

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-10930

NAME AND ADDRESS: ARLENE L FRANKLIN
PO BOX 760
MILTON-FREEWATER OR 97862

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.040 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 11/30/1979

POINT OF
DIVERSION: T24N R21E S35 NWSW Lot 3 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
DOMESTIC	1/01 12/31	0.040 CFS

PLACE OF USE: STOCKWATER in LEMHI County

T24N R21E S35 NESW T24N R21E S35 NWSW

DOMESTIC in LEMHI County

T24N R21E S35 NESW T24N R21E S35 NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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

STOCKWATER, 1 HORSE

NOTICE OF FILING OF DIRECTOR'S REPORT FOR IRRIGATION AND OTHER WATER RIGHTS IN BASIN 75

The Director of the Idaho Department of Water Resources (IDWR) has filed with the Snake River Basin Adjudication (SRBA) District Court the *Director's Report for Irrigation and Other Water Rights in Basin 75* (Director's Report). A map of the area covered by this Director's Report is attached to this Notice. This Director's Report contains the Director's recommendation to the SRBA Court as to how each claimed water right should be decreed in the SRBA.

This Notice includes the Director's recommendation for your water right(s) claimed in the SRBA. IDWR is providing individual reports, like this one, to all claimants of irrigation and other water rights in your area. A complete copy of the Director's Report, listing all of these irrigation and other water rights claimed under state law and "dual based" claims by the federal government, is available at the SRBA courthouse in Twin Falls and the locations listed at the end of this Notice. Copies of the Director's Report can be made, but you may be charged for copying and mailing.

Also included in this Director's Report are some small domestic and stock water uses. The Director's Report for most small domestic and stockwater rights for IDWR Basin 75 was sent to the SRBA Court and individual water users on March 31, 1999. Some small domestic and stockwater claims were withheld from the earlier report. If a claim for small domestic and stockwater was withheld from the March 31, 1999 report, or was filed after that date, it is reported in this Director's Report. The Director's Report also includes General Provisions for Basin 75 that may apply to your water right.

INSTRUCTIONS FOR REVIEWING YOUR OWN WATER RIGHT

The enclosed description of your right(s) is only the Director's recommendation to the SRBA Court on your water right(s). The Court will decide how it will decree your water right(s). You can agree or disagree with the Director's recommendation. If you agree with the Director's recommendation you do not need to do anything, pending further notice as described below. If you disagree with the Director's recommendation, you need to file an objection as described below.

INSTRUCTIONS FOR REVIEWING THE WATER RIGHTS OF OTHERS

The complete Director's Report contains recommendations to the SRBA Court on your water right(s) and all other irrigation and other rights in your area. The Court will decide how it will decree all water rights. The Director's recommendations for the state based water right claims are listed in two sections:

- 1) **List of Recommended Water Rights** -- Water right recommendations are listed numerically by water right number.
- 2) **List of Claims Recommended to Be Disallowed** -- Water rights claims to be disallowed are listed numerically by water right number. A short statement of the reason for IDWR's recommendation for disallowance is provided.

Additional information regarding water right claims can be found on the SRBA Web Site.

Note: The SRBA Court publishes a monthly Docket Sheet listing all objections and responses filed as well as when Director's Reports are filed. It does not list court dates for individual water right cases, but provides general information helpful to all participants in the SRBA.

The Docket Sheet is available at your county courthouse and all IDWR offices, or you may subscribe by contacting the SRBA Court or IDWR. The annual subscription fee is \$7.50. The Docket Sheet is also available on the SRBA Web Site at www.srba.state.id.us.

What if a water right is not in this report? What if a water right claim is filed late? How do I get notice of IDWR's recommendation for a late claim?

A water right for Basin 75 may not be included in this Director's Report if it was not filed in time for IDWR to investigate and report. These water rights will be reported at a later time in IDWR's *Director's Report for Late Claims* (Late Claim Report). The Late Claim Report may include recommendations for Basin 75, as well as other basins. As the Director files reports for any remaining water rights in Basin 75, he may also recommend additional general provisions that could also apply to your water rights. The Late Claim Report is issued once per year, usually in the spring. It is the responsibility of all parties to check with the SRBA Court or IDWR to see when the Late Claim Report is filed. It is also the responsibility of all parties to check this report carefully for water rights to which they want to object. No special notice will be sent to you.

CHANGES OF ADDRESS OR OWNERSHIP DURING THE SRBA COURT CASE

You must contact your regional IDWR office with your address change or if the ownership of your water right changes. You may download a copy of a change of ownership form from the IDWR Web Site at www.idwr.idaho.gov. Failure to notify IDWR may result in the loss of your water rights.

ADDITIONAL INFORMATION

If you have questions about the SRBA, public information brochures are available at any IDWR office and on the IDWR Web Site at www.idwr.idaho.gov. The IDWR webpage provides information regarding claims, mapping, and other valuable information on the SRBA and IDWR. Maps and aerial photography of this reporting area, as well as assistance in using the maps and the photography, are also available at the IDWR state or northern regional offices. You are also welcome to call IDWR at any of its offices or the SRBA Court. Additional information regarding water right claims can be found on the SRBA Web Site at www.srba.state.id.us. Finally, you may also want to consider contacting an attorney to assist you.

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 75.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in its records for the water right.

SOURCE: The name and/or type of the source where you divert your water. For example: "*ground water*," "*spring*," or "*Common Creek*."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your water right in relation to other water rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections or a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, and stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your water right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections or a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

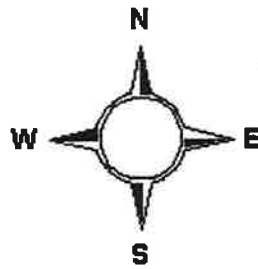
PLACE OF USE FOR IRRIGATION PROJECTS: Pursuant to Idaho Code Sections 42-219(2) and 42-1411(2)(h), IDWR has included GIS mapping for describing the place of use (digital boundary) for water rights meeting certain criteria (i.e. irrigation projects). The **PLACE OF USE** for irrigation projects is reported in digital format and uses GIS technology to particularly identify and display a geographic area encompassing the place of use with the aid of a computer. The GIS data is stored in digital format and contained on a CD-ROM and is properly marked for identification with the water right number. The CD-ROM will be retained by the SRBA Court. IDWR also retains a duplicate of the original CD-ROM. The electronic data contained on the CD-ROM is available for public use and is also accessible through the IDWR Web Site www.idwr.idaho.gov. *Upon request, IDWR will provide a copy of the CD-ROM with the electronic data to claimants.*

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, or permit.

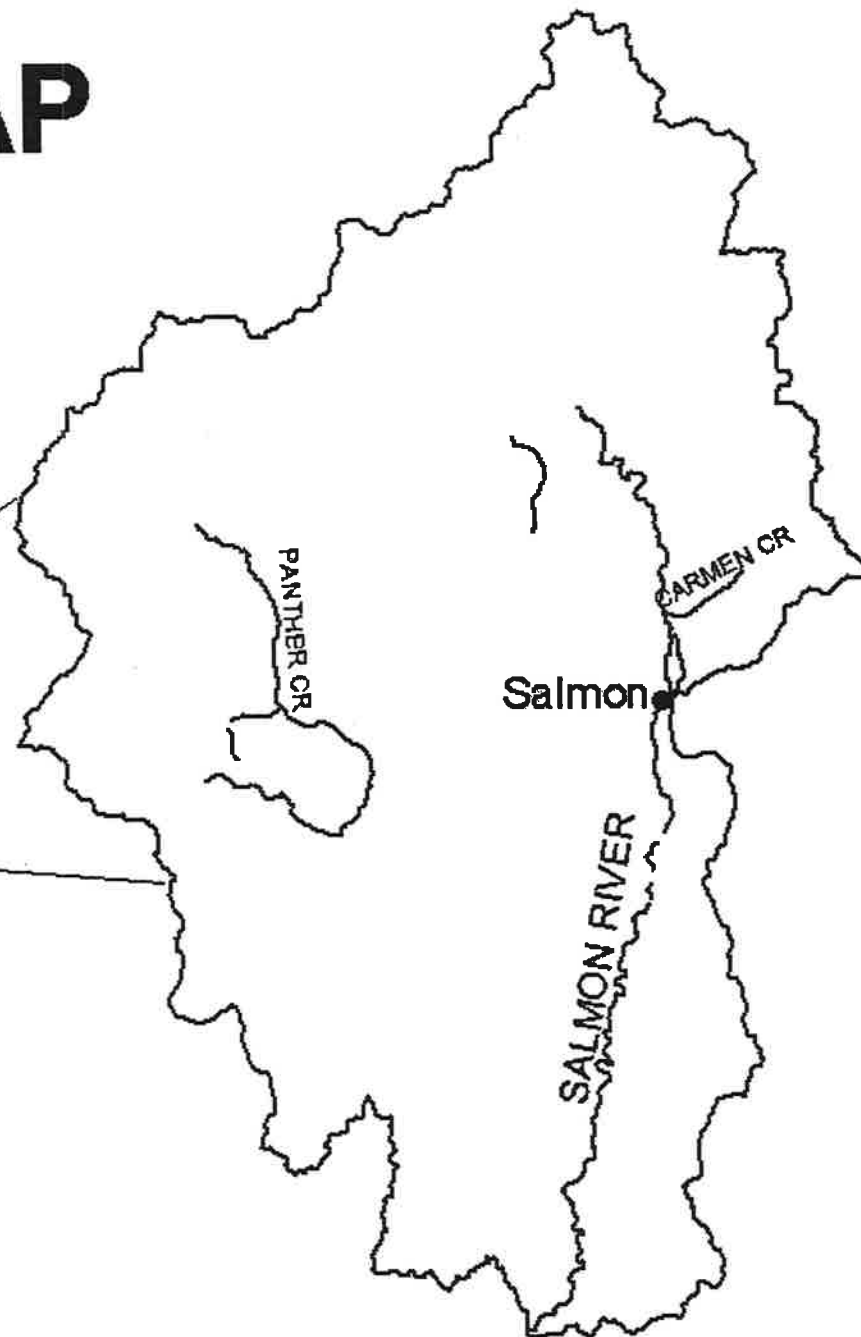
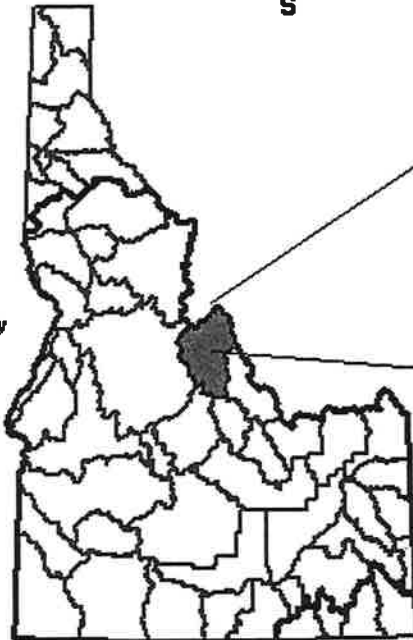
DUAL BASED CLAIMS: In some cases, the federal government has claimed one water right under two theories: a state basis and a federal law basis. Both theories will be reported on one form for that single water right. In most cases, the priority dates are different and will be listed separately. The federal law basis is separately indicated by a remark under the priority date that reads:

*4/17/1926 CLAIMED UNDER FEDERAL RESERVED WATER RIGHT *

BASIN 75 MAP



SRBA Boundary



Idaho Dept of Water Resources
Snake River Basin Adjudication
Administrative Boundaries
Danni M Smith 12/27/2005



BASIN 75 GENERAL PROVISIONS

The Director of the Idaho Department of Water Resources recommends to the Snake River Basin Adjudication District Court that the following general provisions be included in the decree determining rights to water from Basin 75.

1. The following water rights from the following sources of water in Basin 75 shall be administered separately from all other water rights in Basin 75 in accordance with the prior appropriation doctrine as established by Idaho law:

WATER RIGHT NO.

SOURCE

NONE

2. The following water rights from the following sources of water in Basin 75 shall be administered separately from all other water rights in the Snake River Basin in accordance with the prior appropriate doctrine as established by Idaho law:

WATER RIGHT NO.

SOURCE

NONE

3. Except as otherwise specified above, all other water rights within Basin 75 will be administered as connected sources of water in the Snake River Basin in accordance with the prior appropriation doctrine as established by Idaho law.

NOTICE OF FILING OF FEDERAL RESERVED WATER RIGHTS CLAIMS IN BASIN 75

INTRODUCTION

Several claims to federal reserved water rights have been filed in Basin 75 by the United States of America, acting through the agencies identified below, with the Snake River Basin Adjudication (SRBA) District Court, copies of which are attached hereto. The numbers for these federal reserved right claims are as follows:

75-11205, 75-11206, 75-11212, 75-13802, 75-14379, 75-14380, and 75-14449 – United States Forest Service

INSTRUCTIONS FOR TAKING A CLAIM TO COURT

What do I do if I disagree with a federal reserved water right claim?

If you disagree with any element of the claim to a federal reserved water right in Basin 75 and want to be heard in court, file an objection with the SRBA Court. Objections must be made on the standard objection form ("Standard Form 1") available from any Idaho Department of Water Resources (IDWR) office or from the SRBA Court. You may also download a copy of the objection form from the SRBA Web Site at www.srba.state.id.us.

Objections to any federal reserved water right in Basin 75 must be **received** by the SRBA Court on or before **October 17, 2007**.

What do I do if I want to participate in the court case on a claim to a federal reserved right?

If you want to be involved in the court case on a claim to a federal reserved water right, you must file either an objection or a response to someone else's objection by the dates provided in this notice. Responses must be made on the standard response form ("Standard Form 2") available from any IDWR office or from the SRBA Court. You may also download a copy of the response form from the SRBA Web Site at www.srba.state.id.us.

Responses must be **received** by the SRBA Court on or before **December 18, 2007**.

What happens if there are no objections to the federal reserved water right claim(s)?

An evidentiary hearing on any uncontested federal reserved water rights in Basin 75 will be held before the SRBA Court. Partial decrees will be issued by the SRBA Court following the hearing.

How will I know about the proceedings on claims to federal reserved water rights to which objections were filed?

A notice will be mailed to you for court dates on those claims where you filed an objection or a response. You will not receive notice of court dates on any other claims to federal reserved rights for which you did not file an objection or response.

DEFINITIONS OF THE ELEMENTS OF YOUR WATER RIGHT

RIGHT NUMBER: Your water right is identified by a number assigned by IDWR. The first two digits identify IDWR's administrative basin number; for example, 75.

NAME AND ADDRESS: Your name and address should appear here. IDWR will use the most recent name and address in their records for the water right.

SOURCE: The name and/or type of the source where you divert your water; for example: "ground water", "spring", "unnamed stream" or "Common Creek."

QUANTITY: The amount of water recommended in either cubic feet per second (cfs) and/or the volume of water in acre feet per year (AFY).

PRIORITY DATE: The date used to determine the priority of your water right in relation to other water rights using water from the same source.

POINT OF DIVERSION: The legal location where you divert water from its source; generally described as 1/4 1/4 sections down to a 40-acre tract, or smaller. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

PURPOSE OF USE: The general category of the type of use you can make of your water. Typical purposes of use include irrigation, domestic, and stock watering.

PERIOD OF USE: The period of time during the year when you can use the water for your water right.

PLACE OF USE: The legal location where you use your water right; generally described as 1/4 1/4 sections down to a 40-acre tract. Other legal descriptions that might be used are: government lots, block, subdivision, parcel numbers, townsite names, mining claim information, homestead entry surveys, and other survey information.

PLACE OF USE FOR IRRIGATION PROJECTS: Pursuant to Idaho Code Sections 42-219(2) and 42-1411(2)(h), IDWR has included GIS mapping for describing the place of use (digital boundary) for water rights meeting certain criteria (i.e. irrigation projects). The **PLACE OF USE** for irrigation projects is reported in digital format and uses GIS technology to particularly identify and display a geographic area encompassing the place of use with the aid of a computer. The GIS data is stored in digital format and contained on a CD-ROM and is properly marked for identification with the water right number. The CD-ROM will be retained by the SRBA Court. IDWR also retains a duplicate of the original CD-ROM. The electronic data contained on the CD-ROM is available for public use and is also accessible through the IDWR internet website (www.idwr.idaho.gov). *Upon request, IDWR will provide a copy of the CD-ROM with the electronic data to claimants.*

BASIS OF CLAIM: The method that was used to establish your claim. Examples include prior decree, posted notice, beneficial use (historical) method, license, and permit.

IDWR does not investigate or make recommendations regarding federal law based claims.

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: 75-11205

RESERVED UNDER FEDERAL LAW

RECEIVED

DEC 20 2006

DEPARTMENT OF
WATER RESOURCES

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service

Address: 550 W. Fort Street MSC033

Boise

ID

83724

2. Date of Priority: 11/05/1906

3. Source of water: UPPER DUMMY CREEK SPRING

Tributary: SINKS

4. Location Meridian BOISE

Description of Diversion Works: Headbox

From: Spring

Location of Point of Diversion

T: 20 N R: 19 E S: 18 NENW

Location of Place of Use

T: 20 N R: 19 E S: 18 NENW

5. Quantity claimed:

Period

Quantity

For

1/ 01 -- 12/ 31

0.06 CFS

Administrative

6. Total Consumptive Use Claimed for Present and Future Use is:

0.06 CFS

7. Present and future uses to which the water is or will be used:

Administrative

8. Remarks:

State Basin: 75

National Forest: Salmon

Forest Service Record ID: 4 13 17060203 30 0 0003

Cobalt Ranger Station.

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer

STEVEN M. SPENCER

Consumptive Use Water Specialist

Subscribed and sworn to before me on:

OCT 20 2006

Gloria Bainbridge

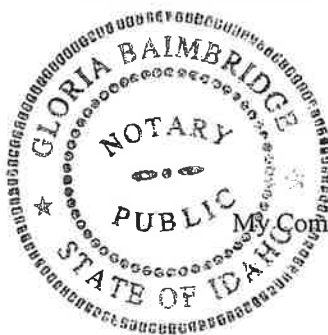
Notary Republic

Residing at:

Boise, Idaho

My Commission Expires:

OCT 17 2008



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: A75-11212
Date received: _____
Receipt No: _____

NOTICE OF CLAIM

TO A

WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360

2. Date of Priority: 11/05/1906

3. Source of water supply: NF SALMON R Tributary to: SALMON R
Forest Service Record ID: 04 13 17060203 21 0 0006 0

4. a. Location of Point of Diversion:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	15	SESW		LEMHI	BOISE

b. Location of Place of Use:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	22	NENW		LEMHI	BOISE

c. Description of existing diversion: PUMP

d. If instream flows, beginning point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
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Boise Meridian.

e. If instream flows, ending point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

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: 75-13802

RECEIVED

DEC 20 2006

DEPARTMENT OF
WATER RESOURCES

RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA on behalf of the U.S.D.A. Forest Service
Address: 550 W. Fort Street MSC033
Boise ID 83724
2. Date of Priority: 11/05/1906
3. Source of water: PANTHER CREEK Tributary: SALMON RIVER
4. Location Meridian BOISE
Description of Diversion Works: Pump From: Stream
Location of Point of Diversion
T: 20 N R: 19 E S: 18 NENW
Location of Place of Use
T: 20 N R: 19 E S: 18 NENW ac: 0 T: 20 N R: 19 E S: 18 NWNE
5. Quantity claimed: Period Quantity For
3/01 -- 11/30 0.08 CFS Administrative
6. Total Consumptive Use Claimed for Present and Future Use is:
0.08 CFS
7. Present and future uses to which the water is or will be used:
Administrative
8. Remarks:
State Basin: 75
National Forest: Salmon
Forest Service Record ID: 4 13 17060203 28 0 0004
Cobalt Ranger Station

I verify to the best of my knowledge the statements contained in this document are true and correct.

Steven M. Spencer
STEVEN M. SPENCER
Consumptive Use Water Specialist

Subscribed and sworn to before me on:

OCT 20 2006

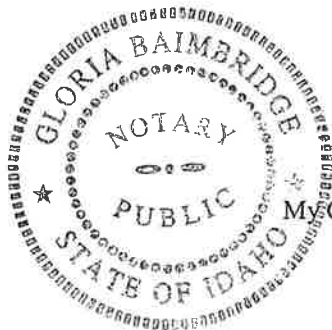
Gloria Baimbridge
Notary Republic

Residing at:

Boise, Idaho

My Commission Expires:

OCT 17 2008



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: A ~~75-62108~~ 75-14380

Date received: _____

Receipt No: _____

NOTICE OF CLAIM

TO A

WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360
2. Date of Priority: 11/05/1906
3. Source of water supply: HGHS CR RS SPR Tributary to: NF SALMON R
Forest Service Record ID: 04 13 17060203 21 0 0004 0

4. a. Location of Point of Diversion:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	22	NESW		LEMHI	BOISE

b. Location of Place of Use:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	22	NENW		LEMHI	BOISE

c. Description of existing diversion: HEADBOX

d. If instream flows, beginning point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

e. If instream flows, ending point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

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: A ~~75-64166~~ 14449
Date received: _____
Receipt No: _____

NOTICE OF CLAIM

TO A

WATER RIGHT
RESERVED UNDER FEDERAL LAW

1. Name of Claimant: UNITED STATES OF AMERICA (USDA-Forest Service)
Address: 324 25th Street
Ogden, Utah 84401
801-625-5360
2. Date of Priority: 11/05/1906
3. Source of water supply: SHEEP CREEK Tributary to: NF SALMON R
Forest Service Record ID: 04 13 17060203 21 0 0007 0

4. a. Location of Point of Diversion:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	14	SENW		LEMHI	BOISE

b. Location of Place of Use:

Township	Range	Section	Tract	Gov't Lot	County	Meridian
25 N	21 E	15	SESW		LEMHI	BOISE

c. Description of existing diversion: DITCH or CANAL

d. If instream flows, beginning point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

e. If instream flows, ending point of claimed instream flow is:

Township	Range	Section	Tract	Gov't Lot	County
-----	-----	-----	-----	-----	-----

Boise Meridian.

IN 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: 39576

Identification No.

Date Received

Receipt Number

A75-10930

6/29/90

677490 0017491

NOTICE OF CLAIM
TO A
WATER RIGHT

ACQUIRED UNDER STATE LAW

For Domestic and/or Stockwater Purposes

Where Daily Use is less than 13,000 gallons per day.

JUN 29 1990
Department of Water Resources

Filing Fee \$25

Please type or print clearly *Arlene L. Franklin*1. Name of Claimant (s) *VAL D. Franklin*Phone *(208) 756-2571*

Mailing Address

*P.O. Box 15**Donner, ID*Zip *83462*

2. Date of Priority (Only one per claim)

Month/Day/Year

3. Source of water supply (Check one)

☒ Groundwater☐ Other ()*2**Lower Runoff to Irrigate yard & Garden*
Name or kind of source

which is tributary to (b)

4. Location of point of diversion is: Township

24 N

Range

21 E

Section

35

1/4 of

SW

1/4 of

SW

1/4, Govt. Lot

3

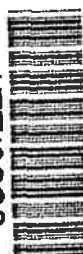
County of

Lemhi

Additional points of diversion if any:

5. Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and of each well.

A7510930



6. Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)

For

Domestic

purposes from

Month/Day

1-1

to

Month/Day

12-31

amount

(Both dates are inclusive)

For

Garden + yard

purposes from

1-1

to

12-31

amount

7. Total quantity claimed

(cfs)

House Hold Use

8. Total consumptive use claimed is

de minimus

9. Non-irrigation uses. Describe fully. (Domestic give number of households served if single ownership; Stockwater, type and Number of livestock)

one household

MICROFILMED

APR 19 1994

10. Place of use is Township: 24N Range 21E
Section 35 SW 1/4 of SW 1/4, Govt. Lot 5003, B.M.

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any

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

12. Do you own the property listed above as place of use? Yes ☒ 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.

() None or Pump 2 horse for Lawn + Garden + etc

14. Remarks: out of Salmon River

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court Decree Date Plaintiff vs Defendant

If applicable provide IDWR Water Right Number

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 -0-

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

Signature of Claimant (s) Val R. Franklin Date June 26, 1990
Deleene L. Franklin Date June 27, 1990

For Organizations: I do solemnly swear or affirm that I am

of Organization, Title that I have signed the foregoing
document in the space below as Title of Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Date

Title and Organization

State of Idaho/or)

County of LEMHI)

SS.

NOTARIZATION REQUIRED FOR EACH CLAIM

Subscribed and sworn (or affirmed) before me this 27 day of JUNE 19 90

SEAL

Notary Public Myth A. J.

Residing at SALMON, IDAHO

My Commission Expires 10/26/93

Last Name FRANKLIN

Ident No.

Copies: White-State, Yellow-Claim MICROFILMED

APR 19 1994

[Close](#)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

08/23/2006

WATER RIGHT NO. 75-10930

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ARLENE L FRANKLIN PO BOX 760 MILTON-FREEWATER, OR 97862

Priority Date: 11/30/1979

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NWSW Lt 3|Sec. 35|Township 24N|Range 21E|LEMHI County

Place(s) of use:

Place of Use Legal Description: STOCKWATER LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
24N	21E	35		NWSW										

Place of Use Legal Description: DOMESTIC LEMHI County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
24N	21E	35	3	NWSW										

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

[Close](#)

~~MAA~~

POOR ORIGINAL

Data Enter 10930 as 614,
and as per Allen's Memo

10938 is still a mystery.
We may send it back to
original owner let them do
nothing and then reject it.

Aug

MICROFILMED

APR 19 1994

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME FranklinCLAIM IDENT. NO. A75-10930

DATE RECEIVED _____

CK # _____

AMOUNT \$ _____

YES NO Required Info?

1. Is the name and address complete with zip code? _____ YES _____ NO _____ *
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) _____ N/A _____
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? _____ N/A _____
- Is the consumptive use correct? _____ N/A _____
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 _____ *
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.) _____ N/A _____
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.) _____ N/A _____
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? _____ Exempt _____ *
21. If this claim is based on an existing water right, has the identification number been entered? _____ N/A _____
22. Should this claim be data entered? _____

Claim checked by: JFDate: 1-31-91

Claim must be returned to claimant: _____

(Yes) (No)

Claimant must be notified of modifications: _____

(Yes) (No)

Receipt Prepared by: _____

Date: _____

Claim data entered by: _____

Date: _____

Checked by: _____

Date: _____

Sent to claimant by: _____

Date: _____

Comments: #1; #2; #3; #5; #6; #7; #8 MICROFILMED

APR 19 1994

POOR ORIGINAL

Date Rec. ad

April 18-1990
RECEIVED
APR 30 1990

SWAZI EYE SERVICES
Phone. 53448 P.O. Box 2346
Manzini -- Swaziland

**State of Idaho
Department of Water Resources
REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

Name of Claimant Val D. Franklin (208) 256-3971
Phone Number
Mailing Address P.O. Box 15 City Carmen State Idaho Zip 83462
County(s) where place of use is located Lemhi (1887) Date claim originally due May 10, 1990

Identify water right(s) for which extension is requested Run 2 horse Pump to irrigate yard & garden on Napoleon Gulch. AT 4th of July CK -> Salmon River

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

We are living in Manzini, Swaziland - running and eye clinic for the 7th day Adventist Mission Service. We cannot possibly be in Idaho before June 30, 1990 - Airline Ticket from Jan 1990

Claimant requests an extension to June 30, 19 90
Signature Val D. Franklin Date of request 18-4 (April) 19 90

Title Owner

SWAZI EYE SERVICES
Phone. 53448 P.O. Box 2346
Manzini -- Swaziland

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to June 30, 19 90

Signed this 19 day of May, 19 90

Director or his designated agent

DAVID B. SHAW

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

MICROFILMED

APR 19 1994

MARCH 4, 1993

ARLENE L FRANKLIN
P O BOX 15
CARMEN ID 83462

RE: ADJUDICATION NOTICES; A75-10930 AND A75-10938

Dear Ms. Franklin:

During the review process of your Notices of Claim to a Water Right, A75-10930 and A75-10938, several discrepancies were noted on each.

I have tried on several occasions to contact you by telephone. Please contact me at your earliest convenience to discuss this matter and clarify the discrepancies. Or, if you plan a trip to Idaho Falls in the near future and wish to make an appointment call (208) 525-7161.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudications Bureau

File: General Correspondence

MICROFILMED

APR 19 1994

POOR ORIGINAL

CONVERSATION MEMORANDUM

DATE 3-24-93

FILE A95-10930/38

NAME OF PARTY Val Arlene Franklin

EMPLOYEE APR

RE: MR. Val Franklin called today to discuss his claimed rights.
A95-10930. #1. Name Connector and/or; #2. Priority date Nov. 30, 1979;
#3. Source - Salmon River; #5. 1 1/2 hp pump, 300' pipe to yard & garden
(runs 5 sprinklers); #6. Domestic - 1/1 - 12/31 - 0.04 cfs; #7. 0.04 cfs,
NO HOUSEHOLD USE. #10. Domestic (NO STOCK)

A95-10930. #1. Arlene Franklin (only); #2. Nov. 30, 1979; #3. Well
(NO RIVER USE); #4. NWSW ^{Lot 3} Sec. 35, T24N, R21E; #5. 1 1/2 hp submersible
pump to northeast yard; #6 Domestic - 1/1 - 12/31 - 0.04 cfs;
#7. 0.04 cfs - stockwater in non-additive; #10 same as #4 w/
Domestic / stock AND ALSO #9. Domestic, 1 Home; Stock -
1 Horse

Then Mr. Franklin tells me the property has sold.
He send transfer of water right ownership for foil info.
P.O. Box 7402 Milton-Freewater, Oregon 97132

Contacted Cary Cook, Salmon County 21 - He will fax a
copy of deed. He don't know buyers name.

P.S. Check previous owner (Arlene Franklin's father) Dave Maxwell.

Now owner will need to establish a permit for the River claim
A95-10930 - & confirm other data. - APR

MICROFILMED

APR 19 1994

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: A75-10930
Date Received: 2/28/1990
Receipt No: C017491
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ARLENE L FRANKLIN
Address: PO BOX 760
MILTON-FREEWATER OR 97862

2. Date of Priority: NOV 30, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	21E	35	NW	SW		3	LEMHI

5. Description of diverting works:
WELL WITH 1 1/2 HP SUB PUMP TO HOUSE AND YARD

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME; STOCKWATER, 1 HORSE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	21E	35	NW	SW		STOCK	
			NW	SW	3	DOMEST	

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:
NONE

14. Remarks:

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.

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 _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

APRIL 19 1993

CHARLES H TERRY
4014 E OAKHURST AVE
ORANGE CA 92667

RE: NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Dear Mr. Terry:

During a recent visit to the Lemhi County Assessor's Office, I learned that you have acquired the property previously owned by Mr. Val Franklin. Notice(s) of Claim to a Water Right, A75-10930, for a domestic well, and A75-10938, for a Salmon River right have been filed by Mr. Franklin. In an effort to keep our records current for the now on-going Snake River Basin Adjudication, please find enclosed the appropriate form to initiate the change of ownership of the water right.

The Notice of Change of Water Right Ownership form requires your signature(s) and information as requested in the highlighted areas, eg: proof of ownership; such as a Warranty Deed, Tax Notice, etc.. This form does not require Notarization.

There are no fees due for the change of ownership. However, all documentation must be completed and in receipt by this office before any processing can be started. Therefore, please sign the form in the manner described above and return it to this office by April 30, 1993.

If you should have any questions regarding this matter please feel free to contact me at (208) 524-7161.

Respectfully submitted,

Allen B. Ruberry
Sr. Water Resource Agent
Adjudications Bureau

Enclosures: Notice of Change of Water
Right Ownership form

File: TIC

MICROFILMED

APR 19 1994

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DEC 992

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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 12, 1994

CHARLES TERRY
BOX 15
CARMEN ID 83462

RE: Snake River Basin Adjudication (SRBA)
Notice(s) of Claim #A75-10930 & A75-10938

RECEIVED
APR 15 1994

Department of Water Resources
Eastern District Office

Dear Mr. Terry:

We have been advised by the former owner of your property that you are the new owner of the property and water rights. Notice was served to the former owner based on the information in our records at the time of mailing.

Before we can change our records to reflect your new ownership, we need the enclosed form completed, please. Without your assistance, any notifications from IDWR will continue to go to the former owner.

Please contact the Idaho Falls office (525-7161) if you have any questions.

Sincerely,

Idaho Department of Water Resources
Adjudication Bureau

SO:region

Enclosures:

Copy of Change of Ownership Notice

cc: Former Owners

MICROFILMED

NOV 18 1994

Dear Sirs;
we sold our Place
& the Mans Name is

Charles Terry
Box 15
Carmen, Idaho
83462

Please Deal with him
Thank you -

Arlene L. Franklin

A75-10930

A75-10930

(Edna & Chs Terry)
per A75-11007

RECEIVED

APR 18 1984

MICROFILMED

NOV 18 1996

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

In Re Snake River Basin Adjudication Case)
No. 39576)

Notice of Filing Director's Report
Part II & III; United States' and
Tribal Non-consumptive Claims.

TO: ALL CLAIMANTS OF RIGHTS TO THE USE OF WATER IN THE SNAKE RIVER BASIN
YOU ARE HEREBY NOTIFIED OF THE FOLLOWING:

THE DIRECTOR'S REPORT PART II & III FOR THE UNITED STATES' AND TRIBAL NON-CONSUMPTIVE CLAIMS HAS BEEN FILED WITH THE DISTRICT COURT. THIS NOTICE CONTAINS IMPORTANT INFORMATION ABOUT THE DIRECTOR'S REPORT, AND DEADLINES AND FURTHER PROCEEDINGS ON THESE WATER RIGHT CLAIMS.

IMPORTANT NOTICE REGARDING YOUR WATER RIGHT

THIS CONTAINS YOUR LEGAL NOTICE OF THE DIRECTOR'S REPORT OF U.S. AND TRIBAL
NON-CONSUMPTIVE CLAIMS IN THE SNAKE RIVER BASIN ADJUDICATION
THESE CLAIMS COULD AFFECT YOUR WATER RIGHT

57390

Idaho Department of Water Resources
Statehouse Mall
Boise, Idaho 83720

Presorted
First Class Mail
U.S. Postage Paid
Boise, Idaho
Permit No. 1

ARLEN L FRANKLIN
PO BOX 750
MILTON-FREEWATER OR 97862

A75-10930
A75-10930

MICROFILMED

NOV 18 1990

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AJ5856NP

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: FEB-12-1998
PAGE: A-155

RIGHT NUMBER: 75-10930

NAME & ADDRESS:

ARLENE L FRANKLIN
PO BOX 760
MILTON-FREEWATER OR 97862

*Terry Family Trust
Charles H. Terry Trustee
Edna L. Terry Trustee
21262 San Miguel
Mission Viejo Ca. 92692*

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

PRIORITY DATE: 11/30/1979

POINT OF DIVERSION: T24N R21E S35 LOT 3 (NWSW) ✓

Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

STOCKWATER

DOMESTIC DOMESTIC, 1 HOME; STOCKWA

PERIOD OF USE

01-01 12-31

01-01 12-31

QUANTITY

0.02 CFS

0.04 CFS

PLACE OF USE:

STOCKWATER

Within LEMHI County

T24N R21E S35 LOT 3 (NWSW)

DOMESTIC

Within LEMHI County

T24N R21E S35 Lot 3 (NWSW)

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE

Verified by:

Robert S. Jada

Date:

9/29/98

Verification Source:

Lemhi Co. Assessor



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 21, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

TERRY FAMILY TRUST
CHARLES H TERRY TRUSTEE
EDNA L TERRY TRUSTEE
21262 SAN MIGUEL
MISSION VIEJO CA 92692

Re: Snake River Basin Adjudication (SRBA)
Water Right No. 75-10930 & 75-10938

Dear Claimant(s):

We have been advised you may be the new owner(s) of the property with the water right referenced above.

Before we can modify our records to reflect your new ownership of the water right referenced above, we need Form 42-248/42-1409(6) completed. This form is enclosed for your use. Please return the form, documentation and proof of domestic use to me attention at this office no later than November 9, 1998.

Please call this office toll-free at 1/800-451-4129 if you have any questions.

Sincerely,

Judy Givens
Clerical Specialist
Adjudication Bureau

/jg

Encl: Form 42-248/42-1409(6)
Water Right Profile Report



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

August 24, 2006

Terry Family Trust
622 Valencia Dr
Boulder City, NV 89005

RE: 75-10930 & 75-10938

On June 29, 1990, Arlene Franklin submitted two Notice of Claims in the Snake River Adjudication. We searched the Lemhi County tax lot information and it appears that you may now own the property. If you do own the property, and the water is still being used, and you want your name in the final recommendation, then you need to file a change in water right ownership form and mail it to this office. Be sure to include a copy of the warranty deed or other document as described in item 2. B.

There is a problem with 75-10938. The date of priority is listed as November 19, 1979 or November 1979. When a new diversion of surface water is started after May 20, 1971, an appropriation permit had to be obtained first. The date of priority is the date the water was first used regardless of who owned the property. If the priority date of your claim is incorrect then an amended claim can be submitted.

If there are no changes to the claim we will recommend to the court that it be disallowed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', written over a light blue horizontal line.

Kenneth Knoblock
Water Resources Agent

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: 75-10930

ARLENE L FRANKLIN
PO BOX 760
MILTON-FREEWATER OR 97862

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: _____ SIGNATURE: _____
Please print your name: _____

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

Her name on PO Box 15
Carmen ID

Disallowed

11/20/2006

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

RIGHT NUMBER: 75-10930
NAME AND ADDRESS: ARLENE L FRANKLIN
PO BOX 760
MILTON-FREEWATER OR 97862
SOURCE: GROUND WATER TRIBUTARY:
QUANTITY: 0.040 CFS
THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 11/30/1979
POINT OF DIVERSION: T24N R21E S35 NWSW Lot 3 Within LEMHI County
PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	STOCKWATER	1/01 12/31	0.020 CFS
	DOMESTIC	1/01 12/31	0.040 CFS
PLACE OF USE:	<u>STOCKWATER in LEMHI County</u>		
	T24N R21E S35 NESW	T24N R21E S35	NWSW
	<u>DOMESTIC in LEMHI County</u>		
	T24N R21E S35 NESW	T24N R21E S35	NWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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
STOCKWATER, 1 HORSE

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: 75-10938

ARLENE L FRANKLIN

PO BOX 15

CARMEN ID 83462

Telephone Number: (208)756-2571

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: _____ SIGNATURE: _____

Please print your name: _____

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

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

<u>W.R. NUMBER</u>	<u>NAME AND ADDRESS</u>	<u>CLAIM DISPOSITION</u>	<u>REASON</u>
75-10892	HERBERT D SMITH 103 QUINCY AVE LONG BEACH CA 90803 CARLA K SMITH 103 QUINCY AVE LONG BEACH CA 90803	Disallowed	No beneficial use found.
75-10907	WILLIAMS LAKE WATER & SEWER DIST PO BOX 518 SALMON ID 83467	Disallowed	No beneficial use found.
75-10931	STANLEY C ERICKSON 92 BONANZA PALM SPRINGS CA 92262 MARY N ERICKSON 92 BONANZA PALM SPRINGS CA 92262	Disallowed	No lawful appropriation shown.
75-10937	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE ID 83707	Disallowed	No beneficial use found.
75-10938	ARLENE L FRANKLIN PO BOX 15 CARMEN ID 83462	Disallowed	No lawful appropriation shown.
75-10959	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE ID 83707	Disallowed	Forfeited/abandoned due to non-use from 1981 to 1990.
75-10964	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE ID 83707	Disallowed	No beneficial use found.
75-10969	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE ID 83707	Disallowed	No beneficial use found.
75-10970	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE ID 83707	Disallowed	No beneficial use found.
75-10974	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE ID 83707	Disallowed	No beneficial use found.
75-10976	STATE OF IDAHO DEPT OF FISH & GAME PO BOX 25 BOISE ID 83707	Disallowed	No beneficial use found.



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.

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 10, 2007

RE: Water Rights in Reporting Area 23, Basin 75
Snake River Basin Adjudication (SRBA)

Dear Water Right Claimant(s):

Please find enclosed the Idaho Department of Water Resources recommendations for your water right claim(s) in Basin 75 that have been reported to the SRBA Court, covering water right claims from the North Fork of the Salmon River drainage. We have also enclosed instructions for reviewing (1) your recommended water right(s), and (2) other recommended water right claims in your area. Water rights for most domestic and/or stockwater rights were reported earlier to the Court, and most of those have been decreed by the SRBA Court.

Note that you have until October 17, 2007, in which to review the recommendations for your water rights or those of other claimants and to file any objection to our recommendations. Information on the other water rights can be found at the county courthouse in Salmon, and at all the Idaho Department of Water Resources offices (see addresses in enclosures).

If the SRBA Court does not receive an objection to our recommendation from you and no other party objects to the recommendation for your water right, your water right will be decreed in 2008 as recommended. You will receive your decree from the SRBA Court.

Completion of the SRBA is important for the future of water management in Idaho. We invite you to contact our regional offices with any questions you have about your water right(s) or this adjudication process. You may also call the adjudication staff in my office at 1-800-451-4129 who can also respond to your questions.

Sincerely,

David R. Tuthill, Jr., P.E.
Interim Director

Enclosures