

11/14/2006
RECEIVED
DEC 22 2006
DEPARTMENT OF
WATER RESOURCES

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-2076

NANCY E CHANDLER
1227 US HWY 95
WEISER ID 83672
Telephone Number: (208) 549-0939

FRANK V CHANDLER
1227 US HWY 95
WEISER ID 83672
Telephone Number: (208) 549-0939

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 12-8-2006 SIGNATURE: Kirk R. Chandler

Please print your name: Kirk R. Chandler

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED

DEC 22 2006

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: A67-02076

Date Received: 9/19/1989

Receipt No: W060000(25)

Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK V. CHANDLER 208-549-0939
Address: 1227 U S HWY 95
WEISER, ID 83672

OR

Name: NANCY E. CHANDLER 208-549-0939
Address: 1227 U S HWY 95
WEISER, ID 83672

2. Date of Priority: SEP 09, 1912

3. Source: APPLEGATE SPRING Trib. to: MONROE CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
12N	05W	20	NE	SE			WASHINGTON

5. Description of diverting works:
PIPE FROM STREAM TO TROUGH W/INSTREAM STOCKWATERING ALSO.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION (^{1/2 AC} DOMESTIC)	03/15	11/15	0.050		2.30 2.25
STOCKWATER	01/01	12/31	0.100		2.00 2.00

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

6.50 A.F.A.

4.25

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 RANGE.

A67-02076

Page 1

Date: 09/19/89

SCANNED
MAY 10 2004

MICROFILMED

OCT 01 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12N	05W	20	NE	SE		IRR	0.5
			NE	SE		STOCK	

Section Acres 0.5

Total Acres 0.5

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: DECREED

Case Number:

Court :

Decree date:

MONROE CREEK IRRIGATION DISTRI
Decree Plaintiff

vs

DON DICKERSON, ET AL.
Decree 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 *Map filed in A67-00700*

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): *Frank W. Chandler* Date: *9/19/89*
Nancy E. Chandler Date: *9-19-89*

State of Idaho)
County of *ADA*) SS.

Subscribed and sworn (or affirmed) before me this *19th* day

of *September* 19 *89*

Jan Thunte
Notary Public

Residing at *Meridian ID*
My Commission Expires *9-14-94*



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2076 V1

WATER RIGHT NUMBER: 67-2076 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	NANCY E CHANDLER 1227 US HWY 95 WEISER, ID 83672 (208)549-0939
Current Owner	FRANK V CHANDLER 1227 US HWY 95 WEISER, ID 83672 (208)549-0939

Priority Date: 09/09/1912

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
APPLEGATE SPRING	MONROE CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.150 CFS	4.25 AF
	<u>Total Diversion:</u>	0.100 CFS	4.25 AF

Location of Point(s) of Diversion

APPLEGATE SPRING	NE1/4SE1/4	Sec. 20, Twp 12N, Rge 05W, B.M.
WASHINGTON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	05W	20																	X

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. The domestic use under this right is for stockwater for up to 150 head of range cattle and the irrigation of up to 1/2 acre.
3. C04 Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2076 V1

Comments:

1. mcase 6/17/2004 POD
Comment: POD shape not created - not on claim map.
2. mcase 6/17/2004 Period of Use
Comment: Decreed period of use is longer than current standard Season of Use.
3. mcase 6/17/2004 Quantity
Comment: It looks like they are claiming only .5 acres of irrigation, instead of 1 acre decreed.

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	6/17/2004 3:39:44 PM	mcase			Active
POD	6/17/2004 3:41:37 PM	mcase			Active
Source	6/17/2004 3:42:22 PM	mcase			Active
POU	6/17/2004 3:42:43 PM	mcase			Active
Use	6/17/2004 3:43:08 PM	mcase			Active
Season	6/17/2004 3:44:37 PM	mcase			Active
Quantity	6/17/2004 3:45:37 PM	mcase			Active
Quantity	6/17/2004 3:47:57 PM	mcase			Active
Use	9/15/2006 10:13:43 AM	dnarsavage			Active
Summary			09/15/2006	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	9/15/2006 10:08:52 AM	dnarsavage	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2076 V1

Use	9/15/2006 10:13:44 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (No) 5. Can the claimed Purpose of Use be verified using the water right file? (Yes) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 7 - Changed to de minimus domestic use for watering cattle and irrigating 0.5 acre Description for Question 10,11,12 - De minimus fee paid.
Summary	9/15/2006 10:14:31 AM	dnarsavage	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	1/5/2004 8:37:49 AM	awarntje	Edited shape boundary
POU	1/5/2004 8:46:36 AM	awarntje	Edited shape boundary
POU	1/5/2004 8:48:52 AM	awarntje	Edited shape boundary
Quantity	6/17/2004 3:47:58 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion decreed for 6.5 AF. Only claimed half of irrigated acres, so annual diversion is 4.3 AF.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2076 V1

Season	6/17/2004 3:44:38 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
Quantity	6/17/2004 3:45:38 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
POD	6/17/2004 3:41:38 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
Source	6/17/2004 3:42:23 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
Priority Date	6/17/2004 3:39:45 PM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	6/17/2004 3:42:44 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	6/17/2004 3:43:09 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
POU	6/17/2004 3:49:12 PM	mcase	Created polygon from PLS
POD	9/15/2006 9:46:49 AM	dnarsavage	Updated shape
POU	1/5/2004 8:35:23 AM	awarntje	Edited shape boundary



Idaho Department of Water Resources

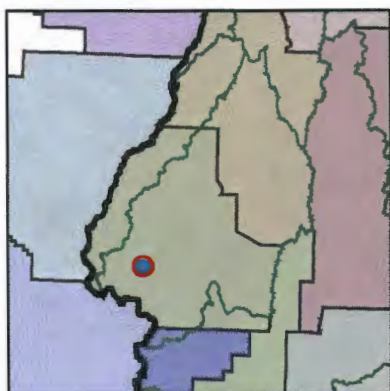
SRBA Recommendation:

67-2076

(Domestic)

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by D. Narsavage
On Friday, September 15, 2006
1987/88 Aerial Photography