

10/27/2006

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

RIGHT NUMBER: 67-7135

NAME AND ADDRESS: W A RICHARDS JR
1131 OLDS FERRY RD
WEISER ID 83672

DONNA M RICHARDS
1131 OLDS FERRY RD
WEISER ID 83672

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.100 CFS
14.100 AFY

PRIORITY DATE: 04/12/1973

POINT OF DIVERSION:

T11N R06W S24 NWNENW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/01	0.060 CFS 13.50 AFY
DOMESTIC	01/01 12/31	0.040 CFS 0.60 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within WASHINGTON County

T11N R06W S24 NENW 3.00

DOMESTIC Within WASHINGTON County

T11N R06W S24 NENW

3 ACRES TOTAL

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 - License



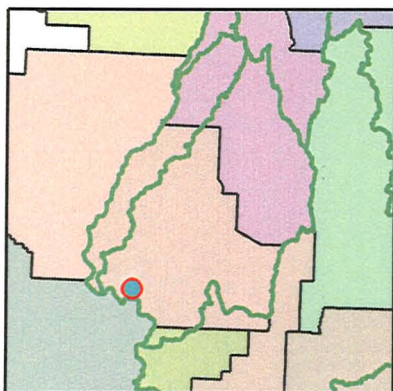
Idaho Department of Water Resources

SRBA Recommendation:

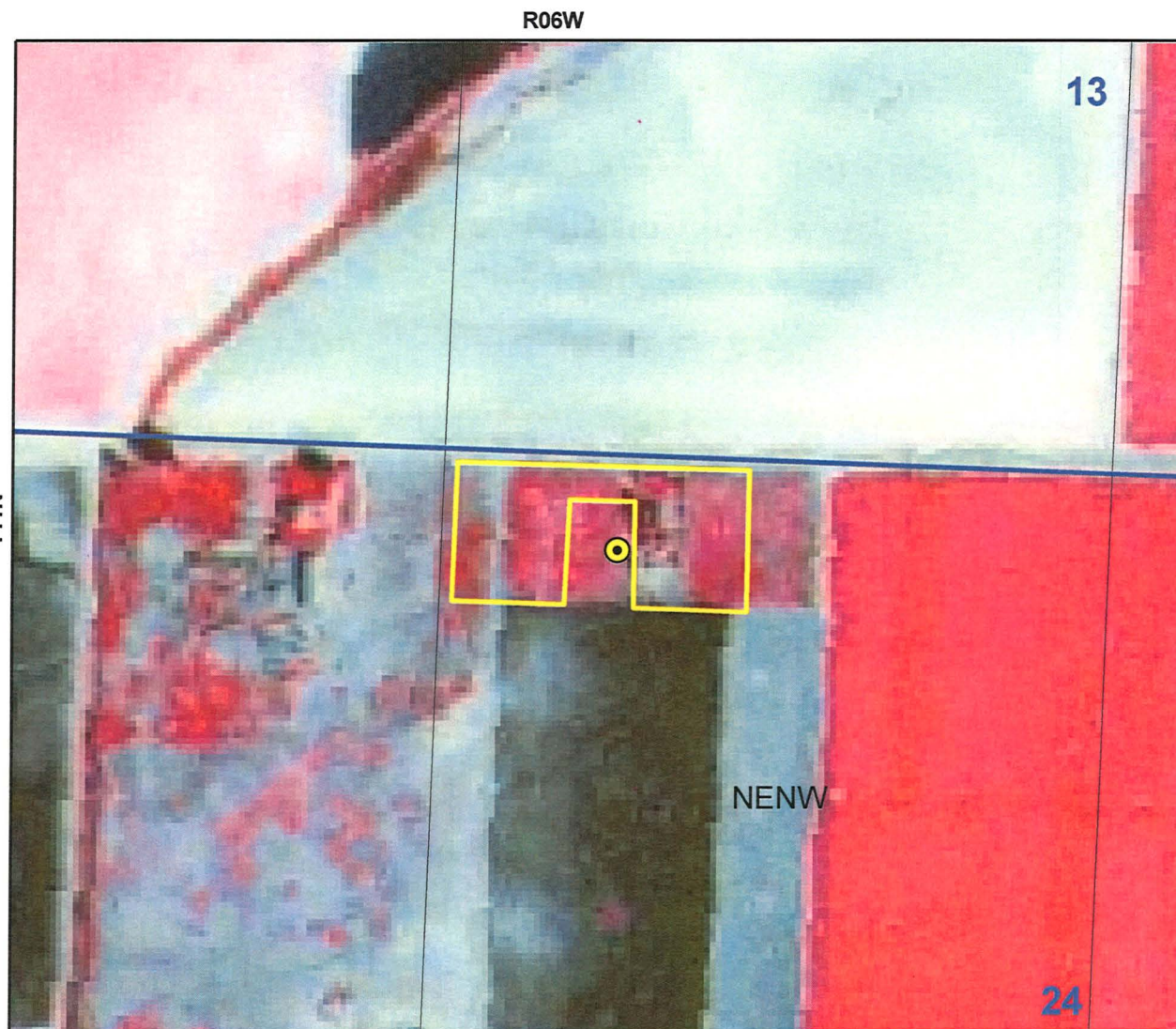
67-7135

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles

Prepared by J. Dean
On Friday, October 27, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-7135 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	MARION C TALLEY 863 JONATHAN RD WEISER, ID 83672 (208)549-2278
Current Owner	W A RICHARDS JR 1131 OLDS FERRY RD WEISER, ID 83672 (208)549-1214
Current Owner	DONNA M RICHARDS 1131 OLDS FERRY RD WEISER, ID 83672 (208)549-1214

Status: Active

GROUND WATER

Location of Point(s) of Diversion

Place of Use

IRRIGATION

[illegible]

DOMESTIC

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES

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Conditions of Approval:

1. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 1 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
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.

Remarks:Comments:

1. mcase 4/1/2004 POU
Comment: Shape created from Washington County Tax lots - looks like there is an error in registration for those lots.
2. mcase 5/12/2004 Period of Use
Comment: Licensed Period of Use shorter than Standard Season of Use. Recommend shoulder remark.

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:
 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	4/1/2004 9:58:56 AM	mcase			Active
POD	4/1/2004 10:02:56 AM	mcase			Active
Source	4/1/2004 10:03:07 AM	mcase			Active
POU	4/1/2004 10:06:39 AM	mcase			Active
Use	4/1/2004 10:07:10 AM	mcase			Active
Season	4/1/2004 10:07:18 AM	mcase			Active
Quantity	4/1/2004 10:07:19 AM	mcase			Active

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POU	4/1/2004 3:08:21 PM	mcase	Active
Use	4/1/2004 3:08:36 PM	mcase	Active
Season	4/1/2004 3:09:00 PM	mcase	Active
Quantity	4/1/2004 3:10:05 PM	mcase	Active
Season	5/12/2004 2:00:38 PM	mcase	Active
Contacts	10/27/2006 12:00:51 PM	jdean	Active
Season	10/27/2006 12:05:46 PM	jdean	Active
Summary		10/27/2006 jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/1/2004 10:02:58 AM	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	4/1/2004 10:03:08 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	4/1/2004 10:06:40 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? (Yes) 6. Can the claimed POU be verified using the water right file?
POU	4/1/2004 10:03:58 AM	mcase	Edited shape boundary
POD	4/1/2004 10:02:28 AM	mcase	Edited point location
POU	4/1/2004 3:08:23 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? (Yes) 6. Can the claimed POU be verified using the water right file?
Use	4/1/2004 3:08:38 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	4/1/2004 3:07:54 PM	mcase	Edited shape boundary

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Season	4/1/2004 3:09:01 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (No) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards?
Quantity	4/1/2004 3:10:07 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? (Yes) 8. Does the parent right have an annual diversion volume limit? (Yes) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion licensed for 14.1 AF.
Season	10/27/2006 12:05:47 PM	jdean	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use? (Yes) 18. Is a Period of Use remark and/or condition required?
Summary	10/27/2006 12:12:50 PM	jdean	(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?

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Priority Date	4/1/2004 9:58:57 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?
Use	4/1/2004 10:07:11 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	4/1/2004 10:07:20 AM	mcase	(Yes) 1. Is the basis of claim Decree or License?
Quantity	4/1/2004 10:07:21 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?
Season	5/12/2004 2:00:39 PM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (Yes) 14. Is irrigation claimed as a Purpose of Use? (Yes) 16. Is the Period of Use on the decree, license or transfer shorter on either the start date or end date than allowable under current IDWR standards? (No) 17. Was the Period of Use shortened by a Transfer to a standard Period of Use that is shorter than the current standard Period of Use?
POD	10/27/2006 12:01:49 PM	jdean	Updated PLS
POU	10/27/2006 12:03:28 PM	jdean	Updated PLS for Active POU
Contacts	10/27/2006 12:00:51 PM	jdean	(No) 1. Do you want to schedule an appointment? Comment for 1: Desk Review
POD	10/27/2006 12:01:33 PM	jdean	Updated shape
POU	10/27/2006 12:02:38 PM	jdean	Updated shape for Active POU
POU	10/27/2006 12:02:47 PM	jdean	Updated PLS for Active POU
POU	10/27/2006 12:03:19 PM	jdean	Updated shape for Active POU

Water Supply Bank:

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: A67-07135
Date Received: 10/10/1989
Receipt No: mgx876
Received By: [Signature]

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: W.A. RICHARDS, JR. 208-549-1214
Address: 1131 OLDS FERRY RD.
WEISER, ID 83672

Name: DONNA M. RICHARDS 208-549-1214
Address: 1131 OLDS FERRY RD.
WEISER, ID 83672

2. Date of Priority: APR 12, 1973

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11N	06W	24	NE	NW			WASHINGTON

5. Description of diverting works:
TWO WELLS WITH PUMPS & PIPELINES TO PLACE OF USE.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/01	0.060		13.50
DOMESTIC	01/01	12/31	0.040		0.60

7. Total Quantity Appropriated is:
0.100 C.F.S. (and/or) 14.10 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
DOMESTIC USE FOR 1 HOME.

A67-07135

Page 1

Date: 10/10/89

SCANNED
APR 19 2004

MICROFILMED
OCT 02 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11N	06W	24	NE	NW		IRR	3.0
			NE	NW		DOMEST	

Section Acres 3.0

Total Acres 3.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: LICENSE

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): W. A. Richards Jr Date: 10-10-89
Ronna M. Richards Date: 10-10-89

State of Idaho)
County of ADA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of October 19 89 Jan Sherte
Notary Public

Seal

Residing at Meridian ID
My Commission Expires 9-14-94

Idaho Department of Water Resources

67 - 7135

Legend

-  Claim 67-7135 POU
-  Washington taxlots
-  Sections
-  Quarter Quarter

T 11N, R 06W, Section 24



0.2 0 0.2 0.4 Miles

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7135 V1

WATER RIGHT NUMBER: 67-7135 V1

Owner Type	Name and Address
Original Owner	MARION C TALLEY 863 JONATHAN RD WEISER, ID 83672 (208)549-2278
Current Owner	W A RICHARDS JR 1131 OLDS FERRY RD WEISER, ID 83672 (208)549-1214
Current Owner	DONNA M RICHARDS 1131 OLDS FERRY RD WEISER, ID 83672 (208)549-1214

Priority Date: 04/12/1973

Basis:

Status:

Source	Tributary
GROUND WATER	

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	3/15 to 11/01	0.060 CFS	13.50 AF
DOMESTIC	1/01 to 12/31	0.040 CFS	0.60 AF
<u>Total Diversion:</u>		0.100 CFS	14.10 AF

Location of Point(s) of Diversion

GROUND WATER NE1/4NW1/4 Sec. 24, Twp 11N, Rge 06W, B.M.
WASHINGTON County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	06W	24	3.0				3.0

Total Acres: 3

DOMESTIC

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	06W	24	X				

DRAFT

DO NOT SCAN

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7135 V1

Conditions of Approval:

Remarks:

Comments:

1. mcase 4/1/2004 POU

Comment: Shape created from Washington County Tax lots - looks like there is an error in registration for those lots.

2. *Period of Use shorter than standard. Rec. Shoulder Rmk.*

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:
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:

Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
Priority Date	4/1/2004 9:58:56 AM	mcase			
POD	4/1/2004 10:02:56 AM	mcase			
Source	4/1/2004 10:03:07 AM	mcase			
POU	4/1/2004 10:06:39 AM	mcase			
Use	4/1/2004 10:07:10 AM	mcase			
Season	4/1/2004 10:07:18 AM	mcase			
Quantity	4/1/2004 10:07:19 AM	mcase			
POU	4/1/2004 3:08:21 PM	mcase			
Use	4/1/2004 3:08:36 PM	mcase			
Season	4/1/2004 3:09:00 PM	mcase			
Quantity	4/1/2004 3:10:05 PM	mcase			

Verification Log:

Element	Date Time Stamp	Reviewer	Log text
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SCANNED
APR 19 2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-7135 V1

Priority Date	4/1/2004 9:58:57 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?
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Season	4/1/2004 10:07:20 AM	mcase	(Yes) 1. Is the basis of claim Decree or License?
Quantity	4/1/2004 10:07:21 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License?

State of Idaho

Department of Water Administration

WATER RIGHT LICENSE

License of Water Right No. 67-7135 Priority April 12, 1973 Amount 0.10 cfs

THIS IS TO CERTIFY, that MARION C. TALLEY
of Weiser, Idaho, has complied with the terms and conditions of Permit
No. 67-7135 issued pursuant to Application for Permit dated April 12, 1973,
and has submitted proof to the Department of Water Administration on June 25, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 0.10 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Domestic	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>0.04</u> cfs and	<u>0.6 acre feet</u>
Irrigation	from <u>March 15</u> to <u>Nov. 1</u>	at <u>0.06</u> cfs and	<u>13.5 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.5 af per acre</u>
(both dates inclusive)			

Subject, however, to the condition that no more than 0.10 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
14.1 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 24,
Twp. 11 N, Rge. 6 W, B.M. in the County of Washington

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11 N	6 W	24					X												Three

Total number of acres irrigated Three

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of
July, 19 74.

Director

67-7135