

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 67-14655
Date Received: 11/22/2005
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

PATRICIA L CARNIG Phone: (208)549-1932

1240 DEVILS ELBOW RD
WEISER ID USA 83672

JOHN OMAR CARNIG Phone: (208)549-1932

1240 DEVILS ELBOW RD
WEISER ID USA 83672

2. Date of Priority: 03/15/1961

3. Source: MANN CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 Lot	County	Type
12N	05W	12	SW	SE		WASHINGTON	

5. Description of diverting works:

DIV. VIA LOLLEY DITCH W/HEADGATE, PUMP FOR SPRINKLER IRRIG.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	03/15	11/15	0.38	

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

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
12N	05W	34	NE	SE	IRRIGATION	5
			SE	SE	IRRIGATION	13
					Section Acres	18
12N	05W	35	NW	SW	IRRIGATION	3.9
			SW	SW	IRRIGATION	4
					Section Acres	7.9
					Total Acres	25.9

11. Place of use in counties: WASHINGTON

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

THIS CLAIM IS FILED TO REPLACE WATER RIGHT NO. 67-00674 WHICH WAS DECREED TO MR. GANN ON APRIL 13, 1987 AS RECORDED ON THE ATTACHED AGREEMENT.
OWNERSHIP CHANGED BY KW 4/22/1993.
OWNERSHIP CHANGED BY LH 3/19/97.

This right is a split from former right 67-10868 .

15. Basis of Claim: Decreed

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14655 V1

WATER RIGHT NUMBER: 67-14655 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MYRON W MARTIN 1240 DEVILS ELBOW RD WEISER, ID 83672 (208)549-1737
Original Owner	CLAUD GANN 1240 HWY 95 WEISER, ID 83672 (208)549-1582
Original Owner	EVELYN S MARTIN 1240 DEVILS ELBOW RD WEISER, ID 83672 (208)549-1737
Current Owner	PATRICIA L CARNIG 1240 DEVILS ELBOW RD WEISER, ID 83672 (208)549-1932
Current Owner	JOHN OMAR CARNIG 1240 DEVILS ELBOW RD WEISER, ID 83672 (208)549-1932
Original Owner	MONTE SPIERING 1240 DEVILS ELBOW RD WEISER, ID 83672 (208)549-0988
Original Owner	HOLLY SPIERING 1240 DEVILS ELBOW RD WEISER, ID 83672 (208)549-0988

Priority Date: 03/15/1961

Basis: Decreed

Status: Active

Source

MANN CREEK

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 11/15

Diversion Rate

0.380 CFS

Annual VolumeTotal Diversion:

0.380 CFS

Location of Point(s) of Diversion

MANN CREEK

SW1/4SE1/4

Sec. 12, Twp 12N, Rge 05W, B.M.

WASHINGTON County

Place of Use

IRRIGATION

Twp Rge Sec	NE		NW		SW		SE	
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Adjudication Recommendation Report 67-14655 V1

	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>Totals</u>
12N 05W 34													10.0			21.0	31.0
12N 05W 35									4.5	4.5							9.0

Total Acres: 40

Conditions of Approval:

1. K06 This right is limited to the irrigation of 25.9 acres within the place of use described above in a single irrigation season.
2. E55 Right Nos. 67-14650 and 67-14655 are limited to the irrigation of a combined total of 40 acres in a single irrigation season.
3. C18 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.
4. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

Remarks:Comments:Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.8		40
Combined Water Rights: 67-14650 , 67-14655		

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14655 V1

Priority Date	8/24/2006 1:17:50 PM	dnarsavage	Active
POD	8/24/2006 1:18:12 PM	dnarsavage	Active
Source	8/24/2006 1:19:20 PM	dnarsavage	Active
POU	8/24/2006 1:19:33 PM	dnarsavage	Active
Use	8/24/2006 1:23:56 PM	dnarsavage	Active
Season	8/24/2006 1:25:13 PM	dnarsavage	Active
Quantity	8/24/2006 1:27:35 PM	dnarsavage	Active
Summary		08/24/2006 dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/24/2006 1:18:13 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file? (No) 10. Is a POD remark and/or condition required?
POU	8/24/2006 1:19:34 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file? (No) 14. Is a POU remark and/or condition required?
Source	8/24/2006 1:19:21 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file? (No) 11. Is a Source remark and/or condition required?
POU	8/24/2006 1:21:33 PM	dnarsavage	Updated PLS for Active POU
Summary	8/24/2006 1:28:43 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (Yes) 5. Does this right have any combined use limits with other rights? (No) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (Yes) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14655 V1

General	8/24/2006 1:17:50 PM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	8/24/2006 1:20:52 PM	dnarsavage	Updated shape for Active POU
Season	8/24/2006 1:25:13 PM	dnarsavage	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (No) 18. Is a Period of Use remark and/or condition required?
POD	8/24/2006 1:18:58 PM	dnarsavage	Updated shape
Use	8/24/2006 1:23:56 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file? (No) 13. Is a Purpose of Use remark and/or condition required?
Quantity	8/24/2006 1:27:36 PM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (No) 8. Does the parent right have an annual diversion volume limit? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

Water Supply Bank:



Idaho Department of Water Resources

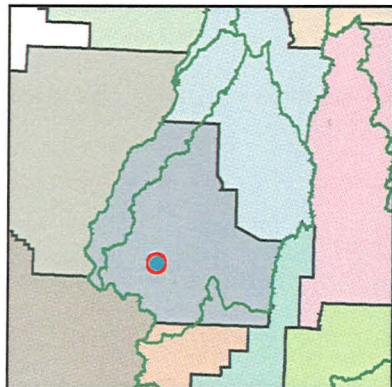
SRBA Recommendation:

67-14655

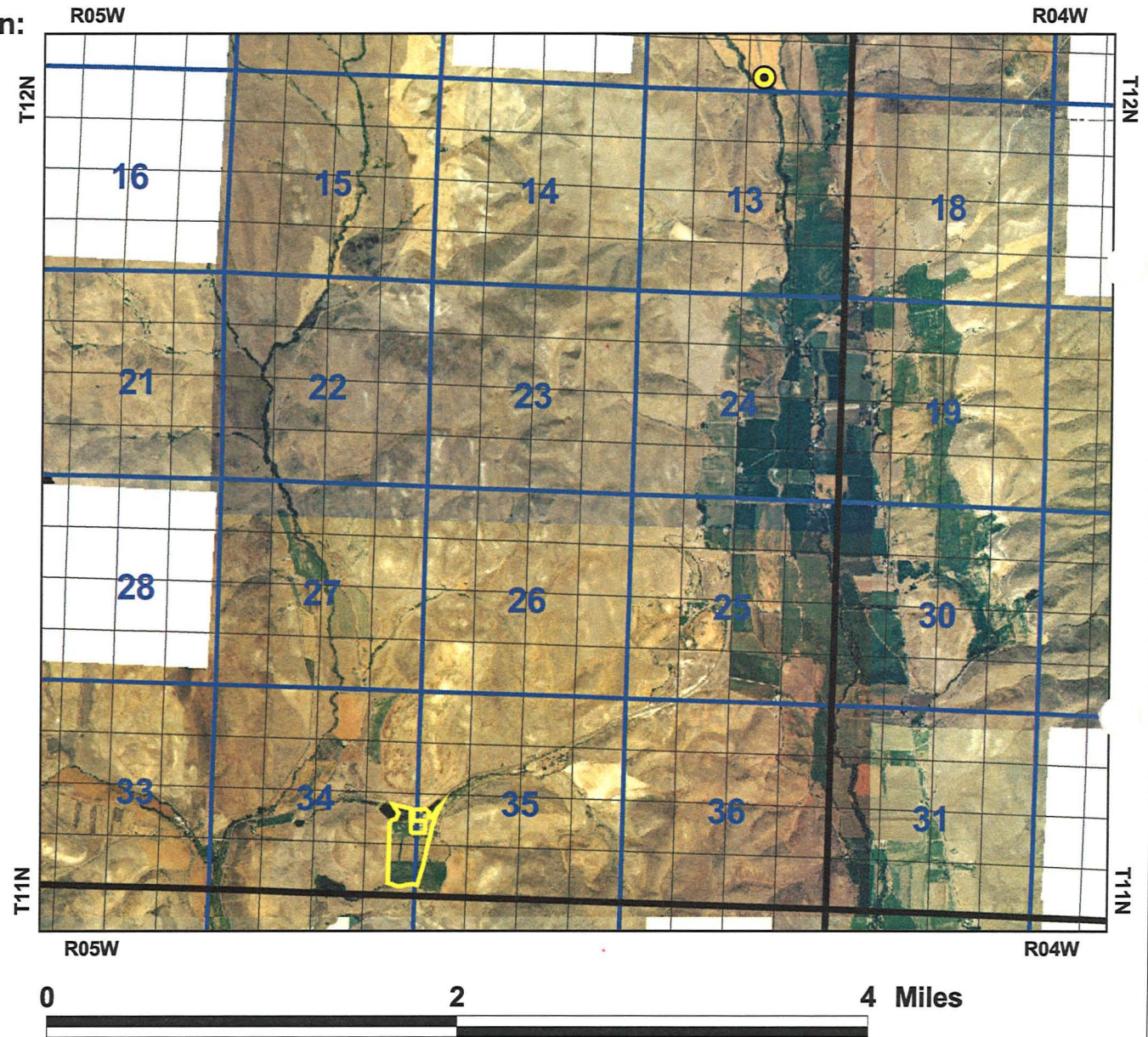
(Irrigation)

Legend

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



Washington County
IDWR Basin 67



Prepared by D. Narsavage
On Thursday, August 24, 2006
1987/88 Aerial Photography

67-14655

