

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED
MAR 26 2006
IDWR/North

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
77-07078	77-07078	—			—
		—			—
		—			—
		—			—
		—			—

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) STATE OF IDAHO
DEPT. OF FISH + GAME
P.O. Box 25
BOISE, ID 83707
4. New Owner/Claimant(s) UNITED STATES OF AMERICA
 Name Connector (Check one): [] and, [] or, [] and/or
USDA FOREST SERVICE
 New Mailing Address 550 W. FORT ST. MSC 033
 City, State and ZIP Code BOISE, ID 83724
 New Telephone Number (208) 387-0835
5. Date you acquired the property No change in property ownership. See

notice of error for 77-07078 filed in the SRBA by the Idaho Dept. of Fish and Game. Operation of the SF Salmon River Fish Trap has changed from the Idaho Dept of Fish and Game to the United States of America. The fish trap is on National Forest System land.

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

James A. Evenden

DIRECTOR OF LANDS

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

RECEIVED
01/05/2006

FEB 23 2006

DOJ/BOISE

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: 77-7078

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

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MAR 26 2006

IDWR/North

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

Ownership of this claim should be changed from the State to U.S. Forest Service

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

The claim should be in the name of the United States of America, U.S. Department of Agriculture. Property is owned by U.S. Forest Service

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

The U.S. Forest Service was to file a Change of Ownership in 2003, but apparently was not completed. Steve Spentler (USFS) is filing Change of Ownership to accompany this NOE. Change owner and address to *

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

DATE: 17 February 2006 SIGNATURE: Cynthia A Robertson, Staff Biologist
Please print your name: Cynthia A. Robertson

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

* United States of America
USDA Forest Service
550 W. Fort Street
MSC 033
Boise, ID 83724

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Idaho Department of Fish and Game Phone 384-3730
Post office address P. O. Box 25, 600 So. Walnut, Boise, ID 83707

2. Source of water supply South Fork Salmon River which is a tributary of Salmon River

3. Location of point of diversion is South ½ of NW ¼ of Section 2 Township 15 N
Range 6 E B.M. Valley County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 20 cfs for Fish Propagation purposes from July 1 to Oct. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 20 cfs cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. The water will be conveyed
by a 36 in. diameter concrete lined pipe.

b. Height of storage dam NA feet, active reservoir capacity _____ acre-feet; total reservoir
capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is NA inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial
use is 2 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: S ½ ¼ of NW ¼ of Section 2 Township 15 N
Range 6 E B.M.

(2) Amount of power to be generated: NA horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered NA

(4) Name of municipality to be served NA, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: Divert water from stream through
fish trapping and holding facility - nonconsumptive use.

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APPROVED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

Total number of acres to be irrigated _____

c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion U. S. Forest Service

b. Who owns the land to be irrigated or place of use U. S. Forest Service

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing U. S. Forest Service Special Use Permit.

10. Remarks _____

Proposed Priority 6/26/79
Received by 6LS Date 6/26/79 Time 11:00 AM
Preliminary check by 6LS Fee \$ 225.00 # 14413
Received by KK Date 6/27/79 # 14
Publication prepared by kk Date 6/28/79 7/5/79
Published in The Star News
Publication dates 7/5 - 7/12/79 + 7/19/79
Publication approved KK Date 7/31/79
Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by WG J.S.
2/1/79

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 77-7078, and said application is hereby approved.

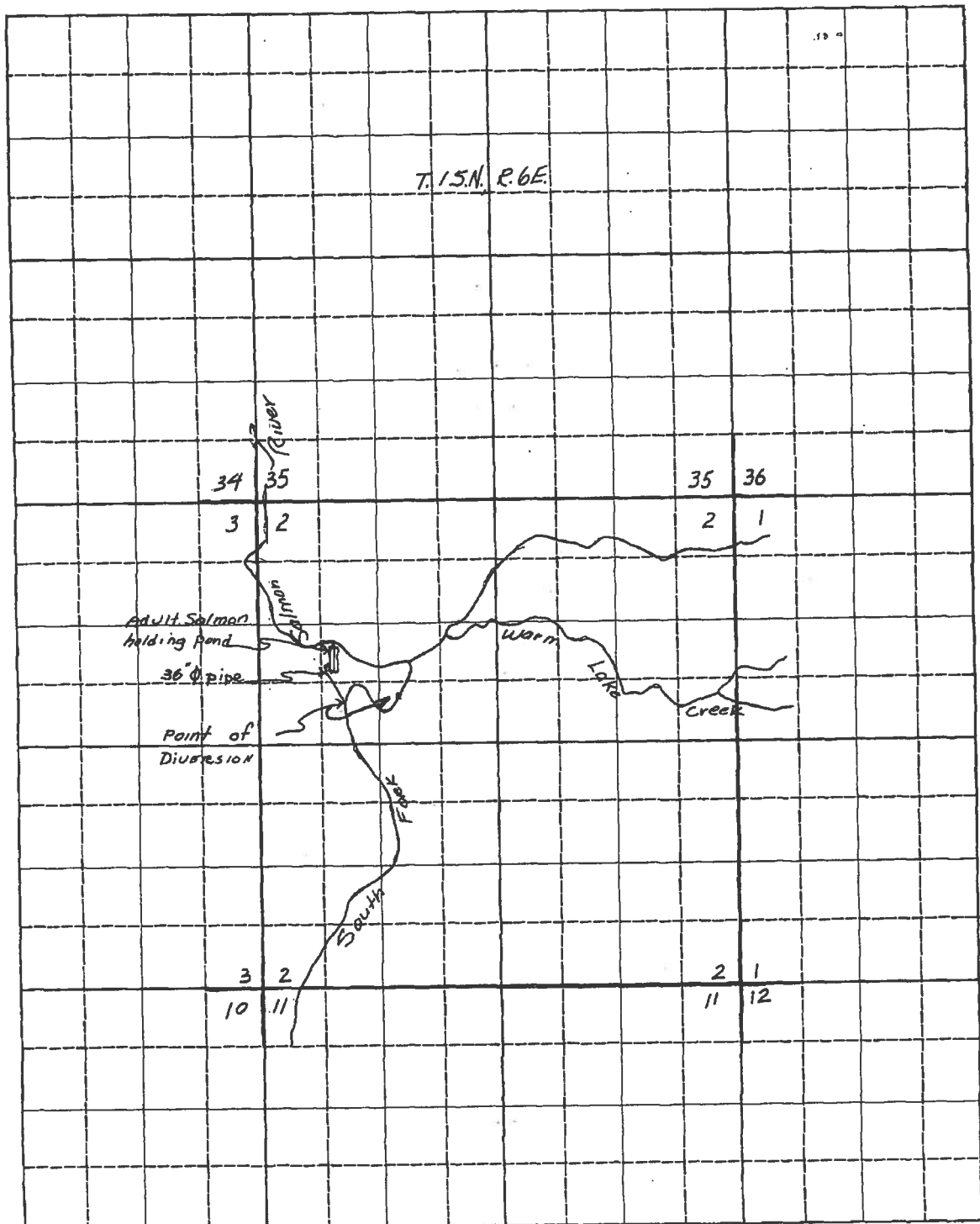
1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 81.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: (1) The issuance of this permit in no way grants any right-of-way or easement across the land of another. (2) The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department.

Witness my hand this 4 day of September, 19 79.

J. Glen Saxton
Chief, Operations Bureau

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Joseph H. Hunsley Director
(Applicant) Idaho Fish & Game

01/05/2006

**NOTICE OF ERROR
REPLY**

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

Water right number: 77-7078

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):

Ownership of this claim should be changed from the State to U.S. Forest Service

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The claim should be in the name of the United States of America, U.S. Department of Agriculture. Property is owned by U.S. Forest Service

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

The U.S. Forest Service was to file a Change of Ownership in 2003, but apparently was not completed. Steve Sperber (USFS) is filing Change of Ownership to accompany this NOE. Change owner and address to *

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

DATE: 17 February 2006 SIGNATURE: Cynthia A Robertson, Staff Biologist
Please print your name: Cynthia A. Robertson

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

* United States of America
USDA Forest Service
550 W. Fort Street
MSC 033
Boise, ID 83724

E-MAILED STEVE
3/6/6

**SCANNED
FEB 22 2006**

02/09/2005

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

RIGHT NUMBER: 77-7078

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

SOURCE: SOUTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER

QUANTITY: 20.000 CFS
3,689.000 AFY

PRIORITY DATE: 06/26/1979

POINT OF DIVERSION:

T15N R06E S2 SWNW Within VALLEY County

The issuance of this right does not grant any right-of-way or easement across
the land of another.

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
FISH PROPAGATION	07/01 10/01	20.000 CFS 3,689.00 AFY
Use of water under this right shall be non-consumptive.		

PLACE OF USE: FISH PROPAGATION Within VALLEY County

T15N R06E S02 SWNW

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

Fish propagation use is for a fish trapping and holding facility. The facility volume is 6130 cubic feet.

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

77-7078



0 400 800 Feet

Section 2
T15N R6E



- Point of Diversion
- Place of Use

Map prepared on February 9, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

11250¹⁰

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: A77-07078
Date Received: 2/16/1989
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
P.O. BOX 25
600 S. WALNUT
BOISE, ID

83707

2. Date of Priority: JUN 26, 1979

3. Source: SALMON RIVER, SOUTH FORK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	06E	2	SW	NW			VALLEY
			SE	NW			VALLEY

5. Description of diverting works:
PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
FISH PROPAGATION	07/01	10/01	20.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
FISH TRAPPING - NONCONSUMPTIVE USE

A77-07078

Page 1

Date: 02/16/89

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OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
15N	06E	2	SW	NW		FISH	
			SE	NW		FISH	

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:

TO DIVERT WATER THROUGH FISH TRAPPING AND HOLDING FACILITY

15. Basis of Claim: PERMIT

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 Director of
IDAHO DEPT. OF FISH & GAME, that I have signed the foregoing
document in the space below as Director of
IDAHO DEPT. OF FISH & GAME and that the statements contained in the
foregoing document are true and correct.
Signature of Authorized Agent
IDAHO DEPT. OF FISH & GAME
Title and Organization
June 20, 1990
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 20th day
of June 19 90
Notary Public

Seal

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

A77-07078

Page

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State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 77-07078

Priority: June 26, 1979

Maximum Diversion Rate: 20.00 CFS
Maximum Diversion Volume: 3689.0 AF

This is to certify, that STATE OF IDAHO
DEPT OF FISH & GAME
PO BOX 25
600 S WALNUT
BOISE ID 83707

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated June 26, 1979; and
has submitted Proof of Beneficial Use on July 1, 1981. An examination indicates
that the works have a diversion capacity of 20.140 cfs of water from:

SALMON RIVER, SOUTH FORK tributary to SALMON RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
FISH PROPAGATION	07/01 to 10/01	20.00 CFS	3689.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 2, Township 15N, Range 06E
VALLEY County

PLACE OF USE: FISH PROPAGATION
TWN RGE SEC
15N 06E 2 SWNW

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. The issuance of this right in no way grants any right-of-way or easement across the land of another.
6. Use of water under this right shall be non-consumptive.
7. Fish propagation use is for a fish trapping and holding facility. The facility volume is 6130 cubic feet.

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AUG 08 1984

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 77-07078

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 3RD
day of JUNE, 1994.

Acting for  R. Keith Higginson, Director

MICROFILMED

AUG 08 1994

ATTACHMENT A

SRBA CLAIM CHECK PER BENEFICIAL USE EXAM

EXAMINER KC DATE SUBMITTED 3/19/92

ADJUDICATION AGENT _____ RESPONSE DUE DATE _____

COUNTY _____ OWNER'S NAME F + G

PERMIT DATA T R S Q/Q T R S Q/Q

P/D _____

P/U _____

PROOF SUBMITTED DATE _____

ADJUDICATION DATA RELATING TO THIS PERMIT NUMBER

A. Check Permit Number for Adjudication Claim Filing:

- ☐ Claim required for permit but not filed
(examiner needs to notify permit holder during exam)
☒ Claim filed for permit and copy attached *
☐ Claim filed although not required (proof filed after 11-19-87)
☐ No claim filed or required.

B. Check Adjudication Claims Relating to the Permit Holder but are Different Claims (new number - different right)

- ☒ Name index search
☐ Legal description search
☐ Non-data entry claims search
☐ Claim found but large system no exam required *

Claims found requiring exam	Date field exam conducted	Exam data is in, Permit file	Attached	Exam not Conducted
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<u>77-07078</u> Adj No.	<u>7/27/88</u>	☒	☐	☐
_____ Adj No.	_____	☐	☐	☐
_____ Adj No.	_____	☐	☐	☐

☒ Exam completed date(s) data entered 7/27/88 (initial & date)

* copies included only if pertinent to permit field exam

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OCT 05 1992