

11/02/2006

IDAHO DEPARTMENT OF WATER RESO
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQ

5-17-07:

When we left off
I left message with Mr.
Adkins and he hasn't
called back. Mr Adkins
is in search of a
missing 8 inches and
as of this point, he
nor I can find it.
I think it may be
Company Water. C. Smith

RIGHT NUMBER: 67-420
NAME AND ADDRESS: LANAE A VESELKA
2381 S GRAYS CREEK RD
INDIAN VALLEY ID 83632
ALBIN F VESELKA
2381 S GRAYS CREEK RD
INDIAN VALLEY ID 83632
DAVE VESELKA
714 INDIAN VALLEY RD
INDIAN VALLEY ID 83632

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.500 CFS

PRIORITY DATE: 06/01/1883

POINT OF DIVERSION:

T14N R01W S36 NWSNW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/15 10/31	0.500 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T14N R01W S23	SWSE	8.00	T14N R01W S23	SESE	13.00
T14N R01W S26	NENE	19.00			

40 ACRES TOTAL

Right Nos. 67-420 and 67-10723 are limited to the irrigation of a combined total of 40.0 acres in a single irrigation season.

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

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Idaho Department of Water Resources

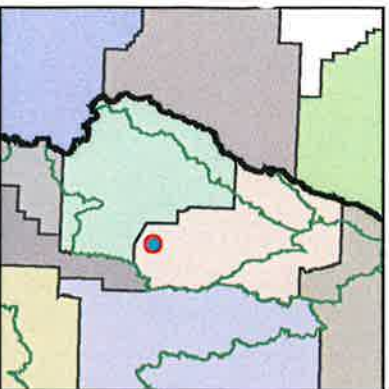


SRBA Recommendation:

67-420
(Irrigation)

Legend

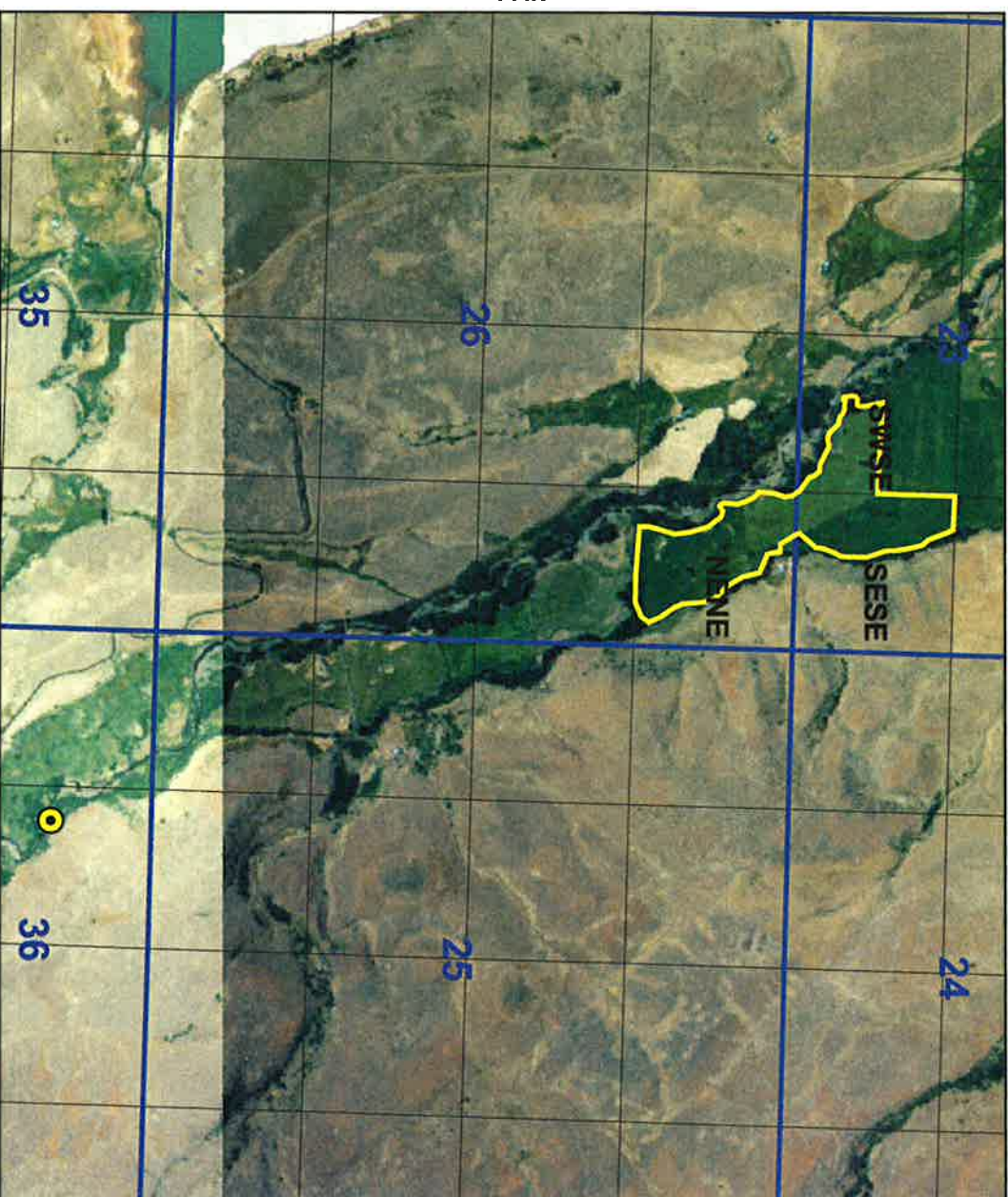
-  **Point of Diversion**
-  **Place of Use**
-  **Townships**
-  **PLS Sections**
-  **Quarter Quarters**



Adams County
IDWR Basin 67



T14N

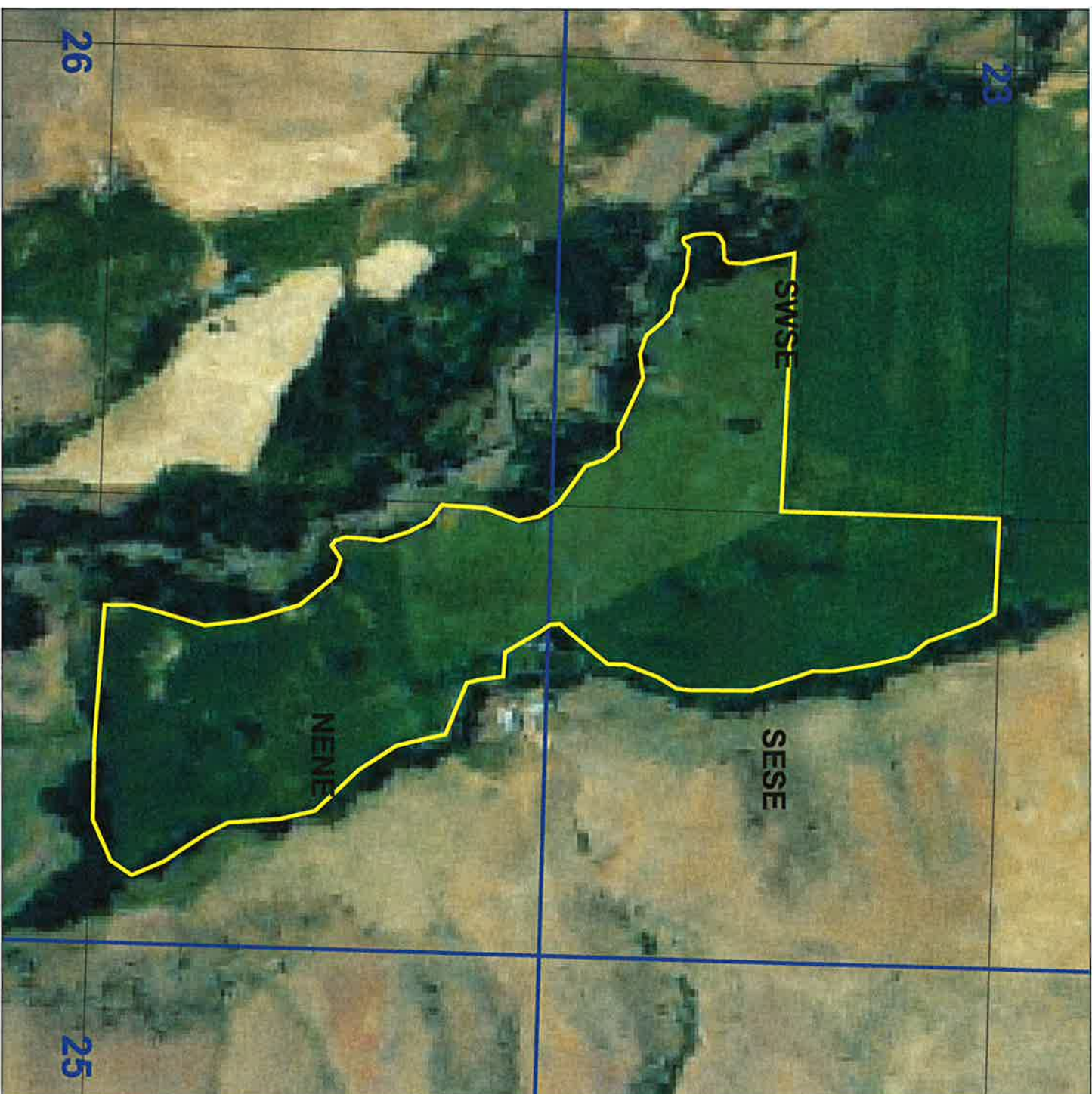


R01W



Prepared by C. Saxton
On Thursday, November 2, 2006
1987/88 Aerial Photography

67-420



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-420 V1

WATER RIGHT NUMBER: 67-420 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LANAE A VESELKA 2381 S GRAYS CREEK RD INDIAN VALLEY, ID 83632 (208)256-4324
Current Owner	ALBIN F VESELKA 2381 S GRAYS CREEK RD INDIAN VALLEY, ID 83632 (208)256-4324
Current Owner	DAVE VESELKA 714 INDIAN VALLEY RD INDIAN VALLEY, ID 83632 (208)256-4303

Priority Date: 06/01/1883

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	0.500 CFS	
	<u>Total Diversion:</u>	0.500 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	NW1/4SE1/4NW1/4	Sec. 36, Twp 14N, Rge 01W, 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	
14N	01W	23															8.0	13.0	21.0
14N	01W	26	19.0																19.0

Total Acres: 40

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.

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Remarks:Comments:

1. dnarsavage 3/3/2006 Decreed POU

Comment: Muir v Allison splits the SW1/4 of the SE1/4 of 14N 1W Sec 23 into two halves: the north half and the south half. It then gives the north half as a portion of the POU for 67-421 and the south half as a portion of the POU for 67-420. Judging from the Metzger maps from the 1960s (?), current SRBA claims, and a line of trees visible in the 1987 and 2004 aerial photos, I think that the QQ in questions should have been split into a north and a south half, 67-421 getting the north and 67-420 getting the south.

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: AND
 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
0.8		40
Combined Water Rights: 67-420 , 67-10723		

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	7/8/2004 10:36:53 AM	mcase			Active
POD	7/8/2004 11:06:59 AM	mcase			Active
Source	7/8/2004 11:27:14 AM	mcase			Active
POU	7/8/2004 11:55:43 AM	mcase			Active
Use	7/8/2004 11:55:53 AM	mcase			Active
Season	7/8/2004 11:56:24 AM	mcase			Active
Quantity	7/8/2004 11:56:35 AM	mcase			Active
Priority Date	3/3/2006 12:03:46 PM	dnarsavage			Active
POD	3/3/2006 12:04:07 PM	dnarsavage			Active
Source	3/3/2006 12:06:41 PM	dnarsavage			Active
POU	3/3/2006 12:07:17 PM	dnarsavage			Active

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Use	3/3/2006 12:08:48 PM	dnarsavage	Active
Season	3/3/2006 12:09:23 PM	dnarsavage	Active
Quantity	3/3/2006 12:11:29 PM	dnarsavage	Active
Season	3/3/2006 12:11:50 PM	dnarsavage	Active
Summary	03/14/2006	dnarsavage	Active
Summary	11/02/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	11/2/2006 4:31:27 PM	csaxton	Updated PLS for Active POU
POU	11/2/2006 4:33:51 PM	csaxton	Updated PLS for Active POU
POU	11/2/2006 4:31:12 PM	csaxton	Updated shape for Active POU
POU	11/2/2006 4:33:40 PM	csaxton	Updated shape for Active POU
Summary	11/2/2006 4:38:07 PM	csaxton	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (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?
Summary	3/14/2006 9:38:42 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	3/14/2006 11:11:14 AM	dnarsavage	Updated shape for 67 10723
POU	3/14/2006 11:11:19 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:20 AM	dnarsavage	Updated shape for 0

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POU	3/14/2006 11:11:21 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:22 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:23 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:18 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:19 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:23 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:09 AM	dnarsavage	Updated shape for Active POU
POU	3/14/2006 11:11:15 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:16 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:17 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:22 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 9:46:19 AM	dnarsavage	Updated PLS for Active POU
POU	3/14/2006 11:11:17 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:21 AM	dnarsavage	Updated shape for 0
POD	7/8/2004 11:06:59 AM	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?
Priority Date	7/8/2004 10:36:53 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?
Use	7/8/2004 11:55:53 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?
Source	7/8/2004 11:27:14 AM	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?

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POU	7/8/2004 11:55:43 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? (Yes) 13. Does the file contain all the necessary information to verify the POU? Description for Question 13 - Digitized field boundaries (according to claim map) within claimant taxlots with appropriate acreage.
Season	7/8/2004 11:56:24 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?
Quantity	7/8/2004 11:56:35 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?
POD	3/7/2006 10:39:49 AM	dnarsavage	Correlated PODID 623068 from SpatialDataID 371138 to SpatialDataID 342103
POD	3/7/2006 10:39:45 AM	dnarsavage	Correlated PODID 623068 from SpatialDataID 371138 to SpatialDataID 342103
POD	3/7/2006 10:39:52 AM	dnarsavage	Correlated PODID 623068 from SpatialDataID 371138 to SpatialDataID 342103
POU	3/3/2006 12:07:17 PM	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	3/3/2006 12:08:32 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:34 PM	dnarsavage	Updated shape for 0

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POU	3/3/2006 12:08:29 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:30 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:35 PM	dnarsavage	Updated shape for 0
General	3/3/2006 12:03:47 PM	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	3/3/2006 12:04:07 PM	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?
Source	3/3/2006 12:06:42 PM	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?
POU	3/3/2006 12:07:53 PM	dnarsavage	Updated shape for Active POU
POU	3/3/2006 12:08:28 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:28 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:29 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:31 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:32 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:33 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:34 PM	dnarsavage	Updated shape for 0
Use	3/3/2006 12:08:48 PM	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?

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Season	3/3/2006 12:09:23 PM	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?
Season	3/3/2006 12:11:50 PM	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?
Quantity	3/3/2006 12:11:29 PM	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?
POD	3/3/2006 12:05:36 PM	dnarsavage	Updated shape
POU	3/3/2006 12:08:24 PM	dnarsavage	Updated shape for Active POU
POU	3/3/2006 12:08:27 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:29 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:30 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:31 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:33 PM	dnarsavage	Updated shape for 0
POU	3/3/2006 12:08:35 PM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:14 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:15 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:16 AM	dnarsavage	Updated shape for 0
POU	3/14/2006 11:11:20 AM	dnarsavage	Updated shape for 0

Water Supply Bank: