 1 to Nov. 1 for the irrigation of 115.2 acres with a priority of June 13, 1912 (1.5 cfs); June 1, 1948 (1.7 cfs); with a priority of May 1, 1959 (0.30 cfs); the place of use is within the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36; E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 35; T. 23N, R. 22E, B. M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 22N, R. 22E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. Keith Higgonson
Director

Published in the Recorder-Herald, Salmon, Idaho on July 8 and July 15, 1971.

7-8-2tc

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 a Water Right No. 75-4005

_____ 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 July 8, 1971 and ending with the issue dated July 15, 1971

Jerry G. Rosin

Subscribed and sworn to before me, this fifteenth

day of July, 19 71

Carl Armstrong

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

Publication Fee \$ 14.06

75-4005

Identification No. _____

Claim No. 75-4005

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 Morgan DeBoard

post office address P. O. Box F Salmon, Idaho 83467

2. Points of Diversion are NE SE 36 23N
The point of diversion is in NE SW 31 23N
Range 22E Township 31 23N

B.M. located on Freeman Creek (or) S. Fork of Carmen Creek
(name of source) same source ya

tributary to Carmen Creek 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:

<u>June 1, 1948</u>	amount: <u>1.7</u>	c.f.s. or <u>Div. in NESW, Section 31</u>	<u>acre feet</u>
<u>June 13, 1912</u>	amount: <u>1.5</u>	c.f.s. or <u>Div. NESE, Sec. 36</u>	<u>acre feet</u>
<u>May 1, 1959</u>	amount: <u>0.30</u>	c.f.s. or <u>Div. NESW, Sec. 31</u>	<u>acre feet</u>
Total claimed <u>3.50</u>			c.f.s. or <u>acre feet</u>

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 April 1 to November 1 (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:

a. Surface water diversion dam and/or headgate: material is composed of Wooden Headgates ***
_____ ; length is 3.0 feet; height is 2.5 feet;
width at bottom is 2 feet; with at top is 2 feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known None Known
*** Both diversion structures are of similar size.

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 _____

75-4005

Explain any significant increase in area irrigated since first use, give dates and acreages, if known _____
 Area with sprinkler ^{irrigation} ~~xxxxxxx~~ claimed herein has a priority of _____
 May 1, 1959

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 none

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 none

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation

For reference to priority dates, refer to Permit #8398 which
was issued to Charles W. Temple, a previous owner of claimant's
property, on June 13, 1912. This permit has been cancelled but
applicant claims a use right based on this cancelled permit.

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

21st

day of

Morgan DeBoer
Claimant

June

1971

Lyle Glen Layton
Notary Public

Residing at

Salmon, Idaho

My commission expires

14 June 1974

For Department Use Only

Received by u Date 6/28/71

Exception filed by: _____

Forwarded to
claimant by: _____

Date _____

Prelim. check by eg Date 6/28/71

Fee received by eg Date 6/28/71 Fee \$ 10.00

Approved for publication by eg

Published in Recorder-Herald Dates 7-8-47-15-71

75-4005

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</u> c.f.s. or	_____	acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	_____	acre feet
		Total claimed:	<u>1.2</u> c.f.s. 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.

No. 15001.

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Idaho

I. Name of applicant W. Temple

Residence Idaho County Blaine State Idaho

1. If applicant is a corporation, give (a) Date and place of incorporation
(b) The amount of capital stock (c) The amount paid in
(d) Names of full holders of director

II. The financial resources of the applicant are (a) Cash on hand
(b) Treasury stock (c) Bonds to be issued
(d) Other resources

2. The quantity of water claimed is 4 cubic feet per second

3. Source of water supply: South Fork of Salmon River

4. Location of point of diversion 7 1/2 mi. S. 30, T. 2, R. 23 E. 24 N.

5. To be used for: Irrigation, for domestic purposes. County of Blaine.

I. Irrigation and domestic use (a) Amount of land to be irrigated 100 acres
(b) In the following legal subdivisions 3 1/2 Sec. 30, T. 2, R. 23 E. 24 N.
(c) Sec. 30, T. 2, R. 23 E. 24 N.

II. Mining, milling, power, manufacturing, transportation or other purposes

(a) At what point:

(b) Amount of power to be generated:

H. P. under

ft. head

(c) Is water to be returned to any stream?
return.

(d) If so, name stream and locate point of

6. Estimated cost of works: \$300.00

7. Description of works for diversion:

I. Kind of works: Dam and Ditch.

II. Dimensions of works (a) Height of dam 2 feet, length of dam at top 10 feet,
length of dam at bottom 0 feet. Material used in construction, earth, wood and stone.

(b) Capacity of reservoir acre feet. (c) Size of headgate, width 3 feet,

Height 2 feet. (d) Conduit ditch width at bottom 2 1/2 feet,

width at water line 3 feet, depth of water 1 feet, diameter of pipe

inches, average grade per mile is 20 feet. Length of conduit is 3/4 miles,
and it crosses the following quarter sections: 3 1/2 Sec. 30, T. 2, R. 23 E. 24 N.

8. The time required for the completion of the construction of such work is Two years.

9. Time required for the complete application of the water to the proposed use is Two additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Charles W. Temple,
Applicant.

7B-4005

Date of first receipt at office of State Engineer 9400 A.D. June 13, 1913.

Returned to applicant for correction

Corrected application received

APPROVAL OF STATE ENGINEER

The number of this permit is 8298.

Recorded in Book 27

Page 8398

Approved July 6, 1913.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions.

Bond in the sum of _____ to be filed on or before _____

Work to begin on or before September 4, 1913 and to continue diligently and uninterruptedly

to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 6, 1913.

The whole of said work to be completed on or before July 6, 1913.

Beneficial use of water appropriated in accordance herewith, to be made on or before July 6, 1913.

Witness my hand this sixth day of July, 1913.

A. D. Robinson,
State Engineer.

Remarks.

Proof of Completion of Works made May 19, 1914.

Certificate of Completion of Works issued June 11, 1914.

Permit No. 8298

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom It May Concern:

This is to certify that Charles W. Temple, of within, County of Lemhi, and State of Idaho, the holder of Permit No. 8298, issued upon Application No. 12601, bearing date of priority of June 12, 1913, authorizing the diversion of 2 second feet of the waters of South Fork of Salmon Creek, County of Lemhi, State of Idaho, for irrigative and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the work of diversion, set out and specified in said permit; that said works are adequate for diverting and conveying to the place of intended use 2 second-feet of the waters of South Fork of Salmon Creek; that the point of diversion of said waters, being a point on the N1/2 of the NE1/4, Sec. 20, Tp. 32 N. R. 20 E. S. 30 E. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: N1/2 Sec. 16, R2, S2, and S3, E2, Section 36, Tp. 33 N. R. 20 E. S. 30 E. A. M. containing 200 acres.

Witness my hand this 11th day of June, A. D. 1914.

F. J. KING,

State Engineer of the State of Idaho.

Recorded by
J. L. Smith

75-4005

Affidavit of Publication

NOTICE OF CLAIM TO A WATER RIGHT NO. 75-4005

Notice is hereby given that Morgan DeBoard, P. O. Box F, Salmon, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3.50 cubic feet per second of water from Freeman Creek, tributary to Carmen Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 23N, R. 22E, B. M.; NE $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 31, T. 23N, R. 23E, B. M., Lemhi County.

The water is claimed to be used from April 1 to Nov. 1 for the irrigation of 115.2 acres with a priority of June 13, 1912 (1.5 cfs); June 1, 1948 (1.7 cfs); with a priority of May 1, 1959 (0.30 cfs); the place of use is within the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36; E $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35; T. 23N, R. 22E, B. M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 22N, R. 22E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. Keith Higgonson
Director

Published in the Recorder-Herald, Salmon, Idaho on July 8 and July 15, 1971.

7-8-2tc

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 a Water Right No. 75-4005

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 July 8, 1971 and ending with the issue dated July 15, 1971

Jerry G. Rosin

Subscribed and sworn to before me, this fifteenth

day of July, 1971

Neil Armstrong

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

Publication Fee \$ 14.06

75-4005

ACTION

N OWNER LAST NAME - DE BOARD FIRST NAME - MORGAN
N ADDRESS LINE 1 - P.O. BOX F
N CITY - SALMON STATE - ID ZIP CODE - 83467
N SOURCE - CARMEN CREEK, SOUTH FORK TRIBUTARY OF - CARMEN CREEK
N STAGE - STATRY CLM PRIORITY - 06-13-1912 COUNTY - LEMHI TOTAL DIV. RATE - 3.5000CFS
N DIVERSION POINT - NESE 36 23N 22E NESW 31 23N 23E
N FROM - 04-01 TO - 11-01 USE - IRRIGATION USE DIV. RATE - 3.5000CFS
N USE - IRRIGATION PLACE OF USE - TWN 23N RNG 22E SEC 36 TRACT NESW AC 17 TRACT NWSW AC 24
N TRACT SWSW AC 23 TRACT SESW AC 09
N TRACT NWSE AC 04
N USE - IRRIGATION PLACE OF USE - TWN 23N RNG 22E SEC 35 TRACT NESE AC 14 TRACT SESE AC 17
N USE - IRRIGATION PLACE OF USE - TWN 22N RNG 22E SEC 02 TRACT NENE AC 06
N REMARKS - SOURCE LOCALLY KNOWN AS FREEMAN CK.
N PRIORITIES ARE 6-13-1912 OF 1.5 CFS, 6-1-1948 OF 1.7 CFS &
N 5-1-1959 OF .3 CFS.
N AC. IRR.=115.2.

IDENT. NO. 75-4005

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 75-4005
OTd No. New No.

Record

1. Original Owner: Morgan De Board

Present Owner: _____

2. Address: P.O. Box F3. City: Salmon State: ID Zip: 834674. A. Source of Water: Carmen Creek, South forkB. Tributary of: Carmen Creek5. 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: 6-13-1912D. County: 59E. Total Diversion Rate: 3.5

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 SE</u>	<u>36</u>	<u>23N</u>	<u>22E</u>		
	<u>NE SW</u>	<u>31</u>	<u>23N</u>	<u>23E</u>		

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

from 4-1 to 11-1 for 7 purposes. Amount 3.5
(cfs or AG-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

11979

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	
23N	22E	36									17	24	23	9		4			77
		35													14			17	31
22N	22E	2	6																26
																			114

58
7

- 9. A. Decree Name:
- B. Decree Date:

10. Remarks: A. Source locally known as Freeman Ck.
 B. Priorities: 6-13-1912 of 1.5 cfs, 6-1-1948 of 1.7 cfs
 C.
 D. Ac. in. = 115.2. * 5-1-1959 of .3 cfs.
 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 29, 1971

Re: Claim to a Water Right No. 75-4005

Morgan DeBoard
P. O. Box F
Salmon, Idaho 83467

Dear Mr. DeBoard:

The Department of Water Administration 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,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

75-4005

July 1, 1971

Re: Application No. 74-7013 - Lysle or Mae C. Mulkey
Claim No. 75-4005 Morgan DeBoard

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 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,

Donald W. McEldowney
Appropriation Supervisor

Bill submitted 7-28-71 By dm

DWM:cr

75-4005

Enclosures

NOTICE OF CLAIM TO A WATER RIGHT
NO. 75-4005

Notice is hereby given that Morgan DeBoard, P. O. Box F, Salmon, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 3.50 cubic feet per second of water from Freeman Creek, tributary to Carmen Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 23N, R. 22E, B. M.; NE $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 31, T. 23N, R. 23E, B. M., Lemhi County.

The water is claimed to be used from April 1 to Nov. 1 for the irrigation of 115.2 acres with a priority of June 13, 1912 (1.5 cfs); June 1, 1948 (1.7 cfs); with a priority of May 1, 1959 (0.30 cfs); the place of use is within the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36; E $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35; T. 23N, R. 22E, B. M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 22N, R. 22E, B. M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. Keith Higgonson
Director

Published in the Recorder-Herald, Salmon, Idaho on July 8 and July 15, 1971.

7-8-2tc

Handwritten:
\$
C. m.
7-9-71

75-4005

NOTICE OF CLAIM TO A WATER RIGHT

No. 75-4005

Notice is hereby given that Morgan DeBoard, P .O. Box F,

Salmon, Idaho

has filed a claim to a water right established by diversion and application to beneficial use of 3.50 cubic feet per second ~~more than~~ of water from Freeman Creek, tributary to Carmen Creek with point of diversion in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 23N, R. 22E, B.M.;
NE $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 31, T. 23N, R. 23E, B.M., Lemhi County.

The water is claimed to be used from April 1 to Nov. 1 for the
irrigation of 115.2 acres
with a priority of June 13, 1912 (1.5 cfs); June 1, 1948 (1.7 cfs);
May 1, 1959 (0.30 cfs);
the place of use is within the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36; E $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 35;
T. 23N, R. 22E, B.M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 2, T. 22N, R. 22E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Recorder-Herald, Salmon, Idaho
on July 8 and July 15, 1971.

75-4005

June 28, 1971

Morgan DeBoard
P. O. Box F
Salmon, Idaho 83467

Dear Mr. DeBoard:

Returned herewith is your receipt No. 6767 in the amount of \$10.00
for your claim application,
which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

75-4005