

NOV 30 2006

DEPARTMENT OF
WATER RESOURCES

11/15/2006

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

RIGHT NUMBER: 78-10171

NAME AND ADDRESS: LOWELL J MADISON
3616 CEMETERY RD
NEW MEADOWS ID 83654-5019ROBERTA G MADISON
3616 CEMETERY RD
NEW MEADOWS ID 83654-5019

SOURCE:

GOOSE CREEK

TRIBUTARY: LITTLE SALMON RIVER

Water is delivered from the West Branch of Goose Creek.

QUANTITY:

0.180 CFS

PRIORITY DATE:

04/23/1923

Pursuant to a call in times of scarcity, this right is junior to Water Right
Nos. 78-2036, 78-2037, 78-2039, 78-2040A, 78-2040B, 78-2042 and
78-2056.

POINT OF DIVERSION:

T19N R02E S20 SWSW Within ADAMS County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

IRRIGATION

PERIOD OF USE

04/01 10/31

QUANTITY

0.180 CFS

PLACE OF USE:

IRRIGATION in ADAMS County

T19N R02E S20

NWSW 1.20

T19N R02E S20

SWSW

7.80

9 ACRES TOTAL

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

Use of this right is combined with water from Brundage Water Users
Association.

Water is delivered through the Lecta Becker Canal.

*Water delivered through madison ditch
April 22, 1923*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM TO A WATER RIGHT

01234567891011121314151617181920212223242526272829303132333435363738394041424344454647484950515253545556575859606162636465666768697071727374757677787980818283848586878889909192939495969798991001011021031041051061071081091101111121131141151161171181191201211221231241251261271281291301311321331341351361371381391401411421431441451461471481491501511521531541551561571581591601611621631641651661671681691701711721731741751761771781791801811821831841851861871881891901911921931941951961971981992002012022032042052062072082092102112122132142152162172182192202212222232242252262272282292302312322332342352362372382392402412422432442452462472482492502512522532542552562572582592602612622632642652662672682692702712722732742752762772782792802812822832842852862872882892902912922932942952962972982993003013023033043053063073083093103113123133143153163173183193203213223233243253263273283293303313323333343353363373383393403413423433443453463473483493503513523533543553563573583593603613623633643653663673683693703713723733743753763773783793803813823833843853863873883893903913923933943953963973983994004014024034044054064074084094104114124134144154164174184194204214224234244254264274284294304314324334344354364374384394404414424434444454464474484494504514524534544554564574584594604614624634644654664674684694704714724734744754764774784794804814824834844854864874884894904914924934944954964974984995005015025035045055065075085095105115125135145155165175185195205215225235245255265275285295305315325335345355365375385395405415425435445455465475485495505515525535545555565575585595605615625635645655665675685695705715725735745755765775785795805815825835845855865875885895905915925935945955965975985996006016026036046056066076086096106116126136146156166176186196206216226236246256266276286296306316326336346356366376386396406416426436446456466476486496506516526536546556566576586596606616626636646656666676686696706716726736746756766776786796806816826836846856866876886896906916926936946956966976986997007017027037047057067077087097107117127137147157167177187197207217227237247257267277287297307317327337347357367377387397407417427437447457467477487497507517527537547557567577587597607617627637647657667677687697707717727737747757767777787797807817827837847857867877887897907917927937947957967977987998008018028038048058068078088098108118128138148158168178188198208218228238248258268278288298308318328338348358368378388398408418428438448458468478488498508518528538548558568578588598608618628638648658668678688698708718728738748758768778788798808818828838848858868878888898908918928938948958968978988999009019029039049059069079089099109119129139149159169179189199209219229239249259269279289299309319329339349359369379389399409419429439449459469479489499509519529539549559569579589599609619629639649659669679689699709719729739749759769779789799809819829839849859869879889899909919929939949959969979989991000100110021003100410051006100710081009101010111012101310141015101610171018101910201021102210231024102510261027102810291030103110321033103410351036103710381039104010411042104310441045104610471048104910501051105210531054105510561057105810591060106110621063106410651066106710681069107010711072107310741075107610771078107910801081108210831084108510861087108810891090109110921093109410951096109710981099110011011102110311041105110611071108110911101111111211131114111511161117111811191120112111221123112411251126112711281129113011311132113311341135113611371138113911401141114211431144114511461147114811491150115111521153115411551156115711581159116011611162116311641165116611671168116911701171117211731174117511761177117811791180118111821183118411851186118711881189119011911192119311941195119611971198119912001201120212031204120512061207120812091210121112121213121412151216121712181219122012211222122312241225122612271228122912301231123212331234123512361237123812391240124112421243124412451246124712481249125012511252125312541255125612571258125912601261126212631264126512661267126812691270127112721273127412751276127712781279128012811282128312841285128612871288128912901291129212931294129512961297129812991300

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Lowell J. Madison or Roberta M. Madison
(Name of Claimant)

Star Route 51, New Meadows, Idaho 83654
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The following:

(1) Date of priority: (When was the water first applied to a beneficial use) May 1940

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(3) Enhanced Springs tributary to Goose Creek-tributary to Little Salmon River
Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)		(Both dates inclusive) (Mo., Day)	
Quantity	0.02 cfs	Use	Domestic	Period of Use	From Jan. 1	To Dec. 31	
Quantity		Use		Period of Use	From	To	
Quantity		Use		Period of Use	From	To	
Quantity		Use		Period of Use	From	To	
Quantity		Use		Period of Use	From	To	

(5) A) Point of diversion; (Location of point where water is diverted from its source)

Additional points of diversion:

City: _____ State: _____

County: _____

Agencies: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities be as specific as possible. Describe any changes in the system and give the date of the change. Pump and pipeline, and ditch. We use a 1 horsepower pump, with four sprinklers for the high ground. We use a ditch to irrigate the other ground.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: This water is also used as domestic in the house.

NOTE: Include here the type and number of stock watered: 20 head of yearling steers.

(7) If you are claiming water as a member of an organization, list name of organization; type and number of stock watered.

Remarks

Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
County of Adams) ss.)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 25 day of October

Lowell J. Madison
(Claimant)
1982

Notary Public
Residing at *New Meadows, Idaho*

My commission expires Pending

FOR DEPARTMENT USE ONLY

	Received by	Date	Exception
30	Prelim. check by <u>6hs</u>	11/4/82	
	\$20.00 fee received by <u>SSR</u>	11/30/82	#24199
	Published in <u>Adams County Laborer</u>	11/4/82	
	Dates <u>12/30 & 1/6/83</u>		

Forwarded to _____ Date _____
claimant by: _____

RECEIVED

NOV 30 2008

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: A78-10171
Date Received: 5/25/1988
Receipt No: M 000030

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOWELL J. MADISON
Address: HC 75 BOX 3355
NEW MEADOWS, ID 83654
208-347-2286

OR

Name: ROBERTA G. MADISON
Address: HC 75 BOX 3355
NEW MEADOWS, ID 83654
208-347-2286

2. Date of Priority: APR 23, 1923 Madison Ditch
3. Source: GOOSE CREEK Trib. to: LITTLE SALMON RIVER
4. Point of Diversion:

Township 19N	Range 02E	Section 29	1/4 of 1/4 of 1/4 SE NE NW	Lot	County ADAMS
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5. Description of diverting works:
CONCRETE BULKHEAD WITH RECTANGULAR OPENING 3.5 FT WIDE & 3 FT HIGH

6. Water is used for the following purposes:

Purpose IRRIGATION	From 04/15	To 07/15	C.F.S. 0.250	(or)	A.F.A.
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7. Total Quantity Appropriated is:
0.250 C.F.S. (and/or)

A.F.A.

8. Total consumptive use is

25.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township 19N	Range 02E	Section 20	1/4 of 1/4 NW SW	Lot	Use IRR	Acres 2.0
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A78-10171 Page 1 Date: 05/25/88

10. Place of Use: Continued

Township 19N	Range 02E	Section 20	1/4 of 1/4 SW	Lot SW	Use IRR	Acres 10.5
Section Acres						12.5
Total Acres						12.5

11. Place of use in counties: ADAMS

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

13. Other Water Rights Used:

SIXTY (60) AF FROM BRUNDAGE RESERVIOR.

14. Remarks: *66 Ft. Brundage Reservoir*

THIS FILING RECORDS THE DIVERSION OF WATER DURING SPRING RUNOFF
PRIOR TO REGULATION BY THE WATERMASTER.

15. Basis of Claim: BENEFICIAL USE

Water Right Number:

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: 1

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

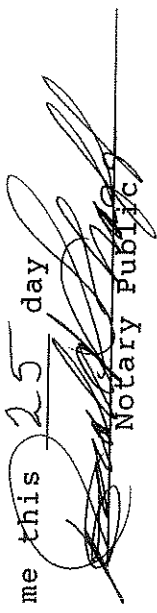
Signature of Claimant(s): Lorely Madison Date: 5-25-88

Date: _____

State of Idaho)
County of Adams) ss.

Subscribed and sworn (or affirmed) before me this 25 day
of May 19 88

Seal


Notary Public

Residing at Boise, ID
My Commission Expires June 10, 1994