

Should questions arise during the processing of this application please contact: JUN 25 2010

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DEPARTMENT OF
WATER RESOURCES

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 75-2167

Date Received: _____

Receipt No: _____

Received By: _____

NOTICE OF CLAIM
 TO A
 WATER RIGHT
 ACQUIRED UNDER STATE LAW

Please type or print clearly

- Name of Claimant(s) City of Salmon Phone (208) 756-3214
 Mailing Address 200 Main Street, Salmon, Idaho 83467
Street or Box City State
- Date of Priority (Only one (1) per claim) April 21, 1905
Month Day Year (YYYY)
- Source of water supply (Check one) Ground Water () or Other (☒) (a) Jesse Creek which is tributary to
 (b) Salmon River; (a) Pollard Canyon Creek which is tributary to (b) Jesse Creek; (a) Chippis Creek which is
 tributary to (b) Pollard Canyon Creek.
- a. Location of Point of Diversion from Jesse Creek is: Township 21 North, Range 21 East, Section
2, 1/4 of NE 1/4 of NE 1/4, Govt. Lot 1, B.M., County of Lemhi
 Parcel (PIN) no. _____
 Additional points of diversion if any: Pollard Canyon Creek Diversion is NENE Section 10, T21N, R21 E; Chippis
Creek Diversion is NWNW, Section 11, T21N, R21E.
 If available, GPS Coordinates Jesse Creek – 45° 10.985'N, 113° 56.202'W
Pollard Canyon Creek – 45° 10.254'N 113° 57.251'W
Chippis Creek – 45° 10.19'N 113° 57.162'W
 b. If instream flow, beginning point of claimed instream flow is: N.A.
 Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4,
 Govt. Lot _____, B.M., County of _____
 Ending point is: Township _____, Range _____, Section _____, _____, 1/4 of _____, 1/4
 Govt. Lot _____, B.M., County of _____
- 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. Water is diverted from Chippis Creek by headgate and pipeline,
injected into Pollard Canyon Creek in the NENE Section 10, T21N, R21E; Pollard Canyon Creek water combined
 Last Name City of Salmon Ident. Number 75-2167

with water diverted from Chipps Creek is diverted by headgate and pipeline, injected into Jesse Creek in the NENE Section 2, T21N, R21E.; Jesse Creek water combined with water diverted from Pollard Canyon and Chipps Creeks is diverted by headgate and pipeline to the City of Salmon treatment plant for distribution through the municipal system.

6. Water is claimed for the following purposes:

(both dates are inclusive MM-DD) (cfs) (acre feet)
 For Municipal purposes from January 1 to December 31 amount 2.00 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) 2.00 (cfs) and/or (b) _____ (acre feet)

8. Non-irrigation uses; describe fully. (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock, Etc.) Municipal purposes within the service area of the City of Salmon municipal system.

9. 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. **(Place of use is within the service area of the City of Salmon municipal water supply system as provided for under Idaho Law.)**

TWN	RNG	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Parcel (PIN) no(s). _____ Total number of acres irrigated _____

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

11. Do you own the property listed above as place of use? Yes () No (✓)

If your answer is No, describe in Remarks below the authority you have to claim this water right. Municipal service provider.

12. Describe any other water rights used at the same place and for the same purposes as described above.

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-4084, 75-7108, 75-7156, 75-10075
 or None ()

13. Remarks:

a. Change in point of diversion prior to May 26, 1969 is claimed under Idaho law; subsequent change in point of diversion is claimed as an accomplished transfer in accordance with Section 42-1425, Idaho Code.

b. Salmon City Water Company, LTD applied for this right in 1905, diverted and applied to beneficial use water in accordance with the permit, received a license and subsequently deeded the system along with all water rights including License No. 75-2167 to the City of Salmon in 1912. The City of Salmon has continuously used water for municipal purposes under this right, as needed and within the priority of right since then.

14. Basis of Claim (Check One) Beneficial Use () Posted Notice () License (✓) Permit () Decree ()

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number 75-2167

15. 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: one (1)

For Individuals: I/We do solemnly swear or affirm under penalty of perjury 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 under penalty of perjury that I am

John Miller, Mayor

of

City of Salmon

Title

Organization

that I have signed the foregoing document in the space below as

Mayor

of

City of Salmon

Title

Organization

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

Signature of Authorized Agent [Signature]

Date 6-22-10

Title and Organization Mayor, City of Salmon

16. Notice of Appearance:

Notice is hereby given that I, Josephine P. Beeman, 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.

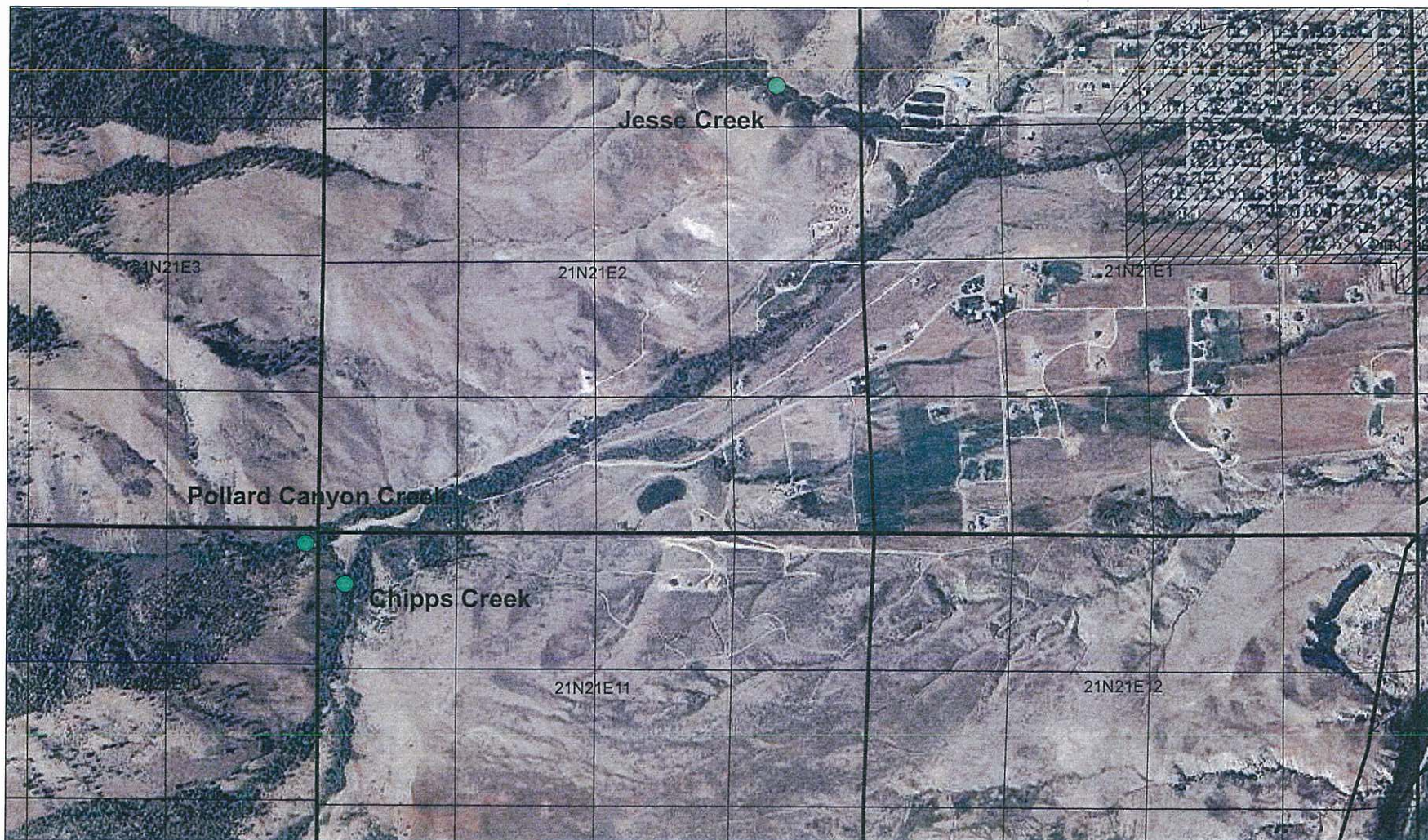
Signature Josephine P. Beeman Date 23 June 2010

Address Beeman & Associates, P.C.

409 West Jefferson Street

Boise, Idaho 83702

208-331-0950



Points of Diversion

Lemhi County, Idaho

Legend

 2000 Incorporated Area

 QQ_Lines

 Section Lines



Data Source: IDWR

Image Source: 2006 NAIP



1 Inch = 5,000 Feet

Figure 1

City of Salmon

Prepared for: City of Salmon

File: 3787

Date: June 18, 2010

ERO

ERO Resources Corp.