

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-430C V1

WATER RIGHT NUMBER: 67-430C V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	GEORGINE LUDWIG
	, ID
Current Owner	PHILIP J HOLMES
	973 GRAYS CREEK RD
	INDIAN VALLEY, ID 83632
	(208)256-4455

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	0.013 CFS	
	<u>Total Diversion:</u>	0.013 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													2.0				2.0

Total Acres: 2

Conditions of Approval:

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

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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: POU shape created using taxlot information. Could not determine which 2 of the 5.5 acres in the taxlot are irrigated. Parent right decreed for 80 irrigated acres, claimed 2 irrigated acres with other associated rights.

4. mcase 7/12/2004 Quantity

Comment: Parent right decreed for 1 cfs. Claimed .02 cfs to irrigate 2 acres.

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	7/12/2004 3:19:42 PM	mcase			Active
POD	7/12/2004 3:20:39 PM	mcase			Active
Source	7/12/2004 3:20:46 PM	mcase			Active
POU	7/12/2004 3:28:48 PM	mcase			Active
Use	7/12/2004 3:28:58 PM	mcase			Active
Season	7/12/2004 3:29:20 PM	mcase			Active
Quantity	7/12/2004 3:29:45 PM	mcase			Active
Priority Date	8/18/2006 12:25:20 PM	dnarsavage			Active
POD	8/18/2006 12:25:32 PM	dnarsavage			Active
Source	8/18/2006 12:27:23 PM	dnarsavage			Active
POU	8/18/2006 12:27:35 PM	dnarsavage			Active
Use	8/18/2006 12:31:28 PM	dnarsavage			Active
Season	8/18/2006 12:33:33 PM	dnarsavage			Active

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Quantity 8/18/2006 12:34:12 PM dnarsavage Active

Summary 08/18/2006 dnarsavage Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/15/2006 11:16:24 AM	dnarsavage	Correlated PODID 623331 from SpatialDataID 363548 to SpatialDataID 342100
POD	8/15/2006 11:16:28 AM	dnarsavage	Correlated PODID 623331 from SpatialDataID 363548 to SpatialDataID 342100
Priority Date	7/12/2004 3:19:43 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 3:28:49 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?
Use	7/12/2004 3:28:59 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?
Season	7/12/2004 3:29:21 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?

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Quantity	7/12/2004 3:29:46 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? (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	7/12/2004 3:20:40 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 3:20:47 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?
Use	8/18/2006 12:31:28 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?
POD	8/18/2006 12:25:33 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?
POU	8/18/2006 12:30:47 PM	dnarsavage	Updated PLS for Active POU
POU	8/18/2006 12:31:59 PM	dnarsavage	Updated shape for Active POU
POU	8/18/2006 12:32:15 PM	dnarsavage	Updated PLS for Active POU

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General	8/18/2006 12:25:20 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?
Source	8/18/2006 12:27:24 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	8/18/2006 12:27:36 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	8/18/2006 12:28:14 PM	dnarsavage	Updated shape for Active POU
POU	8/18/2006 12:28:32 PM	dnarsavage	Updated PLS for Active POU
Season	8/18/2006 12:33:34 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?
Quantity	8/18/2006 12:34:13 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

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POU	8/18/2006 12:28:24 PM	dnarsavage	Edited Season Of Use
POU	8/18/2006 12:30:31 PM	dnarsavage	Edited shape boundary
Summary	8/18/2006 12:36:22 PM	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? (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?

Water Supply Bank:



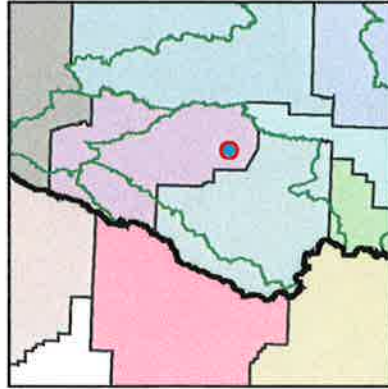
Idaho Department of Water Resources

SRBA Recommendation:

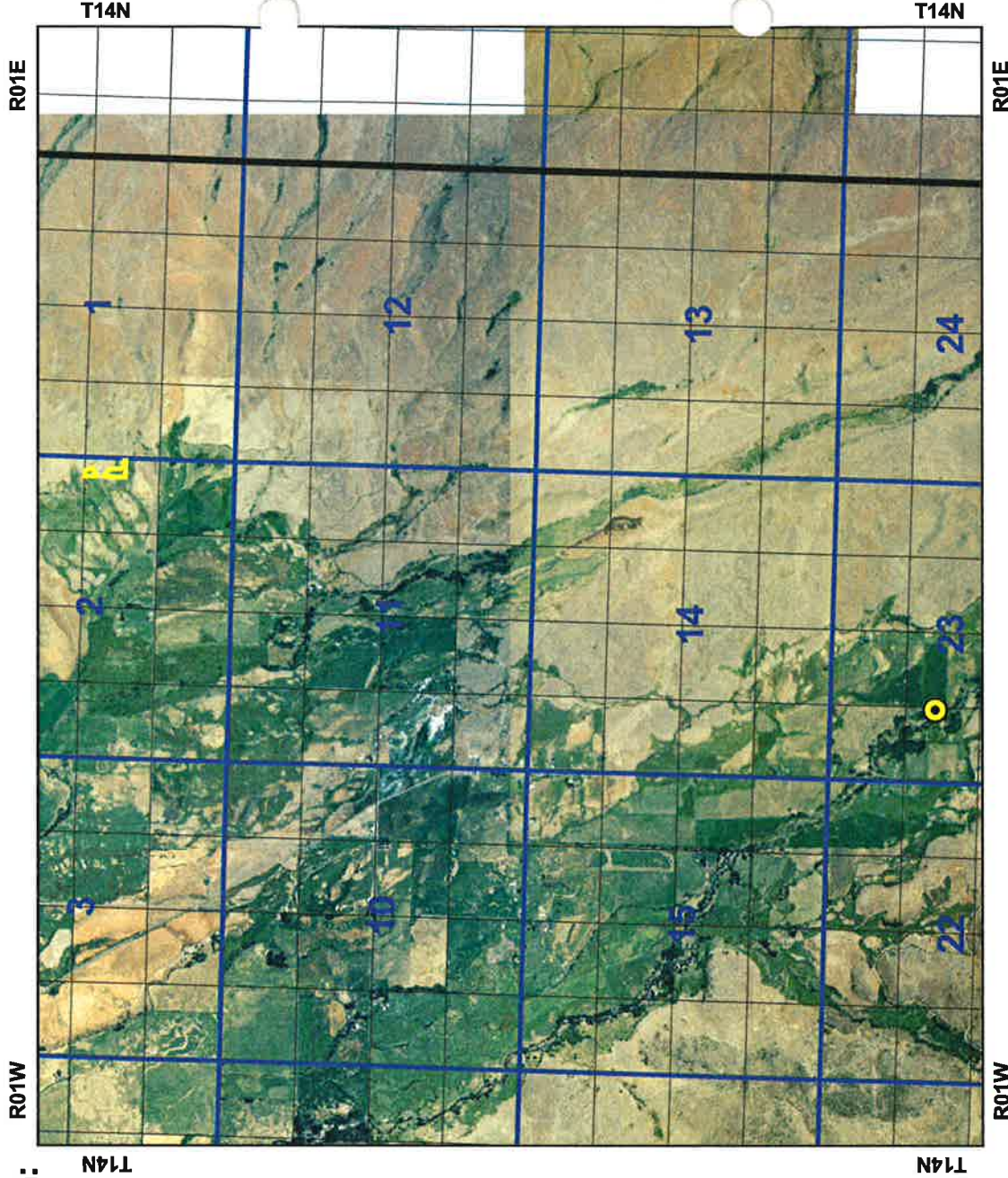
67-430C
(Irrigation)

Legend

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



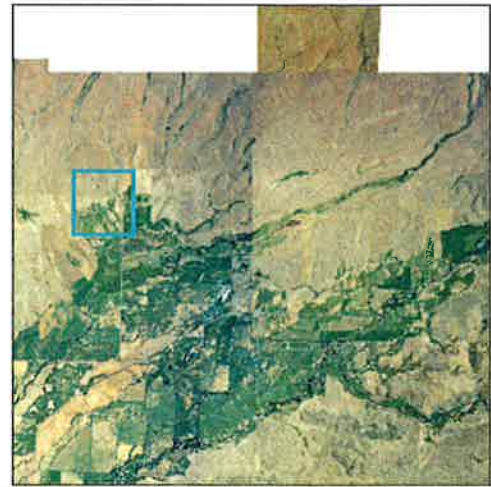
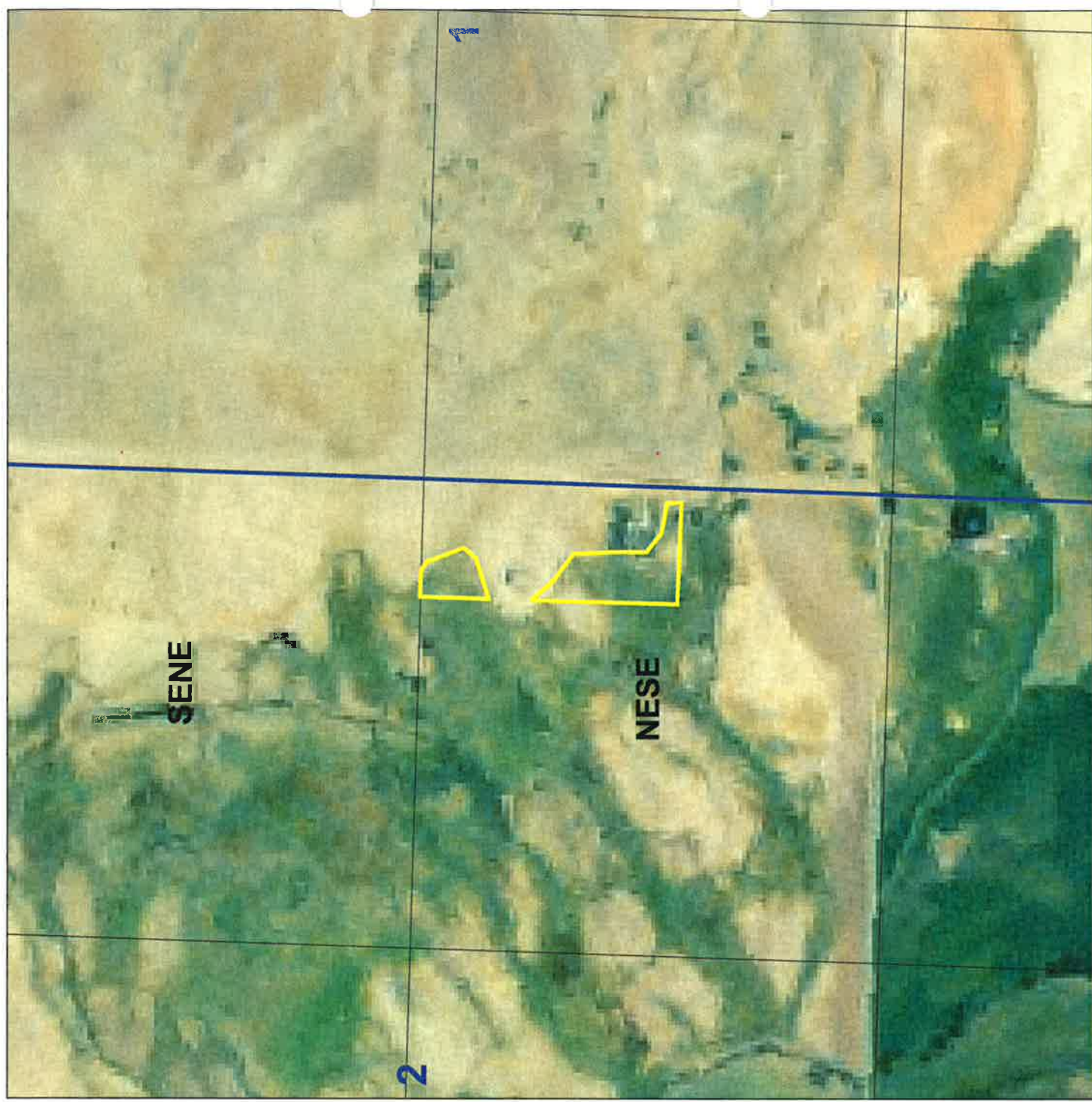
Adams County
IDWR Basin 67



0 1 2 Miles

Prepared by D. Narsavage
On Monday, August 28, 2006
1987/88 Aerial Photography

67-430C



Split Analysis

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

[illegible]

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]

67-455 (139.0 ac & 1.74 cfs)	67-455A (81.0 ac & 1.01 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. $(94/162) * 80 = 46.4$. 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: $(94/162) * 139 = 80.65$. 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