

11/01/2006

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

RIGHT NUMBER: 75-10543

NAME AND ADDRESS: SHIRLEY J MATTIS
PO BOX 265
CARMEN ID 83462

SOURCE: SPRING

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.180 CFS

This right when combined with other rights shall provide no more than .02 cfs per acre.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION:

T22N R22E S2 NWNW Lot 4 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.020 CFS
IRRIGATION	4/01 11/01	0.160 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T22N R22E S03 SWNE 7.50 T22N R22E S03 ~~SENE~~ 0.50

STOCKWATER Within LEMHI County

T22N R22E S03 SWNE T22N R22E S03 ~~SENE~~

NWSE
NWSE

8 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

SCANNED
JAN 25 2008

12/10/2006

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

RIGHT NUMBER: 75-10543

NAME AND ADDRESS: SHIRLEY J MATTIS
PO BOX 265
CARMEN ID 83462

SOURCE: SPRING

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.160 CFS

The rights listed below are limited to a total combined diversion rate of 0.14 cfs.

Combined Right Nos.: 75-69P, 75-70P, 75-10061Z, 75-10062X, 75-10543 and 75-10544.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION:

T22N R22E S2 NWNW Lot 4 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	0.140 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T22N R22E S03 SWNE 6.40 T22N R22E S03 NWSE 0.30

STOCKWATER in LEMHI County

T22N R22E S03 SWNE T22N R22E S03 NWSE

6.7 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 6.7 acres in a single irrigation season. Combined Right Nos.: 75-69P, 75-70P, 75-10061Z, 75-10062X, 75-10543 and 75-10544.

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.

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

SCANNED
JAN 25 2009

11/01/2006

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

RIGHT NUMBER: 75-10543

NAME AND ADDRESS: SHIRLEY J MATTIS
PO BOX 265
CARMEN ID 83462

SOURCE: SPRING

TRIBUTARY: CARMEN CREEK

QUANTITY: 0.180 CFS

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION:

T22N R22E S2 NWNW Lot 4 Within LEMHI County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

STOCKWATER

1/01 12/31

0.020 CFS

IRRIGATION

4/01 11/01

0.160 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T22N R22E S03

SWNE

7.50

T22N R22E S03

SENE

0.50

STOCKWATER Within LEMHI County

T22N R22E S03

SWNE

T22N R22E S03

SENE

8 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

SCANNED
JAN 25 2009

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: 75-10543

SHIRLEY J MATTIS

PO BOX 265

CARMEN ID 83462

Telephone Number: (208)756-3944

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

THE LEGAL DESCRIPTION OF THE PLACE OF USE, SPECIFICALLY, THAT GROUND LOCATED IN T22N, R22E, S3, SENE (SOAC) IS INCORRECT.

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

THE LEGAL DESCRIPTION SHOULD BE T22N, R22E, S3, NWSE

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

THE DELINEATION OF THE PROPERTY ON THE AERIAL PHOTO IS INCORRECT. NO PORTION OF THE PROPERTY IS IN T22N, R22E, S3, SENE.

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

DATE: *12-6-06*

SIGNATURE: *Shirley J. Mattis*

Please print your name: *SITIRLEY J. MATTIS*

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

SCANNED
JAN 25 2008



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov.

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 8, 2005

SHIRLEY J MATTIS
PO BOX 265
CARMEN ID 83462

Re: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #75-10543 and 75-10544 and
Decree #75-10545

Dear Mrs. Mattis:

Thank you for notifying us that Kendall Mattis is deceased. Before we can remove Kendall's name from your water rights, we need a Notice of Change in Water Right Ownership form completed. I have enclosed that form for your use. Enclosing a copy of a document including the legal description of the land proving you are now the sole owner of the property and water rights, will replace the requirements for a Warranty Deed and map.

Please enclose a check in the amount of \$25 as requested in Item 8 of the instructions in order to have Kendall's name removed from the decreed water right for your domestic well, #75-10545, and return the completed form to me at this address.

Please call me toll-free at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

ss:region

Enclosure:

Form 42-248/42-1409(6)

SCANNED
JAN 25 2009
AUG - 8 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

RECEIVED

JUL 27 2005

DEPARTMENT OF
WATER RESOURCES

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 29, 2005

75-10543; 75-10544

KENDALL MATTIS

SHIRLEY J MATTIS

PO BOX 265

CARMEN ID 83462

DECEASED

RESPONSE DEADLINE
JULY 29, 2005

Re: Evidence of Priority Date

Dear Claimant:

The Notice of Claim to a Water Right (claim) identified with the number shown above your name has been filed in the Snake River Basin Adjudication (SRBA). The claim indicates your water usage is based on "Beneficial Use" or a "Statutory Claim." Water rights of this type are established by the historic use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed. Proof must be provided by the claimant supporting the priority date claimed and the historic use of the water.

Enclosed you will find a computer printout of your claim and the pamphlet entitled "Evidence of Priority." The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

PLEASE NOTE: If no evidence is submitted, IDWR will recommend the SRBA Court decree the claim be disallowed. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement should be in the form of a notarized affidavit.

Please submit the required evidence supporting the priority date and the historic use by the date shown above, referencing all documents with the corresponding claim number. Send the documents in the enclosed envelope to assure it arrives at the correct location. If you have questions not covered by this letter or the enclosed pamphlet, please contact this office. Our toll free number is 1-800-451-4129.

If you no longer own the property to which the claim is appurtenant, please forward this correspondence to the present owner, or return it to Idaho Department of Water Resources (IDWR). If you have received this correspondence from the previous owner of the property, it is recommended that you file a Change of Ownership form with IDWR in order to receive future mailings and to participate in the adjudication.

Sincerely,

Roxanne Brown
Sr. Water Resource Agent
Adjudication Bureau

Enclosures

SCANNED

JUL 28 2005

SCANNED

JAN 25 2008

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-10545

NAME AND ADDRESS:

KENDALL MATTIS DECEASED
SHIRLEY MATTIS
PO BOX 265
CARMEN, ID 83462

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 05/31/1983

POINT OF DIVERSION: T22N R22E S03 SESWNE Within Lemhi County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Domestic 1 HOME	01-01 TO 12-31	0.04 CFS

PLACE OF USE: Domestic Within Lemhi County
T22N R22E S03 SWNE

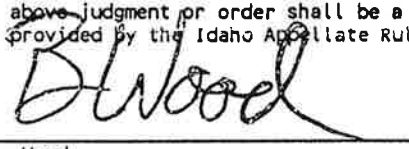
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

John S. McKinney

April 30, 1990

DEPARTMENT OF WATER RESOURCES
Adjudication Bureau
150 Shoup Avenue, Suite 15
Idaho Falls, Idaho 83401

Re: Kendall or Shirley Mattis

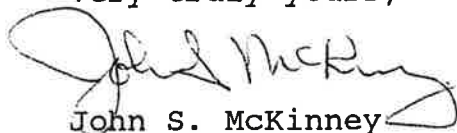
Gentlemen,

Find enclosed seven (7) "Notices of Claim to a Water Right" in the Snake River Basin Water System. Please file and return copies to me.

Also find enclosed check no. 634 from the Mattis's in the amount of \$333.00 to cover the filing of the seven (7) claims.

Any questions may be directed to me at the above address or phone number. Thank you.

Very truly yours,


John S. McKinney

:j

enclosures

RECEIVED

MAY - 1 1990

Department of Water Resources
Eastern District Office

ATTORNEY AT LAW
1015 MAIN STREET
P.O. BOX 1442
SALMON, IDAHO 83467
TELEPHONE: (208) 756-4287

MICROFILMED
DEC 15 1992

SCANNED
JAN 25 2008

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 A75-10543Date Received 5-1-90Receipt Number E014217OK #634 58° of 333"

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

RECEIVED

MAY - 1 1990

Department of Water Resources
Eastern District Office

Please type or print clearly

1. Name of Claimant (s) MATTIS, Kendall or Shirley Phone (208) 756-3944Mailing Address P.O. Box 265, Carmen, Idaho Zip 834622. Date of Priority (Only one (1) per claim) May 1, 18753. Source of water supply (a) Spring and seepage
which is tributary to (b) Carmen Creek4. a. Location of existing point of diversion is: Township 22N Range 22 E Section 2,
SE 1/4 of NW 1/4 of NW 1/4, Govt. Lot, B.M., County of LemhiAdditional points of diversion if any: none

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

Township Range Section , 1/4 of 1/4 of 1,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. Ditch from spring comingles
with water from Carmen Creek.

A7510543



MICROFILMED

DEC 15 1992

SCANNED

JAN 25 2008

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Irrigation purposes from Jan 1 to Dec 31 amount .16 or _____

For Stockwater purposes from Jan 1 to Dec 31 amount .02 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) .18 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is 130.09 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Cattle and Horses 15

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	
22N	22E	3	1.5		6.5														8

Total number of acres irrigated 8

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 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.

Creek, wastewater - 1882, 1888, 1892 or None ()

14. Remarks:

MICROFILMED

DEC 15 1992

SCANNED

Last Name MATTIS Ident No. _____

Copies: White -State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use X Posted Notice _____ License _____ Permit _____
Decree _____
If applicable provide IDWR Water Right Number _____
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 2

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) Kendall Mathis

Date 4/30/90

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 for _____)
County of Lemhi) SS.

Subscribed and sworn (or affirmed) before me this 30th day of April 1990

SEAL

Notary Public John S. McKinney

Residing at Salmon, Idaho

My Commission Expires 4/8/92

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, John S. McKinney 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 John S. McKinney

Address P.O. Box 1442, Salmon, ID 83467

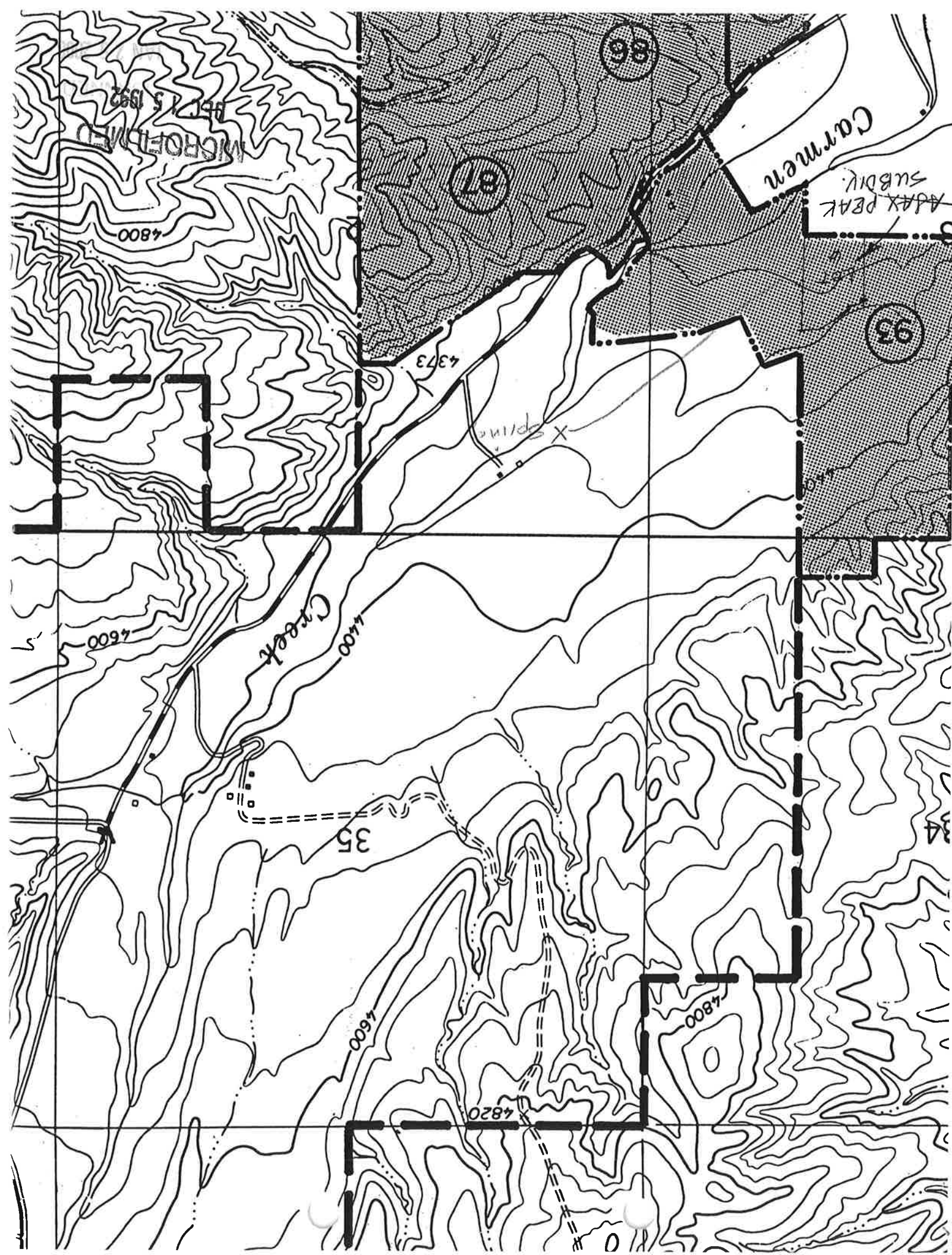
Date April 30, 1990

Last Name MATTIS Ident. Number _____

MICROFILMED
DEC 15 1992
SCANNED

Copies White-State, Yellow-Claimant

JAN 25 2008



SCANNED

05/15/92

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: A75-10543
Date Received: 5/01/1990
Receipt No: E014217
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: SHIRLEY MATTIS 208-756-3944
Address: PO BOX 265
CARMEN, ID 83462

OR
Name: KENDALL MATTIS 208-756-3944
Address: PO BOX 265
CARMEN, ID 83462

2. Date of Priority: MAY 01, 1875

3. Source: SPRING Trib. to: CARMEN CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
22N	22E	2	SE	NW	NW		LEMHI

5. Description of diverting works:
DITCH FROM SPRING

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.160		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is 130.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/ 15 CATTLE AND HORSES

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
22N	22E	3	NE	NE	IRR	1.5
			SW	NE	IRR	6.5
Section Acres						8.0
Total Acres						8.0

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:

75-00070P, 10061Z, 10062X, 10544, 00069P

14. Remarks:

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): _____ Date: _____
_____ Date: _____