

11/20/2006

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

RIGHT NUMBER: 75-11618

NAME AND ADDRESS: ESTHER THERIAULT
PO BOX 538
SALMON ID 83467

LEONARD THERIAULT
PO BOX 538
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.030 CFS

PRIORITY DATE: 03/31/1965

POINT OF DIVERSION:
T22N R22E S7 NENENW Lot 13 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.030 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S07 Lot 13 NENW 1.00

1 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED
JAN 25 2009



Idaho Department of Water Resources

SRBA Recommendation:

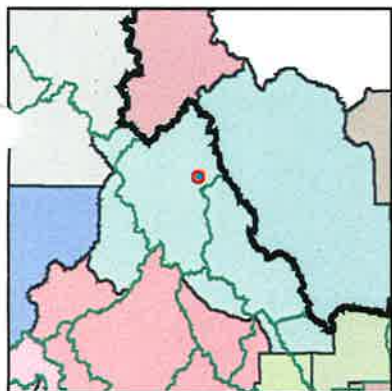
75-11618

(Irrigation)

SCANNED
JAN 25 2008

Legend

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



Lemhi County
IDWR Basin 75

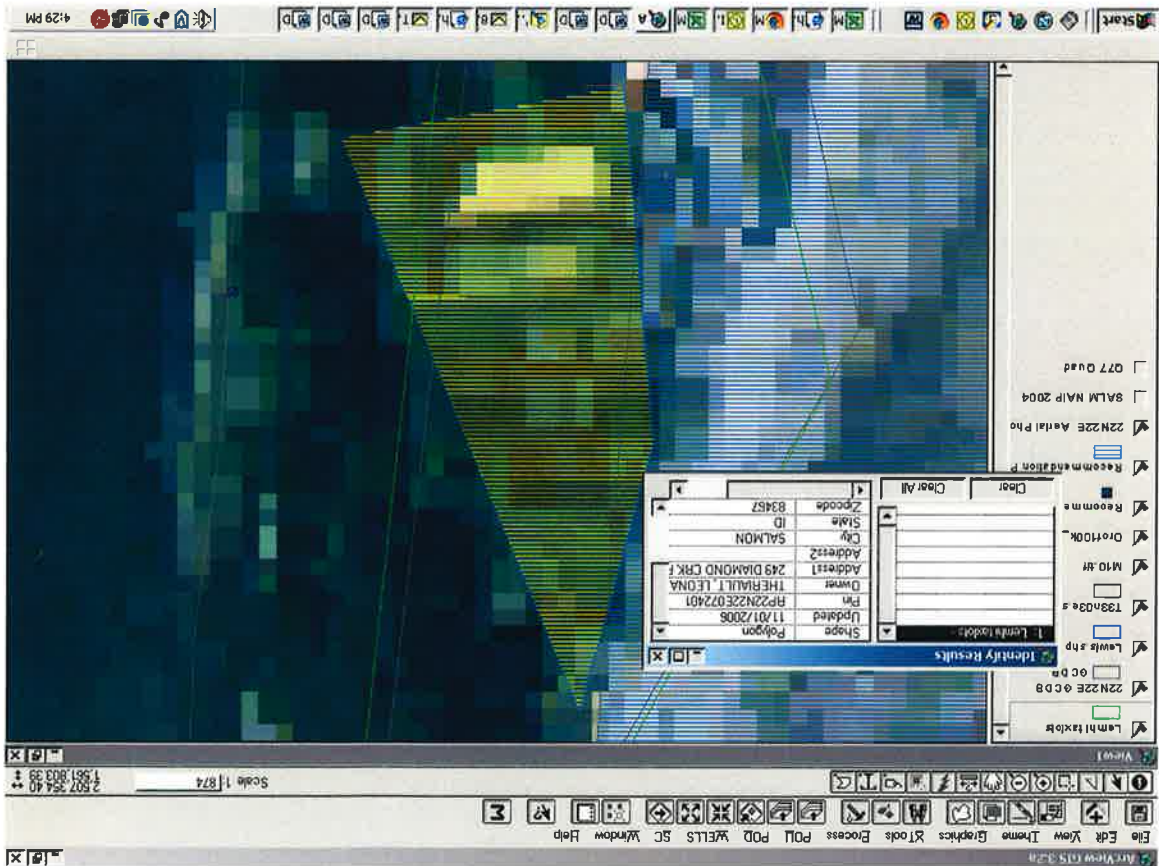


0 0.1 0.2 Miles

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

JAN 2 5 2008

SCANNED



09/17/2008

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

per SFS

RIGHT NUMBER: 75-11618

NAME AND ADDRESS: ESTHER THERIAULT
PO BOX 538
SALMON ID 83467

LEONARD THERIAULT
PO BOX 538
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.030 CFS

PRIORITY DATE: 03/31/1965

POINT OF DIVERSION:

T22N R22E S7 NENENW Lot 13 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.030 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T22N R22E S07 NENW 1.00

1 ACRES TOTAL

Place of use does not include federal public lands

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

75-1168

████████████████████

Dept. of Water Resources
Adjudication Bureau
P. O. Box 83720
Boise, ID 83720-0098

ADDRESS SERVICE
REQUESTED

LEONARD THERIAULT

ESTHER THERIAULT
PO BOX 538
████████████████████

75

RECEIVED
NOV 27 2006
DEPARTMENT OF
WATER RESOURCES

FIRST CLASS



UNITED STATES POSTAGE
PERMIT NO. 100
\$ 00.87⁰
02 1A NOV 22 2006
0004310839
MAILED FROM ZIP CODE 83702

SCANNED
JAN 25 2008

UNDELIVERABLE
AS ADDRESSEE
UNABLE TO
FORWARD

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: 75-11618

ESTHER THERIAULT
PO BOX 538
SALMON ID 83467

LEONARD THERIAULT
PO BOX 538
SALMON ID 83467

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

SCANNED
JAN 25 2006



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 19, 2007

SCANNED
MAR 19 2007

Leona Theriault
249 Diamond Creek Rd.
Salmon, ID 83467

Re: 75-11618

Dear Leona:

This packet was mailed to a post office box and was returned to our office. The county records show that this is your address. In order for you to receive future correspondence you need to file the enclosed change of address form and return it to this office.

Sincerely,

Kenneth Knoblock
Water Rights Supervisor

KK: cm

Encl.

NOVEMBER 13, 1992

LEONARD THERIAULT
BOX 538
SALMON ID 83467

RE: NOTICES OF CLAIM A75-11618 AND A75-11619

Dear Mr. Theriault:

Enclosed are copies of your two Notices of Claim mentioned in the above reference that you submitted in May, 1990. At the time you submitted these Notices, you paid a total of \$50.00 for both Notices (copy of receipt enclosed). However, the filing fees for the irrigation of 1 acre come to \$51.00 (\$50.00 to file and \$1.00 for the acre). The Domestic Notice is \$25.00 for a total of \$76.00. Since you have already paid \$50.00, the remaining fees are \$26.00. I should have told you about these fees yesterday on the phone, but it slipped my mind.

As you requested, I have entered March 31, 1965 on both Notices as your priority date (Item #2, highlighted). It is necessary for ONE of you to sign the Notices in the presence of a Notary Public and return them to this office with a check for the additional amount of \$26.00. After the Notices have been properly signed, you may want to make copies for your files.

I apologize for the inconvenience this may cause you. If you have any further questions, please call me at 525-7161.

Respectfully submitted,

Jo Thompson
Adjudication Secretary

Enclosure

MICROFILMED
DEC 15 1992

ACTION REQUIRED

*Claimants paid total
of 50.00 for the
two claims*

FROM: JO THOMPSON, ADJUDICATION SECRETARY

TO: LEONARD OR ESTHER THERIAULT

Dear Mr. and Mrs. Theriault:

During May, 1990, we received two Notices of Claim to water rights filed during the Snake River Basin Adjudication. Although we are way behind in processing many of these Notices, we have found some areas on your two Notices that need clarification.

#1: What is date of first use for irrigation? If after May, 1971, it is necessary that you file an application for permit in lieu of this Notice.

What is the date of first use for the domestic well that you filed on?

It would help us a lot if you will take the time to call me at your convenience at 525-7161 (ask for Jo Thompson). I will hold your Notice for a few days. If I do not hear from you within a reasonable time, we will have to return your Notices. Realizing this occurred two years ago, we believe a telephone call from you to be most helpful to all concerned.

Thank you for your cooperation.

DEC 15 1992

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Leonard or Esther Theriault
(Name of Claimant)
Box 538 Salmon Idaho 83467
(Mailing Address) (Zip Code) Telephone No.

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) July 10, 1935

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
Salmon River tributary to Snake River

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	(cfs, gpd, AFA)	Use	(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
				(Mo., Day)	(Mo., Day)
Quantity <u>0.04 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>4/1</u>	To <u>11/1</u>
Quantity <u> </u>		Use <u> </u>		Period of Use From <u> </u>	To <u> </u>
Quantity <u> </u>		Use <u> </u>		Period of Use From <u> </u>	To <u> </u>
Quantity <u> </u>		Use <u> </u>		Period of Use From <u> </u>	To <u> </u>
Quantity <u> </u>		Use <u> </u>		Period of Use From <u> </u>	To <u> </u>

(4) 0.04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)
NE 1/4 NW 1/4, Sec. 7, Twp. 22N, Rge. 22E, B.M., County of Lemhi
Additional points of diversion:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
pump to mainline for flood irrigation

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
22N	22E	7					1												1

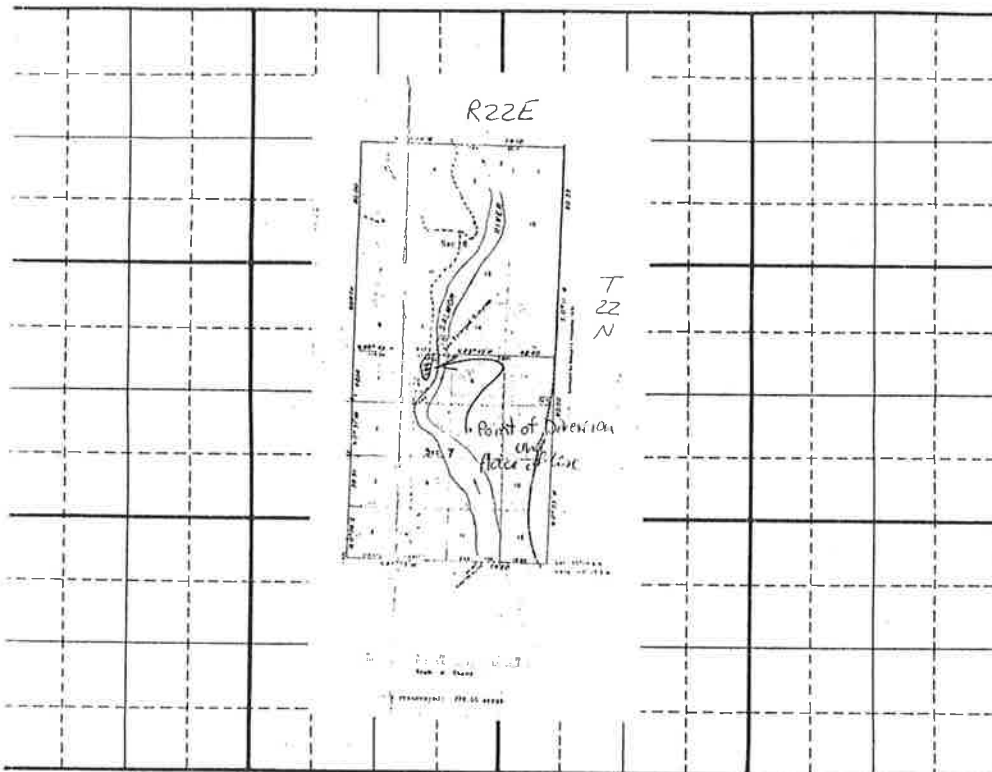
No. of acres 1

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks _____



Scale - 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of _____) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

x Robert J. Threlkeld
(Claimant)

Sworn to before me this _____ day of _____, 19____.

Notary Public
Residing at _____

My commission expires _____

(DEPTED BY REC'D)

FOR DEPARTMENT USE ONLY

Received by <u>BP</u>	Date <u>4/24/83</u>	Exception filed by:	Forwarded to	Date
Prelim. check by <u>HWS</u>	Date <u>4-25-83</u>		claimant by:	
\$20.00 fee received by <u>BP</u>	Date <u>4-25-83</u>	<u>28091</u>		
Published in <u>Ricelcel Herald</u>				
Dates <u>5/5 - 5/13/83</u>				

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: A75-11618

Date Received: 11/13/1992

Receipt No: E014797

Received By:
See Rec. E018098 fol 26.00

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

NOV 17 1992

Department of Water Resources
Eastern District Office

1. Name: LEONARD THERIAULT
Address: PO BOX 538
SALMON ID

83467

AND/OR

Name: ESTHER THERIAULT
Address: PO BOX 538
SALMON ID

83467

2. Date of Priority: MAR 31, 1965

3. Source: SALMON RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	22E	7	NE	NE	NW		LEMHI

5. Description of diverting works:
PUMP FROM SALMON RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	01/01	12/31	0.080		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	22E	7	NE NW		IRR	

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 X 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): Leonard Theriault Date: 11-16-92

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 16th day
of November 19 92

Laura Nordmark
Notary Public

Seal

Residing at Salmon

My Commission Expires 10-21-94

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 A75-11618

Date Received

Receipt Number E014797

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 5 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) LEONARD OR ESTHER THEZIAULT Phone (NO) _____Mailing Address BOX 538 SALMON IDAHO Zip 834672. Date of Priority (Only one (1) per claim) MAY 1 19903. Source of water supply (a) SALMON RIVER
which is tributary to (b) SNAKE RIVER4. a. Location of existing point of diversion is: Township T22N Range R22E Section 7,
NE 1/4 of NE 1/4 of NW 1/4, Govt. Lot, 3829 B.M., County of LEMHIAdditional points of diversion if any: NONE

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

Township T22N Range R22E Section 7, NE 1/4 of NE 1/4 of NW
Govt. Lot 3829 B.M., County of LEMHIending point is: Township T22N Range R22E Section 7, NE 1/4 of NE 1/4 of
NW 1/4, Govt. Lot 3829 B.M., County of LEMHI5. 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. PUMP FROM SALMONRIVER

A751618



SCANNED

JAN 1992 MICROFILMED

DEC 15 1992

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For GAYLEN purposes from JAN. 1 to DEC. 31 amount 0.08 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.08 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

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	
<u>22N</u>	<u>22E</u>	<u>7</u>					<u>/</u>												<u>/</u>

Total number of acres irrigated /

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

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:

Last Name THEXIAULT Ident No. _____

SCANNED MICROFILMED
JAN 25 2002 DEC 15 1992
Copies: White - State, Yellow - County

Scale: 2 inches equals 1 mile

[illegible]

SCANNED MICROFILMED

JAN 25 2003 DEC 15 1992

Copies: White-State, Yellow-Claimant

Last Name

THERIAULT

Ident No.

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 _____

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 3RD day of MAY 1990

SEAL

Notary Public Melissa T. Cole

Residing at Salmon, Id

My Commission Expires 3/7/94

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 Leonard Theriault, Esther Theriault

Address _____

Date _____

Last Name Theriault Ident. Number _____

MICROFILMED

SCANNED

DEC 15 1992

JAN 26 1993
Copies White-State, Yellow-Claimant

08/22/2006

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

RIGHT NUMBER: 75-11618

NAME AND ADDRESS: ESTHER THERIAULT
PO BOX 538
SALMON ID 83467

LEONARD THERIAULT
PO BOX 538
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.030 CFS

PRIORITY DATE: 03/31/1965

POINT OF DIVERSION:

T22N R22E S7 NENENW Lot 13 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.030 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T22N R22E S07 Lot 13 NENW 1.00

1 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use