



RECEIVED  
JAN 23 2007  
DEPARTMENT OF  
WATER RESOURCES

Director's Report  
WR # 67-7634  
67-2282

JAMES L KERNER  
1525 SUNNYSIDE RD  
WEISER ID

KERN525\* 836722009 1005 12 01/22/07  
FORWARD TIME EXP RTN TO SEND  
KERNER JAMES L  
1543 SUNNYSIDE RD  
WEISER ID 83672-5755

RETURN TO SENDER



SCANNED

MAR 13 2007

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: 67-2282

JAMES L KERNER

1525 SUNNYSIDE RD

WEISER ID 83672

Telephone Number: (208)549-1892

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:

11/29/06

SIGNATURE:

Jim Kerner

Please print your name:

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

11/07/2006

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

RIGHT NUMBER: 67-2282

NAME AND ADDRESS: JAMES L KERNER  
1525 SUNNYSIDE RD  
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.000 CFS  
351.000 AFY

PRIORITY DATE: 08/08/1960

POINT OF DIVERSION:

T10N R05W S16 SWNNW Within WASHINGTON County

T10N R05W S16 SWSNW Within WASHINGTON County

PURPOSE AND  
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

03/15 11/15

1.000 CFS

351.00 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 S16

NWNW

40.00

T10N R05W S16

SWNW

38.00

78 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



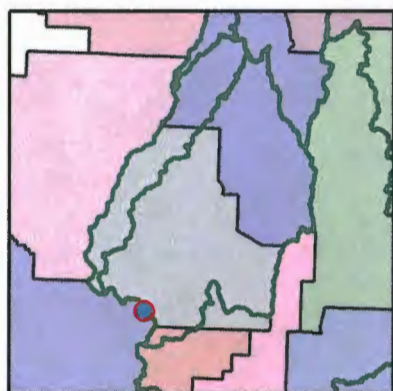
# Idaho Department of Water Resources

SRBA Recommendation:

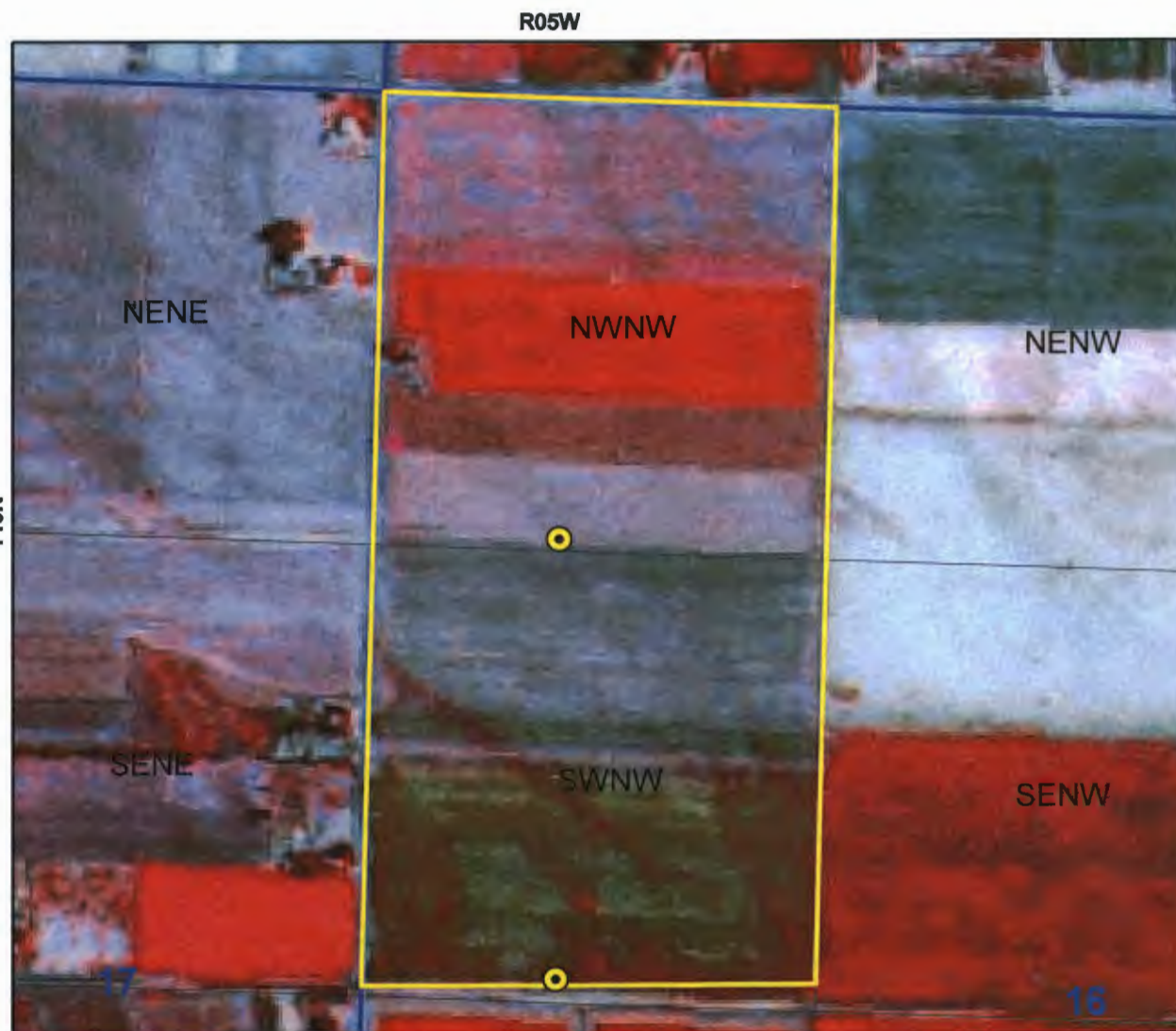
**67-2282**

## Legend

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



Washington County  
IDWR Basin 67



0 0.2 0.4 Miles



Prepared by J. Dean  
On Tuesday, November 7, 2006  
1987/88 Aerial Photography

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2282 V1

WATER RIGHT NUMBER: 67-2282 V1

|                   |                                                                          |
|-------------------|--------------------------------------------------------------------------|
| <u>Owner Type</u> | <u>Name and Address</u>                                                  |
| Current Owner     | JAMES L KERNER<br>1525 SUNNYSIDE RD<br>WEISER, ID 83672<br>(208)549-1892 |
| Original Owner    | JOHN EISENBARTH<br><br>WEISER, ID                                        |

Priority Date: 08/08/1960

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            | 03/15 to 11/15          | 1.000 CFS             | 351.00 AF            |
|                       | <u>Total Diversion:</u> | 1.000 CFS             | 351.00 AF            |

Location of Point(s) of Diversion

|                   |                 |                                 |
|-------------------|-----------------|---------------------------------|
| GROUND WATER      | SW1/4NW1/4NW1/4 | Sec. 16, Twp 10N, Rge 05W, B.M. |
| WASHINGTON County |                 |                                 |
| GROUND WATER      | SW1/4SW1/4NW1/4 | Sec. 16, 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 | 16  |    |    |    |    | 40.0 | 38.0 |    |    |    |    |    |    |    |    |    |    | 78.0   |

Total Acres: 78

Conditions of Approval:

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. 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.

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2282 V1

Remarks:Comments:

1. mcase 4/20/2004 POD  
Comment: Two PODs licensed, three PODs claimed, 4 PODs on claim map.
2. mcase 6/1/2004 Period of Use  
Comment: Licensed Period of Use shorter than standard Season of Use. Shoulder remark needed.
3. jdean 11/7/2006 POD  
Comment: The PODs for this claim were recommended as licensed.
4. jdean 11/7/2006 Recommended as licensed  
Comment: This claim was recommended as licensed with the addition of a season of use shoulder remark.

Dates and Other Information:

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

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 4/20/2004 7:39:50 AM      | mcase           |                           |                 | Active        |
| POD            | 4/20/2004 7:58:02 AM      | mcase           |                           |                 | Active        |
| Source         | 4/20/2004 7:58:11 AM      | mcase           |                           |                 | Active        |
| POU            | 4/20/2004 7:58:22 AM      | mcase           |                           |                 | Active        |
| Use            | 4/20/2004 7:58:47 AM      | mcase           |                           |                 | Active        |
| Season         | 4/20/2004 7:59:51 AM      | mcase           |                           |                 | Active        |
| Quantity       | 4/20/2004 8:00:18 AM      | mcase           |                           |                 | Active        |
| Season         | 6/1/2004 3:13:38 PM       | mcase           |                           |                 | Active        |
| Summary        |                           |                 | 11/07/2006                | jdean           | Active        |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u> |
|----------------|------------------------|-----------------|-----------------|
|----------------|------------------------|-----------------|-----------------|

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2282 V1

|               |                       |       |                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|---------------|-----------------------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD           | 11/7/2006 10:41:33 AM | jdean | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                    |
| POD           | 11/7/2006 10:41:46 AM | jdean | Updated PLS                                                                                                                                                                                                                                                                                                                                                                                                                      |
| POD           | 11/7/2006 10:42:15 AM | jdean | Updated shape                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Priority Date | 4/20/2004 7:39:51 AM  | mcase | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(Yes) 4. Is the basis of claim decree or license?<br>(Yes) 5. Does the decree or license have a Priority Date?<br>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required? |
| POD           | 4/20/2004 7:46:24 AM  | mcase | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                            |
| POD           | 4/20/2004 7:58:02 AM  | mcase | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?                                                                                                                                                                                                                                                                                                                      |
| Use           | 4/20/2004 7:58:48 AM  | mcase | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?                                                                                                                                                                                                                        |
| Source        | 4/20/2004 7:58:12 AM  | mcase | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?                                                                                                                                                                                                                                               |
| POU           | 4/20/2004 7:58:23 AM  | mcase | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the Decree or License have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?                                                                                                                                                                                                            |
| Season        | 4/20/2004 7:59:51 AM  | mcase | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a Period of Use?<br>(Yes) 5. Can the claimed Period of Use be verified using the water right file?<br>(Yes) 14. Is irrigation claimed as a Purpose of Use?<br>(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?           |

## IDAHO DEPARTMENT OF WATER RESOURCES

## Adjudication Recommendation Report 67-2282 V1

|          |                       |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|----------|-----------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Quantity | 4/20/2004 8:00:19 AM  | mcase    | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(Yes) 10. Is a irrigation a purpose of use?<br>Description for Question 10 - Diversion licensed for 351 AF.                                                                                                                                                                                                                     |
| POD      | 4/20/2004 7:47:04 AM  | mcase    | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| POU      | 1/21/2004 2:29:37 PM  | awarntje | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| Season   | 6/1/2004 3:13:38 PM   | mcase    | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a Period of Use?<br>(Yes) 5. Can the claimed Period of Use be verified using the water right file?<br>(Yes) 14. Is irrigation claimed as a Purpose of Use?<br>(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?<br>(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?                                                                            |
| POD      | 11/7/2006 10:42:33 AM | jdean    | Updated PLS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Summary  | 11/7/2006 10:46:26 AM | jdean    | (Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice?<br>(No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture?<br>(No) 5. Does this right have any combined use limits with other rights?<br>(No) 6. Is an additional remark and/or condition required?<br>(Yes) 7. Would you like to view the recommended right?<br>(No) 8. Is this a split or combined right?<br>(No) 9. Do you have documents you would like to attach or link to the file?<br>(Yes) 10. Would you like to set the verification date? |

Water Supply Bank:

State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 67-2282 Priority 8-8-60 Amount 1.0 cfs

THIS IS TO CERTIFY, that John Eisenbarth  
of Weiser, Idaho, has complied with the terms and conditions of Permit  
No. 67-2282 issued pursuant to Application for Permit dated August 8, 1960,  
and has submitted proof to the Department of Water Administration on August 11, 1965,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 1.0 cfs, and that the water has in fact been applied to a  
beneficial use: a right to the use of water from a ground water source  
tributary of \_\_\_\_\_ is hereby confirmed in the following amounts:  
Amount 1.0 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 1.0 cfs of water be diverted at  
any one time, said waters to be diverted within the (1) NW $\frac{1}{4}$ NW $\frac{1}{4}$ , (2) SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Sec. 16,  
T. 10N, R. 5W, 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 351 acre feet per year or \_\_\_\_\_  
4.5 acre feet per acre.

Description and location of place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | 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 $\frac{1}{4}$ |        |
| 10N  | 5W    | 16   |                  |                  |                  |                  | 40               | 38               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 78     |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres irrigated 78

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 16<sup>th</sup> day of

July, 19 71.

  
Director

67-2282

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: A67-02282  
Date Received: 10/12/1989  
Receipt No: 4004913  
Received By: CA

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

1. Name: JAMES L. KERNER 208-549-1892  
Address: 1525 SUNNYSIDE RD.  
WEISER, ID 83672

2. Date of Priority: AUG 08, 1960

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   | 16      | NW     | NW     | NW     |     | WASHINGTON |
|          |       |         | SW     | NW     | NW     |     | WASHINGTON |
|          |       |         | SW     | SW     | NW     |     | WASHINGTON |

5. Description of diverting works:  
4 WELLS, INTERCONNECTED WITH MAINLINE, WHEEL LINES

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 1.000  |      |        |

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

8. Total consumptive use is 280.0 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   | 16      | NW     | NW     |     | IRR           | 40.0  |
|          |       |         | SW     | NW     |     | IRR           | 38.0  |
|          |       |         |        |        |     | Section Acres | 78.0  |

A67-02282

Page 1

Date: 10/12/89

SCANNED  
MAY 10 2004

MICROFILMED

OCT 01 1992

10. Place of Use: Continued

Total Acres 78.0

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:  
67-07634

14. Remarks:  
2 WELLS ARE LOCATED IN THE SW 1/4, NW 1/4, NW 1/4 OF SECTION 16,  
TWN. 10 N, 5W RNG.

15. Basis of Claim: LICENSE  
Water Right Number: 28924

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): James L. Keras Date: 10/12/89  
\_\_\_\_\_  
Date: \_\_\_\_\_

State of Idaho )  
County of Washington ) SS.

Subscribed and sworn (or affirmed) before me this 12<sup>th</sup> day  
of October 19 89

Carter Fritschle  
Notary Public



Residing at \_\_\_\_\_

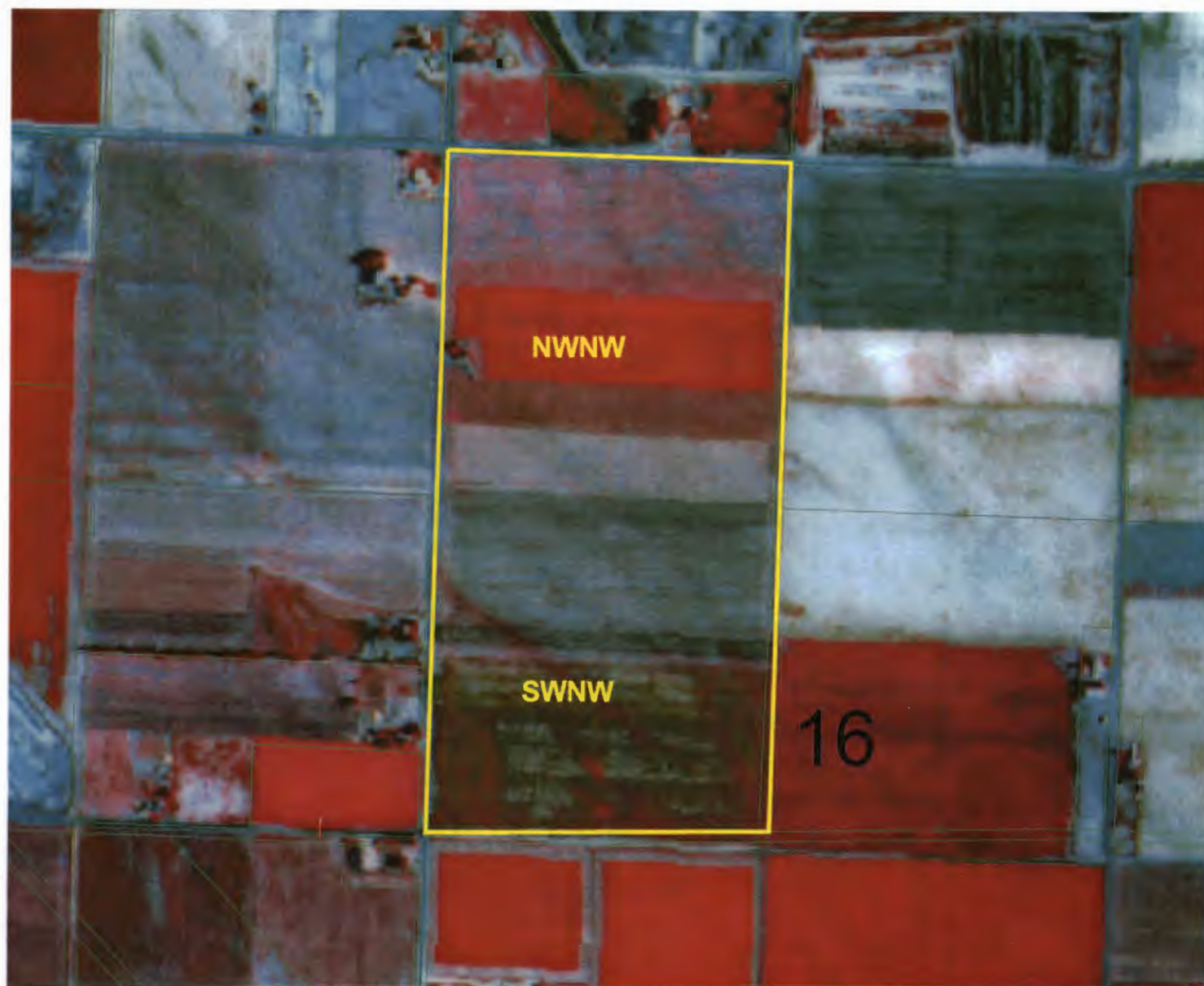
My Commission Expires \_\_\_\_\_

Carter Fritschle, Notary Public  
Residing at Eagle, Idaho  
My commission Expires March 21, 1994



**Idaho Department of Water Resources**

**67-2282**



1000 0 1000 2000 3000 Feet

**T10N, R 05W, S16**



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

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2282 V1

WATER RIGHT NUMBER: 67-2282 V1

Owner Type Name and Address  
Current Owner JAMES L KERNER  
1525 SUNNYSIDE RD  
WEISER, ID 83672  
(208)549-1892  
Original Owner JOHN EISENBARTH  
WEISER, ID

Priority Date: 08/08/1960

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              | 03/15 to 11/15        | 1.000 CFS             | 351.00 AF            |
| <u>Total Diversion:</u> |                       | 1.000 CFS             |                      |

Location of Point(s) of Diversion

|                   |                 |                                 |
|-------------------|-----------------|---------------------------------|
| GROUND WATER      | SW1/4NW1/4NW1/4 | Sec. 16, Twp 10N, Rge 05W, B.M. |
| WASHINGTON County |                 |                                 |
| GROUND WATER      | SW1/4SW1/4NW1/4 | Sec. 16, Twp 10N, Rge 05W, B.M. |
| WASHINGTON County |                 |                                 |
| GROUND WATER      | NW1/4NW1/4NW1/4 | Sec. 16, Twp 10N, Rge 05W, B.M. |
| WASHINGTON County |                 |                                 |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE   | NW   | SW | SE | Totals |
|-----|-----|-----|------|------|----|----|--------|
| 10N | 05W | 16  | 40.0 | 38.0 |    |    | 78.0   |

Total Acres: 78

Conditions of Approval:Remarks:

DO NOT SCAN

DRAFT

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2282 V1

Comments:

1. mcase 4/20/2004 POD

Comment: Two PODs licensed, three PODs claimed, 4 PODs on claim map.

*Period of Use - Claimed shorter than standard. Should be Kerner.*  
Dates and Other Information: *licensed*

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

Combined Use Limits:Element Reviewed/Verified Dates:

| <u>Element</u> | <u>Last Reviewed Date</u> | <u>Reviewer</u> | <u>Last Verified Date</u> | <u>Verifier</u> | <u>Status</u> |
|----------------|---------------------------|-----------------|---------------------------|-----------------|---------------|
| Priority Date  | 4/20/2004 7:39:50 AM      | mcase           |                           |                 |               |
| POD            | 4/20/2004 7:58:02 AM      | mcase           |                           |                 |               |
| Source         | 4/20/2004 7:58:11 AM      | mcase           |                           |                 |               |
| POU            | 4/20/2004 7:58:22 AM      | mcase           |                           |                 |               |
| Use            | 4/20/2004 7:58:47 AM      | mcase           |                           |                 |               |
| Season         | 4/20/2004 7:59:51 AM      | mcase           |                           |                 |               |
| Quantity       | 4/20/2004 8:00:18 AM      | mcase           |                           |                 |               |

Verification Log:

| <u>Element</u> | <u>Date Time Stamp</u> | <u>Reviewer</u> | <u>Log text</u>                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------|------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Priority Date  | 4/20/2004 7:39:51 AM   | mcase           | (No) 1. Should this water use have been included in a later court decree of the water rights from this source?<br>(Yes) 4. Is the basis of claim decree or license?<br>(Yes) 5. Does the decree or license have a Priority Date?<br>(Yes) 6. Did the Claimant claim the decreed or licensed Priority Date?<br>(Yes) 15. Is the basis of claim coded correctly?<br>(No) 16. Is a Priority Date remark and/or condition required? |
| POD            | 4/20/2004 7:46:24 AM   | mcase           | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                           |

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Recommendation Report 67-2282 V1

|          |                      |         |                                                                                                                                                                                                                                                                                                                                                                                                                               |
|----------|----------------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| POD      | 4/20/2004 7:58:02 AM | mcase   | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a POD?                                                                                                                                                                                                                                                                                                                   |
| Use      | 4/20/2004 7:58:48 AM | mcase   | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a Purpose of Use?<br>(Yes) 5. Can the claimed Purpose of Use be verified using the water right file?                                                                                                                                                                                                                     |
| Source   | 4/20/2004 7:58:12 AM | mcase   | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a source?<br>(Yes) 5. Can the claimed source be verified using the water right file?                                                                                                                                                                                                                                            |
| POU      | 4/20/2004 7:58:23 AM | mcase   | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 2a. Is the POU required?<br>(Yes) 5. Does the Decree or License have a POU?<br>(Yes) 6. Can the claimed POU be verified using the water right file?                                                                                                                                                                                                         |
| Season   | 4/20/2004 7:59:51 AM | mcase   | (Yes) 1. Is the basis of claim Decree or License?<br>(Yes) 4. Does the Decree or License have a Period of Use?<br>(Yes) 5. Can the claimed Period of Use be verified using the water right file?<br>(Yes) 14. Is irrigation claimed as a Purpose of Use?<br>+ (Yes) 15. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?     |
| Quantity | 4/20/2004 8:00:19 AM | mcase   | (Yes) 1. Is the basis of this claim a Decree or License?<br>(Yes) 4. Does the Decree or License have a diversion rate and/or volume?<br>(Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file?<br>(Yes) 8. Does the parent right have an annual diversion volume limit?<br>(Yes) 10. Is a irrigation a purpose of use?<br>Description for Question 10 - Diversion licensed for 351 AF. |
| POD      | 4/20/2004 7:47:04 AM | mcase   | Edited point location                                                                                                                                                                                                                                                                                                                                                                                                         |
| POU      | 1/21/2004 2:29:37 PM | awamtje | Edited shape boundary                                                                                                                                                                                                                                                                                                                                                                                                         |