

11/11/2006

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

RIGHT NUMBER: 67-443

NAME AND ADDRESS: SCOTTI YANTIS
685 S INDIAN VALLEY RD
INDIAN VALLEY ID 83632

RALPH YANTIS
685 S INDIAN VALLEY RD
INDIAN VALLEY ID 83632

SOURCE: LITTLE WEISER RIVER

TRIBUTARY: WEISER RIVER

QUANTITY: 0.920 CFS

The rights listed below are limited to a total combined diversion rate of 3.94 cfs. Combined Right Nos.: 67-411, 67-443, 67-4298, and 67-14745.

PRIORITY DATE: 06/01/1885

POINT OF DIVERSION:

T14N R01W S23 NESWNW 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	0.920 CFS

PLACE OF USE: IRRIGATION in ADAMS County

T14N R01W S15	NESE	28.00	T14N R01W S15	SESE	28.00
T14N R01W S22	NENE	31.00	T14N R01W S22	NWNE	18.00
T14N R01W S22	SWNE	20.00	T14N R01W S22	NENW	12.00
T14N R01W S22	NWNW	5.30	T14N R01W S22	SWNW	8.20

150.5 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 197.0 acres in a single irrigation season. Combined Right Nos.: 67-411, 67-443, 67-4298, and 67-14745.

This right is limited to the irrigation of 73.6 acres within the place of use described above 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 place of use pursuant to Section 42-1425, Idaho Code.



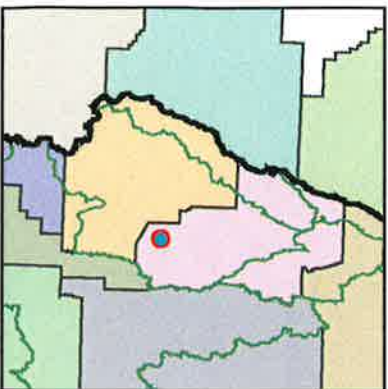
Idaho Department of Water Resources

SRBA Recommendation:

67-443
(Irrigation)

Legend

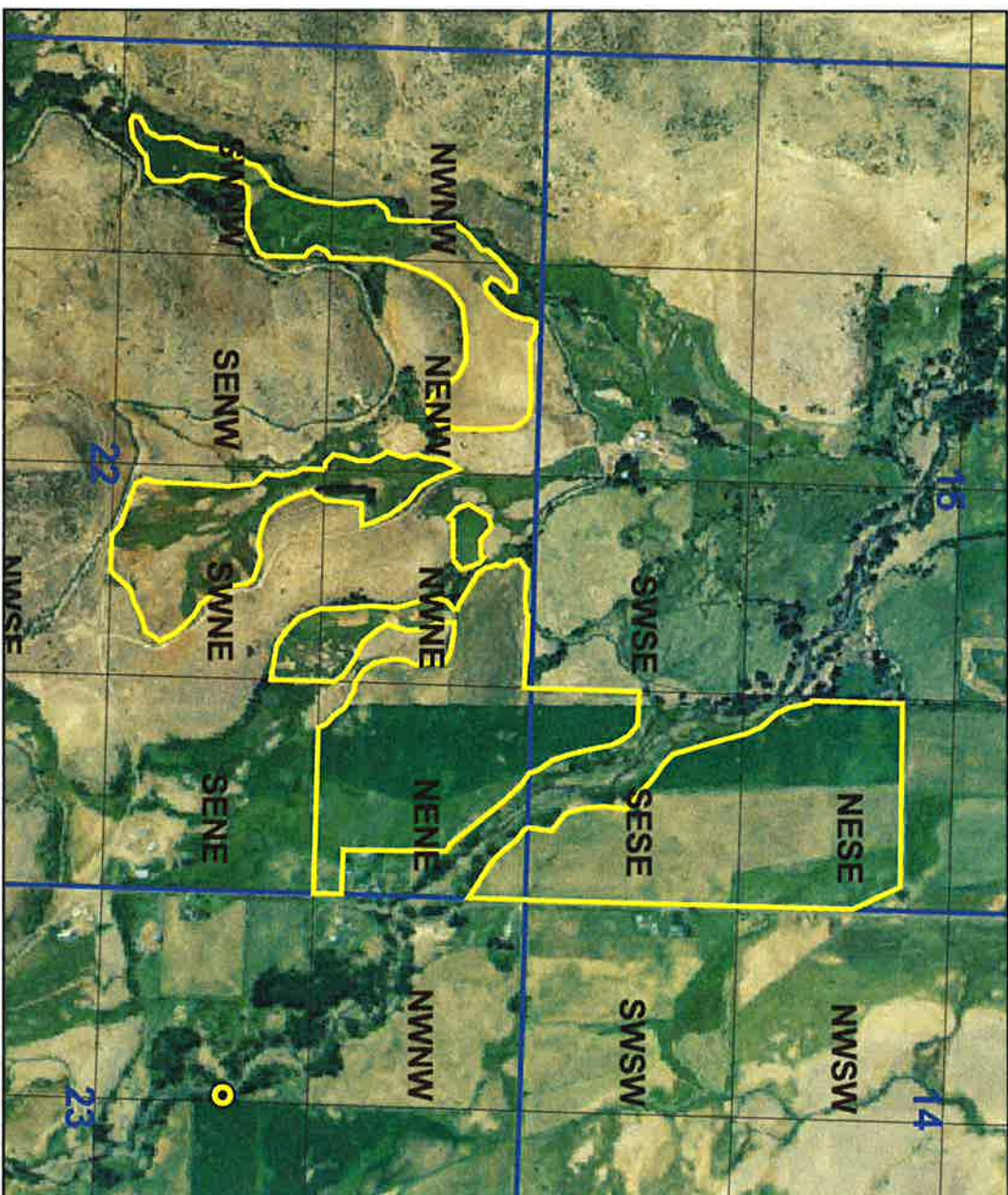
- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Adams County
IDWR Basin 67



T14N



R01W



Prepared by C. Saxton
On Saturday, November 11, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-443 V1

WATER RIGHT NUMBER: 67-443 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	SCOTTI YANTIS 685 S INDIAN VALLEY RD INDIAN VALLEY, ID 83632 (208)256-4351
Current Owner	RALPH YANTIS 685 S INDIAN VALLEY RD INDIAN VALLEY, ID 83632 (208)256-4351
Original Owner	D K LINDSEY

, ID

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	0.920 CFS	
<u>Total Diversion:</u>		0.920 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	NE1/4SW1/4NW1/4	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	15													28.0			28.0	56.0
14N	01W	22	31.0	18.0	20.0		12.0	5.3	8.2										94.5

Total Acres: 150.5

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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2. E56 The rights listed below are limited to the irrigation of a combined total of 197.0 acres in a single irrigation season. Combined Right Nos.: 67-411, 67-443, 67-4298, and 67-14745.
3. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
4. E52 The rights listed below are limited to a total combined diversion rate of 3.94 cfs. Combined Right Nos.: 67-411, 67-443, 67-4298, and 67-14745.

Remarks:Comments:

1. mcase 7/15/2004 POD
Comment: POD shape created using claim map. Claimed PLS and transferred POD PLS did not match map location, but the ditch shown on the transfer map and claim map matched up with POD shape generated. PLS updated.
2. mcase 7/15/2004 Quantity
Comment: Decreed for the irrigation of 74 acres using .92 cfs. Claimed 52 acres irrigated with total .9 cfs.
3. mvanbussum 3/13/2006 POU
Comment: Assuming consolidation of acreage irrigated. Recommending full diversion rate claimed. No competing claims on this decreed right.
4. mvanbussum 3/13/2006 Quantity
Comment: Assuming consolidation of acreage irrigated. Recommending full diversion rate claimed, which is less than 1 inch per acre. No competing claims on this decreed right.
5. mvanbussum 3/13/2006 POU
Comment: NENE QQ is not included in decreed POU. Not recommended here, but may be recommended under 67-4298.
6. csaxton 11/11/2006 POU
Comment: Recommend PPU with flood water right 67-4298.

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	7/14/2004 11:16:58 AM	mcase			Active

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POD	7/15/2004 3:41:14 PM	mcase	Active
Source	7/15/2004 3:41:25 PM	mcase	Active
POU	7/15/2004 3:41:55 PM	mcase	Active
Use	7/15/2004 3:42:14 PM	mcase	Active
Quantity	7/15/2004 3:43:14 PM	mcase	Active
Season	7/15/2004 3:43:32 PM	mcase	Active
Contacts	3/13/2006 11:29:33 AM	mvanbussum	Active
Contacts	3/13/2006 11:30:06 AM	mvanbussum	Active
Priority Date	3/13/2006 11:41:06 AM	mvanbussum	Active
POD	3/13/2006 11:41:23 AM	mvanbussum	Active
Source	3/13/2006 11:42:22 AM	mvanbussum	Active
POU	3/13/2006 11:44:58 AM	mvanbussum	Active
Use	3/13/2006 11:45:16 AM	mvanbussum	Active
Season	3/13/2006 11:45:58 AM	mvanbussum	Active
Quantity	3/13/2006 11:46:41 AM	mvanbussum	Active
Summary	03/13/2006	mvanbussum	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/2/2005 4:05:15 PM	dnarsavage	Correlated PODID 623482 from SpatialDataID 363548 to SpatialDataID 342152
POD	8/2/2005 4:05:15 PM	dnarsavage	Correlated PODID 623482 from SpatialDataID 363548 to SpatialDataID 342152
POD	8/2/2005 4:05:15 PM	dnarsavage	Correlated PODID 623482 from SpatialDataID 363548 to SpatialDataID 342152
POU	3/13/2006 11:44:24 AM	mvanbussum	Updated shape for Active POU
POU	3/13/2006 11:44:58 AM	mvanbussum	(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?
Use	3/13/2006 11:45:16 AM	mvanbussum	(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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General	3/13/2006 11:41:05 AM	mvanbussum	(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?
Season	3/13/2006 11:45:57 AM	mvanbussum	(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	3/13/2006 11:46:40 AM	mvanbussum	(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?
Summary	3/13/2006 11:48:16 AM	mvanbussum	(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	3/13/2006 11:44:31 AM	mvanbussum	Updated PLS for Active POU

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POD	3/13/2006 11:42:06 AM	mvanbussum	Updated shape
POD	11/11/2006 9:30:36 AM	csaxton	Updated shape
POD	11/11/2006 9:30:45 AM	csaxton	Updated PLS
POU	11/11/2006 9:32:22 AM	csaxton	Updated PLS for Active POU
Quantity	7/15/2004 3:43:14 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	7/15/2004 3:43:33 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?
Contacts	3/13/2006 11:29:33 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
Contacts	3/13/2006 11:30:06 AM	mvanbussum	(No) 1. Do you want to schedule an appointment? Comment for 1: Desktop review.
POD	3/13/2006 11:41:23 AM	mvanbussum	(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	3/13/2006 11:42:21 AM	mvanbussum	(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?

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Priority Date	7/14/2004 11:16:58 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?
POD	7/15/2004 3:41:14 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	7/15/2004 3:41:25 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?
POU	7/15/2004 3:41:55 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	7/15/2004 3:42:15 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	11/11/2006 9:31:19 AM	csaxton	Updated shape for Active POU

Water Supply Bank:

Claim

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(ac)	Source	Water Use(s)	Owner(s)	Source Table
67	410 B		Decreed	Active	1885-06-01	0.09		LITTLE WEISE IRRIGATION		YANTIS, RAL Claim	
67	411		Decreed	Active	1885-06-01	0.58		LITTLE WEISE IRRIGATION		YANTIS, RAL Claim	
67	443		Decreed	Active	1885-06-01	0.92		LITTLE WEISE IRRIGATION		YANTIS, RAL Claim	
67	4298		Statutory Clai	Active	1896-01-01	5.76		LITTLE WEISE IRRIGATION		YANTIS, RAL Claim	
67	14745		Beneficial Use	Active	1874-01-01	0.07		SPRING	STOCKWATER	YANTIS, RAL Claim	

Recommendation

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owner(s)	Source Table
67	410 B		Decreed	Disallowed	1885-06-01	0		LITTLE WEISE IRRIGATION		YANTIS, RAL Recommendation	
67	411		Decreed	Active	1885-06-01	0.58	46.4	LITTLE WEISE IRRIGATION		YANTIS, RAL	Recommendation
67	443		Decreed	Active	1885-06-01	0.92	73.6	LITTLE WEISE IRRIGATION		YANTIS, RAL	Recommendation
67	4298		B-use	Active	1885-06-01	1.5	120	LITTLE WEISE IRRIGATION		YANTIS, RAL	Recommendation
67					3-15-1949	2.44	197	LITTLE WEISE IRRIGATION		YANTIS, RAL	Recommendation
67						3.94	197 = 1" per acre				
67	14745		Beneficial Use	Active	1885-06-01	0.05		SPRING	STOCKWATER	YANTIS, RAL	Recommendation

WR

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(ac)	Source	Water Use(s)	Owner(s)	Source Table
67	7487			Lapsed						YANTIS, RAL	Water Permit
67	411		Decreed	Active	1885-06-01	0.58		LITTLE WEISE IRRIGATION		RICHARDSO	Water Right
67	443		Decreed	Active	1885-06-01	0.92		LITTLE WEISE IRRIGATION		LINDSEY, D	Water Right

PARCEL #	Name	67A #	Date	CFS	Notes
13N01W0112	YANTIS, RALP	411	6/1/1885	0.58	49
14N01W1574	YANTIS, RALP	426	6/1/1883	0.5	40
14N01W2200	YANTIS, RALP	443	6/1/1885	0.92	52