

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF LEMHI

IN THE MATTER OF THE GENERAL)
DETERMINATION OF THE RIGHTS)
TO THE USE OF THE SURFACE WATERS)
AND TRIBUTARIES FROM WHATEVER)
SOURCE OF THE LEMHI RIVER)
DRAINAGE BASIN.)

CIVIL NO. 4948
PROPOSED FINDING OF
WATER RIGHTS

The above-entitled cause was initiated under provisions of Section 42-1406, Idaho Code, by the submission of a petition from eight (8) water users in the Lemhi River Basin, requesting that the Department of Water Administration (changed to Department of Water Resources in 1974) obtain authority from the Court to prepare a proposed finding of water rights in the Lemhi River Basin. The petitioners specifically requested that the study reflect the present practice and use of water within the Lemhi River Basin.

Pursuant to Section 42-1407, Idaho Code, R. Keith Higginson, Director of the Department of Water Resources petitioned the Court on April 30, 1970, for an order of authorization for the commencement of an adjudication of water rights in the Lemhi River Drainage.

An order was signed on August 13, 1970, by District Judge Arnold T. Beebe, authorizing the Department to commence an investigation and determination of the various rights to the use of the water of the Lemhi River and its surface tributaries including ground water which may be either tributary to the Lemhi River or its surface tributaries within the Lemhi River Drainage Basin, such waters lying or being used within Lemhi County.

An order of joinder signed on June 17, 1971, made approximately 457 land owners and possible water users parties to the adjudication. An additional 351 water users were joined by an order signed November 1, 1971. Approximately 1,900 claims of water rights were submitted to the Department.

Based upon all existing court decrees adjudicating water rights within the Lemhi River Drainage Basin, the claims submitted, the files and records of the Department and the Court, the examination and studies of the Lemhi River Drainage Basin and the various ditches and other diversions of water therein and the lands irrigated or other uses of water, the Department of Water Resources, in July 1974, filed a proposed finding of water rights with the Court. Objections to the proposed finding were resolved either by stipulation or hearing before the Court. The Court then adopted the following findings of fact, conclusions of law and decree of water rights, in which the

SCANNED
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S T A T E O F I D A H O
DEPARTMENT OF WATER RESOURCES
WATER RIGHTS ABSTRACT

WRD416

05/04/83

TRIBUTARY TO: LEWIS RIVER

SOURCE: EIGHTEENTH CREEK

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
74-2006	MAHAFFEY LIVESTOCK INC. C/O STEPHEN MAHAFFEY P.O. BOX 4 TENDON ID 83468	11-14-1904	IRRIGATION 03-15 11-15	3.10 CFS	NENE S28 T14N R27E	NENE(04) S28 T14N R27E NENE(20) NWNE(07) SENE(18) NESE(21) SESE(16) S21 T14N R27E	DECREE
	REMARKS: AC. IRR.=86.1.					* 86 ACRES*	
74-2030	SKELTON RANCH CO. INC. P.O. BOX 1138 IDAHO FALLS ID 83401	12-05-1908	IRRIGATION 03-15 11-15	1.20 CFS	NESW S32 T15N R27E SENW S32 T15N R27E	NESW(35) SESW(23) S29 T15N R27E	DECREE
	REMARKS: AC. IRR.=58.1.					* 58 ACRES*	
74-2039	FAYLE, DALE FAYLE, WILLIAM L. P.O. BOX 114 LEADORE ID 83464	05-15-1909	IRRIGATION 03-15 11-15	1.20 CFS	SWSW S20 T15N R27E	SENE(37) NESE(21) S19 T15N R27E	DECREE
	REMARKS: AC. IRR.=57.9.					* 58 ACRES*	
74-0934	FAYLE, DALE FAYLE, WILLIAM L. P.O. BOX 114 LEADORE ID 83464	04-01-1910	IRRIGATION 03-15 11-15	1.56 CFS	SWSW S20 T15N R27E SENW S29 T15N R27E	NWNW(03) S29 T15N R27E NWSW(10) SWSW(21) S20 T15N R27E NENE(18) NWNE(16) SANE(09) S19 T15N R27E	DECREE
	REMARKS: AC. IRR.= 77.6.					* 77 ACRES*	
74-1646	STATE OF IDAHO DEPT. OF PUBLIC LANDS CAPITOL BLDG. BOISE ID 83720	04-01-1910	IRRIGATION 03-15 11-15	1.28 CFS	NWNE S21 T14N R27E	NWNW(07) SWNW(15) SENE(06) NESW(19) NWSW(02) SESW(03) NWSE(01) SWSE(11) S16 T14N R27E	DECREE
	REMARKS: AC. IRR.= 64.2. 2 P/D IN NWNE, S21, T14N, R27E.					* 64 ACRES*	
	STOCKWATER 03-15 11-15					SAME AS OTHER USE	