

07/25/2006

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

RIGHT NUMBER: 79-4023B

NAME AND ADDRESS: MARGARET R HART  
PO BOX 342  
LUCILE ID 83542

SHERMAN L HART  
PO BOX 342  
LUCILE ID 83542

SOURCE: GROUND WATER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.090 CFS

The quantity of water under this right for domestic use shall not exceed  
13,000 gallons per day.

PRIORITY DATE: 03/01/1963

POINT OF DIVERSION:

T25N R01E S2 SWNW Lot 5 Within IDAHO County

PURPOSE AND  
PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 02/15 11/30          | 0.090 CFS       |

PLACE OF USE: IRRIGATION Within IDAHO County

T25N R01E S02 Lot 5 SWNW 3.00

3 ACRES TOTAL

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

Diversion of water under this right is limited to those times when water is  
available for diversion under the priority of this right from the Salmon River  
at the original point of diversion in T25N, R01E, Section 2, SWNW, Lot 5.

The quantity of water decreed for this water right for domestic use is not  
a determination of historical beneficial use.

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 - Beneficial Use

Right includes accomplished change in source pursuant to Section 42-1425,  
Idaho Code.

# 79-4023B

T25N R01E  
Section(s) 2



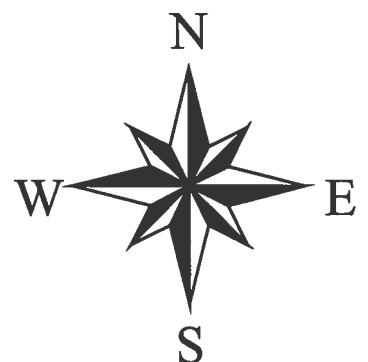
0.07 0 0.07 0.14 Miles



**Place of Use**



**Point of Diversion**



Layout prepared on April 3, 2006  
By Greg Taylor  
Idaho Department of Water Resources

## Taylor, Greg

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**From:** Fritschle, Carter  
**Sent:** Monday, July 24, 2006 3:16 PM  
**To:** Taylor, Greg  
**Subject:** RE: Change in source/pod condition

Greg,

I was thinking that since the right will have both sources, that the limitation only applies to the use of Ground Water from the well, and not to the use of Salmon River water from the river pump. Perhaps this would be less confusing:

Diversion of from the well under this right is limited to those times when water is available for diversion from the Salmon River at the original point of diversion in T\_\_\_\_, R\_\_\_\_, S\_\_\_\_, \_\_\_\_\_. *under the priority of this right*

I added the in front of Salmon River for the other condition as well. It seems to me that it reads better with it, but Lynne was always very stingy with using the in (the) conditions.

Carter

-----Original Message-----

**From:** Taylor, Greg  
**Sent:** Monday, July 24, 2006 3:58 PM  
**To:** Fritschle, Carter  
**Subject:** RE: Change in source/pod condition

They look good to me. Does it confuse folks when it specifically says Groundwater in the last one? They don't think they can still divert surface water, do they?

G

-----Original Message-----

**From:** Fritschle, Carter  
**Sent:** Monday, July 24, 2006 1:23 PM  
**To:** Taylor, Greg  
**Subject:** Change in source/pod condition

Hi Greg,

Rather than modify the municipal alternate POD condition, I think it would be best to work from the following condition.

Diversion of water under this right is limited to those times when water is available for diversion from (original source) at the original point of diversion in T\_\_\_\_, R\_\_\_\_, S\_\_\_\_, \_\_\_\_\_.

For the claim where only the well is used, the condition should be straight forward, and the only source listed on the claim is Ground Water:

Diversion of water under this right is limited to those times when water is available for diversion from **[Fritschle, Carter]** the Salmon River at the original point of diversion in T\_\_\_\_, R\_\_\_\_, S\_\_\_\_, \_\_\_\_\_.

For the claim where the Salmon River and the well are both used, both sources are listed on the claim, so possibly something like this could work:

Diversion of Ground Water under this right is limited to those times when water is available for diversion from Salmon River at the original point of diversion in T\_\_\_\_, R\_\_\_\_, S\_\_\_\_, \_\_\_\_\_.

What are your thoughts?

Carter

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: A79-04023B  
Date Received: 7/08/1988  
Receipt No: W000609  
Received By: DE JAL

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: SHERMAN L. HART 208-628-3929  
Address: P.O. BOX 342  
LUCILE, ID 83542  
OR  
Name: MARGARET R. HART 208-628-3929  
Address: P.O. BOX 342  
LUCILE, ID 83542

2. Date of Priority: MAR 01, 1963

3. Source: SALMON RIVER Trib. to: SNAKE RIVER  
GROUNDWATER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|--------|
| 25N      | 01E   | 2       | NW     | NW     | NW     | 5   | IDAHO  |

5. Description of diverting works:  
6" CASED WELL, 65' DEEP, APPROX. 15" FROM SALMON RIVER IN

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/01 | 12/01 | 0.090 |      |        |
| DOMESTIC   | 01/01 | 12/31 | 0.020 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
D/1 HOUSEHOLD

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use           | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 25N      | 01E   | 2       | NW     | NW  |     | DOMEST        |       |
|          |       |         | NW     | NW  | 5   | IRR           | 3.0   |
|          |       |         |        |     |     | Section Acres | 3.0   |
|          |       |         |        |     |     | Total Acres   | 3.0   |

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:  
NONE

14. Remarks:

CLAIMANT STATES SOURCES ARE SO CLOSE TOGETHER THAT IT IS HARD TO TELL EXACTLY WHERE THE WATER IS FROM; HENCE, THE REASON FOR THE GROUNDWATER AND RIVER SOURCE.  
DESCRIPTION CONTINUED-RIVER BED GRAVELS. SUBMERSIBLE PUMP (1 1/2 HP).  
THIS WATER RIGHT IS SPLIT BY MR. WILLIAMSON, A79-4023A AND MR. HART'S A79-04023B.  
DOMESTIC WAS CLAIMED ON THIS FORM, BUT IT WOULD BE AN EXPANSION SO A SEPARATE CLAIM MUST BE MADE.

15. Basis of Claim: BENEFICIAL USE

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: \_\_\_\_\_

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 \_\_\_\_\_

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: A79-04023B  
Date Received: 8/09/1988  
Receipt No: W000609  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: SHERMAN L. HART 208-628-3929  
Address: P.O. BOX 342  
LUCILE, ID 83542

OR

Name: MARGARET R. HART 208-628-3929  
Address: P.O. BOX 342  
LUCILE, ID 83542

2. Date of Priority: JUN 01, 1963

3. Source: SALMON RIVER Trib. to: SNAKE RIVER  
GROUNDWATER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 25N      | 01E   | 2       | NW     | NW     |     |     | IDAHO  |

5. Description of diverting works:  
6" CASED WELL, 65' DEEP, APPROX. 15" FROM SALMON RIVER IN

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/01 | 12/01 | 0.103  |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
SEE REMARKS

10. Place of Use:

| Township      | Range | Section | 1/4 of 1/4 | Lot      | Use           | Acres |
|---------------|-------|---------|------------|----------|---------------|-------|
| 25N           | 01E   | 2       | NW<br>NW   | NW<br>NW | IRR<br>DOMEST | 3.0   |
| Section Acres |       |         |            |          |               | 3.0   |
| Total Acres   |       |         |            |          |               | 3.0   |

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:  
NONE

14. Remarks:

CLAIMANT STATES SOURCES ARE SO CLOSE TOGETHER THAT IT IS HARD TO TELL EXACTLY WHERE THE WATER IS FROM; HENCE, THE REASON FOR THE GROUNDWATER AND RIVER SOURCE.

DESCRIPTION CONTINUED-RIVER BED GRAVELS. SUBMERSIBLE PUMP (1 1/2 HP).

THIS WATER RIGHT IS SPLIT BY MR. WILLIAMSON, A79-4023A AND MR. HART'S A79-04023B.

DOMESTIC WAS CLAIMED ON THIS FORM, BUT IT WOULD BE AN EXPANSION SO A SEPARATE CLAIM MUST BE MADE.

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: \_\_\_\_\_

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 \_\_\_\_\_

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: 39356

Ident. Number A79-04023B

Date Received 7-8-88

Receipt Number W000609

RECEIVED  
MAR 8 1989

NOTICE OF CLAIM  
TO A  
WATER RIGHT

ACQUIRED UNDER STATE LAW

Department of Water Resources  
Western Regional Office

RECEIVED  
JUL 8 1988

Department of Water Resources  
Western Regional Office

Please type or print clearly

and/or

1. Name of Claimant (s) SHERMAN L. # MARGARET R. HART Phone (208) 628 3929

Mailing Address P.O. Box 342, LUCILE, IDAHO Zip 83542

2. Date of Priority (Only one (1) per claim) March 1, 1963

3. Source of water supply (a) Salmon River and Groundwater  
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 25N Range 1E Section 2,  
1/4 of NW 1/4 of NW 1/4, Govt. Lot, 5 B.M., County of Idaho

Additional points of diversion if any: \_\_\_\_\_

b. If instream flow, beginning point of claimed instream flow is:

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

ending point is: Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

Govt. Lot \_\_\_\_\_ B.M., County of \_\_\_\_\_

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),  
including the dates of any changes or enlargements in use, the dimensions of the diversion works as  
constructed and as enlarged and the depth of each well. 6" cased well 65' deep  
approx. 15' from the Salmon River in river bed  
gravels. Submersible pump (1 1/2 H.P.) Wells have  
replaced a community well that was used by  
both Mr. Hart and Mr. Williamson (1985)

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 3-1 to 12-1 amount 0.09 or \_\_\_\_\_

For Domestic purposes from 1-1 to 12-31 amount 0.02 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0.11 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is 9 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 Domestic

10. Description of place of use:

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

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

| TWP        | RNG       | SEC      | NE 1/4 |       |       |       | NW 1/4       |       |       |       | SW 1/4 |       |       |       | SE 1/4 |       |       |       | Totals   |
|------------|-----------|----------|--------|-------|-------|-------|--------------|-------|-------|-------|--------|-------|-------|-------|--------|-------|-------|-------|----------|
|            |           |          | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4        | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 | NE1/4  | NW1/4 | SW1/4 | SE1/4 |          |
| <u>25N</u> | <u>1E</u> | <u>2</u> |        |       |       |       | <u>Lot 5</u> |       |       |       |        |       |       |       |        |       |       |       | <u>3</u> |
|            |           |          |        |       |       |       | <u>3</u>     |       |       |       |        |       |       |       |        |       |       |       |          |
|            |           |          |        |       |       |       | <u>D</u>     |       |       |       |        |       |       |       |        |       |       |       |          |
|            |           |          |        |       |       |       |              |       |       |       |        |       |       |       |        |       |       |       |          |
|            |           |          |        |       |       |       |              |       |       |       |        |       |       |       |        |       |       |       |          |
|            |           |          |        |       |       |       |              |       |       |       |        |       |       |       |        |       |       |       |          |
|            |           |          |        |       |       |       |              |       |       |       |        |       |       |       |        |       |       |       |          |
|            |           |          |        |       |       |       |              |       |       |       |        |       |       |       |        |       |       |       |          |

Total number of acres irrigated 3

11. In which county (ies) are lands listed above as place of use located? Idaho

12. Do you own the property listed above as place of use? Yes ✓ No \_\_\_\_\_  
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. \_\_\_\_\_ or None (X)

14. Remarks:

Last Name Hart Ident No. A79-04023B

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15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice \_\_\_\_\_ License \_\_\_\_\_ Permit \_\_\_\_\_

Decree \_\_\_\_\_

If applicable provide IDWR Water Right Number 79-4023

Court \_\_\_\_\_ Case Number \_\_\_\_\_ Decree Date \_\_\_\_\_

Plaintiff vs Defendant \_\_\_\_\_

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

Signature of Claimant (s) *Sherman L Hart* Date 5-19-88

\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_

Title

of \_\_\_\_\_, that I have signed the foregoing

Organization

document in the space below as \_\_\_\_\_ of \_\_\_\_\_

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent \_\_\_\_\_

Title and Organization \_\_\_\_\_ Date \_\_\_\_\_

State of Idaho/or \_\_\_\_\_ )  
County of Idaho ) SS.

Subscribed and sworn (or affirmed) before me this 19<sup>th</sup> day of May 19 88

SEAL

Notary Public *Carter Futschler*

Residing at *Eagle, Id.*

My Commission Expires 3-21-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature \_\_\_\_\_

Address \_\_\_\_\_

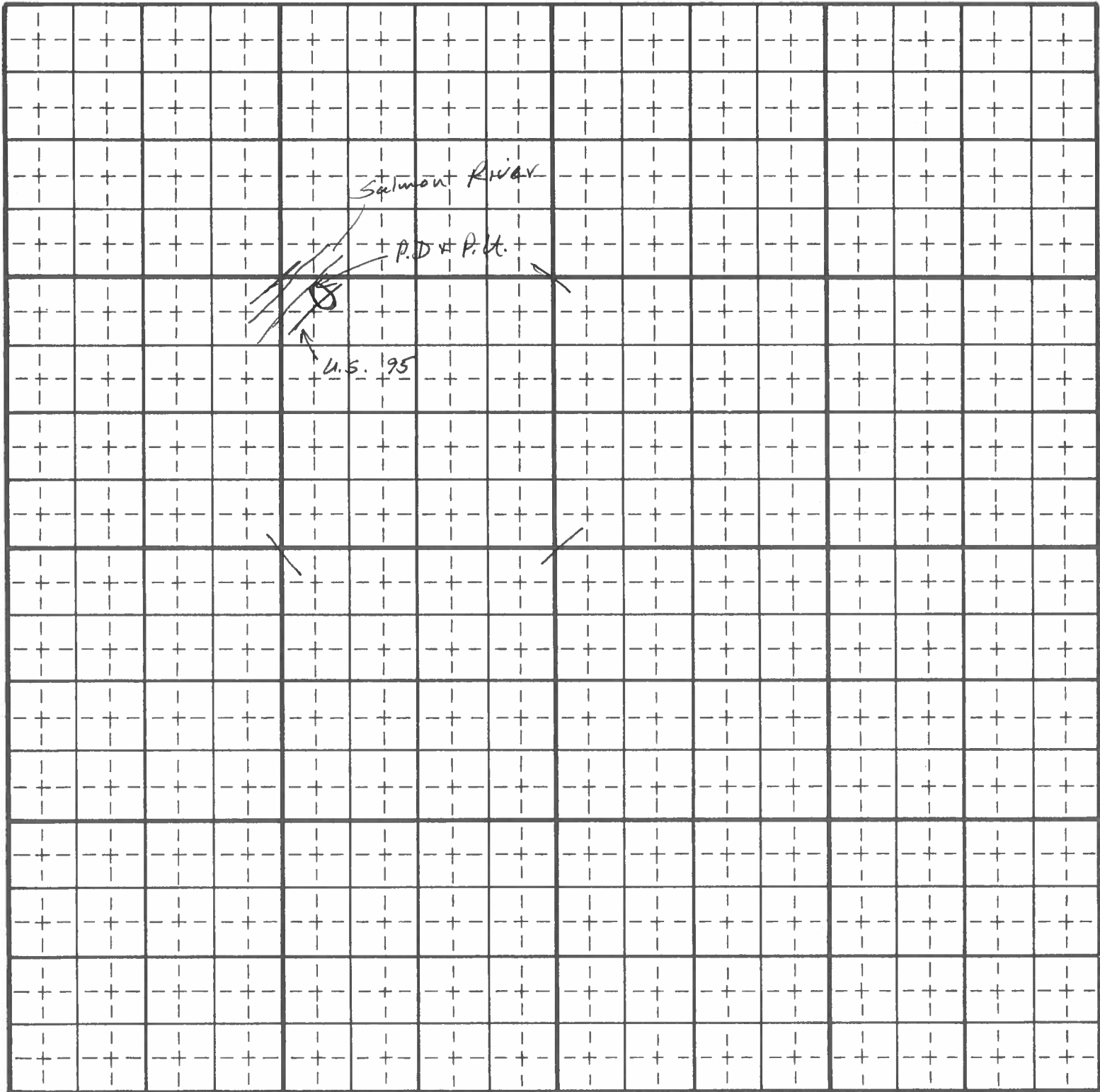
Date \_\_\_\_\_

Last Name Hart Ident. Number A79-04023B

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

Scale: 2 inches equals 1 mile



Last Name Hart

Ident No. A 79-04023 B

Copies: White 2 Yellow 1 **MICROFILMED**

OCT 06 1992

## STATE OF IDAHO

## DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

# CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that JOHN M. &/or MARJORIE MOCK  
(name of claimant)

of Box 24, Lucille, Idaho 83542, claims a right to the diversion and beneficial use of \_\_\_\_\_ (mailing address)

ground water or surface water tributary to Snake River

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Salmon River

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

| Amount | Use            | Period of Use: | From                   | To         |
|--------|----------------|----------------|------------------------|------------|
| 0.20   | Use Mining     | Period of Use: | From Jan. 1            | To Dec. 31 |
| 0.04   | Use Irrigation | Period of Use: | From Apr. 1            | To Oct. 31 |
|        | Use            | Period of Use: | From                   | To         |
|        | (cfs, gpm)     |                | (both dates inclusive) |            |

(3) Total quantity of water claimed: 0.24 cubic feet per second, or  
per annum, and/or                      gallons per minute.                      acre feet

(4) Priority claimed: (the date water was first applied to beneficial use) 1963

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 to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)

NW ¼ NW ¼ Sec. 2 Twp. 25N Rgc. 1E B. M. County of Idaho

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. Gas driven pump, 4" suction, 3" discharge and 3 hp electric, 2" suction and 2" discharge

(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.

[illegible]

Total No. of acres 17.6

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible: Placer mining operation.

(7) If you are claiming water as a member of an organization, list name of organization:

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**OCT 06 1992**

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME HART, SHERMAN L and/or Margaret R. CLAIM IDENT. NO. A79-04023B

DATE RECEIVED 7-8-88 CK # 2275 AMOUNT \$ 53.00

- |                                                                                                                                                                                                                          | YES                                 | NO                                  | Required Info? |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code?                                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 2. Is a priority date entered?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| Is the priority date acceptable in view of mandatory filing dates?                                                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 3. (a) Is a source entered?                                                                                                                                                                                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| (b) Is a tributary to entered? (if required)                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 4. Is the legal description of the p.d. sufficient?                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 5. Is there a description of the diverting works?                                                                                                                                                                        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 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.              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| Is the period of use included?                                                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| Is a quantity claimed for each use?                                                                                                                                                                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 7. Is a total quantity claimed entered?                                                                                                                                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 8. If required is a consumptive use entered?                                                                                                                                                                             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| Is the consumptive use correct?                                                                                                                                                                                          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 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. | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 10. Is (are) the place(s) of use and purpose(s) indicated?                                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 11. Is (are) the county(ies) entered?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 12. Is the ownership of p.u. checked?                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 13. Are other water rights listed or "none" indicated?                                                                                                                                                                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 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.)                                                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 15. Is the basis of the claim indicated?                                                                                                                                                                                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 16. Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.)                                                                                                            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |                |
| 17. Is the claim signed by the claimant, and is the signature appropriate?                                                                                                                                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 18. Has the claim been signed, sealed, and dated by a notary?                                                                                                                                                            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 19. Was this claim filed on time, or was an extension granted?                                                                                                                                                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 20. Is the fee enclosed correct?                                                                                                                                                                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | *              |
| 21. If this claim is based on an existing water right, has the identification number been entered?                                                                                                                       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |
| 22. Should this claim be receipted and data entered?                                                                                                                                                                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |                |

Claim checked by: VERIFIED RDR Date: 3-10-89

Claim must be returned to claimant: ☐ (Yes) ☒ (No)

Claimant must be sent a copy of amended claim for approval: ☐ (Yes) ☐ (No)

Receipt Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_  
Claim data entered by: \_\_\_\_\_ Date: \_\_\_\_\_  
Sent to claimant by: \_\_\_\_\_ Date: \_\_\_\_\_

Comments: SEE MEMO ATTACHED, FLAG FOR FIELD EXAM 53.00

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OCT 06 1992



## MEMORANDUM

Department of Water Resources  
Western Regional OfficeTO: Don Shaff *DS*

DATE March 7, 1989

FROM: Carter Fritschle *CF*

SUBJECT: Claiming water right 79-04023 by Williamson and Hart

Mr. Williamson and Mr. Hart visited the Grangeville office May 19, 1988. Each had purchased a portion of the property near the townsite of Lucile that was formerly owned by John and/or Marjorie Mock. The land is now being irrigated from wells located near the river. These wells were installed in 1985 to replace a domestic well that served both parties. According to the claimants, the irrigation water and the domestic water is supplied by the same system. I do not know if the pump(s) in the river are still in use. Because water right 79-04023 included irrigation of the land they presently own, and the Salmon River is essentially the source of water for their wells, the claims were based on this right. A field inspection should be conducted to determine the extent of beneficial use, and whether the priority date of the domestic use is the same as the priority date of the irrigation use.

*The origins of the initially recorded WR (243 claims) makes me unwilling to conclude another claim for expansion/presumption or otherwise is warranted at this point. I question whether the 243 claim adequately described the water right that was developed. The 243 claim is not conclusive like a license, which at times has not proven conclusive itself. I believe a determination by us should be delayed until the investigative stage on the subject of multiple rights, correct descriptions, uses, etc.*

*DS 3/08/89*

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