

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 75-14442  
Date Received 12-18-2006  
Receipt Number NO 18075

NOTICE OF CLAIM  
TO A  
WATER RIGHT  
ACQUIRED UNDER STATE LAW

SCANNED  
DEC 19 2006

Please type or print clearly

1. Name of Claimant (s) RICK OR LINDA RICE Phone (208) 756-6204  
Mailing Address P.O. Box 285 CARMEN IDAHO Zip 83462

2. Date of Priority (Only one (1) per claim) 4-1-1915

3. Source of water supply (a) CARMEN CREEK  
which is tributary to (b) SALMON RIVER

4. a. Location of existing point of diversion is: Township 22N Range 22E Section 5,  
1/4 of NW 1/4 of NW 1/4, Govt. Lot, 4 B.M., County of Lewhi

Additional points of diversion if any: \_\_\_\_\_

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

Township \_\_\_\_\_ Range \_\_\_\_\_ Section \_\_\_\_\_, \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4 of \_\_\_\_\_ 1/4,

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

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRR purposes from 4-1 to 10-31 amount .16 or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

For \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ amount \_\_\_\_\_ or \_\_\_\_\_

7. Total quantity claimed (a) .16 (cfs) and/or (b) \_\_\_\_\_ (acre feet)

8. Total consumptive use claimed is \_\_\_\_\_ acre feet per annum.

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

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 |          |
| <u>22N</u> | <u>26E</u> | <u>3</u> |        |       |       |       |        |       |       |       |        |       |       |       | <u>8</u> |       |       |       | <u>8</u> |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |          |
|            |            |          |        |       |       |       |        |       |       |       |        |       |       |       |          |       |       |       |          |

Total number of acres irrigated 8

11. In which county (ies) are lands listed above as place of use located? \_\_\_\_\_

12. Do you own the property listed above as place of use? Yes / 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. \_\_\_\_\_ or None ( )

14. Remarks:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Last Name \_\_\_\_\_ Ident No. \_\_\_\_\_

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Copies: White -State, Yellow-Claimant  
FEB 01 2008

15. Basis of Claim (check one) Beneficial Use ☒ 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 \_\_\_\_\_

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

Signature of Claimant (s) Linda J. McElroy Rice Date 12/7/06

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/or \_\_\_\_\_ )  
County of Lewiston ) SS.

Subscribed and sworn (or affirmed) before me this 7th day of Dec, 2006



Notary Public Gregory J. Taylor

Residing at Lewiston WA

My Commission Expires 4-20-2010

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, \_\_\_\_\_ 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 \_\_\_\_\_

Address \_\_\_\_\_

Date \_\_\_\_\_

Last Name \_\_\_\_\_ Ident. Number \_\_\_\_\_

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FEB 01 2009  
Copies White-State, Yellow-Claimant

12/20/2006

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

RIGHT NUMBER: 75-14442  
NAME AND ADDRESS: RICK RICE  
PO BOX 285  
CARMEN ID 83462  
  
LINDA RICE  
PO BOX 285  
CARMEN ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER  
QUANTITY: 0.160 CFS  
PRIORITY DATE: 04/01/1915  
POINT OF DIVERSION:

T22N R22E S3 NWNW Lot 4 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          | 0.160 CFS       |

PLACE OF USE: IRRIGATION in LEMHI County

|               |      |      |               |      |      |
|---------------|------|------|---------------|------|------|
| T22N R22E S03 | NESE | 7.40 | T22N R22E S03 | SESE | 0.60 |
|---------------|------|------|---------------|------|------|

8 ACRES TOTAL

8

The rights listed below are limited to the irrigation of a combined total of  
acres in a single irrigation season. Combined Right Nos.: 75-69L, 75-70L,  
75-14441, 75-14442 & 75-14443.

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