

No Color  
Documents  
In File

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: A65-00386  
Date Received: 9/25/92  
Receipt No: X999999  
Received By: HHT

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: ERVIN G. CARSKADDON 208-584-3338  
Address: 76~~7~~80 SWEET OLA HIGHWAY  
SWEET ID 83670

AND/OR

Name: CAROLINE F. CARSKADDON 208-584-3338  
Address: 76~~7~~80 SWEET OLA HIGHWAY  
SWEET ID 83670

2. Date of Priority: JAN 1, 1919

3. Source: SPRING Trib. to: SQUAW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N      | 01E   | 3       | SW     | NE     |     |     | GEM    |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S | (or) | A.F.A. |
|--------------------|-------|-------|-------|------|--------|
| FISH PROP. STORAGE | 01/01 | 12/31 | 0.020 |      | 0.60   |

7. Total Quantity Appropriated is:  
0.020 C.F.S. (and/or) 0.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 07N      | 01E   | 3       | SE     | NW  |     | FIS S |       |

A65-00386

Page 1

Date: 09/25/92

MICROFILMED  
OCT 18 1996

11. Place of use in counties: GEM

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: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

A & C CORP., ET AL.

vs Decree Defendant

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): *Simon H. Carstadden* Date: 9-25-92

\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Ada ) SS.

Subscribed and sworn (or affirmed) before me this 25<sup>th</sup> day  
of September 19 92

Helen Harrington  
Notary Public

Seal

Residing at Boise, ID  
My Commission Expires 12-1-1994

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

In Re SRBA )  
 )  
Case No. 39576 )  
\_\_\_\_\_ )

PARTIAL DECREE PURSUANT TO  
I.R.C.P. 54(b) FOR

Water Right 65-00386

200 JUN -2 PM 4: 22

FILED  
TWIN FALLS CO., IDAHO  
FILED

NAME AND ADDRESS: CAROLINE F CARSKADDON  
ERVIN G CARSKADDON  
7680 SWEET OLA HWY  
SWEET, ID 83670

SOURCE: SPRING TRIBUTARY: SQUAW CREEK

QUANTITY: 0.02 CFS  
0.60 AFY

PRIORITY DATE: 01/01/1919

POINT OF DIVERSION: T07N R01E S03 SWNE Within Gem County

| PURPOSE AND<br>PERIOD OF USE: | PURPOSE OF USE     | PERIOD OF USE  | QUANTITY |
|-------------------------------|--------------------|----------------|----------|
|                               | Fish Prop. Storage | 01-01 TO 12-31 | 0.02 CFS |
|                               |                    |                | 0.60 AFY |

PLACE OF USE: Fish Prop. Storage Within Gem County  
T07N R01E S03 SENW

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

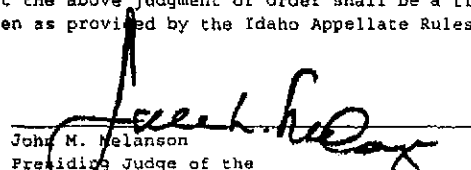
Basin 65 General Provisions No. 3, the Separate Streams  
General Provision, does not apply to appropriations of water  
after October 18, 1977.

This water right shall be administered as being from a  
separate source pursuant to Basin 65 General Provision No. 3.  
If the holder of this right seeks to change the right pursuant  
to Idaho Code Section 42-222 or successor statute, nothing in  
this general provision shall preclude any other person or entity  
from demonstrating that such change in use would cause injury to  
its water right or from receiving any relief provided by law in  
the event of injury.

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.

  
John M. Melanson  
Presiding Judge of the  
Snake River Basin Adjudication

RECEIVED

JAN 24 2002

WATER RESOURCES  
WESTERN REGION

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 )

A. Subcase 65-386  
(Insert water right number)

STANDARD FORM 1  
OBJECTION

Please fill in the following information:

**B. NAME AND ADDRESS OF PERSON OBJECTING**

Name: United States of America acting through the Department of Interior,  
Bureau of Reclamation, Regional Director PN Code-3100  
Address: 1150 N. Curtis Rd. Suite 100  
Boise, Idaho 83706-1234  
Daytime Phone: (208) 678-0461 (Dala Walton)

Name & Address of Attorney, if any:  
David W. Gehlert (303 312-7352)  
Trial Attorney, General Litigation Section  
Environment and Natural Resource Division  
U.S. Department of Justice  
999 18th Street, Suite N 945  
Denver, CO 80202

**C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT**

Name: Ervin G. Carskaddon & Caroline F. Carskaddon  
Address: 7680 Sweet Ola Hwy  
Sweet, ID 83670

**D.** I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

- ☒ **General Provision Basin 65 Irrigation & Other Part III (3) Separate Streams**
1. ☐ **Name and Address**  
Should be:
  2. ☐ **Source**  
Should be:
  3. ☐ **Quantity**  
Should be:
  4. ☐ **Priority Date**  
Should be:
  5. ☐ **Point(s) of Diversion**  
Should be:
  6. ☐ **Instream Flow Description**  
Should be:
  7. ☐ **Purpose(s) of Use**  
Should be:
  8. ☐ **Period of Year**  
Should be:
  9. ☐ **Place of Use**  
Should be:
  11. **I object because:**
    - ☐ This water right should not exist.
    - ☐ This water right was not recommended, but should be recommended with the elements described.

**E. REASONS SUPPORTING EACH OBJECTION(S):**

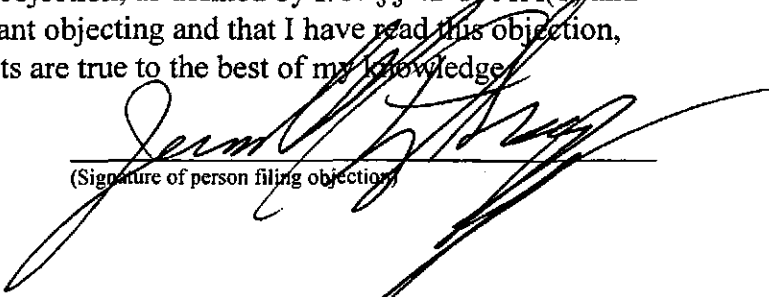
The Bureau of Reclamation objects to the separate stream provision of the Director's Report for Basin 65, Part III. These streams should be administered as part of the Payette River System in order to adequately protect water rights in the Payette River subbasin.

**F. VERIFICATION (Must be Completed)**

State of Idaho )  
 ) ss.  
County of Ada )

Jerrold D. Gregg, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

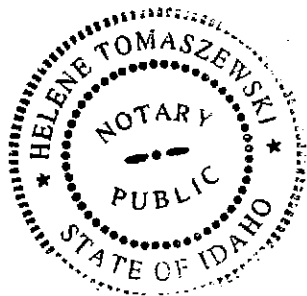
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

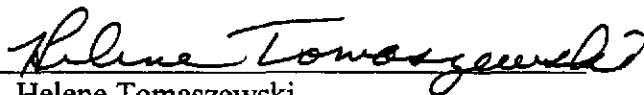
  
(Signature of person filing objection)

(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

January 9, 2002



  
Helene Tomaszewski  
Notary Public for: Idaho  
Residing at: Meridian  
My Commission Expires: 01-16-2002

## INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on January 17, 2002, I mailed the original and copies of this objection, including all attachments, to the following persons, by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
P.O. Box 2707  
Twin Falls, ID. 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Ervin G. Carskaddon & Caroline F. Carskaddon

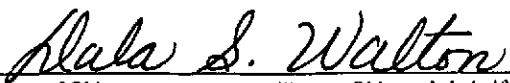
Address: 7680 Sweet Ola Hwy  
Sweet, ID 83670

3. Copies to:

Chief, Natural Resources Division  
Office of the Attorney General  
State of Idaho  
P.O. Box 44449  
Boise, Idaho 83711-4449

IDWR Document Depository  
P.O. Box 83720  
Boise, Idaho 83720-0098

United States Department of Justice  
Environment and Natural Resource Division  
General Litigation Section  
550 West Fort Street, MSC 033  
Boise, Idaho 83724

  
Signature of Objector or attorney mailing on Objector's behalf

AJ0749NP  
No. R65-00386

IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM PROFILE REPORT  
(REGIONAL)

DATE: 12/22/99  
PAGE: 1

| OWNER<br>CODE | NAME & ADDRESS        | PRIORITY<br>DATE | WATER USE          | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|---------------|-----------------------|------------------|--------------------|-----------------------|-------------------|---------------------|
| C             | CAROLINE F CARSKADDON | 01/01/1919       | FISH PROP. STORAGE | 01-01 12-31           | 0.020 CFS         | 0.60 AFA            |
| C             | ERVIN G CARSKADDON    |                  |                    |                       |                   |                     |
|               | 7680 SWEET OLA HWY    |                  |                    | TOTAL DIVERSION:      | 0.020 CFS         | 0.60 AFA            |
|               | SWEET ID 83670        |                  |                    |                       |                   |                     |
|               | (208) 584-3338        |                  |                    |                       |                   |                     |

Water Source: SPRING

Tributary to: SQUAW CREEK

Stage: DECREED

Point(s) of Diversion:

T07N R01E S03

SWNE

GEM County

Place of use Legal Description for: FISH PROP. STORAGE

|     |     |   |   | NE   |      |      |      | NW |    |    |    | SW   |      |      |      | SE |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |
|-----|-----|---|---|------|------|------|------|----|----|----|----|------|------|------|------|----|----|----|----|------|------|------|------|----|----|----|----|------|------|------|------|
|     |     |   |   | NENE | NWNE | SWNE | SENE |    |    |    |    | NENW | NWNW | SWNW | SENW |    |    |    |    | NESW | NWSW | SWSW | SESW |    |    |    |    | NESE | NWSE | SWSE | SESE |
| T   | R   | S | : | Lt   | Ac   | Lt   | Ac   | Lt | Ac | Lt | Ac | Lt   | Ac   | Lt   | Ac   | Lt | Ac | Lt | Ac | Lt   | Ac   | Lt   | Ac   | Lt | Ac | Lt | Ac | Lt   | Ac   |      |      |
| 07N | 01E | 3 | : |      |      |      |      |    |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |
|     |     |   | : |      |      |      |      |    |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |    |    |    |    |      |      |      |      |

POU County: GEM

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 65

Field Inspection Flag:  
Presumption Flag:

Audit: 12/22/99 SBOCK

WR5809NP  
No. 65-00386

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 12/08/99  
PAGE: 7

| OWNER<br>CODE    | NAME & ADDRESS                                       | PRIORITY<br>DATE | WATER USE          | USE PERIOD<br>FROM TO | DIVERSION<br>RATE | DIVERSION<br>VOLUME |
|------------------|------------------------------------------------------|------------------|--------------------|-----------------------|-------------------|---------------------|
| C                | MILDRED STRONG<br>BOX 143<br>HORSESHOE BEND ID 83629 | 01/01/1919       | FISH PROP. STORAGE | 01/01 12/31           | 0.020 CFS         | 0.60 AFA            |
| TOTAL DIVERSION: |                                                      |                  |                    |                       | 0.020 CFS         | 0.60 AFA            |

Water Source: SPRING

Tributary to: SQUAW CREEK

Stage: DECREED

Point(s) of Diversion:

T07N R01E S03

SWNE

GEM County

Place of use Legal Description for: FISH PROP. STORAGE

|     |     |   |   | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    |
|-----|-----|---|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| T   | R   | S | : | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac | Lt | Ac |
| 07N | 01E | 3 | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |
|     |     |   | : |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |

Pou County: GEM

Dates: App. Received:  
Proof Due Date:  
Exam Made Date:  
Licensed Date:

Priority Date: 01/01/1919  
Proof Made Date:  
Exam Sent to S.O.:

Misc: Water District Number: 65

Field Exam Fee:

## CONVERSATION MEMORANDUM

DATE 12-20-93FILE A65-00249  
A65-00386NAME OF PARTY Eno Carakaddon  
EMPLOYEE Linda Wernur

RE: Claimant called I. O. in re chg. of  
ownership letter they sent on A65-00249.  
T. his led him to inquire about claim  
filings on his other property - None  
were found.

He has: 2 dug wells  
2 drilled wells  
2 springs

A65-00386 is spring used for fish storage.  
He may or may not be using this since  
he first indicated he wasn't using it then  
said he was when water was available  
& was planning on clearing out the  
pond soon, & that fish are in the  
ditches

- Need to complete ownership chg  
on A65-00249 & possibly file another  
claim(s) on domestic case.

MICROFILMED

OCT 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 THE GENERAL ADJUDICATION  
OF RIGHTS TO THE USE OF WATER FROM  
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A65-00386  
Date Received: 9/25/1992  
Receipt No: X999999  
Received By: \_\_\_\_\_

*Rec'd from  
So 9-20-92*

COPY FOR  
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

COPY FOR  
YOUR FILES

1. Name: ERVIN G CARSKADDON 208-584-3338  
Address: 7680 SWEET OLA HIGHWAY  
SWEET ID 83670

AND/OR

Name: CAROLINE F CARSKADDON 208-584-3338  
Address: 7680 SWEET OLA HIGHWAY  
SWEET ID 83670

2. Date of Priority: JAN 1, 1919

3. Source: SPRING Trib. to: SQUAW CREEK

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 07N      | 01E   | 3       | SW     | NE     |     |     | GEM    |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose            | From  | To    | C.F.S | (or) | A.F.A. |
|--------------------|-------|-------|-------|------|--------|
| FISH PROP. STORAGE | 01/01 | 12/31 | 0.020 |      | 0.60   |

7. Total Quantity Appropriated is:  
0.020 C.F.S. (and/or) 0.60 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use   | Acres |
|----------|-------|---------|--------|-----|-----|-------|-------|
| 07N      | 01E   | 3       | SE     | NW  |     | FIS S |       |

A65-00386

Page 1

Date: 09/28/92

MICROFILMED  
OCT 18 1996

11. Place of use in counties: GEM

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

13. Other Water Rights Used:

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs A & C CORP., ET AL.  
Decree Defendant

Date Received 9-25-92

HHT

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

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.

IRVIN G. AND CAROLINE F. CARSKADDEN (208) 584-3338

Name of Claimant

Phone Number

7680 SWEET OLA HWY

SWEET

ID

83670

Mailing Address

City

State

Zip

GEM

County(s) where place of use is located

Date claim originally due

A 165-00386

Identify water right(s) for which extension is requested

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

I PURCHASE PROPERTY ON OCT, 15, 1990 - PRIOR OWNERS  
WERE UN AWARE OF NECESSITY

Claimant requests an extension to

, 19

Irvin G. - Caroline F. Carskadden

9-24-92 -

, 19

92

Signature

Date of request

Title

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

The above request for extension of time is hereby [ X granted ] [ \_\_\_\_\_ denied ] for the following reasons:

and if granted the filing deadline is extended to Sept 25, 19 92

Signed this 25 day of September, 19 92

David B. Shaw  
Director or his designated agent

**DAVID B. SHAW**

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

**MICROFILMED**

**OCT 18 1996**