

12/13/2006

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

RIGHT NUMBER: 75-4316

NAME AND ADDRESS: E RONALD DAY
3064 SALMON RIVER RD
SHOUP ID 83469

MERLENE DAY
3064 SALMON RIVER RD
SHOUP ID 83469

SOURCE: SPRINGS

TRIBUTARY: SALMON RIVER

QUANTITY: 0.050 CFS

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

Right Numbers 75-4316, 75-4371B and 75-10014 are limited to a total combined diversion rate of 0.03 cfs and irrigation of 0.9 acres.

PRIORITY DATE: 05/02/1967

POINT OF DIVERSION:

T23N R17E S16 SWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.030 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R17E S16	SESE	0.60	T23N R17E S21	NENE	0.30
---------------	------	------	---------------	------	------

DOMESTIC in LEMHI County

T23N R17E S16	SESE
---------------	------

0.9 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

10/05/2006

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

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IRRIGATION	04/01 10/31	0.030 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R17E S16 SESE 0.60 T23N R17E S21 NENE 0.30

DOMESTIC Within LEMHI County

T23N R17E S16 SESE

0.9 ACRES TOTAL

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

✓aid



Idaho Department of Water Resources

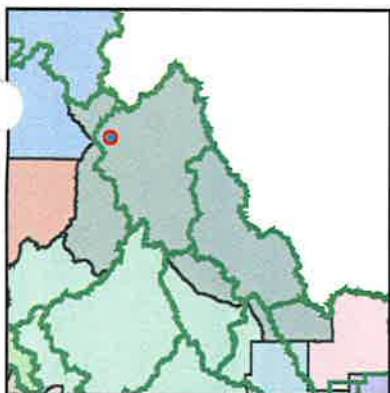
X POD

Adjudication Claim:

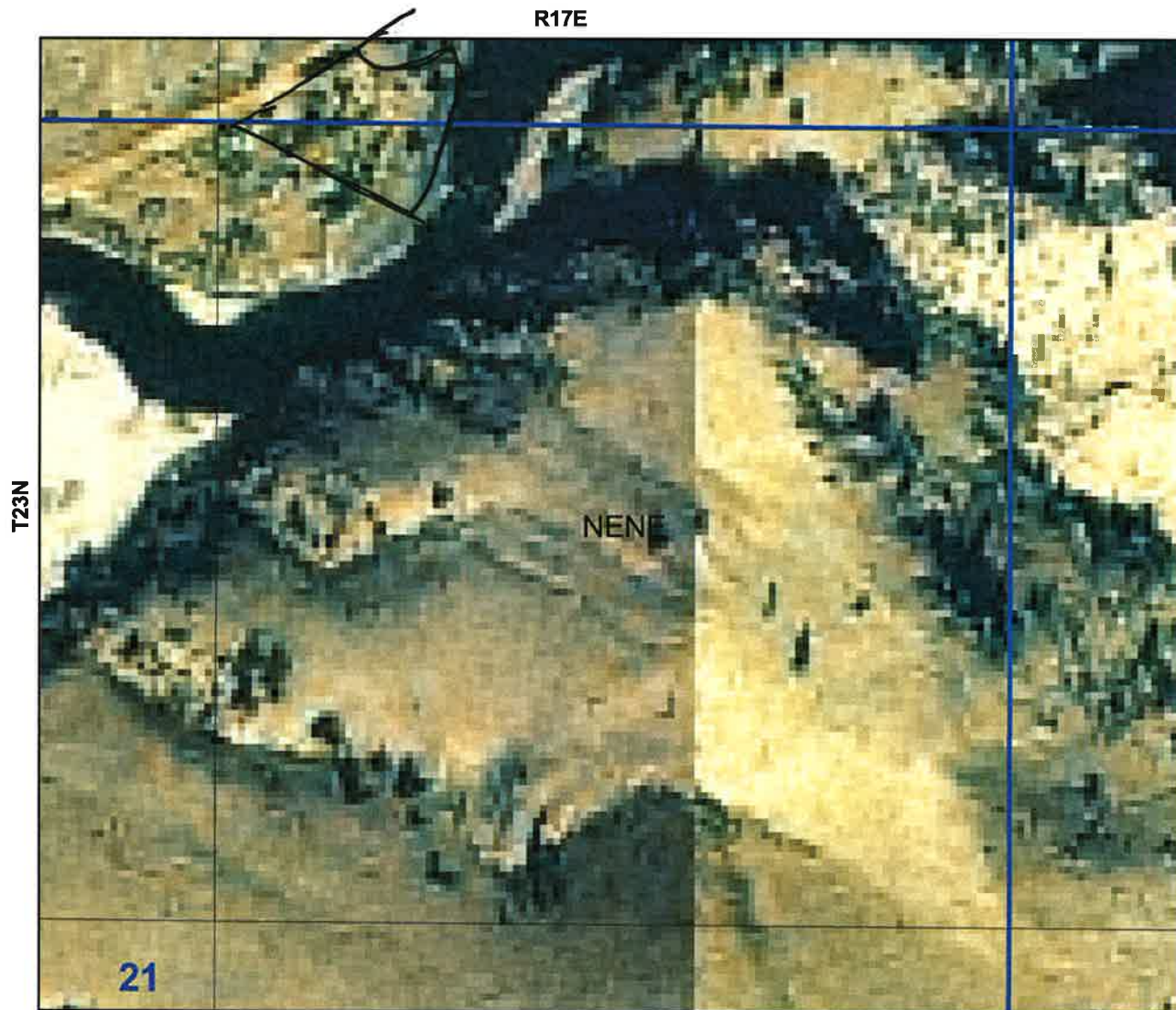
75-4316

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Sunday, March 5, 2006
1987/88 Aerial Photography

Owner: E RONALD DAY

NOTE: Only one owner is listed. There may or may not be more than this in the IDWR database.



Idaho Department of Water Resources

SRBA Recommendation:

75-4316

(Irrigation)

SCANNED
DEC 19 2006

Legend

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



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

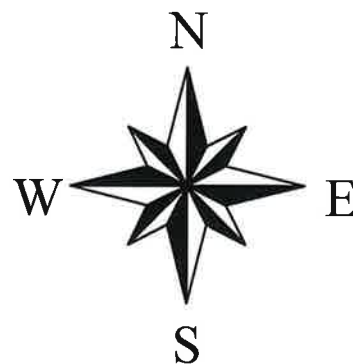


Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

75-4316



-  Theme29.shp
-  Lemhi taxlots
-  GCDB23N17E GCDB
-  Theme28.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



RECEIVED

11/17/2006

11/20/2006

NOTICE OF ERROR
REPLY

DEPARTMENT OF
WATER RESOURCES

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: 75-4316

E RONALD DAY
3064 SALMON RIVER RD
SHOUP ID 83469
Telephone Number: (210)383-5604

MERLENE DAY
3064 SALMON RIVER RD
SHOUP ID 83469
Telephone Number: (210)383-5604

SCANNED

DEC 19 2006

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

*Point of diversion is as newly marked on
aerial photo is the accurate point of diversion*

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

as stated above

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: 12-5-06

SIGNATURE: *E. Ronald Day*

Please print your name: E. Ronald Day

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 13, 2006

E Ronald Day
3064 Salmon River Rd.
Shoup, Idaho 83469

Re: Claim 75-4316

Dear Mr. Day:

Enclosed is a new map and a preliminary recommendation reflecting the comments you made on the Notice of Error Reply. Please contact me if the changes are incorrect.

Sincerely,

A handwritten signature in dark ink, reading "Keith E. Franklin". The signature is written in a cursive, flowing style.

Keith E. Franklin
Water Resources Agent

Encl/kf

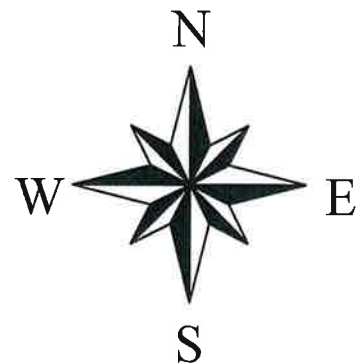
IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

75-4316



-  Theme29.shp
-  Lemhi taxlots
-  GCDB23N17E GCDB
-  Theme28.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 24, 2005

E RONALD AND MERLENE DAY
3064 SALMON RIVER RD
SHOUP ID 83469

RE: Snake River Basin Adjudication (SRBA)
Notice of Address Change

Dear Mr. and Mrs. Day:

Thank you for your help last week, Ron. As I mentioned, we had several addresses for you and Merlene in our database. I have updated our records to reflect the address above. You are now in our database as E. Ronald Day vs. Ron or Ronald Day (you were in there both ways).

Three claims you listed on your address change have not been claimed in the SRBA (75-4316, 75-4371B and 75-10014). I have enclosed a copy of these claims in case you want to file on them. (I have also enclosed a copy of the Claim to a Water Right 75-4316 filed by Austin Bills in 1982 for your reference.) Since any amendments you make to these claims (acreage, amounts) could affect the fees, I have included the fee schedule from the claim instructions for your information. Please initial any change(s) you make to the claims, have your signature notarized and return the claims to me with the appropriate filing fee. You may want to make a copy for your file before returning the claim(s) to my attention.

Also, you list 75-4365 on your address change. Richard Bills and Harry E. Clark previously claimed portions of this Statutory Claim. It appears you either need to file a claim on your portion of 75-4365, or change ownership if you purchased a portion of the right from Mr. Bills or Mr. Clark. Please contact Roxanne Brown (208-287-4914) to discuss this claim.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosures:

Computer-generated Notices of Claim to a Water Right #75-4316, 75-4371B and 75-10014
Copy of Original Claim #75-4316 Filed in 1982
Copy of Filing Fees Schedule

SCANNED
AUG 24 2005

Snake River Basin Adjudication
Change in Address of Notice of Claim

RECEIVED

AUG 08 2005

Department of Water Resources
Adjudication Bureau

Claim Number(s):

^{P.O.} 75-4371, 4371A, 4371B, 75-4365
^{P.O.} 75-10013, 75-10014, 75-4316

Previous Mailing Address:

11561 NW 21st Ct
Plantation, FL 33323

26851 Igawa Ave

and PO Box 789

Lakeville MN 55044

Salmon ID 83467

New Mailing Address:

Ron & Merlene Day
3064 Salmon River Rd
Shoup, ID 83469

Telephone Number:

(210) 383 5604

Signature of Claimant(s):



Please return this completed form to:

cc: W.A. 8-24-05

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

SCANNED

AUG 24 2005

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: POHerm

SCANNED

AUG 08 2005

Date:

8-11-05

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
322 East Front Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

RECEIVED
DEC 13 2005
DEPARTMENT OF
WATER RESOURCES

75-4316
75-4318
75-10014

PRESORTED
FIRST CLASS

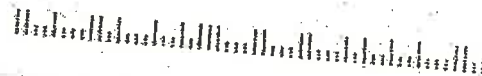


UNITED STATES POSTAGE
02 1A
0004389390
\$ 00.50³
DEC 07 2005
MAILED FROM ZIP CODE 83702

E RONALD DAY
3064 SALMON RIVER RD
SHOUP ID 83469

DAY-064 T834692021 1705 08 12/11/05
DAY RETURN TO SENDER
TEMPORARILY AWAY
RETURN TO SENDER

83720-0098 83469



Mailed to
TX address
12-14-05

SCANNED
DEC 14 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 6, 2005

E RONALD DAY
3064 SALMON RIVER RD
SHOUP ID 83469

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #75-4316, 75-4371B and 75-10014

Dear Ron,

Enclosed are computer-generated copies of the claims you filed for your property in Lemhi County. You may keep these documents for your records. Please refer to the claim numbers in any inquiries or correspondence.

On Claims #75-4371B and 75-10014 you lined through Domestic use at Item #4 and replaced it with Irrigation use. However, at Item #10, you left Domestic use but added .88 acres. The use on these two items must match. Roxanne and I knew your intent was to change the use from Domestic to Irrigation at Item #10, so in the essence of time we changed it for you.

Please contact me at 1/800/451-4129 if you have any questions.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

Enclosure:

Computer-generated Copies of Claims Referenced Above

SCANNED

DEC - 6 2005

RECEIVED

NOV 29, 2005 DEC 05 2005

DEPARTMENT OF
WATER RESOURCES

Dear Sally,

After speaking with both yourself and Roxanne I am attempting to file on the attached claims. My purpose for filing on claim #10014 and partial claim on #4316 is an attempt to preserve my rights to Skull Gulch Springs water for both domestic and irrigation purposes. My wife and I maintain a 50 tree fruit orchard on our .88 acre tract and often disagree with our neighboring 2 tracts (Austin/Clark) who have no orchard as to who should have first use of spring waters during dry seasons. We flood irrigate from the River (claim 4371B) two or three times per week during the growing season and sprinkle irrigate plus some domestic use from the Spring waters daily.

If you or Roxanne have any questions or comments in regards to these filings please contact me at 210-383-5604.

Sincerely,



Ron Day

enclosures:

filings(3)

fees (3)

copy of your Aug 24th correspondence

*return address from his envelope: 2202 Spring Rd.
Pipe Creek TX 78063*

SCANNED

DEC - 6 2005

DEC 05 2005

DEPARTMENT OF
WATER RESOURCES

State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.govDIRK KEMPTHORNE
GovernorKARL J. DREHER
Director

August 24, 2005

E RONALD AND MERLENE DAY
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SHOUP ID 83469RE: Snake River Basin Adjudication (SRBA)
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Sally Sherman
Technical Records Specialist
Adjudication BureauSS:region
Enclosures:Computer-generated Notices of Claim to a Water Right #75-4316, 75-4371B and 75-10014
Copy of Original Claim #75-4316 Filed in 1982
Copy of Filing Fees Schedule

SCANNED

DEC - 6 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 13, 2006

E Ronald Day
3064 Salmon River Rd.
Shoup, Idaho 83469

Re: Claim 75-4316

Dear Mr. Day:

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Sincerely,

Keith E. Franklin
Water Resources Agent

Encl/kf

RECEIVED

11/20/2006

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WATER RESOURCES

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Water right number: 75-4316

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3064 SALMON RIVER RD
SHOUP ID 83469
Telephone Number: (210)383-5604

MERLENE DAY
3064 SALMON RIVER RD
SHOUP ID 83469
Telephone Number: (210)383-5604

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

*Point of diversion is as newly marked on
aerial photo is the accurate point of diversion*

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

as stated above

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: 12-5-06 SIGNATURE: *E. Ronald Day*
Please print your name: E. Ronald Day

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

SCANNED
DEC 13 2006



Idaho Department of Water Resources

SRBA Recommendation:

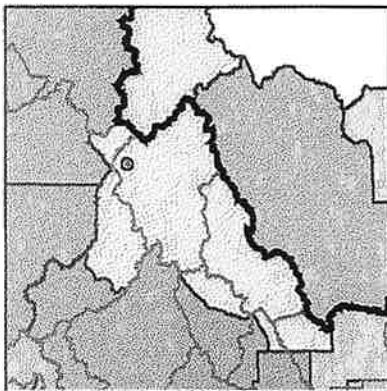
75-4316

(Irrigation)

Legend

⊙ Point of Diversion
Place of Use

▭ Townships
▭ PLS Sections
▭ Quarter Quarters



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

DEC 5 2005

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO
IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources

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 75-4316
Date Received: 8/11/2005
Receipt No: C079783
Received By: M

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

d.e. p
12-6-05

1. Name of Claimant(s)

E RONALD DAY Phone: (210)383-5604

3064 SALMON RIVER RD
SHOUP ID USA 83469

MERLENE DAY Phone: (210)383-5604

3064 SALMON RIVER RD
SHOUP ID USA 83469

2. Date of Priority: 05/02/1967

3. Source: SPRINGS Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	17E	16	NW SE	LEMHI	
23N	17E	21	NE NE	LEMHI	

5. Description of diverting works:

HEADBOX, HOLDING TANK, & PIPELINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	6/01	11/01	0.05 .30	
DOMESTIC	1/01	12/31	0.09 .02	

7. Total Quantity Appropriated is:

~~0.95~~ C.F.S.
32

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	17E	21	NE	NE	IRRIGATION	1.2
			NW	NE	IRRIGATION	1.3
					Section Acres	2.5
					Total Acres	2.5

Handwritten notes: .30, .88, .88

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:

14. Remarks:

Source known locally as Skull Gulch Springs.

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

SCANNED

DEC - 6 2005

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):

[Handwritten signature]
[Handwritten signature]

Date: 11-29-05

Date: 11-29-05

State of ~~Idaho~~ Texas

County of BANDERA

) SS.
)

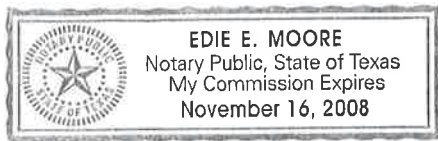
Subscribed and sworn (or affirmed) before me this

29th day

of November 2005

[Handwritten signature: Edie E. Moore]

Notary Public



Residing at _____

My commission Expires _____

SCANNED

DEC - 6 2005