

12/13/2006

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

RIGHT NUMBER: 75-4052A
NAME AND ADDRESS: MAURICE L USHER
3107 HWY 93 N
GIBBONSVILLE ID 83463
SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 0.920 CFS
The quantity of water under this right for stockwater uses shall not exceed 13,000 gallons per day.
PRIORITY DATE: 03/04/1909
POINT OF DIVERSION:

T26N R21E S36 SWSENW 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	0.900 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T25N R21E S01	NENW	3.00	T25N R21E S01	NWNW	9.00
T25N R21E S01	SWNW	4.00	T26N R21E S36	NESW	8.00
T26N R21E S36	SWSW	2.00	T26N R21E S36	SESW	9.00

STOCKWATER same as IRRIGATION

35 ACRES TOTAL

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

Property is within Homestead Entry Survey No. 54.

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

05/25/2006

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

RIGHT NUMBER: 75-4052A
NAME AND ADDRESS: MAURICE L USHER
BOX 52
GIBBONSVILLE ID 83463
SOURCE: NORTH FORK SALMON RIVER TRIBUTARY: SALMON RIVER
QUANTITY: 0.720 CFS
The quantity of water under this right for stockwater uses shall not exceed 13,000 gallons per day.
PRIORITY DATE: 03/04/1909
POINT OF DIVERSION:

T26N R21E S36 SWSNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.700 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION Within LEMHI County

T25N R21E S01	NENW	3.00	T25N R21E S01	NWNW	9.00
T25N R21E S01	SWNW	4.00	T26N R21E S36	NESW	8.00
T26N R21E S36	SWSW	2.00	T26N R21E S36	SESW	9.00

STOCKWATER same as IRRIGATION

35 ACRES TOTAL

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Property is within Homestead Entry Survey No. 54.

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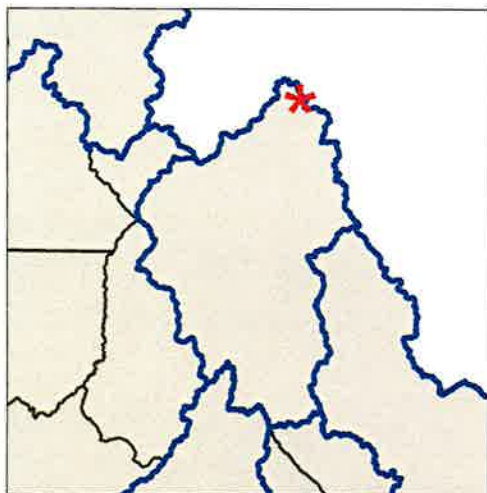
The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Idaho Department of Water Resources



Adjudication Claim Number: **75-4052 A**



Legend

-  Section Lines
-  26N22E GCDB
-  26N21E GCDB
-  25N22E GCDB
-  25N21E GCDB



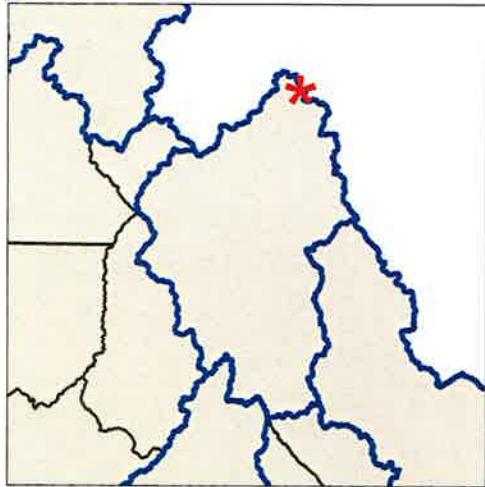
0 0.2 0.4 Miles

Prepared by M. Van Bussum
On Friday, April 29, 2005
1991 Aerial Photography

Idaho Department of Water Resources

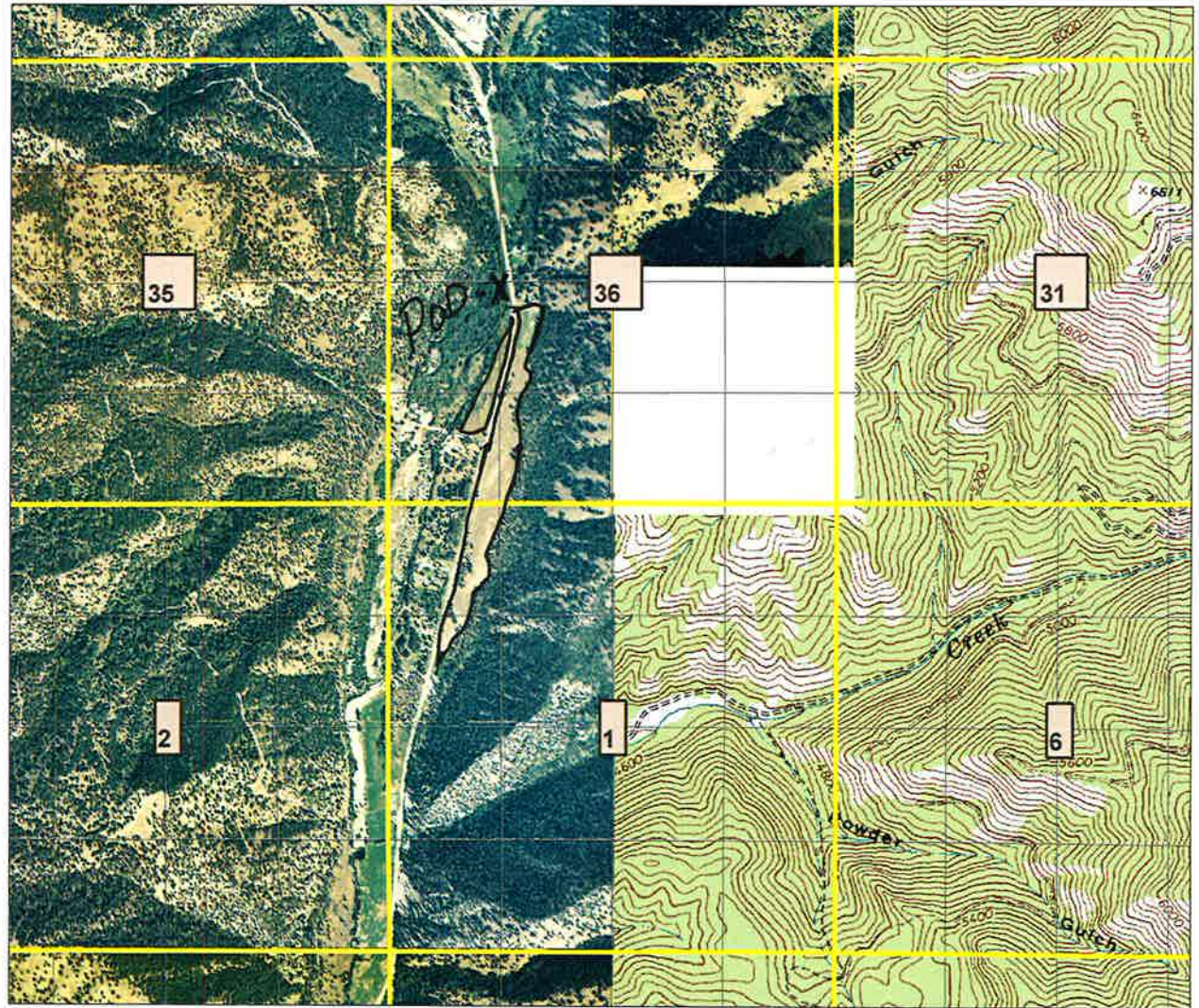


Adjudication Claim Number: **75-4052 A**



Legend

-  Section Lines
-  26N22E GCDB
-  26N21E GCDB
-  25N22E GCDB
-  25N21E GCDB



0 1 2 Miles

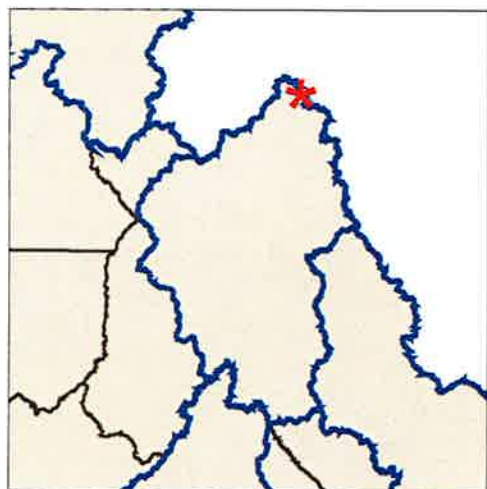
A horizontal scale bar with markings for 0, 1, and 2 miles.

Prepared by M. Van Bussum
On Friday, April 29, 2005
1991 Aerial Photography

Idaho Department of Water Resources

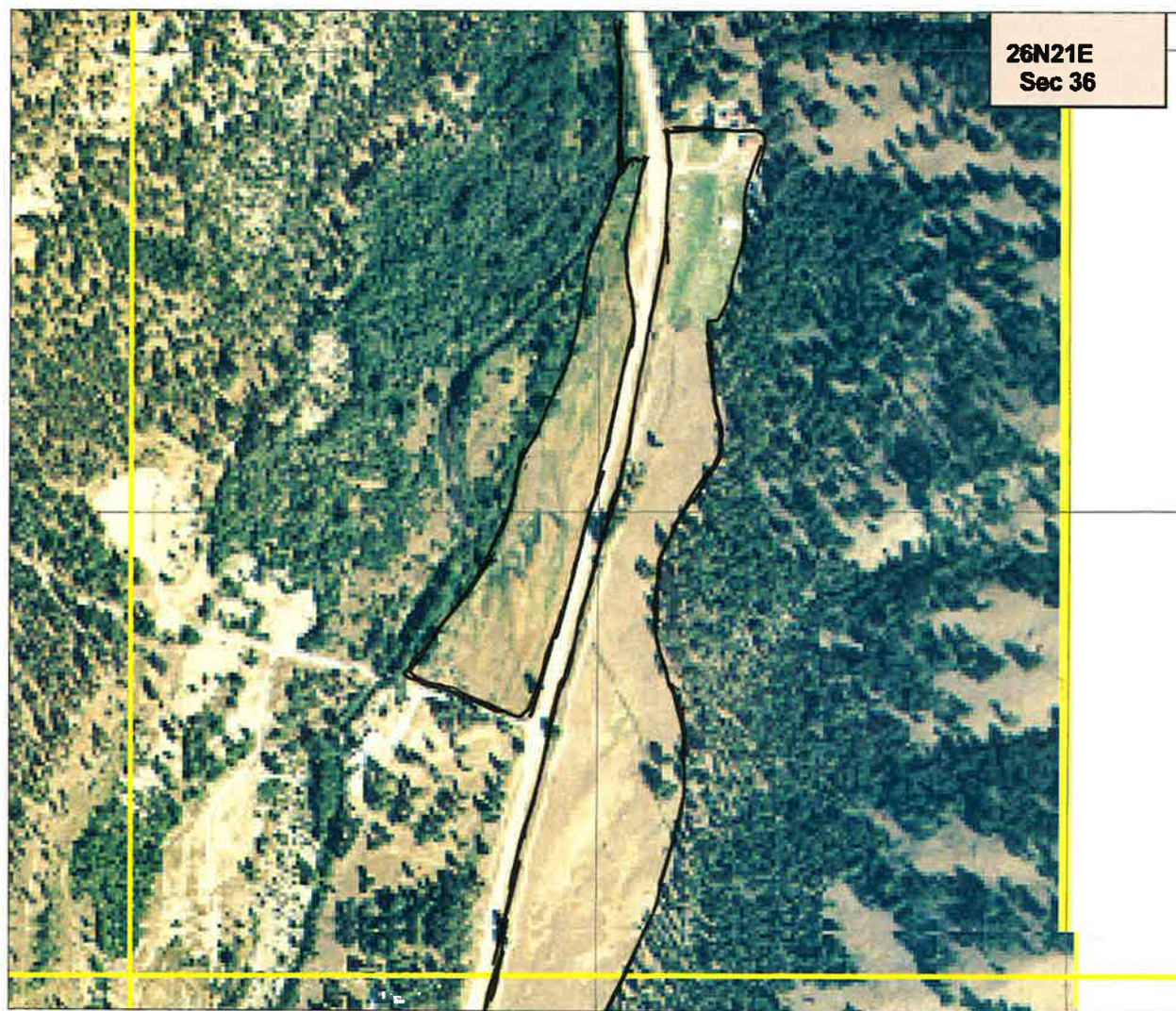


Adjudication Claim Number: **75-4052 B**



Legend

-  Section Lines
-  26N22E GCDB
-  26N21E GCDB
-  25N22E GCDB
-  25N21E GCDB



0 0.2 0.4 Miles

A horizontal scale bar with markings at 0, 0.2, and 0.4 miles.

Prepared by M. Van Bussum
On Tuesday, May 10, 2005
1991 Aerial Photography

11/20/2006

RECEIVED

DEC 12 2006

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: 12/13/2006

Water right number: 75-4052A

MAURICE L USHER

BOX 52

GIBBONSVILLE ID 83463

Telephone Number: (208)865-2235

3107 HWY 93 N

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

I irrigate 65 ACRES NOT 35 ACRES

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

NEED MORE WATER

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

NO I DO NOT

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

DATE: 12-1-06

SIGNATURE:

Maurice Usher

Please print your name:

MAURICE USHER

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

Estimating Conveyance Loss using the Worstell Method

Claim No.

Formula: $S = (w)(i)(0.0667)$

Where: S = loss in cfs per mile

w = top width of the high water mark in feet

i = loss rate in feet per day (see Table)

Type of soil	i (ft/day)
medium clay loam	0.5 - 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 - 2.0
gravels	2.5 - 5.0

Worksheet:

$$w = 3'$$

$$i = 1$$

$$\text{ditch length (mi.)} = 1.0$$

Conveyance Loss:

$$S = (3)(1)(0.0667) = .20 \text{ cfs}$$

Loss =

cfs:

$$(35 \text{ ac})(.02 \text{ cfs/ac}) = .70 \text{ cfs}$$

$$+ .20 \text{ cfs}$$

$$\hline .90 \text{ cfs}$$

address
OK
m

11/20/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 12 2006

DEPARTMENT OF

Please type or print clearly, fill out this form completely and mail.

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Water right number: 75-4052A

MAURICE L USHER

BOX 52

GIBBONSVILLE ID 83463

Telephone Number: (208)865-2235

3107 HWY 93 N

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I irrigate 65 ACRES NOT 35 ACRES

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

NEED MORE WATER

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

NO I DO NOT

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

DATE: 12-1-06

SIGNATURE:

Maurice Usher

Please print your name:

MAURICE USHER

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800

No change to P.O.U.
Claimed 35 acres and
we recommended 35 Acres

Ditch loss of .20 cfs

SCANNED
DEC 13 2006

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)**

CLAIM NO(s). A75-04052A A75-04052B

1. ☒ No Change NAME IS SAME
☐ NEW OWNER:
☐ No Change ADDRESS
☒ NEW ADDRESS: 3107 Hwy 93N Salmon, Id 83467
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☐ No Change — SAME SOURCE
☒ Source is different than that claimed:

Source found: Northfork of the Salmon River Trib to Salmon R.

4. ☐ No Change — POINT OF DIVERSION GPS 061
☒ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0014981

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA _____

☐ Changes found, the new total is, Amount _____ CFS _____ AFA _____

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Les Usher passed away - its all in Maurice Usher's name now.

When the Fish + Game put in the new fish screen they changed the POP to the North Fork from Dahlonega Creek

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM
DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

Idaho Department of Water Resources



Adjudication Claim Number: **75-4052 A**



Legend

-  Section Lines
-  26N22E GCDB
-  26N21E GCDB
-  25N22E GCDB
-  25N21E GCDB



Prepared by M. Vanbussum
On Friday, April 29, 2005
1991 Aerial Photography

0 0.2 0.4 Miles

A scale bar showing distances of 0, 0.2, and 0.4 miles.

OCT 08 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: A75-04052A
Date Received: 12/18/1989
Receipt No: E014387
Received By: _____

MAY 10 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MAURICE L. USHER 208-865-2235
Address: BOX 52
GIBBONSVILLE, ID 83463

2. Date of Priority: MAR 04, 1909

3. Source: DAHLONEGA CREEK Trib. to: NORTH FORK SALMON RIVER
NORTH FORK SALMON RIVER SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
26N	21E	36	SW	SE	NW		LEMHI

5. Description of diverting works:
CEMENT STRUCTURE WITH STEEL GATE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.000		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/20 MIXED

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	1	NE	NW		IRR	3.0

A75-04052A

Page 1

Date: 12/19/89

A7504052A



MICROFILMED
DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	1	NW	NW		IRR	9.0
			SW	NW		IRR	4.0
					Section Acres		16.0
26N	21E	36	NE	SW		IRR	8.0
			SW	SW		IRR	2.0
			SE	SW		IRR	9.0
					Section Acres		19.0
					Total Acres		35.0

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:
SEE A75-04025B

14. Remarks:
H.E.S. #54. THE SUB-DIVISION, LOTS 1-20 WILL BE SOLD IN THE
FUTURE.

15. Basis of Claim: STATUTORY CLAIM

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 X do not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 4

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): Maurice Usher Date: 5-8-90
_____ Date: _____

State of Idaho)
County of Lemhi) ss.

Subscribed and sworn (or affirmed) before me this 8th day
of May 19 90 Deane K. Robie
Notary Public

Seal

Residing at Salmon, Idaho
My Commission Expires 10-6-93

A75-04052A

