

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A75-10627**
Date Received: 5/ 8/1990
Receipt No: M006945
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SALMON RIVER PROPERTIES 208-756-3885
Address: C/O MC CARTY CO
PO BOX 4005
STOCKTON CA 95204

2. Date of Priority: JUN 6, 1927

3. Source: SALMON RIVER Trib. to: SNAKE RIVER
DEER CREEK SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	21E	3	SW	NE		5	LEMHI
			SW	NW			LEMHI

5. Description of diverting works:
HEADGATES AND OPEN DITCHES FROM DEER CREEK/PUMP FROM SALMON RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.480		98.00

7. Total Quantity Appropriated is:
1.480 C.F.S. (and/or) 98.00 A.F.A.

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use
18N	21E	3	SW	NE	5	IRR
			NE	NW	3	IRR

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10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	21E	3	SW	NW		IRR	1.0
			SE	NW	5	IRR	7.0
Section Acres							28.0
Total Acres							28.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

CHANGES TO THIS CLAIM RESULTED FROM APPROVED TRANSFER DATED 12/3/1992. DATA ENTRY CHANGES BY ESV 12/28/92.

*** CONDITIONS OF TRANSFER ***

THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

USE OF WATER UNDER THIS RIGHT IS LIMITED TO THE IRRIGATION OF 28 ACRES.

A MEASURING DEVICE SHALL BE INSTALLED AND MAINTAINED ACROSS THE CHANNEL OF DEER CREEK ABOVE THE RIGHT HOLDER'S POINT OF DIVERSION FROM THE CREEK. DIVERSION FROM THE SALMON RIVER IS LIMITED TO PERIODS WHEN THERE IS SUFFICIENT WATER MEASURED IN DEER CREEK TO SATISFY THE RIGHT. FURTHER, DIVERSION FROM DEER CREEK &/OR THE SALMOM RIVER IS LIMITED TO THE AMOUNT OF FLOW IN DEER CREEK AVAILABLE TO SATISFY THE RIGHT.

15. Basis of Claim: BENEFICIAL USE

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NOV 18 1995

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-10627
Date Received: 5/ 8/1990
Receipt No: M006945
Received By: ESV

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: SALMON RIVER PROPERTIES 208-756-3885
Address: C/O MC CARTY CO
PO BOX 4005
STOCKTON CA 95204

2. Date of Priority: JUN 6, 1927

3. Source: SALMON RIVER Trib. to: SNAKE RIVER
DEER CREEK SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	21E	3	SW	NE		5	LEMHI
			SW	NW			LEMHI
			NE	SW		8	LEMHI

5. Description of diverting works:
HEADGATES AND OPEN DITCHES FROM DEER CREEK/PUMP FROM SALMON RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.480		98.00

7. Total Quantity Appropriated is:
1.480 C.F.S. (and/or) 98.00 A.F.A.

8. Total consumptive use is 70.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	21E	3	SW	NE	5	IRR	11.0
			NE	NW	3	IRR	9.0
			SW	NW		IRR	1.0
			SE	NW	5	IRR	7.0
						Section Acres	28.0
						Total Acres	28.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

CHANGES TO THIS CLAIM RESULTED FROM APPROVED TRANSFER DATED 12/3/1992. DATA ENTRY CHANGES BY ESV 12/28/92.

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15. Basis of Claim: BENEFICIAL USE

RECEIVED

JUN 01 1992

Department of Water Resources

Eastern District Office

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-10627

Date Received: 5/ 8/1990

Receipt No: M006945

Received By:

Receipt # E017425
Kaw

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: SALMON RIVER PROPERTIES 208-756-3885
Address: C/O MC CARTY CO.
P.O. BOX 4005
STOCKTON CA 95204

2. Date of Priority: JUN 6, 1927

3. Source: DEER CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	21E	3	SW	NW			LEMHI
			NE	SW		8	LEMHI

5. Description of diverting works:
HEADGATES AND OPEN DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.480		

7. Total Quantity Appropriated is:
1.480 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 92.5 Acre Feet Per Annum.

9. Non-irrigation uses:
N/A

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	21E	3	SW	NE	5	IRR	16.0
			NE	NW	3	IRR	12.0

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A75-10627

Page 1

Date: 05/20/92 DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	21E	3	SW	NW		IRR	1.0
			SE	NW	5	IRR	8.0

Section Acres 37.0

Total Acres 37.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Organizations:

I do solemnly swear or affirm that I am Manager of
Salmon River Properties, Inc. that I have signed the foregoing
Organization document in the space below as Manager of
Salmon River Properties, Inc. and that the statements contained in the
Organization foregoing document are true and correct.

[Signature]
Signature of Authorized Agent
Manager, Salmon River Properties, Inc.
Title and Organization

5-28-92
Date

MICROFILMED
DEC 15 1992

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 28th day
of May 19 92

Seal

Susan E. Ziegler
Notary Public

Residing at Salmon, Idaho
My Commission Expires 9-4-93

5500 X
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A75-10627
Date Received: 5/08/1990
Receipt No: 11006945
Received By: EMC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SALMON RIVER PROPERTIES 208-756-3885
Address: C/O MC CARTY CO.
P.O. BOX 4005
STOCKTON, CA 95204

2. Date of Priority: JUN 06, 1927

3. Source: DEER CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
18N	21E	3	SW	NW			LEMHI

5. Description of diverting works:
HEADGATE AND OPEN DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	21E	3	SW	NW		IRF	1.0
			SE	NW	5	IRF	4.0
Section Acres							5.0

A75-10627

Page 1

Date: 05/08/90

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DEC 15 1992



10. Place of Use: Continued

Total Acres

5.0

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

For Organizations:

I do solemnly swear or affirm that I am Manager of
Salmon River Properties, that I have signed the foregoing
document in the space below as Manager of
Salmon River Properties and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Manager of S.R.P.
Title and Organization

5/8/90
Date

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 8 day

of May 19 90

Ernest Carlson
Notary Public

Seal

Residing at State Falls, ID

My Commission Expires 6-14-1994

AJ0749NP
No. ~~A75-10627~~

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/30/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SALMON RIVER PROPERTIES PO BOX 4495 CHATSORTH CA 913134495 (818) 341-0281	06/06/1927	IRRIGATION	04-15 10-15	1.48 CFS	98.00 AFA
					TOTAL DIVERSION:	1.48 CFS
					CONSUMPTIVE USE:	98.00 AFA 70.00 AFA

Water Source: SALMON RIVER
DEER CREEK

Tributary to: SNAKE RIVER
SALMON RIVER

Stage: BENEFICIAL USE

Point(s) of Diversion: T18N R21E S03 Lot05(SWNE) SWNW LEMHI County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE										
		NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	: Lt	Ac	Lt	Ac	Lt	Ac	: SUM	
18N	21E	3	:				05-11	:			03-09			01	05-07	:									28.0	
																							TOTAL ACRES	28.0		

POU County: LEMHI

Conditions of Approval:

- M04 - A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE
- ACCEPTABLE TO IDWR SHALL BE PERMANENTLY INSTALLED AND MAINTAINED
- AS A PART OF THE DIVERTING WORKS.

Remarks: GEN

CHANGES TO THIS CLAIM RESULTED FROM APPROVED TRANSFER DATED
12/3/1992. DATA ENTRY CHANGES BY ESV 12/28/92.

*** CONDITIONS OF TRANSFER ***

THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED
WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE
FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE
APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

USE OF WATER UNDER THIS RIGHT IS LIMITED TO THE IRRIGATION OF
28 ACRES.

A MEASURING DEVICE SHALL BE INSTALLED AND MAINTAINED ACROSS
THE CHANNEL OF DEER CREEK ABOVE THE RIGHT HOLDER'S POINT OF
DIVERSION FROM THE CREEK. DIVERSION FROM THE SALMON RIVER IS
LIMITED TO PERIODS WHEN THERE IS SUFFICIENT WATER MEASURED IN
DEER CREEK TO SATISFY THE RIGHT. FURTHER, DIVERSION FROM DEER
CREEK &/OR THE SALMON RIVER IS LIMITED TO THE AMOUNT OF FLOW IN
DEER CREEK AVAILABLE TO SATISFY THE RIGHT.

ADDRESS CHANGE BY CLAIMANT LETTER. SS 12/30/98

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:

3334
43

1914

18N

Headings

Top 18N RGE 21E.

VII

9-3

43
S10

VII

9-3

SALMON RIVER
ESTATES UNIT 2

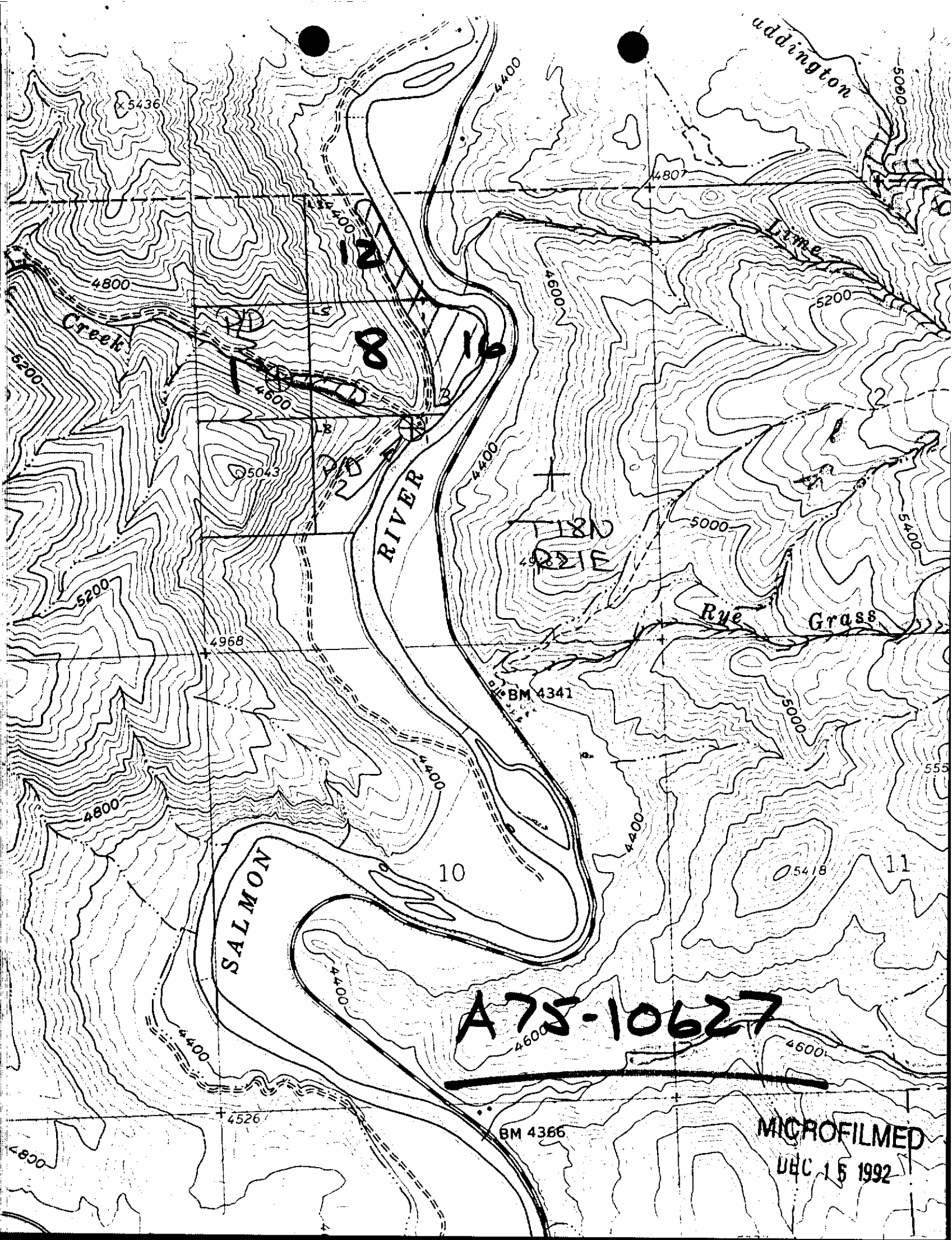
VII

9-3

UNFILMED

1/5 1992

4-0



A75-10627

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DEC 15 1992

SALMON RIVER PROPERTIES, INC.

P.O. BOX 4495
CHATSWORTH, CA 91313-4495
(818) 341-0281

RECEIVED

DEC 28 1998

Department of Water Resources

December 23, 1998

A75-02047 A75-02046
A75-04026
A75-04027
A75-10332
A75-10333
75-10609 A75-02058
A75-10627
A75-00105 ← already has this address.

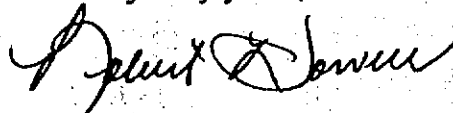
State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, Idaho 83720-0098

Ladies and Gentlemen:

Enclosed is a copy of your letter dated December 2, 1998 regarding water rights.

Please change our address on your records to P.O. Box 4495, Chatsworth, California 91313-4495.

Very truly yours,



Robert L. Powell

RLP/lr

Enclosure

Records modified 12-30-98, ps
NCA prepared for 75-10609.

NOVEMBER 1, 1995

SALMON RIVER PROPERTIES
C/O MC CARTY CO
PO BOX 4005
STOCKTON CA 95204

RE: TRANSFER

Dear Sir:

Our office has received notice of your approved transfer #4026 of water right #75-10627. The Snake River Basin Adjudication claim filed on this right has been amended pursuant to the approved transfer.

Please review the enclosed notice carefully and if you have any questions about any of the items, please contact our office. If you agree with the items on the notice, please place the copies with your records.

Respectfully submitted,

Gregory J Taylor
Sr. Water Resource Agent
Adjudications Bureau

GJT:sc

MICROFILMED
NOV 18 1995

T#4026

A75-10627

- ☐ PULL ORIGINAL ADJUDICATION CLAIM
- ☒ MAKE COPY ORIGINAL TRANSFER APPLICATION
- ☒ GET COPY OF APPROVED TRANSFER
- ☐ PROOF REPORT OF WATER RIGHT FROM "WR"
- ☒ SPLIT RIGHT (YES ___ NO ☒)
- ☒ NEED CHANGE OF OWNERSHIP (YES ___ NO ☒)
- ☒ *AT* GIVE TO AGENT
- ☒ CHECKED AND DATA ENTERED *E.S.V. 1992*
- ☒ RECEIVED BACK FROM AGENT
- ☐ SEND LETTER TO CLAIMANT
- ☐ FILE IN "P" FILE

MICROFILMED

NOV 18 1990

4026

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
WATER RIGHT NO. A75-10627

RECEIVED

DEC 14 1992

Department of Water Resources
Eastern District Office

This is to certify that: **SALMON RIVER PROPERTIES**
C/O MC CARTY CO
PO BOX 4005
STOCKTON CA 95204

has requested that a change of water rights be recorded as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 - 10/15	1.48 CFS	98.0 AF
	Total	1.48 CFS	98.0 AF

Source: SALMON RIVER tributary to: SNAKE RIVER
DEER CREEK tributary to: SALMON RIVER

Priority 06/06/1927

LOCATION OF POINT(S) OF DIVERSION:

SWNW, Sec. 3, Township 18N, Range 21E, LEMHI County
Lot 5, SWNE, Sec. 3, Township 18N, Range 21E, LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	
18N	21E	3	(LT5) SWNE 11.0	(LT3) NENW 9.0	SWNW 1.0	
			SENE 7.0			28.0
				Total number of acres irrigated:		28.0

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.

CONDITIONS/REMARKS:

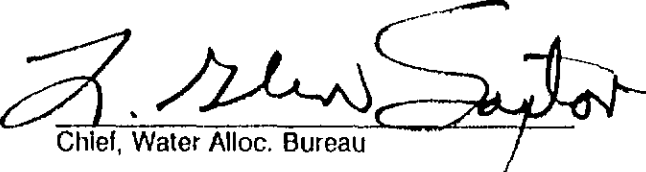
1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

MICROFILMED
NOV 18 1992

**TRANSFER OF WATER RIGHT
WATER RIGHT NO. A75-10627**

3. 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.
4. Use of water under this right is limited to the irrigation of 28 acres.
5. Measuring devices and lockable controlling works of a type approved by this Department shall be maintained at the diversion points from Deer Creek and the Salmon River.
6. A measuring device shall be installed and maintained across the channel of Deer Creek above the right holder's point of diversion from the creek. Diversion from the Salmon River is limited to periods when there is sufficient water measured in Deer Creek to satisfy the right. Further, diversion from Deer Creek &/or the Salmon River is limited to the amount of flow in Deer Creek available to satisfy the right.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dated this 3rd day of December, 19 92


Chief, Water Alloc. Bureau

MICROFILMED
NOV 18 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
WATER RIGHT NO. A75-10627

RECEIVED

DEC 14 1992

Department of Water Resources
Eastern District Office

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C/O MC CARTY CO
PO BOX 4005
STOCKTON CA 95204

has requested that a change of water rights be recorded as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 - 10/15	1.48 CFS	98.0 AF
	Total	1.48 CFS	98.0 AF

Source: SALMON RIVER tributary to: SNAKE RIVER
DEER CREEK tributary to: SALMON RIVER

Priority 06/06/1927

LOCATION OF POINT(S) OF DIVERSION:

SWNW, Sec. 3, Township 18N, Range 21E, LEMHI County
Lot 5, SWNE, Sec. 3, Township 18N, Range 21E, LEMHI County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	
18N	21E	3	(LT5) SWNE 11.0	(LT3) NENW 9.0	SWNW 1.0	28.0
			SENE 7.0			
Total number of acres irrigated:						28.0

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.

CONDITIONS/REMARKS:

1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

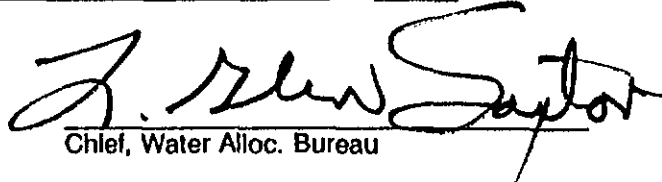
MICROFILMED

APR 14 1994

**TRANSFER OF WATER RIGHT
WATER RIGHT NO. A75-10627**

3. 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.
4. Use of water under this right is limited to the irrigation of 28 acres.
5. Measuring devices and lockable controlling works of a type approved by this Department shall be maintained at the diversion points from Deer Creek and the Salmon River.
6. A measuring device shall be installed and maintained across the channel of Deer Creek above the right holder's point of diversion from the creek. Diversion from the Salmon River is limited to periods when there is sufficient water measured in Deer Creek to satisfy the right. Further, diversion from Deer Creek &/or the Salmon River is limited to the amount of flow in Deer Creek available to satisfy the right.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dated this 3rd day of December, 1992.


Chief, Water Alloc. Bureau

5.0. 10-9-92

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant SALMON RIVER PROPERTIES Phone (208) 756-3885

Post Office address c/o Mc Carty Co., PO BOX 4005, Stockton, CA 95204

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
 ☐ Add diversion point(s)
 ☐ Change place of use
☐ Change nature of use
 ☐ Change period of use
 ☐ Other _____
- Describe the reason for the proposed changes Change will allow more efficient use of water. Ditch maintenance will be reduced.

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>A75-10627</u>	<u>6-6-1927</u>	<u>1.48 cfs</u>	<u>irrigation</u>	<u>4-1</u> to <u>11-1</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 1.48 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Deer Creek tributary to Salmon River

4. Point(s) of Diversion: Salmon River Snake River

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NW	3	18N	21E	Lemhi	
5		SW	NE	3	18N	21E	Lemhi	

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	
18N	21E	3			15 16		13 12		1	15 8									37.0

MICROFILMED
NOV 18 1990

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. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. A75-10627 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 Deer Creek tributary to Salmon River

4. Date or priority 6-6-1927

5. Water is used for the following purpose:

amount 1.48 cfs for irrigation purposes from 4-1 to 11-1
 (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 1.48 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
		SW	NW	3	18N	21E	Lemhi	
8		NE	SW	3	18N	21E	Lemhi	

8. Lands irrigated or place of use:

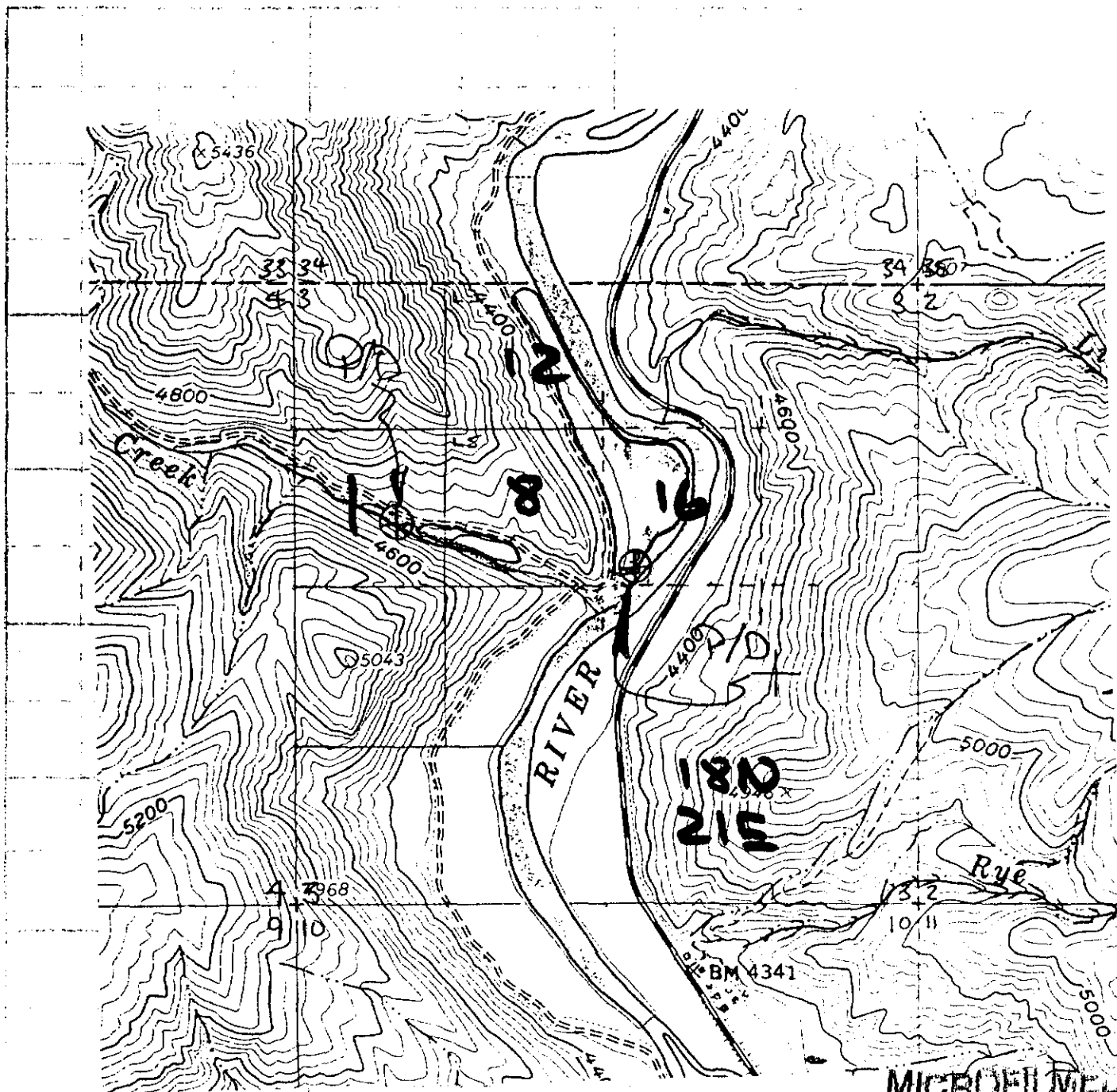
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
18N	21E	3			L5 16		L3 12		1	L5 8									37.0

Total acres 37.0

9. Describe any other water rights used for the same purpose as described above none

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.



MICROFILMED

NOV 18 1990

INTERDEPARTMENT MEMO

DATE: September 16, 1992

FROM: ERNEST CARLSEN

RE: APPLICATION FOR TRANSFER A75-10627
Salmon River Properties

PURPOSE: See Eric Verner's Memo Dated September 8, 1992.

FINDINGS: See Eric Verner's Memo Dated September 8, 1992.

CONCLUSIONS: To use this right as a basis for diverting water from the Salmon River would require that sufficient water, to fill the right, reach the river at the mouth of Deer Creek. Since Deer Creek was dry on the day of Eric's inspection, the addition of a POD on the Salmon River would definitely be recognized as an enhancement of the water right. The Salmon River being a more reliable source of water than Deer Creek. With reference to ID Code Section 42-222, this change would therefore constitute and expansion in use of the right.

RECOMMENDATION/CONDITIONS: It is recommended this application for transfer be DENIED.

ADJUDICATION FOLLOW-UP: No changes will be required to the Notice of Claim.

MICROFILMED
NOV 18 1990

MEMO

DATE: SEPTEMBER 8, 1992

TO: TRANSFER APPLICATIONS 75-02058 & A75-10627

FROM: ERIC VERNER *EV*

SUBJECT: TRANSFER FIELD EXAM

=====

Salmon River Properties has filed an Application for Transfer to change the points of diversion and sources for license 75-02058 and SRBA claim A75-10627. They are proposing to install pumps in the Salmon River to make more efficient use of water by eliminating long earth ditches and converting from flood to sprinkler irrigation. They propose to abandon the diversion from Iron Creek as licensed under 75-02058. They want to add a point of diversion from the Salmon River to the Deer Creek claim (A75-10627). I visited to property on August 27, 1992 to verify the SRBA claims that were filed for these rights.

RIGHT 75-02058

This right was licensed for 2.20 CFS of waters of Iron Creek tributary to the Salmon River to be used on the applicant's land. I found that the Iron Creek diversion was still in use (carries rights owned by Eugene Hussey), but that the ditch from Iron Creek no longer reached the applicant's property. The last 1/2 mile of the ditch was originally a wooden flume. The flume no longer exists.

According to the ranch manager, Jack Jakovac, the flume was abandoned in 1929. He said that instead of using Iron Creek water the owners used a "hydraulic ram" (within Lot 4 of Section 10) to lift water from the Salmon River to irrigate the same place of use as licensed under 75-02058. He further stated that the ram was replaced with two 7.5 HP pumps sometime in late 1930 or early 1940. These pumps were in use until approximately 1977. Mr. Jakovac said in 1977 the then ranch manager tried to convert the system from flood to sprinkler irrigation. He buried many of the old ditches and abandoned the old pump station. For some reason, he did not complete this project so there has been no water diverted under this old system since 1977. I determined from ASCS photos that 71 acres had been irrigated by this system.

CLAIM A75-10627

MICROFILMED

NOV 18 1992

This claim is filed as a beneficial use right for diversion of 1.48 CFS from Deer Creek tributary to the Salmon River. I

verified the location of the point of diversion. A rock/earth dam diverts water into an earth ditch. Part of the place of use is flood irrigated, part has been sprinkler irrigated. The stream was dry at the point of diversion so I was not able to take any measurements. I determined from ASCS photos that 28 acres are irrigated from Deer Creek.

The transfer application proposes to add a point of diversion, on the Salmon River to this right. It appears this may be an expansion of the right since there may be times that water may not be available from Deer Creek, when it would be available from the Salmon River.

MICROFILMED
NOV 18 1960

19N

3334

433

11

20

VII

9-335

Salmon River Prop.

11 P.M. R.V.

Hedins

VII

8

Top 18N RGE 21E.

Salmon River Prop.

VII

9-3

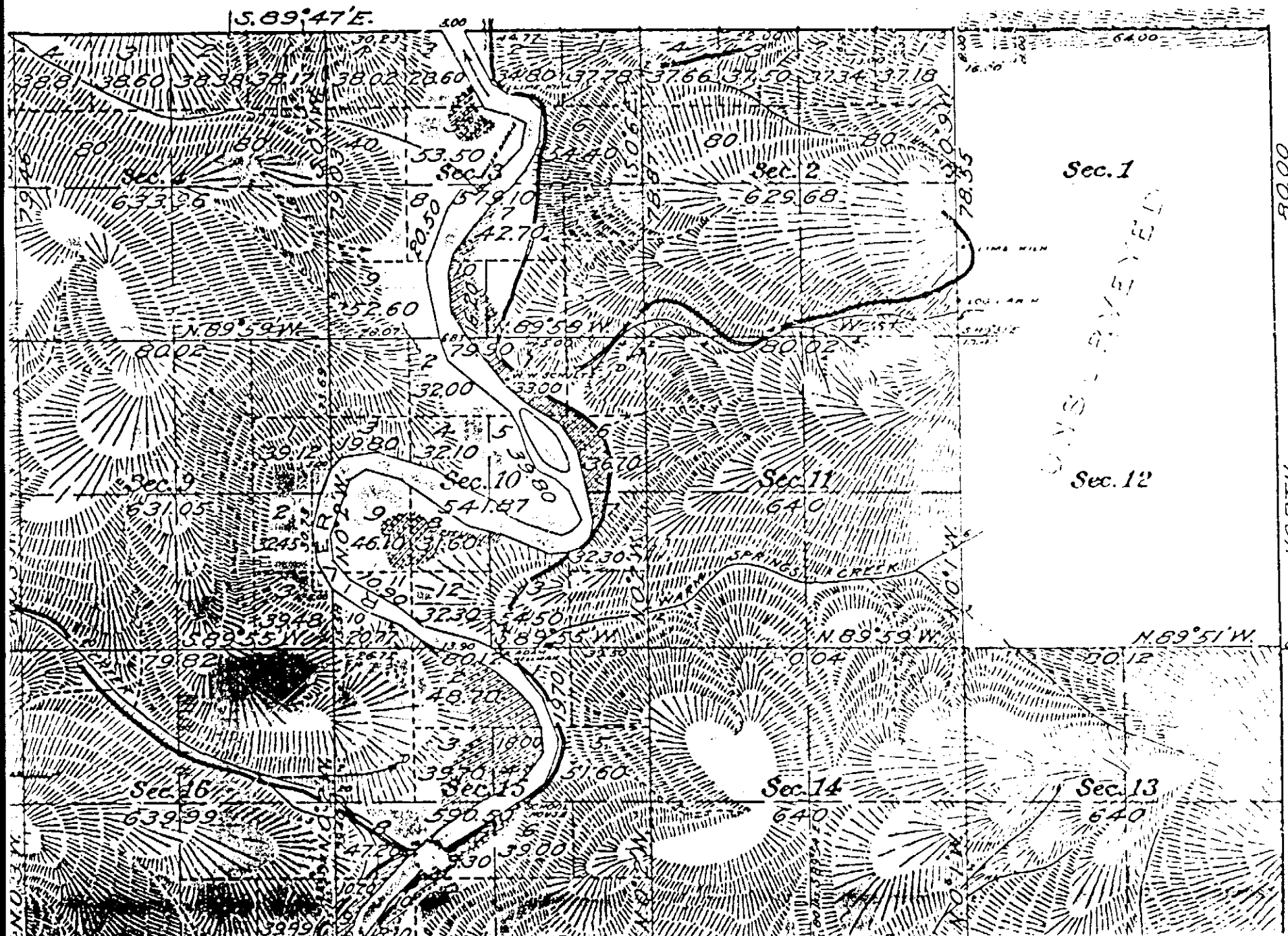
43
910

SALMON RIVER
ESTATES UNIT 2

4-0



E d D c C b B a A



y

Y

X

X

w

S.O.
10-9-92

Page _____ of _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POOR ORIGINAL
Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant SALMON RIVER PROPERTIES Phone (208) 756-3885

Post Office address c/o Mc Carty Co., PO BOX 4005, Stockton, CA 95204

A. PURPOSE OF TRANSFER

- ☒ Change point of diversion
 ☐ Add diversion point(s)
 ☐ Change place of use
☐ Change nature of use
 ☐ Change period of use
 ☐ Other _____
- Describe the reason for the proposed changes Changing to pump at proposed location will allow more even distribution of water. Ditch loss will also be eliminated.

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

- | Right Number | Priority | Amount (cfs/ac-ft) | Nature of Use | Period of Use |
|------------------|------------------|--------------------|-------------------|---------------------------|
| <u>A75-02058</u> | <u>7-30-1917</u> | <u>2.20 cfs</u> | <u>irrigation</u> | <u>4-1</u> to <u>11-1</u> |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
- Total amount of water being transferred 2.20 cubic feet per second and/or _____ acre-feet per annum.
- Source of water Salmon River tributary to Snake River
- Point(s) of Diversion: _____

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
9		SE	SW	3	18N	21E	Lemhi	

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	
18N	21E	3									7.5			11.5					19
		10		L5	L5	18			12.5		4.5					8			43

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APR 19 1994

PART 1**POOR ORIGINAL****6. General Information:**

a. Description of diversion system Pump in Salmon River to pressure system for irrigation.

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:

No change

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____.

DEPARTMENT OF WATER RESOURCES
DIVISION OF IRRIGATION

Transfer No. _____
POOR ORIGINALSTATE 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. _____ Decreed to _____
In case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. A75-02058 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 Salmon River tributary to Snake River4. Date or priority 7-30-1917

5. Water is used for the following purpose:

amount 2.20 cfs for irrigation purposes from 4-1 to 11-1
(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 2.2 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
4		SE	NW	10	18N	21E	Lemni	

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	
18N	21E	3									18			19					19
		10			15				12.5		4.5					8			43

Total acres

63.62

none

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9. Describe any other water rights used for the same purpose as described above

APR 19 1994

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 no _____ If yes, describe _____

POOR ORIGINAL

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

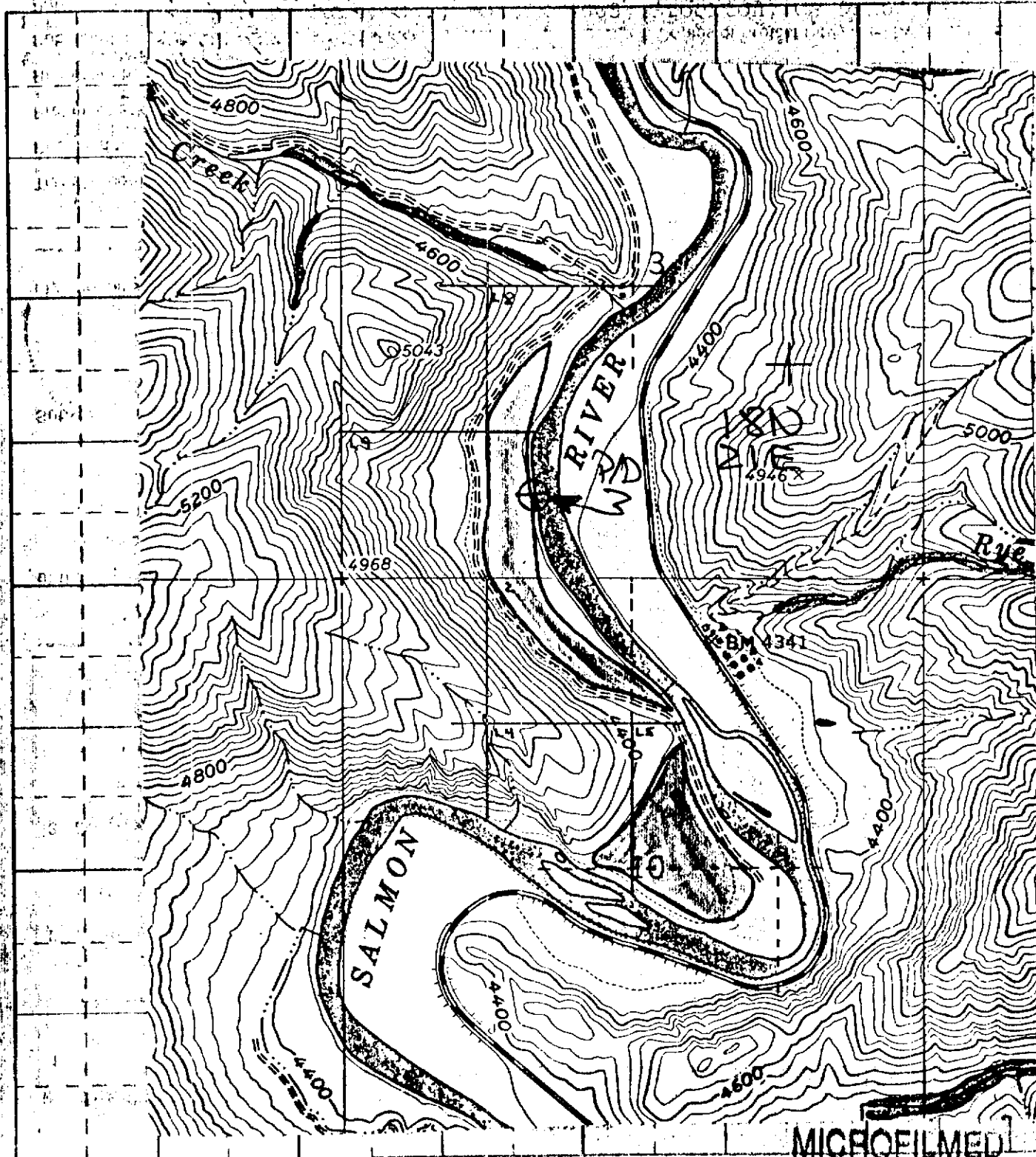
Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

POOR ORIGINAL

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

Transfer No.
POOR ORIGINAL

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.

(Signature of Applicant)

Subscribed and sworn to before me this 28th day of May, 19 92.

(Notary Public)

My commission expires 9-4-93

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by KAW Date 6-2-1992 Protest filed by _____Prelim. check by KAW Fee \$50.00 E017425Received by KAW Date 6-2-1992Published in Recorder Herald Copies of protest forwarded by _____Pub. dates 7-9-16-92 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

INTERDEPARTMENT MEMO

DATE: September 16, 1992

FROM: ERNEST CARLSEN

RE: APPLICATION FOR TRANSFER A75-02058
Salmon River Properties

PURPOSE: See Eric Verner's Memo Dated September 8, 1992.

FINDINGS:

- > See Eric Verner's Memo Dated September 8, 1992.
- > Part 2 of this application for transfer, the right as recorded, was completed using the SRBA Notice of Claim A75-02058. This claim identifies the Salmon River as the source of water for license 75-02058. However, Iron Creek tributary to the Salmon River was the licensed source of water.
- > Subsequent to obtaining the license, Lona D. Schultz, the license holder, was the plaintiff in an adjudication of the water rights on Iron Creek. The decree, dated July 27, 1927, contained a water right for Ms. Schultz that is identified in the department's records as 75-00094. The priority date and place of use for the decreed right are identical to the license but the rate of diversion was decreed at 1.50 cfs.
- > Statements from the current ranch manager coupled with evidenced obtained from the field inspection indicates right 75-00094 has not been diverted from Iron Creek for many years, possibly since 1929. The POU has been irrigated since then, but the source of water was Salmon River.
- > Water right records for the department along with Notices of Claim filed in the SRBA reveal there are water rights on Iron Creek junior in time to 75-00094.

CONCLUSIONS:

- > See Eric Verner's Memo Dated September 8, 1992.
- > 75-00094 supersedes 75-02058.
- > Subsequent to the 1927 decree of Iron Creek, and possibly in 1929, the diversion of 75-00094 from Iron Creek ceased and the Salmon River became the water source for irrigation of the POU.

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APR 19 1994

page 2
75-02058

- > Neither the notice of claim nor any available information indicates that when the source was changed it was the intent or the right holder to continue exercising right 75-00094 by leaving the right in Iron Creek emptying it into the Salmon River and then diverting the commingled water from the river.
- > Diversion of water from the Salmon River established a new water right based on beneficial use with a priority date of when the use was initiated.
- > Re-establishing right 75-00094 to provide for the diversion of Iron Creek water after it has been commingled with the Salmon River would potentially adverse Iron Creek water rights with priorities later than 1917.
- > This application for transfer does not describe the water right used to irrigated the POU.

RECOMMENDATION/CONDITIONS:

It is recommended this application for transfer be DENIED. The applicant should be advised there are basically two alternatives for pursuing a water right. One option is to file an SRBA Notice of Claim identifying the beneficial use right for water diverted from the Salmon River followed by an application to transfer the point of diversion to the new proposed site. This option will require resolving the issue of non-use since 1977. The other alternative is to file an application for permit and hope the moratorium on new water rights will be lifted.

ADJUDICATION FOLLOW-UP:

Notice of Claim A75-02058 should be disallowed.

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APR 19 1994

MEMO

DATE: SEPTEMBER 8, 1992

TO: TRANSFER APPLICATIONS 75-02058 & A75-10627

FROM: ERIC VERNER

SUBJECT: TRANSFER FIELD EXAM

=====

Salmon River Properties has filed an Application for Transfer to change the points of diversion and sources for license 75-02058 and SRBA claim A75-10627. They are proposing to install pumps in the Salmon River to make more efficient use of water by eliminating long earth ditches and converting from flood to sprinkler irrigation. They propose to abandon the diversion from Iron Creek as licensed under 75-02058. They want to add a point of diversion from the Salmon River to the Deer Creek claim (A75-10627). I visited to property on August 27, 1992 to verify the SRBA claims that were filed for these rights.

RIGHT 75-02058

This right was licensed for 2.20 CFS of waters of Iron Creek tributary to the Salmon River to be used on the applicant's land. I found that the Iron Creek diversion was still in use (carries rights owned by Eugene Hussey), but that this ditch from Iron Creek no longer reached the applicant's property. The last 1/2 mile of the ditch was originally a wooden flume. The flume no longer exists. Iron Creek was emptying into the Salmon River but I was not able to measure the flow. In my estimation the flow was an adequate flow to cover the 2.20 CFS diversion rate of license 75-02058.

According to the ranch manager, Jack Jakovac, the flume was abandoned in 1929. He said that instead of using Iron Creek water the owners used a "hydraulic ram" (within Lot 4 of Section 10) to lift water from the Salmon River to irrigate the same place of use as licensed under 75-02058. He further stated that the ram was replaced with two 7.5 HP pumps sometime in late 1930 or early 1940. These pumps were in use until approximately 1977. Mr. Jakovac said in 1977 the then ranch manager tried to convert the system from flood to sprinkler irrigation. He buried many of the old ditches and abandoned the old pump station. For some reason, he did not complete this project so there has been no water diverted under this old system since 1977. I determined from ASCS photos that 71 acres had been irrigated by this system.

CLAIM A75-10627

MICROFILMED

APR 19 1994

This claim is filed as a beneficial use right for diversion of 1.48 CFS from Deer Creek tributary to the Salmon River. I verified the location of the point of diversion. A rock/earth dam diverts water into an earth ditch. Part of the place of use is flood irrigated, part has been sprinkler irrigated. The stream was dry at the point of diversion so I was not able to take any measurements. I determined from ASCS photos that 28 acres are irrigated from Deer Creek.

The transfer application proposes to add a point of diversion on the Salmon River to this right. It appears this may be an expansion of the right since there may be times that water may not be available from Deer Creek, when it would be available from the Salmon River.

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APR 19 1994

E017425

6/ 2/1992
16:07:55

SALMON RIVER PROP INC

APP.4 TRANSFER A75-02058				
	63105	229 21 1155		50.00
APP.4 TRANSFER A75-10627				
	63105	229 21 1155		50.00
AMEND A75-10627 (ADD ACRES) (M006945)				
	41503	337 1155		32.00
				\$132.00
CHECK	1743			

Region: EASTERN

Signature: _____

MICROFILMED
DEC 15 1992



16
95

39.0
NHSL
NW

T244
A292



1978

TRANSFER CLAIM NO. 75-C 7058 AND A75-10627

TRANSFER EXAM MAP -
LOCATIONS ABSTRACTED FROM
ASCS PHOTOS - 9/8/92
ESV

33 34
4 3

31 35
3 2

4 3
9 10

3 2
10 11

9 10

10 11

