

11/04/2006

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

RIGHT NUMBER: 75-4325
NAME AND ADDRESS: LYNN DAHLE
522 S RIVER ST
SALMON ID 83467

SOURCE: SALMON RIVER TRIBUTARY: SNAKE RIVER

QUANTITY: 0.260 CFS

PRIORITY DATE: 04/01/1935

POINT OF DIVERSION:

T21N R22E S7 NWNW Lot 1 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	0.260 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S06 Lot 16 SESW 11.00 T21N R22E S07 Lot 6 NENE 2.00

13 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



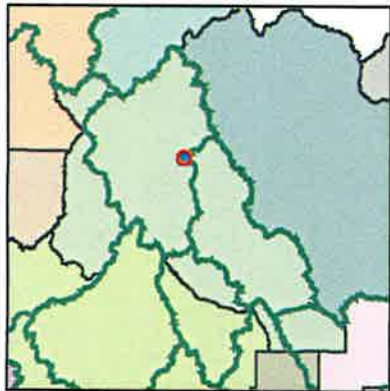
Idaho Department of Water Resources

SRBA Claim:

75-4325

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

A horizontal scale bar with markings for 0, 0.1, and 0.2 miles.

Prepared by R. Brown
On Tuesday, May 16, 2006
1987/88 Aerial Photography

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

CLAIM NO(s). 75-4325

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

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.: A0017474

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:

headgate, ditch to place of use

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

No water being diverted at time of exam

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-11-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature



United States
Department of
Agriculture

Farm
Service
Agency

Lemhi/Northern Custer County FSA Office
31 Highway 93 North Suite D
Salmon, ID 83467
(208) 756-4262
FAX: (208) 756-4705

RECEIVED

JUL 21 2005

DEPARTMENT OF
WATER RESOURCES

July 15, 2005

TO: Water Resource Board

FROM: Salmon Service Center
Lemhi/North Custer FSA Office
31 Highway 93 North, Suite D
Salmon, Idaho 83467

SUBJECT: 1939 Flight Photo

Dear Sir/Madam: This photo is a Farm Service Agency 1939 flight.

Rhonda Tewalt
Program Technician

SCANNED

JUL 21 2005

Carl Ziegler
517 South River St.
Salmon, Idaho 83467

RECEIVED

JUL 21 2005

DEPARTMENT OF
WATER RESOURCES

Dear Idaho Department of Water Resources,

Subject: Evidence of Priority

WATER RIGHT NUMBER: 75-4325

AFFIDAVIT:

I, Carl Ziegler, have personal knowledge of water being diverted from the Salmon River in the year 1955 to irrigate land described as Price Island. The ditch had been in use prior to my observation. The diversion point is now located where the Army Corps of Engineers placed a pipe and head gate under the dike approximately one mile south of the Highway 93 bridge as it crosses the river in the city of Salmon. I also have personal knowledge of Lynn Dahle, owner of property on the south side of Price Island, using water from the same ditch and diversion that irrigates the Ziegler property. It is used every year during high water. Due to the Army Corps of Engineer's dredging and changing the channel above the head of the ditch; when the river goes down it is pumped to irrigate.

I have also enclosed a Farm Service Agency 1939 flight showing ditches being used to irrigate the property described in water right number 75-4325.
County of Lemhi

Be it known that the undersigned, being duly sworn, deposes and says that the matters and facts described in the above statement are true to the best of the affiant's knowledge.

Carl F. Ziegler
Witness

Sworn to before me this 19th day of July, 2005

Deana J. Fletcher
Notary Public
Residing at Salmon, Idaho

My commission expires 7-26-2010

DEANA J. FLETCHER
NOTARY PUBLIC
STATE OF IDAHO

SCANNED

JUL 21 2005

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: A75-04348

Date Received: 4/26/1990

Receipt No:

Received By:

RECEIVED

JUL 21 2005

DEPARTMENT OF
WATER RESOURCES

208-756-3404

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL L. ZIEGLER
Address: 517 RIVER ST.
SALMON, ID

83467

AND/OR

Name: SHIRLEY S. ZIEGLER
Address: 517 RIVER ST.
SALMON, ID

208-756-3404

83467

2. Date of Priority: APR 01, 1894

3. Source: SALMON RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
21N	22E	7	NE	NW	NW		LEMHI

5. Description of diverting works:

ROCK DIV. DAM DITCHES W/FLOOD IRR. 5 HP MOTOR WITH SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	6.000		
DOMESTIC	01/01	12/31	0.030		

7. Total Quantity Appropriated is:

6.000 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

60.0 Acre Feet Per Annum.

9. Non-irrigation uses:

S/ 100 HD DRINK FROM DITCH AND RIVER.

A75-04348

Page

1

Date: 04/26/90

SCANNED

JUL 21 2005

THIS INDENTURE, made this 11th day of May, 1960,
 between J. WESLEY WELLS and MALINDA E. WELLS, husband and wife
 of Salmon, County of Lemhi, State of Idaho,
 the parties of the first part and SHERMAN E. FUREY, JR., and JO ANN FUREY,
 husband and wife of Salmon, the parties of the second part,
 County of Lemhi, State of Idaho, the parties of the second part,
 WITNESSETH, that the said parties of the first part, for and in consideration of the sum of
 TEN and No/100 (\$10.00) Dollars
 lawful money of the United States of America and other good and valuable consideration
 to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged,
 have granted, bargained, sold, and by these presents, do grant, bargain, sell and convey and confirm unto
 the said parties of the second part, and to their heirs and assigns, forever, all the following described
 real estate, situated in Salmon, County of Lemhi,
 State of Idaho, to-wit:

Lot Sixteen (16), Section Six (6), Township 21 North,
 Range 22 East Boise Meridian, excepting therefrom a
 parcel of land, more particularly described as follows,
 to-wit:

Commencing at the South quarter corner of said Section 6
 run thence West 359.7 feet to the Meander Corner to
 Sections 6 and 7 on the Easterly Meander line of the
 Salmon River and the point of beginning of the tract
 of land hereby described; thence S. 87° 30' W. 1434.2
 feet to a point on the Westerly bank of what is known
 as the Sterling Price Island; thence N. 20° 00' E. 303.6
 feet; thence N. 75° 15' E. 310.2 feet; thence N. 54°
 00' E. 148.0 feet; thence S. 66° 40' E. 979.0 feet to
 the point of beginning. Containing 8.28 acres.

Together with all ditch and ditch rights, water and
 water rights, and any and all other rights thereunto
 belonging or anywise appertaining.

SCANNED

JUL 2 1 2005

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belong-
 ing or in anywise appertaining, and the reversion and reversions, remainder and remainders, and rents, issues
 and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity
 of the said parties of the first part.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises together
 with the appurtenances unto the parties of the second part, and to their heirs and assigns forever.
 And the said parties of the first part, and their heirs, the said premises in the quiet and peaceable
 possession of the said parties of the second part, their heirs and assigns, against the said parties
 of the first part, and their heirs, and against all and every person and persons whomsoever, lawfully
 claiming or to claim the same shall and will warrant and by these presents forever defend.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands
 and seal the day and year first above written.

Executed and Delivered in the Presence of

J. Wesley Wells [SEAL]
 Malinda E. Wells [SEAL]
 [SEAL]
 [SEAL]

39



Lynn Dahle
522 South River St.
Salmon, Idaho 83467

RECEIVED

JUL 21 2005

DEPARTMENT OF
WATER RESOURCES

Dear Idaho Department of Water Resources,

Subject: Evidence of Priority

WATER RIGHT NUMBER: 75-4325

AFFIDAVIT:

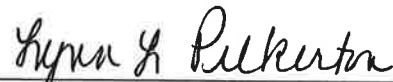
I, Lynn Dahle, have personal knowledge of water being diverted from the Salmon River in the year 1950 to irrigate land described as Price Island. The ditch had been in use prior to my observation. The diversion point is now located where the Army Corps of Engineers placed a pipe and head gate under the dike approximately one mile south of the Highway 93 bridge as it crosses the river in the city of Salmon. I also have personal knowledge of Carl Ziegler, owner of property on the north side of Price Island, using water from the same ditch and diversion that irrigates the Dahle property. It is used every year during high water. Due to the Corps of Engineer's dredging and changing the channel above the head of the ditch, when the river goes down it is pumped to irrigate.

I have also enclosed a Farm Service Agency 1939 flight showing ditches being used to irrigate the property described in water right number 75-4325.
County of Lemhi

Be it known that the undersigned, being duly sworn, deposes and says that the matters and facts described in the above statement are true to the best of the affiant's knowledge.


Witness

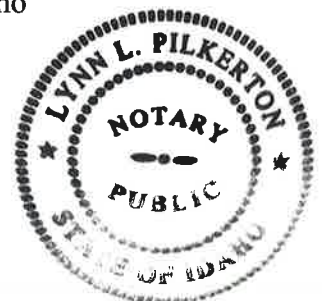
Sworn to before me this 18th day of July, 2005


Notary Public
Residing at Salmon, Idaho

My commission expires 2/28/07

SCANNED

JUL 21 2005



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4325

WATER RIGHT NUMBER: 75-4325

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LYNN DAHLE 522 S RIVER ST SALMON, ID 83467 (208)756-2481

Priority Date: 04/01/1935

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

SALMON RIVER	NW1/4NW1/4	Sec. 7, Twp 21N, Rge 22E, B.M.
LEMHI County		

Place of Use

IRRIGATION Within LEMHI County

T21N R22E S07 NWNW 13.0

Total Acres: 13

Conditions of Approval:

Remarks:

SCANNED

JUL 21 2005



United States
Department of
Agriculture

Farm
Service
Agency

Lemhi/North Custer County FSA Office
31 Highway 93 North Suite D
Salmon, ID 83467
(208) 756-4262
FAX: (208) 756-4705

July 15, 2005

TO: Water Resource Board

FROM: Salmon Service Center
Lemhi/North Custer FSA Office
31 Highway 93 North, Suite D
Salmon, Idaho 83467

SUBJECT: 1939 Flight Photo

Dear Sir/Madam: This photo is a Farm Service Agency 1939 flight.

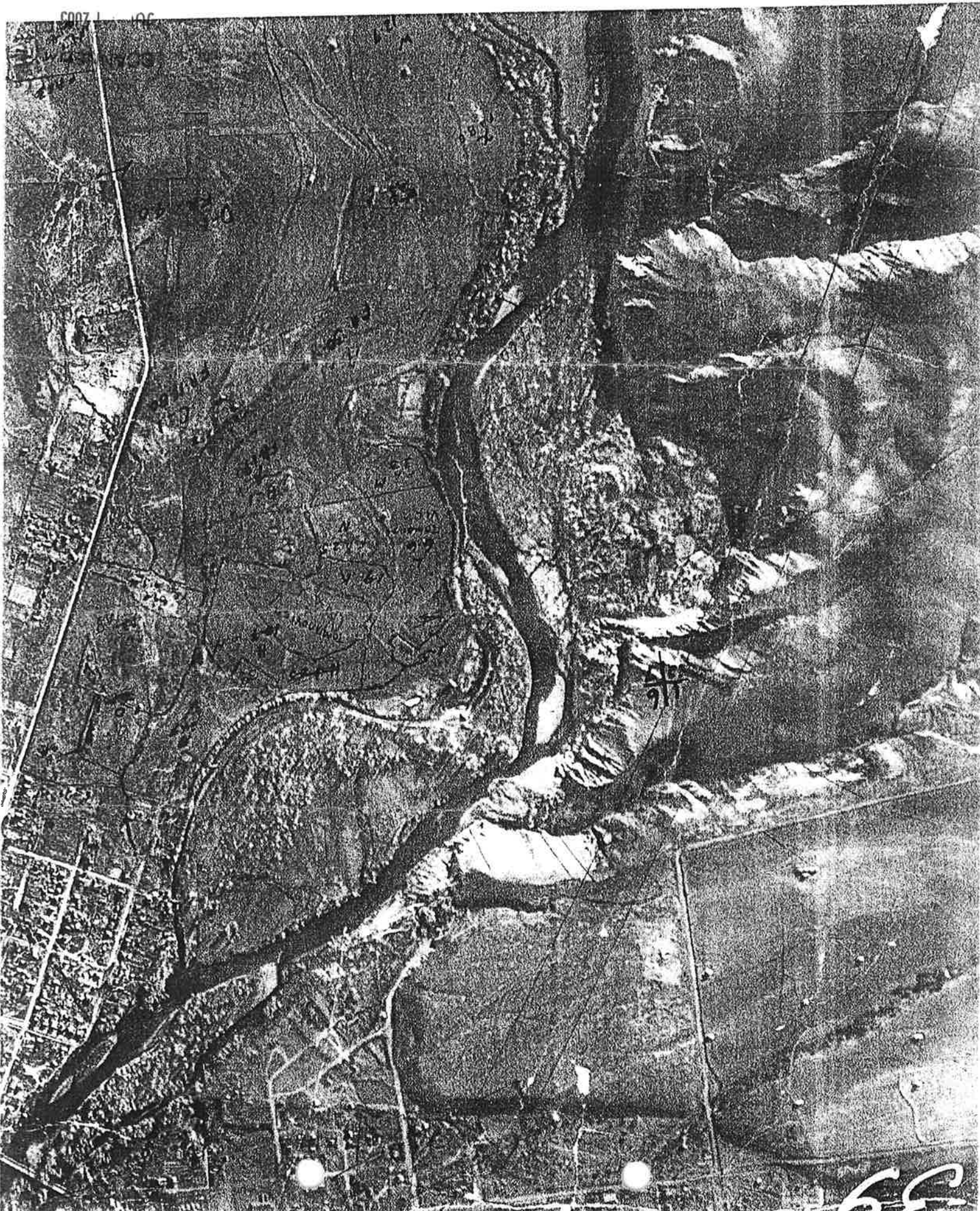
A handwritten signature in black ink that reads "Rhonda Tewalt". The signature is written in a cursive, flowing style.

Rhonda Tewalt
Program Technician

SCANNED

JUL 21 2005

1939 FLIGHT PHOTO USDA Files 80



RECEIVED

JUL 21 2005

DEPARTMENT OF
WATER RESOURCES

Lynn Dahle
522 South River St.
Salmon, Idaho 83467

Dear Idaho Department of Water Resources,

Subject: Evidence of Priority

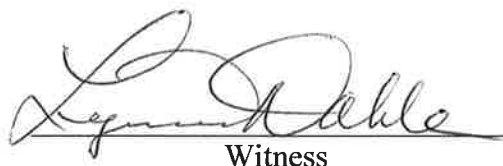
WATER RIGHT NUMBER: 75-10523

AFFIDAVIT:

I, Lynn Dahle, was present in 1957 when Dahle's Red-E-Mix installed a pump at the location described in Water Right Number 75-10523 to provide water for their concrete batch plant for their ready mix concrete business. I was also present when Lynn and Diane Dahle installed a water source heat pump for domestic use in 1960.

State of Idaho
County of Lemhi

Be it known that the undersigned, being duly sworn, deposes and says that the matters and facts described in the above statement are true to the best of the affiant's knowledge.


Witness

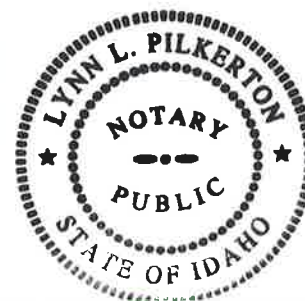
Sworn to before me this 18th day of July, 2005


Notary Public
Residing at Salmon, Idaho

My commission expires 2/28/07

SCANNED

JUL 21 2005



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-10523

WATER RIGHT NUMBER: 75-10523

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LYNN DAHLE 522 S RIVER ST SALMON, ID 83467 (208)756-2481
Current Owner	DIANE DAHLE 522 S RIVER ST SALMON, ID 83467 (208)756-2481

Priority Date: 07/01/1960

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
COMMERCIAL	1/01	to 12/31	0.110 CFS	
DOMESTIC	1/01	to 12/31	0.040 CFS	
	<u>Total Diversion:</u>		0.110 CFS	

Location of Point(s) of Diversion

GROUND WATER	NW1/4NE1/4	Sec. 7, Twp 21N, Rge 22E, B.M.
LEMHI County		

Place of UseCOMMERCIAL Within LEMHI County

T21N R22E S07 NWNE

DOMESTIC same as COMMERCIALConditions of Approval:

1. POINT OF DIVERSION AND PLACE OF USE MAY BE ON THE SECTION LINE BETWEEN SECTIONS 6 AND 7.

Remarks:

SCANNED

JUL 21 2005

RECEIVED
JUL 21 2005
DEPARTMENT OF
WATER RESOURCES

July 16, 2005

Lynn Dahle
522 South River St.
Salmon, Idaho 83467

Dear Idaho Department of Water Resources,

Subject: Evidence of Priority

WATER RIGHT NUMBER: 75-4326

AFFIDAVIT:

I, Lynn Dahle, was present in 1963 when Dahle's Red-E-Mix installed a pump at the location described in Water Right Number 75-4326 to wash sand and gravel to provide aggregate for their ready mix concrete business.

State of Idaho
County of Lemhi

Be it known that the undersigned, being duly sworn, deposes and says that the matters and facts described in the above statement are true to the best of the affiant's knowledge.

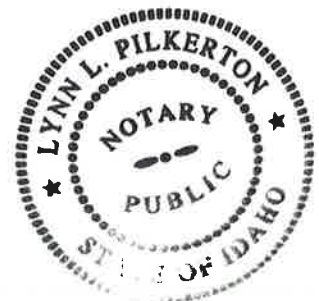

Witness

Sworn to before me this 18th day of July, 2005


Notary Public
Residing at Salmon, Idaho

My commission expires 2/28/07

SCANNED
JUL 21 2005



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4326

WATER RIGHT NUMBER: 75-4326

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LYNN DAHLE 522 S RIVER ST SALMON, ID 83467 (208)756-2481

Priority Date: 01/01/1963
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
INDUSTRIAL	1/01 to 12/31	1.000 CFS	
	<u>Total Diversion:</u>	1.000 CFS	

Location of Point(s) of Diversion

SALMON RIVER	NE1/4NW1/4	Sec. 7, Twp 21N, Rge 22E, B.M.
LEMHI County		

Place of Use

INDUSTRIAL Within LEMHI County
T21N R22E S07 NENW

Conditions of Approval:

1. WATER PERCOLATES THROUGH GRAVEL FROM THE SALMON RIVER INTO AN OLD RIVER CHANNEL. IT IS PUMPED FROM THE CHANNEL TO THE PLACE OF USE

Remarks:

SCANNED

JUL 21 2005

6300
X
SCANNED

OCT 10 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

RECEIVED

Ident. Number: A75-04325
Date Received: 5/04/1990
Receipt No: 2014280
Received By: HLD

MAY - 8 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LYNN DAHLE
Address: 522 S. RIVER ST.
SALMON, ID 83467 208-756-2481

2. Date of Priority: APR 01, 1935

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
21N	22E	7	NW	NW			LEMHI

5. Description of diverting works:
DAM, SLOUGH & DITCH

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		

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

8. Total consumptive use is 32.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
21N	22E	7	NW	NW		IRR	13.0
Section Acres							13.0

A75-04325

Page 1

Date: 05/04/90

MICROFILMED

DEC 15 1992

10. Place of Use: Continued

Total Acres 13.0

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: 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 ☒ 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): Lynn Dable Date: 5-4-90

Date: _____

State of Idaho)
County of LEMHI) SS.

Subscribed and sworn (or affirmed) before me this 4 day

of May 19 90

Seal

John Dale Carter
Notary Public

Residing at Boise Id

My Commission Expires 6/30/94