



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 11, 2001

ELMER D CARPENTER
LIDA CARPENTER
HC 63 BOX 1782
TERRETON ID 83450

RE: Snake River Basin Adjudication (SRBA) Claim Nos. 31-02296 and 31-10466

Dear Claimants:

I have reviewed the Notice of Error you returned for the claims referenced above, and I am unable to make any changes to the recommendations at this time. Claim 31-02296 is based on a license that was issued in 1955 for 184 acres in the West 1/2 of Section 12, Township 7 North, Range 33 East. The recommendation for claim 31-02296 is for 184 acres in the West 1/2 of Section 12. I cannot recommend more acres for a claim based on a license than the number of acres that were described on the license.

Your other claim, 31-10466, is based on beneficial use, and claimed 25 acres of irrigation in the SWSW of Section 12, Township 7 North, Range 33 East. The evidence of priority date submitted supports the irrigation of this 25 acres prior to the mandatory permit requirement for ground water went into effect in 1963.

On your Notice of Error you state that these two claims should be recommended for a total of 265 acres. Since the total acres claimed on the two claims you submitted totals 209 acres (184 acres + 25 acres = 209 acres), I cannot recommend additional acres without a claim for the additional acres.

The affidavit you submitted to our Eastern Regional office states that some additional acres in the "dry pasture" were irrigated. If you would like to submit an additional claim for the irrigation of these acres, we can review it with respect to the evidence submitted. An additional claim would have a filing fee of \$50.00 plus \$1.00 for each additional acre claimed.

I have enclosed a claim form you may use if you wish to claim the additional acres. Please contact me at (208) 327-7939 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carter Fritschle', is written over a horizontal line.

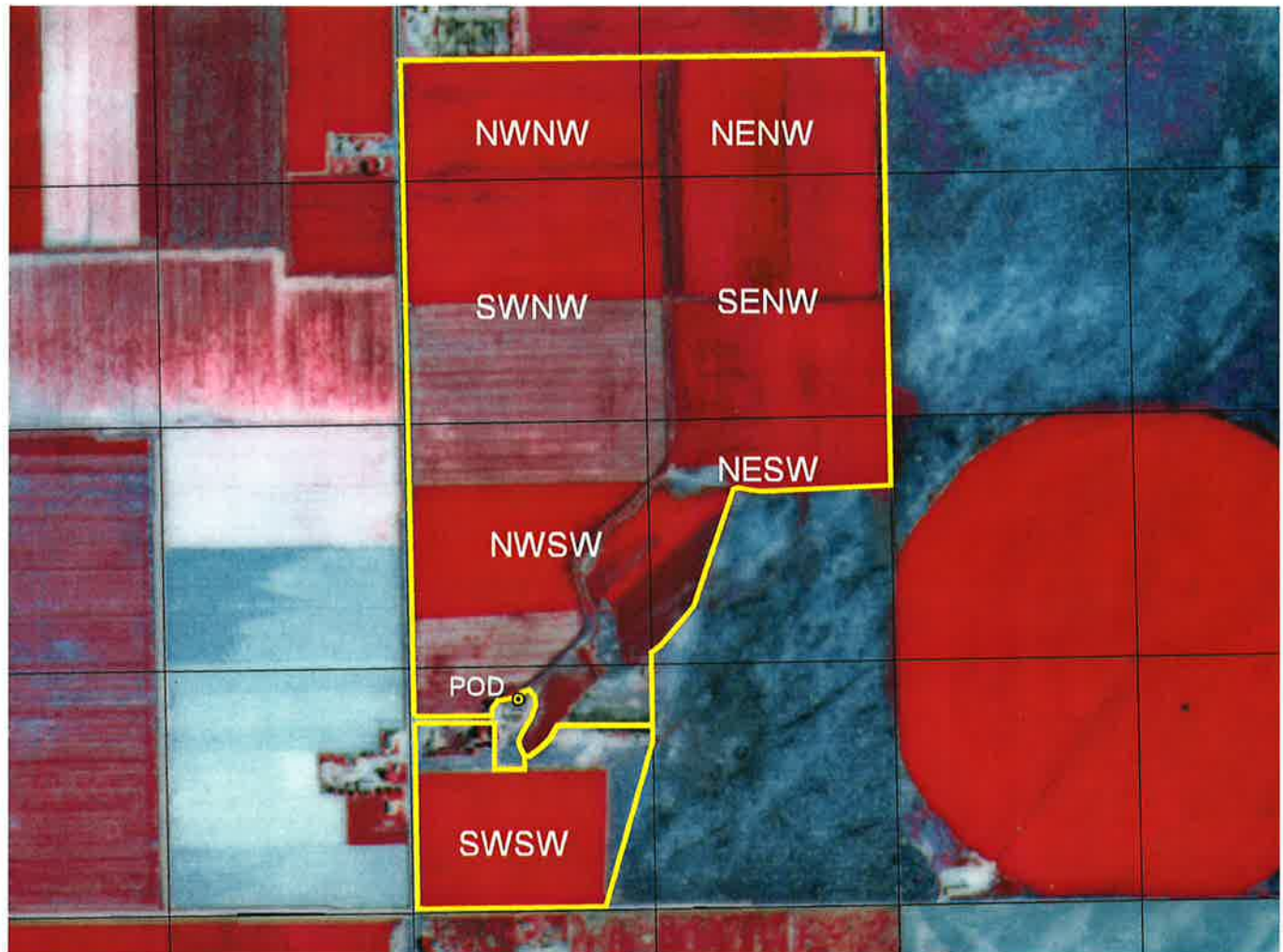
Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

cc Blair Grover

Enclosure:

Claim form w/instructions

31-02296 & 31-10466

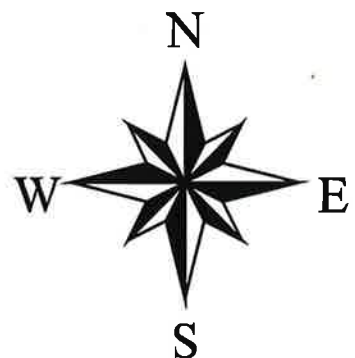


600 0 600 1200 1800 Feet



T07N R33E S12

Map prepared by: Carter Fritschle
Date prepared: 12-01-00
1987-1988 NAPP photography
Idaho Department of Water Resources



12/01/2000

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

RIGHT NUMBER: 31-2296

NAME AND ADDRESS: ELMER D CARPENTER
LIDA CARPENTER
HC 63 BOX 1782
TERRETON, ID 83450

SOURCE: GROUND WATER

QUANTITY: 3.68 CFS
644 AFY

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

PRIORITY DATE: 10/27/1949

POINT OF DIVERSION: T07N R33E S12 NWSWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS
IRRIGATION	04-01 10-31	3.68 CFS
		644.0 AFY

PLACE OF USE:

DOMESTIC Within JEFFERSON County

T07N R33E S12 SWSW

IRRIGATION Within JEFFERSON

County

T07N R33E S12	NENW	20	T07N R33E S12	NWNW	20
T07N R33E S12	SWNW	40	T07N R33E S12	SENW	40
T07N R33E S12	NESW	17	T07N R33E S12	NWSW	39
T07N R33E S12	SWSW	8			

184 ACRES TOTAL

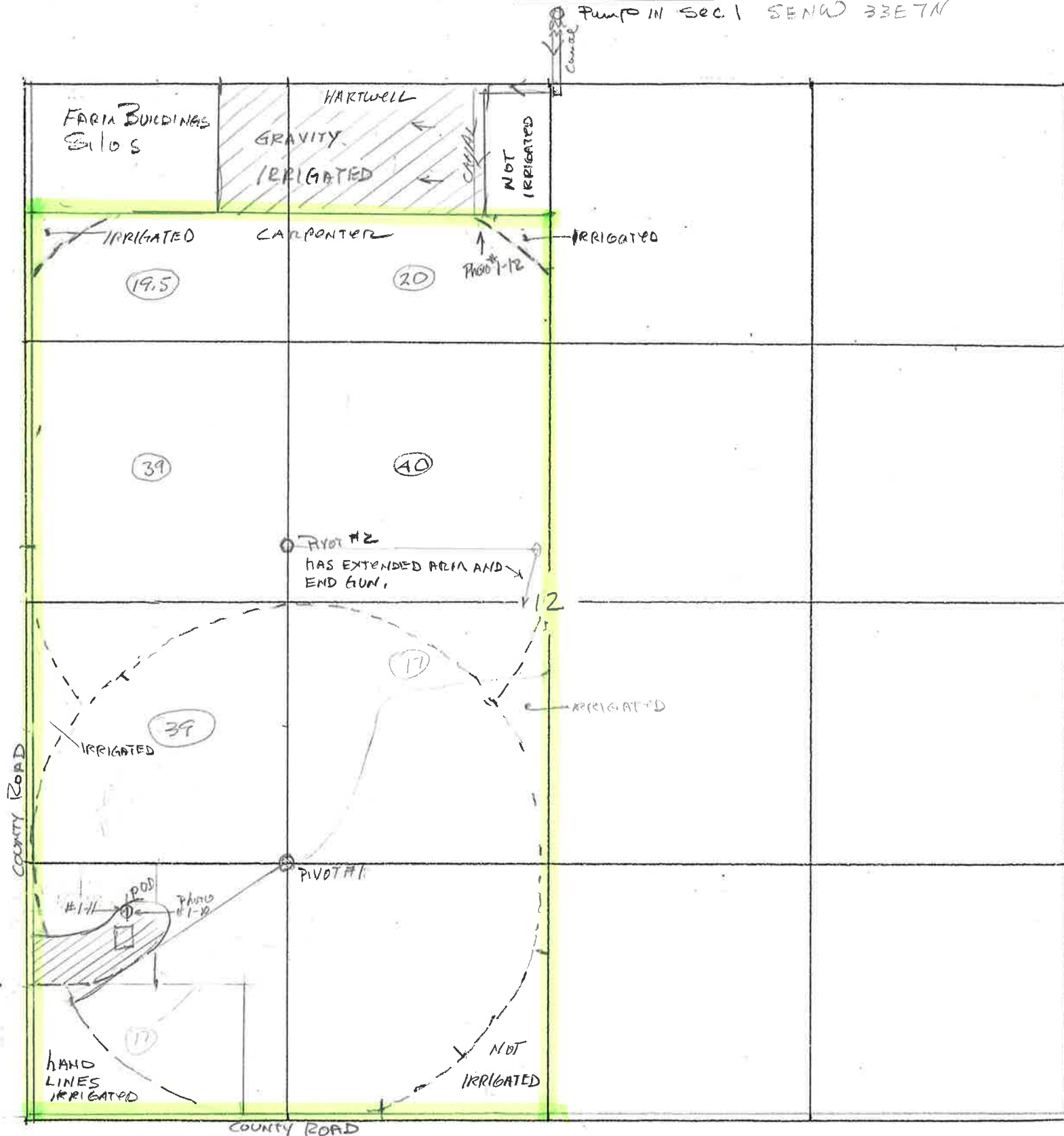
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR DOMESTIC USE 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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 31-10466 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.



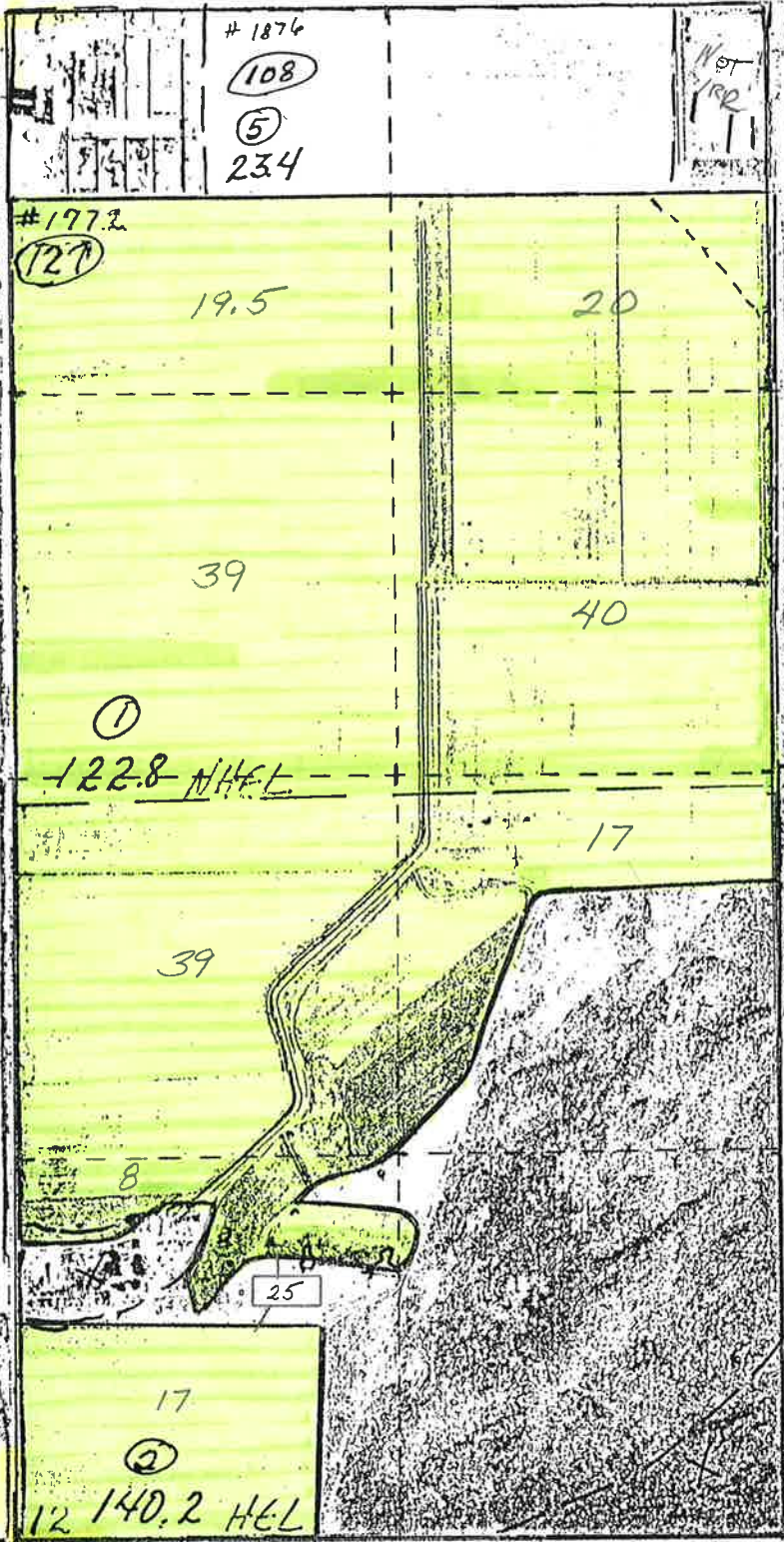
Scale 8.0" = 1.0 Mile

Township 7N Range 33E Section 12DATE 8-18-94OPQ MAP # _____ NAPP # N38NEAGENT EN

7N 33E S 12

A31-02296

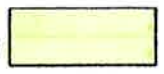
T 7N
R 33E



#1335
(128)

HEL
①
130.0

Transferred to
Clark Co.



Lands appearing to
be irrigated as of
7-3-87. (NAPP W38 NE)

STREET ADDRESS 2220 N 800E

A31-02296 CARPENTER

EN 8-18-94

7N 33E S12

MOTOR SPEC COVERED BY AN ELECTRICAL JUNCTION BOX

Photo 1-10.

LOOKING NW FROM THE POD IN THE NW SW SW SHOWING
THE MOTOR AND PUMP.

Photo 1-11 LOOKING EAST FROM THE POD SHOWING
THE PUMP AND JUNCTION BOX WITH PILOT #1 IN
THE BACKGROUND.

House on Property has power lines to it and appears that it
can be occupied. It is presently not occupied 10-5-94

This Field Information is the same for A31-10466

Claim identification no. A31-02296

7N 33E S12
POD NW SW SW



Photo # 1-10 LOOKING NW FROM THE POD IN THE NW SW SW
Sec 12 SHOWING THE MOTOR & PUMP

7N 33E S12



Photo # 1-11 LOOKING EAST FROM THE POD SHOWING THE PUMP
ELECTRICAL JUNCTION BOX WITH PIVOT # 1 IN THE BACKGROUND TO
THE EAST.

State of Idaho License and Certificate of Water Right

Water License No. 21271

Amount 3.68 second feet

Water District No.

Priority October 27, 1949

THIS IS TO CERTIFY that PARLEY RIGBY of Idaho Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 27, 1949; that Permit No. 21271 was issued under said application; that Certificate of Completion of works, with a carrying capacity of four second feet, was issued thereunder on December 3, 1954, showing that said works were completed on the 8th day of September, 1954; and that on the 10th day of January, 1955,

BILL C. LOCKES, Assignee of Parley Rigby, of Terreton, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well ~~xxxtributory~~ (subterranean flow), for the purpose of irrigation and domestic use, under Use Permit No. 21271 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 5567, on the 28th day of October, 1955;

The right hereby confirmed dates from October 27, 1949;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 12, Tp. 7 N, R. 33 E., B. M. Jefferson County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.68 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	33 E.	12	NE 1/4 NW 1/4	40	19
			1/2 NW 1/4	40	20
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	20
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	5
			SE 1/4 SW 1/4	40	--
Number of Acres actually Irrigated				-	184

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 28th day of October, 1955.

(SEAL)

HARK R. KULP

State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 21271

This proof is for Beneficial use In Water District No. _____

1. Name of applicant Bud C. Lockes, Terraton, Idaho

2. Source of water supply: Subterranean from a well

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12

T. 7 N. R. 33 E. County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: Well is 300' deep by 16" diameter cased 160'. H=40'. Lift =80'. U. S. Motor 50 hp serial No. 916306. The pump is a Fairbanks Morse, serial No. PR 5224. There is a domestic system in the pit under the floor of the well house. There is a Jet Pump operated by a 1 hp Motor connected to a pressure tank. There is a 10" discharge pipe opening into a concrete box on the North, to the fields by gravity.

5. Water is used for: Irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 12, Twp. 7 North, Range 33 East, B. M.

See the Map

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

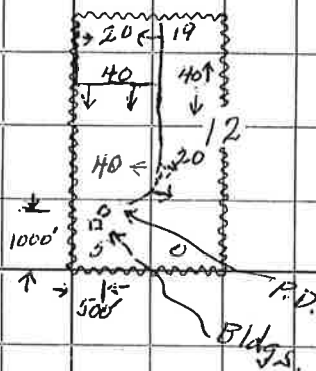
Remarks: _____

This examination was made on the 30 day of Aug., 1933

(Signed) E. A. Humphrey Examiner.

21271

T 7 N. R. 33 E.



Subdivisions = Seven

Area = 184 acres.

Q = 184 inches.

T = 51°F

Actually pumped = 216 inches

10" dia. to N. into
concrete box. Open
ditch - gravity

T = 51.05

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
SEP 13 1955
Department of Reclamation

Bud C. Lockes
Terreton, Idaho

Permit No. 21271

Examination for Beneficial Use

County Jefferson

12 7N. 33E

6.4 cfs. well
4 cfs = proof

P.D. = 3W SW, S12.

1 m. 98.
300 ft in 692.
2.16"

Oct 27-49
c/w Nov 7-54
B/m Nov 7-59

300' x 16" cased 160'
150' x 10" col.

14" brds. l=80'
h=40'

U.S. Motor 50 hp.

440V-612-10000
14 2.533

F. Mance OR 224

6' x 8' x 7'

F. Mance OR 224

1 hp. motor for pump.

F. Mance with 9' x 10'

10000 T. M. K. - water

well house floor.

1 1/2' x 1 1/4' pipe

✓
October 13, 1955

RE: Permit No. 21271

Mr. Bud C. Lockes
Terreton
Idaho

Dear Mr. Lockes:

The Report of our Field Engineer on examination for Beneficial Use on your Permit No. 21271 shows that you have irrigated 184 acres in the S¹/₄NW¹/₄, S¹/₄N¹/₂NW¹/₄, N¹/₂SW¹/₄ and SW¹/₄SW¹/₄ of Section 12, Township 7 North, Range 33 East, B. M. from your well located in the SW¹/₄SW¹/₄ of said Section.

A License can therefore be issued for 184 inches or 3.68 second feet of water upon the receipt of the statutory License fee amounting to \$14.00. This is at the reate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

21271

✓
October 28, 1955

RE: Permit No. 21271

Mr. Bud C. Lockes
Terreton
Idaho

Dear Mr. Lockes:

We enclose License and Certificate of Water Right issues on Permit No. 21271 confirming your right to the use of 3.68 second feet of water from a well in the SW¹/₄ Section 12, Township 7 North, Range 33 East, B.M. with priority of October 27, 1949, for irrigation and domestic use on the NW¹/₄, NE¹/₄SW¹/₄ and SW¹/₄SW¹/₄ of said Section.

We also enclose departmental receipt No. 27630 for the \$14.00 license fee.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

21271