

10/07/2006

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

RIGHT NUMBER: 73-48

NAME AND ADDRESS: MERLE J O NEAL
32 FALLS CREEK LN
MAY ID 83253

LYNETTE A O NEAL
32 FALLS CREEK LN
MAY ID 83253

SOURCE: FALLS CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 3.200 CFS

The quantity of water under this right shall be measured at a point in T14N, R22E, S01, SESW.

PRIORITY DATE: 04/01/1882

POINT OF DIVERSION:

T14N R23E S6 NENENE Lot 6 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R22E S08	NENE	40.00	T14N R22E S08	NWNE	39.00
T14N R22E S08	SWNE	11.00	T14N R22E S08	SENE	36.00
T14N R22E S08	NESE	7.60	T14N R22E S09	SWNW	40.00
T14N R22E S09	SENE	0.10	T14N R22E S09	NESW	40.00
T14N R22E S09	NWSW	36.00	T14N R22E S09	SESW	22.00
T14N R22E S16	NENW	0.10			

271.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 271.8 acres in a single irrigation season. Combined Right Nos.: 73-48, 73-50, 73-52, 73-2150

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.

Patterson Creek (also known as Spring Creek) and Falls Creek are independent of each other and appropriations of water from one of said streams in no way affects the appropriations from the other, that neither of said streams is a tributary of the other.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed



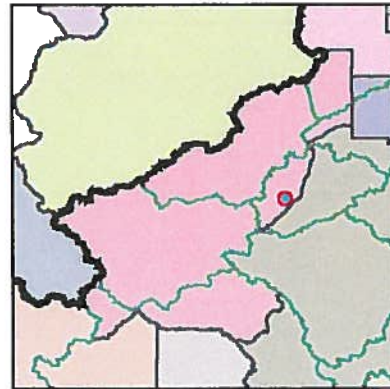
Idaho Department of Water Resources

SRBA Recommendation:

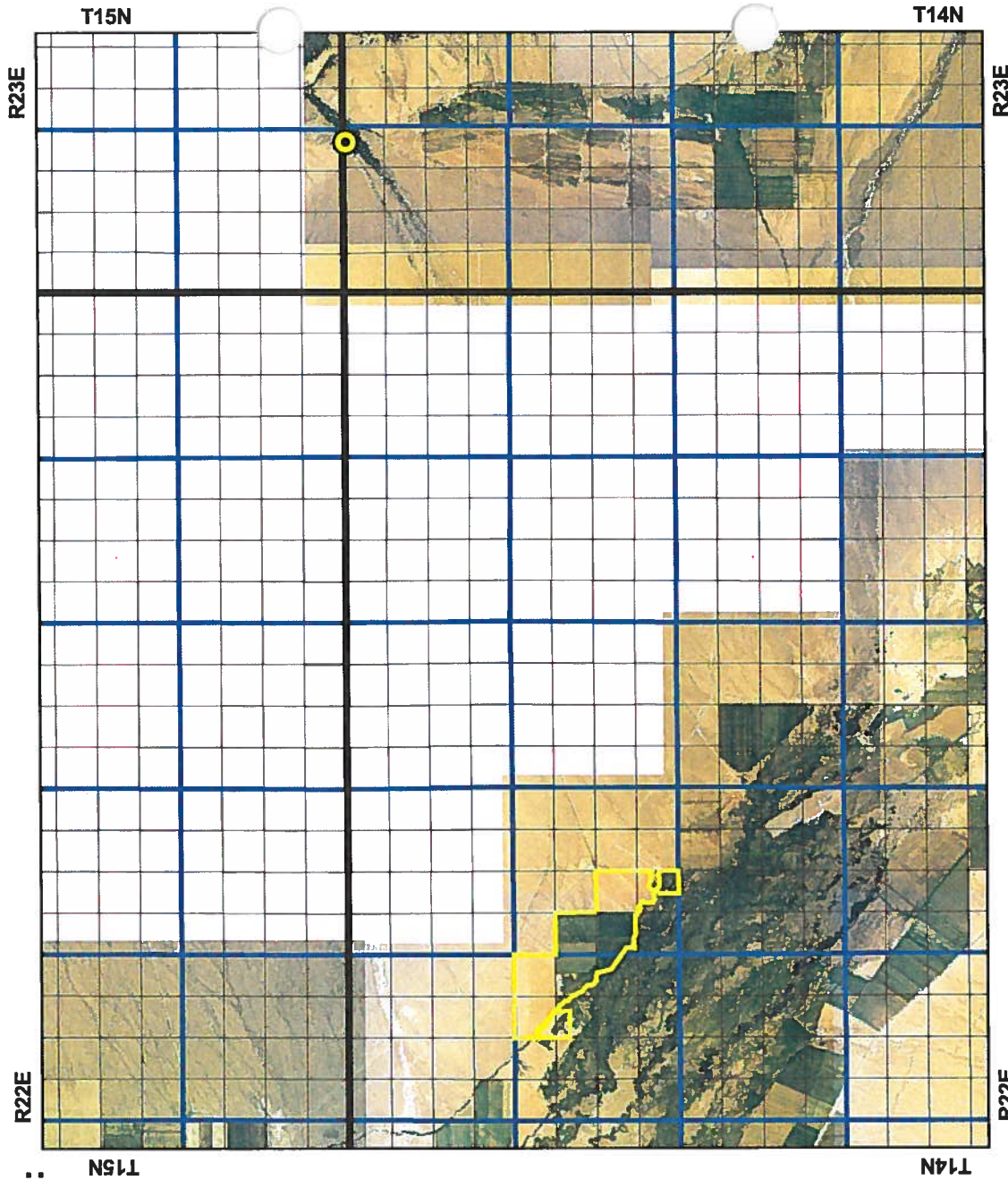
73-48
(Irrigation)

Legend

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



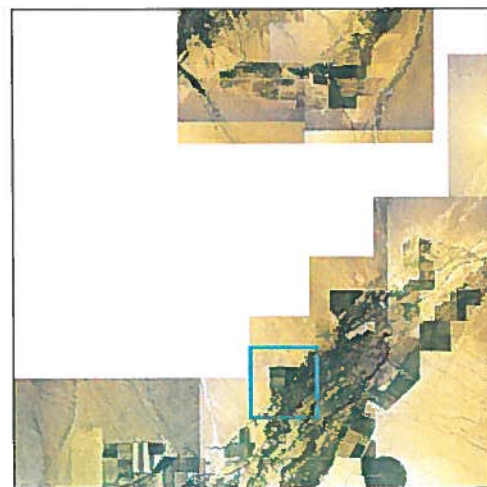
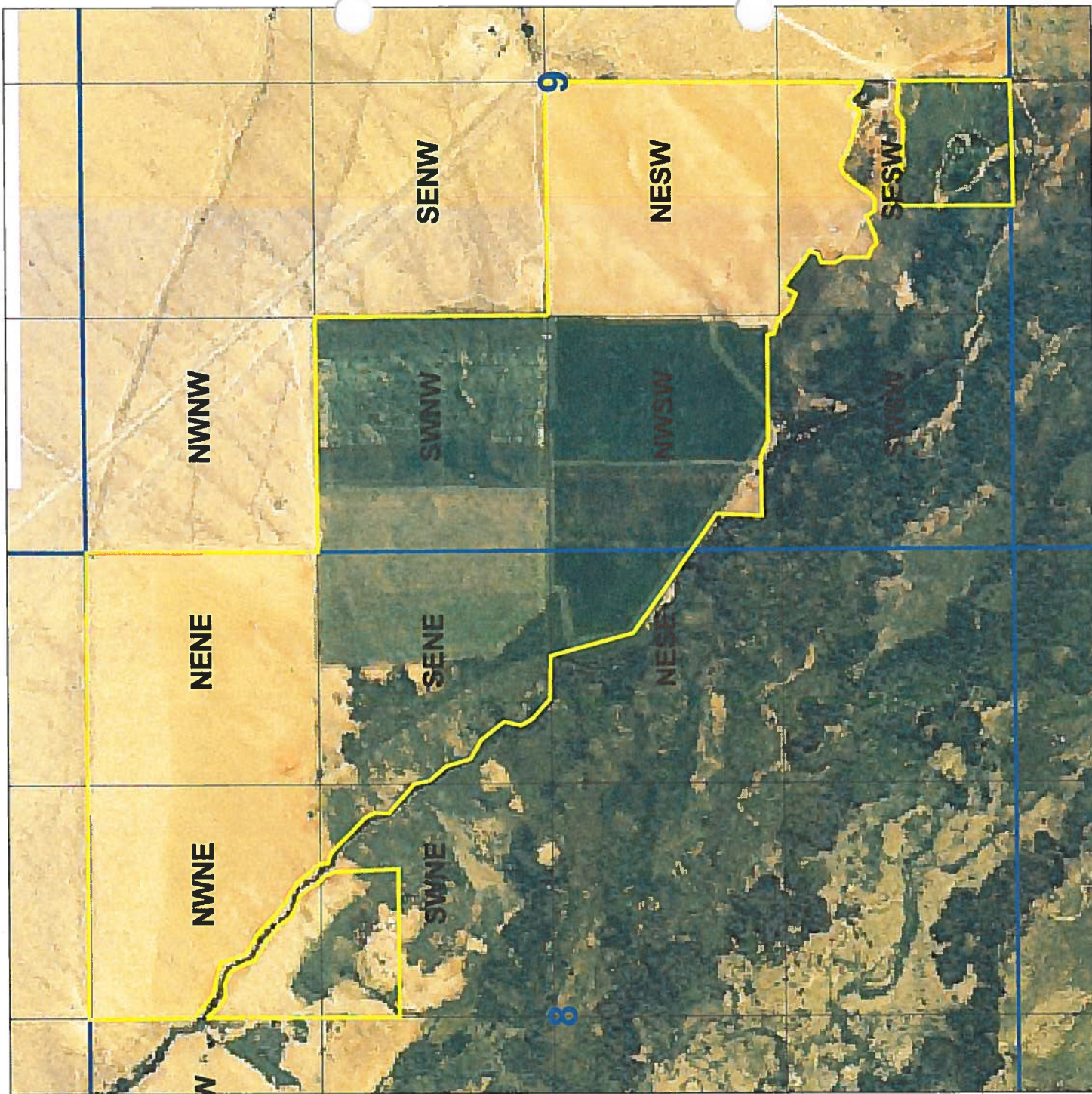
Lemhi County
IDWR Basin 73



0 2 4 Miles

Prepared by D. Favreau
On Friday, October 6, 2006
1987/88 Aerial Photography

73-48



04/30/2004

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

RIGHT NUMBER: 73-48

NAME AND ADDRESS: MERLE J O NEAL
32 FALLS CREEK LN
MAY ID 83253

LYNETTE A O NEAL
32 FALLS CREEK LN
MAY ID 83253

*see map in
73-50 for POU
for all rts*

SOURCE: FALLS CREEK

TRIBUTARY: PAHSIMEROI RIVER

QUANTITY: 3.200 CFS

PRIORITY DATE: 04/01/1882

POINT OF DIVERSION:

T14N R23E S6 NENENE Lot 6 Within LEMHI County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	3.200 CFS

PLACE OF USE: IRRIGATION Within LEMHI County

T14N R22E S08	NENE	40.0	T14N R22E S08	NWNE	33.0
T14N R22E S08	SENE	26.0	T14N R22E S08	NESE	7.6
T14N R22E S09	SWNW	40.0	T14N R22E S09	NESW	40.0
T14N R22E S09	NWSW	35.0	T14N R22E S09	SESW	22.0

243.6 ACRES TOTAL

USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 243.6 ACRES IN A SINGLE
IRRIGATION SEASON. COMBINED RIGHT NOS.: 73-48, 73-50, 73-52,
73-2150.

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

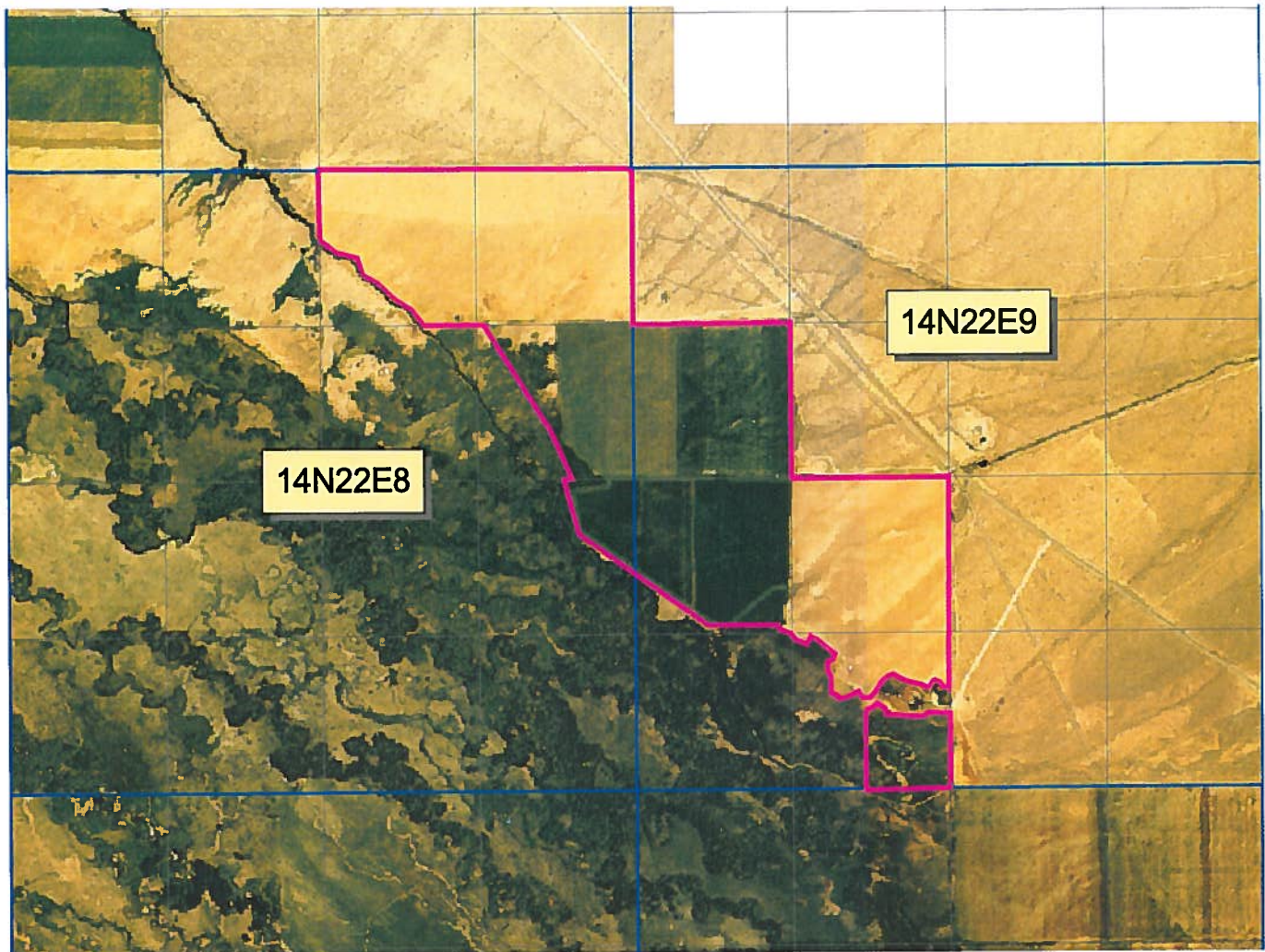
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: Decreed

DRAFT

*✓ location of
MD to 73-48 & 49
see Hr. from George
Austigay in file
weir 15 down ditch
Bob may have done
GPS pt.*

Idaho Dept. of Water Resources
Water Right Nos. 73-48, 73-50, 73-52, 73-2150
Ben O'Neal



0.3 0 0.3 0.6 Miles

DRAFT

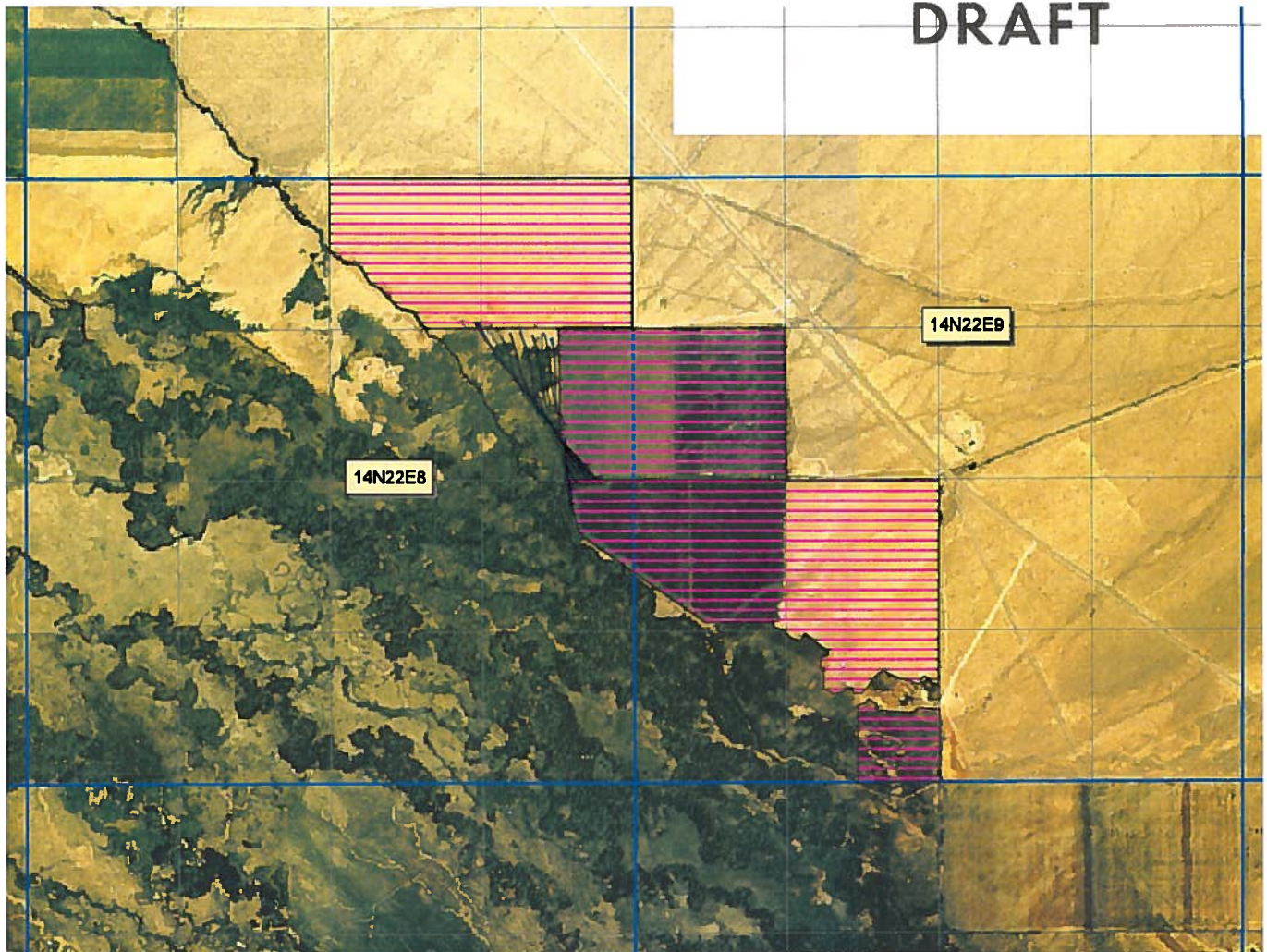
 **Place of Use**



GIS Presentation
Prepared by R. Brown
April 30, 2004
1988 True Color Photography

Idaho Dept. of Water Resources
Water Right Nos. 73-48, 73-50, 73-52, 73-2150
O'Neal

DRAFT

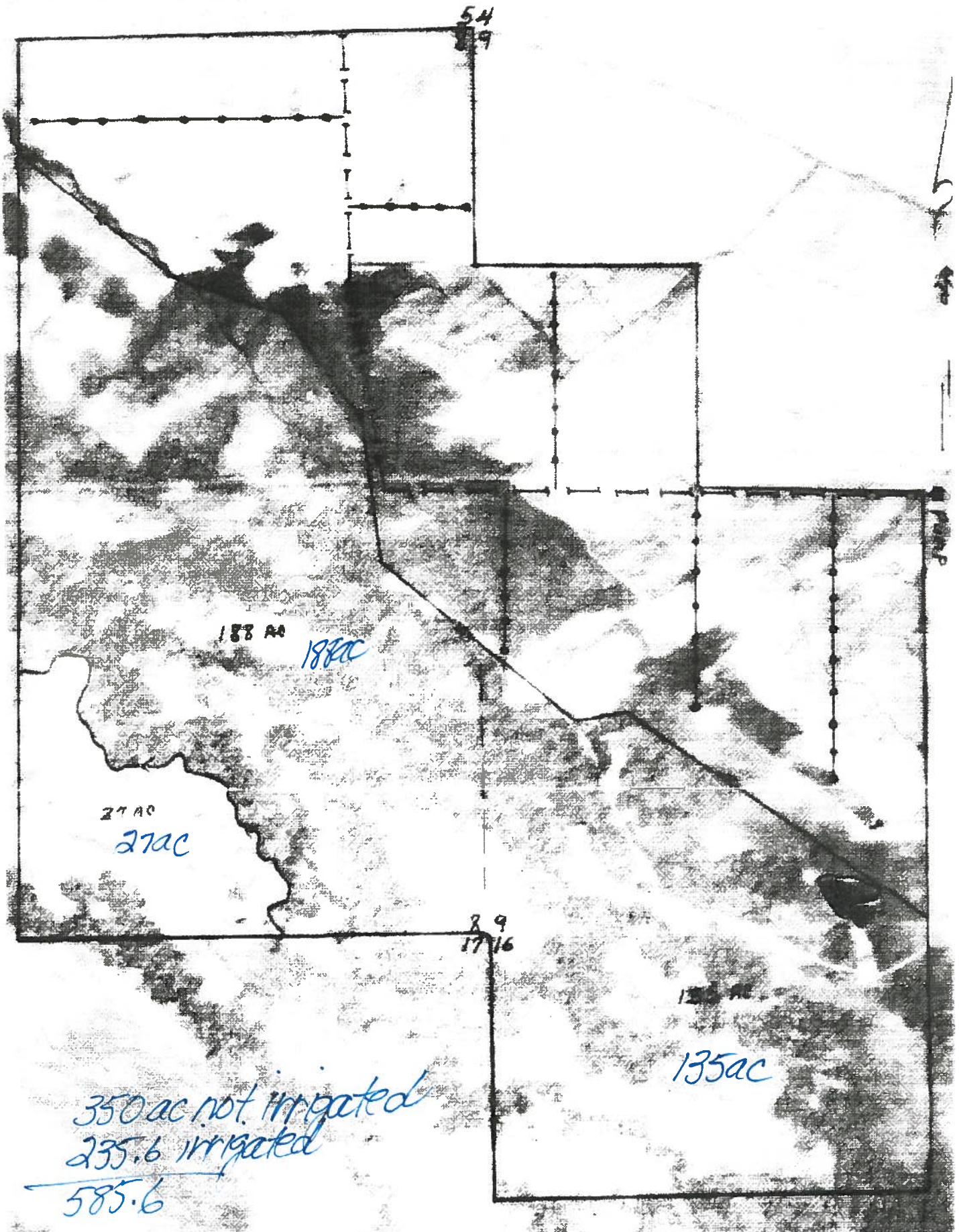


0.3 0 0.3 0.6 Miles

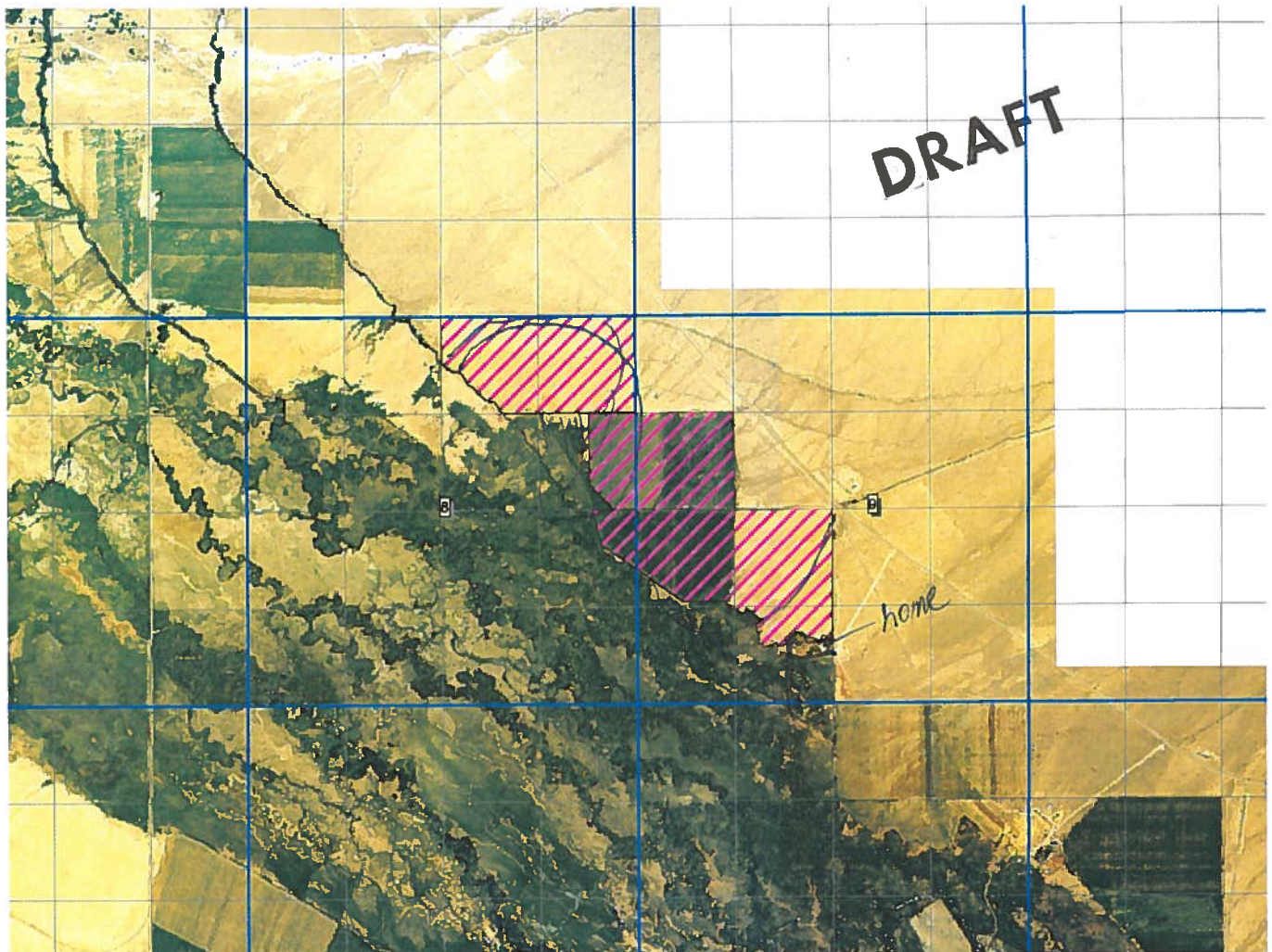
 Place of Use



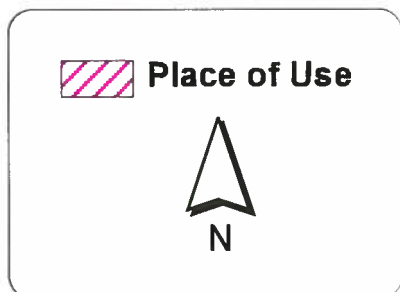
*Corrections per
phone call 7/3/04 with
Ken O'Neal. Also see
hard SCS photo*
R. Brown
GIS Presentation
Prepared by R. Brown
January 15, 2004
1988 True Color Photography



Idaho Dept. of Water Resources
Water Right Nos. 73-48, 73-50, 73-52, 73-2150
O'Neal



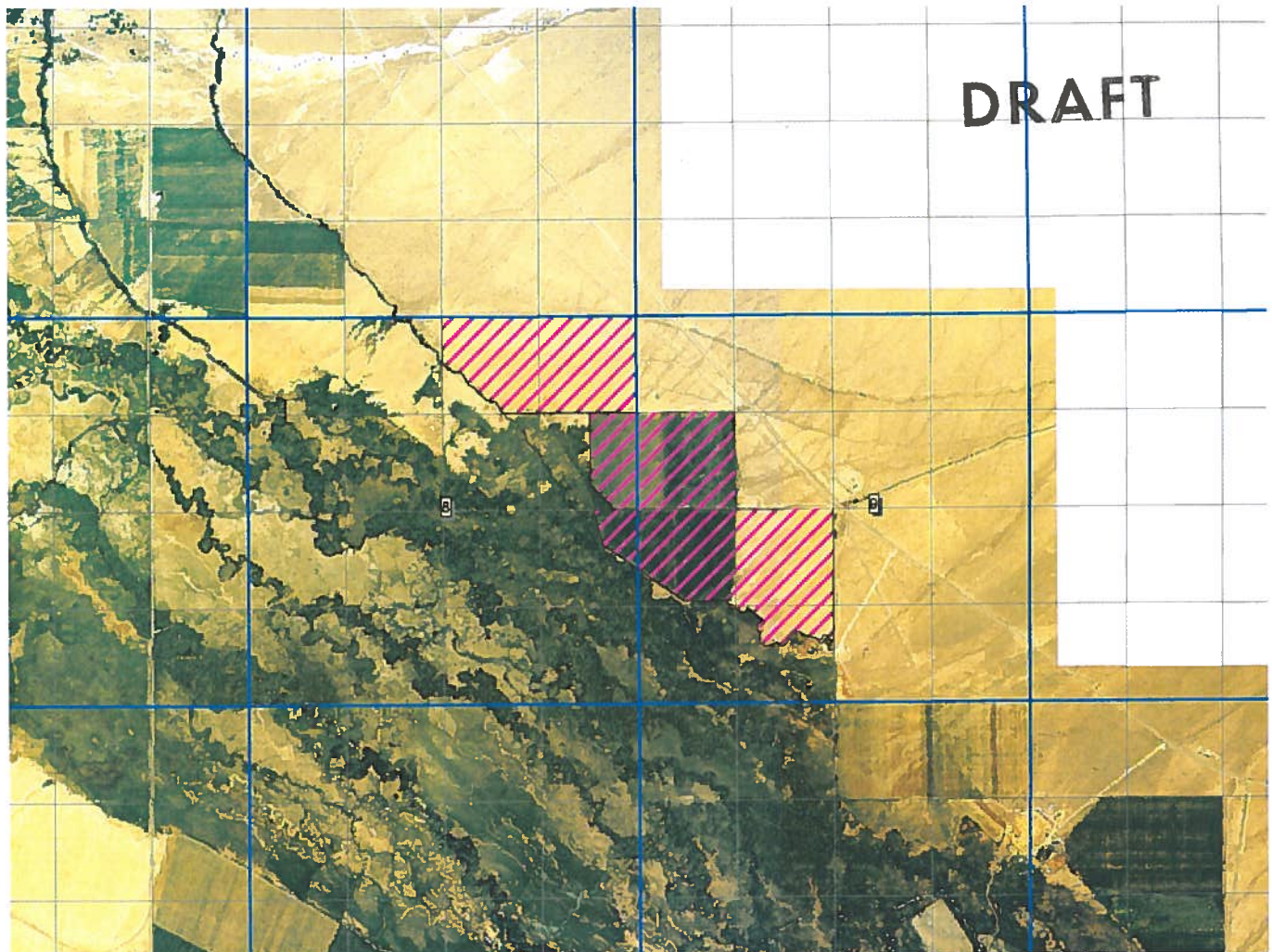
0.4 0 0.4 0.8 Miles



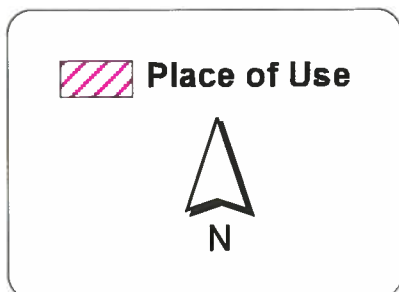
T14N R22E S08 and S09

GIS Presentation
Prepared by R. Brown
November 19, 2003
1988 True color Photography

Idaho Dept. of Water Resources
Water Right Nos. 73-48, 73-50, 73-52, 73-2150
O'Neal



0.4 0 0.4 0.8 Miles



T14N R22E S08 and S09

GIS Presentation
Prepared by R. Brown
November 19, 2003
1988 True color Photography

DIVERSION INFORMATION, WATER DISTRICT 73
PAHSIMEROI RIVER AND TRIBUTARIES

GENERAL INFORMATION

RANCH NAME (IF APPLICABLE) ONEAK Ranch
LAST NAME _____
FIRST NAME _____ PHONE _____
STREET ADDRESS _____
CITY _____ ZIP _____

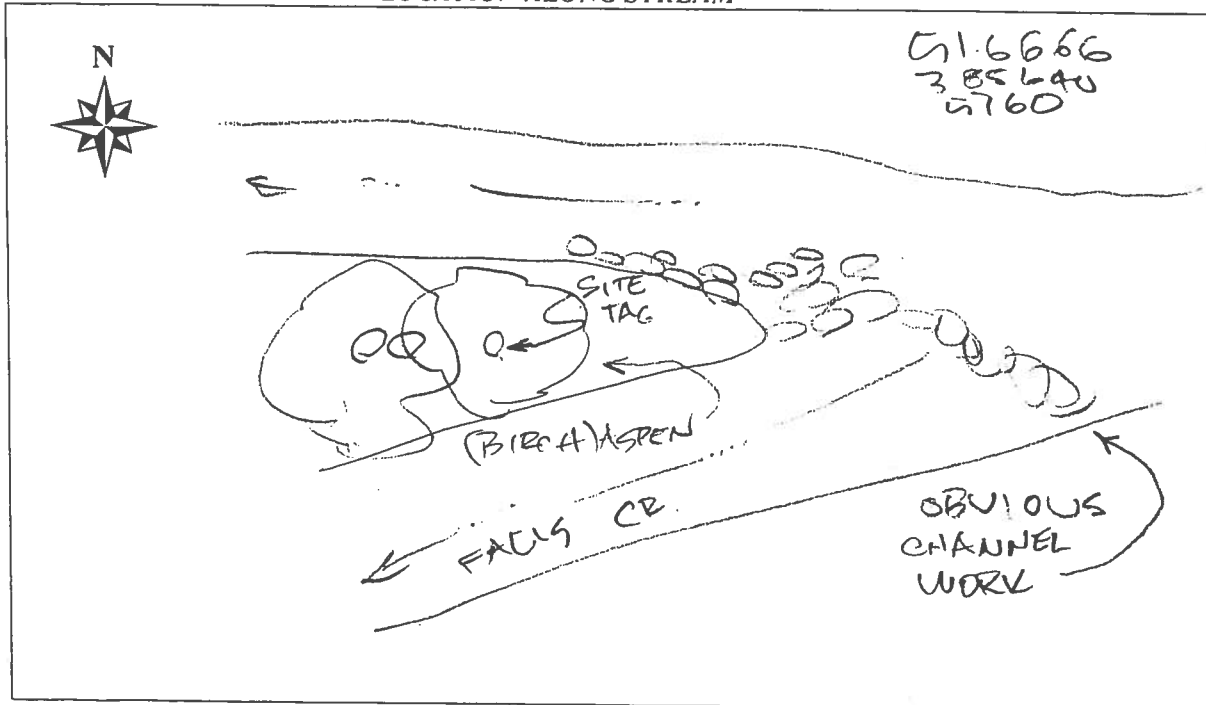
DIVERSION INFORMATION

STREAM, DITCH OR CANAL NAME Fagus Creek
DIVERSION NAME Fagus 1b Sec.
GPS TAG, IDWR TAG A0015409 / (ATTACHED TO ASPEN TRUNK)
PLEASE LIST ANY TAGS OR MARKERS ON OR NEAR DIVERSION
DIVERSION CO-USERS _____
PLEASE LIST ALL OTHER WATER USERS USING THIS DIVERSION

HEADGATE AND MEASURING DEVICE DESCRIPTION

EXISTING HEADGATE-YES _____ NO X HEADGATE PLANNED-YES ?
EXISTING MEASURING DEVICE-YES _____ NO X MEASURING DEVICE PLANNED-YES ?
- FISH BYPASS PLANNED -
HEADGATE DESCRIPTION _____
PLEASE LIST CONDITION, DIMENSIONS AND CONSTRUCTION TYPE
MEASURING DEVICE DESCRIPTION _____
PLEASE LIST CONDITION, TYPE AND MAKE OF DEVICE

DIVERSION DRAWING AND LOCATION ALONG STREAM



10th, 1886, appurtenant to the sw $\frac{1}{4}$ of the sec 16, and the s $\frac{1}{4}$ of the sec 17 in tp 14 n of r 22 e of the Boise meridian; the s $\frac{1}{4}$ of the sec 17, the w $\frac{1}{4}$ of the sec 17, n $\frac{1}{4}$ of sec 17 and the e $\frac{1}{4}$ of the sec 17 and the n $\frac{1}{4}$ of the sec 17, in tp 14 n of r 22 e of the Boise meridian.

~~73-0227~~ Leo C. Wiggins from Spring Creek 100 inches or 2 cubic feet per second of time to May 15th of each and every year; from May 15th to July 10th of each and every year 140 inches or 2 4-5 cubic feet, from July 10th to close of season of each and every year 70 inches or 1 2-5 cubic feet to date from February 10th, 1893, appurtenant to the e $\frac{1}{4}$ of the sw $\frac{1}{4}$ and the sw $\frac{1}{4}$ of sec 6, and the nw $\frac{1}{4}$ of the sec 7 in tp 14 n r 22 e of the Boise Meridian in Idaho.

~~73-0228~~ Wood Live Stock Company, a corporation from Spring Creek 300 inches or 6 cubic feet per second of time to be measured at the headgate of the joint ditch owned by said corporation, Francis Grubb and George E. Grubb on said stream to date from April 1st, 1895, appurtenant to the Lot 4 of sec 30 and lot 1 of sec 31, tp 15, r 22 e of the Boise meridian and the n $\frac{1}{4}$ of the sec 31, tp 15, r 22 e of the sec 36 tp 15 n r 21 e of the Boise meridian and the s $\frac{1}{4}$ of the sec 23, tp 15, n r 21 e of the Boise Meridian, in Idaho.

~~73-0229~~ George E. Grubb from Spring Creek 100 inches or 2 cubic feet per second of time to be measured at the headgate of the joint ditch of George E. Grubb, Wood Live Stock Company and Francis Grubb to date from April 1st, 1895 appurtenant to Lot 4 of sec 19, Lots 1, 2 and 3 of sec 30, tp 15 n of r 22 e of the Boise meridian in Idaho.

~~73-0230~~ Francis Grubb from Spring Creek 50 inches or 1 cubic foot per second of time to be measured at the joint headgate of Francis Grubb, George E. Grubb and Wood Live Stock Company on said stream to date from July 10th, 1895, appurtenant to the e $\frac{1}{4}$ of the nw $\frac{1}{4}$ of sec 31, in tp 15 n r 22 e of the Boise meridian, in Idaho.

~~73-0231~~ George and William Calvin from Spring Creek 100 inches or 2 cubic feet per second of time to date from July 15th, 1900, appurtenant to the e $\frac{1}{4}$ of the sec 7 and the w $\frac{1}{4}$ of the nw $\frac{1}{4}$ of sec 8, in tp 14 n r 22 e of the Boise Meridian, in Idaho.

~~73-0232~~ Wood Live Stock Company, a corporation from Falls Creek 160 inches or 3 1-5 cubic feet per second of time to be measured at the headgate near the junction of the old Sherman Ditch and the new Woods-Oneal ditch on the north side of Falls Creek to date from April 1st, 1882, appurtenant to the s $\frac{1}{4}$ of the sec 17 and the nw $\frac{1}{4}$ of the sec 8, and the nw $\frac{1}{4}$ of the sw $\frac{1}{4}$ of sec 9, in tp 14 n r 22 e of the Boise Meridian, in Idaho.

~~73-0233~~ Edward Oneal from Falls Creek 160 inches or 3 1-5 cubic feet per second of time to be measured on the south bank of Falls Creek about four miles in a northeasterly direction from the residence of Edward Oneal to date from April 1st, 1882, appurtenant to the s $\frac{1}{4}$ of the nw $\frac{1}{4}$ of sec 15, the s $\frac{1}{4}$ of the sec 17 and the s $\frac{1}{4}$ of the sec 15, tp 14, n

r 22 e of the Boise meridian, in Idaho.

~~73-0234~~ Josephine Fortune from Falls Creek 80 inches or 1 3-5 cubic feet per second of time to be measured near the junction of the old Sherman ditch and the new Woods Oneal ditch on the north side of Falls creek to date from April 1st, 1887, appurtenant to the e $\frac{1}{4}$ of the sw $\frac{1}{4}$ of sec 9, tp 14, n r 22 e of the Boise meridian in Idaho.

~~73-0235~~ Joseph Wagoner from Falls Creek 160 inches or 3 1-5 cubic feet per second of time to be measured on the s $\frac{1}{4}$ of sec 6, tp 16 n of r 23 e of the Boise meridian on the south side of Falls Creek to date from April 1st, 1896 appurtenant to the unsurveyed land which when surveyed will be the w $\frac{1}{4}$ of the sw $\frac{1}{4}$ of sec 5, and the w $\frac{1}{4}$ of the nw $\frac{1}{4}$ of sec 8, in tp 14 n r 23 e of the Boise meridian, in Idaho.

~~73-0236~~ World Live Stock company, a corporation, from Falls Creek 80 inches or 1 3-5 cubic feet per second of time to date from March 24th, 1899, appurtenant to the n $\frac{1}{4}$ of the sec 8, in tp 14, n r 22 e of the Boise meridian in Idaho.

~~73-0237~~ Erickson Grubb from Falls Creek 80 inches or 1 3-5 cubic feet per second of time to be measured in the nw $\frac{1}{4}$ of sec 6, in tp 14 n of r 23 e of the Boise meridian, to date from February, 29th, 1904, appurtenant to the s $\frac{1}{4}$ of the sec 7, tp 14 n r 23 e of the B. M., in Idaho.

~~73-0238~~ Cris Coconaghnor from Falls Creek 160 inches or 3 1-5 cubic feet per second of time to date from July 1st, 1904, appurtenant to Lo's 3 and 4 and the s $\frac{1}{4}$ of the nw $\frac{1}{4}$ of sec 1, tp 14 n r 22 e of the Boise Meridian, in Idaho.

~~73-0239~~ William Beck from Falls Creek 160 inches or 3 1-5 cubic feet per second of time to be measured in the nw $\frac{1}{4}$ of sec 6, tp 14 n r 22 e of the Boise meridian to date from July 1st, 1904, appurtenant to the Lots 1 and 2 and s $\frac{1}{4}$ of the sec 2, tp 14 n r 22 e of the Boise meridian, in Idaho.

~~73-0240~~ Francis Wagoner from Falls Creek 80 inches or 1 3-5 cubic feet per second of time to be measured in the nw $\frac{1}{4}$ of sec 6, tp 14 n r 23 e of the Boise meridian to date from August 30th, 1904, appurtenant to the unsurveyed land, which when surveyed will be the w $\frac{1}{4}$ of the sw $\frac{1}{4}$ of sec 8 in tp 14 n r 23 e of the Boise meridian, in Idaho.

~~73-0241~~ Wood Live Stock Company, a corporation from Mayrick Creek 100 inches or 2 cubic feet per second of time to date from May 30th 1899 appurtenant to the nw $\frac{1}{4}$ of the sec 4 and the s $\frac{1}{4}$ of the sec 26 and the nw $\frac{1}{4}$ of the sec 25, tp 15 n r 21 e of the Boise meridian, in Idaho.

~~73-0242~~ Wood Live Stock company, a corporation, from Spring Creek 100 inches or 2 cubic feet per second of time to date from April 3rd, 1899 appurtenant to the sw $\frac{1}{4}$ of sec 26, tp 15, n r 21 e of the Boise Meridian, in Idaho.

~~73-0243~~ Vera S. Morley from Spring Creek 80 inches or 1 3-5 cubic feet per second of time to date from June 1st, 1903, appurtenant to Lot 8, the s $\frac{1}{4}$ of the nw $\frac{1}{4}$ of sec 14, n r 22 e of the Boise meridian, in Idaho.

JUL 30

JUL 30