

02/18/2005

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

RIGHT NUMBER: 75-7425
NAME AND ADDRESS: JOHN MIHALKA
PO BOX 138
CARMEN ID 83462-0138

MARIANNE L MIHALKA
PO BOX 138
CARMEN ID 83462-0138

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.020 CFS
1.500 AFY

PRIORITY DATE: 06/25/1985

POINT OF DIVERSION:

T22N R22E S8 SWSE 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	0.020 CFS 1.50 AFY

PLACE OF USE: IRRIGATION Within LEMHI County
T22N R22E S08 SWSE 0.5

0.5 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: License

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT NO.:

75-7425

T22N R22E S8

LEGEND



Point(s) of Diversion



Place(s) of Use



Quarter Quarter Lines



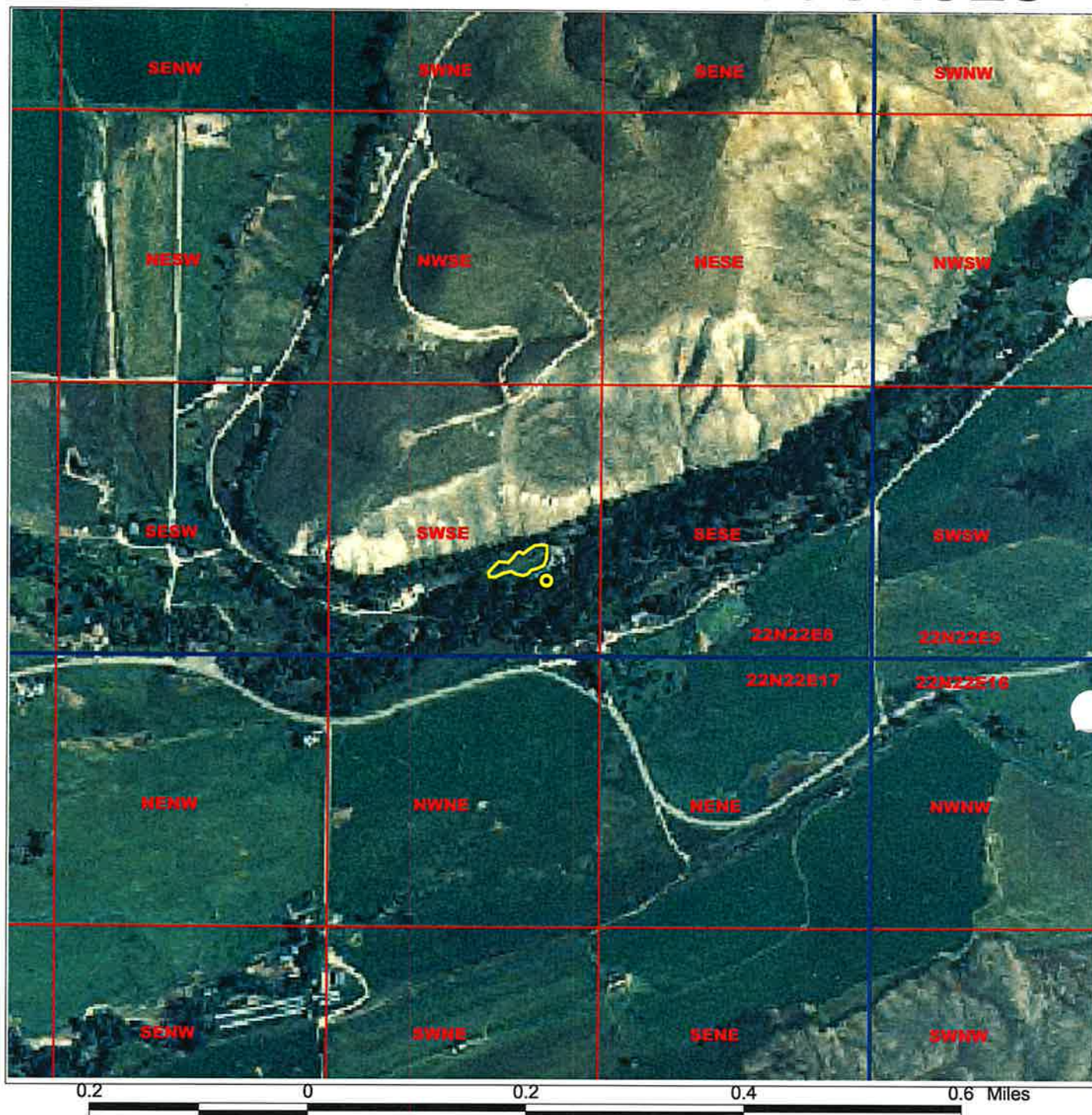
Section Lines

IMAGE

1998 True Color



Prepared By: Danielle Favreau
February 18, 2005



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: 75-7425

JOHN MIHALKA
PO BOX 138
CARMEN ID 83462-0138
Telephone Number: (208)756-6180

MARIANNE L MIHALKA
PO BOX 138
CARMEN ID 83462-0138
Telephone Number: (208)756-6180

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: 6 Nov 06 SIGNATURE: [Signature]
Please print your name: JOHN MIHALKA

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

RECEIVED
DEC 13 2006
IDWR/North

SCANNED

OCT 1 2 1990

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: A75-07425
Date Received: 5/21/1990
Receipt No: E013897
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JOHN MIHALKA 208-756-6180
Address: PO BOX 138
CARMEN, ID 83462

OR
Name: MARIANNE MIHALKA 208-756-6180
Address: PO BOX 138
CARMEN, ID 83462

2. Date of Priority: JUN 25, 1985

3. Source: CARMEN CREEK Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
22N	22E	8	SW	SE			LEMHI

5. Description of diverting works:
PUMP AND PIPELINE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.020		1.50

7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 1.50 A.F.A.

8. Total consumptive use is 1.2 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	22E	8	SW SE		IRR	0.5
Section Acres						0.5
Total Acres						0.5

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: LICENSE

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): _____ Date: _____
_____ Date: _____

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 A75-07425Date Received 4-30-90Receipt Number E013897

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) JOHN OR MARIANNE L. MIHALKA Phone (208) 756-6180Mailing Address PO BOX 138 CARMEN, ID Zip 834622. Date of Priority (Only one (1) per claim) JUNE 25 19853. 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 8,
_____ 1/4 of SW 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of LEMMING

Additional points of diversion if any: _____

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

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

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.PUMP AND PIPELINE WITH
A DIVERSION CAPACITY OF .050 CFS, PUMP 1 1/2 HP, PIPE
2"

MICROFILMED

DEC 15 1992



6. Water is claimed for the following purposes: -

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 04/01 to 11/01 amount 0.02 or 7.5

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.02 (cfs) and/or (b) 7.5 (acre feet)

8. Total consumptive use claimed is 2.5 acre feet per annum.

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

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>0.5</u>		<u>0.5</u>

Total number of acres irrigated 0.5

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

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.
_____ or None (X)

14. Remarks:

MICROFILMED

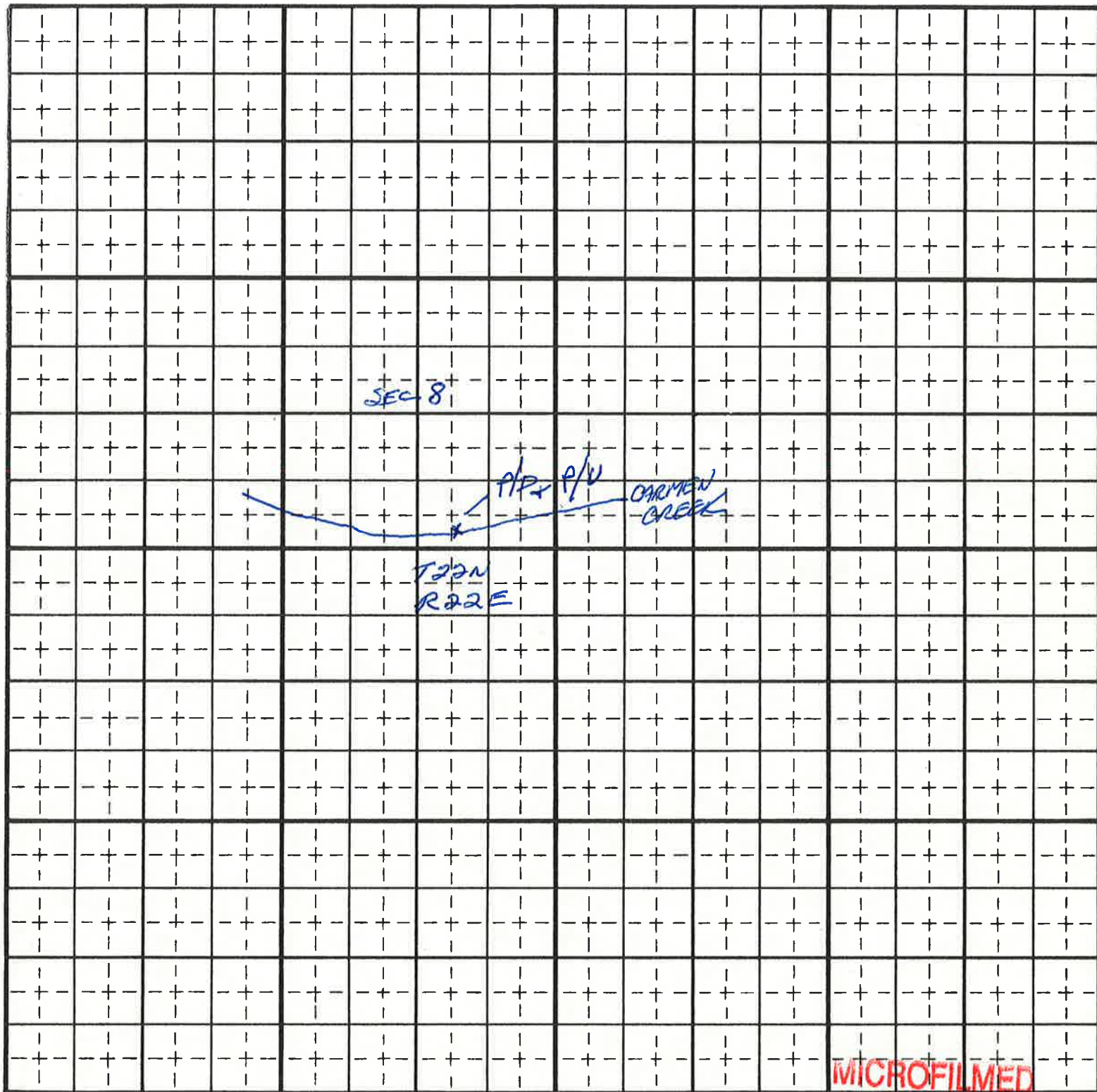
DEC 15 1992

Last Name MIHALKA Ident No. 75-07425

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



DEC 15 1992

Last Name MILHALKA

Ident No. 75-07425

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 75-07425

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) [Signature] Date 30 Apr 90

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 Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 30th day of Apr 19 90

SEAL

Notary Public Betty J. Thompson

Residing at _____

BETTY J. THOMPSON, NOTARY PUBLIC

My Commission Expires _____

RESIDING AT IDAHO FALLS, IDAHO

MY COMMISSION EXPIRES: 6-30-94

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 _____

MICROFILMED

DEC 15 1992

Last Name Mihalick Ident. Number 75-07425

Copies White-State, Yellow-Claimant