

Comment Report

75-7505

1. csaxton 2/27/2012 2:15:32 PM POD
Comment: Updated Shape

2. csaxton 2/27/2012 Combined Use
Comment: 75-7505 is a supplemental groundwater right to 5 other surface water rights: 75-69A, 75-70A, 75-10061A, 75-10062A and 75-14248. The total combined diversion rate decreed to the surface water rights is 0.43 cfs on 10.7 acres. This calculates to 0.04 cfs per acre. In the event that 75-7505 is to be used, it will only authorize overall diversion rate of 0.02 cfs per acre but will not limit the ability for the surface water rights to divert a greater duty of water. For example, if 0.03 cfs per acre is available at the field headgate surface water rights, then right 75-7505 cannot be diverted. However, if the available surface water diversion provides 0.01 cfs per acre at the field headgate, then 0.01 cfs per acre can be diverted under 75-7505 to bring the maximum land application rate up to 0.02 cfs per acre.

3. csaxton 2/27/2012 Purpose of Use
Comment: Field examiner recommended licensing Domestic as a purpose of use even though it is only used for stockwater. The permit needs amendment anyway to add the second POD so I recommend changing the domestic purpose of use to stockwater. 75-10063 is the domestic right from a separate well.

4. csaxton 2/27/2012 Place of Use
Comment: Place of use recommended is the same POU that was recommended for overlapping primary rights. Development period ended in 1991 and the aerial photography in 1987 and 1992 do differ from current aerial photography. Recommend the shape and the POU the same as the decreed rights because that matches the best with the development period.

5. csaxton 2/27/2012 3:22:29 PM POU
Comment: Updated Shape

6. csaxton 2/29/2012 8:00:16 AM POU
Comment: Updated PLS

7. csaxton 2/29/2012 8:01:23 AM POD
Comment: Updated PLS

Basir	Sequence	Suffix	Process	Basis	Status	Draft	Priority	Date	Diversion	Rate	Volume	Acres	Acres	Limit	Source	List	Water	Use	List	Current	Owner
75	69	A	Water Right	Decreed	Active	N	5/1/1888			0.05		10.9			CARMEN CREEK	IRRIGATION	BURNS, JOHN E; BURNS, RUTH C				
75	70	A	Water Right	Decreed	Active	N	5/1/1892			0.07		10.9			CARMEN CREEK	IRRIGATION	BURNS, JOHN E; BURNS, RUTH C				
75	10061	A	Water Right	Decreed	Active	N	5/1/1875			0.06		10.9			CARMEN CREEK	IRRIGATION	BURNS, JOHN E; BURNS, RUTH C				
75	10062	A	Water Right	Decreed	Active	N	5/1/1882			0.03		10.9			CARMEN CREEK	IRRIGATION	BURNS, JOHN E; BURNS, RUTH C				
75	14248		Water Right	Decreed	Active	N	4/1/1915			0.22		10.9			CARMEN CREEK	IRRIGATION	BURNS, JOHN E; BURNS, RUTH C				
										0.43		10.9	0.040 cfs / acre								
75	7505		Water Right	License	Active	Y	3/16/1990			0.24		10.9			GROUND WATER	IRR, STOCKWA	BURNS, JOHN E; BURNS, RUTH C				
									Combined use limit =	0.43		10.9									
75	10063		Water Right	Decreed	Active	N	7/1/1947			0.06					GROUND WATER	DOMESTIC, ST	BURNS, JOHN E; BURNS, RUTH C				
75	14247		Claim	Beneficial	Disallowed		5/1/1892			0.23		11.5		11.5	CARMEN CREEK	IRRIGATION	BURNS, JOHN E; BURNS, RUTH C				

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-00069A

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 31 2011

By _____ Clerk
_____ Deputy Clerk

NAME AND ADDRESS: JOHN E BURNS
RUTH C BURNS
PO BOX 264
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.054 CFS

PRIORITY DATE: 05/01/1888

POINT OF DIVERSION: T22N R22E S02 SWNW Within Lemhi County
LOT 4 (NWNW)

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.054 CFS

PLACE OF USE:			Within Lemhi County
	T22N R22E S02	SWNW 0.4	NWSW 1.3
	S03	SENE 1.5	NESE 7.7
	10.9 Acres Total		

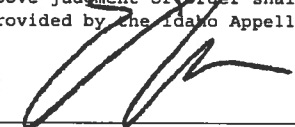
The rights listed below are limited to the irrigation of a combined total of 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A and 75-14248.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 75-00070A

DISTRICT COURT-SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN 31 2011

NAME AND ADDRESS: JOHN E BURNS
RUTH C BURNS
PO BOX 264
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.073 CFS

PRIORITY DATE: 05/01/1892

POINT OF DIVERSION: T22N R22E S02 SWNW Within Lemhi County
LOT 4 (NWNW)

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.073 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 SWNW 0.4 NWSW 1.3	
	S03 SENE 1.5 NESE 7.7	
	10.9 Acres Total	

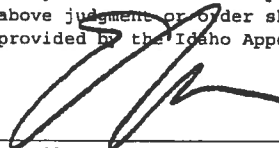
The rights listed below are limited to the irrigation of a combined total of 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A & 75-14248.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-10061A

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

JAN - 5 2011

By _____ - Clerk
Deputy Clerk

NAME AND ADDRESS: JOHN E BURNS
RUTH C BURNS
PO BOX 264
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.059 CFS

PRIORITY DATE: 05/01/1875

POINT OF DIVERSION: T22N R22E S02 SWSNW Within Lemhi County
NWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.059 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 SWNW 0.4	NWSW 1.3
	S03 SENE 1.5	NESE 7.7
	10.9 Acres Total	

The rights listed below are limited to the irrigation of a combined total of 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A & 75-14248.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

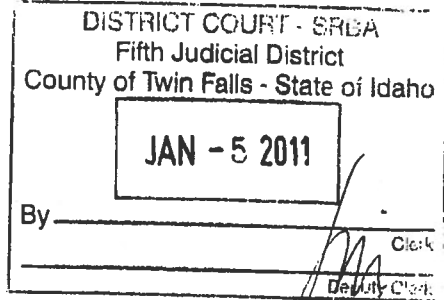
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-10062A



NAME AND ADDRESS: JOHN E BURNS
RUTH C BURNS
PO BOX 264
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.027 CFS

PRIORITY DATE: 05/01/1882

POINT OF DIVERSION: T22N R22E S02 SWSWNW Within Lemhi County
NWNW

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 10-31	0.027 CFS

PLACE OF USE:	Irrigation	Within Lemhi County
	T22N R22E S02 SWNW 0.4	NWSW 1.3
	S03 SENE 1.5	NESE 7.7
	10.9 Acres Total	

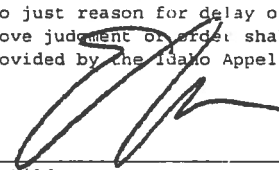
The rights listed below are limited to the irrigation of a combined total of 10.9 acres in a single irrigation season. Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A & 75-14248.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Eric J. Wildman
Presiding Judge of the
Snake River Basin Adjudication

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 75-14248

NAME AND ADDRESS: JOHN E BURNS
RUTH C BURNS
PO BOX 264
CARMEN, ID 83462

SOURCE: CARMEN CREEK TRIBUTARY: SALMON RIVER

QUANTITY: 0.22 CFS

PRIORITY DATE: 04/01/1915

POINT OF DIVERSION: T22N R22E S02 SWSNW Within Lemhi County
NWNW

PURPOSE AND
PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
Irrigation 04-01 TO 10-31 0.22 CFS

PLACE OF USE: Irrigation Within Lemhi County
T22N R22E S02 SWNW 0.4 NWSW 1.3
S03 SENE 1.5 NESE 7.7
10.9 Acres Total

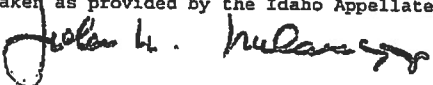
The rights listed below are limited to the irrigation of a
combined total of 10.9 acres in a single irrigation season.
Combined Right Nos.: 75-69A, 75-70A, 75-10061A, 75-10062A &
75-14248.

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. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


John M. Melanson
Presiding Judge of the
Snake River Basin Adjudication