

12/21/2006

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

RIGHT NUMBER: 78-2015

NAME AND ADDRESS: WILLIAM S SPICKELMIRE
329 CHESTER DR
BOISE ID 83706

SOURCE: HAILEY CREEK

TRIBUTARY: LITTLE SALMON RIVER

QUANTITY: 0.300 CFS

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

This right when combined with 78-4092 shall provide no more than .30 cfs nor more than 15 acres of irrigation.

PRIORITY DATE: 04/09/1910

POINT OF DIVERSION:

T24N R01E S22 SWNW Within IDAHO County

T24N R01E S22 SENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	02/15 11/30	0.300 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION in IDAHO County

T24N R01E S22	SWNW	12.00	T24N R01E S22	SENW	1.00
T24N R01E S22	NWSW	2.00			

STOCKWATER in IDAHO County

T24N R01E S22	SWNW	T24N R01E S22	SENW
T24N R01E S22	NWSW		

DOMESTIC same as IRRIGATION

15 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 is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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

05/16/2005

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

RIGHT NUMBER: 78-2015
NAME AND ADDRESS: WILLIAM S SPICKELMIRE
329 CHESTER DR
BOISE ID 83706
SOURCE: HAILEY CREEK TRIBUTARY: LITTLE SALMON RIVER
QUANTITY: 0.300 CFS
The quantity of water under this right for stockwater uses shall not exceed 13,000 gallons per day.
This right when combined with 78-4092 shall provide no more than .30 cfs nor more than 15 acres of irrigation.

PRIORITY DATE: 04/09/1910

POINT OF DIVERSION:
T24N R01E S22 SWNW Within IDAHO County
T24N R01E S22 SENW Within IDAHO County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
DOMESTIC	01/01 12/31	0.040 CFS
IRRIGATION	02/15 11/30	0.300 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE: IRRIGATION Within IDAHO County
T24N R01E S22 SWNW 12.0 T24N R01E S22 SENW 1.0
T24N R01E S22 NWSW 2.0
STOCKWATER Within IDAHO County
T24N R01E S22 SWNW T24N R01E S22 SENW
T24N R01E S22 NWSW
DOMESTIC same as IRRIGATION

15 ACRES TOTAL

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

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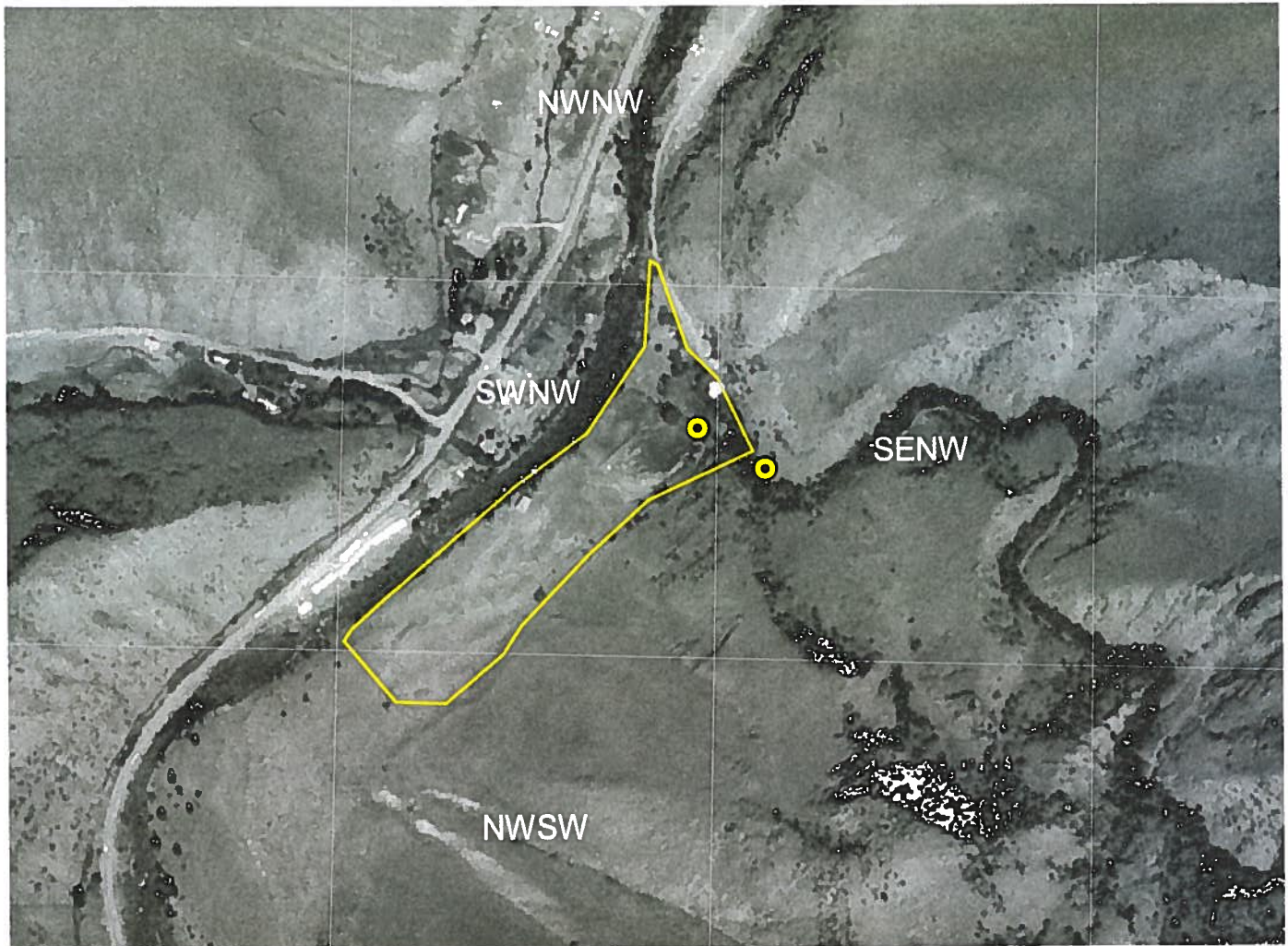
The quantity of water decreed for this water right is not a determination of historical beneficial use.

Domestic use recommended as Right No. 78-4093.

EXPLANATORY MATERIAL: License

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

78-2015



0 400 800 Feet



Section 22
T24N R1E



● Point of Diversion

□ Place of Use

Map prepared on May 16, 2005
By Kenneth Knoblock
Idaho Department of Water Resources



*
Idaho County *
Haley Creek *
3/10 of 1 cu. ft. per second *
Irrigation and domestic *
Priority 4-9-1910 *

S T A T E O F I D A H O
WATER LICENSE NO. 5922

WHEREAS, On the 9th day of April, A. D. 1910, J. S. AITKEN, of Pollock, County of Idaho, State of Idaho, duly made application (No. 8427) to me for a permit to use three-tenths (3/10) of one cubic foot per second of the waters of HALEY CREEK, County of Idaho, State of Idaho, for irrigation and domestic purposes, and

WHEREAS, On the 9th day of April, A. D. 1910, Permit No. 5922, was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 9th day of April, A. D. 1911, and for the application to beneficial use of said water on or before the 9th day of April, A. D. 1911, and,

WHEREAS, On the 8th day of April, A. D. 1911, J. S. AITKEN, the holder of said permit duly made proof of the completion of adequate works for the diversion of three-tenths (3/10) of 1 cubic foot per second of said waters, as evidenced by my Certificate No. 5922, dated September 12, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use three-tenths (3/10ths) of one cubic foot per second of water, with date of priority of April 9, 1910, and,

WHEREAS, On the 9th day of April, A. D. 1910, J. S. AITKEN, the holder of said permit duly made proof of the application to beneficial use of 3/10ths of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to J. S. AITKEN, of Pollock, County of Idaho, State of Idaho, the holder and owner of said Permit No. 5922, a perpetual right, dating from April 9, 1910, to the use of three-tenths (3/10ths) of one cubic foot per second of the waters of HALEY CREEK, in the County of Idaho, and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the Southeast quarter of Northwest quarter (SE4 NW4) Section 22, Township 24 North, Range 1 East of Boise Meridian, and conducted to and upon about 14 acres in the SW4 of NW4 and 1 acre in the NW4 of NW4, Section 22, Township 24 North, Range 1 East of Boise Meridian, for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 12th day of September, A. D. Nineteen hundred and eleven.

A. E. Robinson,
State Engineer

78 2015

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: A78-02015
Date Received: 9/ 9/1998
Receipt No: W024376
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM S SPICKELMIRE 208-384-9752
Address: 329 CHESTER DR
BOISE ID 83709

2. Date of Priority: APR 9, 1910

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
24N	01E	22		SW	NW		IDAHO
				SE	NW		IDAHO

5. Description of diverting works:
HEADGATES, DITCHES, PIPES, GRAVITY

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/01	11/30	0.300		
DOMESTIC	01/01	12/31	0.040		
STOCKWATER	01/01	12/31	0.020		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
ONE HOME, 10 STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	22	NW	NW		IRR	1.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
24N	01E	22	SW	NW		IRR	14.0
Section Acres							15.0
Total Acres							15.0

11. Place of use in counties: IDAHO

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

13. Other Water Rights Used:
78-04092, 78-04093

14. Remarks:

License allows "or so much thereof as may be necessary for the purposes hereinbelow mentioned". Claimant plans to verify necessary flow and volume actual requirements. Documentation will be submitted once measured.
Diversion consists of 5 ditches and three pipes.
P/D questionable, depending on recent survey.

15. Basis of Claim: LICENSE

Water Right Number: 5922

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:

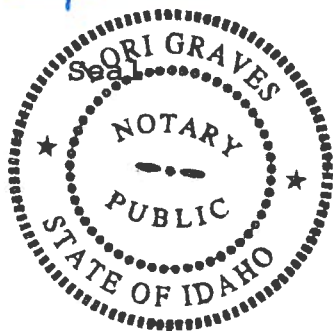
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): William S. Spuckert Date: 9/9/98

Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 9th day
of Sept 19 98 Lori Gnauer
Notary Public



Residing at Boise
My Commission Expires 6/18/04

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 78-2015 (OLD 5922)
Date Received _____
Receipt Number _____

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW

Please type or print clearly

1. Name of Claimant (s) WILLIAM S. SPICKELMIRE Phone (208) 384-9752

Mailing Address 329 CHESTER DRIVE BASE IDAHO Zip 83706

2. Date of Priority (Only one (1) per claim) APRIL 9, 1910

3. Source of water supply (a) HAILEY CREEK
which is tributary to (b) LITTLE SALMON RIVER

4. a. Location of existing point of diversion is: Township 24N Range 01E Section 22,
NW+SW 1/4 of SE 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of IDAHO

AND NE 1/4 of SW 1/4 of NW 1/4
Additional points of diversion if any: DIVERSION POINTS ARE ON LINE COULD BE EITHER SIDE

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. DIVERSION HEADGATES DITCHES GRAVITY,
AND PLASTIC PIPE IRRIGATION SYSTEMS (2 INCH AND 1 INCH
PIPES) - GRAVITY

6. Water is claimed for the following purposes:

(both dates are inclusive) (cfs) (acre feet)

For IRRIGATION purposes from 1/1 to 12/31 amount or All NECESSARY
 For STOCKWATER purposes from 1/1 to 12/31 amount 0.02 or FOR IRRIGATION
 For DOMESTIC purposes from 1/1 to 12/31 amount or 11 11
 For purposes from to amount or

7. Total quantity claimed (a) "All NECESSARY For IRRIGATION AND DOMESTIC" (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.) STOCKWATER - HORSES AND COWS - 10 HEAD ±
DOMESTIC - ONE HOUSEHOLD

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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
24N	D1E	22						4	18										22

Total number of acres irrigated 22

11. In which county (ies) are lands listed above as place of use located? IDAHO

12. Do you own the property listed above as place of use? Yes X 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.
A78-04092 AND 78-04093 - IRRIGATION AND DOMESTIC or None ()

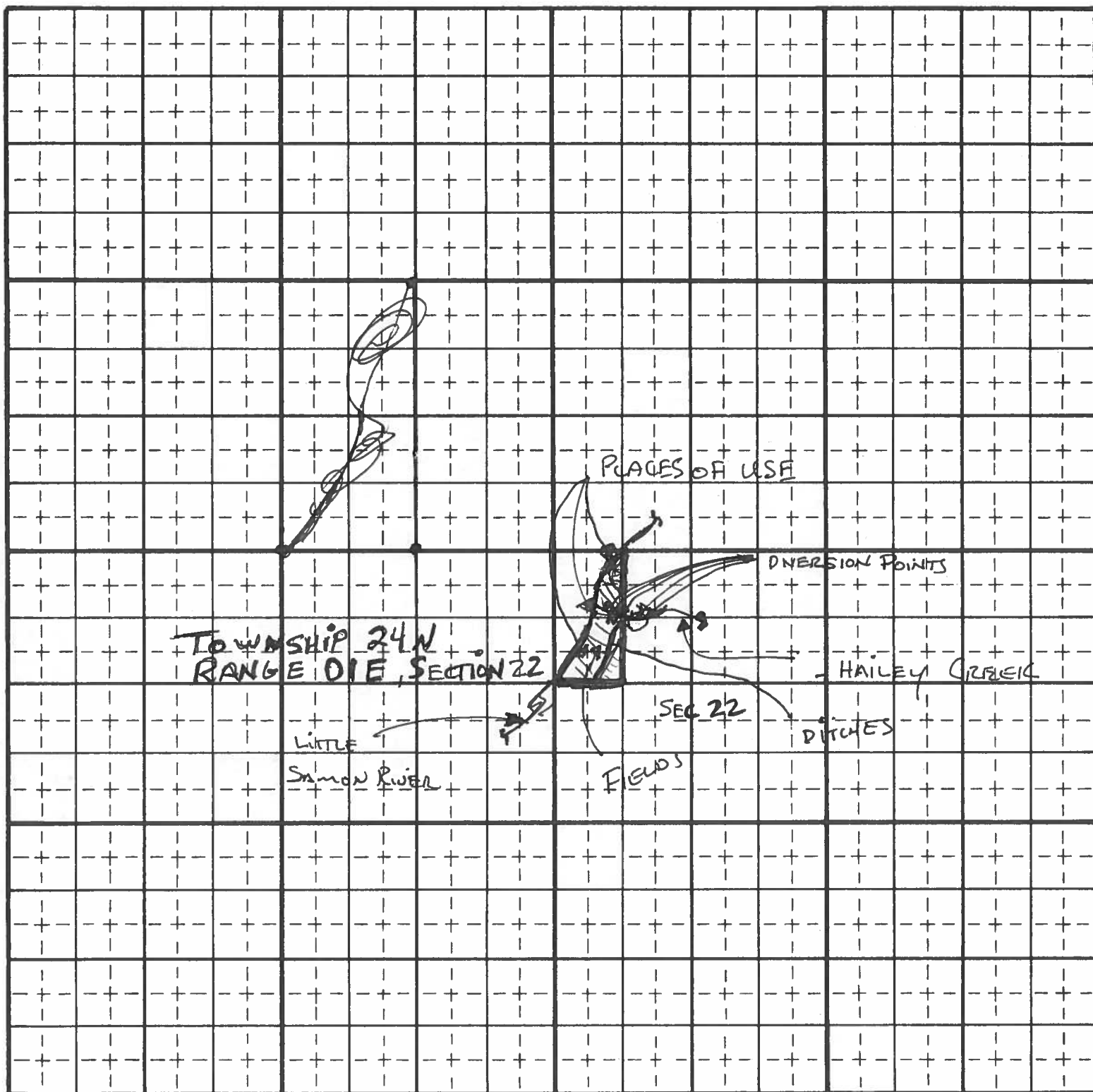
14. Remarks: LANDOWNERSHIP AITKEN HOMESTEAD 1909, AITKEN TO VOPAT 1971,
VOPAT TO ROBIE 1976, ROBIE TO SPICKELMIRE 1988.

Last Name SPICKELMIRE Ident No. 78-2015

Copies: White -State, Yellow-Claimant

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

Scale: 2 inches equals 1 mile



Last Name SPICELMIRE

Ident No. 78-2015

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 78-2015 (OLD NO. 5922)
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 X
wish to receive and pay a small annual fee for monthly copies of the docket sheet.
Number of attachments NONE

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

Signature of Claimant (s) William S. Spucke/mize Date 9/9/98

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 _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day of _____ 19 _____

SEAL

Notary Public _____

Residing at _____

My Commission Expires _____

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 SPUCKE/mize Ident. Number 78-2015

Copies White-State, Yellow-Claimant