

09/12/2006

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

RIGHT NUMBER: 75-4087
NAME AND ADDRESS: ERIN G ROBIE
PO BOX J
SALMON ID 83467

LINDA K ROBIE
PO BOX J
SALMON ID 82467

SOURCE: SPRINGS TRIBUTARY: CARMEN CREEK
QUANTITY: 0.200 CFS
PRIORITY DATE: 09/14/1968
POINT OF DIVERSION:

T22N R22E S2 NWNW Lot 4 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
IRRIGATION	4/01 11/01	0.180 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T22N R22E S02 Lot 3 NENW 6.00 T22N R22E S02 Lot 4 NWNW 3.00

STOCKWATER same as IRRIGATION

9 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.

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

SRBA Claim:

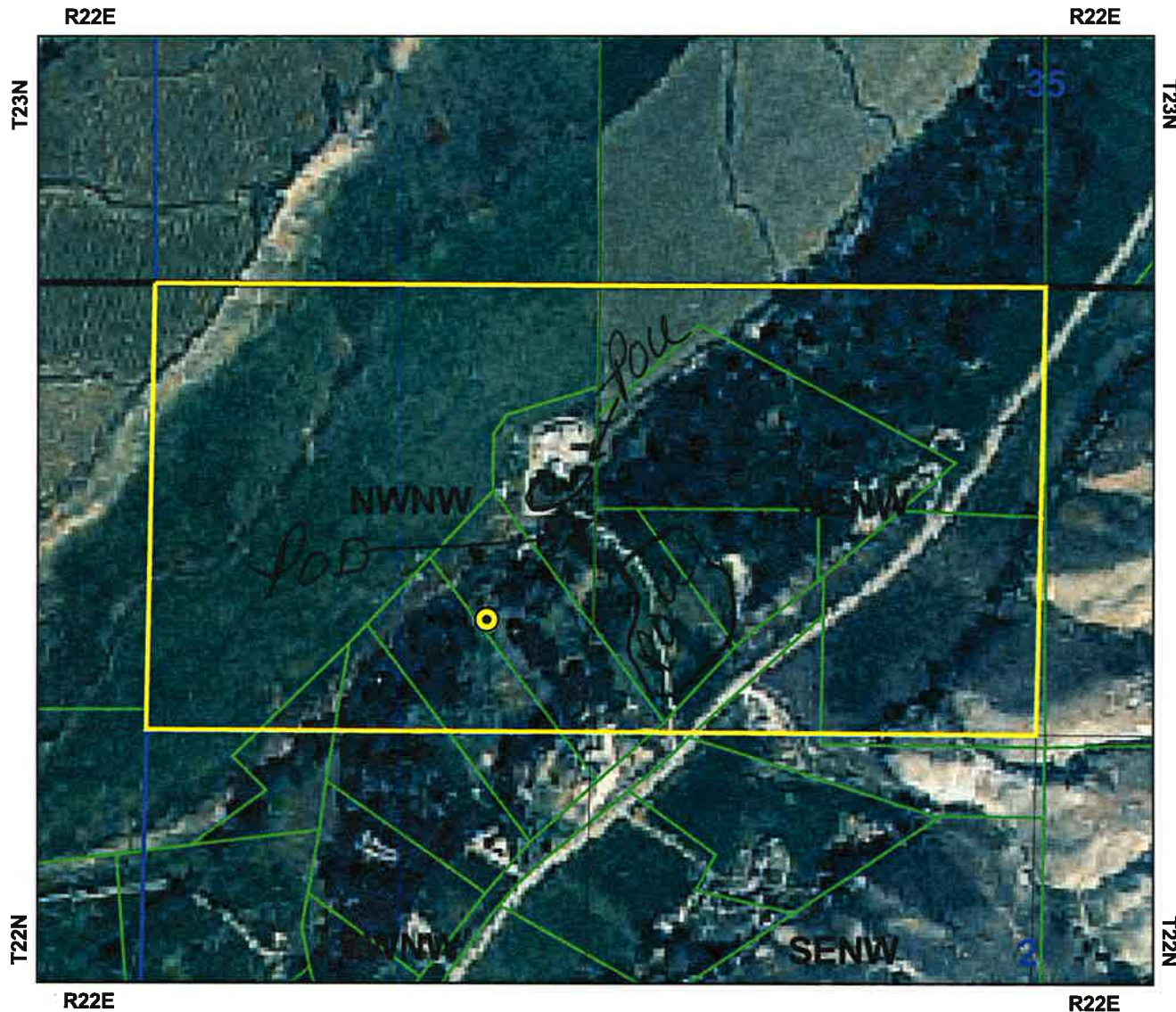
75-4087

Legend

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



Lemhi County
IDWR Basin 75



0 0.2 0.4 Miles

Prepared by R. Brown
On Tuesday, May 16, 2006
1987/88 Aerial Photography

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

CLAIM NO(s). A75 04087

1. ☒ No Change NAME IS SAME
☐ NEW OWNER: _____
☒ No Change ADDRESS
☐ NEW ADDRESS: _____

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
☐ Point of diversion is different than the claim and/or new P/D's:

A0014935 GPS 027
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

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

RECEIVED
JUL 28 2005
DEPARTMENT OF
WATER RESOURCES

JULY 25, 2005

MS. ROXANNE BROWN
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
P.O. BOX 83720
BOISE, IDAHO
83720-0098

DEAR ROXANNE:

IN REGARD TO OUR WATER RIGHT NUMBER: 75-4087; I WOULD LIKE TO EXPLAIN THAT IN AUGUST OF 1968, I HIRED ARTHUR ALDOUS TO DIG THE POND ON OUR PROPERTY THAT WAS FED BY THE SPRINGS THAT RAISED ON THE PROPERTY.

MR. ALDOUS IS DECEASED, BUT HIS SON JOHN ARTHUR ALDOUS PRESENTLY LIVES ON THE RANCH ON CARMEN CREEK AND IF NEEDED WOULD ALSO TESTIFY TO THE FACT THAT HIS FATHER DID THE POND WORK FOR US AT THAT TIME.

THE PUMP THAT WE USE IS A 5 H.P. SINGLE PHASE ELECTRIC; MAIN LINE IS 6" PORTABLE AND THE LATERAL LINES ARE 3".

IF YOU SHOULD NEED ANYTHING MORE, KINDLY LET US KNOW.


ERIN G. ROBIE

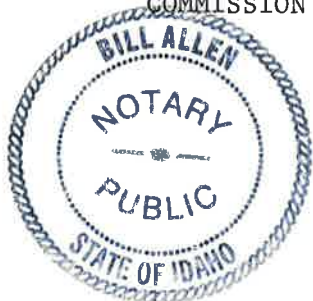

LINDA K. ROBIE

STATE OF IDAHO
COUNTY OF LEMHI

ON THIS 26TH DAY OF JULY 2005, BEFORE ME A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED ERIN G. ROBIE & LINDA K. ROBIE, HUSBAND & WIFE, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.


NOTARY PUBLIC

RESIDING AT SALMON, IDAHO
COMMISSION EXPIRES:





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.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-04087; 75-10745
ERIN G ROBIE
LINDA K ROBIE
PO BOX J
SALMON ID 82467

RESPONSE DEADLINE
JULY 29, 2005

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name 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. The date of first use, known as the priority date, has not been confirmed. Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. 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.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4087

WATER RIGHT NUMBER: 75-4087

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LINDA K ROBIE PO BOX J SALMON, ID 82467 (208)756-4159
Current Owner	ERIN G ROBIE PO BOX J SALMON, ID 83467 (208)756-3803

Priority Date: 09/14/1968
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
SPRINGS	CARMEN CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
IRRIGATION	4/01 to 11/01	0.180 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion

SPRINGS L4 (SE1/4NW1/4NW1/4) Sec. 2, Twp 22N, Rge 22E, B.M.
LEMHI County

Place of Use

IRRIGATION Within LEMHI County

T22N R22E S02 Lot 3 NENW 6.0 T22N R22E S02 Lot 4 NWNW 3.0

Total Acres: 9

STOCKWATER same as IRRIGATION

Conditions of Approval:

1. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

Remarks:

WARRANTY DEED

For Value Received, namely, \$1500.00, FRANK PARMENTER and MARY PARMENTER, husband and wife,

the grantors do hereby grant, bargain, sell and convey unto

ERIN G. ROEIE and BONNIE D. ROEIE, husband and wife,

the grantees, the following described premises, ~~to wit:~~ in Lemhi County, Idaho, to wit:

A fraction of Lot 4, Section 2, Township 22 North, Range 22 East Boise Meridian, more particularly described as follows, to wit:

Commencing at the Northwest corner of said Section 2, run thence S. $89^{\circ}44'$ E. 1320.0 feet; thence S. $0^{\circ}02'$ E. 310.0 feet to the point of beginning, and the Northeasterly corner of the tract of land herein described; thence S. $72^{\circ}41'$ W. 278.0 feet; thence S. $33^{\circ}10'$ W. 68.9 feet; thence S. $0^{\circ}45'$ W. 107.1 feet; thence N. $72^{\circ}41'$ E. 319.3 feet; thence N. $0^{\circ}02'$ W. 161.6 feet, more or less, to the point of beginning, containing 1.0 acres.

ALSO, an easement to the unrestricted use of a road 50.0 feet in width, being 25.0 feet on each side of the following described centerline across Lots 3 and 4 in Section 2, Township 22 North, Range 22 East Boise Meridian:

Commencing at the Southwest corner of said Lot 3, run thence S. $89^{\circ}44'$ E. 272.6 feet to the point of beginning; thence N. $5^{\circ}04'$ W. 449.6 feet; thence N. $42^{\circ}14'$ W. 460.7 feet, more or less, to a point on the Southerly boundary of the above described tract of land.

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 said Grantees, that they are the owners in fee simple of said premises; that said are free from all incumbrances

they will warrant and defend the same from all lawful claims whatsoever.
September 17, 1968.

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 said premises be free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: September 17, 1968.

Frank Parmenter
Mary Parmenter

STATE OF IDAHO, COUNTY OF LEMHI
On the 17th day of Sept. 1968,
I, *[Signature]*, a Notary Public in and for said State, personally
appeared Frank Parmenter and Mary
Parmenter, husband and wife,

and they being the persons whose names are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

[Signature]
Notary Public
Residing at Salmon, Idaho
Comm. Expires 10/1/71

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for record at
the request of James C. Herndon

at 30 minutes past 4 o'clock P.M.,
this 21st day of October
1968, in my office, and duly recorded in Book File
of Deeds ~~XXXXXX~~

[Signature]
Ex-Officio Recorder

By . . .
Fees \$ 2.00
Mail to:

Deputy:

OCT 08 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: A75-04087
Date Received: 5/02/1990
Receipt No: E014095
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ERIN G. ROBIE 208-756-4159
Address: P.O. BOX J 83467
SALMON, ID
OR
Name: LINDA K. ROBIE 208-756-4159
Address: P.O. BOX J 83467
SALMON, ID



2. Date of Priority: SEP 14, 1968
3. Source: SPRINGS Trib. to: CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	22E	2	SE	NW	NW	4	LEMHI

5. Description of diverting works:
SPRINGS COLLECTED INTO POND WITH PUMP & SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.180		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 22.5 Acre Feet Per Annum.

9. Non-irrigation uses:
S/6 HORSES, 5 RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	22E	2	NE	NW	3	IRR	6.0
			NW	NW	4	IRR	3.0

Section Acres 9.0

Total Acres 9.0

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:
A75-00068A

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

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): *Allen H. Raley* Date: 5/2/90

Date: _____

State of Idaho)
County of Bonneville) SS.

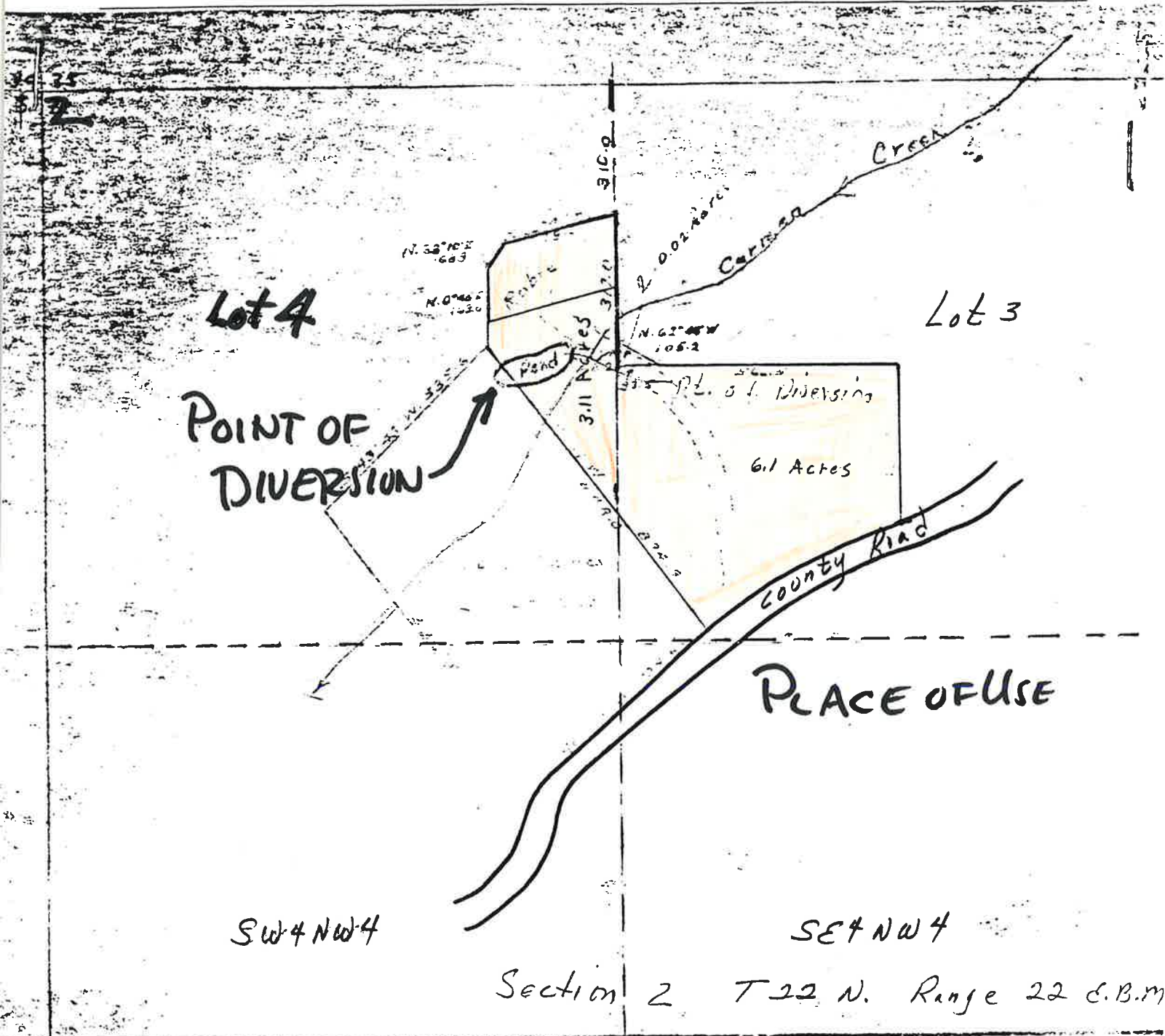
Subscribed and sworn (or affirmed) before me this 2 day

of May 19 90

Seal

Betty J. Thompson
Notary Public

BETTY J. THOMPSON, NOTARY PUBLIC
Residing at RESIDING AT IDAHO FALLS, IDAHO
My Commission Expires MY COMMISSION EXPIRES: 6-30-94



A75-04087

MICROFILMED

DEC 15 1992