

11/15/2006

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

RIGHT NUMBER: 75-4495B

NAME AND ADDRESS: SHELLY GREGOIRE
305 12TH ST
SALMON ID 83467

SOURCE: SPRING

TRIBUTARY: NORTH FORK SALMON RIVER

QUANTITY: 0.520 CFS

Right Nos. 75-4494F and 75-4495B are limited to a total combined diversion rate of 0.5 cfs.

PRIORITY DATE: 04/01/1908

POINT OF DIVERSION:

T25N R21E S28 SWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	4/01 10/31	0.020 CFS
IRRIGATION	4/01 10/31	0.500 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T25N R21E S28	SWSW	6.00	T25N R21E S33	NWNW	13.00
T25N R21E S33	SWNW	6.00			

STOCKWATER same as IRRIGATION

25 ACRES TOTAL

Right Nos. 75-4494F and 754495B are limited to the irrigation of a combined total of 25 acres in a single irrigation season.

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



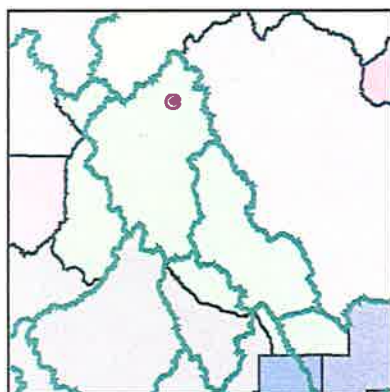
Idaho Department of Water Resources

SRBA Claim:

75-4495A

Legend

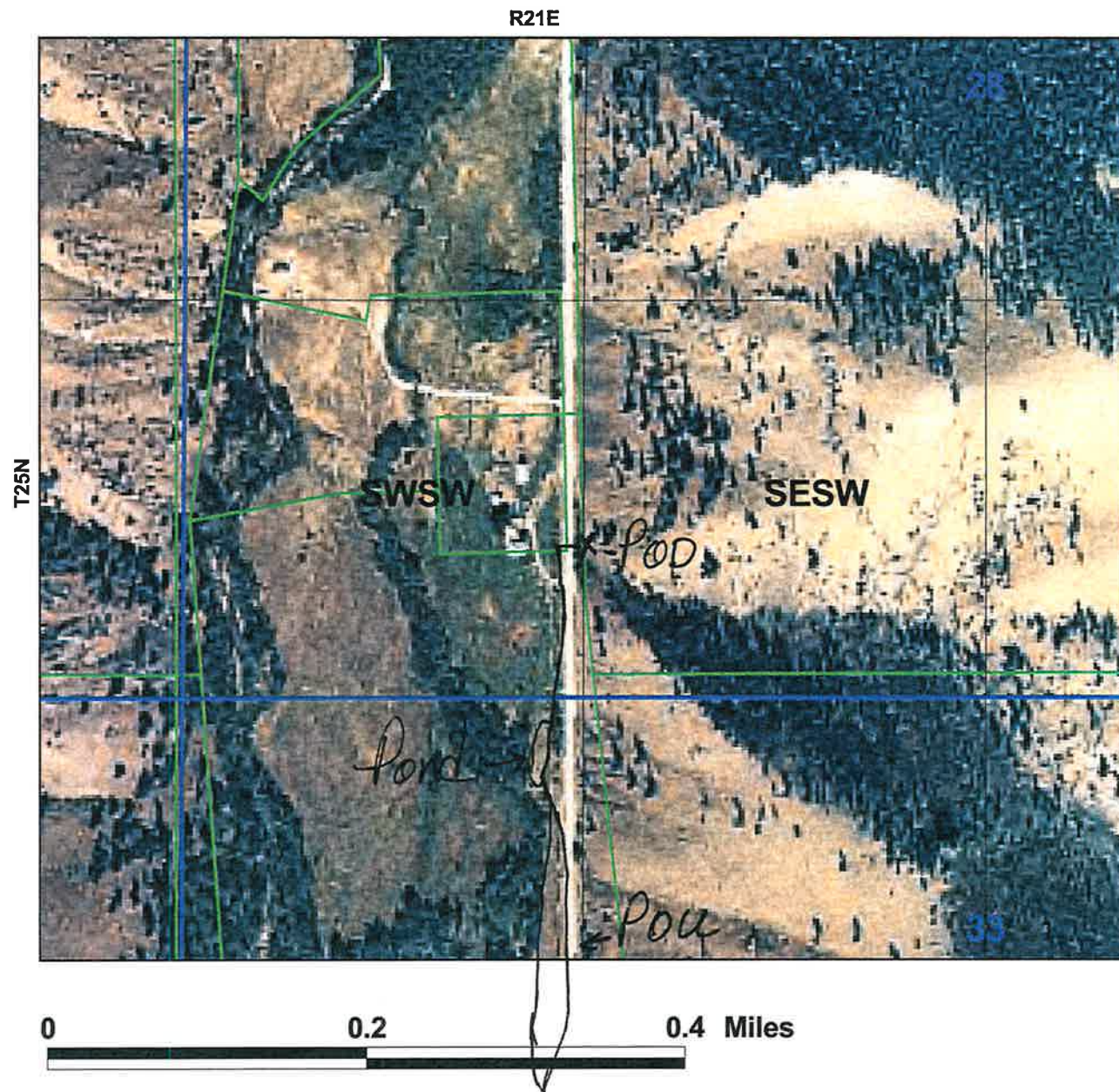
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Friday, May 19, 2006
1987/88 Aerial Photography



Idaho Department of Water Resources



Adjudication Claim Number: **75-4495B**



Legend

- PLS Sections
- Quarter Quarters



0 0.2 0.4 Miles

Prepared by M. Vanbussum
On Thursday, May 12, 2005
1991 Aerial Photography

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

CLAIM NO(s). A7504495A A7504495B

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☐ No Change ADDRESS _____
☒ NEW ADDRESS: 28 Tower Cr. Rd 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.: A0017059 GPS 113

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:

AJ5809NP
No. A75-04495

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 11/25/91
PAGE: 3

75-4495B

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	B & W LAND CO. INC. P.O. BOX 51394 IDAHO FALLS ID 83405 (208) 522-1619	04/01/1908	IRRIGATION STOCKWATER	04-01 10-31 04-01 10-31	0.60 CFS 0.03 CFS	
TOTAL DIVERSION: CONSUMPTIVE USE:					0.63 CFS	75.0 AFA

Water Source: SPRING

Tributary to: SALMON RIVER NORTH FORK

Stage: STATUTORY CLAIM

Point(s) of Diversion: T25N R21E S28 SESW

LEMHI County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
25N	21E	28	:																	5.0
25N	21E	33	:																	25.0
TOTAL ACRES																			30.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Other Water Rights with Same Point(s) of Diversion and Source:
A75-04360

Other Water Rights Listing Overlapping Place(s) of use:
A75-04361 A75-04494 A75-04494B A75-04494C A75-04494D

Non-Irrigation Use: S/30-60 RANGE STOCK

Dates: Exam Made Date: Verified Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

RECEIVED
JUL 29 2005
DEPARTMENT OF
WATER RESOURCES

SCANNED
AUG 09 2005

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

Notice is hereby given that B and W Land, Inc.

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(4) 63 TOTAL QUANTITY USED
(cfs. at)

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 30

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: Water flowing North
s used for domestic purposes and in a dairy cooling house. The flow then leaves
his area (The Becker exception) and enters the ditch system of B and W Land, Inc.
he southerly flow enters the ditch system of B and W. along the fence line. Both
lows irrigate and provide water for stock. The southern flow enters a pond loc-
ated about 300 feet south of the Becker exception.

NOTE: Include here the type and number of stock watered:

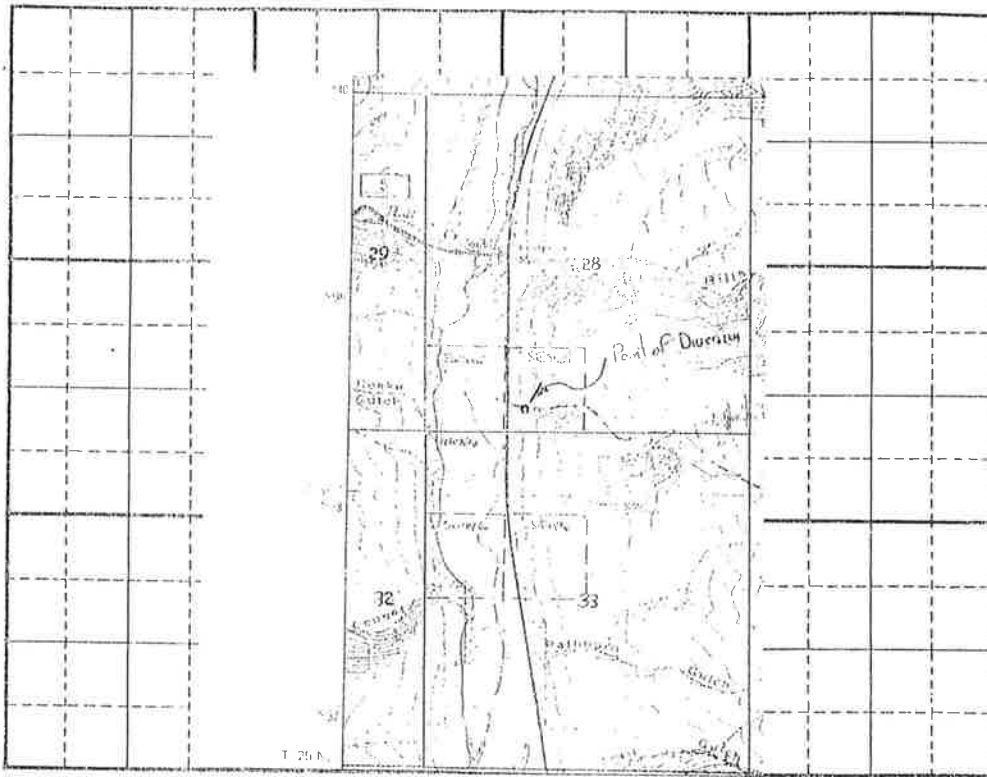
Range stock 30 to 60 head.

- (7) If you are claiming water as a member of an organization, list name of organization: N/A

SCANNED

AUG 09 2005

(8) Remarks. Spring is approximately .4 miles south of the Lewis and Clark monument which is located at the junction of US Highway and Hull Creek Road. The spring is on the east side of the highway.



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 15 day of June, 1983.

(Claimant)

Notary Public,
Residing at

My commission expires

Received by CW Date 6-29-83 Exception filed by
Prelim. check by HWT Date 12-28-83
\$30.00 fee received by CW Date 6-29-83 #25645
Published in Free Press, 4/1/83
Dates

Forwarded to
claimant by: Date

SCANNED

AUG 09 2005



Cook Real Estate

P.O. Box 127 / 525 Main Street
Salmon, Idaho 83467
(208) 756-2524 / 756-4622

SCANNED

OCT 1 1992

*Copy of letter and
attachments should be
placed with
A75-04494F
A75-04495B.*

Ernest Carlsen
Adjudication Supervisor
150 Shoup Ave.
Suite 15
Idaho Falls, Id 83402

Dear Mr. Carlsen:

re: A75-04494C
A75-04495

re: B&W Land Co., land sales.

After purchasing the land we acquired from Ruland Williams (aka B&W Land Co.) we had the land re-surveyed. The new survey was at the suggestion of our Title Co. The old legal description was not a good one with all the "exceptions" etc.

Hopefully this information will be of benefit to you.

Sincerely Yours,

Shelly Gregoire

enclosures:
legal description
Plat.

MICROFILMED
DEC 15 1992

RECEIVED

APR 22 1992

WADE SURVEYING

505 Granite
Salmon, Idaho 83467

Department of Water Resources
Eastern District Office

Phone (208) 756-3070

April 16, 1992

B&W Land to Gregoire

A parcel of land located in H.E.S. 285 and H.E.S. 647, Section 28 and Section 33, T. 25 N., R. 21 E., Boise Meridian, Lemhi County, Idaho more particularly described as follows:

Beginning at Corner No. 4, H.E.S. 285, run thence N. $88^{\circ} 13' 00''$ W. along the southerly boundary of H.E.S. 285, a distance of 117.14 ft. to a point on the westerly right-of-way of Highway 93;

Thence N. $10^{\circ} 20' 23''$ W. along said right-of-way a distance of 61.14 ft. to the P.C. of a curve having a Delta Angle of $9^{\circ} 15'$, and a Radius of 11,509.156 ft.;

Thence along the long chord N. $08^{\circ} 22' 53''$ W. a distance of 794.60 ft.;

Thence N. $87^{\circ} 27' 24''$ W. a distance of 583.28 ft.;

Thence S. $58^{\circ} 12' 59''$ W. a distance of 690.73 ft. to a point on the westerly boundary of H.E.S. 285;

Thence N. $03^{\circ} 51' 21''$ W. along said westerly boundary a distance of 2467.30 ft. to Corner No. 2, H.E.S. 285;

Thence N. $80^{\circ} 03' 46''$ E. a distance of 507.86 ft.;

Thence N. $88^{\circ} 51' 20''$ E. a distance of 324.11 ft.;

Thence S. $01^{\circ} 06' 28''$ E. a distance of 207.00 ft.;

Thence N. $88^{\circ} 55' 11''$ E. a distance of 420.00 ft. to a point on the westerly right-of-way of Hwy. 93;

Thence N. $01^{\circ} 06' 28''$ W. along said right-of-way a distance of 450.00 ft.;

Thence N. $88^{\circ} 54' 14''$ E. a distance of 57.84 ft. to a point on the easterly boundary of H.E.S. 647;

Thence S. $01^{\circ} 07' 11''$ E. along said boundary a distance of 611.28 ft. to Corner No. 3, H.E.S. 285;

Thence S. $05^{\circ} 41' 55''$ E. a distance of 2722.22 ft. to the POINT OF BEGINNING.

PARCEL CONTAINS 69.6 ACRES



MICROFILMED

DEC 15 1992



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

JAN - 8 1992

DATE OF CLOSING: Aug. 19, 91

Department of Water Resources
Eastern District Office

LEGAL DESCRIPTION OF PROPERTY: Township 25N Range 21E
Section 28, SW 1/4 of SW 1/4 of 1/4 Govt. Lot, BM.
Lot, Block, Subdivision/Townsite

If you have additional legal descriptions, please attach separate sheet.

Section 33, NW 1/4 OF NW 1/4, SW 1/4 NW 1/4, SE 1/4 NW 1/4

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

[] Water Right Number(s)
Assigned by IDWR:

A75-04494C, A75-04495, ~~A75-04496B~~

[] Name and Address of Former
Owner/Claimant(s)(Seller):

B & W Land Co. Inc.

P.O. Box 51394

Idaho Falls, ID

[] New Owner/Claimant
(Purchaser):

Shelly Gregoire

[] New Mailing Address:

Box 127 305 12th St.

Salmon, ID 83467

[] New Telephone Number: (208) 756 - 3481 or 756-2524

[] Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

A75-04495 25N 21E 33 10acres in NW 1/4 NW 1/4, 08acres in SW 1/4 NW 1/4,

07acres in NE 1/4 NW 1/4. A75-04494C 25N 21E 33 35acres in NW 1/4 NW 1/4,

12acres in SW 1/4 NW 1/4. A75-04494C 25N 21E 28 15acres in SW 1/4 SW 1/4.

[] Attach proof of
ownership, describe
proof attached: Corporation Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New
Owner/Claimant(s)

Shelly Gregoire

Date JAN 6 92

Date

[] Signature of Former
Owner/Claimant(s):

Date

Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: By:
Further Action Needed:
Further Action Taken
Date: By:
Final Review and Data-Entry
Date: By:
Claim Numbers of Split, if any:

Original to be mailed to Ida
Copies to Former Owner and

Copy of C/O should
be placed with
A75-04494C, A75-04495
A75-04495B. But
original in A75-04494C

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DEC 15 1992

SCANNED
OCT 10 1991

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: A75-04495B
Date Received: 4/25/1990
Receipt No: X777777
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: SHELLY GREGOIRE 208-756-3481
Address: 305 12TH ST
SALMON ID 83467
2. Date of Priority: APR 1, 1908
3. Source: SPRING Trib. to: SALMON RIVER NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
25N	21E	28		SE	SW		LEMHI

5. Description of diverting works:
CULVERT

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A
IRRIGATION	04/01	10/31	0.500		
STOCKWATER	04/01	10/31	0.020		

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

8. Total consumptive use is 62.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER FOR 30-60 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
25N	21E	33	NW	NW		IRR	10.0
			SW	NW		IRR	8.0
			SE	NW		IRR	7.0

A7504495B



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	25.0
					Total Acres	25.0

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:

14. Remarks:

NOTICE IS RESULT OF CHANGE IN OWNERSHIP FOR A PORTION OF
A75-04495, PAID ON RECIEPT #E013680. EMC 06-30-92.

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

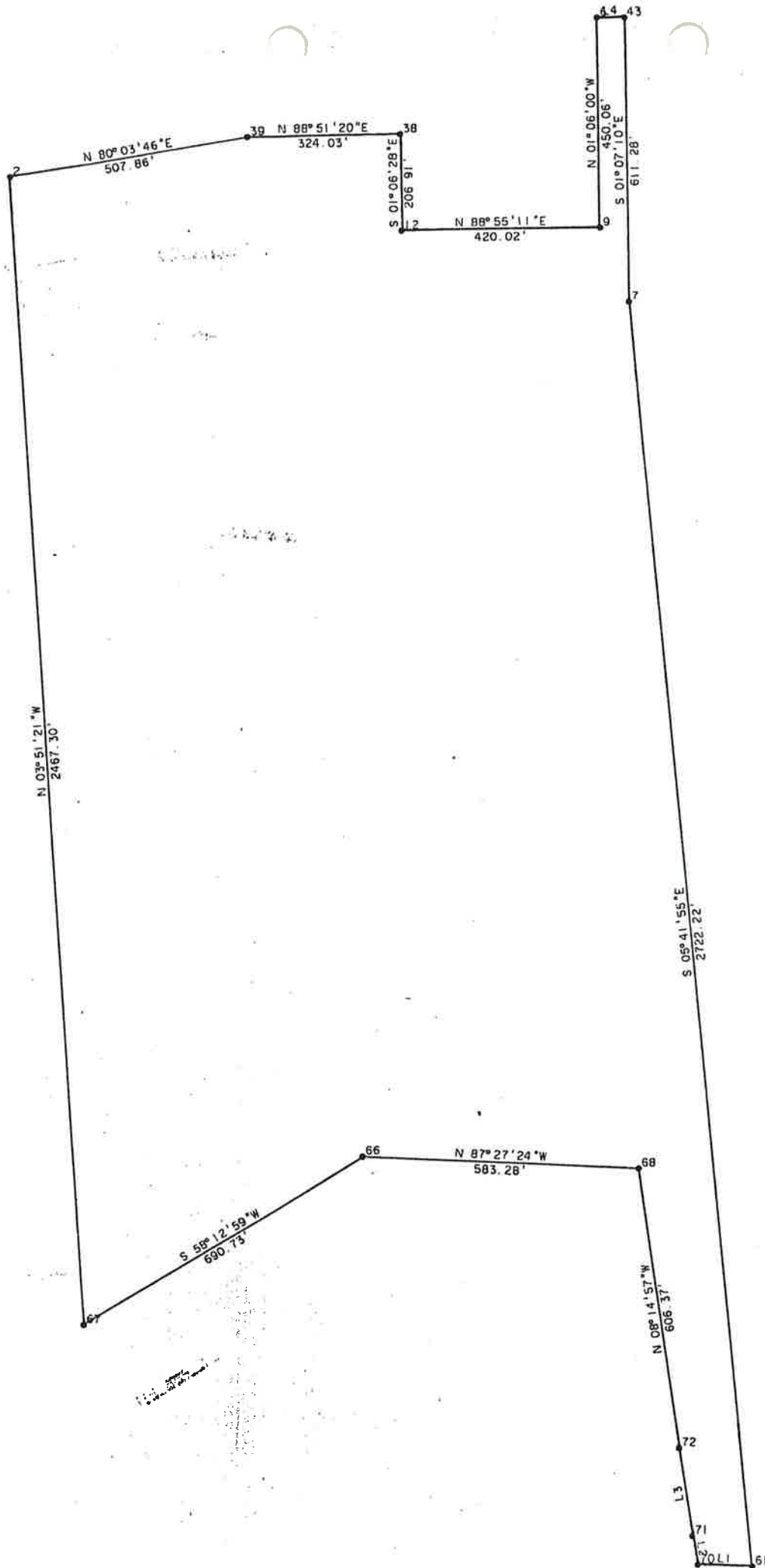
Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED



8.1 ACRES EAST OF HWY. ROW.

MICROFILMED
DEC 15 1992