

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 67-2199
Date Received: 11/30/2011
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

THE GREG AMARAL LTD PENSION PLAN AND TRUST Phone: (707) 864-1196
1606 AMARAL COURT
FAIRFIELD CA USA 94534

2. Date of Priority: 07/18/1950

3. Source: WEISER RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

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

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)
A.F.A IRRIGATION	3	/1 11/15	0.76	

7. Total Quantity Appropriated is:
0.76 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10N	05W	3	NE NW	3	IRRIGATION	40
			NW NW	4	IRRIGATION	17.5
			SE NW		IRRIGATION	18
			SW NW		IRRIGATION	2.5

11N 05W 34

SE SW
SW SW

Section Acres 78

IRRIGATION 20
IRRIGATION 12

Section Acres 32

Total Acres 110

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

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: 67-2199
Date Received:

Receipt No.:

0094715

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

NOV 30 2011

By

Clerk

Deputy Clerk

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s):

Name	Address	City	State	Country	Postal Code
GREG AMARAL, TRUSTEE OF THE GREG AMARAL LTD. PENSION PLAN AND TRUST	1606 AMARAL COURT	FAIRFIELD	CA	USA	94534

2. Date of Priority:

Date	Explanation
7/18/1950	

3. Source:

Source	Tributary	Type
WEISER RIVER	SNAKE RIVER	

4. Point Of Diversion:

Township	Range	Section	Gov Lot	QQ	Q	County
10N	05W	3		SE	NW	WASHINGTON

SCANNED
FEB 23 2012

5. Water is used for the following purpose(s):

Water Use	Number Of Homes	Stock	Description
IRRIGATION	-	-	See attached

6. Season(s) of Use:

Water Use	From Month/Day	To Month/Day
IRRIGATION	3 / 1	11 / 15

7. Quantity:

Water Use	CFS	AF	KW
IRRIGATION	0.760	0.00	0.0

Totals:

CFS	AF	KW
0.760	0.00	

8. Place of Use:

Water Use	Total Claimed Acreage
IRRIGATION	110

Water Use	Township	Range	Section	QQ	Q	County	Gov Lot	Acreage
IRRIGATION	10N	05W	3	NE	NW	WASHINGTON	3	40
IRRIGATION	10N	05W	3	NW	NW	WASHINGTON	4	17.5
IRRIGATION	10N	05W	3	SE	NW	WASHINGTON		18
IRRIGATION	10N	05W	3	SW	NW	WASHINGTON		2.5
IRRIGATION	11N	05W	34	SW	SW	WASHINGTON		12
IRRIGATION	11N	05W	34	SE	SW	WASHINGTON		20

9. Basis of Claim:

Basis	WaterRight
License	67-2199

SCANNED

FEB 23 2012

10. 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of _____ Date: _____
Claimant(s):

Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

Trustee of Greg Amara Ltd. Pension Plan
Title Organization
a Trust

that I have signed the foregoing document in the space below as

Trustee of Greg Amara Ltd. Pension Plan
Title Organization
a Trust

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

Please print name

November 16, 2011

Trustee of the Greg Amara Ltd. Pension Plan a Trust

SCANNED

FEB 23 2012

Claim Item 5 Continued:

The applicant claims irrigation of 62 acres within a 110-acre permissible place of use (ppu). The 110-acre ppu claimed reflects the general area licensed to water right 67-2199 and is claimed as a change in place of use pursuant to § 42-1425, Idaho Code. The licensing map appears to be in error, although the error was unchallenged at the time. Surface water delivered by Weiser Irrigation District serves as the property's primary irrigation source. This right can be used as a supplemental irrigation source at times when surface water is not available via portable pump, pipe and ditch.

SCANNED
FEB 23 2012

1987 Photo

33

34

T11N R5W

T10N R5W

4

3

Legend



67-2199 pod



67-2199 pou



Sections



Quarter-quarters

SRBA Claim 67-2199

SCANNED



0 600 1,200 Feet



SPF WATER
ENGINEERING

DISTRICT COURT - SRBA
Fifth Judicial District
County of Twin Falls - State of Idaho

FEB 22 2012

By _____ Clerk
Deputy Clerk

RECEIVED
FEB 23 2012
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Water Right Claim: 67-02199

Case No. 39576

ORDER GRANTING MOTION TO FILE
LATE NOTICE OF CLAIM

On November 30, 2011, Greg Amaral, on behalf of the Greg Amaral Limited Pension Plan and Trust, filed a *Motion to File Late Notice of Claim* for the above-captioned water right. Hearing was held on the *Motion* on February 21, 2012. This *Motion* complied with all procedural requirements under *SRBA Administrative Order 1*, and no objections were made to this late Notice of Claim.

THEREFORE, IT IS ORDERED, that the *Motion to File a Late Notice of Claim* for the above-captioned water right is **granted**.

The original Notice of Claim, as well as any attached filing fees, and a copy of this **Order** will be forwarded to the Idaho Department of Water Resources for further action. Following investigation by the Idaho Department of Water Resources, recommendation for the claim will be reported in the next *Late Claims Director's Report* which is issued on an annual basis. This modifies the provisions of *SRBA Administrative Order 1* 4d(2)(h).

IT IS SO ORDERED.

Dated: February 22, 2012.


ERIC J. WILDMAN
Presiding Judge
Snake River Basin Adjudication

SCANNED
FEB 23 2012

CERTIFICATE OF MAILING

I certify that a true and correct copy of the ORDER GRANTING MOTION TO FILE LATE NOTICE OF CLAIM was mailed on February 22, 2012, with sufficient first-class postage to the following:

THE GREG AMARAL LIMITED
PENSION PLAN AND TRUST
C/O GREG AMARAL, TRUSTEE
1606 AMARAL COURT
FAIRFIELD, CA 94534
Phone: 707-864-1196

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

SPF WATER ENGINEERING LLC
300 E MALLARD DR STE 350
BOISE, ID 83706
Phone: 208-383-4140

SCANNED

FEB 23 2012

Julie Murphy

2-21-12

11-30

RECEIVED
NOV 30 2011
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Subcase 67-2199

(Insert water right number)

Case 39576

Variable fee paid

STANDARD FORM 4

MOTION TO FILE:

☒ LATE NOTICE OF CLAIM☐ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a **separate form for each** late or amended Notice of Claim.

This form has been adopted by the court in **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read **SRBA Administrative Order 1, Rules of Procedure** (amended Sept. 30, 1996).

My name is Greg Amaral, Trustee of the Greg Amaral Ltd. Pension Plan and Trust

My address is 1606 Amaral Court, Fairfield, CA 94534

My phone number is: Work 707-864-1196 Home _____

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A *Motion to File a Late Notice of Claim* will require a hearing before the Presiding Judge.

☒ I did not file a Notice of claim to the use of water in the SRBA because:

Greg Amaral Ltd. Pension Plan and Trust purchased the
property in April, 2011 and recently became aware that
License 67-2199 had not been decreed in the SRBA.

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☒ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you **must** attach a copy of your Notice of Claim.)

Original license record
1987 Aerial Photo indicating pod and pou

I have attached:

- ☒ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☒ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ 100.
(\$50 claim fee + \$50 late fee)

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on Tuesday, February 21, 1:30 P.M.
(Insert Date and Time)

at the SRBA courthouse, 253 Third Avenue North, Twin Falls, Idaho.

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A Motion to File an Amended Notice of Claim may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

- ☐ I must amend my Notice of Claim to the use of water in the SRBA because:

- ☐ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

I have attached:

- ☐ An amended Notice of Claim (available from IDWR).
- ☐ Payment of the following additional fees required by IDWR:

VERIFICATION (Must be completed)

State of California

County of Solano

Greg Amaral, Trustee of the, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)
Greg Amaral Ltd. Pension Plan & Trust

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Greg Amaral
Signature of person filing motion
Trustee



Attorney signing in representative capacity

Subscribed and sworn to before me on November 16, 2011.
(Insert Date)

D. L. Martin
Notary Public for Calif
Residing at: Solano County
My Commission expires: 11/21/14

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. **FAX filings will not be accepted by the SRBA Clerk of the Court.** You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on November 29th, 2011, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)

C Jensen (Crystal Jensen)
Signature of person or attorney mailing the form

State of Idaho

License and Certificate of Water Right

Water License No. 21605

Amount 0.76 second feet

Water District No.

Priority July 18, 1950

THIS IS TO CERTIFY that WAYNE MATHES

of Weiser, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 18, 1950; that Permit No. 21605 was issued under said application; that Certificate of Completion of works, with a carrying capacity of one second foot, was issued thereunder on July 19, 1951, showing that said works were completed on the 3rd day of July, 1951; and that on the 10th day of January, 1952,

WAYNE MATHES

of Weiser, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Weiser River, for the purpose of a sprinkler system

, under Use Permit No. 21605 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, to Edwin D. Ford, Jr. No. 2 Rector Street, New York, N.Y. and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 6 of Licenses at page 5042, on the day of, 1952;

The right hereby confirmed dates from July 18, 1950;

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 3, 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 0.76 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 N	5 W	3	NE 1/4 NW 1/4	32	32
			NW 1/4 NW 1/4	16	12
			SE 1/4 NW 1/4	12	12
Number of Acres Actually Irrigated -				60	60

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.

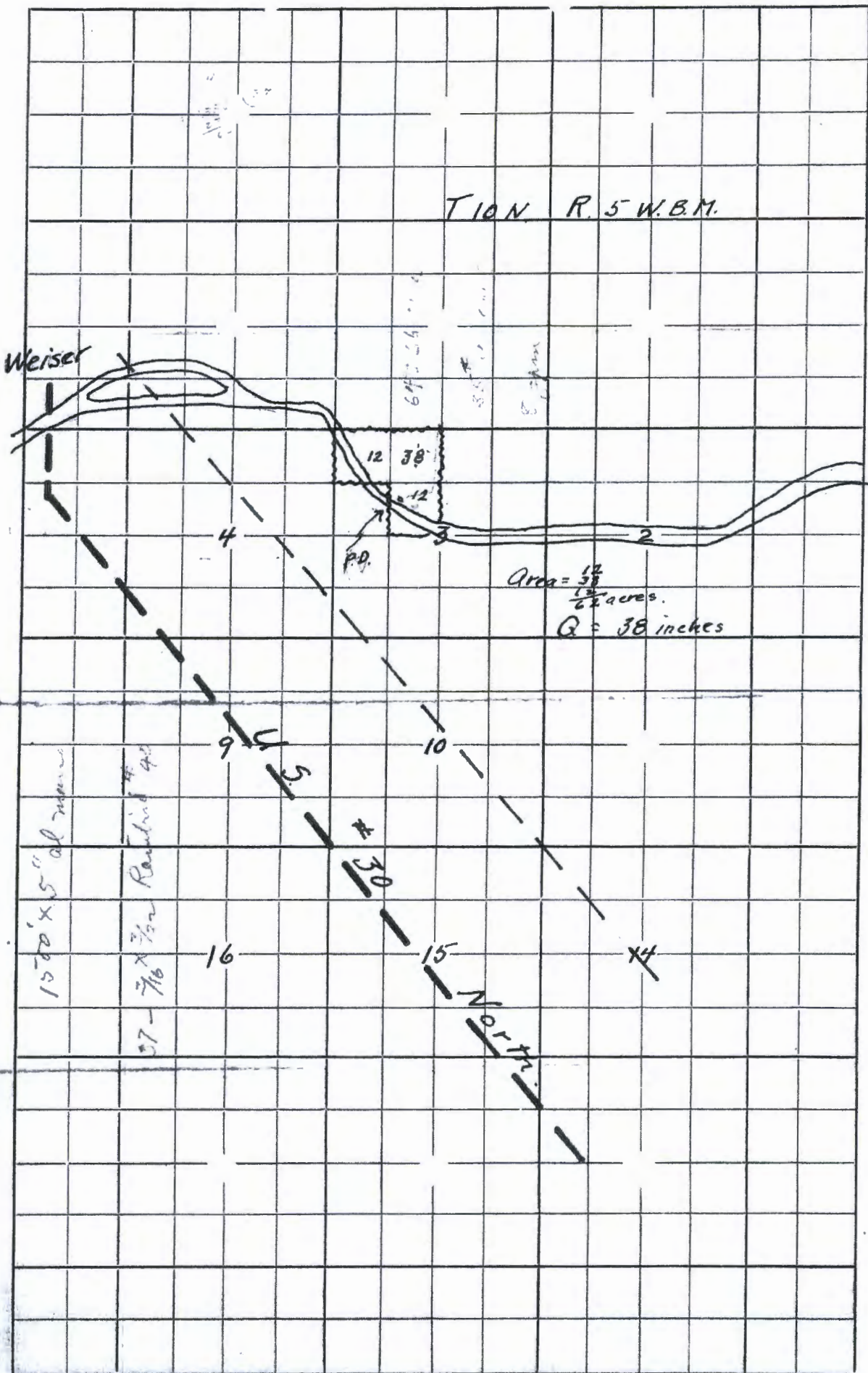
WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

6th day of January, 1952.

MARK R. KULP

State Reclamation Engineer

(SEAL)



Scale: 2 inches Equals 1 Mile. Draw Map in Ink.

SCANNED
NOV 3 2011

1987 Photo

33

34

T11N R5W

T10N R5W

4

3

Legend



67-2199 pod



67-2199 pou



Sections



Quarter-quarters

SRBA Claim 67-2199



0 600 1,200 Feet



SPF WATER
ENGINEERING

SCANNED
NOV 3 2011

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: 67-2199
Date Received:
Receipt No.:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s):

Name	Address	City	State	Country	Postal Code
GREG AMARAL, TRUSTEE OF THE GREG AMARAL LTD. PENSION PLAN AND TRUST	1606 AMARAL COURT	FAIRFIELD	CA	USA	94534

2. Date of Priority:

Date	Explanation
7/18/1950	

3. Source:

Source	Tributary	Type
WEISER RIVER	SNAKE RIVER	

4. Point Of Diversion:

Township	Range	Section	Gov Lot	QQ	Q	County
10N	05W	3		SE	NW	WASHINGTON

5. Water is used for the following purpose(s):

Water Use	Number Of Homes	Stock	Description
IRRIGATION	-	-	See attached

6. Season(s) of Use:

Water Use	From Month/Day	To Month/Day
IRRIGATION	3 / 1	11 / 15

7. Quantity:

Water Use	CFS	AF	KW
IRRIGATION	0.760	0.00	0.0

Totals:

CFS	AF	KW
0.760	0.00	

8. Place of Use:

Water Use	Total Claimed Acreage
IRRIGATION	110

Water Use	Township	Range	Section	QQ	Q	County	Gov Lot	Acreage
IRRIGATION	10N	05W	3	NE	NW	WASHINGTON	3	40
IRRIGATION	10N	05W	3	NW	NW	WASHINGTON	4	17.5
IRRIGATION	10N	05W	3	SE	NW	WASHINGTON		18
IRRIGATION	10N	05W	3	SW	NW	WASHINGTON		2.5
IRRIGATION	11N	05W	34	SW	SW	WASHINGTON		12
IRRIGATION	11N	05W	34	SE	SW	WASHINGTON		20

9. Basis of Claim:

Basis	WaterRight
License	67-2199

10. 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 under penalty of perjury that the statements contained in the foregoing document are true and correct.

Signature of _____ Date: _____
Claimant(s): _____
_____ Date: _____

For Organizations: I do solemnly swear or affirm under penalty of perjury that I am

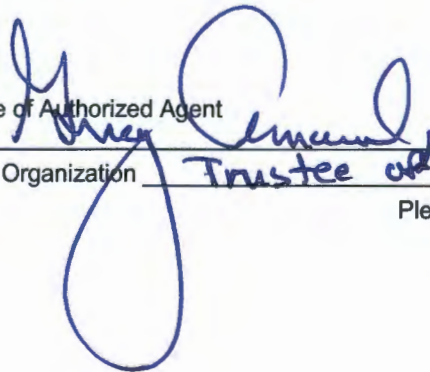
Trustee of Greg Amarel Ltd. Pension Plan
Title Organization
that I have signed the foregoing document in the space below as
Trustee of Greg Amarel Ltd. Pension Plan
Title Organization
and that the statements contained in the foregoing document are true and correct. a Trust

Signature of Authorized Agent

Title and Organization

Date

Please print name



November 16, 2011

Trustee of the Greg Amarel Ltd. Pension Plan a Trust

SCANNED

NOV 30 2011

Claim Item 5 Continued:

The applicant claims irrigation of 62 acres within a 110-acre permissible place of use (ppu). The 110-acre ppu claimed reflects the general area licensed to water right 67-2199 and is claimed as a change in place of use pursuant to § 42-1425, Idaho Code. The licensing map appears to be in error, although the error was unchallenged at the time. Surface water delivered by Weiser Irrigation District serves as the property's primary irrigation source. This right can be used as a supplemental irrigation source at times when surface water is not available via portable pump, pipe and ditch.

SCANNED
NOV 30 2011

1987 Photo

33

34

T11N R5W

T10N R5W

4

3

Legend

● 67-2199 pod

□ 67-2199 pou

□ Sections

□ Quarter-quarters

SRBA Claim 67-2199

SCANNED

NOV 3 2011

0 600 1,200 Feet



Saxton, Craig

From: Saxton, Craig
Sent: Tuesday, December 13, 2011 2:32 PM
To: Bromley, Chris; Ridgeway, Renea
Subject: Late Claim 67-2199

Hey,

Here are some comments for the file.

- The license 67-2199 does not appear to have been previously claimed.
- Filing fees good: Variable fees paid under Weiser Irrigation District
- This is identified as being supplemental to Weiser Irrigation District Rights.

I currently don't see any reason to reject this claim.

c

04/13/2012

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

RIGHT NUMBER: 67-2199

NAME AND ADDRESS: THE GREG AMARAL LTD PENSION PLAN AND TRUST
1606 AMARAL COURT
FAIRFIELD CA 94534

SOURCE: WEISER RIVER

TRIBUTARY: SNAKE RIVER

QUANTITY: 0.760 CFS

PRIORITY DATE: 07/18/1950

POINT OF DIVERSION:

T10N R05W S3 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.760 CFS

PLACE OF USE: IRRIGATION in WASHINGTON County

T10N R05W S03 Lot 3 NENW	40.00	T10N R05W S03 Lot 4 NWNW	17.00
T10N R05W S03 SWNW	2.00	T10N R05W S03 SENW	18.00
T11N R05W S34 SWSW	12.00	T11N R05W S34 SESW	21.00

110 ACRES TOTAL

This right is limited to the irrigation of 62 acres within the place of use described above in a single irrigation season.

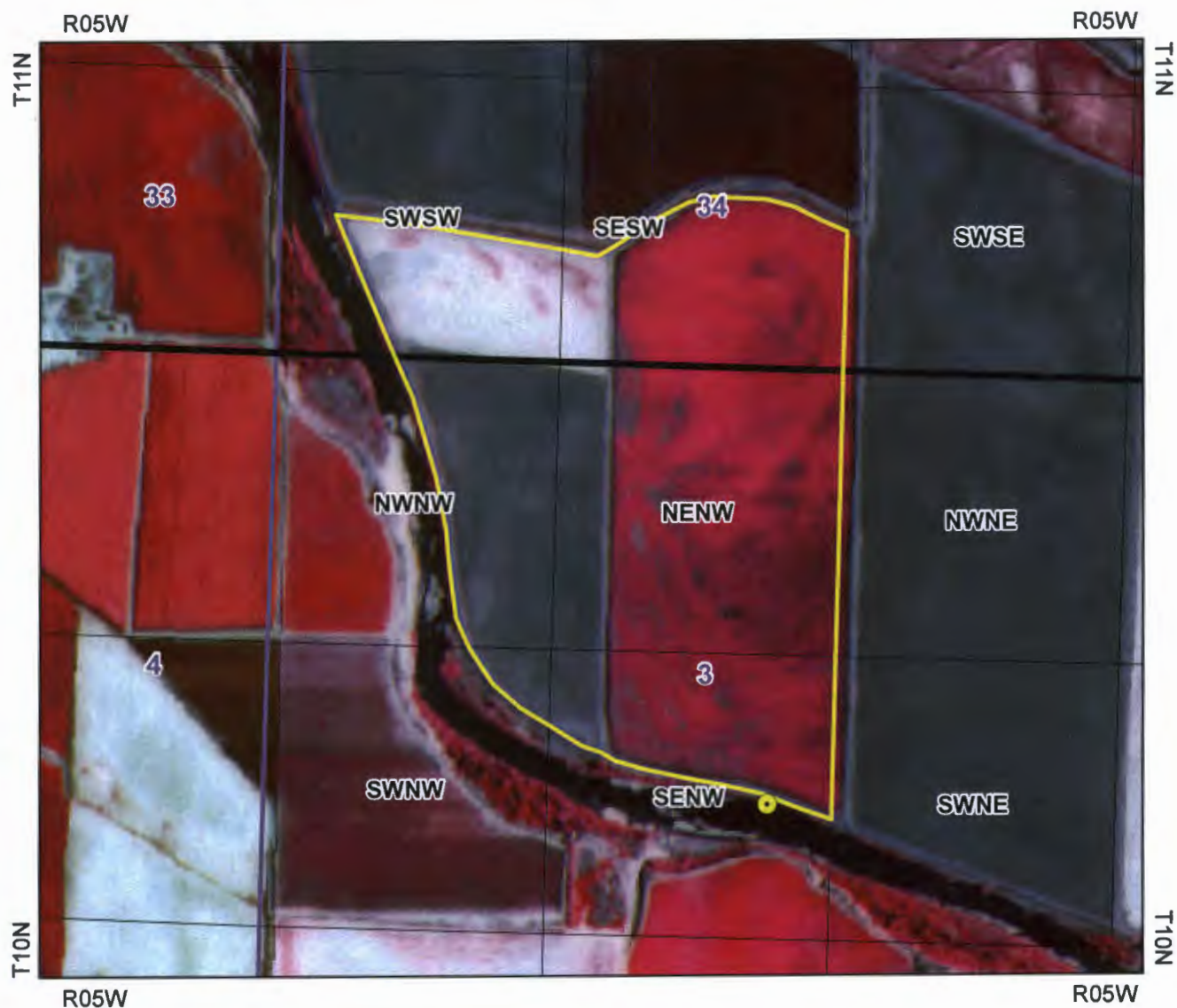
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - License

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

State of Idaho
Department of Water Resources
Adjudication Recommendation
67-2199



0 0.1 0.2 0.4 Miles

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



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2199 V1

WATER RIGHT NUMBER: 67-2199 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	THE GREG AMARAL LTD PENSION PLAN AND TRUST 1606 AMARAL COURT FAIRFIELD, CA 94534 (707) 864-1196
Trustee	GREG AMARAL 1606 AMARAL COURT FAIRFIELD, CA 94534 (707) 864-1196

Priority Date: 07/18/1950

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	03/01 to 11/15	0.760 CFS	0.00 AF
	<u>Total Diversion:</u>	0.760 CFS	0.00 AF

Location of Point(s) of Diversion

WEISER RIVER	SE1/4NW1/4	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					40.0	17.0	2.0	18.0									77.0
							L 3	L 4											
11N	05W	34											12.0	21.0					33.0

Total Acres: 110

Conditions of Approval:

1. K06 This right is limited to the irrigation of 62 acres within the place of use described above in a single irrigation season.
2. 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.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2199 V1

Remarks:Comments:

1. csaxton 4/13/2012 PPU

Comment: Claimed POU as an accomplished transfer to co-mingle 67-2199 with shares from Weiser Irrigation District. The claimed POU is clearly divided into two fields. The Eastern field primarily falls within the SESW, Section 34, T11N, R05W and the NENW and SENW of Section 3, T10N, R05W. The West field primarily falls within the SWSW, Section 34, T11N, R05W and the NWNW and SWNW of Section 3, T10N, R05W. The original licensed POU spanned both the East and West field listing the POU as being in the S NENW, NWNW, and SENW of Section 3, T10N, R05W. Since the original licensed POU includes land in both fields, I think there is evidence that a PPU would have been developed to cover both fields because the water was not originally limited to either the East or West field. Recommend the PPU.

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:
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>
POD	4/13/2012 8:30:04 AM	csaxton			Active
Source	4/13/2012 8:30:25 AM	csaxton			Active
POU	4/13/2012 8:31:13 AM	csaxton			Active
Use	4/13/2012 8:42:18 AM	csaxton			Active
Quantity	4/13/2012 8:43:22 AM	csaxton			Active
Summary			04/13/2012	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/13/2012 8:30:04 AM	csaxton	(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? (No) 10. Is a POD remark and/or condition required?

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Source	4/13/2012 8:30:26 AM	csaxton	(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? (No) 11. Is a Source remark and/or condition required?
POU	4/13/2012 8:32:05 AM	csaxton	Updated Shape
POU	4/13/2012 8:31:14 AM	csaxton	(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? (No) 6. Can the claimed POU be verified using the water right file? (Yes) 7. Is there evidence that there has been a change in the POU? (Yes) 8. Can the claim be verified as an accomplished transfer? (Yes) 13. Does the file contain all the necessary information to verify the POU? (No) 14. Is a POU remark and/or condition required? Description for Question 8 - PPU created with Weiser Irrigation District. Description for Question 13 - ArcMap
POU	4/13/2012 8:32:23 AM	csaxton	Updated PLS
POU	4/13/2012 8:41:23 AM	csaxton	Updated Shape
POU	4/13/2012 8:41:35 AM	csaxton	Updated PLS
Summary	4/13/2012 8:45:56 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	4/13/2012 8:28:43 AM	csaxton	Updated Shape
POD	4/13/2012 8:28:59 AM	csaxton	Updated PLS

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Use	4/13/2012 8:42:18 AM	csaxton	(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? (No) 13. Is a Purpose of Use remark and/or condition required?
Quantity	4/13/2012 8:43:23 AM	csaxton	(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? (No) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (No) 11. Has a diversion volume limit been established by a decree, license or transfer for this water use? (No) 12. Is a Quantity remark or condition required?

Water Supply Bank: