

Claims: 75-7
75-178D
75-19E
75-26A
75-10075
75-10076

Notes from meeting re: City of Salmon SRBA claims
Meeting date 08/26/2008
Agent: Monica Van Bussum

Today I met with two representatives of the City of Salmon to discuss the City's SRBA claims. I met with George Ambrose, City Administrator, and Mickey Verbeck, City Superintendent. The following is a write-up of notes I took during that meeting.

George has not been with the City very long, but Mickey has been with the City for 30 years. He started with the City in 1978. Most of my dialogue concerning the historic use of water by the City of Salmon was with Mickey.

Mickey started by showing me a copy of an order IDWR issued on Transfer 4104. Mickey pointed to Item 29 in the order which states the City of Salmon withdrew its protests after parties acknowledged the City of Salmon had the earliest priority date.

Mickey showed me an application for permit for a reservoir that was never built. The City filed the application on April 21, 1921. Mickey said his purpose in showing it was to demonstrate the City had $\frac{3}{4}$ mile of conduit already in place in 1921. I have a copy of the application for permit. The application number is 21528 and the permit number is 15145. The application also mentions points of diversion and sources. The sources mentioned are Middle Fork of Jesse Creek and Left Fork of Jesse Creek. From my point of view, this demonstrates the old nomenclature was still in place in 1921 and the names Chipps and Pollard Creeks came about sometime between 1921 (the date of this permit) and 1940 (the date of a BLM map I got from the BLM website). *-attached*

Mickey said that the City's water diversion and delivery system works the same now as it did when he went to work for the City in 1978. If they can operate off of Jesse Creek alone, they do. As water supply declines and demand goes up in the summer, the City will then turn on water from Chipps and Pollard Creeks. The City's PODs are lower in elevation than those of the Edwards family and Arrowhead Water District. Mickey said the City usually begins to use water from Chipps and Pollard Creeks around the end of August. Mickey said he has no knowledge of the City of Salmon ever moving its PODs. In the thirty years he's worked for the City, they have always been off of Chipps, Pollard and Jesse Creeks. Mickey said they usually try to go for Pollard Creek water first and then Chipps Creek.

He also said the folks at the water treatment plant base the flow they need on what the City is using.

As far as the POD from Jesse Creek, Mickey said he knows of multiple PODs, including for the Blackadars, on Jesse Creek. He said the only POD higher in elevation than the City's POD on Jesse Creek is for a ditch for Powers and Haddock.

The City has the ability to measure off of Chipps, Pollard and Jesse Creeks. They also measure water going into the settlement ponds and out of the settlement ponds. When

they want to divert the Chipps and Pollard Creek water, they put in a measuring device, a simple metal plate over which they measure the height of the water, and begin diverting water into their system. The water diverted from Chipps Creek is piped to Pollard Creek and then dumps into Pollard Creek just above the City's Pollard Creek diversion. The water diverted from Pollard Creek, at this point a commingling of Chipps and Pollard Creek water, is then piped and dumped into Jesse Creek above the City's POD on Jesse Creek. Then the commingled water is piped down the hill into a small building at the water treatment plant where it is divided between two settlement ponds. A third settlement pond is used for when the membranes used for water treatment are flushed. When those membranes are flushed, the debris is then put into the third treatment pond. When flow becomes low going through the building at the settlement ponds, there is a radio transmitter that transmits a signal to the City's pumps on the Salmon River and pumping begins from the Salmon to supplement the City's takings from Chipps, Pollard and Jesse Creek.

I asked Mickey and George about having a City employee as a watermaster, as appears to have been the practice for quite a while. Mickey said it generally saves money because the City employees are covered by insurance and workman's compensation in case of an injury and City employees can typically undertake their watermaster duties while on the job. The secretary for the water district also works for the City and those responsibilities are also usually undertaken while on the clock for the City.

I asked Mickey and George about the transfers the City of Salmon filed on in the 1990s and why some water rights had transfers filed on them and others did not. Mickey said during the early 1990s, there were a number of agreements drawn between individuals and the City that conveyed individual water rights to the City in exchange for the City pumping water from the Salmon and conveying it to the properties for the individuals. If I recollect correctly, this would be water from the Norton Ditch.

Mickey said the watermasters generally administer water by date of priority and do not look at specific rights, just priority order.

Mickey said that IDWR would not let the City transfer the irrigation water rights to year-round use, so the City applied for and received water right license 75-7563 for winter use out of their points of diversion.

I then asked Mickey and George about whether Jesse and Pollard Creeks are connected. The topographic map available to the Department shows Pollard Creek continuing to run to the east through the City and Jesse Creek running north as it approaches the City. Per Mickey, Pollard Creek runs into Jesse Creek and Jesse Creek runs through town and into the Salmon River. He said there are a couple of places where Jesse Creek "regenerates itself" either by springs or runoff from lawn and garden irrigation. Mickey said that it's Farmer's Ditch that runs north, which according to him is incorrectly identified as Jesse Creek on the topographic map. Mickey's understanding of the system coincides with all of the other maps at my disposal – watermaster maps, BLM maps and various maps in the Jesse/Chipps/Pollard Creeks water rights files.

Mickey and I then discussed the history of the Salmon Water Company. The Salmon Water Company was a private entity that supplied the municipal water rights of the City of Salmon until it was purchased by the City in the early 1900s (around 1911 per Idaho Supreme Court case *Ostrander v. City of Salmon*). Per Mickey, the original water works were in the lower townsite and diverted water from Jesse Creek in town, making the original City of Salmon diversion works well below the confluence of Jesse, Chipps and Pollard Creeks. As the town was built above, the City moved the diversion works up to their current location. When Mickey and I drove to the PODs, I took a couple of pictures of the original water works from when the City moved its workings up there.

I made a point to ask Mickey if the City is dumping any untreated water from their facility either back into the river or into Jesse Creek. Mickey said they do not bypass any water and all the water collected from their points of diversion is treated and put into the City's delivery system. I walked along the Jesse Creek channel and it is dry from the Farmers Ditch point of diversion, but there is water dumping from the channel down in town.

On 08/27/2008, I did some research at the Lemhi County Clerk's and Lemhi County Assessor's offices. I have attached the deed showing the sale of the Salmon City Water Co. to the City of Salmon, dated January 1912. In my research at the Clerk's office, I found the document where Salmon City Water Co. was incorporated. I did not make a copy, only wrote down a few pertinent facts. The Salmon City Water Co. was incorporated on June 22, 1897 by Messrs. Suydam, McNicoll, McNab and McPherson. It was a simple incorporation with the 5 directors. 19,500 shares were sold at \$1/share.

Notes from field exam regarding City of Salmon water rights
Meeting date 08/26/2008
Agent: Monica Van Bussum

Today I met with two representatives of the City of Salmon to discuss the City's SRBA claims. I met with George Ambrose, City Administrator, and Mickey Verbeck, City Superintendent. The following is a description of pictures I took while touring the City's diversion and delivery system with Mickey Verbeck.



Photo from above looking down at City of Salmon Chipps Creek diversion. Pipe is approximately 12 inches. This pipe goes underground and its contents dump into Pollard Creek just above the City's Pollard Creek diversion.



Photo of Chipps Creek headgate. The City of Salmon diversion is just upstream of this site, approximately 4 feet.

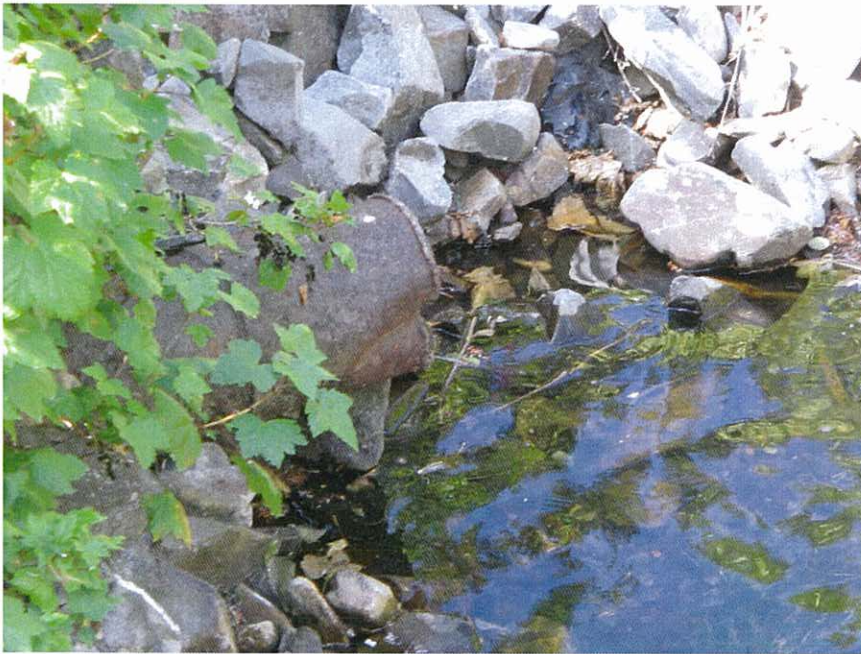


Photo of pipe from City of Salmon's Chipps Creek diversion that dumps into Pollard Creek. Pollard Creek diversion is approximately 6 feet downstream of this pipe.



To the right foreground in this photo, the pipe from the City of Salmon's Chipps Creek diversion can be seen. That pipe dumps into Pollard Creek at this point. The City of Salmon's Pollard Creek diversion is just behind the cement wall in the center of the photo. The two metal gates in the left-center of the picture are opened to allow the un-diverted flow down the main channel.



A look at the interior of the City of Salmon Pollard Creek diversion. The actual point of diversion is the wire mesh visible in the right-center of the picture. Water is diverted through this screen and flows around the corner into a pipe (shown next picture).



This picture was taken by turning right from the vantage point of the previous picture. Water would flow from the wire mesh at the diversion point and into the white pipe seen in the right-center of the picture. That pipe then flows down and dumps into Jesse Creek above the City of Salmon's Jesse Creek diversion. The metal headgate seen to the left-center is used to release any excess flow.



Photo showing the downstream end of the City of Salmon Pollard Creek diversion. The headgate to release excess flow is invisible behind the brush in the far left portion of the picture. The water seen flowing here is the Pollard Creek water that bypasses the point of diversion.



This photo shows water from the City of Salmon Pollard Creek diversion pouring into the Jesse Creek channel. The water from this pipe can either be Pollard Creek water exclusively or a mixture of Chipps Creek and Pollard Creek water, depending on the administration of the water rights. Per my conversation with City Superintendent Mickey Verbeck, the City usually tries to use only Jesse Creek water, then they will go to Pollard Creek water to supplement their Jesse Creek supply. As a last resort in this system, they will then use Chipps Creek water. If the Chipps/Pollard/Jesse Creek water is still insufficient, the City has additional rights for pumping from the Salmon River for their municipal use.



Another view of the Pollard Creek pipe pouring into Jesse Creek. This photo was taken from downstream near the City of Salmon's Jesse Creek diversion.



View from upstream of the City of Salmon's Jesse Creek point of diversion. The actual point of diversion can be seen in the left-center behind the tree with the wire mesh placed in front of the opening. Jesse Creek's natural flow continues in the right-center of the picture.



This is a view of the old City of Salmon waterworks on Jesse Creek. These waterworks were put in place sometime after the City of Salmon bought the Salmon City Water Company and before 1974 when the current system was installed. The right of the picture is the upstream side. Jesse Creek runs in the background of the picture and is not visible here. The water seen standing in this picture is most likely seepage from the Jesse Creek channel.



An additional view from downstream of the old City of Salmon waterworks. The Jesse Creek channel runs from the area of the pipe seen in the center towards the left edge of the picture.



View of the current two active settling ponds for the City of Salmon treatment plant. The water for the system runs underground from Jesse Creek to the building in the right-center where it is divided between the two ponds. The radio antenna seen on the left background side of the building signals the Salmon River pumps if supply gets low so the City can then pump from the Salmon River to augment their supply.



This photo shows the confluence of Jesse and Pollard Creeks below the City of Salmon waterworks. Jesse Creek is in the foreground and Pollard Creek is in the background. The confluence is clearly visible to the left of the picture. The Farmers Ditch diversion is approximately 4 feet to the left of the vantage point of this picture.



A view of the two channels below the confluence of Jesse and Pollard Creeks. It should be clear from my other notes that there is some heated discussion about which is the true Jesse Creek channel. Based on historic maps, other than the topographic map from the USGS, and conversations with numerous Salmon residents, including City Superintendent Mickey Verbeck, City Water Superintendent and Jesse Creek winter watermaster Paul Stokes, City Wastewater Superintendent and Jesse Creek summer watermaster Harry Shanafelt, and longtime resident and Jesse Creek water user Jim Juza, the channel to the right of the picture is the historic Jesse Creek channel that runs through the City of Salmon. The channel with the headgate to the left that would then flow to the left is Farmers Ditch. Farmers Ditch turns north from the City of Salmon to deliver water to the Blackadar and Bills properties, as well as several others including the Austin ranch.

(Office Foreign to
City of Salmon

ADDRESS ALL COMMUNICATIONS TO

Fred Crandall,

P. O. Salmon, Idaho

received from City of Salmon
Mickey Verbeek during meeting

08/26/2008
M. Van Bussum

Reservoir
never
completed.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

Application No. 71528 Permit No. 15145 District No. 3-K

1. Name of applicant City of Salmon, (by L.E. Glennon, Mayor.)

Postoffice address Salmon, Idaho

County Lemhi State Idaho

I. If applicant is a corporation, give—

(a) Date and place of incorporation

(b) Amount of capital stock, \$ (c) Amount paid in, \$

(d) Names and addresses of directors

II. The financial resources of the applicant are—(a) Cash on hand, \$

(b) Treasury stock, \$ (c) Bonds to be issued, \$

(d) Other resources

2. Quantity of water claimed (1/2 cu.ft. from Middle fork & 1/2 Cu.ft. from Left fork)
one entire feet per second

3. Source of water supply Jessie Creek which is a tributary of Salmon River

4. Location of point of diversion just distant from

~~corner of Sec. 21 E. B. M., County of Lemhi~~ is in the NW 1/4 SE 1/4 of Sec. 2 T 21 N

Water is to be used for City purposes by the City of Salmon.

6. If for mining, milling, power or manufacturing purposes, give—

(a) Point of use of water feet distant from corner of Sec.

T. R. B. M., in the of Sec. T. R. B. M.

(b) Amount of power generated H. P., under feet head.

(c) Water is to be returned to at a point feet distant

from the corner of Sec. T. R. B. M., in the

of Sec. T. R. B. M.

7. Estimated cost of works, \$2500.

8. Kind of works dam, reservoir and ditch.
(Reservoir, dam, ditch, flume, pipe, etc.)

9. Height of dam 30 feet, length of dam at top 125 feet, length of dam at bottom 15 feet,
(If height of dam will exceed ten feet, send to State Engineer's office for Regulations.)

Material used in dam concrete and earth.

10. Size of headgate: Width 3 feet; height 3 feet.

11. Ditch: Width at bottom 1.5 feet; width at water line 2 feet; depth of water 5 feet;

dimension of flume ; diameter of pipe

* length of conduit 2 miles, average grade per mile 15

inches
OK

feet.

APR 18 1921

GEO. B. ARCHIBALD

12. The time required for the completion of such work is.....three.....years.

13. The time required for the complete application of the water to the proposed use is.....two.....additional years.

14. The land to be irrigated is described in the following tabulation:

Give Irrigable Acreage in each 40-acre subdivision.
If Private, give names of owners.
Designate ownership of land, as Government, State or Private.

[illegible]

Total number of acres to be irrigated.....

COMMISSIONER
APPROVAL OF STATE ENGINEER
RECLAMATION

The number of this permit is 15145

Recorded in book 53 page 15145 Approved April 23, 1921.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

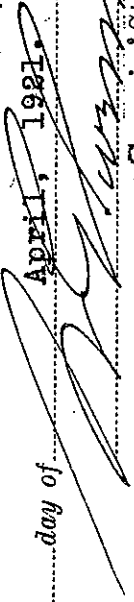
Work to begin on or before June 22, 1921 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One fifth of the work above specified to be completed on or before October 23, 1922.

The whole of said work to be completed on or before April 23, 1924.

Beneficial use of water appropriated in accordance herewith, to be made on or before April 23, 1926.

Witness my hand this 23rd day of April, 1921.


Commissioner of Reclamation

PERMIT

No. 15145

Date of first receipt at office of State Engineer
Commissioner of Reclamation

9 AM April 11, 1921

Returned to applicant for correction

Corrected application received

Fees, \$ 1.00 PA.

Filing Fees for Use Permit—

For the first Sec. Ft. . . . \$1.00

For each additional Sec. Ft. . . .

or fraction thereof10

Statesman Shop, Boise, Idaho.

514

RECEIVED

APR 11 1921

DEPARTMENT OF RECLAMATION

15 (a) Is reservoir to be used? yes If so, fill in (b) and (c) below.

(b) Name of reservoir and number of storage permit: City reservoir,
Application for storage permit to be made.

(c) Date of filing of Application for Storage Permit and Name of Applicant.

~~Remarks - It is the intention under this permit to file on 1 of one Sec. foot of the water of the middle fork of Jessie Creek and one half of one second foot of the water of the left fork of Jessie Creek.~~

~~To construct a reservoir at a point just above the confluence of the two forks but in the channel of the middle fork and to construct a ditch from the left fork to this reservoir.~~

~~The water is then to be taken out of the channel below the confluence of the two forks and conveyed by a ditch to the present intake of the City water main.~~

~~This reservoir to be of approximately twenty acre feet capacity and to be filled at any time there is storm water or unappropriated water in either fork.~~

BE IT KNOWN That the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

City of Salmon, Idaho Applicant.
By L. E. Henson, Mayor Agent.

16. AFFIDAVIT OF PERMISSION TO FILE ON SPRINGS.

I, _____ County of _____

State of _____, do hereby certify that I am the owner or lessee of the land on which the spring mentioned in the application of _____

is located, to-wit: _____

and that I do hereby grant unto the said _____

permission to file on the said spring as set forth in the foregoing application.

State of Idaho, } ss.
County of _____

On this _____ day of _____, 19____, before me, a Notary Public

for the State of Idaho, residing at _____

personally appeared _____

known to me to be the person whose name _____ subscribed to the foregoing certificate, and

acknowledged to me that _____ he _____ executed the same.

Witness my hand and seal, the day and year in this certificate first above written.

My commission expires _____ Notary Public.

THIS INSTRUMENT, made this 2nd day of January in the year of our Lord one thousand nine hundred and twelve between the Salmon City Water Company, Limited, a corporation, having its principle place of business at the city of Salmon, State of Idaho, organized and existing under and by virtue of the laws of said state, hereinafter called the grantor, party of the first part, and the City of Salmon, Idaho, by its mayor and city council, hereinafter called the grantee, party of the second part.

WITNESSETH, that pursuant to resolutions heretofore regularly passed by the stockholders of aforesaid corporation, and the directors thereof, and in consideration of the sum of Thirty Thousand (\$30,000.00) Dollars, to it in hand paid by the party of the second part, through and by its Mayor and City Council, at or before the enrolling and delivery of these presents, the receipt whereof is hereby acknowledged, the party of the first part has granted, bargained, sold, conveyed, confirmed, assigned, transferred and set over, and by these presents does grant, bargain, sell, convey, confirm, assign, transfer and set over unto the party of the second part for ever all the following described real estate, situate, lying and being in Lemhi County, State of Idaho, and more particularly described, to wit: all that certain lot, piece or parcel of land situate, lying and being in the Townsite of Salmon City, County and State aforesaid bounded and particularly described as follows, to wit: from the northeast corner of the block of land in Salmon City bounded northerly by Main Street and easterly by Terrace Street run North, sixty one degrees and thirty minutes West, three hundred and five and five tenths (305.5) feet along the southerly side of said Main Street to the place of beginning; thence South twenty four degrees and fifty four minutes West thirty and five tenths (30.5) feet to Southeast corner of lot hereby conveyed; thence north eighty degrees and fifty-seven minutes West, seventy-eight and four tenths (78.4) feet to easterly side of Salmon River; thence North thirty nine degrees and fifty minutes East, along the easterly bank of Salmon River, fifty-seven and four tenths (57.4) feet to southerly side of Main Street and thence South sixty-one degrees and thirty minutes East, along southerly side of Main Street, sixty and seven tenths (60.7) feet to the place of beginning, the area of said lot being 3058 feet, more or less, and being the northwest corner of that certain lot conveyed to said Salmon City Water Company, Limited, by Michael O. Spahn and to Michael G. Spahn by Thos. Elder, Probate Judge of Lemhi County by deed dated May 29th, 1884 and recorded in Book of Townsite Deed at page 109 records of said County.

Also all that certain lot, piece or parcel of land situate, lying and being in the Townsite of Salmon City, County and State aforesaid bounded and particularly described as follows: beginning at the Southeast corner of the block of land bounded easterly by First Street and southerly by Washington Street of Tingley's Addition to North Salmon the same point being the Southeast corner of the lot hereby conveyed and running thence South 89°20' West along the northerly line of said Washington Street fifty feet to the Southwest corner of said lot; thence North 0°40' West fifty feet to the northwesterly corner of said lot; thence North 89°20' East fifty feet to the westerly line of said First Street and the northeasterly corner of said lot; thence South 0°40' East along the said westerly line of First Street fifty feet to the place of beginning, the same being a portion of the block on which the Brooklyn School House is located.

Also all that certain lot, piece or parcel of land situate, lying and being in the Southeast quarter of the North-east quarter of Section One, Township twenty-one North of Range Twenty-one East of the Boise Meridian in Lemhi County, State of Idaho, and bounded and described as follows, to wit: beginning at a point on the East line of Fifteenth Street as the same is laid out and platted in the Gilmore Addition to Salmon City, North 0°10'40" West from the Northwest corner of Block twenty-three as platted in said Gilmore Addition, from which point the east quarter corner of said Section One bears South 27°15' East 722.3 feet; thence South 89°49'20" West 95.75 feet; thence North 0°10'40" West 100 feet; thence North 89°49'20" East 100 feet; thence South 0°10'40" East 100 feet; thence South 89°49'20" West 4.25 feet to the place of beginning.

Together with all rights, privileges and benefits accruing to said party of the first part herein under and by virtue of one certain warranty deed of conveyance dated June 23, 1910, signed and acknowledged by Horace G. Pope and Ada P. Pope, his wife, to the Salmon City Water Company, Limited, the party of the first part herein, and recorded in Book "U" of Deeds page 135, in the office of the County Recorder of Lemhi County, Idaho, the special privilege clause of which deed reads as follows: "Together with a full, free and unobstructed right of way through and upon other lands now owned by the said parties of the first part situate in the said Southeast quarter of the Northeast quarter of said section one Township 21 North of Range 21 East for the purpose of laying and repairing the pipe and the right to enter upon said lands for said purpose as the said pipe line is now laid and runs over and across said lands, and the said parties of the first part hereby waive all claims for damages for or on account of the same."

2. All these rights, powers, privileges, franchises and easements described in and granted by that certain ordinance of the Village of Salmon City, County of Lemhi, State of Idaho, designated and entitled as follows:-

"Ordinance Number 20" entitled "An ordinance granting the right of way through the streets and alleys of Salmon City to the Salmon City Water Company for the purpose of laying water pipe." Approved on the 5th day of April, A.D. 1897.

3. All rights of way owned or controlled by said party of the first part for the construction, maintenance and operation of water mains, pipes, conduits, etc. therein for the transmission and conducting of water purposes along and upon the course where said water mains, pipes, conduits, etc. are now constructed, laid and placed from the Jesse Creek reservoir of said grantor to all points of distribution throughout said city of Salmon or elsewhere.

4. The grantor herein also conveys to said second party all rights, privileges, benefits, interests, accrued or accruing, established, maintained, recognized, continuing or which may arise, be established, recognized or be admitted under and by virtue of that one certain agreement and contract entered into for and in behalf of the grantor herein, and continued by said grantor to this date, by one R.W. Paris, as agent of grantor herein, by which said Paris negotiated and entered into an agreement and contract with the County of Lemhi, State of Idaho, by and through its Board of County Commissioners, on the first day of September, 1897, by which agreement and contract said Paris was granted permission of carrying and conducting a water main or pipe across the new Salmon River Wooden Truss Bridge across Salmon River in said County, on a line with Main Street of the City of Salmon, Idaho, agreeing and paying therefor the sum of five hundred dollars.

5. All those certain ditches, canals and flumes extending from the intake, of said Salmon City Water Company, Limited, on Jesse Creek to the reservoir of said grantor and being and extending through, to and upon portions of the real premises herein described and conveyed, together with all rights, privileges, easements and appurtenances thereunto belonging, or in any wise appurtenant, meaning and intending hereby to convey to the second party herein all ditches, canals, flumes, conduits, rights of way and privileges owned, controlled or used by the said party of the first part in any wise pertaining to said water system, plant and reservoir heretofore owned, controlled and used by said first party.

6. Also twenty-five (25) inches of water of that certain water right to the use of 180 inches of water of Jesse Creek awarded to C.C. Willis and John H. Wheeler by a decree of the District Court of the Fifth Judicial District of the State of Idaho, in and for Lemhi County.

dated September 30, 1893, which decree is duly recorded in the office of the Clerk of said Court in Book "A" of Judgments at page 251. The said C.C. Willis having on the 28th day of June, 1897, conveyed by deed the said twenty-five inches of the waters of Jesse Creek to the Salmon City Water Company, Limited, party of the first part herein, which deed of conveyance was duly acknowledged and recorded on July 12, 1897, in Book "I" of Deeds page 488 in the office of the County Recorder of Lemhi County, Idaho, which twenty-five inches of water, and all rights or interests therein, are hereby conveyed by said grantor to the party of the second part herein.

Also all rights title and interest in and to the water of Jesse Creek in said Lemhi County, State of Idaho, acquired by that certain Water License No. 1241 granted by the State Engineer of Idaho to the grantor herein which license reads as follows: "STATE OF IDAHO. Water license No. 1241. Whereas, on the 21st. day of April, A.D. 1905 Salmon City Water Company, Limited, of Salmon, County of Lemhi, and State of Idaho, duly made application (No. 1717) to me for a permit to use two cubic feet per second of the waters of Jesse Creek County of Lemhi, State of Idaho, for water supply, fire and domestic purposes; and, WHEREAS, On the 18th day of May, A.D. 1905 Permit No. 1241 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 18th day of November, A.D. 1905, and for the application to beneficial use of said water on or before the 18th day of November, A.D. 1905; and, WHEREAS, on the 25th day of August, A.D. 1905 the holder of said permit made proof of the completion of adequate works for the diversion of two cubic feet per second of said waters, as evidenced by my certificate No. 1241, dated September 6, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use two cubic feet per second of water, with date of priority of April 21, 1905, and, WHEREAS On the 25th day of August A.D. 1905 proof was duly made of the application to beneficial use of two cubic feet per second of said water NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Salmon City Water Company, Limited, of Salmon, Idaho, the holder and owner of said Permit No. 1241 a perpetual right, dating from April 21, 1905, to the use of Two cubic feet per second of the waters of Jesse Creek in the County of Lemhi, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SW $\frac{1}{4}$ of NE $\frac{1}{4}$, Section One, Township 21 North, Range 21 East of the Boise Meridian, and conducted to Salmon City, Lemhi County, Idaho, for the purpose of water supply, fire and domestic use, subject, however to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which water may be taken, when such rules and regulations have for their object the economical use of such water. WITNESS my hand and seal of my office, at Boise, Idaho, this sixth day of September, A.D. Nineteen Hundred and five. Jas. S. Stephenson, Jr. State Engineer" Said license was recorded in Book 1 of licenses page 24. It is intended to hereby convey all interests and benefits, right and title which said grantor holds or be entitled to, to the party of the second part herein. Together with any and all other rights of every kind and character in and to the waters of said Jesse Creek including all the rights, privileges, easements and powers including riparian rights, rights to divert the waters of said Jesse Creek and to construct, maintain and operate all ditches, flumes and canals owned, controlled and used by said party of the first part, acquired by the aforesaid deed and license, by prior appropriation and any and all rights in and to the waters of said Jesse Creek acquired in any other method, manner or procedure.

7. The entire water plant and system owned, operated, controlled and constructed by said grantor including all portions of the plant or system, reservoir, buildings, works equipment, appliances, canals, pipes, tools and supplies and all other machinery, equipment, fixtures, appliances and appurtenances belonging or appertaining to its said water system and plant and business, and all other machinery, apparatus, appliances, appurtenances, materials, supplies, stores, goods, wares and merchandise now owned by the grantor and used in distributing, using, selling, furnishing and supplying water general, domestic, fire and commercial use and all other purposes in and about the City of Salmon, County of Lemhi, State of Idaho.

8. All rights which the grantor has however originating and however acquired to appropriate, divert and use the waters of said Jesse Creek including all riparian rights, water rights and water appropriations, rights to store, divert and use the water of said stream now owned by the grantor and also all dams now owned by the grantor and extending across or entering into Jesse Creek as the same are now located and constructed, together with all headgates, ditches, pipes and flume lines, easements and other appurtenances thereunto belonging or in any wise appertaining.

9. All the property, real, personal and mixed, rights in property whether or not hereinbefore mentioned in or to which it has any estate, right, title, interest, claim or demand as well in law as in equity including all its lands, tenements, hereditaments, licenses, permits, privileges, franchises, grants, immunities, contracts, rights of action, water appropriation, water rights, records, muniments of title, insurance policies, and everything else belonging to the grantor or to which it has any rights, or in which it has any interest and also including all the rights, privileges, easements, tenements, hereditaments and appurtenances belonging to or used by the grantor or in any wise appertaining to said property, real, personal, or mixed, or any thereof and all its estates, rights titles, interests, claims and demands therein or thereto, and also the reversions and reversion, remainder and remainders, and the rents issues and profits thereof from and including January 1, 1912, and no words of particular description of property contained in this indenture shall be deemed, held or construed to limit or curtail the words of general description of property contained in this indenture.

To have and to hold the above granted premises, rights, privileges, franchises and property together with all of the profits, proceeds, rights, easements and appurtenances connected therewith, or pertaining or belonging thereto, unto the said party of the second part, forever, from and after January 1, 1912, to its use and benefit forever.

And the grantor covenants to and with the said party of the second part that it is the owner of all of the above mentioned property and premises, use and operation of said water plant and system; that it has good right to sell and convey said premises and property and the same are free from all incumbrances and said grantor will forever defend all the above described premises and all property intended hereby to be conveyed unto the said grantee against, the right, title, interest, claim or demands of all persons whomsoever claiming or to claim the same, or any portion thereof and that it will from time to time at the request of and costs of said grantee execute all such further assurance for the further or more perfectly or satisfactorily assurance and confirming the premises, property, rights and franchise hereby granted to said grantee as said grantee shall require and as shall be tendered to be done or to be executed.

IN WITNESS WHEREOF, said party of the first part has hereunto set its hand and seal the said and year in this instrument first above written.

Seal. SALMON CITY WATER COMPANY, LIMITED,
By W.H. Shoup, Pres. By F.S. Wright, Sec.

State of Idaho)
County of Lemhi,) ss. On this Fourth day of January, in the year 1912, before me W.C.

dated September 30, 1893, which decree is duly recorded in Book "A" of Judgments at page 251. The said C.C. Willis having on the 26th day of June, 1897, conveyed by deed the said twenty-five inches of the waters of Jesse Creek to the Salmon City Water Company, Limited, party of the first part herein, which deed of conveyance was duly acknowledged and recorded on July 12, 1897, in Book "I" of Deeds page 488 in the office of the County Recorder of Lemhi County, Idaho, which twenty-five inches of water, and all rights or interests therein, are hereby conveyed by said grantor to the party of the second part herein.

Also all rights title and interest in and to the water of Jesse Creek in said Lemhi County, State of Idaho, acquired by that certain Water License No. 1241 granted by the State Engineer of Idaho to the grantor herein which license reads as follows: "STATE OF IDAHO. Water license No. 1241. Whereas, on the 21st day of April, A.D. 1905 Salmon City Water Company, Limited, of Salmon, County of Lemhi, and State of Idaho, duly made application (No. 1717) to me for a permit to use two cubic feet per second of the waters of Jesse Creek County of Lemhi, State of Idaho, for water supply, fire and domestic purposes; and, WHEREAS, On the 18th day of May, A.D. 1905 Permit No. 1241 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 18th day of November, A.D. 1905, and for the application to beneficial use of said water on or before the 18th day of November, A.D. 1905; and, WHEREAS, on the 25th day of August, A.D. 1905 the holder of said permit made proof of the completion of adequate works for the diversion of two cubic feet per second of said waters, as evidenced by my certificate No. 1241, dated September 6, 1905, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use two cubic feet per second of water, with date of priority of April 21, 1905, and, WHEREAS On the 25th day of August A.D. 1905 proof was duly made of the application to beneficial use of two cubic feet per second of said water NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Salmon City Water Company, Limited, of Salmon, Idaho, the holder and owner of said Permit No. 1241 a perpetual right, dating from April 21, 1905, to the use of Two cubic feet per second of the waters of Jesse Creek in the County of Lemhi, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SW¹/₄ of NE¹/₄, Section One, Township 21 North, Range 21 East of the Boise Meridian, and conducted to Salmon City, Lemhi County, Idaho, for the purpose of water supply, fire and domestic use, subject, however to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which water may be taken, when such rules and regulations have for their object the economical use of such water. WITNESS MY hand and seal of my office, at Boise, Idaho, this sixth day of September, A.D. Nineteen Hundred and five. Jas. S. Stephenson, Jr. State Engineer" Said license was recorded in Book 1 of Licenses page 24. It is intended to hereby convey all interests and benefits, right and title which said grantor holds or be entitled to, to the party of the second part herein. Together with any and all other rights of every kind and character in and to the waters of said Jesse Creek including all the rights, privileges, easements and powers including riparian rights, rights to divert the waters of said Jesse Creek and to construct, maintain and operate all ditches, flumes and canals owned, controlled and used by said party of the first part, acquired by the aforesaid deed and license, by prior appropriation and any and all rights in and to the waters of said Jesse Creek acquired in any other method, manner or procedure.

7. The entire water plant and system owned, operated, controlled and constructed by said grantor including all portions of the plant or system, reservoir, buildings, works equipment, appliances, canals, pipes, tools and supplies and all other machinery, equipment, fixtures, appliances and appurtenances belonging or appertaining to its said water system and plant and business, and all other machinery, apparatus, appliances, appurtenances, materials, supplies, stores, goods, wares and merchandise now owned by the grantor and used in distributing, using, selling, furnishing and supplying water general, domestic, fire and commercial use and all other purposes in and about the City of Salmon, County of Lemhi, State of Idaho.

8. All rights which the grantor has however originating and however acquired to appropriate, divert and use the waters of said Jesse Creek including all riparian rights, water rights and water appropriations, rights to store, divert and use the water of said stream now owned by the grantor and also all dams now owned by the grantor and extending across or entering into Jesse Creek as the same are now located and constructed, together with all headgates, ditches, pipes and flume lines, easements and other appurtenances thereunto belonging or in any wise appertaining.

9. All the property, real, personal and mixed, rights in property whether or not hereinbefore mentioned in or to which it has any estate, right, title, interest, claim or demand as well in law as in equity including all its lands, tenements, hereditaments, licenses, permits, privileges, franchises, grants, immunities, contracts, rights of action, water appropriation, water rights, records, muniments of title, insurance policies, and everything else belonging to the grantor or to which it has any rights, or in which it has any interest and also including all the rights, privileges, easements, tenements, hereditaments and appurtenances belonging to or used by the grantor or in any wise appertaining to said property, real, personal, or mixed, or any thereof and all its estates, rights titles, interests, claims and demands therein or thereto, and also the reversions and reversion, remainder and remainders, and the rents issues and profits thereof from and including January 1, 1912, and no words of particular description of property contained in this indenture shall be deemed, held or construed to limit or curtail the words of general description of property contained in this indenture.

To have and to hold the above granted premises, rights, privileges, franchises and property together with all of the profits, proceeds, rights, easements and appurtenances connected therewith, or pertaining or belonging thereto, unto the said party of the second part, forever, from and after January 1, 1912, to its use and benefit forever.

And the grantor covenants to and with the said party of the second part that it is the owner of all of the above mentioned property and premises, use and operation of said water plant and system; that it has good right to sell and convey said premises and property and the same are free from all incumbrances and said grantor will forever defend all the above described premises and all property intended hereby to be conveyed unto the said grantee against, the right, title, interest, claim or demands of all persons whomsoever claiming or of and costs of said grantee execute all such further assurance for the further or more perfectly or satisfactorily assurance and confirming the premises, property, rights and franchises hereby granted to said grantee as said grantee shall require and as shall be tendered to be done or to be executed.

IN WITNESS WHEREOF, said party of the first part has hereunto set its hand and seal the said and year in this instrument first above written.

Seal. SALMON CITY WATER COMPANY, LIMITED,
By W.H. Shoup, Pres. By F.S. Wright, Sec.

State of Idaho)
County of Lemhi,) ss. On this Fourth day of January, in the year 1912, before me W.C. Smith a Notary Public, personally appeared W.H. Shoup and F.S. Wright known to me to be the president and secretary respectively of the corporation that executed the instrument and ac-

knowledge to me, that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Seal.

My commission expires December 31st, 1914

W.C. Smith
Notary Public in and for the County of Lemhi,
State of Idaho.

Recorded at the request of Frank C. Miller, Jan. 15th, 1912, at 15 minutes past 1 o'clock P.M., in Book V of Deeds, pages 9, 10, and 11, Records of Lemhi County, Idaho.

J.H. Kiley
County Recorder

Deputy.

Instrument No. 12294

IN THE PROBATE COURT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI.

In the Matter of the Estate of
Murdock L. McNicoll, a minor.

DECREE OF DISTRIBUTION OF ESTATE.

Barbara McNicoll, the guardian of the estate of Murdock L. McNicoll, a minor, having on the 22nd day of April, 1912, filed in this Court her petition, setting forth, among other matters, that her accounts have been finally settled and said estate is in a condition to be closed, and one half undivided interest of the estate hereinafter mentioned remains the sole property of the said ward, Murdock L. McNicoll, said matter coming on regularly to be heard this 6th day of May, 1912, upon due proof that due and legal notice of such hearing had been given as directed by the order of this Court heretofore made; the said Barbara McNicoll appearing by her counsel, J.P. Nixon, Jr. this Court proceeded to the hearing of said petition; and it appearing, to the satisfaction of this Court, that the residue of said estate, consisting of the property hereinafter particularly described, is now ready for distribution, and that said estate is now in a condition to be closed;

That the whole of the said estate consist of real and personal property.

That the said Barbara McNicoll was duly appointed guardian of the said ward, Murdock L. McNicoll, by this Court. And that the said ward, Murdock L. McNicoll is now over the age of twenty-one years.

That all claims against the said estate are fully paid; that all taxes due from the said estate have been paid; and that the estimated expense of closing said estate will amount to the sum of \$10.85.

That the said Murdock L. McNicoll is entitled to an undivided one half interest in all real and personal property hereinafter mentioned.

Now on this, the said 6th day of May, 1912, on motion of J.P. Nixon, Jr., Esq. counsel for said Barbara McNicoll

IT IS HEREBY ORDERED, ADJUDGED AND DECREED, That the residue of said estate, of Murdock L. McNicoll a minor, hereinafter particularly described, and now remaining in the hands of said Barbara McNicoll and any other property not now known or discovered, which may belong to said estate, or in which the said estate may have an interest, be and the same is hereby distributed as follows, to wit:

An undivided one half interest in all real and personal property hereinafter mentioned together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the rents, issues and profits thereof being the sole property of the said ward, Murdock L. McNicoll.

The following is a particular description of said residue of said estate referred to in this decree, and of which distribution is ordered, adjudged and decreed as aforesaid, to wit:

All of that certain lot, piece or parcel of land situate, lying and being in the Townsite of Salmon City, County of Lemhi, State of Idaho, bounded and described as follows, to wit: Beginning at a point on the northerly side of Main Street, in the said Salmon City, North 61 30' West, and 67 feet and 9 inches distant from the Southeast corner of the Block of land in said townsite bounded southerly by Main Street and easterly by Center Street, and running thence North 61 30' West, along the northerly side of said Main Street, 33 feet and 2 inches to the lot now owned by Ole Johnson; thence North 27 55' East 118 feet and 6 inches; thence South 62 15' East 32 feet and 10 inches to the lot formerly owned by Margaret Williams, and thence South 27 50' West 119 feet and 2 inches to the place of beginning. The said lot being the same heretofore conveyed to E.H. Jeanjaquet by Thomas Elder, Probate Judge of said county, by deed dated March 14, 1887, and recorded in Book "D" of Townsite Deed on page 139; together with the buildings and improvements situated thereon.

All of that certain lot, piece or parcel of land situated, lying and being in the Townsite of Salmon City, Lemhi County, Idaho, bounded and described as follows, to wit: Beginning at the Southeast corner of the Homestead lot formerly owned by Pluma Fuller on the southerly side of Main Street, and running thence South 28 30' West along the westerly side of the lot now owned and occupied by A.J. MacNab as a residence 30 feet; thence North 61 30' West along the northerly side of lands now owned by William Peterson 98 feet and 3 inches to the Southeast corner of the lot of land now owned by L.L. McPherson; thence North 28 30' East 30 feet, and thence South 61 30' East along the southerly end of the lot conveyed to Geo. J. Shoup by the Probate Judge of said County, and along the southerly end of the said lot of Pluma Fuller 98 feet and 3 inches to the place of beginning. The lot hereby described being the same heretofore conveyed to Robert McNicoll, deceased, in his lifetime by Emily C. Snook and John W. Snook by deed dated October 24, 1890, and recorded in the office of the County Recorder of the said county of Lemhi in Book "F" of Deeds at page 492; together with all buildings and improvements thereon.

All of that certain lot, piece or parcel of land situated and lying in the said Townsite of Salmon City, bounded and described as follows, to wit: Beginning at a point 364 feet South 61 30' East from the Northeast corner of Main and Andrews Streets, in said Townsite, said point being the Southeast corner of the L.E. Church lot, and from thence North 29 East 117 feet and 6 inches; thence South 61 30' East 100 feet; thence South 29

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Salmon National Forest
Salmon, Idaho 83467

2568
REPLY TO: 2520 Watershed Protection and Management

June 16, 1975

SUBJECT: Management Plan - Salmon City Municipal Watershed



TO: District Ranger
Salmon Ranger District

Enclosed are two approved copies of the above management plan. We suggest that you furnish Salmon City with a copy. We also suggest that you develop and install signs to implement Management Decision No. 7. Recreation use should be discouraged but probably not prohibited unless definite water quality problems arise.

We commend you for this well prepared plan.

J. L. Emerson

J. L. EMERSON
Forest Supervisor

[Signature]
Enclosure: 2

Received from USFS
Hydrologist Betsy Rieffenberger
07/2008.
MLB

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

Salmon Ranger District
Salmon, Idaho 83467

REPLY TO: 2520 Watershed Protection and Management

June 5, 1975

SUBJECT: Management Plan - Salmon City
Municipal Watershed

TO: Forest Supervisor



Attached for your approval are four copies of a Management Plan for the Salmon City Municipal Watershed. The plan has been reviewed and approved by the Mayor and City Council at their regular meeting on June 2, 1975.

Previously, an Environmental Analysis Report for withdrawing the municipal watershed from mineral entry was submitted to your office. When the EAR is approved, it should also apply to this management plan. No additional EAR should be necessary.

A. T. Schuldt

ALDEN T. SCHULDT
District Ranger

Attachments

1C-letter
4C-enclosure
SALMON R. D.
COPY _____
P.C. _____

JUN 13 1975

INFO: 0		ACTION	
SUP			
LUP			
TM	1	2	3
FR-1	1	2	3
ENG.	1	2	3
RWL	1	2	3
A.O.	1	2	3

M A N A G E M E N T P L A N

Salmon Municipal Watershed

Watershed Number 0015

Salmon Ranger District

Salmon National Forest

Region 4

Prepared by: A. T. Schuldt Date 6/12/75

Recommended by: Donald E. Gagner Date 6/16/75

Recommended by: _____ Date _____

Approved by: J. Emerson Date 6/16/75

A. INTRODUCTION

The Salmon Municipal Watershed consists of the Jesse Creek, Chipps Creek and Pollard Canyon drainages. The lower boundary of the watershed lies approximately one mile west of the City of Salmon.

The Watershed is on the east facing slope of the Salmon River Mountains in Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, and 18, T. 21 N., R. 21 E., B.M.; Sections 1 and 12, T. 21 N., R. 20 E., B.M.; Sections 18, 19, 20, 28, 29, 30, 31, 32, 33, 34, and 35, T. 22 N., R. 21 E., B.M.; Sections 24, 25, and 36, T. 22 N., R. 20 E., B.M. It is a tributary of the Salmon River Drainage of the Snake River Basin in the Columbia River system. Portions of the watershed are in the Lower, Intermediate, and Crest Zones on the Salmon Ranger District, Salmon National Forest, County of Lemhi, State of Idaho.

The watershed contains approximately 13,240 acres of National Forest land and ranges in elevation from 4420 feet to 9150 feet with a mean elevation of 7230 feet. The area is characterized by narrow, steep walled canyons with numerous slide rock or talus slopes. Most of the drainages have very steep talus slopes or ledges at the head with small cirques or cirque basins immediately beneath these slopes.

The majority of substratum material on the watershed is composed of metamorphosed, impure gray quartzite. However, at the upper reaches of Jesse Creek, granitic formations representing the fringe of the Idaho Batholith are present. At the lower reaches, portions of the Carmen formation and Challis volcanics can be found. There are numerous faults within the watershed area, but they are of small displacement and appear to be of no major consequence.

The area contains a degree of mineralization. However, the exact extent is not known. There was a quartzite claim between Turner Gulch and Jesse Creek. A deposit of low grade coal or lignite is located in Pollard Canyon immediately below the Forest boundary.

Soils over the area are variable, ranging from very shallow to moderate in depth. Textures range from silt loams to clays with some granitics at the upper reaches of Jesse Creek.

Precipitation ranges from approximately 9 inches at the lower elevations to 30 inches near the summit. The monthly average precipitation, taken at the Salmon weather station, indicates the precipitation at the lower elevations is fairly well spread with the exceptions of May and June which receive somewhat more precipitation. The majority of the precipitation at the higher elevations comes during the winter in the form of snow. There is a snow measurement course approximately five miles south

2.

of the area in the head of Williams Creek which is read annually during the last of February and March. Measurements taken from this course show an average water content of 14.17 inches on April 1. The average annual precipitation received at Salmon is about 9.39 inches. Temperatures in the area vary considerably. At the Salmon weather station, for the period 1968 through 1974, the high temperature recorded was 105°F. while the lowest was -25°F., with a mean temperature of 45°F. At a mean elevation of 7230 feet on the watershed, the mean temperature would be approximately 33° F. At the 9150 foot elevation, the mean temperature would be approximately 26°F. The area is subject to high intensity, short duration cyclonic storms during the summer months.

Coniferous timber is the major cover type on the watershed area. Douglas-fir is the predominant species. However, lodgepole pine covers much of the area. At the upper reaches and along the ridges, limber pine is common. Along the canyon bottoms and around the small meadows and pot holes, Engelmann spruce is present. Sage-grass slopes and openings are scattered throughout the lower reaches of the watershed.

The City maintains three intake systems, one in Pollard Canyon, one in Chipps Creek and one in Jesse Creek. The intake system in Chipps Creek picks up water and transports it to Pollard Canyon in a twelve inch pipe. The Pollard Canyon intake system picks up the flow from the canyon and the piped flow from Chipps Creek; and transports it to Jesse Creek in a twelve inch pipe. The water is piped directly into a concrete collection tank. The water from the Jesse Creek drainage is slowed in a settling pond or reservoir with about one acre in surface. From there it flows into a wooden flume that carries it to the collection tank. Part of the flow is by-passed so that it does not enter the collection tank but continues downstream as natural flow. Additional water is pumped from a 30 foot well into the collection tank. From the collection tank, the water is piped down to the City's 75,000 gallon reservoir and chlorination system before entering the City mains.

Under construction in 1975 is a three-pond water treatment and storage facility. The facility, known as a slow sand filter, will store 5 million gallons. It will be completed in 1976 at an estimated cost of \$100,000.

Although the water flow from the watershed is more than adequate for the City's needs, the City cannot take more than it has rights for. The City has first right to only 215 inches. By agreement, it also takes an additional 100 inches and replaces it with irrigation water pumped from the Salmon River. City officials believe the supply is barely adequate to meet the present demand. Water use by both commercial and domestic users is estimated at 3500 gallons per minute peak use in the summer and 800 gallons per minute peak use in the winter. Converting the City's water right, which is stated in miners inches to gallons per minute (1 M. Inch = 9.0 gallons per minute) indicates a maximum water right of 2835 gallons per minute. An additional small gallonage of water is obtained from the well.

A tabulation of the City's water rights is included as appendix material in this report.



Photo #1. Chipps Creek water intake. The 12 inch pipe carries water to augment the Pollard Canyon flow. This facility is on private land.

November 1974



Photo #2. Outlet of Chipps Creek pipeline just above the Pollard Canyon water intake. This flow from Chipps Creek augments the Pollard Canyon flow.

November 1974



Photo #3. Pollard Canyon water intake. A buried 12 inch pipeline carries water from here to the Jesse Creek water intake.

November 1974

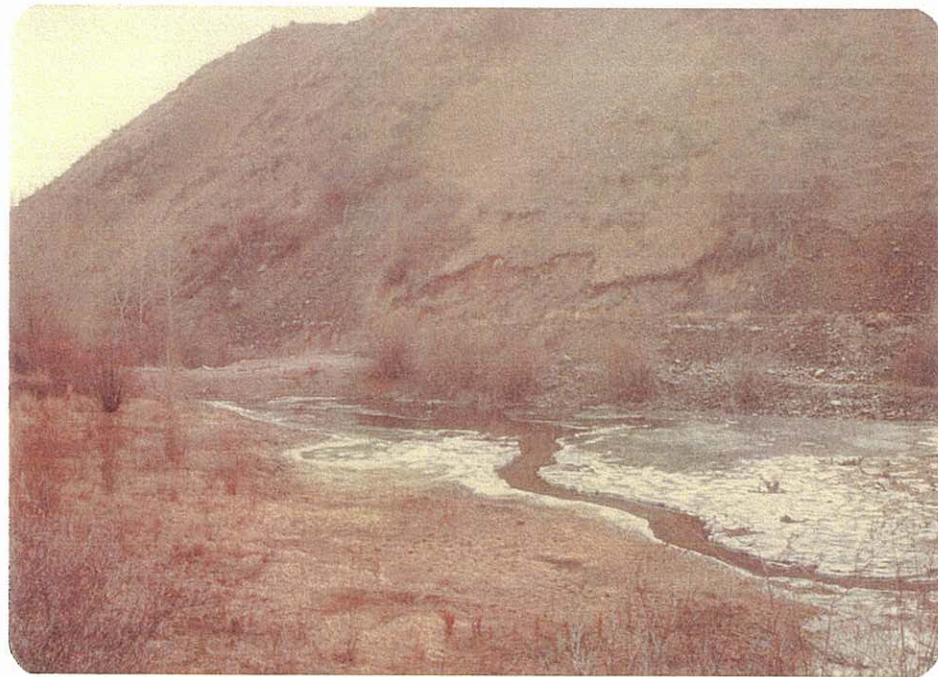


Photo #4. Settling pond in Jesse Creek. This natural pond is maintained by the City to settle out debris before it enters the wood flume.

November 1974



Photo #5. Wood flume in Jesse Creek. The concrete structure is the Jesse Creek water intake.

November 1974



Photo #6. Jesse Creek water intake. Wood flume on right carries Jesse Creek flow. The large black pipe carries water from Pollard Canyon. Near bottom center of photo is a well the City uses to augment the water supply.

November 1974



Photo #7. The new water storage and filtration system under construction. Salmon, Idaho in the background.

November 1974

7.

Prior to 1973, the water intake in Pollard Canyon was located below the confluence of Chipps Creek and Pollard Canyon. To eliminate sediment sources, the system was extended upstream and divided into a water intake in Chipps Creek and one in Pollard Canyon.

Special land uses are limited. Idaho Power Company has a permit dated 5/26/58 for a powerline right-of-way 75 feet in width which passes through a portion of the watershed area for approximately four miles. The City of Salmon has a permit for water transmission lines, structures, and road across the lower end of the watershed from Pollard Canyon to Jesse Creek. There is also a special use permit issued to Edgar Edwards for an irrigation ditch out of Chipps Creek.

Access into the watershed is very limited. There is a low standard road for about 1/2 mile in Jesse Creek. Limited access is also provided by the Salmon River Mountain Road along the west side of the watershed, the old Leesburg Road along the north side on the watershed and the road to the Forest Service administrative site in Jesse Creek at the lower end of the watershed.

B. HISTORY

Settlement of the Salmon area began in 1866 with the discovery of gold in the Leesburg area. The City of Salmon started as a supply point to the gold fields that were located to the west. Farmers and ranchers followed the early mining activity. As the community grew, so did the culinary water requirements. In about 1890, E. S. Edwards built the first water system in the City of Salmon. This system was purchased in 1897 by the Salmon City Water Company. Finally in 1911, the City of Salmon purchased the system and it became known as the Salmon City Municipal Water Works.

During early settlement, the mountains surrounding the area were freely used by the settlers for the grazing of their domestic livestock. Timber was cut for lumber, homes, outbuildings, firewood, and many other uses. As time progressed, water from the watershed became the most important resource. Other uses were eliminated or restricted. Domestic sheep grazing was terminated from the area in 1911, and cattle grazing in 1917. Wild animals continue to use the drainages. Deer are the major big game species seen on the area. However, elk may occasionally be in the area. The watershed also supports limited populations of upland game birds such as bluegrouse, ruffed grouse, and chuckars. Because of the lack of access, recreation use, both in the past and in the foreseeable future, is very limited. There are no existing nor planned recreation developments in the watershed. However, a small lake near the head of Pollard Canyon attracts a few picnickers during the summer months. A few big game hunters use the area for a short time in the fall. The settling pond supports a few trout and receives light fishing use.

8.

There are a few exploratory mines scattered in the area. Even the old exploratory holes have been inactive for many years. Records show one claim as being surveyed. This claim, MS-1237 A and B, consists of approximately 45 acres and lies on the ridge between Turner Gulch and Jesse Creek in Sections 32 and 33, T. 22 N., R. 21 E., B.M. This claim has been inactive for many years and is apparently abandoned. Low grade coal was mined below the Forest boundary on private land. A small amount of coal was mined. Due to poor quality, this venture was unsuccessful.

Fire occurrence within the watershed is fairly low. The area is rated as resource value class 6 because of the very important watershed values of the area. The fuel types on the area vary but in general, they are classified as low rate of spread and high resistance to control. The area has been placed in the two hour control zone, but it is doubtful if portions of the interior could be reached within these time limits due to the limited access.

The Forest Service maintains the Jesse Creek administrative site which is within the lower reaches of the municipal watershed. The area is used primarily as a storage area. The use of the administrative site for storage does not affect the municipal water supply as it is downstream from the intake systems. The administrative site was withdrawn from mineral entry May 18, 1964.

C. MANAGEMENT OBJECTIVES

The management objectives for this watershed are to provide maximum watershed protection to Jesse Creek, Chipps Creek, and Pollard Canyon so they can produce the optimum amount of high quality water for on-site and downstream uses without impairing the other resource values of the area. This is to be accomplished within the guidelines set forth in the Salmon Ranger District Multiple Use Plan and the Cooperative Agreement entered into between the Secretary of Agriculture and the City of Salmon June 8, 1939.

D. HYDROLOGY

The watershed produces an estimated average water flow of 6140 acre feet per year. The city water system serves approximately 3,000 people. By using 100 gallons per person per day, the yearly average water consumption would be 336 acre feet of water for domestic purposes. This does not include water which is used by businesses in the area such as service stations, laundromats, car washes, hotels, motels, and the cheese factory, all of which consume large amounts of water. The city does not measure or meter the water so actual amounts used are not known.

Fluctuations in stream flow vary from 30% in June to 3% in February of the total water yield. Of the 6140 acre feet of water flowing from this watershed per year, approximately 80% or 4298 acre feet occurs during May, June, and July. Peak flows from snow melt generally occur between May 22 and June 14. Even though approximately 70% of the water produced flows from the area in a relatively short period of time, the stream channels within the National Forest boundary are stable and handle the flows without channel erosion. The stabilized condition of the channels indicates no flooding history. Flood potential of the forest lands within the watershed are low because of vegetative and ground cover conditions existing on the area. Although much of the area is covered with talus slopes and rock outcrops, only one problem area has been identified. A small clay basin, containing approximately 5 acres located above the holding reservoir, is a major producer of colloidal sediments in the Jesse Creek drainage. The soils in this basin are composed of plastic, very sticky clays. Vegetative cover is quite sparse, but probably approaches maximum density for the site. The problems associated with the site are aggravated by construction of the Pollard Canyon water transmission line. This activity exposed sterile subsoil at the water line as well as at the ditch that is now abandoned. Mechanical treatment would further aggravate the situation as it is unlikely sufficient vegetation could be established on the disturbed area to stabilize soil movement.

E. WATER MANAGEMENT PROBLEMS

Of the water produced on the watershed, quantity and timing present no problem although there is a wide variation in stream flow. Water samples taken and sent to the State each month for bacterial analysis nearly always test out within acceptable limits. This may be due to the fact that the water is chlorinated. Water samples are taken daily by the City and tested for the chlorine content. Chemical content of the water is good with a pH of approximately 6.9.

In 1967, Robert G. Bailey and Larry J. Schmidt, hydrologists from the Forest Service Regional Office, accompanied by forest personnel, made a reconnaissance of the Salmon Municipal Watershed. Followup investigations and a Hydrologic Problem Analysis Report was made in 1969. This report identifies and suggests remedial action which could be taken on these problems or problem areas. The findings of these investigations indicate the quantity of water produced should generally be adequate as the mean low flow is approximately 450 percent of the estimated need. However, water rationing for lawn sprinkling has been necessary during dry summers.

Even though extension of the water intakes in Chipps Creek and Pollard Canyon have eliminated many of the sources of sediment and organic material, water quality remains a problem. The problem lies in the Jesse Creek drainage. The problem areas in Jesse Creek are located within the

10.

Forest boundary and consists of the small clay basin above the holding reservoir, the nearly vertical banks at the excavation near the Jesse Creek water intake, access road, and the small gully leading into the excavation. From the standpoint of the municipal water supply, the best solution may be to extend the intake works up Jesse Creek to a point above these problem areas.

F. IMPROVEMENT NEEDS AND DEVELOPMENT PROGRAM

Forest Service lands within the watershed have been closed to domestic livestock grazing and timber harvesting for years. A proposal to withdraw the area from mineral entry is presently in progress. This will give added protection to the National Forest lands within the watershed. There are no land treatment measures planned on National Forest lands. The main problems located on Forest land which affect the municipal water supply, are located in the lower portion of the Jesse Creek drainage and are man made or have been aggravated and accelerated by the activities of man. The area believed to be contributing the majority of sediment is a small (4 or 5 acre) clay basin above the holding reservoir. This basin lays on the north facing slope and drains directly into the holding reservoir. The siltation from this basin occurs primarily during the snow melt period or after a heavy rainstorm. Soils in this basin are predominantly clays, appear to be relatively infertile and unstable. The basic nature of these soils limit the types of treatment which could be applied to the area. Presently, the solutions which appear the most feasible would be to extend the intake works up Jesse Creek to a point above the problem area or collect the runoff from this basin and channel it to some point below the intake system.

The water flowing from this watershed, even during the low flow period of February, exceeds the present and foreseeable needs of the City of Salmon. From this standpoint, it is not believed desirable to attempt to manipulate the quantity or timing of water released from the watershed.

Special use permits and cooperative agreements existing within the watershed boundary consist of:

1. A Cooperative Agreement between the City of Salmon, Idaho and the Secretary of Agriculture, dated June 8, 1939 for the purpose of conserving and protecting the municipal water supply for the City of Salmon. (Copy attached in appendix.)
2. Special use permit, dated 3/11/48, to the City of Salmon for a right-of-way to construct and maintain lines, structures, and a road from Pollard Canyon to Jesse Creek. Permit issued free. (A revised special use permit for the additional facilities the City has on the watershed is expected to be issued in May, 1975.)

*Not Completed
as of 2002*

11.

3. Special use permit dated 5/26/58, to the Idaho Power Company for a 75 foot right-of-way for the construction and maintenance of the Salmon-Blackbird Transmission Line.
4. Special use permit, dated 1/28/74, to Edgar Edwards for an irrigation ditch for transmission of water from Chipps Creek. Charge permit.

The City Council has outlined plans to continue developing the water system and watershed in future years. These plans include filling in the excavation at the Jesse Creek water intake, constructing a road across National Forest land and private land from Jesse Creek to Pollard Canyon, and reserving potential rock rip-rap material in Jesse Creek for emergency use by the City or County whenever the emergency might be.

Due to the uncertainty of how and when these proposed plans will become firm projects, there will be no further discussion of them in this plan.

G. ECONOMICS

Due to the fact that National Forest lands have been closed to most uses for many years, there would be negligible impacts to the National Forest in terms of dollar returns if presently permitted uses are terminated. The only permitted use which has a substantial fee applied to it is the Salmon-Blackbird power transmission line. The 1971 fee for this right-of-way was \$270.00. However, should this use be terminated, the effect on the area and persons dependant upon this power source, would be great. Observations and studies do not indicate that this transmission line is presently contributing to unsatisfactory watershed conditions which would require consideration for removing the power line from the municipal watershed.

According to the 1962 timber survey data, there are approximately 35.3 MMBF of merchantable sized sawtimber on the watershed. It is estimated that over one-half of this is not operable due to steep slopes, unstable soil or economics of present logging operations.

The monatary values of this timber, from a sawlog standpoint, is greatly outweighed by its value for watershed protection and other values.

H. MANAGEMENT DECISIONS (See latest M.U. Plan Revision)

Management decisions for the municipal watershed will be in accordance with the Cooperative Agreement dated 6/8/39 between the City of Salmon and the Forest Service, and patterned after those set forth in the Salmon Ranger District Multiple Use Plan. The management decisions are:

1. Withdraw from mineral entry.
2. Construct no roads unless access is controlled by the City and the water supply will not be degraded.

Appendix

Water Rights - Jesse Creek - 1st Decree

<u>Inches</u>	<u>Decreed To</u>	<u>Present Owner</u>	<u>Remarks</u>
75-17 75	Manful	Aldous	Used by Salmon City in exchange for irrigation water
75-18 15 75-18 15	Long	Salmon City	
75-16 100	Andrews	Salmon City	
75-19? 24 2/3	Wheeler Willis	Aldous	Used by Salmon City in exchange for irrigation water
75-19 60	Wheeler Willis	Salmon City	
75-19 15	Wheeler & Willis (Ostrander Ditch	Salmon City	
75-26 15	Shoup and McPherson	Salmon City	
10	?	Salmon City	Harold Neyman, City Clerk, was not sure where this 10 inches came from
<u>315 inches</u>			

noted added by
MVB
8/25/2008

- 12.
3. Remove the merchantable timber volume from the Forest's inventory.
4. Protect water quality by deferring timber harvesting for the foreseeable future or until methods not requiring roads are feasible.
5. Issue no special use permits which may adversely affect water quality.
6. Continue closure to livestock grazing.
7. Exclude camping and recreational developments. Sign area to discourage recreation use.
8. Apply appropriate watershed restoration practices to correct siltation source in Jesse Creek.
9. Take prompt fire control action on all fires.
10. Give priority to controlling fires in watershed.
11. Use no herbicides nor pesticides within the drainage.
12. Bulldozers will not be used in fireline construction except when fire losses to water quality would exceed the damage caused by their use.
13. Restrict use of fire retardants to absolute minimum. Instruct those in charge of fire management efforts to avoid use of retardants where they may be dropped directly into stream channels.
14. Limit fire retardant use on slopes immediately visible from Salmon.
15. Encourage Salmon City to extend Jesse Creek water inlet upstream above clay basin problem area.
16. Determine if a closure of off-road vehicles is necessary and justified.

