

10/26/2006

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

RIGHT NUMBER: 67-444
NAME AND ADDRESS: WANNA BELLE CORIELL
PO BOX 42
INDIAN VALLEY ID 83632
DALE L CORIELL
PO BOX 42
INDIAN VALLEY ID 83632

SOURCE: LITTLE WEISER RIVER TRIBUTARY: WEISER RIVER

QUANTITY: 0.160 CFS

PRIORITY DATE: 06/01/1886

POINT OF DIVERSION:

T14N R01W S36 SESENW 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	0.160 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T14N R01W S23 SWNW 12.80

12.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 39.8 acres in a single irrigation season. Combined Right Nos.: 67-440 and 67-10082

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.

Idaho Department of Water Resources



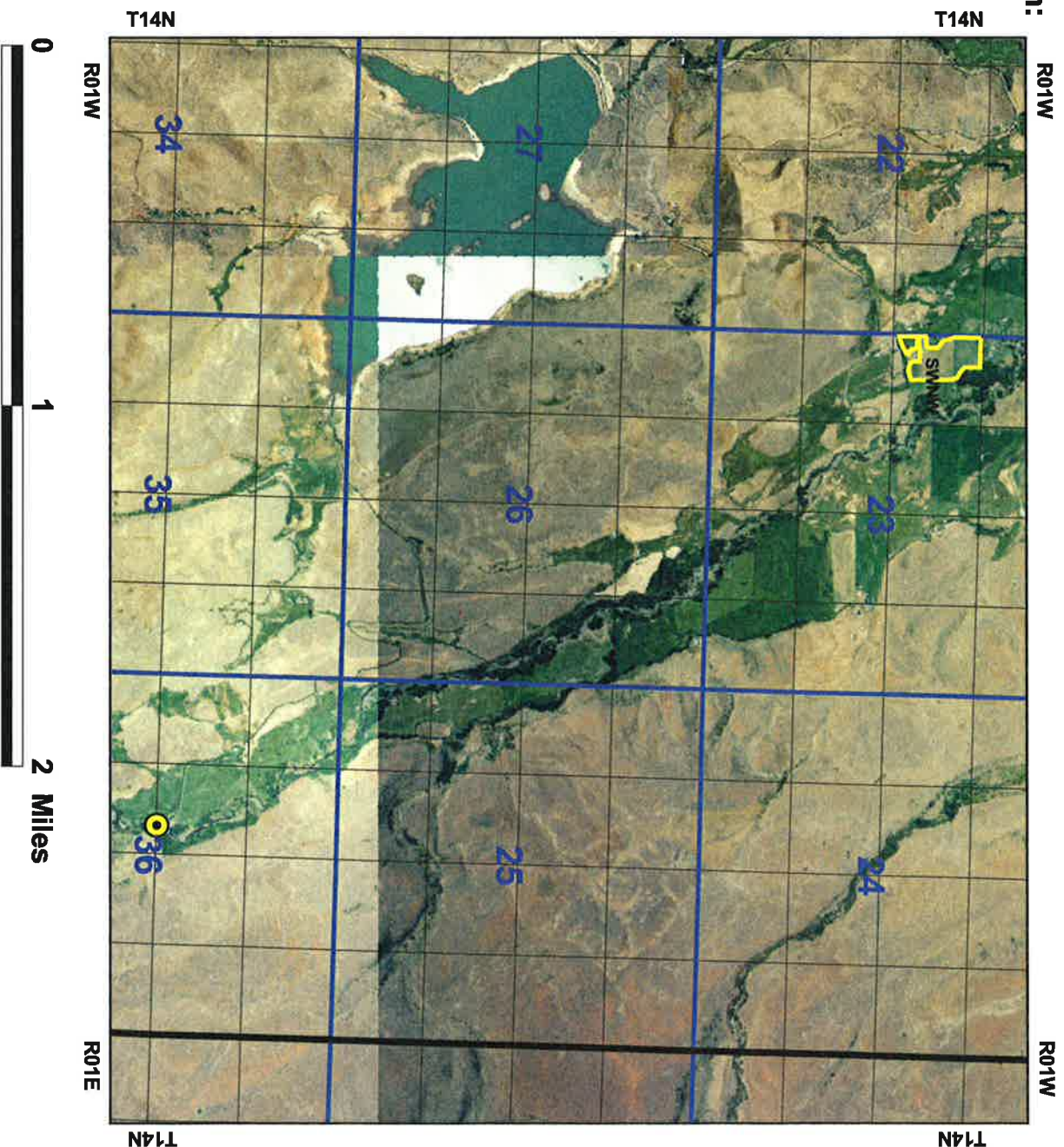
SRBA Recommendation:
67-444
(Irrigation)

Legend

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

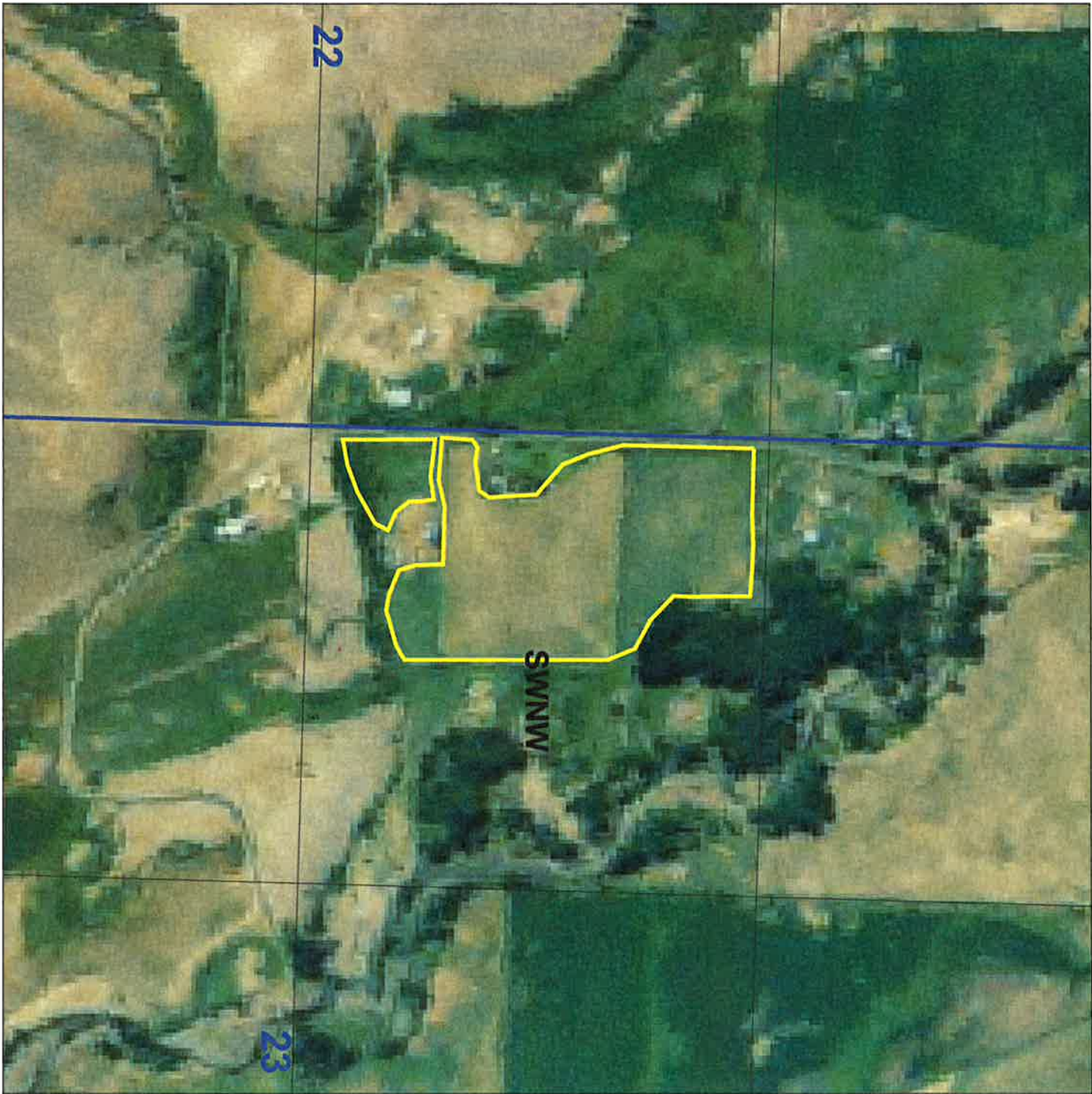
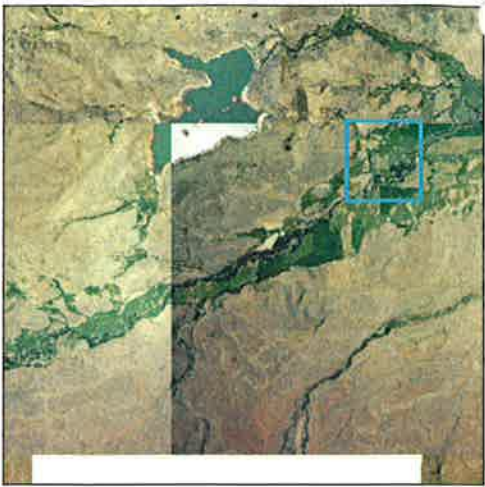


Adams County
IDWR Basin 67



Prepared by C. Saxton
On Thursday, October 26, 2006
1987/88 Aerial Photography

67-444



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-444 V1

WATER RIGHT NUMBER: 67-444 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	J W CORRIELL
Current Owner	INDIAN VALLEY, ID 83632 WANNA BELLE CORIELL PO BOX 42 INDIAN VALLEY, ID 83632 (208)256-4333
Current Owner	DALE L CORIELL PO BOX 42 INDIAN VALLEY, ID 83632 (208)256-4333

Priority Date: 06/01/1886

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	SE1/4SE1/4NW1/4	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							12.8										12.8

Total Acres: 12.8

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 39.8 acres in a single irrigation season. Combined Right Nos.: 67-440 and 67-10082
2. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
3. 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.

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-444 V1

Remarks:Comments:

1. mcase 7/19/2004 Owner

Comment: 67-444 and 67-444A claimed same POU and same quantity. Taxlot information matches claimant for 67-444.

2. csaxton 10/26/2006 POD

Comment: This right was originally decreed from the Anderson-Lindsay-Linder-Correll ditch in which the POD was located in Section 1, 13N, R1E. When C Ben Ross was constructed, the POD changed and the reservoir canal system commenced being used.

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:

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	7/19/2004 8:33:57 AM	mcase			Active
Source	7/19/2004 9:23:29 AM	mcase			Active
POU	7/19/2004 9:32:17 AM	mcase			Active
Use	7/19/2004 9:32:32 AM	mcase			Active
Season	7/19/2004 9:33:16 AM	mcase			Active
Quantity	7/19/2004 9:33:25 AM	mcase			Active
POD	7/19/2004 9:38:24 AM	mcase			Active
Summary			08/30/2006	dnarsavage	Active
Summary			10/26/2006	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	10/26/2006 8:53:23 AM	csaxton	Updated shape for Active POU
POD	8/23/2005 9:50:45 AM	csaxton	Correlated PODID 623685 from SpatialDataID 363417 to SpatialDataID 61140

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-444 V1

POD	8/23/2005 9:50:45 AM	csaxton	Correlated PODID 623685 from SpatialDataID 363417 to SpatialDataID 61140
POU	10/26/2006 3:54:14 PM	csaxton	Updated shape for Active POU
POU	10/26/2006 3:54:23 PM	csaxton	Updated PLS for Active POU
POD	10/26/2006 3:53:38 PM	csaxton	Updated PLS
Summary	10/26/2006 3:56:05 PM	csaxton	(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? (Yes) 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?
POD	10/26/2006 3:53:27 PM	csaxton	Updated shape
Priority Date	7/19/2004 8:33:57 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?
Source	7/19/2004 9:23:29 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	7/19/2004 9:32:18 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? (Yes) 13. Does the file contain all the necessary information to verify the POU? Description for Question 13 - Taxlot data and claim map match decreed POU.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-444 V1

Use	7/19/2004 9:32:33 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	7/19/2004 9:33:16 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	7/19/2004 9:33:26 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	7/19/2004 9:38:24 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? (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?
POU	8/30/2006 3:13:28 PM	dnarsavage	Updated shape for Active POU
POU	8/30/2006 3:13:34 PM	dnarsavage	Edited Season Of Use

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-444 V1

Summary	8/30/2006 3:14:19 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? (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?
POD	8/23/2005 9:50:45 AM	csaxton	Correlated PODID 623685 from SpatialDataID 363417 to SpatialDataID 61140

Water Supply Bank:

Claim

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owners	Source Table
67	410		Decreed	Active	1885-06-01	0.34	27	LITTLE WEISER F IRRIGATION		CORIELL, DALE L (C Claim	
67	444		Decreed	Active	1886-06-01	0.16	13	LITTLE WEISER F IRRIGATION		CORIELL, DALE L (C Claim	
67	4552		Statutory Claim	Active	4/1/1930	1.1	55	LITTLE WEISER F IRRIGATION		CORIELL, DALE L (C Claim	
67	10060		Beneficial Use	Active	1895-06-01	0.2		SPRINGS , WAST IRRIGATION, STC CORIELL, DALE L (C Claim			
67	10061		Beneficial Use	Active	1886-06-01	0.1		WASTE WATER IRRIGATION, STC CORIELL, DALE L (C Claim			
67	10062		Beneficial Use	Active	1886-06-01	0.12		SPRINGS IRRIGATION, STC CORIELL, DALE L (C Claim			
67	10067		Beneficial Use	Active	6/1/1908	0.1	1	GROUND WATER DOMESTIC, IRRIC CORIELL, DALE L (C Claim			
67	10081		Beneficial Use	Active	6/1/1934	0.1		WASTE WATER IRRIGATION		CORIELL, DALE L (C Claim	
67	10082		Beneficial Use	Active	1885-06-01	1.86	93	LITTLE WEISER F IRRIGATION		CORIELL, DALE L (C Claim	

Recommendation

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Acres	Source	Water Use(s)	Owners	Source Table
67	410		Decreed	Active	1885-06-01	0.34	27	LITTLE WEISER F IRRIGATION		CORIELL, DALE L (C Recommendation	
67	444		Decreed	Active	1886-06-01	0.16	12.8	LITTLE WEISER F IRRIGATION		CORIELL, DALE L (C Recommendation	
						0.5	39.8				
67	10082		B-use	Active	5/10/1918	0.3	39.8	LITTLE WEISER F IRRIGATION		CORIELL, DALE L (C Recommendation	
						0.6	39.8				
67	4552		B-use	Active	5/3/1940	0.64	31.8	LITTLE WEISER F IRRIGATION		CORIELL, DALE L (C Recommendation	
67	10060		B-use	Active	4/10/1907	0.19	8	SPRINGS		CORIELL, DALE L (C Recommendation	
67	10061		B-use	Disallowed	1886-06-01	0	0	WASTE WATER		CORIELL, DALE L (C Claim	
67	10062		B-use	Active	5/3/1940	0.12	6	SPRINGS		CORIELL, DALE L (C Recommendation	
67	10067		B-use	Active	6/1/1908	0.07	D&S	GROUND WATER		CORIELL, DALE L (C Recommendation	
67	10081		B-use	Disallowed	6/1/1934	0	0	WASTE WATER		CORIELL, DALE L (C Recommendation	

WR

Basin	Sequence	Suffix	Basis	Status	Priority Date	Rate(cfs)	Volume(gal)	Source	Water Use(s)	Owners	Source Table
67	4552		Statutory Claim	Active	4/1/1930	1.1		LITTLE WEISER F IRRIGATION		CORIELL, DALE L (C wrWaterRight	
67	7862		License	Active	7/14/1989	0.03	4	GROUND WATER IRRIGATION		CORIELL, DALE L (C wrWaterRight	
67	10065		Decreed	Active	9/1/1971	0.14		GROUND WATER DOMESTIC, STOC CORIELL, DALE L (C wrWaterRight			
67	10066 B		Decreed	Active	9/1/1977	0.02		GROUND WATER STOCKWATER		CORIELL, DALE L (C wrWaterRight	
67	7862			Closed	7/14/1989	0.03	4	GROUND WATER IRRIGATION		CORIELL, DALE L (C wrWaterPermit	

Water Master Record

PARCEL Name	67A #	Date	CFS	Notes
14N01W CORIELL, DA	410	6/1/1885	0.34	27
14N01W CORIELL, DA	444	6/1/1886	0.16	13

67-444

Decree

JW Corriell Woods-Lindsay Ditch.

8" = 12.8 ac = 0.16 cfs

June 1, 1886

~~E~~POU: T14N RIW^{S23} SENW

Source: Woods Lindsay Ditch

Claims

67-444

Dale & Wanna Belle

0.16 cfs

now carried thru C. Ben Rass

14N 1W 23 SWNW 13.0 ac.

444A - disallowed

MEMORANDUM

Date: August 11, 2005

To: File

From: Monica Van Bussum

RE: Phone conversation with Wanna Belle Coriell today at 9:30 am

SRBA claims 67-410, 67-444, 67-4552, 67-10060, 67-10061, 67-10062, 67-10067, 67-10081, and 67-10082

I sent a note to the claimants of these files about their apparent ownership dispute on 08/05. The note simply asked them to clarify ownership with a deed or similar paperwork.

I received a phone call this morning from Wanna Belle Coriell in regards to the letter. Apparently, this is a complicated family situation and the ownership dispute has been in litigation since the early 1980s.

While the letter I sent was specifically about 4552 (I hadn't found the other disputed files yet), we discussed the above-listed files in general.

In regards to 4552, Wanna Belle was worried about the priority date. The priority date claimed is 1930. Wanna Belle says any files she filled out for them individually she put an 1880s priority date on and anything from the 1930s should be Little Weiser Irrigation or Indian Valley Reservoir. She read me something from the Little Weiser Irrigation District about the Wanna Belle/Dale's specific water from the District dated 1935. We were unsure if this was proof that 4552 should be included in Little Weiser's claim. After speaking with Craig, we have decided to wait until Dave and Anita are done with the irrigation companies before pursuing this issue. Wanna Belle was quite insistent that she has all the tax information and proof they've paid taxes on the Weiser Irrigation water and the other claimants (Coriell/Coriell/Champion) have paid no taxes on the land or water.

As far as the property ownership itself, Wanna Belle says she and Dale own 2/3 of it at this point and Valerie Champion sold her portion in the late summer/fall of last year. We do not know if Valerie sold her portion to Greg/Mark or to an as-yet-unnamed third party. Valerie also apparently no longer resides at the address we have for her in Rigby and, according to Wanna Belle, Valerie no longer wants contact with the two Coriells she's listed with on the claim (Greg/Mark). Valerie apparently now lives in Adams County.

At this point, Wanna Belle reiterated the "boys" (presumably Greg and Mark) have no paid taxes or water rights for over 20 years. Dale's brother, Tom, was the original owner of the "undivided interest" and, when he died, his wife Colleen (presumably the Elsie Colleen mentioned in other claims) probably filed the disputing claims. This would make Greg and Mark Dale's nephews.

Wanna Belle said they have a court date on the 18th of this month for the final settlement of the dispute. I asked if she could, at that time, send me the paperwork regarding settlement of the dispute along with any resulting warranty deeds showing ownership of the property. She did make a point in the conversation to say the water belongs to the lands, not the individual, to which I replied that is true, but to make a recommendation in a case where I have two claimants claiming the same land, I need a deed to establish ownership of the property and thus the water right.

At the end of the conversation, Wanna Belle was in good spirits and promised to send any paperwork she had this way for clarification of property ownership.

So, at this point, it seems we are just waiting on further communication from Wanna Belle about the settlement of the ownership dispute before we can move on to field exams and recommendations. Once ownership is cleared up, we should be able to proceed. I did explain to Wanna Belle that she will probably be getting more documentation from me/us as we get the gears moving for the Weiser basin. I had evidence of priority specifically in mind since I'll be sending those letters soon.