

Webster, Clay

From: Webster, Clay
Sent: Monday, November 14, 2016 8:23 AM
To: 'Carolyn Thomas'
Subject: RE: 74-1776 documents

Carolyn,

I will place a copy of these in the mail today. The Notice of Claim to a water right was reproduced from a microfilm roll. I'm afraid that the copy is as good as the micro film. I will mail you the one that was scanned. I made several to try to get it as readable as possible, it turned out the best.

Sincerely,
Clay Webster
Water Resource Agent
208-287-4800
Idaho Department of Water Resources

From: Carolyn Thomas [<mailto:thomasranch@centurytel.net>]
Sent: Friday, November 11, 2016 9:51 AM
To: Webster, Clay
Subject: RE: 74-1776 documents

Clay,

Thanks for the copies of all these documents. I was wondering if you could send them hard copy to me at 283 Withington Creek Road, Salmon, Idaho 83467? The notice of claim to a water right from May of 1972 is really hard to read, can you make a better copy of it?

Thanks
Carolyn Thomas

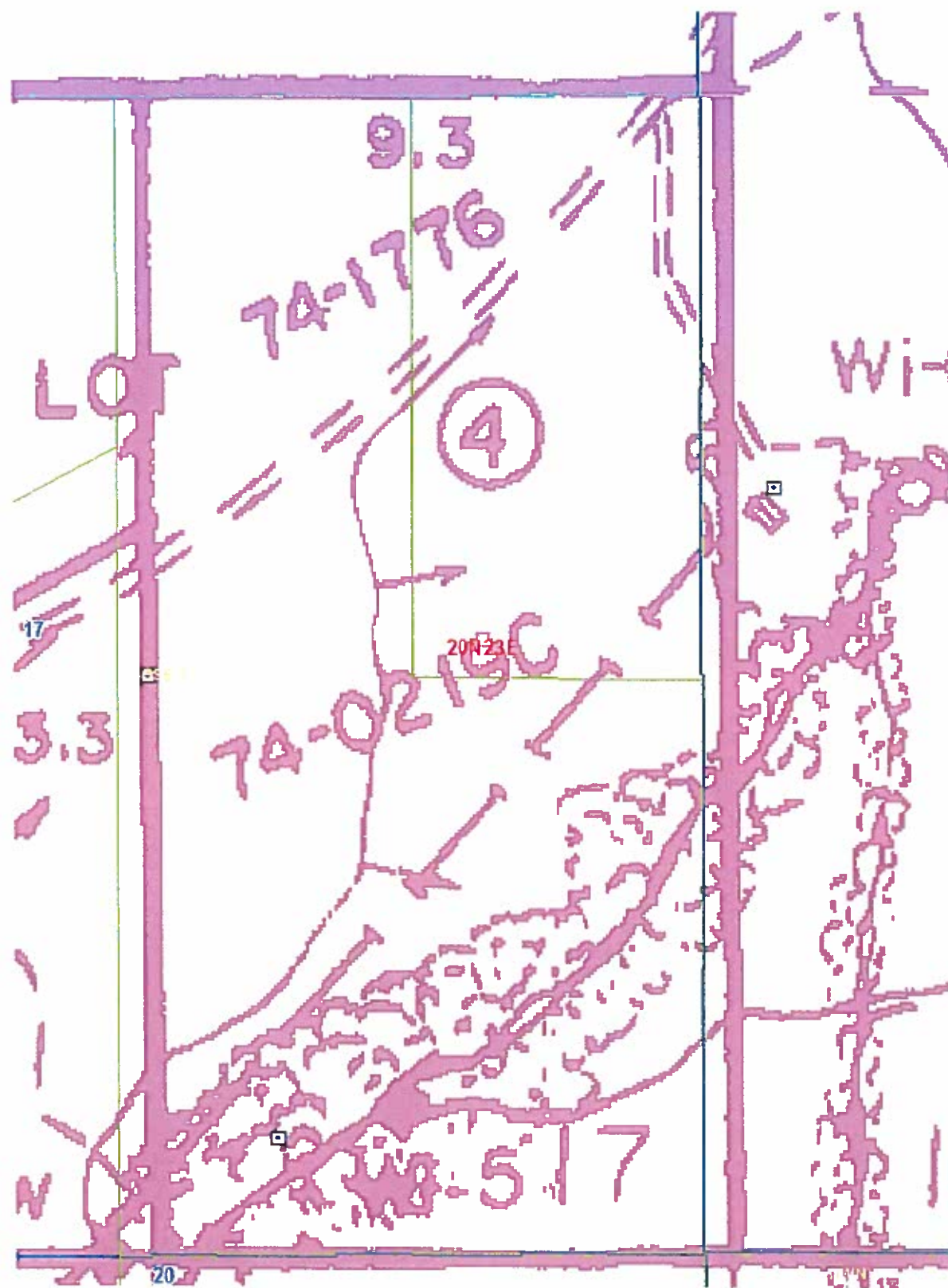
From: Webster, Clay [<mailto:Clay.Webster@idwr.idaho.gov>]
Sent: Thursday, November 10, 2016 4:02 PM
To: thomasranch@centurytel.net
Subject: 74-1776 documents

Caroline,

These are the documents that I was able to track down on this water right. One is the court decree from the SRBA and the other is the page out of the printout that we had for the Lemhi decreed water rights. The third one is the original claim for the Lemhi decree. The last one is the map that is referenced on the claim. I went ahead and over layed it on satellite imagery on the second page. I am afraid that there was not a specific point shown for the point of diversion. I appreciate your patience.

Sincerely,
Clay Webster

Water Resource Agent
208-287-4800
Idaho Department of Water Resources





NUMBER	NAME	STATUS	PRIORITY DATE	SOURCE OF WATER	TRIBUTARY TO
74-1751	STATE OF IDAHO	U/	04-01-1961	LEWIS RIVER	SALMON RIVER
74-1752	STATE OF IDAHO	U/	04-01-1959	HAYDEN CREEK	LEWIS RIVER
74-1754	STATE OF IDAHO	U/	04-01-1959	HAYDEN CREEK	LEWIS RIVER
74-1755	STATE OF IDAHO	U/	04-01-1959	HAYDEN CREEK	LEWIS RIVER
74-1756	STATE OF IDAHO	U/	04-01-1959	HAYDEN CREEK	LEWIS RIVER
74-1757	STATE OF IDAHO	U/	04-01-1959	HAYDEN CREEK	LEWIS RIVER
74-1758	STATE OF IDAHO	U/	04-01-1959	HAYDEN CREEK	LEWIS RIVER
74-1759	STATE OF IDAHO	U/	04-01-1959	HAYDEN CREEK	LEWIS RIVER
74-1760	STATE OF IDAHO	U/	04-01-1959	LEWIS BIG SPRING CREEK	LEWIS RIVER
74-1761	STATE OF IDAHO	U/	04-01-1959	LEWIS BIG SPRING CREEK	LEWIS RIVER
74-1762	STATE OF IDAHO	U/	04-01-1959	LEWIS BIG SPRING CREEK	LEWIS RIVER
74-1763	STATE OF IDAHO	U/	04-01-1959	LEWIS BIG SPRING CREEK	LEWIS RIVER
74-1764	STATE OF IDAHO	U/	04-01-1959	LEWIS BIG SPRING CREEK	LEWIS RIVER
74-1765	STATE OF IDAHO	U/	04-01-1959	LEWIS BIG SPRING CREEK	LEWIS RIVER
74-1766	STATE OF IDAHO	/1	DISALLOWED	GROUNDWATER	
74-1767	STATE OF IDAHO	/1	DISALLOWED		
74-1768	STATE OF IDAHO	/1	DISALLOWED		
74-1769	STATE OF IDAHO	/1	DISALLOWED		
74-1770	STATE OF IDAHO	/1	DISALLOWED		
74-1771	MAHAFFEY LIVESTOCK INC.	U/	04-01-1919	EIGHTEENMILE CREEK	LEWIS RIVER
74-1772	MAHAFFEY LIVESTOCK INC.	U/	04-01-1919	EIGHTEENMILE CREEK	LEWIS RIVER
74-1773	MAHAFFEY LIVESTOCK INC.	/1	DISALLOWED		
74-1774	MAHAFFEY LIVESTOCK INC.	U/	05-14-1920	WFL PERCE CREEK	TEXAS CREEK
74-1775	MALCOLM, CHARLES H.	U/	04-01-1961	WASTEWATER	LEWIS RIVER
74-1776	MALCOLM, BESSIE L.	U/	04-01-1961	SPRINGS	
74-1777	IRACY, SARAH	U/	10-05-1910	HAYDEN CREEK	LEWIS RIVER
74-1778	AIKENS, VARNIE	U/	10-05-1910	HAYDEN CREEK	LEWIS RIVER
74-1779	AIKENS, VARNIE	U/	10-05-1910	HAYDEN CREEK	LEWIS RIVER
74-1780	AIKENS, VARNIE	U/	10-05-1910	HAYDEN CREEK	LEWIS RIVER
74-1781	AIKENS, VARNIE	U/	10-05-1910	HAYDEN CREEK	LEWIS RIVER
74-1782	ADAMS, RALSTON W.	U/	04-01-1909	LEWIS RIVER	SALMON RIVER
74-1783	ADAMS, RACHEL SIMS, HALPH SIMS, RUTH	/1	DISALLOWED		
74-1784	MAHAFFEY LIVESTOCK INC.	U/	07-17-1924	SPRINGS	CIA CREEK
74-1785	MAHAFFEY LIVESTOCK INC.	U/	07-17-1924	CIA CREEK	ASSECY CREEK
74-1786	MAHAFFEY LIVESTOCK INC.	U/	09-01-1945	LEWIS RIVER	SALMON RIVER
74-1787	SPLIT INTO 74-1787A & 74-1787B.	/			

NOTE: ASTERIK (*) IN NAME FIELD DESIGNATES ORIGINAL OWNER.

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 74-01776

NAME AND ADDRESS: ANN L LOUCKS
ROBERT R LOUCKS
RT 1 BOX 67
SALMON, ID 83467

SOURCE: SPRINGS

QUANTITY: 0.02 CFS

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

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T20N R23E S20 LOT 01 (NENE) Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.02 CFS

PLACE OF USE: Domestic Within Lemhi County
T20N R23E S17 LOT 07 (SWSE)

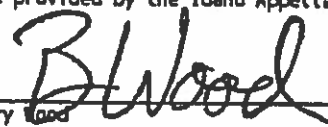
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI
IN THE MATTER OF THE GENERAL DETERMINATION OF THE RIGHT TO THE USE OF
SURFACE WATERS AND TRIBUTARIES FROM
WHATEVER SOURCE OF THE LEMHI RIVER
DRAINAGE BASIN

NOTICE OF CLAIM

IDENT. NO.

MAP NO.

TO A
WATER RIGHT

EX 74-1776

20-23-C

WATER DIVERSION

Notice is hereby given that Paul J. and/or Sarah Tracy

(Name of Claimant)

Box 428 Payette, Idaho 83661

claims a right to the diversion

and beneficial use of the surface or groundwater, of or tributary to the LEMHI River;

The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or date that permit was issued) April 1, 1961

(2) Describe source of water: (Name of stream, lake, spring, etc., or groundwater) Spring located in NENE, Sec. 23, T. 20N., R. 23E., B. 11.

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity	Use	Period of Use From	To
0.02	Domestic	January 1	December 31
0.02	Domestic	January 1	December 31
0.02	Domestic	January 1	December 31
0.02	Domestic	January 1	December 31

(4) TOTAL QUANTITY CLAIMED:

(5) A) Point of Diversion: Give location of point where water is diverted from its source NE 1/4, NE 1/4, Sec. 20, Twp. 20N., R. 23E., B. 11. B.M.: additional points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.)
Give sizes and capacities; be as specific as possible. Spring has been developed with a steel box and storage tank. Approximately 1/2 mile of 1 1/2 inch plastic pipe conveys water to the place of use.

(6) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
20N	23E	17																	

Total No. of acres

(7) If water is used for other than irrigation, fully describe that use, being as specific as possible:

(8) Effluent, sewage waste, or return water from this use is discharged into

(9) If you are claiming water as a member of an organization, list name of organization.

(10) Remarks

(11) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.

☐ B) Right derived by grant, etc. title of case

☐ C) Right based on application, license, or claim filed with the Idaho Department of Water Administration.

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

May 3, 1972

(Date)

(Signature of Claimant)

(Signature of Witness)

State of Idaho

County of Lemhi

On this 5th day of May

Organization

Seal

Organization

Robert R. Leucke

(Signature of Authorized Agent)

in the year 1972

a notary public, personally appeared

known to me to be the person(s) whose name(s) are subscribed to the above instrument and acknowledged to me that (he, she, they) executed the same.

corporation, partnership or

Notary Public residing at Salmon, Idaho

My commission expires

July 14, 1974

1972