



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0020
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

RECEIVED

JUL 09 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 30, 2004

TOMMY AND SANDRA LUCE
7 PEPPER
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-14167

*I have your
large map in
your file.*

Sally

Dear Claimants:

We are returning your Notice of Claim referenced above. We have also enclosed your receipt #C074311 for the filing fees. Please keep the receipt for your records.

Before we can process your claim, we need your assistance. At Item #16, only Tommy F. Luce signed the claim. However, at Item #1, you wrote "and" between your names. The signature must match the name(s) at Item #1. Please either add "/or" after "and", thus eliminating the need for Sandra's signature, or have Sandra sign the claim in front of a Notary Public.

Please initial any change(s) you make to your claim and return it to me as soon as possible.

Finally, there was an overpayment of filing fees for your claim. The refund process has been initiated with the State Auditor's Office. You should receive a check in the near future.

Sincerely,

Donald V. Shaff, Manager
Adjudication Technical Section

DVS:ss:state

Enclosures:

Notice of Claim Referenced Above
Receipt #C074311

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

RECEIVED
JUN 28 2004
Department of Water Resources

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

CIVIL CASE NUMBER: 75-14167 39576
Ident. Number
Date Received 6-28-04
Receipt Number C074311

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
JUL 09 2004
DEPARTMENT OF
WATER RESOURCES

Please type or print clearly

1. Name of Claimant (s) Tommy F. & Sandra Luce Phone 208-285
Mailing Address 7 Pepper Salmon ID Zip 83467

2. Date of Priority (Only one (1) per claim) 5-1-1955

3. Source of water supply (a) Twelvemile Creek
which is tributary to (b) Salmon River

4. a. Location of existing point of diversion is: Township 19N Range 21E Section 1,
NE 1/4 of NW 1/4 of NE 1/4, Govt. Lot, _____ B.M., County of Lemhi

Additional points of diversion if any: NONE

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

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

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 in creek ditches to

place of use

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 .13 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .13 cfs (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
			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	
<u>R1N</u>	<u>21E</u>	<u>1</u>		<u>6.5</u>															<u>6.5</u>

Total number of acres irrigated 6.5

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

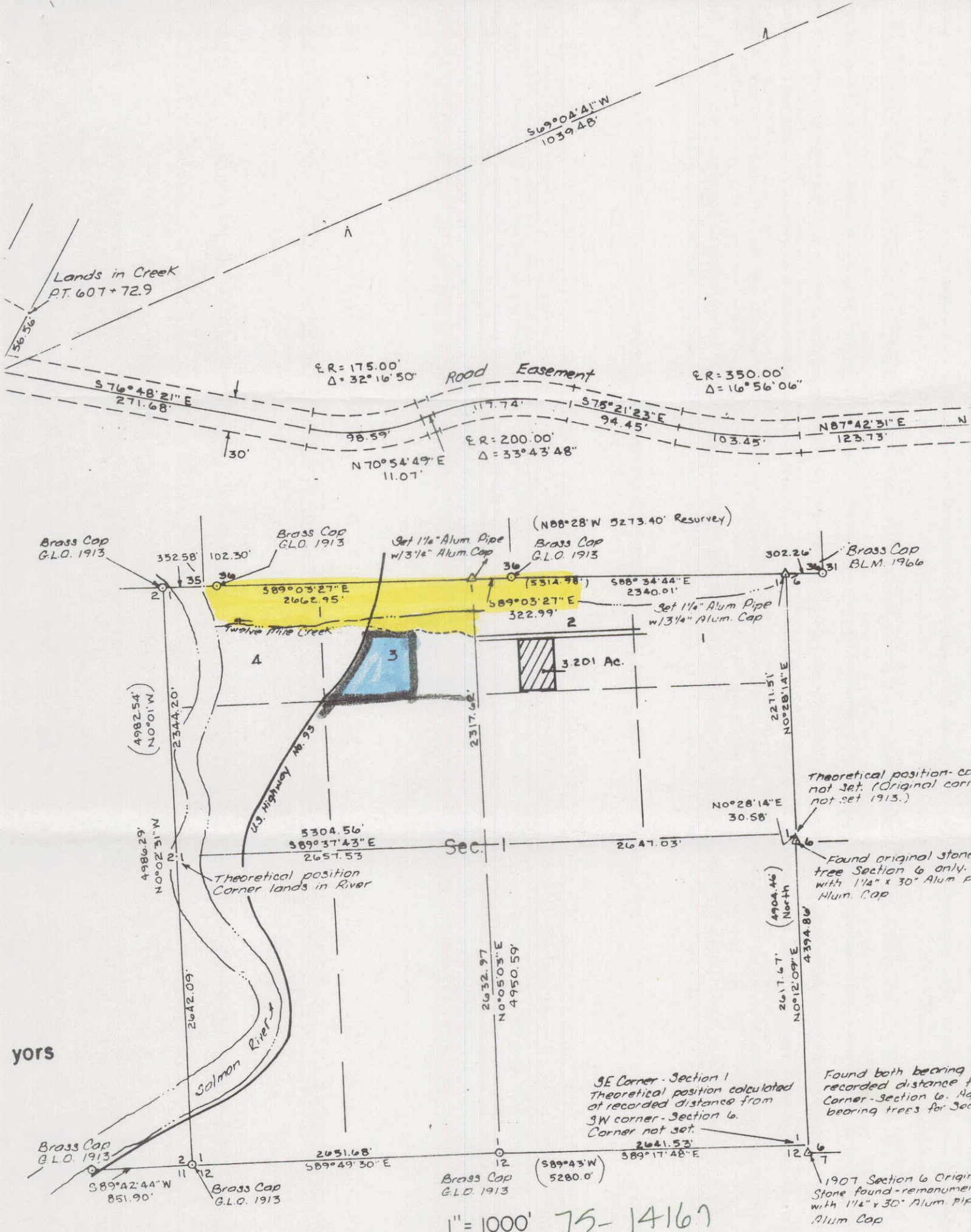
12. Do you own the property listed above as place of use? Yes X No _____

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 (X)

14. Remarks:

Last Name Luce Ident No. 75-14167



1" = 1000' 75-14167

October 1, 1999

I, Linda Robie hereby recollect that from the year 1955 to 1965 there was water from the 12 Mile Creek irrigating the piece of property now belonging to Tommy F. Luce and Sandra Luce being 6.59 acres and the legal being attached. I remember riding my horse through the water and watching my father changing the canvas dams to flood irrigate this piece of property.

I also remember my Father did not hay this piece of property because it would stay to wet and was great pasture.

Linda Robie (Dinda Pepper)

Sandra Luce

Subscribed to and sworn before me this 1st day of October, 1999

Lana D. McEl

Notary Public for Idaho

Residing at Salmon, Idaho

Comm: expires: 5-22-2001

75-14167

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN U.S. GOVERNMENT LOT 3, SECTION 1, T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1, A DISTANCE OF 1039.48 FEET ON A BEARING OF S. $69^{\circ} 04' 41''$ W. TO A POINT ON THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 93; THENCE S. $31^{\circ} 28' 31''$ E., 15.80 FEET ALONG THE EAST RIGHT-OF-WAY TO THE SOUTH SIDE OF AN EXISTING ROAD AND THE REAL POINT OF BEGINNING.

THENCE S. $31^{\circ} 28' 31''$ W., 703.14 FEET ALONG SAID RIGHT-OF-WAY OF U.S. HIGHWAY NO. 93 TO THE SOUTH BOUNDARY OF LOT 3;

THENCE S. $89^{\circ} 46' 55''$ E., 677.65 FEET ALONG THE SOUTH BOUNDARY OF LOT 3;

THENCE N. $0^{\circ} 15' 10''$ E., 534.11 FEET TO A POINT ON THE SOUTH SIDE OF AN EXISTING ROAD;

THENCE A DISTANCE OF 43.93 FEET ALONG A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIAL OF N. $0^{\circ} 03' 10''$ W., 190.00 FEET AND A CENTRAL ANGLE OF $13^{\circ} 14' 49''$;

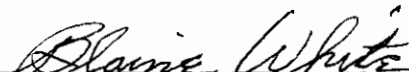
THENCE N. $76^{\circ} 48' 21''$ W., 276.64 FEET ALONG SAID EXISTING ROAD TO THE REAL POINT OF BEGINNING.

75- 14167

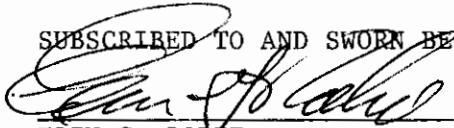


MAY 24, 2001

I BLAINE WHITE, IRRIGATED THE PIECE OF PROPERTY CONSISTING OF 6.9 ACRES;
BELONGING TO TOMMY F. LUCE AND SANDRA LUCE, LEGAL DESCRIPTION BEING
ATTACHED AS EXHIBIT "A". I IRRIGATED THIS PROPERTY SINCE 1965, AND
THE SOURCE OF THE IRRIGATION WATER WAS FROM 12 MILE CREEK; BEING THE
SAME WATER THAT RUNS THROUGH THE PROPERTY.


BLAINE WHITE

SUBSCRIBED TO AND SWORN BEFORE ME THIS 24TH DAY OF MAY, 2001


ERIN G. ROBIE
NOTARY PUBLIC FOR IDAHO
RESIDING AT SALMON, IDAHO
COMMISSION EXPIRES: 1/10/04

75-14167

EXHIBIT "A"

A PARCEL OF LAND LOCATED IN U.S. GOVERNMENT LOT 3,
SECTION 1, T. 19 N., R. 21 E., B.M., LEMHI COUNTY, IDAHO, MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 1,
A DISTANCE OF 1039.48 FEET ON A BEARING OF S. $69^{\circ} 04' 41''$ W.
TO A POINT ON THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 93;
THENCE S. $31^{\circ} 28' 31''$ E., 15.80 FEET ALONG THE EAST RIGHT-OF-
WAY TO THE SOUTH SIDE OF AN EXISTING ROAD AND THE REAL POINT
OF BEGINNING.

THENCE S. $31^{\circ} 28' 31''$ W., 703.14 FEET ALONG SAID RIGHT-
OF-WAY OF U.S. HIGHWAY NO. 93 TO THE SOUTH BOUNDARY OF LOT 3;

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BOUNDARY OF LOT 3;

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THE NORTHWEST HAVING A RADIAL OF N. $0^{\circ} 03' 10''$ W., 190.00 FEET
AND A CENTRAL ANGLE OF $13^{\circ} 14' 49''$;

THENCE N. $76^{\circ} 48' 21''$ W., 276.64 FEET ALONG SAID EXISTING
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