

11/06/2006

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

RIGHT NUMBER: 75-14220
NAME AND ADDRESS: JERRY PERRY
37 LOVERS LN
SALMON ID 83467-5156

VIRGINIA PERRY
37 LOVERS LANE
SALMON ID 83467-5156

SOURCE: WASTE WATER TRIBUTARY: LEMHI RIVER
QUANTITY: 0.050 CFS
PRIORITY DATE: 03/24/1892
POINT OF DIVERSION:

T21N R22E S8 SWSWSW 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	0.050 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S07 SWSE 1.90

1.9 ACRES TOTAL

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

This right remains subject to the right of the original appropriator, in good faith and in compliance with state laws governing changes in use and/or expansion of water rights, to cease wasting water, to change the place or manner of wasting it, or to recapture it.

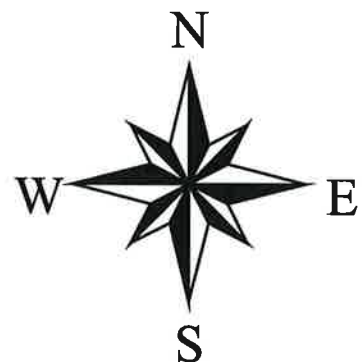
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

75-14220



-  Lemhi taxlots
-  GCDB21N22E GCDB
-  Application POD
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



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: 75-14220

JERRY PERRY
37 LOVERS LN
SALMON ID 83467-5156
Telephone Number: (208)756-3166

VIRGINIA PERRY
37 LOVERS LANE
SALMON ID 83467-5156
Telephone Number: (208)756-3166

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: 11-27-06 SIGNATURE: Virginia Perry
Please print your name: VIRGINIA PERRY

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

SCANNED

DEC - 6 2006

Estimating Conveyance Loss using the Worstell Method

Claim No.

Formula: $S = (w)(i)(0.0667)$

Where: S = loss in cfs per mile

w = top width of the high water mark in feet

i = loss rate in feet per day (see Table)

Type of soil	i (ft/day)
medium clay loam	0.5 - 1.5
impervious clay	0.5
medium soils	1.0
somewhat pervious soils	1.5 - 2.0
gravels	2.5 - 5.0

Worksheet:

w = 3' assume

i = 1.0 ft/day

ditch length (mi.) = 1,830 = 0.35 miles

Conveyance Loss:

$S = (3)(1)(0.0667) = 0.2 \text{ cfs/mile}$

Loss = 0.07 cfs/mile

$0.2 \text{ cfs/mile} \times 0.35 \text{ miles} = 0.07 \text{ cfs}$

$(1.9 \text{ ac})(0.03 \text{ cfs/ac}) = 0.057 \text{ cfs}$
 ditch loss
 $= +0.07 \text{ cfs}$

 0.13 cfs

Claimed: 0.05 cfs irrigation

Recommend: 0.05 cfs

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

CLAIM NO(s). 75-14220

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.: A0012209

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:

culvert under hwy 93, ditch to place of use

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

no water being diverted at time of exam

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 8-11-06

FIELD EXAMINER: _____

Bob Foster
Print Name

Bob Foster
Signature

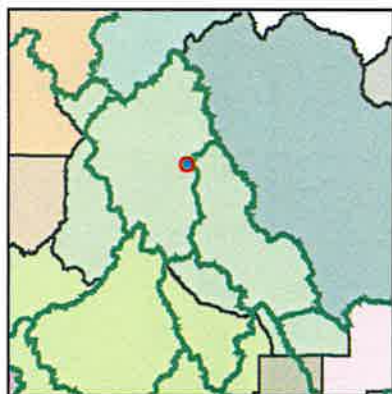


Idaho Department of Water Resources

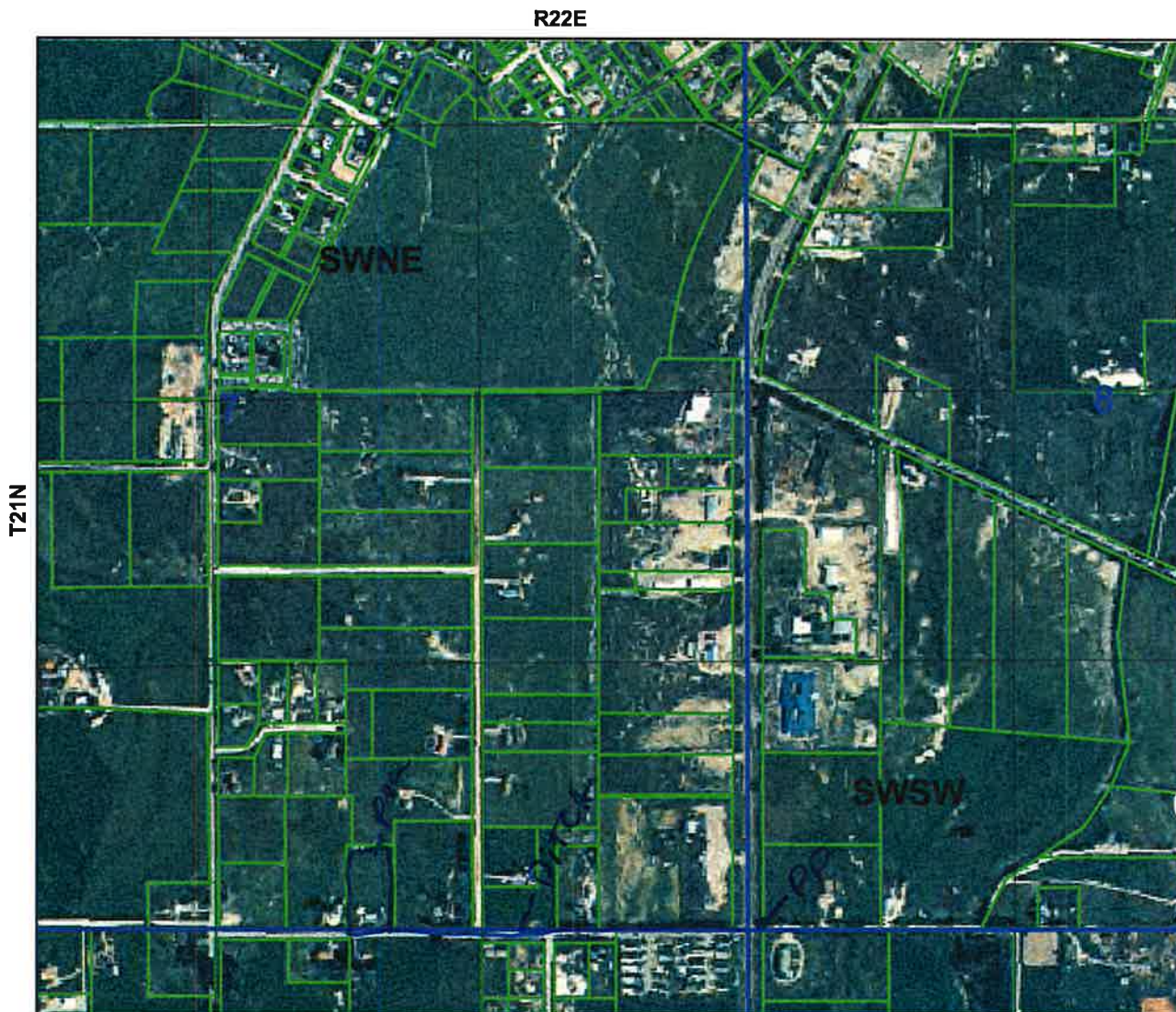
SRBA Claim:
75-14220

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

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JUN 2, 2005

RECEIVED

APR 22 2005

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

Department of Water Resources

Department of Water Resources

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number 75-14220
Date Received 4-22-05
Receipt Number CD79602d.e. schma
8-2-05

NOTICE OF CLAIM

TO A

WATER RIGHT

ACQUIRED UNDER STATE LAW

RECEIVED

JUL 15 2005

DEPARTMENT OF
WATER RESOURCESRECEIVED
4-20-05
R. Foster

Please type or print clearly

1. Name of Claimant (s) PERRY JERRY / Virginia Phone (208) 756 3166
Mailing Address 37 Love's Lane Salmon Idgo. Zip 834672. Date of Priority (Only one (1) per claim) March 24-18923. Source of water supply (a) Waste Water From Cemetery Bar
which is tributary to (b) Lemhi4. a. Location of existing point of diversion is: Township 21N Range 22E Section 8-17
SW 1/4 of SW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of LemhiAdditional points of diversion if any: Culvert at HW 93

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. Ditch carries waterFrom Bar to Culvert UNDER HW 93

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AUG - 2 2005

6. Water is claimed for the following purposes:

(both dates are inclusive)

For IRrigation purposes from April to Dec amount 0.05 (cfs) or all waste water (acre feet)

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.05 (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.) Water 6 cows - 4 Houses

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	
21N	22E	7																2.29	

Total number of acres irrigated 2.29

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

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.
Water from Spring Water from Lehigh or None ()

14. Remarks:

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AUG - 2 2005

Last Name Perry Ident No. 75-14220

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

Perry

Ident No. 75-14220

AUG - 2 2005

500
7+ This Indenture made the twenty fourth day of February in the year of our Lord one thousand eight hundred and eighty eight. Between Norman J. Andrews, of the County of Lemhi, Territory of Idaho, the party of the first part, and George P. Boone of said County of Lemhi the party of the second part, Witnesseth, that the said party of the first part, for and in consideration of the sum of one hundred dollars, lawful money of the United States of America, to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, does by these presents, demise release, convey quit-claim unto the said party of the second part, and to his heirs and assigns forever,

Waste Water flowing from, or that may at any or all times flow from those certain lands now belonging to or claimed by the said party of the first part, situated in the said County of Lemhi and described as follows to wit: The West half of the North East Quarter and the West half of the South East Quarter of Section number Seventeen in Township Number twenty one North of Range Number twenty two East of Boise Meridian. Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the reversion and remainder, remainders and reversion, rents issues and profits thereof.

It have and to hold, all and singular the said premises, together with the appurtenances unto the said party of the second part, and to his heirs and assigns forever.

In Witness Whereof the said party of the first part has hereunto set his hand and seal the day and year first above written, signed sealed and delivered in the presence of Norman J. Andrews
J. Elden.

Territory of Idaho
County of Lemhi

On this thirtieth day of March A.D. one thousand eight hundred and eighty eight, personally appeared before me the Probate Judge & Ex-officio Clerk of the Probate Court in and for said County of Lemhi, Norman J. Andrews, whose name is subscribed to the annexed instrument as a party thereto, personally known to me to be the same person described in and who executed the said annexed instrument as a party thereto, and duly acknowledged to me that he executed the same.

In Witness Whereof I have hereunto set my hand and affixed the seal of said Court at my Office in Salmon City in said County the day and year in this Certificate first above written.

Subscribed and sworn to before me this 22nd day of Sept A.D. 1888, at 3.30 P.M. and duly recorded
J. Elden Probate Judge & Ex-officio Clerk
County Recorder

This indenture, made this twenty-fourth day of March, in the year of our Lord one thousand eight hundred and ninety-two, Between Norman D. Andrews, of the County of Smith, State of Idaho, the party of the first part, and George C. Conlee, of the same County, the party of the second part,

Witnesseth, That the said party of the first part, for and in consideration of the sum of Two Thousand Five Hundred Dollars, in hands paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold, remised, released, alienated and confirmed, and by these presents does grant, bargain, sell, remise, release, alien and confirm unto the said party of the second part, and to his heirs and assigns forever, all the following described lot piece or parcel of land, situated in the County of Smith and State of Idaho, known and described as follows, to-wit:

The South East Quarter of Section Seven, in Township Twenty-one North, of Range Twenty-two East of Boise Meridian, containing One hundred and Sixty acres, according to the Government survey thereof.

And the following described water rights and ditches, and no others are hereby ^{and} in like manner conveyed with the said lands, to-wit:

All the waste water from four hundred and forty acres of land, owned by the said party of the first part, and situated on or in the vicinity of the so called Kentucky Bar; Also, one ditch, without water right therewith, extending from a point near the south-west corner of the South-east quarter of the South-west quarter of section nine, in Township twenty-one North of Range Twenty-two East, to and upon said land hereby conveyed - The said party of the first part reserving the right to dump water into said ditch from his ditch immediately above said ditch hereby conveyed.

And also, that certain ditch to catch waste water, extending about one half mile between the lands of the said party of the first part and lands of William J. Bryan, and to the lands hereby conveyed.

Together with all and singular the Hereditaments and appurtenances thereto belonging, or in any-wise appertaining, and the reversion and residue, remainder and remainders, rents, issues and profits thereof, and all the estate right, title, interest, claim or demand whatsoever of the said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

To have and to hold the said premises above bargained and described, with the appurtenances, unto the said party of the second part his heirs, and assigns forever. And the said party of the first part, for his heirs, executors and administrators, does covenant, grant, bargain and agree to and with the said party of the second part, his heirs and assigns, that at the time of signing and delivery of these presents is well seized of the premises above conveyed, as of a good, sure, perfect, absolute and indefeasible estate of inheritance in law, in fee simple, and has good right, full power and lawful authority to grant bargain, sell and convey the same in name and form aforesaid; and that the same are free and clear of all former or other grants, bargains, sales, liens, taxes, assessments and incumbrances, of what kind or nature soever; and the above bargained premises in the quiet and peaceable possession of the said party of the second part his heirs and assigns, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the

CLAIMANT'S NAME

Perry, Jerry / Virginia

CLAIM IDENT. NO.

75-14220

DATE RECEIVED

4-22-05# CO 77602AMOUNT \$ 1.06

YES

NO

Required Info?

1. Is the name and address complete with zip code? (Salmon) ☒ YES ☐ NO ☐ Required Info? *
2. Is a priority date entered? ☒ YES ☐ NO ☐ Required Info? *
- Is the priority date acceptable in view of mandatory filing dates? ☒ YES ☐ NO ☐ Required Info? *
- See Adjudication Memos #1 and #4 to determine if a Permit is required. ☒ YES ☐ NO ☐ Required Info? *
3. (a) Is a source entered? ☒ YES ☐ NO ☐ Required Info? *
- (b) Is a tributary to entered? (if required) N/A ☒ YES ☐ NO ☐ Required Info? *
4. Is the legal description of the p.d. sufficient? ☐ YES ☒ NO ☐ Required Info? *
5. Is there a description of the diverting works? ☒ YES ☐ NO ☐ Required Info? *
6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. ☒ YES ☐ NO ☐ Required Info? *
- Is the period of use included? ☒ YES ☐ NO ☐ Required Info? *
- Is a quantity claimed for each use? ☒ YES ☐ NO ☒ Required Info? *
7. Is a total quantity claimed entered? ☒ YES ☐ NO ☒ Required Info? *
8. If required is a consumptive use entered? N/A ☒ YES ☐ NO ☐ Required Info? *
- Is the consumptive use correct? N/A ☒ YES ☐ NO ☐ Required Info? *
9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. N/A ☒ YES ☐ NO ☐ Required Info? *
10. Is (are) the place(s) of use and purpose(s) indicated? ☒ YES ☐ NO ☐ Required Info? *
11. Is (are) the county(ies) entered? ☒ YES ☐ NO ☐ Required Info? *
12. Is the ownership of p.u. checked? ☒ YES ☐ NO ☐ Required Info? *
13. Are other water rights listed or "none" indicated? ☒ YES ☐ NO ☐ Required Info? *
14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) N/A ☒ YES ☐ NO ☐ Required Info? *
15. Is the basis of the claim indicated? ☒ YES ☐ NO ☐ Required Info? *
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) N/A ☒ YES ☐ NO ☐ Required Info? *
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. ☒ YES ☐ NO ☐ Required Info? *
18. Has the claim been signed, sealed, and dated by a notary? ☒ YES ☐ NO ☐ Required Info? *
19. Was this claim filed on time, or was an extension granted? ☒ YES ☐ NO ☐ Required Info? *
20. Is the fee enclosed correct? Exempt ☒ YES ☐ NO ☐ Required Info? *
21. If this claim is based on an existing water right, has the identification number been entered? N/A ☒ YES ☐ NO ☐ Required Info? *
22. Should this claim be data entered? ☒ YES ☐ NO ☒ Required Info? *

Claim checked by: J. SalmonDate: 5-24-05Claim must be returned to claimant: ☐ (Yes) ☐ (No)Claimant must be notified of modifications: ☐ (Yes) ☐ (No)Receipt Prepared by: McMickleDate: 4-22-05Claim data entered by: J. SalmonDate: 4-22-05Sent to claimant by: J. SalmonDate: 4-22-05

Checked by: _____ Date: _____

Comments: _____

first part shall and will Warrant and forever Defend,
 In Witness Whereof, the said party of the first part has hereunto set
 his hand the day and year first above written,
 Signed and delivered in presence of, Norman J. Andrews
Phos Elden

State of Idaho }
 County of Lemhi } ss

On this 24th day of March 1892, before me, Phos Elden
 Probate Judge and Clerk of the Probate Court in and for said County,
 personally appeared Norman J. Andrews, known to me to be the person
 whose name is subscribed to the within instrument and acknowledged
 to me that he executed the same.

In Testimony Whereof, I have hereunto set my hand and official
 seal on the day and year in this certificate above written,
(Seal) Phos Elden, Probate Judge &
 Clerk of the Probate Court.

State of Idaho }
 County of Lemhi } ss

I hereby certify that the within instrument was filed for
 records in the office of the Recorder of said County, at request of George
 P. Conlee on the 6th day of April, A.D. 1892, at 9 O'Clock A.M. and recorded
 in Book F of Deeds Page 482⁸³ of the Records of said County,
(Seal) Timothy Dore
 Recorder

Filed for records the 6th day of April 1892, at 9 O'Clock A.M. at request
 of George P. Conlee
Timothy Dore
 Recorder

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) Virginia Perry Date 4-20-05

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.

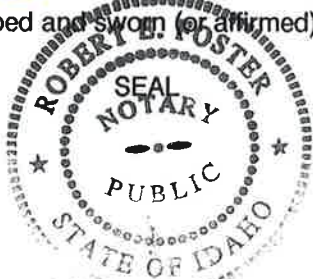
Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)

County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 20th day of April 19 2005



Notary Public Robert E. Foster

Residing at Salmon, ID

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 _____

SCANNED

AUG - 2 2005

Last Name Perry Ident. Number 75-14220

Copies White-State, Yellow-Claimant