

05/15/2006

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

RIGHT NUMBER: 75-14074

NAME AND ADDRESS: BONNIE J PORTER
6 OWL CREEK RD
SHOUP ID 83469-6508

JOHN F PORTER
6 OWL CREEK RD
SHOUP ID 83469-6508

SOURCE: OWL CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.370 CFS

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 04/10/1920

POINT OF DIVERSION:

T23N R17E S15 NWSE 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	0.280 CFS
FISH PROPAGATION	04/01 10/31	0.030 CFS
DOMESTIC	01/01 12/31	0.060 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R17E S15 SWSE 1.00 T23N R17E S15 SESE 13.00

FISH PROPAGATION Within LEMHI County

T23N R17E S15 SESE

DOMESTIC Within LEMHI County

T23N R17E S15 SESE

14 ACRES TOTAL

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

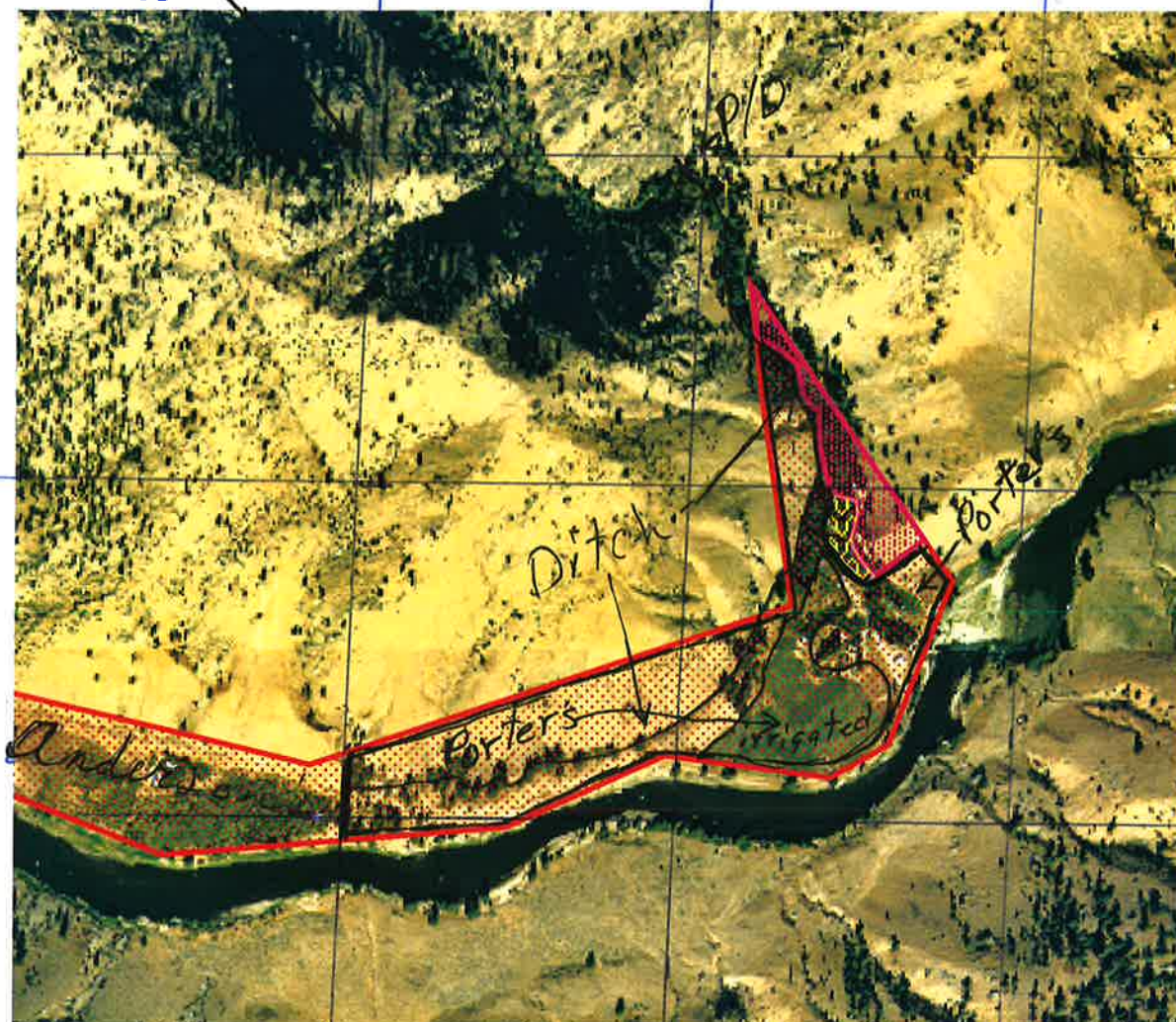
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

Property is within Homestead Entry Survey No. 368.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

23N 17E Sec 15

A 75-14074



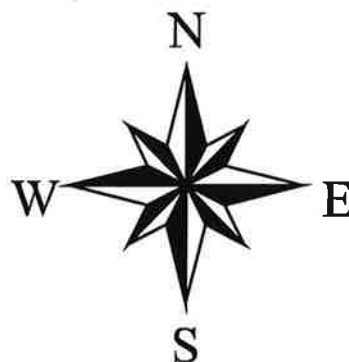
0.2 0 0.2 0.4 Miles

English now owns what is shown on the
the maps as Powells

~~Powell.shp~~

English.shp

Porters- Hes368shp.shp



Idaho Department of Water Resources



Adjudication Claim Number: **75-14074**



Legend

-  PLS Sections
-  Quarter Quarters



0 0.2 0.4 Miles

A scale bar with markings for 0, 0.2, and 0.4 miles.

Prepared by M. Vanbussum
On Monday, May 16, 2005
1991 Aerial Photography



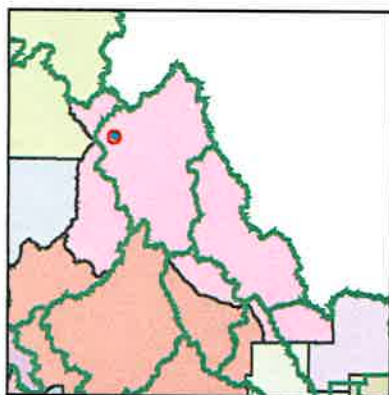
Idaho Department of Water Resources

Adjudication Claim:

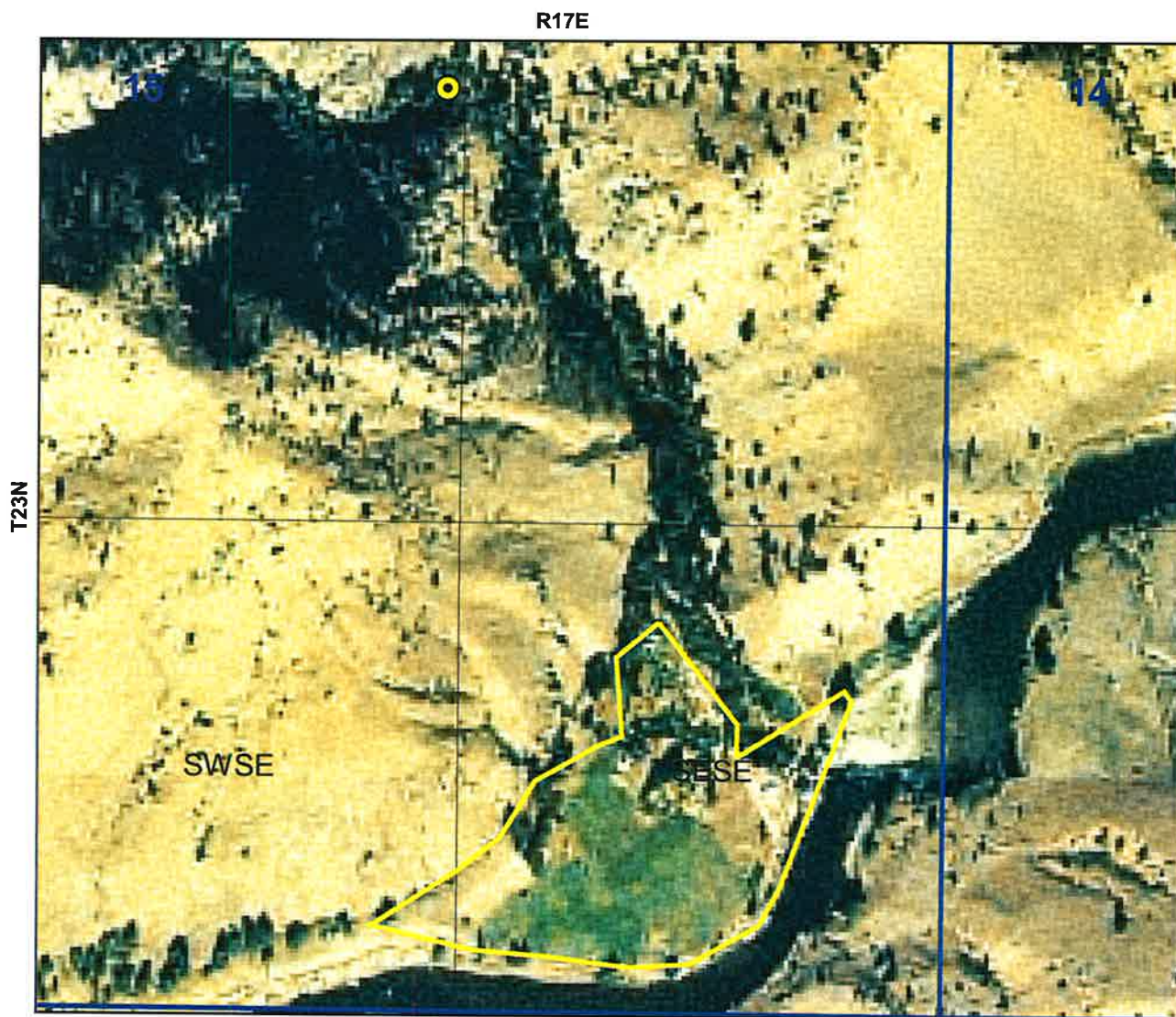
75-14074

Legend

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



Lemhi County
IDWR Basin 75



0 0.2 0.4 Miles

Prepared by Kenneth Knoblock
On Monday, March 27, 2006
1987/88 Aerial Photography



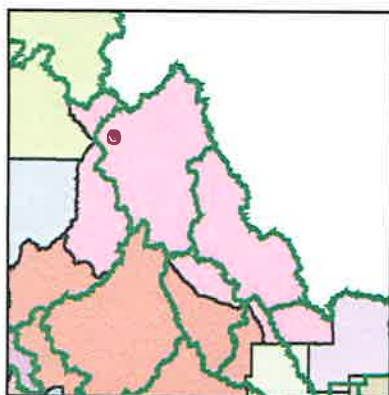
Idaho Department of Water Resources

Adjudication Claim:

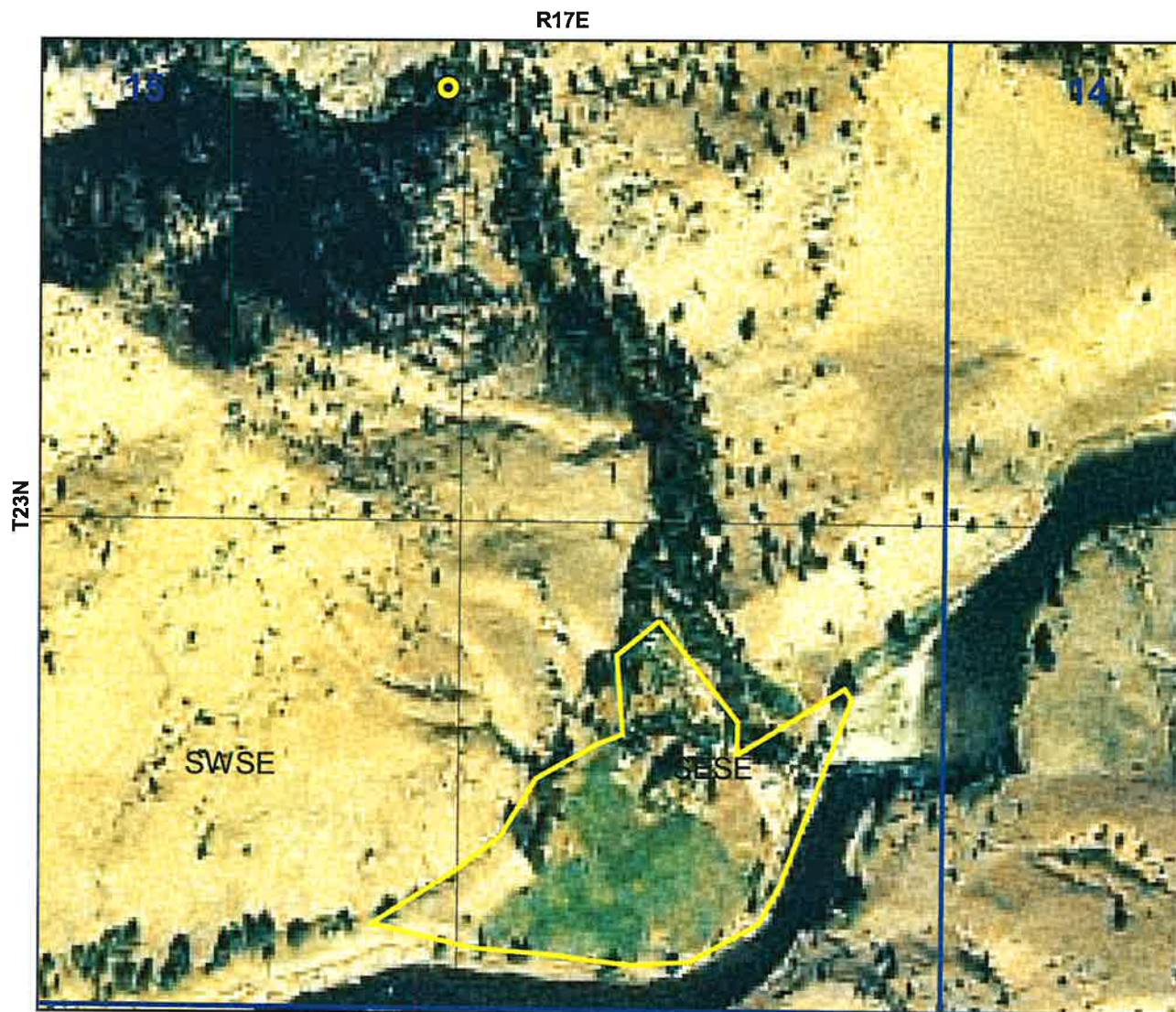
75-14074

Legend

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



Lemhi County
IDWR Basin 75



0 0.2 0.4 Miles



Prepared by Kenneth Knoblock
On Monday, March 27, 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: 75-14074

BONNIE J PORTER
6 OWL CREEK ~~RD~~ *BLANE*
SHOUP ID 83469-6508
Telephone Number: ~~(208) 756-8070~~ *208-394-2124*

JOHN F PORTER
6 OWL CREEK ~~RD~~ *BLANE*
SHOUP ID 83469-6508
Telephone Number: ~~(208) 756-8070~~ *394-2124*

RECEIVED

DEC - 4 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: 26 Nov 06

SIGNATURE: *John F. Porter*

Please print your name: John F. Porter

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

SCANNED

DEC - 6 2006

RECEIVED

JUL 19 2005

DEPARTMENT OF
WATER RESOURCES

John & Bonnie J
Porter
6 Deal Creek Road
Sheep, Id. 83469-6508

July 15, 2005

Re: Water Right # 75-14074

Claim Report # 75-14074

Department of Water Resources
P.O. Box 83720

Boise, Id. 83720-0098

Refanne Brown, Agent,

This is in answer to your letter asking for evidence of priority date for our water rights.

The priority date is 10 April 1920, the date this land was homesteaded and is as follows:

1. Source - Deal Creek -
2. Point of diversion: Township - 28 N -
Range - 14 E, Section - 15, $\frac{1}{4}$ NW of $\frac{1}{4}$ of
NW of $\frac{1}{4}$ SE, County - Lemhi.

SCANNED

JUL 21 2005

3. The homestead document was recorded at Hailey, Idaho at the request of Allen C. Merritt 10 April 1920, patent Number 64519-4.

The following is a recent history of water use on the land, "Quail Creek Ranch" for domestic and irrigation purposes.

Marjorie and Joe Plummer, mid 1950's to April 1960. Water diverted via headgates, ditches, pipelines and sprinkler systems. Water rights shown on their warranty deed recorded in Lemhi County, Salmon, Idaho.

John F. and Bonnie J. Porter, May 1960 to date: Water diverted via headgates, ditches, pipelines, sprinkler system and well. Irrigation was used to raise hay, fruit trees and berries. During this time we had a business, Quail Creek Products, jams, jellies and syrups.

SCANNED

JUL 21 2005

Crop reports were made as requested by the Department of Agriculture.

At the request of Idaho Department of Water Resources, we filed our water rights in 1979 and 1990 with date and priority 10 April 1920.

Our warranty deed with water rights is recorded in Lemhi County, Salmon, Idaho.

Water use with Owl Creek as its source spans 85 years on subject priority. We have been here 45 years, maintaining full use of our water rights.

Sincerely yours,

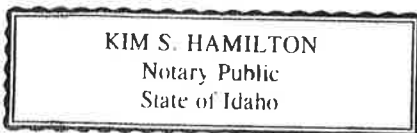
JOHN F. PORTER

Bonnie J. Porter

BONNIE J. PORTER

SCANNED

JUL 21 2005



State Of Idaho)
County Of Lemhi) S.S.

On this 15th day of July, in the year of 2005, before me Kim S. Hamilton, a notary public, personally appeared Bonnie J. Porter, personally known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

- 3 -

Kim S. Hamilton

My Commission Expires on 03.24.06 Notary Public

C.C. Jiles
hjp

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

CLAIM NO(s). A25-14074

1. ☒ No Change NAME IS SAME

☒ NEW OWNER:

☐ No Change ADDRESS

☐ NEW ADDRESS: 2 Owl Creek Rd Shoup, Id 83469

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.: A0014920

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:

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: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
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

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 24, 2002

JOHN & BONNIE PORTER
HC 64 BOX 34
SHOUP ID 83469

RE: CHANGE IN OWNERSHIP FOR 75-4119A

Dear Mr. & Mrs. Porter:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-4119A:

75-14074: 0.48 cfs, 19.5 acres, Porter

75-14075: 0.03 cfs, 2 cabins, English

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree
Technical Records Specialist

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
_____	A75-04119 A	Part ☒	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) John F. and Bonnie J. Porter
HC 66 Box 34, Shoup Id 83469
4. New Owner/Claimant(s) GREG or ANGIE ENGLISH
 Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
- New Mailing Address 4940 East Loma Circle
- City, State and ZIP Code Idaho Falls Id 83406
- New Telephone Number 208) 523-1683
5. Date you acquired the property 2/19/2002

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 75-14074
Date Received: 6/24/2002
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

BONNIE J PORTER Phone: (208)756-0070
HC 64 BOX 34
SHOUP ID USA 83469

JOHN F PORTER Phone: (208)756-0070
HC 64 BOX 34
SHOUP ID USA 83469

A7514074



2. Date of Priority: 04/10/1920

3. Source: OWL CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	17E	15	NW NW SE	LEMHI	

5. Description of diverting works:

HEADGATES, DITCHES, PIPELINES & SPRINKLER SYSTEM

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	10/31	0.39	
FISH PROPAGATION	04/01	10/31	0.03	
DOMESTIC	01/01	12/31	0.06	

7. Total Quantity Appropriated is:
0.48 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
23N	17E	15	SE	SW		IRRIGATION	10
			SW	SE		IRRIGATION	9.5
			SW	SE		FISH PROPAGATION	
			SW	SE		DOMESTIC	
						Section Acres	19.5
						Total Acres	19.5

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? Yes

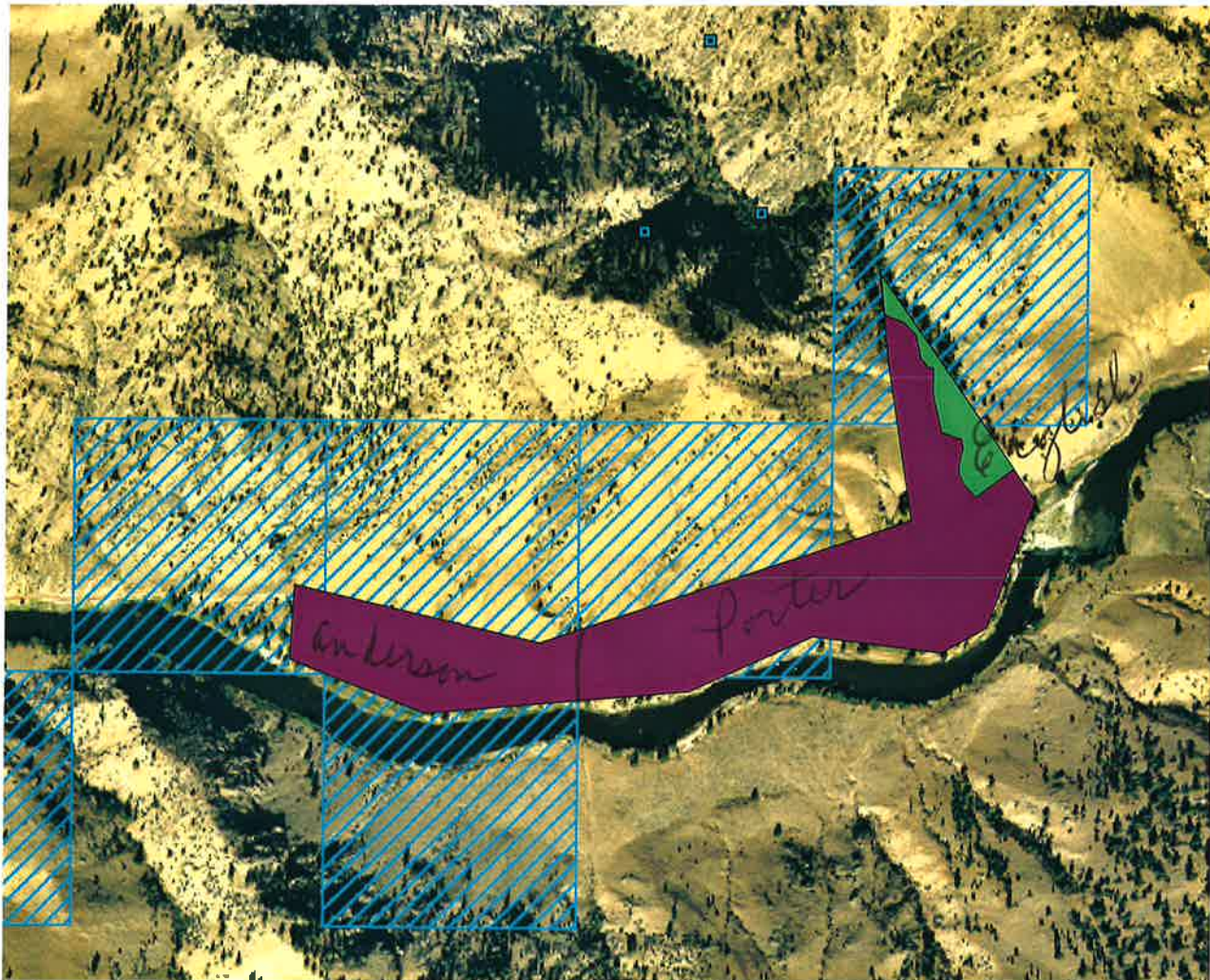
13. Other Water Rights Used:

14. Remarks:

DOMESTIC USE IS FOR 3 CABINS AND 1 RESIDENCE

15. Basis of Claim: Beneficial Use

Porter's property is somewhere within HES 368



0.2 0 0.2 0.4 Miles

-  English.shp
-  Hes368shp.shp
-  POD-AJ ClaimClaim POD
-  POU-AJ ClaimClaim POU

