

06/02/2008

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 67-7281

NAME AND ADDRESS: TREVA LAND
3430 BIG FLAT RD
MIDVALE ID 83645FRANK D LAND
3430 BIG FLAT RD
MIDVALE ID 83645

SOURCE: UNNAMED STREAM

TRIBUTARY: TENNISON CREEK

QUANTITY: 75.00 AFY

This right when combined with Right No. 67-2365, and 67-7292 shall provide no more than 0.02 cfs per acre, nor more than 4.0 af/acre.

Right Nos. 67-7281 and 67-7292 are limited to a total combined annual diversion volume of 90.0 AF.

PRIORITY DATE: 07/23/1976

POINT OF DIVERSION: T11N R02W S2 SENWNE Lot 2 Within WASHINGTON County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION FROM STORAGE	03/15 10/31	75.00 AFY
IRRIGATION STORAGE	01/01 12/31	75.00 AFY
STOCKWATER FROM STORAGE	01/01 12/31	2.70 AFY
STOCKWATER STORAGE	01/01 12/31	2.70 AFY

PLACE OF USE: IRRIGATION STORAGE in WASHINGTON County

T11N R02W S02 Lot 1 NENE	T11N R02W S02 Lot 2 NWNE
T11N R02W S02 SWNE	T11N R02W S02 SENE

IRRIGATION FROM STORAGE in WASHINGTON County

T11N R02W S01 Lot 4 NWNW	0.10	T11N R02W S01 SWNW	32.00
T11N R02W S01 SENW	3.20	T11N R02W S01 NESW	16.00
T11N R02W S01 NWSW	16.00	T11N R02W S01 SESW	7.70
T11N R02W S01 NWSE	1.70	T11N R02W S01 SWSE	2.60
T11N R02W S02 Lot 1 NENE	2.80	T11N R02W S02 Lot 2 NWNE	1.50
T11N R02W S02 SWNE	8.00	T11N R02W S02 SENE	34.00
T11N R02W S02 NESE	1.00	126.6 ACRES TOTAL	

STOCKWATER STORAGE in WASHINGTON County

T11N R02W S02 Lot 1 NENE	T11N R02W S02 Lot 2 NWNE
T11N R02W S02 SWNE	T11N R02W S02 SENE

STOCKWATER FROM STORAGE in WASHINGTON County

T11N R02W S01 Lot 4 NWNW	T11N R02W S01 SWNW
T11N R02W S01 SENW	T11N R02W S01 NESW
T11N R02W S01 NWSW	T11N R02W S01 SESW
T11N R02W S01 NWSE	T11N R02W S01 SWSE
T11N R02W S02 Lot 1 NENE	T11N R02W S02 Lot 2 NWNE
T11N R02W S02 SWNE	T11N R02W S02 SENE
T11N R02W S02 NESE	

Right Nos. 67-2365, 67-7292, and 67-7281 are limited to the irrigation of a combined total of 126.6 acres 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 - License

Right No. 67-2365 is also diverted through point of diversion described above.

MAXIMUM DIVERSION VOLUME SET BY THE LICENSE IS 75.0 AF.

USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG APPROPRIATORS WITHIN STATE WATER DISTRICT NO. 67.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7281 V2

WATER RIGHT NUMBER: 67-7281 V2

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TREVA LAND 3430 BIG FLAT RD MIDVALE, ID 83645 (208)355-2487
Current Owner	FRANK D LAND 3430 BIG FLAT RD MIDVALE, ID 83645 (208)355-2487

Priority Date: 07/23/1976

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	TENNISON CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION FROM STORAGE	03/15 to 10/31		75.00 AF
IRRIGATION STORAGE	01/01 to 12/31		75.00 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		2.70 AF
STOCKWATER STORAGE	01/01 to 12/31		2.70 AF
	<u>Total Diversion:</u>		75.00 AF

Location of Point(s) of Diversion

UNNAMED STREAM	L2 (SE1/4NW1/4NE1/4)	Sec. 2,	Twp 11N,	Rge 02W, B.M.
WASHINGTON County				

Place of Use

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	02W	1						.1	32.0	3.2	16.0	16.0		7.7		1.7	2.6		79.3
								L 4											
11N	02W	2	2.8	1.5	8.0	34.0									1.0				47.3
			L 1	L 2															

Total Acres: 126.6

IRRIGATION STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

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11N 02W 2	X	X	X	X				
	L 1	L 2						

Total Acres: 88
STOCKWATER FROM STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N	02W	1						X	X	X	X	X				X	X		
								L 4											
11N	02W	2	X	X	X	X									X				
			L 1	L 2															

STOCKWATER STORAGE

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N	02W	2	X	X	X	X													
			L 1	L 2															

Conditions of Approval:

1. E55 Right Nos. 67-2365, 67-7292, and 67-7281 are limited to the irrigation of a combined total of 126.6 acres in a single irrigation season.
2. E62 This right when combined with Right No. 67-2365, and 67-7292 shall provide no more than 0.02 cfs per acre, nor more than 4.0 af/acre.
3. L11 The storage of water is contingent upon continued certification by IDWR under the dam safety provisions of the Idaho Code, authorizing storage.
4. 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.
5. WATER RIGHTS NO. 67-7281 AND 67-7292 WHEN COMBINED SHALL NOT EXCEED A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 90.0 AF.
6. F05 Right No. 67-2365 is also diverted through point of diversion described above.
7. MAXIMUM DIVERSION VOLUME SET BY THE LICENSE IS 75.0 AF.
8. USE OF WATER UNDER THIS RIGHT WILL BE REGULATED BY A WATERMASTER WITH RESPONSIBILITY FOR THE DISTRIBUTION OF WATER AMONG APPROPRIATORS WITHIN STATE WATER DISTRICT NO. 67.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

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Comments:

1. shemenway 5/29/2008 OVERLAPS

Comment: SAME POD AND POU AS 67-2365. SAME POU, AND STORAGE/RESERVOIR AS 67-7292.

2. shemenway 5/29/2008 SYSTEM

Comment: FULL DESCRIPTION OF SYSTEM FOUND IN QUICK LOOK COMMENTS OF 67-2365, SINCE THEY ARE THE SAME SYSTEM. 67-7281 IS AN ADDITION TO 67-2365 FOR STORAGE, AND 67-7292 IS AN EXPANSION OF 67-7281 TO TAKE IN THE FULL STORAGE CAPACITY OF THE RESERVOIR.

3. shemenway 5/29/2008 INSPECTIONS

Comment: FE INSPECTION AND CONFIRMATION OF POD (UNNAMED STREAM INSTEAD OF SPRINGS) AND POU COMPLETED 8/3/1988. RECORD OF INSPECTION OF DAM WAS COMPLETED 7/10/2003 BY JOHN WESTRA SHOWING CAPACITY OF THE RESERVOIR AS 90.0 AF.

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: AND

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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
	90	

Combined Water Rights: 67-7292 , 67-7281

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	5/29/2008 3:17:00 PM	shemenway			Active
Priority Date	5/29/2008 3:17:55 PM	shemenway			Active
POD	5/29/2008 3:30:29 PM	shemenway			Active
Source	5/29/2008 3:31:25 PM	shemenway			Active
Use	5/29/2008 3:34:26 PM	shemenway			Active
Season	5/29/2008 3:38:30 PM	shemenway			Active
Quantity	5/29/2008 3:42:08 PM	shemenway			Active
POU	5/29/2008 4:29:45 PM	shemenway			Active
Summary			05/29/2008	shemenway	Active
Summary			05/29/2008	shemenway	Active

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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
Contacts	5/29/2008 3:17:01 PM	shemenway	(No) 1. Do you want to schedule an appointment? Comment for 1: FE 8/3/1988; Inspection of Dam 7/10/2003.
General	5/29/2008 3:17:56 PM	shemenway	(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	5/29/2008 3:29:03 PM	shemenway	Updated Shape
POD	5/29/2008 3:29:34 PM	shemenway	Updated PLS
Quantity	5/29/2008 3:42:08 PM	shemenway	(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? (No) 10. Is a irrigation a purpose of use? (Yes) 12. Is a Quantity remark or condition required? Description for Question 10 - 7/10/2003 RECORD OF INSPECTION OF DAM, CONDUCTED BY JOHN WESTRA, SHOWS STORAGE CAPACITY 90 AF.
POU	5/29/2008 4:07:03 PM	shemenway	Updated PLS
POU	5/29/2008 4:09:34 PM	shemenway	Updated Shape
POU	5/29/2008 4:29:45 PM	shemenway	(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? (Yes) 14. Is a POU remark and/or condition required?
POU	5/29/2008 4:51:43 PM	shemenway	Updated PLS
POU	5/29/2008 4:24:59 PM	shemenway	Updated Shape
POU	5/29/2008 4:25:22 PM	shemenway	Updated PLS
POU	5/29/2008 4:28:00 PM	shemenway	Updated PLS

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POU	5/29/2008 4:28:40 PM	shemenway	Updated Shape
POD	5/29/2008 3:30:29 PM	shemenway	(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? (Yes) 10. Is a POD remark and/or condition required?
Source	5/29/2008 3:31:25 PM	shemenway	(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?
Use	5/29/2008 3:34:27 PM	shemenway	(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?
Season	5/29/2008 3:38:31 PM	shemenway	(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? (No) 14. Is irrigation claimed as a Purpose of Use? (No) 18. Is a Period of Use remark and/or condition required?
POU	5/29/2008 4:06:03 PM	shemenway	Updated Shape
POU	5/29/2008 4:10:28 PM	shemenway	Updated PLS
POU	5/29/2008 4:27:38 PM	shemenway	Updated Shape
POU	5/29/2008 4:29:00 PM	shemenway	Updated PLS
POU	5/29/2008 4:51:18 PM	shemenway	Updated Shape
Summary	5/29/2008 5:20:05 PM	shemenway	(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? (Yes) 8. Is this a split or combined right?

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Summary	5/29/2008 4:49:51 PM	shemenway	(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? (Yes) 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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Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-7281 V1

WATER RIGHT NUMBER: 67-7281 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	TREVA LAND 3430 BIG FLAT RD MIDVALE, ID 83645 (208)355-2487
Current Owner	FRANK D LAND 3430 BIG FLAT RD MIDVALE, ID 83645 (208)355-2487

Priority Date: 07/23/1976

Basis: Permit

Status: Closed

<u>Source</u>	<u>Tributary</u>
SPRING	TENNISON CREEK

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31		75.00 AF
STOCKWATER	01/01 to 12/31		2.70 AF
IRRIGATION STORAGE	01/01 to 12/31		75.00 AF
	<u>Total Diversion:</u>		75.00 AF

Location of Point(s) of Diversion

SPRING	NE1/4NE1/4	Sec. 2, Twp 11N, Rge 02W, B.M.
WASHINGTON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
11N	02W	1					3.0	36.0	6.0	11.0	37.0	30.0	33.0						156.0
11N	02W	2	8.0	4.0	10.0	34.0								3.0					59.0
11N	02W	12					10.0	25.0											35.0

Total Acres: 250

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	

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		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N 02W	2	X	X															

IRRIGATION STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
11N	02W	2	X	X															

Total Acres: 88

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.
2. A01 This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

Remarks:Comments:

1. dsmith 4/2/2004 Basis of Claim

Comment: Check if license has been issued for status. Did not enter POD

2. dsmith 4/2/2004 POD

Comment: Permit and claim do not match

3. kbrown 12/1/2006 Permit

Comment: Recommended as permitted.

4. mvanbussum 6/11/2007 Ownership

Comment: Directors report mailing returned. May need change of ownership. According to taxlots, new owner is Cada D Wayne, 23250 Cada Ln, Caldwell, ID 83607.

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Adjudication Recommendation Report 67-7281 V1

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: AND
 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:

<u>Rate</u>	<u>Volume</u>	<u>Acres</u>
		126.6

Combined Water Rights: 67-7281 , 67-7292 , 67-2365

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	4/2/2004 1:20:37 PM	dsmith			Closed
Source	4/2/2004 1:23:01 PM	dsmith			Closed
Contacts	12/1/2006 1:35:04 PM	kbrown			Closed
Priority Date	12/1/2006 1:35:43 PM	kbrown			Closed
POD	12/1/2006 1:37:20 PM	kbrown			Closed
Source	12/1/2006 1:37:45 PM	kbrown			Closed
POU	12/1/2006 1:44:55 PM	kbrown			Closed
Use	12/1/2006 1:45:18 PM	kbrown			Closed
Season	12/1/2006 1:46:52 PM	kbrown			Closed
Quantity	12/1/2006 1:47:06 PM	kbrown			Closed
Summary			12/01/2006	kbrown	Closed

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POU	2/26/2004 8:27:57 AM	awarntje	Edited shape boundary
POU	2/26/2004 8:36:49 AM	awarntje	Edited shape boundary
POU	2/26/2004 9:02:35 AM	awarntje	Edited shape boundary
POU	2/26/2004 9:14:51 AM	awarntje	Edited shape boundary
POU	2/26/2004 8:28:09 AM	awarntje	Edited shape boundary

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POU	2/26/2004 8:39:51 AM	awarntje	Edited shape boundary
Quantity	12/1/2006 1:47:06 PM	kbrown	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2. Is the basis of this claim a Application or Permit? (No) 3. Has the licensed been issued? (No) 12. Is a Quantity remark or condition required?
Source	12/1/2006 1:37:46 PM	kbrown	(No) 1. Is the basis of claim Decree or License? (Yes) 2. Is the basis of claim an Application or Permit? (No) 3. Has the licensed been issued? (No) 11. Is a Source remark and/or condition required?
POD	12/1/2006 1:37:21 PM	kbrown	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2. Is the basis of this claim a Application or Permit? (No) 3. Has the licensed been issued? (No) 10. Is a POD remark and/or condition required?
Season	12/1/2006 1:46:53 PM	kbrown	(No) 1. Is the basis of claim Decree or License? (Yes) 2. Is the basis of claim a Application or Permit? (No) 3. Has the licensed been issued? (No) 18. Is a Period of Use remark and/or condition required?
Contacts	12/1/2006 1:35:05 PM	kbrown	(No) 1. Do you want to schedule an appointment?
General	12/1/2006 1:35:44 PM	kbrown	Comment for 1: Recommended as permitted. (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? (Yes) 7. Is the basis of claim a Application or Permit? (Yes) 10a. Has proof of beneficial use been submitted? (Yes) 10b. Has the Field exam been completed? (Yes) 10c. Has Field exam been sent to state office? (No) 10d. Has the License been issued? (No) 10e. Will the license be issued prior to filing the Directors Report? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POU	12/1/2006 1:44:55 PM	kbrown	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2b. Is the POU required? (Yes) 3. Is the basis of claim a Application or Permit? (No) 4. Has the licensed been issued yet? (No) 14. Is a POU remark and/or condition required?

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Use	12/1/2006 1:45:18 PM	kbrown	(No) 1. Is the basis of this claim a Decree or License? (Yes) 2. Is the basis of this claim a Application or Permit? (No) 3. Has the licensed been issued? (No) 13. Is a Purpose of Use remark and/or condition required?
Summary	12/1/2006 1:54:51 PM	kbrown	(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? (No) 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	12/1/2006 1:58:58 PM	kbrown	Updated shape
POU	12/1/2006 2:01:30 PM	kbrown	Updated shape for Active POU
POU	12/1/2006 2:02:49 PM	kbrown	Updated shape for Active POU
POU	12/1/2006 2:00:26 PM	kbrown	Updated shape for Active POU
POU	2/26/2004 8:16:18 AM	awarntje	Edited shape boundary
Source	4/2/2004 1:23:03 PM	dsmith	(No) 1. Is the basis of claim Decree or License? (Yes) 2. Is the basis of claim an Application or Permit? (No) 3. Has the licensed been issued?
Priority Date	4/2/2004 1:20:39 PM	dsmith	(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? (Yes) 7. Is the basis of claim a Application or Permit? (Yes) 10a. Has proof of beneficial use been submitted? (No) 10b. Has the Field exam been completed?

Water Supply Bank:



Idaho Department of Water Resources

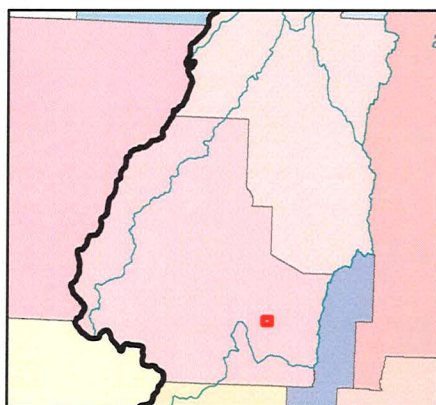
SRBA Recommendation

67-7281

(STOCKWATER FROM STORAGE)

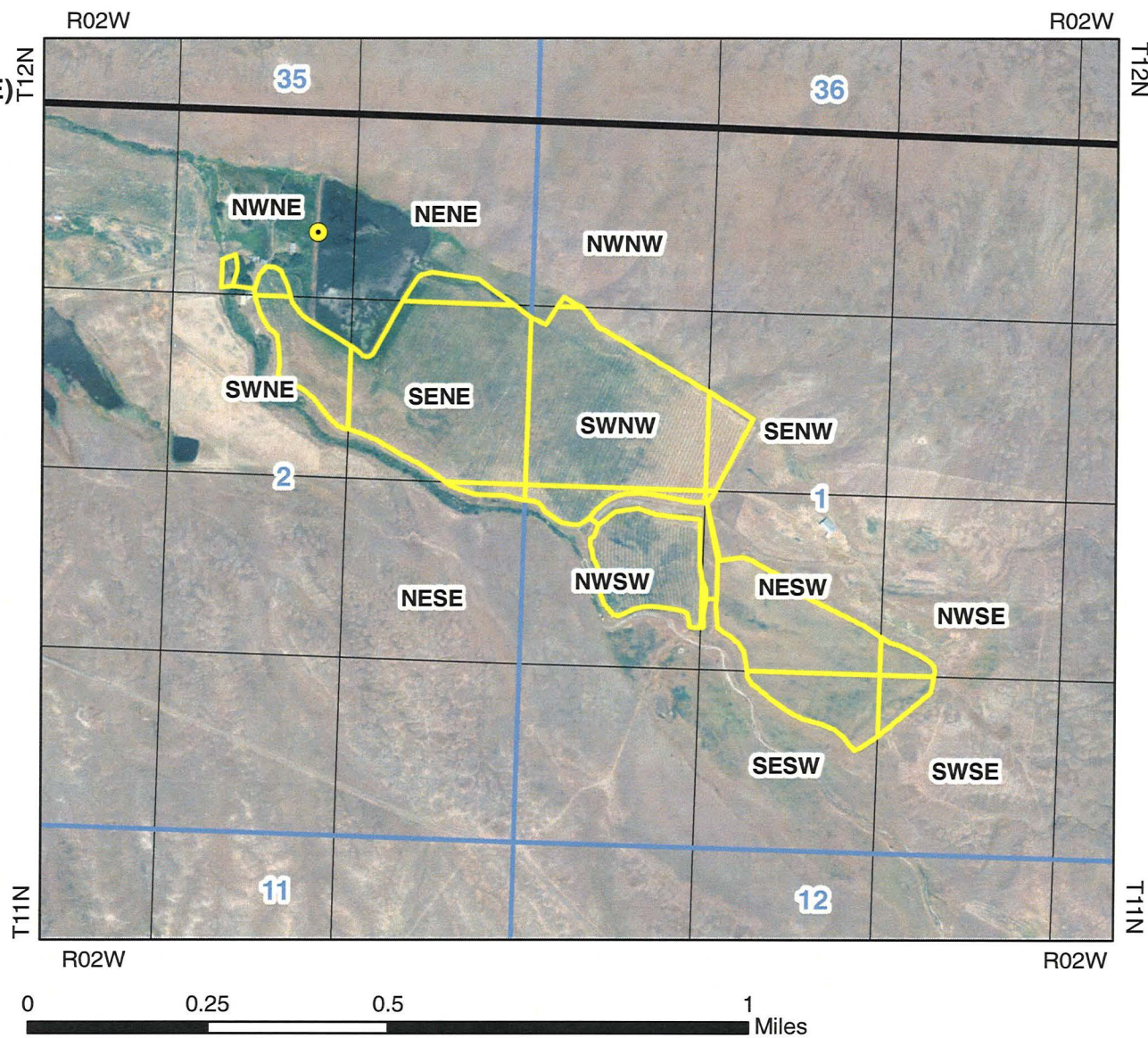
Legend

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



Washington County
IDWR Basin 67

Prepared by Sandy Hemenway
On Thursday, May 29, 2008
2004 Aerial Photography



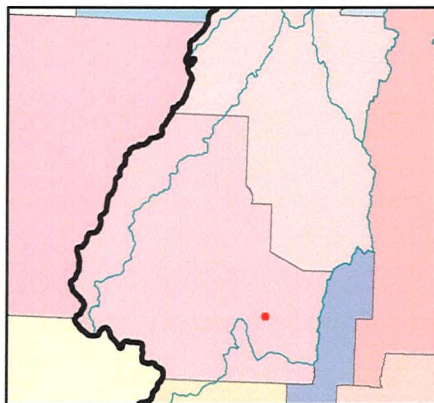


Idaho Department of Water Resources

SRBA Recommendation
67-7281
(STOCKWATER STORAGE)

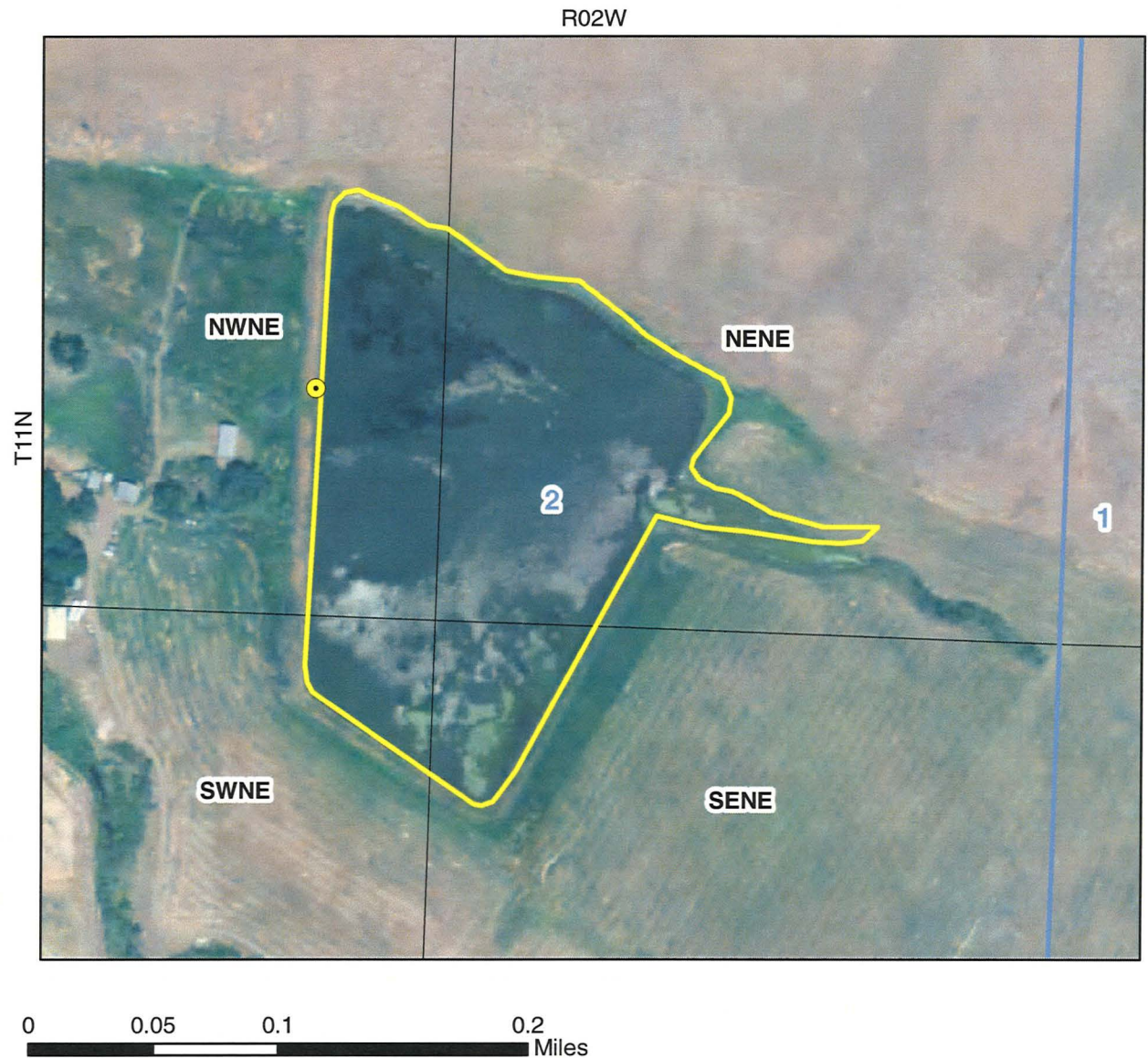
Legend

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



Washington County
IDWR Basin 67

Prepared by Sandy Hemenway
On Thursday, May 29, 2008
2004 Aerial Photography



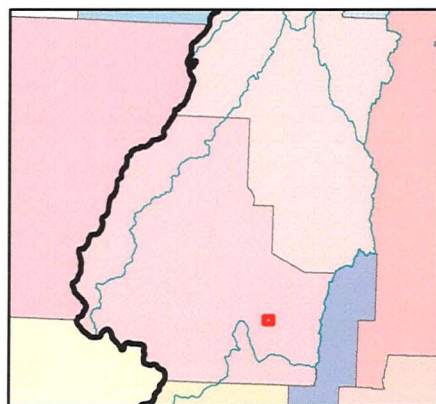


Idaho Department of Water Resources

SRBA Recommendation
67-7281
(IRRIGATION FROM STORAGE)

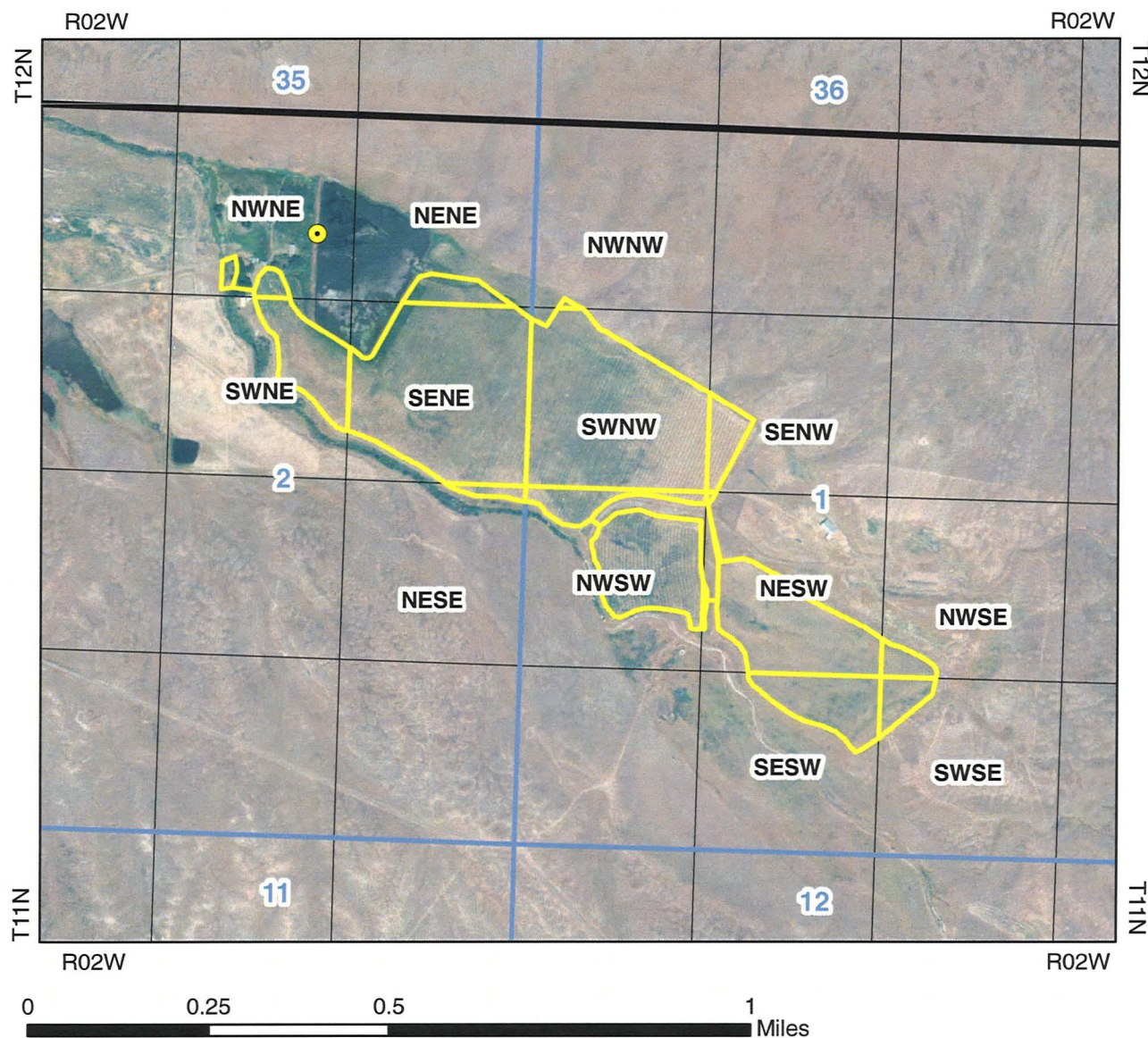
Legend

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



Washington County
IDWR Basin 67

Prepared by Sandy Hemenway
On Thursday, May 29, 2008
2004 Aerial Photography



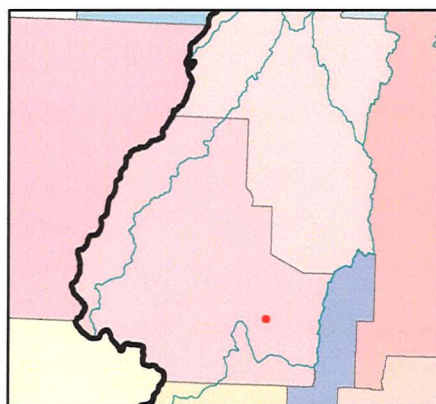


SRBA Recommendation
67-7281
(IRRIGATION STORAGE)

Idaho Department of Water Resources

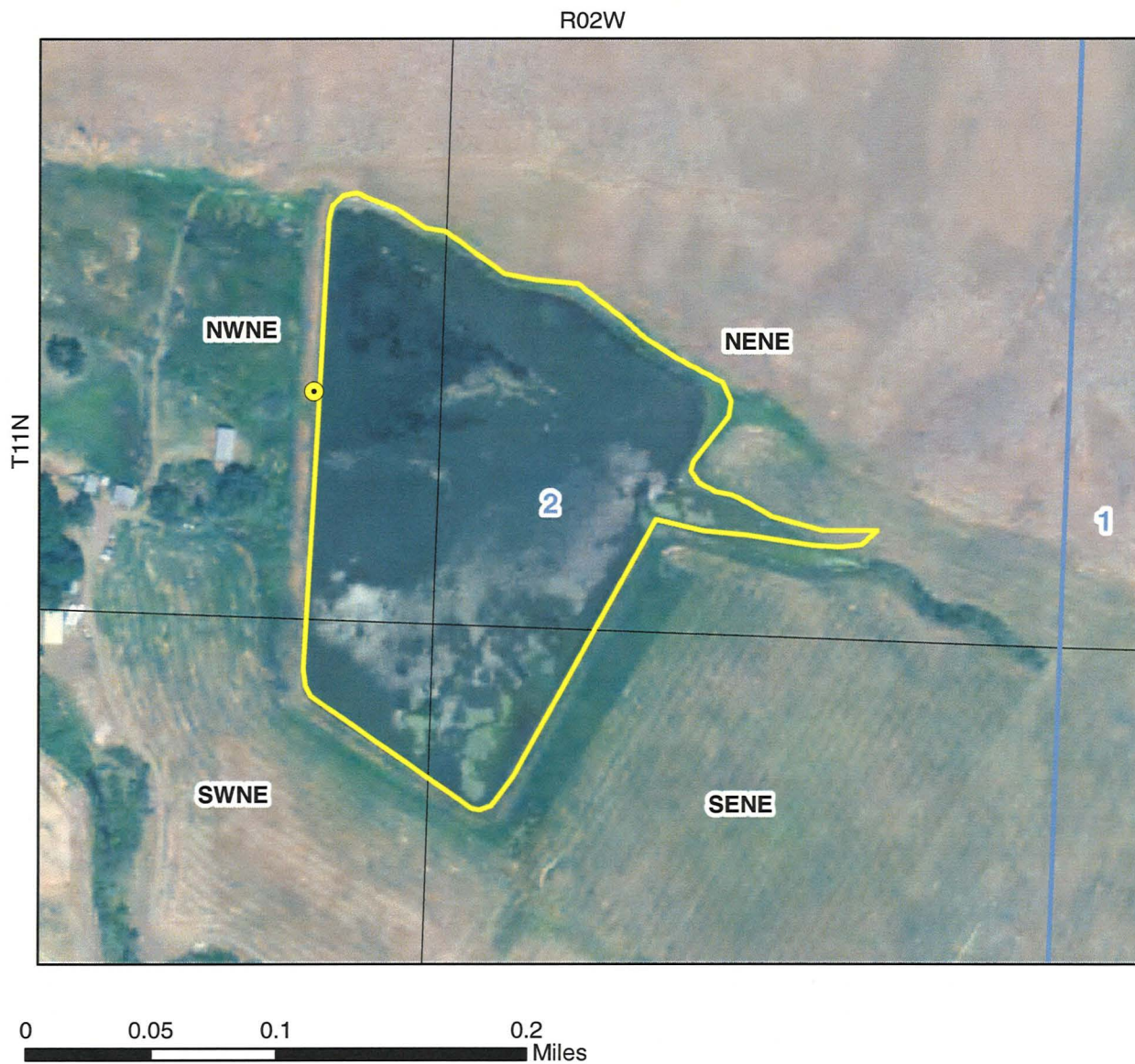
Legend

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



Washington County
IDWR Basin 67

Prepared by Sandy Hemenway
On Thursday, May 29, 2008
2004 Aerial Photography



RECOMMENDATION REVIEW:

Date: 5/29/2008
Agent: S. Hemenway
Claimant: Treva and Frank Land
WR# 67-7281
Mailing Address: 3430 Big Flat Rd, Midvale, Idaho 83645
Phone #: (208) 345-2487
Location of POD: L2 (SEWNNE) Sec 2 T11N R2W (determined in 8/3/2005 memo and maps from Daniel Nelson)
System Description: springs renamed to unnamed stream feed reservoir; 13' height of dam, 30' length, 4'x4' headgate, centrifugal 60 Hp GE GJ6284016 motor, Cornell pump, 4" flared to 8" discharge, 8" buried main, to 6", then converts to 4" buried line, then to assortment of 2-handline and 4-wheelines.
Measuring Device: Annubar serial # 91414, 8"; and Manometer serial #2, 4"
Measurement: Record of Inspection of Dam 7/10/2003 by John Westra shows capacity of 90.0 AF
dam height of 13', surface area of 12 acres
Field Exam: 8/3/1988 FE exam report completed by Daniel Nelson
Nonirrigation Uses: irrigation storage, stockwater from storage, and stockwater storage
Other Uses: NONE
Other WRs Used: 67-2365, 67-7292 (per the notes, 67-7292 is an expansion of 67-7281)
Supplemental Water: NONE
Basis of Claim: License
Priority Date: 7/23/1976 (same as license)
Evidence of Priority: Affidavit of Publication; License; Proof of Completion of Works.
Notes from Rudolph Cada that the springs are on deeded land used by the family for 45 years.

NOTES:

67-7281 is for adding storage to 67-2365; 67-7292 is for adding a 2nd source or different unnamed stream and for the capacity of the storage..
This WR was previously recommended on the Basis of PERMIT, due to the deadline for completion for the SRBA. Once the License was finalized, this WR was changed based on the License (Version 2), with a NCAP sent to the court indicating the changes.
A01 Previous condition: subject to the conditions set forth in the License upon completion of the statutory appropriation process.
LICENSED IS BASED ON: storage being added to 67-2365
Allowed permit amount of 75.0 AF (Dam Inspection Records shows capacity of 90.0 AF) when combined (67-2365, 67-7281, and 67-7292) shall not exceed 126.6 Total Acres Irrigation.
8/3/2005 Daniel Nelson calculated acreage to be 126.6 acres using ArcView, and determined that the springs were really an unnamed stream, and same POD/POU as 67-2365.

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-07281

Priority: July 23, 1976

Maximum Diversion Volume: 75.0 AF

It is hereby certified that D WAYNE CADA Or JODY M CADA
23250 CADA LN
CALDWELL ID 83607 has complied with the terms and conditions of the
permit, issued pursuant to Application for Permit dated July 23, 1976; and has submitted Proof of
Beneficial Use on September 26, 1977. An examination indicates that the works have a storage capacity
of 90.0 acre feet of water from:

SOURCE

UNNAMED STREAM

Tributary: TENNISON CREEK

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31	75.0 AF
IRRIGATION FROM STORAGE	03/15 to 10/31	75.0 AF
STOCKWATER FROM STORAGE	01/01 to 12/31	2.7 AF
STOCKWATER STORAGE	01/01 to 12/31	2.7 AF

LOCATION OF POINT(S) OF DIVERSION:

UNNAMED STREAM L2 (SE¼NW¼NE¼) Sec. 2, Twp 11N, Rge 02W, B.M. WASHINGTON County

PLACE OF USE: IRRIGATION STORAGE AND STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
11N 02W 2	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
	X	X	X	X													
	L1	L2															

Total Acres: 250

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
11N 02W 1	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
						.1	32.0	3.2	16.0	16.0		7.7		1.7	2.6		79.3
					L4												
11N 02W 2	2.8	1.5	8.0	34.0									1.0				47.3
	L1	L2															

Total Acres: 126.6

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 67-07281

PLACE OF USE: STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 02W 1						X	X	X	X	X				X	X		
						L 4											
11N 02W 2	X	X	X	X									X				
	L 1	L 2															

CONDITIONS OF APPROVAL

1. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
2. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 67.
3. Rights 67-7281 and 67-7292 when combined shall not exceed a total annual maximum diversion volume of 90.0 af.
4. Rights 67-2365, 67-7281, and 67-7292 when combined shall not exceed the irrigation of 126.6 acres.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 7th day of December, 2007.



DAVID R. TUTHILL, JR.
Director

RECEIVED
AUG 16 2005
Page 1
DEPARTMENT OF WATER RESOURCES

A. GENERAL INFORMATION

Exam Date: 8/3/1988

- TREVA LAND
STAR RT
MIDVALE ID 83645

- Relationship to Permit Holder:
- OWNER

- ## TENNISON CREEK

2. Other water rights with the same point of diversion: 67-2365

2.

[illegible]

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 02W 1						.1 L 4	32.0	3.2	16.0	16.0		7.7		1.7	2.6		79.3
11N 02W 2	2.8 L 1	1.5 L 2	8.0	34.0									1.0				47.3

Total Acres: 126.6

PLACE OF USE: STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 02W 1						X L 4	X	X	X	X	X	X		X	X		
11N 02W 2	X L 1	X L 2	X	X									X				

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 02W 2	X L 1	X L 2	X	X													

Method of Determination: AERIAL PHOTOGRAPHY

3. YES Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.

YES Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

YES Aerial Photo Attached (required for irrigation of 10+ acres).

YES Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
RELIFT PUMP	GENERAL ELECTRIC	60 Hp	GJ6284016	CORNELL	17686

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement

<u>Equipment</u>	<u>Type</u>	<u>Make</u>	<u>Model No.</u>	<u>Serial No.</u>	<u>Size</u>	<u>Calib. Date</u>
N/A						

2. Measurements: Measurements of the reservoir were acquired from the dam safety files. No further measurement of the system was required. The previous agent did do a sprinkler measurement for the re-lift pump. He measured 50 psi average on 6 lines with 33 sprinklers per line. The average flow per nozzle was 6.01 gpm. 6.01 gpm X 33 heads X 6 lines = 2.65 cfs. A theoretical was also done on the pump (60Hp X 8.8 X.8) / [10 + (2.31 X 50)] = 3.36 cfs. Therefore, the irrigation system capacity would be 2.58 cfs.

E. FLOW CALCULATIONS

_____ Additional Computation Sheets Attached

Measured Method:

No flow rate is required for this type of water right. The irrigation system capacity is approximately 2.58 cfs.

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:
- N/A

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation season}) \times 1.9835 =$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$$

2. Volume Calculations for Other Uses:

Volume not required, only the volume of the reservoir is needed. Please see enclosed dam safety report for reservoir capacity.

G. NARRATIVE/REMARKS/COMMENTS**DAN NELSON'S NARRATIVE:**

Quentin Nesbitt performed the exam for this right in 1988. The exam has been held for several years and hasn't been completed. I have reviewed this exam and finalized the field report. Kelly Christensen also reviewed this exam and made some corrections to the original field report. The original field report was corrected and changed, therefore, I re-wrote the field report to make it more understandable. I have included the original field report in the file for reference.

My review this field exam showed that Mr. Nesbitt was correct in limiting the total volume to 75 afa as permitted, and changing the source from springs to unnamed stream. The permit limits the volume of this right to 75 acre feet, even though dam safety records show that the reservoir has the capacity to hold 90 acre feet of water. Therefore, 75 acre feet of water should be volume allowed under this permit.

With new mapping technology and rounding procedures I disagreed with the land being irrigated. Mr. Nesbitt's exam in 1988 and found 129 acres, and Kelley Christensen re-examined this permit in 1990 and found 120 acres. The ASCS map included with the file showed 125.9 acres when the ½ acre yard was included. When I calculated the acres using ArcView I discovered 126.6 acres. Whereas the determination of actual irrigated acres was so close, I data entered the acres I found, since this is the shape file that will be entered into the database. Please see enclosed maps.

The stockwater was listed as 2.7 afa, which is sufficient for 200 head of range cattle. The field exam for 67-2365 showed that over 600 head were at this farm, but the permit should be limiting factor. Therefore, the stockwater storage should be limited to 2.7 afa.

The second issue is whether or not this source is a series of springs or an unnamed stream. Several department personnel have discussed this, and Steve Lester has written a summary on whether the reservoir is on the springs or unnamed stream. After reviewing the maps, it seems to me as though the source for this right should be an unnamed stream. The 1987 aerial map shows that the springs are on the east side of the reservoir, and when the water level is low in the reservoir, there is a definite stream channel into and out of the reservoir. Earlier orthophoto quad maps also show a distinct stream channel flowing through the middle of the reservoir. Therefore, I agree with Steve Lester's comments and have named it an unnamed stream, since the springs were not developed, but a reservoir was developed downstream of the springs in the unnamed stream's channel.

Water right 67-2365 allows direct irrigation and stockwater from the unnamed stream that feeds this reservoir. This permit was filed to allow water to be stored in the reservoir, and to irrigate and supply stockwater from the reservoir. A second water right, 67-7292 was filed for an unnamed stream to fill the reservoir. This right is for a completely different unnamed stream, and shouldn't affect this permit. 67-7292 does request the full capacity of the reservoir of 90 acre-feet.

I have included Quentin Nesbitt's narrative from the original field exam for reference.

QUENTIN NESBITT NARRATIVE:

The reservoir was built below where large springs were dug out and water flows from the spring and collects in the reservoir. Also in the draw to the south of the reservoir, there is an unnamed stream which water is diverted to the reservoir (67-7292). The reservoir has a storage capacity of 90 acre-feet. A 60 Hp centrifugal pump sets on the dam of the reservoir and pumps into a 8 inch buried mainline, which reduces to both 6-inch and 4-inch mainlines. Both handlines and wheel lines are used to irrigate the land.

This permit overlaps with 67-7292 and 67-2365. It is the same spring as 67-2365 and is the same reservoir as in 67-7292, and is used for the same place of use as both. I recommend an amendment be made to include the place of use not included on the permit.

Have conditions of permit approval been met? ☒ Yes ☐ No

H. RECOMMENDATIONS

1. Recommended Amounts

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION STORAGE	01/01 to 12/31		75.00 AF
IRRIGATION FROM STORAGE	04/01 to 10/31		75.00 AF
STOCKWATER FROM STORAGE	01/01 to 12/31		2.70 AF
STOCKWATER STORAGE	01/01 to 12/31		2.70 AF
<u>Totals:</u>			75.00 AF

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

DANIEL A. NELSON -- SENIOR AGENT

Field Examiner's Name Daniel A. Nelson Date 8-4-05

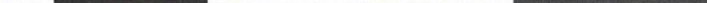
Reviewer _____ Date _____

SEAL

A topographic map showing a section of land divided into several tracts. The map includes contour lines, a road labeled "Tennison", and a stream. A red boundary outlines a specific area of interest. A yellow callout points to a "SPRING LOCATION" within a blue-shaded area. The tracts are labeled with their acreage and names:

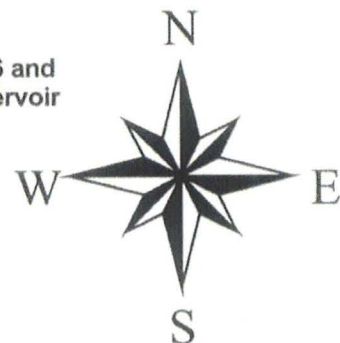
- NWNE: 1.5 AC
- NENE: 2.8 AC
- NNNW: 0.4 AC
- SENE: 34 AC
- SWNE: 8.0 AC
- SWNW: 32 AC
- SESW: 3.2 AC
- SESW: 16 AC
- NESW: 16 AC
- NWSE: 1.7 AC
- SWSE: 2.6 AC
- SESW: 7.7 AC
- NESE: 1.0 AC
- NWSW: 16 AC

Other labels on the map include "BM 3298", "3250T", "3279T", "3321T", "3389T", "3300", "3400", "3500", "4WD", and "T11N R02W S2", "T11N R02W S1".



1/4 1/4 LINES

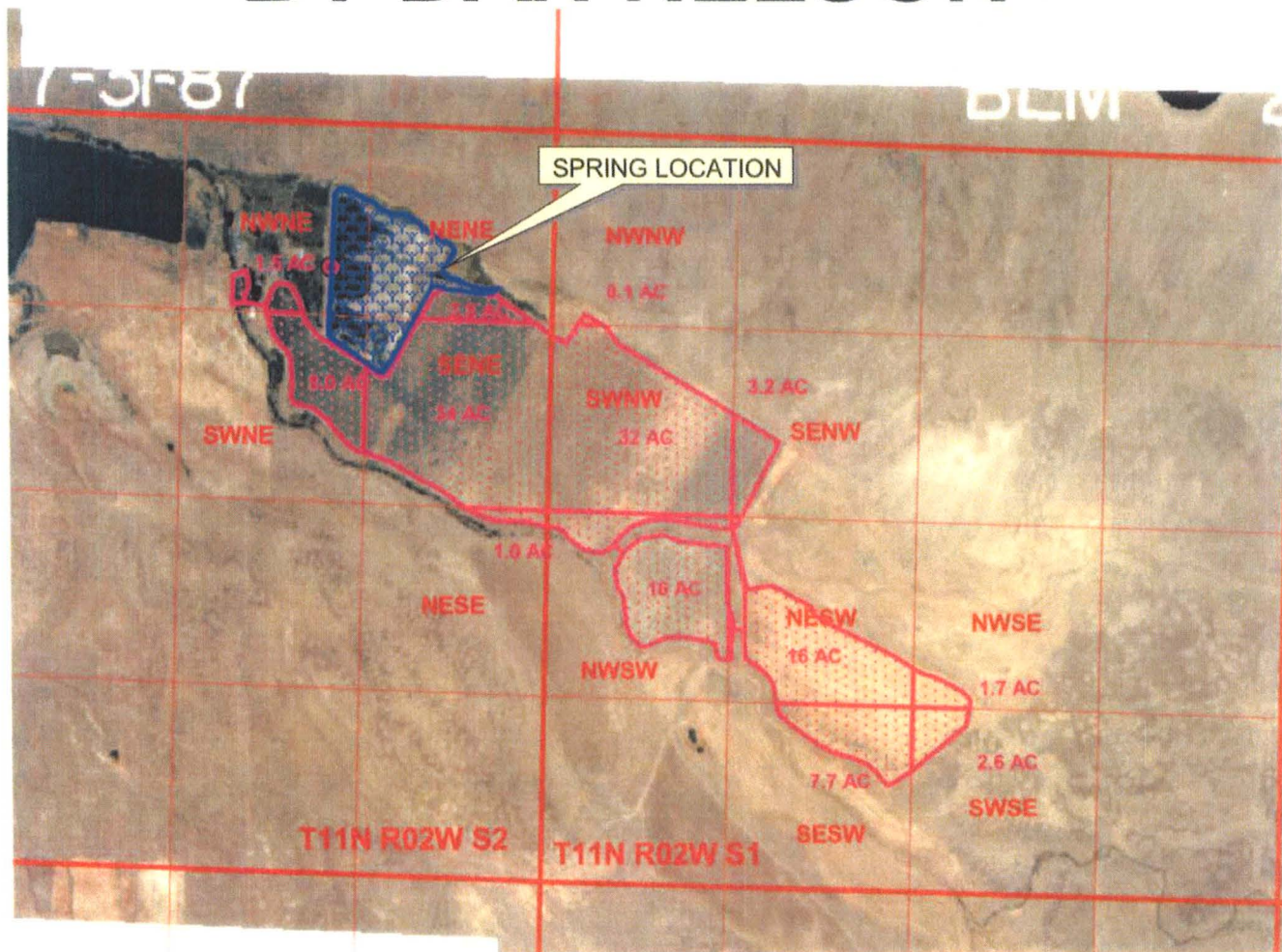
The place of use is the same as 67-2036 and 67-7292. The reservoir is the same reservoir described in 67-7292.



FIELD EXAM 67-7281

PLACE OF USE

BY DAN NELSON



RESERVOIR

POINT OF DIVERSION

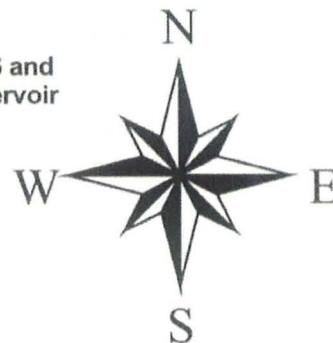
PLACE OF USE

SECTION LINES

1/4 1/4 LINES

PLEASE NOTE:

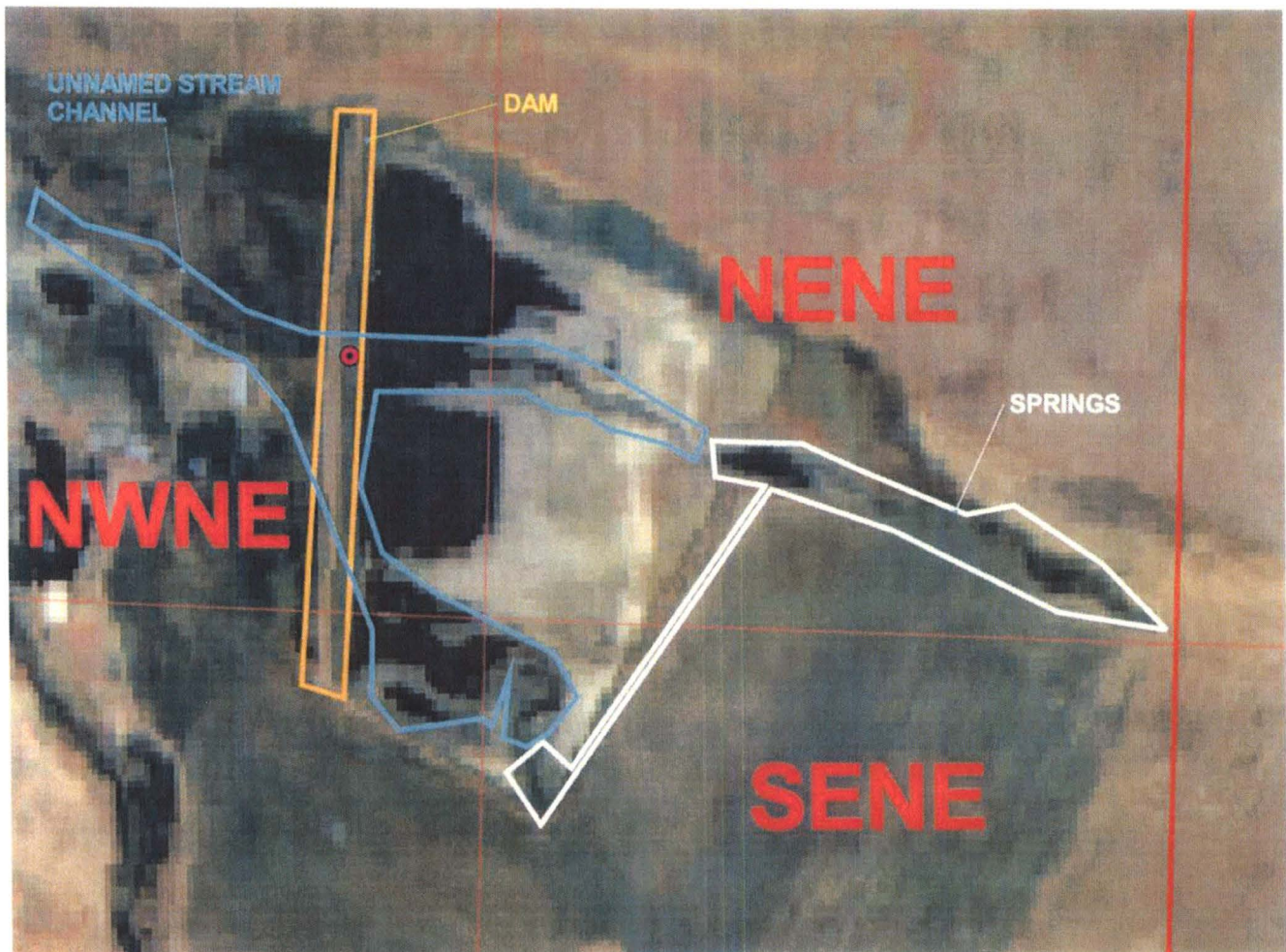
The place of use is the same as 67-2036 and 67-7292. The reservoir is the same reservoir described in 67-7292.



FIELD EXAM 67-, '281

SYSTEM DIAGRAM

BY DAN NELSON

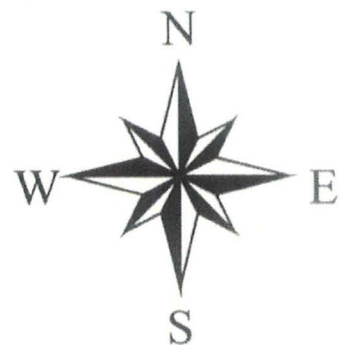


0.1 0 0.1 0.2 Miles

● POINT OF DIVERSION

□ SECTION LINES

□ 1/4 1/4 LINES



PLEASE NOTE:

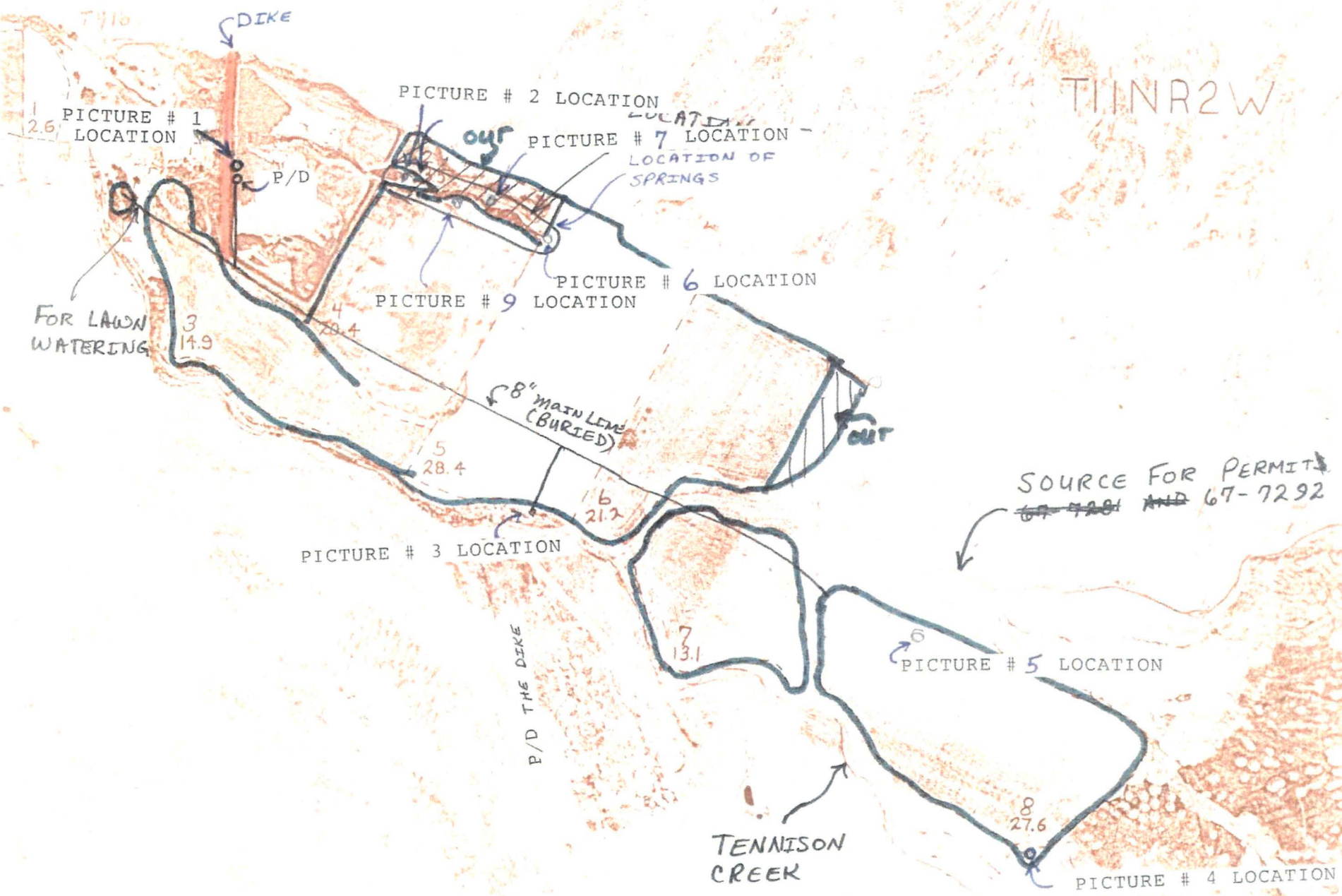
The springs are located on the east side (back end) of the reservoir. The stream channel goes through the reservoir and comes out the other side of the dam. Therefore, the dam has been built on the unnamed stream from the springs and not on the springs themselves.



1979
FLIGHT

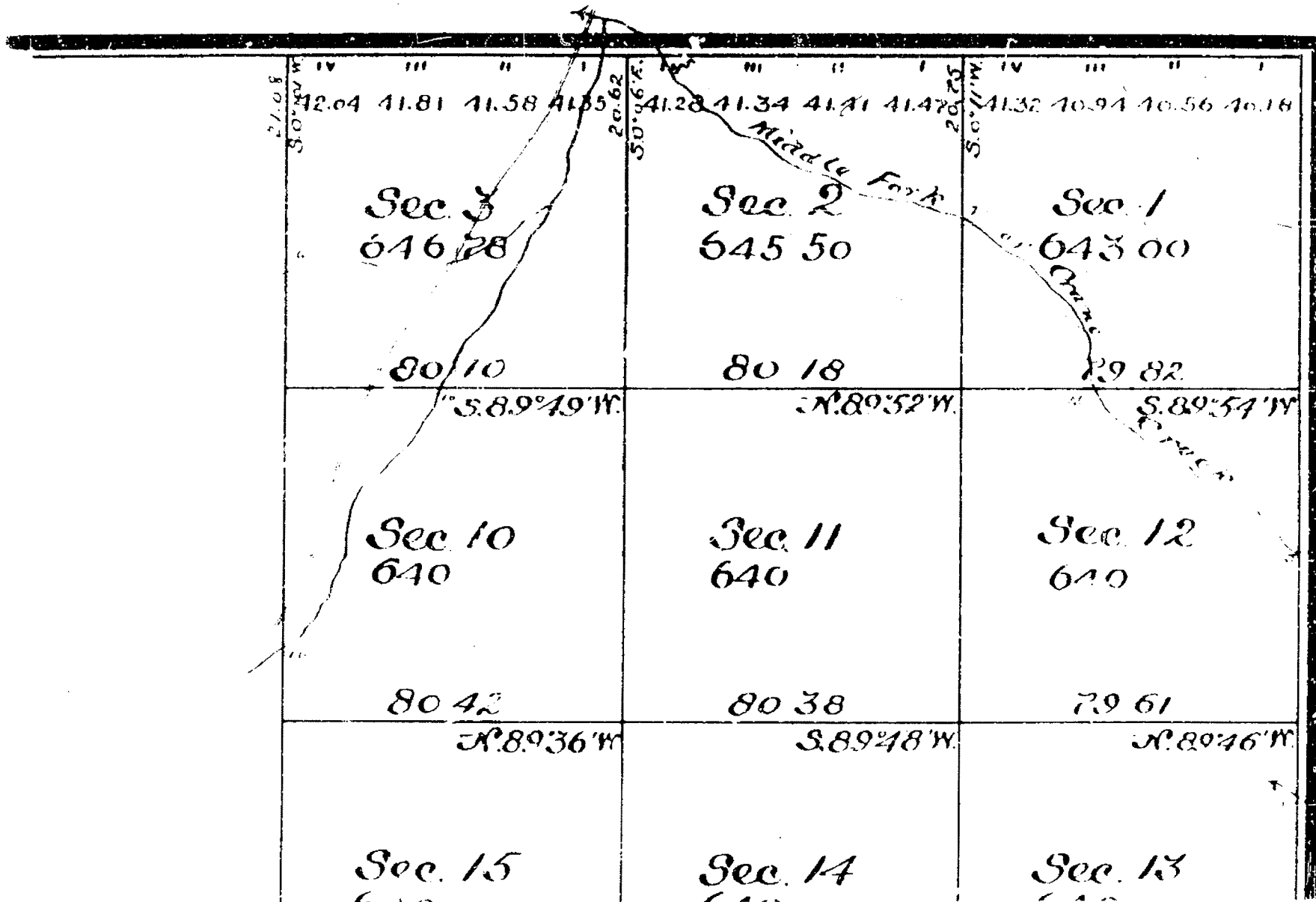
TIINR2W

35	36
2	1



TH, RANGE N° 2 WEST, BOISE MERIDIAN.

Gov Lots



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
RECORD OF INSPECTION OF DAM

Name of Dam: LAND
Name of Owner: FRANK LAND

Stream: TENNISON CREEK
Location: 11N-2W-2

☒ Offstream

Individuals Accompanying Inspector: NO ONE

Reservoir Characteristics: Dam Height : 13 FT

Surface Area: 12 AC

Storage Capacity: 90 AC-FT

Hazard Classification: 2-NO CHANGE

Photographs : YES

CONDITION OF EMBANKMENT OR STRUCTURE : ☐ - Poor ☐ - Fair ☒ - Good ☐ - Excellent

TYPE : ☒ - Earth ☐ - Rockfill ☐ - Conc. Arch ☐ - Conc. Gravity ☐ - Timber Crib ☐ - Other _____

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
SURFACE COVER MATERIAL	EARTH/RIPRAP	EARTH	EARTH	EARTH
GROWTH	WEEDS	PASTURE GRASSES	PASTURE	CATTAILS, A FEW SMALL WILLOWS
SETTLEMENT Or CRACKS	NONE	CRACKS-GONE	NONE	NONE
SURFACE EROSION	NONE	NONE	NONE	NONE
DEBRIS	NONE	NONE	NONE	NONE
ANIMAL BURROWS	NO NEW MUSKRAT ACTIVITY NOTED	NONE	NONE	NONE
CREST WIDTH AND SLOPE MEASUREMENTS	3:1	20 FT	2:1	FLAT

CONDITION OF OUTLET WORKS ; ☒ - Poor ☐ - Fair ☐ - Good ☐ - Excellent

Location ; ☐ - Left Side ☒ - Center ☐ - Right Side ☐ - Other _____

Description and Condition;

12" DIA CONCRETE PIPE THRU THE DAM, OUTLET GATE CATWALK AND CONTROL STEM ARE GONE, OUTLET IS NOT OPERATIONAL.
IRRIGATION PUMP ON THE DAM CREST-OPERATING

Gate Hoist : ☒ - Manual ☐ - Electric ☐ - Other _____

Stem : ☐ - Inclined from entrance to crest ☐ - Vertical on tower at entrance

☐ - Vertical through dam crest ☐ - Downstream valve

Entrance ; GATE FRAME EXPOSED.

Outlet : LAST PIPE SECTION DISPLACED-NO CHANGE

CONDITION of SPILLWAY : ☐ - Poor ☐ - Fair ☒ - Good ☐ - Excellent

-SERVICE SPILLWAY-3.5 FT. DIA DROP INLET AT OUTLET PIPE

Location : ☐ - Left abutment ☒ - Right abutment ☐ - Away from dam ☐ - Other _____

Base width : 8 FT Freeboard at crest : 1.7 FT Sideslope : 3:1 Channel slope : MILD

Over flow channel : ☒ - Well defined ☒ - Flow directed away from toe ☐ - Flow could reach toe

Erosion control present : EARTHEN CHANNEL

Erosion present : NONE

Maintenance condition : Debris SMALL DRIFTWOOD

Growth PASTURE

SEEPAGE:

Reservoir level during inspection : LOW, < 1/3 STORAGE-RESERVOIR BEING DRAFTED FOR IRRIGATION

	TOE AREA	DOWNSTREAM SLOPE	ABUTMENTS	OTHER
Piping of material Evident (Est. G.P.M.)	NONE	NONE	NONE	
Flowing water (Est. G.P.M.)	NONE	NONE	NONE	
Marshy or Standing water	DRY	NONE	NONE	
Damp	DRY	NONE	NONE	
Evident from Growth present	CATTAILS	NONE	NONE	

GENERAL CONDITION AND DESCRIPTION OF DAM :

FAIR-GOOD, NO CHANGE IN THE OUTLET WORKS SINCE THE PREVIOUS INSPECTION.
GATE STEM AND CATWALK ARE STILL MISSING. IRRIGATION PUMP IS AVAILABLE FOR DRAFTING DOWN THE RESERVOIR IF NEEDED.

RODENTS AND GROWTH ARE CONTROLLED.

INSTRUMENT READINGS (Piezometer, Seepage measurements, Alignment, Elevation, etc.)

NONE TAKEN

RECOMMENDATIONS :

ISSUE A GENERAL STORAGE CERTIFICATE; AUTHORIZE STORAGE UNTIL NOVEMBER 1, 2005
-RETAIN 2 FT MINIMUM FREEBOARD AND 1 FT/DAY RESERVOIR FILLING CONDITIONS

MAINTENANCE/REPAIR

-REPLACE GATE STEM AND CATWALK SO OUTLET IS OPERATIONAL.
-CONTINUE TO CONTROL RODENTS AND WOODY GROWTH ON THE EMBANKMENT.

DATE : 7/10/03

INSPECTED BY : J. WESTRA, WESTERN REG.

12/01/2006

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

RIGHT NUMBER: 67-7281

NAME AND ADDRESS: TREVA LAND
3430 BIG FLAT RD
MIDVALE ID 83645

FRANK D LAND
3430 BIG FLAT RD
MIDVALE ID 83645

SOURCE: SPRING

TRIBUTARY: TENNISON CREEK

QUANTITY: 75.000 AFY

PRIORITY DATE: 07/23/1976

POINT OF DIVERSION:

T11N R02W S2 NENE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	75.00 AFY
STOCKWATER	01/01 12/31	2.70 AFY
IRRIGATION STORAGE	01/01 12/31	75.00 AFY

PLACE OF USE: IRRIGATION in WASHINGTON County

T11N R02W S01	NWNW	3.00	T11N R02W S01	SWNW	36.00
T11N R02W S01	SENW	6.00	T11N R02W S01	NESW	11.00
T11N R02W S01	NWSW	37.00	T11N R02W S01	SWSW	30.00
T11N R02W S01	SESW	33.00	T11N R02W S02	NENE	8.00
T11N R02W S02	NWNE	4.00	T11N R02W S02	SWNE	10.00
T11N R02W S02	SENE	34.00	T11N R02W S02	NESE	3.00
T11N R02W S12	NENW	10.00	T11N R02W S12	NWNW	25.00

IRRIGATION STORAGE in WASHINGTON County

T11N R02W S02	NENE	T11N R02W S02	NWNE
---------------	------	---------------	------

STOCKWATER in WASHINGTON County

T11N R02W S02	NENE	T11N R02W S02	NWNE
---------------	------	---------------	------

250 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.

This right is conditioned upon completion of the appropriation in accordance with the statutory procedure for appropriation of water rights. This right remains subject to all conditions set forth in the permit upon which this right is based, and will be subject to all conditions set forth in the license issued by IDWR upon completion of the statutory appropriation process.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Permit

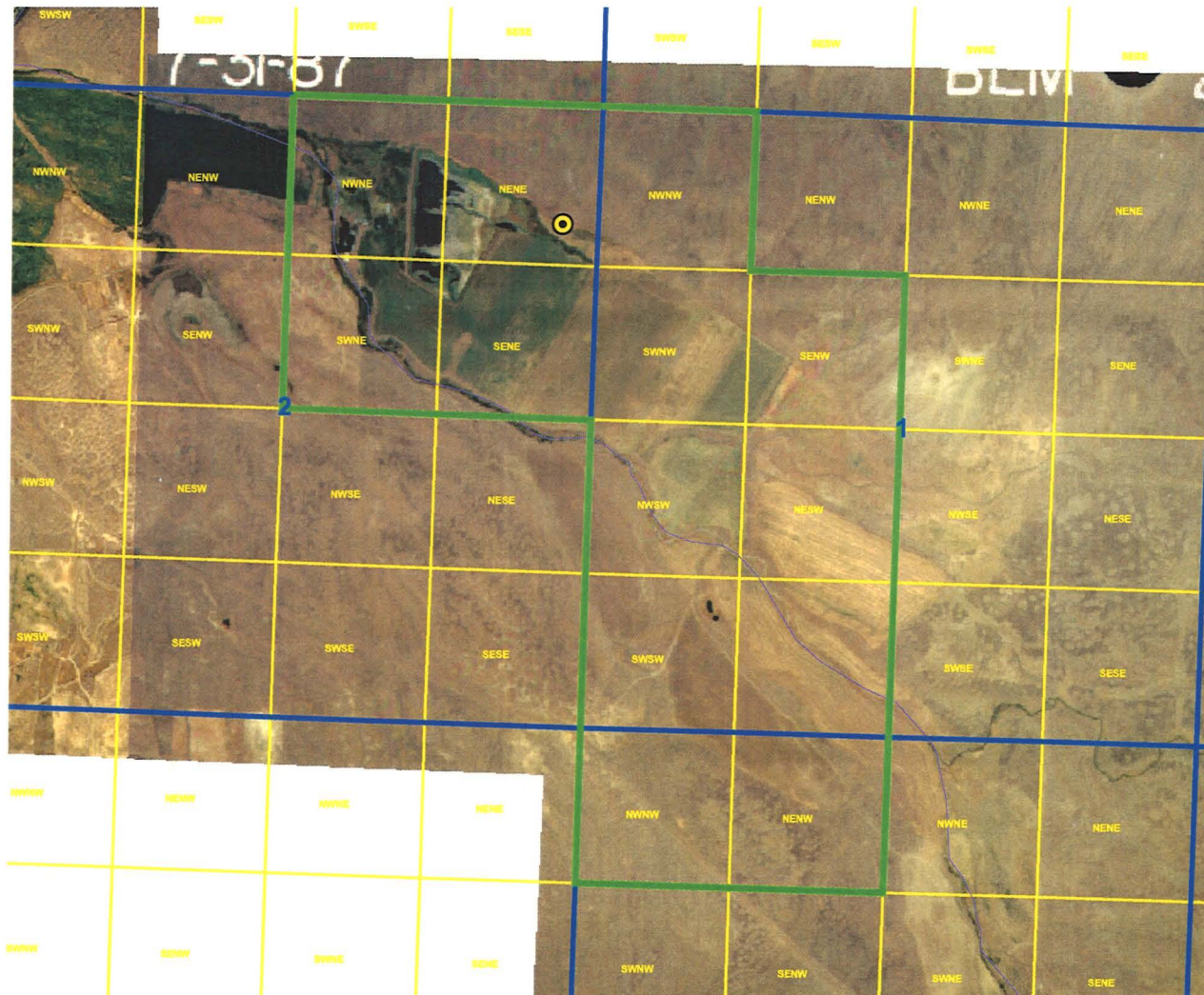
Idaho Department of Water Resources

**T11N, R02W,
SEC 1, 2 & 12**

Claim No: 67-7281

Prepared By: Kimberly Brown

Date: December 1, 2006



Place of Use



Section Lines



1/4 1/4



Point of Diversion

Irrigated Acres = 250



0.3 0 0.3 0.6 Miles

1987 NAPP

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 67-7281

WATER RIGHT NUMBER: 67-7281 ✓

Owner Type Name and Address
 Current Owner FRANK D LAND ✓
 STAR RT
 MIDVALE, ID 83645
 Current Owner TREVA LAND ✓
 STAR RT
 MIDVALE, ID 83645

Priority Date: 07/23/1976 ✓

Basis: **PERMIT**

Status: Active

Source Tributary
~~UNNAMED STREAM~~ **Spring** TENNISON CREEK ✓
 ("Storage for irrigation")

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION STORAGE	1/01	12/31		75.00 AF
~~IRRIGATION FROM STORAGE~~	4/01	10/31		75.00 AF
~~STOCKWATER FROM STORAGE~~	1/01	12/31		2.70 AF
~~STOCKWATER STORAGE~~	~~1/01~~	~~12/31~~		~~2.70 AF~~
<u>Total Diversion:</u>				75.00 AF

Location of Point(s) of Diversion

UNNAMED STREAM NW1/4NE1/4 Sec. 2, Twp 11N, Rge 02W, B.M. ✓
 WASHINGTON County ✓ **NE**

Place of Use

IRRIGATION STORAGE

(Stockwater)

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	02W	2	X	X			

Total Acres: 250

~~IRRIGATION FROM STORAGE~~

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	02W	1		3.0	36.0	6.0	11.0
11N	02W	2	8.0	4.0	10.0	34.0	3.0
							156.0
							59.0

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 67-7281

11N 02W 12			10.0	25.0				35.0

Total Acres: 250

STOCKWATER FROM STORAGE same as IRRIGATION STORAGE

Conditions of Approval:

1. NO DIVERSION TO STORAGE OR IRRIGATION USE LISTED ON PERMIT.
STOCKWATER STORAGE & STOCKWATER FROM STORAGE LISTED AS STOCKWATER ON PERMIT.

Remarks:

Comments:

Water Supply Bank:

Brown, Kimberly

From: Keen, Shelley
Sent: Thursday, November 30, 2006 12:19 PM
To: Brown, Kimberly
Subject: RE: 67-2365, 67-7281, & 67-7292

Kimberly,

No change since my last email. We haven't received the amendments from the permit holders. We can issue the licenses as soon as those amendments arrive. If they don't come this week, we'll send a reminder.

Using the A01 condition is your best bet for now.

Shelley

-----Original Message-----

From: Brown, Kimberly
Sent: Thursday, November 30, 2006 12:15 PM
To: Keen, Shelley
Subject: RE: 67-2365, 67-7281, & 67-7292

Shelley,

I just spoke with Jan regarding these three claims and we (she) decided that, since they need to be recommended in the SRBA by Monday, I should just recommend them as permitted with the A01 Condition. Can you give me any indication where they currently are in the licensing process?

-----Original Message-----

From: Keen, Shelley
Sent: Wednesday, November 15, 2006 10:09 AM
To: Brown, Kimberly
Subject: RE: 67-2365, 67-7281, & 67-7292

Kimberly,

Our standard practice is to give them 14 days, wait 30 days, send a reminder giving them another 14 days, wait 30 days, then void the permit or issue a license without the changes. We can hope that they'll respond to the initial 14-day deadline. If not, I can probably prod them a little bit.

Shelley

-----Original Message-----

From: Brown, Kimberly
Sent: Wednesday, November 15, 2006 10:05 AM
To: Keen, Shelley
Subject: RE: 67-2365, 67-7281, & 67-7292

Shelley,

May I ask if you gave the claimants a deadline to return the amendments to your office? Basically, my question is whether you gave them the customary 30-days or, hopefully, fewer than that?

Sincerely,
Kimberly

-----Original Message-----

From: Keen, Shelley
Sent: Monday, November 13, 2006 11:47 AM
To: Brown, Kimberly
Subject: RE: 67-2365, 67-7281, & 67-7292

Kimberly,

I pulled them out of the vault, and it looks like they all need to be amended before the licenses can be

issued. I'll try to get the amendments in the mail to the right holder by tomorrow, but I really doubt we'll have them back by your deadline. We should have them done by the time the final director's report is submitted.

Shelley

-----Original Message-----

From: Brown, Kimberly
Sent: Monday, November 13, 2006 8:43 AM
To: Keen, Shelley
Subject: 67-2365, 67-7281, & 67-7292

Shelley,

I just began reviewing the three claims listed above this morning and found that the Adjudication Claim Report lists their Basis as a Permit, but the Water Right Report lists them with a Basis as Licensed. I then spoke with Dan Nelson and he conducted field investigations for two of these claims (67-7281 & 67-7292) in August 1988 and reviewed the field exam conducted by Kelly Christensen for 67-2365 in August 2005.

Since recommendations for all three of these claims are due on November 15, 2006 (in three days); Jan Shurte suggested that I recommend them as permitted.

Do you have any suggestions regarding the recommendation of these three claims in the adjudication?

Sincerely,

Kimberly Brown
Sr. Water Resource Agent
Western Region

Receipt Details for ID M004878

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
10/10/1989 3:51:09 PM	10/10/1989	Mobile	\$238.00	Check
Payer	LAND, FRANK/TREVA			

Account Information:

Check #	Account #	Credit Card Name	Authorization #
1452			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE**Fee Detail:**

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$238.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
67	7292		\$50.00	Claim
67	2365		\$50.00	Claim
67	7281		\$138.00	Claim

[Print Report](#)



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

67-7281
LAND, FRANK D.
LAND, TREVA
STAR RT.
MIDVALE, ID 83645

May 5, 1988

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on June 9, 1988, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on April 10, 1987.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before August 8, 1988, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure



Cecil D. Andrus
Governor

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

67-7281
LAND, FRANK D.
LAND, TREVA
STAR RT.
MIDVALE, ID 83645

138218

April 10, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

INTER-DEPARTMENT MEMO — 1

FROM *Ralph Mellen*

TO *File 67-7281*

SUBJECT

*No Diversion to Storage listed on permit
Also no irrigation water flow right*

*Stockwater listed on permit should be expended
to Stockwater Storage & Stockwater from Storage.*

Rm

SIGNATURE

P 164
1000
Record

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 1 167-7281
Old No. New No.

Record

1. Original Owner: Frank D. + Thelma Sand

Present Owner: _____

2. Address: Star Rt.

3. City: Midvale State: Id Zip: 83645

4. A. Source of Water: unnamed stream

B. Tributary of: Tennison Creek

5. A. Stage (A,P,L,D,S,J): P

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 7-23-1976

D. County: 87

E. Total Diversion Rate: -

F. Total Diversion Volume: 75.

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Two.	Rge.	Gov't Lot Rediv.
6. A. Point of Diversion	<u>NWNE</u>	<u>2</u>	<u>11N</u>	<u>2W</u>	

7. Period of Use, Use, Diversion Rate/Volume:

from	<u>1-1</u>	to	<u>12-31</u>	for	<u>AS</u> purposes.	Amount	<u>75.</u>
						(cfs or AC-Ft/yr)	
					<u>AR</u>		
from	<u>4-1</u>	to	<u>10-31</u>	for	<u>AB</u> purposes.	Amount	<u>75.</u>
from	<u>1-1</u>	to	<u>12-31</u>	for	<u>SS</u> purposes.	Amount	<u>27</u>
from	<u>1-1</u>	to	<u>12-31</u>	for	<u>SR</u> purposes.	Amount	<u>27</u>
from		to		for		Amount	
from		to		for		Amount	
from		to		for		Amount	

8. Use Code: AS

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	2W	2	8	4	10	34									3				59
		1					3	3	10	6	11	37	30	33					156
		12					10	25											
		2	35	35															
																			215

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information): 5/200 Range

12. Other Rights for Same Use: 67-2365

13. A. Proof Due Date: 9-1-1981

B. Data Permit Approved or Denied: 9-17-1976

C. Protested Date:

D. Hearing Date:

E. Old Number:

F. Proof Made (P or blank): P

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative): Dam & Pump



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

October 4, 1977

Re: Permit No. 67-7292, 67-7281, 67-2365

Frank D. & Treva Land
Midvale, Idaho
83645

Dear Mr. & Mrs. Land:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

SEP 2

OK

1. a) Name of Permit Holder Frank D. & Treva Lund
b) Post Office Address Midvale Idaho
2. Permit Number 67-7281
3. Date of Priority that you are prepared to establish 7/23/76
4. a) Source from which water was appropriated Spring
b) Location of the point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2
Township 11N, Range 2W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 7.5 for Storage for Irrigation purposes from 1/1 to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 7.5 for Irrigation purposes from 1/1 to 10/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount 2.7 for Stockwater purposes from 1/1 to 12/31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 7.5 cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 15 ft dam 200 ft long earth filled with pump for irrigation
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Stockwater for 200 head

MEMORANDUM

FROM: Peter Chamberlin *PCC*

Date: August 10, 1976

TO: File 67-7281

RE: Pre-permit examination

On August 8, 1976, I met Frank Land on his ranch 26 miles east of Midvale. Mr. Land plans to expand an existing reservoir to store spring runoff. The source of water is an intermittent unnamed stream which is a tributary of Tennison Creek.

Mr. Land already has flow rights from the reservoir based upon permit 67-2365. This new application will be for storage rights for irrigation and stockwater. Permit 67-2365 does not appear to have been assigned to Mr. Land. Proof is due on the permit in October of 1977.

Since Crane Creek is decreed there is some questions as to whether application 67-7281 should grant a year round storage right.

RECOMMENDATIONS

1. Approve permit.
2. Change application to show source of water as unnamed stream
3. Contact applicant to determine if permit 67-2365 has been assigned to him. *(Applicant has not yet been advised.)*

~~4. Alter application to show storage for non-irrigation season~~ *7/8/76*

7/8/76

Identification No. _____

Application No. 67-7281

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Frank D. &/or Treva Land Phone: 355-2487
post office address Star Route Midvale, ID
2. Source of water supply spring which is a tributary of Tennison Creek
3. a. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 2 Township 11N
Range 2W B.M. Washington County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in NW $\frac{1}{4}$
of NE $\frac{1}{4}$ of Section 2 Township 11N Range 2W B.M. _____
4. Water will be used for the following purposes:
irrigation
Amount 75AF for Storage for purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 75AF for Irrigation purpose from 4-1 to 10-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 2.7 AF for Stockwater purpose from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. _____ cubic feet per second and/or
b. 75 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. 15 ft dam 800 ft long
earthfilled with pump for irrigation

b. Height of storage dam 15 feet, active reservoir capacity 75 acre feet; total reservoir
capacity 75 acre feet, materials used in storage dam: earth
Period of year during which storage will occur 1-1 to 12-31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 12,000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: N $\frac{1}{2}$ $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 2 Township 11N
Range 2W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 200 head of cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: storage for irrigation from 1-1 to 12-31

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
11N	2W	2	8	4	10	34									3				59
		1						3	36	6	11	37	30	33					156
11N	2W	12					10	25											35

Total number of acres to be irrigated 250

c. Describe any other water rights used for the same purposes as described above.

67-2365 at 6.46 cfs for irrigation

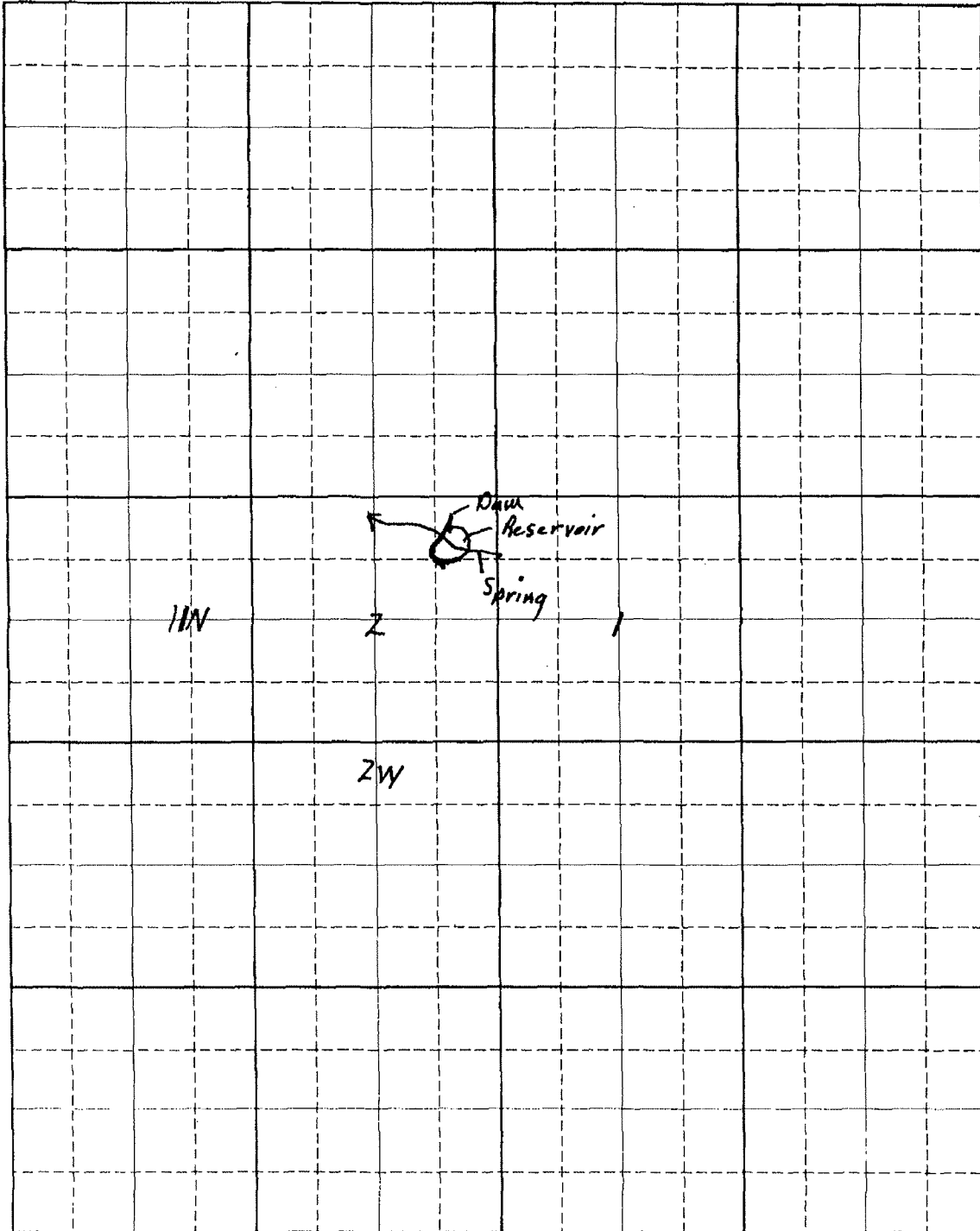
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Frank O. Land
(Applicant)

Proposed Priority 7-23-76

Received by CLS Date 7/23/76 Time 09:00 AM

Preliminary check by CLS Fee \$ 25.00

Received by RB Date 7-23-76 # 5052

Publication prepared by RB Date 7-30-76

Published in the Signal American

Publication dates Aug 5 & 12

Publication approved RF Date 8-24-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RF 30F

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 67-7281, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

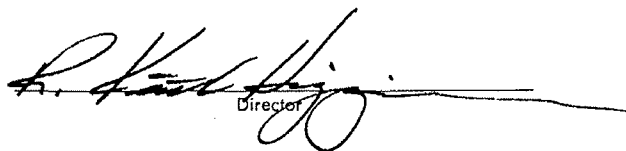
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1981.

c. Other: _____

2. Denial of said application is for the following reasons: _____

Witness my hand this 17 day of September, 1976.


Director

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: A67-07281

Date Received: 10/10/1989

Receipt No:

Received By: M008878

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: FRANK D. LAND 208-355-2487
Address: 3430 BIG FLAT ROAD
MIDVALE, ID 83645

AND/OR

Name: TREVA LAND 208-355-2487
Address: 3430 BIG FLAT ROAD
MIDVALE, ID 83645

2. Date of Priority: JUL 23, 1976

3. Source: UNNAMED STREAM Trib. to: TENNISON CREEK

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11N	02W	2	NE	NE	NE		WASHINGTON
			SE	NE	NE		WASHINGTON

5. Description of diverting works:
DAM & PUMP. TO MAIN AND WHEEL LINES

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION STORAGE	01/01	12/31			75.00
IRRIGATION FROM STORAGE	04/01	10/31			75.00
STOCKWATER STORAGE	01/01	12/31			2.70
STOCKWATER FROM STORAGE	01/01	12/31			2.70

7. Total Quantity Appropriated is:
C.F.S. (and/or) 75.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/200 RANGE.

A67-07281

Page 1

Date: 10/10/89

MICROFILMED
OCT 02 1992

SCANNED
MAY 10 2004

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11N	02W	1	SW		NW		STOCK	
			SW		NW		IRR FS	36.0
			NW		SW		STOCK	
			NW		SW		IRR FS	15.0
			Section Acres					51.0
		2	NE		NE		STOCK	
			NE		NE		IRR S	
			NW		NE		STOCK	
			NW		NE		IRR S	
			NW		NE		IRR FS	1.0
			SW		NE		STOCK	
			SW		NE		IRR FS	10.0
			SE		NE		STOCK	
			SE		NE		IRR FS	26.0
			Section Acres					37.0
			Total Acres					88.0

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:
67-2365.

14. Remarks:
NO DIVERSION TO STORAGE OR IRRIGATION USE LISTED ON PERMIT.
STOCKWATER STORAGE & STOCKWATER FROM STORAGE LISTED AS
STOCKWATER ON PERMIT.

15. Basis of Claim: PERMIT

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: 1

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): KFO Land Date: 10-10-89

Date: _____

State of Idaho)
County of Nashington) SS.

Subscribed and sworn (or affirmed) before me this 10 day
of Oct 19 89 Bruce A. Schul
Notary Public

Seal

Residing at BRUCE A. SCHULD, NOTARY PUBLIC
RESIDING AT BOISE, IDAHO
My Commission Expires MY COMMISSION EXPIRES APRIL 11, 1995



5-3-05 : Overlap w/ 67-2365, 67-7281, 67-7292

67-7895 not required to be filed on in SRBA.

5-10-05 : let Dan do licensing file and base recommendation on his findings.

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 67-7281

WATER RIGHT NUMBER: 67-7281

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	FRANK D LAND STAR RT MIDVALE, ID 83645
Current Owner	TREVA LAND STAR RT MIDVALE, ID 83645

Priority Date: 07/23/1976

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
UNNAMED STREAM	TENNISON CREEK

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION STORAGE	1/01 to 12/31		75.00 AF
IRRIGATION FROM STORAGE	4/01 to 10/31		75.00 AF
STOCKWATER FROM STORAGE	1/01 to 12/31		2.70 AF
STOCKWATER STORAGE	1/01 to 12/31		2.70 AF
	<u>Total Diversion:</u>		75.00 AF

Location of Point(s) of Diversion

UNNAMED STREAM NW1/4NE1/4 Sec. 2, Twp 11N, Rge 02W, B.M.
WASHINGTON County

Place of Use

IRRIGATION STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	02W	2	X	X			

Total Acres: 250

IRRIGATION FROM STORAGE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
11N	02W	1		3.0	36.0	6.0	156.0
11N	02W	2	8.0	4.0	10.0	34.0	59.0

IDAHO DEPARTMENT OF WATER RESOURCES
Water Permit Report 67-7281

11N 02W 12	10.0	25.0			35.0
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Total Acres: 250

STOCKWATER FROM STORAGE same as IRRIGATION STORAGE

Conditions of Approval:Remarks:

- General NO DIVERSION TO STORAGE OR IRRIGATION USE LISTED ON PERMIT.
STOCKWATER STORAGE & STOCKWATER FROM STORAGE LISTED AS STOCKWATER ON PERMIT.

Comments:Dates and Other Information:

Permit Proof Due Date: 9/1/1981
Permit Proof Made Date: 1/1/1900
Permit Approved Date: 9/17/1976
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date: 8/3/1988
Date Sent to State Office:
Date Received at State Office:
State or Federal:
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:

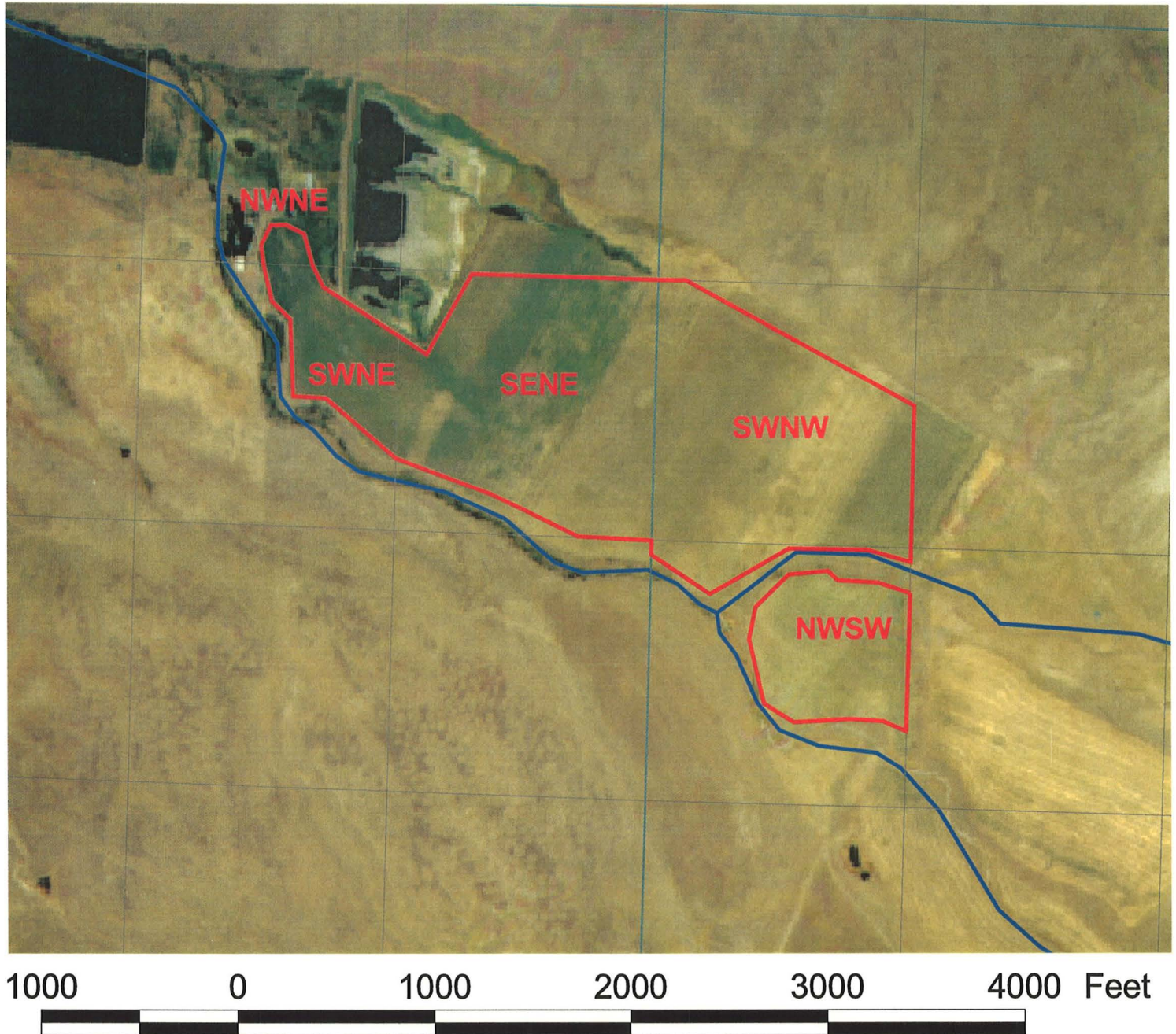
Element	Last Reviewed Date	Reviewer	Last Verified Date	Verifier	Status
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Verification Log:

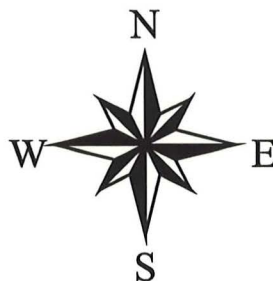
Element	Date Time Stamp	Reviewer	Log text
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Idaho Department of Water Resources

67-7281



T11N, R02W, S1 & S2



Prepared by Anita L. Warntjes
February 26, 2004
1993/94 True Color Photo

RECEIVED

MAY 10 2004

RECEIVED

MAY 06 2004

Washington County Title Co.

Department of Water Resources

WATER RESOURCES
WESTERN REGION

35 West Idaho St.
Weiser, ID 83672

(208) 414-1455
Fax (208) 414-1487
wctitle@ruralnetwork.net

Title Insurance

Escrow Service

May 6, 2004

IDWR Western Region
Attn: Kari Lynn Townsend
2735 Airport Way
Boise, ID 83705-5082



RE: Change in Water Right Ownership for No.'s 67-2365, 67-7281, 67-7292, and 67-7895 *with original*

Dear Kari Lynn:

Enclosed please find check #991 in the amount of \$25.00 for the above referenced change, as well as the Notice of Change in Water Right Ownership form and copy of the Warranty Deed.

Thank you for your help with this.

Yours truly,

WASHINGTON COUNTY TITLE CO.



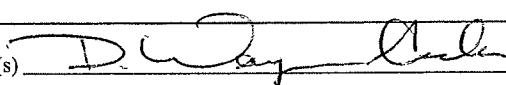
Paula Thomsen

Encl.

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

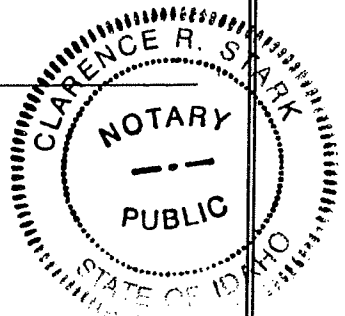
DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) 
(include title if applicable) _____

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only
 Received by DS Date 5-7-04 Fee \$25 - (67-7895)
 Receipted by DS Date 5-7-04 Receipt No. W031662
 Processed by _____ AJ Date _____ WR _____ Date _____



Legal Description

IN TOWNSHIP 11 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN:

- Section 1: Lots 2, 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
- Section 2: NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$;
- Section 11: E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Section 12: W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$;
- Section 13: NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
- Section 14: SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$.