

10/17/2006

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

RIGHT NUMBER: 63-28282

NAME AND ADDRESS: DAVID VASTINE
105 FLORADA AVE
PIEDMONT CA 94611

SOURCE: SPRING

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.320 CFS
32.20 AFY

Right Nos. 63-2256, 63-2711, 63-2938, 63-3056 and 63-28282 are limited to a total combined diversion rate of 5.08 cfs.

PRIORITY DATE: 11/15/1959

POINT OF DIVERSION:
T01S R02W S26 NWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER STORAGE	01/01 12/30	3.20 AFY
WILDLIFE STORAGE	01/01 12/31	32.20 AFY
IRRIGATION	03/01 11/15	0.320 CFS 141.30 AFY
STOCKWATER	01/01 12/31	0.070 CFS 3.20 AFY
WILDLIFE		
IRRIGATION FROM STORAGE	03/01 11/15	32.20 AFY
IRRIGATION STORAGE	01/01 11/15	32.20 AFY
DIVERSION TO STORAGE	01/01 12/31	0.320 CFS

PLACE OF USE: IRRIGATION Within CANYON County

T01S R02W S23	SESW	4.40	T01S R02W S26	NWNE	9.00
T01S R02W S26	NENW	18.00			

IRRIGATION FROM STORAGE Within CANYON County

T01S R02W S23	SESW	4.40	T01S R02W S26	NWNE	9.00
T01S R02W S26	NENW	18.00			

STOCKWATER Within CANYON County

T01S R02W S23	SESW		T01S R02W S26	NWNE	
T01S R02W S26	NENW				

WILDLIFE Within CANYON County

T01S R02W S26	NWNE	
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31.4 ACRES TOTAL

Right Nos. 63-2256, 63-2711, 63-2938, 63-3056 and 63-28282 are limited to the irrigation of a combined total of 254 acres in a single irrigation season.

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: BASIS OF CLAIM - Beneficial Use

Use of this right is combined with water from Boise-Kuna Irrigation District.

Stockwater use is for 241 stock.



Idaho Department of Water Resources

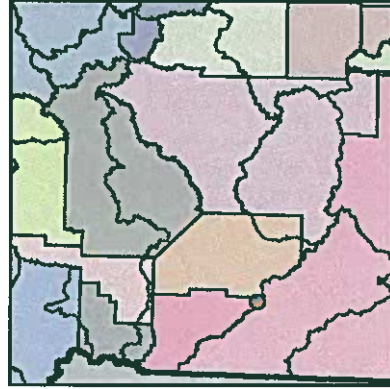
SRBA Recommendation:

63-28282

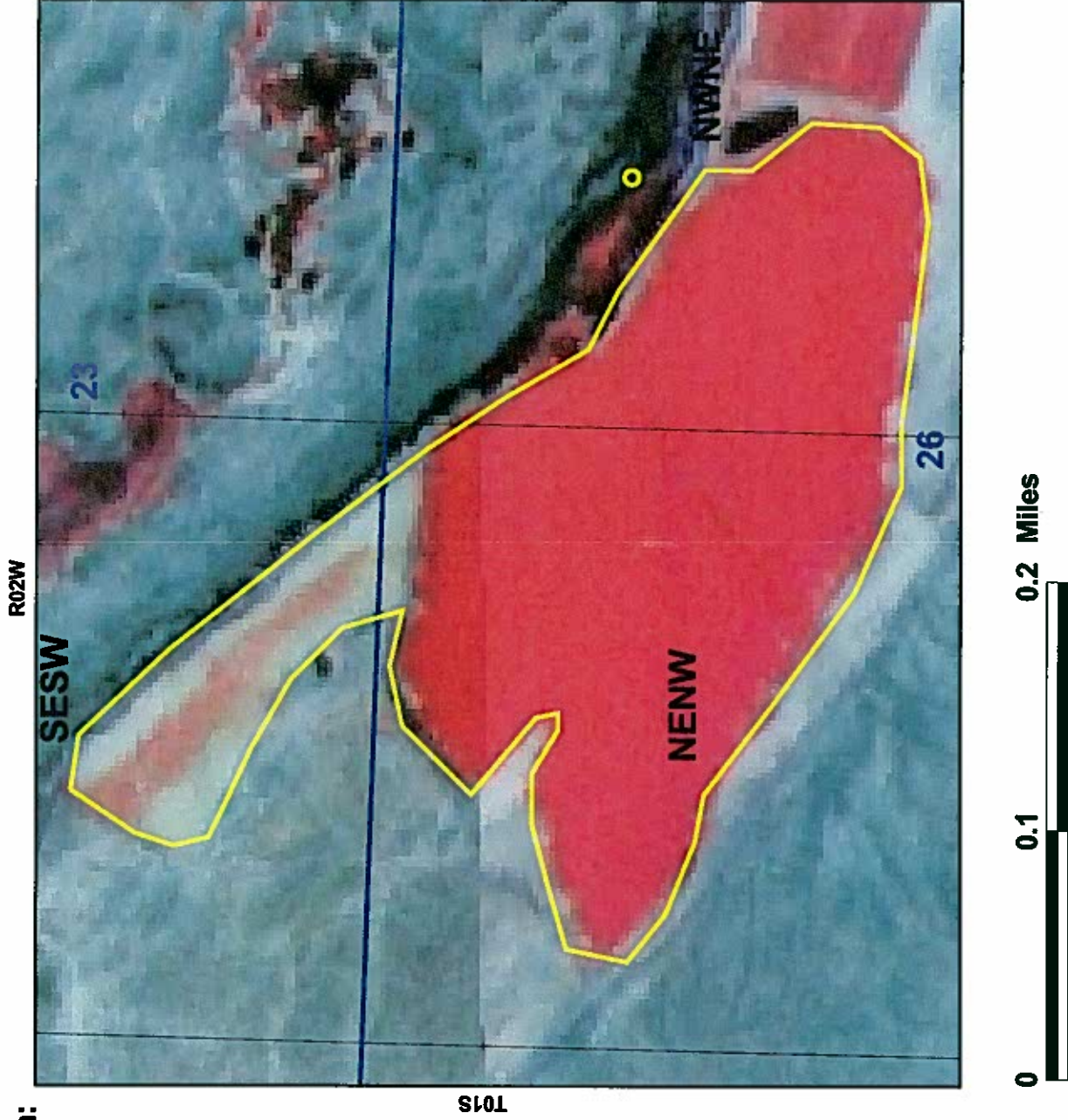
(Irrigation)

Legend

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



Canyon County
IDWR Basin 63



Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography

PLACE OF USE OVERLAP REVIEW

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-28282

WATER RIGHT NUMBER: 63-28282

Owner Type Name and Address
 Current Owner DAVID VASTINE
 105 FLORADA AVE
 PIEDMONT, CA 94611
 (510) 847-8944

Priority Date: 08/01/1954
 Basis: Beneficial Use
 Status: Active

*SCS PHOTOS IN SOIL SURVEY OF 1972
 1957-64 PHOTOGRAPHY*

Source Tributary
 SPRING SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	1/01 to 12/31	0.020 CFS	
WILDLIFE	1/01 to 12/31		5.00 AF
IRRIGATION FROM STORAGE	3/15 to 11/15	0.640 CFS	
IRRIGATION STORAGE	3/15 to 11/15		5.00 AF
DIVERSION TO STORAGE	1/01 to 12/31	0.300 CFS	
<u>Total Diversion:</u>		0.640 CFS	144.00 AF

Location of Point(s) of Diversion

SPRING NW1/4NE1/4 Sec. 26, Twp 01S, Rge 02W, B.M.
 CANYON County

*PASCHETTI DRAW CENTRAL ELECTRIC ST. LOUIS
 MODEL - SC254UCZ-KCA
 SPEC # 51506 EM19 305687 06*

Place of Use
 STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01S	02W	23	X				
01S	02W	26		X			

WILDLIFE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
01S	02W	26	X				

Page 2

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-28282

IRRIGATION FROM STORAGE same as STOCKWATER

Conditions of Approval:

Remarks:

Comments:

Water Supply Bank:



Idaho Department of Water Resources

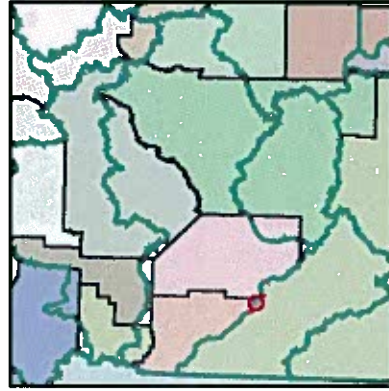
SRBA Claim:

63-28282

(Stockwater)

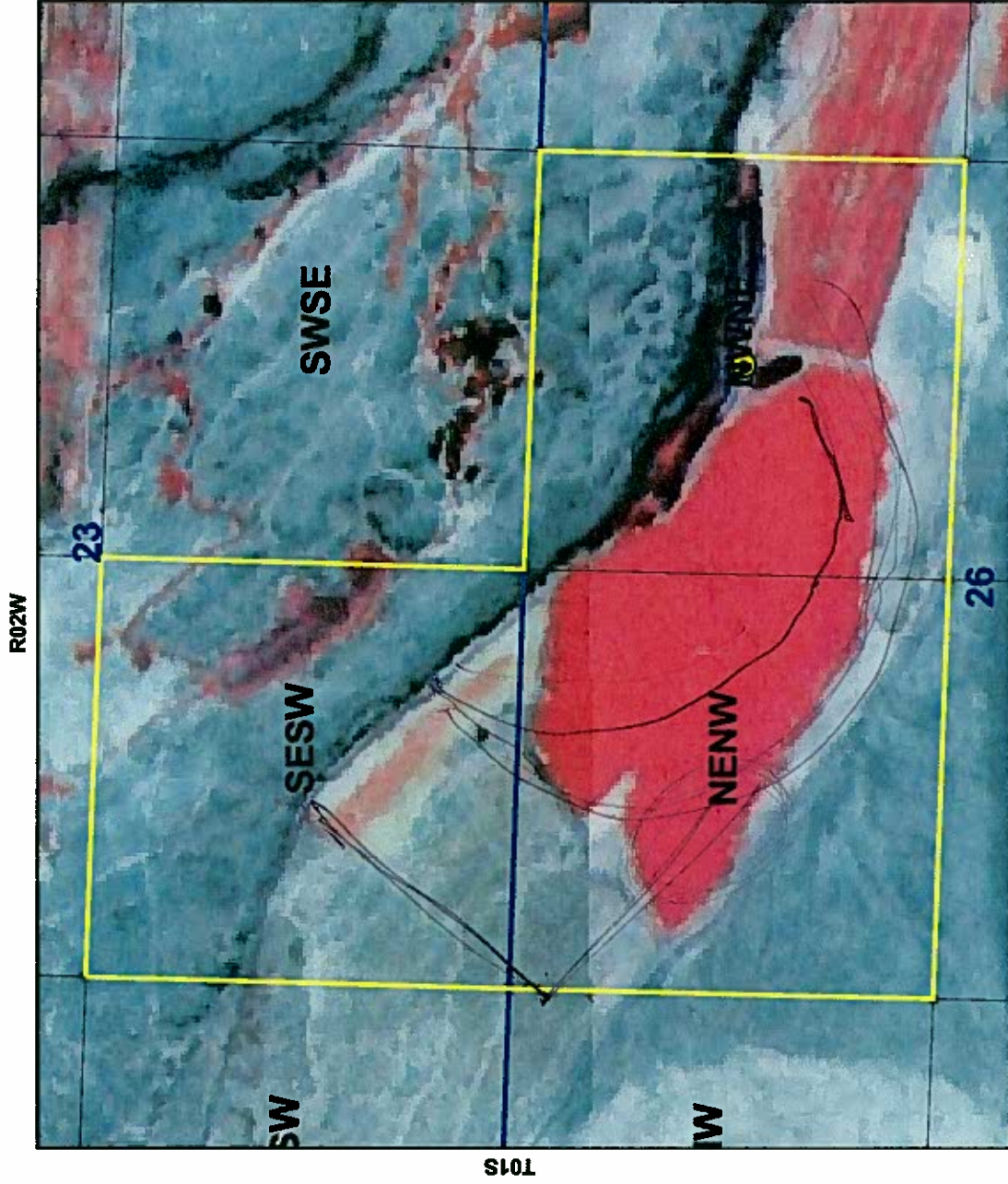
Legend

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



Canyon County
IDWR Basin 63

Prepared by M. Ciscell
On Thursday, June 8, 2006
1987/88 Aerial Photography



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: A63-28282
Date Received: 4/13/1990
Receipt No: W011963
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: DAVID VASTINE
Address: 297 ST JAMES DR
PIEDMONT CA

94611

2. Date of Priority: AUG 1, 1954

3. Source: SPRING

Trib. to: SNAKE RIVER

4. Point of Diversion:

Department of Water Resources
Western Regional Office

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	26	NW	NE			CANYON

5. Description of diverting works:
CONSTRUCTED POND SPRING INFLOW, TWO 10HP VERTICAL TURBINE PUMPS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
DIVERSION TO STORAGE	01/01	12/31	0.300		
IRRIGATION STORAGE	03/15	11/15			5.00
IRRIGATION FROM STORAGE	03/15	11/15	0.640		
WILDLIFE	01/01	12/31			5.00
STOCKWATER	01/01	12/31	0.020		

7. Total Quantity Appropriated is:
0.640 C.F.S. (and/or) 144.00 A.F.A.

8. Total consumptive use is 112.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER, 100 HEAD, WILDLIFE HABITAT FOR FISH AND WATER FOWL

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	23	SE	SW		IRR STOCK	7.0
					Section Acres		7.0
		26	NW	NE		IRR	7.0
			NW	NE		WILDLF	
			NW	NE		STOCK	
			NE	NW		IRR	18.0
			NE	NW		STOCK	
					Section Acres		25.0
					Total Acres		32.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

A63-28279, A63-28280, A63-28281

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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:

Ident. Number

Date Received

Receipt Number

39576

A63-38282

W011963

Should questions arise during
the processing of this applica-
tion please contact:

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

RECEIVED

APR 13 1990

Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) David Vastine Phone (415) 444-0603

Mailing Address 297 St. James Drive, Piedmont, CA Zip 94611

2. Date of Priority (Only one (1) per claim) August 1, 1954

3. Source of water supply (a) Spring
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 1S Range 2W Section 26,
1/4 of NW 1/4 of NE 1/4, Govt. Lot, B.M., County of

Additional points of diversion if any: None

b. If instream flow, beginning point of claimed instream flow is: N/A

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. Constructed pond spring inflow, 2-10 HP
vertical turbine pumps.

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AUG 02 1994

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Diversion to storage purposes from 1/1 to 12/31 amount .30 or _____

For Storage for irrigation purposes from 3/15 to 11/15 amount _____ or 5
Irrigation from storage 3/15 11/15 .64

For Wildlife purposes from 1/1 to 12/31 amount _____ or 5

For Stock water purposes from 1/1 to 12/31 amount .02 or _____

7. Total quantity claimed (a) .64 (cfs) and/or (b) 144 (acre feet)

8. Total consumptive use claimed is 112 acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) Stock water for 100 head of stock, wildlife habitat for fish and water fowl.

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	
1S	2W	23												7					7
1S	2W	26		7			18												25
1S	2W	23												S					
1S	2W	26		S/W			S												

Total number of acres irrigated 32

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

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.
 _____ or None (X)

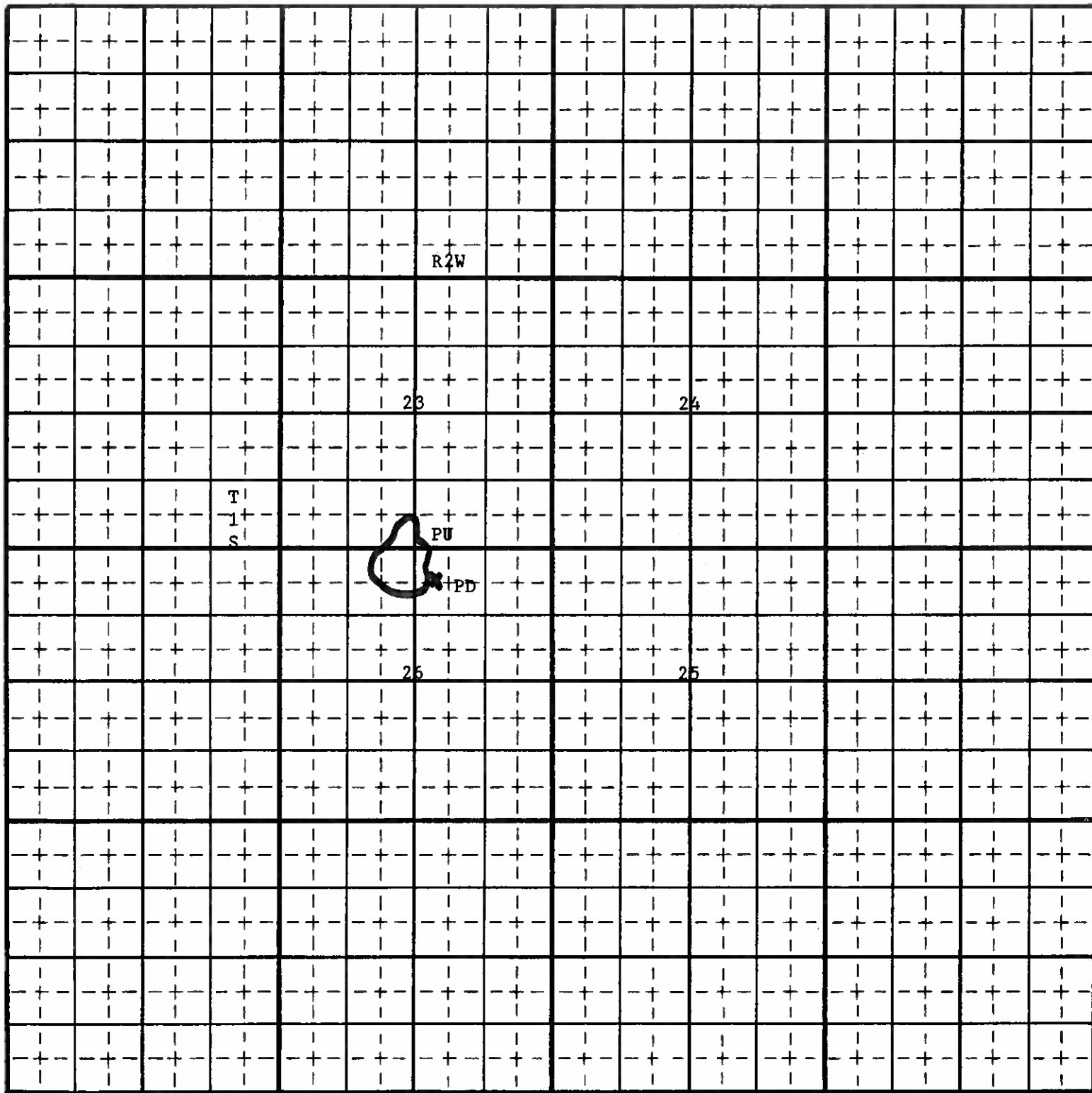
14. Remarks:

Last Name Vastine Ident No. _____

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 Copies: White - State, Yellow - Claimant
 AUG 02 1994

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 Vastine Ident No. _____

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Copies: White-State, Yellow-Claimant
AUG 02 1994

15. Basis of Claim (check one) Beneficial Use X 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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments 0

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

Signature of Claimant (s) David W. Vastine Date 4/12/90

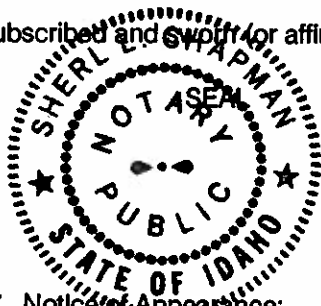
Date _____

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 Ada) SS.

Subscribed and sworn to (or affirmed) before me this 12 day of April 19 90



Notary Public Sherle Chapman

Residing at 2889 Cobble Way, Meridian, ID 83642

My Commission Expires 6/14/94

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 Vastine Ident. Number _____

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Copies White-State, Yellow-Claimant
AUG 02 1994

ADJUDICATION CLAIM REVIEW CHECKLIST

12-1-92

CLAIMANT'S NAME

Uastore

CLAIM IDENT. NO.

A63-28282DATE RECEIVED 4/13/92 RECEIPT # W01963 FEE PAID \$ 80.- FEE REQ'D \$ 80.-

	YES	NO	Required Info?
1. Is the name and address complete with zip code?	☒	☐	*
2. Is a priority date entered?	☒	☐	*
Is the priority date acceptable in view of mandatory filing dates? See Adjudication Memos #1 and #4 to determine if a Permit is required.			
3. (a) Is a source entered?	☒	☐	*
(b) Is a tributary to entered? (if required)	☒	☐	
4. Is the legal description of the p.d. sufficient?	☒	☐	*
5. Is there a description of the diverting works?	☒	☐	
6. Are the water uses appropriate for the form? The short form is limited to D/S uses. Other uses must be filed on the long form. Note: If stockwater stor. or instream stockwater are filed on the short form & all items complete, do not return claim.	☒	☐	*
Is the period of use included?	☒	☐	
Is a quantity claimed for each use?	☒	☐	*
Is a total quantity claimed entered?	☒	☐	
If required is a consumptive use entered?	☒	☐	
Is the consumptive use correct?	☒	☐	
Are the non-irrigation uses listed showing # of homes, hd. of stock?	☒	☐	*
If multiple domestic, is single ownership indicated?	☒	☐	
7. Is (are) the place(s) of use and purpose(s) indicated?	☒	☐	*
1. Is (are) the county(ies) entered?	☒	☐	
2. Is the ownership of p.u. checked?	☒	☐	
3. Are other water rights listed or "none" indicated?	☒	☐	
4. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.)	☒	☐	
5. Is the basis of the claim indicated?	☒	☐	
6. If the basis of claim is shown as license, permit, or decree is the existing water right no. listed?	☒	☐	
If yes, compare claim w/existing right and attach proof report noting any differences in comments.	☒	☐	
If no, was water right no. found?	☐	☐	*
7. If the basis of claim is shown as beneficial use, or not marked, are there existing water rights shown in our records using the legal description or name on the claim?	☐	☒	
(If yes, attach a proof report & complete number change)	☐	☐	
NOTE: If the claim is for dom/stock this check is not as necessary unless it is located within an area where dom/stock rights were decreed.			
8. If the claimant requested a monthly docket sheet, was the fee paid?	☒	☐	
9. Is the claim signed by the claimant, and is the signature appropriate?	☒	☐	*
10. Has the claim been signed, sealed, and dated by a notary?	☒	☐	*
11. Was this claim filed on time? (Check ML3 for date mailed-not all were mailed on the planned date) If no, was an extension of time filed & approved?	☒	☐	*
12. Is the fee enclosed correct?	☐	☐	

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AUG 02 1994

Date Received

RECEIVED
APR 13 1990

1/26

State of Idaho
Department of Water Resources
**REQUEST FOR EXTENSION OF TIME
TO FILE ADJUDICATION CLAIM(S)**

Department of Water Resources
Western Regional Office

The Idaho Department of Water Resources will consider this form as a request by the claimant for an additional period of time in which to file claim(s) beyond the 90 days allowed by Section 42-1409(10), Idaho Code.

David Vastine (last) 444 0603
Name of Claimant Phone Number

297 St James Drive Piedmont Ca 94111
Mailing Address City State Zip

Canyon March 1 1990
County(s) where place of use is located Date claim originally due

All lands owned by Mr Vastine in T15 R26W (Three Ranches)
Identify water right(s) for which extension is requested

State why an extension of time is requested explaining how a diligent effort has been made to meet the deadline:

The property has recently been purchased by Mr Vastine.
The previous owner, Mr Evans has most of the
actual water right data and use information Mr
Evans is out of state and will not return until
after March 9, 1990.

Claimant requests an extension to April 15, 19 90

Sheld H Chapman 2/13/90, 19 90
Signature Date of request

Agent
Title

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

The above request for extension of time is hereby [☒ granted] [☐ denied] for the following reasons:

and if granted the filing deadline is extended to April 16, 19 90

Signed this 11 day of March, 19 90

DAVID B. SHAW
Director or his designated agent

Mail to: Idaho Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706

DAVID B. SHAW

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AUG 02 1994

MAR 13 1990