

11/11/2006

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

RIGHT NUMBER: 67-411

NAME AND ADDRESS: SCOTTI YANTIS
685 S INDIAN VALLEY RD
INDIAN VALLEY ID 83632

RALPH YANTIS
685 S INDIAN VALLEY RD
INDIAN VALLEY ID 83632

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.580 CFS

The rights listed below are limited to a total combined diversion rate of 3.94 cfs. Combined Right Nos.: 67-411, 67-443, 67-4298, and 67-14745.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T13N R01E S6 NESW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 10/31	0.580 CFS

PLACE OF USE:

IRRIGATION in ADAMS County

T13N R01W S01 Lot 2 NWNE	14.00	T13N R01W S01	SWNE	16.00	
T13N R01W S01	NESE	6.00	T14N R01W S36	SESW	8.70
T14N R01W S36	SWSE	1.70			

46.4 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 197.0 acres in a single irrigation season. Combined Right Nos.: 67-411, 67-443, 67-4298, and 67-14745.

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 - Decreed

Idaho Department of Water Resources

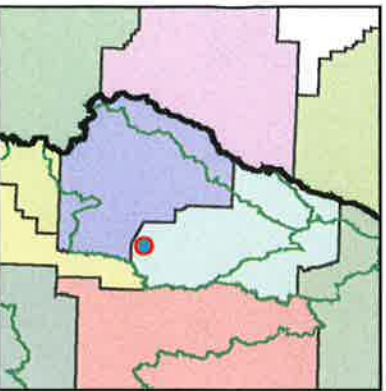


SRBA Recommendation:

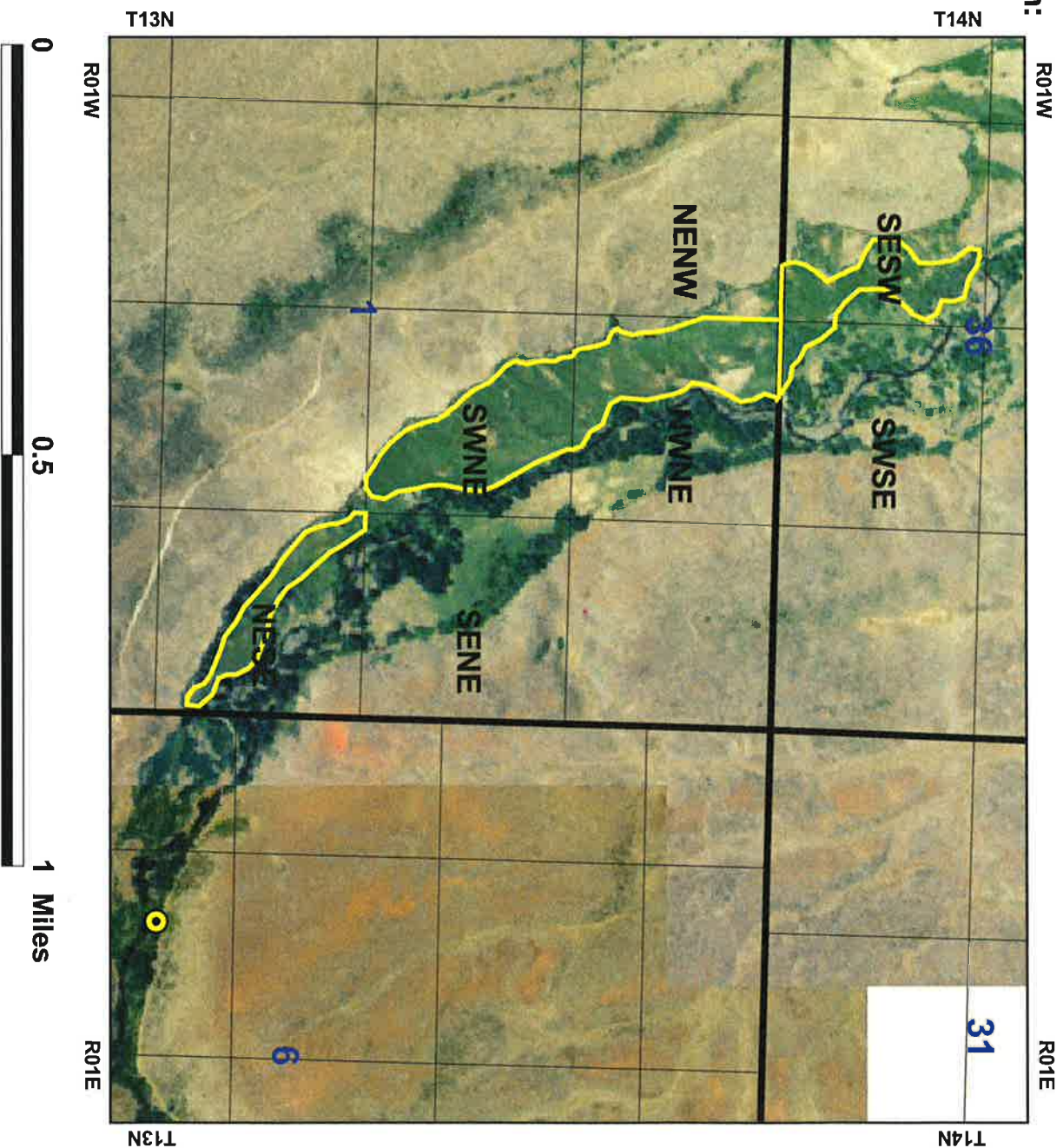
67-411
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



Prepared by C. Saxton
On Saturday, November 11, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-411 V1

WATER RIGHT NUMBER: 67-411 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTTI YANTIS 685 S INDIAN VALLEY RD INDIAN VALLEY, ID 83632 (208)256-4351
Original Owner	E H RICHARDSON , ID
Current Owner	RALPH YANTIS 685 S INDIAN VALLEY RD INDIAN VALLEY, ID 83632 (208)256-4351

Priority Date: 06/01/1885

Basis: Decreed

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 10/31	0.580 CFS	
	<u>Total Diversion:</u>	0.580 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	NE1/4SW1/4	Sec. 6, Twp 13N, Rge 01E, B.M.
ADAMS 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	
13N	01W	1		14.0	16.0										6.0				36.0
				L 2															
14N	01W	36											8.7			1.7			10.4

Total Acres: 46.4

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 197.0 acres in a single irrigation season. Combined Right Nos.: 67-411, 67-443, and 67-4298

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-411 V1

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.

Remarks:Comments:

1. mcase 7/6/2004 POD

Comment: POD created using claim map. Ditch can be seen on the 24k NHD hydro layer, and the diversion is a different QQ than claimed. I updated the PLS for the recommendation.

2. mcase 7/7/2004 POU

Comment: POU shape created using claim map. Digitized shape has more irrigated acreage than claimed. Field boundaries are difficult to determine. Decreed for 46.4 acres, claimed 49 acres with Ben Ross Reservoir water.

3. csaxton 11/11/2006 Acreage

Comment: Recommended the decreed acreage for 67-411.

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: 67

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	7/6/2004 4:29:36 PM	mcase			Active
POD	7/6/2004 4:48:59 PM	mcase			Active
Source	7/6/2004 4:51:34 PM	mcase			Active
POU	7/7/2004 8:25:06 AM	mcase			Active
Use	7/7/2004 8:25:16 AM	mcase			Active
Season	7/7/2004 8:25:54 AM	mcase			Active
Quantity	7/7/2004 8:26:23 AM	mcase			Active
Priority Date	7/7/2004 8:31:00 AM	mcase			Active
POD	7/7/2004 8:31:02 AM	mcase			Active
Source	7/7/2004 8:31:05 AM	mcase			Active

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-411 V1

Priority Date	7/7/2004 8:52:36 AM	mcase	Active
Priority Date	7/18/2006 9:50:20 AM	dnarsavage	Active
POD	7/18/2006 9:50:45 AM	dnarsavage	Active
Source	7/18/2006 9:54:51 AM	dnarsavage	Active
POU	7/18/2006 9:55:10 AM	dnarsavage	Active
Use	7/18/2006 10:04:09 AM	dnarsavage	Active
Season	7/18/2006 10:09:21 AM	dnarsavage	Active
Quantity	7/18/2006 10:10:57 AM	dnarsavage	Active
Summary	07/18/2006	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Priority Date	7/6/2004 4:29:37 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?
POD	7/6/2004 4:49:00 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (No) 5. Can the claimed POD be verified using the water right file? (No) 6. Is there evidence that there has been a change in the POD? (Yes) 9. Does the file contain all the necessary information to verify the POD?
Priority Date	7/7/2004 8:31:00 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license?
POU	7/7/2004 8:25:06 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (No) 6. Can the claimed POU be verified using the water right file? (No) 7. Is there evidence that there has been a change in the POU? (No) 13. Does the file contain all the necessary information to verify the POU?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-411 V1

Use	7/7/2004 8:25:17 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	7/7/2004 8:25:54 AM	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?
POD	7/7/2004 8:31:03 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?
Source	7/7/2004 8:31:05 AM	mcase	(Yes) 1. Is the basis of claim Decree or License?
General	7/18/2006 9:50:21 AM	dnarsavage	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	7/18/2006 9:50:45 AM	dnarsavage	(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?
POU	7/18/2006 9:55:11 AM	dnarsavage	(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? (No) 14. Is a POU remark and/or condition required?
POU	7/18/2006 9:55:35 AM	dnarsavage	Updated shape for Active POU
POU	7/18/2006 9:55:53 AM	dnarsavage	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-411 V1

Use	7/18/2006 10:04:09 AM	dnarsavage	(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?
POU	7/18/2006 10:09:34 AM	dnarsavage	Edited Season Of Use
POD	7/18/2006 9:53:05 AM	dnarsavage	Updated shape
Source	7/18/2006 9:54:51 AM	dnarsavage	(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?
Season	7/18/2006 10:09:22 AM	dnarsavage	(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? (No) 18. Is a Period of Use remark and/or condition required?
Quantity	7/18/2006 10:10:57 AM	dnarsavage	(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?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-411 V1

Summary	7/18/2006 10:12:19 AM	dnarsavage	(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?
POU	11/11/2006 9:17:41 AM	csaxton	Updated shape for Active POU
POU	11/11/2006 9:18:08 AM	csaxton	Updated PLS for Active POU
POD	11/11/2006 9:21:43 AM	csaxton	Updated shape
POD	11/11/2006 9:22:55 AM	csaxton	Updated PLS
Quantity	7/7/2004 8:26:23 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (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?
Source	7/6/2004 4:51:35 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
Priority Date	7/7/2004 8:52:36 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

Water Supply Bank:

Claim

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(ad)	Source	Water Use(s)	Owner(s)	Source Table
67	410 B		Decreed	Active	1885-06-01	0.09		LITTLE WEISE IRRIGATION		YANTIS, RAL Claim	
67	411		Decreed	Active	1885-06-01	0.58		LITTLE WEISE IRRIGATION		YANTIS, RAL Claim	
67	443		Decreed	Active	1885-06-01	0.92		LITTLE WEISE IRRIGATION		YANTIS, RAL Claim	
67	4298		Statutory Clai	Active	1896-01-01	5.76		LITTLE WEISE IRRIGATION		YANTIS, RAL Claim	
67	14745		Beneficial Usr	Active	1874-01-01	0.07		SPRING	STOCKWATER	YANTIS, RAL Claim	

Recommendation

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	410 B		Decreed	Disallowed	1885-06-01	0	0	LITTLE WEISE IRRIGATION		YANTIS, RAL Recommendation	
67	411		Decreed	Active	1885-06-01	0.58	46.4	LITTLE WEISE IRRIGATION		YANTIS, RAL Recommendation	
67	443		Decreed	Active	1885-06-01	0.92	73.6	LITTLE WEISE IRRIGATION		YANTIS, RAL Recommendation	
67	4298		B-use	Active	~~5-40-1910~~	1.5	120	LITTLE WEISE IRRIGATION		YANTIS, RAL Recommendation	
67					3-15-1949	2.44	197	LITTLE WEISE IRRIGATION		YANTIS, RAL Recommendation	
67						3.94	197	LITTLE WEISE IRRIGATION		YANTIS, RAL Recommendation	
67	14745		Beneficial Usr	Active	1885-06-01	0.05		SPRING	STOCKWATER	YANTIS, RAL Recommendation	

WR

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(ad)	Source	Water Use(s)	Owner(s)	Source Table
67	7487			Lapsed						YANTIS, RAL wrWaterPermit	
67	411		Decreed	Active	1885-06-01	0.58		LITTLE WEISE IRRIGATION		RICHARDO wrWaterRight	
67	443		Decreed	Active	1885-06-01	0.92		LITTLE WEISE IRRIGATION		LINDSEY, D wrWaterRight	

PARCEL #	Name	67A #	Date	CFS	Notes
13N01W0112	YANTIS, RALP	411	6/1/1885	0.58	49
14N01W1575	YANTIS, RALP	426	6/1/1883	0.5	40
14N01W2200	YANTIS, RALP	443	6/1/1885	0.92	52