

05/22/2006

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

RIGHT NUMBER: 75-10955

NAME AND ADDRESS: STATE OF IDAHO  
DEPT OF FISH & GAME  
PO BOX 25  
BOISE ID 83707

SOURCE: NORTH FORK SALMON RIVER

TRIBUTARY: SALMON RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 08/28/1960

POINT OF DIVERSION:

T26N R21E S26 SESE Within LEMHI County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

FISH PROPAGATION

04/01 10/31

0.800 CFS

PLACE OF USE:

FISH PROPAGATION Within LEMHI County

T26N R21E S26

SESE

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 Recommendation:

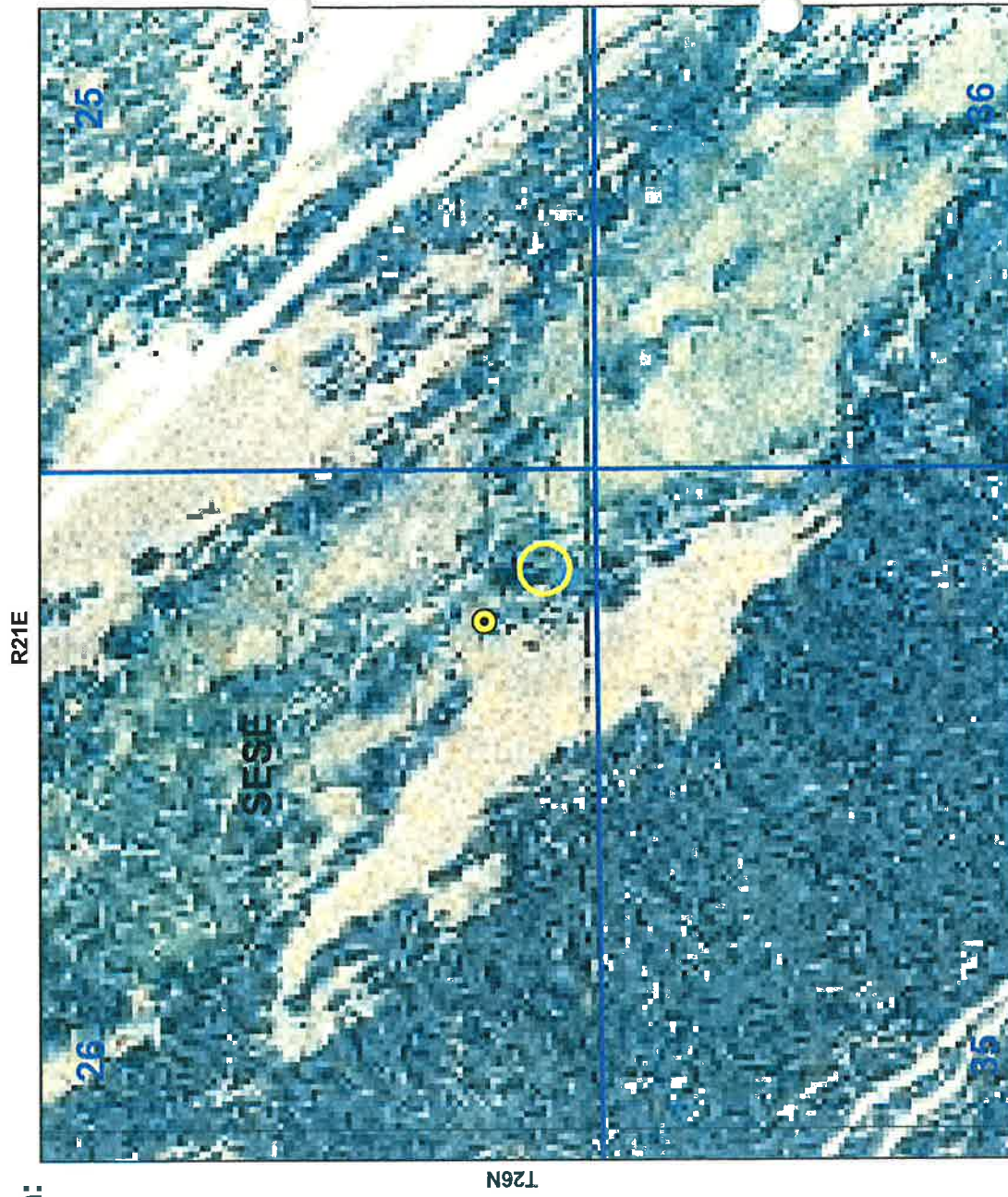
**75-10955**

## 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 R. Brown  
On Monday, May 22, 2006  
1987/88 Aerial Photography

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: 75-10955

STATE OF IDAHO  
DEPT OF FISH & GAME  
PO BOX 25  
BOISE ID 83707  
Telephone Number: (208)334-3700

RECEIVED  
DEC 07 2006  
IDWR/North

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: 27 Nov. 2006

SIGNATURE: Cynth Robertson

Please print your name: Cynthia Robertson

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

SCANNED  
DEC 11 2006

4/5/1989

## RBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME

IDFG

CLAIM IDENT. NO.

A75-10955

DATE RECEIVED

6/9/90

CK #

T017346

AMOUNT \$

58 applied

YES

NO

Require  
Info?

1. Is the name and address complete with zip code? ☒ YES ☐ NO ☐ \*
2. Is a priority date entered? ☒ YES ☐ NO ☐ \*
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ \*
- See Adjudication Memos #1 and #4 to determine if a Permit is required.
3. (a) Is a source entered? ☒ YES ☐ NO ☐ \*
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO ☐ \*
4. Is the legal description of the p.d. sufficient? ☒ YES ☐ NO ☐ \*
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ \*
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ \*
- Is the period of use included? ☒ YES ☐ NO ☐ \*
- Is a quantity claimed for each use? ☒ YES ☐ NO ☐ \*
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☐ \*
8. If required is a consumptive use entered? ☒ YES ☐ NO ☐ \*
- Is the consumptive use correct? ☒ YES ☐ NO ☐ \*
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. ☒ YES ☐ NO ☐ \*
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ \*
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ \*
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ \*
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ \*
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) ☒ YES ☐ NO ☐ \*
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ \*
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) ☒ YES ☐ NO ☐ \*
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ \*
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ \*
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ \*
20. Is the fee enclosed correct? ☒ YES ☐ NO ☐ \*
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO ☐ \*
22. Should this claim be data entered? ☒ YES ☐ NO ☐ \*

Claim checked by:

RAT

Date:

8-1-90

Claim must be returned to claimant:

(Yes) ☐ (No) ☒

Claimant must be notified of modifications:

(Yes) ☐ (No) ☒

Receipt Prepared by:

Claim data entered by:

Sent to claimant by:

Date:

Date:

Date:

Checked by:

Date:

Comments:

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State of Idaho  
Department of Water Resources

REQUEST FOR EXTENSION OF TIME  
TO FILE ADJUDICATION CLAIM(S)

The Idaho Department of Water Resources will consider this form as a request that the claimant be granted an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Idaho Department of Fish and Game  
Name of Claimant

P. O. Box 25, 600 South Walnut  
Post Office Address

Boise, ID 83707  
City, State, Zip Code

County(s) where Place of Use is located

Date Claim Originally Due

Identify water right(s) for which extension is requested

State reason(s) why an extension of time is requested:

Changes in personnel responsible for filing claims have resulted in  
delays in completing applications.

Claimant requests an extension to July 1 1990.

  
Signature

Chief, Bureau of Program Coordination  
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby

X granted \_\_\_\_\_ denied,  
and the filing deadline extended to June 30, 1990.

Signed this 2 day of June, 1990

  
Director or his designated agent

DAVID B. SHAW

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EVIDENCE OF PRIORITY DATE FOR ADJUDICATION CLAIM NO. **A75-10955**

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**DEC 15 1992**

A75-10955

C.R.P.

LEMHI COUNTY

STRUCTURES CONSTRUCTED

DURING YEAR

1960

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A75-10955

1960

NE11

NE12

DC2

CC0

CC1

CC2

CC3

CC4

CC7

CC8

CC9

CC10

CC11

CCEFI

" 2

" 3

S-3A

S-7

S-16A

L-20

L-22A

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A75-10955

CRP 1960-~~11~~

N.F. 11

CW. 1 - 2'x4' screen

Top w/81' = 98.50

" footing = 95.46

Bot footing = 94.79

NEH

NE12

D.C. 2

CC0

CC1

CC2

CC3

CC4

CC7

CC8

CC9

CC10

CC11

CCF1.

" 2

" 3

S-3A

S-7

S-16A

L-20

L-22A

By Pass -

42'x4" Oragoburg.

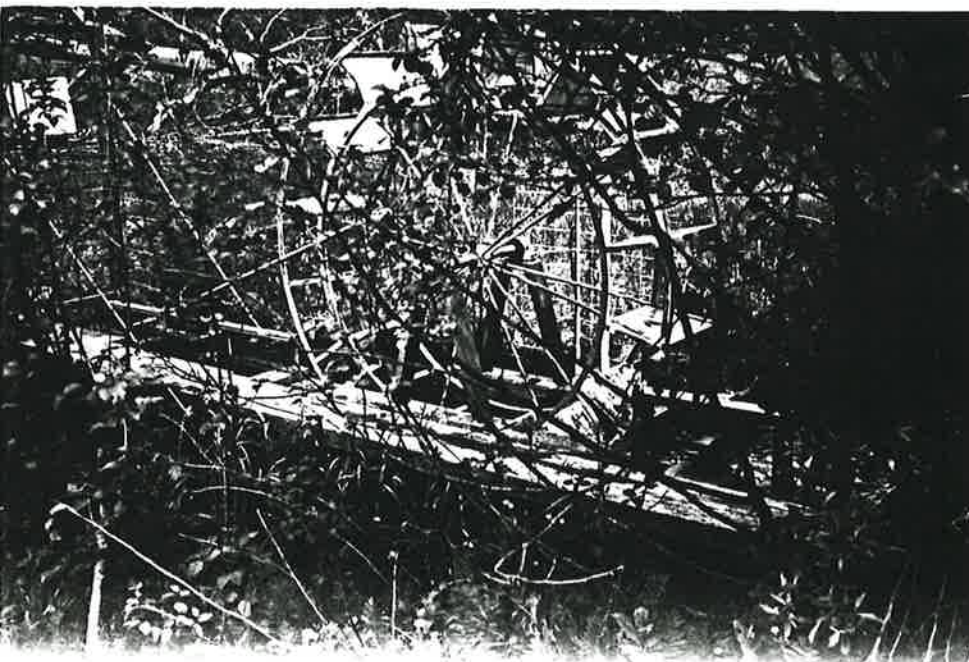
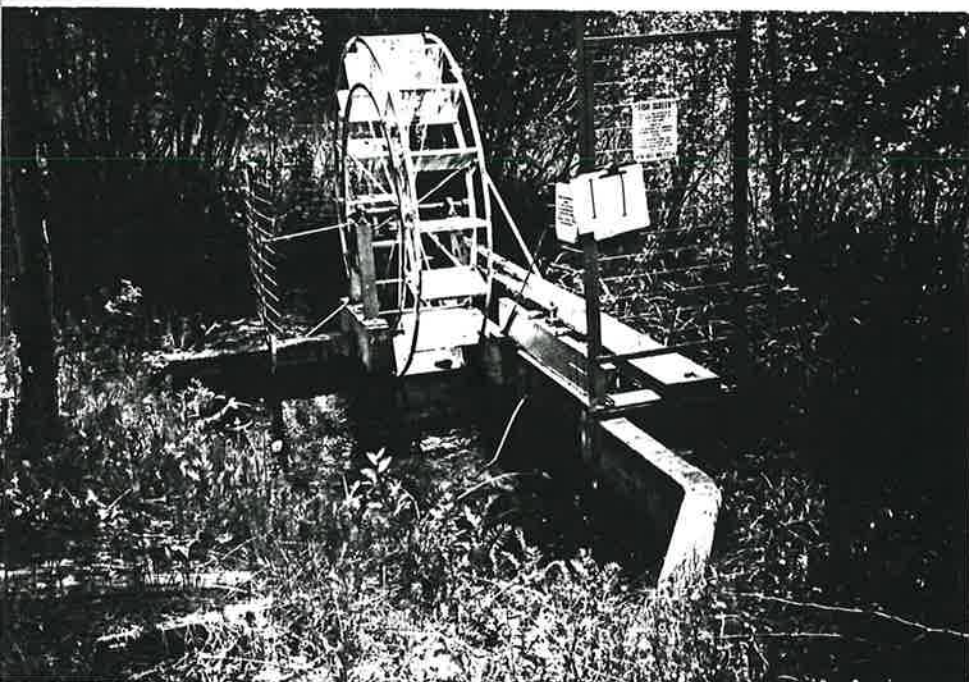
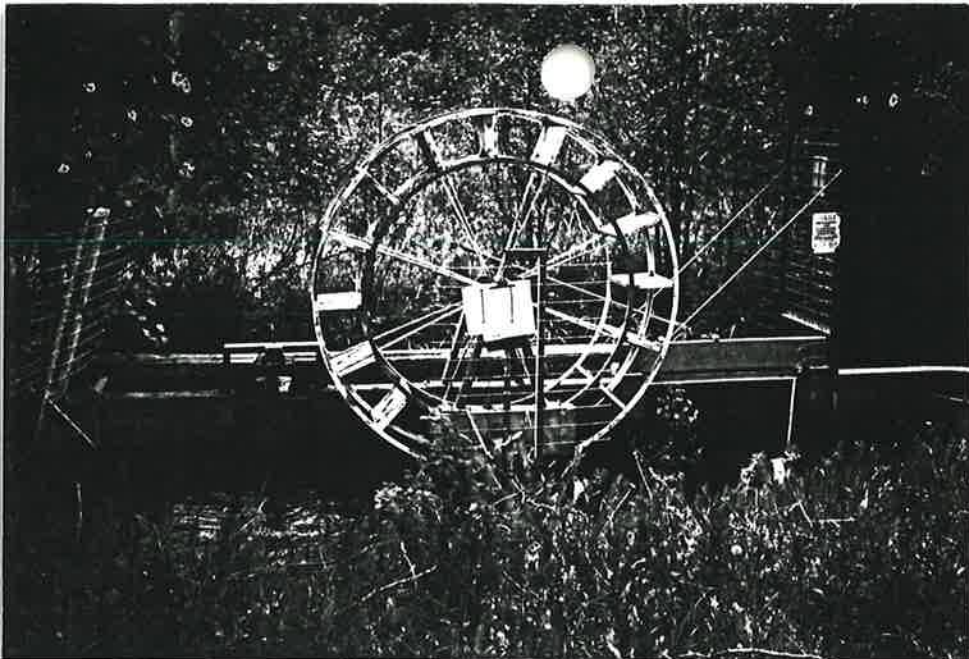
1- 2'x4'x10' Hd. gate

box.

Access OK

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Built 1960

SCREEN # NF 11

APPROACHMENT DITCH SIZE 1'x3'

USE *Yes*

TYPE OF SCREEN *Wiper Water Wheel*

SIZE OF SCREEN 3'x4'

MODIFIED *yes*

STRUCTURE *Fair*

CATWALKS *Pool*

HANDRAILS *None*

BYPASS SIZE 6"

HOW REDUCED *Not*

APPROX. LENGTH 20'x

TRASH RACK *None*

CONDITION OF ROAD

CONDITION OF GATES

ADDITIONAL COMMENTS

SCHEDULED REPLACEMENT

1995 3000

A75-10955

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SCANNED  
08/17/2011

X

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: A75-10955  
Date Received: 8/21/1990  
Receipt No: ~~X999999~~ 1017346/90  
Received By: \_\_\_\_\_

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: IDAHO FISH & GAME 208-334-3700  
Address: 600 SOUTH WALNUT, BOX 25  
BOISE, ID 83707

2. Date of Priority: AUG 28, 1959

3. Source: NORTH FORK OF SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 26N      | 21E   | 26      | SE     | SE     |     |     | LEMHI  |

5. Description of diverting works:  
CONCRETE/METAL SCREEN TO PREVENT FISH FROM ENTERING IRR. DITCH

6. Water is used for the following purposes:

| Purpose          | From  | To    | C.F.S | (or) | A.F.A. |
|------------------|-------|-------|-------|------|--------|
| FISH PROPAGATION | 03/15 | 11/15 | 0.800 |      |        |

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:  
FISH PROPAGATION BYPASS PIPE AT FISH SCREEN FOR FISH PASSAGE

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use  | Acres |
|----------|-------|---------|--------|-----|-----|------|-------|
| 26N      | 21E   | 26      | SE     | SE  |     | FISH |       |

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? NO

13. Other Water Rights Used:  
NONE

14. Remarks:  
EASEMENT AGREEMENT NF-11 FILED AT LEMHI CO. CH ON 8/28/59 PAGE  
345 E DITCH OWNERS: T. FOUGASSIE

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 Organizations:**

I do solemnly swear or affirm that I am \_\_\_\_\_ of  
\_\_\_\_\_  
Title  
\_\_\_\_\_, that I have signed the foregoing  
Organization  
document in the space below as \_\_\_\_\_ of  
\_\_\_\_\_  
Title  
\_\_\_\_\_ and that the statements contained in the  
Organization  
foregoing document are true and correct.

\_\_\_\_\_  
Signature of Authorized Agent

\_\_\_\_\_  
Title and Organization

\_\_\_\_\_  
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: 39576

Ident. Number A75-10955Date Received 6/19/90Receipt Number 7017346

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Idaho Department of Fish & Game Phone (208) 534-3700Mailing Address 600 South Walnut, Box 25, Boise, Idaho Zip 837072. Date of Priority (Only one (1) per claim) August 28, 19593. Source of water supply (a) North Fork of Salmon River  
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 26 N Range 21 E Section 26  
1/4 of SE 1/4 of SE 1/4, Govt. Lot, B.M., County of LemhiAdditional 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.Concrete structure with metal screen which prevents fish from  
entering irrigation ditch. Structure includes a bypass pipe which  
returns water to the main stream

A7510955



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NF-11

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For fish propagation purposes from 3/15 to 11/15 amount 0,800 or 487

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) 0,800 (cfs) and/or (b) 487 (acre feet)

8. Total consumptive use claimed is 0 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Fish propagation - bypass pipe at fish screen to provide for fish passage.

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 |        |
| 26N | 21E | 26  |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       | H     |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |
|     |     |     |        |       |       |       |        |       |       |       |        |       |       |       |        |       |       |       |        |

Total number of acres irrigated \_\_\_\_\_

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 \_\_\_\_\_ 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 (✓)

14. Remarks: Easement Agreement NF-11, filed at Lemhi Co. Courthouse  
on 8/28/59. Page 345  
Ditch owner - T. Fougassie

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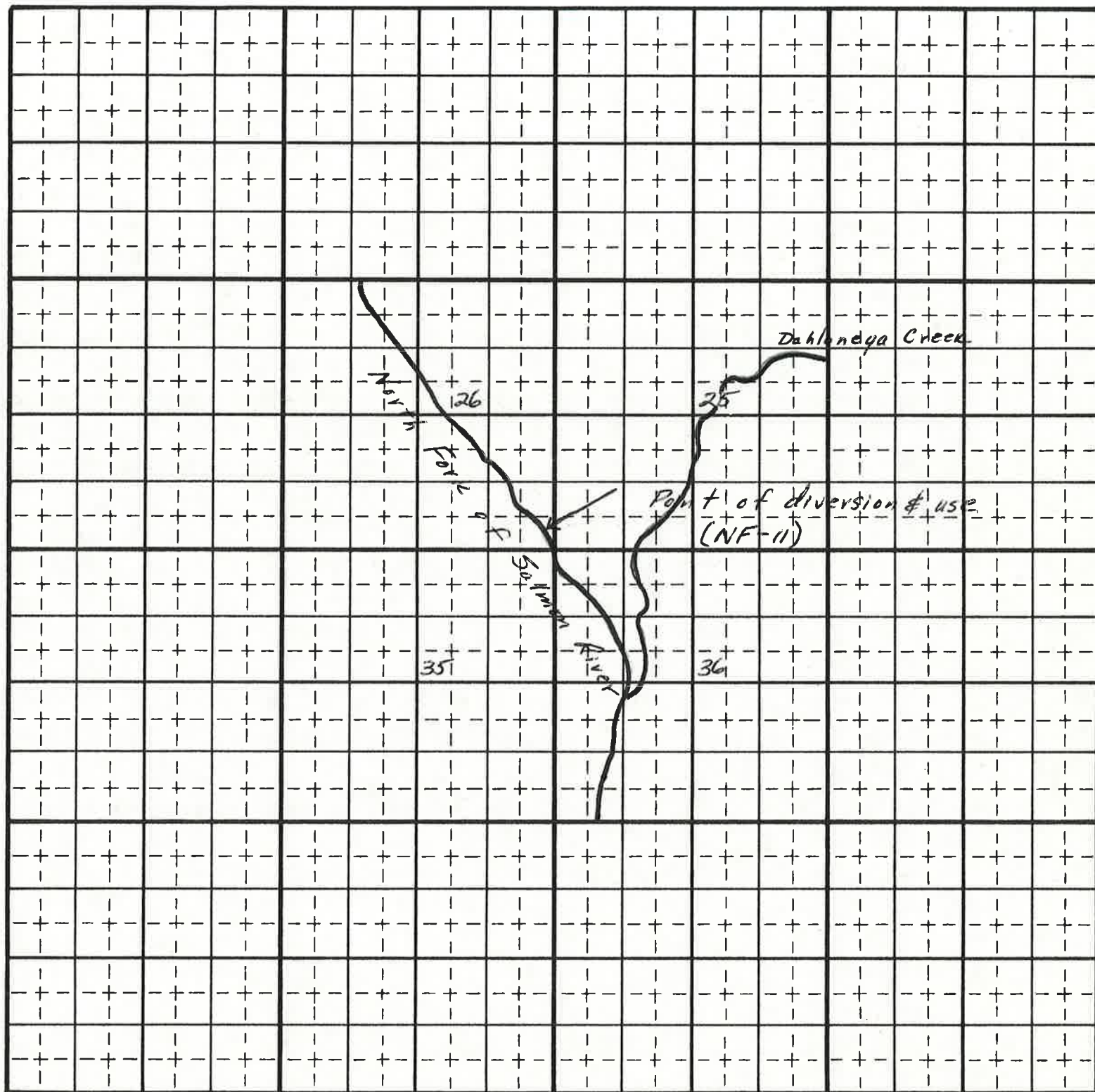
Last Name IDF#G Ident No. \_\_\_\_\_

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile

T. 26 N. R. 21 E.



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DEC 15 1992

Last Name IDF & G

Ident No. \_\_\_\_\_

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) \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

**For Organizations:** I do solemnly swear or affirm that I am \_\_\_\_\_

of IDAHO DEPT. OF FISH & GAME Title Assistant Director, that I have signed the foregoing

document in the space below as Acting Director of IDAHO DEPT. OF FISH & GAME

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

Signature of Authorized Agent Kenneth D. Price

Title and Organization Assistant Director Date 3-13-90

IDAHO DEPT. OF FISH & GAME

State of Idaho/or Idaho )

County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 13<sup>th</sup> day of March 19 90

SEAL

Notary Public Jerry L. Ventrone

Residing at Emmett, ID

My Commission Expires 8-15-93

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 IDF#G Ident. Number \_\_\_\_\_

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**DEC 15 1992**

Copies White-State, Yellow-Claimant