

08/03/2006

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

RIGHT NUMBER: 75-10973

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

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.800 CFS

PRIORITY DATE: 06/05/1961

POINT OF DIVERSION:

T22N R22E S17 SESW 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

T22N R22E S08

SWSW

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



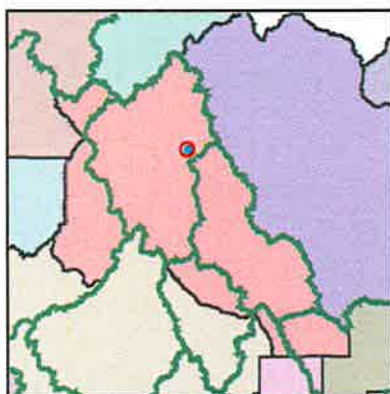
Idaho Department of Water Resources

SRBA Recommendation:

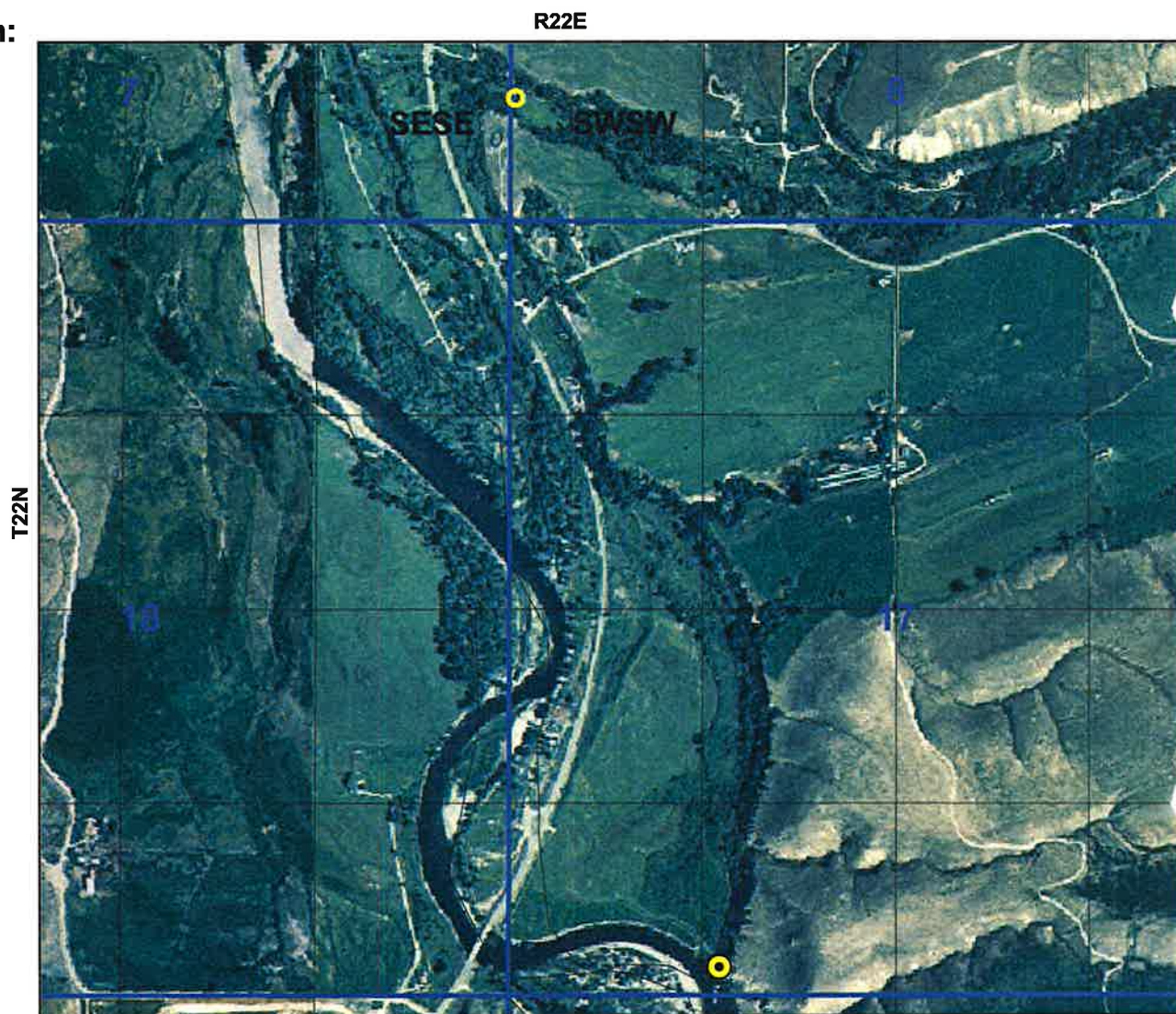
75-10973

Legend

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



Lemhi County
IDWR Basin 75



0 0.5 1 Miles



Prepared by R. Brown
On Thursday, August 3, 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: 75-10973

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: Cynthia Robertson

Please print your name: Cynthia Robertson

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

RECEIVED
DEC 09 2006
IDWR/North

SCANNED ✓
DEC 11 2006

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST 2

CLAIMANT'S NAME

IDFG

CLAIM IDENT. NO.

A75-10973

DATE RECEIVED

6/19/90

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. ☒ YES ☐ NO *
3. (a) Is a source entered? ☒ YES ☐ NO *
- (b) Is a tributary to entered? (if required) ☒ YES ☐ NO N/A *
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 N/A *
- Is the consumptive use correct? ☒ YES ☐ NO N/A *
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 N/A *
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 N/A *
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 N/A *
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 Exempt *
21. If this claim is based on an existing water right, has the identification number been entered? ☒ YES ☐ NO N/A *
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:

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Comments:

Date Received _____

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

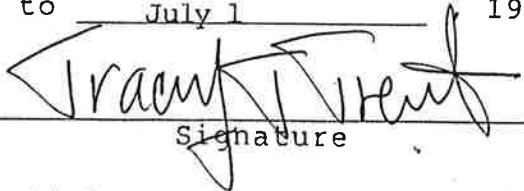
Date Claim Originally Due

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. **A75-10973**

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A75-10973

C.R.P.

LEMHI COUNTY

STRUCTURES CONSTRUCTED

DURING YEAR

1961

S-9

S-10

H.C. 3	L-37	LBSC 1
H.C. 4	L-41	LBSC 2
H.C. 5	L-42	LBSC 3
H.C. 7	L-43A	LBSC 4
S-546	L-43B	LBSC 5
5-9	L-44	LBSC 6A
S-10	L-45	LBSC-6
L-1	L-45A	
L-2-2A	L-45B	
L-3	L-45C	
L-10	L-45D	
L-11	L-46A	
L-12	L-52A	
L-13	L-53	
L-16	L-54	
L-17	L-58	
L-23	L-58A	
L-30	L-58B	
L-31A	L-59	
L-31B	L-60	
L-32		
L-36		

A75-10973

~~A75-10973~~
A75-10973

C.R.P. 1961

S.9 CGE 3 3'x32'

Top wall = 98.00

Top footing = 93.96

Bot " = 93.29

By Pass Pipe

6" x 96' in place

Access Road

O.K.

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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: A75-10973
Date Received: 8/23/1990
Receipt No: ~~X999999~~ 7017346/80
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: JUN 05, 1959
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 |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 22N | 22E | 17 | SW | SW | | | LEMHI |
5. Description of diverting works:
CONCRETE STRUCTURE/METAL SCREEN, PREVENT FISH 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 SCREEN TO PROVIDE FOR FISH PASSAGE
10. Place of Use:
- | Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|------|-------|
| 22N | 22E | 17 | SW | SW | | 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 S-9, FILED AT LEMHI CO. COURTHOUSE ON 06/05/59
PAGES 315 & 316, BOOK E. DITCH OWNERS:
SCREEN MOVED TO CURRENT LOCATION IN 1988. NO EASEMENT FOUND.

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

A75-10973

Date Received

6/19/90

Receipt Number

J017346

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) 334-370Mailing Address 600 South Walnut, Box 25, Boise, Idaho Zip 837072. Date of Priority (Only one (1) per claim) June 5, 19593. Source of water supply (a) Salmon River
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 22 N. Range 22 E. Section 17,
1/4 of SW 1/4 of SW 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.

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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 _____

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) _____ (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

10. Description of place of use:

fish passage.

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	
<u>22N</u>	<u>32E</u>	<u>17</u>											<u>H</u>						

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: Original Easement 5-9, filed at Lemhi Co. Courthouse
on 6/5/59. Pages 315 & 316, Book E.

Screen moved to current location in 1988. No easement found.

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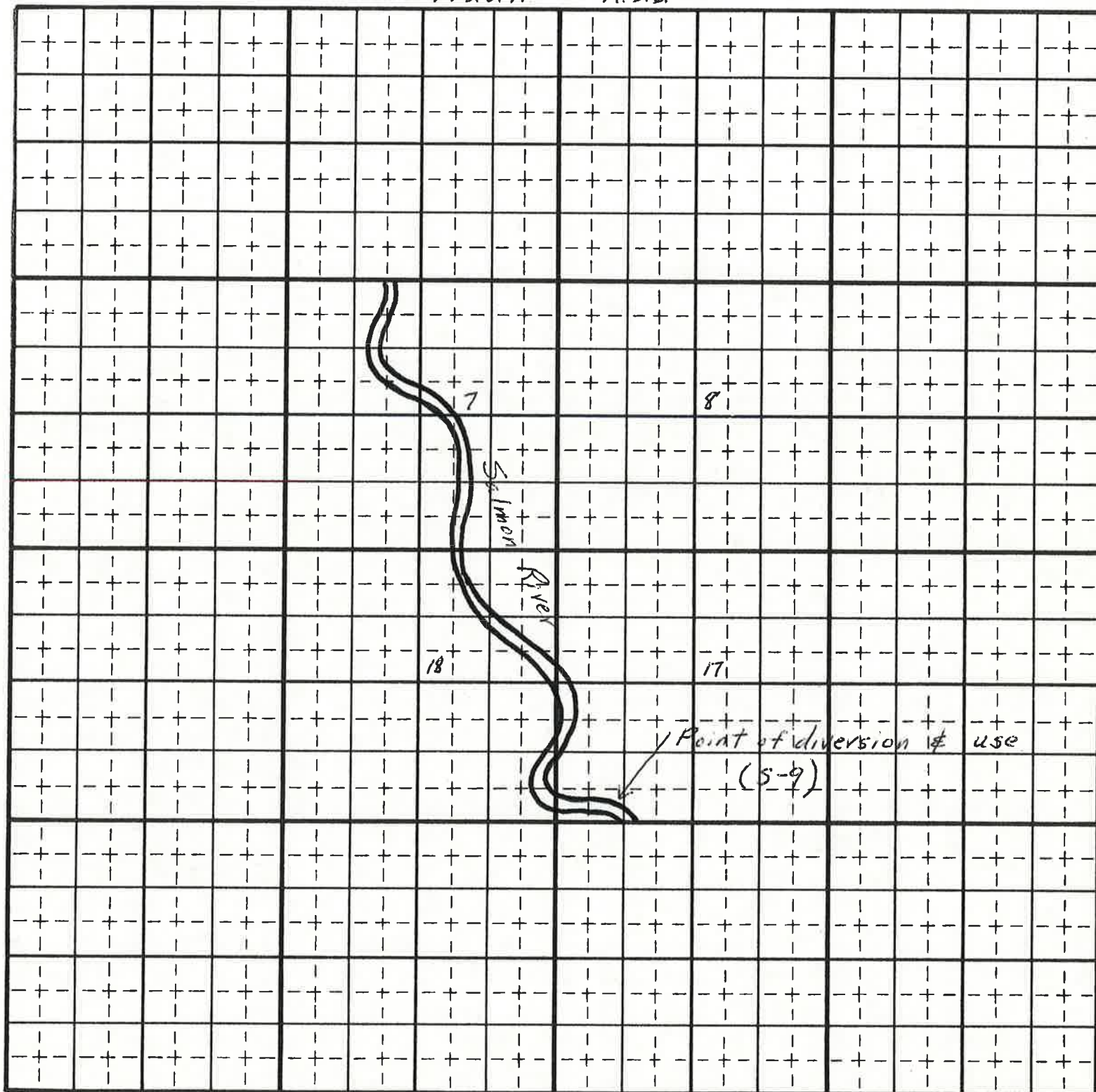
Last Name IDF#G Ident No. _____

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. 22 N R. 22 E



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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 _____

IDAHO DEPT. OF FISH & GAME

Assistant Director
Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____

Acting Director
Title

of

IDAHO DEPT. OF FISH & GAME

Organization

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

Signature of Authorized Agent Kenneth Naice

Title and Organization

Assistant Director

Date 3-14-90

IDAHO DEPT. OF FISH & GAME

State of Idaho/or Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 14th day of March 19 90

SEAL

Notary Public

Dorothy J. Baker

Residing at

Emmett Idaho

My Commission Expires

10/31/99

Please Print Name

DOROTHY J. BAKER

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 _____

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DEC 15 1992

Last Name IDFG Ident. Number _____

Copies White-State, Yellow-Claimant