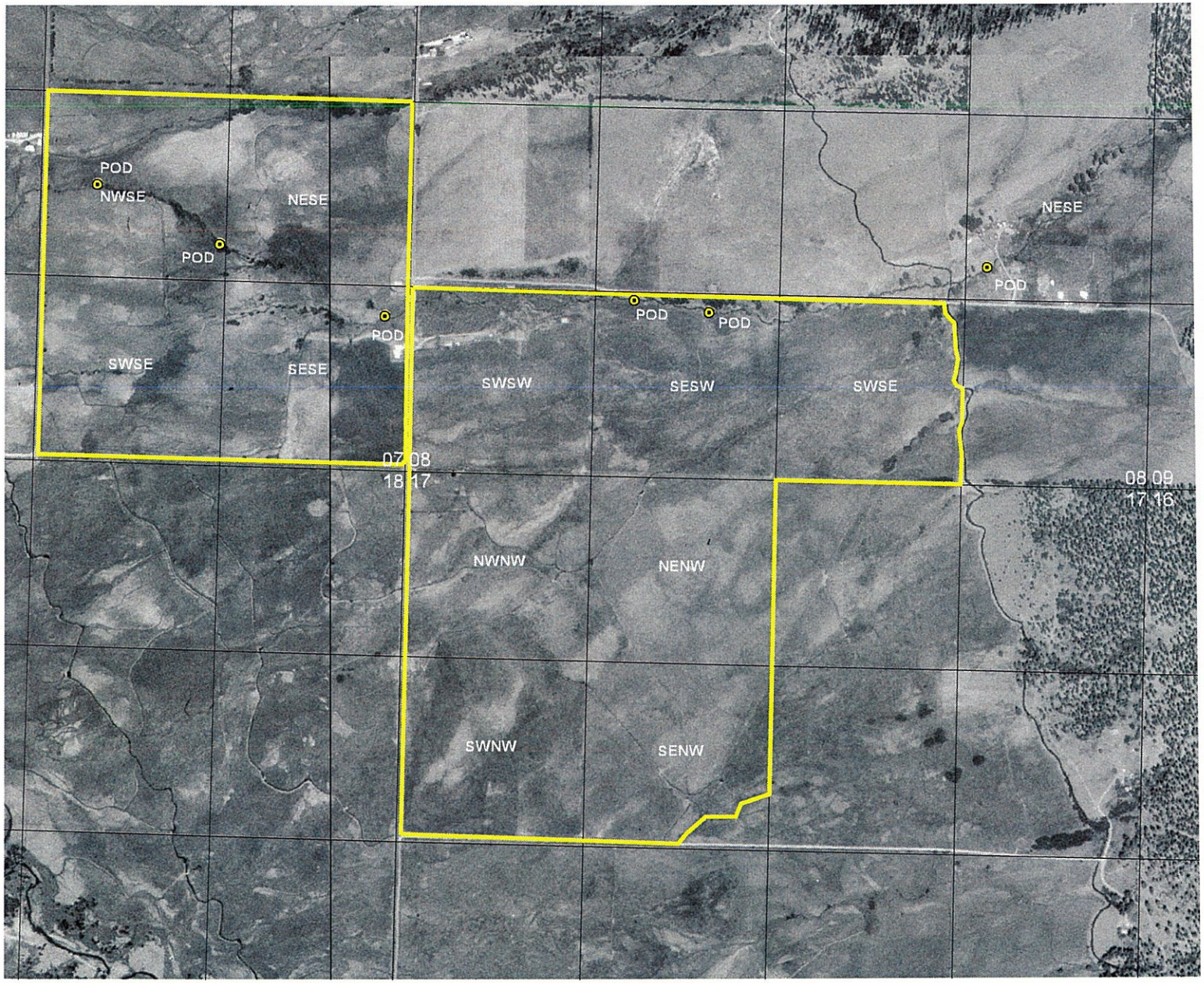
78-263 78-265 & 78-4066



T19N R02E
S07 S08 & S17

N
W
E
S

1000 0 1000 2000 3000 4000 Feet

Map prepared by: Carter Fritschle
Date prepared: 07/13/05
Digital Orthophotoquad - 1992 Photography
Idaho Department of Water Resources

11/10/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 78-263

NAME AND ADDRESS: OSBORN RANCH INC
PO BOX 209
NEW MEADOWS ID 83654

SOURCE: THREEMILE CREEK TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 2.000 CFS

PRIORITY DATE: 11/26/1919

POINT OF DIVERSION:

T19N R02E S7 NWSE Within ADAMS County

T19N R02E S7 NWSE Within ADAMS County

T19N R02E S7 SESE Within ADAMS County

T19N R02E S8 SESW Within ADAMS County

T19N R02E S8 SESW Within ADAMS County

T19N R02E S8 NESE Within ADAMS County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	04/01 10/31	2.000 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S07	NESE	39.00	T19N R02E S07	NWSE	39.00
T19N R02E S07	SWSE	38.00	T19N R02E S07	SESE	38.00
T19N R02E S08	SWSW	39.00	T19N R02E S08	SESW	39.00
T19N R02E S08	SWSE	38.00	T19N R02E S17	NENW	40.00
T19N R02E S17	NWNW	39.00	T19N R02E S17	SWNW	37.00
T19N R02E S17	SENW	36.00			

422 ACRES TOTAL

Right Nos. 78-263, 78-265 and 78-4066 are limited to the irrigation of a combined total of 422 acres in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 531 acres in a single irrigation season.
Combined Right Nos.: 78-234, 78-235, 78-263, 78-265, 78-2024, 78-2057,78-4066, 78-4134 and 78-4285

This right is limited to the irrigation of 160 acres within the place of use described above 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.

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

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

Use of this right is combined with water from Granite Twin Lakes Water Users.

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

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

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

Memorandum

RECEIVED
APR 18 2000
WATER RESOURCES
WESTERN REGION

To: 78-00263

From: D. Shaff

Date: April 17, 2000

Subject: Priority Date

Resolving some priority dates on the ADABAS C TEMPorary file, I encountered a coincidence worth documenting before this claim and others in the vicinity are investigated years from now. The 1919 decree for this right and three others did not define a specific priority date but rather ranked a sequence of priority with this one as the first right. The Findings of Fact and Conclusions of Law preceding the decree or other pleadings in the case may resolve this dilemma.

If not, another curious event may prove helpful. Right 78-00175 was not claimed in the same way 78-00266 was not claimed. The plaintiff for both the decree with 78-00175 and the decree for this right 78-00263 were apparently the same. In the case of 78-00175, the successor (Osborn) claimed 78-02021. Also not claimed thus far is 78-02020 that basically covers the land for 78-00263. Examining the development of 78-02020 as well as other documents leading to the decree may shed light on the priority date for 78-00263 and others in the decree

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: A78-00263
Date Received: 5/24/1988 6-3-88
Receipt No: M0000058
CF

NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW

1. Name: OSBORN RANCH INC. 208-347-2387
   Address: P.O. BOX 209
   NEW MEADOWS, ID 83654

2. Date of Priority: MAY 01, 1885

3. Source: THREE MILE CREEK Trib. to: LITTLE SALMON RIVER

4. Point of Diversion:

Township	Range	Section	1/4	1/4	1/4	Lot	County
19N	02E	7	NW	NE	SE		ADAMS
			SE	NE	SE		ADAMS
			NE	SE	SE		ADAMS
		8	NE	SE	SW		ADAMS
			NW	SE	SW		ADAMS
			SW	NE	SE		ADAMS

5. Description of diverting works:
   5 CONCRETE AND 1 GRAVEL DIVERSION STRUCTURES IN THREE MILE CREEK.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/15	10/15	2.000		

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

8. Total consumptive use is 844.0 Acre Feet Per Annum.

9. Non-irrigation uses:

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OCT 05 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
19N	02E	7	NE	SE		IRR	38.0
			NW	SE		IRR	39.0
			SW	SE		IRR	39.0
			SE	SE		IRR	39.0
						Section Acres	155.0
		8	SW	SW		IRR	35.0
			SE	SW		IRR	37.0
			SW	SE		IRR	38.0
						Section Acres	110.0
		17	NE	NW		IRR	40.0
			NW	NW		IRR	39.0
			SW	NW		IRR	39.0
			SE	NW		IRR	39.0
						Section Acres	157.0
						Total Acres	422.0

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:
GOOSE LAKE, BRUNDAGE RES. 78-0234, 78-0235, 78-2024, 78-4285,

14. Remarks:
OTHER WATER RIGHTS: 78-0265, 78-4066, 78-2057, 78-4134, GRANITE TWIN LAKES.
THIS IS THE FIRST PRIORITY WATER RIGHT ON THREE MILE CREEK. THE PRIORITY DATE IS ESTIMATED.

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

E. I. OSBORN
Decree Plaintiff

vs

L. F. SMITH ET. AL.
Decree Defendant

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OCT 05 1992

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: -2-

For Organizations:

I do solemnly swear or affirm that I am President (Title) of Osborn Ranch Inc. (Organization), that I have signed the foregoing document in the space below as President (Title) of Osborn Ranch Inc. (Organization) and that the statements contained in the foregoing document are true and correct.

Warren Osborn
Signature of Authorized Agent

Pres. Osborn Ranch Inc.
Title and Organization

6-3-88
Date

State of Idaho)
) SS.
County of Adams)

Subscribed and sworn (or affirmed) before me this 3rd day of June 19 88

Carter Fritchle
Notary Public

Seal

Residing at Eagle, Idaho

My Commission Expires 3-21-94

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OCT 05 1992

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

R 2E

T 19N

A78-00263

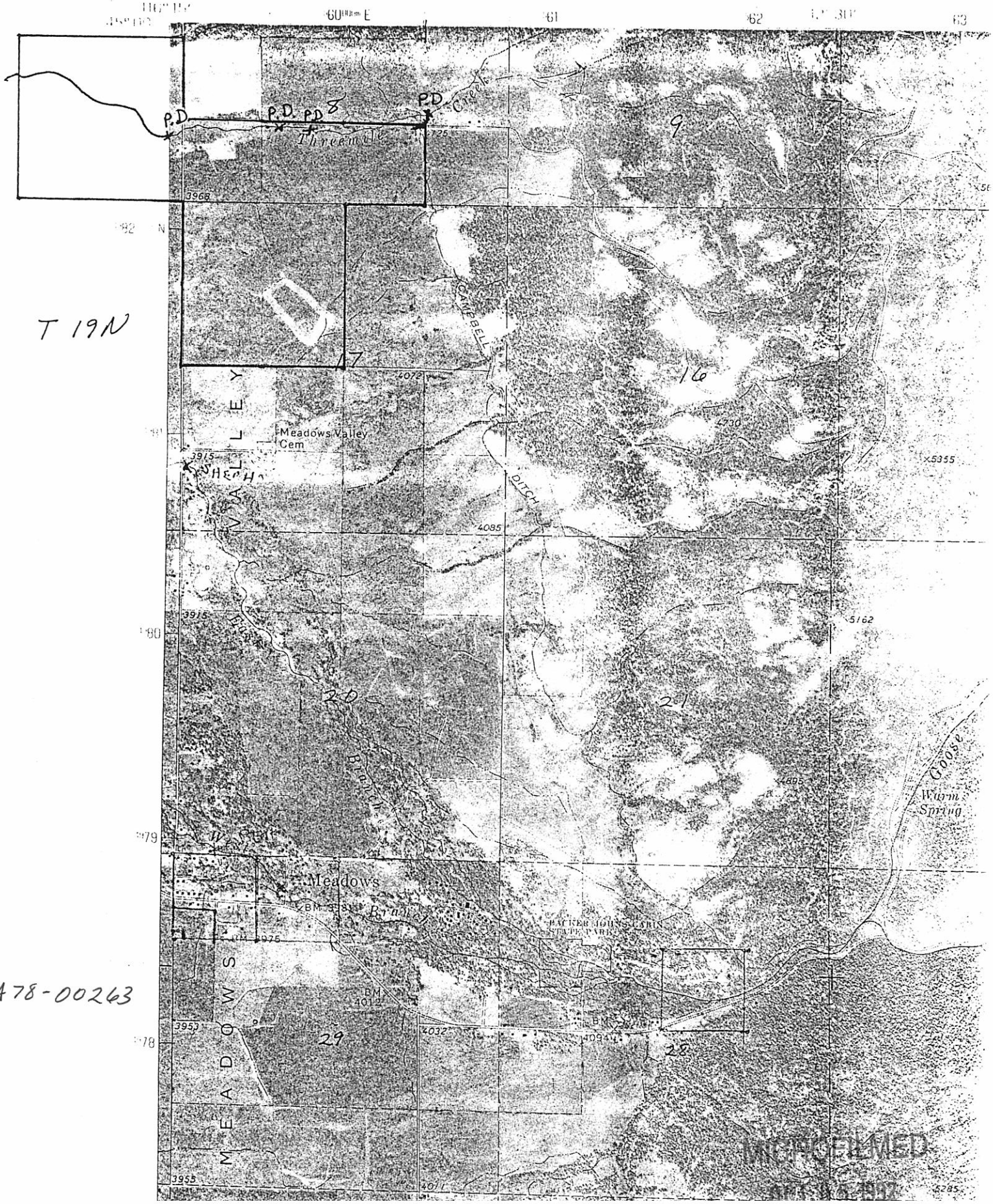

IMAGE FILMED
NOV 16 1987