

IDAHO DEPARTMENT OF WATER RESOURCES
Proof Report

10/4/2024

Water Right 65-2431A

Before Split

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STANLEY N ERSKINE PO BOX 9824 BOISE, ID 83707 (208) 336-4278
Original Owner	MARTHA H COUGHLIN 3120 CRESCENT RIM DR NO 301 BOISE, ID 83706 (208) 344-2847
Original Owner	JAMES J COUGHLIN 3120 CRESCENT RIM DR NO 301 BOISE, ID 83706 (208) 344-2847
Previous Owner	GERALDINE CONWAY 2021 BLAINE WAY BOISE, ID 83702 (208) 336-4278

Priority Date: 8/13/1939

Basis: Decreed

Status: Active

Source
FENCE CREEK

Tributary
SOUTH FORK PAYETTE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	4/15	10/15	0.040 CFS	
	<u>Total Diversion</u>		0.040 CFS	

Source and Point(s) of Diversion:

FENCE CREEK L3(SWNW) Sec. 26, Twp 09N, Rge 08E, BOISE County

Place Of Use:

IRRIGATION within BOISE County

			NE				NW				SW				SE				
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09N	08E	26							0.5 L3			1.5 L3							2.0

POU Total Acres: 2.0

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10/4/2024

Conditions of Approval:

1. C18 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.
2. PLACE OF USE IS LOTS 18 AND 19, BLOCK 1 OF AMENDED JOE LEWIS SUBDIVISION THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH THE NORTHERN MOST POINT OF DIVERSION DESCRIBED ABOVE: 65-10559, 65-06625 AND 65-02431X.

Dates and Other Information:

Decreed Date: 11/3/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

Water Supply Bank:

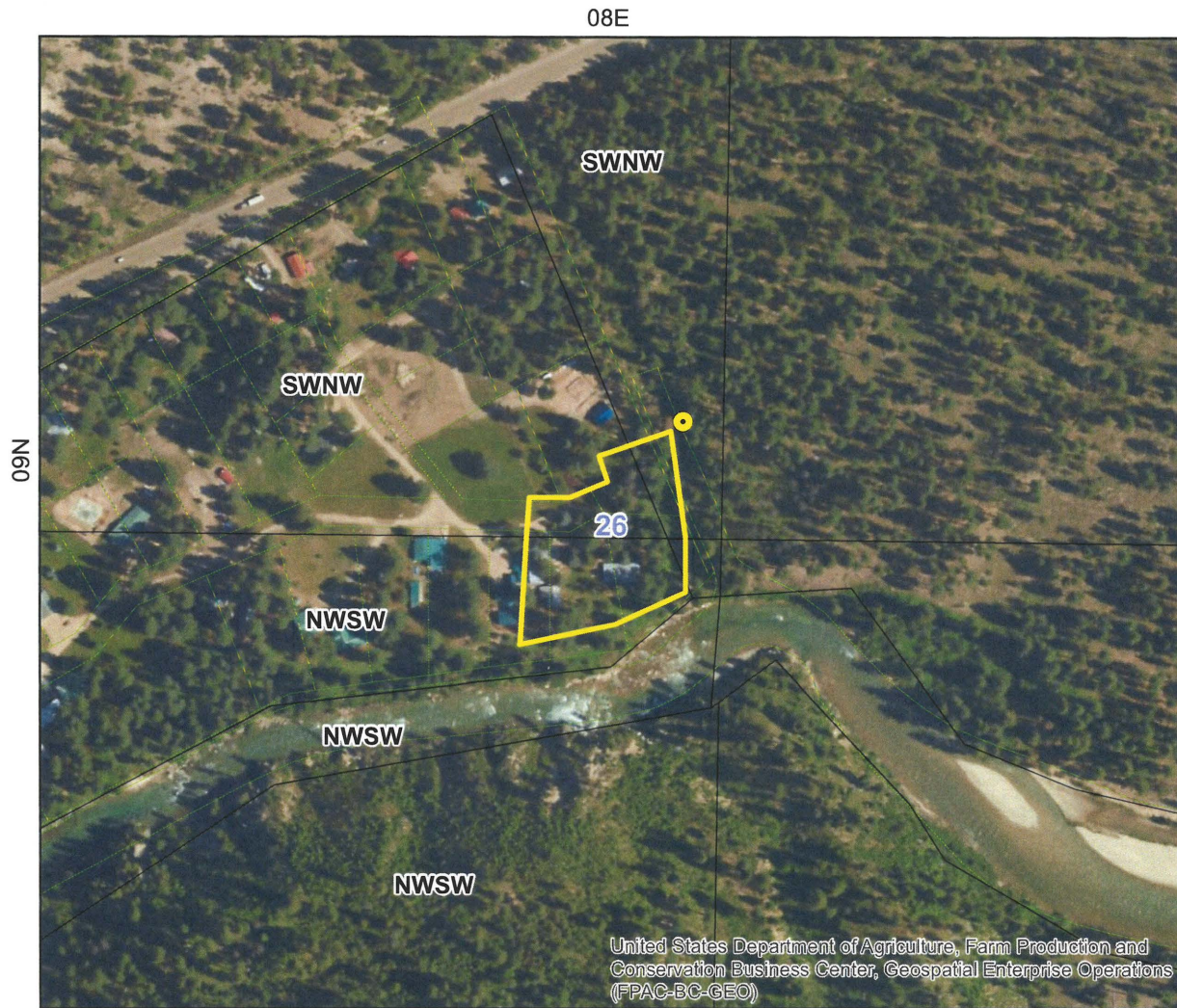
N/A

State of Idaho
Department of Water Resources

Water Right

65-2431 a

before Split



- Place Of Use Boundary
- Point of Diversion
- State Outline
- Taxlots
- Townships
- PLS Sections
- Quarter Quarters

0 0.035 0.07 0.14 Miles



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Proof Report

10/17/2024

Water Right 65-2431A

After Split

Owner Type
Current Owner
Name and Address
STANLEY N ERSKINE
PO BOX 9824
BOISE, ID 83707
(208) 336-4278

Priority Date: 8/13/1939

Basis: Decreed

Status: Active

Source
FENCE CREEK

Tributary
SOUTH FORK PAYETTE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	4/15	10/15	0.030 CFS	
	Total Diversion		0.030 CFS	

Source and Point(s) of Diversion:

FENCE CREEK L3(SWNW) Sec. 26, Twp 09N, Rge 08E, BOISE County

Place Of Use:

IRRIGATION within BOISE County

			NE				NW				SW				SE				Totals
Twp	Rng	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09N	08E	26							0.4 L3				1.0 L3						1.4

POU Total Acres: 1.4

Conditions of Approval:

1. C18 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.
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Comments:

IDAHO DEPARTMENT OF WATER RESOURCES

10/17/2024

Proof Report

- 1 MSCHULTE 12/2/1999 COPIED FROM REMARKS
OWNERSHIP CHANGED BY DB 5/14/98.
- 2 AJU10-JS 1/31/2000 AJU10 CONDITION UPDATE
CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.
- 3 slester 6/26/2013 Issues for Possible POD Changes
Fence Creek rights serve Joe Lewis Subd. & a few adjacent lots north of Lowman along Hwy 21 & South Fork Payette River. Rights for subd. lots are in individual names, not in an organization name. Right for Fence Creek Water Users Assoc. is for land next to the subd, not within the subd. A few rights also include a spring(s) located away from the creek. Distribution etc. problems were prevalent in early 2000s, see 8/14/2001 dept. letter to users for summary. All rights use 1 of 2 PODs from creek. This consists of 2 adjacent pipelines right next to west side of Hwy 21, POU is on east side of road. Diversions are on national forest land, which also surrounds the POU. Per Steve Spencer of USFS, Forest Service is working on updating special use permits for the diversions and hopes to issue 1 permit for both systems, although they think that might not work out so neatly. Forest Service concerned about possible creek POD change to move further upslope, also on national forest land. Possible change might be within same legal description as current PODs. Transfer Memo #24 notes even this type of change within same legal might be subject to transfer process. In this case if any POD changes are proposed, dept. should at least notify Forest Service for comments prior to determining if a transfer is required. The decision about whether transfer applies should be left to dept. managers/administration since it involves a policy issue beyond the scope of most staff.
- 4 CParker 10/17/2024 Split Right
Split into 65-24329.
- 5 CParker 10/17/2024 POU
Updated Shape for WaterUseCode 01

Dates and Other Information:

Decreed Date: 11/3/2000
Civil Case Number: 39576
Judicial District: FIFTH
State or Federal: S
Water District Number: 65
Mitigation Plan: False

Combined Use Limits:

N/A

SubCase:

N/A

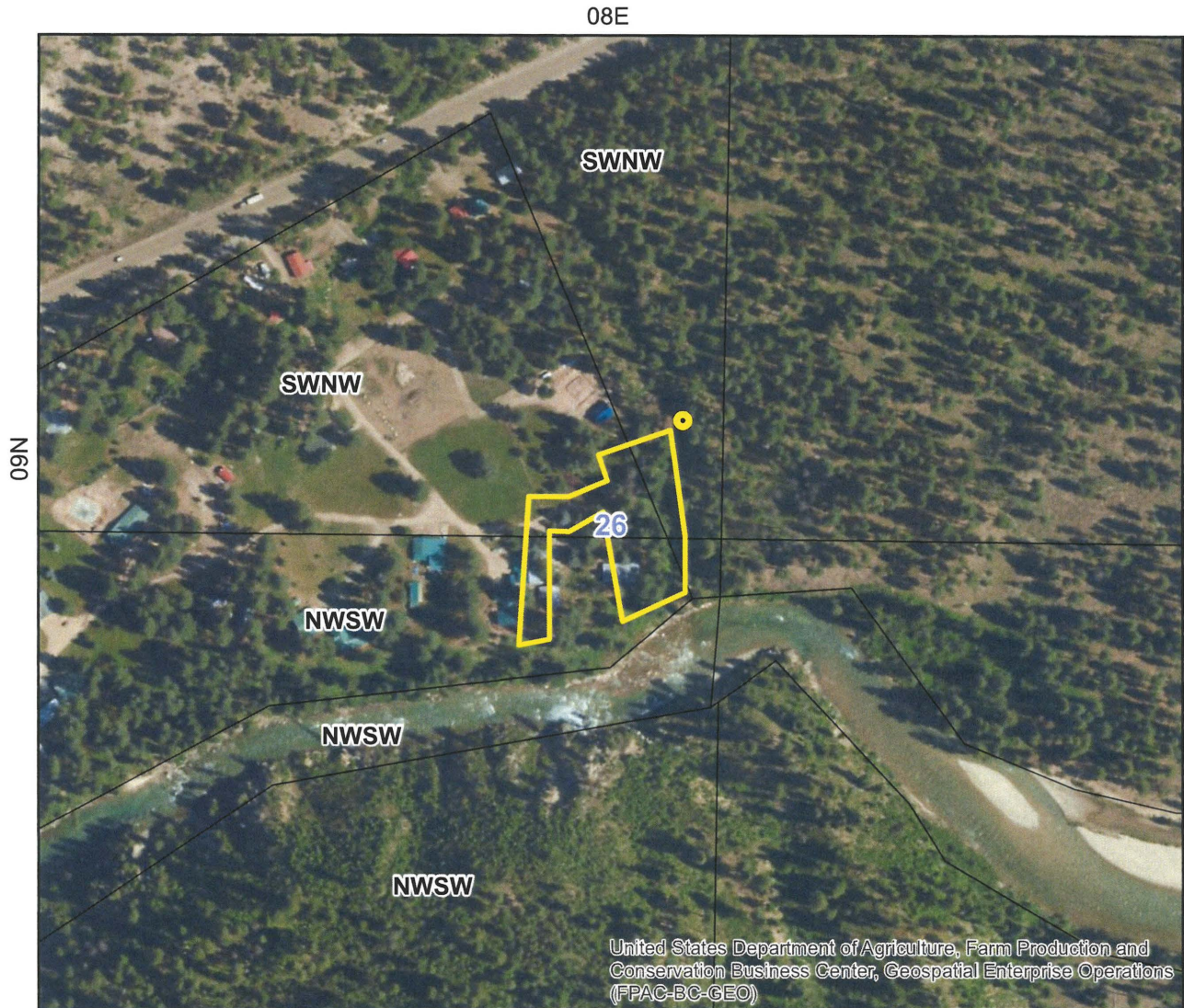
Water Supply Bank:

N/A

State of Idaho
Department of Water Resources
Attachment to Water Right
65-2431A

After Split

This map depicts the IRRIGATION place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



0 0.035 0.07 0.14 Miles

-  Place Of Use Boundary
-  Point of Diversion
-  State Outline
-  Townships
-  PLS Sections
-  Quarter Quarters

