

# **T4026 SALMON RIVER PROPERTIES**



# 4026

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**TRANSFER OF WATER RIGHT**  
WATER RIGHT NO. A75-10627

RECEIVED

DEC 14 1992

Department of Water Resources  
Eastern District Office

This is to certify that: **SALMON RIVER PROPERTIES**  
**C/O MC CARTY CO**  
**PO BOX 4005**  
**STOCKTON CA 95204**

has requested that a change of water rights be recorded as follows:

| <u>BENEFICIAL USE</u> | <u>PERIOD OF USE</u> | <u>RATE OF DIVERSION</u> | <u>ANNUAL VOLUME</u> |
|-----------------------|----------------------|--------------------------|----------------------|
| IRRIGATION            | 04/15 - 10/15        | 1.48 CFS                 | 98.0 AF              |
|                       | Total                | 1.48 CFS                 | 98.0 AF              |

Source: SALMON RIVER tributary to: SNAKE RIVER  
DEER CREEK tributary to: SALMON RIVER

Priority 06/06/1927

LOCATION OF POINT(S) OF DIVERSION:

SWNW, Sec. 3, Township 18N, Range 21E, LEMHI County  
Lot 5, SWNE, Sec. 3, Township 18N, Range 21E, LEMHI County

PLACE OF USE: IRRIGATION

| <u>TWN</u>                       | <u>RGE</u> | <u>SEC</u> | <u>ACRES</u>    | <u>ACRES</u>   | <u>ACRES</u> |      |
|----------------------------------|------------|------------|-----------------|----------------|--------------|------|
| 18N                              | 21E        | 3          | (LT5) SWNE 11.0 | (LT3) NENW 9.0 | SWNW 1.0     | 28.0 |
|                                  |            |            | SENE 7.0        |                |              |      |
| Total number of acres irrigated: |            |            |                 |                |              | 28.0 |

This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

CONDITIONS/REMARKS:

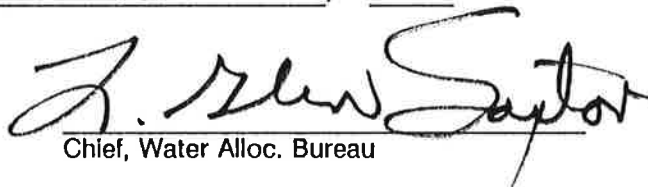
1. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
2. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.



**TRANSFER OF WATER RIGHT  
WATER RIGHT NO. A75-10627**

3. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
4. Use of water under this right is limited to the irrigation of 28 acres.
5. Measuring devices and lockable controlling works of a type approved by this Department shall be maintained at the diversion points from Deer Creek and the Salmon River.
6. A measuring device shall be installed and maintained across the channel of Deer Creek above the right holder's point of diversion from the creek. Diversion from the Salmon River is limited to periods when there is sufficient water measured in Deer Creek to satisfy the right. Further, diversion from Deer Creek &/or the Salmon River is limited to the amount of flow in Deer Creek available to satisfy the right.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.

Dated this 3<sup>rd</sup> day of December, 19 92

  
Chief, Water Alloc. Bureau



Page \_\_\_\_\_ of \_\_\_\_\_

**STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES**

Transfer No. \_\_\_\_\_

**APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1**

Name of applicant SALMON RIVER PROPERTIES Phone (208) 756-3885  
Post Office address c/o Mc Carty Co., PO BOX 4005, Stockton, CA 95204

**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion      ☐ Add diversion point(s)      ☐ Change place of use  
☐ Change nature of use      ☐ Change period of use      ☐ Other \_\_\_\_\_
2. Describe the reason for the proposed changes Change will allow more efficient  
use of water. Ditch maintenance will be reduced.

**B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE**

- | 1. Right Number  | Priority        | Amount<br>(cfs/ac-ft) | Nature<br>of Use  | Period of Use             |
|------------------|-----------------|-----------------------|-------------------|---------------------------|
| <u>A75-10627</u> | <u>6-6-1927</u> | <u>1.48 cfs</u>       | <u>irrigation</u> | <u>4-1</u> to <u>11-1</u> |
| _____            | _____           | _____                 | _____             | _____ to _____            |
| _____            | _____           | _____                 | _____             | _____ to _____            |
| _____            | _____           | _____                 | _____             | _____ to _____            |
2. Total amount of water being transferred 1.48 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.
3. Source of water Deer Creek tributary to Salmon River  
Snake River
4. Point(s) of Diversion: \_\_\_\_\_

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | SW  | NW  | 3    | 18N  | 21E  | Lemhi  |                          |
| 5   |     | SW  | NE  | 3    | 18N  | 21E  | Lemhi  |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

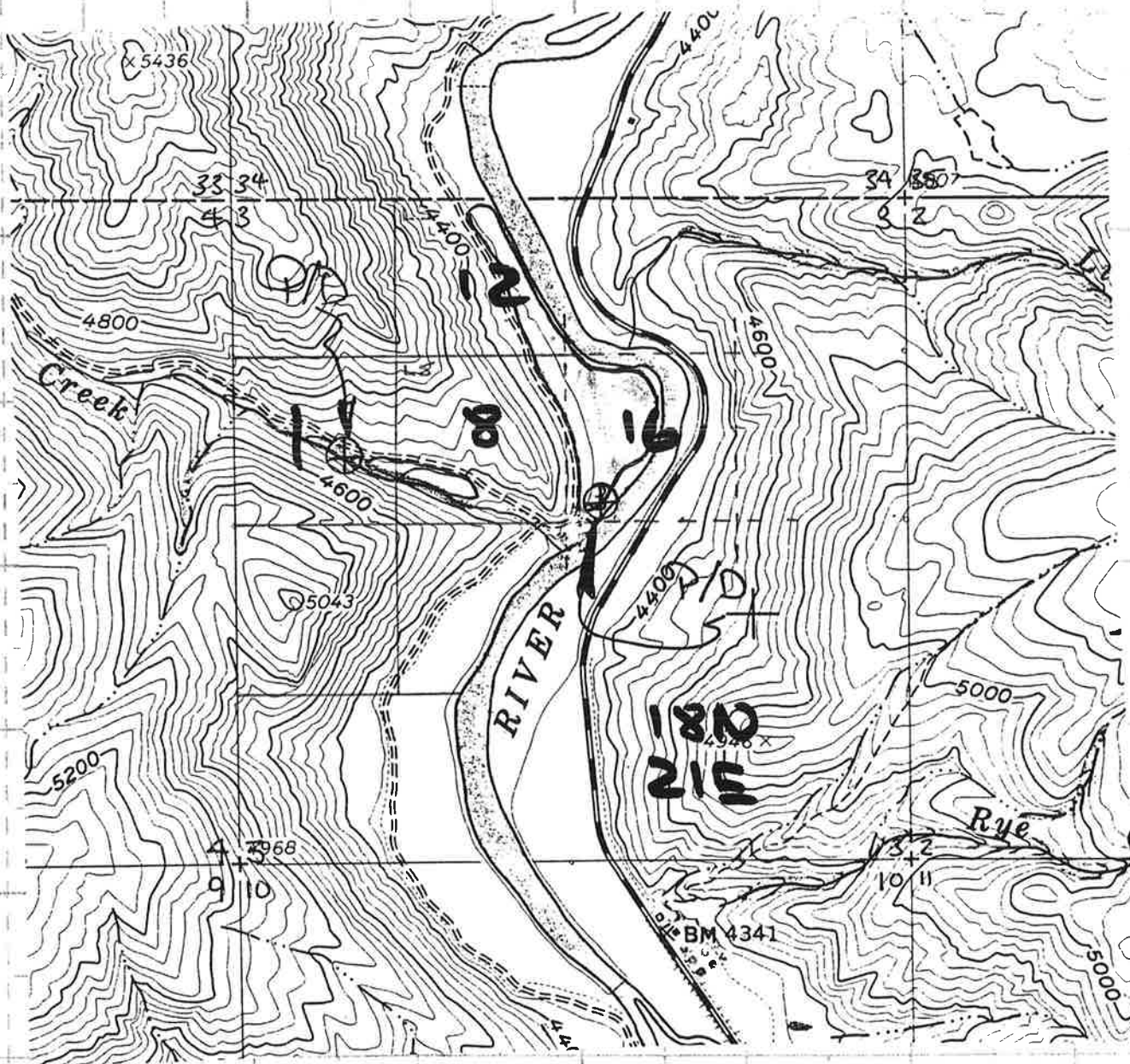
5. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |          |        | NW 1/4   |        |        |         | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|----------|--------|----------|--------|--------|---------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4   | SE 1/4 | NE 1/4   | NW 1/4 | SW 1/4 | SE 1/4  | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 18N  | 21E  | 3    |        |        | 15<br>16 |        | 13<br>12 |        | 1      | 15<br>8 |        |        |        |        |        |        |        |        | 37.0   |
|      |      |      |        |        |          |        |          |        |        |         |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |          |        |          |        |        |         |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |          |        |          |        |        |         |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |          |        |          |        |        |         |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |          |        |          |        |        |         |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |          |        |          |        |        |         |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |          |        |          |        |        |         |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |          |        |          |        |        |         |        |        |        |        |        |        |        |        |        |

Total acres 37.0

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_

b. License No. \_\_\_\_\_ issued by the Idaho Department of Water Resources.

c. Claim No. A75-10627 on file with the Idaho Department of Water Resources.

d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other \_\_\_\_\_

3. Source of water Deer Creek tributary to Salmon River

4. Date or priority 6-6-1927

5. Water is used for the following purpose:

amount 1.48 cfs for irrigation purposes from 4-1 to 11-1  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 1.48 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|----|----|------|------|------|--------|--------------------------|
|     |   | SW | NW | 3    | 18N  | 21E  | Lemhi  |                          |
| 8   |   | NE | SW | 3    | 18N  | 21E  | Lemhi  |                          |
|     |   |    |    |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |          |      | NW ¼     |      |      |         | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|----------|------|----------|------|------|---------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼     | SE ¼ | NE ¼     | NW ¼ | SW ¼ | SE ¼    | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 18N  | 21E  | 3    |      |      | L5<br>16 |      | L3<br>12 |      | 1    | L5<br>8 |      |      |      |      |      |      |      |      | 37.0   |
|      |      |      |      |      |          |      |          |      |      |         |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |          |      |          |      |      |         |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |          |      |          |      |      |         |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |          |      |          |      |      |         |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |          |      |          |      |      |         |      |      |      |      |      |      |      |      |        |

Total acres 37.0

9. Describe any other water rights used for the same purpose as described above none

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
NO If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)
2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** *(omit if there is no change)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)
2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

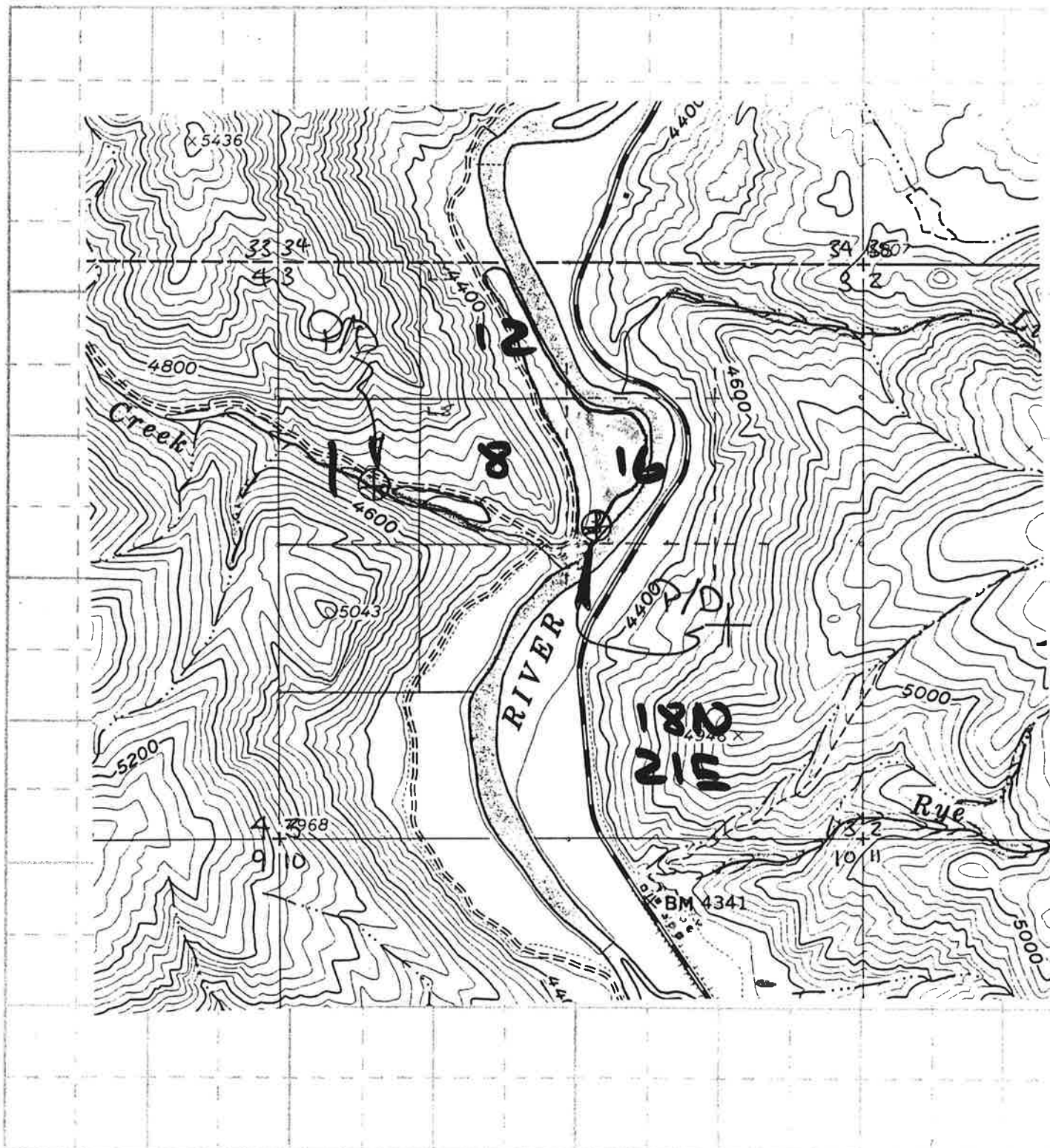
3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
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|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | <u>New Nature of Use</u> | <u>Amount</u><br>(cfs/ac-ft) | <u>Hours/days/year</u> | <u>Period of Use</u> |
|---|--------------------------|------------------------------|------------------------|----------------------|
|   | _____                    | _____                        | _____                  | _____ to _____       |
|   | _____                    | _____                        | _____                  | _____ to _____       |

2. Quantity and quality of return flows and location of discharge:

\_\_\_\_\_

\_\_\_\_\_

3. Describe effects on other water uses resulting from the proposed change:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

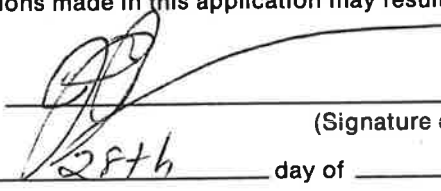
\_\_\_\_\_

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 28th day of May, 19 92.

(Signature of Applicant)



Susan E. Zede  
(Notary Public)

My commission expires 9-4-93**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by KW Date 6-2-92 Protest filed by \_\_\_\_\_Prelim. check by KW Fee #50<sup>00</sup> E017425Receipted by KW Date 6-2-92Published in Recorder Herald Copies of protest forwarded by \_\_\_\_\_Pub. dates 7-9-16-92 Hearing held by \_\_\_\_\_ Date \_\_\_\_\_Watermaster recommendation requested on \_\_\_\_\_ Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

**INTERDEPARTMENT MEMO**

**DATE:** September 16, 1992

**FROM:** ERNEST CARLSEN

**RE:** APPLICATION FOR TRANSFER A75-10627  
Salmon River Properties

**PURPOSE:** See Eric Verner's Memo Dated September 8, 1992.

**FINDINGS:** See Eric Verner's Memo Dated September 8, 1992.

**CONCLUSIONS:** To use this right as a basis for diverting water from the Salmon River would require that sufficient water, to fill the right, reach the river at the mouth of Deer Creek. Since Deer Creek was dry on the day of Eric's inspection, the addition of a POD on the Salmon River would definitely be recognized as an enhancement of the water right. The Salmon River being a more reliable source of water than Deer Creek. With reference to ID Code Section 42-222, this change would therefore constitute an expansion in use of the right.

**RECOMMENDATION/CONDITIONS:** It is recommended this application for transfer be DENIED.

**ADJUDICATION FOLLOW-UP:** No changes will be required to the Notice of Claim.



**MEMO**

**DATE:** SEPTEMBER 8, 1992

**TO:** TRANSFER APPLICATIONS 75-02058 & A75-10627

**FROM:** ERIC VERNER *EV*

**SUBJECT:** TRANSFER FIELD EXAM

=====

Salmon River Properties has filed an Application for Transfer to change the points of diversion and sources for license 75-02058 and SRBA claim A75-10627. They are proposing to install pumps in the Salmon River to make more efficient use of water by eliminating long earth ditches and converting from flood to sprinkler irrigation. They propose to abandon the diversion from Iron Creek as licensed under 75-02058. They want to add a point of diversion from the Salmon River to the Deer Creek claim (A75-10627). I visited to property on August 27, 1992 to verify the SRBA claims that were filed for these rights.

**RIGHT 75-02058**

This right was licensed for 2.20 CFS of waters of Iron Creek tributary to the Salmon River to be used on the applicant's land. I found that the Iron Creek diversion was still in use (carries rights owned by Eugene Hussey), but that the ditch from Iron Creek no longer reached the applicant's property. The last 1/2 mile of the ditch was originally a wooden flume. The flume no longer exists.

According to the ranch manager, Jack Jakovac, the flume was abandoned in 1929. He said that instead of using Iron Creek water the owners used a "hydraulic ram" (within Lot 4 of Section 10) to lift water from the Salmon River to irrigate the same place of use as licensed under 75-02058. He further stated that the ram was replaced with two 7.5 HP pumps sometime in late 1930 or early 1940. These pumps were in use until approximately 1977. Mr. Jakovac said in 1977 the then ranch manager tried to convert the system from flood to sprinkler irrigation. He buried many of the old ditches and abandoned the old pump station. For some reason, he did not complete this project so there has been no water diverted under this old system since 1977. I determined from ASCS photos that 71 acres had been irrigated by this system.

**CLAIM A75-10627**

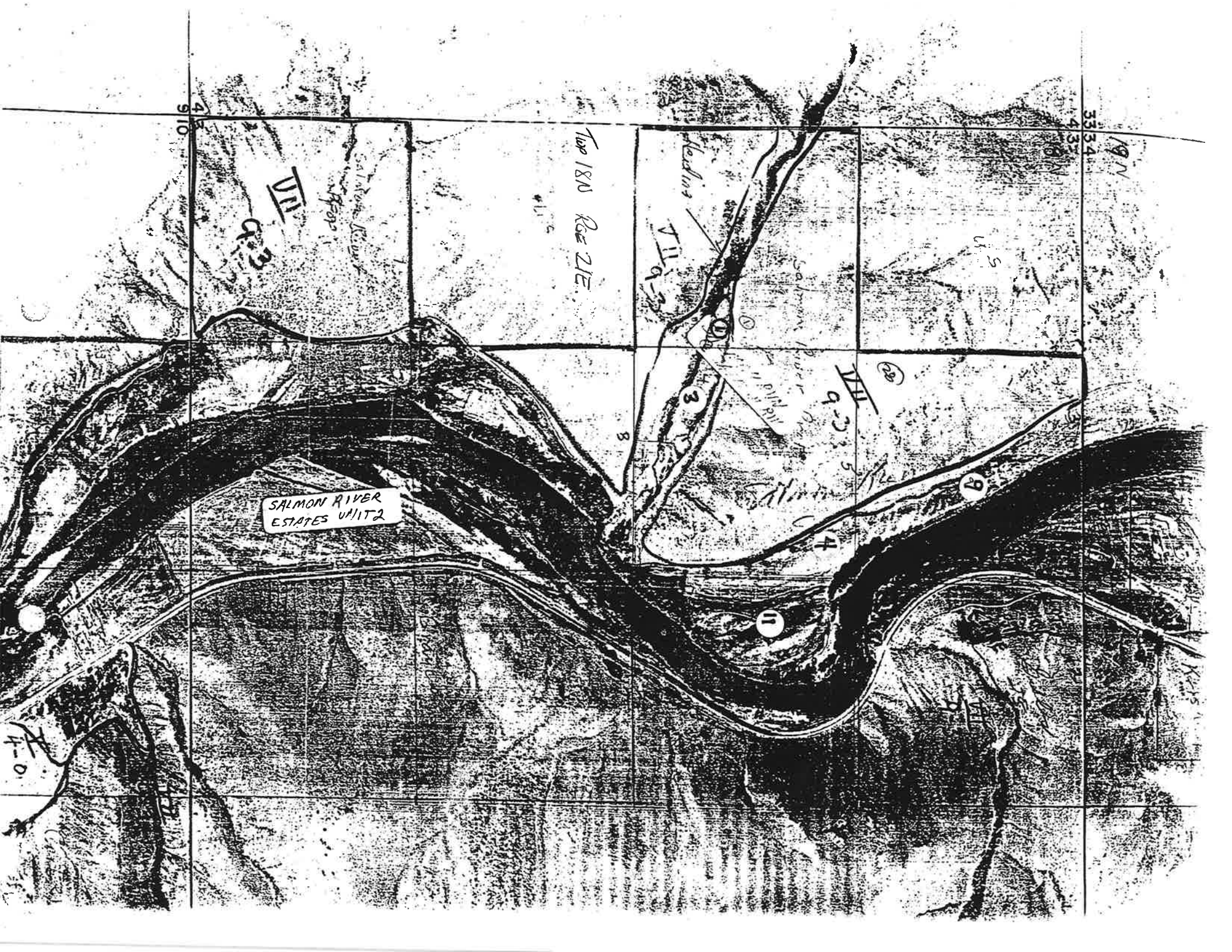
This claim is filed as a beneficial use right for diversion of 1.48 CFS from Deer Creek tributary to the Salmon River. I



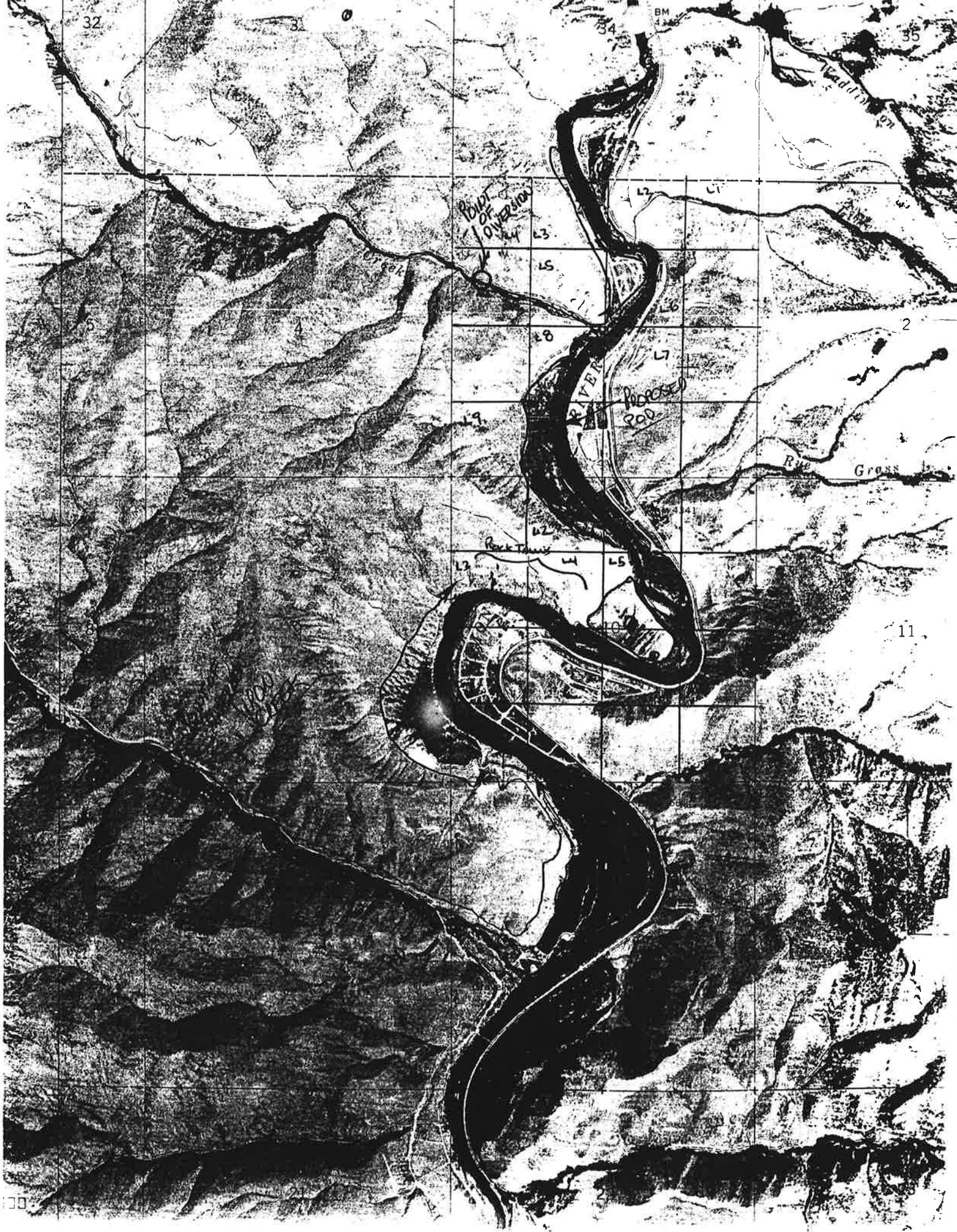
verified the location of the point of diversion. A rock/earth dam diverts water into an earth ditch. Part of the place of use is flood irrigated, part has been sprinkler irrigated. The stream was dry at the point of diversion so I was not able to take any measurements. I determined from ASCS photos that 28 acres are irrigated from Deer Creek.

The transfer application proposes to add a point of diversion, on the Salmon River to this right. It appears this may be an expansion of the right since there may be times that water may not be available from Deer Creek, when it would be available from the Salmon River.











**y**  
**Y**  
**z**  
**Z**  
**W**

