

11/10/2006

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

RIGHT NUMBER: 75-4332

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

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.900 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1962

POINT OF DIVERSION:

T23N R22E S13 SWSWSE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
STOCKWATER

PERIOD OF USE
05/10 08/15

QUANTITY
0.900 CFS

PLACE OF USE: STOCKWATER in LEMHI County

T23N R22E S23	SENE	T23N R22E S23	NESE
T23N R22E S23	SESE	T23N R22E S24	NENW
T23N R22E S24	NWNW	T23N R22E S24	SWNW
T23N R22E S26	NENE	T23N R22E S26	NWNE
T23N R22E S26	SWNE	T23N R22E S26	SENW
T23N R22E S26	NESW	T23N R22E S26	NWSW
T23N R22E S26	SWSW	T23N R22E S27	SESW
T23N R22E S27	SWSE	T23N R22E S27	SESE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

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: 75-4332

CARMEN LAND & LIVESTOCK INC

C/O DAVE MC FARLAND

PO BOX 124

CARMEN ID 83462

Telephone Number: (208)756-3752

RECEIVED

DEC 27 2006

IDWR/North

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: 12-05-06

SIGNATURE:

Dave McFarland

Please print your name:

Dave McFarland

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

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

CLAIM NO(s).

A75 04332

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.: _____

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 # 400 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

This claim is to water range cattle on
BLM lands

☐ 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

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: A75-04332
Date Received: 5/03/1990
Receipt No: 14006885
Received By: EW

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
SALMON, ID 83462

2. Date of Priority: MAY 01, 1962

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
23N	22E	13	SW	SW	SE		LEMHI

5. Description of diverting works:
SEE REMARKS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
STOCKWATER	05/10	08/15	0.120		
GROUNDWATER RECHARGE	05/10	08/15	0.900		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATERING FOR 250 HEAD OF RANGE CATTLE. RECHARGE FROM DITCH.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
23N	22E	23	SE	NE		STOCK	

A75-04332

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Date: 05/03/90

A7504332



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DEC 15 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	22E	23	NE	SE		STOCK	
			SE	SE		STOCK	
		24	NE	NW		STOCK	
			NW	NW		STOCK	
			SW	NW		STOCK	
			NE	NE		STOCK	
		26	NW	NE		STOCK	
			SW	NE		STOCK	
			SE	NW		STOCK	
			NE	SW		STOCK	
			NW	SW		STOCK	
			SW	SW		STOCK	
			SE	SW		STOCK	
			SE	SE		STOCK	
			SE	SE		STOCK	
			SE	SE		STOCK	
		27	SE	SW		STOCK	
			SW	SE		STOCK	
			SE	SE		STOCK	
			SE	SE		STOCK	
			SE	SE		STOCK	
			SE	SE		STOCK	

11. Place of use in counties: LEMHI

12. Do you own the property listed above as place of use? ~~YES~~ No

13. Other Water Rights Used:
NONE

14. Remarks:

ITEM 5: LOG & GRAVEL DAM TO WOODEN FLUME ABOUT 700' LONG, 3' WIDE, & 1.5' HIGH. THEN TO 4' WIDE DITCH TRAVELING ABOUT 3 MILES.

PLACE OF USE FOR GROUNDWATER RECHARGE IS SAME AS STOCKWATER.

15. Basis of Claim: BENEFICIAL USE

PORTION OF PLACE OF USE IS OWNED BY BLM. CLAIMANTS OWN GRAZING RIGHTS FOR THIS LAND.
D.M.

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 Organizations:

I do solemnly swear or affirm that I am Secretary of Carmen Land & Livestock Inc., that I have signed the foregoing document in the space below as Secretary of Carmen Land & Livestock Inc. and that the statements contained in the 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 3 day
of May 19 90

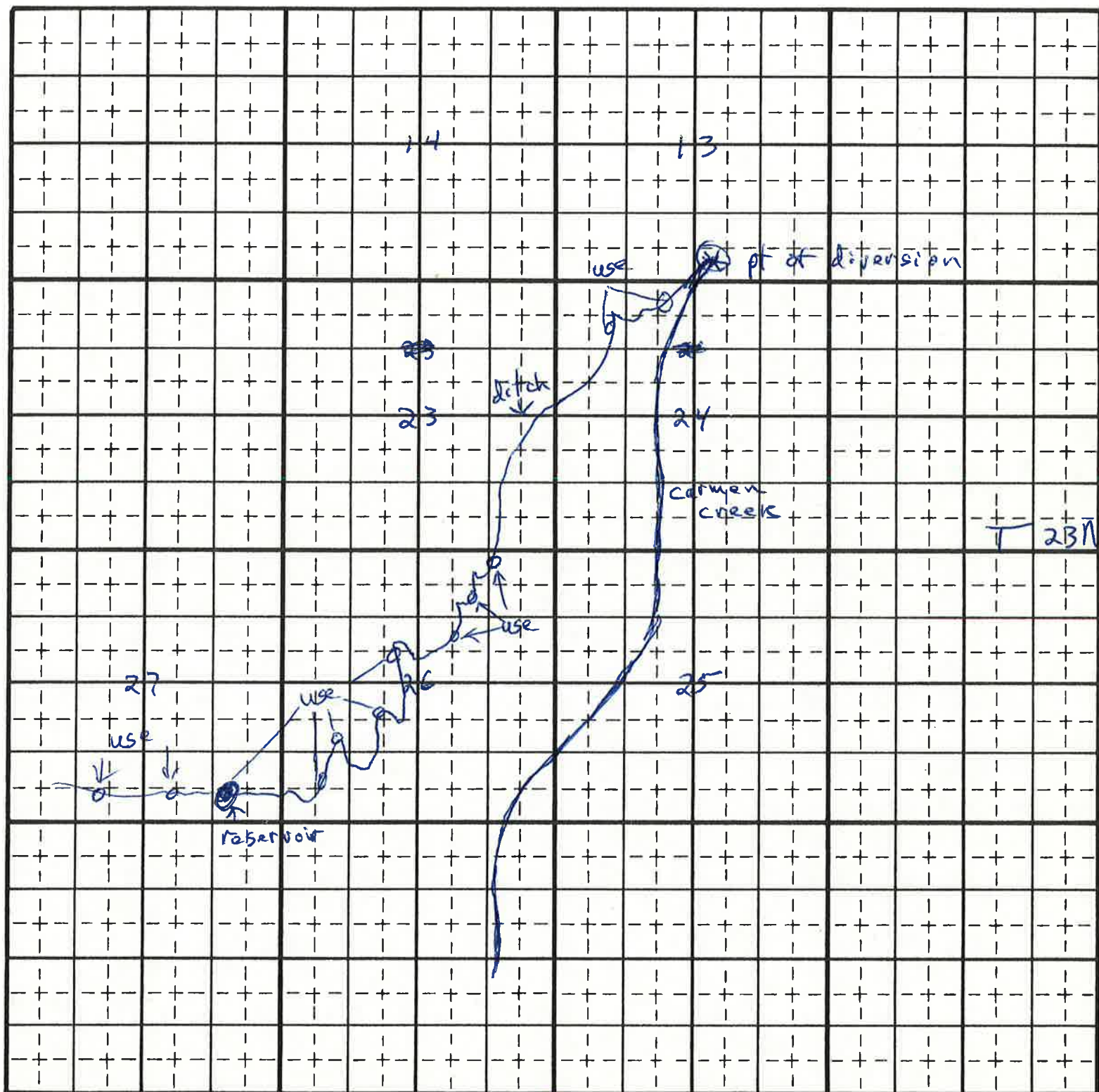
[Signature]
Notary Public

Seal

Residing at Idaho Falls, Id.
My Commission Expires 27 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