

11/03/2006

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

RIGHT NUMBER: 75-14063

NAME AND ADDRESS: JOHN GOODMAN
100 POLLARD CREEK RD
SALMON ID 83467

SHERRI GOODMAN
100 POLLARD CREEK RD
SALMON ID 83467

SOURCE: POLLARD CANYON CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.080 CFS

PRIORITY DATE: 04/01/1913

POINT OF DIVERSION:

T21N R21E S2 NESE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.080 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R21E S02 NESE 4.00

4 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



Idaho Department of Water Resources

SRBA Recommendation:

75-14063

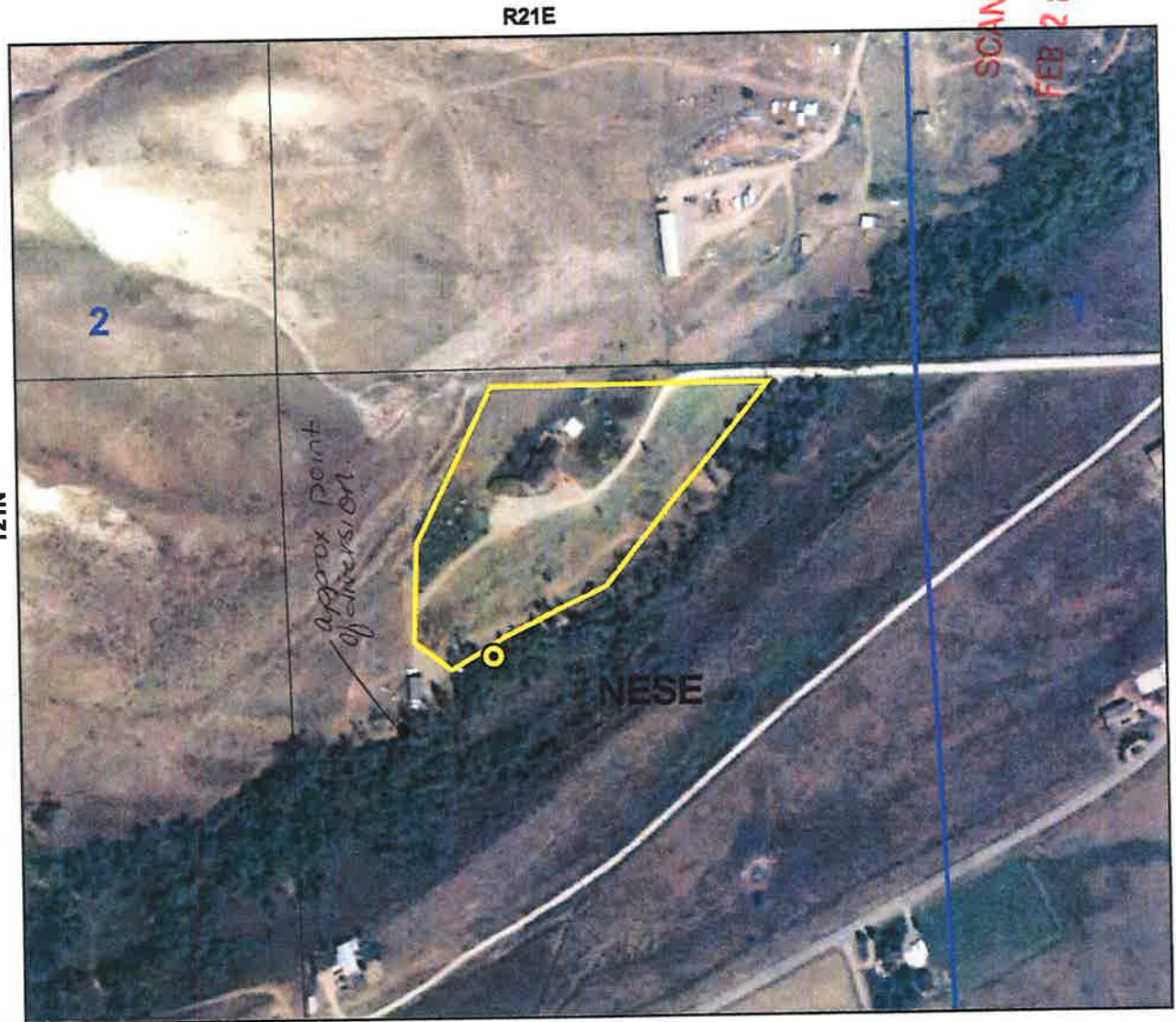
(Irrigation)

Legend

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



Lemhi County
IDWR Basin 75



0 0.1 0.2 Miles

SCANNED
FEB 28 2008

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



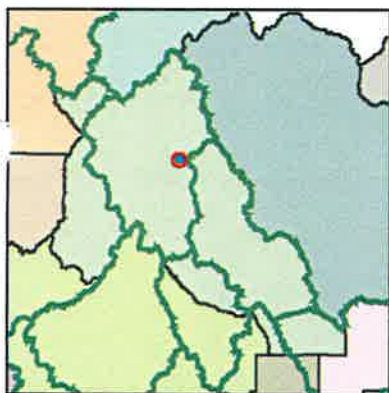
Idaho Department of Water Resources

SRBA Claim:

75-14063

Legend

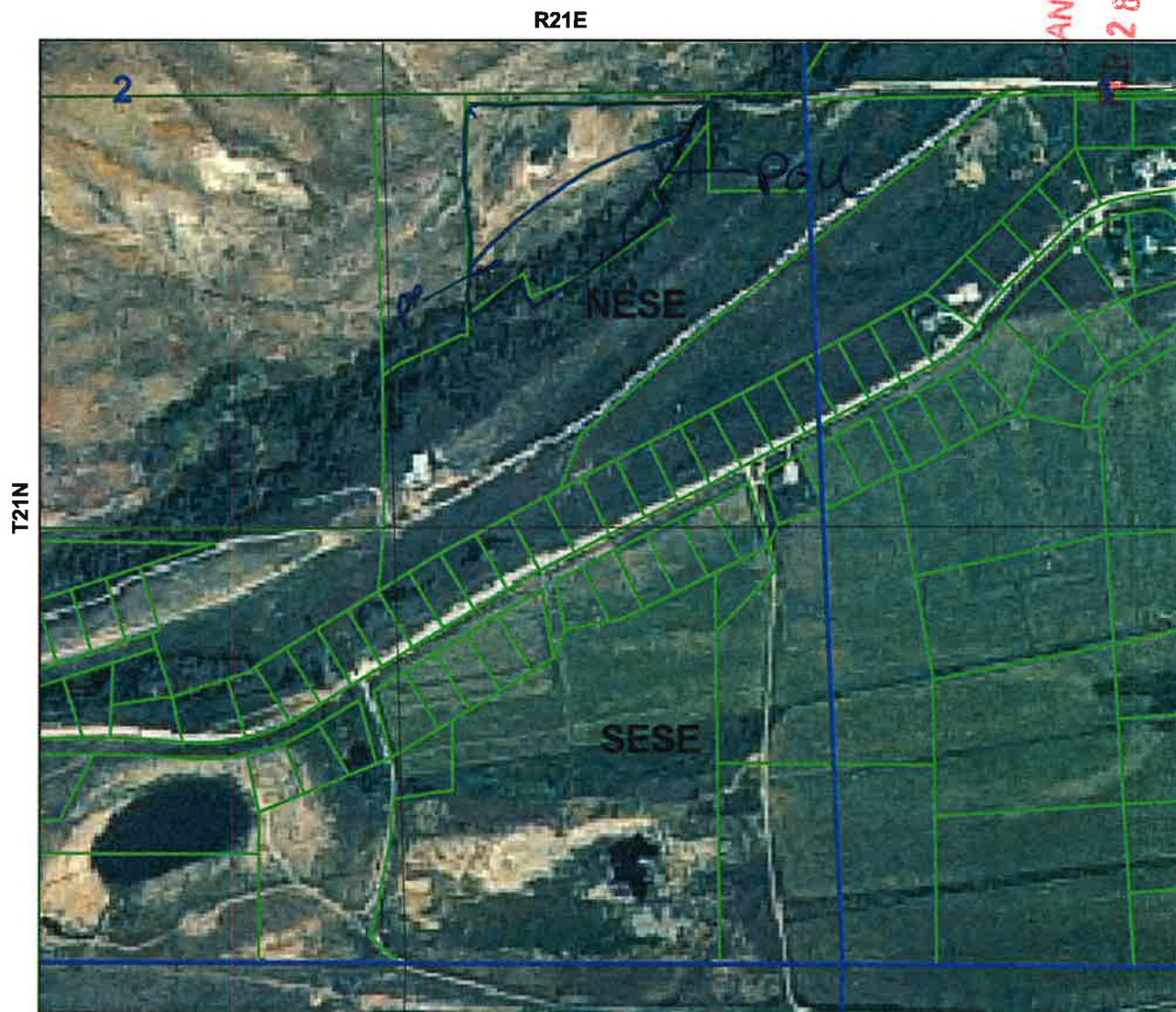
-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Tuesday, May 16, 2006
1987/88 Aerial Photography



0 0.2 0.4 Miles



MEMORANDUM

TO: File

FROM: Monica Van Bussum

DATE: April 1, 2008

RE: Discrepancies in 75-14063 recommendation

I have been reviewing objections in Jesse Creek, near the City of Salmon, and came across this beneficial use claim. I have noticed several issues with the recommendation. This memo serves as a record of my understanding of the issues and the steps, were I given the opportunity, I would take to remedy them.

Evidence of Priority

This is a beneficial use claim listing a priority date of April 1, 1913. I have thoroughly examined the claim file and the scanned documents associated with this claim and can find no evidence of the claimed priority date, nor can I find any documentation from IDWR asking the claimant for such evidence. The claimed/recommended POU does not overlap an irrigation district, so evidence of priority is not available via that route. Given the opportunity to review this claim in conjunction with objected-to claims in this area, I would ask the claimant for evidence of priority and recommend according to the evidence.

Source

The claim was filed and recommended with a source of Pollard Canyon Creek tributary to the Salmon River. Pollard Canyon Creek (aka Pollard Creek) is and has always been tributary to Jesse Creek. A quick glance at the USGS topographic map for this area might lead one to think Pollard Canyon Creek is tributary to the Salmon, but conversation with Bob Foster at the Salmon office, and maps of the area dating to 1890, verify Pollard Canyon Creek (also aka Middle Fork Jesse Creek in 1890) is tributary to Jesse Creek. I do not have final direction on whether to call it Pollard Canyon Creek or Pollard Creek, but I would change the source to be Pollard or Pollard Canyon Creek tributary to Jesse Creek.

POU

The claimed POU and the recommended POU are different. Claim was for Section 2 SESE and was recommended, supposedly based on Bob Foster's field exam, in Section 2 NESE. No amended claim was solicited or received. Given the opportunity, I would solicit an amended claim to close this gap.

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APR - 2 2008

MVB 4/1/2008

75-14063

NOE said claimant Goodman wanted to spread WR
on adjoining property

per taxlot check 4/1/2008, ownership may
have changed

Recommended taxlot RP21N2E27201
Owner: private

Adjoining taxlot RP21N2E026005
owner: Courtney K Moss
PO Box 1006
McCall, ID 83638

NO EOP! - nothing in file
- nothing in backfile

Claimed POU different than recommended POU

claim: SESE

rec: NESE

no amended claim

POU changed per FE



State of Idaho

RECEIVED

MAR 10 2008

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

John & Sherri Goodman
100 Pollard Creek Rd.
Salmon, ID 83467

RE: 75-14063

Dear Mr. & Mrs. Goodman:

Enclosed is a new 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 'Ken Knoblock', written over a light blue horizontal line.

Kenneth Knoblock
Water Resources Agent

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FEB 28 2008

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: 75-14063

JOHN GOODMAN
100 POLLARD CREEK RD
SALMON ID 83467
Telephone Number: (208)756-4385

SHERRI GOODMAN
100 POLLARD CREEK RD
SALMON ID 83467
Telephone Number: (208)756-4385
Daytime # 208-940-1055 (cell)

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Place of use.

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

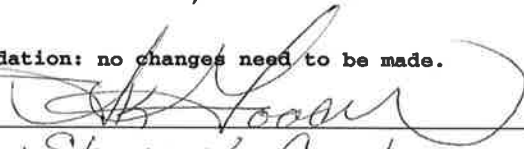
I would like to spread this water right over my adjoining property. Please see attached parcel #'s and aerial photo.

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

actual point of diversion is approx. 50 yards upstream from point shown on map.

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11-28-06

SIGNATURE: 

Please print your name: Sherri K. Goodman

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

RECEIVED

DEC 28 2006

IDWR/North

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FEB 28 2006

11/28/06

PARCEL 10 - PARCEL MASTER INQUIRY

15:11:45

PARCEL: RP 21N21E026005 A

F9=MS

F12=RC

F17=DD

F23=AG

CHECK CORE NUMBERS-SR

LEGAL DESCRIPTION

GOODMAN, JOHN E

T 2433

& GOODMAN, SHERRI K

2 21 21

100 POLLARD CK

ProVal Area Number 2

CODE AREA 21-0000 OWNER CD

PARC TYPE TV LOC CODE 4000

SALMON ID 83467

EFFDATE 5291984 EXPDATE

100 POLLARD CRK

PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
5	2007	5000	AC	199				
32	2007			11298				

TOTALS 5000 11497

ENTER NEXT PARCEL NUMBER RP A

FKeys: F2=TX F3=Exit F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch

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FEB 28 2008

11/28/06

PAGE 10 - PARCEL MASTER INQUIRY

15:11:19

PARCEL: RP 21N21E027201 A

F9=MS

F12=RC F14=HO
F23=AG

LEGAL DESCRIPTION

GOODMAN, SHERRI K
& GOODMAN, JOHN ET-3460
02 21 21100 POLLARD CKProVal Area Number 2CODE AREA 21-0000 OWNER CD PARC TYPE TV LOC CODE 4000SALMON ID 83467-3658EFFDATE 2161994 EXPDATE 100 POLLARD CREEKPREV PARCEL RP001820000010T

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
4	2007	1000	AC	175				
5	2007	5640	AC	248				
10	2007	1000	AC	20500	10250	1609		
31	2007			457613	228807	35891		
TOTALS		7640		478536	239057	37500		

ENTER NEXT PARCEL NUMBER RP AFKeys: F2=TX F3=Exit F6=NM F7=LG
F8=CT F13=TM F18=HS F20=SrcH

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RP21N21E013804

RP21N21E020001

RP21N21E013804

UNKNOWN

RP21N21E026008

RP21N21E027201

RP21N21E026005

RP21N21E027800

Approx point
of diversion

RP21N21E027202

RP21N21E026011

RP001370020010

RP001370020010

RP001370020010

RP001370020010

RP001370020010

RP001370020010

RP001370020010

RP001370020010

RP001370020010

RP001370020010

RP001370020010

RP21N21E016004

RP21N21E026002

RP001370020230

RP001370020240

RP001370020210

RP001370020220

RP001370020190

RP001370020180

RP001370020170

RP001370020160

RP001370020150

RP001370020140

RP001370020130

RP001370020120

RP001370020110

RP001370020100

RP001370020090

RP001370020080

RP001370020070

RP001370020060

RP001370020050

RP001370020040

RP001370020030

RP001370020020

RP001370020010

SCANNED

FEB 28 2008

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

CLAIM NO(s). 75-14063

1. ☒ No Change NAME IS SAME

☐ NEW OWNER: _____

☒ No Change ADDRESS

☐ NEW ADDRESS: _____

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.: A6017453

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:

1 1/2 hrs pump 10' lift to sprinkler system

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: <u>irr</u>	Township <u>21N</u>	Range <u>21E</u>	Section <u>2</u>	1/4 <u>NE</u>	1/4 <u>SE</u>
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

NO irrigation from this claim in 21N 21E 2
SESE

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-11-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

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 75-14063
Date Received: 4/3/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JOHN GOODMAN Phone: (208) 756-4385

100 POLLARD CREEK RD
SALMON ID USA 83467

SHERRI GOODMAN Phone: (208) 756-4385

100 POLLARD CREEK RD
SALMON ID USA 83467

2. Date of Priority: 04/01/1913

3. Source: POLLARD CANYON CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
21N	21E	2	NE SE	LEMHI	

5. Description of diverting works:

BURIED PERFORATED PIPE IN CREEK, PUMP AND SPRINKLERS AT PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.08	

7. Total Quantity Appropriated is:
0.08 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
21N	21E	2	SE	SE	IRRIGATION	4
Section Acres						4
Total Acres						4

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:

14. Remarks:

OTHER WATER RIGHT 75-15

15. Basis of Claim: Decreed

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 75-14063

Date Received 4-3-02

Receipt Number E027601

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JOHN YOR SHERRI GOODMAN Phone (208) 756-4385
Mailing Address 100 Pollard Creek Rd. Salmon ID Zip 834672. Date of Priority (Only one (1) per claim) 04/01/19133. Source of water supply (a) Pollard Creek
which is tributary to (b) Salmon River4. a. Location of existing point of diversion is: Township 21N Range 21E Section 02,
1/4 of NE 1/4 of SE 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 _____ 1/4,

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.buried perforated pipe in creek, pump
+ sprinklers at place of use

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A7514063

RECEIVED
MAR 21 2002
Department of Water Resources
Eastern RegionRECEIVED
APR 03 2002
Department of Water Resources
Eastern Region

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For irrigation purposes from 04/01 to 11/01 amount .08 cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .08 cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is .08 cfs 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:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	21E	2																4.0	4.0

Total number of acres irrigated 4.0 ac.

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

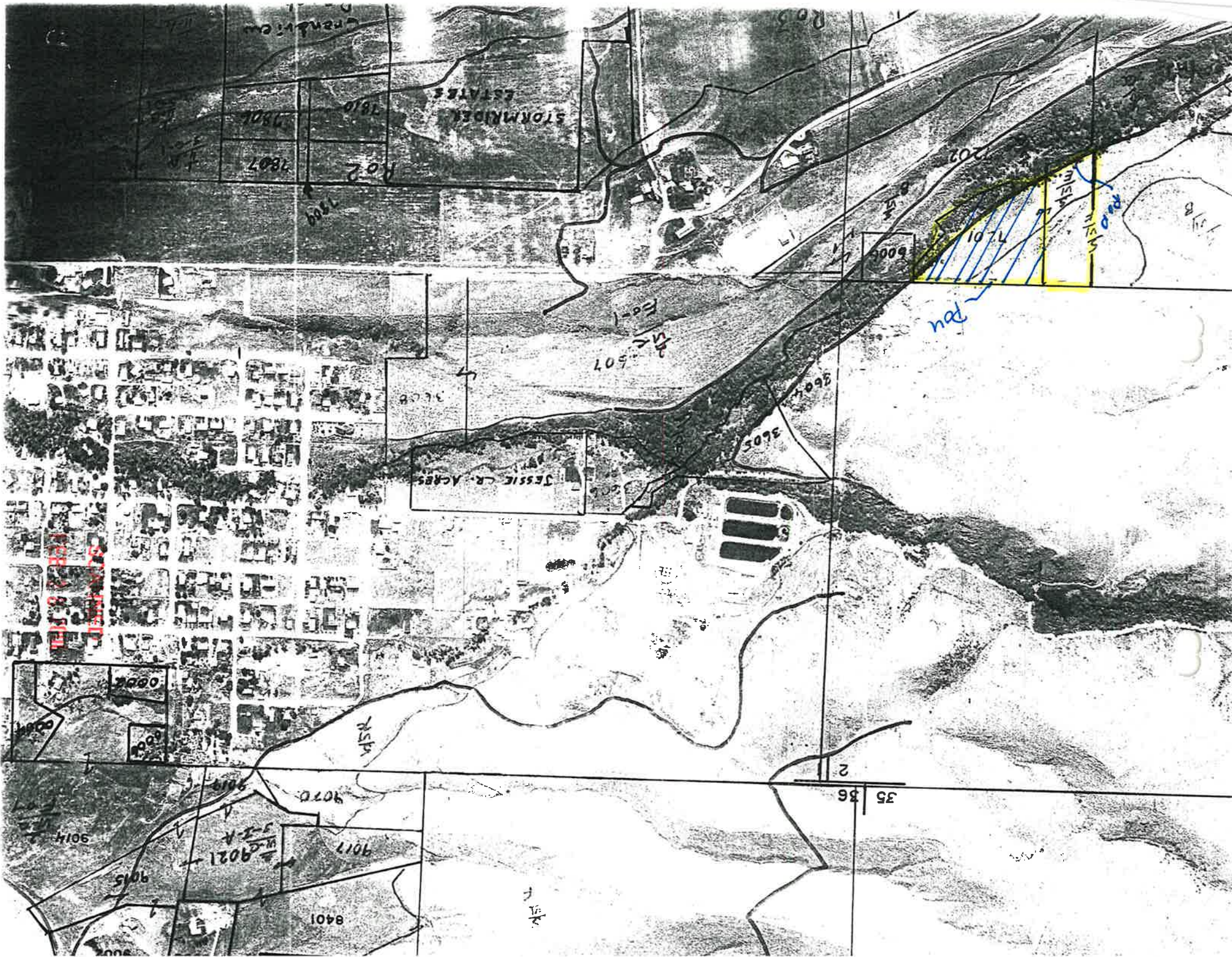
12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
_____ or None (2)

14. Remarks: actual source is Pollard Creek, not Jesse Creek.

Last Name _____ Ident No. _____

SCANNED
FEB 28 2003



42-

SCANNED

FEB 28 2008

 $\frac{1}{2} \frac{dP}{dt}$

S 00'06'05"
300.00

N 89°36'54" W
300.00

4

1

Pollard Creek

Lang

Creek

2011

Not included in this R

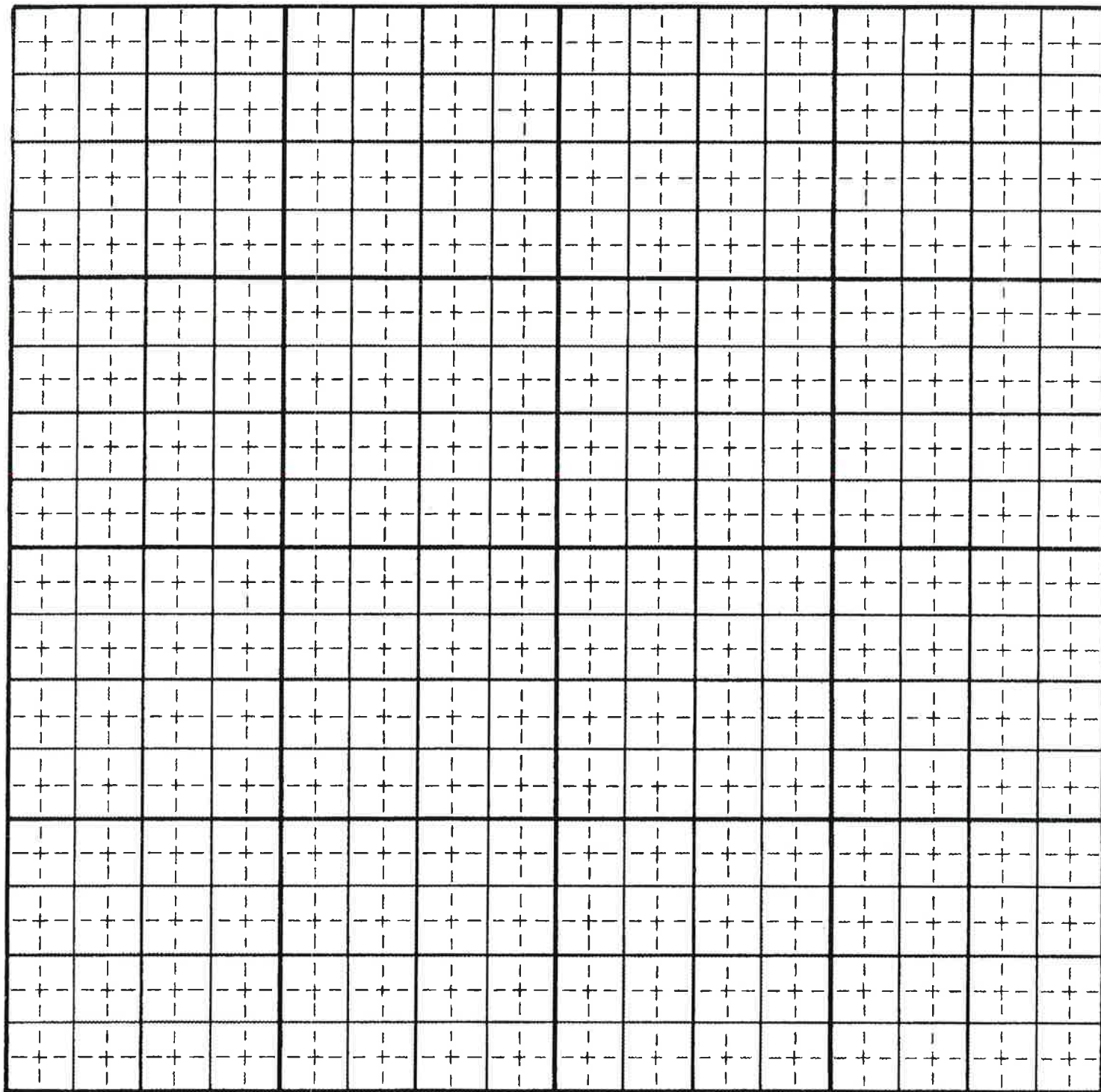
3

NE SE

152

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 _____ Ident No. _____

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FEB 28 2008

15. Basis of Claim (check one) Beneficial Use ☐ Posted Notice ☐ License ☐ Permit ☐

Decree ☒

If applicable provide IDWR Water Right Number 75-15

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) [Signature]

Date 3/20/02

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 _____

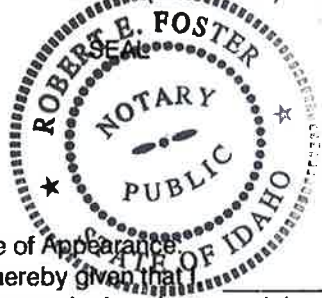
Title and Organization _____ Date _____

State of Idaho/or _____)

County of Lemhi)

SS.

Subscribed and sworn (or affirmed) before me this 20th day of March 2002



Notary Public Robert E Foster

Residing at Salmon Idaho

My Commission Expires 02/16/07

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 _____ Ident. Number _____

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