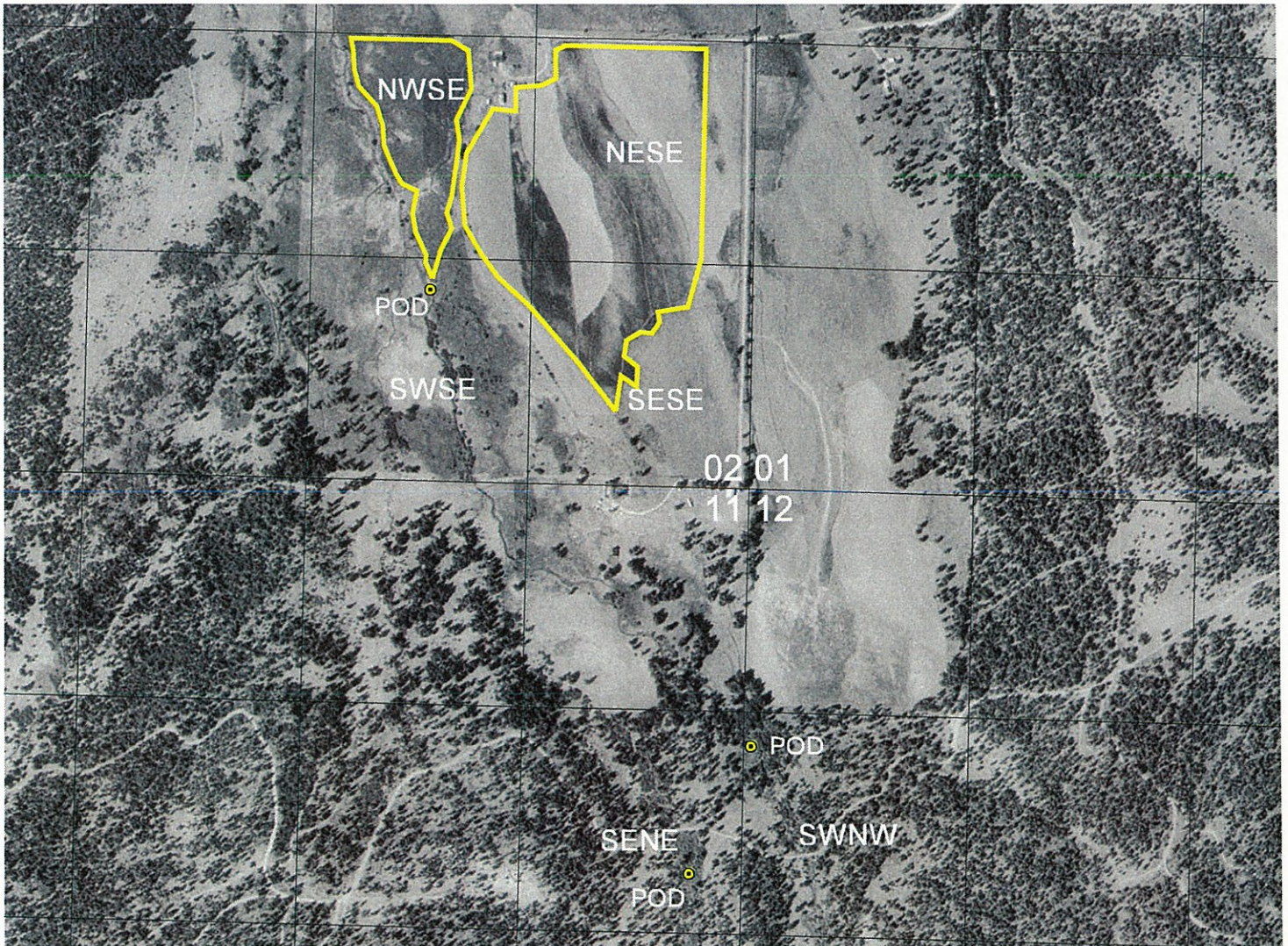


78-140

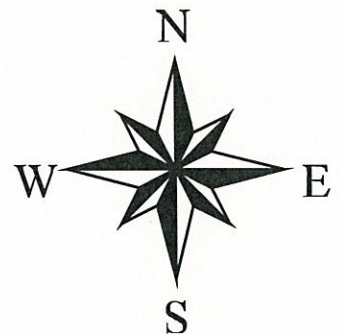


900 0 900 1800 2700 Feet

A horizontal scale bar with alternating black and white segments. The segments are labeled with the numbers 900, 0, 900, 1800, and 2700, followed by the word 'Feet'.

T18N R01E S02

Map prepared by: Carter Fritschle
Date prepared: 05/04/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources



05/04/2005

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

RIGHT NUMBER: 78-140
NAME AND ADDRESS: ROBERT E BALBACH
PO BOX 2
NEW MEADOWS ID 83654
LOIS A BALBACH
PO BOX 2
NEW MEADOWS ID 83654
SOURCE: LITTLE SALMON RIVER
SPRING CREEK
Point of injection into and point of rediversion from Little Salmon River.
QUANTITY: 1.000 CFS
PRIORITY DATE: 06/01/1899
POINT OF DIVERSION:

T18N R01E S2 SWSE Within ADAMS County
T18N R01E S11 SENE Within ADAMS County
T18N R01E S12 SWNW Injection Within ADAMS County
T18N R01E S12 SWNW Rediversion Within ADAMS County
T18N R01E S12 SWNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	1.000 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T18N R01E S02	NESE	29.0	T18N R01E S02	NWSE	20.0
T18N R01E S02	SWSE	2.0	T18N R01E S02	SESE	11.0

62 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: Decreed

CA

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: A78-00140
Date Received: 5/02/1988
Receipt No: C000588
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT E. BALBACH 208-347-2255
Address: P.O. BOX 2
NEW MEADOWS, ID 83654

AND/OR
Name: LOIS A. BALBACH 208-347-2255
Address: P.O. BOX 2
NEW MEADOWS, ID 83654

2. Date of Priority: JUN 01, 1899

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER
SPRING CREEK SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
18N	01E	2	NE	SW	SE		ADAMS
		11	SE	SE	NE		ADAMS
		12	NW	SW	NW		ADAMS
			NW	SW	NW	I	ADAMS
			NW	SW	NW	R	ADAMS

5. Description of diverting works:
DIVERSION DAM IN SPRING CREEK WITH DITCH TO LITTLE SALMON RIVER

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

OCCASIONAL STOCKWATERING

A78-00140

Page 1

Date: 01/17/89

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
18N	01E	2	NE	SE		IRR	31.0
			NW	SE		IRR	13.0
			SW	SE		IRR	1.0
			SE	SE		IRR	17.0
						Section Acres	62.0
						Total Acres	62.0

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:
NONE

14. Remarks:

DIVERSION DAM IN SPRING CREEK WITH DITCH TO LITTLE SALMON POINT OF INJECTION IN NW SW NW OF SEC. 12, T 18N, R 1E. POINT OF REDIVERSION FROM LITTLE SALMON RIVER IN NW SW NW OF SEC. 12, T 18N, R 1E. LITTLE SALMON RIVER DIVERSION AND REDIVERSION POINTS ARE MERELY DITCHES TO PLACE OF USE.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

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: A78-00140
Date Received: 5/25/1988
Receipt No: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ROBERT E. BALBACH 208-347-2255
Address: BOX 2
NEW MEADOWS, ID 83654

AND/OR

Name: LOIS A. BALBACH 208-347-2255
Address: BOX 2
NEW MEADOWS, ID 83654

2. Date of Priority: JUN 01, 1899

3. Source: LITTLE SALMON RIVER Trib. to: SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
18N	01E	2	NE	SW	SE		ADAMS
		11	SE	SE	NE		ADAMS
		12	NW	SW	NW		ADAMS

5. Description of diverting works:
DIVERSION DAM -SPRING CREEK WITH GRAVITY DITCH TO LITTLE SALMON R

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	1.000		

7. Total Quantity Appropriated is:
1.000 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
OCCASIONAL STOCKWATERING

A78-00140

Page 1

Date: 05/26/88

VERIFIED JNN

5/26/88
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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
18N	01E	2	NE		SE		IRR	31.0
			NW		SE		IRR	13.0
			SW		SE		IRR	1.0
			SE		SE		IRR	17.0
							Section Acres	62.0
							Total Acres	62.0

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:
NONE

14. Remarks:

POINT OF INJECTION NWSWNW SEC. 12 T18N R01E. POINT RE-DIVERSION FROM LITTLE SALMON RIVER NWSWNW SEC. 12 T18N R01E.

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: _____

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): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

5/25/88 JKH
EnteredIN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLSIN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39356

Ident. Number A 78-00140Date Received 5/2/88Receipt Number 48615

C 588

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) ROBERT E. AND LOIS A. BALBACH Phone (208) 347-2255Mailing Address P.O. Box 2 New Meadows, ID Zip 836542. Date of Priority (Only one (1) per claim) 06/01/18993. Source of water supply (a) LITTLE SALMON RIVER TR. TO SALMON RIVER
which is tributary to (b) SPRING CREEK TR. TO SALMON RIVER4. a. Location of existing point of diversion is: Township 18N Range 01E Section 12,
(UPPER DIV. FR LITTLE SALMON) NE SW SE SEC 2 T18N, R01E
NW 1/4 of SW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of ADAMS

LOWER DIV (MID. DITCH)

Additional points of diversion if any: SPG CK SE SE NE SEC 11, T18N R01E

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well.DIVERSION DAM IN SPRING CREEK WITH DITCH TO LITTLE SALMON POINT OF INJECTION
IN NW SW NW OF SEC 12, T18N, R01E. POINT OF RE-DIVERSION FROM LITTLE SALMON
RIVER IN NW SW NW OF SEC 12, T18N, R01E. LITTLE SALMON RIVER DIVERSION
& RE-DIVERSION POINTS ARE MERELY DITCHES TO PLACES OF USE.

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Copies: 06T-05-1992 Claimant

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For IRRIGATION purposes from 4/15 to 10/15 amount 1.0 Cfs or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.0 Cfs (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) OCCASIONAL STOCK WATERING

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
T18N	O1E	O2													31	13	1	17	62

Total number of acres irrigated 62

11. In which county (ies) are lands listed above as place of use located? ADAMS

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None (☒)

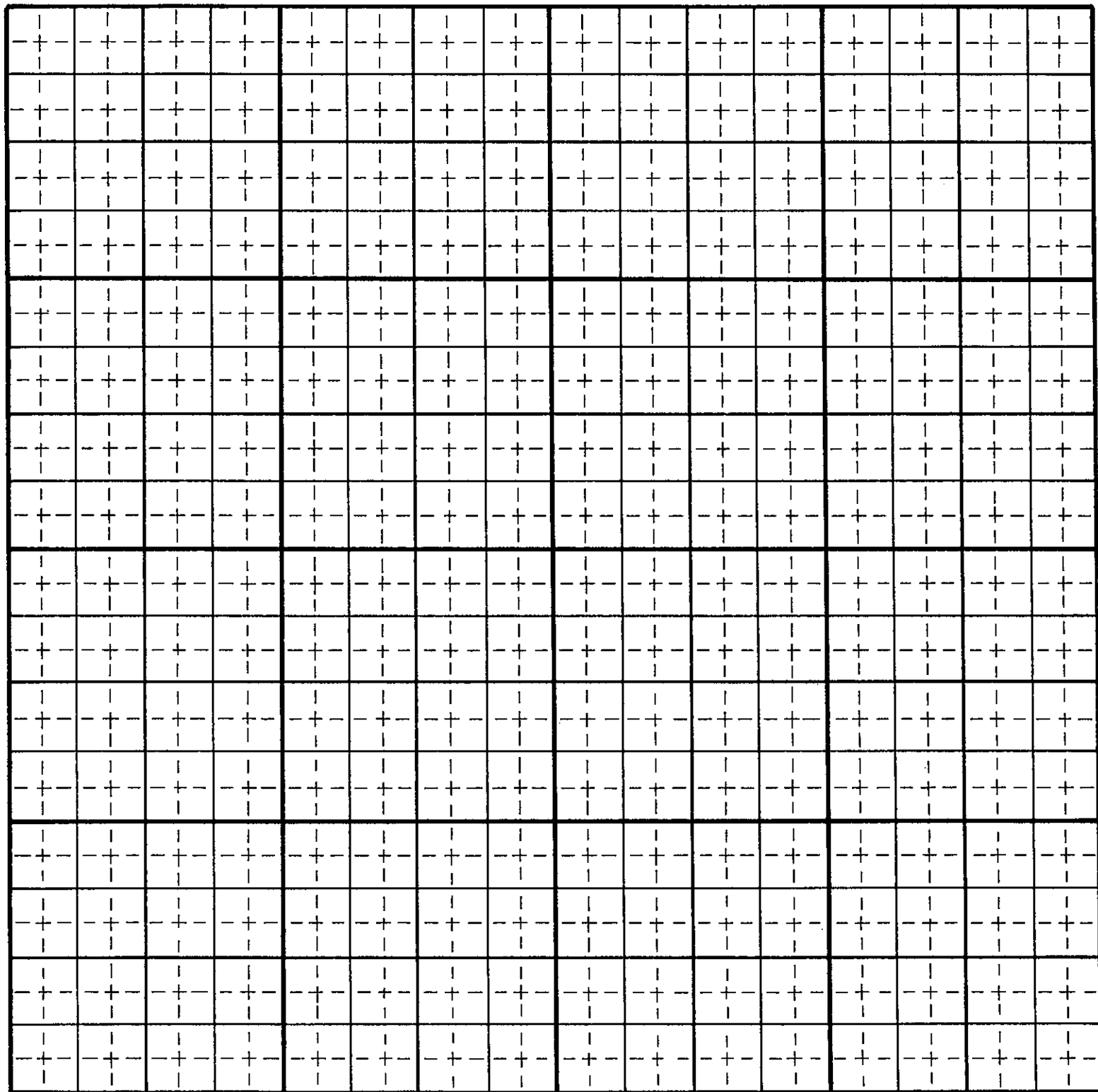
14. Remarks:

Last Name BALBACH Ident No. A78-00140

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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile



SEE PHOTO COPY

Last Name BALBACH

Ident No. A 78-00140

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Copies: White-State, Yellow-Claimant
OCT 05 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number 78-0140

Court Dist Ct 7th JUD. Dist Adams Co Case Number _____ Decree Date 01/29/1930

Plaintiff vs Defendant HAWTHORN VS WARD

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

Signature of Claimant (s) Luis A. Balbach Date 5-2-88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Adams) SS.

Subscribed and sworn (or affirmed) before me this 2nd day of May 19 88

SEAL

Notary Public Carter Fritchle

Residing at Eagle, Id

My Commission Expires 3-21-94

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name BALBACH Ident. Number A78-00140

MICROFILMED Series 22 - Snake River - Yellow-Claimant

OCT 05 1988



3990

P.O.
0000

P.O.
00140

* P.O. Mid. Ditch

* P.O. Little Salmon

* P.O. Spg. Cr.

Creek

MICROFILMED

OCT 15 1962