

12/13/2006

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

RIGHT NUMBER: 75-10979

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: 08/20/1961

POINT OF DIVERSION:

T21N R22E S31 NESE Lot 3 Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

FISH PROPAGATION

3/15 11/15

0.800 CFS

PLACE OF USE: FISH PROPAGATION in LEMHI County

T21N R22E S31 Lot 3 NESE

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

12/12/2006

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

RIGHT NUMBER: 75-10979

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: 08/20/1961

POINT OF DIVERSION:

T21N R22E S31 NESE Lot 2 Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

FISH PROPAGATION

3/15 11/15

0.800 CFS

PLACE OF USE: FISH PROPAGATION in LEMHI County

T21N R22E S31 NESE

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Recommended as Right No. 75-10980.

Knoblock, Ken

From: Poole, Walton [wpoole@idfg.idaho.gov]
Sent: Tuesday, December 12, 2006 2:56 PM
To: Knoblock, Ken
Cc: Robertson, Cindy; Poole, Walton
Subject: notice of error 75-10964

water rights

Hi Ken:

I was just in contact with Larry Weeks in the IDFG screen shop in Salmon concerning the three water rights that we discussed by telephone yesterday. Larry was aware that 75-1079 was combined with 75-10980 and that 75-10794 was a duplicate of 75-2142. When I asked about 75-10964, he checked his records and as well as with other personnel in the screen shop and the notice of error that we filed is correct as to the screen being in place (new in 1993); being a criteria screen and properly functioning. We can provide assistance to a field inspector to look at the screen if you desire. That right should not be disallowed according to our records, so the notice of error filed by Cindy Robertson is the most current information. Please let me know what I can do to help resolve this. Thanks again for your help.

Best,

Walt

Walton Poole, Ph.D.
 Staff Biologist
 Natural Resource Policy Bureau
 Idaho Department of Fish and Game
 600 South Walnut Street
 P.O. Box 25
 Boise, Idaho 83707
 (208) 287-2714
 Fax (208) 334-2114
wpoole@idfg.idaho.gov

5-11 Edwards
5-12 Kane

12/12/2006

mtg. w/ Gary Weber 7/10/05 @ x-junction

75-2142 10.0 gals fish over (5-10) 1000 dth

8-10 new pitfall over was 155 gals
400 new traps from trap night
to 1000 traps from trap night

75-4063 W. light under contact to remove 100 (5/15/14)
- withdrawal/locations

75-10937 (5-19) eliminated in 2003 for IOFG notes
- withdrawal/locations

75-10968 (5-3) Withdrawal Ditch
built in 1968

75-10969 (5-3A) eliminated in 2000 for IOFG notes
- withdrawal/locations

75-10970 (5-5/6)
withdrawal/locations

75-10971 (57)
built in 1960

75-10972 (5-8) Bill's ditch same 100 as 5-9

look for Main/permit (built in 1988) withdrawal

75-10973 (5-9) Thruway/ditch

- built in 1961 moved in 1988 again in 1998
moved again 21 mi to new ditch bypass
thruway to Main there

- around Main as to Poll in 87

4154

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: 75-10979

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):

We disagree with the recommendation for desalination

2. Describe the changes you wish to make in the proposed recommendation:

This water right should be recommended as claimed (see attached Claim Report).

3. Give a brief explanation as to why you disagree with these portions:

This screen was built in 2002 when the POD was combined with water right 75-10980 (screen # S-12). While the POD is shared w/ 75-10980, water is delivered down a separate ditch which has a separate fish screen on it

☐ 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

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

11/27/2006

WATER RIGHT NO. 75-10979

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE, ID 83707 (208)334-3700

Priority Date: 08/20/1961

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
FISH PROPAGATION	3/15	11/15	0.8 CFS	
Total Diversion			0.8 CFS	

Location of Point(s) of Diversion:

SALMON RIVER	NESE Lt 2	Sec. 31	Township 21N	Range 22E	LEMHI County
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Place(s) of use:

Place of Use Legal Description: FISH PROPAGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	22E	31		NESE										

Conditions of Approval:

1.	EASEMENT AGREEMENT S-11 & 11A, FILED AT LEMHI CO. CH ON 8/20/61 PAGES 499 & 500, BOOK E DITCH OWNERS: EDWARDS & SONS
----	--

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

75-10974 (5-10)

- built in 1961

- withdrawn/duplicates (duplicate 75-2142)

75-10976 (5-106) eliminated

- withdrawn/duplicates

75-10978 (5-100) not in use

- withdrawn/duplicates

75-10979 (5-11/114) Edwards ditch

- withdrawn/duplicates - needs app.

- built in 1966

75-10980 (5-12) Tan - Barry ditch

- built in 1963

75-10981 (5-13)

- built in 1963

- withdrawn/duplicates

75-10982 (5-14)

- built in 1963

75-10983 (5-15)

- built in 1964 / reconstructed 1994

75-10984 (5-16) Rainbow Company ditch
- built in 1963 / reconstructed in 1988

75-10985 (5-17)

- built in 1963

SCANNED

MAY 22 2006

consolidated
appears
4 P00 0001

consolidated
P00, app. seems

EVIDENCE OF PRIORITY DATE FOR ADJUDICATION CLAIM NO. A75-10979

Built 1980? Robert in 1980?
 Check to/coordinates for
 more information

SCREEN # 511

APPROACHMENT DITCH SIZE 2' X 5'

USE 400

TYPE OF SCREEN *Rolling with wheel*

SIZE OF SCREEN 2-40" X 10 ft

MODIFIED

STRUCTURE EXCELLENT

CATWALKS

"

HANDRAILS

"

BYPASS SIZE 6"

HOW REDUCED 4"

APPROX. LENGTH 108 ft

TRASH RACK Full

CONDITION OF ROAD

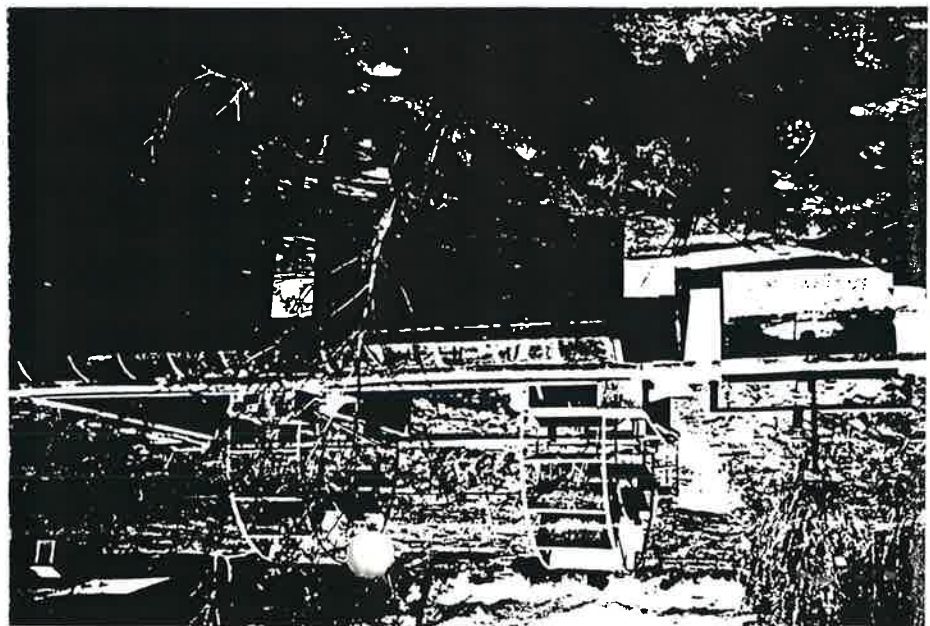
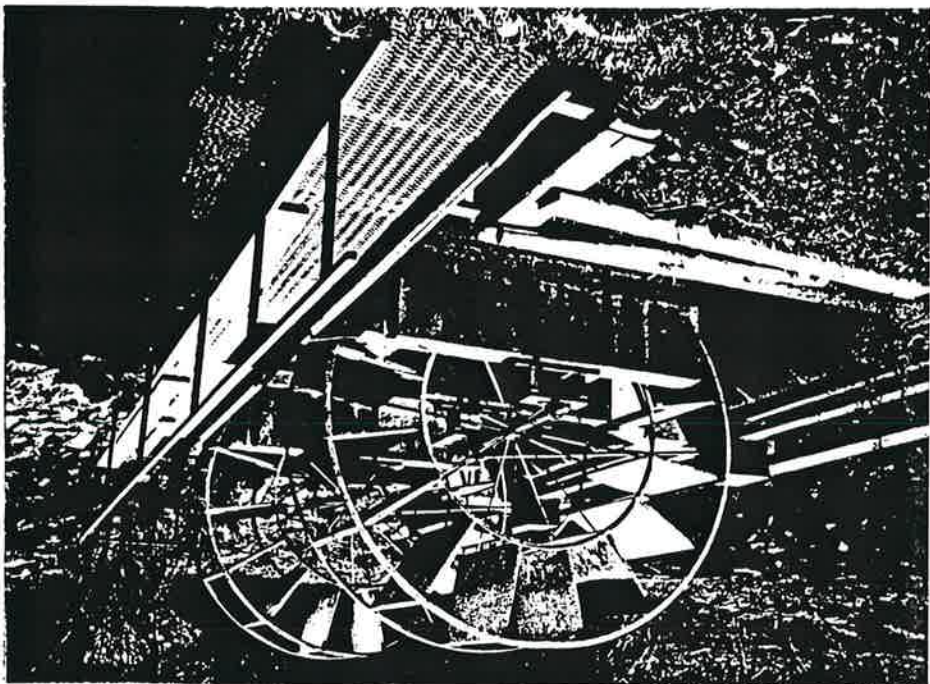
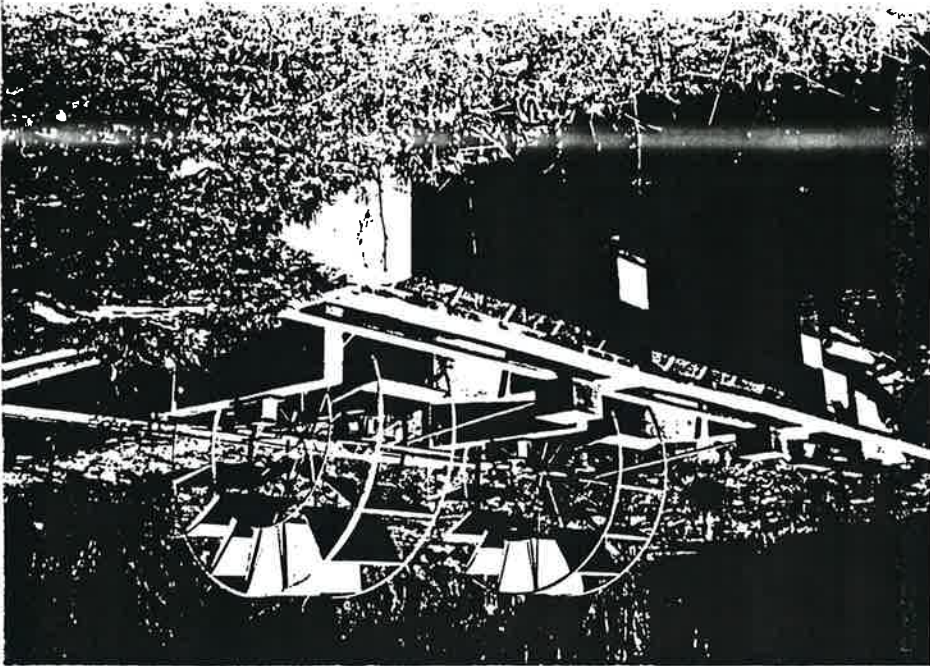
CONDITION OF GATES

ADDITIONAL COMMENTS

SCHEDULED REPLACEMENT

2020

AT-5-10979



4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME

IDFG

CLAIM IDENT. NO.

A75-10979

DATE RECEIVED

6/19/90

CK #

7017346

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?
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:

RAH

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:

DEC 15 1992

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

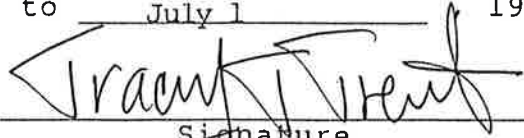
Date Claim Originally Due

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

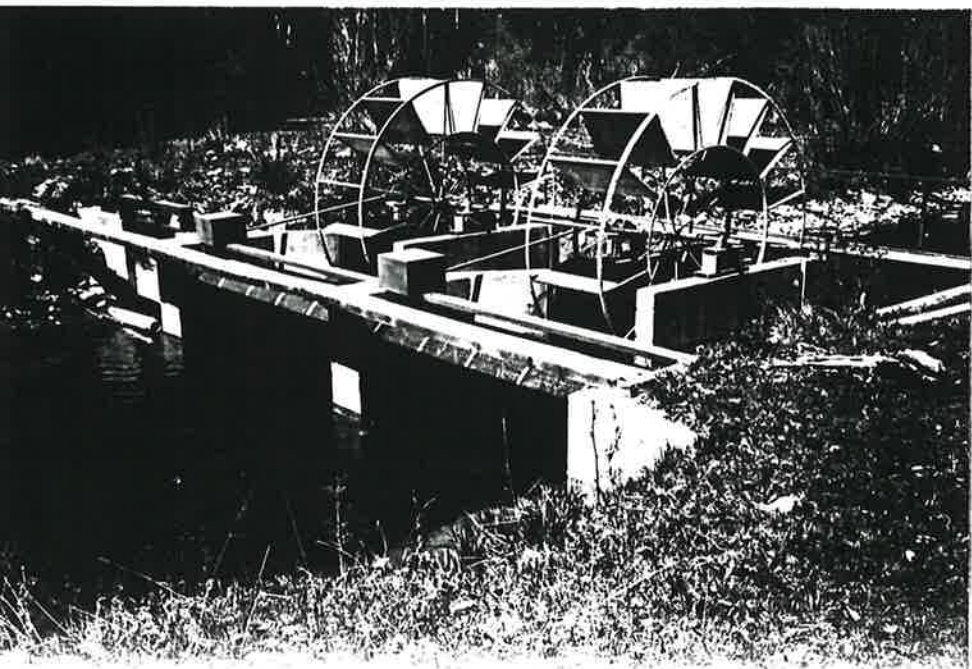
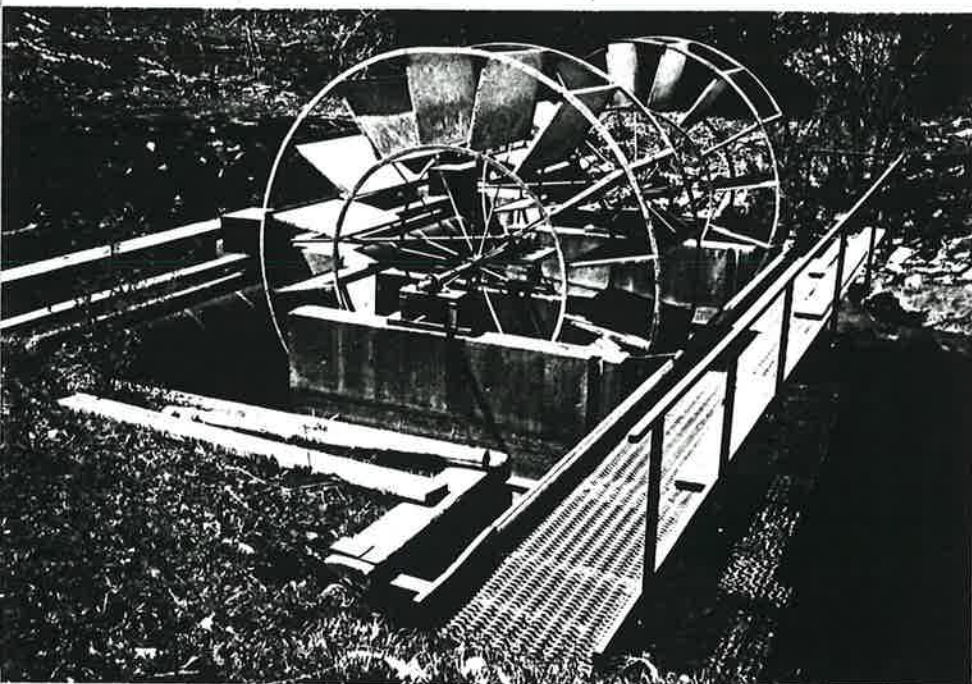
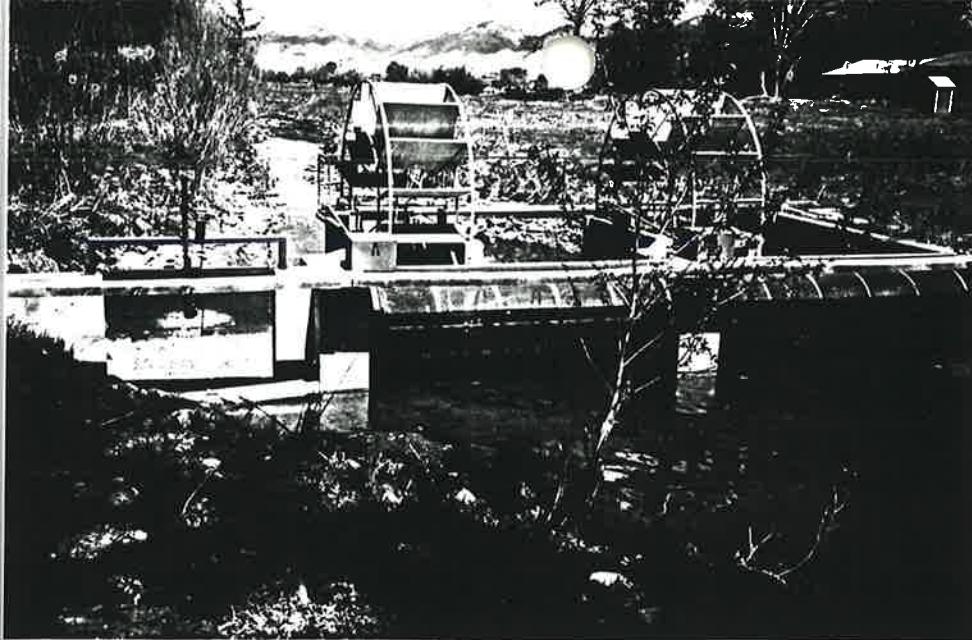

Director or his designated agent

DAVID B. SHAW

MICROFILMED
DEC 15 1992

EVIDENCE OF PRIORITY DATE FOR ADJUDICATION CLAIM NO. **A75-10979**

MICROFILMED
DEC 15 1992



BUILT 1988

SCREEN # 511

APPROACHMENT DITCH SIZE 2' X 5'

USE *Yes*

TYPE OF SCREEN *Rotary Water Wheel*

SIZE OF SCREEN *2-40" X 10 ft*

MODIFIED

STRUCTURE *EXCELLENT*

CATWALKS *1*

HANDRAILS *"*

BYPASS SIZE *6"*

HOW REDUCED *4"*

APPROX. LENGTH *108 ft*

TRASH RACK *Fair*

CONDITION OF ROAD

CONDITION OF GATES

ADDITIONAL COMMENTS

SCHEDULED REPLACEMENT

2020

A75-10979

MICROFILMED

DEC 15 1992

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: A75-10979
Date Received: 8/23/1990
Receipt No: ~~X999999~~ 17346/jd
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 20, 1961

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
21N	22E	31	NE	SE		2	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
21N	22E	31	NE	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 S-11 & 11A, FILED AT LEMHI CO. CH ON 8/20/61
PAGES 499 & 500, BOOK E DITCH OWNERS: EDWARDS & SONS

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

\$58⁰⁰

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 A75-10979
Date Received 6/19/90
Receipt Number T017346

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) 334-3700

Mailing Address 600 South Walnut, Box 25, Boise, Idaho Zip 83707

2. Date of Priority (Only one (1) per claim) August 20, 1961

3. Source of water supply (a) Salmon River
which is tributary to (b) SNAKE RIVER

4. a. Location of existing point of diversion is: Township 21N Range 22E Section 31,
1/4 of NE 1/4 of SE 1/4, Govt. Lot, 2 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.

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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DEC 15 1992

S-11 #11A

A7510979



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 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	
21N	22E	31													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 S-11 # 11A, filed at Lemhi Co Courthouse
on 8/20/61. Pages 499 & 500, Book E.
Ditch owners - Edwards & Sons.

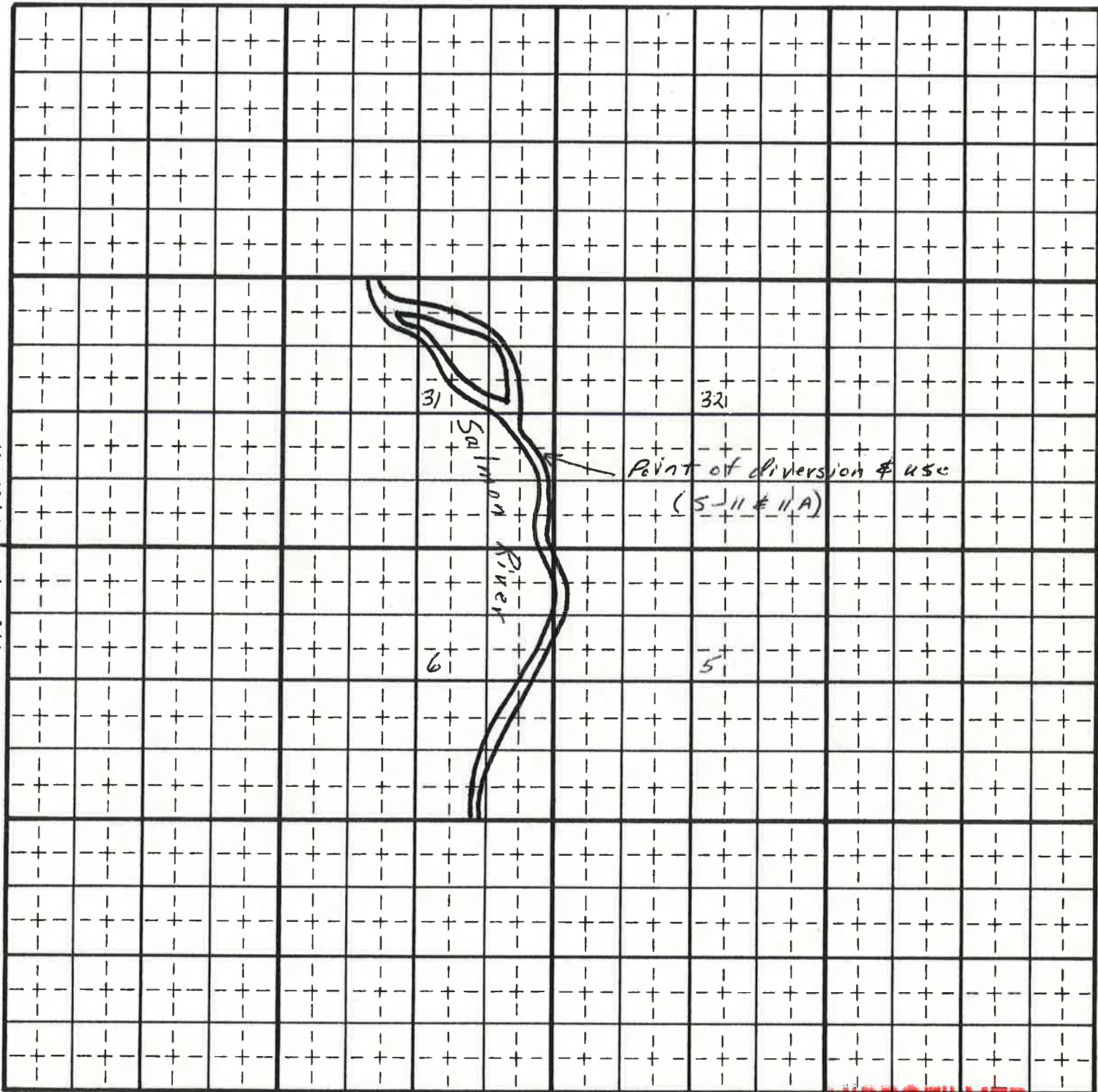
Last Name IDF & G Ident No. _____

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

R. 22 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 Assistant Director
of IDAHO DEPT. OF FISH & GAME Title _____, that I have signed the foregoing
document in the space below as Acting Director of IDAHO DEPT. OF FISH & GAME
Organization _____ Title _____ Organization _____
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Kenneth M. Murre

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 Baker

Residing at Emmett, Idaho

My Commission Expires 10/31/1991

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 _____

MICROFILMED

DEC 15 1992

Last Name IDF&G Ident. Number _____

Copies White-State, Yellow-Claimant