

COPY
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JUL 31 2006

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 SRBA)
)
)
Case No. 39576)
)
)
)
)
_____)

A. Subcase Number: 77-04181
(Insert water right number)

**STANDARD FORM 1
OBJECTION**

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: State of Idaho,
Department of Fish and Game
Address: 600 S. Walnut St.
P. O. Box 25
Boise, Idaho 83707
Daytime Phone: (208) 334-3700

Name and Address of Attorney, if any:

Attorney Name: LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER (ISB # 2597)
Deputy Attorney General
Attorney Address: Office of the Attorney General
700 W. Jefferson, Room 210
P.O. Box 44449
Boise, ID 83711-4449
Attorney Phone No. (208) 334-2400

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: STATE OF IDAHO
DEPT OF FISH & GAME
Address: PO Box 25
Boise, ID 836707

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be: _____
2. ☐ **Source**
Should be: _____
3. ☒ **Quantity**
Should be: The quantity should be changed to add an amount for domestic and stock watering purposes. See Attachment I.
4. ☐ **Priority Date**
Should be: _____
5. ☐ **Points of Diversion**
Should be: _____
6. ☐ **Instream Flow Description**
Should be: Not applicable.
7. ☒ **Purpose(s) of Use**
Should be: Domestic and stock watering purposes should be added as purposes of use. See Attachment I.
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: The place of use should include a description for domestic and stock watering purposes. In addition, the Director's Recommendation incorrectly describes the place of use for irrigation as being within Valley Count. See Attachment I.
10. ☐ **Other Provisions**
Should be: _____

11. I object because:

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The State of Idaho, Department of Fish and Game, hereinafter "IDFG," is the owner of the land at the place of use. Domestic and stock watering uses have occurred at the property since IDFG acquired the land.

F. VERIFICATION (Must be Completed)

State of Idaho)
) ss.
County of Ada)

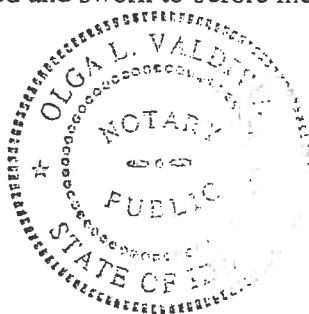
DAVID J. BARBER, Deputy Attorney General, duly sworn, upon oath, deposes and says:

That the State of Idaho, Department of Fish and Game, in its proprietary capacity is filing this objection and that I am a Deputy Attorney General authorized to represent the State of Idaho, Department of Fish and Game, which is a party/claimant in this proceeding, as defined by I.C. § 42-1401A(1) and (7), and I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

LAWRENCE G. WASDEN
Attorney General
CLIVE J. STRONG
Deputy Attorney General
Chief, Natural Resources Division
DAVID J. BARBER
Deputy Attorney General

David J. Barker
By Attorney signing in representative capacity

Subscribed and sworn to before me on: July 28, 2006
(Insert Date)



Notary Public for IDAHO
Residing at: BOISE, ID
My commission expires: 2/15/2012

INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G. CERTIFICATE OF MAILING

I certify that on July 28, 2006, I caused the original and the copies of this objection, including all attachments, to be served on the following persons by the method designated:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
Twin Falls, Idaho 83303

HAND DELIVERY

2. One copy to the owner of the water right at the following address:

State of Idaho,
Department of Fish and Game
600 S. Walnut St.
P. O. Box 25
Boise, Idaho 83707

STATEHOUSE MAIL

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

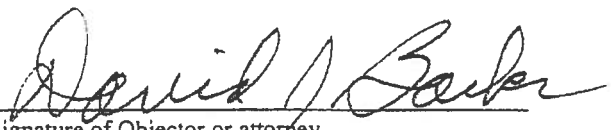
STATEHOUSE MAIL

United States Department of Justice
Environment & Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

U.S. MAIL

Chief of Natural Resource Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, Idaho 83711-4449

(not applicable)



Signature of Objector or attorney
Mailing on Objector's behalf

ATTACHMENT I

RIGHT NUMBER: 77-4181

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: COUGAR CREEK TRIBUTARY: MIDDLE FORK SALMON RIVER

QUANTITY: 0.5800-520 CFS

PRIORITY DATE: 10/27/1948

POINT OF DIVERSION: T16N R13E S7 NENE Within CUSTER County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	0.520 CFS
STOCKWATER	01/01 12/31	0.020 CFS
DOMESTIC	01/01 12/31	0.040 CFS

Domestic use is for 1 cabin.

PLACE OF USE: IRRIGATION Within CUSTERVALLEY County

T16N R13E S07	NENE	9.500	T16N R13E S07	NWNE	0.50
T16N R13E S07	SWNE	10.00	T16N R13E S07	SENE	6.00

STOCK WATERING Within CUSTER County

The place of use is the same as for IRRIGATION.

DOMESTIC Within CUSTER County

T16N R13E S07 NENE

26 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.

Property is known as Homestead Entry Survey No. 78.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

12/19/2005

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

RIGHT NUMBER: 77-4181

NAME AND ADDRESS: STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
BOISE ID 83707

SOURCE: COUGAR CREEK

TRIBUTARY: MIDDLE FORK SALMON RIVER

QUANTITY: 0.520 CFS

PRIORITY DATE: 10/27/1948

POINT OF DIVERSION:

T16N R13E S7 NENE Within CUSTER County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.520 CFS

PLACE OF USE: IRRIGATION Within VALLEY County

T16N R13E S07	NENE	9.5	T16N R13E S07	NWNE	0.5
T16N R13E S07	SWNE	10.0	T16N R13E S07	SENE	6.0

26 ACRES TOTAL

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

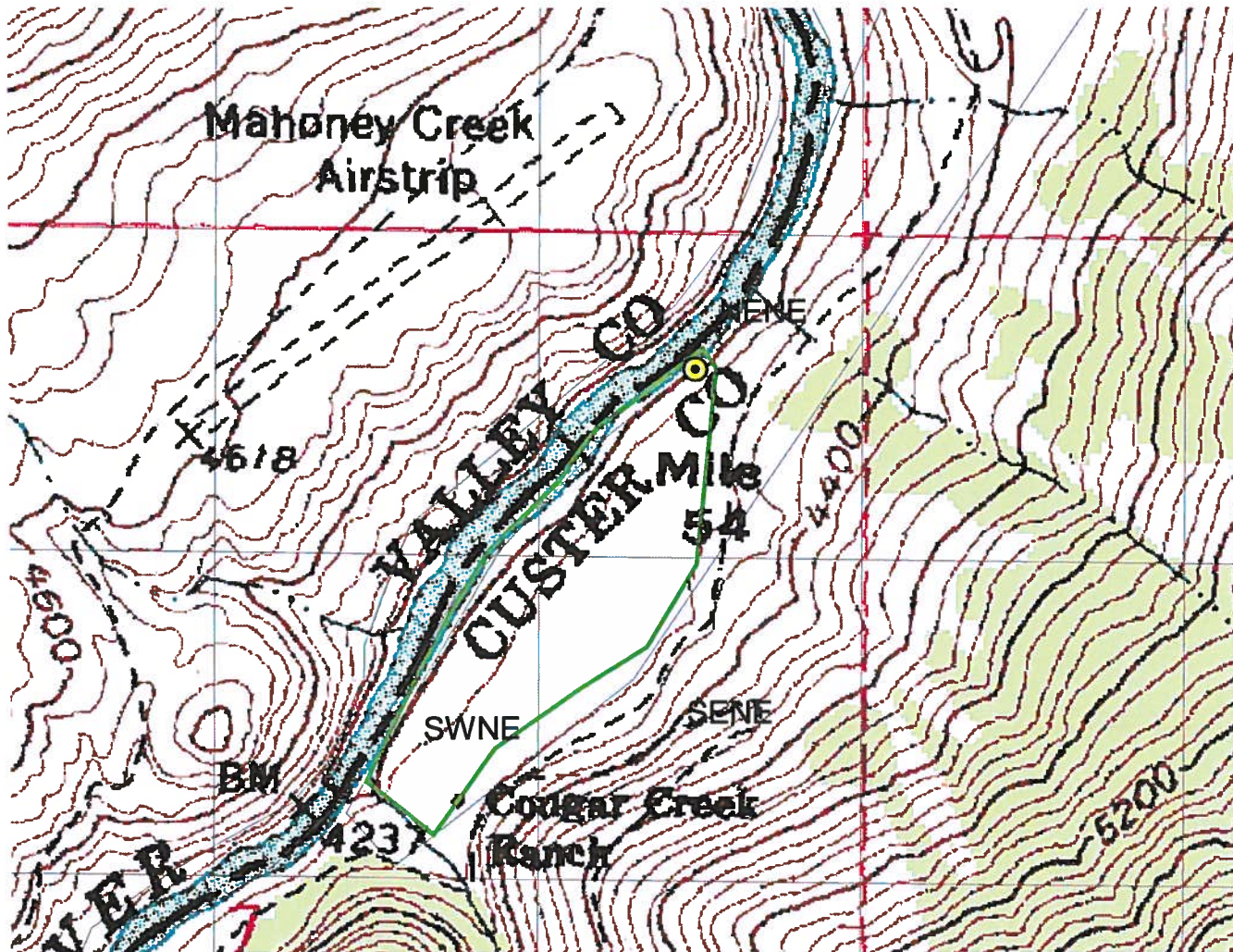
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Property is known as Homestead Entry Survey No. 78.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

77-4181



0 400 800 Feet

Section 7
T16N R13E



● Point of Diversion

□ Place of Use

Map prepared on December 19, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

Coyote Ranch

NEW PARCEL NUMBER: 16N13E070001A

CAT	YR	QUANTITY	UNIT	VALUE
2		30		
5		35.95		
10		1		

NAME: T. Debe Dept of Fish & Game
600 South Walnut St
PO Box 25
Boise ID 83705

ATTN: Greg

DESC: FHE 78
T16N13E SEC 17
Dutch John Helms
Property

TOTALS: 66.95

36

TAX CODE AREA

DEED NUMBER

DATE

PARCEL TYPE

LOCATION CODE

VERIFICATION LETTER

HOMEOWNERS LETTER

COMMENTS: Can't find where the fish or game dept acquired the fish from Kenneth Cameron

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AUG 26 2005

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: 77-4181

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

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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: 21 February 2006

SIGNATURE:

Cynthia Robertson, 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

77-4181



0.2 Miles
0

LEGEND

- Lemhi taxlots
- Township/Range
- Sections
- QQ
- True Color

IMAGE

Prepared By: Danielle Favreau, 9/7/05, IDWR/IWWRI

16N13E

47

8

6

7

12



IDAHO FISH & GAME

600 South Walnut
P.O. Box 25
Boise, Idaho 83707-0025

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AUG 26 2005

Department of Water Resources

Dirk Kempthorne / Governor
Steven M. Huffaker / Director

August 25, 2005

Mr. Carter Fritschle
Water Rights Supervisor
Adjudication Bureau
Idaho Department of Water Resources
322 E. Front St., P.O. Box 83720
Boise, ID 83720-0098

RE: Field Examination and Evidence of Priority Date for water right claims 77-4179, 77-4180, and 77-4181

Dear Mr. Fritschle:

I have enclosed evidence of historic use and priority dates for two of the above water right claims (77-4179 and 77-4181) for irrigation use at the Loon Creek and Cougar Creek ranches. We were not able to find neither documentation nor people who could attest to uses as far back as the claimed priority dates of the mid to late 1940s, but we did provide an affidavit of someone who has personal knowledge of the uses from the late 1950s. We also included county tax information from the 1990s and affidavits from someone who could attest to the uses from the early 1980s as evidence of continued use of the water for irrigation purposes.

With respect to claim number 77-4180 for irrigation at the Marble Creek Ranch, I was informed by our regional staff in Salmon that we no longer wish to pursue this water right claim. If you require a more formal notification that we will not pursue this claim, please let me know and I will provide it to you.

If I can provide any additional information to you, or you have questions or concerns regarding the enclosed information, please contact me at 287-2715 or via email at crobertson@idfg.idaho.gov.

Sincerely,

Cindy Robertson
Staff Biologist
Natural Resources Policy Bureau

Cc: Greg Painter, Salmon Region

SCANNED

AUG 26 2005 SCANNED

AUG 26 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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JUN 17 1983

CLAIM TO A WATER RIGHT

Department of Fish and Game

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Idaho Department of Fish and Game

P. O. Box 25, Boise, Idaho 83707 (Mailing Address)
(Name of Claimant)
- Cougar Creek (Zip Code)
Telephone No. 334-3180

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) 10/27/48

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) (SALMON RIVER, MIDDLE FORK)
Cougar Creek tributary to Middle Fork of Salmon River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				Period of Use From (Mo., Day)	To (Mo., Day)
Quantity	2 cfs	Use	Irrigation	Period of Use From 3/1	To 11/30
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To
Quantity		Use		Period of Use From	To

- (4) 2 cfs TOTAL QUANTITY USED.
(cfs, af)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)
SW 1/4 NE 1/4, Sec. 7 Twp. 16N Rge. 13E B.M., County of Custer
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Ditch from stream - ditch 3/4 mile in length.

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
16N	13E	5									2	18							20
16N	13E	6															8		8
16N	13E	7	20		8	9													37
16N	13E	8					2												1.95

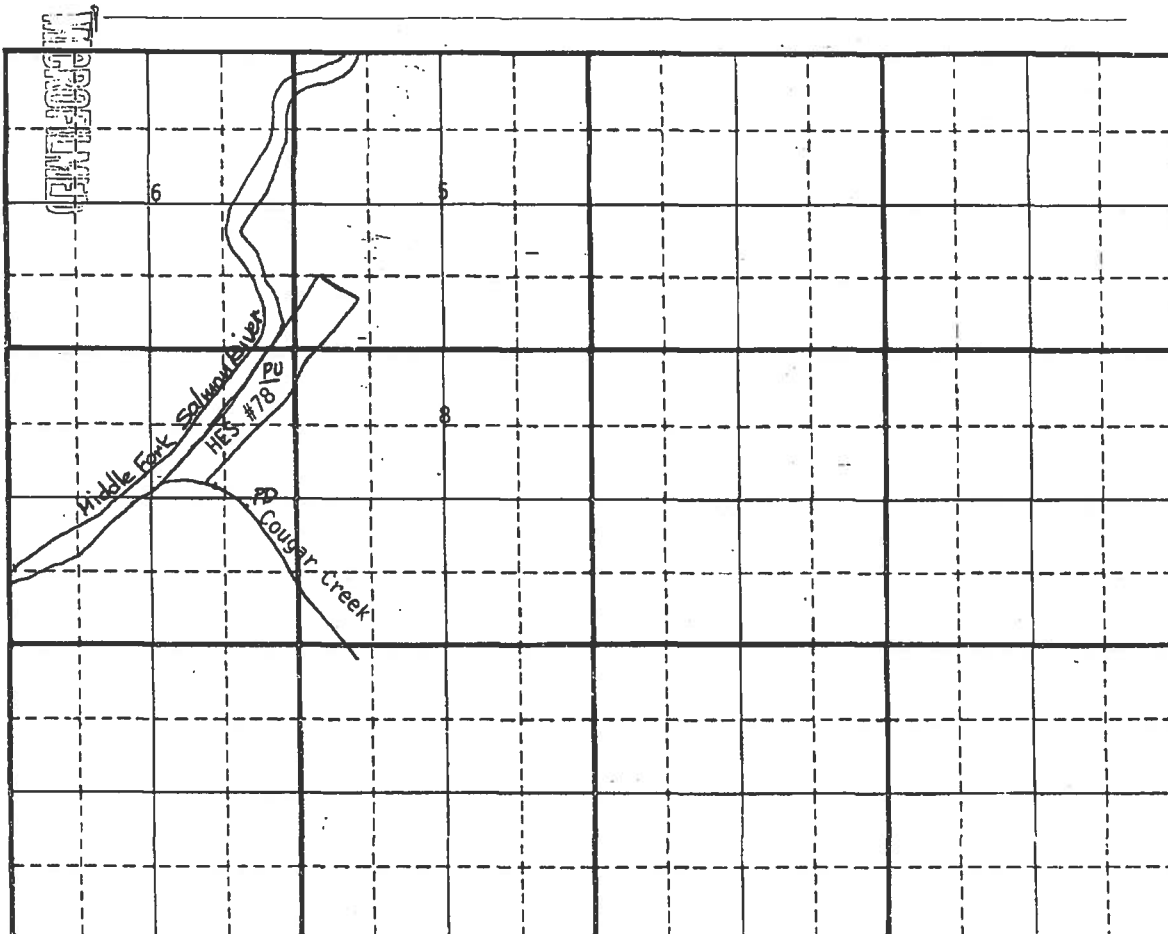
No. of acres 66.95

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: Idaho Department of Fish and Game

- (8) Remarks Dutch John Helmke homesteaded this ranch in 1910 - Mr. and Mrs. Charles Warnock bought the ranch in 1924 after Dutch John's death and operated it as a livestock ranch - The Department purchased the property from the Warnocks on 10/27/48.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Ada) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 14th day of June, 19 83.

Kenneth W. Namic
(Claimant)
Nancy Brendlinger
Notary Public
Residing at Boise, ID

My commission expires 24 May 1986

FOR DEPARTMENT USE ONLY

Received by SEC Date 6/15/83 Exception filed by: _____ Date _____
Prelim. check by DI Date 6/24/83 Voucher _____
\$30.00 fee received by SP Date 26 11/7/83 2190
Published in Goodwin County Leader
Dates 9/24 & 10/1/83

Forwarded to
claimant by: _____ Date _____

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AUG 26 2005
Department of Water Resources

AFFIDAVIT

IN THE MATTER OF
NOTICE OF CLAIM TO
WATER RIGHT NO.
A77-4181

State of Idaho

County of Custer

I, Jerry Mallet, state from my personal knowledge the water identified in claim number A77-4181 has been diverted from Cougar Creek, tributary to the Middle Fork Salmon River, located at T16N R13E Section 7 SWNE and used for irrigation at the Cougar Creek Ranch as early as summer 1959.

Signed,

Jerry Mallet

NOTARY:

Subscribed and sworn to me this day,

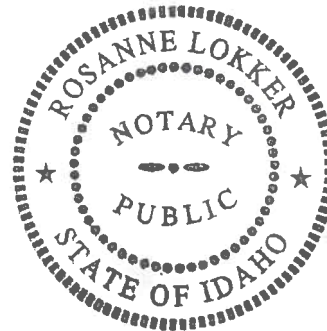
25th of August, 2005.

Rosanne Lokker

Notary Public, State of Idaho

Residing at Boise

My Commission Expires 11/5/2010



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AUG 26 2005



IDAHO FISH AND GAME
SALMON REGION
1215 Highway 93 North
P.O. Box 1336
Salmon, Idaho 83467

Dirk Kempthorne/Governor
Steven Huffaker/ Director

STATEMENT OF BENEFICIAL WATER USE

Ref: Cougar Creek Ranch
HES #78

To whom it may concern,

I have been employed as a Conservation Officer with the Idaho Department of Fish and Game since 1981. As part of my duties, I have spent time in the Middle Fork Salmon River and usually stay at various Department-owned properties and facilities.

During the time since 1981, I can attest that the property known as Cougar Creek Ranch located at T16N, R13E Section 5,6,7 and 8, the water right for pasture irrigation has been applied every year.

Sincerely,

Mark A. Armbruster
Sr. Conservation Officer
Idaho Dept. Fish and Game

10 August 2005

STATE OF IDAHO)
SS.
COUNTY OF CUSTER)

SCANNED

AUG 26 2005

On this 10th day of August, 2005,
before me, a notary public in and for the said State, personally
appeared MARK A ARMBRUSTER
known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me that
(he) she they executed the same.

Notary Public
Residing in Clayton
My Commission Exp. 12-12-09



SCANNED
AUG 26 2005

117⁰²

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: A77-04181
Date Received: ~~2/16/1989~~ 6/19/90
Receipt No: TD 17346
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: OCT 27, 1948

3. Source: COUGAR CREEK

Trib. to: SALMON RIVER, MIDDLE FORK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
16N	13E	7	SW	NE			CUSTER

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/01	11/30	2.000		

7. Total Quantity Appropriated is:
2.000 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 of	Lot	Use	Acres
16N	13E	5	NW	SW		IRR	2.0
			SW	SW		IRR	18.0

Section Acres 20.0

A77-04181

Page 1

Date: 02/16/89

MICROFILMED

OCT 05 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	13E	6	SE	SE		IRR	8.0
						Section Acres	8.0
		7	NE	NE		IRR	20.0
			SW	NE		IRR	8.0
			SE	NE		IRR	9.0
						Section Acres	37.0
		8	NW	NW		IRR	2.0
						Section Acres	2.0
						Total Acres	67.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:

14. Remarks:

AC. IRR. = 66.95.

15. Basis of Claim: STATUTORY CLAIM

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, Sined 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.

Larry Mallet
Signature of Authorized Agent
Chief, Sined 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
Nancy Parker
Notary Public

Seal

Residing at Emmett, Idaho
My Commission Expires October 31, 1991
Date: 02/16/89

PROPERTY CATEGORY LISTING

EQUALIZATION BY CATEGORY -- IDENTIFICATION AND REAPPRAISAL

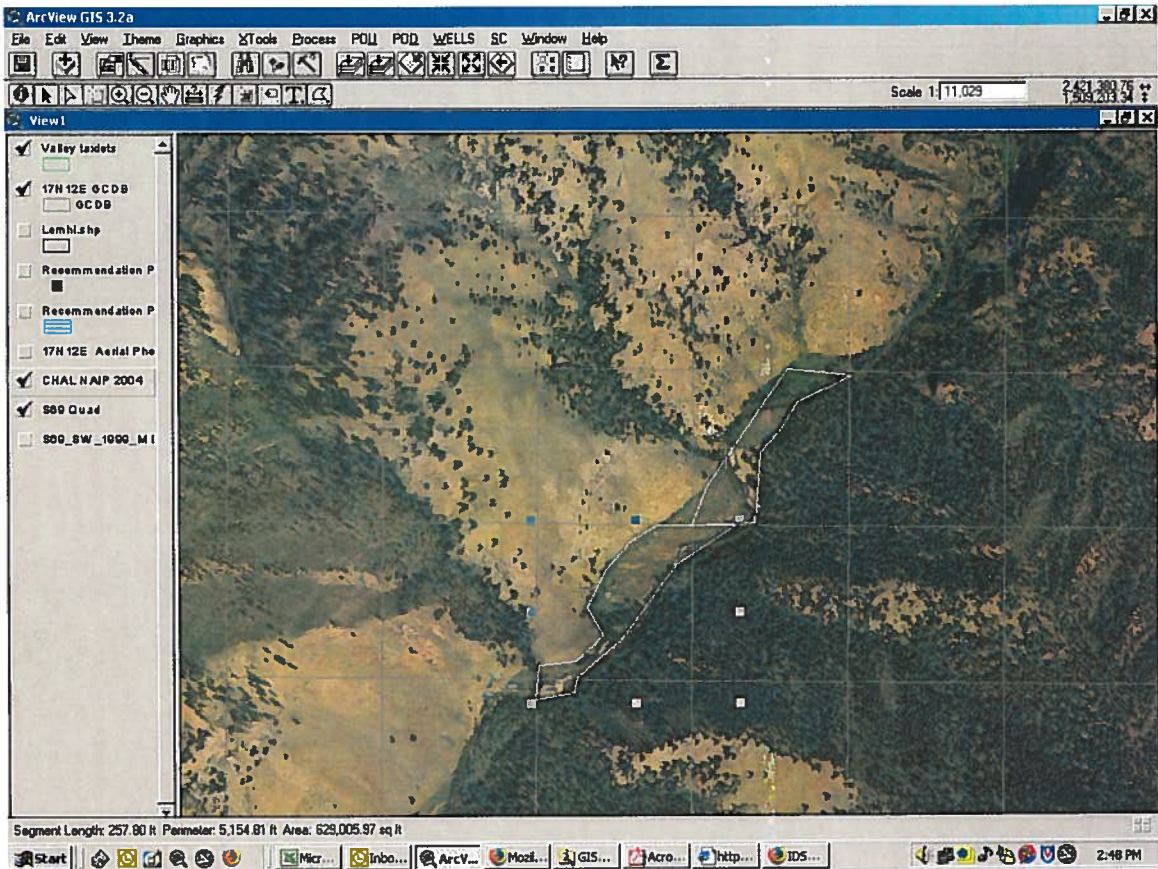
Property shall be identified for assessment purposes in the categories outlined below. These categories are to be used on the assessment notice and on the abstract of assessment. Categories segregate properties into groups of like status and function.

- Category 1 Irrigated Agricultural Land. Irrigated land capable of and normally producing machine harvestable crops.
- Category 2 Irrigated pasture Land. Irrigated land used for pasture and not normally capable of producing machine harvestable crops.
- Category 3 Non-irrigated Agricultural Land. Land capable of and normally producing machine harvestable crops without man-made irrigation.
- Category 4 Meadow Land. Land capable of lush production.
- Category 5 Dry grazing Land. Land capable of supporting grasses and browse, but incapable of supporting crops on regular rotation.
- Category 6 Productivity Forestland. Forestland assessed under the productivity option.
- Category 7 Bare Forestland. Forestland assessed as bare land with the yield tax option.
- Category 8 Reforestation Land. Land for which the owner agrees to carry on specified reforestation practices. These lands shall be assessed at five dollars (\$5) per acre.
- Category 9 Patented Mineral Land. Lands which are either lode claims or placer claims.
- Category 10 Homesite Land. Land being utilized for homesites on categories 1 through 9.
- Category 11 Recreation Land. Land used in conjunction with recreation but not individual homesites.
- Category 12 Rural Residential Tracts. Rural residential land not in a properly recorded subdivision.
- Category 13 Rural Commercial Tracts. Rural commercial land not in a properly recorded subdivision.
- Category 14 Rural Industrial Tracts. Rural industrial land not in a properly recorded subdivision.
- Category 15 Rural Residential Subdivision. Rural residential land in a properly recorded subdivision.
- Category 16 Rural Commercial Subdivisions. Rural commercial land in a properly recorded subdivision.

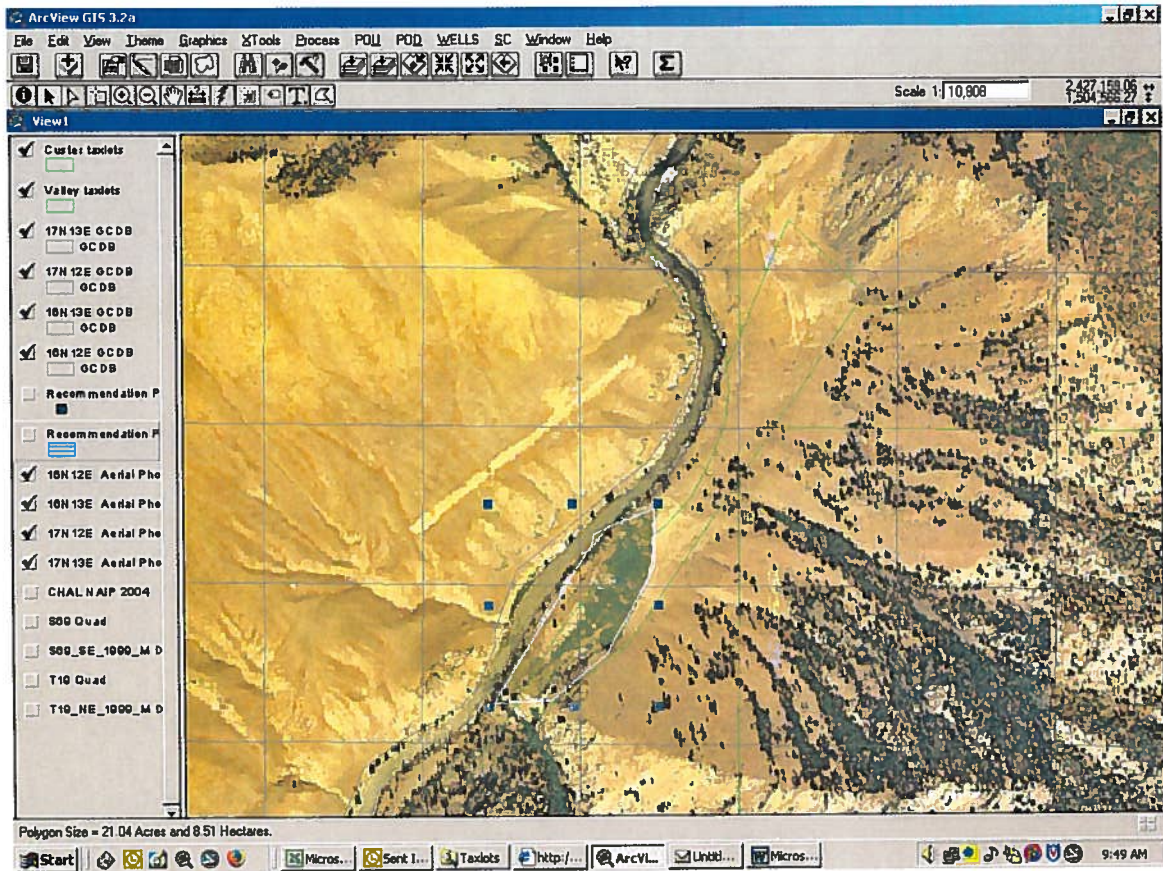
SCANNED

AUG 26 2005





38000



RA

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: A77-04181
Date Received: 6/19/1990
Receipt No: T017346
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: OCT 27, 1948

3. Source: COUGAR 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	13E	7	SW	NE			CUSTER

5. Description of diverting works:
DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/30	2.000		

7. Total Quantity Appropriated is:
2.000 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
16N	13E	5	NW	SW		IRR	2.0
			SW	SW		IRR	18.0

A77-04181

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Date: 07/06/90

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
		6	SE	SE	IRR	8.0
					Section Acres	8.0
		7	NE	NE	IRR	20.0
			SW	NE	IRR	8.0
			SE	NE	IRR	9.0
					Section Acres	37.0
		8	NW	NW	IRR	2.0
					Section Acres	2.0
					Total Acres	67.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
NONE

14. Remarks:
AC. IRR. = 66.95.

15. Basis of Claim: STATUTORY CLAIM

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
_____ 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 _____

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME ID F36

CLAIM IDENT. NO.

A77-04181DATE RECEIVED 6-19-90

CK #

TD17346AMOUNT \$ 117

YES

NO

Require
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO *
2. Is a priority date entered? ☒ YES ☐ NO *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO *
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO *
5. Is there a description of the diverting works? ☒ YES ☐ NO
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO *
- Is the period of use included? ☒ YES ☐ NO
- Is a quantity claimed for each use? ☒ YES ☐ NO *
7. Is a total quantity claimed entered? ☒ YES ☐ NO
8. If required is a consumptive use entered? ☒ YES ☐ NO N/A
- Is the consumptive use correct? ☒ YES ☐ NO N/A
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO N/A *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO
12. Is the ownership of p.u. checked? ☒ YES ☐ NO
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO None
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO N/A
15. Is the basis of the claim indicated? ☒ YES ☐ NO
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO N/A
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO *
20. Is the fee enclosed correct? ☒ YES ☐ NO Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A
22. Should this claim be data entered? ☒ YES ☐ NO

Claim checked by: Rat

Date:

7-5-90

Claim must be returned to claimant:

☐ (Yes)☒ (No)

Claimant must be notified of modifications:

☐ (Yes)☒ (No)

Receipt Prepared by:
Claim data entered by: rat
Sent to claimant by:

Date: _____
Date: _____
Date: _____

Checked by: ratDate: 7-6

Comments: _____

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