

11/12/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 75-4411

NAME AND ADDRESS: STEVE ADAMS
701 15TH
SALMON ID 83467

SOURCE: SALMON RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.144 CFS

PRIORITY DATE: 04/01/1882

POINT OF DIVERSION:

T21N R22E S18 SENW Lot 2 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	0.140 CFS
STOCKWATER	01/01 12/31	0.004 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T21N R22E S07 NESW 0.50 T21N R22E S07 Lot 3 NWSW 6.50

STOCKWATER in LEMHI County

T21N R22E S07 Lot 3 NWSW

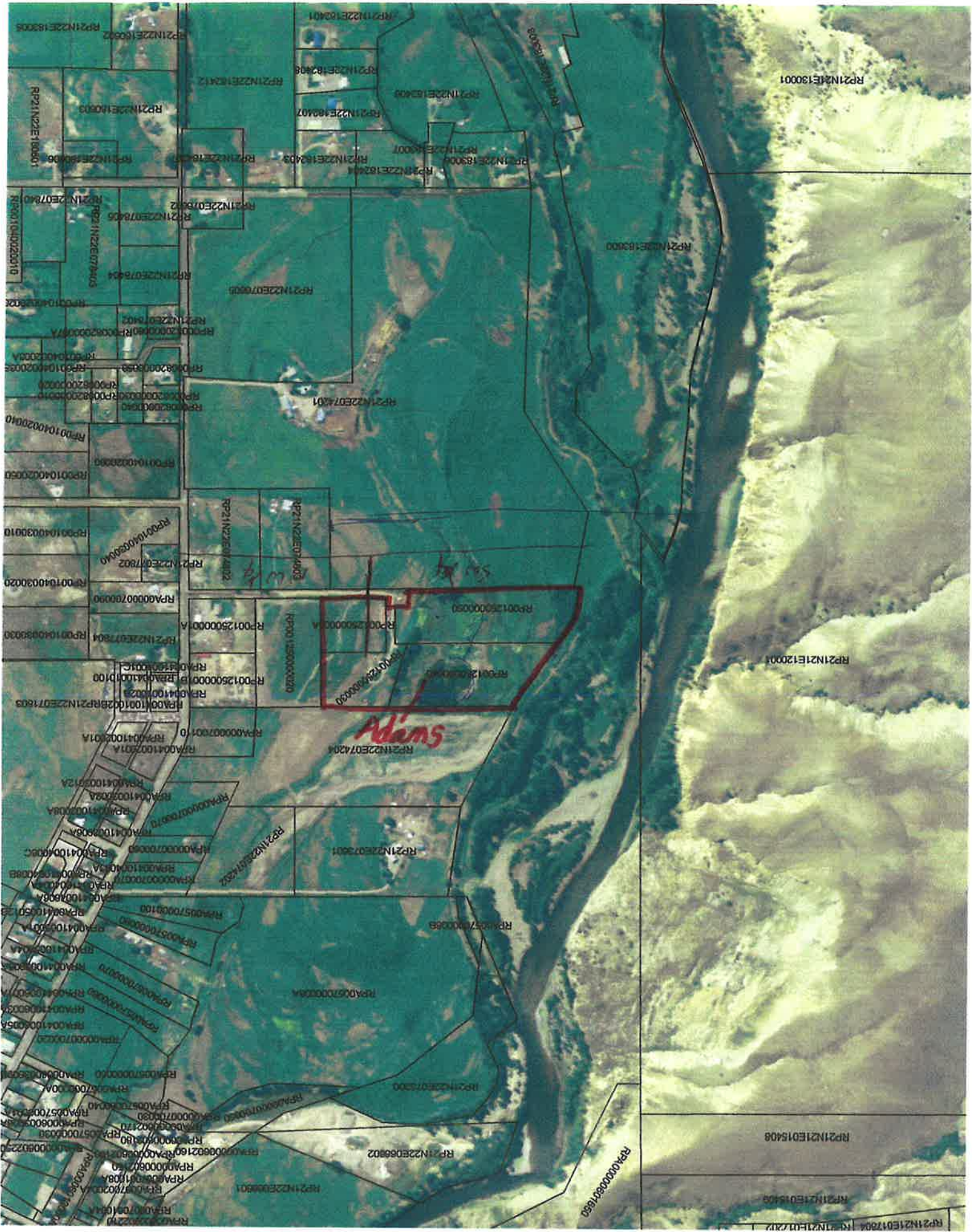
7 ACRES TOTAL

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





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

CLAIM NO(s). 75-4411

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.: A0017220

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:

headgate ditch 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

☐ 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

no water diverted at time of exam

☐ SYSTEM DIAGRAM INCLUDED ☐ NA
☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: 9-27-06

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

in twelve years
the 4th day of
in the year of
stood by and
sums of money
the 4th day of
paid interest
did party of
interest
herself her
and complete
class by the said
knowledge
his heirs or legal
tioned
to have hereinafter
to year above
Phillips seal
leigh seal

1883 before me
id County and
wife of Fred Phillips
but the same person
retirement of United
duly acknowledged
voluntarily and

subscribed my name
and year in the

Auditor's Record
QD 1885
@ of Dec
request of
Record

The United States of America.
Do all to whom these presents shall come greeting
Whereas Sylvester M^c Cain of Lemhi County Idaho
Territory, has deposited in the General Land Office of the United
States a Certificate of the Register of the Land Office at Oxford Idaho
Territory, whereby it appears that full payment has been made by
said Sylvester M^c Cain, according to the provisions of the Act of the
of the 24th of April, 1870, entitled "an Act making further provision
for the sale of the Public Lands", and the Acts supplemental
thereto for the lot numbered one in Section eighteen and the
numbered one, two, three and four of Section seven in Township
twenty one North of Range twenty two East of Boise Meridian
in Idaho Territory, containing one hundred and thirty one
and forty hundredths of an Acre, according to the Official
of the Survey of said Lands, returned to the General Land Office
by the Surveyor General, which said tract has been purchased
by the said Sylvester M^c Cain;

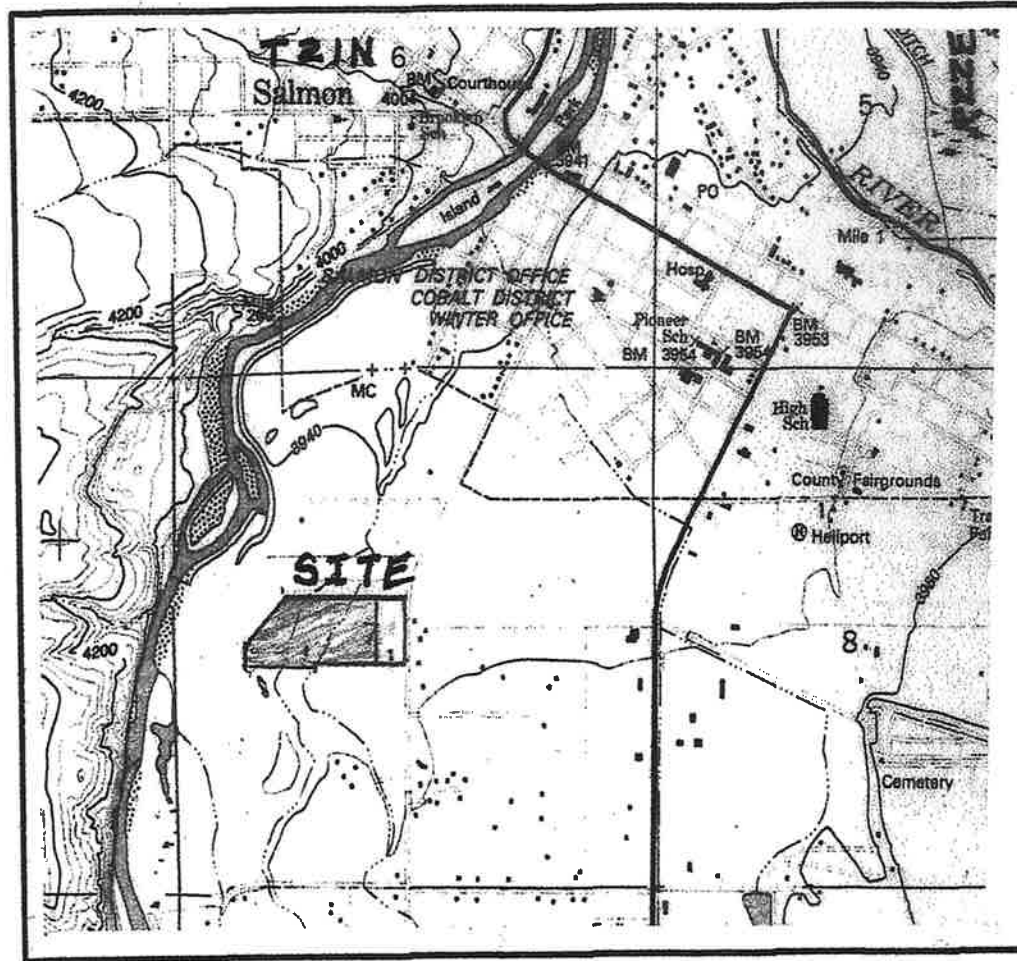
Now Know Ye, That the United States of America, in consideration
of the premises, and in conformity with the several Acts of Congress
in such case made and provides, have given and granted, and
these presents do give and grant unto the said Sylvester M^c Cain
and to his heirs, the said tract above described, To have and to hold
the same, together with all the rights, privileges, immunities and
appurtenant acres of whatever nature thereto belonging, unto the
Sylvester M^c Cain and to his heirs and assigns forever, Subject to
any vested and accrued Water Rights for Mining, Agricultural, Manufacturing,
or other purposes, and rights to ditches and reservoirs used
in connection with such water rights, as may be recognized and
acknowledged by the local customs, laws, and decisions of Courts, and
also, Subject to the right of the proprietor of a vein or lode to enter
and remove his ore therefrom, Should the same be found to penetrate
or intersect the premises hereby granted as provided by law.

In Testimony Whereof, I Chester A. Arthur President of the United
States of America, have caused these letters to be made patent, and the
Seal of the General Land Office to be hereunto affixed,
Given under my hand, at the City of Washington, the seventeenth day
of November in the Year of our Lord one thousand eight hundred
and eighty-four, and of the Independence of the United States, the
one hundred and ninth

By the President Chester A. Arthur, By W. M. Kean, Secretary
Recorded Vol 1 - Page 131. S. W. Black Recorder of the Gen &
Filed for record in this Office this 23rd day of January A.D. 1885. At
1.30 P.M. and recorded in Book 6 of Deeds page 501. John T. Engle

*Site Plan
Richard Lynn Estates- As Amended
Lemhi County, Idaho.*

VICINITY MAP



 TAYLOR MOUNTAIN SURVEYING PROFESSIONAL LAND SURVEYORS 200 MAIN STREET BOZEMAN, IDAHO 83725 (208) 355-5571	SITE PLAN	
	EDGEVIEW PROPERTIES Sec. 7, T. 21 N., R. 23 E., S. 4	
	DATE	10-20-04
	BY	J.M.
DATE	10-20-04	1
BY	J.M.	07
DATE	10-20-04	1

TERRITORIAL AND COUNTY TAX, 1872

LEMHI COUNT.

Date.	Tax Payers' Names.	Descript'n Real Estate.	Description Personal Property.	CASH VALUE REAL ESTATE.	CASH VALUE PERSONAL PROPERTY.	Total.
May 16	John Morgan		15 Cows 14 yearlings 11 Calves 1 Horse, Improvements on Ranch	640 00 210 00 55 00 100 00 100 00	1005 00	
18	Morse & Morrow		2 Horses 6 Hogs 6 Horses 1 Wagon 1 Horse Improvements on Ranch	65 00 30 00 200 00 50 00 15 00 100 00	195 00	
22	John McConnell		Improvements on Ranch	50 00		
"	George Martin		13 Cows 25 Two year olds 13 yearlings 11 Calves 7 Horses	455 00 500 00 195 00 55 00 200 00	1455 00	
24	A J Menab		Money on hand Stocks with sheep 1 Horse & Calf	200 00 100 00 100 00	200 00	
"						
"						
"						
28	E H Amulack					
" 3	J J Morgan					
"	A. M. McMan					
"	Wm Morrow					
"	Levy & McFadden					
"	J G Morrison					
"	J M McFerson					
" 17	R. M. McFerson					
"	Robert Morgan		Merchandise Solvent debts Money on hand 32 Cows 18 yearlings	300 00 750 00 250 00 1280 00 270 00	4000 00	
"	Robert Morgan					
"						

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 75-4411
Date Received: 4/26/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

STEVE ADAMS Phone: (208) 756-2078
501 S ST CHARLES
SALMON ID USA 83467

2. Date of Priority: 04/01/1882

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
21N	22E	7	SW SW SW 3	LEMHI	

5. Description of diverting works:

DAMS AND DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.14	
STOCKWATER	01/01	12/31	0.004	

7. Total Quantity Appropriated is:
0.144 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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A7504411



21N	22E	7	NW	SW	2	IRRIGATION	7
			NW	SW	3	STOCKWATER	
						Section Acres	7
						Total Acres	7

11. Place of use in counties: LEMHI

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

13. Other Water Rights Used:

14. Remarks:

STOCKWATER, 6 HORSES

APPLICANT HAS CONTRACT WITH HAWLEY CARLSON TRUST. DR CARLSON HAD NOT REFILED CLAIM. APPLICANT IS PURCHASING PROPERTY ONCE THE ESTATE IS SETTLED. CLAIM IS FILED TO PROPERLY REFLECT CURRENT USES & INTENDED USES.

15. Basis of Claim: Beneficial Use

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 75-4411
Date Received 6-5-02
Receipt Number EO 27822

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED
JUN 05 2002
Department of Water Resources
Eastern Region

Please type or print clearly

1. Name of Claimant (s) Dr Hawley Carlson (deceased), Steve Adams Phone (208) 756-2078
Mailing Address 401 S. St. Charles St

2. Date of Priority (Only one (1) per claim) 4/1/1882

3. Source of water supply (a) Salmon River, undamed spring(s)
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 21N Range 22E Section 7
~~SW~~ 1/4 of ~~NE~~ 1/4 of SW 1/4, Govt. Lot, 03 B.M., County of Lemhi

Additional points of diversion if any: Lot 5 of Richard Lynn Estates Subdivision

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

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, Govt. Lot _____ B.M., County of _____, _____ 1/4 of _____ 1/4 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.

to ditches & lot 4 of Richard Lynn Estates owned by Steve Adams.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 4/01 to 11/01 amount .140 or _____

For Stockwater purposes from 1/01 to 12/31 amount .004 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .144 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 17.5 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stockwater 6 head equine

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	
21	22	7																	

Total number of acres irrigated 7

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

12. Do you own the property listed above as place of use? Yes _____ No X
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. _____ or None ()

14. Remarks: Applicant has contract with Hawley Trust. Dr Carlson had not refilled claim. Applicant is purchasing property once the estate is settled. Claim is filed to properly reflect current uses & intended uses. Place of use is within Gov't lot 2 & 3 Sect 7 of 21N 22E

Last Name Hawley (Adams) Ident No. _____

Scale: ~~2 inches equals 1 mile~~

[illegible]

Last Name

Hawley (Adams)

Ident No.

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number 75-4411
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) Steve Adams Date 11/6/01

Date _____

For Organizations: I do solemnly swear or affirm that I am _____ Title _____
of _____, that I have signed the foregoing
Organization
document in the space below as _____ of _____
Title 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 _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

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 _____

Last Name _____ Ident. Number _____

Water Right Report

[Close](#)

10/23/2001

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report

WATER RIGHT NO. 75-4411

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	DR HAWLEY R CARLSON 401 N HWY 93 SALMON, ID 83467 (208)756-3131

Priority Date: 04/01/1882

Basis: Statutory Claim

Status: Temporary

<u>Source</u>	<u>Tributary</u>
SALMON RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/01	11/01	0.14 CFS	
Total Diversion			0.144 CFS	

3 acres

Location of Point(s) of Diversion:

SALMON RIVER	Lt 3	Sec. 07	Township 21N	Range 22E	LEMHI County
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IRRIGATION Use:

Acre Limit: 7

Place(s) of use:

*Place of Use Legal Description: IRRIGATION LEMHI County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
21N	22E	7	2		7	3								

Total Acres: 7

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close