

12/09/2006

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

RIGHT NUMBER: 75-10789

NAME AND ADDRESS: MARLA M ANDERSON
3 WILLIAMS LAKE RD
SALMON ID 83467

J GALE ANDERSON
3 WILLIAMS LAKE RD
SALMON ID 83467

SOURCE: WILLIAMS CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.100 CFS

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

PRIORITY DATE: 12/31/1896

POINT OF DIVERSION:

T20N R21E S12 NWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
IRRIGATION	04/01 10/31	0.060 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T20N R21E S12 SENW 3.00

STOCKWATER same as IRRIGATION

3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

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



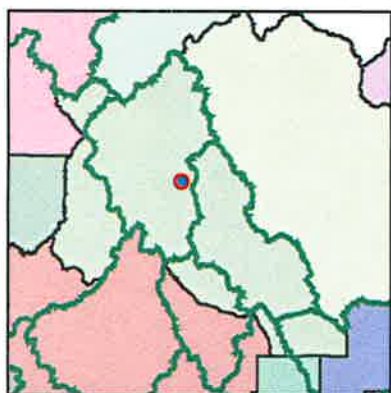
Idaho Department of Water Resources

SRBA Recommendation:

75-10789

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 Kenneth Knoblock
On Wednesday, April 26, 2006
1987/88 Aerial Photography



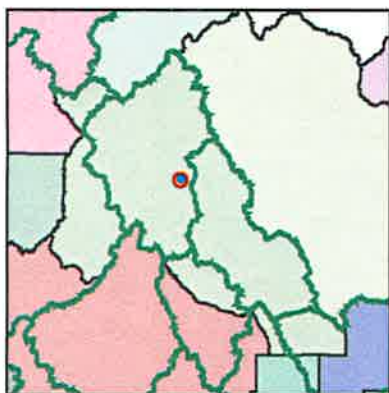
Idaho Department of Water Resources

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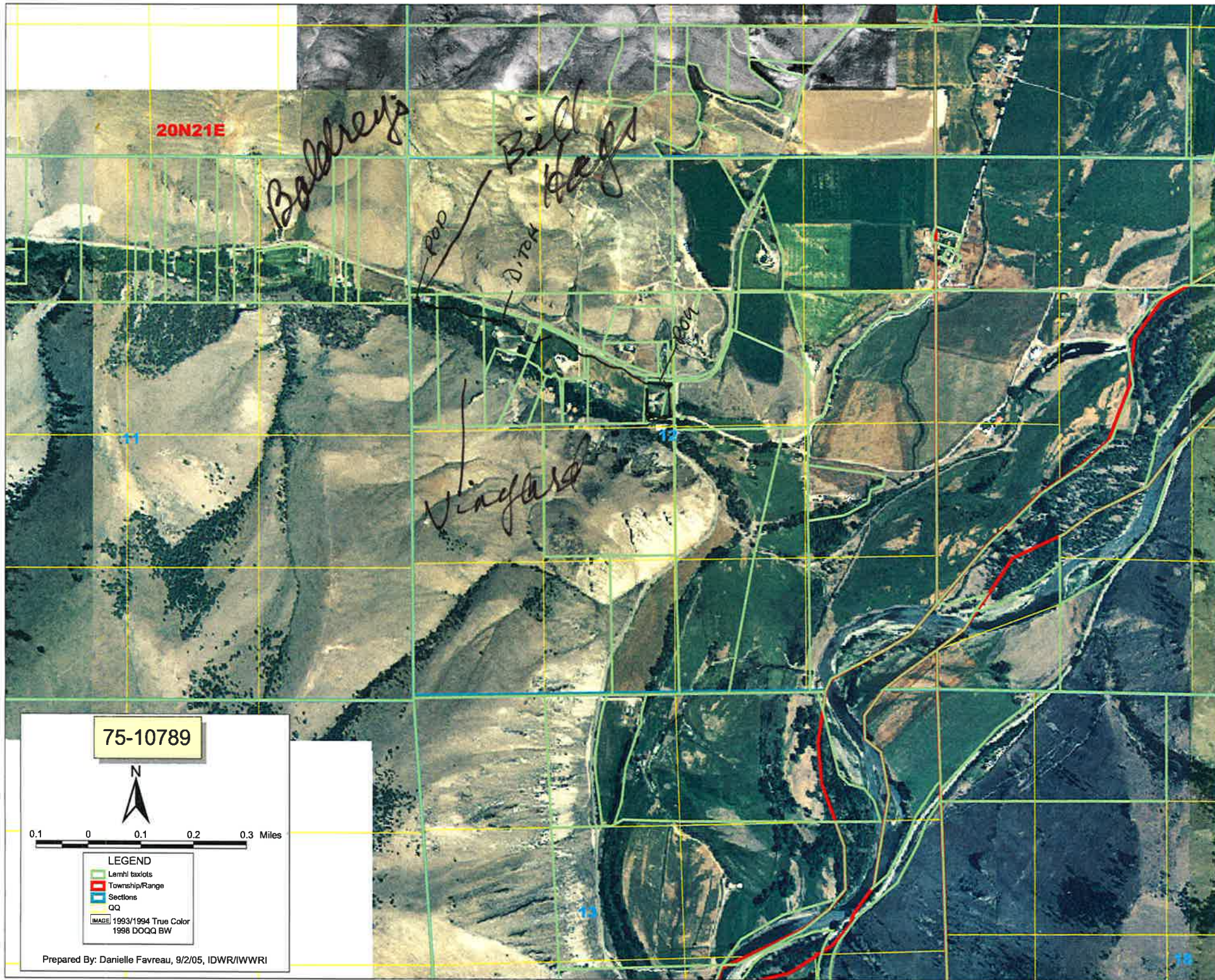
Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles



Prepared by Kenneth Knoblock
On Wednesday, April 26, 2006
1987/88 Aerial Photography



20N21E

Baldrey's

Bill

Vingard

75-10789



0.1 0 0.1 0.2 0.3 Miles

LEGEND

- Lamhi taxlots
 - Township/Range
 - Sections
 - QQ
- IMAGE: 1993/1994 True Color
1996 DOQQ BW

Prepared By: Danielle Favreau, 9/2/05, IDWR/IWWRI



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 11, 2006

Gale & Marla Anderson
3 Williams Lake Rd
Salmon, ID 83467

RE: 75-10789

Dear Mr. & Mrs. Anderson:

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

Sincerely,

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

Kenneth Knoblock
Water Resources Agent

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

CLAIM NO(s). 75-10789

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☒ NEW ADDRESS: 3 Williams Lake 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.: A0017405 AL# 923PODR2

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:

wooden structure in creek ditch to place of use

03/22/2006

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

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TRIBUTARY: SALMON RIVER

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T20N R21E S12 SWNW Within LEMHI County

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PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.040 CFS
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OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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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

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

poa is entirely in SE NW 20N 21E 12. No water being diverted at time of exam

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 9-23-05

FIELD EXAMINER:

Bob Foster
Print Name

Bob Foster
Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

May 18, 2004

RECEIVED

KARL J. DREHER
Director

JUN 03 2004

DEPARTMENT OF
WATER RESOURCES

J GALE AND MARLA M ANDERSON
3 WILLIAMS LAKE RD
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-10789

*Record modified
6-4-04
JS*

Dear Claimants:

Mail we sent to you was returned undeliverable. We have enclosed the returned mail. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter, list any other water rights you have, and return this letter by June 1, 2004. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records. Be sure to list your water right numbers.

If there has been a change in ownership of the property connected with the water right claim(s) referenced above, please call this office toll-free at 1/800-451-4129 so we can contact the new owner(s) regarding their water right(s) and updating our records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:
Returned Mail

#####

The address is correct as shown above or as otherwise changed.

J. Gale Anderson
Water Right Holder's Signature

(208) 756-2908
Telephone No.

SCANNED

JUN 03 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

3 Williams Lake Rd

SALMON, IDAHO 83467

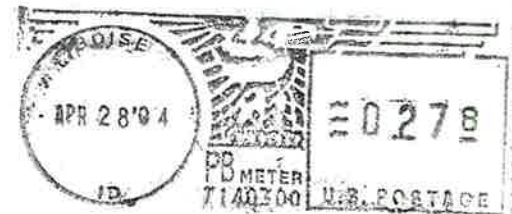
75-10789

RECEIVED

MAY 17 2004

Department of Water Resources

PRESORTED
FIRST CLASS



J GALE ANDERSON

MARLA M ANDERSON
RT 1 BOX 240
SALMON ID 83467

SCANNED
MAY 18 2004

SCANNED
OCT 14 1990
May 9, 1990

Idaho Dept. of Water Resources
Eastern Region Office
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83401

Dear Sirs,

The more I try to figure out the legal description of the diversion and of our property the more confused I get. I even called the 800 number for help.

A few years ago the local SCS office drew it on a map and listed the quarters. At that time the map did not show the smallest of the quarter divisions.

They listed the place of use of the water as : SW SE $\frac{1}{4}$ of NE NW $\frac{1}{4}$ of Section 12 Township 20N Range 21E B.M. I determined by their drawing that the place of use to be: SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 12, Township 20N Range 21E B.M.

The SCS listed the point of diversion as: SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ but I'm not sure of the Section, Township or Range.

Would you please be so kind as to afford me information as to how I could best clarify this matter.

Please find enclosed, copies of the maps they used to help me at the SCS office and the legal discription of our property (copy of our Warranty Deed).

Your help and concern will be deeply appreciated.

Sincerely,

J. Gale Anderson
J. Gale Anderson

RECEIVED

MAY 11 1990

Department of Water Resources
Eastern District Office

MICROFILMED

APR 19 1994

Statutory Warranty Deed

POOR ORIGINAL

THE GRANTOR D. EUGENE TEMPLEMAN, and DONNA TEMPLEMAN, husband and wife,
of Walla Walla, State of Washington

for and in consideration of TEN AND NO/100's (\$10.00) DOLLARS and other valuable
considerations,
in hand paid, conveys and warrants to J. G. ANDERSON and MARLA ANDERSON, husband and wife,
of Salmon, State of Idaho
the following described real estate, situated in the County of Lemhi, State of Idaho:
~~Washington:~~

A tract of Land in Section 12, T. 20 N., R. 21 E., B.M., Lemhi County,
Idaho, described as follows:

Beginning at the Center of Section 12, T. 20 N., R. 21 E., B.M.; thence
N. 0°01' W., 329.3 feet; thence S. 86°56' W., 88.0 ft.; thence S. 11° 18' W.
312.5 feet; thence N. 86°29' E., 143.7 Feet to the point of beginning.
Containing 0.81 Acres.

Dated this 28th day of October, 1975

[Signature] (SEAL)

[Signature] (SEAL)

STATE OF WASHINGTON, }
County of Walla Walla } ss.

On this day personally appeared before me D. EUGENE TEMPLEMAN and DONNA TEMPLEMAN
to me known to be the individuals described in and who executed the within and foregoing instrument, and
acknowledged that they signed the same as their free and voluntary act and deed, for the
uses and purposes therein mentioned.

GIVEN under my hand and official seal this 28th day of October, 1975

Bonnie M. Gell
Notary Public in and for the State of Washington,
residing at Walla Walla

MICROFILMED

APR 19 1994

SCANNED

OCT 15 1993

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: A75-10789

Date Received: 8/10/1993

Receipt No: E014488

Received By: _____

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

1. Name: MARLA M ANDERSON 208-756-2908
Address: RT 1 BOX 240
SALMON ID 83467

OR

Name: J GALE ANDERSON 208-756-2908
Address: RT 1 BOX 240
SALMON ID 83467

2. Date of Priority: DEC 31, 1896

3. Source: WILLIAMS CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
20N	21E	12	SW	NW			LEMHI

5. Description of diverting works:
WOODEN HEADGATE (2'X2') PLACED IN SIDE CHANNEL TO WILLIAMS CREEK

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.100		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is 9.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 5 COWS, 2 HORSES, 2 PIGS, 250 CHICK

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APR 19 1994

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
20N	21E	12	SW	NE		IRR	2.0
			SE	NW		IRR	1.0
Section Acres							3.0
Total Acres							3.0

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:

THE DITCH AND WATER RIGHT WAS ORIGINALLY A DEEDED WATER RIGHT TO GLEN SHOUBE IN ABOUT 1896. AS NEAR AS WE CAN DETERMINE, EACH OF THE OWNERS OF THE PROPERTY SINCE THEN HAVE USED THE WATER RIGHT AND DITCH EVERY YEAR SINCE THAT TIME.

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): _____ 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 _____

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:

Ident. Number

Date Received

Receipt Number

39576

A75-10789

5-10-90/90

E014488/90

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

Marla M. Anderson
or1. Name of Claimant (s) ☒ J. Gale Anderson

Phone (208) 756-2908

Mailing Address Rt. # 1 box 240 Salmon, Idaho

Zip 83467

2. Date of Priority (Only one (1) per claim) 1896

Williams Creek

3. Source of water supply (a)

which is tributary to (b)

Salmon River

4. a. Location of existing point of diversion is: Township 20N Range 21E Section 12

SW 1/4 of NW 1/4 of 1/4, Govt. Lot, B.M., County of Lemhi

Additional points of diversion if any:

b. If instream flow, beginning point of claimed instream flow is:

Township Range Section, 1/4 of 1/4 of

Govt. Lot B.M., County of

ending point is: Township Range Section, 1/4 of 1/4 of

1/4, Govt. Lot B.M., County of

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as

constructed and as enlarged and the depth of each well. A wooden headgate has been placed in
a side channel to Williams Creek. If the headgate is closed, the water runs
back into the main channel. The opening of the headgate is approximately 2 ft.
by 2 ft. Bill Vineyard built a pond and changed the old headgate. The water
now must run through his pond to get to our ditch. The entire wooden structure
is about 5-6 ft. wide by 3 ft. high.

RECEIVED
MAY 11 1990
Department of Water Resources
Eastern District Office

A7510789



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APR 19 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from April 1 to Nov 1 amount .10 or _____

For Stockwater purposes from 1-1 to 12-31 amount .04 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .14 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 9 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 1 household, 5 beef cows, 2 horses, 2 pigs, 2 sheep, 250 chickens

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
20N	21E	12			2					1									3

Total number of acres irrigated

3

11. In which county (ies) are lands listed above as place of use located? Lemhi

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (X)

14. Remarks: The ditch and water right was originally a deeded water right to Glen L. Shoupe in about 1896. As near as we can determine, each of the owners of the property since then have used the water right and ditch every year since that time. There are five other property owners above us who take the water from the ditch even though their property is not part of the Glen L. Shoupe original ranch. I am the last place on the ditch and have a hard time getting much water any more.

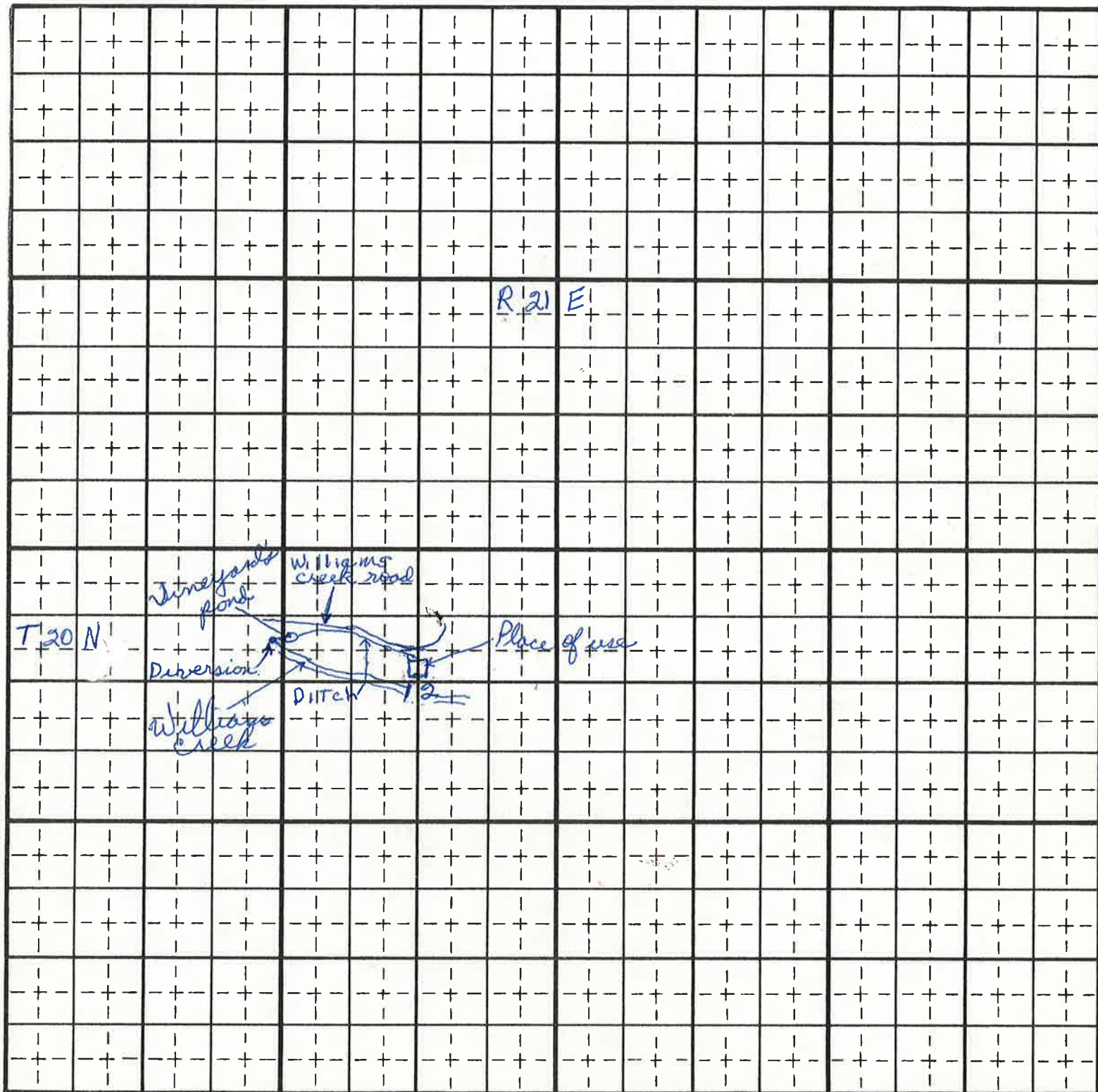
Last Name Anderson Ident No. _____

Copies: White State, Yellow Claimant

MICROFILMED
APR 10 1981

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



Last Name Anderson

Ident No. _____

MICROFILMED
APR 19 1994
Copies: White-State Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use ☒ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) J. Dale Anderson Date 5-10-90
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

_____ Title
of _____, that I have signed the foregoing
Organization

document in the space below as _____ of _____
Title Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 10th day of May 19 90

SEAL

Notary Public Cecil Wiley

Residing at Salmon, Idaho

My Commission Expires 2/16/95

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name Anderson Ident. Number _____

MICROFILMED

APR 19 1994

Copies White-State, Yellow-Claimant