

12/20/2006

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

RIGHT NUMBER: 75-4338A

NAME AND ADDRESS: CHARLES R MORTON
BOX 133
CARMEN ID 83462

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 2.920 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION:

T22N R22E S3 NWSE Within LEMHI County

T22N R22E S9 SENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

2.920 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S08	SESE	10.00	T22N R22E S16	NWNW	32.00
T22N R22E S16	SWNW	3.40	T22N R22E S17	NENE	31.00
T22N R22E S17	SWNE	24.00	T22N R22E S17	SENE	20.00

120.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 120.4 acres in a single irrigation season. Combined Right Nos.: 75-72, 75-73, 75-10061L, 75-10062J and 75-4338A.

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

11/16/2006

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

RIGHT NUMBER: 75-4338A

NAME AND ADDRESS: CHARLES R MORTON
BOX 133
CARMEN ID 83462

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 1.720 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION:

T22N R22E S3 NWSE Within LEMHI County

T22N R22E S9 SENW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

1.720 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T22N R22E S08	SESE	10.00	T22N R22E S16	NWNW	32.00
T22N R22E S16	SWNW	3.40	T22N R22E S17	NENE	31.00
T22N R22E S17	SWNE	24.00	T22N R22E S17	SENE	20.00

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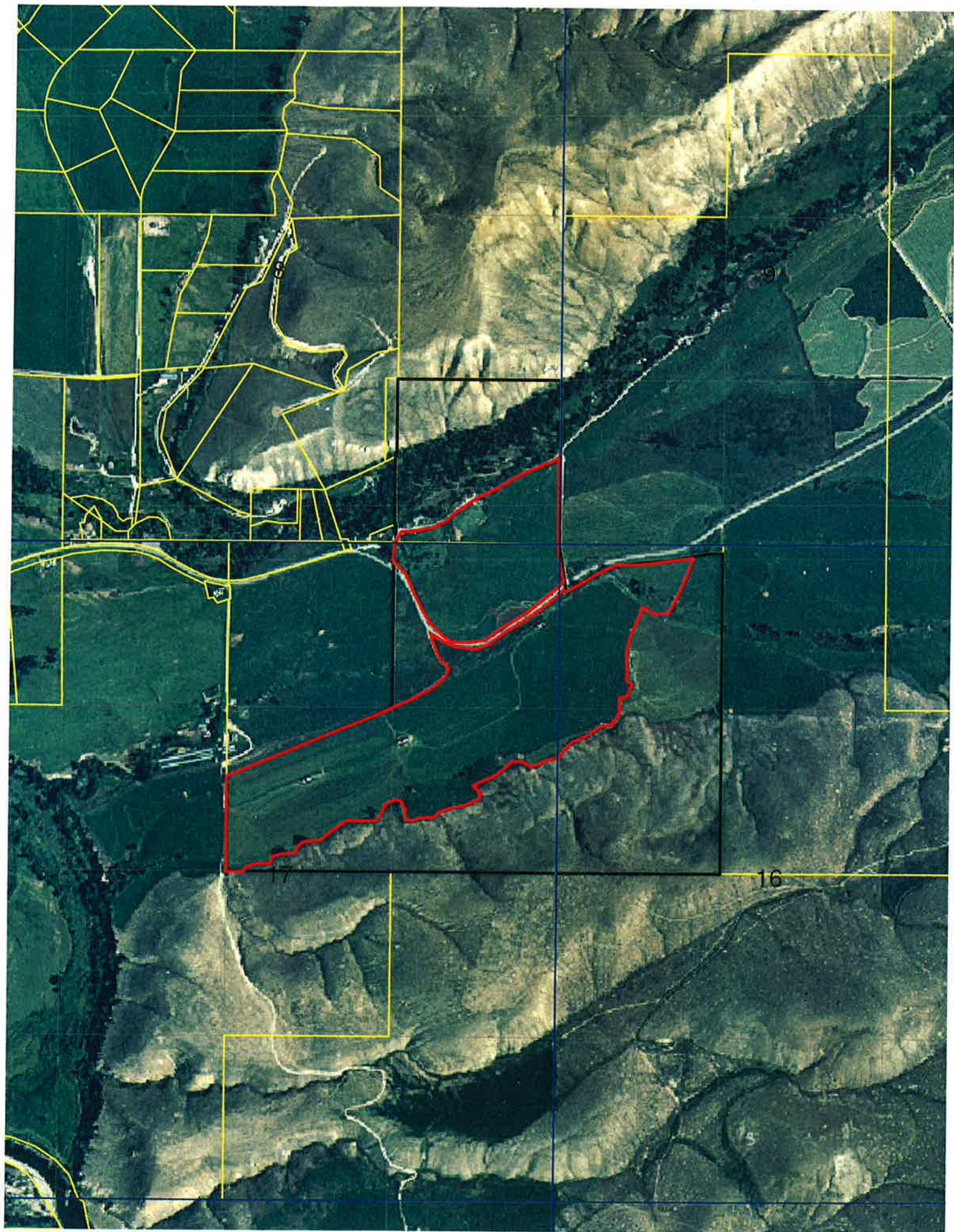
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

75-72 .20
75-73 .80
75-10061L .58
75-10062J .32

1.90

120.4 (.04) = 4.82
- 1.90 decreed

2.92



CHARLES R. MORTON

Box 133

CARMEN, ID.

83462

RECEIVED

MAY 23 1990

Department of Water Resources

Eastern District Office

FACT SHEET

for

Excessive Irrigation Flows

This information is to be submitted with any application for permit or adjudication claim to water right for which the irrigation rate of flow requested/claimed is more than .02 cfs per acre. One exception is that .03 cfs per acre is allowed for up to five (5) acres.

Soil type and soil profile: dominant soils are "Swahlen" & "Yearian" w/ inclusions of "Packham"

Soil water holding capacity: Swahlen and Yearian soils are 4" to 7" Packham 2.5" - 4"

Soil intake family (if known): no infiltration data available

Field slope: 1 to 3%

Anticipated crops: HAY - PASTURE

Method of irrigation: FLOOD

ADJUDICATION CLAIM ONLY:

Is this method of irrigation the common local practice? YES

Have you changed the irrigated method from the one first developed? YES

If yes, describe. I ADDED A DUMP-SPRINKLE - HANDLINE

IRRIGATION SYSTEM ON ABOUT 20 ACRES THAT
HAD NO WATER AFTER SNOWMELT FLOOD WATER SUBSIDE

Remarks

LARGE AMOUNTS OF FLOOD WATER CAN BE USED ON THIS
RANCH BECAUSE OF THE WAY THE GROUND LAYS, THE
WATER IS USED OVER AND OVER AS MANY AS 5 TIMES
AND THEN THE EXCESS
WAS PASSED TO A NEIGHBOR WHO USES IT THREE TIMES

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DEC 15 1992

SCANNED

NOTE: PLEASE ATTACH TO CLAIMS

OCT 1 1990

FILED IN

SALMON, ID. PN

4-26-90

THANK YOU

Ident. No. A 75-04338A

A 75-10317

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: A75-04338A
Date Received: 4/26/1990
Receipt No: M006768
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CHARLES R. MORTON 208-756-2530
Address: BOX 133
CARMEN, ID 83462

2. Date of Priority: APR 01, 1915

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		NW	SE		LEMHI
		9		SE	NW		LEMHI

5. Description of diverting works:
DAMS, DITCHES & HEADGATES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	5.000		

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

8. Total consumptive use is 307.5 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCK WATER INCIDENTAL TO IRRIGATION, APPROX. 200 HEAD

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
22N	22E	8	SE	SE		IRR	15.0

A7504338A



10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
Section Acres						15.0
		16	NW	NW	IRR	23.0
			SW	NW	IRR	5.0
Section Acres						28.0
		17	NE	NE	IRR	35.0
			SW	NE	IRR	25.0
			SE	NE	IRR	20.0
Section Acres						80.0
Total Acres						123.0

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:
A75-10061L, 10062J, 00072, 00073

14. Remarks:
FACT SHEET FOR EXCESSIVE IRR. FLOW WILL BE SUBMITTED BY CLAIMANT. THIS CLAIM IS FOR HIGH WATER (FLOOD WATER) FROM CARMEN CREEK. THE ACTUAL DIVERSION RATE = 4.92 CFS.

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: _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEMCIVIL CASE NUMBER: 39576
Ident. Number A75-04338A
Date Received 4/26/90
Receipt Number m-6768NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) MORTON, CHARLES R. Phone (208) 756-2530
Mailing Address Box 133 CARMEN, ID Zip 834622. Date of Priority (Only one (1) per claim) 4/1/19153. Source of water supply (a) CARMEN CREEK
which is tributary to (b) SALMON RIVER4. a. Location of existing point of diversion is: Township 22N Range 22E Section 3,
1/4 of NW 1/4 of SE 1/4, Govt. Lot, B.M., County of LEMHIAdditional points of diversion if any: T. 22N., R. 22N., SEC. 9 SE 1/4 NW 1/4

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. DAMS, HEADGATES & DITCHES.MICROFILMED
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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/1 to 11/1 amount 5.0 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 4.92 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) STOCK WATER INCIDENTAL TO IRRIGATION APPROX. 200 HEAD

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>22N</u>	<u>22E</u>	<u>8</u>																<u>15.0</u>	<u>15.0</u>
		<u>16</u>						<u>23.0</u>											<u>23.0</u>
		<u>16</u>							<u>5.0</u>										<u>5.0</u>
		<u>17</u>	<u>35.0</u>																<u>35.0</u>
		<u>17</u>			<u>25.0</u>														<u>25.0</u>
		<u>17</u>				<u>20.0</u>													<u>20.0</u>

Total number of acres irrigated 123.0

11. In which county (ies) are lands listed above as place of use located? LEMMI

12. Do you own the property listed above as place of use? Yes X No _____
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
A75-100612, A75-100621, A75-00072, A75-00073 or None ()

14. Remarks: ACTUAL DIV. RATE = 4.92

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Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number A75-04338A
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Charles L. Morton Date 4-26-90

Date _____

~~**For Organizations:** I do solemnly swear or affirm that I am _____ Title _____ of _____ Organization _____, that I have signed the foregoing document in the space below as _____ Title _____ of _____ Organization _____ and that the statements contained in the foregoing document are true and correct.~~

~~Signature of Authorized Agent _____
Title and Organization _____ Date _____~~

State of Idaho/or _____)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 26th day of April 19 90

SEAL

Notary Public Allen Beardsley

Residing at Cataldo

My Commission Expires 7/20/94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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DEC 15 1992

Last Name _____ Ident. Number _____

Copies White-State, Yellow-Claimant

A75-04338

T. 22N.

R. 22E.

POINT OF DIVERSION
MAP

32

33

35

36

5

4

3

2

1

8

10

11

12

1 310 000
FEET

P.O.D.

P.O.D.

45°15'

540 000

540 000 FEET

SCALE 1:24 000

R2.

Produced and published by the Geological Survey
in cooperation with the Parks Service

Orthophotograph prepared by



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UNCLASSIFIED

A75-04378A

T. 22 N.

R. 22 E

1950 ACP
Sec 14-15-16

A 86

89
1776

252

A
31

135

W 1/4 Sec 16

SW 1/4 of NW 1/4 Sec 16

T 22 N
R 22 E

MICROFILMED

DEC 15 1992

602

NOT TO SCALE