

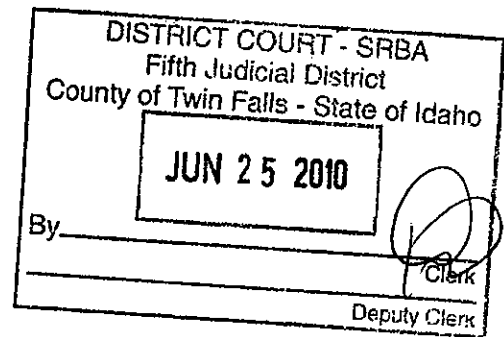
23

AMENDED DIRECTOR'S REPORT

Subcase Nos. 75-4, 75-7, 75-17A, 75-17B, 75-17D, 75-19B, 75-19C,
75-19E, 75-26A, 75-114, 75-10075 & 75-10076

In Re SRBA

Twin Falls County Civil Case No. 39576



Report to the SRBA District Court

Prepared by the Idaho Department of Water Resources
Gary Spackman, Interim Director
Jeff Peppersack, Bureau Chief, Water Allocation Bureau

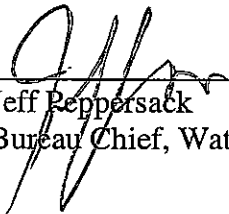
June 22, 2010

DESCRIPTIVE SUMMARY

This is an Amended Director's Report submitted by the Interim Director of the Idaho Department of Water Resources.

DISCUSSION

Pursuant to the *Deadline for Amended Director's Report and Supplemental Trial Schedule* issued by Special Master Dolan on June 7, 2010, the Interim Director submits for filing with the Court, an Amended Director's Report for the aforementioned subcases (see attached print-out).



Jeff Reppersack
Bureau Chief, Water Allocation Bureau

CERTIFICATE OF SERVICE

I certify that on June 24, 2010, I served the original and/or copies of this form, including all attachments, to the following persons by delivering the original and/or copies, 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

☐ Overnight Mail
☒ Regular Mail
☐ Hand-Delivered
☐ Facsimile

2. Copies to:

UNITED STATES OF AMERICA

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

CLIVE STRONG
CHIEF, DIVISION OF NATURAL RESOURCES
OFFICE OF THE ATTORNEY GENERAL
PO BOX 44449
BOISE ID 83711-4449

LEMHI COUNTY COURTHOUSE
206 COURTHOUSE DRIVE
SALMON, ID 83467

DIRECTOR OF IDWR
P.O. BOX 83720
BOISE, ID 83720-0098

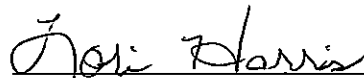
CITY OF SALMON
Represented by:
JOSEPHINE P BEEMAN
409 W JEFFERSON ST
BOISE, ID 83702

EDGAR & MYRTLE EDWARDS

Represented by:
RANDALL C BUDGE
201 E CENTER, STE A2
PO BOX 1391
POCATELLO, ID 83204-1391

ARROWHEAD WATER DISTRICT

Represented by:
JERRY R. RIGBY
25 N 2ND E
PO BOX 250
REXBURG, ID 83440-0250



Signature of person delivering form

06/07/2010

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

RIGHT NUMBER: 75-4

NAME AND ADDRESS: CITY OF SALMON
200 MAIN ST
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

For purposes of administration of sources for this right, the water shall first be diverted exclusively from the natural flow of Jesse Creek. When Jesse Creek is no longer sufficient for use under the rights in priority and calling for water, the waters of Pollard Canyon Creek may be diverted as necessary to provide the balance of water required pursuant to this right in its priority. Only when the water supply from Jesse and Pollard Canyon Creeks combined is not sufficient for use under the rights in priority and calling for water may water from Chipps Creek be diverted to provide the balance of water required pursuant to this right in its priority.

Water may not be diverted under this right from Pollard Canyon Creek or Chipps Creek when water rights with a priority date of 04/01/1894 are fully deliverable at the Farmers Ditch diversion in T21N, R21E, S01, SWNW. Water may be diverted from Pollard Canyon Creek and Chipps Creek under the guidelines above when water rights with a priority date of 04/01/1894 are not fully deliverable at the Farmers Ditch diversion. At such time, the water for this right will be delivered in proportion to the amount available for all rights with an 04/01/1894 priority date.

The quantity of water diverted for the City of Salmon's Water Treatment Plant in T21N, R21E, S02, Lot 1 (NENE) must be added to the quantity of water available for diversion at the Farmers Ditch diversion to determine the water rights that are in priority.

QUANTITY: 1.200 CFS
210.000 AFY

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-7563 and 75-10075 are limited to a total combined diversion rate of 11.6 cfs.

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T21N R21E S2 NENE Lot 1 Injection Within LEMHI County
T21N R21E S2 NENE Lot 1 Rediversion Within LEMHI County
T21N R21E S2 NENE Lot 1 Within LEMHI County
T21N R21E S2 SWSW Rediversion Within LEMHI County
T21N R21E S2 SWSW Injection Within LEMHI County
T21N R21E S2 SWSW Rediversion Within LEMHI County
T21N R21E S11 NWNW Rediversion Within LEMHI County

The point of diversion in T21N, R21E, S11, NWNW is from Chipps Creek. The point of injection in T21N, R21E, S02, SWSW is into Pollard Canyon Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, SWSW are from Pollard Canyon Creek. The point of injection in T21N, R21E,

S02, Lot 1 (NENE) is into Jesse Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, Lot 1 (NENE) are from Jesse Creek.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	1.200 CFS 210.00 AFY

PLACE OF USE:

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

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 - Decreed

Right includes accomplished change in point of diversion, place of use and nature of use pursuant to Section 42-1425, Idaho Code.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75A.

06/04/2010

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

RIGHT NUMBER: 75-7

NAME AND ADDRESS: CITY OF SALMON
200 MAIN ST
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 4.000 CFS

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-7563 and 75-10075 are limited to a total combined diversion rate of 11.6 cfs.

The rights listed below are limited to a total combined annual diversion volume of 700 AF. Combined Right Nos.: 75-7, 75-17A and 75-19B.

PRIORITY DATE: 04/01/1894

POINT OF
DIVERSION:

T21N R21E S2 NENE Lot 1 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	4/01 10/31	4.000 CFS

PLACE OF USE:

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

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 - Decreed

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75A.

06/07/2010

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

RIGHT NUMBER: 75-17A

NAME AND ADDRESS: CITY OF SALMON
200 MAIN ST
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 1.260 CFS

The rights listed below are limited to a total combined annual diversion volume of 700 AF. Combined Right Nos.: 75-7, 75-17A and 75-19B.

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-7563 and 75-10075 are limited to a total combined diversion rate of 11.6 cfs.

PRIORITY DATE: 06/01/1867

POINT OF DIVERSION:

T21N R21E S2 SENENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	1.260 CFS

PLACE OF USE:

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

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 - Decreed

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75A.

This right is a split from former right 75-17.

06/09/2010

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

RIGHT NUMBER: 75-17B

NAME AND ADDRESS: CITY OF SALMON
200 MAIN ST
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

For purposes of administration of sources for this right, the water shall first be diverted exclusively from the natural flow of Jesse Creek. When Jesse Creek is no longer sufficient for use under the rights in priority and calling for water, the waters of Pollard Canyon Creek may be diverted as necessary to provide the balance of water required pursuant to this right in its priority. Only when the water supply from Jesse and Pollard Canyon Creeks combined is not sufficient for use under the rights in priority and calling for water may water from Chipps Creek be diverted to provide the balance of water required pursuant to this right in its priority.

Water may not be diverted under this right from Pollard Canyon Creek or Chipps Creek when water rights with a priority date of 06/01/1867 are fully deliverable at the Farmers Ditch diversion in T21N, R21E, S01, SWNW. Water may be diverted from Pollard Canyon Creek and Chipps Creek under the guidelines above when water rights with a priority date of 06/01/1867 are not fully deliverable at the Farmers Ditch diversion. At such time, the water for this right will be delivered in proportion to the amount available for all rights with an 06/01/1867 priority date.

The quantity of water diverted for the City of Salmon's Water Treatment Plant in T21N, R21E, S02, Lot 1 (NENE) must be added to the quantity of water available for diversion at the Farmers Ditch diversion to determine the water rights that are in priority.

QUANTITY: 0.240 CFS

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-7563 and 75-10075 are limited to a total combined diversion rate of 11.6 cfs.

PRIORITY DATE: 06/01/1867

POINT OF DIVERSION:

T21N R21E S2 NENE Lot 1 Injection Within LEMHI County

T21N R21E S2 NENE Lot 1 Within LEMHI County

T21N R21E S2 NENE Lot 1 Rediversion Within LEMHI County

T21N R21E S2 SWSW Rediversion Within LEMHI County

T21N R21E S2 SWSW Injection Within LEMHI County

T21N R21E S2 SWSW Rediversion Within LEMHI County

T21N R21E S11 NWNW Rediversion Within LEMHI County

The point of diversion in T21N, R21E, S11, NWNW, is from Chipps Creek. The point of injection in T21N, R21E, S02, SWSW, is into Pollard Canyon Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, SWSW, are from Pollard Canyon Creek. The point of injection in T21N, R21E, S02, Lot 1 (NENE) is into Jesse Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, Lot 1 (NENE) are from Jesse Creek.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	0.240 CFS

PLACE OF USE:

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

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 - Decreed

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

This right is a split from former right 75-17.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75A.

06/4/2010

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
75-17D	CITY OF SALMON 200 MAIN ST SALMON ID 83467	Parent	Recommended as Right Nos. 75-17A and 75-17B.

06/07/2010

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

RIGHT NUMBER: 75-19B

NAME AND ADDRESS: CITY OF SALMON
200 MAIN ST
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.493 CFS

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-7563 and 75-10075 are limited to a total combined diversion rate of 11.6 cfs.

The rights listed below are limited to a total combined annual diversion volume of 700 AF. Combined Right Nos.: 75-7, 75-17A and 75-19B.

PRIORITY DATE: 06/01/1868

POINT OF DIVERSION:

T21N R21E S2 NENE Lot 1

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	0.493 CFS

PLACE OF USE:

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

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 - Decreed

This right is a split from former right 75-19.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75A.

06/09/2010

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

RIGHT NUMBER: 75-19C

NAME AND ADDRESS: CITY OF SALMON
200 MAIN ST
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

For purposes of administration of sources for this right, the water shall first be diverted exclusively from the natural flow of Jesse Creek. When Jesse Creek is no longer sufficient for use under the rights in priority and calling for water, the waters of Pollard Canyon Creek may be diverted as necessary to provide the balance of water required pursuant to this right in its priority. Only when the water supply from Jesse and Pollard Canyon Creeks combined is not sufficient for use under the rights in priority and calling for water may water from Chipps Creek be diverted to provide the balance of water required pursuant to this right in its priority.

Water may not be diverted under this right from Pollard Canyon Creek or Chipps Creek when water rights with a priority date of 06/01/1868 are fully deliverable at the Farmers Ditch diversion in T21N, R21E, S01, SWNW. Water may be diverted from Pollard Canyon Creek and Chipps Creek under the guidelines above when water rights with a priority date of 06/01/1868 are not fully deliverable at the Farmers Ditch diversion. At such time, the water for this right will be delivered in proportion to the amount available for all rights with a 06/01/1868 priority date.

The quantity of water diverted for the City of Salmon's Water Treatment Plant in T21N, R21E, S02, Lot 1 (NENE) must be added to the quantity of water available for diversion at the Farmers Ditch diversion to determine the water rights that are in priority.

QUANTITY: 1.500 CFS
263.000 AFY

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-7563 and 75-10075 are limited to a total combined diversion rate of 11.6 cfs.

PRIORITY DATE: 06/01/1868

POINT OF DIVERSION:

T21N R21E S2 NENE Lot 1 Rediversion Within LEMHI County

T21N R21E S2 NENE Lot 1 Injection Within LEMHI County

T21N R21E S2 NENE Lot 1 Within LEMHI County

T21N R21E S2 SWSW Injection Within LEMHI County

T21N R21E S2 SWSW Rediversion Within LEMHI County

T21N R21E S2 SWSW Rediversion Within LEMHI County

T21N R21E S11 NWNW Rediversion Within LEMHI County

The point of diversion in T21N, R21E, S11, NWNW is from Chipps Creek. The point of injection in T21N, R21E, S02, SWSW is into Pollard Canyon Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, SWSW are from Pollard Canyon Creek. The point of injection in T21N, R21E,

S02, Lot 1 (NENE) is into Jesse Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, Lot 1 (NENE) are from Jesse Creek.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	1.500 CFS 263.00 AFY

PLACE OF USE:

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

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 - Decreed

This right is a split from former right 75-19.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75A.

Right includes accomplished change in point of diversion, place of use and nature of use pursuant to Section 42-1425, Idaho Code.

06/4/2010

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
75-19E	CITY OF SALMON 200 MAIN ST SALMON ID 83467	Parent	Recommended as Right Nos. 75-19B and 75-19C.

06/09/2010

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

RIGHT NUMBER: 75-26A

NAME AND ADDRESS: CITY OF SALMON
200 MAIN ST
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

For purposes of administration of sources for this right, the water shall first be diverted exclusively from the natural flow of Jesse Creek. When Jesse Creek is no longer sufficient for use under the rights in priority and calling for water, the waters of Pollard Canyon Creek may be diverted as necessary to provide the balance of water required pursuant to this right in its priority. Only when the water supply from Jesse and Pollard Canyon Creeks combined is not sufficient for use under the rights in priority and calling for water may Chipps Creek be diverted to provide the balance of water required pursuant to this right in its priority.

Water may not be diverted under this right from Pollard Canyon Creek or Chipps Creek when water rights with a priority date of 05/01/1884 are fully deliverable at the Farmers Ditch diversion in T21N, R21E, S01, SWNW. Water may be diverted from Pollard Canyon Creek and Chipps Creek under the guidelines above when water rights with a priority date of 05/01/1884 are not fully deliverable at the Farmers Ditch diversion. At such time, the water for this right will be delivered in proportion to the amount available for all rights with an 05/01/1884 priority date.

The quantity of water diverted for the City of Salmon's Water Treatment Plant in T21N, R21E, S02, Lot 1 (NENE) must be added to the quantity of water available for diversion at the Farmers Ditch diversion to determine the water rights that are in priority.

QUANTITY: 0.300 CFS
52.500 AFY

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-7563 and 75-10075 are limited to a total combined diversion rate of 11.6 cfs.

PRIORITY DATE: 05/01/1884

POINT OF DIVERSION:

T21N R21E S2 NENE Lot 1 Within LEMHI County
T21N R21E S2 NENE Lot 1 Rediversion Within LEMHI County
T21N R21E S2 NENE Lot 1 Injection Within LEMHI County
T21N R21E S2 SWSW Rediversion Within LEMHI County
T21N R21E S2 SWSW Injection Within LEMHI County
T21N R21E S2 SWSW Injection Within LEMHI County
T21N R21E S11 NWNW Injection Within LEMHI County

The point of diversion in T21N, R21E, S11, NWNW is from Chipps Creek. The point of injection in T21N, R21E, S02, SWSW is into Pollard Canyon Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, SWSW are from Pollard Canyon Creek. The point of injection in T21N, R21E,

S02, Lot 1 (NENE) is into Jesse Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, Lot 1 (NENE) are from Jesse Creek.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	0.300 CFS 52.50 AFY

PLACE OF USE:

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

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 - Decreed

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75A.

Right includes accomplished change in point of diversion, place of use and nature of use pursuant to Section 42-1425, Idaho Code.

06/09/2010

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

RIGHT NUMBER: 75-114

NAME AND ADDRESS: CITY OF SALMON
200 MAIN ST
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.500 CFS
70.000 AFY

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114,
75-7563 and 75-10075 are limited to a total combined diversion rate of 11.6
cfs.

PRIORITY DATE: 04/01/1894

POINT OF DIVERSION:

T21N R21E S2 NENE Lot 1 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	0.500 CFS 70.00 AFY

PLACE OF USE:

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

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 - Decreed

Use of water under this right will be regulated by a watermaster with
responsibility for the distribution of water among appropriators within a
water district. At the time of this approval, this water right is within State
Water District No. 75A.

06/09/2010

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

RIGHT NUMBER: 75-10075

NAME AND ADDRESS: CITY OF SALMON
200 MAIN ST
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

For purposes of administration of sources for this right, the water shall first be diverted exclusively from the natural flow of Jesse Creek. When Jesse Creek is no longer sufficient for use under the rights in priority and calling for water, the waters of Pollard Canyon Creek may be diverted as necessary to provide the balance of water required pursuant to this right in its priority. Only when the water supply from Jesse and Pollard Canyon Creeks combined is not sufficient for use under the rights in priority and calling for water may Chipps Creek be diverted to provide the balance of water required pursuant to this right in its priority.

Water may not be diverted under this right from Pollard Canyon Creek or Chipps Creek when water rights with a priority date of 06/01/1867 are fully deliverable at the Farmers Ditch diversion in T21N, R21E, S01, SWNW. Water may be diverted from Pollard Canyon Creek and Chipps Creek under the guidelines above when water rights with a priority date of 06/01/1867 are not fully deliverable at the Farmers Ditch diversion. At such time, the water for this right will be delivered in proportion to the amount available for all rights with an 06/01/1867 priority date.

The quantity of water diverted for the City of Salmon's Water Treatment Plant in T21N, R21E, S02, Lot 1 (NENE) must be added to the quantity of water available for diversion at the Farmers Ditch diversion to determine the water rights that are in priority.

QUANTITY: 2.300 CFS
403.000 AFY

Right Nos. 75-4, 75-7, 75-17A, 75-17B, 75-19B, 75-19C, 75-26A, 75-114, 75-7563 and 75-10075 are limited to a total combined diversion rate of 11.6 cfs.

PRIORITY DATE: 06/01/1867

POINT OF DIVERSION:

T21N R21E S2 NENE Lot 1 Within LEMHI County

T21N R21E S2 NENE Lot 1 Rediversion Within LEMHI County

T21N R21E S2 NENE Lot 1 Injection Within LEMHI County

T21N R21E S2 SWSW Within LEMHI County

T21N R21E S2 SWSW Rediversion Within LEMHI County

T21N R21E S2 SWSW Injection Within LEMHI County

T21N R21E S11 NWNW Injection Within LEMHI County

The point of diversion in T21N, R21E, S11, NWNW is from Chipps Creek. The point of injection in T21N, R21E, S02, SWSW is into Pollard Canyon Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, SWSW are from Pollard Canyon Creek. The point of injection in T21N, R21E,

S02, Lot 1 (NENE) is into Jesse Creek. The point of diversion and the point of rediversion in T21N, R21E, S02, Lot 1 (NENE) are from Jesse Creek.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
MUNICIPAL	04/01 10/31	2.300 CFS 403.00 AFY

PLACE OF USE:

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

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 - Decreed

This right is a combination of old Right Nos. 75-16 and 75-18.

Right includes accomplished change in point of diversion, place of use and nature of use pursuant to Section 42-1425, Idaho Code.

Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 75A.

06/4/2010

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
75-10076	CITY OF SALMON 200 MAIN ST SALMON ID 83467	Parent	Recommended as Right Nos. 75-4 and 75-114.