

7 0-4 1 30

**T19N R01E
S01**

**T19N R02E
S06**



Map prepared by: Carter Fritschle
Date prepared: 12/06/06
2004 NAIP Photography
Idaho Department of Water Resources

12/12/2006

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

RIGHT NUMBER: 78-4136

NAME AND ADDRESS: STEVE CAMPBELL
PO BOX 269
NEW MEADOWS ID 83654

SOURCE: SPRINGS TRIBUTARY: FOURMILE CREEK
Point of injection into and points of redirection from Fourmile Creek.

QUANTITY: 3.000 CFS

Right Nos. 78-4113 and 78-4136 are limited to a total combined diversion rate of 3.08 cfs.

The appropriator is entitled to the quantity of water described for stockwater purposes at a point of measurement where the delivery ditch enters the place of use described.

The quantity of water under this right for stockwater use shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1919

POINT OF DIVERSION:

T19N R01E S1 SENE Rediversion Within ADAMS County
T19N R02E S6 NWNE Lot 2 Rediversion Within ADAMS County
T19N R02E S6 NWNE Lot 2 Rediversion Within ADAMS County
T19N R02E S6 NWNE Lot 2 Rediversion Within ADAMS County
T19N R02E S6 SENW Rediversion Within ADAMS County
T20N R02E S27 NWSW Within ADAMS County
T20N R02E S27 NWSW Injection Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.020 CFS
IRRIGATION	04/01 10/31	3.000 CFS

PLACE OF USE:

IRRIGATION in ADAMS County

T19N R01E S01	SENE	39.00	T19N R02E S06 Lot 3 NENW	39.00
T19N R02E S06 Lot 5 SWNW		36.00	T19N R02E S06 SENW	40.00

STOCKWATER same as IRRIGATION

154 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 464 acres in a single irrigation season.
Combined Right Nos.: 78-4113, 78-4136, 78-4314, 78-7114, 78-12122 and 78-12247.

Right Nos. 78-4113, 78-4136 and 78-7114 are limited to the irrigation of a combined total of 154 acres in a single irrigation season.

Right Nos. 78-4113, 78-4136, 78-4314 and 78-7114 are limited to the irrigation of a combined total of 306 acres in a single irrigation season.

12/12/2006

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

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

The quantity of water decreed for this water right for stockwater use is not a determination of historical beneficial use.

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

To the Idaho Department of Water Resources, The following letter is from Darrell Campbell regarding the spring and Ditch located in the NW ¼ SW 1/4, Sec. 27 Twp 20N Rge 2E County of Adams.

To the best of my recollection, the following is what I know about Steve Campbell's claim # 78-4136, the so called "Spring and Ditch" that inject water into Four Mile creek.

When I was ten years old (1943), I was helping the association rider move cattle up to summer range. The trail crossed a man-made ditch way up on the mountain, near where we were to leave the cattle.

In 1956 I leased the property belonging then to Gene McMahan, of which Steve is now the owner. Over the next twenty two years that I leased the property, I became close personal friends with Gene. He made me aware of the water rights for the property, which included the "Spring and Ditch". His knowledge of the water rights came from his father Jonathan McMahan, the original filer for the water for the property. As part of the lease agreement, it was my responsibility to maintain the ditch on a yearly basis.

Five or six years into the lease, in mid-July, I was not getting the amount of water I was accustomed to in prior years. I went up to inspect the spring and ditch and found that someone had diverted the water into the Martin Creek drainage. I informed Gene of what I had found. A week later, Gene called and told me that he talked to the neighbor by himself and put a stop to the diverting of his (Gene's) water into Martin Creek.

Darrell Campbell

Darrell Campbell

Date 11-30-06

SCANNED

DEC 12 2006



RECEIVED

DEC 11 2006

DEPARTMENT OF
WATER RESOURCES

STATE OF IDAHO)

: ss

COUNTY OF ADAMS)

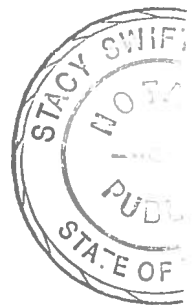
On This 3rd day of November, in the year 2006, before me, a Notary
Public in and for said State, personally appeared Darrell Campbell

_____, known or identified to me to be the person(s) whose names(s) _____

subscribed to the within Instrument, and acknowledged to me that _____ executed the

same.

Stacy Swift Dwyer
Notary Public of Idaho
Residing at New Meadows, Idaho
Commission Expires: 3-17-2011



SCANNED

DEC 17 2006

RECEIVED

IN THE MATTER OF:

STATE OF IDAHO
County of Gem

ss

EDWARD W. WARR, being first de

Affiant is a resident of Gem County

Affiant knows of his personal knowl

mate past 64 years, waters of Four

each and every irrigation season for irrigation of the following
of the following described land in Adams County, Idaho, to-wit:
described lands in Adams County, Idaho, to-wit:

In Township 19 North, Range 1 East

In Section 1: the SE $\frac{1}{4}$ NE $\frac{1}{4}$

In Township 19 North, Range 2 East

In Section 6: the SW $\frac{1}{4}$ NE $\frac{1}{4}$, the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Lots 3 and 5.

and during the early part of the irrigation season the flow of
Affiant further states that during said period of time, all of the
waters of Four Mile Creek were diverted during the irrigation season,
and put to beneficial use on said described lands. This affiant
recalls that approximately 185 acres of land were irrigated as
aforesaid and said lands produced grain, hay and pasture, and all
of said flows have been beneficially used for irrigation of said
premises during said period. Said irrigation and beneficial use
has always been a prior use of said creek, as 18th day of May,
1968.

SUBSCRIBED AND SWORN to before me this 4th day of June, 1968.

Notary Public for State of Idaho;
Residing at Emmett, Idaho;
Commission Expires: July 20, 1969

SCANNED

DEC 17 2006

This was taken in
1968 and he remembered
64 years back.

1904 - Date

BEFORE THE IDAHO DEPARTMENT OF WATER ADMINISTRATION

IN THE MATTER OF THE)
DETERMINATION OF WATERS OF)
FOUR MILE CREEK, IN ADAMS)
COUNTY, STATE OF IDAHO.)

A F F I D A V I T

STATE OF IDAHO,)
(SS.
COUNTY OF VALLEY.)

OTTO MYERS, BEING FIRST DULY SWORN, ON OATH, DEPOSES
AND SAYS:

THAT HE WAS BORN IN MEADOWS VALLEY, COUNTY OF ADAMS IN
1903, IS NOW OF THE AGE OF 77 YEARS, AND HAS AT ALL TIMES
RESIDED IN MEADOWS VALLEY;

THAT IN APPROXIMATELY THE YEAR 1919, HE BECAME AWARE
OF THE EXISTENCE OF A DITCH DIVERTING THE WATERS OF MARTIN
CREEK, IN ADAMS COUNTY, IDAHO INTO FOUR MILE CREEK, IN ADAMS
COUNTY, IDAHO; THAT AT THAT TIME, THE DITCH WAS NOT NEW OR
RECENTLY CONSTRUCTED; THAT HE WAS ADVISED BY HIS FATHER, E. H.
MYERS, AND JAMES ANDERSON, THAT THE DITCH AND DIVERSION
FACILITY WAS CONSTRUCTED BY GILBERT SMITH, AND THE JOINT
WATERS OF SAID CREEKS WERE APPLIED TO A BENEFICIAL USE
THEREAFTER UPON THE 160 ACRES OF THE SAID GILBERT SMITH AND
THE 160 ACRES OF MC MAHAN, FOR CROP IRRIGATION AND STOCK
WATERING; THAT THE SAID GILBERT SMITH HAD THE FIRST AND ONLY
RIGHTS TO SAID DITCHES AND WATERS UNTIL SUCH WATERS WERE
APPLIED TO THE LANDS OF MC MAHAN;

THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF THE
WATERS OF FOUR MILE CREEK HAVE BEEN APPLIED IN EACH AND EVERY
IRRIGATION SEASON TO THE LANDS OF MC MAHAN;

FURTHER, YOUR AFFIANT SAYETH NOT.

Otto Myers
OTTO MYERS

STATE OF IDAHO,)
(SS.
COUNTY OF VALLEY.)

ON THIS 8TH DAY OF SEPTEMBER, 1980, BEFORE ME, THE
UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY
APPEARED OTTO MYERS, KNOWN TO ME TO BE THE PERSON WHOSE NAME

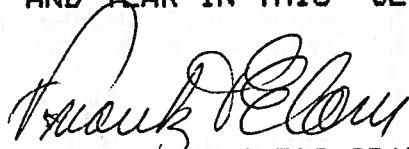
UDELL and ELAM
ATTORNEYS AND COUNSELORS AT LAW
300 LENORA STREET
P.O. BOX 1300A McCall, IDAHO 83638
PHONE (208) 634-2108 or (208) 634-2100

UDELL and ELAM

ATTORNEYS AND COUNSELORS AT LAW
300 LENORA STREET
P.O. BOX 1300A McCall, IDAHO 83638
PHONE (208) 634-2108 or (208) 634-2100

1 IS SUBSCRIBED TO THE WITHIN INSTRUMENT, AND ACKNOWLEDGED TO ME
2 THAT HE EXECUTED THE SAME.

3 IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND
4 AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR IN THIS CERTIFICATE
5 FIRST ABOVE WRITTEN.

6 
7 NOTARY PUBLIC FOR IDAHO
8 RESIDING AT MC CALL, IDAHO.
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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: A78-04136
Date Received: 5/10/1988
Receipt No: C000607

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: STEVE CAMPBELL 208-347-2467
Address: P.O. BOX 269
NEW MEADOWS, ID 83654

2. Date of Priority: MAY 07, 1900

3. Source: SPRINGS Trib. to: FOURMILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
19N	01E	1	NE	SE	NE	R	ADAMS
	02E	6	SW	NW	NE	R	ADAMS
			NW	SW	NW	R	ADAMS
20N	02E	27		NW	SW		ADAMS
				NW	SW	I	ADAMS

5. Description of diverting works:
DEVELOPED SPRINGS WITH DITCH TO PT. OF INJECTION INTO FOUR MILE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	10/15	3.000		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is 320.0 Acre Feet Per Annum.

9. Non-irrigation uses:
S/160 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
19N	01E	1	SE	NE		IRR	40.0
						Section Acres	40.0
	02E	6	NE	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
						Section Acres	120.0
						Total Acres	160.0

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:

A78-04314 -07114 -04313 AND NEW BRUNDAGE RESERVOIR WATER

14. Remarks:

PT. OF INJECTION INTO FOURMILE CK: NWSW, S27, T20N, R2E.

PT. OF REDIVERSION FROM FOURMILE CK: SWNWNE S6 T19N, R2E.

NWSWNW S6 T19N, R2E

NESENE S1 T19N, R1E

15. Basis of Claim: STATUTORY CLAIM

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): Steve Campbell Date: 5/10/88

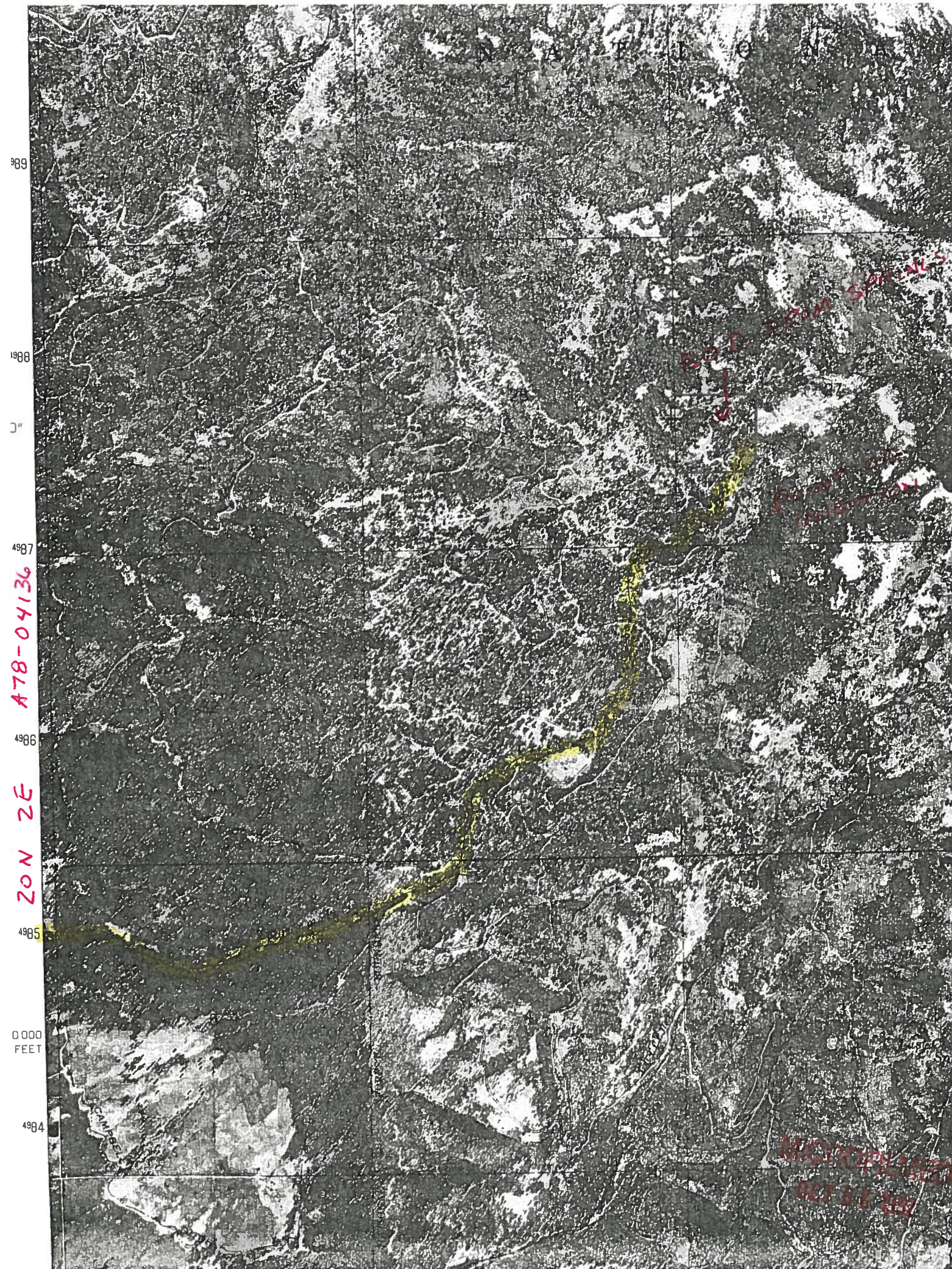
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of May 19 88 Don Lillis
Notary Public

Seal

Residing at Caldwell, Id
My Commission Expires 3/21/94



4990

4989

4988

2' 30"

4987

4986

4985

T. 2

T. 1

4984

A 78-04136

MICROFILMED
OCT 06 1992

POINTS
OF
REDIVERSION

R1E R2E

MEAD CANYON

Hdt
Survey

Circle 12
Ranch

