

11/15/2006

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

RIGHT NUMBER: 67-2186
NAME AND ADDRESS: GLENN M WILLIAMS
506 E LIBERTY
WEISER ID 83672

DYKE NAGASAKA
1081 W 1ST
WEISER ID 83672

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 2.600 CFS
585.000 AFY

PRIORITY DATE: 05/06/1967

POINT OF DIVERSION:

T10N R05W S3 NESWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 11/15	2.600 CFS 585.00 AFY

The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION in WASHINGTON County

T10N R05W S03 Lot 4 NWNW	10.00	T10N R05W S03	SWNW	26.00
T10N R05W S04 Lot 1 NENE	38.00	T10N R05W S04	SENE	27.00
T11N R05W S33	NESE 1.00	T11N R05W S33	SESE	28.00

130 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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Use of this right is combined with water from Lower Payette Ditch Company.

Use of this right is combined with water from Weiser Cove Irrigation District.



Idaho Department of Water Resources

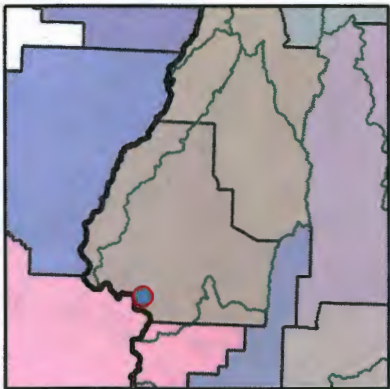
SRBA Recommendation:

67-2186

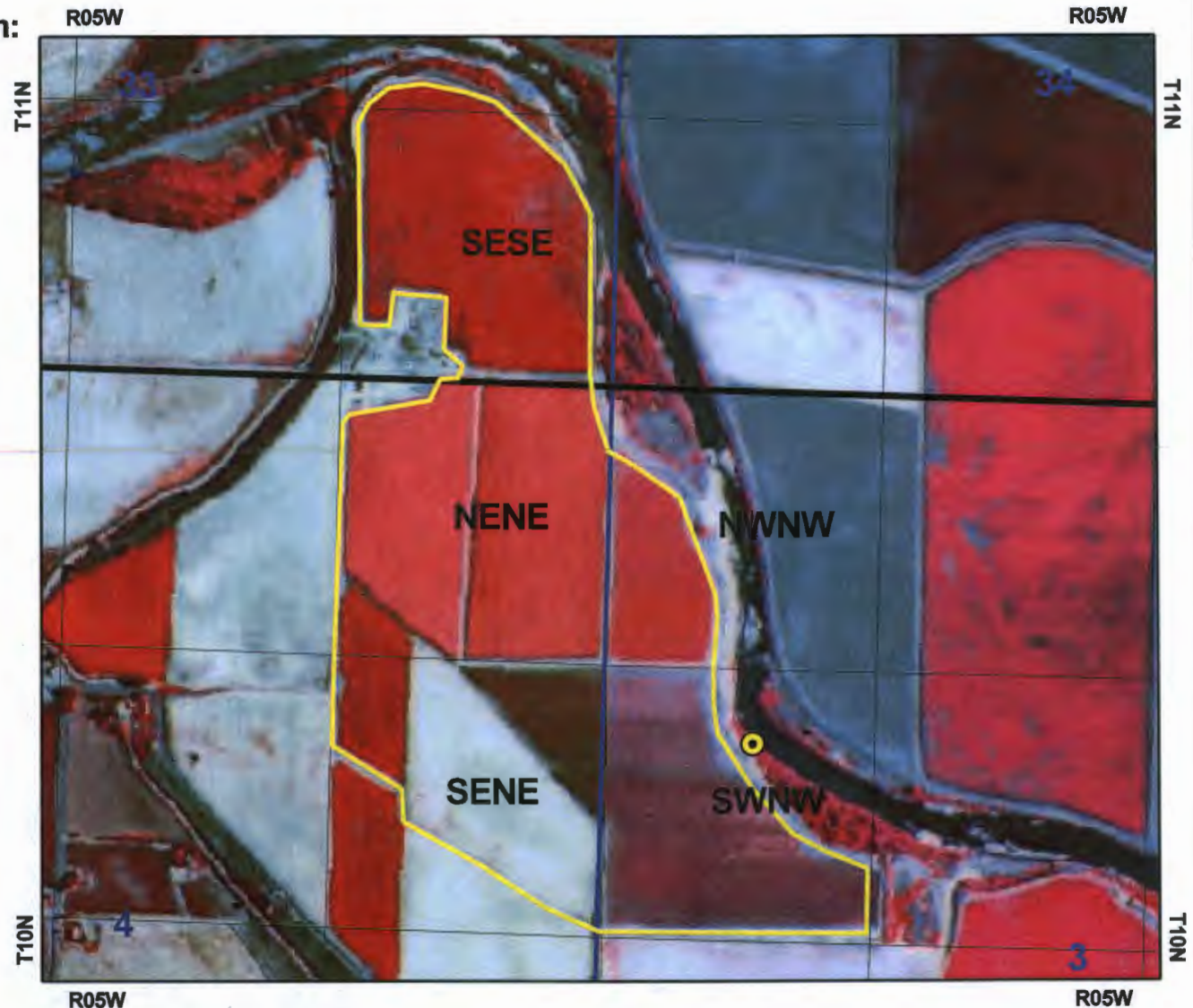
(Irrigation)

Legend

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



Washington County
IDWR Basin 67



0 0.3 0.6 Miles

Prepared by J. Dean
On Wednesday, November 15, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2186 V1

WATER RIGHT NUMBER: 67-2186 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	R S WILLIAMS
Current Owner	WEISER, ID GLENN M WILLIAMS 506 E LIBERTY WEISER, ID 83672 (208)549-0553
Present Owner	DYKE NAGASAKA 1081 W 1ST WEISER, ID 83672 (208)549-3841

Priority Date: 05/06/1967

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
WEISER RIVER	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.600 CFS	585.00 AF
	<u>Total Diversion:</u>	2.600 CFS	585.00 AF

Location of Point(s) of Diversion

WEISER RIVER	NE1/4SW1/4NW1/4	Sec. 3, 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	3						10.0	26.0										36.0
								L 4											
10N	05W	4	38.0			27.0													65.0
			L 1																
11N	05W	33												1.0			28.0		29.0

Total Acres: 130

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2186 V1

1. S47 The use of water for irrigation under this right may begin as early as March 1 provided other elements of the right are not exceeded. The use of water before March 15 under this remark is subordinate to all water rights having no subordinated early irrigation use and a priority date earlier than the date a partial decree is entered for this right.
2. F14 Use of this right is combined with water from Lower Payette Ditch Company.
3. 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.
4. Use of this right is combined with water from Weiser Cove Irrigation District.

Remarks:Comments:

1. mcase 6/1/2004 Period of Use

Comment: Claimed Period of Use is shorter than standard Season of Use. Recommend Shoulder remark.

2. jdean 11/15/2006 Overlap Review

Comment: The license 67-7238 initially appeared to overlap with this license. It appears that the quarter quarter line dividing the acres for 67-7238 was drawn in the incorrect location when the acres for this claim was determined. Because of this, there were extra acres allotted in S4 SENE and not enough acres allotted in S4 NESE. When these acres are correctly distributed there is no overlap between these rights.

3. jdean 11/15/2006 Present Owner

Comment: Dyke Nagasaka was added as a present owner. Tax lot information shows Nagasaka Farms as the owner. Nagasaka Farms was not listed in our database of owners, but Dyke Nagasaka (at the same address as Nagasaka Farms tax lot information) was in the database. He was added as a present owner.

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:
 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 11:12:47 AM	mcase			Active
POD	4/26/2004 11:18:02 AM	mcase			Active
Source	4/26/2004 11:18:13 AM	mcase			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2186 V1

POU	4/26/2004 11:29:12 AM	mcase	Active
Use	4/26/2004 11:29:54 AM	mcase	Active
Season	4/26/2004 11:30:59 AM	mcase	Active
Quantity	4/26/2004 11:33:18 AM	mcase	Active
Season	6/1/2004 2:05:40 PM	mcase	Active
Contacts	11/15/2006 2:07:12 PM	jdean	Active
Summary	11/15/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	11/15/2006 1:39:47 PM	jdean	Updated PLS for Active POU
Contacts	11/15/2006 2:07:12 PM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review
POU	11/15/2006 1:39:23 PM	jdean	Updated shape for Active POU
Summary	11/15/2006 2:09:00 PM	jdean	(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?
Priority Date	4/26/2004 11:12:48 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 11:18:03 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2186 V1

Source	4/26/2004 11:18:14 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 11:24:37 AM	mcase	Edited shape boundary
POU	4/26/2004 11:29:13 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?
Use	4/26/2004 11:29:55 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?
Quantity	4/26/2004 11:33:19 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? (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 licensed for 585 AF.
POU	1/12/2004 10:56:10 AM	awarntje	Edited shape boundary
POD	4/26/2004 11:16:17 AM	mcase	Edited point location
Season	4/26/2004 11:31:00 AM	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?
POU	1/12/2004 10:40:09 AM	awarntje	Edited shape boundary
POU	1/12/2004 10:45:07 AM	awarntje	Edited shape boundary
POU	1/12/2004 10:49:37 AM	awarntje	Edited shape boundary
POU	1/12/2004 10:51:52 AM	awarntje	Edited shape boundary
POU	1/12/2004 10:53:29 AM	awarntje	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2186 V1

Season 6/1/2004 2:05:40 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?

(Yes) 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?

(No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?

POU 11/15/2006 12:45:05 PM jdean

Updated shape for Active POU

Water Supply Bank:

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 20724/67-2186 Priority May 6, 1967 Amount 2.60 cfs
(late proof)

THIS IS TO CERTIFY, that R. S. Williams & Glenn M. Williams
of Weiser, Idaho, have, ~~now~~ complied with the terms and conditions of Permit
No. 20724/67-2186 issued pursuant to Application for Permit dated October 4, 1948,
and has submitted proof to the Department of Water Administration on June 7, 1971,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.64 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from the Weiser River
tributary of the Snake River, is hereby confirmed in the following amounts:
Amount 2.60 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.60 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, Twp. 10 N, Rge. 5 W, B.M.

in the county of Washington; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 585 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	ME $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
10 N	5 W	3					9	26											35
		4	36			28													64
11 N	5 W	33															31		31

Total number of acres irrigated 130

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

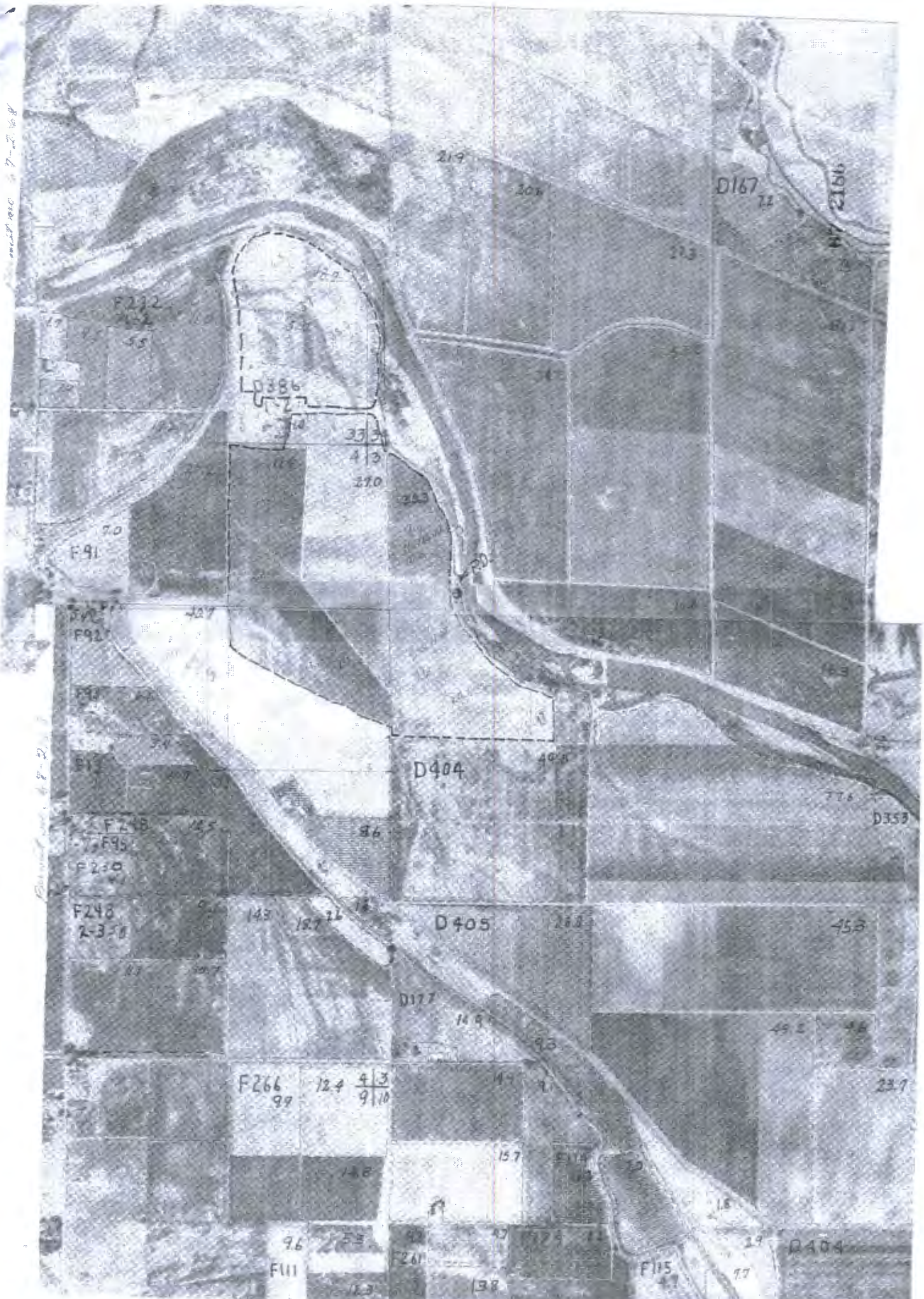
Witness the seal and signature of the Director, affixed at Boise, Idaho, this 6th day of

November, 19 73.


Director

67-2186

892-4 3000 ft



F222

D386

219

201

D167

216

F91

F92

F93

F94

F248

F95

F249

2-3-0

D404

D405

D177

F266

124 4/3
99 9/10

F111

F261

F115

D404

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: A67-02186
Date Received: 10/13/1989
Receipt No: 1004943
Received By: g p e

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLENN M. WILLIAMS
Address: 506 E. LIBERTY
WEISER, ID

208-549-0553

83672

2. Date of Priority: MAY 06, 1967

3. Source: WEISER RIVER

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	05W	3	NE	SW	NW		WASHINGTON

5. Description of diverting works:
PUMP IN RIVER WITH FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.600		

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

A.F.A.

8. Total consumptive use is 455.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	05W	3	NW	NW		IRR	9.0
			SW	NW		IRR	26.0
Section Acres							35.0

A67-02186

Page 1

Date: 10/13/89

SCANNED
MAY 10 2004

MICROFILMED
OCT 01 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10N	05W	4	NE	NE		IRR	36.0
			SE	NE		IRR	28.0
					Section Acres		64.0
11N	05W	33	SE	SE		IRR	31.0
					Section Acres		31.0
					Total Acres		130.0

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:

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 20724

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 ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments:

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): Glen Williams Date: 10-13-89
_____ Date: _____

State of Idaho)
County of Franklin) SS.

Subscribed and sworn (or affirmed) before me this 13 day
of Oct 19 89

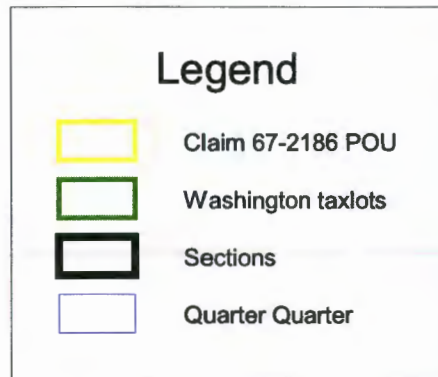
John Jackson
Notary Public

Seal

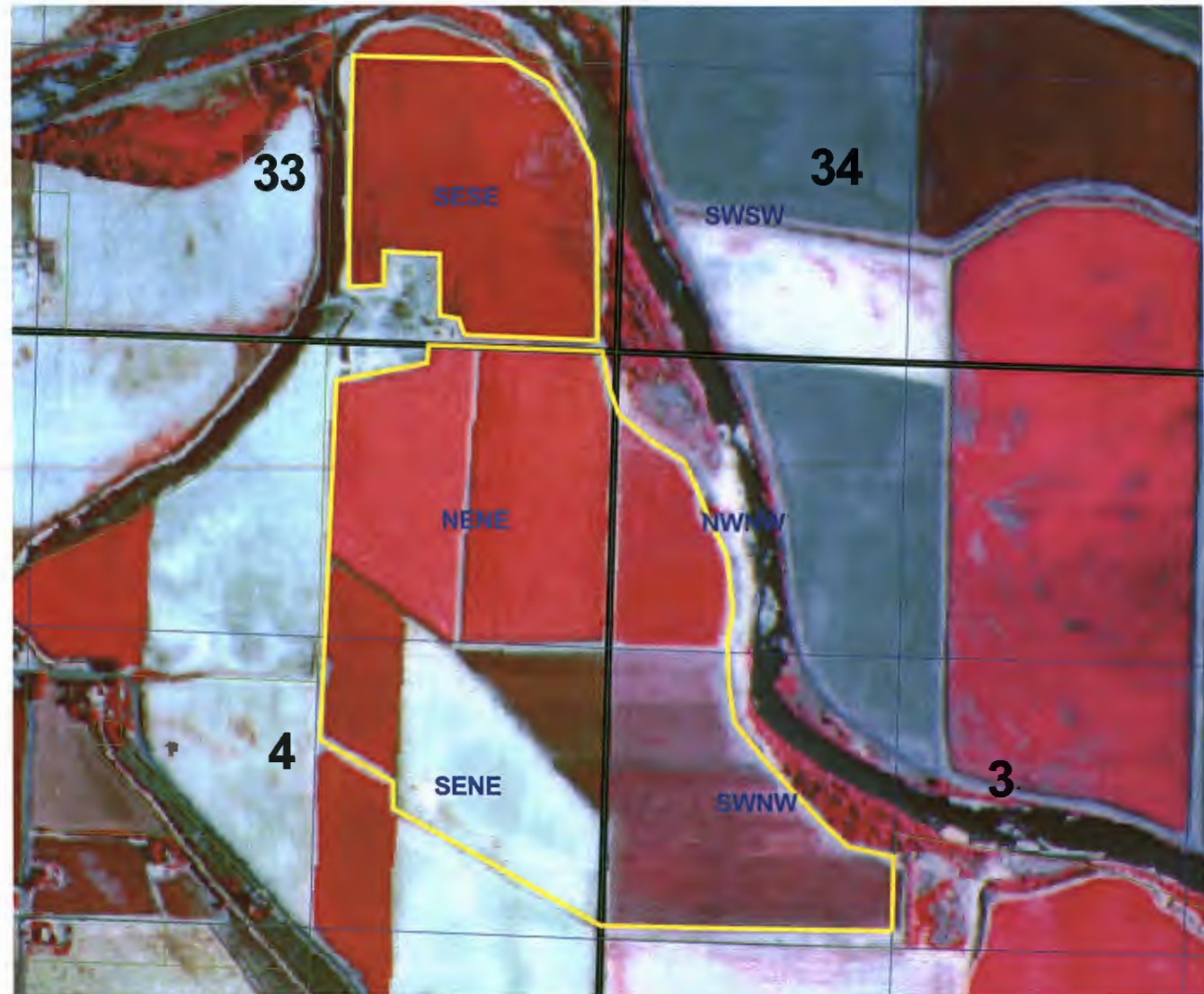
Residing at Born Id
My Commission Expires 6/8/94

Idaho Department of Water Resources

67 - 2186



T 10N, R 05W, Sections 3, 4
T 11N, R 05W, Section 33



0.2 0 0.2 0.4 Miles

Prepared by Morgan Case
April 26, 2004
1987/88 Color Infra Red

DO NOT
SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2186 V1

WATER RIGHT NUMBER: 67-2186 V1

Owner Type Name and Address
Current Owner GLENN M WILLIAMS
506 E LIBERTY
WEISER, ID 83672
(208)549-0553
Original Owner R S WILLIAMS
WEISER, ID

Priority Date: 05/06/1967

Basis:

Status:

Source Tributary
WEISER RIVER SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	2.600 CFS	585.00 AF

Total Diversion: 2.600 CFS

Location of Point(s) of Diversion

WEISER RIVER NE1/4SW1/4NW1/4 Sec. 3, Twp 10N, Rge 05W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10N	05W	3	9.0	26.0			35.0
10N	05W	4	36.0	28.0			64.0
11N	05W	33				31.0	31.0

Total Acres: 130

Conditions of Approval:

Remarks:

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2186 V1

Comments:

Period of use - Claimed shorter than standard - rec. should be remade.

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:
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 11:12:47 AM	mcase			
POD	4/26/2004 11:18:02 AM	mcase			
Source	4/26/2004 11:18:13 AM	mcase			
POU	4/26/2004 11:29:12 AM	mcase			
Use	4/26/2004 11:29:54 AM	mcase			
Season	4/26/2004 11:30:59 AM	mcase			
Quantity	4/26/2004 11:33:18 AM	mcase			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	4/26/2004 11:12:48 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?
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Source	4/26/2004 11:18:14 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 11:24:37 AM	mcase	Edited shape boundary
POU	4/26/2004 11:29:13 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?
Use	4/26/2004 11:29:55 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?
Quantity	4/26/2004 11:33:19 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? (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 licensed for 585 AF.
POU	1/12/2004 10:56:10 AM	awarnlje	Edited shape boundary
POD	4/26/2004 11:16:17 AM	mcase	Edited point location
Season	4/26/2004 11:31:00 AM	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?
POU	1/12/2004 10:40:09 AM	awarnlje	Edited shape boundary
POU	1/12/2004 10:45:07 AM	awarnlje	Edited shape boundary
POU	1/12/2004 10:49:37 AM	awarnlje	Edited shape boundary
POU	1/12/2004 10:51:52 AM	awarnlje	Edited shape boundary
POU	1/12/2004 10:53:29 AM	awarnlje	Edited shape boundary