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FEB 05 2010

DEPARTMENT OF
WATER RESOURCES

Bruce McFarland
PO Box
Carmen, Id 83462
January 30, 2010

Snake River Basin Adjudication Court
Twin Falls, ID 83843

To the Court:

I intend to prove two points. First the Slavins have never received more than 1cfs previously, not 1.66cfs as claimed and subsequently given by the court in the partial decree. Secondly if the Slavins receive the currently recommended amount in the final decree more exchange water will have been allocated than was given in the original McNutt vs. Palmer decree.

The documents provided will show the amount of water delivered to the Slavins prior to the early 1980's and the amount delivered since. The watermaster daily records of 1979 and 1980 (Exhibit 1) shows the diversion rate at that time to the Slavin property was 0.3cfs, which is the amount decreed by right 75-0075 with an 1882 priority date. At that time as shown by the daily records (Exhibit 1), that was all that was delivered to Slavins until the early to mid 1980's. A decision was then made to give Slavins an additional 0.7cfs of exchange water. This right is a combination of 0.466cfs 1875 and 0.233cfs of 1882 priority date exchange water. This delivery of an additional 0.7cfs is supported by the Dave McFarland letter, the WATER AGREEMENT FOR WATERS OF CARMEN CREEK LEMHI COUNTY, IDAHO and the letter between Dave McFarland, watermaster, and Ernie Carlson, IDWR, (Exhibit 2). The watermaster daily records and proposed budgets of the years of 1994, 2000, 2004 (Exhibit 3) show this additional 0.7cfs delivery to the Slavins. The watermaster daily records immediately following the transfer have not been included because they aren't well done and therefore not very clear. There is no distinction between priority dates of the quantities listed in the daily records for the years immediately following the additional 0.7cfs delivery. The total amount of exchange water under the 1901 David McNutt vs. Thomas Palmer adjudication is 12.40cfs. Until the additional 0.7cfs was delivered to the Slavins only 11.70cfs of the exchange water was being delivered. This additional 0.7cfs to the Slavins brought the total delivery to 12.40cfs the amount of the original decree. The table in Exhibit 4 shows this. When reviewing the daily records it is important to note that combined with the 1cfs of Slavin water there is an additional 1.8cfs that goes to Antelope Hills North and the Antelope Hills Home Owner's Association. These quantities are both delivered in the Slavin ditch and recorded as one measurement therefore when calculating the usage by Slavins at least 1.8cfs must be subtracted from the amount shown in the watermasters daily record. The budgets also reflect that the billings to the Slavins are comparable to billings of other users with similar water usage.

The included documentation should be sufficient to prove the previous quantities delivered to the Slavins is less than they were given by the partial decree. If the court continues to honor the current partial decree the total amount of "exchange water" will have been exceeded according to McNutt vs. Palmer.

Signed:



Bruce McFarland

Exhibit I

179

PROPERTY OF THE STATE OF IDAHO

Form No. 200-W

WATERMASTER'S
DAILY RECORD

Stream Carnegie Creek

Water Stage 75.0

Month of July-Aug-Sept, 1919

Watermaster John Smith

P. O. Address Box 80 - Coeur

Ten days after the close of the in-
vestigation season the Watermaster must
forward this book to

DEPARTMENT OF WATER
RESOURCES
STATE HOUSE
BOISE, IDAHO 83721

If this book is lost, the finder will please return it
to the Watermaster of the district, as it contains
valuable records.

Month of _____ 19__

NOTE: Figures in the column to the right of the column for the month of the year are the figures for the month of the year.

Name of Slave	Age	Days of Month					Total	Per Day	Per Week
		July 11	July 15	July 16	July 17	July 18			
Albert Schultz		1.16	1.38	1.30	2.60	3.40			
Barnes & Shaw		1.05	.70	.70	.70	.67			
Alit. Shaw		2.20	2.90	1.40	1.40	1.40			
Orin Austin		1.60	1.60	1.60	1.60	1.69			
Larry Olls		1.50	1.50	1.50	1.50	0.90			
Upper		3.10	3.00	2.20	2.01	1.40			
Jack Neal		2.14	2.14	2.14	2.14	2.46			
Stina Daniels		3.40	2.58	2.58	1.40	1.40			
Arthur Albers		3.21	3.06	3.06	3.06	2.46			
Lower		2.83	2.83	1.69	1.69	2.02			
Mona Fallon		0.90	0.90	.70	.70	.70			
Carna Lantelute		2.25	2.25	2.25	2.25	2.25			
Lower		3.53	2.53	2.53	3.53	3.10			
From Jim		.70	.70	.70	.70	—			
From Olls		.50	.50	.30	.30	—			
Carna Eda. Lantelute		3.11	2.06	3.06	3.06	2.83			
From Alit		.70	—	.70	.70	.70			
Poste		.70	.70	.70	.70	.774			
Alit. McFarland		4.00	3.53	3.53	3.53	2.46			
Flora		2.00	2.00	2.00	2.00	1.00			
Morgan DeBoard		1.00	1.00	1.00	1.00	.70			
Jack Ellis		.70	.70	.70	.70	.70			
Shana - By Post		1.00	1.00	1.00	1.00	1.00			

3cAs is Slaving
82 rth 0075

Month of _____ 19__

NOTE—Figures are by class by cubic feet per second for 24-hour periods, or 24-hour period rate. Give name of owner of water right, not owner.

Name of Person Owner	Water Right					DAYS OF MONTH							Sec.	Twp.	Rgn.
	Aug. 2	Aug. 8	Aug. 15	Aug. 21	Aug. 30	Sept. 10	Sept. 20	Sept. 30	14	15	16	17			
Albert Schultz	1.00	1.43	1.30	1.43	1.40	1.00	1.00	1.00							
Baron-Lent Shaw	.62	.60	.60	.60	.58	.40	.40	.40							
Art Stora	1.40	1.50	1.50	1.40	1.40	1.00	1.00	1.00							
Deck Norton	1.70	.70	.70	.70	.70	—	—	—							
Larry Jills	.70	.70	.70	—	—	—	—	—							
Upper	1.00	.70	.70	.70	.70	.93	.91	.77							
Jack Neal	1.70	2.19	2.00	2.55	2.00	1.40	1.40	1.00							
Stan Daniels	1.40	.70	.70	.70	.70	.70	.70	.70							
Arthur Alders	2.22	2.32	2.32	2.32	2.32	2.00	1.70	1.40							
Lower	1.61	1.57	—	—	1.00	—	—	—							
Norm Fallon	.90	.90	.90	.90	.90	.90	.90	.90							
Carson Lantz-Lantz	2.20	2.00	2.00	2.00	1.80	1.80	1.80	1.40							
Lower	2.20	1.40	1.40	1.40	1.40	1.00	1.00	1.00							
From Tin	.70	.80	—	—	—	—	—	—							
From Bils	—	—	—	—	—	—	—	—							
Caro Ida-Lantz	2.55	1.55	1.50	1.00	1.00	1.00	1.00	—							
From Arch	.70	.60	.40	—	—	—	—	—							
Pete	.70	—	—	—	—	—	—	—							
Al. de Farland	2.46	2.46	2.00	1.40	1.40	1.00	1.00	.70							
Flora	1.00	.40	—	—	—	—	—	—							
Morgan DeBoer	.70	.50	.50	.40	.40	.40	.38	.20							
Jack Ellis	.70	.50	.50	.40	.40	.40	.38	.20							
Stora - by Plot	1.67	1.67	1.67	1.40	1.40	1.40	1.00	1.00							
	.40	.70	.90	.30	.30	.30	.20	—							

PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

WATERMASTER'S
DAILY RECORD

Stream Carmen Creel

Water District 75-D

Month of July - Aug, 19 80
Sept -

Watermaster Jim Smith

P. O. Address Box 80 - Carmen
83462

Ten days after the close of the irrigation season the Watermaster must forward this book to:

RECEIVED

RECEIVED

DEPARTMENT OF WATER RESOURCES
STATE HOUSE
BOISE, IDAHO 83701
DEC 16 1980 OCT 15 1980

Department of Water Resources
Eastern District Office
Department of Water Resources
Eastern District Office

If this book is lost, the finder will please return it to the Watermaster of the district, as it contains valuable records.

72
Month of July / Aug 1980

Name of Present Owner	Address	Water Right Ident. No.	Amount Second Feet (cfs)					DAYS OF MONTH				Acres Cultivated	Sec.	Twp.	Rgr.
			16	18	20	24	27								
Albert Schultz	90" - 3 7/8" - .32		.581	2.11	.581	2.11	2.28								
Bars. & Slavin	30" - 3 7/8" - .32		.863	1.88	1.88	1.88	1.88								
M.I.T. Slavin	75" - 2 1/6" - .17		2.02	2.02	-0-	-0-	-0-								
Dick Morton	45" - 3 1/4" - .27		2.09	2.09	2.09	2.09	2.04								
Latty Bills	45" - 3 1/4" - .27		2.09	2.09	2.09	-0-	-0-								
Jack Neal	135" - 5 1/2" - .43		4.47	2.93	2.93	2.74	2.83								
Stan Daniels	45" - 5 1/4" - .43		1.61	1.61	1.61	1.61	1.61								
Art Aldous	90" - 5 1/4" - .43		2.46	2.26	2.46	2.26	2.26								
Art "	75" - 5 - .30		4.26	2.26	4.26	2.26	2.26								
Arch upper	45" - 45" - 3 7/8" - .32		3.62	3.42	3.42	3.42	3.42								
Arch Lower	125" - 5 - .41		4.04	3.42	3.42	3.42	3.42								
Jim McFarland	125" - 45" - 5 1/2" - .46		4.47	4.47	4.15	4.15	4.04								
M. Tob McFarland	114" - 45" - 5 1/2" - .46		4.47	4.47	4.47	4.47	4.15								
Flume	H		.412	.412	.412	.412	.367								
Pasture	H		.412	.412	.412	.412	.367								
Ziegler	22 1/2"		.470	.470	.470	.470	.470								
Bills - upper	T		3.54	3.54	3.54	3.54	3.54								
Jack Ellis	22 1/2"		.470	.470	.470	.470	.470								
Darion	45"		3.42	3.42	3.42	3.42	3.42								
Big Flat	15" - .10		.319	.319	1.28	1.28	1.28								
Morris Fallon			.954	.954	.954	.954	.954								

NOTE—Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Month of

July / Aug 80

Water
Right

NOTE—Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

DAYS OF MONTH

Name of Present Owner	31	Aug 6	7	10	15	11	20	Sept 12	Sept 13	Sept 14	Oct 15	Acres Cultivated	Sec.	Twp.	Rge.
Albert Schultz	2.11	3.71	3.71	2.11	3.10	2.00	1.75	2.10	2.00	1.75					
Bars. & Slann	1.88	.580	.580	.580	.580	.60	.580	.580	.580	.580	.980				
M.I.T Slann	1.00	1.00	1.00	1.319	1.319	1.40	1.40	1.40	1.40	1.40	1.40				
Dick Morton	1.00	1.02	1.02	1.02	1.02	1.02	1.02	1.02	.80	.70	.70				
Latty Bills	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-				
Jack Neal	2.74	1.23	2.74	2.74	1.70	2.80	2.46	1.50	1.50	1.50	1.46				
Stan Daniels	1.61	.97	.97	.97	.97	1.03	1.03	1.03	1.03	1.03	.97				
Art Aldous	2.26	1.95	1.95	1.95	2.00	2.00	2.00	2.00	2.00	2.00	1.25				
Art "	2.26	1.61	1.61	1.61	1.61	1.40	1.31	1.31	1.31	1.31	1.31				
Arch upper	3.42	1.23	1.23	1.23	2.23	2.00	2.00	2.00	2.00	2.00	2.00				
Arch Lower	3.42	3.12	3.12	3.12	2.12	2.00	2.00	2.00	2.00	2.00	2.00				
Jim McFarland	4.04	3.22	3.22	3.22	3.22	2.60	2.37	2.30	2.00	2.00	2.00				
M. Tob McFarland	4.15	3.22	2.83	2.83	2.83	2.50	2.70	2.00	2.00	2.00	1.00				
Flume	.367	.367	shd ✓	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-				
Pasture	.367	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-				
Zeigler	.470	.470	.450	.450	.450	.400	.400	.400	.400	.400	.50				
Bills - upper	3.54	1.54	.90	.90	.90	.90	.90	.90	1.00	.80					
Jack Ellis	.470	.470	.450	.450	.450	.400	.400	.400	.400	.400	.400				
Barton	3.25	1.63	1.63	1.63	1.63	1.60	1.50	1.30	1.50	1.00					
Big Flat	1.28	3.50	.412	.412	.412	.40	.40	.40	.40	.40	.40				
Mortu Fallon	.954	.914	.914	.914	.914	.90	.90	.90	.90	.90	.90				

Exhibit II

Carmen, Idaho 83462
January 27, 2010

Snake River Basin Adjudication Court
Twin Falls, ID

To the Court:

Concerning the case between Bruce McFarland, Watermaster vs Derrold and Bill Slavin.

My name is Dave McFarland. I was Watermaster on Carmen Creek for several years in the 1980's. My father, Archie had been the Watermaster in the late '60's and early '70's. In his files are several documents showing the allocation of the so called "transfer water" which was Carmen Creek water transferred to upstream users in exchange for construction of works and delivery of Salmon River water to downstream users. Total water transferred was 620 inches, 400 inches of 1875 priority date water and 220 inches of 1882 water. Until sometime in the 1960's this water was allocated as in the old hand written abstract(copy enclosed as Exhibit 1). At that time the water user identified in the margin as "Austins" became dissatisfied with his allocation. My Dad and another old timer named Stanley Daniels told me that in the ensuing discussion, the State Water Resources Department instructed the Watermaster to curtail delivery of all transfer water until the users could agree on its allocation. Apparently the Watermaster just curtailed the delivery of 45 inches(one share) to the Austin place. In 1970 my Dad tried to get a stipulated agreement to resolve the issue (see Exhibit 2). This agreement resolved a long standing discrepancy between the 620 inches decreed and 630 inches delivered (14 shares of 45 inches each). The stipulated agreement gave Milton and Theodore Slavin 35 inches of transfer water. This was the 45 inches curtailed from the Austin place. Milton and his wife quickly signed it but no one else did. I asked Stan Daniels why he had not signed. His reply was "We all liked Milt Slavin but really the water should have gone to the Austin place." About this time Mr. Austin either died or moved away and the discussion was dropped and no 35 inch right was delivered. I think Bruce McFarland is submitting documentation. I cannot remember the exact time but sometime while I was Watermaster I started delivering the 35 inches as the argument over where it should go was gone and the original transfer agreement showed the Slavin ranch as entitled to one share.

Signed:



Dave McFarland

WATER AGREEMENT FOR WATERS OF CARMEN CREEK
LEMHI COUNTY, IDAHO

1
2 We, the undersigned, Jack Neal and Janice Neal, husband and
3 wife; Ernest Neal and Katie Neal, husband and wife; Stanley Daniels,
4 an unmarried man; Arthur Aldous and Claire Aldous, husband and
5 wife; Robert Parmenter and Phyllis B. Parmenter, husband and wife;
6 William D. Parmenter and Carolyn C. Parmenter, husband and wife;
7 Gerald A. Parmenter, a single man; Arch McFarland and Anita
8 McFarland, husband and wife; Harold McFarland and Ethel McFarland,
9 husband and wife; Glenn McFarland and Norma McFarland, husband and
10 wife; Morgan Deboard and June Deboard, husband and wife; Jack Ellis
11 and Diane Ellis, husband and wife; Deloy E. Wolfley and Maria
12 Wolfley, husband and wife; Dale K. Wolfley and Marylyn Wolfley,
13 husband and wife; Kim M. Wolfley, a single man; Monty D. Wolfley, a
14 single man; Dick Morton and Precious Morton, husband and wife;
15 Larry Bills and Evelyn Bills, husband and wife; Ted Slavin and
16 Leithe Slavin, husband and wife; Milton Slavin and Janice Slavin,
17 husband and wife; Albert Schultz and _____ Schultz, husband
18 and wife; Milton Slavin, Jr. and Helen Slavin, husband and wife;
19 Dale Barsalou and Donna Barsalou, husband and wife; hereby certify
20 and agree that we are all users of the waters of Carmen Creek in
21 Lemhi County, State of Idaho, and that we use waters from said
22 Carmen Creek and that said use includes, in so far as hereinafter
23 designated, waters from what is commonly known and referred to as
24 the "Big Flat Agreement; and that such use has continued for a
25 long period of time; and, we hereby agree that it shall continue
26 in the same manner which is hereinafter specifically described as
27 to the amount of water that has been and now is being used and to
28 be used by all of us and our heirs, successors or assigns, to wit:
29
30
31
32

1 Albert and _____ Schultz----- 90 inches
2 Larry and Evelyn Bills----- 45 inches
3 Dick and Precious Morton----- 45 inches
4 Jack and Janice Neal----- 45 inches
5 Earnest Neal-----
6 Stanley Daniels----- 45 inches
7 Arthur and Claire Aldous----- 90 inches
8
9 Robert and Phyllis B. Parmenter)
10 William D. Parmenter and Carolyn C. Parmenter)
11 Gerald A. Parmenter) 45 inches
12 Arch and Anita McFarland----- 45 inches
13 Harold and Ethel McFarland----- 22½ inches
14 Glem and Norma McFarland----- 22 ½ inches
15 Morgan and June Deboard----- 22½ inches
16 Jack and Diane Ellis-----
17 Milt and Janice Slavín & Ted & Leitha Slavín- 22½ inches
18 Dale K. and Marylyn Wolfley) 35 inches
19 Kim M. Wolfley)
20 Monty D. Wolfley) 45 inches

21 The purpose of this agreement is to establish and permanent
22 and recognized record of the use of the waters from the said "Big
23 Flat Agreement;
24

25 IN WITNESS WHEREOF, we have hereunto set our hands this
26 day of February, 1970.
27
28
29
30
31
32

Smithson Museum
James P. Smith

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LOOK
WHO

1 STATE OF IDAHO
2 County of Lemhi--SS

3 On this _____ day of February, 1970, before me, the under-
4 signed, a Notary Public in and for said State, personally appear
5 Jack and Janice Neal, husband and wife; Ernest and Katie Neal,
6 husband and wife; Stanley Daniels, an unmarried man; Arthur and
7 Claire Aldous, husband and wife; Robert and Phyllis B. Parmenter
8 husband and wife; William D. and Carolyn C. Parmenter, husband &
9 wife; Gerald A. Parmenter, a single man; Arch and Anita McFarlan
10 husband and wife; Harold and Ethel McFarland, husband and wife;
11 Glenn and Norma McFarland, husband and wife; Morgan and June Del
12 husband and wife; Jack and Diane Ellis, husband and wife, Deloy
13 and Maria Wolfley, husband and wife; Dale K. and Marylyn Wolfle
14 husband and wife; Kim M. Wolfley, a single man; Monty D. Wolfe
15 a single man; Dick Morton and Precious Morton, husband and wife
16 Larry and Evelyn Bills, husband and wife; Ted and Leitha Slavin
17 husband and wife; Milton Slavin and Janice Slavin, husband and
18 wife; Albert and _____ Schultz, husband and wife; Milton
19 Slavin, Jr and Helen Slavin, husband and wife; Dale and Donna
20 Barsalou, husband and wife; known to me to be the persons whose
21 names are subscribed to the within instrument and acknowledged
22 me that they executed the same.
23
24
25

26 IN WITNESS WHEREOF, I have hereunto set my hand and affixe
27 my official seal, the day and year in this certificate first at
28 written.
29
30
31
32

Notary Public for Idaho, Residing at Salmon, Idaho.

FRED H. SNOOK
LAWYER
SALMON, IDAHO

TRANSCRIBED
VERSION

Box 125
Carmen, Idaho 83462

Ronald Carlson
Department of Water Resources
Eastern District Office
150 Shoup[?] Avenue
Idaho Falls, Idaho 83401

[RECEIVED]
MAR 26 1982
Department Water Resources
Eastern District Office

Dear Ronald:

This letter is to comment on the 1982 revision of the abstract for Carmen Creek, Water District 75 D, which is included herein.

The revision is useable and agrees with my interpretation of the 1902 decree and exchange agreements. The exchange rights are probably most deserving of specific mention. The names listed with an asterisk are the ones which presently receive exchange water with one exception. Each named person/place receives 45 inches of water except Theodore Batson and Elwood D. Clark who each get $\frac{1}{2}$ shares or $22\frac{1}{2}$ miners' inches of water. All exchange water is considered 1882 water as a matter of practicality.

The exception is the Peter McKinney right which is delivered to no one presently. Sometime shortly after 1902, Peter McKinney purchased the lands of William Smith and Robert Martin and apparently transferred his share to these lands. At least, the old water masters' records show these lands receiving 3 shares until about 1957. No official record of this transaction has been found but old-timers testify to its use, if not truth. About 1962[?], the State Department of Reclamation told the water master to turn off the exchange rights to force the water users to come to an agreement as to where the Peter McKinney right was to be used. The water master just shut the Peter McKinney right off. That is the current status of that right.

Sincerely yours,
S/s Dave McFarland
Watermaster Dist. 75D

Included[?] Attach[?]

1205
45
160

Exhibit III

PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

WATERMASTER'S

DAILY RECORD

Stream CARMEN CREEK AND TRIBUTARIES

Water District 75-D

Month of July, 19 94

Watermaster GINA McFARLAND

P.O. Address P.O. Box 72
CARMEN, ID. 83462

Ten days after the close of the
irrigation season the Watermaster
must forward this book to

DEPARTMENT OF
WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

If this book is lost, the finder will please
return it to the Watermaster of the district, as
it contains valuable records.

88-26-178
1988 D-4613, 1,000

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NOV 02 1994

Department of Water Resources
Eastern District Office

Month of July 19 94

NOTE: Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

needs column shows
140" which
is a combination of
ag for antelope hills
ag for antelope hills home
owners Assoc. for 100
for slaving

Name of Present Owner	WATER RIGHT IDENTIFICATION NO.	Amount Second Feet (cfs)	1 7-5	2 7-6	3 7-7	4 7-9	5 7-11	AKS need	
BARSALOW			.69		.73			20	21
Antelope Hills upper			.89		2.20	1.36	2.74	140	97 1-33
Antelope Hills Lower			.40		.40				10 ?
DICK MORTON			1.57		2.53	1.88		45	36 -9
ALDOUS UPPER				3.9	5.03	5.15	MY/DA/DA	135	176 +4
ALDOUS LOWER				2.17		1.11		7	7
JACK NEAL				4.1	6.44	8.0	5.42	210	141 -69
JAN BILLS				4.0	2.88	2.81	2.60	45	23-22
WAYNE CAMPBELL				1.69	.769	.769		22	8-14
Tom McFARLAND (7 acre)								112	56 -4
Jim McFARLAND (Lower)								11.2	107 -8
FLUME DITCH (Tom)									46 -2
DAVE McFARLAND (UPPER)									5)
DAVE McFARLAND (Lower)								207	54 1198
JACK ELI'S			.45 E						-266
KEVIN KELLER			.90 E					055	750 min
								(155)	
								870	
								50 of 82 winter	

Month of July

19 94

NOTE: Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Pre-Owner	6 7-12	7 7-13	8 7-14	9 7-15	10 7-16	11 7-21	12 7-25	13 7-27	14 7-31	15	AKS used	has
BARSALOU		.30		.30	.30			.705	.785		20	21
Antelope Hills		2.28		2.2	1.53	1.53		2.02	3.03		140	97 -33
Antelope Hills		.40		.40	.40	.40	.40	.40	.40			10
DICK MOORE		1.81		1.75	1.51	1.94		1.02	.965		45	36 -9
ALDOUS LIPPER		4.47	6.1	4.26	4.69	4.59	4.4	4.04	4.04		135	176 +41
ALDOUS LOWE		1.18 ^E	.40	.40 ^E	.53	.40 ^E		.20 ^E	.22		7	7
JACK NEAL		4.58		4.58	4.58	4.32		4.86	4.86		210	141 -61
JON BILLS	2.4	2.4		2.4	2.0	1.88	1.88	.817			45	23 -22
WAYNE CAMP		.463		.46	.46	.81		.632			22	8 -14
Tom McFARLAND			1.23 ^E		2.00	1.27	1.2	1.34			112	56 -6
Jim McFARLAND			.90 ^E		2.2 ^E	2.2 ^E	2.2	3.03			112	107 -8
FLUME DITCH (					2.13	1.88	2.00	1.81				45
DAVE McFARLAND				1.94		.95		1.16	3.12			52
DAVE McFARLAND				2.55		1.77		1.09	.698		207	54 148
JACK ELLIS												-266
KEVIN KELLE											055	750 min
											(185)	
											870	
											50/62 water	

Month of July 19 94

NOTE: Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Pre-Owner	8/16	8/17	8/18	8/19	8/20	8/21	8/22	8/23	8/24	8/25	AKS need	has
BARSALOU		.42		.42	.31						20	21
Antelope Hills		1.94		2.65	1.53						140	97 -33
Antelope Hills		.25		.20	.20							10
DICK MORRIS		.72		.723	.463						45	36 -9
ALDOUS UPPER		3.52	2.3	2.20	2.11						135	176 +41
ALDOUS LOWER		.15		.14	.21						7	7
JACK NEAL		2.82	3.42	3.06	2.48						210	141 -69
JON BILLS		.46		.42	.312						45	23 -22
WAYNE		.14		.21	.28						22	8 -14
Tom McFARLAND	1.02	1.12	1.4	1.12	.865	.40					1.12	56 -6
Jim McFARLAND		2.02	2.2	2.11	1.86	.80	2.55				112	107 -5
FLUME DITCH	1.57	.91	0.0				0.00					45 -6
DAVE McFARLAND		.10			1.09	.20						5
DAVE McFARLAND		1.09			.638	.20					207	54 148
JACK ELIS						.45						-266
KEVIN KELLE						.90					1055	750 min
											(185)	
											87	
												5 of 62 water

Month of July 19 94

NOTE: Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Pre-Owner	26	27	28	29	30	31	Total in 24-hour Sec. Feet.	REMARKS
BARSALOU							20	ok 20 21
Antelope Hills							91	-16 140 97
Antelope Hills								10
DICK MORRIS							29	+7 45 36 -9
ALDOUS UPPER							117	-59 135 176 +41
ALDOUS LOWER							5	- 7 7
JACK NEAL							114	+53 210 141 -64
JON BILLS							29	+6 45 23 -22
WYATT CAMP							15	+7 22 8 -14
Tom McFARLAND							73	-28 112 56 -1
Tom McFARLAND							73	-28 112 107 -
FLUME DITCH (								46 -
DAVE McFARLAND								52
DAVE McFARLAND							135	+75 207 54 1148
JACK ELLIS								-266
KEVIN KELLE								1055 750
								(185)
								870
								165 of 62 water

USER Ident.No.	Right	1994 USE 24 HRSECT	1994 COST	94 BUDGET	Debits IN 94
BILLS, JON	C75 066	77.22	34.42	26.08	-8.34
CARMEN LAND & L	C75 062	179.81	80.14	84.59	-4.45
ALDOUS, JOHN	C75 065	182.64	81.40	74.80	-6.60
MC FARLAND, BRUCE	C75 4002	62.10	27.68	23.21	-4.47
ANDERSON, GARY et. al.	C75	18.37	8.19	7.02	-1.17
NEAL, JACK	C75 060	174.08	77.58	73.50	-4.08
MORTON, DICK	C75 072	77.17	34.39	26.41	-7.98
SLAVIN, MILT	C75 064	103.50	46.13	44.38	-1.75
BARSALOU, CASEY	C75 058	34.97	15.59	17.65	2.06
FOLAND, MAURICE et al.	C75	48.30	21.53	18.66	-2.87
CAMPBELL, WAYNE	C75 4005	32.41	14.44	20.14	5.70
MC FARLAND, TOM	C75 076A	170.75	76.10	55.46	-20.64
CARMIDA LIVESTOCK	C75 076B	90.25	40.22	63.46	23.24
KELLER, KEVIN	C75 079	62.10	27.68	26.86	-0.82
ELLIS, JACK	C755 078	31.05	13.84	15.19	1.35
BIG FLAT-SLAVIN	C75 075	50.28	22.41	23.71	1.30
MC FARLAND, MITCH	C75 063	50.28	22.41	75.37	52.96
LIGHTER, MARK	75 063	72.47	32.30		-32.30

slavina at 10:55
antelope hills verticat. a9
antelope hills Homeowners
assoc at a9

1,517.75	676.43	676.43	0.00
----------	--------	--------	------

[illegible]

REGIONAL OFFICES

Eastern – 525-7161

900 N. Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
Speed Dial #813
Fax 525-7177

Northern – 769-1450

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Coeur d'Alene, ID 83814-2615
Speed Dial #814
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Southern – 736-3033

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Twin Falls, ID 83301-3380
Speed Dial #815
Fax 736-3037

Western – 334-2190

2735 Airport Way
Boise, ID 83705-5082
Speed Dial #812
Fax 334-2348

PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

WATERMASTER'S

DAILY RECORD

Stream CARMEN CREEK
Water District 75-0
Month of July, 19 2000
Watermaster GINA MYARLAND
P.O. Address P.O. BOX 72, CARMEN, ID.

After the irrigation season the Watermaster
must forward this book and
the annual Watermaster report
to the appropriate
IDWR regional office.

RECEIVED

NOV 22 2000

Department of Water Resources
Eastern Region

Costs associated with this publication are available
from the Idaho Department of Water Resources
in accordance with Section 60-202, Idaho Code
IDWR, 1,000, 3/98, 58009

If this book is lost, the finder will please
return it to the Watermaster of the district,
as it contains valuable records.

Month of July 19 2000

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Prese Water Right Ow	6	7	8	9	10	11	12	13	14	15	AKS
JAN BILLS					6.21	3.03	1.53				
ALDOUS UPPER					ESTD 7.40	3.42	3.03				
ALDOUS LOWER					1.38	6.38					
JACK NEAL					3.30	5.13					
MORTON					-817						
ANTELOPE HILLS					2.83	3.03					
CAMPBELL					2.00	817					
McFARLAND, JIM					1.53						
McFARLAND, JIM (C)					5.02						
McFARLAND, TOM (C)					3.03						
McFARLAND, DAVE					ESTD 1.20						
McFARLAND, DAVE (C)					ESTD 2.00						
BARBARA					ESTD 2.90	60					

9+9+1 CFS sloping + 2 Antelope
hills rts

Month of July 19 2000

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

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PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

WATERMASTER'S

DAILY RECORD

Stream CARMEN CREEK

Water District 75-D

Month of AUGUST, 19 2000

Watermaster GINA MARRLAND

P.O. Address P.O. Box 72, CARMEN, ID

After the irrigation season the Watermaster
must forward this book and
the annual Watermaster report
to the appropriate
IDWR regional office.

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Eastern Region

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as it contains valuable records.

19 2020

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

19 ଅବସର

NOTE.—Figures to be given in cubic feet per second for 24-hour periods; or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

Month of AUGUST 19 2020

NOTE — Figures to be given in cubic feet per second for 24-hour periods; or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

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Twin Falls, ID 83301-3380
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Fax 736-3037

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PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

WATERMASTER'S

DAILY RECORD

Stream CARMEN CREEK

Water District 75-D

Month of SEPTEMBER, 1900

Watermaster GINA McFARLAND

P.O. Address P.O. Box 72, CARMEN, ID
83462

After the irrigation season the Watermaster
must forward this book and
the annual Watermaster report
to the appropriate
IDWR regional office.

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as it contains valuable records.

Month of SEPTEMBER 19 2000

NOTE — Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

2000

USER	Right Ident. No.	1999	1998	1996	1995	1994	AVE DELIVER	EST BUDGET
=====						=====		
BILLS, JON	C75 066	61.98	98.50	66.51	55.48	34.42	63.38	87.75
CARMEN LAND & LVST	C75 062	82.01	177.57	117.83	161.67	80.14	123.84	184.94
ALDOUS, JOHN	C75 065	156.23	168.29	175.22	141.40	81.40	144.51	194.96
MCFARLAND, BRUCE	C75 4002	44.10	49.29	40.07	42.79	27.68	40.79	55.03
BURNS, JOHN	C75-069	13.81	17.72	12.99	11.17	8.19	12.78	17.23
NEAL, JACK	C75 060	163.82	131.01	149.92	160.06	77.58	136.48	178.52
MORTON, DICK	C75 072	39.49	65.49	41.73	47.19	34.39	45.66	65.00
SLAVIN, MILT	C75 064	76.44	61.20	69.72	64.89	46.13	63.68	83.29
BARSALOU, CASEY	C75 058	31.70	13.98	35.62	27.64	15.59	24.91	31.95
MARTINSON/GORDON	C75 070	27.00	34.45	9.09	28.53	21.53	24.12	32.22
CAMPBELL, WAYNE	C75 4005	25.87	50.12	12.24	24.90	14.44	25.51	35.01
MCFARLAND, TOM	C75 076A	159.19	190.47	90.70	130.76	76.10	129.44	168.02
CARMIDA LIVESTOCK	C75 076B	66.58	101.64	84.84	95.99	40.22	77.85	111.09
KELLER, KEVIN	C75 079	50.59	55.17	40.07	71.32	27.68	48.97	66.87
ELLIS, JACK	C755 078	21.48	27.58	20.04	21.40	13.84	20.87	28.52
BIG FLAT-SLAVIN	C75 075	51.42	28.11	40.13	24.18	22.41	33.25	39.52
MCFARLAND, MITCH	C75 063	50.43	38.24	27.77	24.18	22.41	32.61	38.76
LIGHTER, MARK	C75 063	55.29	36.79	26.71	27.64	32.30	35.75	42.50
		1,177.43	1,345.62	1,061.20	1,161.20	676.43	1,084.40	1,461.18

IDWR OFFICES

State – 327-7900

1301 North Orchard Street
Boise, ID 83706
Fax 327-7866

REGIONAL OFFICES

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900 N. Skyline Drive, Suite A
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PROPERTY OF THE STATE OF IDAHO

Form No. 300-W

WATERMASTER'S

DAILY RECORD

Stream Carmen

Water District _____

Month of August + SEPTEMBER, 20 04

Watermaster Bruce McFarland

P.O. Address Box 124, Carmen, Ida.

After the irrigation season the Watermaster
must forward this book or a suitable report of
the records in this book, and the annual
Watermaster report to the appropriate IDWR
Regional Office.

RECEIVED

JAN 05 2005

Department of Water Resources
Eastern Region

If this book is lost, the finder will please
return it to the Watermaster of the district,
as it contains valuable records.

Month of August 2024

NOTE:— Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

Month of August 2024

NOTE:— Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Present Water Right Own	6	7	8	9	10	11	12	13	14	15	ARKS
Wayne Campbell				.255	.212			.723			
Loren Bills (Aldo)				1.275	1.255			.99			
John Aldous (Bruce S. 23)				3.17	2.60			3.03			
Albion Howard (Lila) .44											
Jack New, Sam S. 21				4.92	5.27			4.86			
O. K. Morton 1.12				.974	1.02			1.95			
Bills (Lavin) (Rita) 1.074				2.06	2.25			3.42			
Bruce (Lila) .506					.225						
Dave MS (Linda) .92				1.09				1.38			
Dave MS (Linda) 2.25				2.35				2			
Jim MS (Linda) 1.28								1.205			
Tom & Brandon (17) 4.5								3.25			
Brandon (Edith D.) 1.2								.9			
Dave (Barditch) .56								.82			

Month of August 2024

NOTE—Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

[illegible]

Month of August 2021

NOTE:— Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Present Owner	WATER RIGHT IDENTIFICATION NO.	Amount Second Feet (CFS)	1	2	3	4	5
Wayne Campbell			546				
Loren Bills			1.275				
John Aldous (owner)			1.90				
Aldous (owner pilot)			.25E				
Jack Neal			4.05				
Dick Norton			.817				
Bill Sharpe			2.41				
Bersabe							
Dave McFarland (Frank)			1.69				
Dave McFarland (owner)			2				
Tom McFarland (Pilot)			1.07				
Tom McFarland (Pilot)			4				
Brandon (Pilot)			.8				
Dave McFarland (Pilot)			1				

Month of August 2024

NOTE:—Figures to be given in cubic feet per second for 24-hour periods, or 24-hour second feet. Give name of owner of water rights, not tenant.

Name of Press Owner	6	7	8	9	10	11	12	13	14	15
Wayne Campbell						2.77				
Loren Bills						1.54				
John Adams						1.69			2.44	
Widows (Howard)										
Jack Neal		3.86							3.65	
Dick Norton		.817							1.23	
Bill Slawik		2.46							2.6	
Bergalou									.54	
Dave McFarland				1.90		1.86				
Dave McFarla				2		2				
Tom McFarland		5.45								
Timothy Brandon						3.95			6.0	
Brandon (P. Co)		.7				.95			.8	
Dave McFarland		.85				.85				

2004

USER	Right Ident.No.	'2003	'2002	'2001	'2000	'1999	Ave. Deliver	'2003 Cost	Est. Budget
Bills, Jon	C75 066	62.01	110	57.84	97.35	61.98	77.84	\$56.59	\$75.48
Carmen Land & Livest	C75 062	167.96	203.78	157.93	179.37	82.01	158.21	\$153.27	\$153.41
Aldous, John	C75 065	215.85	172.77	145.15	152.16	156.23	168.432	\$196.97	\$163.32
McFarland, Bruce	C75 4002	46.32	34.5	40.11	42.95	44.1	41.6	\$42.27	\$40.34
Burns, John	C75 069	10.6	11.26	12.65	13.46	13.81	12.356	\$9.67	\$11.98
Neal, Jack	C75 060	158.21	155	163.32	216.78	163.82	171.426	\$144.37	\$166.22
Morton, Dick	C75 072	53.28	28.3	67.61	51.66	39.49	48.068	\$48.62	\$46.61
Slavin, Bill	C75 064	73.37	71.9	74.22	101.14	76.44	79.414	\$66.95	\$77.00
Barsalou, Casey	C75 058	31.8	50.4	41.34	21	31.7	35.248	\$29.02	\$34.18
Martinson/Gordon	C75 070	33.26	38.7	29.46	34.94	27	32.672	\$30.35	\$31.68
Campbell, Wayne	C75 4005	25.95	28.33	28.7	86.15	25.87	39	\$23.68	\$37.82
McFarland, Tom	C75 076A	194.9	192.39	219.71	353.6	159.19	223.958	\$177.85	\$217.16
Carmida Livestock	C75 076B	257.03	170.3	221	99.09	66.58	162.8	\$234.54	\$157.86
Keller, Kevin	C75 079	59.38	58.9	60.59	72.26	50.59	60.344	\$54.19	\$58.51
Ellis, Jack	C75 078	27.8	31	50.79	30.79	21.48	32.372	\$25.37	\$31.39
Big Flat-Slavin	C75 075	58.06	44.33	40.14	68.7	51.42	52.53	\$52.98	\$50.94
McFarland, Mitch	C75 063	61.22	50	39.28	67.38	50.43	53.662	\$55.87	\$52.03
Liter, Mark	C75 063	64.26	50	41.6	73.86	55.29	57.002	\$58.64	\$55.27
		1601.26	1501.86	1491.44	1762.64	1177.43	1506.934	\$1,461.20	\$1,461.20

cost per 24hr second feet
0.912531

Exib: IV

Exchange Water

Priority Dates 1875 & 1882

Antelope Hills Homeowners Association

Water Right Numbers				Actual Use	Partial Decree, Claim & Recommendation	
75-14454	75-14452	75-14453	75-14451			
75-14078	75-14083	75-14084	75-10062AJ			
75-14087	75-14081	75-14341	75-13997			
75-14077	75-10061AK	75-14085V1	75-14079V1			
75-14319	75-14317	75-10062AK	75-10061AL			
75-14086	75-14080					
Totals for AHHA				0.900	0.791	*Might Be Missing some water rights should be .9cfs
75-10061AH	75-10062AG	Wayne Campbell		0.450	0.450	
75-10061U	75-10062S					
75-14504	75-14502	Bruce McFarland		1.800	1.800	****See Note Below
75-10062T	75-10061V	Carmen Land & Livestock		0.900	0.900	
75-14289	75-14287	John Aldous		1.720	1.720	
75-10296	75-10061K	Carmida Livestock		0.450	0.900	.45 above actual delivery
75-10062Z	75-10061AB	Nancy Linell Bills		0.900	0.900	
75-10062J	75-10061L	Charles Morton		0.900	0.900	
75-10061AN	75-10923	Tom McFarland		0.450	0.450	
75-10061W	75-10062U	Antelope Hills North		0.900	0.900	
Unknown		Kevin Keller		0.900	0.900	Assumed
Unknown		Jack Ellis		0.450	0.450	Assumed
75-10062E	75-10061E	Bill Slavin		0.525	1.020	Does not include .3cfs of non-exchange decreed water
75-100178	75-10061G	Darrold Slavin		0.175	0.340	Does not include .3cfs of non-exchange decreed water
Unknown	Jim Polowski (?)			0.080	0.080	This is a split from John Aldous
Ajax Peak Subdivision				0.900	0.900	
TOTAL				12.400	13.401 cfs	
Difference between Actual use and Recommended use				1 cfs		

75-14502 75-14504 **** .031 belongs to Remington Ridge, LLC

Affidavit

Carmen, Idaho 83462

February 1, 2010

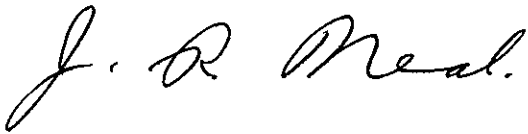
Snake River Basin Adjudication Court
Twin Falls, ID

To the Court:

Concerning the case between Bruce McFarland, Watermaster vs Derrold and Bill Slavin.

During the irrigation season of 2007 I was watermaster for Carmen Creek water district 75D. Throughout that season of use my understanding was that Slavins right to water in the Big Flat ditch was 1cfs. The 1cfs was a combination of 0.7cfs exchange water and 0.3cfs of decreed 1882 water. I delivered the water according to these rights.

Jack R. Neal, 2007 watermaster

A handwritten signature in cursive script that reads "J. R. Neal." The signature is written in black ink and is positioned below the typed name of the watermaster.