

11/20/2006

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

RIGHT NUMBER: 75-10387

NAME AND ADDRESS: BECKY C ALDER
HC 82 BOX 4100
CHALLIS ID 83226

SOURCE: WASTE WATER

TRIBUTARY: SINKS

QUANTITY: 0.190 CFS

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

PRIORITY DATE: 05/01/1916

POINT OF DIVERSION:
T19N R18E S25 NWNW 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	0.050 CFS
	IRRIGATION	04/01 10/31	0.140 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T19N R18E S24 SWSW 2.90	T19N R18E S25 NWNW	1.60
	<u>DOMESTIC in LEMHI County</u>		
	T19N R18E S24 SWSW		
	4.5 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

07/29/2006

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Idaho Department of Water Resources

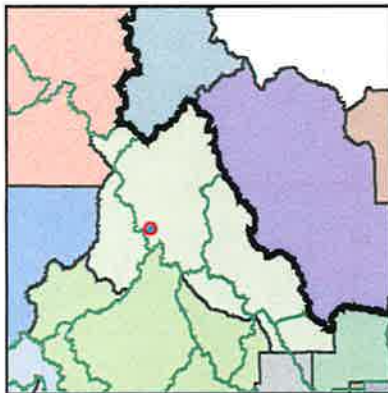
SRBA Recommendation:

75-10387

(Irrigation)

Legend

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



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

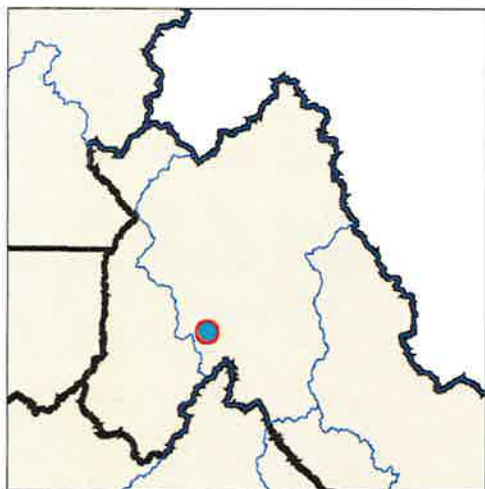


Prepared by M. Ciscell
On Monday, November 20, 2006
2004 Aerial Photography

Idaho Department of Water Resources

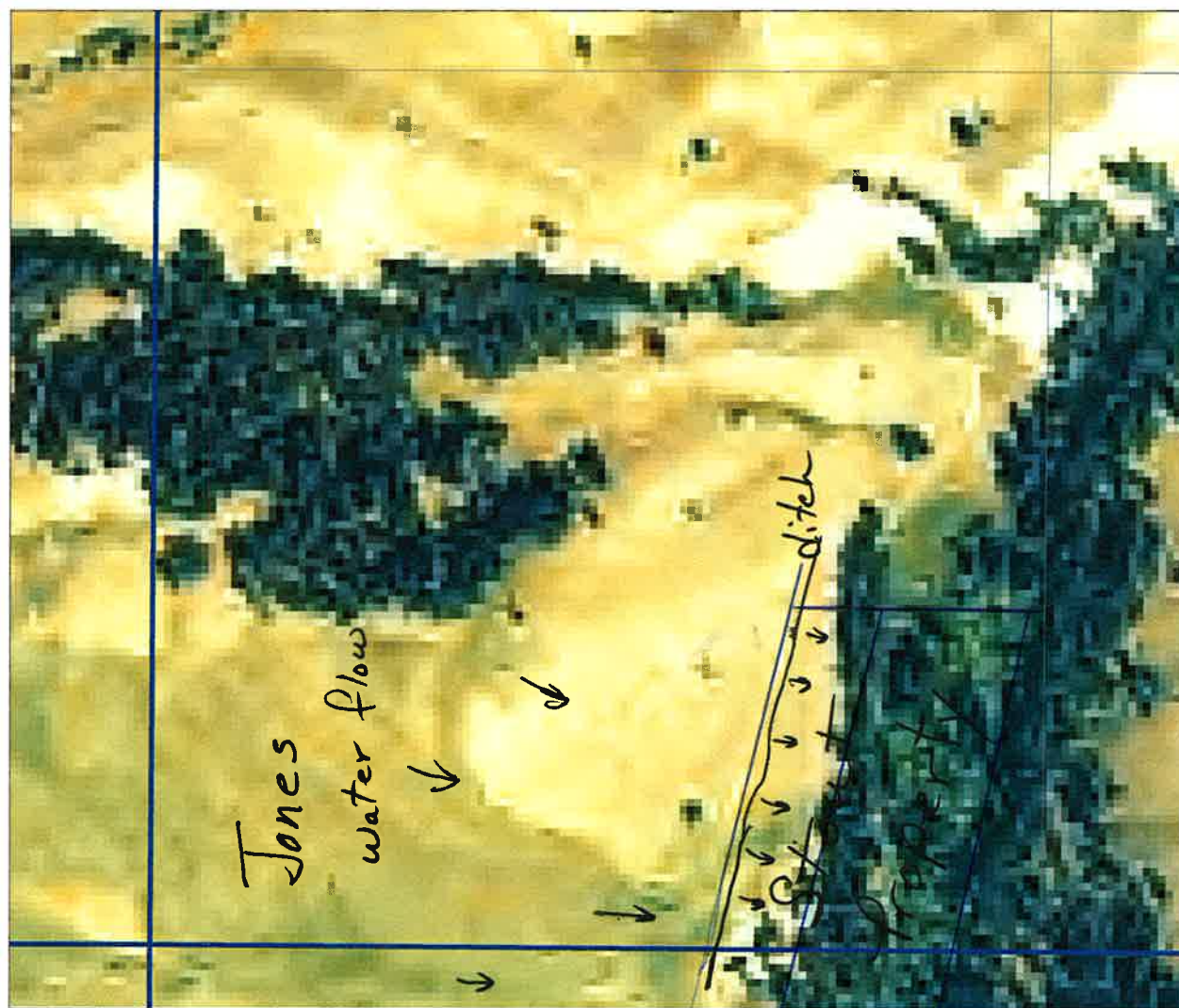


Adjudication Claim Number: **75-10387**



Legend

- PLS Sections
- Quarter Quarters



0 0.1 0.2 Miles

Prepared by M. Vanbussum
On Friday, May 13, 2005
1991 Aerial Photography

R 18 E Sec 24 / SW 1/4 / SW 1/4

T 19 N

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: 75-10387

BECKY C ALDER
HC 82 BOX 4100
CHALLIS ID 83226

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

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: _____ SIGNATURE: _____

Please print your name: _____

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

AUG 23 2005

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
A75-10387					

The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

RECEIVED

AUG 12 2005

Department of Water Resources
Eastern RegionName and Address of Former
Owner/Claimant(s)

Becky C. Alder

New Owner/Claimant(s)

Hc82 Box 4100 Challis, Id 83226
Otis C Stout

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

City, State and ZIP Code

P.O. Box 1022 Salmon Id 83467
Salmon Id. 83467



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 762-2800 • Fax: (208) 762-2819 • Web Site: www.idwr.idaho.gov

NORTHERN REGION

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Interim Director

March 12, 2007

Mr. Otis C. Stout
P.O. Box 1022
Salmon, ID 83467

Re: 75-10387

Dear Mr. Stout:

We have sent to the Snake River Basin Adjudication Court our recommendation of the enclosed water right. We have a change of ownership changing the ownership from Becky Alder to you, which needs to be signed on page 2. The warranty deed lists the grantor as Kevin Stout. We need a copy of a deed showing the ownership change from Becky Alder to Kevin Stout. Please sign the form and return it to our office along with the copy of the additional warranty deed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', is written over a light blue horizontal line.

Kenneth Knoblock
Water Rights Supervisor

KK: cm

Encl.

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

CLAIM NO(s).

A 75-10387

1. ☐ No Change NAME IS SAME

☒ NEW OWNER:

Otis Stout

☐ 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:

pick-up water from Jones irrigation above.

4. ☐ No Change — POINT OF DIVERSION

☐ Point of diversion is different than the claim and/or new P/D's:

GPS Site Tag No.: A0014993

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:

ditch picks up waste water from Jones property above and reuses water on Stout's property

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

*ditch does not go to creek. No diversion
waste water only*

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack Z. Ellis

Signature

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: A75-10387
Date Received: 5/01/1990
Receipt No: E014383
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY 10 1990

Department of Water Resources
Eastern District Office

1. Name: BECKY C. ALDER
Address: HC 82 BOX 4100
CHALLIS, ID

83226

2. Date of Priority: MAY 01, 1916

3. Source: MOYER CREEK, S. FK.

Trib. to: PANTHER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	18E	24	SW	SW			LEMHI

5. Description of diverting works:
HEADGATE, DITCHES; PUMP FROM CREEK TO HOUSE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A
DOMESTIC	01/01	12/31	0.050		
IRRIGATION	04/01	11/01	0.150		

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

A.F.A.

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:
D/1

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	18E	24	SW	SW		DOMEST	
			SW	SW		IRR	5.0

Section Acres 5.0

A75-10387

Page 1

Date: 05/01/90

MICROFILMED
DEC 15 1992

A7510387



10. Place of Use: Continued

Total Acres 5.0

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): Bucky C. Alder Date: 5/8/90
_____ Date: _____

State of ~~Idaho~~ Washington)
County of King) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of May 19 90
_____ Notary Public

Seal

Residing at Seattle, WA
My Commission Expires 9-29-93



MICROFILMED
DEC 15 1992