

12/12/2006

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

RIGHT NUMBER: 75-14356

NAME AND ADDRESS: JACK F ELLIS
PO BOX 301
SALMON ID 83467

DIANE M ELLIS
PO BOX 301
SALMON ID 83467

SOURCE: SMOUT CREEK

TRIBUTARY: FREEMAN CREEK

QUANTITY: 0.240 CFS
42.000 AFY

Right Nos. 75-14356 and 75-14354 are limited to a total combined annual diversion volume of 42 AF.

PRIORITY DATE: 09/07/1940

POINT OF DIVERSION:

T23N R23E S31 NENE 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	0.240 CFS 42.00 AFY

PLACE OF USE: IRRIGATION in LEMHI County

T23N R23E S31 SENW 12.00

12 ACRES TOTAL

12

The rights listed below are limited to the irrigation of a combined total of acres in a single irrigation season. Combined Right Nos.: 75-14352, 75-14354 and 75-14356.

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 - License

11/09/2006

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

RIGHT NUMBER: 75-14356

NAME AND ADDRESS: JACK F ELLIS
PO BOX 301
SALMON ID 83467

DIANE M ELLIS
PO BOX 301
SALMON ID 83467

SOURCE: SMOUT CREEK

TRIBUTARY: FREEMAN CREEK

QUANTITY: 0.168 CFS
29.400 AFY

Right Nos. 75-14356 and 75-14354 are limited to a total combined annual diversion volume of 29.4 AF.

PRIORITY DATE: 09/07/1940

POINT OF DIVERSION:

T23N R23E S31 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.168 CFS
29.40 AFY

PLACE OF USE: IRRIGATION in LEMHI County

T23N R23E S31 SENW 8.40

8.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 8.4 acres in a single irrigation season. Combined Right Nos.: 75-14352, 75-14354 and 75-14356.

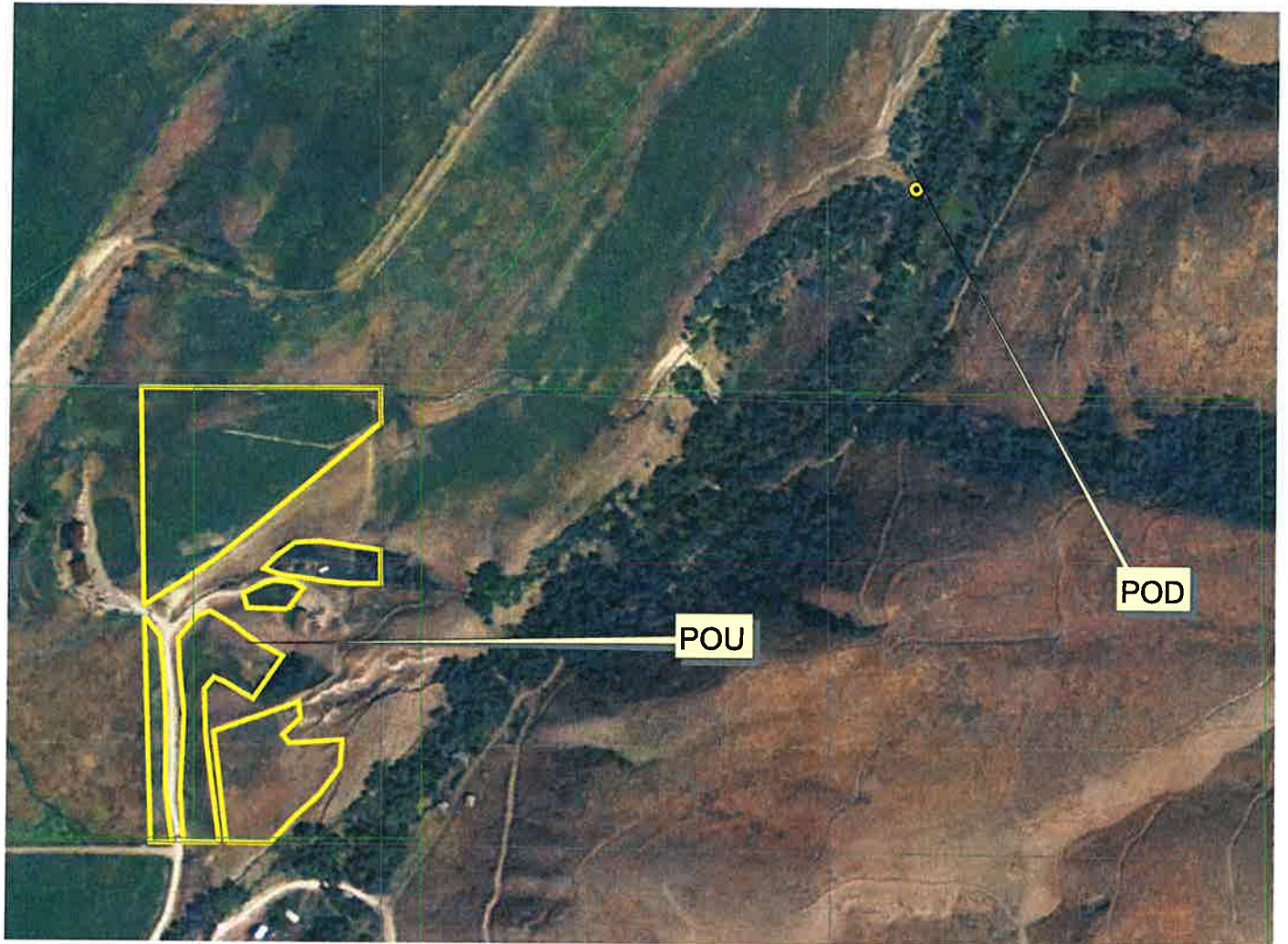
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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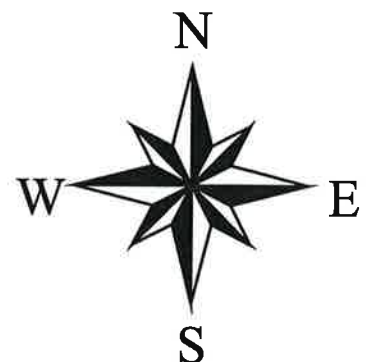
EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Void

75-14356



-  Lemhi taxlots
-  GCDB23N23E GCDB
-  Foster.shp
-  Pou.shp
-  Pod.shp
-  Administrative BasinsAdminbas.shp



R23E

POD

pipe
line

T23N

31



United States Department of Agriculture
Farm Service Agency
Lemhi/North Custer



FSN
Legend

RECEIVED

DEC 13 2005

11/09/2005

DEPARTMENT OF
WATER RESOURCES

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: ~~December 2, 2005~~

Water right claim number: 75-14356

Name:

Address:

Phone:

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Total acres irrigated

2. Describe the changes you wish to make in the proposed recommendation:

see 75-14354

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: 12-9-06

SIGNATURE:

Jack F. Ellis

Please print your name:

Jack F. Ellis

IDWR State Office, 322 East Front Street, PO Box 83720, Boise, ID 83720-0098

SCANNED
DEC 13 2005

11/09/2005

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Jack F. Ellis

Please print your name:

Jack F. Ellis

IDWR State Office, 322 East Front Street, PO Box 83720, Boise, ID 83720-0098

DECEMBER 12, 2006

MEMO: TO THE FILE
FROM: KEITH FRANKLIN
RE: CLAIMS 75-14352, 75-14354 AND 75-14356

CLAIMANT, JACK ELLIS REQUESTED AS A NOTICE OF ERROR REPLY THAT THE ACREAGE FOR THESE CLAIMS SHOULD BE 12.0 RATHER THAN 8.4 AS ORIGINALLY RECOMMENDED.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 12, 2006

Jack F. Ellis
PO Box 301
Salmon, Idaho 83467

Re: Claims 75-14352, 75-14354 and 75-14356

Dear Mr. Ellis:

Enclosed is a new map and a preliminary recommendation reflecting the comments you made on the Notice of Error Reply. Please contact me if the changes are incorrect.

Sincerely,

Keith E. Franklin
Water Resources Agent

Encl/kf

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 75-14356
Date Received: 11/19/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

JACK F ELLIS
PO BOX 301
SALMON ID USA 83467

Phone: (208)756-2346

DIANE M ELLIS
PO BOX 301
SALMON ID USA 83467

Phone: (208)756-2346

2. Date of Priority: 09/07/1940

3. Source: SMOUT CREEK Trib. to: FREEMAN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
23N	23E	31	SW NE NE	LEMHI	

5. Description of diverting works:

HEADGATES/ DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.148	19

7. Total Quantity Appropriated is:
0.148 C.F.S. and/or 19 A.F.A.

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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23N	23E	31	SE	NW	IRRIGATION	7.6
			~~NE~~	~~SW~~	~~IRRIGATION~~	~~8.8~~
					Section Acres	16.4
					Total Acres	16.4

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 75-14033 .

15. Basis of Claim: License