

11/10/2006

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

RIGHT NUMBER: 67-424
NAME AND ADDRESS: VIVIAN L BUCHANAN
PO BOX 14
INDIAN VALLEY ID 83632
ALLEN M BUCHANAN
PO BOX 14
INDIAN VALLEY ID 83632

SOURCE: LITTLE WEISER RIVER TRIBUTARY: WEISER RIVER
QUANTITY: 0.340 CFS
PRIORITY DATE: 06/01/1883
POINT OF DIVERSION:

T14N R01W S15 SESE Within ADAMS County
T14N R01W S23 SWNW 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	0.340 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T14N R01W S10	NESW	18.00	T14N R01W S10	NESE	27.00
T14N R01W S10	NWSE	20.00	T14N R01W S10	SWSE	36.00
T14N R01W S10	SESE	23.00			

124 ACRES TOTAL

This right is limited to the irrigation of 27.2 acres within the place of use described above in a single irrigation season.

Right Nos. 67-424, 67-449, 67-452B, and 67-4303 are limited to the irrigation of a combined total of 124.0 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

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Idaho Department of Water Resources



SRBA Recommendation:

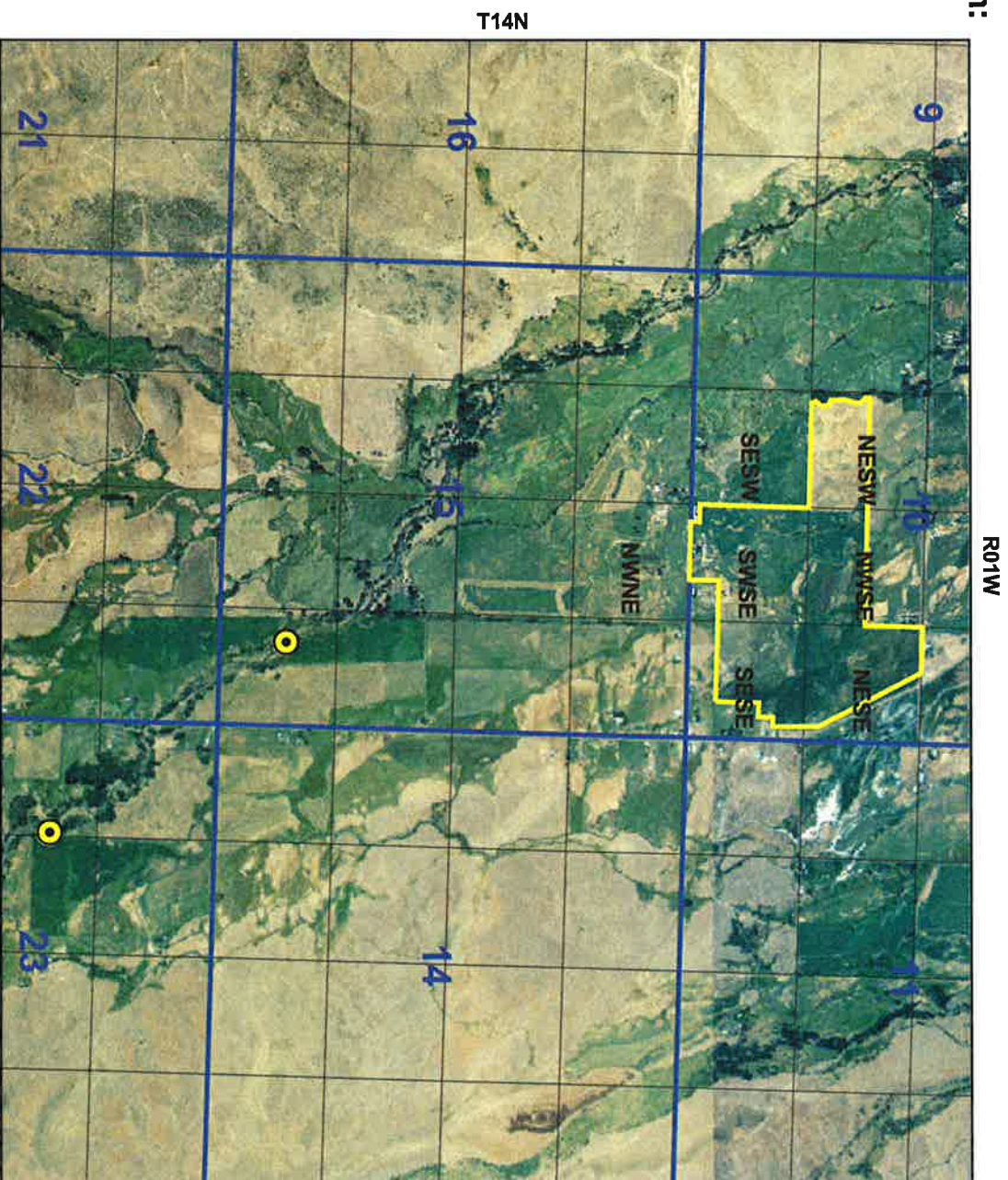
67-424
(Irrigation)

Legend

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

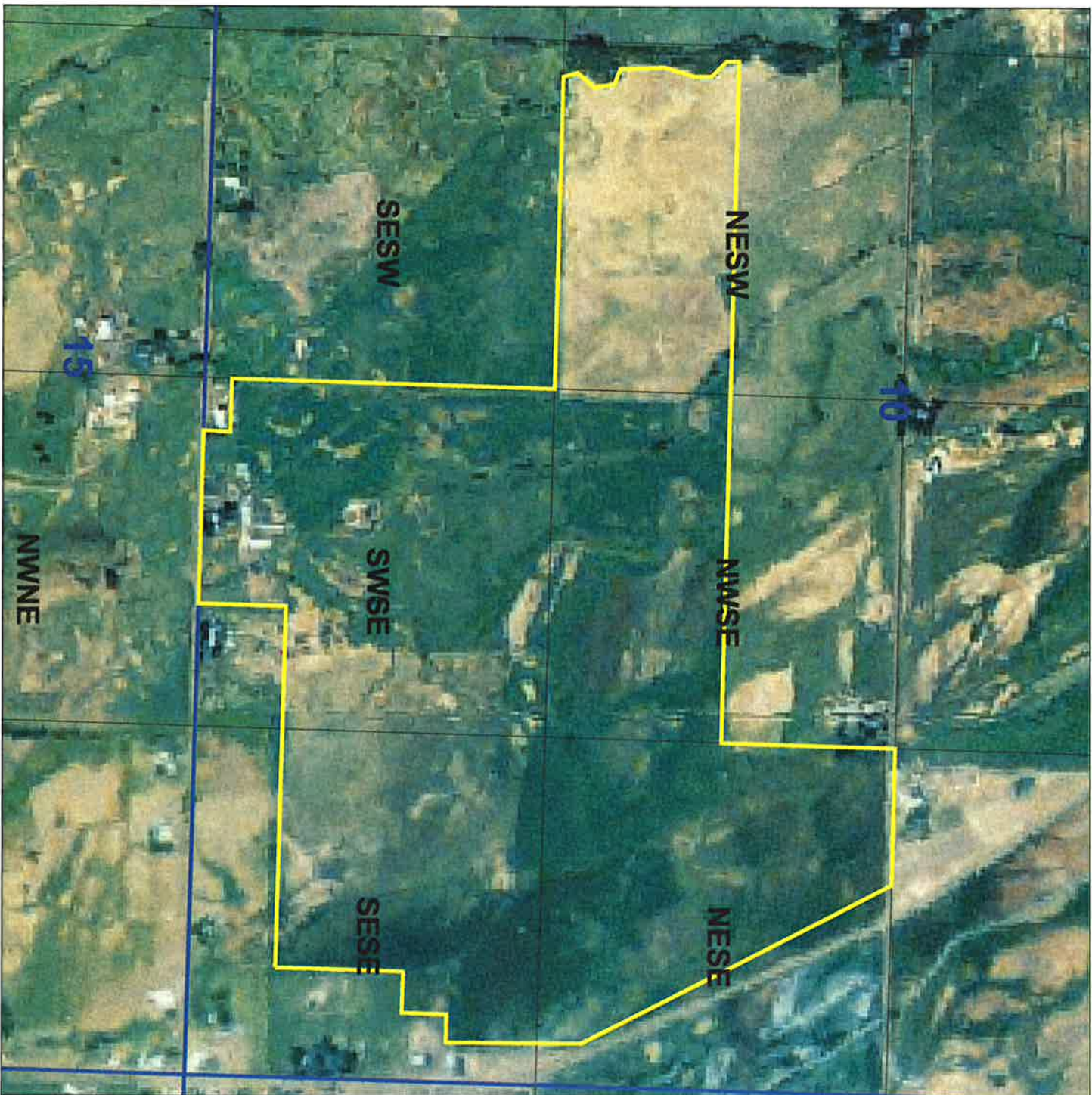


Adams County
IDWR Basin 67



Prepared by C. Saxton
On Friday, November 10, 2006
1987/88 Aerial Photography

67-424



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-424 V1

WATER RIGHT NUMBER: 67-424 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J I LINDER
	, ID
Current Owner	VIVIAN L BUCHANAN PO BOX 14 INDIAN VALLEY, ID 83632 (208)256-4320
Current Owner	ALLEN M BUCHANAN PO BOX 14 INDIAN VALLEY, ID 83632 (208)256-4320

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	0.340 CFS	
	<u>Total Diversion:</u>	0.340 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	SE1/4SE1/4	Sec. 15, Twp 14N, Rge 01W, B.M.
ADAMS County		
LITTLE WEISER RIVER	SW1/4NW1/4	Sec. 23, 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 10									18.0				27.0	20.0	36.0	23.0	124.0

Total Acres: 124

Conditions of Approval:

1. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
2. K06 This right is limited to the irrigation of 27.2 acres within the place of use described above in a single irrigation season.

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Adjudication Recommendation Report 67-424 V1

3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. 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.
5. E55 Right Nos. 67-424, 67-449, 67-452B, and 67-4303 are limited to the irrigation of a combined total of 124.0 acres in a single irrigation season.

Remarks:Comments:

1. mcase 7/9/2004 POD

Comment: POD changed through a transfer. Claimed 2 PODs. POD shapes created using PLS description of River diversions in the remarks. PLS updated.

2. mcase 7/9/2004 Quantity

Comment: Claimed all of decreed .34cfs for the irrigation of 54 acres. Decreed for 27.2 acres. There are other associated rights.

3. csaxton 10/4/2006 POD

Comment: Neither of the recommended PODs are what was originally decreed.

4. csaxton 11/10/2006 PPU

Comment: Recommend as PPU with flood water, 67-4303 claims all the acres in the PPU and from the FE in file 67-4303 all the water appears to be used in a common system. Plus there is more than enough decreed water to cover the acres irrigated.

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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.04		52

Combined Water Rights: 67-424 , 67-449 , 67-452B

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 2:49:00 PM	mcase			Active
POD	7/9/2004 7:40:18 AM	mcase			Active

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Source	7/9/2004 7:43:06 AM	mcase	Active
POU	7/9/2004 8:25:19 AM	mcase	Active
Use	7/9/2004 8:30:40 AM	mcase	Active
Season	7/9/2004 8:31:37 AM	mcase	Active
Quantity	7/9/2004 8:32:03 AM	mcase	Active
Priority Date	7/27/2006 10:15:44 AM	dnarsavage	Active
POD	7/27/2006 10:16:03 AM	dnarsavage	Active
Source	7/27/2006 10:18:53 AM	dnarsavage	Active
POU	7/27/2006 10:19:15 AM	dnarsavage	Active
Use	7/27/2006 10:30:42 AM	dnarsavage	Active
Season	7/27/2006 10:36:07 AM	dnarsavage	Active
Quantity	7/27/2006 10:37:55 AM	dnarsavage	Active
Summary		07/27/2006 dnarsavage	Active
POD	10/4/2006 10:50:44 AM	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	7/27/2006 10:18:17 AM	dnarsavage	Updated shape
Source	7/27/2006 10:18:54 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?
POU	7/27/2006 10:28:38 AM	dnarsavage	Updated shape for Active POU
Use	7/27/2006 10:30:43 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?
Season	7/27/2006 10:36:08 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?

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Summary	7/27/2006 10:39:10 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? (Yes) 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? (Yes) 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?
General	7/27/2006 10:15:45 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?
Quantity	7/27/2006 10:37:55 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?
POD	10/4/2006 10:48:31 AM	csaxton	Updated shape
POD	10/4/2006 10:48:43 AM	csaxton	Updated PLS
POD	10/4/2006 10:57:33 AM	csaxton	Updated PLS
POD	7/27/2006 10:16:04 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?

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POU	7/27/2006 10:19:15 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?
POD	7/27/2006 10:17:12 AM	dnarsavage	Updated shape
POU	7/27/2006 10:28:46 AM	dnarsavage	Edited Season Of Use
POU	7/27/2006 10:29:05 AM	dnarsavage	Updated PLS for Active POU
POU	11/10/2006 4:03:31 PM	csaxton	Updated PLS for Active POU
POU	11/10/2006 4:03:22 PM	csaxton	Updated shape for Active POU
POD	10/4/2006 10:57:15 AM	csaxton	Updated shape
POD	10/4/2006 10:50:44 AM	csaxton	(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? (Yes) 6. Is there evidence that there has been a change in the POD? (Yes) 7. Can the change be verified as an accomplished transfer? (Yes) 9. Does the file contain all the necessary information to verify the POD? (No) 10. Is a POD remark and/or condition required? Description for Question 6 - Second POD added when only one was decreed.
POD	3/7/2006 10:38:51 AM	dnarsavage	Correlated PODID 623088 from SpatialDataID 371138 to SpatialDataID 342103
POD	3/7/2006 10:38:58 AM	dnarsavage	Correlated PODID 623088 from SpatialDataID 371138 to SpatialDataID 342103
POD	3/7/2006 10:38:54 AM	dnarsavage	Correlated PODID 623088 from SpatialDataID 371138 to SpatialDataID 342103
Source	7/9/2004 7:43:06 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?
POU	7/9/2004 8:25:20 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?

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Priority Date	7/8/2004 2:49:00 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?
Use	7/9/2004 8:30:40 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	7/9/2004 8:31:38 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	7/9/2004 8:32:03 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	7/9/2004 7:40:19 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? (Yes) 6. Is there evidence that there has been a change in the POD?

Water Supply Bank:

11/11/2006

Claim

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority D_e</u>	<u>Rate(cfs)</u>	<u>Volume(a)</u>	<u>Source</u>	<u>Water Use Owner(s)</u>	<u>Source Table</u>
67	424		Decreed	Active	1883-06-0'	0.34		LITTLE W/ IRRIGATIC BUCHANAN, ALLE Claim		
67	449		Decreed	Active	1877-06-0'	0.75		LITTLE W/ IRRIGATIC BUCHANAN, ALLE Claim		
67	452 B		Decreed	Active	1887-06-0'	1		LITTLE W/ IRRIGATIC BUCHANAN, ALLE Claim		
67	4303		Statutory C	Active	1883-06-0'	2.2		LITTLE W/ IRRIGATIC BUCHANAN, ALLE Claim		

Recommendation

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority D_e</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use Owner(s)</u>	<u>Source Table</u>
67	424		Decreed	Active	1883-06-0'	0.34	27.2	LITTLE W/ IRRIGATIC BUCHANAN, ALLE		Recommendation
67	449		Decreed	Active	1877-06-0'	0.75	60	LITTLE W/ IRRIGATIC BUCHANAN, ALLE		Recommendation
67	452 B		Decreed	Active	1887-06-0'	0.84	67.2	LITTLE W/ IRRIGATIC BUCHANAN, ALLE		Recommendation
						1.93	124			
67	4303		B-use	Active	5/10/1918	0.55	124	LITTLE W/ IRRIGATIC BUCHANAN, ALLE		Recommendation
						2.48	124	= 1" per acre		

WR

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority D_e</u>	<u>Rate(cfs)</u>	<u>Volume(a)</u>	<u>Source</u>	<u>Water Use Owner(s)</u>	<u>Source Table</u>
67	4303		Statutory C	Active	1883-06-0'	2.2		UNNAMEC IRRIGATIC BUCHANAN, VIVIA wr	WaterRight	
67	11455		Decreed	Active	5/20/1900	0.07		GROUND DOMESTIC BUCHANAN, ALLE wr	WaterRight	

Water Master Records

<u>PARCEL</u>	<u>Name</u>	<u>67A #</u>	<u>Date</u>	<u>CFS</u>	<u>Notes</u>
N01W1051	BUCHANAN	424	6/1/1883	0.34	27
N01W1051	BUCHANAN	449	6/1/1877	0.75	60
N01W1051	BUCHANAN	452A	6/1/1887	0.84	67

N01W1051	BUCHANAN	452A	6/1/1887	0.84	67
N01W1091	MCCRUM	452B	6/1/1887	0.08	6
N01W1092	HUST, JIM	452C	6/1/1887	0.04	3
N01W1084	ADAMS, J	452D	6/1/1887	0.04	3

Ok (csaxton 11-10-06 - actually SRBA claim 67-452A)