

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 67-467A
Date Received: 8/31/1989
Receipt No: W005325
Received By:

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

1. Name of Claimant(s)

FARRELL E CARR Phone: (208) 256-4350

PO BOX 45
INDIAN VALLEY ID USA 83632

JOAN C CARR Phone: (208) 256-4350

PO BOX 45
INDIAN VALLEY ID USA 83432

2. Date of Priority: 06/01/1888

3. Source: LITTLE WEISER RIVER Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
14N	01W	15	SE SE	ADAMS	

5. Description of diverting works:

DIVERSION DAM IN RIVER TO CEMENT CULVERT W/HEADGATE TO DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	3/15	11/15	0.18	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	01W	15	NW	SE	IRRIGATION	15
					Section Acres	15
					Total Acres	15

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:

14. Remarks:

15. Basis of Claim: Decreed

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: _____

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

Ident. Number: **A67-00467A**
Date Received: ~~8/07/1989~~ 8/31/89
Receipt No: W05325
Received By: [Signature]

RECEIVED
AUG 31 1989

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

- OR

MICROFILMED
OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
14N	01W	15	NW SE		IRR	15.0
Section Acres						15.0
Total Acres						15.0

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:

CLAIM NO.'S A67-00468A AND A67-04090, ALSO C. BEN ROSS RES.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

Decree Plaintiff

vs

Decree Defendant

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): *Darrell E Carr* Date: 8/21/89
Joan C Carr Date: 8/21/89

State of Idaho)

Witnessed by

County of _____)

SS.

Pamela Zamets
Pamela Zamets

Subscribed and sworn (or affirmed) before me this _____ day

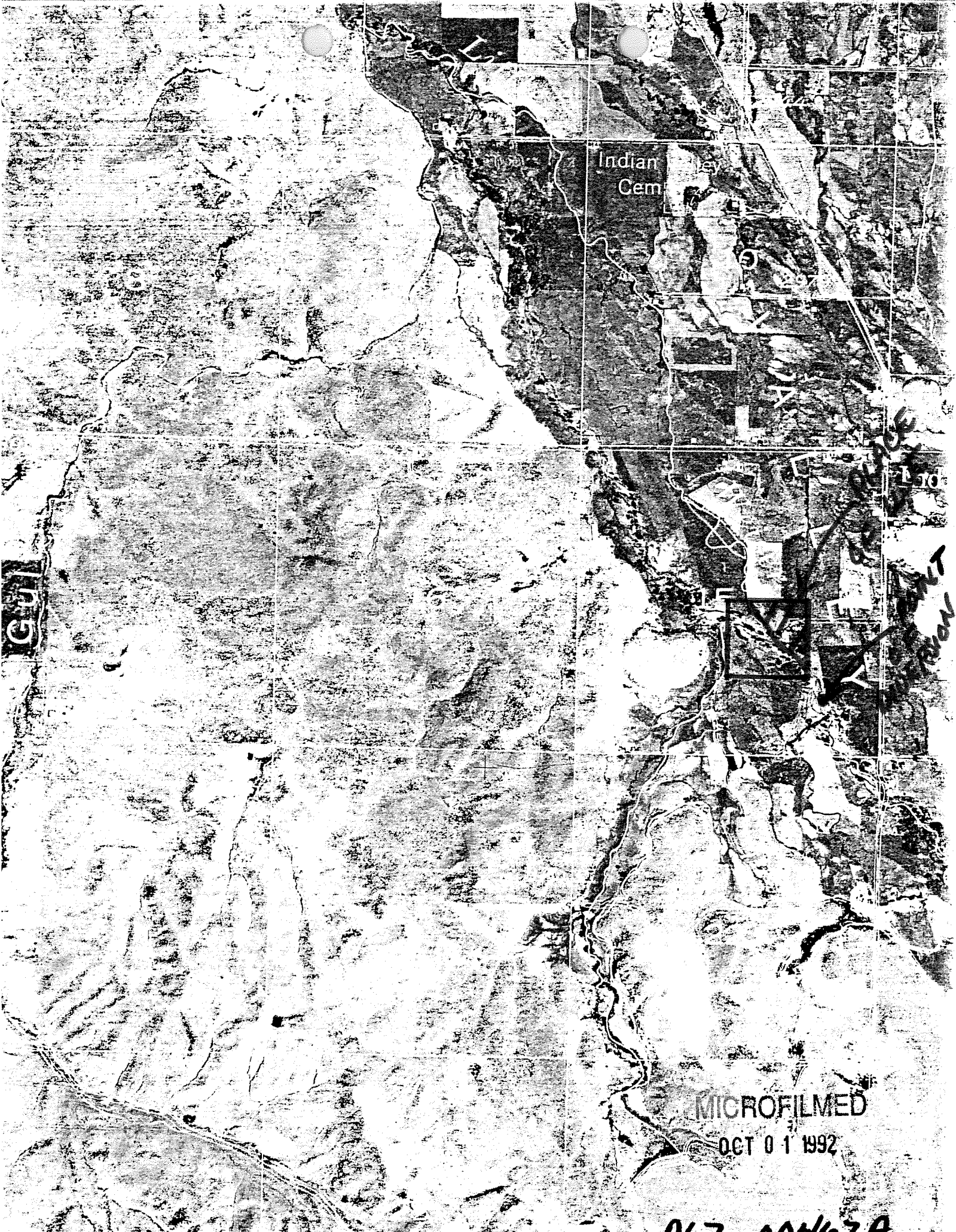
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



Indian Cem

L-10

L-11

MICROFILMED

OCT 01 1992

017



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

December 14, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

FARRELL E CARR
JOAN C CARR
PO BOX 45
INDIAN VALLEY ID 83432

RON DUNHAM
852 INDIAN VALLEY RD
INDIAN VALLEY ID 83632

RE: Amended SRBA Recommendations for 67-467A, B, C and 67-468A, B, C

Dear Claimants:

This letter is to inform you that the recommendations for the split portions of 67-467 and 67-468 have been amended based on new evidence. Through the Notice of Error (NOE) process, 1919 tax assessment records were submitted as additional evidence of which ground was the historically irrigated under rights 67-467 and 67-468.

The recommendations for this right have been adjusted three times. The first time the decreed rights were distributed based on what was interpreted to be the original irrigated ground.

There was claimant disagreement with this distribution based on this procedure so lacking better evidence, I recommended the split proportions based on water master records, knowing that there was evidence to indicate that the water master records were wrong for rights 67-467 and 67-468 as they show delivery of more water than was originally decreed.

After the preliminary mailing was sent out, Mr. Dunham provided 1919 tax assessment documents that showed how much irrigated ground existed in each of the decreed 40 acre tracts. The actual acreage shown in the 1919 tax roll was 140 acres and a total decreed acreage between the two rights was 131.2 acres.

By taking the number of acres in each 40 and dividing it by the total 140 acres, we came up with a percentage of irrigated ground per QQ for the decreed POU. That percentage was then used to calculate how much each split portion had from each decreed right.

The 1919 tax assessment roll appears to be the most reliable date I have currently. If you disagree with the recommendations for your water rights, you will have a chance to file an objection and be heard by the SRBA court.

Respectfully submitted,

Craig L. Saxton
Sr. Water Resource Agent
Adjudication Bureau

Enclosure(s)

12/14/2006

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

RIGHT NUMBER: 67-467A

NAME AND ADDRESS: FARRELL E CARR
PO BOX 45
INDIAN VALLEY ID 83632

JOAN C CARR
PO BOX 45
INDIAN VALLEY ID 83432

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.054 CFS

This right when combined with other rights from the point of diversion located in the SESE quarter of 14N 1W S15 (also known as Steward Ditch pod) is limited to a total combined diversion rate of 10.32 cfs.

PRIORITY DATE: 06/01/1888

POINT OF DIVERSION:

T14N R01W S15 SESE Within ADAMS County

T14N R01W S36 SENW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.054 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T14N R01W S15	NWSE	24.00	T14N R01W S15	SWSE	18.00
---------------	------	-------	---------------	------	-------

42 ACRES TOTAL

This right is limited to the irrigation of 4.3 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 42.0 acres in a single irrigation season. Combined Right Nos.: 67-467A, 67-468A, and 67-4090

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

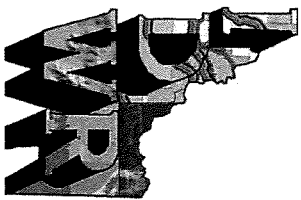
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

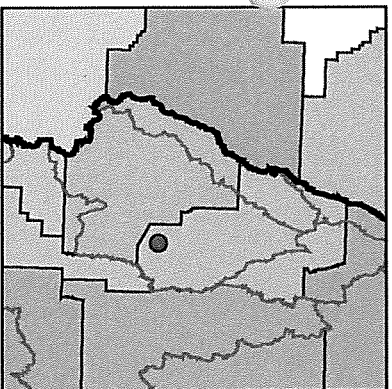
Idaho Department of Water Resources



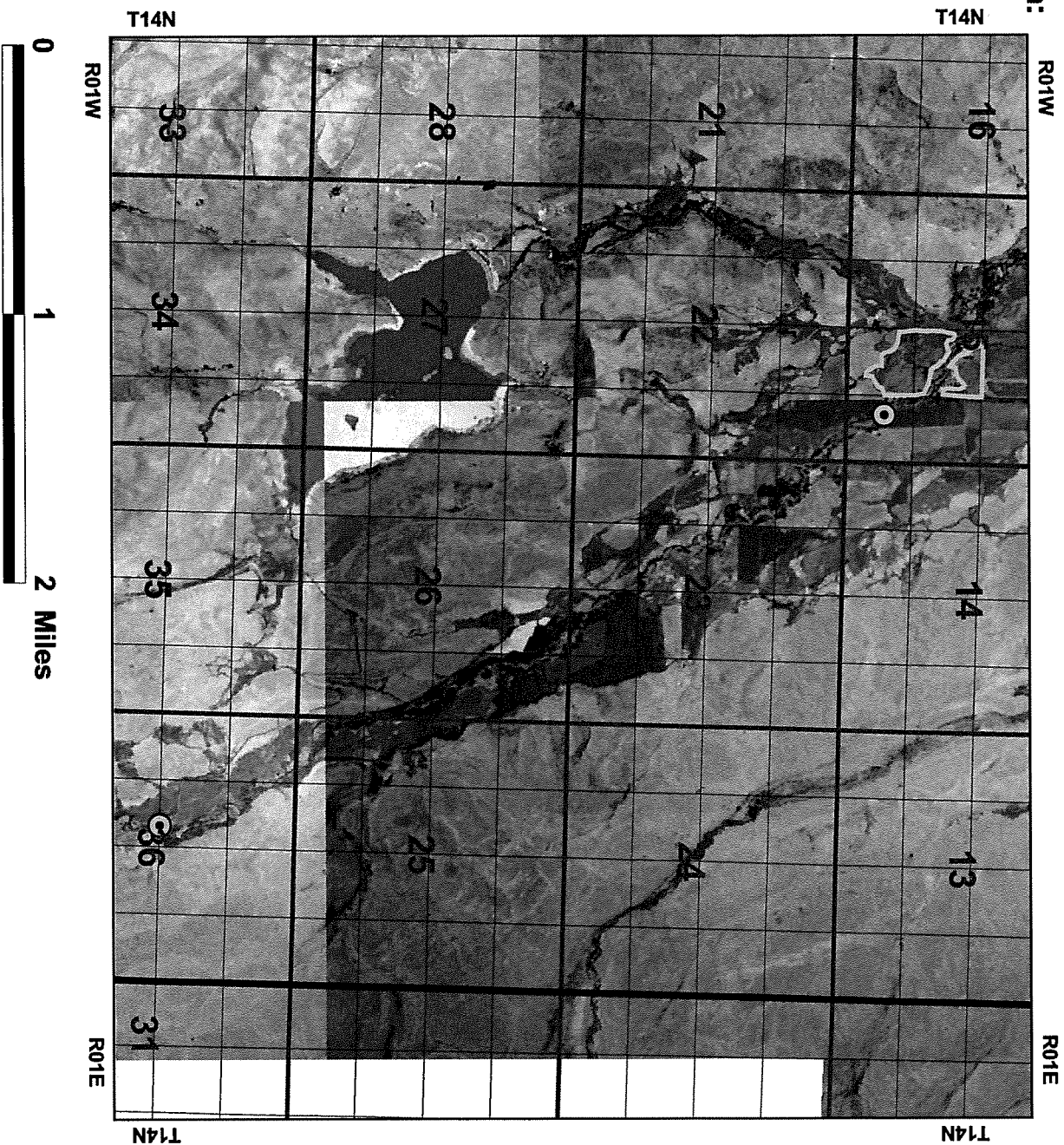
SRBA Recommendation:
67-467A
(Irrigation)

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters

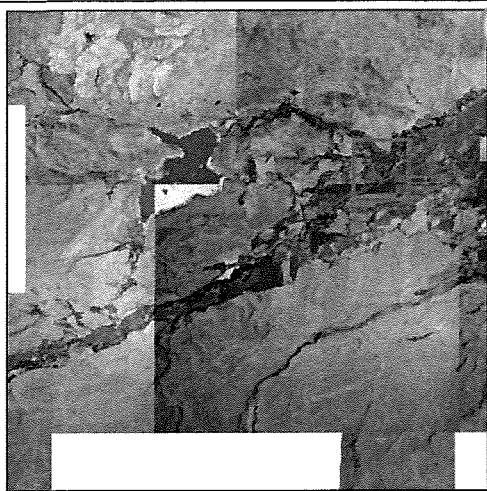


Adams County
IDWR Basin 67



Prepared by IDWR State Office
On Thursday, December 14, 2006
1987/88 Aerial Photography

67-467A



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-467A V1

WATER RIGHT NUMBER: 67-467A V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FARRELL E CARR PO BOX 45 INDIAN VALLEY, ID 83632 (208) 256-4350
Current Owner	JOAN C CARR PO BOX 45 INDIAN VALLEY, ID 83432 (208) 256-4350

Priority Date: 06/01/1888

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
LITTLE WEISER RIVER	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.054 CFS	
	<u>Total Diversion:</u>	0.054 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	SE1/4NW1/4	Sec. 36, Twp 14N, Rge 01W, B.M.
ADAMS County		
LITTLE WEISER RIVER	SE1/4SE1/4	Sec. 15, Twp 14N, Rge 01W, B.M.
ADAMS County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE					
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals	
14N	01W	15														24.0	18.0		42.0	

Total Acres: 42

Conditions of Approval:

1. K06 This right is limited to the irrigation of 4.3 acres within the place of use described above in a single irrigation season.
2. E56 The rights listed below are limited to the irrigation of a combined total of 42.0 acres in a single irrigation season. Combined Right Nos.: 67-467A, 67-468A, and 67-4090
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-467A V1

4. C18 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.
5. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
6. 178 This right when combined with other rights from the point of diversion located in the SESE quarter of 14N 1W S15 (also known as Steward Ditch pod) is limited to a total combined diversion rate of 10.32 cfs.

Remarks:Comments:

1. mcase 7/27/2004 Quantity

Comment: Parent right decreed for .5 cfs. Splits have claimed a total of .65 cfs. This right has claimed .18 cfs, for the irrigation of 15 acres with other associated water rights.

2. csaxton 12/14/2006 NOE

Comment: After the preliminary mailing was sent out, Mr. Dunham provided 1919 tax assessment documents that showed how much irrigated ground there was in each of the the decreed 40 acre tracts. The actual acreage shown in the 1919 tax roll was 140 acres and a total of 131.2 acres was decreed under the two above mentioned rights.

By taking the number of acres in each 40 and dividing it by the total 140 acres, we came up with a percentage of irrigated ground per QQ for the decreed POU. That percentage was then used to calculate how much each claimant had from each decreed right.

This appears to be the most reliable date I have currently.

3. csaxton 12/14/2006 Water master Delivery

Comment: However, evidence indicates that the water master records are wrong for rights 67-467 and 67-468 as they show delivery of more water than was originally decreed. So the 1919 tax lot date seems to be the most reliable data available.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	7/27/2004 8:44:41 AM	mcase			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-467A V1

POD	7/27/2004 8:54:13 AM	mcase	Active
Source	7/27/2004 8:55:56 AM	mcase	Active
POU	7/27/2004 9:05:25 AM	mcase	Active
Use	7/27/2004 9:05:34 AM	mcase	Active
Season	7/27/2004 9:06:14 AM	mcase	Active
Quantity	7/27/2004 9:06:21 AM	mcase	Active
Summary		12/23/2005 csaxton	Active
Contacts	12/27/2005 2:53:00 PM	csaxton	Active
Priority Date	12/27/2005 2:58:35 PM	csaxton	Active
Source	12/27/2005 2:58:42 PM	csaxton	Active
POU	12/27/2005 2:58:52 PM	csaxton	Active
Use	12/27/2005 2:58:59 PM	csaxton	Active
Season	12/27/2005 2:59:16 PM	csaxton	Active
Quantity	12/27/2005 2:59:29 PM	csaxton	Active
Summary		12/27/2005 csaxton	Active
POD	12/27/2005 3:00:36 PM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	7/27/2004 8:44:41 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Source	7/27/2004 8:55:57 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
Season	7/27/2004 9:06:15 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-467A V1

Quantity	7/27/2004 9:06:22 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
POD	7/27/2004 8:54:14 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file?
POU	7/27/2004 9:05:26 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU?
Use	7/27/2004 9:05:35 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Summary	12/23/2005 10:19:00 AM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?
POU	11/26/2006 11:23:22 AM	csaxton	Edited Season Of Use
POU	11/26/2006 11:23:14 AM	csaxton	Updated shape for Active POU
POD	1/17/2006 1:43:36 PM	csaxton	Updated PLS
POD	1/17/2006 9:07:14 AM	csaxton	Updated shape
POD	1/17/2006 9:08:10 AM	csaxton	Updated PLS
POU	1/17/2006 9:08:53 AM	csaxton	Updated shape for Active POU
POD	1/17/2006 1:43:25 PM	csaxton	Updated shape
POD	1/17/2006 1:44:19 PM	csaxton	Updated PLS
POU	1/17/2006 9:09:02 AM	csaxton	Updated PLS for Active POU
POD	1/17/2006 9:17:11 AM	csaxton	Updated shape
POD	1/17/2006 1:44:10 PM	csaxton	Updated shape
POU	11/26/2006 11:23:32 AM	csaxton	Updated PLS for Active POU
Contacts	12/27/2005 2:53:01 PM	csaxton	(No) 1. Do you want to schedule an appointment?

Comment for 1: Desktop review.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-467A V1

Source	12/27/2005 2:58:43 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	12/27/2005 2:58:53 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Use	12/27/2005 2:59:00 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
POD	12/27/2005 2:54:21 PM	csaxton	Updated shape
POU	12/27/2005 2:54:54 PM	csaxton	Updated PLS for Active POU
General	12/27/2005 2:58:36 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
Season	12/27/2005 2:59:16 PM	csaxton	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-467A V1

Quantity	12/27/2005 2:59:30 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?
Summary	12/27/2005 2:59:38 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POD	12/27/2005 3:00:37 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree or License?
POU	12/27/2005 2:54:48 PM	csaxton	Updated shape for Active POU

Water Supply Bank:

Split history for Decreed Right 67-467

WR History

Claim History

Recommended

67-467A	Car
0.18	
15	

67-467A	Car
0.064	
4.3	

67-467	Steward
0.5	cfs
40	ac
0	af

67-467B	Winfree
0.117	
40	

67-467B	Winfree
0.089	
7.1	

Acres calculated at 5/8 in per acre

67-467C	Dunham
0.353	
120	

67-467C	Dunham
0.357	
28.6	

Sum CFS =	0.65
Sum Acres =	175
Sum Af =	n/a

Sum CFS =	0.5
Sum Acres =	40
Sum Af =	n/a

Extra CFS =	-0.15
Extra Acre =	-135
Extra AFA =	n/a

Extra CFS =	0
Extra Acre =	0
Extra AFA =	n/a

*Last updated 12-27-05 (csaxton)
For digital copy of Excel spreadsheet file: See Craig L. Saxton

Water Master Records

PARCEL #	Name	67A #	Suffix	Date	CFS	Notes
14N01W157800	CARR, FARRELL	467	A	6/1/1888	0.18	15
14N01W106600	WINFREE, GEORGIE	467	B	6/1/1888	0.38	30

Roger Meyers notes indicate that more water is being delivered under 467 than was decreed.
67-467 was decreed for 0.50 cfs or 25 inches. 0.56

Water Right Number: 67-467

Acres: 40

[illegible]

Carr Claim Matrix

Water Right History

Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	467		Decreed	Active	1888-06-01	0.5		LITTLE WEIS	IRRIGATION	STEWARD, G E (Curre w/	WaterRight
67	468		Decreed	Active	1880-03-01	1.14		LITTLE WEIS	IRRIGATION	STEWARD, G E (Curre w/	WaterRight

Total =	1.64
Inches =	82
acres @ 5/8=	131.2

Claim

Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	467	A	Decreed	Active	1888-06-01	0.18	15	LITTLE WEIS	IRRIGATION	CARR, FARRELL E (C) Claim	
67	468	A	Decreed	Active	1880-03-01	0.26	20	LITTLE WEIS	IRRIGATION	CARR, FARRELL E (C) Claim	
67	4090		Statutory Clai	Active	1880-03-01	1.3	65	LITTLE WEIS	IRRIGATION	CARR, FARRELL E (C) Claim	

Water Master Records

PARCEL #	Name	67A #	Suffix	Date	CFS	Notes
#N01W1578	CARR, FARR	467		6/1/1888	0.18	15
#N01W1578	CARR, FARR	468	A	3/1/1880	0.26	21
#N01W1578	CARR, FARR	4090		3/1/1880	1.3	104

Records show that this right is over delivered
Records show that this right is over delivered
This is a Stat claim and should not be delivered

Recommend

Basin	Sequence	Suffix	Basin	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	467	A	Decreed		1888-06-01	0.064	4.3	LITTLE WEIS	IRRIGATION	CARR, FARRELL E (C) Recommendation	
67	468	A	Decreed		1880-03-01	0.122	9.8	LITTLE WEIS	IRRIGATION	CARR, FARRELL E (C) Recommendation	
Total =							0.176	14.08			

*Recommended diversion rate brings total diversion of stat and decreed water to 1" per acre.

Partially Decreed	67	10148	Decreed	Active	1880-03-01	0.04	GROUND W/ DOMESTIC					CARR, FARRELL E (C) w/ WaterRight
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Memorandum

Date: 1-13-06

To: File 67-467A, 67-468A, and 67-4090

From: Craig L. Saxton

RE: Preliminary recommendation for SRBA claims 67-467A, 67-468A, and 67-4090

I met with Farrell and Joan Carr on 1-6-06 to discuss the preliminary recommendations I made on the above listed claims. There were three main points of contention.

- 1) No evidence of priority was submitted for irrigation of ground located in the SWSE of section 15. Mr. and Ms. Carr brought in copies of 1915 tax notices that reference 25 acres of agricultural ground in the SWSE. Due to Muir vs. Allison, the best priority I can recommend is 5-10-1918. Mr. Carr drew in the irrigated POU and I agree with his findings. I will recommend flood water on the SWSE.
- 2) POD recommended under 67-467A and 67-4090 put the POD to the Steward Ditch. According to the claimant, there is another POD downstream from the Steward Ditch POD and is located in the NWSE of S.15. The claimant drew in the location of the POD on a map. I do not know when this POD was put in place and am not totally sure if it is from the main source or from a ditch. The map provided by the claimant in 1989 does not show the additional "POD". The POD in the NWSE will not be recommended, but **by this memo, there could be another active POD that might require a transfer.**
- 3) Add POD in Section 36 for 67-467A and add the Section 15 POD to 67-468A per the addition of the decreed acres recommended SW of the Little Weiser River. Through historical irrigation practices, I believe both PODs are used to divert both 67-467A and 67-468A and the acreage that each one is used on within the 17.2 ac recommended, is not distinguishable.

Basically, the proportionate share of water that is recommended for 67-367A and 67-368A, cannot be put on either the north side or the south side of the creek. Simply, the numbers don't match. Example: there are 8.3 irrigated acres on the south side of the Little Weiser. But the claimants proportionate share is 12 acres of water. There are 8.9 irrigated acres on the north side of the Little Weiser, but the claimants proportionate share is 5.2 acres. **In order for this water to irrigate what it has been irrigating, both rights are used on both pieces of property. That requires both POD's to be on each right.**

- 4) I originally thought the decreed POU for 67-467 and 67-468 was limited to ground located NE of the Little Weiser River. However, 67-467 and 67-468 were delivered from two different ditches per the decree. Mr. Carr stated that one of those ditches put water on his property SW of the Little Weiser River. I do not have any information to show otherwise. In addition, Water Master records show that delivery for Mr. Carr for portions of 67-467 and 67-468 come from two different diversion points, yet the same source.

Based on this new information, I increased the acreage recommended under the decreed rights 67-467 and 67-468

Priority Date Data Entry Form

Claim Number 67-467A

Claimed Priority Date: 6/1/1888

Claimed Basis: Decreed

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

Water Right Priority Date:

Water Right Basis:

Recommended Priority Date __ __ __

Recommended Basis _____

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

As Decreed _____

Point of Diversion and Source Data Entry Form

Claim Number 67-467A

Claimed Point of Diversion and Source

T14N R01W S15 ~~SE~~ ^{NWSE} Within ADAMS County Source: LITTLE WEISER RIVER WEISER RIVER☒ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source
14N	1W	15		NWSE		
		36		SE NW		

Other rights from this POD? 67-467A, 67-468A, 67-4090

Document how the POD and Source were verified:

GPS point taken from Roger Meyer on 6/20/05. Tag #: A0016755 ~~2005-06-20~~

Meeting w/ claimant 1-6-06, claimant indicated on map that POD located in NWSE S15. Confirmed by Roger Meyer delivery notes that show delivery system for 67-467A + 67-468A being from 2 diff POD's

C. Gough 1-17-06

Place Of Use Data Entry Form

Claim Number 67-467A

Claimed Place Of Use

T14N R01W S15 NWSE 15.0

Total Acres 15

☐ Use Claimed POU as Recommended POU

Water Right Place Of Use

Recommended Place of Use

☐ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use
T14N	R01W	S15	NWSE		Adams		8.2 17.2	Irrigation

Total Acres ~~8.2~~
17.2

Document how the POU was verified:

Aerial photography and decreed information regarding place of use. _____

Purpose of Use Data Entry Form

Claim Number 67-467A

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
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Recommended Purpose of Use

Water Use	Number of Homes	Number of Stock	Acre Limit	Number of Other
Irrigation			2.5 5.2	

Document how the Purpose of Use was verified:

As Decreed _____

This right is limited to ~~2.5~~
5.2 acres within the POU described above.

Period of Use and Quantity Data Entry Form

Claim Number 67-467A

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	3/15	11/15	0.18	

Overall Diversion Rate 0.18

Overall Diversion Volume

 X 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

Overall Diversion Rate

Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
Irrigation	3/15	10/31	0.03 0.07	n/a

Overall Diversion Rate ~~0.03~~
0.07

Overall Diversion Volume n/a

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

Diversion rate recommended is the proportionate share based on the number of original acres irrigated by the decreed right that is now owned by the claimant.

Contacts Data Entry Form**Claim Number: 67-467A**

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	FARRELL E CARR	PO BOX 45	INDIAN VALLEY	ID	83632	(208) 256-4350
Current Owner	JOAN C CARR	PO BOX 45	INDIAN VALLEY	ID	83432	(208) 256-4350

Date of Field Exam: **Met with claimant on two occasions** Time: _____

Accompanied By: _____ Phone Number: _____

Relationship to Claimant: _____

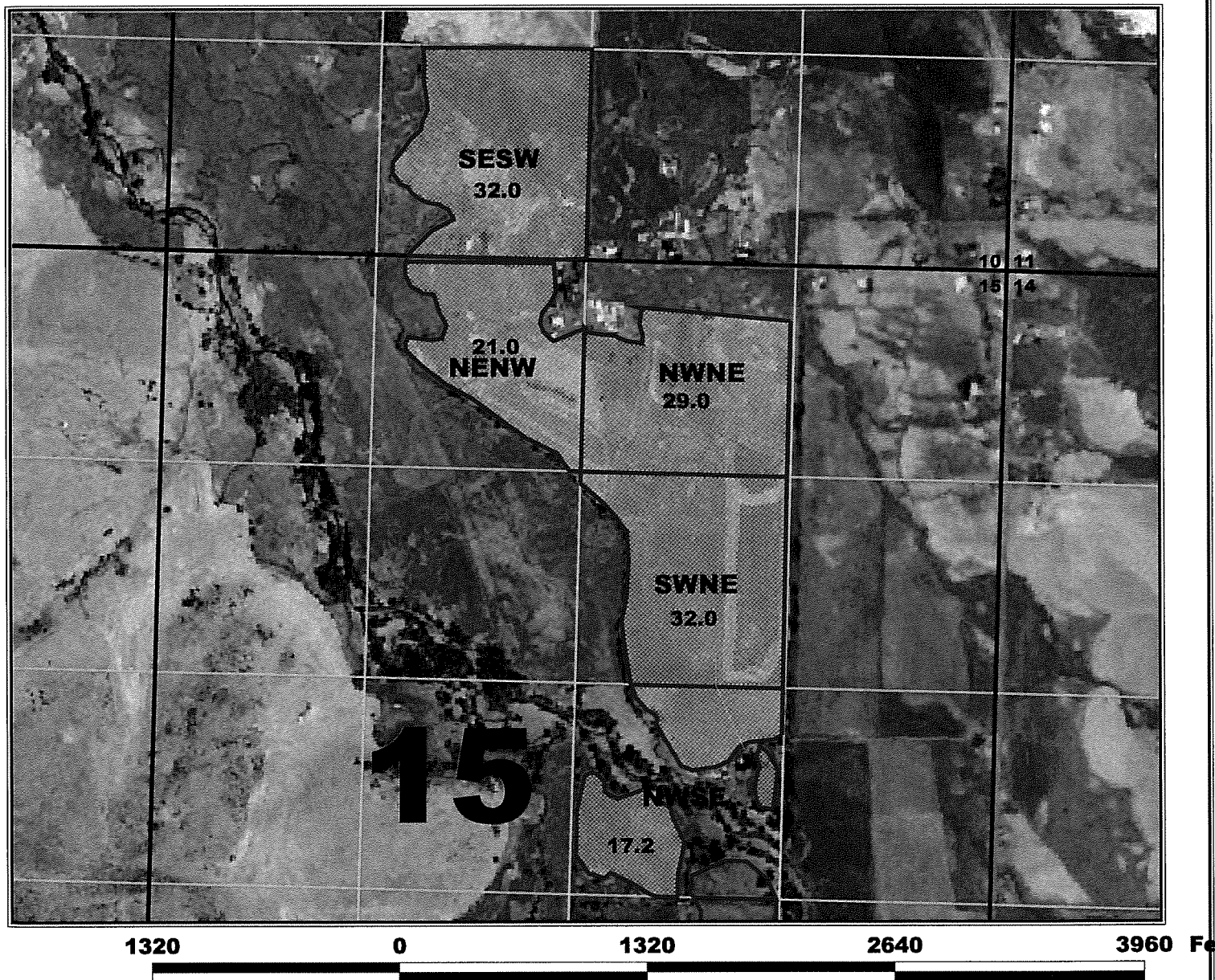
Directions to Property (if different from above) and/or update owner information:

Contact information appears accurate. __________



State of Idaho

Estimated original POU for decreed rights
67-467 and 67-468. Based on diversion rate
original POU contained a maximum of 131.2 acres.



Point of Diversion

Total Irrigated Acres = 131.2



Assumed Decreed POU



Claimed Place of Use



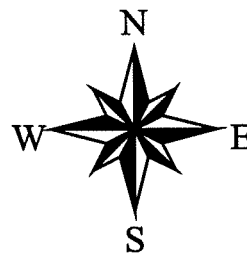
Tax Lot Data - N/A



Quarter Quarter Lines



Section Lines



Prepared By: Craig L. Saxton
Date: January 2006

Bailey-Hutchinson Ditch.

J. D Bailey	15	June 1, 1885	67 0457
Walter Benson, sub for Caroline Bailey	6	June 1, 1894	67 0458
D W Hutchinson	19	June 1, 1890	67 0459

Underwood Ditch.

A B Byers	15	June 1, 1882	67 0460
Mattie R Gray	23	June 1, 1891	67 0461

Andrew Hutchinson Ditch.

Andrew Hutchinson	50	June 1, 1873	67 0462
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Ware Ditch.

Mrs. H L Ware	32	June 1, 1887	67 0463
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Gladheart Ditch.

Edith K Devaney and Ella Mae Carter	22	May 1, 1886	67 0464
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Snow Ditch.

Matilda Snow	26	June 1, 1883	67 0465
Ellie Snow	29	June 1, 1883	67 0466

Steward Ditch

G E Steward	25	June 1, 1888	67 0467
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Steward Curtis

G E Steward	57	March 1, 1880	67 0468
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Markebury Ditch.

R F Coutts	34	June 1, 1884	67 0469
W C Shearer	1	June 1, 1886	67 0470
C E Kennedy	14	June 1, 1886	67 0471

Wilderson-Mickey Ditch.

B N York	10	May 1, 1881	67 0472
J L Starr	22	May 1, 1881	67 0473
George Vorhees	35	May 1, 1881	67 0474
Emma N Schroyer	25	May 1, 1881	67 0475
W H Thomason	32	May 1, 1881	67 0476

Schwenkfelder Ditch.

William R Gladheart	121	May 1, 1884	67 0477
Jacob Moritz	49	May 1, 1892	67 0478
John Schwenkfelder	145	May 1, 1892	67 0479
Leslie Johnson	95	May 1, 1892	67 0480
B N York	25	May 1, 1892	67 0481
H C Wilderson	25	May 1, 1894	67 0482
Albert Moritz	35	May 1, 1894	67 0483
A C Hatley sub for H E Hustead	19	May 1, 1911	67 0484

South Side Ditch.

W H Thomason	44	May 1, 1886	67 0485
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Allison Ditch.

Henry Mosman	85	May 1, 1891	67 0486
Stella Beigh	12	May 1, 1891	67 0487
H L Snyder	66	May 1, 1891	67 0488
M C Wilderson	82	May 1, 1891	67 0489

ALBERT McDOWELL: The Southeast Quarter of the Northeast Quarter, Section 4, Township 14 North, Range 1 West Boise Meridian.

H L JOSLIN: The Northeast Quarter of the Northwest Quarter Section 10, Township 14 North, Range 1 West Boise Meridian.

J D BAILEY: The Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter Section 4, Township 14 North, Range 1 West Boise Meridian.

WALTER BENSON: The Southeast Quarter of the Northeast Quarter and the East half of the Southeast Quarter and the Southwest Quarter of the Southeast Quarter, Section 9, Township 14 North, Range 1 West Boise Meridian.

D W HUTCHINSON: Lot 1, and the Southeast Quarter of the Northeast Quarter Section 5, the Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southeast Quarter Section 4, Township 14 North, Range 1 West Boise Meridian.

A S BYNRS: The South half of the Southeast Quarter, Section 32, Township 15 North, Range 1 West Boise Meridian.

MATTIE E. GRAY: The Northeast Quarter of the Southeast Quarter, Section 32, and the Southwest Quarter of the Southwest Quarter, Section 33, Township 15 North, Range 1 West Boise Meridian.

ANDREW HUTCHINSON: Lots 3 and 4 the Southeast Quarter of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter, Section 4, Township 14 North, Range 1 West Boise Meridian.

MRS. H L WARD: The Northwest Quarter of the Northwest Quarter, Section 10, and the East half of the Northeast Quarter of the Northeast Quarter, Section 9, Township 14 North, Range 1 West Boise Meridian.

EDITH K DEYANEY AND MELA MAE CARTER: The Northeast Quarter of the Southwest Quarter, and the North half of the Southeast Quarter, Section 18, and the Northwest Quarter of the Southwest Quarter, Section 17, Township 14 North, Range 2 West Boise Meridian.

MATILDA SNOW: The Southeast Quarter of the Southeast Quarter Section 9 and the Southwest Quarter of the Southwest Quarter Section 10, Township 14 North, Range 1 West Boise Meridian.

ELLIS SNOW: The Northeast Quarter of the Southeast Quarter, Section 9, and the Northwest Quarter of the Southwest Quarter Section 10 and 1 acre in the Northwest corner of the Northeast Quarter of the Southwest Quarter Section 10, Township 14 North, Range 1 West Boise Meridian.

G E STEWARD: The Southeast Quarter of the Southwest Quarter Section 10 and the West half of the Northeast Quarter, the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Southeast Quarter Section 15, Township 14 North, Range 1 West Boise Meridian.

R F COUTTS: The South half of the Northwest Quarter, the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter Section 32, Township 15 North, Range 1 West Boise Meridian.

W C SHUMAKER: The Southwest Quarter of the Southeast Quarter Section 31, Township 15 North, Range 1 West Boise Meridian.

C E KENNEDY: The West half of the Southwest Quarter Section 32, and the North half of the Southeast Quarter and the East half of the Northeast Quarter Section 31, Township 15 North, Range 1 West Boise Meridian.

LITTLE WRISER (CON.)

Chris Behnen	8	June 1, 1895
J. A. Lemons	30	" " 1900
J. W. Keeneely sub for Leitchliter	13	" " 1902
Fred Anderson	38	" " 1875
G. E. Steward	25	" " 1888
	57	Mar 1, 1880
W. C. Schearer	1	June 1, 1886
R. F. Coutts	34	" " 1884
C. E. Kennedy	14	" " 1886
Mattie R. Gray	23	" " 1891
A. S. Byers	15	" " 1882
Samuel Woods	93	" " 1883
J. D. Bailey	15	" " 1885
Walter Benson, sub for Caroline Bailey	6	" " 1894
Albert McDowell	19	" " 1889
Andrew Hutchinson	50	" " 1873
<i>D W Hutchinson</i>	19	" " 1890
Mrs. H. L. Ware	32	" " 1887
H. L. Joslin	17	" " "
Jesse Bushwood	7	1885
John Woods	7	" " 1909
Elizabeth Woods	10	" " "
John Hutchinson	30	May 1, 1897
Anna Hutchinson	8	June 1, 1885
J. E. Donert	76	July 1, 1883
Heirs of R. H. Martin	90	May 1, 1887
Samuel A. Mentzer, sub for Riley Cox	94	" " "
Marion Smith	92	" " "
W. D. Morey	162+	" " "
Mrs. Margaret A. Crouter	65	" " "
Henry Mossman	85	" " 1891

Microfilm

JUL 24 1996