

RECEIVED

NOV 27 2006

DEPARTMENT OF
WATER RESOURCES

11/14/2006

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: 67-2261

LOUIS R YOUNG

12250 HWY 95

PAYETTE ID 83661

Telephone Number: (208) 642-3729

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:

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

DATE: 29 Nov 06

SIGNATURE: Louis R. Young

Please print your name: Louis R. Young

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

SCANNED

NOV 28 2006

09/28/2006

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

RIGHT NUMBER: 67-2261
NAME AND ADDRESS: LOUIS R YOUNG
12250 HWY 95
PAYETTE ID 83661

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.360 CFS
135.000 AFY

PRIORITY DATE: 09/05/1957

POINT OF DIVERSION:

T09N R05W S2 NESE Within PAYETTE County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/01 11/15

QUANTITY
1.360 CFS
135.00 AFY

PLACE OF USE: IRRIGATION Within PAYETTE County

T09N R05W S02 NESE 30.00

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License



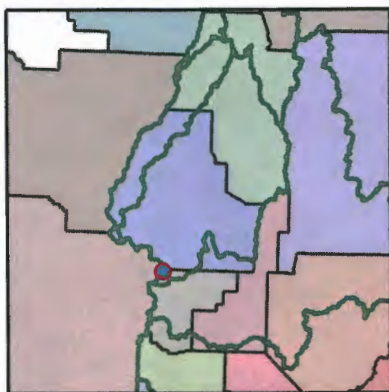
Idaho Department of Water Resources

SRBA Recommendation:

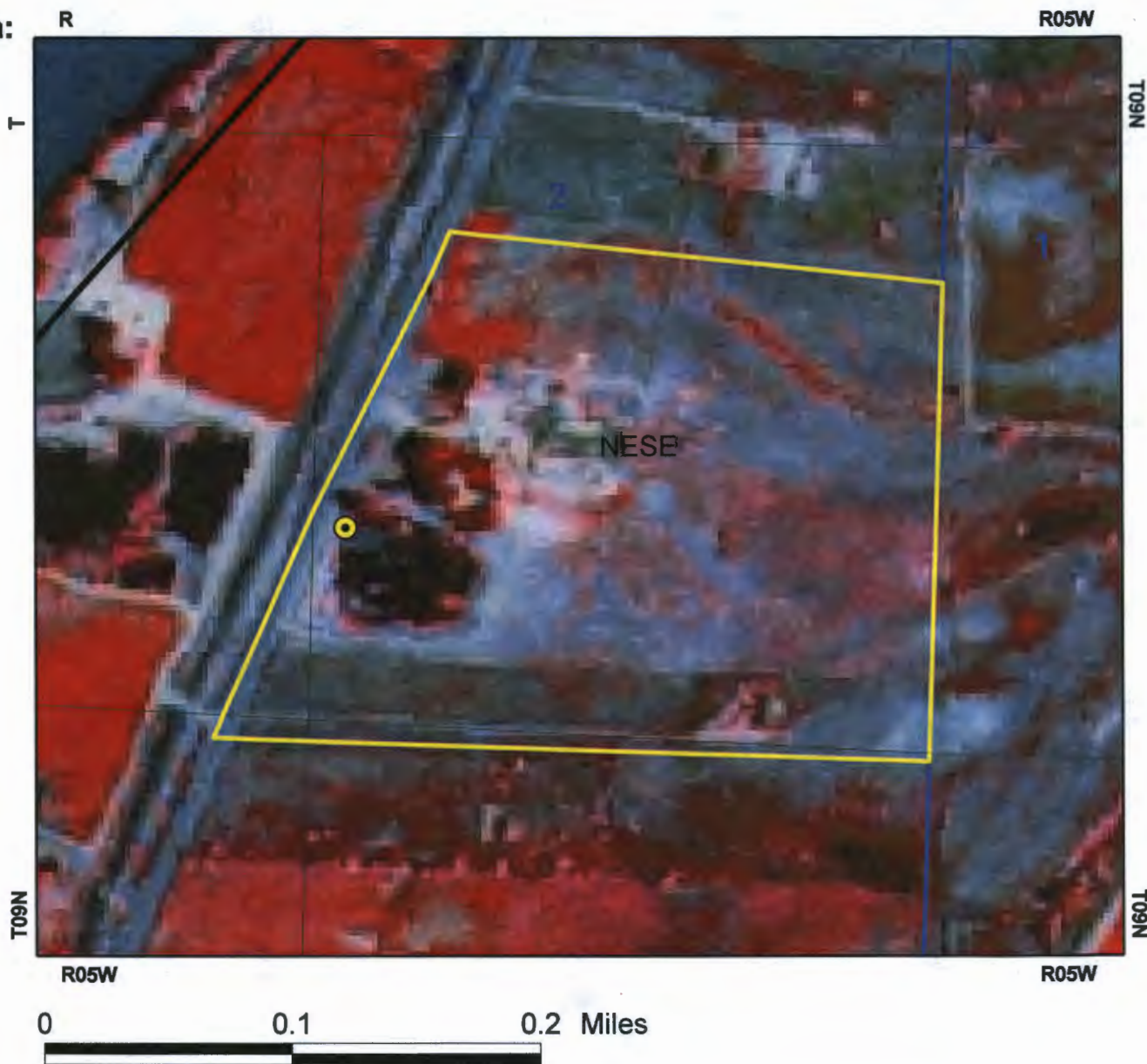
67-2261

Legend

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



Payette County
IDWR Basin 67



Prepared by J. Dean
On Thursday, September 28, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2261 V1

WATER RIGHT NUMBER: 67-2261 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LOUIS R YOUNG 12250 HWY 95 PAYETTE, ID 83661 (208)642-3729

Priority Date: 09/05/1957

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	1.360 CFS	135.00 AF
	<u>Total Diversion:</u>	1.360 CFS	135.00 AF

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 2,	Twp 09N,	Rge 05W, B.M.
PAYETTE 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		
09N	05W	2																	30.0	30.0

Total Acres: 30

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.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2261 V1

Comments:

1. mcase 4/21/2004 Source

Comment: Sump/Borrow Pit is licensed source. Claimed source is groundwater. Does this match?

2. mcase 4/21/2004 Period of Use

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

3. mcase 4/21/2004 Quantity

Comment: No licensed annual diversion. Could not determine for claim.

4. jdean 9/28/2006 POU

Comment: Fewer acres were claimed than licensed. All of the claimed acres were recommended.

5. jdean 9/28/2006 From Claim

Comment: Original water source was a gravel pit. Due to the pit drying up, a replacement well was drilled in 1982 for the source.

6. jdean 9/28/2006 Source

Comment: Original license number is a groundwater source number. Borrow Pit is the same as ground water.

7. jdean 9/28/2006 Quantity

Comment: The diversion volume for this claim was recommended according to the standard $4.5 \text{ afy/acre} \times 30 \text{ acres} = 135 \text{ afy}$.

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	4/21/2004 3:08:00 PM	mcase			Active
POD	4/21/2004 3:10:58 PM	mcase			Active
Source	4/21/2004 3:12:42 PM	mcase			Active
POU	4/21/2004 3:12:53 PM	mcase			Active
Use	4/21/2004 3:13:39 PM	mcase			Active
Season	4/21/2004 3:16:20 PM	mcase			Active
Quantity	4/21/2004 3:17:06 PM	mcase			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2261 V1

Season	6/1/2004 2:43:27 PM	mcase	Active
Quantity	9/28/2006 11:59:17 AM	jdean	Active
Summary	09/28/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/21/2004 3:08:49 PM	mcase	Edited point location
Source	4/21/2004 3:12:42 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source?
POU	4/21/2004 3:12:53 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	4/21/2004 3:13:40 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?
Quantity	4/21/2004 3:17:06 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? (No) 8. Does the parent right have an annual diversion volume limit?
Season	4/21/2004 3:16:21 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?
POD	4/21/2004 3:10:59 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?
Priority Date	4/21/2004 3:08:00 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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2261 V1

Season	6/1/2004 2:43:27 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	9/28/2006 11:50:00 AM	jdean	Updated shape for Active POU
POD	9/28/2006 12:08:15 PM	jdean	Updated shape
POD	9/28/2006 12:08:29 PM	jdean	Updated PLS
POU	9/28/2006 11:51:12 AM	jdean	Updated shape for Active POU
POU	9/28/2006 11:51:25 AM	jdean	Updated PLS for Active POU
Quantity	9/28/2006 11:59:18 AM	jdean	(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? (Yes) 9. Is the source Groundwater and does the purpose of use require a diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? (No) 12. Is a Quantity remark or condition required? Description for Question 10 - 4.5 afy/acre * 30 acres = 135 afy
Summary	9/28/2006 12:12:54 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? (No) 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?

Water Supply Bank:

R-5W

WASHINGTON Co.
Perry Co.

T.
9
N.

Ground
Pit

US Highway
30 + 95

2
AD

1.5 H.A. water & 1
portable 4" x 96" pump

City water 73 inches

Subdivisions

AREA

68

73 ACRES

Allow

1.63 CFS or 8 1/2 inches

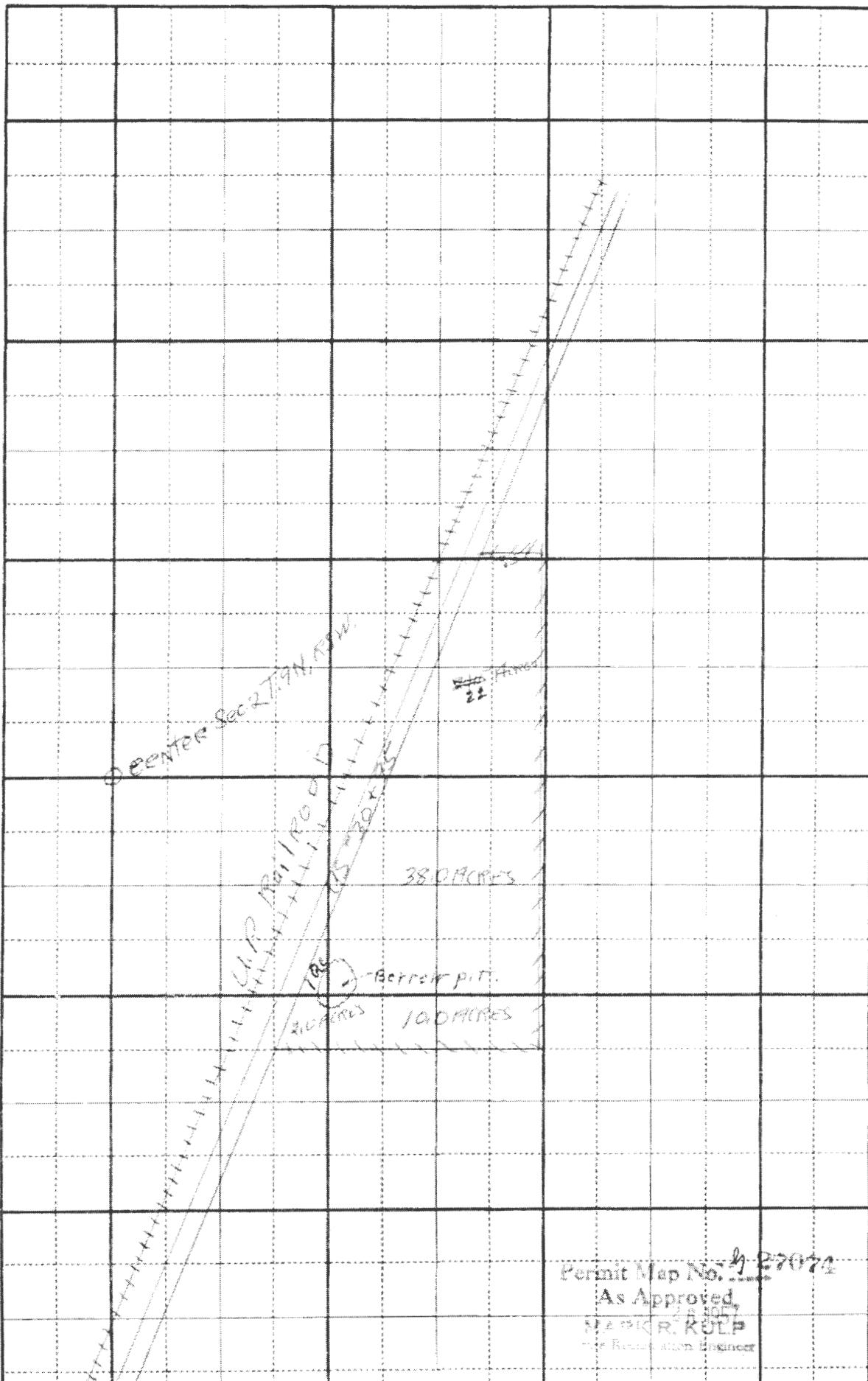
Production of well

1.63 CFS or 8 1/2 inches

NAME OF APPLICANT.....

HARRY C. YOUNG

Form No. 0



Permit Map No. 27072
As Approved
M. R. KULP
State Registration Engineer

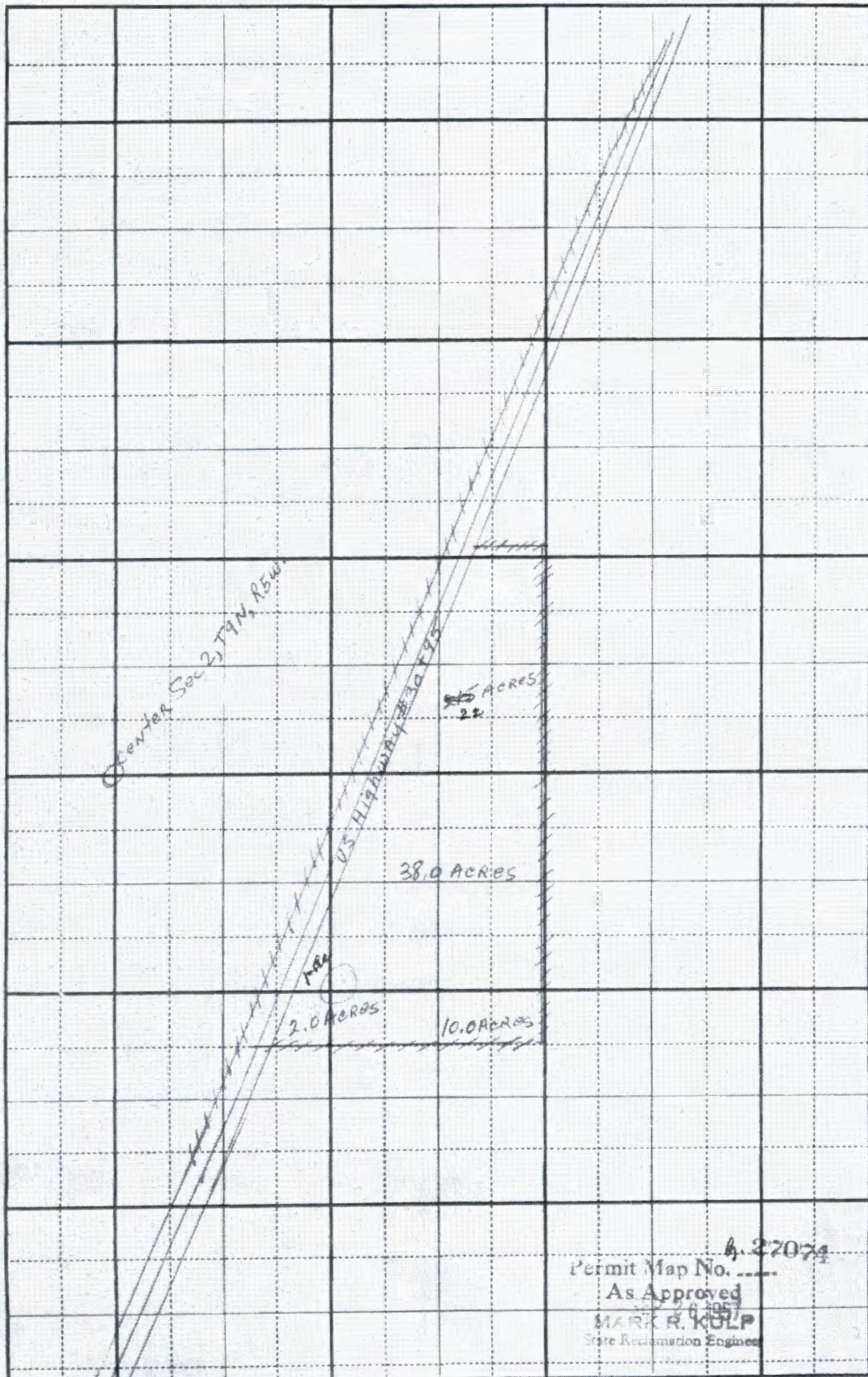
SCALE: 1/4 inch Equal 1 Mile. Draw Plan in Ink.

27072

NAME OF APPLICANT

HARRY G. YOUNG

Form No. 0



SCALE: 1/2 inches Equal 1 Mile. Draw Plan in Ink.

77074

State of Idaho

License and Certificate of Water Right

Water License No. G-27074Amount 1.36 c.f.s.

Water District No. _____

Priority September 5, 1957

THIS IS TO CERTIFY that HARRY C. YOUNG
 of Payette, Idaho, made application for a permit to appropriate the
 public waters of the State of Idaho, dated September 5, 19 57; that Permit No. G-27074
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of
 1.36 second feet, was issued thereunder on February 24, 19 64, showing that said works
 were completed on the 4th day of September, 19 62; and that on the 4th
 day of September, 19 62,

HARRY C. YOUNG

of Payette, State of Idaho, made proof to the satisfaction of the
 State Reclamation Engineer of Idaho, of the right to use the waters of a sump
 gravel pit, a tributary of _____, for the purpose of irrigation
 _____, under Use Permit No. G-27074 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,
 and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

12 of Licenses at page 7817, on the 24 day of February, 1964;

The right hereby confirmed dates from September 5, 19 57;

The Point of Diversion is located

in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, Tp. 9 N., R. 5 W., B. M. Payette 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 1.36 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
9 N.	5 W.	2	SE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 2)	22	20
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	38	34
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	10	11
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	2	3
			Total number of acres to be irrigated:		68

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
 24th day of February, 19 64.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

State of Idaho License and Certificate of Water Right

Water License No. G-22551

Amount 2.2 c.f.s.

Water District No.

Priority December 24, 1951

THIS IS TO CERTIFY that DOUGLAS D. DRISCOLL - Assignee - VERNON C. & ELAINE MILLER of Sterling, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 24, 1951; that Permit No. G-22551 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.2 second feet, was issued thereunder on February 28, 1964, showing that said works were completed on the 12 day of November, 1953; and that on the 12 day of November, 1953,

DOUGLAS D. DRISCOLL - Assignee - VERNON C. & ELAINE MILLER of Sterling, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation & stock watering, under Use Permit No. G-22551 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, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7818, on the 28 day of February, 1964; The right hereby confirmed dates from December 24, 1951; The Point-of-Diversion is located

in the SW 1/4 NE 1/4, Sec. 2, Tp. 4 S, R. 31 E, B. M. Bingham 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 2.2 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 S.	31 E	2	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SE 1/4	30	10
			NW 1/4 SE 1/4	30	12
			Total number of acres to be irrigated:		182

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 28th day of February, 1964.

s/ CARL E. TAPPAN

State Reclamation Engineer.

(SEAL)

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: A67-02261

Date Received:

Receipt No: W008587

Received By: W.

RECEIVED

FEB 09 1990

Department of Water Resources
Western Regional Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LOUIS R. YOUNG
Address: 12250 HWY 95
PAYETTE, ID

208-642-3729

83661

2. Date of Priority: SEP 05, 1957

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09N	05W	2	NE	SE			PAYETTE

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION			1.360		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
09N	05W	2	NE	SE		IRR	30.0

Section 2 0.0

Total Acres 30.0

A67-02261

Page 1

Date: 02/08/90

SCANNED
MAY 10 2004

MICROFILMED

OCT 01 1992

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:

14. Remarks:

ORIGINAL WATER SOURCE WAS A GRAVEL PIT. DUE TO THE PIT DRYING UP, A REPLACEMENT WELL WAS DRILLED IN 1982 FOR THE SOURCE.

15. Basis of Claim: LICENSE
Water Right Number: 27074

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): *James B. Young* Date: 8-Feb-90
Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 8 day

of Feb 19 90

Lori Harris
Notary Public

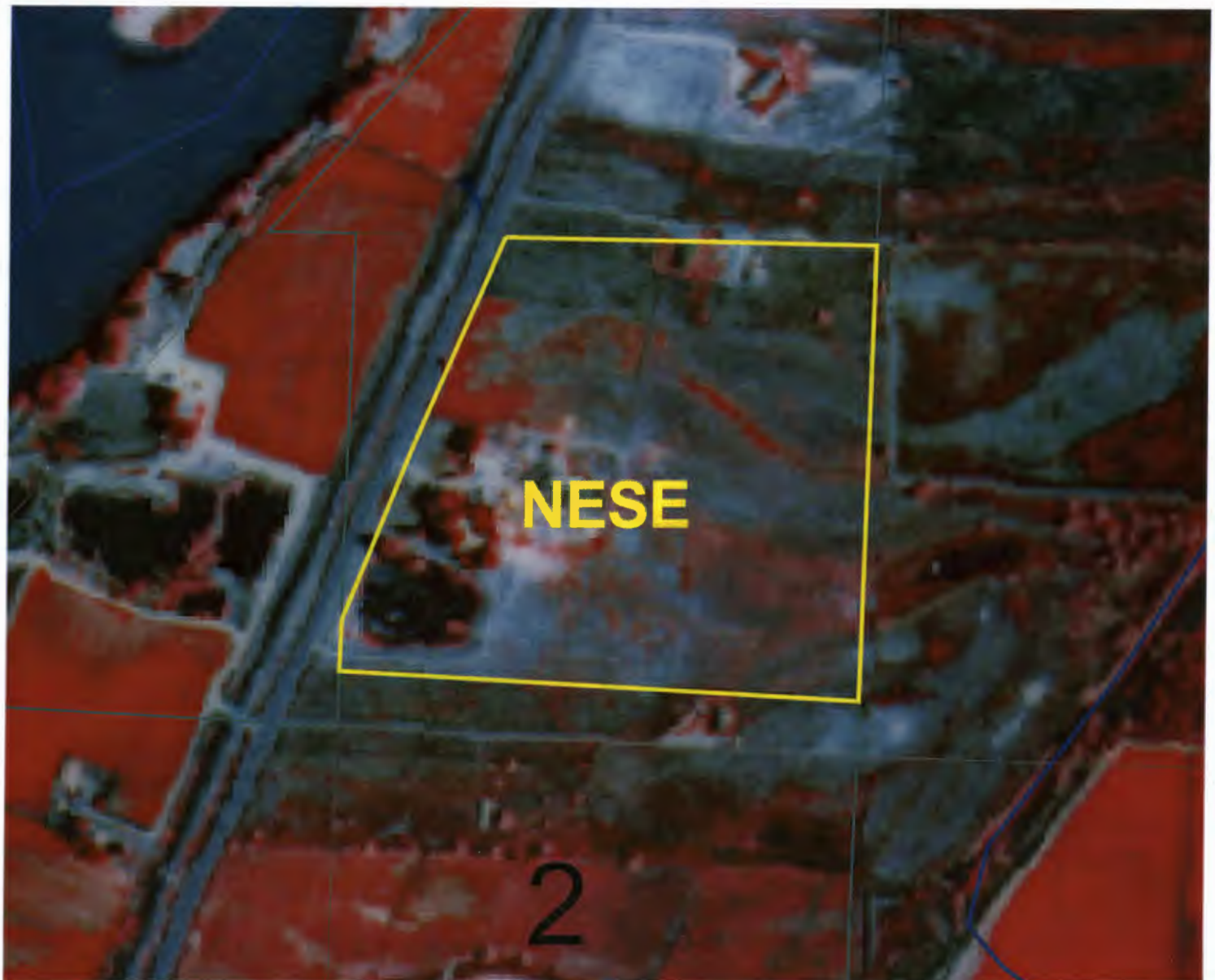
Seal

Residing at Boise, Idaho

My Commission Expires 12-8-94

Idaho Department of Water Resources

67-2261



600 0 600 1200 1800 Feet

T9N, R 05W, S2



Prepared by Anita L. Warntjes
January 21, 2004
~~1993/94 True Color Photo~~

DONOT
SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2261 V1

WATER RIGHT NUMBER: 67-2261 V1

Owner Type Name and Address
Current Owner LOUIS R YOUNG
 12250 HWY 95
 PAYETTE, ID 83661
 (208)642-3729

DRAFT

Priority Date: 09/05/1957

Basis:

Status:

Source Tributary
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	1.360 CFS	
<u>Total Diversion:</u>			1.360 CFS	

Location of Point(s) of Diversion
GROUND WATER NE1/4SE1/4 Sec. 2, Twp 09N, Rge 05W, B.M.
PAYETTE County

Place of Use
IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09N	05W	2													30.0

Total Acres: 30

Conditions of Approval:

Remarks:

Comments:

1. mcase 4/21/2004 Source
Comment: Sump/Borrow Pit is licensed source. Claimed source is groundwater. Does this match?

2. mcase 4/21/2004 Period of Use
Comment: No licensed Period of Use. I recommended standard Season of Use.

3. mcase 4/21/2004 Quantity
Comment: No licensed annual diversion. Could not determine for claim.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2261 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:
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	4/21/2004 3:08:00 PM	mcase			
POD	4/21/2004 3:10:58 PM	mcase			
Source	4/21/2004 3:12:42 PM	mcase			
POU	4/21/2004 3:12:53 PM	mcase			
Use	4/21/2004 3:13:39 PM	mcase			
Season	4/21/2004 3:16:20 PM	mcase			
Quantity	4/21/2004 3:17:06 PM	mcase			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log Text</u>
POD	4/21/2004 3:08:49 PM	mcase	Edited point location
Source	4/21/2004 3:12:42 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source?
POU	4/21/2004 3:12:53 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	4/21/2004 3:13:40 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?

04/21/2004

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 87-2261 V1

Quantity	4/21/2004 3:17:06 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? (No) 8. Does the parent right have an annual diversion volume limit?
Season	4/21/2004 3:16:21 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?
POD	4/21/2004 3:10:59 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?
Priority Date	4/21/2004 3:08:00 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?