

11/07/2006

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

RIGHT NUMBER: 75-14251

NAME AND ADDRESS: VICKY H TRACY
BOX 1023
SALMON ID 83467

ROGER R TRACY
BOX 1023
SALMON ID 83467

SOURCE: WASTE WATER

TRIBUTARY: LEMHI RIVER

QUANTITY: 0.190 CFS

PRIORITY DATE: 03/24/1892

POINT OF DIVERSION:

T21N R22E S8 SWSWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.190 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T21N R22E S07 SESE 4.70

4.7 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



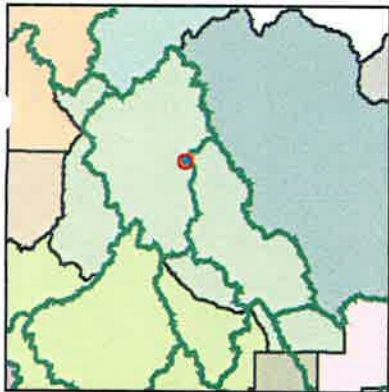
Idaho Department of Water Resources

SRBA Claim:

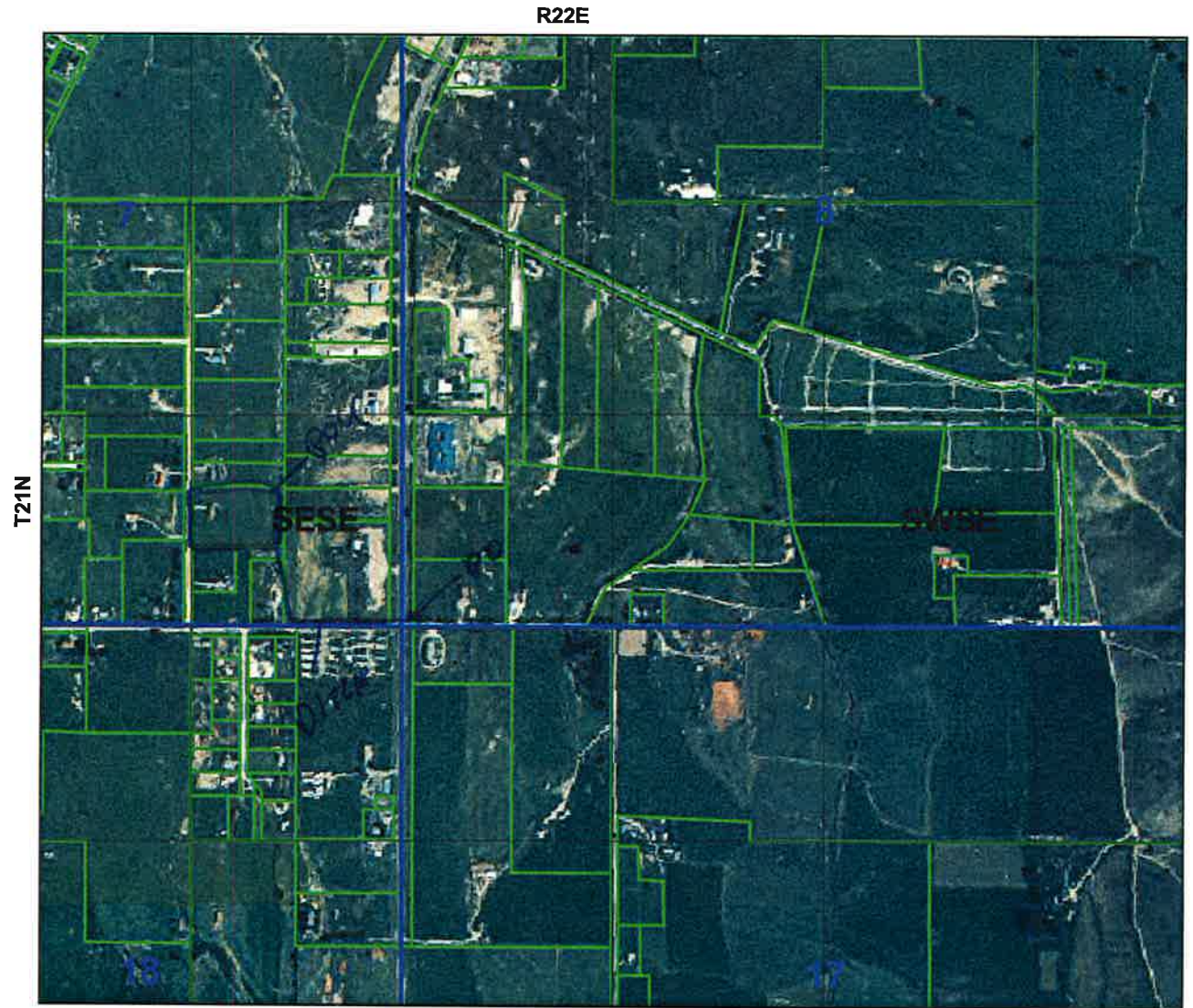
75-14251

Legend

-  Townships
-  PLS Sections
-  Quarter Quarters
-  Parcels

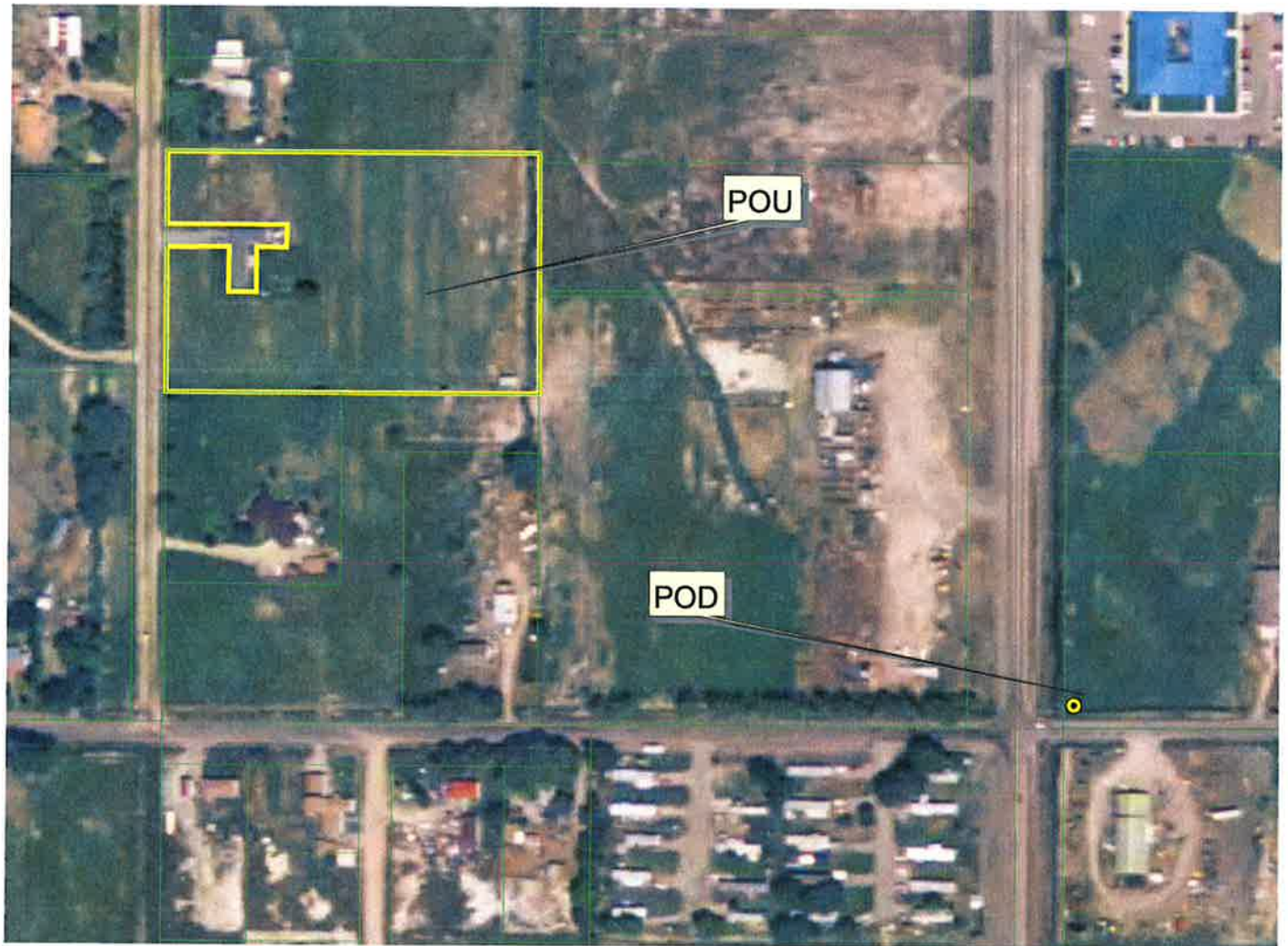


Lemhi County
IDWR Basin 75



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

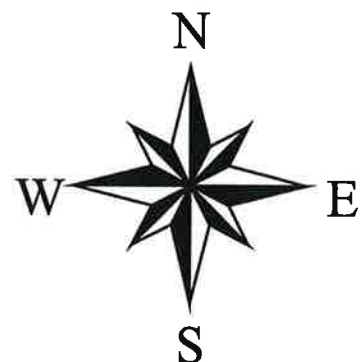
75-14251



0.09 0 0.09 0.18 Miles

A horizontal scale bar with alternating black and white segments, corresponding to the distances marked above it.

- Adjudication_gps.shp
- Lemhi taxlots
- GCDB21N22E GCDB
- Pou.shp
- Pod.shp
- Administrative BasinsAdminbas.shp



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.) = 1,325' = 0.25 miles

Conveyance Loss:

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

Loss = 0.05 cfs/mile

$$0.2 \text{ cfs/mile} \times 0.25 \text{ miles} = 0.05 \text{ cfs}$$

$$\begin{array}{rcl} (4.7 \text{ ac})(0.03 \text{ cfs/ac}) & = & 0.14 \text{ cfs irrigation} \\ \text{ditch loss} & = & 0.05 \text{ cfs} \\ \hline & & 0.19 \text{ cfs} \end{array}$$

Claimed: silent on cfs

Recommend 0.19 cfs irrigation

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

CLAIM NO(s). 75-14251

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: wastewater trib to N/A

4. ☒ No Change — POINT OF DIVERSION
☐ Point of diversion is different than the claim and/or new P/D's:
GPS Site Tag No.: A0017209

Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>
Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>	<u>1/4</u>

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

culvert under HWY 93 S. ditch to place fence

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: 8-23-06

FIELD EXAMINER:

Bob Foster

Print Name

Bob Foster

Signature



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 25, 2005

ROGER AND VICKY TRACY
PO BOX 1023
SALMON ID 83467

RE: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #75-14251

Dear Claimants:

Enclosed is data-entered Notice of Claim referenced above that you filed for your property in Lemhi County.

We have interpreted the data from this claim in the process of data entry in a manner that we feel more accurately reflects the true status of this water right claim. The items that were modified are highlighted. Please review the enclosed claim to assure these modifications are in agreement with the claimed water right.

If you believe our data is incorrect, and you wish to make any changes to this Notice of Claim, please initial the changes before signing the form in front of a Notary Public and return the form to me within 30 days. You may wish to make a copy for your files before returning the claim to me.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region
Enclosures:

Computer-generated Notice of Claim Referenced Above

SCANNED

OCT 25 2005

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 75-14251
Date Received: 10/24/2005
Receipt No: C078465
Received By:

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

1. Name of Claimant(s)

VICKY H TRACY Phone: (208)756-2133

BOX 1023
SALMON ID USA 83467

ROGER R TRACY Phone: (208)756-2133

BOX 1023
SALMON ID USA 83467

2. Date of Priority: 03/24/1892

3. Source: WASTE WATER Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
21N	22E	8	SW	SW	SE	LEMHI	

5. Description of diverting works:

DITCH CARRIES WATER FROM CEMETERY BAR TO CULVERT UNDER HWY 93 S.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	12/01	0.1	

7. Total Quantity Appropriated is:
0.1 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	22E	7	SE	SE	IRRIGATION	5
					Section Acres	5
					Total Acres	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:

OTHER WATER RIGHTS USED AT THE SAME PLACE AND FOR THE SAME PURPOSES AS DESCRIBED ABOVE: WATER FROM SPRING, WATER FROM LEMHI.

NON-IRRIGATION USES: WATER 4 COWS, 4 CALVES

15. Basis of Claim: Beneficial Use

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.

(b.) Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

RECEIVED

OCT 24 2005

RECEIVED

JUL 05 2005

DEPARTMENT OF
WATER RESOURCESDEPARTMENT OF
WATER RESOURCESIN 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:

Ident. Number

Date Received

Receipt Number

39576

75-14251

JUL 05 2005

C078465

d.o. 10-25-05

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ROGER TRACY, VICKY TRACY Phone (208) 756-2133
Mailing Address PO BOX 1013, SALMON, ID Zip 834672. Date of Priority (Only one (1) per claim) MARCH 24, 18923. Source of water supply (a) WASTE WATER FROM CEMETARY BAR
which is tributary to (b) LEMMING4. a. Location of existing point of diversion is: Township 21N Range 21E Section 8SW 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of LEMMING

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. DITCH CARRIES WATERFROM BAR TO CULVERT UNDER HWY 935.

SCANNED

OCT 25 2005

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from APRIL 1 to DEC. 1 amount ALL WASTE WATER of 5 INCHES ^{wt RAT}

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) ALL ^{RAT wt} (cfs) and/or (b) 5 INCHES ^{RAT wt} (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 4 COWS, 4 CALVES

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	22E	7																5.0	5.0

Total number of acres irrigated 5.0

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

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 LENH. or None ()

14. Remarks:

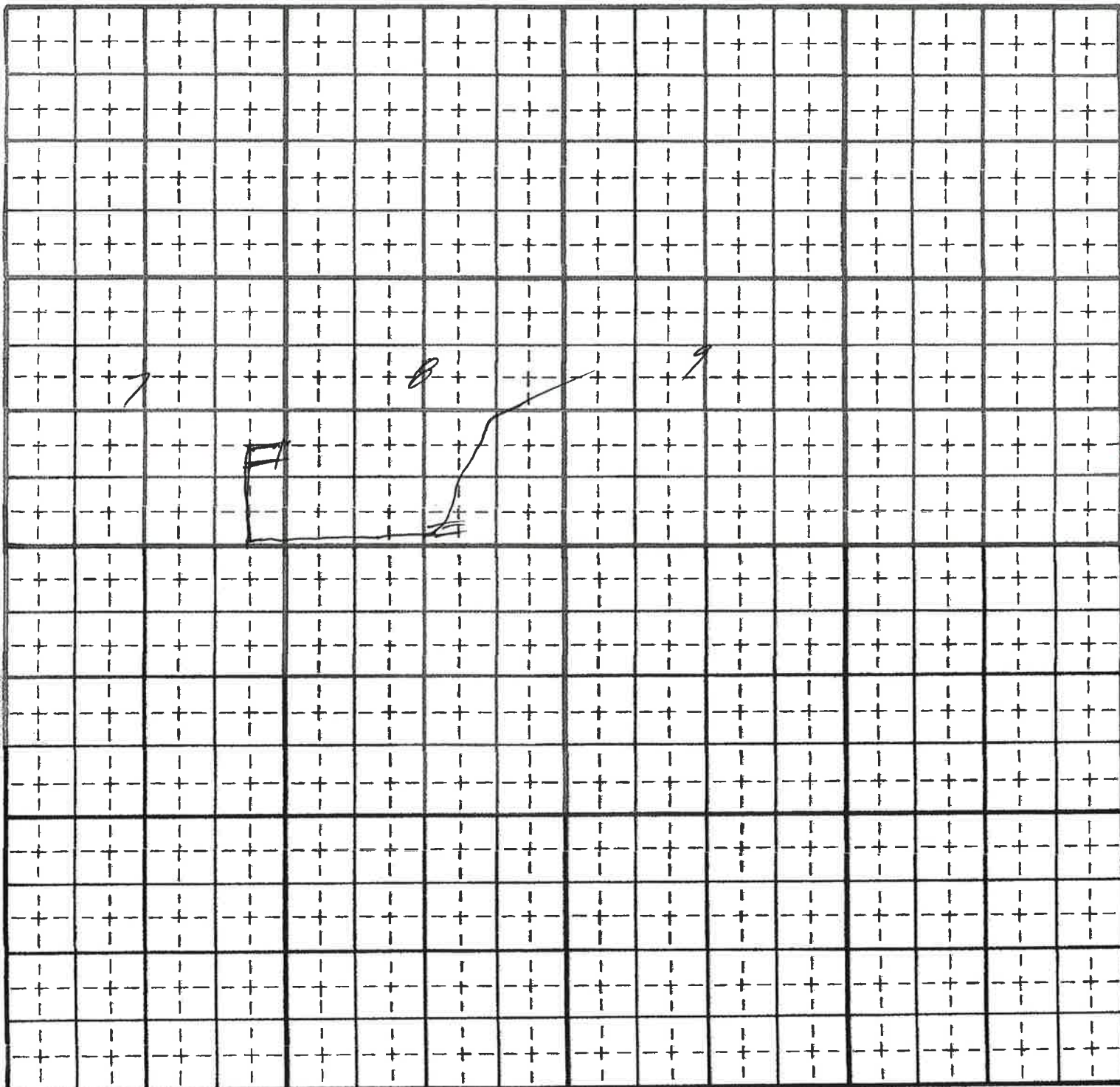
Last Name Tracy Ident No. 75-14251

SCANNED
OCT 25 2005

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

TOWNSHIP 21N RANGE 22E SECTION 8



Last Name

TRACY

Ident No.

75-14251

SCANNED

OCT 25 2005

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 1

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true
and correct.

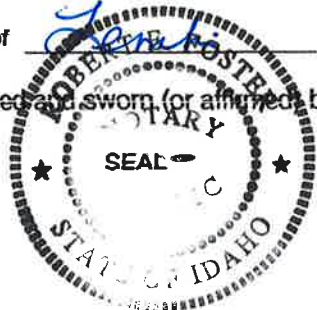
Signature of Claimant (s) Picky H. Tracy Date 6/30/05
Picky H. Tracy Date 6/30/05

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 Benewah) SS.

Subscribed and sworn (or affirmed) before me this 30th day of June 19 2005
Notary Public Robert E. Lutz
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 _____

Last Name Tracy Ident. Number 75-14251

SCANNED
OCT 25 2005

This indenture, made this twenty-fourth day of March, in the year of our Lord one thousand eight hundred and ninety-two, Between Herman J. Andrews, of the County of Santa Fe, State of New Mexico, the party of the first part, and George C. Conley, 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 Santa Fe and State of New Mexico 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 land, 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 Runway 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 ditches 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 anywise appertaining, and the reversion and 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

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME Tracy, Roy / Vicka CLA IDENT. NO. 75-14251

DATE RECEIVED 7-5-05 CK # C078465 AMOUNT \$ 165.-

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered? Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.	☒	☐	*
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
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.	☒	☐	*
Is the period of use included?	☒	☒	
Is a quantity claimed for each use?	☒	☒	*
7. Is a total quantity claimed entered?	☒	☒	
8. If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
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.	☒	☐	*
10. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
11. Is (are) the county(ies) entered?	☒	☐	
12. Is the ownership of p.u. checked?	☒	☐	
13. Are other water rights listed or "none" indicated?	☒	☐	
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.)	☒	☐	
15. Is the basis of the claim indicated?	☒	☐	
16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.)	☒	☐	
17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block.	☒	☐	*
18. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
19. Was this claim filed on time, or was an extension granted?	☒	☐	*
20. Is the fee enclosed correct?	☒	☐	*
21. If this claim is based on an existing water right, has the identification number been entered?	☒	☐	
22. Should this claim be data entered?	☒	☒	

Claim checked by: S. Sharma Date: 8-18-05Claim must be returned to claimant: ☒ (Yes) ☐ (No)Claimant must be notified of modifications: ☐ (Yes) ☐ (No)

Receipt Prepared by: M. McMickle Date: 7-5-05
 Claim data entered by: S. Sharma Date: 10-25-05 Checked by: _____ Date: _____
 Sent to claimant by: _____ Date: _____

Comments: #6 need cfs, #7 same mod. #6 & 7