

**NOTICE OF CLAIM TO A WATER RIGHT
NO. 75-4003**

Notice is hereby given that Eugene G. Hussey, Star Route, Salmon, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.7 cubic feet per second of water from Iron Creek, tributary to the Salmon River, with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16, T. 18N, R. 21E, B. M., Lemhi County.

The water is claimed to be used from April 1 to Sept. 1 for irrigation purposes with a priority of April 28, 1928; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 2), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 3), Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 10), Sec. 10; T. 18N, R. 21E, 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 May 6 and May 13, 1971.

5-6-2tc

Affidavit of Publication

RECEIVED
1971
Department of Water Administration

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 # 75-4003

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 May 6, 1971 and ending with the issue dated May 13, 1971

Jerry G. Rosin
thirteenth

Subscribed and sworn to before me, this

day of May, 1971

Verl Armstrong

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

Publication Fee \$ 8.16

75-4003

75-4003

Blackfoot 043382

4-1028-R

The United States of America,

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Register of the Land Office at Blackfoot, Idaho, has been deposited in the General Land Office, whereby it appears that full payment has been made by the claimant Frank C. Russey according to the provisions of the Act of Congress approved March 3, 1877, entitled "An Act to provide for the sale of desert lands in certain States and Territories," as amended by the Act of March 3, 1891, for the Lots two and three of Section nine in Township eighteen north of Range twenty-one east of the Boise Meridian, Idaho, containing seventy-one acres and ninety-three hundredths of an acre,

according to the Official Plat of the Survey of the said Land on file in the GENERAL LAND OFFICE,

NOW KNOW YE, That the UNITED STATES OF AMERICA, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT, unto the said claimant and to the heirs of the said claimant the Tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with such water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right of way thereon for ditches or canals constructed by the authority of the United States. Reserving unto the United States, its permittee or licensee, the right to enter upon, occupy and use, any part or all of said lands, for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063), and subject to the conditions and limitations of Section 24 of said Act, as amended by the Act of August 26, 1935 (49 Stat. 846).

IN TESTIMONY WHEREOF, I, Franklin D. Roosevelt,

President of the United States of America, have caused these letters to be made Patent, and the Seal of the General Land Office to be hereunto affixed.

GIVEN under my hand, at the City of Washington, the TWENTY-THIRD day of APRIL, in the year of our Lord one thousand nine hundred and THIRTY-NINE, and of the Independence of the United States the one hundred and SIXTY-THIRD

By the President: *Franklin D. Roosevelt*
By *Jeannette L. Lavin*, Secretary,
W. Clinton

ACUING Recorder of the General Land Office.

1102487
RECORD OF PATENTS: Patent Number

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EASTERN STATES LAND OFFICE
7981 EASTERN AVENUE
SILVER SPRING, MARYLAND 20910

JUN 3 1963

I hereby certify that this photograph is a true copy of the patent record, which is in my custody in this office.

William J. Doran
Certifying Officer

Identification No. P
Claim No. 75-4003
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 Eugene G. Hussey
post office address Star Route Salmon, Idaho 83467
2. The point of diversion is in SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 16 Township 18 North
Range 21 East B.M. located on Iron 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:

28 April, 1928 amount: 0.7 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 April 1 to September 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 Earth and Rock
Fill Material; length is _____ feet; height is 2 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 None

- 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 _____

75-4003

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 1.1 miles ~~feet~~ width of ditch at top is 4 feet; width of bottom of ditch is 3½ feet; depth of water is 18 in. ~~feet~~; grade of ditch per 1000 feet is _____ feet; material through which ditch passes is Rocky Clay; 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.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
18N.	21E.	9											(Lot 2)	→ 4.3					4.3
		9											(Lot 3)	→ 11.7					11.7
		10											6.8 ← (Lot 10)						6.8

Total number of acres to be irrigated 22.8

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

None

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) Claimant also runs other water (decreed to other lands) through the same ditch

6. Where water is used for stock watering, give number of each kind of stock watered No

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
This claim is based upon the continuous use of 0.7 cfs of irrigation water mentioned in Permit No. 16856 (New No. 75-2086). The permit procedure was not proved up upon by claimants father, even though the water was continuously used. Claimant is aware that permit is being held for cancellation, but prefers to file this claim rather than lose many years of priority by completing the permit. Permit will be cancelled due to failure to prove completion of works which was due on April 28, 1932. This water is for irrigation of lots 2 and 3, Section 9; Lot 10, Section 10; Township 18 North, Range 21 East, Boise Meridian

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

April 16, 1971
(Date)

Eugene H. Hussey
(Signature of Claimant)

State of Idaho

County of Lemhi } ss.

On this 16th day of April 1971, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

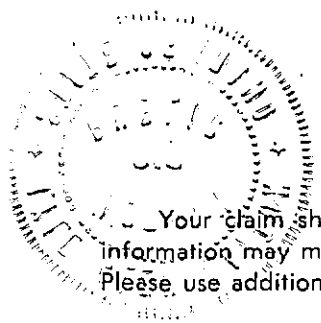
Lyle Glen Saxton
Notary Public residing at Salmon, Idaho

My commission expires 14 July 1974

For Department Use Only

Received by <u>[Signature]</u>	Date <u>4-21-71</u>	Exception filed by:	Forwarded to claimant by:	Date
Prelim. check by <u>[Signature]</u>	Date <u>4-21-71</u>			
Fee received by <u>[Signature]</u>	Date <u>4/21/71</u>	Fee \$ <u>10.00</u>		
Approved for publication by <u>[Signature]</u>				
Published in <u>Recorder Herald</u>	Dates <u>5-6 & 5-13, 1971</u>			
at <u>Salmon, Idaho</u>				

15-4003



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

William J. Roravoge
Capt. and Officer

75-4003

108600

WARRANTY DEED

For Value Received, namely, \$20,000.00, FRANK G. HUSSEY and CLARA HUSSEY, husband and wife,

the grantor s, do hereby grant, bargain, sell and convey unto

EUGENE G. HUSSEY, a single man,

the grantee, the following described premises, ~~being~~ in Lemhi County, Idaho,

to wit:

Lots 2 and 3 in Section 9, Township 18 North, Range 21, E.B.M.; and,

Lots 2, 3, 4 and 8 in Section 15, Township 18 North, Range 21, E.B.M.; and,

Containing about 235 acres, more or less, together with all range and range rights, water, water rights, ditch and ditch rights, used in connection therewith.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: April 17, 1962.

Frank G. Hussey

Clara A. Hussey

STATE OF IDAHO, COUNTY OF LEMHI

On this 17th day of April, 1962, before me, a notary public in and for said State, personally appeared Frank G. Hussey and Clara Hussey, husband and wife,

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Residing at
Comm. Expires

Salmon

9/21/63

Notary Public
Idaho

STATE OF IDAHO, COUNTY OF Lemhi

I hereby certify that this instrument was filed for record at the request of J. W. Herndon

at 45 minutes past 3 o'clock P.m.,
this 8th day of July
1968, in my office, and duly recorded in ~~BOOK~~ File
of Deeds ~~BOOK~~

Eleanor Aldous

Ex-Officio Recorder

By *Marguerite Butler* Deputy.

Fees \$ 1.75

Mall to:

75-4003

108872

State of Idaho }
County of Lemhi } ss

Recorded at the request of
J. W. Herndon

August 12th 1968

at 15 minutes past 11 o'clock

A. M. in file of

Deed Records of Lemhi
County, Idaho

Eleanor Aldous
County Recorder

By *Opal Reddington*
Deputy

Fee \$1.75

INDEXED

4-1023 (March 1963)

Idaho 013700

The United States of America

To all to whom these presents shall come, Greeting:

WHEREAS, a Certificate of the Land Office at Boise, Idaho, is now deposited in the Bureau of Land Management, whereby it appears that full payment has been made by the claimant Eugene G. Hussey according to the provisions of Chapter 7, Title 32 of the Revised Statutes of the United States and legislation supplemental thereto, for the following described land:

Boise Meridian, Idaho. T. 18 N., R. 21 E., Sec. 10, Lot 10; Sec. 15, W $\frac{1}{2}$ NW $\frac{1}{4}$.

The areadescribed contains 100.77 acres,

according to the Official Plat of the Survey of the said Land, on file in the Bureau of Land Management:

NOW KNOW YE, THAT the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, HAS GIVEN AND GRANTED, and by these presents DOES GIVE AND GRANT unto the said claimant and to the heirs of the said claimant the tract above described; TO HAVE AND TO HOLD the same, together with all the rights, privileges, immunities, and appurtenances, of whatsoever nature, thereunto belonging, unto the said claimant and to the heirs and assigns of the said claimant forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing, or other purposes, and rights to ditches and reservoirs used in connection with water rights, as may be recognized and acknowledged by the local customs, laws, and decisions of courts; and there is reserved from the lands hereby granted, a right-of-way thereon for ditches or canals constructed by the authority of the United States. Reserving unto the United States, its permittee or licensee, the right to enter upon, occupy and use, any part or all of said lands for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063), and subject to the conditions and limitations of Section 24 of said Act, as amended by the Act of August 26, 1935 (49 Stat. 846). This patent is issued subject to a reservation to the United States for a right-of-way over and across a 50 foot strip parallel to the high water line of the Salmon River along the northeasterly side of Lot 10 said Sec. 10, for roads and trails for public access to the Salmon River.

252

Instrument No. 100742. (Continued)

IN TESTIMONY WHEREOF, the undersigned authorized officer of the Bureau of Land Management, in accordance with the provisions of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the United States, caused these letters to be made Patent, and the Seal of the Bureau to be hereunto affixed.

(SEAL) GIVEN under my hand, in District of Columbia the FIRST day of JUNE in the year of our Lord one thousand nine hundred and SIXTY-FOUR and of the Independence of the United States the one hundred and EIGHTY-EIGHTH.

By Elizabeth B. Hucks
Chief, Patents Section

Patent Number 1236052

State of Idaho)
County of Lemhi) ss

Recorded at the request of Eugene Hussey June 5th 1964 at 50 minutes past 11 o'clock A.M., in Book 49 of Deeds Pages 251-2 Records of Lemhi County, Idaho

Paul Adams County Recorder

Pec, \$1.75 Paid

By *Marguerite Bullen*
75-4003

**NOTICE OF CLAIM TO A WATER RIGHT
NO. 75-4003**

Notice is hereby given that Eugene G. Hussey, Star Route, Salmon, Idaho, has filed a claim to a water right established by diversion and application to beneficial use of 0.7 cubic feet per second of water from Iron Creek, tributary to the Salmon River, with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16, T. 18N, R. 21E, B. M., Lemhi County.

The water is claimed to be used from April 1 to Sept. 1 for irrigation purposes with a priority of April 28, 1928; the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 2), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 3), Sec. 9; SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 10), Sec. 10; T. 18N, R. 21E, B. M.

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

R. KEITH HIGGINSON
Director

Published in the Recorder Herald, Salmon, Idaho, on May 6 and May 13, 1971.

5-6-2tc

Affidavit of Publication

RECEIVED
24 1971
Department of Water Administration

STATE OF IDAHO }
County of Lemhi } ss.

JERRY G. ROSIN

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That the Notice of Claim to Water Right # 75-4003

is 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 May 6, 1971 and ending with the issue dated May 13, 1971

Jerry G. Rosin
thirteenth

Subscribed and sworn to before me, this

day of May, 1971

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

8.16

Publication Fee \$

75-4003

ACT
IONN OWNER LAST NAME - HUSSEY
N ADDRESS LINE 1 - STAR RT.

FIRST NAME - EUGENE G.

N
N SOURCE - IRON CREEKCITY - SALMON
TRIBUTARY OF - SALMON RIVER

STATE - ID ZIP CODE - 83467

N STAGE - STATRY CLM

PRIORITY - 04-28-1928

COUNTY - LEMHI

TOTAL DIV. RATE -

.7000CFS

N DIVERSION POINT - SENE 16 18N 21E

N FROM - 04-01 TO - 09-01 USE - IRRIGATION

USE DIV. RATE - .7000CFS

N USE - IRRIGATION

PLACE OF USE - TWN 18N RNG 21E SEC 09 TRACT NESE LOT 02 AC 04 TRACT SESE LOT 03 AC 12

N USE - IRRIGATION

PLACE OF USE - TWN 18N RNG 21E SEC 10 TRACT SWSW LOT 10 AC 07

N REMARKS - AC. IRR.=22.8.

IDENT. NO. 75-4003

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]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No.

Old No.

New No.

1 75-4003

Record

1. Original Owner:

Eugene S. Hussey

Present Owner:

2. Address: Star Rt.

3. City: Salmon

State: ID

Zip: 83467

4. A. Source of Water: Iron 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: 4-28-1928

D. County: 59

E. Total Diversion Rate: .7

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):

6. A. Point of Diversion

Tract

Sec.

Twp.

Rge.

Gov't

Lot

Rediv.

SENE

16

18N

21E

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

from 4-1 to 9-1 for A purposes. Amount .7
(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 _____

911979

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A. *Ac. in.* = 22.8.
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):

May 27, 1971

Re: Claim to a Water Right No. 75-4003

C
Mr. Eugene G. Hussey
Star Route
Salmon, Idaho 83467

O
Dear Mr. Hussey:

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.

P
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.

Y
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

75-4003

April 28, 1971

Re: Application No. 75-7012 - Richard L. & Kathleen Hade
Claim No. 75-4003 - Eugene G. Hussey

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 5-27-71 by ds

DWM:DR
Enc: Legal notices (2)

75-4003

O.K.
5-6-71
D.D.

75-4003

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Director

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cation to beneficial use of 0.7 cubic feet per second ~~annexed~~
of water from Iron Creek, tributary to the Salmon River,
with point of diversion in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 16, T. 18N, R. 21E, B.M.,
Lemhi County

The water is claimed to be used from April 1 to Sept. 1
for irrigation purposes
with a priority of April 28, 1928;
the place of use is within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 2), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 3), Sec.
9; SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 10), Sec. 10; T. 18N, R. 21E, 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 May 6 and May 13, 1971.

75-4003

April 21, 1971

Eugene G. Hussey
Star Route
Salmon, Idaho 83467

Dear Mr. Hussey"

Returned herewith is your receipt No. 5923 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

75-4003

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

March 15, 1971 CERTIFIED MAIL

Re: Permit No. 16856 (New No. 75-2086)

Frank G. Hussey
Salmon,
Idaho 83467

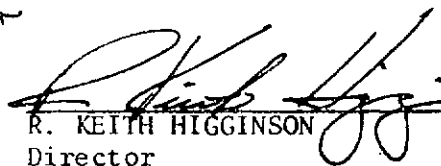
Dear Mr. Hussey:

It appearing to the Department of Water Administration that the terms and conditions of Permit 16856/75-2086 to appropriate the public waters of the State of Idaho have not been complied with as to failure to submit proof of completion of works due on April 28, 1932

you are hereby notified that under the provisions of Section 42-311, Idaho Code, as amended, said permit is hereby held for cancellation, and you are required to show cause before the Director of the Department of Water Administration on or before April 24, 1971, why said permit should not be cancelled.

Permit 16856/75-2086 claims the use of 0.7 cubic feet per second of water, the point of diversion was to be located within the SE 1/4, Sec. 16, T. 18N, R. 21E, B.M. and the permit was approved April 28, 1928.

original permit was for
sec 9
lot 2 - 10A
lot 3 - 10A
sec 10
lot 10 - 15A


R. KEITH HIGGINSON
Director

cc: Frank G. Hussey, Grants Pass, Oregon
Box 373

75-4003