

Abstract revised February 1982						DATE OF DECREE May 9, 1902		REC IN			
PN.	SN.	DECEED OWNER	NAME	PRESENT OWNER	AMT. INCHES SEC. FT.	PRIORITY	DIVERSION				REMARKS, LAND TO
							SUBDIV.	SEC.	TWR.	RG.	
75	0058	Frank P. McCracken			0.60	05-01-1869					WINWA Sec 17, SW1SW1 R22E
75	0060	Montreville White Est.			1.40	05-01-1874					SE1NW1, SW1NE1, NE1SW1
75	0061	Fmma White			0.40	05-01-1874					NE1SE1 Sec 9 T22N-R22E
75	0064	John F. Ferguson			1.50	05-01-1874					E1NE1 Sec 9 NW1NW1 Sec
75	0051	Exchange Rights			8.00	05-01-1875					to be distributed among asterisk (*)
75	0052	Exchange Rights			4.30	05-01-1883					to be distributed among asterisk (*)
75	0075	Peter McKinney		*	0.30	05-01-1882					Portion of SW1NE1 above T22N-R22E
75	0076	Ernest R. Benedict		*	3.60	05-01-1882					SW1 Sec 24, WINWA Sec 35 T23N-R22E
75	0062	A. C. Mather		*	2.50	05-02-1882					S1SW1, NE1SW1, NW1SE1
75	0063	William Smith		*	1.60	05-01-1884					NW1 Sec 8 T22N-R22E
75	0065	Hillard H. Dahle		*	1.50	05-01-1885					W1SE1, S1SW1 Sec 3 T22N
75	0066	Wallace W. Slavin		*	1.50	05-01-1885					E1NW1, Lot 2, NW1NE1 Sec
75	0067	John Dimock		*	1.00	05-01-1885					S1SW1, NW1SW1, SW1SE1 Sec
75	0079	Ora L. & William L. Igou		*	1.40	05-01-1885					N1SW1, SW1SW1, SW1NE1 Sec
75	0069	Thomas Palmer		*	0.40	05-01-1889					SE1SE1 Sec 25 T23N-R22E
75	0071	John Palmer		*	2.00	05-01-1889					NE1NW1, NW1NE1 Sec 31
75	0081	Lemhi Placer Mining Co.		*	10.00	1889					S1NE1, NE1SE1 Sec 3, S1
75	0072	Albert J. Mathews		*	0.20	05-01-1890					E1NW1, NE1SW1, NW1NE1 Sec
75	0070	Thomas Palmer		*	0.60	05-01-1892					Near two East Forks of
											S1NE1, NE1NE1 Sec 17, SE
											See place of use for ri

et al

SOURCE Carmen Creek and tributaries

PAGE 1

WATER DIST. 75-D

COUNTY Leshi

et al

JUDICIAL DIST.

JUDGE Joseph C. Rich

Abstract revised February 1982

DATE OF DECREE May 9, 1902

RECORDED

IN BOOK NO.

AT PAGE NO.

FILE NO.

NAME	PRESENT OWNER	AMT. INCHES SEC. FT.	PRIORITY	DIVERSION				REMARKS, LAND TO BE IRRIGATED, ETC.	C.T.
				SUBDIV.	SEC.	TWP.	RG.		
		0.60	05-01-1869					WINW1 Sec 17, SW1SW1 Sec 8, Lots 10 & 12 Sec 7 T22N-R22E	
		1.40	05-01-1874					SE1NW1, SW1NE1, NE1SW1, NW1SE1 Sec 9 T22N-R22E	
		0.40	05-01-1874					NE1SE1 Sec 9 T22N-R22E	
		1.50	05-01-1874					E1NE1 Sec 9 NW1NW1 Sec 10 T22N-R22E	
		8.00	05-01-1875					to be distributed among the users marked with an asterisk (*)	
		4.40	05-01-1882					to be distributed among the users marked with an asterisk (*)	
	*	0.30	05-01-1882					Porting of SW1NE1 above Carmen Creek Ditch Sec 5 T22N-R22E	
	*	3.60	05-01-1882					SW1 Sec 24, WINW1 Sec 25, E1NE1, SE1 Sec 26, NE1 Sec 35 T23N-R22E	
	*	2.50	05-02-1882					S1SW1, NE1SW1, NW1SE1 Sec 35 T23N-R22E	
	*	1.60	05-01-1884					NW1 Sec 8 T22N-R22E	
	*	1.50	05-01-1885					W1SE1, S1SW1 Sec 3 T22N-R22E	
	*	1.50	05-01-1885					E1NW1 Lot 2, NW1NE1 Sec 17 T22N-R22E	
	*	1.00	05-01-1885					S1SW1, NW1SW1, SW1SE1 Sec 9 T22N-R22E	
Igon		1.40	05-01-1885					N1SW1, SW1SW1, SW1NE1 Sec 30, WINW1 Sec 31 T23N-R23E	
								SE1SE1 Sec 25 T23N-R22E, SE1SW1, SW1 SE1 Sec 30, NE1NW1, NW1NE1 Sec 31 T23N-R23E	
	*	0.40	05-01-1888					S1NE1, NE1SE1 Sec 3, SW1NW1 Sec 2 T22N-R22E	
	*	2.00	05-01-1888					E1NW1, NE1SW1, NW1NE1 Sec 10 T22N-R22E	
La		10.00	1889					Near two East Forks of Carmen Creek	
	*	0.20	05-01-1890					S1NE1, NE1NE1 Sec 17, SE1SE1 Sec 8 T22N-R22E	
	*	2.60	05-01-1892					See place of use for right 75-0069 above.	

TITLE
OF
CASE

VS
THOMAS PALMER, et al

WATER DIST. 75-D

JUDICIAL DIST.

DATE OF DECREE May 9, 1902

Abstract revised February 1962

CO

JU

RE

11

RM.	DN.	DEGREED OWNER	NAME	PRESENT OWNER	ANT. INCHES SEC. FT.	PRIORITY	DIVERSION				REMARKS, LAND TO
							SUBDIV.	SEC.	TWR	RG.	
75	0077	Ernest R. Benedict	*	*	1.4	05-1-1892					See place of use for
75	0080	Ora L. & Wm. L. Igou	*	*	2.0	05-1-1892					See place of use for
75	0082	Lehigh Placer Mining Co.			40.0	05-15-1892					On Kirtley Creek and water right can be
75	0089	Frank P. Mcracken			0.30	05-1-1896					See place of use for
75	0068	Eliza S. Mather			1.9	05-1-1896					SE 1/4 Sec 34 T22N-R Sec 3 T22N-R2E
75	0074	Peter McKinney			1.0	05-1-1896					Desert Lot W 1/4 Sec 34
75	0073	Albert J. Mathews			0.8	05-1-1897					See place of use for
75	0072	Edward B. Clark		Surgs.	1.1	05-1-1898					Springs on own land No land description
		Theodore Batson									E 1/4 Sec 35 SW 1/4 Sec 35
		Robert Martin									SW 1/4 Sec 35 SW 1/4 Sec 35
		John Daniels									SE 1/4 Sec 35 SW 1/4 Sec 35

CC
JUN
REC
11

AND TO
use for

use for

per the
an be

use for
122N-
22E
SE 1/4

use for

n. 1/4
10.00
Sec 35

SW 1/4
Sec 35

SW 1/4

Abstract revised February 1982				WATER DIST. 75-D		COUNTY Lehigh		JUDICIAL DIST.		JUDGE Joseph C. Rich		RECORDED IN BOOK NO. AT PAGE NO.		FILE NO.	
PRESENT OWNER	ANT. INC. SEC. FT.	PRIORITY	SUBDIV.	DIVISION	DATE OF DECREE	May 9, 1902	REMARKS, LAND TO BE IRRIGATED, ETC.	GT.							
*	1.4	05-1-1892					See place of use for right 75-0076 (Page 1)								
*	2.0	05-1-1892					See place of use for right 75-0079 (Page 1)								
	40.0	05-1-1892					On Kirtley Creek from Oct 15 to Apr 15 except the water right can be used when excess over irrigation.								
	0.20	05-1-1895					See place of use for right 75-0058 (Page 1)								
	1.4	05-1-1896					SE 1/4 Sec 34 122N-22E Lots 3, 4 Sec. 2, Lot 1 Sec. 3 122N-22E								
*	1.0	05-1-1896					Robert Lot 1 Sec 34 122N-22E Sec. 3 122N-22E								
*	0.8	05-1-1897					See place of use for right 75-0072 (Page 1)								
Sprgs.	all	05-1-1898					Stations on own land								
							No land description in decree								
							SE 1/4, SW 1/4 Sec 34 122N-22E								
*							SW 1/4, SE 1/4, SW 1/4 Sec 34 122N-22E								
*							SE 1/4, SW 1/4, SW 1/4 Sec 34 122N-22E								

Carmien Creek & Tributaries

19 82 Revised.

IDENTIFICATION NUMBER	NAME	AMT. cfs	Date of Filing or Priority	Point of Diversion		
				Subdiv.	Sec.	Twp Rge.
75 - 4002	Stanley C. Daniels	1.7	8-30-1893	NENW	2	22N 22E
		0.8	4-07-1902	NENW	2	22N 22E
75 - 4005	Morgan DeBoard	1.5	6-13-1912	NESE	36	23N 22E
		1.7	6-01-1948	NESW	31	23N 23E
		0.3	5-01-1959	NESW	31	23N 23E
75 - 4087	Erin G. Robie	0.2	9-14-1968	NNNW	2	22N 22E
75 - 4098	Erin G. Robie	0.2	9-14-1968	NNNW	2	22N 22E
75 - 4124	Duane Halverson	1.75	5-25-1928	NWSE	32	23N 23E
75 - 4132	Pete Walchy	3.2	4-01-1936	NESE	25	23N 22E
				NWNE	36	23N 22E
75 - 4186	Michael & Kathleen Zanutio	0.15	2-09-1901	SNNW	2	22N 22E
75 - 4204	Jack F. Ellis	0.8	5-01-1948	NNNE	5	22N 23E
				NENE	6	22N 23E
75 - 4205	Jack F. Ellis	3.0	5-01-1915	SESE	30	23N 23E
				SUNE	31	23N 23E
				NWNE	31	23N 23E
75 - 4206	Jack F. Ellis	2.0	5-01-1918	NWSE	32	23N 23E
				SESW	32	23N 23E
				NNNW	5	22N 23E

NAME	AMT. cfs	Date of Filing or Priority	Point of Diversion		Twlp.	Reg.	PLACE OF USE, REMARKS, ETC.
			Subdiv.	Sec.			
Carmen Creek-Irrig 65.3 acres SE $\frac{1}{4}$ Sec 9	1.7	8-30-1893	NENW	2	22N	22E	W $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 10 T22N-R22E
Freeman Creek-Irrig 115.2 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 2	0.8	4-07-1902	NENW	2	22N	22E	T22N-R22E
T22N-T23N-R22E; E $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 35, SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 36	1.5	6-13-1912	NESE	36	23N	22E	T23N-R22E
Unnamed springs-Irrig & stock-9 acres	1.7	6-01-1948	NESW	31	23N	23E	
N $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 2 T22N-R22E	0.3	5-01-1959	HESW	31	23N	23E	
Carmen Creek-Irrig & stock-9 acres	0.2	9-14-1968	NNNW	2	22N	22E	
Golway Gulch-Irrig 65 acres	0.2	9-14-1968	NNNW	2	22N	22E	N $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 2 T22N-R22E
S $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31 T23N-R23E	1.75	5-25-1928	NWSE	32	23N	23E	Davis Canyon Creek-Irrig 160 acres
NW $\frac{1}{4}$, Sec 36 T23N-R22E	3.2	4-01-1936	NESE	25	23N	22E	
Unnamed spring-Irrig 7.5 acres			NNNE	36	23N	22E	
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 3 T22N-R22E	0.15	2-09-1901	SNW	2	22N	22E	
Freeman Creek-Irrig 10 acres S $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 5,	0.8	5-01-1948	NNNE	5	22N	23E	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 6 T22N-R23E
Smout Creek-Irrig 91 acres S $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 30,			NENE	6	22N	23E	
N $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 31 T23N-R23E	3.0	5-01-1915	SESE	30	23N	23E	
Golway Gulch-Irrig 66 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 31,			SWNE	31	23N	23E	
W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 32 T23N-R23E; NW $\frac{1}{4}$ NE $\frac{1}{4}$,	2.0	5-01-1918	NWSE	32	23N	23E	
N $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 5, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 6 T22N-R23E			SESW	5	22N	23E	

Box 125

Common Lake 53462

B4 letter of
4/9/82

Lincoln Carlson
Department of Water Resources
Eastern District Office
150 Shoup Avenue
Idaho Falls, Idaho 83401

RECEIVED

MAR 26 1982

Department of Water Resources
Eastern District Office

Dear Anne:

This letter is to comment on the 1952 revision of the abstract for Common Lake, water District 75 D, which is included herein.

The revision is usable and agrees with my interpretation of the 1902 decrees and exchange agreements. The exchange rights are probably most deserving of specific mention. The names listed with an asterisk are the ones which presently receive exchange water with one exception. Each named person/place receives 45 inches of water except Theodore Bottom and Elwood C. Clark who each get 1/2 share or 23 1/2 miner's inches of water. All exchange water is considered 15.82 water as a matter of practicality.

The exception is the Peter McKinney right which is delivered to no one presently. Sometime shortly after 1902, Peter McKinney purchased the lands of William Smith and Robert Martin and apparently transferred his share to these lands. At least, the old watermaster's records show these lands receiving 3-shares until about 1957. No official record of this transaction has been found but old-timers testify to its use, if not truth. About 1957, the State Department of Reclamation told the water master to turn off the exchange rights to force the water users to come to an agreement as to where the Peter McKinney right was to be used. The water master just shut the Peter McKinney right off. That is the current status of this right.

Sincerely yours,
Rose M. Feland
watermaster P.S. 75-D

encl. 1 abstract



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1515 Lincoln Road
Idaho Falls, Idaho 83401
(208) 523-7186

May 18, 1981

Thomas R. Conrad
P.O. Box 62
Carmen, Idaho 83462

Dear Tom:

I was pleased to receive your letter this day concerning your water claim you wish to submit for Carmen Creek waters.

You asked for advice concerning a number of questions:

1. Some of your neighbors have been claiming up to four inches of water per irrigated acre. Apparently, these individuals feel that this rate of diversion accurately depicts the amount of water used.
2. When filing a claim to a water right, one should always claim the amount of water that is actually being used.
3. Then filing for a new water right application (different from a claim), the statutory limitation is the amount of water that can be filed on per irrigated acre for one inch.

Now that you have had ample time to collect the evidence identifying your water right, you should accurately display that information on a form provided by this department and which I have enclosed.

I will be in the Salmon area sometime between May 26 and May 29, 1981. I will call you so that we can make arrangement to fill out the forms and claim your water right.

Sincerely,

WILLIAM R. RHOADS
Sr. Resource Analyst

WRR:brs

enc: claim form w/ inst.

RECEIVED

MAY 18 1981

MAY 10, 1988

**Department of Water Resources
Eastern District Office**

Bing

Now you don't seem
to be right. I'm
in the middle of
the road. I'm
not going to
stop.

I'm -hoping you can
give me some advice on
water rights. I haven't
filed for mine yet. for a
couple of reasons. One is
that I've been waiting to
see what my neighbors
were going to do on theirs.

They also have the habit
of too much water occa-
sionally the one mine with
fine ore found that it
was sold to us. Last week
I went down the road to the
to pay for mine about this
time. The mine was for 4 in.
in size. I will give the
mine and I was prepared
to protect the mine and
to give it a couple of

other claims on this drainage
who have claimed all
much. But when I talked
to him he said that
you were the one who
initiated this application
for him, that's what
you said at that time
-- I got me a certificate

of ownership of the
land and the water
amount of water in the
region. Then not
to be sure of the
protection of things.

I've been thinking about
this water right thing for
a long time and would
like to get it straightened out.
I know that W. H. and
you suggest? I should
ask for one and see
if we can protect any more
of the land for
the region still in
the hands of the
I'm sorry I didn't get

down to see you when you
were in Salmon. I may have
to go to Idaho Falls in the
next month or so and maybe
I could get over to see you
then. I'm working so now
and my free time is pretty
limited.

I'd appreciate any advice
you can give me.

Thanks,

Thomas R Conrad

THOMAS R CONRAD

P.O. Box 62

CARMEN, ID.

83462

756-4166 HOME

756-2279 WORK

PERMIT AND LICENSED RIGHTS ON Carmen Creek & Tributaries

19 82 Revised

[illegible]

CO., IDAHO

RIGHTS ON Carmen Creek & Tributaries

Lemhi

Water Dist. No. 75-D

19 82 Revised

NAME	AMT. cfs	Date of Filing or Priority	Point of Diversion		PLACE OF USE, REMARKS, ETC.	
			Subdiv.	Sec.	Trp	Rge.
Irrig	1.08	10-23-1905	SESE	13	23N	22E
						Irrig 64 acres NW 1/4 Sec 24, SE 1/4 Sec 23 T23N-R22E
	1.02	12-22-1910	NENE	30	23N	22E
						Irrig 51 acres W 1/2 Sec 3 T22N-R22E
Smo	0.64	10-11-1920	NWSW	30	23N	23E
			NESE			Smoit Creek-Irrig 32 acres SE 1/4, E 1/4 Sec 30 T23N-R23E
			SENE			Smoit Creek-Irrig 46 acres SE 1/4 NW 1/4, N 1/2 SW 1/4 Sec 31 T23N-R23E
	0.92	9-07-1940	NENE	31	23N	23E
Irrig	0.40	2-18-1952	SWSE	8	22N	22E
						Irrig 23 acres E 1/2 SW 1/4, NW 1/4 Sec 8 T22N-R22E
						Freeman Creek-Irrig 307 acres NE 1/4 NW 1/4 Sec 20 S 1/2 SE 1/4, NE 1/4 Sec 17 T22N-R22E
	6.0	5-25-1954	SWNW	36	23N	22E
Irrig	0.2	2-21-1955	NWNW	2	22N	22E
						Irrig 10 acres SE 1/4 Sec 4 T24N-R22E
	0.3	3-20-1957	NWNE	24	23N	22E
						Irrig 15 acres E 1/2 Sec 23 T23N-R22E
Irrig	0.14	3-28-1957	NWSW	25	23N	22E
						Irrig 7 acres SW 1/4 Sec 25 T23N-R22E
	0.76	3-30-1958	NWSW	31	23N	23E
						Freeman Creek-Irrig 38 acres NW 1/4 Sec 2 T22N-R22E
Irrig	1.26	10-03-1960	NENW	33	23N	23E
						Gulway Gulch-Irrig 57 acres SE 1/4 NW 1/4, N 1/2 SW 1/4 Sec 31 T23N-R23E
	0.02	4-03-1973	NWNE	8	22N	23E
						Unnamed spring-livestock & wildlife NW 1/4 Sec 8 T22N-R23E
Irrig	0.02	4-03-1973	NWSW	6	22N	23E
						Unnamed spring-livestock & wildlife NW 1/4 Sec 6 T22N-R22E
	0.02	8-15-1977	SESE	8	22N	22E
						Spring-Irrig 1.0 acre SW 1/4 Sec 8 T22N-R22E
Irrig	0.58	4-18-1979	SWSW	8	22N	22E
			SWSE			Carmen Creek-Irrig 29 acres E 1/2 Sec 7, SW 1/4 Sec 8 T22N-R22E
	0.20	5-13-1981	SENE	3	22N	22E
						Unnamed spring-Irrig 10 acres SE 1/4 Sec 3 T22N-R22E
Irrig	0.20	5-19-1981	SENE	3	22N	22E
						Wastewater-Irrig 10 acres SE 1/4 Sec 3 T22N-R22E