

07/11/2006

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

RIGHT NUMBER: 75-14146

NAME AND ADDRESS: FOURTH OF JULY CREEK LLC
807 MAIN ST
SALMON ID 83467

SOURCE: FOURTH OF JULY CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.560 CFS

PRIORITY DATE: 04/01/1896

POINT OF DIVERSION:

T24N R22E S29 NENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	08/02 11/01	0.420 CFS0.560 CFS
	04/01 08/01	

PLACE OF USE: IRRIGATION Within LEMHI County

T24N R22E S30	SWNE	4.70	T24N R22E S30	SENE	2.80
T24N R22E S30	NESE	0.40	T24N R22E S30	NWSE	6.20

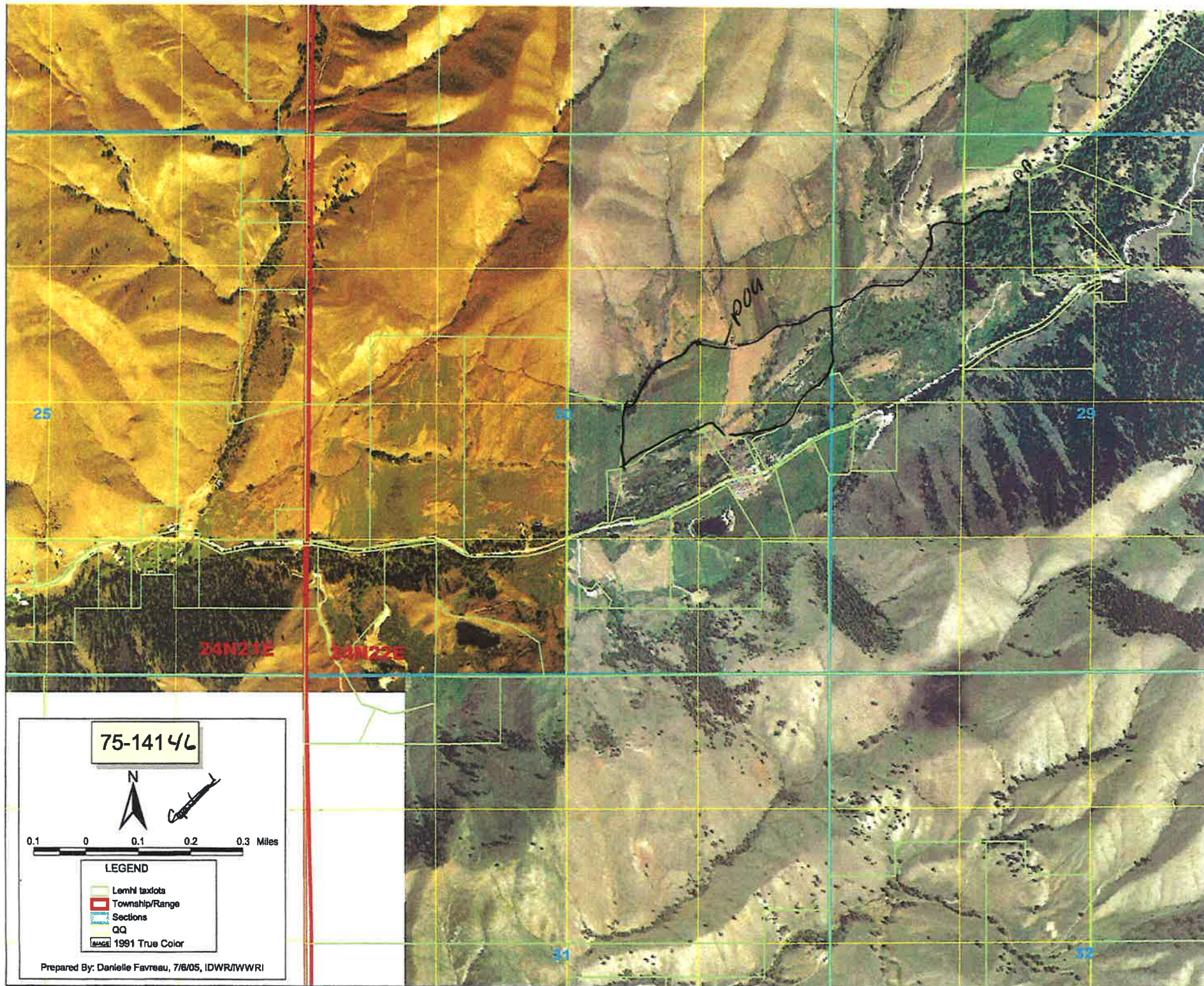
14.1 ACRES TOTAL

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

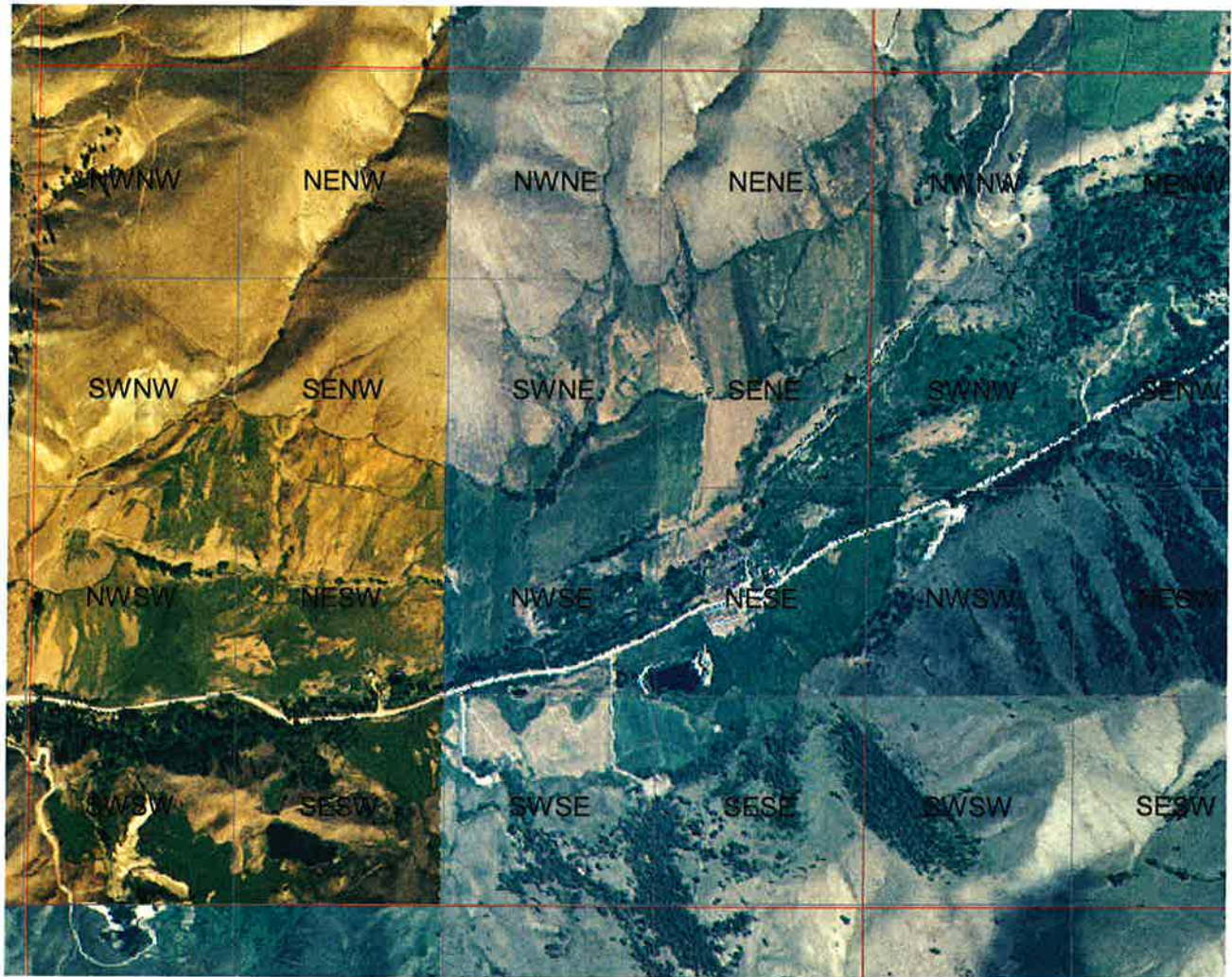
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

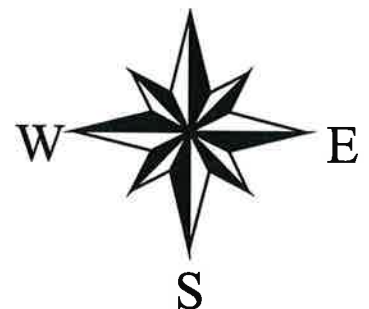
THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-138.



75-14146



700 0 700 1400 Feet





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

April 26, 2007

Bob Loucks
260 Withington Cr Rd
Salmon, ID 83467

RE: 75-135, 75-137, 75-141, 75-14145 & 75-14146

Dear Mr. Loucks:

We received your e-mail about the incorrect places of use for these water rights. Enclosed are maps of the area. Outline the correct places of use on each map and return the maps to this office.

Sincerely,

Kenneth Knoblock
Water Resources Agent

Enclosures

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

CLAIM NO(s). 75-14146

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.: A0015081 File # J472605 P005

Township 24N Range 22E Section 29 1/4 SW 1/4 NE 1/4 NW
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS

☐ Incomplete description, list below:

dam in creek, ditch to place of use

75-138 24 acres irrigation

75-14145 - 9.9¹ acres

Then irrigation = 14.1 acres

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

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

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

~~pd on claim no longer used, water is now diverted from BUNENW 525 T24N R22E~~

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 7-26-05

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

December 9, 2003

FOURTH OF JULY CREEK LLC
807 MAIN ST
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR 75-138

Dear Sir or Madam:

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:

75-138 split into:

75-14145: 0.38 cfs, 9.9 acres, Copeland Green Acres

75-14146: 0.58 cfs, 14.9 cfs, Fourth of July Creek LLC

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,

A handwritten signature in cursive script that reads "Jennifer Crabtree".

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 (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
75-135 <u>OK</u>					
75-137 <u>OK</u>					
~~75-138~~	<u>75-14146</u>				
75-141 <u>OK</u>					

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) Wells Fargo Bank Northwest NA, Loan Support Team
999 Main Street, Boise, ID 83702
4. New Owner/Claimant(s) Fourth of July Creek, L.L.C.
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 807 Main Street
 City, State and ZIP Code Salmon, ID 83467
- New Telephone Number (208) 756-2257
5. Date you acquired the property March 17, 2003

RECEIVED

JUN 10 2003

Department of Water Resources
 Eastern Region

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in Item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Jordan P. Smith
Jordan P. Smith, Managing Member

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

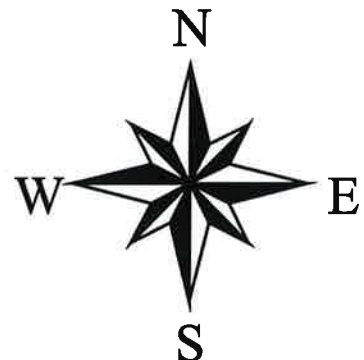
Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____

Split of 75-138



0.08 0 0.08 0.16 Miles

-  Lemhi taxlots
-  GCDB24N22E GCDB
-  GCDB24N21E GCDB
-  75-138.shp
-  Sections
-  75-137.shp
-  POD-AJ ClaimClaim POD



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 75-14146
Date Received: 12/9/2003
Receipt No:
Received By:

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

A7514146



1. Name of Claimant(s)

FOURTH OF JULY CREEK LLC Phone: (208)756-2257
807 MAIN ST
SALMON ID USA 83467

2. Date of Priority: 04/01/1896

3. Source: FOURTH OF JULY CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
24N	22E	29	SW NW	LEMHI	

5. Description of diverting works:

SOUTHSIDE DITCH (DITCH NO. 6).

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	08/01	0.58	

7. Total Quantity Appropriated is:
0.58 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
24N	22E	30	SW NE	IRRIGATION	4.4
			SE NE	IRRIGATION	3.3
			NE SE	IRRIGATION	0.9
			NW SE	IRRIGATION	6.3

Section Acres	14.9
Total Acres	14.9

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 75-138.

15. Basis of Claim: Decreed