

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: ~~75-10798~~ <sup>8</sup> 75-10798  
14365  
JOHN ALDOUS  
PO BOX 44  
CARMEN ID 83462  
Telephone Number: (208) ~~756-2447~~ 940-0816

ARTHUR ALDOUS  
BOX 44  
CARMEN ID 83462  
Telephone Number: (208) ~~756-2447~~ 940-0816

RECEIVED  
DEC 18 2006  
IDWR/North

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

I disagree with the quantity and this right should be check the little finger in NENW allowed for John Aldous

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:

At least 2" per acre

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

DATE: 12-7-06 SIGNATURE: John Aldous  
Please print your name: John Aldous

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

Period of use: 04/01 thru 12/31  
For: Stockwater and Irrigation

M. Gary Anderson has no decreed water right out of Carmen Creek, from the Aldous decreed water.

SCANNED ✓  
DEC 18 2006

SCANNED  
 JAN 21 2008

Aldous 214 Ac. / 223.6 = 95.7066% 5.07 cfs total decrease  
 Anderson + 9.6 Ac. / 223.6 = 4.2934% 0.23 cfs total decrease  
223.6 total

75-65 1.50 cfs

14283 → % (1.50) = 1.44 cfs

14288 → % (1.50) = .06 cfs

75-71 2.0 cfs

14285 → % (2.0) = 1.91 cfs

14284 → % (2.0) = .09 cfs

75-10061A5 1.14 cfs

14287 → % (1.14) = 1.11 cfs

14286 → % (1.14) = 0.05 cfs

75-10062

14289 → % (1.64) = 0.61

14288 → % (1.64) = 0.03

75-10798

14365 → (214)(.04) = 8.56 cfs - 5.07 cfs = 3.49 cfs B.U. right

14366 → (9.6)(.04) = 0.38 cfs - 0.23 cfs = 0.15 cfs B.U. right

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 75-14365  
Date Received: 5/11/1990  
Receipt No:  
Received By:

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

1. Name of Claimant(s)

JOHN ALDOUS  
PO BOX 44  
CARMEN ID USA 83462

Phone: (208)756-2447

ARTHUR ALDOUS  
BOX 44  
CARMEN ID USA 83462

Phone: (208)756-2447

2. Date of Priority: 05/01/1915

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

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 22N      | 22E   | 2       | SW SW NW              | LEMHI  |      |
| 22N      | 22E   | 2       | SE NW NW              | LEMHI  |      |
| 22N      | 22E   | 2       | NE NW 3               | LEMHI  |      |

5. Description of diverting works:

WOOD HEADGATES(SEE ORIGINAL CLAIM)

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 04/01 | 11/01 | 4.71   |            |

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

8. Total consumptive use:

9. Non-irrigation uses:

SCANNED

10. Place of use:

| Township      | Range | Section | 1/4 of 1/4 | Lot | Use        | Acres |
|---------------|-------|---------|------------|-----|------------|-------|
| 22N           | 22E   | 3       | NE         | SW  | IRRIGATION | 2     |
|               |       |         | SW         | SW  | IRRIGATION | 8     |
|               |       |         | SE         | SW  | IRRIGATION | 35    |
|               |       |         | NW         | SE  | IRRIGATION | 20    |
|               |       |         | SW         | SE  | IRRIGATION | 31.4  |
| Section Acres |       |         |            |     |            | 96.4  |
| 22N           | 22E   | 10      | SW         | NE  | IRRIGATION | 11    |
|               |       |         | NE         | NW  | IRRIGATION | 40    |
|               |       |         | SW         | NW  | IRRIGATION | 25    |
|               |       |         | SE         | NW  | IRRIGATION | 38    |
|               |       |         | NW         | NE  | IRRIGATION | 33.7  |
| Section Acres |       |         |            |     |            | 147.7 |
| Total Acres   |       |         |            |     |            | 244.1 |

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 CLAIM IS FOR WATER ABOVE THE INCH/ACRE BECAUSE OF THE LENGTH OF RUNS BETWEEN PICKUP DITCHES AND THE AMOUNT OF WATER THE GROUND SOAKS UP.

This right is a split from former right 75-10798 .

15. Basis of Claim: Beneficial Use

SCANNED

JAN 24 2006

12/21/2006

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

RIGHT NUMBER: 75-14365  
NAME AND ADDRESS: JOHN ALDOUS  
PO BOX 44  
CARMEN ID 83462  
  
ARTHUR ALDOUS  
BOX 44  
CARMEN ID 83462

SOURCE: CARMEN CREEK                      TRIBUTARY: SALMON RIVER  
QUANTITY: 3.490 CFS  
PRIORITY DATE: 04/01/1915  
POINT OF DIVERSION:

T22N R22E S2 NENW Lot 3 Within LEMHI County  
T22N R22E S2 SENWNW Within LEMHI County  
T22N R22E S2 SWSWNW 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          | 3.490 CFS       |

PLACE OF USE:

IRRIGATION in LEMHI County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T22N R22E S03 | NESW | 1.00  | T22N R22E S03 | SWSW | 4.70  |
| T22N R22E S03 | SESW | 32.00 | T22N R22E S03 | NESE | 0.80  |
| T22N R22E S03 | NWSE | 13.00 | T22N R22E S03 | SWSE | 28.00 |
| T22N R22E S03 | SESE | 0.50  | T22N R22E S10 | NWNE | 34.00 |
| T22N R22E S10 | SWNE | 6.20  | T22N R22E S10 | NENW | 35.00 |
| T22N R22E S10 | NWNW | 0.80  | T22N R22E S10 | SWNW | 21.00 |
| T22N R22E S10 | SENW | 37.00 |               |      |       |

214 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 214 acres in a single irrigation season. Combined Right Nos.: 75-14283, 75-14285, 75-14287, 75-14289 and 75-14365.

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