

09/28/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-10160

NAME AND ADDRESS: LORAIN CARR
PO BOX 67
WEISER ID 83672

SOURCE: LITTLE SALMON RIVER TRIBUTARY: SALMON RIVER
 SPRING CREEK TRIBUTARY: LITTLE SALMON RIVER

Water diverted from Spring Creek is injected into the Little Salmon River and rediverted along with water from the Little Salmon River through the points of diversion from the Little Salmon River. Water from Spring Creek and the Little Salmon River is also injected into and rediverted from Mill Creek.

QUANTITY: 2.800 CFS

PRIORITY DATE: 05/01/1937

POINT OF DIVERSION:

T18N R01E S2 SWNE Within ADAMS County
T18N R01E S2 NWSE Within ADAMS County
T18N R01E S11 SENE Within ADAMS County
T18N R01E S12 SWNW Within ADAMS County
T18N R01E S12 SWNW Injection Within ADAMS County
T19N R01E S35 SWSW Rediversion Within ADAMS County
T19N R01E S35 SWSW Injection Within ADAMS County
T19N R01E S35 SESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.800 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T18N R01E S01 Lot 4 NWNW	13.00	T18N R01E S01	SWNW	8.10
T18N R01E S02 Lot 1 NENE	25.00	T18N R01E S02 Lot 2 NWNE		39.00
T18N R01E S02	SWNE 39.00	T18N R01E S02	SENE	40.00
T19N R01E S35	NESW 40.00	T19N R01E S35	NWSW	~~1.70~~ 2.10
T19N R01E S35	SESW 36.00	T19N R01E S35	NWSE	6.00
T19N R01E S35	SWSE 24.00	T19N R01E S35	SESE	1.80

~~273.6~~ 274 ACRES TOTAL

Right Nos. 78-137, 78-151, 78-152 and 78-10160 are limited to the irrigation of a combined total of ~~273.6~~ 274 acres in a single irrigation season.

Right Nos. 78-137, 78-151, 78-152, 78-10160 and 78-10161 are limited to the irrigation of a combined total of ~~282.2~~ 282.6 acres in a single irrigation season.

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. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

09/27/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-10160

NAME AND ADDRESS: LORAIN CARR
PO BOX 67
WEISER ID 83672

SOURCE: LITTLE SALMON RIVER
SPRING CREEK

TRIBUTARY: SALMON RIVER
TRIBUTARY: LITTLE SALMON RIVER

Water diverted from Spring Creek is injected into the Little Salmon River and rediverted along with water from the Little Salmon River through the points of diversion from the Little Salmon River. Water from Spring Creek and the Little Salmon River is also injected into and rediverted from Mill Creek.

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POINT OF DIVERSION:

T18N R01E S2 SWNE Within ADAMS County
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PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.800 CFS

PLACE OF USE: IRRIGATION in ADAMS County

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T18N R01E S02 Lot 1 NENE	25.00	T18N R01E S02 Lot 2 NWNE		39.00
T18N R01E S02	SWNE	T18N R01E S02	SENE	40.00
T19N R01E S35	NESW	T19N R01E S35	NWSW	1.70
T19N R01E S35	SESW	T19N R01E S35	NWSE	6.00
T19N R01E S35	SWSE	T19N R01E S35	SESE	1.80

273.6 ACRES TOTAL

Right Nos. 78-137, 78-151, 78-152 and 78-10160 are limited to the irrigation of a combined total of 273.6 acres in a single irrigation season.

Right Nos. 78-137, 78-151, 78-152, 78-10160 and 78-10161 are limited to the irrigation of a combined total of 282.2 acres in a single irrigation season.

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

01/03/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-10160

NAME AND ADDRESS: THOMAS B CARR
925 W 2ND ST
WEISER ID 83672

LORAIN CARR
925 W 2ND ST
WEISER ID 83672

SOURCE: LITTLE SALMON RIVER TRIBUTARY: SALMON RIVER
SPRING CREEK TRIBUTARY: LITTLE SALMON RIVER

Water diverted from Spring Creek is injected into the Little Salmon River and
rediverted along with water from the Little Salmon River through the points
of diversion from the Little Salmon River. Water from Spring Creek and the
Little Salmon River is also injected into and rediverted from Mill Creek.

QUANTITY: 2.800 CFS

PRIORITY DATE: 05/01/1937

POINT OF
DIVERSION: T18N R01E S2 SWNE Within ADAMS County
T18N R01E S2 NWSE Within ADAMS County
T18N R01E S11 SENE Within ADAMS County
T18N R01E S12 SWNW Within ADAMS County
T18N R01E S12 SWNW Injection Within ADAMS County
T19N R01E S35 SWSW Rediversion Within ADAMS County
T19N R01E S35 SWSW Injection Within ADAMS County
T19N R01E S35 SESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.800 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T18N R01E S01 Lot 4 NWNW	13.00	T18N R01E S01	SWNW	8.10
T18N R01E S02 Lot 1 NENE	25.00	T18N R01E S02 Lot 2 NWNE		39.00
T18N R01E S02	39.00	T18N R01E S02	SENE	40.00
T19N R01E S35	40.00	T19N R01E S35	NWSW	1.70
T19N R01E S35	36.00	T19N R01E S35	NWSE	6.00
T19N R01E S35	24.00	T19N R01E S35	SESE	1.80

273.6 ACRES TOTAL

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the definition of the rights or for the efficient administration of the water
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Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Carr Points of Diversion

Claimed Location of Point(s) of Diversion

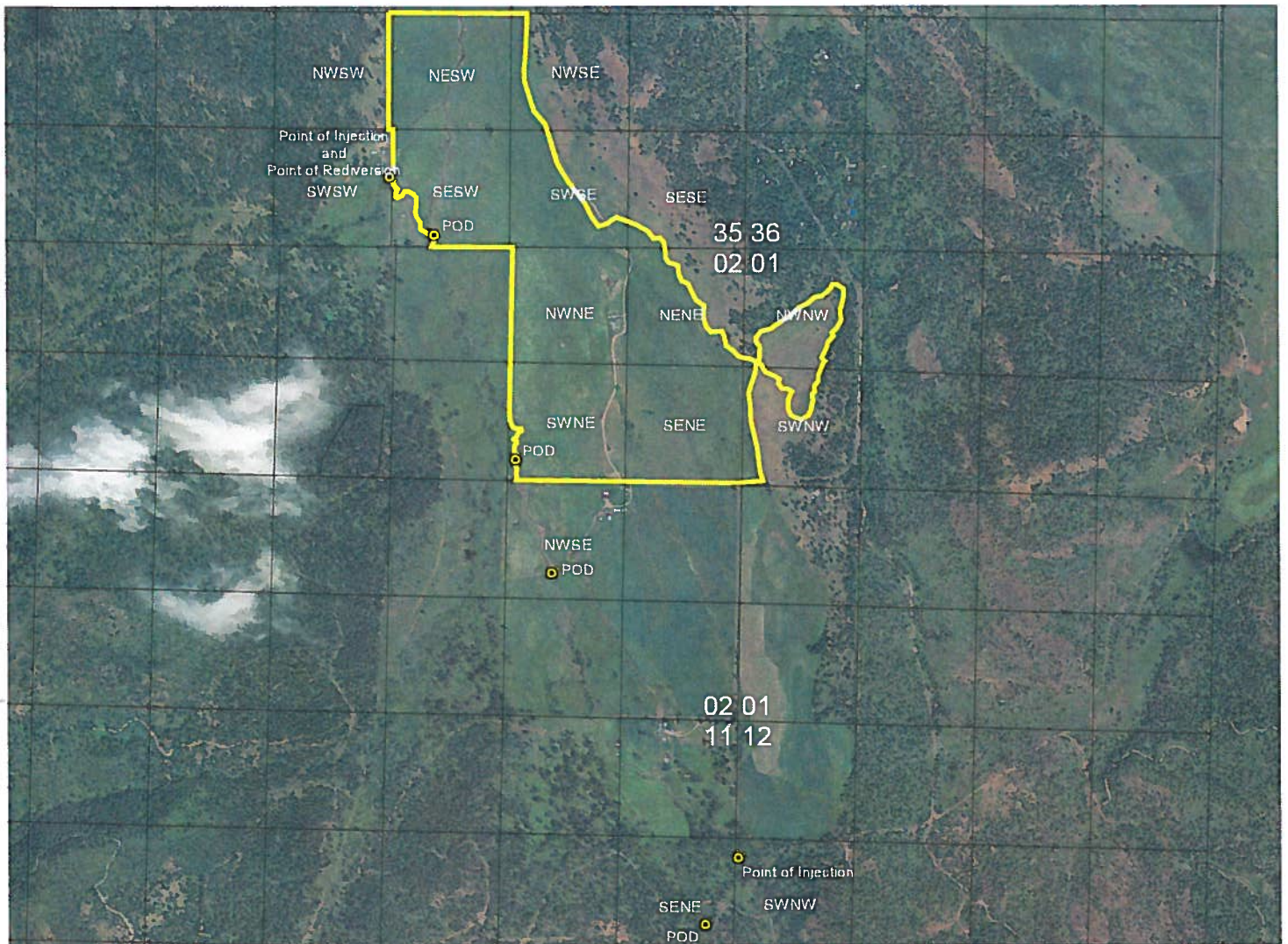
NW1/4SW1/4NE1/4	Sec. 2, Twp 18N, Rge 01E, B.M.
SW1/4NW1/4SE1/4	Sec. 2, Twp 18N, Rge 01E, B.M.
SE1/4SE1/4NE1/4	Sec. 11, Twp 18N, Rge 01E, B.M.
NW1/4SW1/4NW1/4	Sec. 12, Twp 18N, Rge 01E, B.M.
NW1/4SW1/4NW1/4	Sec. 12, Twp 18N, Rge 01E, B.M.
NE1/4SW1/4SW1/4	Sec. 35, Twp 18N, Rge 01E, B.M.
NE1/4SW1/4SW1/4	Sec. 35, Twp 18N, Rge 01E, B.M.
SW1/4SE1/4SW1/4	Sec. 35, Twp 18N, Rge 01E, B.M.

Recommended Location of Point(s) of Diversion

SW1/4NE1/4	Sec. 2, Twp 18N, Rge 01E, B.M.
NW1/4SE1/4	Sec. 2, Twp 18N, Rge 01E, B.M.
SE1/4NE1/4	Sec. 11, Twp 18N, Rge 01E, B.M.
SW1/4NW1/4	Sec. 12, Twp 18N, Rge 01E, B.M.
SW1/4NW1/4	Sec. 12, Twp 18N, Rge 01E, B.M.
SW1/4SW1/4	Sec. 35, Twp 19N, Rge 01E, B.M.
SW1/4SW1/4	Sec. 35, Twp 19N, Rge 01E, B.M.
SE1/4SW1/4	Sec. 35, Twp 19N, Rge 01E, B.M.

There is an error in the Township for the claimed points of diversion in Section 35.

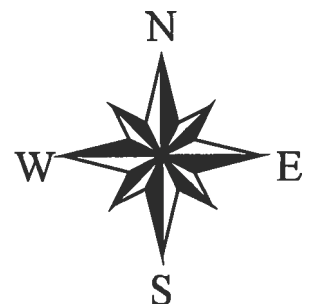
78-137 78-151 78-152 & 78-10160



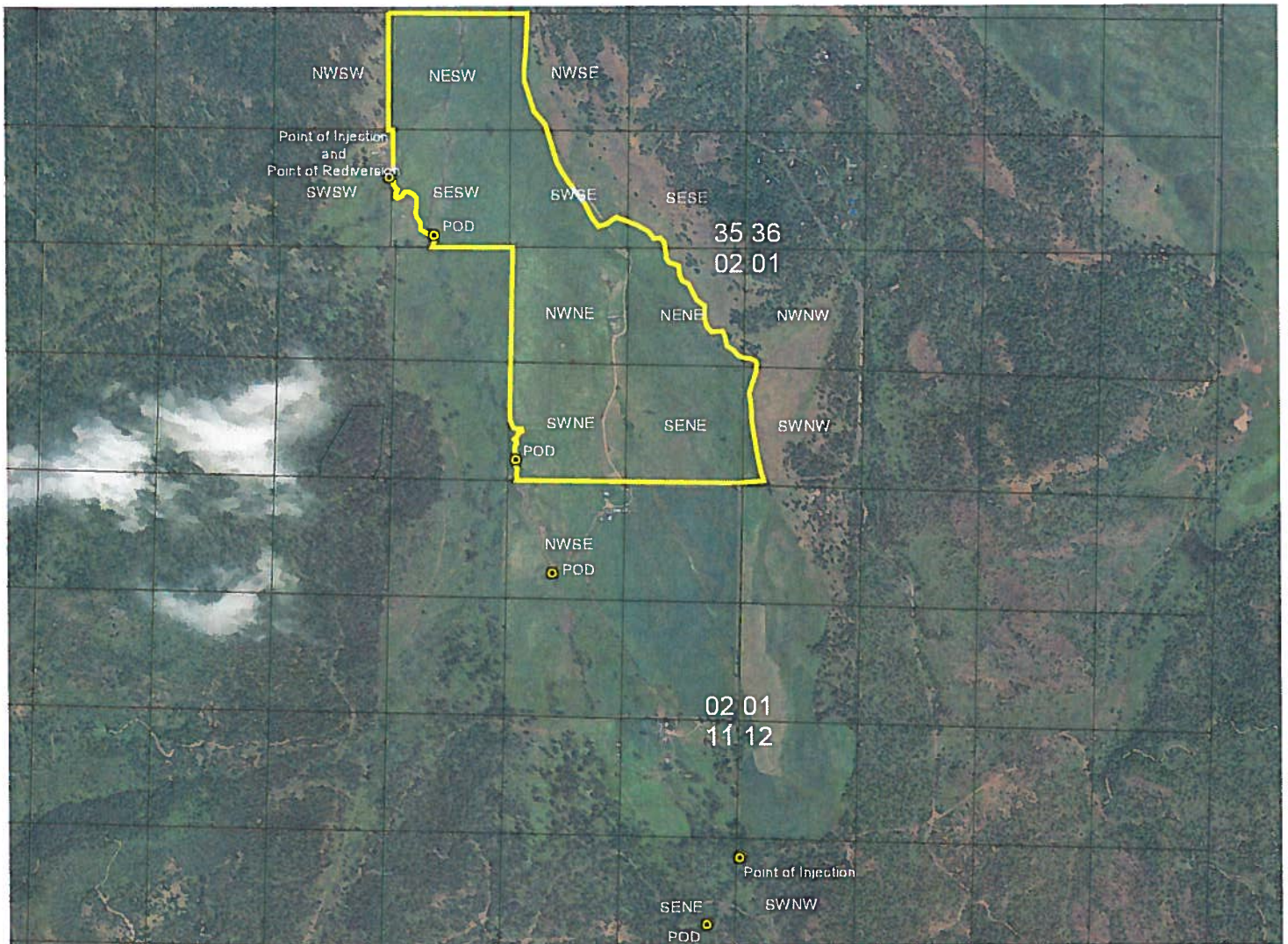
2000 0 2000 4000 6000 8000 Feet

T18N R01E S01 & S02
T19N R01E S35

Map prepared by: Carter Fritschle
Date prepared: 11/10/06 - revised 12/05/06
2004 NAIP Photography
Idaho Department of Water Resources



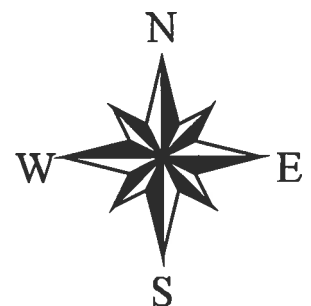
78-137 78-151 78-152 & 78-10160



2000 0 2000 4000 6000 8000 Feet

T18N R01E S01 & S02
T19N R01E S35

Map prepared by: Carter Fritschle
Date prepared: 11/10/06 - revised 12/05/06
2004 NAIP Photography
Idaho Department of Water Resources



12/8/06

NOTICE OF ERROR

REPLY

RECEIVED
DEC 8 11 13
DEPT. OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: See cover letter.

Water right number: 78-10160

LORAIN CARR
925 W 2ND STREET
WEISER, ID 83672
Telephone Number: 208-549-3243

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Name.

2. Describe the changes you wish to make in the proposed recommendation:

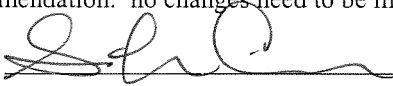
Please correct the spelling to be LORAIN CARR.

Corrected spelling

3. Give a brief explanation as to why you disagree with these portions:

_____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12/8/06

SIGNATURE: 

Please print your name:

Scott L. Campbell
Moffatt, Thomas, Barrett, Rock & Fields, Chartered
PO Box 8729
Boise, Idaho 83701

Counsel of Record for Loraine Carr

IDWR Regional Office, Western Regional Office, 2735 Airport Way, Boise, ID 83705, 208-334-2190

12/05/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-10160

NAME AND ADDRESS: THOMAS B CARR
925 W 2ND ST
WEISER ID 83672

LORRAINE CARR
925 W 2ND ST
WEISER ID 83672

SOURCE: LITTLE SALMON RIVER
SPRING CREEK

TRIBUTARY: SALMON RIVER
TRIBUTARY: LITTLE SALMON RIVER

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QUANTITY: 2.800 CFS

PRIORITY DATE: 05/01/1937

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PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	2.800 CFS

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T18N R01E S02	SWNE	T18N R01E S02	SENE	40.00
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T19N R01E S35	SWSE	T19N R01E S35	SESE	1.80

273.6 ACRES TOTAL

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12/05/2006

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 287-4800 FAX: (208) 287-6700 www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 15, 2005

78-10160 & 78-10161

Lorraine Carr

PO Box 63

New Meadows ID 83654

x

x

NEW MEADOWS ID 83654

Re: Field Examination and Evidence of Priority Date

Dear Claimants:

The Notice of Claim to a Water Right (claim) identified with the number shown above your names has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed, and are termed beneficial use rights.

The elements of beneficial use rights need to be verified by an examiner for the Idaho Department of Water Resources (IDWR) before the claim can be recommended to the SRBA Court. The examination of claims in your area will take place during the fall of 2005 or Spring 2006. An examiner will be contacting you to schedule a time to visit your property to verify your use of the water right claimed.

Also, even though most of the elements of your claim can be verified by the field exam, the date of first use, or priority date can only be verified by documentation of the historic use. If you have not supplied documentation for the priority date and historical beneficial use of the water, please submit your evidence by **November 15, 2005**. Enclosed you will find a pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: IDWR will recommend the SRBA Court decree the claim disallowed if the priority date and the historic use cannot be documented. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

If you have questions not covered by this letter or the enclosed pamphlet, please contact at (208) 287-4917 or by email at Carter.Fritschle@idwr.idaho.gov.

Sincerely,

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosure:

Evidence of Priority Date pamphlet
Copy of Notice of Claim

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: **A78-10160**
Date Received: 5/18/1988
Receipt No: M000021
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: TOM CARR
Address: 925 W 2ND ST
WEISER ID

208-549-3243

83672

AND/OR

Name: LORRAINE CARR
Address: 925 W 2ND ST
WEISER ID

208-549-3243

83672

2. Date of Priority: MAY 1, 1937

3. Source: LITTLE SALMON RIVER
SPRING CREEK

Trib. to: SALMON RIVER
LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
18N	01E	2	NW	SW	NE		ADAMS
			SW	NW	SE		ADAMS
		11	SE	SE	NE		ADAMS
		12	NW	SW	NW		ADAMS
			NW	SW	NW	I	ADAMS
		35	NE	SW	SW	I	ADAMS
			NE	SW	SW	R	ADAMS
			SW	SE	SW		ADAMS

5. Description of diverting works:

CONCRETE AND DIRT DAMS IN SPRING CREEK AND LITTLE SALMON RIVER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.800		

7. Total Quantity Appropriated is:
2.800 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is 548.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
18N	01E	1	NW		NW	4	IRR	15.0
			SW		NW		IRR	10.0
							Section Acres	25.0
		2	NE		NE	1	IRR	24.0
			NW		NE	2	IRR	39.0
			SW		NE		IRR	38.0
			SE		NE		IRR	40.0
							Section Acres	141.0
19N	01E	35	NE		SW		IRR	36.0
			NW		SW		IRR	2.0
			SE		SW		IRR	32.0
			NW		SE		IRR	10.0
			SW		SE		IRR	24.0
			SE		SE		IRR	4.0
							Section Acres	108.0
							Total Acres	274.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

78-0137, 78-0138, 78-0139, 78-0151, 78-0152

14. Remarks:

ADDRESS CHANGED PER CLAIMANT LETTER. 11/4/98 LH

15. Basis of Claim: BENEFICIAL USE

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: A78-10160
Date Received: 5/18/1988
Receipt No: 42221 MO000021

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TOM CARR 208-549-3243
Address: 541 WEST 3RD ST.
WEISER, ID 83672
AND/OR
Name: LORRAINE CARR 208-549-3243
Address: 541 WEST 3RD ST.
WEISER, ID 83672
2. Date of Priority: MAY 01, 1937
3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER
SPRING CREEK LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
18N	01E	2	NW	SW	NE		ADAMS
			SW	NW	SE		ADAMS
		11	SE	SE	NE		ADAMS
		12	NW	SW	NW		ADAMS
			NW	SW	NW	I	ADAMS
		35	NE	SW	SW	I	ADAMS
			NE	SW	SW	R	ADAMS
			SW	SE	SW		ADAMS

5. Description of diverting works:
CONCRETE AND DIRT DAMS IN SPRING CREEK AND LITTLE SALMON RIVER.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
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7. Total Quantity Appropriated is:
2.800 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 548.0 Acre Feet Per Annum.

A78-10160 Page 1 Date: 05/18/88

SCANNED

MICROFILMED
OCT 05 1992

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	01E	1	NW	NW	4	IRR	15.0
			SW	NW		IRR	10.0
						Section Acres	25.0
		2	NE	NE	1	IRR	24.0
			NW	NE	2	IRR	39.0
			SW	NE		IRR	38.0
			SE	NE		IRR	40.0
						Section Acres	141.0
19N	01E	35	NE	SW		IRR	36.0
			NW	SW		IRR	2.0
			SE	SW		IRR	32.0
			NW	SE		IRR	10.0
			SW	SE		IRR	24.0
			SE	SE		IRR	4.0
						Section Acres	108.0
						Total Acres	274.0

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:
78-0137, 78-0138, 78-0139, 78-0151, 78-0152

14. Remarks:

15. Basis of Claim: BENEFICIAL USE
Water Right Number:

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Tom Carr Date: 5/18/88

Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 18th day
of May 19 88 Carter Fritschle
Notary Public

Seal

Residing at Eagle, Id
My Commission Expires 3-21-94

SCATTERED

Point of
Injection
and
Inversion

Point
of
Injection
Spring
Creek

MICROFILMED

NOV 1962



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 20, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RECEIVED
AUG 10 1998
Department of Water Resources

MR. & MRS. TOM CARR
925 W 2ND ST
WEISER ID 83672

RE: Snake River Basin Adjudication (SRBA)
Notice of Claims A78-10162, A78-00137, A78-00151, A78-00152, A78-10160 & A78-10161
Change of Address

Dear MR. & MRS. CARR:

The Department has been notified the address presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water rights can be sent only to the address on your water rights or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary before returning this letter. Please return the letter by August 31, 1998. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please call this office toll-free at 1-800/451-4129 to obtain a form to make this required change to the claim record.

Sincerely,

Anita L. Warntjes
Administrative Assistant
Adjudication Bureau

ALW
CC:region

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The address is correct as shown above or as otherwise changed.

Claimant Signature