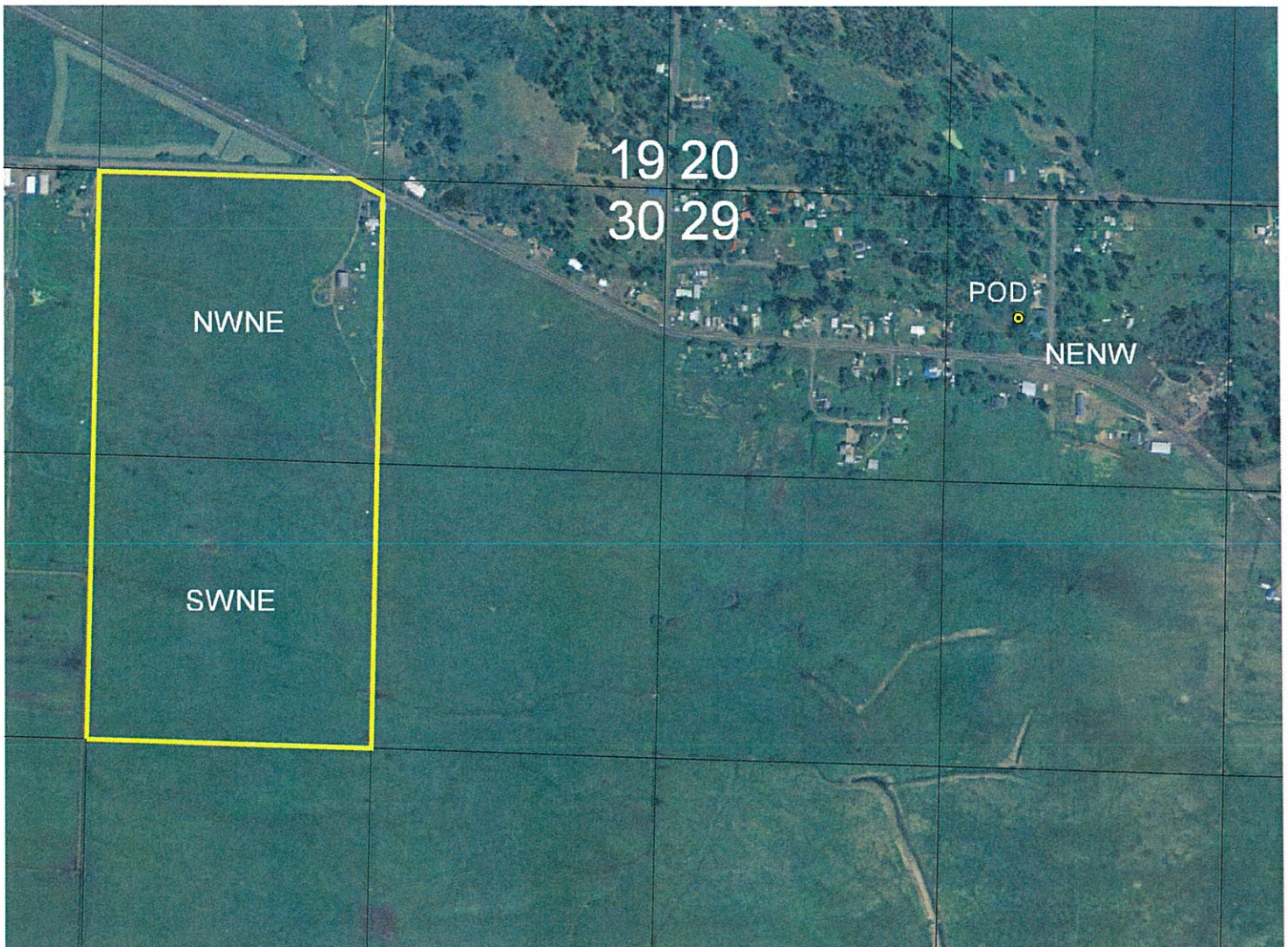


78-228



T19N R02E S30

Map prepared by: Carter Fritschle
Date prepared: 08/03/05
2004 NAIP Photography
Idaho Department of Water Resources



02/01/2006

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

RIGHT NUMBER: 78-228

NAME AND ADDRESS: TANA WILSON KERBY
3175 HWY 55
NEW MEADOWS ID 83654

INEZ M WILSON MORRIS
3175 HWY 55
NEW MEADOWS ID 83654

SOURCE: WEST BRANCH GOOSE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.640 CFS

PRIORITY DATE: 05/01/1889

POINT OF DIVERSION:

T19N R02E S29 NENW 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	0.640 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T19N R02E S30	NWNE	40.00	T19N R02E S30	SWNE	40.00
---------------	------	-------	---------------	------	-------

80 ACRES TOTAL

This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.

Right Nos. 78-228, 78-2036 and 78-4085 are limited to the irrigation of a combined total of 240 acres in a single irrigation season.

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 - Decreed

Use of this right is combined with water from Goose Lake Reservoir Company.

Water is delivered through the Estabrook-Bryden Canal.

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 78-228**

08/03/2005

1

Water Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
78-228	Claim	19N	02E	30	NW	NE		IRRIGATION	40/80	TANA WILSON KERBY
78-2036	Claim	19N	02E	30	NW	NE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-4085	Claim	19N	02E	30	NW	NE		IRRIGATION	40/240	TANA WILSON KERBY
78-2036	Water Right	19N	02E	30	NW	NE		IRRIGATION	40/240	T A CLARK EST
78-4085	Water Right	19N	02E	30	NW	NE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-12129	Water Right	19N	02E	30	NW	NE		IRRIGATION	40/240	GEORGE WILSON
78-4006A	Claim	19N	02E	30	NW	NE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-4006B	Claim	19N	02E	30	NW	NE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-228	Claim	19N	02E	30	SW	NE		IRRIGATION	40/80	TANA WILSON KERBY
78-2036	Claim	19N	02E	30	SW	NE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-4085	Claim	19N	02E	30	SW	NE		IRRIGATION	40/240	TANA WILSON KERBY
78-2036	Water Right	19N	02E	30	SW	NE		IRRIGATION	40/240	T A CLARK EST
78-4085	Water Right	19N	02E	30	SW	NE		IRRIGATION	40/240	INEZ M WILSON MORRIS
78-12129	Water Right	19N	02E	30	SW	NE		IRRIGATION	40/240	GEORGE WILSON
78-4006A	Claim	19N	02E	30	SW	NE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO
78-4006B	Claim	19N	02E	30	SW	NE		IRRIGATION FROM STORAGE	40/5290.5	GOOSE LAKE RESERVOIR CO

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: A78-00228
Date Received: 5/02/1988
Receipt No: C000584
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: INEZ M. WILSON - MORRIS 208-347-2327
Address: HC 75, BOX 3150
NEW MEADOWS, ID 83654

OR

Name: TANA WILSON - KERBY 208-347-2327
Address: HC 75, BOX 3150
NEW MEADOWS, ID 83654

2. Date of Priority: MAY 01, 1889

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	02E	29	NW	NE	NW		ADAMS

5. Description of diverting works:
ESTABROOK-BRYDEN CANAL

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.640		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
OCCASIONAL STOCKWATER USE

A78-00228

Page 1

Date: 10/03/88

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0. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	02E	30	NW	NE		IRR	40.0
			SW	NE		IRR	40.0
Section Acres							80.0
Total Acres							80.0

1. Place of use in counties: ADAMS

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

3. Other Water Rights Used:

78-00209, 78-00210, 78-00211, 78-00212, 78-04085

4. Remarks:

THIS WATER ORIGINALLY DECREED TO T.A. CLARK.

5. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

HENRY T. CLAY ET. AL.

Decree Plaintiff

vs

T. A. CLARK ET. AL.

Decree Defendant

6. 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: 39356

Ident. Number

A 78-00228

Date Received

5/2/88

Receipt Number

48611

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) INEZ M. WILSON - MORRIS & TARA WILSON-KIRBY Phone (208) 347-2327Mailing Address HC 75, Box 3150, New Meadows, ID Zip 836542. Date of Priority (Only one (1) per claim) 5/01/18893. Source of water supply (a) GOOSE CREEK
which is tributary to (b) LITTLE SALMON RIVER4. a. Location of existing point of diversion is: Township 19 N Range 02 E Section 29,
NW 1/4 of NE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of ADAMS

Additional points of diversion if any: _____

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.SOURCE GOOSE CREEK THROUGH ESTABROOK-BRYDEN CANAL

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Copies: White-State, Yellow-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 .64 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) .64 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 STOCKWATER USE

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	
19N	02E	30		40	40														80

Total number of acres irrigated 80

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.
78-0209, 78-0210, 78-0211, 78-0212, 78-4085 or None ()

14. Remarks: THIS WATER ORIGINALLY DECREED TO T.A. CLARK

Last Name WILSON-NORRIS OR
WILSON-KERRY Ident No. 178-00228

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OCT 05 1992

Scale: 2 inches equals 1 mile

 $R \supseteq E$ [illegible]

RZE

Last Name WILSON - KERBY

Ident No. A 78-00228

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

Decree ☒

If applicable provide IDWR Water Right Number 78-0228

Court Dist. Ct. 7th Juv. Dist

Case Number _____

Decree Date July 13, 1921

Plaintiff vs Defendant HENRY T. CLAY ET AL VS. T. A. CLARK ET AL

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

Signature of Claimant (s) Inez Wilson-Morris Date 5-2-1988
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 1988

SEAL

Notary Public Carter Fritschle

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 WILSON-MORRIS OR
WILSON - KERRY Ident. Number 78-00228

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