

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-430B V1

WATER RIGHT NUMBER: 67-430B V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOAN H HOLMES 1009 GRAYS CREEK RD INDIAN VALLEY, ID 83632 (208)256-4456
Current Owner	JOHN W HOLMES 2152 COVE RD WEISER, ID 8362 (208)549-0772
Current Owner	PHILIP J HOLMES 973 GRAYS CREEK RD INDIAN VALLEY, ID 83632 (208)256-4455
Original Owner	GEORGINE LUDWIG

, ID

Priority Date: 06/01/1883

Basis: Decreed

Status: Active

Source

LITTLE WEISER RIVER

Tributary

WEISER RIVER

Beneficial Use

IRRIGATION

From To

03/15 to 10/31

Diversion Rate

0.300 CFS

Annual VolumeTotal Diversion:

0.300 CFS

Location of Point(s) of Diversion

LITTLE WEISER RIVER

SW1/4SE1/4NW1/4

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	2			17.0							30.0	19.0						66.0

Total Acres: 66

Conditions of Approval:

1. K06 This right is limited to the irrigation of 24 acres within the place of use described above in a single irrigation season.

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2. E62 This right when combined with Right No. 67-430B and 67-11181 shall provide no more than .02 cfs per acre.
3. E55 Right Nos. 67-430B, 67-455B, and 67-11181 are limited to the irrigation of a combined total of 66 acres in a single irrigation season.
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.

Remarks:Comments:

1. mcase 7/12/2004 POD

Comment: Updated shape

2. mcase 7/12/2004 POU

Comment: Updated Shape

3. mcase 7/12/2004 POU

Comment: Updated PLS

4. mcase 7/12/2004 POU

Comment: POUshape created using claim map. Parent right decreed for 80 acres. Claimed 66 acres (71 according to shape) with other associated rights. Some of claimed POU outside the decreed QQs.

5. mcase 7/12/2004 Quantity

Comment: Parent right decreed for 1 cfs. Claimed .3 cfs for the irrigation of 66 acres with other associated water rights. Could not determine recommended flow.

6. dnarsavage 8/30/2006 Quantity

Comment: I could have recommended up to 0.41 CFS under this right, but only 0.3 was claimed.

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>
1.32		66

Combined Water Rights: 67-430B , 67-455B , 67-11181

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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	7/12/2004 2:17:39 PM	mcase			Active
POD	7/12/2004 2:18:24 PM	mcase			Active
Source	7/12/2004 2:18:31 PM	mcase			Active
POU	7/12/2004 3:12:48 PM	mcase			Active
Season	7/12/2004 3:14:43 PM	mcase			Active
Quantity	7/12/2004 3:14:50 PM	mcase			Active
Use	7/12/2004 3:15:55 PM	mcase			Active
Summary			08/30/2006	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	8/30/2006 7:49:11 AM	dnarsavage	Updated shape for Active POU
POU	8/30/2006 7:49:29 AM	dnarsavage	Edited Season Of Use
Summary	8/30/2006 7:57:17 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?
POD	8/15/2006 11:16:05 AM	dnarsavage	Correlated PODID 623313 from SpatialDataID 363548 to SpatialDataID 342100
POD	8/15/2006 11:16:10 AM	dnarsavage	Correlated PODID 623313 from SpatialDataID 363548 to SpatialDataID 342100
POD	8/15/2006 11:16:14 AM	dnarsavage	Correlated PODID 623313 from SpatialDataID 363548 to SpatialDataID 342100
POD	8/15/2006 11:16:19 AM	dnarsavage	Correlated PODID 623313 from SpatialDataID 363548 to SpatialDataID 342100

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Season	7/12/2004 3:14:44 PM	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	7/12/2004 3:14:51 PM	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? (No) 5. Can the claimed diversion rate and/or volume be verified using the water right file?
POD	7/12/2004 2:18:25 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?
Source	7/12/2004 2:18:32 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	7/12/2004 2:17:39 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?
POU	7/12/2004 3:12:49 PM	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?

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Use	7/12/2004 3:15:56 PM	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?
POU	8/18/2006 1:10:40 PM	dnarsavage	Updated shape for Active POU
POU	8/18/2006 1:10:46 PM	dnarsavage	Updated shape for 67 455 B
POU	8/18/2006 1:10:47 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:47 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:49 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:49 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:51 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:52 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:53 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:54 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:55 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:55 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:56 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:57 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:50 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:56 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:48 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:50 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:53 PM	dnarsavage	Updated shape for 0
POU	8/18/2006 1:10:54 PM	dnarsavage	Updated shape for 0

Water Supply Bank:



Idaho Department of Water Resources

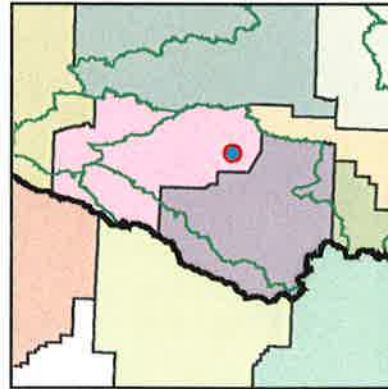
SRBA Recommendation:

67-430B

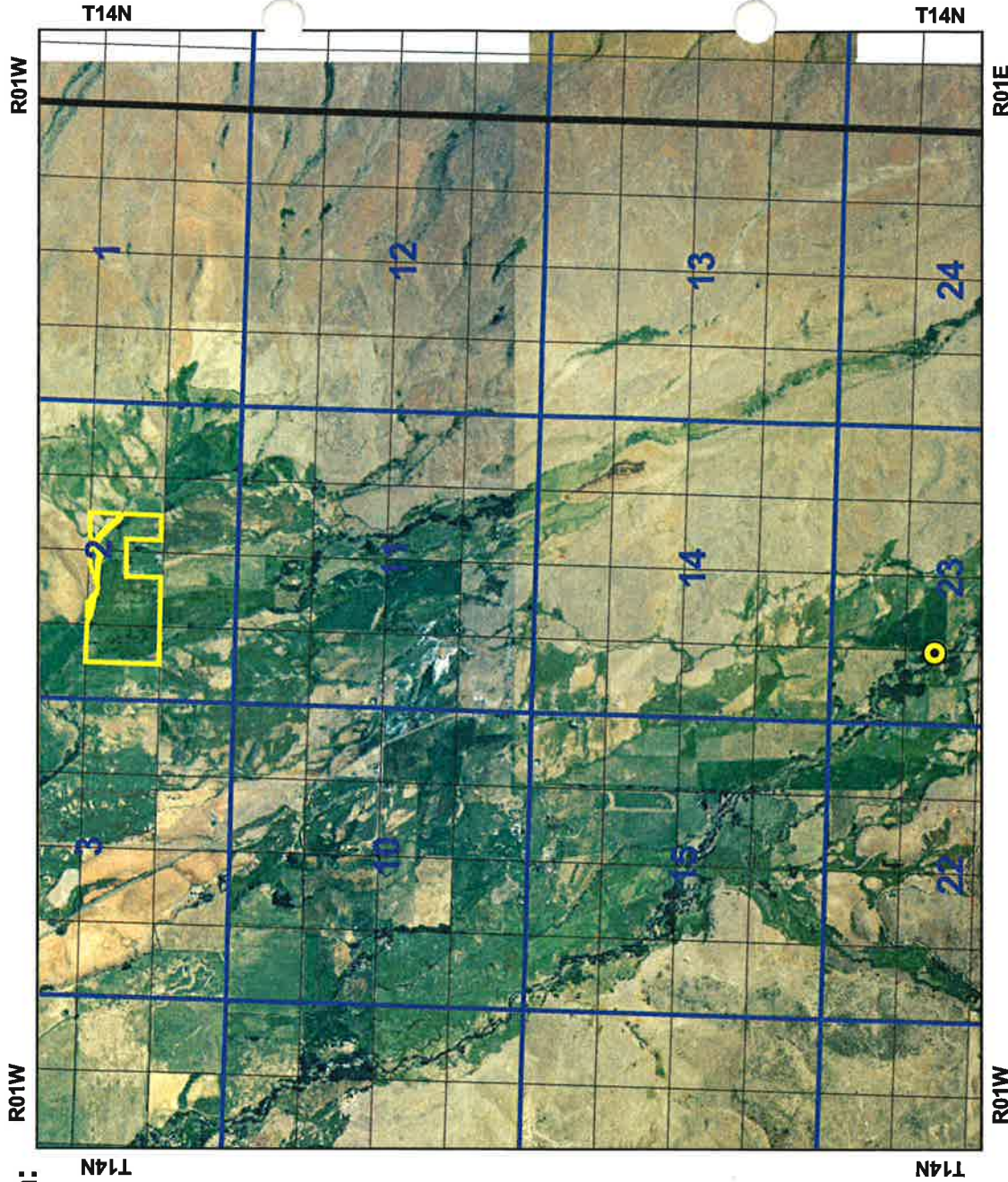
(Irrigation)

Legend

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



Adams County
IDWR Basin 67



0 1 2 Miles



Prepared by D. Narsavage
On Wednesday, August 30, 2006
1987/88 Aerial Photography



Split Analysis

Water Right Number: 67-430&455
 Diversion Rate: 2.74 CFS
 Reviewer Name: Dan Narsavage
 Date: 15-Aug-06

Twp	Rng	Sec	Q-Q	Lot	Parent	Children Acres				
					67-430&455	430/455A	430/455B	67-430C	Unclaimed	
14N	1W	2	SWNE		17	17				
			SENE		23	23				
			NESE		37	35		2		
			NWSE		36	19	17			
			NWSW		19		19			
			NESW		30		30			
					57				57	

67-430&455 (219.0 ac & 2.74 cfs)	430/455A
	(94.0 ac & 1.18 cfs)
	430/455B
	(66.0 ac & 0.83 cfs)
	67-430C
	(2.0 ac & 0.03 cfs)
	Unclaimed
	(57.0 ac & 0.71 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-430&455	2.74	219	0.013
430/455A	1.18	94	0.013
430/455B	0.83	66	0.013
67-430C	0.03	2	0.013
Unclaimed	0.71	57	0.013

Split Analysis

Water Right Number:	67-430
Diversion Rate:	1 CFS
Reviewer Name:	Dan Narsavage
Date:	15-Aug-06

[illegible]

67-430 (80.0 ac & 1.00 cfs)	67-430A (46.0 ac & 0.58 cfs)
	67-430B (33.0 ac & 0.41 cfs)
	430C (1.0 ac & 0.01 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-430	1	80	0.013
67-430A	0.58	46	0.013
67-430B	0.41	33	0.013
430C	0.01	1	0.013

Split Analysis

Water Right Number:	67-455
Diversion Rate:	1.74 CFS
Reviewer Name:	Dan Narsavage
Date:	15-Aug-06

[illegible]

67-455A

(81.0 ac & 1.01 cfs)

67-455

(139.0 ac & 1.74 cfs)

67-455B

(49.0 ac & 0.62 cfs)

Unclaimed

(1.0 ac & 0.01 cfs)

Right No:	Rate of Diversion	Irrigated Acres	CFS / Acre
67-455	1.74	139	0.013
67-455A	1.01	81	0.013
67-455B	0.62	49	0.013
Unclaimed	0.01	1	0.013

67-430A and 67-455A are claimed on the same POU, which is within the decreed POU for the two rights 67-430B and 67-455B are claimed on the same POU, which is within the decreed POU for the two rights 67-430C is within the decreed POU for the two rights. It should be overlain by a similar claim for a portion of 67-455 but is not

In this spreadsheet, I used 67-430, the senior right, to fill as much of each claimed POU as possible (80 acres total) and used 67-455 to fill in the rest To determine the distribution of 67-430 between the three claims:
I took the proportion of each claim's acres to the total acres claimed on 67-430 (162) and multiplied that proportion by the total decreed acreage (80)
For instance: 67-430A claimed 94 acres. $(94/162) \times 80 = 46.4$. Rounding to the nearest whole number, you have 46 acres
Another way of saying this is that twice as many acres were claimed as can be recommended. Each claim can get 80/162 of its claimed acreage covered at 0.013cfs/acre.

To distribute 67-455, I used the same ratio. For 67-455A: $(94/162) \times 139 = 80.65$. Rounding to the nearest whole number, you have 81 acres

I gave all claims the decreed quantity of 0.013 cfs/acre (5/8 inches/acre).

Conclusions

For the POU claimed by 67-430A and -455A, this yields 1.59 CFS of water for 127 acres (limited to the 94 claimed), which is still less than 0.02 cfs/acre. For the POU claimed by 67-430B and -455B, this yields 1.13 CFS of water for 90 acres (limited to the 66 claimed), which is still less than 0.02 cfs/acre. For the POU claimed by 67-430C this yields 0.01 CFS of water for 1 acre (2 acres were claimed. The second acre can be covered by 67-455 if claim is submitted.)

	CFS	Acres	Rate/acre
A portions	1.59	94	0.017
B portions	1.03	66	0.016
C portions	0.01	1	0.013
Total	2.63	161.00	0.016
Decreed	2.74	219.00	0.013