

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: A75-13700
Date Received: 7/ 8/1994
Receipt No: EO 20013/90
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOSEPH A PROKSCH 208-756-2252
Address: 823 UNION AVE
SALMON ID 83467
OR
Name: HALLIE PROKSCH 208-756-2252
Address: 823 UNION AVE
SALMON ID 83467
OR
Name: RALPH BENEDICT
Address: BOX 7
SALMON ID 83467
OR
Name: COLLEEN BENEDICT
Address: BOX 7
SALMON ID 83467

2. Date of Priority: MAY 15, 1898

3. Source: SHEEP CREEK Trib. to: SALMON, N.FK.

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	14	NE	NW			LEMHI

5. Description of diverting works:
DAM 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	0.200		
STOCKWATER	01/01	12/31	0.020		

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

A.F.A.

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8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 5 HORSES OR 8 RANGE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	15	SW	SE		IRR	5.0
						Section Acres	5.0
		22	NW	NE		IRR	4.6
						Section Acres	4.6
						Total Acres	9.6

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:

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 Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

For Organizations:

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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 A75-13700Date Received 7-1-94Receipt Number E020013/AL

RECEIVED
JUL - 1 1994

NOTICE OF CLAIM
TO A

RECEIVED
MAR 0 1992

Department of Water Resources
Eastern District Office

WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources
Eastern District Office

or - Ralph Benedict & Colleen Benedict
Box 7, SALMON, IDAHO 83467

Please type or print clearly

1. Name of Claimant (s) Joseph A. & Hallie Proksch Phone (208) 756-2252

Mailing Address 823 Union Ave, Salmon IDAHO Zip 83467

2. Date of Priority (Only one (1) per claim) MAY 15, 1898

3. Source of water supply (a) SHEEP CREEK
which is tributary to (b) NORTH FORK - of SALMON RIVER

4. a. Location of existing point of diversion is: Township 25N. Range 21E. Section 14,
1/4 of NE 1/4 of NW 1/4, Govt. Lot, B.M., County of LEMHI

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township 25N. Range 21E Section _____, 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of LEMHI

ending point is: Township _____ Range _____ Section _____, 1/4 of _____ 1/4 of _____

1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.

Dam + open ditches

A7513700

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4-1 to 11-1 amount .20 or _____

For STOCKWATER purposes from 1-1 to 12-31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .22 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
25N	21E	15															5		5
25N	21E	22		4.6															4.6

Total number of acres irrigated 9.6

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes yes No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

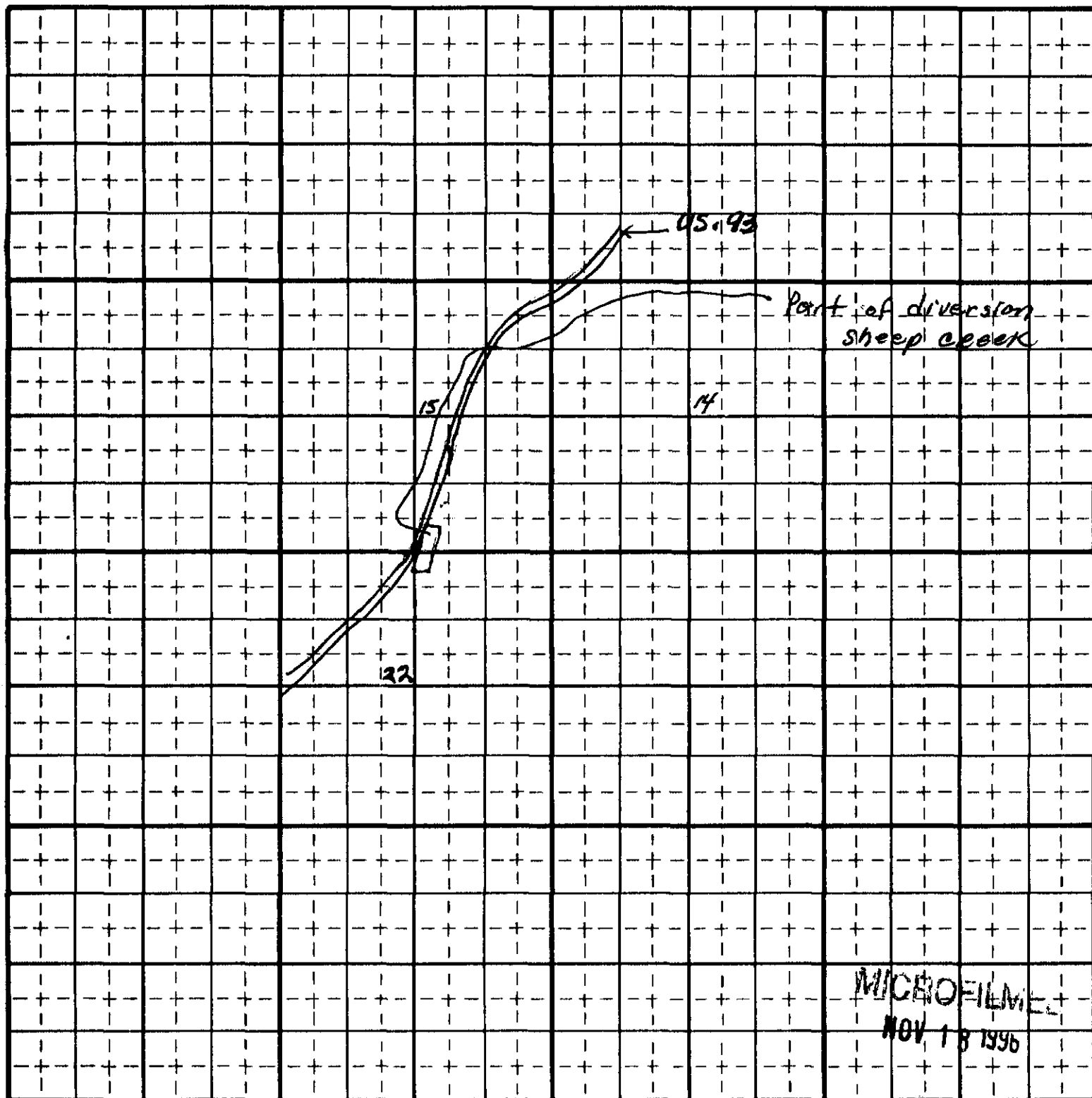
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Last Name Proksch + Benedict Ident No. _____

Copies: White -State, Yellow-Claimant

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

Plaintiff vs Defendant _____

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 Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Joseph W. Lockach Date 2/28/92

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Bemhi) SS.

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

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A75-13700.

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Ernie Carlson. Date 5 JULY 94

Contact Person(s) Joseph A. Proksch

Nature of Contact telecon. - Question - specify non irrigation uses.

Substance of Communication - Mr. Proksch stated they have either had 4 to 5 horses or 8 range cattle grazing on the property. The property is part of the old Hansen range. It is covered by 75-04298 with a priority of May 15, 1898. However this 10 ac was not included in the place of use for 75-04298.

NOTE: Issue 10,000 NO. FOR NOTICE & SEND DATA ENTERED VERSION FOR CLAIMANT'S RECORDS.

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4/3/1987

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME ProKschCLAIM IDENT. NO. A75-13700.DATE RECEIVED June 28 74CK # 211AMOUNT \$ 110⁰⁰Required
Info?

- | | YES | NO | Required Info? |
|--|-----------|-----------|----------------|
| 1. Is the name and address complete with zip code? | <u>X</u> | <u> </u> | * |
| 2. Is a priority date entered? | <u>X</u> | <u> </u> | * |
| Is the priority date acceptable in view of mandatory filing dates? | <u>X</u> | <u> </u> | * |
| See Adjudication Memos #1 and #4 to determine if a Permit is required. | <u>X</u> | <u> </u> | * |
| 3. (a) Is a source entered? | <u>X</u> | <u> </u> | * |
| (b) Is a tributary to entered? (if required) | <u>X</u> | <u> </u> | |
| 4. Is the legal description of the p.d. sufficient? | <u>X</u> | <u> </u> | * |
| 5. Is there a description of the diverting works? | <u>X</u> | <u> </u> | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | <u>X</u> | <u> </u> | * |
| Is the period of use included? | <u>X</u> | <u> </u> | |
| Is a quantity claimed for each use? | <u>X</u> | <u> </u> | * |
| 7. Is a total quantity claimed entered? | <u>X</u> | <u> </u> | |
| 8. If required is a consumptive use entered? | <u> </u> | <u>X</u> | |
| Is the consumptive use correct? | <u>X</u> | <u> </u> | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <u> </u> | <u>X</u> | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | <u>X</u> | <u> </u> | * |
| 11. Is (are) the county(ies) entered? | <u>X</u> | <u> </u> | |
| 12. Is the ownership of p.u. checked? | <u>X</u> | <u> </u> | |
| 13. Are other water rights listed or "none" indicated? | <u> </u> | <u>X</u> | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | <u>X</u> | <u> </u> | |
| 15. Is the basis of the claim indicated? | <u>X</u> | <u> </u> | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | <u>X</u> | <u> </u> | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | <u>X</u> | <u> </u> | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | <u>X</u> | <u> </u> | * |
| 19. Was this claim filed on time, or was an extension granted? | <u> </u> | <u>X</u> | * |
| 20. Is the fee enclosed correct? | <u>X</u> | <u> </u> | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | <u>X</u> | <u> </u> | |
| 22. Should this claim be data entered? | <u>X</u> | <u> </u> | |

Claim checked by: EMCDate: 5 JULY 74

Claim must be returned to claimant:

(Yes) (No)

Claimant must be notified of modifications:

(Yes) (No)

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

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Comments: #9- Enter: stockwater, 5 horses or 8 range.NOTE: Send data entered version to claimant for his records.