

Idaho Department of Water Resources

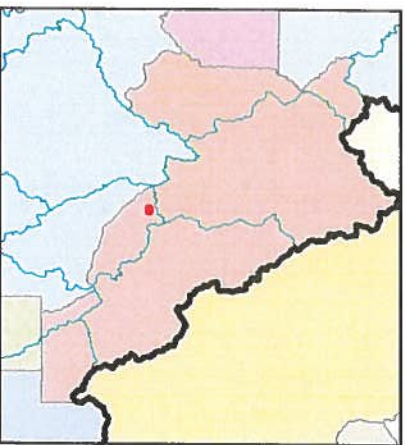


Adjudication Recommendation
73-127
(IRRIGATION)

Legend

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters

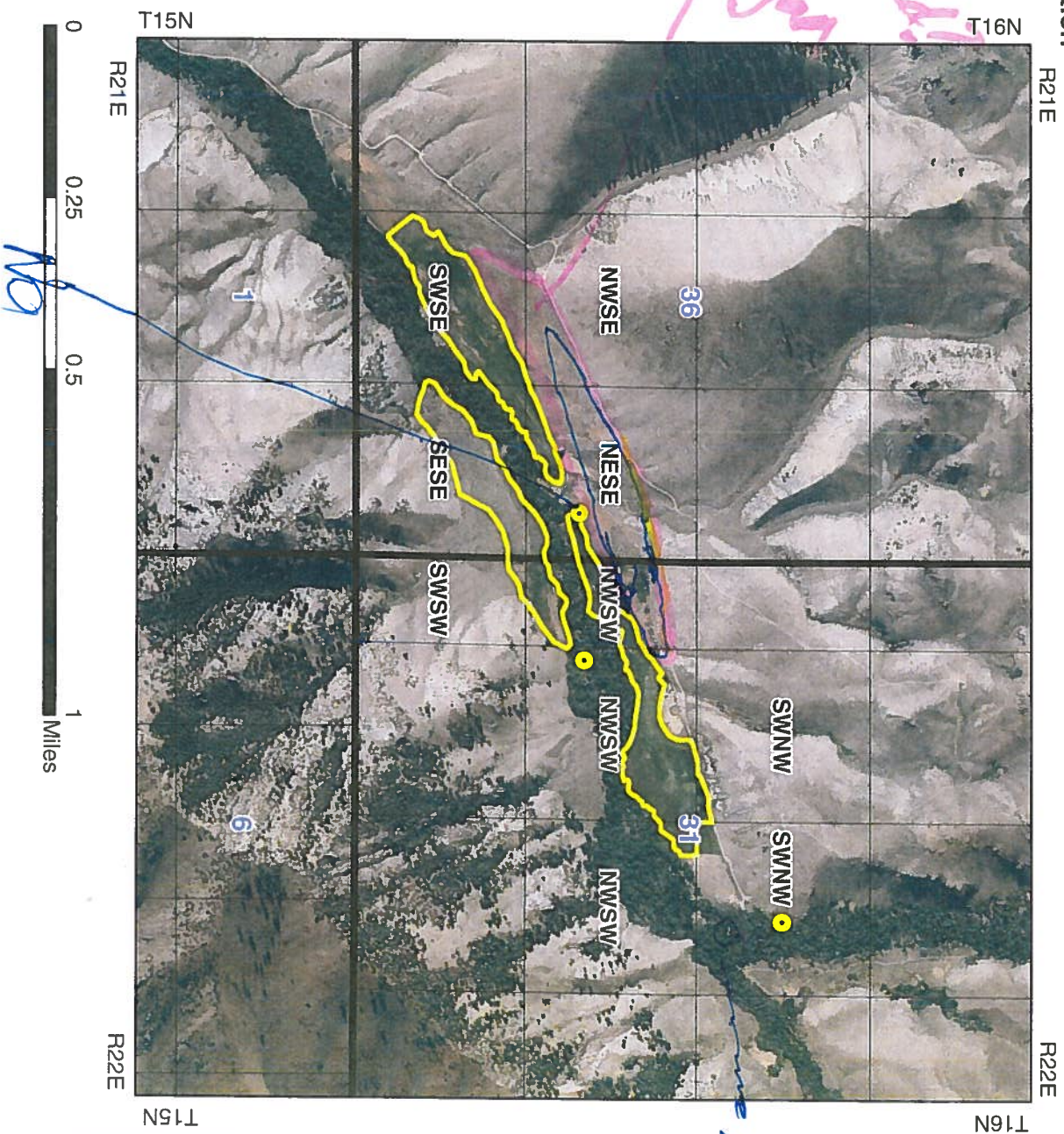
Handwritten in pink:
Horse Creek
Diversion



Lemhi County
IDWR Basin 73

Prepared by Don Shaff
On July 22, 2009

2006 Aerial Photography



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: _____
 4. ☐ **Priority Date**
Should be: _____
 5. ☐ **Point of Diversion**
Should be: _____
 6. ☐ **Instream Flow Beginning and Ending Point**
Should be: _____
 7. ☐ **Purpose(s) of Use**
Should be: _____
 8. ☐ **Period of Year**
Should be: _____
 9. ☒ **Place of Use** T16N R21E S36 NESE 14.1
Should be: T16N R21E S36 NWSE 7.2
10. ☐ **I object because:**
- ☐ This water right Should not exist.
- ☐ This water right was not recommended, but Should be recommended with the elements described above.

Total
ACRES
63.7

E. **REASONS SUPPORTING OBJECTIONS(S):** See Attached Letter



Idaho Department of Water Resources

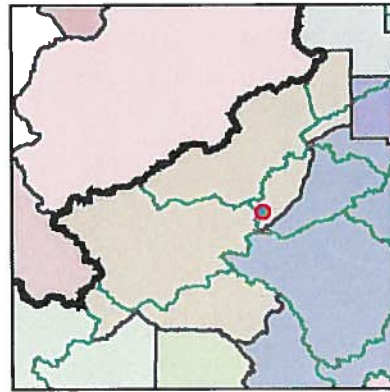
SRBA Recommendation:

73-127

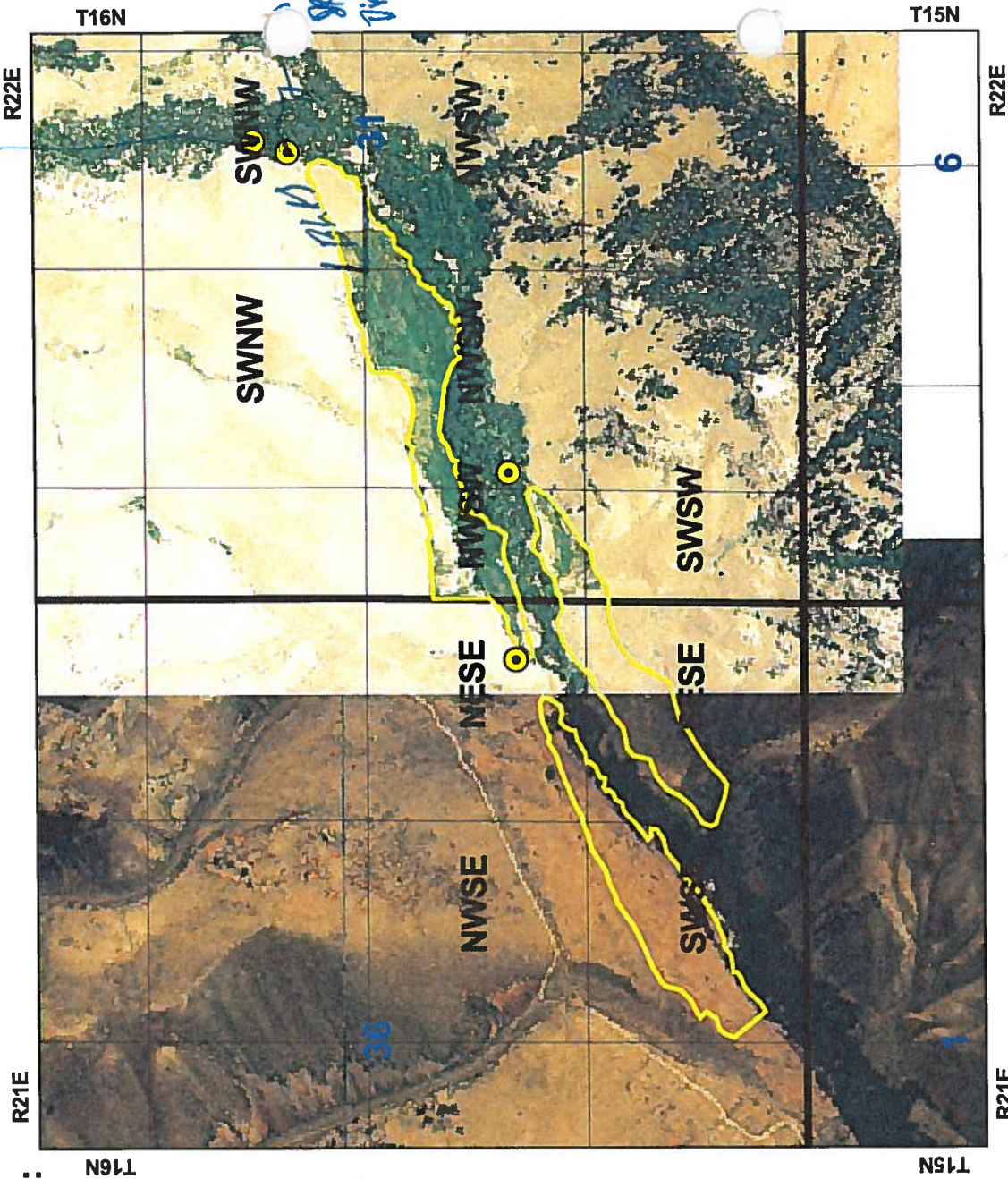
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 73





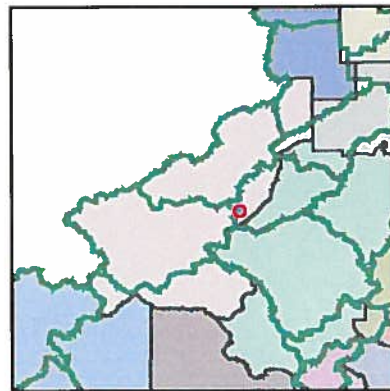
Idaho Department of Water Resources

Adjudication Claim:

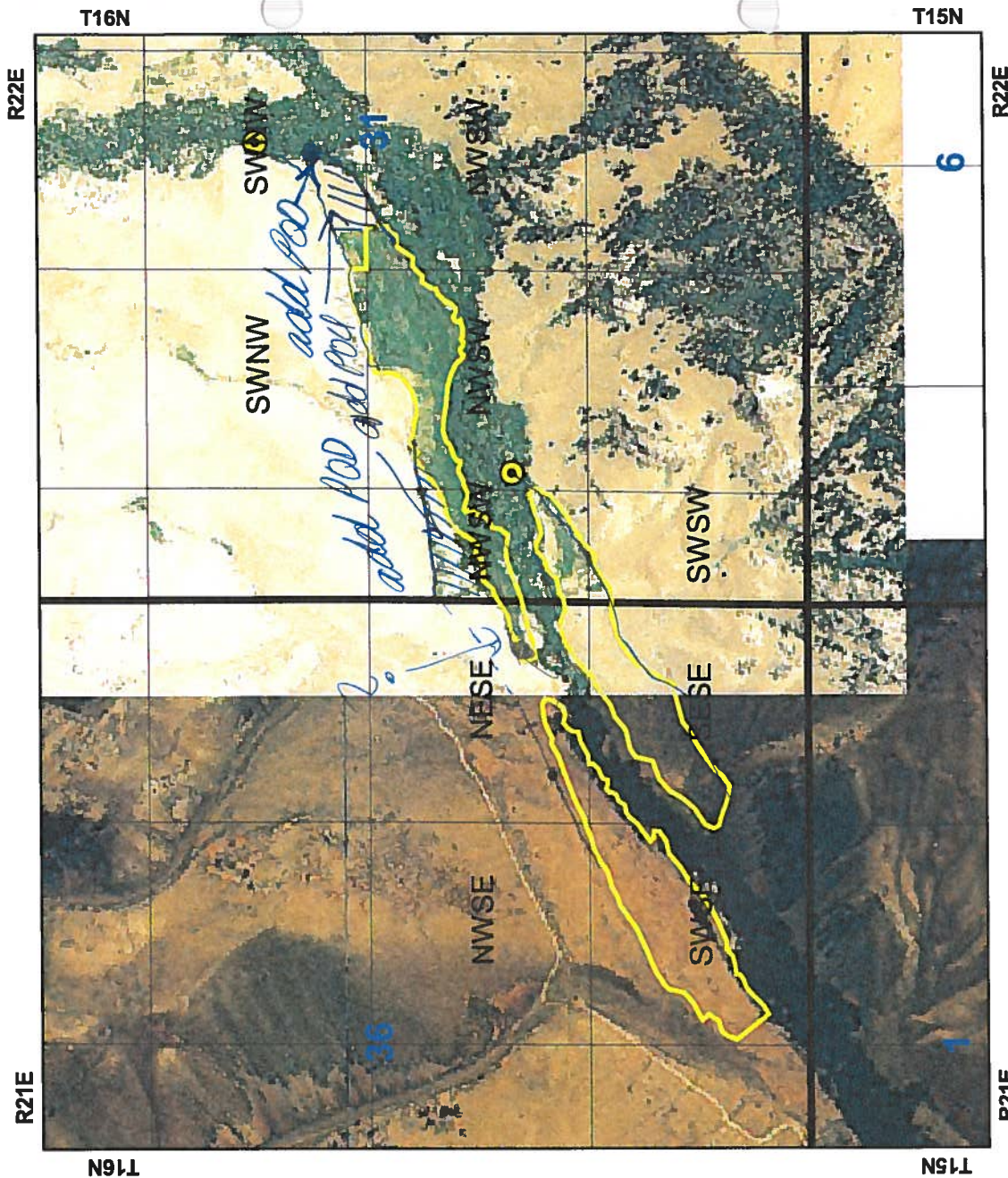
73-127

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 73



0.8 Miles

0.4

0

Prepared by R. Brown
On Thursday, March 30, 2006
1987/88 Aerial Photography

10/16/2006

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

RIGHT NUMBER: 73-127

NAME AND ADDRESS: PATRICK E SIMPSON
PO BOX 414
HAILEY ID 83333

KAREN JEAN SIMPSON
PO BOX 414
HAILEY ID 83333

SOURCE: MORGAN CREEK
NORTH FORK MORGAN CREEK

TRIBUTARY: PAHSIMEROI RIVER
TRIBUTARY: MORGAN CREEK

QUANTITY: 3.200 CFS

PRIORITY DATE: 03/01/1908

POINT OF DIVERSION:

T16N R21E S36 NESE Within LEMHI County
T16N R22E S31 SWNW Lot 6 Within LEMHI County
T16N R22E S31 NWSW Lot 8 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R21E S36	NESE	4.10	T16N R21E S36	SWSE	13.00
T16N R21E S36	SESE	11.00	T16N R22E S31 Lot 5 SWNW		0.70
T16N R22E S31 Lot 7 NWSW		1.20	T16N R22E S31 Lot 8 NWSW		10.00
T16N R22E S31 Lot 9 NWSW		5.90	T16N R22E S31 Lot 10 SWSW		0.60

46.5 ACRES TOTAL

Right Nos. 73-127 and 73-12041 are limited to the irrigation of a combined total of 46.5 acres in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

03/30/2006

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

RIGHT NUMBER: 73-127

NAME AND ADDRESS: PATRICK E SIMPSON
PO BOX 414
HAILEY ID 83333

KAREN JEAN SIMPSON
PO BOX 414
HAILEY ID 83333

SOURCE: MORGAN CREEK
NORTH FORK MORGAN CREEK

TRIBUTARY: PAHSIMEROI RIVER
TRIBUTARY: MORGAN CREEK

QUANTITY: 3.200 CFS

PRIORITY DATE: 03/01/1908

POINT OF DIVERSION:

T16N R22E S31 Lot 8 Within LEMHI County

T16N R22E S31 SWNW Lot 6 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/15

3.200 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T16N R21E S36	NESE	4.10	T16N R21E S36	SWSE	13.00
T16N R21E S36	SESE	11.00	T16N R22E S31 Lot 5 SWNW		0.70
T16N R22E S31 Lot 7 NWSW		1.20	T16N R22E S31 Lot 8 NWSW		10.00
T16N R22E S31 Lot 9 NWSW		5.90	T16N R22E S31 Lot 10 SWSW		0.60

46.5 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

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

Idaho Department of Water Resources
P.O. Box 83720
Boise, ID 83720-0098

March 22, 2005

To Whom It May Concern:

The purpose of this letter is to inform you that the entire bottom ground of the Little Morgan Creek Ranch, situated up the canyon on the Little Morgan Creek tributary to the Pahsimeroi River, six miles in a northerly direction from May, Idaho, was being irrigated and under agriculture during the late 1960's.

I was custom cutting alfalfa and was contracted by the Stoddards who owned this property at the time to harvest their fields.

My uncle Shaull, who is deceased, also owned the ranch and raised sheep. I spent a good deal of time on the ranch.

Please take this information into consideration when deciding the water rights of the adjudication project.

If you have any questions I can be reached at 208-876-4496.

Thank you.

Sincerely,



Wes Thompson

WATER DISTRICT # 73 -WATER RIGHTS PLAN INFORMATION SURVEY

DECEMBER 2002

ADDRESS**PHONE NUMBER**

P.O. Box	414
----------	-----

208 788-4413 Hailey

Hailey, ID 83333

208-940-1050 Ranch

LIST OF ALL WATER RIGHTS

STREAM NAME	WAT. RIGHT
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100	

POINT OF

DIVERSION

LEGAL DESCRIPTION

LOCKABLE

HEADGATE

WEIR OR

MEASURING

1

DEVICE

DESCRIPTION

OF GENERAL

--	--

DIMENSIONS

LOCATION

[illegible]

MEASURING

[illegible]

011	
-----	--

--	--

NEW

Little Morgan Creek

A73-00127	(see attachments)
-----------	-------------------

A73-07053 (see attachments)

A73-07052	(see attachments)
-----------	-------------------

Cipolletti	(see map)
------------	-----------

Little mercon reconnect
working with Salmon River Coalition
for experimental fish spread
0 or 2003

RETURN BY DECEMBER 18, 2002

MAIL FORM BACK TO ONE OF THE FOLLOWING :

DOUG PARKINSON	GEORGE MILLER
----------------	---------------

P.O. BOX 65	50 P MILLER ROAD
-------------	------------------

ELLIS, ID 83235	MAY, ID 83253
-----------------	---------------

876-4450	876-4280
----------	----------

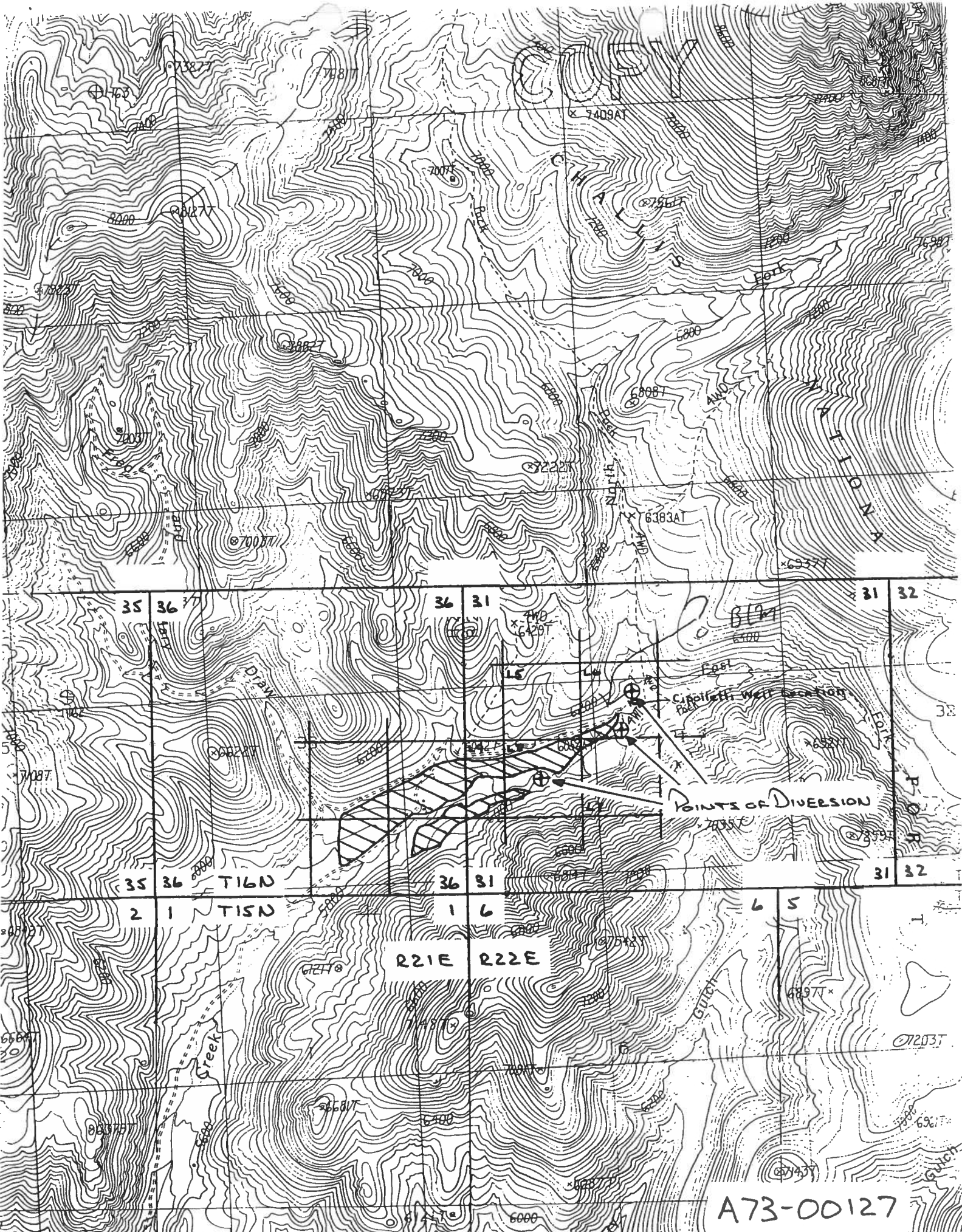
JERRY HAWKINS

HC 61 BOX 3050

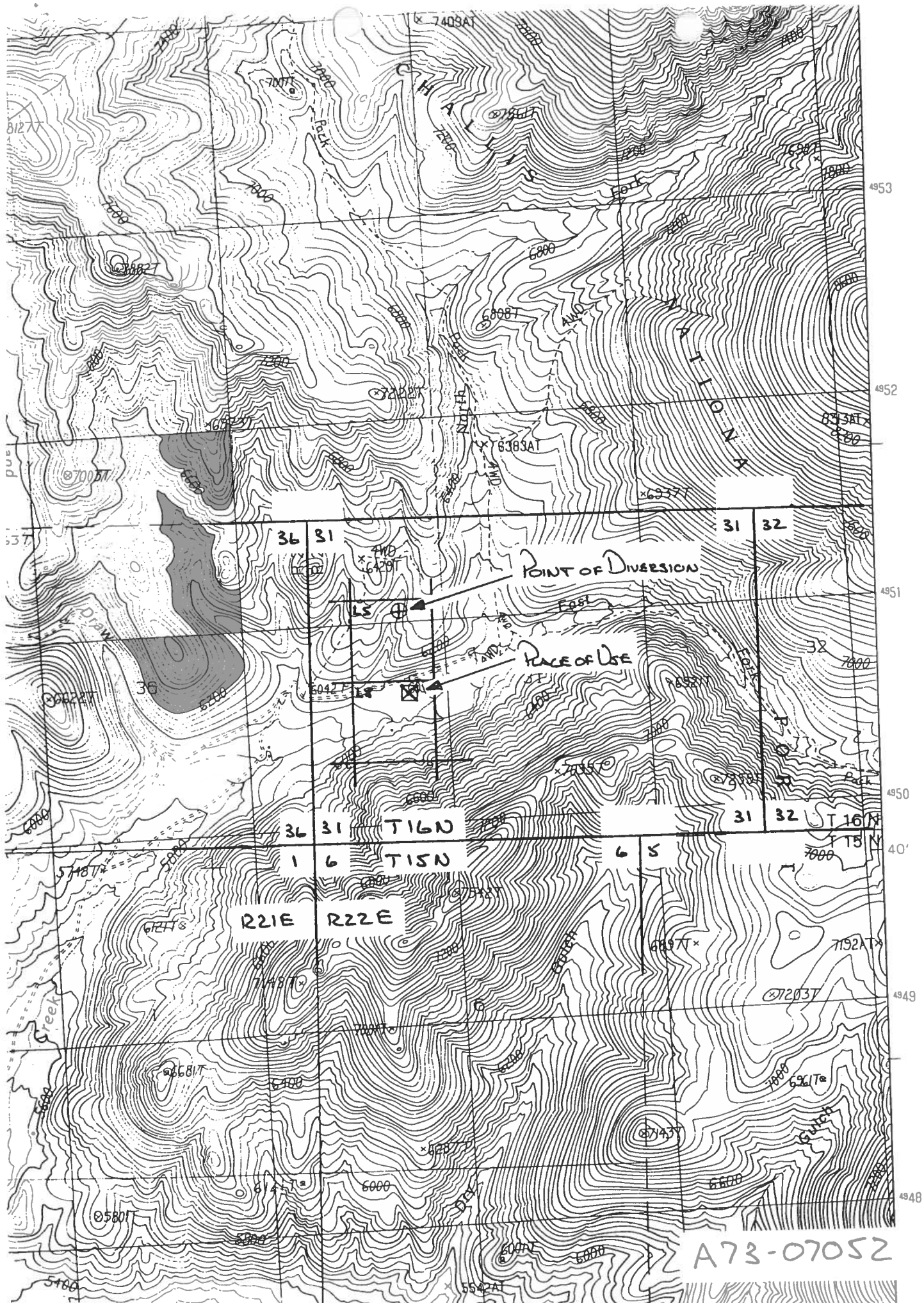
CHALLIS. ID 83226

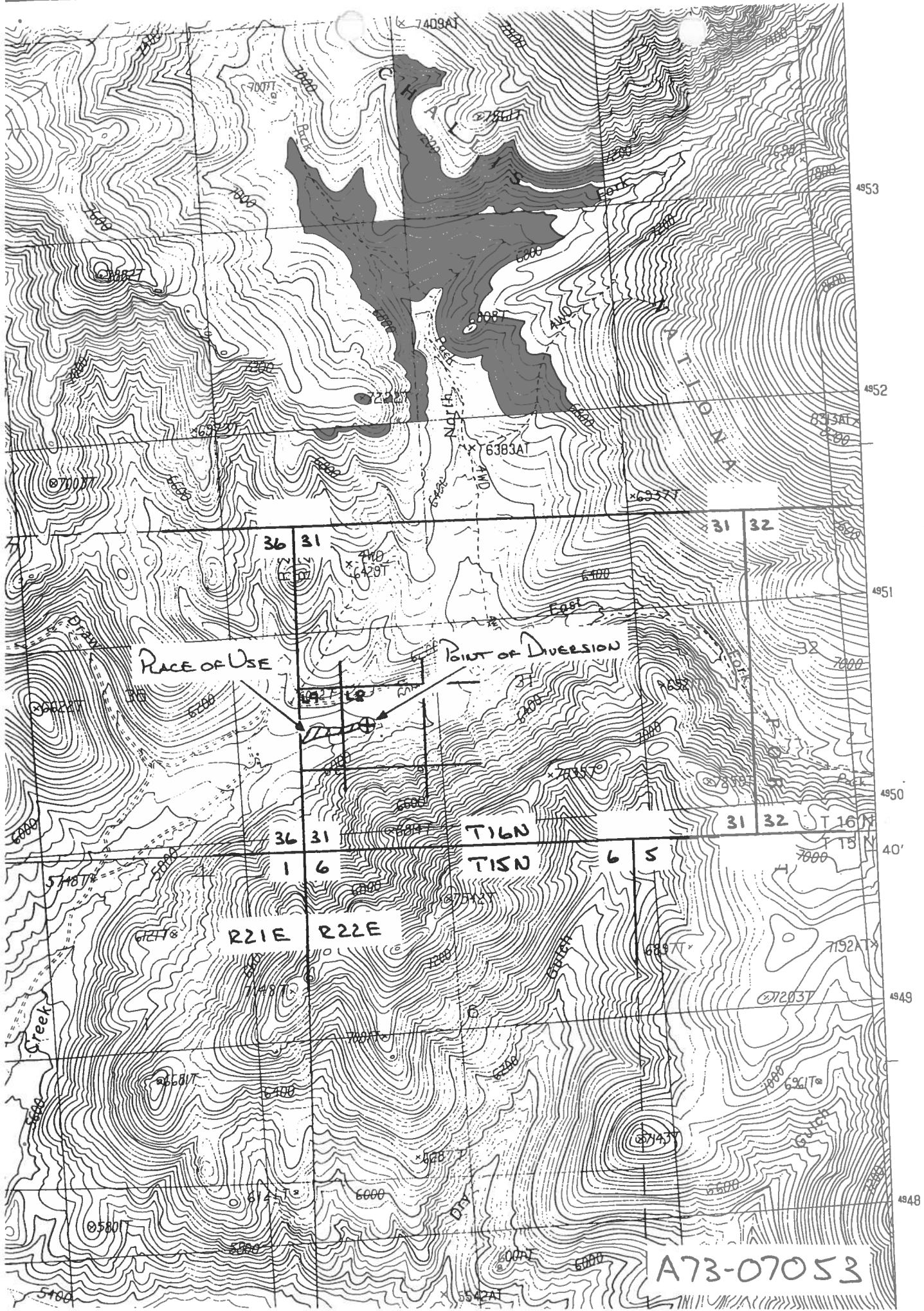
879-2058

COPY



A73-00127





A73-07053



RECEIVED

FEB 23 1967

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT
Idaho Land Office

P.O. Box 2237
Boise, Idaho 83701

IN REPLY REFER TO:

LIV88
Idaho 016832

Department of Reclamation

NOTICE OF ALLOWANCE

Everett K. Cantlin
Ellis, Idaho 83235

FEB 21 1967

Dear Mr. Cantlin:

Your desert land entry, Serial No. Idaho 016832,
Receipt No. 107243, for Lots 3, 7, 8, 9, 10,
Township 16 N., Range 22 E., Boise Meridian, Idaho, containing 31
160.55 acres, is hereby allowed, subject to any valid existing rights and
your further compliance with laws and regulations applicable thereto. The
acceptability of final proof is contingent upon development and reclamation
of the land in accordance with your plan of development which is on file in
the Boise Land Office. Any substantial change in source of water or deviation
in the construction of the irrigating facilities must have the approval of the
Bureau of Land Management. The irrigable acreage of this entry has been deter-
mined to be approximately 73 acres. In correspondence relat-
ing to this entry, always refer to the serial number shown above.

Subject to a road right-of-way for public access and use 50 feet in width along
the existing road on the north side of the present fence across lots 3, 8 and 9.

Sincerely yours,

/s/ ORVAL G. HADLEY

Orval G. Hadley
Manager, Land Office

cc: State Reclamation Department ✓
Attn: Donald W. McEldowney

73-0127 ✓
73-7052
73-7053

RECEIVED
JUL 30 1966



RECEIVED

UNITED STATES
DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

Idaho Land Office

P.O. Box 2237

Boise, Idaho 83701

FEB 23 1967

Department of Reclamation

IN REPLY REFER TO:

LIVDS

Idaho 016832

NOTICE OF ALLOWANCE

Everett K. Cantlin
Ellis, Idaho 83235

FEB 21 1967

Dear Mr. Cantlin:

Your desert land entry, Serial No. Idaho 016832,
Receipt No. 107245, for Lots 3, 7, 8, 9, 10

Township 16 N., Range 22 E., Boise Meridian, Idaho, containing 31
160.55 acres, is hereby allowed, subject to any valid existing rights and
your further compliance with laws and regulations applicable thereto. The
acceptability of final proof is contingent upon development and reclamation
of the land in accordance with your plan of development which is on file in
the Boise Land Office. Any substantial change in source of water or deviation
in the construction of the irrigating facilities must have the approval of the
Bureau of Land Management. The irrigable acreage of this entry has been deter-
mined to be approximately 73 acres. In correspondence relat-
ing to this entry, always refer to the serial number shown above.

Subject to a road right-of-way for public access and use 30 feet in width along
the existing road on the north side of the present fence across lots 3, 8 and 9.

Sincerely yours,

/s/ ORVAL G. HADLEY

Orval G. Hadley
Manager, Land Office

cc: State Reclamation Department ✓
Attn: Donald W. McEldowney

73-0127 ✓
73-7052
73-7053

RECEIVED
JUL 30 1966

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: **A73-00127**
Date Received: 2/20/1992
Receipt No: E014354
Received By: _____

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

1. Name: KENT E CANTLIN 208-876-4424
Address: HC 62 BOX 1090
ELLIS ID 83235
AND/OR
Name: DIXIE CARR 208-876-4424
Address: HC 62 BOX 1090
ELLIS ID 83235

2. Date of Priority: MAR 1, 1908

3. Source: MORGAN CREEK Trib. to: PAHSIMAROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
16N	22E	31		6	LEMHI
				8	LEMHI

5. Description of diverting works:
HEADGATES AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.200		

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

8. Total consumptive use is 150.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
16N	22E	31		5	IRR	1.0
				7	IRR	14.0
				8	IRR	15.0
				9	IRR	15.0
				10	IRR	15.0
					Section Acres	60.0
					Total Acres	60.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
NONE

14. Remarks:

P/D NOT GIVEN IN DECREE.
P/U INCOMPLETE. P/U DETERMINED BY METES & BOUNDS DESCRIBED IN DECREE. AC. IRR. = 160.
PARTIES RECEIVING WATER FROM THE SO CALLED COTTER DITCH SHALL BE MEASURED AT THE P/D FROM SAID COTTER DITCH, & THAT ALL OTHER WATERS DECREED SHALL BE MEASURED AT THE P/D WHERE THE WATER IS TAKEN FROM MORGAN CREEK & ITS TRIBUTARIES.
***ACREAGES IN EACH LOT ARE A GUESS-- NO MAP WAS PROVIDED WITH THE CLAIM. FIELD EXAM REQUIRED.

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: / /

A.W. ADAMS
Decree Plaintiff

LAFE DOWNEY, ET AL.
vs Decree 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: _____

Misc: Water District Number: 73 Field Inspection Flag:
Presumption Flag:

6/2/90

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

A73-20127

Date Received

34-30-90/5-8-90

Receipt Number

E014354

RECEIVED

MAY - 8 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED
APR 30 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

KENT CANTLIN

1. Name of Claimant (s) EVERETT E. CANTLINPhone (208) 756-3234Mailing Address 1901 East Main St., Salmon, IdahoZip 834672. Date of Priority (Only one (1) per claim) June 15, 19173. Source of water supply (a) Morgan Creekwhich is tributary to (b) Pahsimaroi River4. a. Location of existing point of diversion is: Township 16N Range 22E Section 311/4 of 1/4 of 1/4, Govt. Lot, 6 B.M., County of LemhiAdditional points of diversion if any: Lot 8, Sec. 31, T. 16 N, R. 22E.

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 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. Headgates and ditches



MICROFILMED
DEC 14 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from 4/1 to 3.2 amount 3.2 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.2 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 150 acre feet per annum.

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

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	
16N	22E	31			LOTS	5,	7,	8,	9	and	10								60

Total number of acres irrigated 60

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

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

MICROFILMED

DEC 14 1992

Last Name CANTLIN Ident No. _____

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile



15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree X

If applicable provide IDWR Water Right Number _____

Court Sixth Judicial Dist. Case Number _____ Decree Date June 15, 1917

Plaintiff vs Defendant A.W. Adams v. Lafe Downey, et al (see attached copy of Decree)

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 One

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

Signature of Claimant (s) X Everett Cantlin Date 4/27/90

_____ 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 Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 27 day of April 19 90

SEAL

Notary Public Melto A. S.

Residing at Salmon, Idaho

My Commission Expires 10/26/93

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 CANTLIN Ident. Number _____

MICROFILMED

DEC 14 1994

Copies White-State, Yellow-Claimant

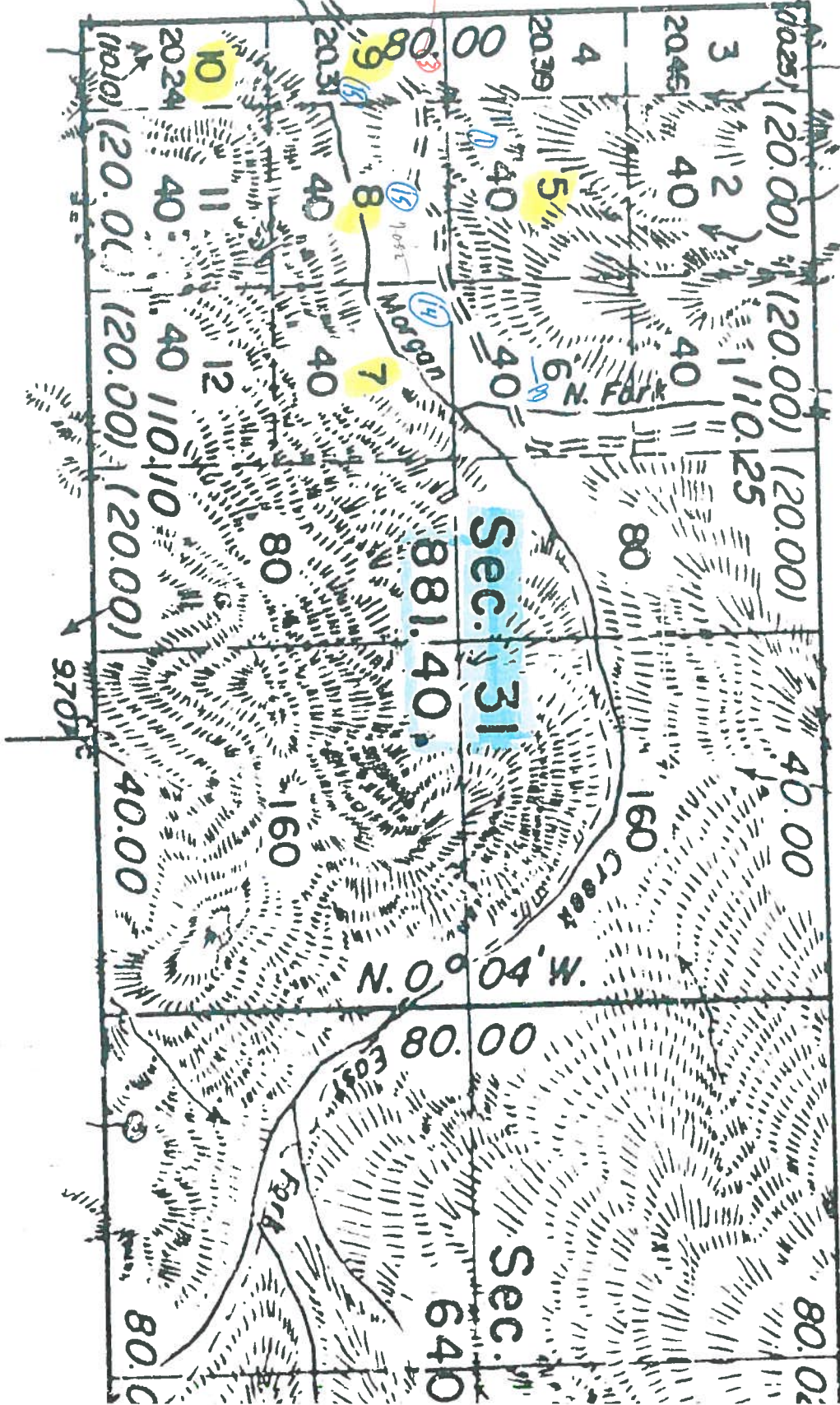
W.C. NORTH 1.02

W.C. SOUTH 0.20

NORTH

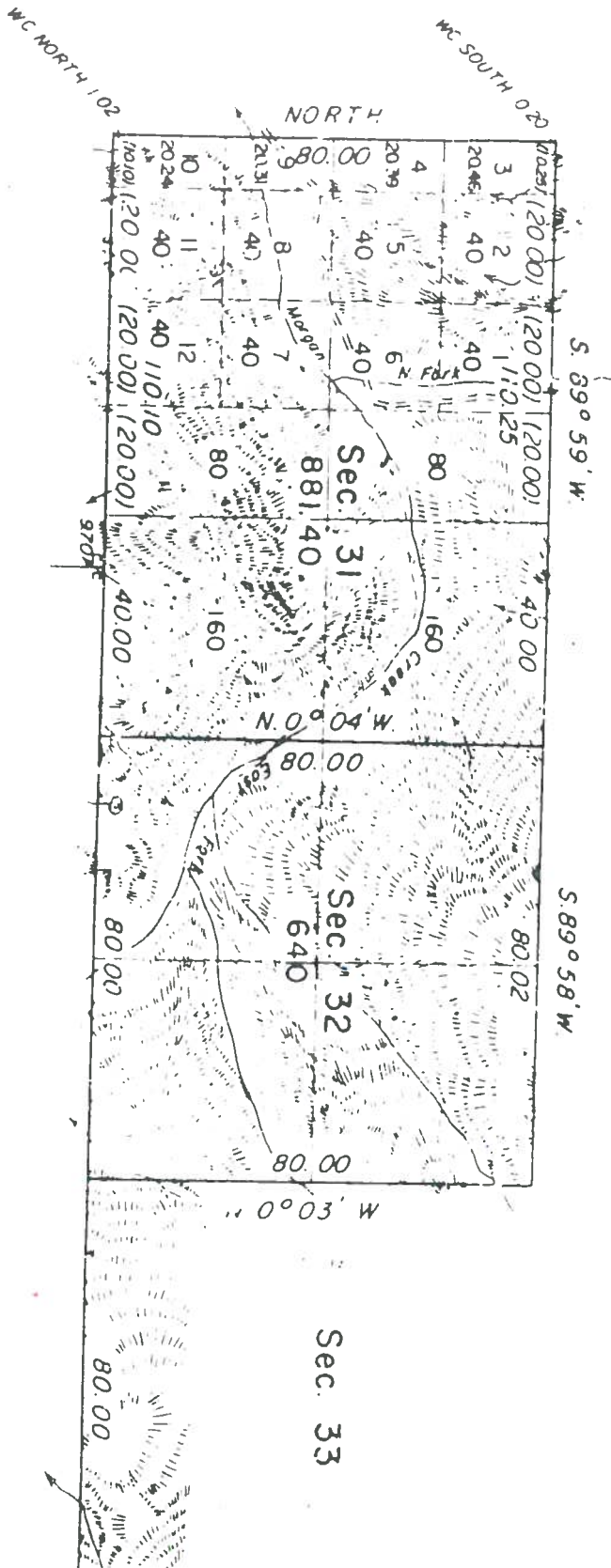
S. 89° 59' W.

S. 89° 58'



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Mean Magnetic Declination
19° 00' East



MICROFILMED
DEC 14 1992

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