

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: A78-10067
Date Received: 6/02/1988 5-3-88
Receipt No: C000534

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LEONARD M. WALLACE 208-347-2446
Address: BOX 126
NEW MEADOWS, ID 83654
AND/OR
Name: SHERYL K. WALLACE 208-347-2446
Address: BOX 126
NEW MEADOWS, ID 83654

2. Date of Priority: SEP 01, 1970

3. Source: SPRINGS Trib. to: THREE MILE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
19N	02E	9	SW	NW	SW		ADAMS

5. Description of diverting works:
TWO DEVELOPED SPRINGS WITH PIPELINE TO PLACE OF USE

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.080		
IRRIGATION	04/15	10/15	0.200		

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

8. Total consumptive use is 8.0 Acre Feet Per Annum.

9. Non-irrigation uses:
2 DOMESTICS WITH LAWN IRRIGATION

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
19N	02E	8	NE	SE	DOMEST	
			NE	SE	IRR	4.0
					Section Acres	4.0
					Total Acres	4.0

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:

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 _____

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 A78-10067Date Received 5-3-88Receipt Number 48632 C000534

C7

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) Leonard M. and/or Sheryl K. Wallace Phone (208) 347-2446Mailing Address Box 126 New Meadows Zip 836542. Date of Priority (Only one (1) per claim) Sept. 1 19703. Source of water supply (a) Springs (2)
which is tributary to (b) Three mile Creek4. a. Location of existing point of diversion is: Township 19N Range 2E Section 9,
SE 1/4 of NW 1/4 of SW 1/4, Govt. Lot, _____ B.M., County of AdamsAdditional points of diversion if any: T19N R2E Sec 9 SWNW SW

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,

_____ 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. Two developed springswith pipeline to place of use.

MICROFILMED

Copies: White State Yellow Claimant

OCT 05 1988

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Domestic purposes from 1-1 to 12-31 amount 0.08 or _____

For Irrigation purposes from 4-15 to 10-15 amount 0.20 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 0.20 (cfs) and/or (b) _____ (acre feet)

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

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 2 domestics with lawn irrigation

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	
<u>19N</u>	<u>2E</u>	<u>8</u>													<u>D</u>				
		<u>8</u>													<u>4</u>				<u>4</u>

Total number of acres irrigated 4

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 Wallace ~~A 78-10067~~ Ident No. A 78-10067

MICROFILMED
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 _____
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 -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) X Leonard M. Wallau Date 5-3-88

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 3rd 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 Wallace Ident. Number A78-10067

MICROFILMED
Copies White State, Yellow Claimant

OCT 05 1992



MICROFILMED
OCT 05 1992

A-78-10067

12/19/2006

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

RIGHT NUMBER: 78-10067

NAME AND ADDRESS: LEONARD M WALLACE
PO BOX 126
NEW MEADOWS ID 83654

SHERYL K WALLACE
PO BOX 126
NEW MEADOWS ID 83654

SOURCE: SPRINGS

TRIBUTARY: THREEMILE CREEK

QUANTITY: 0.160 CFS

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

PRIORITY DATE: 09/01/1970

POINT OF DIVERSION:

T19N R02E S9 SENWSW Lot 3 Within ADAMS County

T19N R02E S9 SENWSW Lot 3 Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.080 CFS
IRRIGATION	04/01 10/31	0.080 CFS
Domestic use is for 2 homes.		

PLACE OF USE: IRRIGATION in ADAMS County

T19N R02E S08 NESE 4.00

DOMESTIC in ADAMS County

T19N R02E S08 NESE

4 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.

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



Idaho Department of Water Resources

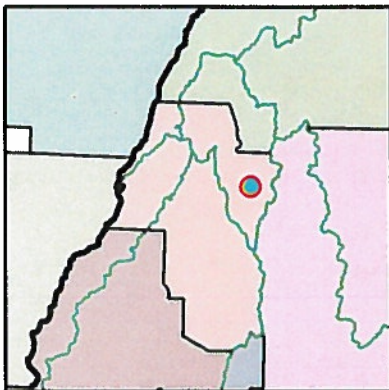
SRBA Recommendation:

78-10067

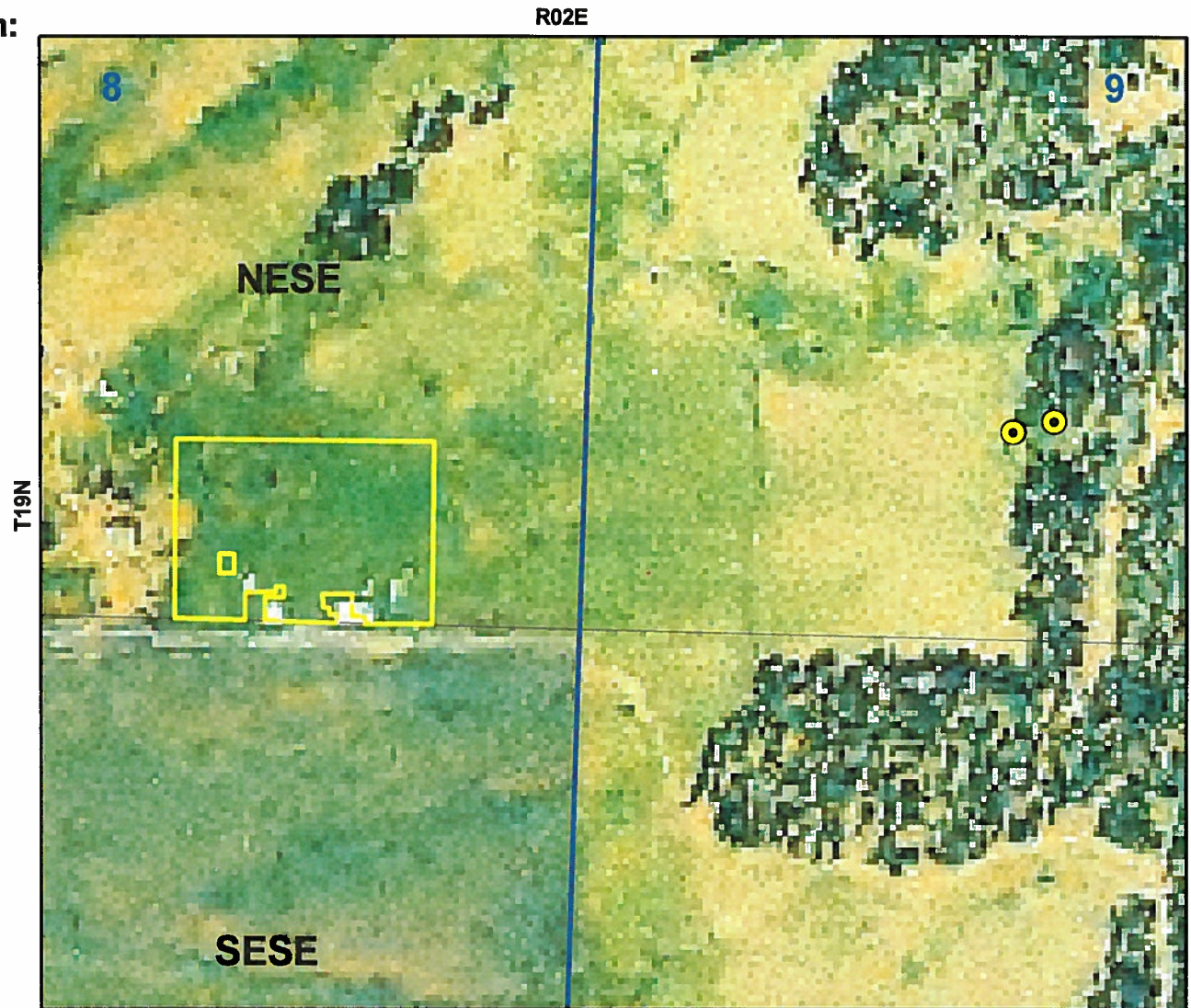
(Irrigation)

Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 78



0 0.1 0.2 Miles



Prepared by K. Walker
On Tuesday, December 19, 2006
1987/88 Aerial Photography

RECEIVED

DEC 14 2006

We the undersigned do hereby state that the priority date of September 1, 1970 is correct for water right # 78-10067 which held by Leonard & Sheryl Wallace, P.O. Box 126, New Meadows, Idaho 83654 and it has been used every day & year since 1970.

- Everett Osborn Box 209 New Meadows Id
- Tessie Osborn Box 209 New Meadows Id

• _____

• IF THIS DOES NOT
• FILL THE REQUIREMENT
• FOR PRIORITY DATE OF
• MY WATER RIGHT
• PLEASE ADVISE
• LEONARD WALLACE
• P.O. BOX 126
• NEW MEADOWS
• IDAHO
• 83654

• _____

• _____

• _____

• _____

• _____

• _____

• _____

SCANNED

DEC 14 2006



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

JAMES E. RISCH
Governor

KARL J. DREHER
Director

December 7, 2006

LEONARD M &/OR SHERYL K WALLACE
PO BOX 126
NEW MEADOWS ID 83654

Re: Claim to a Water Right No. 78-10067

Dear Claimants:

In May of 1988, you submitted the above referenced claim in the Snake River Basin Adjudication. Enclosed is a computer generated print-out of the claim for your reference only; this print-out is **NOT** to be returned or re-filed. You have indicated, when this claim was filed, that the water right was based on a "Beneficial Use" of the water. Water rights of this type are established by the historical use of water for a beneficial purpose, dating back to the time the water was first used, this date being the "**Priority Date**" as shown on the enclosed print-out. This claim has not been confirmed by a previous filing with the Department of Water Resources since there is no decree, license, or permit on file to verify the use of this water. For this reason, the Department is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water. Any other claims you may have filed, that are not listed above, do not require evidence of priority be submitted at this time.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary along with examples of types of evidence that can be submitted to fulfill this requirement. If no evidence is submitted, or we do not hear from you within the time limit below, the priority date, as claimed, may not be recommended to the Court for decree. This could jeopardize the water use under this right, if water availability problems arise in the future. It is our goal to decree the historical water rights within the Snake River Basin as accurately as possible.

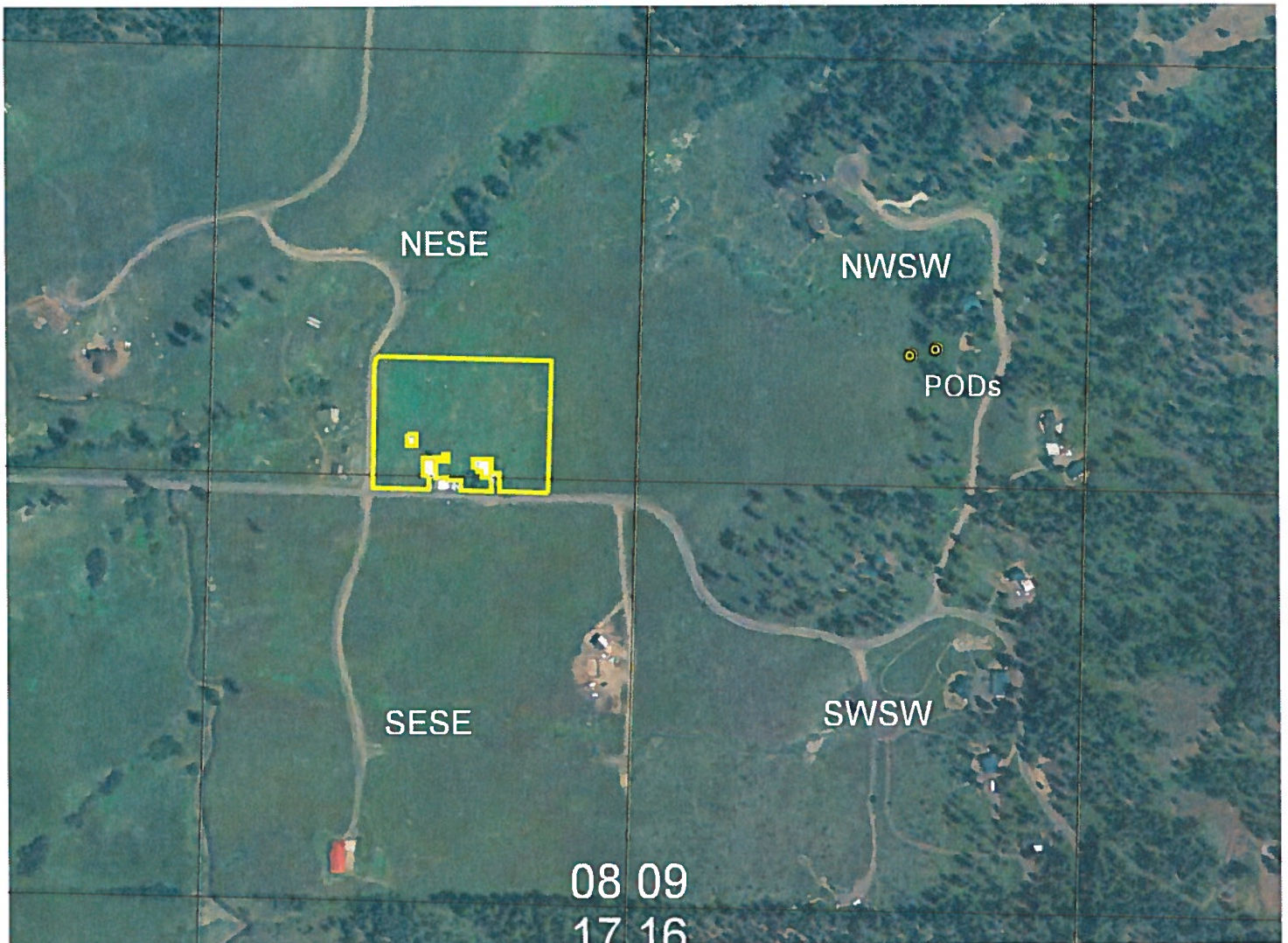
The required evidence supporting the priority date must be submitted by **December 14, 2006**, referencing all documents with the corresponding claim number. If you have any questions not covered by this letter, or the enclosed pamphlet, please feel free to call me at 287-4953.

Sincerely,

Kay Walker
Sr. Water Resource Agent

Enclosures

78-10067



700 0 700 1400 Feet

T19N R02E S08

Map prepared by: Carter Fritschle
Date prepared: 06/16/06
2004 NAIP Photography
Idaho Department of Water Resources

