

06/20/2005

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

RIGHT NUMBER: 78-7088

NAME AND ADDRESS: DELPHA J HUTCHISON
PO BOX 293
COUNCIL ID 83612

SOURCE: LITTLE SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 0.030 CFS
1.500 AFY

PRIORITY DATE: 12/22/1976

POINT OF DIVERSION:
T22N R01E S27 SESE Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.030 CFS 1.50 AFY

PLACE OF USE: IRRIGATION Within IDAHO County
T22N R01E S27 SESE 0.5

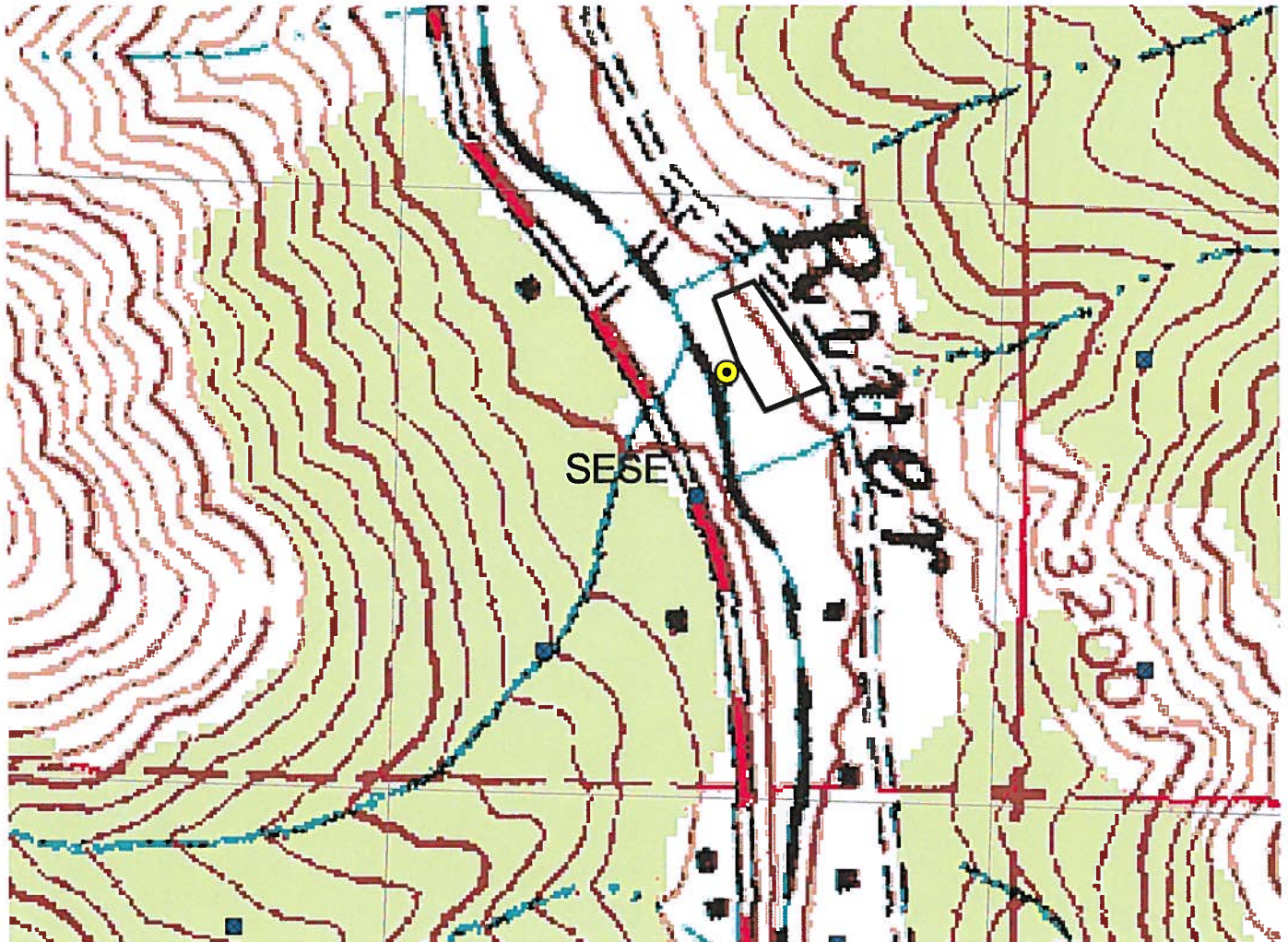
2 ACRES TOTAL

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: License

78-7088



0 300 600 Feet

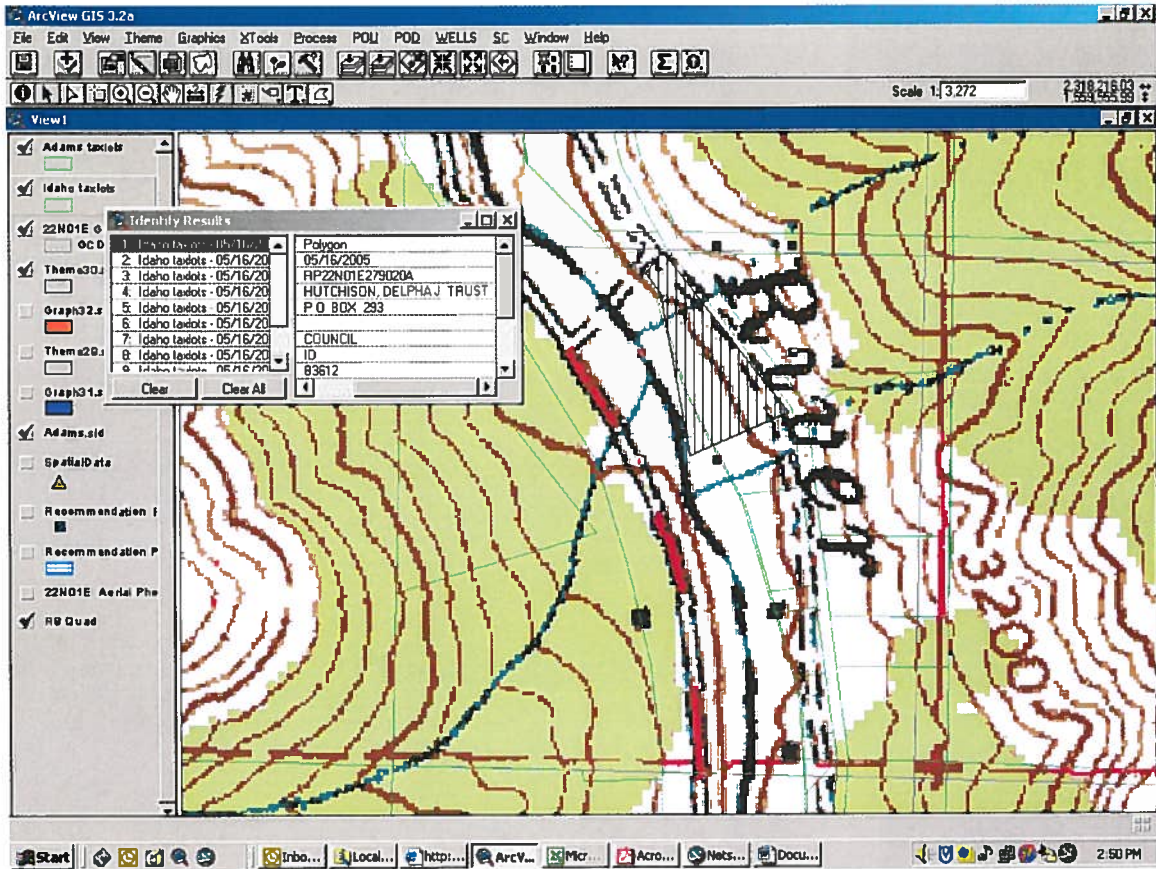


Section 27
T22N R1E



-  Point of Diversion
-  Place of Use

Map prepared on June 20, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



RECEIVED

JUN 28 2001

Department of Water Resources

Dear Sir:

In reference to your letter for water appropriation permit 78-07088 in the name of Gilbert or Erma Shaw for 2.3 acres on the Little Salmon River.

As I informed you in our conversation on the phone June 12, 2001, Mr Shaw passed away in 1981 and Mrs Shaw passed away in 1991. I am their only heir and the property is recorded in my name at this time. The water Right License for the water rights both on the well for domestic use and the river appropriation was filed by me at the time it was required.

In 1985 I sent you notification we had completed the requirement of beneficial use at that time. I was told by your office that you were very short handed and could not make the required inspection at that time. Shortly after I notified your office I rented the property for a few years. I supplied the renters with a pump irrigation pipe to irrigate their lawn and a large garden spot & berry patch. The irrigation pipe is still on the property and the under-

MICROFILMED

ground, power source is still available to supply power to a 220 amp irrigation pump at the pump sight.

My pump house where the pump was stored in the off season was broken into and the pump was stolen along with my well pump. After the pumps were stolen I decided not to rent the property again as it was too difficult to police the property as I was living in Oregon at that time.

I have since retired and will be living on the property during the summer months and would like to keep my water rights in the river for irrigation purposes as needed. I intend to plant some fruit trees on the property later.

I feel that I computed my requirements at the time the permit was issued and if the inspection had been done in a timely manner instead of almost 13 years later this situation would not of come to pass.

Enclosed is a letter from an individual who observed a residence on the property after your beneficial use notification

MICROFILMED
SEP 22 1989

Sincerely,
Delpha J. Hutchison
P.O. Box 293 Council Bluffs, IA 51501-0293

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 78-7088
Date Received: 5/20/1988
Receipt No: W000224
Received By:

AMENDED

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

GILBERT SHAW Phone:

PO BOX 234
COUNCIL ID USA 83612

ERMA SHAW Phone:

PO BOX 234
COUNCIL ID USA 83612

2. Date of Priority: 12/22/1976

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	01E	27	SE SE	IDAHO	

5. Description of diverting works:

PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.03	1.5

7. Total Quantity Appropriated is:
0.03 C.F.S. and/or 1.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	01E	27	SE	SE	IRRIGATION	0.5
Section Acres						0.5
Total Acres						0.5

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

Claim amended per license issued 6/29/01.
This right when combined with all other rights shall provide no more than .03 cfs nor more than 1.5 afa at the field headgate for irrigation of the land described above.

15. Basis of Claim: License

Western

State of Idaho
Department of Water Resources
Water Right License

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JUL 02 2001
WATER RESOURCES
WESTERN REGION

WATER RIGHT NO. 78-07088

Priority: December 22, 1976

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 1.5 AF

It is hereby certified that ERMA SHAW
GILBERT SHAW
PO BOX 234
COUNCIL ID 83612 has complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated ; and has submitted Proof of
Beneficial Use on October 17, 1985. An examination indicates that the works have a diversion capacity
of 0.03 cfs of water from:

SOURCE

LITTLE SALMON RIVER Tributary: SALMON RIVER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	0.03 CFS	1.5 AF

LOCATION OF POINT OF DIVERSION:

LITTLE SALMON RIVER SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27. Twp 22N, Rge 01E, B.M. IDAHO County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
22N	01E	27																.5	.5

Total Acres: 0.5

CONDITIONS OF APPROVAL

1. The right holder shall comply with all fish screening requirements of the Idaho Department of Fish and Game.
2. This right when combined with all other rights shall provide no more than 0.03 cfs nor more than 1.5 afa at the field headgate for irrigation of the land described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 29TH day of JUNE, 2001.


KARL J. DREHER
Director

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: A78-07088
Date Received: 5/20/1988
Receipt No: W000224

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERMA SHAW 208-549-2433
Address: P.O. BOX 365
WEISER, ID 83672

AND/OR
Name: DELPHA HUTCHISON 208-549-2433
Address: P.O. BOX 365
WEISER, ID 83672

2. Date of Priority: DEC 22, 1976

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	01E	27	SE	SE			IDAHO

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/31	0.050		

7. Total Quantity Appropriated is:
0.050 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	01E	27	SE	SE		IRR	2.0
Section Acres							2.0

A78-07088

Page 1

Date: 05/20/88

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OCT 06 1992

10. Place of Use: Continued

Total Acres 2.0

11. Place of use in counties: IDAHO

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:

14. Remarks:

AC. IRR.=2.3.

15. Basis of Claim: PERMIT

Water Right Number:

16. 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Delpha J. Hutchinson Date: May 20, 1988

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of May 19 88 Brad E. Dinger
Notary Public

Seal

Residing at Boise, ID
My Commission Expires 8/9/93

