

Data entry complete 9/17

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OCT 2008

Department of Water Resources
Eastern Region

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

In Re SRBA

Case No. 39576

) Subcase No. 75-11104
)
)
)
)
)
)

STANDARD FORM 5

**STIPULATED ELEMENTS OF A
WATER RIGHT**

This form is used to report the stipulated elements of one water right acquired under state law and/or one federal reserved water right. Submission of this form will not automatically result in the issuance of a partial decree. The Presiding Judge or Special Master will conduct any hearing necessary to determine whether the facts, data, expert opinions and law support the issuance of a partial decree for the water right.

The parties agree that the Snake River Basin Adjudication Court has jurisdiction of the parties and subject matter to enter a partial decree for this water right; that they have been served with sufficient process, according to the law; and that they have appeared, prosecuted, and defended their positions with regard to this water right dispute.

The parties and IDWR agree and stipulate that the elements of this water right should be described per the attached. The parties and IDWR have further indicated their concurrence by initialing each of the attached pages.

CLAIMANT/OBJECTOR:

United States of America

David Negri 9/10/08

David Negri, Attorney
USDA Forest Service

Date

IDWR Concurrence:

Monica Van Bussum 7/10/2008
Monica Van Bussum Date
Senior Water Resource Agent

Chris Bromley 7/10/08
Chris Bromley Date
Deputy Attorney General
Attorney for IDWR

09/10/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-11104

NAME AND ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE ID 83724

MVB
CB ON

SOURCE: FOURTH OF JULY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.064 ~~0-060~~ CFS

PRIORITY DATE: 04/15/1971 9/6/1941

POINT OF
DIVERSION: T24N R21E S35 SWNE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	0.064 0-060 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T24N R21E S35 SWNE	1-90 2.70	
		1-9 2.70 ACRES TOTAL	

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

FOREST SERVICE RECORD ID = 041317060203180301 00

CERTIFICATE OF MAILING

I certify that on September 16, 2008, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

CLERK OF THE DISTRICT COURT
SNAKE RIVER BASIN ADJUDICATION
253 THIRD AVENUE NORTH
P.O. BOX 2707
TWIN FALLS, IDAHO 83303-2707

Hand-delivered

UNITED STATES OF AMERICA

Represented by:

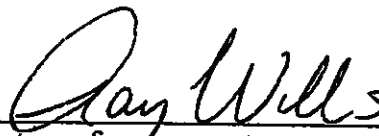
US DEPARTMENT OF JUSTICE
ENVIRONMENT & NATL' RESOURCES
550 WEST FORT STREET, MSC 033
BOISE, ID 83724

Hand-delivered

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

UNITED STATES OF AMERICA
USDA FOREST SERVICE
550 W FORT ST MSC 033
BOISE, ID 83724

Hand Delivered



Signature of person or attorney mailing form

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 75-11104

Examiner: Monica P Van Busc *um*

Date of Field Exam: 9/11/2008

P/D No.:

PUMP HORSEPOWER

1.5

BOOSTER HORSEPOWER

0

PUMPING LEVEL

25

DISCHARGE PRESSURE

0

RATE OF FLOW (cfs)

0.37

The above calculates the formula =

$$Q = \frac{8.8 * (\text{Efficiency}) * \text{hp}}{\text{depth to water} + 2.31 * (\text{psi}) + \text{friction}}$$

Assumptions:

%70 efficiency.
No Friction

Examiners Notes:

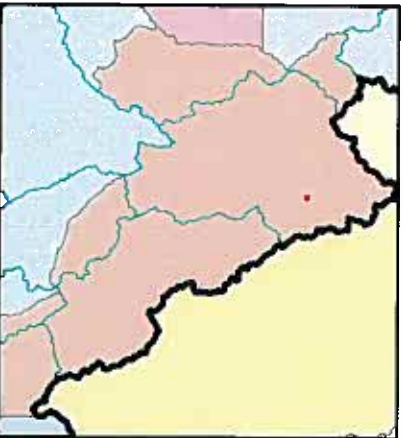
Idaho Department of Water Resources



SRBA Recommendation
75-11104
(IRRIGATION)

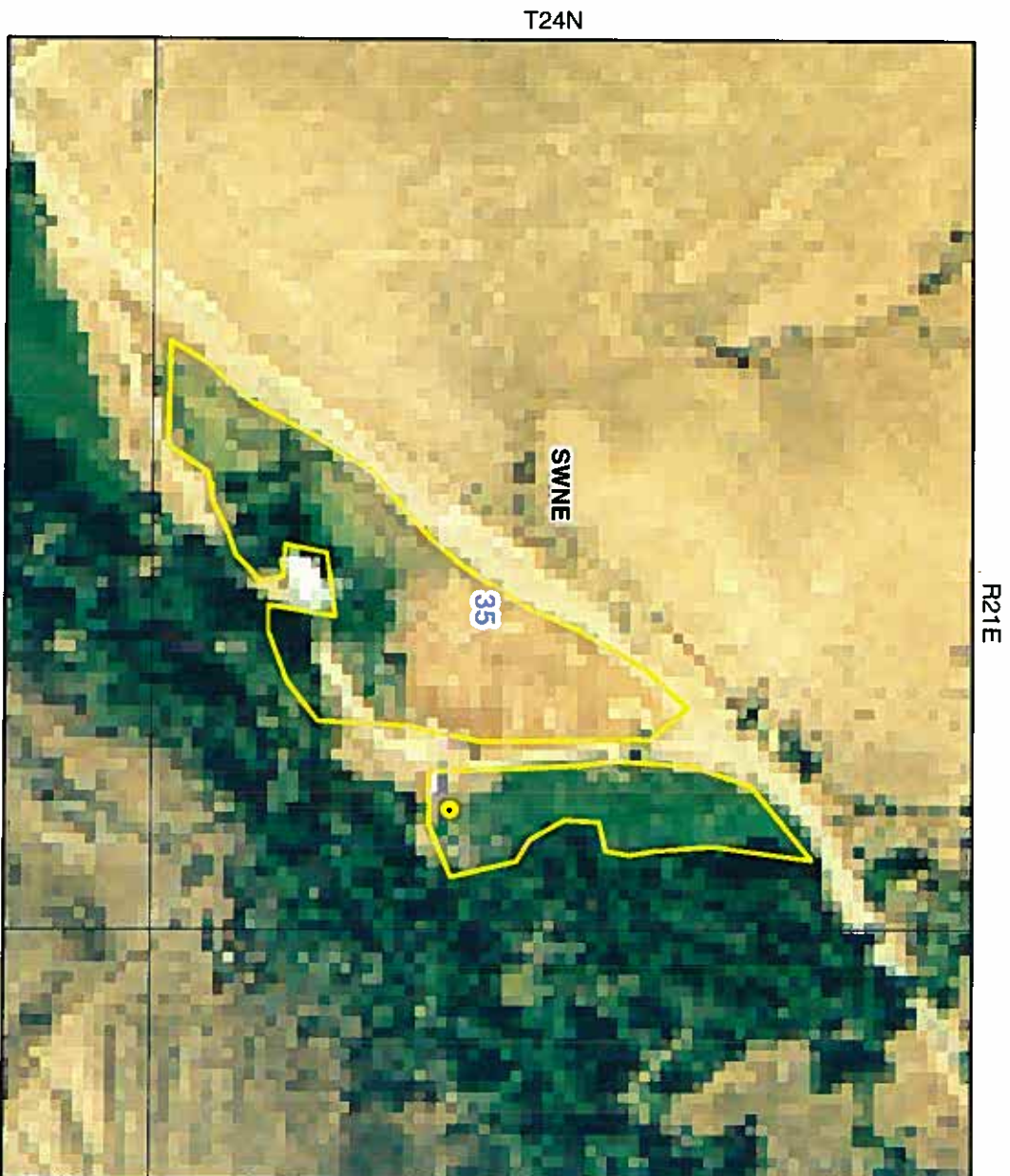
Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 75

Prepared by Monica Van Bussum
On September 17, 2008
1987/88 Aerial Photography



Van Bussum, Monica

From: Steven M Spencer [sspencer@fs.fed.us]
Sent: Wednesday, September 03, 2008 11:28 AM
To: Van Bussum, Monica
Subject: Re: E-mail

Attachments: 75-11104 SUP.pdf



75-11104 SUP.pdf
(374 KB)

Monica, and thanks to you also. Here is the earliest available special use permit for 75-11104 substantiating water use in 1941. I'll work on the acreage and look forward to getting these wrapped up in Salmon.

(See attached file: 75-11104 SUP.pdf)

Steve Spencer
Water Use Specialist (208) 365-7055
c/o Boise National Forest (208) 365-7037 FAX
1805 Highway 16, Room 5 e-mail: sspencer@fs.fed.us
Emmett, ID 83617

"Van Bussum,
Monica"
<Monica.VanBussum
@idwr.idaho.gov>

<sspencer@fs.fed.us>

To

cc

09/03/2008 10:25
AM

Subject

E-mail

Hi Steve,

Thanks for your help with objection 75-11104. See you next week.

Monica

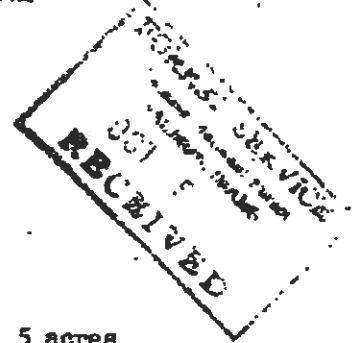
Monica Van Bussum
Sr. Water Resource Agent
Idaho Department of Water Resources
322 East Front Street
PO Box 83720
Boise, ID 83720-0098

208.287.4907

Form 866

UNITED STATES DEPARTMENT OF AGRICULTURE
FOREST SERVICE

SPECIAL USE APPLICATION



(Cont. Designation)

Application is hereby made for permit to use the following described lands: 5 acres
in Sec. 35, T24N, R21E, B.M. - 4th of July Administrative Site

for the purposes of Residence, yes, and for Agriculture & Improvements
(State fully the nature of the intended use)
Buildings in place - (Permit formerly held by Thompson, Albert L. under Special
use permit of 9/6/41.

Construction of intended improvements will begin within completed months and be completed within
months; the premises will be used at least yearlong days each year; the contemplated improvements will cost approximately _____ dollars
and will consist of the following: Buildings and improvements in place

Oct 15 2007
(Date of application)_____
(Signature of applicant)Carmen, Idaho

(Post office address)

(See reverse side for general conditions under which permits are granted)

CHARGE

Thompson, Albert L. Gibbonsville, Idaho
NAME (Last, First) ADDRESS
Residence 9/5/41 10/1/41 D-8
KIND DATE OF APPLICATION DATE ISSUED RANGER DIST
Sac. 35, T24N, R21E, S.M. - Fourth of July Adm. Site
LOCATION (Insert Range Number)

5 acres
AREA IN ACRES LENGTH IN MILES
11/1/43
DATE CLOSED REASON
10.00
CHARGES FIRST YEAR ANNUAL CHARGE
Form 519
(Revised Dec. 1937) 9-5077