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MEMORANDUM

TO: Garrick Baxter, Gregory Taylor (IDWR)

FROM: Travis Thompson

DATE: 5/26/09

RE: Information Related to Certain Water Rights for 5/28/09 Field Exam
(Carmen Creek)

Issue: Points of Diversion / Water Delivery System

<u>Claims:</u>	Hudson	75-69B, 75-70B, 75-10061B, 75-10062C
	Mattis	75-69P, 75-70P, 75-10061Z, 75-10062X
	Jackson	75-70S, 75-10062AB

Recommendation:

- 1) Point of Diversion #1 NENE Sec. 35, T 23N, R22E, Lemhi County

This POD was constructed by Thomas Palmer as part of the completion of works to prove up water right permit #6981 (now water right 75-2025). *See Ex. A* (Water Right File Documents). The ditch that was constructed, later known as the “Thomas Palmer Ditch”, “Parmenter Ditch” or “High Ditch”, conveyed water to lands in the NWNE and SWNE of Section 3. This ditch does not presently, nor to our understanding has it ever, delivered water for Claimants Hudson, Jackson, or Mattis. The former watermaster, Bruce McFarland, has confirmed this in an affidavit. *See Ex. B* (Bruce McFarland Affidavit).

Presently, there is no distribution system from the “Parmenter Ditch” to deliver any Carmen Creek water to Hudson, Mattis, and Jackson. The field exam and confirmation with the Watermaster will confirm that the above-listed water rights have not and are currently not delivered through the POD #1.

2) Point of Diversion #2

SENWNW Sec. 2, T 22N, R 22E, Lemhi County

The Hudson and Mattis claims all list a second point of diversion (POD #2) in Section 2. The origins of POD #2 are based upon water right 75-02126 (original water right permit #25466, Milton Slavin), licensed on November 10, 1955. **Ex. C** (water right file documents).

It is clear that the alleged POD #2 is presently in disrepair and has not been used for several years, including prior to the commencement of the SRBA. *See Ex. D* (5.09.09 photos). To our knowledge no watermaster has ever distributed water to the above listed claims at POD #2. The location for POD #2 is located on property owned by Mr. Kenneth Rogers. Based upon information in IDWR's files, it's clear that Mr. Hudson attempted some work in the area in 1995, but was unsuccessful at establishing a valid point of diversion for any water rights. *See Ex. E* (January 3, 1996 Bob Foster letter). Upon initial investigations for the SRBA, Mr. Jack Ellis could not even locate POD #2. *See Ex. F* (Ellis Memo). Affidavits from prior watermasters confirm the fact that no water has been delivered to Mr. Hudson or Ms. Mattis from the recommended POD #2 on Carmen Creek.

Although the ditch that exists collects various spring and wastewater that may be used by Mr. Hudson or Ms. Mattis, the ditch has not been used to divert any of the above claims to water from Carmen Creek that were initially recommended by IDWR. The upcoming field exam and confirmation with the Watermaster will confirm that the above-listed water rights have not and are currently not delivered through the POD #2.

During the field exam IDWR and the Watermaster should fully investigate the diversion points and distribution systems (from diversion to place of use) to determine whether or not Carmen Creek water can actually be delivered to Hudson, Mattis, and Jackson. Moreover, IDWR should investigate the history of actual water use on these properties and whether the Watermaster has ever delivered those water rights for those properties either through POD #1 or POD #2. It is our understanding that any water delivered through POD #1 cannot be distributed to the properties owned by Hudson, Mattis, and Jackson since no water distribution system exists to deliver that water.

Exhibit A

27

26

34

35

POINT OF DIVERSION

Ditch

Creek

T 23 N - R 22 E

T 22 N - R 22 E

CULTIVATION

Carmen

2

County: Lemhi
Stream: Carmen creek
Amount: 1.02 sec. ft.
Use: Irr. & D.
Priority: 12-22-10.

STATE OF IDAHO

Water License No. 6981

WHEREAS, On the 22nd day of December, A. D. 1910, Thomas Palmer

of Salmon, County of Lemhi, State of Idaho, duly made application (No. 10090) to me for a permit to use 1.6 cubic feet per second of the waters of Carmen creek

County of Lemhi, State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 7th day of January, A. D. 1911, Permit No. 6981 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 7th day of January, A. D. 1913, and for the application to beneficial use of said water on or before the 7th day of January, A. D. 1915, and,

WHEREAS, On the 6th day of April, A. D. 1912, Thomas Palmer

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1.6 cubic feet per second of said waters, as evidenced by my Certificate No. 6981 dated February 15, 1913, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.6 cubic feet per second of water with date of priority of December 22, 1910, and

WHEREAS, On the 6th day of April, A. D. 1912, Thomas Palmer

the holder of said permit, duly made proof of the application to beneficial use of 1.02 cubic feet per second of said water.

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Thomas Palmer

of Salmon, County of Lemhi, State of Idaho, the holder and owner of said Permit No. 6981, a perpetual right, dating from December 22, 1910, to the use of 1.02 cubic feet per second of the waters of Carmen creek

in the County of Lemhi and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NE4 of NE4 Sec. 35, T. 23 N. R. 22 E. B. M.

and conducted to and upon 51 acres divided as follows: 20 acres in Lot 2 and 31 acres in the SW4 of NE4 Sec. 3, T. 22 N. R. 22 E. B. M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 15th day of February A. D., nineteen hundred and thirteen

A. E. Robinson,

(Seal)

State Engineer.

15 2013

No. 10090.

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Thomas Palmer.

Postoffice address: Salmon.

County: Lemhi State: Idaho.

2. The quantity of water claimed is One and Three fifths ($1 \frac{3}{5}$) cubic feet per second.

3. Source of water supply: Carmen Creek.

County of Lemhi

4. Location of point of diversion: 2850 feet from and above the forks of the main channel of Carmen Creek with the East fork thereof in SW $\frac{1}{4}$ Sec. 25 T. 23 N. R. 22 E.

5. To be used for:

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: Eighty acres.

(b) In the following legal subdivisions: Lot 2, and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3 Tp. 22 N. R. 22 E. of the Boise Meridian in Lemhi County.

6. Estimated cost of works: \$450.00

7. Description of works for diversion:

I. Kind of works: Dam, ditch and flume.

II. Dimensions of works:

(a) Height of dam 1 foot, length of dam at top 40 feet, length of dam at bottom 35 feet. Material used in construction: Wood, earth and stone.

(c) Size of headgate: Width 3 feet, height $2\frac{1}{2}$ feet.(d) Conduit ditch and flume, width at bottom 2 feet, width at water line 2 feet, depth of water 1 foot. Average grade per mile is 13 feet. Length of conduit is 450 rods and it crosses the following quarter sections: SW $\frac{1}{4}$ Sec. 25 SE $\frac{1}{4}$ Sec. 26 NE $\frac{1}{4}$ and SW $\frac{1}{4}$ Sec. 35, SE $\frac{1}{4}$ Sec. 34 in Tp. 23 N. R. 22 E. and Lot 2 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, Tp. 22 N. R. 22 E. to land described in 5 I (b) above which is the point of intended use.

8. The time required for the completion of the construction of such work is 2 years.

9. Time required for the complete application of the water to the proposed use is 2 additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Thomas Palmer,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 6981.

Date of first receipt of application 9.00 a.m. December 22, 1910.

Recorded in Book 21 Page 6981 Approved January 7, 1911.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho and hereby grant the same, subject to the following limitations and conditions:

Work to begin on or before March 8, 1911 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before January 7, 1912.

The whole of said work to be completed on or before January 7, 1913.

The time for proof of beneficial use of water appropriated in accordance herewith, extended to January 7, 1915.

Witness my hand this seventh day of January, 1911.

D. G. Martin,
State Engineer.

STATE OF IDAHO, }
County of Lemhi } ss.

Thomas Palmer being first duly sworn, upon his oath deposes and says:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 6981.

That he intends to change the point of diversion, as described in said decree or permit, to the following described point: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, Tp. 23 N. R. 22 E. B. M.

That such change will be made for the following reasons, to-wit: That in the survey an error was made in locating the point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25, T. 23 N. R. 22 E. and should have been in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ Sec. 35, T. 23 N. R. 22 E. B. M.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Thomas Palmer,

Subscribed and sworn to before me this 10th day of February, 1913.

W. C. Smith,

(SEAL)

Notary Public.

My commission expires Dec. 31, 1914.

Received and filed for record in the office of the State Engineer at Boise, Idaho, at 9.00 a.m.
February 13, 1913.

A. E. Robinson,

State Engineer.

Notice for proof of completion of works and beneficial use of water received fixing April 6, 1912, as date and Salmon, Idaho, as place of proof.

Notice for publication mailed the Idaho Recorder, at Salmon, February 29, 1912.

Deposition blanks mailed to the notary public at Salmon.

Depositions and affidavit of publication received April 13, 1912.

Allen C. Merritt, of Salmon, authorized May 8, 1912, to make examination of works.

His report received January 3, 1913.

Affidavit of change of point of diversion received February 13, 1913.

Certificate of completion of works and license issued February 15, 1913.

Permit No. 6981.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that Thomas Palmer, of Carmen, County of Lemhi, and State of Idaho, the holder and Permit No. 6981, issued upon Application No. 10090, bearing date of priority of December 22, 1910, authorizing the diversion of 1.6 second feet of the waters of Carmen Creek, County of Lemhi, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.6 second feet of the waters of Carmen Creek; that the point of diversion of said waters is at a point in the NE4 of NE4 Sec. 35, T. 23 N., R. 22 E. B. M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Lot 2 and SW4 of NE4 Sec. 3, T. 22 N. R. 22 E. B. M.

Witness my hand this 15th day of February, A. D. 1913.

A. E. Robinson,

State Engineer of the State of Idaho.

RECORDED IN BOOK 11, PAGE 102

WRD417

WATER RIGHTS PROOF READING REPORT

12/05/84

PAGE 1

WATER RIGHT NUMBER 75-2025

OWNER LAST NAME - PALMER

FIRST NAME - THOMAS

ORIG OWNER -

ADDRESS LINE 1 -

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - SALMON

STATE - ID ZIP CODE -

SOURCE - CARMEN CREEK

TRIBUTARY OF - SALMON RIVER

STAGE - LICENSE

STATUS -

PRIORITY - 12-22-1910 COUNTY - LEMHI

TOTAL DIV. RATE - 1.0200 -CFS

TOTAL DIV. VOLUME -

.00 AFA TRFR/AMEND -

WATER DIST. - 750 DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENE 35 23N 22E LOT

REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 11-01 USE - IRRIGATION

USE DIV. RATE -

1.0200 CFS USE DIV. VOLUME -

.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 22N RNG 22E SEC 03 TRACT SWNE LOT

AC 31 TRACT NWNE LOT 02 AC 20

DECREE NAME -

DATE -

TOTAL ACRES 51

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 6981

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

201 10/2/84

3/79

IDENT. NO. 75-2025

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 6981 / 75-2025
 Old No. New No.

Record

1. Original Owner: Thomas Palmer

Present Owner: _____

2. Address:

3. City: Salmon State: ID Zip: _____

4. A. Source of Water: Carmen Creek

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 12-22-1910

D. County: 59

E. Total Diversion Rate: 1.02

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District: 75-D

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>NENE</u>	<u>35</u>	<u>23N</u>	<u>22E</u>		

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for A purposes. Amount 1.02
 (cfs or ~~AC-FT/yr~~)

from _____ to _____ for D purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

1179

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 6981

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

REPORT OF ENGINEER

1. State name of applicant and number of permit: Thomas Palmer - Permit 6981
 2. State source of water supply: Carmen Creek, Lemhi County, Idaho.
 3. Location of point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, Tp. 23 N., R. 22 E. of the Boise Meridian.
 4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Works are fully completed except as herein noted.
 5. Describe works as they exist, giving dimensions of same as follows:
 - (a) Width of conduit at bottom: 1.8 ft.
 - (b) Width at water line: 2.5 ft.
 - (c) Depth of water: 0.6 ft.
 - (d) Grade per mile: 14 ft.
 - (e) Capacity of ditch: 2 second feet.
 6. State whether or not water has been turned into works of diversion and if so, to what extent: Water has been turned into works to the full capacity of same.
 7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty acre tract: Lot 2 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 3, Tp. 22 N., R. 22 E. of the Boise Meridian.
Land irrigated in Lot 2 of Sec. 3, 20 acres.
Land irrigated in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 3, 31 acres.
 8. Submit map on enclosed plat, source of supply, point of diversion, route of ditch or ditches and cross hatch lands to be irrigated.
- Remarks: Point of Diversion is located in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, Tp. 23 N., R. 22 E. but Permit calls for SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 25, Tp. 23 N., R. 22 E. Carmen Creek does not touch the latter subdivision.

STATE OF IDAHO, } ss.
 County of Lemhi

Allen C. Merritt, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 30th day of December 1912
N. C. Smith
 My Commission Expires December 31, 1914. Notary Public.

6981

Exhibit B

**Attorneys for Albert & Alvera Fols, Charles & Mary Harling,
A.C. & Luella Pilkerton, Lloyd & Sheryl Tutor, Marci Dixon,
and Tracy Mascia**

In Re SRBA
Case No. 39576

**AFFIDAVIT OF BRUCE
MCFARLAND**

BRUCE MCFARLAND, being first duly sworn upon oath, deposes and states as follows:

- AFFIDAVIT OF BRUCE MCFARLAND**

3. I have lived on Carmen Creek my entire life where my family has operated a ranch. My father was watermaster on Carmen Creek during the late 1950s and early 1960s. I later became watermaster on Carmen Creek during the early 2000s.

4. When I was watermaster on Carmen Creek in the early 2000s I delivered 37 inches under the exchange water rights ("Exchange Water") 1875 and 1882 priority to the Parmenter Ditch or the point of diversion located on Carmen Creek in the NENE Section 35, Township 23 North, Range 22 East, Lemhi County, and the remaining 8 inches to a ditch for lands on the south side of Carmen Creek. It is my understanding that prior to the early 1990s, all 45 inches of the exchange water rights were delivered to the Parmenter Ditch.

6. During my time as watermaster 37 inches of the exchange water rights was delivered for irrigation use to lands served by the Parmenter Ditch on the north side of Carmen Creek, including acres in Lot 2, Section 3, Township 22 North, Range 22 East, Lemhi County. When I was watermaster all of these acres served by the 37 inches of the exchange water rights received a proportionate share of the water per acre. The amount of water that was delivered on a per acre basis depended upon the type of water year and how much water was available under the rights at the time.

7. It is my understanding that the some of the lands that were irrigated by the 37 inches of the exchange water rights that I delivered as watermaster are now claimed in the Snake River Basin Adjudication pursuant to water right claims filed by Al & Alvera Fols, Charles & Mary Harling, Tracy Mascia, Lloyd & Sheryl Tutor, A.C. & Luella Pilkerton, and Marci Dixon.

8. When I was watermaster I never delivered water rights known as the "Exchange Water" or "Homestead Water" (1888 and 1892 priority) to James Hudson, Thomas Jackson, or Shirley Mattis. I could not locate a viable point of diversion on Carmen Creek for those waters.

~~and it is my understanding that the lands owned by Mr. Hudson, Mr. Jackson, and Ms. Mattis do~~
~~not receive any Carmen Creek water for irrigation purposes.~~ 11/5/08
DME

DATED this 5 day of November, 2008.

Bruce B. McFarland
BRUCE MCFARLAND

STATE OF IDAHO)

) ss.

County of Lemhi)

On this 5th day of November, 2008, before me, a Notary Public for said County and State, personally appeared BRUCE MCFARLAND, known or identified to me the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Mary Ann Heiser
NOTARY PUBLIC FOR IDAHO
Residing at: Lemhi
My commission expires: 10/30/2013

Exhibit A

75-69A
75-69B
75-69F
75-69H
75-69K
75-69L
75-69N
75-69P
75-69Q
75-69S
75-69W
75-69X
75-70A
75-70B
75-70F
75-70H
75-70K
75-70L
75-70N
75-70P
75-70Q
75-70S
75-70T
75-70X
75-70Y
75-10061A
75-10061AA
75-10061AE
75-10061AM

75-10061B
75-10061C
75-10061J
75-10061R
75-10061T
75-10061Y
75-10061Z
75-10062A
75-10062AB
75-10062AC
75-10062AL
75-10062C
75-10062H
75-10062P
75-10062R

75-10062W
75-10062X
75-10062Y
75-10136A
75-10136B
75-10137A
75-10137B
75-10678
75-14387
75-14388
75-14393
75-14441
75-14443

Exhibit B

75-14019	Tutor
75-14021	Tutor
75-14025	Tutor
75-14027	Tutor
75-14038	Dixon
75-14040	Dixon
75-14044	Dixon
75-14046	Dixon
75-14049	Mascia
75-14051	Mascia
75-14055	Mascia
75-14057	Mascia
75-69M	Harling
75-70M	Harling
75-10061X	Harling
75-10062V	Harling
75-10061N	Pilkerton
75-10062L	Pilkerton
75-14050	Fols
75-14052	Fols
75-14056	Fols
75-14058	Fols

Exhibit C

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)
) PARTIAL DECREE PURSUANT TO
) I.R.C.P. 54(b) FOR
Case No. 39576)
)
) Water Right 75-02126

NAME AND ADDRESS: THE ESTATES OF MILTON E AND
HELEN G SLAVIN
C/O MILTON A SLAVIN
116 N CENTER ST
SALMON, ID 83467

P SAM SLAVIN
212 WASHINGTON ST
SALMON, ID 83467

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.20 CFS

PRIORITY DATE: 02/21/1955

POINT OF DIVERSION: T22N R22E S02 NWNW Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.20 CFS

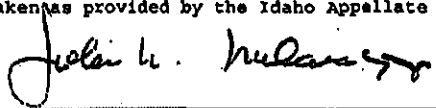
PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S04 SESE 10.0
10.0 Acres Total

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

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

State of Idaho

License and Certificate of Water Right

Water License No. 25466Amount 0.2 second foot

Water District No. _____

Priority February 21, 1955.

THIS IS TO CERTIFY that MILTON C. SLAVIN

of Carmen, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 21, 1955; that Permit No. 25466 was issued under said application; that Certificate of Completion of works, with a carrying capacity of Two (2) second feet, was issued thereunder on June 17, 1955, showing that said works were completed on the 7th day of June, 1955; and that on the 2nd day of August, 1955,

MILTON C. SLAVIN

of Carmen, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Carmen Creek, a tributary of Salmon River, for the purpose of irrigation, under Use Permit No. 25466 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 5602, on the 10th day of November, 1955;

The right hereby confirmed dates from February 21, 1955;

The Point of Diversion is located

in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 2, Tp. 22 N., R. 22 E., B. M. Lemhi County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
22 N.	22 E.	4	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	10

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 10th day of November, 1955.

MARK R. KULP

State Reclamation Engineer.

(SEAL)

25466
75-2126

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 33336
PERMIT No. 25466
DISTRICT No.

1. Name of Applicant: MILTON C. SLAVIN

Postoffice address: Carmen

County: Lemhi

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: Four-fifths of one cubic feet per second.

3. Source of water supply: Carmen Creek which is a tributary of Salmon River

4. Location of point of diversion: about 3000 feet distant from the northeast corner of Section 3, T. 22 N, R. 22 E, B.M., and is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 2, T. 22 N, R. 22 E, B.M., County of Lemhi.

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet distant from the corner of Section , T. , R. , B.M., in the of Section , T. , R. , B.M.

7. Estimated cost of works: \$ 400.00

8. Kind of works: Ditch

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom 2 feet; width at water line 4 feet; depth of water 1 feet; dimensions of flume:

Diameter of pipe inches; length of conduit 1.1 miles.

Average grade per mile 15 feet.

12. The time required for the completion of such work is thirty days ~~30 days~~.

13. The time required for the complete application of the water to the proposed use is no additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

16. (a) Is reservoir to be used? no If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

MILTON C. SLAVIN

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. Feb. 21, 1955

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 25466
Recorded in Book 90 Page 25466 Approved Feb. 23, 1955
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ _____ to be filed on or before _____
Work to begin on or before April 23, 1955 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before August 23, 1955
The whole of said work to be completed on or before August 23, 1955
Beneficial use of water appropriated in accordance herewith, to be made on or before August 23, 1955

WITNESS My hand this 23rd day of February, 1955

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SHYLIE, Governor of the State of Idaho,
and IRA H. MASTERS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 23rd
day of February, 19 55. STATE OF IDAHO

Countersigned:

(SEAL)

By IRA H. MASTERS

By ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	Totals
			NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	
22 N	22 E	4				x	40 15
Total Number of Acres to be Irrigated							
Permit No. 25466							
CERTIFICATE OF COMPLETION OF WORKS							
TO ALL WHOM IT MAY CONCERN:							
This is to certify that MILTON C. SLAVIN of Carmen, County of Lemhi, and State of Idaho, the holder of Permit No. 25466, issued upon Application No. 33336 bearing date of priority of February 21, 1955, authorizing the diversion of 4/5 or 0.8 second foot of the waters of Carmen Creek, a tributary of Salmon River, County of Lemhi, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of Carmen Creek; that the point of diversion of said waters is in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 22 North, Range 22 East, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, Township 22 North, Range 22 East, B.M.							
Witness my hand this 17th day of June, A.D. 1955.							
/s/ MARK R. KULP STATE RECLAMATION ENGINEER							
Proof of completion of works made June 7, 1955							
Certificate of Completion of Works issued June 17th, 1955							

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 25466

Comes now Milton C. Slavin and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 25466.

That the point of diversion is described in said permit as being located SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 22 North, Range 22 East, B. M.

That he now requests that the point of diversion be changed to a point located NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 22 North, Range 22 East, B. M.

That his reasons for desiring to make such change are as follows: To correct the error in the Permit.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Salmon, Idaho, this 7th day of Nov. 1955.

MILTON C. SLAVIN

Date of receipt at Department of Reclamation Nov. 9, 1955.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 25466. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 0.2 SEC. FL
P. 5602

November 3, 1955

RE: Permit No. 25466

Mr. Milton C. Slavin
Carmen
Idaho

Dear Mr. Slavin:

The report of our field engineer on examination for beneficial use on your Permit No. 25466 shows that your point of diversion from Carmen Creek is actually in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, Township 22 North, Range 22 East, B.M. instead of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ as indicated in your Permit.

We enclose an application for amendment to the point of diversion which you may sign and return to this department for approval and record.

Thereafter, a license can be issued for 0.2 of a second foot or 10 inches of water from Carmen Creek for irrigation of 10 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, Township 22 North, Range 22 East, B.M.

The license fee will amount to \$2.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:hl1
Enc.

25466

✓
November 14, 1955

RE: Permit No. 25466

Mr. Milton C. Slavin
Carmen
Idaho

Dear Mr. Slavin:

We return your application for amendment to the point of diversion in Permit No. 25466 which has been approved by the State Reclamation Engineer and recorded in this department.

We also enclose License and Certificate of Water Right issued under this Permit confirming your right to the use of .2 second foot of water from Carmen Creek with priority of February 21, 1955, and point of diversion in the NW¹/₄ NW¹/₄ Section 2, Township 22 North, Range 22 East, B.M. for irrigation of ten acres in the SE¹/₄ SE¹/₄ Section 4, Same Township and Range.

We also enclose departmental receipt No. 27676 for the \$2.00 license fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

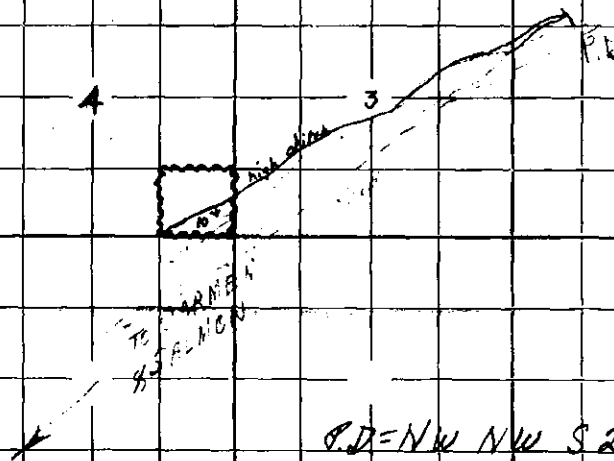
Chief Clerk

A:hll
Enc.

25466

R-22 E.

T.
22
N.



P.D. = NW NW S 2.

10 acres.

Q = 10 inches.

Airplane map is accurate office
used.

Mr. Slavin along.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 25466This proof is for Beneficial Use In Water District No. _____

1. Name of applicant Milton C. Slavin, Carmen, Idaho
2. Source of water supply: Carmen Creek
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2
T. 22 N. R. 22 E. County of Lehi
4. Describe works as they exist, giving dimensions and capacities of same: There is a large ditch with a headgate 3' wide by 3' high by 6' long made of planks leading from the stream on the north side of the Creek in what is now the lambing pens of Mr. Frank Parmeter. There is a rather long ditch leading around the hill side from which approximately 10 acres are irrigated, as indicated in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, Twp. 22 North, Range 22 East, B. M.See the map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: _____

*After irrigation begun whole hillside slipped and settled.
Balance of 40 too high and steep to irrigate.*

This examination was made on the 28th day of October, 19 55(Signed) E. H. Humphrey Examiner.

25466

Milton C. Slavin
Carmen, Idaho

Permit No. 25466

Examination for Beneficial Use

County Latah

2-22N.-22E

Q = 4/5 of One (1)

S = Carmen Creek

P.S. = SW. NW, Sec. 2, T. 22N.-R. 22E.

Use = Irrigation

Priority = Feb. 21, 1953
Date = Aug. 23, 1955

C/W = 6-17-55

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plot same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plot same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
NOV 1 1955

Department of Reclamation

headgate 3'w. 3'4" x 6'2"
made of plank

Rock wing dam
half way across stream

P.D. in sheep
Lambing pens on
Frank Farmer Ten place

Permit No. 25466

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Lemhi

ss.

Milton C. Slavin, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 25466, and that his postoffice address is Carman State of Idaho

Second: That the name of the stream from which said water is to be diverted is Carman Creek

Third: That the point of diversion of said water is about 3000 ft. distant from the NE corner of S. 3. T. 22 N. R. 22 E.B.M., and is in the SW 1/4 of S. 2 T. 22 N. R. 22 E.B.M. County of Lemhi

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by August 23, 1955

Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Ditch
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water 2 feet; diameter of pipe inches, average grade per mile is 1.5 feet. Length of conduit is 1.1 miles.

Seventh: That said works are capable of conducting to the place of intended use 2 second feet of water.

Eighth: That water appropriated under said permit is available for 40 acres of land described as follows SE 1/4 of Sec. 4, Twp. 22, N.R. 22, E.B.M.

Ninth: Remarks: That

Milton C. Slavin
(Sign Here)

Subscribed and sworn to before me this 7th day of June, 1955

My commission expires Sep. 21, 1955

Fredrick Hughes Hook
Notary Public
for Idaho, Residing at Salmon, Idaho.

25466

Exhibit D

DIVERSION PHOTOGRAPHS WITH DESCRIPTIONS
PAGE 1



PHOTO 1443; Water in the ditch created by Hudson in 1995 (Hudson Ditch) as the ditch exits Roger's property into Clementz' property. On May 9, 2009 it contains spring and waste water.



PHOTO 1449; Hudson Ditch upstream of photo 1443, same spring and waste water.



PHOTO 1451; Hudson Ditch upstream from PHOTO 1449, fence post visible at point where ditch leaves Roger's property (see PHOTO 1443).



PHOTO 1453; Hudson Ditch upstream from PHOTO 1451, fence post visible at point where ditch leaves Roger's property (see PHOTO 1443).

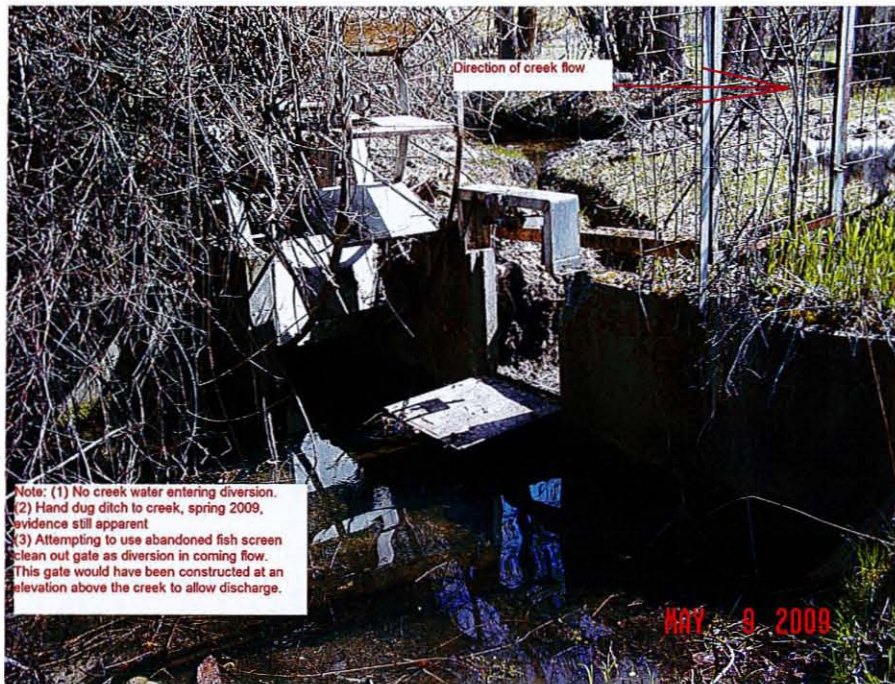


PHOTO 1454; Abandoned fish screen with a branch of Carmen Creek in the background. Note that the diversion attempt is on the downstream side of the paddle wheel and no water is entering the fish screen structure from the creek on May 9, 2009 while the creek is at moderate levels.



PHOTO 1457; Hand dug ditch with no creek water entering the abandoned fish screen.

Note: (1) Evidence of spring 2009 hand dug ditch.
(2) No creek water entering claimed diversion.



PHOTO 1458; (1) No creek water entering abandoned fish screen. (2) The photo illustrates that the creek water enters from the close side and the ditch flow is in the direction of the arrow. (3) Pile of sod and earth is evidence of the recently dug ditch.

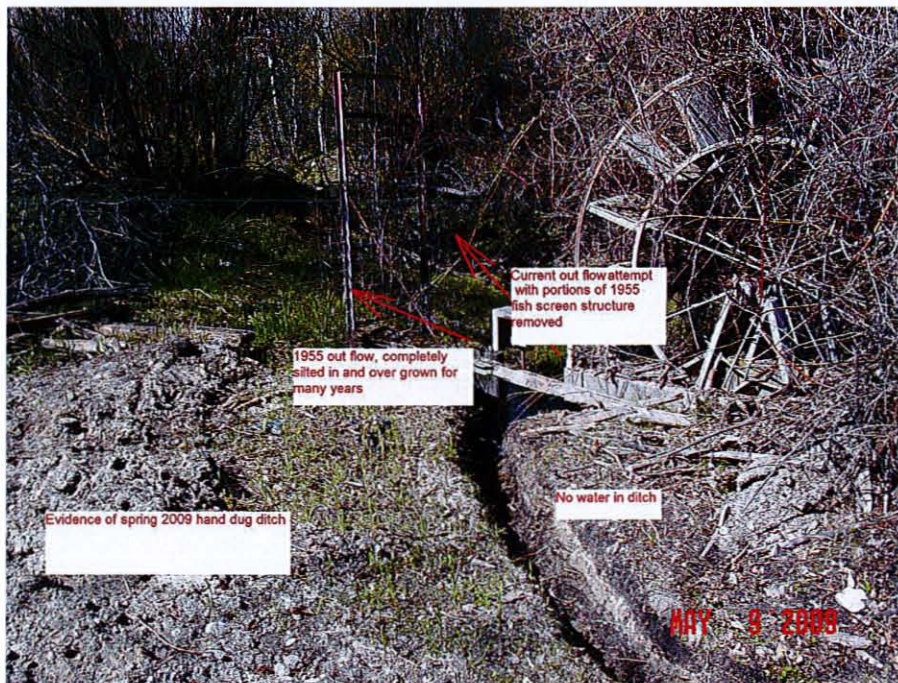


PHOTO 1459; Tags in the photograph describe themselves.



PHOTO 1460; Photograph shows very small amount of creek water in the ditch, ending several yards before the fish screen structure.



PHOTO 1462; Depicts no creek water entering the abandoned fish screen structure from the incoming (Carmen Creek) side. The water on the back side of the concrete wall is a collection of spring and waste water.



PHOTO 1477; Photograph depicts the direction that the creek water would have entered the fish screen at the time of the original construction in 1955. It also shows where the current attempt to divert creek water is below the fish screen's paddle wheel.

Exhibit

E



State of Idaho

DEPARTMENT OF WATER RESOURCES

206 Van Dreff, Suite B, Salmon, ID 83467-4117

Phone: (208) 756-6644 FAX: (208) 756-6644

copy

January 03, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

James Hudson
PO Box 173
Carmen, Idaho 83462

Mr. Hudson:

This letter is in regards to an irrigation diversion on Carmen Creek operated by yourself and John Aldous. The diversion is located on the Kenneth Rogers' property approximately four miles up Carmen Creek from Highway 93 N.

Mr. Rogers has expressed some concerns regarding bank erosion and property damage due to the fact there are no controlling works at the above-mentioned point of diversion.

In late November 1995, I made an on-site visit to the diversion site accompanied by Mr. Rogers and made the following observations, there are no headgates and/or controlling works at the diversion site, some bank erosion is occurring, and without any means of controlling the flow of Carmen creek at the diversion site, there seems to be the potential for additional damage to the Rogers' property at this location.

Idaho Code 42-701, requires the installation of satisfactory headgates and/or control works by the wateruser(s) to insure proper delivery of water right(s).

Idaho Code 42-1102, entitles a wateruser to maintain an irrigation diversion on the property of others provided the delivery system and/or diversion works are kept in good repair to avoid property damage to others. I have enclosed copies of the above for your information.

Based on my observations and relevant Idaho law, I would recommend the installation of adequate headgates and/or controlling works at the point of diversion to negate the possibility of further bank erosion and/or property damage, as well insuring the proper delivery of your water right(s).

I suggest contacting Mr. Rogers as well as Gina McFarland, Watermaster of Water District 75-D, to find a possible solution to this problem.

If you have any questions or if I can be of further assistance feel free to call me at (208) 756-6644 or Gary Spackman in our Boise office at (208) 327-5406.

Sincerely,

Robert E. Foster
Sr. Water Rights Agent

cc: Gina McFarland, Watermaster 75-D
Kenneth Rogers
Gary Spackman, IDWR Boise
John Aldous

Exhibit F

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A75 10061B A75 10062C A75 00069B
A75 00070B

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☒ No Change — POINT OF DIVERSION GPS 809 6-9-05 A0011582
☐ Point of diversion is different than the claim and/or new P/D's: GPS 807 6-7-05 A0011580
GPS Site Tag No.: _____

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

T22N R22E Sec 2 SE NW NW - GPS 807

The upper 400 yards of this ditch has not been used
for years. They use waste water picked up in
this ditch.

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A75 100612 A75 10062X A7500069P
A7500070P

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION GPS 809 6-9-05 A0011582
☐ Point of diversion is different than the claim and/or new PID's: GPS 807 6-7-05 A0011580
GPS Site Tag No.: _____

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township <u>22N</u>	Range <u>22E</u>	Section <u>3</u>	<u>1/4 SW</u>	<u>1/4 NE</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>
Use: _____	Township _____	Range _____	Section _____	<u>1/4</u>	<u>1/4</u>

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

T22N R22E Sec 3 NE NE is away
up in Dave McFarlands field

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 6-7-05

FIELD EXAMINER:

<u>Jack F. Ellis</u>	Print Name
<u>Jack F. Ellis</u>	Signature