

May 29, 2009T

Eastern Regional Office
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718

Fax: 208-525-7177

Re: SRBA Recommendations
Transcription Errors

I am writing to draw to your attention the need to correct certain Department errors in the legal descriptions of points of diversion and/or place of use for certain recommended and/or partially decreed rights in the Carmen Creek (75-D) water district.

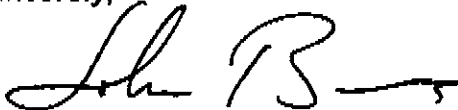
Last October I advised that the legal descriptions for my recommended rights were garbled due to the mixing of lot numbers and the original descriptions using aliquot parts alone. The descriptions obviously could be correctly stated using the lot number, but not by simply adding lot number at the end of the description. I have attached a copy of my earlier letter providing details on rights 75-69A, 75-70A 75-0061A and 75-10062A.

James and Tina Quinn also have similar problems with transcription errors for rights 75-14507, 75-14540, and 75-14541. The inclusion of lot number under all three points of diversion is the same situation as I described above. It is, in fact, the same diversion point as my rights and should read the same when corrected. Also, two of the right descriptions have misplaced the diversion points by a township. The correct township (range) is 22E, not 23E.

Several other individuals use the same diversion point, but I have not attempted to proof read their recommendations. I urge that this be done by the Department at the earliest practicable date.

Thank you for your assistance.

Sincerely,



John E. Burns
Box 264
Carmen, Idaho 83462

treeboxmules@centurytel.net

Copy: Ray Rigby

Attachments: Burns letter to IDWR Nov. 17, 08
Quinn letter to IDWR May 20, 09

Pg 1 of 6

John E. Burns
Box 264
Carmen, Idaho 83462

October 17, 2008

Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Re: Water Right Numbers 75-69A, 75-70A, 75-10061A, and 10062A

I have recently noted that the legal descriptions of the points of diversion stated in the Adjudication Recommended Right Report differs in some cases from that stated in the Adjudication Claim Reports. The descriptions stated in the Claim Reports are correct, and agree with the descriptions on the claim forms I submitted.

In the case of right 75-69A the use of NW NW Lot4 significantly changes the location of the diversion from SE NW NW. The NW NW of Section 2 is indeed Govt Lot 4, but I believe the correct way to state the location using the Lot 4 identification would be SE NW Lot4.

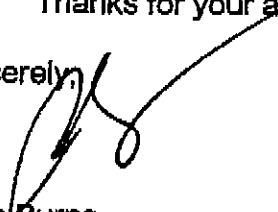
For rights 75-10061A and 75-10062A changing SE NW NW to NW NW remains correct although the point of diversion is located within a 40 rather than a 10 acre part. For the sake of consistency I suggest you either carry the descriptions to the 10 acre part (quarter-quarter-quarter section) or to the 40 acre part (quarter-quarter section.)

The two points of diversion for right 75-70A are described consistent with my claim in both the Recommended Right Report and the Claim Report.

In case I've thoroughly confused things, the four rights each have two points of diversion in Section 2: SE NW NW and SW SW NW. Or, if you prefer: NW NW and SW NW.

Thanks for your assistance.

Sincerely,



John Burns
208-756-3645

treeboxmules@centurytel.net

cc - IDWR, Salmon Office

5-20-2009

TO WHOM IT MAY CONCERN:

**REGARDING THE ENCLOSED WATER RIGHTS NUMBERS: 75-14507 75-14540
75-14541, THERE ARE TRANSCRIPTION ERRORS THAT WE ARE REQUESTING
BE CORRECTED.**

**#75-14507 4. POINT OF DIVERSION: THERE SHOULD NOT BE A LOT #.
PLEASE REMOVE THE 4 UNDER LOT.**

**#75-14540 4. POINT OF DIVERSION: THERE SHOULD NOT BE A LOT #.
PLEASE REMOVE THE 4 UNDER LOT.
23E SHOULD BE CHANGED TO 22E**

**#75-14541 4. POINT OF DIVERSION: THERE SHOULD NOT BE A LOT #.
PLEASE REMOVE THE 4 UNDER LOT.
23E SHOULD BE CHANGED TO 22E**

THANK YOU,

**JAMES & ROWENA QUINN
P.O. BOX 1473
CARMEN, ID 83462
208-756-1433**

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 75-14507
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JAMES R QUINN Phone: (208)756-1433

PO BOX 1473
CARMEN ID USA 83462

ROWENA D QUINN Phone: (208)756-1433

PO BOX 1473
CARMEN ID USA 83462

2. Date of Priority: 04/01/1915

3. Source: CARMEN CREEK Trib. to: LEMHI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	22E	2	SE NW NW	LEMHI	

5. Description of diverting works:

Headgate

6. Water is used for the following purposes:

Purpose	From To	C.F.S.	(or) A.F.A
IRRIGATION	04/01 10/31	0.07	

7. Total Quantity Appropriated is:
0.07 C.F.S.

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 75-14540
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROWENA D QUINN Phone: (208)756-1433

PO BOX 1473
CARMEN ID USA 83462

JAMES R QUINN Phone: (208)756-1433

PO BOX 1473
CARMEN ID USA 83462

2. Date of Priority: 05/01/1882

3. Source: CARMEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	(23E) 22E	2	SE NW NW X	LEMHI	

5. Description of diverting works:

head gate to ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.

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 75-14541
Date Received:
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

ROWENA D QUINN Phone: (208)756-1433

PO BOX 1473
CARMEN ID USA 83462

JAMES R QUINN Phone: (208)756-1433

PO BOX 1473
CARMEN ID USA 83462

2. Date of Priority: 05/01/1888

3. Source: CARMEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
22N	23E	2	SE NW NW	LEMHI	
	32E				

5. Description of diverting works:

head gate to ditch

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	05/01	10/31	0.02	

7. Total Quantity Appropriated is:
0.02 C.F.S.