

01/11/2007

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

RIGHT NUMBER: 75-4376

NAME AND ADDRESS: DAVID J MONTEVERDI
2011 FILBERT
SAN FRANCISCO CA 94903

LANCE J MONTEVERDI
2011 FILBERT
SAN FRANCISCO ID 94903

SOURCE: EAST FORK TOWER CREEK

TRIBUTARY: TOWER CREEK

QUANTITY: 0.280 CFS

PRIORITY DATE: 05/24/1913

POINT OF DIVERSION:

T23N R22E S9 SWSW Within LEMHI County

T23N R22E S9 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 11/01

0.280 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R22E S08

SESE

8.00

T23N R22E S09

SWSW

6.00

14 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

07/27/2006

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

RIGHT NUMBER: 75-4376
NAME AND ADDRESS: DAVID J MONTEVERDI
2011 FILBERT
SAN FRANCISCO CA 94903
LANCE J MONTEVERDI
2011 FILBERT
SAN FRANCISCO ID 94903

SOURCE: EAST FORK TOWER CREEK TRIBUTARY: TOWER CREEK
QUANTITY: 0.280 CFS
PRIORITY DATE: 07/01/1910
POINT OF DIVERSION:

T23N R22E S9 SWSW Within LEMHI County
T23N R22E S9 SESW Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	0.280 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T23N R22E S08	SESE	8.00	T23N R22E S09	SWSW	6.00
---------------	------	------	---------------	------	------

14 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

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO.:

75-4376

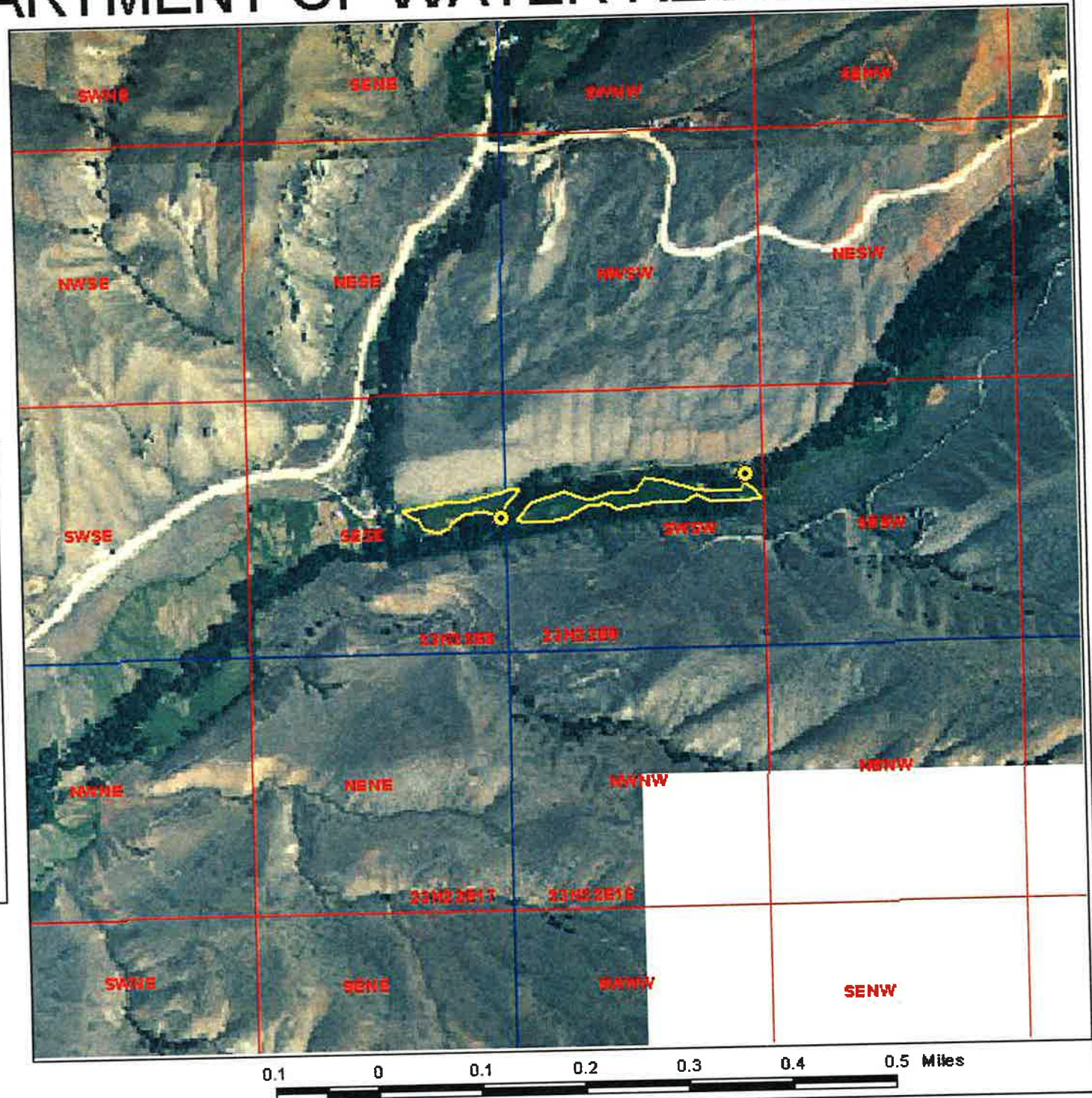
T23N R22E Sec. 8,9

LEGEND

- | | |
|---|-----------------------|
|  | Point(s) of Diversion |
|  | Place(s) of Use |
|  | Lot Numbers |
|  | Quarter Quarter Lines |
|  | Section Lines |
|  | 1993 True Color |



Prepared By: Danielle Favreau
October 30, 2005



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO.:

75-4376

T23N R22E Sec. 8,9

LEGEND

⊙ Point(s) of Diversion

Place(s) of Use

Lot Numbers

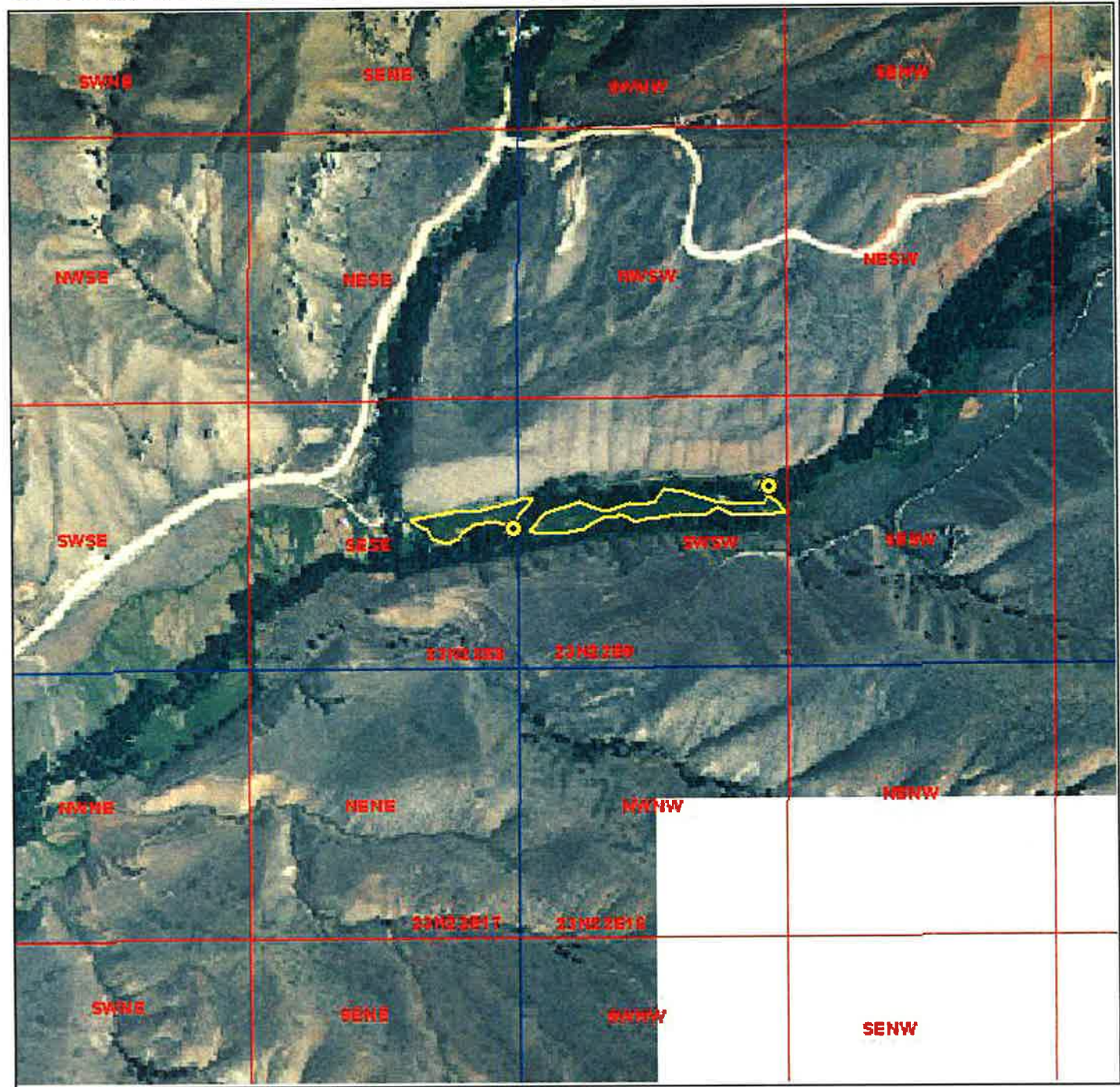
Quarter Quarter Lines

Section Lines

IMAGE 1993 True Color

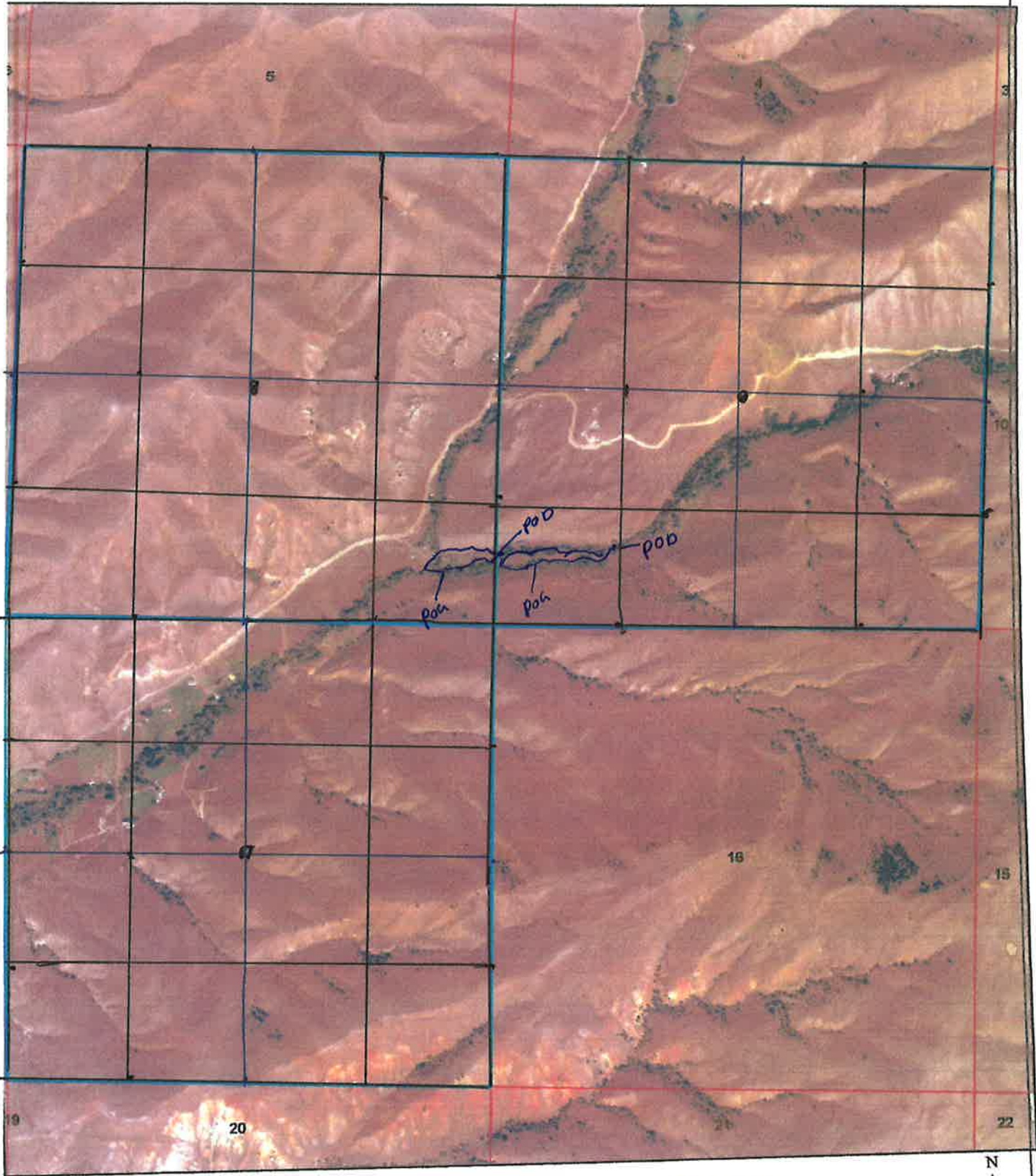


Prepared By: Danielle Favreau
October 30, 2005



0.1 0 0.1 0.2 0.3 0.4 0.5 Miles

T23N R22E Sec. 8, 9, 17



0 660 1,320 1,980 Feet

75-4376

2004 PHOTO



TOWNSHIP 23 RANGE 21
TOWNSHIP 23 RANGE 22

REFERENCE #
75-4376

ASSESSMENT ROLL FOR THE YEAR 1912
REAL PROPERTY

[illegible]

Line No.	Receipt No.	OWNER OR REPUTED OWNER'S NAME AND ADDRESS	Subdivision or Tax No.	Sec.	Twp. N.	Reg. E.	CLASSIFICATION OF LANDS										PERSONAL PROPERTY															
							Irrigated Agricultural	Natural Meadow and Pasture	Orchard Land	Grazing	Desert Waste and Swamp	Mineral	Improvements	Value of Trees and Vines	Cattle		Cows		Horses		Sheep and Goats		Swine		Vehicles		Harness Etc.	Machinery	Merchandise	Furniture and Fixtures	Real Estate Classified	Bank Stock
							Acres	Value	Acres	Value	Acres	Value	Acres	Value	Acres	Value	Acres	Value	Kind	Value	No.	Kind	Value	No.	Kind	Value	No.	Kind	Value	No.	Value	No.
1	16	Swain Roy. /.	Lots 8,9,10,11	1	23	21	10	385				96	706	40																		
2		Carmen, Ida.	Lot 8,	2								24	186																			
3	116	Williams F.A.	Lot 12,	1			25	825		2	70	31	620		R	300.250																
4		Salmon, Ida.	Lots, 1,2,8																													
5			Fr. Lot 5	12								29	638	67	---					2 G	410											
6																			1 R	150												
7																																
8																																
9																																
10	127	Baer Margaret	W ¹ / ₂ NW ¹ / ₄ NE ¹ / ₄ ,																													
11		Carmen, Ida.	W ¹ / ₂ NW ¹ / ₄ SW ¹ / ₄ NE ¹ / ₄ ,																													
12			SW ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ NE ¹ / ₄ ,																													
13			E ¹ / ₂ SE ¹ / ₄ NW ¹ / ₄ ,																													
14			E ¹ / ₂ SE ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ ,																													
15			SE ¹ / ₄ NE ¹ / ₄ NE ¹ / ₄ NW ¹ / ₄ ,																													
16			SW ¹ / ₄ SE ¹ / ₄ NW ¹ / ₄ ,																													
17			S ¹ / ₂ NW ¹ / ₄ SE ¹ / ₄ NW ¹ / ₄ ,																													
18			SE ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ , S ¹ / ₂ NE ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ , E ¹ / ₂ NW ¹ / ₄ SW ¹ / ₄ ,																													
19			NE ¹ / ₄ SW ¹ / ₄ , NW ¹ / ₄ SE ¹ / ₄ SW ¹ / ₄ , W ¹ / ₂ NE ¹ / ₄ SE ¹ / ₄ SW ¹ / ₄ ,	4	23	22	40	1320				80	1100	40						200	175	7 R	175	3	93	75	1 G	25				
20	51	Kellog Orson H.																														
21		Carmen, Ida.	SE ¹ / ₄ NE ¹ / ₄ ,	8		12		396				23	1770	5																		
22	10	Bowler S.E.																														
23		Carmen, Ida.	SW ¹ / ₄ SE ¹ / ₄ ,	8			18	3165				22	1690																			
24	110	Winteroud F.B.																														
25		Carmen, Ida.	SE ¹ / ₄ SE ¹ / ₄ ,	8		30		490						10																		
26			E ¹ / ₂ SW ¹ / ₄ , SW ¹ / ₄ SW ¹ / ₄ ,	9								60	330	60						4 R	100	6	1870	2 G	70	140	100					
27		Kellog Orson H	W ¹ / ₂ NW ¹ / ₄ ,	9		13		429		1	40	38	2960	28						300	100	4 R	100	2	60	100	100					
28	116	Cooper Floyd L.	SE ¹ / ₄ NW ¹ / ₄ , S ¹ / ₂ NE ¹ / ₄ ,	9																												
29		Carmen, Ida.	W ¹ / ₂ SW ¹ / ₄ NW ¹ / ₄ ,																													
30			SE ¹ / ₄ SW ¹ / ₄ NW ¹ / ₄ ,																													
31			SW ¹ / ₄ SE ¹ / ₄ NW ¹ / ₄ ,	10		15		445				145	330																			
32	128	Bowler S.E.	NW ¹ / ₄ NE ¹ / ₄ , E ¹ / ₂ NW ¹ / ₄ ,	17		59		2310	12	192	1	35	38	266	10					25 R	625	10	200	2 G	100	40	100					
33																																
34		Rose Nancy	SW ¹ / ₄ NW ¹ / ₄ ,	17																												
		Carmen, Ida.	SE ¹ / ₄ NE ¹ / ₄ , NE ¹ / ₄ SE ¹ / ₄ ,	18		75		2849		1	35		44																			

#75-13982

DELOG
JC 11-20-00

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

RECEIVED
OCT 20 2000

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

Department of Water Resources
Eastern Region

1. Water Right No(s): A75-04193 & 75-10151 & ~~A75-04375~~ 75-4375 75-4376
 Adjudication Claim No(s): ~~75-4375~~ 75-4376
partial decree
2. The following **REQUIRED** information must be submitted with this form:
 - A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - AND**
 - B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s).
 (These are usually attached to your deed or on file with the county.)
 - OR**
 - C. If your water right or adjudication claim 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 CARMEN E. NORTON
P.O. BOX 69, CARMEN, IDAHO 83462
4. New Owner/Claimant(s) LANCE J. MONTEVERDI & DAVID J. MONTEVERDI, BOTH SINGLE
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or MEN.
 New Mailing Address 2011 FILBERT
 City, State and ZIP Code SAN FRANCISCO, CALIFORNIA 94903
 New Telephone Number (415) 921-3587
5. Date you acquired the property 10/12/2000
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____
 Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____
7. Signature of New Owner(s) Lance J. Monteverdi
 or Claimant(s) David J. Monteverdi
 Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

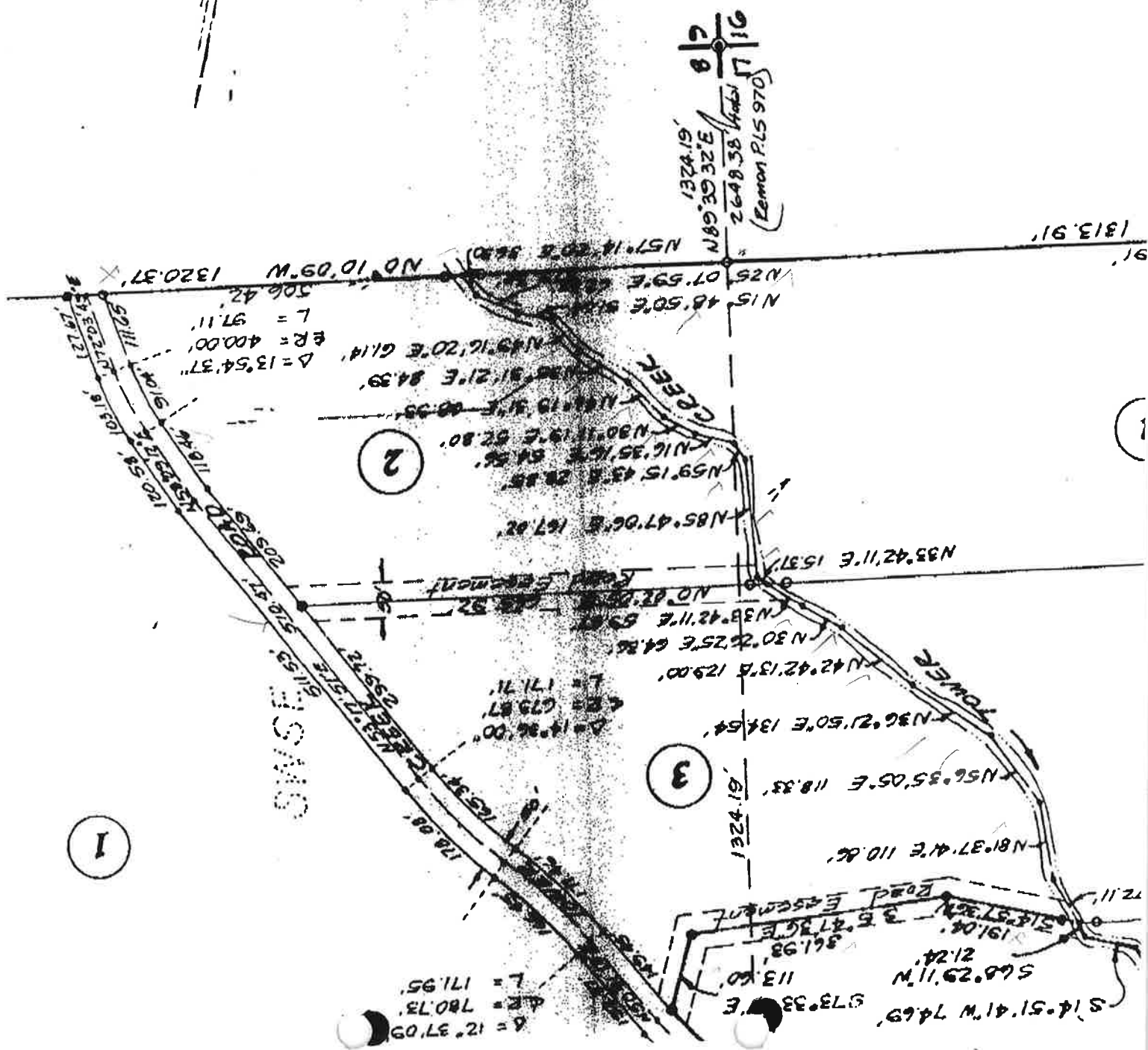
The foregoing plat was duly accepted and approved by the Board of Commissioners of Lemhi County, Idaho on this 9 day of August 1890.

Robert G. Johnson
Chairman

Attest: Clerk

COUNTY COMMISSIONER'S ACCEPTANCE

NORTON II AMENDED



STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

CERTIFICATE OF DEATH

DATE FILED: JUNE 29, 1995

STATE FILE NUMBER: 95-03812

DECEDENT: VERNA LOUISE NORTON

DATE OF DEATH: JUNE 02, 1995 PLACE OF DEATH: SALMON, IDAHO

DATE OF BIRTH: OCT. 07, 1911 PLACE OF BIRTH: TEXAS

AGE: 83 YEARS SEX: FEMALE VETERAN? NO

MARITAL STATUS: MARRIED

SURVIVING SPOUSE: C.E. DOC NORTON

SOCIAL SECURITY NUMBER: 444-09-5074 RESIDENCE: MOUNTAIN HOME, IDAHO

FATHER: SAMUEL LUTHER NEILL
FATHERS BIRTHPLACE: TENNESSEE
MOTHER (MAIDEN): MARY KATE DANSBY
MOTHERS BIRTHPLACE: GEORGIAMORTUARY: JONES & CASEY FUNERAL HOME
MORTICIAN: SHAUN O'REILLYSALMON, IDAHO
DISPOSITION: BURIAL

CERTIFYING PHYSICIAN: ARTHUR D. EARL, MD

AUTOPSY: NO

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

CEREBRAL HEMORRHAGE
ATHEROSCLEROSIS
HYPERTENSION2 DAYS
YEARS
YEARS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

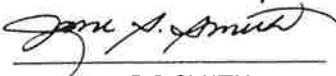
NONE LISTED

MANNER OF DEATH: NATURAL

I certify that this is a true and correct reproduction or abstract of an official
record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS.

JULY 03, 1995

DATE ISSUED:


JANE S. SMITH
State Registrar

WARRANTY DEED

For Value Received

CARMEN EDWARD NORTON a/k/a
C.E. NORTON a/k/a CARMEN E. NORTON
A single man,
P.O. Box 69
Carmen, Idaho 83462

the Grantor does hereby grant, bargain, sell and convey unto

LANCE J. MONTEVERDI and DAVID J. MONTEVERDI
Both single men, as joint tenants with right of survivorship,
2011 Filbert
San Francisco, California 94903,

the Grantees, the following described premises, in Lemhi County Idaho, to-wit:

SEE EXHIBIT "A," ATTACHED HERETO AND MADE A PART HEREOF

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he is the owner in fee simple of said premises; they are free from all encumbrances except the lien for taxes for the current year, any liens and encumbrances of record on this date, and any liens or encumbrances suffered or created by Grantees prior to the date hereof, that he will warrant and defend the same from all lawful claims whatsoever.

I, CARMEN EDWARD NORTON a/k/a C.E. NORTON a/k/a CARMEN E. NORTON, hereby reserve a Life Estate in the above described real property and improvements located in Lemhi

WADE SURVEYING

P.O. Box 1175
Salmon, Idaho 83467

Phone (208) 756-3070

PARCEL A

August 2, 2000

The SE 1/4 SE 1/4 of Section 8, the NE 1/4 NE 1/4 of Section 17, the SW 1/4 SW 1/4 of Section 9 and a parcel of land located in the E 1/2 SW 1/4, Section 9, T. 23 N., R. 22 E., Boise Meridian, Lemhi County, Idaho, more particularly described as follows:

Commencing at the S 1/4 Corner of said Section 9, from which the SW corner of Section 9 bears N 89°54'24" W, 2622.26 ft., the Basis Of Bearing of this description, run thence N 89°54'24" W along the southerly boundary of Section 9 a distance of 454.00 ft. to the SW corner of R.O.S. Inst. No. 230890 and the POINT OF BEGINNING;

Continue thence N 89°54'24" W along said southerly boundary a distance of 857.13 ft. to the SW corner of said E 1/2 SW 1/4;

Thence N 00°12'18" W along the westerly boundary of said E 1/2 SW 1/4 a distance of 2643.28 ft. to the NW corner of said E 1/2 SW 1/4 of Section 9;

Thence N 89°48'54" E along the northerly boundary of said E 1/2 SW 1/4 a distance of 1311.64 ft. to the C 1/4 of Section 9;

Thence S 00°11'37" E along the center of Section 9 a distance of 571.71 ft. to a point in the center of Tower Creek;

Thence along said creek the following courses and distances:

N 83°41'38" W, 23.15 ft.; S 36°06'04" W, 64.93 ft.;

S 56°52'39" W, 111.63 ft.; S 33°34'06" W, 36.53 ft.;

S 84°50'54" W, 49.04 ft.; S 40°19'26" W, 146.73 ft.;

S 88°24'54" W, 107.21 ft.; S 12°19'02" W, 125.54 ft.;

Thence S 00°11'37" E a distance of 1693.96 ft. to the POINT OF BEGINNING.

PARCEL B

Lots 2 and 3 in Norton Subdivision II Amended, Lemhi County, Idaho.



filename: c:\docs\forms\ditch flow computations upgraded.xls

Measurement done by: B. Foster

Date of measurement: 7/18/2005

REW value: 1.00

LEW value: 2.40

readings (ft): 0.20

Make entries in cells without shading.

[illegible]

NOTES

MONTBURN, ID

ASSESSMENT ROLE FOR
YEAR 1912 PROVES
HISTORICAL USE OF WATER
BEING APPLIED THROUGH CURRENT
DITCHES.

WATER RIGHTS # 5.

75-4374

75-13982

SCANNED

AUG 16 2005

RECEIVED

AUG 16 2005

Department of Water Resources

Page 1095

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-13982

WATER RIGHT NUMBER: 75-13982

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DAVID J MONTEVERDI 2011 FILBERT SAN FRANCISCO, CA 94903 (415)921-3587
Current Owner	LANCE J MONTEVERDI 2011 FILBERT SAN FRANCISCO, CA 94903 (415)921-3587

Lower Ditch

Priority Date: 07/10/1906

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
NORTH FORK TOWER CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01	to 11/01	0.880 CFS	
	<u>Total Diversion:</u>		0.880 CFS	

Location of Point(s) of Diversion

NORTH FORK TOWER CREEK	NE1/4SE1/4SE1/4	Sec. 8,	Twp 23N,	Rge 22E,,B.M.
LEMHI County				

Place of Use

IRRIGATION Within LEMHI County

T23N R22E S08	SWSE	6.7	T23N R22E S17	NWNE	3.8
Total Acres: 10.5					

Conditions of Approval:

1. SPLIT OFF OF PARENT RIGHT 75-4193

Remarks:

*Historical
Indexes
No previous attempts*

SCANNED

AUG 16 2005



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 14, 2006

David J. Monteverdi
2011 Filbert
San Francisco, CA 94903

Re: Claim 75-4376

Dear Mr. Monteverdi:

The Idaho Department of Water Resources has reviewed your Notice of Error Reply for the oboe said claim. The recommended diversion rate of 0.28 cfs was based upon the statutory allotment of 1.0 cfs per 50 acres or 0.02 cfs per acre, not the flow measurement that was done by field personnel. The total amount of land being irrigated within your claim was determined to be 14.0 acres. $(0.02 \text{ cfs per acre}) \times (14 \text{ acres}) = 0.28 \text{ cfs}$.

If you have any questions, feel free to contact me at this office.

Sincerely,

Keith E. Franklin
Water Resources Agent

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: 75-4376

DAVID J MONTEVERDI
2011 FILBERT
SAN FRANCISCO CA 94903
Telephone Number: (415)921-3587

LANCE J MONTEVERDI
2011 FILBERT
SAN FRANCISCO ID 94903
Telephone Number: (415)921-3587

SCANNED

DEC 13 2006

RECEIVED

DEC 13 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:

• 520 CFS SHOULD BE ALLOTTED QUANTITY.

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

THE FLOW GAUGE METER THAT WAS USED WAS AFFECTED BY
WEEDS CAUGHT UP IN PROPELLER. THE PERSON DOING THE TESTING
TOOK GAUGE APART, AND AFTER HE PUT IT BACK TOGETHER, IT WOULD BARELY WORK.

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

DATE: 12/1/06

SIGNATURE: David J. Monteverdi; Lance Monteverdi

Please print your name: DAVID MONTEVERDI, LANCE MONTEVERDI

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). 75-4376

1. ☐ No Change NAME IS SAME

☒ NEW OWNER: See ownership change

☐ 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.: ~~TM 7~~ A0015073 FL TM 71205 P02
A0015074 FL TM 71205 P003

Township 23N Range 22E Section 9 1/4 NW 1/4 SW 1/4 SW
Township 23N Range 22E Section 9 1/4 NW 1/4 SE 1/4 SW

5. ☐ No Change - DESCRIPTION OF DIVERTING WORKS

☒ Incomplete description, list below:

dams in creek ditches to place of use

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 *See measurement*

☐ 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

*additional pod found during exam, claimant stated
the additional pod had been historically used by previous
owner Mr. Norton.*

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: *7-12-05*

FIELD EXAMINER: *Bob Foster*

Print Name

Bob Foster

Signature


```
filename: c:\docs\forms\ditch flow computations upgraded.xls
```

Measurement done by: B. Foster

Date of measurement: 7/18/2005

REW value: 1.00

LEW value: 2.20

readings (ft): 0.20

Make entries in cells without shading.

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4376

WATER RIGHT NUMBER: 75-4376

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	CARMEN E NORTON PO BOX 69 CARMEN, ID 83462 (208)756-3721
Original Owner	VERNA N NORTON PO BOX 69 CARMEN, ID 83462 (208)756-3721
Current Owner	DAVID J MONTEVERDI 2011 FILBERT SAN FRANCISCO, CA 94903 (415)921-3587
Current Owner	LANCE J MONTEVERDI 2011 FILBERT SAN FRANCISCO, ID 94903 (415)921-3587

Upper Ditch

Priority Date: 07/01/1910
Basis: Statutory Claim
Status: Active

<u>Source</u>	<u>Tributary</u>
EAST FORK TOWER CREEK	TOWER CREEK

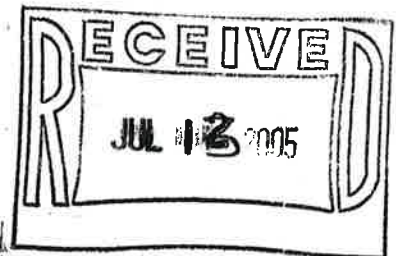
<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	0.520 CFS	
	<u>Total Diversion:</u>	0.520 CFS	

Location of Point(s) of Diversion

EAST FORK TOWER CREEK	NE1/4SW1/4SW1/4	Sec. 9, Twp 23N, Rge 22E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T23N R22E S08	SESE	11.0	T23N R22E S09	SWSW	15.0
Total Acres: 26					

Conditions of Approval:Remarks:

SCANNED

AUG 16 2005

9:30AM

8437
David



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

JAMES E. RISCH
Governor

KARL J. DREHER
Director

January 11, 2007

DAVID J & LANCE J MONTEVERDI
2011 FILBERT
SAN FRANCISCO CA 94903

Re: Tower Creek Adjudication Recommendation

Dear David & Lance Monteverdi:

Enclosed is a spreadsheet that summarizes recommendations filed with the SRBA court for claims for water from Tower Creek for properties that were settled in the 1890's or early 1900's. The claims had a wide array of priority dates and evidence in support of those priority dates was received. Some of you filed a Notice of Error in response to the Recommended Findings that were mailed out to claimants in November 2006. Some of you may have already received a response from us regarding your Notice of Error.

After looking at each right separately, we concluded that a more systematic approach to how recommendations were made was required. It seemed to us that it made sense to have the same priority date recommended for all of the property that was originally part of a single homestead. To that end we evaluated the Evidence of Priority information that was submitted and used the earliest date that we felt could be verified. In some cases documents were submitted that may reference dates earlier than what we have recommended, but the extent of development was not quantified. The spreadsheet lists the various water rights and the basis for the selection of the date used. Please note that you still have the option of filing an objection with the court if you disagree with these recommendations

If you have any questions please don't hesitate to contact us.

Sincerely

A handwritten signature in black ink that reads "Robert G. Haynes". The signature is written in a cursive, flowing style.

Robert G. Haynes P.E.
Regional Manager

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: A75-04376

Date Received: 4/18/1990

Receipt No: 4006672

Received By: jpe

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARMEN E. NORTON 208-756-3721
Address: P.O. BOX 69
CARMEN, ID 83462

AND/OR

Name: VERNA N. NORTON 208-756-3721
Address: P.O. BOX 69
CARMEN, ID 83462

2. Date of Priority: JUL 01, 1910

3. Source: TOWER CREEK, EAST FORK Trib. to: TOWER CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
23N	22E	9	NE SW SW		LEMHI

5. Description of diverting works:
DITCH WITH FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.520		

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

8. Total consumptive use is 65.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A75-04376

Page 1

Date: 04/18/90

A7504376



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DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
23N	22E	8	SE	SE		IRR	11.0
						Section Acres	11.0
		9	SW	SW		IRR	15.0
						Section Acres	15.0
						Total Acres	26.0

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: _____

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): Carmen E Norton Date: April 18, 1990

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 18 day

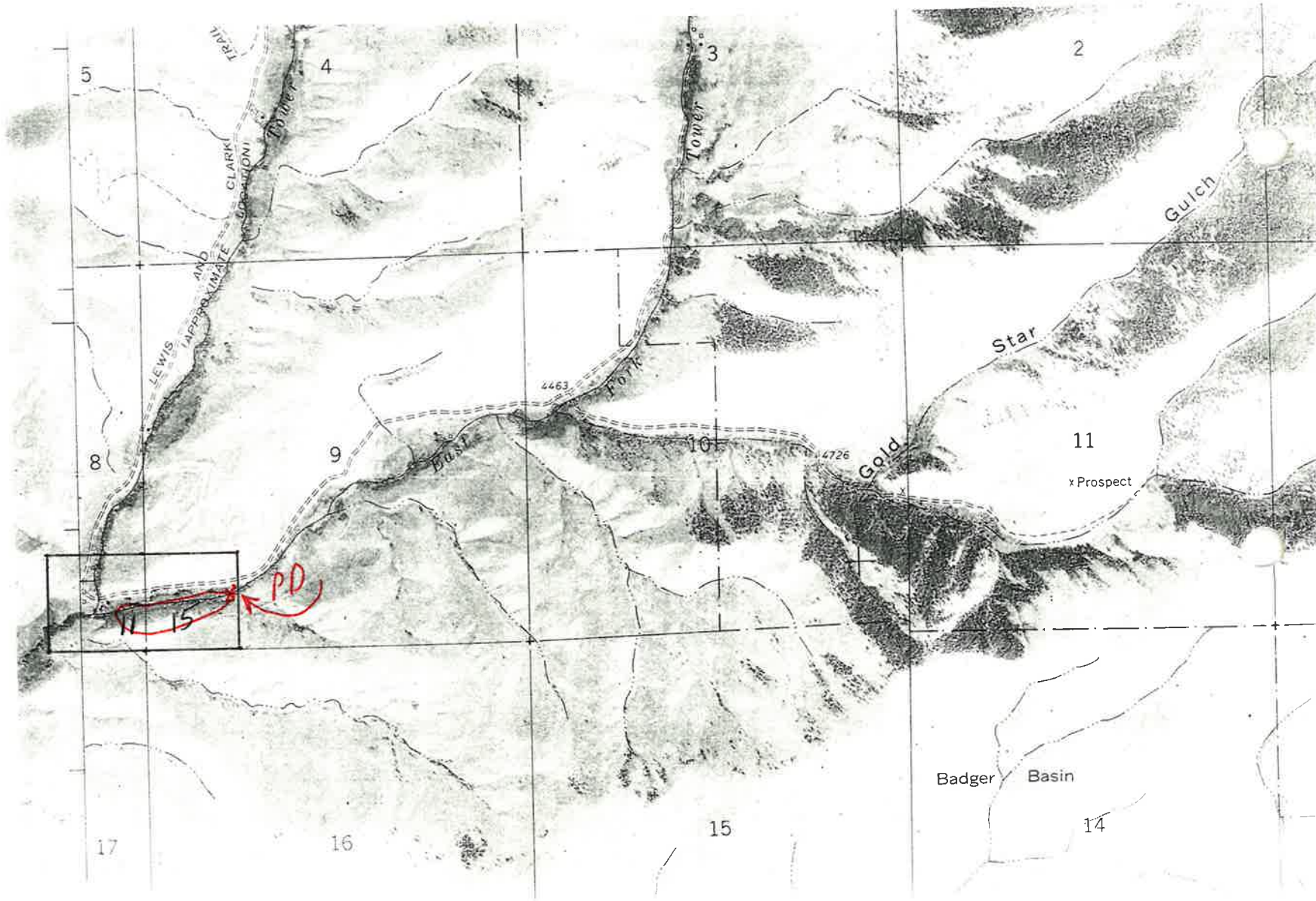
of April 19 90

John Delaney
Notary Public

Seal

Residing at Boise ID

My Commission Expires 4/2/94



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DEC 15 1992