

11/14/2006

NOTICE OF ERROR
REPLY

RECEIVED
DEC 05 2006
DEPARTMENT OF
WATER RESOURCES

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: December 8, 2006

Water right number: 67-4337

LARRY D DERIE
920 JONATHAN RD
WEISER ID 83672-5122

JUNE I DERIE
920 JONATHAN RD
WEISER ID 83672-5122
Telephone Number: (208)741-0343

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

2. Describe the changes you wish to make in the proposed recommendation:

3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 11/25/06 SIGNATURE: Larry Derie
Please print your name: LARRY DERIE

IDWR Regional Office, 322 E Front St
PO Box 83720, Boise, ID 83720-0098, 2082874800

SCANNED
DEC - 6 2006

11/08/2005

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

RIGHT NUMBER: 67-4337

NAME AND ADDRESS: LARRY D DERIE
920 JONATHAN RD
WEISER ID 83672-5122

JUNE I DERIE
920 JONATHAN RD
WEISER ID 83672-5122

SOURCE: MILL CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.433 CFS

The rights listed below are limited to a total combined diversion rate of 1.63 cfs. Combined Right Nos.: 67-355A, 67-4337, and 67-10171.

PRIORITY DATE: 05/10/1918

POINT OF DIVERSION:

T17N R01W S34 NESE Injection Within ADAMS County

T17N R01W S34 NESE Rediversion Within ADAMS County

T17N R01W S35 NWSW Within ADAMS County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	0.433 CFS

PLACE OF USE: IRRIGATION Within ADAMS County

T17N R01W S34	NESE	18.0	T17N R01W S34	NWSE	9.3
T17N R01W S34	SWSE	22.0	T17N R01W S34	SESE	8.5

57.8 ACRES TOTAL

The rights listed below are limited to the irrigation of a combined total of 81.3 acres in a single irrigation season. Combined Right Nos.: 67-355A, 67-4337, and 67-10171.

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.

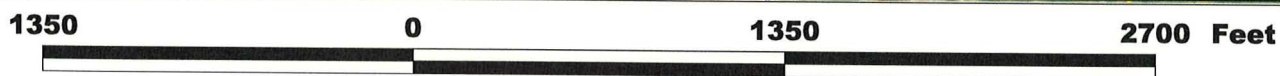
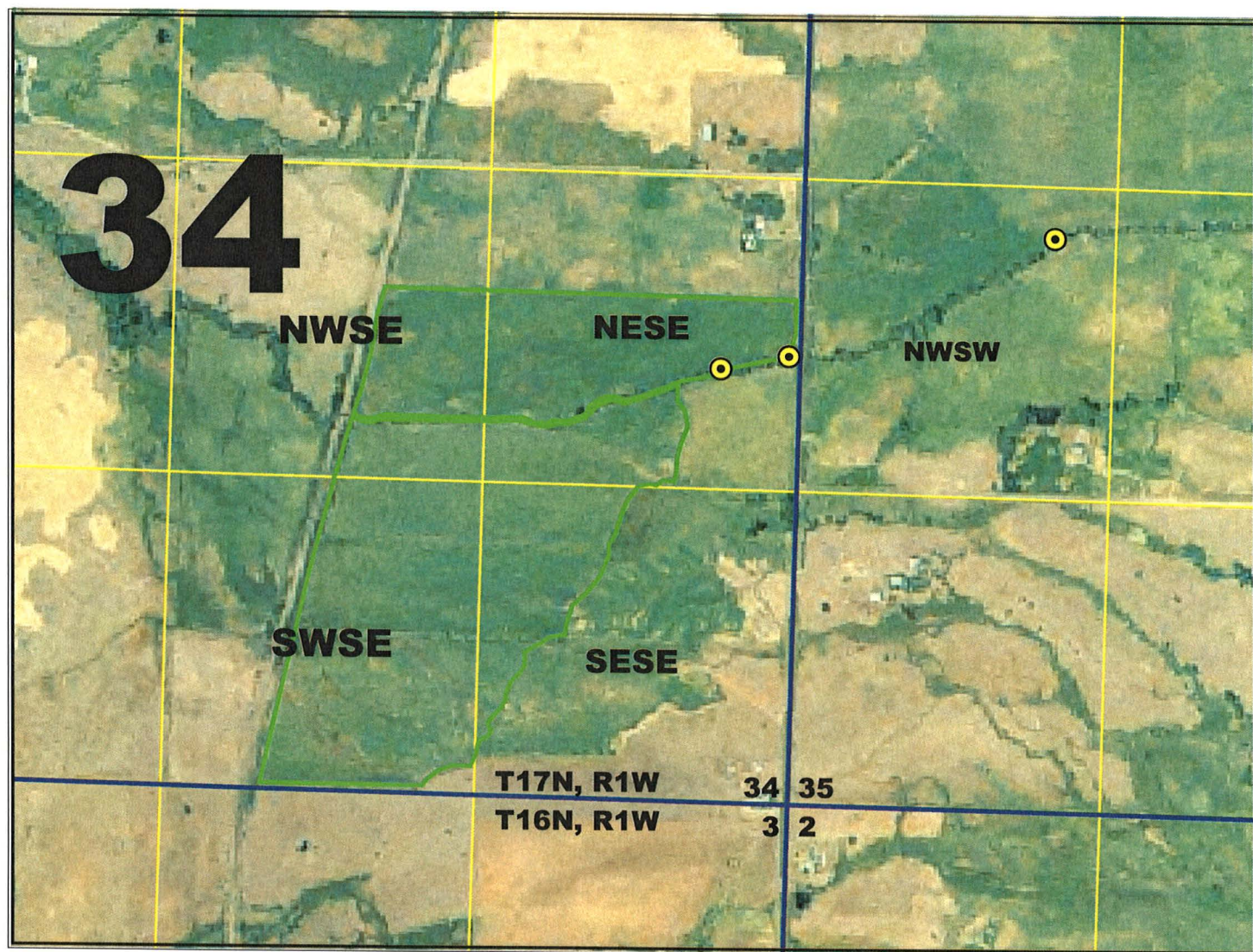
EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use



STATE OF IDAHO

Department of Water Resources

Water Right(s): 67-355A and 67-4337



● Point(s) of Diversion

□ Place of Use

□ Quarter Quarter Lines

□ Section Lines



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: C. Saxton
Date: November 2005

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4337 V1

WATER RIGHT NUMBER: 67-4337 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	LARRY D DERIE 920 JONATHAN RD WEISER, ID 83672-5122
Current Owner	JUNE I DERIE 920 JONATHAN RD WEISER, ID 83672-5122 (208)741-0343

Priority Date: 05/10/1918

Basis: Beneficial Use

Status: Active

<u>Source</u>	<u>Tributary</u>
MILL CREEK	WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.433 CFS	
	<u>Total Diversion:</u>	0.433 CFS	

Location of Point(s) of Diversion

MILL CREEK	NE1/4SE1/4	Sec. 34, Twp 17N, Rge 01W, B.M.
ADAMS County	(Injection)	
MILL CREEK	NW1/4SW1/4	Sec. 35, Twp 17N, Rge 01W, B.M.
ADAMS County		
MILL CREEK	NE1/4SE1/4	Sec. 34, Twp 17N, Rge 01W, B.M.
ADAMS County	(Rediversion)	

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	
17N	01W	34													18.0	9.3	22.0	8.5	57.8

Total Acres: 57.8

Conditions of Approval:

1. E56 The rights listed below are limited to the irrigation of a combined total of 81.3 acres in a single irrigation season. Combined Right Nos.: 67-355A, 67-4337, and 67-10171.
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.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4337 V1

3. E52 The rights listed below are limited to a total combined diversion rate of 1.63 cfs. Combined Right Nos.: 67-355A, 67-4337, and 67-10171.

Remarks:Comments:

1. csaxton 11/8/2005 Priority

Comment: This right is for the use of flood water that directly overlaps decreed right 67-355A. Recommend priority date as May 10, 1918, or one day after the decree.

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:
 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>
Contacts	11/8/2005 5:16:06 PM	csaxton			Active
Priority Date	11/8/2005 5:17:04 PM	csaxton			Active
POD	11/8/2005 5:17:33 PM	csaxton			Active
Source	11/8/2005 5:19:30 PM	csaxton			Active
POU	11/8/2005 5:19:50 PM	csaxton			Active
Use	11/8/2005 5:21:48 PM	csaxton			Active
Season	11/8/2005 5:22:07 PM	csaxton			Active
Quantity	11/8/2005 5:27:51 PM	csaxton			Active
Summary			11/08/2005	csaxton	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	11/8/2005 5:18:28 PM	csaxton	Updated shape
POD	11/8/2005 5:18:42 PM	csaxton	Updated shape
POD	11/8/2005 5:18:53 PM	csaxton	Updated shape

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4337 V1

Quantity	11/8/2005 5:27:49 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is the basis of claim a posted notice? (No) 7. Is a flow measurement required? (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? (Yes) 12. Is a Quantity remark or condition required? Description for Question 7 - Bosco Bosler FE stated that this right should bring diversion rate between this claim and 67-355A up to 1" per acre. Based on this I conclude that the ditch has the capacity to carry the diversion rate recommended.
Summary	11/8/2005 5:29:43 PM	csaxton	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (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?
Contacts	11/8/2005 5:16:05 PM	csaxton	(No) 1. Do you want to schedule an appointment? Comment for 1: Field exam by Bosco Bosler - FE write up on 10/17/05.
General	11/8/2005 5:17:04 PM	csaxton	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (No) 4. Is the basis of claim decree or license? (No) 7. Is the basis of claim a Application or Permit? (No) 8. Is the basis of claim a posted notice? (No) 9. Is the Priority Date of this water use after the date a permit is required for the source and the water use? (Yes) 12. Does the claim file contain sufficient evidence of Priority Date? (No) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required? Description for Question 12/13 - Direct overlap with Decreed right 67-355A. Priority is one day after Muir vs. Allison.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4337 V1

POD	11/8/2005 5:17:32 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (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? (No) 10. Is a POD remark and/or condition required?
Source	11/8/2005 5:19:27 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim an Application or Permit? (No) 6. Is the basis of claim a Posted Notice? (No) 7. Is there evidence that there has been a change in the source? (Yes) 10. Does the file contain all the necessary information to verify the source? (No) 11. Is a Source remark and/or condition required? Description for Question 10 - Field exam by Bosco Bosler - FE write up on 10/17/05.
POU	11/8/2005 5:19:47 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (No) 3. Is the basis of claim a Application or Permit? (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? (Yes) 14. Is a POU remark and/or condition required? Description for Question 13 - Field exam by Bosco Bosler - FE write up on 10/17/05.
POU	11/8/2005 5:20:12 PM	csaxton	Updated shape for Active POU
Use	11/8/2005 5:21:45 PM	csaxton	(No) 1. Is the basis of this claim a Decree or License? (No) 2. Is the basis of this claim a Application or Permit? (No) 6. Is there evidence that there has been a change in the Purpose of Use? (Yes) 11. Does the file contain all the necessary information to verify the Water Use? (No) 13. Is a Purpose of Use remark and/or condition required? Description for Question 10,11,12 - Field exam by Bosco Bosler - FE write up on 10/17/05.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-4337 V1

Season	11/8/2005 5:22:04 PM	csaxton	(No) 1. Is the basis of claim Decree or License? (No) 2. Is the basis of claim a Application or Permit? (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?
POU	11/8/2005 5:20:25 PM	csaxton	Updated PLS for Active POU

Water Supply Bank:

Derie Claim Matrix

Claim

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	355	A	Decreed	Active	1884-05-01	0.83	67	MILL CREEK	IRRIGATION	DERIE, JUNE I	Claim
67	4337		Statutory	Active	1884-05-01	1.04	67	MILL CREEK	IRRIGATION	DERIE, JUNE I	Claim
67	10171		Beneficial l	Active	1884-05-01	1.71	84	WASTE WATER	IRRIGATION,	DERIE, JUNE I	Claim

Recommendation

<u>Basin</u>	<u>Sequence</u>	<u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority Date</u>	<u>Rate(cfs)</u>	<u>Acres</u>	<u>Source</u>	<u>Water Use(s)</u>	<u>Owner(s)</u>	<u>Source Table</u>
67	355	A	Decreed	Active	1884-05-01	0.723	57.8	MILL CREEK	IRRIGATION	DERIE, JUNE I	Recommendation
67	4337		Beneficial l	Active	5/10/1918	0.433	57.8	MILL CREEK	IRRIGATION	DERIE, JUNE I	Recommendation
Total CFS =						1.156	57.8				

67	10171		Beneficial l	Active	3/15/1969	1.63	81.3	WASTE WATER	IRRIGATION,	DERIE, JUNE I	Recommendation
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All three rights limited to 81.3 acres and 1.63 cfs
 Mill Creek POU and Waste Water POU overlap of 57.8 acres.

Split/Overlap Analysis

Water Right Number: 67-355A & 67-4337

[illegible]

Limit = 57.8 0

Water Right Number: 67-10171

					Parent	Children				
Twp	Rng	Sec	Q-Q	Lot	67-10171	Actual				
17N	1W	34	NESE		20	24				
			NWSE		9	9.3				
			SWSE		24	22				
			SESE		31	26				
					84	81.3				

Contacts Data Entry Form**Claim Number: 67-4337**

Owner Type	Full Name	Address	City	State	Zip	Phone
Current Owner	LARRY D DERIE	920 JONATHAN RD	WEISER	ID	83672-512 2	
Current Owner	JUNE I DERIE	920 JONATHAN RD	WEISER	ID	83672-512 (208)741-0343 2	

Date of Field Exam: _____ Time: 9:00Accompanied By: Claimant Phone Number: 549 0133

Relationship to Claimant: _____

Directions to Property (if different from above) and/or update owner information:

Reviewer: Bosco

Date: _____

Priority Date Data Entry Form

Claim Number 67-4337

Claimed Priority Date: 5/1/1884

Claimed Basis: Statutory Claim

☐ Use Claimed Priority Date and Basis as Recommended Priority Date and Basis

Water Right Priority Date: 5/1/1884

Water Right Basis: Statutory Claim

Recommended Priority Date 5/10/1918 Recommended Basis B-use

Document the evidence submitted/reviewed for the priority date claimed, include your analysis of the evidence:

Need Affidavit

*Direct overlap w/decree 67-355A. Rec
Priority as one day after the decree.
C Santa 11-8-05*

Reviewer:

Bosco

Date:

10/17/05

IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO. (S))
67-10171)
67-4337)
State of Idaho)
County of ADAMS)

AFFIDAVIT

RECEIVED

SEP 28 2005
DEPARTMENT OF
WATER RESOURCES

_____ being first duly sworn,
deposes and says: _____

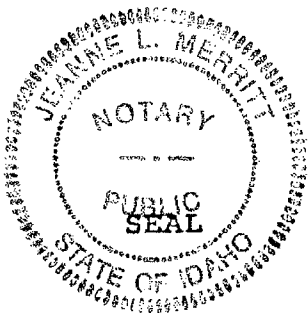
I Ned Henderson in living by
and driving by the land (now owned
by Larry Davis in the SE 1/4 of Sec 34
T 17N R 1W Mill Creek drainage)
have seen land irrigated as far back
as the 1960's like it is irrigated
today

Ned Henderson
(Signature)

Subscribed and sworn to before me this
day 12 of September, 192005.

Jeanne L. Merritt
(Notary Public)

Residing at Council SD 8361.2
My Commission Expires 3/13/08.



IN THE MATTER OF)
NOTICE OF CLAIM TO)
A WATER RIGHT NO.(S))

AFFIDAVIT

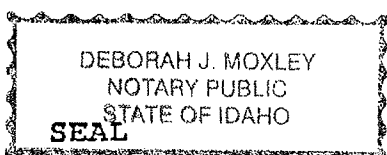
67-10171)
67 4337)

State of Idaho)
County of ADAMS)

_____ being first duly sworn,
deposes and says: I LARRY DERIE PURCHASED
THE LAND CONCERNING THE ABOVE WATER RIGHT
NUMBERS IN 1980-82. I CONTINUED USING
THE WATER AND IRRIGATING THE SAME ACRES
AS THE PREVIOUS OWNER.

Larry Derie
(Signature)

Subscribed and sworn to before me this
day 16th of September, 192005.



Deborah J. Moxley
(Notary Public)

Residing at Wilson ID.

My Commission Expires 2/11/2010.

Period of Use and Quantity Data Entry Form

Claim Number 67-4337

Claimed Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	7/30	1.04	

Overall Diversion Rate 1.04 Overall Diversion Volume

☐ Use Claimed Period of Use and Quantity as Recommended Period of Use and Quantity

Water Right Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRRIGATION	4/15	7/30	1.04	

Overall Diversion Rate 1.04 Overall Diversion Volume

Recommended Period of Use and Diversion Rate

Water Use	Start	End	Rate	Volume
IRR	3-15	11-15	0.433	N/A

Overall Diversion Rate 0.433 Overall Diversion Volume

Document how the Period of Use and/or Diversion Rate were verified:

As this is used on same ground as
355A Decreed water of 41.5" or .83 cfs
this water right should be for 25.5" or .51 cfs
to bring land up to 1" per acre. This is also if 355A
stands at .83 + not .73 cfs.

Extended SOU to IDWR standard. Diversion Rate
Recommended @ 3/8 inch per acre to
Bring irrigation at POW to 1" per acre w/67-355A.

C. Smyth 11-8-05

Reviewer:

Bosco

Date:

10/17/05

Point of Diversion and Source Data Entry Form

Claim Number 67-4337

Claimed Point of Diversion and Source

T17N R01W S34 NESE Within ADAMS County Source: MILL CREEK WEISER RIVER

T17N R01W S35 NWSW Within ADAMS County Source: MILL CREEK WEISER RIVER

☐ Use Claimed POD and Source as Recommended POD and Source

Water Right Point of Diversion and Source

T17N R01W S34 NESE Within ADAMS County

T17N R01W S35 NWSW Within ADAMS County

Recommended Point of Diversion and Source

Source Information

Source

Tributary To

_____	_____
_____	_____
_____	_____

Twp	Rge	Sec	Gov Lot	QQQ of QQ of Q	County	Source

Other rights from this POD? _____

Document how the POD and Source were verified:

Same GPS data as WR#67-355A

Reviewer: BoscoDate: 10/17/05

Place Of Use Data Entry Form

Claim Number 67-4337

Claimed Place Of Use

T17N R01W S34	NESE	18.0	T17N R01W S34	NWSE	9.0
T17N R01W S34	SWSE	22.0	T17N R01W S34	SESE	18.0

Total Acres 67

☒ Use Claimed POU as Recommended POU

Water Right Place Of Use

T17N R01W S34	NESE	19.0	T17N R01W S34	NWSE	10.0
T17N R01W S34	SWSE	11.0	T17N R01W S34	SESE	12.0

Total Acres 52

Recommended Place of Use

____ See corrections to claimed POU above

Twp	Rge	Sec	QQ	Q	County	Lot Num	Acres	Purpose of Use

Total Acres ____

Document how the POU was verified:

Same as 67-355A C. Sather 11-8-05

Reviewer:

Bosco

Date:

10/17/05

Purpose of Use Data Entry Form

Claim Number 67-4337

Claimed Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

☒ Use Claimed Purpose of Use as Recommended Purpose of Use

Water Right Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

IRRIGATION

Recommended Purpose of Use

Water Use

Number of Homes

Number of Stock

Acre Limit

Number of Other

--	--	--	--	--

--	--	--	--	--

--	--	--	--	--

Document how the Purpose of Use was verified:

Reviewer:

Bosco

Date:

10/17/05

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 67-4337
Date Received: 9/12/1989
Receipt No: W005909
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

LARRY D DERIE Phone:

920 JONATHAN RD
WEISER ID USA 83672-5122

JUNE I DERIE Phone: (208)741-0343

920 JONATHAN RD
WEISER ID USA 83672-5122

2. Date of Priority: 05/01/1884

3. Source: MILL CREEK , MILL CREEK Trib. to: WEISER RIVER , WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
17N	01W	34	NE SE	ADAMS	
17N	01W	35	NW SW	ADAMS	

5. Description of diverting works:

DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/15	7/30	1.04	

7. Total Quantity Appropriated is:
1.04 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
17N	01W	34	NE	SE	IRRIGATION	18
			NW	SE	IRRIGATION	9
			SW	SE	IRRIGATION	22
			SE	SE	IRRIGATION	18
Section Acres						67
Total Acres						67

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? Yes

13. Other Water Rights Used:

14. Remarks:

CHANGE IN NUMBER OF IRRIGATED ACRES.

15. Basis of Claim: Statutory Claim

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A67-04337
Date Received: 9/12/1989
Receipt No: W 5909
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LARRY DERIE 208-253-6068
Address: HC 62, BOX 17
COUNCIL, ID 83612

OR
Name: JUNE DERIE 208-253-6068
Address: HC 62, BOX 17
COUNCIL, ID 83612

2. Date of Priority: MAY 01, 1884

3. Source: MILL CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
17N	01W	34	NE	SE			ADAMS
		35	NW	SW			ADAMS

5. Description of diverting works:
DITCHES.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/15	07/30	1.040		

7. Total Quantity Appropriated is:
1.040 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A67-04337

Page 1

Date: 09/12/89

SCANNED
APR 14 2004

MICROFILMED
OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
17N	01W	34	NE		SE		IRR	18.0
			NW		SE		IRR	9.0
			SW		SE		IRR	22.0
			SE		SE		IRR	18.0
							Section Acres	67.0
							Total Acres	67.0

11. Place of use in counties: ADAMS

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
CHANGE IN NUMBER OF IRRIGATED ACRES.

15. Basis of Claim: STATUTORY CLAIM

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not / wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): x Larry Dene Date: x Sept 12 1989
Jane Dene Date: Sept 12, 1989

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 12 day

of Sept. 19 89

Linda A. Werner
Notary Public

Seal

Residing at Linda A. Werner
Residing at Boise, Idaho
My Commission Expires December 8, 1994

T 17N
R 16W
Sec. 34

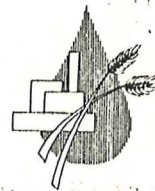
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AG7-45 04337

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT



Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

Notice is hereby given that Larry or JUNE Derie
(Name of Claimant)

(Name of Claimant)

STAR ROUTE COUNCIL, IDAHO
(Mailing Address)

83/12

Telephone No. 253-6068

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use) MAY 1 1884

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

tributary to weiser River

- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)		(Mo., Day)		(Mo., Day)	
Quantity	<u>1.04 CFS</u>	Use	<u>Irrigation</u>	Period of Use From	<u>April 15</u>	To	<u>July 15-30</u>
Quantity	_____	Use	_____	Period of Use From	_____	To	_____
Quantity	_____	Use	_____	Period of Use From	_____	To	_____
Quantity	_____	Use	_____	Period of Use From	_____	To	_____
Quantity	_____	Use	_____	Period of Use From	_____	To	_____

- (4) 1.04 cfs TOTAL QUANTITY USED.
(cfs, gpd, AFA)

- (5) A) Point of diversion: (Location of point where water is diverted from its source)

Additional points of diversion: NW 1/4 SW 1/4, Sec. 35 Twp. 17N Rge. 1W B.M., County of ADAMS
Additional points of diversion: NE 1/4 SE 1/4 SEC. 34 Twp. 17N Rge. 1W

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion Ditches

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 52

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: _____

Scale: 2 inches equal 1 mile.

State of Idaho)
) ss.
County of Blaine)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 1st day of January, 1981 (Claim

x Larry Dene
x June Dene
(Claimant)

Notary Public
Residing at Carmichael

My commission expires 12/31/2005

FOR DEPARTMENT USE ONLY

Received by neh Date 1/13/80 Exception filed by: _____ Forwarded to _____ Date _____
Prelim. check by je Date 1/13/80 claimant by: _____
\$10.00 fee received by neh Date 1/13/81 + 17240
Published in Adams Co. Herald _____ neh 2/10/81
Dates 1-22-79-81 _____