

05/05/2004
RECEIVED
MAY 24 2004
DEPARTMENT OF
WATER RESOURCES

**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: May 21, 2004

Water right number: 74-872

JO E WENGER
189 LEMHI RD
SALMON ID 83467
Telephone Number: (208)756-4197

C RICHARD WENGER
189 LEMHI RD
SALMON ID 83467
Telephone Number: (208)756-4197

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

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

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

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

DATE: 5/20/04 SIGNATURE: Jo Ellen Wenger
Please print your name: Jo Ellen Wenger

IDWR State Office, 1301 N Orchard St, Boise, ID 83706, 208-327-7925

SCANNED

MAY 24 2004

03/08/2004

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

RIGHT NUMBER: 74-872

NAME AND ADDRESS: JO E WENGER
189 LEMHI RD
SALMON ID 83467

C RICHARD WENGER
189 LEMHI RD
SALMON ID 83467

SOURCE: WASTE WATER

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.050 CFS

PRIORITY DATE: 04/01/1900

POINT OF DIVERSION:

T21N R22E S10 NENW Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

0.050 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T21N R22E S10 NENW 2.0

2 ACRES TOTAL

This right authorizes the irrigation of 2.5 total acres.

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: Decreed

Idaho Department of Water Resources

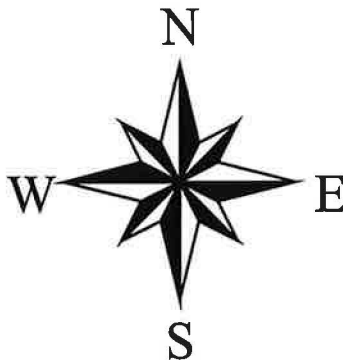
A74-00872



300 0 300 600 900 Feet



T21N, R22E, S10



*Right Parcel
Not Aligned*

Prepared by Anita Warntjes
February 21, 2003
1993/94 True Color Aerial Photo

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-872

WATER RIGHT NUMBER: 74-872

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JO E WENGER 189 LEMHI RD SALMON, ID 83467 (208)756-4197
Original Owner	GARNETT BROWN RT 1 SALMON, ID 83467
Original Owner	RONALD L BROWN 401 S ST CHARLES SALMON, ID 83467
Current Owner	C RICHARD WENGER 189 LEMHI RD SALMON, ID 83467 (208)756-4197

Priority Date: 04/01/1900

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
WASTE WATER	LEMHI RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	0.050 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

WASTE WATER	NE1/4NW1/4	Sec. 10, Twp 21N, Rge 22E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T21N R22E S10 NENW 2.0

Total Acres: 2

Conditions of Approval:Remarks:

1. General AC. IRR.=2.5.

Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 74-872

Dates and Other Information:

Claim Received Date: 5/2/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

RRV
5/26/03

SEP 17 2001

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: A74-00872
Date Received: 5/02/1990
Receipt No: X999999
Received By: AB

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: C. RICHARD WENGER 208-756-4197
Address: RT. 1 BOX 7-D
SALMON, ID 83467

AND/OR

Name: JO E. WENGER 208-756-4197
Address: RT. 1 BOX 7-D
SALMON, ID 83467

2. Date of Priority: APR 01, 1900

3. Source: WASTEWATER Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	10	NE	NW			LEMHI

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.050		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A74-00872

Page 1

Date: 05/02/90

A7400872

MICROFILMED

DEC 14 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	22E	10	NE NW		IRR	2.0
Section Acres						2.0
Total Acres						2.0

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:
AC. IRR.=2.5.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

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: _____

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): X C. Richard Wenger Date: 5/2/90
Jp Ellen Wenger Date: 5/2/90

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 2nd day

of May 19 90

Anna Baumhoff
Notary Public

Seal

Residing at Anna Baumhoff, Notary Public
Residing at Boise, Idaho
My Commission Expires December 7, 1994



211E
22E

MICROFILMED
DEC 14 1992