

12/13/2006

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

RIGHT NUMBER: 67-2171

NAME AND ADDRESS: MARC ANDERSON
1461 LARSEN RD
WEISER ID 83672

JEANETTE ANDERSON
1461 LARSEN RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.600 CFS
135.000 AFY

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 05/05/1937

POINT OF DIVERSION:

T10N R05W S8 SWNE Within WASHINGTON County
T10N R05W S8 SEENE Within WASHINGTON County
T10N R05W S8 SEENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	0.600 CFS
DOMESTIC	01/01 12/31	0.040 CFS
Domestic use is for 1 home.		

PLACE OF USE: IRRIGATION in WASHINGTON County

T10N R05W S08 NENE 20.00 T10N R05W S08 SENE 10.00

DOMESTIC in WASHINGTON County

T10N R05W S08 SENE

30 ACRES TOTAL

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.

The quantity of water decreed for this water right for domestic use is not
a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in point of diversion pursuant to Section
42-1425, Idaho Code.

Parcel #: RP10N05W080320A

P/D changer made
per Notice of Error.

lg
12/13/06



Idaho Department of Water Resources

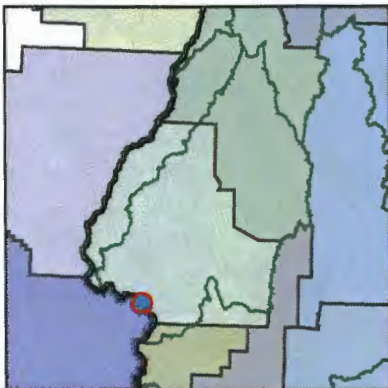
SRBA Recommendation:

67-2171

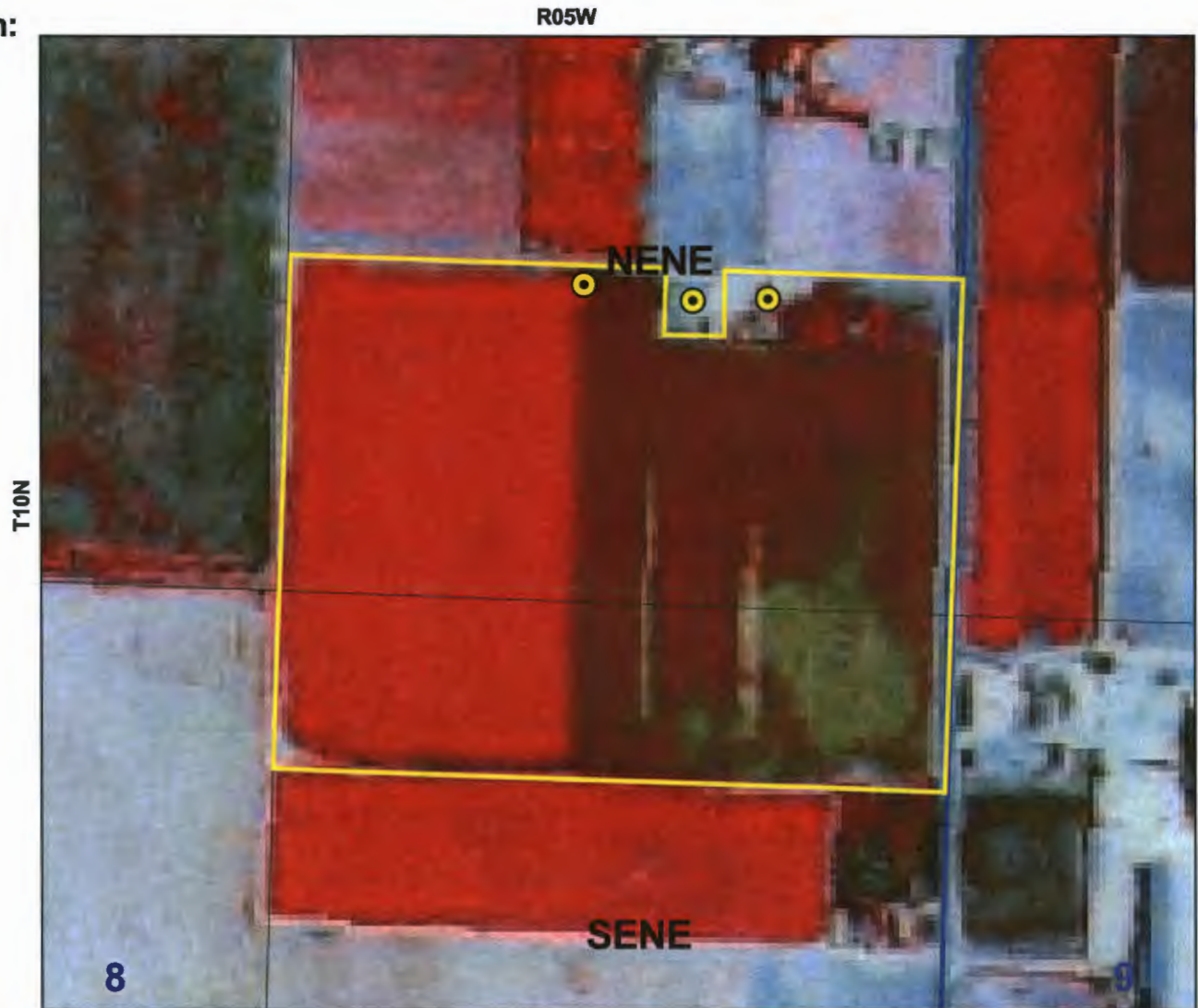
(Irrigation)

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 L. Graves
On Wednesday, December 13, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2171 V1

WATER RIGHT NUMBER: 67-2171 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARC ANDERSON 1461 LARSEN RD WEISER, ID 83672 (208)549-0429
Original Owner	LOWELL ANDERSON WEISER, ID 83672
Current Owner	JEANETTE ANDERSON 1461 LARSEN RD WEISER, ID 83672 (208)549-0429

Priority Date: 05/05/1937

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/01 to 11/15	0.600 CFS	
DOMESTIC	01/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.600 CFS	135.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4NE1/4NE1/4	Sec. 8,	Twp 10N,	Rge 05W, B.M.
WASHINGTON County				
GROUND WATER	SW1/4NE1/4NE1/4	Sec. 8,	Twp 10N,	Rge 05W, B.M.
WASHINGTON County				
GROUND WATER	SE1/4NE1/4NE1/4	Sec. 8,	Twp 10N,	Rge 05W, B.M.
WASHINGTON County				

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N	05W	8	20.0			10.0													30.0

Total Acres: 30

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2171 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N 05W 8				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. X01 Domestic use is for 1 home.
3. N10 The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. N12 The quantity of water under this right for domestic use shall not exceed 13,000 gallons per day.
6. Parcel #: RP10N05W080320A

Remarks:Comments:

1. mcase 4/26/2004 POD

Comment: 1 well licensed. Two wells claimed.

2. mcase 4/26/2004 POU

Comment: Domestic right claimed in SENE QQ. I created a shape for the domestic POU by digitizing around domestic area in that QQ, but the tax lot information does not match.

3. mcase 4/26/2004 Period of Use

Comment: No licensed Period of Use. I recommended the standard Season of Use.

4. csaxton 7/21/2006 DOMESTIC

Comment: Recommend domestic in the NENE as that fits the photography and makes more sense.

5. csaxton 7/21/2006 Quantity

Comment: Actual license does not list a diversion rate. But the water right record on the database reads 0.60 cfs and that is what was permitted and claimed in the SRBA. Recommend 0.60 cfs.

6. csaxton 7/21/2006 POD

Comment: Added third POD as described in the comments on the claim. I think only two lines were listed because there are two wells in the same QQQ and the notes were supposed to tell us that there are actually three wells.

7. Igraves 12/13/2006 Notice of Error

Comment: P/d locations changed per notice of error.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2171 V1

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: AND
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:

Water Supply Bank:

11/17/2006

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: 67-2171

MARC ANDERSON
1461 LARSEN RD
WEISER ID 83672
Telephone Number: (208)549-0429

JEANETTE ANDERSON
1461 LARSEN RD
WEISER ID 83672
Telephone Number: (208)549-0429

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Change point of diversion to reflect attached maps.

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:

☐ I AGREE with this proposed recommendation, no changes need to be made.

DATE: _____ SIGNATURE: *Marc A. Anderson*

Please print your name: _____

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

SCANNED
DEC 08 2006



Idaho Department of Water Resources

SCANNED
DEC 08 2006

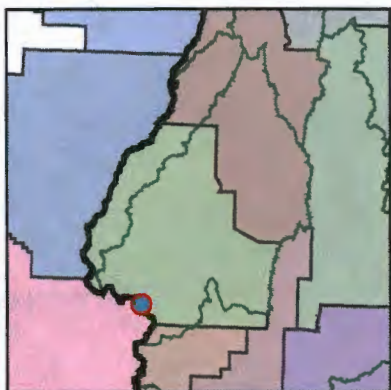
SRBA Recommendation:

67-2171

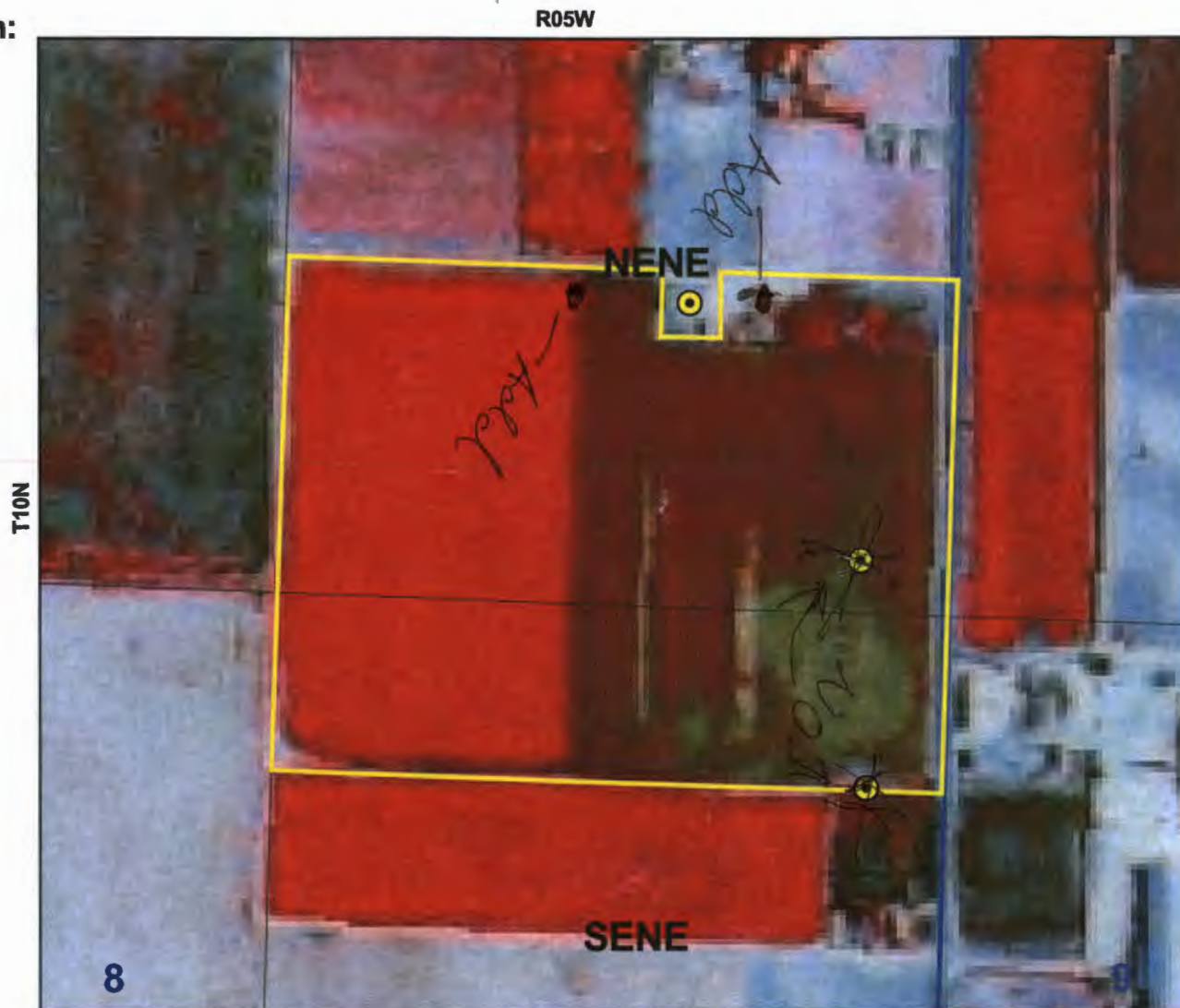
(Irrigation)

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 IDWR State Office
On Friday, November 17, 2006
1987/88 Aerial Photography

07/21/2006

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

RIGHT NUMBER: 67-2171

NAME AND ADDRESS: MARC ANDERSON
RT 3 BOX 164
WEISER ID 83672

JEANETTE ANDERSON
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.600 CFS
135.000 AFY

The quantity of water under this right for domestic use shall not exceed
13,000 gallons per day.

PRIORITY DATE: 05/05/1937

POINT OF DIVERSION:

T10N R05W S8 SENENE Within WASHINGTON County

T10N R05W S8 SENENE Within WASHINGTON County

T10N R05W S8 NESENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
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DOMESTIC Within WASHINGTON County

T10N R05W S08 SENE

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Parcel #: RP10N05W080320A



Idaho Department of Water Resources

SRBA Recommendation:

67-2171

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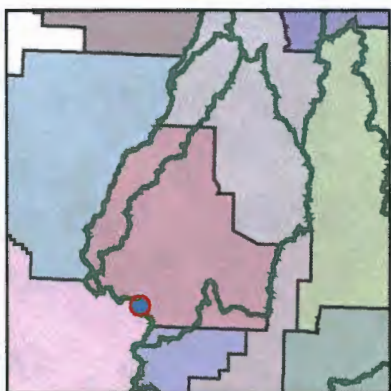
● Point of Diversion

□ Place of Use

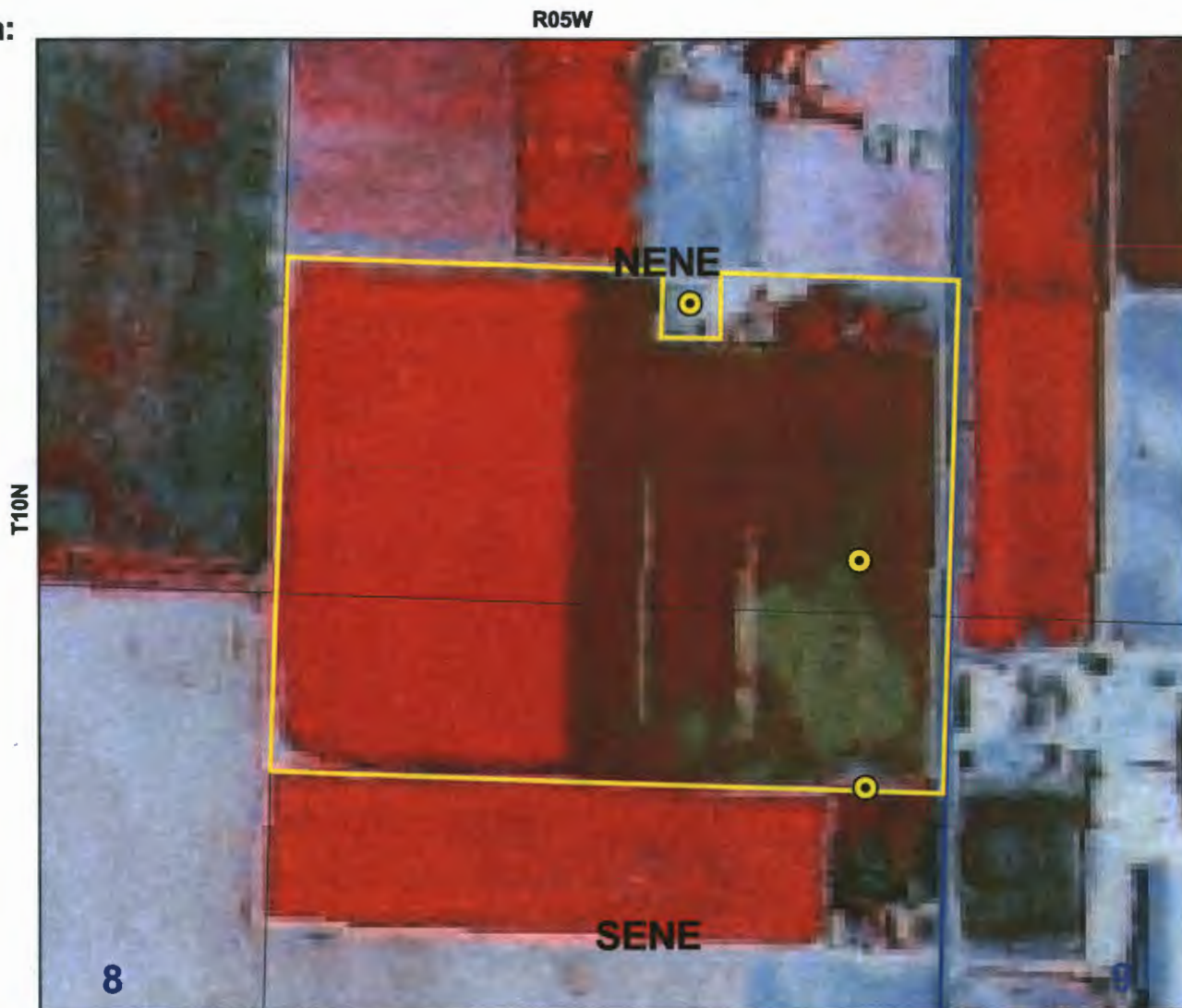
□ Townships

□ PLS Sections

□ Quarter Quarters



Washington County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by C. Saxton
On Friday, July 21, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-2171 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	MARC ANDERSON RT 3 BOX 164 WEISER, ID 83672 (208)549-0429
Original Owner	LOWELL ANDERSON WEISER, ID 83672
Current Owner	JEANETTE ANDERSON WEISER, ID 83672

Status: Active

Tributary

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
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WASHINGTON County				
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WASHINGTON County				
GROUND WATER	SE1/4NE1/4NE1/4	Sec. 8,	Twp 10N,	Rge 05W, B.M.
WASHINGTON County				

IRRIGATION

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2171 V1

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
10N 05W 8				X													

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IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2171 V1

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: AND
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	4/26/2004 11:39:28 AM	mcase			Active
POD	4/26/2004 11:44:09 AM	mcase			Active
Source	4/26/2004 11:44:44 AM	mcase			Active
POU	4/26/2004 11:48:32 AM	mcase			Active
Use	4/26/2004 11:49:22 AM	mcase			Active
Season	4/26/2004 11:50:03 AM	mcase			Active
Quantity	4/26/2004 11:50:12 AM	mcase			Active
Season	6/1/2004 2:02:01 PM	mcase			Active
Summary			07/21/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	7/21/2006 10:51:30 AM	csaxton	Updated shape for Active POU
POU	7/21/2006 10:51:37 AM	csaxton	Updated PLS for Active POU
POU	7/21/2006 10:52:49 AM	csaxton	Updated shape for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2171 V1

Summary	7/21/2006 10:58:10 AM	csaxton	(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?
POD	7/21/2006 11:32:22 AM	csaxton	Updated shape
POU	1/12/2004 9:33:25 AM	awarntje	Edited shape boundary
POD	4/26/2004 11:42:33 AM	mcase	Edited point location
POD	4/26/2004 11:43:20 AM	mcase	Edited point location
Priority Date	4/26/2004 11:39:29 AM	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?
POD	4/26/2004 11:44:10 AM	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	4/26/2004 11:44:44 AM	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?
POU	4/26/2004 11:46:16 AM	mcase	Edited shape boundary
POU	4/26/2004 11:48:33 AM	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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2171 V1

Use	4/26/2004 11:49:23 AM	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?
Season	4/26/2004 11:50:04 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use?
Quantity	4/26/2004 11:50:13 AM	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? (No) 8. Does the parent right have an annual diversion volume limit?
Season	6/1/2004 2:02:01 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (No) 4. Does the Decree or License have a Period of Use? (No) 6. Is there evidence that there has been a change in the Period of Use? (Yes) 12. Does the file contain all the necessary information to verify the Period of Use? (No) 13. Is the basis of claim a decree, license, or a transferred beneficial use right that has had the Period of Use administratively determined? (Yes) 15. Is irrigation claimed as a Purpose of Use?
POU	7/21/2006 10:52:09 AM	csaxton	Updated shape for Active POU

Water Supply Bank:

State of Idaho
License and Certificate of Water Right

Water License No. 18444
Water District No. _____

Amount 0.5 second foot
Priority May 5, 1937

THIS IS TO CERTIFY that LOWELL ANDERSON
of Weiser, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated May 5, 1937, 19 ; that Permit No. 18444
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
0.5 second feet, was issued thereunder on November 20, 19 37, showing that said works
were completed on the 28th day of October, 19 37; and that on the 21st
day of January, 19 38,

LOWELL ANDERSON

of Weiser, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of subterranean
waters, tributary of _____, for the purpose of irrigation and domestic
use, under Use Permit No. 18444 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3924 on the 18th day of February, 19 39;

The right hereby confirmed dates from May 5, 19 37;

The Point of Diversion is located 680 ft. S. 400 ft. W. from NE cor. Sec. 8, T. 10 N., R. 5 W., B.M.
in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, Tp. 10 N., R. 5 W., B.M. Washington County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
18 N.	5 W.	8	NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$	20 10	20 10
			Total number of acres irrigated	-	30

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use
herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 18th day of February, 19 39

Commissioner of Reclamation

(SEAL)

67 2171

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 18444

REPORT ON PROOF OF WATERFICIAL DUE

BU Proof 30 ACRES 0650
FCC 400 PD.
OK Harry Dewey

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 18444

This proof is for Beneficial Use

In Water District No. _____

- ✓1. Name of applicant Lomall Anderson
- ✓2. Source of water supply: Subterranean waters
- ✓3. Location of point of diversion: Is in the NE 1/4 NE 1/4 of Section 8
T. 10 N. R. 5 W. B. M., County of Washington

✓4. Describe works as they exist, giving dimensions and capacities of same: Sump dug 7 ft deep
6 ft wide and 15 ft long. From bottom of sump a well extends into the
water table. Water is raised by a Parma Water Lifter driven
by 5 HP electric motor. Ditch is concrete lined for a
distance of 400 ft.

✓5. Water is used for: Irrigation and domestic

✓6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): NE 1/4 & SE 1/4 of Sec. 8, T. 10 N., R. 5 W., B. M.

(Submit map on attached plat, showing location and details of above description.)

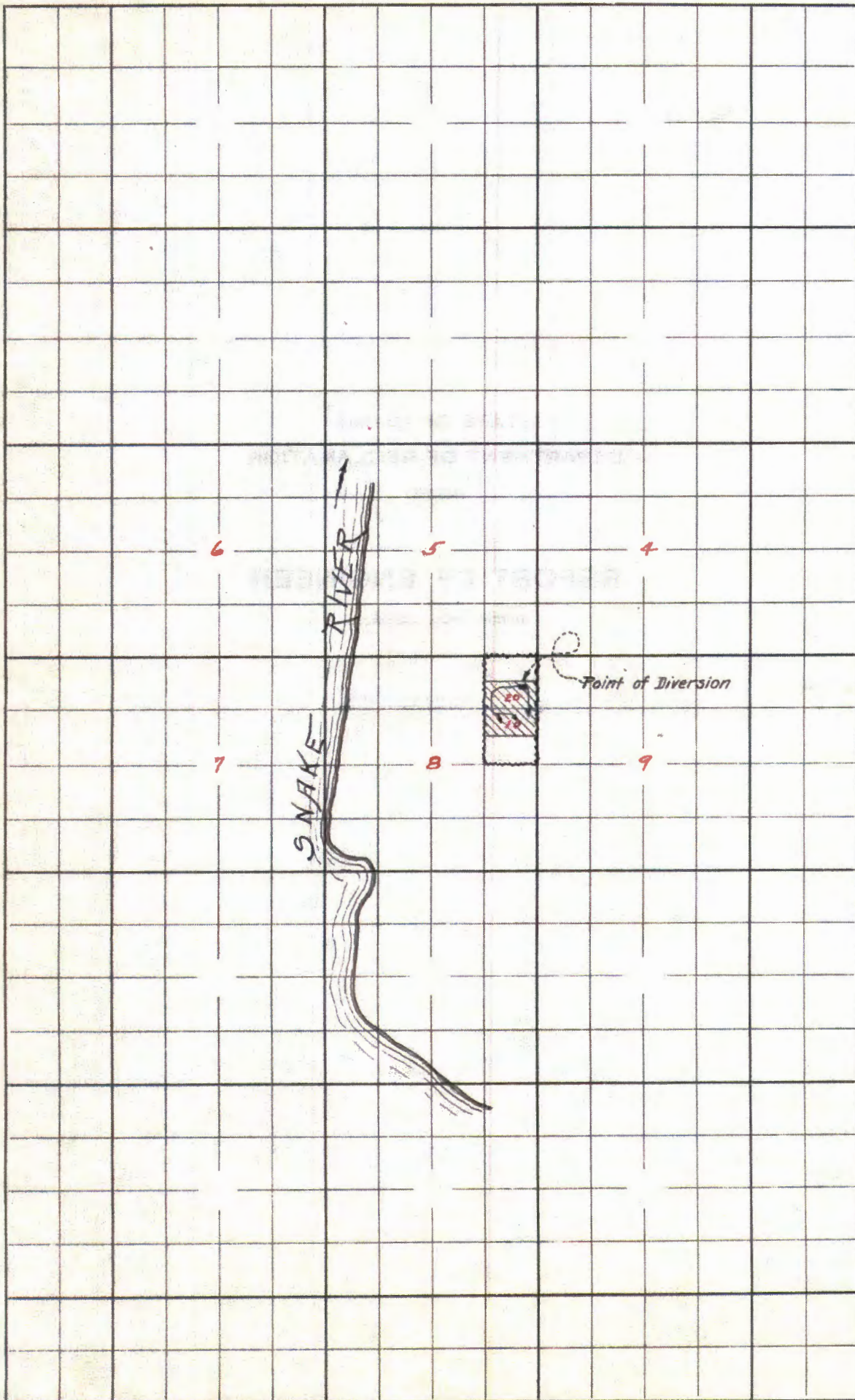
8. What large stream would the water here appropriated finally reach? none

Remarks: _____

This examination was made on the 18th day of May, 1938

(Signed)

Frank H. Deane
Engineer.
18444



Lowell Anderson

13

Route # 3

Weiser, Idaho

Permit No. 18444

Examination for Beneficial Use

County Washington

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
 2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
 3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
 4. If any unusual conditions are discovered, make a plain statement of them under remarks.
 5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
-

Pd.

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: A67-02171
Date Received: ~~10/03/1989~~ 10-12-89
Receipt No: MDO470P
Received By: gpe

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MARC ANDERSON 208-549-0429
Address: ROUTE 3
BOX 164
WEISER, ID 83672

AND/OR

Name: JEANETTE ANDERSON
Address: WEISER, ID 83672

2. Date of Priority: MAY 05, 1937

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	8	SE	NE	NE		WASHINGTON
			NE	SE	NE		WASHINGTON

5. Description of diverting works:
3 WELLS (2 IRRIGATION, 1 DOMESTIC), PUMPS & DITCHES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.600		
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is 105.0 Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC, 1 HOME & YARD

A67-02171

Page 1

Date: 10/03/89

SCANNED
MAY 10 2004
MICROFILMED
OCT 01 1992

1

Section Acres	30.0
Total Acres	30.0

5

SE

ED

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: 1

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): Mary O. Anderson Date: 10-12-89
Jeanette M. Anderson Date: 10-12-89

State of Idaho)
County of Elmore) SS.

Subscribed and sworn (or affirmed) before me this 12 day

of OCT 19 89

John Dale Cochran
Notary Public

Seal

Residing at Boise ID

My Commission Expires 4/2/94

A67-02171
Anderson

T10N R5W S.8

12'30"

