

07/09/2008

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

RIGHT NUMBER: 75-14124
NAME AND ADDRESS: LEONARD SKUNBERG
BOX 101
SALMON ID 83467

ILONA SKUNBERG
BOX 101
SALMON ID 83467

SOURCE: JESSE CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.130 CFS
PRIORITY DATE: 05/01/1884
POINT OF DIVERSION:

T21N R21E S1 NESWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.130 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R21E S36 SESE 21.00

21 ACRES TOTAL

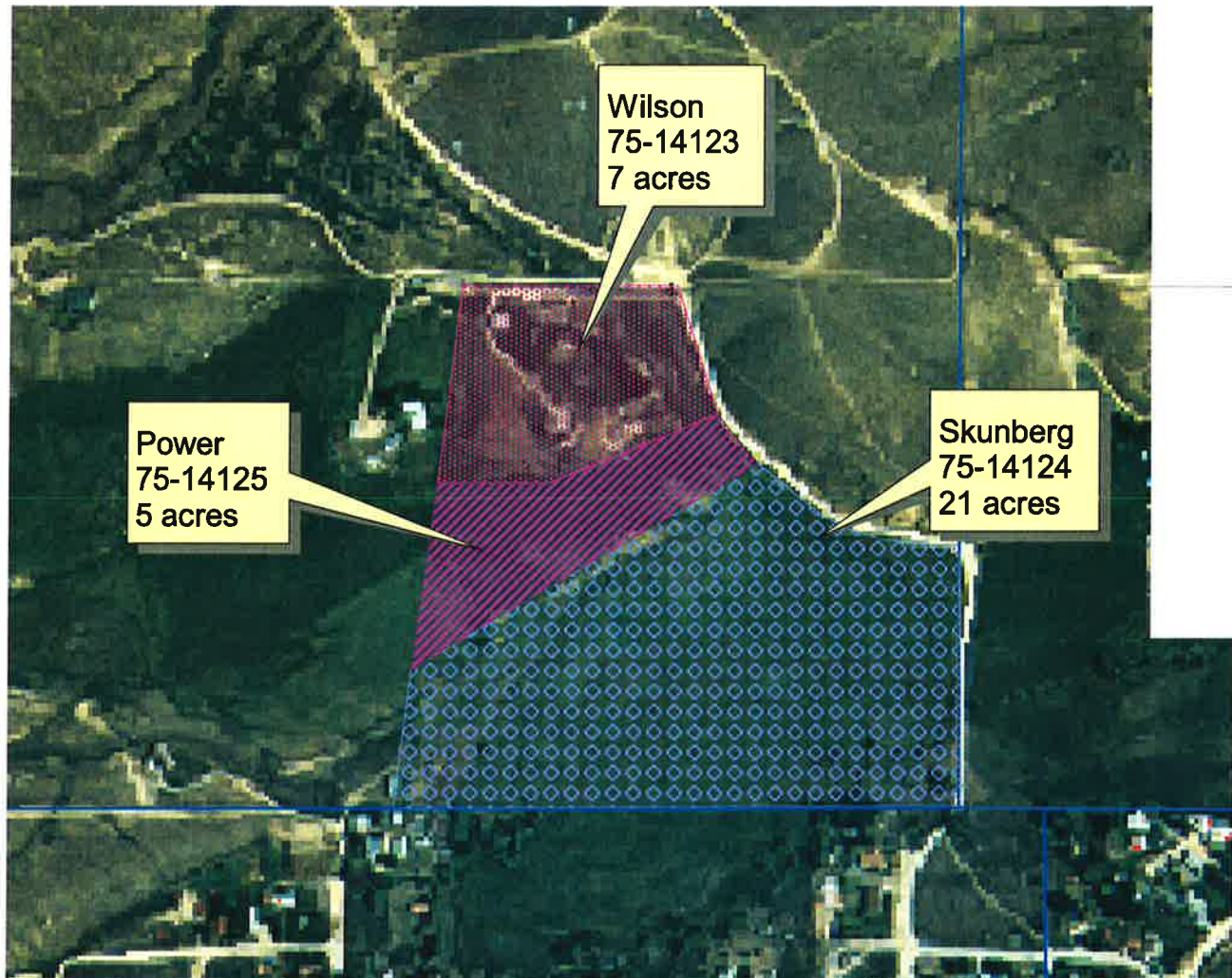
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Decreed

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Split of 75-26C



0.08 0 0.08 0.16 Miles

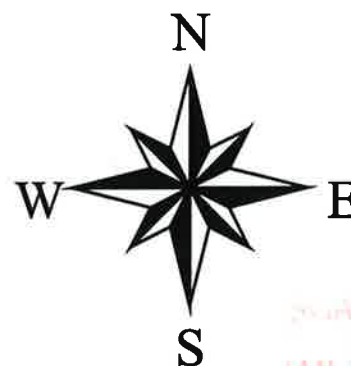




0.1 0 0.1 0.2 Miles



- Sections
- QQ
- Lemhi taxlots
- GCDB22N22E GCDB
- GCDB22N21E GCDB
- GCDB21N21E GCDB
- POD-AJ Claim
- Claim POD
- Administrative BasinsAdminbas.shp



SCANNED
JAN 10 2008

75-19D
75-19H
75-113A
75-113C
75-20
75-24
75-113B
75-14123
75-14124
75-14125

Jesse Creek/Pollard Canyon Creek Confluence Area

This memo serves to document two field trips that I have taken to review the area of the Jesse Creek/Pollard Creek confluence and a review of what is currently mapped as Jesse Creek below the City of Salmon water treatment plant.

Since the Salmon-Challis National Forest took the lead on watershed delineation for the Middle Salmon-Panther Subbasin, the Forest Service has an interest in the correct representation of the streams and watershed boundaries in the Jesse and Pollard Canyon drainages.

I have conducted several field reviews of this area one with Bob Blackadar, local citizen and irrigator, on December 7, 2007 and one with Monica Van Bussum, Senior Water Resource Agent from Idaho Department of Water Resources, on August 29, 2008.

Current topographic maps depict Pollard Canyon and Jesse Creek as separate channels that do not intersect but come close in the SWNW of Section 1 just below the water treatment plant. In reality these streams intersect at a diversion structure located below the road that goes to the Forest Service storage area located south of the water treatment plant. At this structure water can be diverted into what is mapped as Jesse Creek or into Pollard Canyon Creek.

A debate is currently underway in the Snake River Adjudication as to whether the stream course that is mapped as Jesse Creek is a natural channel or an irrigation ditch. From the Roosevelt Street stream crossing downstream the channel is located in a topographic low and appears to be a natural channel, though highly modified as it flows through the residential areas on the upper bar. However, from the diversion structure at the Jesse/Pollard confluence to the Roosevelt Street crossing the channel that is mapped as Jesse Creek is a perched channel that has been bermed to keep the water in the channel. If the water breached this channel it would flow south towards what is mapped as Pollard Canyon Creek.

This stream reach from the diversion structure to the road crossing is not a natural channel. However, remnants of a natural channel can be observed below the existing water treatment plant. It is possible that the natural Jesse Creek channel was moved to the south to its current location when the water treatment plant was constructed.

I have lived and worked as a hydrologist in the Salmon, Idaho area since 1977. Until recent maps were produced the stream channel flowing down the bar hill into the Salmon River adjacent to the Idaho Adventures office has been known as Jesse Creek. Locals still call this channel Jesse Creek. Old maps have variously called both Pollard Canyon and Jesse Creek as forks of Jesse Creek, or called the southern stream Pollard Canyon down to the confluence with Jesse Creek then Jesse Creek below that point. Recent maps

SCANNED

SEP - 3 2008

Priority Date Data Entry Form

Claim Number 75-14124

Claimed Priority Date: 5/1/1884

Claimed Basis: Decreed



Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date ____

Recommended Basis _____

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

decreed for 5/1/1884Reviewer: MVBDate: 6/17/2008

Point of Diversion and Source Data Entry Form

Claim Number 75-14124

Claimed Point of Diversion and Source

T21N R21E S1 NENWN Within LEMHI County Source: JESSE CREEK SALMON RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD?

75-113A,B,C; 75-10475; 75-20; 75-24; 75-14123; 75-14125
(sources vary)

Document how the POD and Source were verified:

City of Salmon has 26A - multiple PODs, mostly
redirections & injections - only diversion is
Chippis Cr. 21N 21E 11 NWNW - multiple
sources

per Bob Foster's FE, recommended POD for
75-14124 is 21N 21E 1 NESWNW w/ source
of Jesse Creek

need to confirm source during FE; also want
to talk to Betsy Reepfenberger w/USFS

Reviewer:

MVB

Date:

6/17/2008

Place Of Use Data Entry Form

Claim Number 75-14124

Claimed Place Of Use

T22N R21E S36 SESE 21.00

Total Acres 21

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres _____

Document how the POU was verified:

not in decreed POU; decreed POU ^{now} covered by City
of Salmon

Accomplished transfer? No evidence of approved
transfer. When did change happen?

If recommend, need accomplished transfer conditions

D&S on this POU for 75-7045 (spring trib. to
Sinks

Reviewer: MVBDate: 6/17/2008

Purpose of Use Data Entry Form

Claim Number 75-14124

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

Irrigation	—	—	—	—

Document how the Purpose of Use was verified:

decreed for irrigation

Reviewer: MVBDate: 6/17/2008

Period of Use and Quantity Data Entry Form

Claim Number 75-14124

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	04/01	11/01	0.13	

Overall Diversion Rate 0.13 Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume

Overall Diversion Rate Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	4/1	10/31	0.13 cfs	
Standard Season for this PLS				

Overall Diversion Rate _____ Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

looks like claimed a portion - not overclaimed

< 0.2 cfs; no measurement needed
no measurement information available
unless WM has it

need to establish conveyance

Reviewer: MVB

Date: 6/17/2008

Contacts Data Entry Form

Claim Number: 75-14124

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	LEONARD SKUNBERG	BOX 101	SALMON	ID	83467	(208)756-3152
Current Owner	ILONA SKUNBERG	BOX 101	SALMON	ID	83467	(208)756-3152

Date of Field Exam: _____ Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

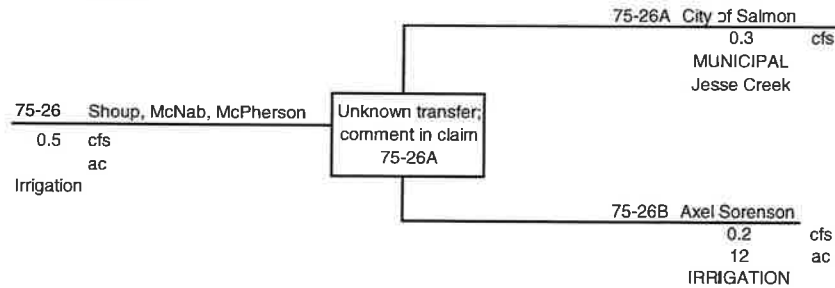
Directions to Property (if different from above) and/or update owner information:

NOE/Director's Report not returned;
contacts look okay

Reviewer: MVBDate: 6/17/2008

History for decreed right 75-26

WR History



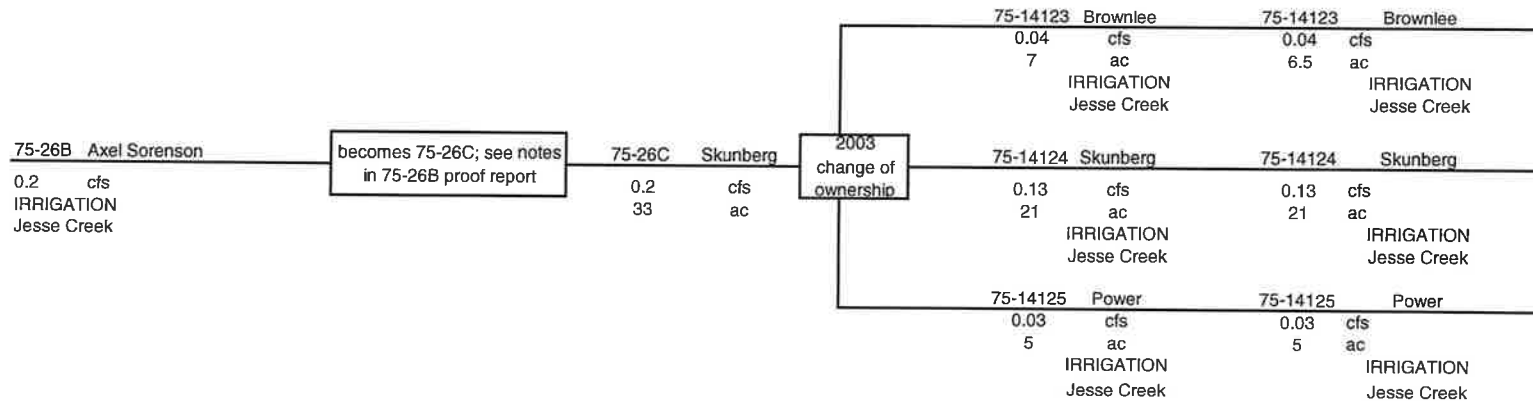
Claim History

Claim

75-26A City of Salmon
0.3 cfs
MUNICIPAL
Chipps Creek, Pollard Creek

Recommendation

75-26A City of Salmon
0.3 cfs
MUNICIPAL
Chipps Creek, Pollard Creek



*Last updated 2/26/2008 (mvanbussum)

For digital copy of Excel spreadsheet see Monica Van Bussum

Sum recommended cfs	0.5
Sum recommended ac	32.5
Sum recommended af	N/A

Unaccounted for cfs	0
Unaccounted for ac	N/A
Unaccounted for af	N/A

Split/Overlap Analysis - Water Right No.: 75-26

****look at 75-1; Skunberg may be entitled to some of it.**

[illegible]

inches
acres

RECEIVED
DEC 15 2007
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

A.)

Subcase

75 - 14124

(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name:

Robert L. Blackadar

Address:

10 N Cherokee Rd

Salmon, ID 83467

Daytime Phone:

(208) 756-4967

Name & Address of Attorney, if any:

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name:

Leonard Skunberg Ilona Skunberg

Address:

Box 101

Salmon, ID 83467

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**

Should be: _____

2. ☐ **Source**

Should be: _____

3. ☐ **Quantity**

Should be: _____

4. ☐ **Priority Date**

Should be: _____

5. ☒ **Point of Diversion**

Should be: NE 1/4 Lot 2 Section 1, T.21N., R.21E.
within Lemhi County Boise Meridian, ID

6. ☐ **Instream Flow Beginning and Ending Point**

Should be: _____

7. ☐ **Purpose(s) of Use**

Should be: _____

8. ☐ **Period of Year**

Should be: _____

9. ☐ **Place of Use**

Should be: _____

10. ☐ **I object because:**

☐ This water right Should not exist.

☐ This water right was not recommended, but Should be recommended with the elements described above.

E. **REASONS SUPPORTING OBJECTIONS(S):** With a priority date
of May 1, 1884, this water right had to be
delivered by way of a natural stream known
as Jesse Creek. This description refers to the
point where the water right is diverted from
Jesse Creek.

F.

VERIFICATION (must be completed)

State of Idaho)
)ss.
County of Lemhi)

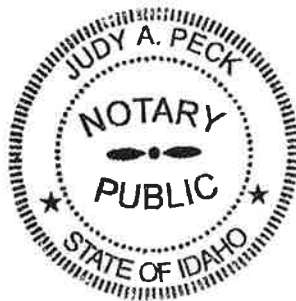
Robert L. Blackadar, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Robert L. Blackadar
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: Oct. 12, 2007



Judy A. Peck
Notary Public for East Idaho C.U.
Residing at: Carmen Id.
My Commission Expires: 7-31-2012

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on October 13, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Leonard Skunberg Ilona Skunberg
Address: Box 101
Salmon, ID 83467

3. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

United States Department of Justice
Environment & Nat'l Resources Div
550 W Fort Street, MSC 033
Boise, ID 83724

Chief, Natural Resources Division
Office of Attorney General
PO Box 44449
Boise, ID 83711-4449

Robert L. Blackadar
Signature of objector or attorney
mailing on Objector's behalf

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

CLAIM NO(s). 75-14124

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.: A0014938 File # 412 P30 P0D2

Township 21N Range 21E Section 1 1/4 NE 1/4 SW 1/4 NW
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

headgate in creek, ditch to place of use

SCANNED

JAN 10 2008

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: 4-12-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
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

October 16, 2003

LEONARD SKUNBERG
PO BOX 101
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR 75-26C

Dear Mr. Skunberg:

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:

75-26C split into:

75-14123: .04 cfs, 7 acres, Wilson

75-14124: .13 cfs, 21 acres, Skunberg

75-14125: .03 cfs, 5 acres, Power

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

SCANNED

JAN 1 11 2003

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 (under the "split" heading), 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
	75-26C	☒			

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) is 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)

MYRTLE E. Wilson

Salmon ID 83467

4. New Owner/Claimant(s)

CARY D. & Tamar L. Power

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

32 Blackhawk Rd.

City, State and ZIP Code

Salmon ID 83467

New Telephone Number

(208) 786-3850

5. Date you acquired the property

7/23/1991

RECEIVED

FEB 07 2003

Department of Water Resources
 Eastern Region

JAN 10 2008

RECEIVED

MAR 10 2008

DEPARTMENT OF
WATER RESOURCES

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 75-14124
Date Received: 10/16/2003
Receipt No:
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

A7514124



1. Name of Claimant(s)

LEONARD SKUNBERG Phone: (208)756-3152
BOX 101
SALMON ID USA 83467

ILONA SKUNBERG Phone: (208)756-3152
BOX 101
SALMON ID USA 83467

2. Date of Priority: 05/01/1884

3. Source: JESSE 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	1	NE NW NW	LEMHI	

5. Description of diverting works:

HDGATE IN CREEK WITH DITCHES AND FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.13	

7. Total Quantity Appropriated is:
0.13 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

22N	21E	36	SE	SE	IRRIGATION	21
					Section Acres	21
					Total Acres	21

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-14124

15. Basis of Claim: Decreed

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FEB 22 2008

DEPARTMENT OF
WATER RESOURCES

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 75-14124
Date Received: 10/16/2003
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

A7514124



1. Name of Claimant(s)

LEONARD SKUNBERG Phone: (208)756-3152
BOX 101
SALMON ID USA 83467

ILONA SKUNBERG Phone: (208)756-3152
BOX 101
SALMON ID USA 83467

2. Date of Priority: 05/01/1884

3. Source: JESSE 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	1	NE NW NW	LEMHI	

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HDGATE IN CREEK WITH DITCHES AND FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
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7. Total Quantity Appropriated is:
0.13 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
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JAN 10 2008

22N	21E	36	SE	SE	IRRIGATION	21
					Section Acres	21
					Total Acres	21

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:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-14124

15. Basis of Claim: Decreed

SCANNED
JAN 10 2008

11/04/2006

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

RIGHT NUMBER: 75-14124

NAME AND ADDRESS: LEONARD SKUNBERG
BOX 101
SALMON ID 83467

ILONA SKUNBERG
BOX 101
SALMON ID 83467

SOURCE: JESSE CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.130 CFS

PRIORITY DATE: 05/01/1884

POINT OF DIVERSION:

T21N R21E S1 NESWNW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.130 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R21E S36 SESE 21.00

21 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 - Decreed