



STATE OF IDAHO

OFFICE OF THE ATTORNEY GENERAL

LAWRENCE G. WASDEN

May 27, 2015

C. Timothy Hopkins
428 Park Avenue
Idaho Falls, ID 83402

RE: Recommendation of Water Right 21-13042
Snake River Basin Adjudication (SRBA)

Dear Mr. Hopkins:

Thank you for contacting me regarding Cynthia Salisbury's water right, 21-13042, as I had requested. Enclosed please find the following documents:

1. *Notice of Claim*;
2. *Motion for Determination of Deferred De Minimis Domestic or Stock Water Use* ;
3. *Order Granting State of Idaho's Motion for Interim Order Implementing the Order Governing Procedures of Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, with, attached as Exhibit A:
4. *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*.

Please review the documents (the Notice of Claim was also included with my May 14th letter), and if they are acceptable, sign the *Motion for Determination of Deferred De Minimis Domestic or Stock Water Use (Motion)* on the indicated signature lines. In addition, please read and review the *Orders* listed in numbers 3 and 4 above and mark an "X" in each of the boxes provided at the top of Page 2 of the *Motion* to verify that you have indeed read and reviewed said documents.

Once you have signed and marked the "X"s in the appropriate boxes, please return the *Notice of Claim* and *Motion* to me in the enclosed self-addressed, stamped envelope—please keep the *Orders* for future reference. As the fees were paid at the time the notice of claim was originally filed, no further payment is required. I will see that the *Motion*, with the *Notice of Claim* attached, is filed with the SRBA Court. You will receive a copy of the executed document for your records at that time. The Idaho Department of Water Resources (the Department) will also see that the claim is published with the appropriate newspaper, and then file an affidavit of publication as proof of public notice. The Department will also file a *Notice of Examination of Deferred de Minimis Domestic and / or Stock Water Use*, which will inform the Court that IDWR

will be examining the claim and submitting a report within 30 days of the date of filing the affidavit of publication. Finally, the Department will prepare and file a *Director's Report for Deferred De Minimis Domestic / Stock Water Use* containing a recommendation of your water right.

Again, thanks for following up with me. If you have any questions regarding the enclosed documents, please do not hesitate to contact me at (208) 287-4810, or by email at meghan.carter@idwr.idaho.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Meghan Carter', with a stylized flourish at the end.

Meghan Carter
Deputy Attorney General

Enclosures

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

Identification No. 21-13042

Date Received _____

Receipt Number E031964

**NOTICE OF CLAIM
TO A
WATER RIGHT**

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

RECEIVED
JUN 07 2006
Department of Water Resources
Eastern Region

Filing Fee \$25

Please type or print clearly

1. Name of Claimant (s) Donald M. & Helen Salisbury Phone (208) 523-4445

Mailing Address 5518 The Toledo, Long Beach, California Zip 90803

2. Date of Priority (Only one per claim) August 30, 1895 Month/Day/Year
Dick Rock Creek

3. Source of water supply (Check one) () Groundwater or Other (X) (a) (unnamed stream)

which is tributary to (b) Targhee Creek and Henry's Fork Snake River
Name or kind of source

4. Location of point of diversion is: Township 15 North Range 43 East

Section 3 1/4 of NE 1/4 of NW 1/4, Govt. Lot E BM.,

County of Fremont

Additional points of diversion if any: _____

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate 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. N/A

6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For stockwater purposes from May 1 to October 31 amount 0.23 (cfs)

(Both dates are inclusive)

For _____ purposes from _____ to _____ amount _____

7. Total quantity claimed 0.23 (cfs)

8. Total consumptive use claimed is de minimus

9. Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) Up to 1,000 head beef cattle

**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

Subcase 21-13042

(Insert water right number)

Case No. 39576

**MOTION FOR DETERMINATION OF
DEFERRED *DE MINIMIS* DOMESTIC OR
STOCK WATER USE**

Please fill in the following information:

NAME AND ADDRESS OF WATER RIGHT CLAIMANT.

Name: Cynthia Salisbury
Address: 170 Golden Oak Dr.
Portola Valley, CA 94028

Daytime Phone: _____

Name & Address of Attorney, if any:

C. Timothy Hopkins
Hopkins Roden
428 Park Ave.
Idaho Falls, ID 83402

I HAVE ATTACHED:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock water use pursuant to I.C. § 42-1414. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 25.00.

FEES PAID WHEN ORIGINAL CLAIM WAS SUBMITTED TO IDWR

I HAVE READ AND REVIEWED THE FOLLOWING:

- ☐ The procedures governing the filing and prosecution of this Motion as set forth in the Court's *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on June 28, 2012.
- ☐ The *Order Granting State of Idaho's Motion for Interim Order Implementing the Order Governing Procedures of Adjudication of Deferred De Minimis Domestic and Stock Water Claims*, entered in SRBA Case No. 39576 on December 18, 2013.

INSTRUCTIONS REGARDING THE HEARING ON THIS MOTION: A hearing on your Motion will be scheduled by the Court after you file an *Affidavit of Publication* in the above-captioned matter evidencing that you have caused to be published a notice of the pendency and purpose of your Motion once a week for not less than three (3) weeks in a newspaper of general circulation in the county in which the point of diversion is located or as otherwise required by this Court in accordance with paragraph B.1. of the *Order Governing Procedures in the SRBA for Adjudication of Deferred De Minimis Domestic and Stock Water Claims*.

Signed: _____

Dated: _____