

RECEIVED

DEC 04 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: 67-2320

CITY OF WEISER

55 W IDAHO ST

WEISER ID 83672

Telephone Number: (208) 414-1965

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: 11/28/06

SIGNATURE: Nathan Marvin

Please print your name: Nathan Marvin

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

SCANNED
DEC - 4 2006

11/09/2006

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

RIGHT NUMBER: 67-2320

NAME AND ADDRESS: CITY OF WEISER
55 W IDAHO ST
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.550 CFS

PRIORITY DATE: 01/07/1964

POINT OF DIVERSION:

T11N R05W S29 SENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
MUNICIPAL

PERIOD OF USE
1/01 12/31

QUANTITY
0.550 CFS

PLACE OF USE:

Place of use is within the service area of the City of Weiser municipal water supply system as provided for under Idaho Law.

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

✓ Needs layout -

OK.



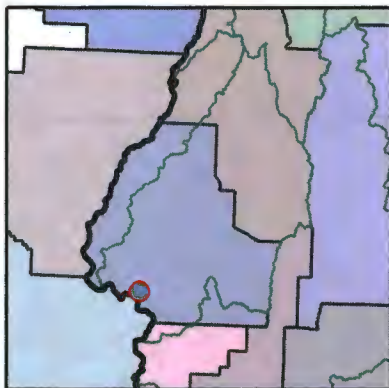
City Of Weiser

SRBA Recommendations: 67-2320, 67-4291, 67-4412, 67-10971, 67-10975, 67-14129

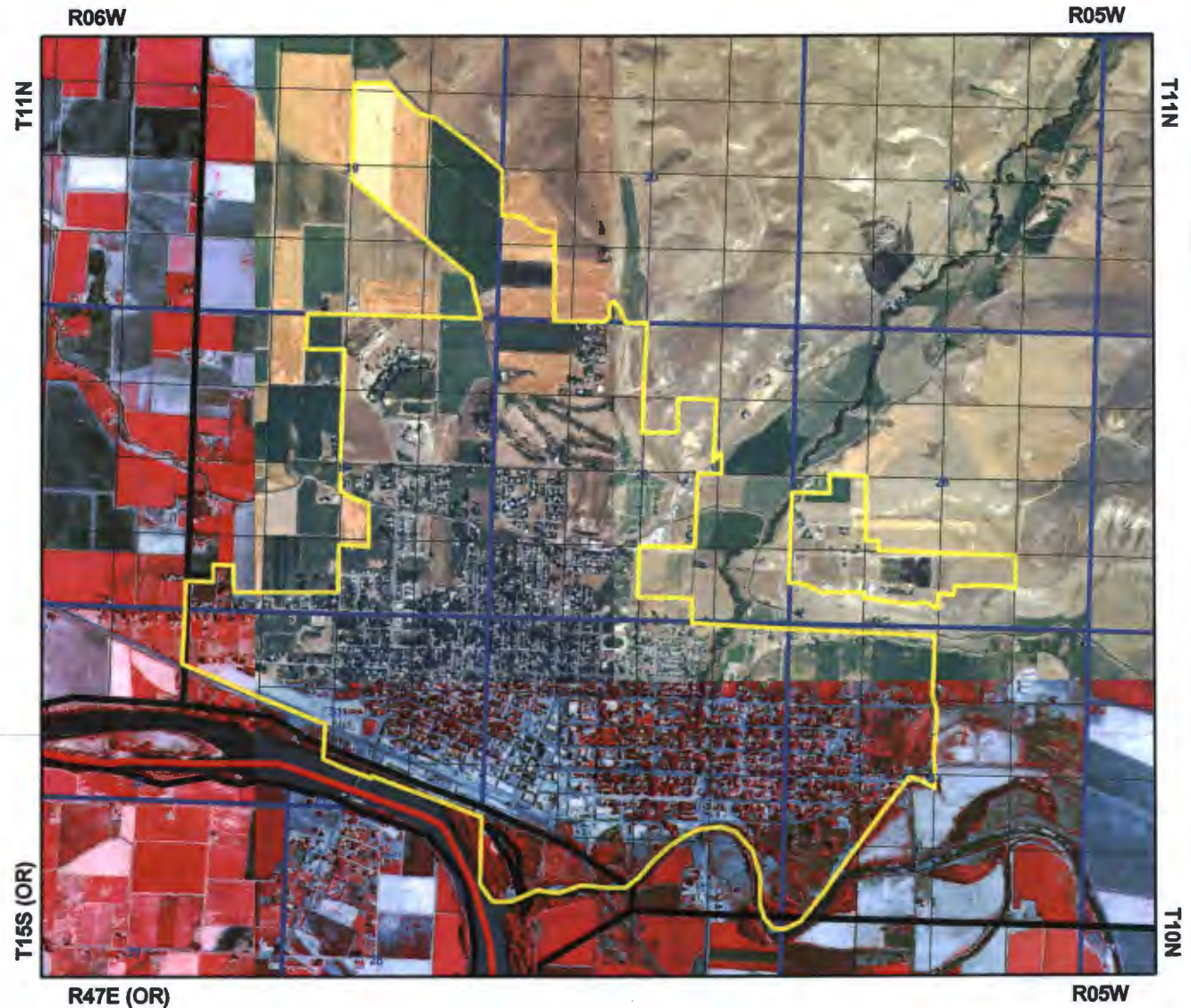
Service Area Boundary
GIS Place of Use Illustration

Legend

-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Washington County
IDWR Basin 67



0 1 2 Miles

Prepared by A. Warntjes
On Thursday, November 16, 2006
1987/88 Aerial Photography

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 31633/67-2320 Priority Jan. 7, 1964 Amount 0.55 cfs

THIS IS TO CERTIFY, that the City of Weiser
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 31633/67-2320 issued pursuant to Application for Permit dated January 7, 1964
and has submitted proof to the Department of Water Administration on January 3, 1969
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 0.55 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 0.55 cfs for Municipal from Jan. 1 to Dec. 31 (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 0.55 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE 1/4 Sec. 29, Twp. 11 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 ~~XXXXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXXXXXXXXXX~~

Description and location of place of use: City of Weiser & Vicinity

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated _____

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 21ST day of

May, 19 73.

R. Karl Higg
Director

67 2320



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

Date: June 28, 1990

City of Weiser
55 W. Idaho St.
Weiser, ID 83672

RE: Notices of Claim to a Water Right in the Snake River Basin
Adjudication, See List Below
County of Washington

Dear Claimant:

We are forwarding to you data entered copies of the claims you filed in the Snake River Basin Adjudication.

We have interpreted the data from these claims in the process of data entry in a manner which we feel more accurately reflects the true status of these water rights. The items that were modified are highlighted. Please review the enclosed claims to assure that these modifications are in agreement with these water rights.

If you believe our data is incorrect, and you wish to make any changes to any of these Notices of Claim, initial the changes, sign the form, have your signature notarized, and return it to this office within 30 days. If you believe the modifications are correct, please retain these copies of your claims for your records.

Please feel free to contact this office if you have any questions.

Sincerely,

John D. Carlson
Adjudication Supervisor

JDC:AB;CF;HHT;FEL;RM
Enclosure:

Claim Nos. A67-02320
A67-04291
A03-07009
A67-10975
A03-10010

MICROFILMED
OCT 02 1992
MAY 10 2004
SCANNED

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: A67-02320

Date Received: ~~10/28/1989~~ 10-18-89

Receipt No: C012378

Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CITY OF WEISER 208-549-1964
Address: 55 W. IDAHO ST.
WEISER, ID 83672

2. Date of Priority: JAN 07, 1964

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	05W	29	SE		NW		WASHINGTON

5. Description of diverting works:
DRILLED WELL PUMP PUMPING INTO CITY WATER LINE GRID

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
MUNICIPAL	01/01	12/31	0.550		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
M/ CITY OF WEISER

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
----------	-------	---------	--------	--------	-----	-----	-------

11. Place of use in counties:

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

A67-02320

Page 1

Date: 06/28/90

MICROFILMED
OCT 02 1992

MAILED
MAY 10 2004

13. Other Water Rights Used:

A67-4291, A67-07727, A67-10975, A03-07009, A03-10010

14. Remarks:

PLACE OF USE CITY OF WEISER.

15. Basis of Claim: LICENSE

Water Right Number: 31633

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____ Title

_____, that I have signed the foregoing
Organization
document in the space below as _____ of

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

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

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: 31633/67-2320

Date Received: 10-18-89

Receipt No: 2012378

Received by: *RR*

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of applicant: City of Weiser

Phone: 549-1964

Address: 55 W. Idaho St.

2. Date of priority: Jan. 7, 1964

3. Source of water supply: Ground water

Tributary to:

4. Point of diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
11N	5W	29	SE	NW	WASHINGTON

5. Description of existing diversion works: Drilled well with pump pumping into city water line grid.

6. Water is claimed for the following purposes:

Purposes	(both dates are inclusive)		C.F.S.	(OR)	A.F.A.
	From	To			
MUN.	1/1	12/31	0.55		

7. Total quality claimed (a) 0.55 (cfs) and/or (b) (acre feet)

8. Total consumptive use claimed is: MUNICIPAL

9. Non-irrigation uses; MUNICIPAL

10. Lands irrigated of Place of Use: WITHIN THE CITY LIMITS OF WEISER

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
----------	-------	---------	-----	----	-----	-----	-----	-------

Total number of acres irrigated

Last Name: Weiser

Ident. Number: 31633/67-2320

MICROFILMED
OCT 02 1992

Page 2 of 3

11. Place of Use in counties: Washington

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

If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Other Water Rights Used: 03-7009, 67-4291, 67-07727

14. Remarks:

15. Basis of Claim: LICENSE

Case Number:

Court:

Decree Date:

Plaintiff

vs

Defendant

16. Signatures(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 ORGANIZATIONS: I do solemnly swear or affirm that I am R. Dale Thomason, Mayor

of City of Weiser, that I have signed

the foregoing document in the space below as Mayor

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

Signature of Authorized Agent

R. Dale Thomason

Title and Organization

Mayor City of Weiser

Date

10-16-89

State of Idaho)

SS.

County of _____)

Last Name: Weiser

Ident. Number: 31633/67-2320

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OCT 02 1992

Page 3 of 3

Subscribe and sworn (or affirmed) before me this 16th day of Oct 19 89

Seal

Notary Public M. J. Moore,

Residing at Weiser, Idaho

My Commission Expires Jan 30, 1992

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name: Weiser

Ident. Number: 31633/67-2320

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OCT 02 1992

4/5/1989

SRBA CLAIMS RECEIVING CHECKLIST #2

CLAIMANT'S NAME City of Weiser CLAIM IDENT. NO. A67-02320

DATE RECEIVED 10/18/89 CK # 0012378 AMOUNT \$ 105.00

- | | YES | NO | Required Info? |
|--|-------------------------------------|-------------------------------------|----------------|
| 1. Is the name and address complete with zip code? | ☒ | ☐ | * |
| 2. Is a priority date entered? | ☒ | ☐ | * |
| Is the priority date acceptable in view of mandatory filing dates?
See Adjudication Memos #1 and #4 to determine if a Permit is required. | | | |
| 3. (a) Is a source entered? | ☒ | ☐ | * |
| (b) Is a tributary to entered? (if required) | <u>N/A</u> | ☐ | |
| 4. Is the legal description of the p.d. sufficient? | ☒ | ☐ | * |
| 5. Is there a description of the diverting works? | ☒ | ☐ | |
| 6. Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | ☒ | ☐ | * |
| Is the period of use included? | ☒ | ☐ | |
| Is a quantity claimed for each use? | ☒ | ☐ | * |
| 7. Is a total quantity claimed entered? | ☒ | ☐ | |
| 8. If required is a consumptive use entered? | <u>N/A</u> | ☐ | |
| Is the consumptive use correct? | <u>N/A</u> | ☒ | |
| 9. Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | <u>N/A</u> | ☐ | * |
| 10. Is (are) the place(s) of use and purpose(s) indicated? | ☒ | ☐ | * |
| 11. Is (are) the county(ies) entered? | ☒ | ☐ | |
| 12. Is the ownership of p.u. checked? | ☒ | ☐ | |
| 13. Are other water rights listed or "none" indicated? | ☒ | ☐ | |
| 14. If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | <u>N/A</u> | ☐ | |
| 15. Is the basis of the claim indicated? | ☒ | ☐ | |
| 16. If the claimant requested a monthly docket sheet, is payment enclosed? (If yes, describe payment status in "Comments" below.) | <u>N/A</u> | ☐ | |
| 17. Is the claim signed by the claimant, and is the signature appropriate? Organizations must complete the organization block. | ☒ | ☐ | * |
| 18. Has the claim been signed, sealed, and dated by a notary? | ☒ | ☐ | * |
| 19. Was this claim filed on time, or was an extension granted? | ☒ | ☐ | * |
| 20. Is the fee enclosed correct? | <u>Exempt</u> | ☐ | * |
| 21. If this claim is based on an existing water right, has the identification number been entered? | <u>N/A</u> | ☐ | |
| 22. Should this claim be data entered? | ☒ | ☐ | |

Claim checked by: [Signature] Date: 5/18/90

Claim must be returned to claimant: (Yes) (No)

Claimant must be notified of modifications: (Yes) (No)

Receipt Prepared by: [Signature] Date: 6/28/90 Checked by: [Signature] Date:
Claim data entered by: [Signature] Date:
Sent to claimant by: [Signature] Date:

Comments:

MICROFILMED

OCT 02 1992

WEISER WATER WORKS

20 AUG. 2002

To: Mark Larson

From: Rod Millbrook

Subject: Boundary for City's Water Right

Dear Mark,

In regards to the letter and map from Anita Warntjes, the map was not large enough to draw in the city's newly annexed areas. I have enclosed a larger map and outlined in pink the current city limits boundary.

The area outlined in green is currently in the county, but is serviced by the city's water system. (water mains, water services, fire hydrants, and water reservoir)

I guess you'll have to determine if this area should be added to our water right boundary ???

If you have any questions please feel free to call @ 549-1775, 7 a.m.- 4 p.m. Mon.- Fri.

Sincerely,



Rod Millbrook

Water Dept. Supt.

RECEIVED

AUG 22 2002

Department of Water Resources

CITY OF WEISER
55 W. Idaho
Weiser, ID 83672-1997
(208) ~~549~~-1965
414

TO: MARK LARSON

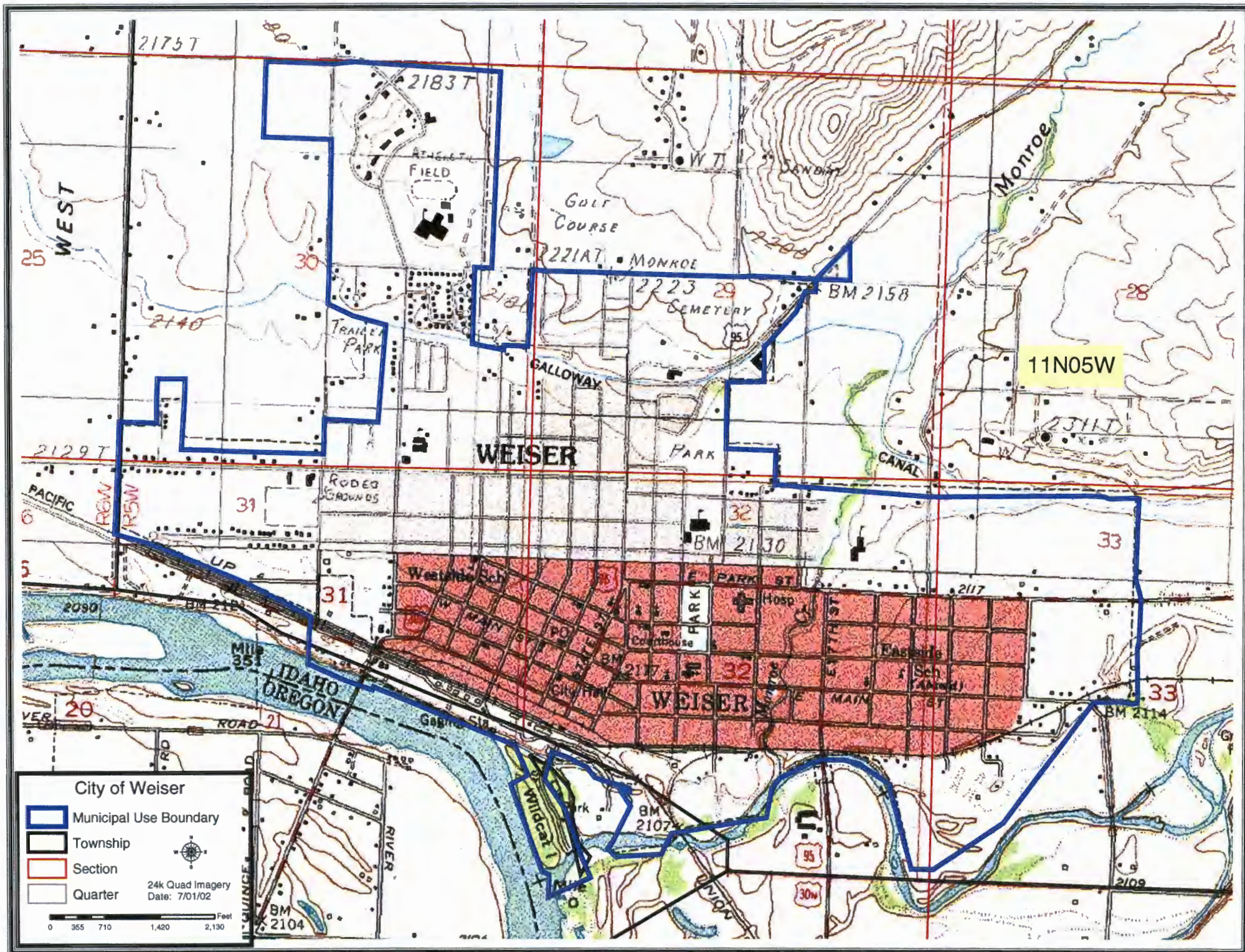
Idaho Dept. of Water Resources
1301 N. ORCHARD ST.
BOISE, IDAHO
83706

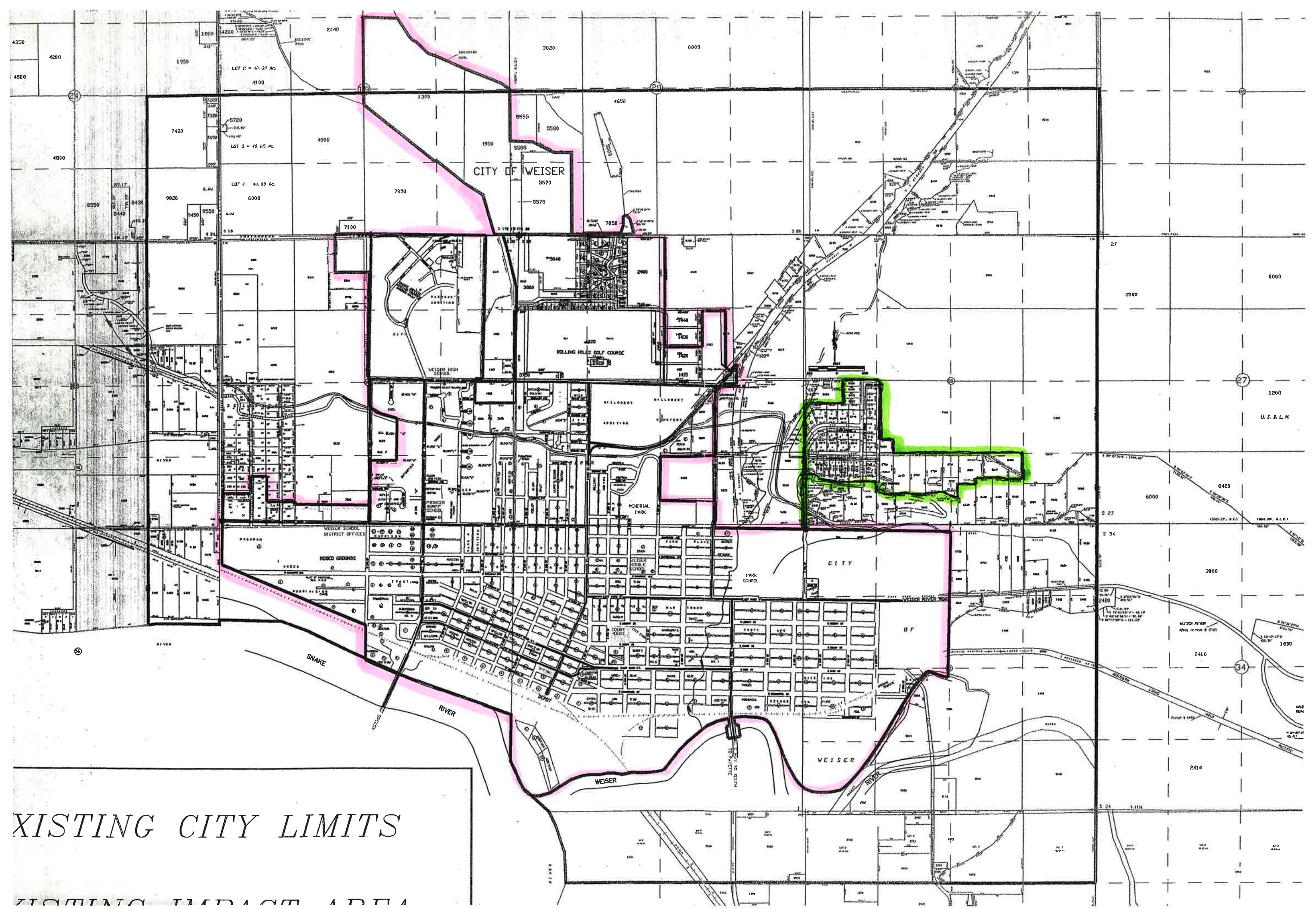
U.S. POSTAGE

0.60

PERMIT
8333882







EXISTING CITY LIMITS

EXISTING IMPACT AREA