

12/20/2006

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

RIGHT NUMBER: 75-4334

NAME AND ADDRESS: CARMEN LAND & LIVESTOCK INC
C/O DAVE MC FARLAND
PO BOX 124
CARMEN ID 83462

SOURCE: FREEMAN CREEK

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.600 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION:

T23N R22E S36 NWNWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.600 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

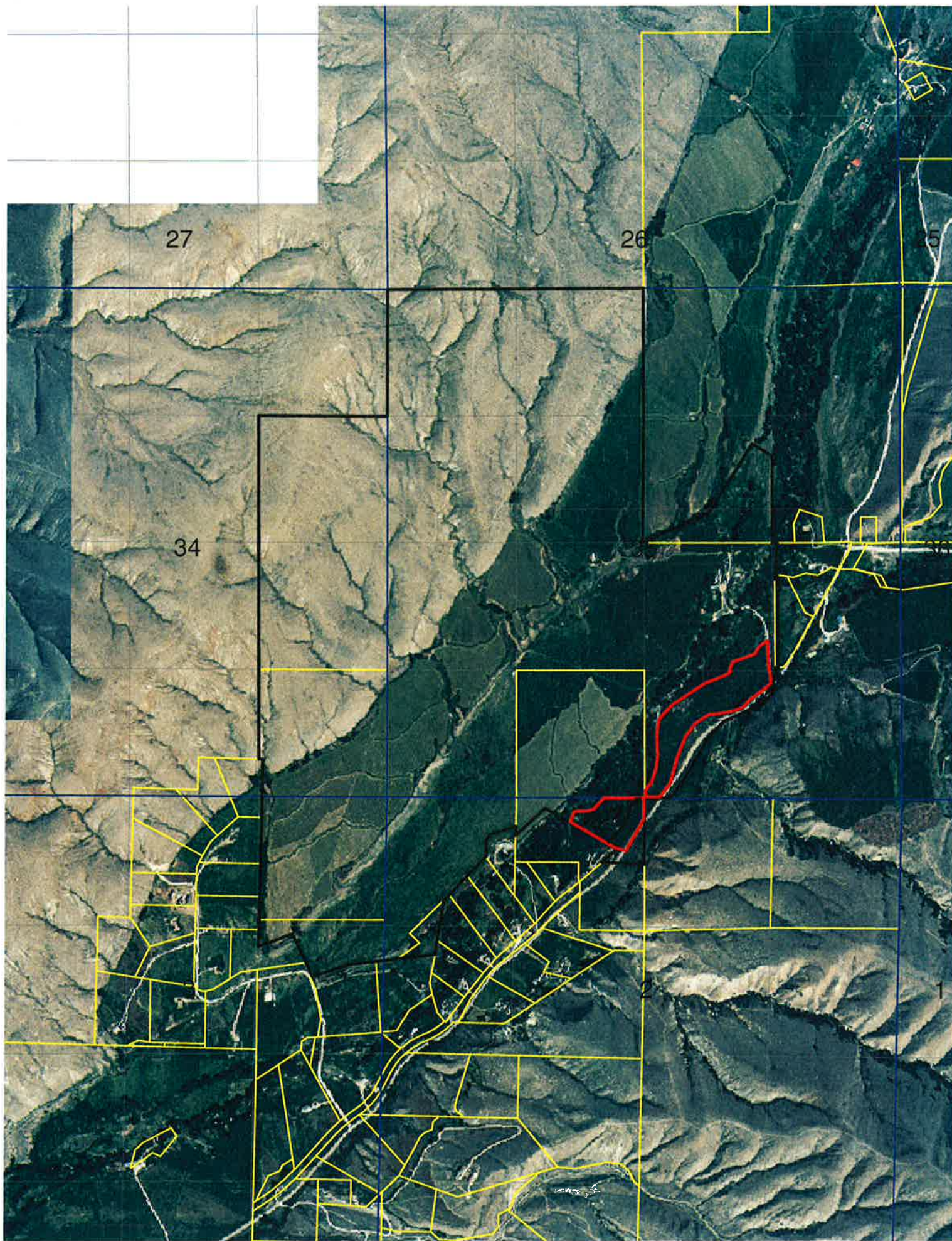
T22N R22E S02 Lot 3 NENW	1.40	T23N R22E S35	NWSE	1.60
T23N R22E S35	SWSE	12.00		

15 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



RECEIVED

DEC 15 2006

11/20/2006

Department of Water Resources
Adjudication Bureau

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: 75-4334

CARMEN LAND & LIVESTOCK INC

C/O DAVE MC FARLAND

PO BOX 124

CARMEN ID 83462

Telephone Number: (208)756-3752

RECEIVED
DEC 20 2006
IDWR/North

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

Quantity

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

Increase Quantity to .9 cfs

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

The land is gravelly creek bottom and cannot viable be flooded with less-than .9 cfs. In fact that is a bare minimum.

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

DATE: 12-12-06

SIGNATURE:

David M Farland

Please print your name:

David McFarland

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

SCANNED ✓

DEC 15 2006

11/20/2006

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SCANNED ✓

DEC 15 2006

11/04/2006

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

RIGHT NUMBER: 75-4334

NAME AND ADDRESS: CARMEN LAND & LIVESTOCK INC
C/O DAVE MC FARLAND
PO BOX 124
CARMEN ID 83462

SOURCE: FREEMAN CREEK

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.450 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION:

T23N R22E S36 NWNWSW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
04/01 10/31

QUANTITY
0.450 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S02 Lot 3 NENW	1.40	T23N R22E S35	NWSE	1.60
T23N R22E S35	SWSE	12.00		

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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

CLAIM NO(s).

A75 04334

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:

GPS Site Tag No.:

GPS 790 A0011563

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

red line is correct except for a small change

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER: _____

Print Name

Jack F. Ellis

Signature

OCT 10 2001

70-38 X

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: A75-04334
Date Received: 5/03/1990
Receipt No: M006885
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARMEN LAND & LIVESTOCK, INC. 208-756-3752
Address: C/O DAVE MCFARLAND
P.O. BOX 125
CARMEN, ID 83462

2. Date of Priority: APR 01, 1915

3. Source: FREEMAN CREEK Trib. to: CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
23N	22E	36	NW	NW	SW		LEMHI

5. Description of diverting works:
HEADGATE IN STREAM TO DITCHES. 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	0.900		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
INCIDENTAL STOCKWATERING FOR 300 HEAD OF RANGE CATTLE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
22N	22E	2	NE	NW	3	IRR	5.0
Section Acres							5.0

A75-04334

Page 1

Date: 05/03/90

A7504334



MICROFILMED

DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	22E	35	NW	SE	IRR	5.0
			SW	SE	IRR	10.0
Section Acres						15.0
Total Acres						20.0

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:
NONE

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: 1

For Organizations:

I do solemnly swear or affirm that I am Secretary of _____ Title

Carmen Land & Livestock Inc that I have signed the foregoing Organization

document in the space below as Secretary of _____ Title

Carmen Land & Livestock and that the statements contained in the Organization

foregoing document are true and correct.

David M. McFarland
Signature of Authorized Agent

Sec. Carmen Land & Livestock Inc
Title and Organization

5/3/1990

Date

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 13 day

of May 19 90

[Signature]
Notary Public

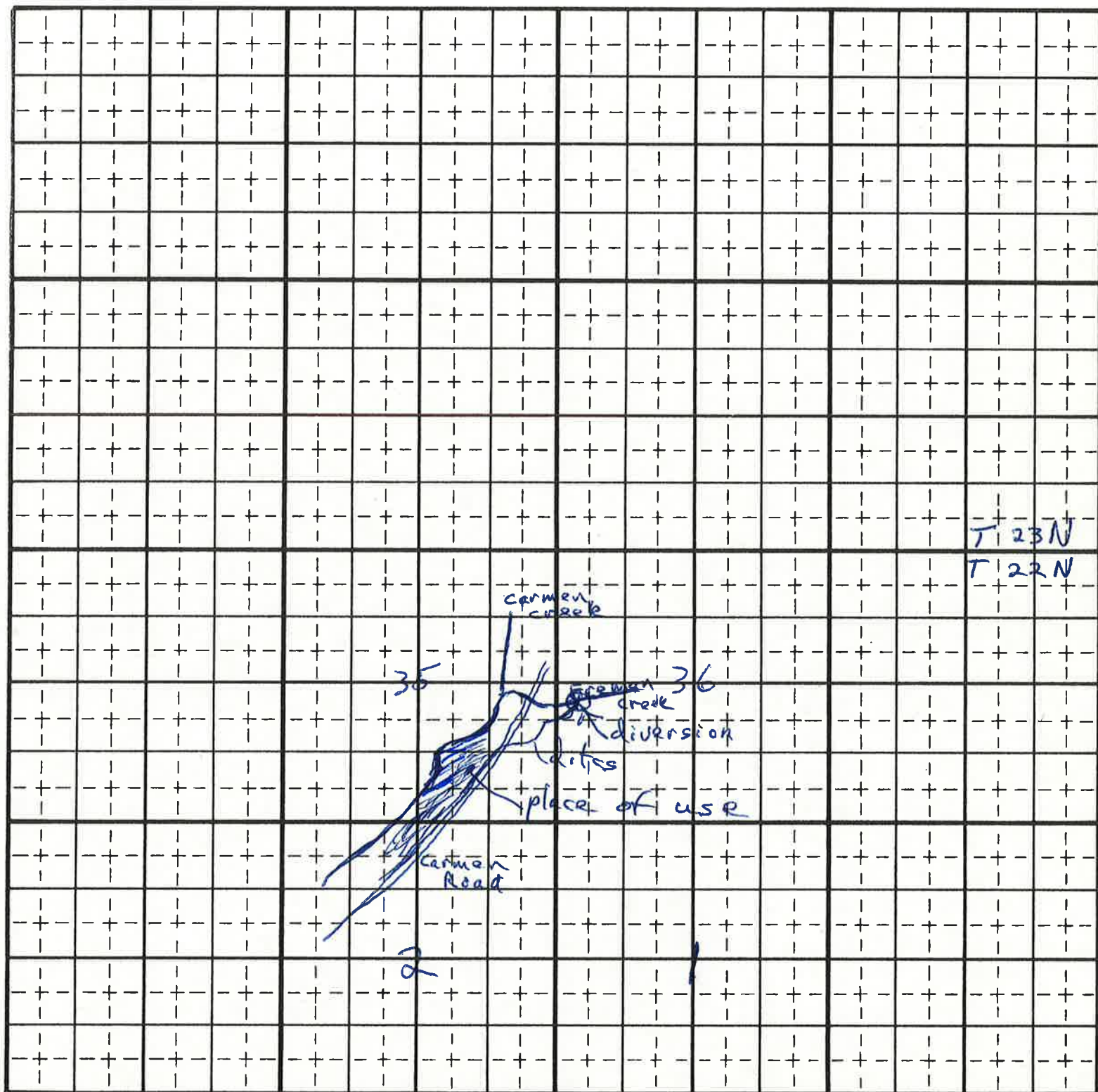
Seal

Residing at Idaho Falls, ID.

My Commission Expires 22 Aug 1994

Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



R 22 E

MICROFILMED

DEC 15 1992

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant