

11/11/2006

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

RIGHT NUMBER: 67-449
NAME AND ADDRESS: VIVIAN L BUCHANAN
PO BOX 14
INDIAN VALLEY ID 83632

ALLEN M BUCHANAN
PO BOX 14
INDIAN VALLEY ID 83632

SOURCE: LITTLE WEISER RIVER TRIBUTARY: WEISER RIVER
QUANTITY: 0.750 CFS
PRIORITY DATE: 06/01/1877
POINT OF DIVERSION:

T14N R01W S15 SESE Within ADAMS County
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	0.750 CFS

PLACE OF USE:

IRRIGATION in ADAMS County

T14N R01W S10	NESW	18.00	T14N R01W S10	NESE	27.00
T14N R01W S10	NWSE	20.00	T14N R01W S10	SWSE	36.00
T14N R01W S10	SESE	23.00			

124 ACRES TOTAL

Right Nos. 67-424, 67-449, 67-452B, and 67-4303 are limited to the irrigation of a combined total of 124.0 acres in a single irrigation season.

This right is limited to the irrigation of 60.0 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.

Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.



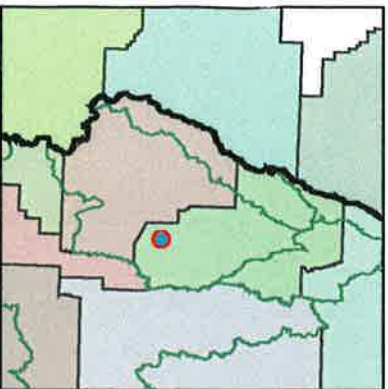
Idaho Department of Water Resources

SRBA Recommendation:

67-449
(Irrigation)

Legend

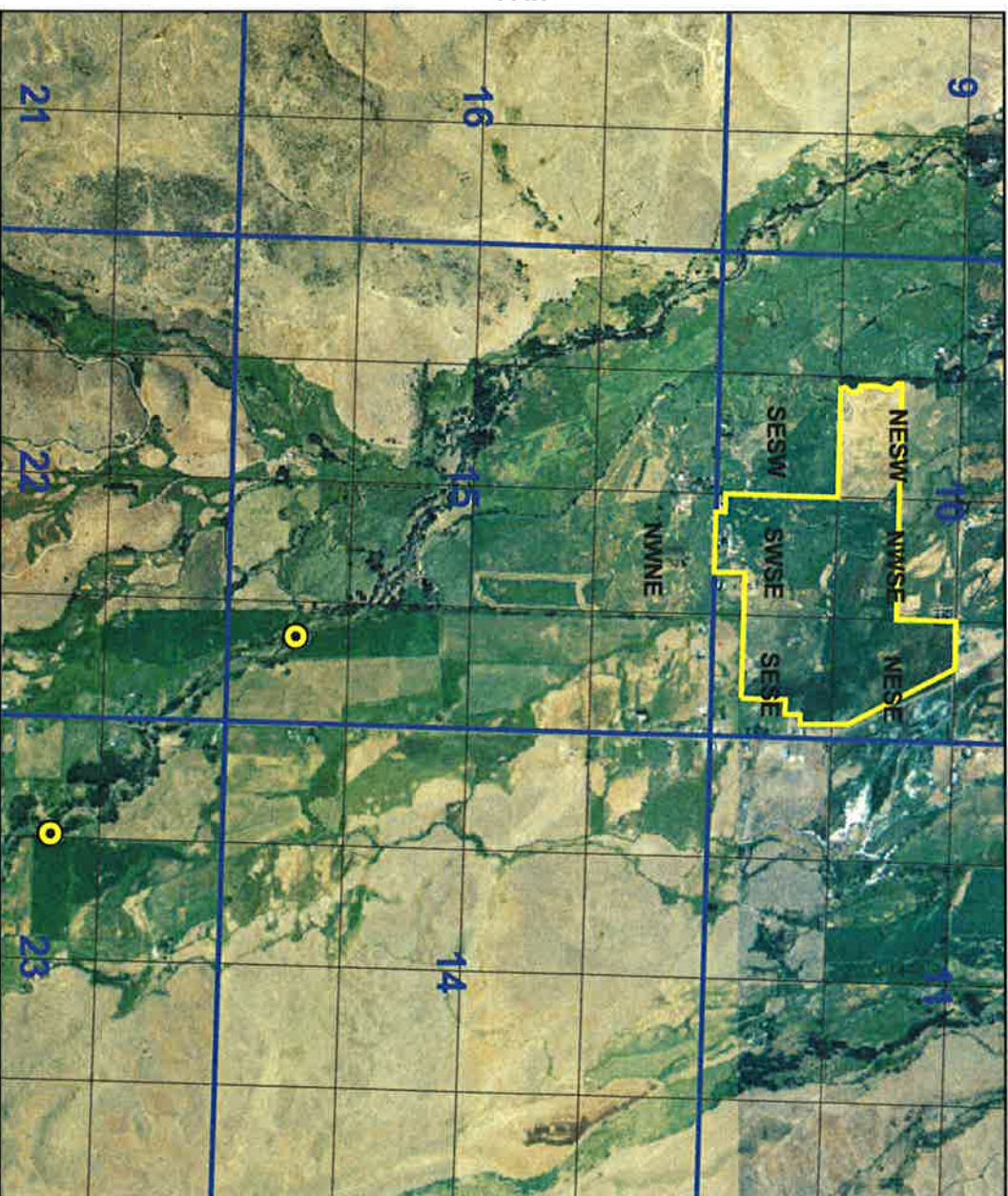
-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Adams County
IDWR Basin 67

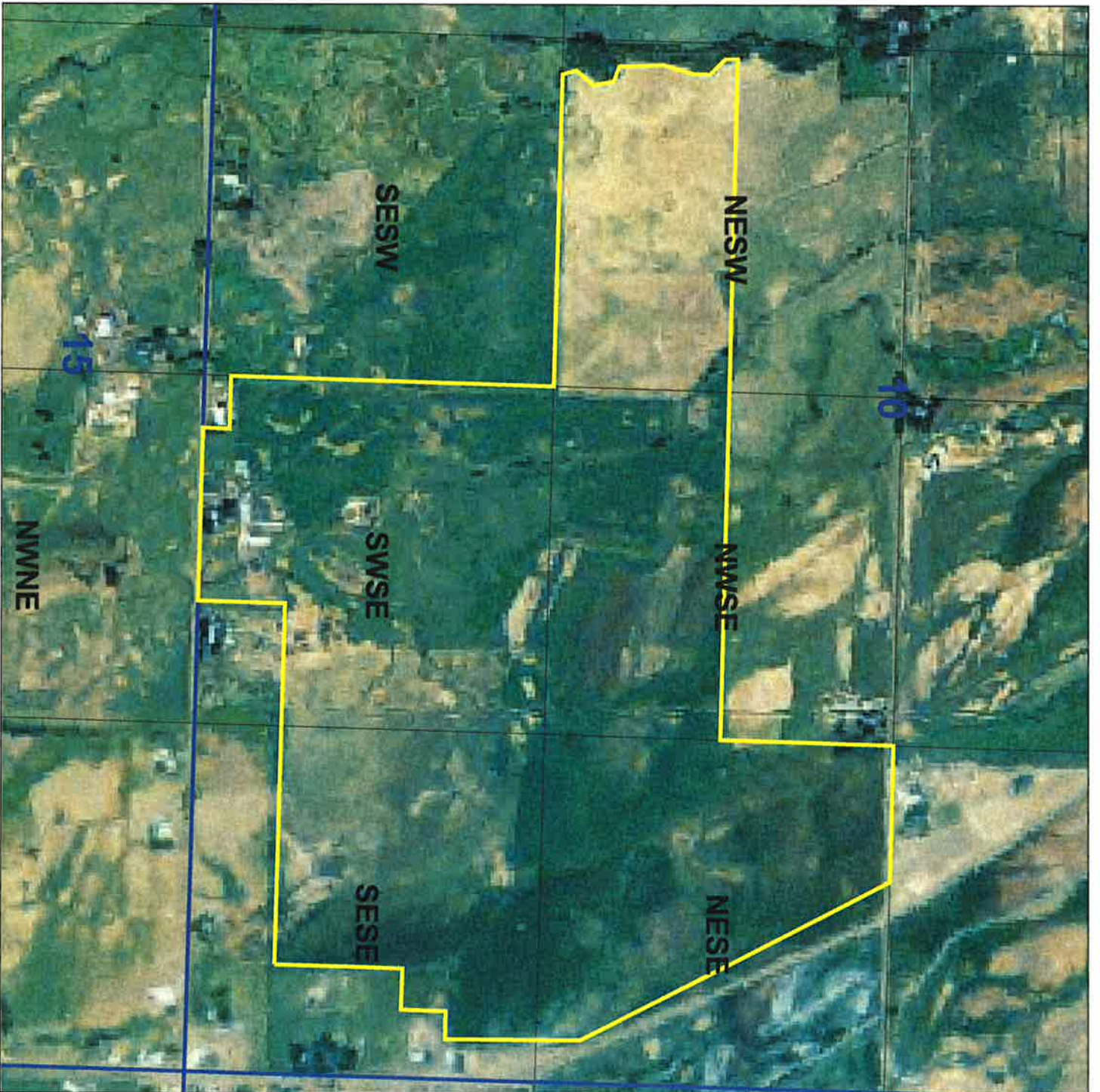


T14N



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

67-449



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-449 V1

WATER RIGHT NUMBER: 67-449 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	VIVIAN L BUCHANAN PO BOX 14 INDIAN VALLEY, ID 83632 (208)256-4320
Original Owner	J I LINDER , ID
Current Owner	ALLEN M BUCHANAN PO BOX 14 INDIAN VALLEY, ID 83632 (208)256-4320

Priority Date: 06/01/1877

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	0.750 CFS	
	<u>Total Diversion:</u>	0.750 CFS	

Location of Point(s) of Diversion

LITTLE WEISER RIVER	NE1/4SW1/4NW1/4	Sec. 23, Twp 14N, Rge 01W, B.M.
ADAMS County		
LITTLE WEISER RIVER	SE1/4SE1/4	Sec. 15, 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	10									18.0				27.0	20.0	36.0	23.0	124.0

Total Acres: 124

Conditions of Approval:

1. C05 Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.
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.

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3. E55 Right Nos. 67-424, 67-449, 67-452B, and 67-4303 are limited to the irrigation of a combined total of 124.0 acres in a single irrigation season.
4. C03 Right includes accomplished change in point of diversion pursuant to Section 42-1425, Idaho Code.
5. K06 This right is limited to the irrigation of 60.0 acres within the place of use described above in a single irrigation season.

Remarks:Comments:

1. mcase 7/19/2004 POU

Comment: POU shape created using taxlot in claimed PLS QQs.

2. mcase 7/19/2004 POD

Comment: Claimed POD PLS was WAY off - another county. I created a shape based on the diversion point of the closest canal to the POU. Needs to be double checked.

3. csaxton 10/4/2006 POD

Comment: POD decreed is out of the American Lindsey Ditch. Our review has found that Buchanans property is irrigated from Grays Creek ditch.

4. csaxton 11/11/2006 PPU

Comment: Recommend as PPU with flood water. 67-4303 claims all the acres in the PPU and from the FE in file 67-4303 all the water appears to be used in a common system. Plus there is more than enough decreed water to cover the acres irrigated.

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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
1.04		52

Combined Water Rights: 67-424 , 67-449 , 67-452B

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 1:14:57 PM	mcase			Active
Source	7/19/2004 1:22:16 PM	mcase			Active
POD	7/19/2004 1:29:59 PM	mcase			Active

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POU	7/19/2004 1:30:01 PM	mcase	Active
Use	7/19/2004 1:30:02 PM	mcase	Active
Quantity	7/19/2004 1:30:03 PM	mcase	Active
Season	7/19/2004 1:30:03 PM	mcase	Active
POD	7/19/2004 1:48:54 PM	mcase	Active
POU	7/19/2004 1:52:08 PM	mcase	Active
Use	7/19/2004 1:52:14 PM	mcase	Active
Season	7/19/2004 1:54:25 PM	mcase	Active
Quantity	7/19/2004 1:54:35 PM	mcase	Active
Priority Date	7/19/2004 2:14:56 PM	mcase	Active
Source	7/19/2004 2:14:59 PM	mcase	Active
Contacts	7/27/2006 1:37:08 PM	dnarsavage	Active
Priority Date	7/27/2006 1:37:24 PM	dnarsavage	Active
POD	7/27/2006 1:37:36 PM	dnarsavage	Active
Source	7/27/2006 1:39:11 PM	dnarsavage	Active
POU	7/27/2006 1:39:39 PM	dnarsavage	Active
Use	7/27/2006 1:41:53 PM	dnarsavage	Active
Season	7/27/2006 1:43:52 PM	dnarsavage	Active
Quantity	7/27/2006 2:02:03 PM	dnarsavage	Active
Summary		07/27/2006 dnarsavage	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	8/2/2005 4:05:14 PM	dnarsavage	Correlated PODID 623732 from SpatialDataID 363548 to SpatialDataID 342152
POD	8/2/2005 4:05:14 PM	dnarsavage	Correlated PODID 623732 from SpatialDataID 363548 to SpatialDataID 342152
POD	8/2/2005 4:05:14 PM	dnarsavage	Correlated PODID 623732 from SpatialDataID 363548 to SpatialDataID 342152
Contacts	7/27/2006 1:37:09 PM	dnarsavage	(No) 1. Do you want to schedule an appointment?
Source	7/27/2006 1:39:11 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?

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Season	7/27/2006 1:43:53 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?
Summary	7/27/2006 2:13:59 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? (Yes) 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	11/11/2006 7:14:36 AM	csaxton	Updated shape
POD	11/11/2006 7:14:51 AM	csaxton	Updated PLS
POD	11/11/2006 7:13:27 AM	csaxton	Updated PLS
POD	11/11/2006 7:13:56 AM	csaxton	Updated shape
POU	11/11/2006 7:15:25 AM	csaxton	Updated PLS for Active POU
POD	11/11/2006 7:13:16 AM	csaxton	Updated shape
POU	11/11/2006 7:15:17 AM	csaxton	Updated shape for Active POU
POD	11/11/2006 7:14:19 AM	csaxton	Updated PLS
General	7/27/2006 1:37:25 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?

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POD	7/27/2006 1:37:37 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	7/27/2006 1:39:59 PM	dnarsavage	Updated shape for Active POU
POU	7/27/2006 1:40:14 PM	dnarsavage	Edited Season Of Use
POU	7/27/2006 1:40:22 PM	dnarsavage	Updated PLS for Active POU
Use	7/27/2006 1:41:53 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?
POU	7/27/2006 1:39:39 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?
Quantity	7/27/2006 2:02:03 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 required?
Source	7/19/2004 1:22:16 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?

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POU	7/19/2004 1:52:08 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?
POD	7/19/2004 1:48:54 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?
Use	7/19/2004 1:52:14 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	7/19/2004 1:54:25 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	7/19/2004 1:54:35 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?
Priority Date	7/19/2004 2:14:57 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?
Source	7/19/2004 2:14:59 PM	mcase	(Yes) 1. Is the basis of claim Decree or License?

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Priority Date	7/19/2004 1:14:58 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?
POD	7/19/2004 1:29:59 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?
POU	7/19/2004 1:30:01 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required?
Use	7/19/2004 1:30:03 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?
Season	7/19/2004 1:30:03 PM	mcase	(Yes) 1. Is the basis of claim Decree or License?
Quantity	7/19/2004 1:30:04 PM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?

Water Supply Bank:

11/11/2006

Claim

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority De</u>	<u>Rate(cfs)</u>	<u>Volume(ac)</u>	<u>Source</u>	<u>Water Use Owner(s)</u>	<u>Source Table</u>
67	424		Decreed	Active	1883-06-0'	0.34		LITTLE W	IRRIGATIC BUCHANAN, ALLE	Claim
67	449		Decreed	Active	1877-06-0'	0.75		LITTLE W	IRRIGATIC BUCHANAN, ALLE	Claim
67	452	B	Decreed	Active	1887-06-0'	1		LITTLE W	IRRIGATIC BUCHANAN, ALLE	Claim
67	4303		Statutory C	Active	1883-06-0'	2.2		LITTLE W	IRRIGATIC BUCHANAN, ALLE	Claim

Recommendation

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority De</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use Owner(s)</u>	<u>Source Table</u>
67	424		Decreed	Active	1883-06-0'	0.34	27.2	LITTLE W	IRRIGATIC BUCHANAN, ALLE	Recommendation
67	449		Decreed	Active	1877-06-0'	0.75	60	LITTLE W	IRRIGATIC BUCHANAN, ALLE	Recommendation
67	452	B	Decreed	Active	1887-06-0'	0.84	67.2	LITTLE W	IRRIGATIC BUCHANAN, ALLE	Recommendation
						1.93	124			
67	4303		B-use	Active	5/10/1918	0.55	124	LITTLE W	IRRIGATIC BUCHANAN, ALLE	Recommendation
						2.48	124	= 1" per acre		

WR

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority De</u>	<u>Rate(cfs)</u>	<u>Volume(ac)</u>	<u>Source</u>	<u>Water Use Owner(s)</u>	<u>Source Table</u>
67	4303		Statutory C	Active	1883-06-0'	2.2		UNNAMEC	IRRIGATIC BUCHANAN, VIVIA	WaterRight
67	11455		Decreed	Active	5/20/1900	0.07		GROUND	DOMESTIC BUCHANAN, ALLE	WaterRight

Water Master Records

<u>PARCEL</u>	<u>Name</u>	<u>67A #</u>	<u>Date</u>	<u>CFS</u>	<u>Notes</u>
N01W1051	BUCHANAN	424	6/1/1883	0.34	27
N01W1051	BUCHANAN	449	6/1/1877	0.75	60
N01W1051	BUCHANAN	452A	6/1/1887	0.84	67

N01W1051	BUCHANAN	452A	6/1/1887	0.84	67
N01W1091	MCCRUM	452B	6/1/1887	0.08	6
N01W1092	HUST, JIM	452C	6/1/1887	0.04	3
N01W1084	ADAMS, J	452D	6/1/1887	0.04	3

Ok (csaxton 11-10-06 - actually SRBA claim 67-452A)