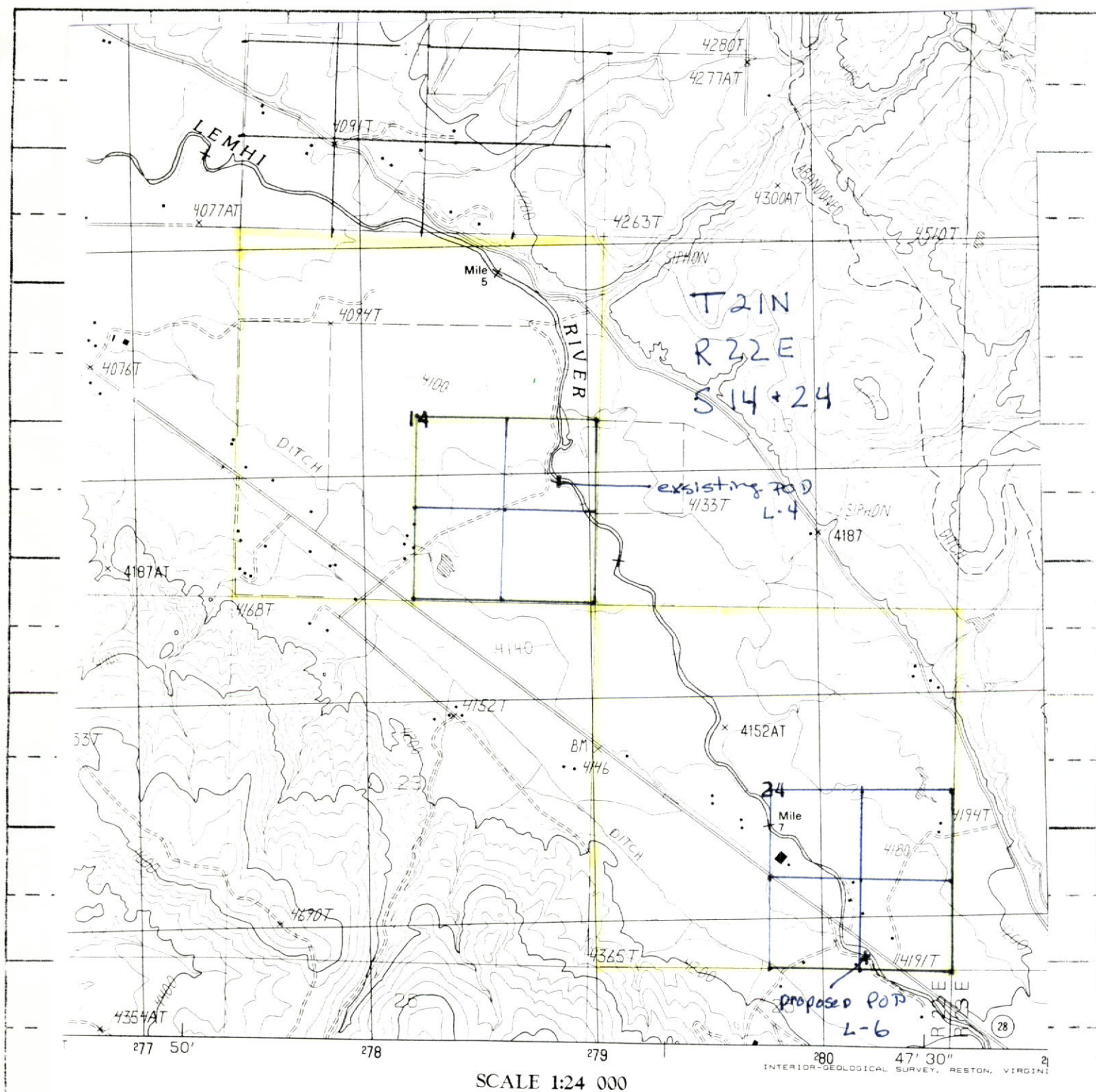


STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT
NO. T5415**

Notice is hereby given that Paul E and/or Wilma C Fisher, RT 1 Box 88, Salmon ID 83467, has applied to the Department of Water Resources to change the point of diversion of a surface water source. The right sought to be changed is evidenced by decree and recorded as follows:

Decree No.: 74-00839
Source: Lemhi River/Salmon River
Amount: 3.60 cfs
Priority: 04/01/1878
Point of Diversion(s): NESE SEC 14
T21N R22E, Lemhi County

The water is used for irrigation of 119 acres within SEC 14 T21N R22E, B.M.

TO BE CHANGED AS FOLLOWS:
The applicant intends to move his point of diversion from L-4 to L-6 in the SESE SEC 24 T21N R22E. This is to assist with fish passage and to gain a more effective means of accessing his irrigation water.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, together with a protest fee of \$25.00 on or before April 5, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Recorder Herald
on March 18 and 25, 1999.

3-18-2tc

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the DEPARTMENT OF WATER RESOURCES - 74-00839

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 TWO (2) consecutive issues, commencing with the issue dated 3-18-99 and ending with the issue dated 3-25-99.

STATE OF IDAHO }
County of Lemhi } ss.

On this 25th day of MARCH in this year of 1999 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheila K. Hodges
Notary Public for Idaho

Residing At Salmon, Idaho

My Commission Expires: 9-21-2001

Publication Fee \$ 55.44

RECEIVED

APR 12 1999

Department of Water Resources
Eastern Region

MICROFILMED

JAN 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5415
WATER RIGHT NO. 74-00839

This is to certify that: **PAUL E FISHER**
WILMA C FISHER
RT 1 BOX 88
SALMON ID 83467

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	3.60 CFS	416.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 04/01/1878

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 24, Township 21N, Range 22E
LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
21N	22E	14	SWNE 34	SENE 20	SENE 20	
			NESE 27	NWSE 18		119
				Total number of acres irrigated:		119

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
2. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

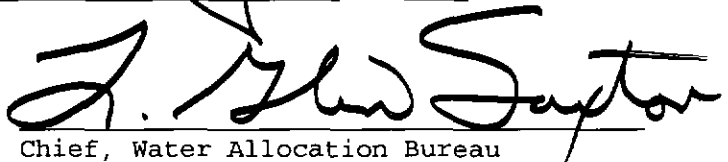
JAN 12 2001

TRANSFER NO. 5415
WATER RIGHT NO. 74-00839

CONDITIONS OF APPROVAL AND REMARKS

5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dated this 22nd day of February, 2000.


Chief, Water Allocation Bureau

MICROFILMED

JAN 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5415

RECEIVED

APR 23 1999

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

MAR 05 1999

Department of Water Resources

Name of applicant Paul E. and/or Wilma C. Fisher

Phone (208) 756-3733

Department of Water Resources
Eastern Region

Post Office address Route 1 Box 88 Salmon ID 83467

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes elimination of one Lemhi River diversion by consolidation to improve fish passage and habitat as well as improving the effectiveness of the new point of diversion

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>74-00839</u>	<u>04-01-1878</u>	<u>3.60 cfs</u>	<u>irrigation</u>	<u>03-15</u> to <u>11-15</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 3.60 cfs cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Lemhi River tributary to Salmon River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SE	24	21N	22E	Lemhi	L-6

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
21N	22E	14			24	20				20					27	18			119.0

Total acres 119.0

T5415

PART 1

6. General Information:

a. Description of diversion system Obermeyer bladder controlled diversion system
headgate with measuring device, fish ladder for fish passage.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

PART 2

TRANS NO. 5415

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-00839

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	3.60 CFS

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
LEMHI RIVER	SALMON RIVER

Priority: 04/01/1878

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 14, Township 21N, Range 22E
LEMHI County

PLACE OF USE: IRRIGATION

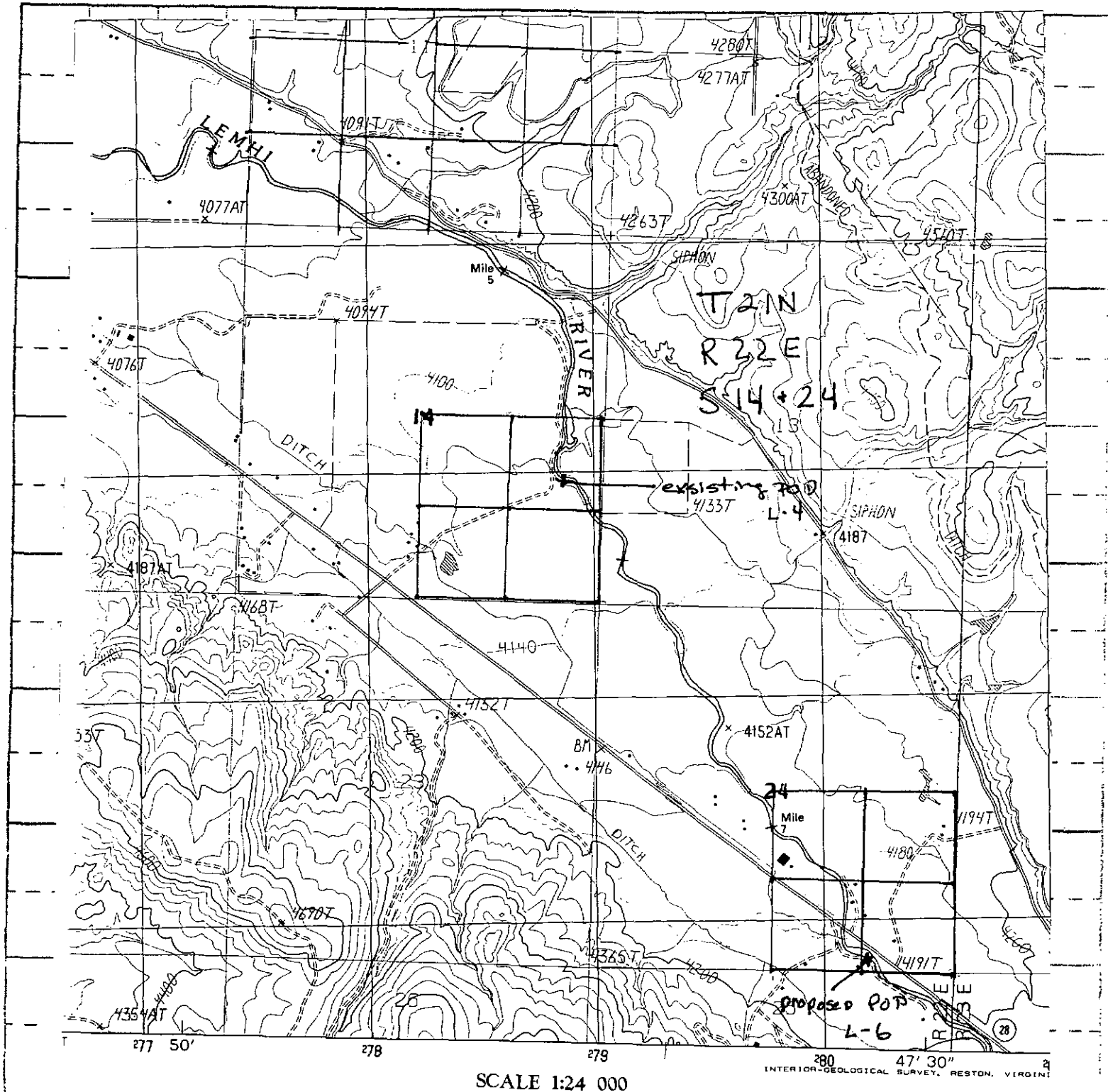
<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
21N 22E 14	SWNE 34	SENE 20	SENW 20	
	NESE 27	NWSE 18		119
		Total number of acres irrigated:		119

CONDITIONS/REMARKS:

1. AC. IRR.=119.8.
2. DIV. L-4.
3. CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

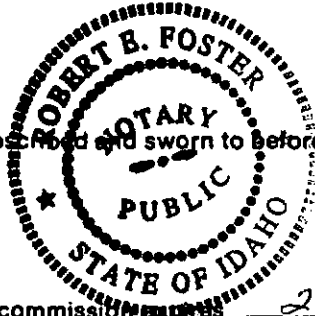
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this



Paul E Fisher

(Signature of Applicant)

3RD

day of

March

, 1999

Robert E Foster

(Notary Public)

My commission expires

2-16-2001

FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and attachments

Received by HWT Date 3-5-1999

Protest filed by

Prelim. check by Fee #100.00

Receipted by Date 3-5-1999

Published in Recorder Herald

Copies of protest forwarded by

Pub. dates March 18 & 25, 1999

Hearing held by Date

Watermaster recommendation requested on

Recommended for ☒ approval ☐ denial

rec'd.

by ROC

Copy of transfer sent to lien holder

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

CIVIL NO. 4948
PROPOSED FINDING OF
WATER RIGHTS

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHTS)
TO THE USE OF THE SURFACE WATERS)
AND TRIBUTARIES FROM WHATEVER)
SOURCE OF THE LEMHI RIVER)
DRAINAGE BASIN.)

The above-entitled cause was initiated under provisions of Section 42-1406, Idaho Code, by the submission of a petition from eight (8) water users in the Lemhi River Basin, requesting that the Department of Water Administration (changed to Department of Water Resources in 1974) obtain authority from the Court to prepare a proposed finding of water rights in the Lemhi River Basin. The petitioners specifically requested that the study reflect the present practice and use of water within the Lemhi River Basin.

Pursuant to Section 42-1407, Idaho Code, R. Keith Higginson, Director of the Department of Water Resources petitioned the Court on April 30, 1970, for an order of authorization for the commencement of an adjudication of water rights in the Lemhi River Drainage.

An order was signed on August 13, 1970, by District Judge Arnold T. Beebe, authorizing the Department to commence an investigation and determination of the various rights to the use of the water of the Lemhi River and its surface tributaries including ground water which may be either tributary to the Lemhi River or its surface tributaries within the Lemhi River Drainage Basin, such waters lying or being used within Lemhi County.

An order of joinder signed on June 17, 1971, made approximately 457 land owners and possible water users parties to the adjudication. An additional 351 water users were joined by an order signed November 1, 1971. Approximately 1,900 claims of water rights were submitted to the Department.

Based upon all existing court decrees adjudicating water rights within the Lemhi River Drainage Basin, the claims submitted, the files and records of the Department and the Court, the examination and studies of the Lemhi River Drainage Basin and the various ditches and other diversions of water therein and the lands irrigated or other uses of water, the Department of Water Resources, in July 1974, filed a proposed finding of water rights with the Court. Objections to the proposed finding were resolved either by stipulation or hearing before the Court. The Court then adopted the following findings of fact, conclusions of law and decree of water rights, in which the

following definitions apply:

- a. "Director" means the Director of the Department of Water Resources.
- b. "Department" means the Idaho Department of Water Resources.
- c. "Ident. No." is the abbreviated form of "Identification Number". An identification number is assigned to each water right for purposes of identification. The first two (2) numerals of an identification number indicate the basin number as reflected in Department files, i.e., "74" indicates the Lemhi River Basin.
- d. "Name and address" are self-explanatory and indicate the owner of the right at the time the "Notice of Claim to a Water Right" was submitted to the Department.
- e. "Priority" indicates the priority date of the water right and is generally the date when the water was first applied to a beneficial use.
- f. "Purpose" is self-explanatory except for "Fish Return" as shown on numerous Idaho Department of Fish and Game rights. Fingering fish are prevented from entering irrigation ditches by means of a screen across the irrigation ditch and a by-pass pipe for the fish to return through to the river. Hence, the term "Fish Return". This is a non-consumptive use.
- g. "Period of use" indicates the period of time during each year when a particular right may be used each year.
- h. "Acre-foot" is a volume of water sufficient to cover one acre of land one foot deep with water and is equal to 43,560 cubic feet.
- i. "Maximum rate of diversion, c.f.s." indicates the rate of diversion from a water source in cubic feet per second. The term "miner's inch" formerly used in hydraulic mining and irrigation is also a measure of a rate of flow. The miner's inch in Idaho is defined as the quantity of water which will flow through an orifice one inch square under a four inch head. One cubic foot per second is equal to fifty miner's inches in Idaho, or 0.02 c.f.s. equals one miner's inch.
- j. "Place of use and lands irrigated" indicate the number of irrigated acres and legal description of the places of use within each 40-acre subdivision.
- k. Under the general heading "Basis of Right":
 - "Beneficial Use" indicates the right was based upon a Constitutional right or so called "use right", initiated and maintained by actual diversion and application to beneficial use.
 - "License" indicates the right has been initiated through application to the Department with appropriate statutory proof submitted in the past with subsequent examination and issuance of a license by the Department.
 - "Decree" indicates that the right has been adjudicated in a court of law prior to this general determination of water rights.
- l. "Domestic purposes" is defined as water for household use or livestock and water used for all other purposes including irrigation of up to one-half (1/2) acre of land in connection with said household where total use is not in excess of 13,000 gallons per day. Idaho Code,

INDICATES TOTAL

SOURCE: LEAMI RIVER
TRIBUTARY TO: SALMON RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
74-1658							* 1 ACRES*	
74-0513	SANTOS, A. M. SANTOS, VERNE RT. 1 SALMON			03-18-1878 IRRIGATION 03-15 11-15	3.03 CFS	NNNN S33 T21N R23E SEWE(24) NESE(31) NSE(05) S30 T21N R23E SWNW(02) NWSM(01) S29 T21N R23E		DEGREE
	REMARKS: DIV. L-8A.						* 101 ACRES*	
74-0605	ALDOUS, HERBERT ALDOUS, KATHERINE RT. 1 SALMON			03-18-1878 IRRIGATION 03-15 11-15	7.04 CFS	NNNN S33 T21N R23E		DEGREE
	REMARKS: AC. IRR.=234.7. DIV. L-8A.							
	P/U: T21N R22E S24 SWE(34) P/U: T21N R23E S19 SESM(02) P/U: T21N R22E S25 NENE(06) P/U: T21N R23E S30 LTO1 (NNNN)(26)			SENE(35) LTO3 (NWSM)(17) LTO4 (SWSA)(12) SENN(21)		NWSE(09) SESE(24)		
							* 236 ACRES*	
74-0607	AUSTIN, GEORGE AUSTIN, PHEBE P.O. BOX 583 SALMON			03-18-1878 IRRIGATION 03-15 11-15	.18 CFS	NWSE S30 T21N R23E	LTO2 (SWNW)(06) S30 T21N R23E	DEGREE
	REMARKS: DIV. L-8.						* 6 ACRES*	
74-0540	SIMS, DON SIMS, DIXIE LEE P.O. BOX 1440 SALMON			04-01-1878 IRRIGATION 03-15 11-15	.56 CFS	NNNN S33 T21N R23E	SESE(13) S30 T21N R23E SESM(06) S29 T21N R23E	DEGREE
	REMARKS: AC. IRR.=18.4. DIV. L-8A.						* 19 ACRES*	
74-0849	CLARK, WILLIAM U. CLARK, MINNIE C. RT. 1 SALMON			04-01-1878 IRRIGATION 03-15 11-15	3.60 CFS	NWSE S14 T21N R22E	SWE(34) SEWE(20) SENN(20) NESE(27) NSE(18) S14 T21N R22E	DEGREE
	REMARKS: AC. IRR.=119.8.							

MRD416
05/04/83

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

PAGE 155

INDICATES TOTAL

SOURCE: LEMHI RIVER

TRIBUTARY TO: SALMON RIVER

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
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74-0839

DIV. L-4.
CHANGED FROM PROPOSED FINDING FILED WITH THE COURT PER COURT-AUTHORIZED STIPULATION.

74-4005A

JULLEY, EDDON
JULLEY, EDNA Z.
P.O. BOX 712
SALMON
REMARKS: AC. IRR.=233.8.
DIV. L-10.
P/U: T21N R22E S25 SWE(04) SENE(27) NESE(16) SESE(04)
P/U: T21N R23E S31 NWE(36) SESW(37) SWE(22) SESE(02) L103 (NWSW)(32) L104 (SMSW)(20)
L102 (SMNW)(09)
10 R3467
04-20-1878 IRRIGATION 03-15 11-15
7.02 CFS T21N R23E
NWE S33
T21N R23E
* 119 ACRES*
DEGREE

74-0960

BROWN, IRA O.
BROWN, BENITA A.
P.O. BOX 17
LEMHI
REMARKS: AC. IRR.= 37.7.
DIV. L-45D.
10 R3465
04-01-1880 IRRIGATION 03-15 11-15
1.14 CFS SWE S14 NWE(21) SWE(04) DEGREE
T17N R24E SENE(12)
S10 T17N R24E
* 234 ACRES*

74-1025

MAESTRETTI, THEODORE R.
MAESTRETTI, BARBARA
P.O. BOX 43
KITAULT, B.C.,
CANADA
REMARKS: AC. IRR.=48.8.
AC. IRR.=30.9.
DIV. L-37.
DIV. L-33.
P/U: T19N R24E S29 NESW(08) SESW(22) SWS(06)
P/U: T18N R24E S09 NWSW(08) SMNW(19) NWSW(16) SMSW(06)
P/U: T19N R24E S29 NESW(08) SESW(22) SWS(06)
P/U: T18N R24E S09 NWSW(08) SMNW(19) NWSW(16) SMSW(06)
04-01-1880 IRRIGATION 03-15 11-15
1.46 CFS SWS S09
T18N R24E SENE S05
T18N R24E
* 37 ACRES*
DEGREE

74-0738

KEESE, E. P.
KEESE, ELEANOR
KT. 1
SALMON
10 R3467
06-01-1880 IRRIGATION 03-15 11-15
11.46 CFS SEN S03
T20N R23E
* 158 ACRES*
DEGREE

DEED OF DISTRIBUTION
BY PERSONAL REPRESENTATIVE

THIS DEED, Made by VERDELL OLSON, as Personal Representative of the Estates of WILLIAM D. CLARK, deceased, and MINNIE C. CLARK, deceased, Grantor, to PAUL E. FISHER and WILMA FISHER, husband and wife, whose current address is Rt. 1, Box 88, Salmon, Idaho 83467, Grantee.

WHEREAS, Grantor is the qualified personal representative of said estates, filed as Probate Numbers P-1519 and P-1582 respectively in Lemhi County, Idaho; and

WHEREAS, by the terms of the wills of decedents on file herein, PAUL E. FISHER and WILMA FISHER, husband and wife, are entitled to distribution of the hereinafter described real property;

WHEREAS, WILLIAM D. CLARK and MINNIE C. CLARK have since such time deceased,

NOW, THEREFORE, for valuable consideration received, Grantor conveys and releases to Grantee all of the interest of said estate in and to the following described real property in Lemhi County, Idaho:

See Exhibit "A" attached hereto and made a part hereof.

EXECUTED this 11 Aug day of ~~June~~, 1992.

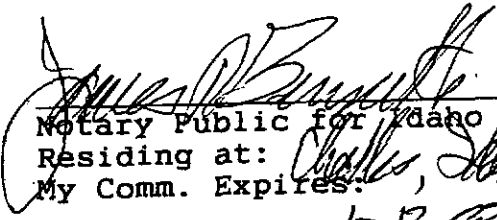
Verdell Olson personal rep
Verdell Olson, Personal
Representative of the Estates
of William D. Clark and Minnie C.
Clark, Deceased.

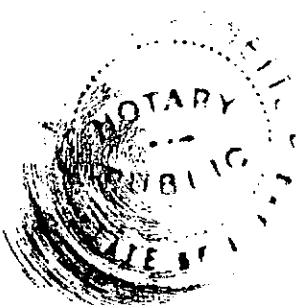
MICROFILMED

JAN 12 2001

STATE OF IDAHO,)
: ss.
County of Custer)

On this 11th day of Aug, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared VERDELL OLSON, known to me to be the person whose name is subscribed to the within instrument, as personal representative of the Estates of William D. Clark and Minnie C. Clark, and acknowledged to me that he executed the same as such personal representative.


Notary Public for Idaho
Residing at: Charles, Idaho
My Comm. Expires: 1-3-93



DEED OF DISTRIBUTION BY
PERSONAL REPRESENTATIVE - 2.

State of Idaho) **215265**
County of Lemhi) ss. No. _____

This Instrument was filed for record at
the request of Hilma Fisher
2:26 o'clock P m 8-11 1992
and duly filed and indexed in the
records of Lemhi County

Alberta Wiederriek

Ex-Officio Recorder

MICROFILMED Deanne Gray Deputy

JAN 12 2007 7.00
Rt 1 Box 88
Selman

EXHIBIT "A"

A parcel of land located in Sec. 13, 14 and Section 13, T. 21 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, described as follows:

Commencing at the SW Corner of Section 14, from which the W1/4 Corner bears N. 00° 11' 45" E. run thence N. 50° 37' 20" E. a distance of 1518.92 ft. to the POINT OF BEGINNING;

Thence N. 35° 45' 35" E. a distance of 250.83 ft. to a point on the Westerly boundary of the E 1/2 SW 1/4;

Thence N. 00° 05' 40" E. along said boundary, a distance of 1473.20 ft.;

Thence N. 00° 04' 43" W. a distance of 1332.44 ft. to the NW Corner SE 1/4 NW 1/4;

Thence S. 89° 49' 15" E. a distance of 1316.07 ft.;

Thence S. 89° 49' 12" E. a distance of 2012.80 ft. to the centerline of the Lemhi River;

Thence along said centerline S. 19° 25' 19" E. a distance of 449.90 ft.;

Thence S. 19° 01' 56" W. a distance of 289.26 ft.;

Thence S. 11° 29' 20" W. a distance of 378.38 ft.;

Thence S. 26° 06' 22" E. a distance of 327.14 ft.;

Thence S. 14° 27' 18" W. a distance of 368.84 ft.;

Thence S. 38° 32' 53" W. a distance of 209.24 ft.;

Thence S. 08° 00' 00" W. a distance of 230.89 ft.;

Thence S. 64° 00' 00" E. a distance of 234.35 ft.;

Thence S. 64° 48' 28" E. a distance of 159.74 ft.;

Thence S. 24° 46' 40" E. a distance of 313.73 ft.;

Thence S. 13° 57' 38" E. a distance of 160.19 ft.;

Thence S. 65° 39' 31" E. a distance of 521.34 ft.;

Thence S. 21° 27' 27" E. a distance of 279.84 ft.;

Thence S. 13° 18' 17" W. a distance of 253.80 ft.;

Thence S. 14° 40' 41" E. a distance of 144.04 ft.;

Thence S. 64° 08' 44" E. a distance of 305.76 ft.;

Thence S. 84° 32' 57" E. a distance of 158.22 ft.;

Thence S. 48° 02' 12" E. a distance of 70.71 ft.;

Thence S. 06° 10' 58" E. a distance of 204.93 ft. to a point on the South boundary of Section 13;

Thence S. 89° 42' 31" W. along said line a distance of 833.83 ft. to the SW Corner of Section 13;

Thence N. 00° 05' 04" W. along the Westerly boundary of Section 13, a distance of 298.01 ft.;

Thence S. 45° 00' 00" W. a distance of 1858.61 ft. to the Northerly right-of-way of Hwy. 28;

Thence N. 54° 14' 24" W. along said right-of-way, a distance of 3431.88 ft. to the POINT OF BEGINNING.

Parcel contains 354.82 acres.

MICROFILMED

JAN 12 2001

CLAIM OF LIEN FOR LABOR AND/OR MATERIAL

NOTICE IS HEREBY GIVEN: That Silver Creek Irrigation
of P.O. Box 748 Picabo, Idaho 83843 (Claimant), hereby
(Address)
gives notice of and claims, a lien upon that certain tract of land
hereinafter described, for the sum of \$ 117,100.24, with
interest thereon from 9/28/95. That said amount is due,
(Date)
and owing, after deducting all just credits and offsets, to said
claimant for having furnished certain goods, materials and/or
services, in that certain improvement of said land hereinafter
described, said goods, materials and/or services being described
as follows, to-wit: Irrigation equipment including center
pivots, PVC pipe, Wheel lines, Handline, Pumps, Valves, Wire,
Fittings and associated items.

(Describe labor performed and/or materials furnished)

That the name and address of the person by whom claimant was
employed and/or to whom claimant furnished the materials is _____

Paul Fisher

(Name)

Rt. 1 Box 88 Salmon, Idaho 83467

(Address)

That the first item of the said materials and/or services, was
furnished by said claimant to the hereinafter described real
property on the 28th day of September, 1995, and the last
item of said materials and/or services thereof was furnished on the
16th day of November, 1995.

That the legal description of the property to be charged

with said lien, or upon which said improvement was made, and which is situated in the County of Lemhi, State of Idaho, is as follows, to-wit: TS 21 N R22E Sec. 14

That the name of the owner(s), or reputed owner(s), of said land is Paul Fisher, Rt. 1 Box 88, Salmon, ID 83467

and that a copy of this lien has been mailed to said owner.

That the post office address of this claimant is Rt. 1 Box 88, Salmon, ID 83467.

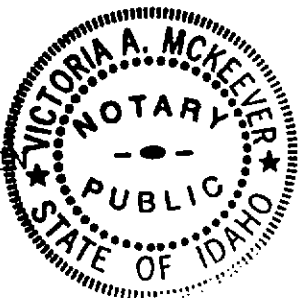
DATED This 17th day of January, 1996.

Pat Purdy

STATE OF IDAHO)
County of Ada) ss.

Patrick L. Purdy, being duly sworn, deposes and says that he is acting as agent of Silver Creek Irrigation, the Claimant named in the foregoing Claim of Lien and that he has read the same, knows the contents thereof, and verily believes the same to be just and therefore makes this verification.

CLAIM OF LIEN



Victoria A. McKeever

-2-

Commission Expires 6/1/2001

JAN 12 2001

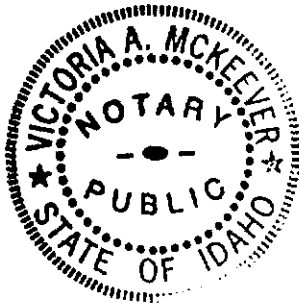
STATE OF IDAHO

County of

)
) ss.
)

On this 17 day of January, 1996, before me, the undersigned, a notary public in and for said State, personally appeared Patrick Rordy, known to me to be the agent of Silver Creek Irrigation, the corporation that executed the foregoing NOTICE OF LIEN FOR LABOR AND/OR MATERIAL, and acknowledged to me that he had read the same, understood the contents thereof and that the same was true and correct to his best knowledge and belief and that he had executed the same on behalf of the corporation and acknowledged to me that the corporation had executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Victoria A. McKeever
Notary Public for Idaho
Residence: Boise, Idaho
Commission Expires: 5-11-2001

CLAIM OF LIEN

-3-

MICROFILMED

JAN 12 2001

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 17th day of January,
1996, I caused to be mailed, by certified mail, a true and correct
copy of CLAIM OF LIEN FOR LABOR AND/OR MATERIAL to the following
persons by depositing same in the United States Mail at Boise,
Idaho, postage prepaid thereon:

Paul Fisher
Rt. 1 Box 88
Salmon, ID 83467

Pat Purdy

STATE OF IDAHO, COUNTY OF

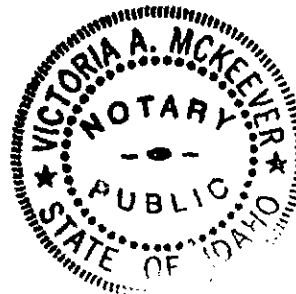
On this 17th day of Jan, 1996,
before me, a notary public in and for said State, personally
appeared

Patrick Purdy

known to me to be the person whose name
subscribed to the within instrument, and acknowledged to me
that he executed the same.

Victoria A. McKeever
Notary Public

Residing at Boise, Idaho
Comm. Expires 5-11-2001



CLAIM OF LIEN

-4-

MICROFILMED

JAN 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PAUL E FISHER
WILMA C FISHER
RT 1 BOX 88
SALMON ID 83467

RE: Water Right 74-00839 (Transfer 5415)

Dear Mr. & Mrs. Fisher:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5415). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact the department if you have questions.

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

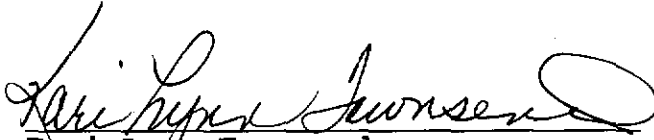
JAN 12 2001

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of **February, 2000** I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 74-00839 (Transfer 5415)

**PAUL E FISHER
WILMA C FISHER
RT 1 BOX 88
SALMON ID 83467**


**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

February 23, 2000

RICK SAGER
WATERMASTER
201 BROADWAY
SALMON ID 83467

RE: TRANSFER OF WATER RIGHT 74-00839 (Transfer 5415)

Dear Rick:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water rights (Transfer 5415) in the names of Paul E. Fisher and Wilma C. Fisher.

Also enclosed is a copy of the reviewers' notes.

If you have any questions, please call me at 208-327-7940.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

JAN 12 2001

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

JAN 12 2001

Memorandum

To: Transfer 5415

From: Kay Walker *KW*

Date: 02/22/00

Re: Recommendations
.....

Transfer No. 5415 was filed to change the location of the point of diversion. No other changes were identified. This transfer only identifies Rt. 74-00839 and changes the entire right so there are no splits involved.

I recommend approval of this transfer with the following conditions of approval:

R04 – Regulation by watermaster of WD74.

R43 – Measuring device and lockable controlling works to allow watermaster control of system.

R59 – Limitation of all rights when combined to 3.5 af per acre. I found no overlapping rights for the lands identified under this transfer in my review.

T07, T08 & T09 – Standard transfer conditions applied for rights claimed in SRBA which have not been finalized.

MICROFILMED

JAN 12 2001

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5415

Date Reviewed 2/22/2000

Right(s) 74-00839

☒ WRQ/Split Summary ☒ SRBA Status ☒ Run POU Comparison Report

Report due in 2003/2004 NO D.L.

B:Change P/D C:Add P/D

D:Change P/U

E:Change Nature of Use

F:Change Period of Use

G:Other

H:Change P/D & Add P/D

I:Change P/D & P/U

J:Add P/D & Change P/U

Proof of Ownership warranty deed

Transfer ☒ All of Right ☐ Portion of Right

Resulting Split(s)

Check Transfer Against Recorded Right

Season/Vol.

not included
on decree - see
calculations
below.

(1) ☒ Priority (2) ☒ Use (3) ☒ Season (4) ☒ Rate (5) ☒ Volume

(6) ☒ Source (7) ☒ Change P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) ☒ Water District (12) ☐ Pertinent Conditions (13) ☒ Expansion

Rt. decided > 1" per acre -
119 x 0.02 = 2.38 cfs - decided for
3.6 cfs. allow decided amount.

$V = 119 \text{ ac} \times 3.5 = 416.5 \text{ AFA} \leftarrow$
 $Q = 3.6 \times 1.9835 \times 24 \text{ days} = 1756.6 \text{ AF}$

Transfer Remarks

Conditions ~~R04~~, R04, R43, R59, T07, T08, T09

Database/Processing Notes

Standard ☒ Non-Standard ☐

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

fw
2/22/2000
es

SD-0611-2 Basin: 74 Starting Water Right: 00839

S	Water	Name	O	Priority	STG/	Use	S
E	Right No.	Last, First	W	Date	STS	Desc	Y
L			N				S
-	74-00839	CLARK, WILLIAM D.	C	04/01/1878	D/	LEMHI RIVER	WR
-		CLARK, MINNIE C.	C				
-	T74-00839	FISHER, PAUL E	C	04/01/1878	D/	LEMHI RIVER	WR
-		FISHER, WILMA C	C				
-	A74-00839	FISHER, PAUL E	C	04/01/1878	D/	LEMHI RIVER	AJ
-		FISHER, WILMA C	C				

* Decreed copied to Water Right Database (G6=Print Profile Rpt) (G8=Cancel)
(Enter=Continue) (G1=Print Screen Query) (G7=This Query) (Menu _____)

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '1' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE Lt	NW Ac	SE Lt	SW Ac	NE Lt	NW Ac	SE Lt	SW Ac	NE Lt	NW Ac	SE Lt	SW Ac	SUM
7400839	T21N R22E S14	12	12	12	12	12	12	12	12	12	12	12	12	119
7400324A	LEHHI RIVE													11
A7400324A	LEHHI RIVE													15
7400324B	LEHHI RIVE													4
A7400324B	LEHHI RIVE													4
7400324C	LEHHI RIVE													1
A7400324C	LEHHI RIVE													1
7400324D	LEHHI RIVE													5
A7400324D	LEHHI RIVE													5
7400324E	LEHHI RIVE													15
A7400324E	LEHHI RIVE													60
7400324F	LEHHI RIVE													60
A7400324F	LEHHI RIVE													10
7400324G	LEHHI RIVE													10
A7400324G	LEHHI RIVE													5
7400324H	LEHHI RIVE													5
A7400324H	LEHHI RIVE													5
7400324J	LEHHI RIVE													20
A7400324J	LEHHI RIVE													124
7400325A	LEHHI RIVE													20
A7400325A	LEHHI RIVE													124
7400325B	LEHHI RIVE													20
A7400325B	LEHHI RIVE													3
7400326A	LEHHI RIVE													3
A7400326A	LEHHI RIVE													151
7400326B	LEHHI RIVE													151
A7400326B	LEHHI RIVE													3
7400326C	LEHHI RIVE													3
A7400326C	LEHHI RIVE													3
7400328A	LEHHI RIVE													5
A7400328A	LEHHI RIVE													5
7400328C	LEHHI RIVE													5
A7400328C	LEHHI RIVE													5
7400545	LEHHI RIVE													5
A7400545	LEHHI RIVE													5
7400768	LEHHI RIVE													9
A7400768	LEHHI RIVE													9
7400804	LEHHI RIVE													6
A7400804	LEHHI RIVE													5
7400837	LEHHI RIVE													18
A7400837	LEHHI RIVE													18
7400839	LEHHI RIVE													119
A7400839	LEHHI RIVE													119
7401675	LEHHI RIVE													8
A7401675	LEHHI RIVE													8
7402047C	LEHHI RIVE													7
A7402047C	LEHHI RIVE													7

difficult
difficult

RECEIVED

FEB 15 2000

Department of Water Resources
Eastern Region

01-99

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No. A 74-00839 TRANSFER # 5415Applicant's Name: Paul L +/or Wilma Fisher

Watermaster's Recommendation:

- a) ☒ I do not oppose approval of this application.
- b) ☐ I do not oppose approval of this application if it is conditioned as follows: _____

- c) ☐ I oppose approval of this application for the following reasons: _____

- d) Additional Comment: _____

Dated this 11 day of Feb, 2000Water District No: 74Rick Jager
Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

JAN 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 8, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RICK SAGER
WATERMASTER, LEMHI RIVER
201 BROADWAY
SALMON ID 83467

RE: Application for Transfer of Water Right No. 74-00839 in the name of Paul
&/or Wilma Fisher

Dear Mr. Sager:

On March 10, 1999, our Eastern Regional Office requested that you submit your recommendations regarding the above referenced transfer. As of this date, we have still not received those recommendations.

Pursuant to Section 42-222, Idaho Code, the Director of IDWR shall advise the watermaster of the district in which such water is used of the proposed change and the watermaster shall notify the director of the department of water resources of his recommendation on the application, and the director of the department of water resources shall not finally determine the action on the application for change until he has received from such watermaster his recommendation thereof, which action of the watermaster shall be received and considered as other evidence.

I am enclosing another copy of this transfer application for your information. I have also enclosed a watermaster recommendation form for your convenience. Please submit your recommendations to this office within the next 30 days so we can complete our review of this application. If you have any questions in regard to this matter, please do not hesitate to contact our office.

Sincerely,

KAY WALKER

Sr. Water Resource Agent

Enclosures

Cc: Paul &/or Wilma Fisher
Rt. 1, Box 88
Salmon, ID 83467

MICROFILMED

JAN 12 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

3-5-1999

T5415

RECEIVED

APR 23 1999

INITIAL REVIEW BY: HLW

Department of Water Resources

1. Right number 74-00839 Applicant Paul Fisher

2. Type of right: ☐ Decree ☐ License ☐ Claim

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☐ Check for expansion in use of right. Comments _____

i. ☐ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

j. ☒ Is use within a Watermaster District? ☒ Yes ☐ No

If yes, what district? WD 74 - Rick Sager

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☐ Yes ☐ No

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* _____

4. By Roe Date 4/15/99

**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT
NO. T5415**

Notice is hereby given that Paul E and/or Wilma C Fisher, RT 1 Box 88, Salmon ID 83467, has applied to the Department of Water Resources to change the point of diversion of a surface water source. The right sought to be changed is evidenced by decree and recorded as follows:

Decree No.: 74-00839
Source: Lemhi River/Salmon River
Amount: 3.60 cfs
Priority: 04/01/1878
Point of Diversion(s): NESE SEC 14 T21N R22E, Lemhi County
The water is used for irrigation of 119 acres within SEC 14 T21N R22E, B.M. 3-18-99

TO BE CHANGED AS FOLLOWS:
The applicant intends to move his point of diversion from L-4 to L-6 in the SESE SEC 24 T21N R22E. This is to assist with fish passage and to gain a more effective means of accessing his irrigation water.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N Skyline Dr. Ste A, Idaho Falls, ID 83402, together with a protest fee of \$25.00 on or before April 5, 1999. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director
Published in the Recorder Herald
on March 18 and 25, 1999.
3-18-21c

Affidavit of Publication

STATE OF IDAHO }
County of Lemhi } ss.

RICKY G. HODGES being first duly sworn, deposes and says he is one of the publishers (printers) of The Recorder Herald, a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general circulation therein. That the DEPARTMENT OF WATER RESOURCES - 74-00839

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 TWO (2) consecutive issues, commencing with the issue dated 3-18-99 and ending with the issue dated 3-25-99

STATE OF IDAHO }
County of Lemhi } ss.

On this 25th day of MARCH in this year of 1999 before me, A Notary Public, personally appeared RICKY G. HODGES, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Shirley R. Hodges
Residing At Salmon, Idaho
Notary Public for Idaho

My Commission Expires: 9-21-2001

Publication Fee \$ 55.44

RECEIVED
APR 12 1999
Department of Water Resources
Eastern Region

MICROFILMED
JAN 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 10, 1999

**RICK SAGER
WATERMASTER #74
201 BROADWAY
SALMON ID 83467**

RE: Application for Transfer #5415

Dear Rick:

Please find enclosed a copy of the above referenced application for transfer. Please review the application and submit any comments you may have to our Department by April 5, 1999.

**If you have any questions, please feel free to contact us.
Thank you for your cooperation in this matter.**

Respectfully submitted,

**Harold W. Jones
Water Right Supervisor**

HWJ:sc

enc.

MICROFILMED

JAN 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 10, 1999

**RECORDER HERALD
PO BOX 310
SALMON ID 83467**

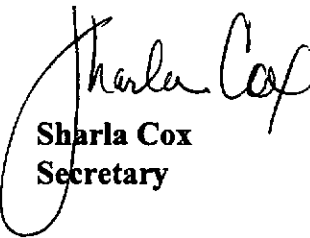
Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before APRIL 5, 1999.

Respectfully submitted,


Sharla Cox
Secretary

Enc.

MICROFILMED

JAN 12 2001

**NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5415**

Notice is hereby given that Paul E and/or Wilma C Fisher, RT 1 Box 88, Salmon ID 83467, has applied to the Department of Water Resources to change the point of diversion of a surface water source. The right sought to be changed is evidenced by decree and recorded as follows:

Decree No.:	74-00839	Source:	Lemhi River/Salmon River
Amount:	3.60 cfs	Priority:	04/01/1878
Point of Diversion(s): NESE SEC 14 T21N R22E, Lemhi County			
The water is used for irrigation of 119 acres within SEC 14 T21N R22E, B.M.			

TO BE CHANGED AS FOLLOWS:

The applicant intends to move his point of diversion from L-4 to L-6 in the SESE SEC 24 T21N R22E. This is to assist with fish passage and to gain a more effective means of accessing his irrigation water.

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KARL J. DREHER
Director

Published in the Recorder Herald on March 18 and 25, 1999.

MICROFILMED

JAN 12 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

March 10, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

**PAUL E AND/OR WILMA C FISHER
RT 1 BOX 88
SLAMON ID 83467**

RE: Application for Transfer #5415

Dear Applicant:

This office is currently in the process of advertising the application in the Recorder Herald on March 18 and 25, 1999. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

**Harold W. Jones
Water Right Supervisor**

HWJ::sc

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JAN 12 2001