

RECEIVED

JAN 24 2006 01/15/2006 JAN 24 2006

DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

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: March 3, 2006

Water right number: 77-4073

JOHN R PETERSON
W 128 SUMNER
SPOKANE WA 99204
Telephone Number: (509)747-1413

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
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:

1/19/06

SIGNATURE:



Please print your name:

JOHN R. PETERSON

IDWR State Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, (208) 287-4800

12/05/2005

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

RIGHT NUMBER: 77-4073

NAME AND ADDRESS: JOHN R PETERSON
W 128 SUMNER
SPOKANE WA 99204

SOURCE: BERG CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.390 CFS

PRIORITY DATE: 01/01/1870

POINT OF DIVERSION:

T24N R02E S17 NWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
0.390 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R02E S17 Lot 1 SWSW 2.0 T24N R02E S18 Lot 9 SESE 10.0

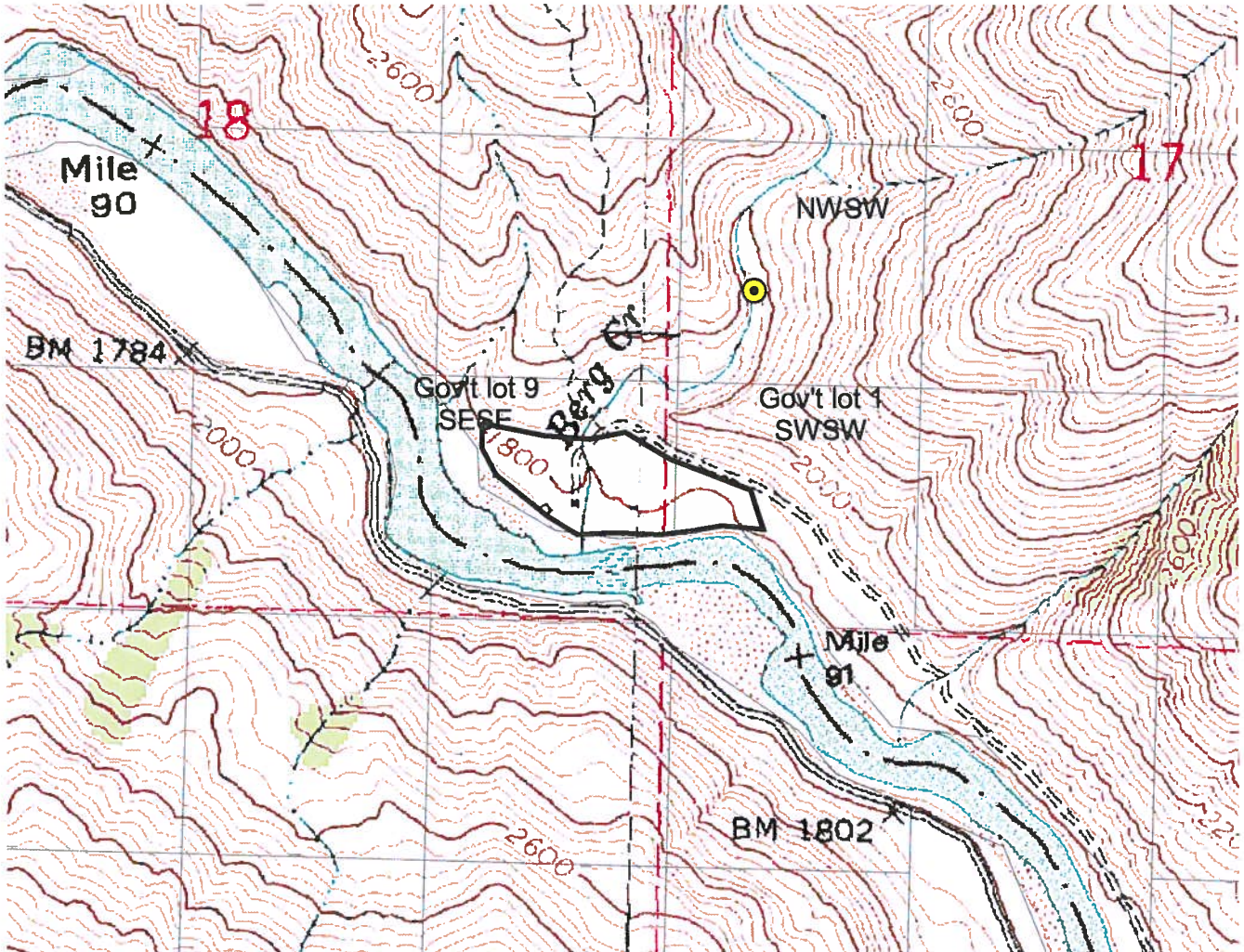
12 ACRES TOTAL

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

77-4073



0 500 1000 Feet

Sections 17 & 18
T24N R2E



● Point of Diversion

□ Place of Use

Map prepared on November 29, 2005
By Kenneth Knoblock
Idaho Department of Water Resources

11/29/2005

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

RIGHT NUMBER: 77-4073
NAME AND ADDRESS: OPAL CARLSON
PO BOX 76
RIGGINS ID 83549

GUY M CARLSON
PO BOX 250
RIGGINS ID 83549

GUS CARLSON
PO BOX 76
RIGGINS ID 83549

SOURCE: BERG CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.390 CFS
PRIORITY DATE: 01/01/1870
POINT OF DIVERSION:

T24N R02E S17 NWSW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.390 CFS

PLACE OF USE: IRRIGATION Within IDAHO County

T24N R02E S17 Lot 1 SWSW 2.0 T24N R02E S18 Lot 9 SESE 10.0

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
	77-4073				

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IDWR/North

The following **REQUIRED** information must be submitted with this form:

A. ~~The appropriate FILING FEE. See instructions for fee amounts.~~

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

Name and Address of Former
Owner/Claimant(s)

GUY M CARLSON
GUS CARLSON P.O. Box 76 Riggins, ID.

New Owner/Claimant(s)

JOHN R. PETERSON
Name Connector (Check one): [] and, [] or, [X] and/or

New Mailing Address

1128 SUMNER AVE

City, State and ZIP Code

SPOKANE, WA. 99204

New Telephone Number

509 747-1413

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

John R. Peterson

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

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DEC 02 2005

IDWR/North

WARRANTY DEED

GRANTOR, GUY M. CARLSON and GAIL CARLSON, husband and wife, of P.O. Box 319, Riggins, ID 83549, for a good and valuable consideration, that being completion of IRC Section 1031 Like-Kind Tax-Deferred Exchange the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to JOHN R. PETERSON and JACQUELINE M. PETERSON, husband and wife, of W. 128 Sumner Ave., Spokane, WA 99204, as GRANTEE, and to grantee's heirs and assigns forever, all of the following described real estate located in the County of Idaho, State of Idaho, to wit:

See Exhibit "A" attached hereto and hereby incorporated by this reference.

TOGETHER with all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

Subject to:

1. General taxes for the year 2005, which are a lien, not yet due and payable.
2. Reservation in Patent, including the terms and conditions thereof, by and between UNITED STATES OF AMERICA and MILTON B. CARNEFIX, recorded March 23, 1927, under Instrument No. 83719, Book 54, page 495, records of Idaho County, Idaho.
3. Ambiguity of legal description in Warranty Deed, recorded October 19, 1931, under Instrument No. 97105, Book 60 page 87, record of Idaho County, Idaho.
4. Reservations, including all coal and other minerals in Patent, recorded March 29, 1937, under Instrument No. 116628, Book 66 page 77, records of Idaho County, Idaho.
5. Reservations, including all coal and other minerals in Patent recorded January 29, 1941, under Instrument No. 133876, Book 70 page 311, records of Idaho County, Idaho.
6. Reservations, including all coal and other minerals in Patent recorded February 2, 1945, under Instrument No. 147468, Book 75 page 170, records of Idaho County, Idaho.
7. Easement, including the terms and conditions thereof, by and between E. S. BARHAM and MARTHA BARHAM, his wife, and IDAHO POWER COMPANY, a corporation, recorded June 16, 1950, under Instrument No. 166744, Book 83 page 46, records of Idaho County, Idaho.
8. Reservations in Agreement, including the terms and conditions thereof, by and between GUS CARLSON and OPAL CARLSON, husband and wife, and THE SALMON RIVER LUMBER COMPANY, INC., a corporation,

1 recorded October 24, 1953, under Instrument No. 178193, Book 86 page
2 622, records of Idaho County, Idaho.

3 9. Easement Deed, including the terms and conditions thereof, by
4 and between GUS CARLSON and OPAL CARLSON, man and wife and UNITED
5 STATES OF AMERICA, recorded March 21, 1962, under Instrument No.
6 208171, Book 96 page 447, records of Idaho County, Idaho.

7 10. Right-of-Way Deed, including the terms and conditions thereof,
8 by and between GUS CARLSON and OPAL CARLSON, man and wife, and
9 UNITED STATES OF AMERICA, recorded March 21, 1962, under Instrument
10 No. 208172, Book 96 page 450, records of Idaho County, Idaho.

11 11. Reservations, including all coal and other minerals in Patent,
12 recorded December 6, 1965, under Instrument No. 221944, Book 104
13 page 69, records of Idaho County, Idaho.

14 12. Power Line Easement, including the terms and conditions thereof
15 by and between GUS CARLSON and OPAL G. CARLSON, his wife and IDAHO
16 POWER COMPANY, a corporation, recorded May 9, 1975, under Instrument
17 No. 258304, records of Idaho County, Idaho.

18 13. Matters as shown on Survey No. S-819, recorded March 24, 1993,
19 under Instrument No. 367929; and Survey No. S-1040, recorded August
20 23, 1995, under Instrument No. 381797; all records of Idaho County,
21 Idaho.

22 14. Subject to the rights of owners of adjoining properties,
23 claims, or locations, to follow any lode or vein within the side or
24 ends lines of the premises in question, including but not limited to
25 extralateral rights; and subject to any loss incurred by the owners
26 herein to damages for all losses suffered incident to the exercise
27 or assertion of such right.

28 15. Subject to any loss incurred by owners from the lack of rights
of owners to follow any lode or vein beyond the line of the premises
in question, including but not limited to extralateral rights.

16. Easement, including the terms and conditions thereof, by and
between GUY M. CARLSON and GAIL L. CARLSON, and IDAHO POWER COMPANY,
a corporation, recorded November 18, 2004, under Instrument No.
438702, records of Idaho County, Idaho.

17. Rights and easements in favor of the public for recreational
uses of Salmon River, Berg Creek, Little Berg Creek and Dugout
Creek.

18. Any claim arising from the difference in mean high water line
of Salmon River and the meander line as shown by Government Survey
or the State of Idaho.

19. Overlaps and Encroachments, if any, and rights of others in and
to that property shown as Tax Lot 70 on Survey S-1040, recorded
August 23, 1995, under Instrument No. 381797, records of Idaho

County, Idaho.

Said Tax Lot 70 is described as follows:

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 15: A parcel of land located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14
said Township and Range, and also Government Lot 5 of said Section
15, more particularly described as follows:

Beginning at the East $\frac{1}{4}$ corner of said Section 15;
thence N 00°32'32" W, 1313.397 feet along the section line to the
initial point of beginning, which point is S 00°32'32" E, 340.827
feet from the meander corner between said Sections 14 and 15;
Thence S 89°59'59" E, 336.796 feet along the North line of the
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 14 to a point;
Thence S 41°30'02" W, 552.298 feet to a point;
Thence S 29°45'02" W, 168.960 feet to a point;
Thence S 37°15'02" W, 343.860 feet to a point;
Thence S 53°30'02" W, 233.640 feet to a point;
Thence N 18°16'16" W, 12.766 feet to a point; on the mean high water
line of the Salmon River;
Thence N 13°42'41" E, 462.096 feet along said mean high water line
to a point;
Thence N 26°38'23" E, 572.733 feet along said mean high water line
to a point;
Thence S 89°59'59" E, 146.617 feet back to the initial point of
beginning.

RESERVING UNTO THE GRANTOR THE RIGHT TO GRAZE CATTLE ON THE PROPERTY
DESCRIBED IN EXHIBIT "A" UNTIL MARCH 31, 2006.

RESERVING UNTO THE GRANTOR, AN EASEMENT TO TRAIL SHEEP OVER AND
ACROSS THE PROPERTY DESCRIBED IN EXHIBIT "A" FROM LITTLE BERG CREEK
TO THE UNITED STATES FOREST SERVICE BOUNDARY. THIS EASEMENT SHALL
PERMIT GRANTOR TO TRAIL SHEEP THROUGH SAID PROPERTY ON TWO SEPARATE
OCCASIONS PER YEAR. SAID EASEMENT SHALL BE EXCLUSIVE TO THE GRANTOR
AND SHALL NOT BE ASSIGNABLE TO A THIRD PARTY, EXCEPT TO GUY M.
CARLSON II, OR AN ENTITY WHICH GUY M. CARLSON II OWNS A MAJORITY
INTEREST.

TO HAVE AND TO HOLD the said premises, with their appurtenances,
unto the said Grantees, their heirs and assigns forever. And the said
Grantors do hereby covenant to and with the said Grantees that they are
the owners in fee simple of said premises; that they are free from all
encumbrances, and that they will warrant and defend the same from all
lawful claims whatsoever, except general taxes for the year 2005, and
easements, reservations, restrictions and rights-of-way of record or in
use.

1 Except as otherwise expressly provided in this instrument, GRANTORS,
2 hereby declare pursuant to Title 5, Chapter 2 of the Idaho Code, that in
3 the event GRANTORS shall have permitted or suffered at any time prior to
4 the making of this instrument, any person or entity to possess, use or
5 occupy the above-described premises, or any portion thereof, for any
6 purpose, with or without the knowledge of GRANTORS, it was not the intent
7 of GRANTORS, by permitting or suffering such possession, use or
8 occupation, to thereby define property boundaries or ownership thereof.

9 In construing this deed, and where the context so requires, the
10 singular includes the plural and the masculine, the feminine and the
11 neuter.

12 IN WITNESS WHEREOF, Grantors have hereunto subscribed their names to
13 this instrument this 12 day of July 2005.

14 Guy M. Carlson
15 GUY M. CARLSON

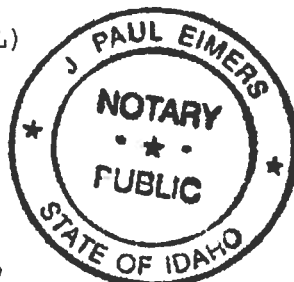
16 Gail K. Carlson
17 GAIL CARLSON

18 STATE OF IDAHO)
19 ss.
20 County of Idaho)

21 On this 12th day of July 2005, before me,
22 J. Paul Eimers, a Notary for the said County and State,
23 personally appeared GUY M. CARLSON and GAIL CARLSON, husband and wife,
24 known or identified to me to be the persons whose names are subscribed to
25 the within instrument, and they acknowledged to me that they freely
26 executed the same and that the statements therein contained are true.

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

(NOTARY SEAL)



WARRANTY DEED

29 J. Paul Eimers
30 Notary Public for State of Idaho.
31 Residing at Grangeville, therein.
32 My commission expires on 6-24, 2011.

STATE of IDAHO	
County of Idaho	
Recorded at request of <u>IDAHO COUNTY TITLE CO.</u>	
at <u>12:45 p.m.</u> on <u>7-14-05</u>	
<u>ROSE E. GEHRING</u>	
By <u>Sandy Horn</u>	Recorder
Fees \$ <u>15.00</u>	Deputy

EXHIBIT A

Township 24 North, Range 2 East, Boise Meridian, Idaho County, Idaho
Section 17: Government Lot 1
Section 18: Government Lots 2, 3, 4 and 9
Section 20: Government Lot 1

Township 24 North, Range 1 East, Boise Meridian, Idaho County, Idaho
Section 1: SE~~SE~~NE~~NE~~, SE~~SE~~SW~~SW~~, SE~~SE~~
Section 11: SE~~SE~~
Section 12: NE~~NE~~NW~~NW~~, S~~S~~NW~~NW~~, S~~S~~
Section 13: Government Lots 1, 2, 3 and 4
Section 14: Government Lots 2 and 5, NW~~NW~~SW~~SW~~,
Salmon Point Bar placer mining claim in the Rapid River
Mining District, being Government Lot 9,
SW~~SW~~NW~~NW~~ LESS a parcel of property located within the
SW~~SW~~NW~~NW~~ of Section 14 and also Government Lot 5 of
Section 15, said Township and Range, more particularly
described as follows:

Commencing at the meander corner between Sections 14
and 15;

thence S 24 1/4° W, 363 feet to the True Point of
Beginning;

thence continuing S 24 1/4° W, 957 feet;

thence S 18 3/4° W, 90 feet;

thence S 69° E, 70 feet;

thence N 53 1/2° E, 233.64 feet;

thence N 37 1/4° E, 343.86 feet;

thence N 29 3/4° E, 168.96 feet;

thence N 41 1/2° E, 559.68 feet;

thence West 467.28 feet to the Place of Beginning.

Section 15:

Government Lots 6 and 7

Government Lot 5 LESS a parcel of property located
within the SW~~SW~~NW~~NW~~ of Section 14 and also Government Lot
5 of Section 15, said Township and Range, more
particularly described as follows:

Commencing at the meander corner between Sections 14
and 15;

thence S 24 1/4° W, 363 feet to the True Point of
Beginning;

thence continuing S 24 1/4° W, 957 feet;

thence S 18 3/4° W, 90 feet;

thence S 69° E, 70 feet;

thence N 53 1/2° E, 233.64 feet;

thence N 37 1/4° E, 343.86 feet;

thence N 29 3/4° E, 168.96 feet;

thence N 41 1/2° E, 559.68 feet;

thence West 467.28 feet to the Place of Beginning.

ALSO LESS Bridge Landing and Approach as described in
Warranty Deed, recorded October 19, 1931, under
Instrument No. 97105, Book 60 page 87, records of Idaho
County, Idaho.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 1910 Northwest Blvd. Suite 210, Coeur d'Alene, Idaho 83814-2615

Phone: (208) 769-1450

Fax: (208) 769-1454

Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 29, 2005

John Peterson
W 128 Sumner Ave.
Spokane, WA 99204

RE: 77-4073

Dear Mr. Peterson:

Enclosed is a change of ownership form and a copy of the Claim to a Water Right that was filed by the Carlson's. Please fill out the form and send a copy of the warranty deed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Knoblock', is written over a horizontal line.

Kenneth Knoblock
Water Resources Agent

77-4073

Field Exam Notes

Date of Exam: June 27, 2005

The Point of Diversion (POD) is located on Berg Creek and has a GPS location of **N45° 25' 02"** by **W116° 14' 57.7"**. It was found to be located in Twp. 24N Rge. 02W **Sec. 17, SW NW SW** and not in **Sec. 18, SE NE SE** as indicated on the claim.

The diversion consists of a screened intake pipe located in the creek (*Photo 1*). During irrigation, water is backed up in the creek using a canvas dam to force water into the buried conveyance pipe. This pipe parallels Berg Creek on the west side to a point where it divides into a pipe that irrigates the field on the west side of Berg Creek and a pipe that crosses Berg Creek to irrigate the field on the east side of Berg Creek. The conveyance pipe across Berg Creek (*Photo 2*) is four inch (4") PVC and is located near the north end of the east field. Both fields are sprinkler irrigated.

The Place of Use (POU) is divided into two (2) fields, one on each side of Berg Creek (*Photos 3 & 4*). The POU was found to include Twp. 24N Rge. 02W **Sec. 17, SW SW** and **Sec. 20, NW NW** in addition to what is indicated on the claim.

The sprinklers that are used for irrigation are on hand lines and an irrigation gun. Flow measurements were taken at the sprinkler heads on the hand lines using a five (5) gallon bucket and a stopwatch. They are recorded below.

Sprinkler #	Time in Sec.	GPM	CFS
1	194	1.54639	0.00345
2	165	1.81818	0.00405
3	131	2.29008	0.00510
4	132	2.27273	0.00506
5	70	4.28571	0.00955
6	98	3.06122	0.00682
7	143	2.09790	0.00467
8	121	2.47934	0.00552
9	115	2.60870	0.00581
10	110	2.72727	0.00608
11	78	3.84615	0.00857
12	109	2.75229	0.00613

Sprinkler #	Time in Sec.	GPM	CFS
13	103	2.91262	0.00649
14	135	2.22222	0.00495
15	77	3.89610	0.00868
16	120	2.50000	0.00557
17	105	2.85714	0.00637
18	153	1.96078	0.00437
19	103	2.91262	0.00649
20	131	2.29008	0.00510
21	122	2.45902	0.00548
22	111	2.70270	0.00602
23	90	3.33333	0.00743

Total CFS 0.13776

A measurement of **58 psi** was taken at the irrigation gun using a pressure gage and a pitot tube. The irrigation gun that was being used at the time of the field exam had the following specifications:

Make: **Rainbird**
Model: **SR-3003**
Nozzle Size: **0.71"**

An output of **110 gpm** for **60 psi** was taken from a Rainbird Specification Table giving:

$$\frac{110 \text{ gpm}}{448.83} \approx 0.24508 \text{ cfs}$$

Total system output on the day of the exam was:

$$\text{Total cfs} \approx 0.138 + 0.24508 \approx 0.386 \text{ cfs}$$

At various points along Berg Creek between the POD and POU were the remains of a former metal conveyance pipe (*Photo 5*).

The owners of record are Opal Carlson, Guy Carlson, and Gus Carlson. The actual owners on the date of the exam were Mick and Gail Carlson. Mick is the son of Gus and Opal Carlson. In a telephone conversation (July 23, 2005), Gail Carlson stated that the Berg Creek property had been sold to John Peterson from Spokane, Washington as of July 15, 2005. Mrs. Carlson did not know how to contact Mr. Peterson directly but gave me the name of the realtor who facilitated the sale. Her name is Mary Nuchols from Brundage Realty (Office Phone: 634-1234, Cell Phone: 630-4642, e-mail: mary@brundagerealty.com). I contacted Mary Nuchols via e-mail on July 25, 2005. She stated that she would have the new owner contact me. As of this date (September 10, 2005) I have not heard from Mr. Peterson.

According to Mick Carlson, there are no other known water rights with a common POD or POU with this claim.

Field Examiner:



77-4073

NESE

NWSW

SPD
POD

POU
SESE

POU

SWSW

18 17

SESE

19 20

NENE

NWNW

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: A77-04073
Date Received: 5/19/1988
Receipt No: MO00022

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GUY M. CARLSON 208-628-3475
Address: RIGGINS, ID 83549

AND/OR
Name: GUS CARLSON 208-628-3381
Address: P.O. BOX 76
RIGGINS, ID 83549

AND/OR
Name: OPAL CARLSON 208-628-3381
Address: P.O. BOX 76
RIGGINS, ID 83549

2. Date of Priority: JAN 01, 1870

3. Source: BIG BURG CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	02E	18	SE	NE	SE		IDAHO

5. Description of diverting works:
WOODEN HEADGATE 14" TO 4" TO 2" STEEL PIPE GRAVITY SPRINKLE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	0.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A77-04073

Page 1

Date: 05/19/88

MICROFILMED
OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	02E	18	SE	SE	IRR	12.0
Section Acres						12.0
Total Acres						12.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
HOUSE USE FROM A SPRING.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM
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): Gina Carlson Date: May-19-88

Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 19th day

of May 19 88

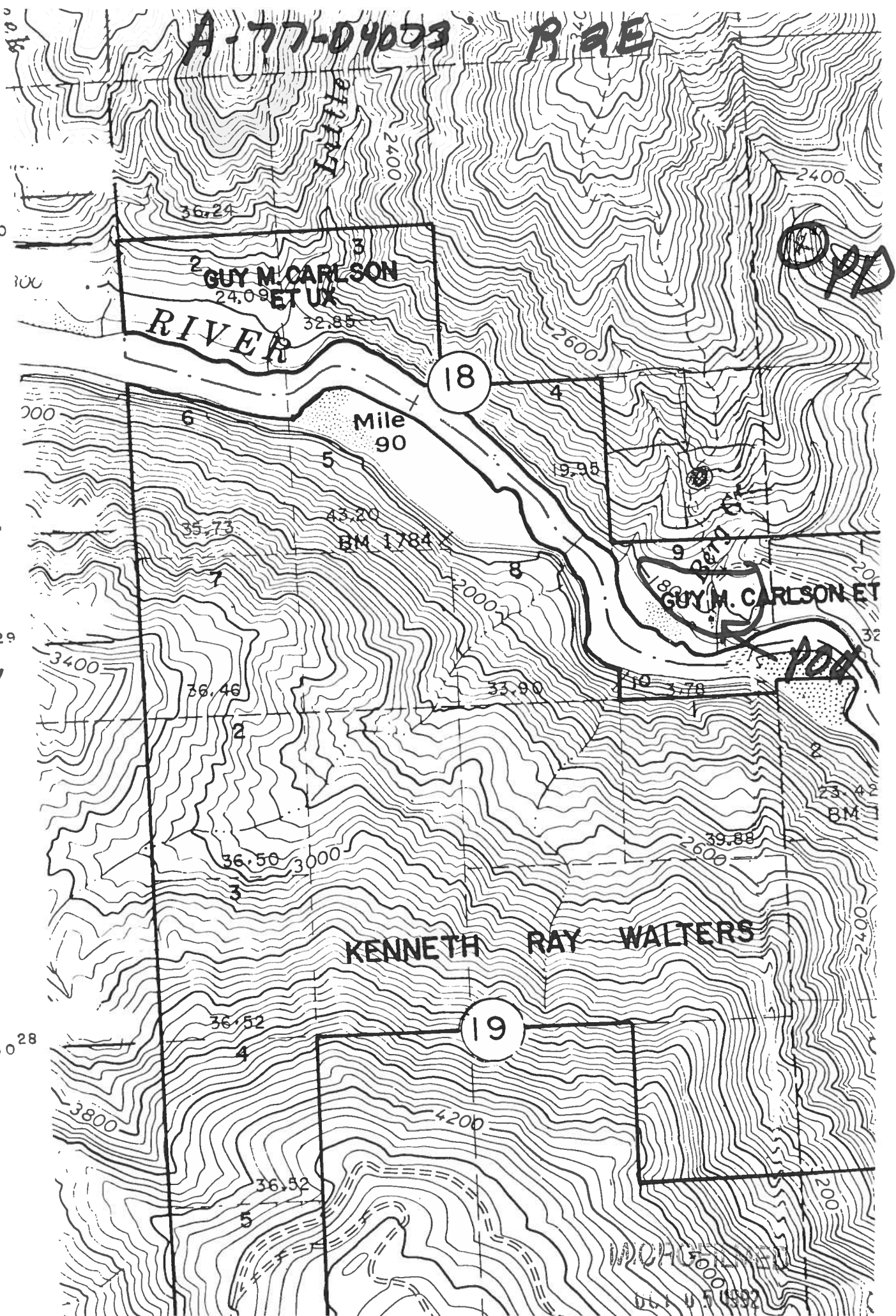
Seal

Ellen R. Carpenter
Notary Public

Residing at New Meadows, Idaho
My Commission Expires January 17, 1992

A-77-04073 RAE

1,370°00'
50°30'
100
25'
50°29'
24N



MCHG 5/1/92

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: A77-04073
Date Received: 5/19/1988
Receipt No: M000022

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GUY M. CARLSON 208-628-3475
Address: RIGGINS, ID 83549
AND/OR
Name: GUS CARLSON 208-628-3381
Address: P.O. BOX 76
RIGGINS, ID 83549
AND/OR
Name: OPAL CARLSON 208-628-3381
Address: P.O. BOX 76
RIGGINS, ID 83549

2. Date of Priority: JAN 01, 1870

3. Source: BIG BURG CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
24N	02E	18	SE	NE	SE		IDAHO

5. Description of diverting works:
WOODEN HEADGATE 14" TO 4" TO 2" STEEL PIPE GRAVITY SPRINKLE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	10/31	0.600		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A77-04073

Page 1

Date: 05/19/88

MICROFILMED
OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
24N	02E	18	SE SE		IRR	12.0
Section Acres						12.0
Total Acres						12.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
HOUSE USE FROM A SPRING.

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM
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): Lisa Carlson Date: May-19-88

Date: _____

State of Idaho)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 19th day

of May, 19 88

Seal

Ellen R. Carpenter
Notary Public

Residing at New Meadows, Idaho
My Commission Expires January 17, 1992

A-77-04073 RAE

1,370,000'

50 30

100

GUY M. CARLSON
ET UX

RIVER

18

Mile
90

25'

50 29

24N

35.73

43.20

BM 1784 X

GUY M. CARLSON ET

36.46

36.50

KENNETH RAY WALTERS

19

50 28

36.52

36.52

NOT RECORDED

DEC 4 5 1992

Priority Date Data Entry Form

Claim Number **77-4073**

Claimed Priority Date: 1/1/1870

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 1/1/1870

Water Right Basis: Statutory Claim

Recommended Priority Date Recommended Basis

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Reviewer:

Date:

Point of Diversion and Source Data Entry Form

Claim Number 77-4073

Claimed Point of Diversion and Source

T24N R02E S18 SENESE Within IDAHO County Source: BERG CREEK SALMON RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T24N R02E S18 NESE Within IDAHO County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Berg Creek Salmon River

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
24N	2E	17		SW NW SW	Idaho	Berg Creek

Other rights from this POD? None

Document how the POD and Source were verified:

Claimant indication on Photo-Aerial map / GPS location 45° 25' 02"
by W 116° 14' 57.7" / USGS 7 1/2 minute Topo map / On site Exam 6/10/05

Reviewer: _____

Date: _____

Place Of Use Data Entry Form

Claim Number 77-4073

Claimed Place Of Use

T24N R02E S18 SESE 12.0

Total Acres 12

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

T24N R02E S18 SESE 30.0

Total Acres 30

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
24N	2E	18	SE	SE	Idaho			Irrigation
24N	2E	17	SW	SW	Idaho			Irrigation
24N	2E	20	NW	NW	Idaho			Irrigation

Total Acres _____

Document how the POU was verified:

Claimant Indication on Photo-Quad Map/On site exam *[Signature]*

Reviewer: _____

Date: _____

Purpose of Use Data Entry Form

Claim Number 77-4073

Claimed Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

☐ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit
IRRIGATION			

Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
IRRIGATION				

Document how the Purpose of Use was verified:

On Site exam with Farmowner / Claimant Statement.

Reviewer: _____

Date: _____

Period of Use and Quantity Data Entry Form

Claim Number **77-4073**

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	10/31	0.6	

Overall Diversion Rate 0.6

Overall Diversion Volume

☐ **Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity**

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	10/31	0.6	

Overall Diversion Rate 0.6

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation			0.386 cfs	

Overall Diversion Rate _____

Overall Diversion Volume _____

Document how the Period of Use and/or Diversion Rate were verified:

Measurement (Rate) *John J. Jaraman* (See Notes)

Reviewer: _____

Date: _____

Contacts Data Entry Form

Claim Number: 77-4073

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	OPAL CARLSON	PO BOX 76	RIGGINS	ID	83549	(208)628-3381
Current Owner	GUY M CARLSON	PO BOX 250	RIGGINS	ID	83549	(208)628-3515
Current Owner	GUS CARLSON	PO BOX 76	RIGGINS	ID	83549	(208)628-3381

Date of Field Exam: June 27, 2005 Time: 5:00 pmAccompanied By: ^{nick}Alfred Carlson, Phone Number: (208) 628-3475Relationship to Claimant: Son of Son Owner — see write-up

Directions to Property (if different from above) and/or update owner information:

Go up Salmon River out of Riggins Cross Bridge at
Lake Creek. Turn left immediately off Bridge & follow
road downstream to end.

Reviewer: _____

Date: _____

Riggins
(1995)



77-4073

101

Riggins Hot Springs (1985)

