

01/03/2007

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

RIGHT NUMBER: 75-14281

NAME AND ADDRESS: BETH DILLON
STAR RT BOX 29
CARMEN ID 83462

GEORGE S ARTEMIS
986 HWY 93 N
CARMEN ID 83462

JOY M ARTEMIS
986 HWY 93 N
CARMEN ID 83462

SOURCE: TOWER CREEK

TRIBUTARY: SALMON RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 06/28/1899

POINT OF DIVERSION:

T23N R22E S18 NWSE 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	0.060 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R22E S18 Lot 5 NESW 2.00

2 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

This right is a split from former right 75-4099A.

11/10/2006

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

RIGHT NUMBER: 75-14281
NAME AND ADDRESS: BETH DILLON
STAR RT BOX 29
CARMEN ID 83462

GEORGE S ARTEMIS
986 HWY 93 N
CARMEN ID 83462

JOY M ARTEMIS
986 HWY 93 N
CARMEN ID 83462

VOID

SOURCE: TOWER CREEK TRIBUTARY: SALMON RIVER
QUANTITY: 0.060 CFS
PRIORITY DATE: 04/01/1912
POINT OF DIVERSION:

T23N R22E S18 NWSE 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	0.060 CFS

PLACE OF USE: IRRIGATION in LEMHI County

T23N R22E S18 Lot 5 NESW 2.00

2 ACRES TOTAL

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

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EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

This right is a split from former right 75-4099A.



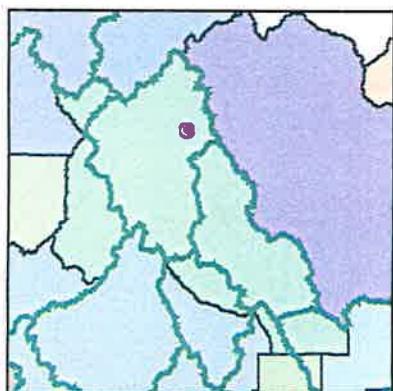
Idaho Department of Water Resources

SRBA Recommendation:

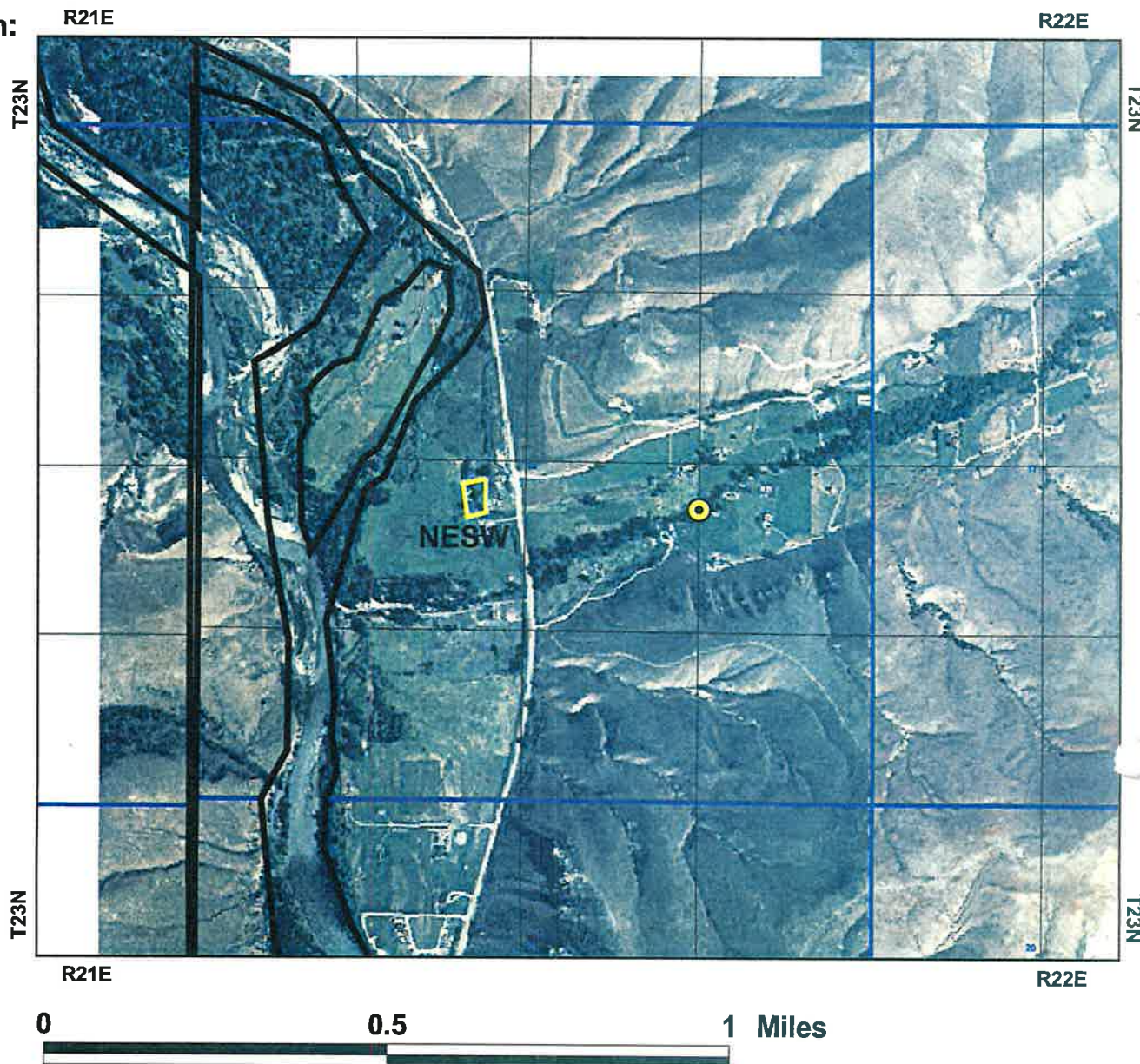
75-14281

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Lemhi County
IDWR Basin 75



Prepared by R. Brown
On Wednesday, May 17, 2006
1987/88 Aerial Photography



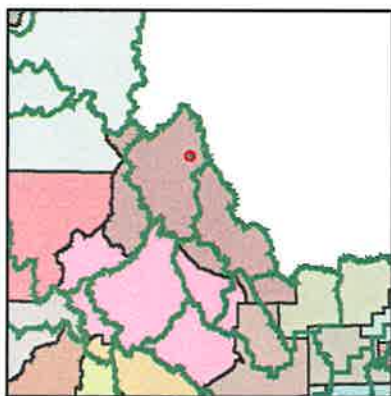
Idaho Department of Water Resources

Adjudication Claim Number: **75-4099 A**

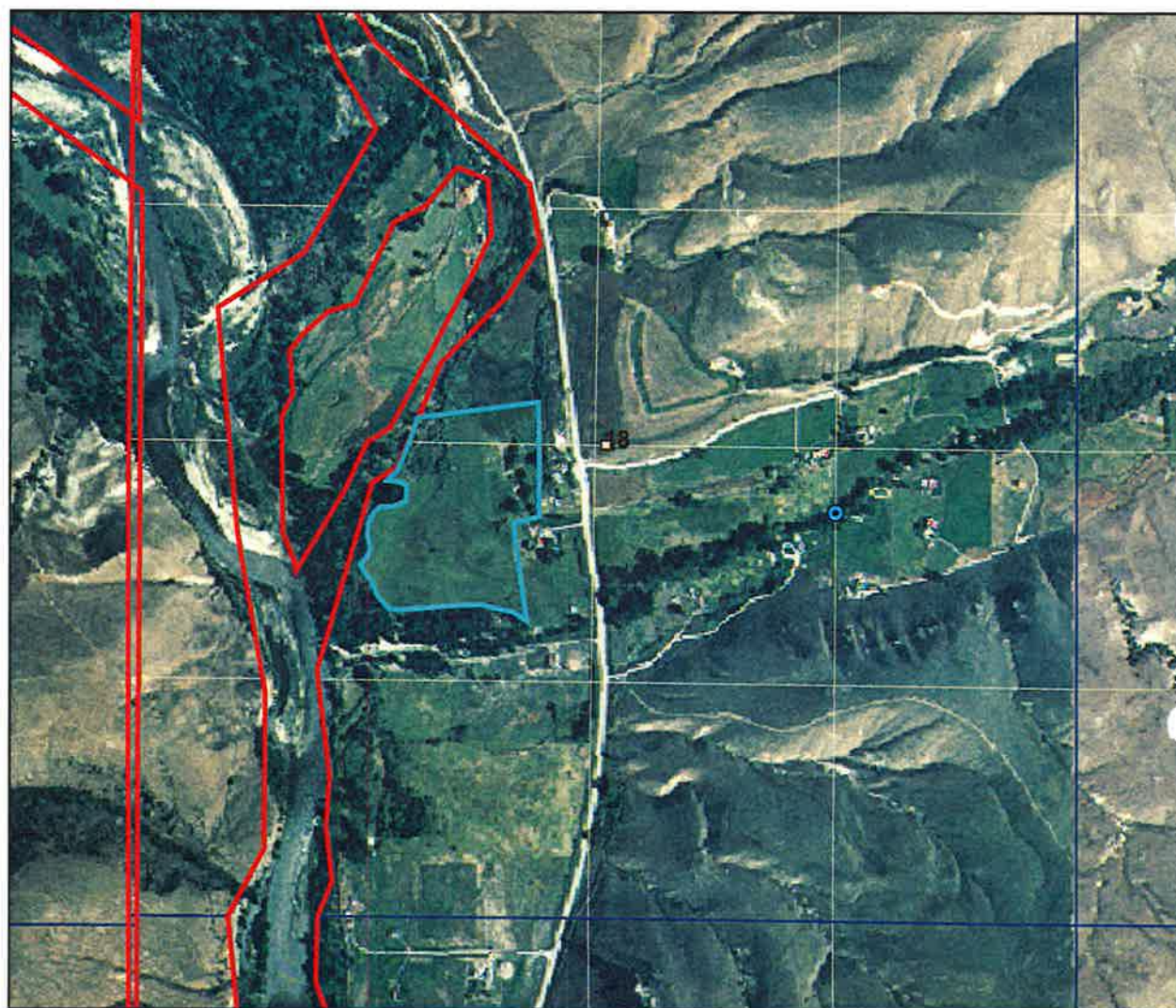
T23N R22E

Legend

-  Point of Diversion
-  75-4099A
-  Township/Range
-  Sections
- GCDB23N22E GCDB



Lemhi County
IDWR Basin 75



0 0.3 0.6 Miles



Prepared by R. Brown
On Wednesday, February 8, 2006
1993/94 Aerial Photography



State of Idaho

DEPARTMENT OF WATER RESOURCES

Northern Region, 7600 Mineral Drive, Suite 100, Coeur d'Alene, Idaho 83815

Phone: (208) 762-2800

Fax: (208) 762-2819

Web Site: www.idwr.idaho.gov

January 11, 2007

JAMES E. RISCH
Governor

KARL J. DREHER
Director

BETH DILLON
STAR RT BOX 29
CARMEN ID 83462

GEORGE S & JOY M ARTEMIS
986 HWY 93 N
CARMEN ID 83462

Re: Tower Creek Adjudication Recommendation

Dear Ms. Dillon and Mr. & Mrs. Artemis:

Enclosed is a spreadsheet that summarizes recommendations filed with the SRBA court for claims for water from Tower Creek for properties that were settled in the 1890's or early 1900's. The claims had a wide array of priority dates and evidence in support of those priority dates was received. Some of you filed a Notice of Error in response to the Recommended Findings that were mailed out to claimants in November 2006. Some of you may have already received a response from us regarding your Notice of Error.

After looking at each right separately, we concluded that a more systematic approach to how recommendations were made was required. It seemed to us that it made sense to have the same priority date recommended for all of the property that was originally part of a single homestead. To that end we evaluated the Evidence of Priority information that was submitted and used the earliest date that we felt could be verified. In some cases documents were submitted that may reference dates earlier than what we have recommended, but the extent of development was not quantified. The spreadsheet lists the various water rights and the basis for the selection of the date used. Please note that you still have the option of filing an objection with the court if you disagree with these recommendations

If you have any questions please don't hesitate to contact us.

Sincerely

Robert G. Haynes P.E.
Regional Manager

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

CLAIM NO(s). 75-4099A

1. ☒ No Change NAME IS SAME George S. Arden
☒ NEW OWNER: JAMES W. Lull
☐ No Change ADDRESS
☐ NEW ADDRESS: 4568 KUKUI ST. KAPAA HI 96746

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.: A0015043 GPS FILE *T061422A

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:

diversion in creek, ditch to place of use, ditch at
about 1/3 capacity

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: 1/4 _____	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

75-4099A Needs to be split, Cull purchased 35 acres
and Artemis retained 5 acres see map

☐ SYSTEM DIAGRAM INCLUDED ☐ NA

☒ Shown on GIS Layout

☐ CK IF IN OFFICE EXAM

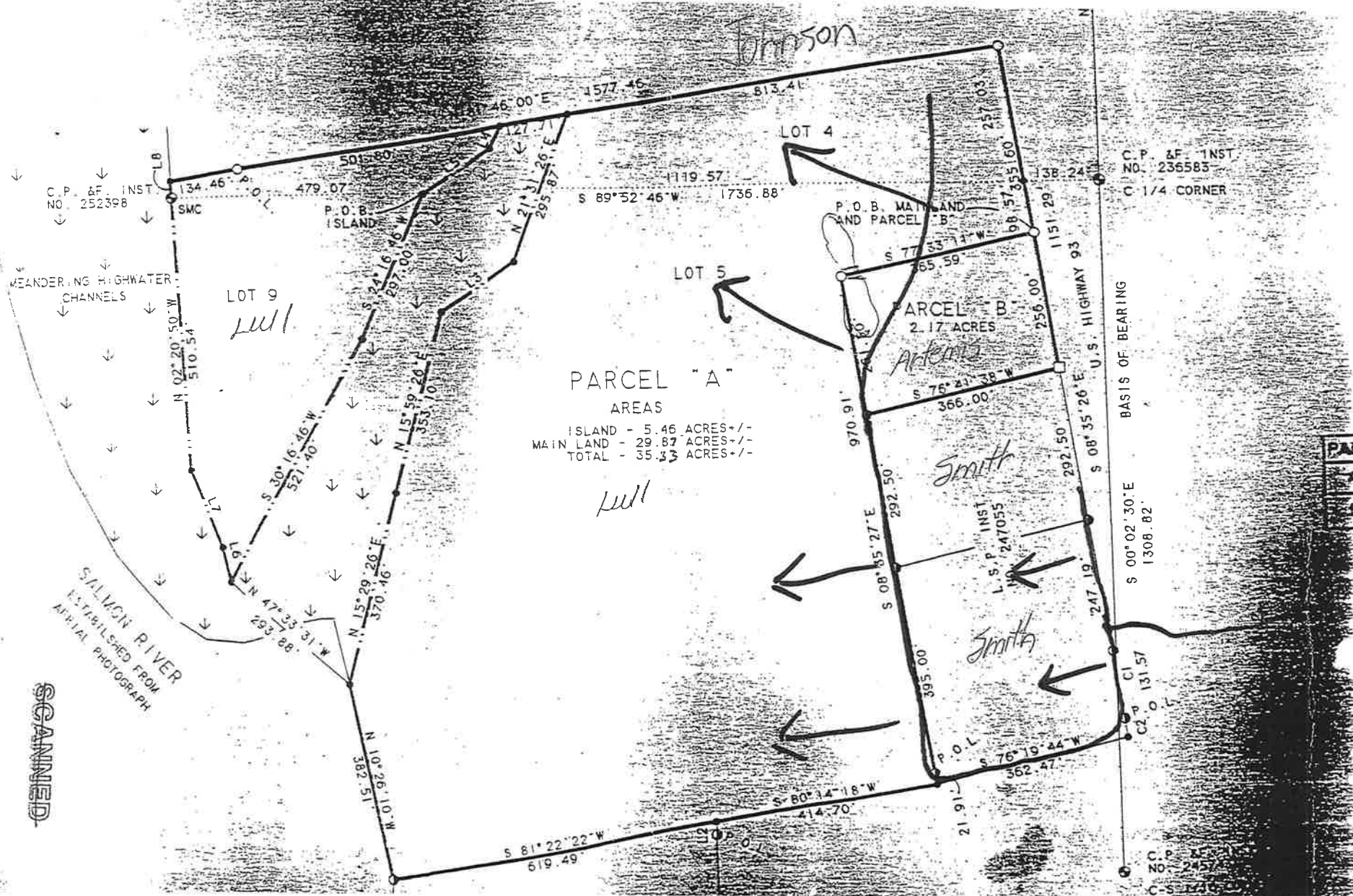
DATE EXAM CONDUCTED: 6-14-05

FIELD EXAMINER: Bob Foster
Print Name

Bob Foster
Signature

Diagram of delivery ditch
per Bob Foster 2/8/06

SCANNED



23N21E 23N22E

75-4099A



0.1 0 0.1 0.2 0.3 Miles

LEGEND

Lein & tax lots

Township/Range

Sections

QQ

1993 ILM

Prepared By: Danielle Faureau, 61305, IDWR/MWRJ

SCANNED

OCT 6 2000

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: A75-04099A
Date Received: 4/17/1990
Receipt No: M00646
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: BETH DILLON
Address:

CARMEN, ID 83462

OR

Name: GEORGE S ARTEMIS 98L Hwy 73N 208-756-3398

Address: STAR ROUTE, BOX 31
CARMEN, ID 83462

OR

Name: JOY M. ARTEMIS 208-756-3398

Address: STAR ROUTE, BOX 31
CARMEN, ID 83462

2. Date of Priority: APR 01, 1890

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
23N	22E	18	NE	NE	SE		LEMHI

5. Description of diverting works:
HEADGATE & DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	1.200		

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

8. Total consumptive use is 100.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER INCIDENTAL TO IRRIGATION

A75-04099A

Page 1

Date: 04/17/90



MICROFILMED
DEC 15 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
23N	22E	18	SW		NW		IRR	3.0
			SE		NW		IRR	8.0
			NE		SW		IRR	29.0
							Section Acres	40.0
							Total Acres	40.0

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:
N/A

14. Remarks:

THE PARENT RT. WAS ORIGINALLY CLAIMED FOR 3"/ACRE & 26 ACRES OF IRRIGATION. CLAIMANT FEELS THAT THE ORIGINAL SHOULD HAVE READ 46 ACRES OF IRRIGATION AND IS CLAIMING THE PRESENT SPLIT AT .03 CFS. AND WILL GET DOCUMENTATION SHOWING THE NEED FOR THE ADDITIONAL RATE OF FLOW. A PORTION OF THE ORIGINAL RT. FOR 6 ACRES OF IRRIGATION IS BEING CLAIMED UNDER SPLIT B BY BETH DILLON ALONE STATUTORY CLAIM 75-04110 FOR 20 ACRES OF IRRIGATION AT THE RATE OF 3"/ACRE IS INCLUDED IN THE A PORTION AS CLAIMANT DILLON FEELS IT SHOULD BE.

15. Basis of Claim: STATUTORY CLAIM

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

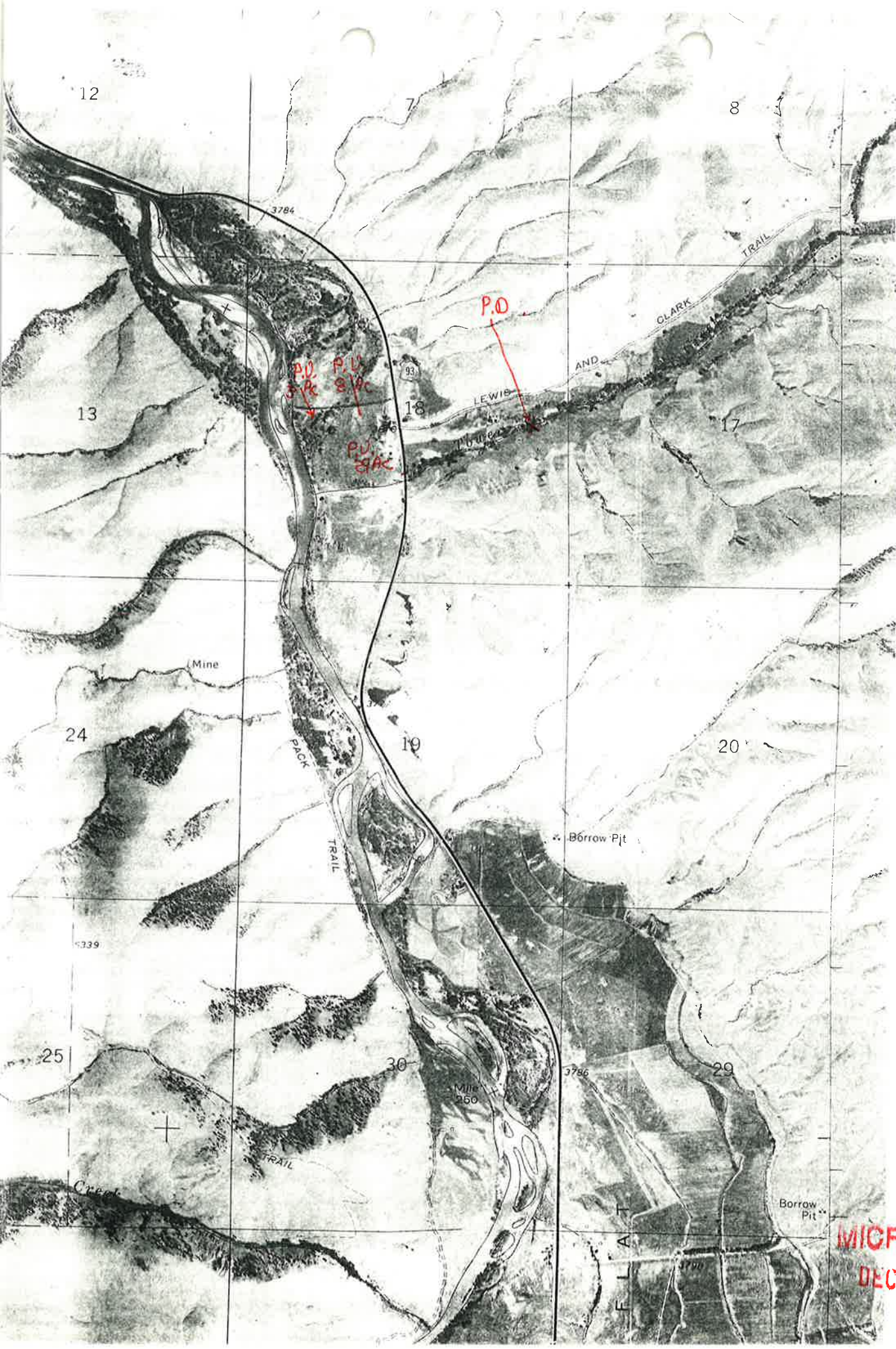
Signature of Claimant(s): *Gay M. Artz* Date: 4-17-90
Beth Dillon Date: 4-17-90

State of Idaho)
County of LEMHI) SS.

Subscribed and sworn (or affirmed) before me this 17th day
of APR 19 90

James E. Luthy
Notary Public
Residing at Boise, Idaho
My Commission Expires Nov. 8, 1994

Seal



T23N
R22E
Sec 17-18

MICROFILMED
DEC 15 1992

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-4099

WATER RIGHT NUMBER: 75-4099

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BETH DILLON STAR RT BOX 29 CARMEN, ID 83462 (208)756-3066

Priority Date: 04/01/1890
 Basis: Statutory Claim
 Status: Active

<u>Source</u>	<u>Tributary</u>
TOWER CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.560 CFS	
	<u>Total Diversion:</u>	1.560 CFS	

Location of Point(s) of Diversion

TOWER CREEK	NE1/4SE1/4	Sec. 18, Twp 23N, Rge 22E, B.M.
LEMHI County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
23N	22E	18									20.0	6.0							26.0

Total Acres: 26

Conditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 75-4099

Licensed Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

75-4099A

RECEIVED

SEP 12 2005

Department of Water Resources

Dear Ms Brown,

Enclosed are your copies of material that explains water rights, description of property, and sale of bottom 35 acres to Jim Holl. If you need any thing else please call.

Respectfully,
George Artemis

SCANNED

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 75-4099A

WATER RIGHT NUMBER: 75-4099A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BETH DILLON <i>deceased</i> STAR RT BOX 29 CARMEN, ID 83462 (208)756-3066
Current Owner	GEORGE S ARTEMIS STAR RT BOX 31 CARMEN, ID 83462 (208)756-3398
Current Owner	JOY M ARTEMIS STAR RT BOX 31 CARMEN, ID 83462 (208)756-3398

Priority Date: 04/01/1890

Basis: Statutory Claim

Status: Active

<u>Source</u>	<u>Tributary</u>
TOWER CREEK	SALMON RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 11/01	1.200 CFS	
	<u>Total Diversion:</u>	1.200 CFS	

Location of Point(s) of Diversion

TOWER CREEK	NE1/4NE1/4SE1/4	Sec. 18, Twp 23N, Rge 22E, B.M.
LEMHI County		

Place of UseIRRIGATION Within LEMHI County

T23N R22E S18 SWNW 3.0 T23N R22E S18 SENW 8.0

T23N R22E S18 NESW 29.0

Total Acres: 40

Conditions of Approval:

1. THE PARENT RT. WAS ORIGINALLY CLAIMED FOR 3"/ACRE & 26 ACRES OF IRRIGATION. CLAIMANT FEELS THAT THE ORIGINAL SHOULD HAVE READ 46 ACRES OF IRRIGATION AND IS CLAIMING THE PRESENT SPLIT AT .03 CFS. AND WILL GET DOCUMENTATION SHOWING THE NEED FOR THE ADDIT- IONAL RATE OF FLOW. A PORTION OF THE ORIGINAL RT. FOR 6 ACRES OF IRRIGATION IS BEING CLAIMED UNDER SPLIT B BY BETH DILLON ALONE STATUTORY CLAIM 75-04110 FOR 20 ACRES OF IRRIGATION AT THE RATE OF 3"/ACRE IS INCLUDED IN THE A PORTION AS CLAIMANT DILLON FEELS IT SHOULD BE.

Remarks:

SCANNED

SOURCE OF WATER	TRIBUTARY TO	PRIORITY DATE	NAME	O C	WATER RIGHT NUMBER	STG STA
TOWER CREEK	SALMON RIVER	06/07/1897	FERRARO , FRANK LAWRENCE , MARILYN FERRARO , ROBERT F. FERRARO , DENNIS	O C C C	A75-04143	S/
TOWER CREEK	SALMON RIVER	02/19/1907	MINER , RICHARD E. MINER , SHERYLE W.	C C	A75-02004A	J/
TOWER CREEK	SALMON CREEK	02/19/1907	MINER , SHERYLE W. MINER , RICHARD E.	C C	A75-04168	J/
TOWER CREEK	SALMON RIVER	02/19/1907	MINER , RICHARD E. MINER , SHERYLE W. NELSON , WILLIAM NELSON , VIVIAN	C C C C	A75-04314	J/
TOWER CREEK	SALMON RIVER	02/19/1907	FOLKERS , LARRY J. FOLKERS , VICKI A.	C C	A75-02004B	L/
TOWER CREEK	SALMON RIVER	02/19/1907	BAIRD , CLAIR K. BAIRD , JANELL	C C	A75-02004C	L/
TOWER CREEK	SALMON RIVER	02/19/1907	FOLKERS , LARRY J. SPLIT RIGHT FOLKERS , VICKI A. SCHOFIELD , MILFORD SCHOFIELD , LYDIA W.	O O C C C	A75-02004D	L/
TOWER CREEK	SALMON RIVER	04/01/1890	DILLON , BETH ARTEMIS , GEORGE S ARTEMIS , JOY M.	C C C	A75-04099A	S/
TOWER CREEK	SALMON RIVER	04/01/1890	DILLON , BETH	C	A75-04099B	S/
TOWER CREEK	SALMON RIVER	06/21/1979	SCHOFIELD , MILFORD SCHOFIELD , LYDIA W.	C C	A75-07142	L/
TOWER CREEK	SALMON RIVER	07/10/1906	NORTON , CARMEN E. NORTON , VERNA N.	C C	A75-04192	S/
TOWER CREEK	SALMON RIVER	06/07/1897	ENOCH , O. A. ENOCH , NELDA	C C	A75-04141	S/
TOWER CREEK	SALMON RIVER	12/01/1911	ALFORD , RICHARD L. ALFORD , MARILYN M.	C C	A75-04088	S/
TOWER CREEK	SALMON RIVER	04/17/1981	CHARLTON , JOHN R. CHARLTON , JUANITA E.	C C	A75-07192	P/
TOWER CREEK	SALMON RIVER	09/14/1981	HARDIE , ORA R. HAWKINS , CHARLES C. HARDIE , SYBIL E.	C O C	A75-07271	/Z
TOWER CREEK	SALMON RIVER	03/03/1909	HARDIE , ORA R. HARDIE , SYBIL E.	C C	A75-10272	J/
TOWER CREEK	SALMON RIVER	08/10/1904	CHARLTON , JOHN R. CHARLTON , JUANITA E.	C C	A75-10280	J/
TOWER CREEK	SALMON RIVER	06/15/1948	COUCH , DAVID J. COUCH , CONNIE M.	C C	A75-04497	S/
TOWER CREEK	SALMON RIVER	02/19/1907	FOLKERS , LARRY J. FOLKERS , VICKI A. COCHRAN , CATHERINE M.	O O C	A75-02004E	L/
TOWER CREEK	SALMON RIVER	06/07/1897	HOLMES , MICHAEL A. HOLMES , SUSAN P. STROM , ROGER C. STROM , CLAIRE	O O C C	A75-04067	S/
TOWER CREEK	SALMON RIVER	04/01/1911	TUDOR , EDWARD T.	C	A75-04187	S/

S - Statutory
ClaimJ - Beneficial
Use
Claim

L - License

D - Deed

P - Permit

Z - Split
Right

SCANNED

75-4099A

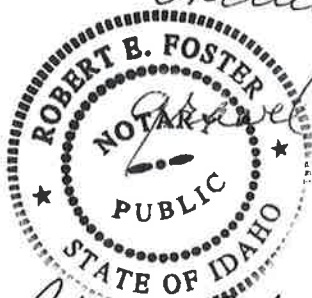


To whom it may concern:

RECEIVED
JUL 27 2005
DEPARTMENT OF
WATER RESOURCES

Joy, my wife, and I use to visit her mother in the late sixties and early seventies. We so loved the area that we decided to make our home here and purchased forty acres adjacent to Joy's mother -

At this time, this property and other adjacent properties were used for grazing pastures. This included properties going north to the gravel pits & south toward tower rock.



Robert B. Foster
residing in Salmon, ID
Commission expires 02/16/07

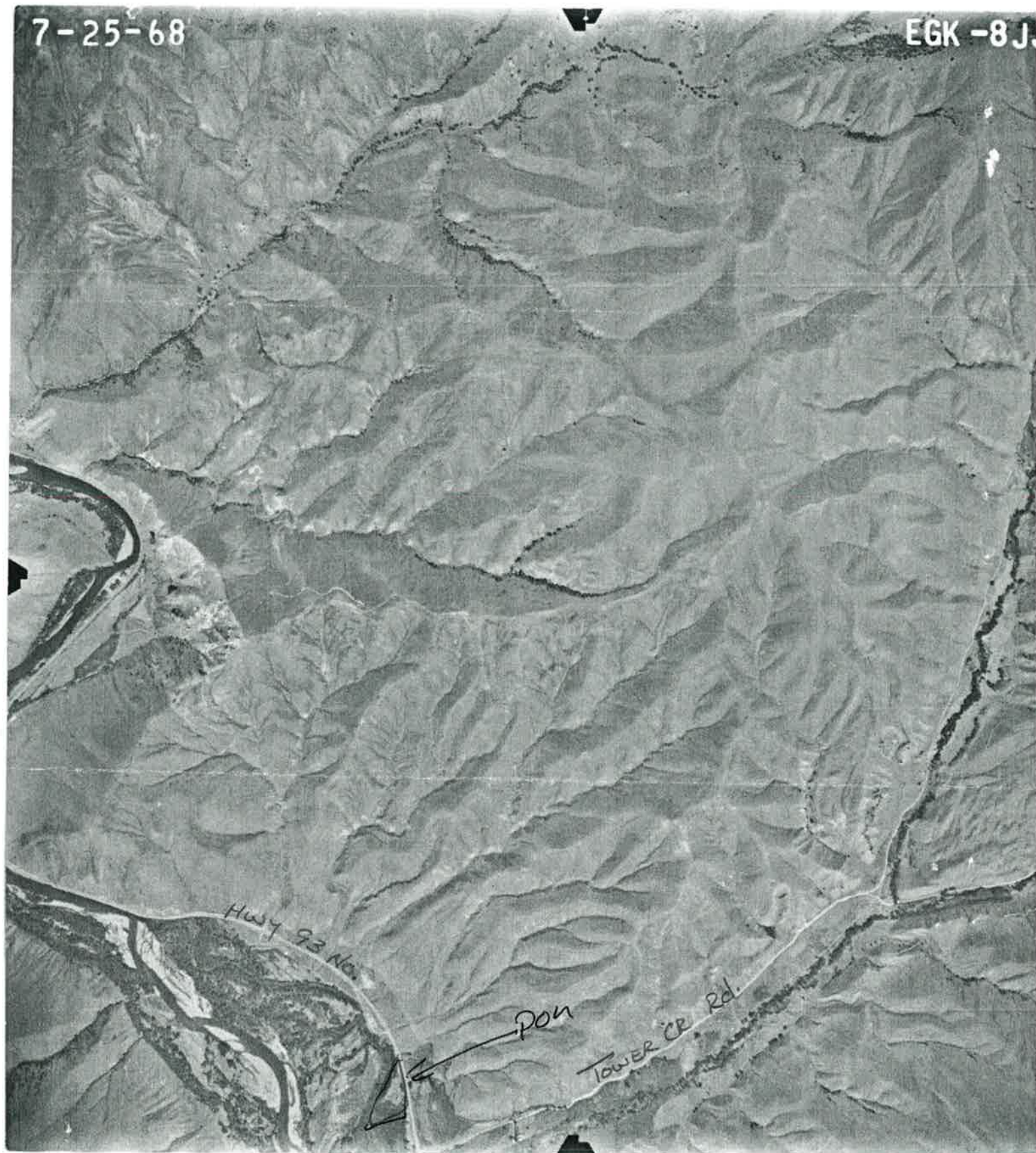
Respectfully,
George Artemis

SCANNED
AUG 30 2005

RECEIVED
7-25-68
Post

7-25-68

EGK-8J



SCANNED

AUG 30 2005

SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM

Water Right Number(s): A75-04099A S/

Previous Mailing Address: STAR ROUTE BOX 31
CARMEN, ID. 83462

New Mailing Address: George + Joy ARTEMIS
986 Hiway 93 N
CARMEN, ID. 83462

Telephone Number: 208) 756-3398

Signature of all Claimant(s):

George Artemis Joy Artemis
Please print your name below your signature.

George ARTEMIS
Joy ARTEMIS

Please mail or FAX this completed form to the office nearest you:

Adjudication Bureau
Idaho Dept. of Water Resources
1910 Northwest Blvd., Ste. 210
Coeur d'Alene, ID 83814-2615
Ph. 208/769-1450 or
FAX 208/769-1454

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380
Ph. 208/525-7161 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653
Ph. 208/736-3033 or
FAX 208/525-7177

Adjudication Bureau
Idaho Dept. Of Water Resources
322 E. Front St.
P.O. Box 83720
Boise, Id 83720-0098
Ph 208/287-4800
FAX 208/287-6701

SCANNED