

11/20/2006

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

RIGHT NUMBER: 75-64

NAME AND ADDRESS: P SAM SLAVIN
212 WASHINGTON ST
SALMON ID 83467

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 1.500 CFS

PRIORITY DATE: 05/01/1874

* POINT OF DIVERSION: T22N R22E S3 NESW Within LEMHI County
S3 SWNW

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	04/01 10/31	1.500 CFS
PLACE OF USE:	<u>IRRIGATION in LEMHI County</u>		
	T22N R22E S09 NENE	18.00	T22N R22E S09 SENE 37.00
	T22N R22E S10 NWNW	34.00	T22N R22E S10 SWNW 8.40
	97.4 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 - Decreed

RECEIVED
DEC 15 2006
IDWR/North

11/06/2006

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PURPOSE AND
PERIOD OF USE:

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PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.500 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

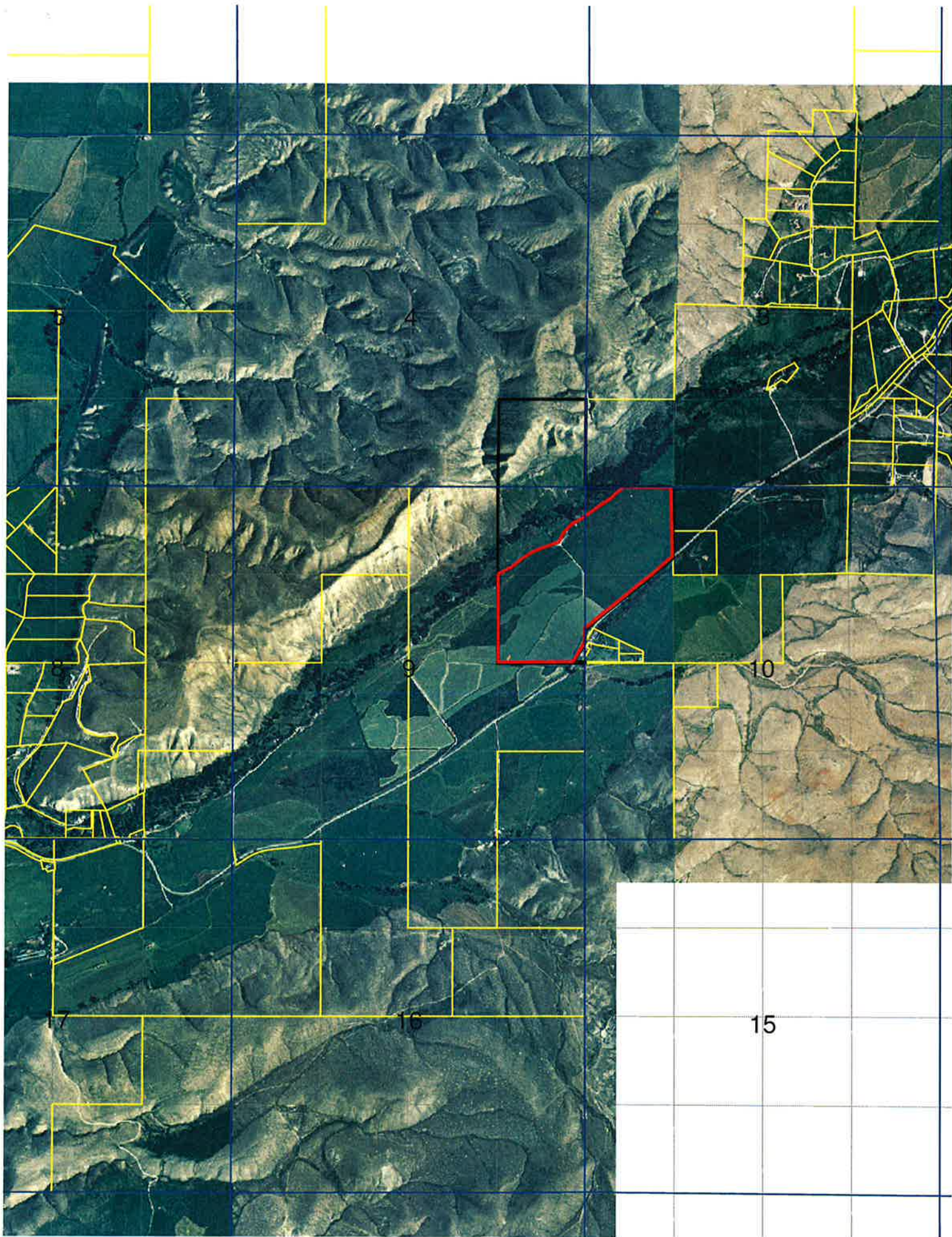
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EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



11/20/2006

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: 12/13/2006

Water right number: 75-64

P SAM SLAVIN
212 WASHINGTON ST
SALMON ID 83467
Telephone Number: (208)756-2102

RECEIVED
DEC 15 2006
IDWR/North

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

POINT OF DIVERSION IS WRONG

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

DIVERSION SHOULD BE T22N R22E S3 SWNW

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

THIS DIVERSION SERVES THE SOUTH SIDE OF CATMEN CR.

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

DATE: _____ SIGNATURE: _____

Please print your name: _____

IDWR Regional Office, 7600 Mineral Drive, Suite 100, Coeur D' Alene, ID 83815, 2087622800



Idaho Department of Water Resources

T 22 R 22 Sec 3 SW 1/4 of NW 1/4 Sec 3

Pt of Div. Wrong

SRBA Recommendation:

75-64

(Irrigation)

RECEIVED
DEC 15 2006

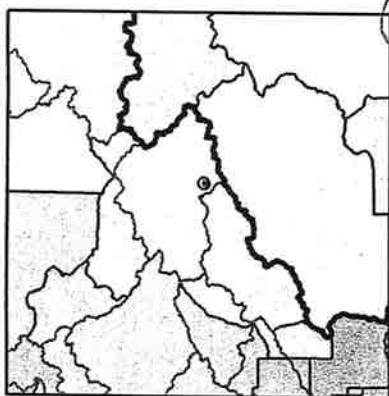
JDWR/North

POINT OF DIVERSION

Legend

- ⊙ Point of Diversion
- Place of Use

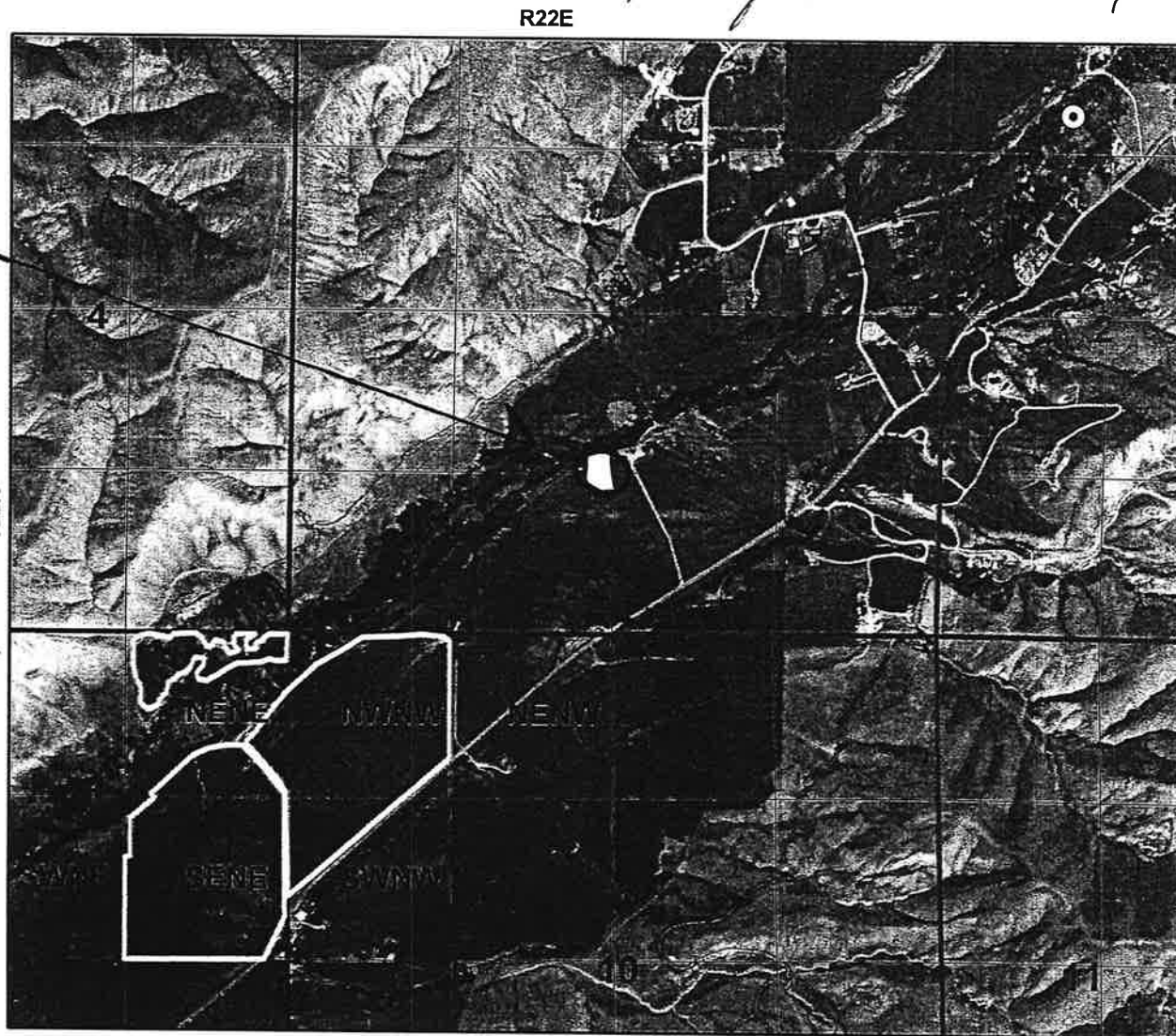
- Townships
- PLS Sections
- Quarter Quarters



Lemhi County
IDWR Basin 75



75-2126



Prepared by M. Ciscell
On Saturday, November 18, 2006
2004 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

December 18, 2006

JAMES E. RISCH
Governor

KARL J. DREHER
Director

P SAM SLAVIN
212 WASHINGTON ST
SALMON ID 83467

Re: Recommendation for right numbers 75-2126 & 75-64.

Dear Mr. Slavin:

The recommendation for 75-2126 was based on the original license. We cannot change the priority date or the number of irrigated acres on a water right based on a license. Therefore, no changes were made at this time.

The Notice of Error Reply you submitted for 75-64 states that the point of diversion is wrong and should be in the SWNW Section 3. However, as you can see by the enclosed aerial photo, Carmen Creek does not flow through the SWNW Section 3 and according to the copy of the aerial photo you submitted with the Reply the point of diversion is actually in the NESW Section 3. Therefore, no changes were made to this recommendation at this time.

After you receive the Director's Report, you may file an objection with the Court if you still disagree with any portion of your right.

Please do not hesitate to contact me if you have any questions.

Sincerely,

Gregory J. Taylor
IDWR

75-64 & 75-2126

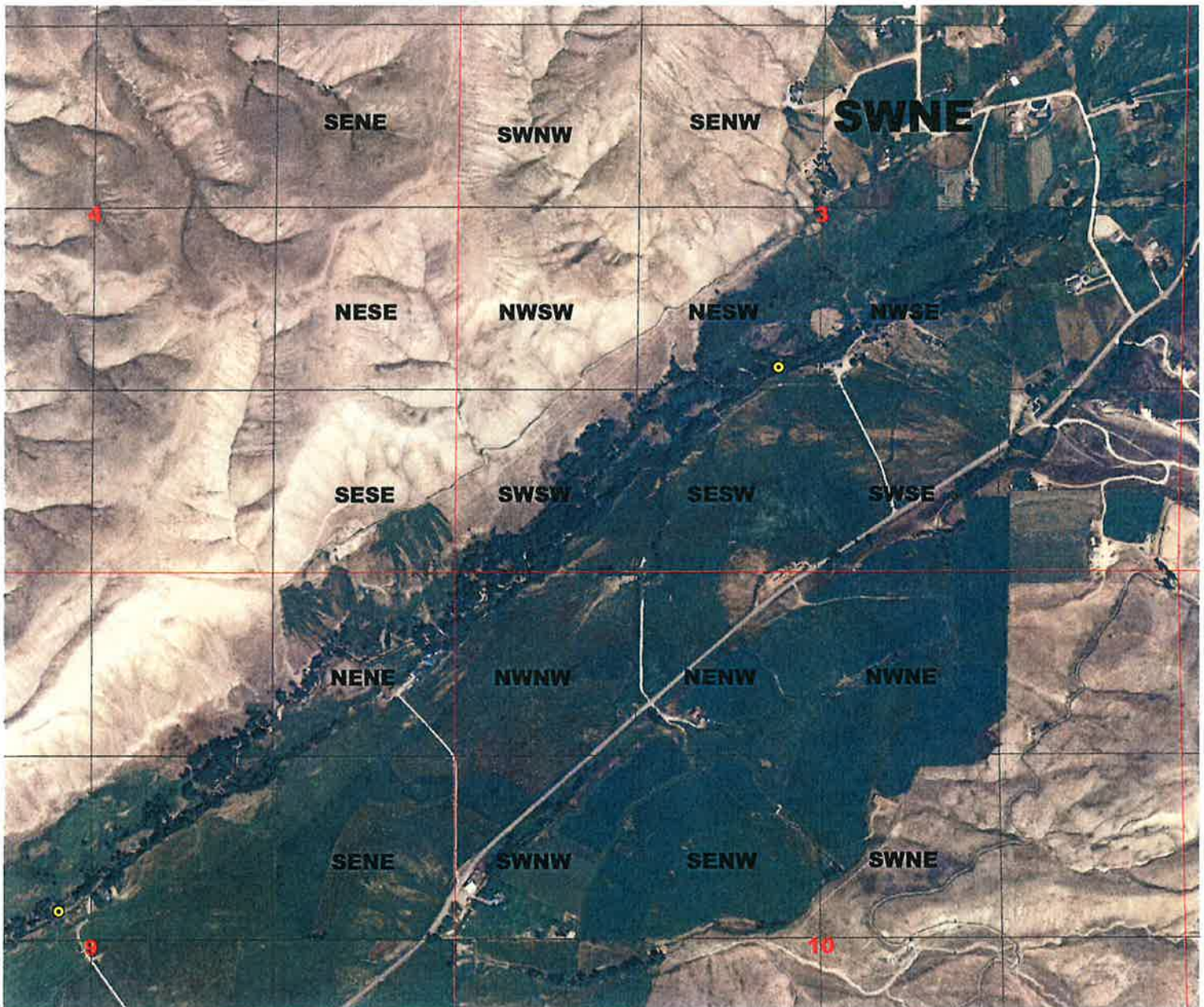
T22N R22E Sections 3,4, 9 & 10



Place of Use



Point of Diversion



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION ADJUDICATION SECTION
CLAIM VERIFICATION FIELD EXAM SHEET
(Use with the ECVR)

CLAIM NO(s). A7500064

1. ☐ No Change NAME IS SAME
☒ NEW OWNER: Sam and Chris Slavin 156-2102
☐ No Change ADDRESS
☒ NEW ADDRESS: 212 Washington St. Salmon, Id 83467
2. ☐ No Change - DATE OF PRIORITY: Completed evidence submitted
☐ Incomplete - Claimant should be asked during the exam when was water first used and submit proof of date of priority.

Priority date, per claimant, is: _____
(If the priority date, based on your exam, seems questionable, explain below.)

3. ☒ No Change — SAME SOURCE
☐ Source is different than that claimed:

Source found: _____

4. ☐ No Change — POINT OF DIVERSION GPS 785 5-28-05 ID tag A0011558
☐ Point of diversion is different than the claim and/or new P/D's:

Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____
Township _____ Range _____ Section _____ 1/4 _____ 1/4 _____ 1/4 _____

5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS
☐ Incomplete description, list below:

6. ☒ No Change - WATER USES
☐ Different uses, (list uses found):

Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____
Use _____	From _____	To _____	Amount _____	CFS _____	AFA _____

7. ☐ No Change - TOTAL VOLUME

☐ Incomplete on claim, the total is, Amount _____ CFS _____ AFA

☐ Changes found, the new total is, Amount _____ CFS _____ AFA

8. ☒ No Change - NON-IRRIGATION USES:

☐ Changes Exam found:

Domestic # of homes: _____ Stock # _____ List types: _____

Additional comments: _____

9. ☒ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____
Use: _____	Township _____	Range _____	Section _____	1/4 _____	1/4 _____

Remarks: (Comments pertinent to field examination) ☐ See additional attachment

Change of ownership form coming

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name _____

Jack F. Ellis
Signature

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

RECEIVED**MAY 18 2006****DEPARTMENT OF
WATER RESOURCES**

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 (under the "split" heading), 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
	75-10062E	✓			
	75-10061E	✓			
	75.2126	✓			
	75.58A	✓			
	75-64	✓			

2. 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) is 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**.

3. Name and Address of Former Owner/Claimant(s) Helen G. Slavin
Carmen DO
4. New Owner/Claimant(s) P. Sam Slavin
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 212 Washington Street
 City, State and ZIP Code Selmon ID 83467
- New Telephone Number 809-756-2162
5. Date you acquired the property 2-1-06

SCANNED**MAY 17 2006**

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

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

P. Sam Slavin

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.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by *MT* AJ Date *11-12-06* WR _____ Date _____

SCANNED

MAY 18 2006

**Deed of Distribution
By Personal Representative**

This Deed, made by MILTON A. SLAVIN, as Personal Representative of the Estate of HELEN G. SLAVIN, deceased, Grantor, to P. SAM SLAVIN, a married man, as his sole and separate property, Grantee, whose address is 212 Washington Street, Salmon, Idaho 83467.

Whereas, Grantor is the qualified Personal Representative of said Estate, filed as Probate Number SP-03-106 Lemhi County, Idaho; and

Whereas, Grantee is entitled to distribution of the hereinafter described real property;

Therefore, for valuable consideration received, Grantor hereby transfers and conveys to Grantee an undivided one-half (1/2) interest in and to the following described real property in Lemhi County, Idaho:

That part of the E 1/2 NE 1/4 of Section 9, less one acre, and the NW 1/4 NW 1/4 of Section 10, lying west of the Carmen Creek Road, Township 22 N, Range 22 E., Boise Meridian, and

A fraction of the NW 1/4 NW 1/4 and a fraction of the SW 1/4 NW 1/4 of Section 10, Township 22 N, Range 22 E., Boise Meridian; and

ALSO: SE 1/4 SE 1/4, Section 4, Township 22 North, Range 22 E. Boise Meridian, containing 40.00 acres according to the official Plat of the Survey of Land on file in the Bureau of Land Management;

TOGETHER WITH all water and water rights, ditch and ditch rights, range and range rights used in connection therewith.

Dated: the 1st day of February 2006


MILTON A. SLAVIN, Personal Representative of the
Estate of HELEN G. SLAVIN, deceased.

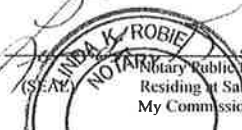
STATE OF IDAHO)

County of Lemhi)

On this 1st day of February 2006,
before me a Notary Public in and for Said State, personally appeared

MILTON A. SLAVIN

known or identified to me to be the person whose name is
subscribed to the within instrument as the Personal Representative
of the Estate of HELEN G. SLAVIN, deceased and acknowledged to
me that he executed the same as such personal representative.


Linda K. Robie
Notary Public for State of Idaho
Residing at Salmon, Idaho
My Commission Expires: 10-6-11

THIS SPACE RESERVED FOR COUNTY RECORDER

State of Idaho) SS No. 256032
County of Lemhi)

This instrument was filed for record at the request
of Milton A. Slavin
at 4:40 o'clock p.m. Feb 1 2006
and duly filmed and indexed in the records of Lemhi
County Terri J. Morton
Ex-Officio Recorder

By Elyssa Gorden Deputy

Fee 3

Return to Milton A. Slavin

SCANNED
MAY 18 2006

OCT 0 2001

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: A75-00064

Date Received: 4/19/1990

Receipt No: MOR 6684

Received By: QAN

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MILTON E. SLAVIN 208-756-2687
Address: BOX 331
SALMON, ID 83647

OR

Name: HELEN G. SLAVIN 208-756-2687
Address: BOX 331
SALMON, ID 83647

2. Date of Priority: MAY 01, 1874

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	22E	3	SE	NE	SW		LEMHI

5. Description of diverting works:
HEADGATE, DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.500		

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

8. Total consumptive use is 250.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

A75-00064

Page 1

Date: 04/19/90

A7500064



MICROFILMED

DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	22E	9	NE	NE		IRR	16.0
			SE	NE		IRR	40.0
						Section Acres	56.0
		10	NW	NW		IRR	36.0
			SW	NW		IRR	8.0
						Section Acres	44.0
						Total Acres	100.0

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:
N/A

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

DAVID MCNUTT, ET AL.
Decree Plaintiff

vs

THOMAS PALMER, ET AL.
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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): *Milton E. Hawn* Date: 4/19/90

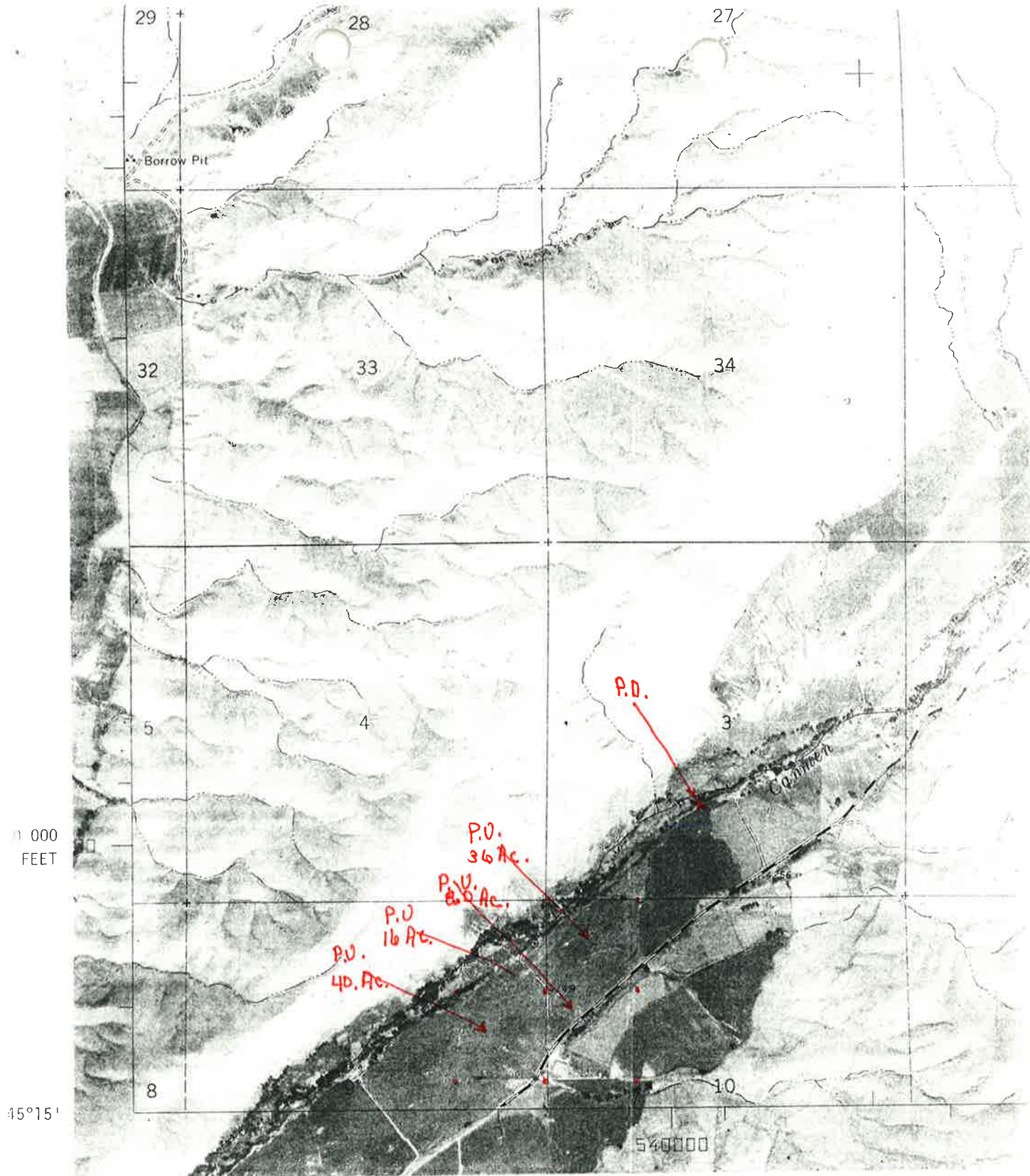
Date: _____

State of Idaho)
County of LEMHI) SS.

Subscribed and sworn (or affirmed) before me this 19th day
of Apr 1990

Ernest E. Luthy
Notary Public
Ernest E. Luthy, Notary Public
Residing at _____
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994
My Commission Expires _____

Seal



113°52'30"

540 000 FEET

Produced and published by the Geological Survey
in cooperation with the U.S. Forest Service

Orthophotograph prepared from 1:80,000-scale
aerial photographs taken August 28, 1974

Projection and 10,000-foot grid ticks, Idaho coordinate
system, central zone (transverse Mercator)
1,000-metre Universal Transverse Mercator grid ticks
Zone 12. 1927 North American datum

Photoimagery transformed by scanning techniques
which may produce double or mismatched images;
use the mean of image positions for map point.

T22N R22E
SECS 9 & 10
A75-00064

MICROFILMED

DEC 15 1992

FOR SALE