

06/01/2009

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 73-192

NAME AND ADDRESS: PAMELA L ROBINS
HC 62 BOX 2215
MAY ID 83253

DOUGLAS ROBINS
HC 62 BOX 2215
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 6.400 CFS

PRIORITY DATE: 08/25/1884

POINT OF
DIVERSION:

T14N R22E S35 NESW 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	6.400 CFS
PLACE OF USE:	<u>IRRIGATION in CUSTER County and LEMHI County</u>		
	T14N R22E S27	NWNW 40.00	T14N R22E S27 SWNW 40.00
	T14N R22E S27	SESW 36.00	T14N R22E S27 NESW 40.00
	T14N R22E S27	SESW 5.80	T14N R22E S27 NESE 5.00
	T14N R22E S27	NWSE 30.00	T14N R22E S27 SWSE 34.00
	T14N R22E S27	SESE 32.00	T14N R22E S34 NENE 37.00
	T14N R22E S34	NWNE 6.10	
	305.9 ACRES TOTAL		

The rights listed below are limited to the irrigation of a combined total of 305.9 acres in a single irrigation season. Combined Right Nos.: 73-192, 73-7041 & 73-10055

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

The following rights are diverted through point(s) of diversion described above: 73-182, 73-192 & 73-10055

05/15/2009

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

RIGHT NUMBER: 73-192

NAME AND ADDRESS: PAMELA A ROBINS
HC 62 BOX 2215
MAY ID 83253

DOUGLAS ROBINS
HC 62 BOX 2215
MAY ID 83253

SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 6.400 CFS

PRIORITY DATE: 08/25/1884

POINT OF DIVERSION:

T14N R22E S35 NESW 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	6.400 CFS

PLACE OF USE: IRRIGATION in CUSTER County and LEMHI County

T14N R22E S27	NWNW	40.00	T14N R22E S27	SWNW	40.00
T14N R22E S27	SENW	36.00	T14N R22E S27	NESW	40.00
T14N R22E S27	SESW	5.80	T14N R22E S27	NESE	5.00
T14N R22E S27	NWSE	30.00	T14N R22E S27	SWSE	34.00
T14N R22E S27	SESE	32.00	T14N R22E S34	NENE	37.00
T14N R22E S34	NWNE	6.10			

305.9 ACRES TOTAL

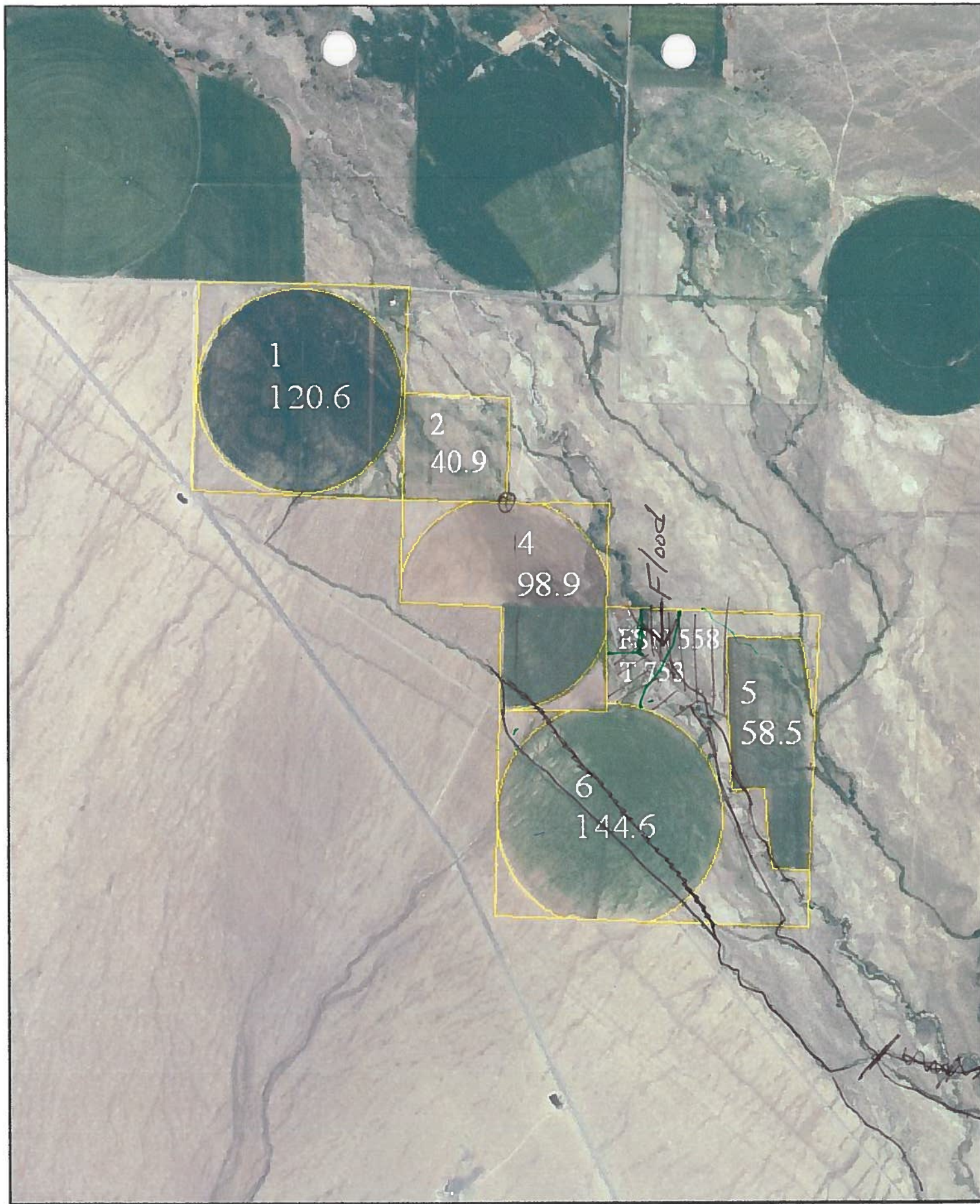
The rights listed below are limited to the irrigation of a combined total of 305.9 acres in a single irrigation season. Combined Right Nos.: 73-192, 73-7041 & 73-10055

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

The following rights are diverted through point(s) of diversion described above: 73-182, 73-192 & 73-10055



Tract 753
Farm 558



0.2 0 0.2 0.4 0.6 0.8 Miles

Map Printed: May 8, 2005

Idaho Department of Water Resources

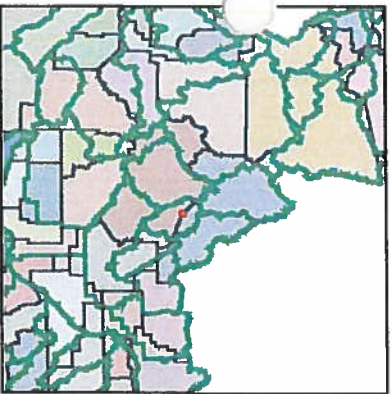


Adjudication Claim Number: **73-182, 73-192, 73-7041**

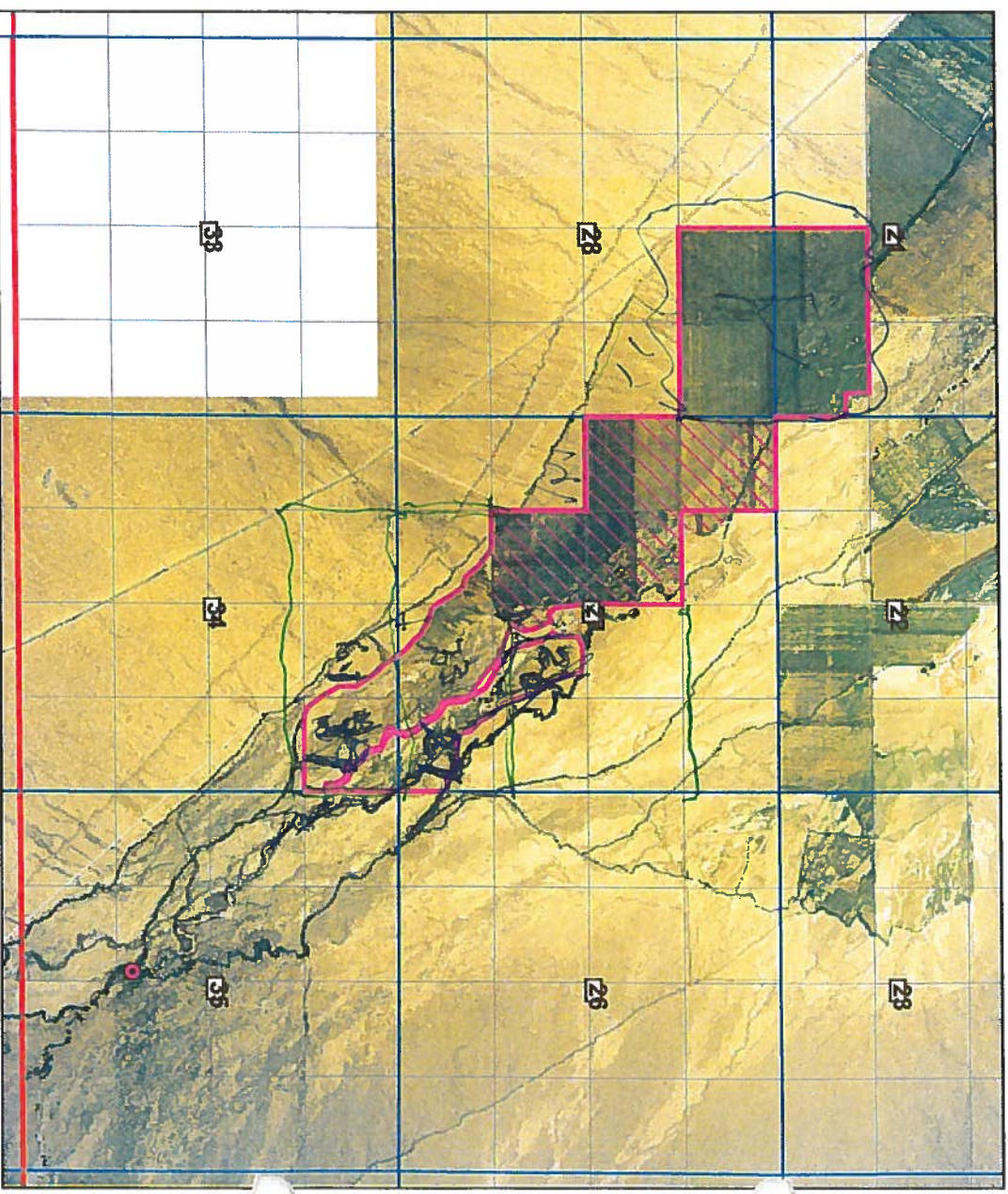
T14N R22E

Legend

- Point of diversion
- 73-182, 73-192
- ▨ 73-07041



Custer County
IDWR Basin 73



Prepared by R. Brown
On Tuesday, February 14, 2006
1988 Aerial Photography

02/14/2006

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

RIGHT NUMBER: 73-192

NAME AND ADDRESS: PAMELA A ROBINS
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MAY ID 83253

DOUGLAS ROBINS
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SOURCE: PAHSIMEROI RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 6.400 CFS

PRIORITY DATE: 08/25/1884

POINT OF DIVERSION:

T14N R22E S35 NESW 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	6.400 CFS

PLACE OF USE: IRRIGATION Within CUSTER County

T14N R22E S21	SWSE	40.00	T14N R22E S21	SESE	38.00
T14N R22E S27	NWNW	40.00	T14N R22E S27	SWNW	40.00
T14N R22E S27	SESW	40.00	T14N R22E S27	NESW	40.00
T14N R22E S27	SESW	5.80	T14N R22E S27	NESE	0.80
T14N R22E S27	NWSE	26.00	T14N R22E S27	SWSE	33.00
T14N R22E S27	SESE	27.00	T14N R22E S28	NENE	40.00
T14N R22E S28	NWNE	40.00	T14N R22E S34	NENE	37.00
T14N R22E S34	NWNE	6.10			

453.7 ACRES TOTAL

This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 457.7 acres in a single irrigation season. Combined Right Nos.: 73-182, 73-192, 73-7041.

Right Nos. 73-182 and 73-192 are limited to the irrigation of a combined total of 453.7 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 No. 73-182 is also diverted through point of diversion described above.

Overlap Analysis

Reviewer Name: R. Brown

Date: 2/14/2006

Acreage Analysis

[illegible]



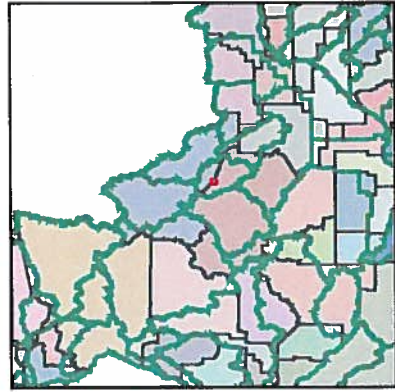
Idaho Department of Water Resources

Adjudication Claim Number: **73-182, 73-192, 73-7041**

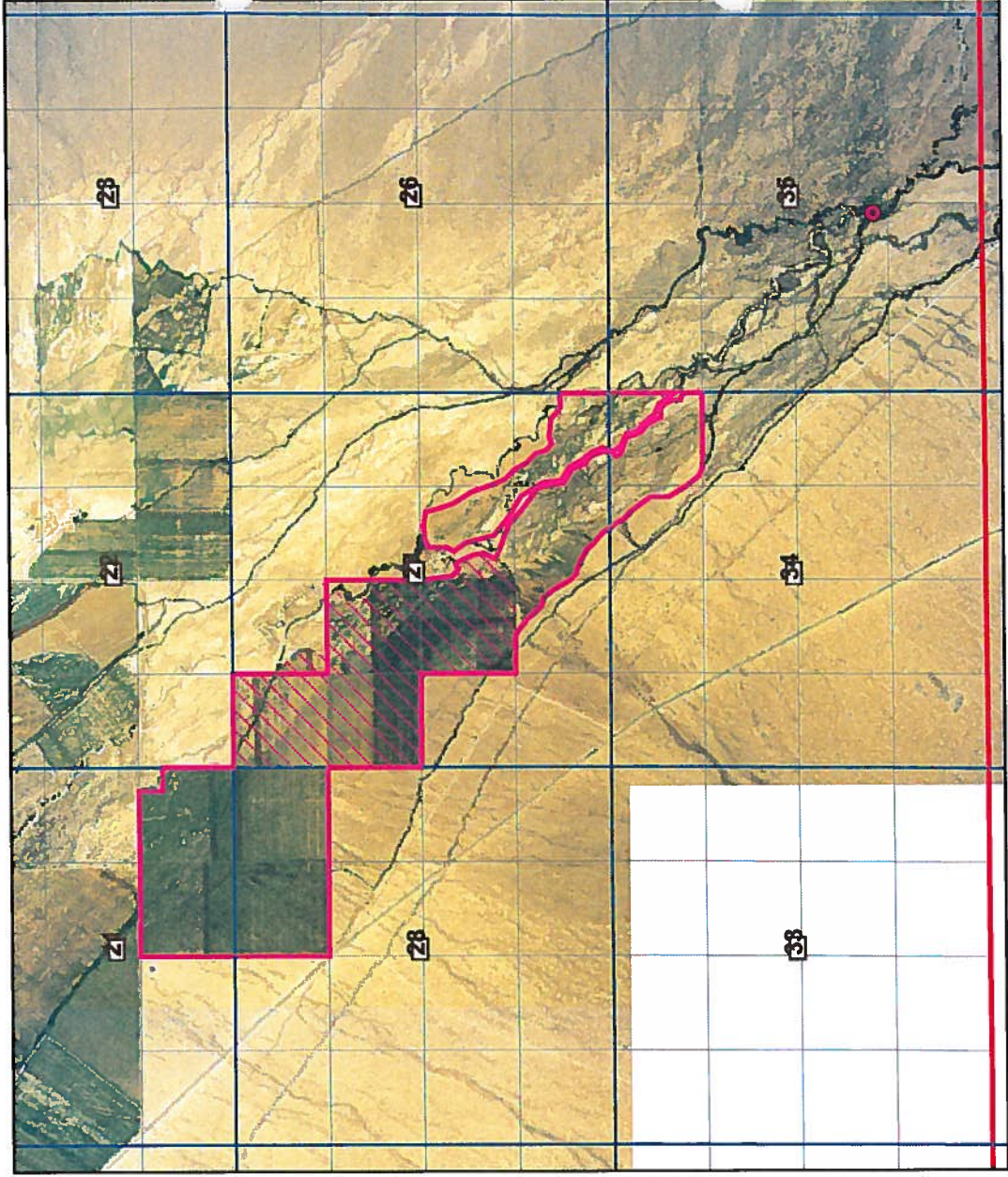
T14N R22E

Legend

- Point of diversion
- 73-182, 73-192
- ▨ 73-7041



Custer County
IDWR Basin 73



Prepared by R. Brown
On Tuesday, February 14, 2006
1988 Aerial Photography

May Ida.
Aug. 10, 1921.

State Engineers
-Loise Ida

Dear Sir.

I am sending in an affidavit to have my point of diversion changed. I am not sure as the maps are exactly right and if they are not and it is going to take very much time and it will be satisfactory with your office please write to Mr. Ferris the deputy state Engineer who is here and explain to him ~~what~~ whether he can go ahead and put in my new damment has head gate ~~at there~~ at the place. I wish to have my new Point of diversion. I may have time to get it all straightened up before the crew of men start to work on my head gate.

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I had Mr. Ferris look the proposition over and he thinks it would ~~be a water saving~~ save quite a little water also the water master John Eulers of water district (No 17) thanks

that it would be a benefit.

We expect the crew to start work right away
so wish you would be as prompt as possible
in answering.

Hoping this is satisfactory.

And Obligated

Fitch Cochran

May

Idaho

R.S. As I can't find the Permit numbers ~~for the~~
~~water that is described~~

of the water that is long to the described
land and it is necessary please let me
know where I can get them and from what
office.

MICROFILMED

STATE OF IDAHO, }
County of Lemhi } ss.

Edith Cochran being first duly sworn, upon his
oath deposes and says:

That he is the owner of a decreed water right appurtenant to the following described land to-wit:
NE $\frac{1}{4}$ of SW $\frac{1}{4}$ - SE $\frac{1}{4}$ of NW $\frac{1}{4}$ - W $\frac{1}{2}$ of NW $\frac{1}{4}$ of Sec. 27
NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 34 - S $\frac{1}{2}$ SE $\frac{1}{4}$ - NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 27 - Tp. 14 - R. 22 E.B.V.
as evidenced by the decree dated sixth day of April 1910.
in the cause entitled Lorenzo Falls et al, Plaintiffs.
vs. Uriah Wells et al, Defendant, brought
in the district court of the Sixth Judicial District of the State of Idaho, or

That he is the owner and holder of Permit to appropriate the Public Waters of the State of
Idaho No. _____

That he intends to change the point of diversion, as described in said decree or permit, to the
following described point:

About one hundred yards from the north east west
quarter of the south east quarter of section 35 T. 8. N. 14 R. 22 E.

That such change will be made for the following reasons, to-wit: Because
my old ditch has a old washed channel and
it flows about a mile further on account of the
erosion and turns and is always making and never
puddles so that it sinks a lot of water and where the
new point of diversion is below the old one where over a thousand
inches now flow to other parties so it will puddle all
of the water to get together for about a mile in the
main Pishanina river. I was talking with Mr. Fairis
the engineer who is here constructing the new gates
and he is in favor of it
That no one will be injured by such change and that deponent will make such change at his own
risk.

And further deponent saith not.

Edith Cochran

Subscribed and sworn to before me this 7th day of August 1921.

Miss Stella Hurst
Notary Public.

My commission expires June 15, 1923
(over.)

August 15, 1921

Mr. Fitch Cochran,
May, Idaho

Dear Sir:

Reference is made to your letter of August 10th transmitting a notice of intention to change the point of diversion of your decreed water right. Under the statutes, such notice is simply recorded in this department and is neither approved nor disapproved. In case there is any objection to the change, action must be brought in court and you must defend your right. Under the circumstances you relate, it is probable that there will be no objection. At any rate, since you have duly filed notice of the contemplated change, Mr. Paris can install the gate at the place you may desire to divert your water, and he will be advised accordingly.

Very truly yours,

L. G. SWENSON
Commissioner of Reclamation

By

Assistant

GBA: P

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INDEXED

STATE ENGINEER'S OFFICE

REGULATIONS AS TO CHANGE OF
POINT OF DIVERSION

Section 3247 of the Revised Codes provides that a person entitled to the use of water, may change the place of diversion if others are not injured by such change. The Board of Irrigation has adopted the following regulations as to procedure under said section.

The person desiring to change point of diversion must file with the State Engineer an affidavit describing his water right, setting forth his intent to change point of diversion and the reasons for such change, together with an averment that no one will be injured thereby and that deponent will make such change at his own risk.

The point to which it is desired to change the place of diversion must be described as follows:

When the amount claimed does not exceed 25 cubic feet per second and point of diversion will be on surveyed land, locate same by giving the legal description of the 40 acre tract in which it will be situated. If upon unsurveyed land, give approximate distance to mouth of stream from which water is claimed or to the mouth of some creek flowing into said stream. Where there is more than one point of diversion, describe each separately and specify the amount claimed from each.

Where the water claimed exceeds 25 cubic feet per second, locate the point to which it is desired to change the place of diversion as follows:

If upon or near surveyed land, tie point of diversion by course and distance to section or quarter section corner. If said point will be more than two miles from the corner of a public survey, the tie may be made to the mouth of the stream from which the water is claimed or to the mouth of some creek flowing into said stream.

The affidavit must be accompanied by maps in duplicate, showing the following details:

1. If for irrigation and domestic use:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches, including laterals delivering water within one mile of each 160 acre tract of the lands to be irrigated.
 - (f) Lands to be irrigated to be shown by crosshatching, outlining, or coloring.
2. If for other than irrigation and domestic purposes:
 - (a) Name of applicant.
 - (b) Section, town and range numbers, where public survey has been made.
 - (c) Source or sources of supply.
 - (d) Point or points of diversion.
 - (e) Route of ditch or ditches.
 - (f) Points or points of use.
 - (g) Point or points of return to stream after use.

If application is for more than 25 cubic feet per second, the maps must be prepared from actual survey and must be certified to by the engineer in charge of survey, in the following form:

I hereby certify that this map was prepared from an actual survey made by me 191..... and correctly shows position of points indicated thereon.

Engineer.

P. O.

Date 191.....
(over.)

73 0190 ✓ Lucina W. Cochran from Pahsimeroi River 150 inches or 3 cubic feet per second of time from MAY 1, 1900, appurtenant to the southeast quarter of the northwest quarter and the west half of the southeast quarter of Section 7, and the northwest quarter of the northeast quarter of Section 18, Township 14 North, Range 22 East Boise Meridian in the State of Idaho. The same to be diverted on the lower part of the ranch of James Hooper.

73 0191 ✓ Rosa Wood from Pahsimeroi River 280 inches or 5 6/10 cubic feet per second of time from MARCH 15, 1902, appurtenant to Lot 2 and the south half of the northeast quarter, the north half of the southeast quarter of Section 6, and the southwest quarter of the northwest quarter, and the northwest quarter of the southwest quarter of Section 5, Township 12 North, Range 24 East Boise Meridian, in the State of Idaho. The same to be diverted through the Alger headgate and ditch.

T-1626 73 0004 Hannah C. Reese from Bullberg Creek 120 inches or 2 4/10 cubic feet per second of time from APRIL 18, 1905, appurtenant to the south half of the southwest quarter, and the south half of the southeast quarter of Section 35, Township 13 North, Range 23 East Boise Meridian in the State of Idaho.

73 0193 Hannah C. Reese from Bullberg Creek 200 inches or 4 cubic feet per second of time, from APRIL 2, 1907, appurtenant to the east half of the southeast quarter of Section 34, Township 13 North, Range 23 East Boise Meridian, and Lots 1 and 2 of Section 3, Township 12 North, Range 23 East Boise Meridian; also Lot 4 in Section 3 Township 12 North, Range 23 East Boise Meridian, in the State of Idaho.

73 0192 Merritt Cunningham, John F. Cunningham and Andrew C. Porter, T-P.D. 62 jointly from Pahsimeroi river 320 inches or 6 4/10 cubic feet per second of time, less the flow of Grouse Creek, from AUGUST 25, 1884, appurtenant to the northeast quarter of the southwest quarter, the southeast quarter

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of the north west quarter, and the west half of the northwest quarter of Section 27, Township 14 North, Range 22 East Boise Meridian, also the northwest quarter of the southeast quarter, and the south half of the southeast quarter of Section 27, and the northeast quarter of the northeast quarter of section 34 in Township 14 North, Range 22 East Boise Meridian in the State of Idaho.

73 0194[✓] Merritt Cunningham, John F. Cunningham and Andrew C. Porter,
jointly, all the flow of the waters of Grouse Creek.

73 0195[✓] Eugene A. Knight and William J. Knight, partners, from Big Creek
280 inches or 5 6/10 cubic feet per second of time, JUNE 1st., 1895, for
the irrigation of their lands lying on the northwesterly side of Big Creek
at present point of diversion.

73 0196[✓] Eugene A. Knight and William J. Knight, partners, from Big Creek
50 inches or 1 cubic foot per second of time from December 7, 1905, for the
irrigation of all their lands lying on the southwesterly side of Big Creek
at present point of diversion.

VII.

It is further adjudged and decreed that whenever from any cause there shall be a shortage in the waters of Big Creek, in any year and there shall not be sufficient water to supply all the rights of Lorenzo Falls, Edward O'Neil, James Hooper and Alfonso Barslow, at their points of diversion, then as between these said parties there shall be delivered to Alfonso Barslow at the head of his ditch one-third of the water to which they are entitled, and two thirds of such flow to be delivered to said Falls, O'Neil and Hooper and the water to be diverted from Big Creek by Falls, O'Neil and Hooper shall be diverted through their ditch known as the Upper ditch, which heads above the Gallagher Saw Mill.

VIII.

It is further adjudged and decreed that whenever the point of diversion of the water of the stream and springs mentioned herein are not de-

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-15-JUL 30 1906