

No Color
Documents
In File

1. DECREE -- State of Idaho vs. Mary A. Adams, et al.

74-0001 thru 74-1874
74-2000 thru 74-2579
74-4000 thru 74-4015
74-7000 thru 74-7160
74-7162 thru 74-7169
74-7173 thru 74-7174

Note: 12-30-82 -- does not include Geertson Creek and tributaries or
the rights of the U.S. Dept. of Agri. Forest Service

JUL 30 1996

NOTE:

Jemhi River
Adjudication
Decree Book
is not on microfilm
because of its size.
Use database info.

MEMORANDUM

TO: Decree File 74-AA

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Rights Renumbered

DATE: November 5, 1998

Region staff identified the following rights that are actually diverted within Basin 75 as confirmed on the USGS map. The rights were renumbered to new water right numbers in Basin 75 and records updated to reflect the change.

74-00460 to 75-07662
74-00643 to 75-07663
74-00698 to 75-07664
74-00906 to 75-07665
74-00929 to 75-07666

WELL DRILLER'S REPORT

DEC 23 1987

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Wanda Pern

Address 502 Washington Ave; Salmon 83467

Owner's Permit No. 74-87-2-001

7. WATER LEVEL

Static water level _____ feet below land surface.

Flowing? Yes No G.P.M. flow _____

Artesian closed-in pressure _____ p.s.i.

Controlled by: Valve Cap Plug

Temperature 54 OF. Quality GOOD

Describe artesian or temperature zones below.

2. NATURE OF WORK 74-0497

New well Deepened Replacement

Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

Pump Bailor Air Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>40</u>	<u>45</u>	<u>2</u>

3. PROPOSED USE

Domestic Irrigation Test Municipal

Industrial Stock Waste Disposal or Injection

Other _____ (specify type)

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
<u>8</u>	<u>0</u>	<u>3</u>	<u>Top Soil</u>		<input checked="" type="checkbox"/>
<u>8</u>	<u>3</u>	<u>18</u>	<u>BOULDERY CONCRETE</u>		<input checked="" type="checkbox"/>
<u>6</u>	<u>18</u>	<u>22</u>	<u>GRAVEL SAND</u>	<input checked="" type="checkbox"/>	
	<u>22</u>	<u>30</u>	<u>BOULDER CONCRETE</u>		<input checked="" type="checkbox"/>
	<u>30</u>	<u>34</u>	<u>WHITE SANDY CLAY</u>	<input checked="" type="checkbox"/>	
	<u>34</u>	<u>36</u>	<u>BROWN CLAY</u>		
	<u>36</u>	<u>45</u>	<u>GREY CLAY</u>		

4. METHOD DRILLED

Rotary Air Hydraulic Reverse rotary

Cable Dug Other _____

5. WELL CONSTRUCTION

Casing schedule: Steel Concrete Other _____

Thickness	Diameter	From	To
<u>2.50</u> inches	<u>6</u> inches	<u>1</u> feet	<u>32</u> feet
<u>PVC</u> inches	<u>4 1/2</u> inches	<u>25</u> feet	<u>45</u> feet

Was casing drive shoe used? Yes No

Was a packer or seal used? Yes No

Perforated? Yes No

How perforated? Factory Knife Torch

Size of perforation 3/16 inches by 1 1/2 inches

Number	From	To
<u>100</u> perforations	<u>22</u> feet	<u>29</u> feet
<u>PVC</u> perforations	<u>25</u> feet	<u>45</u> feet

Well screen installed? Yes No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? Yes No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 12 Material used in seal: Cement grout

Bentonite Puddling clay _____

Sealing procedure used: Slurry pit Temp. surface casing

Overbore to seal depth

Method of joining casing: Threaded Welded Solvent Weld

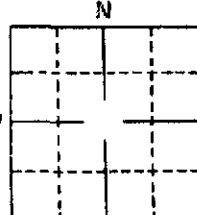
Cemented between strata

Describe access port Sanitary well seal

10. Work started 12/15/87 finished 12/16/87

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Lemhi

NE 1/4 NE 1/4 Sec. 8, T. 21N, R. 22E, E.M.

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Harker Drilling Firm No. 430

Address P.O. Box 194; Carmen Date 12/18/87

Signed by (Firm Official) Alan Harker

and _____

(Operator) _____

RECEIVED

SEP 18 1987

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

APPROVED

Department of Water Resources

1. Applicant Wanda Pern

2. Address 502 Washington Avenue

Salmon, Idaho 83467

(X) Well Owner () Well Operator () Other, specify _____

3. Water right permit no. 74-0494; Injection well permit no. _____

4. Proposed well location NE 1/4 NE 1/4 1/4, or Gov't lot No. _____

Sec. 8, Twp. 21N, Rge. 22E, County Lemhi

Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)

(X) Domestic () Stockwater () Monitoring

(X) Irrigation () Industrial () Municipal

() Injection () Other, Specify _____

6. Well construction information:

(X) New well () Deepen to (X) Replace - old well

Proposed surface diameter 6" Proposed depth 35 to 50'

Anticipated bottom hole temperature:

- (X) 85°F or less (Cold water well)
- () 85°F to 212°F (Low temp. geothermal well)
- () 212°F or more (Geothermal well)

7. Anticipated construction start date September 20, 1987

8. Well Driller (if known) Harber Drilling Company

Address P.O. Box 194; Carmen, Idaho 83462-0194

Date 9/14/78 Applicant's signature Wanda R. Pern

Title owner

JUL 30 1986

* After other pre-requisite approvals have been obtained.

Fees: Single family domestic and stockwater wells \$10.00

Other type wells \$100.00; Water right fee for use of over 1/2 acre \$30.00

Make checks payable to Idaho Department of Water Resources.

ACTION OF IDWR

() Approved () Denied

09/22/87
F

74-87-2-001

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

7. *Item 3 is not required*

Dated this 25th day of September, 1987.

Signed *J. S. Beal*
 Title SECTION MANAGER
GROUNDWATER PROTECTION

Received by *JA* Fee \$10⁰⁰ Date 9-24-87

Receipt No. 45251 Construction start date _____

Construction start extension to _____

Extension approved by _____

JUL 30 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

Mailing address:
Supreme Court
Boise, Idaho 83720
(208) 333-4440

June 9, 1987

RE: Water Right Nos. 74-4038/0286/0976/0977

Milton Slavin
1015 Main St.
Box 1103
Salmon, ID 83467

Dear Milton:

Thank you for the copy of the Warranty Deed showing ownership of lands by Robert E. & Norman E. Carlson. We have changed our Department records for the above referenced rights to reflect them as the current owners.

If we can be of any further assistance, please let us know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

RECEIVED

JUL 30 1987

MILTON A. (JOCK) SLAVIN
ATTORNEY AT LAW

1015 MAIN ST., BOX 1103, SALMON, IDAHO 83467
208/756-2030

RECEIVED
MAY 13 1987

Department of Water Resources

May 7, 1987

Jim Johnson
Water Rights Supervisor
Statehouse
Boise, Idaho 83720

Re: Water Right Nos. 74-4038/0286/0977/0976

Dear Mr. Johnson:

Pursuant to your letter dated May 4, 1987, I am enclosing a copy of the recorded Warranty Deed confirming the Carlson's ownership of the lands to which the water rights are to be transferred.

If I may be of any further assistance, please feel free to contact my office at your earliest convenience.

Very truly yours,


Milton A. Slavin

MAS:ng
enclosure
cc: Mr. and Mrs. Robert Carlson

RECEIVED

JUL 30 1996

WARRANTY DEED

RECEIVED

For Value Received ALOHA KLUESNER, a widow,

MAY 13 1987

the grantor , does hereby grant, bargain, sell and convey unto

Department of Water Resources

ROBERT E. CARLSON and NORMA E. CARLSON, husband and wife,

the grantees , the following described premises, in Lemhi County Idaho, to wit:

TRACT I: The Southeast Quarter of the Southeast Quarter of Section Seven (7); the Southwest Quarter of the Southwest Quarter of Section (8); the Northwest Quarter of the Northwest Quarter of Section Seventeen (17); the Northeast Quarter of the Northeast Quarter of Section Eighteen (18); the West Half of the Northeast Quarter of Section Eighteen (18); the Northwest Quarter of the Southeast Quarter of Section Eighteen (18); and the Southeast Quarter of the Northwest Quarter of Section (18), all in Township Sixteen (16) North, Range Twenty-five (25) East of the Boise Meridian.

TRACT II: The East Half of the Southeast Quarter of Section One (1), Township Sixteen (16) North, Range Twenty-four (24) East of the Boise Meridian. Lot Seven (7), and the Southeast Quarter of the Southwest Quarter of Section Six (6), Township Sixteen (16) North, Range Twenty-five (25) East of the Boise Meridian, all being in Lemhi County, Idaho.

Together with all water and water rights, ditch and ditch rights, range and range rights, mineral and mineral rights, oil and gas rights appurtenant thereto.

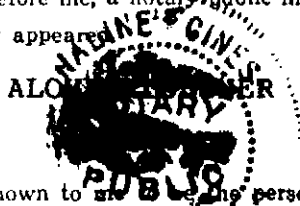
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees , that she the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated:

Aloha Kluesner

STATE OF IDAHO, COUNTY OF Lemhi
On this 7th day of April, 19 87
before me, a notary public in and for said State, personally appeared



known to me as the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Madeline Gines Notary Public
Residing at Salmon, Idaho
Comm. Expires 8/23/92

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this instrument was filed for record at the request of Brook & Snook

at 46 minutes past 11 o'clock A. M., this 13th day of April 1987, in my office, and duly recorded in Book of Deeds at page

Alberta Widerrick Ex-Officio Recorder
By Jerry J. Moton Deputy.
Fee \$25.00
Mail to:

INSTRUMENT NO. 155668

LEMHI TITLE ABSTRACT - SALMON, IDAHO

JUL 30 1996

MILTON A. (JOCK) SLAVIN

ATTORNEY AT LAW

1015 MAIN ST., BOX 1103, SALMON, IDAHO 83467

208/756-2030

RECEIVED

MAY 13 1987

Department of Water Resources

May 7, 1987

Jim Johnson
Water Rights Supervisor
Statehouse
Boise, Idaho 83720

Re: Water Right Nos. 74-4038/0286/0977/0976

Dear Mr. Johnson:

Pursuant to your letter dated May 4, 1987, I am enclosing a copy of the recorded Warranty Deed confirming the Carlson's ownership of the lands to which the water rights are to be transferred.

If I may be of any further assistance, please feel free to contact my office at your earliest convenience.

Very truly yours,


Milton A. Slavin

MAS:ng

enclosure

cc: Mr. and Mrs. Robert Carlson

RECEIVED
JUL 30 1987

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For Value Received ALOHA KLUESNER, a widow,

MAY 13 1987

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Department of Water Reso

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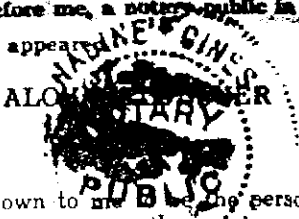
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees , their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees , that she the owner in fee simple of said premises; that they are free from all incumbrances

and that she will warrant and defend the same from all lawful claims whatsoever.

Dated:

Aloha Kluesner

STATE OF IDAHO, COUNTY OF Lemhi
On this 7th day of April, 19 87
before me, a notary public in and for said State, personally appeared



known to me the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Madeline Stone
Notary Public

Residing at Salmon, Idaho
Comm. Expires 8/23/92

STATE OF IDAHO, COUNTY OF Lemhi
I hereby certify that this instrument was filed for record at the request of *Shook & Shook*

at 46 minutes past 11 o'clock A.M. this 13th day of April 1987, in my office, and duly recorded in Book of Deeds at page

Allerta Widerrick
Ex-Officio Recorder

By *Terri J. Mator* Deputy.

Fees \$*100.00*
Mail to:



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

September 13, 1983

Bill Bramlette, Watermaster
Water District No. 74-A
P. O. Box 336
Salmon, ID 83467

74-08415

Dear Mr. Bramlette:

Several issues associated with the watermaster's responsibilities in allocating water were recently brought to my attention while visiting Geertson Creek. Based upon the Department's obligation to oversee water distribution in the state and my assessment of the Geertson Creek water rights as they presently exist, I believe the following instructions to be appropriate.

Because of the status of pending transfers, the Bolton Ranch gravity pipeline is the first issue I wish to address. Transfer No. 2580 approved the pipeline as a diversion for rights 74-0006, 74-0007, 74-0918, and 74-2272. A proposed decision has been issued on a second transfer No. 2703 modifying the place of use for rights 74-0006, 74-0007, and 74-0619 to 193 acres irrigated under the sprinkler system. A field exam by Department personnel has confirmed the lands being sprinkled from the pipeline are those identified on the application and the number of acres corresponds to the number appurtenant to right 74-0006 and 74-0007. Since Bolton Ranch has filed an application to transfer the place of use for these water rights, and because it has been determined the application presents current practice without increasing the total number of acres irrigated or otherwise expanding the use of water, use of the pipeline will not injure downstream users. Right 74-0006 and 74-0007 should be delivered at the headworks for the pipeline.

There is a related question of how the channel commonly referred to as the "House Ditch" should be regulated. Bolton Ranch must install a lockable, controlling works and measuring device at the head of this ditch in the SE1/4SE1/4, Section 4, Township 21 North, Range 23 East, to comply with the conditions of approval for transfer No. 2581 of water right 74-2200. Bolton Ranch has historically diverted their domestic water from springs apparently associated with the "House Ditch" and this may be continued as long as water is available at that point. However, when there are no irrigation rights with a priority early enough to be

September 13, 1983

diverted at the diversion point of the "House Ditch", there may be no water in the springs for their domestic use.

The third issue concerns your responsibility to regulate diversions from James Steele Gulch. Because James Steele Gulch, which is a natural drain, serves as a ditch for delivery of right 74-2200 and collects water which would normally be tributary to the creek, its regulation has become an issue of dispute. I believe that any equitable method of distributing water from the gulch must consider water supplies and how it is being used. During those periods when sufficient water is available to fill right 74-2200, that portion of the draw above the section line common to Sections 9 and 16 will be considered a ditch and regulated at the diversion on Geertson Creek. After right 74-2200 has been cut, the irrigation waste water and spring flows should drain into the gulch in the NW1/4 corner of Section 16, Township 21 North, Range 23 East. The holder of right 74-2200 should be instructed to close off all the lateral ditches originating in the draw. This can essentially be accomplished with earth or canvas dams. However, if the lateral ditches are not otherwise closed according to your instructions, I will at your request, order the installation of locking headgates at each opening.

The fourth and final issue involves the exchange of water between Dale Jolley and Joseph Tonsmeire. Examination by Department personnel confirms there are water rights for the irrigated land owned by them. However, the place of use described by their respective water rights is different from the actual field boundaries established years ago. Though Mr. Tonsmeire and Mr. Jolley need to rectify those discrepancies, you should continue to deliver their rights at the designated headings. The arrangement between them appears to be similar to that existing between Vergil Olson and Verdell Olson, where they maintain separate diversions but combine the two streams into a common ditch.

Therefore, the water of Geertson Creek should be delivered according to the Green Book as set out in Mr. Young's August 2, 1983 letter with the exceptions discussed above including approved transfers and as the Green Book has been modified by a court approved stipulation involving the rate of diversion on right 74-0845.

Feel free to contact the Eastern Regional Office if you have questions concerning these matters.

Sincerely,



A. KENNETH DUNN
Director

AKD:BDF:rf

cc: All Geertson Creek Waterusers
Eastern Region

JUL 30 1983

JUL 30 1983

A copy of the letter dated September 13, 1983 sent to Bill Bramlette was also sent to each of the following waterusers on Geertson Creek

A. M. Santos
Rt. 1, Box 17
Salmon, ID 83467

Joe Tonsmeire
Rt. 1, Box 871
Salmon, ID 83467

Dale Jolley
Rt. 1, Box 15
Salmon, ID 83467

Bolton Ranches
Rt. 1, Box 14
Salmon, ID 83467

Vergil Olson
Rt. 1, Box 12
Salmon, ID 83467

Frank Cohl
Rt. 1, Box 17C
Salmon, ID 83467

Verdell Olson
Rt. 1, Box 17A
Salmon, ID 83467

RECEIVED

DEC 11 1985

Ken Pence

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

1475 Cosgrove Lane
Dillon, Mt 59725
Dec. 8, 1985

Department of Water Resources

74-0321 G

Dear Sir:

Your letter of July 29, 1985 concerning water rights in the Lemhi River Basin has caught up to our current address. We agree with the judgement.

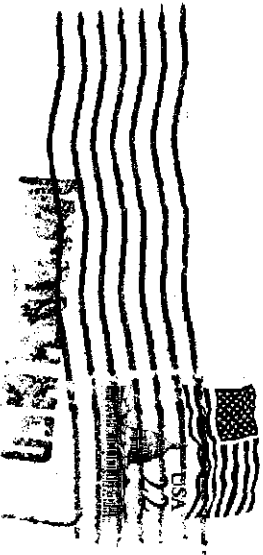
Please note, for your records, the change in address for us to Dan and Lois Pence
1475 Cosgrove Lane
Dillon, Mt. 59725

Sincerely,
Dan Pence

DEC 11 1985
DILLON, MT 59725

74-0321 G
@LTP/CP

DAN & Lois Pence
4475 Cosgrove Lane
Orion, Montana
59725



JUL 30 1996

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720