

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-441 V1

WATER RIGHT NUMBER: 67-441 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SUE L DAVISON 606 INDIAN VALLEY RD INDIAN VALLEY, ID 83632 (208)256-4323
Current Owner	STANLEY R DAVISON 606 INDIAN VALLEY RD INDIAN VALLEY, ID 83632 (208)256-4323
Original Owner	ANNA HUTCHINSON INDIAN VALLEY, ID 83632

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	0.160 CFS	
	<u>Total Diversion:</u>	0.160 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	NE1/4NE1/4SW1/4	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				12.0	12.8

Total Acres: 12.8

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.

Remarks:

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Comments:

1. mcase 7/13/2004 POD

Comment: Updated shape

2. mcase 7/13/2004 POD

Comment: POD shape in Section 36 created using claim map. Rediversion POD in Section 26 not created.

3. mcase 7/13/2004 POU

Comment: Updated Shape

4. mcase 7/13/2004 POU

Comment: POU shape generated using taxlot information. Field boundaries not clear on claim map. Decreed for 13 acres. Claimed 30 acres with flood-water right claimed(?).

5. dnarsavage 7/24/2006 POD

Comment: From notes in the claim and 2004 imagery, it seems clear that the POD claimed as a rediversion is not a rediversion for IDWR purposes. Rather than injecting water into another stream and rediverting it, the claimants simply divert water from one ditch into another. I will not include this claimed rediversion in my recommendation.

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	7/13/2004 4:03:40 PM	mcase			Active
POD	7/13/2004 4:30:21 PM	mcase			Active
Source	7/13/2004 4:30:29 PM	mcase			Active
POU	7/13/2004 4:49:22 PM	mcase			Active
Use	7/13/2004 4:49:35 PM	mcase			Active
Quantity	7/13/2004 4:50:07 PM	mcase			Active
Season	7/13/2004 4:50:20 PM	mcase			Active
Priority Date	7/24/2006 7:40:00 AM	dnarsavage			Active
POD	7/24/2006 7:40:12 AM	dnarsavage			Active
Source	7/24/2006 9:26:36 AM	dnarsavage			Active

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POU	7/24/2006 9:28:56 AM	dnarsavage	Active
Use	7/24/2006 9:30:46 AM	dnarsavage	Active
Season	7/24/2006 9:31:23 AM	dnarsavage	Active
Quantity	7/24/2006 9:32:24 AM	dnarsavage	Active
Summary	07/24/2006	dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Quantity	7/24/2006 9:32:24 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?
POU	7/24/2006 9:28:56 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	7/24/2006 9:29:13 AM	dnarsavage	Updated shape for Active POU
Season	7/24/2006 9:31:23 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	7/24/2006 9:33:53 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?
Priority Date	7/13/2004 4:03:39 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?
Use	7/24/2006 9:30:46 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	7/21/2006 2:37:50 PM	dnarsavage	Updated shape for Active POU
Source	7/24/2006 9:26:37 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	7/24/2006 9:30:03 AM	dnarsavage	Edited Season Of Use
POU	7/13/2004 4:49:23 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?

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Use	7/13/2004 4:49:36 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?
Quantity	7/13/2004 4:50:07 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?
Season	7/13/2004 4:50:20 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?
POD	7/13/2004 4:30:22 PM	mcase	(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?
Source	7/13/2004 4:30:29 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?
General	7/24/2006 7:40:00 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?

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POD	7/24/2006 7:40:13 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	7/24/2006 9:29:57 AM	dnarsavage	Updated PLS for Active POU
POD	8/23/2005 9:50:44 AM	csaxton	Correlated PODID 623437 from SpatialDataID 363417 to SpatialDataID 61140
POD	8/23/2005 9:50:44 AM	csaxton	Correlated PODID 623437 from SpatialDataID 363417 to SpatialDataID 61140
POD	8/23/2005 9:50:45 AM	csaxton	Correlated PODID 623437 from SpatialDataID 363417 to SpatialDataID 61140

Water Supply Bank:



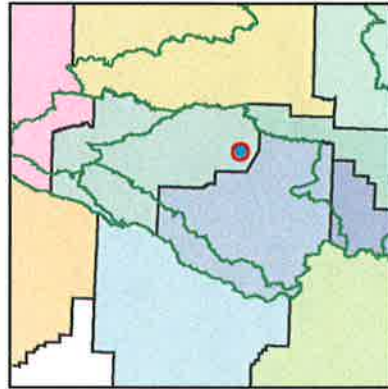
Idaho Department of Water Resources

SRBA Recommendation:

67-441
(Irrigation)

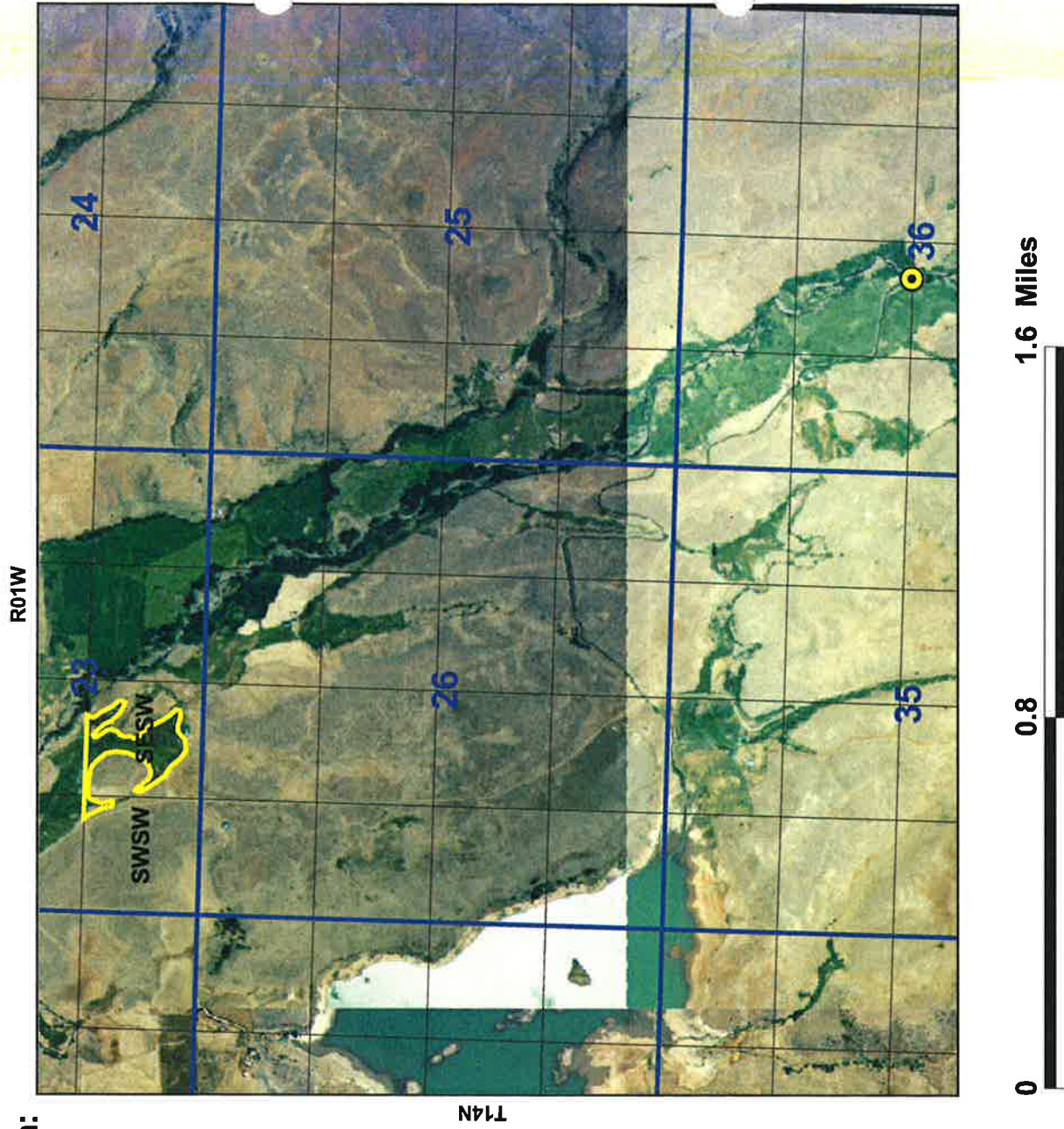
Legend

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



Adams County
IDWR Basin 67

Prepared by D. Narsavage
On Monday, July 24, 2006
1987/88 Aerial Photography



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