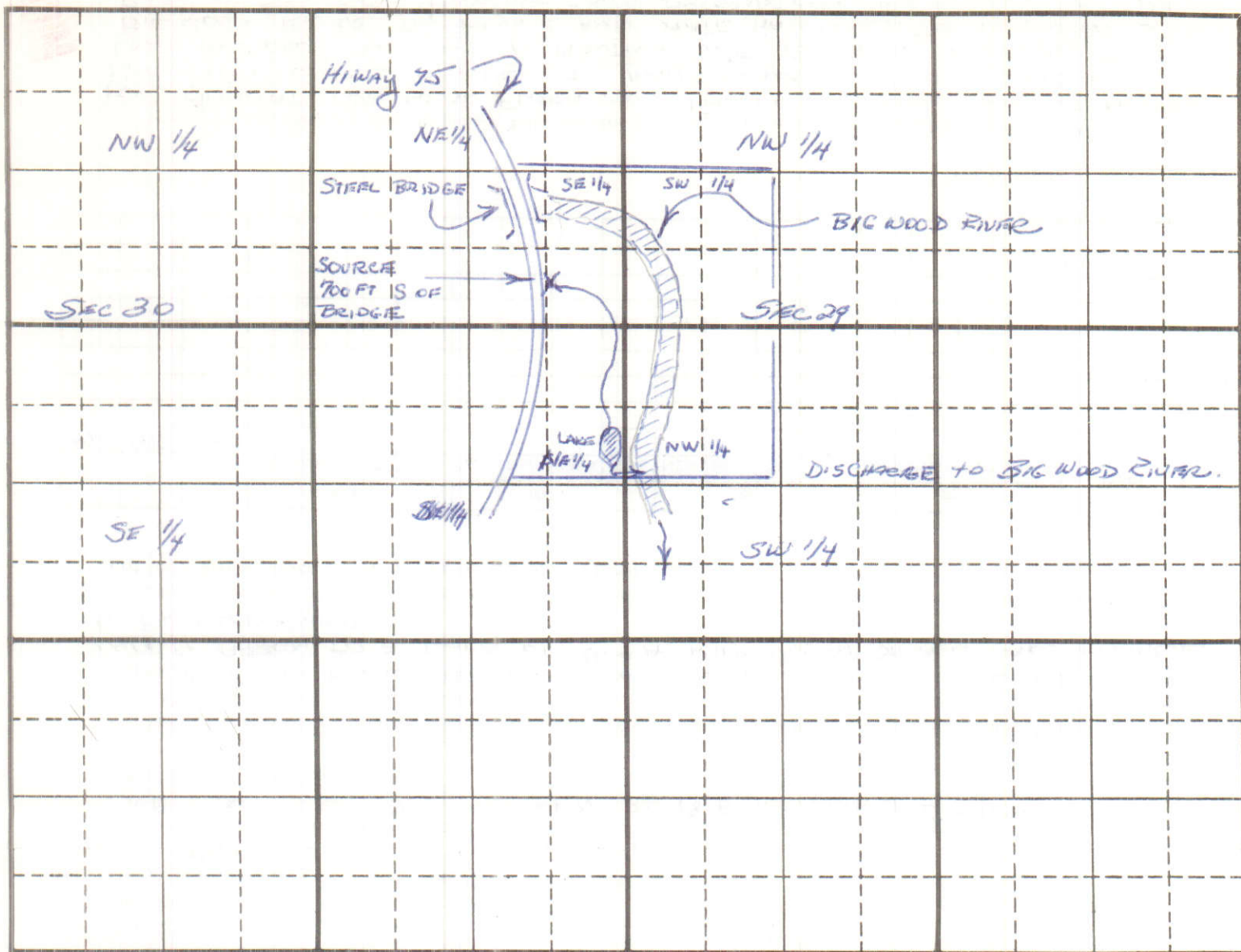


(8) Remarks ALL WATER RIGHTS CONVEYED IN TITLE ABSTRACT 4163 WHICH CITES
U.S. PATENT DATED JULY 19 1893 AND WARRANT DEED # 79569 & 79116
DATED JUNE 22 1939 TO JAY FASSETT - RECORDED IN C. OF BLAINE
DEED BOOK 145 P 39 AND P 68



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of _____)

) ss.

Helen Murdoch Fassett
Robert H. Linnwood (son)
Attys. in Fact.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Helen Murdoch Fassett,
 (Claimant)

Sworn to before me this 17 day of July, 19 80.

Notary Public
 Residing at

Joann Hopkins
Ketchum

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>Marya</u>	Date <u>7-18-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>gs</u>	Date <u>7-23-80</u>		claimant by:	
\$20.00 fee received by <u>Marya</u>	Date <u>7-25-80 #16527</u>			
Published in <u>Wood River Journal</u>				
Dates <u>8/07 & 8/14/80</u>				

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASHANN

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 7 day of August

1980, and the date of the last publication was on the 14

day of August, 1980

Subscribed and sworn to before me this 15th

day of August, 1980.
(SEAL)

Robert J. Kiefer

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

Number of Picas per Line 13

Number of Lines in Notice 31

Number of Insertions 2

Lines tabular at _____ 4¢ / Pica

31 Lines straight at 12.09 3¢ / Pica

31 Subsequent lines at 806 2¢ / Pica

TOTAL COST 20.15

CO OF NOTICE

(Paste Here)

Permit 37-4150
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
1041 Blue Lakes Blvd. IV. TF

NOTICE OF CLAIMS TO WATER RIGHTS

NOTICE IS HEREBY GIVEN, That the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

37-4150

Name: Fassett, Helen Murdoch
Address: Box 273, Sun Valley, Idaho 83353

Source: Spring

Priority Date: 01/01/1939

Amount: 1.04 cfs

Diversion Point: NESE Sec 30 T 04N R 18E, Blaine County

Use: Wildlife--(1.00 cfs) from 01/01 to 12/31

Domestic--(0.04 cfs) from 01/01 to 12/31

Place of Use: NESE Sec 30 T 04N R 18E

Diversion Means: Natural flow

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. Stephen Allred

Director

Publish: Wood River Journal--August 7, 14, 1980.

(Idaho Code, Rev. Statutes 1980)

7-8 pt. per line, straight 3¢ / Pica

7-8 pt. per line, tabular 4¢ / Pica

7-8 pt. per line successive

insertions 2¢ / Pica

RECEIVED

No 099
AUG 25 1980

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83301
(208) 734-3575

AUGUST 26, 1980

HELEN MURDOCH FASSETT
BOX 273
SUN VALLEY ID 83353

RE: Claim No. 37-4150

Dear Claimant:

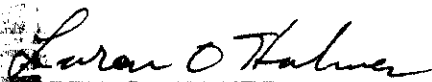
The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,


LAUREN O. HOLMES
Southern Region Supervisor

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, **Idaho Code**, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), **Idaho Code**. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that HELEN MURDOCH FASSETT

Box 273 Sun Valley IDAHO 83353 Telephone No. 726-3300

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 1939

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

SPRING 720 FT SOUTH OF STEAL BRIDGE HWY 75 tributary to 2 mi. SOUTH OF KETCHIKAN CENTER

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

				(Both dates inclusive)	
(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)	
Quantity	<u>1 C.F.S.</u>	Use	<u>WILDLIFE HABITAT</u>	Period of Use From	<u>ALL YEAR</u> To
Quantity	<u>.04</u>	Use	<u>DOMESTIC</u>	Period of Use From	<u>ALL YEAR</u> To
Quantity	_____	Use	_____	Period of Use From	_____ To
Quantity	_____	Use	_____	Period of Use From	_____ To
Quantity	_____	Use	_____	Period of Use From	_____ To

- (4) 1.04 TOTAL QUANTITY USED.

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

NE ¼ SE ¼, Sec. 30 Twp. 4 N Rge. 18 E B.M., County of BLAINE

Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. NATURAL FLOW THROUGH IMPROVED NATURAL CHANNEL FOR A MEANDER

change. NATURAL FLOW THROUGH IMPROVED NATURAL CHANNEL FOR A MEANDER OF 1/400 FT APPROX. TO A LAKE OF 0.4 A WITH 0.8 AF STORAGE - LAKE DISCHARGES TO BIG WOOD RIVER.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres

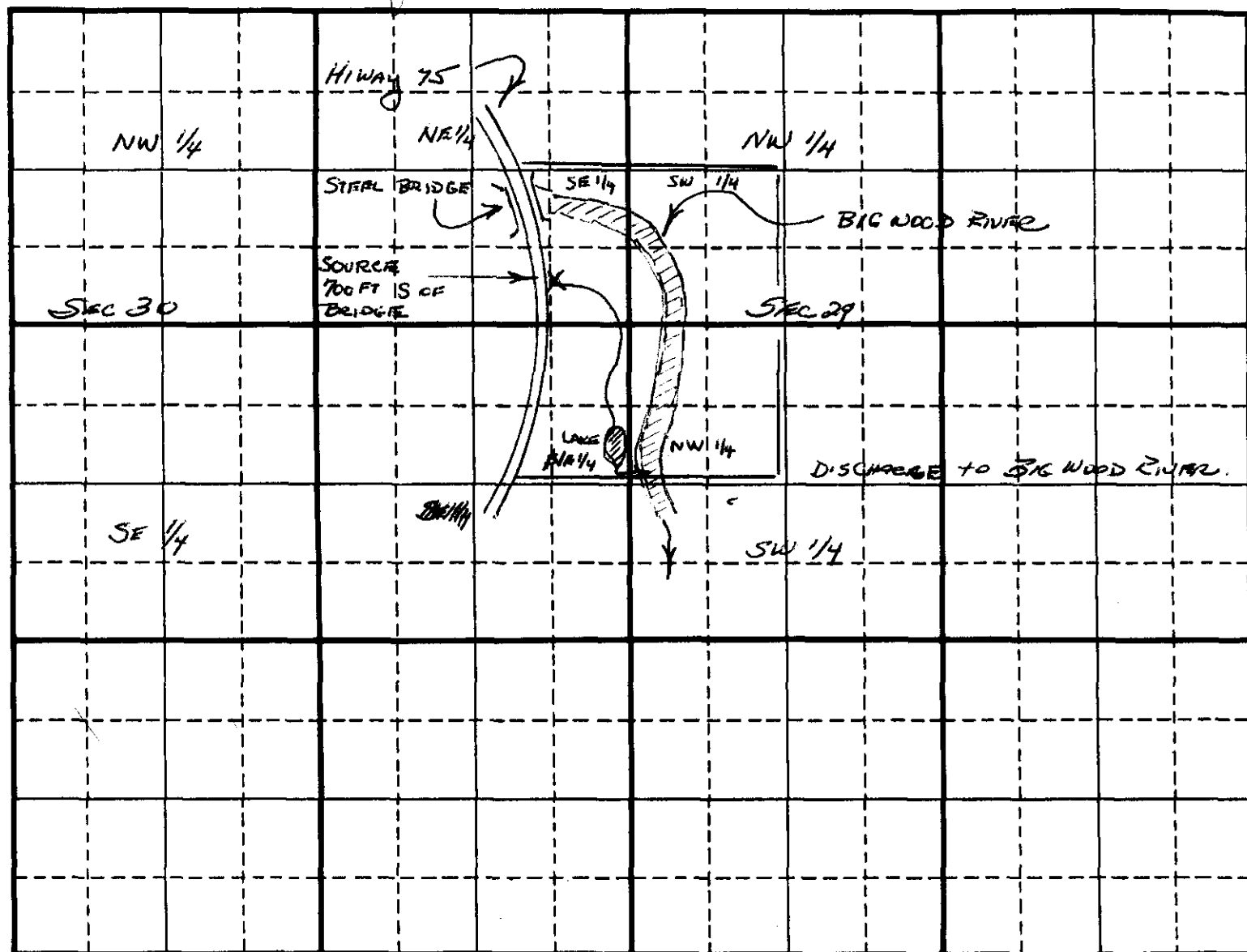
B) If water is used for other than irrigation, fully describe that use, being as specific as possible: LAKE USED FOR HABITAT FOR LOCAL FLORA AND FAUNA AND LANDSCAPE OF HOUSE. RECREATIONAL USE LIMITED TO MAINTAINANCE OF WILD STATE OF LAKE ENVIRONS AND AS A PLANTING SITE FOR TROUT RELEASED TO BIG WOOD RIVER BY PRIVATE AND STATE HATCHERIES. THE LAKE SITE IS PLACE OF SCIENTIFIC EXPERIMENT AND OBSERVATION WITH A LABORATORY ON SITE.

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

7
MICHAEL

(8) Remarks ALL WATER RIGHTS CONVEYED IN TITLE ABSTRACT 4163 WHICH CITES
U.S. PATENT DATED JULY 19 1893 AND WARRANTY DEED # 79569 & 79116
DATED JUNE 22 1939 AND JAY FASSETT - RECORDED IN C. OF BLAINE
DEED BOOK 145 P 39 AND P 68



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)

County of _____)

ss.

Helen Murdoch Fassett
Robert H. Shumroad (son)
Attys. in Fact.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Helen Murdoch Fassett
 (Claimant)

Sworn to before me this 17 day of July

19 80

Notary Public
 Residing at

Joann Hopkins
Ketchum

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by <u>manya</u>	Date <u>7-18-80</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>js</u>	Date <u>7-23-80</u>		claimant by:	
\$20.00 fee received by <u>manya</u>	Date <u>7-25-80 #16527</u>			
Published in <u>Blaine River Journal</u>				
Dates <u>8/07 & 8/14/80</u>				

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Blaine } SS.

GORDON O. GLASMANN

, being first duly sworn, deposes and says that he is the printer (publisher) of the Wood River Journal, a newspaper published every week in Hailey, County of Blaine, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 7 day of August, 1980, and the date of the last publication was on the 14 day of August, 1980

Subscribed and sworn to before me this 15th

day of August, 1980.
(SEAL)

Robert J. [Signature]

NOTARY PUBLIC

WOOD RIVER JOURNAL

Hailey, Idaho

COST OF PUBLICATION

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CO OF NOTICE

(Paste Here)

Permit 37-4150
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept. of Water Resources
1041 Blue Lakes Blvd IV. TF

(Idaho Code, Rev. Statutes (1980))

7-8 pt. per line, straight	3¢ / Pica
7-8 pt. per line, tabular	4¢ / Pica
7-8 pt. per line successive insertions	2¢ / Pica

NO. 099
AUG 25 1980

Department of Water Resources
Southern District Office

ACT

ION

N OWNER LAST NAME - FASSETT

FIRST NAME - HELEN MURDOCH

N ADDRESS LINE 1 - BOX 273

CITY - SUN VALLEY

STATE - ID ZIP CODE - 83353

N SOURCE - SPRING

N STAGE - STATRY CLM

PRIORITY - 01-01-1939

COUNTY - BLAINE

TOTAL DIV. RATE -

1.0400CFS

N DIVERSION POINT - NESE 30 04N 18E

N FROM - 01-01 TO - 12-31 USE - WILDLIFE

USE DIV. RATE - 1.0000CFS

N FROM - 01-01 TO - 12-31 USE - DOMESTIC

USE DIV. RATE - .0400CFS

N USE - WILDLIFE

PLACE OF USE - TWN 04N RNG 18E SEC 30 TRACT NESE

N REMARKS - P/U INCOMPLETE. SEE FILE.

N DIVERSION MEANS - NATURAL FLOW.

B.B.
MD

3/79

IDENT. NO. 37-4150

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

State of Idaho
Department of Water Resources

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY: J E Stanton

Right Number 37-4151 Applicant FASSETT, Helen Murdoch

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.) show - 1-1-1939
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By Loren O. Hansen Date 9-2-80

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By Maureen Date 9/9/80

MICROFILMED

DATE 7-23-80

TO File

On this date I had a telephone conversation with Robert Sherwood, son of the claimant. He stated that there was no actual diversion of water from the upper spring; the claimed water flowed through a natural water course from its start to its discharge into the Big Wood River. The lower spring is diverted at a dam which forms a small man-made lake. Although both claims show domestic use, Mr. Sherwood stated that neither spring had ever been used for this purpose. His intent was to reserve this flow for possible future development of domestic uses, according to him. I explained that such developments would require an application for permit instead of a claim, but he wished to show domestic use on the claims.

SIGNATURE

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

37-4150

FASSETT, HELEN MURDOCH

BOX 273, SUN VALLEY, ID 83353

Source: SPRING

Priority Date: 01/01/1939

Amount: 1.04 CFS

Diversion Point: NESE Sec 30 T 04N R 18E, BLAINE Co.

Use: WILDLIFE	(1.00 CFS)	from 01/01 to 12/31
DOMESTIC	(0.04 CFS)	from 01/01 to 12/31

Place of Use: NESE Sec 30 T 04N R 18E

Diversion Means: NATURAL FLOW.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301.

C. STEPHEN ALLRED

Director

Published 3/07 & 3/14.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd N.
Twin Falls, Idaho 83301
(208) 734-3578

JULY 25, 1980

Wood River Journal
P.O. Box 988
Hailey ID 83333

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before AUGUST 25, 1980.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED