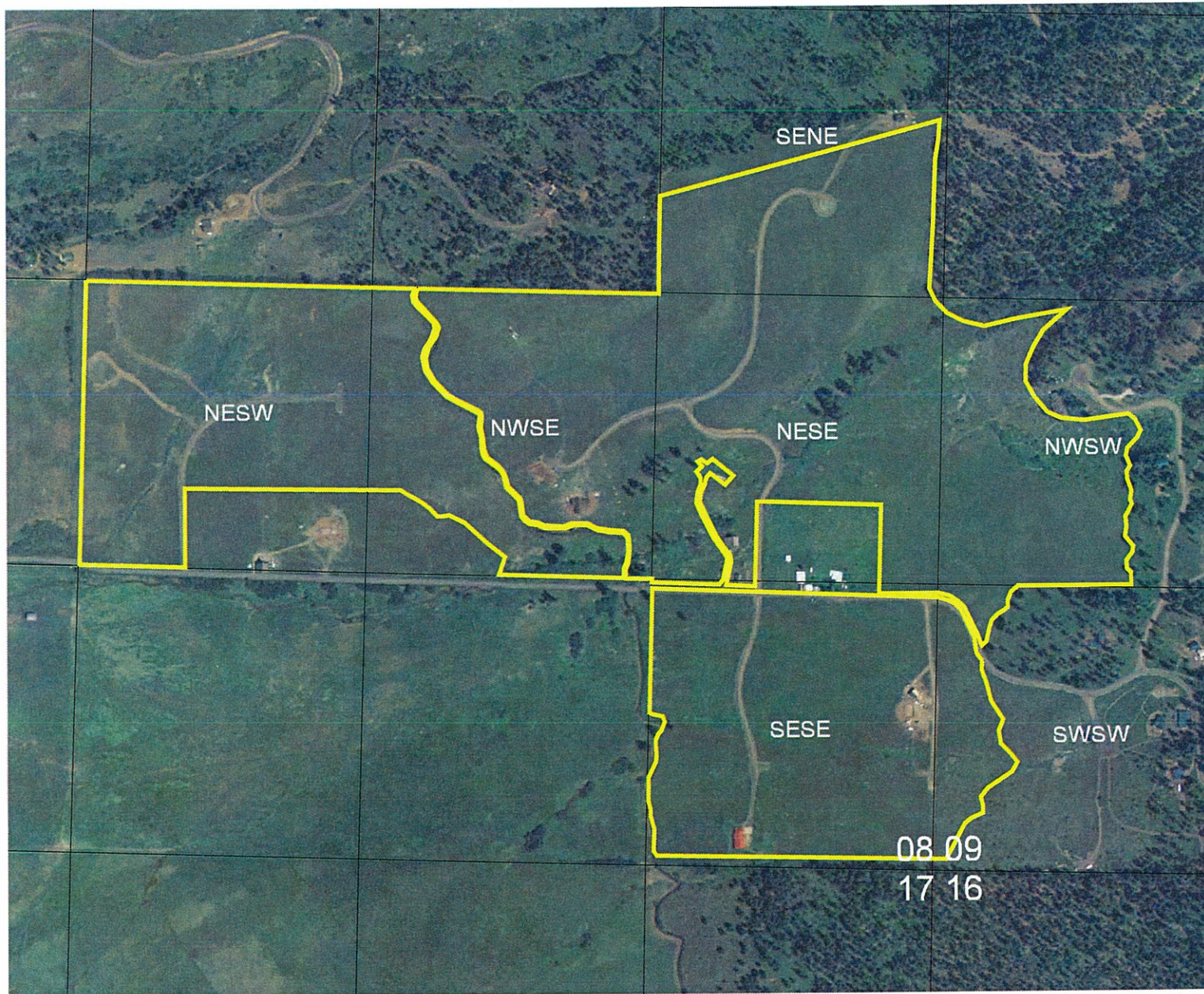


78-250 78-251 78-252 & 78-4130

**T19N R02E
S08 & S09**



700 0 700 1400 2100 2800 Feet

Map prepared by: Carter Fritschle
Date prepared: 07/14/05 - revised 12/19/06
2004 NAIP Photography
Idaho Department of Water Resources

12/19/2006

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

RIGHT NUMBER: 78-251
NAME AND ADDRESS: PHIL WALTERS
PO BOX 397
NEW MEADOWS ID 83654
LYNETTE WALTERS
PO BOX 397
NEW MEADOWS ID 83654

SOURCE: SEAWELL CREEK TRIBUTARY: GOOSE CREEK
Point of injection into and point of redirection from Threemile Creek.

QUANTITY: 0.096 CFS

PRIORITY DATE: 05/01/1901

POINT OF DIVERSION:

T19N R02E S9 NWNE Injection Within ADAMS County
T19N R02E S9 SENW Rediversion Within ADAMS County
T19N R02E S9 SENW Rediversion Within ADAMS County
T20N R02E S35 NWNE 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	0.096 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S08	SENE	18.00	T19N R02E S08	NESW	32.00
T19N R02E S08	NESE	35.00	T19N R02E S08	NWSE	35.00
T19N R02E S08	SESE	37.00	T19N R02E S09 Lot 3	NWSW	20.00
T19N R02E S09 Lot 4	SWSW	7.00			

184 ACRES TOTAL

This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 184 acres in a single irrigation season.
Combined Right Nos.: 78-250, 78-251, 78-252 and 78-4130

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

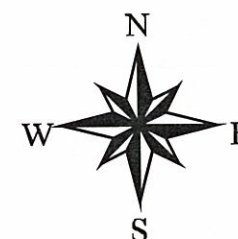
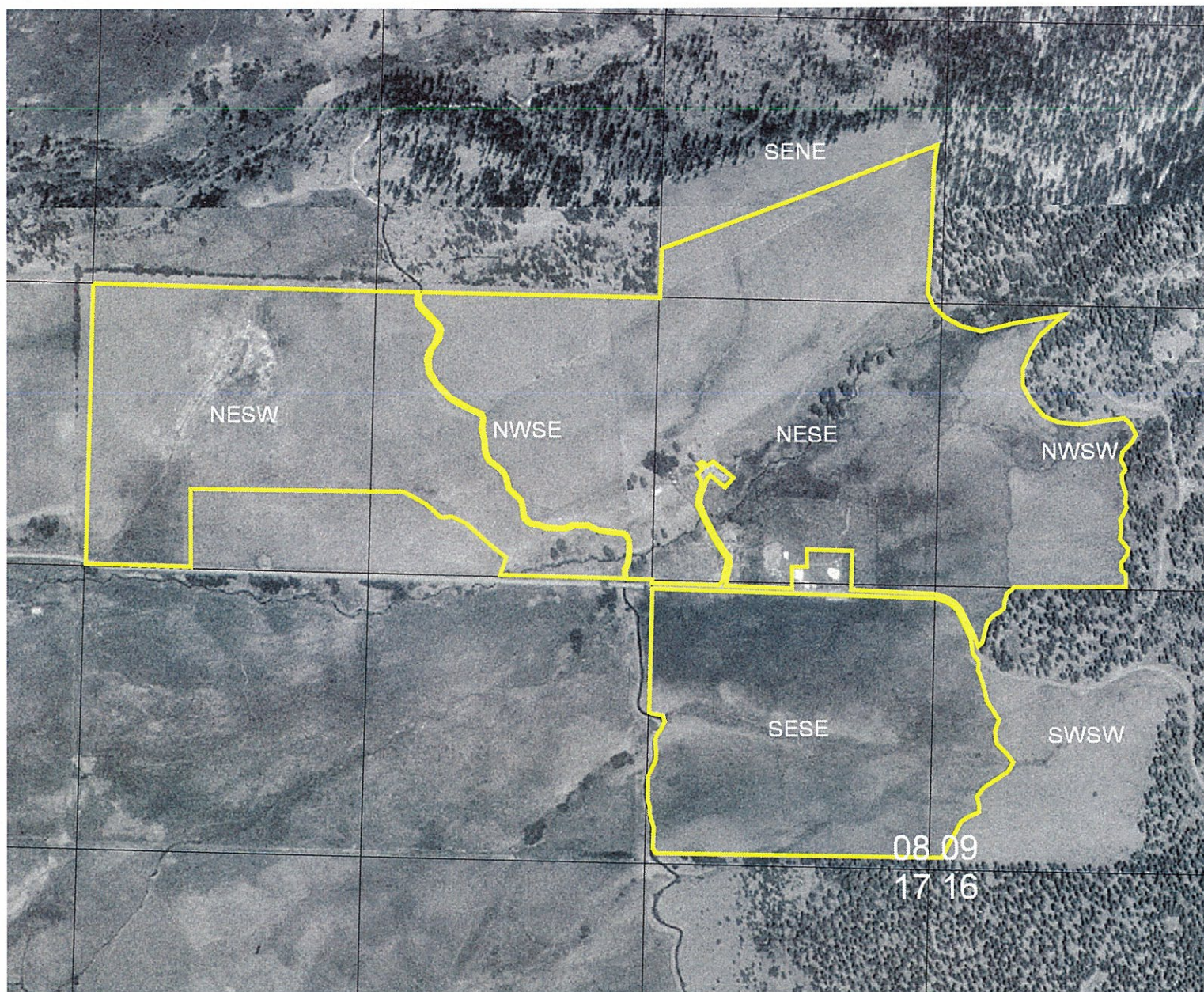
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

78-250 78-251 78-252 & 78-4130

**T19N R02E
S08 & S09**



700 0 700 1400 2100 2800 Feet

Map prepared by: Carter Fritschle
Date prepared: 07/14/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources

07/14/2005

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

RIGHT NUMBER: 78-251
NAME AND ADDRESS: PHIL WALTERS
PO BOX 397
NEW MEADOWS ID 83654

LYNETTE WALTERS
PO BOX 397
NEW MEADOWS ID 83654

SOURCE: SEAWELL CREEK TRIBUTARY: GOOSE CREEK
Point of injection into and point of rediversion from Threemile Creek.

QUANTITY: 0.096 CFS

PRIORITY DATE: 05/01/1901

POINT OF DIVERSION:

T19N R02E S9 NWNE Injection Within ADAMS County
T19N R02E S9 SENW Rediversion Within ADAMS County
T19N R02E S9 SENW Rediversion Within ADAMS County
T20N R02E S35 NWNE 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	0.096 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T19N R02E S08	SENE	14.0	T19N R02E S08	NESW	32.0
T19N R02E S08	NESE	39.0	T19N R02E S08	NWSE	35.0
T19N R02E S08	SESE	37.0	T19N R02E S09 Lot 3	NWSW	20.0
T19N R02E S09 Lot 4	SWSW	7.0			

184 ACRES TOTAL

This right is limited to the irrigation of 6 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 184 acres in a single irrigation season.
Combined Right Nos.: 78-250, 78-251, 78-252 and 78-4130

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

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

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: A78-00251
Date Received: 5/25/1988 5-2-88
Receipt No: C000573

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PHIL WALTERS 208-347-2482
Address: P.O. BOX 397
NEW MEADOWS, ID 83654

AND/OR

Name: LYNETTE WALTERS 208-347-2482
Address: P.O. BOX 397
NEW MEADOWS, ID 83654

2. Date of Priority: MAY 01, 1901

3. Source: SEWELL CREEK Trib. to: GOOSE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	02E	9	NW	SE	NW	R	ADAMS
20N	02E	34	SW	~~NE~~ NW	SE	I	ADAMS
		35	NW	SW	NE		ADAMS

5. Description of diverting works:
CONCRETE STRUCTURE WITH HEADGATE

*Corrected on adabase
25 May 88 emc*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	0.100		

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

A.F.A.

8. Total consumptive use is 368.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A78-00251

Page 1

Date: 05/25/88

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10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
19N	02E	8	SE		NE		IRR	12.0
			NE		SW		IRR	34.0
			NE		SE		IRR	37.0
			NW		SE		IRR	34.0
			SE		SE		IRR	32.0
							Section Acres	149.0
		9	NW		SW		IRR	30.0
			SW		SW		IRR	5.0
							Section Acres	35.0
							Total Acres	184.0

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:
78-0249/78-0250/78-0251/78-0253/78-4130

14. Remarks:
WATER IS INJECT INTO THREE MILE CREEK. TRANSPORTED APPROXIMATLY
2 MILES DOWNSTREAM AND REDIVERTED AT TWO LOCATIONS.

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

HENRY T. CLAY ET. AL.
Decree Plaintiff

vs

T. A. CLARK ET. AL.
Decree Defendant

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 - 00251Date Received 5-2-88Receipt Number 48601C 573 CA

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Phil and/or Lynette Walters Phone (208) 347-2482Mailing Address P.O. Box 397 New Meadows, ID Zip 836542. Date of Priority (Only one (1) per claim) May 1, 19013. Source of water supply (a) Sewell Creek
which is tributary to (b) Goose Creek4. a. Location of existing point of diversion is: Township 20N Range 2E Section 36,
NW 1/4 of SW 1/4 of NE 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. Concrete structure withheadgate

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Copies: White-State, Yellow-Claimant

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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 0.10 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) _____ (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.) _____

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	2E	8				12					34				37	34		32	149
												30	5						35

Total number of acres irrigated

184

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.

78-0249 78-0250 78-0252 78-0253 78-4130 or None ()

14. Remarks:

water is injected into three mile creek in
~~T20N~~ T20N R2E Sec. 34 SWNESE. There are
2 points of redirection from Three mile Creek
in T19N R2E Sec 9 NWSE NW.

Last Name Walters Ident No. A 78-00251

Copy: Write State, Yellow Claimant

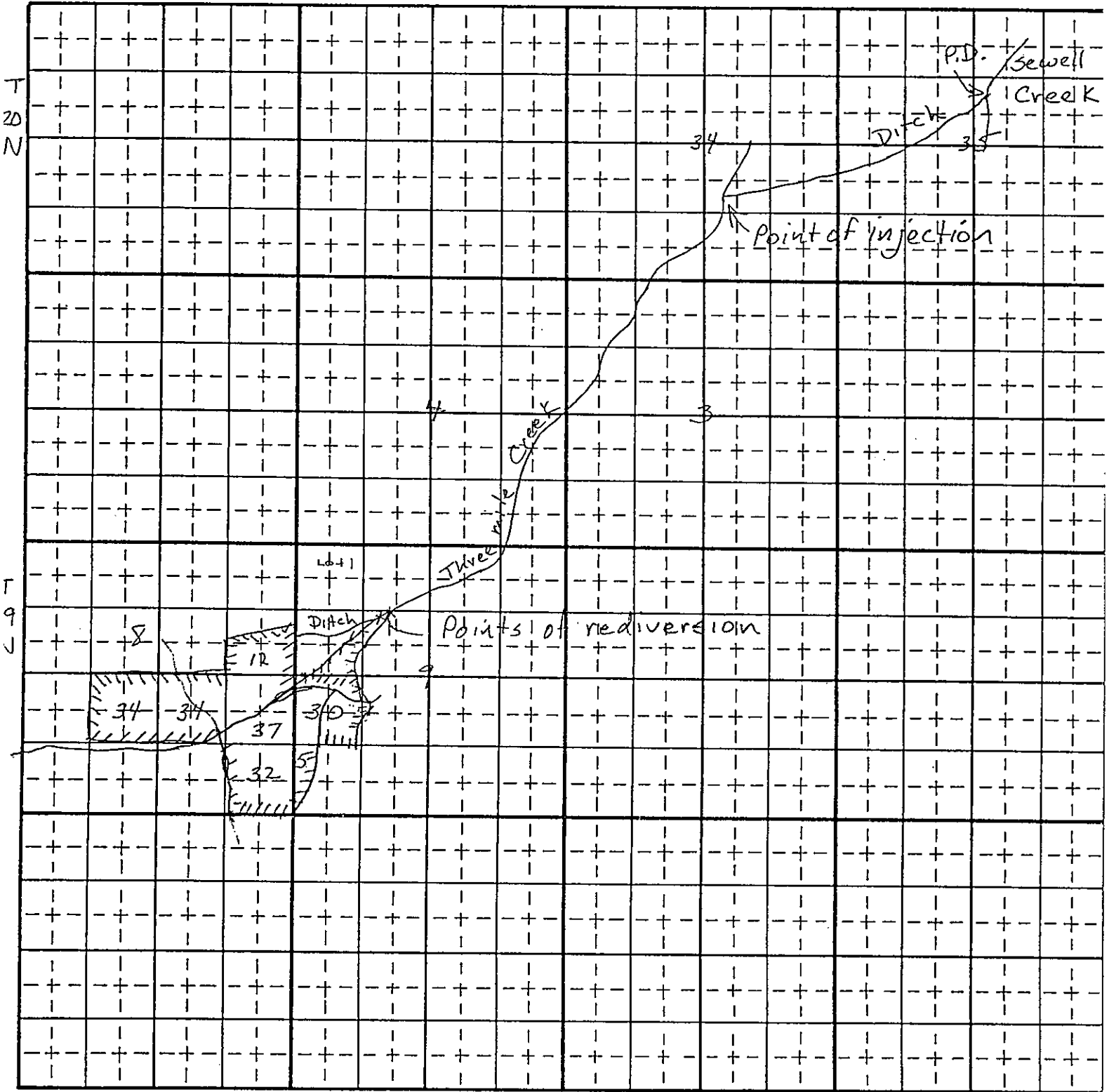
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Map of Project: show clearly the point of diversion, place of use, section number, township, and range number.

Scale: 2 inches equals 1 mile

R 2E



R 2E

Last Name Walters

Ident No. A 78-00251

Copies: White Star Yellow Claydon MICROFILMED

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15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____
Decree ☒ 78-0251
If applicable provide IDWR Water Right Number 78-0251
Court _____ Case Number _____ Decree Date _____
Plaintiff vs 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) X Philip A. Walters 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 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 Walters Ident. Number A78-00251

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