

05/13/2005

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

RIGHT NUMBER: 75-2122

NAME AND ADDRESS: CHARLES W MUALEM
1829 SALMON RIVER RD
SHOUP ID 83469-6500

SOURCE: BOULDER CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 4.000 CFS
The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 08/17/1953

POINT OF DIVERSION:
T24N R19E S30 SWSW Within LEMHI County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
POWER	01/01 12/31	3.980 CFS
DOMESTIC	01/01 12/31	0.020 CFS

PLACE OF USE: POWER Within LEMHI County
T24N R19E S30 SESW
DOMESTIC Within LEMHI County
T24N R19E S30 SESW

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

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 - License

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right No.:

75-2122

T24N 19E Sec. 30

T24N 18E Sec. 25

LEGEND



Point(s) of Diversion



Place(s) of Use



Lot Numbers



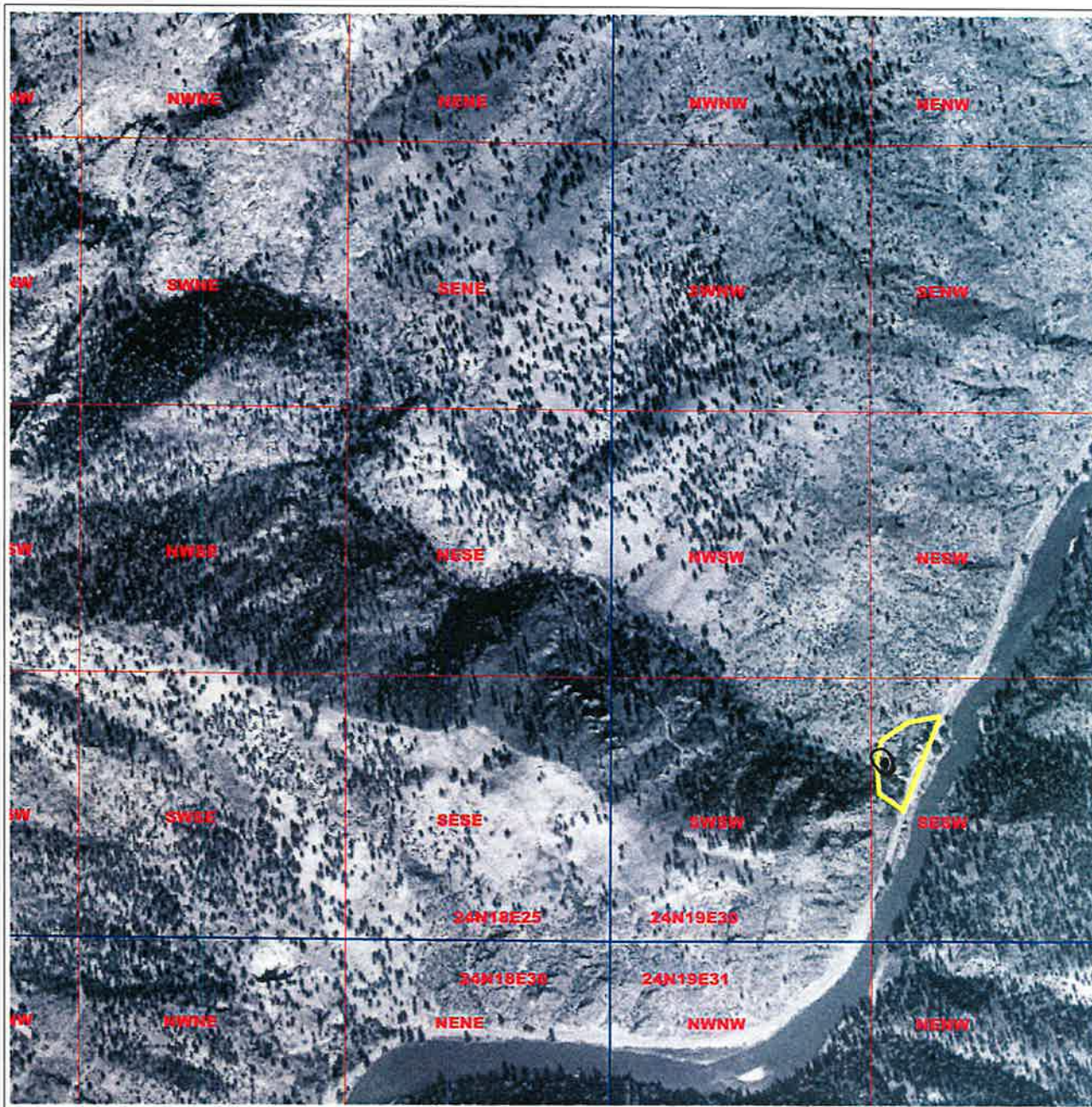
Quarter Quarter Lines



Section Lines

IMAGE

1993/1994 True Color



0.2 0 0.2 Miles

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 24373

This proof is for Beneficial use

In Water District No.

1. Name of applicant Roy C. Cope, Shoup, Idaho

2. Source of water supply: Boulder Creek, a tributary of Salmon River.
S. 82° 08' E. 420 ft. from # 3 corner U.S. Lot 38-B (Patented mill site)

3. Location of point of diversion: Is in the Unsurveyed of Section 25

T. 24 N. R. 18 E. County of Lemhi

4. Describe works as they exist, giving dimensions and capacities of same: Dam with head gate across Boulder Creek with pipe line to house. Dam is 8' 6" x 20' l. made of thick concrete. Head gate 7' 6" x 2' 4" uses plank boards 15' 6" x 20' l. steel pipe 11' 2" x 420' l. to Pelton wheel 7' 6" x 18" w. double runner. Two nozzles 2' 6" x 1' 6" operates a small A.C. 110V generator. Furnishes lights for all of Shoup plus a frigid air in store.

5. Water is used for: power and domestic purposes.

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

Place of use: No. 83° 32' East 891.9 ft. from # 3 corner U.S. Lot 38-B (Patented mill site, in unsurveyed Section 30, Twp. 24 N., Range 19 E., B.M.)

There is a 2" line taken off at house for domestic and lawn sprinkling.

Return flow to Boulder on back of house thru 11" steel pipe. Flows less than "a full est. 100" of water today

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

This examination was made on the

14

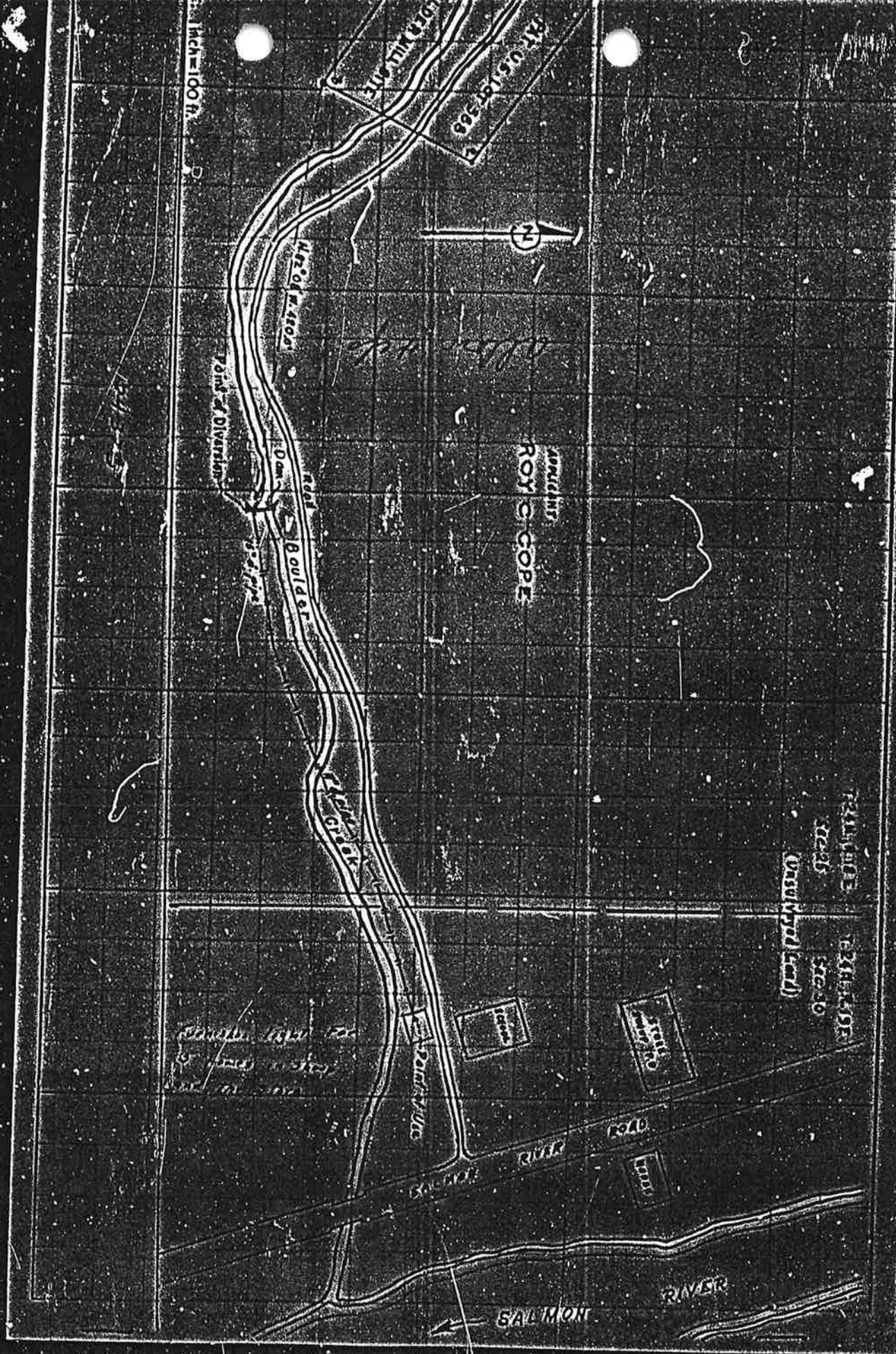
day of

Oct

1954

(Signed) E. W. Humphrey Examiner

04373



Proof of Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Roy C. Cope, Shoup, Idaho

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business, your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, amount of water you are authorized to divert, source, and point of diversion.

Ans. No. 24373, August 24, 1953, four (4) cubic feet, Boulder Creek, South 82° 3' East 420 feet distant from No. 3 Corner of U.S. Lot 38 B. "Patented Millsite"

Ques. 4. State purpose for which water is to be used, and, if for irrigation, state the number of acres and give description of the land you intend to reclaim.

Ans. Power for lighting and domestic water supply

Ques. 5. State whether or not the water has been turned into your works of diversion, and, if so, when and to what extent.

Ans. Yes - summer of 1942 - four (4) cubic feet

Ques. 6. State whether or not the works of diversion are fully completed, and whether or not they comply in all respects with the terms of the permit.

Ans. Yes, works complete and comply with permit

Ques. 7. If the works of diversion do not comply with all the terms of your permit, state fully those particulars in which there is any variance.

Ans.

Ques. 8. Give description of works, state dimensions and capacity of each part, and give cost of same.

Ans. Diversion dam, seventy (70) feet 15" pipes; 430 feet 11" pipe; cost \$3,000.00. The above works were completed long before November 24, 1953.

(Sign here.)

Roy C. Cope

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, in Salmon

County of Lemhi, State of Idaho, on this 25th day of February, A. D. 1954.

My Commission expires 2-27-56

[Signature]
Notary Public.

24373

SCANNED
OCT 05 2001

50
35 power
85
4 Don
89

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: A75-02122
Date Received: 11/ 9/1999
Receipt No: 6025452
Received By: DC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES W MUALEM
Address: HC 64 BOX 1
SHOUP ID

208-394-2125

83469

A7502122



2. Date of Priority: AUG 17, 1953

3. Source: BOULDER CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	18E	25	SE	SE			LEMHI

5. Description of diverting works:
DAM/HEADGATE TO PIPELINE TO POWER STATION-STORE-HOME- 4CABINS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
POWER	01/01	12/31	4.000		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
1 HOME/4 CABIN/ STORE/POWER PLANT
GENERATING CAPACITY 10.0 KILOWATTS

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	19E	30	SE	SW		DOMEST	
			SE	SW		POWER	

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:
75-13945 COMMERCIAL USES

14. Remarks:
P/D & P/U U.S. LOT 38-B.
P/D M.S. LOT 38B.
power 10 kw
AND ONE HOME
75-13945 COVERS THE STORE AND 4 HOMES

15. Basis of Claim: LICENSE

Water Right Number: 24373

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): [Signature] Date: 11/9/99

Date: _____

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 9 day
of Nov 19 99

[Signature]
Notary Public

Seal

Residing at Regina Rd
My Commission Expires 2/26/2002