

11/15/2006

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

RIGHT NUMBER: 75-14029
NAME AND ADDRESS: LLOYD A TUTOR
309 GRANITE ST
SALMON ID 83467
SHERYL L TUTOR
309 GRANITE ST
SALMON ID 83467

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.120 CFS
PRIORITY DATE: 04/01/1915
POINT OF DIVERSION:

T23N R22E S35 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.120 CFS

PLACE OF USE:

IRRIGATION in LEMHI County

T22N R22E S03 Lot 1 NENE	0.50	T22N R22E S03 Lot 2 NWNE	1.40
T23N R22E S34 SWSE	0.50	T23N R22E S34 SESE	0.50

2.9 ACRES TOTAL

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

No beneficial use found.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

No beneficial use found: This is included for a claim based on beneficial use that is proposed to be disallowed because beneficial use of water was not confirmed by IDWRs field examination or by other evidence submitted by the claimant.

0.102 cfs mined/dumped

VOID

SCANNED

JAN 28 2008

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: 75-14029

LLOYD A TUTOR
309 GRANITE ST
SALMON ID 83467
Telephone Number: (208)756-6676

SHERYL L TUTOR
309 GRANITE ST
SALMON ID 83467
Telephone Number: (208)756-6676

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: _____ SIGNATURE: _____

Please print your name: _____

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

SCANNED
JAN 28 2008

IDAHO DEPARTMENT OF WATER RESOURCES
CLAIMS / RIGHTS NOT RECOMMENDED

W.R. NUMBER	NAME AND ADDRESS	CLAIM DISPOSITION	REASON
75-13701	ROBERT FISHER C/O ALLEN & MARY FISHER PO BOX 1511 BELLEVUE ID 83313 JOEY FISHER C/O ALLEN & MARY FISHER PO BOX 1511 BELLEVUE ID 83313	Disallowed	No beneficial use found.
75-13702	DENNIS L HATCH 813 NEYMAN SALMON ID 83467	Disallowed	No lawful appropriation shown.
75-13703	UNITED STATES OF AMERICA ACTING THROUGH USDI BUREAU OF LAND MANAGEMENT IDAHO STATE OFFICE 1387 S VINNELL WAY BOISE ID 83709-1657	Disallowed	Recommended as Right No. 75-13846.
75-13707	RICHARD IGLINSKY 209 BARRETT SPRINGS WAY CANTON GA 30115-4329	Disallowed	No beneficial use found.
75-13720	LORI A CARLSON PO BOX 1071 SALMON ID 83467 RICHARD A CARLSON PO BOX 1071 SALMON ID 83467	Disallowed	No beneficial use found.
75-13960	WILLIAM M SALO PO BOX 2405 SALMON ID 83467-2405	Disallowed	No lawful appropriation shown.
75-13965	ABNER KING 17 SUN LN SALMON ID 83467	Disallowed	
75-14011	BETH ANNE O CONNER WALLACE 11920 NARCISSUS RD JACKSON CA 95642 JEROLD W WALLACE 11920 NARCISSUS RD JACKSON CA 95642	Disallowed	Recommended as Right No. 75-14009.
75-14029	LLOYD A TUTOR 309 GRANITE ST SALMON ID 83467 SHERYL L TUTOR 309 GRANITE ST SALMON ID 83467	Disallowed	No beneficial use found.



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

October 31, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LLOYD A & SHERYL L TUTOR
309 GRANITE ST
SALMON ID 83467

RE: CHANGE IN OWNERSHIP FOR 75-69V, 75-70W, 2025K, 75-10061AQ,
75-10062AN AND 75-10142B

Dear Mr. & Mrs. Tutor:

The request for Change in Ownership for a portion of the above referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

75-69V split into:

75-14018: 0.3 CFS, 37.5 AFA, 15 ACRES, GORDON

75-14019: 0.06 CFS, 7.5 AFA, 3 ACRES, TUTOR

75-70W split into:

75-14020: 0.3 CFS, 37.5 AFA, 15 ACRES, GORDON

75-14021: 0.06 CFS, 7.5 AFA, 3 ACRES, TUTOR

75-2025K split into:

75-14022: 0.3 CFS, 37.5 AFA, 15 ACRES, GORDON

75-14023: 0.06 CFS, 7.5 AFA, 3 ACRES, TUTOR

75-10061AQ split into:

75-14024: 0.3 CFS, 37.5 AFA, 15 ACRES, GORDON

75-14025: 0.06 CFS, 7.5 AFA, 3 ACRES, TUTOR

75-10062AN split into:

75-14026: 0.3 CFS, 37.5 AFA, 15 ACRES, GORDON

75-14027: 0.06 CFS, 7.5 AFA, 3 ACRES, TUTOR

75-10142B split into:

75-14028: 0.3 CFS, 37.5 AFA, 15 ACRES, GORDON

75-14029: 0.06 CFS, 7.5 AFA, 3 ACRES, TUTOR

Enclosed for your records is a typed Notice(s) reflecting your portion of the right.
Review the Notice(s) and if you have other corrections or questions, please contact this
office.

Respectfully submitted,

A handwritten signature in black ink that reads "Cheri Vandermeulen". The script is cursive and fluid, with the first name "Cheri" and last name "Vandermeulen" clearly distinguishable.

Cheri Vandermeulen
Records Clerk

Enclosure(s)

SCANNED

JAN 28 2009

RECEIVED

OCT 16 2001

Department of Water Resources
Eastern Region

Form 42-P48/42-1409(6) July, 2000

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
75-0069V					
75-0070W					
75-02025K					
75-10061A9					
75-10062AN					
75-10142B					

all split

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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(s) JUDITH ANNE GORDON
1290 N 1100 E
Shelly ID 83274
4. New Owner/Claimant(s) LLOYD A & or STERYL L. TUTOR
Name Connector (Check one): [] and, [] or, [X] and/or
- New Mailing Address 309 Granite ST.
- City, State and ZIP Code Salmon ID 83467
- New Telephone Number (208) 756-6676
5. Date you acquired the property 9-24-2001

SCANNED

OCT 28 2001

Form 42-24842-1409(6) July, 2000

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) 
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____ Date _____ Fee _____
 Received by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

JAN 28 2003

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 75-14029
Date Received: 10/31/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

LLOYD A TUTOR Phone: (208) 756-6676

309 GRANITE ST
SALMON ID USA 83467

SHERYL L TUTOR Phone: (208) 756-6676

309 GRANITE ST
SALMON ID USA 83467

2. Date of Priority: 04/01/1915

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	Type
23N	22E	35	NE NE NE	LEMHI	

5. Description of diverting works:

ROCK DAM, WOODEN HEADGATE, DITCH, PUMP, SPRINKLERS, FLOOD IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	7.5

7. Total Quantity Appropriated is:
0.12 C.F.S. and/or 7.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

A7514029



Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	22E	3	NW	NE	IRRIGATION	2
					Section Acres	2
23N	22E	34	SW	SE	IRRIGATION	1
					Section Acres	1
					Total Acres	3

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:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-10142B.

15. Basis of Claim: Beneficial Use

ATAX PEAK

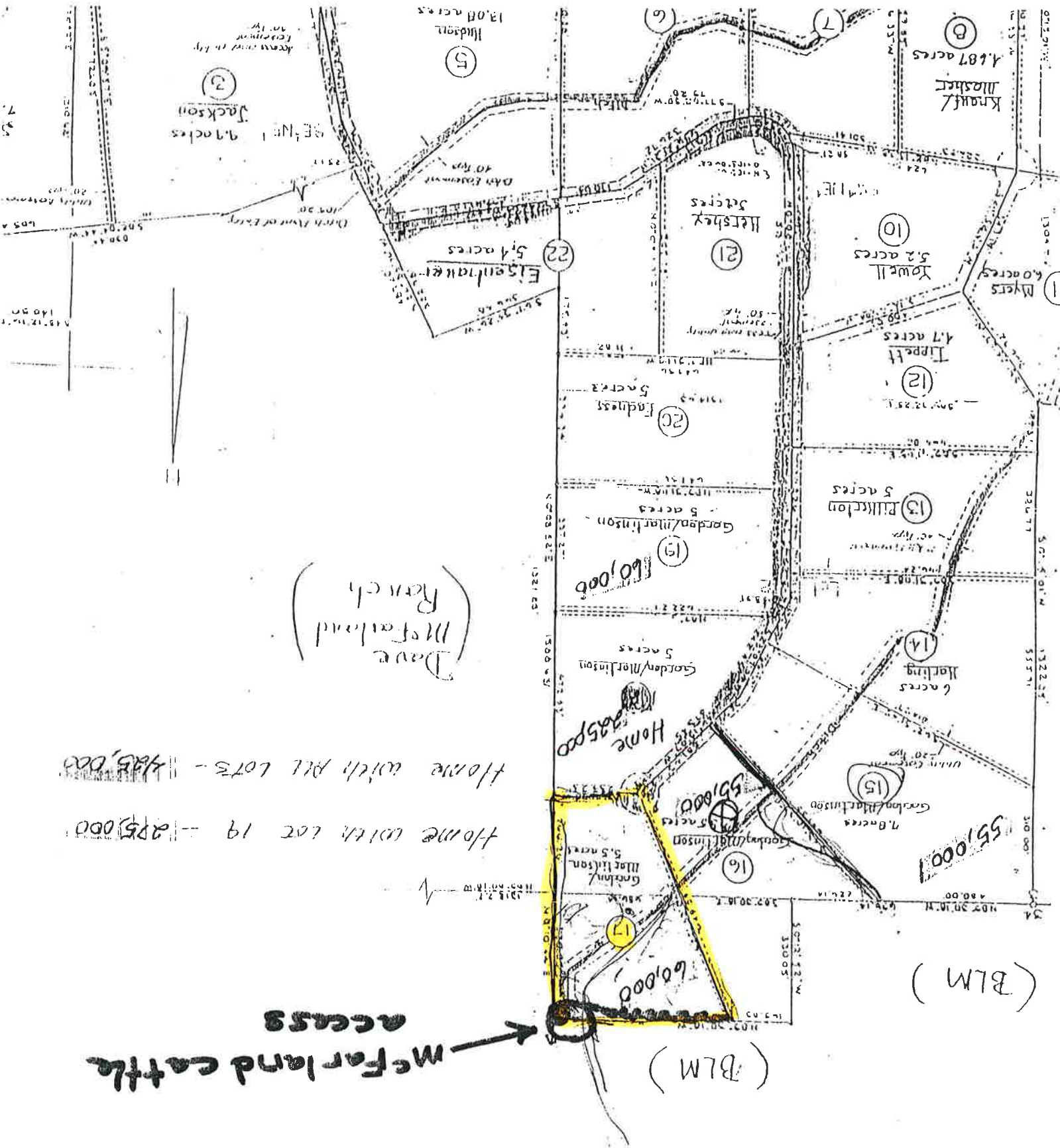
McFarland cattle
→
acres

(BLM)

(BLM)

Home with lot 19 -- 295,000
Home with all lots - 445,000

Dave
McFarland
(Ranch)



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 75-14029
Date Received: 10/31/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

LLOYD A TUTOR Phone: (208) 756-6676

309 GRANITE ST
SALMON ID USA 83467

SHERYL L TUTOR Phone: (208) 756-6676

309 GRANITE ST
SALMON ID USA 83467

2. Date of Priority: 04/01/1915

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	Type
23N	22E	35	NE NE NE	LEMHI	

5. Description of diverting works:

ROCK DAM, WOODEN HEADGATE, DITCH, PUMP, SPRINKLERS, FLOOD IRRIG

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.12	7.5

7. Total Quantity Appropriated is:
0.12 C.F.S. and/or 7.5 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

A7514029

SCANNED
JAN 28 2008



Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	22E	3	NW	NE	IRRIGATION	2
					Section Acres	2
23N	22E	34	SW	SE	IRRIGATION	1
					Section Acres	1
					Total Acres	3

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:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-10142B.

15. Basis of Claim: Beneficial Use

SCANNED

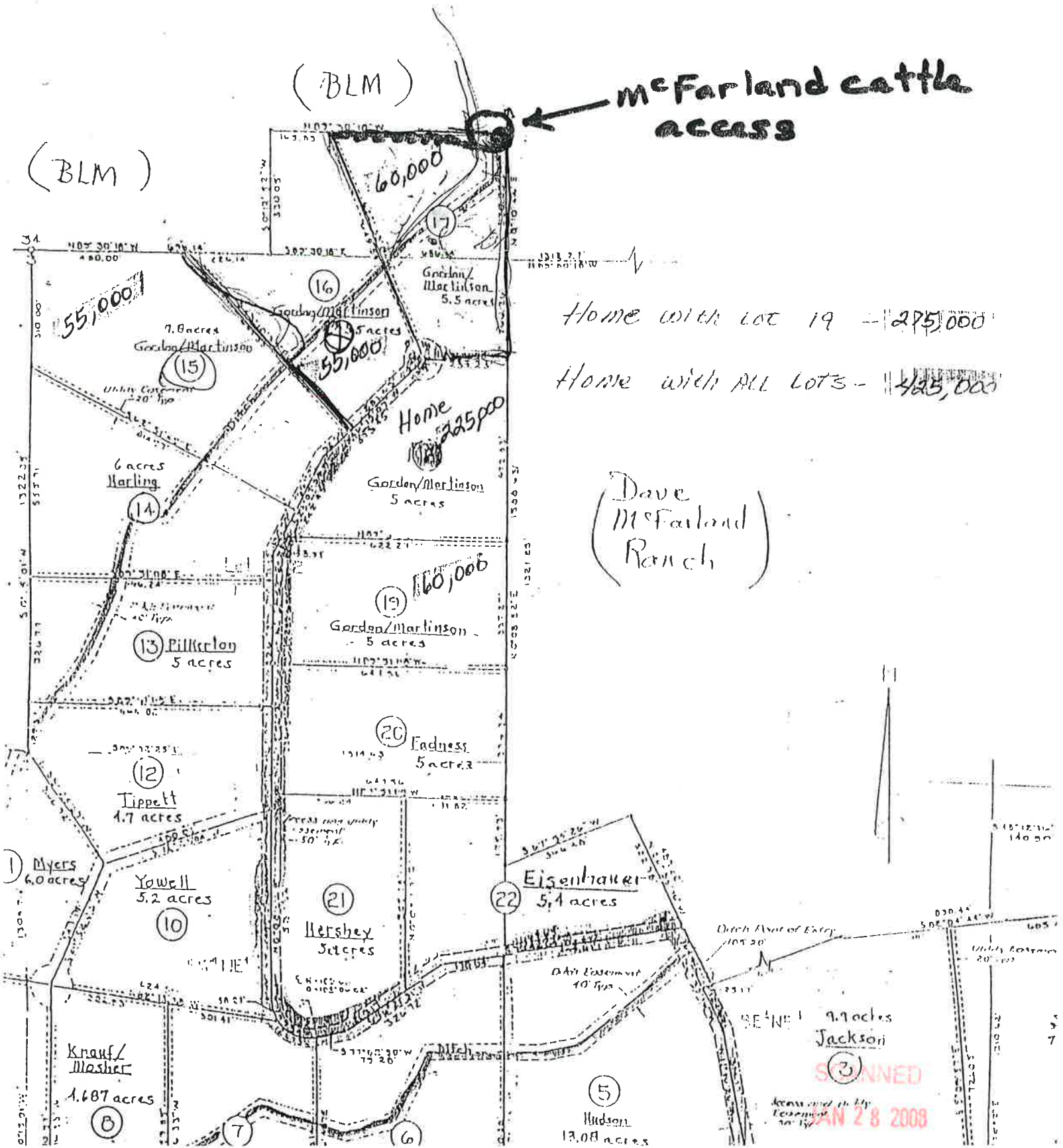
JAN 28 2008

AJAX. PEAK.

(BLM)

McFarland cattle
access

(BLM)



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 75-14035
Date Received: 11/20/2001
Receipt No:
Received By:

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

1. Name of Claimant(s)

MICHAEL DUNPHY Phone: (208)756-4858

PO BOX 412
SALMON ID USA 83467

DORENE DUNPHY Phone: (208)756-4858

PO BOX 412
SALMON ID USA 83467

2. Date of Priority: 05/01/1908

3. Source: TOWER CREEK NORTH FORK, Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
24N	22E	4	SE	NE	NW 3	LEMHI	
24N	22E	33	SW	SW	SE	LEMHI	✓
23N	22E	4	NW	NW	NE 2	LEMHI	

5. Description of diverting works:

DIVERSION DAMS & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.F.
IRRIGATION	04/01	11/01	0.21	
STOCKWATER	01/01	12/31	0.02	

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

8. Total consumptive use:

SCANNED

JAN 11 2002



9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
23N	22E	4	NE	SW	IRRIGATION	13
			NE	NW	IRRIGATION	6 ✓
					Section Acres	19
					Total Acres	19

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:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 75-04295B.

15. Basis of Claim: Statutory Claim

SCANNED

12/20/2006

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

RIGHT NUMBER: 75-14029

NAME AND ADDRESS: LLOYD A TUTOR
309 GRANITE ST
SALMON ID 83467

SHERYL L TUTOR
309 GRANITE ST
SALMON ID 83467

SOURCE: CARMEN CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.038 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION:

T23N R22E S35 NENE Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.038 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T22N R22E S03 Lot 1 NENE	0.50	T22N R22E S03 Lot 2 NWNE	1.40
T23N R22E S34 SWSE	0.50	T23N R22E S34 SESE	0.50

2.9 ACRES TOTAL

Right Nos. 75-14023 and 75-14029 are limited to the irrigation of a combined total of 2.9 acres in a single irrigation season.

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