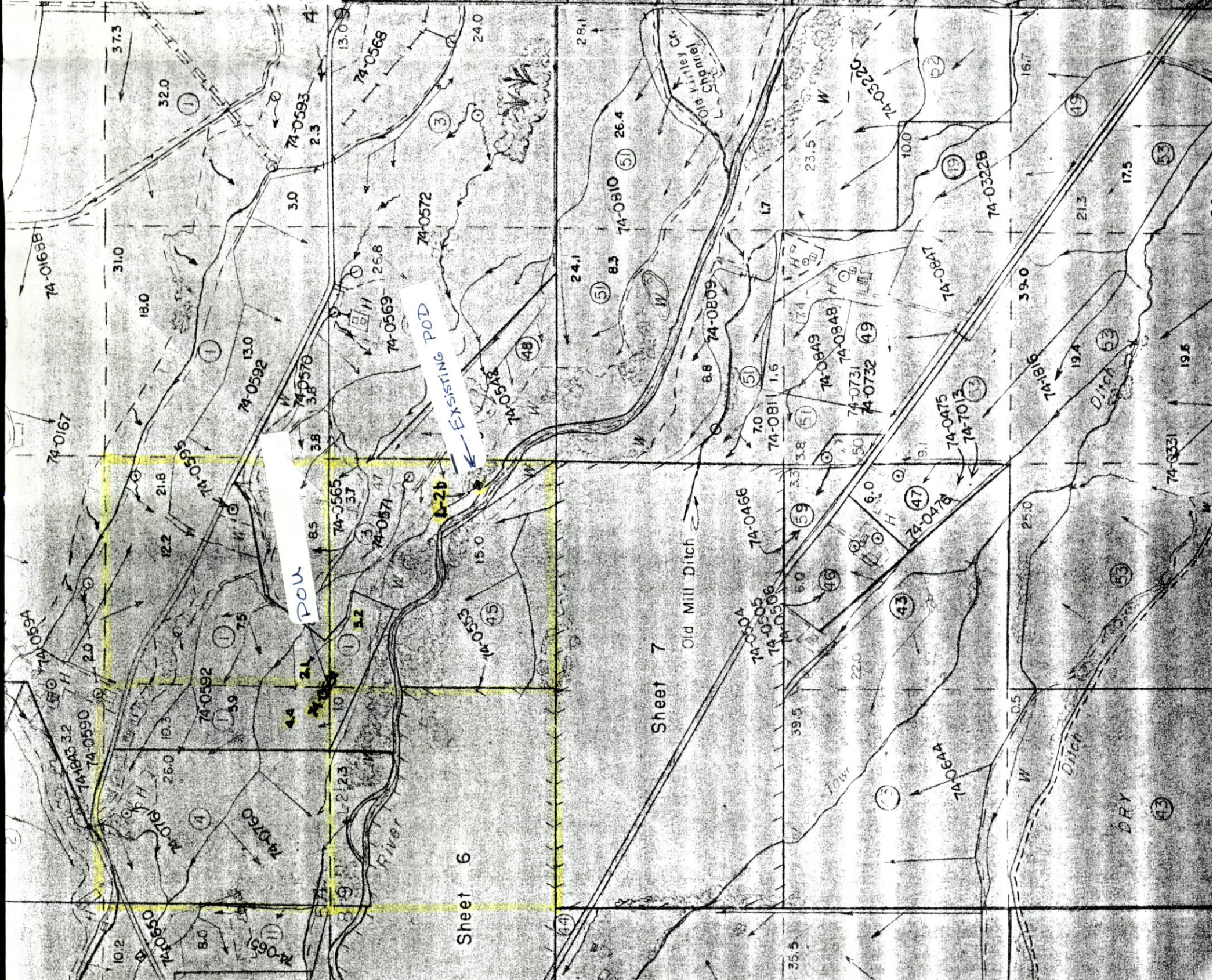
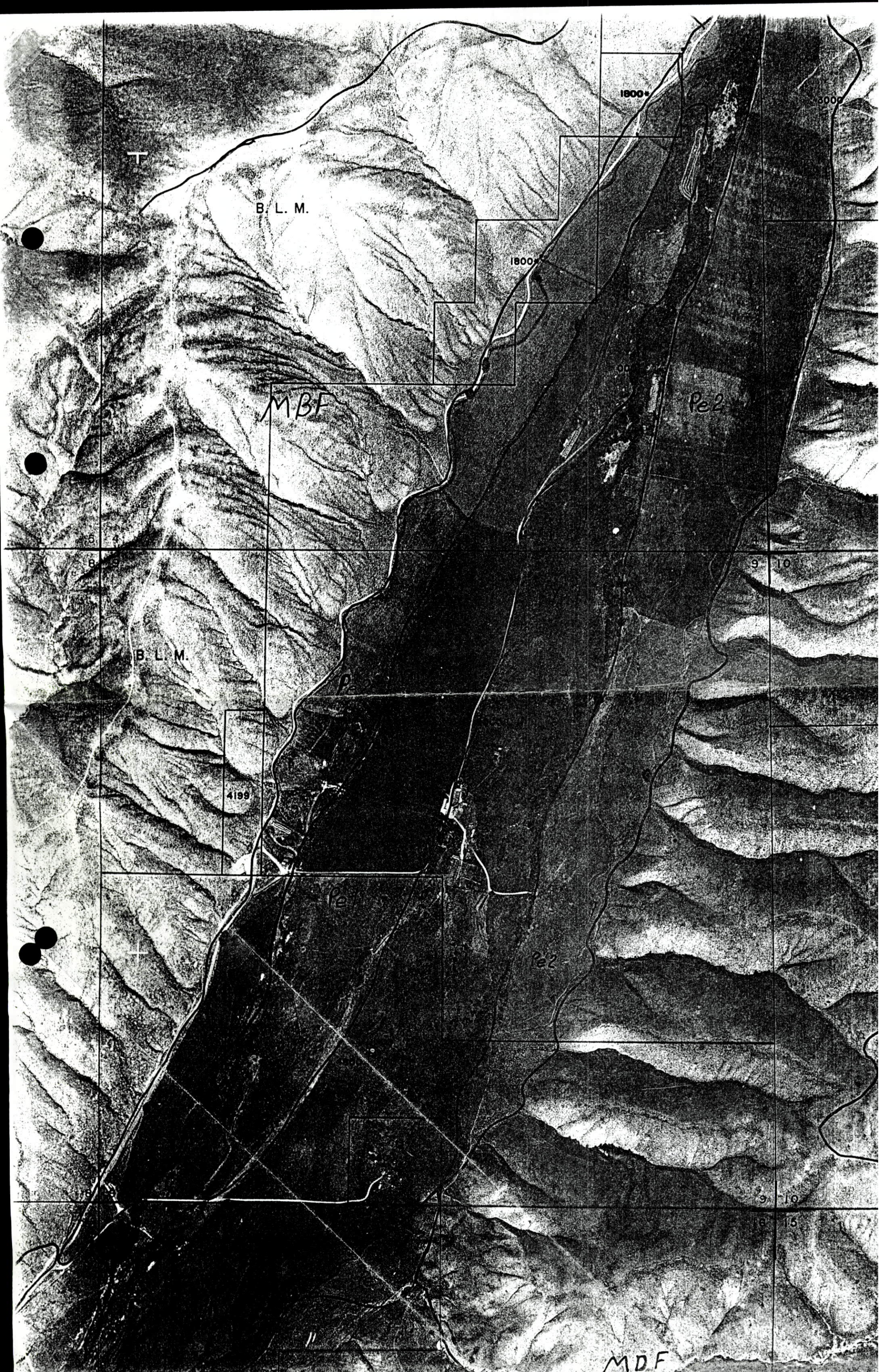


T#5109
Nelson





T

B. L. M.

1800

2000

1800

MBF

Pe2

5

4

B. L. M.

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10

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Pe2

Pe

Pe2

+

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16

15

MDF

**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT NO T5109**

Notice is hereby given that Clyde S. and/or Ruby M. Nelson, Rt. 1, Salmon ID 83467 has applied to the Department of Water Resources to change point of diversion and correct township location of the waters of the Lemhi River. The right sought to be changed is evidenced by a decree and recorded as follows:

Decree No. 74-00591 Decreed to Clyde S. and/or Ruby M. Nelson in case of State of Idaho vs. Clyde S. and/or Ruby M. Nelson dated 06/17/1971 in Idaho county of Lemhi.

Source: Lemhi River tributary to Salmon River

Amount: .32 Priority: 04/01/1900
Point (s) of Diversion: NENW SEC 09 T21N R22E, Lemhi County (Diversion L-2B)

The water is used for irrigation of 10 acres from 03/15 to 11/15 within the S1/2SW SEC 04 N1/2NW SEC 09 T21N R23E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NESW SEC 10 T21N R22E, Lemhi County (diversion L-3)

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before August 25, 1997.

The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER

Director

Published in The Recorder Herald
on August 7 & 14, 1997.

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

RECEIVED

SEP 30 1997

Department of Water Resources
Eastern Region

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 IDAHO DEPT OF WATER T5109 NELSON

_____ 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 8/7, 19 97 and ending with the issue dated 8/14, 19 97

STATE OF IDAHO

County of Lemhi

ss.

On this 14th day of AUGUST in this year of 19 97
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 K. Hodge

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 58.08

Account No. 630

DEC 10 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5109
WATER RIGHT NO. 74-00591

This is to certify that: RUBY M NELSON
CLYDE S NELSON
RT 1
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	04/15 to 10/15	0.32 CFS	37.5 AF

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

Priority: 04/01/1900

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 10, 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	4	SWSW 4	SESW 2		6
		9	NENW 3	NWNW 1		4
Total number of acres irrigated:						* 10

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 this Department in a manner that will provide the watermaster suitable control of the diversion.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

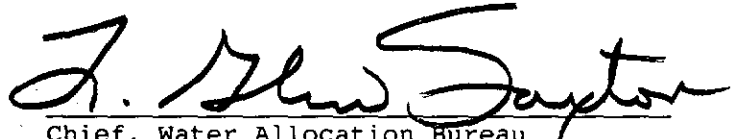
DEC 10 1997

TRANSFER NO. 5109
WATER RIGHT NO. 74-00591

CONDITIONS OF APPROVAL AND REMARKS

5. 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.
- * 6. Right 74-00591 authorizes the irrigation of 10.7 total acres.
7. Approval of Transfer 5109 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
8. 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.

Dated this 30th day of October, 1997.


Chief, Water Allocation Bureau

MICROFILMED

DEC 10 1997

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5109

RECEIVED

OCT 17 1997

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Department of Water Resources

Name of applicant Clyde S. Yoe Ruby M. Nelson Phone (208) 756-2454Post Office address Route 1 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 Correct ^{Range} Township location
2. Describe the reason for the proposed changes change point of diversion AS PART OF CONSOLIDATION
Agreement with Fish + Game to eliminate two (2) Lemhi River diversions

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

1. Right Number 74-00591 Priority 04-01-1900 Amount (cfs/ac-ft) 0.32 cfs Nature of Use irrigation Period of Use 03-15 to 11-15
2. Total amount of water being transferred 0.32 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
		NE	SW	10	21N	22E	Lemhi	L-3

5. Lands irrigated or place of use:

Twp.	Rge.	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	
21N	22E	4											4.0	2.0					6.0
		9					3.0	1.0											4.0

MICROFILMED
DEC 16 1997Total acres 10.0

PART 1

6. General Information:

a. Description of diversion system Rock dam in river, headgate + ditches to place of use

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:

N/A

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 _____

MICROFILMED

DEC 10 1997

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 74-00591

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	0.32 CFS

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

Priority: 04/01/1900

LOCATION OF POINT(S) OF DIVERSION:NENW , Sec. 9, Township 21N, Range 22E
LEMHI CountyPLACE 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	23E	4	SWSW 4	SESW 2		6
		9	NENW 3	NWNW 1		4
Total number of acres irrigated:						10

CONDITIONS/REMARKS:

1. AC. IRR.=10.7.
2. DIV. L-2B.

MICROFILMED
DEC 10 1997



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

PART 2*(Attach one copy for each right)***A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. 74-00591 Decreed to Clyde S. & Ruby M. Nelson
 in case of STATE OF IDAHO vs. Clyde S. & Ruby M. Nelson
 dated 06-17-1971 in Idaho county of Lemhi
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Lemhi River tributary to Salmon River4. Date or priority 04-01-1900

5. Water is used for the following purpose:

amount 0.32 cfs. for irrigation purposes from 03-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.32 cfs cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NE	NW	9	21N	22E	Lemhi	L-2B

8. Lands irrigated or place of use:

Twp.	Rge.	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	
21N	23E	04											4.0	2.0					6.0
21N	23E	09					3.0	1.0											4.0

Total acres 10.09. Describe any other water rights used for the same purpose as described above NONE

10. To your knowledge, has any portion of this water right undergone a period of one or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

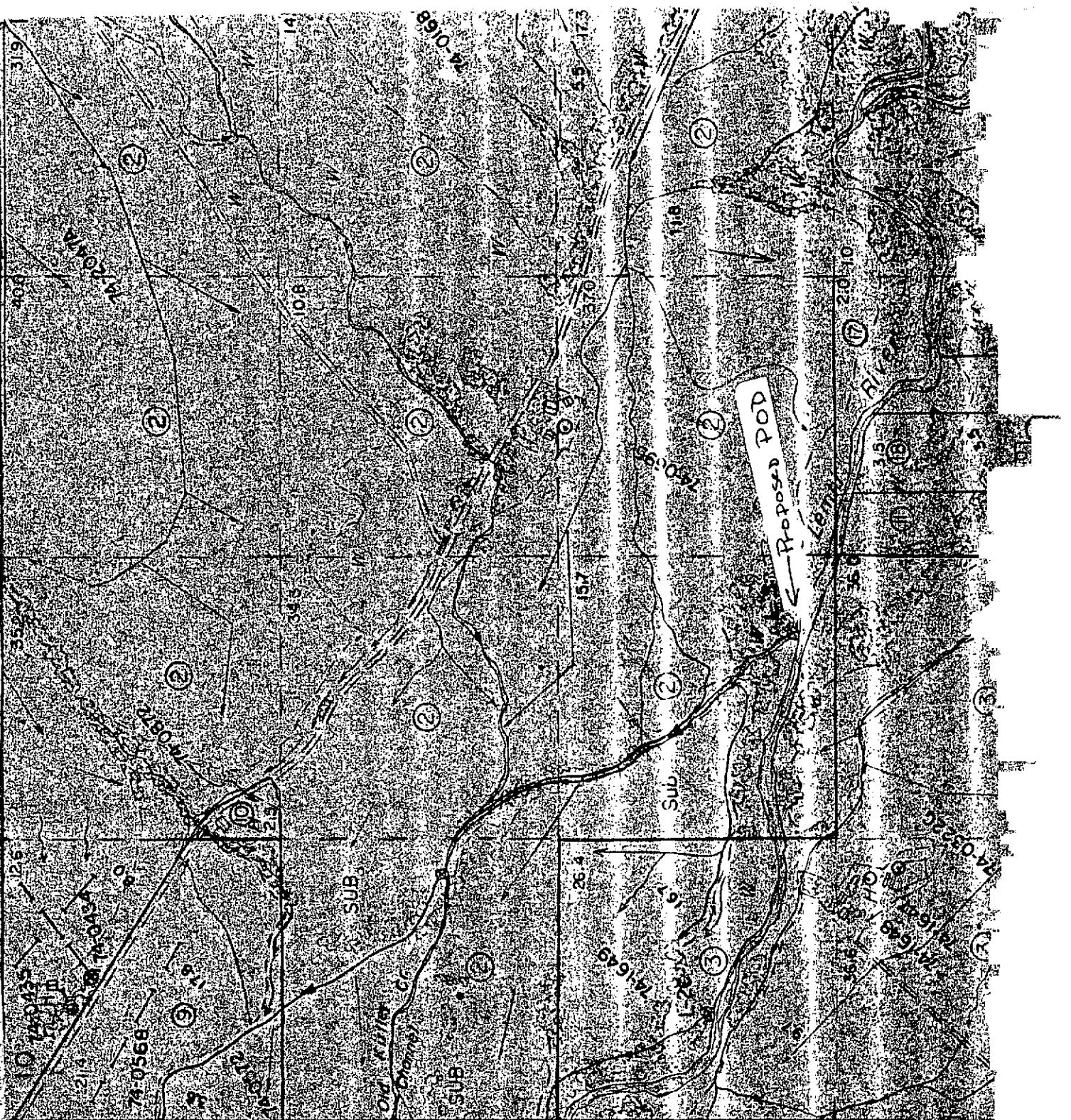
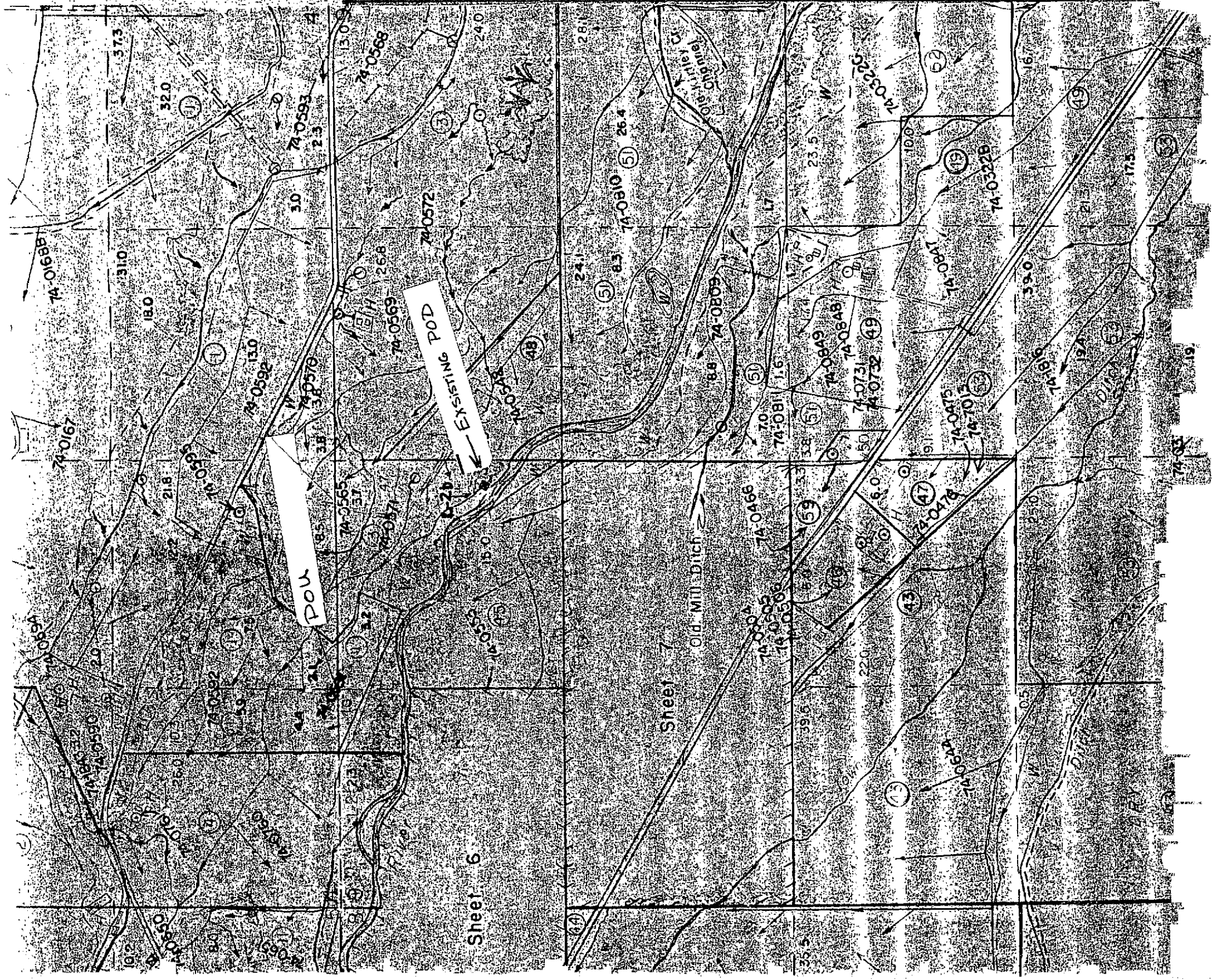
3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

74-00591

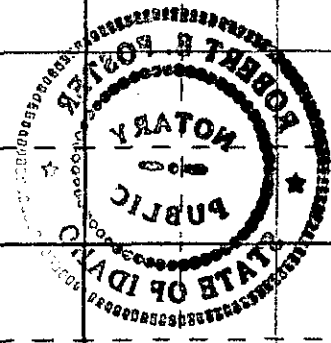
T#5109
Nelson



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.

(SEE ATTACHED MAP)



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DEC 10 1937

PART 3

B. CHANGES IN NATURE OF USE

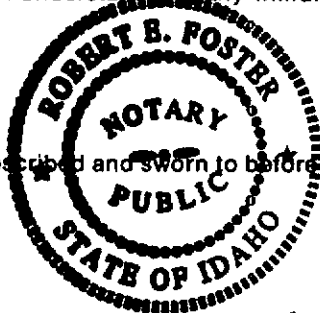
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

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.



Alfred Wilson
(Signature of Applicant)

Subscribed and sworn to before me this 17th day of July, 19 97.

Robert E. Foster
(Notary Public)

My commission expires 02-16-2001

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee \$100.00

Received by HJ #E023439 Date 7-23-97

Published in Recorders Herald Copies of protest forwarded by _____

Pub. dates August 7 & 14, 1997 Hearing held by _____ Date _____

Watermaster recommendation requested on July 28, 1997 Recommended for ☒ approval ☐ denial

WD-74 Sayer rec'd. 8-4-97 by RC

Copy of transfer sent to lien holder _____

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DEC 10 1997

ARLA BOOTS
LEMHI COUNTY ASSESSOR
LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DR.
SALMON, ID 83467
FORWARD & ADDRESS CORRECTION

IMPORTANT NOTICE-PLEASE READ

CATEGORY DESCRIPTION
2 IRRGTD PASTURE

TAX CODE 21 00
LOTS/ACRES 4.000 AC
4.000

MARKET VALUE
1,856
1,856*

1997

TAXPAYER'S
VALUATION

ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 16, 1997

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER RP 21N22E092401 A

Mail To:

FR T 672
9 21 22

NELSON FAMILY CO LTD

RT 1 BOX 5
SALMON

ID 83467

ARLA BOOTS
LEMHI COUNTY ASSESSOR
LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DR.
SALMON, ID 83467
FORWARD & ADDRESS CORRECTION

IMPORTANT NOTICE-PLEASE READ

CATEGORY DESCRIPTION
1 IRRGTD AG
2 IRRGTD PASTURE
5 DRY GRAZING
10 RURAL HOMESITE
31 RURAL RES BLDG
32 RURAL IMP ON AG

TAX CODE 21 00
LOTS/ACRES 38.654 AC
19.273 AC
5.067 AC
3.000 AC
65.000

MARKET VALUE
40,123
6,432
35
48,000
187,250
1,802
283,642*

1997

TAXPAYER'S
VALUATION

ASSESSMENT NOTICE
TAXES ARE BASED ON THE VALUATION
LISTED ON THIS STATEMENT

IF THERE ARE ANY QUESTIONS
REGARDING THIS STATEMENT
NOTIFY THE ASSESSOR'S OFFICE BEFORE

JUNE 16, 1997

See the reverse side for further references
KEEP THIS COPY FOR YOUR RECORDS

PROPERTY ADDRESS

PARCEL NUMBER RP 21N22E046003 A

Mail To:

FR T 672
4 21 22

NELSON FAMILY CO LTD

RT 1, BOX 5
SALMON

ID 83467

MICH

DEC 10



T

B. L. M.

1800

MBF

B. L. M.

1800

T

MBF

VALUATION SUMMARY SHEET

PAGE 1

TIME: 15:42:27

DATE: 4/29/97

PARCEL NUMBER: RP 21N23E040001 A PROPERTY ADDRESS:

EFFECTIVE DATE: 00/00/0000

EXPIRATION DATE: 00/00/0000

TAX CODE AREA: 02100

NAME: BOLTON RANCHES INC

LEGAL: LOT 1, S2SE4 NE4SE4
SE4NW4SE4 S2SE4NE4
NE4SE4NE4 SE4SW4
4 21 23

RESS: RT 1 BOX 14

COMMENT 1:

COMMENT 2:

SALMON

ID 33467

OLD PARCEL #:

MICROFILMED
DEC 10 1997

CAI	SHI	RY	QUANTITY	UN	MARKET VALUE	HO VALUE	HO EXEMPT	CB VALUE	OTHER EXEMP
1		1994	95.678	AC	74,485				
2		1994	65.854	AC	23,596				
5		1994	72.908	AC	1,233				
19		1994	4.610	AC					

TOTALS:	238.950	99,314
---------	---------	--------

DEED REFERENCES:
DATE: 00/00/0000

RELATED PARCELS:

SUB-SYSTEMS:

RL

HOMEOWNERS: NONE

ZONING:

PHOTO NUMBER:

MAP NUMBER: 212303040910

INSP YEAR: 1994

SW UNITS:

SW TYPES:

PARCEL TYPE: TV

LOCATION CODE: 1210

TAX SPECIALS:

VALUATION SUMMARY SHEET

PAGE 1
DATE: 4/29/97

TIME: 15:42:27

PARCEL NUMBER: RP 21N23E094199 A PROPERTY ADDRESS:

EFFECTIVE DATE: 01/01/1987

EXPIRATION DATE: 00/00/0000

TAX CODE AREA: 02100

NAME: BOLTON RANCHES INC

LEGAL: E2E2SW4NW4
9 21 23

ADDRESS: RT 1 BOX 14

SALMON

ID 83467

COMMENT 1:
COMMENT 2:
OLD PARCEL #:MICROFILMED
DEC 10 1997

CAT	SHI	BY	QUANTITY	UN	MARKET VALUE	HQ VALUE	HQ EXEMPT	CB VALUE	OTHER EXEMP
5		1992	9.540	AC	143				
19		1992	.460	AC					

TOTALS:	10.000	143
---------	--------	-----

DEED REFERENCES:
DATE: 00/00/0000

RELATED PARCELS:

SUB SYSTEMS:

RL

HOMEOWNERS: NONE

ZONING:

PHOTO NUMBER:

MAP NUMBER: 212303040910

INSP YEAR: 1992

SW UNITS:

SW TYPES:

PARCEL TYPE: TV

LOCATION CODE: 1210

TAX SPECIALS:

VALUATION SUMMARY SHEET

PAGE 1

DATE: 5/06/97

TIME: 21:18:06

PARCEL NUMBER: RP 21N23E090000 A PROPERTY ADDRESS:

EFFECTIVE DATE: 00/00/0000

EXPIRATION DATE: 00/00/0000

TAX CODE AREA: 02100

NAME: BOLTON RANCHES INC

LEGAL: SE4NW4 N2NE4 SW4NE4
NW4SE4 NE4NW4 SE4NE4
NE4SE4
9 21 23

ADDRESS: RT 1 BOX 14

COMMENT 1:

COMMENT 2:

SALMON ID 83467

OLD PARCEL #:

CAI SHI	RY	QUANTITY	UN	MARKET VALUE	HO VALUE	HO EXEMPT	CB VALUE	OTHER EXEMPT
1	1994	111.753	AC	87,000				
2	1994	83.940	AC	28,295				
5	1994	119.161	AC	2,025				
10	1994	2.000	AC	32,000				
19	1994	3.146	AC					
31	1992			124,778	64,242	32,121		
32	1992			42,898				

MICROFILMED
DEC 10 1997

TOTALS:	320.000	316,996	64,242	32,121
---------	---------	---------	--------	--------

DEED REFERENCES: RELATED PARCELS: SUB-SYSTEMS: HOMEOWNERS: YES
DATE: 00/00/0000
RL PHOTO NUMBER:
RC MAP NUMBER: 212303040910
INSP YEAR: 1992
SW UNITS:
SW TYPES: ✓
PARCEL TYPE: TU

AJ5809NP
No. A74-00591

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/18/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CLYDE S NELSON	04/01/1900	IRRIGATION	03-15 11-15	0.32 CFS	
C	RUBY M NELSON					
	RT 1					
	SALMON ID 83467					
TOTAL DIVERSION:					0.32 CFS	

Water Source: LEMHI RIVER

Tributary to: SALMON RIVER

Stage: DECRBED

Point(s) of Diversion: T21N R22E S09 NENW

LEMHI County

Place of use Legal Description for: IRRIGATION

NE												NW				SW				SE				
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
21N	23E	4	:																				6.0	
21N	23E	9	:																				4.0	
TOTAL ACRES																						10.0		

POU County: LEMHI

Remarks: GEN AC. IRR.=10.7.
DIV. L-2B.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

Audit: 04/24/91 THOMPSON 03/30/95 POST-STD

7-30-97
SKp.
Here are the
photos + owners
of the property
in question.
Thank
BoB

MICROFILMED
DEC 10 1997

WRD416

05/04/83

S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

PAGE 183

INDICATES TOTAL

SOURCE: LEMHI 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
74-0523	P.O. BOX 48 TENDON REMARKS: DIV. L-27. AC. IRR.=76.5.	ID 83468					LT02 (NWNE)(08) S06 T19N R24E * 76 ACRES*	
74-0788	SHOUP, GEORGE LAIRD SHOUP, RAMANA L. TENDON REMARKS: DIV. L-27.	ID 83468	07-06-1899 IRRIGATION	03-15 11-15	.06 CFS	SENE S07 T19N R24E	S4SE(02) S06 T19N R24E * 2 ACRES*	DECREE
74-0591	NELSON, CLYDE S. NELSON, RUBY M. RT. 1 SALMON REMARKS: AC. IRR.=10.7. DIV. L-2B.	ID 83467	04-01-1900 IRRIGATION	03-15 11-15	.32 CFS	NENW S09 T21N R22E	NENW(03) NWNW(01) S09 T21N R22E S4SW(04) SESE(02) S04 T21N R23E * 10 ACRES*	DECREE
74-0592	NELSON, CLYDE S. NELSON, RUBY M. RT. 1 SALMON REMARKS: AC. IRR.=46.8. DIV. L-3.	ID 83467	04-01-1900 IRRIGATION	03-15 11-15	1.40 CFS	NESW S10 T21N R22E	NESW(02) NWSW(03) S4SW(06) SESE(20) S4SE(13) SESE(03) S04 T21N R22E * 47 ACRES*	DECREE
74-0470	NANCOLAS, RAYMOND E. NANCOLAS, STELLA R. P.O. BOX 5 BAKER REMARKS: DIV. L-14.	ID 83461	09-23-1901 IRRIGATION	03-15 11-15	.06 CFS	NESW S03 T20N R23E	SENE(02) S04 T20N R23E * 2 ACRES*	DECREE
74-0961	BROWN, IRA D. BROWN, BENITA A. P.O. BOX 17 LEMHI REMARKS: AC. IRR.=13.3. DIV. L-4b.	ID 83465	04-01-1902 IRRIGATION	03-15 11-15	.40 CFS	SESE S14 T17N R24E	SENE(13) S10 T17N R24E * 13 ACRES*	DECREE
74-0677	SMITH, MARION R.		04-30-1902 IRRIGATION	03-15 11-15		NESW S30	S4NE(17) SENE(02)	DECREE

MICROFILMED
DEC 10 1993

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

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.)

CIVIL NO. 4948
PROPOSED FINDING OF
WATER RIGHTS

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

RECORDED
DEC 10 1987



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

October 31, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RICK SAGER
WATERMASTER
201 BROADWAY
SALMON ID 83467

RE: TRANSFER OF WATER RIGHT 74-00591

Dear Rick:

Enclosed is a copy of the recently approved Transfer of Water Right for the above referenced water right (Transfer No. 5109) in the name of Ruby M. & Clyde S. Nelson.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,

for Shelly Walter Koe
JIM JOHNSON, Manager
Water Permits Section

JJ:klt

Enclosures

MICROFILMED

DEC 10 1997



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

October 30, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RUBY M NELSON
CLYDE S NELSON
RT 1
SALMON ID 83467

RE: Water Right 74-00591 (Transfer 5109)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5109). 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.

As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

MICROFILMED

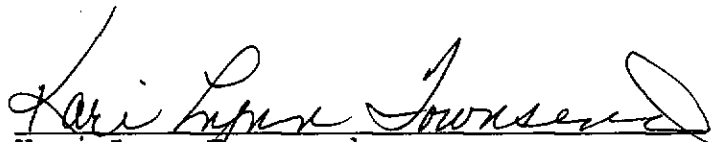
DEC 10 1997

CERTIFICATE OF MAILING

I hereby certify that on the 30th day of October, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT 74-00591 (Transfer 5109)

RUBY M NELSON
CLYDE S NELSON
RT 1
SALMON ID 83467


Kari Lynn Townsend
Secretary

MICROFILMED

DEC 10 1997

MEMORANDUM

TO: FILE 74-00591

FROM: PAM SKAGGS ^{PS} STATE OFFICE

SUBJECT: TRANSFER 5109

DATE: October 23, 1997

=====

Transfer 5109 is one of three transfers filed concurrently to consolidate Lemhi River diversions into a single new point of diversion, designated L-3. This transfer changes the point of diversion under Right 74-00591.

Transfer 5109 also changes, or more accurately, corrects the place of use description under this right from Range 23E to 22E. Under the decree, both Rights 74-00760 (Transfer 5110) and 74-00591 identify L-2B as the diversion point and have adjacent land parcels in Sections 4 and 9, in Township 21N, Range 22E. The applicant's are the sole claimaints to this right in the SRBA, the watermaster concurs with the transfer, and no one disputes that the change in place of use is a correction only; no physical change will occur.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include measuring device & watermaster control, irrigation overlap, right-of-way, total acres and standard transfer conditions.

MICROFILMED

DEC 10 1997

TRANSFER REVIEW SHEET
(06-97)

Transfer # 5109

Date Reviewed 10-23-97 38

Right(s) 74-00591 _____

WRQ11 Print Split Summary ☐ ☒ Run POU Comparison Report

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 Applicant provided tax notices of acres in proposed & apparently historic location. Nelson's sole claimant of this right in SRBA. (Lateral -213 runs west not east to Township 23E)

Transfer ☒ All of Right ☐ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Recorded Right Season/Vol. B/3.5

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

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

(11) 74 Water District (12) NO Pertinent Conditions (13) NO Expansion
WM Approval Rev'd. 8-4-97

(3) Standard Season 4-15 to 10-15
(4) Decreed @ .0299 cfs/acre - Limit vol @ FHG
(5) Standard Volume = 10.7 x 3.5 = (37.5 cfs) < 32 x 183 x 1.9835 = 116.2 cfs
(8) Correct Township on P/U 22E instead of 23E. Identify 10.7 total acres.

Transfer Remarks R25 @ FHG W57 10.7 Acres IRR
Conditions R04, R43 T07, T08, T09

Database/Processing Notes Standard ☒ Non-Standard ☐
T File

Pccommon File -F5109.txt
File Deleted 10-30-97

Transfer Memo Complete ☒
Database Updated 10-30-97 38

WR0749NP
No. 174-00591

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/24/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	RUBY M NELSON	04/01/1900	IRRIGATION	04/15 10/15	0.320 CFS	37.50 AFA
C	CLYDE S NELSON					
	RT 1					
	SALMON ID 83467					
	(208) 756-2454					
TOTAL DIVERSION:					0.320 CFS	37.50 AFA

Water Source: LEMHI RIVER

Tributary to: SALMON RIVER

Stage: DECREED

Point(s) of Diversion: T21N R22E S10 NESW LEMHI County

Point of Diversion Name(s):

	Name	Rate	Number
T21N R22E S10	NE SW		L-3

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
21N	22E	4	:					:					:			04	02	:					:	6.0
21N	22E	9	:					:	03	01			:					:					:	4.0
TOTAL ACRES																							10.0	

Pou County: LEMHI

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 74.
- R43 - The right holder shall maintain a measuring device and lockable controlling works of a type approved by this Department in a manner that will provide the watermaster suitable control of the diversion.
- T07 - The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 - Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 - 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.

Remarks:

Right 74-00591 authorizes the irrigation of 10.7 total acres. Approval of Transfer 5109 does not grant any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner. 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.

WR0749NP
No. 174-00591

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/24/97
PAGE: 2

=====

Dates:	App. Received:	Priority Date:	04/01/1900
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 74 Field Exam Fee:

Comments: Date: 10/23/1997 User-ID: PSKAGGS Subject: TRANSFER 5109
Transfer 5109 changes the point of diversion under Right 74-00591
to consolidate diversions from the Lemhi River. The legal for
the place of use is also changed/corrected to reflect actual use.

Audit: 07/25/97 RBODELL 10/23/97 PSKAGGS

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
T21N R22E S 4	Transfer & Actual Historical P/U									4			2									6
7400167	KIRTLEY CR :			5						10		27				33	40	18	22			155
A7400167	KIRTLEY CR :			5						10		27				33	40	18	22			155
7400168B	KIRTLEY CR :			5						10		27				33	40	18	22			155
A7400168B	KIRTLEY CR :			5						10		27				33	40	18	22			155
7400570	SPRINGS :																	4				4
A7400570	SPRINGS :																	4				4
7400572	LEMHI RIVE :												9					4				13
A7400572D	LEMHI RIVE :												7									7
A7400572E	LEMHI RIVE :												2					4				6
7400574	LEMHI RIVE :											10										10
A7400574	LEMHI RIVE :											10										10
7400592	LEMHI RIVE :									2	3	6	20					13	3			47
A7400592	LEMHI RIVE :									2	3	6	20					13	3			47
7400593	WASTE WATE :																		2			2
A7400593	WASTEWATER :																		2			2
7400708	LEMHI RIVE :							24				13										37
A7400708	LEMHI RIVE :							24				13										37
7400760	LEMHI RIVE :												26									26
A7400760A	LEMHI RIVE :											13										13
T7400760A	LEMHI RIVE :											13										13
A7400760B	LEMHI RIVE :											13										13
T7400760B	LEMHI RIVE :											13										13
7402343	LEMHI RIVE :	01-8	02-20	1	4			03-28	04-25							3						89
A7402343	LEMHI RIVE :	01-8	02-20	1	4			03-28	04-25							3						89
--86 MAP--	C59Q-R 28 :			14	7					30	24		39	34	37	39		38	39	39	39	379
NO QTRS	MAPPING	Lot01-07	Lot02-30	Lot03-29	Lot04-26																	

T21N R22E S 9	Transfer P/U									3												4
7400322B	LEMHI RIVE :															10						10
A7400322B	LEMHI RIVE :															10						10
7400322C	LEMHI RIVE :															24						24
A7400322D	LEMHI RIVE :															24						24
7400331	LEMHI RIVE :												25					20	4			49
A7400331	LEMHI RIVE :												25					20	4			49
7400466	LEMHI RIVE :							15		3												18
A7400466	LEMHI RIVE :							15		3												18
7400475	LEMHI RIVE :									6												6
A7400475	LEMHI RIVE :									6												6
7400498	LEMHI RIVE :									1		1										2
A7400498	LEMHI RIVE :									1		1										2
7400499	GROUNDWATE :									1		1										

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
A7400499	GROUNDWATE :																	
7400506	LEMHI RIVE :																	6
A7400506A	LEMHI RIVE :																	2
7400542	LEMHI RIVE :			8														8
A7400542	LEMHI RIVE :			8														8
7400553	WASTE WATE :					15	7											22
A7400553	WASTEWATER :					15	7											22
7400565	SPRINGS :					4												4
A7400565	SPRINGS :					4												4
7400566	LEMHI RIVE :							1										1
7400568	LEMHI RIVE :	13																13
A7400568A	LEMHI RIVE :	13																13
A7400568B	LEMHI RIVE :	13																13
7400572	LEMHI RIVE :	24	27			5												56
A7400572A	LEMHI RIVE :	5	1															6
A7400572B	LEMHI RIVE :	6																6
A7400572D	LEMHI RIVE :	24	27			5												56
7400579	WASTE WATE :									14								14
A7400579	WASTEWATER :									14								14
7400588	LEMHI RIVE :					1												1
7400644	LEMHI RIVE :							19		22	40	1						82
A7400644	LEMHI RIVE :							19		22	40	1						82
7400704	WASTE WATE :					5	4											9
A7400704	WASTEWATER :					5	4											9
7400732	LEMHI RIVE :															1		1
A7400732	LEMHI RIVE :															1		1
7400760	LEMHI RIVE :					2												2
A7400760B	LEMHI RIVE :					2												2
T7400760B	LEMHI RIVE :					2												2
7400809	WASTE WATE :			9	2													11
A7400809	WASTEWATER :			9	2													11
7400810	LEMHI RIVE :			8	26													34
A7400810	LEMHI RIVE :			8	26													34
T7400810	LEMHI RIVE :			8	26													34
7400811	LEMHI RIVE :			7												4		11
A7400811	LEMHI RIVE :			7												4		11
7400841	WASTE WATE :					2	6											8
7400847	LEMHI RIVE :															17	17	34
A7400847A	LEMHI RIVE :																2	2
A7400847D	LEMHI RIVE :															10		10
A7400847E	LEMHI RIVE :															7		7
A7400847F	LEMHI RIVE :																15	15
7401657	LEMHI RIVE :							1										1
A7401657	LEMHI RIVE :							1										1
7401658	LEMHI RIVE :							1										1

T#5111

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		NE		NW		SW		SE		NE		NW		SW		SE			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
7401809	WASTE WATE :							08-18										18	
A7401809B	WASTEWATER :							08-16										16	
7401816	LEMHI RIVE :														9	19	18	46	
A7401816A	LEMHI RIVE :														2			2	
A7401816C	LEMHI RIVE :														9	19	15	43	
A7401816D	LEMHI RIVE :																2	2	
7407013	GROUNDWATE :									6								6	
A7407013	GROUNDWATE :									6								6	
7407324	WASTE WATE :						1	8										9	
7407333	GROUNDWATE :									0									
A7407333	GROUNDWATE :									0									
A7410163	LEMHI RIVE :						15	7		14								36	
--86 MAP--	C59Q-R 28 :	39	39	37	40		38	36	35	38	39	37	3	26	39	39	40	40	565

T21N R23E S 4 Decreed Location

7400006	GEERTSON C :					20									34	12	30	33	129
A7400006	GEERTSON C :														3	9	23		35
7400007	GEERTSON C :					7									22	3		27	59
A7400007	GEERTSON C :					7									23	2		27	59
7400591	LEMHI RIVE :														4	2			6
A7400591	LEMHI RIVE :														4	2			6
7400619	GEERTSON C :																		6
A7400619	GEERTSON C :					7									32	13	30	40	115
7400918	GEERTSON C :					13									32	13	30	33	115
A7400918	GEERTSON C :					13									1				14
7402272	GEERTSON C :														1				14
A7402272	GEERTSON C :														1				1
--86 MAP--	C59Q-R 29 :					2	29								3				3
NO QTRS	MAPPING														40	22	36	41	173

T21N R23E S 9

7400006	GEERTSON C :	22	34	30		4		23							1				114
A7400006	GEERTSON C :		19	7		3		17											46
A7400007	GEERTSON C :	10																	10
7400591	LEMHI RIVE :					3	1												4
A7400591	LEMHI RIVE :					3	1												4
7400618	SPRINGS :					1													1
A7400618	SPRINGS :					1													1
7400619	GEERTSON C :	12	34	24		3		17								12			102

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

WR-NUMBER	SOURCE	SW																SE				SUM					
		NE				NW				SE				NE				SW									
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac			Lt		Ac		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		Lt	Ac			
A7400619	GEERTSON C :	12		34		24				3					17								12				102
7400624	GEERTSON C :																						8				8
A7400624	GEERTSON C :																						8				8
7400918	GEERTSON C :	9				6		13		1					6					0			14				49
A7400918	GEERTSON C :	10				6		13		1					6				1			15					52
7402200	GEERTSON C :																								4		114
A7402200	GEERTSON C :																										110
7402272	GEERTSON C :			2						11															2		15
A7402272	GEERTSON C :			2						11																	13
7407297	GROUNDWATE :					1									1												2
--86 MAP--	C59Q-R 29 :	29		38		42		13		22					34		38	12	30	39		2		37	11		347

SD-0611-2 Basin: 74 Starting Water Right: 00591

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	74-00591	NELSON, CLYDE S.	C	04/01/1900	D/	LEMHI RIVER	IRR	WR
-		NELSON, RUBY M.	C					
-	T74-00591			04/01/1900	D/	LEMHI RIVER	IRR	WR
-	A74-00591	NELSON, CLYDE S	C	04/01/1900	D/	LEMHI RIVER	IRR	AJ
-		NELSON, RUBY M	C					

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE

(Enter=Continue)

(GOLD7=This Query)

(GOLD8=Cancel)

(Menu _____)

Natural 2.1/7V

OVR

LIB=PRODLIBS

Last key was ENTR

T#5109

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

7-24-97-HWJ

T#5109

INITIAL REVIEW BY: HWJ

1. Right number 74-00591 Applicant Clyde Nelson
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

RECEIVED
OCT 17 1997

Department of Water Resources

~~Letter and Discharge from~~
~~Letter to R-23E~~

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on July 28, 97 Received on 8-4-97
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By RDC Date Oct 16, 1997

AD 30 7-25-97
TR 30 7-28-97

* All uses within Watermaster Districts require special conditions.

**NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT NO T5109**

Notice is hereby given that Clyde S. and/or Ruby M. Nelson, Rt. 1, Salmon ID 83467 has applied to the Department of Water Resources to change point of diversion and correct township location of the waters of the Lemhi River. The right sought to be changed is evidenced by a decree and recorded as follows:

Decree No. 74-00591 Decreed to Clyde S. and/or Ruby M. Nelson in case of State of Idaho vs. Clyde S. and/or Ruby M. Nelson dated 06/17/1971 in Idaho county of Lemhi.

Source: Lemhi River tributary to Salmon River

Amount: 32 Priority: 04/01/1900

Point (s) of Diversion: NENW SEC 09 T21N R22E, Lemhi County (Diversion L-2B)

The water is used for irrigation of 10 acres from 03/15 to 11/15 within the S1/2SW SEC 04 N1/2NW SEC 09 T21N R23E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be diverted from the NESW SEC 10 T21N R22E, Lemhi County (diversion L-3)

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before August 25, 1997.

The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER

Director

Published in The Recorder Herald
on August 7 & 14, 1997.

Affidavit of Publication

RECEIVED

SEP 30 1997

Department of Water Resources
Eastern Region

STATE OF IDAHO }
County of Lemhi }

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 IDAHO DEPT OF WATER T5109 NELSON

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 8/7 19 97 and ending with the issue dated 8/14 19 97

STATE OF IDAHO }
County of Lemhi }

On this 14th day of AUGUST 1997 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 K. Hodge

Notary Public for Idaho

Residing At Salmon, Idaho

My Commission expires: 9-21-2001

Publication Fee \$ 58.08

MICROFILM 650
Account No.

DEC 10 1997

September 8, 1997

RECORDER HERALD
PO BOX 310
SALMON ID 83467

RE: Notice of Proposed Change of a Water Right No:
5109 Clyde S. &/or Ruby M. Nelson

Dear Publisher:

Could you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your paper on August 7 & 14, 1997.

If the application was never published, I need to know as soon as possible.

Your cooperation in this matter is greatly appreciated.

Very truly yours,



Rita Bodell
Secretary

MICROFILMED

DEC 10 1997

APPLICATION FOR TRANSFER OF
WATER RIGHT NO. 5109

RECEIVED

AUG 4 1997

Department of Water Resources
Eastern Region

WATER DISTRICT: 74

WATERMASTER: Rick Sager

DATE: July 28, 1997

HAS THIS WATER RIGHT(S) BEEN DELIVERED WITHIN THE LAST FIVE YEARS?

YES ☒ NO ☐

COMMENTS: _____

☒ I do endorse approval of this change.

☐ I do not endorse approval of this change.

I recommend the following conditions of approval:

Rick Sager
Watermaster

MICROFILM DATE

DEC 10 1997

July 28, 1997

RICK SAGER
WATER DIST 74
201 BROADWAY
SALMON ID 83467

RE: Application for Transfer No. 5109
CLYDE S. &/OR RUBY M. NELSON

Dear Mr. Sager:

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 as soon as possible.

If we may be of further assistance, please feel free to contact us.

Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones
Water Right Supervisor

HWJ/rb
enc.

MICROFILMED

DEC 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

July 25, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECORDER HERALD
PO BOX 310
SALMON ID 83467

Dear Publisher:

Enclosed you will find a legal notice which we wish to have 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 AUGUST 25, 1997.

Yours truly,

Rita Bodell
Secretary

Enc.

MICROFILMED
DEC 10 1997

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5109

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The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Recorder Herald on August 7 & 14, 1997.

MICROFILMED

DEC 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 25, 1997

CLYDE & RUBY NELSON
RT 1
SALMON ID 83467

RE: Notice of Application for Transfer No. 5109

Dear Applicant:

This office is currently in the process of advertising the notice of Application for Transfer of Water Right in the Recorder Herald on August 7 & 14, 1997. 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
Harold W. Jones *rb*
Water Right Supervisor

HWJ/rb

MICROFILMED

DEC 10 1997

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~