

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

1.70

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

11/10/2006

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

RIGHT NUMBER: 75-10389
NAME AND ADDRESS: TIM PILKERTON
PO BOX 196
CARMEN ID 83462

SOURCE: FREEMAN CREEK

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.200 CFS

PRIORITY DATE: 04/01/1949

POINT OF DIVERSION:

T23N R22E S36 NWSW Within LEMHI County

VOID

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

4/01 11/01

0.200 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

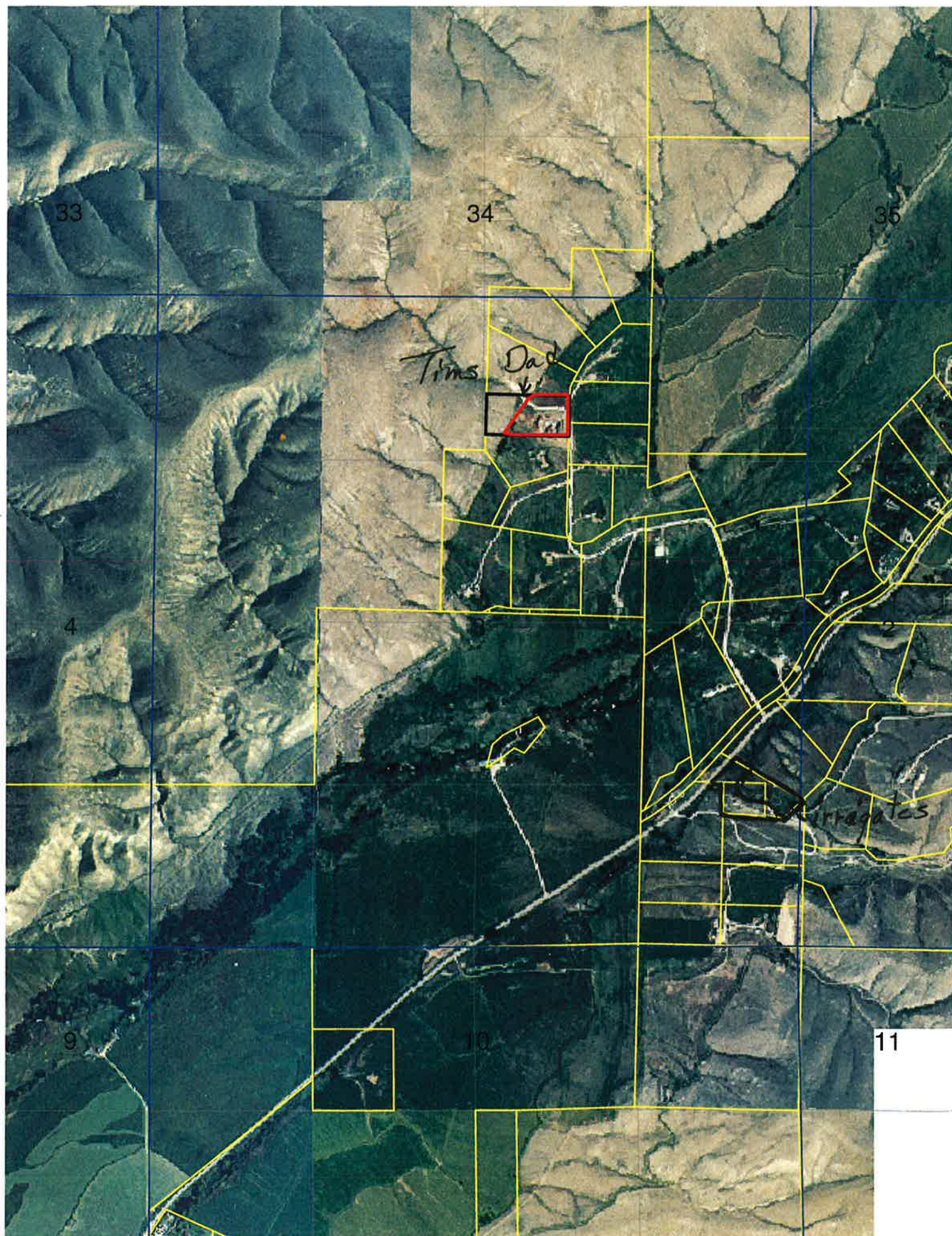
T22N R22E S03 Lot 2 NWNE 2.30

2.3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

~~Recommended as Right No. 75-14235.~~ NO B/u.

EXPLANATORY MATERIAL: BASIS OF CLAIM -



Zoom/Pan

Identify

Locate

Capture Screen

Print

Download

Help

Map Server Menu

Layers | Legend | Metadata

- Base Map**
 - ☒ Major Roads
 - ☒ Cities
 - ☒ Counties
 - ☐ PLS - Township/Range
 - ☐ PLS - Section
 - ☒ PLS - Quarter/quarter
- Monitoring Sites**
 - ☒ Statewide Program Sites
 - ☐ MagicValley
 - ☐ INL Oversight Program
 - ☐ Potential Managed Recharge
- Water**
 - ☒ Lakes and Rivers
 - ☒ Major Rivers
 - ☒ Rivers
 - ☒ Lakes
- Supporting Coverages**
 - ☐ CAFOs (Dairies and Feedlots)
 - ☐ Ground Water Management
 - ☐ Critical Ground Water Areas
 - ☐ Areas of Drilling Concern
 - ☐ Nitrate Priority Areas
 - ☐ Vulnerability
- Background Images**
 - ☐ LANDSAT TM color IR
 - ☐ LANDSAT TM true color
 - ☐ 1:250k DRG (TOPO)
 - ☐ 1:100k DRG (TOPO)
 - ☐ 1:24k DRG (TOPO)
 - ☐ Color Shaded Relief
 - ☐ DOQs
 - ☐ High Res. Color (NAIP)

Active Layer

Major Roads

Zoom Out

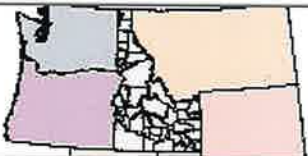
Refresh Map



Highlighted 5 acres was in question
by water resources. Said not
irrigated - has been for 21 years
that we have lived here.



Idaho Department of Water Resources Internet Map Server



Zoom/Pan



Identify



Locate



Capture Screen



Print



Download



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Zoom In



Layers | Legend | Metadata

Base Map

- ☒ Major Roads
- ☒ Cities
- ☒ Counties
- ☐ PLS - Township/Range
- ☐ PLS - Section
- ☒ PLS - Quarter/quarter

Monitoring Sites

- ☒ Statewide Program Sites
- ☐ MagicValley
- ☐ INL Oversight Program
- ☐ Potential Managed Recharge

Water

- ☒ Lakes and Rivers
- ☒ Major Rivers
- ☒ Rivers
- ☒ Lakes

Supporting Coverages

- ☐ CAFOs (Daries and Feedlots)
- ☐ Ground Water Management
- ☐ Critical Ground Water Areas
- ☐ Areas of Drilling Concern
- ☐ Nitrate Priority Areas
- ☐ Vulnerability

Background Images

- ☐ LANDSAT TM color IR
- ☐ LANDSAT TM true color
- ☐ 1:250k DRG (TOPO)
- ☐ 1:100k DRG (TOPO)
- ☐ 1:24k DRG (TOPO)

Active Layer

Major Roads

Refresh Map

Highlighted property was in question by water resources. 5 acres - said not irrigated - has been for 2.1 years that we have lived here

Tos:

THE FOLLOWING PAGES ARE MATERIALS SUBMITTED TO THE IDWR BY A NEIGHBORING PROPERTY TO SUBSTANTIATE THE 1949-04-01 WATER RIGHT ON THE PALMER PROPERTY.

MY CLAIM NO.75-10389 IS A RIGHT SPLIT FROM THE SAME FORMER RIGHT.

THE NEIGHBOR FILING THE CLAIM IS THE FOLLOWING;

Information for type: Recommendation

Record d	Bas n	Sequenc e	Suffi x	Versio n	Basis	Statu s	Priority Date	Diversio n Rate	Source List	Water Uses	Owner List
5	75	4305		1	Benefici al Use	Activ e	1949-04-01	0.1	FREEMA N CREEK	IRRIGATIO N	HARBEI ALAN D (Current) HARBEI VICTOR A M (Current)
6	75	4315		1	Benefici al Use	Activ e	1949-04-01	0.15	FREEMA N CREEK	IRRIGATIO N	HARBEI ALAN D (Current) HARBEI VICTOR A M (Current)
7	75	14240		1	Benefici al Use	Activ e	1949-04-01	0.2	FREEMA N CREEK	IRRIGATIO N	HARBEI ALAN D (Current) HARBEI VICTOR A M (Current)

Terri Pelletier

11/20/2006

NOTICE OF ERROR
REPLY

RECEIVED

DEC 26 2006

DEPARTMENT OF
WATER RESOURCES

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: 75-10389

TIM PILKERTON

PO BOX 196

CARMEN ID 83462

Telephone Number: (208)756-4209

RECEIVED
DEC 29 2006
IDWR/North

75-4305

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

THE RECOMMENDATION DENIED THE CLAIM AND
I BELIEVE THE CLAIM SHOULD BE GRANTED.

2. Describe the changes you wish to make in the proposed recommendation:

PLEASE GRANT THE CLAIM.

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

SEE ATTACHED DOCUMENTS

SCANNED

JAN - 2 2006

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

DATE: _____ SIGNATURE: _____

Please print your name: TIM PILKERTON

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

Tim Pilkerton

December 8, 2006

RE: CLAIM #75-10389

To Whom It May Concern:

Yesterday I spoke with one of the IDWR agents in Salmon, ID about my claim for the referenced water right and he indicated that the most serious problem I had was a lack of evidence that the right had been used continuously used since 1949.

The aerial photos available for my property have a hard time showing that the land is irrigated on a regular basis. This may possibly be the result of the two following reasons;

- (1) The water right only allows for 8-12 weeks of irrigation,
- (2) I graze livestock on the land year-round.

Please review the copies of the aerial photos I have supplied from the IDWR website and *Google maps* that show the acreage of concern is greener and contains more dense vegetation than the surrounding non-irrigated land.

I have included copies of papers filed on the IDWR website for a claim filed by Alan D. Harber, a neighbor, that the IDWR has recommended the 1949-04-01 to become a water right. My claim is a right split from the same former right.

I have also attached letters from current neighbors that are witnesses to the fact that I have irrigated the acreage in question continuously since they have been neighbors.

I have lived on and/or owned the property since 1985. I have continuously irrigated the acreage in question since that time.

Thank you, in advance, for your assistance and I look forward to a favorable resolution for the water right.

Sincerely,



Tim Pilkerton
PO Box 196
Carmen, ID 83462
(208) 756-4209

RECEIVED
DEC 26 2006
DEPARTMENT OF
WATER RESOURCES

RECEIVED
DEC 29 2006
IDWR/North

RE: CLAIM NO. 75-10389

To Whom It May Concern:

I am witness to the fact that Tim Pilkerton has continuously irrigated his property (36 Copperhead Road, Carmen, ID; Township 22N, Range 22E, SESE) for the past 15 years.

RECEIVED
DEC 29 2006
IDWR/North

R E Milch

DATE; DEC/18/2006

Tim Pilkerton

RE: CLAIM NO. 75-10389

RECEIVED
DEC 29 2006
IDWR/North

To Whom It May Concern:

I am witness to the fact that Tim Pilkerton has continuously irrigated his property (36 Copperhead Road, Carmen, ID; Township 22N, Range 22E, SESE) for the past 20 years.

DATE; 12/18/06

William P. Barr

Tim Pilkerton

RE: CLAIM NO. 75-10389

RECEIVED
DEC 29 2006
IDWR/North

To Whom It May Concern:

I am witness to the fact that Tim Pilkerton has continuously irrigated his property (36 Copperhead Road, Carmen, ID; Township 22N, Range 22E, SESE) for the past 19 years.

Alan Hankins

DATE;

12/18/06

Tim Pilkerton

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

CLAIM NO(s).

A7510389

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 # _____ List types: _____

Additional comments: _____

9. ☐ No Change — PLACE OF USE: (If changed, list below.)

Use: _____	Township <u>22N</u>	Range <u>22E</u>	Section <u>S</u>	1/4 <u>SE</u>	1/4 <u>SE</u>
Use: _____	Township _____	Range _____	Section _____	1/4 <u>NE</u>	1/4 <u>SE</u>
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

Hope this map is clear. Tim's place is
across Chamen Creek from his dad's place

☐ SYSTEM DIAGRAM INCLUDED

☐ NA

☐ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

DATE EXAM CONDUCTED: _____

FIELD EXAMINER:

Print Name

Jack F. Ellis

Signature

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-10389

WATER RIGHT NUMBER: 75-10389

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TIM PILKERTON PO BOX 196 CARMEN, ID 83462 (208)756-4209

Priority Date: 04/01/1949
Basis: Beneficial Use
Status: Active

<u>Source</u>	<u>Tributary</u>
FREEMAN CREEK	CARMEN 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	0.200 CFS	
	<u>Total Diversion:</u>	0.200 CFS	

Location of Point(s) of Diversion
FREEMAN CREEK NW1/4SW1/4 Sec. 36, Twp 23N, Rge 22E, B.M.
LEMHI County

Place of Use
IRRIGATION Within LEMHI County
T22N R22E S03 SESE 5.0
Total Acres: 5

Conditions of Approval:
1. THIS CLAIM IS BASED ON A 1949 WATER RIGHT ORIGINALLY OWNED BY THOMAS PALMER.

Remarks:

4-200
DEPARTMENT OF THE INTERIOR

UNITED STATES LAND OFFICE Hailey, Idaho.

ACK DESERT LANDS

Serial No. 019208
Receipt No. 1681893 - 40.00
2239187 -160.00

200.00

C E R T I F I C A T E .
DUPLICATE

August 29, 1918.

IT IS HEREBY CERTIFIED that, in pursuance of the act of Congress approved March 3, 1877, as amended by the act of March 3, 1891, entitled "An Act to provide for the sale of desert lands in certain States and Territories," CHRISTINE A. CURRAN of Salmon, Lemhi County, State of Idaho has purchased of the Register of this Office, and made payment in full for the land described as follows, to wit:

W¹SW¹ Section 2; SE¹SE¹ Section 3; NE¹NE¹ Section 10 Township 22 North, Range 22 East, Boise Meridian, containing one hundred sixty Acres, at the rate of \$1.25 per acre, amounting to Two Hundred Dollars and No cents.

NOW, THEREFORE, be it known that, on presentation of this Certificate to the Commissioner of the General Land Office, the said Christine A. Curran shall be entitled to receive a Patent for the land above described if all then be found regular.

Ben R. Gray, Register.

Recorded at the request of Allen C. Merritt Sept. 9th, 1918, at --- minutes past 9 o'clock A. M., in Book Y of Deeds page 551, Records of Lemhi County, Idaho.

BY Wm. L. Kirtley, Jr.
Deputy.

J. L. Kirtley, Jr.,
County Recorder.

-----Instrument No. 20598-----

Revenue Stamps \$1.00 Cancelled.

THIS INDENTURE, Made on the 16th day of August, 1918, at Salmon, Lemhi County, State of Idaho, by and between A. C. CHERRY, the duly appointed, qualified and acting ADMINISTRATOR of the estate of JOHN P. DIMOCK, deceased, late of Lemhi County, Idaho, the party of the first part, and CHARLES F. SNYDER of Lemhi County, Idaho, the party of the second part, WITNESSETH:

THAT WHEREAS, On the 25th day of May, 1918, the Probate Court of Lemhi County, State of Idaho, made an order of sale authorizing and directing the said party of the first part to sell certain real estate of the estate of the said John P. Dimock, deceased, situated in Lemhi County, State of Idaho, and specified and particularly described in said order of sale, and which said order of sale, now on file and of record in said Probate Court, is hereby referred to and made a part of this indenture:

AND WHEREAS, Under and by virtue of said order of sale, and pursuant to legal notices given thereof, the said party of the first part, on the 22nd day of June, 1918, at 1 o'clock, P. M., in said Lemhi County, State of Idaho, offered for sale in one parcel (the bidders refusing to bid for said property in any other way, and said Administrator judging it to be most beneficial to said estate) at public auction and subject to the confirmation of said Probate Court, and the said real estate situated in said Lemhi County, Idaho, and specified and described in said order of sale as aforesaid, and at such sale the said party of the second part became the purchaser of the said real estate hereinafter particularly described for the sum of SEVEN HUNDRED and SEVENTY-FIVE DOLLARS (\$775.00), lawful money of the United States, he being the highest and best bidder and that being the highest and best sum bid.

AND WHEREAS, The said Probate Court, upon due and legal return of the proceedings of said Administrator under the said order of sale made by the said Administrator, party of the first part, on the 10th day of July, 1918, after making such sale and after due and legal notice had been given by the Clerk of said court of hearing upon said return of said sale of real estate for the time and in the manner required by law, did, on the 22nd day of July, 1918, duly make an order confirming said sale and directing conveyances to be executed to the said party of the second part, a certified copy of which order of confirmation was recorded in the office of the County Recorder of said Lemhi County, State of Idaho, within which the said land sold is situated, on the 16th day of August, 1918, and which said order of confirmation now on file and of record in said Recorder's office

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AUG 02 2005

Desert Land Act

From Wikipedia, the free encyclopedia.

The **Desert Land Act** was passed by the United States Congress on 3 March 1877 to encourage and promote the economic development of the arid and semiarid public lands of the Western United States. Through the Act, individuals may apply for a desert-land entry to reclaim, irrigate, and cultivate arid and semiarid public lands.

The act offered 640 acres (2.6 km²) of land to anyone who would pay 25 cents an acre (\$61.78/km²) and promise to irrigate the land within 3 years. Individuals taking advantage of the act were required to submit proof of their efforts to irrigate the land within three years, but as water was relatively scarce, a great number of fraudulent "proofs" of irrigation (estimated as high as 95% for early claims) were provided.

This article is based in part upon content from <http://www.blm.gov/nhp/landfacts/DesertLand.html>, a public domain resource provided by the United States federal government.

Retrieved from "http://en.wikipedia.org/wiki/Desert_Land_Act"

Categories: Law stubs

- This page was last modified 16:15, 23 May 2005.
- All text is available under the terms of the GNU Free Documentation License (see **Copyrights** for details).

SCANNED

AUG 02 2005

THE FOLLOWING PAGES ARE MATERIALS SUBMITTED TO THE IDWR BY A NEIGHBORING PROPERTY TO SUBSTANTIATE THE 1949-04-01 WATER RIGHT ON THE PALMER PROPERTY.

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Information for type: Recommendation

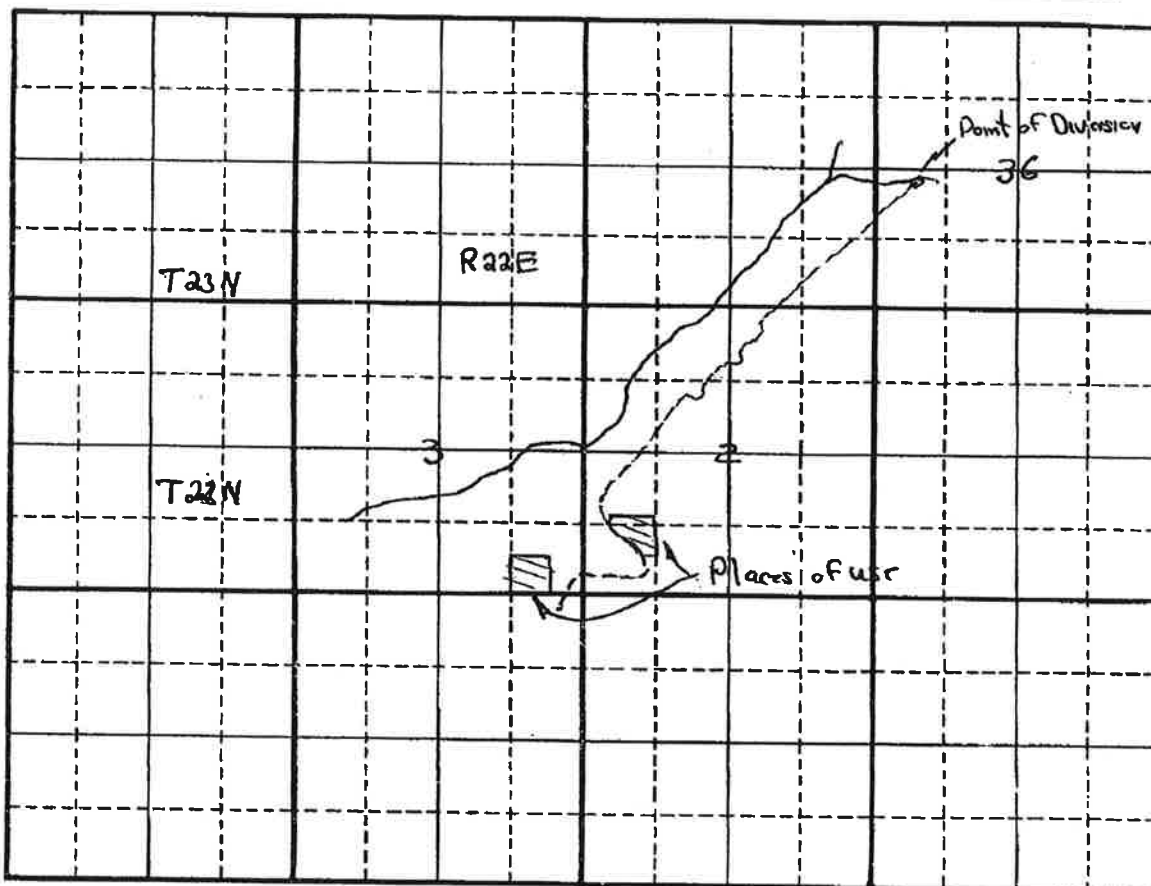
RECEIVED
DEC 29 2006
IDWR/North

Record	Basin	Sequence	Suffix	Version	Basis	Status	Priority Date	Diversion Rate	Source List	Water Uses	Owner List
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7	75	14240		1	Beneficial Use	Active	1949-04-01	0.2	FREEMAN CREEK	IRRIGATION	HARBER, ALAN D (Current); HARBER, VICTORIA M (Current)

Tami Pelletier

(8) Remarks _____

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IDWR/North



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Bonneville) ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.



Sworn to before me this 27th day of July

Tim Koshka
(Claimant)

19 82

Colleen Way
Notary Public
Residing at Idaho Falls, ID

My commission expires 6/15/85

assisted by HWT

FOR DEPARTMENT USE ONLY

Received by HWT

Date 7-27-82

Exception filed by:

Forwarded to

Date

Prelim. check by Kew

Date

\$30.00 fee received by BP

Date

Published in Recorder Herald

Date 7-27-82 #22410

Dates 8-5 & 8-12-82

claimant by:

Tim Koshka

IN THE MATTER OF:

AFFIDAVIT

RECEIVED

JUL 27 1982

Department of Water Resources
Eastern District Office

RECEIVED
DEC 29 2006
IDWR/North

State of Idaho
County of _____

FRANK PARMENTER

being first duly sworn,

deposes and says: I used water in said
ditch from the time I bought the ranch
in 1946. on the Sandeland Place
and extended and enlarged the ditch
down to the western boundary
of the ranch in 1949 or 1950 and used
it every year thereafter while I owned
the ranch

Frank Parmenter
(Signature)

Subscribed and sworn to before me this 22 day of July, 1982

Robert M. G. Jones
(Notary Public)

Residing at Idaho, Montana
My Commission Expires 10-1-84

Terri Relection

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion, and application to beneficial use:

75-4302

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED.
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: BIG CREEK HOT
SPRING tributary to BIG
CREEK

Priority Date: 11/05/1906
Amount: 0.16 CFS

Diversion Point: NWSW
Sec 22 T23N R 18E, LEM.
HI Co.

Use: RECREATION (0.16
CFS) from 01/01 to 12/31
Place of Use: NWSW Sec
22 T23N R 18E

Diversion Means: POOLS

75-4303

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED.
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: OWL CREEK
HOT SPRING tributary to
OWL CREEK

Priority Date: 02/22/1897
Amount: 0.06 CFS

Diversion Point: NWNW
Sec 10 T 23N R 17E, LEM.
HI Co.

Use: RECREATION (0.06
CFS) from 01/01 to 12/31
Place of Use: NWNW Sec
10 T 23N R 17E

Diversion Means: POOLS

75-4304

U.S. DEPT. OF AGRI.
FOREST SERVICE, FED.
ERAL BLDG., 324 25TH
ST., OGDEN, UT 84401

Source: WARM CREEK
HOT SPRINGS tributary
to WARM CREEK

Priority Date: 11/05/1906
Amount: 0.08 CFS

Diversion Point: SENW
Sec 12 T 18N R 21E, LEM.
HI Co.

Use: RECREATION (0.08
CFS) from 01/01 to 12/31
Place of Use: SENW Sec
12 T 18N R 21E

Diversion Means: POOLS

75-4305

KOEHLER, TIM
MONTERO, JOE

P.O. BOX 77, CARMEN,
ID 83462

Source: FREEMAN
CREEK tributary to CAR-
MEN CREEK

Priority Date: 04/01/1949
Amount: 0.60 CFS

Diversion Point: NWSW
Sec 36 T23N R 22E, LEM.
HI Co.

Use: IRRIGATION (0.60
CFS) from 04/01 to 11/01
Place of Use: NWSW
SWSW Sec 402 T 22N R
22E/SESE Sec 03 T 22N R
22E FOR 21 ACRES

Diversion Means: DITCH,
PUMP & PIPELINE

Any exception to any
claim of water right may
be filed with the Director
of the Idaho Department
of Water Resources, 150
Shoup Ave., Idaho Falls,
Idaho 83402.

A. KENNETH DUNN
Director
p. 11/15/83 & 9/1/83

Affidavit of Publication

STATE OF IDAHO

County of Lemhi

ss.

AUG 13 1982

Department of Water Resources
Eastern District Office

JERRY G. ROSIN

being first duly sworn, deposes
and says that he is one of the printers (publisher) of the RECORDER HERALD,
a newspaper published weekly at Salmon, Lemhi County, Idaho, and of general
circulation therein.

That the Notice of Claims to Water Rights Nos. 75-4302 thru

75-4305

a true
printed copy of which is attached to the margin hereof, has been and was correct-
ly printed and published in the regular and entire issue of every number of said
newspaper and not in any supplement thereof or thereto for 2
consecutive issues, commencing with the issue dated Aug. 5 19 82
and ending with the issue dated Aug. 12 19 82

Jerry G. Rosin

Subscribed and sworn to before me, this

twelfth

day of August

19 82

W. L. Armstrong

Notary Public for the State of Idaho,
Residing at Salmon, Idaho

Publication Fee \$ 44.55

Tim Montero

State of Idaho
Department of Water Resources

RECEIVED
DEC 29 2006
IDWR/North

CLAIM ANALYSIS SHEET

INITIAL REVIEW BY:

Keith C. Wilson

Right Number

75 4305

Applicant

Koehler / Montero

NOTE: IF ANY OF THE ITEMS BELOW ARE MISSING, THE CLAIM IS INCOMPLETE AND MUST BE RETURNED IMMEDIATELY TO THE CLAIMANT ALONG WITH THE APPROPRIATE COVER LETTER.

CHECK:

- ☒ Name and address.
- ☒ Date of priority. (Check for a date past the mandatory filing dates.) (One date only.)
- ☒ Source.
- ☒ Quantity, use, period.
- ☒ Point(s) of diversion.
- ☒ Location of use.
- ☒ Signature/notarization/fee.

Aug. 23, 1982

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received.
- ☒ Claim published correctly.
- ☐ Exceptions processed.

By

Ernest Carlson

Date

Sept 8, 1982

STATE OFFICE PROCESSING:

- ☒ Claim review complete.

By

KW

Date

9/14/82

RECEIVED
DEC 29 2006
IDWR/North

Tim Robertson

3/79

IDENT. NO. 75 4305

IDaho DEPARTMENT OF WATER RESOURCES

WATER RIGHT DATA ENTRY LOG

RECEIVED
DEC 29 2006
IDW/IN North

Initials

Date _____

Item

BP

7-29-82

Original form entered

Edit Report Correct

Date Protested

Date of Hearing

Date Approved/Denied
(Proof due date, stage and/or status,
conditions of approval, water district)

Record Verified

Amendment Approved

Extension Approved

Partial Proof

Proof Complete

Field Exam Received

**Field Exam Accepted
and changes entered**

License Signed

Transfer Approved

Keypunched by State Office

Tim Rector

25-4305

RECEIVED
DEC 29 2006
IDWR/North

KOEHLER, TIM
MONTERO, JOE

P.O. BOX 77, CARMEN, ID 83462

Source: FREEMAN CREEK tributary to CARMEN CREEK

Priority Date: 04/01/1949

Amount: 0.60 CFS

Diversion Point: NSW Sec 36 T 23N R 22E, LEMHI Co.

Use: IRRIGATION (0.60 CFS) from 04/01 to 11/01

Place of Use: NSW SWSW Sec 03 T 22N R 22E SESE NSW SWSW Sec 02 T 22N R 22E
SESE Sec 03 T 22N R 22E NSW SWSW Sec 02 T 22N R 22E SESE
Sec 03 T 22N R 22E FOR 78 ACRES

Diversion Means: DITCH, PUMP & PIPELINE

RECEIVED
DEC 29 2006
IDWR/North

Tim Albrecht

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region

RECEIVED
DEC 29 2006
IDWR/North

150 Shoup Ave.
Idaho Falls, Idaho 83402
(208) 525-7161

AUGUST 23, 1982

TIM KOEHLER
JOE MONTERO
P.O. BOX 77
CARMEN

ID 83462

RE: Claim No. 75-4305

Dear Claimant:

The Department of Water Resources has completed the advertising of your claim to a water right, and no further action is authorized under Section 42-243 and 42-244, IDAHO CODE. Your claim will be retained in our files and will be available at any time for use by you or the court.

The filing and advertising of the claim does not confirm the water right claimed, but will serve to record and preserve the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included with the claim, you may have that information or evidence added at any time. Please refer to the claim identification number when corresponding with this office.

We are enclosing a copy of your claim for your records. If you have questions, or if this office may be of further assistance, please feel free to contact us.

Yours truly,

RONALD D. CARLSON
Eastern Region Supervisor

Enclosure

RECEIVED
SEP 14 1982

Department of Water Resources

Tim Koehler

RECEIVED
DEC 29 2006
IDWR/North

75-4305

KOEHLER, TIM
MONTERO, JOE
P. O. BOX 77, CARMEN,
ID 83462

Source: FREEMAN
CREEK tributary to CAR-
MEN CREEK

Priority Date: 04/01/1949

Amount: 0.60 CFS

Diversion Point: NWSW
Sec 36 T 23N R 22E, LEM.
HI Co.

Use: IRRIGATION (0.60

CFS) from 04/01 to 11/01

Place of Use: NWSW

~~SWSW Sec 03 T 22N R~~

~~22E SESE NWSW SWSW~~

~~Sec 03 T 22N R 22E SESE~~

~~Sec 03 T 22N R 22E~~

NWSW SWSW Sec 02 T

22N R 22E SESE Sec 03 T

22N R 22E FOR 76

ACRES 35

Diversion Means: DITCH,
PUMP & PIPELINE

Any exception to any

claim of water right may

be filed with the Director

of the Idaho Department

of Water Resources, 150

Shoup Ave., Idaho Falls,

Idaho 83402.

A. KENNETH DUNN

Director

Published 8/5 & 8/12/

82. *Called*

8-3-88 GP 8-5-2tc

Timi Peltier

OCT 15 1992

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: A75-10389
Date Received: 5/01/1990
Receipt No: M007020 M007020
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: TIM PILKERTON
Address: P.O. BOX 196
CARMEN, ID

208-756-4209

83462

2. Date of Priority: APR 01, 1949

3. Source: FREEMAN CREEK

Trib. to: CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4	of	1/4	of	1/4	Lot	County
23N	22E	36	NW		NW		SW		LEMHI

5. Description of diverting works:
HEADBOX & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		

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

A.F.A.

8. Total consumptive use is 12.5 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
22N	22E	3	SE		SE		IRR	5.0

Section Acres 5.0

Total Acres 5.0

A75-10389

Page 1

05 10 90

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DEC 15 1992

A7510389



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:

THIS CLAIM IS BASED ON A 1949 WATER RIGHT ORIGINALLY OWNED BY
THOMAS PALMER.

15. Basis of Claim: BENEFICIAL USE

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): Loni Pilkutons Date: 5/10/90

Date: _____

State of Idaho)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of May 19 90

Carter Fritschle
Notary Public

Seal

Residing at Carter Fritschle, Notary Public
Residing at Eagle, Idaho
My Commission Expires March 21, 1994

580000

IMCROFILMED
DEC 15 1992

T 220
P 22E

P.U.



A75-10389

