

01/05/2006

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 3, 2006

Water right number: 77-2083

STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707
Telephone Number: (208)334-3700

RECEIVED
MAR 02 2006
IDWR/North

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 2 February 2006 SIGNATURE: Cynthia Roberts Staff Biologist
Please print your name: Cynthia Robertson

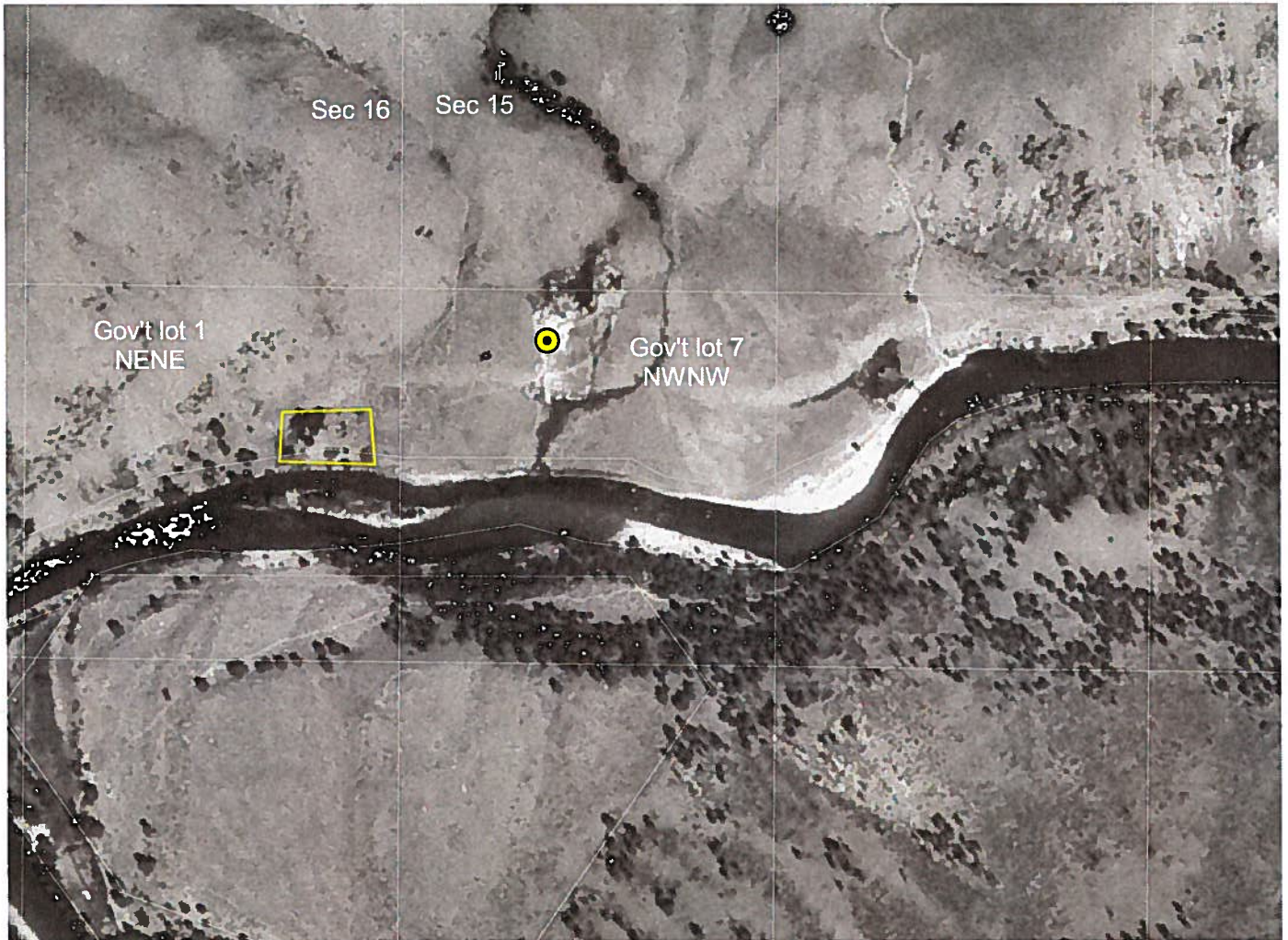
IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

SCANNED
FEB 22 2006

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

1

77-2083



0 400 800 Feet



Sections 15 & 16
T16N R12E



● Point of Diversion

□ Place of Use

Map prepared on March 8, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

#55 *ru*

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: A77-02083
Date Received: 2/16/1989
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO
Address: DEPT. OF FISH & GAME
BOX 25
BOISE, ID

83720 *07*

2. Date of Priority: JUN 10, 1940

3. Source: WARM SPRINGS CREEK

Trib. to: SALMON RIVER, MIDDLE FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	12E	15	NW	NW	NW		VALLEY

5. Description of diverting works: *wooden Headgate*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	<i>Apr 01</i>	<i>Sep 30</i>	<i>0.13</i>		
DOMESTIC	<i>1-01</i>	<i>12-31</i>	<i>.01</i>		

7. Total Quantity Appropriated is:
0.140 C.F.S. (and/or) *0.13*

A.F.A.

8. Total consumptive use is *54* Acre Feet Per Annum.

9. Non-irrigation uses:

Drinking water for 1 household

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	12E	16	NE	NE		IRR	2.0
			SE	NE		IRR	3.0

Section Acres 5.0

A77-02083

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Date: 02/16/89

MICROFILMED

OCT 05 1989

10. Place of Use: Continued

Total Acres

5.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 18689

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

Number of attachments: _____

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): _____ Date: _____

_____ Date: _____

For Organizations:

I do solemnly swear or affirm that I am Chief, Field Operations of
the Idaho Dept. of Fish & Game that I have signed the foregoing
document in the space below as Acting Director of
the Idaho Dept. of Fish & Game and that the statements contained in the
foregoing document are true and correct.

Jerry Mallet
Signature of Authorized Agent
Chief, Field Operations
Idaho Dept. of Fish & Game
Title and Organization
January 16, 1990
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 16th day

of January 19 90

Kathryn Hooker
Notary Public

Seal

Residing at Emmett, Idaho

My Commission Expires October 31, 1991
3 Date: 02/16/89

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MICROFILMED

OCT 05 1992

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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: A77-02083
Date Received:
Receipt No: 0018457
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STATE OF IDAHO
Address: DEPT. OF FISH & GAME
BOX 25
BOISE, ID

83707

2. Date of Priority: JUN 10, 1940

3. Source: WARM SPRINGS CREEK

Trib. to: SALMON RIVER, MIDDLE FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
16N	12E	15	NW	NW			VALLEY

5. Description of diverting works:
WOODEN HEADGATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	09/30	0.130		
DOMESTIC	01/01	12/31	0.010		

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

A.F.A.

8. Total consumptive use is 54.0 Acre Feet Per Annum.

9. Non-irrigation uses:
D/DRINKING WATER FOR ONE HOUSEHOLD

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	12E	16	NE	NE		IRR	2.0
			SE	NE		IRR	3.0

A77-02083

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Date: 07/16/90

MICROFILMED
OCT 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	5.0

Total Acres 5.0

11. Place of use in counties: VALLEY

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: 18689

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

Number of attachments: _____

For Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

State of Idaho

License and Certificate of Water Right

Water License No. 18699

Amount 0.14 second feet

Water District No. _____

Priority June 10, 1940

THIS IS TO CERTIFY that **MILTON HOOD** of **Cascade, Idaho**, made application for a permit to appropriate the public waters of the State of Idaho, dated **August 25**, 19**38**; that Permit No. **18689** was issued under said application; that Certificate of Completion of works, with a carrying capacity of **0.14** second feet, was issued thereunder on **November 4**, 19**39**, showing that said works were completed on the **1st** day of **November**, 19**39**; and that on the **25th** day of **February**, 19**42**,

MRS. MARY M. HOOD, Assignee of Milton Hood, of **Challis**, State of **Idaho**, made proof to the satisfaction of the **State Reclamation Engineer** of Idaho, of the right to use the waters of **Warm Springs Creek**, a tributary of **Middle fork Salmon River**, for the purpose of irrigation and domestic use, under Use Permit No. **18689** of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the **State of Idaho Fish & Game Department Assignee of Mary M. Hood**, and is hereby confirmed by the **State Reclamation Engineer of Idaho** and entered of record in Volume **8** of Licenses at page **4870**, on the **26th** day of **December**, 19**51**;

The right hereby confirmed dates from **June 10**, 19**51**;

The Point of Diversion is located in the **SW 1/4 NW 1/4** Sec. **15**, Twp. **16 N.**, R. **12 E.**, **B. M. Valley County**

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed **0.14** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
16 N.	12 E.	16	NE 1/4 NE 1/4	2	2
			SE 1/4 NE 1/4	3	3
			SW 1/4 NE 1/4	2	-
			Number of Acres Actually Irrigated - -		5

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

26th day of **December**, 19**51**.

(SEAL)

MARK R. HULF
State Reclamation Engineer

77 2083

Jerry Deal 465-8465

Managed out cutnary
managed out of salmon
Greg Painter .09

no irrigation

Candey Robertson.

