

IDAHO DEPARTMENT OF WATER RESOURCES

12/26/2017

Proof Report

Water Right 78-4130

After Split

Owner Type **Name and Address**
 Current Owner PHIL WALTERS
 PO BOX 397
 NEW MEADOWS, ID 83654
 (208) 347-2482

Current Owner LYNETTE WALTERS
 PO BOX 397
 NEW MEADOWS, ID 83654
 (208) 347-2482

Priority Date: 9/26/1922**Basis:** Decreed**Status:** Active

Source
 THREEMILE CREEK
 SEAWELL CREEK

Tributary
 LITTLE SALMON RIVER
 GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.420 CFS	
	<u>Total Diversion</u>		3.420 CFS	

Source and Point(s) of Diversion

THREEMILE CREEK	SENW	Sec. 9, Twp 19N, Rge 02E, ADAMS County
THREEMILE CREEK	SENW	Sec. 9, Twp 19N, Rge 02E, ADAMS County
SEAWELL CREEK	NWNE	Sec. 35, Twp 20N, Rge 02E, ADAMS County
SEAWELL CREEK	NWNE	Sec. 9, Twp 19N, Rge 02E, ADAMS County(I)
SEAWELL CREEK	SENW	Sec. 9, Twp 19N, Rge 02E, ADAMS County(R)
SEAWELL CREEK	SENW	Sec. 9, Twp 19N, Rge 02E, ADAMS County(R)

Place Of Use

IRRIGATION within ADAMS County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	02E	8				18.0					32.0				27.3	32.6		36.8	146.7
19N	02E	9										17.2 L3	7.0 L4						24.2

POU Total Acres: 170.9

Conditions of Approval:

1. X35 Rights 78-250, 78-251, 78-252, and 78-4130 when combined shall not exceed the irrigation of 170.9 acres.
2. G01 Point of injection into and point(s) of redirection from Threemile Creek.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of

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water rights as determined by the Snake River Basin Adjudication court in the final unified decree entered 08/26/2014.

Comments:

1. CFRITSCH 7/14/2005 Copied from Remarks
WATER IS INJECTED INTO THREEMILE CREEK IN T 20N, R 2E, SEC. 34, SW NE SE.
THERE ARE 2 POINTS OF REDIVERSION FROM THREEMILE CREEK IN T 19N, R 2E, SEC. 9, NW SE NW. THIS IS A FLOOD WATER RIGHT.
2. CFRITSCH 7/14/2005 Memo to File
THE LEGAL DESCRIPTION OF THE P/D FROM SEAWELL CREEK MAY BE IN ERROR. A DITCH APPEARS ON THE ORTHOPHOTOQUAD (R 59) WITH A P/D IN THE SW NW NE OF SEC. 35. THIS DITCH HAS A POINT OF INJECTION INTO AN UNNAMED STREAM ON THE LINE BETWEEN THE NE SW SW AND THE NW SE SW OF SEC. 3, T 19N, R 2E. MR. WALTERS DID NOT THINK THAT THIS WAS HIS SYSTEM, HOWEVER THERE IS NO EVIDENCE OF HIS SYSTEM ON THE ORTHOPHOTOQUAD. THE MAP INDICATES THAT THE POINT OF INJECTION IS IN THE SW NW SE OF SEC. 34 AND THE REMARKS STATE THE POINT OF INJECTION AS BEING IN THE SW NE SE OF SEC. 34. BOTH OF THESE LEGALS MAY BE IN ERROR, AND THE SYSTEM SHOULD BE FIELD INSPECTED TO VERIFY THE LEGAL DESCRIPTIONS.
CLF 1-17-89
3. CFRITSCH 7/14/2005 Source and Priority Date
Statutory Claim stated a single source (Threemile Creek) and a 1940 priority date which was supported by a letter from Leonard M. Wallace. See also Statutory Claim 78-4077 (not claimed in SRBA) which explains the use of Threemile Creek water early in the irrigation season when the Seawell Creek diversion is still snowbound.
However, this will be treated like any floodwater right for lands decreed in Clay v. Clark.
4. Ownership Change 6/27/2016 Split Right
Split into 78-12443
5. dmerriman 6/27/2016 POU
Updated Shape
6. rneely 1/31/2017 Transferred Right
This is now an approved transfer. Transfer Number = 80338
7. Ownership Change 12/22/2017 Split Right
Split into 78-12484
8. djudd 12/22/2017 Split Right
Split into 78-4130 & 78-12484 due to change in ownership.
9. djudd 12/22/2017 POU
Updated Shape

Dates and Other Information

Decreed Date: 11/6/2007

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

12/26/2017

State or Federal: S
Water District Number: 78C
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
78-250 ,78-251 ,78-252 ,78-4130 ,78-12440 ,78-12441 ,78-12442 ,78-12443		184.0

SubCase:

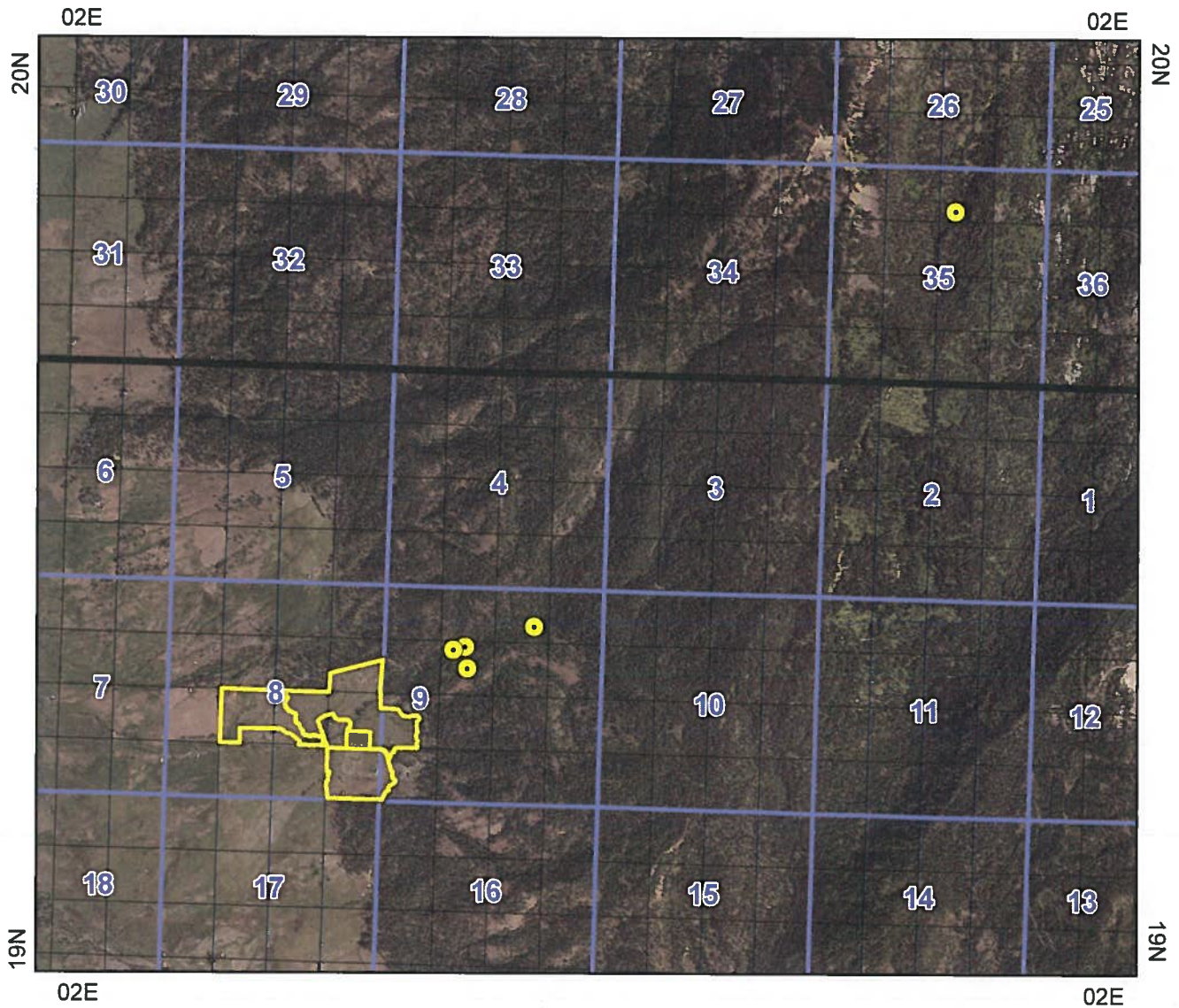
N/A

Water Supply Bank:

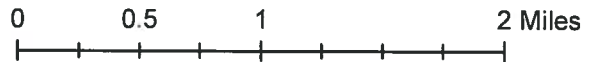
N/A

State of Idaho
Department of Water Resources
Water Right License
78-4130

After Split



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections



IDAHO DEPARTMENT OF WATER RESOURCES

12/21/2017

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Priority Date: 9/26/1922**Basis:** Decreed**Status:** Active

Source
 THREEMILE CREEK
 SEAWELL CREEK

Tributary
 LITTLE SALMON RIVER
 GOOSE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	3.480 CFS	
	<u>Total Diversion</u>		3.480 CFS	

Source and Point(s) of Diversion

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Place Of Use

IRRIGATION within ADAMS County

Twp	Rng	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
19N	02E	8				18.0					32.0				27.7	32.6		36.8	147.1
19N	02E	9										20.0 L3	7.0 L4						27.0

POU Total Acres: 174.1

Conditions of Approval:

1. X35 Rights 78-250, 78-251, 78-252, and 78-4130 when combined shall not exceed the irrigation of 174.1 acres.
2. G01 Point of injection into and point(s) of redirection from Threemile Creek.
3. T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of

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12/21/2017

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Split into 78-12443

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Dates and Other Information

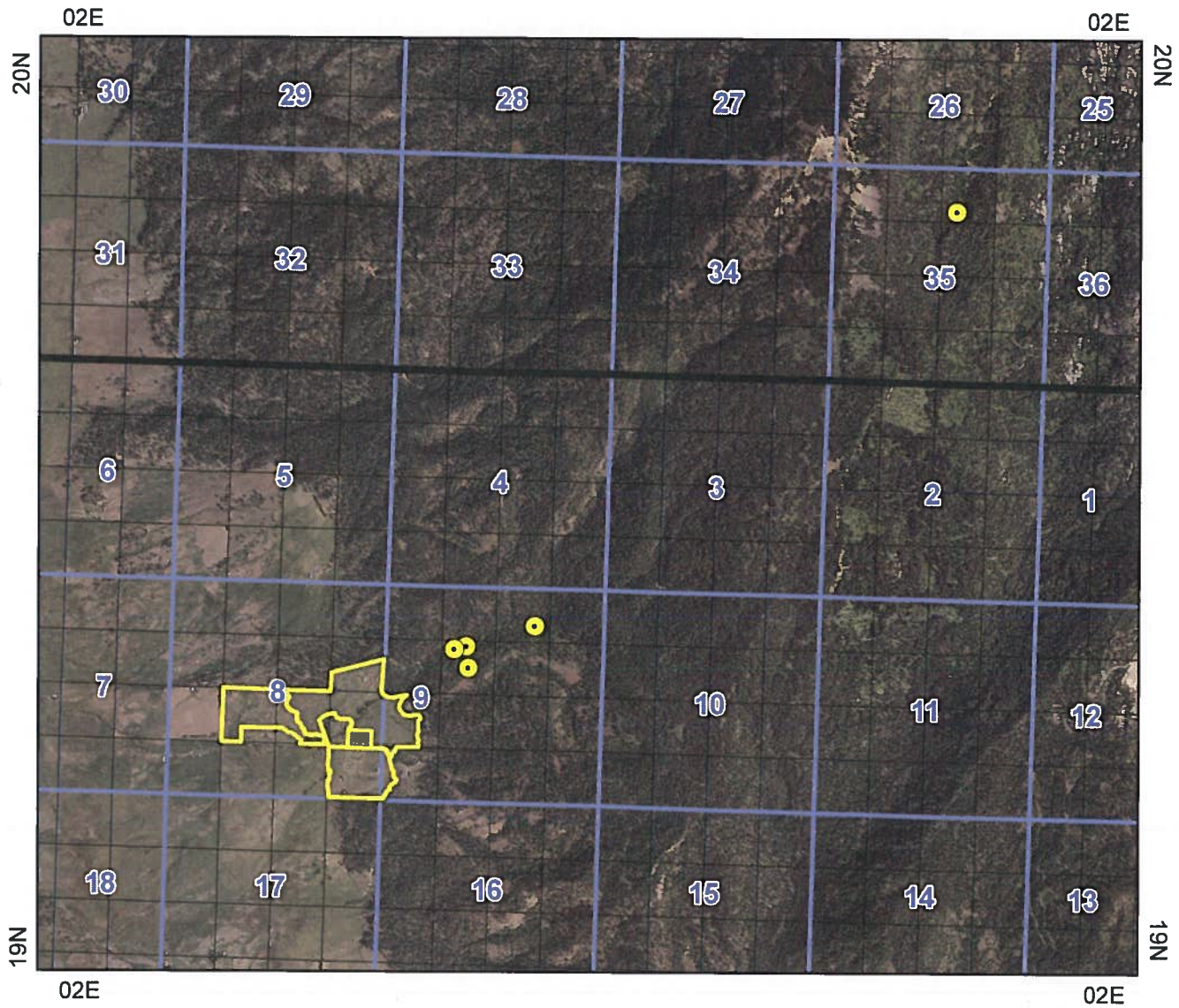
Decreed Date: 11/6/2007
State or Federal: S
Water District Number: 78C
Mitigation Plan: False

Combined Use Limits

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		184.0
78-250 ,78-251 ,78-252 ,78-4130 ,78-12440 ,78-12441 ,78-12442 ,78-12443		

State of Idaho
Department of Water Resources
Water Right License
78-4130

Before Split



-  Point of Diversion
-  Place Of Use Boundary
-  Townships
-  PLS Sections

0 0.5 1 2 Miles

