

12/12/2006

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

RIGHT NUMBER: 75-4290

NAME AND ADDRESS: MARTIN R CAPPs
1035 HWY 93 S
SALMON ID 83467

SOURCE: LAKE CREEK
UNNAMED STREAM

TRIBUTARY: WILLIAMS LAKE
TRIBUTARY: LAKE CREEK

QUANTITY: 0.800 CFS

PRIORITY DATE: 04/01/1911

POINT OF DIVERSION:

T19N R20E S1 SESE Within LEMHI County
T19N R21E S6 NENW Lot 3 Within LEMHI County
T19N R21E S6 NESW 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	0.800 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T19N R21E S06 Lot 2 NWNE	0.10	T19N R21E S06	SWNE	27.30
T19N R21E S06	SENE	9.90		

37.3 ACRES TOTAL

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.

Property is also known as Homestead Entry Survey No. 431.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

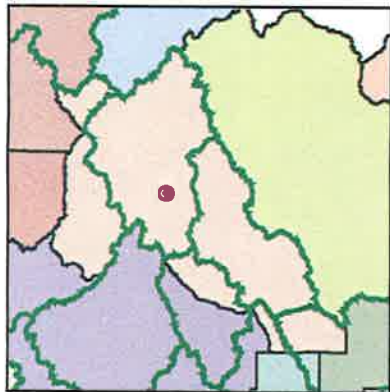
SRBA Recommendation:

75-4290

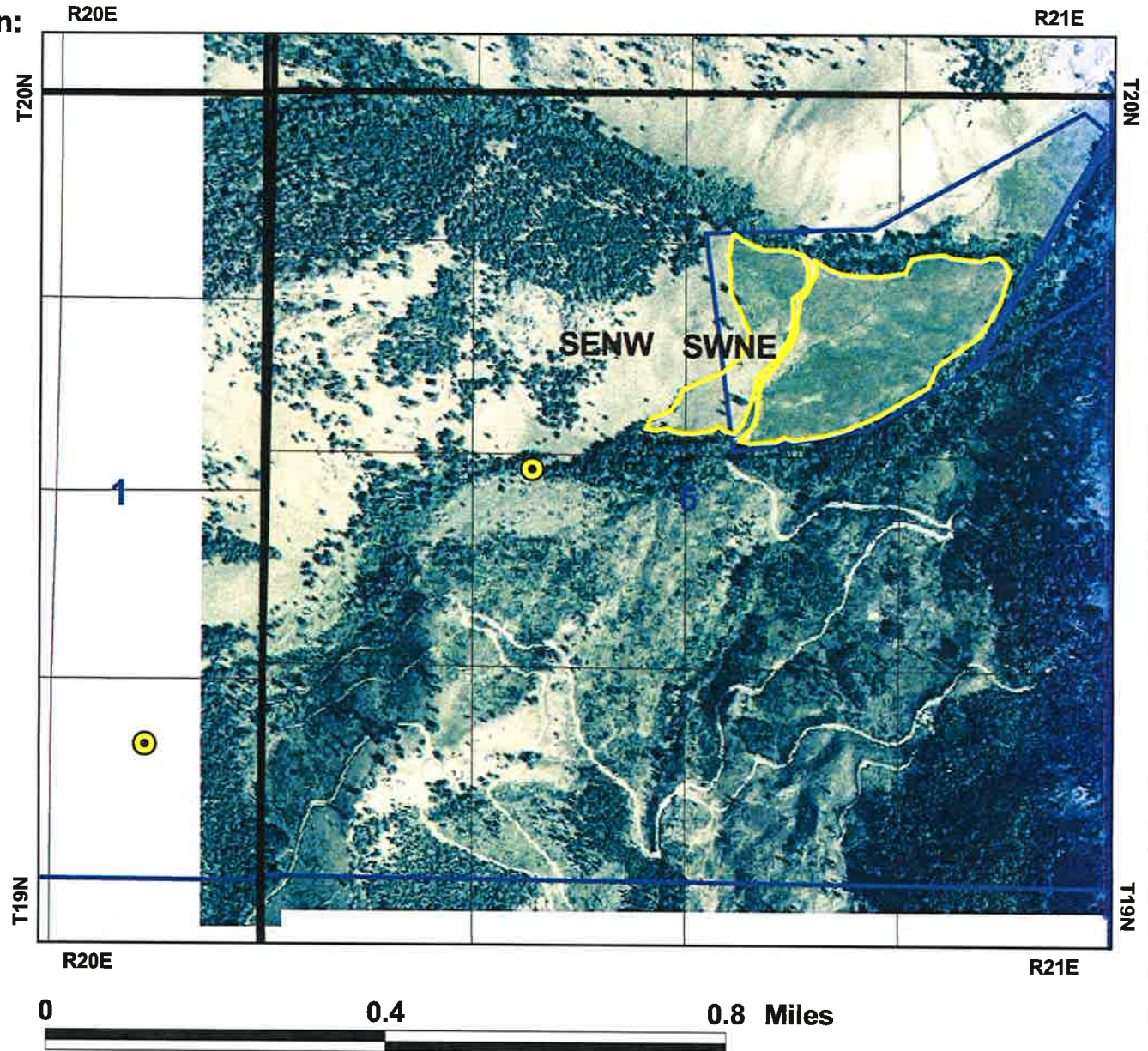
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters

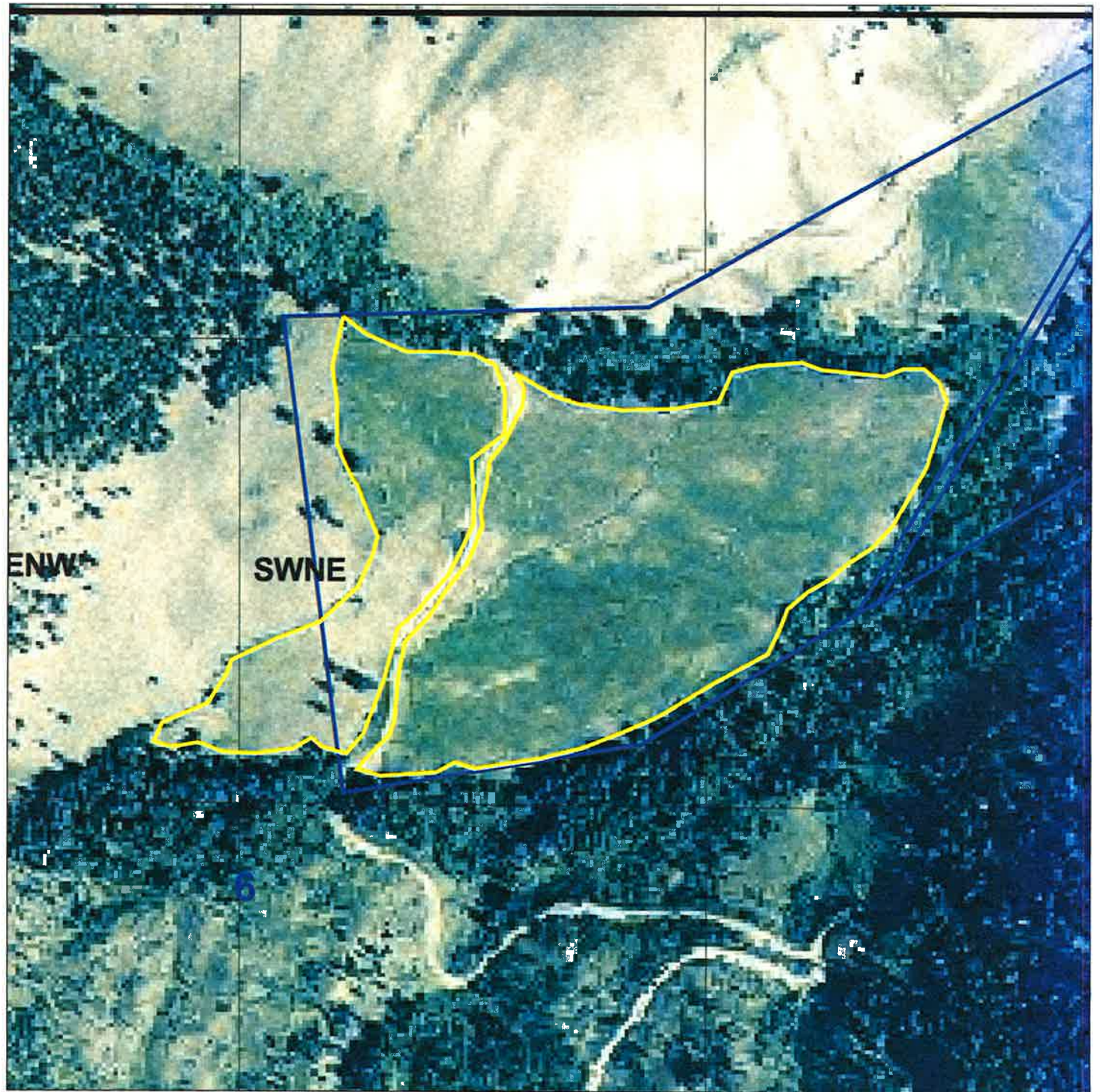
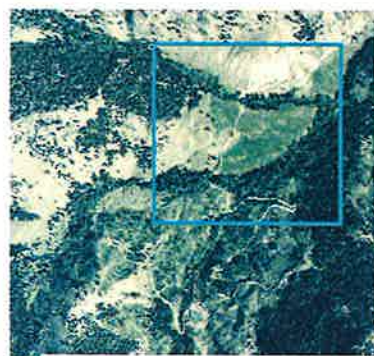


Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Tuesday, July 25, 2006
1987/88 Aerial Photography

75-4290





Idaho Department of Water Resources

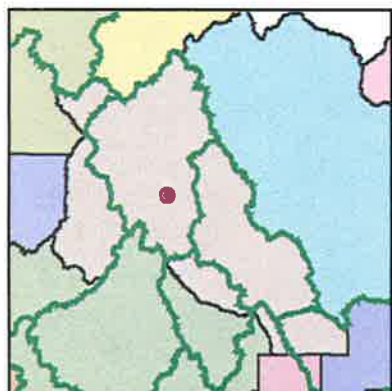
SRBA Recommendation:

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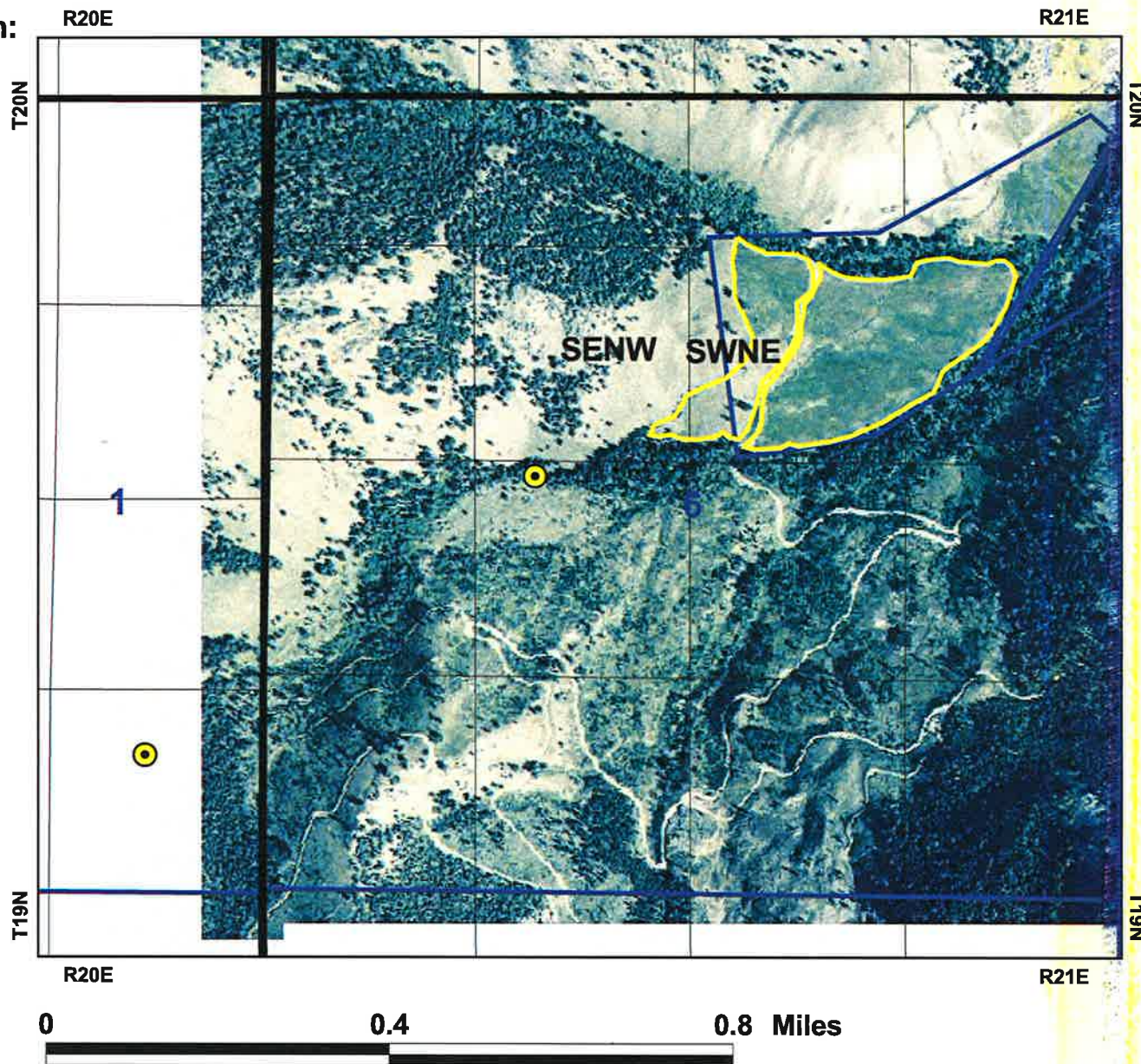
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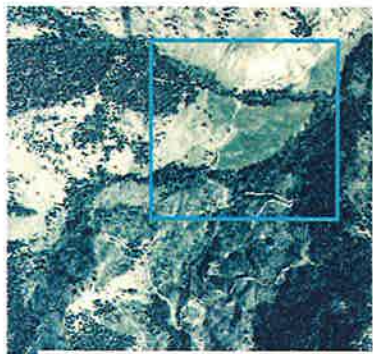
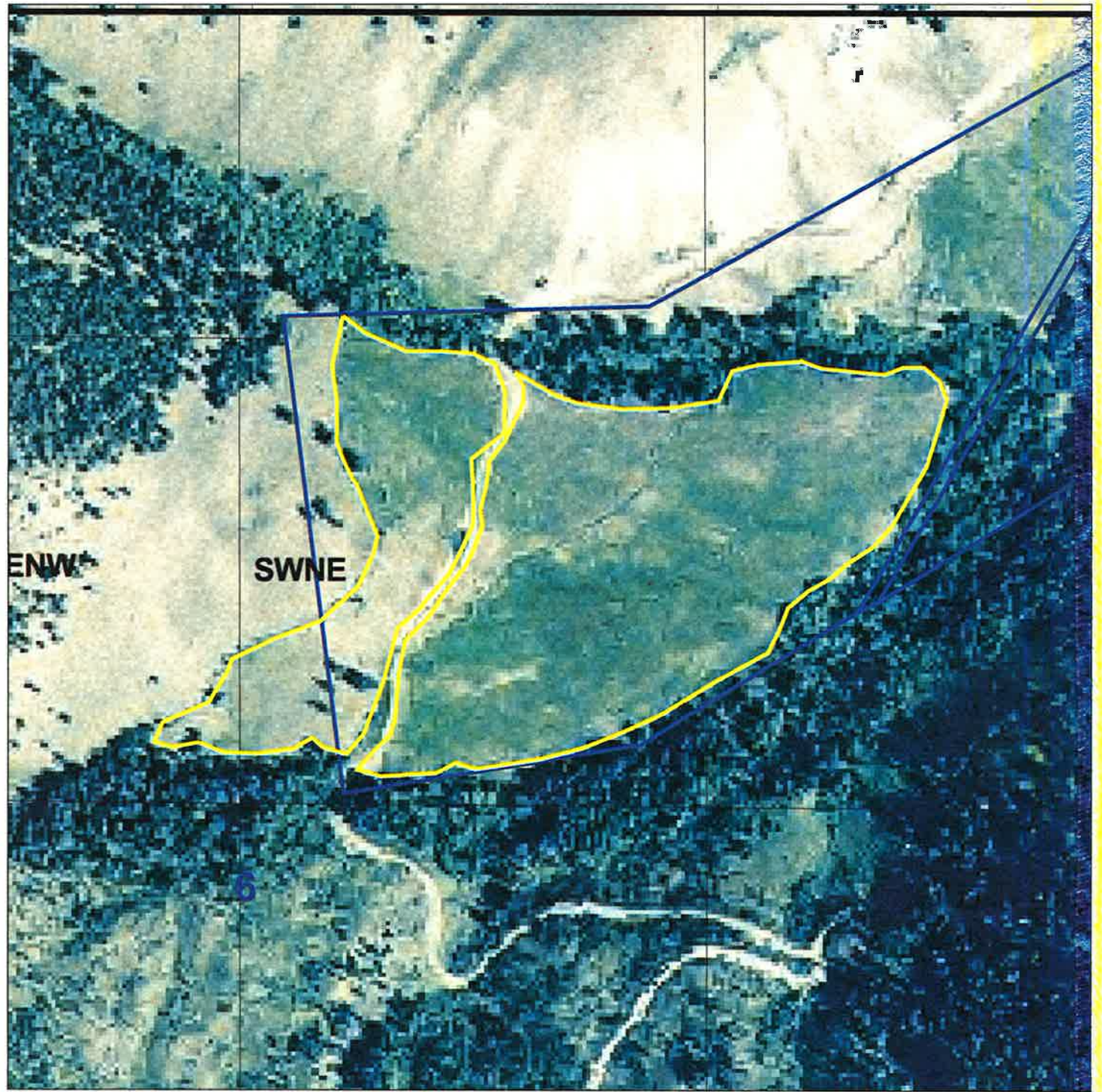


Lemhi County
IDWR Basin 75

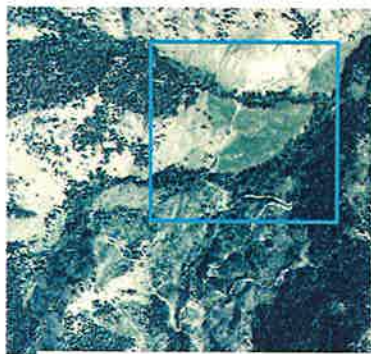
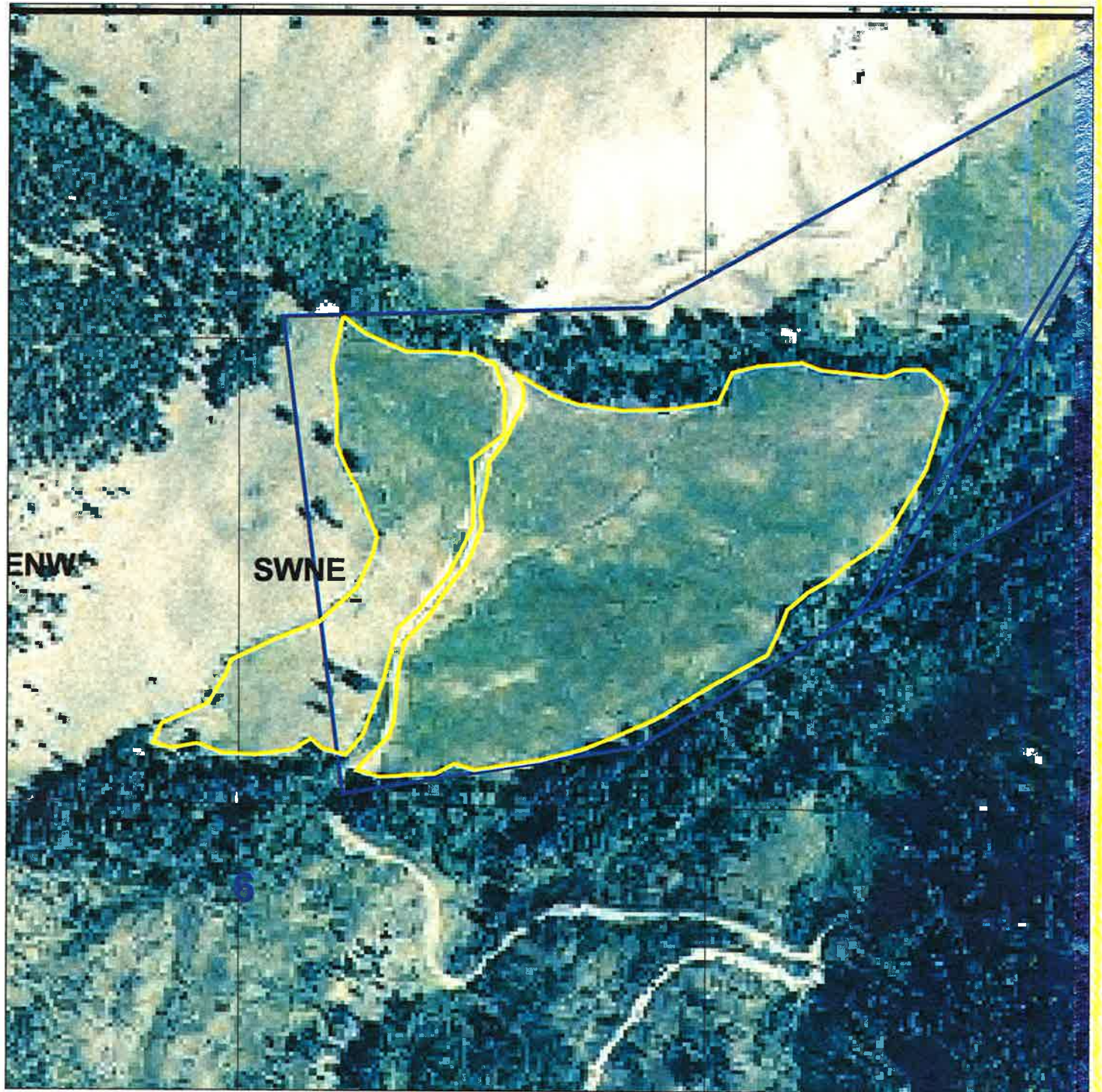


Prepared by D. Favreau
On Sunday, July 23, 2006
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75-4290



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Idaho Department of Water Resources

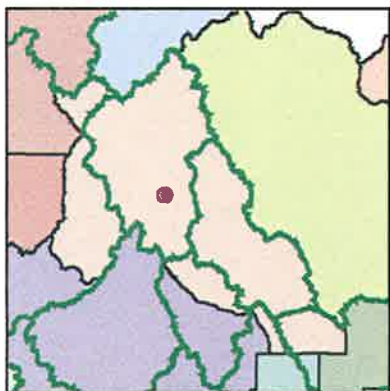
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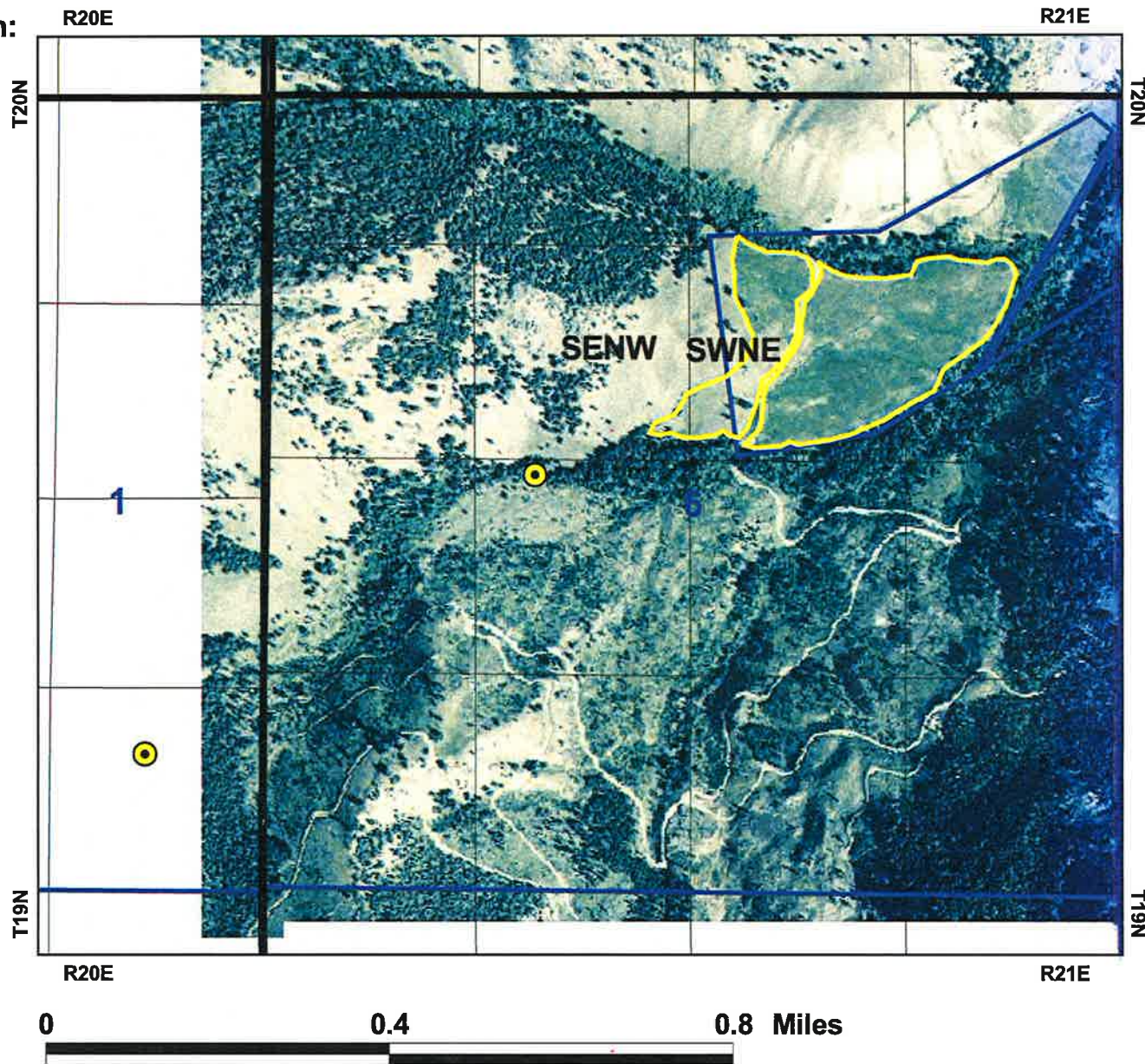
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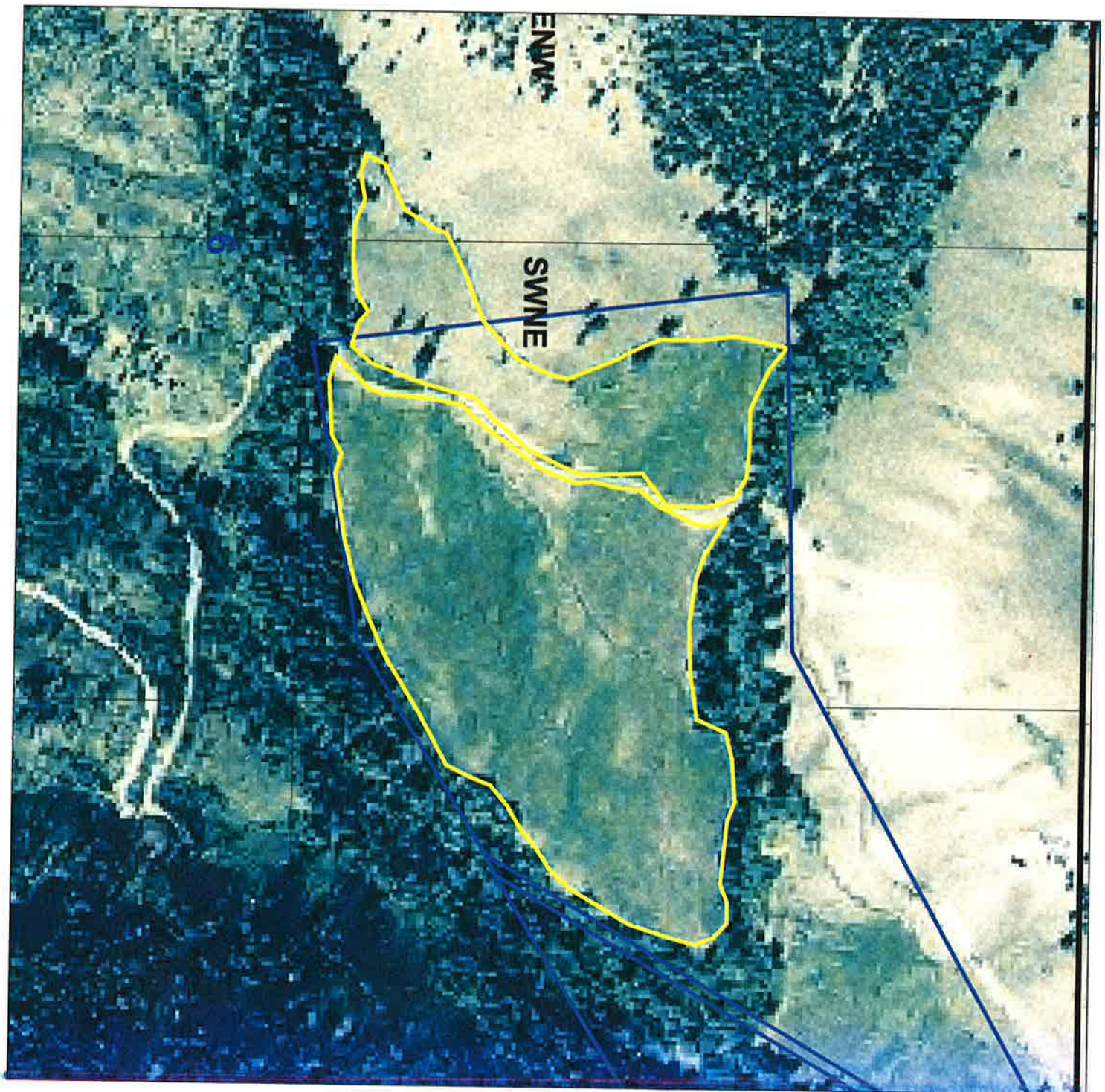
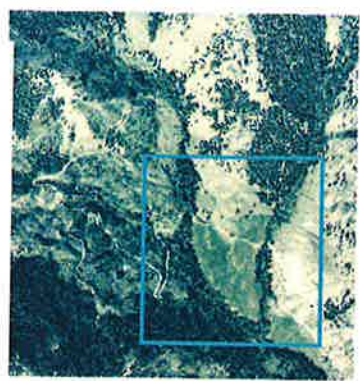


Lemhi County
IDWR Basin 75



Prepared by D. Favreau
On Tuesday, July 25, 2006
1987/88 Aerial Photography

75-4290



11/20/2006

**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: 75-4290

MARTIN R CAPPS

1035 HWY 93 S

SALMON ID 83467

Telephone Number: (208)756-3954

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

Area of irrigated acres is wrong
add PD and source as amended

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: 12-6-06

SIGNATURE: Martin Capps

Please print your name: Martin Capps

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

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

CLAIM NO(s). 75-4290

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS
☒ NEW ADDRESS: 1035 Hwy 93 S. 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: _____

4. ☐ No Change — POINT OF DIVERSION
☒ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0017425 A0017424

Township 19N Range 27E Section 6 1/4 SW 1/4 SW 1/4 SW
Township 19N Range 20E Section 1 1/4 SE 1/4 SE 1/4 SE

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

dams in creek ditches to pour, no headgates
or measuring devices

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: <u>irr</u>	Township <u>20N</u>	Range <u>21E</u>	Section <u>6</u>	1/4 <u>NW</u>	1/4 <u>SE</u>
Use: <u>irr</u>	Township <u>20N</u>	Range <u>21E</u>	Section <u>6</u>	1/4 <u>SE</u>	1/4 <u>SW</u>
Use: <u>irr</u>	Township <u>20N</u>	Range <u>21E</u>	Section <u>6</u>	1/4 <u>SW</u>	1/4 <u>SW</u>
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

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

no water being diverted at time of exam

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 5-23-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

OCT 0 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: A75-04290

Date Received: 4/25/90

Receipt No: 1006735

Received By: AB

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARTIN CAPPS
Address: STAR RT. BOX 14
SALMON, ID

208-756-3954

83467

2. Date of Priority: APR 01, 1911

3. Source: ~~UPPER LAKE CREEK, SOUTH FOR Trib. to: UPPER LAKE CREEK, MIDDLE FO~~
unnamed stream trib to lake creek

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	20E	1	SE	NE	SE		LEMHI
	21E	6	SE	SE	NW		LEMHI
19N	21E	6		NE	NW	3	

5. Description of diverting works:
2 DITCHES, FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.000		

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

A.F.A.

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
19N	21E	6	NE	NE		IRR	10.0
			NW	NE		IRR	13.0
			SW	NE		IRR	13.0

A75-04290

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Date: 04/25/90

MICROFILMED

DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	21E	6	SE	NE	IRR	4.0
					Section Acres	40.0
					Total Acres	40.0

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:

15. Basis of Claim: BENEFICIAL USE

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): Martin B. Goff Date: 4/25/90

Date: _____

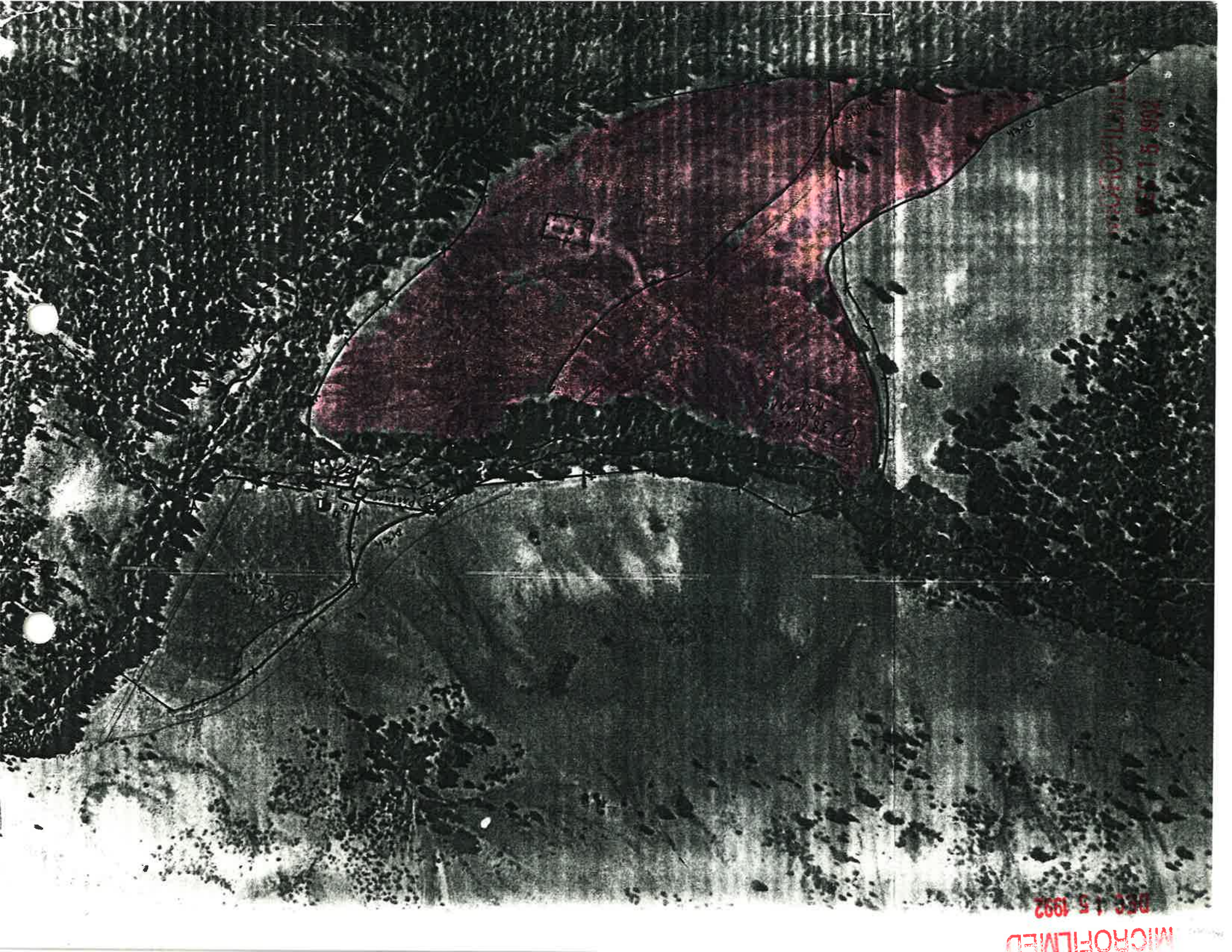
State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 25TH day
of April 19 90

Anna Baumhoff
Notary Public

Seal

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



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DEC 15 1992

